



REGULAR MEETING OF COUNCIL
Tuesday, November 15, 2022 @ 4:00 PM
Ucluelet Community Centre
500 Matterson Drive, Ucluelet

AGENDA

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1. CALL TO ORDER	
1.1 ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH Council would like to acknowledge the Yuulu?ił?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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- 11.4 Councillor Mark Maftei
- 11.5 Mayor Marilyn McEwen
12. QUESTION PERIOD
13. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Thursday, October 6, 2022 at 4:00 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Hoar, Kemps, and McEwen
 Staff: Duane Lawrence, Chief Administrative Officer
 James MacIntosh, Director of Engineering Services
 Bruce Greig, Director of Community Planning
 Monica Whitney-Brown, Assistant Planner
 Lailah McCallum, Administrative Clerk
 Joseph Rotenberg, Manager of Corporate Services

Regrets: Councillor Cole

1. CALL TO ORDER

The meeting was called to order at 4:00 PM on October 6.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

3.1 October 6, 2022, Regular Council Meeting Agenda.

2022.2179.REGULAR *It was moved and seconded **THAT** the October 6, 2022, Regular Council Meeting Agenda be adopted as presented.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 September 6, 2022, Special Council Minutes

2022.2180.REGULAR *It was moved and seconded **THAT** Council adopt the September 6, 2022, Special Council Minutes as presented.*

CARRIED.

4.2 September 20, 2022, Regular Council Minutes

Council noted a typo on page 4 of the minutes. The second sentence under section 9.1 should read "Council also noted the need for pre-established routes for truck traffic in Ucluelet." not "...pre-established roots..." . .

2022.2181.REGULAR *It was moved and seconded **THAT** Council adopt the September 20, 2022, Regular Council Minutes as amended.*

CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Public Input

The Mayor sought input from the public.

Patricia Sieber, 1058 Helen Road, spoke in opposition to the Contract Authorization for the Village Green Construction. She provided Council a letter and cited concerns with the loss of parking.

Jann Draeseke, owner of the Crow's Nest (205 Main Street) spoke in opposition to the Contract Authorization for the Village Green Construction. She cited concerns with the loss of parking in front of the Crow's Nest and its impact on this business.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. BYLAWS

7.1 Permissive Tax Exemption Bylaw No. 1318, 2022 *Donna Monteith, Chief Financial Officer*

Duane Lawrence, the Chief Administrative Officer, presented this report.

The Mayor provided an opportunity for public input on the Bylaw. There was no public input.

2022.2182.REGULAR *It was moved and seconded **THAT** Council adopt District of Ucluelet Permissive Tax Exemption Bylaw No. 1318, 2022.*

CARRIED.

8. REPORTS

8.1 Ucluelet Economic Development Corporation - Annual Reports *Joseph Rotenberg, Manager of Corporate Services*

Mr. Rotenberg presented his report.

- 2022.2183.REGULAR *It was moved and seconded **THAT** Council approve the Ucluelet Economic Development Corporation Director's Resolution with the effective date of September 14, 2022 and attached as Appendix B.*
CARRIED.
- 2022.2184.REGULAR *It was moved and seconded **THAT** Council approve the Ucluelet Economic Development Corporation Shareholders' Resolution with the effective date June 29, 2021, attached to this report as Appendix D.*
CARRIED.
- 2022.2185.REGULAR *It was moved and seconded **THAT** Council approve the two Ucluelet Economic Development Corporation Director's Resolutions with the effective date June 29, 2021, attached to this report as Appendix E.*
CARRIED.
- 2022.2186.REGULAR *It was moved and seconded **THAT** Council approve the Ucluelet Economic Development Corporation Shareholders' resolution with the effective date June 29, 2022, attached to this report as Appendix H.*
CARRIED.
- 2022.2187.REGULAR *It was moved and seconded **THAT** Council approve the two Ucluelet Economic Development Corporation Director's Resolutions with the effective date June 29, 2022, attached to this report as Appendix I.*
CARRIED.
- 2022.2188.REGULAR *It was moved and seconded **THAT** Council direct Staff to take the necessary steps to file the Ucluelet Economic Development Corporation Notice of Change of Address, 2021 Annual Report and 2022 Annual Report with BC Registries and Online Services, attached to this report as Appendix A, C, and G, respectively.*
CARRIED.

8.2 Development Permit for a Resort Condo Development at 1003 Peninsula Road
John Towgood, Municipal Planner

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

Georg Venlee, the Applicant, addressed Council questions about the protection of mature trees on the property and mitigating erosion.

The Applicant addressed Council concerns related to Wild Pacific Trail access and protecting the bog on the site.

Jay Bradbury, also the Applicant, noted confirmation from a Yuułu?it?ath Government representative which indicates that the development will not disturb culturally modified trees.

2022.2189.REGULAR *It was moved and seconded **THAT** Council, with regard to the proposed Resort Condo development at 1003 Peninsula Road (Lot 6 Section 21 Clayoquot District Plan VIP67274; PID 024-167-533) approve the issuance of Development Permit 22-05 for three Duplex Resort Condo development and associated landscape.*

CARRIED.

2022.2190.REGULAR *It was moved and seconded **THAT** with regard to the proposed Resort Condo development at 1003 Peninsula Road (Lot 6 Section 21 Clayoquot District Plan VIP67274; PID 024-167-533) any trail building in environmentally sensitive areas be overseen by a Qualified Environmental Professional.*

CARRIED.

8.3 Development Permit for Food Truck Cluster at 1708 Peninsula Road

Monica Whitney-Brown, Assistant Planner

Ms. Whitney-Brown presented this report.

The Mayor invited the Development Permit applicant to speak. The applicant did not speak.

The Mayor invited the Business License applicant to speak. The applicant did not speak.

2022.2191.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Development Permit 22-08 to allow a total of three mobile vending spaces to be operated at 1708 Peninsula Road, Lot 1, Plan VIP5190, Clayoquot District.*

CARRIED.

2022.2192.REGULAR *It was moved and seconded **THAT** Council approve the issuance of a mobile vending business license for the “Big Wave Café” food trailer at 1708 Peninsula Road.*

CARRIED.

8.4 Contract Authorization - Village Green Construction ***James MacIntosh, Director of Engineering Services***

Mr. MacIntosh presented this report. Bruce Greig, Director of Community Planning, outlined the specific elements of the project and those elements that had been eliminated in order to reduce the scope of the project and its budget.

Mr. MacIntosh addressed Council questions about the project's new proposed schedule.

Mr. MacIntosh and Mr. Greig addressed Council questions about the future location of the bus stop currently located in front of the Ucluelet Aquarium which will be shifted north west on Cedar Road to a location in front of Whiskey Landing Development.

Mr. Greig addressed Council questions about the loss of parking due to the Project as well as future potential additional parking in the Cedar Road Parking Lot.

Council discussed the project and its reduced scope.

2022.2193.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Finance to reallocated \$150,000 within the 2023 Resort Development Strategy to the Village Green Revitalization Project.*

CARRIED.

2022.2194.REGULAR *It was moved and seconded **THAT** Council authorize the Mayor and Corporate Officer to execute a \$1,138,000 contract between the District of Ucluelet and Hazelwood Construction Services Inc. for the supply of all materials and labour to construct the Village Green Revitalization Project.*

CARRIED.

2022.2195.REGULAR *It was moved and seconded **THAT** the meeting be recessed for twenty minutes.*

CARRIED.

Council recessed at 5:05 PM.

Council returned to session at 5:25 PM.

9. NOTICE OF MOTION

There were no notices of motions.

10. INFORMATION ITEMS

10.1 Resolution Tracker

Joseph Rotenberg, Manager of Corporate Services

10.2 British Columbia Youth Parliament, 94th Parliament

Ambrose Yung, Registrar, Youth Parliament of BC Alumni Society

Council requested that Staff forward this information item to Ucluelet Secondary School.

10.3 Honouring Caregivers in British Columbia

Mitzi Dean, Minister of Children and Family Development

10.4 West Coast transit service

Laura McDonald, President, Tofino Chamber of Commerce

Duane Lawrence, the Chief Administrative Officer, noted that staff can advocate for the Minister to reconsider their decision. He also noted that the West Coast CAO's have been discussing ways to implement this services at the municipal level rather than through BC Transit.

11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

11.1 Councillor Marilyn McEwen *Deputy Mayor January 1 - March 15, 2022*

Noted that it has been pleasure to serve as a Councillor.

11.2 Councillor Lara Kemps *Deputy Mayor March 16 - May 31, 2022*

Outlined her experience serving on Council.

Noted that the Edge 2 Edge Marathon is on October 16, 2022, and over 630 racers have registered. Councillor Kemps encouraged residents to volunteer at the Marathon.

11.3 Councillor Jennifer Hoar *Deputy Mayor June 1 - August 15, 2022*

Attended the Wild Pacific Trail Society meeting on October 5, 2022.

Wild Pacific Trail Society AGM will occur on October 23, 2022.

Councillor Hoar also noted that it was a pleasure to work with the Council Members and Staff.

11.4 Councillor Rachelle Cole *Deputy Mayor August 16 - October 31, 2022*

11.5 Mayor Noël

The Mayor thanked his fellow Council members for their hard work throughout the term and presented gifts.

12. QUESTION PERIOD

The Mayor called for questions from the public. There were no questions.

13. CLOSED SESSION

13.1 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.

- 90(1)(c) labour relations or other employee relations.

2022.2196.REGULAR *It was moved and seconded **THAT** the meeting be closed to the public in order to address agenda items under Section 90(1)(c) of the Community Charter.*

CARRIED.

The meeting was closed to the public at 5:37 PM.
Council returned to open session at 7:05 PM.

14. ADJOURNMENT

The meeting was adjourned at 7:05 PM on October 6, 2022.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Thursday, October 6, 2022 at 4:00 pm in the Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor



REPORT TO COUNCIL

Council Meeting: Tuesday, November 15, 2022
 500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF PARKS & RECREATION **FILE NO:** 4100-01
SUBJECT: CEMETERY BYLAW NO. 1206 AMENDMENT **REPORT NO:** 22-151
ATTACHMENT(S): APPENDIX A - GRAVESITE REQUEST EMAIL

RECOMMENDATION:

THAT Council direct staff to present amendments to District of Ucluelet Cemetery Management Bylaw No. 1206, 2016 to allow non-conforming grave site installations in the lower section of the cemetery.

BACKGROUND:

On October 10, 2022, a request was made to allow for construction of a raised concrete border with a pad for a flat memorial stone. The new raised border would match that of a previously deceased family member with which an exemption was previously granted November 19, 2008. The border would allow the containment of decorative rocks, eliminating the need for the District to maintain grass on top of the grave in the future.

District of Ucluelet Cemetery Management Bylaw 1206, 2016 (the Bylaw) states:

36. Ground Interment Memorials, including those for cremation lots, shall be flush with the ground.

ANALYSIS OF OPTIONS

Amending the Bylaw would allow the District to permit the construction of non-conforming installations in the lower section of the cemetery which would save time spent reviewing one off requests. Many exemptions have been previously granted in the lower section particularly in the back row. Most of the gravesites in the lower section of the cemetery have borders of one type or another. This amendment would apply to the lower section only, to allow matching existing non-conforming installations.

A	Amend the Bylaw	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Allows for all non-conforming installations in the older lower section of the cemetery to match other existing family installations. • Increase time efficiency when responding to requests for non-conforming sites in the lower section. • Further protects the gravesites at the back on the lower section of the cemetery by creating a back border.
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		<u>Cons</u>	<ul style="list-style-type: none"> Continues to perpetuate the installation of obstacles within the lower cemetery increasing maintenance costs.
		<u>Implications</u>	<ul style="list-style-type: none"> Increased maintenance costs due to additional time needed to maintain above ground installations.
B	Maintain Status quo	<u>Pros</u>	<ul style="list-style-type: none"> Any new installation would be required to be flush with the ground. Reduced maintenance costs by keeping all grave markers flush with the ground.
		<u>Cons</u>	<ul style="list-style-type: none"> Families with existing above ground installations may be upset with the District if they are not able to match existing grave installations.
		<u>Implications</u>	<ul style="list-style-type: none"> Families with pre-purchased lots in the lower section would be advised that no new above ground installations would be permitted.
C	To provide staff with an alternative direction	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Suggested Motion</u>	<p>THAT Council direct Staff to present amendments to District of Ucluelet Cemetery Management Bylaw No. 1206, 2016 which _____ and have staff report back to Council at a future regular meeting.</p>

POLICY OR LEGISLATIVE IMPACTS:

The Bylaw would need to be amended to allow for the continued installation of above ground grave markers and borders.

NEXT STEPS

- Develop an amendment bylaw.
- Present the proposed amendments to Council for consideration.
- Advise the family of Council decision.

Respectfully submitted: Abby fortune, Director of Parks & Recreation

Appendix A

Rita Strom's Gravesite Request

Dear Mayor and Council;

We respectfully request your consideration to grant an exemption from the Ucluelet Cemetery Bylaw to allow the construction of a concrete border with a pad inside for a flat memorial stone (the stone's measurements are length 20 ¼ inches x width 12 ¼ inches & thickness 3 ¼ inches) to mark the grave site of our late mother Rita Strom. We would like this border to match that of Ronald Strom's border.

We are asking for the border to define this site, as per Rita's wishes, and to deter foot vehicle traffic from crossing over it accidentally. It is located on the last row at the back portion of the cemetery which is very close to the service lane for equipment and vehicles.

The border would also allow containment of decorative rocks, similar to Ron Strom's, eliminating the need for the District to maintain grass on top of the grave in the future.

We are willing to pay any fees necessary for this work to be completed by the District Works Dept. if this is acceptable,

Attached is a photo of Ronald Strom's site, from Ucluelet Cemetery. This is what we would like you to refer to regarding the border design with the pad inside.

We hope this meets your approval.

Sincerely,

Albert, Janet, Barb & Joanne Strom





REPORT TO COUNCIL

Council Meeting: Tuesday, November 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF PARKS & RECREATION **FILE NO: 2265-20 ACRD**

SUBJECT: UCLUELET GARBAGE COLLECTION AND REGULATION BYLAW NO. 960, 2004 **REPORT NO: 22- 153**

ATTACHMENT(S): N/A

RECOMMENDATION(S):

THAT Council direct staff to present an amendment to the District of Ucluelet Garbage Collection and Regulation Bylaw No. 960, 2004, to be considered at a future Council meeting, which allows for Bear Resistant Collection Carts to be stored outside provided that the container is anchored to prevent tipping or being dragged away by an adult bear.

BACKGROUND:

Alberni Clayoquot Regional District (ACRD) provides the service of collection and disposal of garbage, recyclables, and organic waste on the West Coast within the Regional District of Alberni-Clayoquot.

ACRD is currently in the process of rolling out the Sort'nGo program, slated to begin at the end of November. Residents of single-family homes in Tofino, Ucluelet and some surrounding communities will begin diverting organic (food/yard) waste from the landfill. All residential dwellings with four or fewer units will receive a new organics cart that will get picked up weekly at the roadside. Residents will also receive a new uniform (blue) recycling cart and (black) garbage cart which will be collected on alternating weeks.

By diverting organics from the West Coast Landfill, we can reduce greenhouse gases, and save valuable space while extending the lifespan of the landfill. Currently up to 43% of the waste found at the landfill is organic material – not garbage. This new service will see food and yard waste collected at a separate facility where it can be transformed into nutrient-rich compost.

The Sort'nGo Organics service is part of a larger update to waste management for the West Coast, which will include significant upgrades to the West Coast Landfill, including a new public waste diversion drop-off area and a compost processing facility. These improvements will help support the transition to a new automatic three-stream collection system.

Funding

Funding to support these upgrades, as part of the ACRD's Regional Organics Implementation Project, is provided through the Canada Community-Building Fund (formerly known as the Federal Gas Tax Fund). In 2020, the ACRD received a \$6M grant to fund the introduction of organics collection.

Waste Collection Carts

Sort’nGo requires residents to use new organics, recycling and garbage carts designed for automated collection. These carts are certified as wildlife resistant and can be stored outside provided they are secured in a manner that ensures an adult bear cannot remove or tip them.

Section 4.3 of the District of Ucluelet Garbage Collection and Regulation Bylaw No. 960, 2004 states:

“All domestic garbage and food waste or other edible food waste that could attract domestic animals or dangerous wildlife shall be stored indoors in an enclosed building, shed or storage facility and shall not be left in or on any area accessible to domestic animals or wildlife, including on any patio, balcony, or deck.”

The Sort’nGo program is promoting the safe outdoor storage of the waste carts to the entire region. In order for local residents to store the new carts outside the District of Ucluelet Garbage Collection and Regulation Bylaw (the Bylaw), will need to be amended.

ANALYSIS OF OPTIONS

By amending the Bylaw, the District would align with ACRD Bylaw R1036 and the Sort’nGo program to allow Bear Resistant Collection Carts to be stored outside, provided the container is anchored to prevent tipping or being dragged away by an adult bear. This also aligns the District with the rest of the West Coast communities in terms of Bear Resistant Collection Cart storage. Wildsafe BC (Westcoast) has been instrumental in creating the parameters for Wildlife Attractants, such as secured carts and storage sheds for this program.

Additionally, it is recommended that the Garbage Collection and Regulation Bylaw be repealed and replaced with a Wildlife Attractants Bylaw at a later date as the District no longer provides garbage collection.

A	Amend the By-law	<u>Pros</u>	<ul style="list-style-type: none"> The Bylaw would align with the Sort’nGo program for the West Coast.
		<u>Cons</u>	<ul style="list-style-type: none"> Bear Resistant Collection Carts if not secured properly could become a wildlife attractant.
		<u>Implications</u>	<ul style="list-style-type: none"> Staff would be actioned to update and revisit the outdated Bylaw.
B	Maintain quo	<u>Pros</u>	<ul style="list-style-type: none"> All Bear Resistant Collection Carts would be stored inside and not be a wildlife attractant.
		<u>Cons</u>	<ul style="list-style-type: none"> Could create confusion in messaging of what is allowed and not allowed in terms of Bear Resistant Collection Cart storage with Sort’nGo program for the rest of the West Coast.
		<u>Implications</u>	<ul style="list-style-type: none"> Staff would be required to do additional messaging regarding the District’s Bylaw where carts must be stored inside.
		<u>Pros</u>	<ul style="list-style-type: none"> Actions would be consistent with the intent and objectives of Council.

C	Provide other direction to staff	<u>Cons</u>	<ul style="list-style-type: none"> District bylaw and direction form the Sort'nGo program would remain unaligned.
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Suggested Motion</u>	<p>THAT Council direct staff to _____ and report back to Council at a future regular meeting.</p>

POLICY OR LEGISLATIVE IMPACTS/NEXT STEPS

- The proposed amendment to the Bylaw would be presented to Council
- The District of Ucluelet Garbage Collection and Regulation Bylaw No. 960, 2004 would be repealed at a future Council meeting.
- Develop a wildlife attractants bylaw

Respectfully submitted: Abby Fortune, Director of Parks & Recreation
Duane Lawrence, CAO



REPORT TO COUNCIL

Council Meeting: November 15, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT

FILE NO: 3360-20 RZ22-07

SUBJECT: ZONING AMENDMENT FOR 327 PASS OF MELFORT

REPORT NO: 22-154

ATTACHMENT(S): APPENDIX A – APPLICATION
APPENDIX B – ZONING AMENDMENT BYLAW No.1320

RECOMMENDATION(S):

THAT Council, with regard to the proposed development at 327 Pass of Melfort Place:

1. Give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022, and;
2. Direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022.

BACKGROUND:

The applicant first contacted District staff in late May of 2022 to discuss the construction of an addition to their existing single-family dwelling at 327 Pass of Melfort Place, Lot 20, Plan VIS5896, Clayoquot Land District. The applicant is seeking to add two additional bedrooms to accommodate their growing family.

The property is in the Pass of Melfort Place subdivision, which is zoned R-4 (small lot single-family residential). This zone is intended to facilitate smaller single-family dwellings on smaller lots, with density regulated through maximum Floor Area Ratio (FAR). The FAR for this property under Zoning Bylaw 1160 is 0.35.

At the time the house was built, there was a garage exemption in place, meaning the square footage of the garage did not count in the FAR. In April of 2020, Council adopted a bylaw that, in part, refined the definition of Gross Floor Area and specific to this application it removed the exclusion of indoor parking and the storage of cars from the gross floor area in most residential zones (with the exception of limited exemption in R-1 zones). For this reason, this property is legally nonconforming, as it has a current FAR of 0.42, including the garage area. Despite the relatively modest size of the proposed addition, it would result in a FAR of 0.51 on this property.

The applicant is seeking a rezoning to allow this higher density on their lot, enabling them to build their desired addition and come into compliance with the zoning bylaw.



Figure 1– Subject Site

DISCUSSION:

The applicant is proposing a 336 ft² addition to their existing single-family dwelling (Figure 2). The house on site was built in 2018, with a square footage of 1805 ft² inclusive of a garage and suite. While the proposed addition would result in a higher FAR than some surrounding properties, there is a high level of variability in building sizes already allowed in the neighbourhood, including lots with an FAR of up to 0.67.

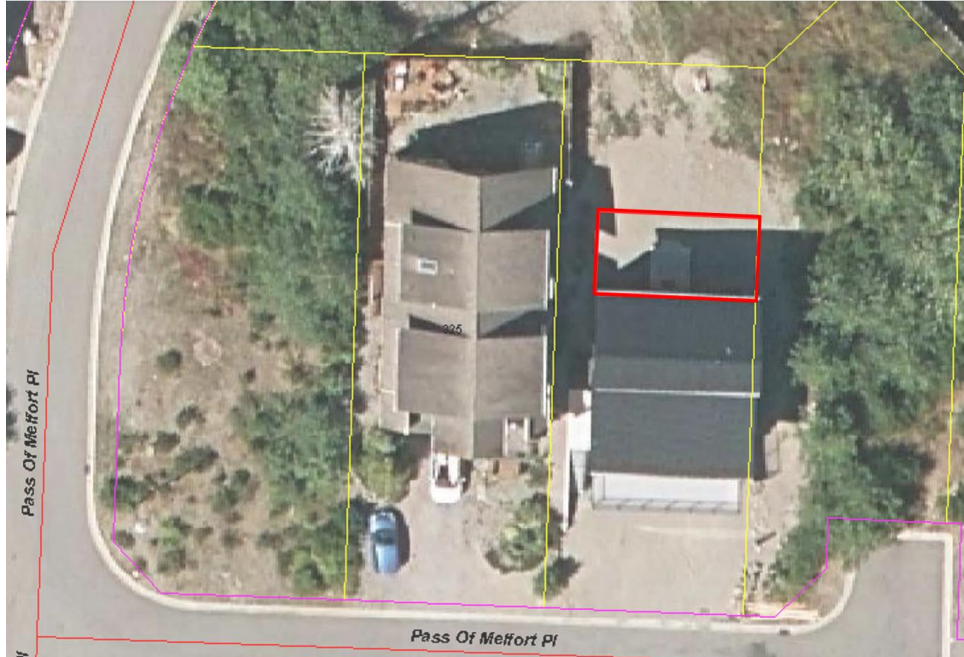


Figure 2 - Proposed addition photo

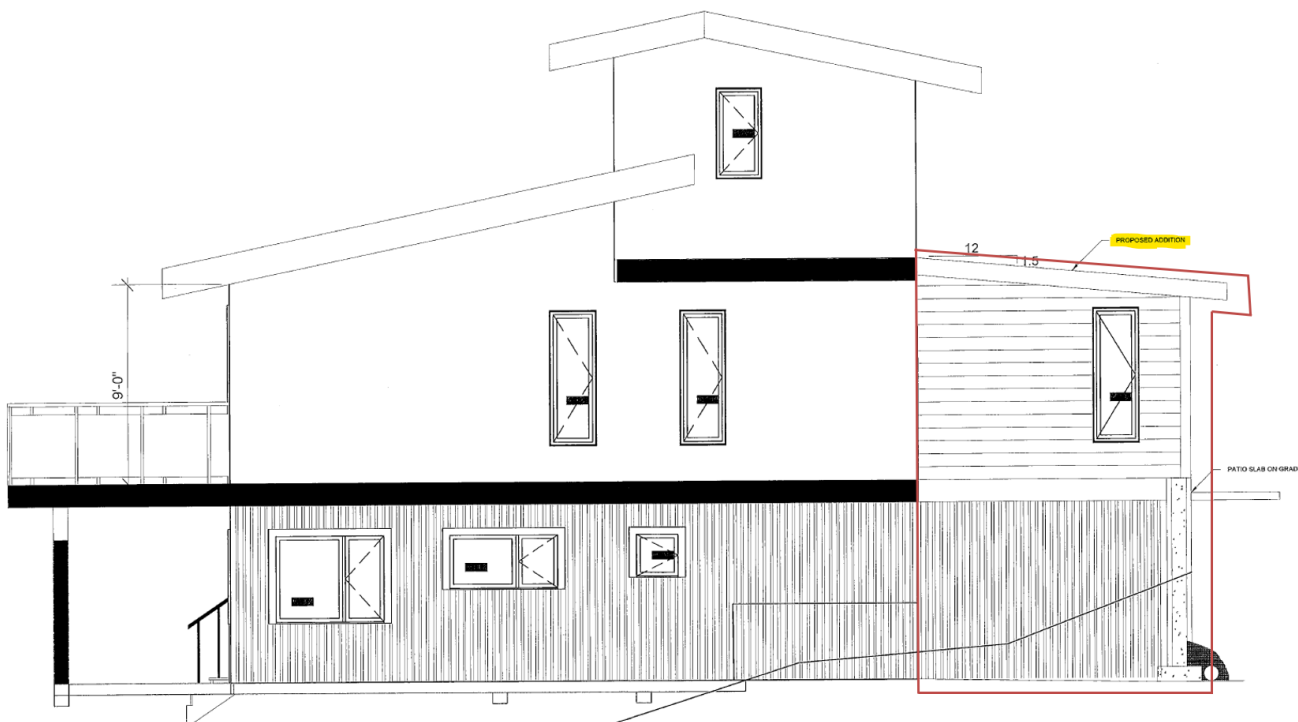


Figure 3 - Proposed addition

ANALYSIS OF OPTIONS

A	Give first and second reading of Bylaw No. 1320, 2022 and direct staff to give notice for a public hearing.	Pros	<ul style="list-style-type: none"> • Would allow the applicant to expand their SFD. • Would bring the property into compliance with the zoning bylaw, rather than having legal nonconforming status.
		Cons	<ul style="list-style-type: none"> • Would result in a larger building than was originally anticipated for the property.
		Implications	<ul style="list-style-type: none"> • Would allow the application to proceed to a public hearing. • Staff time required to arrange public hearing and follow-up report.
B	Modify the draft zoning bylaw prior to/by stating which and how elements or features are to be modified.	Pros	<ul style="list-style-type: none"> • Modifying the zoning bylaw will ensure Councils intent for the development of homes within the Pass of Melfort are met. • Modifying the bylaw may reduce the number of rezoning applications related to this area.
		Cons	<ul style="list-style-type: none"> • Unknown at this time.
		Implications	<ul style="list-style-type: none"> • Modifying the zoning bylaw will require substantial staff time to complete the amendments and undertake the required public engagement process.
		Suggested Motion	THAT Council direct staff to modify the draft District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022, to <u>(state desired</u>

		<u>outcome of amendments</u>), for further consideration at a future meeting.
C	Reject the application.	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Would maintain the original intent of the zoning for smaller homes on small residential lots within this development area.
		<p><u>Cons</u></p> <ul style="list-style-type: none"> • The applicant will not be able to build their desired addition.
		<p><u>Implications</u></p> <ul style="list-style-type: none"> • The application would not proceed to public hearing.
		<p><u>Suggested Motion</u></p> <p>THAT Council rejected the application associated with RZ22-07 for 327 Pass of Melfort.</p>

NEXT STEPS:

If Council gives first readings to the draft Zoning Amendment Bylaw No. 1320, 2022, staff would undertake the necessary notification for a public hearing to be held at a date to be determined.

Respectfully submitted: Monica Whitney-Brown, Planning Assistant
Bruce Greig, Director of Community Planning
Duane Lawrence, CAO

Nicola Buston & Parker Jackson
327 Pass of Melfort place
[REDACTED]
Ucluelet, BC, V0R3A0
[REDACTED]

District of Ucluelet
Mayor and Council

May 12, 2022

To whom it may concern,

As you all know, the housing shortage and subsequent market in our beautiful community has created a great deal of stress and hardship on our community and its members. While we understand the desire to live within this community we would also like to stress the importance of keeping opportunities for the existing population to stay and flourish. With that view in mind we would like to apply for a development variance permit. It is understood this would be a special allowance granted by the mayor and council members; however, we ask for thoughtful consideration on the matter.

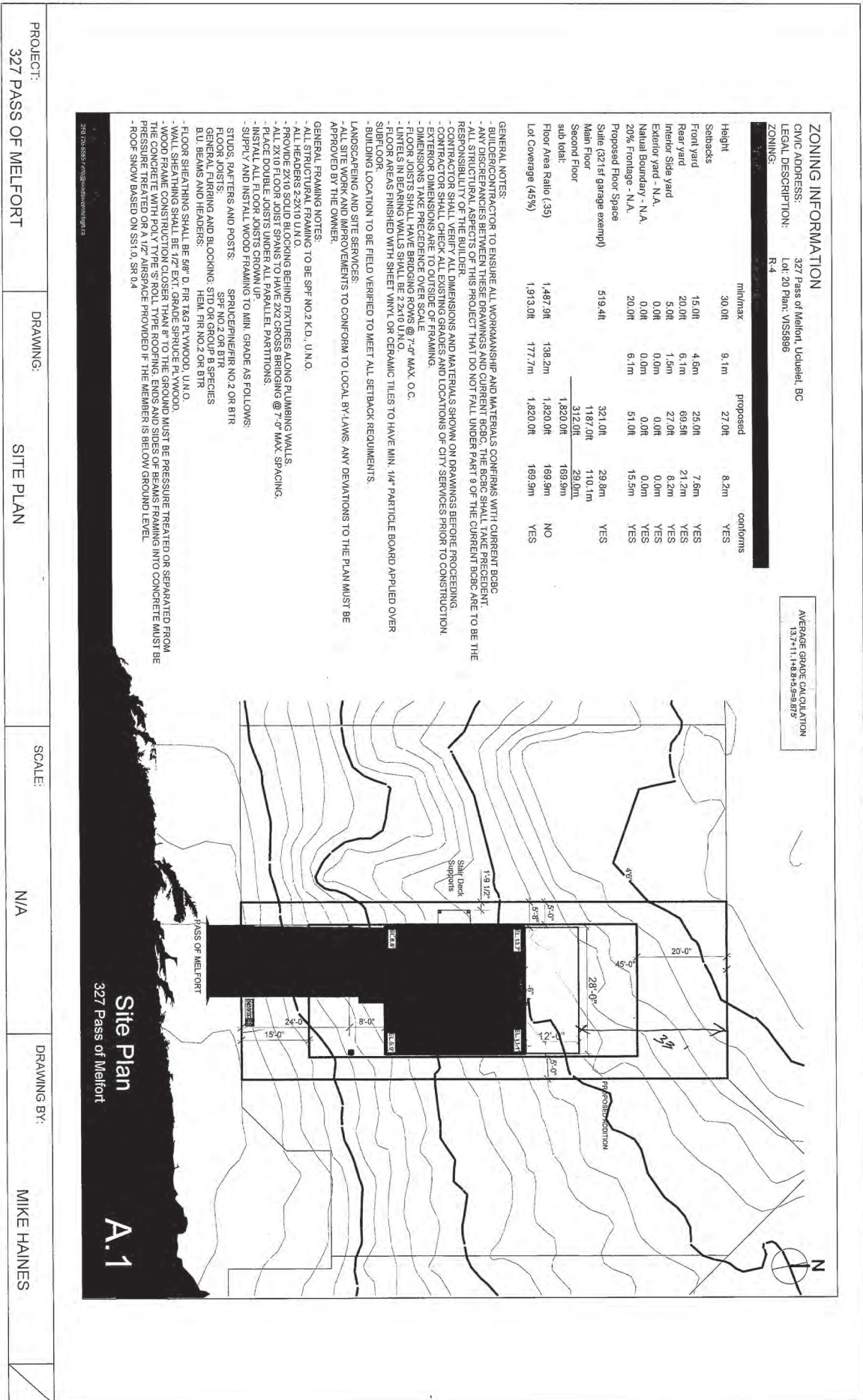
The addition we are asking to be granted would be on the backside of our two bedroom home, which we built in 2019. This addition would add two bedrooms and increase our square footage by 336 sq ft. Please understand we have assessed every other option and have not settled on this decision lightly. Our plan has been formulated strictly by need and an entire lack of alternative realistic options. In September we are expecting another child, and while we are excited about this change, we are left with no feasible options for housing that fits our growing needs. Due to lack of inventory on affordable housing, and the increase of cost of living, we have found it to be impossible to find an alternate residence within our financial means. We simply cannot take on the financial burden and unpredictability of buying and renovating an older house. Further, we have assessed alternative renovation options for our home, these include renovating our suite. However this is unrealistic due to lack of sufficient space for the stairwell as well as costs being astronomical for a number of reasons, most notably our second level in-floor cement heating. After consulting with two contractors we have been advised that the best use of space is to add the addition off the back of our home. They added the currently vacant adjacent lots makes this the ideal time to complete our necessary renovations, this will limit disruptions to current residents of the area and maximize our limited budget.

We have lived in Ucluelet for 7 years, and our lives are tightly immersed within our community. We have family here, a vital support system and employment that is locally based. During the last 6 years we are proud to have opened and operated Gypsy Drifter, a successful small business, which employs a minimum of two employees year round as well as contributing to the local economy. We help to serve local community members and support Ucluelet's thriving tourism, through a pandemic and moving forward. In addition, Parker has worked as a commercial fisherman on the West Coast for the past 10 years and spent the last year of his career fishing directly out of Ucluelet.

Upon review of our application you can see that leaving our community is not a viable option for our family, economically or otherwise, nor is buying a new residence. Our lives are deeply integrated into this community, we have a deep love for this community and want nothing more than to raise our children here. Again, we understand these special permissions take a great deal of careful consideration on the part of the Council members and we do not take that lightly, but we humbly ask you to grant this essential need, so we can continue to grow our family and our community.

Sincerely,

Nicola Buston & Parker Jackson

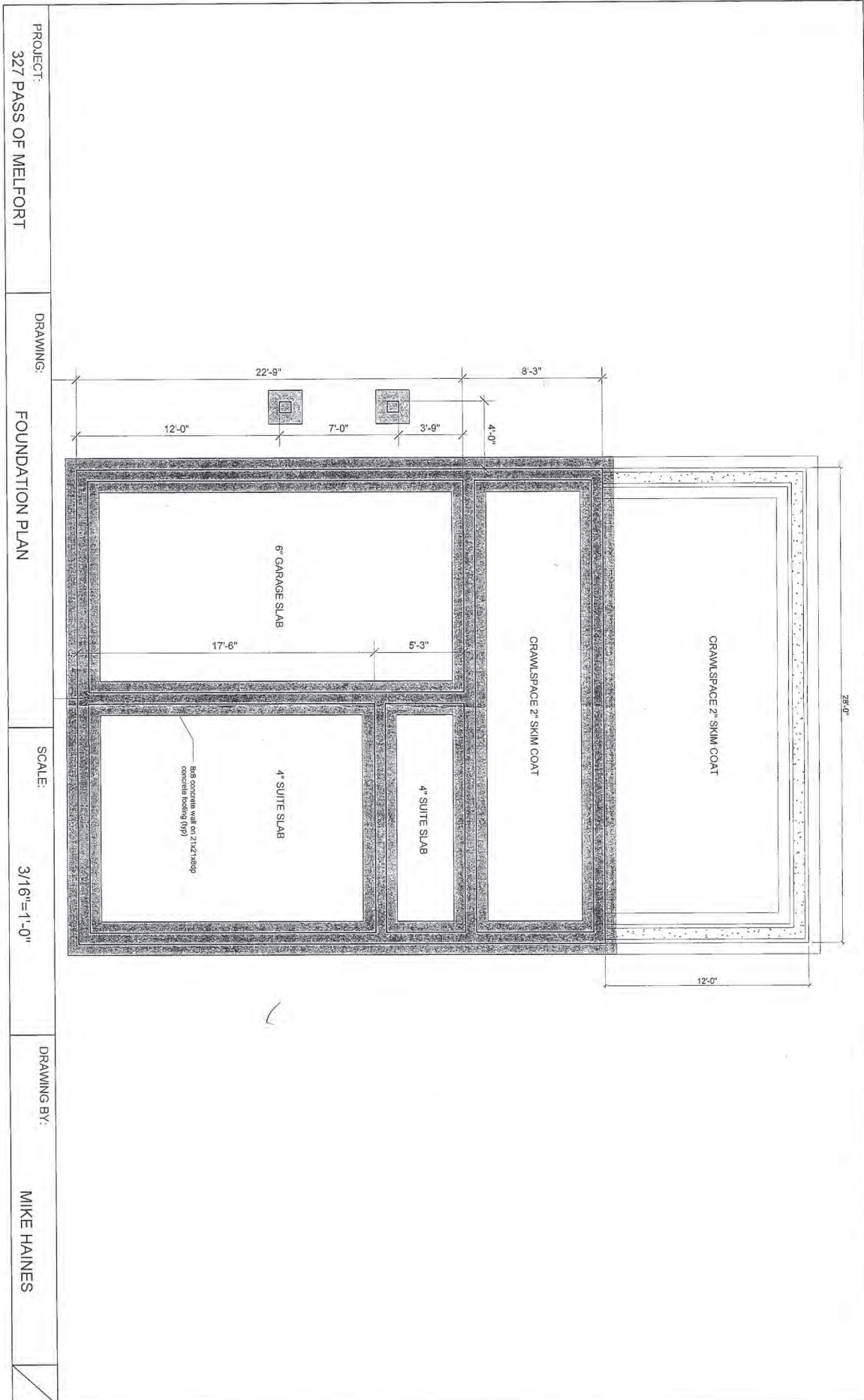


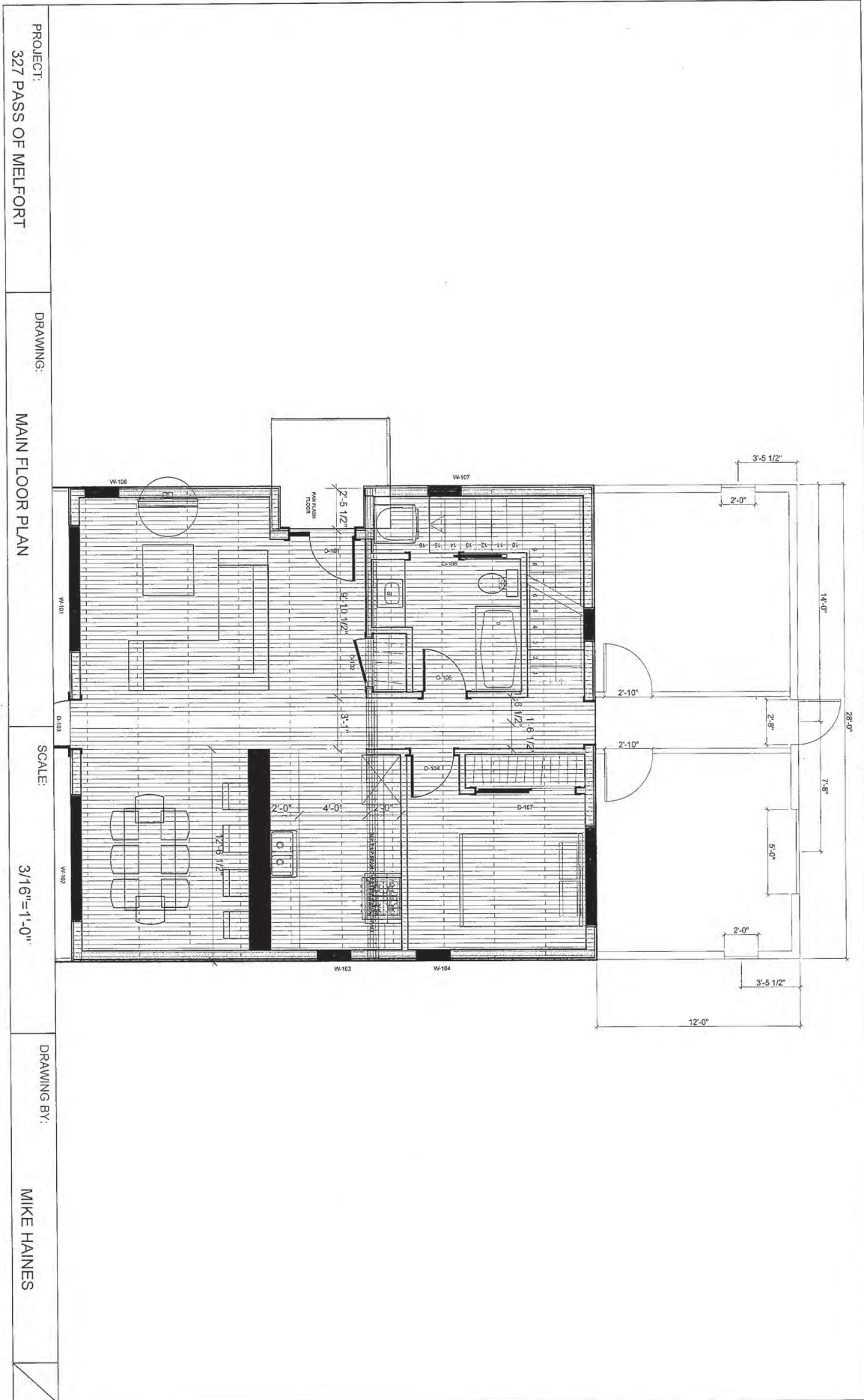
AVERAGE GRADE CALCULATION
13.7+11.4+8.5+9.9/4

