



PUBLIC HEARING
Tuesday, September 7, 2021 @ 5:30 PM
Main Hall, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet

AGENDA

Page

1. CALL TO ORDER

2. ACKNOWLEDGEMENT OF THE YUULU?I?ATH

Council would like to acknowledge the Yuulu?i?ath, on whose traditional territories the District of Ucluelet operates.

3. 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.

4. LATE ITEMS

5. STATEMENT OF THE CHAIR

5.1. Review of the Public Hearing Procedures

6. PUBLIC HEARING - DISTRICT OF UCLUELET OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1292, 2021 AND DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1293, 2021
Signature Circle properties at Wyndansea

6.1. Proposed Bylaws

(i) Public Notice Summary

(ii) Related Documents

3 - 128

[Notice - OCP Amendment Bylaw No. 1292, 2021 & Zoning Amendment Bylaw No. 1293, 2021](#)

[Bylaw - OCP Amendment Bylaw No. 1292, 2021](#)

[Bylaw - Zoning Amendment Bylaw No. 1293, 2021](#)

[Report - 2021-08-24](#)

[Report 1 - 2021-08-17](#)

[Report 2 - 2021-08-17](#)

[Report - 2021-05-04](#)

[Report 1 - 2021-04-14](#)

[Report 2 - 2021-04-14](#)

[Report 3 - 2021-04-14](#)

[Draft Minutes - 2021-08-24](#)

[Draft Minutes - 2021-08-17](#)

[Minutes - 2021-05-04](#)

[Minutes - 2021-04-14](#)

[Written Submissions Received Before the Notice Period](#)

6.2. Written Submissions Received During the Notice Period

6.3. Public Input

7. PUBLIC HEARING - DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021

Lot 16 Marine Drive

7.1. Proposed Bylaw

129 - 474

1. Public Notice Summary

2. Related Documents

[Notice - Zoning Amendment Bylaw No. 1284, 2021](#)

[Bylaw - Zoning Amendment Bylaw No. 1284, 2021](#)

[Report - 2021-08-17](#)

[Report - 2021-08-10](#)

[Report - 2021-07-13](#)

[Report - 2021-06-15](#)

[Report - 2021-05-25](#)

[Report - 2021-03-23](#)

[Draft Minutes - 2021-08-17](#)

[Draft Minutes - 2021-08-10](#)

[Minutes - 2021-07-13](#)

[Minutes - 2021-06-15](#)

[Minutes - 2021-05-25](#)

[Minutes - 2021-03-23](#)

[Written Submission Received Before the Notice Period](#)

7.2. Written Submission Received During the Notice Period

475 - 476

[2021-08-25 Corlazolli](#)

7.3. Applicant Presentation

7.4. Public Input

8. ADJOURNMENT

Notice of Public Hearing

Notice is hereby given that a Public Hearing will be held in the Main Hall in the Ucluelet Community Centre at 500 Matterson Drive, Ucluelet B.C., on **Tuesday, September 7th, 2021, commencing at 5:30 p.m.** on the following proposed Bylaws pursuant to Section 464 of the *Local Government Act*.

- A. District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021; and,
B. District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.**

Subject Lands: The lands that are the subject of the proposed bylaws are shown outlined in a dashed black line in the sketch plan included with this notice, and the legal descriptions of the subject lands are included in the following table.

Legal Description	PID	Current Zoning
Lot A, Plan VIP77604, District Lot 472, Clayoquot Land District	026-046-024	CD-5A
Lot A, Plan VIP80031, District Lot 286, Clayoquot Land District, Except Plan VIP84561, & OF DL 471, 472 & 473	026-508-486	CD-5A
Lot 1, Plan VIP84561, District Lot 286, Clayoquot Land District, & DL 473	027-416-046	CD-5A
Lot 2, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-054	CD-5A
Lot 3, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-062	CD-5A
Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		CD-5A
Lot 5, Plan VIP75113, District Lot 286, Clayoquot Land District, Except Plan VIP79908, & DLS 471, 472 & 473	025-635-751	CD-6

Purpose: A. In general terms the purpose of *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, is to amend Schedule 1 of *District of Ucluelet Official Community Plan Bylaw No. 1140, 2011*, by inserting the following policy in alphanumeric order within section 3 Land Use Policies:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 strata lots known as Signature Circle, which were subdivided by the deposit of Strata Plan VIS6504, together with any common property shown in the strata plan, are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”; and,

- B. In general terms the purpose of *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, is to:
- rezone the Subject Lands from their current CD-5A and CD-6 designations to **RU-Rural Residential**
 - add supplementary regulations specific to Strata Lots 1 through 30 Plan VIS6504, to define the principle use as *Single Family Dwelling* with a maximum density of 1 *Single Family Dwelling* per lot, a maximum grass floor area of 100m², and revise the setbacks including a minimum setback of 30m from the natural boundary of the sea.



For the full contents of the bylaws please see the website at the link below or contact the District office.

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

Participate by Written Submission: All Written submissions must include your name and street address. Any submissions dropped-off or mailed to the District office, must be received before the start of the Public Hearing. Submissions sent by email or dropped-off at the Public Hearing may be submitted until the hearing is closed. Written submissions are considered part of the public record pursuant to the *Freedom of Information and Protection of Privacy Act*.

Drop-off at the District Office
200 Main Street
Ucluelet B.C.
(there is a drop-box on site)

Drop-off at the Public Hearing
Main Hall, Ucluelet Community Centre
500 Matterson Drive
Ucluelet B.C.

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

Email
communityinput@ucluelet.ca

Attend In-Person, by Telephone or Using Zoom Online: **Attend In-person**
Main Hall, Ucluelet Community Centre, 500 Matterson Drive, Ucluelet B.C.

If you do plan to attend in-person, we ask that you follow all current Provincial Health guidance and protocols. Seating is limited and COVID-19 protocols are in effect.

Attend by Telephone Through Zoom Webinar
One tap mobile:
• +17789072071,,82979149659#
Telephone:
• +1 778 907 2071
• Webinar ID: 829 7914 9659
International numbers available at:
<https://us02web.zoom.us/j/82979149659>

Attend Using Zoom Webinar Online
URL:
<https://us02web.zoom.us/j/82979149659>

For more information about how to participate via Zoom visit <https://ucluelet.ca/community/district-of-ucluelet-council/public-hearings> or contact the Corporate Service Department at 250-726-7744 or jrotenberg@ucluelet.ca. Public Hearings are also livestreamed on the District of Ucluelet's YouTube Channel.

Review related materials: Copies of the proposed Bylaws and other relevant materials may be inspected online at <https://ucluelet.ca/community/district-of-ucluelet-council/public-hearings>. Paper copies are available for inspection at the District of Ucluelet Office, 200 Main St., Ucluelet B.C. (Monday to Friday, 8:30 a.m. - 4:00 p.m., excluding statutory holidays).

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

Dated August 20, 2021: Ucluelet BC

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1292, 2021

A bylaw to amend the District of Ucluelet Official Community Plan
(Rural Land Use designation change – Signature Circle lands).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Text Amendments:

Schedule “1” of *District of Ucluelet Official Community Plan Bylaw No. 1140, 2011*, as amended, is hereby further amended by inserting the following policy in alphanumerical order within section 3 Land Use Policies:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 strata lots known as Signature Circle, which were subdivided by the deposit of Strata Plan VIS6504, together with any common property shown in the strata plan, are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”.

READ A FIRST TIME this 4th day of May, 2021.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this **17th** day of **August**, 2021.

READ A SECOND TIME this **17th** day of **August**, 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1293, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments to the RU zone - Rural Residential and areas of CD-5A and CD-6 zoned lands).

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 the regulations for the RU Zone – RURAL RESIDENTIAL in Schedule B – The Zones by inserting the following in alphanumerical order:

RU.7.1 “Supplementary Regulations (Signature Circle):

In relation to Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District (the “Signature Circle Land”), the following regulations shall prevail, but otherwise the Signature Circle Land shall be subject to the regulations of this RU Zone, and any generally applicable provisions of this Bylaw:

- (1) The sole principal use shall be *Single Family Dwelling*;
- (2) *Home Occupation is permitted as a secondary use in conjunction with a principal permitted use*;
- (3) The following regulations shall apply:
 - (i) **Maximum Density:** 1 *single family dwelling per lot*
 - (ii) **Maximum Size (Gross Floor Area):**
 - (A) Principal Building: 100 m² (1,076 ft²)
 - (B) Accessory Buildings: 100 m² (1,076 ft²) combined total

(iii) The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)

(iv) The minimum setback from the natural boundary of the sea for all buildings and structures is 30m (98 ft).”;

- B. by deleting section CD-5A SubZone (Development Area #1) WYNDANSEA / SIGNATURE CIRCLE including the CD-5A SubZone Plan and Sections CD-5A.1 through CD-5A.7; and,
- C. by deleting section CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113) including the CD-6 Plan and Sections CD-6.2 through CD-6.7.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of the following parcels to “RU Zone - Rural Residential” as outlined in black on the map attached to this Bylaw as Appendix “A”:

Legal Description	PID	Zoning
Lot A, Plan VIP77604, District Lot 472, Clayoquot Land District	026-046-024	CD-5A
Lot A, Plan VIP80031, District Lot 286, Clayoquot Land District, Except Plan VIP84561, & OF DL 471, 472 & 473	026-508-486	CD-5A
Lot 1, Plan VIP84561, District Lot 286, Clayoquot Land District, & DL 473	027-416-046	CD-5A
Lot 2, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-054	CD-5A
Lot 3, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-062	CD-5A
Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		CD-5A
Lot 5, Plan VIP75113, District Lot 286, Clayoquot Land District, Except Plan VIP79908, & DLS 471, 472 & 473	025-635-751	CD-6

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021”.

READ A FIRST TIME this 4th day of May, 2021.

READ A SECOND TIME this 17th day of August, 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021
(CD-5A and CD-6 lands rezoned to RU Rural Residential)

From: CD5-A and CD-6
To: RU





STAFF REPORT TO COUNCIL

Council Meeting: AUGUST 24TH, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ21-04

SUBJECT: BUILDING PERMITS FOR SIGNATURE CIRCLE LOTS VS. RU ZONING **REPORT NO:** 21-124

ATTACHMENTS: APPENDIX A – UCLUELET OCP AMENDMENT BYLAW No. 1292, 2021
APPENDIX B – UCLUELET ZONING AMENDMENT BYLAW No. 1293, 2021

RECOMMENDATIONS:

1. **THAT** pursuant to section 463 of the *Local Government Act* Council direct that building permits be withheld in relation to each of the building permit applications submitted on July 29, 2021, in relation to the Signature Circle properties Strata Lots 1 - 4 and 6 - 30, District Lots 471, 472 and 473, Clayoquot Land District, Strata Plan VIS6504 for a further period of 60 days as the development proposed in the building permit applications exceed the maximum permitted building size, do not comply with the permitted uses and/or encroach within minimum setbacks under the *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, and the use and density of the lots would not comply with the low-density rural residential designation under the *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, both of which bylaws are currently under consideration by Council.

PURPOSE:

The purpose of this report is to provide Council with an initial analysis of the building permit applications made by Onni Wyndansea Holdings Ltd. on July 29, 2021, in comparison to Official Community Plan bylaw and Zoning bylaw amendments currently under consideration by Council.

BACKGROUND:

At its April 14, 2021, regular meeting Council passed the following motion:

“THAT Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD-5A and CD-6 lands, north of Ancient Cedars and the current end of the Wild Pacific Trail, to a Rural zoning designation like they held previously – to, for now, allow a single residential use on large rural lots.”

Official Community Plan (OCP) and Zoning amendment bylaws were subsequently presented to Council at its May 4, 2021, meeting at which time Council passed the following motions:

1. ***“THAT Council introduce and give first reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021;***
2. ***THAT Council introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021; and,***
3. ***THAT Council direct staff to advise all owners of land affected by the amendments in Bylaw Nos. 1292 and 1293 of the proposed changes, and provide 30 days to provide written comment before bringing the bylaws back for consideration of second reading.”***

In response to the 3rd motion of Council on May 4, 2021, above, a letter was sent to owners of affected properties. One response was received on June 15, 2021, from Onni Wyndansea Holdings Ltd. expressing their objections to the zoning amendment.

On July 29, 2021, Onni Wyndansea Holdings Ltd. submitted 29 separate building permit applications; one for each of their Signature Circle lots (Lots 1 - 4 and 6 - 30, District Lots 471, 472 & 473, Clayoquot Land District, Strata Plan VIS6504).

On August 17, 2021, Council gave second reading to Bylaw Nos. 1292 and 1293 and referred the bylaws to a public hearing which is scheduled to be held on September 7, 2021.

On August 17, 2021, Council also passed the following resolution:

“THAT pursuant to section 463 of the Local Government Act, Council direct that building permits be withheld in relation to each of the building permit applications submitted on July 29, 2021, in relation to the Signature Circle properties Strata Lots 1 - 4 and 6 - 30, District Lots 471, 472 and 473, Clayoquot Land District, Strata Plan VIS6504 for a period of 30 days as the development proposed in the building permit applications exceed the maximum permitted building size, do not comply with the permitted uses and encroach within minimum setbacks under the District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021, and the use and density of the lots would not comply with the low-density rural residential designation under the District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, both of which bylaws are currently under consideration by Council, and Council direct staff to provide a report on the building permit applications for further consideration by Council within the 30-day period in accordance with section 463(3) of the Local Government Act.”

DISCUSSION:

The recent submission of 29 building permits by Onni Wyndansea Holdings Ltd. requires consideration of the *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, and *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, in an expeditious manner.

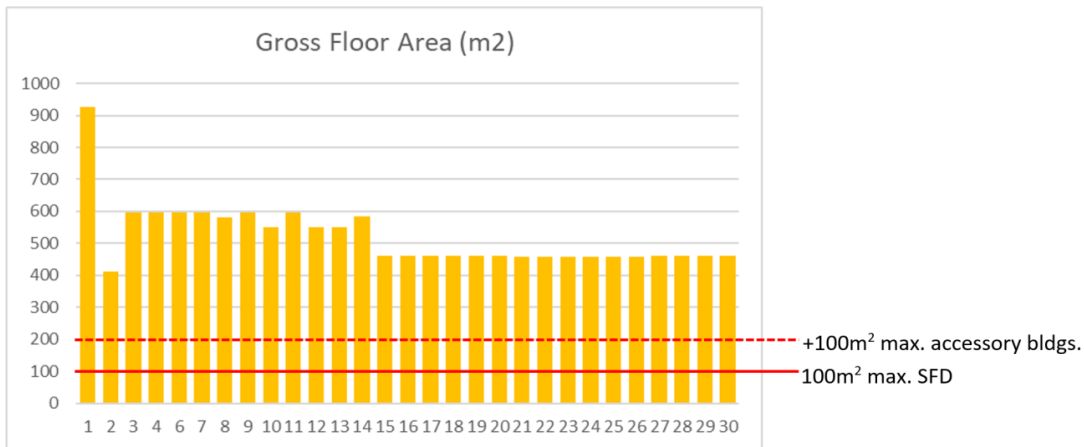
The OCP amendment Bylaw No. 1292, 2021 (see **Appendix “A”**), would add the following Land Use Policy to the current (2011) OCP bylaw:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 strata lots known as Signature Circle, which were subdivided by the deposit of Strata Plan VIS6504, together with any common property shown in the strata plan, are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

The zoning amendment Bylaw No. 1293, 2021, would enact regulations consistent with the above OCP policy (see **Appendix “B”**).

None of the buildings shown in the 29 permit applications comply with the “RU Zone - Rural Residential” zoning designation that would apply to the properties if zoning amendment Bylaw No. 1293, 2021, were adopted.

The RU zoning amendment would allow a single-family residential principal use in a building with a maximum of 100m² (1,076 ft²) gross floor area, plus an additional 100m² maximum total floor area of accessory buildings. The smallest of the buildings shown in the permit drawings submitted by Onni would be approximately 411m² (4,423 ft²) in area:



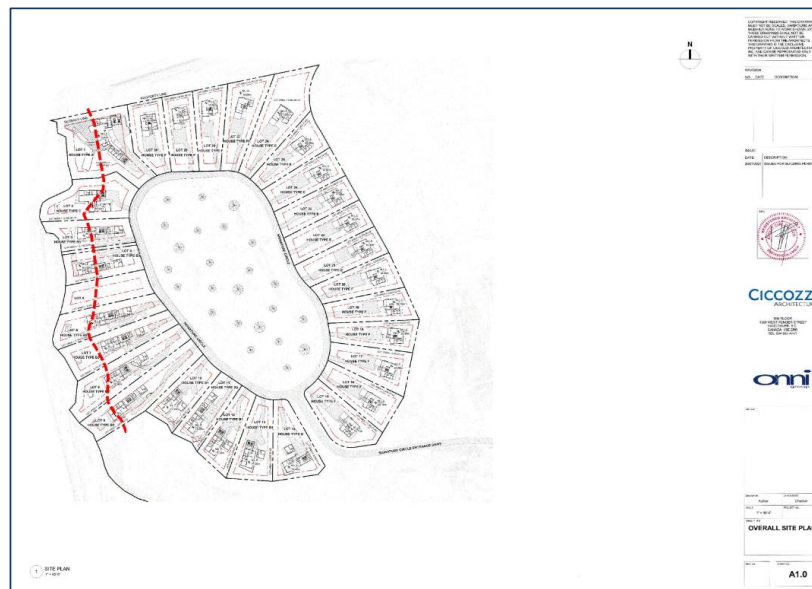
The RU zone has a maximum lot coverage of 3%, while the buildings shown on the permit drawings range from 6.3% to 16.9%.

The RU zoning amendment would allow one single-family dwelling as the principal use, with no accessory secondary suites. The floor plans for 13 of the 29 permit applications show either one or two secondary suites.

Signature Circle - BP submission July 29, 2021

Lot #	Type	Use	Gross Floor Area	Footprint	Site	Lot Coverage	Setback (sea)		<--- RU zoning
							max 100m2 (+ 100m2)	min. 30m	
1	A	SFD +SS + GH	925	554	4671	11.9%	X		
2	C	SFD +SS	411	451	3181	14.2%	X		
3	B3	SFD +2SS	596	340	2118	16.1%	X		
4	B3	SFD +2SS	596	340	2072	16.4%	X		
6	B3	SFD +2SS	596	340	2786	12.2%	X		
7	B3	SFD +2SS	596	340	2979	11.4%	X		
8	B2	SFD +2SS	581	287	2118	13.6%	X		
9	B3	SFD +2SS	596	340	3411	10.0%	X		
10	B1	SFD +SS	551	370	2184	16.9%			
11	B3	SFD +2SS	596	340	2118	16.1%			
12	B1	SFD +SS	551	370	2190	16.9%			
13	B1	SFD +SS	551	370	2535	14.6%			
14	D	SFD +2SS	583	374	2645	14.1%			
15	F	SFD	462	236	2645	8.9%			
16	F	SFD	462	236	2455	9.6%			
17	F	SFD	462	236	2484	9.5%			
18	F	SFD	462	236	2144	11.0%			
19	F	SFD	462	236	2223	10.6%			
20	F	SFD	462	236	2316	10.2%			
21	E	SFD	457	236	2375	9.9%			
22	E	SFD	457	236	2472	9.5%			
23	E	SFD	457	236	2193	10.8%			
24	E	SFD	457	236	2181	10.8%			
25	E	SFD	457	236	2255	10.5%			
26	E	SFD	457	236	3694	6.4%			
27	F	SFD	462	236	3743	6.3%			
28	F	SFD	462	236	2254	10.5%			
29	F	SFD	462	236	2183	10.8%			
30	F	SFD	462	236	2263	10.4%			

The RU zoning amendment would also provide a minimum setback of 30m from the natural boundary of the sea. None of the 8 of building permits for waterfront lots would comply with this shoreline setback:



Initial review of the building permit applications has focussed on the zoning regulations as discussed above. Additional detail would be required from the applicant to also confirm whether building height and the architect's calculations of *average natural grade* comply with the zoning bylaw. Determining whether the application complies with the zoning – and whether these permits will be processed under the current CD5-A zoning or the RU zoning – is the first step and the focus of this report. A building code review for the 29 applications has not been completed at this point; resources would be focussed on that work once it is clear which zoning regulations will apply to the proposed buildings.



Type "A" 9,950 sq.ft.

Section 463 of the *Local Government Act* provides Council the ability to direct that a building permit be withheld if it identifies what it considers to be a conflict between a development proposed in the application and an OCP or zoning bylaw under preparation.



Type "B1" 5,930 sq.ft.

Once a withholding resolution is passed by Council (as was done on August 17, 2021), then during the 30-day period the local government must consider the application for the permit and may direct the permit be withheld for a further 60 days.



Type "B2" 6,250 sq.ft.

It is clear from the analysis above that the proposed buildings would not comply with the OCP policy and RU zoning designation, were Bylaw Nos. 1292 and 1293 adopted.



Type "B3" 6,415 sq.ft.

If Council directs that the permits be withheld for a further 60 days, then if the local government does not adopt the OCP or zoning bylaw (within the 60-day period), the owners of the land for which a building permit was withheld would be entitled to



Type "C" 4,420 sq.ft.

compensation for damages arising from the withholding of the building permit. Council could also within the 60-day period grant the permits but impose

conditions in it that would be in the public interest, having regard to the plan or bylaw that is under preparation.

As discussed above, the 29 permit applications do not comply with the following aspects of the zoning regulations if Bylaw No. 1293 were enacted:

- Use;
- Gross Floor Area;
- Lot Coverage; and,
- Minimum setback from the shoreline.



Type "D" 6,275 sq.ft.

Council may want to consider – if it wishes to grant the permits but impose conditions that would be in the public interest to achieve the intent of the new bylaws – whether any one or combination of the four areas of regulation above would be sufficient to satisfy the intent of the *low-density rural residential development* designation that Council is contemplating in OCP amendment Bylaw No. 1292. In other words, would Council consider that these sites could be considered *low density rural residential* if the uses were strictly single-family residential (and therefore direct that the permits be issued but impose a condition that the secondary suites be removed from the plans)? Alternatively, would it be *low density rural residential* by just reducing the gross floor area or lot coverage, but still allow the secondary suites? And lastly would it be sufficient to just increase the building setback from the shoreline to achieve the *low density rural residential* intent? If one or more such conditions achieve the intent of the OCP policy under consideration, then Council could consider issuing the permits with conditions.



Type "E" 4,920 sq.ft.

If, however, the combination of use, density and setbacks is deemed necessary to achieve the *low-density rural residential development* designation then staff recommend that Council withhold the building permits for a further 60 days to allow the bylaw process to be completed. The policy contemplated by Council specifically indicates that "*low-density rural residential*" includes *no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea.*



Type "F" 4,970 sq.ft.

The initial 30-day withholding period will expire August 28, 2021. Staff recommend that Council consider passing a resolution to withhold building permits for a further 60 days on the Signature Circle lots. In that case, subject to community input at the public hearing scheduled for September 7th, Council would have time to consider adopting the bylaws prior to the end of the 60-day period.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Staff time has been focused on the review and analysis of the 29 building permit applications for the Signature Circle lots, and on scheduling and holding a special Council meeting to consider the matter. Notice has been prepared for the public hearing scheduled for September 7, 2021. Should Council determine to withhold building permits for a further 60 days, then further staff review of the building permits would be placed on hold until the outcome is determined for the OCP amendment and zoning bylaw processes.

SUMMARY AND OPTIONS:

The 29 building permit applications would not comply with the direction that Council has signified in the OCP policy 3.9(i)(10) to designate the Signature Circle lots for “*low-density rural residential development*”. At this point staff recommend that Council consider a resolution to withhold building permits for a further 60 days for the Signature Circle lots, to enable time for Council to consider public input and determine whether it will adopt *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, and *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*.

Alternatively, Council could consider the following:

2. **THAT** Council direct staff to continue the review of the 29 Signature Circle building permit applications under the current CD-5A regulations within the zoning bylaw;
- or,**
3. **THAT** Council directs staff to continue the review of the 29 Signature Circle building permit applications under the current CD-5A regulations within the zoning bylaw, but impose specific conditions that it deems to be in the public interest to meet the intent of the bylaws under consideration;
- or,**
4. **THAT** Council provide alternative direction to staff.

Respectfully submitted: Bruce Greig, Director of Community Planning
Andy Laidlaw, Acting CAO

Appendix A

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1292, 2021

A bylaw to amend the District of Ucluelet Official Community Plan
(Rural Land Use designation change – Signature Circle lands).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Text Amendments:

Schedule “1” of *District of Ucluelet Official Community Plan Bylaw No. 1140, 2011*, as amended, is hereby further amended by inserting the following policy in alphanumerical order within section 3 Land Use Policies:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 strata lots known as Signature Circle, which were subdivided by the deposit of Strata Plan VIS6504, together with any common property shown in the strata plan, are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”.

READ A FIRST TIME this 4th day of May, 2021.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this **17th** day of **August**, 2021.

READ A SECOND TIME this **17th** day of **August**, 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

Appendix B

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1293, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments to the RU zone - Rural Residential and areas of CD-5A and CD-6 zoned lands).

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 the regulations for the RU Zone – RURAL RESIDENTIAL in Schedule B – The Zones by inserting the following in alphanumeric order:

RU.7.1 “Supplementary Regulations (Signature Circle):

In relation to Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District (the “Signature Circle Land”), the following regulations shall prevail, but otherwise the Signature Circle Land shall be subject to the regulations of this RU Zone, and any generally applicable provisions of this Bylaw:

- (1) The sole principal use shall be *Single Family Dwelling*;
- (2) *Home Occupation is permitted as a secondary use in conjunction with a principal permitted use*;
- (3) The following regulations shall apply:
 - (i) **Maximum Density:** 1 *single family dwelling per lot*
 - (ii) **Maximum Size (Gross Floor Area):**
 - (A) Principal Building: 100 m² (1,076 ft²)
 - (B) Accessory Buildings: 100 m² (1,076 ft²) combined total

(iii) The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)

(iv) The minimum setback from the natural boundary of the sea for all buildings and structures is 30m (98 ft).”;

- B. by deleting section CD-5A SubZone (Development Area #1) WYNDANSEA / SIGNATURE CIRCLE including the CD-5A SubZone Plan and Sections CD-5A.1 through CD-5A.7; and,
- C. by deleting section CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113) including the CD-6 Plan and Sections CD-6.2 through CD-6.7.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of the following parcels to “RU Zone - Rural Residential” as outlined in black on the map attached to this Bylaw as Appendix “A”:

Legal Description	PID	Zoning
Lot A, Plan VIP77604, District Lot 472, Clayoquot Land District	026-046-024	CD-5A
Lot A, Plan VIP80031, District Lot 286, Clayoquot Land District, Except Plan VIP84561, & OF DL 471, 472 & 473	026-508-486	CD-5A
Lot 1, Plan VIP84561, District Lot 286, Clayoquot Land District, & DL 473	027-416-046	CD-5A
Lot 2, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-054	CD-5A
Lot 3, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-062	CD-5A
Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		CD-5A
Lot 5, Plan VIP75113, District Lot 286, Clayoquot Land District, Except Plan VIP79908, & DLS 471, 472 & 473	025-635-751	CD-6

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021”.

READ A FIRST TIME this 4th day of May, 2021.

READ A SECOND TIME this 17th day of August, 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021
(CD-5A and CD-6 lands rezoned to RU Rural Residential)

From: CD5-A and CD-6
To: RU



Pacific Trail, to a Rural zoning designation like they held previously – to, for now, allow a single residential use on large rural lots.”

Official Community Plan (OCP) and Zoning amendment bylaws were subsequently presented to Council at its May 4, 2021, meeting at which time Council passed the following motions:

1. ***“THAT Council introduce and give first reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021;***
2. ***THAT Council introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021; and,***
3. ***THAT Council direct staff to advise all owners of land affected by the amendments in Bylaw Nos. 1292 and 1293 of the proposed changes, and provide 30 days to provide written comment before bringing the bylaws back for consideration of second reading.”***

In response to the 3rd motion of Council on May 4th, 2021, above, a letter was sent to owners of affected properties. One response was received on June 15th, 2021, from Onni Wyndansea Holdings Ltd. expressing their objections to the zoning amendment.

On July 29, 2021, Onni Wyndansea Holdings Ltd. submitted 29 separate building permit applications; one for each of their Signature Circle lots (Lots 1 - 4 and 6 - 30, District Lots 471, 472 & 473, Clayoquot Land District, Strata Plan VIS6504).

DISCUSSION:

The recent submission of 29 building permits by Onni Wyndansea Holdings Ltd. requires consideration of the *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, and *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, in an expeditious manner.

None of the buildings shown in the 29 permit applications would comply with the “RU Zone - Rural Residential” zoning designation which would apply to the properties if zoning amendment Bylaw No. 1293, 2021, were adopted. The RU zoning amendment would allow a single-family residential principal use in a building with a maximum of 100m² (1,076 ft²) gross floor area. The smallest of the buildings shown in the permit drawings submitted by Onni would be approximately 410m² (4,418 ft²) in area. The RU zoning amendment would also provide a minimum setback of 30m from the shoreline, and it appears that a number of the proposed buildings and structures would contravene this regulation (see site plan - **Appendix “A”**).

The OCP amendment Bylaw No. 1292, 2021, would add the following Land Use Policy to the current (2011) OCP bylaw:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 strata lots known as Signature Circle, which were subdivided by the deposit of Strata Plan VIS6504, together with any common property shown in the strata plan, are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation

or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

A cursory review of the 29 building permit packages indicates that 13 of the proposed buildings are designed to include commercial tourist accommodation under the Vacation Rental (VR-2) use.

Section 463 of the *Local Government Act* provides Council the ability to direct that a building permit be withheld for a period of 30 days if it passes a resolution identifying what it considers to be a conflict between a development proposed in the application for a building permit and an OCP or zoning bylaw under preparation.

If a withholding resolution is passed by Council, then during the 30-day period the local government must consider the application for the permit and may direct the permit be withheld for a further 60 days. In that case, if the local government does not adopt the OCP or zoning bylaw within the 60-day period, the owners of the land for which a building permit was withheld would be entitled to compensation for damages arising from the withholding of the building permit. Council could also within the 60-day period grant the permit but impose conditions in it that would be in the public interest, having regard to the plan or bylaw that is under preparation.

Staff recommend that Council consider passing a resolution to withhold building permits for 30 days on the Signature Circle lots. Staff review of the 29 building permit applications and their consistency with the OCP and zoning amendments would be presented to Council at a special Council meeting to be scheduled prior to the 30 day withholding period.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Staff time will be necessary for reviewing and reporting out on the 29 building permit applications for the Signature Circle lots, and for scheduling and holding a special Council meeting to consider the matter.

SUMMARY AND OPTIONS:

At this point staff recommend that Council consider a resolution to withhold building permits for 30 days for the Signature Circle lots, to enable further review of the application materials and preparation of a report to be considered by Council for further direction.

