



**REGULAR MEETING OF COUNCIL**  
**Tuesday, May 14, 2019 @ 2:30 PM**  
**George Fraser Room, Ucluelet Community Centre,**  
**500 Matterson Drive, Ucluelet**

**AGENDA**

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1. CALL TO ORDER	
2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY	
2.1. Council would like to acknowledge the Yuułu?i?at̓ First Nations on whose traditional territories the District of Ucluelet operates.	
3. ADDITIONS TO AGENDA	
4. APPROVAL OF AGENDA	
5. ADOPTION OF MINUTES	
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• Cpt. Alan Anderson, Ucluelet Emergency Program Re: High Ground Hike <a href="#">D-2 Ucluelet Emergency Program Delegation</a>	39
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10.	INFORMATION ITEMS	
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11.2	Councillor Marilyn McEwen <i>Deputy Mayor November 2018 - March 2019</i>	
11.3	Councillor Lara Kemps <i>Deputy Mayor April - June 2019</i>	
11.4	Councillor Jennifer Hoar <i>Deputy Mayor July - September 2019</i>	
11.5	Mayor Mayco Noël	
12.	REPORTS	
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12.3.	Road Closure - Cultural Heritage Fair <i>Abby Fortune, Manager of Parks &amp; Recreation</i> <a href="#">R-3 Road Closure Report</a>	69 - 72
12.4.	Temporary Use Permit for Employee Housing - UHS <i>Bruce Greig, Manager of Community Planning</i>	73 - 80

[R-4 UHS TUP19-02 Report](#)

- 12.5. Temporary Use Permit Housing - 651 Rainforest Drive 81 - 85  
*Bruce Greig, Manager of Community Planning*

[R-5 TUP19-03 Report](#)

- 12.6. Temporary Use Permit for Staff Housing - 1992 Peninsula Road 87 - 92  
*Bruce Greig, Manager of Community Planning*

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13. LEGISLATION

- 13.1. Zoning Bylaw Amendment (VR-2) - 3rd Reading 93 - 122  
*Marlene Lagoa, Manager of Corporate Services*

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*Marlene Lagoa, Manager of Corporate Services*

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14. OTHER BUSINESS

15. QUESTION PERIOD

16. ADJOURNMENT





**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE**  
**Tuesday, April 9, 2019 at 2:30 PM**

Present:      **Chair:**            Mayor Noël  
                  **Council:**        Councillors Cole, Hoar, Kemps, and McEwen  
                  **Staff:**             Mark Boysen, Chief Administrative Officer  
                                 Donna Monteith, Director of Finance  
                                 Warren Cannon, Manager/Superintendent of Public Works  
                                 Bruce Greig, Manager of Community Planning  
                                 John Towgood, Planner 1  
                                 Darcey Bouvier, Recording Secretary

Regrets:

**1. CALL TO ORDER**

**1.1 Mayor Noël called the meeting to order at 2:30 PM.**

**2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY**

**2.1 Council acknowledged the Yuułuꞑiꞑꞑꞑꞑ First Nations on whose traditional territories the District of Ucluelet operates.**

**3. ADDITIONS TO AGENDA**

**3.1 Late Agenda Item**

- Replace – Appendix B: District of Ucluelet 2019-2023 Financial Plan Bylaw No. 1245, 2019.

**4. APPROVAL OF AGENDA**

**4.1 April 9, 2019 Regular Agenda**

2017-001            **It was moved by Councillor Kemps and seconded by Councillor Hoar**  
                             *THAT Council approve the April 9, 2019 Regular Agenda as amended.*

CARRIED.

**5. ADOPTION OF MINUTES**

**5.1 March 12, 2019 Regular Minutes**

- 11.2 should read the Whale Fest Fundraiser was March 30th, not March 3rd.

2017-002

**It was moved by Councillor Hoar and seconded by Councillor Kemps**  
*THAT Council approve the March 12, 2019 Regular Minutes as amended.*

CARRIED.

## 5.2 March 26, 2019 Regular Minutes

- 15.1 should read Rotarian Club, not Unitarian Club.
- Amend under item 13.1 Zoning Bylaw Amendment Application (506 Marine Drive) the first motion should read:  
*THAT District of Ucluelet Zoning Amendment Bylaw No. 1241, 2019 be given first and second reading and advance to a public hearing.*

2017-003

**It was moved by Councillor McEwen and seconded by Councillor Hoar**  
*THAT Council approve the March 26, 2019 Regular Minutes as amended.*

CARRIED.

## 6. UNFINISHED BUSINESS

6.1 There was no unfinished business.

## 7. MAYOR'S ANNOUNCEMENTS

- 7.1
- The District has hired a new Fire Chief, Rick Geddes who will start mid-May.
  - The new Finance Supervisor, Tamara Nelson was hired to replace Barb Millar who retires at the end of the month.
  - The Barkley Community Forest Open House is on Tuesday, April 16, 2019 from 2:00 PM to 7:00 PM at the Ucluelet Community Centre.

## 8. PUBLIC INPUT, DELEGATIONS & PETITIONS

8.1 Public Input

### K.Harwood

- Bought a Lint LUV-R and does a great job by removing microplastics from the washing machine, however it is difficult to clean. Has been in contact with two companies, who have more advanced systems, and is currently in discussions with them about creating a Ucluelet pilot project. He would install 750 units on all their washers and test the water for microplastics after one year.

### D.Ferris

- Commended Staff for putting in a reclamation clause

for 221 Minato Rd. however, inquired if there were any financial penalties that are, or could be put in place for such acts. Mark Boysen, CAO advised there are no current fines in place, but would be discussing this with Council.

### C. Johnson

- Advised she is 100% in favour of the proposed development at 1920 Peninsula Road. While she does have some minor concerns, she has been in contact with the developers who have been open and willing to work with her to address the issues.

## 8.2 Delegations

### **Sandra Leslie, School District #70**

#### **Re: Discussion of Mutual Needs Between SD70 and Council**

- As the school liaison she is invested in working with Council to keep them informed.
- There is a school board meeting today at 5:00 PM at the high school, and during the public portion there will be an announcement on the seismic upgrades to both the elementary and secondary schools.
- Asked for clarification on whether she should liaise with a specific Councillor or Council as a whole. Mayor Noël requested she continue to come as a delegation and speak to Council that way.

## 9. CORRESPONDENCE

### 9.1 Request for Letter of Support For Graduated Licensing for Motorcycles

#### Mayor Phillip Germuth, District of Kitimat

2017-004

**It was moved by Councillor McEwen and seconded by Councillor Cole**

*THAT Council direct staff to write a letter of support for the District of Kitimat's resolution to finalize and implement the Graduated Licensing Program for Motorcycles, including Power Restrictions and Mandatory Training.*

CARRIED.

### 9.2 Congratulations to Mayor and Council Island Health

- Councillor McEwen noted the Island Health Annual Report was not attached. CAO Boysen advised he would have staff send them a copy.

## 10. INFORMATION ITEMS

- 10.1 **Hwy 4 - Kennedy Hill Safety Improvements Traffic Interruptions Update**  
Emil Anderson Construction (EAC) Inc.
- 10.2 **Kwispaa LNG Project Update**  
Canadian Environmental Assessment Agency - Government of Canada
- 10.3 **South Island Measles Exposures Confirmed**  
Island Health
- 10.4 **New Bike Path Connects Tofino to the Pacific Rim National Park**  
*Island Coastal Economic Trust*

## 11. COUNCIL COMMITTEE REPORTS

- 11.1 Councillor Rachelle Cole  
*Deputy Mayor October - December 2019*  
**There were no committee reports from Councillor Cole.**
- 11.2 Councillor Marilyn McEwen  
*Deputy Mayor November 2018 - March 2019*
- **March 30th Whale Festival Fundraiser at Long Beach Lodge. Sold out event, silent auction raised approximately \$5,000.**
- 11.3 Councillor Lara Kemps  
*Deputy Mayor April - June 2019*  
**There were no committee reports from Councillor Kemps.**
- 11.4 Councillor Jennifer Hoar  
*Deputy Mayor July - September 2019*
- **Attended the Wild Pacific Trail Society meeting on April 3rd. There was vandalism done to one of the trees on the trail. The Society is looking at ways to deter similar actions from happening in the future.**
  - **The Wild Pacific Trail Society AGM is May 26, 2019 at 3:00 PM at the Ucluelet Community Centre.**
- 11.5 Mayor Mayco Noël
- **Had a conference call with Parks staff regarding the**

incident at Lovekin Rock. There is a petition going around to have lifeguards back at Long Beach.

- Reminder there is a CoastSmart app and encouraged everyone to download it. Discussed being a CoastSmart ambassador and promoting safety awareness with guests.
- Pacific Seafoods has changed one of the large compressors which will hopefully alleviate some of the noise. Pacific Seafoods is looking at ways to incorporate automated processing.
- Attended Tourism Ucluelet's AGM. Highlights include: the average stay is 3.4 days, the Wild Pacific Trail is one of the top attractions, and there are approximately 1.1 million vehicles to the area.
- Attended the BC Transit Open House last week and the District's session on current and proposed municipal projects. It was a good turnout. Thanked staff for doing a great job.

## 12. REPORTS

### 12.1 Cheque Listing - March 2019

*Marlene Lagoa, Manager of Corporate Services*

### 12.2 Request Temporary Trailer for Wild Pacific Trail

*Abigail Fortune, Manager of Parks and Recreation*

- Councillor Kemps asked for clarification on where the trailer will be located. Don Ferris advised it would be located where the tent was set up last year.

2017-005

**It was moved by Councillor Hoar and seconded by Councillor Cole**

*THAT Council approve recommendation 1 of report item, "Request Temporary Trailer for Wild Pacific Trail" which states:*

1. **THAT** Council allow the Wild Pacific Trail Society to place a temporary trailer on District of Ucluelet park lands near Amphitrite Lighthouse for up to three seasons.

CARRIED.

### 12.3 Request for Increased Water Supply at John's Way in the ACRD

*Warren Cannon, Manager of Public Works/Superintendent*

- Mayor Noël stated the following comments:
  - The staff recommendation is to deny this application; however, it is an affordable housing component we all want to endorse.
  - With the current and future development applications in town, there will be increased demands on the District's

- water and a concern is that there will not be any development cost charges coming back to us.
- Would have appreciated the opportunity to have a discussion with the applicant and the working group to discuss if this project could be tied into the sewer system somehow.
  - Some unanswered questions include:
    - Aside from water, what can the District do to support?
    - How many businesses do you have committed to this project?
    - What are the price points of the project?
    - Is the Alberni Clayoquot Regional District (ACRD) supportive of having that large of a development on a septic system?
  - Randy Oliwa, the applicant, noted his original request to staff was for clarification on the water volume that was originally allotted for that location.
  - Mayor Noël responded that there is a Water Service Connection Agreement for the ACRD and it very clearly states that no more than one residential water service connection will be provided to each property in the service area. The property in question is already exceeding that agreement.
  - Mr. Oliwa spoke further to the application. Highlights included:
    - The project is a sizable investment and the businesses involved need some assurance before moving forward.
    - Had hoped to meet with staff and be able to communicate more detail that could have been brought forward in the report but that didn't happen.
    - We do have the opportunity to drill wells on the property but this adds to the cost of construction.
    - DCC's did tip the affordability, so the property in Millstream does have some benefits.
    - This property also has some disadvantages like walkability and transportation issues.
    - Approval gives us security in the fact that we have access to water which is a major ask of the ACRD application.
    - If Council is willing to explore the development or carry on the conversation in some other form over the next short period of time, then maybe there is a better fit.
    - There are other locations within the District that are DCC exempt.
  - Council comments on the application included:
    - Very supportive of anything that supports employee and affordable housing.
    - Knowing the potential of the Kennedy Lake water source it would be nice to start the dialogue between us, as a

working group and then, maybe entertain the idea again if we get a positive outcome with the grant.

- Mark Boysen, CAO, provided the following comments:
  - We are looking at Kennedy Lake as a viable water source; however, if that isn't approved by the Province we would have to look at other options. If approved, it will be a long process.
  - With an application like this, staff felt it necessary to highlight the issue with water.
  - At this time, we have the water capacity to be able to accept an application like this.
  - If Mr. Oliwa is talking about just getting the conversation started, staff are willing to be part of that conversation.
  - There is so much more to this project and tried to keep the discussion around water.
- Mayor Noël noted he would appreciate if the applicant would keep the District informed going forward.

2017-006

**It was moved by Councillor Cole and seconded by Councillor McEwen**

*THAT Council approve recommendation 2 of report item, "Request for Increased Water Supply at John's Way in the ACRD" which states:*

1. *THAT Council conditionally commits to providing water supply to the proposed 40-unit employee housing development located at John's Way in Area C of the Alberni-Clayoquot Regional District.*

CARRIED.

#### **12.4 Development Permit for 1920 Peninsula Road** ***John Towgood, Planner 1***

- Bruce Greig, Manager of Community Planning, gave a powerpoint presentation on the proposed development.
- Alan Lowe, Architect, also gave a powerpoint presentation on the proposed development on behalf of the applicant. Highlights included:
  - Hired a drainage environmental consultant to look at the drainage courses on the property which is a non-fish channel.
  - There are no issues with the current drainage on the site which will be connected to the District's system.
  - Geotechnical engineer has advised a two-storey building with regular foundations and wood frame would work on this site.
  - This is a Development Permit with no variances being requested.
  - Exterior wall will be of mixed materials, mainly hardy plank and corrugated metal.
  - The commercial units would be for rent only, not strata.

- Questions from Council included:
  - Explanation of the development cost charges. Mr. Greig advised that DCC's for the proposed project is approximately \$135,000.
  - Plans for the retaining wall on the west side of the property. Mr. Lowe advised the wall will be looked at during site investigation from a geotechnical perspective.

2017-007

**It was moved by Councillor McEwen and seconded by Councillor Hoar**

*THAT Council approve recommendation 1 of report item, "Development Permit for 1920 Peninsula Road" which states:*

1. *THAT Council approve Development Permit DP18-08 for 1920 Peninsula Road.*

CARRIED.

### 13. LEGISLATION

#### 13.1 Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286

***Bruce Greig, Manager of Community Planning***

*Councillor Kemps recused herself from the meeting due to her friendship with the applicants at 3:31 PM.*

- Bruce Greig, Manager of Community Planning, provided an overview of the application via a powerpoint presentation, including the areas of restoration that are required. Highlights included:
  - The application is for a rezoning development permit, development variance permit, temporary use permit and subdivision. If this application is moving forward, there are a number of staff recommendations that would be necessary to see this as a net public benefit.
  - The applicants have come forward with a rehabilitation and revegetation plan. This is as a result of the unauthorized tree cutting that took place on the property.
  - Regardless of how the property is developed, first step is a development permit for the restoration of the site according to the plan the Biologist has outlined.
  - The Biologist have listed the proper species and the number that need to be planted.
  - Key point of the development is to protect the shoreline and natural environment but allowing recreational access to the shoreline. As part of this application, it would include dedicating a 30 meter strip of parkland along the shoreline, including the entire riparian area stream.



- Another aspect of this development permit, if it was to go forward as a subdivision, the owners would then require a civil engineer to design Minato Road for water, sewer, and the road surface itself.
- Councilor Hoar raised concern with protecting the shoreline of Olsen Bay as salt marshes are a very delicate marine eco-systems; and therefore feels that recommendation 2 should have the 30 meter designation all the way around the parcel.
- Ian Kennington, the applicant's consultant, agreed with the sensitivity of the area and noted that trails and attracting people to an area only increases the potential for further damage. Signage and designated areas are never fully obeyed by visitors.
- Rick Lim, the applicant, noted he has spoken with the planning department to have a proper trail system in place so that people don't want to leave the designated areas, such as a boardwalk with railings and viewing platforms.
- Council asked about the impact to traffic on Peninsula Road with the higher density use on the site. Mr. Lim noted that as part of Mr. Greig's report, a traffic engineer would be required for that aspect, which would involve the Ministry of Transportation.

2017-008

**It was moved by Councillor McEwen and seconded by Councillor Cole**

*THAT Council approve recommendation 1 through 6 of legislation item, "Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286.*

DEFEATED.

2017-009

**It was moved by Councillor Hoar and seconded by Councillor Cole**

*THAT Council amend recommendation 2.b. of legislation item, "Proposes Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286" to read:*

*2.b. including, as apart of the subdivision to create the two parcels, dedication for park purposes of a 30m corridor upland from the natural boundary along the marine shoreline of both parcels, plus the entire stream setback area surrounding Stream 1;*

CARRIED.

2017-010

**It was moved by Councillor Cole and seconded by Councillor Hoar**

*THAT Council approve recommendation 1 of legislation item, "Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286" which states:*

1. *THAT Council authorize issuance of Development Permit DP19-01 for the restoration of the previously damaged riparian and marine shoreline areas of the property at 221 Minato Road.*

CARRIED.

2017-011

**It was moved by Councillor Hoar and seconded by Councillor McEwen**

*THAT Council approve recommendation 2 of legislation item, "Proposed*

*Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286" as amended which states:*

*2. THAT Council indicate support for the concept of rezoning the property at 221 Minato Road for a 2-lot subdivision to create a Guest House parcel and a Campground parcel, and indicate that adoption of a zoning amendment bylaw for the requested uses would be subject to the following:*

- a. completion of the site restoration work under Development Permit DP19-01 including monitoring and sign-off by the Qualified Environmental Professional;*
- b. including, as part of the subdivision to create the two parcels, dedication for park purposes of a 30m corridor upland from the natural boundary along the marine shoreline of both parcels, plus the entire stream setback area surrounding Stream 1;*
- c. the owners providing a restrictive covenant on the proposed Guest House parcel which would restrict any further subdivision of that lot unless at that future date the following are provided by the property owner:
 
  - i. dedication for park purposes a 30m corridor upland from the natural boundary along the marine shoreline adjacent to the property; and,*
  - ii. appropriate funds to construct a trail system and viewing platform to municipal standards in the shoreline park dedicated in (i) above;**
- d. the owners providing a contribution for half the cost of constructing the stream section of trail and viewing platform, prior to commencing construction of the Long-Term Camping spaces in the proposed Phase 1;*
- e. the owners providing a restrictive covenant on the proposed Campground parcel ensuring that construction of the Short-Term Camping shown as Phase 3 will not commence before the adjacent section of Olsen Bay trail has been constructed.*

CARRIED.

2017-012

**It was moved by Councillor Hoar and seconded by Councillor McEwen**

*THAT Council approve recommendation 3 of legislation item, "Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286" which states:*

*3. THAT Council indicate support for the concept of issuing a Temporary Use Permit to permit long-term camping in the proposed designated area of the campground, subject to conditions including:*

- a. Seasonal camping stays are not to exceed six months;*
- b. No additions, accessory buildings, structures or outdoor storage is permitted in long-term camping spaces;*
- c. A resident campground manager is required on-site; and,*
- d. The campground manager is to maintain a register of campers,*

*contact information and vehicle registration, and make the register available at all times if requested by the District.*

CARRIED.

2017-013

**It was moved by Councillor McEwen and seconded by Councillor Cole**

*THAT Council approve recommendation 4 of legislation item, "Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286" which states:*

*4. THAT Council indicate support for the concept of issuing a Development Permit for the subdivision of the property into the proposed Guest House and Campground parcels, subject to the following conditions:*

- a. that the owners provide a detailed landscape plan showing replanting of native tree and understory species in the undeveloped portions of the Minato Road 10m road right-of-way dedication areas:
 
  - i. at the future public access trail to Olsen Bay at the end of Minato Road; and,*
  - ii. screening of the proposed long-term camping spaces adjacent to Minato Road including appropriate fencing;**
- b. that prior to subdivision approval, the owners providing:
 
  - i. a civil engineering assessment and design for all required services including road, water, sewer, on- and off-site stormwater management and the location of private power and data utilities; and,*
  - ii. a traffic engineering safety assessment of vehicle and pedestrian movements resulting from the proposed development and upgrades, if necessary, at the intersection of Peninsula Road and Minato Road and at the future trail crossing of Peninsula Road to the Ancient Cedars loop, for review and approval by the municipality and the Ministry of Transportation and Infrastructure.**

CARRIED.

2017-014

**It was moved by Councillor McEwen and seconded by Councillor Hoar**

*THAT Council approve recommendation 5 of legislation item, "Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286" which states:*

*5. THAT, subject to public comment, Council indicate support for considering a variance to increase the maximum permitted height of the main house on the proposed Guest House parcel from 8.5m (28 ft.) to 10.9m (36 ft.); and,*

CARRIED.

2017-015

**It was moved by Councillor Hoar and seconded by Councillor McEwen**

*THAT Council approve recommendation 6 of legislation item, "Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286" which states:*

6. THAT Council indicate that issuance of a future Development Permit for construction of the proposed Short-Term Campground (phase 3) would be subject to protecting the full 30m forested buffer along the Peninsula Road frontage, unless the owners can demonstrate that the proposed tent sites within this area would not be visible from the road.

CARRIED.

Councillor Kemps returned to the meeting at 3:52 PM.

### 13.2 Five Year Financial Plan and Tax Rates Bylaws

**Donna Monteith, Director of Finance**

- Donna Monteith, Director of Finance, gave an overview of the report.
- Councillor Kemps, asked where the Municipal & Regional District Tax (MRDT) funds for affordable housing are put. Ms. Monteith advised that the District hadn't received any funds during the budget process. We received \$14,000 for the month of December and it has been placed into the affordable housing reserve.

2017-016

**It was moved by Councillor Hoar and seconded by Councillor McEwen**

*THAT Council approve recommendation 1 of legislation item, " Five Year Financial Plan and Tax Rates Bylaws" which states:*

1. *THAT the "District of Ucluelet 2019–2023 Financial Plan Bylaw No. 1245, 2019" be given first, second and third reading.*

CARRIED.

2017-017

**It was moved by Councillor McEwen and seconded by Councillor Cole**

*THAT Council approve recommendation 2 of legislation item, " Five Year Financial Plan and Tax Rates Bylaws" which states:*

2. *THAT the "District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019" be given first, second and third reading.*

CARRIED.

### 13.3 Zoning Amendment Application - Pacific Rim Charters & Guest Lodge (354 Forbes Road)

**Bruce Greig, Manager of Community Planning**

- Bruce Greig, Manager of Community Planning, provided an overview of the project and explained the two proposed bylaws. Highlights included:
  - This is a rezoning application.
  - Council initially saw this report 6 months ago and indicated support of the concept but wanted the full plans in order to see what the uses would be.
  - The applicants have done that and this report includes the two draft bylaws.

*Councillor McEwen left the meeting at 4:01 and returned to the meeting at 4:06 PM.*

- Glen Kazmar, the applicant, noted the following:
  - We are not set in stone for 9 staff accommodations, we have committed to 6.
  - We were told by our architects that the three remaining units, under our current building code, could be an F3 occupancy.
  - If the demand for staff accommodations is required over F3 occupancy we are willing to commit to 9.
  
- Councillor Kemps asked the following questions:
  - Under the site plan for the staff housing unit are there individual kitchens and washrooms? Mr. Kazmar advised there will be a communal kitchen.
  - Is this location in the industrial area DCC exempt? Mr. Greig - yes, and explained why. The DCC's for the building and the staff accommodations would have been \$155,000.
  - If this is zoned for an industrial park and not guest housing, will this be an exemption? Mr. Greig - this is a zoning amendment. The first bylaw is a zoning amendment that would change to allow the tourist accommodation on that property. The housing agreement outlines the units on the ground floor would be designated for employees.
  - How is this enforced if the applicants are to build staff housing within 2 to 5 years? Mr. Greig - the applicants are guaranteeing to have staff accommodations within 5 years, but we would be recommending putting a covenant on the property that would say the use of the tourist accommodation is dependent on a minimum of 6 staff accommodations being there as well. The restriction on the property is if they don't have the staff accommodations, you are not permitted to use the upper level space.
  - What is F3 and F9? Mr. Greig advised they are two different sections of the BC Building Code and explained what they are.
  
- Mayor Noël provided the following comments:
  - You have been working with staff and we really want to support you. I think giving you 36 months to get your 6 staff accommodations works for us.
  - However, the motel aspect and not having to pay the DCC"s is a bit of a struggle because there are several applications who don't have that option and have to pay.

- Your building was non-conforming and we are happy to see that you are willing to work with staff to make it conforming and each section used only for the designated use.
- Councillor Cole asked the following question:
  - Why are there no screens for waste and recycling? Mr. Greig advised the location for this would be at the back of the property and the applicants are requesting to not have to build a screened enclosure as it is not visible to the public.

2017-018

**It was moved by Councillor McEwen and seconded by Councillor Hoar**

*THAT Council approve recommendation 1 or legislation item, "Zoning Amendment Application - Pacific Rim Charters & Guest Lodge (354 Forbes Road)" which states:*

1. *THAT Council, with regard to the proposal to renovate the building on Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road) and request for zoning amendments to permit commercial tourist accommodation on the property:*
  - a. *give first and second readings to Ucluelet Zoning Amendment Bylaw No. 1248, 2019;*
  - b. *give first and second readings to Ucluelet Housing Agreement Bylaw No. 1249, 2019;*
  - c. *indicate support, subject to public comment, to issue a Development Variance Permit to vary the following aspects of the Eco-Industrial Park (CD-1) zoning regulations for the existing building:*
    - i. *reduce the side yard setback per CD-1.6.1(3) on the south side from a minimum of 5m to 1.22m;*
    - ii. *reduce the rear yard setback per CD-1.6.1(3) from a minimum of 6m to 4.05m;*
    - iii. *reduce the parking setback per 503.2(1) from a minimum of 3m to 1.5m, subject to the owner installing the proposed landscaped screening within the reduced setback area;*
    - iv. *increase the permitted building height per CD-1.5.1(4) from a maximum of 12m to 12.95m; and,*
    - v. *waive the requirement per 602.1(1) for screening of waste and recycling bins, located at the rear of the building;*
  - d. *direct staff to give notice of a public hearing to receive comment on the requested bylaws and Development Variance Permit.*

CARRIED.

## 14. OTHER BUSINESS

### 14.1 There was no other business.

**15. QUESTION PERIOD**

**15.1 There were no members of the public who wished to speak.**

**16. ADJOURNMENT**

**16.1 Mayor Noël adjourned the meeting at 4:26 PM.**

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday, April 9, 2019 at 2:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

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Mayco Noël  
Mayor

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Mark Boysen  
CAO





**DISTRICT OF UCLUELET**  
**MINUTES OF THE PUBLIC HEARING**  
**HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE**  
**Tuesday, April 30, 2019 at 6:00 PM**

Present:       **Chair:**           Mayor Noël  
                  **Council:**       Councillors Cole, Hoar, Kemps, and McEwen  
                  **Staff:**           Mark Boysen, Chief Administrative Officer  
                          Marlene Lagoa, Manager of Corporate Services  
                          Donna Monteith, Director of Finance  
                          Bruce Greig, Manager of Community Planning  
                          John Towgood, Planner 1

Regrets:

**1. CALL TO ORDER**

1.1 Mayor Noël called the meeting to order at 6:00 PM.

**2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY**

2.1 Council acknowledged the Yuułu?iif?ath First Nations on whose traditional territories the District of Ucluelet operates.

**3. LATE ITEMS**

- 3.1           1. Addition to Agenda Item No. 6.4 Written Submissions for Bylaw No. 1241, 2019
- a) 2019-04-29 Vigneault Correspondence  
b) 2019-04-30 Johnson Correspondence
2. Addition to the Agenda Item No. 7.4 Written Submissions for Bylaw No. 1242, 2019
- a) 2019-04-30 Johnson Correspondence  
\*\*Same Correspondence as Item 1.b\*\*

**4. EXPLANATION OF PUBLIC HEARING PROCESS**

4.1 Rules Governing Public Hearing

1. 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.
2. At a Public Hearing all persons who deem their interest in property affected by the proposed bylaws shall be afforded an opportunity to be heard, or to present written submissions, on

matters contained in the bylaw.

3. The Council may give such effect, as it deems fit, to representations made at a Public Hearing, in the bylaws as adopted.
4. 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 public input, which will later be considered by the Council in their regular meeting.
5. Following the Public Hearing, Council will not accept further communications or presentations from the public or the applicant respecting this bylaw.

## 5. NOTICE OF PUBLIC HEARING

### 5.1 Notices

## 6. PUBLIC HEARING - District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019

6.1 Mayor Noël declared the Public Hearing for the District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019 open at 6:05 PM.

### 6.2 Presentation of Bylaw No. 1241, 2019

- Bruce Greig, Manager of Community Planning, presented an overview of the zoning bylaw amendment to remove the standalone short-term rental element within a Vacation Rental (VR-2) use by requiring that a minimum of 15% of the principle building has a residential component as follows:
  1. Delete and replace Section 406.1 (2), such that the section reads as follows:
    - (2) The "VR-2" designation permits the commercial tourist accommodation as:
      - a) accessory to a permanent residential use and administered by the full-time and president resident.
      - b) occupying the principle dwelling or maximum of two (2) secondary suites or a combination of those dwelling units as long as one of the dwelling units within the principle building is occupied by a permanent and present residential use.
      - c) in no case shall the secondary suite component of the principle building occupy less than fifteen percent (15%) of the principle building on the lot, and in no part of an accessory building.

d) in no case shall the principle dwelling component of the principle building occupy less than sixty (60%) of the principle building on the lot, and in no part of an accessory building.

2. By deleting and replacing subsection (b) within the Section 103 Definition for secondary suite, such that the section reads as follows:

b) in a building with a Vacation Rental (VR-1) or a Vacation Rental (VR-2) designation, means one or two separate accessory dwelling units used for either residential use of commercial tourist accommodation in accordance with Section 406 of this Bylaw;

- Mr. Greig noted Bylaw No. 1241, 2019 is a general amendment, which would apply to any property designated to allow the vacation rental VR-2 use.
- Currently there are no occupied properties within Ucluelet that have the VR-2 designation.
- There are number of unoccupied properties with that designation within the Onni lands.

6.3 Reports and Materials for Bylaw No. 1241, 2019

6.4 Excerpts from Previous Council Meetings

6.5 Written Submissions for Bylaw No. 1241, 2019

6.6 Public Comments for Bylaw No.1241, 2019

Mayor Noël asked for the first time if there were any representations from the public.

J. Gray, stated she and her husband Carl, are not in favour of a stand-alone vacation rental. They do not like the current permitted use under VR-2 which allows for 100% vacation rental, with no one living on site. There are a number of properties that already exist but are not occupied yet, built on yet or subdivided yet. Regardless of the application for our home, I would like to speak in favour of amending the text amendment to this bylaw so there will always be the requirement that someone lives full-time on site. Thereby having someone on the property that is in control of what is going on.

J. Bekker, read a letter on behalf of his wife, R. Vigneault that was already added to the Late Item Agenda as Item No. 1.b. Bekker noted both he and his wife are opposed to VR-2.

C. Scott, noted his wife, Judy summed up the importance of the VR-2 amendment and the changes necessary to make it work properly so that it is not 100% of the house or location without anyone on site to look after the property while it is being rented out.

R. Oliwa, stated he is speaking in opposition to this text amendment of the VR-2. Mr. Oliwa noted he was previously on Council for 10 years, and during that time they saw this come up on several occasions and always voted it down. There are a lot of reasons for it, a lot of technical reasons. In the last 6 months, the District has not made any real policy changes, increased bylaw, or made any other legislative amendments that are going to address this new text amendment. If you change the zoning to allow for the 85/15% , you're taking away the context of the primary use of a residential house for a community member, someone who would otherwise live within the community and participate in the community. As for the 15% you don't know who that person will be. What's going to happen with the secondary suite, that person now becomes a requirement for the commercialization of that property, you're not there as a community member, a resident, you are a requirement for that zoning, and I don't want to see that in my community.

A. Murray, stated having someone to manage the property is important. Stated she is in support of removing the 100% from the VR-2. Having someone on the premises at all times is important to control noise levels and keep an eye on things, plus it gives someone a place to rent. Stated she feels it is important for a percentage of people and a percentage of homes to be allocated the VR-2 zoning and suggested setting a maximum on the number of VR-2's. We are in the process of building a very expensive home and are learning to do that, it is nice to have those rental capabilities. Especially if you meet certain criteria, and that criteria is kept stringent in order to qualify for a VR-2. Once that percentage of allocated locations/homes has been met, then no one else can be approved. If we work within that, it makes a lot of sense. Ms. Murrary noted she has lived here for almost 12 years and has seen about a hundred homes built, but not a single one has been allocated the VR-2 zoning. Stated she feels there is room for this zoning, if managed, and having a long-term renter on the property.

K. Harwood, stated he is in opposition of such an amending bylaw until we can get our housing situation under control. Noted the foundation of Ucluelet is starting to crack based on the growth. Over the last four years, he has rented out anywhere from 1 to 4 bedrooms in his 5-bedroom house. As much as he would like to do nightly rentals himself, he feels there is an imbalance in people making a lot of money on their

homes, compared to some that are making little to none on their homes. Until we get a system in place where residents can comfortably find a place to live, if the home they are currently in sold, and they are displaced, spending our time going through laws and issues doesn't make any sense until we have our residence taken care of. If everyone had a comfortable place to live, and rates weren't going through the roof, I would be in support of this, but that's not the situation. We need to support our residents, our local businesses and support our town because it's already starting to lose its favour and touch.

P. Timmermans, VR-2 zoning is a problem, as seen in other communities and resort municipalities. Talked to residents, people move here for the community, they bring their ideas and dreams. Places like the Wild Pacific Trail and the Aquarium wouldn't exist without our dedicated locals. People embrace this community as was evident at the recent Council's Societies meeting, behind each of the 21 societies that were present, there is an average of 6-8 board members, and they are all volunteers. That's about 10% of our population, and that doesn't include all the other volunteers for groups like softball, baseball and Scouts. We are a community feeling the strain of modern living, especially the cost of housing, and anything that puts housing further out of reach should be verboten by Council in the interest of community integrity. Allowing any form of VR-2 opens the door a crack to changing Ucluelet into a town that ultimately favours the rich. As Council you are aware of the issue, therefore the outcome, albeit the future is predictable. Previous councils have listened the community on this issue and have not allowed it. I would like to urge Council to defeat the tabled motion and introduce the motion presented by your Planners that Council reject the requested amendment. Furthermore, may I boldly suggest that Council motion to remove the VR-2 option from all zoning in our town. Remove the temptation to commercialize residential properties. We as a community, give you Council the voice to say no.

B. Schram, supports removing the VR-2 possibility from Ucluelet. No matter how you frame or structure this, you are still encouraging people to not live here. If the current VR-2 option passes, it will not guarantee the 15% resident would have authority over the main vacation rental units. It is still absentee ownership. If you encourage new VR-2 properties, you will fill large commercial units to max out rental space. The renter that you install is not specified in the wording of that document as to duration and duty. We don't have the manpower to enforce that. I would encourage Council to get rid of this problem all together, it is within our power to do that. You have the power to change the current VR-2 to VR-1, it's not too late as no one is actually living in one yet. It would be wonderful if we could rest assured that if you

purchase or build in Ucluelet you want to live here. We have no obligation to provide rich people with investment opportunities.

S. Mole, noted she would really caution Council to take a great deal of thought with this proposal. Spoke to an old Council Report from December 11, 2018, Appendix B (January 23, 2018 Council Report) Option Review No. 5 which states, "That Council table this application until the District's housing policies have been clarified and the current OCP review and the Short-Term Rental strategy progress further." Those are three major key components. We need the OCP to be done as that is the voice of the community, and that will dictate what that might look like. Before we look at the zoning revamp, there is a lot that needs to be amended. Rushing ahead is a slippery slope. Previously lived in Tofino at Chesterman's Beach, and watched it turn from a community of friends and neighbourhood to total strangers as a result of VR-2. Urged Council to slow down and look at what the community needs and wants.

M. Rhodes, while he agrees that more time should be spent on this, he does speak in favour of this amendment. Mr. Rhodes does agree there shouldn't be 100% as there should be some on the property full-time. Doesn't understand how VR-2 zoning automatically increases the value of neighbouring properties. Also questions the rationale that the 15 % renting full-time isn't going to have any investiture in this community. That 15% would be an available housing option for a local, or someone who wishes to move to the community, that you wouldn't otherwise have if it was solely 100%. Further questions the idea that the 15% would have zero ability or control over the vacation rental. They could always speak to the owners, Bylaw, and the RCMP. We shouldn't make assumptions; they aren't all here to make money and not contribute to the community. The VR-2 zoning would give the owner the option to rent their space, if for example they live here for 10 months of the year but want to travel for 2. As it sits now am in favour of this zoning amendment.

K. Congdon, stated she has lived here 40 years and own a couple of businesses. They have supported the community in many different events and have seen a lot of changes over the years. In the last two years they have seen an increase of people coming into the community looking for vacation rentals. Noted that she is in favour of the VR-2 with the 15% resident. Some things for Council to consider is to slow it down and take a good look at the bigger picture. For example, parking as the streets get clogged; implementing mandatory water meters as they are commercial because there will be an increase in water demand with more laundry, showers etc. Having someone living on the property full-

time is important. Perhaps implementing a covenant on the property for resale to ensure the 15% stays that way.

M. Star, in favour of taking away the 100% aspect of VR-2. There seems like a lot of people are assuming that people aren't interested in the community. There are several places that have suites and the tenants are contributing, working hard, sometimes even working multiple jobs. Reiterated that it is not a good idea to have 100% as it is already hard to find a place to live here.

R. Oliwa, noted when he was on council one of the reasons he was never in favour of this, is the affordability of Ucluelet is in jeopardy. My argument would be, a water-front B&B, with an easy ask of \$300/night & up to 6 people legally conforming to stay in that dwelling. That's \$1,000 a day, how much do you need? We have ways to generate revenue from our own homes as is. The affordability factor, and the fact someone would need an empty house, or 85% empty house, at the expense of the community, doesn't make sense. Another negative factor for this, is that BC Assessment doesn't look at percentages of your house. If you approve a VR-2 at 85%, a large portion of that house is now a commercial revenue generating property that is only taxed residential. When it is time to sell that property with VR-2 zoning, it will absolutely sell at a higher rate. Another point is that BC Assessment doesn't care where that property is in Ucluelet, that house selling will affect housing prices for every residential property in this community, with no benefit to community residents themselves. Only the owner benefits. Therefore, not in favour whatsoever of VR-2.

A. Glen, asked for clarification on whether VR-2 zoning already exists or if this was being newly introduced. Mr. Greig, clarified that VR-2 already exists within the zoning bylaw and this application was to amend it.

S. Mole, worries about the possibility of VR-2 spot zoning and the precedent setting. Noted she lives on Marine Drive and values the current family neighbourhood feel of it. However, the neighbourhood is already changing, whether legally or not. Also noted she too could rent out her home as well, but stated it takes away from the community. Nightly rentals change the structure and value of the neighbourhood, it erodes that bond of neighbours. Personally, would like to see VR-2 eliminated. The community has a chance to voice it through the OCP and we need to hold off until that process has been completed. We really need to look at the bigger picture, 5-10 years down the road and really consider the potential impact.

M. Rhodes, asked if the current bylaw addresses the idea of eliminating

VR-2 completely. Mayor Noël clarified that it does not.

B. Schram, addressed the objection to the change that she hopes no Council would approve 100% VR-2, but noted they may approve the new regulations, despite the community being opposed to the concept of it. By amending it, you are sending a signal that we are open to VR-2 rezoning and will open the flood gates of everyone trying to cash-in on VR-2 rezoning on existing residential properties and for future properties. Thinks we need to take a step back, and slow down until there has been a study.

J. Rhodes, addressing the comment that visitors don't buy locally or eat locally. They bring a lot of revenue to the community. We need places for them to stay, and while some may pick up items to bring with them, they still spend money in the community.

J. Holliday, asked for clarification on VR-2 and whether someone can rent out their home, and have someone manage the property while they are away. Mayor Noël clarified the current topic is on the text amendment only.

Mayor Noël asked for the second time if there were any representations from the public.

- There were no comments from the public.

Mayor Noël asked for the third time if there were any representations from the public.

- There were no comments from the public.

6.7 Mayor Noël declared the Public Hearing for the District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019 closed at 6:50 PM.

## **7. PUBLIC HEARING - District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019**

7.1 Mayor Mayor Noël declared the Public Hearing for Ucluelet Zoning Amendment Bylaw No. 1242, 2019 open at 6:52 PM.

7.2 Presentation of Bylaw No. 1242, 2019

- Bruce Greig, Manager of Community Planning, presented an overview of Ucluelet Zoning Amendment Bylaw No. 1242, 2019 to amend the Zoning Bylaw to add the Vacation Rental (VR-2) use (as amended by Ucluelet Zoning Amendment Bylaw No. 1241, 2019,) to the property at 506 Marine Drive as follows:



1. Amend the Text and Map of Schedule B of the District of Ucluelet Zoning Bylaw by adding the following section CD-2A.1.7 in alphanumerical order, as follows:

“CD-2A.1.7 The following uses are permitted on Lot 2, District Lot 281, Clayoquot District, Plan VIP80321 (PID 026-566-435, 506 Marine Drive):

- (1) Principal:
  - (a) Single Family Dwelling
  - (b) Vacation Rental (VR-2)
- (2) Secondary:
  - (a) Home Occupation
  - (b) Secondary Suite”

- 7.3 Reports and Materials for Bylaw No. 1242, 2019  
\*\*Same report as Item 5.2\*\*
- 7.4 Excerpts from Previous Council Meetings  
\*\*Same excerpts as Item 5.3\*\*
- 7.5 Written Submissions for Bylaw No. 1242, 2019
- 7.6 Public Comments for Bylaw No. 1242, 2019

Mayor Noël asked for the first time if there were any representations from the public.

C. Scott, noted he and his wife Judy have lived here 12 years. This request for VR-2 zoning is personal. Has been a resident for 39 years and 4 months as of January 1, 1980. He and Judy joined forces in 1992 and raised their children here. They also have 2 grandchildren here; this is their home. Is an active member in the community, and has been here for more than half of his life. 506 Marine Drive is their fifth and hopefully final home. Made a commitment to be apart of this community. Fishing industry has changed, logging changed, the community is changing. Tourism is now an economic driver. We have the opportunity to be a part of that. As part of the economic change, in addition to aging, they want to take advantage of their home as a source of income so they can slow down. They have a beautiful home on the ocean and want the opportunity to share their home with others when they are away travelling. They have been working on this application with the District for quite some time and in order to accomplish this, they need VR-2 zoning. They have a suite that is part of their home where their daughter currently lives and helps look after the home. They have opened up their home to their sons and daughters that live out of town, when they are away travelling so they know it works. Stated their neighbours support

this use of their home. We have neighbours that are able to do what we wish to do. They know they have resistance to their application, but noted they are not removing accommodation from the rental market. Each of us have the right to request zoning changes and it's the District's job to deal with it. They are looking for stability, not a permit to be renewed at the whim of bureaucracy. Stated they will sell their house at some point, but right now they want support from Council to provide them with the zoning amendment.

J. Gray, stated she moved to Ucluelet in 1989 from Bamfield and could not find a place to live, just like now. She lived in a 2-bedroom unit at Edgewater for a year until she got a house. 2008 to 2014 was the only time there wasn't a housing issue. In 1992, she sobered up and moved back to Ucluelet. Bought a small mobile home and lived there for 4 years until moving in with Carl and his sons. They have grandchildren that live and work here. They have family gatherings in their home. There seems to be a lot of confusion about what VR-2 is. It means you can rent your house and up to two suites without anyone having to be actively living on the property. Carl and I don't want that in our community. As part of their application, they have asked that the VR-2 zone now require someone to live onsite full-time, if there is a nightly rental happening. This zone choice should be fixed. Currently 30 lots at Wyndansea with the VR-2 zone and could be put on the market at any time. Was on the first OCP committee in 1997/1998, back when they were clear that not all parts of Ucluelet are not suitable for vacation rentals. Some neighbourhoods should permit them, and some should not, thereby giving residents a choice. If you don't want to live near a rental, then don't purchase in a neighbourhood that allows them. We have been able to learn from Tofino. Our residents brag about our sense of community and why each application must be considered properly. We don't have a home that is considered affordable and it never will be. We want this change so we can rent out the home and bring in extra income. This would allow them to slow their work lives down and be able to afford their home longer. Our neighbours have come out in strong support of their application. They have 18 letters that represent 24 properties and have included a map of all the properties that have supported this application. None of the people they spoke to opposed them, however they did not reach out beyond their neighbourhood, but their neighbours all supported us and wished them luck. If we are forced to sell our home, it will probably be a foreign buyer who will leave the property vacant like 1702 Rainforest Lane. That property, which now sits vacant and dark, is a million dollar home bought by a student in Richmond. There will always be a full-time resident on the property. We only plan to rent out the home when we are away visiting family, taking care of parents and travelling. Is an active member of the community, especially when it comes to events for children. We all live differently

and in all areas of the communities. With or without this zoning the value of the house remains the same. If they don't get the VR-2 zoning, it would take longer to sell their home.

A. Murray, is in support, and adjacent neighbours. Sees what their current property can do. Doesn't see the difference between VR-1 & VR-2, as it wouldn't have any impact on their property next door. There will still be vehicles, and people coming and going. In favour of having it so someone has to be living there full-time. Having the opportunity to utilize your investment as it seems fit to your time in life. It's not going to impact us. As for precedence, you have to go community to community, neighbourhood by neighbourhood, street by street to determine if you get approved. If you can't meet the requirements you don't get approved.

R. Oliwa, it does come to viability of your home and what you can make off it. My home is my investment. Heard this evening the world is a different place. Have been here for over 30 years. It's not the same place, the affordability is gone. The applicant noted they have only looked at their own neighbourhood and has their support from their neighbours. We need to look broader; we have to widen our scope to the whole community and the impact this zoning will have on the entire community. Have studied housing and this will absolutely affect housing prices in Ucluelet. Questions why we are going down this path, when they have the ability to make substantial revenue and to pay little to no tax on it. By not changing and not approving this, they still have the ability to live in their home and generate \$1,000/day, without affecting the entire community. If Council approves this, and it becomes a spot zone, it will negatively impact every home in Ucluelet. This is not a good thing for Ucluelet and strongly urges Council not to approve it.

S. Mole, to the applicants, there is no question at all over what great community supporters you are, and how involved you are within the community, but that makes it hard for Council to be objective. We have to make it fair for everyone. To Council, we can't look at people and whether or not they are good people, that is just not one of the options Council has, they have to be objective. Reiterate again to table this until the OCP, short-term rental and housing strategy has been dealt with. We have to look long term and what works best for the community and what the residents want as a whole.

M. Rhodes, in favour of the application. In terms of council looking at each application separately, that is absolutely their job, they don't have a blanket yes or no. The applicants have been working on their application for a long time. Question: is there a limit of how many people

you have in a room in a VR-1 zoning, or number of cars. Is there a difference between the two? Mr. Greig noted the question of occupancy, and how many people per room falls under the building code. B&B occupancy is limited to 3 bedrooms, 2 person occupancy per room, anything above that wouldn't be handled as a B&B. As for parking, there is a minimum requirement for both B&B's and vacation rentals on site, unless the property owner has variance.

N. Swann, speaks in favour of the application, noted Judy and Carl are going to be careful as to who they put into their home. When you know there is a permanent resident, you will be very choosy as to who you put into the home. You're not going to see rowdy house parties; the house will be cared for.

M. Star, Judy and Carl want to change their lifestyle so they can travel, and the last thing they, or anyone at that stage in their lives would want to do is own a B&B, where they have to take care of guests coming and going from their home. That is not an option for them. Therefore we have to look at each application on an individual basis. They aren't the type of people to move out and lose control of their house. It may change the value of the house, but how it would affect the value of a mobile home within the community? Doesn't see the correlation.

K. Congdon, question: are all B&B's required to have off street parking. Mr. Greig responded yes. Noted she is in favour of the rezoning.

S. Mole, agrees that Judy and Carl will take care of their home. However, we need to remember that once it's VR-2 it stays as VR-2 and we will have no idea what the new owners will be like.

R. Oliwa, to members of Council there is another option. This will be a permanent zoning. There are other locations in town that have been spot zoned. No one knows what is going on with those zones. By approving this here, a VR-2 spot zone, you are basically giving out a permanent business license. There was another option for Council to pursue, and if this didn't come to council so quickly after the election, we haven't given staff time to come forward with the stuff they have been working on. I would urge Council to give staff the opportunity to fulfill their duty, this is the reason we hired them, allow those reports to come forward, and table this application at this time. Ucluelet is not ready. Bylaw is still complaint driven; we still don't have any actual active enforcement at this time. We haven't built the capacity of those policies within our community yet. There is an opportunity here, through a temporary use permit, to allow everything the applicant is asking for, other than the permanent zone change. This would still give them the

option to stay in the community and continue to do the great work in the community with a temporary use permit. If and when they sell and there was an issue with the new owners, Bylaw could address it and as a community we have the option to not renew the permit. Again, would urge Council to work with staff to explore the temporary use permit option.

