

District of Ucluelet Housing FAQ's – June 2024

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- In November 2023, the provincial government passed legislation intended to increase housing supply and improve affordability in all BC municipalities. To achieve this goal, the BC government has made changes to allow more homes and offer different types of housing across the province.
- As part of the District of Ucluelet's ongoing commitment to keeping our communities informed and engaged, and to work to enhance housing accessibility and affordability, we've created this list of Frequently Asked Questions (FAQs) of the current and upcoming housing initiatives in Ucluelet.

Q: How will the Province's new housing legislation impact Ucluelet?

A: There are several areas where Ucluelet must immediately enact zoning and procedures for development approvals, plus a series of policy and bylaw changes to come over the next eighteen months.

- By June 30, 2024, Ucluelet must adopt zoning amendments to allow a secondary suite and/or a detached accessory dwelling unit (ADU) on all lots zoned for only single-family residential use.
- Public hearings are now prohibited when a proposed zoning amendment for housing is consistent with an Official Community Plan (OCP).
- By January 1, 2025, the Housing Needs Report must be updated to include a 20-year housing needs target and describe actions taken to reduce housing needs. Once this interim report is complete, the report must be updated every five (5) years. The 20-year housing target must follow new provincial criteria that have not yet been released.
- By December 31, 2025, Ucluelet must review and update the Official Community Plan bylaw to designate adequate lands for the next 20 years of housing development based on the updated Housing Needs Report. This will involve community input and a public hearing.
- Also by December 31, 2025, Ucluelet must adopt amendments to its zoning bylaw to pre-zone sufficient lands to accommodate the projected 20-year needed supply of housing, in alignment with the updated OCP bylaw.

On April 5, 2024, new legislation in Bill 16 was introduced by the Province for providing new tools for inclusionary zoning and density bonusing to support affordable housing development, works and services and transportation demand management, and tenant protection. If passed by the Province, municipalities may benefit from using these additional tools, and may be required to incorporate new regulations. Further detail and guidance are expected from the province.

Q: How will Ucluelet implement the new housing legislation requirements?

A: In January 2024, the province provided grant-based funding to all local governments to support meeting the new legislated requirements. Ucluelet received funding to support updates and revisions to Ucluelet Zoning Bylaw, Official Community Plan (OCPs), and Housing Needs Report, application and review process. Ucluelet is also in the process of updating our Development Cost Charge (DCC) bylaw and introduce an Amenity Cost Charge (ACC) bylaw to support the development of additional amenities. Ucluelet is also updating its Development Servicing Standards Bylaw to more clearly reflect the current needs of the community.

Q: Will the new legislation change any development processes and/or requirements?

A: The new legislation does not change the rezoning process of a local government, with the exception of not holding public hearings for residential development consistent with an OCP. Processes and requirements, such as application fees, submission requirements, and bylaw readings, are not affected by the new legislation. Rezoning applications that are consistent with the OCP still involve a public process that incorporates notification of first reading.

Additionally, development permit applications (i.e. form and character, environmental), servicing requirements (i.e. safe and adequate water supply and onsite sewage disposal) and building permits will still be required.

Q: What changes have been made to the requirement to hold a public hearing?

A: New legislation has phased out one-off, site-by-site public hearings for housing projects that are consistent with the Official Community Plans (OCP). All local governments are now prohibited from holding a public hearing for proposed zoning bylaws if:

- An OCP is in effect for the area subject to the property being rezoned;
- The bylaw is consistent with the policies and objectives of the OCP;
- The sole purpose of the bylaw is to permit a development that is at least part residential; and,
- The residential component (if it is a mixed-use development) accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.

Q: Will the community have opportunities to comment when public hearings are not held?

A: Yes, community members can provide written comments to Council on any matter.

Q: What changes are being made to allow secondary suites and/or accessory dwelling units on single family residential lots?

A: Ucluelet currently permits accessory dwelling units (ADUs) and secondary suites within most single-family residential areas. On May 14, 2024, Council gave notice of an amendment to the Ucluelet Zoning Bylaw to remove a minimum lot area restriction in the R-6 zone for an ADU or secondary suite. Once adopted this will allow all single-family residential lots in town to have an ADU and/or secondary suite.

Q: What changes are being made to the building heights and setbacks for residential lots?

A: Within single-family residential zones, Ucluelet had restricted the maximum height of single-family dwellings to 8.5 m or 2.5 stories. The new Provincial site standard specifies a maximum height of 11 m or 3 stories. The zoning amendment being considered by Council would mean single family dwellings could now be built to the new 11 m height or 3-stories on all single-family residential lots.

A: Similarly, the Provincial site standards raise the maximum height for an accessory dwelling unit (ADU) to 8m or 2 storeys. The Ucluelet bylaw amendment would enact this within single-family residential zones.

A: The new Provincial site standards also specify a reduction of the minimum setbacks from property lines. Ucluelet zoning amendments would mean that new ADU's could be located a minimum of 6m from the front property line, 1.5m from the rear property line and a minimum of 1.2m from a side property line, if desired by the developer or owner of the property.

Q: What updates need to be made to the Housing Needs Reports (HNRs)?

A: By the end of 2024, Ucluelet will update its housing needs report (recently done and adopted in 2022) to include:

- the total number of housing units required to meet the anticipated housing needs for the next five and 20 years; and
- a description of the actions taken to reduce housing needs since 2022, and information on the need for housing in close proximity to active transportation infrastructure.

Q: Are any changes being made to short term vacation rental regulations in Ucluelet?

A: In 2022, Ucluelet Council adopted the primary principal resident requirement for all short-term rental (STR) units in single-family residential zones (termed a bed and breakfast or B&B use in the zoning bylaw). Council is continuing to support and enforce this existing requirement.

A: The Provincial legislation removed the legal non-conforming protections for existing STR units. Council directed to staff to amend the zoning bylaw to remove specific restrictions on the entry and access to bed and breakfast units that made many B&B operations non-conforming. By removing these specific clauses related to a 'traditional' B&B, these existing STRs will be in compliance with the zoning and will then be legally permitted to continue operations.

A: When amending the zoning bylaw, Council has retained section 404.2(4) which prohibits the conversion of existing long-term rental secondary suites into short-term rental accommodation. Suites that have been used for long-term residential purposes are not permitted to be converted to STR uses under Ucluelet bylaws.