Alternatively, Council could consider the following:

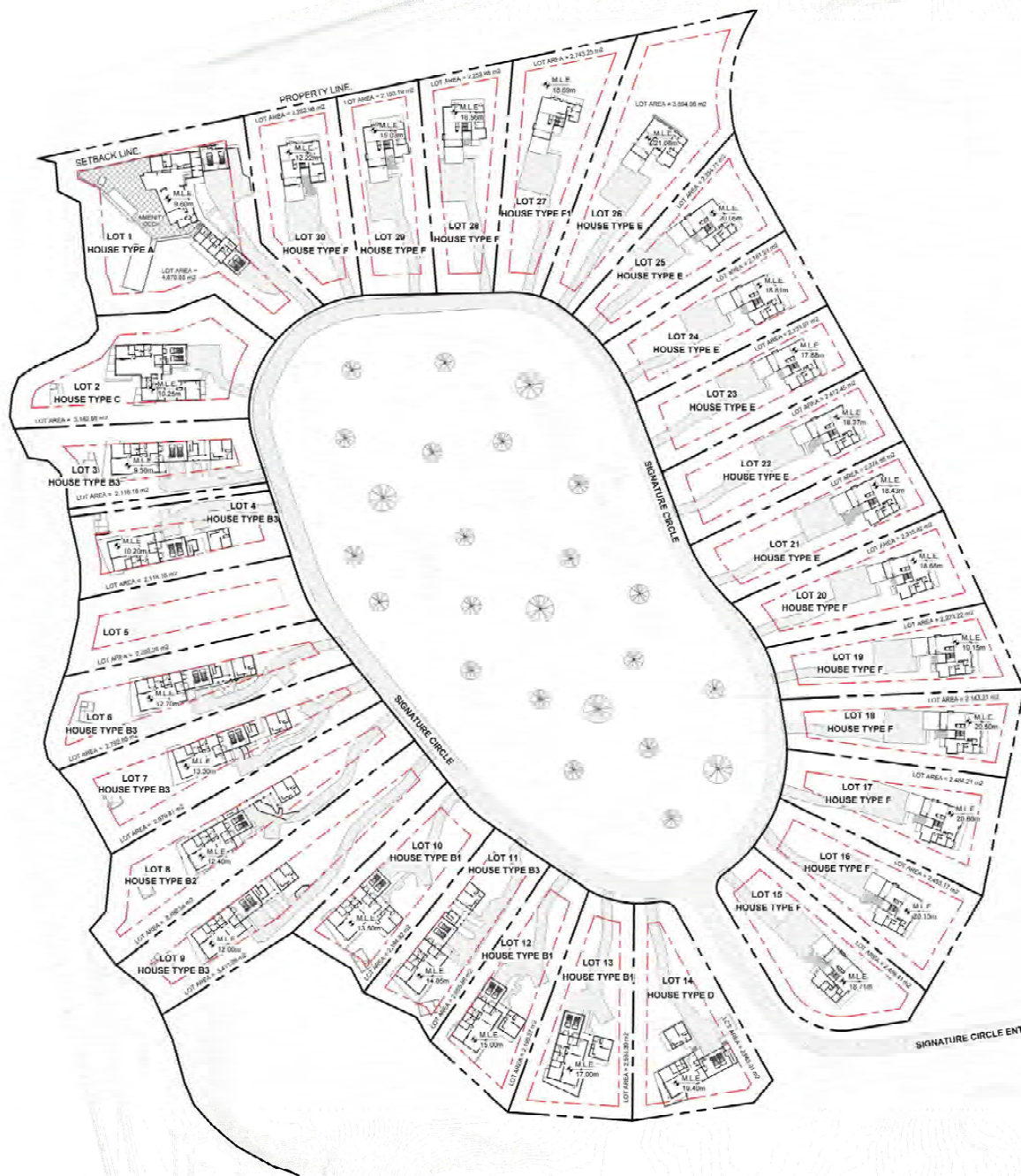
2. **THAT** Council direct staff to continue the review of the 29 Signature Circle building permit applications under the current bylaws;

or,

3. **THAT** Council provide alternative direction to staff.

Respectfully submitted: Bruce Greig, Director of Community Planning
Andy Laidlaw, Acting CAO

Appendix A



COPYRIGHT RESERVED. THIS DRAWING MUST NOT BE SCALED. VARIATIONS AND MODIFICATIONS TO WORK SHOWN ON THESE DRAWINGS SHALL NOT BE CARRIED OUT WITHOUT WRITTEN PERMISSION FROM THE ARCHITECTS. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF CICOZZI ARCHITECTURE INC. AND CAN BE REPRODUCED ONLY WITH THEIR WRITTEN PERMISSION.

REVISION:		
NO.	DATE	DESCRIPTION

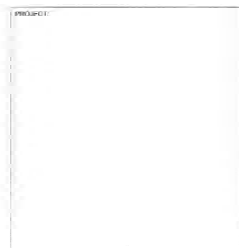
ISSUE:	
DATE	DESCRIPTION
29/07/2021	ISSUED FOR BUILDING PERMIT



CICOZZI
ARCHITECTURE

16th FLOOR
1085 WEST PENDER STREET
VANCOUVER, B.C.
CANADA V6E 2M5
TEL: 604 687 4741

onni
group



DRAWN BY: Author	CHECKED BY: Checker
SCALE: 1" = 80'-0"	PROJECT NO.:
SHEET TITLE: OVERALL SITE PLAN	

SHEET NO.:	SHEET NO.:
	A1.0

1 SITE PLAN
1" = 80'-0"

Appendix B

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1292, 2021

A bylaw to amend the District of Ucluelet Official Community Plan
(Rural Land Use designation change – Signature Circle lands).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Text Amendments:

Schedule “1” of *District of Ucluelet Official Community Plan Bylaw No. 1140, 2011*, as amended, is hereby further amended by inserting the following policy in alphanumerical order within section 3 Land Use Policies:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 strata lots known as Signature Circle, which were subdivided by the deposit of Strata Plan VIS6504, together with any common property shown in the strata plan, are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”.

READ A FIRST TIME this 4th day of May, 2021.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “Official Community Plan Amendment Bylaw No. 1292, 2021”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

Appendix C

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1293, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments to the RU zone - Rural Residential and areas of CD-5A and CD-6 zoned lands).

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 the regulations for the RU Zone – RURAL RESIDENTIAL in Schedule B – The Zones by inserting the following in alphanumerical order:

RU.7.1 **“Supplementary Regulations (Signature Circle):**

In relation to Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District (the “Signature Circle Land”), the following regulations shall prevail, but otherwise the Signature Circle Land shall be subject to the regulations of this RU Zone, and any generally applicable provisions of this Bylaw:

- (1) The sole principal use shall be *Single Family Dwelling*;
- (2) *Home Occupation is permitted as a secondary use in conjunction with a principal permitted use*;
- (3) The following regulations shall apply:
 - (i) **Maximum Density:** 1 *single family dwelling per lot*
 - (ii) **Maximum Size (Gross Floor Area):**
 - (A) Principal Building: 100 m² (1,076 ft²)
 - (B) Accessory Buildings: 100 m² (1,076 ft²) combined total

(iii) The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)

(iv) The minimum setback from the natural boundary of the sea for all buildings and structures is 30m (98 ft).”;

- B. by deleting section CD-5A SubZone (Development Area #1) WYNDANSEA / SIGNATURE CIRCLE including the CD-5A SubZone Plan and Sections CD-5A.1 through CD-5A.7; and,
- C. by deleting section CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113) including the CD-6 Plan and Sections CD-6.2 through CD-6.7.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of the following parcels to “RU Zone - Rural Residential” as outlined in black on the map attached to this Bylaw as Appendix “A”:

Legal Description	PID	Zoning
Lot A, Plan VIP77604, District Lot 472, Clayoquot Land District	026-046-024	CD-5A
Lot A, Plan VIP80031, District Lot 286, Clayoquot Land District, Except Plan VIP84561, & OF DL 471, 472 & 473	026-508-486	CD-5A
Lot 1, Plan VIP84561, District Lot 286, Clayoquot Land District, & DL 473	027-416-046	CD-5A
Lot 2, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-054	CD-5A
Lot 3, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-062	CD-5A
Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		CD-5A
Lot 5, Plan VIP75113, District Lot 286, Clayoquot Land District, Except Plan VIP79908, & DLS 471, 472 & 473	025-635-751	CD-6

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021”.

READ A FIRST TIME this 4th day of May, 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021
(CD-5A and CD-6 lands rezoned to RU Rural Residential)

From: CD5-A and CD-6
To: RU





STAFF REPORT TO COUNCIL

Council Meeting: August 17, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ21-04

SUBJECT: OCP AND ZONING AMENDMENTS: CD-5A AND CD-6 AREAS TO RU RURAL RESIDENTIAL **REPORT NO:** 21-114

ATTACHMENTS: APPENDIX A – UCLUELET OCP AMENDMENT BYLAW NO. 1292, 2021
APPENDIX B – UCLUELET ZONING AMENDMENT BYLAW NO. 1293, 2021
APPENDIX C – LETTER TO OWNERS OF CD5-A AND CD-6 LANDS MAY 10, 2021
APPENDIX D – LETTER FROM ONNI GROUP DATED JUNE 8, 2021
APPENDIX E – STAFF REPORT 21-58 DATED MAY 4, 2021

RECOMMENDATIONS:

It is recommended that Council consider the following resolutions:

1. **THAT** Council has considered the consultation requirements under Section 475 of the *Local Government Act* in relation to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*;
2. **THAT** Council is satisfied that consultation with owners of land affected by the amendments in *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, as previously directed, is sufficient for the purpose of consultation under Section 475 of the *Local Government Act*;
3. **THAT** Council is satisfied that consultation under Section 475 of the *Local Government Act* in relation to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, does not need to be early and ongoing;
4. **THAT** Council is satisfied that, given its narrow focus, specific consultation on *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, with the persons, organizations, and authorities identified in section 475(2)(b) of the *Local Government Act*, including the Yuułuʔiłʔatḥ Government, Alberni-Clayoquot Regional District, District of Tofino, SD70 Board of Education or provincial Agencies, is not required;
5. **THAT** Council has reviewed the correspondence received from Onni Wyndansea Holdings Ltd. dated June 8th, 2021;
6. **THAT** Council has consulted with the boards of education of those school districts whose area includes the area covered by *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*.

7. **THAT** Council has considered *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, in conjunction with the District of Ucluelet Financial Plan;
8. **THAT** Council has considered *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, in conjunction with the Waste Management Plan;
9. **THAT** Council give second reading to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*;
10. **THAT** Council give second reading to *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*; and,
11. **THAT** Council refer *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, and *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, to a public hearing.

PURPOSE:

The purpose of this report is to provide information on next steps for Official Community Plan (OCP) and Zoning amendment bylaws which were given initial readings by Council at its May 4, 2021, meeting.

BACKGROUND:

At its April 14, 2021, regular meeting Council passed the following motion:

“THAT Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD-5A and CD-6 lands, north of Ancient Cedars and the current end of the Wild Pacific Trail, to a Rural zoning designation like they held previously – to, for now, allow a single residential use on large rural lots.”

Official Community Plan (OCP) and Zoning amendment bylaws were subsequently presented to Council at its May 4, 2021, meeting at which time Council passed the following motions:

1. **“THAT** Council introduce and give first reading to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*;
2. **THAT** Council introduce and give first reading to *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*; and,
3. **THAT** Council direct staff to advise all owners of land affected by the amendments in Bylaw Nos. 1292 and 1293 of the proposed changes, and provide 30 days to provide written comment before bringing the bylaws back for consideration of second reading.”

In response to the 3rd motion of Council on May 4th, 2021, above, a letter was sent to owners of affected properties (see **Appendix “C”**). One response was received on June 15th, from Onni Wyndanseas Holdings Ltd. (see **Appendix “D”**). The letter from Onni expresses their objection to the zoning amendment.

DISCUSSION:

Under Section 475 of the *Local Government Act*, when adopting or amending an Official Community Plan (OCP) bylaw, Council must consider what the appropriate level of consultation is with persons, organizations and authorities it considers will be affected. For a new or significantly updated OCP it is common to include extensive and ongoing public engagement opportunities - as is appropriate for what is ultimately the community's plan. For minor amendments, Council should consider what impacts the amendment might have on the community or external agencies. For a narrow amendment the degree of consultation and input may be quite focussed on specific property owners or occupants. In such cases a public hearing is still a part of the bylaw adoption process, providing an opportunity for external agencies and all community members to provide input to Council.

District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, is specific to the Signature Circle properties. If adopted, it would present no likely impact to the interests of external agencies warranting specific consultation. As directed by Council in May, staff have sent correspondence to the registered address of all owners of affected properties alerting them to the proposed bylaw amendments and seeking their feedback.

Staff recommend that Council consider giving second reading to *Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, and *Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, found in **Appendices 'A' and 'B'**, and refer the bylaws to a public hearing. The tentative date for the public hearing would be September 7th, 2021.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Staff time will be necessary for coordinating next steps in the bylaw process including a public hearing.

SUMMARY AND OPTIONS:

Staff recommend that Council consider second reading of Bylaw Nos. 1292 and 1293, and thereafter refer the bylaws to a public hearing.

Alternatively, Council could indicate whether amendments to the bylaws are desired, and/or provide alternative direction to staff.

Respectfully submitted: Bruce Greig, Director of Community Planning
Andy Laidlaw, Acting CAO

Appendix A

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1292, 2021

A bylaw to amend the District of Ucluelet Official Community Plan
(Rural Land Use designation change – Signature Circle lands).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Text Amendments:

Schedule “1” of *District of Ucluelet Official Community Plan Bylaw No. 1140, 2011*, as amended, is hereby further amended by inserting the following policy in alphanumerical order within section 3 Land Use Policies:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 strata lots known as Signature Circle, which were subdivided by the deposit of Strata Plan VIS6504, together with any common property shown in the strata plan, are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”.

READ A FIRST TIME this 4th day of May, 2021.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “Official Community Plan Amendment Bylaw No. 1292, 2021”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

Appendix B

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1293, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments to the RU zone - Rural Residential and areas of CD-5A and CD-6 zoned lands).

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 the regulations for the RU Zone – RURAL RESIDENTIAL in Schedule B – The Zones by inserting the following in alphanumeric order:

RU.7.1 “Supplementary Regulations (Signature Circle):

In relation to Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District (the “Signature Circle Land”), the following regulations shall prevail, but otherwise the Signature Circle Land shall be subject to the regulations of this RU Zone, and any generally applicable provisions of this Bylaw:

- (1) The sole principal use shall be *Single Family Dwelling*;
- (2) *Home Occupation is permitted as a secondary use in conjunction with a principal permitted use*;
- (3) The following regulations shall apply:
 - (i) **Maximum Density:** 1 *single family dwelling per lot*
 - (ii) **Maximum Size (Gross Floor Area):**
 - (A) Principal Building: 100 m² (1,076 ft²)
 - (B) Accessory Buildings: 100 m² (1,076 ft²) combined total

(iii) The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)

(iv) The minimum setback from the natural boundary of the sea for all buildings and structures is 30m (98 ft).”;

- B. by deleting section CD-5A SubZone (Development Area #1) WYNDANSEA / SIGNATURE CIRCLE including the CD-5A SubZone Plan and Sections CD-5A.1 through CD-5A.7; and,
- C. by deleting section CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113) including the CD-6 Plan and Sections CD-6.2 through CD-6.7.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of the following parcels to “RU Zone - Rural Residential” as outlined in black on the map attached to this Bylaw as Appendix “A”:

Legal Description	PID	Zoning
Lot A, Plan VIP77604, District Lot 472, Clayoquot Land District	026-046-024	CD-5A
Lot A, Plan VIP80031, District Lot 286, Clayoquot Land District, Except Plan VIP84561, & OF DL 471, 472 & 473	026-508-486	CD-5A
Lot 1, Plan VIP84561, District Lot 286, Clayoquot Land District, & DL 473	027-416-046	CD-5A
Lot 2, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-054	CD-5A
Lot 3, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-062	CD-5A
Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		CD-5A
Lot 5, Plan VIP75113, District Lot 286, Clayoquot Land District, Except Plan VIP79908, & DLS 471, 472 & 473	025-635-751	CD-6

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021”.

READ A FIRST TIME this 4th day of May, 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.”

Mayco Noël
Mayor

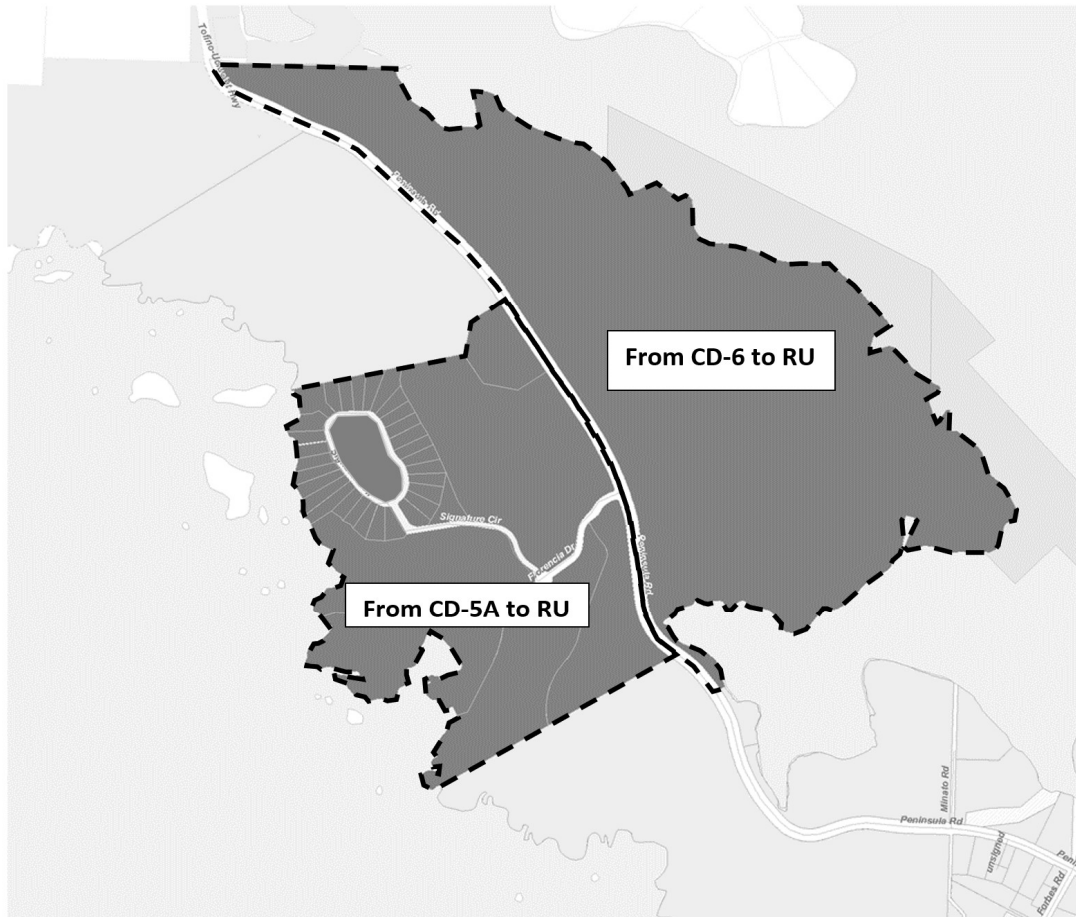
Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021
(CD-5A and CD-6 lands rezoned to RU Rural Residential)

From: CD5-A and CD-6
To: RU





Appendix C

10 May 2021

Wyndansea Hotel Inc., Inc. No. BC070763
300 – 550 Robson Street
Vancouver, BC
V6B 2B7

File No. 3360-20 RZ21-04

Dear Wyndansea Hotel Inc., Inc. No. BC0707631,

RE: Rural Land Use Designation of CD-5A and CD-6 lands

We write to you at this time to advise you of proposed changes to the zoning of property for which you are named as registered owner.

At the April 14, 2021, regular meeting, Ucluelet Council adopted the following motion:

"THAT Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD-5A and CD-6 lands, north of Ancient Cedars and the current end of the Wild Pacific Trail, to a Rural zoning designation like they held previously – to, for now, allow a single residential use on large rural lots."

At a subsequent special meeting on May 2, 2021, Council introduced and gave first reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021 and District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.

Council also passed a motion to direct staff to advise all owners of land affected by the amendments in Bylaw Nos. 1292 and 1293 of the proposed changes, to provide an opportunity for landowners to submit written comment before Council considers second reading. Written comments received over the next 30 days will be placed on an upcoming Council agenda.

Enclosed are copies of the bylaws for your reference. If you have questions, please feel free to reach out to me or our Manager of Community Planning, Bruce Greig.

Sincerely,

A handwritten signature in cursive script that reads "A. M. Laidlaw".

Andy Laidlaw, Acting Chief Administrative Officer

District of Ucluelet . Life on the Edge[®]
200 Main Street, PO BOX 999, Ucluelet, British Columbia V0R 3A0
(250) 726-7744 • Fax (250) 726-7335 • info@ucluelet.ca • www.ucluelet.ca



Appendix D

June 8, 2021

District of Ucluelet

200 Main Street, PO BOX 999
Ucluelet, British Columbia V0R 3A0

Attention: Andy Laidlaw, Acting Chief Administrative Officer

Re: File No. 3360-20 RZ21-04 Rural Land Use Designation of CD-5A and CD-6 lands

Onni Wyndansea Holdings Ltd (fka Wyndansea Hotel Inc)(“Onni”) is the registered owner of 29 lots zoned CD-5A and VR2 under the District’s Zoning Bylaw. We write in response to the District’s 10 May 2021 letter advising Onni of proposed changes to the Zoning Bylaw and Official Community Plan and requesting our comments in advance of second reading.

Onni is opposed to the proposed rezoning. By way of background, the lands in issue were subdivided in 2008, resulting in 30 bare land residential strata lots (the “Lots”). The infrastructure required to serve the new subdivision, known as Signature Circle, was installed by the then owner and in July of 2012, the District accepted the dedication of those services, including municipal water and sewer infrastructure, as was required by the District.

The development of the Lots subsequently stalled and the District shut off the water service and temporarily blocked the road access. In 2014, Onni acquired the registered owner of 29 of the 30 Lots, with one of the Lots having already sold to another individual. When Onni acquired the 29 Lots, its intention was to complete the Signature Circle development.

As confirmed in a recent staff report by Mr. Greig, the manager of community planning, “since late 2020, staff have been in discussion with the Onni, answering questions regarding the steps necessary to re-instate the services to Signature Circle.” In early 2021, following those discussions, Onni submitted a formal request to re-activate the previously dedicated services and open Florencia Drive. Onni also submitted a letter to the District requesting approval for a temporary real estate sign and related encroachment agreement.

Onni’s application to reinstate the services and the request for an encroachment agreement were considered by Council on 14 April 2021. The staff report in support of the application to re-instate the services explains:

200 – 1010 Seymour Street 604 602 7711
Vancouver, BC V6B 3M6 ONNI.COM

REAL ESTATE DEVELOPMENT
PROPERTY & CONSTRUCTION MANAGEMENT

The municipal services were installed and accepted by the municipality in 2012. Water and sewer services should therefore be re-instated as requested; staff recommend the budget and time requirements should be identified to deliver these services within a reasonable timeframe.

However, instead of dealing with the request to reinstate the services that would allow Onni to complete the previously approved project under the current zoning and MDA, the Mayor put forward the following motion in an attempt to try and thwart its completion:

“that Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD5A and CD-6 lands, north of Ancient Cedars and the current of the Wild Pacific Trail, to a rural zoning designation like they held previously – to for now, allow a single residential use on large rural lots.” (the “**Motion**”)

The Motion was adopted by Council and on 2 May 2021 Council gave first reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021 and District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021 (the “**Amending Bylaws**”) the purpose of which is to effectively downzone the properties and significantly limit the developability of the Lots.

Although Onni’s intended use and development of the Lots is protected under Part 14, Division 14 of the *Local Government Act*, such that the Amending Bylaws won’t apply to the Lots in any event, Onni is nevertheless strongly opposed to the rezoning. There are certain disadvantages to having a lawful non-conforming use (as opposed to a lawfully conforming use) and Onni therefore wishes to keep the current zoning in place. Further, if it is the District’s intention to withhold or deny the issuance of any permits based on the Amending Bylaws, Onni will challenge the adoption of the bylaws and the District’s decision(s) to withhold approvals. Alternatively, Onni will pursue a claim for damages against the District for unjust enrichment since it obtained various benefits, including services and amenities, as part of the previous approvals.

Although Onni will take whatever legal steps are available to defend its rights, we remain committed to working with the District to ensure the completion of the Signature Circle subdivision and the remaining stages of the development. Accordingly, we urge the District to abandon the proposed Amending Bylaws and work with us to ensure the successful completion of a project both Onni and the District can be proud of.

Sincerely,



Onni Wyndansea Holdings Ltd

Appendix E



STAFF REPORT TO COUNCIL

Council Meeting: MAY 4TH, 2021

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ21-04

SUBJECT: OCP AND ZONING AMENDMENTS: CD-5A AND CD-6 AREAS TO RU RURAL RESIDENTIAL **REPORT NO:** 21-58

ATTACHMENTS: APPENDIX A – UCLUELET OCP AMENDMENT BYLAW No. 1292, 2021
APPENDIX B – UCLUELET ZONING AMENDMENT BYLAW No. 1293, 2021
APPENDIX C – DESCRIPTIVE EXCERPTS FROM EXISTING CD-5A AND CD-6 SECTIONS OF ZONING BYLAW No. 1160, 2013
APPENDIX D – EXCERPT OF RU ZONE FROM BYLAW No. 800, 1999

RECOMMENDATIONS:

1. **THAT** Council introduce and give first reading to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*;
2. **THAT** Council introduce and give first reading to *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*; and,
3. **THAT** Council direct staff to advise all owners of land affected by the amendments in Bylaw Nos. 1292 and 1293 of the proposed changes, and provide 30 days to provide written comment before bringing the bylaws back for consideration of second reading.

PURPOSE:

The purpose of this report is to provide information on draft Official Community Plan (OCP) and Zoning amendment bylaws in response to the following motion passed by Council at its April 14, 2021, regular meeting:

“THAT Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD-5A and CD-6 lands, north of Ancient Cedars and the current end of the Wild Pacific Trail, to a Rural zoning designation like they held previously – to, for now, allow a single residential use on large rural lots.”

BACKGROUND:

The District of Ucluelet Official Community Plan Bylaw No. 1140, 2011, contains the following in the discussion of Comprehensive Development areas in section 3.9(i):

“...Projects must not become exclusive but rather allow ease of public access to the extent experienced in the rest of the community.

The Wild Pacific Trail is a crucial, integral component of the comprehensive development areas. The Wild Pacific Trail is a first-class, world renowned facility, similar in stature to Stanley Park in Vancouver.

Amendments to each Master Development Agreement may be considered without amendment of the OCP provided the overall density is not increased and the Wild Pacific Trail is not compromised. MDA amendments may become necessary in response to, for example, changing market conditions, demise of the original developer(s), preparation of environmental, archaeological and other studies, public consultation or further consideration of the community's vision. Where development has not proceeded in accordance with MDAs in a timely manner (within 5 years of execution), has stalled for extended periods of time (5 years or longer) or the original landowner has not fulfilled obligations in the expected timeframes expected, the District may, but is not obligated to, reconsider the MDA-approach and revert zoning to pre-MDA conditions without amendment of the OCP; future development can then proceeding either in accordance with pre-CD zoning or on application for new zoning based on the policies in this section and OCP.

MDAs are identified as only one approach to achieve comprehensive development goals and policies. The District may also consider and implement density-for-amenity bonusing bylaws under section 904 of the *Local Government Act*, or phased development agreements under LGA s.905.1, or other mechanisms and authority and combinations thereof, without further amendment of this OCP..."

[emphasis added]

The motion passed by Council at its April 14, 2021, meeting directed staff to begin the process of acting on the underlined section of the 2011 OCP, above. This section of the OCP also highlights flexibility in considering other approaches to achieve the community's comprehensive development goals and policies.

Some background narrative on the CD-5 and CD-6 Comprehensive Development zones is included in the zoning bylaw (see excerpts in **Appendix 'C'** for reference,). The Rural District RU Zone regulations were originally found in Zoning Bylaw No. 800, 1999; an excerpt is included in **Appendix 'D'**.

DISCUSSION:

The majority of land within the CD-5A and CD-6 zoned areas is owned by the Onni Group. Presenting a comprehensive plan and rezoning application is anticipated as the next step for the developer, as noted within the "next steps" presented by Onni to the community in a Public Information Meeting held in 2018. At that time, Onni's concept plan showed the following:

- extension of the Wild Pacific Trail to the north through Signature Circle;
- development of inland portions of the site (previously disturbed by the former gold course development) would be the first phase of their development, with Signature Circle and the remaining coastal portions to the west following as a second phase.

The letters from the Onni Group received by Council at its April 14, 2021, meeting indicate that selling the Signature Circle bare land strata lots is now a priority for the developer.

The Vacation Rental (VR-2) use permitted under the CD-5A zoning of the 30 Signature Circle lots could allow up to three units on each parcel: a residential unit and two short-term vacation rental units.

Correspondence from the Ministry of Transportation and Infrastructure confirms that intersection improvements to ensure safety are necessary where the CD lands are accessed from the Peninsula Highway via Florencia Drive. Until a comprehensive development plan is approved, and the highway connection to these lands has been resolved, reducing the allowable density of uses would lessen the potential for negative impacts from traffic or other activities.

The development of these lands has clearly stalled for more than 5 years, and the original landowner did not fulfill its obligations. Until such time as a comprehensive plan has been developed for this area which achieves approval from the community and its elected Council, Council could consider a zoning amendment to revert the zoning to Rural Residential to lessen the potential for negative impact.

Staff have prepared the attached zoning amendment bylaw. Included in the bylaw are text amendments to reduce the uses on the Signature Circle lots to a single modest residential use. This is consistent with the April 14th Council motion. The draft new RU zone regulations as they would apply to Signature Circle would permit one residence per lot with a maximum area of 100m². The minimum setback from the natural boundary would be 30m.

Also, because the existing RU regulation include a large (10m) side setback, reducing the minimum side yard interior setbacks to 5m within the RU zone is necessary to ensure that no existing lots within the Signature Circle subdivision are left without a buildable area. The draft Bylaw No. 1293 includes these zoning text amendments specific to Signature Circle – see **Appendix 'B'**.

The 2011 OCP policy refers to “revert zoning to pre-MDA conditions”. Because the Signature Circle lots are smaller than other RU-zoned parcels, the side yard setbacks would need to be reduced to maintain the ability for these lots to be used under the RU designation. This is not as simple as “reverting” the zoning as the 2011 OCP anticipates. Following the advice of the municipal solicitors, amending the OCP bylaw to clarify this amendment as it applies to Signature Circle would remove potential doubt about consistency with the OCP. The draft Bylaw No. 1292 provides this amendment for Council to consider ahead of Bylaw No. 1293.

Staff recommend that Council consider giving first reading to the draft *Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, and *Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, found in **Appendices 'A' and 'B'**. Rather than considering second reading immediately and referring the bylaw to a public hearing, staff recommend that these changes be brought to the attention of all owners of lands which would be affected. This would enable input from property owners early in the process.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Staff time will be necessary for collecting and presenting feedback to Council, and for coordinating next steps in the bylaw process including a public hearing.

SUMMARY:

Staff recommend that Council could consider the initial reading of Bylaw Nos. 1292 and 1293, and referral to property owners for feedback as recommended at the outset of this report.

Alternatively, Council could consider the following:

4. **THAT** Council give first and second readings to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021;
5. **THAT** Council give first and second readings to District of Ucluelet Zoning Amendment Bylaw No. 1292, 2021; and,
6. **THAT** the Bylaws be referred to a public hearing;

or,

7. **THAT** Council direct amendments to the draft bylaw(s) before considering reading(s) as amended;

or,

8. **THAT** Council provide alternative direction to staff.

