

SPECIAL MEETING OF COUNCIL Tuesday, September 6, 2022 @ 5:30 PM Ucluelet Community Centre, 500 Matterson Drive, Ucluelet

AGENDA

Page

1.	CALL	TO ORDER					
	1.1.	 ACKNOWLEDGEMENT OF THE YUUŁU?IŁ?ATḤ Council would like to acknowledge the Yuułu?ił?atḥ, on whose traditional territories the District of Ucluelet operates. 					
	1.2.	NOTICE OF VIDEO RECORDING Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube on Zoom which may store data on foreign servers.					
2.	LATE	ITEMS					
3.	APPR	OVAL OF AGENDA					
4.	ADOP	TION OF MINUTES					
	4.1.	August 2, 2022, Special Council Minutes 2022 08 02 Special Minutes	3 - 6				
	4.2.	August 16, 2022, Regular Council Meeting 2022 08 16 Regular Minutes	7 - 17				
5.	BYLA\	ws					
	5.1.	Bed & Breakfast and Accessory Residential Dwelling Units Amendments to the Ucluelet Zoning Bylaw. Bruce Greig, Director of Community Planning RTC - B&B and ADU Bylaw No. 1310, 2022 Appendix A - Bylaw No.1310, 2022	19 - 29				
	5.2.	District of Ucluelet Permissive Tax Exemption Bylaw No. 1318, 2022 Donna Monteith, Chief Financial Officer RTC - Permissive Tax Exemption Appendix A - 2022 Permissive Tax Exemptions Appendix B - Permissive Tax Exemption Bylaw No. 1318, 2022	31 - 38				
	5.3.	Fees and Charges Amendment Bylaw - Adoption Donna Monteith, Chief Financial Officer RTC - Fees and Charges Amendment Bylaw Appendix A - Fees and Charges Amendment Bylaw No. 1316, 2022	39 - 51				

			Page 2 of 72
	5.4.	Amendments to the Ucluelet Business Regulation and Licensing Bylaw Bruce Greig, Director of Community Planning RTC - Business Licence Amendment Bylaw No. 1313, 2022 Appendix A - Bylaw No. 1313, 2022	53 - 59
	5.5.	Municipal and Regional District Tax Bylaw No. 1314, 2022 - Adoption Joseph Rotenberg, Manager of Corporate Services RTC - MRDT Bylaw No. 1314, 2022 Appendix A - District of Ucluelet Bylaw No. 1314, 2022	61 - 64
6.	REPC	PRTS	
	6.1.	Appointment of a New Deputy Chief Election Officer for the 2022 General Local Election Joseph Rotenberg, Manager of Corporate Services RTC - Appointment of New Election Official	65 - 66
7.	CORF	RESPONDENCE	
	7.1.	Reconsideration of 272 Main St DVP and DVB Lucio Picciano, Architect, AIBC 2022-08-22 - Reconsideration of 272 Main St DVP and DVP Reconsideration Site Plan	67 - 69
	7.2.	Invitation to Coastal Marine Strategy Information Session for AVICC	71 - 72

2022-08-17 Invitation to Coastal Marine Strategy Information Session for

AVICC

ADJOURNMENT

8.

DISTRICT OF UCLUELET

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE Tuesday, August 2, 2022 at 4:00 PM

Present: Chair: Mayor Noël

Council: Councillors Cole, Hoar, Kemps, and McEwen Duane Lawrence, Chief Administrative Officer

Donna Monteith, Chief Financial Officer Bruce Greig, Director of Community Planning

John Towgood, Planner

Monica Whitney-Brown, Assistant Planner

Joseph Rotenberg, Manager of Corporate Services

Regrets:

1. CALL TO ORDER

The meeting was called to order at 4:00 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

Council acknowledged the Yuułu?ił?atḥ, on whose traditional territories the District of Ucluelet operates.

1.2 NOTICE OF VIDEO RECORDING

Audience members and delegates were advised that the proceeding is being video recorded and broadcast on YouTube on Zoom which may store data on foreign servers.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF AGENDA

3.1 August 2, 2022 - Special Council Meeting Agenda

2022.2046.SPECIAL It was moved and seconded THAT Council approve the August 2, 2022

Special Council meeting agenda as presented.

CARRIED.

2022.2047.SPECIAL It was moved and seconded THAT Council move into a Committee of the

Whole.

CARRIED.

4. COMMITTEE OF THE WHOLE

4.1 Business Licence Fees Review

Donna Monteith, Chief Financial Officer

Special Council Meeting Minutes - August 2, 2022

Page 1 of 4

The Committee of the Whole commenced at 4:01 pm.

Ms. Monteith presented and the Committee discussed the questions identified in her report.

Staff clarified the purpose of business licensing fees and distinguished them from property taxes. Staff also clarified that the proposed 18% fee increase for business licenses would not apply to short-term rentals if the proposed increase to business licenses for short-term rentals was adopted.

The Committee requested that staff present an amendment bylaw that establishes:

- an 18% fee increase to all Business Licences to address inflation effective 2023;
- a 2% annual increase to Business Licence Fees within the Fees and Charges Bylaw effective 2024;
- an increase to Business Licence fees for short term rentals to \$450 per year, plus \$125 for each additional room;
- implements the fee adjustment all at once;

The Committee also requested that staff present these amendments to Council before the 2022 General Local Election.

2022.2048.SPECIAL It was moved and seconded **THAT** the Committee rise without reporting.

CARRIED.

5. BYLAWS

The Committee of the Whole concluded at 4:39 pm.

5.1 Bed & Breakfasts and Accessory Dwelling Units - Amendments to the Ucluelet Zoning Bylaw and Business Regulation and Licensing Bylaw Bruce Greig, Director of Community Planning

Mr. Greig presented this report and outlined the proposed amendment bylaws.

Council discussed the Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022 and District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022 as presented in Report No. 22-110 with the desired outcome of balancing community interest in preserving long-term housing stock and protecting neighbourhoods with individual financial interest associated with operating a bed and breakfast in a residential zone. Council supported the bylaw 1310, 2022 as presented, with all proposed amendments, giving the bylaw second reading upon further amending the amendments to allow microwaves and toasters.

2022.2049.SPECIAL It was moved and seconded **THAT** Council rescind second reading of District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022.

CARRIED.

2022.2050.SPECIAL

Special Council Meeting Minutes – August 2, 2022

Page 2 of 4

It was moved and seconded THAT section 1.C.iii of Zoning Amendment Bylaw No. 1310, 2022 as presented in Report No. 22-110 be amended to allow a microwave and toaster under 404.1 (4)(a).

CARRIED.

2022.2051.SPECIAL It was moved and seconded THAT Council amend District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022, to include the changes presented in staff report number 22-110 dated August 2, 2022.

DEFEATED.

2022.2052.SPECIAL It was moved and seconded THAT Council give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022, as amended.

CARRIED.

2022.2053.SPECIAL

It was moved and seconded THAT Council refer District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022., to a public hearing.

CARRIED.

2022.2054.SPECIAL It was moved and seconded THAT Council give first, second and third reading to Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313,

CARRIED.

2022.2055.SPECIAL

It was moved and seconded THAT Council direct staff to publish notice on the District website and in 2 issues of the Westerly news of the proposed Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022, and provide an opportunity for the public to make written representations or verbal comments to Council prior to adoption of the bylaw.

CARRIED.

Municipal and Regional District Tax Bylaw No. 1315, 2022 - A bylaw to 5.2 request an increase to the Municipal and Regional District Tax rate from 2% to 3% under provisions of the Provincial Sales Tax Act Duane Lawrence, Chief Administrative Officer

2022.2056.SPECIAL

It was moved and seconded THAT Council give first, second and third reading to District of Ucluelet Municipal and Regional District Tax Bylaw No. 1315, 2022.

CARRIED.

6. **ADJOURNMENT**

The meeting was adjourned at 5:10 pm.

CERTIFIED CORRECT: Minutes of the Special Council Meeting held on Tuesday, August 2, 2022 at 4:00 pm in the George Fraser Room, Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

ayco Noël, Mayor	Duane Lawrence, Corporate Officer	

DISTRICT OF UCLUELET

MINUTES OF THE REGULAR COUNCIL MEETING HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE Tuesday, August 16, 2022 at 4:00 PM

Present: Chair: Mayor Noël

Council: Councillors Cole, Hoar, Kemps, and McEwen Staff: Duane Lawrence, Chief Administrative Officer

Donna Monteith, Chief Financial Officer Bruce Greig, Director of Community Planning

Rick Geddes, Fire Chief

Monica Whitney-Brown, Assistant Planner Paula Mason, Administration Clerk

Regrets:

1. CALL TO ORDER

The meeting was called to order at 4:00 P.M.

- 1.1 ACKNOWLEDGEMENT OF THE YUUŁU?IŁ?ATḤ
 Council acknowledged the Yuułu?ił?atḥ, on whose traditional territories the District of Ucluelet operates.
- 1.2 NOTICE OF VIDEO RECORDING

Audience members and delegates were advised that the proceeding was being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.

2. LATE ITEMS

- 2.1 Replace Bylaw Item 8.2. with the report titled "Fireworks Bylaw No. 1302, 2022" and all attachments thereto.
 - RTC Fireworks Bylaw No, 1302, 2022
 - Appendix A Fireworks Bylaw No. 1302, 2022
 - Appendix B Fireworks Fines & Penalties
 - Appendix C Bylaw No. 967, 2004
- 2.2 Add the following correspondence items to Regular Agenda Item 7.2 DVP & DP for Residential Address at 272 Main Street Correspondence Items received.
 - 2022-08-14 L. Bird DVP22-03
 - 2022-08-15 Noell, Andrea Public Comment 272 Main Street
- 2.3 Add the following correspondence items to Regular Agenda Item 7.8 Temporary Use Permit (Weyerhaeuser Lands) Correspondence Items received.

• 2022-08-15 Schantz, Bob - TUP 22-07

3. APPROVAL OF THE AGENDA

3.1 August 16, 2022, Regular Council Agenda

2022.2144.REGULAR It was moved and seconded **THAT** Council approve the August 16, 2022, Regular Council Agenda as amended.

CARRIED.

4. ADOPTION OF MINUTES

4.1 July 19, 2022, Regular Council Minutes

2022.2145.REGULAR It was moved and seconded **THAT** Council adopt the July 19, 2022, Regular Council Minutes as presented.

CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Public Input
There was no public input.

5.2 Delegations

Terry Smith, Barkley Community Forest Re: Annual Report

Mr. Smith was unable to present.

Samantha Hackett, West Coast Multiplex Society Re: Community MOU - Ownership, Partnering, Planning, Construction, and Operating the West Coast Multiplex

Ms. Hackett presented a proposed Memorandum of Understanding related the ownership, planning, construction and operation of the West Coast Multiplex.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. REPORTS

7.1 West Coast Multiplex Memorandum of Understanding Duane Lawrence, Chief Administrative Officer

Mr. Lawrence presented this report.

Regular Council Meeting Minutes – August 16, 2022

Page 2 of 11

Council discussed the Memorandum of Understanding, expanded proposed project and the need for further community engagement.

2022.2146.REGULAR It was moved and seconded THAT Council direct staff to advise the West Coast Multiplex Society that Ucluelet may consider signing an updated memorandum of understanding upon renewed stakeholder consultation in the determination of regional recreation priorities and affirmation of local and regional support for a multiplex facility.

CARRIED.

7.2 **DVP & DP for Residential Addition at 272 Main Street** John Towgood, Municipal Planner

Bruce Greig, Director of Community Planning, presented this report.

Council invited the applicant to present. The applicant discussed the features of the project and proposed variance. Council sought clarification from the applicant.

Council invited members of the public to comment on the proposed Development Variance Permit 22-03 (the "DVP").

There was no additional public input on the proposed Development Variance Permit.

Council discussed the proposed DVP and in particular concerns related to not providing parking and increasing density.

Council discussed the proposed Development Permit.

