

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD ELECTRONICALLY AND IN THE GEORGE FRASER COMMUNITY ROOM
IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, June 11, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, Kennington, and Maftei (via Zoom)
 Staff: Duane Lawrence, Chief Administrative Officer (via Zoom)
 Jeffrey Cadman, Director of Finance
 Bruce Greig, Director of Community Planning
 Joseph Rotenberg, Manager of Corporate Services
 Samantha McCullough, Manager of Human Resources &
 Communications
 Nancy Owen, Executive Assistant

Regrets:

1. CALL TO ORDER

The meeting was called to order at 4:03 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH

Council acknowledged the Yuulu?ił?ath, 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 Public Hearing written submissions for item 6.1 District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024

2.2 Written submission for item 5.1 Development Permit - 1671 Cedar Road (Whiskey Landing Phase 2)

2.3 Written submission for item 8.4 Municipal Visitor Parking Program

**2.4 STR Data Portal Information Sharing Agreement (Verbal Report)
*Joseph Rotenberg, Manager of Corporate Services***

The Mayor noted the late items.

2024.2178.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the the agenda be amended by adding the late items as follows:

- Adding the written submissions related to the Public Hearing on Zoning Amendment Bylaw 1344, 2024 to the agenda under item 6.1;
- Adding the written submissions related to Development Variance Permit DVP24-07 to the agenda under item 5.1;
- Adding the written submissions related to the proposed Municipal Visitor Parking Program under item 8.4; and
- Adding the verbal report titled STR Data Portal Information Sharing Agreement to the agenda as item 8.6.

CARRIED.

3. APPROVAL OF THE AGENDA

3.1 June 11, 2024, Regular Council Meeting Agenda

2024.2179.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the June 11, 2024, Regular Council Meeting agenda be adopted as amended.

CARRIED.

4. PUBLIC INPUT & DELEGATIONS

4.1 Delegations

**Joshua Hunt, CEO, ERIF Sustainable Solutions
Re: Housing Development Project in Ucluelet**

Mr. Hunt provided an overview of his company's activities in the housing space and how they could be implemented to address sustainable housing challenges in Ucluelet.

Mr. Hunt outlined his company's approach to developing and constructing affordable housing and partnering with municipalities. He displayed their Eagle Multiplex Series which provides rapid housing construction delivering market rentals, affordable rentals and affordable sales.

In response to Council's questions, Mr. Hunt noted that it takes approximately 8 weeks to construct a multiplex unit and that affordability rates are set by Canada Mortgage and Housing Corporation (CMHC). He also noted that they can currently construct for \$300 per square foot and the project that they are considering is about 250 units that could be built in 6 months.

Mr. Hunt also noted that ERIF is capable of implementing onsite waste water solutions and is willing to consider solutions for

infrastructure challenges. Mr. Hunt also outlined ERIF's experience working with First Nations.

2024.2180.REGULAR

IT WAS MOVED AND SECONDED:

THAT Council authorize Mr. Hunt's delegation regarding ERIF Sustainable Solutions' Housing Development Project in Ucluelet to go beyond the ten-minute time limit established by the Council Procedure Bylaw.

CARRIED.

Sharon Wu

Re: Seasonal Worker Housing/ Affordable Housing

Ms. Wu outlined challenges for small business owners in Ucluelet and the difficulty finding employee housing. The Delegate noted affordability issues as employees are required to hold one or two jobs to afford to live in Ucluelet and suggested that the District should collaborate with local business owners to address housing issues.

Ms. Griffith-Cochrane of the Ucluelet Aquarium also presented concerns related to employee housing and noted housing insecurity causes employee retention issues. She noted solutions for addressing the housing crisis such as a cap on short-term rental (STR) business licenses until a certain number of long-term rentals (LTR) is reached, incentives for homeowners to apply for grants to convert STRs to LTRs, an empty home tax, a review of bylaw priorities and penalties, and the creation of an affordable housing committee.

Council noted challenges with development, including limited District land holdings and discussed some temporary solutions. Council also noted the ongoing collaboration with the Chamber of Commerce and involvement with the Economic Development Committee. Council further discussed the need for a housing authority and ways to educate long-term renters of their rights.

5. UNFINISHED BUSINESS

5.1 Development Permit - 1671 Cedar Road (Whiskey Landing Phase 2) *Bruce Greig, Director of Community Planning*

Mr. Greig presented the report.

