



REPORT TO COUNCIL

Council Meeting: January 23, 2024
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

FILE NO: 3360-20 RZ24-01

SUBJECT: ZONING AMENDMENT FOR A FORBES ROAD FOOD BANK

REPORT No: 24-07

ATTACHMENT(S): APPENDIX A – DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW No. 1336, 2024

RECOMMENDATION(S):

THAT Council, with regard to a zoning change to allow a food bank on a proposed parcel located within a portion of Tugwell Fields Park:

1. Give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024; and
2. Direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024; and
3. That Council signal that, if Bylaw No. 1336, 2024 is successful in attaining a third reading, this bylaw will not be carried forward for adoption until the conclusion of the elector approval process for the related District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.

BACKGROUND:

Since May of 2023 Council has authorized funds and developed a Purchase and Sale agreement with the Food Bank on the Edge Society to facilitate a new food bank project on a portion of the Tugwell Fields Park. Report 24-02 in the [January 9, 2024, Agenda](#), gives a greater level of detail on the history of this project and the required processes involved.

DISCUSSION

To facilitate the Food Bank use on the proposed PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT (the “Subject Lot”), a zoning amendment must occur as the current Park zone designation in the CD-1 zone does not allow for a Food Bank use. Bylaw No. 1336, 2024 (the “Bylaw”) proposes to do three things:

1. Change the subject property area’s zoning designation on the Zoning Map from CD-1.1.4 to P-1 Public Institutional. This will clearly delineate the property and make it consistent with other similar municipally-owned properties.

2. Add the definition for a food bank:

“Food Bank” means the use of buildings or lands for a non-profit organization that operates with the exclusive intent of feeding the hungry;”

3. Add a specific allowance for the new food bank use to the subject property while restricting a thrift store or free store-type associated use:

“P-1.1.2 Notwithstanding other regulations in this bylaw, on the lands legally described PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT, Food Bank (for clarity, specifically excluding a free store or thrift store) is a permitted principal use.”

