



**DRAFT - Minute Excerpts from the
December 10, 2024, Regular Council Meeting**

7. Bylaws

**7.3 221 Minato Road (ERIF) - OCP Amendment / Rezoning / Environmental DP
*Bruce Greig, Director of Community Planning***

Mr. Greig presented this report. The applicant was invited to present. The applicant did not present.

The Mayor noted the late correspondence item submitted by the Applicant in response to the Staff report.

Council discussed the importance of receiving public input as soon as possible on the proposed bylaws at a public hearing given the size of the project, the sensitive ecological area it is in, and the need for affordable housing.

Council noted the need for the approval process to be efficient, to avoid any unnecessary delays and related costs.

Staff noted that Councillor Anderson submitted proposed motions related to this matter to Staff prior to the meeting. Staff displayed the motions on the projector.

Staff outlined best practices for amending a bylaw after first reading and noted that the resolution text provided by Councillor Anderson related to amending District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024, may not be precise enough. Staff also outlined the notice requirements for holding a public hearing and related timing issues.

Staff made a series of recommendations related to the proposed motions provided by Councillor Anderson to Staff in advance of the meeting. The recommendations included:

1. Using the entire name of the Bylaw in each resolution;
2. Not referring to the agenda page number of the agenda in the resolutions;
3. Making a motion for Staff to update District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024, and bring back the updated bylaw for Council to consider first reading at a future meeting rather than giving the bylaw first reading at this meeting, amending it on the fly and then giving it second reading;
4. A Housing Agreement Bylaw would be required to enter into a Housing

DRAFT - Minute Excerpts from the December 10, 2024, Regular Council Meeting

Agreement. This Bylaw could be presented when an updated Zoning Amendment Bylaw is presented to Council for first reading; and

5. Directing Staff to prepare a covenant amendment to an existing covenant on title for Council's consideration at a later meeting rather than waiving, deleting, or changing sections of the Covenant at this time.

Council discussed the sufficiency of the archeological and environmental assessment and how to best reflect that they are satisfied with the reports.

2024.2339.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council give first reading and second reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024.*

CARRIED.

2024.2340.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council direct Staff to update the following items in the draft Zoning Amendment Bylaw No. 1367, 2024 to align with the updated Masterplan:*

a. CD-6.5 Maximum Size (Gross Floor Area) to have a minor increase for Lot 3 as follows: Building Footprint 2475m², Gross Floor Area 3850m², Proposed Lot Coverage 17% and Maximum Lot Coverage 20%. The totals at the bottom of the table will be updated accordingly.

b. CD-6.7 Maximum Heights for the Principal Building to be increased to 9.5m for Lot 1, 2 and 5 to accommodate the updated flood level.

c. CD-6.8 Minimum Setbacks for Lot 4 Commercial to be updated to 3m proposed and minimum front setback.

d. Definition of Vacation Rental and CD-6.2 Permitted uses to be updated so that a secondary permitted use (such as vacation rental) is allowed without being in conjunction with a principal permitted use (such as permanent resident occupation) only and limited to Lot 3 and Lot 5 homes.

CARRIED.

2024.2341.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council direct staff to refer District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024, to the Yuułuꞵiꞵaꞵ Government, the Ministry of Transportation and*

**DRAFT - Minute Excerpts from the
December 10, 2024, Regular Council Meeting**

Infrastructure and the School District 70 Board of Education for a period of 30 days for comment during the public notification period.

CARRIED.

2024.2342.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council refer District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024, to a public hearing at the earliest opportunity.

CARRIED.

2024.2343.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council indicate that adoption of District of Ucluelet Official Community Plan Amendment Bylaw 1366, 2024 and District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024 would be subject to the owners registering a Section 219 covenant on 221 Minato Road to ensure the following is provided as a matter of public interest:

- 1. That an additional 1m setback from the property boundary will be covenanted along the foreshore and Middle Stream in accordance with the Aquaparian Environmental Report; and*
- 2. That Form 3 in the BC Flood Hazard Area Land Use Management Guidelines will be signed by the developer/landowner to indemnify the Municipal staff and Council for development approval.*

CARRIED.

2024.2344.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council direct Staff to work with the applicant to develop a Housing Agreement.

CARRIED.

2024.2345.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council direct Staff to prepare an amendment to the covenant having the registration numbers CB365207 and CB365209 for Council's review which removes reference to the development of the trail on the property and updates reference to the housing agreements so they relate to the current application.

CARRIED.