In response to Council questions Staff noted an unresolved question pertaining to the waterfront walkway and public pedestrian access that should be confirmed by the Applicant. Staff confirmed the development

would provide housing for the community, with a maximum of 8 units designated for resort condo use. Staff also confirmed the subject property and neighbouring property are zoned CD4.

The Applicant's Representative, Fawn Ross, presented. The Representative objected to Staff's interpretation of the CD4 zone. The Representative also noted the complications pertaining to the pedestrian waterfront walkway and explained its removal from the developer's application package.

The Representative requested that the Development Permit be issued with the following amendments:

- remove reference to the 15 residential units and 8 resort condo units; and
- remove reference to the foreshore lease and pedestrian walkway as a condition to obtaining a Building Permit.

Council discussed Staff's interpretation of the CD4 zone as it relates to resort condo use.

In response to Council questions the Representative noted they cannot commit to the number of resort condo units they wish to develop.

The Mayor noted correspondence added to the agenda as a late item. The Mayor called for members of the public to provide input on the Development Variance Permit (DVP).

Sophie, Helen Road, asked questions about the zero setback and Staff clarified that the variance would permit the building to extend to the natural boundary of the sea where the private property ends and the crown marine foreshore begins, and where the waterfront walkway would be developed.

Staff read three emails received after the late agenda was published.

- Jessie Croll, Coral Way, questioned the involvement of an architect for this development, noting concerns due to the absence of a seal on the title block.
- Jamie Bray, owner of Jamie's Whaling, Fraser Lane, noted concerns with adding 4 metres of height to the building and the impact it may have to future developments in the area.
- Rino del Zoppo, Cedar Road, wrote in opposition to the development variance permit, noting concerns with the side yard interior setback for the principal building of 0.0m and the setback for the principal building from the natural boundary of the ocean

of 0.0m.

2024.2181.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council defer a decision on DP23-04 for 1671 Cedar Road and indicate to the applicant that they should revise their proposal to address the applicable OCP Development Permit area guidelines, particularly guidelines F2, F8, F1.1, F1.2, F1.3, F1.4, and F1.6.*

CARRIED.

2024.2182.REGULAR *IT WAS MOVED AND SECONDED:
THAT the meeting be recessed for five minutes.*

CARRIED.

The meeting was recessed at 5:55 PM. The meeting resumed at 6:03 PM.

6. PUBLIC HEARINGS

6.1 District of Ucluelet Zoning Amendment Bylaw No.1344, 2024

The Mayor outlined the rules that apply to a public hearing and Staff outlined how members of the public could participate in the hearing in person or electronically. Staff further noted that all related documents were available for review at the place of the meeting and on the District's website.

The Mayor opened the public hearing on District of Ucluelet Zoning Amendment Bylaw No.1344, 2024 at 6:08 PM.

6.2 Proposed Bylaw & Related Information

The Director of Community Planning provided a brief overview of the subject bylaw, in general terms.

6.3 Related Written Correspondence Received during the Notice Period

The following summarizes the written correspondences received about the subject bylaw, including the late agenda item:

- Anthony Persaud and Shayla Williams, wrote in support of the Zoning Amendment Bylaw, expressing a desire to offer a short-term rental (STR) suite in their home but have yet to do so because of the onerous terms of the current bylaw.
- Robyn Mair, Sleepy Bear Guest House, Cedar Grove Place, wrote in support of the Zoning Amendment Bylaw noting the guest house as a main source of income and that the separate entrance and privacy from guests is crucial for the safety of their family.
- Sean and Katie, Athlone Road, wrote in support of the Zoning Amendment Bylaw noting the unlikelihood of STRs converting to