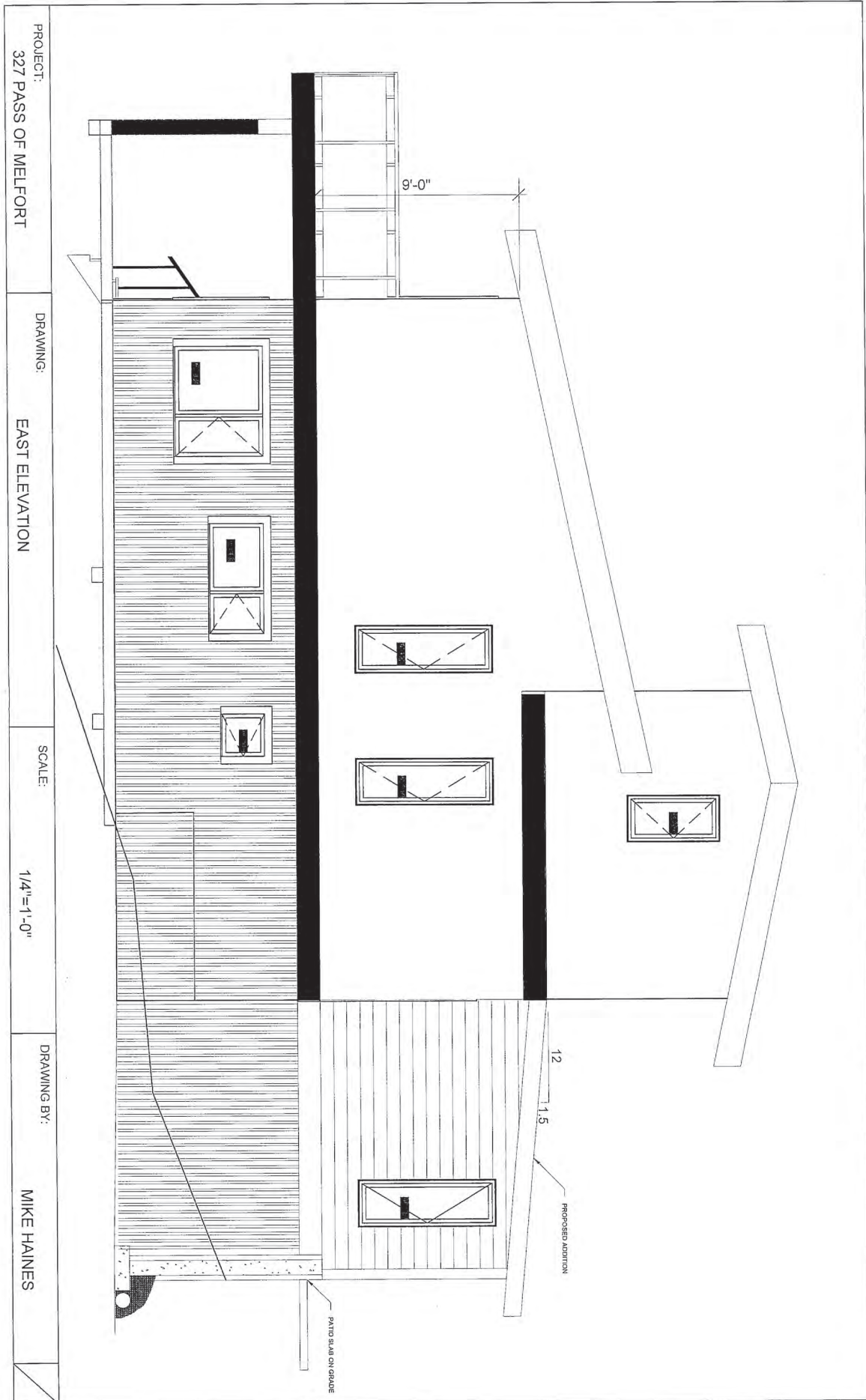


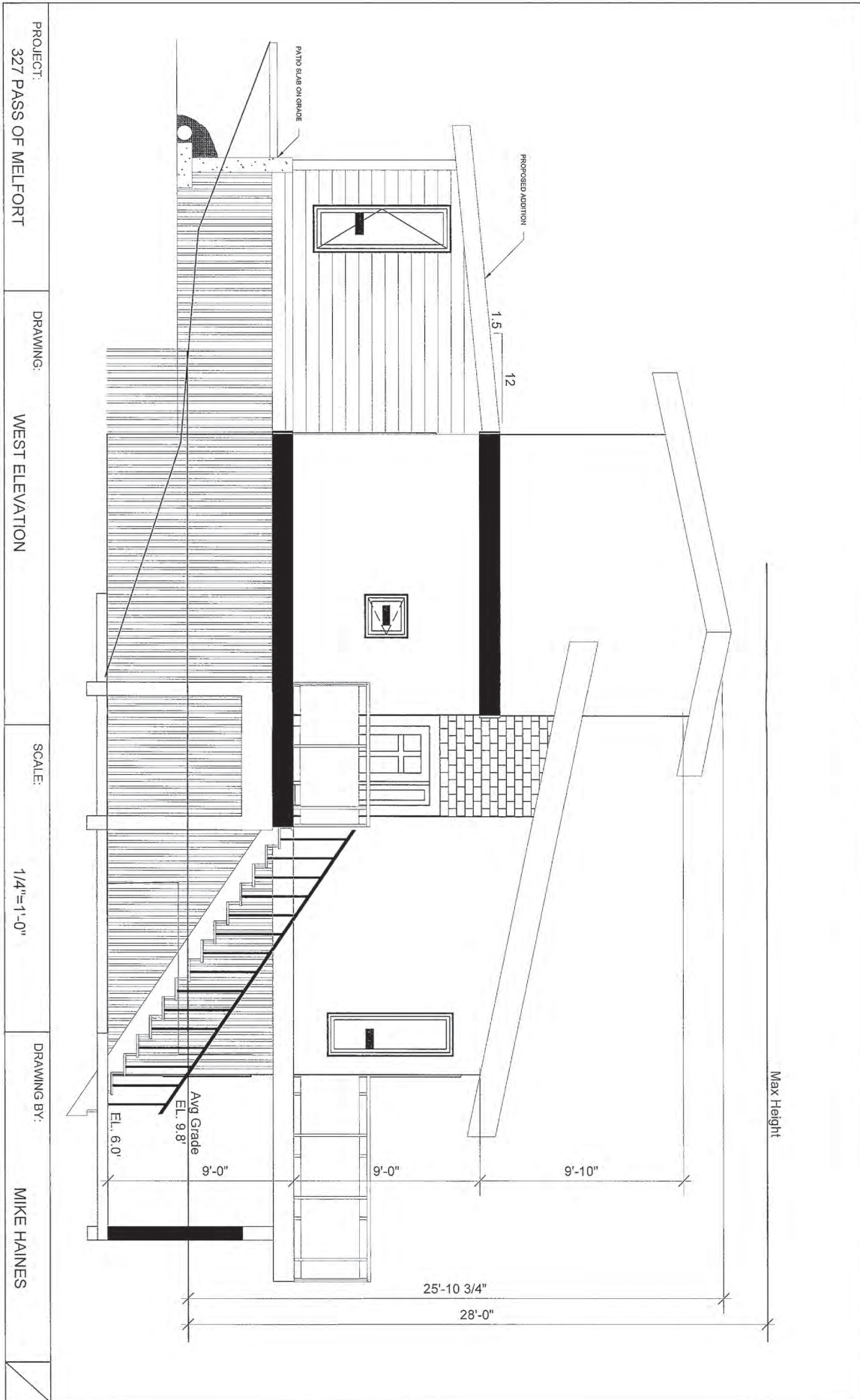
PROJECT: 327 PASS OF MELFORT DRAWING: SITE PLAN SCALE: N/A DRAWING BY: MIKE HAINES

ADDITION SE





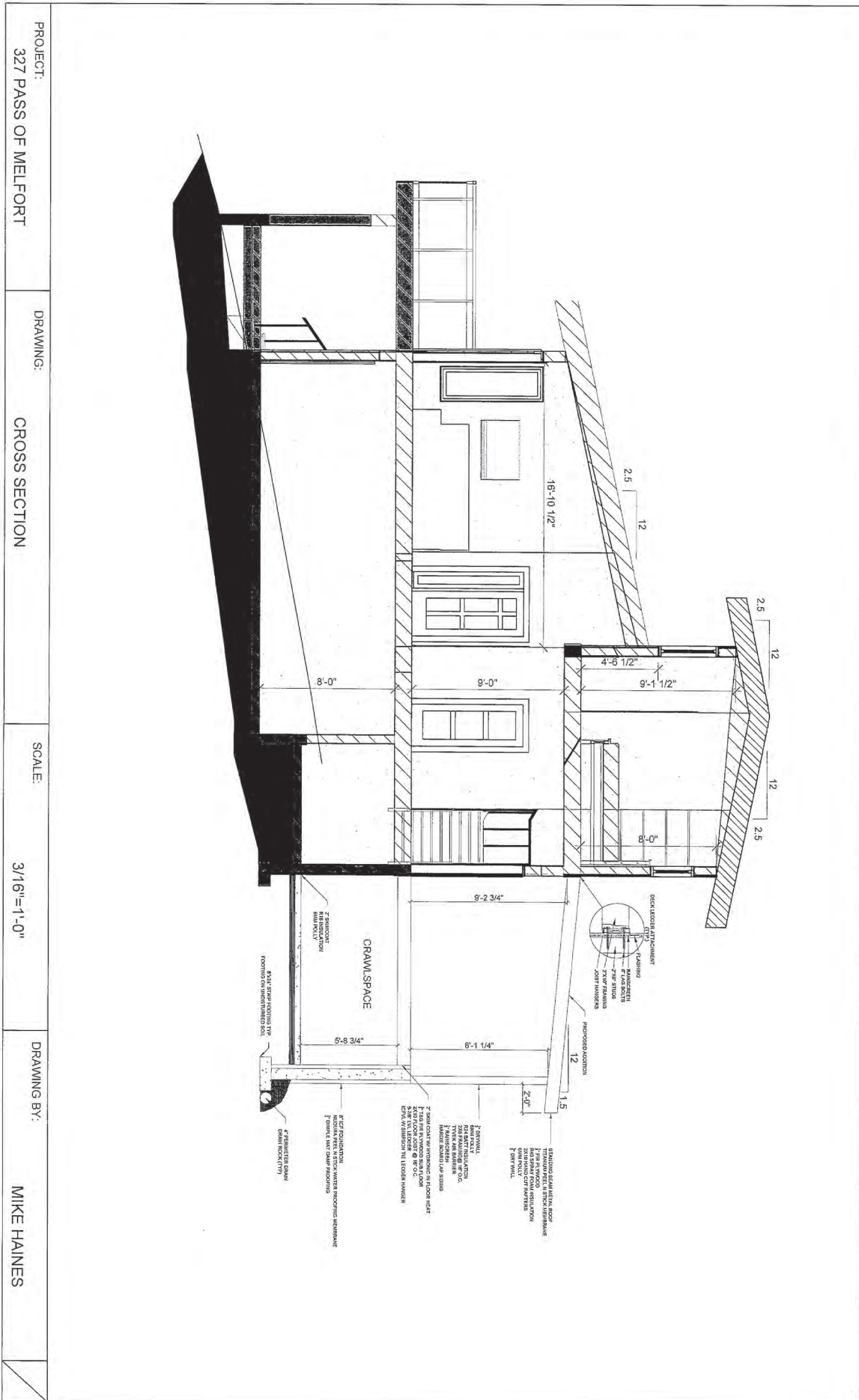




PROJECT: 327 PASS OF MELFORT	DRAWING: NORTH ELEVATION	SCALE: 1/4"=1'-0"	DRAWING BY: MIKE HAINES
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PROPOSED ADDITION

MAY 13
10:58 AM



DISTRICT OF UCLUELET**Zoning Amendment Bylaw No. 1320, 2022**

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

(327 Pass of Melfort)

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. Text Amendment:

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

A. Removing Lot 3 from section R-4.3.2 (1) so that this section reads as follows:

"(1) 0.35 for lands legally described as Strata Lots 2, 4-9, 13-15, 18, 20, 22, 24 and 25, all of Section 1, Barclay District, Strata Plan VIS5896; "

B. adding the following subsection (7) to section R-4.3.2 in alphanumerical order, as follows:

"(7) 0.51 for lands legally described as Strata Lot 20, Section 1, Barclay District, Strata Plan VIS5896."

2. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022".

READ A FIRST TIME this day of , 2022.

READ A SECOND TIME this day of , 2022.

PUBLIC HEARING this day of , 2022.

READ A THIRD TIME this day of , 2022.

ADOPTED this this day of , 2022.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022.”

Marilyn McEwan
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer



REPORT TO COUNCIL

Council Meeting: November 15, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ22-05/DP22-04
SUBJECT: ZONING AMENDMENT BYLAW NO. 1309 – 604 RAINFOREST DRIVE **REPORT NO:** 22-155
ATTACHMENT(S): APPENDIX A - ZONING AMENDMENT BYLAW NO. 1309, 2022
 APPENDIX B – RESTRICTIVE COVENANT CB283129
 APPENDIX C – DEVELOPMENT PERMIT 22-04

RECOMMENDATION(S):

THAT Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1309, 2022 and authorize the Director of Community Planning to execute and issue Development Permit 22-04.

BACKGROUND:

District of Ucluelet Zoning Amendment Bylaw No. 1309, 2022, received first and second reading at the May 31, 2022, Regular Council meeting and was then scheduled for a Public Hearing held on June 28, 2022. Council subsequently gave third reading of the bylaw on June 29, 2022.

A section 219 restrictive covenant (**Appendix B**) that specifies conditions to be met during the development of this property was deposited in the Victoria Land Title Office on October 14, 2022, and has now reached full registration under number CB283129. This covenant has been drafted to ensure, as a matter of public interest, that the use, building, site works, and landscaping be developed as proposed by the applicant. Further and specific to this proposal, the six dwelling units located on the second and third floor would be restricted to not be used for commercial tourist accommodation unless the ground floor contains Health Care Office. For details, please see Appendix B. A draft Development Permit was presented to Council at the May 13, 2022 (see Appendix C).

ANALYSIS OF OPTIONS

Council is now in a position to adopt Zoning Amendment Bylaw No. 1309 and authorize the issuance of Development Permit 22-04.

A	That Council adopt <i>District of Ucluelet Zoning Amendment</i>	<u>Pros</u>	<ul style="list-style-type: none"> Adopting the bylaw and issuing DP22-04 will allow the project to proceed as presented.
		<u>Cons</u>	<ul style="list-style-type: none"> No negative consequences are anticipated.

	<i>Bylaw No. 1309, 2022.</i>	<u>Implications</u>	<ul style="list-style-type: none"> • Staff will need to review and monitor the project against both the DP and Covenant. • Additional staff time to review any building permits submitted.
B	That Council provide alternative direction or reject the proposed amendment.	<u>Pros</u>	<ul style="list-style-type: none"> • Councils' intent with respect to the subject property and zoning would be met.
		<u>Cons</u>	<ul style="list-style-type: none"> • The registered covenants may need to be revised or removed. • Additional consultation with the property owner would likely be required.
		<u>Suggested Motion</u>	That Council direct staff to <u>(amend/reject)</u> <i>Ucluelet Zoning Amendment Bylaw No. 1309, 2022.</i>

POLICY OR LEGISLATIVE IMPACTS:

The adoption of *District of Ucluelet Zoning Amendment Bylaw No. 1309, 2022*, would amend *District of Ucluelet Zoning Bylaw No. 1160, 2013*.

Respectfully submitted:

BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

DUANE LAWRENCE, CAO

DISTRICT OF UCLUELET
Zoning Amendment Bylaw No. 1309, 2022

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
 (Zoning amendments to define and allow a Health Care Office in specific circumstances
 within the community).

WHEREAS Section 479 and other parts of the *Local Government Act* authorize zoning and other development regulations;

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

1. Text Amendment:

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended as follows:

A. Within section 103 Definitions, add the following definition in alphabetical order:

“**Health Care Office**” means use of a building or buildings by professions in which persons exercise skill or judgement or provide service related to the preservation or improvement of the physical, mental, or emotional health of individuals, or the treatment or care of individuals who are injured, sick, disabled or infirm, including chiropractors, dentists, optometrists, physicians, surgeons, dental hygienists, dental technicians, denturists, dietitians, licensed practical nurses, massage therapists, midwives, naturopathic physicians, nurses (registered), nurse practitioners, occupational therapists, opticians, physical therapists, psychologists, registered psychiatric nurses, traditional medicine practitioners, and acupuncturists, and other health care and social service practitioners including counsellors and herbalists.”

B. Within section 103 Definitions, replace the definition of “*Personal Services*” with the following:

“**Personal Services**” means the use of a *building* for the provision of professional or personal services, with or without the *accessory* sale of goods, wares, merchandise, articles, or things directly related to such services, and includes a barber shop, beauty salon and aesthetics, health care office, tattoo parlour, shoe repair shop, dry cleaning shop, and launderette, specifically excluding *financial institutions, commercial entertainment and offices.*”

- C.** Within section CD-3A of SubZone–DISTRICT LOT 282 in Schedule B–The Zones, replace subsection CD-3A.1.4 with the following text:

“CD-3A.1.4 The following uses are permitted on Lot A, Plan VIP82211, District Lot 281 & 282, Clayoquot Land District, in the areas of the CD-3 Zone Plan labeled “Commercial/ Residential” (604 Rainforest Drive), but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) Health Care Office, with accessory retail sales and administration
 - (b) Community Use
 - (c) Daycare Centre
 - (d) Emergency Services
 - (e) Public Assembly
 - (f) Personal Services
 - (g) Studio
 - (h) Multiple Family Residential
- (2) Secondary:
 - (a) Mixed Commercial/Residential
 - (b) Mixed Commercial/Resort Condo
 - (i) Despite the definition of Resort Condo in section 103 of this bylaw, on Lot A, Plan VIP82211, District Lot 281 & 282, Clayoquot Land District; PID 026-908-701 (604 Rainforest Drive) the commercial tourist accommodation uses of a Mixed Commercial/Resort Condo building are only permitted if the ground floor of the building contains a Health Care Office with a minimum gross floor area of 700m² or a Health Care Office functioning as a medical doctor clinic providing general practitioner services with a minimum gross floor area of 200m² ”

- D.** Within section CD-3A of SubZone–DISTRICT LOT 282 in Schedule B–The Zones, subsection CD-3A.4 Maximum Size (Gross Floor Area), subsection CD-3A.4.1 Principal Building, replace subsection (1) with the following text:

“(1) on Lot A, Plan VIP82211, District Lot 281 & 282, Clayoquot Land District; PID 026-908-701 (604 Rainforest Drive):

- (i) Mixed Commercial/Residential, Mixed Commercial/Resort Condo & Multiple Family Residential: 1450m² (15,603 ft²) gross floor area combined.
- (ii) All other uses: 557m² (6,000ft²) gross floor area combined.”

Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1309, 2022”.

READ A FIRST TIME this 31st day of **May**, 2022.

READ A SECOND TIME this 31st day of **May**, 2022.

PUBLIC HEARING held this 28th day of **June**, 2022.

READ A THIRD TIME this 29th day of **June**, 2022.

ADOPTED this day of , 2022.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1309, 2022.”

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



Land Title Act

Charge

General Instrument – Part 1

1. Application

Document Fees: \$76.32

**Alexandra Greenberg
YOUNG ANDERSON
1616 808 Nelson Street
Vancouver BC V6Z 2H2
6046897400**

File No. 119-201
604 Rainforest Drive Covenant

2. Description of Land

PID/Plan Number	Legal Description
026-908-701	LOT A DISTRICT LOTS 281 AND 282 CLAYOQUOT DISTRICT PLAN VIP82211

3. Nature of Interest

Type	Number	Additional Information
COVENANT		

4. Terms

Part 2 of this instrument consists of:

(b) Express Charge Terms Annexed as Part 2

5. Transferor(s)

CLAYOQUOT CONSTRUCTUION LTD. INC. , NO.BC0882374

6. Transferee(s)

DISTRICT OF UCLUELET
BOX 999
200 MAIN STREET
UCLUELET BC V0R 3A0

7. Additional or Modified Terms

8. Execution(s)

This instrument creates, assigns, modifies, enlarges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Witnessing Officer Signature

Execution Date

Transferor / Transferee / Party Signature(s)

MYRON E. PLETT
Barrister & Solicitor
PO BOX 909
1566 PENINSULA ROAD
UCLUELET BC V0R 3A0

YYYY-MM-DD
2022-09-27

**CLAYOQUOT CONSTRUCTUION LTD.
INC.**
By their Authorized Signatory

NICK KILLINS

Officer Certification

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Witnessing Officer Signature

Execution Date

Transferor / Transferee / Party Signature(s)

JOESPH ROTENBERG
**Commissioner for Taking Affidavits
for British Columbia**
PO BOX 999
200 MAIN STREET
UCLUELET BC V0R 3A0

YYYY-MM-DD
2022-10-13

DISTRICT OF UCLUELET
By their Authorized Signatory

MAYCO NOEL

(as to both signatures)

DUANE LAWRENCE

Officer Certification

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Electronic Signature

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

**Oleksandra
Greenberg 7A3UKS**

**Digitally signed by
Oleksandra Greenberg
7A3UKS
Date: 2022-10-14
13:33:16 -07:00**

TERMS OF INSTRUMENT- PART 2

COVENANT (Section 219 Land Title Act)

THIS COVENANT dated for reference the 13 day of October 2022,

BETWEEN:

CLAYOQUOT CONSTRUCTUION LTD. INC. NO BC0882374

PO Box 774, Tofino, British Columbia V0R 2Z0

(the "**Grantor**")

AND:

DISTRICT OF UCLUELET

Box 999, 200 Main Street, Ucluelet, British Columbia V0R 3A0

(the "**District**")

WHEREAS:

- A. The Grantor is the registered owner of land located at 604 Rainforest Drive, in Ucluelet, British Columbia and more particularly described as Parcel Identifier 026-908-701, legal description: LOT A DISTRICT LOTS 281 AND 282 CLAYOQUOT DISTRICT PLAN VIP82211 (the "**Land**");
- B. Section 219 of the Land Title Act permits the registration of a covenant of a negative or positive nature in favour of the District, in respect of the use of land or buildings, or the building on land;
- C. The Grantor has applied to the District to amend the District of Ucluelet Zoning Bylaw No.1160, 2013, to permit on the Land a health care office and additional density, and in connection with the Grantor's request to adopt Zoning Bylaw Amendment No.1309, 2022 (the "**Rezoning Bylaw**"), the Grantor has offered to grant this Covenant to the District; and
- D. The Grantor wishes to grant this Covenant to the District to confirm the proposed development will be generally in accordance with the plans provided in support of the Grantor's zoning amendment application, and that the Land will not be developed or used except on the terms and conditions agreed to by the parties and set out in this Covenant.

THIS COVENANT is evidence that in consideration of the payment of TWO DOLLARS (\$2.00) by the District to the Grantor, and other good and valuable consideration (the receipt and sufficiency of which are acknowledged by the parties), the Grantor covenants and agrees with the District, in accordance with section 219 of the Land Title Act, as follows:

Restriction on Use and Development of the Land

1. The Land must not be altered, constructed on, or developed (including the placement of any building or structure on the Land), nor will the Grantor apply for any building permit from the District in relation to the Land, except to the extent that the alteration, construction or development

is in accordance with, or is to facilitate the implementation of, the development of the Land as set out in Schedule A attached to this Covenant (the "**Development**").

2. Dwelling units within the Development must not be used for any type of commercial tourist accommodation, unless and until the ground floor of the Development contains an operational health care office, as defined from time to time by the District of Ucluelet Zoning Bylaw No.1160, 2013 ("Health Care Office"), with a minimum gross floor area of 700m² or a Health Care Office functioning as a physician's clinic providing general practitioner services with a minimum gross floor area of 200m².

Amendments to Development Plans

3. The Grantor may request, and the District's Manager of Planning may in his or her sole discretion approve, minor deviations from the Development plans, as set out in Schedule A, provided that any such requests or approvals must be made in writing.

Discharge

4. The District agrees that if the Rezoning Bylaw is not adopted by the District before December 31, 2022, this Covenant may be discharged from the Land and, for that purpose, the Grantor will deliver to the District and the District will execute and return to the Grantor, a discharge of this Covenant registrable in the Land Title Office.

Subject to Bylaws

5. This Covenant does not relieve the Grantor in any way from complying with all applicable bylaws of the District or other enactments applicable to the Land.

Inspections

6. The District and any of its officers and employees may enter on the Land, after having provide the Grantor with reasonable notice, at reasonable times, to inspect the Land to ascertain compliance with this Covenant.

Amendment

7. This Covenant may be altered or amended only by an agreement in writing signed by the parties.

Release and Indemnity

8. The Grantor releases the District and must indemnify and save harmless the District and its councillors, officers, and employees from and against any and all liabilities, actions, causes of action, claims, suits, proceedings, judgements, damages, expenses, fees (including actual legal fees), demands, and losses by the Grantor, or any other person, that may be made against the District or its councillors, officers, or employees of whatsoever kind and howsoever arising out of or in any way

due to or relating to the granting or existence of this Covenant or a breach of the terms of this Covenant by the Grantor.

Cost

9. The Grantor must comply with all the requirements and obligations of this Covenant at its sole cost and expense.

No Public Law Duty

10. Whenever in this Covenant the District is required or entitled to exercise any discretion in the granting of consent or approval, or is entitled to make any determination, take any action or exercise any contractual right or remedy, the District may do so in accordance with the contractual provisions of this Covenant only and will not be bound by any public law duty, whether arising from the principles of procedural fairness or the rules of natural justice or otherwise.

No Obligations on District

11. The rights given to the District by this Covenant are permissive only and nothing in this Covenant:
 - a. imposes any duty of care or other legal duty of any kind on the District to the Grantor or to anyone else;
 - b. obliges the District to enforce this Covenant, which is a policy matter within the sole discretion of the District; or
 - c. obliges the District to perform any act, or to incur any expense for any of the purposes set out in this Covenant.

No Effect on Laws or Powers

12. This Covenant does not,
 - a. affect or limit the discretion, rights or powers of the District under any enactment or at common law, including in relation to the use or subdivision of the Land;
 - b. affect or limit any law or enactment relating to the use or subdivision of the Land; or
 - c. relieve the Grantor from complying with any law or enactment, including in relation to the use or subdivision of the Land.

District's Right to Equitable Relief

13. The Grantor agrees that the District is entitled to obtain an order for specific performance or a prohibitory or mandatory injunction in respect of any breach by the Grantor of this Covenant.

Covenant Runs with the Land

14. Every obligation and covenant of the Grantor in this Covenant constitutes both a contractual obligation and a covenant granted under section 219 of the Land Title Act in respect of the Land and this Covenant burdens the Land and runs with it and binds the successors in title to the Land. For certainty, unless expressly stated otherwise, the term "Grantor" refers to the current and each

future owner of the Land. This Covenant burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which the Land is consolidated.

Registration

15. The Grantor agrees to do everything necessary, at the Grantor's expense, to ensure that this Covenant is registered against title to the Land with priority over all financial charges, liens and encumbrances registered, or the registration of which is pending, at the time of application for registration of this Covenant.

Waiver

16. A waiver by the District of any breach of this Covenant by the Grantor is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver by the District of a breach by the Grantor of this Covenant does not operate as a waiver of any other breach of this Covenant.

Notice

17. Any notice to be given pursuant to this Covenant must be in writing and must be delivered personally or sent by prepaid mail. The addresses of the parties for the purpose of notice are the addresses on the first page of this Covenant and in the case of any subsequent owner, the address will be the address shown on the title to the Land in the Land Title Office.
18. If notice is delivered personally, it may be left at the relevant address in the same manner as ordinary mail is left by Canada Post and is to be deemed given when delivered. If notice is sent by mail, it is to be deemed given 3 days after mailing by deposit at a Canada Post mailing point or office. In the case of any strike or other event causing disruption of ordinary Canada Post operations, a party giving notice for the purposes of this Covenant must do so by delivery as provided in this section.
19. Either party may at any time give notice in writing to the other of any change of address and from and after the receipt of notice the new address is deemed to be the address of such party for giving notice.

Enurement

20. This Covenant binds the parties to it and their respective corporate successors, heirs, executors, administrators and personal representatives.

Joint and Several

21. If at any time more than one person (as defined in the Interpretation Act (British Columbia)) owns the Land, each of those persons will be jointly and severally liable for all the obligations of the Grantor under this Covenant.

Further Acts

22. The Grantor must do everything reasonably necessary to give effect to the intent of this Covenant, including execution of further instruments.

AS EVIDENCE of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C which is attached hereto and forms part of this Covenant.

Schedule A



CLIENT
Nick Killins
Claycoet Construction Ltd.
Box 774 Tolmie, BC, V0R 2Z0

DRAWN BY
I. KENNINGTON

ISSUE
May 12, 2022

PROJECT
LOT 19, Marine Drive
Ucluelet, BC

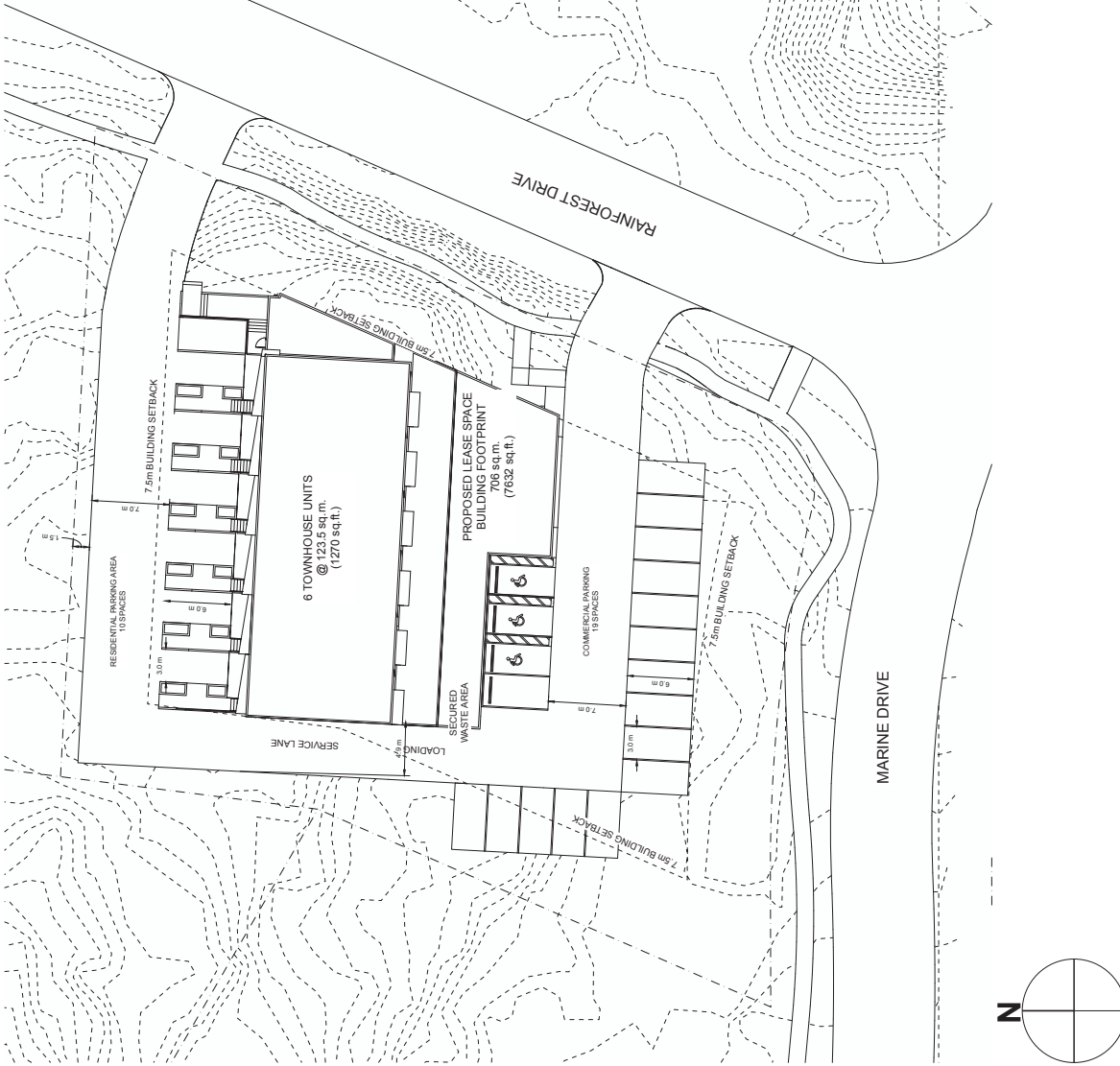
The Design Centre
RESIDENTIAL & RESORT
PLANNING & DESIGN

1330 Bayview Ave., PO Box 1741
Ucluelet, BC V0R 2B1
Tel: 250-253-2874



ZONING INFORMATION:			
CIVIL ADDRESS:	LOT 19 MARINE DRIVE, UCLUELET, BC		
LEGAL DESCRIPTION:	LOTA, SECTION 21, DL 282, CLAYQUOT DISTRICT, PLAN VIP 82211, PID 026508701		
ZONING:	CD3A.1.4		
LOT AREA:	3444.3 sq.m. / 37074.1 sq.ft.		
HEIGHT/SETBACK REQUIREMENTS:			
HEIGHT:	10m (33'-0")	PROPOSED	CONFORMING
FRONT SETBACK:	7.5m (25'-0")	7.5m (25'-0")	YES
REAR SETBACK:	7.5m (25'-0")	7.5m (25'-0")	YES
INTERIOR SIDE SETBACK:	7.5m (25'-0")	7.5m (25'-0")	YES
EXTERIOR SIDE SETBACK:	7.5m (25'-0")	7.5m (25'-0")	YES
LOT COVERAGE:	30%	20%	YES
PROPOSED FLOOR AREA:			
1ST FLOOR:	709 sq.m (7632 sq.ft.)		
2ND FLOOR:	387 sq.m (4161 sq.ft.)		
3RD FLOOR:	354 sq.m (3810 sq.ft.)		
TOTAL:	1450 sq.m (15,603 sq.ft.)		(SEE NOTE*)
FLOOR AREA RATIO (.50):			.42 (SEE NOTE**)

NOTED: LOT 19 SUBJECT TO THE FOLLOWING CONDITIONS:
 1. COVERAGE: 30% (1447 - 367.7 m²) (6,000 ft²) gross floor area combined on Lot 19, Plan V1979602
 2. COVERAGE: 30% (1447 - 367.7 m²) (6,000 ft²) gross floor area combined on Lot 19, Plan V1979602



RESIDENTIAL & RESORT
 PLANNING & DESIGN
 1339 Edgars Place, PO Box 1243
 UCLUELET, BC V1R 3A0, 250.726.3873

The Design Centre

CLIENT
 CLAYQUOT CONSTRUCTION LTD.

