

REQUEST FOR DECISION

TO: Council **MEETING DATE:** September 25, 2024
FROM: Ian Holl, Development Planning Manager
SUBJECT: Zoning Amendment for C4 Zone (Sunshine Coast Chamber of Commerce)
FILE NO: 3360-2024-02

RECOMMENDATION

1. That Zoning Amendment Bylaw No. 580-16, 2024 be read a first, second, and third time.
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PURPOSE

To present Council with a rezoning application for the C4 zone based on a proposal from the Sunshine Coast Chamber of Commerce. Several properties in the downtown area that have been zoned commercial for over two decades are unsuccessfully being marketed for residential purposes. This commercial zoning currently and historically allows for apartment uses on the second storey and above. The Chamber of Commerce has proposed that the District allow additional dwelling units (secondary suites) on lower floors in C4 zoned properties to rectify this situation. A Zoning Bylaw amendment for three readings are attached for Council's consideration.

OPTIONS

1. Deny the application.
2. Direct staff to proceed with Option 2 involving an OCP amendment.

DISCUSSION

Summary

The Sunshine Coast Chamber of Commerce was originally seeking to allow secondary suites in all C4 zoned properties. Staff have reviewed the concept and remain concerned with the negative implications of such a widespread change. The C4 zone is intended to be the primary downtown commercial and mixed-use zone with residential uses located on the second storey and above. It, like the C3 zone under Zoning Bylaw No. 25, 1987 before it, is focused on the future and redevelopment. It is not intended to perpetuate residential use in single-detached housing style buildings that have been zoned and used for commercial use for over 25 years.

The relevant OCP land use designations, Transition Commercial and Downtown Centre, are shown on Attachments 1 and 2, covering the applicable downtown area and C4 zone.

Background

Table 1 – Application Background

Applicant	Sunshine Coast Chamber of Commerce
Owner	N/A
Civic Address	N/A
Legal Address	N/A
Size of Properties	N/A
OCP Designation	Transition Commercial Downtown Centre
Zoning Designation	C4
DP Areas	DPA No. 6 (downtown), DPA No. 7 (multifamily), DPA No. 8 (infill housing)

Staff propose that the C4 zone could be amended to include a secondary suite as an accessory use only on properties that are designated Transition Commercial in the OCP, and within buildings that existed as of January 1, 2024. This land use designation is much more limited in area and scope than the Downtown Centre. Such a proposal would be deemed to be compliant with the Transition Commercial designation.

A change within the Downtown Centre designation would require an OCP amendment. A rezoning consistent with the OCP does not trigger a public hearing and can be given three readings in one meeting.

Therefore, staff have prepared Zoning Amendment Bylaw 580-16 for the following regulations to only apply to C4 zoned properties under Zoning Bylaw No. 580, 2022 that are designated Transition Commercial in the Official Community Plan Bylaw No. 492, 2010:

- Secondary suite is only permitted as an accessory use.
- A maximum of one secondary suite is permitted per property and only in existing buildings that have been constructed and occupied as of January 1, 2024.
- The secondary suite must be located in the basement, or if that is not possible then it can be located on the ground floor.
- Access and parking for the secondary suite must be from the rear lane.
- The property must have an active principal commercial use in the building with a valid District of Sechelt Business Licence.
- The secondary suite must be used for long-term rental accommodation only.

If Council were to consider amending the C4 zone to allow the secondary suite use in Downtown Centre designated properties, it would require an OCP amendment and a longer process. Staff would also recommend the following in that case:

- That a Housing Agreement and Covenant be required to secure those units as below market rental units for a period of at least 15 years or more.

Legislative Context

Where a zoning amendment bylaw is consistent with the Official Community Plan (OCP), a public hearing must not be held in accordance with recent provincial legislative changes. Where an OCP amendment is required in association with a zoning amendment bylaw, then a public hearing would be required as per section 464 of the *Local Government Act*.

POLICY AND BYLAW IMPLICATIONS

Official Community Plan

Option 1 – Transition Commercial land use designation (Recommended)

The proposed changes to the C4 zone to add additional residential units in the basement level would be considered consistent with the Transition Commercial designation. This would negate the need for a public hearing.

Option 2 – Downtown Centre land use designation (Not Recommended)

The proposed changes to the C4 zone are not supported in the Downtown Centre designation. Therefore, an amendment to the Official Community Plan (OCP) would be required.

Zoning Bylaw

Update C4 zone with site specific regulations. (Recommended)

SUSTAINABILITY PLAN IMPLICATIONS

This development would align with the following goals of the Integrated Community Sustainability Plan

1. Social Sustainability and Community Well Being

STRATEGIC PLAN IMPLICATIONS

1. Housing

COMMUNICATIONS

Public Notice for First Reading is required for OCP compliant rezonings. Advertisements were placed in the Coast Reporter on September 13 and 20, 2024.

If Council chose to pursue Option 2 with an OCP amendment, then a public hearing would be required.

Respectfully submitted,

Ian Holl, MCIP, RPP
Development Planning Manager

Attachments:

- 1 – Option 1 – Official Community Plan Land Use Designation – Transition Commercial
- 2 – Option 2 – Official Community Plan Land Use Designation – Downtown Centre