Respectfully submitted: Bruce Greig, Manager of Community Planning
Andy Laidlaw, Acting CAO

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1292, 2021

A bylaw to amend the District of Ucluelet Official Community Plan
(Rural Land Use designation change – Signature Circle lands).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Text Amendments:

Schedule “1” of *District of Ucluelet Official Community Plan Bylaw No. 1140, 2011*, as amended, is hereby further amended by inserting the following policy in alphanumerical order within section 3 Land Use Policies:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 subdivided lots known as Signature Circle (Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V) are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”.

READ A FIRST TIME this day of , 2021.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “Official Community Plan Amendment Bylaw No. 1292, 2021”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

DISTRICT OF UCLUELET
Zoning Bylaw Amendment Bylaw No. 1293, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments to the RU zone - Rural Residential and areas of CD-5A and CD-6
zoned lands).

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 the regulations for the RU Zone – RURAL RESIDENTIAL in Schedule B – The Zones by inserting the following in alphanumerical order:

RU.7.1 “Other Regulations:

Despite any other regulations within this Bylaw, the following shall apply to lots 1 through 30, Signature Circle (Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V):

- (1) The sole principal use shall be *Single Family Dwelling*;
- (2) *Home Occupation is permitted as a secondary use in conjunction with a principal permitted use*;
- (3) The following regulations shall apply:
 - (i) **Maximum Density:** 1 *single family dwelling* per lot
 - (ii) **Maximum Size (Gross Floor Area):**
 - (A) Principal Building: 100 m² (1,076 ft²)
 - (B) Accessory Buildings: 100 m² (1,076 ft²) combined total

(iii) The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)

(iv) The minimum setback from the natural boundary of the sea for all buildings and structures is 30m (98 ft).”;

- B. by deleting section CD-5A SubZone (Development Area #1) WYNDANSEA / SIGNATURE CIRCLE including the CD-5A SubZone Plan and Sections CD-5A.1 through CD-5A.7; and,
- C. by deleting section CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113) including the CD-6 Plan and Sections CD-6.2 through CD-6.7.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of the following parcels to “RU Zone - Rural Residential” as outlined in black on the map attached to this Bylaw as Appendix “A”:

Legal Description	PID	Zoning
Lot A, Plan VIP77604, District Lot 472, Clayoquot Land District	026-046-024	CD-5A
Lot A, Plan VIP80031, District Lot 286, Clayoquot Land District, Except Plan VIP84561, & OF DL 471, 472 & 473	026-508-486	CD-5A
Lot 1, Plan VIP84561, District Lot 286, Clayoquot Land District, & DL 473	027-416-046	CD-5A
Lot 2, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-054	CD-5A
Lot 3, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-062	CD-5A
Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		CD-5A
Lot 5, Plan VIP75113, District Lot 286, Clayoquot Land District, Except Plan VIP79908, & DLS 471, 472 & 473	025-635-751	CD-6

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021”.

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1292, 2021
(CD-5A and CD-6 lands rezoned to RU Rural Residential)

From: CD5-A and CD-6
To: RU



Updated April 2021

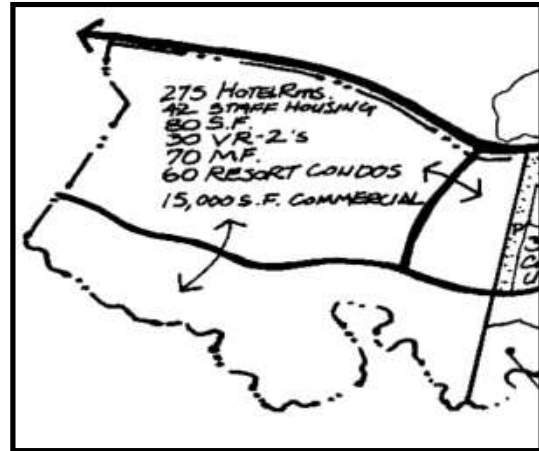
**CD-5A SubZone (Development Area #1)
WYNDANSEA/ SIGNATURE CIRCLE**

2014 Update: Most of this area was subdivided into 5 development parcels being Lots 1-4, Plan VIP84561 and Remainder Lot A. As detailed below:

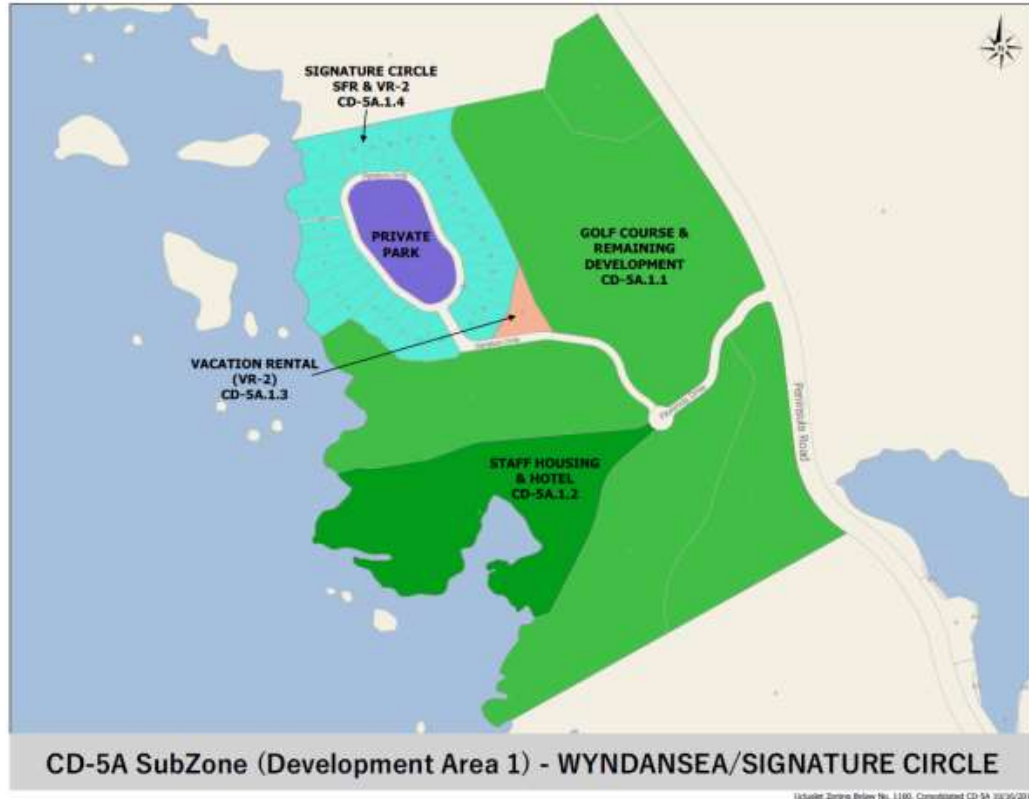
- Lot 2 was designated for a Hotel development with on or off-site Staff Housing.
- Lot 3 was designated for a Vacation Rental (VR-2) lot.
- Lot 4 was subdivided as the 30-lot "Signature Circle" bare land Strata Plan VIS6504, for single family residential lots, though could also contain Vacation Rental (VR-2) lots.
- Lot 1, the Remainder Lot A and the Adjacent Lot A, Plan VIP77604 is intended to include the proposed golf course (with holes also on CD-6 Zone), and may include further single family residential lots and/or VR-2s, multiple family residential and resort condominium. Note that density is limited for the multiple family residential, resort condo or combination, until affordable housing is provided off-site (in the CD-5C SubZone, on either Lot 13 Plan VIP84686, or another yet-to-be created lot appropriately zoned for affordable housing or both)

The development stalled, and went into receivership, after initial subdivision. In 2013, the developer made arrangements to reacquire control and proposed amendments were expected in 2014, in particular with respect to anticipated road configurations, but this appears in doubt.

CD-5 Development Area #1 Plan - Original



CD-5A SubZone Plan (Development Area #1) - Updated



CD-5A.1 Permitted Uses:

CD-5A.1.1 The following uses are permitted on Lot 1, Plan VIP84561, Remainder Lot A, Plan 80031 and Adjacent Lot A, Plan VIP77604, in the areas of the CD-5A SubZone Plan labeled “Golf Course & Remaining Development”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal #1:
 - (a) Golf Course
- (2) Secondary to Subsection (1) *Golf Course*:
 - (a) Golf Course Clubhouse
 - (b) *Retail*

CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113)

This Comprehensive Development Zone was intended as an extension of and complement to Development Area #1 of the CD-5 Zone (now CD-5A SubZone), with golf course crossing Peninsula Road into both zones and trails expected to connect, but can be developed on its own. The densities identified below were bonused and based on a 15% open space dedication/ amenity contribution, provided in the form of the park dedication (minimum 12.9 ha), cash contributions, public recreational amenities and open space, green space and trail areas secured by either dedication on a plan of subdivision or statutory right of way, further to Section 203 of this Bylaw, along with requirements for staff housing, with development (other than the golf course) at 5 units/hectare base density if amenities not provided.

2014 Update: There has been no subdivision or development and amenities remain outstanding and, in some cases, overdue. In 2013, the original developer made arrangements to reacquire control, but as of the date of Second Reading the matter has not been advanced and the amenities have not been provided.

The regulations and requirements of this Zone are supplemented with Master Development Agreement and S.219 Covenant registered on title under FA102255 (August 22, 2006) as amended.

The below Overall Land Use Concept Plan, intended as the CD-6 Comprehensive Development Plan (“CD-6 Plan”), dictates and confines the location of permitted uses and density, with variations to require amendment of the Zoning Bylaw. However, exact configuration of roads and buildings may be determined at subdivision and development permit stage of development without bylaw amendment.

CD-6 Plan per Zoning Amendment Bylaw 1030, 2006



2.17 Rural District **RU Zone**

This zone provides for residential uses and activities requiring large parcels of land.

2.17.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Single Family Dwelling	10 Ha.
Kennel	
Home Occupation	
Secondary Suites	
Accessory Buildings	

2.17.2 Building and Structure Specifications

Maximum number of Single Family Dwellings (excluding secondary suites)	Two (2) per lot
Total Floor Area for all Accessory Buildings	100 m ² (1076 ft ²)
Maximum Height and Storey's of Principle Building	8.5 m (28 ft.) 2½ storey's
Maximum Height of Accessory Buildings and Structures	5.5 m (18 ft.)
Maximum Lot Coverage	3%
Minimum Lot Frontage	60 m (196 ft.)
Maximum Floor Area Ratio	0.50

2.17.3 Minimum Building Setbacks

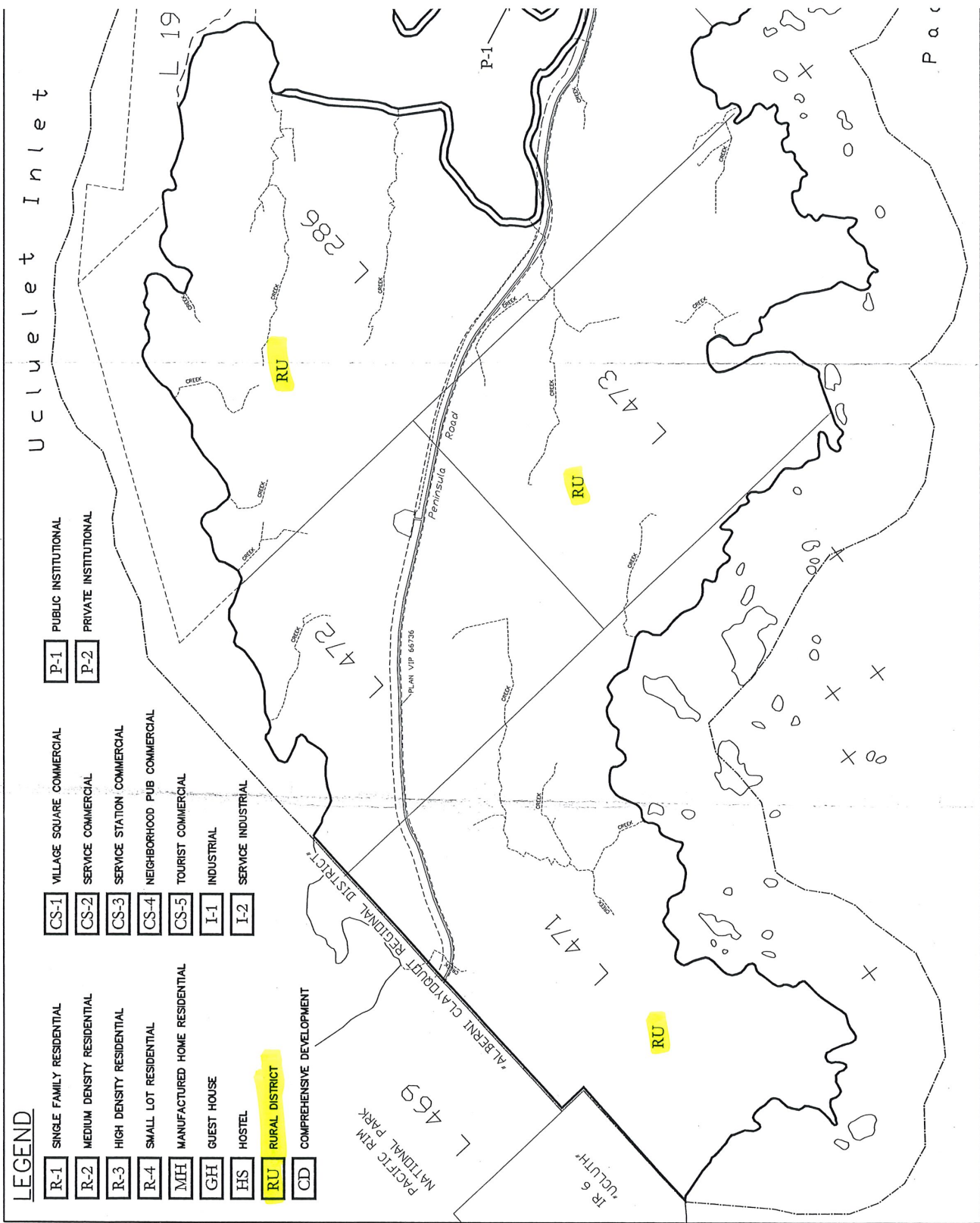
Use	Front lot line setback	Rear lot line setback	Exterior lot line setback	Interior lot line setback
Principle Building	10 m (33 ft.)	10 m (33 ft.)	15 m (50 ft.)	10 m (33 ft.)
Accessory buildings and structures	10 m (33 ft.)	10 m (33 ft.)	15 m (50 ft.)	10 m (33 ft.)

2.17.4 Off-Street Parking and Loading

Off-street parking and loading shall be provided according to Part IV of this Bylaw.

2.17.5 Landscaping and Screening

Landscaping and Screening shall comply with the requirements outlined in Part VI of this Bylaw.



LEGEND

- | | | |
|---|---|----------------------------------|
| R-1 SINGLE FAMILY RESIDENTIAL | CS-1 VILLAGE SQUARE COMMERCIAL | P-1 PUBLIC INSTITUTIONAL |
| R-2 MEDIUM DENSITY RESIDENTIAL | CS-2 SERVICE COMMERCIAL | P-2 PRIVATE INSTITUTIONAL |
| R-3 HIGH DENSITY RESIDENTIAL | CS-3 SERVICE STATION COMMERCIAL | |
| R-4 SMALL LOT RESIDENTIAL | CS-4 NEIGHBORHOOD PUB COMMERCIAL | |
| MH MANUFACTURED HOME RESIDENTIAL | CS-5 TOURIST COMMERCIAL | |
| GH GUEST HOUSE | I-1 INDUSTRIAL | |
| HS HOSTEL | I-2 SERVICE INDUSTRIAL | |
| RU RURAL DISTRICT | | |
| CD COMPREHENSIVE DEVELOPMENT | | |



STAFF REPORT TO COUNCIL

Council Meeting: MAY 4TH, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ21-04
SUBJECT: OCP AND ZONING AMENDMENTS: CD-5A AND CD-6 AREAS TO RU RURAL RESIDENTIAL **REPORT NO:** 21-58

ATTACHMENTS: APPENDIX A – UCLUELET OCP AMENDMENT BYLAW No. 1292, 2021
APPENDIX B – UCLUELET ZONING AMENDMENT BYLAW No. 1293, 2021
APPENDIX C – DESCRIPTIVE EXCERPTS FROM EXISTING CD-5A AND CD-6 SECTIONS OF ZONING BYLAW No. 1160, 2013
APPENDIX D – EXCERPT OF RU ZONE FROM BYLAW No. 800, 1999

RECOMMENDATIONS:

1. **THAT** Council introduce and give first reading to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*;
2. **THAT** Council introduce and give first reading to *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*; and,
3. **THAT** Council direct staff to advise all owners of land affected by the amendments in Bylaw Nos. 1292 and 1293 of the proposed changes, and provide 30 days to provide written comment before bringing the bylaws back for consideration of second reading.

PURPOSE:

The purpose of this report is to provide information on draft Official Community Plan (OCP) and Zoning amendment bylaws in response to the following motion passed by Council at its April 14, 2021, regular meeting:

“THAT Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD-5A and CD-6 lands, north of Ancient Cedars and the current end of the Wild Pacific Trail, to a Rural zoning designation like they held previously – to, for now, allow a single residential use on large rural lots.”

BACKGROUND:

The District of Ucluelet Official Community Plan Bylaw No. 1140, 2011, contains the following in the discussion of Comprehensive Development areas in section 3.9(i):

“...Projects must not become exclusive but rather allow ease of public access to the extent experienced in the rest of the community.

The Wild Pacific Trail is a crucial, integral component of the comprehensive development areas. The Wild Pacific Trail is a first-class, world renowned facility, similar in stature to Stanley Park in Vancouver.

Amendments to each Master Development Agreement may be considered without amendment of the OCP provided the overall density is not increased and the Wild Pacific Trail is not compromised. MDA amendments may become necessary in response to, for example, changing market conditions, demise of the original developer(s), preparation of environmental, archaeological and other studies, public consultation or further consideration of the community's vision. Where development has not proceeded in accordance with MDAs in a timely manner (within 5 years of execution), has stalled for extended periods of time (5 years or longer) or the original landowner has not fulfilled obligations in the expected timeframes expected, the District may, but is not obligated to, reconsider the MDA-approach and revert zoning to pre-MDA conditions without amendment of the OCP; future development can then proceed either in accordance with pre-CD zoning or on application for new zoning based on the policies in this section and OCP.

MDAs are identified as only one approach to achieve comprehensive development goals and policies. The District may also consider and implement density-for-amenity bonusing bylaws under section 904 of the *Local Government Act*, or phased development agreements under LGA s.905.1, or other mechanisms and authority and combinations thereof, without further amendment of this OCP..."

[emphasis added]

The motion passed by Council at its April 14, 2021, meeting directed staff to begin the process of acting on the underlined section of the 2011 OCP, above. This section of the OCP also highlights flexibility in considering other approaches to achieve the community's comprehensive development goals and policies.

Some background narrative on the CD-5 and CD-6 Comprehensive Development zones is included in the zoning bylaw (see excerpts in **Appendix 'C'** for reference,). The Rural District RU Zone regulations were originally found in Zoning Bylaw No. 800, 1999; an excerpt is included in **Appendix 'D'**.

DISCUSSION:

The majority of land within the CD-5A and CD-6 zoned areas is owned by the Onni Group. Presenting a comprehensive plan and rezoning application is anticipated as the next step for the developer, as noted within the "next steps" presented by Onni to the community in a Public Information Meeting held in 2018. At that time, Onni's concept plan showed the following:

- extension of the Wild Pacific Trail to the north through Signature Circle;
- development of inland portions of the site (previously disturbed by the former gold course development) would be the first phase of their development, with Signature Circle and the remaining coastal portions to the west following as a second phase.

The letters from the Onni Group received by Council at its April 14, 2021, meeting indicate that selling the Signature Circle bare land strata lots is now a priority for the developer.

The Vacation Rental (VR-2) use permitted under the CD-5A zoning of the 30 Signature Circle lots could allow up to three units on each parcel: a residential unit and two short-term vacation rental units.

Correspondence from the Ministry of Transportation and Infrastructure confirms that intersection improvements to ensure safety are necessary where the CD lands are accessed from the Peninsula Highway via Florencia Drive. Until a comprehensive development plan is approved, and the highway connection to these lands has been resolved, reducing the allowable density of uses would lessen the potential for negative impacts from traffic or other activities.

The development of these lands has clearly stalled for more than 5 years, and the original landowner did not fulfill its obligations. Until such time as a comprehensive plan has been developed for this area which achieves approval from the community and its elected Council, Council could consider a zoning amendment to revert the zoning to Rural Residential to lessen the potential for negative impact.

Staff have prepared the attached zoning amendment bylaw. Included in the bylaw are text amendments to reduce the uses on the Signature Circle lots to a single modest residential use. This is consistent with the April 14th Council motion. The draft new RU zone regulations as they would apply to Signature Circle would permit one residence per lot with a maximum area of 100m². The minimum setback from the natural boundary would be 30m.

Also, because the existing RU regulation include a large (10m) side setback, reducing the minimum side yard interior setbacks to 5m within the RU zone is necessary to ensure that no existing lots within the Signature Circle subdivision are left without a buildable area. The draft Bylaw No. 1293 includes these zoning text amendments specific to Signature Circle – see **Appendix 'B'**.

The 2011 OCP policy refers to “revert zoning to pre-MDA conditions”. Because the Signature Circle lots are smaller than other RU-zoned parcels, the side yard setbacks would need to be reduced to maintain the ability for these lots to be used under the RU designation. This is not as simple as “reverting” the zoning as the 2011 OCP anticipates. Following the advice of the municipal solicitors, amending the OCP bylaw to clarify this amendment as it applies to Signature Circle would remove potential doubt about consistency with the OCP. The draft Bylaw No. 1292 provides this amendment for Council to consider ahead of Bylaw No. 1293.

Staff recommend that Council consider giving first reading to the draft *Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, and *Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, found in **Appendices 'A' and 'B'**. Rather than considering second reading immediately and referring the bylaw to a public hearing, staff recommend that these changes be brought to the attention of all owners of lands which would be affected. This would enable input from property owners early in the process.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Staff time will be necessary for collecting and presenting feedback to Council, and for coordinating next steps in the bylaw process including a public hearing.

SUMMARY:

Staff recommend that Council could consider the initial reading of Bylaw Nos. 1292 and 1293, and referral to property owners for feedback as recommended at the outset of this report.

Alternatively, Council could consider the following:

4. **THAT** Council give first and second readings to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021;
5. **THAT** Council give first and second readings to District of Ucluelet Zoning Amendment Bylaw No. 1292, 2021; and,
6. **THAT** the Bylaws be referred to a public hearing;
or,
7. **THAT** Council direct amendments to the draft bylaw(s) before considering reading(s) as amended;
or,
8. **THAT** Council provide alternative direction to staff.

Respectfully submitted: Bruce Greig, Manager of Community Planning
Andy Laidlaw, Acting CAO

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1292, 2021

A bylaw to amend the District of Ucluelet Official Community Plan
(Rural Land Use designation change – Signature Circle lands).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Text Amendments:

Schedule “1” of *District of Ucluelet Official Community Plan Bylaw No. 1140, 2011*, as amended, is hereby further amended by inserting the following policy in alphanumerical order within section 3 Land Use Policies:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 subdivided lots known as Signature Circle (Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V) are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”.

READ A FIRST TIME this day of , 2021.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “Official Community Plan Amendment Bylaw No. 1292, 2021”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

DISTRICT OF UCLUELET
Zoning Bylaw Amendment Bylaw No. 1293, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments to the RU zone - Rural Residential and areas of CD-5A and CD-6
zoned lands).

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 the regulations for the RU Zone – RURAL RESIDENTIAL in Schedule B – The Zones by inserting the following in alphanumeric order:

RU.7.1 “Other Regulations:

Despite any other regulations within this Bylaw, the following shall apply to lots 1 through 30, Signature Circle (Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V):

- (1) The sole principal use shall be *Single Family Dwelling*;
- (2) *Home Occupation is permitted as a secondary use in conjunction with a principal permitted use*;
- (3) The following regulations shall apply:
 - (i) **Maximum Density:** 1 *single family dwelling* per lot
 - (ii) **Maximum Size (Gross Floor Area):**
 - (A) Principal Building: 100 m² (1,076 ft²)
 - (B) Accessory Buildings: 100 m² (1,076 ft²) combined total

(iii) The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)

(iv) The minimum setback from the natural boundary of the sea for all buildings and structures is 30m (98 ft).”;

- B. by deleting section CD-5A SubZone (Development Area #1) WYNDANSEA / SIGNATURE CIRCLE including the CD-5A SubZone Plan and Sections CD-5A.1 through CD-5A.7; and,
- C. by deleting section CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113) including the CD-6 Plan and Sections CD-6.2 through CD-6.7.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of the following parcels to “RU Zone - Rural Residential” as outlined in black on the map attached to this Bylaw as Appendix “A”:

Legal Description	PID	Zoning
Lot A, Plan VIP77604, District Lot 472, Clayoquot Land District	026-046-024	CD-5A
Lot A, Plan VIP80031, District Lot 286, Clayoquot Land District, Except Plan VIP84561, & OF DL 471, 472 & 473	026-508-486	CD-5A
Lot 1, Plan VIP84561, District Lot 286, Clayoquot Land District, & DL 473	027-416-046	CD-5A
Lot 2, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-054	CD-5A
Lot 3, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-062	CD-5A
Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		CD-5A
Lot 5, Plan VIP75113, District Lot 286, Clayoquot Land District, Except Plan VIP79908, & DLS 471, 472 & 473	025-635-751	CD-6

3. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021”.

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.”

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1292, 2021
(CD-5A and CD-6 lands rezoned to RU Rural Residential)

From: CD5-A and CD-6
To: RU



Updated April 2021

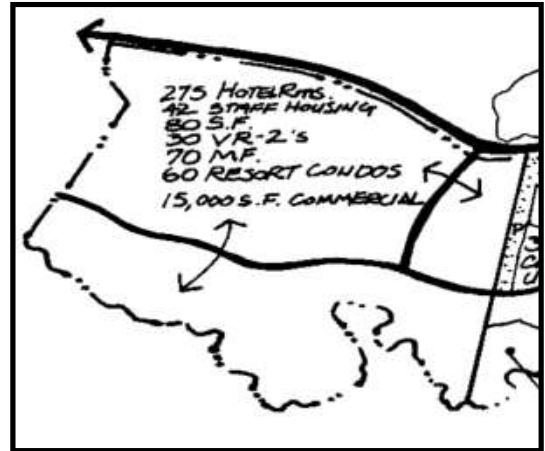
**CD-5A SubZone (Development Area #1)
WYNDANSEA/ SIGNATURE CIRCLE**

2014 Update: Most of this area was subdivided into 5 development parcels being Lots 1-4, Plan VIP84561 and Remainder Lot A. As detailed below:

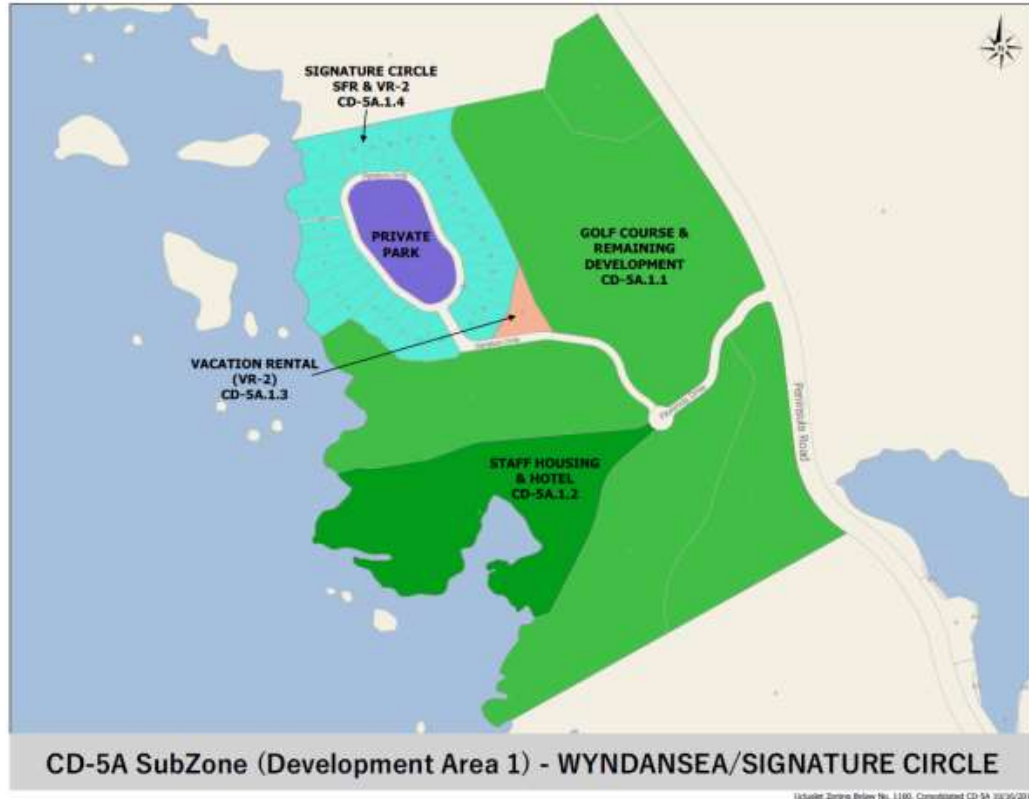
- Lot 2 was designated for a Hotel development with on or off-site Staff Housing.
- Lot 3 was designated for a Vacation Rental (VR-2) lot.
- Lot 4 was subdivided as the 30-lot "Signature Circle" bare land Strata Plan VIS6504, for single family residential lots, though could also contain Vacation Rental (VR-2) lots.
- Lot 1, the Remainder Lot A and the Adjacent Lot A, Plan VIP77604 is intended to include the proposed golf course (with holes also on CD-6 Zone), and may include further single family residential lots and/or VR-2s, multiple family residential and resort condominium. Note that density is limited for the multiple family residential, resort condo or combination, until affordable housing is provided off-site (in the CD-5C SubZone, on either Lot 13 Plan VIP84686, or another yet-to-be created lot appropriately zoned for affordable housing or both)

The development stalled, and went into receivership, after initial subdivision. In 2013, the developer made arrangements to reacquire control and proposed amendments were expected in 2014, in particular with respect to anticipated road configurations, but this appears in doubt.

CD-5 Development Area #1 Plan - Original



CD-5A SubZone Plan (Development Area #1) - Updated



CD-5A.1 Permitted Uses:

CD-5A.1.1 The following uses are permitted on Lot 1, Plan VIP84561, Remainder Lot A, Plan 80031 and Adjacent Lot A, Plan VIP77604, in the areas of the CD-5A SubZone Plan labeled “Golf Course & Remaining Development”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal #1:
 - (a) Golf Course
- (2) Secondary to Subsection (1) *Golf Course*:
 - (a) Golf Course Clubhouse
 - (b) *Retail*

CD-6 Zone - OLSEN BAY (Lot 5, Plan VIP75113)

This Comprehensive Development Zone was intended as an extension of and complement to Development Area #1 of the CD-5 Zone (now CD-5A SubZone), with golf course crossing Peninsula Road into both zones and trails expected to connect, but can be developed on its own. The densities identified below were bonused and based on a 15% open space dedication/ amenity contribution, provided in the form of the park dedication (minimum 12.9 ha), cash contributions, public recreational amenities and open space, green space and trail areas secured by either dedication on a plan of subdivision or statutory right of way, further to Section 203 of this Bylaw, along with requirements for staff housing, with development (other than the golf course) at 5 units/hectare base density if amenities not provided.

