



REGULAR MEETING OF COUNCIL

Thursday, February 15, 2024 @ 4:00 PM

Electronically (Via Zoom) and in the George Fraser Room in the Ucluelet Community Centre
500 Matterson Drive, Ucluelet

AGENDA

This meeting is a hybrid meeting conducted both in-person and electronically through Zoom.

Visit [Ucluelet.ca/CouncilMeetings](https://ucluelet.ca/CouncilMeetings)

for Zoom login details, links to the livestream on YouTube and other information about Council meetings.

Members of the public may attend the George Fraser Room in the Ucluelet Community Centre to hear, or watch and hear, this meeting including any electronic participation.

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1. CALL TO ORDER
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Council would like to acknowledge the Yuulu?if?ath, 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 and Zoom, which may store data on foreign servers.
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- 12.2 Councillor Jennifer Hoar
Deputy Mayor, January 1 - March 31
- 12.3 Councillor Ian Kennington
Deputy Mayor, July 1 - September 30
- 12.4 Councillor Mark Maftei
Deputy Mayor, October 1 - December 31
- 12.5 Mayor Marilyn McEwen

13. QUESTION PERIOD

14. CLOSED SESSION

- 14.1 Procedural Motion to Move In-Camera
*THAT the meeting be closed to the public in order to address agenda items under Section 90(1)(c) of the Community Charter:
(c)labour relations or other employee relations.*

15. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD ELECTRONICALLY AND IN THE GEORGE FRASER ROOM
IN THE UCLUELET COMMUNITY CENTRE
500 MATTERSON DRIVE
Monday, January 8, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, and Kennington,
 Staff: Duane Lawrence, Chief Administrative Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 Joseph Rotenberg, Manager of Corporate Services
 Rick Geddes, Fire Chief
 Sam Parent, Manager of Finance

Regrets: Councillor Maftei

1. CALL TO ORDER

The Special Council Meeting was called to order at 4:04 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

Council acknowledged the Yuulu?il?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

There were no late items.

3. APPROVAL OF AGENDA

3.1 January 8, 2024, Special Council Meeting

2024.2024.SPECIAL *It was moved and seconded **THAT** Council approve the January 8, 2024, Special Council Meeting Agenda as presented.*

CARRIED.

4. REPORTS

4.1 Presentation of the Draft 2024 - 2028 Five-Year Financial Plan (Verbal Report and Presentation)

Duane Lawrence, Chief Financial Officer

Mr. Lawrence outlined the budget process, District services, and budget related legislative requirements. He then presented the 2024 to 2028 operating budgets for all departments. This included providing rationale for any anticipated significant increases or decreases in expenses or revenues for the 2024 budget compared to the 2023 budget. After reviewing the operating budgets Mr. Lawrence outlined operational projects carried forward from 2023 as well as proposed projects.

Next, Mr. Lawrence detailed water and sanitary expenses and revenues. He noted that current water and sanitary fees cover associated operating costs but do not cover repair or replacement costs. Mr. Lawrence outlined proposed water utility and sewer rate increases intended to fund repair and replacement costs. He concluded this section of the presentation by outlining the recommended repairs and changes to these systems.

Mr. Lawrence presented the capital budget for each department. He then outlined capital projects carried forward from 2023 and future capital projects. Mr. Lawrence distinguished fully funded projects from unfunded projects and outlined potential funding sources for the unfunded projects. He also noted anticipated cost increases for some projects. Mr. Lawrence explained that reserve funds should be used to fund eligible capital projects but some District reserves are currently underfunded. Mr. Lawrence concluded this section of the presentation by outlining the process of developing a capital plan.

Mr. Lawrence outlined the District's current debt load and the implication of further borrowing. He also noted funding sources to be explored by Council which include an audit of service agreements to ensure full cost recovery, borrowing from the Barkley Community Forest Fund, and instituting a parking program.

Council discussed instituting the parking program and borrowing from the Barkley Community Forest Fund. This included discussion related to the term and interest rate of any loan from the Barkley Community Forest Fund.

Mr. Lawrence outlined the funding required for the water filtration project and noted that Staff are recommending continued 3% increases to water fees to fund this project. He also introduced a 3% property tax increase intended to fund reserves.

Mr. Lawrence outlined the possibility of introducing a large one-time tax increase of 15% to 20% to address current infrastructure deficits. Council discussed this proposal and noted concerns with it related to high costs of living.

Mr. Lawrence outlined the impact of property tax increases ranging from 1% to 12% on properties with assessed values of \$500,000, \$900,000 and \$1,200,000. He noted variances between the average assessed value of commercial properties compared to residential properties.

In response to Council questions, Staff

- outlined the role of the District's Building Inspector and agreements with the District of Tofino for Level 2 and 3 Building Inspection services;
- noted that the \$160,000 one time grant funding from the Province of BC is being used to fund a new Planner position in 2024 and 2025;
- explained the Planning Assistant position is fully funded within the Planning departments budget;
- clarified that the proposed \$35,000 increase to the Grant in Aid budget is to fund the Chamber of Commerce's equity contribution for their grant application which is currently under review by the funder;
- outlined the extent of the District's water metering program;
- clarified that the skatepark lighting project was removed as a capital project. In response Council discussed allocating funds for preplanning of the skatepark expansion in the 2025 budget;
- clarified that the Edna Batchelor Park project involves replacing the playground equipment;
- provided detail on the roll of and development of water and sewer master plans;
- provided details on how reserve funds should be used to fund eligible capital projects and should be funded through contingency funding built into service fees.

Mr. Lawrence concluded the presentation outlining the next steps in the budget process.

2024.2025.SPECIAL *It was moved and seconded **THAT** the meeting be recessed for five minutes.*
CARRIED.

The meeting was recessed at 5:29 PM. The meeting resumed at 5:32 PM.

2024.2026.SPECIAL *It was moved and seconded **THAT** the meeting continue beyond three and a half hours.*
CARRIED.

5. ADJOURNMENT

The meeting was adjourned at 7:54 PM.

CERTIFIED CORRECT: Minutes of the Special Council Meeting

held on Monday, January 8, 2024 at 4:00 pm in the Ucluelet
Community Centre, 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD ELECTRONICALLY AND IN THE GEORGE FRASER ROOM
IN THE UCLUELET COMMUNITY CENTRE
500 MATTERSON DRIVE
Tuesday, January 9, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, and Kennington
 Staff: Duane Lawrence, Chief Administrative Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 Joseph Rotenberg, Manager of Corporate Services

Regrets: Councillor Maftai

1. CALL TO ORDER

The January 9, 2024 Regular Council Meeting was called to order at 4:01 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

Council acknowledged the Yuulu?il?ath, on whose traditional territories the District of Ucluelet operates.

1.2 NOTICE OF VIDEO RECORDING

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2. LATE ITEMS

2.1 Bylaw 1334 - Parkland Disposal - Food Bank on the Edge
Geoff Lyons

2.2 Hyphocus Island Lot 543 Open House

2.3 Funding Announcement
Bindi Sawchuk, Assistant Deputy Minister, Ministry of Housing

2024.2024.REGULAR *It was moved and seconded **THAT** the late item titled "Bylaw 1334 - Parkland Disposal - Food Bank on the Edge" be added to the agenda under report item 7.3 "Purchase and Sale Agreement - Food Bank on the Edge", and the late items titled "Hyphocus Island Lot 543 Open House" and "Funding Announcement" be added to the agenda as information items 10.5 and 10.6.*

CARRIED.

3. APPROVAL OF THE AGENDA

3.1 January 9, 2024 Regular Council Meeting Agenda

2024.2025.REGULAR *It was moved and seconded **THAT** the January 9, 2024, Regular Council Meeting Agenda be approved as amended.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 November 21, 2023, Regular Council Meeting Minutes

2024.2026.REGULAR *It was moved and seconded **THAT** the November 21, 2023, Regular Council Meeting Minutes be adopted as presented.*

CARRIED.

4.2 December 7, 2023, Regular Council Meeting Minutes

2024.2027.REGULAR *It was moved and seconded **THAT** the December 7, 2023, Regular Council Meeting Minutes be adopted as presented.*

CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Delegations

Jessica Tempesta, District Developments Corp.

Re: Intro to District Developments & 221 Minato Rd. Project

The delegate introduced the District Group and noted their projects throughout British Columbia which generally focus on rental housing. The delegate then outlined the concept for their project at 221 Minato Road.

Barbara Schramm, Wild Pacific Trail Society

Re: Trail Society 2022/2023 Successes & Future Growth

The delegate provided an update on 2022/2023 Wild Pacific Trail Society activities, noted their project partners, and outlined the Society's planned projects. The delegate further lobbied against the proposal to put a cafe in the Amphitrite House. They noted concerns with noise, litter and commercializing the Wild Pacific Trail.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. REPORTS

7.1 Amphitrite House Usage Strategy

Abby Fortune, Director of Recreation and Parks

Council discussed the Amphitrite House Usage Strategy and noted the noise, litter and commercialization concerns raised by the Wild Pacific Trail Society.

In response to Council questions, Staff noted that the request for proposals could encourage proponents to submit proposals for mitigating noise and litter concerns.

2024.2028.REGULAR *It was moved and seconded **THAT** Council support the Amphitrite House programming as presented in report 24-01 and direct Staff to issue an RFP and bring the results back to Council for consideration.*

CARRIED.

7.2 Japanese Canadian Heritage Pavilion
Abby Fortune, Director of Recreation and Parks

In response to Council questions Staff provided information about the proposed pavilion's builder and architect.

2024.2029.REGULAR *It was moved and seconded **THAT** Council, supports a Japanese Canadian Heritage Pavilion recognizing the history of Japanese Canadians in Ucluelet, by approving the following:*

1. *that the District supports the Ucluelet Historical Society's efforts to secure grant funding for the construction of the pavilion;*
2. *that upon completion of the pavilion, Council accepts the structure as a District of Ucluelet asset, including basic maintenance of the structure and the liability associated with the use of the structure by the public;*
3. *that a 250 square foot area, in an unimproved portion of the public road, located right-of-way at the Ucluelet Inlet end of Matterson Drive be provided for the pavilion; and,*
4. *that, if unforeseen technical issues arise for the specified site during construction, Council supports finding another suitable location on other municipally owned land for the pavilion.*

CARRIED.

7.3 Purchase and Sale Agreement - Food Bank on the Edge
Joseph Rotenberg, Manager of Corporate Services

Mr. Rotenberg presented this report and noted the late item which was public input on the proposed disposition.

2024.2030.REGULAR *It was moved and seconded **THAT** Council approve the Purchase and Sale Agreement with the Food Bank on the Edge, attached to report number 24-02, for the sale of the portion of District Lot 284 outlined in bold on Reference Plan EPP 1328848.*

CARRIED.

2024.2031.REGULAR *It was moved and seconded **THAT** Council authorize the Mayor and Corporate Officer to execute the Purchase and Sale Agreement.*

CARRIED.

8. NOTICE OF MOTION

There were no notices of motion.

9. CORRESPONDENCE

9.1 **Public Consultation on proposed sale of 3816 Anderson Avenue (PID# 004-119-410)**
Pacific Rim School District

9.2 **Public Comment on Development Proposed for Hyphocus Island**
Patricia Sieber

9.3 **Wild Pacific Trail Society - Update**
Shannon Symczakowski, Trail Administrator, Wild Pacific Trail Society

9.4 **2024 AVICC AGM & Convention- 2nd Call for Resolutions and other convention deadlines**
Association of Vancouver Island and Coastal Communities

9.5 **City of Victoria Council Motion Regarding Red Light Cameras and Speed Cameras**
Marianne Alto, Mayor, City of Victoria

9.6 **Introduction to Crime Stoppers**
Brian Cornborough, President, Central Vancouver Island Crime Stoppers

10. INFORMATION ITEMS

10.1 **New legislation to support local government housing initiatives**
Ravi Kahlon, Minister of Housing, Province of British Columbia

10.2 **Bill 45, the Miscellaneous Statutes Amendment Act**
Dan Ashton, BC United Shadow Minister of Municipal Affairs

10.3 **Regional district and City work together to create more accessible communities**
Heather Thomson, ACRD Communications Coordinator

10.4 **BC Codes 2024 Adopted**
Jun'ichi Jensen, Executive Director, Building and Safety Standards Branch, Ministry of Housing

10.5 **Hyphocus Island Lot 543 Open House**

Council noted this item.

10.6 Funding Announcement

Bindi Sawchuk, Assistant Deputy Minister, Ministry of Housing

The mayor noted this item.

11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

11.1 Councillor Shawn Anderson

Deputy Mayor, April 1 - June 30

11.2 Councillor Jennifer Hoar

Deputy Mayor, January 1 - March 31

Councillor Hoar attended January 8th Special Council Budget meeting and will attend the Ground Fish Trawl Advisory Committee meeting on January 11th.

11.3 Councillor Ian Kennington

Deputy Mayor, July 1 - September 30

11.4 Councillor Mark Maffei

Deputy Mayor, October 1 - December 31

11.5 Mayor Marilyn McEwen

On December 13th the Mayor attended a Barkley Community Forest Corporation meeting, the Community Christmas Lunch, an Alberni Clayoquot Regional District Board Meeting and the Rotary Club Christmas Dinner. On December 15th the Mayor attended the Community Leaders Meeting with MLA Osborne where new provincial legislation related to housing was discussed and on December 21st the Mayor assisted with preparing the Food Bank on the Edge's Christmas hampers.

On January 3rd the Mayor met with representatives from Telus to discuss available services and on January 4th the Mayor met with the Executive Director of the Ucluelet Chamber of Commerce.

12. QUESTION PERIOD

There were no questions.

13. ADJOURNMENT

The meeting was adjourned at 5:24 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting

held on Tuesday, January 9, 2024 at 4:00 pm in the Ucluelet
Community Centre 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL
HELD ELECTRONICALLY AND IN THE GEORGE FRASER ROOM
IN THE UCLUELET COMMUNITY CENTRE
500 MATTERSON DRIVE
Tuesday, January 23, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, Kennington, and Maftei
 Duane Lawrence, Chief Administrative Officer
 Staff: Bruce Greig, Director of Community Planning
 Rick Geddes, Fire Chief
 Joseph Rotenberg, Manager of Corporate Services

Regrets:

1. CALL TO ORDER

The January 23, 2024, Regular Council Meeting was called to order at 4:00 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

Council acknowledged the Yuulu?il?ath, on whose traditional territories the District of Ucluelet operates.

1.2 NOTICE OF VIDEO RECORDING

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2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

3.1 January 23, 2024, Regular Council Meeting

2024.2032.REGULAR *It was moved and seconded **THAT** the January 23, 2024, Regular Council Meeting Agenda be approved as presented.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 November 7, 2023, Regular Council Minutes

2024.2033.REGULAR *It was moved and seconded **THAT** the November 7, 2023, Regular Council Meeting minutes be adopted as presented.*

CARRIED.

4.2 November 14, 2023 Regular Committee of the Whole Meeting Minutes

2024.2034.REGULAR *It was moved and seconded **THAT** the November 14, 2023, Regular Committee of the Whole Meeting minutes be adopted as presented.*

CARRIED.

4.3 November 14, 2023, Special Council Meeting Minutes

2024.2035.REGULAR *It was moved and seconded **THAT** the November 14, 2023, Special Council Meeting minutes be adopted as presented.*

CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Delegations

Lindsay Esson, Manager of Clinical Operations and Kaoru Bracewell, Director of Clinical Operations, BC Emergency Health Services

Re: Transition to Schedule on Call Model

British Columbia Emergency Health Services (BCEHS) outlined recent human resource improvements related to their recently ratified collective agreement, which include changes to their staffing model. BCEHS also noted that they have outgrown their current station and are seeking staff housing solutions.

In response to Council questions BCEHS clarified that their casual pool will continue to rely on on call employees.

6. UNFINISHED BUSINESS

There was no unfinished business

7. COMMITTEE OF THE WHOLE

There was no Committee of the Whole.

8. REPORTS

8.1 Community Emergency Preparedness Fund Grant Application *Rick Geddes, Fire Chief*

Staff responded to Council questions related the audibility of the District's tsunami alert sirens and outlined the costs of updating system at Amphitrite House in addition to updating the system at the Cedar Road Parking Lot. In further response to Council questions, Staff

recommended members of the public rely on NOAA's website, Connect Rocket, and the District of Ucluelet website to receive timely updates on emergency events. Staff also noted that operating funds will be used to update the sirens at the Cedar Road Parking Lot, if the grant application is unsuccessful.

2024.2036.REGULAR *It was moved and seconded:*

- **THAT** Council approves the District of Ucluelet's Community Emergency Preparedness Fund grant application for the replacement of a tsunami warning system in an amount of \$29,943; and
- **THAT** Council provides overall grant management.

CARRIED.

8.2 SD 23-05 Strata Conversion of a Previously Occupied Building, 1683 Larch Road
Bruce Greig, Director of Community Planning

2024.2037.REGULAR *It was moved and seconded THAT Council approve the strata conversion of the previously-occupied residential building located at 1683 Larch Road, as part of a renovation to create four new dwelling units within the existing building.*

CARRIED.

8.3 Rescheduling the February 13, 2024 Regular Council Meeting (Verbal Report)
Joseph Rotenberg, Manager of Corporate Services

2024.2038.REGULAR *It was moved and seconded THAT the February 13, 2024 Regular Council Meeting be rescheduled to February 15, 2024 at 4:00 PM.*

CARRIED.

8.4 Introduction of District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024, and Options for Elector Approval
Joseph Rotenberg, Manager of Corporate Services

2024.2039.REGULAR *It was moved and seconded THAT Council give first, second and third readings to District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.*

CARRIED.

2024.2040.REGULAR *It was moved and seconded THAT Council seek approval of the electors for District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024 through an Alternative Approval Process.*

CARRIED.

2024.2041.REGULAR *It was moved and seconded THAT Council establish the elector response form as attached to report 24-08 (Appendix B) for the Alternative Approval Process for District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.*

CARRIED.

2024.2042.REGULAR *It was moved and seconded THAT Council establish that a fair determination of the number of electors is 1,730 for the Alternative Approval Process for*

District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.

CARRIED.

2024.2043.REGULAR *It was moved and seconded **THAT** Council establish that 173 electors is the 10% response threshold for the Alternative Approval Process for District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.*

CARRIED.

2024.2044.REGULAR *It was moved and seconded **THAT** Council establish the deadline for receiving elector responses for the Alternative Approval Process for District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024, is March 13, 2024 at 4:00 PM.*

CARRIED.

9. BYLAWS

9.1 Zoning Amendment for a Forbes Road Food Bank *John Towgood, Municipal Planner*

2024.2045.REGULAR *It was moved and seconded **THAT** Council, with regard to a zoning change to allow a food bank on a proposed parcel located within a portion of Tugwell Fields Park:*

1. *Give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024; and*
2. *Direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024; and*
3. *That Council signal that, if Bylaw No. 1336, 2024 is successful in attaining a third reading, this bylaw will not be carried forward for adoption until the conclusion of the elector approval process for the related District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.*

CARRIED.

10. NOTICE OF MOTION

There were no notices of motion.

11. CORRESPONDENCE

11.1 Input on the Development on Hyphocus Island Introduced by Ekistics *Don Morrison and Ayla Klein Stimpson*

Council noted the developer is seeking input through their website.

11.2 Guiding Lights Across BC *Shalan Kelly, BC Public Relations and Communications Advisor, BC Council, Girl Guides Canada*

2024.2046.REGULAR *It was moved and seconded **THAT** Council direct Staff to light-up the District of Ucluelet sign at the junction of Highway 4 and the Tofino Ucluelet Highway*

in blue, on February 22, 2024, in recognition of the Girl Guides Canada Guiding Light Across Canada event.

CARRIED.

12. INFORMATION ITEMS

12.1 Resolution Tracking - January 2024

Joseph Rotenberg, Manager of Corporate Services

The importance of presenting a traffic calming policy was noted by Council as well as the need to investigate installing crosswalk lights at the cross walks on Peninsula Road near Hemlock Street and Seaplane Base Road.

12.2 Appointment of Pacific Rim School District's District of Ucluelet Representative

Paula Mason, Manager of Corporate Services, School District 70 Pacific Rim

13. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

13.1 Councillor Shawn Anderson

Deputy Mayor, April 1 - June 30

13.2 Councillor Jennifer Hoar

Deputy Mayor, January 1 - March 31

Councillor Hoar attended the Wild Pacific Trail Society meeting on January 10th. The Society is hoping to have programming every day of the week from June 1st onward. The society has been notified of a Burr Weed infestation at Big Beach.

Councillor Hoar also attended a Ground Fish Trawl Advisory Committee Meeting on January 11. Offshore Hake Fishery noted their numbers are extremely low. Gulf Hake has been a strong fishery.

13.3 Councillor Ian Kennington

Deputy Mayor, July 1 - September 30

13.4 Councillor Mark Maffei

Deputy Mayor, October 1 - December 31

Councillor Maffei attended the EKISTICS Open House on January 18 related to the proposed development on Hyphocus Island.

13.5 Mayor Marilyn McEwen

The Mayor attended the Alberni-Clayoquot Regional District meeting on January 10th, where an information report that compared changes to BC

Assessments for ACRD communities was shared. Other items from the January 10th meeting included a grant application for a backup generator at the Long Beach Airport, a 10-year lease agreement for the Long Beach Golf Course and Campground, and a 5 year operating agreement for the West Coast Landfill was awarded to the current operator.

The Mayor also attended the EKISTICS Open House on January 18.

14. QUESTION PERIOD

There were no questions.

15. CLOSED SESSION

15.1 Procedural Motion to Move In-Camera

2024.2047.REGULAR *It was moved and seconded **THAT** the meeting be closed to the public in order to address agenda items under Section 90(1)(i), 90(1)(g) and 90(2)(b) of the Community Charter.*

CARRIED.

The meeting was closed to the public at 5:22 PM and returned to open session at 7:12 PM.

16. ADJOURNMENT

After returning to open session at 7:12 PM, the Regular Council meeting was adjourned.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, January 23, 2024 at 4:00 pm in the Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

DISTRICT OF UCLUELET
MINUTES OF THE HARBOUR AUTHORITY MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Thursday, October 19, 2023 at 4:00 PM

Present: **Chair:** Chair McEwen
 Council: Directors Anderson (Via Zoom), Hoar, Kennington, and Maftai
 Staff: Duane Lawrence, Chief Administrative Officer
 Abby Fortune, Director of Parks and Recreation
 Kevin Cortes, Harbour Manager (Contractor)

Regrets:

1 CALL TO ORDER

The meeting was called to order at 4:04 PM.

2 ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

The Harbour Authority acknowledged the Yuułu?if?ath, on whose traditional territories the District of Ucluelet operates.

3 NOTICE OF VIDEO RECORDING

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

4 LATE ITEMS

There were no late items.

5 APPROVAL OF AGENDA

5.1 October 19, 2023, Regular Harbour Authority Agenda

2023.2034.HA *It was moved and seconded **THAT** the October 19, 2023, Regular Harbour Authority Agenda be approved as presented.*

CARRIED.

6 ADOPTION OF MINUTES

6.1 May 16, 2023, Regular Harbour Authority Minutes

2023.2035.HA *It was moved and seconded **THAT** the May 16, 2023, Regular Harbour Authority Minutes be adopted as presented.*

CARRIED.

7 UNFINISHED BUSINESS

There was no unfinished business.

8 REPORTS

8.1 Harbour Manager Report - Oct. 19, 2023, Update *Kevin Cortes, Harbour Manager*

Mr. Cortes presented this report. He noted harbour activities this summer including the Van Isle 360 International Yacht Race. Mr. Cortes was informally notified by event organizers that this will likely be the last year of the race. Mr. Cortes also outlined other harbour activities from the past months such as the volumes of both commercial and recreational fishing traffic, a small non-structural vessel fire in the Inner Boat Basin and the installation of new steel pilings at both the Whiskey Dock and at the Floathouse restaurant in the Inner Boat Basin.

Council raised concerns about the steel pilings possibility impacting the herring spawn and Mr. Cortes responded to Council questions related to international boat traffic in the harbour. Council also requested a tour of the Inner Boat Basin Harbour.

8.2 Harbour Authority Meetings *Abby Fortune, Director of Recreation & Parks*

Ms. Fortune presented this report.

2023.2036.HA *It was moved and seconded **THAT** the Harbour Authority direct staff to investigate and report back to Council regarding the incorporation of Harbour Authority meetings into regular Council meetings.*

CARRIED.

8.3 Harbour Authority Resolution Tracker - October 19, 2023 *Joseph Rotenberg, Manager of Corporate Services*

9 NOTICES OF MOTION

There were no Notices of Motion.

10 QUESTION PERIOD

There were no questions.

11 ADJOURNMENT

The meeting was adjourned at 4:18 PM.

CERTIFIED CORRECT: Minutes of the Harbour Authority Meeting held on Thursday, October 19, 2023 at 4:00 pm in the Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Chair



DISTRICT OF UCLUELET

Request to Appear as a Delegation

All delegations requesting permission to appear before Council are required to submit a written request or complete this form and submit all information or documentation by 12:00 p.m. five clear days before a Council Meeting. Applicants should include the topic of discussion and outline the action they wish Council to undertake.

All correspondence submitted to the District of Ucluelet in response to this notice will form part of the public record and will be published in a meeting agenda. Delegations shall limit their presentation to ten minutes, except by prior arrangement or resolution of Council.

Please arrive 10 minutes early and be prepared for the Council meeting. The Mayor (or Acting Mayor) is the chairperson and all comments are to be directed to the chairperson. It is important to address the chairperson as Your Worship or Mayor McEwen.

The District Office will advise you of which Council meeting you will be scheduled for if you cannot be accommodated on your requested date. For more information contact the District Office at 250-726-7744 or email info@ucluelet.ca.

Requested Council Meeting Date: 02/15/2024

Organization Name: Harbour Air

Name of person(s) to make presentation: Jessica Dunn, Tom Rattray

Topic: Starting flight operations to Ucluelet

Purpose of Presentation: Information only
 Requesting a letter of
 support Other (provide
 details below)

Please describe:

We have been asked by Abby Fortune to present to Council about bringing Harbour Air services to Ucluelet this summer season. We will share the following in our presentation.

1. Who is Harbour Air
2. What Harbour Air is proposing to do
3. What are the benefits to the community.
4. Speak to landing in the harbour, any impacts (noise, environmental, wake etc)

Contact person (if different from above): Jessica Dunn

Telephone Number and Email: 236.668.1763 Jdunn@harbourair.com

Will you be providing supporting documentation? Yes No

If yes, what are you providing?

Handout(s)

PowerPoint
Presentation

Note: Any presentations requiring a computer and projector/screen must be provided prior to your appearance date. The District cannot accommodate personal laptops.

The personal information you provide on this form is collected under s. 26(c) of the FOIPPA and will be used for the purpose of processing your application to appear as a delegation before the District of Ucluelet Council. The application will form part of the meeting's agenda and will be published on the website. Your personal telephone number and e-mail address will not be released except in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of your personal information may be referred to the Manager of Corporate Services 200 Main Street, PO Box 999, Ucluelet BC, V0R 3A0 or by telephone at 250-726-7744.

Public Hearing Notice: Zoning Amendment Bylaws & Development Variance Permit

Pursuant to Section 464, 466 and 498 of the *Local Government Act*, public notice is hereby given that the District of Ucluelet will consider the following Zoning Amendment Bylaws and Development Variance Permit at a Public Hearing held in the **George Fraser Room** at the **Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C.**, on **February 15, 2024**, commencing at **4:00 p.m.**

This Public Hearing will be held as part of the Regular Council Meeting, held on the same date and time as stated above. Regular Council meetings are conducted in-person and using electronic or other communication facilities. Members of the public may attend the George Fraser Room to hear, or watch and hear, any electronic participation.

District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023

Application Number: RZ22-01

Location: 256 Matterson Drive

Legal Description: Lot 10, Clayoquot Land District, Plan VIP11923

Purpose: In general terms, the purpose of this bylaw is to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013, to change the zoning designation of the westernmost 9.59m wide portion of 256 Matterson Drive from *R-1 Single Family Residential* to *R-6 Infill Single Family Residential (R-6)* to facilitate changing the boundary between two existing parcels, and to allow a secondary suite or accessory dwelling unit as accessory uses within the new R-6 area.

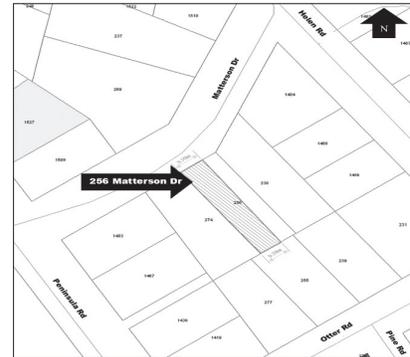
Development Variance Permit DVP23-12

Application Number: DVP23-12

Location: 256 Matterson Drive

Legal Description: Lot 10, Clayoquot Land District, Plan VIP11923

Purpose: In general terms, the proposed variance would permit a minimum lot frontage of 9.59m, whereas section R-6.2.4. of the Ucluelet Zoning Bylaw No. 1160, 2013, requires a minimum frontage of 10m.



District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024

Application Number: RZ24-01

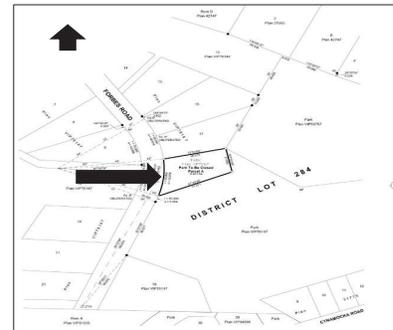
Location: 368 Forbes Road

Legal Description: Parcel A, Plan EPP132848, District Lot 284, Clayoquot District

Purpose: In general terms, the purpose of this bylaw is to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013, to change the zoning designation of a proposed new lot located on the north section of Tugwell Fields fronting Forbes Road from the *CD-1.14 "Park"* sub-zone designation (within the *CD-1 Eco-Industrial Park* zone) to the *P-1 Public Institutional* designation, with *Food Bank* to be a permitted principal use on the subject property.

The amendment bylaw would also add a new definition of *Food Bank* in the zoning bylaw as follows:

"Food Bank" means the use of buildings or lands for a non-profit organization that operates with the exclusive intent of feeding the hungry.



Anyone who believes these applications will affect their interests may make a written submission and/or will be given an opportunity to be heard at the Public Hearing as follows:

Participate by written submission: All written submissions must include your name and street address. Any submissions dropped-off or mailed to the District Office, must be received before the start of the Regular Council Meeting.

Drop-off at the District Office
200 Main Street
Ucluelet B.C.

Mail
District of Ucluelet
P.O. Box 999, Ucluelet B.C. V0R 3A0

Email
communityinput@ucluelet.ca

Participate in-person, by Zoom or telephone:

In-person
George Fraser
Room in the
Ucluelet
Community Centre,
500 Matterson
Drive, Ucluelet B.C.

Zoom and Telephone
To participate by zoom or telephone please visit the District of Ucluelet web page:
<https://ucluelet.ca/community/district-of-ucluelet-council/public-hearings>
For additional information on how to participate, please visit the District Office or contact the Corporate Services Department at 250-726-7744 or jrotenberg@ucluelet.ca.

Review the application: The bylaw, permit and other relevant materials may be inspected at the District office at 200 Main Street from the date of this notice, until the Public Hearing, during regular office hours (Mon. – Fri., 8:30 a.m. - 4:00 p.m. excluding holidays). These materials will also be available at the Public Hearing.

Questions? Contact the District of Ucluelet’s Planning Department at 250-726-7744 or jtowgood@ucluelet.ca

Privacy Please note that the opinions you express orally and any presentations you submit to the District will be webcast live on Zoom and on YouTube, and will be recorded to form a part of the public record. Correspondence you submit will form part of the public record and will be published on the agenda or read into the record. The District of Ucluelet considers your address relevant to this matter and will disclose this personal information as it informs Council’s consideration of your opinion in relation to the subject property and is authorized under section 26(c) of the *Freedom of Information and Protection of Privacy Act*. Your personal phone number and email will not be disclosed.

If you have questions regarding the collection of your personal information, please contact: Joseph Rotenberg, Manager of Corporate Services, 200 Main Street, Ucluelet BC, V0R 3A0, P.O. Box 999, or email jrotenberg@ucluelet.ca.

DISTRICT OF UCLUELET

Zoning Amendment Bylaw No. 1335, 2023

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

(R-6 Zone – 256 Matterson Drive)

WHEREAS the District of Ucluelet Council by Bylaw No. 1160, 2013, adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

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

1. Map Amendment:

Schedule A (Zoning Map) of *District of Ucluelet Zoning Bylaw No. 1160, 2013*, as amended, is hereby further amended by changing the zoning designation of the westernmost 9.59 metres of Lot 10, Clayoquot Land District Plan VIP11923 (PID: 000-510-599 at 256 Matterson Drive), shown shaded on the map attached to this Bylaw as Appendix "A", from R-1 Single Family Residential to R-6 Infill Single-Family Residential.

2. Text Amendment:

Schedule B of the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, as amended, is hereby further amended by adding the following subsection (R-6.7) to Section R-6 (Infill Single-Family Residential) that directly follows Subsection R-6.6 as follows:

“R-6.7 Other Regulations:

R-6.7.1 Notwithstanding other regulations in this bylaw, on the lands legally described as the westernmost 9.59 metres of Lot 10, Clayoquot Land District Plan VIP11923, PID: 000-510-599 (256 Matterson Drive), the following regulations apply:

(1) The following additional secondary uses are permitted:

- i. *Secondary Suite; or,*
- ii. *Accessory Residential Dwelling Unit”*

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023”.

READ A FIRST TIME this **10th** day of **October, 2023**.

READ A SECOND TIME this **10th** day of **October, 2023**.

PUBLIC HEARING this day of , **2024**.

READ A THIRD TIME this day of , **2024**.

ADOPTED this this day of , **2024**.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023.”

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

THE CORPORATE SEAL of the
District of Ucluelet was hereto
affixed in the presence of:

Duane Lawrence
Corporate Officer

Appendix A to District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023

 = from: R-1 zone Single-Family Residential
To: R-6 zone Infill Single-Family Residential





DEVELOPMENT VARIANCE PERMIT DVP23-12

Pursuant to section 498 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Variance Permit is issued to:

Giordano Holdings LTD., INC.NO. BC1090691; 780 Claremont Ave, Victoria, BC V8Y 1K1
(the "Owner")

2. This Development Variance Permit applies to, and only to, those lands within the District of Ucluelet described below, and the buildings, structures, and other development thereon:

256 Matterson Drive; PID: 000-510-599, Lot 10, Clayoquot Land District Plan VIP11923
(the "Land")

3. The work authorized by this Permit may only be carried out:
 - a. in compliance with the requirements of the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, and *Village of Ucluelet Subdivision Control Bylaw No. 521, 1989* except where specifically varied or supplemented by this development variance permit; and
 - b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This permit authorizes the following variance to *District of Ucluelet Zoning Bylaw No. 1160, 2013*, specific to the plan attached as Schedule "A":

"A minimum lot frontage of 9.59 metres whereas section R-6.2.4 requires 10 metres"

5. This Permit authorizes the following variance to *Village of Ucluelet Subdivision Control Bylaw No. 521, 1989*:

"Allow a cash-in-lieu payment in the amount of \$38,425 in lieu of meeting the required construction standards for concrete curb, gutter, and sidewalk specified in Schedule E section 3."

6. The above variances are granted for the proposed initial subdivision and servicing of the Land as shown on **Schedule A**. Should the Land or portions of the Land be redeveloped at some future date, this Development Variance Permit shall cease to apply and the zoning and servicing standards in effect at the time shall apply.
7. This permit is valid for a period of 24 months from the date of issuance. If by that time a final plan of subdivision is not registered with the BC Land Title Survey Authority in general accordance with Schedule A, then this Development Variance Permit shall cease to apply and the zoning and servicing standards in effect at the time shall apply.
8. This permit is subject to the condition that the owner remove any non-conforming accessory structures from the proposed lot B prior to final subdivision approval.



9. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

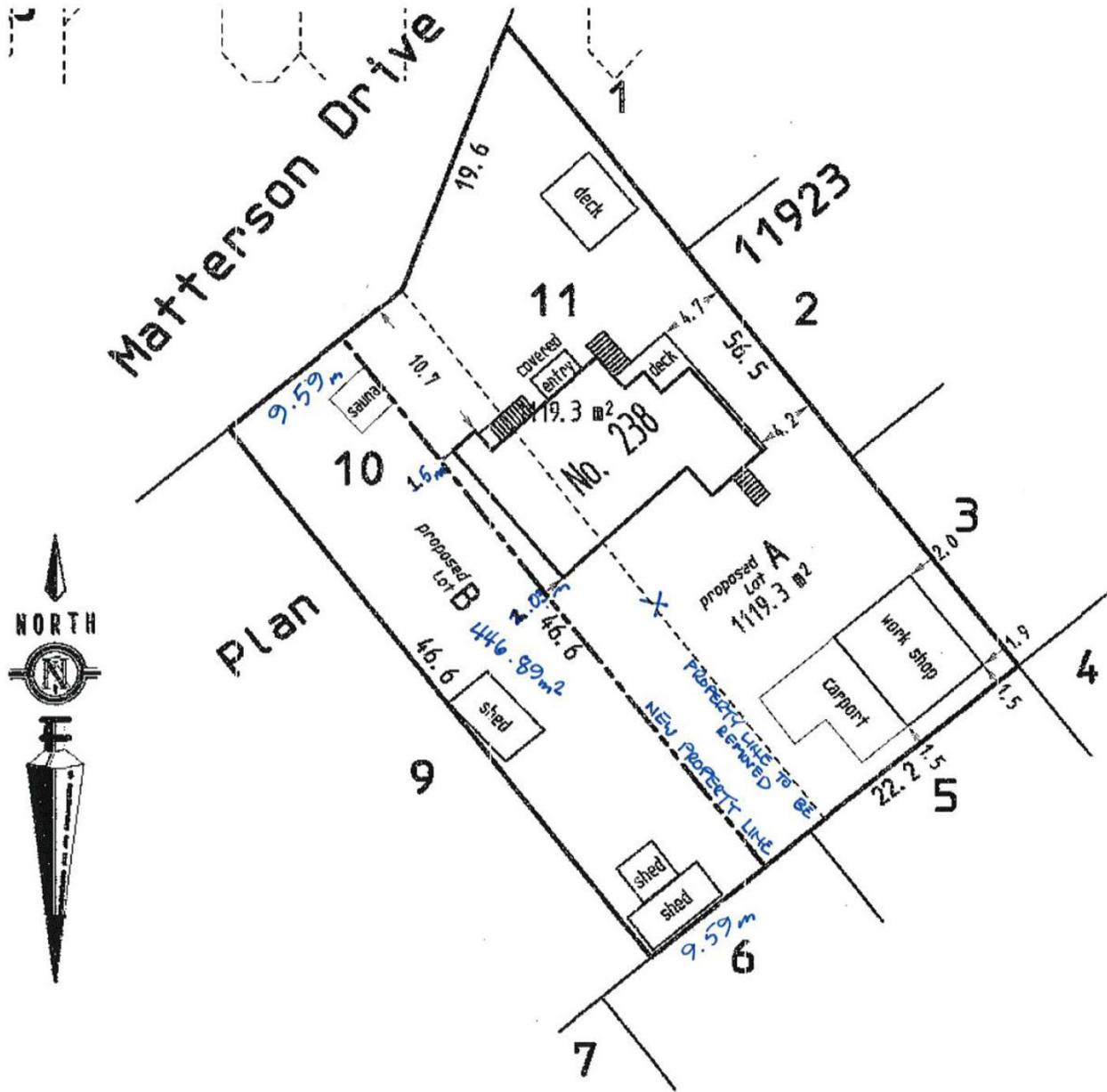
10. This Permit is NOT a Building Permit.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2023.

ISSUED the day of , 2023.

Bruce Greig
Director of Community Planning

SCHEDULE A





REPORT TO COUNCIL

Council Meeting: October 10, 2023
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

FILE No: 3360-20 RZ22-01/3090-20 DVP23-12

SUBJECT: ZONING AMENDMENT & DVP FOR PART OF 256 MATTERSON DRIVE

REPORT No: 23- 130

ATTACHMENT(S): APPENDIX A - APPLICATION

APPENDIX B - UCLUELET ZONING AMENDMENT BYLAW No.1335, 2023

APPENDIX C – DEVELOPMENT VARIANCE PERMIT DVP23-12

RECOMMENDATION(S):

THAT Council, with regard to the proposed change in zoning designation of the western part of 256 Matterson Drive for a proposed subdivision, give first and second reading to *District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023*, and direct staff to give notice for a public hearing to receive input on the bylaw and Development Variance Permit DVP23-12.

BACKGROUND:

This application to rezone part of the property at 256 Matterson Drive (Lot 10, Clayoquot Land District, Plan VIP11923, PID: 000-510-599 - the “**Subject Property**”) was received in April of 2022. Due to various bylaw infractions and a section 57 notice on title, the application was delayed. Since those issues have been resolved this application is now proceeding to Council.

The subject property and the property directly to the northeast, 238 Matterson Drive, are currently zoned [R-1 Single Family Residential \(R-1\)](#) and jointly contain a Single Family Dwelling (SFD) that was built prior to 1991 over the adjoining property line (see **Figures 1** and **2**). The owner (of the house and both properties) are requesting the following zoning amendments, associated variances and Council permissions to allow the desired uses and to facilitate a future subdivision of the subject property:

1. A zoning designation change to the westernmost 9.59m wide portion of the subject property (the “**Proposed Lot**”) from R-1 to [R-6 Infill Single Family Residential \(R-6\)](#);
2. A text amendment to allow a secondary suite (SS) or accessory dwelling Unit (ADU) in the R-6 zone for the specific land area of the proposed lot;
3. A variance to the R-6 minimum frontage requirement from 10.0m to 9.59m; and,
4. A Council exemption under Section 512 of the Local Government Act (LGA) to the requirement for a minimum frontage of 10% of a property’s perimeter.

The subject lot and the lot to the north are currently zoned R-1. This designation allows a principal permitted use of a Single-Family Dwelling with secondary uses of Bed and Breakfast, Home Occupation, Secondary Suite and Accessory Residential Dwelling Unit. The existing house is positioned predominantly on 256 Matterson Drive but extends over the lot line to encroach on the subject property (see **Figure 2**). The applicant owns both properties and wishes to subdivide the vacant portion of the subject property (**Figure 3** and **Appendix A**), effectively relocating the property boundary from underneath the existing house. Such a subdivision would require a rezoning as the new lot would not comply with the existing R-1 zone regulations for minimum lot area and frontage.

DISCUSSION:

The existing SFD spanning a property line is not an ideal situation for owner or the community. The area when zoned and subdivided was anticipated in a land use and servicing context to have two properties with a SFD on each. As it stands, two lots are being utilized for only one house. The house is in good repair; demolishing the existing house would be costly and wasteful, and therefore the current circumstance would continue for the foreseeable future.

In general, the infill of smaller dwellings within existing neighbourhoods is a positive form of growth for the community as supported by the District of Ucluelet Official Community Plan bylaw:

Policy 2.16 Support infill development near the Village Square to create a complete and compact core that is walkable, vibrant and attractive as a place to live, work and play without the need for a car.

Policy 3.131 Short-term Housing Action Plan: G. explore zoning opportunities for infill of compact, more affordable units in existing and new neighbourhoods (e.g., small lots, rental cottages, etc.)

In this application the owner is proposing to fix an existing property line issue and create a separate and usable property, in a form that could accommodate a more compact home and associated accessory uses.

Zoning Designation Change

The applicant is proposing to change the area of the proposed smaller lot from the R-1 Zone to the R-6 zone. The R-6 zone is the closest existing designation that meets the proposed lot size, uses, and preferred building size. It should be noted that the proposed new lot property size is constrained to allow the existing house to maintain a side yard setback of 1.5m.

The R-6 designation is currently only applied to an unsubdivided portion of the Lot 16 development located across from the Ucluelet Community Center. The R-6 zone allows for the following residential uses:

1. A SFD on lots that are between 360m² and 479m².
2. A SFD and a secondary suite or ADU on lots between 480m² and 600m².

The proposed lot would be approximately 447m² and under the R-6 zone could contain a SFD with a gross floor area of 156.45m² (1,684ft²) which, considering the small lot size, is a reasonably sized home. Note that short-term vacation rentals are not permitted in the R-6 zone.

Site Specific Text Amendment to R-6

The applicant has requested that a text amendment be added to the R-6 zone that would allow a secondary suite (SS) or a accessory residential dwelling unit (ADU) to occur as the proposed lot size is under the 480m² minimum lot size threshold that was written into the zone. This change would not only allow a SS or ADU to be built, but it would also increase the total allowable floor area for construction of a SS or ADU. The R-6 zoning is structured to increase the allowable FAR from 0.35 to 0.5 if a SS or ADU is built. For the proposed lot this represents an increase from a maximum allowable floor area of 156.5m² (1,684ft²) to 223.5m² (2,405ft²). It should be noted that the maximum gross floor area is cumulative for all buildings on a property.

Frontage Variance

The applicant is asking for a variance to the required 10m frontage required by the R-6 zone. Staff noted that with a 10m frontage the location of existing SFD would be closer to the new property line than 1.5m and that this proximity could cause difficulties at subdivision. It was suggested that the best route forward for the applicant would be to ask for the minor variance of 0.41m (16"). See **Figure 3** below and **Appendix B** for details:

“The Parks and Recreation Master Plan proposes that a designated route be developed between the Inner Harbour at the Village Square, and Big Beach on the west coast (see Figure 5). The designation will chiefly consist of identity markers, such as wayfinding and feature signage, and signature planting. The central purpose of this project is to highlight the peninsula geography, and the unique and contrasting character of each coast (the “working coast” and the “wild coast”).”

In consideration of the plans and bylaw mentioned above it would be appropriate to vary the standard curb, gutter and sidewalk details required by the *Subdivision Control Bylaw No. 521, 1989*, for a 2m wide paved multi-use path. A comparable recent municipal project saw costs of a 2m paved pathway at \$1,104 per meter: the total frontage of the property is 34.8m giving the pathway an estimated cost of \$38,419. The applicant could construct a section of pathway to municipal standards or pay cash-in-lieu, with the monies held in reserve until this pathway is constructed along the entire block. The applicant has offered to pay cash-in-lieu. This deviation from the *Subdivision Control Bylaw* would require a Development Variance Permit (see **Appendix B**). Staff recommend that notice be given so that public input on the DVP can be gathered at the same time as a public hearing held on the zoning amendment bylaw.



Figure 4 – excerpt from OCP Schedule C

ANALYSIS OF OPTIONS:

The creation of infill housing can create diverse and vibrant neighbourhoods by providing a range of housing options that utilize existing servicing infrastructure. The existing circumstance where two lots are used by one SFD is not ideal for the owner or the community; the proposed lot and zoning represents the density originally contemplated at the original subdivision for the area. The proposed lot would be centrally located within walking distance to the schools, community center and shopping areas, and the small allowable dwelling size will make the housing on the proposed lot more attainable. Adding accessory dwelling options as secondary uses would provide an opportunity for the creation of additional compact housing.

A	Give first and second reading to Bylaw 1335 and direct staff to give notice for a public hearing on the bylaw and DVP.	<u>Pros</u>	<ul style="list-style-type: none"> Allows infill housing to occur in a central area of the community
		<u>Cons</u>	<ul style="list-style-type: none"> The increased density may not be desirable to the immediate neighbors
		<u>Implications</u>	<ul style="list-style-type: none"> Would allow the application to proceed to a public hearing. Staff time would be required to arrange a public hearing and follow-up report.
B	Modify the draft zoning bylaw by stating which and how elements or features are to be modified.	<u>Pros</u>	<ul style="list-style-type: none"> Modifying the zoning bylaw will ensure Council's intent for the development is met.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Modifying the zoning bylaw will require staff time to complete the amendments and resubmit for first and second reading.
		<u>Suggested Motion</u>	THAT Council direct staff to modify the draft District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023, to <i>[state desired outcome of amendments]</i> , for further consideration at a future meeting.
C	Reject the application.	<u>Pros</u>	<ul style="list-style-type: none"> Would maintain the original zoning designation.
		<u>Cons</u>	<ul style="list-style-type: none"> Would not allow the use of one lot and leave a SFD spanning a property line.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed to public hearing.
		<u>Suggested Motion</u>	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with the Official Community Plan bylaw and would amend *District of Ucluelet Zoning Bylaw 1160, 2013*.

NEXT STEPS:

If Council gives first and second readings to the draft *Zoning Amendment Bylaw No. 1335, 2023*, staff would undertake the necessary notification for a public hearing to be held at a date to be determined, to enable public input on the requested zoning amendments and variances.

Respectfully submitted: John Towgood, Municipal Planner
Bruce Greig, Director of Community Planning
Duane Lawrence, CAO

July 4 2022

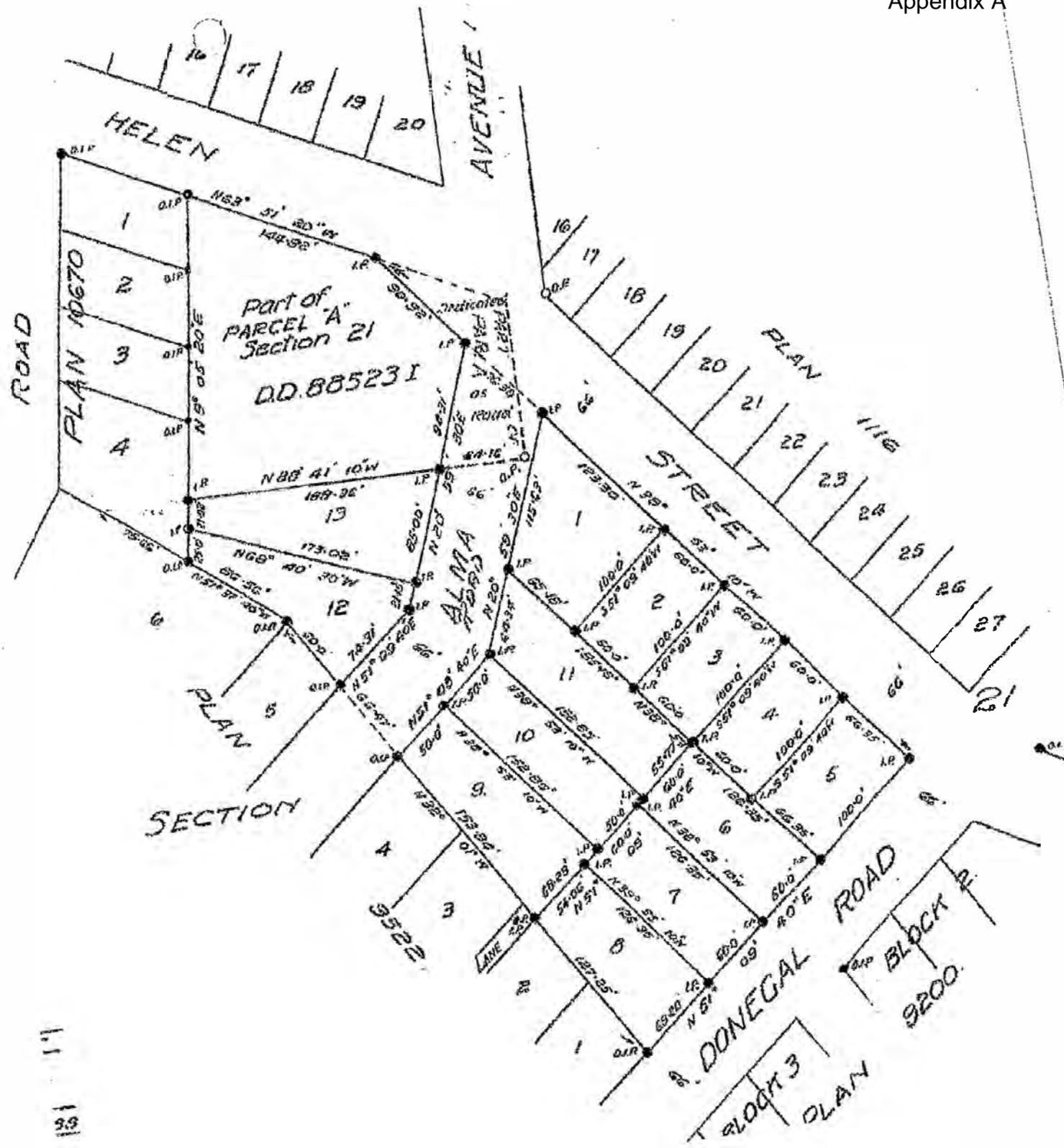
Letter of Intent re: 238/256 Matterson Drive rezoning/subdivision

As the owners of the property will feel the properties 238/256 Matterson Drive are not meeting our needs and the demand for additional housing in Ucluelet. The properties are more land than we need, and our intent has always been to add additional housing to Ucluelet.

We are asking to do a side lot-line adjustment and rezone 256 Matterson to an R5 zoning. The property would meet all requirements for the R5 zoning. This would allow us to build a new home on the re-sized re-zoned lot.

Mike Giordano
Owner of Giordano Holdings Ltd

05 PM



11
31

Site Plan of:

Lot 10 and 11, Section 21,
Clayoquot District, Plan 11923

Parcel Identifier: 000-510-599

Parcel Identifier: 000-510-602

Civic address: 238 & 256 Matterson Drive

SCALE - 1 : 500



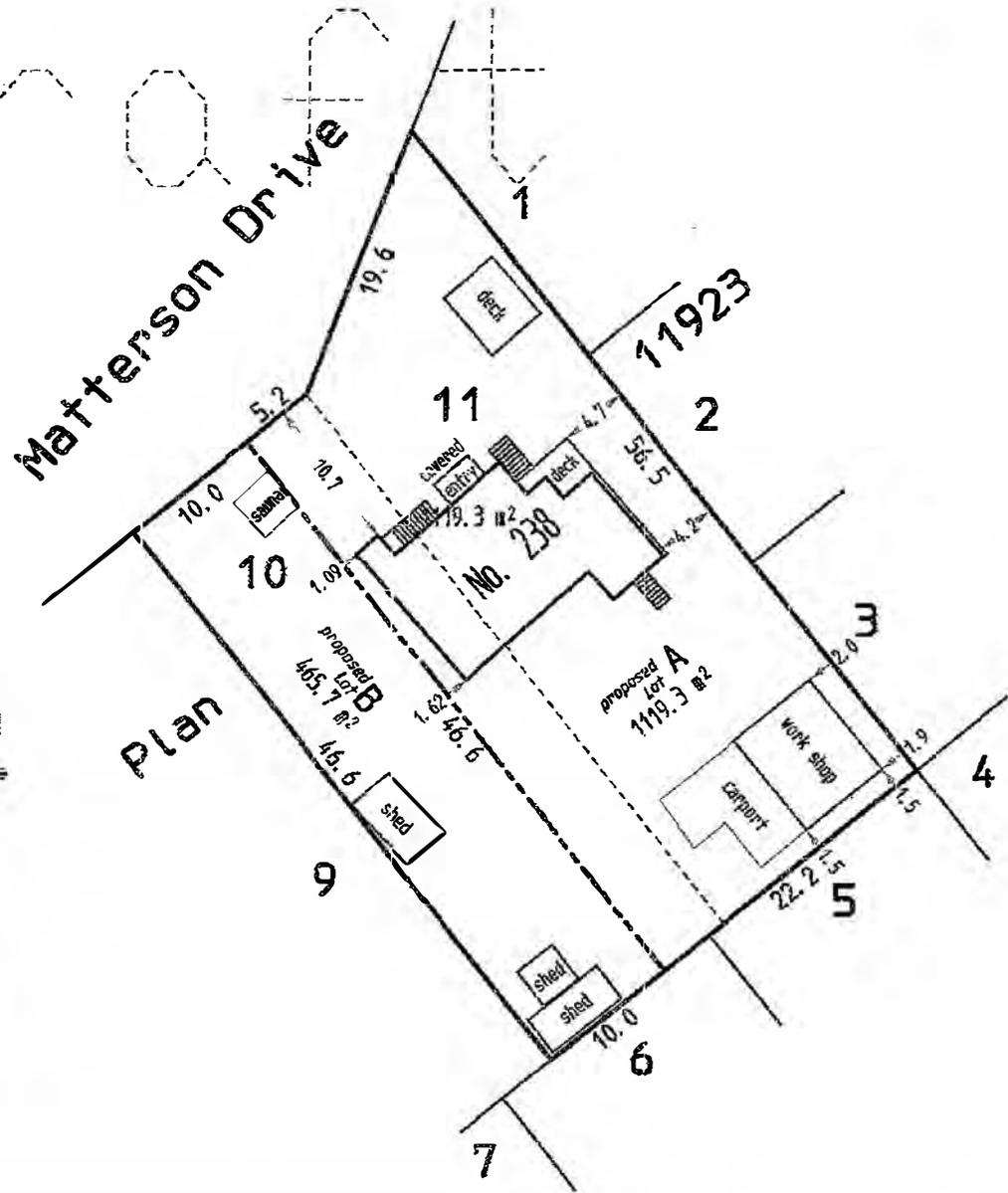
All distances are in metres and decimals thereof

(plot on 8.5" x 11" sheet)

The following non-financial charges are shown on
the current title and may affect the property
None.

Parcel dimensions shown hereon are
derived from Land Title Office records.

This sketch represents a site improvement
survey and is not intended for the purposes
of a survey/mortgage certificate.



DISTRICT OF UCLUELET**Zoning Amendment Bylaw No. 1335, 2023**

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

(R-6 Zone – 256 Matterson Drive)

WHEREAS the District of Ucluelet Council by Bylaw No. 1160, 2013, adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

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

1. Map Amendment:

Schedule A (Zoning Map) of *District of Ucluelet Zoning Bylaw No. 1160, 2013*, as amended, is hereby further amended by changing the zoning designation of the westernmost 9.59 metres of Lot 10, Clayoquot Land District Plan VIP11923 (PID: 000-510-599 at 256 Matterson Drive), shown shaded on the map attached to this Bylaw as Appendix "A", from R-1 Single Family Residential to R-6 Infill Single-Family Residential.

2. Text Amendment:

Schedule B of the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, as amended, is hereby further amended by adding the following subsection (R-6.7) to Section R-6 (Infill Single-Family Residential) that directly follows Subsection R-6.6 as follows:

“R-6.7 Other Regulations:

R-6.7.1 Notwithstanding other regulations in this bylaw, on the lands legally described as the westernmost 9.59 metres of Lot 10, Clayoquot Land District Plan VIP11923, PID: 000-510-599 (256 Matterson Drive), the following regulations apply:

(1) The following additional secondary uses are permitted:

- i. *Secondary Suite; or,*
- ii. *Accessory Residential Dwelling Unit”*

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023”.

READ A FIRST TIME this day of , 2023.

READ A SECOND TIME this day of , 2023.

PUBLIC HEARING this day of , 2023.

READ A THIRD TIME this day of , 2023.

ADOPTED this this day of , 2023.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023.”

Marilyn McEwen
Mayor

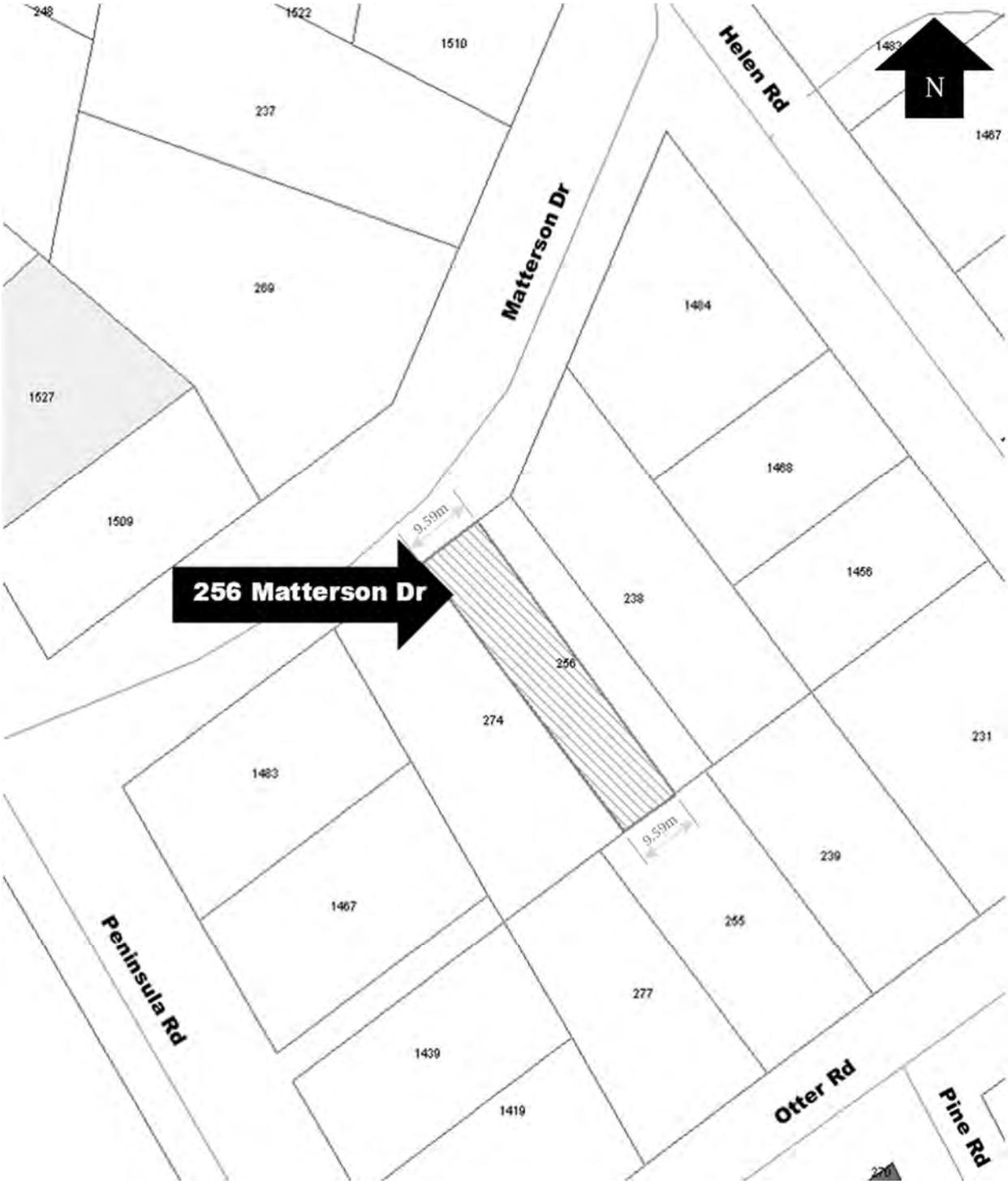
Duane Lawrence
Corporate Officer

THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:

Duane Lawrence
Corporate Officer

Appendix A to District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023

[Hatched Box] = from: R-1 zone Single-Family Residential
To: R-6 zone Infill Single-Family Residential



DEVELOPMENT VARIANCE PERMIT DVP23-12

Pursuant to section 498 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Variance Permit is issued to:

Giordano Holdings LTD., INC.NO. BC1090691; 780 Claremont Ave, Victoria, BC V8Y 1K1
(the "Owner")

2. This Development Variance Permit applies to, and only to, those lands within the District of Ucluelet described below, and the buildings, structures, and other development thereon:

256 Matterson Drive; PID: 000-510-599, Lot 10, Clayoquot Land District Plan VIP11923
(the "Land")

3. The work authorized by this Permit may only be carried out:
 - a. in compliance with the requirements of the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, and *Village of Ucluelet Subdivision Control Bylaw No. 521, 1989* except where specifically varied or supplemented by this development variance permit; and
 - b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This permit authorizes the following variance to *District of Ucluelet Zoning Bylaw No. 1160, 2013*, specific to the plan attached as Schedule "A":

"A minimum lot frontage of 9.59 metres whereas section R-6.2.4 requires 10 metres"

5. This Permit authorizes the following variance to *Village of Ucluelet Subdivision Control Bylaw No. 521, 1989*:

"Allow a cash-in-lieu payment in the amount of \$38,425 in lieu of meeting the required construction standards for concrete curb, gutter, and sidewalk specified in Schedule E section 3."

6. The above variances are granted for the proposed initial subdivision and servicing of the Land as shown on **Schedule A**. Should the Land or portions of the Land be redeveloped at some future date, this Development Variance Permit shall cease to apply and the zoning and servicing standards in effect at the time shall apply.
7. This permit is valid for a period of 24 months from the date of issuance. If by that time a final plan of subdivision is not registered with the BC Land Title Survey Authority in general accordance with Schedule A, then this Development Variance Permit shall cease to apply and the zoning and servicing standards in effect at the time shall apply.
8. This permit is subject to the condition that the owner remove any non-conforming accessory structures from the proposed lot B prior to final subdivision approval.



9. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

10. This Permit is NOT a Building Permit.

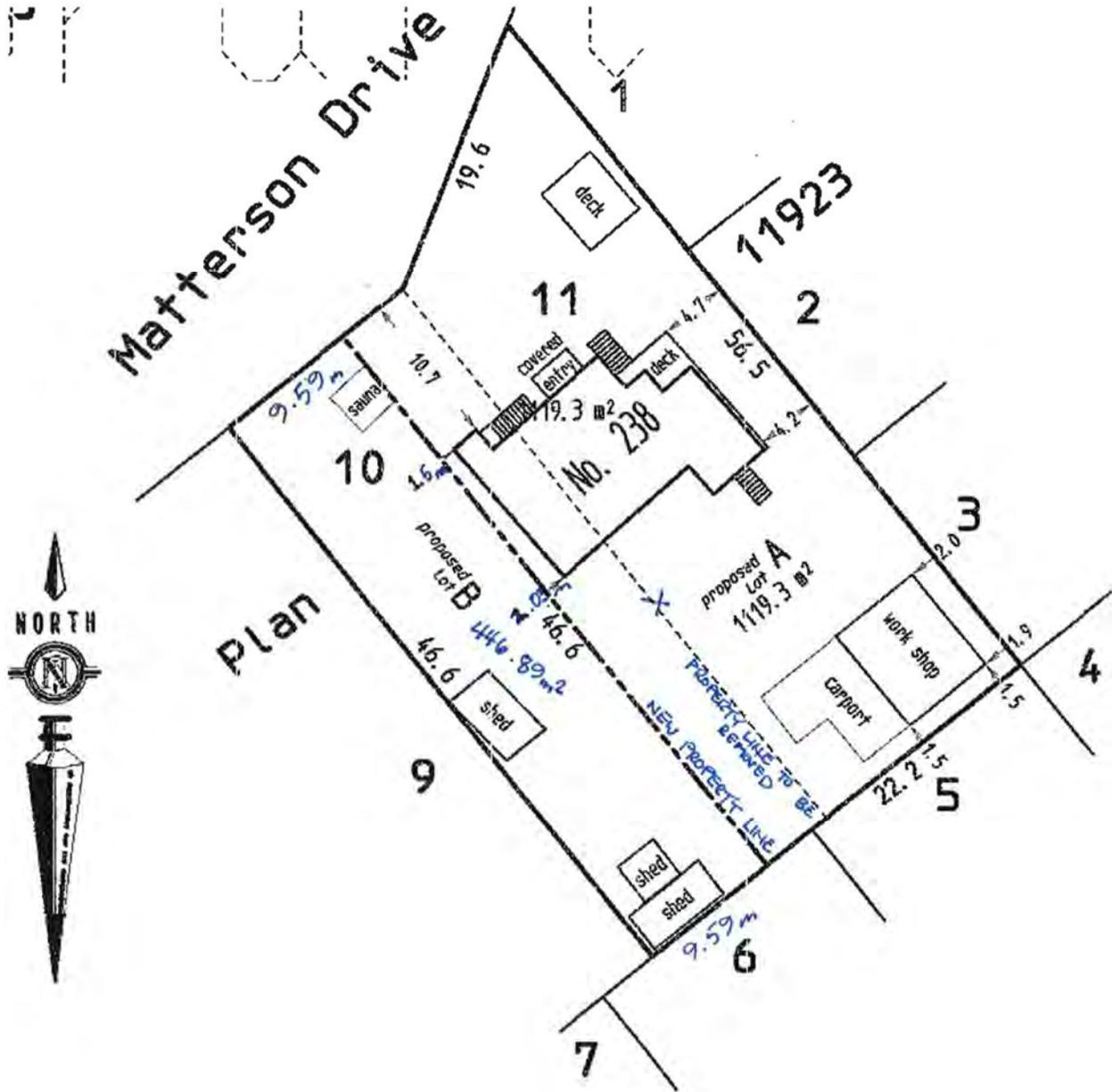
AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2023.

ISSUED the day of , 2023.

Bruce Greig
Director of Community Planning



SCHEDULE A





DISTRICT OF UCLUELET

Minutes Excerpts from the October 10, 2023 Regular Council Meeting

7.1 Zoning Amendment & DVP - 256 Matterson Drive *Bruce Grieg, Director of Community Planning*

Staff clarified that the proposed bylaw is to rezone the property to an R6 Zone not an R5 Zone.

2023.2265.REGULAR *It was moved and seconded **THAT** Council, with regard to the proposed change in zoning designation of the western part of 256 Matterson Drive for a proposed subdivision, give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023, and direct staff to give notice for a public hearing to receive input on the bylaw and Development Variance Permit DVP23-12.*

CARRIED.

Public Hearing Notice: Zoning Amendment Bylaws & Development Variance Permit

Pursuant to Section 464, 466 and 498 of the *Local Government Act*, public notice is hereby given that the District of Ucluelet will consider the following Zoning Amendment Bylaws and Development Variance Permit at a Public Hearing held in the **George Fraser Room** at the **Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C.**, on **February 15, 2024**, commencing at **4:00 p.m.**

This Public Hearing will be held as part of the Regular Council Meeting, held on the same date and time as stated above. Regular Council meetings are conducted in-person and using electronic or other communication facilities. Members of the public may attend the George Fraser Room to hear, or watch and hear, any electronic participation.

District of Ucluelet Zoning Amendment Bylaw No. 1335, 2023

Application Number: RZ22-01

Location: 256 Matterson Drive

Legal Description: Lot 10, Clayoquot Land District, Plan VIP11923

Purpose: In general terms, the purpose of this bylaw is to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013, to change the zoning designation of the westernmost 9.59m wide portion of 256 Matterson Drive from *R-1 Single Family Residential* to *R-6 Infill Single Family Residential (R-6)* to facilitate changing the boundary between two existing parcels, and to allow a secondary suite or accessory dwelling unit as accessory uses within the new R-6 area.

Development Variance Permit DVP23-12

Application Number: DVP23-12

Location: 256 Matterson Drive

Legal Description: Lot 10, Clayoquot Land District, Plan VIP11923

Purpose: In general terms, the proposed variance would permit a minimum lot frontage of 9.59m, whereas section R-6.2.4. of the Ucluelet Zoning Bylaw No. 1160, 2013, requires a minimum frontage of 10m.



District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024

Application Number: RZ24-01

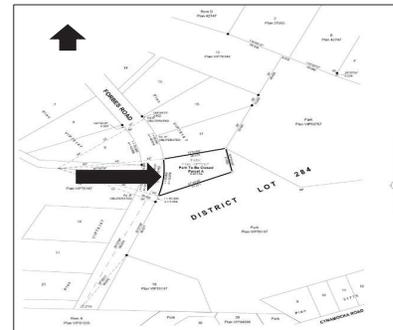
Location: 368 Forbes Road

Legal Description: Parcel A, Plan EPP132848, District Lot 284, Clayoquot District

Purpose: In general terms, the purpose of this bylaw is to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013, to change the zoning designation of a proposed new lot located on the north section of Tugwell Fields fronting Forbes Road from the *CD-1.14 "Park"* sub-zone designation (within the *CD-1 Eco-Industrial Park* zone) to the *P-1 Public Institutional* designation, with *Food Bank* to be a permitted principal use on the subject property.

The amendment bylaw would also add a new definition of *Food Bank* in the zoning bylaw as follows:

"Food Bank" means the use of buildings or lands for a non-profit organization that operates with the exclusive intent of feeding the hungry.



Anyone who believes these applications will affect their interests may make a written submission and/or will be given an opportunity to be heard at the Public Hearing as follows:

Participate by written submission: All written submissions must include your name and street address. Any submissions dropped-off or mailed to the District Office, must be received before the start of the Regular Council Meeting.

Drop-off at the District Office
200 Main Street
Ucluelet B.C.

Mail
District of Ucluelet
P.O. Box 999, Ucluelet B.C. V0R 3A0

Email
communityinput@ucluelet.ca

Participate in-person, by Zoom or telephone:

In-person
George Fraser
Room in the
Ucluelet
Community Centre,
500 Matterson
Drive, Ucluelet B.C.

Zoom and Telephone
To participate by zoom or telephone please visit the District of Ucluelet web page:
<https://ucluelet.ca/community/district-of-ucluelet-council/public-hearings>
For additional information on how to participate, please visit the District Office or contact the Corporate Services Department at 250-726-7744 or jrotenberg@ucluelet.ca.

Review the application: The bylaw, permit and other relevant materials may be inspected at the District office at 200 Main Street from the date of this notice, until the Public Hearing, during regular office hours (Mon. – Fri., 8:30 a.m. - 4:00 p.m. excluding holidays). These materials will also be available at the Public Hearing.

Questions? Contact the District of Ucluelet’s Planning Department at 250-726-7744 or jtowgood@ucluelet.ca

Privacy Please note that the opinions you express orally and any presentations you submit to the District will be webcast live on Zoom and on YouTube, and will be recorded to form a part of the public record. Correspondence you submit will form part of the public record and will be published on the agenda or read into the record. The District of Ucluelet considers your address relevant to this matter and will disclose this personal information as it informs Council’s consideration of your opinion in relation to the subject property and is authorized under section 26(c) of the *Freedom of Information and Protection of Privacy Act*. Your personal phone number and email will not be disclosed.

If you have questions regarding the collection of your personal information, please contact: Joseph Rotenberg, Manager of Corporate Services, 200 Main Street, Ucluelet BC, V0R 3A0, P.O. Box 999, or email jrotenberg@ucluelet.ca.

DISTRICT OF UCLUELET

Zoning Amendment Bylaw No. 1336, 2024

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

(Forbes Road - Food Bank)

WHEREAS the District of Ucluelet Council by Bylaw No. 1160, 2013, adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

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

1. Map Amendment:

Schedule A (**Zoning Map**) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT, shown outlined in heavy black on the map attached to this Bylaw as **Appendix “A”**, from CD-1.1.4 to P-1 Zone–Public Institutional.

2. Text Amendment:

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

- a.* adding the following definition to section 103 Definitions in alphanumerical order, as follows:

“Food Bank” means the use of buildings or lands for a non-profit organization that operates with the exclusive intent of feeding the hungry;”

- b.* adding the following subsection to section “P-1.1 Permitted uses” in alphanumerical order, as follows:

“P-1.1.2 Notwithstanding other regulations in this bylaw, on the lands legally described PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT, *Food Bank* (for clarity, specifically excluding a free store or thrift store) is a permitted principal use.”