2022.2147.REGULAR It was moved and seconded THAT Council, with regard to the proposed residential addition at 272 Main Street (Lot 1, District Lot 282, Clayoguot District, Plan 12287; PID 004-984-251):

- 1. Subject to public comment, approve the issuance of Development Variance Permit 22-03 for:
 - a. a minimum side yard setback of 0.15m from the lot line abutting Helen Road, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 1.5m; and,
 - b. a minimum rear yard setback of 2.2m from the rear lot line. whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 4.0m; and,
 - c. a requirement of zero parking spaces, whereas section 505.1 of the Ucluelet Zoning Bylaw No. 1160, 2013 requires the proposed residential dwelling unit to have two parking spaces.

Regular Council Meeting Minutes – August 16, 2022

Page 3 of 11

DEFEATED.

2022.2148.REGULAR It was moved and seconded THAT Council approve the issuance of Development Permit 22-03 for a two-storey residential dwelling unit above a ground-floor storage room addition to an existing mixed commercial/residential building, and associated landscape and hardscape works.

DEFEATED.

2022.2149.REGULAR It was moved and seconded THAT Council direct District Staff to prepare a license of occupation for the proposed garbage storage area and private walkway in the Helen Road right-of-way (30m2) with an annual rate of \$400 and an initial term of 10 years.

DEFEATED.

7.3 **Development Permit for A Resort Condo Development at 1015** Peninsula Road

John Towgood, Municipal Planner

Bruce Greig, Director of Community Planning, presented this report. Mr. Greig fielded Council questions.

Council invited the applicant to present. The applicant, Alex Paguin of 1015 Peninsula Road, discussed the features of the project and proposed variance. The applicant fielded Council questions.

Council invited members of the public to comment on the proposed Development Variance Permit 22-04 (the "DVP").

Judy Grey, 506 Marine Drive, spoke in support of the application generally and raised concerns about the storage of garbage.

2022.2150.REGULAR It was moved and seconded THAT Council, with regard to the proposed Resort Condo development at 1015 Peninsula Road (Lot 5 Section 21 Clayoquot District Plan VIP67274; PID 024-167-525):

- 1. Subject to public comment, approve the issuance of Development Variance Permit 22-04 for:
 - a. a minimum front yard setback of 2.59m from the front lot line for an existing yurt type office building, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m; and,
 - b. a minimum front yard setback of 1.5m from the front lot line for a garbage storage enclosure, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m; and.
 - c. two parking spaces with a zero setback, whereas section 503.2 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013

Regular Council Meeting Minutes – August 16, 2022

Page 4 of 11

requires that parking spaces must not be located within 3m of the lot line abutting Peninsula Road

CARRIED.

2022.2151.REGULAR 2. It was moved and seconded THAT Council approve the issuance of Development Permit 22-02 for an eight-unit cabin-style Resort Condo development and associated landscape and hardscape works.

CARRIED.

2022.2152.REGULAR 3. It was moved and seconded THAT Council approve the location of the existing office yurt and its deck to within 21.3m of the natural boundary, whereas restrictive covenant EL10359 restricts the construction of buildings within 25m of the Natural Boundary.

CARRIED.

7.4 **Development Variance Permit 22-02** Monica Whitney-Brown, Planning Assistant

Ms. Whitney-Brown presented this report.

Council invited the applicant to present. The Applicant, Rick Geddes of 460 Orca Crescent, outlined the proposed project.

Council invited members of the public to comment on the proposed Development Variance Permit 22-02 (the "DVP").

There was no additional public input on the proposed DVP.

2022.2153.REGULAR It was moved and seconded THAT Council, subject to public comment, authorize the Director of Community Planning to execute and issue Development Variance Permit DVP22-02 for a storage facility (shed) of up to 46.14 m3 (cubic meters) with a height of up to 3.1 meters, whereas section 4.16 of the Ucluelet Mobile Home Parks Bylaw No. 513, 1988 allows a shed to be constructed to 17 - 25 m3 (cubic meters) in volume; and 2.4 meters in height.

CARRIED.

7.5 **Temporary Use Permit - 695 Rainforest Drive** Monica Whitney-Brown, Planning Assistant

Ms. Whitney-Brown presented this report.

Council invited the applicant to present. The applicant, Shanti Davis of 695 Rainforest Drive, addressed her application.

Council invited members of the public to comment on the proposed renewal of the Temporary Use Permit 19-05.

Regular Council Meeting Minutes – August 16, 2022

Page 5 of 11

There was no public input on the proposed renewal of the TUP.

2022.2154.REGULAR It was moved and seconded THAT Council, subject to public comment, authorize the Director of Community Planning to execute and renew Temporary Use Permit 19-05, to allow seasonal accommodation for one Recreational Vehicle/ Camping space for local workers for a period of 3 Years.

CARRIED.

7.6 Temporary Use Permit - 1187 Peninsula Road Monica Whitney-Brown, Assistant Planner

Ms. Whitney-Brown presented this report.

Council invited the applicant to present. The applicant, Catherine Oliwa, was available to answer any questions.

Council invited members of the public to comment on the proposed renewal of the Temporary Use Permit 22-08 (the "TUP").

There was no public input on the proposed TUP.

2022.2155.REGULAR It was moved and seconded THAT Council, subject to public comment, authorize the Director of Community Planning to execute and issue Temporary Use Permit 22-08 to allow one seasonal Recreational Vehicle for an employee of Little Beach Resort at 1187 Peninsula Road for a period of three years.

CARRIED.

7.7 Temporary Use Permit - 1604 Peninsula Road Monica Whitney-Brown, Planning Assistant

Councillor Hoar recused herself and left the meeting at 5:29 PM because her employer owns the subject property.

Ms. Whitney-Brown presented this report.

Council invited the applicant to present. The applicant did not present.

Council invited members of the public to comment on the proposed Temporary Use Permit (the "TUP").

There was no public input on the proposed renewal of the TUP.

2022.2156.REGULAR It was moved and seconded:

Regular Council Meeting Minutes – August 16, 2022

Page 6 of 11

- 1. **THAT** Council, with regard to the proposed change of use at 1604 Peninsula Road, subject to public comment, authorize the Director of Community Planning to execute and issue Temporary Use Permit 22-09 to allow the operation of a Daycare Facility at 1604 Peninsula Road for a period of three years;
- 2. **THAT** Council direct staff to prepare a letter for the Mayor's signature, requesting guidance from the Yuulu?il?ath Government on their preference for the long-term location of the canoe log which is currently on loan to the District of Ucluelet and located at 1604 Peninsula Road, and expressing the District's support for working together on its appropriate care and relocation.

CARRIED.

7.8 **Temporary Use Permit (Weyerhaeuser Lands)** Monica Whitney-Brown, Planning Assistant

Councillor Hoar returned to the meeting at 5:35 P.M.

Ms. Whitney-Brown presented this report. Ms. Whitney-Brown addressed questions from Council.

Council invited the applicant to present. The applicant, Steve Wibi of 555 Big Bear Ridge, Nanaimo, addressed Council questions related to generator use.

Council invited members of the public to comment on the proposed Temporary Use Permit (the "TUP").

Judy Grey, 506 Marine Drive, spoke in support of the TUP. She noted that noise is unlikely to be an issue given the location of the generators.

2022.2157.REGULAR It was moved and seconded THAT Council, subject to public comment, authorize the Director of Community Planning to execute and issue Temporary Use Permit 22-07 to allow eight seasonal Recreational Vehicle (RV) camping spaces for local workers at the Weyerhaeuser "Phase 5 Ocean West" development for a period of six months.

CARRIED.

7.9 **Results From the Alternative Approval Process for Loan** Authorization Bylaw No. 1304, 2022 Joseph Rotenberg, Manager of Corporate Services

Duane Lawrence, Chief Administrative Officer, presented this report.

2022.2158.REGULAR It was moved and seconded:

Regular Council Meeting Minutes – August 16, 2022

Page 7 of 11

- THAT Report No. 22-111 by the Manager of Corporate Services which provides the results of the Alternative Approval Process for Loan Authorization Bylaw No. 1304, 2022 be received for information; and
- THAT Council direct the Corporate Officer to report the results by publishing the Certification of Results of the Alternative Approval Process for Loan Authorization Bylaw No. 1304, 2022 on Ucluelet.ca.

CARRIED.

2022.2159.REGULAR It was moved and seconded THAT Council recess for five minutes.

CARRIED.

Council recessed at 5:43 PM and returned to session at 5:50 PM.

8. BYLAWS

8.1 Loan Authorization Bylaw No. 1304, 2022 - Adoption - Water System and Filtration Improvement Project

Joseph Rotenberg, Manager of Corporate Services

Duane Lawrence, Chief Administrative Officer, presented this report.

2022.2160.REGULAR It was moved and seconded **THAT** Council adopt Loan Authorization Bylaw No. 1304, 2022.

CARRIED.

8.2 Fireworks Regulation Bylaw 1302, 2022 Rick Geddes, Fire Chief

Mr. Geddes presented this report. Mr. Geddes answered a number of Council's questions.

2022.2161.REGULAR It was moved and seconded **THAT** Council gives first, second, and third reading to District of Ucluelet Fireworks Regulation Bylaw No. 1302, 2022.

CARRIED.

2022.2162.REGULAR

It was moved and seconded **THAT** Council approves the Fireworks Fines & Penalties as presented in staff report No. 22-113 and directs staff to present an amendment to Municipal Ticket Information System Bylaw No. 949, 2004 to include these fines and penalties.

CARRIED.

8.3 Municipal and Regional District Tax Bylaw No. 1314, 2022 - A bylaw to request an increase to the Municipal and Regional District Tax Rate from 2% to 3% under provisions of the Provincial Sales Tax Duane Lawrence, Chief Administrative Officer

Mr. Lawrence presented this report.

2022.2163.REGULAR It was moved and seconded:

Regular Council Meeting Minutes – August 16, 2022

Page 8 of 11

- **THAT** Council abandon District of District of Ucluelet Municipal and Regional District Tax Bylaw No. 1315, 2022.
- THAT Council give first, second and third reading to District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022.
 CARRIED.

8.4 Officers and Officials Bylaw - Adoption Duane Lawrence, Chief Administrative Officer

Mr. Lawrence presented this report.

2022.2164.REGULAR It was moved and seconded **THAT** Council adopt the Officers and Officials Bylaw No. 1315, 2022.

CARRIED.

8.5 Reserves Establishment Bylaw No. 1317, 2022 Donna Monteith, Chief Financial Officer

Ms. Monteith presented this report.

2022.2165.REGULAR It was moved and seconded **THAT** Councilapprove Option A, to give District of Ucluelet Reserves Establishment Bylaw No. 1317, 2022 first, second and third reading as presented.

CARRIED.

8.6 Fees and Charges Amendment Bylaw No. 1316, 2022 Donna Monteith, Chief Financial Officer

Ms. Monteith presented this report.

2022.2166.REGULAR It was moved and seconded **THAT** Council approve Option A, to give District of Ucluelet Fees and Charges Amendment Bylaw No 1316, 2022 first, second, and third reading.

CARRIED.

2022.2167.REGULAR It was moved and seconded **THAT** Council direct staff to publish notice on

the District website and in 2 issues of the Westerly news of the proposed District of Ucluelet Fees and Charges Amendment Bylaw No 1316, 2022, and provide an opportunity for the public to make written representations or verbal comments to Council prior to adoption of the bylaw.

CARRIED.

9. NOTICE OF MOTION

There were no notices of motion.

10. CORRESPONDENCE

Regular Council Meeting Minutes - August 16, 2022

Page 9 of 11

10.1 Invitation to Meet with Office of Seniors Advocate and Land Title and Survey Authority of British Columbia During UBCM Convention

Birgit Schmidt, Director, MUNI UBCM Convention Coordinator, Local Government Division, Ministry of Municipal Affairs

Council noted that they would like to meet with the Seniors Advocate to discuss medical services in Ucluelet.

10.2 Invitation to Attend the 9th Annual Resource Breakfast Series - September 2022
Sarah Weber, President, & CEO, C3 Alliance Corp

10.3 UBCM Resolution to Modernize the Local Government Act Tyler Brown, Chair, Regional District of Nanaimo

11. INFORMATION ITEMS

11.1 Rural Townhall Details

Shannon Stubbs, M.P., Lakeland, Shadow Minister of Rural Economic Development and Rural Broadband Damien C. Kurek, M.P., Battle River - Crowfoot, Deputy Shadow Minister for Rural Economic Development and Rural Broadband Strategy

11.2 Medal of Good Citizenship 2022 - Nominations due by Sept 6th

Council requested that this matter be distributed through Ukee Mail.

12. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

- 12.1 Councillor Marilyn McEwen

 Deputy Mayor January 1 March 15, 2022
- 12.2 Councillor Lara Kemps

 Deputy Mayor March 16 May 31, 2022
 - Edge to Edge Marathon will occur on October 16, 2022.
 - Soap Box Derby is on September 17, 2022.
- 12.3 Councillor Jennifer Hoar

 Deputy Mayor June 1 August 15, 2022
- 12.4 Councillor Rachelle Cole

 Deputy Mayor August 16 October 31, 2022
 - Attended Barkley Community Forest Board Meeting.
- 12.5 Mayor Noël

13. QUESTION PERIOD

There were no questions.

14. CLOSED SESSION

There was no closed session.

15. ADJOURNMENT

The meeting was adjourned at 6:13 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, August 16, 2022 at 4:00 pm in the Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.



REPORT TO COUNCIL

Council Meeting: September 6, 2022 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING FILE NO: 3360-20-RZ22-06

SUBJECT: BED & BREAKFASTS AND ACCESSORY RESIDENTIAL DWELLING UNITS

AMENDMENTS TO THE UCLUELET ZONING BYLAW. REPORT NO: 22-126

ATTACHMENT(S): APPENDIX A – BYLAW No. 1310, 2022

RECOMMENDATION(S):

THAT Council amend *District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022,* by deleting sections 404.3(1) through 404.3(4).

THAT Council give third reading of *District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022,* as amended; and,

THAT Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022.

BACKGROUND:

On May 31st, Council gave 1st and 2nd reading to Ucluelet Zoning Amendment Bylaw No. 1310. This bylaw was the subject of a Public Hearing held on June 28, 2022. At a Special Council Meeting on June 29th, 2022 Council voted to refer the proposed bylaw back to staff and return it to a Committee of the Whole meeting for further discussion. The Committee of the Whole meeting took place on July 19th, with further instruction to staff to amend Bylaw No. 1310 based on Council's discussion. Council considered first and second reading of the proposed amended Bylaw No. 1310 at a special meeting of Council on August 2nd, 2022 with a Public Hearing on Bylaw No. 1310 taking place on August 23rd, at 5:30 pm.

The revised version of Bylaw No. 1310 contains a duplication: sections 404.2 and 404.3 contain identical wording. Staff suggest that Council amend Bylaw No. 1310 to remove Sections 404.3(1) through 404.3(4) prior to considering 3rd reading.

PURPOSE

Having had a public hearing on District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022, Council is now in a position to give third reading and adopt this bylaw.

OPTIONS:

	That Council give third reading and adopt District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022.	Pros	 Adopting Bylaw No. 1310 would adjust the Zoning Bylaw to reflect the community priority of creating more affordable and diverse housing opportunities. Bylaw No. 1310 would be adopted and the B&B use would be better defined to the traditional form that was anticipated when the use was first introduced. Bylaw No. 1310 would facilitate the creation of new accessory dwelling units in the form of detached cottages. The bylaw would require that a B&B be operated in the principal residence of the business owner.
Α		Cons	 At some point would need to revisit OCP policies, goals and strategies for balancing tourist accommodation with adequate housing for Ucluelet residents. Would need to revisit the long-term growth scenario analysis and the "Low(ish) Growth" pattern endorsed by Council in the OCP; all growth scenarios assumed that B&B uses in residential areas would be capped and not continue expanding per the recent trend. Without a change in the existing regulations, the balance of housing vs. tourist accommodation may continue to worsen.
		Implications	 Continued staff time to review and manage development applications for the creation of B&Bs. Continued bylaw enforcement time to monitor and oversee B&Bs within the community.
	That Council defer	<u>Pros</u>	None anticipated.
В	consideration of the bylaw until such time as it may be considered by the newly elected Council.	Cons	The commercialization of residential properties and the growth that this commercialization represents would continue unconstrained.
		Suggested Motion	That Council direct staff to bring the <i>District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022</i> to the November 29, 2022, regular meeting of Council for consideration.
		<u>Pros</u>	Would satisfy some current property owners.
С	That Council abandon <i>District of</i> <i>Ucluelet Zoning</i> <i>Amendment Bylaw</i> <i>No. 1310, 2022</i> .	<u>Cons</u>	 Ongoing expansion of short-term vacation rentals in residential properties throughout the municipality. Further erosion of the secondary rental housing base in Ucluelet. Further speculation and commercialization of residential properties, exacerbating the inflation of property values. ADU detached cottages would not be permitted as a secondary use in residential zones – owners wishing to

2

	 build a detached dwelling would still need to first apply for rezoning. New B&B operations in the form of external guest suites could continue to be established in existing residential neighborhoods. Would need to revisit OCP policies and goals for balancing tourist accommodation with adequate housing for Ucluelet residents. Would need to revisit the long-term growth scenario analysis and the "Low(ish) Growth" pattern endorsed by Council in the OCP; all growth scenarios assumed that B&B uses in residential areas would be capped and not continue expanding per the recent trend. Without a change in the existing regulations, the balance of housing vs. tourist accommodation would continue to worsen.
<u>Suggested</u> <u>Motion</u>	THAT Council abandon <i>District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022.</i>

NEXT STEPS:

This is the last step in the bylaw adoption process.

Respectfully submitted: Bruce Greig, Director of Community Planning

Duane Lawrence, CAO

Appendix A

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1310, 2022

A bylaw to amend the "District of Ucluelet Zoning Bylaw No. 1160, 2013".

(Zoning amendments to replace *Bed & Breakfast* with *Accessory Residential Dwelling Unit* uses in most residential zones).

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 Amendments:

Schedule "B" of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended as follows:

- **A.** By replacing within <u>Division 100 Enactment and Interpretation</u>, <u>Section 103 Definitions</u> the definition of *Accessory Residential Dwelling Unit* so that the new definition reads as follows:
- "Accessory Residential Dwelling Unit" ("ADU") means one accessory building used as a dwelling unit for residential purposes only, accessory to a single family dwelling on the same lot, and may be occupied by the property owners, their family members, caretakers, residential rental tenure tenants or non-paying guests."
- **B.** By adding within <u>Division 100 Enactment and Interpretation</u>, <u>Section 103 Definitions</u> the following in alphabetical order:
- "Principal Residence Non-Property Owner" means the dwelling where an individual lives, makes their home, and conducts their daily affairs including, without limitation, paying bills and receiving mail and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licences, personal identification, vehicle registration and utility bills;
- "Principal Residence Property Owner" means the dwelling where an individual lives and is the property where the person claims the provincial home owner grant;

District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022

- **C.** By amending <u>Division 400 Supplemental Regulations</u> to make the following changes:
- i. within <u>Section 401 Accessory Buildings and Structures</u> by adding in alphanumerical order a new subsection 401.4(2)(c) containing the following:
 - "(c) an *accessory residential dwelling unit* in a Zone that lists such as a permitted use."
- **ii.** within <u>Section 401 Accessory Buildings and Structures</u> by adding in alphanumerical order a new subsection 401.4(3) containing the following:
 - "(3) an *accessory residential dwelling unit* in a Zone that lists such as a permitted use."
- iii. by replacing Section 404 Bed & Breakfasts with the following:

"404 BED & BREAKFASTS

- **404.1** One *bed and breakfast* use is permitted within a *single family dwelling* if all the following conditions are satisfied for the establishment and continued use and operation of the *bed and breakfast*:
 - (1) *Bed and Breakfasts* are only permitted:
 - (a) in the *Zones* where *single family dwelling* is listed as a *principal permitted use* and *bed and breakfast* is identified as a *secondary permitted use*;
 - (b) *accessory* to a permanent *residential* use and must be administered by an occupant of the *single family dwelling* for whom the *single family dwelling* is their *principal residence*;
 - (c) within one single family dwelling per lot; and
 - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or a *Community Care Facility*.
 - (2) A maximum of three (3) guest rooms may be used for the *bed and breakfast* with a maximum occupancy of two (2) guests per room.
 - (3) The gross floor area devoted to the *bed and breakfast* use must not exceed 35% of the habitable area of the *single family dwelling* in which it is located.
 - (4) The area designated for *Bed and Breakfast* use (including *guest rooms* and any common room provided outside of the *residential* occupant's personal area) must not contain the following:

- (a) Cooking facilities or appliances, with the exception of a microwave, toaster, kettle and/or coffee maker;
- (b) 220-volt supply which could be used for larger appliances;
- (c) Refrigerators in excess of 5.0 cubic feet capacity.
- (5) A valid District of Ucluelet Business Licence is required in order to register a *bed and breakfast*.
- (6) Off-street parking must be provided in accordance with Division 500
- (7) Consistent with a traditional bed and breakfast use a *bed and* breakfast use must include a minimum service of a continental breakfast.
- (8) A *bed and breakfast* use must be accessed from the main entry of the home in which it operates, and cannot operate remotely utilizing coded entry locks and/or key lock boxes.
- (9) Any exterior door to rooms used for *bed and breakfast* uses must not be utilized as the principal entrance and exit to the *bed and breakfast* use.
- (10) A *bed and breakfast* use is an integral part of the home and must not have a separated or locked-off common area.
- **404.2** For greater certainty, notwithstanding other provisions of this Bylaw, *Bed and Breakfasts*:
 - (1) must not be combined with Guest House, Vacation Rentals, Resort Condo or other commercial tourist accommodation;
 - (2) must not be combined with *Guest Cottage* use unless *guest cottage* is a specifically permitted use for the *Zone* in which the *Bed & Breakfast* is located; and
 - (3) must not be combined with or located, in whole or in part, in a duplex, multiple family residential building, mixed commercial/residential building, or mixed industrial/residential building;
 - (4) must not be located in an accessory residential dwelling unit, in a secondary suite or in the area of a single family dwelling which was formerly a secondary suite.

404.3 Bed and Breakfasts:

- (1) must not be combined with Guest House, Vacation Rentals, Resort Condo or other commercial tourist accommodation;
- (2) must not be combined with *Guest Cottage* use unless *guest cottage* is a specifically permitted use for the *Zone* in which the *Bed & Breakfast* is located; and
- (3) must not be combined with or located, in whole or in part, in a *duplex*, *multiple family residential building*, *mixed commercial/residential building*, or *mixed industrial/residential building*;

- (4) must not be located in an accessory residential dwelling unit, in a secondary suite or in the area of a single family dwelling which was formerly a secondary suite."
- iv. within <u>Section 405 Guest Houses and Guest Cottages</u> by deleting "accessory residential dwelling unit" from subsection 405.3(3); and,
- v. by adding a new Section 408 Accessory Residential Dwelling Units in alphanumerical order containing the following:

"408 ACCESSORY RESIDENTIAL DWELLING UNIT (ADU)

- 408.1 Where a Zone specifically includes an *Accessory Residential Dwelling Unit* as a permitted secondary use, one *Accessory Residential Dwelling Unit* use is permitted if all the following conditions are satisfied for the establishment and continued use of the *Accessory Residential Dwelling Unit*.
 - (1) Accessory Residential Dwelling Units are only permitted in the Zones where single family dwelling is listed as a principal permitted use and Accessory Residential Dwelling Unit is identified as a secondary permitted use.
 - (2) The *gross floor area* of the *Accessory Residential Dwelling Unit* must not exceed 7% of the lot area to a maximum of 90 m².
 - (3) The *gross floor area* of the *Accessory Residential Dwelling Unit* can be excluded from the calculation of maximum size for accessory buildings in the regulations specific to each zone.
 - (4) A minimum outdoor space equal to the gross floor area of the *Accessory Residential Dwelling Unit* shall be provided as a dedicated space for use by residents of the *Accessory Residential Dwelling Unit*.
 - (5) An *Accessory Residential Dwelling Unit* must not have more than 2 bedrooms.
 - (6) A clear pathway with a minimum width of 1.0m shall be provided from the sidewalk or street to the front door of the *Accessory Residential Dwelling Unit*.
 - (7) Cantilevered balconies are not permitted on the interior side or rear faces of an *Accessory Residential Dwelling Unit*.