2014 Update: There has been no subdivision or development and amenities remain outstanding and, in some cases, overdue. In 2013, the original developer made arrangements to reacquire control, but as of the date of Second Reading the matter has not been advanced and the amenities have not been provided.

The regulations and requirements of this Zone are supplemented with Master Development Agreement and S.219 Covenant registered on title under FA102255 (August 22, 2006) as amended.

The below Overall Land Use Concept Plan, intended as the CD-6 Comprehensive Development Plan ("CD-6 Plan"), dictates and confines the location of permitted uses and density, with variations to require amendment of the Zoning Bylaw. However, exact configuration of roads and buildings may be determined at subdivision and development permit stage of development without bylaw amendment.

CD-6 Plan per Zoning Amendment Bylaw 1030, 2006



2.17 Rural District **RU Zone**

This zone provides for residential uses and activities requiring large parcels of land.

2.17.1 Permitted Land Uses

Permitted Uses	Minimum Lot Size
Single Family Dwelling	10 Ha.
Kennel	
Home Occupation	
Secondary Suites	
Accessory Buildings	

2.17.2 Building and Structure Specifications

Maximum number of Single Family Dwellings (excluding secondary suites)	Two (2) per lot
Total Floor Area for all Accessory Buildings	100 m ² (1076 ft ²)
Maximum Height and Storey's of Principle Building	8.5 m (28 ft.) 2½ storey's
Maximum Height of Accessory Buildings and Structures	5.5 m (18 ft.)
Maximum Lot Coverage	3%
Minimum Lot Frontage	60 m (196 ft.)
Maximum Floor Area Ratio	0.50

2.17.3 Minimum Building Setbacks

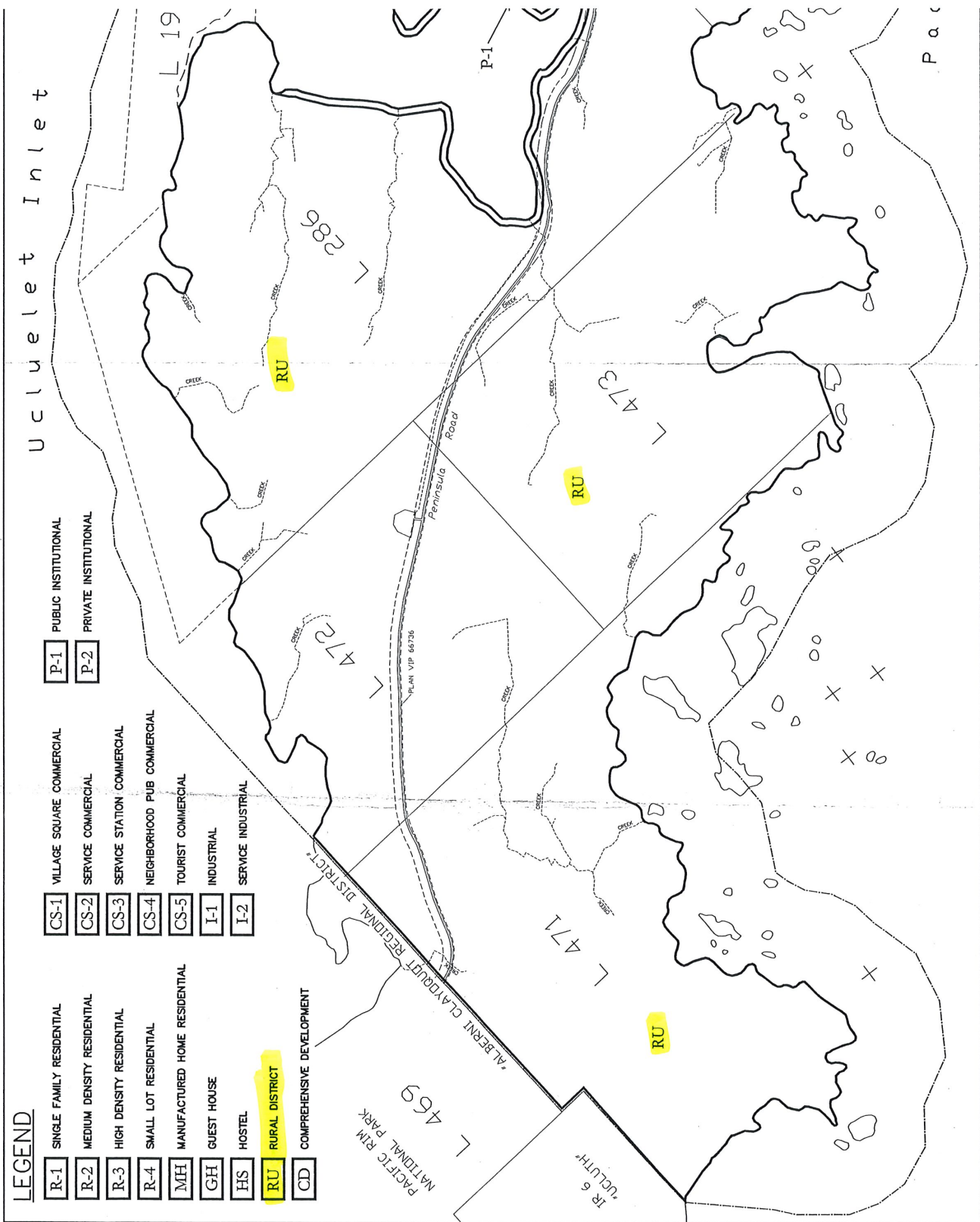
Use	Front lot line setback	Rear lot line setback	Exterior lot line setback	Interior lot line setback
Principle Building	10 m (33 ft.)	10 m (33 ft.)	15 m (50 ft.)	10 m (33 ft.)
Accessory buildings and structures	10 m (33 ft.)	10 m (33 ft.)	15 m (50 ft.)	10 m (33 ft.)

2.17.4 Off-Street Parking and Loading

Off-street parking and loading shall be provided according to Part IV of this Bylaw.

2.17.5 Landscaping and Screening

Landscaping and Screening shall comply with the requirements outlined in Part VI of this Bylaw.



LEGEND

- | | | |
|---|---|----------------------------------|
| R-1 SINGLE FAMILY RESIDENTIAL | CS-1 VILLAGE SQUARE COMMERCIAL | P-1 PUBLIC INSTITUTIONAL |
| R-2 MEDIUM DENSITY RESIDENTIAL | CS-2 SERVICE COMMERCIAL | P-2 PRIVATE INSTITUTIONAL |
| R-3 HIGH DENSITY RESIDENTIAL | CS-3 SERVICE STATION COMMERCIAL | |
| R-4 SMALL LOT RESIDENTIAL | CS-4 NEIGHBORHOOD PUB COMMERCIAL | |
| MH MANUFACTURED HOME RESIDENTIAL | CS-5 TOURIST COMMERCIAL | |
| GH GUEST HOUSE | I-1 INDUSTRIAL | |
| HS HOSTEL | I-2 SERVICE INDUSTRIAL | |
| RU RURAL DISTRICT | | |
| CD COMPREHENSIVE DEVELOPMENT | | |



**SPECIAL MEETING OF COUNCIL
Tuesday, May 4, 2021 @ 4:30 PM
George Fraser Room, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet**

LATE AGENDA

	Page
1. LATE ITEMS	
1.1. Replace "Appendix A - Ucluelet OCP Amendment Bylaw No. 1292, 2021" to Legislation Item 8.1. "OCP and Zoning Amendments: CD-5A and CD-6 Areas to RU Residential" at page seven of the Agenda, with the following Appendix to that report: Appendix A - Bylaw No. 1292	3 - 4
1.2. Replace "Appendix B - Ucluelet Zoning Amendment Bylaw No. 1293, 2021" to Legislation Item 8.1. "OCP and Zoning Amendments: CD-5A and CD-6 Areas to RU Residential" at page nine of the Agenda, with the following Appendix to that report: Appendix B - Bylaw No. 1293	5 - 8

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1292, 2021

A bylaw to amend the District of Ucluelet Official Community Plan
(Rural Land Use designation change – Signature Circle lands).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Text Amendments:

Schedule “1” of *District of Ucluelet Official Community Plan Bylaw No. 1140, 2011*, as amended, is hereby further amended by inserting the following policy in alphanumerical order within section 3 Land Use Policies:

“3.9(i)(10) Despite any other policies or designations in this OCP, the 30 strata lots known as Signature Circle, which were subdivided by the deposit of Strata Plan VIS6504, together with any common property shown in the strata plan, are designated for low-density rural residential development, with no more than one dwelling per parcel to a maximum size of 100m², no ancillary commercial tourist accommodation or vacation rental uses, and a minimum setback of 30m from the natural boundary of the sea”.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021”.

READ A FIRST TIME this day of , 2021.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of "Official Community Plan Amendment Bylaw No. 1292, 2021"

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

Replace "Appendix A - Ucluelet OCP Amendment Bylaw No. 1292, 2021" to Le...

DISTRICT OF UCLUELET
Zoning Bylaw Amendment Bylaw No. 1293, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments to the RU zone - Rural Residential and areas of CD-5A and CD-6 zoned lands).

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 the regulations for the RU Zone – RURAL RESIDENTIAL in Schedule B – The Zones by inserting the following in alphanumerical order:

RU.7.1 “Supplementary Regulations (Signature Circle):

In relation to Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District (the “Signature Circle Land”), the following regulations shall prevail, but otherwise the Signature Circle Land shall be subject to the regulations of this RU Zone, and any generally applicable provisions of this Bylaw:

- (1) The sole principal use shall be *Single Family Dwelling*;
- (2) *Home Occupation is permitted as a secondary use in conjunction with a principal permitted use*;
- (3) The following regulations shall apply:
 - (i) **Maximum Density:** 1 *single family dwelling per lot*
 - (ii) **Maximum Size (Gross Floor Area):**
 - (A) Principal Building: 100 m² (1,076 ft²)
 - (B) Accessory Buildings: 100 m² (1,076 ft²) combined total

Replace "Appendix B - Ucluelet Zoning Amendment Bylaw No. 1293, 2021" to...

(iii) The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)
(2) Accessory	10 m (33 ft)	10 m (33 ft)	5 m (16 ft)	15 m (49 ft)

(iv) The minimum setback from the natural boundary of the sea for all buildings and structures is 30m (98 ft).”;

- B. by deleting section CD-5A SubZone (Development Area #1) WYNDANSEA / SIGNATURE CIRCLE including the CD-5A SubZone Plan and Sections CD-5A.1 through CD-5A.7; and,
- C. by deleting section CD-6 Zone – OLSEN BAY (Lot 5, Plan VIP75113) including the CD-6 Plan and Sections CD-6.2 through CD-6.7.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of the following parcels to “RU Zone - Rural Residential” as outlined in black on the map attached to this Bylaw as Appendix “A”:

Legal Description	PID	Zoning
Lot A, Plan VIP77604, District Lot 472, Clayoquot Land District	026-046-024	CD-5A
Lot A, Plan VIP80031, District Lot 286, Clayoquot Land District, Except Plan VIP84561, & OF DL 471, 472 & 473	026-508-486	CD-5A
Lot 1, Plan VIP84561, District Lot 286, Clayoquot Land District, & DL 473	027-416-046	CD-5A
Lot 2, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-054	CD-5A
Lot 3, Plan VIP84561, District Lot 286, Clayoquot Land District	027-416-062	CD-5A
Strata Lots 1 through 30, Plan VIS6504, District Lot 473, Clayoquot Land District, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V		CD-5A
Lot 5, Plan VIP75113, District Lot 286, Clayoquot Land District, Except Plan VIP79908, & DLS 471, 472 & 473	025-635-751	CD-6

Replace "Appendix B - Ucluelet Zoning Amendment Bylaw No. 1293, 2021" to...

3. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021".

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of "District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021."

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

Replace "Appendix B - Ucluelet Zoning Amendment Bylaw No. 1293, 2021" to...

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1292, 2021
(CD-5A and CD-6 lands rezoned to RU Rural Residential)

From: CD5-A and CD-6
To: RU



Replace "Appendix B - Ucluelet Zoning Amendment Bylaw No. 1293, 2021" to...

STAFF REPORT TO COUNCIL

Council Meeting: APRIL 14, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 5330-20_ONNI

**SUBJECT: REQUEST TO OPEN FLORENCIA DRIVE AND RE-COMMISSIONING
MUNICIPAL SERVICES TO SIGNATURE CIRCLE; ONNI GROUP**

REPORT NO: 21-48

ATTACHMENTS: APPENDIX A – LETTER FROM ONNI GROUP MARCH 25, 2021
APPENDIX B – RESTRICTIVE COVENANT FB148264

RECOMMENDATIONS:

1. **THAT** Council direct staff to work with the District Engineers to prepare a report on the cost and timing of providing the requested flushing, testing and re-commissioning of water, hydrant and sewer services for the Signature Circle subdivision, and any changes necessary to current work plans or budget necessary to accommodate the request;
2. **THAT** Council direct staff to seek advice from the Municipal Solicitors on the status of the restriction of opening Florencia Drive provided under covenant FB148264; and,
3. **THAT** Council direct staff to continue discussions with the Ministry of Transportation and Infrastructure to understand the Ministry's requirements for ensuring traffic safety at the intersection of Florencia Drive and Peninsula Road.

PURPOSE:

The purpose of this report is to provide information on a request from the Onni Group to recommission the site services to the Signature Circle bare land strata subdivision, including the municipal portions of sewer and water infrastructure in the vicinity and full road access and street lights along Florencia Drive. The request from the Onni Group is to have these services functioning by September 1, 2021, to facilitate the marketing and sale of the Signature Circle lots (see **Appendix 'A'**).

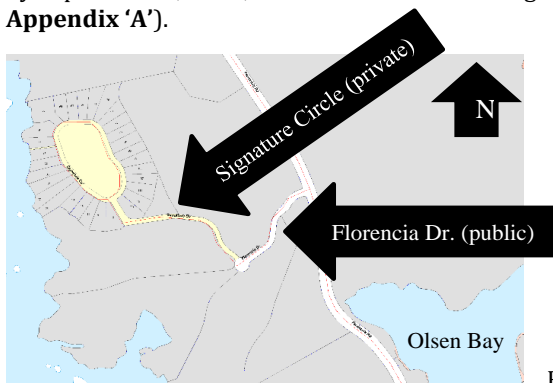


Figure 1 – Location

BACKGROUND:

In July of 2012, the District accepted the municipal water and sewer infrastructure which was installed to serve the Signature Circle bare land strata subdivision (including potential irrigation connections for the adjacent proposed golf course). With the Wyndansea development stalled, the water was shut off and the lines were drained. The sewer pumps in the Olsen Bay pump station were also removed from the lift station sump to protect the infrastructure while it lay dormant. The public Florencia Road has been closed to vehicular access near the intersection with Peninsula Road. With no active development in the area and no vehicle access, the street lights installed along the public Florencia Drive have not been activated.

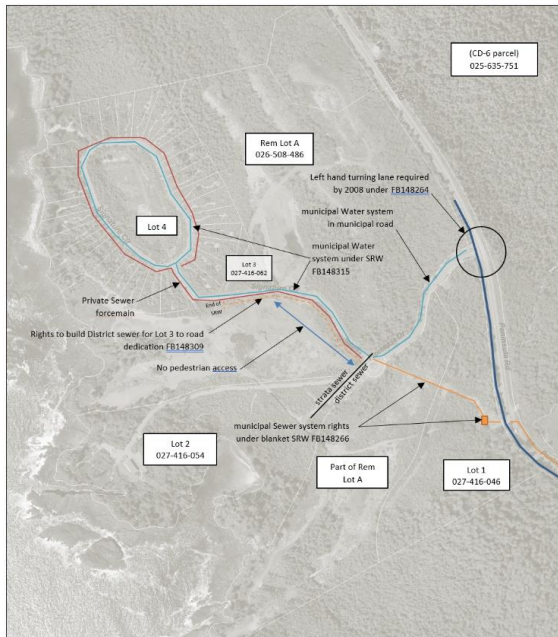


Figure 2 – Parcels and Services

Since late 2020, staff have been in discussion with the Onni Group, answering questions regarding the steps necessary to re-instate the services to Signature Circle. On March 25, 2021, the Onni Group submitted a formal request to activate the services and open Florencia Drive.

DISCUSSION:

The Signature Circle bare land strata subdivision was approved and registered with the Land Title Office (strata plan VIS6504) in February of 2008. The individual lots have separate title; the Onni Group is the owner of 29 of the 30 Signature Circle lots.

A municipal water main runs the length of Florencia Drive and extends under the private access road and around the Signature Circle loop. A private sewer forcemain collects waste from the Signature Circle lots, runs along the private road and connects to the public sewer at the traffic circle at the western end of Florencia Drive. The municipal sewer extends from that point to the municipal Olsen Bay pump station (see Figure 2).

The municipal services were installed and accepted by the municipality in 2012. Water and sewer services should therefore be re-instated as requested; staff recommend the budget and time requirements should be identified to deliver these services within a reasonable timeframe.

Improvements to the intersection of Florencia Drive and Peninsula Road were to have been completed by the former developer by 2008, and a restrictive covenant registered on the title of all of the Wyndansea lands (including all of the Signature Circle bare land strata lots) appears to provide the District the ability to restrict access until the intersection works are completed (see **Appendix "B"**). With the request to open the area to access and vehicular traffic, staff recommend that the status of this covenant and the road safety improvements be revisited with the municipal solicitors and the Ministry of Transportation and Infrastructure.

With the opening of Florencia Drive, public vehicle access would now extend to the traffic circle. Florencia Drive is not constructed to accommodate on-street or shoulder parking. Land beyond the traffic circle is private, and presumably the owner will restrict public access and parking on their lands. Given that many members of the public have casually accessed the lands in this area for many years, staff have recommended that the Onni Group consider communicating what their intent is for restricting, redirecting or accommodating public access in the area.

Staff have recommended to the Onni Group that the District policies and Master Development Agreement aim at comprehensively planning the development of these lands, and the further sale and development of the Signature Circle lots is short-sighted. The Signature Circle subdivision was approved in the context of a surrounding golf course and hotel, and the development at the time was to provide public amenities - including public access to the shoreline which has not been delivered.

While the request to recommission the previously-accepted services is warranted, it is concerning that all loose ends of the subdivision have not yet been addressed by the owner, nor has Signature Circle been considered within the broader plans for development this area of the municipality.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Recommissioning the services as requested is not in the current budget or work plan for the Public Works department. Some or all of the works could be conducted by contractors; a work plan for incorporating this requested servicing will be developed to adjust this year's work plan.

Staff time will also be necessary for coordination and discussion with the Ministry of Transportation and Infrastructure. Legal costs will be borne within the operation legal budget.

FINANCIAL IMPACTS:

An initial estimate of the service re-commissioning costs is being prepared for presentation to Council.

SUMMARY:

Council direction is sought on steps to understand the impacts of the request to open up Signature Circle by the Onni Group, as recommended at the outset of this report.

Respectfully submitted:

Bruce Greig, Manager of Community Planning
Warren Cannon, Superintendent of Public Works
Donna Monteith, Chief Financial Officer



Appendix A

District of Ucluelet
200 Main Street
Ucluelet, BC
V0R 3A0

March 25, 2021

Re: Wyndansea by Onni – Public Road and Utilities Testing, Commissioning, & Service

To: Bruce Greig, Manager of Community Planning

I am writing on behalf of the Onni Group to confirm our intention to move forward with the marketing and sales of the remaining lots in the Signature Circle Bare Land strata on our Wyndansea property. As such we are requesting that the District of Ucluelet move forward with the recommissioning of the site services. More specifically we request to have a fully commissioned and functioning Public road, Sewer, Water, and Street Light service within the Public Right-of-Way that leads to the private strata road at Signature Circle by no later than September 1st, 2021.

If you have any questions or comments on this intent, please do not hesitate to contact me any time.

Thank you,

Thomas Woodward

Sr. Infrastructure Manager
ONNI GROUP
200 - 1010 Seymour Street
Vancouver, BC V6B 3M6
D:(604) 259-6336
C:(604) 351-3709
twoodward@onni.com
ONNI.COM

FB 148265
FB 148265
FORM C
(Section 219.81)

Appendix B

25 FEB 2008 11 33 FB148264

Province of
British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of 11 pages

1. APPLICATION: (name, address, phone number and signature of applicant, applicant's solicitor or agent)

Patrick E. Bion for McCONNAN BION O'CONNOR & PETERSON LAW CORPORATION
Client number 10230
via Bev Stewart
(39936-PEB)

Bev Stewart

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

2c

(PID)	(LEGAL DESCRIPTION)
New 27416 046	Lot 1, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP 84561
New 054	Lot 2, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP 84561
New 062	Lot 3, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP 84561
New 071	Lot 4, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP 84561
New 24 508 486	Remainder Lot A, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP80031, except part in Plan VIP 84561

3. NATURE OF INTEREST:

Description	Document Reference (page and paragraph)	Person Entitled to Interest:
Section 219 Covenant	Entire Document	Transferee
Consent and Priority	Page 11, para 12	Registered Owner of Mortgage CA387977 and Assignment of Rents CA387978 as modified by FB49737 and CA663605

4. TERMS: Part 2 of this Instrument consists of (select one only):

- (a) Filed Standard Charge Terms [] D.F. Number:
- (b) Express Charge Terms [X] Annexed as Part 2
- (c) Release [] There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):

0707631 B.C. LTD. (INC. NO. 0707631)

Liberty Holdings Excell Corp, (inc # 114751)
Cooper Pacific Mortgage Investment Corporation (inc # 61663) \$131.30
Bancorp Financial Services Inc (inc # 112503)
Bancorp Balanced Mortgage Fund Ltd. (all as to consent + priority)
(inc # 56766)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, as represented by THE MINISTER OF TRANSPORTATION, 940 Blanshard Street, Victoria, BC V8W 3E6

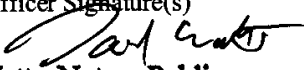
DISTRICT OF UCLUELET, PO Box 999, 200 Main Street, Ucluelet, BC V0R 3A0

7. ADDITIONAL OR MODIFIED TERMS:* N/A

P

4


8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges 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.

Officer Signature(s)

David Watts, Notary Public
#410 - 675 West Hastings Street
Vancouver, BC V6B 1N2
Tel: 604 685 7786 Fax: 604 685 7796
Email: david@davidnotary.com

Execution Date
Y M D

08 02 14

Party(ies) Signature(s)

0707631 B.C. Ltd. by its authorized signatory:

Print Name: Elke Loof-Koehler

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.

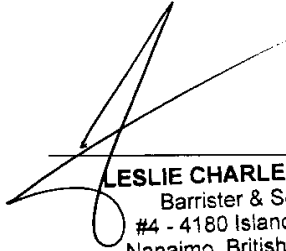


8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge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

Officer Signature(s)

Execution Date
Y M D

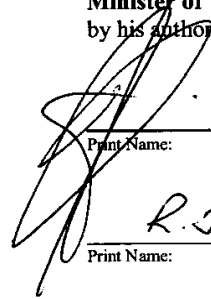
Party(ies) Signature(s)



LESLIE CHARLES HUNTER
 Barrister & Solicitor
 #4 - 4180 Island Hwy. N.
 Nanaimo, British Columbia
 V9T 1W6 (250) 756-9950

08/02/14

Minister of Transportation
by his authorized signatory:



 Print Name:

 R.J. Howat.

 Print Name:

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.





8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges 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.

Officer Signature(s)

Execution Date
Y M D

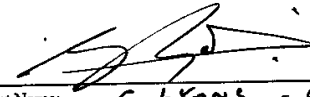
Party(ies) Signature(s)



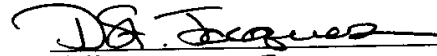
H. GFE
DEPUTY CORPORATE OFFICER
DISTRICT OF UCLUELET
BOX 999, 200 MAIN ST
UCLUELET, B.C.
V0R 3A0

08 02 11

District of Ucluelet
by its authorized signatory(ies):



Print Name: G. LYONS - CAO



Print Name: D ST JACQUES - MAYOR

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.



8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges 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.

Officer Signature(s)

Execution Date
Y M D

Party(ies) Signature(s)

PATRICK J. DELSEY
Barrister & Solicitor
1220 - 1175 Douglas Street
Victoria BC V8W 2E1

08 02 18

Liberty Holdings Excell Corp.
by its authorized signatory:

Print Name:

Michel Lavigne

OFFICE: 250-412-0531 Fax: (250) 412-0535
You sign as a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c. 124, to take
affidavit. Email: pdelsey@pjd.com certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges 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.

Officer Signature(s)

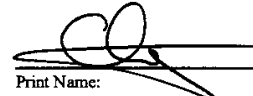
Execution Date
Y M D

Party(ies) Signature(s)



08 02 18

Cooper Pacific Mortgage Investment Corporation by its authorized signatory:



Print Name:

Cameron Cooper

PATRICK J. DELSEY
Barrister & Solicitor
1220 - 1175 Douglas Street
Victoria BC V8W 2E1

OFFICER CERTIFICATION:

Your signature consists of a representation of the signature of 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.



8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges 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.


Officer Signature(s)

Execution Date
Y M D

Party(ies) Signature(s)



08 02 13

Bancorp Financial Services ^{Inc.} ~~Ltd.~~
by its authorized signatory:
 RICHARD R. MACKIN

Douglas Bentley
Barrister & Solicitor
Suite 1420-1090 West Georgia Street
Vancouver, BC V6E 3V7

Print Name:


Mark D. Silverwood

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.



8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges 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.

Officer Signature(s)

Execution Date
Y M D

Party(ies) Signature(s)

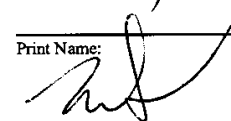


08 02 13

Bancorp Balance Mortgage Fund Ltd.
by its authorized signatory:
RICHARD R. MACKIN

Douglas Bentley
Barrister & Solicitor
Suite 1420-1090 West Georgia Street
Vancouver, BC V6E 3V7

Print Name:


Mark D. Silverwood

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.



15

TERMS OF INSTRUMENT - PART 2

WHEREAS:

A. The Grantor is the registered owner in fee simple of:

New Lot 1, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP 84561

New Lot 2, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP 84561

New Lot 3, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP 84561

New Lot 4, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP 84561

~~New~~ Remainder Lot A, District Lots 286, 471, 472 and 473, Clayoquot District, Plan VIP80031, except part in Plan VIP 84561
26 508486

(collectively the "Lands");

B. The Grantee is Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation and the District of Ucluelet;

C. The Grantor has applied to the Grantee's Approving Officer for subdivision of the Lands;

D. In accordance with the Master Development Agreement Covenant ("MDA") executed and registered in 2005, the Grantor agreed to, inter-alia, construct offsite and onsite streetscape and site surfacing improvements in accordance with the terms of this Covenant, and wishes to grant this Covenant and indemnify the Grantee;

E. The Lands are presently the subject of a subdivision application and road dedication and construction, including with respect to the areas noted herein, as required in accordance with the *Land Title Act* and the *Local Government Act*.

F. Section 219 of the *Land Title Act* provides, inter alia, that a covenant, whether negative or positive, in respect of the use of the Lands or the use of a building on or to be erected on land, may be given to provide that the Lands are to be built on or used in accordance with the covenant or are not to be used or built on except in accordance with the covenant and that the covenant in favour of a municipality or the Crown may be registered as a charge against the title to that land.

NOW THEREFORE in consideration of the payment of the sum of ONE (\$1.00) DOLLAR by the Grantee to the Grantor and the premises and covenants herein contained and for other valuable consideration, receipt and sufficiency of which is hereby acknowledged by the parties, the parties hereto covenant and agree each with the other as follows:

1. The Grantor covenants and agrees to construct, at its own expense, improvements to Peninsula Road including construction of a deceleration lane and left-turn lane or other works to the satisfaction of the Minister of Transportation on the earlier of two (2) months of the date of issuance of a building permit with respect to the above-referred to Lot 2 or August 31, 2008 or such extended date as approved in writing by a representative of the Minister of Transportation.

2. In the event that the Grantor is in contravention of paragraph 1 of this Covenant, then either of the Grantees may, at its option but not obligation:

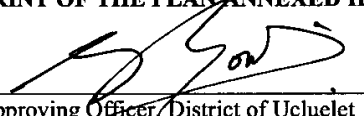
(a) prohibit access to the Lands at the intersection of Peninsula Road until the roadworks have been completed to the satisfaction of the Minister of Transportation;

- (b) at the expense of the Grantor, carry out the construction of the improvements to the satisfaction of the Minister of Transportation and in default of payment being made by the Grantor, the District of Ucluelet shall have the right to attach such cost to the property taxes of the Lands, without prejudice to any other remedy available to the Grantee.
3. The Grantor hereby releases and forever discharges the Grantee of and from any claim, cause of action, suit, demand, expenses, costs and legal fees whatsoever which the Grantor can or may have against the said Grantee for any loss or damage or injury that the Grantor may sustain or suffer arising out of this Covenant, except to the extent caused by the negligence of the Grantee.
 4. The Grantor covenants and agrees to indemnify and save harmless the Grantee from any and all claims, causes of action, suits, demands, expenses, costs, and legal fees whatsoever that anyone might have as owner, occupier or user of the Lands or by a person who has an interest in or comes onto the Lands or by anyone who suffers loss of life or injury to his person or property, that arises out of the terms and restrictions of this Agreement or a breach of this Agreement by the Grantors, except to the extent caused, or contributed to, by the negligence of the Grantee or breach of this Agreement by the Grantee.
 5. It is mutually understood, acknowledged and agreed by the parties hereto that the Grantee has made no representations, covenants, warranties, guarantees, promises or covenants (oral or otherwise) with the Grantor other than those contained in this Covenant.
 6. The Grantor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Covenant.
 7. The Grantor shall pay the registration costs of the Grantee in connection with the registration of this Covenant. This is a personal covenant.
 8. The Grantor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions hereinbefore set out and they shall be binding upon the Grantor as personal covenants only during the period of its respective ownership of any interest in the Lands.
 9. The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the *Land Title Act* as covenants in favour of the Grantee as a charge against the Lands in priority to all non Grantee encumbrances.
 10. This Covenant shall enure to the benefit of the Grantee and shall be binding upon the parties hereto and their respective heirs, executors, successors and assigns.
 11. Wherever the expressions "Grantor" and "Grantee" are used herein, they shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.



12. Liberty Holdings Excell Corp. (as to an undivided 110/225th interest), Cooper Pacific Mortgage Investment Corporation (as to an undivided 60/225ths interest), Bancorp Financial Services ~~Inc.~~ (as to an undivided 29/225ths interest) and Bancorp Balance Mortgage Fund Ltd. (as to an undivided 26/225th interest), collectively the registered holder of charges by way of a Mortgage and Assignment of Rents registered against the Lands, which said charges are registered in the Land Title Office at Victoria, British Columbia, under CA387977 and CA387978 respectively, as modified by ~~FB49737~~ and CA663605, for and in consideration of the sum of One Dollar (\$1.00) paid by the Grantee to the said Chargeholder (the receipt whereof is hereby acknowledged), agrees with the Grantee, its successors and assigns, that the within section 219 Covenant shall be an encumbrance upon the Lands in priority to the said charge in the same manner and to the same effect as if they had been dated and registered prior to the said charge.

