



**REGULAR MEETING OF COUNCIL
Tuesday, April 16, 2024 4:00 PM
Electronically (via Zoom) and in the George Fraser Community Room in the
Ucluelet Community Centre, 500 Matterson Drive, Ucluelet**

LATE AGENDA No.2

This meeting is conducted both in-person in the George Fraser Community Room 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 Community Room in the Ucluelet Community Centre to hear, or watch and hear, this meeting including any electronic participation.

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|---------------|---|
| 3 - 14 | 1. LATE ITEMS |
| | 1.1. Additional Correspondence Related to Committee of the Whole Item 7.1 "Short-Term Rental Accommodations Act: Loss of Legal Non-conforming Status for Existing B&B's"
2024-04-16 Add Corresp Re STRA Act Loss of Legal |

April 16th, 2024

Dear Mayor and Council,

This letter pertains to the Committee of the Whole – item 7.1 and the Loss of Legal Non-conforming Status for Existing B&Bs to be discussed at the April 16th regular council meeting.

The District and Council should be commended for continuing to protect the livelihood of Ucluelet's community whilst tackling the ongoing global housing issues. It is however disheartening that our B&B zoning continues to be the scapegoat for the lack of long-term rentals in Ucluelet. This form of tourist accommodation has many merits that are often overlooked. The ability for home owners to rent a portion of their residence as a nightly rental, is ingrained in the fabric that makes Ucluelet great and has enabled many families to settle and raise their children here. The opportunity to offset increasing expenses in this uncertain economic landscape, whether increases in mortgage rates, soaring property taxes, or elevated cost-of-living, is paramount to the success of those families that have bet their future livelihood on welcoming likeminded tourists to experience this magical place we call home.

This unique B&B zoning has allowed our town to transition from a struggling resource-based economy into a flourishing Resort Municipality over the past several decades; offering financial means for the community to afford home ownership, and attracting the conscientious traveller that is here to experience what brought most of us here in the first place – wild open spaces. Most guests staying in a B&B suite are looking for quiet, rest, rejuvenation and a reconnection to nature. Respectful and well natured, they welcome the opportunity to live like a local.

As the 2022 B&B zoning amendments shifted to a more traditional B&B platform, complete with shared entrance and loss of guest amenities, both the home owner and guest experience have been devalued. In these post-Covid times, neither guest nor home owner seek the constant interaction involved in a traditional B&B. Allowing guests to use a separate entrance during their stay – when already sharing walls and often ceilings with their hosts – does not alter the neighbourhood experience and still keeps all B&B hosts accountable for any disturbances.

With the adoption of Bylaw No. 1310, many legally established B&Bs were made 'legally non-conforming' as of September 6, 2022. Options 1 through 4 outlined in the Report to the Committee of the Whole in the April 16th council meeting agenda, penalize community members who adhered to all zoning requirements when they built, bought or renovated their homes prior to these B&B zoning amendments. Many of these homes operated legally within the zoning stipulations for years if not decades, only to be deemed 'legally non-conforming' less than 2 years ago. Furthermore, any proposed option that would expect 'legal non-conforming' B&B licensed homes to cease all operations and cancel their bookings with 2 weeks' notice is absurd. Besides leaving both home owners and guests destitute, the backlash would affect the whole town economically, trickling down to restaurants, coffee shops, adventure outfitters, retail stores, and even potentially affecting the town's Resort Municipality dedication and all its associated benefits. The likelihood of any home owner being able to renovate their home to meet the 2022 B&B zoning amendments in this same time period is also impossible.

The culling of short-term rentals as a solution to increase long-term attainable housing also has many flaws. The cost of renovation to change a B&B suite to long-term accommodation with today's BC Building Code is prohibitive. Those that can afford such costly and extensive upgrades would have to transfer these added expenses to the long-term renter pushing the monthly rent beyond attainable levels, further exacerbating the housing dilemma. Attainable long-term housing will thus not be found in the existing collection of 'legally non-conforming' B&Bs. The only viable option proposed is Option 5: allow existing and established B&Bs to renew their business licenses well into the foreseeable future, and apply the suggested amendments to remove the regulations that designate B&B properties as 'legal non-confirming'.