- (8) An Accessory Residential Dwelling Unit is only permitted where the owner of the lot has registered a covenant under section 219 of the Land Title Act against the title of the lot, in favour of the District of Ucluelet and satisfactory in its form and priority of registration, providing that the Accessory Residential Dwelling Unit must not be subdivided from the lot containing the principal building, whether pursuant to the Strata Property Act, the Land Title Act, or otherwise.
- (9) Off-street parking must be provided in accordance with Division 500.
- (10) An *Accessory Residential Dwelling Unit* must be located a minimum of 3m from any lot line and a minimum 4m from the principal dwelling.
- (11) Despite subsection (1) *Accessory Residential Dwelling Units* are also permitted in some Industrial and Commercial zones according to the regulations of those zones.

408.2 In addition to minimum height requirements of other parts of this bylaw:

- (1) For an *Accessory Residential Dwelling Unit* whose roof pitch is equal to or greater than 3:12, the maximum height shall not exceed 4.2m.
- (2) For an *Accessory Residential Dwelling Unit* with flat roofs or roofs with a pitch less than 3:12, the maximum height shall not exceed 3.75m.
- (3) The height of an *Accessory Residential Dwelling Unit* may be increased by 0.3m vertical distance for every 0.6m increase in excess of the minimum setbacks established by this bylaw, to a maximum height of 6.5m.
- (4) For an *Accessory Residential Dwelling Unit* with flat roofs or roofs with a pitch less than 3:12, the area of a second floor shall be no greater than 60% of the total floor area beneath it.

408.3 For greater certainty, notwithstanding other provisions of this Bylaw, an *Accessory Residential Dwelling Unit*:

(1) Must not contain a *home occupation* if the principal *single family dwelling* contains a *home occupation*.

- (2) Must not contain any type of *commercial tourist accommodation* use.
- (3) Must not be established or operate in addition to the maximum number of *dwelling units* in the form of *Guest Cottages* on a property in the GH Guest House zone."
- **D.** By amending <u>Division 500 Off-Street Parking</u> to make the following changes:
- i. within <u>Section 504 Off-Street Parking Design Standards</u> by adding in alphanumerical order a new subsection 504.7 containing the following:

"504.7 Off-street parking areas on a lot serving Single Family Dwelling, Duplex Dwelling, Secondary Suite, Accessory Dwelling Unit and/or Bed & Breakfast uses shall be accessed by no more than two driveways from a public road with a maximum total combined driveway crossing width at property line of 7m, except for a corner lot which may be accessed by no more than one driveway from each of the fronting and flanking streets, with maximum driveway crossing widths at property line of 7m and 3m, respectively."

- **E.** By inserting "Accessory Residential Dwelling Unit" as a permitted secondary use into the list of permitted uses in the following subsections within the Zones:
 - i. R-1.1.1(2)(d) [R-1 Single Family Residential]
 - ii. R-2.1.1(2)(d) [R-2 Medium Density Residential]
 - iii. R-4.1.1(2)(d) [R-4 Small Lot Single Family Residential]
 - iv. RU-1.1(2)(e) [RU Rural Residential]
 - v. GH-1.1(2)(b) [GH Guest House]
 - vi. CD-1.1.1(2)(d) [CD-1 Eco-Industrial Park]
 - vii. CD-2A.1.1(2)(d) [CD-2A Big Beach District Lot 281]
 - viii. CD-3A.1.1(2)(d) [CD-3A Rainforest District Lot 282]
 - ix. CD-5B.1.1(2)(d) [CD-5B Former Weyco Forest Lands Development Area #2 Central Park]
 - K. CD-5C.1.1(2)(c) [CD-5C Former Weyco Forest Lands Development Area #3 Ocean West]
- **F.** By deleting subsection R-1.1.1(3);
- **G.** By deleting subsection CD-3A.1.1(3); and,
- **H.** By deleting subsection 403.1(5).

2. Citation:				
This bylaw 1 2022".	may be cited	l as "District of U	cluelet Zoning Amendmer	nt Bylaw No. 1310,
READ A FIRST	TIME this 3	1st day of May 20	022.	
READ A SECON	D TIME this	s 31 st day of May	2022.	
PUBLIC HEARI	NG held this	s 28th day of Jun o	e 2022.	
SECOND READ	ING RESCIN	DED this 2nd day	of August 2022.	
AMENDED this	2 nd day of A	ugust 2022.		
READ A SECON	D TIME AS	AMENDED this 2	^{2nd} day of August 2022.	
PUBLIC HEARI	NG held this	s 23rd day of Sep	tember 2022.	
READ A THIRD	TIME this	day of	, 2022.	
ADOPTED this	day of	, 2022.		
Mayco Noël Mayor			Corporate Officer	
THE CORPOR District of Uclu affixed in the p	ıelet was he			
Corporate Offi	cer			
District of Ucluel	et Zoning A	mendment Bylav	v No. 1310, 2022	Page 7



REPORT TO COUNCIL

Council Meeting: Sept 6, 2022 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: DONNA MONTEITH, CHIEF FINANCIAL OFFICER FILE NO: 3900-25

SUBJECT: PERMISSIVE TAX EXEMPTION BYLAW NO. 1318, 2022

REPORT NO: 22- 134

ATTACHMENT(S): APPENDIX A - 2022 PERMISSIVE TAX EXEMPTIONS

APPENDIX B – PERMISSIVE TAX EXEMPTION BYLAW NO. 1318, 2022

RECOMMENDATION(S):

THAT Council approve Option A, to give District of Ucluelet Permissive Tax Exemption Bylaw No. 1318, 2022 first, second, and third reading.

BACKGROUND:

<u>Community Charter Section 224</u> gives local governments the authority to exempt eligible properties from property taxation for a specified period of time not to exceed ten years. These exemptions are a means for Council to fulfill the municipal purposes established by the <u>Community Charter</u> and must be provided by bylaw.

Permissive Tax Exemption Bylaw No. 1221, 2017 and Permissive Tax Exemption Bylaw No. 1237, 2018 are expiring this year. In order to have an exemption in place for the upcoming fiscal year, the District must have its new permissive exemption bylaw adopted and in force by October 31st of the previous year, meaning 2023 exemptions must be adopted by October 31, 2022. A copy of the exemption bylaw is provided to BC Assessment, who places the exemptions into the annual property assessment rolls.

Staff followed Permissive Tax Exemption Policy No. 5-1970-1 by requesting organizations submit an application for a tax exemption. Applications completed prior to the September 1, 2022 deadline were vetted for eligibility by staff. Organizations that rent or lease space from District owned property were not required to submit an application at this time.

1) Non-Profit Organizations Using Municipal Property

- a) Food Bank on the Edge 160 Sea Plane Base Road Roll No. 181.060 being that portion of Lot 3, Plan VIP 20323, District Lot 284, Clayoquot Land District that is used and owned by the Food Bank on the Edge for the provision of food stuffs for families and persons in need.
- b) Westcoast Community Resources Centre 500 Matterson Drive- Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Westcoast Community Resources Centre for the provision of family and children support services.
- c) **Nuu-Chah-Nulth Tribal Council** 500 Matterson Drive- Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Nuu-Chah-

1

- Nulth First Nations for the provision of support services for Nuu-Chah-Nulth community member services.
- d) Ministry of Child and Family Development 500 Matterson Drive- Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Ministry of Child and Family Development for the provision of youth and children support and counselling services.
- e) Vancouver Island Regional Library 500 Matterson Drive- Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Vancouver Island Regional Library for the provision of library services.
- f) Ucluelet Daycare Society 500 Matterson Drive- Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Ucluelet Daycare Society providing daycare programs and services.

2) Residential Properties

The land and improvements classified by the BC Assessment Authority as Class 1 (Residential)

- a) Roll No. 6001, being that portion of Lot 1, Plan VIP9200, Section 21, Clayoquot Land District, PID 005-569-206, 1395 Helen Road, that is used and owned by **KUU-US Crisis Line Society** for the provision of family support and temporary accommodation services.
- b) Roll No. 127.994, being Lot 2, Block A, Plan VIP29119 District Lot 282, Clayoquot Land District; PID 001-423-975, 1800 Bay Street, that is owned and used by the Westcoast Community Resources Society for the provision of family support and temporary accommodation services.

3) Recreational Properties

The land and improvements classified by the BC Assessment Authority as Class 8 (Recreation/Non-Profit)

a) Roll No. 165.000 being Lot 1, Plan 5190, District Lot 282, Clayoquot Land District, PID 005-951-992, 1708 Peninsula Road, that is used by the **Army, Navy & Air Force Veterans Ucluelet Unit #293** for the provision of legion services and programs.

4) Business Properties

The land and improvements classified by the BC Assessment Authority as Class 6 (Business)

a) Folio 152.020 being a Portion of District Lot 1689, AND DL2191 Clayoquot Land District, 180 Main Street, for aquarium purposes, license 113490, Ucluelet Aquarium Society for the housing of the Ucluelet Aquarium.

ANALYSIS OF OPTIONS

Appendix A summarizes all properties subject to the proposed Permissive Tax Exemption Bylaw No. 1318, 2022. The estimate for 2023 and 2024 municipal taxes is difficult to determine as the assessed values are not known. However, staff have built in a 5% increase as a base amount. The total estimated values of properties affected by this bylaw are \$41,317 in 2023 and \$43,383 in 2024. It is recommended Council have an opportunity to review permissive tax exemptions a minimum of once per term, and thus the proposed bylaw would be in effect for the 2023 and 2024 tax years.

2

	Council give Permissive	<u>Pros</u>	Organizations within the District of Ucluelet continue to be supported					
	Tax Exemption Bylaw No. 1318, 2022 first three readings	<u>Cons</u>	Exact value of property tax exemptions is unknown					
A		<u>Implications</u>	Estimated permissive tax exemptions are already within the 2023 financial plan					
		<u>Pros</u>	Organizations within the District of Ucluelet continue to be supported					
	Council give Permissive Tax Exemption Bylaw No 1318, 2022 first three readings as amended	Cons	Exact value of property tax exemptions is unknown					
В		<u>Implications</u>	 Amending the bylaw could put the exemptions at risk of not being adopted prior to October 31st, due to the election 					
		Suggested Motion	THAT Council direct staff to amend District of Ucluelet Permissive Tax Exemption Bylaw No. 1318, 2022 by adding/removing to schedule; and,					
	umenaea		THAT Council give first, second and third reading to District of Ucluelet Permissive Tax Exemption Bylaw No. 1318, 2022 as amended.					
		<u>Pros</u>	• The District would collect approximately \$46,000 in municipal taxes in 2023					
	Council does not make a motion	Cons	Organizations would be subject to property taxes effective 2023					
С		<u>Implications</u>	It is recommended that organizations be given more time to plan to pay municipal property taxes					
		Suggested Motion	No motion is required.					

POLICY OR LEGISLATIVE IMPACTS:

<u>Community Charter section 224-227</u> provides information on permissive tax exemptions

NEXT STEPS

- Provide notice of Council's intention to adopt in accordance with <u>Community Charter Section</u>
 227
- Adoption and provide bylaw to BC Assessment by October 31, 2022

Respectfully submitted: Donna Monteith, Chief Financial Officer

Appendix A

2022 Permissive Tax Exemptions

Organization Name		2022 Municipal Taxes		2023 Est Municipal Taxes		2024 Est Municipal Taxes	
Food Bank on the Edge	\$	1,208.28	\$	1,268.69	\$	1,332.12	
Westcoast Community Resources Centre	\$	1,642.65	\$	1,724.79	\$	1,811.03	
Westcoast Community Resources Centre	\$	1,584.59	\$	1,663.82	\$	1,747.01	
Nuu-Chah-Nulth First Nations	\$	559.20	\$	587.16	\$	616.52	
Ministry of Child and Family Development	\$	559.20	\$	587.16	\$	616.52	
Vancouver Island Regional Library	\$	3,782.60	\$	3,971.73	\$	4,170.32	
Ucluelet Daycare Society	\$	1,472.03	\$	1,545.64	\$	1,622.92	
Army & Navy Airforce Veterans - Ucluelet Unit #293	\$	2,964.40	\$	3,112.62	\$	3,268.25	
Ucluelet Aquarium Society	\$	23,975.77	\$	25,174.56	\$	26,433.29	
KUU-US Crisis Line Society	\$	1,601.68	\$	1,681.77	\$	1,765.85	
Total Municipal Property Tax Exemption	\$	39,350.41	\$	41,317.93	\$	43,383.82	

Appendix B

DISTRICT OF UCLUELET Bylaw No. 1318, 2022

A bylaw to exempt from taxation certain lands and/or improvements

WHEREAS the *Community Charter* provides for the exemption from taxation certain land, improvements or both;

AND WHEREAS it is deemed expedient to exempt from said taxation certain properties within the District of Ucluelet.