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024”.

READ A FIRST TIME this 23rd day of **January, 2024**.

READ A SECOND TIME this 23rd day of **January, 2024**.

PUBLIC HEARING this day of , **2024**.

READ A THIRD TIME this day of , **2024**.

ADOPTED this this day of , **2024**.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024.”

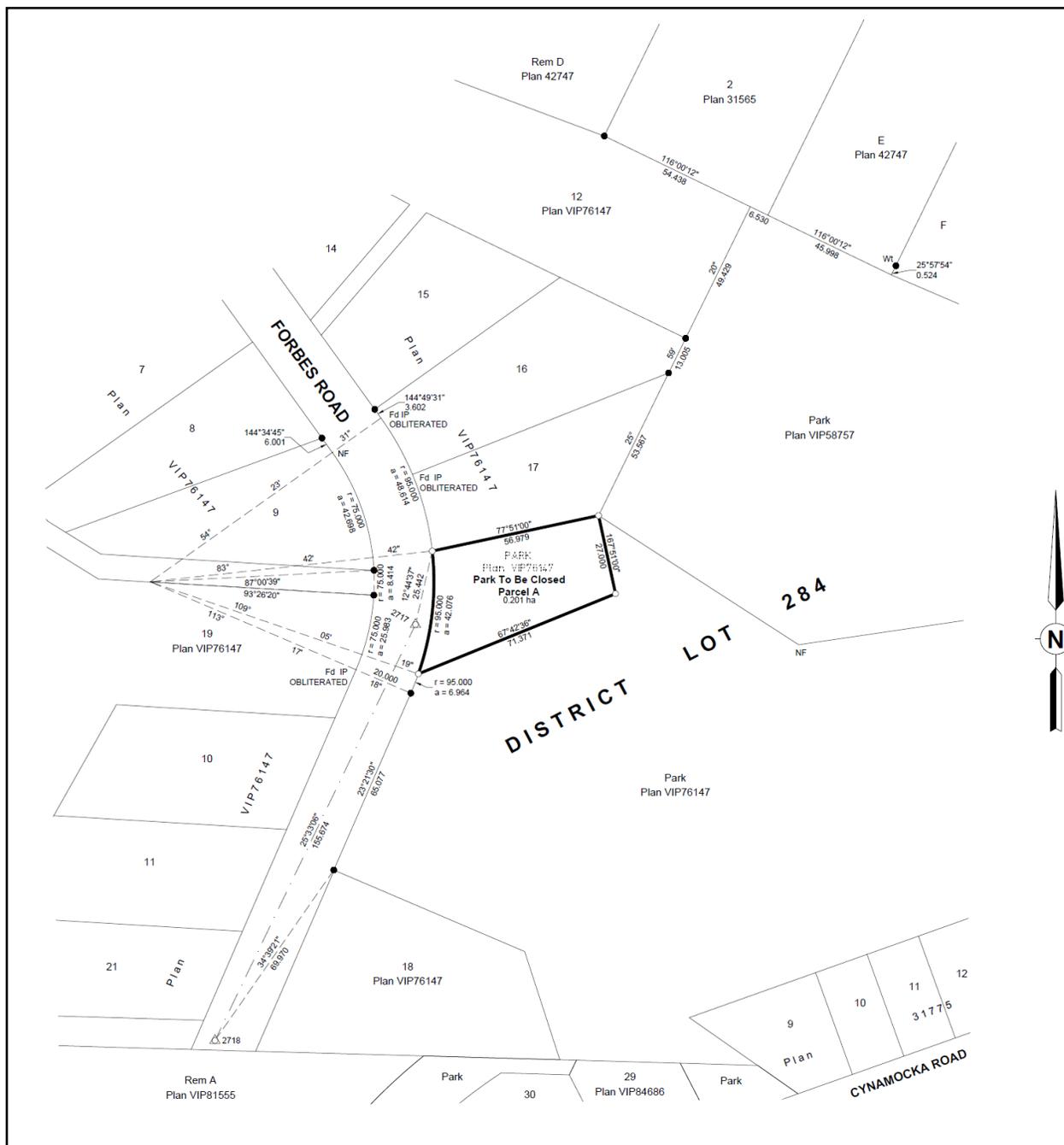
Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

THE CORPORATE SEAL of the
District of Ucluelet was hereto
affixed in the presence of:

Duane Lawrence
Corporate Officer

Appendix "A"





REPORT TO COUNCIL

Council Meeting: January 23, 2024
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

FILE NO: 3360-20 RZ24-01

SUBJECT: ZONING AMENDMENT FOR A FORBES ROAD FOOD BANK

REPORT No: 24-07

ATTACHMENT(S): APPENDIX A – DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1336, 2024

RECOMMENDATION(S):

THAT Council, with regard to a zoning change to allow a food bank on a proposed parcel located within a portion of Tugwell Fields Park:

1. Give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024; and
2. Direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024; and
3. That Council signal that, if Bylaw No. 1336, 2024 is successful in attaining a third reading, this bylaw will not be carried forward for adoption until the conclusion of the elector approval process for the related District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.

BACKGROUND:

Since May of 2023 Council has authorized funds and developed a Purchase and Sale agreement with the Food Bank on the Edge Society to facilitate a new food bank project on a portion of the Tugwell Fields Park. Report 24-02 in the [January 9, 2024, Agenda](#), gives a greater level of detail on the history of this project and the required processes involved.

DISCUSSION

To facilitate the Food Bank use on the proposed PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT (the “Subject Lot”), a zoning amendment must occur as the current Park zone designation in the CD-1 zone does not allow for a Food Bank use. Bylaw No. 1336, 2024 (the “Bylaw”) proposes to do three things:

1. Change the subject property area’s zoning designation on the Zoning Map from CD-1.1.4 to P-1 Public Institutional. This will clearly delineate the property and make it consistent with other similar municipally-owned properties.

2. Add the definition for a food bank:

“Food Bank” means the use of buildings or lands for a non-profit organization that operates with the exclusive intent of feeding the hungry;”

3. Add a specific allowance for the new food bank use to the subject property while restricting a thrift store or free store-type associated use:

“P-1.1.2 Notwithstanding other regulations in this bylaw, on the lands legally described PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT, Food Bank (for clarity, specifically excluding a free store or thrift store) is a permitted principal use.”

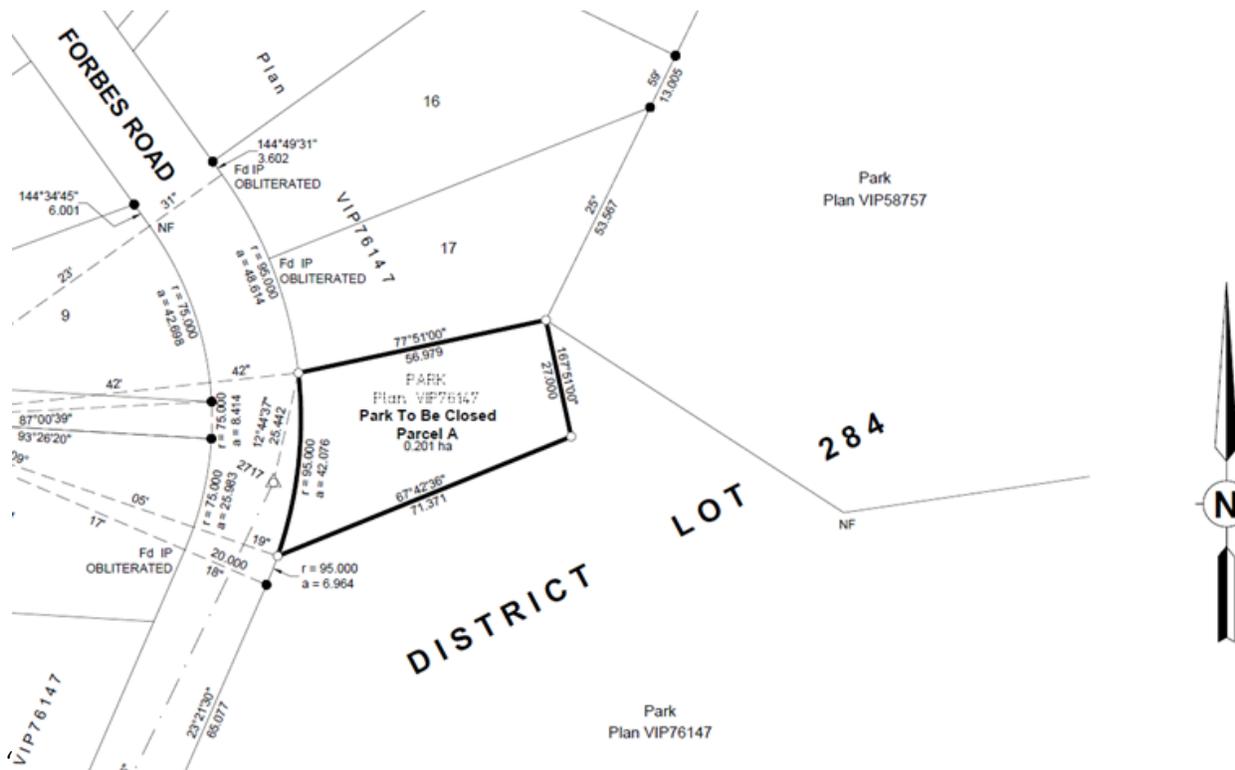


Figure 1 | The Subject Property

It should be noted that the proposed Purchase and Sale Agreement has language that ensures the subject property will only be used for a food bank use (See Agreement attached to the January 9th Council report).

Notable regulations from the P-1 zone are:

1. The building setbacks are 7.5m (25') from all property lines
2. The maximum allowable height for the principal building is 10m (33')
3. The Maximum Floor Area (FAR) is 1.0
4. The Lot Coverage is 60%

The FAR and Lot coverage do allow for a building considerably larger than what is currently proposed, but as the only allowable use under the Purchase and Sale Agreement is for a Food Bank, any expansion would be to meet a need in the community.

It should be noted that by defining a specific “Food Bank” use, it pulls that use out of the broader “Community Use” definition. This has the consequence of removing the Food Bank use from the CS-2 zone. Considering the scale of the Forbes Road project it is not likely that a second food bank or relocation of the Forbes Road building would occur in the foreseeable future.

ANALYSIS OF OPTIONS:

A	Give first and second reading to Bylaw No. 1336, 2024, and direct staff to give notice for a public hearing	<u>Pros</u>	<ul style="list-style-type: none"> • Would allow the zoning amendment to proceed and facilitate the Forbes Road food bank project.
		<u>Cons</u>	<ul style="list-style-type: none"> • Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> • Would allow the bylaw to proceed to a public hearing. • Staff time required to arrange public hearing and follow-up report.
B	Reject the application [not recommended]	<u>Pros</u>	<ul style="list-style-type: none"> • Unknown
		<u>Cons</u>	<ul style="list-style-type: none"> • A food bank would not be allowed on the subject property.
		<u>Implications</u>	<ul style="list-style-type: none"> • Council should provide clarity if there is a change in its support for the proposed food bank location.
		<u>Suggested Motion</u>	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with all relevant provisions of the *Official Community Plan* and *Local Government Act*.

After a public hearing is held and subject to comment from the public, staff would recommend that consideration of adoption of the zoning amendment bylaw await the results of the elector approval process for the District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.

NEXT STEPS:

If Council gives first readings to the draft Zoning Amendment Bylaw No. 1336, 2024, staff would undertake the necessary notification for a public hearing to be held at a date to be determined.

Respectfully submitted: John Towgood, Municipal Planner
 Bruce Greig, Director of Community Planning
 Duane Lawrence, CAO

DISTRICT OF UCLUELET

Zoning Amendment Bylaw No. 1336, 2024

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

(Forbes Road - Food Bank)

WHEREAS the District of Ucluelet Council by Bylaw No. 1160, 2013, adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

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

1. Map Amendment:

Schedule A (**Zoning Map**) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT, shown outlined in heavy black on the map attached to this Bylaw as **Appendix “A”**, from CD-1.1.4 to P-1 Zone–Public Institutional.

2. Text Amendment:

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

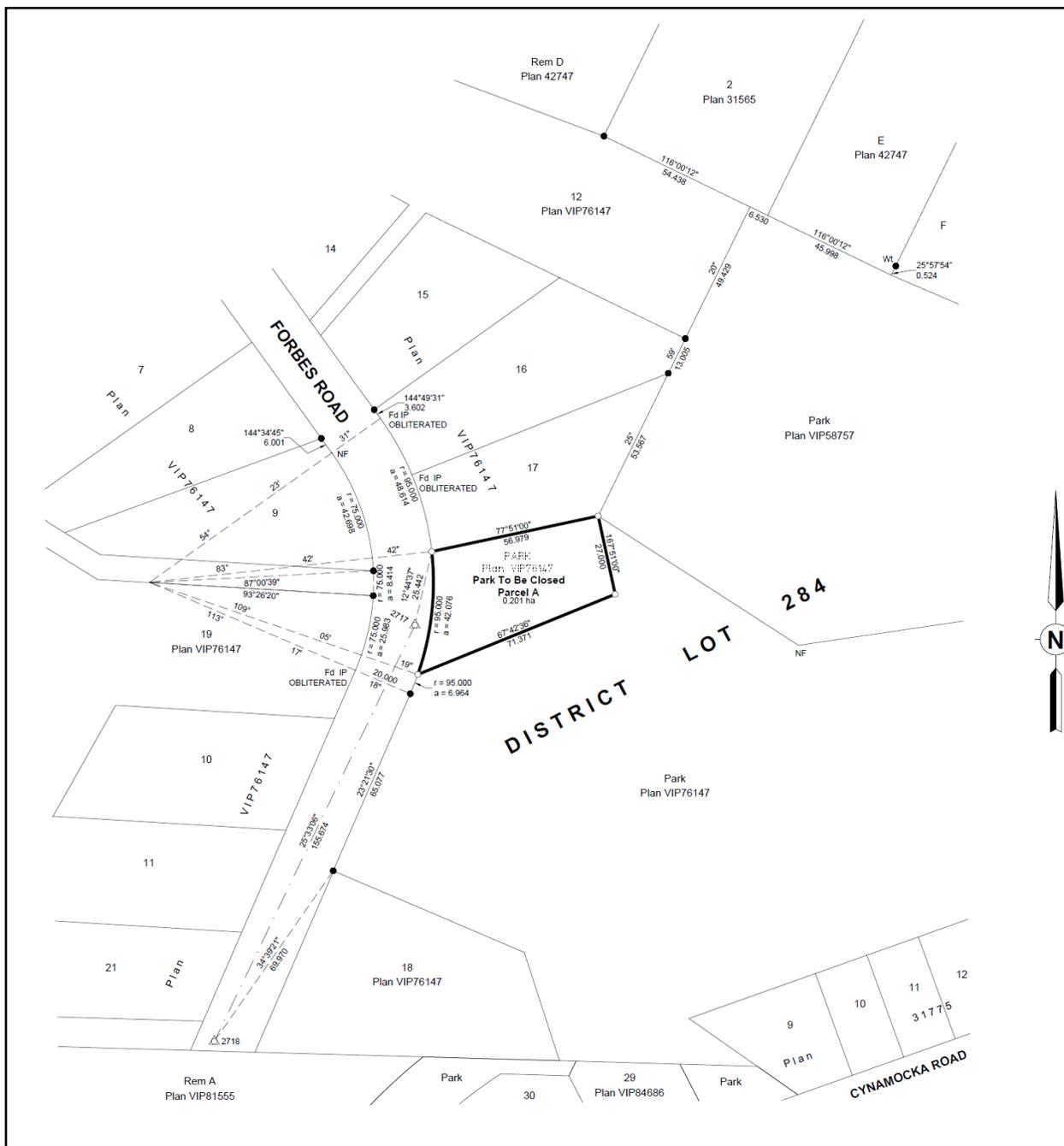
- a. adding the following definition to section 103 Definitions in alphanumerical order, as follows:

“**Food Bank**” means the use of buildings or lands for a non-profit organization that operates with the exclusive intent of feeding the hungry;”

- b. adding the following subsection to section “P-1.1 Permitted uses” in alphanumerical order, as follows:

“P-1.1.2 Notwithstanding other regulations in this bylaw, on the lands legally described PARCEL A, PLAN EPP132848, DISTRICT LOT 284, CLAYOQUOT DISTRICT, *Food Bank* (for clarity, specifically excluding a free store or thrift store) is a permitted principal use.”

Appendix "A"





DISTRICT OF UCLUELET

Excerpts from the January 23, 2024 Draft Regular Council Meeting Minutes

9.1 Zoning Amendment for a Forbes Road Food Bank John Towgood, Municipal Planner

2024.2045.REGULAR

It was moved and seconded THAT Council, with regard to a zoning change to allow a food bank on a proposed parcel located within a portion of Tugwell Fields Park:

1. Give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024; and
2. Direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024; and
3. That Council signal that, if Bylaw No. 1336, 2024 is successful in attaining a third reading, this bylaw will not be carried forward for adoption until the conclusion of the elector approval process for the related District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.

CARRIED.



INFORMATION REPORT

Council Meeting: September 26, 2023

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: RICK GEDDES, FIRE CHIEF

FILE NO: 7380-20

SUBJECT: FIRE AND EMERGENCY SERVICES 2023 ANNUAL REPORT

REPORT NO: 24-10

ATTACHMENT(S): N/A

PURPOSE:

The purpose of this report is to update Council on Ucluelet Fire and Emergency Services activities for 2023.

OPERATIONS:

2023 was the busiest year on record for Ucluelet Fire Rescue (UFR) as we responded to 184 calls. This represents a noticeable increase from 2022. This includes a one-month period during which there were no road rescue calls on Highway 4 during what is normally our busiest time of the year (this is most likely due to the highway closure caused by the Cameron Bluffs wildfire).

	2020	2021	2022	2023
• Alarm Activations	19	29	32	26
• Ambulance Assists	6	14	9	6
• Beach / Brush Fires	-	14	5	5
• Burning Complaints	-	1	9	8
• Carbon Monoxide	-	-	2	-
• Chimney Fires	1	4	1	2
• Duty Officer Investigations	12	11	6	10
• Medical Aid	30	37	56	66
• Hydro Trouble	5	3	4	10
• Marine Incidents	1	-	1	2
• Motor Vehicle Fires	1	-	2	-
• Motor Vehicle Incidents	24	29	29	36
• Gas / Propane Leaks	2	2	3	6
• Other	11	16	6	2
• Structure Fires	1	9	5	5
• Tsunami Warning	-	-	1	-
• Wildland Fires	-	1	-	-
	113	170	171	184

Two of the five structure fires were in Ucluelet. Both resulted in minimal property damage.

Ucluelet Fire Rescue responded to 43 calls outside of the municipality in 2023. This includes motor vehicle incidents which the fire department responds to on behalf of the Ministry of Emergency Management and Climate Readiness (formerly EMBC).

The District receives compensation from EMCR when responding to road rescues calls outside of the municipality. These funds are allocated to the Fire Facilities, Vehicles, & Equipment Reserve Fund Account.

There were no emergency operations centre (EOC) activations or Emergency Support Services (ESS) activations in 2023.

The Ucluelet Emergency Planning Committee held quarterly meetings in January, April, July, and October. These meetings are a valuable forum to exchange information and training opportunities amongst those agencies with whom the District collaborates during emergencies.

TRAINING:

Fire department members dedicated over 2100 person hours to training during the reporting period. Training highlights include:

- Six members completed First Responder Certification training
- One member completed NFPA 1021 Fire Officer level 1
- Three members completed air brakes and driver training
- Three members completed Live Fire Level 1 certification in Comox
- Two members completed Incident Command System Level 200
- One member completed Incident Command Level 300
- Three members completed certification at the Exterior Firefighter level
- Three recruit firefighters began the National Fire Protection Association (NFPA) 1001 Firefighter 2 Program.
- Five firefighters attended wildland firefighting training hosted by Parks Canada and Long Beach Airport.
- One firefighter completed NFPA 1521 Incident Safety Officer certification training in Vancouver.

The fire department continues to train with our automatic mutual aid partners from Tofino. We now plan a quarterly joint practice for both departments. This joint training has proven to be extremely valuable in strengthening the interdepartmental relationship.

In February, twenty-two local volunteers and District employees took part in an EOC (Emergency Operations Centre) Essentials course that was delivered at the firehall by the Justice Institute of BC. Course fees were paid for through a provincial grant.

In May, the District hosted a joint Emergency Operations Centre mock activation that had sixty-two participants. This exercise involved establishing three EOCs (Ucluelet, Tofino, and the Alberni Clayoquot Regional District). Area First Nations also actively took part. This exercise was funded through a joint UBCM grant in which the Districts of Ucluelet and Tofino partnered with the ACRD.

Under the same grant funding, the District acquired a new portable projector for EOC activations, as well as new vests for all EOC functions.

Our Emergency Support Services (ESS) Team continues to meet and train regularly. This team of dedicated volunteers continues to ensure the District is prepared to assist evacuees during an emergency.

There were no ESS activations in 2023.

FIRE PREVENTION:

The primary goal of our fire prevention program is to increase proactive fire inspections and continue to develop pre-fire plans for all commercial buildings. This is a huge undertaking, but once complete, will only require regular upkeep.

Forty-Eight fire safety inspections were completed during the year. This is a slight increase from 2023.

Deputy Chief McRurie recently completed his probation and is settling into this new position. He is being mentored in the fire safety inspection process and continues to gain valuable experience in this area.

GENERAL INFORMATION:

In May, the Firefighter's Association held a remarkably successful community barbecue fundraiser at Big Beach. Funds raised have been allocated to replenish the firefighters' benevolent fund.

The 2023 recruits completed their probation early and were assigned to their respective weekend duty crews.

Work continues on the updating service agreements with the Alberni Clayoquot Regional District (for Area "C" fire protection and emergency management) and Parks Canada. Both service agreements are long out of date and will include updated services and fee structures.

The District hosted a High Ground Hike during Tsunami Preparedness Week. The hike was attended by the Honourable Bowinn Ma, Minister of Emergency Management and Climate Readiness. The University of Ottawa also took part in the event as part of a study they are undertaking on evacuations. Part of the week's activities included tsunami information sessions at both local schools in collaboration with the University of Ottawa.

The Canadian Red Cross Community Access Team made two visits to Ucluelet in the first half of 2023. The reason for their visits was to assist the District in emergency planning and increase public awareness. They created an online emergency preparedness survey that residents were encouraged to complete as well as an emergency preparedness pamphlet that is being used for residents and visitors.

Recently the provincial government (Emergency Medical Assistants Licensing Board) amended legislation that expands the scope of practice for those who are licensed at the First Responder level. These upgrades will result in a significant increase in diagnostic and treatment capabilities of firefighters. The Fire Chief is certified to provide the license upgrades in-house with training

tentatively scheduled for early 2024. This will mean an additional ten hours of training per firefighter, as well as regular upkeep on these new skills.

2023 saw the creation of the Ted Eeftink Attendance Award. The firefighters were looking for a way to honour Chief Eeftink posthumously. The award will be presented annually to the firefighter who has the highest attendance at training events and callouts throughout the year. The inaugural recipient of this award is Firefighter Adam Howe.

The Firefighter of the Year for 2023 was also Firefighter Adam Howe. Firefighter Howe epitomizes the department's core values and continues to go the extra mile for the betterment of his community.

Ucluelet Fire Rescue (UFR) continues to attract quality members who are guided by the fire department's values of safety, respect, reliability, compassion, competence, and resilience.

From September to November, UFR held a successful recruiting campaign. Five successful applicants will start the recruit training program this February.

2024 will undoubtedly create some growing pains for the department as we welcome our new recruits. These growing pains are a necessary part of doing business and the accompanying challenges are welcomed. The success of our recruitment and retention is a testament to the type of people that Ucluelet Fire Rescue continues to attract.

Respectfully Submitted: **Rick Geddes, Fire Chief**



REPORT TO HARBOUR AUTHORITY

Harbour Authority Meeting: FEBRUARY 15, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: KEVIN CORTES, HARBOUR MANAGER

FILE NO: 8700-30

SUBJECT: HARBOUR MANAGER REPORT - FEBRUARY 15, UPDATE

REPORT NO: 24-11

APPENDIX: NONE

PURPOSE:

To update the Harbour Authority on the workings of the harbour since the October 2023 meeting.

DISCUSSION:

Location	Update	Issues / upcoming projects
Small Craft Harbour – Boat Basin	- Floathouse installed 5 new steel pilings	- Replacing decking where needed
Small Craft Harbour – Outer Boat Basin	- Broken piling was replaced - Burnt vessel from January was lifted and removed - Waterline repairs	- Burnt dock from January boat fire still needs to be replaced or repaired
Whiskey Dock	- Float drained	- Ongoing replacement of upper dock decking - Dock expansion plan
52 Steps	- Danger trees removed - Waterline / faucet replacement	- Sealion issues
Other	- 2024 Harbour Authority Association of British Columbia seminar. Highlights included: <ul style="list-style-type: none"> o Private guided Tours of Port Edward Small Craft Harbour, Port of Prince Rupert o Ship source oil pollution fund presented by Ryan Gauvin o Legal Q&A Presented by Darren Williams - League and Law 	

- Vessel Count:				
	Comm.	Rec.	Charter	Other
Oct. 2023	47	85	8	6
Nov. 2023	45	80	8	6
Dec. 2023	43	80	8	6
Jan. 2024	48	82	8	6

Respectfully submitted: Kevin Cortes, Harbour Manager
 Abigail K. Fortune, Director of Community Services



REPORT TO HARBOUR AUTHORITY

Meeting: February 15, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: KEVIN CORTES, HARBOUR MANAGER &
ABBY FORTUNE, DIRECTOR OF COMMUNITY SERVICES

FILE NO: 8700-30

SUBJECT: WHISKEY DOCK EXPANSION PROJECT

REPORT NO: 24- 12

RECOMMENDATION(S):

THAT Council, acting as the Harbour Authority, approve the Whiskey Dock Expansion project as described in Report No. 24-12 up to a maximum of \$30,000 for 2024.

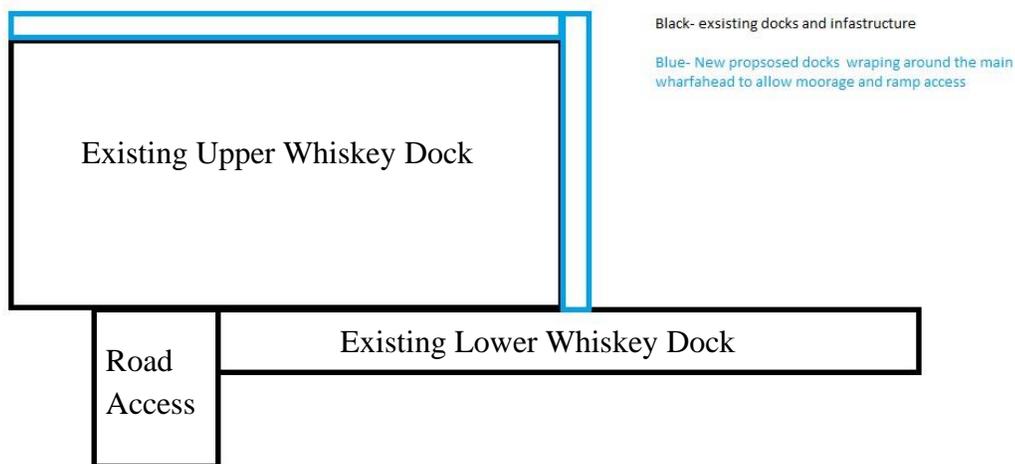
BACKGROUND:

The Whiskey Dock Expansion project would allow the Whiskey Dock to become more versatile and flexible with the addition of 160 lineal feet of mooring dock space around the perimeter of the wharf. The additional mooring space would not only support the Commercial Fisheries and Charter fleet but would free up existing moorage space to allow the floatplanes to have more reliable, regular access to the space. This project is supported by the Harbour Master Plan recommendation to “continue to evaluate opportunities to establish and develop/improve, additional harbour infrastructure suitable for regular floatplane service”.

The project is estimated at \$30,000 for seven dock segments and welding of piling hoops to attach to the new docks to the Wharfhead. The project has been included in the 2024 budget and is fully funded through the Harbour reserves. All harbour activities and projects are funded through user fees with no direct tax implications.

The below diagram shows where the new dock space is proposed.

Whiskey Dock Proposal



For further background, the Whiskey Dock, traditionally sees medium to large commercial vessel moor at the lower dock as it is easier to load groceries and gear from floating dock level. If these vessels can access a similar floating dock (approved for install by the Harbour Authority) around the outside perimeter, their need for accessible moorage space would be met.

Additionally, as outlined in section 3.3.2 of the Harbour Master Plan (2022):

Floatplanes do not currently fly from Ucluelet on a scheduled basis, though charter flights can and do land in the harbour. Despite the obvious benefits for resident, business, and visitor connections to communities around Vancouver Island and the South Coast, the market viability of expanding floatplane service to Ucluelet is currently untapped.

ANALYSIS OF OPTIONS:

A	That Council sitting as the Harbour Authority approve the dock expansion project	<u>Pros</u>	<ul style="list-style-type: none"> • More lineal dock space would be available for use • Harbour Master Plan recommendation would be actioned • Moorage space use requirements would be addressed for both the commercial vessels and floatplanes
		<u>Cons</u>	<ul style="list-style-type: none"> • Monies would be used from the Small Craft Harbour fund
		<u>Implications</u>	<ul style="list-style-type: none"> • Staff along with the Harbour Manager would provide oversight for the project
B	Refer the project to the budget process	<u>Pros</u>	<ul style="list-style-type: none"> • Allow further discussion on the project
		<u>Cons</u>	<ul style="list-style-type: none"> • Delay or deny the project
		<u>Implications</u>	<ul style="list-style-type: none"> • Additional report if the Harbour Authority requires further information

		<u>Suggested Motion</u>	THAT Council, acting as the Harbour Authority, refer the Whiskey Dock expansion project to the budget process.
C	Deny the project	<u>Pros</u>	<ul style="list-style-type: none"> • Status quo
		<u>Cons</u>	<ul style="list-style-type: none"> • Unaddressed moorage issues continue • Floatplane infrastructure development not supported • Users space needs not being met
		<u>Implications</u>	<ul style="list-style-type: none"> • Additional staff time required to provide oversight and scheduling of dock space at the Whiskey Dock
		<u>Suggested Motion</u>	No motion is required.

NEXT STEPS:

- Budget the project through Small Craft Harbour Funds
- Begin the project

Respectfully submitted: Kevin Cortes, Harbour Manager
Abby Fortune, Director of Community Services



REPORT TO HARBOUR AUTHORITY

Meeting: February 15, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF COMMUNITY SERVICES **FILE NO:** 8700-30

SUBJECT: SMALL CRAFT HARBOUR HEAD LEASE RENEWAL **REPORT NO:** 24- 14

ATTACHMENT(S): APPENDIX A - HEAD LEASE DOCUMENT
APPENDIX B – SITE MAPS

RECOMMENDATION(S):

THAT Council, acting as the Harbour Authority, authorize the Corporate Officer to execute the Head Lease as proposed by the Department of Fisheries Small Craft Harbour under Section 4 (2) of the Federal Real Property Regulations (SOR/92-502) and acting through the Regional Director of Small Craft Harbours by virtue of a delegation under Section 3 of the Federal Real Property and Federal Immovables Act (S.C.1991, chapter 50) for the term of five years 2022 – 2027 between the District of Ucluelet and Department of Fisheries Small Craft Harbour.

BACKGROUND:

The Harbour is currently operating under a Head Lease which expired January 4, 2022. The Harbour Authority has been operating under an extension until such time a new Head Lease is available for renewal.

The new Head Lease is for a term of five (5) years, beginning on the 4th day of January 2022 and ending on 3rd day of January 2027. Upon the expiry of the Term, this Lease automatically renews for three (3) consecutive five-year terms, under the same conditions and provisions of Head Lease, unless the Harbour Authority gives the Lessor, or the Lessor gives the Harbour Authority notice of non-renewal at least six (6) months before the expiration of the Term or at least six (6) months prior to the expiration of renewed Term.

This is the new standard Department of Fisheries – Small Craft Harbour Head Lease document. Staff and the Harbour Manager have reviewed the document for errors and omission.

For the Harbour Authority's understanding of their obligations, staff have highlighted some components of Section 7 OBLIGATIONS OF THE HARBOUR AUTHORITY below.

7.1 Operational Costs

Pay the operational costs attributable to the Leased Area and the Leased Equipment for the services provided by the Harbour Authority.

7.2 Charge User Fees to Harbour users

Establish a user-fee schedule and collect sufficient fees for the Harbour Authority use from harbour users to cover annual operational and maintenance costs.

7.3 Taxes and Costs

Pay all costs, taxes, assessments, rates, and charges applicable

7.4 Public Access

Ensure that the public has safe access to the Leased Area for Public Purpose.

7.5 Harbour Rules and Policies

Develop rules and policies and apply the rules and policies to ensure the safe, equitable and consistent operation of the Harbour for Public Purposes, taking into account known uses of the Harbour, demands placed upon it and local conditions affecting it.

For more information, please refer to the Head Lease attached to this report as Appendix A.

ANALYSIS OF OPTIONS:

A	Council, acting as the Harbour Authority approves the Head Lease	Pros	<ul style="list-style-type: none"> The District of Ucluelet is able to operate under a current Head Lease as is required for operations
		Cons	<ul style="list-style-type: none"> Nonapparent
		Implications	<ul style="list-style-type: none"> Staff and Harbour Manager would proceed with day-to-day Small Craft Harbour operations
B	Council, acting as the Harbour Authority requires changes to the head lease	Pros	<ul style="list-style-type: none"> The HA provides further input
		Cons	<ul style="list-style-type: none"> Operating under a current Head Lease is further delayed
		Implications	<ul style="list-style-type: none"> Staff would resubmit an updates version with the proposed changes to DFO-SCH for their approval for changes to the Head Lease A subsequent report would come back to the Harbour Authority for approval
		Suggested Motion	<p>THAT Council, acting as the Harbour Authority, direct staff to resubmit to DFO-SCH the Head Lease document for their approval with changes _____, _____,</p>

NEXT STEPS:

- Approve the Head Lease as presented for signature.
- Enter into a Head Lease agreement for the terms as previously outlined

Respectfully submitted: Abby Fortune, Director of Community Services

This Lease made in duplicate this ____ day of _____two thousand twenty four (2024)

BETWEEN

HIS MAJESTY THE KING IN RIGHT OF CANADA, as represented by the Minister of Fisheries and Oceans Canada, duly authorized under Section 4 (2) of the *Federal Real Property Regulations* (SOR/92-502) and acting through the Regional Director of Small Craft Harbours by virtue of a delegation under Section 3 of the *Federal Real Property and Federal Immovables Act* (S.C.1991, chapter 50) and dated January 5th, 2005;

(the "Lessor")

AND

DISTRICT OF UCLUELET, incorporated as a corporation under the Municipal Act, carrying on business at 200 Main Street, Ucluelet, B.C. V0R 3A0, represented by Duane Lawrence

(the "Harbour Authority ")

The Lessor and the Harbour Authority jointly referred to as the "Parties";

The Parties agree as follows:

SECTION 1
DEFINITIONS

1. Unless otherwise defined herein the following words and expressions, wherever used in this Lease, have the following meaning:

1.1 "Contaminants"

Any substance or group of substance specified on the List of Toxic Substances in Schedule 1 of the *Canada Environmental Protection Act* in a quantity or concentration that exceed those set forth in regulations made under the *Canada Environmental Protection Act*.

1.2 "Emergency"

A present or imminent event which can include but is not limited to; fire, drowning or serious injury, weather, earthquake, tsunami, serious crime, confined space incident, collision, sinking, bomb threat, demonstration and pollutant spill, which requires prompt coordinated action to protect the health, safety and welfare of people or to limit damage to property.

1.3 "Expenses"

Expenditures, Expenses and costs of all kinds incurred by the Harbour Authority, including capital and non-capital expenditures.

1.4 "Force Majeure"

An act of God, extraordinary weather conditions (including hurricanes or ice), strikes or labor troubles, hostilities, war, restraint or seizure by any government or belligerent party, riot or civil commotion, theft or pilferage, epidemic, quarantine, embargo, or any similar circumstances beyond the control of the signatories to this Lease.

1.5 "Harbours"

The harbours listed in Schedule 1 to the *Fishing and Recreational Harbours Regulations*, SOR/78-767 of the Lease, in which is located the Leased Area and named in Section 4 of this Lease.

1.6 “Improvements”

Any building work, construction or modification of new or existing facilities, carried out or erected by the Harbour Authority on the Leased Area listed or not in Schedule “E.1” or “E.2” for the benefit of the Harbour Authority.

1.7 “Lease”

This agreement and the attached SCHEDULES, which are incorporated into and form a part of this agreement.

1.8 “Leased Area”

The facilities and area leased by the Lessor to the Harbour Authority under this Lease (and land covered by water) described in SCHEDULES “A.1” and “A.2”, and as outlined in SCHEDULES “A.1-1”, “A.2-2.1” and “A.2-2.2”.

1.9 “Leased Equipment”

The equipment leased by the Lessor to the Harbour Authority under this Lease described in SCHEDULE “B.1” and “B.2”.

1.10 “Operations, Maintenance and Repairs”

Work normally carried out by the Harbour Authority and Lessor at their own expense during the Term of the Lease, and as mentioned and described in SCHEDULES “C.1” and “C.2” and “D.1” and “D.2”.

