



## REPORT TO COUNCIL

Council Meeting: November 15, 2022  
500 Matterson Drive, Ucluelet, BC V0R 3A0

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**FROM:** MONICA WHITNEY-BROWN, PLANNING ASSISTANT

**FILE NO:** 3360-20 RZ22-07

**SUBJECT:** ZONING AMENDMENT FOR 327 PASS OF MELFORT

**REPORT NO:** 22-154

**ATTACHMENT(S):** APPENDIX A – APPLICATION  
APPENDIX B – ZONING AMENDMENT BYLAW No.1320

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### RECOMMENDATION(S):

THAT Council, with regard to the proposed development at 327 Pass of Melfort Place:

1. Give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022, and;
2. Direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022.

### BACKGROUND:

The applicant first contacted District staff in late May of 2022 to discuss the construction of an addition to their existing single-family dwelling at 327 Pass of Melfort Place, Lot 20, Plan VIS5896, Clayoquot Land District. The applicant is seeking to add two additional bedrooms to accommodate their growing family.

The property is in the Pass of Melfort Place subdivision, which is zoned R-4 (small lot single-family residential). This zone is intended to facilitate smaller single-family dwellings on smaller lots, with density regulated through maximum Floor Area Ratio (FAR). The FAR for this property under Zoning Bylaw 1160 is 0.35.

At the time the house was built, there was a garage exemption in place, meaning the square footage of the garage did not count in the FAR. In April of 2020, Council adopted a bylaw that, in part, refined the definition of Gross Floor Area and specific to this application it removed the exclusion of indoor parking and the storage of cars from the gross floor area in most residential zones (with the exception of limited exemption in R-1 zones). For this reason, this property is legally nonconforming, as it has a current FAR of 0.42, including the garage area. Despite the relatively modest size of the proposed addition, it would result in a FAR of 0.51 on this property.

The applicant is seeking a rezoning to allow this higher density on their lot, enabling them to build their desired addition and come into compliance with the zoning bylaw.



Figure 1– Subject Site

**DISCUSSION:**

The applicant is proposing a 336 ft<sup>2</sup> addition to their existing single-family dwelling (Figure 2). The house on site was built in 2018, with a square footage of 1805 ft<sup>2</sup> inclusive of a garage and suite. While the proposed addition would result in a higher FAR than some surrounding properties, there is a high level of variability in building sizes already allowed in the neighbourhood, including lots with an FAR of up to 0.67.