We need to take the focus off of the much needed and unique short-term rental zoning that Ucluelet is fortunate to have and continue to support development projects that address affordable and attainable housing. Let us all stand unified in building both the tourist and residential sectors in unison in order to ensure a healthy and vibrant community.

Marc, Andrea, Takaya, Finn + Harlow
482 Marine Drive,
Ucluelet

From: [Amanda Cameron](#)
To: [Info Ucluelet](#)
Cc: [Marilyn McEwen \(Ucluelet Mayor\)](#); [Shawn Anderson \(Ucluelet Council\)](#); [Jennifer Hoar \(Ucluelet Council\)](#); [Ian Kennington \(Ucluelet Council\)](#); [Mark Maftai \(Ucluelet Council\)](#)
Subject: Caleb & Amanda Cameron: upcoming council mtg re "legal non conforming status"
Date: April 15, 2024 8:49:59 PM

[External]

Dear Mayor and Council,

I appreciate you taking the time to consider this email.

My name is Amanda (Walton) Cameron and my partner Caleb Cameron and I were both raised in Ucluelet and now have the privilege of raising our own family in this community. I work for Island Health Mental Health and Substance Use as a counsellor and Caleb owns his own business operating whale watching tours, Cameron Ocean Adventures. I also started my own private counselling practice called Inlet Counselling in 2021. We had the opportunity to purchase our own home (after renting in the community for many years) in 2015 and started operating our legal and licensed small rental suite, Chinook Guest Suite, attached to our home. We both love working and contributing to our community and feel grateful to raise our three children here.

Trust me, it is not lost on either of us that we have to work multiple jobs and have a rental suite to provide for ourselves and our young family. For all of our endeavors we have always obtained the requisite business licenses and paid all appropriate fees and taxes to the District. As a long time community member, I am extremely supportive of affordable long term housing solutions in Ucluelet, however taking away additional income from local homeowners (who are struggling to afford to live in our community as is) does not seem like the appropriate response.

Thank you for your time and consideration.

Sincerely,
Caleb and Amanda Cameron
1387 Edwards Place, Ucluelet

From: [Arnaud Dagenais](#)
To: [Community Input Mailbox](#); [Info Ucluelet](#)
Subject: short term rental accommodations act: loss of legal non-conforming status for existing B&B's
Date: April 15, 2024 9:40:03 PM

[External]

April 15 2024

Re: short term rental accommodations act: loss of legal non-conforming status for existing B&B's

Dear Mayor and District Councillors,

This letter is to express our deep concern regarding the possibility of losing our right to run our B&B. We have been living full time in Ucluelet for 7 years and decided we would raise our family in this great community. As our family grew, so our need to have a house that responded to our needs. Therefore, after 2 years of big financial stress and struggle, my wife and I finished building our dream home 6 months ago. It was granted a business license to run our B&B which allows us to continue living here. The house was designed and built following every guideline to respect the bylaws at the time of construction in 2021. It feels deeply unfair that the very fact that we built our B&B unit respecting the bylaw now prevents us from renting our unit as a long term dwelling. If we were to lose our business license, we would not be allowed to rent long term either and be left with a vacant unit. In order to rent long term, we would have to redo the entire unit (ventilation, fireproofing walls, electrical and plumbing). We have invested a lot of money in that unit and even more energy already, so this is not an option for us.

We urge the council to opt for option 5 on page 23 of the agenda, and may I add that we are not willing to go through this ordeal on a yearly basis. Us "legal non-conforming B&B's" need to be granted the right to run the businesses we have built permanently, as we were told we would at the time of construction. The inconsistency brings an unhealthy and most certainly unnecessary stress to us and to many others stuck in this situation in this town.

We feel that we should be able to trust our district when it comes to taking decisions that would have such an impact on its residents. Anything less than option 5 would severely impact us.

We are very grateful for your consideration.