PROJECT
 LOT 19
 MARINE DR.
 UCLUELET, BC

ISSUE
 May 12, 2022
 DRAWN BY
 I. KENNINGTON

ISSUE
May 12, 2022
DRAWN BY
I. KENNINGTON

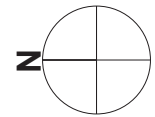
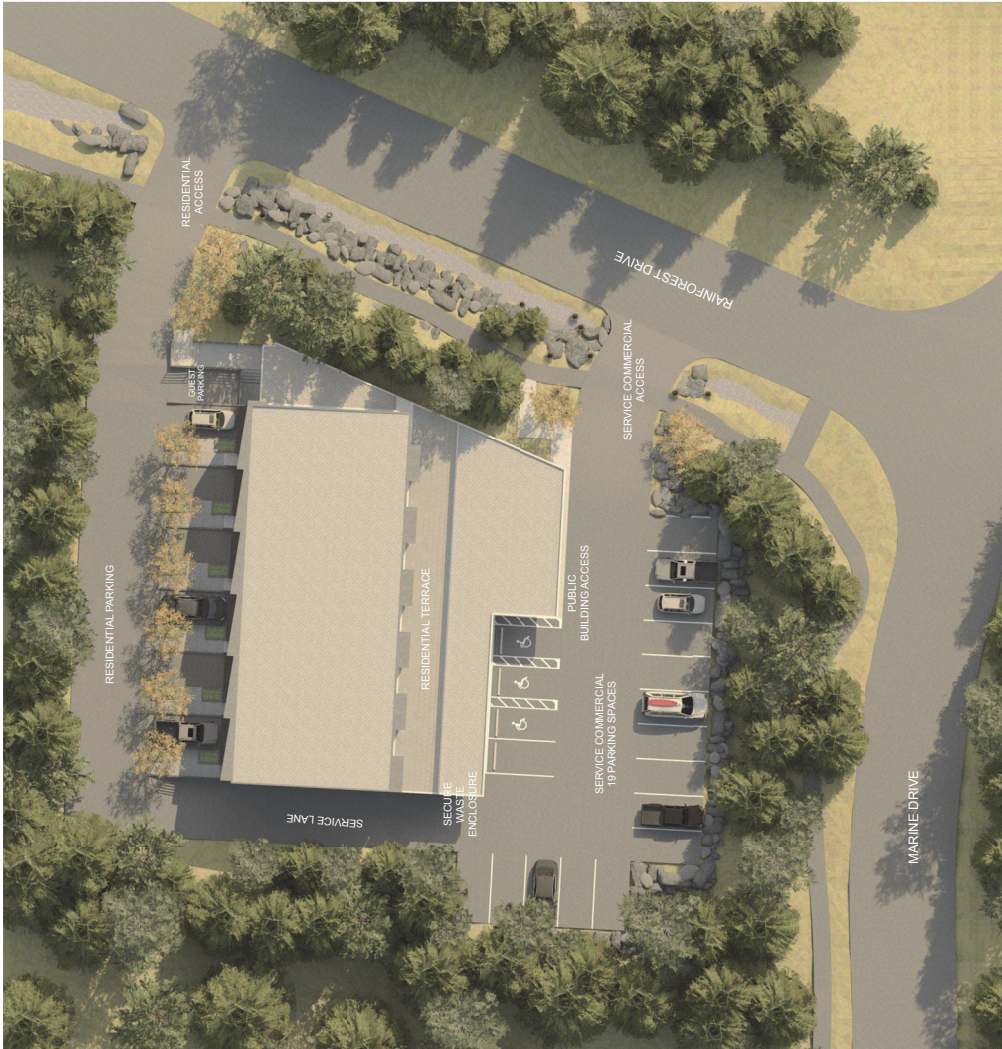
PROJECT
LOT 19
MARINE DR.
UCULELT, BC

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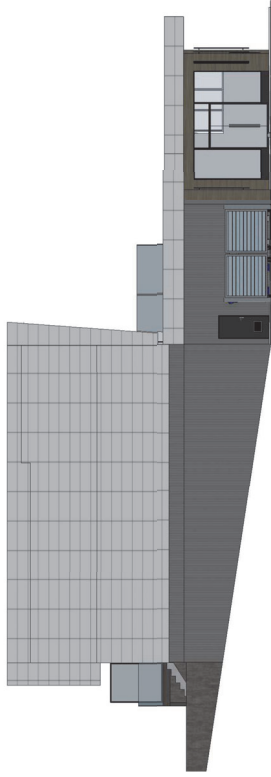
1 ILLUSTRATIVE MASTER PLAN
A.02 Scale: 1:200m



- 1st FLOOR (28.7 m)
- 2nd FLOOR (57.4 m)
- 3rd FLOOR (86.1 m)
- 4th FLOOR (114.8 m)
- 5th FLOOR (143.5 m)
- 6th FLOOR (172.2 m)
- 7th FLOOR (200.9 m)
- 8th FLOOR (229.6 m)
- 9th FLOOR (258.3 m)
- 10th FLOOR (287 m)
- 11th FLOOR (315.7 m)
- 12th FLOOR (344.4 m)
- 13th FLOOR (373.1 m)
- 14th FLOOR (401.8 m)
- 15th FLOOR (430.5 m)
- 16th FLOOR (459.2 m)
- 17th FLOOR (487.9 m)
- 18th FLOOR (516.6 m)
- 19th FLOOR (545.3 m)
- 20th FLOOR (574 m)
- 21st FLOOR (602.7 m)
- 22nd FLOOR (631.4 m)
- 23rd FLOOR (660.1 m)
- 24th FLOOR (688.8 m)
- 25th FLOOR (717.5 m)
- 26th FLOOR (746.2 m)
- 27th FLOOR (774.9 m)
- 28th FLOOR (803.6 m)
- 29th FLOOR (832.3 m)
- 30th FLOOR (861 m)
- 31st FLOOR (889.7 m)
- 32nd FLOOR (918.4 m)
- 33rd FLOOR (947.1 m)
- 34th FLOOR (975.8 m)
- 35th FLOOR (1004.5 m)
- 36th FLOOR (1033.2 m)
- 37th FLOOR (1061.9 m)
- 38th FLOOR (1090.6 m)
- 39th FLOOR (1119.3 m)
- 40th FLOOR (1148 m)
- 41st FLOOR (1176.7 m)
- 42nd FLOOR (1205.4 m)
- 43rd FLOOR (1234.1 m)
- 44th FLOOR (1262.8 m)
- 45th FLOOR (1291.5 m)
- 46th FLOOR (1320.2 m)
- 47th FLOOR (1348.9 m)
- 48th FLOOR (1377.6 m)
- 49th FLOOR (1406.3 m)
- 50th FLOOR (1435 m)
- 51st FLOOR (1463.7 m)
- 52nd FLOOR (1492.4 m)
- 53rd FLOOR (1521.1 m)
- 54th FLOOR (1549.8 m)
- 55th FLOOR (1578.5 m)
- 56th FLOOR (1607.2 m)
- 57th FLOOR (1635.9 m)
- 58th FLOOR (1664.6 m)
- 59th FLOOR (1693.3 m)
- 60th FLOOR (1722 m)
- 61st FLOOR (1750.7 m)
- 62nd FLOOR (1779.4 m)
- 63rd FLOOR (1808.1 m)
- 64th FLOOR (1836.8 m)
- 65th FLOOR (1865.5 m)
- 66th FLOOR (1894.2 m)
- 67th FLOOR (1922.9 m)
- 68th FLOOR (1951.6 m)
- 69th FLOOR (1980.3 m)
- 70th FLOOR (2009 m)
- 71st FLOOR (2037.7 m)
- 72nd FLOOR (2066.4 m)
- 73rd FLOOR (2095.1 m)
- 74th FLOOR (2123.8 m)
- 75th FLOOR (2152.5 m)
- 76th FLOOR (2181.2 m)
- 77th FLOOR (2209.9 m)
- 78th FLOOR (2238.6 m)
- 79th FLOOR (2267.3 m)
- 80th FLOOR (2296 m)
- 81st FLOOR (2324.7 m)
- 82nd FLOOR (2353.4 m)
- 83rd FLOOR (2382.1 m)
- 84th FLOOR (2410.8 m)
- 85th FLOOR (2439.5 m)
- 86th FLOOR (2468.2 m)
- 87th FLOOR (2496.9 m)
- 88th FLOOR (2525.6 m)
- 89th FLOOR (2554.3 m)
- 90th FLOOR (2583 m)
- 91st FLOOR (2611.7 m)
- 92nd FLOOR (2640.4 m)
- 93rd FLOOR (2669.1 m)
- 94th FLOOR (2697.8 m)
- 95th FLOOR (2726.5 m)
- 96th FLOOR (2755.2 m)
- 97th FLOOR (2783.9 m)
- 98th FLOOR (2812.6 m)
- 99th FLOOR (2841.3 m)
- 100th FLOOR (2870 m)



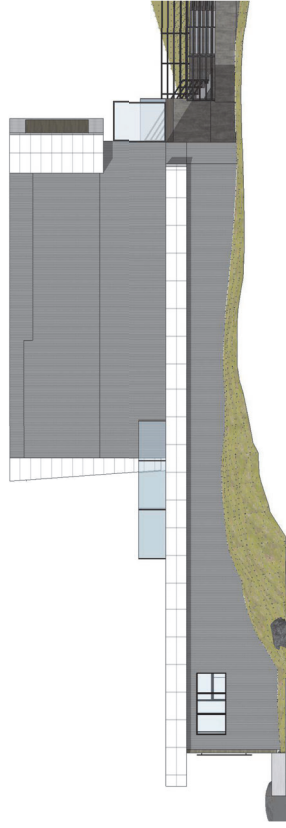
1 SOUTH ELEVATION
A.03 Scale: 1/8" = 1'-0"



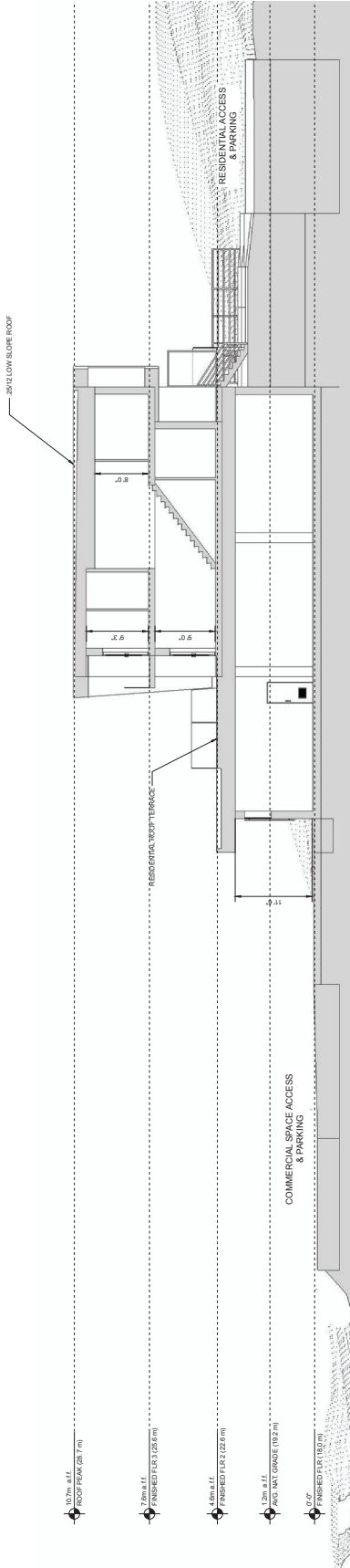
2 WEST ELEVATION
A.03 Scale: 1/8" = 1'-0"



3 NORTH ELEVATION
A.03 Scale: 1/8" = 1'-0"

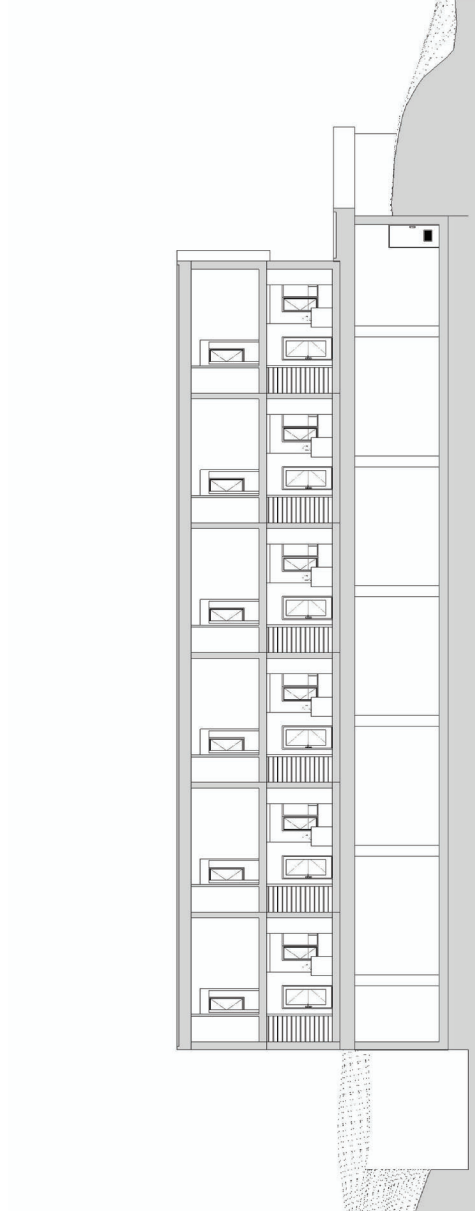


4 EAST ELEVATION
A.03 Scale: 1/8" = 1'-0"



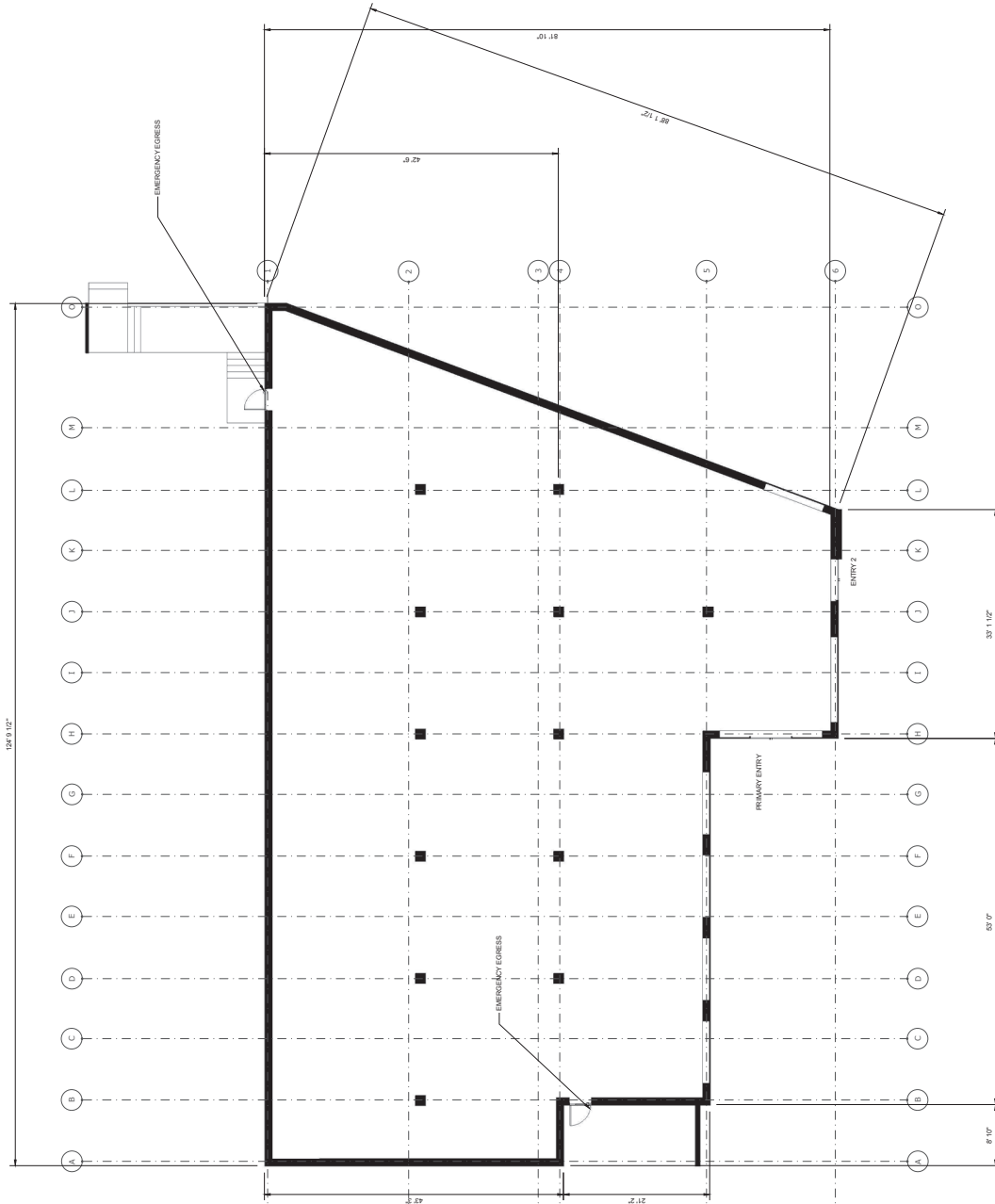
SECTION VIEW FROM RAINFOREST DRIVE LOOKING WEST

1 SECTION 1
A.04 / Scale: 1/8" = 1'-0"

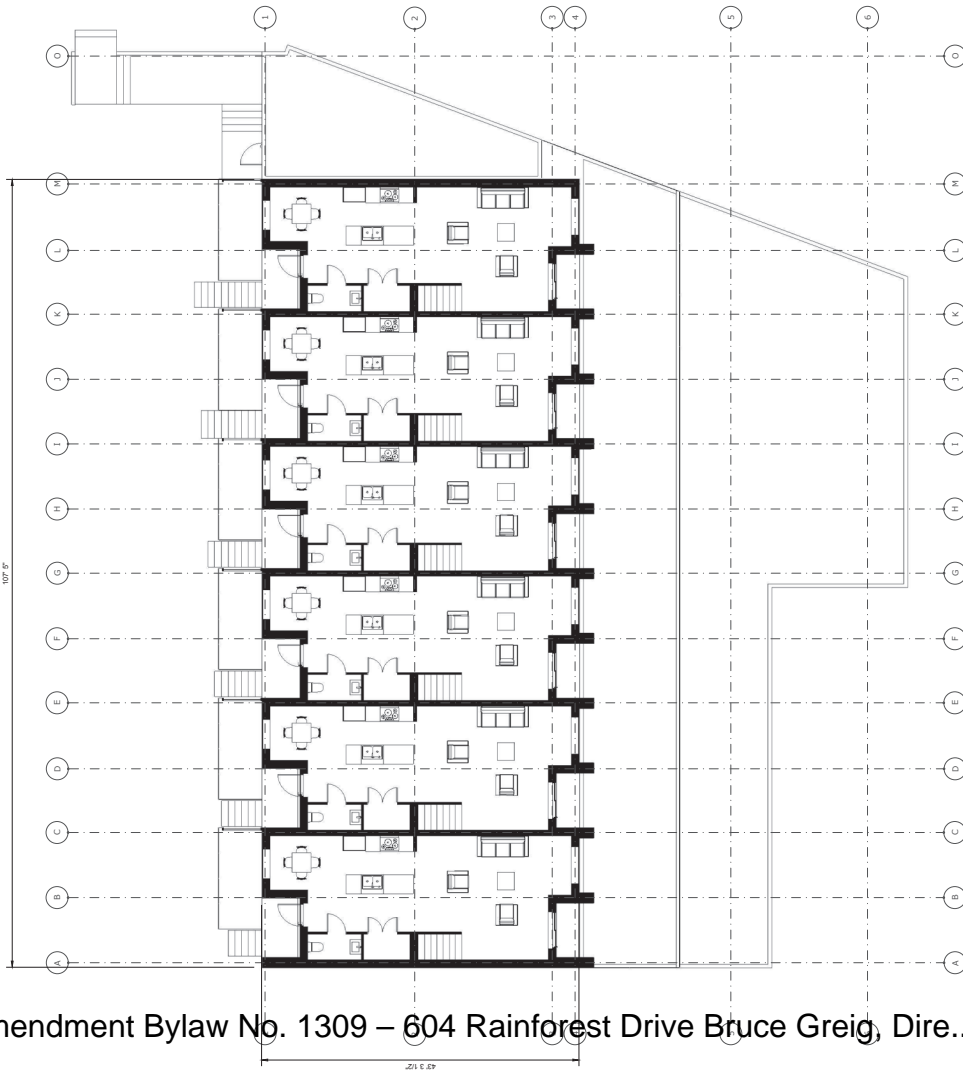


SECTION VIEW FROM MARINE DRIVE LOOKING NORTH

2 SECTION 2
A.04 / Scale: 1/8" = 1'-0"



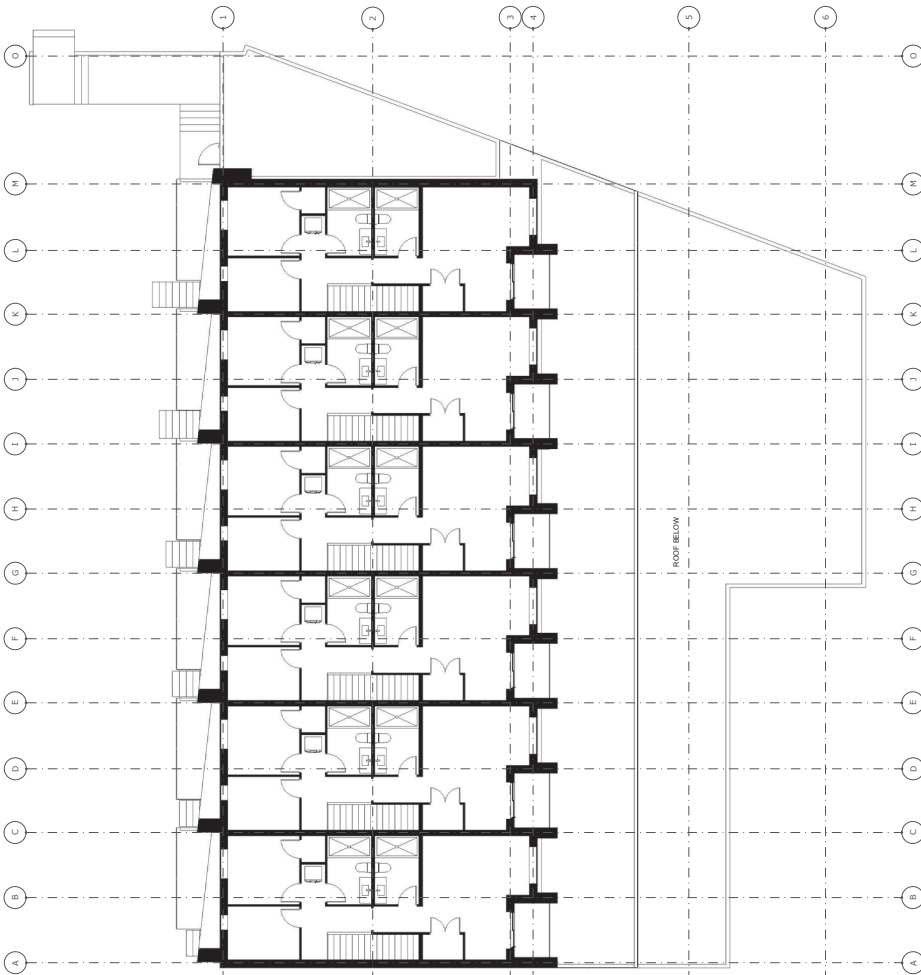
1 LEVEL 1 COMMERCIAL AREA UNDIVIDED
A.05 Scale: 1/8" = 1'-0"



1 LEVEL 2 BUILDING PLAN
A.06 Scale: 1/8" = 1'-0"



2 LEVEL 2 UNIT PLAN
A.06 Scale: 1/4" = 1'-0"
 SCALE: 1/4" = 1'-0"
 0 1 2 3 4 5 6 8 10 FT



1 LEVEL 3 BUILDING PLAN
Scale: 1/8" = 1'-0"

2 LEVEL 3 UNIT PLAN
Scale: 1/4" = 1'-0"

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1339 Edwards Place, PO Box 1243
Nanaimo, BC, V9N 3A0, 250.726.2873

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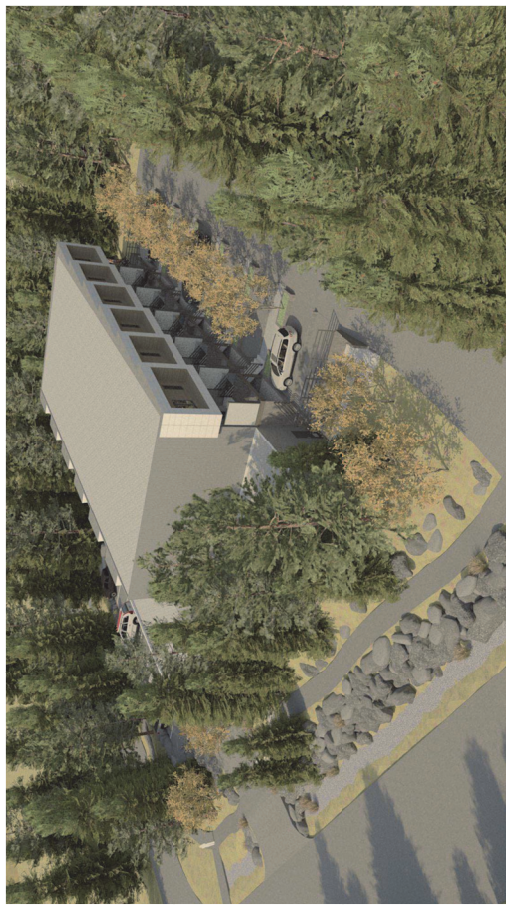
ISSUE
May 12, 2022
PROJECT
LOT 19
MARINE DR.
UCLELET, BC
DRAWN BY
I. KENNINGTON

RESIDENTIAL
661 of 199
A.07
55 of 199



VIEW LOOKING NORTHWEST ON MARINE DRIVE

2 PERSPECTIVE 2
A.08 Scale: NTS



BIRDS EYE VIEW OF RESIDENTIAL ENTRY

4 PERSPECTIVE 4
A.08 Scale: NTS



VIEW LOOKING SOUTH ON RAINFOREST DRIVE

1 PERSPECTIVE 1
A.08 Scale: NTS



VIEW LOOKING EAST ON MARINE DRIVE

3 PERSPECTIVE 3
A.08 Scale: NTS



1 PERSPECTIVE 1
Scale: NTS

COMMERCIAL LEVEL PARKING



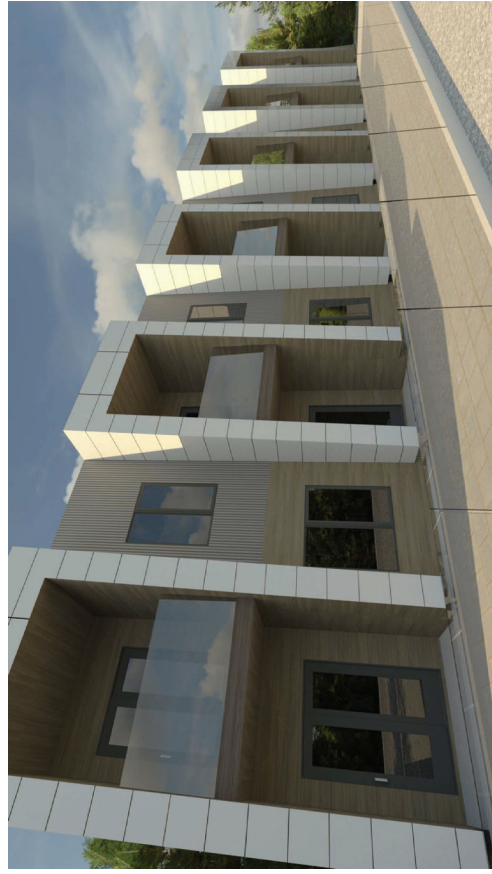
2 PERSPECTIVE 2
Scale: NTS

RESIDENTIAL FRONT YARD



3 PERSPECTIVE 3
Scale: NTS

RESIDENTIAL FRONT DECK ENTRY



4 PERSPECTIVE 4
Scale: NTS

RESIDENTIAL REAR YARD/ROOF TERRACE



DEVELOPMENT PERMIT DP22-04

Pursuant to section 488 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:

Clayoquot Construction LTD. INC. NO BC0882374, PO Box 774, Tofino, British Columbia V0R 2Z0

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

604 Rainforest Drive; Parcel Identifier 026908701, Lot A, Plan VIP82211, District Lot 281, Clayoquot Land District, & DL 282

3. This Permit authorizes the following improvements on the Lands:
 - a) Addition of a 3-storey mixed use or multi family building.
 - b) Associated landscape and hardscape work including but not limited to:
 - i. Paved parking lot with 3 accessible parking spaces and two access points.
 - ii. Internal landscape features and trees.
 - iii. The retention and augmentation of a treed buffer on all four sides of the property.
4. These improvements apply only in the locations indicated, and otherwise in accordance with, the drawings and specifications attached to this Permit as Schedule A.
5. This permit will be subject to:
 - a) the receipt of final landscape plans.
 - b) a deposit of 125% of the value of the proposed landscape works and street improvements.
 - c) approval of the vehicle access points by Ucluelet's fire chief.
 - d) approval of fire hydrant location by Ucluelet's fire chief.
 - e) The receipt of final plans and details for waste/recycle screening and bear proofing.
6. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
7. 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.
8. The owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
9. This Permit is NOT a Building Permit.
10. Schedule A attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.



AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2022 .

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning



Schedule A

(See Appendix B)



REPORT TO COUNCIL

Council Meeting: November 15, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

FILE NO: 3360-20 RZ22-02 / 3060-20 DP22-19

SUBJECT: ZONING AMENDMENT AND DEVELOPMENT PERMIT FOR 1683 LARCH ROAD

REPORT NO: 22-156

ATTACHMENT(S): APPENDIX A – APPLICATION
APPENDIX B – ZONING AMENDMENT BYLAW No.1319,2022
APPENDIX C – DEVELOPMENT PERMIT 22-19
APPENDIX D – DEVELOPMENT VARIANCE PERMIT 22-07

RECOMMENDATION(S):

THAT Council, with regard to the proposed development at 1683 Larch Road:

1. Give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022; and,
2. Direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022 and Development Variance Permit 22-07.

BACKGROUND:

The applicant submitted a rezoning application on April 28th, 2022, to create a mixed-use development on 1683 Larch Road; Lot B, Plan VIP77503, District Lot 282, Clayoquot Land District (the “**subject property**”).



Figure 1 – Subject Property

The subject property is located on the southeast corner of Larch Road and an undeveloped lane between the Army, Navy, Air Force property and the Heartwood Restaurant. The subject property currently contains a building with a Single-Family Dwelling (SFD) on the second floor and a workshop/garage on the ground

floor. The subject property around the building has been cleared and is dominated by paved/gravel parking areas.

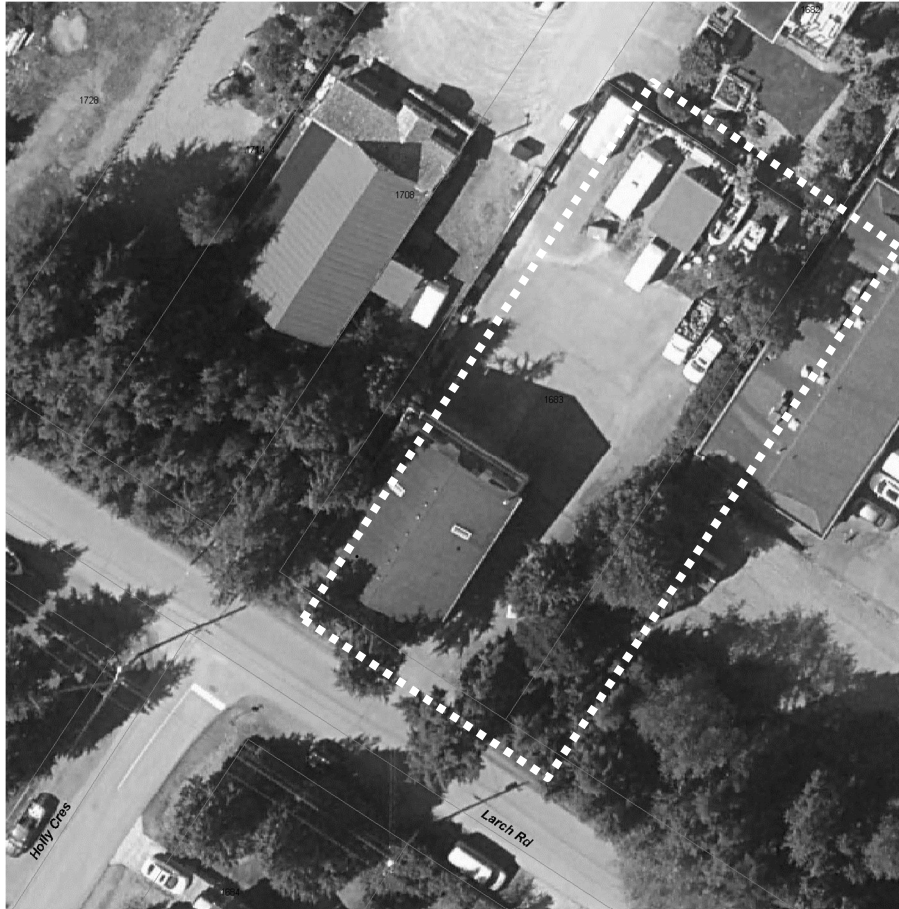


Figure 2 – Property Image

DISCUSSION:

The current zoning of the subject property is CS-2 which allows a variety of commercial and mixed uses including but not limited to Hotel, Motel and Mixed Commercial/Residential. Note that ground floor commercial is a requirement in Mixed Commercial/Residential type uses.

The applicant is proposing:

1. A 4-unit resort condo building (without ground floor commercial)
2. A conversion of an existing SFD / workshop building to a 4-unit Multiple Family Residential building (without ground floor commercial, see figure 3).

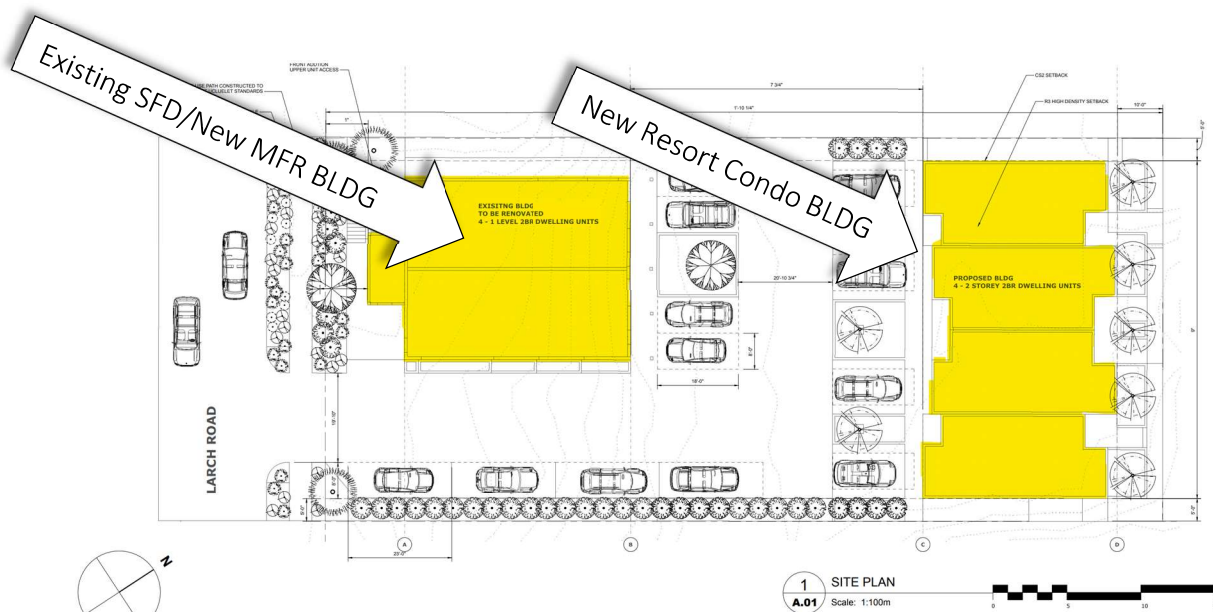


Figure 3 – Proposed site plan

In the tourist accommodation sector individually owned Resort Condos that utilize hyper lean short-term rental platforms such as Airbnb have less community benefit than traditional hotels. The Resort Condo use is already allowed in the zone, but only when tied to a commercial use on the ground floor. The reasoning is to keep the street frontage free for commercial storefront uses on commercially focused streets like Peninsula Road. In this instance the building does not front a commercial street and therefore ground floor commercial is not a key consideration.

The OCP's long range land use plan indicates that the subject property should develop towards a Multiple Family Residential use. The current proposal does not fully realize this vision but is a step in that direction with half the units dedicated to a residential use. The OCP policy 3.140 encourages smaller more affordable housing units, and this proposal does create 4 units that meet this goal. It would be better for the community and more consistent with the OCP's long range land use plan if all units on the subject property were Multiple Family Residential. Considering the uses already permitted in the zone, and that half of the proposed units would be residential, the proposed zoning changes can be seen in their totality as a net benefit to the community.

DEVELOPMENT PERMIT (DP):

Development Permit Areas have been established in the District of Ucluelet OCP for the following purposes:

- Form and character
- Protection of the natural environment
- Protection of development from hazardous conditions

This application is subject to the following Form and Character DP guidelines:

- General Form and Character ([OCP pg.112](#))
- Development Permit Area II - Peninsula Road ([OCP pg.118](#))
- Development Permit Area IV - Multi-Family, Commercial and Mixed Use ([OCP pg.122](#))

The following are relevant form and character elements of the proposal:

Building Style and Massing

The new resort condo building is proposed as a two-story 4-unit building with side-by-side condo units and a flat roof. The building is rectangular with articulation in the front and rear façade to break up the buildings massing.

The existing building that is to be converted to a 4-unit Multiple Family Residential building will maintain its general shape and massing, but the exterior materials will be updated and match the look of the new building.

Overall exterior building materials (both buildings)

The applicant is proposing exterior materials consisting of:

- A combination of black corrugated metal and horizontal stained cedar siding.
- Painted cedar trim and J-moulding
- Glass window walls on the lower floor
- Metal deck guards and railings
- Flat torch-on roof
- Zero overhang

These materials are consistent with the DP guidelines.

Landscaping

The site has limited area for landscaping but what area there is between the parking and property lines will be fully landscaped as per the plans found in Appendix A, sheet A.01. The applicant is also proposing to landscape the Larch Road frontage and build a section of Multi Use Path directly fronting the subject property.

Overall site circulation and accessibility

Because of the modest scale of the proposed buildings accessible construction is not required by code. The internal pedestrian movement will utilize the drive lane but because of the modest scale of the application this is functional. The internal manoeuvring aisle width at 20' would require a variance to the 25' minimum required in section 504.3 (1) (see Appendix D).

SERVICING:

There will be significant work required for the sanitary tie-in in this location and storm water will need to be addressed. The applicant has engaged Herold Engineering to complete a works and services report for the subject property (see Appendix A). A complete analysis will be required at the building permit stage.

FIRE SERVICES:

Initial review of the proposed development indicates no issues with this proposal. Further review will be required at the Building Permit stage.

POLICY OR LEGISLATIVE IMPACTS:

This application when considering the existing zoning and subject property location is consistent with the overall objectives of the Official Community Plan.

ANALYSIS OF OPTIONS:

A	Give first and second reading of Bylaw No. 1319, 2022 and direct staff to give notice for a public hearing.	<u>Pros</u>	<ul style="list-style-type: none"> Four Multiple Family Residential units would add to Ucluelet housing supply. The subject property would see a revitalization. A part of the Larch Road multi-use path would be built.
		<u>Cons</u>	<ul style="list-style-type: none"> The Resort Condo use could add to the shortage of service workers and aggravate the current housing crisis.
		<u>Implications</u>	<ul style="list-style-type: none"> Would allow the application to proceed to a public hearing.
B	Modify the draft zoning bylaw prior to/by stating which and how elements or features are to be modified.	<u>Pros</u>	<ul style="list-style-type: none"> A modification to zoning bylaw that Council deems appropriate may be beneficial to the application.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Staff time will be required to continue to work with the applicant to meet any required modifications to the application prior to proceeding to a public hearing.
		<u>Suggested Motion</u>	THAT Council direct staff to modify the draft District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022, to <u>(state desired outcome of amendments)</u> , for further consideration at a future meeting.”
C	Reject the application.	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> The application will be delayed.
		<u>Implications</u>	<ul style="list-style-type: none"> Council would not benefit from hearing community input on the proposal.
		<u>Suggested Motion</u>	THAT Council reject the application associated with RZ22-02.

NEXT STEPS:

If Council gives first and second reading to draft Zoning Amendment Bylaw No. 1319, 2022, staff will undertake the necessary notification for a public hearing to be held at a date to be determined.

Should the rezoning bylaw be adopted, staff would bring the draft Development Permit forward for Council’s authorization at that time.

Respectfully submitted:

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

District of Ucluelet Planning Department
 200 Main Street,
 POBox 999,
 Ucluelet, BC,
 V0R3A0

Date: April 26, 2022

Attn: Bruce Greig
 Re: Development Permit, 1683 Larch Road zoned CS-2 Service Commercial

This letter of intent is to inform the District of Ucluelet of our plans to develop the property formally described as:

Lot B, Section 21, Plan VIP77503, District Lot 282, Clayoquot Land District, PID 026025787

Development Permit Goals:

Icon Developments is requesting site specific rezoning to allow a medium density development on an existing CS2 zoned property with variances to maintain current setbacks assigned to the property as well as consideration for reduced parking lane width.

Project Overview:

The subject property on Larch Road is bordered on its side yards by an undeveloped lane ROW and the ANAF to the North West, Heartwood Restaurant to the North and Saki Sushi Restaurant to the South East. The property contains a large single family home with two over height garage bays on the ground floor accessible from the rear paved yard.

The property is currently zoned CS2 and straddles Peninsula Road and Larch Road. Neighbouring properties are currently zoned CS2 while properties on the opposite side of Larch Road are Single Family R1. The proposed development could provide a more congruent interface between existing Zones.

The proposed multi-family development would be comprised of:

- 4 x 1 storey stacked Condo units @ 1000 sq.ft within the existing renovated building.
- 4 x 2 storey 1040 sq.ft. Townhouse units
- 1.5 surface parking spaces per unit (12 total spaces)

Site circulation uses the existing paved driveway alignment.

A paved driveway apron will be maintained to a minimum length of 10m from Peninsula Road.

Landscape:

There is currently no significant trees or vegetation on the property. As part of the application Icon Developments will be landscaping the property for privacy and visual screening from adjacent properties. Additionally construction of the section of the Multi Use path on Larch Road in front of the property will be provided according to District of Ucluelet design standards. This includes a paved 1.5m wide pathway, a landscaped natural drainage swale to capture run-off, and a subtle berm planted with native trees, grasses, ferns and shrubs to provide screening and separation between the existing building and the public realm.

Architecture:

The proposed Townhomes are designed to keep the height to a minimum by utilizing a flat roof. This design will allow views from the existing building to be maintained from the upper floors. Additionally the low roofline will avoid dominating the surrounding buildings which are lower one storey structures. Dark colours mixed with wood accents reflect an emerging trend in west coast modern architecture while metal cladding fits with Ucluelet's industrial roots. The Townhomes each contain a flex space which may be used as a garage or work space and thus are included in the FAR calculation. Further design

refinements and market research will be necessary to finalize this detail. Parking requirements are met without inclusion of the garage spaces to ensure adequate parking is provided regardless of final use.

The existing building will be re-sided with similar materials to both break up the building massing and bring the two buildings together aesthetically. Access to the upper level suites requires a small addition to the front facade. The resulting storage space under the porch would be utilized for owner bike storage. The addition helps to articulate the facade and reduce the monolithic massing of the building. The large 12x12 ft garage bay doors are to be infilled with smaller scale windows and doors and serve as access to the lower suite living areas. A covered porch addition will reduce the massing of the rear facade.

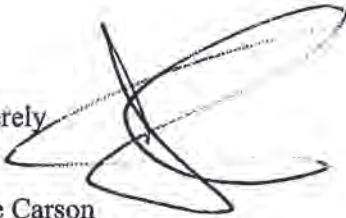
Waste Management:

Animal proof waste bins and recycling. Rolling bins will be accessible for removal from the existing Lane between ANAF and the proposed development.

Civil Engineering:

Herold Engineering will be providing the preliminary site servicing report.

Sincerely

A handwritten signature in black ink, appearing to be 'Jamie Carson', written over a horizontal line.

