



DISTRICT OF UCLUELET

Excerpts from the March 23, 2021 Regular Meeting Minutes

9. LEGISLATION

9.1 Zoning Amendment: Lot 16 Marine Drive

Bruce Greig, Manager of Community Planning

Mr. Greig presented this report. He explained Lot 16's current zoning, the proposed zoning amendment bylaw and associated Section 219 Covenant. The proposed zoning amendment would allow for the development of:

- a 48 unit rental apartment building on the corner of Matterson Drive and Marine Drive;
- 6 R-1 Single Family lots on Marine Drive;
- 30 small Single Family residential lots; and
- 28 townhouse Multi-Family Residential units.

Mr. Greig addressed the recommended conditions to be satisfied as the property is subdivided and developed, which would be enforced through a Section 219 Covenant. He noted that one of those conditions is the connection of the Developer's new internal road to Victoria Drive. This road is not shown on the Developer's drawings.

Mr. Greig noted that water and sewer upgrades would be required for this development. He outlined those upgrades and how the District's Development Cost Charge program relates.

Mr. Greig outlined the community amenities that the Developer is offering. He explained that the proposed rental apartment building could be considered a community amenity given local demand. Mr. Greig also noted the recommendation that the proposed apartment building be subject to a housing agreement intended to limit its use to long-term rental. He also noted the park dedication offered by the Developer, a small residential lot provided by the Developer to the District of Ucluelet, and a \$1,000.00 financial contribution to the District by the developer per unit, times 112 units for a total cash contribution of \$112,000. Mr.

Greig outlined the proposed zoning areas in detail.

Nigel Gray, the applicant's agent, outlined the developers request that the

bylaw be amended to:

1. increase the maximum height of the apartment building to 16 meters; and
2. allow Bed and Breakfast use in the R-6 zone (the small residential lots) proposed for this development.

Mr. Gray summarized the input received at a public information session held by the Developer in December of 2018.

Council discussed the importance of introducing various housing options to the market and noted that this development would support that goal.

Council discussed the amendment related to the height of the rental apartment building. Concerns regarding granting the height-related amendment before Council has the opportunity to review architectural plans for the rental apartment building were raised.

Council also noted the water and sewer upgrades required for this development.

In response to questions about the need for fire equipment related to the construction of a four-story apartment building, Chief Geddes, noted that the District might wish to consider purchasing an aerial apparatus fire truck (ladder truck) if the building is constructed.

Council debated the amendment related to allowing short-term rentals (Bed and Breakfast use) in the R-6 Zone.

2021.2102.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

***THAT** Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 ("**Lot 16**") introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020.*

CARRIED.

2021.2103.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

***THAT** Council amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020, by inserting under text amendment C the following into the new text for the site specific Other Regulations under R-3.8.1(1):
"c.) the maximum height is 16m (52 ft);"*

CARRIED.

2021.2104.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

***THAT** Council further amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020, by inserting under text amendment C the following into the*

*new text for the site specific Other Regulations under R-3.8.1(1):
"c.) the maximum height is 16m (52 ft);" and,*

*Unless first approved by the District Council upon submission of
detailed architectural plans.*

Council noted that the first three adopted resolutions moved by Councillor Hoar referenced "...Zoning Amendment Bylaw No. 1284, 2020" when the subject bylaw is actually named "...Zoning Amendment Bylaw No. 1284, 2021."

- 2021.2105.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 ("Lot 16") introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.
CARRIED.
- 2021.2106.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
*THAT Council amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, by inserting under text amendment C the following into the new text for the site specific Other Regulations under R-3.8.1(1):
"c.) the maximum height is 16m (52 ft);"*
CARRIED.
- 2021.2107.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, as amended.
CARRIED.
- 2021.2108.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
THAT Council direct Staff to give notice of public hearing for the District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.
CARRIED.
- 2021.2109.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council Indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:
a. *construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site"? be in the first phase of the development;*

- b. dedication of a 10m wide park greenbelt along the eastern (Victoria Drive side) boundary of the property, as proposed;*
- c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;*
- d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;*
- e. extension of the proposed new road to connect to Victoria Drive in the general location as shown in Figure 7 of the staff report;*
- f. vehicle access to the proposed Lot 'B' ("Townhouse site"? be from the new internal road only;*
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;*
- h. the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval;*
- i. registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site"? at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion; and*
- j. despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans.*

CARRIED.

It was clarified by Council and Councillor Hoar that when the following motion was adopted:

"THAT Council amend the draft Bylaw No. 1284, 2021, by adding the following restrictive covenant:

j.) despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans."

Council intended to add the following term to a 219 Restrictive Covenant registered against the title of Lot 16 rather than to amend Bylaw No. 1284, 2021 further:

"j.) despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans."

2021.2110.REGULAR

It was moved by Mayor Noel and seconded by Councillor McEwen

THAT Council amend the draft Bylaw No. 1284, 2021, by inserting (under text amendment B) Bed and Breakfast into the list of permitted secondary

*uses in the new R-6 zone under R-6. 1.(2) specific to the area of Lot 16
Marine Drive as shown in Appendix B to the staff report of March 23, 2021.*

DEFEATED.

2021.2111.REGULAR

It was moved by Mayor Noel and seconded by Councillor McEwen

THAT Council take a five minute break.

CARRIED.