- long-term rentals (LTRs).
- Andreanne Muller, Victoria Road, wrote in opposition to the Zoning Amendment Bylaw due to the housing crisis in Ucluelet. Ms. Muller noted her support for the already existing legal STRs currently operating with no kitchen and noted her opposition for any LTRs to be permitted to convert to STRs or any newly constructed STRs moving forward.
 - Jon Greenglass and Robyn Ross, Barkley House B&B, Barkley Place, wrote in support of the Zoning Amendment Bylaw, noting the importance of B&B licensees in a resort municipality. They also noted the added income from the STRs is required to support the high cost of homeownership in Ucluelet.
 - Julie Zoney and Wolfgang Sterr, Salt & Cedar Guest Suites, Coral Way, wrote in support of the Zoning Amendment Bylaw noting the responsibility to address the housing crisis in Ucluelet should not fall on the current B&B operators.
 - Matt Bowles and Vanessa Ramsden, Norah Street, wrote in support of the Zoning Amendment Bylaw.
 - Charley Ballantyne and Rachel Land, Edwards Place, wrote in support of the Zoning Amendment Bylaw, noting the benefits STRs provide to our community and local business owners. They also noted that many homeowners rely on the additional income received from their STRs to offset living expenses.
 - Molly and CJ Schmidt, Pass of Melfort Place, wrote in support of the Zoning Amendment Bylaw, noting the risks to homeowners should they be forced to shut down their STRs and the unlikelihood that these STRs would be converted to LTRs.
 - Chris Johnston and Carolyn Langhelt, Marine Drive Guest House, wrote in support of the Zoning Amendment Bylaw, noting the benefits their STRs provide to other local business. They also noted that converting their suites to a long-term residency would be cost prohibitive.
 - Keara and Ross Mckenzie, St. Jacques Boulevard, Salal Suite Ukee, wrote in support of the Zoning Amendment Bylaw, noting that shutting down legal non-conforming STRs will not provide the LTRs required to address the housing crisis.
 - Nicole Burtini and Jess Bennett, Pass of Melfort Place, Slack Tide Suite, wrote in support of the Zoning Amendment Bylaw, noting that their suite is not suitable for long-term rental and that shutting down their STR would negatively affect their livelihood.

6.4 Public Input

The Mayor called three times for members of the public to provide input on the subject bylaw. The following summarizes the input from speakers attending in person:

- Charley Ballantyne, Edwards Place, spoke in support of the Zoning Amendment Bylaw and elaborated on the matters noted in his letter. He further noted that Bylaw No. 1310 does not reflect the current guest accommodation experience that travelers are looking for in terms of privacy and also does not address housing shortages for seasonal or long-term residency.
- Robyn Mair, Cedar Grove Place, spoke in support of the Zoning Amendment Bylaw, noting that her STR is her main source of income for her family and she expressed the importance of keeping her main living space private from guests.
- Chris Johnston, Marine Drive Guest House, spoke in support of the Zoning Amendment Bylaw and noted that their extensive renovations, came at a great expense and they would not be able to afford their home if not for the income from the 3 STR units. He further noted that the 49 non-conforming units in question are being blamed for the housing crisis and it should not fall on them to address this issue.
- Sean Gallagher, Athlone Road, spoke in support of the Zoning Amendment Bylaw noting that if the restrictions in Bylaw No. 1310 forced the 49 non-conforming STRs to shut down, most of these units would not easily convert to long-term rental use and the renovations to do so would be cost prohibitive. He further noted that without the income from their STR, they would be forced to sell their home.
- Jon Greenglass, Barkley Place, spoke in support of the Zoning Amendment Bylaw. He noted when Council amended the bylaw in 2022, the 49 non-conforming STR owners were told their properties would be grandfathered in, and that if the purpose of the current bylaw and provincial regulations is to stop the growth of STRs, he recommended controlling this growth in other ways.

The following summarizes the written correspondence received during the public hearing that was not published in the agenda or in the late agenda item, and was read out loud by Staff to Council at the meeting:

- Todd Smith, St. Jacques Boulevard, wrote in opposition to the Zoning Amendment Bylaw. He noted concerns that the amendments to the bylaw would accelerate future STR developments. He recommended finding a standalone solution for the existing non-conforming STR holders.
- Mandi and Tristan Gaudet, Pass of Melfort Place, wrote in support of the Zoning Amendment Bylaw, citing safety concerns and logistical difficulties with the current bylaw.
- Racheal, Gillian and Poppy Montgomery, Cynamocka Rd, wrote in support of the Zoning Amendment Bylaw, stating that their STR was legally conforming prior to adoption of Bylaw No. 1310 and they are pleased that these proposed bylaw amendments would reinstate the conformance of their STR.