1.11 “Public Purpose”

Facilitating the public right of navigation by providing a safe and accessible harbour while continuing the original and developing program intent of the public purpose, which is primarily to support commercial fishing activities.

1.12 “Regional Director”

The individual responsible for the Small Craft Harbours program in the regional office of the Fisheries and Oceans Canada, for the area in which the Leased Area is situated, and any person authorized to act on that person's behalf.

1.13 “Release”

Includes, but is not limited to, any release, spill, leak, pumping, pouring, emission, emptying, discharge, injection, escape, leaching, migration, disposal or dumping.

1.14 “Term”

The original FIVE (5) years period and THREE (3) consecutive FIVE (5) years optional renewal period that automatically comes into effect the day after the first period.

SECTION 2 **INTERPRETATION**

2. Unless otherwise stated herein, the Parties agree that this Lease shall be interpreted as follows:

2.1 Number and Gender

In this Lease, the singular shall include the plural and unless the context otherwise requires, a reference to one gender shall include reference to the other genders.

2.2 Headings and Captions

Headings and section numbers are inserted for convenience of reference only and are not to be considered when interpreting this Lease.

2.3 Entire Agreement

This Lease constitutes the entire agreement between the Lessor and the Harbour Authority and supersedes all negotiations, communications, verbal representations and previous agreements between the Lessor and the Harbour Authority.

2.4 Invalidity of Provisions

The invalidity or unenforceability of any provision of this Lease, or any covenant in this Lease, shall not affect the validity or enforceability of any other provision or covenant in this Lease. Any invalid provision or covenant is severable.
British Columbia and the Federal laws of Canada.

2.5 Applicable Law

This Lease shall be interpreted and enforced according to the laws of the province of British Columbia and the Federal laws of Canada.

2.6 Time of the Essence

Time is of the essence of this Lease and of every part of it, except as is otherwise provided in this Lease.

SECTION 3 **USE OF THE LEASED AREA AND THE LEASED EQUIPMENT**

3. The Harbour Authority shall use and occupy the Leased Area and the Leased Equipment for the purposes of operating, maintaining and managing the public commercial fishing harbour (s), a scheduled Harbour (s) under the *Fishing and Recreational Harbours Act* (R.S.C 1985, Chapter F 24) and Regulations, as amended.

3.1 The Harbour Authority shall not modify the use or the description of the Leased Area and the Leased Equipment without the prior written consent of the Lessor.

SECTION 4 **LEASE**

4. The Lessor hereby leases to the Harbour Authority the Leased Area and the Leased Equipment described hereinafter:

DESCRIPTION:

4.1 District of Ucluelet (see SCHEDULES “A.1” , “A.2”, “A.1-1”, “A.2-2.1”, “A.2-2.2” for a specific description of the Leased Area, & Leased Equipment, located at Hemlock St, Ucluelet, BC V0R 3A0, province of British Columbia, known as Ucluelet Small Craft Harbour, Scheduled in Schedule 1 of the *Fishing and Recreational Harbour Regulations* (SOR/78-767).

SECTION 5 **TERM OF LEASE**

5. This Lease is for a term of FIVE (5) years, beginning on the fourth (4th) day of January two thousand twenty two (2022) and ending on third (3rd) day of January two thousand twenty seven (2027).

Upon the expiry of the Term, this Lease shall be automatically renewed for THREE (3) consecutive five-year terms, under the same conditions and provisions of this Lease, unless the Harbour Authority shall give the Lessor or the Lessor shall give the Harbour Authority notice of non-renewal at least six (6) months before the expiration of the Term mentioned in the above paragraph or at least six (6) months prior to the expiration of the renewed Term, that is, prior to the 3rd of January of 2027.

No renewal shall extend beyond the third day of the first month of two thousand and forty two (03/01, 2042). **(20 years)**

5.1 Overholding

If the Harbour Authority continues to occupy or to use the Lease Area and Lease Equipment after the expiry of the Term, or any renewed Term:

- (1) The tenancy created shall be a tenancy from month to month rather than a tenancy from year to year; and
- (2) The Terms, covenants and conditions of this Lease will apply to the tenancy at will so far as they are applicable.

5.2 Utilities and Service Reservation

- (1) The Lessor and its lessees, subordinates, agents, contractors and licensees have the right to maintain and operate utility services installed on the Leased Area on the commencement date of the Term and any Overhold period.
- (2) The Lessor may grant at any time during the Term a lease, licence or easement, as the case may be, granting the right or privilege or permission to install, lay, maintain, and use utilities or services on, over or across the Leased Area.
- (3) The Lessor is not responsible for providing utilities or services of any kind, including electricity, water and sewerage, to the Leased Area.

SECTION 6 **CONSIDERATION**

6. There is no rent charge to the Harbour Authority as the management service of the Leased Area for Public Purposes constitutes good and sufficient consideration to the Lessor.

SECTION 7 **OBLIGATIONS OF THE HARBOUR AUTHORITY**

7. The Harbour Authority shall:

7.1 Operational Costs

Pay the operational costs attributable to the Leased Area and the Leased Equipment for the services provided by the Harbour Authority. Further information on the role of the Harbour Authority with respect to operational costs is provided in SCHEDULE "D.1" and "D.2".

7.2 Charge User Fees to Harbour users

Establish a user-fee schedule and collect sufficient fees for the Harbour Authority use from harbour users to cover annual operational and maintenance costs. The Harbour Authority model is based on a user-pay system whereby Harbour users pay fair compensation for the use of the Leased Area and the Leased Equipment. For greater clarification: None of these user fees are set by or collected for the Lessor.

7.3 Taxes and Costs

Pay all costs, taxes, assessments, rates, and charges applicable and imposed by the Government of Canada, Canadian agencies and any governmental Canadian authority, the Government of British Columbia, provincial agencies and any governmental provincial authority and the District of Ucluelet during the Term of this Lease related to the Leased Area and the Leased Equipment and the Harbour Authority's use thereof.

7.4 Public Access

Ensure that the public has safe access to the Leased Area for Public Purpose.

The Harbour Authority may deny access or use of the Leased Area and the Leased Equipment to any person, vehicle or vessel where such access or use would be contrary to the Public Purpose uses of the Leased Area and in particular where the Harbour Authority reasonably believes that the denial of access is necessary as a matter of safety for other users.

7.5 Harbour Rules and Policies

Develop rules and policies and apply the rules and policies to ensure the safe, equitable and consistent operation of the Harbour for Public Purposes, taking into account known uses of the Harbour, demands placed upon it and local conditions affecting it. Such rules and policies shall be communicated to users, made publicly available and the Harbour Authority shall take reasonable steps to enforce such rules.

7.6 Non-compliant Users

Make every reasonable effort to address cases where users do not respect the authority of the Harbour Authority as manager of the Harbour, or the harbour rules or policies.

In cases of non-compliance to the *Fisheries and Recreational Harbours Act and its Regulations*, once the Harbour Authority has taken every reasonable measure in their capacity to rectify the situation, if there is still no compliance, it may refer the matter to the Lessor seeking the intervention of the Lessor when it is in their authority to do so.

The Harbour Authority must document all pertinent information regarding an incident and maintain these records for the use of the Lessor.

7.7 Operations, Maintenance & Repairs of the Leased Area and the Leased Equipment

Carry out , at its own expense, all Operations, Maintenance & Repairs regarding the Leased Area and the Leased Equipment in which the Harbour Authority is responsible for, as outlined in SCHEDULES "C.1", "C.2", "D.1" and "D.2". Inform the Lessor, within 30 days of becoming necessary, any Operations, Maintenance & Repairs in which the Lessor is responsible for as outlined in SCHEDULES "C.1", "C.2", "D.1" and "D.2". regarding the Leased Area and the Leased Equipment.

7.8 Insurance Coverage – Improvement Works and Operations, Maintenance & Repairs

Require general contractors, subcontractors or tradesmen retained by the Harbour Authority to carry out work for Improvements or Operations, Maintenance & Repairs, in the Leased Area or in relation to the Leased Equipment, to provide to the Harbour Authority, prior to commencing any work or repair, with evidence of adequate insurance coverage for the work to be undertaken.

7.9 Cleanliness of the Leased Area

Use best efforts to keep the Leased Area and the Leased Equipment clean and tidy and in particular, promptly remove all litter and garbage from the Leased Area and the Leased Equipment.

7.10 Emergency Response

Take necessary precautions to prevent emergencies. The Harbour Authority shall have and apply emergency procedures and take appropriate action in the event of an emergency.

7.11 Protection of Leased Area and Leased Equipment

Take all appropriate measures to ensure the protection of the Leased Area and Leased Equipment.

7.12 Unsafe Conditions

Upon becoming aware, immediately inform the Lessor of any unsafe condition occurring in the Leased Area or relating to the Leased Equipment and immediately erect barriers or take other safety measures as may be necessary whenever an unsafe condition shall occur on the Leased Area.

7.13 Private Aids to Navigation

Ensure, at its expense, that all Private Aids to Navigation it owns and that are located on the Leased Area at the date of signature of this Lease are maintained in accordance with a high standard of reliability and conform with the provisions of the *Private Buoy Regulations* (SOR/99-335).

7.14 Improvements Proposed by Third Parties

Present all recommended third party improvements to the Lessor and receive the Lessor's written approval prior to commencement of such improvements.

7.15 Notification of Potential Lawsuits or Court Activity

Notify the Lessor immediately after becoming aware that any aspect of the Leased Area or Leased Equipment has become subject to any potential lawsuits or legal action.

SECTION 8 **OBLIGATIONS OF THE LESSOR**

8. The Lessor is responsible for the following:

8.1 Repairs to Leased Area and Leased Equipment

The Lessor maintains the Leased Area and the Leased Equipment in good repair, in accordance with the "Lessor's Responsibilities" outlined in SCHEDULE "C.1" and "C.2" and "D.1" and "D.2" except for Improvements owned by the Harbour Authority outlined in SCHEDULE "E.1" AND "E.2" and associated Maintenance and Repairs. The Lessor shall make the necessary repairs resulting from an Act of God. This responsibility is qualified in the Lessor's absolute discretion, deems necessary and at a time when it has funds available for such repairs.

8.2 Non-compliant Users

When it is in their authority to do so, and once the Harbour Authority as done everything in their power, in cases of non-compliance, the Lessor will take action when it is judged by the competent authorities that there is violation of the *Fisheries and Recreational Harbours Act* or its Regulations.

SECTION 9

IMPROVEMENTS

9.1 The Harbour Authority may, at its own expense, build or install Improvements on or in the Leased Area only upon prior written approval from Lessor. The Harbour Authority may also make Improvements to the Leased Equipment, upon prior written approval from Lessor.

9.2 To this effect, the Harbour Authority shall provide, at its expense, prior to the commencement of any work, a written description of the project describing the proposed Improvements; in particular, in the case of Improvements relating to the Leased Area and Leased Equipment at the request of the Lessor, the Harbour Authority shall provide a survey or other acceptable document describing and showing the Improvements to be built on or in the Leased Area or relating to the Leased Equipment.

9.3 The Parties agree that the Harbour Authority shall be the owner of all Improvements made on or in the Leased Area or related to the Leased Equipment.

9.4 The Harbour Authority will be liable for all risks and Expenses, including without limiting the generality of the foregoing, all construction and modification costs, required training, insurance, permits and inspections related to all Improvements made in or on the Leased Area or relating to the Leased Equipment.

9.5 The Harbour Authority ensures, at its expense, that all Improvements owned by it on or in the Leased Area and relating to the Leased Equipment are maintained in good condition and in reasonably good repair and comply with applicable construction and engineering standards, and shall therefore carry out all the necessary work, and pay all the necessary costs to that effect.

9.6 In the absence of an agreement to the contrary between the Parties, upon the expiration or termination of this Lease, the Harbour Authority shall, at its own expense, remove the Improvements made by the Harbour Authority to the Leased Area or to the Leased Equipment during the Term of this Lease and restore them to their initial condition. In the event that the Harbour Authority fails to remove said Improvements within thirty (30) days of a written notice from the Lessor to the Harbour Authority to that effect, the Lessor shall be entitled to exercise the following options:

- a) Remove the Improvements located in, or on, the Leased Area or those made to the Leased Equipment and restore same in their initial condition at the expense of the Harbour Authority; or
- b) Take possession of the Improvements, and thus obtain all relevant property rights without being liable to paying any indemnity to the Harbour Authority.

9.7 The Parties recognize that the Improvements made by the Harbour Authority to the Leased Area and the Leased Equipment prior to the conclusion of this Lease and approved by the Lessor are described in SCHEDULE "E.1" and "E.2", which has been signed by both Parties.

SECTION 10 **ACCOUNTING RECORDS AND AUDIT**

10.1 The Harbour Authority shall maintain books and records of account in respect of this Lease in accordance with generally accepted accounting practices. In addition, keep such books and records should remain readily available.

10.2 On or before April 1st, each year of the Term of this Lease, or as mutually agreed, the Harbour Authority shall provide the Lessor with a statement, in a form deemed satisfactory to the Lessor.

10.3 During business hours, and upon receipt by the Harbour Authority of reasonable notice to that effect, the Lessor may audit and inspect the books, accounts and other records of the Harbour Authority. The Lessor may make copies and take extracts therefrom. The Harbour Authority shall provide the Lessor with the information required by Lessor for the audits and inspections.

SECTION 11
ENVIRONMENTAL PROTECTION

11.1 The Harbour Authority agrees to comply with, all federal environmental legislation, including the relevant provisions of the *Canadian Environmental Protection Act*, applicable to the Leased Area, as well as with the regulations and guidelines made and established hereunder, and all applicable provincial, territorial and municipal environmental legislations, regulations, rules or guidelines applicable to the Leased Area and the Leased Equipment.

11.2 In collaboration with the Lessor, the Harbour Authority shall implement environmental best management practices and an environmental management plan for the Lease Area and Leased Equipment, to the satisfaction of the Lessor.

11.3 The Harbour Authority agrees to immediately inform the Lessor upon becoming aware of the Release of Contaminants on or in the Leased Area, Leased Equipment or Improvements and follow their Environmental Emergency Response Plan (EERP). Once the Harbour Authority has become aware of a Release of Contaminants the Harbour Authority shall collaborate with the Lessor and any other government entities to help in efforts to determine the source or cause of the Release of Contaminants.

11.4 The Harbour Authority agrees to remediate, at its expense, and in accordance with applicable federal, provincial and municipal bylaws, any or all of the Leased Area and the Leased Equipment that has been contaminated by the Release of Contaminants resulting from the acts of the Harbour Authority, its members (only when the member is performing duties of the Harbour Authority), employees or agents immediately upon becoming aware of such Release of Contaminants.

11.5 Notwithstanding the aforementioned, the Lessor shall be liable for any Environmental Contaminant that can be directly and unequivocally be attributed to the Lessor's use of the Leased Area and Leased Equipment prior to the commencement of this Lease.

SECTION 12
LESSOR ACCESS

12. The Lessor's officials, employees, agents, mandataries and contractors shall have a right of access to the Leased Area or any part of it, to verify the condition of the Leased Area and the Leased Equipment, to effect repairs and for any other purpose. Such right of access shall be exercised reasonably.

SECTION 13
ASSIGNMENT – SUBLETTING

13.1 The Harbour Authority shall not assign any of its rights and obligations under this Lease or sublet the whole or any part of the Leased Area and Leased Equipment for any purpose whatsoever without the prior written consent of the Lessor. No sublease shall exceed the expiry of this Lease.

13.2 No sublease shall exceed the Term of this Lease or its subsequent renewal, if any. A sublease may be renewed for the Term not exceeding the renewal of this Lease, but only in the case of a renewal of the Lease pursuant to Section 5.

13.3 The use of the Leased Area and Lease Equipment pursuant to harbour user agreements shall not be considered a sublease of this Lease.

SECTION 14

MORTGAGING

14. The Harbour Authority hereby agrees that it shall not mortgage or otherwise encumber any part of the Leased Area, the Leased Equipment or any other type of its leasehold interest. The Harbour Authority can decide to mortgage Harbour Authority assets.

SECTION 15 **COMPLIANCE WITH LAWS AND REGULATIONS**

15. The Harbour Authority shall comply with all applicable federal, provincial and territorial laws, regulations and rules and all municipal bylaws applicable to this Lease.

SECTION 16 **DISTURBANCES OR NUISANCE**

16. The Harbour Authority shall use best efforts to not cause or permit any act that constitutes or may constitute a disturbance, or nuisance whatsoever, detrimental or likely detrimental to the enjoyment of the Leased Area, or the Leased Equipment or any other affected person.

SECTION 17 **INDEMNIFICATION**

17. During the Term of this Lease, the Harbour Authority shall indemnify and hold harmless the Lessor, its ministers, employees, servants or agents, from and against any and all claims, penalties, actions of any nature whatsoever arising from the actions of the Harbour Authority, its members, employees or agents or any other person authorized by the Harbour Authority to use the Leased Area and to use the Leased Equipment having harmed any person, including the Lessor, its employees, servants or agents, or harmed any property, due to a fault, negligence or omission on the part of the Harbour Authority, its members, employees or agents or any other person authorized by the Harbour Authority to use the Leased Area and to use the Leased Equipment.

SECTION 18 **TERMINATION**

18.1 The Lessor may terminate this Lease at any time upon prior written notice of ninety (90) days signed by the Lessor and served to the Harbour Authority or to one of its representatives, or sent by registered mail to the address given in Section 22. The Lessor shall not be liable to the Harbour Authority, its employees, members and users for any damages or losses incurred by the termination of the Lease.

18.2 The Harbour Authority may terminate this Lease at any time upon prior written notice by way of Harbour Authority resolution or board motion of ninety (90) days, signed by the Harbour Authority and delivered to the Lessor or to one of its representatives, or sent by registered mail.

SECTION 19 **DISPUTE RESOLUTION**

19. In the event of any dispute, conflict, claim or controversy (hereinafter referred to as "Dispute(s)") relating to this Lease, the Parties shall use their best efforts to settle any such Disputes through negotiation or mediation. If the Parties fail to resolve a Dispute within a period of thirty (30) days or such greater period as may be mutually agreed upon, either Party

may refer the Dispute to arbitration in accordance with the *Commercial Arbitration Act*. The Parties agree to have arbitration hearings in Vancouver, British Columbia.

SECTION 20
DEFAULTS

20. In the event that during the Term of this Lease and at its renewal:

- 1) The Harbour Authority fails to cure any failure to fulfill obligations, provided herein within thirty (30) days or within a reasonable period of time as may be appropriate according to the nature of the failure indicated in the Lessor's written notice sent to the Harbour Authority;
- 2) The Harbour Authority shall not use or permit anyone to use the Leased Area or the Leased Equipment for purposes other than activities that can be reasonably associated with those of a harbour including economic development activities, without the written consent of the Lessor;
- 3) The Harbour Authority becomes insolvent or avails itself of any law relating to insolvency, or is subject to proceedings under such law;
- 4) Measures shall be taken seeking the liquidation or dissolution of the Harbour Authority;
- 5) A receiver, trustee, guardian, or any other similar official shall be appointed with respect to the assets located on the Leased Area, at the business place of the Harbour Authority or at the place of the Harbour Authority itself; or
- 6) The Harbour Authority makes false declarations to the Lessor in connection with this Lease;

the Harbour Authority shall then be immediately deemed to be in default, and without notice or demand on the Harbour Authority the Lessor shall be entitled, in its sole discretion, to exercise the following options, which shall be cumulative in nature, in the following order:

- a) The Lessor shall be able to take measures to rectify or to attempt to rectify, at the expense of the Harbour Authority, any default on the part of the Harbour Authority under this Lease and without liability to the Lessor for any damage caused to the Harbour Authority. The Lessor shall have access to the Leased Area and to the Leased Equipment for this purpose;
- b) The Lessor shall be entitled to rescind this Lease, upon written notice to the Harbour Authority to that effect; without liability to the Harbour Authority for any damage caused thereby to the Harbour Authority, its employees, members or users; in such case, the Harbour Authority shall no longer have the right to remedy the default(s) in question;

irrespective of the option exercised by the Lessor, it shall maintain the right to recover, at any time, from the Harbour Authority, all damages the Lessor shall have suffered as well as all Expenses incurred as a result of any default.

SECTION 21
NO PARTNERSHIP, JOINT VENTURE AND AGENCY

21. The Lessor and the Harbour Authority hereby declare expressly that they do not intend to create a joint venture or a relationship of principal and agent. Nothing contained in this Lease, nor any measure taken by the Lessor or the Harbour Authority shall have the effect of creating a joint venture, or an agency, or shall be deemed to have that effect. No Party herein shall hold itself out as the agent of the other Party. In addition, no party herein is authorized to act on behalf of the other Party.

SECTION 22
NOTICES

22. Any notice given pursuant to this Lease shall be in writing and delivered personally, by courier, registered mail, e-mail or by telecopy and, unless notice to the contrary is given, shall be addressed as follows:

22.1 To the Lessor:
Small Craft Harbours
Attn: Regional Director
401 Burrard Street
Vancouver, BC V6C 3S4

Email: DFO.PACSCH-PPBPAC.MPO@dfo-mpo.gc.ca

22.2 To the Harbour Authority:
District of Ucluelet
Attention: Kevin Cortes
PO Box 910
200 Main Street
Ucluelet, BC V0R 3A0

Email: kcortes@ucluelet.ca

22.3 A notice shall be deemed to have been received when the postal receipt is acknowledged by the Party to whom it shall have been sent, if sent by registered mail, and on the following business day if sent by telecopy, e-mail or courier or delivered in person during business hours or the next day.

22.4 Either Party may change its address by giving a notice of change of address in writing to the other Party.

SECTION 23
GENERAL PROVISIONS

23.1 Members of Parliament

No member of the House of Commons shall hold any interest in this Lease or receive any benefit therefrom.

23.2 Public Office

No former Public Office Holder not in compliance with the post-employment provisions of the Federal *Conflict of Interest and Post-Employment Code for Public Office Holders* shall derive any direct benefit from this Lease.

23.3 Survival of Lessor's Rights and Harbour Authority's Obligations

The Lessor's and Harbour Authority's rights and obligations under sections 12 and 19 shall survive the expiration or termination of this Lease.

23.4 Amendments to the Lease

No amendment to this Lease, excluding SCHEDULES "A.1", "A.2", "A.1-1", "A.2-2", "B.1", and "B.2", will bind the Lessor or the Harbour Authority unless it has been made in writing and signed by both Parties.

23.5 Registration

In the event that this Lease is registered in the appropriate land registry office, the Harbour Authority shall pay all the applicable costs, as well as the costs of copies required for the Lessor.

23.6 Waiver of Right

No waiver, release, or amendment relating to any terms or obligation of this Lease by the Lessor shall be effective unless it is made in writing and signed by both Parties. The failure of a Party to require the performance of an undertaking, obligation or Term of this Lease, or to exercise any rights granted hereunder, shall not be construed as a waiver thereof.

23.7 Force Majeure

Neither the Lessor nor the Harbour Authority shall be deemed to be in default of any obligation provided for in this Lease if such failure shall result from Force Majeure. Any applicable deadline for performing the obligation shall be extended accordingly.

23.8 Successors and Assigns

This Lease shall inure to the benefit of the Parties and of their heirs and successors.

23.9 Title Defect

The Harbour Authority releases the Lessor from all liability respecting any defect in title. It agrees that it shall have no recourse against the Lessor if the Lessor’s title to the Leased Area is defective or if this Lease proves ineffective because of any defect in the Lessor’s title.

23.10 Counterparts; Electronic Execution

The Parties agree to use technological processes to sign this agreement. The Parties further acknowledge that by signing and sending this agreement electronically, they are bound by the terms of the agreement, and acknowledge that it is enforceable against them, with the same legal and contractual obligations as if the Parties had signed this agreement by hand on a paper version.

23.11 Independent Legal Advice

The Harbour Authority hereby certifies that it has had the benefit of independent legal advice, or has had the opportunity to seek independent legal advice.

IN WITNESS WHEREOF Parties have signed this Lease, in duplicate as follows:

His Majesty the King in right of Canada, by his representative at Vancouver, British Columbia, this day ___ of _____ two thousand and twenty four (2024).

SIGNED, SEALED AND
DELIVERED

His Majesty the King in right of
Canada

Witness

per: _____

District of Ucluelet, by its representative, at Ucluelet, British Columbia, this day ___ of _____ of two thousand and twenty four (2024)

SIGNED SEALED AND
DELIVERED

District of Ucluelet

Witness

per: _____

Witness

per: _____

SCHEDULE "A.1"

LEASED FACILITIESDISTRICT OF UCLUELET (OTTER STREET)

SCH Code	<u>Leased Facilities</u>	<u>Description</u>
Harbour Infrastructure		
051	Water Lot	Lot 1887, Clayoquite District
100	Channel	Entrance
201	Basin	WTLOT Berthing 1887
300	Breakwater	N/A
600	Armour Unit	N/A
600	Shore Protection	N/A
600	Retaining Wall	N/A
700	Buoy	N/A
720	Aids to Navigation	N/A
Wharves & Floats Infrastructure		
401	Wharf	Approach & Wharf Head Treated Timber Trestle
400 / 800	Offloading Space	N/A
400	Fender	N/A
402	Ladder	Safety Ladder x2 on <803>
403	Ladder	Safety Ladder x1 on <804>
404	Ladder	Safety Ladder x2 on <802>
400	Wheel Guard	N/A
500	Boat Grid / Platform	N/A
500	Launching Facility	N/A
500	Skidway/Slipway	N/A
802	Float	Wing Float B Timber Foam Billet/TM Pile
803	Float	Wing Float C Timber Foam Billet/TM Pile
804	Float	Wing Float D Timber Styro Billet/TM Pile
800	Anchor	N/A
801	Gangway	Gangway Float A Timber Foam Billet/Anchor
800	Mooring System	N/A
Building / Upland Infrastructure		
000	Upland	N/A
500	Access Road / Facility Approach	N/A
900	Bait Shed	N/A
900	Community Storage	N/A

SCH Code	<u>Leased Facilities</u>	<u>Description</u>
900	Service Building	N/A
920	Service Area	N/A
920	Parking Area	N/A
930	Road	N/A
950	Buildings owned by the Lessor	N/A
Services & Equipment		
400	Travel Lift	N/A
400 / 800	Fuelling	N/A
500	Haulout Engine	N/A
750	Waste Oil Storage Tank	N/A
800	Service Island	N/A
940	Lighting	Lamp Standards and Outlets
940	Sanitary Equipment/ System	N/A
950	Electrical System	N/A
950	Fish Handling	N/A
950	Gear Handling	N/A
950	Ice	N/A
950	Fire Prevention System	Dry Lines and Fire Extinguishers
950	Offloading equipment	N/A

SCHEDULE to be amended as required and agreed upon by the Harbour Authority and Small Craft Harbour representative. Initialled by the Harbour Authority and Fisheries and Oceans Canada.

SCHEDULE "A.2"

LEASED FACILITIES**DISTRICT OF UCLUELET (WEST)**

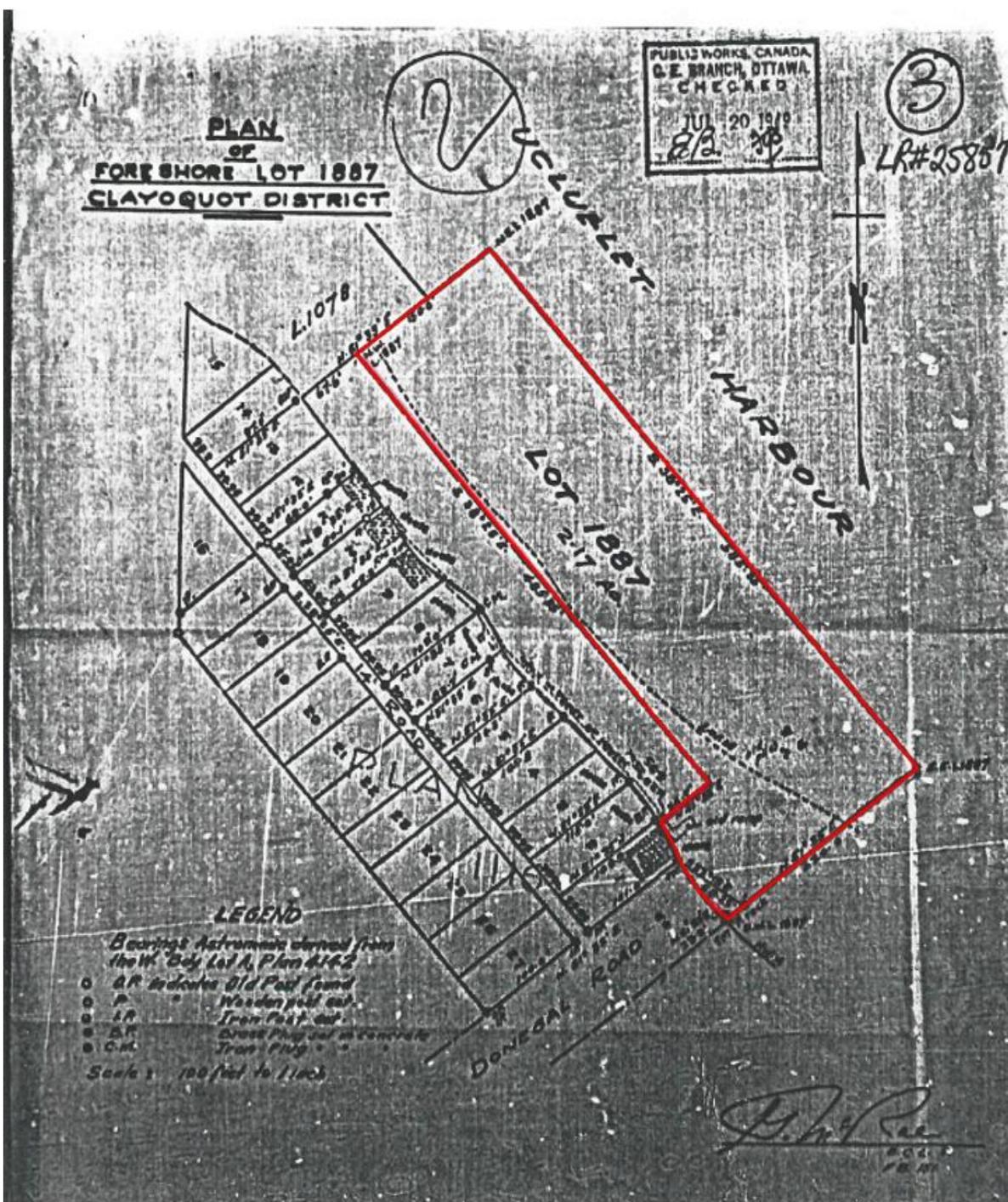
SCH Code	<u>Leased Facilities</u>	<u>Description</u>
Harbour Infrastructure		
051	Water Lot	Lot 1977 and 2084, Clayoquite District
100	Channel	Entrance
201	Basin	Outer Berthing HRB
202	Basin	Inner Berthing HRB
302	Breakwater	Catamaran Steel Pipe BW (Middle)
303	Breakwater	Catamaran Steel Pipe BW (Outer)
600	Armour Unit	N/A
601	Shore Protection	Revetment Timber Bulkhead Wall
602	Shore Protection	Revetment Rocks Rip Rap
600	Retaining Wall	N/A
700	Buoy	N/A
720	Aids to Navigation	N/A
Wharves & Floats Infrastructure		
401	Wharf	Approach – Outer (LT VEH) Timber Trestle
402	Wharf	Approach – Inner (PED) Treated Timber Trestle
400 / 800	Offloading Space	N/A
400	Fender	N/A
403	Ladder	Aluminum Ladders x2 on <801>
404	Ladder	Aluminum Ladders x2 on <802>
405	Ladder	Aluminum Ladders x3 on <803>
406	Ladder	Aluminum Ladders x2 on <302>
407	Ladder	Aluminum Ladders x2 on <303>
408	Ladder	Aluminum Ladders x2 on <804>
409	Ladder	Aluminum Ladders x5 on <805>
410	Ladder	Aluminum Ladders x3 on <806>
411	Ladder	Aluminum Ladders x3 on <807>
412	Ladder	Aluminum Ladders x4 on <808>
413	Ladder	Aluminum Ladders x3 on <809>
400	Wheel Guard	N/A
500	Boat Grid / Platform	N/A
500	Launching Facility	N/A

SCH Code	<u>Leased Facilities</u>	<u>Description</u>
500	Skidway/Slipway	N/A
802	Float	Wing Float B (Outer) Timber Pontoon
803	Float	Wing Float C (Outer) Timber Pontoon/ TM Pile
805	Float	Wing Float B (Inner) Timber Foam Billet/ TM Pile
806	Float	Wing Float C (Inner) Timber Foam Billet/ TM Pile
807	Float	Wing Float D (Inner) Timber Foam Billet/ TM Pile
808	Float	Wing Float E (Inner) Timber Foam Billet /TM Pile
809	Float	Wing Float F (Inner) Timber Foam Billet/ TM Pile
810	Anchor	Timber Foam Billet/Anchor
801	Gangway	Gangway Float A (Outer) Timber Pontoon/TM Pile
804	Gangway	Gangway Float A (Inner) Timber Foam Billets/ TM Pile
800	Mooring System	N/A
Building / Upland Infrastructure		
000	Upland	N/A
500	Access Road / Facility Approach	N/A
900	Bait Shed	N/A
900	Community Storage	N/A
901	Service Building	Fill on Foreshore
920	Service Area	N/A
920	Parking Area	Parking Lot Asphalt
930	Road	N/A
951	Buildings	Office Building
952	Buildings	Showers/Laundry
Services & Equipment		
400	Travel Lift	N/A
400 / 800	Fuelling	N/A
500	Haulout Engine	N/A
751	Waste Oil Storage Tank	AST- Horizontal, Steel, Double Wall
800	Service Island	N/A
940	Lighting	Lamp Standards & Electrical Outlets Electrical System
946	Sanitary Equipment/ System	Pump out/Water
950	Electrical System	Various electrical outlets on floats and piers
950	Fish Handling	N/A
950	Gear Handling	N/A
950	Ice	N/A

950	Fire Prevention System	Dry Lines
950	Offloading equipment	N/A

SCHEDULE "A.1-1"

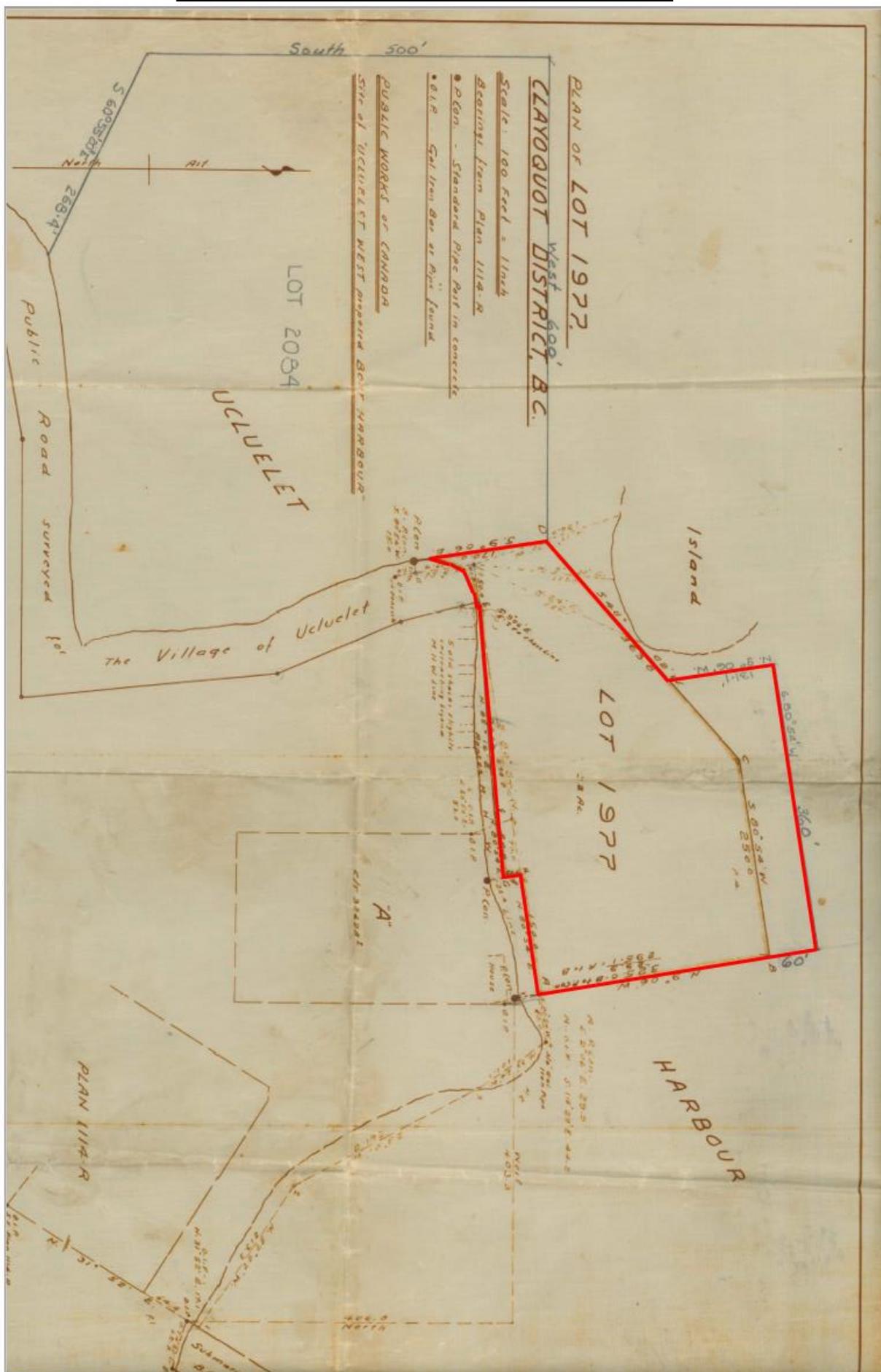
DISTRICT OF UCLUELET (OTTER STREET)



SCHEDULE A.2-2.1

LEASED AREA

DISTRICT OF UCLUELET (WEST HARBOUR)



SCHEDULE A.2-2.2

SCHEDULE "B.1"**LEASED EQUIPMENT****DISTRICT OF UCLUELET - OTTER STREET**

Equipment	Code	Description
		No Leased Equipment as of January 4th, 2022

SCHEDULE "B.2"**LEASED EQUIPMENT****DISTRICT OF UCLUELET - WEST HARBOUR**

Equipment	Code	Description
		No Leased Equipment as of January 4th, 2022

SCHEDULE “C.1”

SCH OWNED INFRASTRUCTURE – ROLES AND RESPONSIBILITIES**DISTRICT OF UCLUELET (OTTER STREET)****Definitions of the different types of Maintenance & Repairs:**

Visual Inspections, Clearing & Cleaning – actions to identify potential issues as well as keeping facilities and assets free of debris and hazards as well as ensuring that areas and assets are washed.