Sincerely,

Arnaud Dagenais & Sabrina Girard
684 rainforest drive

From: [Lindsey Black](#)
To: [Community Input Mailbox](#)
Subject: Concerns Over Short Term Rental + Property Rights
Date: April 15, 2024 10:06:58 PM

[External]

Dear District Staff,

I am writing to you today over my concerns to the changes to legal non-conforming use protections. With the provincial legislation of Bill 35, it is noted that many of the homes in Ucluelet would be negatively impacted as they were legally purpose built with the intention of helping local residents to help alleviate housing costs.

It is important to note that these homes are in jeopardy due to the adoption of the Zoning Amendment Bylaw No. 1310 which was introduced in September 2022 by council. The new regulations of the bylaw are onerous and impose unnecessary hardship on Ucluelet residents who have been compliant with the zoning by-laws and registration.

The initial adoption of this bylaw created an unequal distribution in home values as homes that have been “grandfathered in” are able to enjoy the use of their home without having strangers use their entryway or the need to provide breakfast to guests.

Taking away home owner’s property rights is not only unfair, but will further decrease the value of people’s homes. It will also create a disparity in value amongst homes which are compliant with those that are not. Additionally, if the zoning of all these homes remain the same, the assessed values will also become skewed and property taxes will be affected. New proposed developments should be focused on building smaller and more affordable units along with single family dwellings that offer long-term suites (these new developments should have a different zoning). It is a mistake and shortsighted but easy to blame short term rentals for the housing shortage.

I suggest repealing Zoning Amendment Bylaw No. 1310 so these homes are no longer legal non conforming and back to was allowed under the previous zoning regulations or at the time the property was built and as such Bill 35 will not negatively affect them.

Thank you for your time and consideration.

Lindsey Black
1049 Helen Road
Ucluelet, B.C.

From: [Spencer Driedger](#)
To: [Community Input Mailbox](#); [Info Ucluelet](#)
Subject: Letter of concern regarding airbnb restrictions
Date: April 16, 2024 7:44:59 AM

[External]

Dear Mayor and Esteemed Members of Council,

I am writing to express my strong opposition to the proposed Airbnb regulations currently under consideration. As a resident of this town and a dedicated nurse at the local hospital, my friend and co-owner of our home, Caylee, and I are deeply concerned about the potential implications of these regulations, particularly in relation to public health and safety.

Since purchasing our home in 2021, Caylee and I have diligently adhered to all district regulations governing our Airbnb operations. We have consistently paid our license fees and have strived to provide a safe and welcoming environment for our guests, both during a pandemic and in the present. However, the proposed restrictions threaten to undermine the efforts of responsible hosts like us and could have serious consequences for our health, livelihood and the well-being of our community.

One of my primary concerns stems from the health and safety risks associated with the proposed regulations. As a frontline healthcare worker, I am acutely aware of the importance of maintaining rigorous standards to prevent the spread of infectious diseases. With the recent experience of the pandemic still fresh in our minds, it is essential that we remain vigilant and prioritize public health above all else. The introduction of regulations that may compromise these efforts is deeply troubling and could potentially put the health and safety of our residents at risk.

I am particularly alarmed by the potential impact of these regulations on individuals like Caylee, who are undergoing chemotherapy and have compromised immune systems. Allowing guests to enter through our home rather than a private entrance poses significant risks for individuals with compromised health conditions, exposing them to potential pathogens and putting their well-being in jeopardy. As a community, we have a collective responsibility to protect the most vulnerable among us, and these regulations could directly undermine that imperative.

Furthermore, Caylee and I rely on the additional income from our Airbnb business to support our household during this current state of recession and high interests. Any reduction in our ability to operate our Airbnb could have significant financial repercussions for us. As working professionals, we have made every effort to contribute to our community while also supporting ourselves, and the proposed regulations threaten to undermine our financial stability.

In conclusion, I urge the council to consider Option 5 in Section E of the proposed Airbnb regulations as this solution balances the interests of both hosts and the broader community, without compromising public health and safety. I believe that through open dialogue and collaboration, we can find common ground that addresses any legitimate concerns while preserving the integrity of our neighborhoods and ensuring the well-being of all residents.

We are deeply grateful to call Ucluelet our home, and sincerely request that you take our concerns into consideration as you deliberate on this issue.