- Andrea, Marc, Takaya and Finn, Marine Drive, wrote in support of the Zoning Amendment Bylaw, noting how STRs create affordability for homeowners. They also outlined various ideas to address the long-term housing issues such as using STR tax revenues to support long-term housing initiatives.
- Sabrina and Arnaud Dagenais, Rainforest Drive, wrote in support of the Zoning Amendment Bylaw and noted that their STR suite was built following the bylaws in place at the time of construction. They expressed concerns that the STR unit would not conform to building standards for long-term rental and that without the additional revenue from the suite they could no longer afford their home.
- Dan and Brandi Fraser, Residents, wrote in support of the Zoning Amendment Bylaw, noting their choice to construct an STR suite over a long-term rental, and that the revenue from their STR provides affordability to live in Ucluelet.

The public hearing on District of Ucluelet Zoning Amendment Bylaw No.1344, 2024 was closed at 6:46 PM.

7. BYLAWS

7.1 Zoning Amendment Bylaw No. 1344, 2024, Third Reading and Adoption *Anneliese Neweduk, Planner*

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

2024.2183.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council give third reading of the District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024.*

CARRIED.

2024.2184.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024.*

CARRIED.

7.2 Zoning Amendment Bylaw No. 1341, 2024 *Anneliese Neweduk, Planner*

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

2024.2185.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council give first, second, and third reading of the Ucluelet Zoning Amendment Bylaw No. 1341, 2024*

CARRIED.

2024.2186.REGULAR

*IT WAS MOVED AND SECONDED:
THAT Council adopt Ucluelet Zoning Amendment Bylaw No. 1341, 2024.*
CARRIED.

7.3 Zoning Amendment Bylaw No. 1345, 2024
Anneliese Neweduk, Planner

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

2024.2187.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council give first, second, and third reading of the Ucluelet Zoning
Amendment Bylaw No. 1345, 2024.*
CARRIED.

2024.2188.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council adopt Ucluelet Zoning Amendment Bylaw No. 1345, 2024.*
CARRIED.

7.4 Zoning Amendment Bylaw No. 1346, 2024
Anneliese Neweduk, Planner

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

2024.2189.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council give first, second, and third reading of the Ucluelet Zoning
Amendment Bylaw No. 1346, 2024.*
CARRIED.

2024.2190.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council adopt Ucluelet Zoning Amendment Bylaw No. 1346, 2024.*
CARRIED.

8. REPORTS

8.1 Weyerhaeuser OceanWest Phase 5 Subdivision
Bruce Greig, Director of Community Planning

Mr. Greig presented the report.

Council invited the Applicant to speak. The Applicant did not address Council.

The Mayor called for members of the public to provide input on the Development Variance Permit (DVP).

Matt Harbidge, Peninsula Road, opposed the DVP due to the proximity to wetlands.

2024.2191.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council authorize the Director of Community Planning to execute and issue Development Variance Permit 24-03.

CARRIED.

2024.2192.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council exempt the proposed lots 81, 82, 87, 90, 91, and 96 of the Weyerhaeuser OceanWest phase 5 subdivision from the minimum 10% highway frontage required under section 512 (1) of the Local Government Act.*

CARRIED.

2024.2193.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council indicate acceptance that the proposed park land dedication shown on the Site Plan 0716-004 drawing 100 revision 02 by Newcastle Engineering Ltd. dated March 18, 2024, for the proposed Weyerhaeuser OceanWest phase 5 subdivision fulfilling the developer's requirements under section 510 of the Local Government Act and as proposed by the developer.*

CARRIED.

**8.2 Development Permit for 1167 Helen Rd
Anneliese Neweduk, Planner**

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

The Applicant addressed Council and noted that the building was built as a two-story shop and he is looking to repurpose the space to a seven guest room hotel.

2024.2194.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council authorize the Director of Community Planning to execute and issue Development Permit DP24-02.*

CARRIED.

2024.2195.REGULAR *IT WAS MOVED AND SECONDED:
THAT the Council meeting be extended beyond the 3.5 hour time limit established by the Council Procedure Bylaw.*

CARRIED.

This motion was extended beyond 3.5 hours at 7:36 PM.

**8.3 Zoning Amendment, Development Permit & Development Variance Permit for 1567 Imperial Lane
Anneliese Neweduk, Planner**

Mr. Greig, Director of Community Planning, presented the report.

The Applicant addressed Council and noted that they plan to replace the deck, and proposed to do a permeable surface driveway.