Minor Maintenance – simple, small-scale activities associated with the general upkeep of facilities and assets against normal wear and tear. Minor Maintenance requires only minimal skills or training. Minor Maintenance is done on a regular and ongoing basis in a routine, scheduled or anticipated fashion to prevent failure and/or degradation of facilities.

Minor Repairs – Minor projects that fix existing infrastructure that has become damaged, in order to restore to condition for safe operation. Typically would require the use of hand tools and/or heavy equipment and often would also require hiring a professional.

Major Repairs – Major projects to fixing existing infrastructure such as dredging, structural repairs and capital upgrades. SCH is responsible for these types of repairs.

Leased Facilities	Harbour Authority Responsibilities	Lessor's Responsibilities <i>Subject to Availability of Funding</i>
Harbour Infrastructure		
Channel	Visual inspections, clearing and cleaning.	Major repairs.
Basin	Visual inspections, clearing and cleaning.	Major repairs.
Breakwater	N/A	N/A
Armour Unit	N/A	N/A
Shore Protection	N/A	N/A
Retaining Wall	N/A	N/A
Aids to Navigation	N/A	N/A
Wharves & Floats Infrastructure		
Wharves	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Buoy	N/A	N/A
Offloading Space	N/A	N/A
Fender	N/A	N/A
Ladder	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Wheel Guard	N/A	N/A
Tidal Boat Grid/Platform	N/A	N/A
Launching Facility	Visual inspections, clearing and cleaning.	Major repairs.

Leased Facilities	Harbour Authority Responsibilities	Lessor's Responsibilities <i>Subject to Availability of Funding</i>
	Minor repairs. Minor maintenance.	
Skidway/Slipway	N/A	N/A
Floats/Floating Dock	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Gangway	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Mooring System	N/A	N/A
Building / Upland Infrastructure		
Access Road / Facility Approach	N/A	N/A
Service Area	N/A	N/A
Parking Area	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Buildings owned by the Lessor	N/A	N/A
Service & Equipment		
Travel Lift	N/A	N/A
Haulout Engine/Winch	N/A	N/A
Waste Oil Storage Tank	N/A	N/A
Service Island	N/A	N/A
Lighting	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Sanitary Equipment and System	N/A	N/A
Electrical System	N/A	N/A
Water System	N/A	N/A
Fire Prevention System	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Offloading Equipment	N/A	N/A

SCHEDULE to be amended as required and agreed upon by the Harbour Authority and the Small Craft Harbour representative. Initialled by the Harbour Authority and Fisheries and Oceans Canada.

SCHEDULE "C.2"

SCH OWNED INFRASTRUCTURE – ROLES AND RESPONSIBILITIES**DISTRICT OF UCLUELET (WEST)**

Leased Facilities	Harbour Authority Responsibilities	Lessor's Responsibilities <i>Subject to Availability of Funding</i>
Harbour Infrastructure		
Channel	Visual inspections, clearing and cleaning.	Major repairs.
Basin	Visual inspections, clearing and cleaning.	Major repairs.
Breakwater	Visual inspections, clearing and cleaning.	Major repairs.
Armour Unit	N/A	N/A
Shore Protection	Visual inspections, clearing and cleaning.	Major repairs.
Retaining Wall	N/A	N/A
Aids to Navigation	N/A	N/A
Wharves & Floats Infrastructure		
Wharves	Visual inspections, clearing and cleaning.	Major repairs
Buoy	N/A	N/A
Offloading Space	N/A	N/A
Fender	N/A	N/A
Ladder	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs
Wheel Guard	N/A	N/A
Tidal Boat Grid/Platform	N/A	N/A
Launching Facility	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs
Skidway/Slipway	N/A	N/A
Floats/Floating Dock	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Gangway	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Mooring System	N/A	N/A
Building / Upland Infrastructure		
Access Road / Facility Approach	N/A	N/A

Leased Facilities	Harbour Authority Responsibilities	Lessor's Responsibilities <i>Subject to Availability of Funding</i>
Service Area	N/A	N/A
Parking Area	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Buildings owned by the Lessor	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Service & Equipment		
Travel Lift	N/A	N/A
Haulout Engine/Winch	N/A	N/A
Waste Oil Storage Tank	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Service Island	N/A	N/A
Lighting	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Sanitary Equipment and System	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Electrical System	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Water System	N/A	N/A
Fire Prevention System	Visual inspections, clearing and cleaning. Minor repairs. Minor maintenance.	Major repairs.
Offloading Equipment	N/A	N/A

SCHEDULE to be amended as required and agreed upon by the Harbour Authority and the Small Craft Harbour representative. Initialled by the Harbour Authority and Fisheries and Oceans Canada.

SCHEDULE D

HARBOUR OPERATIONS – ROLES & RESPONSIBILITY

UCLUELET HARBOUR AUTHORITY

Task	Harbour Authority Responsibility	Lessor's Responsibility
Building Permits related to HA projects	Responsible for building permit applications, as well as payment of associated fees.	Written approval of Improvements as per S. 9 of the Lease.
Development Cost Charges related to HA projects	Responsible for development permit applications.	N/A
Emergency Response	Develop and implement emergency procedures. Provide and service fire extinguishers as required (for private HA buildings)	Provide technical support, installation and repair of safety equipment. Provide technical support and assistance in the development emergency procedures.
Environment	Implement a Harbour Environmental Management Plan (EMP).	Development of the Environmental Management Plan (EMP).
Minor Repairs	Provide priority list for minor repairs for short term harbour expenditures.	Assist in establishing minor repair lists.
Short and Long-Term Planning	Contributes to SCH planning.	Work with HAs on long term planning.
Signage	Develop and erect signage related to site operational/management issues such as: <ul style="list-style-type: none"> harbour rules/policies, user fees, contact information, operational practices, safety, etc. 	Provide assistance as required. Develop and erect federal site identification sign.
Site Management	Manage day to day site activities such as: <ul style="list-style-type: none"> Berthage assignment, safety, storage, parking, traffic control, access control and site administration. 	Support and advise as required.
Snow Removal/Ice Control	Address as required.	N/A
Records and Receipts and Budget	Maintain all financial records pertaining to day-to-day operations in accordance with standard accounting practices. Provide vessel count reports as required. Submits all annual reports/filings in accordance with all reporting deadlines.	Provide guidance as required.
Revenue Generation	The Harbour Authority shall generate sufficient revenue to cover all operational costs, defined as daily, monthly or annual charges for utilities, services, insurance, maintenance and taxes. (refer to SCHEDULE C)	Assistance in determining fee/ rate requirements.
Fee collection (NEW)	Responsible for making every reasonable effort to ensure funds due are received in a timely manner and documenting such efforts.	N/A

Rules and Regulations	Develop rules, policies, procedures and by-laws of the Harbour Authority.	Provides guidance in establishing rules policies, procedures and by-laws.
Compliance	Ensure compliance with harbour authority rules, policies, procedures and by-laws of the Harbour Authority.	Enforcement actions as per the <i>Fishing and Recreational Harbours Act</i> and Regulations (particularly on matters relating to infrastructure damage, user/public safety and public access).
Waste Management	Remove all garbage, recyclables, waste oil and pests as required.	N/A

SCHEDULE to be amended as required and agreed upon by the Harbour Authority and the Small Craft Harbour representative, Small Craft Harbours. Initialled by the Harbour Authority and the Department of Fisheries and Oceans.

**SCHEDULE “E.1”
IMPROVEMENTS MADE BY THE HARBOUR AUTHORITY**

DISTRICT OF UCLUELET (OTTER STREET)

** HA owned infrastructure is the sole responsibility of the HA.*

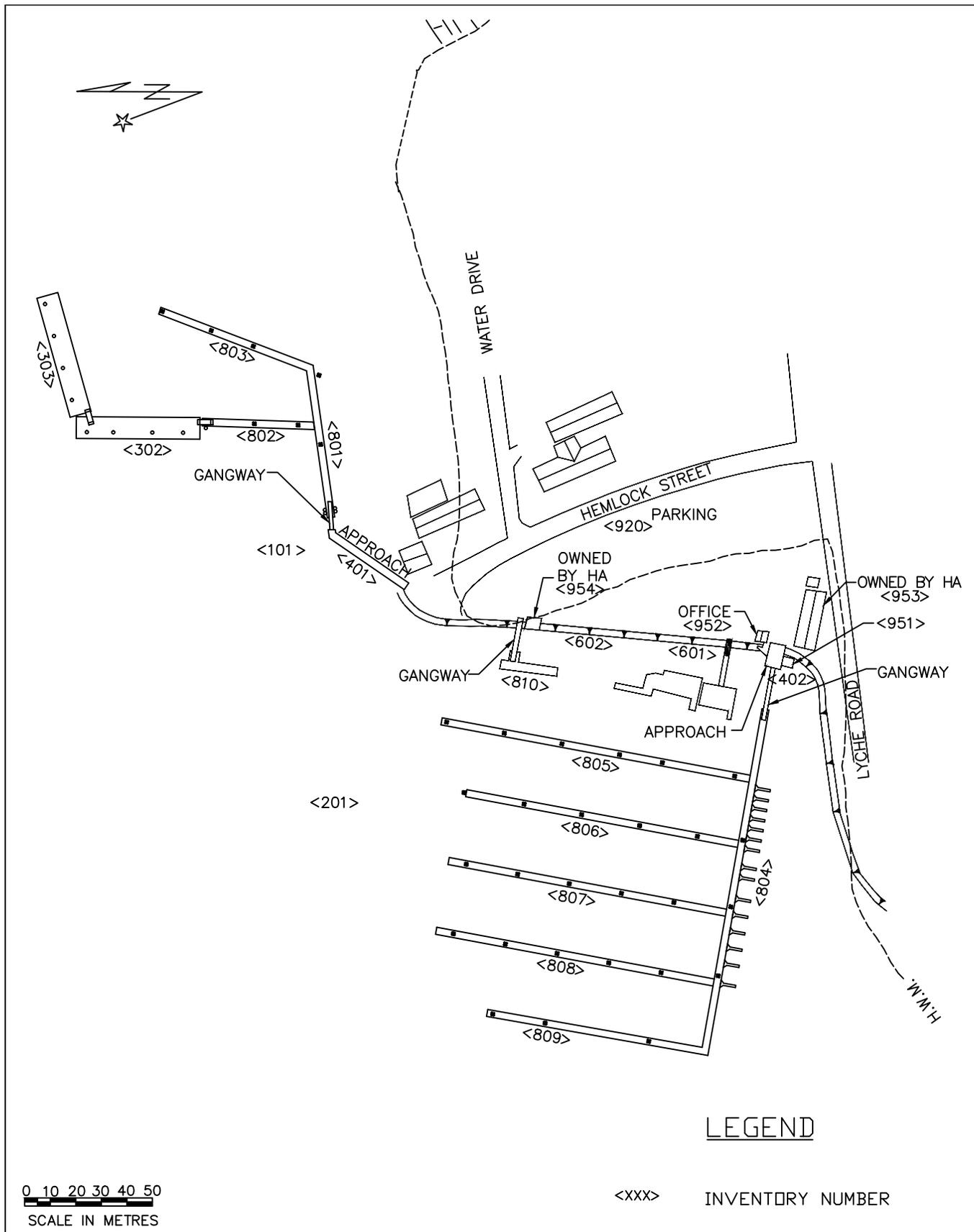
Equipment	Code	Description
		No Leased Equipment as of January 4th, 2022

**SCHEDULE “E.2”
IMPROVEMENTS MADE BY THE HARBOUR AUTHORITY**

DISTRICT OF UCLUELET (WEST)

** HA owned infrastructure is the sole responsibility of the HA.*

Facility	Code	Description
Ucluelet West Building	953	HA Timber Frame – Owned by HA
Ucluelet West Building	964	HA Timber Frame – Owned by HA

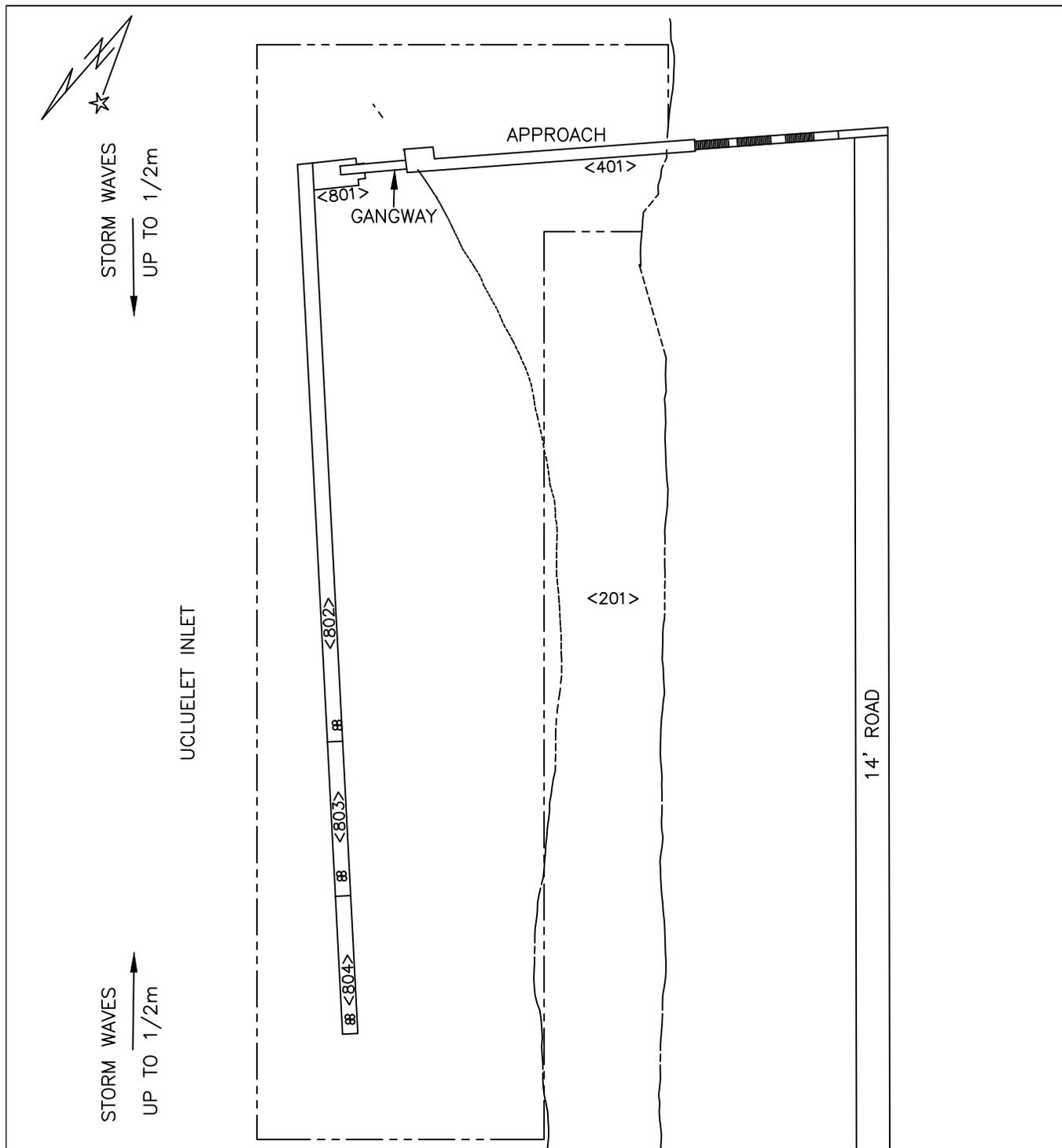


LEGEND

0 10 20 30 40 50
SCALE IN METRES

<XXX> INVENTORY NUMBER

 <p>Fisheries and Oceans Pêches et Océans</p> <p>Small Craft Harbours Branch</p>	<p>UCLUELET – WEST</p> <p>INVENTORY</p>	<p>drawn by: WSL FEB '98 date</p> <p>revised: G JAN '19 date</p> <p>drawing no. UW-8</p>
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LEGEND

<XXX> INVENTORY NUMBER



Fisheries and Oceans
Pêches et Océans

Small Craft
Harbours Branch

UCLUELET – OTTER STREET
INVENTORY

drawn by: WSL FEB '98 date

revised: E DEC. '17 date

drawing no.

UD-8



REPORT TO COUNCIL

Council Meeting: February 15, 2024
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING **FILE No:** 6630-27
SUBJECT: *SHORT-TERM RENTAL ACCOMMODATIONS ACT: OPT-IN OPTIONS* **REPORT No:** 24- 15

RECOMMENDATION:

1. **THAT** Council not “opt in” to the Provincial principal residence requirement under the *Short-Term Rental Accommodations Act* for properties operating short-term rental accommodation at this time; and,
2. **THAT** Council direct staff to report back within the next year as greater detail becomes available on how the new legislation and regulations will apply to different classes of accommodation service providers in addition to hotels and motels.

BACKGROUND AND DISCUSSION:

In the fall of 2023, the Province adopted Bill 35 - 2023 [Short-Term Rental Accommodations Act](#) (the “STR Act”). The stated goals of the STR Act are “to strengthen tools to support local government enforcement of short-term rental bylaws, return short-term rentals to the long-term housing market, and establish a provincial role in the regulation of short-term rentals”.

One aspect of the STR Act (applicable as of May 1, 2024, in communities with populations exceeding 10,000) requires that a short-term rental be located in the host’s principal residence, secondary suite or accessory dwelling. BC’s resort municipalities, including Ucluelet, are exempt from this principal residence requirement under the STR Act, but retain an ability to “opt in”.

In September of 2022, with the adoption of *Zoning Amendment Bylaw No. 1310*, and the accompanying *Business Regulation & Licensing Amendment Bylaw No. 1313*, Ucluelet enacted a principal residence requirement for the operation of short-term rentals in the form of *Bed and Breakfast* uses on single-family residential zoned properties. The new principal residence requirement in the STR Act therefore poses little change for those operations. Other existing short-term rental accommodation in the community - under different zoning designations - may face a significant change if Ucluelet were to opt in at this time. *Guest house, guest cabin, hostel, vacation rental* and *resort condo* uses, may be impacted by the new legislation if Ucluelet were to opt in to the broader principal residence requirement under the STR Act. Numerous such properties in Ucluelet have been developed for the express purpose of tourist accommodation but are not either a *hotel* or *motel* exempted by the STR Act. At this point in time, as the new legislation and accompanying regulations come into effect, it is not clear what greater flexibility –

if any – may be available for local communities to define STR uses in a more fine-grained manner than has initially been provided for by the Province.

If a community wishes to opt in to the provincial principal residence requirement, a Council resolution is required and must be provided to the Province by March 31st to become effective on November 1st of that year.

Staff recommend that it would be advisable to review the existing zoning, and understand in greater detail how all short-term accommodation uses would interact with the new STR Act legislation, before a decision on opting in is considered.

There may be some advantages to opting in, particularly with the new provincial role in monitoring and enforcement of short-term accommodation. All the details are not yet available, however, on how the new provincial compliance and enforcement unit will function and complement municipal bylaw enforcement activities.

Given the current understanding of this new regulatory landscape, staff recommend that Ucluelet does not need to rush to opt in; and that doing so might result in unintended hardships for some accommodation service providers.

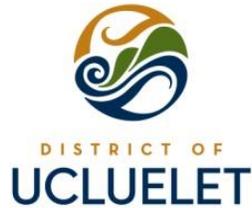
Staff will monitor the evolution of the STR regulations and any release of further details from the Province. Other work to comply with the new housing legislation – updating the Housing Needs Report, amending the OCP and zoning bylaws – will be coming forward in the coming weeks and months for Council and the community to consider. The proper balance of short-term accommodation and housing will continue to be a focus of that work, and the opt-in option can be revisited as that unfolds.

ANALYSIS OF OPTIONS:

A	Do not opt in at this time.	<u>Pros</u>	<ul style="list-style-type: none"> Avoids unintended impacts on some classes of short-term accommodation uses.
		<u>Cons</u>	<ul style="list-style-type: none"> May not fully access new compliance and enforcement support from the province.
		<u>Implications</u>	<ul style="list-style-type: none"> Would leave the principal residence requirement in place for existing B&B uses on residential properties in Ucluelet, but not extend that requirement to other types of tourist accommodation.
B	Pursue opting in to the principal residence requirements of the <i>STR Act</i> . [Not Recommended]	<u>Pros</u>	<ul style="list-style-type: none"> May help access new compliance and enforcement support from the province. Could result in conversion of dwelling units used for short-term accommodation into longer-term housing.
		<u>Cons</u>	<ul style="list-style-type: none"> Would impose a new requirement – unworkable in some cases – for operators of <i>guest house, guest cabin, hostel, vacation rental</i> and <i>resort condo</i> uses to prove that the unit or property is their principal residence.

	<p><u>Implications</u></p>	<ul style="list-style-type: none"> • Would require a Council motion prior to March 31, 2024. • Should be preceded by a period of public engagement and feedback; this would be compromised by limited time and resources.
	<p><u>Suggested Motion</u></p>	<ol style="list-style-type: none"> 1. THAT Council direct staff to initiate public engagement on the question of opting in to the principal residence requirement of the <i>STR Act</i>, in the form of <i>[insert Council direction on engagement]</i>; and, 2. THAT Council direct staff to bring a report on the results of the public engagement to the March 26, 2024, Regular Council Meeting for discussion prior to a decision on whether to request opting in.

Respectfully submitted: Bruce Greig, Director of Community Planning
 Duane Lawrence, CAO



REPORT TO COUNCIL

Council Meeting: February 15, 2024
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

FILE NO: 0550-01 (2024)

SUBJECT: LEGISLATIVE CHANGES RELATED TO PUBLIC HEARINGS

REPORT NO: 24- 13

ATTACHMENT(S): APPENDIX A - BILL 44: HOUSING STATUTES

RECOMMENDATION(S):

THAT, when public hearings are prohibited under section 464 of the *Local Government Act*, Council direct Staff to present the draft zoning amendment bylaw for the first time to Council after notice has been given in accordance with section 467 of the *Local Government Act*.

BACKGROUND:

Bill 44: Housing Statutes received Royal Assent in late 2023. This Bill amends the *Local Government Act (the "Act")* and has significant implication for local government land planning. This report outlines the Bill's impact on public hearings.

Local governments are now prohibited from holding public hearings on zoning amendment bylaws if:

1. an official community plan is in effect for the area that is subject to the zoning bylaw,
2. the bylaw is consistent with the official community plan,
3. the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and
4. the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.

Local governments are further prohibited from holding public hearings on a zoning bylaw proposed for the sole purpose of complying with section 481.3 of the *Act*. As it applies to the District of Ucluelet, section 481.3 requires the District to allow secondary suites and/or accessory dwelling units in zones that permit detached single-family dwellings. Planning staff are currently reviewing the Bill to determine any further local implications.

When local governments are prohibited by section 464 from holding a public hearing on a zoning bylaw, section 467 of the *Act* requires that notice be given before first reading of the bylaw. This notice must be given in accordance with section 94 of the *Community Charter* and must state the purpose of the bylaw, the land or lands that are the subject of the bylaw, the date of the first

reading of the bylaw, and the place where and times and dates when copies of the bylaw may be inspected. The same notice requirement applies if Council decides not to hold a public hearing.

ANALYSIS OF OPTIONS:

Staff are seeking direction on whether to give notice before presenting draft zoning amendment bylaws to Council or to present draft zoning amendments before giving notice.

A	Present the draft bylaw to Council after notice is given	<u>Pros</u>	<ul style="list-style-type: none"> Expedites the rezoning process where Council is prohibited from holding a public hearing
		<u>Cons</u>	<ul style="list-style-type: none"> Council would not receive a report on the bylaw prior to notice being given
		<u>Implications</u>	<ul style="list-style-type: none"> Since one fewer report is required, less Staff and Council time would be required Since notice is currently given through the Westerly News, advertising costs would be incurred even if Council rejects the application and doubled if notice must be redone because Council decides to proceed with the zoning amendment bylaw but determines that it is not consistent with the Official Community Plan (OCP)
B	Present the draft bylaw to Council before giving notice	<u>Pros</u>	<ul style="list-style-type: none"> Council would receive a report on the bylaw before notice is given Council could reject the application before notice is given Council could determine that the bylaw is not consistent with the OCP and therefore direct staff to hold a public hearing or decide not to hold a public hearing before notice is given
		<u>Cons</u>	<ul style="list-style-type: none"> The rezoning process for bylaws that are subject to the prohibition against public hearings would be delayed by approximately 3 to 4 weeks to allow for notice to be given after the draft bylaw is initially presented to Council
		<u>Implications</u>	<ul style="list-style-type: none"> Additional Staff and Council time would be required to draft and review the report presented to Council before notice is given Advertising costs would be saved where Council rejects the application prior to directing staff to give notice and where Council determines that the bylaw is not consistent with the OCP
		<u>Suggested Motion</u>	<p>THAT, when public hearings are prohibited under section 464 of the <i>Local Government Act</i>, Council direct Staff to present the draft zoning amendment bylaw to Council before giving notice in accordance with section 467 of the <i>Local Government Act</i>.</p>

POLICY OR LEGISLATIVE IMPACTS:

Section 464 of the *Act*, prohibits public hearings from being held in specified circumstances. Section 467 of the *Act* outlines applicable notice requirements, which include the posting requirements set out in section 94 of the *Community Charter*.

NEXT STEPS:

Staff acknowledge that these amendments are significant changes to community expectations related to zoning amendments and are reviewing District practices to ensure legislative compliance and procedural fairness.

- Update District communications to reflect the legislative changes
- Review District meeting procedures to ensure legislative compliance and procedural fairness
- Give notice as applicable

Respectfully submitted: Joseph Rotenberg, Manager of Corporate Services
 Duane Lawrence, CAO

Government Bill

Fourth Session, Forty-second Parliament
2 Charles III, 2023
Legislative Assembly of British Columbia

BILL 44

**HOUSING STATUTES (RESIDENTIAL
DEVELOPMENT) AMENDMENT ACT, 2023**

Honourable Ravi Kahlon
Minister of Housing

Explanatory Notes

CLAUSE 1: *[Local Government Act, section 455]* adds a definition of “housing unit” to Part 14 of the Act.

CLAUSE 2: *[Local Government Act, section 457]* is consequential to amendments made by this Bill to the Act.

CLAUSE 3: *[Local Government Act, section 457]* is consequential to amendments made by this Bill to the Act.

CLAUSE 4: *[Local Government Act, section 457.1]* adds a prohibition in relation to the exercise of specified powers under the Act.

MINISTER OF HOUSING

BILL 44 – 2023**HOUSING STATUTES (RESIDENTIAL DEVELOPMENT)
AMENDMENT ACT, 2023**

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Local Government Act

1 *Section 455 of the Local Government Act, R.S.B.C. 2015, c. 1, is amended by adding the following definition:*

“housing unit” means a self-contained dwelling unit; .

2 *Section 457 (3) is repealed and the following substituted:*

(3) The following provisions do not apply to a rural land use bylaw:

- (a) section 472 (2) (a) [*bylaw to adopt official community plan*];
- (b) section 481.3 [*zoning bylaws and small-scale multi-family housing*].

3 *Section 457 (3) is amended by adding the following paragraphs:*

- (a.1) section 473.1 [*official community plan and housing needs report*];
- (c) section 481.7 [*zoning bylaws and housing needs report*].

4 *The following section is added:*

Limits on use of this Part and Part 15

457.1 The following powers must not be exercised in a manner that unreasonably prohibits or restricts the use or density of use required to be permitted under section 481.3 [*zoning bylaws and small-scale multi-family housing*]:

- (a) a power under section 488 [*designation of development permit areas*];
- (b) a power in relation to a land use regulation bylaw or land use permit;
- (c) a power in relation to a heritage alteration permit, as defined in section 586 [*definitions in relation to Part 15*];
- (d) a power under section 614 [*designation of heritage conservation areas*].

BILL 44 – 2023

CLAUSE 5: *[Local Government Act, section 464]* prohibits public hearings in specified circumstances.

CLAUSE 6: *[Local Government Act, section 464]* prohibits public hearings in specified circumstances.

CLAUSE 7: *[Local Government Act, section 467]* is consequential to amendments made by this Bill to the Act.

CLAUSE 8: *[Local Government Act, section 467]* is consequential to amendments made by this Bill to the Act.

CLAUSE 9: *[Local Government Act, section 472]* requires specified local governments to adopt an official community plan.

BILL 44 – 2023

5 Section 464 is amended

(a) in subsection (1) by striking out “Subject to subsection (2)” and substituting “Subject to this section”,

(b) in subsection (2) by striking out “A local government” and substituting “Subject to this section, a local government”, and

(c) by adding the following subsection:

(3) A local government must not hold a public hearing on a proposed zoning bylaw if

(a) an official community plan is in effect for the area that is the subject of the zoning bylaw,

(b) the bylaw is consistent with the official community plan,

(c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and

(d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.

6 Section 464 is amended by adding the following subsection:

(4) A local government must not hold a public hearing on a zoning bylaw proposed for the sole purpose of complying with section 481.3 [*zoning bylaws and small-scale multi-family housing*].

7 Section 467 (1) is repealed and the following substituted:

(1) If a local government decides not to hold, or is prohibited from holding, a public hearing referred to in section 464 (2) or (3) [*public hearing not required, or prohibited, for certain zoning bylaws*] on a proposed zoning bylaw, it must give notice in accordance with this section.

8 Section 467 (1) is amended by striking out “section 464 (2) or (3)” and substituting “section 464 (2), (3) or (4)”.**9 Section 472 is amended by adding the following subsection:**

(1.1) Despite subsection (1), the following must adopt one or more official community plans:

(a) the council of a municipality;

(b) a prescribed board of a regional district or a board in a prescribed class of regional districts.

BILL 44 – 2023

CLAUSE 10: *[Local Government Act, section 473]*

- extends a period in relation to official community plans from “at least 5 years” to “at least 20 years”;
- repeals a requirement to consider housing needs reports.

CLAUSE 11: *[Local Government Act, section 473.1]*

- re-enacts a requirement to consider a housing needs report;
- requires municipal official community plans to provide for at least the 20-year total number of housing units included in the most recent housing needs report;
- requires local government official community plans to include specified housing policies;
- provides for a period of time for the review and updating of official community plans;
- authorizes the Lieutenant Governor in Council to make regulations exempting a local government or class of local governments from the official community plan requirements related to housing needs reports.

BILL 44 – 2023

10 Section 473 is amended

- (a) *in subsection (1) (a) by striking out “at least 5 years” and substituting “at least 20 years”, and*
- (b) *by repealing subsection (2.1).*

11 The following section is added:**Official community plan and housing needs report**

- 473.1** (1) This section applies to a local government other than a local government that is exempted, or a local government in a class of local governments that is exempted, under this section or section 585.11 [*application of Division 22*].
- (2) A local government must consider the most recent housing needs report received by the local government under section 585.31 [*when and how housing needs report must be received*], and the housing information on which the report is based,
- (a) when developing an official community plan,
 - (b) when amending an official community plan in relation to statements and map designations under section 473 (1) (a), or
 - (c) when amending an official community plan in relation to housing policies under section 473 (2) or subsection (4) of this section.
- (3) Without limiting section 473 (1) (a), the statements and map designations included in an official community plan of the council of a municipality must provide for at least the 20-year total number of housing units required to meet anticipated housing needs, which total number is included in the most recent housing needs report that is
- (a) received by the local government under section 585.31, and
 - (b) applicable to the area covered by the plan.
- (4) Without limiting section 473 (2), an official community plan of a local government must include housing policies of the local government respecting each class of housing needs required to be addressed in the most recent housing needs report that is
- (a) received by the local government under section 585.31, and
 - (b) applicable to the area covered by the plan.
- (5) The council of a municipality must, within the prescribed period after December 31 of the year in which the council received the most recent housing needs report, review and, if necessary, adopt an official community plan that includes statements, maps and housing policies in accordance with subsections (3) and (4).

BILL 44 – 2023

CLAUSE 11: *[Local Government Act, section 473.1 – continued]*

CLAUSE 12: *[Local Government Act, sections 481.3 to 481.6]*

- requires local government zoning bylaws to permit a minimum number of housing units in specified areas, which minimum number may vary according to the area and other circumstances;
- requires local government zoning bylaws to accord with specified regulations, if any, of the Lieutenant Governor in Council;
- requires consideration of applicable guidelines in developing or adopting a zoning bylaw for specified purposes;
- establishes exemptions from the requirements under section 481.3 (4) and (5) of the Act, as added by this Bill;
- provides for the giving of notice if an exemption applies;
- prohibits or limits the use of conditional density rules under section 482 of the Act for specified purposes;
- authorizes the Lieutenant Governor in Council to make regulations for the purposes of section 481.3 of the Act, as added by this Bill, including regulations respecting exemptions from requirements under that section.

BILL 44 – 2023

- (6) The Lieutenant Governor in Council may make regulations exempting a local government or a class of local governments from all or part of this section.

12 The following sections are added:

Zoning bylaws and small-scale multi-family housing

481.3 (1) In this section:

“**manufactured home zone**” means a zone in respect of which the only permitted residential use is for manufactured homes as defined in section 673 [definitions in relation to Part 17];

“**restricted zone**” means,

- (a) for the purposes of subsection (3), a zone in respect of which the permitted residential use would, but for this section, be restricted to detached single-family dwellings, and
- (b) for the purposes of subsections (4) and (5), a zone in respect of which the permitted residential use would, but for this section, be restricted to
 - (i) detached single-family dwellings,
 - (ii) detached single-family dwellings with one additional housing unit located within the detached single-family dwelling or on the same parcel or parcels of land on which the detached single-family dwelling is located,
 - (iii) duplexes, or
 - (iv) duplexes with one additional housing unit located within each dwelling comprising the duplex or no more than 2 additional housing units on the same parcel or parcels of land on which the duplex is located,

but does not include a manufactured home zone.

- (2) Subject to an exemption under section 481.4 or set out in the regulations, a zoning bylaw adopted on or after June 30, 2024 must permit the use of land, buildings and other structures, and the density of use, required under this section to be permitted.
- (3) A local government must exercise the powers under section 479 to permit the use and density of use necessary to accommodate one or both of the following on land within a restricted zone:
 - (a) at least one additional housing unit within a detached dwelling that would otherwise be a single-family dwelling;
 - (b) at least one additional housing unit within another building on the same parcel or parcels of land on which a detached single-family dwelling is located.

BILL 44 – 2023

CLAUSE 12: *[Local Government Act, sections 481.3 to 481.6 – continued]*

BILL 44 – 2023

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- (4) A local government must exercise the powers under section 479 to permit the use and density of use necessary to accommodate at least the prescribed number of housing units on the following land within a restricted zone:
- (a) each parcel of land wholly or partly within an urban containment boundary established by a regional growth strategy applicable to the municipality or regional district, as the case may be;
 - (b) if paragraph (a) does not apply, each parcel of land that is
 - (i) within a municipality the population of which is greater than the prescribed population, and
 - (ii) wholly or partly within an urban containment boundary established by an official community plan of the local government;
 - (c) if neither paragraph (a) nor paragraph (b) applies, each parcel of land within a municipality the population of which is greater than the prescribed population.
- (5) Despite subsection (4), the minimum number of housing units that must be permitted by the council of a municipality on a parcel of land referred to in paragraph (a), (b) or (c) of that subsection is the greater number prescribed for the purposes of this subsection if the parcel of land is
- (a) wholly or partly within a prescribed distance from a bus stop in relation to which the prescribed requirements are met, and
 - (b) at least the prescribed size.
- (6) If the Lieutenant Governor in Council makes regulations respecting the siting, size, dimension, location or type of housing unit required to be permitted under this section, a local government must exercise the powers under section 479 in accordance with those regulations.
- (7) In developing or adopting a zoning bylaw to permit the use and density of use required under this section to be permitted, a local government must consider applicable guidelines, if any, under section 582.1 [*provincial policy guidelines related to small-scale multi-family housing*].

Exemptions related to small-scale multi-family housing

- 481.4** (1) Section 481.3 (4) and (5) does not apply in relation to any of the following land:
- (a) land that is protected under section 12.1 (2) of the *Heritage Conservation Act*;
 - (b) land that is, on the date this section comes into force, designated as protected under a bylaw made under section 611 [*heritage designation protection*] of this Act;
 - (c) land that is not connected to a water or sewer system provided as a service by a municipality or regional district;

BILL 44 – 2023

CLAUSE 12: *[Local Government Act, sections 481.3 to 481.6 – continued]*

BILL 44 – 2023

- (d) land within a zone in respect of which the minimum lot size that may be created by subdivision is 4 050 m²;
 - (e) a parcel of land that is larger than 4 050 m².
- (2) As soon as practicable after a local government adopts a zoning bylaw in respect of which an exemption under this section or the regulations applies, the local government must give to the minister a written notice that identifies
- (a) the land in respect of which the exemption applies, and
 - (b) the provision under which the exemption is exercised.