NOW THEREFORE the Council of the District of Ucluelet in open meeting assembled enacts as follows:

- 1. This bylaw may be cited for all purposes as the "District of Ucluelet Permissive Tax Exemption Bylaw No 1318, 2022."
- 2. The following described properties are hereby exempted from taxation for a period of two years (2023-2024), as per section 224 of the *Community Charter:*

Exemption for Organizations Using Municipal Property

- a) Food Bank on the Edge 160 Sea Plane Base Road Roll No. 181.061 being that portion of Lot 3, Plan VIP20323, District Lot 284, Clayoquot Land District, PID 003-534-618, that is used and owned by the Food Bank on the Edge;
- b) Westcoast Community Resources Centre 500 Matterson Drive Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Westcoast Community Resources Centre
- c) Nuu-Chah-Nulth Tribal Council 500 Matterson Drive Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Nuu-Chah-Nulth First Nations;
- d) Ministry of Child and Family Development 500 Matterson Drive Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Ministry of Child and Family Development;
- e) Vancouver Island Regional Library 500 Matterson Drive Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Vancouver Island Regional Library;
- f) Ucluelet Daycare Society 500 Matterson Drive Roll No. 114.960 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Ucluelet Daycare Society;

Exemption for Recreational Properties

The land and improvements classified by the BC Assessment Authority as Class 8 Recreational/Non Profit and excluding the land and improvements classified by the BC Assessment Authority as Class 6.

g) Army, Navy & Air Force Veterans Ucluelet Unit #293 - Roll No. 165.000, being Lot 1, Plan VIP5190, District Lot 282, Clayoquot Land District, PID 005-951-992, 1708 Peninsula Road;

Permissive Tax Exemption Bylaw No 1318, 2022

Exemption for Residential Properties

- h) KUU-IS Crisis Line Society Roll No. 6001, being that portion of Lot 1, Plan VIP9200, Section 21, Clayoquot Land District, PID 005-569-206, 1395 Helen Road;
- Westcoast Community Resources Society Roll No 127994, being Lot 2, Block A, Plan VIP29119 District Lot 282, Clayoquot Land District; PID 001-423-975, 1800 Bay Street;

Exemption for Aquarium

j) Ucluelet Aquarium Society - Roll No. 152.020 being a Portion of District Lot 1689, and DL2191 Clayoquot Land District, 180 Main Street, for aquarium purposes, license 113490.

READ A FIRST TIME this	day of,	2022.	
READ A SECOND TIME	day of,	2022.	
READ A THIRD TIME this	s day of,	2022.	
ADOPTED this day of	2022.		
CERTIFIED CORRECT: I 2022.	District of Uclue	let Permissive Tax Exemption Bylaw N	o. 1318,
Mayor Mayco Noel		Corporate Officer Duane Lawrence	
THE CORPORATE SEAL	of the District o	f Ucluelet was hereto affixed in the pre	sence of
		Corporate Officer Duane Lawrence	



REPORT TO COUNCIL

Council Meeting: September 6, 2022 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: DONNA MONTEITH, CHIEF FINANCIAL OFFICER FILE NO: 3900-25

SUBJECT: FEES AND CHARGES AMENDMENT BYLAW - ADOPTION REPORT NO: 22-128

ATTACHMENT(s): Appendix A – District of Ucluelet Fees and Charges Amendment Bylaw No. 1316, 2022

RECOMMENDATION(S):

THAT Council adopt District of Ucluelet Fees and Charges Amendment Bylaw No. 1316, 2022.

BACKGROUND:

At the August 16, 2022 regular meeting, Council gave three readings to District of Ucluelet Fees and Charges Amendment Bylaw 1316, 2022. The bylaw introduced changes to the fees in following schedules:

Schedule C – Building Inspection

Schedule G - Fireworks

Schedule P - Business Licences

Council also directed staff to publish notice on the District's website and in 2 issues of the Westerly newspaper of the proposed changes, allowing the opportunity for the public to make written submissions or verbal comments to Council prior to adopting the bylaw. Such notice was provided in the August 24th and 31st editions of the Westerly newspaper and on the District's website.

Prior to adoption, the public should be given an opportunity to make submissions to Council about the bylaw.

ANALYSIS OF OPTIONS

Council has now given the first three readings to Fees and Charges Amendment Bylaw 1316, 2022. After the public is given an opportunity to be heard, Council would be in a position to adopt the Bylaw.

A Am	Adopt the Fees and Charges Amendment	<u>Pros</u>	 Increased fees address the rate of inflation accumulated since 2016 Amended bylaw provides a built-in inflationary rate effective 2024 Addresses some of the extra costs of administering, oversight, enforcement for certain tourist accommodations
	sylaw as resented	Cons	There are no identified negative implications for the District with the adoption of the proposed bylaw.
		Implications	• The majority of licence holders will see a \$27 increase in 2023

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			• Short term rentals in category B-1 will see an increase in the base rate from \$150 to \$450/yr, plus \$125/unit for each additional room.
		<u>Pros</u>	Amending the Bylaw ensures Council objectives are reflected
		Cons	Amending the bylaw may require a delay in the adoption of the bylaw until after the election.
В	Amend the bylaw and direct staff to bring back the bylaw for further consideration. Amend the consideration. Suggested Motion THAT Council direct staff to amend the I Charges Amendment Bylaw No. 1316,; and,; and,; and, THAT Council direct Staff to bring the amend the I Charges Amendment Bylaw No. 1316,; and,; and,	stan time to amona the synan and simble stant to sound the	
			THAT Council direct Staff to bring the amended District of Ucluelet Fees and Charges Amendment Bylaw No. 1316, 20222 back to
		<u>Pros</u>	There are no benefits to not updating the fees and charges to reflect current administrative costs.
	Do not proceed with	<u>Cons</u>	Costs will continue to outpace business licence revenues.
С	the updated Implications • Possible increases to general taxati	for the administration and oversight of business licensing and	
		Suggested Motion	THAT Council abandon District of Ucluelet Fees and Charges Amendment Bylaw No. 1316, 2022.

POLICY OR LEGISLATIVE IMPACTS:

- <u>Community Charter S. 194</u> provides information on Municipal Fees.
- <u>Community Charter S. 165</u> provides information on the Financial Plan.
- Amended Schedules "C" Building Inspection, and "G" Fireworks, will become effective upon adoption of this bylaw. Schedule "P" Business Licences will be effective May 1, 2023.

Respectfully submitted: Donna Monteith, Chief Financial Officer

Duane Lawrence, CAO

2

Appendix A

DISTRICT OF UCLUELET Bylaw No. 1316, 2022

A bylaw to amend District of Ucluelet Fees and Charges Bylaw No. 1186, 2016

WHEREAS the Council of the District of Ucluelet wishes to amend "District of District of Ucluelet Fees and Charges Bylaw No. 1186, 2016" under the provisions of the *Community Charter*.

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

Citation

1. This bylaw may be known and cited for all purposes as the "District of Ucluelet Fees and Charges Amendment Bylaw No. 1316, 2022".

Application

2. Where there is a discrepancy between this Bylaw and any or all amendment bylaws enacted prior to this bylaw and affecting the District of Ucluelet Fees and Charges Bylaw No. 1186, 2016, then this Bylaw shall be deemed to supersede the prior bylaw(s) in the matter of the discrepancy.

Amendments

- 3. District of Ucluelet Fees and Charges Bylaw No. 1186, 2016 is hereby amended by:
 - a. Deleting "Schedule 'C' Building Inspection" in its entirety and replacing it with "Schedule 'C' Building Inspection 2022" as attached to and forming part of this Bylaw.
 - b. Deleting "Schedule 'G' Fireworks" in its entirety and replacing it with "Schedule 'G' Fireworks 2022" as attached to and forming part of this Bylaw.
 - c. Deleting "Schedule 'P' Business Licences" in its entirety and replacing it with "Schedule 'P' Business Licences 2022" as attached to and forming part of this Bylaw.

Severability

4. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

READ A FIRST TIME this 16th day of August,	2022
READ A SECOND TIME this 16th day of Augus	st, 2022
READ A THIRD TIME this 16th day of August	, 2022
PUBLIC NOTICE GIVEN in the August 24 th, <i>The Westerly News</i> and on the District of Uclu	•
ADOPTED this day of, 2022	
CERTIFIED CORRECT; "District of Ucluelet F 2022". Mayco Noël Mayor	ees and Charges Amendment Bylaw No. 1316 Duane Lawrence Corporate Officer
	THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:
	Duane Lawrence Corporate Officer

Schedule 'C' Building Inspection - 2022

UILDING PERMIT FEES	Fees	Plus GS7
Processing Fee	\$120.00	No
Non-refundable, due at the time of application. To be deducted from the total fees of an approved application.		
Damage Deposit (held for damage of District property)	\$1,000.00	No
A damage deposit fee is required in accordance w payment must be provided at the time the Buildir		
The fees payable for a permit for construction, ad building or any other work requiring a permit and		
Proposed Value of Work: Up to a value of \$1,000	\$100.00	No
Plus For each \$1,000 or fraction thereof	\$9.00	No
Where the District relies under Section 11 of Byla Certification in issuing a Building Permit, the fees in accordance with Section 11.4 of Bylaw No. 116	payable for a Building Permit shall be reduced	
When a permit is issued pursuant to this bylaw, b permit fee may be refunded to the applicant upon provided no refund in the amount of less than \$25	application for the cancellation of the permit,	
Plus fee for total value of works to rehabilitate the section of this Schedule.	e structure in accordance with "Valuation"	
Re-inspection fee	\$75.00	No
After hours inspection fee	\$75.00 / hour or portion thereof	No
Excavation permit only	\$50.00	No
Demolition Permit	\$120.00	No
Building moving fee	\$200.00	No
Plus fee for total value of works to rehabilitate the structure in accordance with "Building Permit Fees"		
Extension of permits with a construction value of \$50,000.00 or less	\$50.00	No
Extension of building permits with a construction value greater than \$50,000.00.	\$100.00	No
Plan checking fee	\$130.00 for the first hour, \$65.00 per hour after	No
Solid fuel burning appliance permit fee	\$120.00	No

Fees and Charges Amendment Bylaw No. 1316, 2022

Schedule 'C' Building Inspection - 2022 (Continued)

VALUATION

Single Family Dwelling, duplexes, town homes, and low-rise multi family buildings.

The estimated value of the proposed work is the estimated value of construction as determined in accordance with the Marshall & Swift, "Marshall & Swift Valuation Service" or "Residential Cost Handbook", as applicable and as amended from time to time, using "average" quality of construction.

Other Construction

Commercial Buildings (owner built) – the estimated value of the proposed work is the estimated value of construction as determined in accordance with the Marshall & Swift, "Marshall & Swift Valuation Service" or "Residential Cost Handbook", as applicable and as amended from time to time, using "average" quality of construction.		
Commercial Buildings, renovations, additions and		
all other construction Contract Value		No
Pools (including required fencing)	Contract Value	No

Schedule 'G' Fireworks - 2022

FIREWORKS FEES	Fees	Plus GST
Fireworks Event Permit Fee	\$150.00	No

Schedule 'P' Business Licences - 2022

New Application Fee \$35 (non refundable)
Business Licensing Fees shall increase by 2% annually on the 1st of May, effective 2024.