B. Kelleher, feels the temporary use permit is something that should be applied. As everyone is saying, things are changing fast and moving fast. There have been proposals that have been put forward in the past that they thought would work, but the OCP has been revised several times based on things that have come up we didn't foresee. We need to slow down, having this permanent change only benefits the current owners, the new owners may use it differently and we would have no say over it. A temporary use permit would allow the current owners to use their home for what they want. Any permanent changes in Ucluelet seem to have revisions made, but this zoning change wouldn't allow for that. That is something we really need to consider as everything is changing so fast, and we don't want to get it wrong and stumble on that.

J. Holliday, if the applicants got a temporary use permit, when they go to sell this property, would that still not be a positive? If they had the temporary use permit, does that not open the door for the new owners to come to Council to say what this house was previously used for, and apply for the same? Mayor Noël clarified the temporary use permit was not the topic being addressed in the application, they have to stay on the topic of the rezoning application to a VR-2

C. Scott, this application is not a speeding truck down a mountain side, we have been working on this for years and this needs to be recognized. The work that has gone into this and the diligence with respect to staff and Council over the years. We have had in principle approval more than once with respect to the zoning change. With respects to VR-2 affecting the price of housing in Ucluelet, housing prices are individual to their specific neighbourhood.

B. Forrest, stated he is opposed to this application request. Doesn't think it's fair to the business owners in town, that one person can generate enormous revenue and not have to pay commercial taxes, they only pay regular taxes.

Mayor Noël asked for the second time if there were any representations from the public.

- There were no comments from the public.

Mayor Noël asked for the third time if there were any representations from the public.

- There were no comments from the public.

7.7 Mayor Noël declared the Public Hearing for the District of Ucluelet Zoning Amendment Bylaw No. 1242, 2019 closed at 7:36 PM.

Mayor Noël called a recess at 7:36 PM, and reconvened at 7:43 PM.

## **8. PUBLIC HEARING - District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1248, 2019**

8.1 Mayor Noël declared the Public Hearing for the District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1248, 2019 open at 7:43 PM.

8.2 Presentation of Bylaw No. 1248, Bylaw No.1249, & DVP19-03

- Bruce Greig, Manager of Community Planning, presented an overview of Ucluelet Zoning Amendment Bylaw No. 1248, 2019 and explained the purpose of this proposed bylaw is to amend the Eco-Industrial Park CD-1 regulations within Schedule B of the Ucluelet Zoning Bylaw No. 1160, 2013, to allow Commercial Tourist Accommodation as a secondary use on the second and third levels, and Staff Housing on any level of an existing mixed-use building on the property at 354 Forbes Road (Lot 17, District Lot 284, Clayoquot District, Plan VIP76147).
- Mr. Greig then presented an overview of the Ucluelet Housing Agreement Bylaw No. 1249, 2019 and explained the purpose of this proposed bylaw is to authorize the District of Ucluelet, pursuant to section 483 of the Local Government Act, to enter into a Housing Agreement with the owners of the property at 354 Forbes Road, Glenn and Dianna Kaczmar. In conjunction with the requested rezoning of the property, the owners are proposing that the lower level of the building at 354 Forbes Road be used for a minimum of six Staff Housing units. The proposed Housing Agreement would include an occupancy restriction and annual reporting mechanism to ensure the operation of the Staff Housing units as proposed.
- Mr. Greig also presented an overview of the Development Variance Permit DVP19-03, and explained in addition to the above bylaws, the owners of the property at 354 Forbes Road have requested a Development Variance Permit to vary the following aspects of the Eco-Industrial Park (CD-1) regulations within District of Ucluelet Zoning Bylaw No. 1150, 2013, to enable the owners to apply for the required Building Permit for the renovation of the existing building on the property to ensure it is safe for its intended use:

- i. reduce the side yard setback per CD-1.6.1(3) on the south side from a minimum of 5m to 1.22m;
- ii. reduce the rear yard setback per CD-1.6.1(3) from a minimum of 6m to 4.05m;
- iii. reduce the parking setback per 503.2(1) from a minimum of 3m to 1.5m, subject to the owner installing the proposed landscaped screening within the reduced setback area;
- iv. increase the permitted building height per CD-1.5.1(4) from a maximum of 12m to 12.95m; and,
- v. waive the requirement per 602.1(1) for screening of waste and recycling bins, located at the rear of the building.

- 8.3 Reports and Materials for Bylaw No. 1248, Bylaw No. 1249, & DVP19-03
- 8.4 Excerpts from Previous Council Meetings
- 8.5 Written Submissions for Bylaw No. 1248, Bylaw No. 1249, & DVP19-03
- 8.6 Public Comments for Bylaw No. 1248, Bylaw No. 1249, & DVP19-03

Mayor Noël invited the applicant to address Council.

G.Kaczmar, noted in regards to the one setback from 5 meters to 1.22 meters, they have an existing variance for 1.52 meters. Clarified they are asking for the variance for 1.22 meters from 1.52 meters. Also noted the question of their building being over height is currently being rectified by their surveyors as it was an error on their end.

Mayor Noël asked for the first time if there were any representations from the public.

K. Congdon, asked if Mr. Greig could explain each variance one more time. Mr. Greig explained each section again in full detail.

- K. Congdon asked if the building would be right at the fence. Mr. Greig noted the fence may not align with the property line, but the existing fence is approximately 4 feet from the property line. The applicant isn't moving their building, they are just legalizing it.
- K. Congdon asked if there were any greenery being planted. Mr. Greig advised there is a landscape plan that has been proposed.
- K. Congdon asked if the planting zone along the parking at the front of the property would happen before or with the approval of both parking spots. Mr. Greig advised it would either be put in place at the time, or the District would hold a security deposit because sometimes there is a delay depending on the time year.

G. Kaczmar, stated their building has existed since 2006, they are not moving it, not expanding it, but they are making some changes to it. Explained they have more than enough parking spots, but if someone has an issue with the three parking spots in front they would be open to reducing the number.

Mayor Noël asked for the second time if there were any representations from the public.

- There were no comments from the public.

Mayor Noël asked for the third time if there were any representations from the public.

- There were no comments from the public.

8.7 Mayor Noël declared the Public Hearing for the District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1248, 2019 closed at 7:56 PM.

## 9. ADJOURNMENT

9.1 Mayor Noël adjourned the meeting at 7:58 PM.

**CERTIFIED CORRECT:** Minutes of the Public Hearing Meeting held on Tuesday, April 30, 2019 at 6:00 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

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Mayco Noël  
Mayor

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Mark Boysen  
CAO





## DISTRICT OF UCLUELET

### Request to Appear as a Delegation

All delegations requesting permission to appear before Council are required to submit a written request or complete this form and submit all information or documentation by 11:00 a.m. the Wednesday preceding the subsequent Council meeting. Applicants should include the topic of discussion and outline the action they wish Council to undertake.

All correspondence submitted to the District of Ucluelet in response to this notice will form part of the public record and will be published in a meeting agenda. Delegations shall limit their presentation to ten minutes, except by prior arrangement or resolution of Council.

Please arrive 10 minutes early and be prepared for the Council meeting. The Mayor (or Acting Mayor) is the chairperson and all comments are to be directed to the chairperson. It is important to address the chairperson as Your Worship or Mayor Noël.

The District Office will advise you of which Council meeting you will be scheduled for if you cannot be accommodated on your requested date. For more information contact the District Office at 250-726-7744 or email [info@ucluelet.ca](mailto:info@ucluelet.ca).

Requested Council Meeting Date: May 14, 2019

Organization Name: Ucluelet Volunteer Fire Brigade

Name of person(s) to make presentation: Deputy Chief Mark Fortune

Topic: Fire Chief

Purpose of Presentation:

- Information only
- Requesting a letter of support
- Other (provide details below)

Please describe:

Introducing and welcoming Fire Chief Rick Geddes, and thanking retiring Fire Chief Ted Eeftink.

Contact person (if different from above): \_\_\_\_\_

Telephone Number and Email: [REDACTED]

Will you be providing supporting documentation?  Yes  No

If yes, what are you providing?

Handout(s)

PowerPoint Presentation

Note: Any presentations requiring a computer and projector/screen must be provided prior to your appearance date. The District cannot accommodate personal laptops.





## DISTRICT OF UCLUELET

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Requested Council Meeting Date: May 14, 2019

Organization Name: Ucluelet Emergency Program

Name of person(s) to make presentation: Captain Alan Anderson

Topic: High Ground Hike

Purpose of Presentation:

- Information only
- Requesting a letter of support
- Other (provide details below)

Please describe:

Overview of the purpose and objectives of the High Ground Hike.

Contact person (if different from above): \_\_\_\_\_

Telephone Number and Email: emergency@ucluelet.ca

Will you be providing supporting documentation?  Yes  No

If yes, what are you providing?

Handout(s)

PowerPoint Presentation

Note: Any presentations requiring a computer and projector/screen must be provided prior to your appearance date. The District cannot accommodate personal laptops.





## DISTRICT OF UCLUELET

### Request to Appear as a Delegation

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Please arrive 10 minutes early and be prepared for the Council meeting. The Mayor (or Acting Mayor) is the chairperson and all comments are to be directed to the chairperson. It is important to address the chairperson as Your Worship or Mayor Noël.

The District Office will advise you of which Council meeting you will be scheduled for if you cannot be accommodated on your requested date. For more information contact the District Office at 250-726-7744 or email [info@ucluelet.ca](mailto:info@ucluelet.ca).

Requested Council Meeting Date: TUESDAY, MAY 14, 2019

Organization Name: TELUS

Name of person(s) to make presentation: SHAYE DRAPER

Topic: TELUS SERVICES FOR THE DISTRICT OF UCLUELET

Purpose of Presentation:

Information only

Requesting a letter of support

Other (provide details below)

Please describe:

DISCUSS TELUS SERVICES ON THE WESTCOAST AND ADDRESS COUNCIL'S QUESTION REGARDING THE INSTALLATION OF EMERGENCY PHONES AND WIFI ON HIGHWAY 4.

Contact person (if different from above): JENNIFER LASTIWKA

Telephone Number and Email: 250-388-8122 / jennifer.lastiwka@telus.com

Will you be providing supporting documentation?  Yes  No

If yes, what are you providing?

Handout(s)

PowerPoint Presentation

Note: Any presentations requiring a computer and projector/screen must be provided prior to your appearance date. The District cannot accommodate personal laptops.





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# Ucluelet Secondary School

May 09, 2019

Mayor Mayco Noel  
District of Ucluelet  
Box 999  
Ucluelet, B.C. V0R 3A0

Dear Mayor Noel:

The Class of **2019** and the staff of Ucluelet Secondary School would be pleased if you would honor us with your presence and give greetings at our Commencement Ceremony scheduled for **Saturday, June 15, 2019 at 2:00 p.m.** in our gymnasium.

Please advise us at your earliest convenience regarding this invitation.

Sincerely,

Ms. Carol Sedgwick  
Principal

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P.O. Box 40, Ucluelet, B.C. V0R 3A0 (250) 726-7796 Fax (250) 726-7710







# Pacific Rim Arts Society

District of Ucluelet  
Mayor and Council

May 1, 2019

Dear Mayor Noel and District of Ucluelet Council members

On behalf of the Board of Directors for the Pacific Rim Arts Society, I am pleased to invite you to our 7<sup>th</sup> annual Cultural Heritage Festival (CHF) opening ceremonies at the K<sup>w</sup>isitit Visitor Centre in the PRNPR.

As you know, PRAS' mission is to provide a lively, diverse and self-sustaining arts and culture program that is an integral part of a healthy and viable community. We are very proud of the CHF and its goal to promote cross-cultural knowledge and understanding of our area's history, residents and way of life. Each year the festival theme changes to reflect a different cultural aspect of our varied and dynamic west coast history.

This year, we are very excited to explore the Japanese traditions and their importance of how it has shaped our communities. Our opening ceremonies will include many guest speakers and will offer an opportunity for the Mayor (or alternate) to welcome everyone to the festival and say a few words about Ucluelet.

I have attached our promotional poster for the festival opening, feel free to share as you wish. The festivities will start at 1pm – in the upper Mezzanine area but we may move into the Barb Touchie Theatre for speeches depending on attendance and space.

Please let me know if you can attend by emailing us at [pacificrimarts@gmail.com](mailto:pacificrimarts@gmail.com) or call us at 250-726-2443.

Thank you for your consideration and we hope to see you all there.

Warm regards,

*SPayne*

Susan Payne  
Executive Director  
Pacific Rim Arts Society  
Coordinator – Cultural Heritage Festival



# Sakura

Celebrating Japanese art and culture on the west coast

## OPENING CEREMONY

Saturday, May 18, 1pm

Kwisitis Visitor Centre  
Pacific Rim National Park Reserve



Parks  
Canada

Parcs  
Canada

GUEST SPEAKERS • ORIGAMI • FILM • SHODO • DANCE  
GREEN TEA • SENBEI • HISTORY & VISUAL DISPLAYS



Invitation to the Cultural Heritage Festival Ceremony



FESTIVALS

tourismoftofino.com



BIOSPHERE TRUST



Supported by the Province of British Columbia

BRITISH  
COLUMBIA



DISTRICT OF  
UCLUELET

TOURISM  
UCLUELET



May 7, 2019

Ref: 246050

Dear Local Governments:

As you are aware, housing availability and affordability are some of the biggest issues facing British Columbians today. That is why I am writing to let you know about exciting partnership opportunities that can be used to increase the supply of affordable housing in your community.

With the 30-point housing plan, the Government of British Columbia is making the largest investment in housing affordability in B.C.'s history—approximately \$7 billion over 10 years—through the **Building BC** funds. In the first year of this plan, we have already made significant investments in communities across British Columbia:

- **Building BC: Community Housing Fund (CHF)** will provide close to \$1.9 billion over 10 years to develop 14,350 units of mixed income, affordable rental housing for independent families and seniors. The new homes are designed to address the need for affordable housing across a range of income levels, in response to a housing crisis that has made housing unaffordable for even middle-class families. *Currently, more than 4,900 of these new homes have been approved in 42 communities. (See map: <https://www.bchousing.org/partner-services/Building-BC/community-housing-fund>)*
- **Building BC: Indigenous Housing Fund (IHF)** is a \$550 million investment over the next 10 years to build and operate 1,750 new social housing units for Indigenous families and seniors. *In Fall 2018, we announced 1,100 new affordable homes for indigenous peoples in 26 communities across B.C. (See news release for project list: <https://www.bchousing.org/news?newsId=1479152910395>)*
- **Building BC: Women's Transition Housing Fund (WTF)** is investing \$734 million over 10 years for 1,500 units of transition and second-stage housing to help women and children get out of violent and abusive situations and rebuild their lives. *More than 280 of these new spaces have been approved for 12 communities.*

.../2

- **Building BC: Supportive Housing Fund (SHF)**, an investment of \$1.2 billion over 10 years, will deliver 2,500 new homes with 24/7 support services for people who are experiencing homelessness or who are at risk of homelessness. This fund builds on the **Rapid Response to Homelessness initiative** (now fully subscribed) in which 2,000 homes with supports are currently being built in 22 communities across the province, with 1,285 units already opened.
- **Building BC: Capital Renewal Fund (CRF)** is a \$1.1 billion investment over the next 10 years to make existing B.C. social housing stock more livable, energy-efficient, and safer. This investment will make dramatic improvements to the existing social housing stock in the province and benefit thousands of British Columbians.

Many of these housing projects are underway, but I wanted to make sure you knew about upcoming opportunities to apply for future funding. BC Housing is interested in partnering with municipalities, non-profit housing providers, and community groups to create more innovative and sustainable housing solutions through the following:

- **Future RFP** - BC Housing will be issuing a second formal Request for Proposals for the *Community Housing Fund* and the *Indigenous Housing Fund* in 2020. We encourage groups interested in submitting proposals to start their planning early, to ensure their projects are ready when applications open. Interested organizations can visit [bchousing.org/partner-services/funding-opportunities-for-housing-providers](https://bchousing.org/partner-services/funding-opportunities-for-housing-providers) to learn more about these funding streams and their requirements.
- **Ongoing Opportunities** - BC Housing welcomes discussions with partners interested in developing new housing through the *Supportive Housing Fund* and/or the *Women's Transition Housing Fund*. Visit [bchousing.org/partner-services/Building-BC](https://bchousing.org/partner-services/Building-BC) to learn more or contact your local Director of Regional Development (contact list below).
- **Major Repairs for Existing Social Housing** - Funding is available for non-profit housing providers or housing co-operatives to support capital projects that maintain or benefit an existing social housing building's condition or improve the building's seismic or fire safety, as well as for projects focused on energy performance. Visit [bchousing.org/partner-services/asset-management-redeveopment/capital-planning-repairs](https://bchousing.org/partner-services/asset-management-redeveopment/capital-planning-repairs) to learn more about eligibility criteria and how to apply, or speak with the local Regional Non-Profit Portfolio Manager.
- **The HousingHub** is a new division within BC Housing, and was established to seek innovative partnerships with local housing organizations, community land trusts, Indigenous groups, faith-based groups, charities, the development community, financial institutions and other industries to create affordable rental housing and homeownership options for middle-income British Columbians. As a centre for housing expertise and collaboration, affordable housing will be developed through the HousingHub either through new construction or through the redevelopment of existing sites. Partners bring suitable land, equity and/or the catalyst for development. The HousingHub can provide:
  - Expertise to provide advice on assisting the group in the planning and development process
  - Access to pre-development funding
  - Low-cost financing
  - Project coordination advice
  - A place for organizations to collaborate

Learn more: [www.bchousing.org/partner-services/housinghub](https://www.bchousing.org/partner-services/housinghub)

.../3

Local Governments  
Page 3

There are many ways that municipalities can help to partner with BC Housing, such as providing city-owned land or waiving Development Costs Charges, as a few examples. If you have an identified housing need in your community, we are hoping that you will help share some of these opportunities with interested community groups in your area. If you are interested in providing housing but are unsure of how to connect with a non-profit, BC Housing or the BC Non-Profit Housing Association can help you identify housing non-profits that operate in your region.

While BC Housing will be promoting these opportunities, we are hoping that you will also reach out to encourage key stakeholders in your community to apply. We have included a *Building BC* factsheet to help you promote these opportunities.

Please have interested key stakeholders in your community contact their local Director of Regional Development for more information:

Region	Director of Regional Development	Email
Interior Region	Danna Locke	<a href="mailto:dlocke@bchousing.org">dlocke@bchousing.org</a>
Northern Region	Amy Wong	<a href="mailto:awong@bchousing.org">awong@bchousing.org</a>
Vancouver Coastal & Fraser Region	Naomi Brunemeyer	<a href="mailto:nbrunemeyer@bchousing.org">nbrunemeyer@bchousing.org</a>
	James Forsyth	<a href="mailto:jforsyth@bchousing.org">jforsyth@bchousing.org</a>
Vancouver Island	Malcolm McNaughton	<a href="mailto:mmcnaughton@bchousing.org">mmcnaughton@bchousing.org</a>
HousingHub	Raymond Kwong	<a href="mailto:rkwong@bchousing.org">rkwong@bchousing.org</a>

Thank you in advance for your support in helping to bring more affordable housing to your community.

Sincerely,



Selina Robinson  
Minister

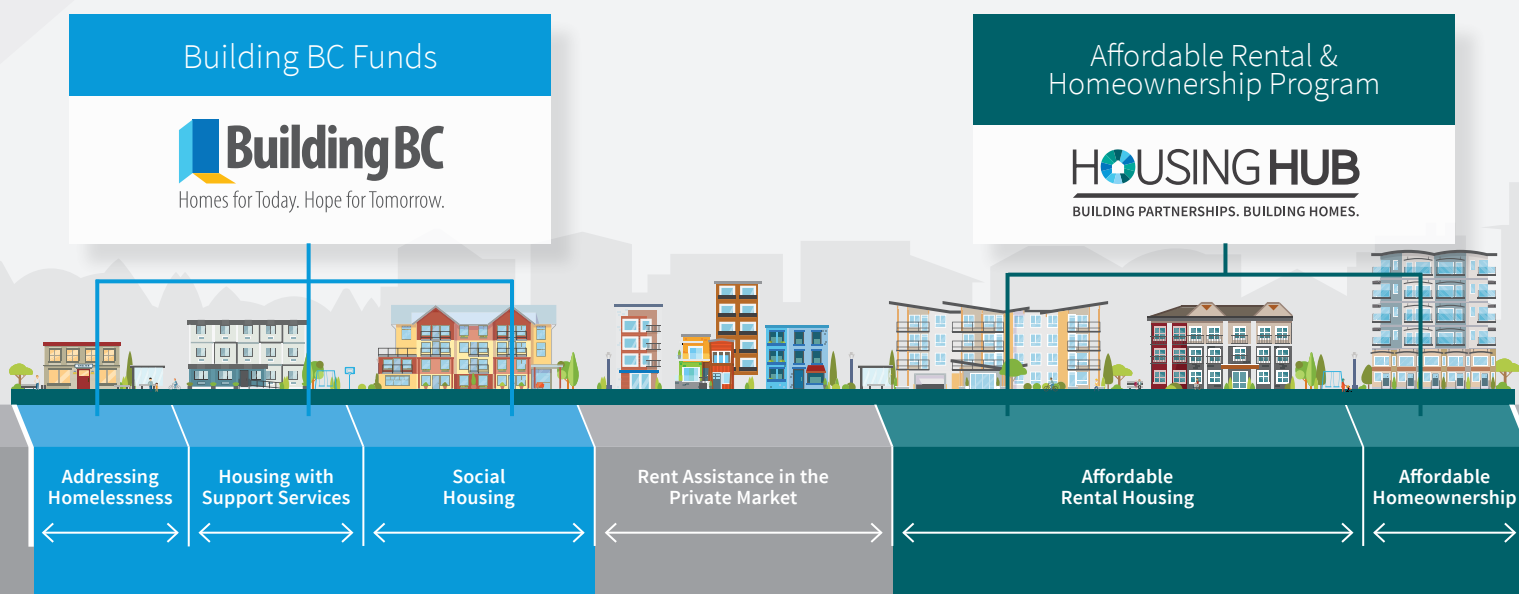
Enclosure





# Partnering with BC Housing to Build Affordable Housing

**BC Housing welcomes the opportunity to work with individuals and organizations to create affordable housing solutions.** We work in partnership with non-profit sectors and private sectors, community and Indigenous groups, provincial health authorities, ministries and other levels of government. As a partner, we build and facilitate community and business partnerships to find innovative solutions to housing.



## ▶▶▶ How to apply

Visit us online to learn more about how to partner with BC Housing.

## ▶▶▶ Funding Opportunities for Housing partners

Website: [bchousing.org/partner-services/funding-opportunities-for-housing-providers](http://bchousing.org/partner-services/funding-opportunities-for-housing-providers)

### Provincial Director, HousingHub

Raymond Kwong: [rkwong@bchousing.org](mailto:rkwong@bchousing.org)

### Vancouver Coastal & Fraser Regional Directors

Naomi Brunemeyer: [nbrunemeyer@bchousing.org](mailto:nbrunemeyer@bchousing.org)

James Forsyth: [jforsyth@bchousing.org](mailto:jforsyth@bchousing.org)

### Interior Regional Director

Danna Locke: [dlocke@bchousing.org](mailto:dlocke@bchousing.org)

### Northern Regional Directors

Amy Wong: [awong@bchousing.org](mailto:awong@bchousing.org)

### Vancouver Island Regional Director

Malcolm McNaughton:

[mmcnaughton@bchousing.org](mailto:mmcnaughton@bchousing.org)






# Building BC Funds

## Supportive Housing Fund

**\$1.2 billion**

An investment of **\$1.2 billion over 10 years to deliver 2,500 new homes** with 24/7 support services for people who are experiencing homelessness or who are at risk of homelessness.




-  Adults over 19 who are homeless or at risk of homelessness.
-  Affordable rental housing with onsite support services.
-  Non-profit housing providers that are interested in providing property management and support services.

Ongoing opportunities

## Community Housing Fund

**\$1.9 billion**

This investment will provide close to **\$1.9 billion over 10 years to develop 14,350 units** of mixed income, affordable rental housing for independent families and seniors.




-  Families and seniors capable of living independently, without on-site support.
-  Affordable rental housing that includes: 30% affordable housing (moderate income), 50% rent geared to income (housing income limit), and 20% deep subsidy.
-  Non-profit housing providers or for-profit firms that partner with non-profit societies who are interested in developing and operating new rental units.

Future Proposal Call

## Women's Transition Housing Fund

**\$734 million**

The Province is investing **\$734 million over the next 10 years to build and operate 1,500 new units** to support women and children at risk of violence.




-  Women and their children who are at risk of violence and/or who have experienced violence.
-  There are four typical models: safe home, transition house, second stage housing, and permanent housing.
-  Non-profit service providers who are interested in developing and operating new rental housing.

Ongoing opportunities

## Indigenous Housing Fund

**\$550 million**

The Province is investing **\$550 million over the next 10 years to build and operate 1,750 new social housing units** for indigenous families and seniors.

-  Indigenous families, seniors, individuals, and persons with a disability.
-  Affordable rental housing.
-  Indigenous non-profit housing providers, First Nations, Metis Nation BC, non-profits, and developers who want to partner with Indigenous organizations and First Nations.

Future Proposal Call



### How to apply

Visit us online to learn more about how to partner with BC Housing.

### Building BC Funds

Website: [bchousing.org/partner-services/Building-BC](http://bchousing.org/partner-services/Building-BC)  
Email: Mike Lachocki at [purchasing@bchousing.org](mailto:purchasing@bchousing.org)

# Building New Affordable Housing in BC

The *HousingHub* was developed to increase the supply of affordable housing for British Columbians, and is one of several new provincial initiatives introduced in *Homes for BC: A 30-Point Plan for Housing Affordability* in British Columbia.

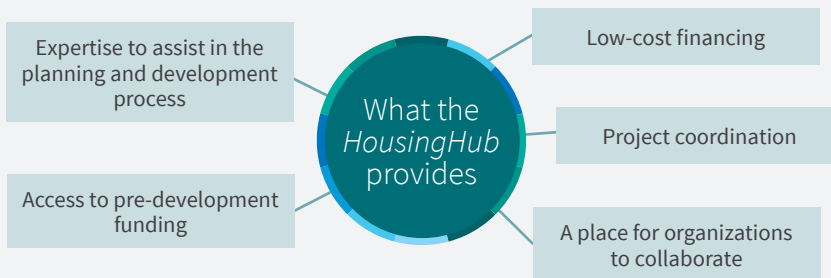
The *HousingHub* is a division within BC Housing, and was established to seek innovative partnerships with local housing organizations, community land trusts, Indigenous groups, faith-based groups, charities, the development community, financial institutions and other industries to create affordable rental housing and homeownership options for middle-income British Columbians.

As a centre for housing expertise and collaboration, the *HousingHub* develops affordable housing through new construction, or through the redevelopment of existing sites.

## Increasing the Housing Supply

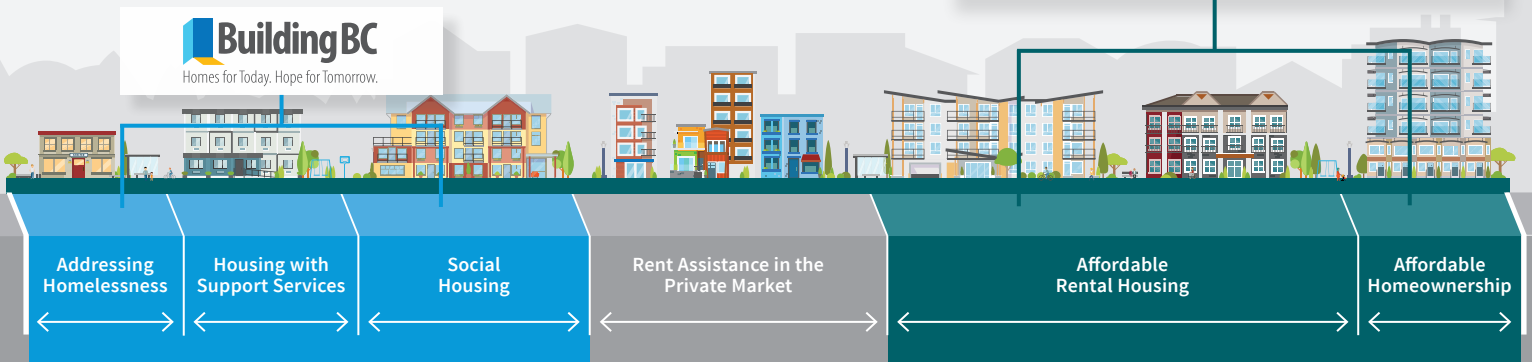
The *HousingHub* seeks partnerships with levels of government to:

- Increase the supply of affordable rental housing
- Improve the ability of renters to move into homeownership, thus freeing up rental stock



BUILDING PARTNERSHIPS. BUILDING HOMES.

- Middle income British Columbians, households with **average incomes between \$70,000-\$150,000**, depending on the community.
- Affordable rental housing at or below market rate, affordable homeownership.
- Non-profits and private developers, faith groups, property owners, federal and local governments, and Indigenous partners.



▶▶▶ Visit website:  
[bchousing.org/partner-services/housinghub](http://bchousing.org/partner-services/housinghub)  
 to learn more

▶▶▶ Phone: 604-439-4757  
 Provincial Director, HousingHub  
 Raymond Kwong: [rk Wong@bchousing.org](mailto:rk Wong@bchousing.org)





# EMIL ANDERSON CONSTRUCTION (EAC) INC.

May 2<sup>nd</sup>, 2019

**Re: Hwy 4 Kennedy Hill Safety Improvements  
Traffic Interruptions Update**

Dear Highway 4 travelers,

Attached is a copy of the May 3<sup>rd</sup>, 2019 to June 4<sup>th</sup>, 2019 closure schedule. You can find a copy of the schedule on our *EAC Hwy 4 Kennedy Hill Project Updates* Facebook page at [facebook.com/eac.bc.ca.kennedy.hill/](https://facebook.com/eac.bc.ca.kennedy.hill/)

There is also a traffic advisory hotline which will provide detailed and up-to-date information to help plan your trip. The number is: **1-855-451-7152**.

Information will also be posted on electronic message boards at either ends of the project and along the Hwy 4 corridor between the west coast and Hwy 19 as well as information posted to [DriveBC.ca](https://DriveBC.ca). For your own safety, it is imperative you respect all construction signage, and stay well clear of any equipment.

We apologize for any inconveniences as a result of this project, but hope you understand that we are working towards a safer highway for all of us.

Further project information is available on the Ministry's project website at [gov.bc.ca/highway4kennedyhill](https://gov.bc.ca/highway4kennedyhill). Should you have any questions or concerns, you can leave a message on the traffic advisory hotline at 1 855 451-7152.

Sincerely,

**EMIL ANDERSON CONSTRUCTION (EAC) INC.**

Erin Pomeroy  
EAC Project Coordinator



3 - May	Friday	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM
4 - May	Saturday	No Closures
5 - May	Sunday	
6 - May	Monday	
7- May	Tuesday**	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM -12PM to 1PM -4PM to 5PM -10PM to 12AM except on Fridays Expect up to 30-minute delays at all other times, day and night.  ** Tuesday – No 1AM to 4AM and 5AM to 7AM Closure
8 – May	Wednesday	
9 – May	Thursday	
10 – May	Friday	
11 – May	Saturday	
12 – May	Sunday	
13 – May	Monday	
14 – May	Tuesday	
15 – May	Wednesday	
16 – May	Thursday	
17 – May	Friday	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM
18 – May	Saturday	No Closures
19 - May	Sunday	
20 – May	Monday	
21 - May	Tuesday	Road CLOSED between the following times: -10PM to 12AM
22 – May	Wednesday	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM -12PM to 1PM -4PM to 5PM -10PM to 12AM except on Fridays Expect up to 30-minute delays at all other times, day and night.  ** Friday – No 12PM to 1PM and 4PM to 5PM closure
23 - May	Thursday	
24 - May	Friday	
25 – May	Saturday	
26 – May	Sunday	
27 – May	Monday	
28 – May	Tuesday	
29 – May	Wednesday	
30 – May	Thursday	
31-May	Friday**	
1– June	Saturday	
2 – June	Sunday	
3 - June	Monday	

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## NEWS RELEASE

May 1, 2019

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### Recycle Right at Home campaign a collaboration of Vancouver Island and Coastal Communities in BC

The Association of Vancouver Island and Coastal Communities (AVICC) with partnership from the Alberni-Clayoquot Regional District (ACRD), Capital Regional District, Comox-Strathcona Waste Management, Cowichan Valley Regional District, qathet Regional District, Regional District of Nanaimo and Sunshine Coast Regional District are rolling out the new Recycle Right at Home campaign, providing residents across all regional districts information for how to reduce, reuse and recycle responsibly and effectively at home.

“The Recycle Right at Home campaign provides simple information for how to recycle responsibly at home,” said AVICC President Carl Jensen. “Many residents throughout our regional districts frequently travel or work between other neighbouring districts, the Recycle Right at Home campaign includes clear messaging that is relevant to all regional districts.”

A series of short videos have been developed that focus on different aspects of recycling to inform and hopefully inspire residents to ‘Recycle Right’. The campaign presents easily adaptable ideas to work towards waste reduction.

“We are happy to be part of this collaboration on recycling education which will hopefully alleviate some of the confusion on recycling that we are hearing from our residents,” says Jenny Brunn, Manager of Operations for the ACRD. “We are working to build on our existing education efforts in the following year including the Recycle Right at home campaign.”

The Recycle Right at Home campaign which was officially launched on Earth Day (April 22<sup>nd</sup>) and will be shared by the AVICC partnering Regional Districts.

The campaign topics include helpful tips on how to reduce waste, why “keeping it clean” is important in recycling, common contamination and why “know before you throw” helps increase recyclability and identifying where to take your recycling.

For more information visit [www.acrd.bc.ca/recycle-right-at-home](http://www.acrd.bc.ca/recycle-right-at-home)

**Contact:** Jenny Brunn  
 Manager of Operations  
 Regional District of Nanaimo  
 250-720-2717  
[solidwaste@acrd.bc.ca](mailto:solidwaste@acrd.bc.ca)





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**Subject:** FW: Upcoming Service Canada visit to Ucluelet, Tofino and Ahousaht- May 27th-29th  
**Attachments:** Ahousaht\_May29\_2019\_NextVisitposter.doc; Ucluelet\_May27\_2019\_NextVisitposter.doc; Tofino\_May28\_2019\_NextVisitposter.doc

**Importance:** High

**From:** Kirsty Allen

**Sent:** May 1, 2019 2:40 PM

**Subject:** Upcoming Service Canada visit to Ucluelet, Tofino and Ahousaht- May 27th-29th

Good morning,

I am writing to let you know that Service Canada will be offering services on the West Coast on May 27<sup>th</sup>-29<sup>th</sup>, 2019. I am sending this e-mail out to all of our contacts and community partners on the West Coast and I am hoping you are able to share this information widely with your networks and, if possible, to post the details of our visit on community bulletin boards and appropriate local or social media sites. We are hoping to reach as much of the community as possible so that everyone is aware that we are coming to provide services next month.

Service Canada will be visiting Ucluelet on May 27<sup>th</sup>, Tofino on May 28<sup>th</sup>, and Ahousaht on May 29<sup>th</sup>, 2019; I have attached printable posters for each of these visits which include the hours of service and locations as well.

#### **UCLUELET**

May 27 from 10:30 am to 3:30 pm  
The Ucluelet Community Centre  
500 Matterson Dr.  
Ucluelet, BC

#### **TOFINO**

May 28 from 9:00 am to 4:00 pm  
Tofino Legion-basement  
331 Main St, Tofino, BC V0R 2Z0  
Tofino, BC

#### **AHOUSAHT**

May 29 from 10:30 AM to 3:00 PM  
Chachimhyiip  
Ahousaht Holistic Centre  
Ahousaht, BC

The Service Canada Clinic will provide community members with:

- The opportunity to apply for a Social Insurance Number (SIN)
  - The SIN is required for children when setting up a Registered Educational Savings Plan (RESP), or for youth starting their first jobs. The SIN must also be updated for individuals who have changed their name since obtaining their SIN.

- Information about what ID you need to apply for a SIN is available here: <https://www.canada.ca/en/employment-social-development/services/sin/before-applying.html>
- Assistance with Public Pensions such as the Canada Pension (CPP), Old Age Security (OAS) and Guaranteed Income Supplement (GIS)
- Assistance with Employment Insurance (EI) enquiries/issues/questions
- Passport application (review only)
- Access codes for the My Service Canada Account which now links up to the Canada Revenue Agency Account
- If you are a business owner or an employer required to have your ID validated for the Record of Employment on the Web (ROE Web) registration we can help you.
  - Information about the required identification can be found here <https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/roe-web-admin-guide.html#h2.3-h3.4-h4.2>
  -
- Information on a range of Government of Canada programs and services such as the Registered Educational Saving Program (RESP), and Apprenticeship Grants

Kirsty Allen

Citizen Services Officer: Citizen Services  
Service Canada/Government of Canada  
Tel: 250-736-2218 / [kirsty.allen@servicecanada.gc.ca](mailto:kirsty.allen@servicecanada.gc.ca)

Agente de services aux citoyens: Services aux citoyens  
Service Canada/ Gouvernement du Canada  
Tél: 250-736-2218/ [kirsty.allen@servicecanada.gc.ca](mailto:kirsty.allen@servicecanada.gc.ca)

# Service Canada



## Ucluelet Scheduled Outreach Site

### Where?

The Ucluelet Community Centre  
500 Matterson Dr.  
Ucluelet, BC

### When?

May 27, 2019 10:30 am to 3:30 pm

## Ucluelet Site de services externes réguliers

### Lieu?

Le Centre Communautaire de Ucluelet  
500 avenue Matterson  
Ucluelet, C-B

### Quand?

le 27 mai, 2019 10h 30 à 15 h 30

### Some of the services we provide:

- ✓ Employment Insurance (EI),
- ✓ Old Age Security (OAS),
- ✓ Guaranteed Income Supplement (GIS),
- ✓ Canadian Pension Plan (CPP), Death and survivor and CPP Disability,
- ✓ Social Insurance Numbers
- ✓ Passport application review only

*People serving people*

*Au service des gens*







## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** MARLENE LAGOA, MANAGER OF CORPORATE SERVICES

**FILE NO:** 1630-01

**SUBJECT:** CHEQUE LISTING – APRIL 2019

**REPORT NO:** 19-53

**ATTACHMENT(S):** APPENDIX A – APRIL 2019 CHEQUE LISTING

### **RECOMMENDATION(S):**

There is no recommendation. This report is provided for information only.

### **PURPOSE:**

The purpose of this report is to provide Council with a regular update on disbursed cheques.

### **BACKGROUND:**

Finance staff have provided a detailed list of last month's cheque run attached as Appendix A.

### **POLICY OR LEGISLATIVE IMPACTS:**

The cheque listing has been reviewed to ensure compliance with the *Freedom of Information and Protection of Privacy Act*. The names of individual's shown on the cheque listing are either employed with the District or contracted for the delivery of goods and services.

### **OPTIONS REVIEW:**

1. There is no recommendation. This report is provided for information only. **(Recommended)**
2. THAT Council provide alternative direction to staff.

**Respectfully submitted:** Marlene Lagoa, Manager of Corporate Services

Mark Boysen, Chief Administrative Officer

APPENDIX A

District of Ucluelet  
AP Cheque Listing  
April 2019

Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
28299911	19-Apr-01	AD004	TYCO INTEGRATED FIRE & SECURITY CANADA I	80745550	APR1-JUN30/19 UCC	162.86	162.86
28299952	19-Apr-01	AD004	TYCO INTEGRATED FIRE & SECURITY CANADA I	80745549	APR01-JUN30/19 FIREHALL	277.21	277.21
28300951	19-Apr-01	AD004	TYCO INTEGRATED FIRE & SECURITY CANADA I	80745567	APR01-JUN30/19 BAY ST WATER PLANT	281.14	281.14
W000286818	19-Apr-02	S0171	MUNICIPAL PENSION PLAN	PP07/2019	PP07/19	11974.63	11974.63
028519	19-Apr-08	AGS11	AGS BUSINESS SYSTEMS INC	50665	02/28/19-03/28/19	469	469
028520	19-Apr-08	IMS01	ALL ISLAND MAILING SYSTEMS INC.	3443	APR/18 INK CARTRIDGE FOR POSTAGE METER	112.3	112.3
028521	19-Apr-08	AHI01	ALLES HOLDINGS INC	21	MAR 11-22/19 CONTRACT SERVICES	1008	1008
028522	19-Apr-08	BUS01	BUSTON, TONI	122658	YOUTH CO MAR/19	560	560
028523	19-Apr-08	CT002	CLEARTECH INDUSTRIES INC	783465	SODIUM HYPOCHLORITE/CONTAINER DEP	818.66	818.66
028524	19-Apr-08	CF005	COLUMBIA FUELS	01375121985104	LANG-BOOTS/RAIN JACKET	408.78	408.78
028525	19-Apr-08	45R27	CONNECT ROCKET COMMUNICATIONS INC.	2926	APR19 SUBSCRIPTION	280.66	280.66
028526	19-Apr-08	CS334	CONTROL SOLUTIONS	C002942	UCC HEAT MNTC-1ST QRTLRY BILL	878.22	878.22
028527	19-Apr-08	CE004	CORPORATE EXPRESS CANADA INC	50038546 50091532 50092110 49906378	OFFICE SUPPLIES - ADMIN OFFICE SUPPLIES-LYCHE OFFICE SUPPLIES/PAPER-LYCHE COMPUTER MOUSE-UCC	210.94 18.41 591.37 72.79	893.51
028528	19-Apr-08	CUPE1	CUPE LOCAL #118	INITDUES2018	NEW MEMBERSHIP DUES 2018	40	40
028529	19-Apr-08	DJ002	DRAESEKE JAN	122657	CHI GONG/TAI CHI	371.14	371.14
028530	19-Apr-08	DFC01	DUMAS FREIGHT COMPANY	62450 62452	FOUR STAR WATERWORKS FOUR STAR WATERWORKS	661.5 271.95	933.45
028531	19-Apr-08	FW050	FAR WEST DISTRIBUTORS LTD	325744	BLEACH/HAND SOAP-PW	50.59	50.59
028532	19-Apr-08	F0257	FIRE CHIEFS ASSOCIATION OF BC	2257	FCABC/19 DUES-FORTUNE	246	246
028533	19-Apr-08	GB059	GIBSON BROS. CONTRACTING LTD.	20478 20522	MARINE DR-DRAIN ROCK MARINE DR-CRUSH DRAIN ROCK	500.78 500.78	1001.56
028534	19-Apr-08	GLE01	GLEESON, JUDY	122660	AFTERSCHOOL JAN-MAR/19	750	750
028535	19-Apr-08	GPC25	GREATPACIFIC CONSULTING LTD	861	REM OUTFALL REPORT	5099.06	5099.06
028536	19-Apr-08	HS002	HOGAN, SARAH	122656	DANCE FIT-SPRING/19	234.11	234.11
028537	19-Apr-08	HRPR7	HOLISTIC EMERGENCY PREPAREDNESS	1408	FIRE SAFETY PROGRAM-CONSULTING	2068.5	2068.5
028538	19-Apr-08	HC279	HUBER CHANTAL	122659	YOGA-MAR/19	31.23	31.23
028539	19-Apr-08	JR381	J. ROBBINS CONSTRUCTION LTD	3524 3526 3523 3525	MARINE DR-ROAD MULCH MARINE DR-ROAD MULCH ST.JACQUES PARK-SOIL CONCRETE-PARKS GARDENS/TRAILER	547.16 531.1 209.62 307.38	1595.26
028540	19-Apr-08	CK608	KASSLYN CONTRACTING	D661 D662	D661 D662	1245 4079.7	5324.7
028541	19-Apr-08	KL923	KERDMAN LINDSAY	122661 122663	GYM CAMP WINTER/19 GYMNASTICS-MAR/19	1700.8 242.48	1943.28
028542	19-Apr-08	MA952	MAXXAM ANALYTICS	VA1222720 VA1222588 VA1221934 VA1224556	WATER TESTING B920096 WATER TESTING B920367 WATER TESTING B919579 B922386 MAR28 SAMPLES	749.18 324.19 81.05 263.55	1417.97
028543	19-Apr-08	MCA01	MCARA, DAVID	001	FLEET REVIEW	1457.7	1457.7
028544	19-Apr-08	BLA01	MICHALENKO, JOE	05JP21	LANDSCAPING	2890	2890
028545	19-Apr-08	MISC		BP17-78	BP17-78 DMG DEPOSIT RETURN	1000	1000
028546	19-Apr-08	MISC		BP18-09	BP18-09 DAMAGE DEPOSIT RETURN	1000	1000
028547	19-Apr-08	MISC		BP18-13	BP18-13 DAMAGE DEPOSIT RETURN	1000	1000
028548	19-Apr-08	MISC		BP18-23	BP-18-23 DAMAGE DEP REFUND	1000	1000
028549	19-Apr-08	MITC1	MITCHELL, CALI	7	MAR 18-31/19 CONTRACT SERVICES	1814	1814

APPENDIX A

District of Ucluelet  
AP Cheque Listing  
April 2019

Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
028550	19-Apr-08	MUR02	MURDOCH DE GREEFF INC.	118.19.01 118.19.02 118.19.03	AMPHITRITE POINT FEASIBILITY STUDY AMPHITRITE POINT FEASIBILITY STUDY AMPHITRITE POINT FEASIBILITY STUDY	4484.85 4998 976.5	10459.35
028551	19-Apr-08	N9371	NOEL MAYCO	122664	NOEL: BC SM BUS AWARDS PROMO W/CHAMBER	205.4	205.4
028552	19-Apr-08	OTC25	OUT OF OUR TREE CUSTOM WOODWORK	FEB22/19	GATE/FENCE-AMPHITRITE TRAIL	3704.09	3704.09
028553	19-Apr-08	PR725	PACIFIC RIM MARINE SEARCH & RESCUE SOC	SRF 02/19	D655-D658	350.29	350.29
028554	19-Apr-08	PR004	PACIFIC RIM MOTEL	346927	ZOOM BOOM LIFT RENTAL	225.75	225.75
028555	19-Apr-08	PBX12	PBX ENGINEERING LTD	6320 6322	16331-02 WW LAGOON SCADA CONST 14282-03 LOST SHOE SCADA	1102.51 7337.4	8439.91
028556	19-Apr-08	PI110	PUROLATOR INC	441001975	MAXXAM	211.52	211.52
028557	19-Apr-08	MS170	REVENUE SERVICES OF BC	04/19	APR19 MSP	1537.5	1537.5
028558	19-Apr-08	RL068	RIVERA LYVIER	122662	LATIN CARDIO-FEB-MAR/19	173.38	173.38
028559	19-Apr-08	SBR01	SONBIRD REFUSE & RECYCLING LTD.	34986 35265 35264 35263 35262 35261 35260 35259	UVFB GARBAGE UAC & UVFB, BASIC BIN MAR/19 GARBAGE UVFB & UAC MAR/19 GARBAGE UCC MAR/19 GARBAGE PW MAR/19 GARBAGE WHISKEY DOCK MAR/19 GARBAGE 52 STEPS MAR/19 GARBAGE SCH MAR/19 RECYCLING TRANSFER FEE LYCHE	45.15 45.15 162.16 636.38 263 321.8 1210.44 19.37	2703.45
028560	19-Apr-08	SJK65		BP18-27	BP18-27 REFUND	1000	1000
028561	19-Apr-08	SUN02	SUN LIFE ASSURANCE COMPANY OF CANADA	00057575	APR/19 EAP	106.58	106.58
028562	19-Apr-08	TU428	TOURISM UCLUELET	12/18-A	DEC/18 MRDT	16003.92	16003.92
028563	19-Apr-08	TS002	TRAN SIGN 1999 LTD.	56800	TRAFFIC SIGNS	2761.65	2761.65
028564	19-Apr-08	TSC19	TRANSPARENT SOLUTIONS CORP	10367	MAY/19 DOMAIN FEE-CLEARMAIL	20.95	20.95
028565	19-Apr-08	LEASE	UCLUELET CONSUMERS CO-OPERATIVE ASSN	04/19	APR/19 LEASE	250	250
028566	19-Apr-08	UP459	UCLUELET PETRO-CANADA	4128 4100	DIELECTRIC GREASE FOR WATER METERS CANYON-ENGINE OIL	13.66 90.25	103.91
028567	19-Apr-08	UR849	UCLUELET RENT-IT CENTER LTD	32855 32627	ST.JACQUES PARK-SOIL MAR/19 PORTABLES	64.05 1545.6	1609.65
028568	19-Apr-08	uv146	UCLUELET VOLUNTEER FIRE BRIGADE	Q1/19	Q1/19	2100	2100
028569	19-Apr-08	WP166	WINDSOR PLYWOOD - UCLUELET DIV.	79965A 80215A 80336A 80660A 80671A 80721A 81100A 82449A 82896A 82900A 82923A	REC HALL REPAIR-LUMBER KEY COPIES-BAY ST PUMP STN EPOXY-CEMETARY GREENHOUSE REPAIR-PEX PIPE ST.JACQUES PARK-REBAR CUT LUMBER FOR SIGNAGE CONCRETE SAW BLADE-PARKS SCH DOCK LUMBER EMERGENCY KIOSK PROJECT EMERGENCY KIOSK PROJECT BLADE RETURN CREDIT	130.31 21.63 83.83 10.54 21.48 198.86 156.79 1005.62 168.25 668.22 -22.4	2443.13
028570	19-Apr-08	WP166	WINDSOR PLYWOOD - UCLUELET DIV.	80829A 81107A 81364A 81492A 81671A	SCH-WATER LINE REPAIR PW-SHARKBITE WPT-SCREWS INNER BOAT BASIN-LUMBER CEDAR RD ALT VALVE-PLASTIC BUCKET	104.53 13.65 21.64 87.54 14.61	241.97
25044408	19-Apr-09	PW280	PITNEYWORKS	190320	MAR/19 POSTAGE	1065	1065
29039103	19-Apr-17	BMC01	BELL MOBILITY INC	03/2019	MAR/19	1105.91	1105.91
29213705	19-Apr-17	TP002	TELUS COMMUNICATIONS INC.	03/19	MAR/19	5726.66	5726.66
028572	19-Apr-23	AL001	ACKLANDS - GRAINGER INC.	9138646394	GRITTYFOAM SOAP-PW	248.15	248.15
028573	19-Apr-23	AS311	ACME SUPPLIES	851568	UCC CLEANING SUPPLIES	269.7	269.7
028574	19-Apr-23	RD205	ACRD	7642	PARKS TRAILER CONSTRUCTION	216	216
028575	19-Apr-23	AHI01	ALLES HOLDINGS INC	22	MAR 25-APR 05 CONTRACT SERVICES	1008	1008
028576	19-Apr-23	AS877	ANDREW SHERET LIMITED	03-034763	PW SHOP SUPPLIES/ST.JACQUES PARK	658.9	658.9