Density benefits related to small-scale multi-family housing

- 481.5** (1) In this section, “**conditional density rule**” means a density rule established under section 482 (1) [*density benefits for amenities, affordable housing and special needs housing*] to apply for a zone only on applicable conditions being met.
- (2) Despite section 482 (1) but subject to subsection (3) of this section, a zoning bylaw must not establish conditional density rules for the purpose of achieving the minimum number of housing units required to be permitted under section 481.3 (4) or (5).
- (3) A zoning bylaw may, under section 482 (1), establish conditional density rules for only one of the minimum number of housing units required to be permitted under section 481.3 (5) but, despite section 482 (1) (b), may establish applicable conditions in relation to that single housing unit only in accordance with section 482 (2) (b) and (c).
- (4) This section does not prohibit a zoning bylaw from establishing, under section 482, conditional density rules, or applicable conditions, in relation to any number of housing units in excess of the minimum number of housing units required to be permitted under section 481.3 (4) or (5).

Regulations related to small-scale multi-family housing

- 481.6** The Lieutenant Governor in Council may make regulations as follows:
- (a) for the purposes of paragraph (b) (iii) and (iv) of the definition of “restricted zone” in section 481.3 (1) [*zoning bylaws and small-scale multi-family housing*], respecting what constitutes a duplex;
 - (b) respecting exemptions from all or part of section 481.3;
 - (c) for the purposes of section 481.3 (4), respecting what constitutes an urban containment boundary;
 - (d) for the purposes of section 481.3 (5) (a), respecting requirements in relation to bus stops;
 - (e) for the purposes of section 481.3 (6), respecting the siting, size, dimension, location or type of housing units;

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CLAUSE 12: *[Local Government Act, sections 481.3 to 481.6 – continued]*

CLAUSE 13: *[Local Government Act, sections 481.7 and 481.8]*

- requires local government zoning bylaws to permit at least the 20-year total number of housing units identified in the most recent housing needs report;
- provides for a period of time for the review and updating of zoning bylaws;
- limits the local governments' use of conditional density rules under section 482 of the Act for specified purposes.

CLAUSE 14: *[Local Government Act, section 525]*

- prohibits municipalities from requiring off-street parking and loading spaces in relation to the residential use of specified housing units;
- requires consideration of applicable guidelines in developing or adopting a bylaw under section 525 of the Act.

BILL 44 – 2023

- (f) respecting any other matter for which regulations are contemplated by section 481.3.

13 The following sections are added:

Zoning bylaws and housing needs report

- 481.7** (1) A council of a municipality that is subject to section 473.1 (3) *[official community plan and housing needs report]* must exercise the powers under section 479 *[zoning bylaws]* to permit the use and density of use necessary to accommodate at least the 20-year total number of housing units required to meet anticipated housing needs, which total number is included in the most recent housing needs report received under section 585.31 *[when and how housing needs report must be received]* by the council.
- (2) The council of a municipality must, within the prescribed period after December 31 of the year in which the council received the most recent housing needs report, review and, if necessary, adopt a zoning bylaw to permit the use and density of use required to be permitted under this section.

Density benefits and housing needs report

- 481.8** (1) In this section, “**conditional density rule**” means a density rule established under section 482 (1) *[density benefits for amenities, affordable housing and special needs housing]* to apply for a zone only on applicable conditions being met.
- (2) Despite section 482 (1), a zoning bylaw must not establish conditional density rules for the purpose of achieving the minimum number of housing units required to be permitted under section 481.7 (1).
- (3) This section does not prohibit a zoning bylaw from establishing, under section 482, conditional density rules in relation to any number of housing units in excess of the minimum number of housing units required to be permitted under section 481.7 (1).

14 Section 525 is amended by adding the following subsections:

- (1.1) Despite subsection (1), the council of a municipality must not, on or after June 30, 2024, require an owner or occupier of any land, or of any building or other structure, to provide off-street parking or loading spaces for the residential use of a housing unit required to be permitted under section 481.3 (5) *[zoning bylaws and small-scale multi-family housing]*.
- (1.2) In developing or adopting a bylaw under this section, a local government must consider applicable guidelines, if any, under section 582.1 *[provincial policy guidelines related to small-scale multi-family housing]*.

BILL 44 – 2023

CLAUSE 15: *[Local Government Act, section 582.1]* authorizes the minister to establish policy guidelines in relation to specified bylaws.

CLAUSE 16: *[Local Government Act, section 585.3]* requires housing needs reports to include the total number of housing units necessary to meet anticipated housing needs over a 5-year period and over a 20-year period.

CLAUSE 17: *[Local Government Act, section 585.31]* specifies dates by which housing needs reports must be received.

CLAUSE 18: *[Local Government Act, section 585.41]*

- clarifies the Lieutenant Governor in Council's authority to make regulations respecting the information contained in housing needs reports;
- authorizes the Lieutenant Governor in Council to make regulations respecting the methods for calculating numbers of housing units and requiring the use of such methods.

15 The following section is added:**Provincial policy guidelines related to small-scale multi-family housing**

582.1 The minister may, after consulting with the minister responsible for the administration of the *Community Charter*, establish policy guidelines regarding the following:

- (a) the process of developing and adopting, by a municipality or regional district, a zoning bylaw for the purpose of permitting the use or density of use required to be permitted under section 481.3 [*zoning bylaws and small-scale multi-family housing*] of this Act;
- (b) the process of developing and adopting, by a municipality, a bylaw under section 525 [*off-street parking and loading space requirements*] of this Act to the extent that the bylaw relates to the residential use of housing units required to be permitted under section 481.3 (5) of this Act;
- (c) the content of a bylaw referred to in paragraph (a) or (b) of this section.

16 Section 585.3 (c) (i) and (ii) is repealed and the following substituted:

- (i) the total number of housing units required to meet anticipated housing needs for the next 5 years;
- (ii) the total number of housing units required to meet anticipated housing needs for the next 20 years; .

17 Section 585.31 (3) is repealed and the following substituted:

- (3) A local government must receive a housing needs report on or before December 31, 2028 and on or before December 31 in every fifth year after that date.

18 Section 585.41 (2) is amended by adding the following paragraphs:

- (h) respecting the information that must be included in a housing needs report;
- (i) respecting the methods for calculating a number of housing units, including, without limitation, establishing formulas, rules or principles for the calculation, and respecting criteria on which the methods are based;
- (j) requiring a local government or a class of local governments to use a method established under paragraph (i).

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CLAUSE 19: *[Local Government Act, section 588]* limits what may be done by a heritage designation bylaw.

CLAUSE 20: *[Local Government Act, section 610]* limits what may be done by a heritage revitalization agreement.

CLAUSE 21: *[Local Government Act, section 783]* makes housekeeping amendments.

CLAUSE 22: *[Local Government Act, Part 20]* establishes a transitional rule to provide that section 464 (3) of the Act, as added by this Bill, does not apply to proposed zoning bylaws in specified circumstances.

CLAUSE 23 *[Local Government Act, heading to Part 20]* amends the heading to Part 20 of the Act, as added by this Bill.

BILL 44 – 2023

19 Section 588 is amended by adding the following subsection:

(2.1) Despite subsection (2) (a), a heritage designation bylaw must not be used to prevent a use of real property, or the development of land to a density of use, permitted under the applicable zoning bylaw to the extent that the use or density of use is required to be permitted under section 481.3 [*zoning bylaws and small-scale multi-family housing*].

20 Section 610 is amended

(a) in subsection (2) (b) by striking out “vary or supplement” and substituting “subject to subsection (2.1), vary or supplement”, and

(b) by adding the following subsection:

(2.1) A heritage revitalization agreement must not vary the use or density of use authorized by the applicable zoning bylaw to the extent that the use or density of use is required to be permitted under section 481.3 [*zoning bylaws and small-scale multi-family housing*].

21 Section 783 (3) is amended

(a) in paragraph (a) by adding “local governments,” after “regional districts,” and by adding “, things” after “circumstances”, and

(b) in paragraph (c) by adding “different local governments,” after “different regional districts,”, by striking out “different parts of municipalities” and substituting “different areas or different parts of areas of municipalities” and by adding “, things” after “different circumstances”.

22 The following Part is added:**PART 20 – TRANSITIONAL PROVISION****Transition – public hearings**

784 Section 464 (3) [*when public hearing required*] does not apply in relation to a proposed zoning bylaw that, on the date this section comes into force, has been given first reading.

23 The heading to Part 20 is repealed and the following substituted:**PART 20 – TRANSITIONAL AND INTERIM PROVISIONS .**

BILL 44 – 2023

CLAUSE 24: *[Local Government Act, heading to Division 1 of Part 20]* adds a Division heading to Part 20 of the Act, as added by this Bill.

CLAUSE 25: *[Local Government Act, Division 2 of Part 20]* establishes transitional rules and interim provisions that do the following:

- provide for an extended period for local governments to comply with section 481.3 of the Act, as added by this Bill;
- require local governments to give to the minister notice of compliance;
- establish a framework within which a local government may request and obtain an extension of time to comply with section 481.3 of the Act, as added by this Bill;
- establish a framework within which the minister may make an order enacting or amending a bylaw for specified purposes if a local government fails, within the time required, to comply with section 481.3 of the Act, as added by this Bill;
- defer the application of section 478 (2) of the Act in relation to specified zoning bylaws;
- provide that section 610 (2.1) of the Act, as added by this Bill, does not apply to specified heritage revitalization agreements.

BILL 44 – 2023

24 *The following heading is added to Part 20 before section 784:*

Division 1 – Public Hearings .

25 *The following Division is added to Part 20:*

Division 2 – Small-Scale Multi-Family Housing

**Transition – extended compliance period for
small-scale multi-family housing**

- 785** (1) Despite section 481.3 (2) [*zoning bylaws and small-scale multi-family housing*], if a local government applies under section 786 for an extension of time in relation to an area, the local government must adopt a zoning bylaw that complies with section 481.3, in relation to the area, as follows:
- (a) if the extension is granted, on or before the date set out in the notice of extension;
 - (b) if the extension is refused, within 90 days after the date set out in the notice of refusal.
- (2) A local government must give to the minister written notice as soon as practicable after the local government has adopted the last zoning bylaw necessary to comply with section 481.3, other than a zoning bylaw necessary to comply with section 481.3 in relation to an area for which an extension of time is granted under section 786 to the local government.
- (3) If an extension of time is granted under section 786 to a local government in relation to an area, the local government must give to the minister written notice as soon as practicable after the local government has adopted a zoning bylaw that complies with section 481.3 in relation to the area.

**Transition – extension process for
small-scale multi-family housing**

- 786** (1) A local government may apply for an extension of time for the purposes of complying with section 481.3 [*zoning bylaws and small-scale multi-family housing*] in relation to an area that is subject to that section.
- (2) An application under subsection (1) must contain the information required by the minister and must be submitted to the minister as follows:
- (a) unless paragraph (b) applies, on or before June 1, 2024;
 - (b) in the case of extraordinary circumstances, on or before June 30, 2024.

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CLAUSE 25: *[Local Government Act, Division 2 of Part 20 – continued]*

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- (3) The minister may grant one or more extensions of time to the local government in relation to an area if the minister is satisfied that the local government is unable, by June 30, 2024, to comply with section 481.3 in relation to the area for any of the following reasons:
 - (a) the local government is in the process of upgrading infrastructure that services the area;
 - (b) the infrastructure that services the area is such that compliance by June 30, 2024 is likely to increase a risk to health, public safety or the environment in the area;
 - (c) there exist extraordinary circumstances that otherwise prevent compliance in relation to the area.
 - (4) The minister must give to the local government written notice of a refusal or an extension that includes,
 - (a) in the case of a refusal, the date of the refusal, and
 - (b) in the case of an extension, the date, which may not be later than December 31, 2030, by which compliance with section 481.3 is required in relation to the area.

**Transition – ministerial order related to
small-scale multi-family housing**

- 787**
- (1) This section applies in relation to a local government if the minister is satisfied that the local government has failed, within the time required under this Act, to adopt a zoning bylaw that complies with section 481.3 [*zoning bylaws and small-scale multi-family housing*].
 - (2) The minister may give to the local government a notice that
 - (a) sets out the minister’s objections to the local government’s zoning bylaw, and
 - (b) states that the local government must, within 30 days after receipt of the notice, alter the zoning bylaw accordingly.
 - (3) If the local government does not alter the zoning bylaw in accordance with the notice under subsection (2), the minister may, with the prior approval of the Lieutenant Governor in Council, make an order that enacts or amends a bylaw referred to in section 479 [*zoning bylaws*] to
 - (a) permit, in relation to an area, the use and minimum density of use required to be permitted under section 481.3 and
 - (b) establish the siting, size, dimension, location or type of housing units required to be permitted under section 481.3 in the area.

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CLAUSE 25: *[Local Government Act, Division 2 of Part 20 – continued]*

CLAUSE 26: *[Local Government Act, Division 3 of Part 20]* establishes transitional rules and interim provisions that do the following:

- require local governments to receive an interim report on housing needs;
- provide how the requirement to receive an interim report on housing needs is met;
- treat an interim report on housing needs as a housing needs report for the purpose of specified provisions of the Act;
- require the publication of an interim report on housing needs;
- provide that municipalities must review and, if necessary, amend or adopt zoning bylaws and official community plans by a specified date.

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- (4) In making an order under subsection (3), the minister may
 - (a) establish different classes of persons, property, circumstances, things and other matters,
 - (b) make different provisions, including exceptions, for different classes referred to in paragraph (a), and
 - (c) make different provisions, including exceptions, for different areas or different parts of areas of municipalities or regional districts or different persons, property, circumstances, things and other matters.
 - (5) On the date specified in an order made under subsection (3), the bylaw enacted or amended under the order is conclusively deemed to be enacted or amended by the local government in accordance with the order.
 - (6) An order may not be made under subsection (3) after December 31, 2031.
 - (7) For the purposes of this section, the minister has the powers of a local government under section 479 (1) (c).

Transition – effect of official community plan

- 788** Section 478 (2) [*effect of official community plan*] does not apply, before the prescribed date, in relation to a zoning bylaw adopted by a local government for the purpose of permitting the use or density of use required to be permitted under section 481.3 [*zoning bylaws and small-scale multi-family housing*].

Transition – heritage revitalization agreements

- 789** Section 610 (2.1) [*heritage revitalization agreements*] does not apply to a heritage revitalization agreement, as defined in section 586 [*definitions in relation to Part 15*], entered into before the date this section comes into force.

26 The following Division is added to Part 20:**Division 3 – Interim Report on Housing Needs****Transition – interim report on housing needs**

- 790** (1) In this section:
- “**housing unit**” has the same meaning as in section 455 [*definitions in relation to Part 14*];
 - “**local government**” includes a local trust committee as defined in section 1 of the *Islands Trust Act*;
 - “**most recent housing needs report**” means the housing needs report most recently received by a local government under section 585.31 (3) [*when and how housing needs report must be received*].
- (2) Without limiting section 585.31 (3), a local government must, on or before the prescribed date, receive an interim report on housing needs.

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CLAUSE 26: *[Local Government Act, Division 3 of Part 20 – continued]*

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- (3) The requirement in subsection (2) is satisfied if, on or before the prescribed date, the local government receives one of the following:
 - (a) a new housing needs report;
 - (b) the local government's most recent housing needs report amended to the extent necessary to do the following:
 - (i) reflect the total number of housing units, calculated in accordance with an applicable method set out in the regulations, required to meet the anticipated housing needs of the local government for the next 5 years and for the next 20 years;
 - (ii) include a description of the actions taken by the local government, since receiving the most recent housing needs report, to reduce housing needs in the applicable area of the local government;
 - (iii) include a statement about the need for housing in close proximity to transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.
- (4) An interim report on housing needs under subsection (2) is a housing needs report received under section 585.31 for the purposes of the following provisions of the Act:
 - (a) section 429 (2.1) [*content of regional growth strategy*];
 - (b) section 473.1 [*official community plan and housing needs report*];
 - (c) section 481.7 [*zoning bylaws and housing needs report*].
- (5) As soon as practicable after a local government receives an interim report on housing needs under subsection (2), the local government must publish the report on an internet site that is
 - (a) maintained by the local government or authorized by the local government to be used for publishing the report, and
 - (b) publicly and freely accessible.
- (6) Despite section 473.1 (5), the council of a municipality must review and, if necessary, adopt an official community plan as contemplated by that section by December 31 of the year in which the council receives an interim report on housing needs under subsection (2) of this section.
- (7) Despite section 481.7 (2), the council of a municipality must review and, if necessary, adopt a zoning bylaw as contemplated by that section by December 31 of the year in which the council receives an interim report on housing needs under subsection (2) of this section.

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CLAUSE 27: *[Vancouver Charter, section 306]*

- prohibits the Vancouver city council from requiring off-street parking and loading spaces in relation to the residential use of specified housing units;
- requires consideration of applicable guidelines in developing or adopting a bylaw under section 306 (1) (r) of the Act.

CLAUSE 28: *[Vancouver Charter, section 559.01]* adds a prohibition in relation to the exercise of specified powers under the Act.

CLAUSE 29: *[Vancouver Charter, section 561]* narrows the category of development plans to which the provision applies.

Vancouver Charter

27 *Section 306 of the Vancouver Charter, S.B.C. 1953, c. 55, is amended by adding the following subsections:*

- (1.1) Despite subsection (1) (r), the Council must not, on or after June 30, 2024, require an owner or occupier of any land or building to provide off-street parking or loading spaces for the residential use of a housing unit required to be permitted under section 565.03 (5) [*zoning by-laws and small-scale multi-family housing*].
- (1.2) In developing or adopting a by-law under subsection (1) (r), the Council must consider applicable guidelines, if any, under section 565.07 [*provincial policy guidelines related to small-scale multi-family housing*].

28 *The following section is added to Division (1) of Part XXVII:*

Limits on use of this Part and Part XXVIII

559.01 The following powers must not be exercised in a manner that unreasonably prohibits or restricts the use or density of use required to be permitted under section 565.03 [*zoning by-laws and small-scale multi-family housing*]:

- (a) a power in relation to a by-law or permit under Division (3) [*Zoning*] of this Part;
- (b) a power in relation to a heritage alteration permit, as defined in section 575 [*definitions*];
- (c) a power under section 596A [*designation of heritage conservation areas*].

29 *Section 561 (3.1) (a) and (b) is repealed and the following substituted:*

- (a) when developing a development plan relating to the whole city, or to any particular area of the city, that the Council intends to adopt under section 562 as an official development plan, or
- (b) when amending, in relation to housing policies under subsection (3), a development plan relating to the whole city, or to any particular area of the city, that has been adopted under section 562 as an official development plan.

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CLAUSE 30: *[Vancouver Charter, sections 565.03 to 565.06]*

- requires Vancouver city council zoning bylaws to permit a minimum number of housing units in specified areas, which minimum number may vary according to the area and other circumstances;
- requires Vancouver city council zoning bylaws to accord with specified regulations, if any, of the Lieutenant Governor in Council;
- requires consideration of applicable guidelines in developing or adopting a zoning bylaw for specified purposes;
- establishes exemptions from the requirements under section 565.03 (4) and (5) of the Act, as added by this Bill;
- provides for the giving of notice if an exemption applies;
- prohibits or limits the use of conditional density regulations under section 565.1 of the Act for specified purposes;
- authorizes the Lieutenant Governor in Council to make regulations for the purposes of section 565.03 of the Act, as added by this Bill, including regulations respecting exemptions from requirements under that section.

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30 *The following sections are added:***Zoning by-laws and small-scale multi-family housing****565.03** (1) In this section:

“**manufactured home zone**” means a district or zone in respect of which the only permitted residential use is for manufactured homes as defined in section 673 [*definitions in relation to Part 17*] of the *Local Government Act*;

“**restricted zone**” means,

- (a) for the purposes of subsection (3), a district or zone in respect of which the permitted residential use would, but for this section, be restricted to detached one-family dwellings, and
- (b) for the purposes of subsections (4) and (5), a district or zone in respect of which the permitted residential use would, but for this section, be restricted to
 - (i) detached one-family dwellings,
 - (ii) detached one-family dwellings with one additional housing unit located within the detached one-family dwelling or on the same parcel or parcels of land on which the detached one-family dwelling is located,
 - (iii) duplexes, or
 - (iv) duplexes with one additional housing unit located within each dwelling comprising the duplex or no more than 2 additional housing units on the same parcel or parcels of land on which the duplex is located,

but does not include a manufactured home zone.

- (2) Subject to an exemption under section 565.04 or set out in the regulations, a zoning by-law adopted on or after June 30, 2024 must permit the use of land, the use of land covered by water and the use of buildings, and the density of use, required under this section to be permitted.
- (3) The Council must exercise the powers referred to in section 565 [*zoning by-law*] to permit the use and density of use necessary to accommodate one or both of the following on land within a restricted zone:
 - (a) at least one additional housing unit within a detached dwelling that would otherwise be a one-family dwelling;
 - (b) at least one additional housing unit within another building on the same parcel or parcels of land on which a detached one-family dwelling is located.

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CLAUSE 30: *[Vancouver Charter, sections 565.03 to 565.06 – continued]*

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- (4) The Council must exercise the powers referred to in section 565 to permit the use and density of use necessary to accommodate at least the prescribed number of housing units on the following land within a restricted zone:
 - (a) each parcel of land wholly or partly within an urban containment boundary established by a regional growth strategy applicable to the city;
 - (b) if paragraph (a) does not apply, each parcel of land wholly or partly within an urban containment boundary established by a development plan.
 - (5) Despite subsection (4), the minimum number of housing units that must be permitted by the Council on a parcel of land referred to in paragraph (a) or (b) of subsection (4) is the greater number prescribed for the purposes of this subsection if the parcel of land is
 - (a) wholly or partly within a prescribed distance from a bus stop in relation to which the prescribed requirements are met, and
 - (b) at least the prescribed size.
 - (6) If the Lieutenant Governor in Council makes regulations respecting the siting, height, bulk, location, size or type of housing unit required to be permitted under this section, the Council must exercise the powers referred to in section 565 in accordance with those regulations.
 - (7) In developing or adopting a zoning by-law to permit the use and density of use required under this section to be permitted, the Council must consider applicable guidelines, if any, under section 565.07 [*provincial policy guidelines related to small-scale multi-family housing*].

Exemptions related to small-scale multi-family housing

- 565.04** (1) Section 565.03 (4) and (5) does not apply in relation to any of the following land:
- (a) land that is protected under section 12.1 (2) of the *Heritage Conservation Act*;
 - (b) land that is, on the date this section comes into force, designated as protected under a by-law made under section 593 [*heritage designation protection*] of this Act;
 - (c) land that is not connected to a water or sewer system provided as a service by the city or the Metro Vancouver Regional District;
 - (d) land within a district or zone in respect of which the minimum lot size that may be created by subdivision is 4 050 m²;
 - (e) a parcel of land that is larger than 4 050 m².

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CLAUSE 30: *[Vancouver Charter, sections 565.03 to 565.06 – continued]*

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- (2) As soon as practicable after the Council adopts a zoning by-law in respect of which an exemption under this section or the regulations applies, the Council must give to the minister a written notice that identifies
- (a) the land in respect of which the exemption applies, and
 - (b) the provision under which the exemption is exercised.

Density benefits related to small-scale multi-family housing

- 565.05** (1) In this section, “**conditional density rule**” means a density regulation established under section 565.1 (1) [*zoning for amenities and affordable housing*] to apply for a district or zone only on applicable conditions being met.
- (2) Despite section 565.1 (1) but subject to subsection (3) of this section, a zoning by-law must not establish conditional density rules for the purpose of achieving the minimum number of housing units required to be permitted under section 565.03 (4) or (5).
- (3) A zoning by-law may, under section 565.1 (1), establish conditional density rules for only one of the minimum number of housing units required to be permitted under section 565.03 (5) but, despite section 565.1 (1) (b), may establish applicable conditions in relation to that single housing unit only in accordance with section 565.1 (2) (b) and (c).
- (4) This section does not prohibit a zoning by-law from establishing, under section 565.1, conditional density rules, or applicable conditions, in relation to any number of housing units in excess of the minimum number of housing units required to be permitted under section 565.03 (4) or (5).

Regulations related to small-scale multi-family housing

- 565.06** The Lieutenant Governor in Council may make regulations as follows:
- (a) for the purposes of paragraph (b) (iii) and (iv) of the definition of “restricted zone” in section 565.03 (1) [*zoning by-laws and small-scale multi-family housing*], respecting what constitutes a duplex;
 - (b) respecting exemptions from all or part of section 565.03;
 - (c) for the purposes of section 565.03 (4), respecting what constitutes an urban containment boundary;
 - (d) for the purposes of section 565.03 (5) (a), respecting requirements in relation to bus stops;
 - (e) for the purposes of section 565.03 (6), respecting the siting, height, bulk, location, size or type of housing units;
 - (f) respecting any other matter for which regulations are contemplated by section 565.03.

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CLAUSE 31: *[Vancouver Charter, section 565.06]* is consequential to amendments made by this Bill to the Act.

CLAUSE 32: *[Vancouver Charter, section 565.07]* authorizes the minister to establish policy guidelines in relation to specified bylaws.

CLAUSE 33: *[Vancouver Charter, sections 565.08 and 565.09]*

- requires Vancouver city council zoning bylaws to permit at least the 20-year total number of housing units identified in the most recent housing needs report;
- provides for a period of time for the review and updating of zoning bylaws;
- limits the Vancouver city council's use of conditional density regulations under section 565.1 of the Act for specified purposes.

31 Section 565.06 is amended**(a) by renumbering the section as section 565.06 (1), and****(b) by adding the following subsection:**

- (2) A regulation under this section may do any of the following:
- (a) establish different classes of parts or areas of the city, persons, property, circumstances, things and other matters;
 - (b) make different provisions, including exceptions, for different classes referred to in paragraph (a);
 - (c) make different provisions, including exceptions, for different parts or different areas of the city or different persons, property, circumstances, things and other matters.

32 The following section is added:**Provincial policy guidelines related to small-scale multi-family housing**

565.07 The minister may, after consulting with the minister responsible for the *Community Charter*, establish policy guidelines regarding the following:

- (a) the process of developing and adopting, by the Council, a zoning by-law, for the purpose of permitting the use or density of use required to be permitted under section 565.03 [*zoning by-laws and small-scale multi-family housing*] of this Act;
- (b) the process of developing and adopting, by the Council, a by-law under section 306 (1) (r) [*off-street parking and loading space requirements*] of this Act to the extent that the by-law relates to the residential use of housing units required to be permitted under section 565.03 (5) of this Act;
- (c) the content of a by-law referred to in paragraph (a) or (b) of this section.

33 The following sections are added to Division (3):**Zoning by-laws and housing needs reports**

565.08 (1) The Council must exercise the powers referred to in section 565 to permit the use and density of use necessary to accommodate at least the 20-year total number of housing units required to meet the anticipated housing needs, which total number is included in the most recent housing needs report received under section 574.4 [*when and how housing needs report must be received*] by the Council.

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CLAUSE 33: *[Vancouver Charter, sections 565.08 and 565.09 – continued]*

CLAUSE 34: *[Vancouver Charter, section 565A]* is consequential to amendments made by this Bill to the Act.

CLAUSE 35: *[Vancouver Charter, sections 565B and 565C]* is consequential to amendments made by this Bill to the Act.

CLAUSE 36: *[Vancouver Charter, section 566]* prohibits public hearings in specified circumstances.

CLAUSE 37: *[Vancouver Charter, section 566.1]* provides for the giving of notice in relation to proposed zoning bylaws for which public hearings are prohibited.

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- (2) The Council must, within the prescribed period after December 31 of the year in which the Council received the most recent housing needs report, review and, if necessary, amend or adopt a zoning by-law to permit the use and density of use required to be permitted under this section.
- (3) The Lieutenant Governor in Council may make regulations prescribing a period for the purposes of subsection (2).

Density benefits and housing needs report

- 565.09** (1) In this section, “**conditional density rule**” means a density regulation established under section 565.1 [*zoning for amenities and affordable housing*] to apply for a district or zone only on applicable conditions being met.
- (2) Despite section 565.1 (1), a zoning by-law must not establish conditional density rules for the purpose of achieving the minimum number of housing units required to be permitted under section 565.08 (1).
 - (3) This section does not prohibit a zoning by-law from establishing, under section 565.1, conditional density rules in relation to any number of housing units in excess of the minimum number of housing units required to be permitted under section 565.08 (1).

34 *Section 565A (e) is amended by striking out everything after “April 1, 1977;”.*

35 *Sections 565B and 565C are repealed.*

36 *Section 566 is amended*

(a) in subsection (1) by striking out “The Council” and substituting “Subject to subsection (1.3), the Council”, and

(b) by adding the following subsection:

- (1.3) The Council must not hold a public hearing on a zoning by-law proposed for the sole purpose of complying with section 565.03 [*zoning by-laws and small-scale multi-family housing*].

37 *The following section is added:*

Notice if public hearing not held

- 566.1** (1) In this section, “**relevant Council meeting**”, in relation to a proposed zoning by-law, means the Council meeting at which the proposed zoning by-law is read for the first time for the purposes of potential adoption.
- (2) If the Council is prohibited from holding a public hearing on a proposed zoning by-law, the Council must give notice in accordance with this section.

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CLAUSE 37: *[Vancouver Charter, section 566.1 – continued]*

CLAUSE 38: *[Vancouver Charter, section 574.3]* requires housing needs reports to include the total number of housing units necessary to meet anticipated housing needs over a 5-year period and over a 20-year period.

CLAUSE 39: *[Vancouver Charter, section 574.4]* specifies dates by which housing needs reports must be received and repeals a provision.

CLAUSE 40: *[Vancouver Charter, section 574.6]*

- clarifies the Lieutenant Governor in Council's authority to make regulations respecting the information contained in housing needs reports;
- authorizes the Lieutenant Governor in Council to make regulations respecting the methods for calculating numbers of housing units and requiring the use of such methods.

CLAUSE 41: *[Vancouver Charter, section 576]* limits what may be done by a heritage designation bylaw.

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- (3) The notice must state the following:
 - (a) in general terms, the purpose of the by-law;
 - (b) the land or lands that are the subject of the by-law;
 - (c) the date of the relevant Council meeting;
 - (d) the place and the times that a copy of the by-law may be inspected.
 - (4) Section 566 (3.1) and (3.2) applies to a notice under this section, except that a reference in that section to a hearing is to be read as a reference to the relevant Council meeting.

38 Section 574.3 (c) (i) and (ii) is repealed and the following substituted:

- (i) the total number of housing units required to meet anticipated housing needs for the next 5 years;
- (ii) the total number of housing units required to meet anticipated housing needs for the next 20 years; .

39 Section 574.4 is amended

(a) by repealing subsection (3) and substituting the following:

- (3) The Council must receive a housing needs report on or before December 31, 2028 and on or before December 31 in every fifth year after that date. , **and**

(b) by repealing subsection (4).

40 Section 574.6 (2) is amended by adding the following paragraphs:

- (d) respecting the information that must be included in a housing needs report;
- (e) respecting the methods for calculating a number of housing units, including, without limitation, establishing formulas, rules or principles for the calculation, and respecting criteria on which the methods are based;
- (f) requiring the Council to use a method established under paragraph (e).

41 Section 576 is amended by adding the following subsection:

- (2.1) Despite subsection (2) (a), a heritage designation by-law must not be used to prevent a use of real property, or the development of land to a density of use, permitted under the applicable zoning by-law to the extent that the use or density of use is required to be permitted under section 565.03 [*zoning by-laws and small-scale multi-family housing*].

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CLAUSE 42: *[Vancouver Charter, section 592]* limits what may be done in a heritage revitalization agreement.

CLAUSE 43: *[Vancouver Charter, Part XXXI]* establishes transitional rules and interim provisions that do the following:

- provide a definition for the purposes of the Part;
- provide for an extended period for the Vancouver city council to comply with section 565.03 of the Act, as added by this Bill;
- require the Vancouver city council to give to the minister notice of compliance;
- establish a framework within which the Vancouver city council may request and obtain an extension of time to comply with section 565.03 of the Act, as added by this Bill;
- establish a framework within which the minister may make an order enacting or amending a bylaw for specified purposes if the Vancouver city council fails, within the time required, to comply with section 565.03 of the Act, as added by this Bill;
- provide that section 592 (2.1) of the Act, as added by this Bill, does not apply to specified heritage revitalization agreements.

42 Section 592 is amended

(a) in subsection (2) (b) by striking out “vary or supplement” and substituting “subject to subsection (2.1), vary or supplement”, and

(b) by adding the following subsection:

- (2.1) A heritage revitalization agreement must not vary the use or density of use authorized by the applicable zoning by-law to the extent that the use or density of use is required to be permitted under section 565.03 [*zoning by-laws and small-scale multi-family housing*].

43 The following Part is added:

**PART XXXI —
TRANSITIONAL AND INTERIM PROVISIONS**

Transition – definition for this Part

623. In this Part, “**zoning by-law**” has the same meaning as in section 559 [*definitions for Part XXVII*].

Transition – extended compliance period for small-scale multi-family housing

- 624.** (1) Despite section 565.03 (2) [*zoning by-laws and small-scale multi-family housing*], if the Council applies under section 625 for an extension of time in relation to an area, the Council must adopt a zoning by-law that complies with section 565.03, in relation to the area, as follows:
- (a) if the extension is granted, on or before the date set out in the notice of extension;
 - (b) if the extension is refused, within 90 days after the date set out in the notice of refusal.
- (2) The Council must give to the minister written notice as soon as practicable after the Council has adopted the last zoning by-law necessary to comply with section 565.03, other than a zoning by-law necessary to comply with section 565.03 in relation to an area for which an extension of time is granted under section 625 to the Council.
- (3) If an extension of time is granted under section 625 to the Council in relation to an area, the Council must give to the minister written notice as soon as practicable after the Council has adopted a zoning by-law that complies with section 565.03 in relation to the area.

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CLAUSE 43: *[Vancouver Charter, Part XXXI – continued]*

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**Transition – extension process for
small-scale multi-family housing**

- 625.** (1) The Council may apply for an extension of time for the purposes of complying with section 565.03 [*zoning by-laws and small-scale multi-family housing*] in relation to an area that is subject to that section.
- (2) An application under subsection (1) must contain the information required by the minister and must be submitted to the minister as follows:
- (a) unless paragraph (b) applies, on or before June 1, 2024;
 - (b) in the case of extraordinary circumstances, on or after June 30, 2024.
- (3) The minister may grant one or more extensions of time to the Council in relation to an area if the minister is satisfied that the Council is unable, by June 30, 2024, to comply with section 565.03 in relation to the area for any of the following reasons:
- (a) the Council is in the process of upgrading infrastructure that services the area;
 - (b) the infrastructure that services the area is such that compliance by June 30, 2024 is likely to increase a risk to health, public safety or the environment in the area;
 - (c) there exist extraordinary circumstances that otherwise prevent compliance in relation to the area.
- (4) The minister must give to the Council written notice of a refusal or an extension that includes, as applicable,
- (a) in the case of a refusal, the date of the refusal, and
 - (b) in the case of an extension, the date, which may not be later than December 31, 2030, by which compliance with section 565.03 is required in relation to the area.

**Transition – ministerial order related to
small-scale multi-family housing**

- 626.** (1) This section applies in relation to the Council if the minister is satisfied that the Council has failed, within the time required under this Act, to adopt a zoning by-law that complies with section 565.03 [*zoning by-laws and small-scale multi-family housing*].
- (2) The minister may give to the Council a notice that
- (a) sets out the minister’s objections to the Council’s zoning by-law, and
 - (b) states that the Council must, within 30 days after receipt of the notice, alter the zoning by-law accordingly.

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CLAUSE 43: *[Vancouver Charter, Part XXXI – continued]*

CLAUSE 44: *[Vancouver Charter, heading to Division (1) of Part XXXI]* adds a Division heading to Part XXXI of the Act, as added by this Bill.

CLAUSE 45: *[Vancouver Charter, heading to Division (2) of Part XXXI]* adds a Division heading to Part XXXI of the Act, as added by this Bill.

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- (3) If the Council does not alter the zoning by-law in accordance with the notice under subsection (2), the minister may, with the prior approval of the Lieutenant Governor in Council, make an order that enacts or amends a by-law referred to in section 565 [*zoning by-law*] to
 - (a) permit, in relation to an area, the use and minimum density of use required to be permitted under section 565.03, and
 - (b) establish the siting, height, bulk, location, size or type of housing units required to be permitted under section 565.03 in the area.
 - (4) In making an order under subsection (3), the minister may
 - (a) establish different classes of persons, property, circumstances, things and other matters,
 - (b) make different provisions, including exceptions, for different classes referred to in paragraph (a), and
 - (c) make different provisions, including exceptions, for different parts or different areas of the city or different persons, property, circumstances, things and other matters.
 - (5) On the date specified in an order made under subsection (3), the by-law enacted or amended under the order is conclusively deemed to be enacted or amended by the Council in accordance with the order.
 - (6) An order may not be made under subsection (3) after December 31, 2031.
 - (7) For the purposes of this section, the minister has the powers of the Council under section 565 (1) (b), (c) and (d) and (2).