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)
Α	RENTAL ACCOM	IMODATION	
A-1	Apartment Houses	From any person carrying on the business of renting dwellings on a monthly or lease basis Dwelling means a set of rooms in a building used for a residential purpose occupied exclusively, unless other use expressly permitted in the designated zone, as a permanent domicile by one or more persons.	\$177.00 Plus \$5.90 per available dwelling
A-1	Condominiums	From any person carrying on the business of renting dwellings on a monthly or lease basis Dwelling means a set of rooms in a building used for a residential purpose occupied exclusively, unless other use expressly permitted in the designated zone, as a permanent domicile by one or more persons.	\$177.00 Plus \$5.90 per available dwelling
A-1	Trailer/Mobile Home Parks	From any person carrying on the business of renting permanent spaces for trailers or mobile homes	\$177.00 Plus \$5.90 per available pad
В	TOURIST COMM	IERCIAL - Accommodation	
B-1	Bed & Breakfast	From any person carrying on the business of offering bed & breakfast accommodation This means the accessory use of a single-family dwelling where up to a maximum of three (3) bedrooms are used or designated for use as guest rooms, provided in accordance with Section 404 of the District of Ucluelet Zoning Bylaw No 1160, 2013, as amended from time to time.	\$450.00 For one (1) room, plus \$125 per each additional available room
B-1	Guesthouse	From any person carrying on the business of offering Guesthouse Accommodations	\$450.00 For one (1) room or cabin, plus \$125.00 per each additional available room or cabin

Fees and Charges Amendment Bylaw No. 1316, 2022

B TOURIST COMMERCIAL - Accommodation (Continued)

В		ERCIAL - Accommodation (Continued)	
B-1	Vacation Rentals	From any person carrying on the business of offering vacation rentals to transient travellers or vacationers	\$450.00
			For first unit, plus
			\$125.00 each
			additional available unit
			uiiit
B-1c	Resort	From any person carrying on the business of offering	¢177.00
	Condominium	Resort Condominium rentals to transient travellers and/or vacationers	\$177.00
		and or vacationers	For first unit, plus
			\$88.50 each additional
			available unit
B-1d	Hotel	From any person carrying on the business of offering	\$177.00
		hotel accommodation	·
			Plus \$11.80 per
5.4			available room
B-1e	Motel	From any person carrying on the business of offering motel accommodation	\$177.00
			Plus \$11.80 per
			available room
B-1f	Hostel	From any person carrying on the business of offering Hostel accommodations	\$177.00
			Plus \$11.80 per
			available bed
B-1g	Campground	From any person carrying on the business of renting	
		campground spaces to transient travellers or vacationers	\$177.00
		Can include tents, campers and motorized recreational	Plus \$5.90 per
		vehicles	available site

B TOURIST COMMERCIAL - Charter Operations

L	I OURISI COMIN	iEKCIAL - Charter Operations	
B-2	Charter	From any person carrying on the business of marine,	
	Operations	air or land charters, scenic tours, fishing charters, whale watching, diving, back road adventures whether by boat or other form of transportation, and all like businesses not hereinbefore listed.	\$177.00 Plus \$88.50 per boat or vehicle

R	TOURIST	COMMERCIAL -	Ticket	/Booking Agents
_	10011101	COMMINICATE	I ICINCU	Doubling highligh

B-3	Travel Agency or Booking Agency	From any person carrying on the business of a travel agency or booking or ticket agency	\$177.00
	Agency		For first agent, plus \$88.50 for each additional agent

C	PROFESSIONAL	/CONTRACTOR SERVICES - Professional Services	
C-1	Professional	From any person carrying on, maintaining, owning	
	Services	or operating any business, trade, occupation,	\$177.00
		profession, calling, undertaking or things and all like	\$177.00
		classifications not listed below:	
		Appraiser, Architect, Art & Crafts Teacher, Dental	For first professional /
		Mechanic/Technician, Chiropractor, Chartered	consultant, plus
		Accountant, Barrister & Solicitor, Dentist/Dental	\$88.50 for each
		Surgeon, Engineer, General Accountant, General	additional
		Finance, Insurance Agent/Salesperson, Land Surveyor,	professional /
		Medical Specialist, Mortgage Broker, Notary Public,	consultant
		Pharmacist, Physician or Surgeon, Physiotherapist,	
		Real Estate Agent, Veterinarian, Forest	
		Engineer/Consultant, Laboratory, Registered Massage	
		Therapist, Consultant Service, Barbers/Hairdressers,	
		Bookkeeping Services, Chimney Sweep, Diving Service,	
		Family Day-care, Graphic Arts, Janitorial Services,	
		Commercial Kennel, Laundromat,	
		Music/Dance/Language Teachers, Laundry/Dry	
		Cleaning, Office Services, Pest Control, Photographic	
		Development, TV/Small Electrical Repairs, Business	
		Offices, Storage Service/Warehouse, Property	
		Management, Exercise/Fitness Instructor, General	
		Contractor, Garbage Collection & Sanitary Service,	
		Radio Broadcasting, Day-care Provider, Other	
		Professional Services not listed in this section.	

C PROFESSIONAL/CONTRACTOR SERVICES - Financial Services

C-2	Bank or	From any person carrying on the business of a	
	Financial	banker	\$354.00
	Institution		

C	PROFESSIONAL	CONTRACTOR SERVICES - Sub Contractors
·	INDICIONAL	CONTINACTOR SERVICES - Sub Contractors

C-3	Sub	From any person carrying on, maintaining, owning	
	Contractors	or operating any business, trade, occupation, profession, calling, undertaking or things and all like	\$177.00
		classifications not listed below:	
		Concrete/Paving/Asphalt, Drywall, Electrical,	
		Excavations/Land Fill, Floor/Wall, Coverings,	
		Trucking, Framing/Roofing, Glazing,	
		Heating/Ventilation, Landscaper, Other Sub	
		Contractor not listed in this section	

D TRANSPORTATION - Miscellaneous

D-1	Transportation	From any business carrying on the business of	¢177.00	
	Services	providing the transportation services listed below.	\$177.00	
		Air Carrier, Bus Service, Car Rental, Freight company,		
		Taxi, Vehicle Towing, Vehicle Commercial Parking,		
		Bicycle Rental, Scooter Rental, Other Transportation		
		businesses not listed in this section		

D TRANSPORTATION - Marine

D-2	Marine Transportation Services	From any business carrying on the business of providing the marine transportation services listed below.	\$177.00
		Boat Marina, Marine Equipment Sales/Service, Boat Ramp, Boat Rentals, Kayak Rentals, Boat Sales & Service, Divers, Mobile Marine Repairs, Marine Towing, Marine Fuel Sales, Tug & Barge Transportation, Other Marine Transportation businesses not listed in this section	Marina - Plus \$5.90 per available slip

D TRANSPORTATION - Motor Vehicle/Equipment/Machinery Related Businesses

D-3	Motor Vehicle / Equipment /	From any person carrying on motor vehicle/equipment/machinery related businesses	
	Machinery Related Businesses	Motor Vehicle Repair, Fuel Service Station, Small Machinery & Equipment Dealer, Mobile Welding, Auto Body & Painting, Car Wash, Other Motor Vehicle/Equipment/Machinery Related Businesses not listed in this section	\$212.40

E FOOD/BEVERAGE SERVICES

	-		
E-1	Licensed Full	From any person carrying on the business of a	
	Service	restaurant, bistro, café, or other establishment where	
	Establishment	food and beverages are served to the public for	\$354.00
		consumption on the premises and licensed under the	
		Provincial Liquor Control and Licensing Act	
E-2	Non-Licensed	From any person carrying on the business of a	
	Full Service	restaurant, bistro, café, or other establishment where	
	Establishment	food and/or beverages are served to the public	¢177.00
		primarily for consumption on the premises, and the	\$177.00
		business is not licensed under the <i>Provincial Liquor</i>	
		Control and Licencing Act	
E-3	Liquor Outlet	From any person carrying on the business of a dance	
		hall, cabaret, brew pub, marine pub, neighbourhood	
		pub, lounge, or other establishment, where providing	¢424.00
		and serving primarily alcohol to the public for	\$424.80
		consumption on the premises and is licensed under	
		the Provincial Liquor Control and Licensing Act	
E-4	Catering or	From any person carrying on the business of	
	Food and/or	Catering or Food or Beverage Preparation Services	
1	Beverage	where food and/or beverages are not served to the	\$177.00
	Preparation	public primarily for consumption on the premises.	
	Services		
E-5	U-Brew, U-Vin,	From any person carrying on the business of a U-	
	Licensed	Brew, U-Vin or licensed private or public liquor	\$212.40
	Liquor Store	store.	
	1	1	

F COMMERCIAL RETAIL AND/OR WHOLESALE

	Retail / Wholesale	From any business that sells, rents, or offers for sale, whether as a retailer or wholesaler, any goods, wares, merchandise or service not otherwise specifically provided for herein.	
F-1	Utilizing floor space ≤ 139 m ²	Art Gallery/Framing, Books, Bakery, Convenience Store, Clothing, Drugstore/Pharmacy, Delicatessen,	\$212.40
F-2	Utilizing floor space > 139 m ² but < 325 m ²	Small Appliances, Dry Goods, Florist, Greenhouse, Flooring, Gift Shop, Groceries, Hardware, Jewelry, Meat/Fish Store, Photographic Supplies, Stationary,	\$354.00
F-3	Utilizing floor space ≥ 325 m ²	Other retail or wholesale uses not listed in this section	\$495.60

_	INDUCTOIAL	/MANUEACTUDING HCC
G	INDUSTRIAL	/MANUFACTURING USE

	Industrial /	From any person carrying on the business of an	
	Manufacturing	industrial or manufacturing nature	
G-1	Utilizing floor space ≤ 464 m ²	Machine Shop, Fish Processing, Re-Manufactured Electrical Motors, Pulp & Paper Mill, Fish Buyer, Ice	\$424.80
G-2	Utilizing floor space > 464 m ²	Plant, Boat Building, Sawmill, Industrial Storage, Other Industrial/Manufacturing uses not listed in this section	\$826.00

H VENDORS

H-1	Vendors	From any business or person selling a product or operating a vendor market.	\$177.00
H-2	Itinerants	From any non-resident business or person carrying on, maintaining, owning or operating within the District any of the following:	\$236.00
		Auctioneers, Carnival, Circus, Concert Hall, Dog &/or Cat Show, Exhibitions, Horse or Pony Show, Theatrical Shows (when held in other than a duly licensed theatre) and all other forms of itinerant shows, entertainment, amusement or exhibition not hereinbefore enumerated	Per Day

M OTHER FEES

141	OTHERFEES		
M-1	Transfer of an existing Business License	Whereby a person relocates his existing business to a new location within the municipality.	\$35.00
M-2	Inspection	Inspection fee, if required, due to a transfer to a new location within the municipality.	\$35.00
		Note: New owners of an existing business must apply for a new business licence and pay the applicable fee. Note: All business fees are non-refundable Note: Business Licence fees for all businesses are subject to \$100.00 penalty, if payment is not made	

on or before June 01 in the year for which the

license is valid.



REPORT TO COUNCIL

Council Meeting: September 6, 2022 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING FILE NO: 3360-20-RZ22-06

SUBJECT: AMENDMENTS TO THE UCLUELET BUSINESS REGULATION

AND LICENSING BYLAW REPORT NO: 22-127

ATTACHMENT(S): APPENDIX A – BYLAW No. 1313, 2022

RECOMMENDATION(S):

THAT Council adopt District of Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022.

BACKGROUND:

At the July 19th Committee of the Whole meeting Council provided staff with direction on the further regulation of B&B's within residential zones. Staff presented amendments in the *Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022*, to Council for their consideration at the August 2, 2022 regular meeting where first and second reading of the bylaw was given.

Notice of Council's intent to consider adoption of the bylaw at the September 6, 2022, special meeting of Council was provided in the August 24th and 31st Tofino-Ucluelet Westerly Newspaper and on the District's website. This is therefore an appropriate time to provide an opportunity for the public to provide input on Bylaw No. 1313, 2022.

PURPOSE

Having given notice for *Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022*, Council is now in a position to consider any input received from the public and adopt the bylaw.