Jamie Carson
Icon Developments
1683 Larch Rd
PO Box 163
Ucluelet, BC, V0R 3A0
p: 250 266 4266

ZONING INFORMATION:			
CIVIC ADDRESS:	1683 LARCH STREET, UCLUELET, BC		
LEGAL DESCRIPTION:	LOT 6, SECTION 21, DISTRICT LOT 282, CLANVOUOT LAND DISTRICT, PLAN VIP 71593, PID 024025787		
ZONING:	CSZ (EXISTING)		
LOT AREA:	1462.79 sq.m. / 15745.34 sq.ft.		
HEIGHT/SETBACK REQUIREMENTS:			
HEIGHT:	ZONING	PROPOSED	CONFORMING
FRONT YARD SETBACK:	8.5m (28 ft)	7.3m (24ft) * see note	YES
REAR YARD SETBACK:	0m (0ft)	2.84m (94ft)	YES
INTERIOR SIDE SETBACK:	3m (10ft)	3m (10ft)	YES
EXTERIOR SIDE SETBACK:	1.5m (5ft)	1.5m (5ft)	YES
LOT COVERAGE:	50%	NA	YES
		31.6%	YES
PROPOSED FLOOR AREA:			
EXISTING BUILDING RENOVATION			
1ST FLOOR:	199 sq.m. (2145 sq.ft.)		
2ND FLOOR:	187.5 sq.m. (2018 sq.ft.)		
SUB TOTAL:	386.5 sq.m. (4163 sq.ft.)		
PROPOSED 4-PLEX BUILDING			
1ST FLOOR:	266 sq.m. (2864 sq.ft.)		
2ND FLOOR:	248 sq.m. (2668 sq.ft.)		
SUB TOTAL:	514 sq.m. (5532 sq.ft.)		
TOTAL FLOOR AREA:	900.5 sq.m. (9695 sq.ft.)		
FLOOR AREA RATIO (FAO):	61.6		
* HEIGHT OF PROPOSED BUILDING EXISTING BUILDING HEIGHT NOT INCLUDED (approx. 30ft above avg. grade)			

DEVELOPMENT SUMMARY:

- 8 2BR RESIDENTIAL DWELLING UNITS
- 12 PARKING SPACES (1.5/DWELLING UNIT)

CLIENT
ICON DEVELOPMENTS

DRAWN BY
IK

ISSUE
March 26, 2022

PROJECT
1683 Larch Rd
Ucluelet, BC

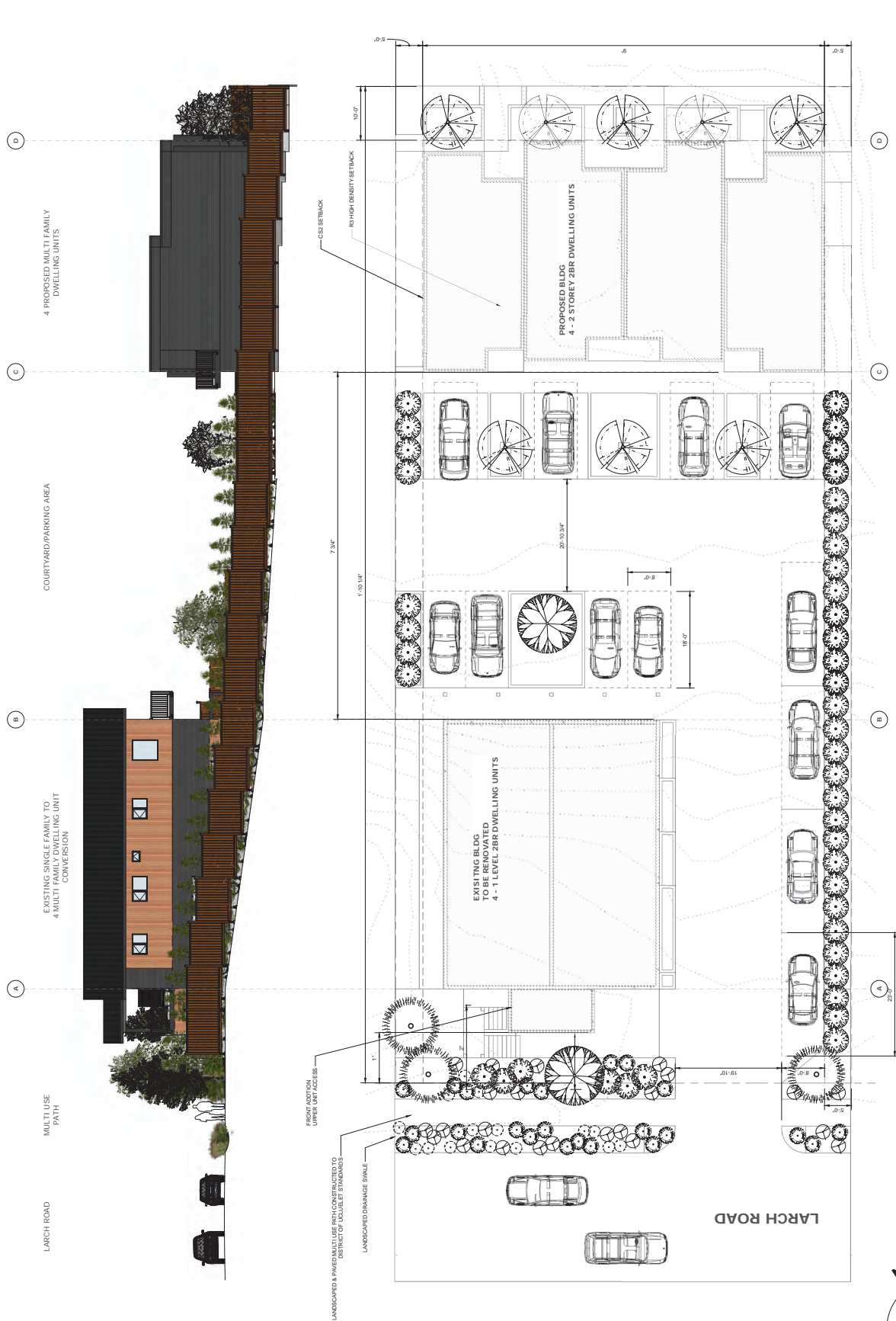
Page 71 of 199

The Design Centre
RESIDENTIAL & SPORTS
PLANNING & DESIGN
1339 Edwards Place, PO Box 1243,
Ucluelet BC, V9B 3A0, 250.726.3971

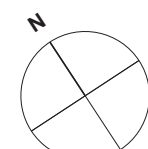
LEAFLET



Zoning Amendment and Development Permit For 1683 Larch Road John Towgood...



1 SITE PLAN
 A.01 Scale: 1:100m



ISSUE
March 26, 2022
DRAWN BY
IK

PROJECT
1683 LARCH STREET
UCLELET, BC

CLIENT
ICON DEVELOPMENTS

The
Design
Centre
RESIDENTIAL & RESORT
PLANNING & DESIGN
1339 EDWARDS PLACE, PO BOX 1243
NANAIMO, BC, V9N 3A0 250.724.3973

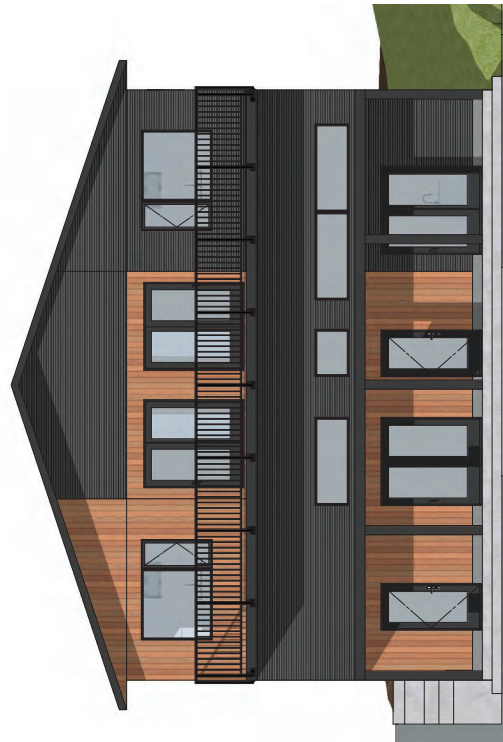




1 ELEVATION 1
A.03 Scale: 1/4" = 1'-0"



2 ELEVATION 2
A.03 Scale: 1/4" = 1'-0"



3 ELEVATION 3
A.03 Scale: 1/4" = 1'-0"

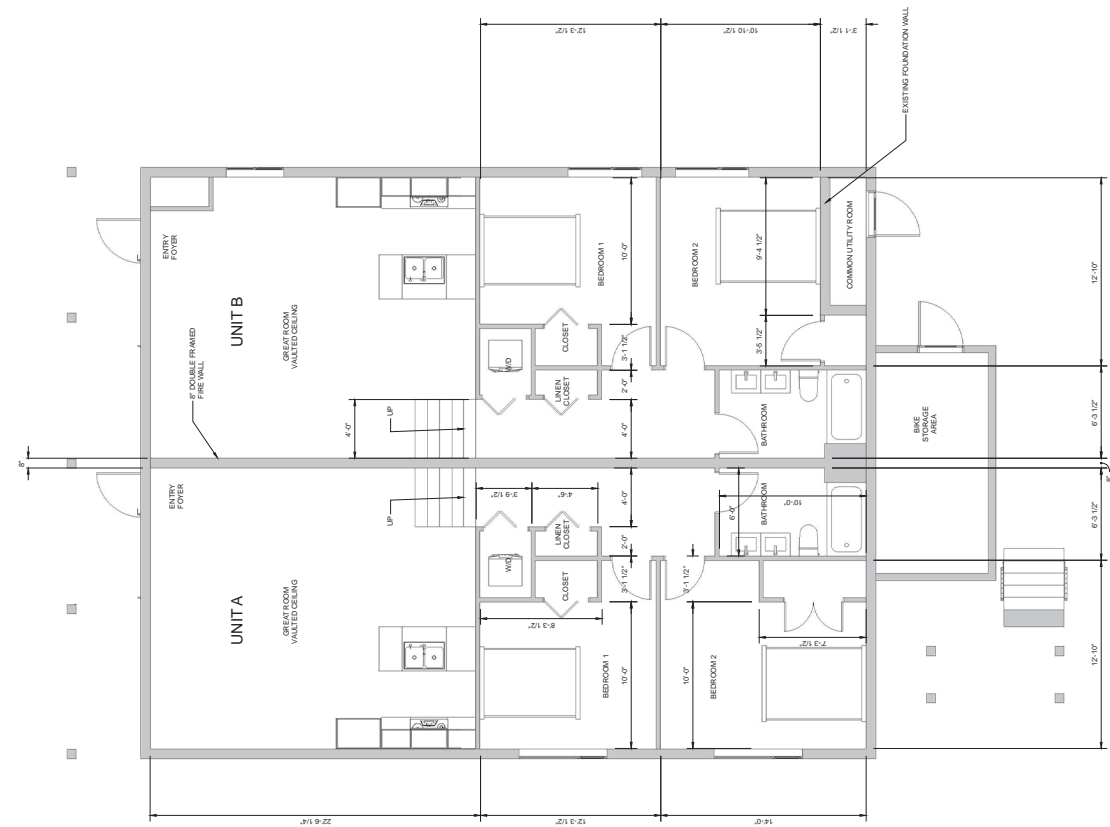


4 ELEVATION 4
A.03 Scale: 1/4" = 1'-0"

Zoning Amendment and Development Permit For 1683 Larch Road John Towgood...

NOTES:
 DIMENSIONS INCLUDE EXTERIOR SHEATHING
 INTERIOR WALLS MEASURED FROM TO FRAMING
 DIMENSIONS OF COMMON AREAS MAY VARY
 SURVEY DATA AND DIMENSIONS MAY VARY

1 FP 1
 A.04 Scale: 1/4" = 1'-0"



2 FP 2
 A.04 Scale: 1/4" = 1'-0"





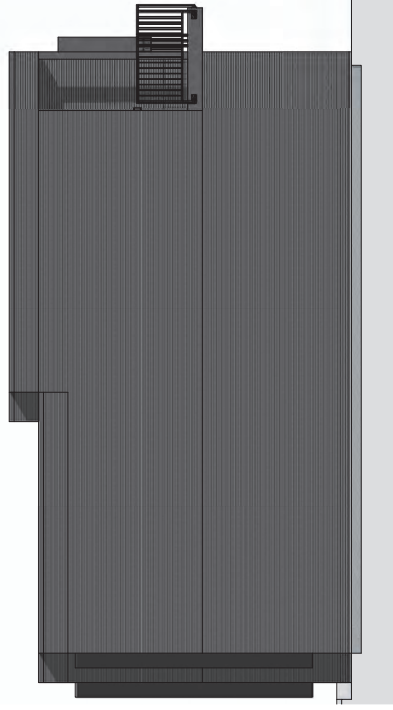
1 ELEVATION 1
A.05 Scale: 1/4" = 1' - 0"



2 ELEVATION 2
A.05 Scale: 1/4" = 1' - 0"

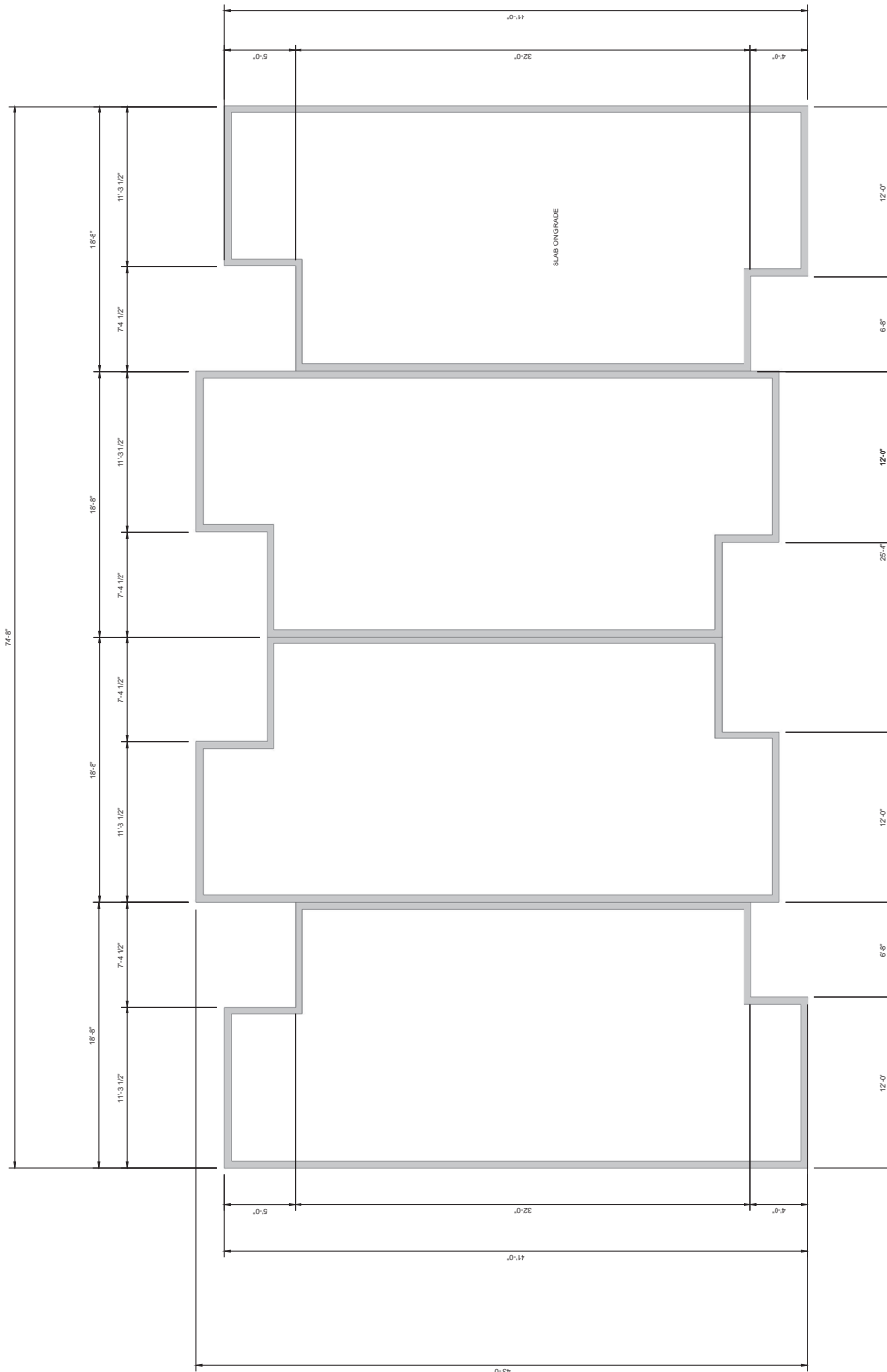


3 ELEVATION 3
A.05 Scale: 1/4" = 1' - 0"



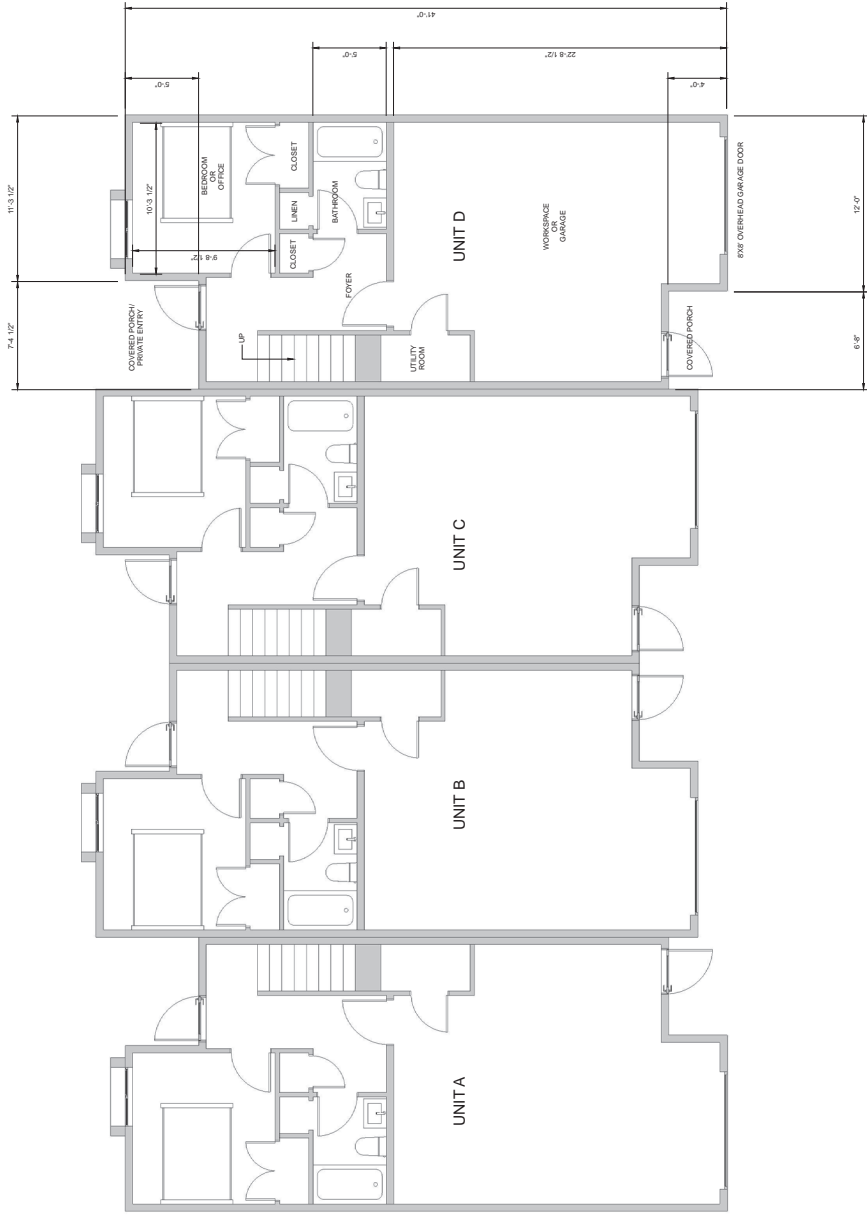
4 ELEVATION 4
A.05 Scale: 1/4" = 1' - 0"





1 FOUNDATION
Scale: 1/2" = 1'-0"

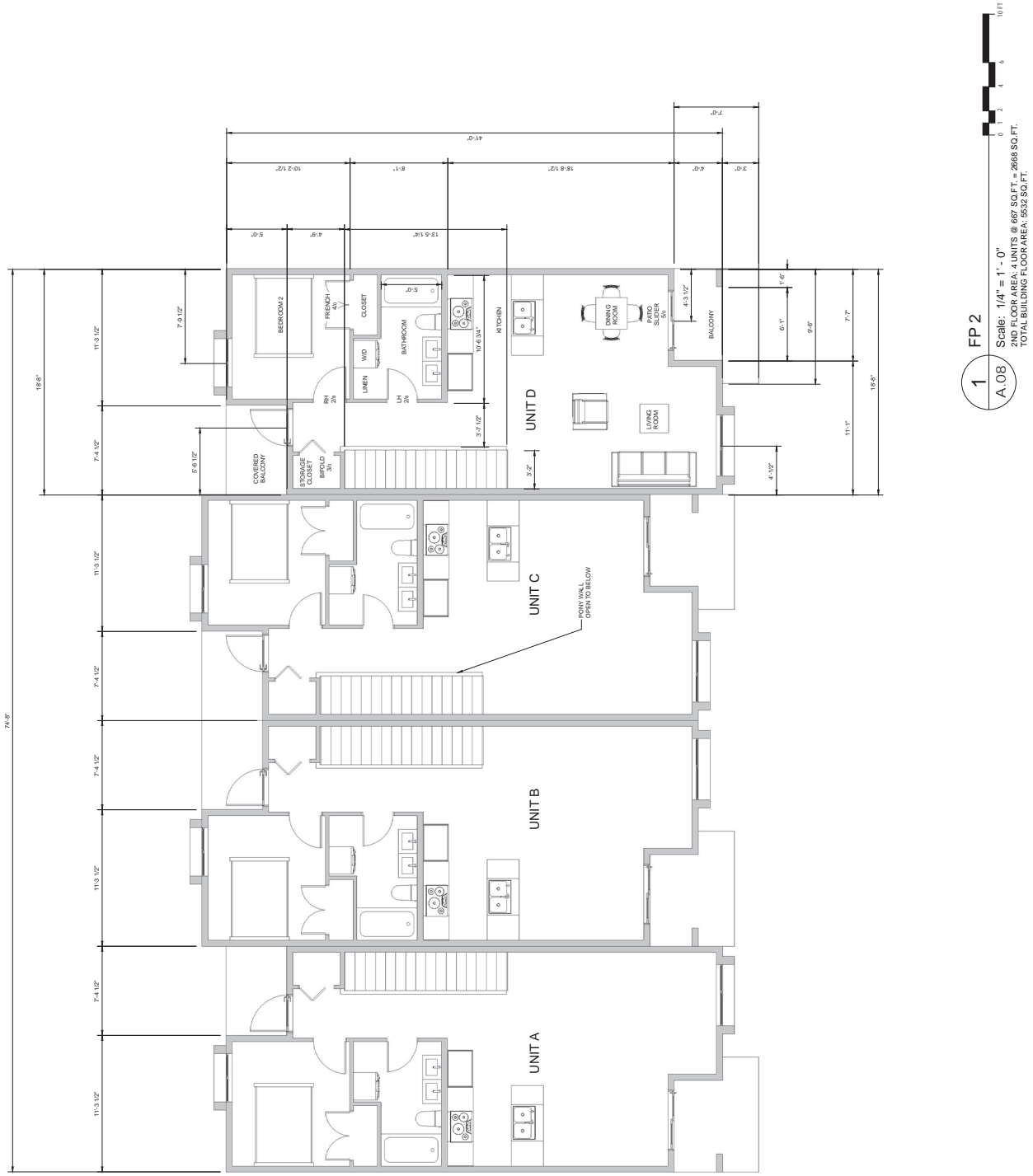




2ND FLOOR AREA: 4 UNITS @ 687 SQ.FT. = 2668 SQ.FT.
TOTAL BUILDING FLOOR AREA: 5532 SQ.FT.

1 FP 1
A.07
Scale: 1/4" = 1'-0"
FIRST FLOOR AREA: 4 UNITS @ 716 SQ.FT. = 2864 SQ.FT.
TOTAL BUILDING FLOOR AREA: 5532 SQ.FT.

NOTES:
DIMENSIONS INCLUDE EXTERIOR SHEATHING
INTERIOR WALLS MEASURED FROM TO FRAMING



NOTES:
DIMENSIONS INCLUDE EXTERIOR SHEATHING
INTERIOR WALLS MEASURED FROM TO FRAMING

1 FP 2
A.08

Scale: 1/4" = 1' - 0"
2ND FLOOR AREA - 4 UNITS @ 667 SQ.FT. = 2668 SQ.FT.
TOTAL BUILDING FLOOR AREA: 5532 SQ.FT.

ISSUE
March 26, 2022
DRAWN BY
IK

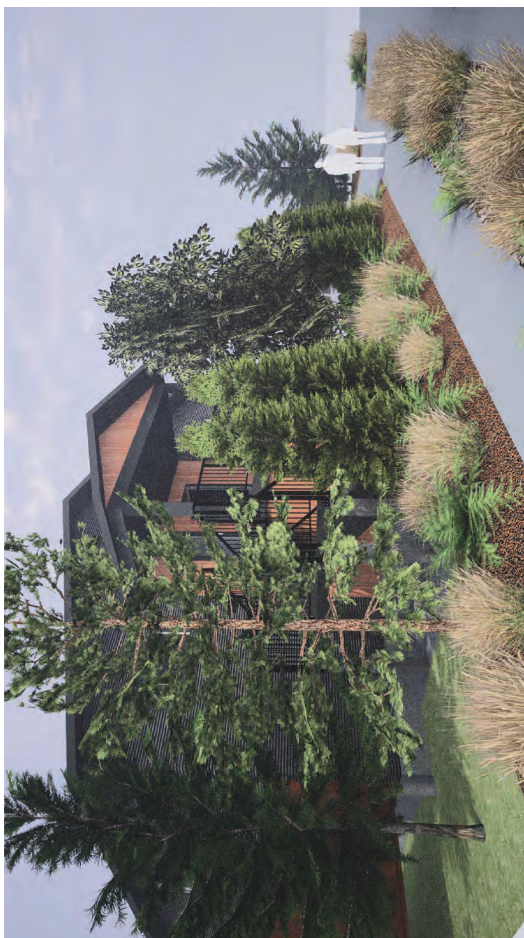
PROJECT
1683 LARCH STREET
UCLUELET, BC

CLIENT
ICON DEVELOPMENTS

The
Design
Centre
RESIDENTIAL & RESORT
PLANNING & DESIGN
1339 EDWARDS PLACE, PO BOX 1243
VICTORIA, BC V8N 3A0 250 724 2973



2 PERSPECTIVE 2
A.09 Scale: NTS



4 PERSPECTIVE 4
A.09 Scale: NTS



1 PERSPECTIVE 1
A.09 Scale: NTS



3 PERSPECTIVE 3
A.09 Scale: NTS



1 PERSPECTIVE 1
A.10 Scale: NTS



2 PERSPECTIVE 2
A.10 Scale: NTS



3 PERSPECTIVE 3
A.10 Scale: NTS



4 PERSPECTIVE 4
A.10 Scale: NTS

2544-022/02
May 24, 2022

1683 LARCH ROAD MULTI-FAMILY DEVELOPMENT CIVIL ENGINEERING SITE WORKS & SERVICING REPORT

1. INTRODUCTION

The intent of this report is to identify possible issues related to accessing and servicing this site and to suggest appropriate approaches for the civil engineering design of this development. The project is located within the District of Ucluelet (DoU) at 1683 Larch Road which is zoned CS-2 (Service Commercial) and currently consists of a two-storey residential building and asphalt yard.

The proposed development consists of two multi-unit buildings. The existing residential building (Building 1) is to remain in place and be renovated into four two-bedroom units. A new four-unit building (Building 2) consisting of four two-bedroom units is proposed to be added to the north end of the site

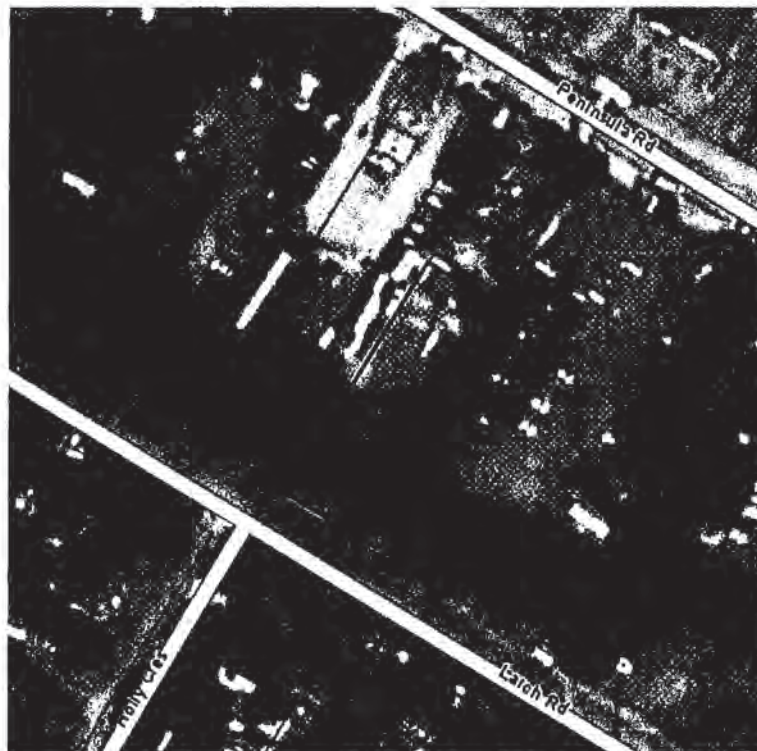


Figure 1: Existing Site – 1683 Peninsula Road (UkeeMap)

The site and proposed services are shown on the attached drawing SK-1.

Larch Road

Per online District of Ucluelet Community Map information, Larch Road is located within a 15m-wide right-of-way. The Larch Road frontage currently consists of two 3.5m wide drive lanes (one in each direction), with a shallow ditch on the north side and unfinished boulevard on the south side, and gravel shoulders on both sides.

Per discussions with DoU staff, offsite frontage works are anticipated to include a 2.5m wide asphalt mixed-use path on the North side of Larch Road with a 0.3m gravel shoulder and 0.9m wide landscaped ditch (see Figure 4).

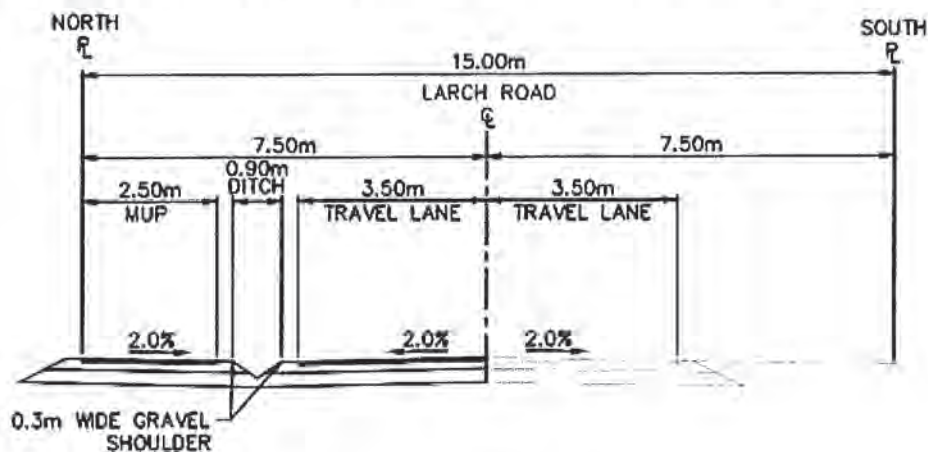


Figure 4; Larch Road Frontage Upgrades

Asphalt Lane

Per discussions with DoU staff, no frontage works are anticipated along the existing asphalt lane.

The final scope of any frontage works requirements will be determined through the Development Permit and Building Permit processes in coordination with DoU Engineering Staff.

3. WATERMAINS

3.1. Water Servicing

There are two existing water mains fronting the property, with a 150mm diameter AC distribution main on the North side of Peninsula Road and a 150mm diameter AC distribution main on the south side of Larch Road. It was assumed that there is a 50mm water service connection installed off one of the 150mm diameter AC distribution mains to the development site. The size and location of the existing water service will be determined through coordination with District of Ucluelet staff during detailed design.

The existing hydrant and proposed hydrant are expected to be capable of providing the required flow to each building. As part of the DP review process, we request that the District run their water model to confirm the flows currently available to the site.

It will need to be confirmed in the detailed design phase, in coordination with DoU, that the minimum pressures for peak hour demand and maximum day demand plus fire flow can be met.

4. SANITARY SEWER

4.1. Existing Conditions

Based on record drawing information provided by the District of Ucluelet, there is no sanitary main along the Larch Road or Lane frontages. There is a 150Ø AC sanitary sewer (gravity) which runs along the south side of Peninsula Road and then through 1685 Peninsula Road down to Cedar Road to a lift station via a right-of-way. The size and location of the existing sanitary sewer service to the site are currently unknown. It is assumed that the current building is serviced by this sewer system and lift station.

4.2. Design Criteria

Sewage flows are to be calculated using District of Ucluelet Subdivision Control Bylaw 1989 Bylaw No. 521.

4.3. Assumptions

The sanitary sewage flows will be based on one new four-plex building that consists of four two level, two-bedroom units and one renovated four-plex building that consists of four one level, two-bedroom dwelling units. It is assumed that there will be no commercial component.

4.4. Proposed Flows

We propose to install a new gravity sanitary sewer from the existing 150Ø AC sanitary sewer on Peninsula Road to provide a new 150Ø service to the site via the lane. The service from both buildings will be directed to this new service via an onsite sanitary sewer system. The service to the existing building will be located in the field and also connected to the proposed onsite system.

the anticipated sanitary flow from this development is approximately 0.58 L/s (see attached Sanitary Flow Calculations). Preliminary design suggests that a 150Ø sanitary service is adequate for the entire proposed development.

As part of the development permit review process, we request that the District Review the capacity of the existing lift station on Cedar Road to confirm its capacity to service this development.

The final servicing option will be determined through detailed design in coordination with the DoU and mechanical consultant.

6. EROSION AND SEDIMENT CONTROL

An Erosion and Sediment Control plan meeting current DoU requirements and best practices will be prepared and submitted with the application for Building Permit.

7. CONCLUSION

The design of the civil works associated with this project will be consistent with District of Ucluelet engineering standards and aligned with the overall project goals of sustainability, functionality & practicality.

Submitted by:

HEROLD ENGINEERING LIMITED

Prepared by:

Reviewed by:



Jake Pinneo, EIT

Patrick Ryan, P. Eng

FIRE UNDERWRITER'S SURVEY FIRE FLOW ESTIMATE

CITY DATE

ENGINEER
CHECKED BY

ADDRESS (NAME OF OCCUPANT IF PROMINENT)

PREVIOUS FIRE FLOW NO.

FIRE FLOW NO.

FIRE AREA CONSIDERED

TYPES OF CONSTRUCTION

MAIN FLOOR AREA (m²) NO. OF STORIES

UPPER FLOOR AREA (m²)

TOTAL FLOOR AREA (m²)

CONSTRUCTION COEFFICIENT Wood Frame

FIRE FLOW FROM TABLE L/min. (a)

OCCUPANCY
Low Hazard ADD OR SUBTRACT -25% L/Min.

SUB-TOTAL L/Min. (b)

AUTOMATIC SPRINKLERS (Y/N) SUBTRACT -50% x b L/Min.

SUB-TOTAL L/Min.

EXPOSURES DISTANCE FRONT 21 m ADD 10%

LEFT 12 m ADD 14%

REAR 18 m ADD 11%

RIGHT 3 m ADD 20%

TOTAL 55%

Note:

1. Front Larch Road
2. Floor areas taken from Architectural Drawings
3. Exposure Separation Charges are based on interpolated values

USE 55% x b L/Min.

TOTAL L/Min.

FIRE FLOW REQUIRED L/Min.

or L/sec.



**STORM SEWER DESIGN
CALCULATION SHEET**

PROJECT NAME: Multi-Family Development **IDF LOCATION:** UCLUELET AMPHITRITE POINT **HEL PROJECT No.:** 2544-022
PROJECT LOCATION: 1683 Larch Road, Ucluelet **RETURN PERIOD:** 5 YEAR **DATE:** 24/05/2022
DESIGNED BY: Jake Pinneo, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

Mannings Formula

$$V = \frac{R_h^{(2/3)} S^{(1/2)}}{n}$$

Mannings "n" 0.013 PVC Time of Concentration 10.00 mins
 Mannings "n" 0.024 CSP
 Mannings "n" 0.014 CONC.

Rational Formula: Q=CIA^{2.78}

FROM MH	TO MH	Catchment Area	Area (Ha)	Run Off Coeff. (C)	Equiv. Area (ha)	Total Area, A (Ha)	Time of Conc. (mins)	Rainfall Intensity, I (mm/hr)	Q (l/sec)	Slope, s (%)	Pipe Diameter, D (mm)	Pipe Material	Velocity, V (m/s)	Length (m)	Time of Flow (min)	Capacity (l/s)	
		Pre-Development															
		Entire Site to Storm Service	0.146	0.35	0.051	0.05	10.00	43.31	6.2	2.00	150	PVC	1.22	2	0.03	21.5	
		Post-Development															
		Entire Site to Storm Service	0.146	0.73	0.107	0.11	10.00	43.31	12.9	2.00	150	PVC	1.22	2	0.03	21.5	

Notes:

1. Based on the District of Ucluelet (Amphitrite Point) IDF Curve, as per DoU Bylaw No. 521.
2. Onsite areas taken from architectural plans.
3. Pre-development onsite runoff coefficient taken as Heavy Soil, slope greater than 5% as per DoU Bylaw No. 521.
4. Post development runoff coefficient is a weighted average of proposed roofs, drives & walks, and heavy soil, slope greater than 5%, as per DoU Bylaw No. 521.
5. To be read in conjunction with Stormwater Management Summary Sheets and "Stormwater Management Rationale" prepared by Herold Engineering Ltd.

3701 Shenton Road Nanaimo, BC V9T 2H1 250-751-8558



**STORM SEWER DESIGN
CALCULATION SHEET**

PROJECT NAME: Multi-Family Development **IDF LOCATION:** UCLUELET AMPHITRITE POINT **HEL PROJECT No.:** 2544-022
PROJECT LOCATION: 1683 Larch Road, Ucluelet **RETURN PERIOD:** 100 YEAR **DATE:** 24/05/2022
DESIGNED BY: Jake Pinneo, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

Mannings "n" 0.013 PVC Time of Concentration 10.00 mins
 Mannings "n" 0.024 CSP
 Mannings "n" 0.014 CONC.

Mannings Formula

$$V = \frac{R_h^{(2/3)} S^{(1/2)}}{n}$$

Rational Formula: Q=CIA^{2.78}

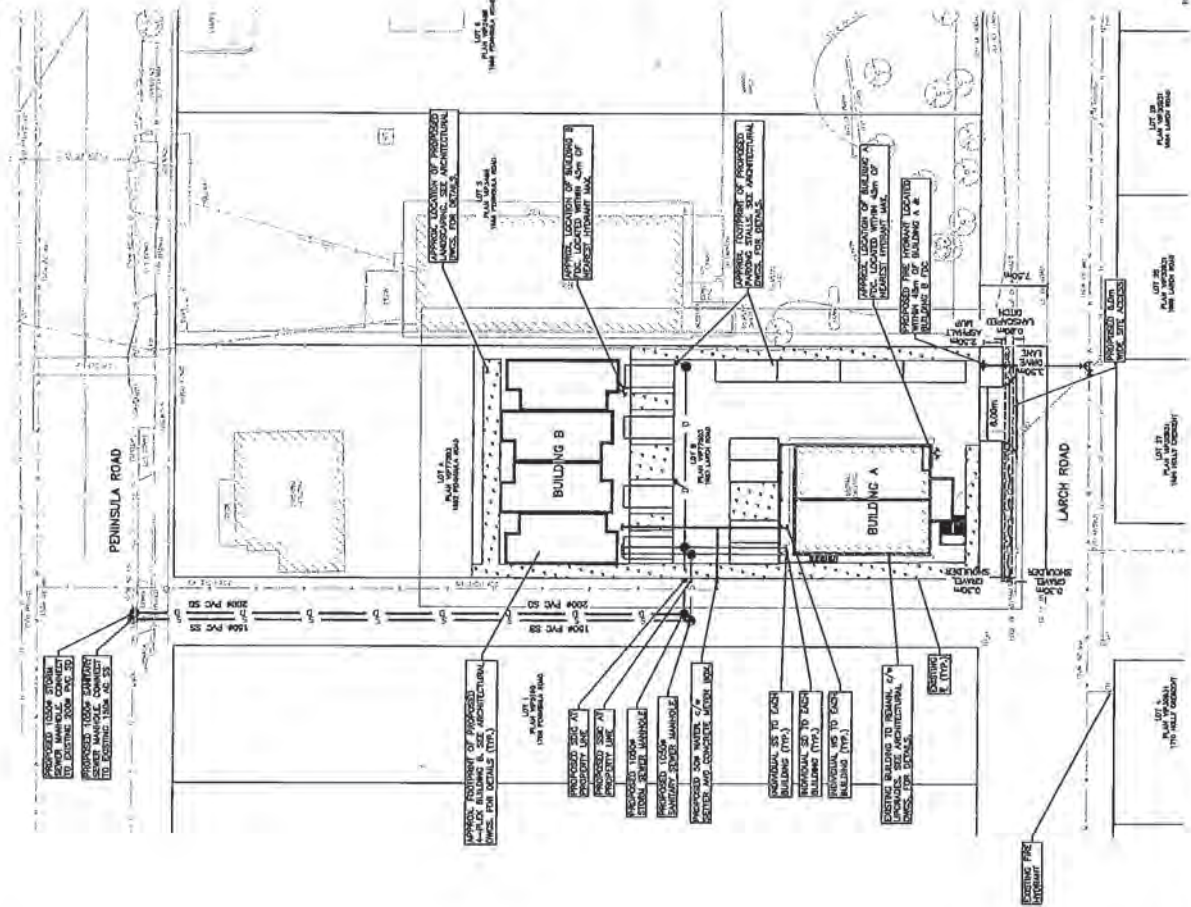
FROM MH	TO MH	Catchment Area	Area (Ha)	Run Off Coeff. (C)	Equiv. Area (ha)	Total Area, A (Ha)	Time of Conc. (mins)	Rainfall Intensity, i (mm/hr)	Q (l/sec)	Slope, s (%)	Pipe Diameter, D (mm)	Pipe Material	Velocity, V (m/s)	Length (m)	Time of Flow (min)	Capacity (l/s)	
Pre-Development																	
		Entire Site to Storm Service	0.146	0.35	0.051	0.05	10.00	65.40	9.3	2.00	150	PVC	1.22	2	0.03	21.5	
Post-Development																	
		Entire Site to Storm Service	0.146	0.73	0.107	0.11	10.00	65.40	19.4	2.00	150	PVC	1.22	2	0.03	21.5	

Notes:

- Based on the District of Ucluelet (Amphitrite Point) IDF Curve, as per DoU Bylaw No. 521.
- Onsite areas taken from architectural plans.
- Pre-development onsite runoff coefficient taken as Heavy Soil, slope greater than 5% as per DoU Bylaw No. 521.
- Post development runoff coefficient is a weighted average of proposed roofs, drives & walks, and heavy soil, slope greater than 5%, as per DoU Bylaw No. 521.
- To be read in conjunction with Stormwater Management Summary Sheets and "Stormwater Management Rationale" prepared by Herold Engineering Ltd.