Transition – heritage revitalization agreements

- 627. Section 592 (2.1) [*heritage revitalization agreements*] does not apply to a heritage revitalization agreement, as defined in section 575 [*definitions*], entered into before the date this section comes into force.

44 *The following heading is added to Part XXXI before section 623:*

Division (1) — Interpretation .

45 *The following heading is added before section 624:*

Division (2) — Small-Scale Multi-Family Housing .

BILL 44 – 2023

CLAUSE 46: *[Vancouver Charter, Division (3) of Part XXXI]* establishes transitional rules and interim provisions that do the following:

- require the Vancouver city council to receive an interim report on housing needs;
- provide how the requirement to receive an interim report on housing needs is met;
- treat an interim report on housing needs as a housing needs report for the purpose of a specified provision of the Act;
- require the publication of an interim report on housing needs;
- provide that the Vancouver city council must review and, if necessary, amend or adopt zoning bylaws by a specified date;
- authorize the Lieutenant Governor in Council to make regulations prescribing a date for the purposes of receiving an interim report on housing needs.

46 *The following Division is added to Part XXXI:*

Division (3) — Interim Report on Housing Needs

Transition – interim report on housing needs

628. (1) In this section, “**most recent housing needs report**” means the housing needs report most recently received by the Council under section 574.4 (3) [*when and how housing needs report must be received*] or under section 574.4 (4), as that section read immediately before its repeal.
- (2) Without limiting section 574.4 (3), the Council must, on or before the prescribed date, receive an interim report on housing needs.
- (3) The requirement in subsection (2) is satisfied if, on or before the prescribed date, the Council receives one of the following:
- (a) a new housing needs report;
 - (b) the Council’s most recent housing needs report amended to the extent necessary to do the following:
 - (i) reflect the total number of housing units, calculated in accordance with an applicable method set out in the regulations, required to meet the anticipated housing needs of the local government for the next 5 years and for the next 20 years;
 - (ii) include a description of the actions taken by the Council, since receiving the most recent housing needs report, to reduce housing needs in the city;
 - (iii) include a statement about the need for housing in close proximity to transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.
- (4) An interim report on housing needs under subsection (2) is a housing needs report received under section 574.4 for the purposes of section 561 (3.1) [*development plans*].
- (5) As soon as practicable after the Council receives an interim report on housing needs under subsection (2), the Council must publish the report on an internet site that is publicly and freely accessible.
- (6) Despite section 565.08 (2) [*zoning by-laws and housing needs reports*], the Council must review and, if necessary, adopt a zoning by-law as contemplated by that section by December 31 of the year in which the Council receives an interim report on housing needs under subsection (2) of this section.
- (7) The Lieutenant Governor in Council may make regulations prescribing a date for the purposes of subsection (2).

BILL 44 – 2023

CLAUSE 47: *[Islands Trust Act, section 29]* is consequential to amendments made by this Bill to the *Local Government Act*.

BILL 44 – 2023

Consequential Amendments
Islands Trust Act

47 *Section 29 (1) (b) of the Islands Trust Act, R.S.B.C. 1996, c. 239, is amended*

(a) by renumbering subparagraph (i) as subparagraph (i.1), and

(b) by adding the following subparagraph:

(i) section 481.3 [zoning bylaws and small-scale multi-family housing]; .

Commencement

48 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 2 to 4	By regulation of the Lieutenant Governor in Council
3	Section 6	By regulation of the Lieutenant Governor in Council
4	Section 8	By regulation of the Lieutenant Governor in Council
5	Sections 10 to 16	By regulation of the Lieutenant Governor in Council
6	Sections 18 to 20	By regulation of the Lieutenant Governor in Council
7	Sections 23 to 28	By regulation of the Lieutenant Governor in Council
8	Sections 30 to 38	By regulation of the Lieutenant Governor in Council
9	Sections 40 to 47	By regulation of the Lieutenant Governor in Council



Feb. 5, 2024

To: Mayor McEwen and members of council,
District of Ucluelet,

We are getting in touch to request your support in principle and in writing for the new Redd Fish Restoration Society Stewardship Centre. Redd Fish Restoration Society recently purchased the property at 1728 Peninsula Rd. (formerly Murray's Grocery, see here) with the intention that it will become both the base of operations for Redd Fish and the home of the future Redd Fish Restoration Stewardship Centre.

The property fulfills a long-term goal of the society to find a permanent location. "This is a dream come true for the society, to have a home," said Redd Fish board chair Mayco Noel. "We look forward to showcasing the vital work Redd Fish does through the Stewardship Centre."

The vision for the Stewardship Centre is to educate and engage the public in a vibrant narrative of ecological restoration. Imagine climbing inside a hollowed cedar tree, constructing a beaver dam, and exploring a kelp forest – all within one immersive learning experience.

Visitors to the Redd Fish Restoration Stewardship Centre will be reminded of their deep connection with the natural world through an enriched learning experience that integrates the senses, ignites curiosity, and awakens a sense of stewardship. The centre will serve as a hub for restoration tourism, offering hands-on experiences like tree planting and citizen science programs.

Redd Fish has been a pivotal part of coastal community for nearly three decades, providing employment, training and volunteer opportunities while devoting their efforts to protecting and restoring degraded ecosystems. As a growing organization, this location represents the next step in the evolution of the society. The Redd Fish Restoration Stewardship Centre will bring the work of the society to the forefront while also providing a year-round educational asset to the west coast.

"We are thrilled to be able to share the vision for the Stewardship Centre with our west coast communities," said Redd Fish executive director Jessica Hutchinson. "This long-held hope for the society is coming to life and we look forward to partnering with local businesses and organizations to make it a reality."

The society will be pursuing a number of fundraising opportunities in order to renovate the newly acquired building and construct interpretive displays and spaces (see attached information for the vision of the centre). We hope you will agree to support this project in principle as future regional educational and cultural asset.

Sincerely,

Jessica Hutchinson, Executive Director



ABOUT THE REDD FISH RESTORATION STEWARDSHIP CENTRE

Redd Fish Restoration Stewardship Centre will be a gathering place for those seeking to deepen their understanding of coastal ecosystems, wildlife interactions, nuučaanuł culture, history and habitat restoration.

Learn, Inspire, Play, Immerse

Acknowledgment

Redd Fish Restoration Society humbly acknowledges the ancestral territories of the nuučaanuł (Nuu-chah-nulth) nations, who have owned and managed their territories since time immemorial. We gratefully operate in partnership with the hiškʷiiʔath̓ (Hesquiaht) Nation, ʕaaḥuusʔath̓ (Ahousaht) Nation, ʕaʔuukʷiʔath̓ (Tla-o-qui-aht) Nation, yuułʷiʔath̓ (Ucluelet) Government, and tukʷaaʔath̓ (Toquaht) Nation Government.

Redd Fish Restoration Society

Redd Fish is a registered charity focused on ecosystem restoration, research, and education. Since 1995, we have worked with permission and in partnership with the nuučaanuł nations. Together our mission is to restore damaged coastal ecosystems, rebuild threatened or endangered fish and wildlife populations, and inspire an ethic of stewardship by reconnecting people with the environment.

Rationale

Redd Fish has been an important part of our coastal community for nearly three decades providing employment, training and volunteer opportunities while devoting their efforts to protecting and restoring degraded ecosystems. Since the beginning of our organization, we have never had a permanent home, and have relocated our operation many times relying on the availability of rentals. Our organization has expanded substantially in the last few years; we currently have 27 staff and we have outgrown our office. We need a bigger space that enables us to carry on our work at its current capacity. With an adequate facility unavailable on the coast, we see this as an opportunity to secure our own permanent home finally in the community. In addition to securing a home base for the society, the Restoration Centre is also an opportunity to showcase the work of the society, engaging the public in a vibrant narrative of restoration.

Redd Fish Restoration Stewardship Centre

Redd Fish Restoration Stewardship Centre will be a gathering place for those seeking to deepen their understanding of our coastal ecosystems, wildlife interactions, nuučaanuł culture, history, and habitat restoration. The Stewardship Centre is a year-round and inclusive destination, where visitors and community members alike can explore the biological diversity of a temperate rainforest through educational interactive displays both indoors and outdoors. The



vision for the Stewardship Centre is to educate and engage the public in a vibrant narrative of ecological restoration. Imagine climbing inside a hollowed cedar tree, constructing a beaver dam, and exploring a kelp forest – all within one immersive learning experience.

The Stewardship Centre will be accessible in the off-season to the public; when rain, wind and colder temperatures draw people to indoor spaces. In addition to a public education space, the building will contain a coffee shop, children’s play area, gift shop and company office, conference, and storage space.

The building will be redesigned to meet regional development goals while strengthening the capacity and economic potential for the local towns of Tofino, Ucluelet and the surrounding communities. The Stewardship Centre will be designed in partnership with the nuučaanuł nations acknowledging their cultural, spiritual, ecological connection this region and governance objectives for their traditional territories.

The Stewardship Centre will remind us of our deep connection with the natural world through an enriched learning experience that integrates all our senses, ignites our curiosity, and awakens a sense of stewardship within us.

Indoor Educational Space

We wish to create educational displays that will appeal to all age groups and levels of understanding. We will have trained educators to engage with visitors, answer questions, and cater the conversation to the unique interests of the individual. Many displays will be interactive and hands-on while others will be designed to replicate the stillness and peace that one finds when immersed in a coastal rainforest. Sounds, smells, music, moving water and living botanical elements will be woven into the interior space to help trigger the imagination and inspire guests to delve further into a respectful relationship with nature. We will be working with a team of experienced professional interpretive designers to create our displays.

Educational displays will include the following topics:

- Pacific wild salmon life history
- The hydrological cycle
- Ecosystem interconnectedness in a coastal temperate rainforest
- Local wildlife and their habitats
- Nuučaanuł nations and their culture, history, and connection to this region
- Historical forestry on the west coast of Vancouver Island
- Watershed response to historical forestry practices
- Habitat restoration in aquatic, terrestrial and marine ecosystems
- Threats to salmon survival



SAMPLE LETTER OF SUPPORT

[Date]

To Whom It May Concern:

On behalf of [insert your organization's name here], I am writing to express our organization's support for the Redd Fish Restoration Stewardship Centre project.

As a registered charity focused on ecosystem restoration, research and education, Redd Fish has been a pivotal part of our coastal communities for nearly three decades, providing employment, training and volunteer opportunities while devoting their efforts to protecting and restoring degraded ecosystems. As a growing organization, this location represents the next step in the evolution of the society. The Redd Fish Restoration Stewardship Centre will bring the work of the society to the forefront while also providing a year-round educational asset to the west coast.

The vision for the Stewardship Centre – to educate and engage the public in a vibrant narrative of ecological restoration – is one that we feel will benefit the west coast's residents and visitors. Having another educational and interpretive space that is available year-round and during inclement weather will be a positive development for the area.

Since 1995, Redd Fish has worked with permission and in partnership with the nuučanuł (Nuu-chah-nulth) nations. Together their mission is to restore damaged coastal ecosystems, rebuild threatened or endangered fish and wildlife populations, and inspire an ethic of stewardship by reconnecting people with the environment.

We support Redd Fish's efforts to raise funds to support the concept of the Stewardship Centre so this important local partner can gain a much-needed base of operations and so their vital work can be showcased to the wider public.

Sincerely,

[Signing authority]



Sea View Seniors' Housing Society • Forest Glen

Box 833, 1783 St. Jacques Blvd. Ucluelet BC V0R 3A0

forestglen@telus.net P 250-726-2789 F 250-726-2780

1 February 2024

To the Mayor and Council of the District of Ucluelet

We are excited to invite you to our second seniors' luncheon to be held on February 28 in the Main Hall of the Community Centre. This will be a chance to host BC Seniors Advocate Isobel Mackenzie. She will be releasing a report in February 2024 outlining the specific concerns she has heard from seniors living in rural areas of B.C. Generally, the report will focus on access to services (health care, transportation, travel assistance, home care etc.) and housing/residential care.

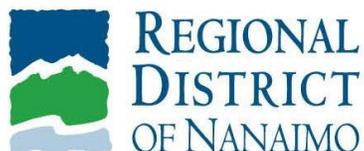
Following the report release, she will be visiting rural communities throughout the province to share and discuss the findings with seniors, their loved ones, and community organizations.

Sea View Seniors Housing Society is working with her office to organize this public meeting and lunch in Ucluelet to discuss the report.

We look forward to seeing you there.

Pat Sieber, Board Chair

On behalf of the board at Sea View Seniors' Housing Society – Forest Glen



January 19, 2024

Re: Legislative Reform Initiative Update

Dear Local Government Colleagues:

On September 21, 2023, the Regional District of Nanaimo (RDN), Alberni-Clayoquot Regional District, Fraser Valley Regional District (City of Chilliwack), and Don Lidstone, K.C., hosted an interactive, discussion-based panel session (Legislative Reform Initiative) focused on reform of the *Local Government Act (LGA)* at the UBCM Annual Convention in Vancouver. While the lack of powers for regional districts in the *Act* was a major spark for this initiative, the session was intended for both municipal and regional district officials because many aspects of municipal operations are contained in the *LGA* and municipal issues with the *Act* have been the subject of numerous UBCM resolutions over the years. Similar workshops have been held previously at the Association of Vancouver Island and Coastal Communities' Annual Conventions in 2022 and 2023. Approximately 80-85 people attended the September 2023 UBCM session, indicating a broad interest in this evolving topic.

Concerns about the dated *Local Government Act* have been widespread for some time among local governments. Although the Ministry of Municipal Affairs has made significant incremental changes in the legislation over time, without a comprehensive modernization of the *LGA* regional districts are left without sufficient tools or authority to meet expanding responsibilities or to legislate in key areas in comparison with municipalities. Moreover, the evolving social, political, and economic environments that both municipalities and regional districts operate within, such as climate change, environmental stewardship, and a recognition of the importance of First Nations' participation in regional governance, should be reflected in updated and modernized legislation. A key component of our discussions is that any additional powers or tools granted to local government are opt-in so that local governments can choose to implement tools based on what is best for their area.

The goals of the September 2023 UBCM interactive panel session were:

- to provide context and background about the Legislative Reform Initiative
- to discuss whether to proceed with the Legislative Reform Initiative
- to discuss options for the best path forward to steer the process

Prior to the session, the Ministry of Municipal Affairs provided some background information and several questions to consider during the group's discussion. This material was useful and very much appreciated.

The RDN committed to sending UBCM members a "What We Heard" document summarizing discussion at the session and next steps. We are attaching that document to this letter for your information, as well as the material provided by the Ministry of Municipal Affairs that was considered as part of the September 2023 panel discussion at UBCM. In addition, we are attaching the slide deck presented at the UBCM session.

We encourage other local governments to participate in this important initiative. As indicated in the "What We Heard" document, the RDN is currently following up with UBCM on the possibility of requesting that the UBCM Executive form a working group on this topic. Having letters of support from local governments across the province would be helpful in demonstrating interest. Should you wish to send a letter of support, have any questions, or wish to share examples of legislative challenges stemming from the *Local Government Act*, please contact RDN Chief Administrative Officer Douglas Holmes at dholmes@rdn.bc.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "Vanessa Craig". The signature is fluid and cursive, with a large initial "V" and "C".

Vanessa Craig
Chair, Regional District of Nanaimo

Encl.

LEGISLATIVE REFORM INITIATIVE: NEXT STEPS
UBCM ANNUAL CONVENTION, September 21, 2023
Summary of Session and What We Heard

SUMMARY OF SESSION

On September 21, 2023, the Regional District of Nanaimo, Fraser Valley Regional District (City of Chilliwack), Alberni-Clayoquot Regional District, and Don Lidstone, K.C., hosted an interactive, discussion-based session on legislative reform. The session was intended for both municipal officials as well as regional district officials because many aspects of municipal operations are contained in the *Local Government Act*.

The goals of the session were:

- to provide context and background about the Legislative Reform Initiative
- to discuss whether to proceed with the Legislative Reform Initiative
- to discuss options for the best path forward to steer the process

The Ministry of Municipal Affairs provided background and several questions to consider during the group's discussion (Attachment 1).

Approximately 80-85 people attended the session, indicating a broad interest in this evolving topic.

Concerns with the dated *Local Government Act* include restrictions on taxation and revenue sources, complexities in establishing services, and the lack of provisions in comparison with Section 8 of the *Community Charter* which gives municipalities powers to regulate, prohibit, and impose requirements by bylaw without provincial approval or establishing bylaws. Regional districts are limited in their legislative authority in comparison with municipalities in several key areas such as business licensing authority (which the province is now addressing as part of its efforts around short-term rental housing), subdivision approval, regulation of fireworks discharge, parking enforcement, tree management, and taxation and funding models. Further, social, political, and economic environments that local governments operate within continue to evolve in areas such as climate change, environmental stewardship, and a recognition of the importance of First Nations' participation in regional governance. These realities should be reflected in a modernized legislative framework.

During the session, Slido polls were used to conduct two "straw polls" of the participants, on these questions: 1) whether or not to proceed with the Legislative Reform Initiative, and 2) whether a UBCM working group or a joint local government project is the best path forward to steer the process.

The majority of participants indicated support for the Legislative Reform Initiative, and indicated their preference would be for a UBCM working group to steer the initiative. These polls were conducted to gain a sense of the sentiments of the session participants only, and are not assumed to represent the views of the UBCM membership as a whole.

WHAT WE HEARD

WHY A COMPREHENSIVE MODERNIZATION EFFORT IS NEEDED

- The Ministry of Municipal Affairs has made important incremental changes in the legislation over time, but a more comprehensive modernization project is needed.
- Extensive downloading of responsibilities from the Province to local governments has exacerbated the problems local governments face; outdated legislation prevents local governments from addressing these issues effectively.
- Over 90% of the province is rural and is not under the *Community Charter*; these areas should not be governed by legislation that was drafted in 1966.
- Regional districts and municipalities have restricted powers where they have delegated authority only, are not constitutionally protected, and have few tools or resources to address local problems.
- Particular challenges with the *Local Government Act* (LGA) raised by participants at this session:
 - responding effectively to emergencies and natural disasters
 - taking measures to mitigate the effects of climate change
 - dealing with old infrastructure and the ability to fund these projects solely through property taxes
 - population growth and migration from cities during the pandemic is rapidly changing the character of rural areas; incoming residents have higher expectations for services
 - incorporation should not be the only other governance option for rural areas; there should be an intermediate step available
 - Electoral Areas lack power and resources
 - business licensing authority¹ and subdivision approval are difficult for regional districts
 - small municipalities and regional districts are unable to fund necessary projects costing millions, such as recycling, dikes, etc., to continue to provide the quality of life that residents cherish in these communities.

CONSIDERATIONS FOR PURSUING LEGISLATIVE REFORM RAISED AT THIS SESSION

- The background and questions provided by the Ministry of Municipal Affairs were very helpful in this discussion.
- Need to identify and list specific, concrete, local community issues and distill them from a 10,000-foot level to provide the Ministry of Municipal Affairs with evidence for the need to modernize the *Local Government Act*.
- Legislative reform should be viewed as supporting the Province, not in conflict with the Province.
- The Ministry of Municipal Affairs should be involved from day one.
- The Ministry should provide funding for this initiative's research and policy work, as they have done for the Northwest Benefits Alliance.

¹ The Province is addressing this as part of its efforts around short term rental housing. Amendments to the *Local Government Act* allow Regional Districts to regulate and licence short-term rentals and other businesses in similar ways to municipalities [see link](#)

- What is working well in the legislation should be left as is.
- If legislative reform is successful in providing new powers and tools for local governments, that does not mean all local governments must use them.
- Islands Trust has an even smaller toolbox than municipalities and regional districts.
- Metro Vancouver has excellent models and best practices, especially in the area of climate change; we can borrow good ideas.
- Local governments need a legislative framework that recognizes the importance of, and facilitates working together with, First Nations in a respectful, effective, and inclusive manner.
- When First Nations participate at the Board level, it changes the conversation and the votes. Local governments often are not well informed regarding Indigenous rights and title.
- The inclusive governance goals in UNDRIP legislation and provincial action plans can be reinforced and worked on concurrently with the Legislative Reform Initiative.
- Need to consider 7 generations into future when modernizing the LGA.
- Planning and land use issues should not be included in this initiative.
- Several participants stressed the need to draft a new charter rather than revise portions of the LGA in a continuation of the “band aid” approach.
- Area associations of UBCM should be included in the conversation.
- A retired CAO or Chair could be a primary resource person for this project, conducting research and policy work and keeping the project on track.

DECIDING WHETHER TO PROCEED WITH THE LEGISLATIVE REFORM INITIATIVE

- **Slido poll #1:** Is there an interest in proceeding with the Legislative Reform Initiative? (96% yes, 4% no)

OPTIONS FOR STEERING AND MANAGING THE LEGISLATIVE REFORM INITIATIVE

Option 1: UBCM Executive could form a working group on legislative reform, comprised of representatives from municipalities, regional districts, First Nations, UBCM, and ministerial staff

Option 2: This could be structured as a joint local government project, with local governments contributing funding to form a working group on legislative reform, comprised of representatives from municipalities, regional districts, First Nations, UBCM, and ministerial staff

Considerations for Option 1:

Pros:

- UBCM has an efficient network, broad reach, consistency, research capacity, and impact with the province.
- UBCM can be representative.
- UBCM has already been doing some work on legislative reform, and has experience.
- UBCM can allocate resources if legislative reform is identified as a priority.
- Reporting back will happen at UBCM.

Cons:

- Last UBCM working group report in 2010 did not meet expectations.
- Some uncertainty on the part of some participants as to how a UBCM working group functions.
- A UBCM working group may be more distant from local governments than is ideal.

Considerations for Option 2:

Pros:

- May insulate the project from getting sidetracked, if the Province does not assist with resources for UBCM.
- With a group of passionate people committed to working together on the project, the Legislative Reform Initiative may not need UBCM.

Cons:

- Challenges with resources and capacity: initiative will require significant buy-in and continued long-term commitment from local governments in terms of funding and staff time.
- Difficult to achieve forward momentum “off the side of the desk”.
- The complex coordination required for the project will be a challenge.

➤ Slido poll #2:

- **Option 1:** UBCM Executive forming a working group (85% in favour)
- **Option 2:** Joint local government project (15% in favour)

NEXT STEPS

- A “What We Heard” document summarizing the session will be distributed to UBCM members.
- It is noted that although there was significant enthusiasm for the initiative, including from areas outside the AVICC region, some representatives indicated they would like additional information on the initiative.

UPDATE: December 2023

Following the UBCM Annual Convention, Douglas Holmes, CAO of the Regional District of Nanaimo had the opportunity to discuss the Legislative Reform Initiative and the September 21, 2023, interactive panel session with Gary Maclsaac, Executive Director, UBCM. Mr. Maclsaac is in the process of seeking direction on this matter from the President’s Committee.

Attachment 1: Ministry of Municipal Affairs background and discussion questions

Background and Discussion Questions

The Ministry of Municipal Affairs (MUNI) is committed to listening to local governments about their evolving needs and how the existing legislated framework accommodates new responsibilities and challenges. Much of the legislative agenda sponsored by MUNI in recent years has responded to critical local government needs uncovered as a result of the pandemic and in response to UBCM resolutions. The development of legislative change is a lengthy, complex, and resource intensive process. Therefore, it must be rooted in and supported by a clear gap in existing tools and authorities to fix an identified problem that the current legislation or other tools don't resolve. The mere desire for regional district (RD) legislation alone needs to be tested against a real need, with a clear path on policy development for the province to consider.

Government Priorities

The province has been clear in its priorities and focus on pressing issues of affordability and housing supply – allocating significant resources from both the Ministry of Housing and MUNI to initiatives in this space. That scarce allocation is determined by elected decision makers. The priority on affordability and housing supply also presents an opportunity and recognizes that issues of housing availability and affordability are not just urban issues – and that there is a role for regional approaches to support this work that may require new thinking of how RDs are better able to participate in solutions that will have direct implications for RD regulatory authorities.

In addition, MUNI along with other agencies and ministries, are working on other initiatives that have a direct impact on RD authorities, these include:

- The local government financial review working group, made up of staff from the province and UBCM, where work has been underway to review the local government finance system in B.C., analyzing the recommendations in the 2021 UBCM report, and discussing matters of mutual interest;
- Inclusive regional governance to explore First Nations' interests on RD boards (explore issues such as geographic implications/boundaries of the current RD system and alignment with First Nation territories, election mechanics, and service provision);
- Consideration of business licensing and enforcement authorities for RDs, as previously requested by RDs.

Discussion questions – Are there specific RD challenges and legislative concerns that align with the current provincial priorities? What are the clearly defined problem statements/lack of authority for RDs not already accommodated for?

Other Approaches and Tools

In the past, RD officials have expressed a range of concerns such as lack of regulatory authority – in some cases the authorities in question may exist or it may be facilitated through regulation (recent examples include fireworks and source separation regulations). Other identified concerns relate to some of the fundamental foundations of RD structures and principles – such as the principle that cost-recovery for services being matched with the beneficiaries of the service, or the unique ability of RDs to balance rural and urban interests. Any changes contemplated need to be evidence-based and targeted

and not be change for “a nice to have” versus a particular business or governance need for which a policy rationale exists and no other tools exist.

Discussion questions – given the inherent flexibility in the RD system, are there other tools or approaches that may address challenges that could support RDs in the absence of legislative changes?

Process for further engagement

Given the key and pressing priorities that the province is currently engaged on (e.g., housing and homelessness, climate change and emergency planning, health, and the opioid crisis) there are practical considerations about how the local government system (including municipalities and RDs) will partner and collaborate with the province to address these issues. MUNI remains committed to understanding the broad views and perspectives of local government officials (both regional and municipal) across BC on the issues facing their regions and communities including the need for legislative change. We will take under consideration the results of this session.

Discussion questions – Have inclusive, broad meaningful conversations about RD outcomes and authorities occurred across all RDs? And have those been shared with MUNI? How will RDs organize themselves to ensure that all voices will be heard?

Legislative Reform Initiative: Next Steps

To log into Slido for this session:

Join at slido.com
Enter code: #UBCM1

In Slido, please tell us where you are from and whether you are an EA Director or from a municipality.

Agenda

2:30-2:40

Welcome/introductions/objectives of session

2:40-3:40

Legislative Reform Initiative: A Summary

- Context and background
- Challenges with the Local Government Act
- 20 years of resolutions: a quick review
- Actions taken on this initiative
- Themes from previous sessions and discussions
- Priorities identified in previous discussions
- Background and questions from Ministry of Municipal Affairs
- Reflections from the panel and discussion
- **Decision: Is there an interest in proceeding with the leg reform initiative?**

3:40-4:20

Options for steering and managing the legislative reform initiative

- UBCM working group
- Joint local government project
- Other ideas
- **Decision: decide the best path forward to manage the initiative**

4:20-4:30

Conclusion/wrap up

Welcome and Introductions

- **Vanessa Craig**, Chair, Regional District of Nanaimo
- **John Jack**, Chair, Alberni-Clayoquot Regional District; Chief, Huu-ay-aht First Nation
- **Jason Lum**, Chair, Fraser Valley Regional District; Council Member, City of Chilliwack
- **Don Lidstone**, K.C., Managing Partner, Lidstone & Company

Objective of Today's Session

- Provide context and background about the Legislative Reform Initiative
- Decide whether to proceed with the Legislative Reform Initiative
- Decide the best path forward to steer the process

Legislative Reform Initiative: Context and Background

- Community Charter replaced Municipal Act 2003
 - Excellent piece of municipal legislation in Canada
- Local Government Act (LGA) created in 1966
 - Not overhauled in early 2000s as planned
- Comprehensive modernization of LGA has not been done
 - Accountabilities of RDs continuing to increase
 - RDs lack tools and authority to meet expanded responsibilities
 - Many aspects of municipal operations that need updating are in the LGA (planning)

Challenges with the Local Government Act

- Limits on legislative authority no longer supported by policy rationales
- Demographics/population growth/increased development/sparsely populated areas
- Business licensing, subdivisions, fireworks, parking, tree management
- Is such a distinction between authority of regional districts and municipalities still supportable?
- Revenue generation, models of taxation, funding for services – lack of flexibility in current paradigm

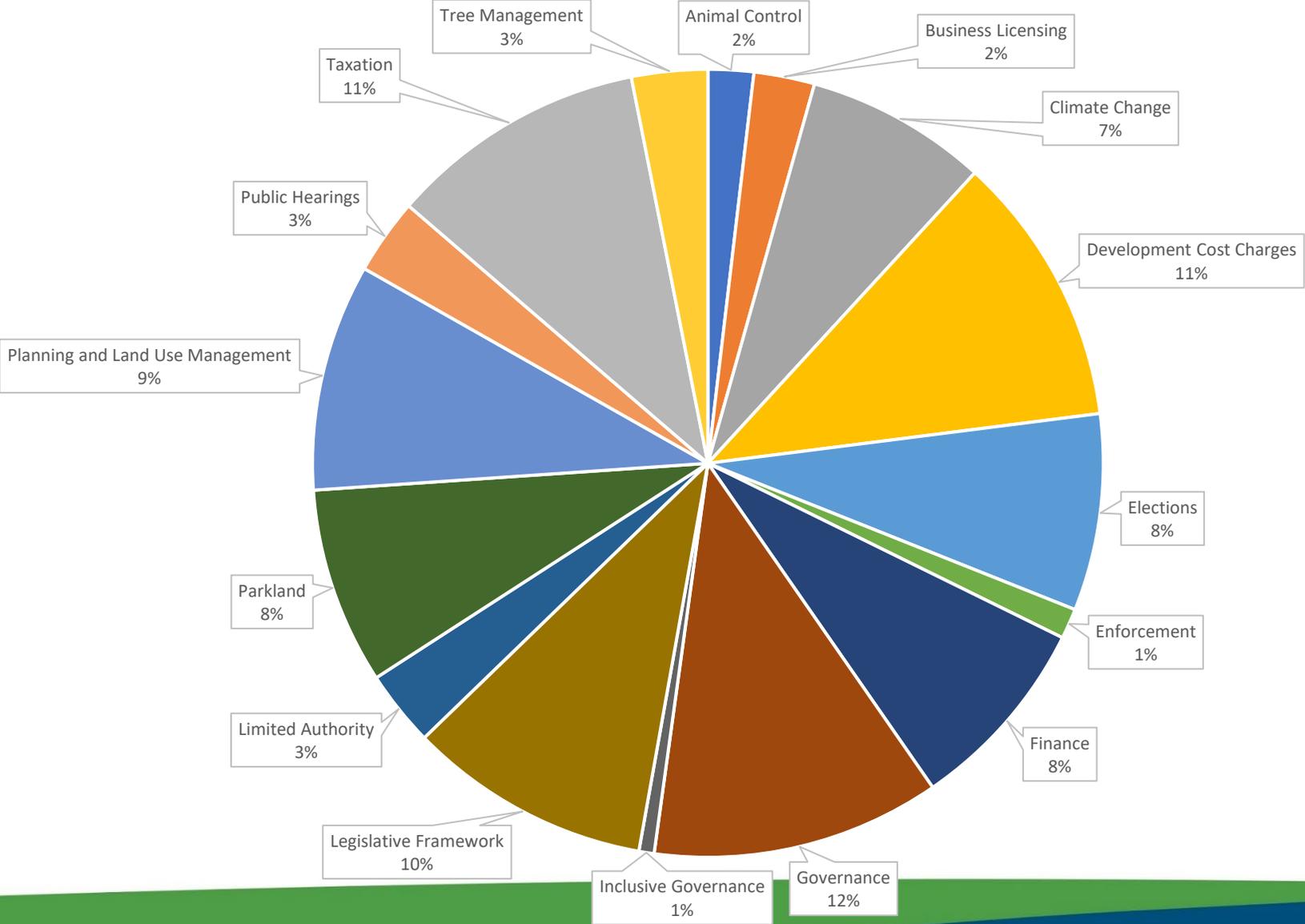
Challenges with the LGA (continued)

- Establishing services to optimize scale, cost distribution, fair participation
- Urban/rural friction
- Social, political, economic values have shifted significantly since legislation was drafted
- *The Province has implemented incremental legislative change over time - which is welcome and beneficial - but it is time for a comprehensive review and update.

20 Years of Resolutions: A Quick Review

- From 2003 to 2022, 161 endorsed resolutions specifically mentioned amending the Local Government Act. 34% were sponsored by regional districts. The rest are from municipalities.
- An additional 71 resolutions requesting an LGA amendment were submitted to UBCM for consideration and were either not endorsed or not admitted for debate.
- Of the 161 endorsed resolutions, three have called specifically for modernization of the LGA and one has called for the creation of a Regional District Charter.
- The 5 most common themes are:
 - Governance
 - Development Cost Charges
 - Taxation
 - Legislative framework
 - Planning and land use management

Resolutions At a Glance



Actions Taken on this Initiative

- **April 2021** – RDN initially presented this topic to Chair/CAO Forum for preliminary discussion
- **June 2021** – RDN and Don Lidstone hosted a half-day session with BC Chairs and CAOs to explore a collaborative effort to modernize the LGA
- **April 2022** - AVICC convention – RDN, ACRD and Don Lidstone hosted a 2-hour workshop with local governments to hear about areas needing reform, and to build support for interjurisdictional collaboration
- **September 2022** - RDN submitted resolution, endorsed by UBCM, proposing that UBCM work with Ministry and local government on this initiative

Actions Taken on this Initiative, cont'd

- **September 2022** – RDN and ACRD met with former Minister of Municipal Affairs Nathan Cullen to discuss moving project forward
- **March 2023** - Provincial response to RDN 2022 UBCM resolution on legislative reform received:
 - “The current framework mostly works well”
 - RDs can be innovative, creative in targeting issues
 - RDs should work with Ministry for tailored regulations
 - New tools/authorities must be based on a clear analysis
 - Consensus is needed for system-wide change
 - January 2022 “MOU on Local Government Financial Resiliency” (UBCM/Province) establishes a working group to review challenges

Actions Taken on this Initiative, cont'd

- **March 2023** – RDN again presented on this initiative to CAO Forum and Chairs/CAOs Forum to gather ideas and specific examples
- **April 2023** - RDN, ACRD and Don Lidstone hosted a second panel session at the 2023 AVICC Convention in Nanaimo, building on ideas from 2022 AVICC workshop and seeking guidance on how to move the project forward
- **September 2023** – UBCM Convention (Vancouver), RDN, ACRD, City of Chilliwack, and Don Lidstone hosting a third panel session, building on ideas from the April 2022 and April 2023 AVICC sessions, and seeking guidance on next steps, process and timeline, and priorities to be addressed

Themes from Previous Sessions and Discussions

- UBCM may be the most effective avenue for shepherding this initiative
- First Nations must be invited to be part of modernizing exercise
- A new legislative scheme should contemplate seven generations into the future; establish a framework responsive to future societal changes
- “Be careful what you wish for”: more authority may require more resources
- Ensure core task of modernizing legislation is not sidetracked by other issues
- RDs need more flexibility with revenue sources.
- Municipalities have authority to use fees to shape behaviour.

Themes from Previous Sessions and Discussions, cont'd

- Community amenity contributions should be addressed as part of this initiative
- Consultation with Boards, First Nations, stakeholders, developers, owners, citizens, Province is key
- Identify specific, concrete, local community issues to build ongoing grassroots pressure on local politicians
- Planning and land-use issues should not be included in this initiative
- Connect issues to ministerial mandates
- Capacity and resourcing (financial and staff time) will be major challenges for moving project forward

Priorities to Be Addressed: Ideas from March 2023 Chair/CAO Forum

- Legislative Powers
 - Clarify respective powers of Mayor and Council
 - Amending legislation that provides the ALC with powers to supersede the OCP and RGS
 - Give local governments time to make those changes within the land use plan in the OCP and RGS
- Weighted Voting Structure
 - EA Directors outvoted by municipalities (Planning and Land Use Management)
 - Unfair voting practices on RD assets/service establishment bylaws and their taxation with limited and ineffective representation

Priorities to Be Addressed: Ideas from March 2023 Chair/CAO Forum, cont'd

- Subdivision Approval
 - Maximum build-out to water availability to ensure sustainability. Water consumption needs to be met by raw water source without affecting other current infrastructure, forced to create potable water service
- Inclusive Governance
- Revenue Alternatives
 - Sales tax revenue alternatives, competing for grant funding
 - Ability to have additional revenue streams
 - Additional tools to meet residents' quality-of-life expectations

Priorities to Be Addressed: Ideas from March 2023 Chair/CAO Forum, cont'd

- Long-term Borrowing
 - For regulated infrastructure (water treatment) and essential services (sewer where there are health and/or environmental issues). Not requiring AAPs/referendums.
- Service Establishment – reduce complexity
- Business Licensing – enable RDs to have licensing
- Bylaw Enforcement – declared nuisances

Background and Questions from Ministry of Municipal Affairs

- Legislative reform is a resource-intensive process
- Need to demonstrate a clear gap in tools and authorities
- Must show a real need and a clear path
- Must be evidence-based and targeted
- Consider options other than legislative reform
- Provincial priority on affordability and housing supply presents urban/regional opportunities to participate in solutions

Background and Questions from Ministry of Municipal Affairs, cont'd

- Province has several other initiatives that impact regional district authorities (e.g., inclusive governance study, financial review working group, consideration of business licensing)
- Demonstrate how local government challenges align with provincial priorities
- Local government needs an effective process to organize this project and to enable broad, inclusive and meaningful consultation

Questions for Consideration from Ministry of Municipal Affairs

- Are there specific RD challenges and legislative concerns that align with the current provincial priorities? What are the clearly defined problem statements/lack of authority for RDs not already accommodated for?
- Given the inherent flexibility in the RD system, are there other tools or approaches that may address challenges that could support RDs in the absence of legislative changes?
- Have inclusive, broad, meaningful conversations about RD outcomes and authorities occurred across all RDs? And have those been shared with MUNI? How will RDs organize themselves to ensure that all voices will be heard?