OPTIONS:

Α	That Council adopt the Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022.	<u>Pros</u>	•	Bylaw No. 1313 would assist in monitoring and enforcement of B&Bs, and also provide a means of identifying at the street front where B&Bs are licensed in a neighbourhood. The Bylaw would require that a B&B be operated in the principal residence of the business owner.
		Cons	•	At some point would need to revisit OCP policies, goals and strategies for balancing tourist accommodation with adequate housing for Ucluelet residents.

		<u>Implications</u>	Amendments will make it more efficient to investigate and identify B&B operations.
В	That Council defer consideration of the Bylaw until such time as they may be considered by the newly elected Council.	<u>Pros</u>	None anticipated.
		Cons	The commercialization of residential properties and the growth that this commercialization represents would continue unconstrained.
		Suggested Motion	That Council direct staff to bring the <i>Ucluelet Business</i> Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022 to the November 29, 2022 regular meeting of Council for consideration.
	That Council abandon Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313.	<u>Pros</u>	Would satisfy some current property owners.
С		Cons	 Continued expansion of B&B's in residential zones that utilize separate entranceways. Continued challenges in identifying B&B operations within the community.
		Implications	 Increased staff time needed to identify and B&B operations within the community. Continued increases in staff time to review and approve B&B business licenses in residential zones. Increased bylaw enforcement related to an increased number of B&B operations within residential neighbourhoods.
		Suggested Motion	THAT Council abandon <i>Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022.</i>

NEXT STEPS:

This is the last step in the bylaw adoption process.

Respectfully submitted: Bruce Greig, Director of Community Planning

DUANE LAWRENCE, CAO

Appendix A

DISTRICT OF UCLUELET

Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022

A bylaw to amend the "The District of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003".

(Amendments to Bed and Breakfast business regulations)

WHEREAS the Council of the District of Ucluelet, has adopted the *District of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003*;

AND WHEREAS Council has deemed it desirable to amend the *District of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003*;

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

The District of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003, as amended, is hereby further amended by:

1. Text Amendment:

- A. In Section 1 <u>Interpretation</u> -replace the definition of "Bed & Breakfast" with the following:
 - a. ""Bed & Breakfast" or "B&B" means the accessory use of a single family dwelling where up to a maximum of three bedrooms are used or designated for use as guest rooms, provided in accordance with Section 404 of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended from time to time."
- B. In Section 1 <u>Interpretation</u> add the following definitions in appropriate alphabetical order:
 - a. ""Principal Residence Non-Property Owner" means the dwelling where an individual lives, makes their home, and conducts their daily affairs including, without limitation, paying bills and receiving mail and is generally the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licences, personal identification, vehicle registration and utility bills."

District of Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022
Page 1

- b. ""Principal Residence Property Owner" means the dwelling where an individual lives and is the property where the person claims the provincial home owner grant."
- C. In Section 4 Fees replace subsections 4.1.a and 4.1.b with the following:

u

- a) All new applications for business licences shall be accompanied by the applicable application fee in the District of Ucluelet's Fees and Charges Bylaw 922, 2003, as amended or replaced from time to time.;
 b) All new applications and renewals shall be accompanied by the applicable licence fee in the District of Ucluelet's Fees and Charges Bylaw 922, 2003, as amended or replaced from time to time."
- D. In Section 4 Fees delete subsections 4.1.c and 4.1.d.
- E. In Section 5 Licenses delete subsection 5.2.
- F. In Section 7 Periods for Licenses replace subsection 7.1 with the following:
 - "1. Licenses shall be issued for the period from May 1^{st} to April 30^{th} of the following year."
- G. In Section 10 Accommodation Classifications delete subsection 10.2.
- H. In Section 10 Accommodation Classifications add the following subsection 6:

"6. Bed & Breakfast accommodations:

- 6.1 A requirement of this Bylaw pertaining to Bed & Breakfasts does not abrogate the application of any other requirements contained herein that are generally applicable to all businesses.
- 6.2 An owner may not hold more than one (1) Bed & Breakfast licence.
- 6.3 No person shall operate a Bed & Breakfast unless the premises can be demonstrated to be that person's Principal Residence Non-Property Owner (in the instance where the operator does not own the property) or Principle Residence Property Owner (in the instance where the operator does own the property).
- 6.4 Notwithstanding the requirements of Section 6.3, if the operator is the property owner, it is the first year of home ownership and home ownership occurred after the property tax deadline date, the operator must demonstrate Principle Residence Non-Property Owner.
- 6.5 No person shall operate a Bed & Breakfast without a valid and subsisting licence.
- 6.6 No person shall offer or advertise a Bed & Breakfast without a valid licence in respect of such Bed & Breakfast.
- 6.7 Bed & Breakfasts are subject to inspection by a Licence Inspector once every three (3) years, whether or not the B&B has been continuously licensed during that period. At the discretion of the Building Official, the

- inspection required at the time of initial application may be waived if the subject property has been subject to a full inspection under a Building Permit within the previous three years.
- 6.8 Any person making an application for a Bed & Breakfast Licence shall at the time of making such application, in addition to the general requirements under this Bylaw, provide:
 - a. proof of ownership of the premises from which the B&B will be operated;
 - b. proof of Principal Residence Non-Property-Owner or proof of Principal Residence Property Owner, whichever is applicable, unless exempt under section 6.4;
 - contact information for the business operator and consent to allow this contact information to be made publicly available, including online and to guests of the B&B;
- 6.9 The operator of a B&B must remain available to respond to inquiries or problems raised by guests by phone within 15 minutes and in person within 6 hours;
- 6.10 In considering an application for a Bed & Breakfast, the Licence Inspector may:
 - a. consider whether a B&B licence held by the applicant has been revoked in the preceding two (2) licence periods; and
 - b. require an inspection of the premises from which the B&B will be operated notwithstanding that, a Licence Inspector may grant approval of the application without an inspection subject to the condition that if upon subsequent inspection, the B&B fails to comply with the requirements of this Bylaw, the Licence Inspector shall suspend or cancel the licence."
- I. In Section 10 Accommodation Classifications add the following subsection 7:

"7. Advertising Accommodations

- 7.1 Every online advertisement for a *Bed & Breakfast, Vacation Rental* or *Guest House* must disclose, in respect of the accommodation being advertised:
 - a. a valid Ucluelet business licence number;
 - the number of off-street parking spaces available to guests and a statement that such number is the maximum number of vehicles that paying guests of the tourist accommodation business are permitted to bring to the premises; and
 - c. the maximum permitted guest-occupancy applicable to the tourist accommodation business, pursuant to the Zoning Bylaw.
- 7.2 The Licence holder for a *Bed & Breakfast, Vacation Rental* or *Guest House* is responsible to display a licence sign conforming to the standard provided by the District in an exterior location near the property line and visible from the street (e.g., adjacent to the required civic address sign) showing:
 - a. the business licence number:
 - b. maximum occupancy;
 - c. maximum number of guest vehicles; and,

- d. a contact number for the licence holder / operator of the tourist accommodation.
- J. In Section 10 Accommodation Classifications add the following subsection 8:

"8. Guest Bookings

- 8.1 Every person carrying on the business of a *Bed & Breakfast, Vacation Rental* or *Guest House* must provide to the District upon request, booking records as produced directly from each online listing platform used to advertise the licensed premises in the current calendar year, on any day of the year between the hours of 8:00 am and 8:00 pm."
- K. In Schedule "A" Application and Licence Fees delete schedule 'A" in its entirety.

2. Effective Date:

- A. This Bylaw comes into force and effect on the date it is adopted by the District of Ucluelet Council.
- B. Notwithstanding 2.A, the provisions of subsections **10.7** Advertising Accommodations and **10.8** Guest Registry come into force on May 1, 2023.

3. Citation:

This bylaw may be cited as "District of Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022".

READ A FIRST TIME this 2nd day of August, 2022.

READ A SECOND TIME this **2**nd day of **August**, **2022**.

READ A THIRD TIME this 2nd day of August, 2022.

PUBLIC NOTICE GIVEN in the **August 24th, 2022**, and the **August 31st**, **2022** issues of *The Westerly News* and on the District of Ucluelet's website.

ADOPTED this day of , **2022.**

District of Ucluelet Business Regulation and Licensing Bylaw Amendment Bylaw No. 1313, 2022 Page 4

CERTIFIED A TRUE AND CORRECT COPY Licensing Bylaw Amendment Bylaw No. 131.	of "District of Ucluelet Business Regulation and 3, 2022."
Mayco Noël Mayor	Duane Lawrence Corporate Officer
THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:	
Duane Lawrence Corporate Officer	



REPORT TO COUNCIL

Council Meeting: September 6, 2022 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES FILE NO: 3900-25

SUBJECT: MUNICIPAL AND REGIONAL DISTRICT TAX BYLAW No. 1314, 2022 –

ADOPTION

REPORT No: 22-129

ATTACHMENT(S): APPENDIX A – DISTRICT OF UCLUELET BYLAW No. 1314, 2022

RECOMMENDATION(S):

THAT Council adopt District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022.

BACKGROUND:

On August 16 Council gave first, second and third reading to District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022 (the "Bylaw"). There are no further conditions that must be met prior to adopting this Bylaw.

As a result, Council is now in a position to adopt the Bylaw.

ANALYSIS OF OPTIONS

		<u>Pros</u>	 Allows for increasing the hotel room tax rate from 2% to 3% Increased revenues directed to tourism marketing, programs, projects, and sustainability
Α	Adopt the Bylaw	Cons	• Increased tax rate visitors pay when booking a room in Ucluelet by 1%
		Implications	 There are no staffing or financial implications for the District. Tourism Ucluelet will have increased revenues to allocate to tourism related projects and initiatives.
	Dt	<u>Pros</u>	Status quo is maintained.
В	Do not proceed with the	Cons	• Tourism Ucluelet initiatives will be restricted to the current funding levels
	Bylaw	Implications	 Less revenue is collected through the hotel room tax. There are no staffing or impacts the municipal finances

	Suggested Motion	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

Under this Bylaw, Tourism Ucluelet will receive the MRDT funding directly and remit the Online Authorized Provider (OAP) back to the municipality which will continue to be designated for affordable housing initiatives.

NEXT STEPS

• The Bylaw would be forwarded to the Province of British Columbia to request the 1% tax increase

Respectfully submitted: Joseph Rotenberg, Manager of Corporate Services

Duane Lawrence, CAO

Appendix A

DISTRICT OF UCLUELET BYLAW NO. 1314, 2022

A bylaw to request an increase to the Municipal and Regional District Tax rate from 2% to 3% under provisions of the Provincial Sales Tax Act

WHEREAS the Council of the District of Ucluelet wishes to raise revenues for the purpose of financing tourism marketing, programs and projects;

AND WHEREAS the municipality, under section 240 of the Provincial Sales Tax Act, provides for two (2) percent tax on the purchase price of accommodation within the District of Ucluelet as requested by the District of Ucluelet under the Municipal Regional District Tax Bylaw No. 1223, 2017;

AND WHEREAS a municipality may request, that the Lieutenant Governor in Council make a regulation, under section 240 of the Provincial Sales Tax Act, imposing, on behalf of the municipality, an additional tax levy not exceeding three (3) percent of the purchase price of accommodations sold within the municipality;

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

- 1. That the Lieutenant Governor in Council is hereby requested to make a regulation under Section 240 of the Provincial Sales Tax Act declaring that effective June 1, 2023, section 123(1) of the Act applies in respect of accommodation purchased within the District of Ucluelet.
- 2. That the tax to be imposed under the provisions of the regulation is requested to be three (3) percent of the purchase price of the accommodation.
- 3. That the funds paid to the Ucluelet Tourism Association as the designated recipient under the provisions of the regulation shall be applied to tourism marketing, programs and projects.
- 4. That this bylaw may be cited for all purposes as "District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022".
- 5. That the "Municipal Regional District Tax Bylaw No. 1223, 2017" is hereby repealed.