APPENDIX A

District of Ucluelet  
AP Cheque Listing  
April 2019

Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
028577	19-Apr-23	BC888	BETTSM CONTROL INC	1002219	ANNUAL SCADA LICENSE	3716.21	3716.21
028578	19-Apr-23	BP940	BLACK PRESS GROUP LTD.	33651974	MAR/19 ADS	1693.01	1693.01
028579	19-Apr-23	CLC12	CARVELLO LAW CORPORATION	1983	FILE 101029	272.62	272.62
028580	19-Apr-23	CN411	CITY OF NANAIMO	122666	UVFB-EXAM #8	120.75	120.75
028581	19-Apr-23	CE004	CORPORATE EXPRESS CANADA INC	50049528 50124348 50096215 50225495	SHREDDER OIL STAND-UP DESK GEL MOUSEPADS WRIST RESTS	59.43 615.99 56.43 86.22	818.07
028582	19-Apr-23	CUPE1	CUPE LOCAL #118	03/2019	CUPE DUES-MAR/19	1237.97	1237.97
028583	19-Apr-23	DC796	DAVES CONTRACTING	1171	PARKS OFFICE-FOUNDATION	1365	1365
028584	19-Apr-23	DFC01	DUMAS FREIGHT COMPANY	43169 62454	CLEARTECH FIRE HYDRANT	486.21 156.19	642.4
028585	19-Apr-23	EL048	ERIK LARSEN DIESEL CO. LTD.	716748	UVFB AIR BRAKE TUBE	7.03	7.03
028586	19-Apr-23	FW050	FAR WEST DISTRIBUTORS LTD	325600 326126 326058	GRBGE BAGS/TOILET PAPER-PW GRBGE BAGS/TOILET PAPER-PARKS UVFB-BOTTLED WATER	194.71 241.4 175.14	611.25
028587	19-Apr-23	FSC10	FOUR STAR COMMUNICATIONS INC	50001	MAR/19	149.95	149.95
028588	19-Apr-23	FS004	FOUR STAR WATERWORKS LTD.	54335	FIRE HYDRANT	3727.82	3727.82
028589	19-Apr-23	GB059	GIBSON BROS. CONTRACTING LTD.	20488	MARINE DR PROJECT	250.39	250.39
028590	19-Apr-23	IC130	INFOSAT COMMUNICATIONS	382484	APR/19 SAT PHONE	65.12	65.12
028591	19-Apr-23	JR381	J. ROBBINS CONSTRUCTION LTD	3519 3510	ST.JACQUES PARK-SOIL GRAVEL-PARKS OFFICE FOUNDATION	1984.58 380.38	2364.96
028592	19-Apr-23	CK608	KASSLYN CONTRACTING	D663 D664	D663 D664	2920.83 2833.66	5754.49
028593	19-Apr-23	LB002	LB WOODCHOPPERS LTD.	320095	WEEDEATER AUTO CUT-HEADS	207.2	207.2
028594	19-Apr-23	LB200	LONG BEACH PLUMBING & HEATING LTD	6994 7465	PROPANE OVEN LEAK REPAIR NEW WATER HEATER-PW YARD	99.75 753.69	853.44
028595	19-Apr-23	MK418	MAKOWSKY KATELYN	122670	SUNRISE - WINTER/19	1248	1248
028596	19-Apr-23	MA952	MAXXAM ANALYTICS	VA1225894 VA1226452 VA1227278	WATER TESTING B924557 SEWER TESTING B924551 WATER TESTING B926654	263.55 334.64 263.55	861.74
028597	19-Apr-23	MITC1	MITCHELL, CALI	8	APR 1-14/19 CONTRACT SERVICES	1815	1815
028598	19-Apr-23	NP156	NORTH PACIFIC REPAIR	128022	EMERGENCY KIOSK SIGN SUPPORT BRACKETS	93.56	93.56
028599	19-Apr-23	PR725	PACIFIC RIM MARINE SEARCH & RESCUE SOC	SRF 03/19	D659-661	276.3	276.3
028600	19-Apr-23	DP725	PAYNE DAVID	122667	PAYNE-MIERC TRAVEL	149.04	149.04
028601	19-Apr-23	PB104	PIONEER BOAT WORKS	77991	PADDLE/500' POLY ROPE	412.16	412.16
028602	19-Apr-23	PI110	PUROLATOR INC	440901784 441040221 441102659	MAXXAM/GUILLEVIN/LOCAL GOV'T MAXXAM/GUILLEVIN MAXXAM	247.71 183.46 127.08	558.25
028603	19-Apr-23	RG350	RECEIVER GENERAL FOR CANADA	20190058146 20190057666	ADD'L RADIO LICENSE FEE 2019 ADD'L RADIO LICENSE FEE 2019	67.2 285.6	352.8
028604	19-Apr-23	SD199	SCHRAMM DESIGN	2932	EMERGENCY KIOSK SIGN	3729.6	3729.6
028605	19-Apr-23	SK010	STRICKLAND KARLA	122669	CLAY WINTER/19	1536	1536
028606	19-Apr-23	TS002	TRAN SIGN 1999 LTD.	56947 56946	PIPELINE CROSSING SIGN TRAFFIC CROSSING SIGNS	389.76 626.49	1016.25
028607	19-Apr-23	UC141	UCLUELET CHAMBER OF COMMERCE	122668	UBERE YOUTH PROGRAM FUNDING	35000	35000
028608	19-Apr-23	UC142	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	12250 12251 71174387 71175470 71175515	GENERATOR-HELEN RD GENERATOR-JUNCTION #2 PREM GASOLINE #24 MINIPUMPER FUEL	135.58 206.16 72.3 143.24 76.01	3608.7

APPENDIX A

 District of Ucluelet  
 AP Cheque Listing  
 April 2019

Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
				71178116	#2	80	
				71182140	#2	83.01	
				71184836	#2	79.16	
				71186728	E1	64.38	
				5838	MAR/31 CARDLOCK	2668.05	
				12181	GENERATOR-TOP UP	0.81	
028609	19-Apr-23	UC142	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	C01048434	AFTERSCHOOL PROGRAM	9.75	533.56
				C01031278	GARBAGE PICKERS-PARKS	100.77	
				C01091691	YOUTH MOVIE & MEAL	39.1	
				C01092118	OFFICE SNACKS-LYCHE	34.26	
				C01041508	BUDGET OPEN HOUSE SNACKS	41.89	
				C01084285	COFFEE SUPPLIES	5.89	
				C01042937	CLEANING SUPPLIES-CEDAR RD	17.11	
				C01085265	#2 BULBS	17.56	
				C01094868	CLEANING SUPPLIES-ROAD MARKERS	15.1	
				C01033941	WHEELBARROW TIRES	212.66	
				C01097032	YOUTH PROGRAM	39.47	
028610	19-Apr-23	LEASE	UCLUELET CONSUMERS CO-OPERATIVE ASSN	05/19	MAY/19 LEASE	250	250
028611	19-Apr-23	UP459	UCLUELET PETRO-CANADA	4168	#4 WIPER BLADE	44.8	1927.82
				4280	#10 REPAIR/MAINTENANCE	193.69	
				4228	#2 BUMPER/FOG LAMP	374.24	
				4302	#1 BATTERY	248.34	
				1444	#10 REPAIRS	1066.75	
028612	19-Apr-23	UI923	UKEE INFO TECH	10859	IT SUPPORT MAR/19	7004.38	7004.38
028613	19-Apr-23	US001	URBAN SYSTEMS LTD.	166048	PROJ 1427-0002.01	2029.86	2029.86
028614	19-Apr-23	VI200	VANCOUVER ISLAND REGIONAL LIBRARY	Q2/19	Q2/19	27577	27577
028615	19-Apr-23	WC345	WURTH CANADA LTD	23477860	PW SHOP SUPPLIES	471.8	494.19
				23476369	PW SHOP SUPPLIES	22.39	
028616	19-Apr-23	XC300	XPLOARNET COMMUNICATIONS INC	INV26210981	APR/19	61.59	61.59
028617	19-Apr-23	LY001	YOUNG ANDERSON	112642	1190040	880.34	4173.77
				112643	1190118	1000.89	
				112644	1190134	299.66	
				112645	1190154	870.91	
				112646	1190157	968.41	
				112647	1190165	153.56	
028618	19-Apr-23	ZBC25	ZOE'S BAKERY AND CAFE	196	RETIREMENT CAKE	126	126
028619	19-Apr-23	KIN01	KINGFISHER INDUSTRIES	2019001	CEDAR RD PARKING LOT-TREE CLEARING	525	525





## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** MARK BOYSEN, CHIEF ADMINISTRATIVE OFFICER

**FILE NO:** 0640-30

**SUBJECT:** QUARTERLY PROJECTS UPDATE – 1<sup>ST</sup> QUARTER 2019

**REPORT NO:** 19-54

**ATTACHMENT(S):** APPENDIX A – 2019 QUARTERLY PROJECT STATUS REPORT TABLE

### **RECOMMENDATION(S):**

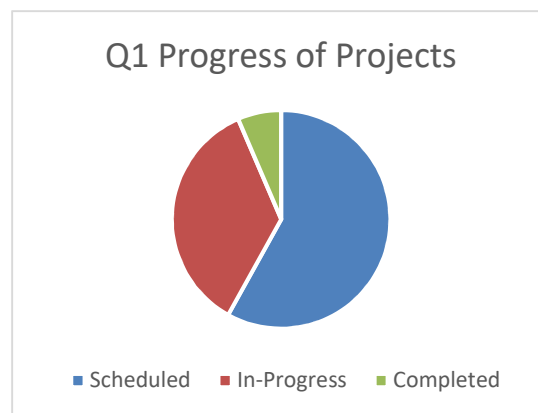
1. **THAT** Council receives this 2019 Q1 update on the progress of budgeted Staff projects.

### **PURPOSE:**

The purpose of this report is to provide a quarterly update to Council on the progress of key projects that were approved in the 2019 District of Ucluelet Budget. Over 30 projects worth \$3.1 million are planned for completion by the end of 2019.

### **BACKGROUND:**

Staff are pleased to provide this Q1 update on the status of departmental projects for 2019 (**Appendix A**). Any exceedances to the approved projects budget will be reported to Council. **Table 1** below provides a summary of the 2019 projects that have been Scheduled, are In-Progress, or Completed.



**Table 1: 1<sup>st</sup> Quarter 2019 Status of Departmental Actions.**

Department	Planning	Parks and Recreation	Public Works	Admin/ Finance	Fire-Emerg Services	Totals
<b>Scheduled</b>	4	3	8	2	1	<b>18</b>
<b>In-Progress</b>	2	2	4	2	1	<b>11</b>
<b>Completed</b>	0	2	0	0	0	<b>2</b>

**Respectfully submitted:**

Mark Boysen, Chief Administrative Officer

# Appendix A

## 2019 Project Management Tracker

Average Completion: **34%**

Project	Category	Project Manager	Planned Start	Estimated Finish	Estimated Budget	Funding Source	Completion	Status
Downtown Core Revitalization Design	Community Planning	Bruce Greig	Apr-19	Dec-19	\$225,000	Gas Tax RMI	10%	Prepare RFP
Peninsula Road Revitalization Design	Community Planning	Bruce Greig	Apr-19	Dec-19	\$200,000	Gas Tax	10%	Prepare RFP
OCP Adoption	Community Planning	Bruce Greig	Jan-19	Jul-19	\$60,000	General	90%	Final draft under development
Land Use Demand Study	Community Planning	Bruce Greig	Apr-19	Dec-19	\$25,000	Gas Tax	10%	Prepare RFP
DCC Bylaw Update	Community Planning	Bruce Greig	Jan-18	Jan-20	\$21,500	General	20%	Initiated - on hold pending Land Use Demand Study
Flood Risk Assessment & Mapping	Community Planning	Bruce Greig	Jan-19	Dec-19	\$150,000	Grant	0%	Awaiting grant approval
Facilities Asset Plan	Asset Management	Mark Boysen	Apr-19	Dec-19	\$40,000	Gas Tax	10%	Prepare RFP
Health Centre Design	Asset Management	Mark Boysen	Mar-19	Dec-19	\$60,000	General	10%	RFP Prepared
Cedar Road Hub	Public Works	Warren Cannon	Jan-19	Jun-19	\$165,000	Gas Tax RMI	60%	Site cleared, ready for infrastructure
Marine Drive Path	Public Works	Warren Cannon	Oct-18	Jun-19	\$180,000	RMI	75%	Infrastructure and foundation installed
Bay Street Duplex and Pathway	Sewer	Warren Cannon	Mar-19	Dec-19	\$480,000	Sewer Fees	10%	Prepare RFP
Bay Street Lift Station	Sewer	Warren Cannon	Oct-18	Jun-19	\$350,000	Sewer Fees	90%	Near completion
Lagoon Upgrade	Sewer	Warren Cannon	Apr-18	Dec-19	\$350,000	Sewer Fees	90%	Near completion
Scada Sewer	Sewer	Warren Cannon	Oct-19	Dec-19	\$35,000	Sewer Fees	0%	Prepare RFP
Sewer Master Plan	Sewer	Warren Cannon	Jan-19	Dec-19	\$50,000	Sewer Fees	10%	Initiated
Matterson Reservoir	Water	Warren Cannon	Oct-18	May-19	\$130,000	Water Fees	90%	Near completion
Hwy Reservoir Valve	Water	Warren Cannon	Oct-19	Dec-19	\$35,000	Water Fees	0%	Prepare RFP
Well Upgrade	Water	Warren Cannon	Oct-19	Dec-19	\$80,000	Water Fees	0%	Prepare RFP
Kennedy Lake	Water	Warren Cannon	Jun-19	Dec-19	\$50,000	Water Fees	0%	Prepare RFP
SCADA Water	Water	Warren Cannon	Sep-19	Dec-19	\$55,000	Water Fees	0%	Prepare RFP
UCC Capacitor Install	Parks and Recreation	Abby Fortune	Jun-19	Dec-19	\$20,000	General	0%	Prepare RFP
Parks Office	Parks and Recreation	Abby Fortune	Mar-19	May-19	\$25,000	General	100%	Installed and operational
Amphitrite Point Design	Parks and Recreation	Abby Fortune	Jun-19	Dec-19	\$60,000	RMI Rural Dividend	100%	Awaiting grant approval for construction
Heritage Sign - Spring Cove	Parks and Recreation	Abby Fortune	Mar-19	Dec-19	\$3,000	RMI	25%	Prepare RFP
WPT - Spring Cove	Parks and Recreation	Abby Fortune	Sep-18	Dec-19	\$75,000	RMI	90%	Near completion
St. Jacques Park	Parks and Recreation	Abby Fortune	Apr-18	Dec-19	\$83,750	RMI	90%	Near completion
Terrace Beach Redesign/Engagement	Parks and Recreation	Abby Fortune	Jun-19	Dec-19	\$20,000	RMI	0%	Prepare RFP
Emergency Sirens	Fire and Emergency	Fire Chief	Mar-19	Dec-19	\$40,000	Community Forest	20%	Confirming final locations
Tsunami Kiosk (Tugwell)	Fire and Emergency	Fire Chief	Apr-19	Dec-19	\$63,700	RMI	0%	Prepare project plan
Webcasting	Corporate Services	Marlene Lagoa	Apr-19	Jun-19	\$2,000	General	25%	Equipment ordered
Harbour Projects	Small Craft Harbour	Harbourmaster	Apr-19	Dec-19	\$8,700	Harbour Reserves	20%	Initiated





## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ABBY FORTUNE, MANAGER OF PARKS & RECREATION

**FILE NO:** 0230-20 PRAS

**SUBJECT:** ROAD CLOSURE – CULTURAL HERITAGE FAIR

**REPORT NO:** 19-55

**ATTACHMENT(S):** APPENDIX A – CULTURAL HERITAGE FAIR POSTER  
APPENDIX B – TAIKO POSTER

### **RECOMMENDATION(S):**

1. **THAT** Council approve the road closure in front of Fraser Lane (in front of the Village Green) from 10:00 am – 4:00 pm on Sunday, May 26, 2019 for the Culture Heritage Fair – Taiko Drummers Performance.

### **PURPOSE/DESIRED OUTCOME:**

The purpose of this report is to provide Council information and request approval for the road closures for the Pacific Rim Arts Society (PRAS) event on May 26, 2019.

The timing of the closure also allows the Ukee Sunday Market to set-up and host the market without interruption.

### **BACKGROUND:**

PRAS is hosting the Cultural Heritage Festival from May 18 – June 1, 2019. They are very appreciative of the partnership and support the District gives the Pacific Rim Arts Society, and their festivals and events.

This year, with the celebration of Japanese culture and heritage during the Cultural Heritage Festival in our communities, they are very excited to host the Uminari Taiko Drummers from Victoria.

The Taiko Drummers will be performing Sunday, May 26 at 2:00 pm in Ucluelet on or around the Village Green. Historically the connections between the Japanese and First Nation communities have been very important and they will be celebrating that with this event. In addition to the Taiko drummers, the Warriors (youth drummers from YG and TFN) will also be coming across from Hitacu and gathering as well. The idea is that they will call and answer with their drums while coming across the harbour.

In order to host the event properly, and in addition to the Sunday Market in progress, the intent is to close Fraser Lane in order to provide space for Tents and Drummers to perform. The Taiko drummers will be performing for approximately 45-55 minutes.

PRAS will be contacting the businesses and residents affected by the road closures areas.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Minimum Time required from staff.

**FINANCIAL IMPACTS:**

N/A

**OPTIONS REVIEW:**

1. **THAT** Council approve the road closure in front of Fraser Lane (in front of the Village Green) from 10:00 am – 4:00 pm on Sunday, May 26, 2019 for the Culture Heritage Fair – Taiko Drummers Performance. **(Recommended)**
2. **THAT** Council provide alternative direction to staff.

**Respectfully submitted:**      Abigail Fortune, Manager of Parks & Recreation  
Mark Boysen, Chief Administration Officer

Appendix A

pacific rim arts society



# Sakura

Celebrating Japanese art and culture on the west coast

**May 18 – June 1, 2019**



Cherry Blossoms by Allison Tremain

PRINTMAKING • TAIKO DRUMMING • CUISINE • OPERA  
HISTORY • ORIGAMI • FILM • TEA • WORKSHOPS • HAIKU

[pacificrimarts.ca](http://pacificrimarts.ca)



FESTIVALS  
EVENTS



BRITISH  
COLUMBIA



DISTRICT OF  
UCLUELET

TOURISM  
UCLUELET

Road Closure - Cultural Heritage Fair, Abby Fortune, Manager of Parks & R...





# Sakura

Celebrating Japanese art and culture on the west coast

Appendix B

# UMINARI TAIKO



## Sunday May 26

### TWO performances



10:30 am

**Tofino Botanical Gardens**

Tofino

2 pm

**Ucluelet Village Green**

with special guests

**Yuuku?ik?at? Warriors**



free events - food available for purchase

[pacificrimarts.ca](http://pacificrimarts.ca)



## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

**FILE NO:** TUP19-02 UHS

**SUBJECT:** TEMPORARY USE PERMIT FOR EMPLOYEE HOUSING - UHS

**REPORT NO:** 19-56

**ATTACHMENT(S):** Appendix A – TUP Application 1970 Harbour Crescent

### **RECOMMENDATION(S):**

1. **THAT** Council direct staff to give notice of Council's intent to consider issuing a Temporary Use Permit for seasonal employee housing in up to 25 RV's on the property at 1970 Harbour Crescent, subject to receipt of more detailed plans showing:
  - a. Detailed, dimensioned site layout clearly showing fire access lane and areas for vehicle parking, bicycle parking, garbage and recycling, screening along the south side, and amenity spaces (e.g., picnic table, recreation area, etc.);
  - b. Engineer or Registered Onsite Wastewater Practitioner report for proposal to collect and pump wastewater, to Island Health standards;
  - c. Engineer's plans confirming adequate services (water, power); and,
  - d. Confirming dates of seasonal operation.

### **PURPOSE:**

The purpose of this report is for Council to consider an application for a Temporary Use Permit (TUP) submitted by Ucluelet Harbour Seafoods (UHS) for the seasonal accommodation of employees on the property at 1970 Harbour Crescent (former Trans-Pacific Fish plant).

UHS is working on options for creating more long-term employee housing but indicates that the requested TUP is necessary for providing employee housing as an interim solution (see application letter). The request is for a seasonal worker camp of up to 25 Recreational Vehicles to be parked and serviced on a leased area of the property at 1970 Harbour Crescent (see Figure 1).

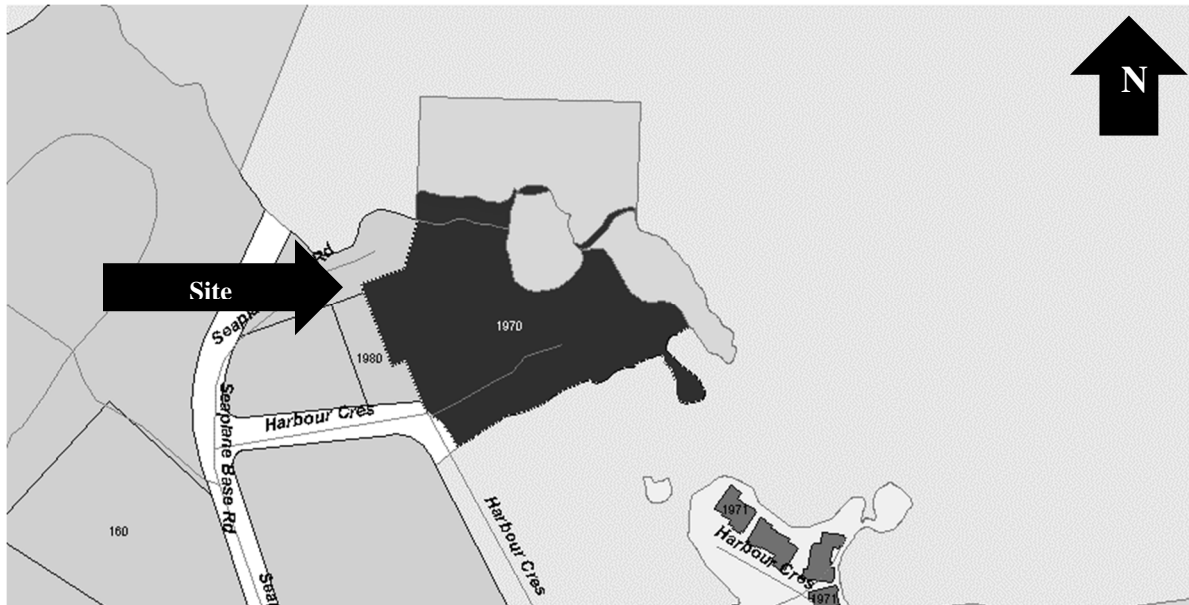


FIGURE 1: Site Context Map

**SUMMARY:**

The applicant has provided a sketch plan of the location and layout (see Appendix A). Significant aspects of the proposal include:

- the TUP is requested for a period of up to 3 years;
- no more than 2 staff would be housed in each RV;
- the site is not served by municipal sewer infrastructure - sewage is proposed to be collected in above-ground tanks and pumped by a septic service provider;
- the site will need installation of potable water and electrical service;
- collection of garbage and recycling will be done by private contractor;
- bike racks will be provided near the camp entrance;
- an on-site manager will be housed in one of the units, to provide monitoring and a point of contact for the camp; and,
- UHS has indicated willingness to screen the site to improve views from the nearby Water's Edge condominiums.

The plans submitted are somewhat conceptual, lacking detail on the specific layout of services and site amenities. At this point, in order to move the application forward in a timely manner, staff suggest that Council consider whether there is support for the concept of creating a seasonal worker camp in this location. If there is sufficient support, the applicant will need to provide more details on the proposal before public comment is received and/or a TUP is issued for the requested employee housing use.

**SITE:**

The location of the proposed camp on the former Trans-Pacific Fish plant site at 1970 Harbour Crescent is currently being used for storing unused industrial equipment and materials (see site plan and aerial photo).

There are no immediate residential neighbours to the site, however the Water's Edge Resort is located immediately south across a small bay.

The site is not served by the municipal sewer system, therefore the proposal for liquid waste management is to collect, pump and haul. Water and power are available nearby. Plumbing and electrical permits would be required to extend these services to the seasonal camp location.

**CONTEXT:**

Affordable employee housing has been identified as a key concern for the Ucluelet community. This is supported by:

- public input on the draft Official Community Plan;
- a survey conducted to request feedback from the community on the use of Community Forest funds; and
- feedback from the Ucluelet Business Retention and Expansion (UBERE) program, led by the Ucluelet Chamber of Commerce.

Ucluelet Harbour Seafoods has indicated that the proposed seasonal employee housing is necessary for the recruitment of new workers to expand their current workforce in Ucluelet.

**Discussion:**

As noted in previous reports, recreational vehicles are not appropriate for long-term or year-round housing. For seasonal use however (e.g., six months less a day), on a time limited basis the proposed use of RV's to house workers may be an entirely appropriate strategy.

The proposed location is level, paved and has already been leased by UHS for staging and storage purposes.

The site has few neighbours and few potential conflicts for the proposed temporary use, however it is also somewhat isolated. Staff recommend that some basic site amenities be included to improve the quality of life for workers if they are to be housed in this location (e.g., provision for outdoor seating, some active and/or passive recreation facilities). The inclusion of a bike rack is supported, and staff suggest that UHS consider providing a few shared bikes to enable workers to easily access the services in town.

To screen the proposed worker camp from the view of Water's Edge (and to permanently improve the visual appearance of the site), staff urge the applicant to plant a row of trees along the south side of the proposed camp compound, extending back to the site access from Harbour Crescent.

A TUP can be issued for a period of up to three years. The permit can stipulate a defined season or period of time when the worker housing could be occupied. The permit can include conditions to mitigate any impacts from the proposed use. The permit can also include an undertaking and security deposit to ensure any structures or services are removed and the site restored to its previous state once the use is discontinued.

Subject to public comment, and subject to the applicant providing more detailed plans of their proposal, staff can support the request for a TUP for temporary worker housing in this location. The requested TUP is a mechanism where the District can show support for a major employer in the community by allowing a degree of flexibility while a more permanent housing solution is








**S&S  
SEAFOOD CO.  
(CANADA)**  
12 Orwell Street, Suite 200  
North Vancouver, BC V7J 2G1  
Canada

April 10 2019

To Mark Boysen:

#### Processing

Pacific Alaska Shellfish, Nikiski AK  
Resurrection Bay, Seward AK  
Island Seafood, Kodiak AK  
Sea Level Seafoods, Wrangell AK  
Pacific Canada, Masset B.C.  
Salmolux, Federal Way WA  
Starfish, Mukilteo WA  
Washington Crab, Westport WA  
Pacific Cold Storage, Woodland WA  
Bandon Pacific Seafood, Charleston OR  
Pacific Smoking, Clackamas OR  
Pacific Coast Seafoods, Caribaldi OR  
Pacific Shrimp, Newport OR  
Live Seafood, Portland OR  
Pacific Choice Seafood, Eureka CA

#### Aquaculture

Pacific Aquaculture, Naspetum WA  
Pacific Oyster, Bay City OR  
Pacific Oyster, Coos Bay OR

#### Distribution

Pacific Seafood of WA, Mukilteo WA  
Pacific Seafood of WA, Spokane WA  
Pacific Seafood of OR, Clackamas OR  
Pacific Fish & Oyster, Portland OR  
Pacific Fresh Seafood, Sacramento CA  
Pacific Seafood LA, Wilmington CA  
Pacific Seafood UT, Salt Lake City UT  
Pacific Seafood LV, Las Vegas NV  
East Coast Seafood, Phoenix AZ  
Seacliff Seafoods, San Antonio TX  
Jake's Famous Crawfish & Seafoods, Clackamas OR

#### Transportation

Pacific Group Transport

*I appreciate yourself and Mayco taking time out of your busy schedules to meet on Tuesday and for your consideration of UHS's proposal of a Temporary Use Permit for a period of 3 years which is as follows:*

- *District of Ucluelet would issue a Temporary Use Permit allowing UHS to use a portion of the Trappa Property for Staff Housing for up to 3 years (see attached for location).*
- *The Staff Housing will be 1-common area with up to 25 Travel Trailers/5th Wheels with no more than 2 staff members per unit.*
- *UHS will purchase above ground sanitation tanks to adequately service Housing Site.*
- *UHS will arrange with a septic service provider to pump out and remove both Grey Water and Black Water to an approved dumping facility.*
- *UHS will have an approved Company install electrical outlets for trailer plug in.*
- *UHS will hire an approved plumbing company to run water supply to the trailer sites*
- *UHS will have onsite garbage collection and service provider set up to remove all waste.*
- *Construction of a fence along the Northeast & Southern property lines if requested by neighbouring properties.*
- *UHS will assign a Management Staff member to monitor the site to ensure there are no open fires, noise levels are controlled etc.*

*Again I cannot emphasize the importance of staff housing to the success of UHS for the current year and beyond. Time is of the essence as we will need to start an aggressive recruiting program for out of town staff. The Temporary Use Permit will allow UHS the time to work with the District of Ucluelet on a more permanent approved location for more permanent housing.*

*Dave Dawson,  
General Manager  
S&S Seafood Canada*



**Wild & Natural – Fresh, Healthy & Sustainable**



District of Ucluelet Community Map

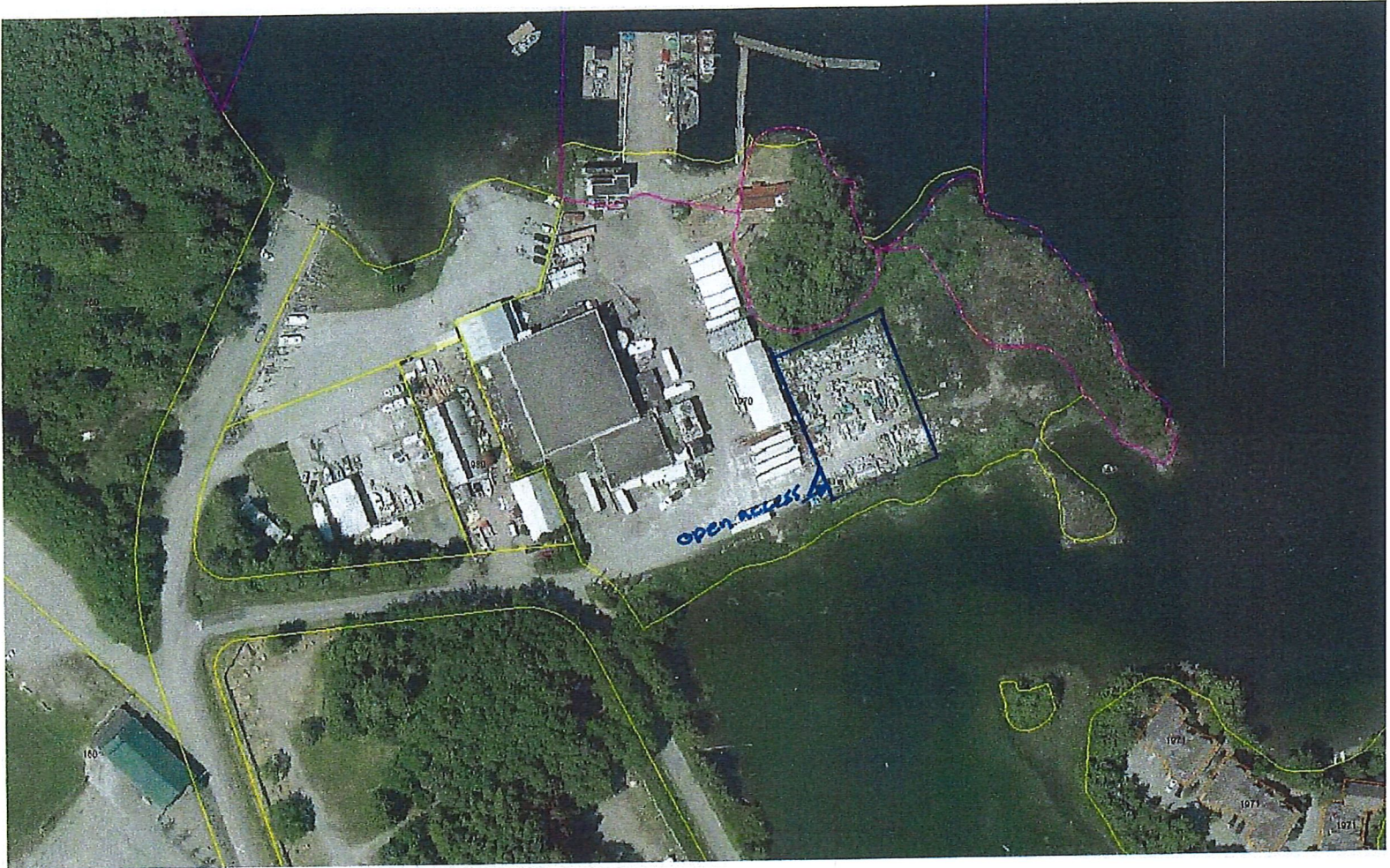
Find an Address



© CGIS Spatial Solutions | Leaflet

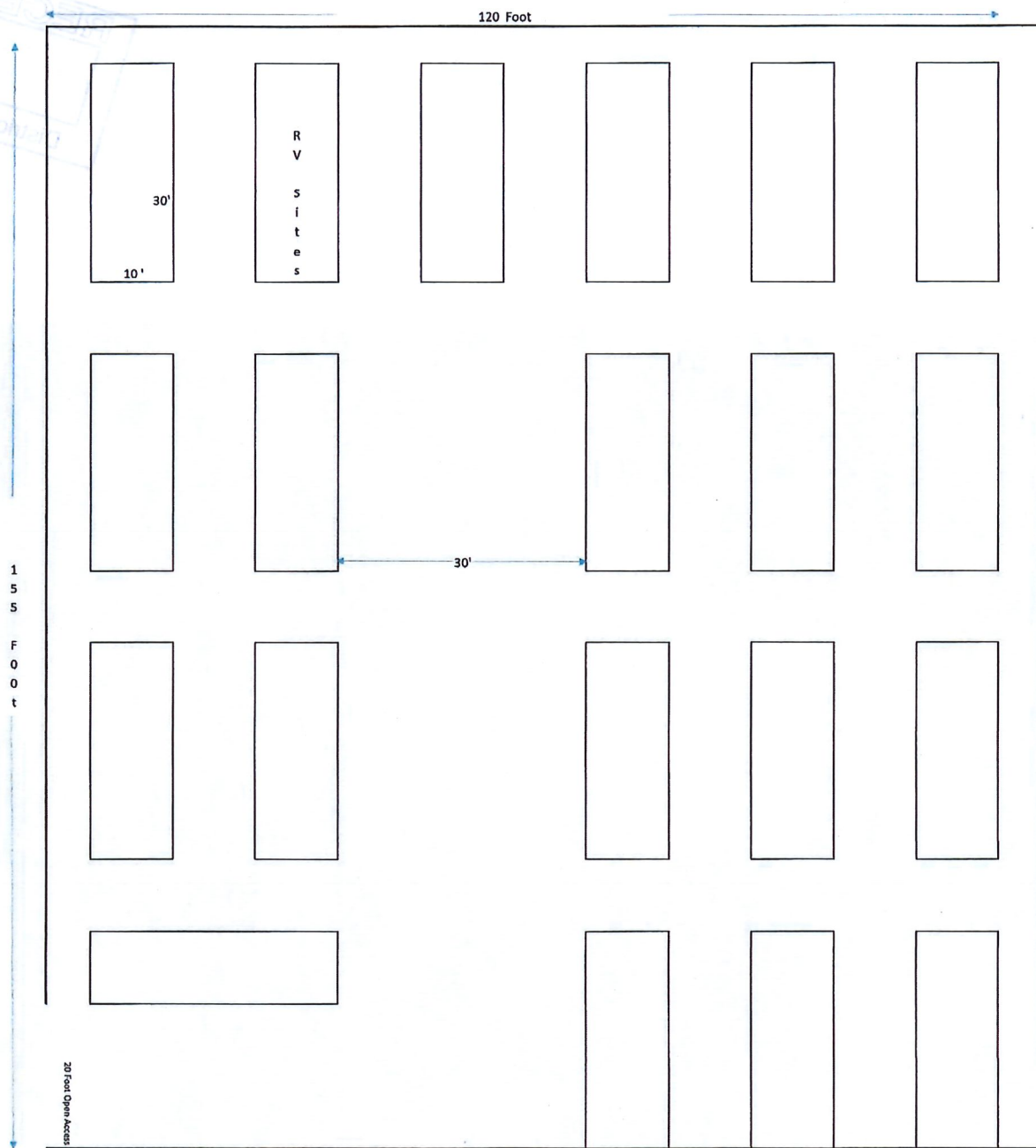


RECEIVED  
APR 23 2019  
District of Ucluelet



RECEIVED  
APR 23 2019  
District of Ucluelet

CAMP TRAPPA



RECEIVED  
APR 23 2019  
District of Columbia





## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**FILE NO:** TUP19-03 127.099

**SUBJECT:** TEMPORARY USE PERMIT FOR HOUSING - 651 Rainforest DRIVE

**REPORT NO:** 19-57

**ATTACHMENT(S):** Appendix A – TUP Application 651 Rainforest

### RECOMMENDATION(S):

1. **THAT** Council direct staff to give notice of Council's intent to consider issuing a Temporary Use Permit for seasonal accommodation for up to 2 RV / Trailers spaces on the property at 651 Rainforest Drive.

### PURPOSE:

The purpose of this report is for Council to consider an application for a Temporary Use Permit (TUP) submitted by the owner of 651 Rainforest Drive (the "**Subject Property**") for seasonal accommodation on 2 RV / Trailer spaces.

The owner of the subject property is proposing to supply 2 seasonal accommodation RV / Trailer spaces to help with the current housing shortage (see application letter).

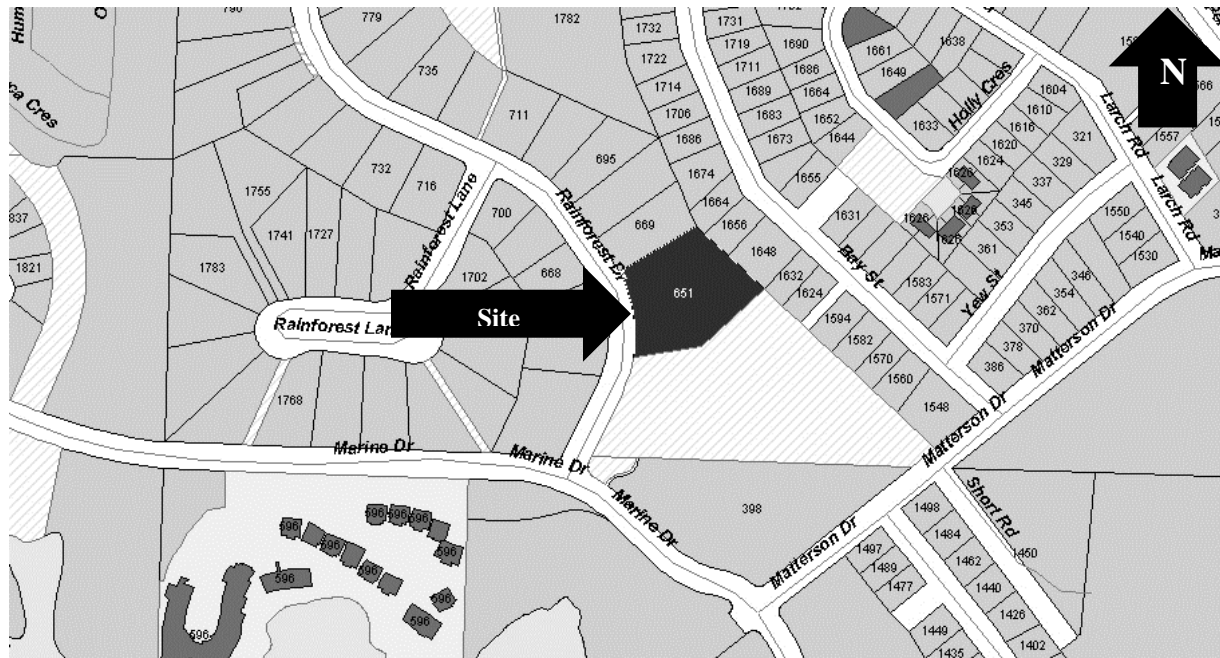


FIGURE 1: Site Context Map

**SUMMARY:**

The applicant has provided a sketch plan of the location and layout (see Appendix A). Significant aspects of the proposal include:

- the TUP is requested for a period of up to 3 years;
- the two sites will be fully served by municipal infrastructure.
- collection of garbage and recycling will be done by current road side residential pickup; and,
- the owner will be the on-site manager, to provide monitoring and to be a point of contact for the RV spaces.

The subject property is currently zoned GH – Guest House, which allows a guest house (a Single-Family Dwelling plus 6 guest suites) and 4 guest cabins. To this point, the owner has built a single-family dwelling (without guest suites) and a garage building. The owner currently has a building permit (BP) application in review for a single guest cabin. The proposed RV / Trailer sites will be located where the owner is contemplating two future guest cabins (see Appendix A). The services for the future cabins are being run as part of the current building permit for the single guest cabin. The plans submitted are specific enough for this proposal. Planning and building Staff, as part of the BP application for the guest cabin, will require that all services are professionally sized and installed.

At this point, in order to move the application forward in a timely manner, Staff suggest that Council consider whether there is support for the concept of creating seasonal accommodation in 2 RV / Trailer sites in this location.

**SITE:**

The subject property has a District park to the south/southeast, single family residential to northeast and northwest. The site is fully serviced by the municipal sewer system, potable water, TELUS and power. Plumbing and electrical permits would be required to extend and connect these services to the proposed sites and individual RV or Trailer units.

**CONTEXT:**

Affordable employee housing has been identified as a key concern for the Ucluelet community. This is supported by:

- public input on the draft Official Community Plan;
- a survey conducted to request feedback from the community on the use of Community Forest funds; and
- feedback from the Ucluelet Business Retention and Expansion (UBERE) program, led by the Ucluelet Chamber of Commerce.

The applicant has indicated that the proposed RV sites would be for seasonal renters and would help with the current housing shortage.

**Discussion:**

As noted in previous reports, recreational vehicles are not appropriate for long-term or year-round housing. For seasonal use however (e.g., six months less a day), on a time limited basis the proposed use of RV's to house workers may be an entirely appropriate strategy.

The subject site is located in a residential area with the closest residential property being approximately 10m away from the proposed RV spaces. Considering that a guest cabin could be

located in the same space as the proposed RV space, the impact of the requested temporary use for seasonal accommodation, would be marginal.

A TUP can be issued for a period of up to three years. The permit can stipulate a defined season or period of time when the worker housing could be occupied. The permit can include conditions to mitigate any impacts from the proposed use. The permit can also include an undertaking and security deposit to ensure any structures or services are removed and the site restored to its previous state once the use is discontinued.

Subject to public comment, staff can support the request for a TUP for seasonal accommodation in this location. The requested TUP is a mechanism where the District can show support for affordable / staff housing by allowing a degree of flexibility while a more permanent housing solution is found.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

If the application is supported at this stage by Council, additional time will be required of staff to issue the required notice to seek public comment on the TUP and to prepare the draft permit document.

**FINANCIAL IMPACTS:**

There are no anticipated direct financial impacts of the proposal on the District.

**POLICY OR LEGISLATIVE IMPACTS:**

If supported by Council, notice of the TUP application will be prepared and advertised to enable public comment.

**OPTIONS REVIEW:**

Alternatively, Council has the following options:

2. **THAT** Council defer further consideration of the TUP application until the applicant has provided more information on the proposal; or,
3. **THAT** Council reject the proposed temporary use permit application TUP19-03.

**Respectfully submitted:** John Towgood, Planner 1  
Bruce Greig, Manager of Community Planning  
Mark Boysen, Chief Administrative Officer

Appendix A

John Harkin

651 Rainforest dr  
Ucluelet, B.C.  
250-266-0474  
Jharkin@TELUS.net

April 16, 2019

Mayor and Council  
District of Ucluelet  
planning department  
200 Main st  
Ucluelet , B.C.

Dear Council

I am writing to apply for a Temporary use permit to allow 2 Rv / Trailers on my property at 651 rainforest dr , Ucluelet for the maximum term of three years.

The owners of the Rv / trailers will be using the fully serviced pads for LONG TERM use to help with the housing crisis.

Included are my applications , lot survey and the title certificate .

My intention is to help house some of the the workers who own Rv / Trailers to find employment in our busy little town .

There will be a strict no tarp , no transfer of ownership , no party policy . Those of you who know me know I like my things to look nice.