Figure 2 - Proposed addition photo

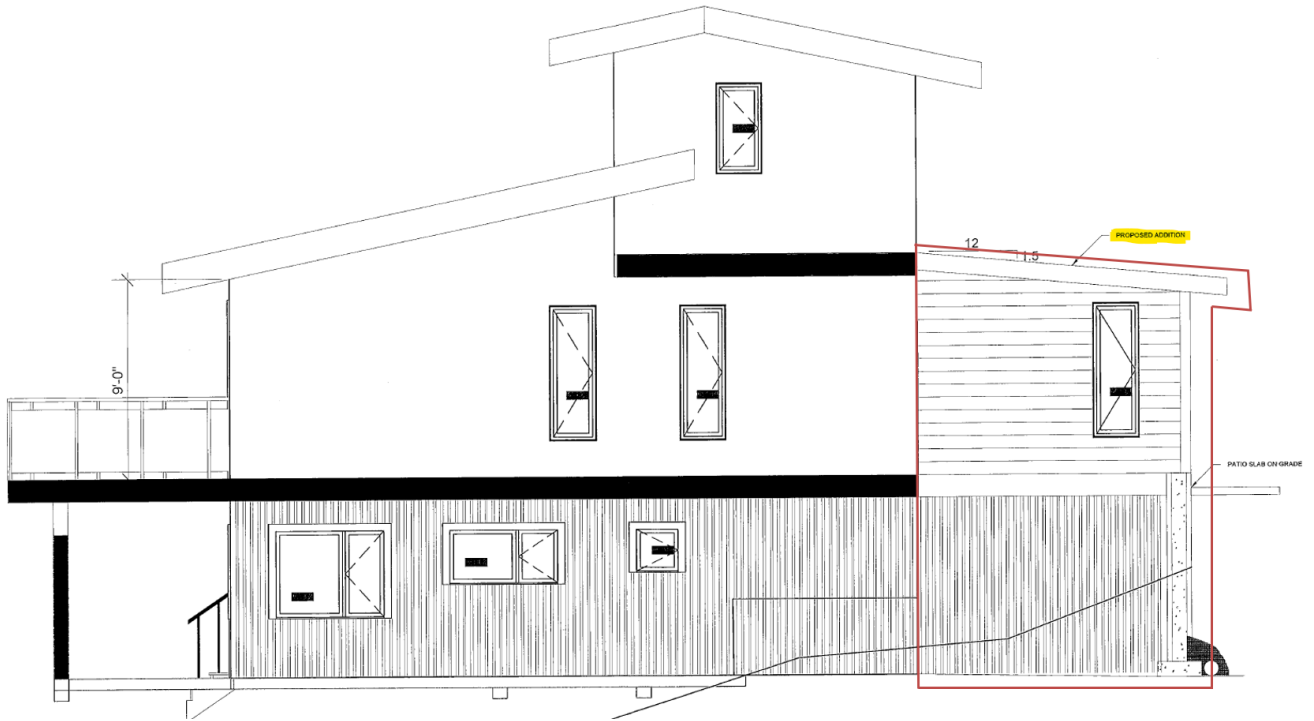


Figure 3 - Proposed addition

**ANALYSIS OF OPTIONS**

<b>A</b>	Give first and second reading of Bylaw No. 1320, 2022 and direct staff to give notice for a public hearing.	<b>Pros</b>	<ul style="list-style-type: none"> <li>• Would allow the applicant to expand their SFD.</li> <li>• Would bring the property into compliance with the zoning bylaw, rather than having legal nonconforming status.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>• Would result in a larger building than was originally anticipated for the property.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>• Would allow the application to proceed to a public hearing.</li> <li>• Staff time required to arrange public hearing and follow-up report.</li> </ul>
<b>B</b>	Modify the draft zoning bylaw prior to/by stating which and how elements or features are to be modified.	<b>Pros</b>	<ul style="list-style-type: none"> <li>• Modifying the zoning bylaw will ensure Councils intent for the development of homes within the Pass of Melfort are met.</li> <li>• Modifying the bylaw may reduce the number of rezoning applications related to this area.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>• Modifying the zoning bylaw will require substantial staff time to complete the amendments and undertake the required public engagement process.</li> </ul>
		<b>Suggested Motion</b>	<b>THAT</b> Council direct staff to modify the draft District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022, to <b><u>(state desired</u></b>

		<u>outcome of amendments</u> ), for further consideration at a future meeting.
C	Reject the application.	<p><u>Pros</u></p> <ul style="list-style-type: none"> <li>• Would maintain the original intent of the zoning for smaller homes on small residential lots within this development area.</li> </ul>
		<p><u>Cons</u></p> <ul style="list-style-type: none"> <li>• The applicant will not be able to build their desired addition.</li> </ul>
		<p><u>Implications</u></p> <ul style="list-style-type: none"> <li>• The application would not proceed to public hearing.</li> </ul>
		<p><u>Suggested Motion</u></p> <p>THAT Council rejected the application associated with RZ22-07 for 327 Pass of Melfort.</p>

**NEXT STEPS:**

If Council gives first readings to the draft Zoning Amendment Bylaw No. 1320, 2022, staff would undertake the necessary notification for a public hearing to be held at a date to be determined.

**Respectfully submitted:** Monica Whitney-Brown, Planning Assistant  
Bruce Greig, Director of Community Planning  
Duane Lawrence, CAO