

District of Ucluelet

PUBLIC HEARING

Minutes of the Public Hearing held on
Tuesday, May 12, 2009 at 7:00 p.m., in the
Council Chamber, 200 Main Street, Ucluelet, B.C. V0R 3A0

Council Present:

Mayor Eric Russcher
Councillor Dario Corlazzoli
Councillor Bill Irving
Councillor Derek Drake
Councillor Randy Oliwa

Staff Present:

Andrew Yeates, CAO
Felice Mazzoni, Director of Planning
Barb Gudbranson, Admin. Secretary
Jason Niles, Assistant Planner

CALL TO ORDER:

Mayor Russcher called the meeting to order at 7:00 p.m.

PUBLIC HEARING PROCEDURE:

Mayor Russcher explained that the purpose of a Public Hearing is to hear representations from persons who deem their interest in property affected by the bylaws, as outlined in the Notices of the Public Hearing. Mayor Russcher advised that a copy of the Rules Governing Public Hearings (text below) is included in the agenda package and advised that Council will not make any decisions on any matter at the Public Hearing, and issues will not be debated.

Rules Governing Public Hearings

- a) As provided for in the *Local Government Act*, the Council is required to hold a Public Hearing before adopting an Official Community Plan Bylaw, Zoning Bylaw or amendments thereto.
- b) At a Public Hearing, all persons who deem their interest in property affected by the proposed bylaw shall be afforded an opportunity to be heard on matters contained in the bylaw.
- c) The Council may give such effect as it deems fit to representations made at a Public Hearing, in the bylaw as adopted.
- d) At a Public Hearing the Council is under no obligation to enter into a debate on any issue. The purpose of a hearing is to hear representations, which will later be considered by the Council in a regular meeting.

BYLAWS:

1. Official Community Plan Amendment Bylaw No. 1094, 2009

Andrew Yeates, CAO, reads Official Community Plan Amendment Bylaw No. 1094, 2009 and written submissions from the public.

Written Submissions:

- Pieter Timmermans, 1958 Bay Street
- Geoff Lyons, 190 Alder Road

Mayor Russcher asked a first time if there are any representations from the audience regarding Bylaw No. 1094, 2009.

Gary Carniato, 230 West Sixth Ave, Qualicum Beach – (designer of project)

This development proposal keeps the industrial components in the harbour as well as creates more housing. The development proposes to provide 24 units of obtainable and staff housing, instead of required eighteen; 1000 square feet of commercial with helicopter pad on top; 18 condominiums; 8 town homes, 68 unit hotel site, built with the greenest technology. We would like to request a variance on the seven point five meter setback on the water front for the development of the town house and commercial building area. Body of site is two and a half meters below tsunami level, will build underground parking to keep green space in middle of site and retain forest. The industrial hanger will be kept along with a future cistern on the corner. A pedestrian path will follow the water front around the development.

Charles Smith 1816 West 36th Avenue, Vancouver

Realty Consultant to Weyerhaeuser, would like a level playing field for land owners. Community charter has provision for municipalities to provide density bonusing in return for amenities. The Ucluelet OCP has set of tables for how bonus density should be achieved; the standard is based on 5% park dedication which gives you five planning units per hectare. The table shows an increase of planning units for higher contribution of amenities, each increased level of amenities or park space contribution you receive higher level of planning space per hectare. This proposal is 35% park space which translates to 20 planning units per hectare, maximum kicks in at 40% which is 25 planning units per hectare. Planning unit per hectare in the OCP with different land uses are given different weights, in this bylaw before you one multi-family is one planning unit; motel room one planning unit, commercial etc. To find out what density a development is at you take uses, divide and multiply by these factors and come up with total planning units for site. This site is stating at being 2.25 hectares so maximum planning units is 25, there is a provision in the OCP for underground parking at 10% on residential so that would bump planning units up to 51, the plan before you is between 148 and 190 planning units depending on how the mixed commercial, residential and industrial have been allocated which is three times the maximum density. This does not give land owners a level playing field. Second issue in CD5 zoning Weyerhaeuser completed there was a three story maximum because of fire marshal concerns and no equipment ,every sketch for this development has four stories. Smaller issue is that staff report maintains that it will keep the industrial character of site, maintain the old hanger along with 12000 square meters of uses listed. Nine thousand is residential & hotel, one thousand is commercial/retail, less than two thousand is the industrial. Report claims that 35% of site has public open space, cannot see where this is unless there are using the leased area of the foreshore which is not a guaranteed land space.

Judy Gray- 596 Marine Drive, Ucluelet

There are industrial lands sitting vacant at the head of the inlet, three parcels available for lease or purchase from Island Timberland, for example the old dry-land sort.

Mayor Russcher asked a second time if there are any representations from the audience regarding Bylaw No. 1094, 2009.

Geoff Lyons – 190 Alder, Ucluelet

Will this development be giving any dedication to the Wild Pacific Trail?

Director of Planning – incorporated into plan, a public right of way that surrounds the site.

Mayor Russcher asked a final time if there are any representations from the audience regarding Bylaw No. 1094, 2009.

None

Planning Department Report

The report explains a bylaw amendment to the OCP and Zoning Bylaw to change the land designation and zoning uses. The prospective purchasers of the subject property are seeking Comprehensive Development zoning with permitted uses including Industrial, Public Institutional & Recreational, Commercial and Mixed use Residential on Lot 5, Plan VIP 20323 (1970 Harbour Crescent) & Foreshore Lease Area 2137. The Director of Planning recommends council consider third reading for the amendment bylaws and instruct the Planning Department to proceed with creating a phased development agreement or master development agreement for the subject lands.

Mayor Russcher terminated the Public Hearing for the Official Community Plan Amendment Bylaw No. 1094, 2009.

2. Zoning Amendment Bylaw No. 1095, 2009

Andrew Yeates, CAO, reads Zoning Amendment Bylaw No. 1095, 2009 and written submissions.

Written Submissions:

- Pieter Timmermans, 1958 Bay Street
- Geoff Lyons, 190 Alder Road

Mayor Russcher asked a first time if there are any representations from the audience regarding Bylaw No. 1095, 2009.

Charles Smith – same comments as above in Bylaw 1094, 2009.

Gary Carniato – same comments as above in Bylaw 1094, 2009.

Mayor Russcher asked a second time if there are any representations from the audience regarding Bylaw No. 1095, 2009.

None

Mayor Russcher asked a final time if there are any representations from the audience regarding Bylaw No. 1095, 2009.

None

Planning Department Report

The report explains a bylaw amendment to the OCP and Zoning Bylaw to change the land designation and zoning uses. The prospective purchaser of the subject property are seeking Comprehensive Development zoning with permitted uses including Industrial, Public Institutional & Recreational, Commercial and Mixed use Residential on Lot 5, Plan VIP 20323 (1970 Harbour Crescent) & Foreshore Lease Area 2137. The Director of Planning recommends council consider third reading for the amendment bylaws and instruct the Planning Department to proceed with creating a phased development agreement or master development agreement for the subject lands.

Mayor Russcher terminated the Public Hearing for the Zoning Amendment Bylaw No. 1095, 2009.

ADJOURNMENT

Mayor Russcher terminated the Public Hearing and adjourned the meeting at 7:20 p.m.

Eric Russcher
Mayor

Andrew Yeates
CAO

Certified A True and Correct Copy
of the Minutes of the Public Hearing held
on Tuesday, May 12, 2009 at 7:00 p.m.
in the Council Chambers, 200 Main Street,
Ucluelet, B.C. V0R 3A0

Andrew Yeates
CAO