Sincerely yours,



John Harkin



Site Plan of:

# Lot 50, District Lot 282, Clayoquot District, Plan VIP79602

Civic Address: 651 Rainforest Drive

Parcel Identifier: 026-432-544

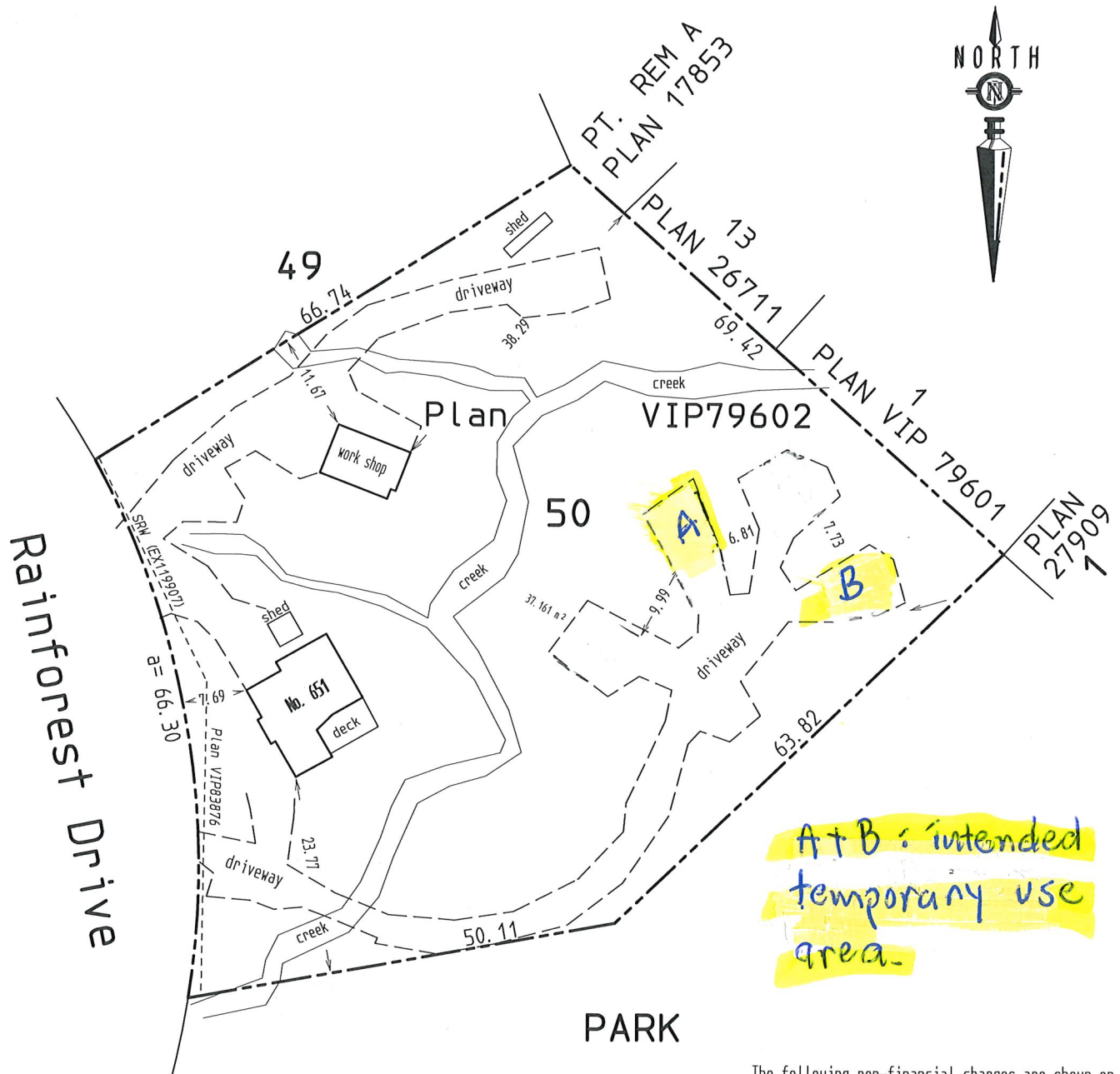
SCALE - 1 : 7 5 0



All distances are in metres and decimals thereof

(plot on 8.5" x 11" sheet)

FILE: Rain-50
DWG/DATE: 2019-02-10
<b>AG Surveys</b>
545 - 110 Marine Drive
Ucluelet, BC V0R 3A0
phone (250) 266-4536



**A+B: intended temporary use area.**

## PARK

The following non-financial charges are shown on the current title and may affect the property.

EX119907 - Statutory Right of Way

Setbacks are derived from field survey.

Parcel dimensions shown hereon are derived from Land Title Office records.





## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**FILE NO:** TUP19-04 127.099

**SUBJECT:** TEMPORARY USE PERMIT FOR STAFF HOUSING – 1992 PENINSULA ROAD

**REPORT NO:** 19-58

**ATTACHMENT(S):** Appendix A – TUP Application 1992 Peninsula Road

### RECOMMENDATION(S):

1. **THAT** Council direct staff to give notice of Council's intent to consider issuing a Temporary Use Permit for seasonal accommodation for up to 1 Trailer space on the property at 1992 Peninsula Road.

### PURPOSE:

The purpose of this report is for Council to consider an application for a Temporary Use Permit (TUP) submitted by the owner of 1992 Peninsula Road (the "**Subject Property**") for seasonal accommodation on 1 Trailer space.

The owner of the subject property is proposing to supply 1 seasonal accommodation Trailer space to house an employee of the commercial restaurant located on the property (see application letter).



FIGURE 1: Site Context Map

**SUMMARY:**

The applicant has provided a sketch plan of the location and layout (see Appendix A). Significant aspects of the proposal include:

- the TUP is requested for a period of up to 3 years;
- the one site with no servicing to the accommodation unit.
- collection of garbage and recycling will be done by existing commercial pickup; and,
- The owner will be the manager, to provide monitoring and a point of contact for the trailer spaces.

The subject property is currently zoned CS-2 –Service Commercial. The subject property currently contains Howlers Restaurant. The proposed Trailer site will be located towards the rear of the property along the western property line. The plans submitted, although rough are specific enough for this proposal. Planning and building Staff will require that all services provided to the proposed unit are professionally sized and installed.

At this point, in order to move the application forward in a timely manner, Staff suggest that Council consider whether there is support for the concept of creating seasonal accommodation for 1 Trailer site in this location.

**SITE:**

The subject property has commercial properties on both sides and single family residential properties to the rear. The site is not proposed to be fully serviced but that the occupant would use the facilities on the fronting restaurant.

**CONTEXT:**

Affordable employee housing has been identified as a key concern for the Ucluelet community. This is supported by:

- public input on the draft Official Community Plan;
- a survey conducted to request feedback from the community on the use of Community Forest funds; and
- feedback from the Ucluelet Business Retention and Expansion (UBERE) program, led by the Ucluelet Chamber of Commerce.

The applicant has indicated that the proposed trailer site would be for seasonal employee housing.

**Discussion:**

As noted in previous reports, recreational vehicles are not appropriate for long-term or year-round housing. For seasonal use however (e.g., six months less a day), on a time limited basis the proposed use of RV's to house workers may be an entirely appropriate strategy.

The subject site is located in a commercial area with the closest residential property being approximately 92m away from the proposed trailer spaces.

A TUP can be issued for a period of up to three years. The permit can stipulate a defined season or period of time when the worker housing could be occupied. The permit can include conditions to mitigate any impacts from the proposed use. The permit can also include an undertaking and security deposit to ensure any structures or services are removed and the site restored to its previous state once the use is discontinued.

Subject to public comment staff can support the request for a TUP for seasonal accommodation in this location. The requested TUP is a mechanism where the District can show support for affordable / staff housing by allowing a degree of flexibility while a more permanent housing solution is found.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

If the application is supported at this stage by Council, additional time will be required of staff to issue the required notice to seek public comment on the TUP and to prepare the draft permit document.

**FINANCIAL IMPACTS:**

There are no anticipated direct financial impacts of the proposal on the District.

**POLICY OR LEGISLATIVE IMPACTS:**

If supported by Council, notice of the TUP application will be prepared and advertised to enable public comment.

**OPTIONS REVIEW:**

Alternatively, Council has the following options:

2. **THAT** Council defer further consideration of the TUP application until the applicant has provided more information on the proposal; or,
3. **THAT** Council reject the proposed temporary use permit application TUP19-04.

**Respectfully submitted:**      John Towgood, Planner 1  
    Bruce Greig, Manager of Community Planning  
    Mark Boysen, Chief Administrative Officer

## Appendix A

To: District of Ucluelet Council,

I am applying for a temp. Use of Trailer on my land of 1992 Peninsula Road.

My plan for Lester Poon's trailer is to have it sit in the top right corner of our parking lot behind a nice L shaped fence. He will be at the rear righthand side of the parking lot. The land extends well behind him all the way up the hill to the road.

He is a great local man who has been cooking in Ucluelet since the 70's. This trailer was bought for him out of necessity as he was given 2 weeks notice from his previous landlord to make way for his new employee. So, we had 2 weeks to find him a place. We couldn't find anything suitable and so we put him up in a hotel and continued to search.

Eventually we found an affordable trailer and put it up on our lot, with no idea that this was not allowed. This continued for 2 years and now, with no complaints. I am hoping that I can at least secure him 3 years. Hopefully by then there will be more options for local employees to live at an affordable cost. Not \$900 for an unfinished bachelor suite, which seems a bit ridiculous.

His only utilities is power and he is plugged into Howler's. He pays no rent, only \$100 for power.

As for Sewer, he only uses the facilities at Howler's and the Government Dock as well as the West Coast Motel for shower, he does not use his bathroom in the trailer. Laundry is done at the Laundry mat.

Not only is he a cook at Howler's, he also maintains the security/safety of my parking lot as there are also many people who think they can drive in late and camp for the evening there when all the camps are full especially in the summer.

He will continue to be employed at Howler's until he retires.

Thank you for your consideration,

Amie Shimizu



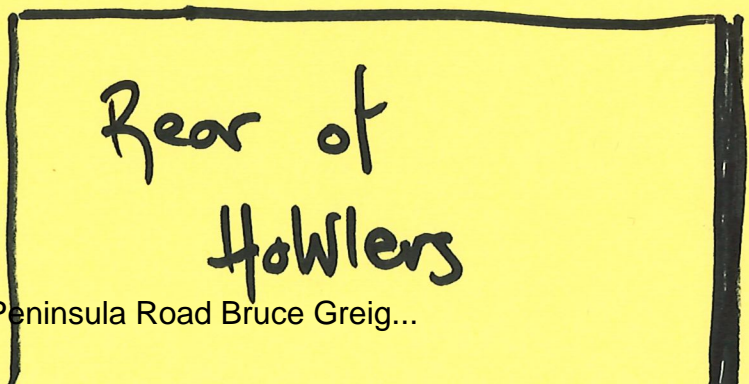
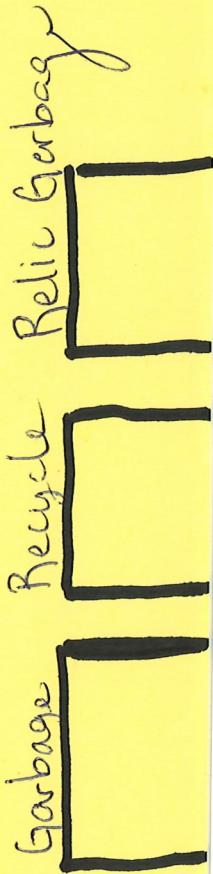
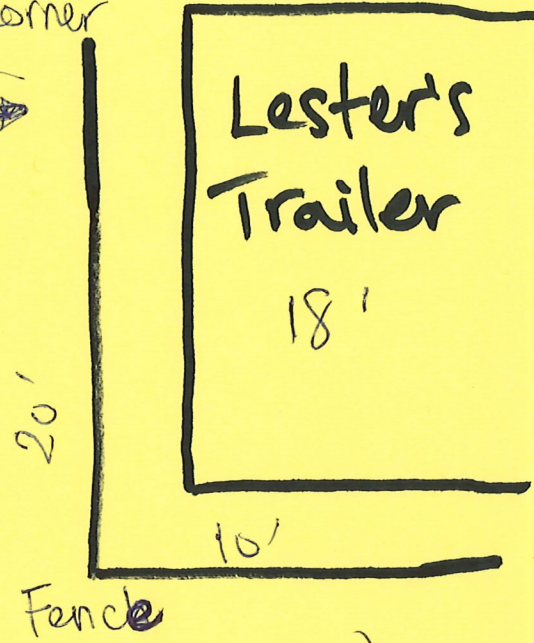
Owner Howler's Family Restaurant

March 29<sup>th</sup> 2019



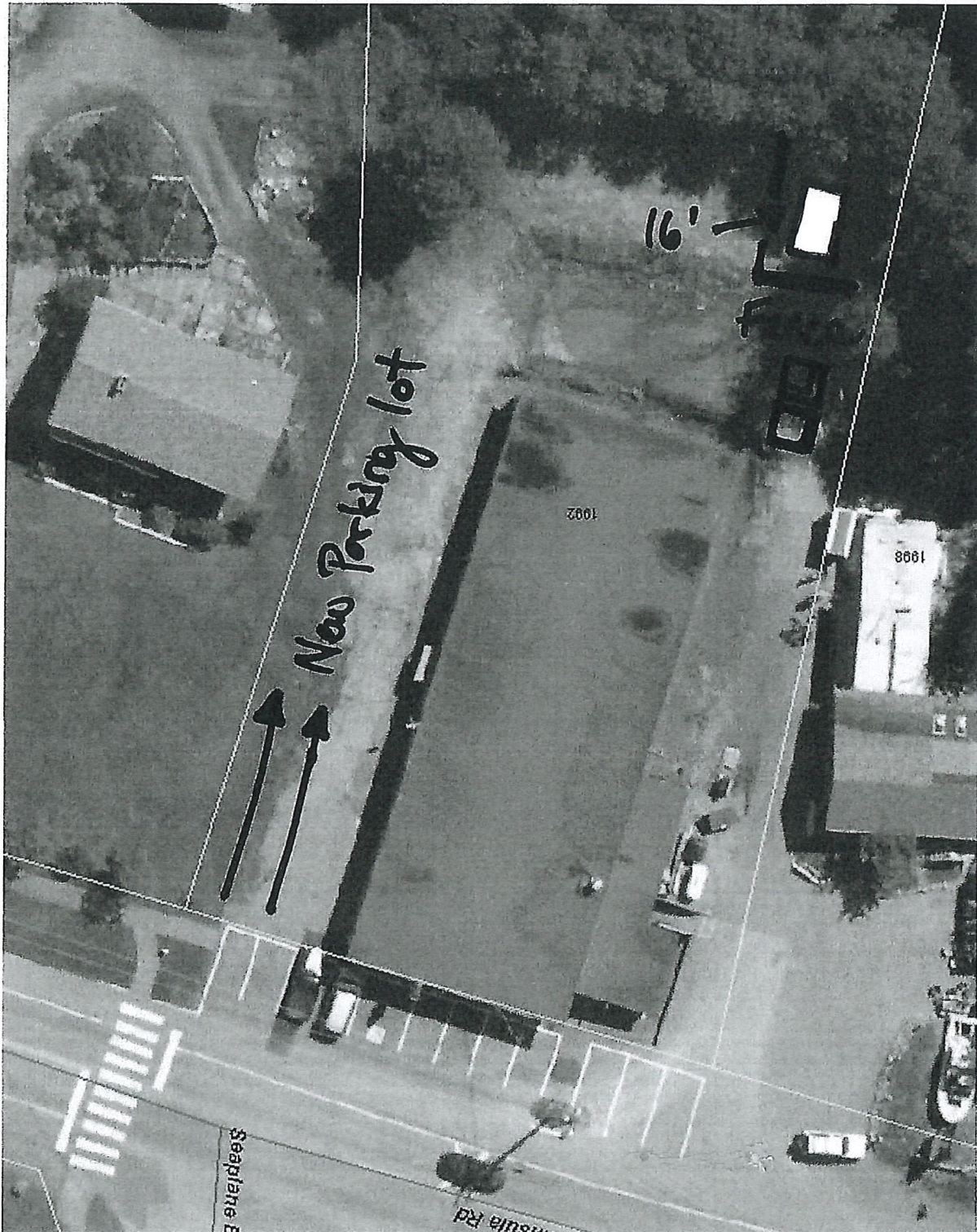
Rear Right Corner  
of <sup>Parking</sup> Lot →

Parking  
Lot





\* This photo was taken before we bought smiley's







## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** MARLENE LAGOA, MANAGER OF CORPORATE SERVICES

**FILE NO:** 3360-20-RZ18-04

**SUBJECT:** ZONING BYLAW AMENDMENT (VR-2) – 3<sup>RD</sup> READING

**REPORT NO:** 19-59

**ATTACHMENT(S):** APPENDIX A – STAFF REPORT DATED MARCH 26, 2019

APPENDIX B – DRAFT *UCLUELET ZONING BYLAW AMENDMENT BYLAW No. 1241, 2019*

### **MOTION:**

1. **THAT** the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019” be given third reading.

### **PURPOSE:**

The purpose of this report is to advance Bylaw No. 1241, 2019, to third reading.

### **BACKGROUND:**

The Bylaw received first and second reading at the March 26, 2019 Regular Council Meeting and was the subject of a Public Hearing on April 30, 2019. Upon closure of the Public Hearing, Council is in a position to consider third reading of the bylaw.

Attached to this report is the previous staff reports. The Minutes of the Public Hearing is attached to the May 14, 2019 Regular Council Agenda.

### **OPTIONS REVIEW:**

Alternatively, Council has the following options:

1. **THAT** Council make amendments to Bylaw No. 1241 and give third reading to the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019” as amended.
2. **THAT** Council provide alternative direction to staff.

### **Respectfully submitted:**

Marlene Lagoa, Manager of Corporate Services

Bruce Greig, Manager of Community Planning

Mark Boysen, Chief Administrative Officer



## STAFF REPORT TO COUNCIL

Council Meeting: March 26, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**FOLIO NO:** 114.812 **FILE NO:** 3360-20-RZ18-04

**SUBJECT:** ZONING BYLAW AMENDMENT APPLICATION (506 MARINE DRIVE)

**REPORT NO:** 19- 33

**ATTACHMENT(S):** APPENDIX A – APPLICATION

APPENDIX B – DRAFT *UCLUELET ZONING BYLAW AMENDMENT BYLAW No. 1241, 2019*

APPENDIX C – DRAFT *UCLUELET ZONING BYLAW AMENDMENT BYLAW No. 1242, 2019*

APPENDIX D – STAFF REPORT DATED DECEMBER 11, 2018

### RECOMMENDATION:

1. **THAT** District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019, be given first and second reading and advance to a public hearing.
2. **THAT** Council give notice of its intent to consider issuing a temporary use permit for the proposed Vacation Rental (VR-2) use on the property at 506 Marine Drive.

### PURPOSE:

To provide Council with information on an application to amend Zoning Bylaw No. 1160, 2013, (the “**Zoning Bylaw**”) to change the regulations for the Vacation Rental VR-2 use to allow a Single-Family Dwelling (**SFD**) to be rented as short-term rental (**STR**) contingent on a secondary suite being occupied by a full-time and present resident. It is also requested that the amended VR-2 use then be permitted on the subject property: Lot 2, District Lot 281, Clayoquot District Plan VIP80321, (506 Marine Drive). See Figure 1 below:



Figure 1 – Subject Property

**BACKGROUND:**

On January 23, 2018, Council was requested to approve an amendment to the Zoning Bylaw that would have applied the VR-2 use on the subject property. The following is the summary from that January 23 report:

*“The subject property has an existing built form which includes a secondary suite, which retains a residential component on the property. This proposal would offer something unique to Ucluelet’s visitor accommodation sector. Planning Staff also consider that, given the location, this proposal would likely result in minimal impact to the neighborhood. That being said, the current lack of long-term housing availability, the Short-Term Rental (STR) strategy currently being implemented, and the current bylaw enforcement of illegal VR-2 type STR’s (entire homes) are important elements of the current context to the request to rezone this property. The historical context where the VR-2 use was considered by Council and subsequently removed is also an important element to consider. Given the current housing challenges, from a community perspective the subject lot is currently in the optimum housing form as a Single-Family Dwelling with Secondary Suite and therefore staff recommend that this application not proceed at this time.*

*Should Council support the application proceeding at this time, staff recommend that the zoning amendment bylaw include a clause to remove the use of a standalone single-family dwelling as a short-term vacation rental within the VR-2 designation.*

*The role and impact of vacation rentals is very much a current and evolving issue within the community of Ucluelet. As noted below, a further option is to table this application until the District’s housing policies have perhaps been clarified as the current OCP review and Short-Term Rental Strategy progress further.”*

After consideration at the January 23, 2018 meeting, Council determined the application would not proceed. The applicant submitted a new application on May 31, 2018, to again rezone their property to VR-2 however they are now proposing that the VR-2 zone be modified to remove the allowance for a standalone STR. This rezoning request was taken to Council on December 11, 2018, and Council passed the following motions:

***THAT*** Council direct staff to prepare a Zoning Amendment Bylaw to remove the standalone Vacation Rental of an entire single-family dwelling from the permitted uses under the Vacation Rental (VR-2) regulations.; and,

***THAT*** Council direct staff to prepare a site-specific Zoning Amendment Bylaw to permit the short-term rental of the main house on the property at 506 Marine Drive under the amended Vacation Rental (VR-2) regulations.

Planning Staff have prepared two bylaws in response to Council’s direction. The two bylaws will be discussed separately in this report.

**DISCUSSION:****A. Ucluelet Zoning Bylaw Amendment Bylaw No.1241 – Amendment of the VR-2 Use**

Zoning Bylaw Amendment Bylaw No.1241 is written to redefine the VR-2 designation to allow a VR use only if a residential component is present. The Zoning Bylaw currently regulates VR-2 as follows:

- (2) *The "VR-2" designation permits the commercial tourist accommodation to be either an accessory use or a principal use, as follows:*
- (a) *If accessory, the VR-1 provisions of section 406.1(1) apply fully; and*
- (b) *If principal,*
- (i) *only one dwelling unit per lot that is not a secondary suite may be used for commercial tourist accommodation;*
- (ii) *a secondary suite, if present, must only be used for residential use.*

This designation for VR-2 permits commercial tourist accommodation to be either an accessory use or a principal (standalone) use.

The following amendment is proposed to accommodate the same 'use structure' in the building as is currently permitted, but to also ensure that a long-term resident is present on the property:

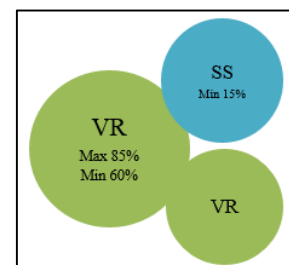
- (2) *The "VR-2" designation permits the commercial tourist accommodation as:*
- (a) *accessory to a permanent residential use and administered by the full-time and present resident.*
- (b) *occupying the principle dwelling or a maximum of two (2) secondary suites or a combination of those dwelling units as long as one of the dwelling units within the principle building is occupied by a permanent and present residential use.*
- (c) *in no case shall the secondary suite component of the principle building occupy less than fifteen percent (15%) of the principle building on the lot, and in no part of an accessory building.*
- (d) *in no case shall the principle dwelling component of the principle building occupy less than sixty (60%) of the principle building on the lot, and in no part of an accessory building.*

The above amendment is drafted to fit within the pattern of the existing Zoning Bylaw. It would achieve the following:

- make the VR use accessory to a permanent residential use and administered by the full-time and present resident.
- allow the VR use to be in any of the possible three dwelling units.
- ensure the residential component is at least 15% of the building area.
- ensure the basic building layout with one dominant dwelling.

The adjacent diagram illustrates the maximum commercial use (shown in green). The long-term residential use (shown in blue) could cover some or all of the area shown in green, but would never be less than the suite illustrated as 15% of the total building.

The definition for Secondary suite must also be updated to reflect the above change to the VR-2 Zone. The existing definition is as follows:



*“Secondary Suite”:*

*(a) in all instances other than a Vacation Rental (VR-1) designation, means one separate accessory dwelling unit, for residential use only, located within a single-family dwelling, in accordance with Section 403 of this Bylaw; or*

*(b) in a building with a Vacation Rental (VR-1) designation, means one or two separate accessory dwelling units used for either residential use or commercial tourist accommodation in accordance with Section 406 of this Bylaw;*

This definition does not currently allow a VR-2 to have two suites (despite the intent of the VR-2 designation). The Zoning Amendment Bylaw No. 1241 proposes to insert the following updated definition for Secondary Suite:

*(b) in a building with a Vacation Rental (VR-1) or a Vacation Rental (VR-2) designation, means one or two separate accessory dwelling units used for either residential use or commercial tourist accommodation in accordance with Section 406 of this Bylaw;*

Summary for Bylaw No. 1241

The success of STR in a residential context has greatly benefited some aspects of Ucluelet’s economy and population, but not without its costs (a full discussion of these effects is presented in the staff report 6630-20-BCAA, to be presented on the same Council agenda as this report).

The modifications to the Zoning Bylaw proposed in Bylaw No. 1241 would maintain a prominently commercial VR-2 designation but now with a required residential component. Staff are supportive of maintaining the VR-2 designation with these changes and consider that the VR-2 is a viable use as a component of new developments; this could allow developers to include VR-2 within the proposed mix of uses to create a successful balance of commercial and residential properties. Within existing neighborhoods, however, rezoning existing residential property to allow the predominantly commercial VR-2 use would contribute to the erosion of the supply and affordability of long-term housing stock in the community.

B. Ucluelet Zoning Bylaw Amendment Bylaw No. 1242 – Spot Zoning of 506 Marine Drive

The draft Zoning Bylaw Amendment Bylaw No. 1242 would add the VR-2 designation to the subject property. Staff acknowledge that this would, in isolation, likely have little impact on the character or function of the neighbourhood. The change to the VR-2 use is expected to have some impact on the property’s value and could thereby have an incremental effect on the overall community housing supply.

This incremental impact on housing affordability raises concerns for Ucluelet’s existing residential housing stock becoming more commercialized. Staff are therefore not supportive of permanently changing the zoning designation of the subject property proposed in the draft Bylaw No. 1242. To allow the property owner to achieve their goals, at least in the short term, Staff recommend that Council instead consider issuing a Temporary Use Permit (**TUP**) to permit the VR-2 use on the property without committing to a full rezoning.

**TEMPORARY USE PERMIT:**

A less rigid approach to meet the applicants’ objective of attaining a VR-2 designation for 506 Marine Drive is to issue a Temporary Use Permit. Permits can be issued for any period up to three years and could be considered for renewal once for a further period up to three years. After a TUP

has been renewed, there is nothing preventing a property owner from applying for another new TUP. The use could therefore continue in this manner for a longer time frame, without the property becoming “permanently” rezoned for the primarily commercial VR-2 use. It would require, however, that the owners periodically apply for a new or renewed permit.

Issuing a TUP requires notification as per Section 492 of the *Local Government Act*. The permit can include conditions if they are considered important to maintaining the use on the property (e.g., to ensure issues such as parking, noise, duration, etc., are managed as proposed).

At this point in time, staff are recommending that Council consider issuing a TUP for this property instead of changing its zoning designation. Although each rezoning application is decided on its merits, there are other pending applications with similar requests to change land uses; Council will need to consider how we will develop a consistent approach on such requests to expand the short-term vacation rental uses in residential neighbourhoods.

If the current application were addressed through a TUP, the issue of longer-term changes to the permitted land uses on this property could be revisited at a time when the District’s approach to short-term vacation rentals in residential zones has been clarified.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Should the application proceed, staff time will be required to process these Zoning Bylaw Amendments and permits, including giving notice of a Public Hearing.

**FINANCIAL IMPACTS:**

There are no direct financial implications to the District to advancing Bylaws No. 1241 and 1242. Indirectly, the bylaws may contribute to the erosion of the supply and affordability of long-term housing stock in the community particularly in existing neighbourhoods.

**POLICY OR LEGISLATIVE IMPACTS:**

The modifications to the Zoning Bylaw proposed in Bylaw No. 1241 would maintain a prominently commercial VR-2 designation but now with a required residential component.

Staff do not recommend advancing the draft Zoning Bylaw Amendment Bylaw No. 1242 which would add the VR-2 designation to the subject property. Staff are recommending that Council consider issuing a TUP for this property instead of changing its zoning designation.

**OPTIONS REVIEW:**

1. **THAT** District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019, be given first and second reading and advance to a public hearing.  
**(Recommended)**
2. **THAT** Council give notice of its intent to consider issuing a temporary use permit for the proposed Vacation Rental (VR-2) use on the property at 506 Marine Drive.  
**(Recommended)**

3. **THAT** District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019, be given first and second reading and advance to a public hearing.
4. **THAT** Council provide alternative direction to Staff and/or the applicant.

**Respectfully submitted:** John Towgood, Planner 1  
Bruce Greig, Manager of Planning  
Mark Boysen, Chief Administrative Officer

Appendix A

May 30, 2018

To Mayor and Council & Planning

Hand delivered

RE: rezoning application for 506 Marine Drive to VR2 – vacation rental- amended as below.

To whom it may concern,

We are wishing to apply for a varied version of the VR2 zoning. We rent our secondary suite (carriage house) on a full-time basis and are happy to continue doing so. We are finding the costs of maintaining our home more and more cumbersome as we age.

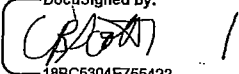
We currently pay \$1000.00 per month for property taxes and \$500.00 per month for insurance and wish to travel more as we get on in life. Carl will be 72 and Judy will be 60. We love our home and enjoy having large family gatherings. If we were able to offer our home for rental while we travel then we would be better able to afford to keep our place and work less. We do not want to sell our home.

As a growing tourist community there is more need for this type of occasional accommodation. We have been living with two homes with similar grandfathered zoning and the Ridge complex across the street for the past ten years. We have not had any reason to complain about noise or nuisance and do not believe the occasional rental of our home will be of any nuisance. This neighbourhood is mixed already, and we very much enjoy living here with this mix.

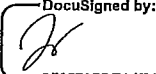
We have worked with staff after our previous failed application to amend the VR2 zone to see if it would fit better in the community. Our request is to take the current VR2 zone, remove all references to VR 100% without the need for a permanent full time resident and add a new category "CH – Carriage House" so that a full-time occupant must be onsite in either a secondary suite or a carriage house. With the last revision of the zoning by-law our secondary suite no longer conforms and is now considered a carriage house. This would bring our home into conformity and allow for the occasional nightly rental in the main house.

We thank-you for consideration of our application.

Best to you,

DocuSigned by:  
  
18BC5304E755422...

Carl Scott

DocuSigned by:  
  
259572FDEA1E4B5...

Judy Gray



**DISTRICT OF UCLUELET**

**Zoning Bylaw Amendment Bylaw No. 1241, 2019**

A bylaw to amend the District of Ucluelet Zoning Bylaw (Vacation Rental VR-2).

---

**WHEREAS** the District of Ucluelet Council by Bylaw No. 1160 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. Text Amendment:**

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended as follows:

a. By deleting and replacing Section 406.1 (2), such that the section reads as follows:

(2) The “VR-2” designation permits the *commercial tourist accommodation* as:

(a) *accessory* to a permanent *residential* use and administered by the full-time and present resident.

(b) occupying the principle *dwelling* or a maximum of two (2) *secondary suites* or a combination of those dwelling units as long as one of the dwelling units within the principle building is occupied by a permanent and present *residential* use.

(c) in no case shall the *secondary suite* component of the principle building occupy less than fifteen percent (15%) of the principle building on the lot, and in no part of an accessory building.

(d) in no case shall the principle *dwelling* component of the principle building occupy less than sixty (60%) of the principle building on the lot, and in no part of an *accessory building*.

b. By deleting and replacing subsection (b) within the Section 103 Definition for secondary suite, such that the section reads as follows:

(b) in a building with a *Vacation Rental (VR-1)* or a *Vacation Rental (VR-2)* designation, means one or two separate *accessory dwelling units* used for either *residential* use or *commercial tourist accommodation* in accordance with Section 406 of this Bylaw;

2. This bylaw may be cited for all purposes as the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019.

**READ A FIRST TIME** this    day of            , **2019**.

**READ A SECOND TIME** this    day of            , **2019**.

**PUBLIC HEARING** held this    day of            , **2019**.

**READ A THIRD TIME** this    day of            , **2019**.

**ADOPTED** this    day of            , **2019**.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019.”

---

Mayco Noël  
Mayor

---

Mark Boysen  
Corporate Officer

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

---

Mark Boysen  
Corporate Officer

**DISTRICT OF UCLUELET****Zoning Bylaw Amendment Bylaw No. 1242, 2019**

A bylaw to amend the District of Ucluelet Zoning Bylaw (506 Marine Drive).

---

**WHEREAS** Section 479 and other parts of the *Local Government Act* authorize zoning and other development regulations;

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

**1. Text and Map Amendment:**

Schedule B of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding the following section CD-2A.1.7 in alphanumerical order, as follows:

“CD-2A.1.7 The following uses are permitted on Lot 2, District Lot 281, Clayoquot District, Plan VIP80321 (PID 026-566-435, 506 Marine Drive):

(1) Principal:

*(a) Single Family Dwelling*

*(b) Vacation Rental (VR-2)*

(2) Secondary:

*(a) Home Occupation*

*(b) Secondary Suite”*

2. This bylaw may be cited as “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019”.

**READ A FIRST TIME** this     day of     , 2019.

**READ A SECOND TIME** this     day of     , 2019.

**PUBLIC HEARING WAIVED** this     day of     , 2019.

**READ A THIRD TIME** this     day of     , 2019.

**ADOPTED** this     day of     , 2019.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1242, 2019.”

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Mayco Noël  
Mayor

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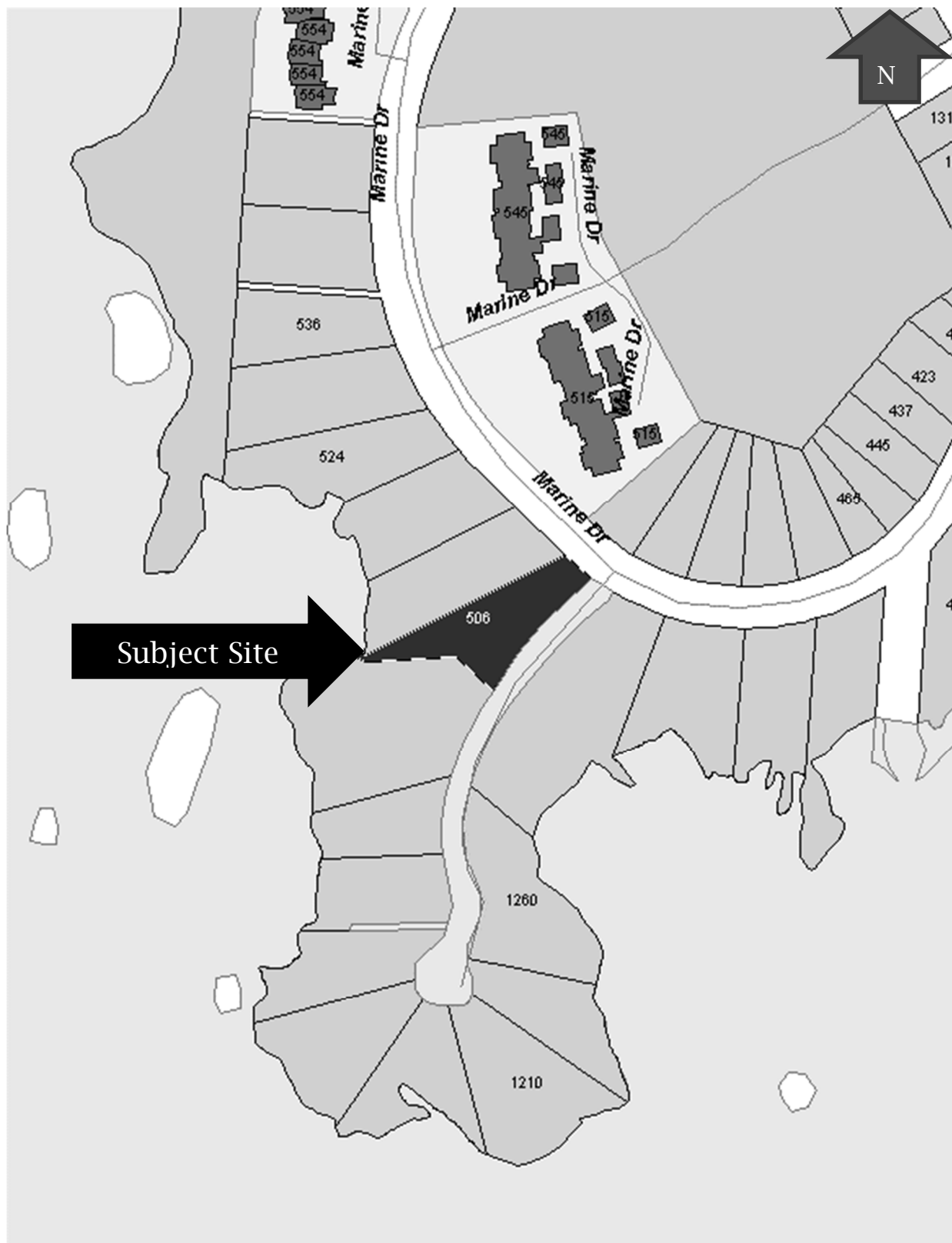
Mark Boysen  
Corporate Officer

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

---

Mark Boysen  
Corporate Officer

**SCHEDULE 'A'**  
**Bylaw No. 1242, 2019**





## STAFF REPORT TO COUNCIL

Council Meeting: December 11, 2018  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**FOLIO NO:** 114.812 **FILE NO:** 3360-20-RZ18-04

**SUBJECT:** ZONING BYLAW AMENDMENT APPLICATION (506 MARINE DRIVE)

**REPORT NO:** 18-126

**ATTACHMENT(S):** APPENDIX A –APPLICATION  
APPENDIX B – JANUARY 23<sup>RD</sup>, 2018, STAFF REPORT

### RECOMMENDATION:

1. **THAT** Council direct staff to prepare a Zoning Amendment Bylaw to remove the standalone Vacation Rental of an entire single-family dwelling from the permitted uses under the Vacation Rental (VR-2) regulations.; and,
2. **THAT** Council direct staff whether to prepare a site-specific Zoning Amendment Bylaw to permit the short-term rental of the main house on the property at 506 Marine Drive under the amended Vacation Rental (VR-2) regulations.

### PURPOSE:

To provide Council with information on an application to amend Zoning Bylaw No. 1160, 2013, (the “**Zoning Bylaw**”) to change the regulations for the Vacation Rental (VR-2) use to allow the principal dwelling unit (i.e., the main house) of a Single Family Dwelling (**SFD**) to be rented as short term rental (**STR**) contingent on a secondary suite or carriage house on the property being occupied by a full-time and present resident. It is also requested that the amended VR-2 use then be permitted on Lot 2, District Lot 281, Clayoquot District Plan VIP80321, 506 Marine Drive (the **Subject Property**”). See Figure 1 below:

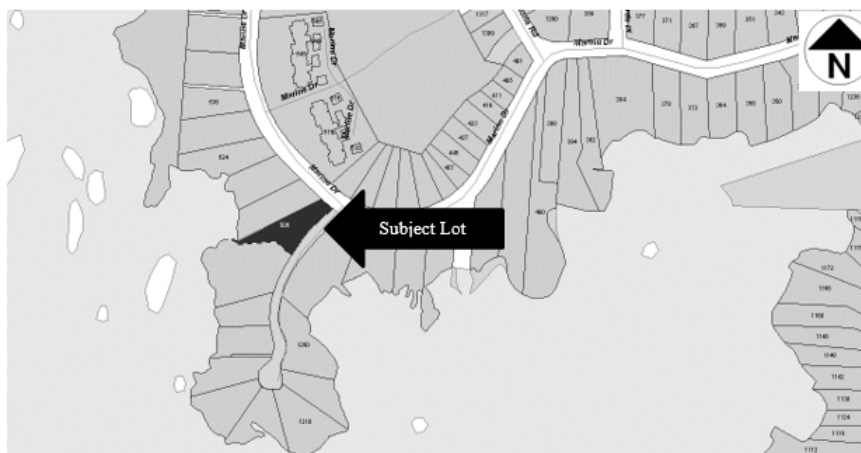


Figure 1 – Subject Property

**BACKGROUND:**

On January 23<sup>rd</sup>, 2018, Council was requested to approve an amendment to Zoning Bylaw No.1160, 2013 (the “Zoning Bylaw”) that would have applied the unamended VR-2 use on the subject property. Staff recommended that request not proceed. The following is the summary from the January 23<sup>rd</sup> report:

*“The subject property has an existing built form which includes a secondary suite, which retains a residential component on the property. This proposal would offer something unique to Ucluelet’s visitor accommodation sector. Planning Staff also consider that, given the location, this proposal would likely result in minimal impact to the neighborhood. That being said, the current lack of long-term housing availability, the Short-Term Rental (STR) strategy currently being implemented, and the current bylaw enforcement of illegal VR-2 type STR’s (entire homes) are important elements of the current context to the request to rezone this property. The historical context where the VR-2 use was considered by Council and subsequently removed is also an important element to consider. Given the current housing challenges, from a community perspective the subject lot is currently in the optimum housing form as a Single-Family Dwelling with Secondary Suite and therefore staff recommend that this application not proceed at this time.*

*Should Council support the application proceeding at this time, staff recommend that the zoning amendment bylaw include a clause to remove the use of a standalone single-family dwelling as a short-term vacation rental within the VR-2 designation.*

*The role and impact of vacation rentals is very much a current and evolving issue within the community of Ucluelet. As noted below, a further option is to table this application until the District’s housing policies have perhaps been clarified as the current OCP review and Short-Term Rental Strategy progress further.”*

After consideration at the January 23<sup>rd</sup> meeting, Council determined the application would not proceed. The January 23<sup>rd</sup>, 2018, report is attached in its entirety (**see Appendix B**) and provides important context for this application. The applicant reapplied on May 31<sup>st</sup>, 2018, to again rezone their property to VR-2 but with the difference that they are now proposing that the VR-2 zone be modified to remove the allowance for a VR-2 zoned property to be a 100% short-term rental.

**DISCUSSION:**

**Modification of the VR-2 Use**

The applicant is requesting that a modified version of VR-2 be applied to their property with amendments aimed at removing the standalone STR. The following are the possible configurations to Vacation Rental (VR-2) as written with Single Family Dwelling indicated as SFD, Secondary Suite indicated as SS and Vacation rental indicated as VR:

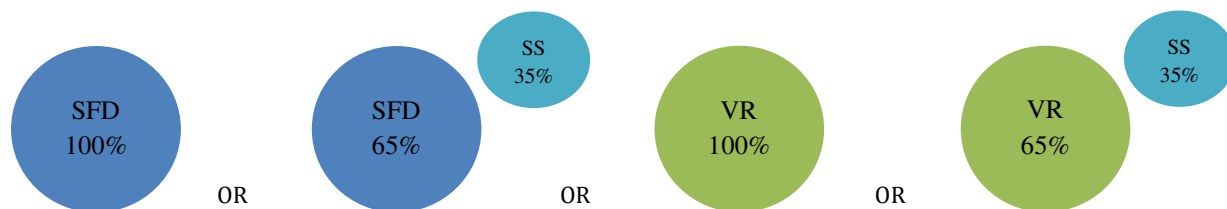


Figure 2 - Bubble Diagram for permitted uses under current VR-2



As indicated above, the VR-2 use allows for a SFD, a SFD with a SS (if a SS is allowed in the zone), a standalone VR in the entire house or a standalone VR in the entire house along with a long-term resident in a secondary suite. It is important to note that under this designation both SFD and SS require a full time and permanent resident while VR does not.

The applicant is proposing to remove the standalone whole-house VR use so that the allowable use configurations would be as follows:

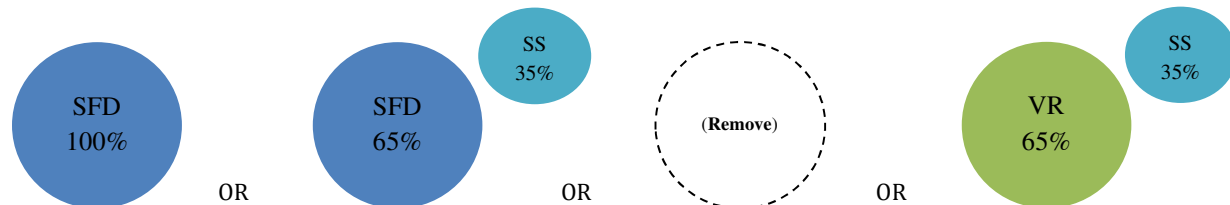


Figure 3 - Bubble Diagram for proposed uses under VR-2

The proposed change reduces what Staff consider the most negative element of the current VR-2: the short-term rental of a whole house. In the past, Vacation Rentals and Bed and Breakfasts (**B&B**) have been introduced into the Ucluelet residential zones as a way of helping with the mortgage or as a modest supplemental income. With the advent of online bookings and rental management these types of STR are becoming more lucrative and prevalent – and with that success the community is experiencing side effects such as:

- VR units that were being used for residential are now being used for STR;
- Secondary suites are being modified to fit the definition of B&B and these important residential units are being removed from residential use and put in the STR market;
- Upward pressure on home prices because of the income generated from a successful B&B or VR;
- Conflict with the purely residential uses within the immediate neighbourhood.

There are currently no active or lawfully non-conforming VR-2 uses in Ucluelet, but VR-2 uses have been contemplated for future development in the zoning bylaw for both the CD-5 and CD-6 zones (the previous zoning designations applied to areas of the Weyerhaeuser and Onni lands). The specific lots for these potential VR-1's and VR-2's do not yet exist, but currently the zoning would permit these vacation rental uses on lots in future subdivisions within the CD-5 and CD-6 zones.

As indicated in the January 23<sup>rd</sup> staff report, Staff support the removal of the stand-alone whole house VR use within the VR-2 zone. Keeping any VR rental tied to having a permanent resident on site in a secondary suite would maintain a component of long-term housing and keep a degree of oversight on the property when guests are occupying the main dwelling.

#### Applying the Modified VR-2 use to the property at 506 Marine Drive

The modified VR-2 would reduce the impact compared to the current VR-2 use. As mentioned in the January 23<sup>rd</sup> staff report, the subject property would offer a unique setting for a VR and vacation stays in the large high-end home would be unique in the market. The neighbourhood already has a large presence of STR type accommodation and this added use would have a minor affect to the identity of area. However, Staff must recognize the housing issues presently facing the community and cannot support any rezoning that would shift a property to have more commercial potential.

The applicant has stated that the house would only be rented as a VR when the owner would be on holidays, and that the suite on site would be occupied year-round. In this scenario there is little impact to the property's residential use. Zoning designations remain in place beyond current ownership, however, and decisions on land use should therefore consider the long-term community impacts. Should the requested zoning amendment be approved, the applicant or the next owner of the property could decide to not live on site and rent the home year-round as a STR. Even though the house is at the higher end of the housing spectrum, this would represent a loss of a residential unit within the overall housing supply in Ucluelet.

Staff consider the further commercialization and loss of residential uses within Ucluelet's existing neighbourhoods to be a real and pressing problem, and therefore have difficulty in supporting any application which moves in that direction.

**ZONING:**

The proposed building size and configuration is not proposed to change therefore setbacks, height and density requirements would not be affected. The parking requirement for the unit will also stay the same. Should Council support the current request amendment, staff will prepare a Zoning Amendment Bylaw and provide a future staff report describing the details of how the changes would apply to this and potentially other properties.

Note the applicant is requesting that Carriage House be added to the list of permitted uses on their property to address the non-conforming construction of their secondary suite. Staff consider this unnecessary, as the suite was constructed under a valid building permit at the time. The addition of cottage or carriage house accessory dwelling units within residential zones is an issue which will be addressed separately in the near future.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Should the application proceed, staff time will be required to prepare and process this Zoning Bylaw Amendment including giving notice of a Public Hearing. Staff suggest that there is an element of housekeeping to remove the standalone vacation rental from the VR-2 use in the Zoning bylaw, which should proceed whether or not the current application is advanced by Council.

**FINANCIAL IMPACTS:**

There may be a change to how the assessment class affecting the taxation for a property whose zoning designation allows a principal commercial use. Exactly how the BC Assessment Authority would treat the proposed uses is not clear – staff have sought clarification on this point and consider this to be an important consideration if zoning changes were to be applied broadly. Staff hope to have further detail to provide when bringing forward bylaw amendments in the future.

**SUMMARY:**

The proposed zoning amendment for 506 Marine Drive would, in isolation, likely have little impact on the character or function of the neighbourhood. The change to the permitted use of the property would have some impact on the property's value and could have an incremental effect on the overall community housing supply. Council could consider directing staff to prepare a zoning

amendment bylaw for the current application; if so directed, this would include holding a future public hearing to seek community input on the proposed zoning change.

In the larger community context, Council has already directed that staff bring forward options for possible amendment to residential zoning to better suit the needs of the community (e.g., supply and affordability), including the balance of residential uses among various forms of vacation rentals. A housekeeping zoning amendment to remove the standalone vacation rental from VR-2 is suggested by staff, and would be one small improvement to the housing regulations in the zoning bylaw. At the same time, Council should be aware that staff are also working on a current joint application from a number of property owners seeking changes to the VR-1 zoning regulations; that application engages similar issues to this application for VR-2 and could be brought forward at the time bylaw amendments are presented to Council to enable a comprehensive discussion of the details and the expected community impacts.

**OPTIONS REVIEW:**

1. **THAT** Council direct staff to prepare a Zoning Amendment Bylaw to remove standalone Vacation Rental of an entire single-family dwelling as a permitted use under the Vacation Rental (VR-2) regulations.; and,  
**(Recommended)**
2. **THAT** Council direct staff whether to prepare a site-specific Zoning Amendment Bylaw to permit the short-term rental of the main house on the property at 506 Marine Drive under the amended Vacation Rental (VR-2) regulations.  
**(Recommended)**
3. THAT Council defer the current request, and seek further information from the applicant;  
or,
4. THAT Council reject the requested zoning amendment at this time.

**Respectfully submitted:** John Towgood, Planner 1  
Bruce Greig, Manager of Planning  
Mark Boysen, Chief Administrative Officer

Appendix A

May 30, 2018

To Mayor and Council & Planning

Hand delivered

RE: rezoning application for 506 Marine Drive to VR2 – vacation rental- amended as below.