THIS IS THE INSTRUMENT CREATING THE CONDITION OR COVENANT ENTERED INTO UNDER S. 219 OF THE LAND TITLE ACT BY THE REGISTERED OWNER REFERRED TO HEREIN AND SHOWN ON THE PRINT OF THE PLAN ANNEXED HERETO AND INITIALED BY ME.


 Approving Officer, District of Ucluelet
 G. LYONS

IN WITNESS WHEREOF the parties hereto hereby acknowledge that this Covenant has been duly executed and delivered by the parties executing Form C (pages 1 to 8) attached hereto.

END OF DOCUMENT

F:\PEB\Marine Drive Prop\Signature Circle\LTO Docts\Covenant - MOT & District - Feb 11 08 v5.wpd



FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 5400-07_ONNI

SUBJECT: REQUEST TO ERECT REAL-ESTATE DEVELOPMENT SIGN ON FLORENCIA DRIVE AT PENINSULA HIGHWAY

REPORT NO: 21-47

ATTACHMENTS: APPENDIX A – LETTER FROM ONNI GROUP MARCH 25, 2021

RECOMMENDATIONS:

THAT Council consider whether there is support for the request to locate a real-estate sign on the municipal road right-of-way at the corner of Florencia Drive where it meets Peninsula Road and, if so:

1. **THAT** Council direct staff to engage the municipal solicitors to prepare a licence of occupation suitable for the sign proposed to encroach within the public right-of-way, with legal costs to be borne by the proponents;
2. **THAT** Council direct staff to contact the Ministry of Transportation and Infrastructure to determine whether there are any concerns from the Ministry, or other provincial permitting requirements, for the proposed sign in this location; and,
3. **THAT**, subject to the proponents satisfying any requirements of the Ministry, authorize the Mayor and staff to execute a licence of occupation for the proposed sign.

PURPOSE:

The purpose of this report is to provide information on a request from the Onni Group to erect a new sign on the municipal boulevard next to Florencia Drive (“**the Proposed Sign**”).

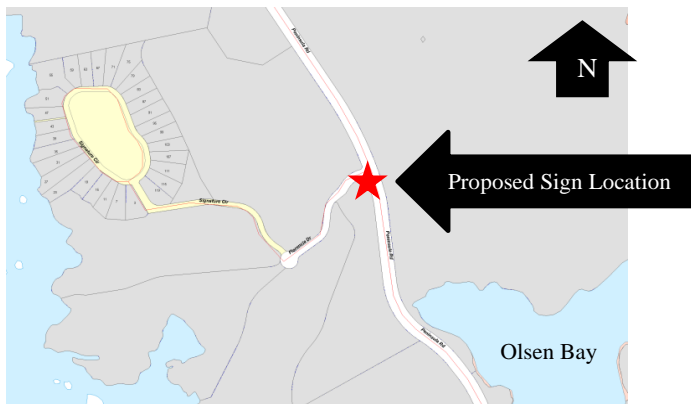


Figure 1 – Proposed Sign location

BACKGROUND:

For some years, a billboard sign for the defunct Wyndansea development stood at the entrance to Florencia Drive near Peninsula Road. Several months ago, staff observed that the posts had deteriorated and the sign appeared to be at risk of falling over. District staff removed the sign to eliminate any possible hazard.

In early March, staff received an inquiry from a sign company seeking information on whether a sign permit would be necessary to erect a new real estate sign near the entrance to the closed Florencia Drive and lands owned by the Onni Group. Staff let the company know that either a sign permit or an encroachment agreement would be required, depending on the location and type of sign, and suggested that we could answer their questions fully if they provided information about the exact location, size and type of sign. On March 19, 2021, staff observed workers erecting posts on Florencia Drive near Peninsula Road, near the location of the old Wyndansea sign. The crew was directed to stop.

After discussion with staff, the Onni Group submitted the letter attached in **Appendix A** requesting an encroachment agreement from the District to enable a temporary real estate sign to be located for the next 1 to 2 years in the proposed location. The proposed sign is 7.4m² in area (8' x 10').

DISCUSSION:

A large sign stood in approximately the same location for many years. Staff note that municipal bylaws discourage obtrusive signage and that billboard signs are generally prohibited within the municipality.

Council could authorize placement of a sign on the municipal road right-of-way; the suggested legal instrument is a licence of occupation. This is a fairly standard type of agreement granting non-exclusive use of public land for an encroaching structure (often used for signs, awnings, etc. within municipal road rights-of-way). Conditions of these agreements typically cover liability by requiring the owner of the sign to provide insurance indemnifying the District. A nominal fee is often charged for administration of the agreement, in the order of perhaps \$100 per year. The cost of preparing the licence document should be borne by the applicant.

Given the location adjacent to Peninsula Road under jurisdiction of the Ministry of Transportation and Highways (MoTI), a separate permit or authorization may be necessary for this sign. MoTI should be given an opportunity to confirm whether there are any concerns for visibility or traffic safety, given the concurrent request from Onni Group to also open up Florencia Drive to full traffic access (see separate report).

Should the request for the proposed sign on public land not be granted, under the municipal Sign Bylaw, the Onni Group would have the option of erecting 2 real-estate signs on the property for sale, up to 1.5m² (16 sq.ft.) in area and with a maximum height of 2m (6.5 ft.). Note, however, that the property for sale is located beyond the traffic circle at the end of Florencia Drive - and would likely not achieve the visibility desired by the applicant.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

If this application is approved, some Staff time will be required to facilitate the preparation and execution of a licence of occupation. The licence agreement would be drafted by the municipal solicitors.

FINANCIAL IMPACTS:

The District's legal costs for preparing the licence would be borne by the Onni Group.

SUMMARY:

While billboard signs are generally prohibited in the municipality, this is a unique development on the largest landholding within Ucluelet. Council could consider granting authorization of a licence to place the sign in the proposed location for a defined period of time. If there is support for this request by the Onni Group, staff recommend that Council consider the motions at the outset of this report.

Alternatively, Council has the following option:

4. **THAT** Council defer consideration pending receipt of further information, to be identified.
5. **THAT** Council reject the request to erect the proposed sign on public land and direct the applicant to remove the posts and footings already in place, and leave the public boulevard in a safe and tidy state.

Respectfully submitted: Bruce Greig, Manager of Community Planning
Joseph Rotenberg, Manager of Corporate Services



Appendix A

District of Ucluelet
200 Main Street
Ucluelet, BC
V0R 3A0

March 25, 2021
Re: Wyndansea - Development Sign Encroachment Agreement

To: Bruce Greig, Manager of Community Planning,

I am writing you on behalf of Onni Group regarding a temporary real estate sign for Wyndansea. Please note we started to install this sign in place of a previous development sign, not knowing an encroachment agreement was required.

The replacement sign is 8'wX10'h and will sit in the same place as the previous sign. Please see design and placement references enclosed.

Onni will ensure that the appropriate insurance coverage is in place as per the District of Ucluelet requirements for the duration of the sign's life, which we estimate 1-2 years.

I look forward to hearing from you with the next steps to file an encroachment agreement.

If you have any questions regarding this correspondence, please feel free to contact me at:

ONNI GROUP
200 - 1010 Seymour Street
Vancouver, BC V6B 3M6
604-637-3073
elyall@onni.com

Sincerely,

Erin Lyall

200 - 1010 Seymour Street
Vancouver, BC V6B 3M6

604 602 7711
ONNI.COM

REAL ESTATE DEVELOPMENT
PROPERTY & CONSTRUCTION MANAGEMENT

Original Development Sign:



Replacement Development Sign Mockup:



WYNDANSEA
BY ONNI

**A RARE COLLECTION
OF OCEANFRONT
PROPERTIES**

ONNI.COM
250-999-3303





STAFF REPORT TO COUNCIL

Council Meeting: APRIL 14, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 5330-20_ONNI

SUBJECT: LATE ITEM RE: Agenda Item 13.2 Request to Open Florencia Drive **REPORT NO:** 21-49

ATTACHMENTS: APPENDIX A – LETTER FROM MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
RECEIVED APRIL 12, 2021

FOR INFORMATION:

For Council’s Information, the attached letter was received from the Ministry of Transportation and Infrastructure (**MoTI**) late on April 12, 2021.

MoTI considers that intersection improvements are necessary where Florencia Drive meets the Peninsula Highway, before the municipal road is opened to traffic.

The letter notes MoTI standards which would apply. Alternatively, a Traffic Impact Assessment may be the next step for the property owner. Both the District and the Ministry staff are quite willing to work with the property owners to develop terms of reference for such a study.

Respectfully submitted: Bruce Greig, Manager of Community Planning



Bruce Greig
District of Ucluelet
200 Main Street
Ucluelet, BC
V0R 3A0

Dear Mr. Greig:

Re: Covenant FB148264 (Former Wyndansea Development)

Thank you for meeting with us on April 12, 2021, regarding Covenant FB148264, registered on the properties formerly known as the Wyndansea Development.

With regards to the covenant registered on title, the Ministry of Transportation and Infrastructure (MOTI) holds the right to require intersection improvements at Peninsula Road prior to access to the Subject Lands being granted.

At this time, MOTI will require the following improvements prior to considering the terms of this covenant fulfilled:

- Construction of a left turn bay northbound on Peninsula Road
- Construction of a right turn deceleration lane southbound on Peninsula Road
- Intersection illumination that meets the illumination standards for critical intersections
- Suitable movement of the multi use path to conform with safety standards and setbacks from the new road improvements
- Construction of drainage appliances to suitably drain existing ditches

Standards for geometric improvements (left turn lane, right turn lane, pathway separation) can be found in MOTI's BC Supplement to TAC Geometric Guide. Standards for illumination and electrical design can be found in MOTI's Electrical and Traffic Engineering Manual.

Should the owner of the Subject Lands wish to reduce the scope of these improvements, a Traffic Impact Assessment may be completed for full build-out of the subject lands, producing a plan for intersection improvements commensurate with the vehicle loading expected to be generated by development. MOTI will work with the District of Ucluelet and the land owner to develop a Terms of Reference for this Traffic Impact Assessment to ensure all parties are satisfied.

Ministry of Transportation and Infrastructure Vancouver Island District

Mailing Address:
3rd Floor – 2100 Labieux Road
Nanaimo, BC V9T 6E9
Telephone: 250-751-3246

www.gov.bc.ca/tran

Thank you again for discussing this matter with us.

Sincerely,



Susan Randle, P.Eng.
District Engineer
Vancouver Island District

Copy to: Michael Pearson, P.Eng.
District Manager, Transportation

Nikki Schneider
Provincial Approving Officer

Stefan Yancey
Operations Manager

Jamie Hopkins
District Services Officer



DISTRICT OF UCLUELET

Excerpts from the August 24, 2021 Regular Meeting Minutes

7. LEGISLATION

7.1 **Building Permits for Signature Circle lots vs. RU Zoning** ***Bruce Greig, Director of Community Planning***

Mr. Greig summarized his report and displayed slides of the subject properties known as Signature Circle. Mr. Greig noted that none of the 29 applied for building permits would comply with the RU Zone - Rural Residential zoning designation that is proposed in the Zoning Amendment Bylaw No. 1293, 2021. He noted that a number of the lots would have a single-family dwelling as well as one or two secondary suites, which would be prohibited under the proposed bylaw. He noted that none of the buildings would comply with the maximum gross floor area requirement, similarly none of the buildings would comply the 3% maximum lot coverage that the RU Zone has. With regards to the 8 waterfront lots along the shoreline, there would be a 30-metre setback from the natural boundary, that none of the structures in the plans appear to comply with. Mr. Greig displayed some sample plans of the building permits submitted.

Mr. Greig referred to a motion to withhold building permits for 30 days, that Council previously passed. He outlined the recommendation the motion to withhold building permits for a further 60 days, to enable the bylaw process to complete.

Rob Vrooman of Onni Group

Mr. Vrooman opposed the recommended motion. He noted that the Zoning would substantially devalue the land. Mr. Vrooman mentioned that focusing on the 30 single-family lots, is coming at the detriment of planning for the remaining 330 acres on the Wyndansea Lands.

He put forth that we have a willing and capable potential partner in the Onni Group, who could do a lot on these lands in addressing housing needs. He noted potential litigation costs.

Mr. Vrooman urged Mayor and Council to continue discussions with Onni Group.

2021.2093.SPECIAL **It was moved by Councillor Hoar and seconded by Councillor Kemps** ***THAT** pursuant to section 463 of the Local Government Act Council direct that building permits be withheld in relation to each of the building permit applications submitted on July 29, 2021, in relation to the Signature Circle properties Strata Lots 1 - 4 and 6 - 30, District Lots 471, 472 and 473, Clayoquot Land District, Strata Plan VIS6504 for a further period of 60 days as the development proposed in the building permit applications exceed the maximum permitted building size, do not comply with the permitted uses and/or encroach within minimum setbacks under the District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021, and the use and density of the lots would not comply with the low-density rural residential designation under the District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, both of which bylaws are currently under consideration by Council.*

CARRIED.



DISTRICT OF UCLUELET

Excerpts from the Draft August 17, 2021 Regular Meeting Minutes

12.2 Application for Building Permits on Signature Circle lots *Bruce Greig, Director of Community Planning*

Mr. Greig provided background on the proposed bylaw amendments, outlined this report and noted that Onni Wyndansea Holdings Ltd. has objected to *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021* and *District of Ucluelet Official Community Plan Bylaw No. 1292, 2021*. Onni Wyndansea Holdings Ltd. has submitted 29 Building Permit applications for properties on Signature Circle.

Mr. Greig further noted that none of the building permit applications would appear to comply with the *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021* and outlined section 463 of the *Local Government Act*. A staff review of the building permits would be presented to Council at a future Council meeting.

2021.2239.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar**
THAT pursuant to section 463 of the *Local Government Act* Council direct that building permits be withheld in relation to each of the building permit applications submitted on July 29, 2021, in relation to the Signature Circle properties Strata Lots 1 - 4 and 6 - 30, District Lots 471, 472 and 473, Clayoquot Land District, Strata Plan VIS6504 for a period of 30 days as the development proposed in the building permit applications exceed the maximum permitted building size, do not comply with the permitted uses and encroach within minimum setbacks under the *District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021*, and the use and density of the lots would not comply with the low-density rural residential designation under the *District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021*, both of which bylaws are currently under consideration by Council, and Council direct Staff to provide a report on the building permit applications for further consideration by Council within the 30-day period in accordance with section 463(3) of the *Local Government Act*.

CARRIED.

**12.3 OCP and Zoning Amendments: CD-5A and CD-6 Areas to RU Rural Residential
Bruce Greig, Director of Community Planning**

Mr. Greig provided background on the proposed amendment bylaws. He noted that the Public Hearing for this matter has been tentatively scheduled for September 7, 2021.

- 2021.2240.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Cole**
1. **THAT** Council has considered the consultation requirements under Section 475 of the Local Government Act in relation to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021.
CARRIED.
- 2021.2241.REGULAR **It was moved by Councillor Kemps and seconded by Councillor McEwen**
2. **THAT** Council is satisfied that consultation with owners of land affected by the amendments in District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, as previously directed, is sufficient for the purpose of consultation under Section 475 of the Local Government Act.
CARRIED.
- 2021.2242.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**
3. **THAT** Council is satisfied that consultation under Section 475 of the Local Government Act in relation to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, does not need to be early and ongoing.
CARRIED.
- 2021.2243.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Cole**
4. **THAT** Council is satisfied that, given its narrow focus, specific consultation on District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, with the persons, organizations, and authorities identified in section 475(2)(b) of the Local Government Act, including the Yuułuʔiłʔatḥ Government, Alberni-Clayoquot Regional District, District of Tofino, SD70 Board of Education or provincial Agencies, is not required;
CARRIED.
- 2021.2244.REGULAR **It was moved by Councillor Kemps and seconded by Councillor McEwen**
5. **THAT** Council has reviewed the correspondence received from Onni Wyndansea Holdings Ltd. dated June 8th, 2021.
CARRIED.

- 2021.2245.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**
6. **THAT** Council has consulted with the boards of education of those school districts whose area includes the area covered by District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021.
CARRIED.
- 2021.2246.REGULAR **It was moved by Councillor Kemps and seconded by Councillor McEwen**
7. **THAT** Council has considered District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, in conjunction with the District of Ucluelet Financial Plan.
CARRIED.
- 2021.2247.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
8. **THAT** Council has considered District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, in conjunction with the Waste Management Plan.
CARRIED.
- 2021.2248.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**
9. **THAT** Council give second reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021.
CARRIED.
- 2021.2249.REGULAR **It was moved by Councillor Kemps and seconded by Councillor McEwen**
10. **THAT** Council give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021.
CARRIED.
- 2021.2250.REGULAR **It was moved by Councillor Kemps and seconded by Councillor McEwen**
11. **THAT** Council refer District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021, and District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021, to a public hearing.
CARRIED.



DISTRICT OF UCLUELET

Excerpts from the May 4, 2021 Regular Meeting Minutes

4. LATE ITEMS

- 4.1 Replace "Appendix A - Ucluelet OCP Amendment Bylaw No. 1292, 2021" to Legislation Item 8.1. "OCP and Zoning Amendments: CD-SA and CD-6 Areas to RU Residential" at page seven of the Agenda, with following Appendix to that report:
- Appendix A - Bylaw No. 1292
- 4.2 Replace "Appendix B - Ucluelet Zoning Amendment Bylaw No. 1293, 2021" to Legislation Item 8.1. "OCP and Zoning Amendments: CD-SA and CD-6 Areas to RU Residential" at page nine of the Agenda, with the following Appendix to that report:
- Appendix B - Bylaw No. 1293

8. LEGISLATION

8.1 OCP and Zoning Amendments: CD-5A and CD-6 Areas to RU Residential *Bruce Greig, Manager of Community Planning*

Mr. Greig presented this report. He noted the two late items, which replace Appendix A (Bylaw No. 1292, 2021) and Appendix B (Bylaw No. 1293, 2021) to the Report No. 21-58.

Mr. Greig outlined Bylaw No. 1292 and Bylaw No. 1293. He noted that the proposed Bylaw amendments are intended to reduce the negative impacts flowing from allowable uses until a comprehensive development plan is approved and the highway connection to the subject lands is improved. Mr. Greig noted that Bylaw 1292 clarifies that the zoning amendment does not simply revert the subject lots to their previous zoning and the side yard setbacks in the supplementary regulation in Bylaw 1293 are intended to ensure that the lots are not rendered unbuildable by their zoning.

2021.2086.SPECIAL **It was moved by Councillor McEwen and seconded by Councillor Hoar**
*THAT Council introduce and give first reading to District of Ucluelet Official
Community Plan Amendment Bylaw No. 1292, 2021.*

CARRIED.

2021.2087.SPECIAL **It was moved by Councillor McEwen and seconded by Councillor Hoar**
*THAT Council introduce and give first reading to District of Ucluelet Zoning
Amendment Bylaw No. 1293, 2021.*

CARRIED.

2021.2088.SPECIAL **It was moved by Councillor McEwen and seconded by Councillor Cole**
*THAT Council direct staff to advise all owners of land affected by the
amendments in Bylaw Nos. 1292 and 1293 of the proposed changes, and
provide 30 days to provide written comment before bringing the bylaws back
for consideration of second reading.*

CARRIED.



DISTRICT OF UCLUELET

Excerpts from the April 14, 2021 Regular Meeting Minutes

4. ADDITIONS TO AGENDA

- 4.1 **Add "2021-04-12 WPT - Signature Circle" as Correspondence Item 10.1. after page 74 of the Agenda.**
- 4.2 **Add "R - MOTi Letter Re: Florencia Drive" as Appendix C to Report Item 13.2. "Request to Open Florencia Drive and Re-commissioning Municipal Services to Signature Circle; Onni Group" after page 183 of the Agenda.**

9 PUBLIC INPUT, DELEGATIONS & PETITIONS

9.1 Public Input

Public input via Zoom.

Julian Ling

Mr. Ling is a resident of ACRD Area C and owns a business that operates in Ucluelet. He is also a board member on Tourism Ucluelet and the Wild Pacific Trail Society.

Mr. Ling outlined concerns with the sale of the Signature Circle lots on the Wyndansea property. He noted that the original developer did not fulfil their commitments, and the sale of the Signature Circle lots do not have a community benefit.

Barbara Schramm

Ms. Schramm is a resident of Ucluelet and President of the Wild Pacific Trail Society.

Ms. Schramm noted concerns with the sale of Signature Circle lots before community amenities are delivered. She advocated for Florencia Drive remaining closed and the delivery of community amenities, including the Wild Pacific Trail extension on the Wyndansea lands, before the sale of these lots. She also advocated for a comprehensive development plan which applies to the Wyndansea lands including the Signature Circle lots and aligns with the Draft 2020 OCP.

Rob Vrooman

Mr. Vrooman represented of the Onni Group. The Onni Group owns the Wyndansea lands.

Mr. Vrooman noted that the Signature Circle Lots have already been rezoned and subdivided and that the community amenities are negotiated at the time of rezoning not after subdivision. He noted that there will be a process moving forward on their other lands, and there will be negotiations regarding the amenities.

Public input via email to communityinput@ucluelet.ca.

There was no public input via email.

10 CORRESPONDENCE

10.1 Wild Pacific Trail Society Letter

Barbara Schramm, President, Wild Pacific Trail Society

- *2021-04-12 WPT - Signature Circle*

13. REPORTS

13.1 Request to Erect Real-Estate Development Sign on Florencia Drive at Peninsula Highway

Bruce Greig, Manager of Community Planning

Mr. Greig presented this report. He provided background on Onni Group's request:

- to install a real estate development sign at the corner Florencia Drive and the Tofino/Ucluelet Highway;
- open Florencia Drive; and
- recommission District-owned sewer, water, and street light assets on the Wyndansea property.

Mr. Greig explained the ownership scheme of services on the Wyndansea property and noted the Ministry of Transportation and Infrastructure letter about required improvements before opening Florencia Drive. Mr. Greig outlined some of the work required to recommission District assets on the Wyndansea property, including road works, waterworks, street lighting, and sewer works. Staff will provide costing at a later date.

The Mayor invited Rob Vrooman, a representative of Onni Group, to address Council.

Council discussed recommissioning water and sewer infrastructure on the Wyndansea Property. The following issues were identified:

- The need for a development plan for the entire Wyndansea area, before the sale of any lots;
- Local housing shortages; and
- The failure of the previous owner to deliver amenities.

Mr. Vrooman noted the history of this property and noted that the previous owner might have failed to fulfill their commitments to the District. He also explained that Onni Group typically builds out properties rather than flipping them and intends to negotiate in good faith with the District.

Councillor Kemps noted the size of the project and that she cannot support it without a comprehensive plan. Mayor Noel echoed the need for a comprehensive plan and indicated that the OCP represents the community's interest. He also pointed out concerns with the intersection at Florencia Drive and the Tofino/Ucluelet Highway.

Mr. Vrooman noted that Onni Group intends to improve the intersection but has a report that says improvements are unnecessary.

Councillor McEwen noted that the requests are premature because there is no comprehensive development plan. She also noted the letter from the Ministry of Transportation and Infrastructure regarding the Florencia Drive intersection.

Councillor Hoar noted the need for a comprehensive development plan and echoed concerns regarding the Florencia Drive intersection.

2021.2134.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemps**
THAT Council defer consideration pending receipt of new information, to be identified.

CARRIED.

13.2 Request to Open Florencia Drive and Re-Commissioning Municipal Services to Signature Circle; Onni Group
Bruce Greig, Manager of Community Planning

Mr. Greig outlined the recommendations provided in this report and their implications. He also outlined Restrictive Covenant FB148264. He noted that improvements to the intersection of Florencia Drive and Peninsula Road were to have been completed by 2008 and the restrictive covenant appears to provide the District the ability to restrict access to Florencia Drive until improvements to the intersection are completed.

The Mayor argued that Council should consider rezoning the entire property. He noted that there should be a comprehensive development plan in place and community amenities should be provided before any of the Signature Circle lots are sold. Councillor Kemps concurred.

- 2021.2135.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
THAT Council direct staff to work with the District Engineers to prepare a report on the cost and timing of providing the requested flushing, testing and re-commissioning of water, hydrant and sewer services for the Signature Circle subdivision, and any changes necessary to current work plans or budget necessary to accommodate the request.
CARRIED.
- 2021.2136.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
THAT Council direct staff to seek advice from the Municipal Solicitors on the status of the restriction of opening Florencia Drive provided under covenant FB148264.
CARRIED.
- 2021.2137.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
THAT Council direct staff to continue discussions with the Ministry of Transportation and Infrastructure to understand the Ministry's requirements for ensuring traffic safety at the intersection of Florencia Drive and Peninsula Road.
CARRIED.
- 2021.2138.REGULAR **It was moved by Mayor Noel and seconded by Councillor McEwen**
THAT Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD5A and CD-6 lands, north of Ancient Cedars and the current end of the Wild Pacific Trail, to a Rural zoning designation like they held previously – to, for now, allow a single residential use on large rural lots.
CARRIED.

Mayor and Council
District of Ucluelet
April 12, 2021



The Wild Pacific Trail Society has focused on establishing public access at Wyndansea for decades. Signature Circle subdivision was granted with agreements for coastal public access through the entire property as a public amenity. Trail access has not been established. We request that years of District and Trail Society work to achieve signed agreements will be honoured by Onni. The community was asked to trust developers to deliver amenities when subdivision was approved. Now Onni Group needs the district to move forward with no trails in place? If not now, when?

The WPTS respectfully requests open trail routes matching Ucluelet's 2021 OCP map.

The OCP map for this area echoes Onni Group's 2019 open house plan below:



Above is a board from Onni's Group's public open house promising trail routes.

Launching public sales with a large 8 x 10 foot billboard will generate great interest, but the curious public will get lost following unmarked old trails and roads intended for future public use. Opening an officially marked trail route will enhance sales at Signature Circle and public safety. The Trail Society would be delighted to work with all interested parties, to build a win-win for all.

The WPTS stands by the letter below written to the Onni Group in 2019 offering to assist:

Attention: Jason Newton

Sent: January 2019

Re: Trail Route Considerations in Advance of Ucluelet Development

We wish to open a friendly dialogue with you in response to the public open house you held last June in Ucluelet. We are happy to see your proposed dedication of natural green space and several trail routes illustrated on your plans. It is the goal of our society to expand trails to protect a spectacular coastal corridor to the Pacific Rim National Park Reserve; you can play a big part in making this dream a reality.

As you continue to plan for the development of your property, we would like you to consider giving permission to the municipality and the Wild Pacific Trail Society to route the ocean side trail in advance of development.

Trail access would establish a green space corridor and control the route people are allowed to follow. The District is prepared to cover liability, maintenance and orientation for users on existing trail sections crossing private lands before development. The Wild Pacific Trail Society has an efficient record of facilitating trail projects for this type of agreement with a private property owner.

For Onni, the benefits of opening a trail route ahead of development are many:

- builds a constituency of support among trail users and reinforces the reputation of Onni as a forward-thinking, green and community-minded development organization;
- makes it possible to experience the long-term amenity value of trails and open space in this location, which will enhance the **value of the land**; and,
- builds demand for **future sales**: visitors who experience the vistas along the trail and understand the connectivity of the Onni lands will become future customers. Marketing an existing asset is easier than a promised amenity.

For the public, this would be an opportunity to improve the trail experience by the following:

- ensure appropriate facilities, such as safe parking locations and facilities for waste collection at trailheads;
- provide signage so that trail walkers can follow clear loops on identified lands with appropriate public access, rather than the current situation of unclear trespass. As development begins it will benefit everyone to have a clear expectation of where the public can and can not access this area.

The Wild Pacific Trail Society is excited to collaborate in the creation of trails through intact green corridors as recently shown on Onni Group's land use plans presented at the public open house last June. This is a visionary plan! We would like to work with Onni Group and the District to ensure your property leads the way in working with the natural treasures that the Wild Pacific offers.

The WPTS urges Council to request official continuous trail access through Wyndansea before opening road access or sales billboards. When the tree farm license for this area was released, the community packed the REC hall to ensure protections. The time is now to do so.



Sincerely, Barbara Schramm
President, Wild Pacific Trail Society



June 8, 2021

District of Ucluelet

200 Main Street, PO BOX 999
Ucluelet, British Columbia V0R 3A0

Attention: Andy Laidlaw, Acting Chief Administrative Officer

Re: File No. 3360-20 RZ21-04 Rural Land Use Designation of CD-5A and CD-6 lands

Onni Wyndansea Holdings Ltd (fka Wyndansea Hotel Inc)("Onni") is the registered owner of 29 lots zoned CD-5A and VR2 under the District's Zoning Bylaw. We write in response to the District's 10 May 2021 letter advising Onni of proposed changes to the Zoning Bylaw and Official Community Plan and requesting our comments in advance of second reading.

Onni is opposed to the proposed rezoning. By way of background, the lands in issue were subdivided in 2008, resulting in 30 bare land residential strata lots (the "Lots"). The infrastructure required to serve the new subdivision, known as Signature Circle, was installed by the then owner and in July of 2012, the District accepted the dedication of those services, including municipal water and sewer infrastructure, as was required by the District.

The development of the Lots subsequently stalled and the District shut off the water service and temporarily blocked the road access. In 2014, Onni acquired the registered owner of 29 of the 30 Lots, with one of the Lots having already sold to another individual. When Onni acquired the 29 Lots, its intention was to complete the Signature Circle development.

As confirmed in a recent staff report by Mr. Greig, the manager of community planning, "since late 2020, staff have been in discussion with the Onni, answering questions regarding the steps necessary to re-instate the services to Signature Circle." In early 2021, following those discussions, Onni submitted a formal request to re-activate the previously dedicated services and open Florencia Drive. Onni also submitted a letter to the District requesting approval for a temporary real estate sign and related encroachment agreement.

Onni's application to reinstate the services and the request for an encroachment agreement were considered by Council on 14 April 2021. The staff report in support of the application to re-instate the services explains:

200 - 1010 Seymour Street 604 602 7711
Vancouver, BC V6B 3M6 ONNI.COM

REAL ESTATE DEVELOPMENT
PROPERTY & CONSTRUCTION MANAGEMENT

The municipal services were installed and accepted by the municipality in 2012. Water and sewer services should therefore be re-instated as requested; staff recommend the budget and time requirements should be identified to deliver these services within a reasonable timeframe.

However, instead of dealing with the request to reinstate the services that would allow Onni to complete the previously approved project under the current zoning and MDA, the Mayor put forward the following motion in an attempt to try and thwart its completion:

“that Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD5A and CD-6 lands, north of Ancient Cedars and the current of the Wild Pacific Trail, to a rural zoning designation like they held previously – to for now, allow a single residential use on large rural lots.” (the “**Motion**”)

The Motion was adopted by Council and on 2 May 2021 Council gave first reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021 and District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021 (the “**Amending Bylaws**”) the purpose of which is to effectively downzone the properties and significantly limit the developability of the Lots.

Although Onni’s intended use and development of the Lots is protected under Part 14, Division 14 of the *Local Government Act*, such that the Amending Bylaws won’t apply to the Lots in any event, Onni is nevertheless strongly opposed to the rezoning. There are certain disadvantages to having a lawful non-conforming use (as opposed to a lawfully conforming use) and Onni therefore wishes to keep the current zoning in place. Further, if it is the District’s intention to withhold or deny the issuance of any permits based on the Amending Bylaws, Onni will challenge the adoption of the bylaws and the District’s decision(s) to withhold approvals. Alternatively, Onni will pursue a claim for damages against the District for unjust enrichment since it obtained various benefits, including services and amenities, as part of the previous approvals.