3701 Shenton Road Nanaimo, BC V9T 2H1 250-751-8558

ISSUES	1683 LARCH ROAD
DATE	10/27/11
BY	JLW



ISSUED FOR CO-ORDINATION

NOT FOR CONSTRUCTION

1683 LARCH ROAD MULTI FAMILY DEVELOPMENT
 UCLUET, BC
 ICON DEVELOPMENTS

HEROLD ENGINEERING
 2071 ...
 TEL: 250-793-1028 FAX: 250-731-4897

CIVIL SITE SERVING PLAN

OWNER	CLIENT	PROJECT No.	DATE
ICON DEVELOPMENTS	1683 LARCH ROAD	2544-232	10/27/11
DATE	PROJECT No.	CLIENT NAME	PROJECT No.
10/27/11	2544-232	1683 LARCH ROAD	10/27/11

SK-1 1 of 1

DISTRICT OF UCLUELET

Zoning Amendment Bylaw No. 1319, 2022

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(1683 Larch Road)

WHEREAS Section 479 and other parts of the *Local Government Act* authorize zoning and other development regulations;

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

1. Text Amendment:

Schedule B of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding the following subsections to the CS-2 Zone – Service Commercial in alphanumeric order, as follows:

- A. “CS-2.1.3 Despite other sections of this bylaw, PID 026-025-787, Lot B, Plan VIP77503, District Lot 282, Clayoquot Land District [1683 LARCH RD], Multiple Family Residential is the only permitted principal use within the front half of the property and the only permitted principal uses within the rear half of the property are Multiple Family Residential and Resort Condo.
- B. CS-2.3.4 Despite other sections of this bylaw, PID 026-025-787, Lot B, Plan VIP77503, District Lot 282, Clayoquot Land District [1683 LARCH RD], may have a Maximum Floor Area Ratio of 0.616.”

2. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022”.

READ A FIRST TIME this day of , 2022.

READ A SECOND TIME this day of , 2022.

PUBLIC HEARING held this day of , 2022.

READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022.”

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



DEVELOPMENT PERMIT DP22-19

Pursuant to section 488 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:

Icon Developments LTD PO BOX 163 Ucluelet BC V0R 3A0
(The "Permittee")

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

1683 Larch Road; PID 026-025-787, Lot B, Plan VIP77503, District Lot 282, Clayoquot Land District
(The "Lands")

3. This Permit authorizes the following improvements on the Lands:
 - a) The construction of one 4-unit condo building and the conversion of an existing building into a 4-unit Multiple Family Residential building.
 - b) Associated landscape and hardscape work including but not limited to:
 - i. Paved parking lot with 12 parking spaces.
 - ii. Internal landscaping.
 - iii. Frontage improvements including landscaping and a paved multi-use path.
4. These improvements apply only in the locations indicated, and otherwise in accordance with, the drawings and specifications attached to this Permit as Schedule A.
5. This permit will be subject to:
 - a) the receipt of final landscape and street improvements drawings and estimate.
 - b) a deposit of 125% of the value of the proposed frontage landscape and street improvements.
6. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
7. 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.
8. The owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
9. This Permit is NOT a Building Permit.
10. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.



AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2022 .

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning



Schedule A

(See Appendix A)



DEVELOPMENT VARIANCE PERMIT DVP22-07

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:

Icon Developments LTD PO BOX 163 Ucluelet BC V0R 3A0
(The "Permittee")

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:

1683 Larch Road; PID 026-025-787, Lot B, Plan VIP77503, District Lot 282, Clayoquot Land District
(The "Lands")

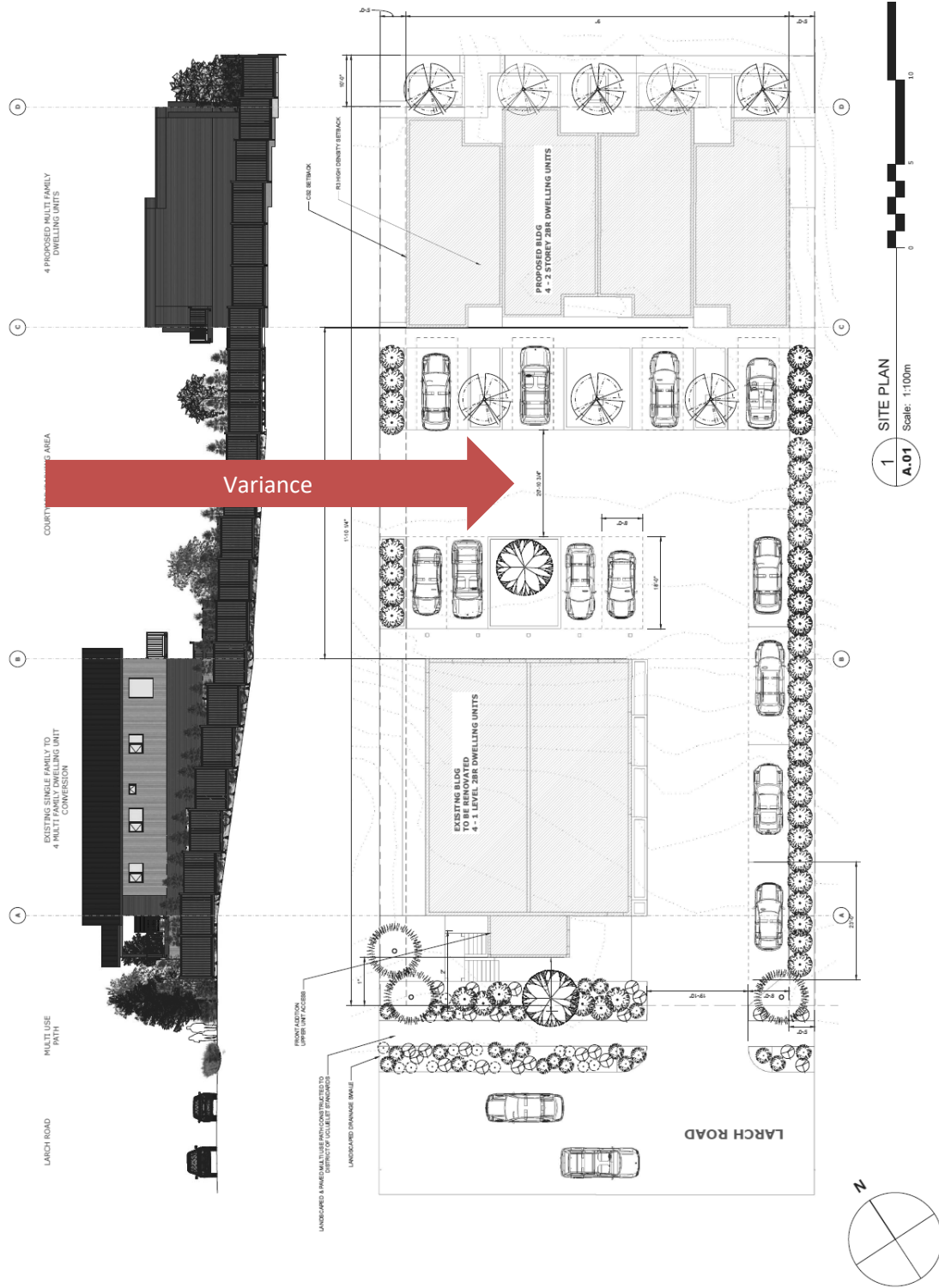
3. The work authorized by this Permit may only be carried out in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013, except where specifically varied or supplemented by this development variance permit and in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This permit authorizes the following variance specific to the plans attached as Schedule "A":
 - a. **a minimum maneuvering aisle width of 6m (20 ft), whereas section 504.3 (1)- of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 7.5m (25 ft);**
5. The above variance is granted for the proposed structures and use of the land as shown on Schedule A. Should the buildings be later removed or destroyed, this Development Variance Permit shall cease to apply and the zoning requirements in effect at the time shall apply.
6. 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.
7. This Permit is NOT a Building Permit.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2022 .

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning

Schedule A





REPORT TO COUNCIL

Council Meeting: November 15th, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT

FILE NO: 4320-20-2022

SUBJECT: BUSINESS LICENSE FOR MOBILE VENDOR AT 1708 PENINSULA ROAD

REPORT NO: 22-152

ATTACHMENT(S): APPENDIX A – APPLICATION
 APPENDIX B – DEVELOPMENT PERMIT 22-08
 APPENDIX C – MOBILE FOOD TRUCK REQUIREMENTS

RECOMMENDATION(S)

THAT Council approve the issuance of a mobile vending business license for Nuglife Food Truck to be operated at 1708 Peninsula Road, Lot 1, Plan VIP5190, Clayoquot District, subject to the conditions in Appendix A, attached to staff report No. 22-152.

BACKGROUND

This Business License (BL) application was received October 18th, 2022, for a mobile food truck vendor to operate on-site at the Army, Navy and Air Force (ANAF) property at 1708 Peninsula Road (the “**subject property**”).



Figure 1- Property Location

In October 2022, Council approved a Development Permit for 1708 Peninsula Road to have a maximum of three mobile vendors operating on the site. An unlimited number of mobile vendors can be approved by Council to hold business licenses allowing them to operate at the ANAF site, but only three can be active on the subject property at any given time. Development permit aspects which would usually be required for a mobile vending application, including landscaping, servicing, washrooms, parking, and seating are covered in DP22-08.

This business license application is to allow Nuglife Food Truck to operate in one of the ANAF's spaces. Issuance of this business license is conditional on the ANAF's compliance with the conditions of DP22-08. Further requirements for issuance of this business license, including a fire inspection and the ANAF obtaining necessary building and plumbing permits, are included in Appendix B.

DISCUSSION

Ucluelet's Business Regulation and Licensing Bylaw No. 922 requires all mobile vendor licenses to be approved by Council prior to issuance. This business license application is for Nuglife Food Truck, a food truck serving fried chicken sandwiches and homemade donuts (figure 2). The owner operates another food truck at the ANAF and hopes to improve the food offerings and variety available in Ucluelet's downtown core. Approval of this business license would mean four mobile vending licenses are approved for operation in the three permitted spots on the ANAF property.



Figure 2 Photo of the NugLife Food truck

Mobile vending can provide an opportunity to temporarily fill gaps in under-developed commercial lots along Peninsula Road, improving the pedestrian experience and food offerings – particularly in the high season.

CONDITIONS

The following conditions will appear on the business license for Nuglife Food Truck should this application be approved.

- All servicing for this mobile vending unit must be provided with proper building, plumbing or other required permits.
- This business license is issued subject to compliance with all conditions of the District of Ucluelet Development Permit 22-08 and with the Mobile Food Premises Guidelines attached as **(Appendix B)**.
- This business license is issued subject to compliance with the Mobile Food Truck Requirements (attached as **Appendix C**).
- Prior to operation of the mobile vending unit, the applicant must arrange and successfully pass a fire inspection with the District of Ucluelet Fire Department.

ANALYSIS OF OPTIONS

A	Authorize the issuance of business license for “Nuglife Food Truck”	<u>Pros</u>	<ul style="list-style-type: none"> • Increases the number of available food options in the village core.
		<u>Cons</u>	<ul style="list-style-type: none"> • Intensified uses on this site, potentially resulting in increased traffic and noise associated with these uses.
		<u>Implications</u>	<ul style="list-style-type: none"> • Approval will allow the application to proceed • Staff time will be required to process the business license application.
B	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> • The business would not be licensed to operate at this site.
		<u>Cons</u>	<ul style="list-style-type: none"> • No additional food options for the community on this site.
		<u>Implications</u>	<ul style="list-style-type: none"> • The business license application would not proceed.
		<u>Suggested Motion</u>	<p>THAT Council direct staff to advise the “Nuglife Food Truck” operator that their application for a business license has been rejected.</p>

POLICY OR LEGISLATIVE IMPACTS

This application is compliant with the District of Ucluelet Official Community Plan and the Zoning Bylaw.

NEXT STEPS

If this application is approved the business license will be processed by the Bylaw department and issued subject to all relevant conditions being met.

Respectfully submitted:

MONICA WHITNEY-BROWN, PLANNING ASSISTANT
BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
DUANE LAWRENCE, CAO

200 Main Street, Ucluelet, BC
V0R 3A0, PO. Box 999
Phone 250-726-7744

Business Licence Application

Businesses operating in the District of Ucluelet are required to have a valid business license. Completion of this form does not guarantee approval of a business licence, nor should business be commenced prior to a licence being issued. Please fill out both pages of the application and submit with your \$25 application fee to District of Ucluelet.

Type of Application

New Licence Change of Owner

All other changes to business, please use the "Change In Business Application" Form – available at ucluelet.ca

Applicant & Property Owner Information

APPLICANT

Name: Zane Wilson
Address: _____
Postal Code: V0R3A0
Email: [REDACTED]
Phone: [REDACTED]

PROPERTY OWNER

Name: ANAF
Address: 1708 Peninsula rd.
Postal Code: _____
Email: _____
Phone: _____

Business Name: NUGLIFE Foodtruck

Business Location Address: 1708 Peninsula

Business Mailing Address: Box 731

Business Email Address: _____ Business Phone: [REDACTED]

Business Website Address: _____



Notice of Personal Information Collection: The personal information on this form is being collected for the purpose of processing your application in accordance with section 26(c) of the Freedom of Information and Protection of Privacy Act. For more information about how this information will be used, please contact the Manager of Corporate Services at 250-726-7744.

Notice of Disclosure to Applicant(s): Your name, business name and contact information will be available to the public and may be posted on the District of Ucluelet website to allow interested parties to contact you about this application.

The undersigned owner(s) make an application as specified herein, and declares that the information submitted in support of the application is true and correct in all respects.

Applicant's Signature: [Signature] Date: Oct. 18/22

Property Owner's Signature OR _____ Date: _____

Property Owner's Authorization Letter attached to application.

For Office Use Only

Folio No.:	Zoning:	Business Class/Nature of Business:			Number of Units:
Department	Check/Site Inspection Required?	Approved	Date	Initial	Finance Section
Planning	Yes No	Yes No			Utility Bill Change? Yes No Comments:
Building	Yes No	Yes No			
Fire	Yes No	Yes No			
Bylaw	Yes No	Yes No			
Other: _____	Yes No	Yes No			

Approved this _____ day of _____, 20_____.

District of Ucluelet Approval: _____ Business Licence No: _____

Business License for Mobile Vendor at 1708 Peninsula Road Monica Whitney...

Business Information

Type of business	food truck	
Brief description of business (Staff will use to verify type of business listed above)	fried chicken + donuts	
Uses currently contained on the property:		
To the best of your knowledge is the property subject to a Development Permit?		
Will there be any discharge into the District sewers other than domestic sewage? i.e. mash from breweries, commercial kitchen etc Please describe.		

ACCOMODATION PROVIDERS, INCLUDING BED & BREAKFASTS (B&B) FILL OUT THIS SECTION

Indicate the number of sleeping units		
Indicate number of off-street parking spots provided		
Bed & Breakfast – Provide site plan that clearly shows parking for residence and B&B	Yes, I have provided	Not Applicable
Bed & Breakfast – Provide a to-scale floor plan that shows the residence and the B&B rooms (max of 3 rooms)	Yes, I have provided	Not Applicable
Bed & Breakfast - Acknowledgement and Agreement to Bylaw No. 1160, 2013	I have read and understood Section 404 of Bylaw No. 1160, 2013 and agree to abide, by the terms set therein	Not Applicable
Bed & Breakfast – Is the applicant the permanent and present resident living at the location of the Bed & Breakfast?	No, I have provided the permanent and present resident's contact information below: Name: Phone: Email:	Yes, I am the permanent and present resident

RESTAURANTS, CAFES AND LICENCED ESTABLISHMENTS FILL OUT THIS SECTION

Number of seats available		
Number of off-street parking spots provided		
Are you a licenced establishment? If "Yes" provide copy of Liquor Licence	Yes, I will provide a copy of liquor licence	Not Applicable
VIHA Health Certificate yes	Yes, I will provide a copy of the health certificate	being sent

FOR MARINE BASED BUSINESSES, INCLUDING KAYAKS (attach separate page if the space below is insufficient)

Number of vessels and total capacity		
Names, licence or registration numbers of the vehicles, boats, and aircraft described above		
The passenger capacity of each vehicle, boat, and aircraft described above		
All locations where passengers disembark or embark from each vehicle, boat or aircraft described above		
All locations where each vehicle, boat, aircraft described above are stored, moored or parked when not in operations		
Proof of \$2,000,000 liability, wreck removal and sudden and accidental pollution coverage	Yes, I have supplied proof of insurance	

FOR RETAIL BUSINESSES

Square footage of business		
Number of off street parking spots		
Staff washroom facilities available on site	Yes, staff washrooms are available on site.	

NILSON ZANE
Receipt #: 01-71950

18/10/22 11:08:47

17 Licenses, Permits & Fees
15 15 - Non-refundable BL App Fee
1012630005
BUS LIC APP

\$25.00

INTER

\$25.00

GST #: R106985633

AMOUNT TENDERED
CHANGE DUE

\$25.00

\$0.00

District of Ucluelet
THANK YOU
Regular Office Hours - 8:30 AM to 4 PM
Monday through Friday
www.ucluelet.ca



DEVELOPMENT PERMIT DP22-08

Pursuant to section 488 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:

THE ARMY, NAVY & VETERANS IN CANADA UNIT 293
1708 PENINSULA ROAD, UCLUELET, BC, CA, V0R 3A0

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

Lot: 1, Plan: VIP5190, Clayoquot District (1708 Peninsula Road).

3. This Development Permit is issued subject to compliance with all the bylaws of the District of Ucluelet.

4. This Permit authorizes the construction of the following improvements on the Lands:

- a. Three Food Trailer spaces;
- b. Servicing of the above units;
- c. Parking improvements including space delineations and wheel stops;
- d. Addition of a screened portable toilet and handwashing station;
- e. Landscaping and buffering planters.

These improvements apply only in the locations indicated, and otherwise in accordance with, the drawings attached to this Permit as **Schedule A**.

5. The applicant shall ensure any mobile vending operators operating on their property adhere to the Mobile Food Premises Guidelines attached to this Permit as **Schedule B**, and forming part of this Permit.
6. The applicant shall, within six months of the date of issuance, complete the landscaping as shown in **Schedule A**, including screening the portable toilet from view of the public road, and landscaping along the parking to screen from the public road – plans to be reviewed and approved by the Director of Planning;
7. This permit is issued on the condition that the permit holder shall, within five years from the date of issuance, replace the portable toilet(s) with permanent public washroom facilities and comprehensive, permanent landscaping improvements – plans to be reviewed and approved by the Director of Planning.
8. 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.
 - b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
 - c. 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.



- 9. This Permit is NOT a Building Permit.
- 10. **Schedules "A" and "B"** attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2022.

ISSUED the day of , 2022.

OWNER

by its authorized signatory

Permittee's Signature

Bruce Greig - Director of Community Planning



SCHEDULE A





SCHEDULE B



Mobile Food Premises Guidelines DoU 2022

Purpose

Concerning the utilities of mobile food premises: To provide direction to operators for the design, construction and operation of mobile food premises.

As outlined in the ***BC Food Premises Regulation***, “a person must not construct or make alterations to food premises (including mobile units) unless plans and specifications for the construction or alteration have been approved by a health officer.”

The onsite management of electricity, fresh water, disposal of greywater, black water and solids waste material must be design, installed, maintained in accordance with the District of Ucluelet’s Water and Sanitary Sewer Bylaws and approved by the Engineering and Public Works Department prior to implementation.

Utilities Guidelines for Mobile Food Premises in the District of Ucluelet

Gas, Propane and Electrical

1. Gas, propane and electrical connections must be certified or reviewed by the BC Safety Authority or other appropriate agency.

Greywater Disposal

1. There must be a drain in the tank suitably located to allow for easy draining into a sanitary sewer or other approved wastewater collection point.
2. Installation of a standard grease trap is required on a mobile food premises
3. The wastewater holding tank must be enclosed and be 25% larger than the capacity of the potable water tank.
4. Wastewater shall be disposed into an approved location.
5. When mobile food premises units are connected directly to an approved water system, instead of potable water holding tanks, the unit must also be connected directly to a sanitary sewer or have other means of preventing backup or overflow of wastewater.



Fresh Water Connections

1. Appropriate back flow prevention shall be in place whenever the mobile is connected to a potable water supply.

Blackwater Disposal

1. There must be a drain in the tank suitably located to allow for easy draining into a sanitary sewer or other approved wastewater collection point.
2. The operator may implement a 'pump and haul' routine and should demonstrate an awareness in their application of available resources, potential schedule and associated costs.

Solids Waste Disposal

1. Every mobile food premises unit must have adequately sized bear safe garbage containers.
2. Garbage must be managed properly by keeping it in suitable containers and removing it often to prevent foul odours and conditions that attract insects or other pests. Wherever possible, the containers should be covered.
3. All waste must be disposed of in an approved manner.
4. Garbage containers are to be cleaned and sanitized on a regular basis.



Mobile Food Truck Requirements

Mobile food trucks can be either self-propelled vehicles or trailer units. In order to operate a mobile food truck in the District of Ucluelet, the unit must be compliant with all current codes and standards including but not limited to the following:

- Clear and direct access for emergency vehicles must be maintained.
- Clearance of 10 ft. must be maintained between food trucks and all structures, vehicles, and any combustible materials.
- All commercial cooking facilities that may create grease laden vapours require an automatic suppression system which is compliant with ANSI/CAN/ULC 300 – *“Standard for Fire Testing of Fire Extinguishing Systems for Protection of Commercial Cooking Equipment”*.
- Kitchen suppression systems must be maintained in accordance with NFPA 96, *“Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations”*.
- Clearance of 16” or a baffle which is 8” high must be maintained between an open flame appliance and deep fryer.
- A 5 lb. multi-purpose fire extinguisher and a K class fire extinguisher must be present and easily accessible. Each extinguisher must have an inspection tag to indicate inspection within last year by certified technician.
- Food trucks must have a current “Approval to Operate” or “Permit to Operate” from Island Health.
- Food trucks must have a valid “Record of Installation Permit Decal” from Technical Safety BC if using propane appliances.
- Fuel containers must not be stored inside the food truck.
- Propane tanks must be stored in a secure manner to prevent tipping over.

It is the owner or occupier’s responsibility to ensure that their mobile food truck is compliant with all standards and code requirements. For more information, contact:



Rick Geddes
Fire Chief

Box 999, 200 Main St.
Ucluelet, B.C., V0R 3A0
Phone: 250-726-7744
rgeddes@ucluelet.ca



REPORT TO COUNCIL

Council Meeting: November, 15, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT

FILE No: 3060-20 DP22-12

SUBJECT: ENVIRONMENTAL DEVELOPMENT PERMIT FOR 384 MARINE DRIVE

REPORT No: 22-157

ATTACHMENT(S): APPENDIX A – APPLICATION
APPENDIX B – DEVELOPMENT PERMIT 22-12

RECOMMENDATION(S):

THAT Council authorize the Director of Community Planning to execute and issue Development Permit DP22-12 for the property at 384 Marine Drive to allow subdivision and construction of a single-family dwelling on a lot within a Marine Shoreline and Riparian Development permit area.

BACKGROUND:

This Development Permit application was completed on October 17th, 2022, for the property located at 384 Marine Drive PID 027953050, Parcel A, Plan VIP17581, Section 21, Clayoquot Land District (the “**subject property**”). The applicant is planning the subdivision of a 1.52 acre residential lot into two lots. The lot was formerly two lots and was amalgamated some time ago.

There is one existing single-family dwelling on the site. The applicant would like to pursue a subdivision application to return the parcel to two lots and develop an additional single-family home on the new lot. A development permit is required for this process to proceed.



Figure 1- Subject Property

Development Permit Area VI & VII (Stream and Riparian Areas Protection and Marine Shoreline)

The subject property falls within the Official Community Plan's "Environmental Development Permit Areas" (Figure 2). Environmental Development Permit Areas are established to guide development and land use to ensure the most sensitive environmental features of a site are protected and ecological functions are not needlessly disturbed by development activities.

For all land lying within an Environmental DP area, an assessment of the site, its natural features and the development must be undertaken and the applicant must submit a report prepared by a Qualified Environmental Professional (QEP) establishing conditions for development. Staff draft the associated development permit terms and conditions from the recommendations in the QEP's report.

The subject property falls within the riparian and marine shoreline Development Permit Areas, which includes lands within 30 metres of streams and watercourses and designated within 30m above and below the natural boundary of the sea.

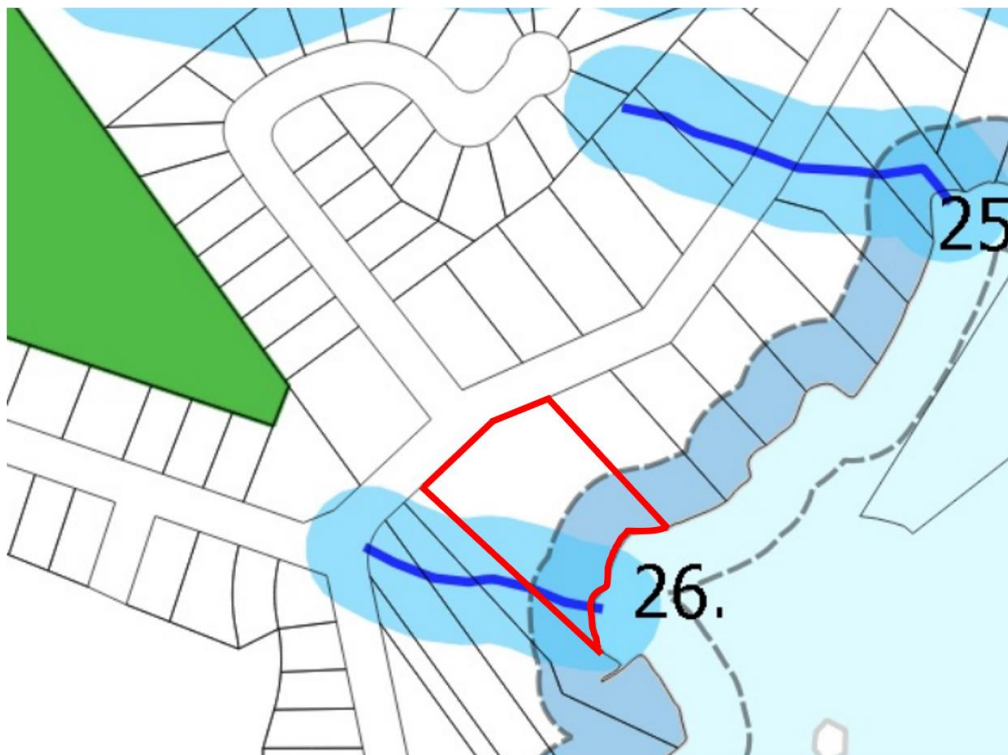


Figure 2- Applicant property in Schedule 'E' Environmental Development Permit Area Map

DISCUSSION:

This application is for the subdivision of a lot to eventually allow the construction of a single-family dwelling on the proposed new lot (Lot A in figure 3). One single family dwelling already exists on proposed lot B (figure 3). The applicant has retained a Qualified Environmental Professional (QEP) to prepare a report on the environmental considerations of the site and develop recommendations to guide development. The QEP concludes that "there is an environmentally appropriate building site on the

proposed Lot A, which is consistent with DPA guidelines”, provided future development does not encroach beyond recommended extents.

In October, 2022, staff received a bylaw complaint and noted that a retaining wall was being built on the subject property within the marine and riparian setbacks. Associated works have included felling and removing a few trees, vegetation removal, temporary access trail construction, placement of granular fill to expand the lawn and construction of a concrete retaining wall along the top of the bank. Per staff requests, the QEP has provided an additional report outlining recommendations in and around the retaining wall required “to maintain the ecological values of these areas”.

The appended Development Permit (Appendix B) provides instructions from the QEP which the applicant must comply with to pursue the subdivision of their lot, which includes delineating the area of construction on the proposed new lot, and complying with a number of revegetation requirements (Appendix B).

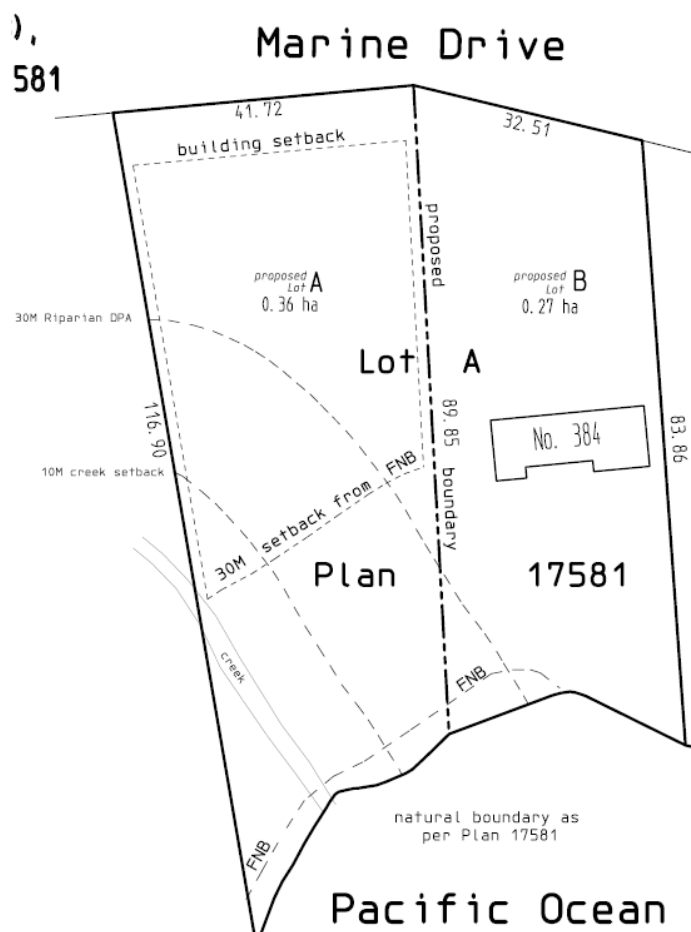


Figure 3 - Site Plan for proposed subdivision

ZONING:

The subject property falls within the R-1 zone.

ANALYSIS OF OPTIONS:

A	Authorize the issuance of Development Permit 22-12	Pros	<ul style="list-style-type: none"> Allows applicant's development to proceed in a manner which a QEP has deemed consistent with the OCP development permit guidelines.
		Cons	<ul style="list-style-type: none"> Unknown at this time.
		Implications	<ul style="list-style-type: none"> Staff will work with the applicant to finalize the issuance of the development permit.
B	Reject the application	Pros	<ul style="list-style-type: none"> This development will not proceed at this time
		Cons	<ul style="list-style-type: none"> Does not allow applicant's development to proceed in a manner which a QEP has deemed consistent with the OCP development permit guidelines. Staff would need direction from Council on how to apply the Environmental Development Permit guidelines established in the OCP bylaw and/or make amendments to the DP area guidelines.
		Implications	<ul style="list-style-type: none"> Additional staff time will be required to follow up with applicant and consultants. Council should provide reasoning for how the proposal does not meet DP guidelines.
		Suggested Motion	<p>THAT Council direct staff to advise the applicant that Development Variance Permit 22-12 is rejected due to _____.</p>

Policy or Legislative Impacts:

This application is consistent with the Official Community Plan, the Zoning Bylaw and the *Local Government Act*.

NEXT STEPS

If this application is approved the attached DP will be signed by the Director of Community Planning, issued to the applicant, and notice will be filed with the Land Title Office.

The applicant or subsequent owners of the subject property will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed development.

Respectfully submitted:

MONICA WHITNEY-BROWN, PLANNING ASSISTANT
 BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
 DUANE LAWRENCE, CAO

Development Application

District of Ucluelet

Planning Department
 200 Main Street, Ucluelet, BC
 V0R 3A0, PO. Box 999
 tel 250-726-4770 fax 250 726 7335

Type of Application

An application is submitted for one or more of the following:

- | | |
|--|--|
| <input type="checkbox"/> Official Community Plan Amendment | <input type="checkbox"/> Development Variance Permit |
| <input type="checkbox"/> Zoning Bylaw Amendment | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Development Permit (no variances) | <input type="checkbox"/> Board of Variance |
| <input type="checkbox"/> Development Permit (with variances) | <input type="checkbox"/> Strata Conversion |
| <input type="checkbox"/> Development Permit Amendment | <input checked="" type="checkbox"/> Subdivision |

Description of Property

Civic Address (es): 384 Marine Drive
 Legal Description: Lot A Plan VIP 17581 Block _____ Section 21 DL _____

Applicant Information

Notice of Disclosure to Applicant(s): The following contact information will be available to the public and may be posted on the Districts' website to allow interested parties to contact you about this application.

Applicant name: Doug Cole Company name: Doug Cole, Architect
 Mailing address: 16802 Third Ave, La Conner, WA, USA Postal Code: 98257
 Tel : office: 360-466-2555 Cell : 360-630-7228
 Email : doug@dougcolearchitect.com Fax : _____

The undersigned owner/authorized agent of the owner makes an application as specified herein, and declares that the information submitted in support of the application is true and correct in all respects.

Applicant Signature: Douglas Allan Cole Digitally signed by Douglas Allan Cole
Date: 2022.08.21 10:41:44 -0700' Date: August 21, 2022

Registered Owner(s)

List all registered owners. For strata properties, provide accompanying authorization from all strata owners (not just strata corp.). If the owner is an incorporated company/society, attach a current corporate/society search or "notice of directors".

Registered Owner (s) name: Amy Cameron & Scott Reed
 Mailing address: 384 Marine Drive, Ucluelet, BC Postal Code: VOR 3A0
 Tel : _____ Cell : _____
 Email : _____

Freedom of Information and Protection of Privacy Act (FOIPPA): Personal information is collected, used and disclosed under the authority of the Local Government Act, and section 26 (c) of the FOIPPA. The information will be used for the purpose of processing this application.

Owner Signature: Douglas Allan Cole Digitally signed by Douglas Allan Cole
Date: 2022.08.21 10:41:51 -0700' Date: August 21, 2022

Office Use Only:

Folio No.: <u>073.043</u>	File No.: <u>SD 22 -02</u>	Date: <u>Sept. 8/22</u>	Receipt No.: <u>71746</u>	Fee: <u>\$ 800.00</u>
------------------------------	-------------------------------	----------------------------	------------------------------	--------------------------

Owners Authorization Form

District of Ucluelet

Planning Department
200 Main Street, Ucluelet, BC
VOR 3A0, P.O. Box 999
tel 250-726-4770 fax 250 726 7335

Type of Permit

- | | |
|---|--|
| <input type="checkbox"/> Single Family Dwelling | <input type="checkbox"/> Occupant Load |
| <input type="checkbox"/> Duplex | <input type="checkbox"/> Addition |
| <input type="checkbox"/> Accessory Building | <input type="checkbox"/> Alteration/Renovation |
| <input type="checkbox"/> Multi-Family Residential, No. of Units _____ | <input type="checkbox"/> Secondary Suite |
| <input type="checkbox"/> Commercial, No. of Units _____ | <input type="checkbox"/> Demolition |
| <input type="checkbox"/> Industrial, No. of Units _____ | <input type="checkbox"/> Excavation |
| <input type="checkbox"/> Public Buildings | <input type="checkbox"/> Occupant Load |
| <input type="checkbox"/> Mobile/Manufactured Home | <input checked="" type="checkbox"/> Other <u>Subdivision/Lot Segregation</u> |

Description of Property

Civic Address (es): 384 Marine Drive Zoning: R-1
Legal Description: Lot A Plan VIP 17581 Block _____ Section 21 DL _____

This document shall serve to notify the District of Ucluelet that I am/we are the legal owner(s) of the property described above and do authorize the person indicated below ("Authorized Agent") to act on my/our behalf on all matters pertaining to any of the Permit Application(s) indicated below for the property described above, including the authority to endorse on my/our behalf application documents.

Property Owner Information

Owner (s) name: Amy Cameron & Scott Reed
Mailing address: 384 Marine Drive, Ucluelet, BC Postal Code: V0R 3A0
Tel: [REDACTED] Cell: [REDACTED] Email: [REDACTED]
Owner Signature: [Signature] Date: Aug 23 / 22
Owner Signature: [Signature] Date: Aug. 23 / 22

Authorized Agent

Agent's name: Doug Cole, AIBC Company Name: Doug Cole, Architect
Mailing address: 16802 Third Ave, La Conner, WA USA Postal Code: 98257
Tel: 360-466-2555 Cell: 360-630-7228 Email: doug@dougcolearchitect.com
Agent Signature: _____ Date: _____

Note: All registered owners of the property shall sign this Authorization Form. Use additional sheets if necessary. New Authorization Forms shall be submitted to the District of Ucluelet if the ownership of the property changes prior to issuance of the Permit applied for or before final approval is granted. It is understood that, until the District of Ucluelet is advised in writing that the agent no longer acts on behalf, the District of Ucluelet will deal exclusively with my agent with respect to all matters pertaining to the proposed building permit and are under no obligation to communicate with me or any other person other than my agent with regard to these permits. This authorization supersedes all previous appointments

Office Use Only

Folio No.:	Permit No.:	Date:
------------	-------------	-------



Doug Cole Architect, AIBC
16802 Third Avenue
La Conner, WA 98257
360-466-2555

August 24, 2022

District of Ucluelet Planning Department
PO Box 999
Ucluelet, BC V0R 3A0

Re: Application for Lot Subdivision at 384 Marine Drive
Statement of Intent

Dear Planning Staff:

On behalf of the owners of the property at 384 Marine Drive I am requesting District review and approval to subdivide the existing parcel and return it to its original configuration as shown on the 1964 subdivision plan from 1964 (VIP 17581).

Parcel A was originally configured as two platted parcels (Lots 2 and 3 of VIP 17581). A residence was constructed on Lot 3 many years ago, and subsequently both Lots 2 and 3 were sold to a party who aggregated the property into its current configuration as a single Lot A.

Both of the proposed lots will meet the minimum size requirements outlined in the zoning bylaw which requires a minimum of 650 sq m (7,000 sq ft) for lot area and 18 m (60 ft) of lot frontage.

The proposed Lot A (originally Lot 2) will be 3,586.0 sq m (38,599 sf ft) with 41.72 m (136.9 ft) of street frontage on Marine Drive.

The proposed Lot B (originally Lot 3) will be 2,645.7 sq m (28,478.3 sq ft) with 32.51 m (106.7 ft) of street frontage on Marine Drive.