To whom it may concern,

We are wishing to apply for a varied version of the VR2 zoning. We rent our secondary suite (carriage house) on a full-time basis and are happy to continue doing so. We are finding the costs of maintaining our home more and more cumbersome as we age.

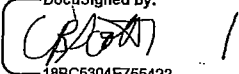
We currently pay \$1000.00 per month for property taxes and \$500.00 per month for insurance and wish to travel more as we get on in life. Carl will be 72 and Judy will be 60. We love our home and enjoy having large family gatherings. If we were able to offer our home for rental while we travel then we would be better able to afford to keep our place and work less. We do not want to sell our home.

As a growing tourist community there is more need for this type of occasional accommodation. We have been living with two homes with similar grandfathered zoning and the Ridge complex across the street for the past ten years. We have not had any reason to complain about noise or nuisance and do not believe the occasional rental of our home will be of any nuisance. This neighbourhood is mixed already, and we very much enjoy living here with this mix.

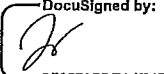
We have worked with staff after our previous failed application to amend the VR2 zone to see if it would fit better in the community. Our request is to take the current VR2 zone, remove all references to VR 100% without the need for a permanent full time resident and add a new category "CH – Carriage House" so that a full-time occupant must be onsite in either a secondary suite or a carriage house. With the last revision of the zoning by-law our secondary suite no longer conforms and is now considered a carriage house. This would bring our home into conformity and allow for the occasional nightly rental in the main house.

We thank-you for consideration of our application.

Best to you,

DocuSigned by:  
  
18BC5304E755422...

Carl Scott

DocuSigned by:  
  
259572FDEA1E4B5...

Judy Gray



## STAFF REPORT TO COUNCIL

Council Meeting: January 23<sup>rd</sup>, 2018  
500 Matterson Drive, Ucluelet, BC V0R 3A0

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**From:** John Towgood, Planner 1      **Ref No:** RZ17-08   **Folio No:** 114.812   **File No:** 3360-20  
**Report No:** 18-XX  
**Subject:** Application to amend Zoning Bylaw No. 1160, 2013, to change the principal use on the property at 506 Marine Drive from Single Family Dwelling to Vacation Rental (VR-2).  
**ATTACHMENT(S):** APPENDIX A –APPLICATION

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### RECOMMENDATION:

1. **THAT** the request to Amend Zoning Bylaw No. 1160, 2013 to change the principal use on Lot 2, Plan VIP80321, District 09 (506 Marine Drive) from Single Family Dwelling to Vacation Rental VR-2 not be approved at this time.

### PURPOSE:

To provide Council with information on an application to amend Zoning Bylaw No 1160, 2013 (the “**Zoning Bylaw**”), to change the principal use on Lot 2, Plan VIP80321, District 09, 506 Marine Drive (the “**Subject Lot**”) from Single Family Dwelling to Vacation Rental VR-2.



Figure 1 - Subject Lot.

**BACKGROUND:**

An application has been received to amend Zoning Bylaw No 1160, 2013 (the "Zoning Bylaw"), to change the principal use on the subject lot from *Single Family Dwelling* to *Vacation Rental VR-2*.

**The Subject Property**

The subject property has the CD-2A.1.1 zoning designation, which currently lists *single family dwelling* as the principal use. The subject lot was created on the 24<sup>th</sup> of January 2006 and the Single Family Dwelling (**SFD**) and secondary suite (**SS**) on the subject property were given occupancy on March 6<sup>th</sup>, 2008.



Figure 2 – Street Scape

**The Zoning Bylaw**

The **Vacation Rental** use was introduced to the zoning bylaw and later modified by the following amending bylaws:

**Bylaw 926, January 2004**

Bylaw 926 created a new vacation rental use defined as "C-VR" with a specific zone being created as the "C-VR Zone". The C-VR use was also permitted in the following zones CS-1, CS-2, and CS-3. The C-VR zone was not well defined or understood and this zoning format for vacation rentals only lasted 4 months before it was replaced.

**Bylaw 941, April 2004**

Bylaw 941 removed the C-VR definition and zone and separated the vacation rental use into two separate uses as VR-1 and VR-2. These uses were each given specific zones and defined as follows:

*"Vacation Rental" means the use of a single family dwelling for either (1) fully contained suite and (2) B&B rooms or (2) fully contained suites and (1) B&B room. In no case shall there exist more than three units in a single family dwelling.*



- (a) *Within the VR-1 zone, the suite(s) and/or B&B rooms may be used for tourist accommodation on a nightly, weekly, or monthly basis when the long-term tenant lessee or owner or an adult member of that person's family is present and residing in the dwelling on a full-time basis.*
- (b) *Within the VR-2 zone, the suite(s) and/or B&B rooms may be used for tourist accommodation on a nightly, weekly, or monthly without the existence of a long-term tenant lessee or owner or an adult member of that person's family.*

Note that the *VR-1* description above indicates that *suite(s)* may be used for tourist accommodation only when the long-term resident is present and residing in the dwelling on a full-time basis and that the *VR-2* description above indicates that *suite(s)* may be used for tourist accommodation without the existence of a long-term resident present and residing in the dwelling.

In the period of time while this definition and zoning were active after Bylaw 941 was passed, 15 properties were rezoned to *VR-1* and one property was rezoned to *VR-2*. From the business license records, there is no indication that the one property zoned to allow a *VR-2* use has operated as a *VR-2*. From the information gathered for this report there appear to be no active or lawfully non-conforming *VR-2* uses in Ucluelet.

#### Bylaw 1053, April 2007

Bylaw 1053 was the result of community engagement on the vacation rental strategy at the time, and reworked the zoning format. The highlights of this bylaw are as follows:

- Removed the *VR-2* zone;
- Deleted *VR-1* and *VR-2* uses from the *CS-1*, *CS-2*, and *CS-3* zones;
- Rezoned the single *VR-2* zoned property to *VR-1*; and,
- Further defined “vacation rental” closer to what it is currently in the Zoning Bylaw.

The report presented with the introduction of Bylaw 1053 indicated that Council was interested in creating a moratorium on *VR-2* uses, and that the definitions for both *VR-1* and *VR-2* were being reviewed and updated to create a clearer picture of what these designations exactly allowed.

#### Current Zoning Bylaw

The vacation rental definition of *VR-1* and *VR-2* have been tweaked by various amending bylaws since Bylaw 1053. The Current *Vacation Rental VR-2* use is defined in the Zoning Bylaw, which reads as follows:

*“Vacation Rental” means the use of an otherwise residential dwelling unit for commercial tourist accommodation, provided in accordance with Section 406 of this Bylaw;*

With Section 406 being defined as follows:

#### *“406 VACATION RENTALS*

*406.1 Where a Zone specifically includes Vacation Rental (VR-1) or Vacation Rental (VR-2) as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the vacation rental:*

- (1) The “VR-1” designation restricts the commercial tourist accommodation as:*



- (a) *accessory to a permanent residential use and administered by the full-time and present resident occupying at least sixty percent (60%) of the principal building;*
  - (b) *occupying a maximum of two (2) secondary suites; and*
  - (c) *occupying a maximum of forty percent (40%) of the principal building on the lot, and no part of an accessory building or structure.*
- (2) *The "VR-2" designation permits the commercial tourist accommodation to be either an accessory use or a principal use, as follows:*
- (a) *If accessory, the VR-1 provisions of section 406.1(1) apply fully; and*
  - (b) *If principal,*
    - i. *only one dwelling unit per lot that is not a secondary suite may be used for commercial tourist accommodation;*
    - ii. *a secondary suite, if present, must only be used for residential use.*
- (3) *A Vacation Rental must not be located within a building or on a lot that includes a Daycare Centre or other Community Care Facility.*

406.2 *For greater certainty, notwithstanding other provisions of this Bylaw:*

- (1) *VR-1 uses are permitted within single family dwellings and duplexes (including their secondary suites), but are not permitted in multiple family residential buildings;*
- (2) *VR-2 uses are permitted within single family dwellings only, but are not permitted in duplexes, or multiple family residential buildings, or the secondary suite(s) of a single-family dwelling; and*
- (3) *Bed and Breakfasts, Guest Houses, Guest Cottages, Guest Rooms, Hostels, Hotels, Motels, Mixed Commercial/Residential, and Resort Condo are, or may include, other commercial tourist accommodation and are regulated separately under this Bylaw.*

406.3 *A valid District of Ucluelet Business License is required in order to register a vacation rental.*

406.4 *Off-street parking must be provided in accordance with Division 500."*

Both *Vacation Rental (VR-1)* and *Vacation Rental (VR-2)* uses have been contemplated for future development in the zoning bylaw in both the CD-5 and CD-6 zones. The specific lots for these potential VR-1's and VR-2's have not been created yet, but the zoning would permit these vacation rental uses on lots in future subdivisions within the CD-5 and CD-6 zones.

### Short Term Rentals

Council directed Staff in 2016/2017 to review and develop a strategy for achieving bylaw compliance among illegal Short-Term Rentals (**STR**). Additional resources were added to increase bylaw investigation and enforcement in this area. This effort has revealed many instances where entire homes were being rented out as STR's, contrary to the Zoning Bylaw. Staff have been contacting these owners to relay that they are in contravention of the Ucluelet Zoning Bylaw and Business Bylaw. These illegal STR's have developed from many origins or situations. Some of the examples or shades of this STR rental model are as follows:

- An owner is living in the suite and renting out the house;
- An owner is renting the home out on weekends while living in the home weekdays;
- An owner is renting the home while working out of the community and living in the home while not working;

- An owner is spending summer living in the home and renting it over the winter while traveling; and,
- An owner of multiple homes is renting these homes as STR's without spending any substantial time in Ucluelet.

**DISCUSSION:**

STR's are prevalent in most of Ucluelet's residential neighborhoods. They may allow homeowners to offset their mortgages and may offer a unique accommodation option for visitors. They may increase property values and encourage land development. STR's in residential neighborhoods are not without drawbacks as the vacationing occupants of STR's can cause noise and other disturbances. The addition of a STR in the zoning of a property can add value to the land, which is a positive for the current land owner, but can also make the property less affordable.

**Forms of Short Term Rentals**

There are various forms of STR's in residential settings. There is a Bed and Breakfast, Guest House, Vacation Rental (VR-1) and Vacation Rental (VR-2). The applicant is requesting Vacation Rental (VR-2) which allows the following SFD, VR and Secondary Suite (SS) configurations:

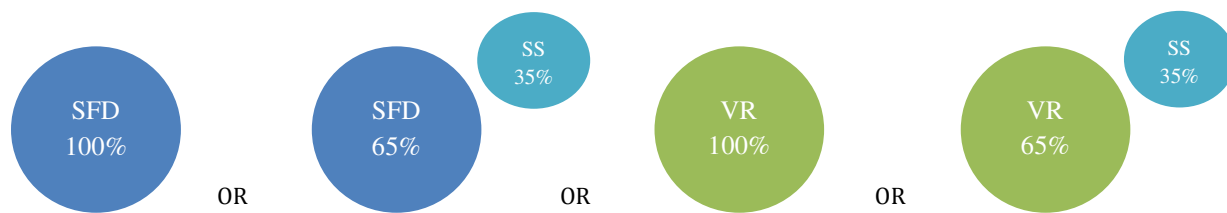


Figure 3 - Bubble Diagram for permitted uses under VR-2

As indicated above, a VR-2 can be used as a SFD, a SFD with a SS (if a SS is allowed in the zone), a standalone VR in the entire house or a standalone VR in the entire house with a secondary suite. It is important to note that under this designation both SFD and SS require a full time and permanent resident while VR does not. For contrast the following are the possible configurations for VR-1 use:



Figure 4 - Bubble Diagram for permitted uses under VR-1

Here it is important to note that at no time is the vacation rental use allowed without a full-time resident within the SFD.

The property's current zoning allows the following:

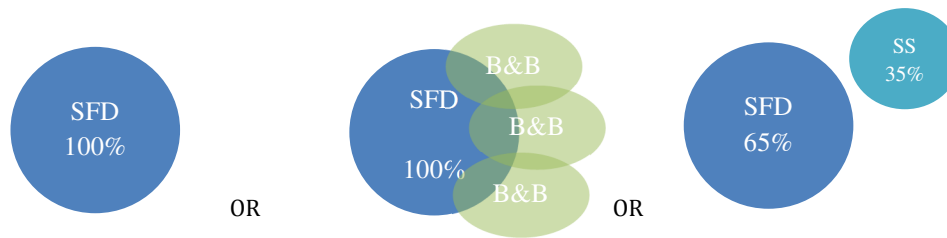


Figure 4 – Bubble Diagram for permitted uses under CD-2A.1

The subject lot is currently built out as a SFD with SS. A secondary suite (housing a long-term tenant) can be considered to have a relatively low impact to the neighborhood whereas a VR-1, with two suites, or a standalone VR-2, could be expected to have a higher impact. A VR-2 use with no permanent residential component would have the biggest impact to the neighborhood as there would be no responsible person present on the property who could be expected to control any noise or disturbance arising from the STR use.

The subject property is already developed with a SFD and a SS and the applicant has stated that they will only rent out the SFD when they travel, and will continue to offer the SS as a full-time rental. It is important to consider that the SS is built and exists as long-term rental accommodation, making it unlikely that there will be no full time residential component on the property if the applicant is successful with this rezoning. This larger waterfront SFD would offer something unique to the accommodation sector and it is not a housing form within Ucluelet's housing inventory which is commonly seen as a legal short-term rental.

#### VR-2 Zone

Elements of the VR-2 are comparable to VR-1 in many ways. The VR-1 use allows for two suites at 20% of building area (40% of SFD) whereas the VR-2 use can have 65% of the SFD as VR with a possible 35% SS. The difference to the to the community between a single group renting 65% of a SFD vs two groups renting two suites, at 20% each, of a SFD is negligible. The difference between the residential component at 65% of the home in a VR-2 use vs 35% of the SFD as a SS is again negligible. The community is currently in the need of Staff type housing and the smaller space of the SS may be more in line with what the community needs. The element of the VR-2 zone that has the most negative impact with the least benefit would be standalone vacation rental use with no full time residential component. This element could lead to empty streets and uncontrolled commercial use in a residential context. If Council was to support this application Planning Staff would strongly suggest that Council consider removing the standalone vacation rental use of a single-family home as an allowable use moving forward.

#### **TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Should the application proceed, staff time will be required to prepare and process this Zoning Bylaw Amendment including giving notice of a Public Hearing.

#### **FINANCIAL IMPACTS:**

There is no direct financial impact to District operations as a result of this zoning amendment. It should be noted that as with other Bed and Breakfasts and Vacation Rentals with less than 4 units, the subject property as a VR-2 would not be required to pay into the 2% Municipal and Regional District Tax (MRDT). An indirect impact of adding the VR use to this or other properties could be the further inflation of property values.

**POLICY OR LEGISLATIVE IMPACT:**

The area including the subject property is designated within the Official Community Plan (the “OCP”) proposed land use map as Comprehensive Development (**CD**) which contemplates components of Vacation Rental uses and as such this application could be considered consistent with the OCP.

**SUMMARY:**

The subject property has an existing built form which includes a secondary suite, which retains a residential component on the property. This proposal would offer something unique to Ucluelet’s visitor accommodation sector. Planning Staff also consider that, given the location, this proposal would likely result in minimal impact to the neighborhood. That being said, the current lack of long-term housing availability, the STR strategy currently being implemented, and the current bylaw enforcement of illegal VR-2 type STR’s (entire homes) are important elements of the current context to the request to rezone this property. The historical context where the VR-2 use was considered by Council and subsequently removed is also an important element to consider. Given the current housing challenges, from a community perspective the subject lot is currently in the optimum housing form as a SFD with SS and therefore staff recommend that this application not proceed at this time.

Should Council support the application proceeding at this time, staff recommend that the zoning amendment bylaw include a clause to remove the use of a standalone single-family dwelling as a short-term vacation rental within the VR-2 designation.

The role and impact of vacation rentals is very much a current and evolving issue within the community of Ucluelet. As noted below, a further option is to table this application until the District’s housing policies have perhaps been clarified as the current OCP review and Short Term Rental Strategy progress further.

**OPTIONS REVIEW:**

1. That the request to Amend Zoning Bylaw No. 1160, 2013 to change the principle use on Lot 2, Plan VIP80321, District 09 (506 Marine Drive) from Single Family Dwelling to Vacation Rental VR-2 not proceed further. (**Recommended**);
2. That Staff be directed to prepare a bylaw amendment which, if adopted, would achieve the requested designation of Vacation Rental VR-2 as a principal use on the subject property and remove the standalone vacation rental use from the zoning bylaw;
3. That Staff be directed to prepare a bylaw amendment which, if adopted, would achieve the requested designation of Vacation Rental VR-2 as a principal use on the subject property;
4. That Council table the current request to seek further information from the applicant; or,
5. That Council table the current request until such time as the Short Term Rental strategy and/or review of District housing policies results in a clear direction on stand-alone STR’s in single family neighbourhoods.

**Respectfully submitted:** John Towgood, Planner 1  
Bruce Greig, Manager of Planning  
Mark Boysen, Chief Administrative Officer

## Appendix A

November 19, 2017

To Mayor and Council & Planning

Hand delivered

RE: rezoning application for 506 Marine Drive to VR2 – vacation rental

To whom it may concern,

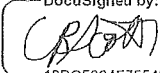
We are wishing to apply for VR2 a zoning that is currently enjoyed by two of the neighbours in our block as lawful non-conforming. We rent our secondary suite on a full-time basis and are happy to continue doing so. We are finding the costs of maintaining our home more and more cumbersome as we age.

We currently pay \$1000.00 per month for property taxes and \$500.00 per month for insurance and wish to travel more as we get on in life. Carl will be 72 and Judy will be 60. We love our home and enjoy having large family gatherings. If we were able to offer our home for rental while we travel then we would be better able to afford to keep our place and work less. We do not want to sell our home.

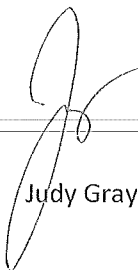
As a growing tourist community there is more need for this type of occasional accommodation. We have been living with two homes with this zoning and the Ridge complex across the street for the past nine years. We have not had any reason to complain about noise or nuisance and do not believe the occasional rental of our home will be of any nuisance. This neighbourhood is mixed already, and we very much enjoy living here with this mix.

We thank-you for consideration of our application.

Best to you,

DocuSigned by:  
  
18BC5304E755422...

Carl Scott



Judy Gray

**DISTRICT OF UCLUELET**

**Zoning Bylaw Amendment Bylaw No. 1241, 2019**

A bylaw to amend the District of Ucluelet Zoning Bylaw (Vacation Rental VR-2).

---

**WHEREAS** the District of Ucluelet Council by Bylaw No. 1160 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. Text Amendment:**

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended as follows:

- a. By deleting and replacing Section 406.1 (2), such that the section reads as follows:

(2) The “VR-2” designation permits the *commercial tourist accommodation* as:

- (a) *accessory* to a permanent *residential* use and administered by the full-time and present resident.
- (b) occupying the principle *dwelling* or a maximum of two (2) *secondary suites* or a combination of those dwelling units as long as one of the dwelling units within the principle building is occupied by a permanent and present *residential* use.
- (c) in no case shall the *secondary suite* component of the principle building occupy less than fifteen percent (15%) of the principle building on the lot, and in no part of an accessory building.
- (d) in no case shall the principle *dwelling* component of the principle building occupy less than sixty (60%) of the principle building on the lot, and in no part of an *accessory building*.

- b. By deleting and replacing subsection (b) within the Section 103 Definition for secondary suite, such that the section reads as follows:

(b) in a building with a *Vacation Rental (VR-1)* or a *Vacation Rental (VR-2)* designation, means one or two separate *accessory dwelling units* used for either *residential* use or *commercial tourist accommodation* in accordance with Section 406 of this Bylaw;

2. This bylaw may be cited for all purposes as the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019.



**READ A FIRST TIME** this 26<sup>th</sup> day of **March, 2019.**

**READ A SECOND TIME** this 26<sup>th</sup> day of **March, 2019.**

**PUBLIC HEARING** held this 30<sup>th</sup> day of **April, 2019.**

**READ A THIRD TIME** this    day of            , **2019.**

**ADOPTED** this    day of            , **2019.**

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019.”

---

Mayco Noël  
Mayor

---

Mark Boysen  
Corporate Officer

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

---

Mark Boysen  
Corporate Officer



## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** MARLENE LAGOA, MANAGER OF CORPORATE SERVICES

**FILE NO:** 3360-20-RZ18-04  
**FOLIO NO:** 114.812

**SUBJECT:** ZONING BYLAW AMENDMENT (506 MARINE DRIVE) – 3<sup>RD</sup> READING

**REPORT NO:** 19-60

**ATTACHMENT(S):** APPENDIX A – STAFF REPORT DATED MARCH 26, 2019

APPENDIX B – DRAFT *UCLUELET ZONING BYLAW AMENDMENT BYLAW No. 1242, 2019*

### MOTION:

1. **THAT** the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019” be given third reading.

### PURPOSE:

The purpose of this report is to advance Bylaw No. 1242, 2019, to third reading.

### BACKGROUND:

The Bylaw received first and second reading at the March 26, 2019 Regular Council Meeting and was the subject of a Public Hearing on April 30, 2019. Upon closure of the Public Hearing, Council is in a position to consider third reading of the bylaw.

Attached to this report is the previous staff reports. The Minutes of the Public Hearing is attached to the May 14, 2019 Regular Council Agenda.

### OPTIONS REVIEW:

Alternatively, Council has the following options:

1. **THAT** Council make amendments to Bylaw No. 1242 and give third reading to the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019” as amended.
2. **THAT** Council provide alternative direction to staff.

### **Respectfully submitted:**

Marlene Lagoa, Manager of Corporate Services  
Bruce Greig, Manager of Community Planning  
Mark Boysen, Chief Administrative Officer



## STAFF REPORT TO COUNCIL

Council Meeting: March 26, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**FOLIO NO:** 114.812 **FILE NO:** 3360-20-RZ18-04

**SUBJECT:** ZONING BYLAW AMENDMENT APPLICATION (506 MARINE DRIVE)

**REPORT NO:** 19- 33

**ATTACHMENT(S):** APPENDIX A – APPLICATION

APPENDIX B – DRAFT *UCLUELET ZONING BYLAW AMENDMENT BYLAW No. 1241, 2019*

APPENDIX C – DRAFT *UCLUELET ZONING BYLAW AMENDMENT BYLAW No. 1242, 2019*

APPENDIX D – STAFF REPORT DATED DECEMBER 11, 2018

### RECOMMENDATION:

1. **THAT** District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019, be given first and second reading and advance to a public hearing.
2. **THAT** Council give notice of its intent to consider issuing a temporary use permit for the proposed Vacation Rental (VR-2) use on the property at 506 Marine Drive.

### PURPOSE:

To provide Council with information on an application to amend Zoning Bylaw No. 1160, 2013, (the “**Zoning Bylaw**”) to change the regulations for the Vacation Rental VR-2 use to allow a Single-Family Dwelling (**SFD**) to be rented as short-term rental (**STR**) contingent on a secondary suite being occupied by a full-time and present resident. It is also requested that the amended VR-2 use then be permitted on the subject property: Lot 2, District Lot 281, Clayoquot District Plan VIP80321, (506 Marine Drive). See Figure 1 below:



Figure 1 – Subject Property

**BACKGROUND:**

On January 23, 2018, Council was requested to approve an amendment to the Zoning Bylaw that would have applied the VR-2 use on the subject property. The following is the summary from that January 23 report:

*“The subject property has an existing built form which includes a secondary suite, which retains a residential component on the property. This proposal would offer something unique to Ucluelet’s visitor accommodation sector. Planning Staff also consider that, given the location, this proposal would likely result in minimal impact to the neighborhood. That being said, the current lack of long-term housing availability, the Short-Term Rental (STR) strategy currently being implemented, and the current bylaw enforcement of illegal VR-2 type STR’s (entire homes) are important elements of the current context to the request to rezone this property. The historical context where the VR-2 use was considered by Council and subsequently removed is also an important element to consider. Given the current housing challenges, from a community perspective the subject lot is currently in the optimum housing form as a Single-Family Dwelling with Secondary Suite and therefore staff recommend that this application not proceed at this time.*

*Should Council support the application proceeding at this time, staff recommend that the zoning amendment bylaw include a clause to remove the use of a standalone single-family dwelling as a short-term vacation rental within the VR-2 designation.*

*The role and impact of vacation rentals is very much a current and evolving issue within the community of Ucluelet. As noted below, a further option is to table this application until the District’s housing policies have perhaps been clarified as the current OCP review and Short-Term Rental Strategy progress further.”*

After consideration at the January 23, 2018 meeting, Council determined the application would not proceed. The applicant submitted a new application on May 31, 2018, to again rezone their property to VR-2 however they are now proposing that the VR-2 zone be modified to remove the allowance for a standalone STR. This rezoning request was taken to Council on December 11, 2018, and Council passed the following motions:

***THAT*** Council direct staff to prepare a Zoning Amendment Bylaw to remove the standalone Vacation Rental of an entire single-family dwelling from the permitted uses under the Vacation Rental (VR-2) regulations.; and,

***THAT*** Council direct staff to prepare a site-specific Zoning Amendment Bylaw to permit the short-term rental of the main house on the property at 506 Marine Drive under the amended Vacation Rental (VR-2) regulations.

Planning Staff have prepared two bylaws in response to Council’s direction. The two bylaws will be discussed separately in this report.

**DISCUSSION:****A. Ucluelet Zoning Bylaw Amendment Bylaw No.1241 – Amendment of the VR-2 Use**

Zoning Bylaw Amendment Bylaw No.1241 is written to redefine the VR-2 designation to allow a VR use only if a residential component is present. The Zoning Bylaw currently regulates VR-2 as follows:

- (2) *The "VR-2" designation permits the commercial tourist accommodation to be either an accessory use or a principal use, as follows:*
- (a) *If accessory, the VR-1 provisions of section 406.1(1) apply fully; and*
- (b) *If principal,*
- (i) *only one dwelling unit per lot that is not a secondary suite may be used for commercial tourist accommodation;*
- (ii) *a secondary suite, if present, must only be used for residential use.*

This designation for VR-2 permits commercial tourist accommodation to be either an accessory use or a principal (standalone) use.

The following amendment is proposed to accommodate the same 'use structure' in the building as is currently permitted, but to also ensure that a long-term resident is present on the property:

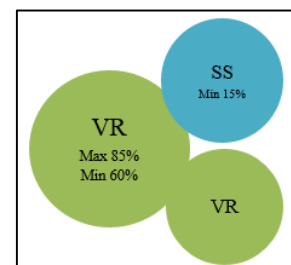
- (2) *The "VR-2" designation permits the commercial tourist accommodation as:*
- (a) *accessory to a permanent residential use and administered by the full-time and present resident.*
- (b) *occupying the principle dwelling or a maximum of two (2) secondary suites or a combination of those dwelling units as long as one of the dwelling units within the principle building is occupied by a permanent and present residential use.*
- (c) *in no case shall the secondary suite component of the principle building occupy less than fifteen percent (15%) of the principle building on the lot, and in no part of an accessory building.*
- (d) *in no case shall the principle dwelling component of the principle building occupy less than sixty (60%) of the principle building on the lot, and in no part of an accessory building.*

The above amendment is drafted to fit within the pattern of the existing Zoning Bylaw. It would achieve the following:

- make the VR use accessory to a permanent residential use and administered by the full-time and present resident.
- allow the VR use to be in any of the possible three dwelling units.
- ensure the residential component is at least 15% of the building area.
- ensure the basic building layout with one dominant dwelling.

The adjacent diagram illustrates the maximum commercial use (shown in green). The long-term residential use (shown in blue) could cover some or all of the area shown in green, but would never be less than the suite illustrated as 15% of the total building.

The definition for Secondary suite must also be updated to reflect the above change to the VR-2 Zone. The existing definition is as follows:



*“Secondary Suite”:*

*(a) in all instances other than a Vacation Rental (VR-1) designation, means one separate accessory dwelling unit, for residential use only, located within a single-family dwelling, in accordance with Section 403 of this Bylaw; or*

*(b) in a building with a Vacation Rental (VR-1) designation, means one or two separate accessory dwelling units used for either residential use or commercial tourist accommodation in accordance with Section 406 of this Bylaw;*

This definition does not currently allow a VR-2 to have two suites (despite the intent of the VR-2 designation). The Zoning Amendment Bylaw No. 1241 proposes to insert the following updated definition for Secondary Suite:

*(b) in a building with a Vacation Rental (VR-1) or a Vacation Rental (VR-2) designation, means one or two separate accessory dwelling units used for either residential use or commercial tourist accommodation in accordance with Section 406 of this Bylaw;*

Summary for Bylaw No. 1241

The success of STR in a residential context has greatly benefited some aspects of Ucluelet’s economy and population, but not without its costs (a full discussion of these effects is presented in the staff report 6630-20-BCAA, to be presented on the same Council agenda as this report).

The modifications to the Zoning Bylaw proposed in Bylaw No. 1241 would maintain a prominently commercial VR-2 designation but now with a required residential component. Staff are supportive of maintaining the VR-2 designation with these changes and consider that the VR-2 is a viable use as a component of new developments; this could allow developers to include VR-2 within the proposed mix of uses to create a successful balance of commercial and residential properties. Within existing neighborhoods, however, rezoning existing residential property to allow the predominantly commercial VR-2 use would contribute to the erosion of the supply and affordability of long-term housing stock in the community.

B. Ucluelet Zoning Bylaw Amendment Bylaw No. 1242 – Spot Zoning of 506 Marine Drive

The draft Zoning Bylaw Amendment Bylaw No. 1242 would add the VR-2 designation to the subject property. Staff acknowledge that this would, in isolation, likely have little impact on the character or function of the neighbourhood. The change to the VR-2 use is expected to have some impact on the property’s value and could thereby have an incremental effect on the overall community housing supply.

This incremental impact on housing affordability raises concerns for Ucluelet’s existing residential housing stock becoming more commercialized. Staff are therefore not supportive of permanently changing the zoning designation of the subject property proposed in the draft Bylaw No. 1242. To allow the property owner to achieve their goals, at least in the short term, Staff recommend that Council instead consider issuing a Temporary Use Permit (**TUP**) to permit the VR-2 use on the property without committing to a full rezoning.

TEMPORARY USE PERMIT:

A less rigid approach to meet the applicants’ objective of attaining a VR-2 designation for 506 Marine Drive is to issue a Temporary Use Permit. Permits can be issued for any period up to three years and could be considered for renewal once for a further period up to three years. After a TUP

has been renewed, there is nothing preventing a property owner from applying for another new TUP. The use could therefore continue in this manner for a longer time frame, without the property becoming “permanently” rezoned for the primarily commercial VR-2 use. It would require, however, that the owners periodically apply for a new or renewed permit.

Issuing a TUP requires notification as per Section 492 of the *Local Government Act*. The permit can include conditions if they are considered important to maintaining the use on the property (e.g., to ensure issues such as parking, noise, duration, etc., are managed as proposed).

At this point in time, staff are recommending that Council consider issuing a TUP for this property instead of changing its zoning designation. Although each rezoning application is decided on its merits, there are other pending applications with similar requests to change land uses; Council will need to consider how we will develop a consistent approach on such requests to expand the short-term vacation rental uses in residential neighbourhoods.

If the current application were addressed through a TUP, the issue of longer-term changes to the permitted land uses on this property could be revisited at a time when the District’s approach to short-term vacation rentals in residential zones has been clarified.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Should the application proceed, staff time will be required to process these Zoning Bylaw Amendments and permits, including giving notice of a Public Hearing.

**FINANCIAL IMPACTS:**

There are no direct financial implications to the District to advancing Bylaws No. 1241 and 1242. Indirectly, the bylaws may contribute to the erosion of the supply and affordability of long-term housing stock in the community particularly in existing neighbourhoods.

**POLICY OR LEGISLATIVE IMPACTS:**

The modifications to the Zoning Bylaw proposed in Bylaw No. 1241 would maintain a prominently commercial VR-2 designation but now with a required residential component.

Staff do not recommend advancing the draft Zoning Bylaw Amendment Bylaw No. 1242 which would add the VR-2 designation to the subject property. Staff are recommending that Council consider issuing a TUP for this property instead of changing its zoning designation.

**OPTIONS REVIEW:**

1. **THAT** District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019, be given first and second reading and advance to a public hearing.  
**(Recommended)**
2. **THAT** Council give notice of its intent to consider issuing a temporary use permit for the proposed Vacation Rental (VR-2) use on the property at 506 Marine Drive.  
**(Recommended)**



3. **THAT** District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019, be given first and second reading and advance to a public hearing.
4. **THAT** Council provide alternative direction to Staff and/or the applicant.

**Respectfully submitted:** John Towgood, Planner 1  
Bruce Greig, Manager of Planning  
Mark Boysen, Chief Administrative Officer

Appendix A

May 30, 2018

To Mayor and Council & Planning

Hand delivered

RE: rezoning application for 506 Marine Drive to VR2 – vacation rental- amended as below.

To whom it may concern,

We are wishing to apply for a varied version of the VR2 zoning. We rent our secondary suite (carriage house) on a full-time basis and are happy to continue doing so. We are finding the costs of maintaining our home more and more cumbersome as we age.

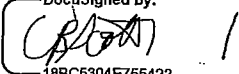
We currently pay \$1000.00 per month for property taxes and \$500.00 per month for insurance and wish to travel more as we get on in life. Carl will be 72 and Judy will be 60. We love our home and enjoy having large family gatherings. If we were able to offer our home for rental while we travel then we would be better able to afford to keep our place and work less. We do not want to sell our home.

As a growing tourist community there is more need for this type of occasional accommodation. We have been living with two homes with similar grandfathered zoning and the Ridge complex across the street for the past ten years. We have not had any reason to complain about noise or nuisance and do not believe the occasional rental of our home will be of any nuisance. This neighbourhood is mixed already, and we very much enjoy living here with this mix.

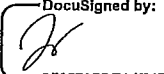
We have worked with staff after our previous failed application to amend the VR2 zone to see if it would fit better in the community. Our request is to take the current VR2 zone, remove all references to VR 100% without the need for a permanent full time resident and add a new category "CH – Carriage House" so that a full-time occupant must be onsite in either a secondary suite or a carriage house. With the last revision of the zoning by-law our secondary suite no longer conforms and is now considered a carriage house. This would bring our home into conformity and allow for the occasional nightly rental in the main house.

We thank-you for consideration of our application.

Best to you,

DocuSigned by:  
  
18BC5304E755422...

Carl Scott

DocuSigned by:  
  
259572FDEA1E4B5...

Judy Gray

**DISTRICT OF UCLUELET****Zoning Bylaw Amendment Bylaw No. 1241, 2019**

A bylaw to amend the District of Ucluelet Zoning Bylaw (Vacation Rental VR-2).

---

**WHEREAS** the District of Ucluelet Council by Bylaw No. 1160 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. Text Amendment:**

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended as follows:

a. By deleting and replacing Section 406.1 (2), such that the section reads as follows:

(2) The “VR-2” designation permits the *commercial tourist accommodation* as:

(a) *accessory* to a permanent *residential* use and administered by the full-time and present resident.

(b) occupying the principle *dwelling* or a maximum of two (2) *secondary suites* or a combination of those dwelling units as long as one of the dwelling units within the principle building is occupied by a permanent and present *residential* use.

(c) in no case shall the *secondary suite* component of the principle building occupy less than fifteen percent (15%) of the principle building on the lot, and in no part of an accessory building.

(d) in no case shall the principle *dwelling* component of the principle building occupy less than sixty (60%) of the principle building on the lot, and in no part of an *accessory building*.

b. By deleting and replacing subsection (b) within the Section 103 Definition for secondary suite, such that the section reads as follows:

(b) in a building with a *Vacation Rental (VR-1)* or a *Vacation Rental (VR-2)* designation, means one or two separate *accessory dwelling units* used for either *residential* use or *commercial tourist accommodation* in accordance with Section 406 of this Bylaw;

2. This bylaw may be cited for all purposes as the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019.

**READ A FIRST TIME** this    day of            , **2019**.

**READ A SECOND TIME** this    day of            , **2019**.

**PUBLIC HEARING** held this    day of            , **2019**.

**READ A THIRD TIME** this    day of            , **2019**.

**ADOPTED** this    day of            , **2019**.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019.”

---

Mayco Noël  
Mayor

---

Mark Boysen  
Corporate Officer

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

---

Mark Boysen  
Corporate Officer

**DISTRICT OF UCLUELET****Zoning Bylaw Amendment Bylaw No. 1242, 2019**

A bylaw to amend the District of Ucluelet Zoning Bylaw (506 Marine Drive).

---

**WHEREAS** Section 479 and other parts of the *Local Government Act* authorize zoning and other development regulations;

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

**1. Text and Map Amendment:**

Schedule B of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding the following section CD-2A.1.7 in alphanumerical order, as follows:

“CD-2A.1.7 The following uses are permitted on Lot 2, District Lot 281, Clayoquot District, Plan VIP80321 (PID 026-566-435, 506 Marine Drive):

(1) Principal:

*(a) Single Family Dwelling*

*(b) Vacation Rental (VR-2)*

(2) Secondary:

*(a) Home Occupation*

*(b) Secondary Suite”*

2. This bylaw may be cited as “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019”.

**READ A FIRST TIME** this     day of     , 2019.

**READ A SECOND TIME** this     day of     , 2019.

**PUBLIC HEARING WAIVED** this     day of     , 2019.

**READ A THIRD TIME** this     day of     , 2019.

**ADOPTED** this     day of     , 2019.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1242, 2019.”

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Mayco Noël  
Mayor

---

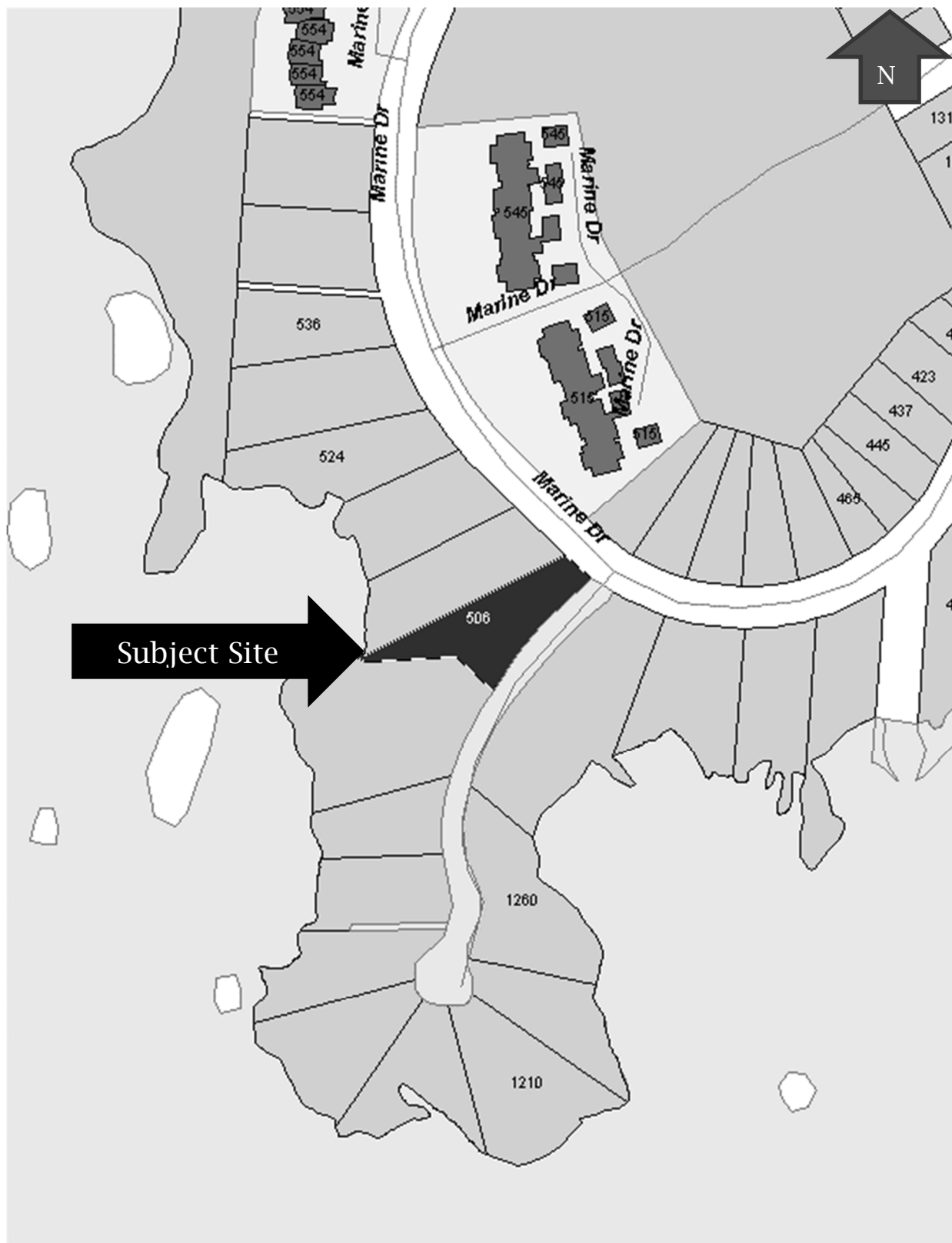
Mark Boysen  
Corporate Officer

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

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Mark Boysen  
Corporate Officer

**SCHEDULE 'A'**  
**Bylaw No. 1242, 2019**





## STAFF REPORT TO COUNCIL

Council Meeting: December 11, 2018  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**FOLIO NO:** 114.812 **FILE NO:** 3360-20-RZ18-04

**SUBJECT:** ZONING BYLAW AMENDMENT APPLICATION (506 MARINE DRIVE)

**REPORT NO:** 18-126

**ATTACHMENT(S):** APPENDIX A –APPLICATION  
APPENDIX B – JANUARY 23<sup>RD</sup>, 2018, STAFF REPORT

### RECOMMENDATION:

1. **THAT** Council direct staff to prepare a Zoning Amendment Bylaw to remove the standalone Vacation Rental of an entire single-family dwelling from the permitted uses under the Vacation Rental (VR-2) regulations.; and,
2. **THAT** Council direct staff whether to prepare a site-specific Zoning Amendment Bylaw to permit the short-term rental of the main house on the property at 506 Marine Drive under the amended Vacation Rental (VR-2) regulations.

### PURPOSE:

To provide Council with information on an application to amend Zoning Bylaw No. 1160, 2013, (the “**Zoning Bylaw**”) to change the regulations for the Vacation Rental (VR-2) use to allow the principal dwelling unit (i.e., the main house) of a Single Family Dwelling (**SFD**) to be rented as short term rental (**STR**) contingent on a secondary suite or carriage house on the property being occupied by a full-time and present resident. It is also requested that the amended VR-2 use then be permitted on Lot 2, District Lot 281, Clayoquot District Plan VIP80321, 506 Marine Drive (the **Subject Property**”). See Figure 1 below:



Figure 1 – Subject Property



**BACKGROUND:**

On January 23<sup>rd</sup>, 2018, Council was requested to approve an amendment to Zoning Bylaw No.1160, 2013 (the “Zoning Bylaw”) that would have applied the unamended VR-2 use on the subject property. Staff recommended that request not proceed. The following is the summary from the January 23<sup>rd</sup> report:

*“The subject property has an existing built form which includes a secondary suite, which retains a residential component on the property. This proposal would offer something unique to Ucluelet’s visitor accommodation sector. Planning Staff also consider that, given the location, this proposal would likely result in minimal impact to the neighborhood. That being said, the current lack of long-term housing availability, the Short-Term Rental (STR) strategy currently being implemented, and the current bylaw enforcement of illegal VR-2 type STR’s (entire homes) are important elements of the current context to the request to rezone this property. The historical context where the VR-2 use was considered by Council and subsequently removed is also an important element to consider. Given the current housing challenges, from a community perspective the subject lot is currently in the optimum housing form as a Single-Family Dwelling with Secondary Suite and therefore staff recommend that this application not proceed at this time.*

*Should Council support the application proceeding at this time, staff recommend that the zoning amendment bylaw include a clause to remove the use of a standalone single-family dwelling as a short-term vacation rental within the VR-2 designation.*

*The role and impact of vacation rentals is very much a current and evolving issue within the community of Ucluelet. As noted below, a further option is to table this application until the District’s housing policies have perhaps been clarified as the current OCP review and Short-Term Rental Strategy progress further.”*

After consideration at the January 23<sup>rd</sup> meeting, Council determined the application would not proceed. The January 23<sup>rd</sup>, 2018, report is attached in its entirety (**see Appendix B**) and provides important context for this application. The applicant reapplied on May 31<sup>st</sup>, 2018, to again rezone their property to VR-2 but with the difference that they are now proposing that the VR-2 zone be modified to remove the allowance for a VR-2 zoned property to be a 100% short-term rental.

**DISCUSSION:**

**Modification of the VR-2 Use**

The applicant is requesting that a modified version of VR-2 be applied to their property with amendments aimed at removing the standalone STR. The following are the possible configurations to Vacation Rental (VR-2) as written with Single Family Dwelling indicated as SFD, Secondary Suite indicated as SS and Vacation rental indicated as VR:

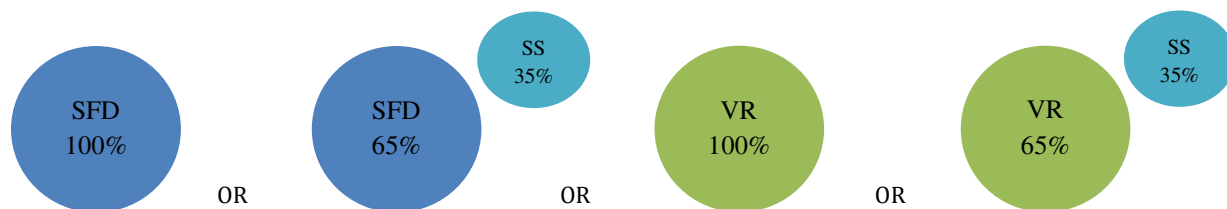


Figure 2 - Bubble Diagram for permitted uses under current VR-2

As indicated above, the VR-2 use allows for a SFD, a SFD with a SS (if a SS is allowed in the zone), a standalone VR in the entire house or a standalone VR in the entire house along with a long-term resident in a secondary suite. It is important to note that under this designation both SFD and SS require a full time and permanent resident while VR does not.

The applicant is proposing to remove the standalone whole-house VR use so that the allowable use configurations would be as follows:

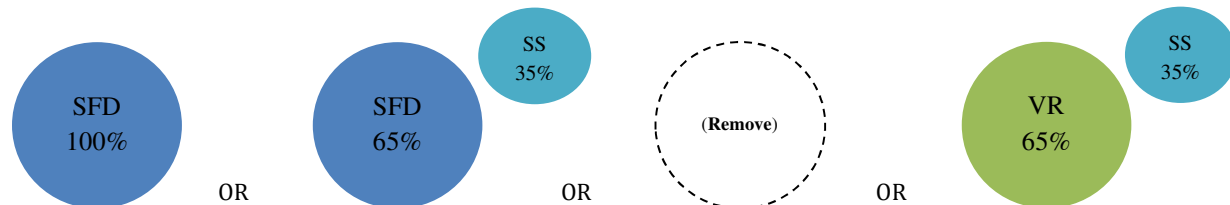


Figure 3 - Bubble Diagram for proposed uses under VR-2

The proposed change reduces what Staff consider the most negative element of the current VR-2: the short-term rental of a whole house. In the past, Vacation Rentals and Bed and Breakfasts (**B&B**) have been introduced into the Ucluelet residential zones as a way of helping with the mortgage or as a modest supplemental income. With the advent of online bookings and rental management these types of STR are becoming more lucrative and prevalent – and with that success the community is experiencing side effects such as:

- VR units that were being used for residential are now being used for STR;
- Secondary suites are being modified to fit the definition of B&B and these important residential units are being removed from residential use and put in the STR market;
- Upward pressure on home prices because of the income generated from a successful B&B or VR;
- Conflict with the purely residential uses within the immediate neighbourhood.

There are currently no active or lawfully non-conforming VR-2 uses in Ucluelet, but VR-2 uses have been contemplated for future development in the zoning bylaw for both the CD-5 and CD-6 zones (the previous zoning designations applied to areas of the Weyerhaeuser and Onni lands). The specific lots for these potential VR-1's and VR-2's do not yet exist, but currently the zoning would permit these vacation rental uses on lots in future subdivisions within the CD-5 and CD-6 zones.

