



# CITY OF DUNCAN

## Public Hearing Agenda

for Bylaw 2096, 2010 to Amend Zoning Bylaw 1540, 1988

Monday, July 19, 2010 @ following the

OCP Public Hearing at 7:30 p.m.

Council Chamber, City Hall, 200 Craig Street

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1. Call to Order
  2. Explanation of Procedures
  3. Correspondence – NONE
  4. Question Period
  5. Public Hearing
    1. **BYLAW 2096 - Proposed Amendments to the City of Duncan Zoning Bylaw No. 1540, 1988:**
      - (a) adding the following definition to Section 3.1 of PART 3 – DEFINITIONS  
“microbrewery” means a facility at which malt beverages fermented on the premises are packaged and sold for distribution, retail or wholesale. The maximum brewing capacity shall not exceed 7,500 hectolitres per year. The facility must include retail sales, tours and tastings.”
      - (b) adding the following as Section 8.1.1 to PART EIGHT COMMERCIAL ZONES:  
“8.1.1 C-1-A ZONE – GENERAL COMMERCIAL/MICROBREWERY
        - (a) Permitted Uses  
The following uses and no others are permitted in a C-1-A zone:
          1. Bakery
          2. Bank, financial institution
          3. Barbershop, beauty parlour
          4. Bus or transportation depot
          5. Churches
          6. Fitness studio, racquet club
          7. Funeral parlour
          8. Independent school
          9. Medical laboratory
          10. Microbrewery
          11. Office use
          12. Premise licensed for the sale of alcoholic beverages

13. Printing and publishing
14. Repair and servicing of personal and household goods, power tools, electric and electronic goods
15. Residential use above a permitted General Commercial use
16. Restaurant, catering, but excluding drive-in and drive-through
17. Retail store, including wholesale sales use
18. Shoe repair, retail, laundry and dry cleaning and other home and personal service use
19. Theatre, art gallery, museum
20. Tourist accommodation
21. Vehicle parking and storage use
22. Veterinary clinic

(b) Conditions of Use

For any parcel in a C-1-A zone:

1. the maximum floor space ratio shall not exceed 3:1 for all buildings and structures;
2. the maximum height for all principle buildings and structures shall not exceed four (4) storeys or 18m;
3. the maximum height for all accessory buildings and structures shall not exceed 4.5m;
4. The minimum setbacks for all buildings and structures shall be:

Type of Parcel Line	Buildings and Structures
Front	0 m
Side [interior]	0 m
Side [exterior]	0 m
Rear	0 m
A parcel line abutting a residential zoned parcel	4.5 m

(c) Density

For any parcel in the C-1-A zone, the maximum density of residential dwelling units shall not exceed 150/ha.”

2. Amending Schedule "Z-1" Official Zoning Map as follows:

- (a) By reclassifying those premises legally described as Parcel D, Section 17, Range 6, Quamichan District, Plan 2070 from C-1 (GENERAL COMMERCIAL) to C-1-A (GENERAL COMMERCIAL/MICROBREWERY).

6. Adjournment

CITY OF DUNCAN

BYLAW NO. 2096, 2010

BEING A BYLAW TO AMEND  
CITY OF DUNCAN ZONING BYLAW NO. 1540, 1988

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WHEREAS it is deemed necessary to amend Zoning Bylaw No. 1540, 1988;

NOW THEREFORE the Council of City of Duncan enacts as follows:

1. This Bylaw may be cited as “Zoning Amendment Bylaw No. 2096, 2010.”
2. Zoning Bylaw No. 1540, 1988 shall be amended by:

(a) adding the following definition to Section 3.1 of PART 3 – DEFINITIONS

“microbrewery” means a facility at which malt beverages fermented on the premises are packaged and sold for distribution, retail or wholesale. The maximum brewing capacity shall not exceed 7,500 hectolitres per year. The facility must include retail sales, tours and tastings.”

(b) adding the following as Section 8.1.1 to PART EIGHT COMMERCIAL ZONES:

“8.1.1 C-1-A ZONE – GENERAL COMMERCIAL/MICROBREWERY

(a) Permitted Uses

The following uses and no others are permitted in a C-1-A zone:

1. Bakery
2. Bank, financial institution
3. Barbershop, beauty parlour
4. Bus or transportation depot
5. Churches
6. Fitness studio, racquet club
7. Funeral parlour
8. Independent school
9. Medical laboratory
10. Microbrewery
11. Office use
12. Premise licensed for the sale of alcoholic beverages
13. Printing and publishing
14. Repair and servicing of personal and household goods, power tools, electric and electronic goods
15. Residential use above a permitted General Commercial use
16. Restaurant, catering, but excluding drive-in and drive-through
17. Retail store, including wholesale sales use

- 18. Shoe repair, retail, laundry and dry cleaning and other home and personal service use
- 19. Theatre, art gallery, museum
- 20. Tourist accommodation
- 21. Vehicle parking and storage use
- 22. Veterinary clinic

(b) Conditions of Use

For any parcel in a C-1-A zone:

- 1. the maximum floor space ratio shall not exceed 3:1 for all buildings and structures;
- 2. the maximum height for all principle buildings and structures shall not exceed four (4) storeys or 18m;
- 3. the maximum height for all accessory buildings and structures shall not exceed 4.5m;
- 4. The minimum setbacks for all buildings and structures shall be:

Type of Parcel Line	Buildings and Structures
Front	0 m
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Rear	0 m
A parcel line abutting a residential zoned parcel	4.5 m

(c) Density

For any parcel in the C-1-A zone, the maximum density of residential dwelling units shall not exceed 150/ha."