In discussions with the District, it is required that the applicant prove the proposed lot is buildable under current subdivisions standards. To that end we engaged Adam Compton of Environmental Dynamics Inc (EDI) and Paul Fraser of Lewkowich Engineering Associates (LEA) to evaluate these aspects. In addition to the LEA report, our application includes a site survey and layout prepared by Adam Glen of AG Surveys, showing the proposed subdivision layout and riparian and future natural boundary setback areas.

Generally speaking, the most cost-effective location for a structure will be that area above the 24m contour break line, which can be graded to accommodate a building pad area extending from there to the 7.5m building setback line along Marine Drive. LEA notes in their report that it also may be possible to build towards the lower terrace area (observing the 30m coastal setback and on lands above 16m GD). This solution would require additional geotechnical and structural engineering beyond the scope of

District of Ucluelet
Page 2 of 2

this application, however it may be an opportunity for future owners to consider depending on their available construction budget.

In summary, we believe the analysis shows the property is buildable and meets the District's requirements for subdivision.

Please do not hesitate to reach out to myself, or the owners, with any questions or additional supporting information that may be needed.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Doug Cole', is positioned below the word 'Sincerely,'.

Doug Cole, AIBC
British Columbia Architect 2075

Plan 17581

PLAN OF SUBDIVISION OF PART OF SECTION 21, CLAYQUILT DISTRICT Scale: 1 inch = 100 feet

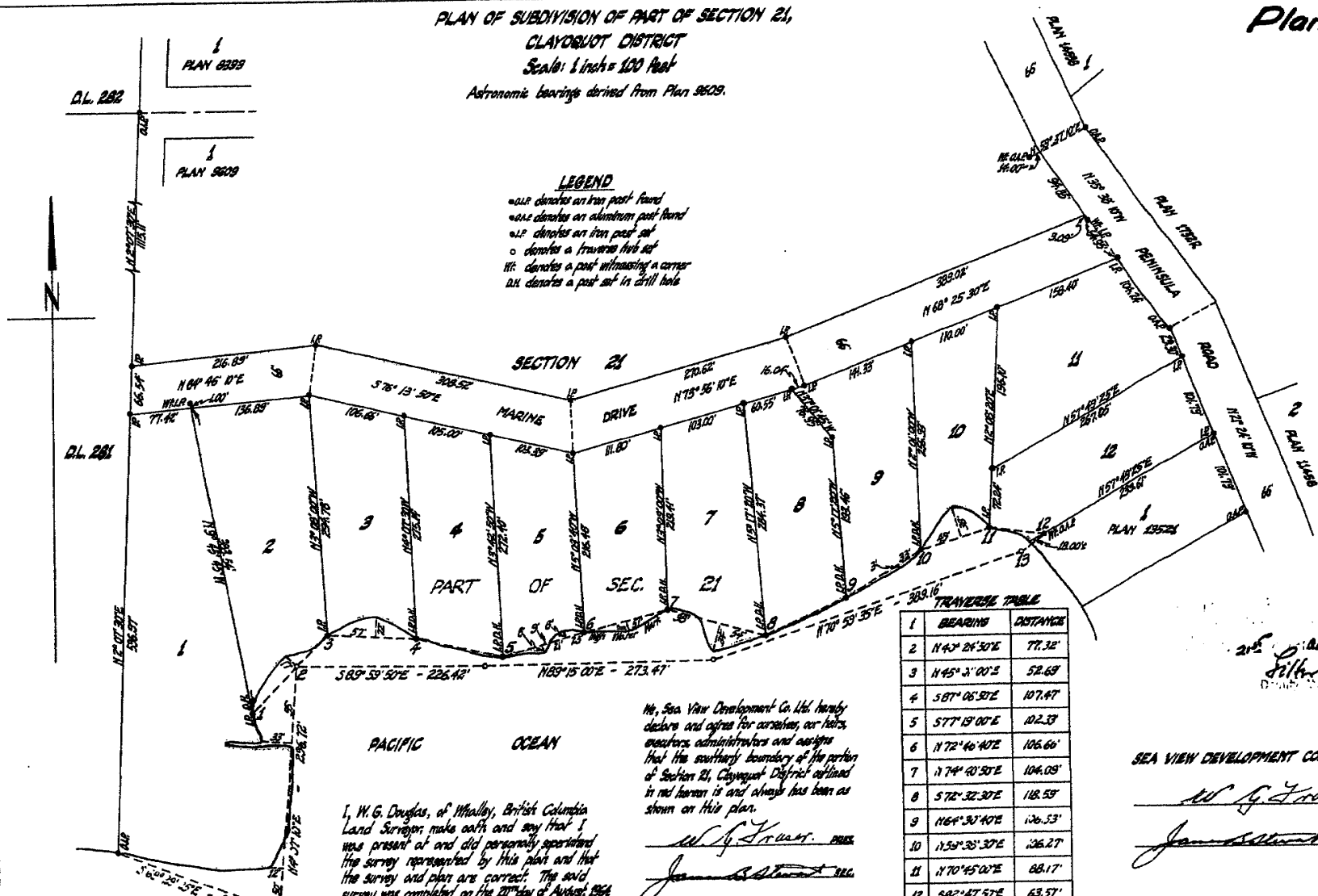
Astronomic bearings derived from Plan 9609.

Deposited in the Land Registry
Office at Victoria, B.C. this
19th day of January 1965
J. H. L. ...
Registrar

337.5565
H.L.T.

LEGEND

- ⊕ denotes an iron post found
- ⊕ denotes an aluminum post found
- ⊕ denotes an iron post set
- denotes a traverse thru set
- ⊕ denotes a post with a corner
- ⊕ denotes a post set in drill hole



TRAVERSE TABLE

1	BEARING	DISTANCE
2	N 47° 21' 30" E	77.32'
3	N 45° 2' 00" S	52.69'
4	S 87° 06' 50" E	107.47'
5	S 77° 19' 00" E	102.33'
6	N 72° 40' 40" E	106.66'
7	N 74° 40' 50" E	104.09'
8	S 72° 32' 30" E	118.59'
9	N 64° 30' 40" E	126.53'
10	N 59° 30' 30" E	126.27'
11	N 70° 45' 00" E	88.17'
12	S 82° 47' 50" E	63.57'
13	S 46° 29' 20" W	35.02'

We, Sea View Development Co. Ltd. hereby declare and agree for ourselves, our heirs, executors, administrators and assigns that the southerly boundary of the portion of Section 21, Clayquilt District outlined in red herein is and always has been as shown on this plan.

W. G. Douglas 1964
James Stewart 1964

I, W. G. Douglas, of Whalley, British Columbia Land Surveyor, make oath and say that I was present at and did personally supervise the survey represented by this plan and that the survey and plan are correct. The said survey was completed on the 27th day of August, 1964.

Sworn before me at North Surrey, B.C.
this 2nd day of September, 1964
W. G. Douglas C.L.S.
A Notary Public in and for the Province of British Columbia

Approved under the Land Registry Act
this 2nd day of Nov. 1964
A. D. ...
Approving Officer, Village of Delta

SEA VIEW DEVELOPMENT COMPANY LIMITED

W. G. ... 1964
James Stewart 1964

Douglas and Reimherry
Land Surveyors
10717 Trans-Canada Hwy
North Surrey, B.C.

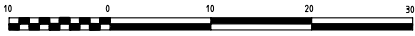
Site Plan of:

Parcel A (Consolidation of Lots 2 and 3), Section 21, Clayoquot District, Plan 17581

Parcel Identifier: 027-953-050

Civic address: 384 Marine Drive

SCALE - 1 : 7 5 0



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.

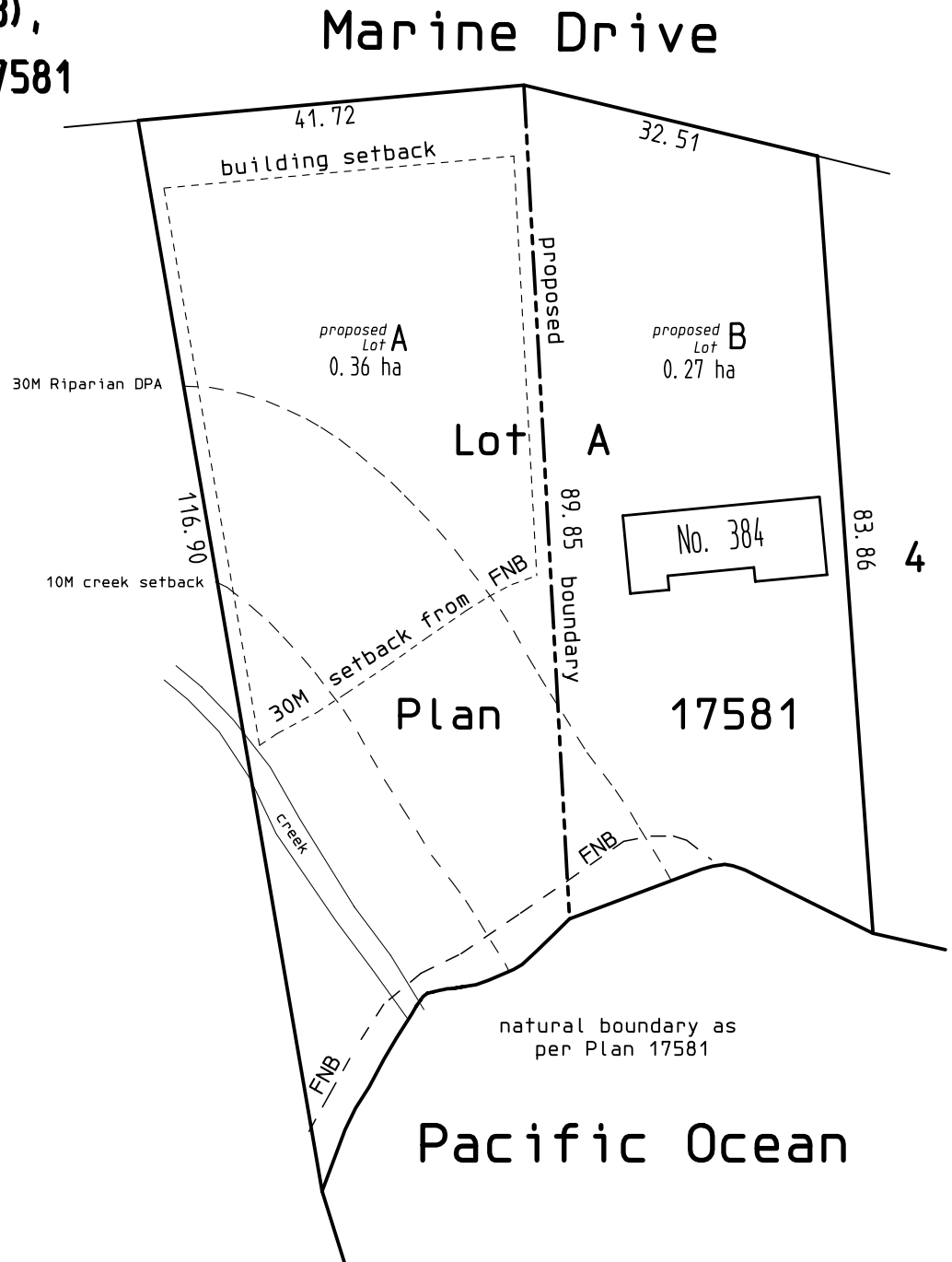
FILE : 232-Marine

DWG/DATE: 2022-08-19

AG Surveys

545 - 110 Marine Drive
Ucluelet, BC V0R 3A0
phone (250) 266-4536

Plan VIP70607





208A – 2520 Bowen Road
Nanaimo, BC V9T 3L3
P: (250) 751-9070

September 13, 2022

EDI Project No: 22N0259

Amy Cameron
384 Marine Dr.
Ucluelet, BC V0R 3A0

RE: Environmental assessment for proposed subdivision at 384 Marine Drive

INTRODUCTION

EDI Environmental Dynamics Inc. (EDI) has been retained by Amy Cameron (the Owner) to conduct an environmental assessment for proposed subdivision of a waterfront parcel at 384 Marine Drive, Ucluelet (the Property). The planned subdivision would reverse a previous lot amalgamation and create two lots in the original configuration as shown on the 1964 subdivision plan from 1964 (VIP 17581). Parcel A was originally configured as two platted parcels (Lots 2 and 3 of VIP 17581). A residence was constructed on Lot 3 many years ago, and subsequently both Lots 2 and 3 were sold to a party who aggregated the property into its current configuration as a single Lot A. The assessment is required as the Property overlaps with two District of Ucluelet (the District) Development Permit Areas (DPAs): Marine Shoreline (DPA VII) and Stream and Riparian Areas Protection (DPA VI). This letter report is intended to address the DPA requirements for planned subdivision. As no other development other than subdivision is proposed at this time, this report is primarily intended to confirm that there is an environmentally appropriate building site on the proposed Lot A, which is consistent with DPA guidelines.

SITE CHARACTERISTICS

Background Information

Several online databases were searched to identify known environmental values and sensitivities within and near the Property. Table 1 provides a summary of the desktop review.



Table 1. Summary of Background Information Review

Information Source	Type of Information	Results of Search
Habitat Wizard & Sensitive Habitat Inventory Mapping (SHIM)	Mapped streams, fish observations and stream reports for mapped watercourses. Known occurrences of provincially and federally listed species and ecosystems.	No streams within or near the Property. No known species or ecosystems listed as threatened or rare are known to occur within or immediately adjacent to the Property.
Wildlife Tree Stewardship Atlas	Bald Eagle and Osprey nest trees.	No known nests occur within or near the Property.
British Columbia Great Blue Herons Atlas	Great Blue Heron Colonies	No known colonies occur within or near the Property.

Field Observations

The site was visited by the undersigned biologist on May 10, 2022. The south-facing, waterfront Property is located on the south side of Marine Drive. The proposed subdivision is depicted on the attached drawings and a physical description of the Property is provided in the attached Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd (LEA).

Proposed Lot B is already developed. It is partially cleared and contains the existing house, yard and driveway. Construction of a retaining wall was underway within Lot B at the time of the assessment.

Proposed Lot A consists of a gradual to steep, forested slope that extends up from the natural boundary to the top of slope along the south side of Marine Drive. At the southwest corner of Lot A, a small stream flows down a narrow draw and into the ocean. Within the lot, the stream is narrow and shallow with an average channel width of 1.9 m and an average gradient of 9.5%. The stream contains some potential, low quality fish habitat within the lower, flatter section closer to the beach. This section is approximately 15 m long, with a gradient of only 4%. Above this section, there is a steep cascade (33% over 5 m), which would likely prevent fish from migrating further upstream, but is not considered a full barrier as some fish might be able to navigate this section under suitable flow conditions. No fish were observed at the time of the survey. Given the shallow depth, limited flow, and overall low-quality habitat, the stream is likely non-fish bearing but this could only be verified if extensive fish sampling were conducted over a variety of seasons and flow conditions. The 30 m Marine Shoreline (DPA VII) and Stream and Riparian Areas Protection (DPA VI) within proposed Lot A is relatively undisturbed, older forest dominated by western redcedar and hemlock and a few Sitka spruce. The understory typically consists of a dense, evergreen shrub layer, typical for this area.



Photo 1. View of small stream flowing onto beach.



Photo 2. Looking downstream at small stream and its riparian area.



Photo 3. View of typical forest within lower part of Lot A that is within the 30 m Marine Shoreline DPA.



Photo 4. Looking north at house site within Lot B (retaining wall construction in the foreground).



Photo 5. Looking west at top of hill along south side of Marine Drive within Lot A.



Photo 6. Looking south at suitable building area located within Lot A, along Marine Drive.



PROPOSED DEVELOPMENT

At this time, the only proposed development being considered is subdivision. As indicated in the LEA report, a suitable building site exists on the upper slope and the area above the 24 m contour could be manipulated to create a level or terraced building site. The upper slope area adjacent to Marine Drive is well outside of the DPAs and there appears to be ample room for residential development (including clearing to accommodate construction) outside of the DPAs.

FUTURE DEVELOPMENT

Any future development (including clearing of vegetation) within portions of Proposed Lot A that overlap with the Marine Shoreline or Stream and Riparian Areas Protection DPAs will require a development permit. If all future development is outside of these DPAs then a development permit will not be necessary. The Stream and Riparian Areas Protection DPA overlaps with more of the potentially developable portion of Lot A than the Marine Shoreline DPA. The BC Riparian Areas Protection Regulation (RAPR) Technical Assessment Manual provides a provincially accepted, useable, science-based methodology for determining minimum riparian setbacks and protective considerations needed to maintain the features, functions, and conditions of riparian areas. Under this methodology, this stream would require a 10 m riparian setback and would need an additional root protection buffer of approximately 5 m to protect trees that are closer to the setback boundary. Additional protective measures would also need to be considered to address concerns associated with danger trees, windthrow, slope stability, erosion and sediment control, and stormwater management. All of these considerations depend on the nature and extent of a specific development plan by a future owner, but it is anticipated that, the environmental assessment needed for a development permit application would conclude that it would be appropriate to reduce the stream setback to as little as approximately 15 m from the surveyed boundary shown on the site plan, which would further increase the ability to develop with proposed Lot A.

STATEMENT OF LIMITATIONS

This report was prepared exclusively for Amy Cameron by EDI Environmental Dynamics Inc. The quality of information, conclusions and estimates contained therein are consistent with the level of effort expended and is based on: i) information available at the time of preparation; ii) data collected by EDI Environmental Dynamics Inc. and/or supplied by outside sources; and iii) the assumptions, conditions and qualifications set forth in the report. The report is intended to be used by Amy Cameron for the intended purpose as outlined by this report (local government review). Any other use or reliance on this report by any third party is at that party's sole risk.

Any material changes to either site conditions or the proposed activities as described in the report may invalidate the conclusions and recommendations made. The undersigned should be contacted if the development plans change to determine if the report needs to be revised or updated.



Yours truly,

EDI Environmental Dynamics Inc.

DISTRIBUTED VIA EMAIL

Adam Compton, R.P.Bio.
Senior Biologist/Project Manager

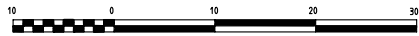
Attachments:

- Site Plan
- Geotechnical Hazard Assessment

Site Plan of:
Parcel A (Consolidation of Lots 2 and 3),
Section 21, Clayoquot District, Plan 17581

Parcel Identifier: 027-953-050
Civic address: 384 Marine Drive

SCALE - 1 : 7 5 0



All distances are in metres and decimals thereof

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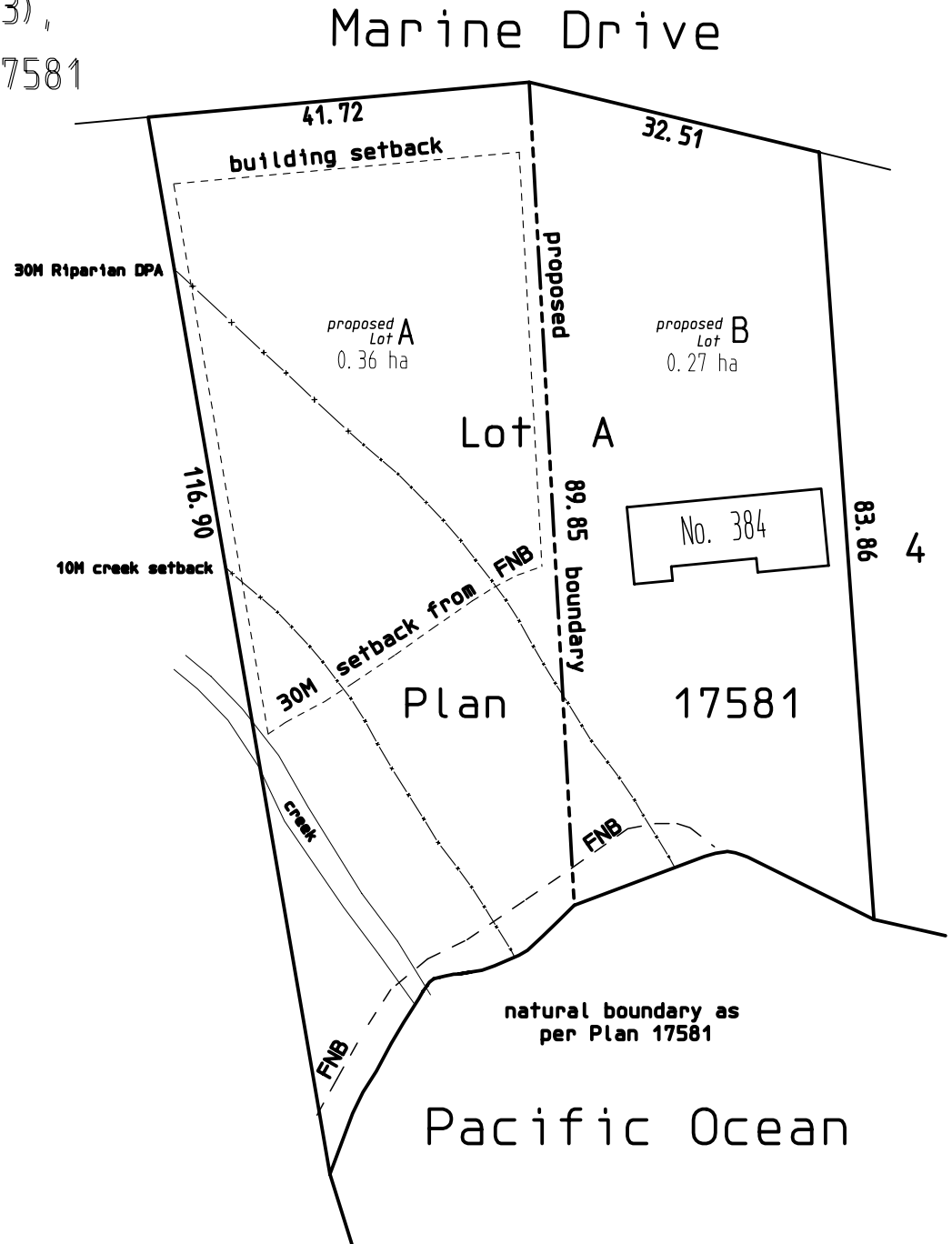
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AG Surveys

545 - 110 Marine Drive
Ucluelet, BC V0R 3A0
phone (250) 266-4536

Plan VIP70607



GEOTECHNICAL HAZARD ASSESSMENT

**384 Marine Drive, Ucluelet, BC
Proposed 2-Lot Residential Subdivision**

Legal Address:

Parcel A (Being a Consolidation of Lots 2
and 3, See CA1156439) Section 21,
Clayoquot District, Plan 17581

PID: 027-953-050

Prepared For:

Ms. Amy Cameron
384 Marine Drive
Ucluelet, BC
VOR 3A0

Attention:

Ms. Amy Cameron
amy.cameron73@yahoo.ca

July 18, 2022

File No.: E1100.01
Revision No.: 00
Prepared by:
Paul Fraser, B.A., CTech.
Chris Hudec, M.A.Sc., P.Eng.

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geotech@lewkowich.com

Permit to Practice Number: 1001802



DISCLAIMER, ACKNOWLEDGMENTS AND LIMITATIONS

1. Lewkowich Engineering Associates Ltd. (LEA) acknowledges that this report, from this point forward referred to as “the Report,” may be used by the District of Ucluelet (DoU) as a precondition to the issuance of a development and/or building permit. It is acknowledged that Approving Officers and/or building Officials of the DoU may rely on this Report when making a decision on application for development of the land. It is also acknowledged that this Report and any conditions contained herein may be included in a restrictive covenant under Section 56 of the Community Charter and registered against the title of the property at the discretion of the DoU.
2. This Report has been prepared in accordance with standard geotechnical engineering practice solely for and at the expense Ms. Amy Cameron. We have not acted for or as an agent of the DoU in the preparation of this Report.
3. The conclusions and recommendations submitted in this Report are based upon information from relevant publications, a visual site-assessment of the property, anticipated and encountered subsurface soil conditions, current construction techniques, and generally accepted engineering practices. No other warrantee, expressed or implied, is made. If unanticipated conditions become known during construction or other information pertinent to the structure becomes available, the recommendations may be altered or modified in writing by the undersigned.
4. This Report was authored, to the best of our knowledge at the time of issuance, with considerations for local requirements specific to the Authority Having Jurisdiction (AHJ) and their standards for the preparation of such reports, the 2018 British Columbia Building Code (BCBC), and current engineering standards. Updates to municipal bylaws, policies, or requirements of the AHJ, or updates to the BCBC and/or professional practice guidelines may impact the validity of this Report.
5. This Report has been prepared by Mr. Paul Fraser, B.A., CTech, and Mr. Chris Hudec, M.A.Sc., P.Eng. Messrs. Fraser and Hudec are both adequately experienced in geotechnical engineering and hazard assessments and are also members in good standing with their respective associations, Mr. Fraser with the Applied Science Technologists & Technicians of British Columbia (ASTTBC), and Mr. Hudec with the Engineers and Geoscientists of British Columbia (EGBC).

EXECUTIVE SUMMARY

1. The following is a brief synopsis of the property, assessment methods, and findings presented in the Report. The reader must read the Report in its entirety; the reader shall not rely solely on the information provided in this summary.
2. The property, 384 Marine Drive, from this point forward referred to as “the Property,” is located on the west coast of Vancouver Island within the jurisdictional boundaries of the DoU, in the southern region of Ucluelet, BC. The proposed development for the Property at the time of this Report includes subdividing the parcel into 2 fee simple residential lots (proposed Lots A and B).
3. A site-specific hazard assessment was conducted to identify potential geotechnical hazards for the subject Property and determine the safe and suitable conditions for the subdivision. The primary geotechnical hazards identified relate to steep slopes $>30^\circ$, the Property boundary with the Pacific Ocean and the associated oceanic flooding due in part to future relative sea level rise (RSLR), as well as consideration for the risk of tsunami inundation.
4. Current EGBC and provincial guidelines relating to the creation of new lots by way of subdivision require tsunami elevations and setbacks for properties in areas susceptible to tsunami inundation. Therefore, the buildable area would be defined by conditions outlined herein, the required Tsunami Flood Reference Plane (TFRP) for the Property, and a combination of the safe slope setback and applicable foreshore setback from the Future Natural Boundary (FNB).
5. The findings confirm the development is considered safe as proposed, provided the recommendations in this Report are followed.

List of Abbreviations Used in the Report

Abbreviation	Title
AHJ	Authority Having Jurisdiction
AGS	AG Surveys
ASTTBC	Applied Science Technologists & Technicians of British Columbia
BCBC	British Columbia Building Code
CCIL	Cascadia Coastal Research Ltd.
CSZ	Cascadia Subduction Zone
DoU	District of Ucluelet
DPA	Development Permit Area
ECI	Ebbwater Consulting Inc.
EGBC	Engineers and Geoscientists of British Columbia
FCL	Flood Construction Level
FNB	Future Natural Boundary
GD	Geodetic Datum (CGVD2013)
LEA	Lewkowich Engineering Associates Ltd.
MNFLNRO	Ministry of Forests, Lands, and Natural Resource Operations
OCP	Official Community Plan
PNB	Present Natural Boundary
RA	Regional Adjustment
RSLR	Relative Sea Level Rise
SLS	Service Limit State
TFRP	Tsunami Flood Reference Plane
ULS	Ultimate Limit State

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1.0 INTRODUCTION

1.1 General

- a. As requested, LEA has carried out a geotechnical assessment of the subject Property with respect to the proposed residential subdivision. This Report provides a summary of our findings and recommendations.

1.2 Background

- a. LEA understands the purpose of this assessment is to determine the safe and suitable conditions for subdivision of the subject parcel, including a review of geotechnical hazards that may impact building design and the buildable area of the Property.
- b. At the time of this Report, the proposed development consists of subdividing the Property into two (2) fee simple residential properties. We understand the parcel was created through amalgamation of two fee simple lots (Lots 2 and 3) by removing the shared property line. The proposed subdivision will reinstate the shared property line to create proposed Lots A and B. Please note, the comments and recommendations provided herein are specific to the safe and suitable development of Lot A and any future development on Lot B. The existing single-family residence on Lot B will be considered “Legal Non-Conforming” and subject to development restrictions should an addition be contemplated. New construction on Lot B will have to adhere to the requirements of this Report.
- c. The Property is located on the west coast of Vancouver Island, within the southern region of the DoU. See Figure 1.2 below.

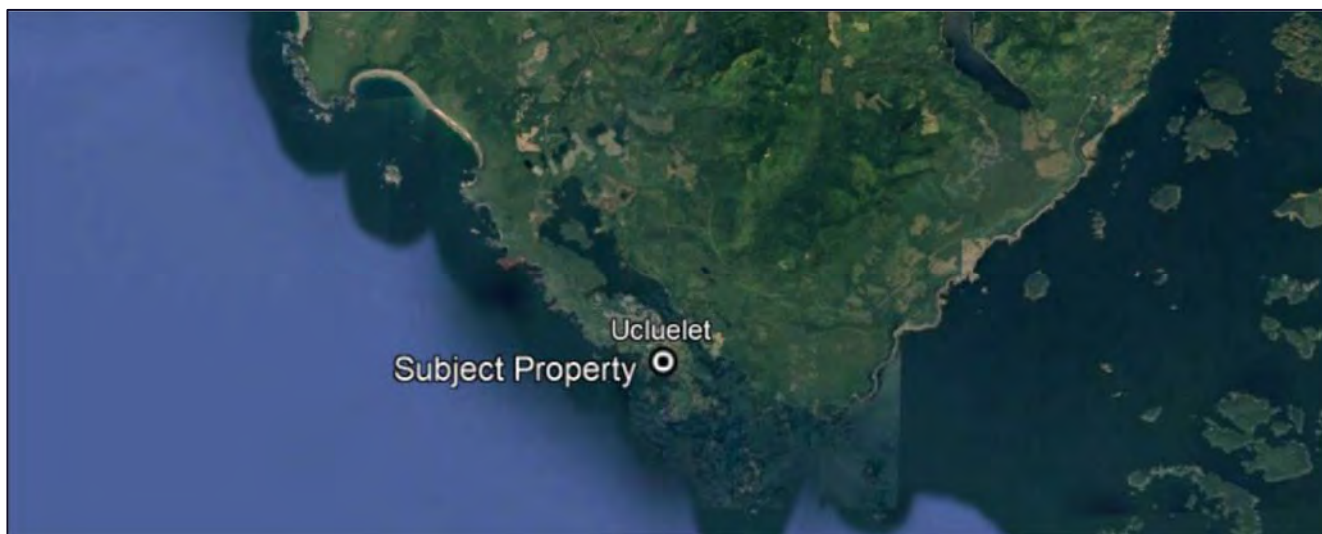


Figure 1.2 – Large Scale Location Plan (Satellite Imaging from Google Earth^{®1})

- d. A review of the 2020 OCP² indicates the Property is located within three DPA's:
 - i. DPA VI – Riparian Areas Protection (shown on the Schedule 'E' map³), specifically 30m landward of

- the Natural Boundary of the ocean;
- ii. DPA VII – Marine Shoreline (shown on the Schedule ‘E’ map³), specifically applied to all lands within 30m, measured horizontally both landward and seaward from the natural boundary of the ocean;
 - iii. DPA VIII – Natural Hazard Areas Protection (shown on the Schedule ‘G’ map⁴), specifically for steep slopes greater than 30°.
- e. An assessment report addressing DPA VI and VII shall be prepared by a qualified environmental professional and is not included as part of this assessment.
- f. Following EGBC’s Professional Practice Guidelines for Legislated Flood Assessments⁵, this Report would be categorized as a Class 0 assessment, applicable for Developments and/or Building Permits.

1.3 Assessment Methodology

- a. A visual reconnaissance of the Property was carried out on May 12, 2022, which included observations of the current site conditions, the foreshore, general topography and drainage, and future building areas.
- b. A desktop review of relevant background information, including available aerial photographs, published geology, topography and floodplain mapping was undertaken, with consideration of the applicable EGBC practice guidelines and the most current and relevant technical documents provided by ECI⁶, CCIL⁷, and MFLNRORD⁸. Please refer to the list of references at the end of this Report.
- c. We have also included a review of the Tsunami Risk Tolerance – Interim Policy prepared by the DoU, dated March 29, 2022⁹.
- d. Our assessment included a review of the attached topographic subdivision plan prepared by AGS.

1.4 Covenant Review

- a. As part of our assessment, we have reviewed the documents registered on the legal title of the Property, specifically, any restrictive covenants registered against the Property that may relate to the conclusions and recommendations provided in this Report.
- b. Current to the date of this Report there are no relevant covenants under Section 215 of the Land Title Act registered against the Property.

2.0 SITE CONDITIONS

2.1 Physical Setting

- a. The Property is identified with the following civic and legal address:
 - i. 384 Marine Drive, Ucluelet, BC.

- ii. Parcel A (Being a Consolidation of Lots 2 and 3, see CA1156439), Section 21, Clayoquot District, Plan 17581
 - iii. PID: 027-953-050
- b. The Property is located within the southern region Ucluelet, west of Peninsula Road on the south side of Marine Drive, immediately adjacent to the Pacific Ocean to the south. The Property location is shown in Figure 2.1.



Figure 2.1 – Small Scale Location Plan (Satellite Imaging from Google Earth^{®1})

- c. The Property is currently designated as a 'Single-Family Residential (R-1) zone and is bound to the east and west by other R1 properties; to the north by Marine Drive, and to the south by the Pacific Ocean¹⁰.

2.2 Terrain and Features

- a. The subject parcel (proposed Lot A) is currently undeveloped and covered with moderate to dense westcoast vegetation consisting of brush and undergrowth, with mature and immature trees. Currently, the parent parcel is developed with a single-family residence located to the east side of the property (proposed Lot B).
- b. Proposed Lot B is accented by a steep, southwest-facing bedrock exposure orientated from northwest to

southeast across the lower portion of the parcel. Evidence of recent site manipulation includes excavation of the bedrock slope, mainly on the developed portion of the Property (proposed Lot B), to create a rock-rubble access trail across the middle of the subject parcel to the foreshore area. A pour-in-place concrete retaining wall is also under construction along the crest of the steep slope to create a level yard surface south of the single-family residence on proposed Lot B.

- c. The terrain rises approximately 2-3m above the Marine Drive frontage to a high point west of the existing driveway before declining steadily to the foreshore area below, generally with an overall inclination of less than of 2 Horizontal to 1 Vertical (2H:1V or 27°). Total relief across the parcel is estimated to be 26m±. Please refer to Section 2.6 – Steep Slope Review for further information on site topography.
- d. A small creek with well-defined banks crosses the southwest corner of the parcel and discharges above the foreshore area.

2.3 Regional Geology

- a. Surficial geology for the area is classified as shallow colluvium, comprised of sediments generally less than 1.0m thick, overlying bedrock¹¹.
- b. Bedrock geology for the area is classified as undivided volcanic rocks part of the Pacific Rim Complex, and date back to the Triassic to Cretaceous period¹².

2.4 Soil Conditions

- a. LEA inspected the soil conditions at various locations across the subject parcel by way of hand probing using a T-bar.
- b. In general, the soil strata consists of approximately 450mm to 600mm of organic silt and forest debris (roots, wood, brush) overlying dense sand, silt, gravel (glacial till), and/or shallow bedrock. Bedrock exposures can be seen at various locations throughout the subject parcel. We expect bedrock will be shallow (1.0m±) throughout the Property.
- c. Depths are referenced to the existing ground surface at the time of our field investigation. Soil classification terminology is based on the Modified Unified classification system. The relative proportions of the major and minor soil constituents are indicated by the use of appropriate Group Names as provided in ASTM D2487 Figures 1a, 1b, and 2. Other descriptive terms generally follow conventions of the Canadian Foundation Engineering Manual.

2.5 Surface and Groundwater Conditions

- a. No surface, ponded water, or evidence of abnormal groundwater conditions was observed during our review of the Property.

- b. Groundwater flows may fluctuate seasonally with cycles of precipitation. Groundwater conditions at other times and locations may differ from those observed during our assessment. It is expected groundwater levels will be close to the ground surface during the height of the rainy season.

2.6 Steep Slope Review

- a. As part of our assessment, LEA made observations of the steep slopes throughout the parcel, specifically above the access trail near the mid-point of proposed Lot A.
- b. Based on our review of the attached topographic site plan prepared by AGS, the upper slope configuration varies in inclination up to 52° , with heights ranging from 10m to $14.0\text{m}\pm$. Localized bedrock exposures were visible with near-vertical inclination, estimated up to $4.0\text{m}\pm$ in height. The general slope conditions are shown below in Figures 2.6.1 and 2.6.2.



Figure 2.6.1 – Exposed Bedrock Above Access Trail (View looking East)



Figure 2.6.2 – Exposed Bedrock, Upper Slope Area (View looking Southwest)

- c. The upper slope is considered to be intact, homogenous, volcanic rock with minor to moderate fracturing and jointing.

2.7 Foreshore Conditions

- a. The foreshore can be characterized as a shallow sand and gravel upper tidal zone, with rugged and irregular bedrock outcropping to the east and west. Vegetation along the upper foreshore consists of tall grass and sedges, dense brush with immature and mature trees. Large pieces of driftwood line the upper tidal zone and natural boundary of the area.
- b. Based on our review of the topographic site plan prepared by AGS, the PNB elevations vary from 2.9m GD to 3.3m GD with an average estimated elevation of 3.1m GD.
- c. The foreshore conditions at the time of our assessment are shown below in Figure 2.7.1 and 2.7.2.



Figure 2.7.1 – Typical Foreshore Conditions (View Looking North)



Figure 2.7.2 – Typical Foreshore Conditions (View Looking West)

2.8 District of Ucluelet Tsunami Risk Tolerance Review

- a. LEA understands the DoU has established a new policy to manage flood risk while considering community interests within the jurisdictional boundaries of the DoU. The purpose of the policy is to guide decisions on the following:
 - i. amendments to the Zoning bylaw or OCP;
 - ii. applications for subdivision of the land; and,
 - iii. location of critical community infrastructure and facilities.
- b. Subdivision approval requires a report prepared by a qualified Professional Engineer experienced in coastal engineering that determines the TFRP for the Property and formulates safe building conditions for each lot. LEA has been conducting Flood Hazard Assessments on the west coast of Vancouver Island (and elsewhere on Vancouver Island) since the coastal flooding and sea level rise Guidelines were introduced in 2011.
- c. In recent years, most coastal jurisdictions on Vancouver Island have commissioned flood risk assessments, and on the west coast, they have included tsunami risk assessments. While west coast communities have implemented Tsunami Warning systems to alert residents of approaching tsunamis, EGBC guidelines for hazard assessments must also include an assessment of Tsunami Hazards and the safe siting of structures on newly created building lots. New construction on new lots must adhere to the guideline regarding tsunami hazards. The District of Ucluelet has developed their Interim Policy for Tsunami Risk Tolerance, which will be updated as more information is obtained.

2.9 Tsunami Hazard Review

- a. Tsunami waves may be created by earthquakes or landslides that rapidly displace a large mass of water. While the severity and frequency of tsunamis are difficult to predict, there is geological evidence to indicate large tsunamis originating from both distant and nearby sources have historically impacted the west coast of Vancouver Island. Therefore, coastal communities along BC's west coast are considered at high risk of flood hazard and inundation caused by tsunamis due to the tectonically unstable Pacific Rim.
- b. Tsunami wave heights and inundation can vary significantly due to source location, alignment and shape of the coastline, offshore bathymetry and inland topography, as well as weather and water levels at the time of the event. At present, there is insufficient historical information to formulate a magnitude-frequency relation for locations on the BC coast.
- c. The Property is directly bordering the Pacific Ocean and in the designated "Open Coast" coastal region of BC, therefore the associated flood risk due to tsunami inundation would be considered high. EGBC and provincial guidelines require all lots created through subdivision within an area susceptible to tsunami

- inundation to have a viable building area with safe building conditions provided by a qualified Professional Engineer⁷.
- d. Detailed modelling of tsunami flood hazard in the region was conducted by ECI and CCRL and included simulated tsunami run-up elevations produced for 24 flood hazard scenarios resulting from a CSZ megathrust earthquake¹³. The study included 4 RSLR timeframes for modelling the CSZ tsunami (0m, 0.5m, 1.0m, and 2.0m). Mapping included tsunamis generated from two likely types of earthquake rupture: buried and splay faulting, each with consideration of RSLR and presented both with and without a 50% factor of safety. The resulting TFRP elevations with no safety factor and including 1m of RSLR were 15.0m and 18.0m GD for the region. These values increased to 22.5m and 27.0m, respectively, when the 50% safety factor was included⁶.
- e. The study included interpolation of results between representative transects across 48 characteristic shoreline reaches in the region. The transects run perpendicular to the shore and area used to simulate the effect of an event for each reach. Transect 43 located immediately south of the Property was determined to be the nearest representation of the subject Property shoreline with a resulting TFRP of 16.0m GD (Table 7, Pg 49/95)⁷.

3.0 DISCUSSIONS AND RECOMMENDATIONS

3.1 Natural Hazards

- a. Based on the field reconnaissance and a desktop review of available information, it is the opinion of LEA that steep slopes greater than 30°, oceanic flooding due in part to future SLR, as well as tsunami inundation are the potential geotechnical hazards for the Property.