As indicated in the January 23<sup>rd</sup> staff report, Staff support the removal of the stand-alone whole house VR use within the VR-2 zone. Keeping any VR rental tied to having a permanent resident on site in a secondary suite would maintain a component of long-term housing and keep a degree of oversight on the property when guests are occupying the main dwelling.

#### Applying the Modified VR-2 use to the property at 506 Marine Drive

The modified VR-2 would reduce the impact compared to the current VR-2 use. As mentioned in the January 23<sup>rd</sup> staff report, the subject property would offer a unique setting for a VR and vacation stays in the large high-end home would be unique in the market. The neighbourhood already has a large presence of STR type accommodation and this added use would have a minor affect to the identity of area. However, Staff must recognize the housing issues presently facing the community and cannot support any rezoning that would shift a property to have more commercial potential.

The applicant has stated that the house would only be rented as a VR when the owner would be on holidays, and that the suite on site would be occupied year-round. In this scenario there is little impact to the property's residential use. Zoning designations remain in place beyond current ownership, however, and decisions on land use should therefore consider the long-term community impacts. Should the requested zoning amendment be approved, the applicant or the next owner of the property could decide to not live on site and rent the home year-round as a STR. Even though the house is at the higher end of the housing spectrum, this would represent a loss of a residential unit within the overall housing supply in Ucluelet.

Staff consider the further commercialization and loss of residential uses within Ucluelet's existing neighbourhoods to be a real and pressing problem, and therefore have difficulty in supporting any application which moves in that direction.

**ZONING:**

The proposed building size and configuration is not proposed to change therefore setbacks, height and density requirements would not be affected. The parking requirement for the unit will also stay the same. Should Council support the current request amendment, staff will prepare a Zoning Amendment Bylaw and provide a future staff report describing the details of how the changes would apply to this and potentially other properties.

Note the applicant is requesting that Carriage House be added to the list of permitted uses on their property to address the non-conforming construction of their secondary suite. Staff consider this unnecessary, as the suite was constructed under a valid building permit at the time. The addition of cottage or carriage house accessory dwelling units within residential zones is an issue which will be addressed separately in the near future.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Should the application proceed, staff time will be required to prepare and process this Zoning Bylaw Amendment including giving notice of a Public Hearing. Staff suggest that there is an element of housekeeping to remove the standalone vacation rental from the VR-2 use in the Zoning bylaw, which should proceed whether or not the current application is advanced by Council.

**FINANCIAL IMPACTS:**

There may be a change to how the assessment class affecting the taxation for a property whose zoning designation allows a principal commercial use. Exactly how the BC Assessment Authority would treat the proposed uses is not clear – staff have sought clarification on this point and consider this to be an important consideration if zoning changes were to be applied broadly. Staff hope to have further detail to provide when bringing forward bylaw amendments in the future.

**SUMMARY:**

The proposed zoning amendment for 506 Marine Drive would, in isolation, likely have little impact on the character or function of the neighbourhood. The change to the permitted use of the property would have some impact on the property's value and could have an incremental effect on the overall community housing supply. Council could consider directing staff to prepare a zoning

amendment bylaw for the current application; if so directed, this would include holding a future public hearing to seek community input on the proposed zoning change.

In the larger community context, Council has already directed that staff bring forward options for possible amendment to residential zoning to better suit the needs of the community (e.g., supply and affordability), including the balance of residential uses among various forms of vacation rentals. A housekeeping zoning amendment to remove the standalone vacation rental from VR-2 is suggested by staff, and would be one small improvement to the housing regulations in the zoning bylaw. At the same time, Council should be aware that staff are also working on a current joint application from a number of property owners seeking changes to the VR-1 zoning regulations; that application engages similar issues to this application for VR-2 and could be brought forward at the time bylaw amendments are presented to Council to enable a comprehensive discussion of the details and the expected community impacts.

**OPTIONS REVIEW:**

1. **THAT** Council direct staff to prepare a Zoning Amendment Bylaw to remove standalone Vacation Rental of an entire single-family dwelling as a permitted use under the Vacation Rental (VR-2) regulations.; and,  
**(Recommended)**
2. **THAT** Council direct staff whether to prepare a site-specific Zoning Amendment Bylaw to permit the short-term rental of the main house on the property at 506 Marine Drive under the amended Vacation Rental (VR-2) regulations.  
**(Recommended)**
3. THAT Council defer the current request, and seek further information from the applicant;  
or,
4. THAT Council reject the requested zoning amendment at this time.

**Respectfully submitted:** John Towgood, Planner 1  
Bruce Greig, Manager of Planning  
Mark Boysen, Chief Administrative Officer

Appendix A

May 30, 2018

To Mayor and Council & Planning

Hand delivered

RE: rezoning application for 506 Marine Drive to VR2 – vacation rental- amended as below.

To whom it may concern,

We are wishing to apply for a varied version of the VR2 zoning. We rent our secondary suite (carriage house) on a full-time basis and are happy to continue doing so. We are finding the costs of maintaining our home more and more cumbersome as we age.

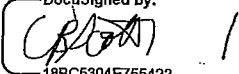
We currently pay \$1000.00 per month for property taxes and \$500.00 per month for insurance and wish to travel more as we get on in life. Carl will be 72 and Judy will be 60. We love our home and enjoy having large family gatherings. If we were able to offer our home for rental while we travel then we would be better able to afford to keep our place and work less. We do not want to sell our home.

As a growing tourist community there is more need for this type of occasional accommodation. We have been living with two homes with similar grandfathered zoning and the Ridge complex across the street for the past ten years. We have not had any reason to complain about noise or nuisance and do not believe the occasional rental of our home will be of any nuisance. This neighbourhood is mixed already, and we very much enjoy living here with this mix.

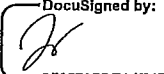
We have worked with staff after our previous failed application to amend the VR2 zone to see if it would fit better in the community. Our request is to take the current VR2 zone, remove all references to VR 100% without the need for a permanent full time resident and add a new category "CH – Carriage House" so that a full-time occupant must be onsite in either a secondary suite or a carriage house. With the last revision of the zoning by-law our secondary suite no longer conforms and is now considered a carriage house. This would bring our home into conformity and allow for the occasional nightly rental in the main house.

We thank-you for consideration of our application.

Best to you,

DocuSigned by:  
  
18BC5304E755422...

Carl Scott

DocuSigned by:  
  
259572FDEA1E4B5...

Judy Gray



## STAFF REPORT TO COUNCIL

Council Meeting: January 23<sup>rd</sup>, 2018  
500 Matterson Drive, Ucluelet, BC V0R 3A0

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**From:** John Towgood, Planner 1      **Ref No:** RZ17-08   **Folio No:** 114.812   **File No:** 3360-20  
**Report No:** 18-XX  
**Subject:** Application to amend Zoning Bylaw No. 1160, 2013, to change the principal use on the property at 506 Marine Drive from Single Family Dwelling to Vacation Rental (VR-2).  
**ATTACHMENT(S):** APPENDIX A –APPLICATION

---

### RECOMMENDATION:

1. **THAT** the request to Amend Zoning Bylaw No. 1160, 2013 to change the principal use on Lot 2, Plan VIP80321, District 09 (506 Marine Drive) from Single Family Dwelling to Vacation Rental VR-2 not be approved at this time.

### PURPOSE:

To provide Council with information on an application to amend Zoning Bylaw No 1160, 2013 (the “**Zoning Bylaw**”), to change the principal use on Lot 2, Plan VIP80321, District 09, 506 Marine Drive (the “**Subject Lot**”) from Single Family Dwelling to Vacation Rental VR-2.



Figure 1 - Subject Lot.



**BACKGROUND:**

An application has been received to amend Zoning Bylaw No 1160, 2013 (the “Zoning Bylaw”), to change the principal use on the subject lot from *Single Family Dwelling* to *Vacation Rental VR-2*.

**The Subject Property**

The subject property has the CD-2A.1.1 zoning designation, which currently lists *single family dwelling* as the principal use. The subject lot was created on the 24<sup>th</sup> of January 2006 and the Single Family Dwelling (**SFD**) and secondary suite (**SS**) on the subject property were given occupancy on March 6<sup>th</sup>, 2008.



Figure 2 – Street Scape

**The Zoning Bylaw**

The **Vacation Rental** use was introduced to the zoning bylaw and later modified by the following amending bylaws:

**Bylaw 926, January 2004**

Bylaw 926 created a new vacation rental use defined as “C-VR” with a specific zone being created as the “C-VR Zone”. The C-VR use was also permitted in the following zones CS-1, CS-2, and CS-3. The C-VR zone was not well defined or understood and this zoning format for vacation rentals only lasted 4 months before it was replaced.

**Bylaw 941, April 2004**

Bylaw 941 removed the C-VR definition and zone and separated the vacation rental use into two separate uses as VR-1 and VR-2. These uses were each given specific zones and defined as follows:

*"Vacation Rental" means the use of a single family dwelling for either (1) fully contained suite and (2) B&B rooms or (2) fully contained suites and (1) B&B room. In no case shall there exist more than three units in a single family dwelling.*

- (a) *Within the VR-1 zone, the suite(s) and/or B&B rooms may be used for tourist accommodation on a nightly, weekly, or monthly basis when the long-term tenant lessee or owner or an adult member of that person's family is present and residing in the dwelling on a full-time basis.*
- (b) *Within the VR-2 zone, the suite(s) and/or B&B rooms may be used for tourist accommodation on a nightly, weekly, or monthly without the existence of a long-term tenant lessee or owner or an adult member of that person's family.*

Note that the *VR-1* description above indicates that *suite(s)* may be used for tourist accommodation only when the long-term resident is present and residing in the dwelling on a full-time basis and that the *VR-2* description above indicates that *suite(s)* may be used for tourist accommodation without the existence of a long-term resident present and residing in the dwelling.

In the period of time while this definition and zoning were active after Bylaw 941 was passed, 15 properties were rezoned to *VR-1* and one property was rezoned to *VR-2*. From the business license records, there is no indication that the one property zoned to allow a *VR-2* use has operated as a *VR-2*. From the information gathered for this report there appear to be no active or lawfully non-conforming *VR-2* uses in Ucluelet.

#### Bylaw 1053, April 2007

Bylaw 1053 was the result of community engagement on the vacation rental strategy at the time, and reworked the zoning format. The highlights of this bylaw are as follows:

- Removed the *VR-2* zone;
- Deleted *VR-1* and *VR-2* uses from the *CS-1*, *CS-2*, and *CS-3* zones;
- Rezoned the single *VR-2* zoned property to *VR-1*; and,
- Further defined “vacation rental” closer to what it is currently in the Zoning Bylaw.

The report presented with the introduction of Bylaw 1053 indicated that Council was interested in creating a moratorium on *VR-2* uses, and that the definitions for both *VR-1* and *VR-2* were being reviewed and updated to create a clearer picture of what these designations exactly allowed.

#### Current Zoning Bylaw

The vacation rental definition of *VR-1* and *VR-2* have been tweaked by various amending bylaws since Bylaw 1053. The Current *Vacation Rental VR-2* use is defined in the Zoning Bylaw, which reads as follows:

*“Vacation Rental” means the use of an otherwise residential dwelling unit for commercial tourist accommodation, provided in accordance with Section 406 of this Bylaw;*

With Section 406 being defined as follows:

#### *“406 VACATION RENTALS*

*406.1 Where a Zone specifically includes Vacation Rental (VR-1) or Vacation Rental (VR-2) as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the vacation rental:*

- (1) The “VR-1” designation restricts the commercial tourist accommodation as:*



- (a) *accessory to a permanent residential use and administered by the full-time and present resident occupying at least sixty percent (60%) of the principal building;*
- (b) *occupying a maximum of two (2) secondary suites; and*
- (c) *occupying a maximum of forty percent (40%) of the principal building on the lot, and no part of an accessory building or structure.*

*(2) The "VR-2" designation permits the commercial tourist accommodation to be either an accessory use or a principal use, as follows:*

- (a) *If accessory, the VR-1 provisions of section 406.1(1) apply fully; and*
- (b) *If principal,*
  - i. *only one dwelling unit per lot that is not a secondary suite may be used for commercial tourist accommodation;*
  - ii. *a secondary suite, if present, must only be used for residential use.*

*(3) A Vacation Rental must not be located within a building or on a lot that includes a Daycare Centre or other Community Care Facility.*

*406.2 For greater certainty, notwithstanding other provisions of this Bylaw:*

- (1) VR-1 uses are permitted within single family dwellings and duplexes (including their secondary suites), but are not permitted in multiple family residential buildings;*
- (2) VR-2 uses are permitted within single family dwellings only, but are not permitted in duplexes, or multiple family residential buildings, or the secondary suite(s) of a single-family dwelling; and*
- (3) Bed and Breakfasts, Guest Houses, Guest Cottages, Guest Rooms, Hostels, Hotels, Motels, Mixed Commercial/Residential, and Resort Condo are, or may include, other commercial tourist accommodation and are regulated separately under this Bylaw.*

*406.3 A valid District of Ucluelet Business License is required in order to register a vacation rental.*

*406.4 Off-street parking must be provided in accordance with Division 500."*

Both *Vacation Rental (VR-1)* and *Vacation Rental (VR-2)* uses have been contemplated for future development in the zoning bylaw in both the CD-5 and CD-6 zones. The specific lots for these potential VR-1's and VR-2's have not been created yet, but the zoning would permit these vacation rental uses on lots in future subdivisions within the CD-5 and CD-6 zones.

### Short Term Rentals

Council directed Staff in 2016/2017 to review and develop a strategy for achieving bylaw compliance among illegal Short-Term Rentals (**STR**). Additional resources were added to increase bylaw investigation and enforcement in this area. This effort has revealed many instances where entire homes were being rented out as STR's, contrary to the Zoning Bylaw. Staff have been contacting these owners to relay that they are in contravention of the Ucluelet Zoning Bylaw and Business Bylaw. These illegal STR's have developed from many origins or situations. Some of the examples or shades of this STR rental model are as follows:

- An owner is living in the suite and renting out the house;
- An owner is renting the home out on weekends while living in the home weekdays;
- An owner is renting the home while working out of the community and living in the home while not working;

- An owner is spending summer living in the home and renting it over the winter while traveling; and,
- An owner of multiple homes is renting these homes as STR's without spending any substantial time in Ucluelet.

**DISCUSSION:**

STR's are prevalent in most of Ucluelet's residential neighborhoods. They may allow homeowners to offset their mortgages and may offer a unique accommodation option for visitors. They may increase property values and encourage land development. STR's in residential neighborhoods are not without drawbacks as the vacationing occupants of STR's can cause noise and other disturbances. The addition of a STR in the zoning of a property can add value to the land, which is a positive for the current land owner, but can also make the property less affordable.

**Forms of Short Term Rentals**

There are various forms of STR's in residential settings. There is a Bed and Breakfast, Guest House, Vacation Rental (VR-1) and Vacation Rental (VR-2). The applicant is requesting Vacation Rental (VR-2) which allows the following SFD, VR and Secondary Suite (SS) configurations:

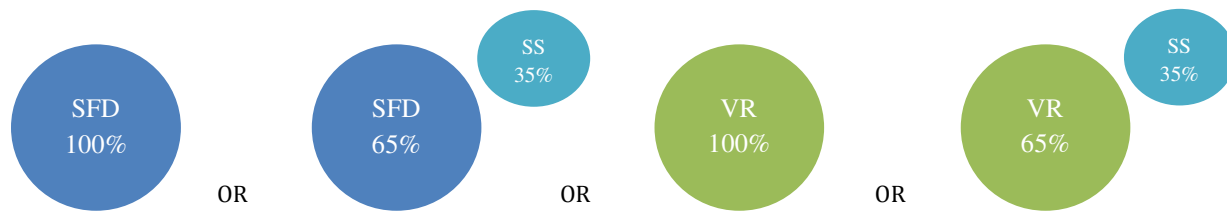


Figure 3 - Bubble Diagram for permitted uses under VR-2

As indicated above, a VR-2 can be used as a SFD, a SFD with a SS (if a SS is allowed in the zone), a standalone VR in the entire house or a standalone VR in the entire house with a secondary suite. It is important to note that under this designation both SFD and SS require a full time and permanent resident while VR does not. For contrast the following are the possible configurations for VR-1 use:



Figure 4 - Bubble Diagram for permitted uses under VR-1

Here it is important to note that at no time is the vacation rental use allowed without a full-time resident within the SFD.

The property's current zoning allows the following:

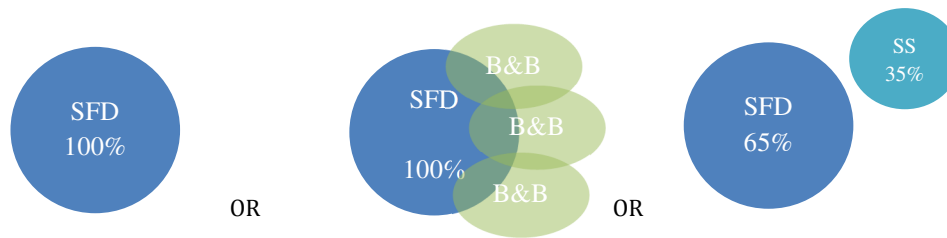


Figure 4 – Bubble Diagram for permitted uses under CD-2A.1

The subject lot is currently built out as a SFD with SS. A secondary suite (housing a long-term tenant) can be considered to have a relatively low impact to the neighborhood whereas a VR-1, with two suites, or a standalone VR-2, could be expected to have a higher impact. A VR-2 use with no permanent residential component would have the biggest impact to the neighborhood as there would be no responsible person present on the property who could be expected to control any noise or disturbance arising from the STR use.

The subject property is already developed with a SFD and a SS and the applicant has stated that they will only rent out the SFD when they travel, and will continue to offer the SS as a full-time rental. It is important to consider that the SS is built and exists as long-term rental accommodation, making it unlikely that there will be no full time residential component on the property if the applicant is successful with this rezoning. This larger waterfront SFD would offer something unique to the accommodation sector and it is not a housing form within Ucluelet's housing inventory which is commonly seen as a legal short-term rental.

#### VR-2 Zone

Elements of the VR-2 are comparable to VR-1 in many ways. The VR-1 use allows for two suites at 20% of building area (40% of SFD) whereas the VR-2 use can have 65% of the SFD as VR with a possible 35% SS. The difference to the to the community between a single group renting 65% of a SFD vs two groups renting two suites, at 20% each, of a SFD is negligible. The difference between the residential component at 65% of the home in a VR-2 use vs 35% of the SFD as a SS is again negligible. The community is currently in the need of Staff type housing and the smaller space of the SS may be more in line with what the community needs. The element of the VR-2 zone that has the most negative impact with the least benefit would be standalone vacation rental use with no full time residential component. This element could lead to empty streets and uncontrolled commercial use in a residential context. If Council was to support this application Planning Staff would strongly suggest that Council consider removing the standalone vacation rental use of a single-family home as an allowable use moving forward.

#### **TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Should the application proceed, staff time will be required to prepare and process this Zoning Bylaw Amendment including giving notice of a Public Hearing.

#### **FINANCIAL IMPACTS:**

There is no direct financial impact to District operations as a result of this zoning amendment. It should be noted that as with other Bed and Breakfasts and Vacation Rentals with less than 4 units, the subject property as a VR-2 would not be required to pay into the 2% Municipal and Regional District Tax (MRDT). An indirect impact of adding the VR use to this or other properties could be the further inflation of property values.

**POLICY OR LEGISLATIVE IMPACT:**

The area including the subject property is designated within the Official Community Plan (the “OCP”) proposed land use map as Comprehensive Development (**CD**) which contemplates components of Vacation Rental uses and as such this application could be considered consistent with the OCP.

**SUMMARY:**

The subject property has an existing built form which includes a secondary suite, which retains a residential component on the property. This proposal would offer something unique to Ucluelet’s visitor accommodation sector. Planning Staff also consider that, given the location, this proposal would likely result in minimal impact to the neighborhood. That being said, the current lack of long-term housing availability, the STR strategy currently being implemented, and the current bylaw enforcement of illegal VR-2 type STR’s (entire homes) are important elements of the current context to the request to rezone this property. The historical context where the VR-2 use was considered by Council and subsequently removed is also an important element to consider. Given the current housing challenges, from a community perspective the subject lot is currently in the optimum housing form as a SFD with SS and therefore staff recommend that this application not proceed at this time.

Should Council support the application proceeding at this time, staff recommend that the zoning amendment bylaw include a clause to remove the use of a standalone single-family dwelling as a short-term vacation rental within the VR-2 designation.

The role and impact of vacation rentals is very much a current and evolving issue within the community of Ucluelet. As noted below, a further option is to table this application until the District’s housing policies have perhaps been clarified as the current OCP review and Short Term Rental Strategy progress further.

**OPTIONS REVIEW:**

1. That the request to Amend Zoning Bylaw No. 1160, 2013 to change the principle use on Lot 2, Plan VIP80321, District 09 (506 Marine Drive) from Single Family Dwelling to Vacation Rental VR-2 not proceed further. (**Recommended**);
2. That Staff be directed to prepare a bylaw amendment which, if adopted, would achieve the requested designation of Vacation Rental VR-2 as a principal use on the subject property and remove the standalone vacation rental use from the zoning bylaw;
3. That Staff be directed to prepare a bylaw amendment which, if adopted, would achieve the requested designation of Vacation Rental VR-2 as a principal use on the subject property;
4. That Council table the current request to seek further information from the applicant; or,
5. That Council table the current request until such time as the Short Term Rental strategy and/or review of District housing policies results in a clear direction on stand-alone STR’s in single family neighbourhoods.

**Respectfully submitted:** John Towgood, Planner 1  
Bruce Greig, Manager of Planning  
Mark Boysen, Chief Administrative Officer

## Appendix A

November 19, 2017

To Mayor and Council & Planning

Hand delivered

RE: rezoning application for 506 Marine Drive to VR2 – vacation rental

To whom it may concern,

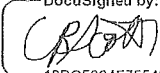
We are wishing to apply for VR2 a zoning that is currently enjoyed by two of the neighbours in our block as lawful non-conforming. We rent our secondary suite on a full-time basis and are happy to continue doing so. We are finding the costs of maintaining our home more and more cumbersome as we age.

We currently pay \$1000.00 per month for property taxes and \$500.00 per month for insurance and wish to travel more as we get on in life. Carl will be 72 and Judy will be 60. We love our home and enjoy having large family gatherings. If we were able to offer our home for rental while we travel then we would be better able to afford to keep our place and work less. We do not want to sell our home.

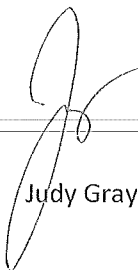
As a growing tourist community there is more need for this type of occasional accommodation. We have been living with two homes with this zoning and the Ridge complex across the street for the past nine years. We have not had any reason to complain about noise or nuisance and do not believe the occasional rental of our home will be of any nuisance. This neighbourhood is mixed already, and we very much enjoy living here with this mix.

We thank-you for consideration of our application.

Best to you,

DocuSigned by:  
  
18BC5304E755422...

Carl Scott



Judy Gray

**DISTRICT OF UCLUELET****Zoning Bylaw Amendment Bylaw No. 1242, 2019**

A bylaw to amend the District of Ucluelet Zoning Bylaw (506 Marine Drive).

---

**WHEREAS** Section 479 and other parts of the *Local Government Act* authorize zoning and other development regulations;

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

**1. Text and Map Amendment:**

Schedule B of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding the following section CD-2A.1.7 in alphanumerical order, as follows:

“CD-2A.1.7 The following uses are permitted on Lot 2, District Lot 281, Clayoquot District, Plan VIP80321 (PID 026-566-435, 506 Marine Drive):

(1) Principal:

*(a) Single Family Dwelling*

*(b) Vacation Rental (VR-2)*

(2) Secondary:

*(a) Home Occupation*

*(b) Secondary Suite”*

2. This bylaw may be cited as “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019”.

**READ A FIRST TIME** this **26<sup>th</sup>** day of **March**, 2019.

**READ A SECOND TIME** this **26<sup>th</sup>** day of **March**, 2019.

**PUBLIC HEARING** held this **30<sup>th</sup>** day of **April**, 2019.

**READ A THIRD TIME** this     day of     , 2019.

**ADOPTED** this     day of     , 2019.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1242, 2019.”

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Mayco Noël  
Mayor

---

Mark Boysen  
Corporate Officer

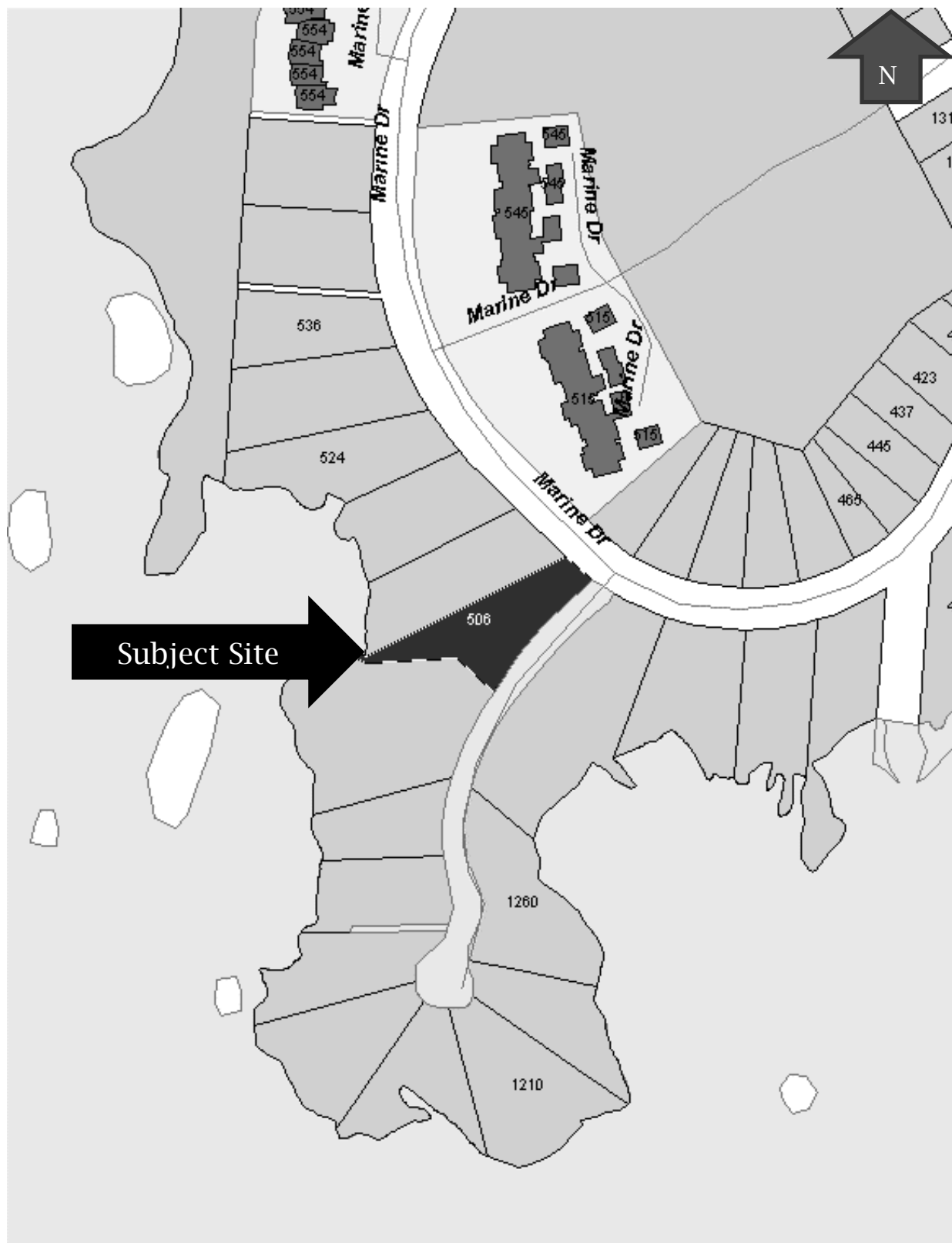
**THE CORPORATE SEAL** of the District of Ucluelet was hereto affixed in the presence of:

---

Mark Boysen  
Corporate Officer



**SCHEDULE 'A'**  
**Bylaw No. 1242, 2019**







## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** MARLENE LAGOA, MANAGER OF CORPORATE SERVICES

**FILE NO:** 3900-25

**SUBJECT:** SINGLE-USE PLASTICS BYLAW – 3<sup>RD</sup> READING

**REPORT NO:** 19-61

**ATTACHMENT(S):** APPENDIX A – PUBLIC COMMENTS RECEIVED BY MAY 8, 2019  
APPENDIX B – BYLAW NO. 1247, SINGLE-USE PLASTIC REGULATION

### **RECOMMENDATION(S):**

1. **THAT** the “District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019” be given third reading.

### **PURPOSE:**

The purpose of this report is for Council to consider giving third reading to the “District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1247, 2019”. Staff recommend that Council provide an opportunity for affected parties to be heard during the meeting and before third reading.

### **BACKGROUND:**

Staff have been working closely with the District of Tofino in the development of a west coast single-use plastic regulation that bans the distribution of single-use checkout plastic bags and plastic drinking straws.

At the March 26, 2019 Regular Meeting of Council, a draft of the “the “District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1247, 2019” was considered by Council. Council adopted the following resolutions:

1. *THAT Council give first reading to the “District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019”.*
2. *THAT Council direct staff to obtain stakeholder feedback prior to second reading and schedule an opportunity for representations to Council prior to third reading.*

At the April 23, 2019 Regular Council Meeting, an amended draft of the bylaw was considered by Council and received second reading. Section 4(4) in the draft Bylaw was amended to allow businesses to distribute (free of charge) reusable bags that have been donated and are made from 100% recycled materials. This amendment is specific to the west coast region and Surfrider’s Stitch n Beach Program.

### **DISCUSSION:**

The written public input received to date on Bylaw No. 1247 is attached as Appendix A. Staff also received verbal feedback from a local business owner.

Public feedback received since the last report (presented April 23, 2019) include:

- Challenge in locating a paper straw for bubble tea;
- Asking customers if they “brought a bag” instead of if they “need a bag”; and
- Providing an exemption for plastic bags originally used in the packaging of wholesale products to be reused by customers.

The partners on the west coast single-use regulations bylaw discussed the feedback received at length and does not recommend any further amendments to the bylaw at this time. Surfrider will be reaching out to Thay Tea to assist them in finding alternatives to a single-use plastic straw for bubble tea.

#### **TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

The timeline for adoption and enforcement of Bylaw No. 1247 is as follows:

- May 28, 2019: Adoption of Bylaw
- June 8, 2019: Date Bylaw comes into force, except for enforcement provisions (i.e. fines)
- Summer/Fall 2019: Conduct public awareness and education on Bylaw
- January 1, 2020: Date Bylaw enforcement provisions comes into effect (i.e. fines)

Please note, the timeline may be delayed if Council wished to amend the bylaw at this time.

#### **FINANCIAL IMPACTS:**

After further discussion, the partners have decided not to seek a legal review of the bylaws.

The costs of communicating the new Bylaw, including ads in the Westerly News and on Facebook, is \$1,000 to be funded from the Corporate Services Department’s advertising budget.

#### **POLICY OR LEGISLATIVE IMPACTS:**

Before adopting a bylaw under section 8 (6) [business regulation] of the *Community Charter*, Council must provide an opportunity for persons who consider they are affected by the bylaw to make representations to council.

The impacts of adopting the Bylaw include:

- As of June 8, 2019, setting minimum fees of \$0.25 for paper bags and \$2.00 for reusable bags.
- As of January 1, 2020, begin enforcement of fines with \$100 for the first offence (reduction to \$75 if paid within 7 days) and \$200 for the second and any subsequent offences.

#### **OPTIONS REVIEW:**

1. **THAT** the “District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019” be given third reading. **(Recommended)**
2. **THAT** Council make amendments to Bylaw No. 1247 and give third reading to the “District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019” as amended.
3. **THAT** Council provide alternative direction to staff.

**Respectfully submitted:** Marlene Lagoa, Manager of Corporate Services  
Mark Boysen, Chief Administrative Officer

## Appendix A

**From:** [REDACTED]  
**To:** [Marlene Lagoa](#)  
**Cc:** [REDACTED]  
**Subject:** From Sharryn Modder-owner of Thay tea  
**Date:** May 6, 2019 1:49:58 PM

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heya, reaching out to you about paper straws. I cannot source a paper straw for our bubble tea. I did find one from China, but it falls apart after a couple of minutes. I can get those but am wondering if there is any exemption to the bylaw? I've talked to a few suppliers and they figure as more and more municipalities turn to paper straws, they will be more readily available, but not yet. I did try Sysco and GFS. They Sysco one is too small for the bubbles. GFS doesn't have one but can order from china as well.



**DISTRICT OF UCLUELET**  
**BYLAW NO. 1247, 2019**

A bylaw to regulate distribution of single-use plastic items by businesses.

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**WHEREAS** the *Community Charter* authorizes a council to regulate in relation to business;

**AND WHEREAS** the District of Ucluelet Council wishes to promote responsible and sustainable business practices that are consistent with the values of the community;

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

**1. Citation**

This bylaw may be cited for all purposes as the “District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1247, 2019.”

**2. Definitions**

In this bylaw:

“Checkout Bag” means:

- (a) any bag that is intended for the purpose of transporting items received by a customer from a Business;
- (b) and includes Paper Bags, Plastic Bags, or Reusable Bags;

“Business” means any person, organization, or group engaged in a trade, business, profession, occupation, calling, employment or purpose that is regulated under the Business Licence Regulation Bylaw and, for the purposes of section 3, includes a person employed by, or operating on behalf of, a Business;

“Drinking Straw” means a tube used to transfer a beverage from a container to the mouth of the individual drinking the beverage by suction;

“Reusable Bag” means a bag with handles that is for the purpose of transporting items purchased by the customer from a Business and is designed and manufactured to be capable of at least 100 uses;

“Small Paper Bag” means any bag made out of paper that is less than 15 centimetres by 20 centimetres when flat;

“Paper Bag” means a bag made out of paper, but does not include a Small Paper Bag;

“Plastic Bag” means any bag made with plastic, including biodegradable plastic or compostable plastic, but does not include a Reusable Bag;

“Plastic Drinking Straw” means a straw made primarily of plastic, including biodegradable or compostable plastic.

### 3. Regulation

- (1) Except as provided in this Bylaw, no Business may provide a customer with any of the following items:
- (a) Checkout Bag;
  - (b) Plastic Drinking Straw.
- (2) A Business may provide a Checkout Bag to a customer only if:
- (a) the customer is first asked whether they need a bag;
  - (b) the bag provided is a Paper Bag or a Reusable Bag; and
  - (c) the customer is charged a fee not less than:
    - (i) \$0.25 per Paper Bag; and
    - (ii) \$2.00 per Reusable Bag.
- (3) For certainty, no Business may:
- (a) sell or provide to a customer any of the items listed in section (1) except as provided by this Bylaw; or
  - (b) provide a Checkout Bag to a customer free of charge.
- (4) No Business shall deny or discourage a customer from using their own Checkout Bag or drinking straw.

### 4. Exemptions

- (1) Section 3 does not apply to Small Paper Bags or Plastic Bags used to:
- (a) package loose bulk items such as fruit, vegetables, nuts, grains, and candy;
  - (b) package loose small hardware items such as nails and bolts;
  - (c) contain or wrap frozen foods, meat, poultry, or fish, whether pre-packaged or not;
  - (d) wrap flowers or potted plants;
  - (e) protect prepared foods or bakery goods that are not pre-packaged;
  - (f) contain prescription drugs received from a pharmacy;
  - (g) protect linens, bedding, or other similar large items that cannot easily fit in a Reusable Bag;
- (2) This bylaw does not apply to the sale of Plastic Bags intended for use at the customer's home or business, provided that they are prepackaged and sold in packages of multiple bags.
- (3) This bylaw does not apply to the sale of Plastic Drinking Straws intended for use in the customer's home, provided they are sold in packages of multiple straws.
- (4) Notwithstanding section 3(2) and 3(3), a Business may provide a Checkout Bag without asking and free of charge if the bag has been donated to the Business for the purpose of being reused by other customers, and:
- (a) the bag has already been used by a customer, or
  - (b) in the case of a Reusable Bag, the bag is made from 100% recycled materials.



## 5. Offence

- (1) A person commits an offence and is subject to the penalties imposed by this bylaw, and the Offence Act if that person:
- (a) contravenes a provision of this bylaw;
  - (b) consents to, allows, or permits an act or thing to be done contrary to this bylaw; or
  - (c) neglects or refrains from doing anything required by a provision of this bylaw.
- (2) Each day that a contravention of a provision of this bylaw occurs or continues shall constitute a separate offence.

## 6. Enforcement

- (1) Bylaw Enforcement Officers of the District of Ucluelet are responsible for the enforcement and administration of this Bylaw.
- (2) For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following:
- (a) Chief Administrative Officer or his designate;
  - (b) Bylaw Enforcement Officer or his designate or
  - (c) Manager of Community Planning or his designate.
- (3) No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out his or her duties as prescribed in this bylaw. The Bylaw Enforcement Officer is authorized and empowered to inspect, compel and require that all the regulations and provisions in this bylaw are carried out.
- (4) Every person who contravenes any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfil, observe, carry out, or perform a duty or obligation imposed by this bylaw, shall be deemed to have committed an offence against this bylaw and:
- (a) shall be liable to a fine set out in "Schedule A" attached hereto and forming part of this bylaw, as amended from time to time; or
  - (b) shall be liable to a penalty set out in the "Municipal Ticket Information System Bylaw No. 949, 2004" as amended from time to time; or
  - (c) shall be liable, upon summary conviction, to the penalties provided under the "Offence Act" and amendments thereto; or
  - (d) any combination of subsection (4) (a), (b), and (c).
- (4) The intent of this Bylaw is to set standards of general public interest, and not to impose a duty on the District of Ucluelet or its employees to enforce its provisions and:
- (a) A failure to administer or enforce its provisions or the incomplete or inadequate administration or enforcement of its provisions is not to give rise to a cause of action in favour of any person; and
  - (b) The grant of any approval or permission or issuance of any permit is not a representation, warranty or statement of compliance with the Bylaw and the

issuance thereof in error is not to give rise to a cause of action.

**7. Severability**

If any provision of this Bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed and its severance shall not affect the validity of the remainder of the Bylaw.

**8. Effective Date**

This Bylaw shall come into force and effect on June 8, 2019, except section 5 which comes into force January 1, 2020.

**READ A FIRST TIME** this 26<sup>th</sup> day of **March, 2019.**

**READ A SECOND TIME** this 23<sup>rd</sup> day of **April, 2019.**

**READ A THIRD TIME** this     day of     , **2019.**

**ADOPTED** this this     day of     , **2019.**

**CERTIFIED A TRUE AND CORRECT COPY** of the “District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1247, 2019.”

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Mayco Noël  
Mayor

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Mark Boysen  
Corporate Officer

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

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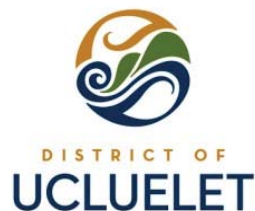
Mark Boysen  
Corporate Officer

**SCHEDULE "A"**  
**Fines and Penalties**

Fines for tickets issued pursuant to this Bylaw shall be as follows:

<b>Description of Offence</b>	<b>Section #</b>	<b>Fine - 1<sup>st</sup> Offence</b>	<b>Fine - if paid within 7 days</b>	<b>Fine - 2<sup>nd</sup> and Each Subsequent Offence</b>
Providing a Checkout Bag to a customer except as provided in the bylaw	3(1)(a)	\$100	\$75	\$200
Providing a Plastic Drinking Straw to a customer except as provided in the bylaw	3(1)(b)	\$100	\$75	\$200
Denying or discouraging customer's own Checkout Bag or Drinking Straw.	3(4)	\$100	\$75	\$200





## STAFF REPORT TO COUNCIL

Council Meeting: MAY 14, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** MARLENE LAGO, MANAGER OF CORPORATE SERVICES

**FILE NO:** 3360-20-RZ17-04

**SUBJECT:** ZONING AMENDMENT, HOUSING AGREEMENT & DVP (354 FORBES ROAD)    **REPORT NO:** 19-62

**ATTACHMENT(S):** APPENDIX A – STAFF REPORT DATED APRIL 9, 2019

APPENDIX B – DRAFT *UCLUELET ZONING BYLAW AMENDMENT BYLAW No. 1248, 2019*

APPENDIX C – DRAFT *UCLUELET HOUSING AGREEMENT BYLAW No. 1249, 2019*

APPENDIX D – DVP19-03 PERMIT

### **MOTION:**

1. **THAT** Council, with regard to the proposal to renovate the building on Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road) and request for zoning amendments to permit *commercial tourist accommodation* on the property:
  - a. give third reading to the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1248, 2019”;
  - b. give third reading to the “Ucluelet Housing Agreement Bylaw No. 1249, 2019”; and
  - c. issue Development Variance Permit DVP19-03 to vary the following aspects of the Eco-Industrial Park (CD-1) zoning regulations for the existing building:
    - i. reduce the side yard setback per CD-1.6.1(3) on the south side from a minimum of 5m to 1.22m;
    - ii. reduce the rear yard setback per CD-1.6.1(3) from a minimum of 6m to 4.05m;
    - iii. reduce the parking setback per 503.2(1) from a minimum of 3m to 1.5m, subject to the owner installing the proposed landscaped screening within the reduced setback area;
    - iv. increase the permitted building height per CD-1.5.1(4) from a maximum of 12m to 12.95m; and,
    - v. waive the requirement per 602.1(1) for screening of waste and recycling bins, located at the rear of the building;

### **PURPOSE:**

The purpose of this report is to advance Bylaws No. 1248 & 1249 to third reading and consideration of issuing a Development Variance Permit.

### **BACKGROUND:**

The Bylaws received first and second reading at the April 9, 2019 Regular Council Meeting and was the subject of a Public Hearing on April 30, 2019. Upon closure of the Public Hearing, Council is in a position to consider third reading of the bylaw.

Attached to this report is the previous staff reports. The Minutes of the Public Hearing is attached to the May 14, 2019 Regular Council Agenda.

**OPTIONS REVIEW:**

Alternatively, Council has the following options:

2. **THAT** Council make amendments to Bylaw No. 1248 and give third reading to the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1248, 2019” as amended.
3. **THAT** Council make amendments to Bylaw No. 1249 and give third reading to the “Ucluelet Housing Agreement Bylaw No. 1249, 2019” as amended.
4. **THAT** Council defer issuance of a Development Variance Permit until the applicant provides an updated development proposal based on the changes indicated by Council.
5. **THAT** Council provide alternative direction to staff.

**Respectfully submitted:** Marlene Lagoa, Manager of Corporate Services  
Bruce Greig, Manager of Community Planning  
Mark Boysen, Chief Administrative Officer



## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 9, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

**FILE NO:** 3360-20-RZ17-04

**SUBJECT:** ZONING AMENDMENT APPLICATION –  
PACIFIC RIM CHARTERS & GUEST LODGE (354 FORBES ROAD)

**REPORT NO:** 19-42

**ATTACHMENT(S):** APPENDIX A – ADDITIONAL APPLICATION MATERIALS  
APPENDIX B – STAFF REPORT FROM OCTOBER 9, 2018  
APPENDIX C – UCLUELET ZONING AMENDMENT BYLAW No. 1248, 2019  
APPENDIX D – UCLUELET HOUSING AGREEMENT BYLAW No. 1249, 2019

### **RECOMMENDATION(S):**

1. **THAT** Council, with regard to the proposal to renovate the building on Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road) and request for zoning amendments to permit *commercial tourist accommodation* on the property:
  - a. give first and second readings to Ucluelet Zoning Amendment Bylaw No. 1248, 2019;
  - b. give first and second readings to Ucluelet Housing Agreement Bylaw No. 1249, 2019;
  - c. indicate support, subject to public comment, to issue a Development Variance Permit to vary the following aspects of the Eco-Industrial Park (CD-1) zoning regulations for the existing building:
    - i. reduce the side yard setback per CD-1.6.1(3) on the south side from a minimum of 5m to 1.22m;
    - ii. reduce the rear yard setback per CD-1.6.1(3) from a minimum of 6m to 4.05m;
    - iii. reduce the parking setback per 503.2(1) from a minimum of 3m to 1.5m, subject to the owner installing the proposed landscaped screening within the reduced setback area;
    - iv. increase the permitted building height per CD-1.5.1(4) from a maximum of 12m to 12.95m; and,
    - v. waive the requirement per 602.1(1) for screening of waste and recycling bins, located at the rear of the building;
  - d. direct staff to give notice of a public hearing to receive comment on the requested bylaws and Development Variance Permit.

### **BACKGROUND:**

Council received a report on the past uses and current request to rezone the property at 354 Forbes Road at its October 9, 2018, meeting. The full background on this application is attached in the staff report presented at that meeting (see **Appendix B**). Following discussion, Council passed the following motion:

1 |

***“THAT Council indicate support for the concept of adding 12 commercial tourist accommodation rooms and a minimum of 6 staff housing units as permitted uses on the property at 354 Forbes Road and:***

- a. indicate to the applicant that detailed building, site, and landscape plans are required to show the impact of the proposal on the surrounding industrial lands, public streetscape and park land;*
- b. indicate that adoption of a zoning amendment bylaw would be subject to the following:*
  - i. the owners first obtaining a building permit, then completing the necessary building renovations to bring the building up to code and finally obtaining an occupancy permit to clarify that the building is safe for its intended use;*
  - ii. the owners entering into a Housing Agreement to ensure that the employee housing units are occupied by seasonal or long-term resident workers;*
  - iii. to owners providing a restrictive covenant to ensure the provision of staff housing and that occupancy of the guest accommodation units is tied to the ongoing operation of a fishing guide business from the property; and,*
- c. once a complete set of rezoning plans has been submitted by the owners, direct staff to prepare the zoning amendment and housing agreement bylaws for consideration by Council at a future meeting.”*

The owners of Pacific Rim Charters, Glenn and Dianna Kaczmar, have now submitted the necessary plans prepared under the guidance of their architect (see **Appendix A**). Accordingly, staff have drafted Zoning Amendment Bylaw No. 1248 and Housing Agreement Bylaw No. 1249 for Council consideration.

#### **DISCUSSION:**

##### **A. Building Plans and Proposed Uses:**

The October 2018 staff report discussed the pros and cons of locating tourist accommodation within a light industrial area, and noted the context of this particular site and the integration of accommodation with the existing fishing charter business:

*“... the use of the property for the storage and maintenance of boats for the fishing charter business is a permitted and valid use of this industrial property. The tourist accommodation is proposed to be co-located on property as an integrated part of the business. This lends support for the proposal that a standalone motel, for example, would not enjoy. Generally the community value of having adequate land designated for industrial uses comes from the support it provides for businesses and the jobs they create. The proposed tourist accommodation use would see the continued use of the property to support the fishing guide business. Staff are recommending that if approved on this basis, a restrictive covenant would be appropriate to ensure that the tourist accommodation remains as an integrated component of a fish guiding business, and is also only operated if the staff housing is provided as proposed.”*

The plans now submitted show a section of the building being removed to create a courtyard separating the existing house / office portion from the building which contained workshop space, storage and guest suites. The plans show new stairs built to service the guest rooms (providing multiple points of egress) and the ground level is now shown with 9 potential future staff accommodation residential units. A vehicle / boat storage space is still shown located at the rear of the building, but overall the majority of the floor area is proposed to be used for accommodation purposes of one sort or another. Adding staff accommodation could be a positive step in providing



needed housing in the community; at the same time, staff note that this proposal essentially removes light industrial uses from the property. The owner notes that the staff accommodation could serve to support other local businesses including light industrial use on nearby properties – including the neighbouring lots which are under the same ownership. On balance, the addition of staff accommodation units could be a positive and pragmatic addition if this building is to be renovated for the purpose of the requested tourist accommodation use. Staff consider that other compatible light industrial uses of the lower floor of the building are also possible and would in the long term be the preferred pattern of land use for the diversity of the local economy.

Staff note that the applicant has submitted letters of support from neighbouring residents (see **Appendix A**).

A number of variances are being requested to reflect the size and location of the existing building. Staff note that the encroachments within zoning setbacks are primarily at the side and rear of the building, and given the location next to Tugwell Field will not likely impact neighbouring properties. The parking setback variance is reasonable if the proposed landscaping is installed in the reduced setback area. Subject to public comment, staff can recommend support for the requested variances for this proposal.

#### B. Housing Agreement Bylaw:

Ucluelet Housing Agreement Bylaw No. 1249, 2019, would authorize the District to enter into a housing agreement with the property owner. This would be registered on title and govern the use and occupancy of the staff accommodation units (i.e. to ensure that these units can not be used for short-term rentals). The owners are proposing that constructing the staff accommodation units would be started within three years, with all units available for occupancy within 5 years. If this commitment is part of the consideration for adopting the requested zoning bylaw, it can be ensured by covenant as indicated in the October 9, 2018, Council motion.