Although Onni will take whatever legal steps are available to defend its rights, we remain committed to working with the District to ensure the completion of the Signature Circle subdivision and the remaining stages of the development. Accordingly, we urge the District to abandon the proposed Amending Bylaws and work with us to ensure the successful completion of a project both Onni and the District can be proud of.

Sincerely,



Onni Wyndansea Holdings Ltd



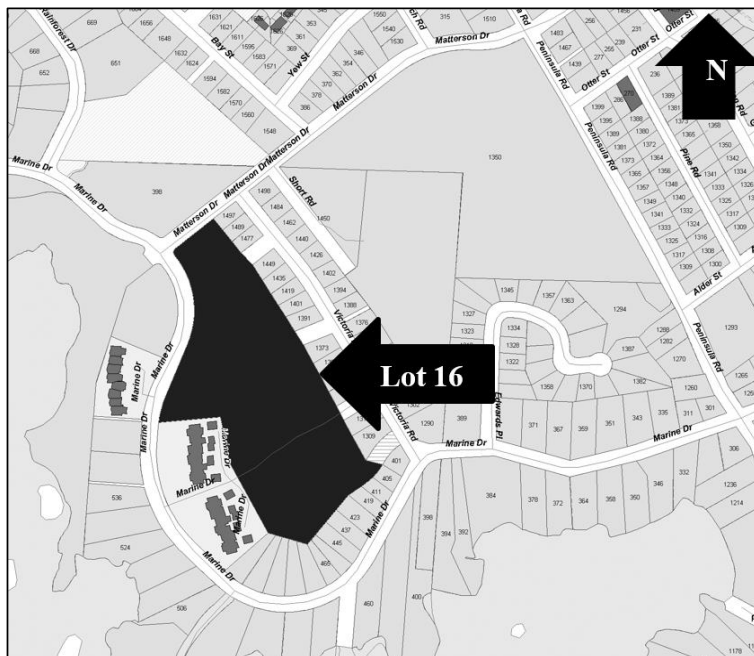
NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held in the Main Hall in the Ucluelet Community Centre at 500 Matterson Drive, Ucluelet B.C., on **Tuesday, September 7th, 2021, commencing at 5:30 p.m.** on the following proposed Bylaw pursuant to Section 464 of the *Local Government Act*.

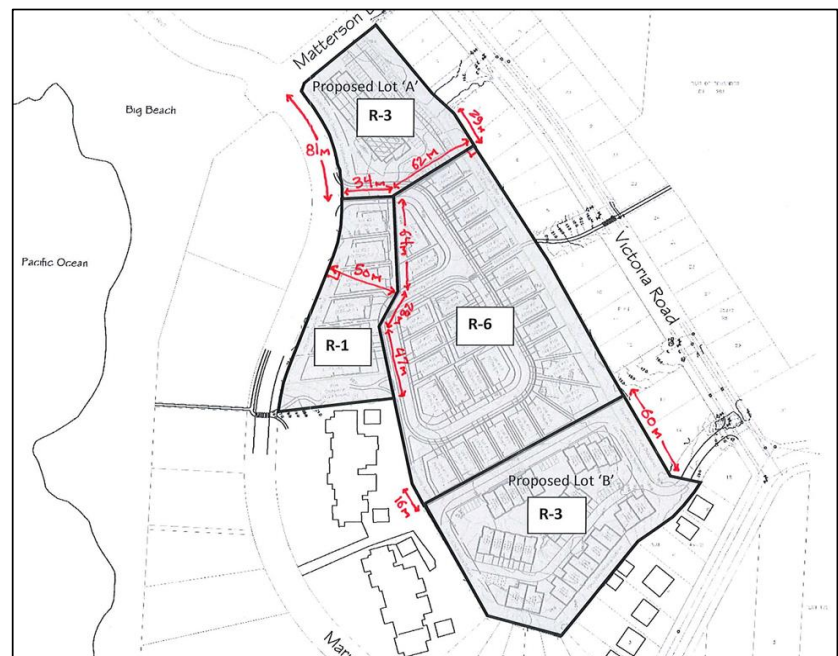
District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021

In general terms the purpose of this proposed Bylaw is to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013 (the "Zoning Bylaw") for a proposed development of a 3-storey rental apartment, large-lot single family housing, small-lot single family housing and townhouses on the property described as **Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140 - PID 025-812-823 - ("Lot 16")** by:

- adding "R-6" to the list of residential zones to which Section 306.3(7) applies (excluding uncovered patios from setbacks).
- adding a new zone "R-6 Zone – INFILL SINGLE FAMILY RESIDENTIAL" intended for single family residential development providing for a mix of compact lots sizes and housing options, with additional accessory residential dwelling unit uses (suite or cottage) on lots larger than 480m² (to see the entirety of the regulations associated to the R-6 zone follow the directions as listed below).
- adding the following regulations that would apply specifically to the areas of Lot 16 proposed to be zoned R-3 High Density Residential:
 - (1) on proposed Lot 'A' (Apartment site) subject to registration of a Housing Agreement to the satisfaction of the District restricting the use of multiple family residential dwelling units to rental tenancy and prohibiting strata conversion;
 - a.) the lot is exempt from the minimum on-site outdoor recreation space requirement typical for multiple family residential properties; and
 - b.) the maximum density is 48 units (83 units per hectare)";
 - (2) on proposed Lot 'A' the minimum setbacks for principal buildings from adjacent lot lines shall be 8m from Matterson Drive, 10m from Marine Drive and 6m from all other lot lines;
 - (3) on proposed Lot 'A' the maximum floor area of an individual multiple family dwelling unit shall be 77m² (825 ft²);
 - (4) on Proposed lot 'B' (Townhome site) the maximum density is 28 units (20 units per hectare); and
 - (5) on proposed Lot 'B' the minimum setbacks for principal buildings from external lot lines shall be 15m.
- by changing the zoning designation of **Lot 16** from CD-2 Zone (Big Beach), Subzone "CD-2A.1.6 Big Beach Estates", to areas designated as "R-1: Single Family Residential", "R-3: High Density Residential" and "R-6: Infill Single-Family Residential" as outlined in black on the proposed zoning map amendment below:



Subject property



Propose "Zoning Map" amendment

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

Participate by Written Submission: All Written submissions must include your name and street address. Any submissions dropped-off or mailed to the District office, must be received before the start of the Public Hearing. Submissions sent by email or dropped-off at the Public Hearing may be submitted until the hearing is closed. Written submissions are considered part of the public record pursuant to the *Freedom of Information and Protection of Privacy Act*.

Drop-off at the District Office
200 Main Street
Ucluelet B.C.
(there is a drop-box on site)

Drop-off at the Public Hearing
Main Hall, Ucluelet Community Centre
500 Matterson Drive
Ucluelet B.C.

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

Email
communityinput@ucluelet.ca

Attend In-Person, by Telephone or Using Zoom Online: **Attend In-person**
Main Hall, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet B.C.

If you do plan to attend in-person, we ask that you follow all current Provincial Health guidance and protocols. Seating is limited and COVID-19 protocols are in effect.

Attend by Telephone Through Zoom Webinar

One tap mobile:
• +17789072071,,82979149659#
Telephone:
• +1 778 907 2071
• Webinar ID: 829 7914 9659
International numbers available at:
<https://us02web.zoom.us/j/82979149659>

Attend Using Zoom Webinar Online

URL:
<https://us02web.zoom.us/j/82979149659>

For more information about how to participate via Zoom visit <https://ucluelet.ca/community/district-of-ucluelet-council/public-hearings> or contact the Corporate Service Department at 250-726-7744 or jrotenberg@ucluelet.ca. Public Hearings are also livestreamed on the District of Ucluelet's YouTube Channel.

Review related materials: The application, bylaw and other relevant materials may be inspected online at <https://ucluelet.ca/community/district-of-ucluelet-council/public-hearings>. Paper copies are available for inspection at the District of Ucluelet Office, 200 Main St., Ucluelet B.C. (Monday to Friday, 8:30 a.m. - 4:00 p.m., excluding statutory holidays).

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

Dated August 19, 2021: Ucluelet BC

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1284, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments for the proposed development of Lot 16 Marine Dr).

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. By amending within Division 300 – General Prohibitions and Regulations, Section 306 Buildings & Structures – Setbacks and Siting, such that “R-6” is added to the list of residential zones to which Section 306.3(7) applies.
- B. By adding a new Residential zone, to Schedule B – The Zones that directly follows R-5 Zone – Compact Single Family Residential such that the new section reads as follows:

“R-6 Zone – INFILL SINGLE FAMILY RESIDENTIAL

This Zone is intended for single family residential development providing for a mix of compact lots sizes and housing options, with additional accessory residential dwelling unit uses on the larger lots.

R-6.1 Permitted Uses

R-6.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Single Family Dwelling*
- (2) Secondary:
 - (a) *Home Occupation*
 - (b) The following additional *secondary permitted uses* are only permitted on lots of 480m² area or greater:

- (i) *Secondary Suite; or,*
- (ii) *Accessory Residential Dwelling Unit*

R-6.2 Lot Regulations

- R-6.2.1 Minimum Lot Size: 360 m² (3,875 ft²)
- R-6.2.2 Maximum Average Lot Size 480 m² (5,167 ft²)
- R-6.2.3 Maximum Lot Size: 600 m² (6,458 ft²)
- R-6.2.4 Minimum Lot Frontage: 10 m (33 ft)

R-6.3 Density:

- R-6.3.1 Maximum Floor Area Ratio: 0.35
- R-6.3.2 Maximum Floor Area Ratio with *secondary suite*
or *accessory residential dwelling unit* 0.5
- R-6.3.3 Maximum Lot Coverage: 45%

R-6.4 Maximum Size (Gross Floor Area):

- R-6.4.1 Principal Building: n/a
- R-6.4.2 Accessory Buildings: 90 m² (968 ft²) combined total

R-6.5 Maximum Height:

- R-6.5.1 Principal Buildings & Structures: 8.5 m (28 ft)
- R-6.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)
- R-6.5.3 *Accessory Residential Dwelling Unit:* 7.5m (25 ft)

R-6.6 Minimum Setbacks:

R-6.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	3 m (9.8 ft)	3 m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)
(2) Garage face	6m (19.6 ft)	n/a	n/a	n/a
(3) Accessory		3m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)

R-6.6.2 In addition, no *accessory building* may be located between the front face of the principal building and the street.”

- C. By adding the following subsection to section R-3 in alphanumerical order, as follows:

“R-3.8 Other Regulations

R-3.8.1 Notwithstanding other regulations in this bylaw, on the R-3 zoned portions of the lands legally described as Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140: PID 025-812-823 (Lot 16 Marine Drive), the following regulations apply:

(1) on proposed Lot ‘A’ (Apartment site) subject to registration of a Housing Agreement to the satisfaction of the District restricting the use of multiple family residential dwelling units to rental tenancy and prohibiting strata conversion;

- a.) the lot is exempt from the minimum useable outdoor recreation space requirement found in the definition of *multiple family residential* in section 103; and,
- b.) the maximum density is 48 units (83 units per hectare).”;

(2) on proposed Lot ‘A’ the minimum setbacks for principal buildings from adjacent lot lines shall be as follows:

- a.) from Matterson Drive: 8m (26ft)
- b.) from Marine Drive: 10m (33 ft)
- c.) from all other lot lines: 6m (20 ft)

(3) on proposed Lot ‘A’ the maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

(4) on Proposed lot ‘B’ (Townhome site) the maximum density is 28 units (20 units per hectare);

(5) on proposed Lot ‘B’ the minimum setbacks for principal buildings from external lot lines shall be 15m (49ft).”; and,

- D. By deleting subsection CD-2A.1.6 from the regulations under the CD-2 Zone – BIG BEACH.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140 (PID 025-812-823) from CD-2 Zone (Big Beach), Subzone "CD-2A.1.6 Big Beach Estates", to areas designated as "R-1: Single Family Residential", "R-3: High Density Residential" and "R-6: Infill Single-Family Residential" as outlined in black on the map attached to this Bylaw as Appendix "A".

3. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021".

READ A FIRST TIME this **23rd** day of **March**, 2021.

READ A SECOND TIME this **23rd** day of **March**, 2021.

PUBLIC HEARING held this **8th** day of **June**, 2021.

SECOND READING RESCINDED this **17th** day of **August**, 2021.

AMENDED this **17th** day of **August**, 2021.

READ A SECOND TIME AS AMENDED this **17th** day of **August**, 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.”

Mayco Noël
Mayor

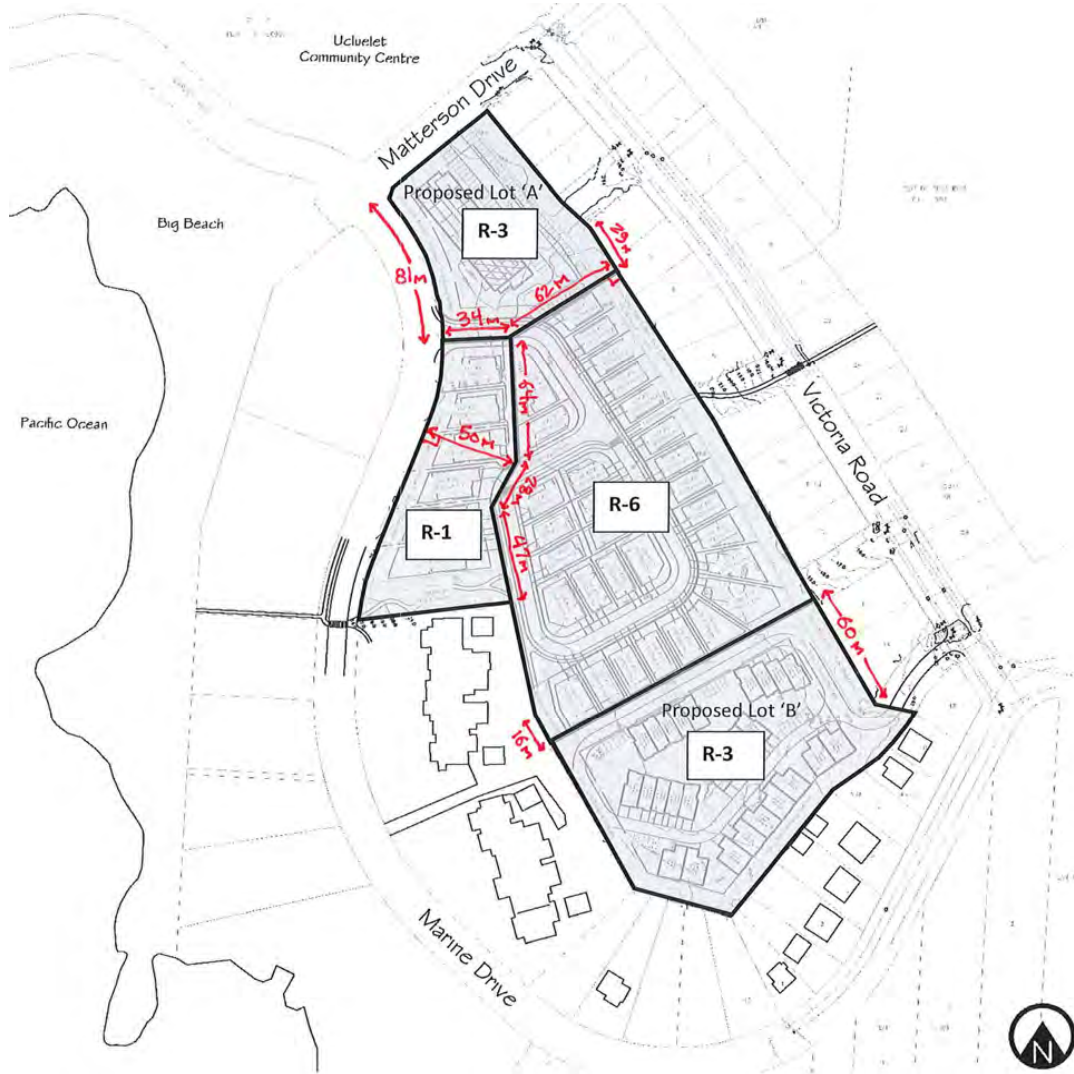
Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021
(Lot 16 Marine Drive)

From: CD-2A.1.6 Big Beach Estates
To: R-1 (Single Family Residential);
R-3 (High Density Residential); and,
R-6 (Infill Single-Family Residential) as shown:





STAFF REPORT TO COUNCIL

Council Meeting: August 17, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 3360-20-RZ19-02

**SUBJECT: DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW
No. 1284, 2021 (LOT 16 MARINE DRIVE) – RESULTS OF COW**

REPORT NO: 21-121

ATTACHMENTS: APPENDIX A – LETTER FROM CODY DREGER, NORED DEVELOPMENTS, AUGUST 12, 2021
APPENDIX B - ZONING AMENDMENT BYLAW No. 1284, 2021, (SHOWING PROPOSED
AMENDMENTS TRACKED)
APPENDIX C - ZONING AMENDMENT BYLAW No. 1284, 2021 (CLEAN)

RECOMMENDATION:

1. **THAT** Council rescind second reading of *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*;
2. **THAT** Council amend *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*, to incorporate the following changes as found in Appendices “B” and “C” to the staff report dated August 17, 2021:
 - a. on Proposed Lot ‘A’ (Apartment site) in the new section R-3.8.1(1) remove subsection (c) allowing a maximum height of 16m (in which case the 11m maximum height regulation in the existing R-3 zoning regulations would apply);
 - b. on Proposed Lot ‘B’ (Townhome site) in the new section R-3.8.1(5) increase the minimum setback from 10m (33ft) to 15m (49ft);
3. **THAT** Council give second reading to *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*, as amended; and,
4. **THAT** Council refer *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*, to a Public Hearing; and,
5. **THAT** Council indicate that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following additional offer be satisfied as the property is subdivided and developed:
 - k. dedication of an additional 280m² area of park land.

PURPOSE:

The purpose of this report is to bring District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021 (the “Bylaw”) back to Council for discussion, for consideration of the public input from the Committee-of-the-Whole meeting held August 10, 2021, and subsequent changes to the proposal by the applicant.

BACKGROUND:

At the March 23, 2021, Regular Meeting, Council gave the Bylaw first and second reading and referred it to Public Hearing which was conducted on June 8, 2021.

At its June 15th meeting, Council identified a list of 19 questions arising from the public hearing, and directed staff to prepare a report providing information, analysis, and recommendations on how those items will be addressed, with input from the applicant as necessary. At its July 17, 2021, Regular Meeting, Council referred a staff report addressing those questions to a Committee-of-the-Whole meeting held August 10, 2021.

Subsequent to the Committee-of-the-Whole meeting, the applicant suggested changes to their proposal to address a number of issues discussed in the meeting (see **Appendix ‘A’**).

DISCUSSION:

The changes to the proposal now being offered by the applicant are as follows:

- a. reduce the height of the apartment building to 3 storeys;
- b. increase the minimum setback of the townhomes from 10m to 15m; and,
- c. dedicate an additional 280m² (3,000ft²) of park land.

The series of recommendations above would incorporate these changes into the rezoning bylaw and conditions of approval, as appropriate, and send it to another Public Hearing. A copy of the bylaw showing these changes tracked is found in **Appendix “B”**, and a clean version incorporating those same changes in found in **Appendix “C”**.

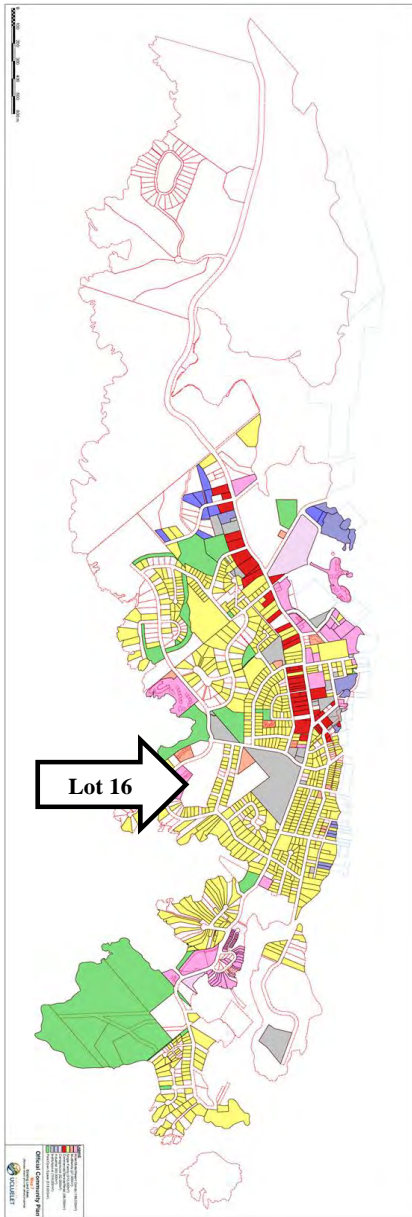
The fifth recommendation, above, would add the new additional park dedication to the conditions that would be assured by registration of a restrictive covenant on the title of the property. Under the *Land Title Act*, the location and configuration of proposed park land dedication must be accepted by Council as part of the subdivision process. The developers propose to dedicate the park land; the municipality would provide any upgrades to the park (such as installing play equipment) as it sees fit.

At the March 23, 2021, meeting Council passed a resolution indicating that final adoption of a rezoning bylaw for the proposed development would be subject to the following:

***“THAT** Council Indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:*

- a. construction and development of the rental apartment building on proposed Lot ‘A’ (the “Apartment site”) be in the first phase of the development;*
- b. dedication of a 10m wide park greenbelt along the eastern (Victoria Road side) boundary of the property, as proposed;*
- c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;*
- d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;*
- e. extension of the proposed new road to connect to Victoria Road in the general location as shown in Figure 7 of the staff report;*
- f. vehicle access to the proposed Lot ‘B’ (“Townhouse site”) be from the new internal road only;*
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;*
- h. the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval;*
- i. registration of the Housing Agreement on the title of proposed Lot A’ (the “Apartment site”) at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion; and*
- j. despite the zoning of proposed Lot ‘A’, the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans.”*

With the proposed removal of the fourth storey, and the changes to Bylaw No. 1284 as now drafted, condition “j” would no longer be necessary.



Other Issues:

In the Committee-of-the-Whole meeting, a number of comments and questions raised by members of the public touched on issues that reach beyond the Lot 16 proposed development. Some notable topics raised in the meeting include:

- the rate and impact of overall community growth and development;
- concern for the capacity of the community’s infrastructure to handle increased demand from residential and visitor growth;
- the impact on the natural environment from the location and amount of new development over time;
- concern for housing affordability and ensuring that new development includes the right mix of housing to meet the needs of the community, not just out-of-town buyers or investors; and,
- changes to the character of the community and quality of life brought about by growth and development.

In the meeting, staff attempted to briefly put these issues into a broader context. These long-range and community-wide issues are the focus of the Official Community Plan (OCP) and other long-range studies, plans, and strategies. The District’s water and sewer master plans are focused on ensuring that the municipality’s infrastructure capacity stays ahead of demand. The *2021 West Coast Land Use Demand Study* provides an analysis of the demand for growth on the west coast, projects low- medium- and high-growth scenarios (and their infrastructure impacts), and makes recommendations for guiding demand and land use changes in Ucluelet and the region over the long term.

Staff are currently working on edits to the draft OCP as previously directed by Council, for further discussion this fall. The draft OCP already points to future work to define a strategy for managing growth in the regional context; this could include identifying a preferred growth rate or total carrying capacity for both Ucluelet and the west coast. If Council wishes to see further detail on what that might look like, or include additional policy in the OCP draft, staff could present options for discussion with the draft OCP this fall.

Next Steps:

Lot 16:

This is an appropriate time to discuss what has been heard to date, through written and verbal submissions at the public hearing and during last week's Committee-of-the-Whole meeting. Council should consider the changes being offered by the applicant in the context of the community comments. Having received thorough public input, Council is well positioned to determine whether it supports the proposal as it has been presented (including the current changes offered by the applicant), or if Council would need to see further changes to any of the following:

- i. aspects of the proposed development;
- ii. conditions of final approval; or,
- iii. the contents of Zoning Amendment Bylaw No. 1284, 2021.

Because new information has been received since the closure of the Public Hearing on June 8th, a new Public Hearing would need to be held on the bylaw as it moves forward. If Council were to now refer the bylaw to a Public Hearing, that hearing would tentatively be held September 7, 2021.

OPTIONS:

Staff recommend that the concessions now being proposed by the applicant for the Lot 16 development address a number of the concerns raised by the public. Should Council wish to forward the bylaw to a Public Hearing incorporating these changes, then staff suggest Council consider the motions outlined at the outset of this report.

Alternatively, Council could consider the following:

- 4. **THAT** Council provide direction on further changes to be made to *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*;
or;
- 5. **THAT** Council forward *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*, to a Public Hearing as is;
or;
- 6. **THAT** Council could provide other direction to Staff and/or the Applicant.

Respectfully submitted: Bruce Greig, Director of Community Planning



NORED
DEVELOPMENTS

Appendix A

Dear Bruce and Council:

Thank you for the special committee meeting the other night. Myself and my family listened to what the public had to say. We understand this is a big step for the community, but feel it is an important one for the town and the community. From the start we decided that a rental building was desperately needed and made sure that what we did with this property had a building for long term rentals.

After much discussion we have decided to propose the following changes

1. The rental building will be a maximum of 3 stories of rental units. This in turn may reduce the number of units we can fit onto the property to around 40.
2. We will donate a total of 3000sqft of land to be used as parkland in the development. We will work with our surveyor to determine the best spot for this.
3. We will increase the set back from 10 meters to 15 meters along the existing homes on Marine Dr on the Townhouse portion.
4. We will go with the change of access point onto Victoria Road. This in turn will likely change the number of R6 Lots.

With these significant changes we believe that we will lose anywhere from 5-10 doors. We will not know for sure until we have an architect do preliminary drawings of the apartment building and a surveyor do up a lot layout.

To ease some of the concerns brought up at the special meeting regarding the density, and growth this is not a 2-year project and more than likely a 5-7-year project with what we feel this absorption rate on the lot sales will be. So, the growth will be phased in over a period of time. The apartment alone will likely take 2-3 years from design approval to construction completion.

We hope you as council can see that this is a large win for the community that is in dire need for long term rentals and lots that will allow a more affordable approach.

Regards,

Cody Dreger

Cody Dreger

Mezzanine Floor
6421 Applecross Road
Nanaimo, BC V9V 1N1

t 250 390 5055
fx 250 390 5074
e noreddev@shaw.ca

Nored Developments Inc.

Appendix B

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1284, 2021

A bylaw to amend the "District of Ucluelet Zoning Bylaw No. 1160, 2013".
(Zoning amendments for the proposed development of Lot 16 Marine Dr).

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. By amending within Division 300 – General Prohibitions and Regulations, Section 306 Buildings & Structures – Setbacks and Siting, such that "R-6" is added to the list of residential zones to which Section 306.3(7) applies.
- B. By adding a new Residential zone, to Schedule B – The Zones that directly follows R-5 Zone – Compact Single Family Residential such that the new section reads as follows:

"R-6 Zone – INFILL SINGLE FAMILY RESIDENTIAL

This Zone is intended for single family residential development providing for a mix of compact lots sizes and housing options, with additional accessory residential dwelling unit uses on the larger lots.

R-6.1 Permitted Uses

R-6.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Single Family Dwelling*
- (2) Secondary:
 - (a) *Home Occupation*
 - (b) The following additional *secondary permitted uses* are only permitted on lots of 480m² area or greater:

- (i) *Secondary Suite; or,*
- (ii) *Accessory Residential Dwelling Unit*

R-6.2 Lot Regulations

- R-6.2.1 Minimum Lot Size: 360 m² (3,875 ft²)
- R-6.2.2 Maximum Average Lot Size 480 m² (5,167 ft²)
- R-6.2.3 Maximum Lot Size: 600 m² (6,458 ft²)
- R-6.2.4 Minimum Lot Frontage: 10 m (33 ft)

R-6.3 Density:

- R-6.3.1 Maximum Floor Area Ratio: 0.35
- R-6.3.2 Maximum Floor Area Ratio with *secondary suite*
or *accessory residential dwelling unit* 0.5
- R-6.3.3 Maximum Lot Coverage: 45%

R-6.4 Maximum Size (Gross Floor Area):

- R-6.4.1 Principal Building: n/a
- R-6.4.2 Accessory Buildings: 90 m² (968 ft²) combined total

R-6.5 Maximum Height:

- R-6.5.1 Principal Buildings & Structures: 8.5 m (28 ft)
- R-6.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)
- R-6.5.3 *Accessory Residential Dwelling Unit:* 7.5m (25 ft)

R-6.6 Minimum Setbacks:

R-6.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	3 m (9.8 ft)	3 m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)
(2) Garage face	6m (19.6 ft)	n/a	n/a	n/a
(3) Accessory		3m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)

R-6.6.2 In addition, no *accessory building* may be located between the front face of the principal building and the street.”

- C. By adding the following subsection to section R-3 in alphanumerical order, as follows:

“R-3.8 Other Regulations

R-3.8.1 Notwithstanding other regulations in this bylaw, on the R-3 zoned portions of the lands legally described as Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140: PID 025-812-823 (Lot 16 Marine Drive), the following regulations apply:

(1) on proposed Lot ‘A’ (Apartment site) subject to registration of a Housing Agreement to the satisfaction of the District restricting the use of multiple family residential dwelling units to rental tenancy and prohibiting strata conversion;

- a.) the lot is exempt from the minimum useable outdoor recreation space requirement found in the definition of *multiple family residential* in section 103; **and,**
- b.) the maximum density is 48 units (83 units per hectare)”; ~~and,~~
- c.) ~~the maximum height is 16m (52 ft)”;~~

(2) on proposed Lot ‘A’ the minimum setbacks for principal buildings from adjacent lot lines shall be as follows:

- a.) from Matterson Drive: 8m (26ft)
- b.) from Marine Drive: 10m (33 ft)
- c.) from all other lot lines: 6m (20 ft)

(3) on proposed Lot ‘A’ the maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

(4) on Proposed lot ‘B’ (Townhome site) the maximum density is 28 units (20 units per hectare);

(5) on proposed Lot ‘B’ the minimum setbacks for principal buildings from external lot lines shall be **15m (49ft)** ~~10m (33 ft).”;~~ and,

- D. By deleting subsection CD-2A.1.6 from the regulations under the CD-2 Zone – BIG BEACH.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140 (PID 025-812-823) from CD-2 Zone (Big Beach), Subzone "CD-2A.1.6 Big Beach Estates", to areas designated as "R-1: Single Family Residential", "R-3: High Density Residential" and "R-6: Infill Single-Family Residential" as outlined in black on the map attached to this Bylaw as Appendix "A".

3. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021".

READ A FIRST TIME this **23rd** day of **March**, 2021.

READ A SECOND TIME this **23rd** day of **March**, 2021.

PUBLIC HEARING held this **8th** day of **June**, 2021.

SECOND READING RESCINDED this day of , 2021.

AMENDED this day of , 2021.

READ A SECOND TIME AS AMENDED this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021."