Sincerely,

Spencer Driedger

Caylee Sampson

1270 Peninsula Rd, Ucluelet, BC

From: [bronwyn Kelleher](#)
To: [Community Input Mailbox](#)
Subject: : SHORT-TERM RENTAL ACCOMMODATIONS ACT: REPORT NO: 24-33 LOSS OF LEGAL NON-CONFORMING STATUS FOR EXISTING B&B'S
Date: April 16, 2024 1:57:16 PM

[External]

Dear Mayor and Council,

I support options one and three.

I think it's great returning residential neighborhoods to just that. Having a neighborhood full of tourists constantly navigating our streets is not ideal for families who choose to live in areas zoned residential. We need to stop pushing boundaries and respect the process. I support the new provincial legislation. We don't need to keep expanding. The bubble will eventually burst. Let's keep our community healthy by not oversaturating it with short term housing for guests. We need to support those we have here already. Tourism isn't a golden egg. It's a tinfoil wrapped saccharine fantasy for financial freedom on the backs of hourly wage workers.

I understand that people have come to this community, fallen in love and want to make a life here. Purchasing an overpriced home where the only option of affordability is a short term vacation rental is not healthy. Buying into the problem is not fixing it. If every bad idea that was made in this community was grandfathered in, we would be in a very different position than we are now. Sometimes you need to take one step back to go two steps forward.

In Portugal residents that are converting their short term rentals back into long term receive a tax break while doing so. Possibly this is something that could be looked into as home owners work to transition their suites back into long term use.

Some places, like Quebec, have capped the amount of business licenses that are issued per year to avoid over tourism. Some places do a lottery where some are chosen every year. There has been lots of talk about how onerous it will be to convert a short term suite into a long term one. For people that are living in over crowded rentals, vans, tents or on someone's couch the amenities provided in a short term suite would be more than adequate. Renovations could be done slowly to bring the suite up to a higher level of long term comfort.

Relying on the tourism dollar is a short term high risk game. Investing long term in a healthy community is better than a Mexican vacation in my opinion.

Sincerely,
Bronwyn Kelleher
1309 Pine Road

From: [Brendan Muehlenberg](#)
To: [Community Input Mailbox](#)
Subject: Urgent Appeal to Preserve Legal Non-Conforming Status for Existing B&Bs and Support Local Families
Date: April 15, 2024 7:43:02 PM

[External]

[External]

Dear Mayor and Council,

I am writing to express my deep concern regarding the recent decision to revoke the legal non-conforming status of existing B&Bs in our community. This decision will have significant implications for the livelihoods of numerous local families who rely on the income generated by these establishments to afford to live in Ucluelet. Furthermore, I suggest the council consider the regulations outlined in Section 404 of the zoning bylaw, particularly those that restrict B&B rooms from having separate entrances from the main house. This requirement is outdated and impractical, disrupting the owner's routine and privacy, as well as the health, safety, and comfort of our visitors/guests.

I have been active in the Ucluelet community for over 20 years. During that time, I've seen the financial difficulties that many local families have had to overcome to maintain and ensure their livelihood while supporting their own families. The district's decision to revoke the legal non-conforming status for existing B&Bs puts local families, like my own, at risk of financial hardship and uncertainty.

During my time in Ucluelet as a homeowner, I have continued to give back to the community for both residents and visitors. Many of Ucluelet's local establishments, including my own, have operated responsibly and in compliance with all regulations and bylaws set out by the local government for years, becoming integral parts of our community's fabric. Disrupting the existing operations could lead to job losses, loss of home ownership, increased debt, reduced income for local suppliers, and a ripple effect that will impact the wider local economy. This decision will no doubt cripple me and will most likely force me to sell and leave the town that I love.

B&Bs play a crucial role in our tourism sector and in supporting the economic stability of many local families. By providing accommodation to visitors, these businesses create jobs, generate revenue for local suppliers, and contribute to the overall economic health of our community.

I urge the council to reconsider this decision and seek alternative solutions that prioritize the needs of local families while addressing any regulatory concerns. I'm in full support of the Ucluelet Mayor and Council to follow city planner Bruce Greig's recommendation as outlined in option 5 of section E - "Direct staff to renew business licenses for existing established B&Bs for one year while Council considers changes to the B&B regulations

and other zoning amendments”. In that time, I believe we can come up with a more suitable solution to this issue, and hope we can work together to support our local community.