#### C. Process:

As noted previously, approval of the requested zoning amendment is the first step toward bringing the building and property uses in compliance with the municipal bylaws and provincial code. The owner has now provided zoning-level drawings showing the location of all intended uses within the building, access, parking and landscaping. Improved landscaping and screening along the Tugwell Field and Forbes Road edges of the property are shown at a conceptual level. Security to ensure completion of the proposed landscaping can be included with the covenant which will be brought forward to Council prior to adoption of the rezoning bylaw.

Should the rezoning bylaw proceed through the steps of a public hearing and receive third reading (often considered approval in principle), the owners could then obtain a building permit and complete the necessary building alterations. Once the building was renovated, certified as safe for its intended use and an Occupancy Certificate were issued, then the bylaw would return to Council for final adoption. At that point, the District could issue a business licence for the tourist accommodation component of the Pacific Rim Fishing Charters and Guest Lodge business.

The existing guest accommodation suites are to remain unoccupied until the municipality issues a Certificate of Occupancy. Therefore, staff again recommend that the owners make alternative arrangements for accommodating their guests for the 2019 season.

Should the requested rezoning not proceed, the building will remain posted with “do not occupy” notices. The owners would then need to decide whether to re-purpose the building for a different use (with the necessary building permits, of course), demolish the building, or leave it vacant.

**FINANCIAL IMPACTS:**

A building permit fee would be charged based on the construction value. The value of the property would be expected to increase with the proposed improvements, and additional commercial tax assessment would result. Water and sewer fees would be collected based on metered usage. These additional revenues are expected to offset the incremental increase in municipal services and infrastructure.

The Forbes Road light industrial area currently enjoys an exemption from the collection of Development Cost Charges.

**OPTIONS REVIEW:**

Per the recommended motions listed at the start of this report, staff suggest that Council give initial readings to the attached bylaws and advance the application to a public hearing to gather views on the requested change of use proposed by this application. Alternatively, Council could consider the following options:

2. **THAT** Council defer consideration of the rezoning application for the property at 354 Forbes Road at this time.
3. **THAT** Council reject the rezoning application for the property at 354 Forbes Road at this time, and indicate to the owners that obtaining a certificate of occupancy is required before the unauthorized guest suite addition area of the building can be occupied for any use.

**Respectfully submitted:** Bruce Greig, Manager of Community Planning  
John Towgood, Planner 1  
Mark Boysen, Chief Administration Officer



**RAYMOND  
de BEELD  
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March 31, 2019

**354 Forbes Road – Rezoning/ Development Permit Rationale**

**Project Deficiency Upgrade Phasing**

- As outlined in our July 19, 2018, 2012 BC Building Code Draft Review summary, the following work is proposed to deal with various building code deficiencies.
  - Phase 1:
    - Demolition of +/-2,100 ft<sup>2</sup> building area on L1 (former marine shop F2 occupancy), and +/-2,700 ft<sup>2</sup> non code compliant mezzanine (height and storey exemption).
    - Divide building into two buildings which resolves building code building classification and area limits. The building is permitted to be connected by up to a 9.0m elevated walkway (deck):
      - Building 1: single family residence (SFD), 3 vehicle/ boat garage, and fishing charter office.
      - Building 2: 12 unit guest house, 9 unit staff housing, and boat/ vehicle garage.
    - Building 2: add exterior walkways and egress stairs to provide 2 means of egress from L2 and L3.
    - Building 2: correction of guardrails/ handrails.
    - Building 2: correction of various interior deficiencies on L2 and L3
    - Building 2: removal of boat repair/ maintenance (F2 occupancy).
    - Building 2: building shell only of L1 (no occupancy)
    - Building 2: completion of fire rated gypsum wallboard on L1 to loadbearing walls and ceilings.
    - Building 2: addition of interconnected smoke alarms on L1 to hallways on L2 and L3.
    - Building 1 & 2: bridge/ deck connection and non combustible cladding between buildings, including fire rated gypsum wall board of Building L1 east exterior wall.
    - Intended completion of Phase 1 mid June 2019.
  - Phase 2:
    - Building 2: Completion of 'Tenant Improvement' for 9 staff housing units including occupancy of L1.
    - Building 2: exterior cladding of south wall for spatial separation to property line (no parkland structures anticipated in short term or future).
    - Building 2: Full enclosure of L1 east end vehicle/ boat storage with overhead door.
    - Building 1: Upgrade existing fishing charter/ guest house admin washroom to accessible standards.
    - Landscaping and on site works including courtyard, street landscape buffer, decorative concrete works/ curbing, precast wheel stops, etc.
    - Landscaping off site works (beautification of berm on adjacent park property, as part of an amenity contribution).
    - Intended completion of Phase 2 as per Owner memo to City as mutually agreed.

**Permitted Uses Variance:**

- **Requirement:** Single family dwelling.
- **Provided:** Single family dwelling, fishing charter tourist operations (including admin office and boat/trailer storage), tourist accommodation, and staff housing (for fishing charter business and potentially rental to other tourist operators).
- **Variance:**
  - existing tourist accommodation on upper floors.
  - future staff housing .
- **Rationale:**
  - immediately next to Tugwell Field park.
  - No industrial noises, sights, and smells anticipated from property operations.
  - Upgrade in landscaping and recreational/ social outdoor areas for benefit of guests and staff.
  - Large south facing decks for guests away from activity of industrial uses/ parking below.
  - Raised deck and suites overlooking industrial area for 'eyes on the street' of adjoining properties providing neighbourhood security.
  - Owner/ operator on lives onsite for management/ security of facility.
  - Housing agreement to be provided for staff housing

**Side Yard (South) Building Setback Variance:**

- **Requirement:** min. 5.0m.
- **Provided:** 1.22m building; 0.61m L2 deck.
- **Variance:** 3.78m. Area of building encroachment = 239.0m<sup>2</sup> (2,573 ft<sup>2</sup>).
- **Rationale:**
  - Existing construction.
  - Variance previously approved June 26, 2007 but no record of building permit.
  - No visual impact from park due to existing vegetation and berm.
  - Accessory SFD setback permits 1.5m bldg setback.
  - Preference would be for a 0.59m no building encroachment on parkland to permit combustible construction of existing wood frame deck that provides weather protection for the building.

**Rear Yard (East) Building Setback Variance:**

- **Requirement:** min. 6.0m.
- **Provided:** 4.98m building; 4.05m deck.
- **Variance:** 1.02m. Area of bldg area encroachment = 1.07m<sup>2</sup>. Area of L2 deck 4.05m<sup>2</sup>
- **Rationale:**
  - Existing construction.
  - No visual impact from park due to existing vegetation.
  - Irregular lot shape.
  - Area of encroachment 1.07m<sup>2</sup>.

**Building Height Variance:**

- **Requirement:** max. 12.0m.
- **Provided:** +/- 12.95m building ridge. Yet to be confirmed by survey.
- **Variance:** +/- 0.95m.

- **Rationale:**
  - Existing construction.
  - Building 2 floor slab/ gravel at north and south ends to be raised +/-1'10.5" upon completion of Phase 2 work.
  - Building mass broken into two roof forms.
  - No visual impact from park due to existing vegetation and berm.
  - Additional vegetation provided to reduce scale of building.

**Reciprocal Driveway/ Parking Easement**

- As per site plan, driveway, fire truck access, and parking shared with adjacent 2<sup>nd</sup> lot of 3 owned by Owner. Required due to existing structures.

Raymond de Beeld, Architect AIBC

Civic Address:	354 Forbes Road, Ucuelet, B.C. V0R 3A0			
Legal Address:	Lot 17, Plan VIP76147, District Lot 284, Land District 09			
Zoning:	CD-1 Eco-Industrial Park (CD-1.1.3)			
	<b>acre</b>	<b>ft2</b>	<b>m2</b>	<b>Notes</b>
Property Area:	6.5	25,880.70	2,404.39	
<b>Floor Area: Single Family Dwelling</b>		<b>Proposed (ft2)</b>	<b>Proposed (m2)</b>	
L1		2,936	272.76	
L2		1,826	169.64	
L3		<u>821</u>	<u>76.27</u>	
Total:		5,583	518.68	
<b>Floor Area: Guest Lodge</b>				
L1		6,197	575.72	2,100 ft2 demolished
L2		2,651	246.29	+/-2,700 mezz demolished
L3		<u>2,651</u>	<u>246.29</u>	
Total:		11,499	1,068.29	
<b>Zoning Requirements</b>	<b>Required</b>	<b>Proposed</b>		
Site Coverage:	60%	66%		Excluding Decks
FAR Allowable Area:	1.00	0.66		Previously +/-0.85
Front setback	9m (30 ft)	11.91m (39'1")		
Side setback (north)	5m (16 ft)	5.0m		
Side setback (south)	5m (16 ft)	1.22m (4'0") south		1,077 ft2 of Bldg Encroachment
Bldg Rear setback	6m (19 ft)	4.98m (16'4")		Deck 4.05m (13'3")
Parking Setback Highway	3m (10 ft)	1.5m		Landscaped plaza
Parking Setback Other Lot Lines	1.5m (5 ft)	1.5m		
Building Height:	12m (39 ft)	12.95m (+/-42'6")		T.O. Ridge
Number of Storeys	≤ 3	3		Previously 4 storeys; 'mezz' removed
Landscaping abutting residential	1.5m (5 ft) + 1.5m ht fence	N/A		
Landscaping abutting highway	1.5m (5 ft)	1.8m		
Outdoor storage/ garbage bins	1.8m x1.8m ht	0m		Out of view from street & park
<b>Total Number of Parking:</b>	<b>Required</b>	<b>Proposed</b>		
SFD Accessory: 1/ dwelling unit	1	6		
Guest Lodge: 1/ room	12	12		
Staff Housing: 1.5/ dwelling unit	13.5	14		
Staff Housing Visitor: 1/ 5 dwelling units	<u>1.8</u>	<u>2</u>		
Total:	28.3	34		
<b>Type:</b>				
Regular Car: 2.5m x 6m (8'x20')		32		
Small car: 2.5m x 5.2m (8' x17'): 30% max.		1		
Designated Visitor: see above		2		
Accessible: 3.7m x 6m (12'X20'): 1% of total where >10		1		
Parallel: 2.5m x 7m (8'x23')		0		
Drive Aisles: 7.5m (25')				
Electrical Charge Station: no requirement	0	0		
Bicycle: no requirement	0	4		
<b>Notes:</b>				
Variances in red				
Reciprocal Easement for Driveway and Parking				

03/31/2019 23:29:13



North West Perspective



South Deck Perspective

3 Project Data

PROJECT INFORMATION		PROPOSED USE		PROPOSED PERMITS	
Item	Description	Item	Description	Item	Description
1	Project Name: Marlene Lago	1	Residential (R-1)	1	Development Permit
2	Project Address: 354 Forbes Road, Marlene, BC	2	Single Family Dwelling	2	Building Permit
3	Project Owner: [Redacted]	3	3 Units	3	Health Department Permit
4	Project Manager: [Redacted]	4	1 Unit	4	Fire Department Permit
5	Project Architect: [Redacted]	5	1 Unit	5	Other Permits
6	Project Engineer: [Redacted]	6	1 Unit	6	Other Permits
7	Project Surveyor: [Redacted]	7	1 Unit	7	Other Permits
8	Project Planner: [Redacted]	8	1 Unit	8	Other Permits
9	Project Designer: [Redacted]	9	1 Unit	9	Other Permits
10	Project Contractor: [Redacted]	10	1 Unit	10	Other Permits
11	Project Consultant: [Redacted]	11	1 Unit	11	Other Permits
12	Project Reviewer: [Redacted]	12	1 Unit	12	Other Permits
13	Project Approver: [Redacted]	13	1 Unit	13	Other Permits
14	Project Date: [Redacted]	14	1 Unit	14	Other Permits
15	Project Status: [Redacted]	15	1 Unit	15	Other Permits
16	Project Notes: [Redacted]	16	1 Unit	16	Other Permits
17	Project Comments: [Redacted]	17	1 Unit	17	Other Permits
18	Project Attachments: [Redacted]	18	1 Unit	18	Other Permits
19	Project References: [Redacted]	19	1 Unit	19	Other Permits
20	Project Other: [Redacted]	20	1 Unit	20	Other Permits
21	Project Summary: [Redacted]	21	1 Unit	21	Other Permits
22	Project Conclusion: [Redacted]	22	1 Unit	22	Other Permits
23	Project Final: [Redacted]	23	1 Unit	23	Other Permits
24	Project End: [Redacted]	24	1 Unit	24	Other Permits
25	Project Close: [Redacted]	25	1 Unit	25	Other Permits
26	Project Complete: [Redacted]	26	1 Unit	26	Other Permits
27	Project Success: [Redacted]	27	1 Unit	27	Other Permits
28	Project Achievement: [Redacted]	28	1 Unit	28	Other Permits
29	Project Milestone: [Redacted]	29	1 Unit	29	Other Permits
30	Project Review: [Redacted]	30	1 Unit	30	Other Permits
31	Project Approval: [Redacted]	31	1 Unit	31	Other Permits
32	Project Sign-off: [Redacted]	32	1 Unit	32	Other Permits
33	Project Handover: [Redacted]	33	1 Unit	33	Other Permits
34	Project Completion: [Redacted]	34	1 Unit	34	Other Permits
35	Project Final Review: [Redacted]	35	1 Unit	35	Other Permits
36	Project Archival: [Redacted]	36	1 Unit	36	Other Permits
37	Project Documentation: [Redacted]	37	1 Unit	37	Other Permits
38	Project Reporting: [Redacted]	38	1 Unit	38	Other Permits
39	Project Evaluation: [Redacted]	39	1 Unit	39	Other Permits
40	Project Feedback: [Redacted]	40	1 Unit	40	Other Permits
41	Project Improvement: [Redacted]	41	1 Unit	41	Other Permits
42	Project Optimization: [Redacted]	42	1 Unit	42	Other Permits
43	Project Innovation: [Redacted]	43	1 Unit	43	Other Permits
44	Project Creativity: [Redacted]	44	1 Unit	44	Other Permits
45	Project Innovation: [Redacted]	45	1 Unit	45	Other Permits
46	Project Creativity: [Redacted]	46	1 Unit	46	Other Permits
47	Project Innovation: [Redacted]	47	1 Unit	47	Other Permits
48	Project Creativity: [Redacted]	48	1 Unit	48	Other Permits
49	Project Innovation: [Redacted]	49	1 Unit	49	Other Permits
50	Project Creativity: [Redacted]	50	1 Unit	50	Other Permits

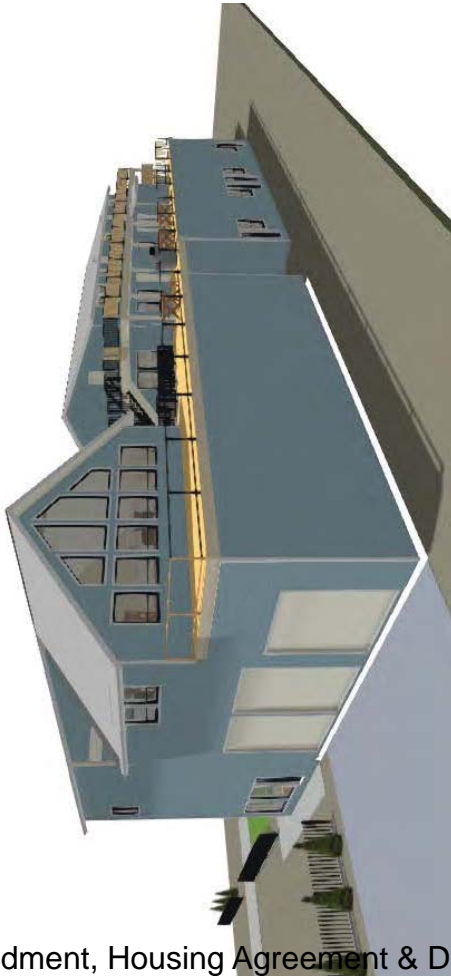
354 Forbes Rd, Ucluelet, BC

Pacific Rim Fishing Charters

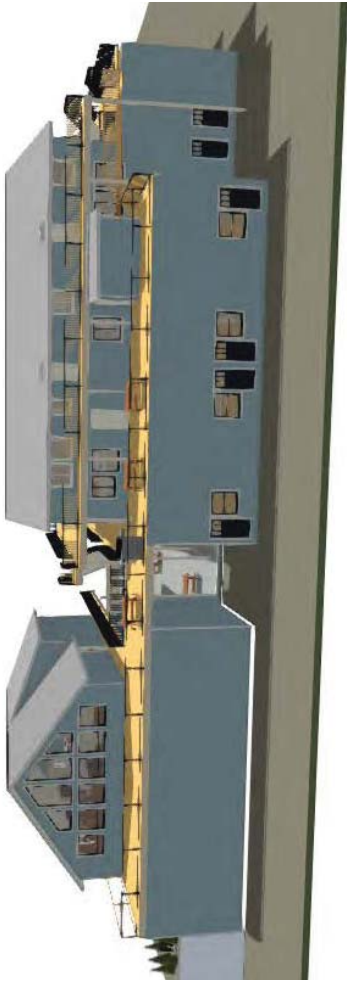
RAYMOND ARCHITECT INC.

- Structural: [Redacted]
- Foundation: [Redacted]
- Roofing: [Redacted]
- Interior: [Redacted]
- Exterior: [Redacted]
- Site Work: [Redacted]
- Other: [Redacted]





1 South Perspective



2 South East Perspective



3 North Perspective



4 South West Perspective



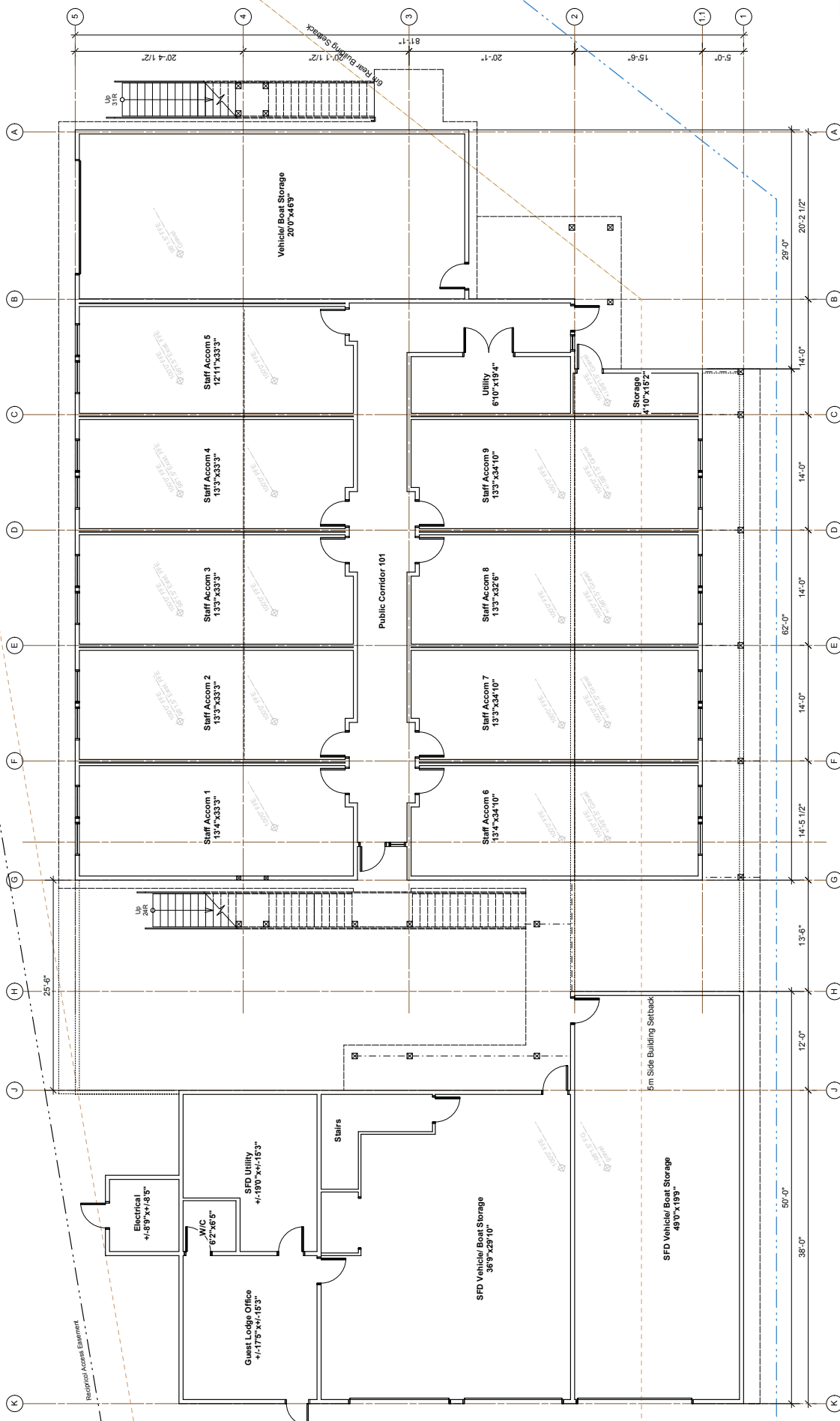


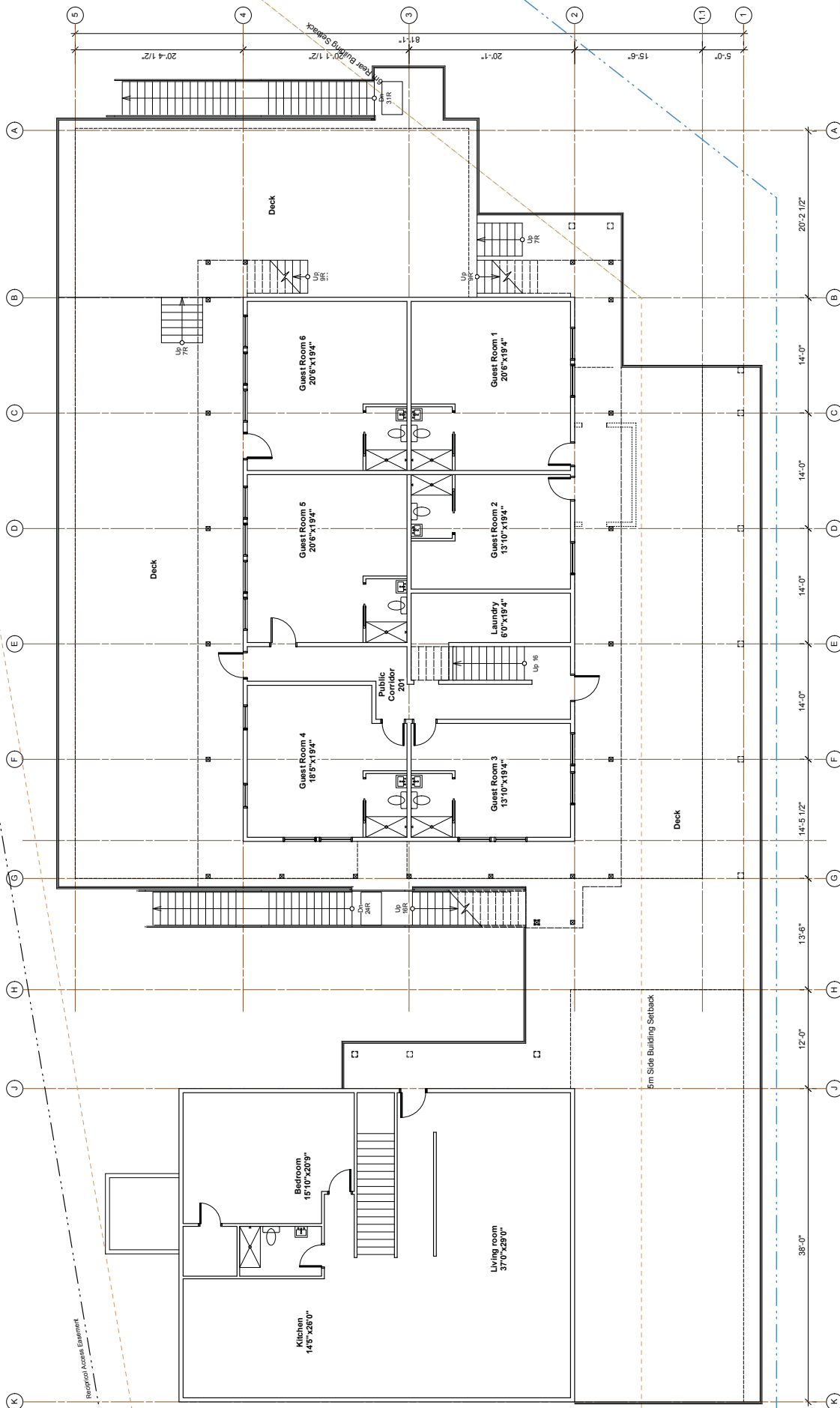
Site Plan

354 Forbes Rd, Uclulet, BC

Pacific Rim Fishing Charters







L2 Plan

354 Forbes Rd, Ucluelet, BC

Pacific Rim Fishing Charters



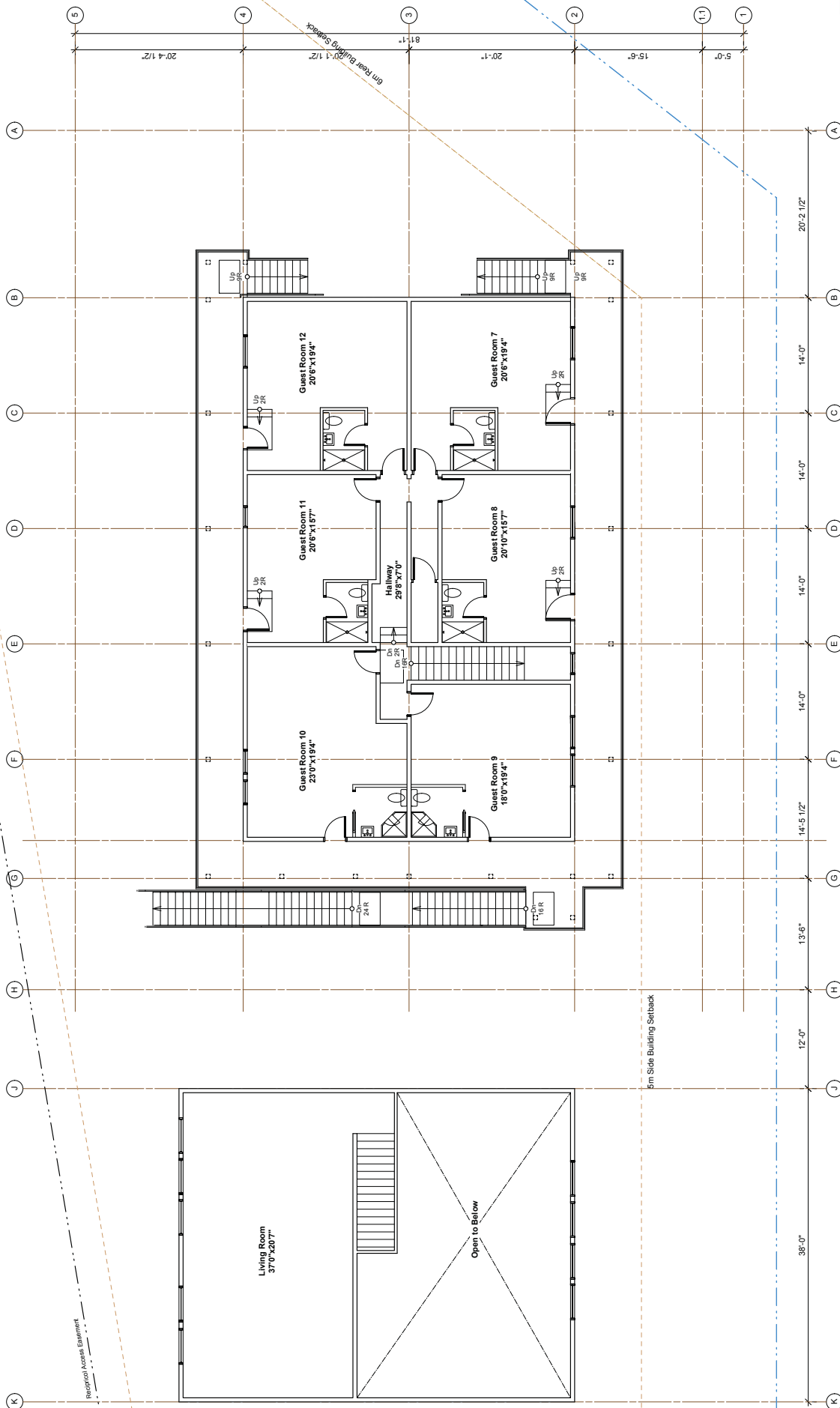
RAYMOND  
de BEELD  
ARCHITECT INC.

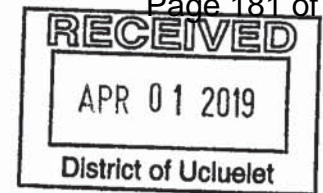


L3 Plan

354 Forbes Rd, Ucluelet, BC

Pacific Rim Fishing Charters





**WEST COAST SALMON & TRAILER FISHING EVENTS**

**Pacific Rim Fishing Charters & Guest Lodge**

Re file :3360-20-RZ17-04

2019/03/31

Hello Bruce  
 Manager of Community Planning  
 District of Ucluelet  
 250-726-7744 local 227

Re; Pacific Rim Fishing Charters - Letter of Intent

We Glenn & Dianna Kaczmar of Pacific Rim Fishing Charters & Guest Lodge located at 354 Forbes Road hereby propose our intent after successful zoning is completed.

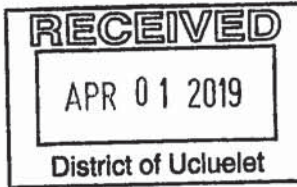
A. To operated our 12 room guest lodge for nightly rental on floors two and three for nightly re upon completion of the proposed fire life and safety by our Architect, Engineer and contractor. Landscaping and final parking spots to be completed no later then opening season on May 1/2020

B. We have intentions of adding 9 staff accommodations on the main floor to reduce the demand on the village rentals for staff. However due to financial impact this entire process has cost us we plan to start on the construction of the staff accommodations by the year 2022 and have all 9 units in full operation by the year 2024.

Thank you for your valuable time.

Sincerely  
 Glenn & Dianna Kaczmar  
 Pacific Rim Fishing Charters & Guest Lodge  
 1-250-726-5032  
 Pacific Rim Fishing Charters & Guest Lodge





March 9/19

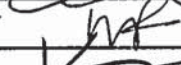

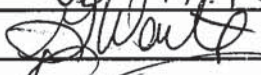

Dear Neighbor

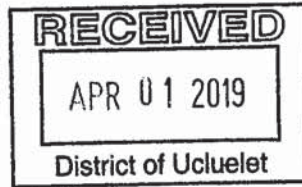
We are asking for your signature of support to acquire proper zoning for Pacific Rim Guest Lodge located at 354 Forbes Road. Our building was constructed 2006 through 2009 and has been in operation 2010 to date without incident or complaints. The village of Ucluelet approached us September 2016 informing us that we do not have the proper zoning for our guest lodge although they allowed us to build our building . We are looking for signatures of support from our neighbors so we can submit to counsel as part of our rezoning process.

Sincerely

Glenn & Dianna Kaczmar

250-726-5032

Address	Print Name	Signature
324 Forbesrd.	ANGIE ROUSSIN.	
<del>324 Forbesrd.</del>	<del>Naomudunst</del>	<del></del>
#1 313 Forbes Rd.	Kathryn Krouka.	
#1 325 Forbes Rd	A. Kimi	
329 Forbes Rd		
329 Forbes Rd		
348 Forbes Rd	Greenman	
342 Forbes Rd	Greenman	



To whom it may concern,

Being one of the closest neighbours to Glenn and Dianna Kaczmar of Forbes Rd. we have no problem with their business or rezoning. In 2010 when we moved here Glenn and Dianna were already here and running their business. It has not caused us any concern or hardship. When people chose to purchase and live in an industrial zone they must expect that there will be more activity there. That is what industrial parks are all about. I also know that if anyone on the block had a problem they would be there to help. Due to the changing economic times in Ucluelet, we feel it is important for the community to support and help small business to evolve and grow. It can only add to the economy of the town.

Tom and Judy Schmidt  
371 Forbes Rd.  
Ucluelet  
726-4698

*Judy Schmidt*



## STAFF REPORT TO COUNCIL

Council Meeting: OCTOBER 9, 2018

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

**FILE NO:** 3360-20-RZ17-04

**SUBJECT:** ZONING AMENDMENT APPLICATION –  
PACIFIC RIM CHARTERS & GUEST LODGE (354 FORBES ROAD)

**REPORT NO:** 18-103

**ATTACHMENT(S):** APPENDIX A – APPLICATION MATERIALS  
APPENDIX B – BUILDING ASSESSMENT BY RAYMOND DE BEELD ARCHITECT INC.

### RECOMMENDATION(S):

1. **THAT** Council indicate support for the concept of adding 12 *commercial tourist accommodation* rooms and a minimum of 6 *staff housing* units as permitted uses on the property at 354 Forbes Road and:
  - a. indicate to the applicant that detailed building, site, and landscape plans are required to show the impact of the proposal on the surrounding industrial lands, public streetscape and park land;
  - b. indicate that adoption of a zoning amendment bylaw would be subject to the following:
    - i. the owners first obtaining a building permit, then completing the necessary building renovations to bring the building up to code and finally obtaining an occupancy permit to clarify that the building is safe for its intended use;
    - ii. the owners entering into a Housing Agreement to ensure that the employee housing units are occupied by seasonal or long-term resident workers;
    - iii. to owners providing a restrictive covenant to ensure the provision of staff housing and that occupancy of the guest accommodation units is tied to the ongoing operation of a fishing guide business from the property; and,
  - c. once a complete set of rezoning plans has been submitted by the owners, direct staff to prepare the zoning amendment and housing agreement bylaws for consideration by Council at a future meeting.

### PROPOSAL:

The purpose of this report is to advise Council of the current proposal for amending the zoning of the property at 354 Forbes Road and to seek direction on next steps. Glenn and Dianna Kaczmar, owners of Pacific Rim Fishing Charters and Guest Lodge, have applied to amend the permitted uses in section CD-1.1.3 of the CD-1 Eco-Industrial Park zoning to enable the addition of up to 12 *commercial tourist accommodation* units and a minimum of 6 *staff housing* units in the existing building on the subject property (see Appendix 'A'). The single-family residence, office and storage uses would continue on the property as well. There are a number of elements to consider with this application including the history of the building and bylaw compliance, how the requested uses are



proposed to support the existing fishing charter business, and how the proposed uses would fit in this location.

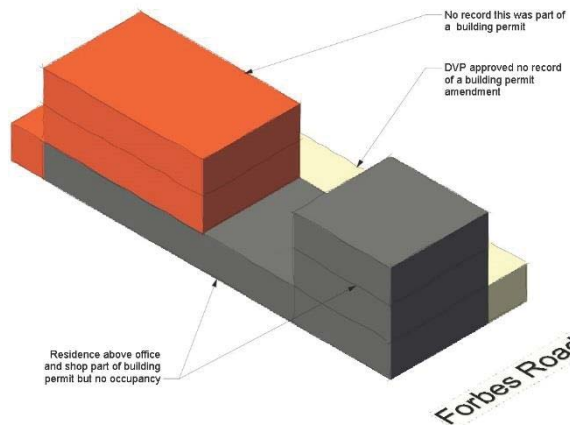
**BACKGROUND:**

The following provides a brief outline of the steps leading to the current zoning amendment application:

- A Building Permit (permit U-06-41) was issued in 2006 for a grade-level storage building plus a single-family dwelling over an office space on the west end, in the areas indicated in red below:



- There is record that some building inspections were done during construction but there is no record of final inspection and no Occupancy Permit issued for Building Permit U-06-41;
- A Development Variance Permit application was considered by Council in June of 2007 to reduce the side and rear setbacks, to allow for an additional 2,500 sq.ft. of additional storage space to be added to the building (which was then under construction). The variances were granted by Council at its June 26, 2007, meeting but there is no record that the building permit was subsequently amended to include the additional building area;
- There is no record of a building permit for the eastern addition of a second and third storey over the storage garage containing tourist accommodation units;
- BC assessment, business license and servicing records do not reflect multiple guest suites being located on the property.
- In June of 2016 the District received a bylaw complaint that an unauthorized guest lodge was operating on the property. Staff follow-up revealed that a business licence was valid for the fishing charter business, but not guest accommodation. The owners were forthcoming that the guest lodge had been in operation since 2010 and inquired about steps to obtain an updated business licence reflecting the intended use.



- Since the CD-1 zoning does not permit *tourist accommodation* as a permitted use, the owners were advised that a zoning amendment would be necessary before a business licence could be issued for the guest lodge use.
- The owners submitted a rezoning application in late 2016 / early 2017 requesting that the guest lodge use be added to the uses permitted on the property at 354 Forbes Road.
- A file review revealed the incomplete building permit status of the building; this information was communicated to the owners along with the request to provide record of an occupancy permit if

they in fact received one.

- A site visit and walk-through of the building was arranged with staff from the planning and building departments in November of 2017.
- In December, 2017, staff notified the owner of concerns that the building does not meet the minimum health and safety standards of the BC Building Code, and the guest suite addition of the building was posted with No Occupancy notices. At the time (the off-season) there was no indication that the guest suites were being occupied. In the letter to the owners, staff suggested that the following steps would be necessary to seek approval for operating a tourist accommodation business in the building:
  - a. Have the building assessed by a qualified coordinating professional;
  - b. Show how the building could be brought up to code by providing detailed plans for the upgrades;
  - c. Complete the rezoning of the property;
  - d. Obtain a Building Permit to authorize the previous construction and all necessary upgrades;
  - e. Complete the building upgrades;
  - f. Obtain an Occupancy Certificate for the building and its intended use; and,
  - g. Obtain an updated Business Licence.

The letter also suggested that alternative arrangements be made for accommodating guests for the 2018 season while the above steps were completed.

- In mid-June, 2018, staff became aware that the building is being used for guest accommodation. After investigating, the owners were subsequently issued tickets for non-compliance with the zoning bylaw and for ignoring the “do not occupy” notices. The owners immediately paid the fines.
- In August, 2018, the owners submitted a building assessment completed by Raymond de Beeld, Architect (see Appendix ‘B’). The assessment identifies a number of areas which require upgrade to meet the minimum standards of the BC Building Code. Some of the options are significant, such as demolishing a portion of the building to separate the single-family residence from the portion of the building now proposed to contain the tourist accommodation and staff housing suites.
- Planning and building staff met with the owner and architect on August 20, 2018, to discuss the findings of the building assessment and the path forward. It was agreed that the owner would clarify the intended use of the building(s) and on that basis a report on the requested

rezoning would be prepared for consideration by Council. At that time, a set of revised drawings was anticipated to accompany the application.

The owners face significant costs to bring the building up to code for it is intended use. The owners have been clear that they will not invest further to upgrade the building unless, at the end of the process, they are able to legally rent out tourist accommodation units as part of a package with their fishing charter business. At this point, the owners are seeking an indication of whether their requested zoning amendment will find support, before they commission more detailed architectural and engineering plans to define the building upgrades.

### **DISCUSSION:**

#### **A. Proposed Uses:**

Tourist accommodation is not generally considered the most compatible land use in an industrial area. That said, there are a couple aspects to this proposal which set it apart. First, the location of the building on the edge of the Forbes Road industrial area, immediately next to the Tugwell Field park, is a different and better context for the proposed use compared to other locations. A site in the middle of the industrial park would not be supported by staff, where the tourist accommodation use would be expected to be surrounded by active businesses generating noises, sights and smells which could be found objectionable to guests and become a point of conflict.

A second consideration is that the use of the property for the storage and maintenance of boats for the fishing charter business is a permitted and valid use of this industrial property. The tourist accommodation is proposed to be co-located on property as an integrated part of the business. This lends support for the proposal that a standalone motel, for example, would not enjoy. Generally the community value of having adequate land designated for industrial uses comes from the support it provides for businesses and the jobs they create. The proposed tourist accommodation use would see the continued use of the property to support the fishing guide business. Staff are recommending that if approved on this basis, a restrictive covenant would be appropriate to ensure that the tourist accommodation remains as an integrated component of a fish guiding business, and is also only operated if the staff housing is provided as proposed.

Staff support the inclusion of six staff housing units as a part of this proposal. The CD-1 zoning currently permits "*mixed industrial / residential*" uses, but the definition limits the residential component to the second storey or higher. The proposal in this case is to re-purpose a portion of the large ground floor of the building to create six staff accommodation units. Including staff housing on site would benefit both the business and the community. Providing this additional housing would be a positive step and staff suggest that, if this forms part of Council's support for the rezoning, a Housing Agreement would be an appropriate instrument to ensure the terms and availability of the staff housing as intended.

#### **B. Process:**

As noted above, approval of the requested zoning amendment would be just one step toward bringing the building and property uses in compliance with the municipal bylaws and provincial code. Fundamentally, this is about confirming that the building meets the minimum health and safety standards for its intended use.

Should the zoning amendment be supported in concept, the owner should then provide zoning-level drawings showing the location of all intended uses within the building, access, parking and

landscaping. Improved landscaping and screening along the Tugwell Field and Forbes Road edges of the property would be appropriate elements to include with the overall building upgrades.

Once a full set of drawings is received, the application along with draft bylaws would be brought back to a future meeting of Council for further consideration. Should a rezoning bylaw proceed through the steps of a public hearing and receive third reading (often considered approval in principle), the owners would then need to apply for the appropriate building permits and complete the necessary building alterations. Once the building was renovated, certified as safe for its intended use and an Occupancy Certificate were issued, then the bylaw would return to Council for final adoption. At that point, the District could issue a business licence for the tourist accommodation component of the Pacific Rim Fishing Charters and Guest Lodge business.

The guest accommodation suites are to remain unoccupied until the municipality issues a Certificate of Occupancy. Even if the rezoning is supported and proceeds quickly, given the amount of work required to bring the building up to code it is extremely unlikely that the building would be ready for occupancy in time for the 2019 summer fishing season. Therefore, staff recommend that the owners make alternative arrangements for accommodating their guests for the 2019 season.

Should the requested rezoning not proceed, the building will remain posted with “do not occupy” notices. The owners would then need to decide whether to re-purpose the building for a different use (with the necessary building permits, of course), demolish the building, or leave it vacant.

#### **FINANCIAL IMPACTS:**

A building permit fee would be charged based on the construction value. The value of the property would be expected to increase with the proposed improvements, and additional commercial tax assessment would result. Water and sewer fees would be collected based on metered usage. These additional revenues are expected to offset the incremental increase in municipal services and infrastructure.

#### **OPTIONS REVIEW:**

1. **THAT** Council indicate support for the concept of adding 12 *commercial tourist accommodation* rooms and a minimum of 6 *staff housing* units as permitted uses on the property at 354 Forbes Road and:
  - a. indicate to the applicant that detailed building, site, and landscape plans are required to show the impact of the proposal on the surrounding industrial lands, public streetscape and park land;
  - b. indicate that adoption of a zoning amendment bylaw would be subject to the following:
    - i. the owners first obtaining a building permit, then completing the necessary building renovations to bring the building up to code and finally obtaining an occupancy permit to clarify that the building is safe for its intended use;
    - ii. the owners entering into a Housing Agreement to ensure that the employee housing units are occupied by seasonal or long-term resident workers;
    - iii. to owners providing a restrictive covenant to ensure the provision of staff housing and that occupancy of the guest accommodation units is tied to the ongoing operation of a fishing guide business from the property; and,

- c. once a full set of plans has been submitted by the owners, direct staff to prepare the necessary zoning amendment and housing agreement bylaws for consideration by Council at a future meeting.

**(Recommended)**

**or;**

2. **THAT** Council defer consideration of the rezoning application for the property at 354 Forbes Road at this time;

**or;**

3. **THAT** Council reject the rezoning application for the property at 354 Forbes Road at this time, and indicate to the owners that obtaining a certificate of occupancy is required before the unauthorized guest suite addition area of the building can be occupied for any use.

**Respectfully submitted:** Bruce Greig, Manager of Community Planning  
John Towgood, Planner 1  
Mark Boysen, Chief Administration Officer



2018-09-28

Re File:3360-20-RZ17-04

Hello Bruce  
 Manager of Community Planning  
 District of Ucluelet  
 250.726.4784



**RE: PACIFIC RIM FISHING CHARTERS - LETTER OF INTENT**

Pursuant to your inspection of the above noted property and subsequent letter of 2017-12-04 and in follow up to our meeting today in which you suggested on behalf of the Village and Authority Having Jurisdiction to submit a Letter of Intent to initiate the Zoning Amendment, which was applied on 2016-09-16 and paid for on 2017-01-30 in accordance with the District Bylaws and Fees.

Please accept the following documents as support for a new Comprehensive Development Zone as applied for to allow the existing structures and intended uses and a Code Compliance Report for Fire and Life Safety of the Accommodation Units (Guest Rooms) pursuant to BCBC 2012 (although the building in question was constructed under BCBC 2006) as requested in your letter.

We, Glenn & Dianna Kaczmar, of Pacific Rim Fishing Charters & Guest house hereby intend to do the following, after successful Zoning is completed:

- a. We have intentions for the Ground Floor to create 4-5 Commercial Rental Units in the North side and minimum of 6 Transient Accommodations on the South to reduce the demand on other Village rentals for my staff. We are willing to provide drawings for the Future use of the ground floor at that time. However, due to the financial impact incurred through this whole process, we will be unable to build out the ground floor until the Code issues are resolved, we are operational, and our Zoning is in alignment.
- b. Commence with a Final report for Raymond DeBeeld, AIBC & plans to be revised/created to comply and then submit for a building permit for those alterations at that time. We will make all necessary alterations, updates, repairs and the like in order to be operational for the next season.

**1.0 Property History:**

- 1.1 REALM Structures Inc. (formerly Alberni Design Associates Company Inc.) were commissioned by ourselves for the design of a 3 Story – Residential in nature building with an office and an attached 1 storey Storage bays and 2 storey transient/worker accommodation suites, guest games room and a laundry facility.
- 1.2 At the time of permitting on or about Oct 15/2007, the Zoning was in a state of evolution and the original Building Permit was issued for construction of the 3 storey Residence and the story of Storage Bays with a caveat that the transient/worker accommodations were to be constructed once the District finalized its revision of the Zoning Bylaw. The additional units were suspended from permitting to allow for the construction of the remainder as drawn on the plans as issued for construction dated on or about 2006-10-26 for construction in the prime building season of that year.
- 1.3 Once the permitted structures were constructed, the Zoning Bylaw had not yet been officially completed but the Authority Having Jurisdiction and Manager of Planning of the day permitted the remainder of the construction to allow the owner to satisfy building envelope conditions without unjust expenses dictated by the delay in process. Again, this was to assist in construction during the concurrent building cycle.

**2.0 Zoning Data:****2.1.1 Current Zoning Permissible uses:**

CD-1.1.3 The following uses are permitted in the areas of the CD-1 Zone

Plan labeled "Industrial", but secondary permitted uses are only permitted in conjunction with a principal permitted use:

**(1) Principal:**

- (a) Single Family Dwelling
- (b) Mixed Industrial/Residential
- (c) Light Industry
- (d) Medium Industry
- (e) Service Industry
- (f) Service Station, with accessory car wash
- (g) Auto Repair Shop
- (h) Bistro/Café
- (i) Outdoor Sales
- (j) Heavy Equipment Display
- (k) Wood Processing

**(2) Secondary:**

- (a) Accessory Residential Dwelling Unit
- (b) Accessory Retail Sales and Administration Office

**2.1.2 Proposed Amended Permissible uses:**

CD-1.1.3 with the addition of:

**(2) Secondary:**

- (a) Accessory Residential Dwelling Unit
- (b) Accessory Retail Sales and Administration Office

**(c) Guest Room(s)****2.2 Code Compliance:**

- 2.2.1 Attached herein is a Preliminary Report from Raymond DeBeld, AIBC indicating potential Building Code issues under the CURRENT BC Building Code 2012. Keep in mind our building was constructed under BCBC 1998 Code.