Mayco Noël
Mayor

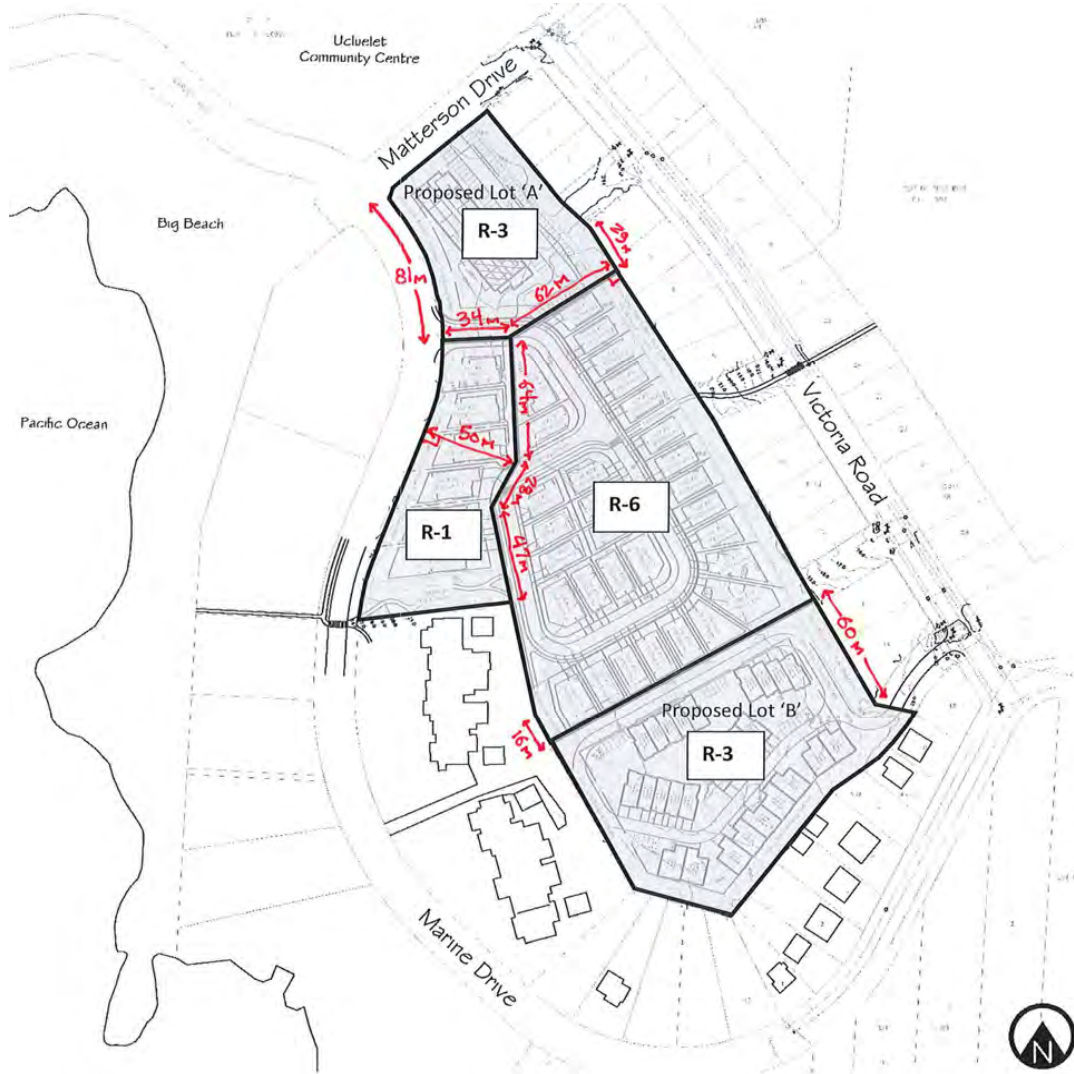
Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021
(Lot 16 Marine Drive)

From: CD-2A.1.6 Big Beach Estates
To: R-1 (Single Family Residential);
R-3 (High Density Residential); and,
R-6 (Infill Single-Family Residential) as shown:



Appendix C
DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1284, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments for the proposed development of Lot 16 Marine Dr).

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. By amending within Division 300 – General Prohibitions and Regulations, Section 306 Buildings & Structures – Setbacks and Siting, such that “R-6” is added to the list of residential zones to which Section 306.3(7) applies.
- B. By adding a new Residential zone, to Schedule B – The Zones that directly follows R-5 Zone – Compact Single Family Residential such that the new section reads as follows:

“R-6 Zone – INFILL SINGLE FAMILY RESIDENTIAL

This Zone is intended for single family residential development providing for a mix of compact lots sizes and housing options, with additional accessory residential dwelling unit uses on the larger lots.

R-6.1 Permitted Uses

R-6.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Single Family Dwelling*
- (2) Secondary:
 - (a) *Home Occupation*
 - (b) The following additional *secondary permitted uses* are only permitted on lots of 480m² area or greater:

- (i) *Secondary Suite; or,*
- (ii) *Accessory Residential Dwelling Unit*

R-6.2 Lot Regulations

- R-6.2.1 Minimum Lot Size: 360 m² (3,875 ft²)
- R-6.2.2 Maximum Average Lot Size 480 m² (5,167 ft²)
- R-6.2.3 Maximum Lot Size: 600 m² (6,458 ft²)
- R-6.2.4 Minimum Lot Frontage: 10 m (33 ft)

R-6.3 Density:

- R-6.3.1 Maximum Floor Area Ratio: 0.35
- R-6.3.2 Maximum Floor Area Ratio with *secondary suite*
or *accessory residential dwelling unit* 0.5
- R-6.3.3 Maximum Lot Coverage: 45%

R-6.4 Maximum Size (Gross Floor Area):

- R-6.4.1 Principal Building: n/a
- R-6.4.2 Accessory Buildings: 90 m² (968 ft²) combined total

R-6.5 Maximum Height:

- R-6.5.1 Principal Buildings & Structures: 8.5 m (28 ft)
- R-6.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)
- R-6.5.3 *Accessory Residential Dwelling Unit:* 7.5m (25 ft)

R-6.6 Minimum Setbacks:

R-6.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	3 m (9.8 ft)	3 m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)
(2) Garage face	6m (19.6 ft)	n/a	n/a	n/a
(3) Accessory		3m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)

R-6.6.2 In addition, no *accessory building* may be located between the front face of the principal building and the street.”

- C. By adding the following subsection to section R-3 in alphanumerical order, as follows:

“R-3.8 Other Regulations

R-3.8.1 Notwithstanding other regulations in this bylaw, on the R-3 zoned portions of the lands legally described as Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140: PID 025-812-823 (Lot 16 Marine Drive), the following regulations apply:

(1) on proposed Lot ‘A’ (Apartment site) subject to registration of a Housing Agreement to the satisfaction of the District restricting the use of multiple family residential dwelling units to rental tenancy and prohibiting strata conversion;

- a.) the lot is exempt from the minimum useable outdoor recreation space requirement found in the definition of *multiple family residential* in section 103; and,
- b.) the maximum density is 48 units (83 units per hectare).”;

(2) on proposed Lot ‘A’ the minimum setbacks for principal buildings from adjacent lot lines shall be as follows:

- a.) from Matterson Drive: 8m (26ft)
- b.) from Marine Drive: 10m (33 ft)
- c.) from all other lot lines: 6m (20 ft)

(3) on proposed Lot ‘A’ the maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

(4) on Proposed lot ‘B’ (Townhome site) the maximum density is 28 units (20 units per hectare);

(5) on proposed Lot ‘B’ the minimum setbacks for principal buildings from external lot lines shall be 15m (49ft).”; and,

- D. By deleting subsection CD-2A.1.6 from the regulations under the CD-2 Zone – BIG BEACH.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140 (PID 025-812-823) from CD-2 Zone (Big Beach), Subzone "CD-2A.1.6 Big Beach Estates", to areas designated as "R-1: Single Family Residential", "R-3: High Density Residential" and "R-6: Infill Single-Family Residential" as outlined in black on the map attached to this Bylaw as Appendix "A".

3. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021".

READ A FIRST TIME this **23rd** day of **March**, 2021.

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SECOND READING RESCINDED this day of , 2021.

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CERTIFIED A TRUE AND CORRECT COPY of "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021."

Mayco Noël
Mayor

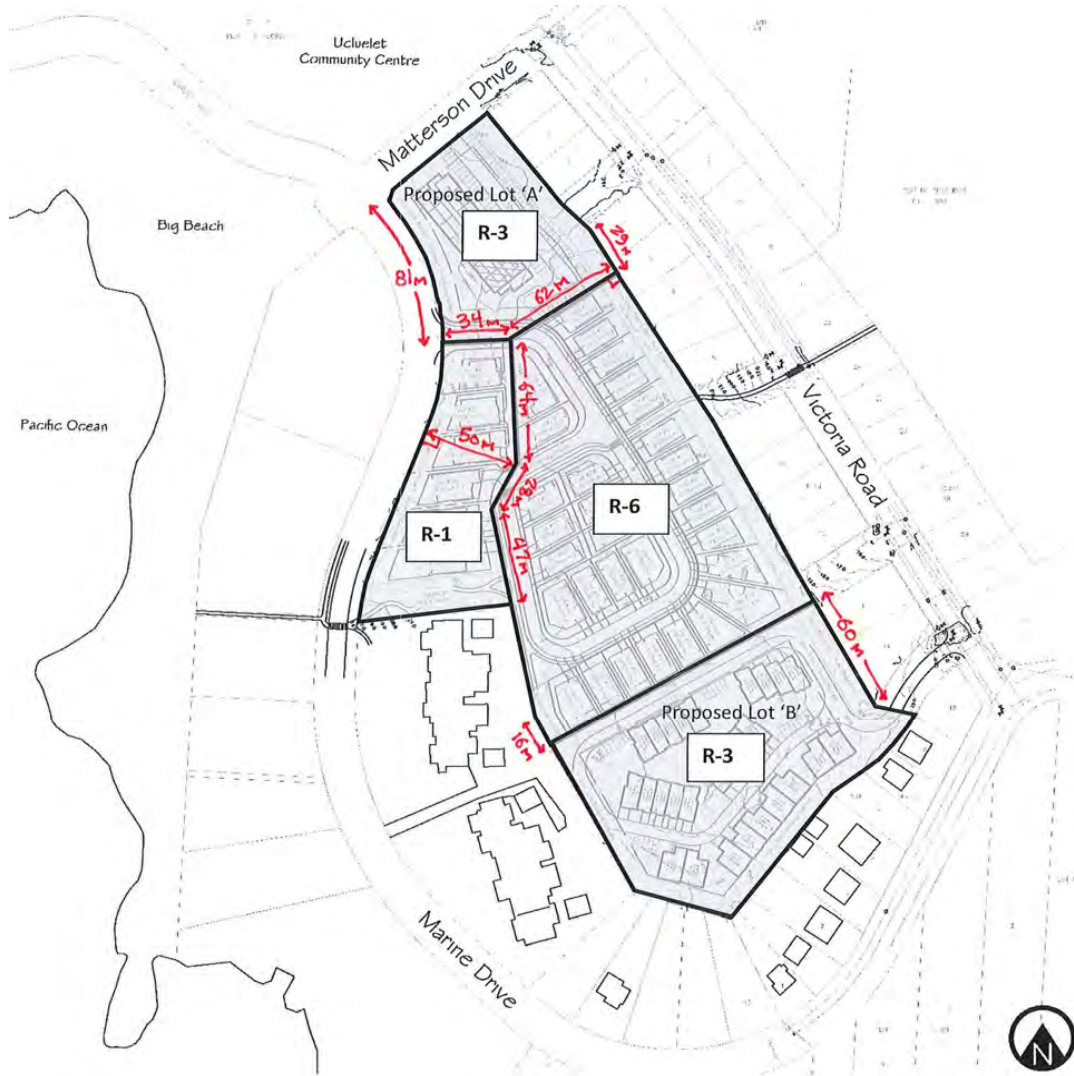
Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021
(Lot 16 Marine Drive)

From: CD-2A.1.6 Big Beach Estates
To: R-1 (Single Family Residential);
R-3 (High Density Residential); and,
R-6 (Infill Single-Family Residential) as shown:





STAFF REPORT TO COMMITTEE-OF-THE-WHOLE

Committee Meeting: August 10, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ19-02
SUBJECT: LOT 16 MARINE DRIVE – COMMITTEE-OF-THE-WHOLE **REPORT NO:** 21-113
ATTACHMENT(S): **APPENDIX A** – STAFF REPORT TO COUNCIL JULY 17, 2021
APPENDIX B – STAFF REPORT TO COUNCIL MARCH 23, 2021

RECOMMENDATION:

1. **THAT** the Committee-of-the-Whole provide an opportunity for public input on the proposed Lot 16 housing development and rezoning Bylaw No. 1284, 2021;
and:
2. **THAT** the Committee-of-the-Whole consider making recommendations to Council on any changes it wishes to see in the proposed development plan, conditions of final approval or bylaw;
or:
3. **THAT** the Committee-of-the-Whole consider forwarding *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*, to a public hearing as is.

PURPOSE:

The purpose of this report is to provide a suggested structure for the Committee-of-the-Whole (CoW) meeting, including an opportunity for public questions and input.

BACKGROUND:

At its July 17, 2021, regular meeting, Council referred the staff report attached as **Appendix A** to a CoW meeting to be held August 10, 2021. This meeting provides an opportunity for further discussion of the Lot 16 housing development and *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*.

Previously, at its June 15th meeting, Council also passed the following:

“THAT Council:

- a. direct Staff to prepare a report providing the information, analysis, and recommendations on how those items will be addressed, with input from the applicant as necessary;*
- b. hold a Committee of the Whole meeting to provide an opportunity for the Applicant and Staff to address the report;*
- c. provide an opportunity for further public input at the Committee of the Whole meeting;*
- d. at that point consider whether Council deems it necessary to make changes to the bylaw or conditions of final approval, prior to considering referral of the bylaw to another public hearing; and,*
- e. direct Staff to publish notice of the Special Committee of the Whole meeting as widely as possible.”*

At the March 23, 2021, meeting Council passed a resolution indicating that final adoption of a rezoning bylaw for the proposed development would be subject to the following:

“THAT Council Indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:

- a. construction and development of the rental apartment building on proposed Lot ‘A’ (the “Apartment site”) be in the first phase of the development;*
- b. dedication of a 10m wide park greenbelt along the eastern (Victoria Road side) boundary of the property, as proposed;*
- c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;*
- d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;*
- e. extension of the proposed new road to connect to Victoria Road in the general location as shown in Figure 7 of the staff report;*
- f. vehicle access to the proposed Lot ‘B’ (“Townhouse site”) be from the new internal road only;*
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;*

- h. *the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval;*
- i. *registration of the Housing Agreement on the title of proposed Lot A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion; and*
- j. *despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans."*

Notice of the CoW meeting has been completed in much the same manner as is done for a public hearing: print ads in the Westerly News, signs posted on the public road near the entrances to the property, mailout and hand delivery to owners and occupants of neighbouring properties within 100m, posted at the Co-op community notice board, and sent out via UkeeMail and District social media.

The District dedicated <https://ucluelet.ca/community/district-of-ucluelet-council/lot-16-housing-development> to providing information about this meeting and the proposal. Background information including the Bylaw, Staff Reports, Minutes, the Applicant's presentation, and community feedback are available on this website.

DISCUSSION AND PROCESS:

The content of the staff report in Appendix A is a starting point for discussion with the community and among Committee (i.e., Council) members themselves. A recommended sequence of proceedings in the CoW meeting are as follows:

- A. Intro: Staff are prepared to provide an overview of the proposed Lot 16 development and bylaws (see also **Appendix "B"**), and the contents of the July 17th staff report. If there are questions from the Committee members at that point staff will provide any clarification as necessary;
- B. Public input: the Chair of the CoW can provide an opportunity for the public to direct comments and questions to the CoW. If there are questions that Committee members would like to direct to staff or the applicant, those can be directed at this point through the Chair;
- C. Committee discussion: when the CoW deems that adequate opportunity has been provided for community members to provide their input, the discussion should return to the Committee table. This is an appropriate time to discuss what has been heard to date, through written and verbal submission at the public hearing and

during this CoW meeting. An appropriate approach would be for Committee members to narrow in on a direction for the following:

- a. whether the CoW deems that there are any further questions which need to be addressed prior to making a decision on the rezoning bylaw for the proposed development of Lot 16; and,
- b. whether there is support for the proposal as it has been presented, or if the Committee would recommend changes to any of the following:
 - i. aspects of the proposed development;
 - ii. conditions of final approval; or,
 - iii. the contents of Zoning Amendment Bylaw No. 1284, 2021,

D. Recommendations to Council: subject to the outcome of the discussion of the above points, the Committee-of-the-Whole should then formulate motions to provide recommendation to Council on any changes desired to move toward sending the application and rezoning bylaw to another public hearing.

NEXT STEPS:

Recommendation from the CoW on whether changes are desired to the development, Bylaw No. 1284 or conditions of final approval would be placed on the agenda of the upcoming Council meeting August 17, 2021. At that point Council could have a further discussion and make resolutions to direct staff on next steps.

If the bylaw, with or without changes, is referred to a public hearing on August 17th, notice could be given for a hearing to be held as early as September 7th, 2021.

Alternatively, the Committee-of-the-Whole could provide other direction to Staff and/or the Applicant.

Respectfully submitted: Bruce Greig, Director of Community Planning

(Appendix 'A' to CoW report August 10, 2021)



STAFF REPORT TO COUNCIL

Council Meeting: July 13, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

FILE NO: 3360-20-RZ19-02

SUBJECT: LOT 16 MARINE DRIVE

REPORT NO: 21- 109

ATTACHMENT(S): **APPENDIX A** – NORED DEVELOPMENTS DATED JULY 7, 2021
APPENDIX B - OFF-SITE SERVICING MEMORANDA AND COSTS ESTIMATES BY KOERS & ASSOCIATES ENGINEERING
APPENDIX C – ESTIMATE OF DCC CHARGES FOR LOT 16

RECOMMENDATION:

1. **THAT** Council refer this report to a special Committee-of-the-Whole meeting to be held August 10th, 2021.

PURPOSE:

The purpose of this report is to provide additional information in response to questions from Council and the public regarding the proposed rezoning and development of Lot 16 Marine Drive, raised at the public hearing held June 8, 2021, and subsequent Council meeting held June 15, 2021.

BACKGROUND:

At its June 15, 2021, regular meeting, Council discussed comments received from the public to date on the Lot 16 rezoning proposal, and passed the following motion:

*“ **THAT** Council identifies the following items that it wishes to resolve prior to further consideration of the Bylaw:*

- a. Is there an environmental assessment and can we see that report?*
- b. I saw one lot available for affordable housing, how do we figure out that percentage, and how can we work with BC Housing?*
- c. Water runoff onto Victoria Road and Marine Drive.*
- d. What is the width of the roads in the proposed development and will there be sidewalks?*
- e. What are the total DCC's paid for the development?*
- f. What is the buffer (set back) on the Marine Drive side of the development?*

- g. What are the rental caps for the apartment building? What percentage is for affordable housing in the apartment building?*
- h. What do the upgrades look like for Matterson Road?*
- i. Would the developer/owner entertain the idea of focusing on the apartment building first, and then moving over to the rest of the development, to make sure that the apartment is constructed first?*
- j. Who is paying for the sewer upgrades at the corner of Marine Drive and Victoria Road and who is paying for sewer and water upgrades associated with the development in general?*
- k. What is the timeline for this development?*
- l. How does this development help our community?*
- m. Is blasting required at this site? If so, what is the extent of the blasting?*
- n. Is there an archeological study and can we see that study?*
- o. Is this still an archeological site?*
- p. Is a three-storey apartment building an option?*
- q. How are patios addressed in the setback requirements in the zoning?*
- r. Are there alternative access roads other than off of Victoria Road, and the corner of Victoria Road and Marine Drive. What other options are available?*
- s. Requests that a traffic study be conducted.”*

The applicant has provided a response (see **Appendix ‘A’**) providing answers to each of these questions, with references to how these items have been addressed and where more information is provided in the original application and staff reports. In addition, the following section expands on two threads where staff sense that additional information would be helpful for Council and the public.

DISCUSSION:

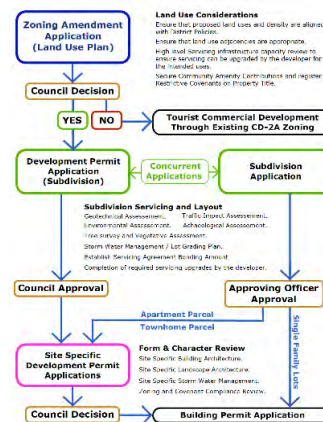
A. Stages of the approval process:

A number of the comments from the public raise questions about details that are often provided at a subsequent stage of the development approvals process. The application before Council at this time is to change the zoning designation of the property. The permitted uses and densities being proposed for different areas of the subject property are the main considerations at this stage.

While quite detailed plans have been submitted with this application, they have been presented as proof-of-concept plans aiming at obtaining rezoning approval. The applicant has acknowledged that more detailed plans and studies would be necessary at the later stages of municipal approval. This is a normal course for this type of development proposal.

Council has indicated a number of critical elements that it wishes to ensure if the development proceeds. These conditions would be secured by a restrictive covenant registered on the title of Lot 16 before Council considers adopting the zoning amendment bylaw.

The applicant has provided a helpful flowchart to illustrate the steps in the approvals process, and the information and studies provided at each stage (see **Appendix 'A'**). As noted, more detailed studies are typical of the Development Permit and Subdivision stages for a development of this sort.



B. Costs of upgrading and expanding infrastructure:

A number of comments from the public raised concerns about the impact on existing infrastructure (such as the Victoria Road sewer pump station), the cost of installing new infrastructure - and questioned whether Ucluelet taxpayers would be bearing those costs. These are good questions. Briefly, in response to questions “e” and “j” of the Council motion above, consider the following:

- On-site: the cost of constructing new roads, water lines, sewer lines, street lighting, fire hydrants, pathways, etc. to municipal standards within the Lot 16 subdivision is entirely the responsibility of the developer. This is estimated at roughly \$2 million for Lot 16 (see **Figure 1**);
- Off-site: infrastructure upgrades (e.g., larger sewer pipes, or a new water line) required to service the proposed development are also to be constructed by the developer at their cost. The off-site water and sewer upgrades required by Lot 16 are estimated at approximately \$938,000 (see **Figure 1**);
- The need for potential upgrades to the municipal systems were analyzed by the District’s engineers to identify what upgrades would be necessary, and how the new development fits within the anticipated demand already projected in the District’s water and sewer master plans (see **Appendix B**);
- In addition, under the Development Cost Charge (DCC) bylaw, all new developments pay fees to contribute to the incremental cost of expanding infrastructure to service a growing town. A summary showing the preliminary calculation of DCC fees is included in **Appendix C** and is shown in **Figure 1**;
- the total servicing costs borne by the developer – in approximate numbers at this point - amount to \$3.7 million (the orange areas in the chart in **Figure 1**);

- note that there is an overlap identified between off-site infrastructure and works already defined in the municipal DCC program amounting to \$410,000. If the off-site works are constructed as proposed then that portion of the DCC's would not be charged to the developer – because doing otherwise would amount to double-charging (shown as the dashed line in **Figure 1**).
- as noted in the March 23, 2021, staff report:

“Some additional costs, for extra work to provide public improvements already identified by municipal infrastructure master plans, should be budgeted to align with the timing of the developer’s installation of infrastructure. Two notable items are:

- *increasing the pipe size on the Matterson Bypass sewer forcemain (est. cost \$137,000). It would be cost effective for the District to pay for up-sizing the pipe to handle the entire future capacity of this line.*
- *additional design and paving costs to place an asphalt multi-use path atop the new sewer forcemain alignment parallel to Matterson Drive (est. cost \$100,000). This would provide the improved pedestrian and bicycle connection along Matterson envisioned as the “coast-to-coast connector” in the Parks and Opens Space master plan. The most cost-effective installation of the pathway would be if coordinated with the sewer line installation.”*

Staff have looked in closer detail at the pathway and recommend that \$175,000 would be an appropriate preliminary budget figure to consider for the “coast-to-coast connector”, to include a healthy contingency.

Note that both of these items are advisable to take advantage of cost savings during construction of the developer’s works - but are optional and could also be completed by the municipality at another time (though likely at greater cost). It is also worth noting that both of these items could be funded without relying on additional municipal property taxes (see green bars in Figure 1, below).

- with respect to question “j”, the proposed new “Matterson bypass” works would result in the sewer volume from Lot 16 and all existing volume coming from the Big Beach pump station then bypassing the Victoria Road station – reducing the load on the existing Victoria Road infrastructure.

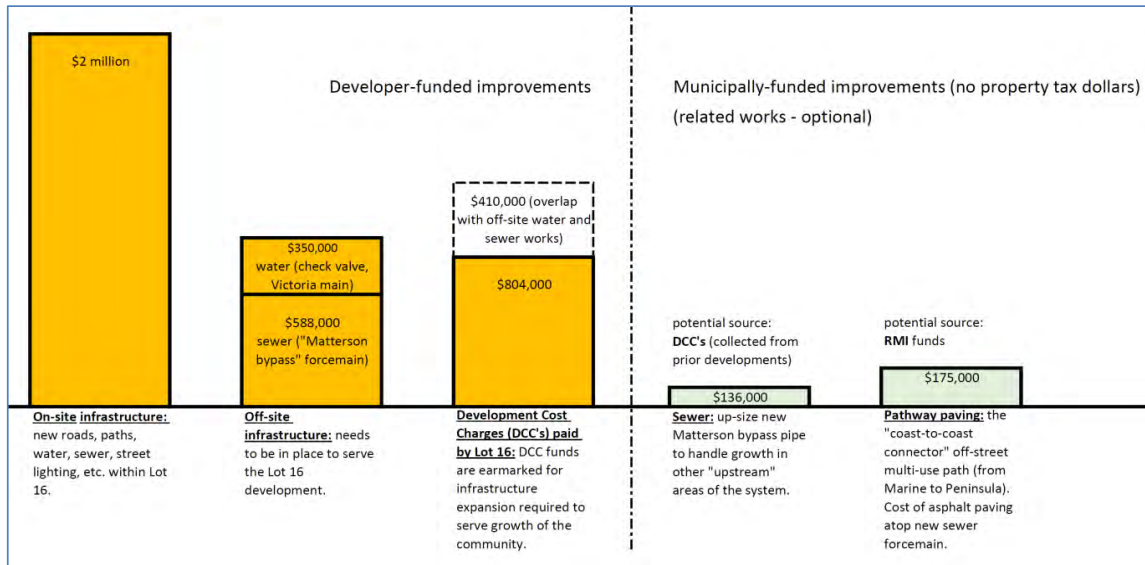


FIGURE 1 – preliminary on- and off-site servicing costs for proposed Lot 16 development

PROCESS AND NEXT STEPS:

At its June 15th meeting, Council also passed the following:

“THAT Council:

- a. direct Staff to prepare a report providing the information, analysis, and recommendations on how those items will be addressed, with input from the applicant as necessary;*
- b. hold a Committee of the Whole meeting to provide an opportunity for the Applicant and Staff to address the report;*
- c. provide an opportunity for further public input at the Committee of the Whole meeting;*
- d. at that point consider whether Council deems it necessary to make changes to the bylaw or conditions of final approval, prior to considering referral of the bylaw to another public hearing; and,*
- e. direct Staff to publish notice of the Special Committee of the Whole meeting as widely as possible.”*

This report and its attachments have now been published and are available to the public on the municipal website. Staff recommend that Council could now refer this report to a

Committee-of-the-Whole (CoW) meeting; a tentative date suggested for this meeting is August 10th.

Staff are prepared to give the public notice of the CoW meeting in much the same manner as is done for a public hearing: print ads in the Westerly News, signs posted on the public road near the entrances to the property, mailout and hand delivery to owners and occupants of neighbouring properties within 100m. Staff suggest that a copy of the CoW notice also be posted at the Co-op community notice board, and that the message be sent out via UkeeMail and District social media.

Alternatively, Council could provide other direction to Staff and/or the Applicant.

Respectfully submitted: Bruce Greig, Director of Community Planning



July 7, 2021

Via Email: Bruce Grief, Director of Planning bgreif@ucluelet.ca

Attention: District of Ucluelet

Re: Email Request for Clarification from District Staff

Council Motion 1:

The Council Motion identifies a list of items and questions that Council wishes to resolve prior to further consideration of the Bylaw. MacDonald Gray Consultants has provided detailed responses to District Staff to be included in their follow up report to Council for that purpose.

Notes on Participation in the Public Hearing

Both the Applicant and Property Owners were present and listening to public comments for the entire length of the Public Hearing. There were several comments made that “we did not speak” at the Public Hearing. It is important that Council and the Community understand that discussion is not intended to occur at a Public Hearing. That said, some discussion did occur at the meeting.

MacDonald Gray Consultants and Nored Developments strive to be open and transparent in all of our development projects and want to assure Council that we were in a difficult position and in no way attempting to hide from the questions raised. In fact, we believe the majority of the questions had been answered prior to the Public Hearing to the satisfaction of Staff and Council.

We do not typically provide a formal presentation at a Public Hearing for the same reasons. A presentation was requested and provided which was our opportunity “to speak” at the hearing. The presentation was pre-recorded due to concerns with the online meeting technology and to avoid any accidental introductions of ‘new information’

As Applicants, we must uphold the integrity of our profession and duty to the public interest of both the property owners and community by not introducing ‘new information’ beyond what was available prior to the hearing.

Mezzanine Floor
6421 Applecross Road
Nanaimo, BC V9V 1N1

t 250 390 5055
fx 250 390 5074
e noreddev@shaw.ca

Nored Developments Inc.



NORED

DEVELOPMENTS

Why did our team not feel that it was necessary or appropriate to speak at the Public Hearing? Quite simply:

- Because the answers to questions raised at the meeting were addressed and answered within documents available prior to and at the meeting:
 - The District of Ucluelet Planning Department Staff Report provided to Council on March 23, 2021 at the Council Meeting where 1st and 2nd Reading of the Bylaw were passed by Council;
 - The Applicant's Planning Framework Report attached to the Staff Report referenced above.
- Because, a number of questions referenced subsequent application and approval process requirements that were well beyond the level of detail required for a land use discussion at a master planning level.

Suggestions of Withholding Information

There was also a suggestion that comments provided to us from individual members of the public were deliberately omitted from the pre-application Public Information Meeting Summary provided with our Application package.

This is simply not true. All comment sheets submitted to us at the Public Information Meeting on December 7, 2018 and within a specified window of time after the meeting were submitted to the District on December 12, 2021. Some comments were received via email after PIM Summary had already been submitted and were taken into consideration by the project team prior to submitting a formal Application to the District.

Honor and integrity are the key pillars of our approach to land use planning and development. We are both Vancouver Island companies. We love this island and all of the communities that we are so fortunate to work with. We do not bring forward projects that we do not firmly believe are the right land use for the community.

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NORED

DEVELOPMENTS

It is understandable that folks can be cautious of developers and development. It is also understandable that adjacent neighbours are not keen on losing the undeveloped private property adjacent to their homes that they have enjoyed for so long.

