



SPECIAL MEETING OF COUNCIL

Held Electronically and in the George Fraser Community Room,
Ucluelet Community Centre, 500 Matterson Drive, Ucluelet
Thursday, December 19, 2024 @ 4:00 PM

MINUTES

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson (via Zoom), Hoar, and Maftai (via Zoom)
 Staff: Bruce Greig, Director of Community Planning
 John Towgood, Municipal Planner
 Nancy Owen, Executive Assistant

Regrets: Councillor Kennington

1. CALL TO ORDER

The December 19, 2024 Special Council meeting was called to order at 4:02 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 this proceeding is 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 December 19, 2024, Special Council Meeting

2024.2057.SPECIAL *IT WAS MOVED AND SECONDED:*

THAT the December 19, 2024 Special Council Meeting Agenda be adopted as presented.

CARRIED.

4. UNFINISHED BUSINESS

There was no unfinished business.

5. REPORTS

5.1 221 Minato Road (ERIF): OCP Amendment / Rezoning / Environmental DP

Bruce Greig, Director of Community Planning

Mr. Greig presented this report. He noted that the bylaws, housing agreement and covenant provided in the agenda package were not reviewed by the District's solicitors, and recommended that Council receive advice from the District's solicitors prior to committing to these documents. He outlined the bylaws and covenant recommended by staff and noted the alternative version of the bylaws and covenant proposed by the applicant (ERIF), published in the agenda package.

ERIF was given an opportunity to speak and in response to Council's questions, explained the need to move the project forward expeditiously. ERIF further addressed Council's questions pertaining to the alternative versions of the bylaws and covenant proposed by ERIF, and provided a synopsis of these documents.

In response to Council's questions, ERIF clarified the need for their employees to have access to the affordable housing units. ERIF employees would be subject to all qualifying requirements for these units. ERIF intends to hire locally for construction and manufacturing required for this development.

In response to Council's questions, staff clarified the reasons for delaying the phased development agreement is due to the urgency expressed to move to a Public Hearing. ERIF clarified that the covenant agreement commits it to constructing 60 units on Lots 1 and 2, prior to commencing construction on Lot 5. ERIF further clarified that it would be willing to build 100% of Lots 1 and 2 prior to commencing construction on Lot 5.

In response to Council's questions, ERIF clarified the homes to be built on Lot 5 would be built as residential with the ability for half of the homes to be rented as whole-home short-term vacation rentals. ERIF stated their willingness to change the whole-house vacation rental to primary residential with secondary vacation rental suites for the 11 units on Lot 3.

Council agreed to move forward with Option C of the report and proceed with the alternative version of the bylaws and covenant proposed by ERIF.

- 2024.2058.SPECIAL *IT WAS MOVED AND SECONDED:*
THAT Council rescind second reading of District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024.
CARRIED.
- 2024.2059.SPECIAL *IT WAS MOVED AND SECONDED:*
THAT Council amend District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024, to remove reference to Single Family Residential and replace the Appendix A map to show that the proposed Lot 5 area would also be changed to the Tourist Commercial / Residential designation.
CARRIED.
- 2024.2060.SPECIAL *IT WAS MOVED AND SECONDED:*
THAT Council has considered the consultation requirements under Section 475 of the Local Government Act in relation to District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024.
CARRIED.
- 2024.2061.SPECIAL *IT WAS MOVED AND SECONDED:*
THAT Council is satisfied that consultation with owners of land affected by the amendments in District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024, as previously directed, is sufficient for the purpose of consultation under Section 475 of the Local Government Act.
CARRIED.
- 2024.2062.SPECIAL *IT WAS MOVED AND SECONDED:*
THAT Council has considered District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024, in conjunction with the District of Ucluelet Financial Plan.
CARRIED.
- 2024.2063.SPECIAL *IT WAS MOVED AND SECONDED:*
THAT Council has considered District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024, in conjunction with the Waste Management Plan.
CARRIED.
- 2024.2064.SPECIAL *IT WAS MOVED AND SECONDED:*
THAT Council give second reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024, as amended.
CARRIED.
- 2024.2065.SPECIAL *IT WAS MOVED AND SECONDED:*
THAT Council give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024.
CARRIED.
- 2024.2066.SPECIAL *IT WAS MOVED AND SECONDED:*

THAT Council give first, second and third reading to District of Ucluelet Housing Agreement Bylaw No. 1368, 2024, as proposed by the applicant in Appendix I to the staff report 24-131.

CARRIED.

2024.2067.SPECIAL *IT WAS MOVED AND SECONDED:*

THAT Council refer District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024, District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024, and District of Ucluelet Housing Agreement Bylaw No. 1368, 2024, to a public hearing scheduled to be held January 21, 2025.

CARRIED.

2024.2068.SPECIAL *IT WAS MOVED AND SECONDED:*

THAT Council indicate that approval of Official Community Plan Bylaw and Zoning Bylaw amendments would be subject to the owners of the property at 221 Minato Road registering a restrictive covenant on the title of the property, in accordance with the draft covenant attached as Appendix K to the staff report 24-131.

CARRIED.

2024.2069.SPECIAL *IT WAS MOVED AND SECONDED:*

THAT Council authorize, at the time of registration of a new subdivision of the property as currently proposed, discharge of the existing covenant charges CB365207 and CA8532151 from the title of the property at 221 Minato Road.

CARRIED.

2024.2070.SPECIAL *IT WAS MOVED AND SECONDED:*

THAT Council direct staff to prepare a report on the potential off-site servicing costs, potential for DCC “credits”, ability or limitations on the District offsetting servicing costs, and security or other commitments that the District could consider in servicing agreements for the development at 221 Minato Road.

CARRIED.

2024.2071.SPECIAL *IT WAS MOVED AND SECONDED:*

THAT Council refer the bylaws and agreements to the municipal solicitors for review and advice on:

- a. the enforceability of the agreements; and,
- b. risk to the bylaws from legal challenge.

CARRIED.

6. ADJOURNMENT

6.1 Procedural Motion to Adjourn

2024.2072.SPECIAL *IT WAS MOVED AND SECONDED:*

THAT the December 19, 2024 Special Council Meeting be adjourned.

CARRIED.

The meeting was adjourned at 5:20 PM.

CERTIFIED CORRECT:

Corporate Officer

Marilyn McEwen, Mayor