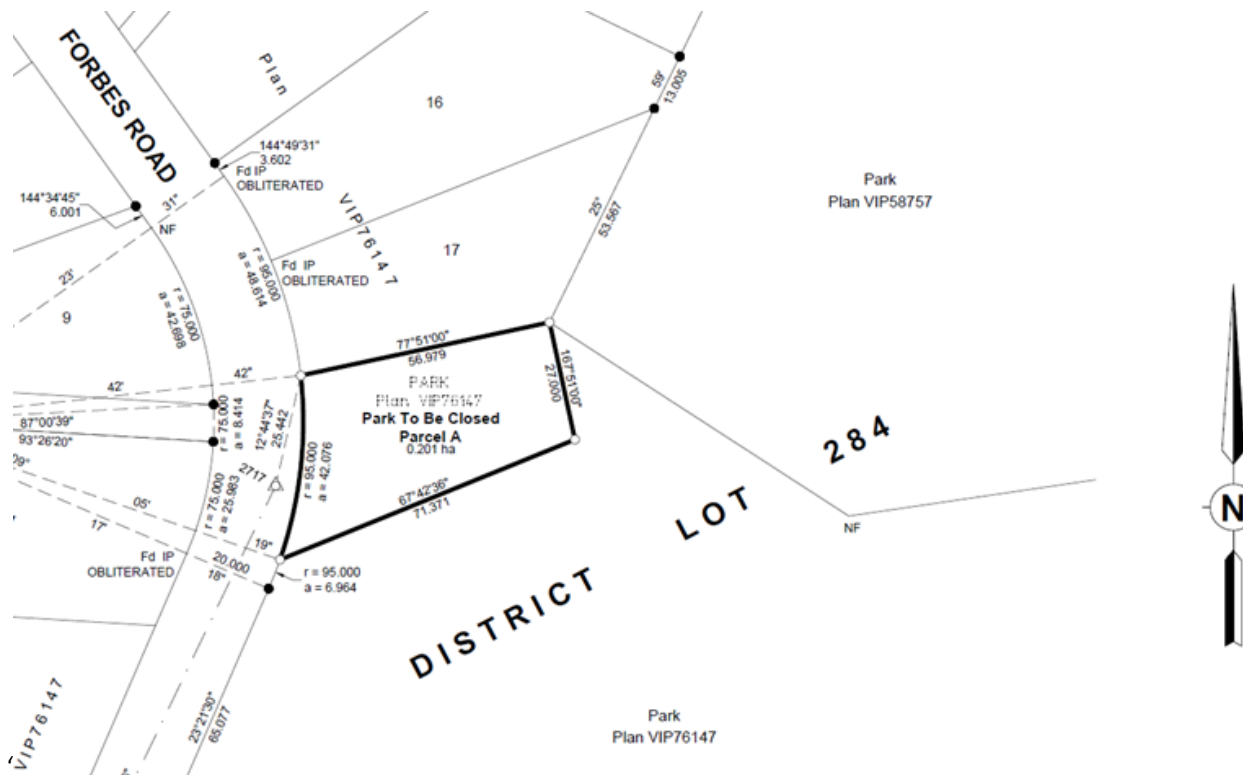


Figure 1 | The Subject Property

It should be noted that the proposed Purchase and Sale Agreement has language that ensures the subject property will only be used for a food bank use (See Agreement attached to the January 9th Council report).

Notable regulations from the P-1 zone are:

1. The building setbacks are 7.5m (25') from all property lines
2. The maximum allowable height for the principal building is 10m (33')
3. The Maximum Floor Area (FAR) is 1.0
4. The Lot Coverage is 60%

The FAR and Lot coverage do allow for a building considerably larger than what is currently proposed, but as the only allowable use under the Purchase and Sale Agreement is for a Food Bank, any expansion would be to meet a need in the community.

It should be noted that by defining a specific “Food Bank” use, it pulls that use out of the broader “Community Use” definition. This has the consequence of removing the Food Bank use from the CS-2 zone. Considering the scale of the Forbes Road project it is not likely that a second food bank or relocation of the Forbes Road building would occur in the foreseeable future.

ANALYSIS OF OPTIONS:

A	Give first and second reading to Bylaw No. 1336, 2024, and direct staff to give notice for a public hearing	<u>Pros</u>	<ul style="list-style-type: none"> • Would allow the zoning amendment to proceed and facilitate the Forbes Road food bank project.
		<u>Cons</u>	<ul style="list-style-type: none"> • Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> • Would allow the bylaw to proceed to a public hearing. • Staff time required to arrange public hearing and follow-up report.
B	Reject the application [not recommended]	<u>Pros</u>	<ul style="list-style-type: none"> • Unknown
		<u>Cons</u>	<ul style="list-style-type: none"> • A food bank would not be allowed on the subject property.
		<u>Implications</u>	<ul style="list-style-type: none"> • Council should provide clarity if there is a change in its support for the proposed food bank location.
		<u>Suggested Motion</u>	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with all relevant provisions of the *Official Community Plan* and *Local Government Act*.

After a public hearing is held and subject to comment from the public, staff would recommend that consideration of adoption of the zoning amendment bylaw await the results of the elector approval process for the District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.

NEXT STEPS:

If Council gives first readings to the draft Zoning Amendment Bylaw No. 1336, 2024, staff would undertake the necessary notification for a public hearing to be held at a date to be determined.

Respectfully submitted: John Towgood, Municipal Planner
Bruce Greig, Director of Community Planning
Duane Lawrence, CAO

DISTRICT OF UCLUELET

Zoning Amendment Bylaw No. 1336, 2024

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.

(Forbes Road - Food Bank)

WHEREAS the District of Ucluelet Council by Bylaw No. 1160, 2013, adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

NOW THEREFORE the Council of the District of Ucluelet, in open meeting assembled, enacts as follows:

1. Map Amendment:

Schedule A (**Zoning Map**) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT, shown outlined in heavy black on the map attached to this Bylaw as **Appendix “A”**, from CD-1.1.4 to P-1 Zone–Public Institutional.

2. Text Amendment:

Schedule B of the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, as amended, is hereby further amended by:

- a. adding the following definition to section 103 Definitions in alphanumerical order, as follows:

“**Food Bank**” means the use of buildings or lands for a non-profit organization that operates with the exclusive intent of feeding the hungry;”

- b. adding the following subsection to section “P-1.1 Permitted uses” in alphanumerical order, as follows:

“P-1.1.2 Notwithstanding other regulations in this bylaw, on the lands legally described PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT, *Food Bank* (for clarity, specifically excluding a free store or thrift store) is a permitted principal use.”

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024”.

READ A FIRST TIME this day of , **2024**.

READ A SECOND TIME this day of , **2024**.

PUBLIC HEARING this day of , **2024**.

READ A THIRD TIME this day of , **2024**.

ADOPTED this this day of , **2024**.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024.”

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

THE CORPORATE SEAL of the
District of Ucluelet was hereto
affixed in the presence of:

Duane Lawrence
Corporate Officer

Appendix "A"

