

March 22, 2026

RE: Zoning Amendment for 604 Rainforest Drive, File No: 3360-20 RZ25-06

Dear Mayor and Council,

I am writing this letter as I am opposed to the rezoning of District Lot 281/282, 604 Rainforest Drive. I get a sense that our local municipal staff and councillors feel sorry for the developer, Nick Killins. It is an unfortunate situation but emotions, nor an emotional request from the developer as well, should not come into play here, especially in the decision making process. What needs to be considered is not what is best for Nick, self serving initiative to recapture the losses sustained from a failed construction project, but what is best for the community of Ucluelet. If we are to feel sorry for anyone it is the homeowners at 1722 Rainforest Lane, who moved to their dream location, into their newly built dream home and 3 weeks after moving in, the developer cleared the lot behind them from property line to property line, leaving nothing behind but bare land. Having most of the trees removed behind their house, their great room, with floor to ceiling windows, now looks upon a blue ICF concrete foundation that the developer wants to replace with a 3 story square building. Just one eye sore replaced with another. A view no one would like to look upon. Sometimes it is good to wear the shoe on the other foot and realize that if this happened to the developer, an empty lot behind his home rezoned by the council and then cleared to the max, or anyone on the council themselves, it would be devastating to all. This is life altering. A home is an escape, to get away from it all, to close the door to the outside world, to relax and enjoy, a safe haven. That is why it is called "home". To have this happen to one's home is truly unforgiveable.

Affordable housing is of great concern in Ucluelet. One the mayor, the council and the residents of Ucluelet discuss often, but I keep getting mixed signals from some of the zoning that is approved in Ucluelet. The topic of vacation rentals on one hand and affordable housing on the other. As stated in Ucluelet's OCP on page 66: "short-term vacation rentals are depleting the supply of rental housing available to long-term residents in Ucluelet. This is having a negative effect on community well-being." Here is a developer who openly states in his letter to the Ucluelet planning department that, "the purpose of his application is to amend the current zoning on 604 Rainforest Lane ,(wrong street), to allow for 6 two bedroom plus den residential units on the upper floors and 6 one bedroom commercial nightly rental units on the ground floor." This is not a proposal that should ever be considered. Instead, this development is a great opportunity to have affordable housing included in the building scheme, specifically allocated to the ground floor. Not for vacation rental use, but for one bedroom affordable housing units. As stated in the OCP, Ucluelet struggles to house a local work force and people earning a median income can not afford to buy a home. Council has an opportunity here to do good for the community.

Truth be told, I don't even understand how we are once again looking at this property for rezoning. The rezoning of 604 Rainforest Drive should never have been allowed in the first place. There was so much community input, more than any other issue that has arisen in Ucluelet thus far as one councillor stated, against the increase of the initial allotted 6,000 sq ft to 15,603 sq ft, even for the medical clinic. The community of Ucluelet did not want it. The location was ill suited for many reasons. The developer only proposed the medical clinic to secure the 2½ times building size increase. But the council voted "yes" which truly upset Ucluelet as a whole, so much so that there was an act of arson on the property. However, the council did see fit to put a covenant in place on the property to ensure a medical clinic was to be built on the ground floor. This was to be a benefit for Ucluelet. Now the developer wants the covenant removed so he can build 6 nightly rental units on the ground floor instead. How is this a benefit to the community? What I also fail to understand is, as everyone knows, a medical clinic will not be part of this development so why is the original zoning not reinstated, especially since the developer failed to deliver and the development has a catastrophic failure? The concrete foundation needs to be taken down either way, and with the initial zoning back in place the developer can then apply for a rezoning for an increase in sq ft. Start the process over from the beginning.

Ucluelet's **Official Community Plan (OCP)** was adopted by council on July 19, 2022. Policy **3.143** reads "Rezoning applications involving more than 5 dwelling units shall provide a statement describing the affordable housing components achieved by the proposal." Nick's development proposal involves 12 units so wondering why an affordable housing component is not included in his building plans, or in his statement to the planning department. I have looked at the building design submitted by Nick and see that the development does not comply to most of the OCP guidelines under **Development Permit Area Designations and Guidelines** pages **110-115**. 604 Rainforest Drive also falls under **Development Permit Area IV** (Multi-Family, Commercial, and Mixed-Use). Nick's development proposal does not follow most of the guidelines outlined from pages **122-125**. The guideline most stressed in the OCP is for the regulation of form and character when a property is being developed. **Development Permit Area IV** is to ensure the multi-family areas are compatible and complementary in form and character to adjacent traditional single-family areas. Nick's drawings of a square box with a set of stairs most definitely does not align with the Rainforest neighbourhood. Tyler Brown also mentions the OCP and Development Permit in his report, and states that since this development is a medium-scale building it ensures the site remains compatible with the surrounding residential context. A medium-scale building should not be the only aspect of a project to fulfill the compatibility requirement. A great example of a medium-scale multi-family residential IV property can be seen right across the street from 604 Rainforest Drive, the 6-unit town house complex on Marine Dr. This development is compatible and has an attractive public realm. Nick's square box that looks like a warehouse does not. He is building in an established single-family residential subdivision, not in an industrial park. On page 4 of Tyler Brown's Report to Council, he states that there is existing native species along the Rainforest Drive frontage of the property. There is no existing native species along this frontage, it was all destroyed.

When a developer gets into trouble, may not even be for reasons of his own making, it is not the responsibility of the community, nor the council, to bail him out. Nick's new proposal is geared towards maximum profit with minimum effort; it is not for the betterment of the community of Ucluelet. Allowing the property at 604 Rainforest Drive to be rezoned to accommodate high value town houses, along with high value vacation units, is not a benefit. A mutual beneficial compromise, with a component that includes a benefit to the community, is that the developer should turn the one bedroom units on the ground floor into affordable housing. He can recoup his losses on the sale of the high value town homes. Significant allowances have already been made for this property, especially by the size increase. If the council feels that the bylaw needs to be amended, just change the covenant that the ground floor can only be affordable housing units and make sure the guidelines of the OCP are applied. Bottom line should always be what is best for the community, not the developer, and should any rezoning even be considered until legalities and insurance have been settled.

Sincerely,
Elke Spindler

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