3.2 Tsunami Flood Reference Plane

- a. Based on our review of the regional flood hazard study the TFRP for the subject Property is 16.0m GD. LEA considers this FCL to be reasonable and practicable for the subject Property. This FCL, in conjunction with the associated coastal setback detailed below, defines the allowable buildable area on the site. Due to site topography, there is available building area above the upper slope at elevations greater than the provincial standard of 20.0m GD. Please see Section 3.6 for details outlining the buildable area of the Property.
- b. The recommended FCL is based on the best available information provided at a regional scale, prepared by ECI and CCRL, that has been applied to the Property within the interpreted limitations of this Class 0 flood hazard assessment.

- c. Best-practices for construction within a defined tsunami zone are to follow procedures outlined by the provincial and local authorities.
- d. We understand the DoU has implemented a Tsunami Warning System and evacuation plan for the community. If a Tsunami Warning is issued for the area, the Property must be evacuated to higher ground.

3.3 Coastal Setback

- a. As per provincial guidelines, for areas outside the Strait of Georgia and subject to significant tsunami hazard, building setbacks must be a minimum of 30.0m from the estimated FNB of the sea at year 2100⁸.
- b. The FNB can be reasonably estimated by summing the associated coastal flood components, namely PNB + SLR + Regional Adjustment (RA) for Isostatic Rebound. The FNB in 100 years is estimated to have an elevation equal to PNB + 0.74m (i.e. PNB + 1.00m SLR - 0.26m RA) by this methodology.
- c. We therefore recommend a 30.0m setback from the FNB of the ocean. This coastal setback shall be established and confirmed on-site by a qualified land surveyor.
- d. Based on our field observations and review of the topographic site plan prepared by AGS, we estimate the FNB elevation will vary from approximately 3.84m to 4.04m GD.
- e. Figure 3.3.1 illustrates the estimated FNB and setback locations.



Figure 3.3.1 – Estimated FNB and Setback Locations (LEA Mark-up of AGS Survey)

3.4 Floodwater and Inundation

- a. The recommended tsunami FCL and setback applies to any Habitable Area; defined as any room or space within a building or structure which can be used for human occupancy, commercial sales, or storage of goods, possessions or equipment (including furnaces) which would be subject to damage if flooded.
- b. The FCL establishes the minimum elevation of the underside of a wooden floor system or top of concrete slab for any Habitable Area. Following best construction practices, areas below the FCL should not be used for the installation of furnaces, major electrical switchgear, or other fixed equipment susceptible to damage by floodwater.
- c. During construction, all footing and floor elevations shall be confirmed by qualified survey personnel to ensure the finished floor grade is at or above the recommended minimum FCL geodetic elevation.

3.5 Future Development

- a. Over the required 100-year design life of the development SLR will likely expose the existing shoreline to increased wave action that may result in erosion of the foreshore area.
- b. Evaluation of the rate and/or extent of erosion along the foreshore area of the Property is beyond the scope of this Report. It should be noted however, that intertidal zones consisting of sand and gravel are typically susceptible to erosion or accretion by wave action and flooding, and we expect the alignment of the PNB may slowly shift over time.
- c. If the Client wishes to address the issue of potential erosion along the PNB within the foreshore area, then further investigation and analysis into the use and installation of mitigative measures is required.
- d. As a minimum, we recommend the foreshore and alignment of the PNB be regularly monitored by the current and future property owners. Any notable regression of the PNB, specifically following a significant storm event or winter season or otherwise, would require a reassessment of the foreshore conditions.
- e. LEA can provide recommendations for design of mitigative works for foreshore erosion if requested.

3.6 Buildable Area and Slope Setback Discussions

- a. The safe buildable area generally includes all land north of the 30.0m coastal setback from the FNB and above 16.0m GD. Therefore, two, viable building locations are available on proposed Lot A.
- b. In general, a setback from the toe of slope would be assigned to address potential rock fall hazards for any building constructed below the steep slope. Alternatively, site manipulation by way of rock breaking and/or blasting would be required to incise a building into the slope. A detailed geotechnical design-phase review would be required to determine the applicable criteria based on the proposed building concept.
- c. A conservative method of determining a safe setback from crests of bedrock slopes is to propagate a 1

Horizontal to 1 Vertical (1H:1V) line from the toe of the slope to the crest and ensure footings of the building do not exceed the elevation of this slope stability setback line. In this case, the upper slope varies in inclination up to 52°, with heights ranging from 10m to 14.0m± above the toe of slope as defined on the attached AGS survey. We also expect localized, near-vertical slopes to also be present. Therefore, we expect the area above the 24m contour “break line” could be manipulated to accommodate a level or terraced building site, provided footings are behind and below the 1H:1V projection line. A detailed geotechnical design-phase review would be required to determine the applicable criteria based on the proposed building concept.

- d. Based on the findings of our field investigation, the upper slope is comprised of bedrock overlain by minimal soil and organic deposits. Due to the homogenous composition of bedrock, LEA considers the global stability of the underlying bedrock to be stable.

3.7 Preliminary Foundation Design and Construction

- a. Prior to construction, the building areas should be stripped to remove all unsuitable materials to provide an undisturbed natural soil subgrade for the footing support.
- b. Foundation loads must be supported on competent bedrock approved for use as a bearing stratum by our office and may be designed using an SLS bearing pressure of 250 kPa, and a ULS bearing pressure of 335 kPa may be used for design purposes. These values assume a minimum 0.45m depth of confinement or cover and up to 300mm of engineered fill as a levelling course.
- c. Exterior footings should be provided with a minimum 0.45m depth of ground cover for frost protection purposes.
- d. Prior to placement of concrete footings, any bearing soils that have been softened, loosened, or otherwise disturbed during the course of construction should be removed, or else compacted following our recommendations for structural fill. Compaction will only be feasible if the soil has suitable moisture content and if there is access to heavy compaction equipment.
- e. LEA may provide further recommendations for founding directly on bedrock (i.e. installation of rock anchors), based on the conditions encountered during construction.
- f. Settlements should be within the ranges considered “Normal and Tolerable” for typical wood frame residential housing. These ranges are usually taken as being 20mm to 25mm total, and 10mm to 15mm differential between typical column spacing.
- g. The Geotechnical Engineer should evaluate the bearing soils at the time of construction to confirm that footings are based on appropriate and properly prepared founding material.

3.8 Seismic Criteria

- a. No compressible or liquefiable soils were encountered during the limited field review conducted for this Report.
- b. Based on the 2018 BCBC, Division B, Part 4, Table 4.1.8.4.A, "Site Classification for Seismic Site Response," the expected soils and strata would be "Site Class B" (Rock).

3.9 Foundation Drainage - Future Residential Structures

- a. Conventional requirements of the 2018 BCBC pertaining to building drainage are considered suitable at this site. Once final plans and tentative elevations are determined, the Geotechnical Engineer should be consulted to provide further dewatering data.

3.10 On-Site Infiltration and Stormwater Disposal

- a. As part of the geotechnical investigation, field observations of the subgrade soil conditions with respect to the on-site infiltration and disposal of stormwater were carried out.
- b. Subgrade soil conditions are expected to consist of shallow bedrock.
- c. Based on the expected subgrade conditions (shallow bedrock), it is the opinion of LEA that site conditions are not conducive to the installation of an on-site stormwater infiltration medium. Collected water may be conveyed via solid pipe down to the foreshore. A stabilized outlet would be required to prevent scour erosion at the outfall.

4.0 CONSTRUCTION PHASE

4.1 General Excavation – Future Building Site

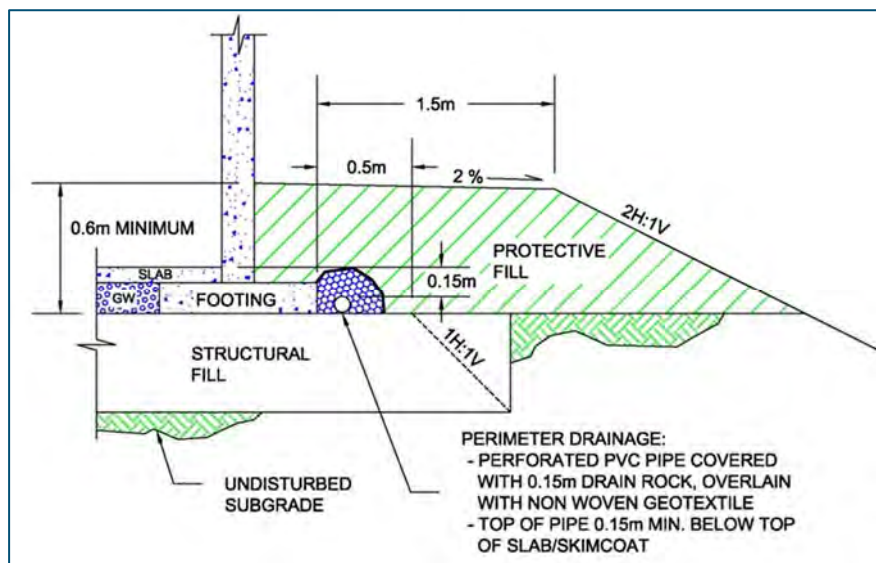
- a. Prior to construction, all unsuitable materials should be removed to provide a suitable base of support. Unsuitable materials include any non-mineral material such as vegetation, topsoil, peat, fill or other materials containing organic matter, as well as any soft, loose, or disturbed soils.
- b. Based on the encountered conditions we expect rock breaking by way of an excavator-mounted rock hammer, or blasting, may be required to create a level or terraced building area more conducive to footing construction. If blasting is required to manipulate the existing terrain, measures are required to ensure that any "over-blast" materials are removed from areas of structural support. Over-blast materials are defined as any rock that is disturbed as a result of blasting. Any over-blast materials from blasting or created during preparation of the site should be removed to intact, homogenous bedrock and assessed by the Geotechnical Engineer.
- c. LEA may provide further recommendations for founding directly on bedrock (i.e. rock anchors), based on

the conditions encountered during construction and requirements of the Structural Engineer. The Geotechnical Engineer shall review the proposed building location to provide any necessary recommendations relating to exposed fractures, fissures, or jointing that may impact footing location.

- d. Site manipulation may result in the creation of steep slopes around the building area. Bedrock slopes may be cut to 20° from vertical provided a suitable rock fall landing area is available. The Geotechnical Engineer should review the proposed building design and elevations prior to construction.
- e. Groundwater ingressing into any excavations should be controlled with a perimeter ditch located just outside of the building areas, connected to positive drainage.

4.2 Structural Fill

- a. Where fill is required to raise areas that will support buildings, slabs, or pavements, structural fill should be used. The Geotechnical Engineer should first approve the exposed subgrade in fill areas, to confirm the removal of all unsuitable materials.
- b. Structural fill should be inorganic sand and gravel. If structural fill placement is to be carried out in the wet season, material with a fines content limited to 5% passing the 75µm sieve should be used, as such a material will not be overly sensitive to moisture, allowing compaction during rainy periods of weather.
- c. Structural fill should be compacted to a minimum of 95% of Modified Proctor maximum dry density (ASTM D1557) in foundation and floor slab areas, as well as in paved roadway and parking areas.
- d. Structural fills under foundations, roadways, and pavements should include the zone defined by a plane extending down and outward a minimum 0.5m from the outer edge of the foundation at an angle of 45 degrees from horizontal to ensure adequate subjacent support. This support zone is shown below in Figure 4.2.



- e. Compaction of fill should include moisture conditioning as needed to bring the soils to the optimum moisture content and compacted using vibratory compaction equipment in lift thicknesses appropriate for the size and type of compaction equipment used.
- f. A general guideline for maximum lift thickness is no more than 100mm for light hand equipment such as a “jumping-jack,” 200mm for a small roller and 300mm for a large roller or heavy (>500 kg) vibratory plate compactor or a backhoe mounted hoe-pac or a large excavator mounted hoe-pac, as measured loose.
- g. It should be emphasized that the long-term performance of buildings, slabs, and pavements is highly dependent on the correct placement and compaction of underlying structural fills. Consequently, we recommend that structural fills be observed and approved by the Geotechnical Engineer. This would include approval of the proposed fill materials and performing a suitable program of compaction testing or visual monitoring during construction.

5.0 CONCLUSIONS

5.1 Local Government Conformance Statement

- a. LEA confirms that the recommendations made in this Report conform to the guidelines and objectives expressed under DoU OCP 2020², as well as applicable guidelines and best practices current to the date of this Report.
- b. All construction/development shall be carried out in conformance within the requirements of any jurisdictional limitations. Any jurisdictional limitations applicable to the Property and proposed development shall supersede the geotechnical recommendations made in this Report.
- c. Based on our review of the relevant publications and site-specific field assessment, it is the opinion of LEA that steep slopes greater than 30°, oceanic flooding due in part to future SLR, as well as tsunami inundation, are the potential geotechnical hazards for the Property.
- d. Provided the recommendations in this Report are followed, we confirm that from a geotechnical point of view the site is considered safe and suitable for the proposed two-lot residential subdivision, with the probability of a geotechnical failure resulting in property damage of less than:
 - i. 2% in 50 year for geotechnical hazards due to seismic events, including slope stability;
 - ii. 1 in 200-year return for flooding of marine areas while accounting for 100-years of SLR, excluding tsunami hazards, and
 - iii. 10% in 50 years for all other geotechnical hazards.
- e. Due to the Property location adjacent to the Pacific Ocean, the associated tsunami risk is considered to be high. As the magnitude-frequency relation for tsunami-related flooding is unknown, we recommend

following evacuation procedures provided by local and provincial government agencies for the area.

- f. Please refer to the attached EGBC - Appendix I: Flood Assurance Statement and EGBC Appendix D: Landslide Assessment Assurance Statement for additional information.

5.2 Geotechnical and Quality Assurance Statement

- a. The DoU may request a Geotechnical Engineer to provide professional assurance services during the course of construction. Geotechnical Assurance services include review of the geotechnical components of the plans and supporting documents, and responsibility for field reviews of these components during construction.

6.0 CLOSURE

- a. Lewkowich Engineering Associates Ltd. appreciates the opportunity to be of service on this project. If you have any comments, or additional requirements at this time, please contact the undersigned at your convenience.

Respectfully Submitted,
Lewkowich Engineering Associates Ltd.



Paul Fraser, B.A., CTech
Senior Technician

Chris Hudec, M.A.Sc., P.Eng.
Senior Project Engineer

7.0 ATTACHMENTS

1. AG Surveys, Site Plan, dated July 4, 2022.
2. EGBC Appendix I: Flood Assurance Statement.
3. EGBC Appendix D: Landslide Assessment Assurance Statement.

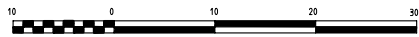
8.0 REFERENCES

1. Google Earth Pro, Accessed June 2022, Image date 2021.
2. District of Ucluelet, "Official Community Plan Bylaw No. 1306", dated 2022.
3. District of Ucluelet map titled "Official Community Plan, Schedule E, Environmental Development Permit Areas" Dated February 17, 2021.
4. District of Ucluelet map titled "Official Community Plan, Schedule G, Development Permit Areas for Hazardous Conditions," Dated September 2, 2021.
5. Engineers and Geoscientists of British Columbia report titled "Professional Practice Guidelines – Legislated Flood Assessments in a Changing Climate in BC," version 2.1, dated August 28, 2018.
6. Ebbwater Consulting Inc. report titled "District of Ucluelet Coastal Flood Mapping – Final Report", Project Number P154, dated June 26, 2020.
7. Ebbwater Consulting Inc. report Appendix A - "Coastal Flood Hazard Analysis: The District of Ucluelet, BC", report prepared by Cascadia Coast Research Ltd., Revision 2, dated June 19, 2020.
8. BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development report titled "Flood Hazard Area Land Use Management Guidelines," Amended January 1, 2018
9. District of Ucluelet document titled "Tsunami Risk Tolerance – Interim Policy", Policy Number 8-5280-1, dated March 29, 2022.
10. District of Ucluelet map titled "Zoning Bylaw No.1160, 2013 – Consolidated Schedule A – Zoning Map of the District of Ucluelet," revised April 8, 2021.
11. Ministry of Environment Mapping, Produced by R.H. Guthrie and C.R. Penner, titled "Vancouver Island Geology."
12. Province of British Columbia, iMapBC, Accessed July 8, 2022, <https://maps.gov.bc.ca/ess/hm/imap4m/>
13. Ebbwater Consulting Inc. document titled "District of Ucluelet Coastal Flood Mapping – Appendix C: Coastal Flood Hazard Map Atlas – Map Series 4/4: Tsunami Flood Planning Support", dated June 26, 2020.

Site Plan of:
**Parcel A (Consolidation of Lots 2 and 3),
 Section 21, Clayoquot District, Plan 17581**

Parcel Identifier: 027-953-050
 Civic address: 384 Marine Drive

SCALE - 1 : 7 5 0



All distances are in metres and decimals thereof

(plot on 8.5" x 11" sheet)

LEGEND

Geodetic elevations are shown + (in Meters, CGVD2013)
 Tree bases approximately to scale.

Where tree location is critical, tree species and canopy should be confirmed by qualified arborist.

- TRC ○ - denotes cedar tree
- TRH ○ - denotes hemlock tree
- TRS ○ - denotes spruce tree

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.

FILE : 232-Marine

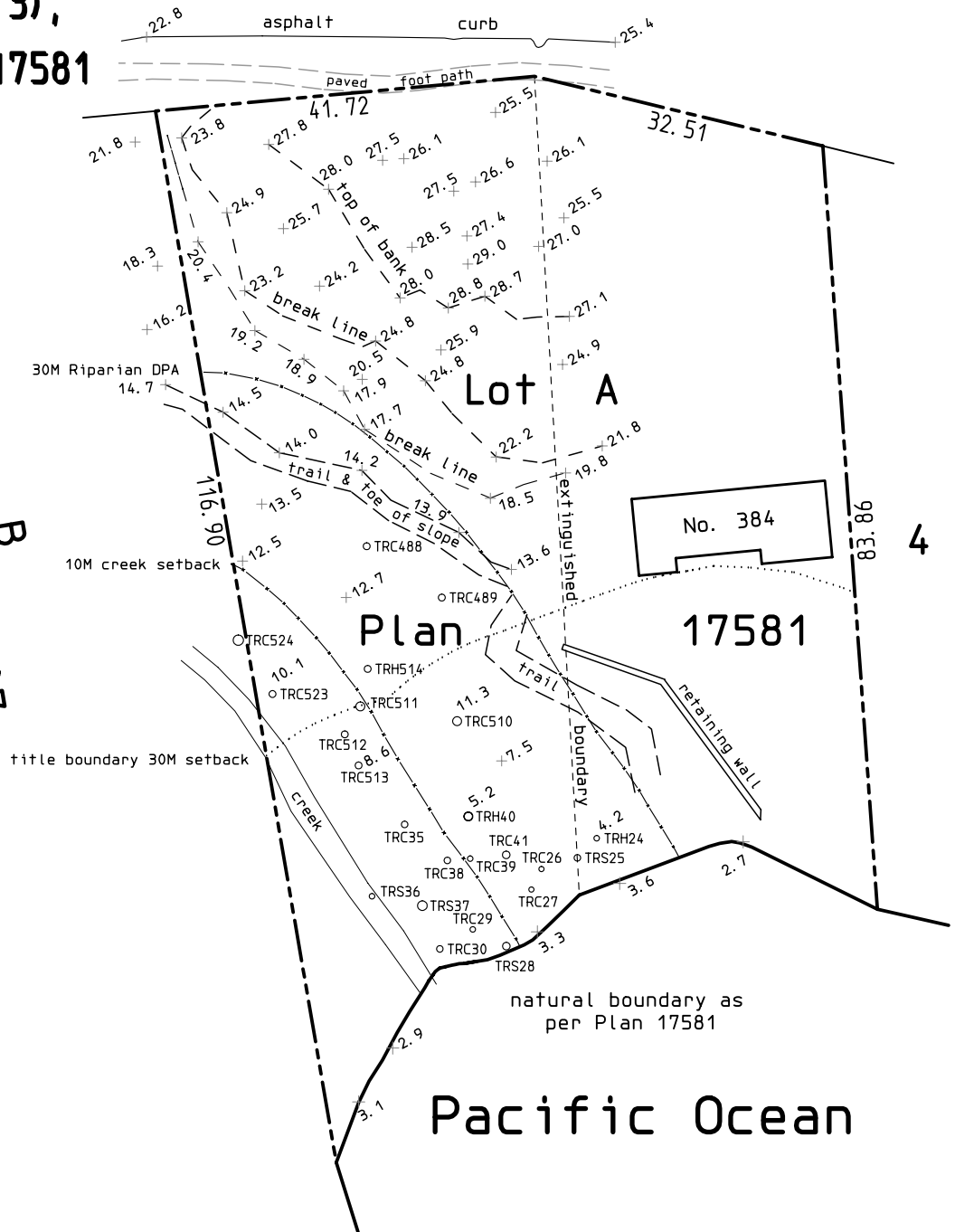
DWG/DATE: 2022-07-04

AG Surveys

545 - 110 Marine Drive
 Ucluelet, BC V0R 3A0
 phone (250) 266-4536



Plan B
VIP70607



FLOOD ASSURANCE STATEMENT

Note: This statement is to be read and completed in conjunction with the current Engineers and Geoscientists BC *Professional Practice Guidelines – Legislated Flood Assessments in a Changing Climate in BC* (“the guidelines”) and is to be provided for flood assessments for the purposes of the *Land Title Act*, *Community Charter*, or the *Local Government Act*. Defined terms are capitalized; see the Defined Terms section of the guidelines for definitions.

To: The Approving Authority

Date: July 15, 2022 LEA File# E1100

District of Ucluelet

200 Main Street, Ucluelet, BC V0R 3A0

Jurisdiction and address

With reference to (CHECK ONE):

- Land Title Act* (Section 86) – Subdivision Approval
- Local Government Act* (Part 14, Division 7) – Development Permit
- Community Charter* (Section 56) – Building Permit
- Local Government Act* (Section 524) – Flood Plain Bylaw Variance
- Local Government Act* (Section 524) – Flood Plain Bylaw Exemption

For the following property (“the Property”):

Parcel A (Being a Consolidation of Lots 2 and 3, see CA1156439), Section 21, Clayoquot District, Plan 17581 ___ 384 Marine Drive

Legal description and civic address of the Property

The undersigned hereby gives assurance that he/she is a Qualified Professional and is a Professional Engineer or Professional Geoscientist who fulfils the education, training, and experience requirements as outlined in the guidelines.

I have signed, sealed, and dated, and thereby certified, the attached Flood Assessment Report on the Property in accordance with the guidelines. That report and this statement must be read in conjunction with each other. In preparing that Flood Assessment Report I have:

[CHECK TO THE LEFT OF APPLICABLE ITEMS]

- 1. Consulted with representatives of the following government organizations:

- 2. Collected and reviewed appropriate background information
- 3. Reviewed the Proposed Development on the Property
- 4. Investigated the presence of Covenants on the Property, and reported any relevant information
- 5. Conducted field work on and, if required, beyond the Property
- 6. Reported on the results of the field work on and, if required, beyond the Property
- 7. Considered any changed conditions on and, if required, beyond the Property
- 8. For a Flood Hazard analysis I have:
 - 8.1 Reviewed and characterized, if appropriate, Flood Hazard that may affect the Property
 - 8.2 Estimated the Flood Hazard on the Property
 - 8.3 Considered (if appropriate) the effects of climate change and land use change
 - 8.4 Relied on a previous Flood Hazard Assessment (FHA) by others
 - 8.5 Identified any potential hazards that are not addressed by the Flood Assessment Report
- 9. For a Flood Risk analysis I have:
 - 9.1 Estimated the Flood Risk on the Property
 - 9.2 Identified existing and anticipated future Elements at Risk on and, if required, beyond the Property
 - 9.3 Estimated the Consequences to those Elements at Risk

FLOOD ASSURANCE STATEMENT

10. In order to mitigate the estimated Flood Hazard for the Property, the following approach is taken:
- 10.1 A standard-based approach
 - 10.2 A Risk-based approach
 - 10.3 The approach outlined in the guidelines, Appendix F: Flood Assessment Considerations for Development Approvals
 - 10.4 No mitigation is required because the completed flood assessment determined that the site is not subject to a Flood Hazard
11. Where the Approving Authority has adopted a specific level of Flood Hazard or Flood Risk tolerance, I have:
- 11.1 Made a finding on the level of Flood Hazard or Flood Risk on the Property
 - 11.2 Compared the level of Flood Hazard or Flood Risk tolerance adopted by the Approving Authority with my findings
 - 11.3 Made recommendations to reduce the Flood Hazard or Flood Risk on the Property
12. Where the Approving Authority has not adopted a level of Flood Hazard or Flood Risk tolerance, I have:
- 12.1 Described the method of Flood Hazard analysis or Flood Risk analysis used
 - 12.2 Referred to an appropriate and identified provincial or national guideline for level of Flood Hazard or Flood Risk
 - 12.3 Made a finding on the level of Flood Hazard or Flood Risk tolerance on the Property
 - 12.4 Compared the guidelines with the findings of my flood assessment
 - 12.5 Made recommendations to reduce the Flood Hazard or Flood Risk
13. Considered the potential for transfer of Flood Risk and the potential impacts to adjacent properties
14. Reported on the requirements for implementation of the mitigation recommendations, including the need for subsequent professional certifications and future inspections.

Based on my comparison between:

[CHECK ONE]

- The findings from the flood assessment and the adopted level of Flood Hazard or Flood Risk tolerance (item 11.2 above)
- The findings from the flood assessment and the appropriate and identified provincial or national guideline for level of Flood Hazard or Flood Risk tolerance (item 12.4 above)

I hereby give my assurance that, based on the conditions contained in the attached Flood Assessment Report:

- For subdivision approval, as required by the *Land Title Act* (Section 86), "that the land may be used safely for the use intended":

[CHECK ONE]

- With one or more recommended registered Covenants.
- Without any registered Covenant.
- For a development permit, as required by the *Local Government Act* (Part 14, Division 7), my Flood Assessment Report will "assist the local government in determining what conditions or requirements it will impose under subsection (2) of this section [Section 491 (4)]".
- For a building permit, as required by the *Community Charter* (Section 56), "the land may be used safely for the use intended":

[CHECK ONE]

- With one or more recommended registered Covenants.
- Without any registered Covenant.
- For flood plain bylaw variance, as required by the *Flood Hazard Area Land Use Management Guidelines* and the *Amendment Section 3.5 and 3.6* associated with the *Local Government Act* (Section 524), "the development may occur safely".
- For flood plain bylaw exemption, as required by the *Local Government Act* (Section 524), "the land may be used safely for the use intended".

PROFESSIONAL PRACTICE GUIDELINES

LEGISLATED FLOOD ASSESSMENTS IN A CHANGING CLIMATE IN BC

FLOOD ASSURANCE STATEMENT

I certify that I am a Qualified Professional as defined below.

July 15, 2022

Date

Chris Hudec

Prepared by

Chris Hudec

Name (print)

Chris Hudec

Signature

Reviewed by

Name (print)

Signature

1900 Boxwood Road

Address

Nanaimo, BC, V9S 5Y2

(250) 756 0355

Telephone

chudec@lewkowich.com

Email



(Affix PROFESSIONAL SEAL here)

If the Qualified Professional is a member of a firm, complete the following:

I am a member of the firm Lewkowich Engineering Associates Ltd.

and I sign this letter on behalf of the firm.

(Name of firm)

APPENDIX D: LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

Note: This Statement is to be read and completed in conjunction with the "APEGBC Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia", March 2006/Revised September 2008 ("APEGBC Guidelines") and the "2006 BC Building Code (BCBC 2006)" and is to be provided for *landslide assessments* (not floods or flood controls) for the purposes of the Land Title Act, Community Charter or the Local Government Act. Italicized words are defined in the APEGBC Guidelines.

To: The Approving Authority

Date: July 15, 2022 File# E1100

District of Ucluelet

200 Main Street, Ucluelet, BC V0R 3A0

Jurisdiction and address

With reference to (check one):

- Land Title Act (Section 86) – Subdivision Approval
- Local Government Act (Sections 919.1 and 920) – Development Permit
- Community Charter (Section 56) – Building Permit
- Local Government Act (Section 910) – Flood Plain Bylaw Variance
- Local Government Act (Section 910) – Flood Plain Bylaw Exemption
- British Columbia Building Code 2006 sentences 4.1.8.16 (8) and 9.4 4.4.(2) (Refer to BC Building and Safety Policy Branch Information Bulletin B10-01 issued January 18, 2010)

For the Property: Parcel A (Being a Consolidation of Lots 2 and 3, see CA1156439), Section 21, Clayoquot District, Plan 17581
384 Marine Drive

Legal description and civic address of the Property

The undersigned hereby gives assurance that he/she is a *Qualified Professional* and is a *Professional Engineer* or *Professional Geoscientist*.

I have signed, sealed and dated, and thereby certified, the attached *landslide assessment* report on the Property in accordance with the *APEGBC Guidelines*. That report must be read in conjunction with this Statement. In preparing that report I have:

Check to the left of applicable items

- 1. Collected and reviewed appropriate background information
- 2. Reviewed the proposed *residential development* on the Property
- 3. Conducted field work on and, if required, beyond the Property
- 4. Reported on the results of the field work on and, if required, beyond the Property
- 5. Considered any changed conditions on and, if required, beyond the Property
- 6. For a *landslide hazard analysis* or *landslide risk analysis* I have:
 - 6.1 reviewed and characterized, if appropriate, any *landslide* that may affect the Property
 - 6.2 estimated the *landslide hazard*
 - 6.3 identified existing and anticipated future *elements at risk* on and, if required, beyond the Property
 - 6.4 estimated the potential *consequences* to those *elements at risk*
- 7. Where the *Approving Authority* has adopted a *level of landslide safety* I have:
 - 7.1 compared the *level of landslide safety* adopted by the *Approving Authority* with the findings of my investigation
 - 7.2 made a finding on the *level of landslide safety* on the Property based on the comparison
 - 7.3 made recommendations to reduce *landslide hazards* and/or *landslide risks*
- 8. Where the *Approving Authority* has **not** adopted a *level of landslide safety* I have:

- 8.1 described the method of *landslide hazard analysis* or *landslide risk analysis* used
- 8.2 referred to an appropriate and identified provincial, national or international guideline for *level of landslide safety*
- 8.3 compared this guideline with the findings of my investigation
- 8.4 made a finding on the *level of landslide safety* on the Property based on the comparison
- 8.5 made recommendations to reduce *landslide hazards* and/or *landslide risks*
- 9. Reported on the requirements for future inspections of the Property and recommended who should conduct those inspections.

Based on my comparison between

Check one

- the findings from the investigation and the adopted *level of landslide safety* (item 7.2 above)
- the appropriate and identified provincial, national or international guideline for *level of landslide safety* (item 8.4 above)

I hereby give my assurance that, based on the conditions^[1] contained in the attached *landslide assessment* report,

Check one

- for subdivision approval, as required by the Land Title Act (Section 86), "that the land may be used safely for the use intended"

Check one

- with one or more recommended registered covenants.
- without any registered covenant.
- for a development permit, as required by the Local Government Act (Sections 919.1 and 920), my report will "assist the local government in determining what conditions or requirements under [Section 920] subsection (7.1) it will impose in the permit".
- for a building permit, as required by the Community Charter (Section 56), "the land may be used safely for the use intended"

Check one

- with one or more recommended registered covenants.
- without any registered covenant.
- for flood plain bylaw variance, as required by the "Flood Hazard Area Land Use Management Guidelines" associated with the Local Government Act (Section 910), "the development may occur safely".
- for flood plain bylaw exemption, as required by the Local Government Act (Section 910), "the land may be used safely for the use intended".

Chris Hudec, M.A.Sc., P.Eng.

Name (print)

Signature

July 15, 2022

Date

^[1] When seismic slope stability assessments are involved, *level of landslide safety* is considered to be a "life safety" criteria as described in the National Building Code of Canada (NBCC 2005), Commentary on Design for Seismic Effects in the User's Guide, Structural Commentaries, Part 4 of Division B. This states:

"The primary objective of seismic design is to provide an acceptable level of safety for building occupants and the general public as the building responds to strong ground motion; in other words, to minimize loss of life. This implies that, although there will likely be extensive structural and non-structural damage, during the DGM (design ground motion), there is a reasonable degree of confidence that the building will not collapse nor will its attachments break off and fall on people near the building. This performance level is termed 'extensive damage' because, although the structure may be heavily damaged and may have lost a substantial amount of its initial strength and stiffness, it retains some margin of resistance against collapse."

1900 Boxwood Road, Nanaimo, BC, V9S 5Y2

Address

250 756 0355

Telephone



(Affix Professional seal here)

If the *Qualified Professional* is a member of a firm, complete the following.

I am a member of the firm Lewkowich Engineering Associates Ltd.
and I sign this letter on behalf of the firm. (Print name of firm)



DEVELOPMENT PERMIT DP22-12

Pursuant to section 488 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:
Amy Cameron and Scott Reed, 384 Marine Drive, Ucluelet, BC VOR 3A0
(The "Permittee")
2. This Development Permit applies to, and only to, those lands within the District of Ucluelet described below, and the buildings, structures, and other development thereon:
384 Marine Drive, PID 027953050, Parcel A, Plan VIP17581, Section 21, Clayoquot Land District (The "Lands").
3. This Permit authorizes the following improvements on the Lands:
 - a) Land disturbance associated with subdivision of the lot and potential construction within the area of proposed Lot A shown on the site map attached (Schedule 1). Any development which encroaches on the Lands outside of the area shown on Schedule 1 will require an additional development permit.
4. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of Schedule 2 which is attached hereto and forms part of this permit.
5. In addition to compliance with the requirements of Schedule 2, the permit holder must adhere to all conditions of the Qualified Environmental Professional reports in Schedule 3 which are attached hereto and forms part of this permit.
6. Prior to final subdivision approval, the permit holder must flag the extents of the area of construction (Schedule 1) and contact the District of Ucluelet to arrange an inspection.
7. Prior to final subdivision approval, the permit holder must complete the revegetation recommendations on site and contact the District of Ucluelet to arrange an inspection.
8. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
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. The owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.



- 11. This Permit is NOT a Building Permit.

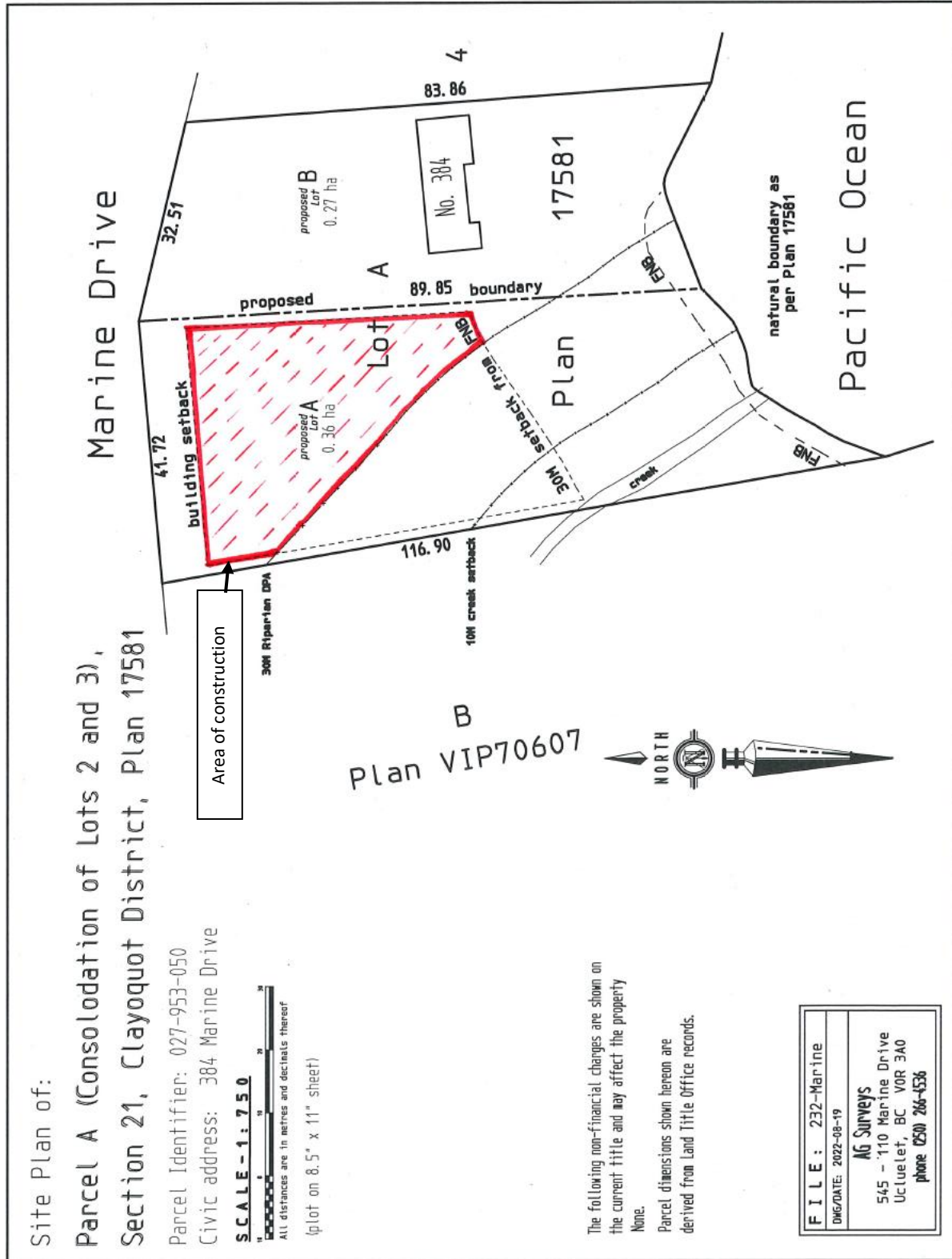
- 12. The Municipality's Director of Community Planning is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2022 .

ISSUED the day of , 2022 .

Bruce Greig
Director of Community Planning

Schedule 1





Schedule 2 Conditions

As a condition of the issuance of this Permit, the Permittee representing the Lands hereby to comply with all following Impact Reductions and Mitigation Measures, determined by Qualified Environmental Professional as necessary to avoid negative impacts to environmental habitats within and adjacent to the Property.

1. Future development recommendations
 - a. Any future development (including clearing of vegetation) within portions of the property that overlap with the Marine Shoreline or Stream and Riparian Areas Protection DPAs will require an additional development permit.
 - b. If all future development is outside of these DPAs then a development permit will not be necessary.
2. Revegetation recommendations for the temporarily disturbed areas associated with retaining wall construction
 - a. The disturbed areas of the site must be fully revegetated using native plant species suitable for the area within the DPAs (Table 1).
 - b. Native plants must be planted throughout temporarily disturbed area at a spacing of approximately 1 shrub per square meter. Trees should be no closer than 2 m apart. This does not apply to the following areas: flat lawn area, exposed bedrock, fill slope of lower 20 m of the access trail (which consists of woody plant material and roots, which are expected to revegetate naturally), and the walking surface of the access trail.
 - c. Any invasive plant species that colonize the area must be removed until the sites have become fully revegetated. We suggest removing such plants at least twice per growing season for at least 3 years. Plants of primary concern include:
 - i. Himalayan blackberry
 - ii. Scotch broom
 - iii. English ivy
 - iv. Spurge laurel
 - v. Japanese knotweed
 - vi. Gorse
 - d. Access trail surface below the retaining wall and other exposed soil surfaces that are not in the lawn area must be seeded with native seed mix and cover with straw mulch (not hay as hay can often be infested with weeds).
 - e. At least 1 tree must be planted at the toe of slope along the east side of the bottom of the trail.
 - f. West of the retaining wall, the trail which is within the Riparian Development permit Area must be rebuilt by replacing sidecast soils/organics and covering with branches and woody debris.
 - g. The pile of large rocks between the access trail and retaining wall must be covered with topsoil, seeded with native seed mix, covered with mulch, and plant with native plants, including a minimum of 2 trees.

- h. The upper 10 m of access trail fill slope within the Marine Shoreline DPA must be covered with topsoil, seeded with native seed mix, covered with mulch, and planted with native plants, including a minimum of 3 trees.
- i. Where possible, small native fern plugs should be planted on the sloped bedrock below the retaining wall where there is some shallow soil.