Sincerely,

Brendan & Lisa Muehlenberg

Pacific Rim Bed & Breakfast



Ucluelet, BC

V0R 3A0

Business license #: 1237

From: [Deb/Scott Murray](#)
To: [Info Ucluelet](#)
Subject: April 16/24 council meeting - item Short term rental accommodations act
Date: April 16, 2024 12:02:51 PM

[External]

Dear Mayor and Council,

We are writing as we have much concern regarding this legislation and the potential impact to the community and our personal situation.

We decided to move to Ucluelet to be near family and enjoy the peaceful lifestyle offered here. With help from our family, in 2019 we were able to build a modest, accessible home with an attached vacation rental suite (fully accessible) that accommodates max 2 adults. The suite design followed all regulations at the time. Incorporating the suite into our plans was the only practical option for us to move forward, as it would offer income to supplement our government pensions.

Following changes made by the district in 2023 we currently operate as legal non conforming as there is a separate entry to the suite.

If this status were to be removed we would have no alternative but to sell this home we love, as we require the income provided to us by hosting tourists during summer months, and the space cannot be converted to full time rental as there is insufficient room to add necessary amenities for a full time tenant. This was also never our intended use due to our small lot and budgeted square footage.

We are certain we are not alone in our distress, and feel at the very least council consider renewing licenses for the legal non conforming suites this year and allow the proper time necessary to review all dynamics at play here.

If we were made to cease operations as of May 1, the financial impact would be significant. The loss of income from our summer bookings, which are already in place, plus the cancellation penalties which would be incurred would present a tremendous burden.

Thank you for the opportunity to express our concerns.

Respectfully,
Deborah and Scott Murray

Sent from my iPad

From: [Carrie Midlane](#)
To: [Community Input Mailbox](#)
Subject: Concern Regarding Short-Term Rental Accommodation Act
Date: April 15, 2024 11:30:45 PM

[External]

Dear Ucluelet Mayor and Council,

My name is Carrie Midlane. My Husband, Marcel Midlane, and I have called Ucluelet home since 2012 when we moved here for his career. We quickly fell in love with this wonderful town and knew we wanted to raise our young family here. We purchased our current home in 2016 in hopes to make that a reality and a short while later we opened Singing Cedars Guest House. The B&B zoned guest suite we run helps us pay our mortgage and affords us to stay living on the West Coast with the rapidly rising cost of housing in this area. We have built our business with pride and have always adhered to all requirements of the District, including paying for our business licence every year.

We are writing today to express our concern over the potential loss of legal non-conforming status for the 49 existing businesses with this classification. We strongly urge Council to adopt Option 5 outlined in Section E: "District staff to renew licences for existing established B&B's for a period of one year while Council considers changes to the B&B regulations and other zoning amendments." Any of the other options put forward by the planning department, will severely impact our business, income earning as well as our good standing in our booking platforms if we have to cancel our current reservations. This will negatively impact tourism in Ucluelet for all the cancellations for our visitor's planned vacations, some which have been planned for more than a year. For our suite alone, if we are to cancel all bookings from May 1st on, we will need to cancel more than 19 bookings, 5 of which will be short notice cancellations within 30 days of the booking. Not only is this a loss for our business, but also for local business who rely on these visitors to make purchases from them while they are staying in the local area. Please allow the extension of business licences for one year to allow the time for a thorough review by Mayor and Council and to gather input from business owners and community members alike.

We would also like Council to thoroughly consider the regulations outline in 404 of the zoning bylaws. In particular, the restriction on B&B rooms from having separate entrances from the main house. This restriction seems to be very outdated. We, as with many other business operators, prefer a separate entrance for our guests as to allow for security and privacy of both the guest and our family. Also following a Covid pandemic, it has cemented the need to limit the potential of contamination in our personal family space, that a common entry would not provide with guests entering through our residence. We look forward to having input into what types of more modern travel styles may look like if council considers changing the current zoning.

Thank you for taking the time to consider our concerns as outlined above.

Carrie and Marcel Midlane
Singing Cedars Guest House