3. Amending Schedule "Z-1" Official Zoning Map as follows:

- (a) By reclassifying those premises legally described as Parcel D, Section 17, Range 6, Quamichan District, Plan 2070 from C-1 (GENERAL COMMERCIAL) to C-1-A (GENERAL COMMERCIAL/MICROBREWERY).

READ THE FIRST TIME THE 21<sup>st</sup> DAY OF June, 2010.

READ THE SECOND TIME THE 21<sup>st</sup> DAY OF June, 2010.

PUBLIC NOTICE IN ACCORDANCE WITH SECTION 892 OF THE LOCAL GOVERNMENT ACT PUBLISHED IN THE COWICHAN VALLEY CITIZEN THE DAY OF , 2010 AND THE DAY OF , 2010.

PUBLIC HEARING HELD THE DAY OF , 2010.

READ THE THIRD TIME THE DAY OF , 2010.

APPROVED BY THE MINISTER RESPONSIBLE FOR THE TRANSPORTATION ACT  
ON THE \_\_\_ DAY OF \_\_\_\_\_, 2010.

ADOPTED THE DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
Director of Corporate Services

\_\_\_\_\_  
Mayor



**CORPORATION OF THE CITY OF DUNCAN**

NOTICE OF PUBLIC HEARING

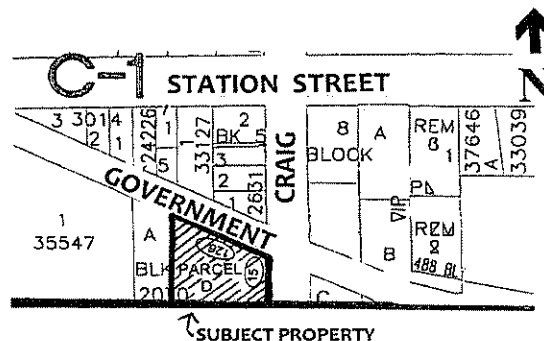
NOTICE is hereby given that a Public Hearing will be held on the matter of the amendments to the "City of Duncan Zoning Bylaw 1540, 1988" as described below:

ZONING AMENDMENT BYLAW 2096, 2010

- A. adding the following definition to Section 3.1 of PART 3 – DEFINITIONS:  
 "microbrewery" means a facility at which malt beverages fermented on the premises are packaged and sold for distribution, retail or wholesale. The maximum brewing capacity shall not exceed 7,500 hectolitres per year. The facility must include retail sales, tours and tastings.
- B. adding a new section 8.1.1 (C-1-A Zone) to PART EIGHT COMMERCIAL ZONES to permit all uses in the current section 8.1 (C-1 Zone) plus the new use of 'microbrewery';
- C. including the following Conditions of Use for any parcel in a C-1-A Zone in section 8.1.1:
  1. the maximum floor space ratio shall not exceed 3:1 for all buildings and structures;
  2. the maximum height for all principle buildings and structures shall not exceed four (4) storeys or 18m;
  3. the maximum height for all accessory buildings and structures shall not exceed 4.5m;
  4. The minimum setbacks for all buildings and structures shall be:

Type of Parcel Line	Buildings and Structures
Front	0 m
Side [interior]	0 m
Side [exterior]	0 m
Rear	0 m
A parcel line abutting a residential zoned parcel	4.5 m

- D. including the following maximum density in the new C-1-A Zone in section 8.1.1:
  1. For any parcel in the C-1-A Zone, the maximum density of residential dwelling units shall not exceed 150/ha.
- E. amending Schedule "Z-1" - Zoning Map as follows:
  1. By reclassifying those premises legally described as Parcel D, Section 17, Range 6, Quamichan District, Plan 2070 (15 Craig/126 Government) from C-1 (GENERAL COMMERCIAL) to C-1-A (GENERAL COMMERCIAL/MICROBREWERY).



If you believe your interests may be affected by the proposed Bylaw, you may express your views to City Council at the **PUBLIC HEARING** to be held following the Official Community Plan Public Hearing at **7:30 p.m., Monday, JULY 19, 2010 at City Hall, 200 Craig Street, Duncan, BC**. If you cannot attend the Public Hearing, you may write to City Council at the address or fax number shown below, or send an e-mail to [duncan@duncan.ca](mailto:duncan@duncan.ca), before 4:00 p.m., July 19, 2010. Your submission will become part of the public record. If you have any questions, please contact James van Hemert, Director of Development Services at 250-746-6126 or if you want to inspect copies of the proposed Bylaw and related information, please contact City Hall, 200 Craig Street, Duncan, BC, Monday to Friday, between 8:00 a.m. and 4:00 p.m., except Statutory Holidays, from the date of publication of this notice to the date of the Zoning Bylaw Amendment Hearing.

Lynn Ketch  
 Director of Corporate Services, 200 Craig Street (PO Box 820)  
 Duncan, BC V9L 3Y2; Phone: 250-746-6126; Fax: 250-746-6129