Latin Name	Common Name	Type	Soil Moisture	Light Conditions
<i>Arctostaphylos uva-ursi</i>	Kinnikinnick	Ground Cover	DR,MO	SU,PS
<i>Blechnum spicant</i>	Deer Fern	Ground Cover	MO	PS,SH
<i>Polystichum munitum</i>	Sword Fern	Ground Cover	MO,DR	PS,SH
<i>Gaultheria shallon</i>	Salal	Shrub	DR,MO	PS
<i>Holodiscus discolor</i>	Ocean Spray	Shrub	DR,MO	SU,PS
<i>Morella californica</i>	California wax-myrtle	Shrub	DR,MO	SU,PS
<i>Ribes sanguineum</i>	Red Flowering Currant	Shrub	DR,MO	SU,PS
<i>Rosa gymnocarpa</i>	Dwarf (Baldhip) Rose	Shrub	MO	SU,PS
<i>Rosa nutkana</i>	Nootka Rose	Shrub	MO	SU,PS
<i>Rubus parviflorus</i>	Thimbleberry	Shrub	MO	SU,PS
<i>Rubus spectabilis</i>	Salmonberry	Shrub	MO	SU,PS
<i>Symphoricarpos albus</i>	Snowberry (Bearberry)	Shrub	DR,MO	SU,PS
<i>Vaccinium ovatum</i>	Evergreen Huckleberry	Shrub	DR,MO	SU,PS
<i>Vaccinium parviflorum</i>	Red Huckleberry	Shrub	DR,MO	SU,PS
<i>Acer macrophyllum</i>	Big Leaf Maple	Tree	MO	SU,PS
<i>Alnus rubra</i>	Red Alder	Tree	MO	SU,PS
<i>Cornus nuttalli</i>	Pacific Dogwood	Tree	DR,MO	SU,PS
<i>Malus fusca</i>	Pacific Crabapple	Tree	MO	SU,PS
<i>Oemleria cerasiformis</i>	Osoberry	Tree	DR,MO	SU,PS
<i>Picea sitchensis</i>	Sitka Spruce	Tree	MO,WE	SU,PS
<i>Rhamnus purshiana</i>	Cascara	Tree	MO	SU,PS
<i>Salix hookeriana</i>	Hooker's Willow	Tree	MO,WE	SU,PS
<i>Taxus brevifolia</i>	Pacific (Western) Yew	Tree	MO	SU,PS
<i>Thuja plicata</i>	Western Red Cedar	Tree	MO,WE	SU,PS
<i>Tsuga heterophylla</i>	Western Hemlock	Tree	MO	SU,PS

Table 1 – List of native plants suitable for this area.

Schedule 3 QEP Report

As a condition of the issuance of this Permit, the Permittee representing the Lands hereby agrees to comply with all following conditions in the Environmental Assessment Report (attached).



REPORT TO COUNCIL

Council Meeting: November 15, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM:	DONNA MONTEITH, CHIEF FINANCIAL OFFICER	FILE NO: 1855-03
SUBJECT:	BC ACTIVE TRANSPORTATION GRANT FUNDING REQUEST	REPORT NO: 22-158
ATTACHMENT(S):	APPENDIX A - CERTIFIED RESOLUTION LARCH ROAD MULTI USE PATH PROJECT APPENDIX B - RTC MARCH 29, 2022 LARCH ROAD MULTI USE PATH PROJECT	

RECOMMENDATION(S):

THAT Council approve the BC Active Transportation Infrastructure grant application for the 2023 Larch Road Multi Use Path project, by contributing a maximum of \$198,750; and

THAT Council shall provide overall grant management.

BACKGROUND:

At the March 29, 2022 Regular Council meeting council considered a report regarding upcoming grant funding opportunities for the construction of the Larch Road Multi Use Path.

It was moved and seconded that Council, with regard to the Larch Road Multi-Use Path project, direct Staff to:

- 1. Apply for both the Active Transportation Fund (Federal) and the BC Active Transportation (Provincial) grants.*
- 2. Prepare a letter of endorsement from the District of Ucluelet to the two granting agencies to highlight the following points:*
 - I. That creating a safe and welcoming environment for people on foot and on bicycles in Ucluelet's commercial core is of high importance to the community and its livability.*
 - II. That making this core area of Ucluelet's public realm more accessible is important to achieve the community's goal to be more inclusive and equitable.*
 - III. That the proposed works are critical to safely integrate the expected increase in cycling traffic from the new Pacific Rim National Park Reserve's ʔapsčiiik tašii multi-use pathway and the Peninsula Road Safety and Beautification project.*
 - IV. That the improvements in the project area's pedestrian and cycling movement and the beautification of the project area would enhance the visitor and resident experience and support Ucluelet businesses.*

Staff applied for the Federal Active Transportation Fund in March 2022 as directed. At the time of the grant application the District's contribution was \$147,750 from the Community Works Reserve Fund (Gas Tax). The amount was set aside and adopted within the 2022-2026 Five Year Financial Plan.

ANALYSIS OF OPTIONS:

Since then, the project cost was reviewed, and updated based on today's markets. The total project is estimated to be \$662,500. The maximum amount of the BC Active Transportation grant is 70%, \$463,750. This means the District of Ucluelet portion would total \$198,750. This is \$51,000 over the \$147,750 previously adopted amount. Staff are requesting approval for an additional \$51,000 to be allocated for the Larch Road Multi Use Path project to be included in the upcoming 2024-2027 Five Year Financial Plan.

Applying for both Federal and Provincial active transportation grants for the same project increase the possibility of a successful grant application and the project being completed. If both grants are approved the District's contribution will be reduced to the minimum required by the grant(s) and the project scope could, with funder approval, be expanded and improved.

A	Support the Grant application and approve DOU's contribution	<u>Pros</u>	<ul style="list-style-type: none"> Increased opportunity to access grant funding to complete the project Improved active transportation Improved pedestrian safety along Larch Road.
		<u>Cons</u>	<ul style="list-style-type: none"> Funding allocated to this project would not be available to other Council or District priority projects.
		<u>Implications</u>	<ul style="list-style-type: none"> 5-year capital plan will need to be updated. Funding will only be required if grant application is successful.
B	Do not support the additional funding request.	<u>Pros</u>	<ul style="list-style-type: none"> Funding could be allocated to alternative projects
		<u>Cons</u>	<ul style="list-style-type: none"> Transportation corridor along Larch Rd. may not be completed Continued pedestrian transportation challenges will remain along Larch Rd.
		<u>Implications</u>	<ul style="list-style-type: none"> Provincial grant application will need to be withdrawn
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> No motion is required.

NEXT STEPS

- Forward the resolution to the Province to accompany the BC Active Transportation Infrastructure grant application.
- Include additional funding in the 5-year financial plan.

Respectfully submitted: Donna Monteith, Chief Financial Officer
Duane Lawrence, CAO



CERTIFIED RESOLUTION

March 31, 2022

I hereby certify the foregoing to be a true and correct copy of a resolution of the District of Ucluelet. The following resolution was adopted at the March 29, 2022 Regular Meeting of Council.

11.6 2023 Larch Road Multi-Use Path Project - Grant Applications

2022.2073.REGULAR

It was moved and seconded **THAT** Council, with regard to the 2023 Larch Road Multi-Use Path project, direct Staff to:

1. Apply for both the Active Transportation Fund (Federal) and the BC Active Transportation (Provincial) grants.
2. Prepare a letter of endorsement from the District of Ucluelet to the two granting agencies to highlight the following points:
 - I. That creating a safe and welcoming environment for people on foot and on bicycles in Ucluelet's commercial core is of high importance to the community and its livability.
 - II. That making this core area of Ucluelet's public realm more accessible is important to achieve the community's goal to be more inclusive and equitable.
 - III. That the proposed works are critical to safely integrate the expected increase in cycling traffic from the new Pacific Rim National Park Reserve's *ᑲᐱᓂᓕᑲᑲ ᑲᐱᓂᓕᑲᑲ* multi-use pathway and the Peninsula Road Safety and Beautification project.
 - IV. That the improvements in the project area's pedestrian and cycling movement and the beautification of the project area would enhance the visitor and resident experience and support Ucluelet businesses.

A handwritten signature in black ink, appearing to read "Paula Mason", is written over a horizontal line.

Paula Mason
Deputy Corporate Officer



REPORT TO COUNCIL

Council Meeting: March 29, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

FILE NO: 1290-18

SUBJECT: 2023 LARCH ROAD MULTI-USE PATH PROJECT - GRANT APPLICATIONS

REPORT NO: 22-42

RECOMMENDATION(S):

That Council, with regard to the 2023 Larch Road Multi-Use Path project, direct Staff to:

- 1) Apply for both the Active Transportation Fund (Federal) and the BC Active Transportation (Provincial) grants.
- 2) Prepare a letter of endorsement from the District of Ucluelet to the two granting agencies to highlight the following points:
 - I. That creating a safe and welcoming environment for people on foot and on bicycles in Ucluelet's commercial core is of high importance to the community and its livability.
 - II. That making this core area of Ucluelet's public realm more accessible is important to achieve the community's goal to be more inclusive and equitable.
 - III. That the proposed works are critical to safely integrate the expected increase in cycling traffic from the new Pacific Rim National Park Reserve's *ʔapsčiiik tašii* multi-use pathway and the Peninsula Road Safety and Beautification project.
 - IV. That the improvements in the project area's pedestrian and cycling movement and the beautification of the project area would enhance the visitor and resident experience and support Ucluelet businesses.

PURPOSE:

To provide Council with information on a potential project to add an accessible and age-friendly Multi-Use Path (**MUP**) in the Larch Road corridor (see yellow area below in **Figure 1**) and direct Staff to prepare a letter of endorsement from the District of Ucluelet for the [Active Transportation Fund](#) and the [BC Active Transportation Grant](#).

BACKGROUND:

On July 13, 2021, Council endorsed a Peninsula Road Safety and Beautification project for submission to the BC Active Transportation (**BCAT**) grant and the Canadian Community Revitalization Fund (**CCRF**) grant. The project as submitted included the Larch Road MUP improvements starting from the Bay Street / Peninsula Road corner to the Larch Road / Matterson Drive corner. The District of Ucluelet was successful

in obtaining CCRF funding but was not successful in attaining the BCAT grant. Balancing the project budget required removal of the Larch Road portion from the project.

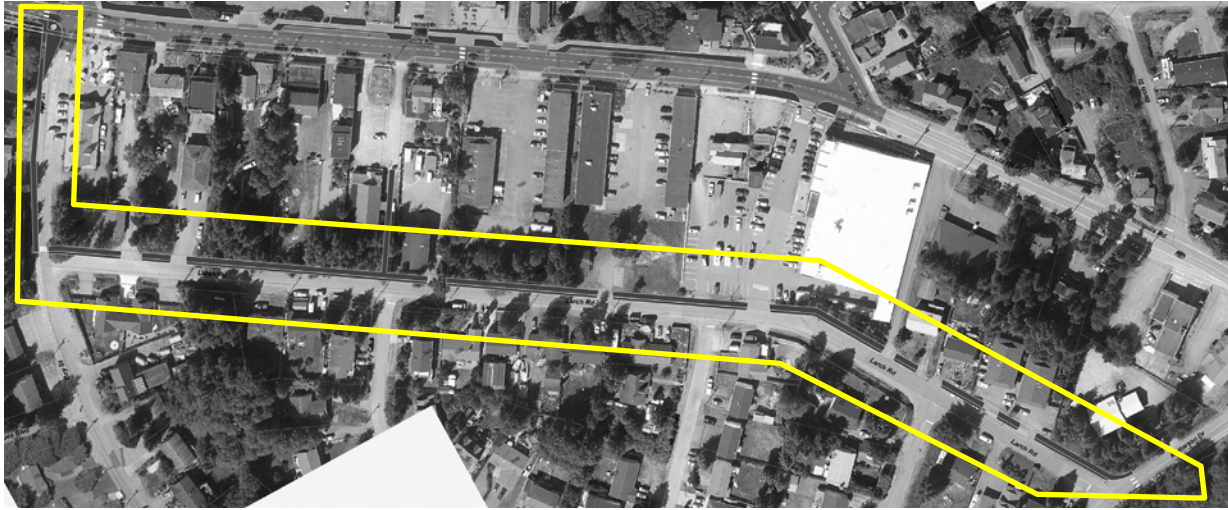


Figure 1- Project Area

DISCUSSION

Part of the rationale for removing the Larch Road area from the project scope was that this could clearly be a separate stand-alone project and a good candidate for upcoming Active Transportation grant funding. The stated reason why the District of Ucluelet was not successful in attaining the BCAT grant last year was that there was a large number of applications and that the District application did not have detailed construction drawings (drawings at least 90% complete) to be considered “shovel-ready”. For the two applications being pursued this year, we hope to have construction drawings at least 90% complete by the time the funders are reviewing our application.

The Project

The project would consist of a 2m wide paved MUP running on the North side of Larch Road. This pathway would, for the most part run atop an existing open ditch (**Figure 2**) and would require storm drainage infrastructure underneath.



Figure 2 – Google Street View of Larch

There would also be some reconfiguring of property frontages to accommodate the proposed pathway as indicated in **Figure 3 and 4** below:



Figure 3 - Google Street View of Larch



Figure 4 – Google Street View of Larch

It should be noted that the above sketches are to illustrate the concept only; detailed design will be completed in the next few weeks. The Larch Road MUP design will be integrated into the overall active transportation network contemplated in the Peninsula Road Safety and Beautification project.

Project Importance

This is a very well used pedestrian route for kids going to school and seniors going to the CO-OP grocery store. Larch road currently has no pedestrian or cycling infrastructure. It is anticipated that there will be an increase in cyclist traffic in early 2023 with the completion of the adjacent Peninsula Road project and the Pacific Rim National Park Reserve's ʔapsčiiik tašii multi-use pathway.

The Larch Road MUP is an important part of Ucluelet's overall cycling network. In the concept designs developed to date, Peninsula Road between Bay Street and Main Street is not intended to have dedicated bike lanes. The cycling plan for this segment of Peninsula Road is to request the Ministry of Transportation and Infrastructure to allow a vehicle speed reduction and to label the travel lane as a shared lane. The rationale for this approach is the need to retain parking on both sides of this commercially intense area, to work with the constraints of existing sidewalk and boulevard widths through this block, and to maintain the character of this central block in the core of the town. The shared lane approach is appropriate for experienced and fast-moving cyclists but is less comfortable for beginners or cyclist wishing a slower pace (**Figure 5**). The Larch Road project would provide a parallel, separated multi-use path option that would be more comfortable for slower riders such as families and kids.

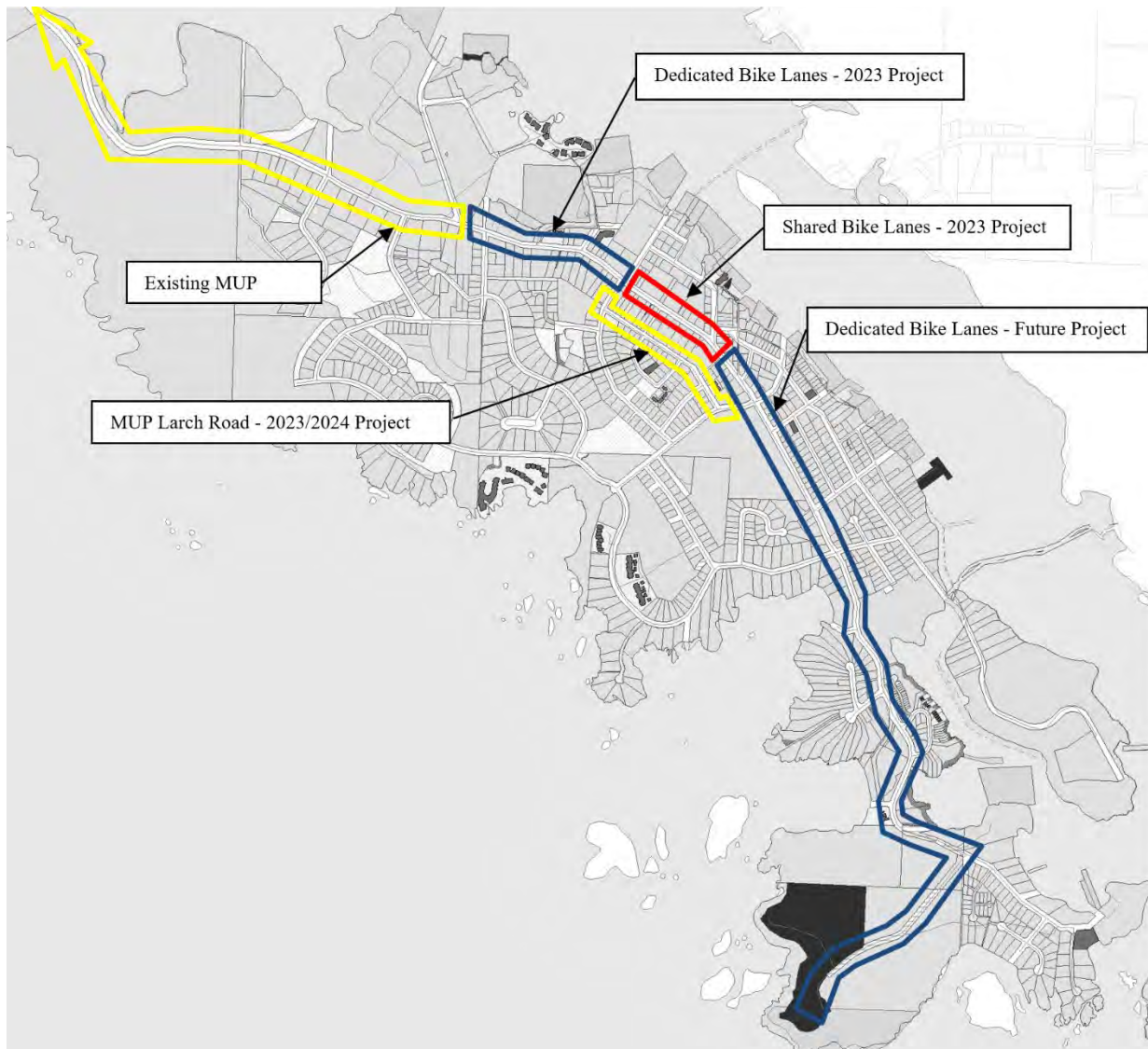


Figure 5 – Cycling Network

Public Engagement

This project has been part of Budget discussions and the public engagement of the Peninsula Road Safety and Beautification project public open house occurring on December 11, 2019. As the design proceeds, part of the project budget is dedicated to consultation and stakeholder engagement.

FINANCIAL IMPLICATIONS

The Larch Road project is anticipated to cost \$369,375. The first grant submission deadline is the ATF which closes on March 31, 2022. The ATF grant allows a maximum program contribution from the funder of 60% or \$221,625 of the anticipated project costs with the District of Ucluelet needing to secure \$147,750 (the current budget has reserved \$147,750 of Gas Tax funds for this purpose). Because there is an ability to stack or combine the two grants, Staff would also apply for the BCAT which could cover up to 70% of the

project costs not covered by the ATF (\$147,750). If successful, the District would only be responsible for \$44,325 or 12% of the anticipated project cost (\$369,375). The Province is currently preparing for the 2022/2023 BCAT grant program, and staff anticipate that the intake could be announced in May.

ANALYSIS OF OPTIONS

A	Apply for the federal and provincial Active Transportation grants	<u>Pros</u>	<ul style="list-style-type: none"> Allows for the opportunity for grant funding a Larch Road MUP. Could leverage 88% grant funding for the project.
		<u>Cons</u>	<ul style="list-style-type: none"> Limited Gas Tax funds would be used for this project.
		<u>Implications</u>	<ul style="list-style-type: none"> Larch Road MUP would be built.
B	Do not recommend applying for the two grants	<u>Pros</u>	<ul style="list-style-type: none"> Gas Tax funds and Staff time would be saved
		<u>Cons</u>	<ul style="list-style-type: none"> No MUP on Larch would be built at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> No MUP on Larch would be built at this time.
		<u>Suggested Motion</u>	THAT Council direct Staff not to apply for the two Active Transportation grants in 2022.

Policy or Legislative Impacts:

- Constructing a Larch Road MUP would be consistent with the prioritized pedestrian and bicycle infrastructure network adopted in the Official Community Plan.

NEXT STEPS

- With Council support, Staff will apply immediately for the ATF grant and be prepared when the BCAT grant intake opens.

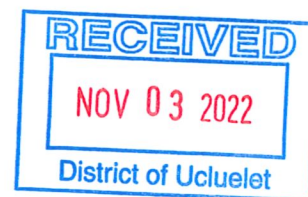
Respectfully submitted:

JOHN TOWGOOD, MUNICIPAL PLANNER
 BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
 DONNA MONTEITH, CFO, ACTING CAO



November 2, 2022

Mayor McEwen and Council
200 Main Street
PO Box 999
Ucluelet BC V0R3A0



**RE: VIS 6724, The Moorage
Street Parking Signage and Enforcement**

We write on behalf of the Strata Council of Owners for VIS 6724, The Moorage, in regards to the letters sent October 19, 2021 and July 28, 2022. There has not been any response to the ongoing parking and traffic safety concerns surrounding the building located at 1917 Peninsula Rd and 1920 Lyche Rd.

The Strata Council wishes to raise these issues again in light of the Peninsula Road Safety & Revitalization Project happening this winter.

The driveway out of the upper parking lot off Peninsula Rd has a five foot section of curbing yellow on both sides of the driveway, this is the minimum set back from the driveway as allowed under section 5. (1) (J) of the districts parking bylaws. Large vehicles parked on either side of the five foot section of yellow curbing reduce the visibility of drivers pulling out of the driveway.

We have the following requests for the District:

Peninsula Road

- add an additional 15 feet of painted curb on either side of the driveway to make the total distance 6 meters (20 ft.), this is the maximum allowable setbacks for any crosswalk or approach to stop signs allowed in the bylaws. We feel it is not unreasonable to apply those same setbacks in this instance to insure safe egress from the Moorage parking lot.

- the same 6 meter (20 ft.) be applied to North West end of the curb on Peninsula Rd adjacent to Remax and Westland as this is where the current sidewalk accessible ramp is located and that the appropriate signage be installed in both of these areas.

Lyche Road

- no camping and/or no overnight RV/Trailer parking signs be posted along Lyche Road as large vehicles parked on Lyche Road impede visibility and create a narrowing of the road that is hazardous to all users. The same signage as posted at other locations in Ucluelet would simplify and streamline enforcement for bylaw officers.

The Strata Council also suggests that the installation of a proper sidewalk with curbing along the water side of Lyche Rd. would also prevent parking on that side of the road.

We look forward to your response to our concerns.

Yours truly,
ARDENT PROPERTIES INC.

Christine Brice
Strata Manager

CB/rj



Current markings along Peninsula Road

From: [Joseph Rotenberg](#)
To: [Joseph Rotenberg](#)
Subject: FW: District of Ucluelet - Request to Present on Social Issues & Solutions in Your Community and United Way British Columbia Local Impact
Date: November 2, 2022 2:31:27 PM
Attachments: [image082230.png](#)
[District of Ucluelet - Request to Present on Social Issues and Solutions in the Community and UWBC local impact.pdf](#)

From: Michael McKnight (United Way) <MichaelM@uwbc.ca>
Sent: October-25-22 11:57 AM
To: photos@alberni.net
Cc: Kahir Lalji (United Way) <Kahirl@uwbc.ca>; Signy Madden (United Way) <SignyM@uwbc.ca>
Subject: District of Ucluelet - Request to Present on Social Issues & Solutions in Your Community and United Way British Columbia Local Impact

Sent on behalf of Michael McKnight:

Your Worship Marilyn McEwen,

On behalf of all of us at United Way BC, let me extend congratulations on your recent election to office.

As you are aware, communities across BC including yours are facing many social issues and there are many dedicated non-profits including United Way BC and local organizations funded by United Way BC that are tirelessly working to address these issues. Our many volunteers, donors and staff at United Way British Columbia are working with communities in BC's Interior, Lower Mainland and Central & Northern Vancouver Island to support the development of healthy, caring and inclusive communities - strengthening vital connections to help people in need.

We would appreciate an opportunity to come and present to the new Council to give an up-date on social issues and share information about United Way investments, solutions and effective partnerships. In many communities across BC, we are working closely with our municipal partners learning from each other to strengthen our respective roles in community.

Please find attached a memo for all Council members that summarizes some of United Way BC's impact in communities. For more information about our local impact work in community, please visit the [2021/22 Annual Report](#) found in our website at uwbc.ca

Feel free to contact us for any questions. Thank you for considering this request.

Michael McKnight (he, him, his)

President & CEO

(Main) [604.294.8929](tel:604.294.8929)

United Way British Columbia | Lower Mainland

4543 Canada Way, Burnaby, BC V5G 4T4

uwbc.ca | [Facebook](#) | [LinkedIn](#) | [Instagram](#) | [Twitter](#)



United Way
British Columbia

Working with communities in BC's
Interior, Lower Mainland, Central
& Northern Vancouver Island

United Way British Columbia acknowledges the homelands of the Indigenous Peoples of this place we now call British Columbia, and honours the many territorial keepers of the Lands on which we work.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. If you received this in error, please contact the sender and delete the material from any computer.

Memo

October 24, 2022



United Way
British Columbia

Working with communities in BC's
Interior, Lower Mainland, Central
& Northern Vancouver Island

TO: Mayor Marilyn McEwen and Councillors in the District of Ucluelet
FROM: Michael McKnight, President and CEO of United Way British Columbia
RE: Request to Present on Social Issues & Solutions in Your Community and United Way British Columbia Impact
CC: Kahir Lalji, Provincial Director Government Relations and Programs (KahirL@uwbc.ca), Signy Madden, Director Government Relations (SignyM@uwbc.ca)

Congratulations on your recent election. We thank you for heeding the call of public service, and we look forward to working together to tackle critical social issues to support a healthy, caring, inclusive community.

We would appreciate an opportunity to come and present to the new Council to give an up-date on social issues and share information about United Way investments, solutions and effective partnerships.

United Way is privileged to work with many partners including municipalities and local donors to address the key social issues our citizens and neighbourhoods are facing. In this work, United Way is fortunate to count the support of our many corporate, labour and individual donors to United Way helping us to test solutions and to then invest in effective “on the ground” programs. In addition to local donors, United Way has established key partnerships with provincial and federal ministries to develop and manage practical, effective and heart-warming solutions. When we come to present to your Council, we will share examples of *practical, local solutions* happening in the communities we serve.

UWBC - Provincial in scale and local in focus. Supported by our many champions, six United Ways across the province successfully joined on July 1st, 2021, to form one, stronger entity; United Way British Columbia – working with communities in BC’s Interior, Lower Mainland and Central & Northern Vancouver Island. Our unified organization serves over four million British Columbians, including residents in your municipality. A year and a half later, we are still learning from local investments and sharing and evolving solutions to serve other communities. We show up in community in support of the social service sector, and by convening and/or participating in various socio-economic engagement tables. To review a snapshot of our ongoing work across the province, we invite you to review our [2021/22 annual report](#) found at uwbc.ca.

While there are accomplishments to be celebrated, we know our work is not yet done. Emerging and ongoing needs for the citizens of our province and the neighbourhoods we both serve encourages us to press on and continue our work in community.

Thank you for considering this request. We will follow up about requesting a presentation time.

Your Local United Way Working on Practical, Local Solutions



Emergent Response

Utilizing our extensive network of volunteers, partners, donors, and supporting agencies, we organized strategic, rapid responses for the substantial challenges that affected our communities.



Children and Youth

We help kids and youth succeed by supporting local and provincial programs and initiatives in early childhood development, out-of-school time activities, and youth leadership.



Seniors

We administer grants and manage programs that provide exceptional quality-of-life benefits to seniors, helping them stay active, connected and engaged.



Poverty Reduction

We support people at the neighbourhood and community levels to help them move from poverty to possibility.



Food Security

Ensuring British Columbians have access to nourishing, healthy, and culturally appropriate food is vital to the overall health and well-being of our communities.



Capacity Building

We help businesses and non-profits discover their capacity to influence and create social good by connecting leaders with the resources they need to excel at what they do.



BC211

211 is a free and confidential service that connects people to helpful and vital resources in their community.

From: [MCF Info MCF:EX](#)
To: [Info Ucluelet](#)
Date: October 31, 2022 10:31:37 AM
Attachments: [image001.png](#)

[External]

VIA E-MAIL

Ref:
273526

Mayor and Council
District of Ucluelet
E-mail: info@ucluelet.ca

Dear Mayor and Council:

As Minister of Children and Family Development, I am honoured to declare that November will once again be recognized as Adoption Awareness Month.

This month is about raising awareness for adoption and permanency in British Columbia and celebrating the families that provide children and youth with love and support as permanent members of their family. Adoptive families make a difference in the lives of children and youth by providing care, guidance, and a sense of belonging. They offer a welcoming stability, ensuring children and youth have the foundation they need to build the lives they dream of, while recognizing the importance of staying connected to their community and culture.

November is also about recognizing that there are children who are still waiting for permanent families. There continues to be a need for more adoptive families in British Columbia to provide children with permanent, secure, and loving homes.

There are many online resources and support services that can help families who are considering adoption in British Columbia.

- The [Ways to Adopt in British Columbia Web site](#) provides information on adoption in British Columbia, such as infant adoption, relative and step-parent adoption, and adopting a child or youth from another country.
- [Adopt BC Kids](#) is an online portal that provides British Columbians wishing to adopt children and youth from foster care with information and guidance through their adoption application.
- [The Adoptive Families Association of British Columbia](#) provides information and support services for families who wish to adopt now or in the future.

I encourage you to share these resources with your community members who are interested in becoming an adoptive or permanent family.

Please join me in celebrating November as Adoption Awareness Month to recognize all the families that have provided children and youth with the care, compassion, and the unselfish commitment of a permanent home, and to all those who may do so in the future. On behalf of the Government of British Columbia, thank you for your continued leadership in supporting adoptive and permanent families in your community.

Sincerely,

Mitzi Dean
Minister

Sent on behalf of the Minister by:

Text Description automatically generated



This communication and any accompanying document is confidential and is intended solely for the addressed recipient(s). If you received this e-mail message in error, please delete the e-mail and any attachments and contact the Client Relations Branch, Ministry of Children and Family Development at: MCF.Info@gov.bc.ca.

Joseph Rotenberg

From: Joseph Rotenberg
Sent: November 9, 2022 3:19 PM
To: Joseph Rotenberg
Subject: FW: Aquaculture Update from DFO - Net Pen Transition Plan Engagement Session- November 25, 2022

From: AVICC <avicc@ubcm.ca>
Sent: Monday, November 7, 2022 4:44 PM
To: AVICC <avicc@ubcm.ca>
Subject: Aquaculture Update from DFO - Net Pen Transition Plan Engagement Session- November 25, 2022

[External]

Please forward to elected officials, the CAO and Corporate Officer:

The Minister of Fisheries and Oceans was mandated to work with the Province of British Columbia and Indigenous communities on a responsible plan to transition from open-net pen salmon farming in coastal British Columbia. As part of the first phase of engagement, a Discussion Framework document was released on July 30 to guide discussions and provide background on the initiative: <https://www.pac.dfo-mpo.gc.ca/consultation/aquaculture/bc-transition-cb/cadre-discussion-framework-eng.html>

Virtual engagement sessions were held with First Nations and stakeholders throughout the summer and explored the various themes of the Framework. A virtual workshop session for local governments was held on September 1st, 2022 to review the draft Framework and discuss questions within the document.

The project is currently in the next phase of engagement which will gather input from various constituencies of interest to develop recommendations for the plan. The plan is scheduled to be finalized for late spring 2023.

A virtual engagement session to review the draft framework and to engage with local governments on the development of a Net Pen Transition Plan for salmon aquaculture in B.C. will be held on **Friday, November 25, 2022 from 9:00 a.m. to 12:00 p.m.** The main topics to be discussed with local governments include collaborative governance, policy and regulation, and licensing. Socio-economic themes will be woven in all of those topics. The Department of Fisheries and Oceans is requesting that the Mayor or Chair of each local government, or their designate, attend this session.

To register for the November 25th session, email DFO.PACAquacultureEngagement-EngagementdelaquaculturePAC.MPO@dfo-mpo.gc.ca and indicate that you would like to attend the local government session on November 25th.



INFORMATION REPORT

Council Meeting: November 15, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, CHIEF ELECTION OFFICER

FILE NO: 4200-20

SUBJECT: 2022 ELECTION REPORT

REPORT NO: 22-159

ATTACHMENT(S): APPENDIX A – DECLARATION OF OFFICIAL ELECTION RESULTS - MAYOR
APPENDIX B – DETERMINATION OF OFFICIAL ELECTION RESULTS – OFFICE OF MAYOR
APPENDIX C – BALLOT ACCOUNT RECONCILIATION – GENERAL VOTING DAY - MAYOR
APPENDIX D – BALLOT ACCOUNT RECONCILIATION – ADVANCE VOTING – MAYOR
APPENDIX E – DECLARATION OF ELECTION BY ACCLAMATION – OFFICES OF COUNCILLORS

PURPOSE:

The purpose is to report the 2022 election results.

BACKGROUND:

Legislation

Section 158 of the *Local Government Act (LGA)* requires that the Chief Election Officer submit a report of the election results to the local government.

Election by Acclamation

On September 20, 2022, Shawn Anderson, Jennifer Hoar, Ian Kennington, and Mark Maftai were declared elected by acclamation to the offices of Councillor.

Acclamation occurs in Ucluelet when only four individuals are declared candidates for the offices of Councillor. The Declaration of Election by Acclamation is attached as Appendix E to this report.

Election by Voting

On September 20, 2022, an election by voting was declared for the Office of Mayor. The election took place on October 15, 2022, which was also general voting day. There was an advanced voting opportunity on October 5, 2022.

The election was advertised through posters, the Westerly News, Ucluelet.ca, all District social media channels, and District listserv UkeeMail. General voting day and the advanced voting opportunity went smoothly.

There was a decrease in voter turnout from the previous election with 643 valid ballots cast in 2022 (approximately 31% voter turnout) compared to 796 ballots cast in 2018 (60% voter turnout). The majority of valid ballots, 444, were cast on general voting day (69%).

The election results can be found attached to this report as follows:

- Appendix A – Declaration of Official Election Results – Mayor
- Appendix B – Determination of Official Election Results – Office of Mayor
- Appendix C – Ballot Account Reconciliation – General Voting - Mayor
- Appendix D – Ballot Account Reconciliation – Advance Voting - Mayor

FUTURE IMPROVEMENTS

The following outlines potential changes to District of Ucluelet Election and Assent Voting Bylaw No. 1305, 2022, which are recommended to avoid unintended consequences:

- Remove provisions that reiterate statutory requirements;
- Remove provisions that reiterate statutory defaults;
- Remove requirement to post nomination documents online;
- Remove provisions related to election signs and amend the District of Ucluelet Sign Bylaw to regulate this area; and
- Remove notice requirements that modify the requirements of the *LGA*.

A report and draft bylaw which introduces these technical changes for Council's consideration will be brought forward at a later meeting. Given the extent of the changes, a fresh bylaw is recommended.

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



DISTRICT OF UCLUELET

DECLARATION OF OFFICIAL ELECTION RESULTS

GENERAL LOCAL ELECTION – 2022

MAYOR

I, Joseph Rotenberg, Chief Election Officer, do hereby declare elected, Marilyn McEwen,
who received the highest number of valid votes for the office of Mayor.

Dated at Ucluelet, BC
this 18th day of October, 2022.



Chief Election Officer



DISTRICT OF UCLUELET

**DETERMINATION OF ELECTION RESULTS
GENERAL LOCAL ELECTION – 2022**

OFFICE OF MAYOR

	COLE, Rachelle	FAITH, Bruce	McCEWEN, Marilyn
Advance Voting Opportunity: October 5, 2022 Ucluelet Community Centre	63	20	116
General Voting Day: October 15, 2022 Ucluelet Community Centre	135	44	265
TOTAL NUMBER OF VOTES	198	64	381

This determination of official election results was made by the Chief Election Officer on October 18, 2022 at 11:28 a.m. and is based on ballot accounts as amended or prepared by the Chief Election Officer.

Chief Election Officer



Form No. 13-6
LGA s.141, VC s.103

**DISTRICT OF UCLUELET
BALLOT ACCOUNT RECONCILIATION**

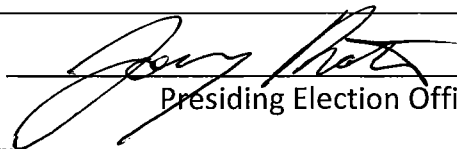
General Voting Day
Ucluelet Community Centre, 500 Matterson Drive
October 15, 2022

Mayor

Number of valid votes cast:

COLE, Rachelle	<u>135</u>
FAITH, Bruce	<u>44</u>
McEWEN, Marilyn	<u>265</u>

(1) Number of ballots received for use (see Note 1)		<u>550</u>
(2) Ballots without objection	<u>444</u>	
(3) Ballots accepted subject to objection under LGA s.140	<u>0</u>	
(4) Ballots rejected without objection (including blanks)	<u>2</u>	
(5) Ballots rejected subject to objection under LGA s.140 (VC s.102)	<u>0</u>	
(6) Spoiled ballots that were replaced under LGA s.128 (VC s.90)	<u>1</u>	
(7) Number of ballots given to the electors (2+3+4+5+6)	<u>447</u>	
(8) Unused ballots (see Note 2)	<u>103</u>	
(9) Number of ballots not accounted for	<u>0</u>	
(10) TOTAL (7+8+9) No. 1 & No. 10 must agree		<u>550</u>


Presiding Election Official

THIS FORM MUST BE COMPLETED IN DUPLICATE.



Form No. 13-6
LGA s.141, VC s.103

**DISTRICT OF UCLUELET
BALLOT ACCOUNT RECONCILIATION**

Advance Voting
Ucluelet Community Centre, 500 Matterson Drive
October 5, 2022

Mayor

Number of valid votes cast:

COLE, Rachelle

63

FAITH, Bruce

20

McEWEN, Marilyn

116

(1) Number of ballots received for use (see Note 1)		<u>250</u>
(2) Ballots without objection	<u>199</u>	
(3) Ballots accepted subject to objection under LGA s.140	<u>0</u>	
(4) Ballots rejected without objection (including blanks)	<u>1</u>	
(5) Ballots rejected subject to objection under LGA s.140 (VC s.102)	<u>0</u>	
(6) Spoiled ballots that were replaced under LGA s.128 (VC s.90)	<u>3</u>	
(7) Number of ballots given to the electors (2+3+4+5+6)	<u>203</u>	
(8) Unused ballots (see Note 2)	<u>47</u>	
(9) Number of ballots not accounted for	<u>0</u>	
(10) TOTAL (7+8+9) No. 1 & No. 10 must agree		<u>250</u>


Presiding Election Official

THIS FORM MUST BE COMPLETED IN DUPLICATE.



DECLARATION OF ELECTION BY ACCLAMATION FORM
2022 General Local Election
Form No. 8-12

DISTRICT OF UCLUELET

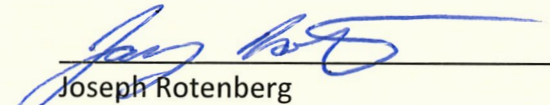
DECLARATION OF ELECTION BY ACCLAMATION

I, Joseph Rotenberg, Chief Election Officer for the District of Ucluelet, do hereby declare, pursuant to section 98 of the *Local Government Act*, the following candidates elected by acclamation:

Offices of Councillor

ANDERSON, Shawn	Ucluelet, BC
HOAR, Jennifer	Ucluelet, BC
KENNINGTON, Ian	Ucluelet, BC
MAFTEI, Mark	Ucluelet, BC

Given under my hand at Ucluelet, British Columbia, this 20th day of September, 2022.



Joseph Rotenberg
Chief Election Officer



October 20, 2022

RE: New online course to support responsible conduct

Dear Mayor and Council, Chair and Board, and Chief Administrative Officers:

As new Councils and Boards are established in the coming days, many will be looking for ways to discuss standards of conduct conducive to good governance.

Today we are pleased to announce that the Working Group on Responsible Conduct (a partnership of UBCM, LGMA, and the Ministry for Municipal Affairs) has developed a new resource that will be made available following the election. The on-demand eLearning course for elected officials introduces the learner to the foundational principles for responsible conduct. The new course is based on real-life scenarios that require the learner to make choices and reflect on behaviour. Like the Model Code of Conduct and the Forging the Path guide, we hope the new course supports Councils and Boards as they seek to identify shared standards for the conduct of elected officials in B.C.

The course is designed to be self-directed, interactive, and practical. This course is intended to be easily accessible, meaning participants can take the course at their own pace, at any time. The course will be free to participants and take 60-90 minutes to complete. A certificate will be provided upon completion of the course.

We very much appreciate the collaborative work undertaken by the WGRC to date. We look forward to the Working Group's ongoing collaboration to further strengthen responsible conduct and support the good governance of local governments in British Columbia.

If you have any questions about the Working Group's activities, please contact any of the member organizations.

Sincerely,

Nathan Cullen
Minister of Municipal Affairs
LGgovernance@gov.bc.ca
250 387-4020

Jen Ford
President, UBCM
UBCM@UBCM.ca
250 356-5133

Corrie Griffiths
President, LGMA
office@lgma.ca
250 383-7032