2024.2196.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council, with regard to the proposed exterior renovations and associated structural works at 1567 Imperial Lane:

a. Direct staff to give notice of first reading to District of Ucluelet Zoning Amendment Bylaw No. 1342, 2024, and;

b. Direct staff to give statutory notice to receive input on the Development Variance Permit DVP 24-02.

CARRIED.

8.4 Municipal Visitor Parking Program
Duane Lawrence, Chief Administrative Officer

Mr. Lawrence presented this report.

Councillor Anderson left the meeting at 7:39 PM and reentered the meeting at 7:42 PM.

Council discussed the parking program.

In response to Council questions, Staff confirmed the program's intent is to only charge visitors and that the Tofino parking program is a significant revenue generator.

2024.2197.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council direct Staff to proceed with the implementation of a visitor parking program.

CARRIED.

8.5 Development Application Procedures - Input
Bruce Greig, Director of Community Planning

Councillor Maftai left the meeting at 8:02 PM.

2024.2198.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council defer item 8.5 to the next Council Meeting.

CARRIED.

8.6 STR Data Portal Information Sharing Agreement (Verbal Report)
Joseph Rotenberg, Manager of Corporate Services

Mr. Rotenberg presented this report.

Councillor Kennington left the meeting at 8:10 PM and reentered the meeting at 8:12 PM.

In response to Council questions, Staff confirmed that the provincial

platform is a free service and could potentially replace software used by Staff to enforce short-term rental related bylaws.

2024.2199.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council defer item 8.6 to a future Council meeting with a written report.
CARRIED.

9. NOTICE OF MOTION

There were no notices of motion.

10. INFORMATION ITEMS

10.1 Deputy Mayor to Represent Kamloops City Council
Kelly Hall, Deputy Mayor, City of Kamloops

10.2 2024 AGM Invitation, May Mix & Mingle Recap and Island Good Days!
Vancouver Island Economic Alliance

Mayor McEwen confirmed availability to attend. Members of Council to confirm attendance to Staff at a later date.

11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

11.1 Councillor Shawn Anderson
Deputy Mayor, April 1 - June 30, 2024

Councillor Anderson:

- met with Julie Nyce of Nyce Nursery to discuss their microgreen farming operation; and
- attended the Chamber of Commerce Economic Development Meeting, on June 11th, where strategic priorities of stakeholders and business owners were discussed.

11.2 Councillor Jennifer Hoar
Deputy Mayor, January 1 - March 31, 2024

Councillor Hoar attended:

- the Committee of the Whole strategic planning session on May 30th;
- the Vancouver Island Regional Library Board Meeting, on June 8th, where ground breaking for the new library in Masset was discussed; and
- the Glee Shows on June 7th and 8th.

11.3 Councillor Ian Kennington
Deputy Mayor, July 1 - September 30, 2024

Councillor Kennington attended:

- the Accessibility Committee Meeting on May 29th, and noted that the next step in developing the accessibility plan is seeking public input through an open house;
- the Chamber of Commerce Economic Development Meeting on June 11th; and
- three separate meetings with ERIF where housing, circular economy and green energy was discussed.

**11.4 Councillor Mark Maffei
Deputy Mayor, October 1 - December 31, 2024**

11.5 Mayor Marilyn McEwen

Mayor McEwen:

- attended the Tourism Ucluelet meeting on May 29th, where Nick Curry was introduced as the new Tourism Development Specialist;
- met with ERIF on May 30th, and later attended the Committee of the Whole strategic planning session;
- attended an Island Coastal Economic Trust meeting on May 31st, where Redd Fish Restoration Society was awarded \$200,000 for their Stewardship Center.
- attended an Alberni-Clayoquot Regional District (ACRD) West Coast Committee meeting on June 5th, where the transit schedule was discussed, as well as a reduction to the seniors fare;
- was on Tuff City Radio for Talks of the Town interview session on June 6th; and
- attended the ACRD multi-use path ribbon cutting on June 7th, for the new link between the Pacific Rim National Park and the Highway 4 junction.

12. QUESTION PERIOD

There were no public comments.

13. CLOSED SESSION

There was no closed session.

14. ADJOURNMENT

14.1 Procedural Motion to Adjourn

2024.2200.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** the June 11, 2024, Regular Council Meeting be adjourned at 8:28 PM.*

CARRIED.

CERTIFIED CORRECT:

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

Certified Fair and Accurate, Nancy
Owen, Executive Assistant