READ A FIRST TIME this 16th day of August , 20 2	22.					
READ A SECOND TIME this 16th day of August , 2022 .						
READ A THIRD TIME this 16th day of August , 20	222.					
ADOPTED this day of, 2022 .						
CERTIFIED CORRECT: "District of Ucluelet Mun	CERTIFIED CORRECT: "District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022"					
Mayco Noël	Duane Lawrence					
Mayor	Corporate Officer					

Municipal and Regional District Tax Bylaw No. 1314, 2022

Duane Lawrence Corporate Officer			
'			



REPORT TO COUNCIL

Council Meeting: September 6, 2022 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES FILE NO: 4200-20

SUBJECT: APPOINTMENT OF A NEW DEPUTY CHIEF ELECTION OFFICER FOR THE 2022 REPORT No: 22-130

GENERAL LOCAL ELECTIONS

ATTACHMENT(S): N/A

RECOMMENDATION(S):

THAT Council approve Option A, to:

- appoint Abigail Fortune as a District of Ucluelet Deputy Chief Election Officer, effective September 6, 2022; and
- 2. rescind Paula Mason's appointment as District of Ucluelet Deputy Chief Election Officer, effective September 16, 2022.

BACKGROUND:

The purpose of this report is for Council to appoint a new District of Ucluelet Deputy Chief Election Officers ("DCEO") for the October 15, 2022 Local General Election (the "Election") and rescind a previous appointment.

Paula Mason and Samantha McCullough were appointed as DCEOs for the Election on February 22, 2022. At this time Joseph Rotenberg was appointed as the Chief Election Officer.

With the end of Ms. Mason's employment with the District of Ucluelet on September 16, 2022, Ms. Mason will no longer be in a position to undertake the roles and responsibilities of the DCEO.

Abigail Fortune, the Director of Parks and Recreation, has offered to act as a DCEO for the upcoming Election. Ms. Fortune has experience assisting with the administration of several municipal elections.

The DCEO duties include assisting the Chief Election Officer in all aspects of coordinating and conducting the Elections, including but not limited to:

- Ensuring all required election procedures are observed and enforced
- Hiring, assigning, and training of election day staff
- Ordering and preparing supplies for the voting locations
- Preparation of advertisements and information materials
- Production of the Voters List
- Preparing statistics and reports
- Acting for the Chief Election Officer in his/her absence

Ms. Fortunes duties as DCEO would focus on training election officials and conducting the General Local Election as many of the duties identified above have been dispatched.

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A	Appoint Ms. Fortune as DCEO and rescind Ms. Mason's appointment.	Pros Cons	 Ms. Fortune has extensive experience with elections. Appointing two DCEO's allows for increased capacity and coverage of the election duties. Acting as DCEO will involve some time for Ms. Fortune and include overtime.
		Implications	Ms. Fortune would earn flex time for any overtime including working on General Election Day.
В	Rescind Ms. Mason's Appointment and do not Appoint Ms. Fortune	<u>Pros</u>	Ms. Fortune would not earn flex time for overtime associated with the election unless she worked the election in another capacity.
		Cons	There would be decreased staffing resilience leading up to and on Election Day.
		<u>Implications</u>	Increased workload on the CEO and DCEO.
		Suggested Motion	THAT Council rescind Paul Mason's appointment as Deputy Chief Election Officer, effective September 16, 2022.

POLICY OR LEGISLATIVE IMPACTS:

Pursuant to Section 58(1) of the Local Government Act, Council must appoint a Chief Election Officer (CEO) and a Deputy Chief Election Officer (DCEO) for the purposes of conducting an election. The Chief Election Officer (CEO) will be primarily responsible for overseeing the election. In accordance with section. 59 (2)(d) of the Local Government Act, the Deputy Chief Election Officers (DCEO) may take the lead on all logistical aspects of the election, in consultation with the CEO.

NEXT STEPS

- Advise Elections BC of the appointments of the officers
- Ms. Fortune to take the Declaration of Office for Deputy Chief Election Officer

RESPECTFULLY SUBMITTED:JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

DUANE LAWRENCE, CAO

DLP ARCHITECTURE INC.

LETTER TO COUNCIL

ATTN: District of Ucluelet Council and Planning Department

August 22 2022

SUBJECT: RECONSIDERATION OF 272 MAIN ST DVP AND DVB

On August 16th 2022, Council considered a Development Permit application at the above address to add a single long term residential space to an existing mixed use commercial building.

The application included variances for projections into side-yards and parking. Both were opposed.

The discussion focused on the lack of parking both currently serving the building and the new addition proposed.

I feel that council overlooked some important facts regarding the parking and I would like them to reconsider their decision to oppose the application by considering the following:

- 1. There is currently only 4 parking spots serving the site and the block.
- 2. The Village Green revitalization plan proposes adding 4 parallel stalls for a total of 8.
- 3. By providing 2 parking spots, the curb cut required would then eliminate 2-3 of these public parking spots proposed.
- 4. Therefore, a net total of 5 stalls would serve the public on this block instead of 8 if council were to not approve the parking variance.
- 5. The 2 parking spots I could provide would be private and not shared with the public.

Please see the attached revised Site Plan showing possible proposed on site parking that meets the requirement of the parking bylaw for a single residential unit.

I can revise the project design to provide one or two on site surface parking stalls per the attached plan but the District would then lose 3 public stalls. It is then possible that a tenant without a car does not use this spot and the public has no opportunity to share in that location.

By keeping the proposed public parallel spots in that location there would be an opportunity to share parking.

If my application is required to provide the 2 on site surface parking stalls as proposed we would not agree to fund the original upgrades at the planting area and corner of Helen and Main st as this would greatly increase costs and be out of proportion with the size of the residential addition.

UNIT 202 460 NANAIMO ST VANCOUVER, BC V5L 4W3

T: 778-889-6849 lucio@dlpdesigns.com

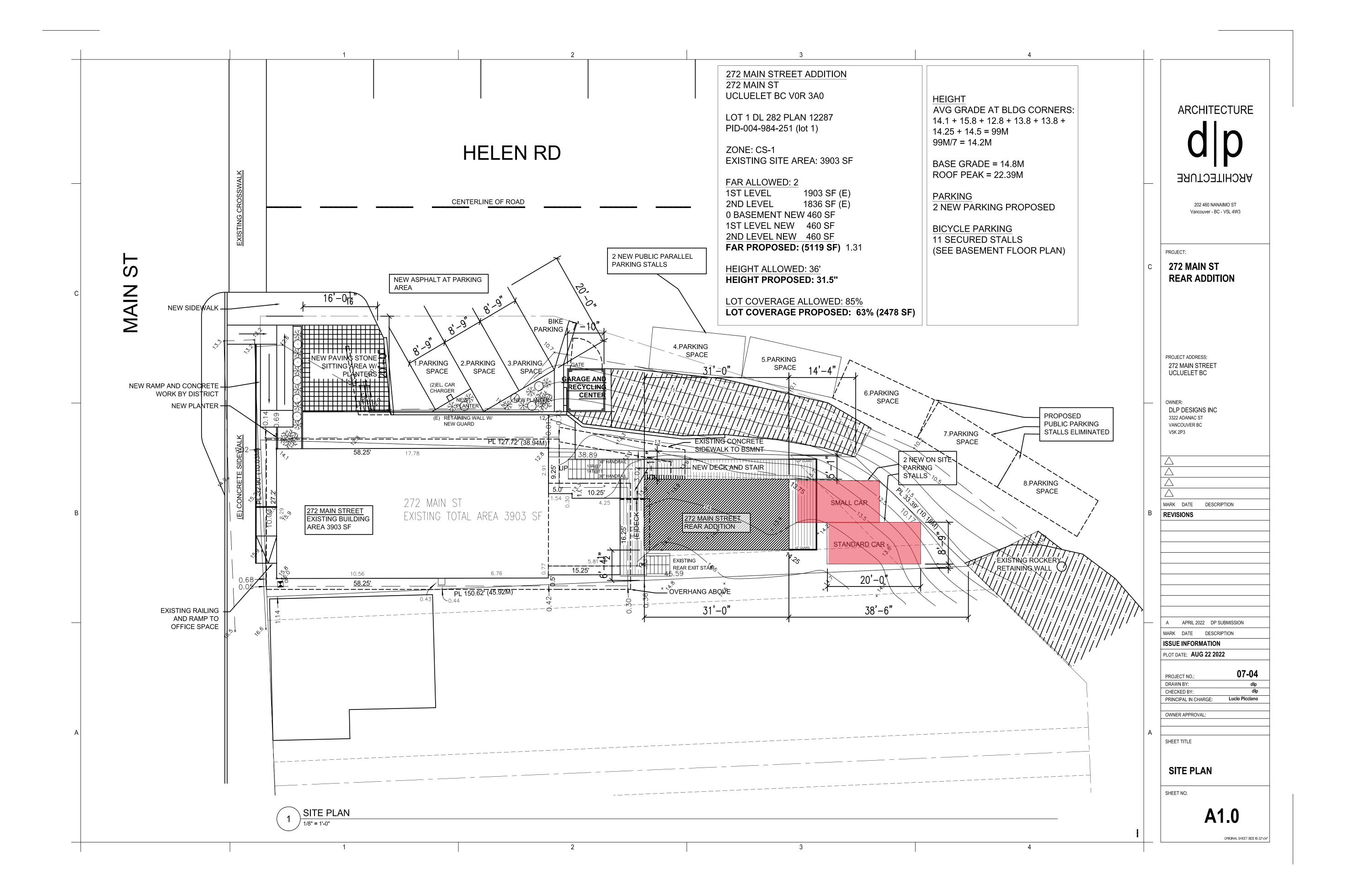
Furthermore, because of the on site subsurface condition and the requirement for concrete retaining walls and paving, the carbon footprint to add 2 private parking stalls would more than double in relation to the original addition proposed.

Please reconsider the original proposal as one that not only adds a high-quality long-term residence but also maintains the maximum number of district shared public parking.

Sincerely,

Jaim 1

Lucio Picciano Architect AIBC



 From:
 avicc@ubcm.ca

 To:
 avicc@ubcm.ca

 Cc:
 karen.topelko@gov.bc.ca

Subject: Invitation to Coastal Marine Strategy Information Session for AVICC

Date: Wednesday, August 17, 2022 3:17:04 PM

Attachments: <u>image001.png</u>

[External]

Please forward to elected officials, the CAO and Corporate Officer:

This email includes a link to join an on-line information session on September 19th at 9:30 am. The contact for further details on the session is Karen. Topelko@gov.bc.ca

At this information session, Charlie Short, Executive Director of the Coastal Marine Stewardship Branch, will share information on the purpose and scope of the Coastal Marine Strategy.

The Ministry of Land, Water and Resource Stewardship is leading the co-development of a Coastal Marine Strategy with coastal First Nations. They are in the first phase of a process (see below), that will help the BC government consider and develop policy to improve stewardship of the coastal marine environment. This phased approach involves two main stages, beginning with an **Intentions Paper** that outlines key policy concepts under consideration. The Ministry expects to release the Intentions Paper in early fall and then engage with local governments, stakeholders and the public.



The Intentions Paper addresses 6 outcomes and associated policy intentions as follows:

- A healthy and productive coast
- Resilience to climate change
- Trusting, respectful relationships
- Holistic learning and knowledge sharing
- Community well-being
- A sustainable, thriving ocean economy

Subject: Coastal Marine Strategy Information Session for UBCM AVICC

Location: Microsoft Teams Meeting

When: 2022-09-19, 09:30 - 10:30 GMT -7:00 (60 minutes) **Organizer:** Topelko, Karen LWRS:EX (<u>Karen.Topelko@gov.bc.ca</u>)

At this information session, Charlie Short, Executive Director of the Coastal Marine Stewardship Branch, will share information on the purpose and scope of the Coastal Marine Strategy, and where we are at in the process to co-develop an Intentions Paper with coastal First Nations. Approximately 30

minutes will be available to answer questions.

Microsoft Teams meeting

Join on your computer or mobile app

Click here to join the meeting<https://teams.microsoft.com/l/meetup-

join/19%3ameeting YzNjMWZiYjYtMzQwYi00NWJkLTljNDMtN2UzOGRIZTJjZDE3%40thread.v2/0?context=%7b%22Tid%22%3a%226fdb5200-3d0d-4a8a-b036-

d3685e359adc%22%2c%22Oid%22%3a%22O1d2a614-5bee-4f69-ba61-77f96e4b9b35%22%7d>;

Meeting ID: 252 953 669 601

Passcode: DTdNps

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