Reflections from the Panel

Why this initiative is important...

Slido Poll:
Is there an interest in proceeding with
a legislative reform initiative?

YES

NO

Discussion: Options for Next Steps

- What process would be most effective to steer and manage this initiative?
 - UBCM working group
 - Joint local government-led project

A Refresher: Process Suggested at April 2023 AVICC Workshop

Option 1: UBCM Working Group

UBCM to manage this initiative; establish working group to steer the legislative review process:

- Working group comprised of reps from municipalities, regional districts, First Nations, UBCM, ministerial staff
- Research and policy work on the framework/approach to reviewing and modernizing the LGA
- Report back to UBCM membership in 2024 (if there is a resolution from the floor in 2023) or in 2025 (if resolution is submitted in 2024)
- Discuss pros and cons of this option (unified, centralized, broad reach, consistency, mechanisms in place)

Alternative Process To Consider

Option 2: Joint Local Government Project

Local governments could contribute funding to establish a working group to oversee the legislative review process.

- Working group possibly comprised of reps from municipalities, regional districts, First Nations, UBCM, ministerial staff
- Undertake research and policy work on the framework and approach to reviewing and modernizing the LGA
- Report back to UBCM membership? Local governments?
- Discuss pros and cons of this option (challenges with capacity, resources, complex coordination)

Slido Poll: Choose One Option

- Option 1: The Legislative Reform Initiative should be steered and managed by a UBCM Working Group.
- Option 2: The Legislative Reform Initiative should be steered and managed as a joint local government project.
- Option 3:

Conclusion and Wrap Up

- Action(s) depending upon results of today's polls
- RDN staff will follow up with a “What We Heard” document

Thank you!

Meeting	Meeting Item Description	Resolution Text	Action	Follow-Up Status
16-Feb-21	Ucluelet Harbour Authority Potential Project	THAT HA directs staff to provide a report regarding improvements to the public boat launch intended to solve issues with use during low tides.	Present Report to HA	In Progress: Have proposal study from Herrold Engineering outlining the proposed work to improve the Pat Leslie Boat Launch. Future project
07-Sep-21	Ucluelet Small Craft Harbour Service Level Survey	THAT the Harbour Authority direct Staff to distribute a survey regarding service levels to the Charter Operators.	Draft and distribute service level survey.	In progress: Draft survey is being created to go out when Charter Boats start in Spring 2024
06-Sep-22	West Coast Wild Adventures Request for a Fuel Boat	IT was moved and seconded THAT the Harbour Authority direct staff, for the Harbour Authorities consideration, to draft an agreement between the District of Ucluelet and West Coast Wild Adventures to permit the storage of aircraft fuel and mooring of a portable fueling station within the Ucluelet small craft harbour inclusive of the conditions set out in the Harbour Authority staff report number 22-131.	Draft agreement which includes the conditions set out in report number 22-131.	In progress , delayed from West Coast Wild Adventures. Awaiting further information for compliance.
06-Sep-22	HAABC Small Craft Harbour Program	It was moved and seconded THAT the Harbour Authority approve Option A, to explore working with Harbour Authority Association of BC to undertake a review of how the Harbour Authority and District of Ucluelet manage and oversee the harbour.	Explore working with the Harbour Authority Association of BC.	Assigned - looking at Fall 2024

Meeting	Meeting Item Description	Resolution Text	Action	Follow-Up Status
30-Mar-23	Harbour Improvements	It was moved and seconded THAT the Harbour Authority direct Staff to investigate and provide a report back to the Harbour Authority on the following topics: 1. Insulation of water lines to allow for year-round supply of water; 2. Installation of power at 52 Steps; 3. Prioritization of annual moorage users; 4. Dock space allocation prioritization for seasonal users and related fee structure; 5. Moorage/enforcement policies and priorities with respect to derelict vessels; and 6. Washroom, Laundry and Shower Facility upgrades and access options.	Present report on the identified improvements including costing for Council consideration	Assigned - reports to follow, investigating costs and reviewing of moorage prioritization and best practices.
19-Oct-23	May 16, 2023, Regular Harbour Authority Minutes	It was moved and seconded THAT the May 16, 2023, Regular Harbour Authority Minutes be adopted as presented.	Sign, file, and post minutes	Complete
19-Oct-23	Harbour Authority Meetings	It was moved and seconded THAT the Harbour Authority direct staff to investigate and report back to Council regarding the incorporation of Harbour Authority meetings into regular Council meetings.	Obtain legal advise and report back to council	Assigned- advice from Small Craft Harbour BC: could see no issue for combining. Possible procedural amendment required.



**MONTHLY
Mayor's / Chief's / President's
POLICING REPORT
January, 2024
Ucluelet Detachment
"E" Division
British Columbia**



Royal Canadian Mounted Police
Gendarmerie royale du Canada



Calls for Service: 85

Annual Performance Plan (A.P.P.'S) Community Priorities

- (1) Crime Reduction
 - a) Speed Enforcement / Awareness

- (2) Build and Maintain Relations with the Community
 - a) Community Involvement
 - b) Reconciliation

- (3) Vulnerable Persons
 - a) Community Referrals

High Risk Charges

Domestic Violence Charges: 1

Sexual Assault Charges: 0

Crime Reduction

Road Safety

Check stops: 0

Impaired Driving: 2 files no charges

Traffic Tickets: 1

Written Warning: 5

Build and Maintain Relations with the Community

Community Involvement

- Member attended to the Ucluelet Community Center High School Concert.
- Member attended the West Coast Community Resources Board Meeting.

Reconciliation

- Cst. HARRY continues to dedicate a considerable amount of his personal time by participating in the following:
 - a) Attended the Hitacu day care for a visit and brought Christmas gifts (Later as day care shut down for Christmas)
 - b) Set up a date to show the movie Bones of Crows to Macoah elders
 - c) Attended the cultural dinner at Hitacu and discussed setting up cultural protocols with elders
 - d) Attended Hitacu elders lunch
 - e) Visited with various elders and went out for meals with them a number of times. Also assisted with home repairs for one elder.
 - f) Met with both community leaders to set up cultural protocols and determine liaison persons within each community.

- Detachment members have continued to do proactive visits to the communities to open positive interactions with community members.

Vulnerable Persons

Community Referrals

0 for the month of January

Other Police Services

Criminal Record Checks

Criminal record / Vulnerable Sector checks: 22

OCCURRENCES	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Assaults (Not including sexual assaults)	0	0	2	50
Sexual Offences	3	3	0	13
Break and Enters (Residence & Business)	0	0	0	18
Theft of Motor Vehicle	1	1	0	6
Theft Under \$ 5000.00	3	3	0	22
Theft Over \$ 5000.00	1	1	0	8
Drugs (Possession)	0	0	1	3
Drugs (Trafficking)	0	0	0	3
Causing a Disturbance	2	2	3	45
Liquor Act	5	5	2	34
Mischief - damage to property	3	3	1	24
Mischief - obstruct enjoyment	2	2	0	31
Impaired Driving	2	2	1	44
IRP / 24 hr suspension	0	0	3	16
Utter threats	1	1	2	13
Bylaw	1	1	3	52
Mental Health	5	5	1	57
Total Calls for service	85	85	63	1199

JUSTICE REPORTS	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Victim Services Referral - Accepted	1	1	0	17
Victim Services Referral - Declined	1	1	0	17
Victim Services - Proactive Referral	0	0	0	1
Restorative Justice Referrals	0	0	0	0
Prisoners Held	3	3	3	38
Prisoners escorted	0	0	0	11
Liquor Destroyed Immediately	1	1	0	8

Should you have any questions or concerns regarding this report, please feel free to contact me to discuss.

Prepared by: Sgt. Marc JONES

Telephone: 250 726-7773

Email: marc.jones@rcmp-grc.gc.ca

Extended Distribution List:
District Advisory NCO

From: [Info Ucluelet](#)
To: [Info Ucluelet](#)
Subject: FW: Request for Illumination of the District Sign in Purple on March 26th, 2024
Date: January 31, 2024 1:49:43 PM

From: Sonia Velji <sonia@bcepilepsy.com>
Sent: Wednesday, January 31, 2024 9:29 AM
To: Info Ucluelet <info@ucluelet.ca>
Cc: Samantha McCullough <smccullough@ucluelet.ca>
Subject: Request for Illumination of the District Sign in Purple on March 26th, 2024

[External]

Dear Mayor and Council,

As you may already be aware, epilepsy is one of the most common neurological conditions, however, it currently has the least recognition in society.

My name is Deirdre Syms, and I am the Executive Director of the BC Epilepsy Society, which is a provincially incorporated non-profit organization and a federally registered charitable organization. We support the over 50,000 people living with epilepsy in BC and their families, friends and loved ones and work to raise awareness of epilepsy in the communities in which we live.

We are excited to let you know that International PURPLE DAY® for Epilepsy Awareness is coming up and will be taking place on March 26th, 2024.

International PURPLE DAY® for Epilepsy Awareness is a time when people in countries around the world wear purple and take part in events and activities to raise much-needed awareness of epilepsy.

Additionally, because International PURPLE DAY® for Epilepsy Awareness is also a time when many buildings and landmarks in countries around the world are lit with purple lights to raise awareness of epilepsy, the BC Epilepsy Society would like to request that the District Sign be lit with purple lights on March 26th, 2024, in honour of epilepsy awareness.

Through your participation in International PURPLE DAY® for Epilepsy Awareness on March 26th, 2024, you will not only be able to show people living with epilepsy that they are not alone but will also get people talking about epilepsy in an effort to raise awareness of epilepsy in the community.

We look forward to working with you on International PURPLE DAY® for Epilepsy Awareness on March 26th, 2024, and in the future. Please feel free to contact me via email at deirdre@bcepilepsy.com or via telephone at 1-788-533-0790 should you have any questions or require any additional information.

Sincerely,
Deirdre Syms
Executive Director
BC Epilepsy Society

--

Kind regards,
Sonia Velji
Provincial Manager of Programs and Services
BC Epilepsy Society

Mailing Address: PO Box 30521, Burnaby RPO Madison, BC V5C 6J5

Phone: 236-334-7087

Email: sonia@bcepilepsy.com

Website: www.bcepilepsy.com

Social Media:

Instagram: [BCEpilepsySociety](https://www.instagram.com/BCEpilepsySociety)

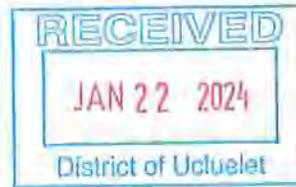
Facebook: [BC Epilepsy Society](https://www.facebook.com/BC-Epilepsy-Society)

Twitter: [BCEpilepsy](https://twitter.com/BCEpilepsy)

The BC Epilepsy Society empowers, educates, and supports British Columbians living with epilepsy.



Forest Enhancement
Society of BC



January 26, 2024

Dear Mayor and Ucluelet (District) Council,

In January 2023 at the Truck Logger's Association convention, Premier David Eby announced that the Forest Enhancement Society of BC (FESBC) would be entrusted to administer \$50 million of funding for forest enhancement projects. These projects would have two specific purposes: to utilize more waste wood from the forest and to reduce wildfire risks for communities.

Our team at FESBC got to work right away and by late spring, that same year, rolled out a funding intake for First Nations, community forests, and communities throughout the province to apply to for funding. Just one year after the Premier's announcement, 66 projects have been approved valued at \$47.9 million and the work on the ground is active now. The enclosed report shares an overview of these newly funded projects in regions all throughout the province.

We are very proud of the various project partners who have stepped forward with creative and thoughtful projects which not only utilize more waste wood or reduce wildfire risk, but have additional benefits such as improving wildlife habitat, developing recreational opportunities, creating or maintaining forestry-related jobs often in rural communities, and improving the health and resilience of our forests.

Additionally, 39 of these 66 projects are either led by, or involve, First Nations.

The enclosed Accomplishments Update showcases three of these newly funded forest enhancement projects. Industry leaders Gordon Murray, Executive Director of the Wood Pellet Association of Canada, and Joe Nemeth, General Manager of BC Pulp & Paper Coalition, share how critical this funding has been to help address some of their members' needs to keep people working, harness innovation to help B.C.'s bioeconomy, and take action on climate change.

FESBC projects show there doesn't need to be a trade-off between the environment or the economy – it can be a win for both.

Steven F. Kozuki, RPF
Executive Director, FESBC

P.S. Keep up to date on FESBC funding and funded projects. Visit www.fesbc.ca and sign up for our monthly newsletter.

(353) MC



January 2024

Enhancing B.C.'s Forests By Using the Entire Tree

How First Nations and local communities are innovating to lead the way in the green economy



"Over the last four years, close to one million cubic metres of fibre has been recovered in our region, and much of the recovery work was supported with funding from FESBC's fibre utilization program."

PERCY GUICHON

Executive Director
Central Chilcotin Rehabilitation Ltd.

Left to Right: Daniel Persson, Forestry Superintendent with Central Chilcotin Rehabilitation, Joe Webster, Manager with Tsideldel Biomass, Philippe Theriault, General Manager with Tsideldel Enterprises, and Steve Kozuki with the Forest Enhancement Society of BC.

2023-2025 Fibre Utilization & Wildfire Risk Reduction Programs*

67,765 TRUCK LOADS

An estimated 67,765 truck loads of wood fibre is being utilized instead of piled and burned in slash piles.

229,382 CARS OFF THE ROAD

Avoided greenhouse gas emissions from these projects is equivalent to taking over 200,000 cars off the road.

1,060,168 AVOIDED EMISSIONS

As a result of these projects, over one million tonnes of carbon dioxide equivalent, or CO₂e, will be avoided, helping take action on climate change.

*as of December 2023

It's not the Environment or the Economy—it's Both

In a world where issues are increasingly being framed as being divisive and polarized, it is refreshing to see new and innovative examples of win/win solutions. Instead of rehashing the decades-old debate of "jobs versus the environment," the **growing forestry bioeconomy** in British Columbia uses waste wood and biomass from the forest that otherwise would be slash burned or left behind to instead create green energy and sustainable forest products.

Slash burning of waste wood, wood left over from timber harvesting or other treatments, creates significant greenhouse gas emissions, which can be avoided if waste wood is used. Using that waste wood also creates many family-supporting jobs throughout the supply chain.

Thus, the creation of sustainable jobs and taking action on climate change is the very essence of what a bioeconomy should look like.

Win/win solutions for the environment and the economy

is something the Clean BC Plan strives for.



Forest Enhancement
Society of BC

Learn more about innovative people
and projects throughout B.C.

Forest Enhancement Society of BC Funded Projects Steven F. Kozuki, Execu...



Funded projects are utilizing over **3 million cubic metres of fibre** normally burned. This results in the equivalent of over 225,000 cars off the road.



"Healthy forests are essential to thriving and diverse ecosystems that support healthy people, secure communities along with a sustainable B.C. economy. They also have a key role in address climate change impacts, given their ability to absorb and store large amounts of carbon from the atmosphere. We are proud to work with FESBC, First Nations, and local communities to strengthen forest stewardship so forests, watersheds and our communities are more resilient to the changing climate."

HON. GEORGE HEYMAN

Minister of Environment and Climate Change Strategy

@GeorgeHeyman



GORD MURRAY

Executive Director
Wood Pellet Association of Canada

"Today B.C. is experiencing longer wildfire seasons and more extreme fire behaviour, placing growing risks on communities, critical infrastructure, economies, people's health and safety, and long-term forest health. Until recently, the role of biomass in fire mitigation has largely been overlooked. The reality is that the wood pellet sector has a **critical role** to play by converting excess forest floor debris from harvested areas into wood pellets. Today, what was once considered waste, is now **opening new doors** into the bioeconomy and providing renewable energy around the world and making our communities safer."



JOE NEMETH

General Manager
BC Pulp & Paper Coalition

"FESBC funding is allowing the forest sector to fundamentally improve the utilization of our forest resource. This includes initiatives such as recovering logging waste that would otherwise be piled and burned, salvaging fire damaged timber, and supporting the development of First Nations led bio-hubs. It's about doing more with less. And the benefits are threefold: **Environmental**—significant reduction in carbon emissions by reducing slash burning; **Social**—meaningfully engaging/employing First Nations and independent contractors from small communities whose livelihoods depend upon the forest sector and; **Economic**—without this initiative, more pulp mills would have to shut, putting thousands of people out of work."

Learn More

If you'd like to learn more about the Forest Enhancement Society of BC and how people in British Columbia's forests are helping create climate change solutions, reduce wildfire risk, and keep workers employed through our funded projects, connect with us!



Steve Kozuki
FESBC Executive Director
skozuki@fesbc.ca
or 1.877.225.2010

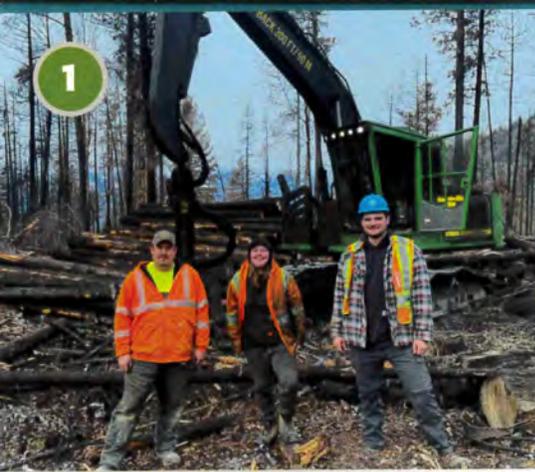
Subscribe to our FESBC Newsletter:

www.fesbc.ca

Follow us on:

FESBC would like to gratefully acknowledge the financial support of the Province of British Columbia through the Ministry of Forests.

PRINTED IN CANADA



Fibre Utilization Throughout B.C.

1. A work crew helping with the Osoyoos Indian Band's project. Photo Credit: Rob Svendsen.
2. A view of Central Chilcotin Rehabilitation Ltd's Pressy Lake work site. Photo Credit: Tiffany Christianson Photography.
3. Stuwix Resources Joint Venture and Valley Carriers project is to reduce waste and enhance the utilization of fibre. Photo Credit: Stuwix Resources Joint Venture.

1

PROJECT: OLIVER

This project is focused on bringing a culture change to how low value fibre is viewed in the Southern Interior. The goal is to find ways to enable the full utilization and delivery of pulp fibre in line with the traditional values and harvesting practices of the Osoyoos Indian Band.

3,284 TRUCK LOADS
of fibre will be diverted from being burned.

14,381 Cars off the Road

The avoided emissions as a result of the project is like taking 14,381 cars off the road.

"The Osoyoos Indian Band (OIB) values the sustainable uses of natural resources throughout their traditional territory. Fibre utilization through improved forest practices results in less burning of debris piles, cleaner air and waterways, and the financial benefit from processing what would normally be left behind due to uneconomic viability. Managing the larger landscape for wildfire risk reduction, climate change adaptations, and mitigating insect infestations are critical to the OIB, and FESBC funding has provided the means to meet numerous management objectives on our traditional lands." —**DAN MACMASTER**, Forest Manager | Nk'Mip Forestry of the Osoyoos Indian Band

2

PROJECT: 70 MILE

This project contributes to the restoration of a fire damaged forest while supporting the development of capacity to efficiently utilize fibre for local facilities and support First Nation participation in the forest bioeconomy.

1,369 TRUCK LOADS
of fibre will be diverted from being burned.

6,704 Cars off the Road

The avoided emissions as a result of the project is like taking 6,704 cars off the road.

"By avoiding 'business as usual' pile and burn practices, we will transform the removed fibre into pulp chip and biomass resources, aligning with FESBC's mission to enhance environmental values and supporting rural economies. This project stands as a beacon of First Nations' approach to modern forestry, showcasing the harmonious integration of ecological restoration, fire hazard mitigation, and forward-thinking solutions for a resilient and sustainable future." —**PHILIPPE THERIAULT**, RPF General Manager, Ts'idedel Enterprises | Senior Advisor, Central Chilcotin Rehabilitation Ltd.

3

PROJECT: MERRITT

This project represents a broad partnership between local First Nations, industry, and government to maximize the utilization of forest fibre to support local facilities and avoid the emissions associated with the burning of debris.

78 TRUCK LOADS
of fibre will be diverted from being burned.

277 Cars off the Road

The avoided emissions as a result of the project is like taking 277 cars off the road.

"This funding from FESBC allows us to further transport waste fibre from farther distances to ensure the maximum utilization of this important resource in our local community. Partnering with Stuwix, we are able to provide additional local jobs and fulfill the value of maximizing their resource by finding new markets for what used to be waste wood. Further, this will help us transform logging residuals into value-added products utilized by the agricultural, pulp, and clean energy industries in B.C."

—**BEN KLASSEN**, CEO | Valley Carriers Ltd.



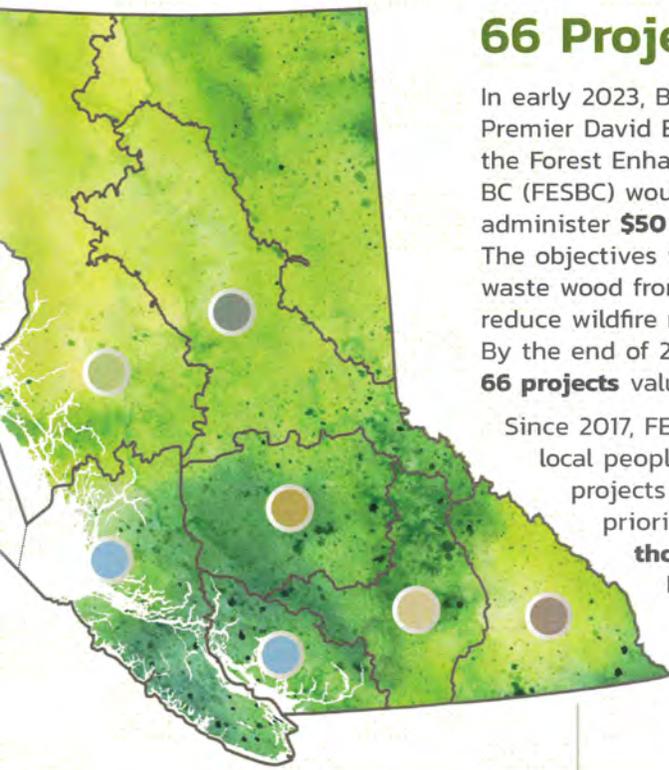
HON. BRUCE RALSTON
Minister of Forests
@BruceRalston

Insights from the Minister

"The Forest Enhancement Society of BC (FESBC) supports First Nations, community forests, rural communities, and many others who take on projects to help strengthen forest health and ecosystems, while creating good jobs in communities across the province. As we look ahead to a new year, it's vital we build on the lessons learned

in 2023, specifically following the worst wildfire season in our province's history. With the help of the 66 projects funded in 2023, B.C. is taking necessary steps in battling climate change and becoming more resilient in the face of worsening wildfire seasons. Thank you to the entire team at FESBC for a job well done."

Connecting The Dots: 66 Projects with Multiple Outcomes



In early 2023, British Columbia Premier David Eby announced that the Forest Enhancement Society of BC (FESBC) would be entrusted to administer **\$50 million of funding**. The objectives were to use more waste wood from the forest and to reduce wildfire risks for communities. By the end of 2023, FESBC approved **66 projects** valued at **\$47.9 million**.

Since 2017, FESBC has been inviting local people to propose forestry projects that align with local priorities. The **creativity and thoughtful innovation** of local people throughout British Columbia is reflected in the projects funded

by FESBC, which always achieve multiple objectives. Projects that use waste wood **reduce greenhouse gases** while at the same time **create jobs** and **reduce wildfire fuels**. Projects that reduce wildfire risks for communities are done in a manner which also **improves wildlife habitat, creates recreational opportunities, and improves the health and resilience of forests**. Overall, about 30% of FESBC projects are led by Indigenous people, which is said to **contribute to reconciliation**. Each dollar of FESBC funding works to accomplish several goals, all of which are important to British Columbians now, and for future generations.

Overview of Newly Funded Projects

FOREST REGIONS

	South & West Coast	Thompson-Okanagan	Kootenay-Boundary	Cariboo	Omineca	Skeena	TOTALS
Total Number of Projects	12	17	5	16	7	9	66
Total FESBC Funds Allocated	\$5,220,334.00	\$9,364,130.00	\$3,704,808.00	\$16,205,555.00	\$8,024,861.00	\$5,354,661.00	\$47,874,349.00
Total Fibre Utilized in cubic metres	391,213	626,761	283,286	567,545	837,367	369,585	3,075,757
Total Fibre Utilized in truck loads	8,668	14,407	6,449	12,324	17,704	8,213	67,765
Total Avoided Emissions (CO2e)	144,132	193,350	123,229	197,455	257,249	144,753	1,060,168
Equivalent Number of Cars off the road (in terms of emissions)	32,101	43,063	27,445	40,594	54,341	31,838	229,382
Total Number of Hectares Treated	—	84	78	487	—	—	649
Total Number of Hectares Planned	—	—	24	410	—	—	434
Projects Led by First Nations	9	8	—	9	1	5	32
Projects that Involve First Nations	1	1	1	3	2	7	

Keely Mullane

From: AVICC Info <info@avicc.ca>
Sent: January 25, 2024 8:54 AM
To: Theresa Dennison
Cc: DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca
Subject: FW: Consultation on 2024 Marine Finfish Licence Reissuance and Conditions
Attachments: Finfish Aquaculture Licence Review Consultation Letter - Local Gov.pdf; Finfish Aquaculture Licence Review Summary - early 2024.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

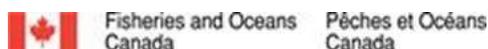
[External]

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

Hello AVICC Members,

Please find attached and below an invitation from DFO to consult on the 2024 Marine Finfish Aquaculture licence reissuance and proposed changes to the Conditions of Licence. Feedback and questions may be directed to DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca **by March 8, 2024**. Further information can be found in the attached invitation and Summary of Proposed Changes.

From: "AQ Consult / AQ Consultez (DFO/MPO)" <DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca>
Cc: "AQ Consult / AQ Consultez (DFO/MPO)" <DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca>
Subject: Consultation on 2024 Marine Finfish Licence Reissuance and Conditions



Canada

Attn: Aquaculture Resource Management
 ressources aquacoles
 PBS Mailroom
 3190 Hammond Bay Road
 Nanaimo, BC
 V9T 6N7

Attn : Direction de la Gestion des
 La station biologique du Pacifique
 3190, chemin Hammond Bay,
 Nanaimo (C.-B.)
 V9T 6N7

Dear Union of BC Municipalities & Association of Vancouver Island Coastal Communities Representatives,

Please find attached an invitation to consult on the 2024 Marine Finfish Aquaculture licence reissuance and proposed changes to the Conditions of Licence. There are two

attachments to this email. Please feel free to distribute to your membership. If you have any problems receiving or opening the attachments, please let us know.

Thank you,

Aquaculture Management Division | Division de la gestion de l'aquaculture
Fisheries and Oceans Canada | Pêches et Océans Canada
Government of Canada | Gouvernement du Canada
Telephone | Téléphone 250-754-0399
Facsimile | Télécopieur 250-754-0391
<http://www.pac.dfo-mpo.gc.ca/aquaculture/index-eng.htm>



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Senior Director
Pacific Region
1965 Island Diesel Way
Nanaimo, British Columbia
V9S 5W8

Directrice principale
Région du Pacifique
1965, voie Island Diesel
Nanaimo, C.-B.
V9S 5W8

January 23, 2024

Dear Union of BC Municipalities & Association of Vancouver Island Coastal Communities Representatives,

Re: Consultation on Marine Finfish Licence Reissuance and Conditions of Licence

Existing Marine Finfish Aquaculture Licences in British Columbia, issued by Fisheries and Oceans Canada (DFO), expire on June 30, 2024. As part of the regular licensing cycle, DFO's licensing approach includes a review of current conditions of licence and updates to conditions that may be applied to licences effective July 1, 2024.

The current conditions of licence were updated once during the licensing period for conservation and protection concerns relating to incidental catch. DFO is contemplating proposed condition changes for this renewal related to: various aspects of management of sea lice treatments and management, inventory accounting, requirements to trial and share information on new and innovative technologies, participation in area-based aquaculture management, and other administrative improvements.

Information received through consultations will be used to inform decisions on both licence reissuance and any potential changes to conditions with the goal of continued improvement in the management and regulation of the aquaculture industry in BC.

Inviting your feedback on proposed licence changes and consulting with you on licence reissuance are operational activities that DFO conducts prior to any new licensing cycle. This is distinct from the open-net pen transition plan, under which DFO is engaging with First Nations, partners and stakeholders on issues related to the future of open-net pen salmon aquaculture in BC.

Please find an attachment to this letter, entitled "*Finfish Aquaculture Licence Review Summary – early 2024*". This attachment provides an overview of the timeline, and contemplated changes to conditions of licence.



Fisheries and Oceans
Canada

Pêches et Océans
Canada

We are inviting your input on the proposed conditions of licence. Feedback may be directed to DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca by **March 8, 2024**. If you wish to have bilateral meetings to discuss the proposed conditions, please contact Amber Neuman, Senior Aquaculture Coordinator, at 250-618-1022 or amber.neuman@dfo-mpo.gc.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read 'BMcCorquodale'.

Brenda McCorquodale
Sr. Director, Aquaculture Management Division

Attachment (<1>):

- *Finfish Aquaculture Licence Review Summary - early 2024*

Marine Finfish Aquaculture Conditions of Licence Review for July 1, 2024 Implementation

Summary of Proposed Changes

Phase 2: January to March 2024

The purpose of this document is to summarize proposed changes to the marine finfish conditions of licence that may be implemented when licences are re-issued on or before July 1, 2024, and is based on Departmental reviews, science advice and engagement to date. This review is part of a scheduled process, as current marine finfish aquaculture licences expire on June 30, 2024.

Key Steps and Timelines for Marine Finfish Conditions of Licence Review

Phase 1: Plan & Set Objectives for conditions of licence Review – June 2023 - January 2024 - COMPLETE

Phase 2: Collect Input on proposed changes – January - March 2024

Phase 3: Initial Drafting - January - March 2024

Phase 4: Engage, Review and Re-draft – March - April 2024

Phase 5: Finalize – April - June 2024

In **phase 1** DFO identified the intended objectives of the conditions of license, which pinpoint what we want to achieve and issues to be addressed.

In **phase 2** DFO is engaging on a summary of changes, proposed by partners and stakeholders, including DFO, and inviting any new input.

In **phase 3** DFO will draft conditions of licence to help to achieve the stated objectives.

In **phase 4** DFO will provide a revised summary of proposed changes to external partners and stakeholders for review as we continue to refine our conditions of licence recommendations.

In **phase 5** DFO will finalize and publish the 2024 Marine Finfish Conditions of Licence.

Context

DFO may implement licence conditions for:

- proper management and control of fisheries
- conservation and protection of fish

Current marine finfish conditions of licence expiring in June 2024 are accessible here: <https://www.pac.dfo-mpo.gc.ca/aquaculture/licence-permis/docs/licence-cond-permis-mar/index-eng.html>

Objectives

The Departmental objectives of the COL review are as follows:

- To mitigate risks to fish and fish habitat
- To write clear, consistent, enforceable and fair conditions of licence
- To collect clear, accurate and timely data for transparency and proper management and control of the fishery
- To increase ability to adaptively manage and deal with emergent issues in a timely manner

Instructions

This document may be reviewed and feedback returned to DFO by **March 8, 2024**. Written feedback can be provided to DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca.

DFO will provide a summary of feedback received during Phase 4. Note that the management measures which are proposed through the reissuance process but fall outside the scope of licence conditions may be addressed through other Departmental management tools. If you would like to discuss the rationale for not implementing specific suggestions, please contact DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca.

Changes Considered for 2024 Licences

Administration

There are several administrative changes being considered to improve flow, clarity and enforceability. The changes include clarifying language and adding definitions, standardizing mandatory reporting timelines, and updating reporting templates.

Interactions with Wild Fish and Megafauna

The marine finfish conditions of licence currently do not require that companies record and submit photos or videos of entangled or entrapped seals or sea lions as required for other megafauna (i.e. whales, sharks, and turtles). To improve species identification and to aid in adaptive management and mitigation measures, the Department is considering also requiring photographs/video of entangled and/or deceased seals and sea lions.

Sea Lice Management

Hydrogen peroxide bath treatments can effectively immobilize sea lice, removing them from salmon. However, a small proportion of sea lice can remain viable after immobilization, with the potential to reattach to wild or farmed fish. To address this, the Department proposes requiring licence holders that utilize hydrogen peroxide baths as a sea lice management tool to ensure the equipment captures all sea lice removed from fish, and that captured sea lice are disposed of at land-based facilities.

Freshwater baths are effective at killing sea lice under specific treatment conditions, but current conditions do not describe how licence holders must utilize freshwater baths for effective treatment. The Department is considering adding conditions that outline the required minimum duration and initial salinity of freshwater baths used for sea lice management.

In 2020, the Department introduced a restriction on the number of days that farms could exceed the regulatory sea lice threshold during the out-migration window, with an intent to reduce the potential time wild fish may be exposed to higher levels of sea lice. This limit was informed by the efficacy period of emamectin benzoate (six weeks/42 days), one of the most prevalent tools at that time utilized to manage sea lice. Data collected since 2020 has demonstrated that companies are reducing their sea lice numbers in significantly less time, largely due to the use of new treatment technologies like mechanical removal and bath treatments. The Department is considering reducing the 42-day threshold to a lower target.

The Department has utilized the 3.0 motile sea lice/salmon threshold since 2010. The Department is considering if this threshold, or a reduced threshold, is appropriate into the future. In addition, the Department is considering how a farm-level or area-level threshold could be utilized in addition to the fish-level threshold.

Inventory Accounting

Companies maintain records of fish inventories, counting the number of fish that enter farms at the beginning of the production cycle, the number of fish mortalities, escapes, and finally the number of fish landed at a

processing plant. At present, while DFO collects data at various points within this process, companies are not required to conduct inventory accounting at the completion of a production cycle. The Department is considering adding a condition requiring inventory accounting, which would include a summary of the number of fish which enter a net pen, a summary of fish lost due to escape, fish deaths related to treatments or mortality, and fish transported for harvest, along with an explanation, if necessary, for any discrepancy in this accounting.

Licence Duration

At this time, the Department is consulting on a licence duration of between two (2) and six (6) years.

New Technologies

The marine finfish aquaculture industry is often trialing innovative technology to meet conditions of licence or to advance social, environmental, or economic targets. At present, not all of these tools and products are being shared with nor approved by the Department. DFO is considering creating conditions that will require licence holders to share more information on current and future plans for deployment of new technologies, share technical information on products, and monitor and report on the effectiveness and potential impacts of those technologies. The amount of information sharing, monitoring, and reporting would be appropriate to the expected risk of the product, and clarity will be provided on what DFO must approve in order to be utilized at facilities.

The Department is seeking Science advice on the use of new tools (e.g., eDNA or eRNA) in the finfish aquaculture context, and if appropriate, may require new types of water, sediment, or biological sampling to understand wild fish or fish habitat impacts.

Area-Based Aquaculture Management

The Department piloted an Area-Based Aquaculture Management initiative from 2022-2024, and is considering adding requirements for licence holders to participate in area-based management committees, comprised of Canada, the Province of BC, and local First Nations partners, which will start to set out the framework for future implementation of the Transition Plan. In addition to information-sharing and transparency, this approach could look more closely at hydro-connectivity and interactions between farms within defined geospatial areas of the coast.



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



FOR IMMEDIATE RELEASE

February 6, 2024

Alberni-Clayoquot Regional District launches FireSmart Home Partners Program

January 22, 2024 (Port Alberni, BC) – The Alberni-Clayoquot Regional District Emergency Program is excited to announce it is joining the [FireSmart Home Partners Program](#).

The Home Partners Program is designed to engage homeowners in voluntary wildfire mitigation activities by offering a free professional home assessment with property-specific recommendations.

“We are proud to join other communities across BC to offer the FireSmart Home Partners Program in an effort to mitigate the impacts of wildfire,” explains Randy Thoen, ACRD FireSmart Coordinator “We hope homeowners across the Region will take advantage of the opportunity to work with a wildfire mitigation specialist and take action to reduce wildfire risks to their home.”

The FireSmart Home Partners Program is a collaboration between FireSmart Canada, FireSmart BC, provincial governments, local governments, Indigenous communities, the private sector, and homeowners in Canada. Participants from across the Region completed the training for this program in November 2023.

The assessment process evaluates the exterior of the home and property for wildfire exposure, identifying mitigation actions unique to the property. Upon completion of recommended mitigation actions and a successful follow-up site review, the property owner can receive a FireSmart Certificate. This certificate may be shared with participating insurance providers and could be eligible for incentives or discounts.

“The Home Partners Program is the next step for FireSmart within the Alberni-Clayoquot Regional District,” says Thoen. “We have worked to develop the capacity to provide assessments and are pleased to be a part of the FireSmart Home Partners Program.”

Residents of Tseshaht First Nation, Hupačasath First Nation, City of Port Alberni, and Electoral Areas of Beaver Creek, Sproat Lake, Beaufort, Cherry Creek, Bamfield and Long Beach who are interested in scheduling a free assessment can visit: [FireSmart Home Partners Property Assessment Application](#).

If residents have specific questions about FireSmart or wildfire resilience, they can contact us at firesmart@acrd.bc.ca or 250-720-2700.



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



-30-

For more information, please contact:

Heather Thomson, ACRD Communications Coordinator
250-206-5162 or hthomson@acrd.bc.ca

Follow us on social media:

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