Thank you for your valuable time

Sincerely

Glenn & Dianna Kaczmar

Pacific Rim Fishing Charters & Guest Lodge

info@pacificrimfishingcharters.ca

1-250-726-5032

1-250-726-5053

1-877-871-8771



**District of Ucluelet**

Planning Department  
 200 Main Street, Ucluelet, BC  
 VOR 3A0, P.O. Box 999  
 tel 250-726-4770 fax 250 726 7335

# Development Application

**Type of Application**

An application is submitted for one or more of the following:

- Official Community Plan Amendment
- Zoning Bylaw Amendment
- Development Permit (no variances)
- Development Permit (with variances)
- Development Permit Amendment
- Development Variance Permit
- Temporary Use Permit
- Board of Variance
- Strata Conversion
- Subdivision

**Description of Property**

Civic Address (es): 354 Forbes Rd  
 Legal Description: Lot 17 Plan VIP76147 Block \_\_\_\_\_ Section \_\_\_\_\_ DL 09

**Applicant Information**

Notice of Disclosure to Applicant(s): The following contact information will be available to the public and may be posted on the Districts' website to allow interested parties to contact you about this application.

Applicant name: Glenn Kaczmar Company name: Pacific Rim Fishing charters  
 Mailing address: Box 1346 Postal Code: VOR3A0  
 Tel: 1 877 871 8771 Cell: 250 726 5032  
 Email: glenn.kaczmar@yahoo.ca Fax: \_\_\_\_\_

The undersigned owner/authorized agent of the owner makes an application as specified herein, and declares that the information submitted in support of the application is true and correct in all respects.

Applicant Signature: [Signature] Date: JAN 31  
~~Oct 10/16~~

**Registered Owner(s)**

List all registered owners. For strata properties, provide accompanying authorization from all strata owners (not just strata corp.). If the owner is an incorporated company/society, attach a current corporate/society search or "notice of directors".

Registered Owner (s) name: Same as above  
 Mailing address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Tel: \_\_\_\_\_ Cell: \_\_\_\_\_  
 Email: \_\_\_\_\_ Fax: \_\_\_\_\_

Freedom of Information and Protection of Privacy Act (FOIPPA): Personal information is collected, used and disclosed under the authority of the Local Government Act, and section 26 (c) of the FOIPPA. The information will be used for the purpose of processing this application.

Owner Signature: [Signature] Date: JAN 31  
~~Oct 10/16~~

**Office Use Only:**

Folio No.: <u>18117</u>	File No.: <u>181.117</u>	Date: <u>31 JAN 2017</u>	Receipt No.: <u>56410</u>	Fee: <u>3830.00</u>
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January 28, Ucluelet (2017)

**RE: Application for re-zoning – Pacific Rim Guest Lodge**  
**Owners Glenn & Dianna Kaczmar**  
**354 Forbes Road**  
**Ucluelet, B.C. V0R3A0**

Dear Mayor Dianne St. Jacques & Councillors

It has been brought to our attention that Pacific Rim Guest Lodge does not have appropriate zoning. We have been asked by district staff to apply for the proper zoning to continue operations of Pacific Rim Guest Lodge. As part of this process, we have been asked to provide the history surrounding our building.

In 2006, our proposed building plans were approved (after minor delays to verify zoning) and we were provided with a building permit starting in the fall of 2006. Construction commenced in 2006. Throughout the three years of active construction, our building was inspected by the village's building inspector numerous times. Pacific Rim Fishing Charters & Guest Lodge opened for business in 2010. We offer accommodations to tourists and travelers, and as part of our fishing packages. In recent years, when vacancy rates for tourism are frequently at 0%, we've been proud to offer clean, large, bright, and reasonable priced rooms with easy access to many of Ucluelet's "gems" such as the Wild Pacific Trail. Our building also includes our personal residence on the second floor and self storage on the main floor.

It was a shock to us to hear that our Guest Lodge does not have the appropriate zoning, as we assumed this was taken care of during the building plan approval process and subsequent building inspections. I was unaware that a building plan including accommodations could be approved when the land was not zoned for this purpose. As we are currently paying commercial property taxes for 90% of our property, we assumed that our zoning was correct. Pacific Rim Fishing Charters and Guest Lodge has invested over three million dollars into the building of Pacific Rim Guest Lodge and currently employs up to eleven employees with the majority of staff being permanent residents of Ucluelet.

In 2010 we changed our name from Pacific Rim Fishing Charters to Pacific Rim Fishing Charters & Guest Lodge. In regard to the business license for the Guest Lodge, we currently have a business licence for Pacific Rim Fishing Charters and also for Pacific Rim Self Storage. We were unaware that we required a separate business licence for the guest lodge as we changed our name to include the guest lodge and assumed the business licence cover both aspects.

Pacific Rim Fishing Charters & Guest Lodge was unaware we did not have the proper zoning. My wife and I are committed and involved residents of Ucluelet, and I have been working in Ucluelet since I was a teenager. We sincerely hope we can continue this involvement and support the community and tourism industry as a quality provider of accommodations, fishing adventures, and self-storage. Please consider our request for rezoning as without rezoning approval, our business of 35 years would be subject to closure with a significant financial loss to us personally, and many people losing their employment, not to mention the loss of much needed accommodations to support tourism in Ucluelet.

Thank you for your valuable time and consideration,

Please feel free to call us toll free at 1-877-871-8771 if you have any questions or concerns or email us at [info@pacificrimfishingcharters.ca](mailto:info@pacificrimfishingcharters.ca)

Sincerely

Glenn & Dianna Kaczmar

Pacific Rim Fishing Charters & Guest Lodge  
877-871-8771



755 Terminal Avenue, Nanaimo, BC V9S 4K1  
 Tel: (250) 754-2108 Fax: (250) 754-2118  
 Email: [info@rdbarchitect.ca](mailto:info@rdbarchitect.ca)  
 Web: [www.rdbarchitect.ca](http://www.rdbarchitect.ca)



July 19, 2018

354 Forbes Road

### 2012 BC Building Code Draft Review Summary

In summary, the building does not comply with many requirements of the building code and the as built conditions vary from existing drawings received. Some portions of the building are incomplete or lack any drywall cover (or other means) to provide fire resistance, and in particular the support and underside of the proposed guest suites.

Summary below of key building code deficiencies. Not all minor deficiencies noted. As currently constructed, the building is classified as Part 3 of the building code and not Part 9 due to the number of storeys, F2 occupancy, and building area (greatest horizontal footprint) is greater than 600m<sup>2</sup>.

Comments added in *blue italics* included as suggestions/ further work/ discussion towards achieving **substantial compliance**. Much like strata conversions, existing buildings are reviewed for zoning and code compliance. Under the strata act, "substantial compliance" is not defined, presumably each situation is unique. The building code is written for new construction and conversion/ upgrades of existing buildings requires a judgement call between the designer and authorities as to the cost/ benefit (such as life safety) of achieving building code and zoning objectives.

**Major Occupancy** (excludes occupancies other than F1 & F2, if they are <10% of building area [greatest horizontal extent of all storeys superimposed]):

- Group C Residential (residents/ guest suites/ staff suites)
- Group F2 Medium Hazard Industrial (workshop/ storage room/ repair garage)
- Group F3 Low Hazard Industrial (workshop/ storage room/ storage garage)
- F3 is defined as combustible content being not more than 50kg/m<sup>2</sup> or 1 200MJ/m<sup>2</sup> of floor area. Typically needs to be signed and proven, otherwise assumed as F2. Difficult to limit users from exceeding the limits over time.
- Garages typically considered F3, provided they are not used as storage other than vehicles.
- Repair garage or storage rooms (outside of dwelling unit) considered F2.
  - An F2 occupancy only allows a single dwelling unit for the whole building (BCBC ).
- Group D Business & Personal Services (office) was not included as no such occupancy currently exists, is not finished, though appears to be designed as such.
- If occupancies are less than 10% of the building area, then they are not classified as Major Occupancies.

### **Building Classification**

- BCBC 3.2.2.50
  - Group C (residential); sprinklered; up to 6 storeys; max 1,800 m<sup>2</sup> @ 4 storeys; floors 1 Hr FRR fire separations; mezzanines 1 Hr FRR; loadbearing elements FRR to match supporting assembly; FRR and fire separation waived for floor assemblies within dwelling unit, if no dwelling unit above.
- BCBC 3.2.2.75



- Group F2 (repair garage/ workshop); sprinklered; up to 4 storeys; max 2,400m<sup>2</sup> @ 4 storeys; floors 1 Hr FRR fire separations; mezzanines 1 Hr FRR or non combustible construction; loadbearing elements FRR to match supporting assembly.
- BCBC 3.2.2.81
  - Group F3 (storage garage); unsprinklered; up to 4 storeys; max 1,200m<sup>2</sup> @ 4 storeys facing 1 street; floors fire separations, and 3/4 Hr FRR or non combustible construction; mezzanines 3/4 Hr FRR or non combustible; loadbearing elements FRR to match supporting assembly or non combustible.
- *Intermediate floors would need to be partially removed to create mezzanines, such that the building is only 3 storeys to avoid fire sprinklers for the whole building.*
  - *Fire sprinklers would require upgrades to utility connections and be designed by a Mechanical engineer.*
  - *Mezzanines max 40% of room open to below and max 10% enclosed of room below.*
  - *Use L1 plus mezzanine as staff accommodation. Need to check if F3 storage garages can be retained if greater than 10% of the floor area, otherwise another building classification (F3 series) needs to be reviewed as well.*
- *Possibly use BCBC 3.2.2.51*
  - *3 storeys; max 1,200m<sup>2</sup> facing 3 streets; floors 1 Hr fire separations; mezzanines & roofs 1 Hr FRR; FRR and fire separation waived for floor assemblies within dwelling unit, if no dwelling unit above.*
- *Initial thought is to demolish the portion of L1 & L2 that connect the original single family dwelling from the addition to create two separate buildings. Do the guest suite building as Part 3 (around 649m<sup>2</sup>) or remove a portion of one of the garages attached such that the footprint is less than 600m<sup>2</sup> then it could be Part 9 too which is more lenient for some, but not all building code aspects.*

#### **Fire Truck Access (BCBC 3.2.5.4)**

- Fire truck access route required for unsprinklered building greater than 3 storeys or 600m<sup>2</sup> building area.
- For 3 streets, fire truck access required to reach 75% of building perimeter. Perimeter of building face to be within 3m and 15m from access route. Access route to be 6m wide. Window or access panel required for every 15m of required building face for each storey above grade for unsprinklered buildings.
- *Two lots may need to be consolidated or require an easement on the adjoining lot to provide fire truck access.*

#### **Protection of Exits (BCBC 3.2.3.13)**

- Existing exterior exit stair from Level 3 to grade is unprotected from adjoining unprotected openings (windows) where less than 3m horizontally and, 5m above the stairway, or 10m below the stairway. Unprotected openings would need to be removed; replaced with wired glass in steel frames, or fixed glass metal frames via a fire sprinkler equivalency; add fire shutters; enclose exit with a fire separation; or relocate stairway.
- No unprotected openings permitted within 3m of a stairway from another fire compartment that is at an angle 135 degrees or less.
- Room under mid landing of exterior stair would need to be removed or room to have a 1 hr fire separation, including rated door with closer. Repair garage/ workshop exterior door would need to be fire rated with a closer due to exposure with the exterior stairway.
- *See comments under Exterior Exit Passageways and possible resolution that exempts exit stairs from having a fire separation from the remainder of the building.*

#### **Integrity of Exits (BCBC 3.4.4.4 & 3.3.1.4)**

- L4 exit stair to be fire separated from L3 public corridor, with a rated exit door from the L3 public corridor. This will also prevent the non conforming laundry room opening directly into an exit.
- Public corridors require a 3/4 Hr fire separation from the remainder of the building.
- *Provide wall around existing L4 stairway. L3 public corridor can exit into the L4 stairway which in turn empties onto the L3 deck. The doorway into the stair from the public corridor would swing in the direction of egress without impeding travel from the stair.*

#### **Exterior Passageway Fire Separation Exemption (BCBC 3.4.1.5 & 3.4.4.3)**

- Fire separation of exits from the remainder of the building are waived if not less than 50% of the exterior side is open to the outdoors, and an exit stair is provided at each end of the passageway.



- Only 1 exit (exterior stairway) is provided on L3. Likewise it is not possible to go in two separate directions to an exit stair at each end of the passage way. *The proposed exterior exit passage way on L3 would require a walkway all the way around the L3 guest suites (ie east side) in order to avoid, but would still require a fire separation on the underside of the deck due to occupancies below.*

#### L4 Exiting (BCBC 3.4.2.1)

- Two exit stairs required as the unsprinklered residential floor area is >100m<sup>2</sup> and travel distance >15m.
- *Provide two exit stair at each end with a public corridor between.*

#### Location of Exits (BCBC 3.4.2.5)

- Travel distance to exit max 30m.
- Some locations exceed the value as currently laid out such as the south garage.
- *Add additional exit doors where required.*

#### Exit Width (BCBC 3.4.3.2)

- L4 exit stair width should be min. 3'8" (1100mm), not 3'0" as it is above 2 storeys.
- L3 public corridor should be min. 3'8", but appears to be as narrow as 3'1" according to the drawings.
- *Not resolvable without complete rebuilding and impact on existing suites. Seek an equivalency or forgiveness given the low occupant load for this part of the Means of Egress.*

#### Stairways (BCBC 3.3.1.14 & 3.4)

- Stair rise max 7.1" each. Exterior stair rise 7.75". L3 & L4 rise and run not measured, but given the number of risers and floor to floor heights on the drawings, they appear to be around 7.75" high as well, and the run compliant being 11" or greater.
- Tactile treads required at top of stairways (except within dwelling unit). Exterior and interior stairs.
- L4 has a split level for some reason with 2 risers between the main stairway and corridor. Min. is 3 risers (BCBC 3.4.6.2.(1)).
- L3 to L4 interior stairway needs to be 3'8" wide, drawings show 3'0" wide, actual dimension not confirmed.
- Handrails required on both sides where stairs wider than 3'8" (1100mm). One and/ or two handrails missing on some stairs.
- Stairways to have slip resistance (ie exterior stairs) and since they are public, they require a colour contrast or distinctive pattern to demarcate the leading edge of risers and landings (BCBC 3.4.6.1).
- Note that stairways within dwelling units only need to comply with BCBC Part 9 requirements (BCBC 3.3.4.7).
- *Seek an equivalency or forgiveness for the existing L4 stairway that can't be upgraded without significant rebuilding and make the new L4 stairway compliant.*

#### Residential Fire Separations (BCBC 3.3.4.2)

- Residential Suites to have 1 Hr fire separations from the remainder of the building. Information of wall and floor assemblies incomplete. As built conditions not confirmed and require destructive testing to confirm.
- *Upon test results, upgrade if required.*

#### Repair Garage Fire Separation (BCBC 3.3.5.5)

- Requires 2 hr FRR fire separation from other occupancies.
- *Provide at another location/ separate building, or incorporate informally as a separate Part 9 single family dwelling by disconnecting addition into a separate building.*

#### Storage Garage Fire Separation (BCBC 3.3.5.6)

- Requires 1.5 hr FRR fire separation (2 layers 5/8" Type X drywall) from other occupancies, except where serving a dwelling unit as per BCBC 3.3.4.2(5).
  - Storage garage for dwelling unit to be fire separated from remainder of building.
- *Create 2 separate buildings as previously described.*

#### Fire Separations General



- Finished as built wall assemblies not verified but 5/8" Type X drywall noted on drawing sections for floor assemblies not within dwelling units. Rating incorrect on drawings for storage garage. Unfinished drywall on L1 & L2 walls/ ceilings installed with 5/8" Type X drywall.
- Many areas of L1 & L2 are incomplete and with no required drywall and form support for guest suites above.
- Existing single family dwelling former exterior walls joined to subsequent addition, should be confirmed for 5/8" Type X drywall and existing drawings note 1/2" drywall.
- *Complete as per building code requirements.*

#### Continuity of Fire Separations (BCBC 3.1.8.3)

- Vertical fire separations to terminate with smoke tight joints where it abuts or intersects floor or roof deck or roof sheathing.
  - L4 roof not reviewed and requires rated ceiling if suite vertical fire separations do not terminate at underside of roof sheathing. No combustible wood elements allowed to penetrate vertical fire separations (such as trusses and their bracing), thus the ceiling of the suite is typically a fire separation.
  - L1 to L2 stair stringers fastened to wall studs. No allowance for fitting drywall between required for fire separation.
  - *Upon test results, upgrade if required. L1/L2 stairways likely to be removed.*

#### Fire Blocking (BCBC 3.1.11)

- Concealed wall cavities: fire blocking required at every floor level, ceiling level (where forming part of a fire separation) and where horizontal dimension exceeds 20m and vertical dimension exceed 3m. This is not required where cavity is filled with insulation, cavity is non combustible, or only one air space not greater than 1").
- Interconnections between concealed vertical and horizontal cavities: required at interior coved ceilings/ drop ceilings/ soffits/ at each run and floor level with stair stringers, where the flame spread rating is greater than 25.
- Concealed cornice, mansard roof, balcony, or canopy: where the flame spread rating is greater than 25 at locations where the cavity extends over fire separations and where the maximum dimension of the concealed space is more than 20m.
- Penetrations such as plumbing/ wiring thru fire blocking to be fire caulked. No evidence of such where framing is exposed. Note this is not a requirement for a Part 9 building.
- Not reviewed in detail. Many conditions concealed. Areas such as L1 & L2 which are exposed and incomplete (not covered with drywall), wood blocking appears incomplete such as stair stringers and no evidence wiring being fire caulked.
  - *Further review/ discussion with Authorities where concealed. Upgrade where exposed. Separating main dwelling unit into Part 9 avoids issue for that portion of the building.*

#### Spatial Separation (BCBC 3.2.3)

- Some portions of L1 & L2 floor areas are non compliant for allowable openings and/ or non combustible construction. Some exterior walls not finished with drywall yet.
- No detailed calculations, interpolations, or additional min. 3/4 fire separation fire compartments to reduce wall area calculations, were done.
- Generally north and east facades are allowed around 12% unprotected openings; require 1 hr fire resistant ratings (5/8" Type X drywall), combustible construction ok, and non combustible construction required.
- North facade likely has too many actual unprotected openings, particularly near the workshop. Some options may include fire rated doors with closures, additional fire compartments, and/ or no build easement on a portion of the adjacent property or realignment of the property line.
- If an F2 workshop was considered on the north facade, allowable unprotected openings would be 6%, and thus would require non combustible construction (unprotected openings  $\leq 10\%$ ) and a 2 hr fire resistance rating. However F2 occupancy is problematic with more than one dwelling unit within the building.
- The south facade, depending on on actual limiting distance (distance between facade and property line) is around 8% to 9%. This would require non combustible construction and cladding, and a 1 hr fire resistance rating. This could likely be resolved by creating a smaller garage fire compartment.



- West facade (facing street), likely not problematic.
- Generally exterior walls finished in non combustible fiber cement cladding, but vertical trims need to be non combustible.
- Combustibility of projecting L3 floor assembly above the walls below, are not required in the spatial separation calculations. However, what appears to be a partially completed projecting stair landing on the east facade, is very close to the property line and needs to be at least 1.2m away, otherwise it needs to be non combustible.
- *Do detailed calculations with interpolations and add additional min. 3/4 fire separation fire compartments to reduce wall areas. Separate the two buildings will correct much of the north facade. Replace combustible trims. Add required drywall (which is also required for other building code requirements).*

#### **Janitor and Common Laundry Rooms (BCBC 3.3.1.21 & 3.3.1.22)**

- Require 1 Hr fire separation from the remainder of the building. Wall assemblies and fire stopping not confirmed, nor noted on existing drawings and assumed not compliant without destructive testing.
- *Upon test results, upgrade if required.*

#### **Guards (BCBC 3.3.1.18)**

- Guards to be non climbable between 140mm and 900mm. Guards on exterior stairway climbable at the due to lower horizontal wood member.
- *Replace or modify such as opaque or clear panels on the inside face if pickets not low enough.*

#### **Sound Transmission (BCBC 3.3.4.6)**

- Residential suites to have a min. actual 50 STC rating. Wall/ floor assemblies not confirmed and existing drawings have incomplete floor assembly information and assumed not compliant without destructive testing.
- *Upon test results, upgrade if required.*

#### **Occupancy on Roof (BCBC 3.2.2.13).**

- L3 roof deck requires a 1 hr FRR fire separation under, including a 1 hr FRR rating of supporting structure.
- *Complete as per building code requirements.*

#### **Repair and Storage Garage Ventilation (BCBC 3.3.5.4)**

- Requires natural or mechanical ventilation.
- *Complete as per building code requirements.*

#### **Storage Garage Vestibules (BCBC 3.3.5.7)**

- Access thru a fire separation to an assembly or residential occupancy shall be thru a vestibule.
- *Omit access or complete as per building code requirements. Not applicable to a garage serving a detached single family dwelling provide air barrier, door with closer and gasket is provided.*

#### **Protection of Openable Windows (BCBC 3.3.4.8)**

- Openable windows in residential suites shall be protected by a 42" ht guard or window limiter to restrict opening to 4" where other dimension is >15", for window openings lower than 42" above the finished floor; or the floor or ground is lower than 5'11" on the other side of the window.
- *Complete as per building code requirements for L4. Part 9 detached single family dwelling exempt.*

#### **Ceiling Heights (BCBC 3.3.1.8 & 3.4.3.4)**

- Floors and 'access to exits' require min. 6'8.75" (2050mm) clear height. Level 2 has ceiling heights at 6'4" and 6'8" (before addition of drywall).
- Doorways require a min. 6'8" (2030mm) clear height. Wall openings on some L1 warehouse areas are 6'6" rough-in height.
- *Complete as per building code requirements which likely means removal of 6'4" height floor.*
- *Ask forgiveness on the 6'8" heights if areas used as mezzanines, perhaps as individual sleeping lofts, for staff accommodations.*

#### **Accessibility (handicapped) (BCBC 3.8 & 3.8.2.31)**

- Require access from the street to at least one main entrance.
- Require at least one accessible washroom.
- Require access to every type of public facility, including those located outside.
- Require access to all storeys to which the public is admitted.
- Require access to one sleeping unit for every 40 sleeping units or part thereof.
- Every floor area that is not sprinklered and is required to be accessible, shall be served by an elevator or be divided into at least 2 zones by fire separations that do not exceed the required travel distance.
- A proposed guest check-in office off the house on L3 would need to be accessible or relocated.
- *Complete as per building code requirements. Need to confirm that public facility and accessibility does not include registered guest accommodation rooms, including access too, otherwise a lift is required.*
- *Provide guest check-in office at grade, including accessible washroom.*

#### **Building envelope**

- Not reviewed as many details concealed from view. Original drawings lacking building envelope details and specifications. No vapour barrier and/ or insulation installed in some rooms on L1 & L2 that may be intentionally unconditioned or incomplete construction.
- *Complete as per building code requirements.*

#### **Electrical and Plumbing**

- Not reviewed.
- Hot water tanks require seismic bracing.
- Any penetrations of elec/ mech services thru fire separations to be fire stopped.
- *Complete review by electrical engineer or licensed commercial electrician as required by City.*

#### **3<sup>rd</sup> Party Home Warranty Insurance**

- Not reviewed, status unknown. Likely required.

#### **Zoning**

- Compliance to zone CD-1.1.3 not reviewed.
- Guest or staff accomodation not a permitted use.
- Potentially review of items required such as density, lot coverage, setbacks, height, parking, etc.
- *Review with City and include any variances as part of the rezoning process.*

--- End ---



**DISTRICT OF UCLUELET**

**Zoning Bylaw Amendment Bylaw No. 1248, 2019**

A bylaw to amend the District of Ucluelet Zoning Bylaw (354 Forbes Road).

---

**WHEREAS** Section 479 and other parts of the *Local Government Act* authorize zoning and other development regulations;

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

**1. Text and Map Amendment:**

Schedule B of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding the following subsection (3) to section CD-1.1.3 in alphanumerical order, as follows:

“(3) On Lot 17 District Lot 284 Clayoquot District Plan VIP76147 (PID: 025-926-811, 354 Forbes Road) the following additional uses are permitted:  
(a) *Commercial Tourist Accommodation* is permitted as a secondary use on the second and third levels of a mixed-use building  
(b) *Staff Housing* is permitted on any floor subject to the terms of a Housing Agreement with the District pursuant to section 483 of the *Local Government Act*”

2. This bylaw may be cited as “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1248, 2019”.

**READ A FIRST TIME** this 9<sup>th</sup> day of **April**, 2019.

**READ A SECOND TIME** this 9<sup>th</sup> day of **April**, 2019.

**PUBLIC HEARING** held this 30<sup>th</sup> day of **April**, 2019.

**READ A THIRD TIME** this     day of     , 2019.

**ADOPTED** this     day of     , 2019.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1248, 2019.”

---

Mayco Noël  
Mayor

---

Mark Boysen  
Corporate Officer

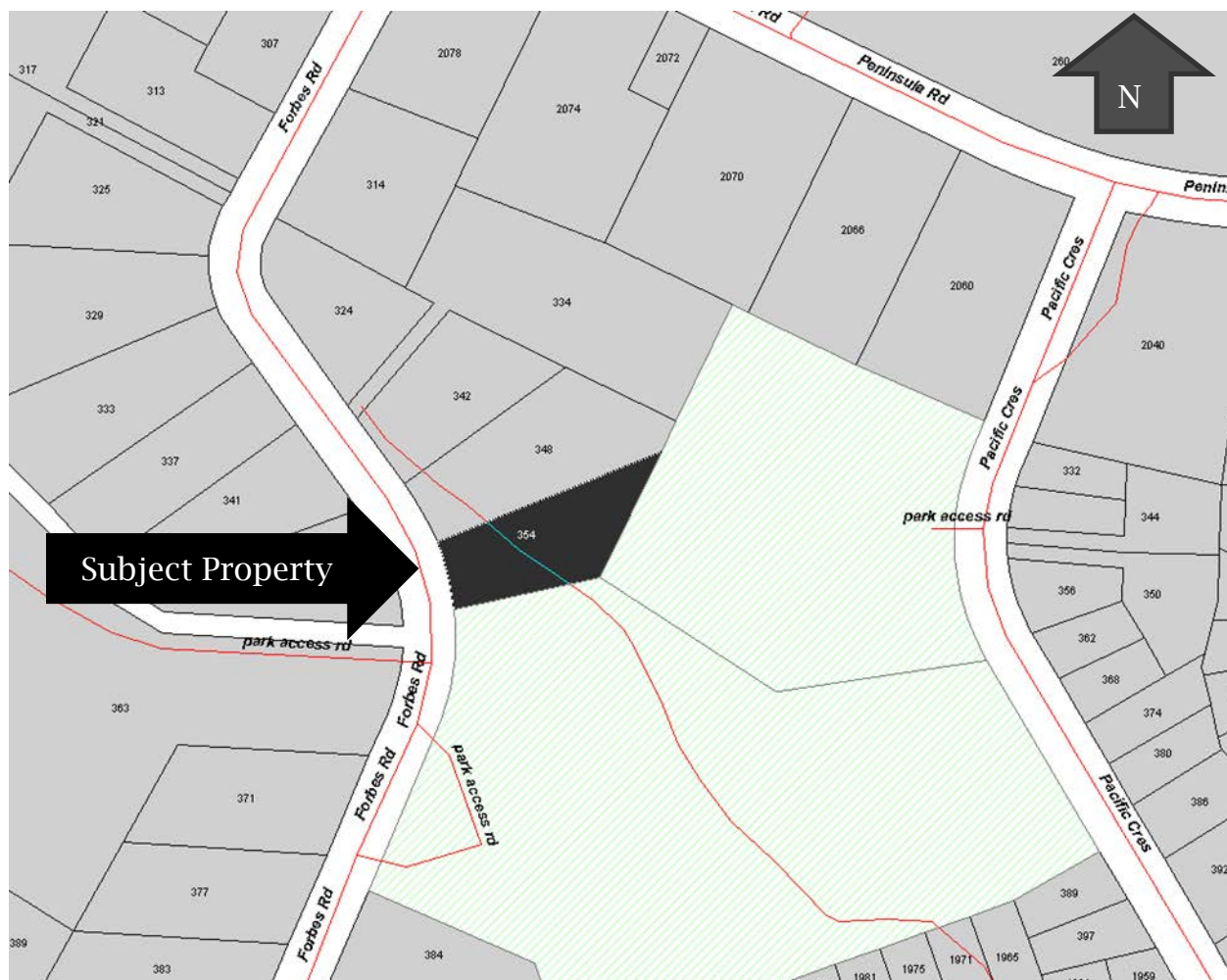
**THE CORPORATE SEAL** of the District of Ucluelet was hereto affixed in the presence of:

---

Mark Boysen  
Corporate Officer

**SCHEDULE 'A'**  
**Bylaw No. 1248, 2019**

Subject property:  
Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road)





**DISTRICT OF UCLUELET**

**Bylaw No. 1249, 2018**

A Bylaw to Authorize the District of Ucluelet to Enter into a Housing Agreement.  
(the 354 Forbes Road staff housing)

**WHEREAS** the Municipality may, by Bylaw, under Section 483 of the *Local Government Act* enter into a Housing Agreement which may include terms and conditions agreed to by the Municipality and the Owner regarding the occupancy of the housing units identified in the Agreement;

**AND WHEREAS** the Municipality has rezoned the property at 354 Forbes Road to enable the Owner to rectify building construction issues and add new tourist accommodation units on upper floors, and as a part of that rezoning the owner has proposed that the lower level of the building be used for employee housing with a proposed timeline for constructing and making the employee housing available to Ucluelet workers;

**AND WHEREAS** the Owner has offered to register a Housing Agreement to ensure that staff housing units are maintained on the Lands described in this Bylaw, and the Municipality has deemed it expedient to require the Owner to enter into a Housing Agreement with the Municipality pursuant to Section 483 of the *Local Government Act*;

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

1. The Municipality is authorized to enter into a Housing Agreement pursuant to Section 483 of the *Local Government Act*, in substantially the form attached to this Bylaw as Schedule "A", with respect to the land located in the District of Ucluelet having a civic address of 354 Forbes Road and being more particularly known and described as:

**Lot 17, District Lot 281, Clayoquot District, Plan VIP76147**

as shown shaded on the map attached to this bylaw as Appendix "A".

2. The Mayor and the Chief Administrative Officer of the Municipality are authorized to execute the Housing Agreement on behalf of the Municipality.

**CITATION**

3. This bylaw may be known and cited for all purposes as the "**Ucluelet Housing Agreement Bylaw No. 1249, 2019**".

**READ A FIRST TIME** this 9<sup>th</sup> day of **April**, 2019.

**READ A SECOND TIME** this 9<sup>th</sup> day of **April**, 2019.

**PUBLIC HEARING** held this 30<sup>th</sup> day of **April**, 2019.

**READ A THIRD TIME** this     day of     , 2019.

**ADOPTED** this     day of     , 2019.

**CERTIFIED CORRECT:** "Ucluelet Housing Agreement Bylaw No. 1249, 2019"

---

Mayco Noel  
Mayor

---

Mark Boysen  
Corporate Officer

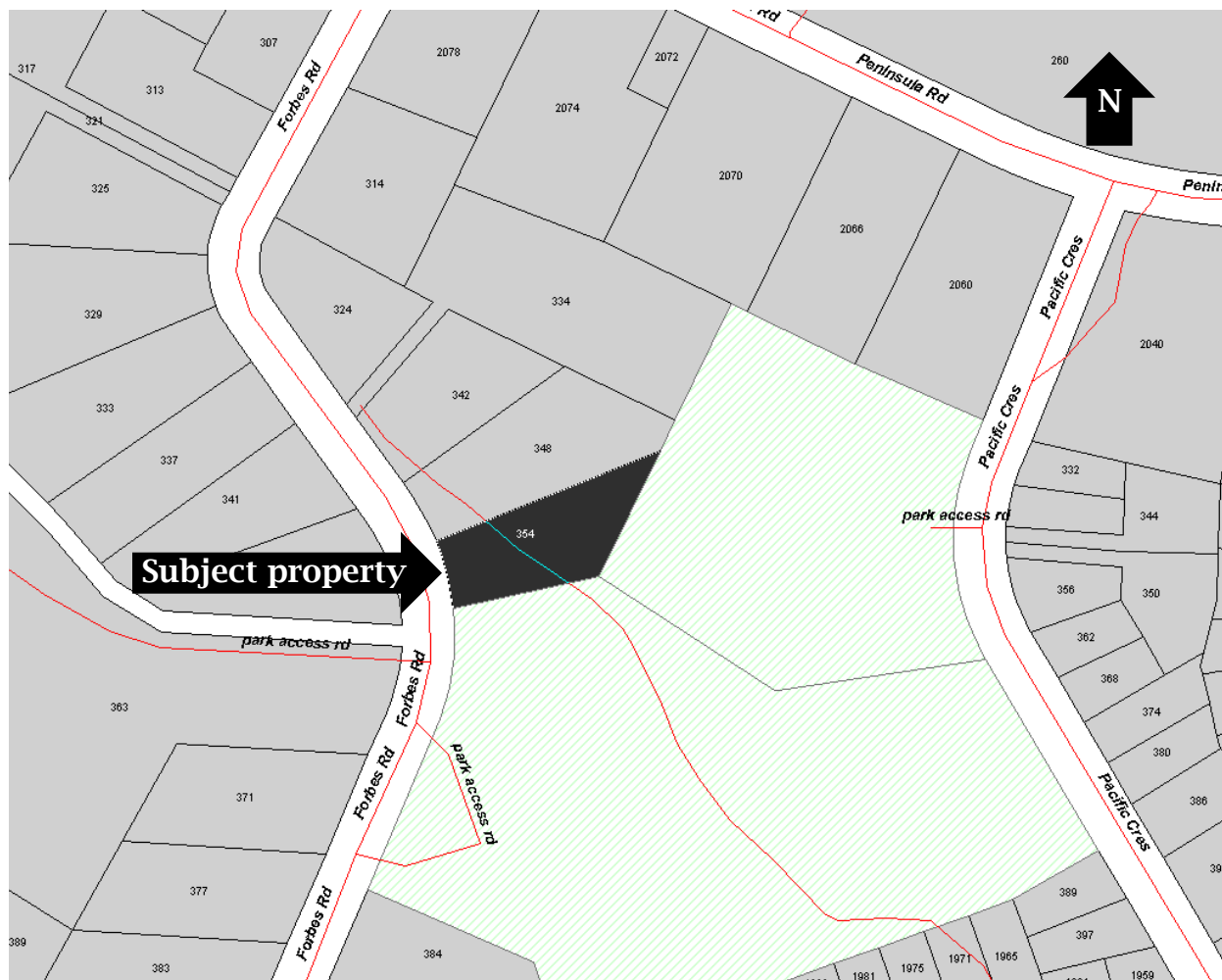
**THE CORPORATE SEAL** of the  
District of Ucluelet was hereto  
affixed in the presence of:

---

Mark Boysen  
Corporate Officer

Appendix "A" to Ucluelet Housing Agreement Bylaw No. 1249, 2019

Subject property: Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road)





**Schedule "A" to Bylaw No. 1249**

**HOUSING AGREEMENT**

**(Section 483, *Local Government Act*)**

This Agreement, dated for reference the \_\_\_ day of \_\_\_\_\_, 2019 is

BETWEEN:

The District of Ucluelet  
200 Main Street (PO Box 999)  
Ucluelet, BC  
V0R 3A0

(the "District")

and:

William Glenn Kaczmar and Dianna Kacsmar  
P.O. Box 1143  
Ucluelet, BC  
V0R 3A0

(the "Owner")

**WHEREAS:**

- A. The Owner is the registered owner of land located at 354 Forbes Road in the District of Ucluelet, which land is within the CD-1 Zone under the District's Zoning Bylaw 1160, and is more particularly described as:

PID: 025-926-811

Lot 17 District Lot 284 Clayoquot District Plan VIP76147

(the "Land");

- B. The Owner has offered to enter into this agreement restricting the occupancy of the proposed staff housing unit to employees of "Pacific Rim Fishing Charters" business operating on the Land, or other employees of light industrial, tourist accommodation, commercial or service businesses operating within the boundaries of the District of Ucluelet;
- C. The District may, pursuant to Section 483 of the *Local Government Act*, enter into a housing agreement with an owner of land that includes terms and conditions regarding the

occupancy, tenure and availability to specified classes of persons of the housing that is subject to the agreement; and,

- D. The Council of the District has, by Housing Agreement Bylaw No. 1235, 2018, authorized the District to enter into this Agreement with the Owner,

**THIS AGREEMENT** is evidence that in consideration of \$2.00 paid by the District to the Owner, the receipt and sufficiency of which are acknowledged by the Owner, and in consideration of the promises exchanged below, the parties agree, as a housing agreement between the Owner and the District under s. 483 of the *Local Government Act*, as follows:

### **STAFF HOUSING UNITS**

1. **Occupancy Restriction.** The Owner agrees that any housing units located on the lower floor of the mixed-use building located on the Land, as indicated in Schedule B to this Agreement, will be occupied only by the employees of the Owner or employees of light industrial, tourist accommodation, commercial or service businesses located within the boundaries of the District of Ucluelet, and the children and spouses of those employees, provided that children and spouses are only allowed to occupy a unit while the unit is occupied by the employee.
2. **Annual Verification.** No later than January 15 of each year beginning in 2020 the Owner will provide to the District, substantially in the form attached as Schedule A to this Agreement unless the District agrees to accept another form, a written statement of the Owner confirming the occupancy in respect of each unit on the Land complies with section 1, above.

### **DEFAULT AND REMEDIES**

3. The Owner agrees that any breach or default in the performance of this Agreement on its part must be corrected, to the satisfaction of the District, within the time stated in any notice of default provided to the Owner by the District.
4. The Owner acknowledges that an award of damages may be an inadequate remedy for a breach of this Agreement and that the District is entitled in the public interest to an order for specific performance of this Agreement, a prohibitory or mandatory injunction to cure any breach of this Agreement, and a declaration that a residential tenancy agreement or any portion of such an agreement or a strata corporation bylaw constitutes a breach of this Agreement and is unenforceable.

### **GENERAL PROVISIONS**

5. **Housing Agreement.** The Owner acknowledges that this Agreement constitutes a housing agreement under s.483 of the *Local Government Act* and that the District will register a notice of this housing agreement against title to the Land.

6. **Indemnity.** The Owner shall indemnify and save harmless the District and each of its elected officials, officers, directors, employees and agents from and against all claims, demands, actions, loss, damage, costs and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is at law responsible, that constitutes a breach of this Agreement.
7. **Release.** The Owner releases and forever discharges the District and each of its elected officials, officers, directors, employees and agents and each of their heirs, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions or causes of action arising out of the performance by the Owner of its obligations under this Agreement.
8. **Survival.** The obligations of the Owner set out in sections 10 and 11 shall survive any termination of this Agreement.
9. **Municipal Powers Unaffected.** This Agreement does not limit the discretion, rights, duties or powers of the District under any enactment or the common law, impose on the District any duty or obligation, affect or limit any enactment relating to the use or subdivision of the Land, or relieve the Owner from complying with any enactment.
10. **No Public Law Duty.** Where the District is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the District is under no public law duty of fairness or natural justice in that regard and the Owner agrees that the District may do any of those things in the same manner as if it were a private party and not a public body.
11. **Notice.** Notice required or permitted to be served under this Agreement is sufficiently served if delivered in person or mailed to the postal address of the Owner or the District, as the case may be, at the address set out above, and in the case of mailed notice shall be deemed to have been received on the third day following mailing.
12. **Enuring Effect.** This Agreement is binding upon, and enures to the benefit of the parties and their respective successors and permitted assigns.
13. **Severability.** If any provision of this Agreement is found to be invalid or unenforceable, it shall be severed from this Agreement and the remainder shall remain in full force and effect.
14. **Remedies and Waiver.** All remedies of the District under this Agreement are cumulative, and may be exercised in any order or concurrently, any number of times. Waiver of or delay by the District in exercising any remedy shall not prevent the later exercise of any remedy for the same or any similar breach.
15. **Sole Agreement.** This Agreement represents the entire agreement between the parties respecting the tenure, use and occupancy of the housing units to be located on the Land, and

there are no representations, conditions or collateral agreements on the part of the District other than those set out in this Agreement.

- 16. **Further Assurance.** The Owner must forthwith do all acts and execute such instruments as may be reasonably necessary in the opinion of the District to give effect to this Agreement.
- 17. **Runs with the Land.** This Agreement runs with the Land, including any part into which the land may be subdivided, and is binding on the Owner and all persons who acquire an interest in the Land.
- 18. **No Joint Venture.** Nothing in this Agreement will constitute the District as the joint venturer, agent or partner of the Owner or give the Owner any authority to bind the District in any way.

**Owners:**

\_\_\_\_\_  
 William Glenn Kaczmar  
 Dianna Kacsmar

\_\_\_\_\_  
 Date:

**The Corporation of the District of Ucluelet,**  
 by its authorized signatories:

\_\_\_\_\_  
 Mayor:

\_\_\_\_\_  
 Date:

\_\_\_\_\_  
 Corporate Officer:

\_\_\_\_\_  
 Date:

Schedule A to Housing Agreement

**STATUTORY DECLARATION**

<b>CANADA</b>	)	<b>IN THE MATTER OF A HOUSING</b>
	)	<b>AGREEMENT WITH THE DISTRICT OF</b>
	)	<b>UCLUELET</b>
	)	
<b>PROVINCE OF BRITISH COLUMBIA</b>	)	<b>("Housing Agreement")</b>
	)	

TO WIT:

I, \_\_\_\_\_ of \_\_\_\_\_, British Columbia, do solemnly declare that:

1. I am the owner or authorized signatory of the owner of land located at 354 Forbes Road in the District of Ucluelet, (the "Lands"), and make this declaration to the best of my personal knowledge.
2. This declaration is made pursuant to the Housing Agreement in respect of the Lands.
3. For the period from \_\_\_\_\_ to \_\_\_\_\_ the Lands were occupied only by employees of the Pacific Rim Fishing Charters or employees of other light industrial, tourist accommodation, commercial or service businesses operating within the District of Ucluelet, or the children or spouses of those employees. Attached to this declaration is a list of the tenants of each of the units located on the Lands, and their place of employment.
4. I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at the District of \_\_\_\_\_ )  
 Ucluelet, in the Province of British Columbia, )  
 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 A Commissioner for Taking Affidavits in the )  
 Province of British Columbia )

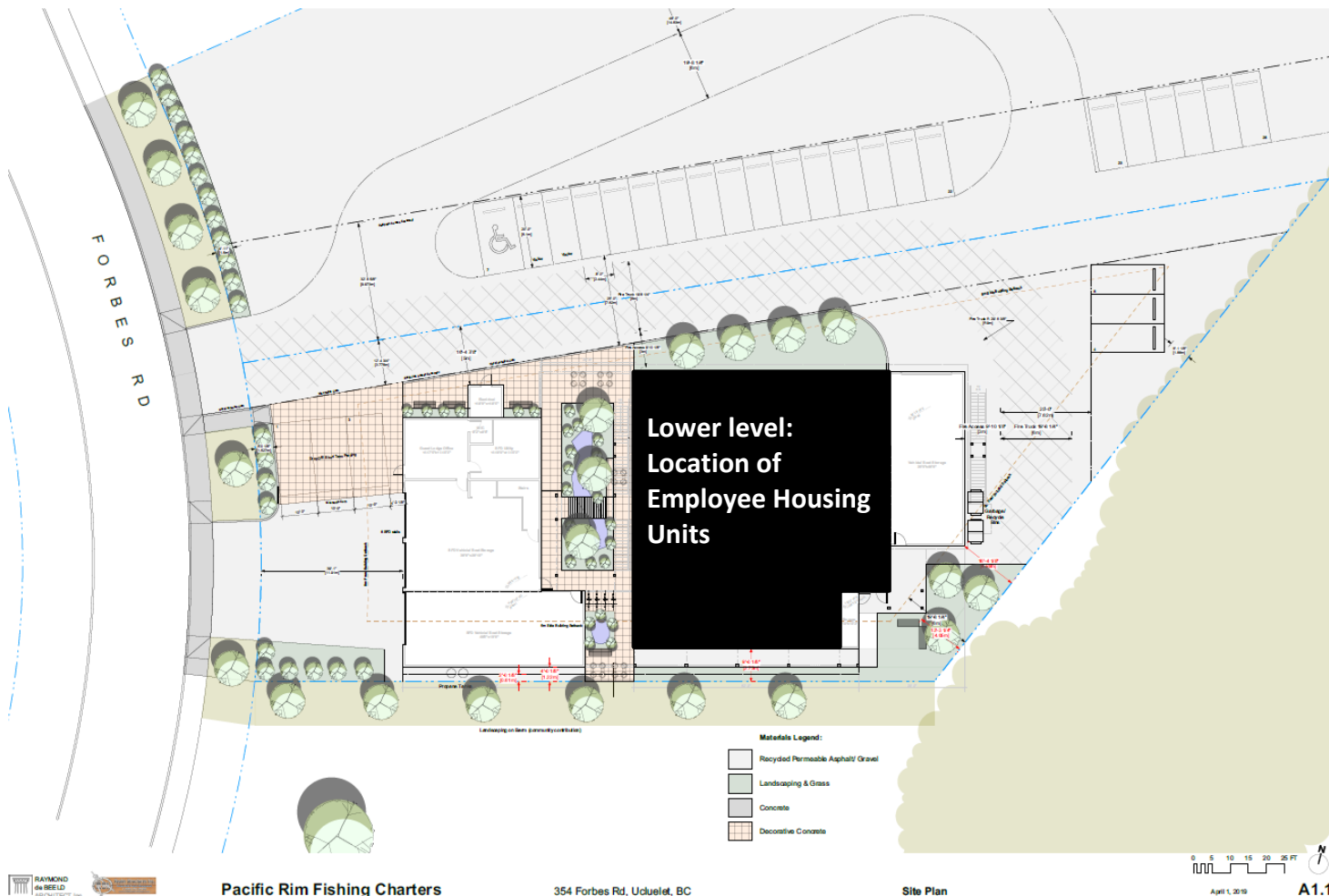
\_\_\_\_\_  
 DECLARANT



# Schedule "B" to Housing Agreement

## EMPLOYEE HOUSING UNITS

(354 Forbes Road – Pacific Rim Fishing Charters)







## DEVELOPMENT VARIANCE PERMIT DVP19-03

Pursuant to section 498 of the Local Government Act, 2015:

1. This Development Variance Permit is issued to:

WILLIAM GLENN KACZMAR AND DIANNA KACZMAR  
P.O. BOX 1143, UCLUELET, BC, V0R 3A0

2. This Development Variance Permit applies to, and only to, those lands within the District of Ucluelet described below, and all buildings, structures, and other development thereon:

Lot 17 District Lot 284 Clayoquot District Plan VIP76147, PID 025-926-811 (354 Forbes Road)

3. This Development Variance Permit is issued subject to compliance with all the bylaws of the District of Ucluelet, except as specifically varied or supplemented by this Permit.
4. This Permit authorizes the following variances to the District of Ucluelet Zoning Bylaw No. 1160, 2013, on the Lands, as shown on Schedule A:
  - a. reduce the side yard setback per section CD-1.6.1(3) on the south side from a minimum of 5m to 1.22m;
  - b. reduce the rear yard setback per section CD-1.6.1(3) from a minimum of 6m to 4.05m;
  - c. reduce the parking setback per section 503.2(1) from a minimum of 3m to 1.5m, subject to the owner installing the proposed landscaped screening within the reduced setback area;
  - d. increase the permitted building height per section CD-1.5.1(4) from a maximum of 12m to 12.95m; and,
  - e. waive the requirement per section 602.1(1) for screening of waste and recycling bins, located at the rear of the building;
5. The work authorized by this Permit may only be carried out:
  - a. in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013, except where specifically varied or supplemented by this development variance permit.
  - b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.



- 6. The above variances are granted for the proposed structures and use of the land as shown on Schedule A. Should the building or parking areas be later removed or destroyed, this Development Variance Permit shall cease to apply and the zoning requirements in effect at the time shall apply.
- 7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
- 8. This Permit is NOT a Building Permit.

AUTHORIZING RESOLUTION passed by the Municipal Council on the      day of      , 2019.

IN WITNESS WHEREOF this Development Variance Permit is hereby executed and issued by the Municipality the      day of      , 2019.

THE DISTRICT OF UCLUELET  
by its authorized signatories:

\_\_\_\_\_  
Mayco Noël – Mayor

\_\_\_\_\_  
Mark Boysen – Chief Administrative Officer

OWNER  
by its authorized signatory:

\_\_\_\_\_  
WILLIAM GLENN KACZMAR AND DIANNA KACZMAR

ISSUED the      day of      , 2019.

\_\_\_\_\_  
Bruce Greig - Manager of Community Planning



## SCHEDULE A – (Site Plan) (Building Plans)

**See Appendix A - Additional Application Materials to**  
Staff Report from April 9, 2019 (No. 19-42)  
Subject: Zoning Amendment Application - Pacific Rim Charters & Guest Lodge  
(354 Forbes Road)