MacDonald Gray Consultants

Nigel Gray
Nigel Gray

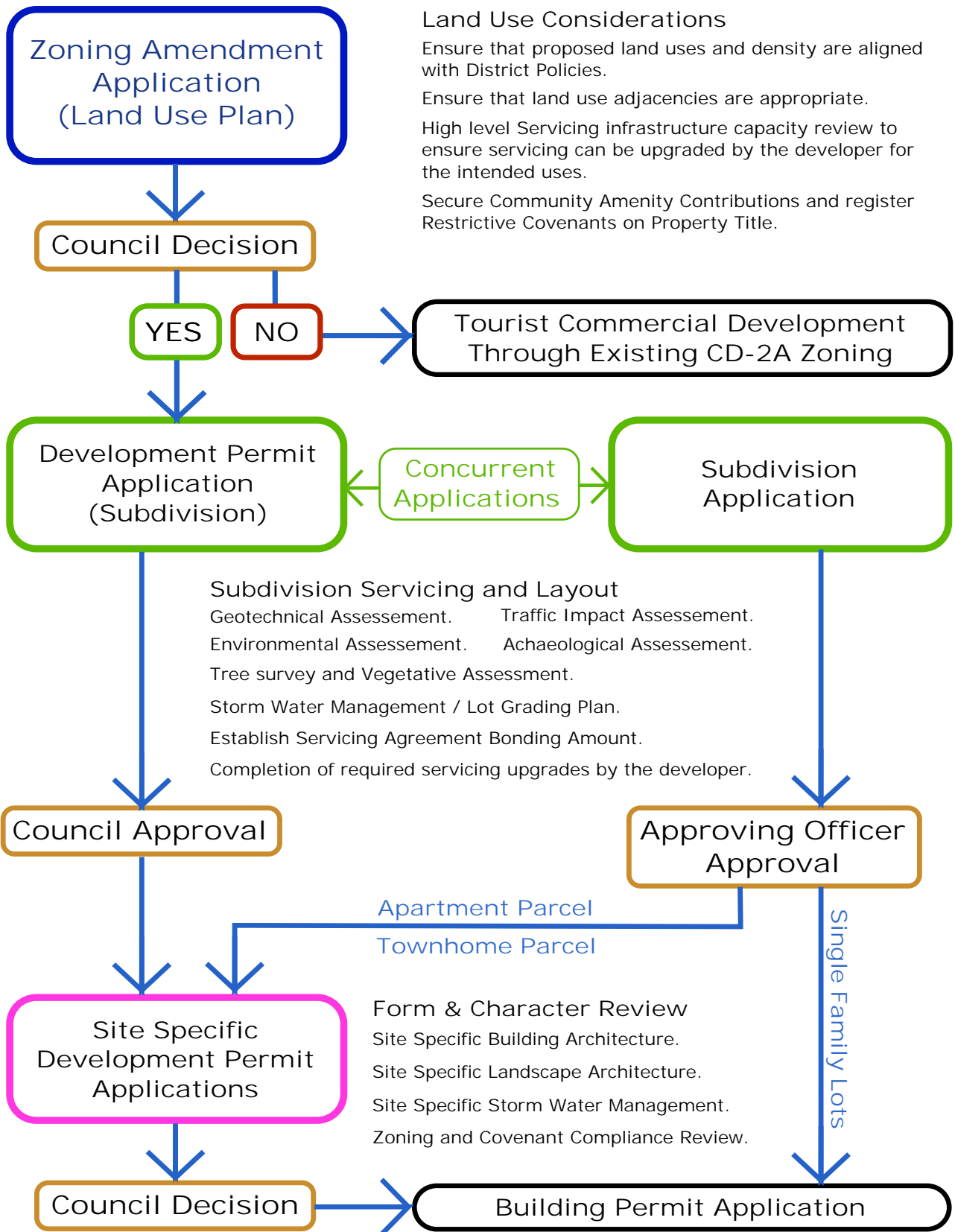
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June 15 Council Motion – 1 Page Summary Responses by Applicant

Question

- a. **Is there an environmental assessment and can we see that report?**

Answer

The lot has been previously disturbed. An environmental report will be prepared at the time of Development Permit / Subdivision Application once the new Zoning is in place.

All provincial and Municipal requirements MUST be met through permitting processes.

Applicable Development Stage(s): Development Permit Application (Subdivision Layout)
Subdivision Application

References:

Official Community Plan Bylaw No. 1140, 2011

Lot 281 - Development Permit Area (DPA) 5 is applicable to areas of the lands as identified on the District of Ucluelet OCP, Schedule 'C' – Map. The DPA is established for the purposes of:

- Protection of the natural environment, its ecosystems and biological diversity;
- Protection of development from hazardous conditions; and,
- Establishment of objectives for the form and character of development in the resort region.

Refer to the Applicant's Planning Framework Report

Section 6.2 Development Permit Areas

Section 9.2 Lot 281 DPA #5 - Considerations

(March 23, 2021 [Council Agenda](#), pg. 101, 103)

Landscape and environmental preservation are key components of the DP guidelines. All development proposals will require careful consideration and design responses that seek to protect existing sensitive ecosystems, significant trees and shrubs.

Environmentally significant areas, including watercourses and significant stands of trees, have not been ground-truthed by the project biologist. The location of these features will need to be incorporated into future site planning and subdivision layout where feasible and as required by law during subsequent permitting processes.

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFFERED 3RD READING

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- b. I saw one lot available for affordable housing, how do we figure out that percentage, and how can we work with BC Housing?**

Answer:

Affordable Housing (Social / Subsidized Housing) is not proposed as a part of this application.

One serviced Infill Small Lot (R-6 Zone) is proposed to be dedicated to the District to be used as they see fit. The lot could be used for affordable housing by the District.

A number of additional mechanisms are available through the Community Amenity Contribution proposal for the District to create affordable housing opportunities as follows:

- A financial contribution to the District is proposed. Beyond the significant land dedication for parks and trails, a financial contribution of \$1,000.00 / per door/unit is proposed. This would equal \$112,000.00 based on proposed density of 112 primary dwelling units (suites are not included);
- The proposed financial contribution (noted above) could also be directed toward other affordable housing initiatives within the District. Funds could be set aside for a DCC Waiver program for eligible developments. The value of this lot has increased and is estimated at approximately \$300,000.00 (2021) by the property owner.
- The District could also close the unused road stubs from Victoria Road to be used for affordable housing projects at the discretion of Staff and Council.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

[Refer to the Applicant's Planning Framework Report](#)
[Section 10.2.2 Vehicle Access Concerns](#)
[Section 10.3.1 Request for a Community Amenity Contribution](#)
(March 23, 2021 [Council Agenda](#), pg. 105, 106)

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFERRED 3RD READING

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- c. **Water runoff onto Victoria Road and other part of Marine drive.**

Answer:

Surface water run-off from any development or constructed works must be addressed on site and not flow onto adjacent properties. The upland property owner would be liable for any damage caused to downstream properties.

Stormwater management will be undertaken for both the Subdivision Application and site specific Development Permits to the standards set by the Province and District once the Zoning is in place.

Applicable Development Stage(s):

Subdivision Application (Works & Services)
Development Permit Application (Site Specific)
Building Permit Application (Site Specific)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)

[Section 4.7.1 Onsite Services](#)

(March 23, 2021 [Council Agenda](#), pg. 66)

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities [will be required](#) as part of any future subdivision.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

d. What is the width of the roads in the proposed development and do they have sidewalks?

Answer:

14m width Public Roads with detached sidewalks and a greenway connection are shown on the 'proof of concept' drawings, but would require future separate approval by the District Engineer and Council.

The District does not currently have a 14m road standard, although a 12m road standard has been applied to the recent Lot 13 Subdivision.

The specific technical details of a 14m Road Right of Way would require approval by the District Engineer, a variance to the District Engineering Standards and an approved Development Permit.

The other option is to develop the single family housing land uses as a Bare Land Strata with our own reduced internal road standards.

Applicable Development Stage(s): Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
[Section 4.7.1 Onsite Services](#)
(March 23, 2021 [Council Agenda](#), pg. 66)

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities will be required as part of any future subdivision.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- e. **What are the total DCC's paid for the development?**

Answer:

District Staff to Quantify DCC amounts based on current rates.

It should be noted that:

- The costs of all works and services required at the time of subdivision will be at the cost of the developer and existing DCC project specific funding;
- Some DCC works have already been identified by the District and funded through DCC fees provided by past development;
- This development will also contribute to future DCC projects within the District;
- There is no cost to District ratepayers to service this development.

Applicable Development Stage(s):

Subdivision Application (DCC Payable - Lots)
Building Permit (DCC Payable – Multifamily by Unit)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)

Section 6 Financial Impacts

(March 23, 2021 [Council Agenda](#), pg. 68)

The Development Cost Charges for the new development will be collected at the time of building permit issuance on a per unit basis for the multi-family portions, as set out in the municipal DCC bylaw.

DCC's would also be payable for the new single-family lots at the time the final subdivision approval is granted for each new lot.

Off-site servicing costs would be borne by the developer.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

f. What is the buffer on the Marine Drive side of the development?

Answer:

10m Setbacks are provided along Marine Drive built to be secured through a restrictive covenant.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption
- Secured in Zoning Bylaw Regulations

References:

Staff Report – Council Meeting: March 23, 2021:
Section 1, 5, d.:

registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;

Appendix A, 1, R-6.6.2, C. R-3.8 Other Regulations, (2)

(2) on proposed Lot 'A' the minimum setbacks for principal buildings from adjacent lot lines shall be as follows:

b.) from Marine Drive: 10m (33 ft)

Refer to the Applicant's Planning Framework Report
Section 10.2.1 10m Buffer Request
(March 23, 2021 Council Agenda, pg. 104)

Question:

- g. What are the rental caps for the apartment building? What percentage is for affordable housing in the apartment?**

Answer:

Affordable Housing (Social / Subsidized Housing) is not proposed as a part of this application. Refer to the answer to question 'b' above.

A full spectrum of housing options is proposed in a comprehensive package as follows:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Rental Apartment Building

- i) Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
- ii) Registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.
- iii) The maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

Subdivision Application

- Secured by Housing Agreement on Title

References:

[Staff Report – Council Meeting: March 23, 2021:](#)

[Section 1, 5, i, Recommendations](#)

[Section 4 Discussion](#)

[Section 4.1 Rental Apartment Building](#)

[Appendix A, 1, C. R-3.8 Other Regulations](#)

These apartments would not be permitted for short-term rental for tourist accommodation, nor would they be stratified for individual ownership. These provisions would be included in a Housing Agreement with the District of Ucluelet, registered on the property title.

The addition of 48 rental apartments would be a valuable addition to the housing supply in Ucluelet; the applicant's commitment to developing this portion of the site for rental housing is significant, and should be considered among the amenities or other community benefits presented by this proposal.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

h. What do the upgrades look like for Matterson Road?

Answer:

Frontage improvements will meet the District Engineering Standards for Matterson Road through the Subdivision Application process.

District Staff to identify the specific Engineering Department road standard.

Applicable Development Stage(s): Subdivision Application (Works & Services)

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- i. **Would the developer/owner entertain the idea focusing on the apartment building and then move over to the rest of the development, to make sure that the apartment is constructed first?**

Answer:

This has already been negotiated through conversations with Staff and confirmed as a requirement by Council at the March 23, 2021 Council Meeting.

Rental Apartment Building

- iv) Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
- v) Registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.
- vi) The maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

Staff Report – Council Meeting: March 23, 2021:

Section 1, 5, a, Recommendations

Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;

Section 4.1, Rental Apartment Building

The applicant is proposing that the first phase of developing Lot 16 would be a four-storey, 48-unit Multiple Family Residential apartment building for rental tenancy only.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- j. **Who is paying for the sewer upgrades at the corner of Marine Drive and Victoria Street and who is paying for sewer and water upgrades in general with the development?**

Question:

This is a common misperception raised during application processes.

The Developer pays the cost outright or in combination with DCC funding provided by past developments. This is always the case with all development.

There will be no cost to the ratepayer for the development to occur beyond District Staff time commitments.

Note that DCC funding must be applied to the specified project and cannot be shifted between projects once formally earmarked.

Beyond the required off site works noted above, the on-site works / internal servicing costs are estimated in the ballpark of \$2,000,000.00 by the project Civil Engineer.

Applicable Development Stage(s): Subdivision Application (Works & Services)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
Section 6 Financial Impacts

Off-site servicing costs would be borne by the developer.

[Refer to the Applicant’s Planning Framework Report](#)
Section 2.2 Servicing
(March 23, 2021 [Council Agenda](#), pg. 89)

This is a common expectation of municipalities to ensure that the total cost of servicing the proposed land use and density is paid for by the developer. Local area residents will not incur any costs due to the rezoning.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

k. What is the timeline for this development?

Answer:

The project timeline will not be established until the Zoning Amendment is completed.

Market conditions and construction cost constantly fluctuate so it is impossible to determine ahead of the surety of a completed land use change.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

I. How does this development help our community?

Answer:

Staff have outlined their support for the proposed residential land uses and we have provided a strong supporting planning rationale in our application materials.

Applicable Development Stage(s): Zoning Amendment (Rezoning)

References:

Staff Report – Council Meeting: March 23, 2021:
Section 7 Policy and Legislative Impacts
Conclusions and Options

The development of Lot 16 for a mix of residential uses is consistent with Ucluelet’s Official Community Plan. The draft zoning amendment bylaw presented with this report is being recommended for Council to consider to advance this significant proposal to a public hearing.

The zoning amendment that is recommended strives to represent the best interests of the community with a residential focus on this key property while allowing for the densities contemplated in the applicant’s concept plan. It is worth re-stating that this is a significant housing proposal for Ucluelet. The diversity of housing types being proposed for Lot 16 includes all of the following:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Refer to the Applicant’s Planning Framework Report
Covering Letter

(March 23, 2021 Council Agenda, pg. 86)

The property owners and our project team have worked collaboratively with District Staff and local area residents to expand upon the community’s vision as expressed in the Official Community Plan. We heard from neighbouring residents that there was a strong desire to provide a variety of attainable housing forms for local residents, while preserving existing landscape buffer spaces, and mitigating increased vehicular traffic on local roads.

This community vision has been integrated into our natural systems based design process, which is a collaborative approach to site planning. Environmental, physical and architectural considerations have been woven together to create a Land Use Concept, which is the basis for our Zoning Amendment proposal.

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFERRED 3RD READING

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

m. Is blasting required for this site? If so, what is the extent of the blasting?

Answer:

Blasting would be required for any development of the site due to the presence of shallow bedrock. The extent of blasting will be determined at the time of subdivision once the zoning is approved.

Applicable Development Stage(s):

Subdivision Application (Works & Services)

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

n. Is there an archeological study and can we see the study?

Answer:

The identified architectural site appears to have been removed before this property owner purchased the site.

This was reconfirmed through a survey of the property and will need to be addressed prior to any land altering activities.

Question:

o. Is this still an archeological site?

Answer:

Provincial records indicate a previously recorded archaeological site DfSj-85 on the property. DfSj-85, consisting of two Culturally Modified Trees, is protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch.

The site location has been cleared and subsequently filled in prior to 2005. Air photo evidence and the geotechnical test pit at that location confirm same.

Prior to any land-altering activities, an eligible Consulting Archaeologist should be engaged to determine the steps in managing impacts to the archaeological site. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies.

Applicable Development Stage(s):

Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

References:

[Refer to the Applicant's Planning Framework Report](#)

[Section 2.5 Site History / Archaeology](#)

[Sheet S4 Opportunities & Constraints](#)

(March 23, 2021 [Council Agenda](#), pg. 79, 89)

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

p. Is a three story apartment building an option?

Answer:

Possibly. That will be determined through detail design for a future Development Permit Application.

A restrictive covenant will be placed on title restricting the height to 3 stories, unless Council deems a 4 storey height appropriate at the time of a detailed form and character review through the site specific Development Permit Process.

Applicable Development Stage(s):

Development Permit Application (Site Specific)
Subdivision Application (Works & Services)

References:

Staff Report – Council Meeting: March 23, 2021:

Section Conclusions & Options

“j.) despite the zoning of proposed Lot ‘A’, the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans”;

Section 4.1, Rental Apartment Building

The R-3 zone currently permits a maximum height of 11m which accommodates a 3-storey building. At this point there are no detailed design drawings of the building or site that would form part of this application; this is a rezoning application only and not a request for a DP at this stage.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

q. How are patios addressed in the setback requirements in the zoning?

Answer:

Setbacks are applicable to building and structures (including covered patios).

Patios will not be permitted within the 10m greenspace covenant along Marine Drive.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
[Section 1, 5, d, Recommendations](#)

registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- r. **Is there an alternative access road other than Victoria Road or Victoria and Marine Dr. and what other options are available?**

Answer:

Public Road access to Victoria Drive is not proposed by the Applicant.

A driveway stub was shown on the 'Proof of Concept' drawings only from the townhome site to Victoria Drive.

The location and configuration of site access is not a concern for the developer.

Public road and private driveway access to the property will be provided as directed by the Subdivision Approving Officer. This is under the jurisdictional control of the Province.

Emergency access to Victoria Road will likely be required for public safety in the event of a Tsumami.

Question:

- s. **Request that a traffic study be conducted.**

Answer:

A traffic study will be provided through the Subdivision Application Process by a Professional Transportation Engineer as requested by the Approving Officer.

Applicable Development Stage(s):

Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

Staff Report – Council Meeting: March 23, 2021:
Section 4.5 Access and Circulation

Staff are recommending that a better road pattern would connect the new public road through Lot 16 from the access on Marine Drive through to Victoria Road at another existing section of municipal road right-of-way 63m (200 ft) further north (highlighted in blue in Figure 7, above, and noted in recommendation 5(e) at the outset of this report).

The applicant has expressed that either approach would be acceptable and is not pushing for one option over the other.

Refer to the Applicant's Planning Framework Report
Section 10.2.2 Vehicle Access Concerns
(March 23, 2021 Council Agenda, pg. 86)



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TECHNICAL MEMORANDUM No. 1

Issued Date:	October 9, 2019	File No.:	0361-192-TM1
Previous Issue Date:	None		
To:	Warren Cannon		
From:	Mitchell Brook, P.Eng.		
Client:	District of Ucluelet		
Project Name:	Lot 16 Marine Drive		
Subject:	Water System Review		

1. Objective

The objective of this technical memorandum is to review the watermain servicing requirements for the proposed development at the intersection of Marine Drive and Matterson Drive with consideration for water system improvements required to supply the proposed development.

2. Background

The proposed development is located at the intersection of Marine Drive and Matterson Drive. The proposed development will consist of three areas of single family development, one apartment complex and a townhome complex. Based on information provided by District there is a total of 37 single family lots and 86 multi-family units. The proposed lot layouts are shown on the enclosed drawings provided by the District.

It should be noted that a proposed water network, including hydrant spacing was not provided. The proposed water network that was evaluated is shown on the enclosed figure 0361-192 SK1. This schematic shows the proposed pipe locations, as well as node locations throughout the development to provide a representation of the available fire flow and peak hour pressures. For the purposes of this analysis it has been assumed that the proposed piping for the developments will be 200 mm dia.

For the purposes of this analysis the following site servicing options have been reviewed:

- Option 1:
 - Current water system conditions.
- Option 2
 - Pressure zone boundary modifications identified in the July 2017 District Water Master Plan.
 - Watermain loop to Victoria Road through the proposed development.
- Option 3
 - Fire flow improvements in the area identified in the July 2017 District Water Master Plan including:
 - A check valve installation at the intersection of Matterson Drive and Victoria Road.
 - Watermain upgrades on Victoria Road.

Issued: October 9, 2019
Previous Issue: None

3. Water Demands

3.1 Domestic Demands

Based on the preliminary details provided, the development will consist of 37 single family lots and approximately 86 multi-family units. The District has identified that the single family lots will include secondary suites in accordance with the zoning bylaw.

Based on a population density of 3.5 ppu for single family and 2.0 ppu for multi-family, the projected population for the development is 302 as detailed in **Table 1** below.

Table 1: Projected Population

Land Use	Units	Population
A - Apartments	48	96
B - Single Family w/ secondary suite	7	25
C - Adaptative Small Lot Residential w/ secondary suite	18	63
D - Small Lot Residential w/ secondary suite	12	42
E - Townhomes	38	76
Total		302

Unit water demand rates used for this analysis were taken from the 2014 Master Municipal Contract Documents Design (MMCD) Guideline and are shown in **Table 2** below:

Table 2: Per Capita Demands

Scenario	Demand Rate
Average Day Demand (ADD)	450 lpcd
Maximum Day Demand (MDD)	900 lpcd
Peak Hour Demand (PHD)	1,350 lpcd

Applying the unit rate demands listed above to the project equivalent population for the development the demand rate is calculated as shown in **Table 3** below:

Table 3: Water Demands

Scenario	Demand (lps)
ADD	1.6
MDD	3.1
PHD	4.7

The proposed demands were allocated uniformly to the junctions in the proposed development.

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Issued: October 9, 2019
 Previous Issue: None

3.2 Fire Flow Demand

The required fire flows of the development are per the 2014 MMCD Design Guideline and are summarized below in **Table 4**:

Table 4: Fire Flow Demands

Land Use	Required Fire Flow (lps)
Single Family Residential	60
Multi-Family	90

When architectural plans for the development are finalized, the required fire flow should be validated using the Fire Underwriters Survey document Water Supply for Fire Protection (1999).

4. Hydraulic Capacity Performance and Design Criteria

Based on the 2014 MMCD Design Guideline, the criteria outlined below in **Table 5** was used to assess the hydraulic impact of the proposed development on the District's water system.

Table 5: Analysis Criteria

Criteria	Analysis Scenario	Parameter Value
Minimum Residual Pressure	PHD	44 psi
Minimum Residual Pressure	MDD+FF	22 psi

5. Water Model Evaluation

The water model was evaluated under current maximum day plus fire flow and peak hour demand conditions for each of the development piping options noted in Section 2.

A summary of the available fire flows and residual peak hour pressures is summarized in **Table 6, 7 and 8** below.

Table 6: Option 1 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	46	63
Existing Hydrant (554 Marine Dr)	20	90	46	58
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	45	54
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	42	50
Proposed Onsite Hydrant 3 (Area E)	28.8	90	33	38
Existing Hydrant (1309 Victoria Rd)	15.9	90	51	57

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Table 7: Option 2 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	45	62
Existing Hydrant (554 Marine Dr)	20	90	45	57
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	45	53
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	42	49
Proposed Onsite Hydrant 3 (Area E)	28.8	90	34	43
Existing Hydrant (1309 Victoria Rd)	15.9	90	45	63

Table 8: Option 3 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	125	62
Existing Hydrant (554 Marine Dr)	20	90	130	57
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	123	53
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	107	49
Proposed Onsite Hydrant 3 (Area E)	28.8	90	75	43
Existing Hydrant (1309 Victoria Rd)	15.9	90	123	63

As shown in the above tables the proposed improvement option 3 is required to provide the required fire flows under and peak hour pressure existing conditions. It should be noted that 90 lps is not available at the proposed onsite hydrant at Area E.

6. Impact of Proposed Development

In order to assess the impact of the development on the rest of the District water distribution system, simulation results from the model were compared between scenarios with and without the development and proposed improvements. The results are summarized below in **Tables 9**:

Table 9: Impact Analysis Summary

Location	Scenario	Without Development	With Development
# of Low Pressure Deficiencies	PHD	26	28
PHD Average Pressure	PHD	60	60
Average Available Fire Flows	MDD	144	155

Overall, the development will have minor hydraulic impact on the City water distribution system in the current scenarios. The peak hour pressure in two locations will drop from 44 psi to 42 psi with the addition of the proposed development.

7. Conclusions

The following conclusions are presented as a result of this technical memorandum:

- 1) The projected population for the proposed development is 302
- 2) The proposed demands for the development are as follows:
 - a. Maximum Day: 3.1 lps
 - b. Peak Hour: 4.7 lps
- 3) Proposed servicing Option 3 can provide the required fire flows and peak hour pressures for the development, with the exception of Area E.
- 4) The design fire flow of 90 lps is not available at the proposed on site hydrant at Area E.
- 5) There are minor impacts to the peak hour pressures in the distribution system with the proposed development. Two locations the pressure drops from 44 psi to 42 psi.

8. Recommendations

Based on the results discussed in this technical memorandum we recommend the following:

- 1) The onsite piping be sized as per the attached figures.
- 2) The required fire flow for the development should be validated using the Fire Underwriters Survey document Water Supply for Fire Protection (1999) when the architectural plans are known.
- 3) Install all works listed in Option 3 to provide the required fire flows and peak hour pressures.
- 4) Review the fire flow requirements for Area E.

Technical Memorandum No. 1
Lot 16 Water Review

Issued: October 9, 2019
Previous Issue: None

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.

Prepared By:



Mitchell Brook, P.Eng
Project Engineer

Reviewed By:



Chris Downey, P.Eng
Project Manager

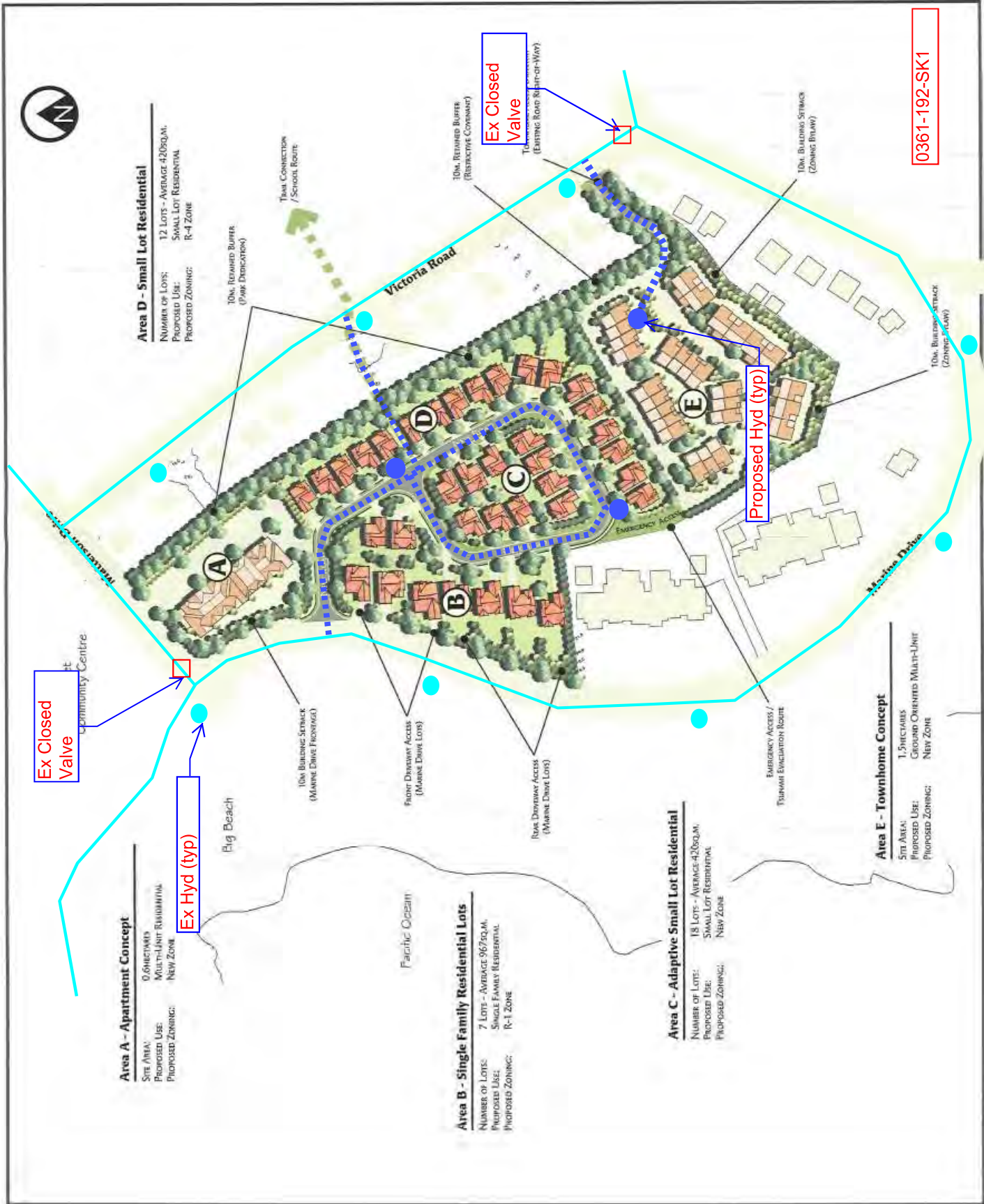
Enclosures

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& ASSOCIATES
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Consulting Engineers

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TECHNICAL MEMORANDUM No. 2

Issued Date:	October 17, 2019	File No.:	0361-192-TM2
Previous Issue Date:	None		
To:	Warren Cannon		
From:	Chris Downey, P.Eng.		
Client:	District of Ucluelet		
Project Name:	Lot 16 Marine Drive		
Subject:	Sanitary Sewer System Review		

1. Objective

The objective of this technical memorandum is to review the sanitary sewer servicing requirements for the proposed development at the intersection of Marine Drive and Matterson Drive with consideration for sanitary sewer improvements required to service the proposed development.

2. Background

The proposed development is located at the intersection of Marine Drive and Matterson Drive. The proposed development will consist of three areas of single family development, one apartment complex and a townhome complex. Based on information provided by the District there is a total of 37 single family lots and 76 multi-family units. The proposed lot layouts are shown on the enclosed drawings provided by the District.

It should be noted that a proposed sanitary sewer network was not provided. The proposed sanitary sewer network that was evaluated is shown on the enclosed drawing 0361-192-01. This drawing shows the proposed connections from the development to the existing sanitary sewer on Marine Drive.

3. Sanitary Sewer Demands

3.1 Domestic Demands

Based on the preliminary details provided, the development will consist of 37 single family lots and approximately 76 multi-family units. The District has identified that the single family lots will include secondary suites in accordance with the zoning bylaw.

Based on a population density of 2.28 ppu for single family and multi-family, the projected population for the development is 258 as detailed in **Table 1** below.

Table 1: Projected Population

	Units	Population
Connection 1 (Area A) 48 Multi-Family units	48	110
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	65	148
Total		258

Issued: October 17, 2019
 Previous Issue: None

Peak dry domestic sanitary sewer flows for the development were based on the District of Ucluelet Engineering Standards and Specifications and are shown in **Table 2** below:

Table 2: Per Capita Demands

Population	Per Capita Flow (m ³ /cap/day)
0 – 100 people	3.0
101 – 200 people	2.63
200 – 500 people	2.18
500 – 1000 people	1.91
1,000 – 2,000 people	1.67

Applying the per capita flow rate listed above to the project equivalent population for the development the peak domestic sewage demand rate is calculated as **289.3 m³/day** for connection 1 and **389.2 m³/day** for connection 2.

3.2 Infiltration and Inflow Allowance

The required Infiltration and Inflow (I&I) allowance for the proposed development are per the DOU Engineering Standards and Specifications at 11.2 m³/Ha/day and are summarized below in **Table 3**:

Table 3: Infiltration and Inflow Allowance

	Area (Ha)	(m ³ /day)
Connection 1 (Area A) 48 Multi-Family units	0.7	7.8
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	4.4	49.3
Total	5.1	57.1

3.3 Peak Wet Weather Flow

The peak wet weather flow for the proposed development are the combination of the Peak sewage flow and I&I allowance which are summarized below in **Table 4**:

Table 4: Peak Wet Weather Flows

	Peak Sewage (m ³ /day)	I&I (m ³ /day)	Peak Wet Weather Flow (m ³ /day)
Connection 1 (Area A) 48 Multi-Family units	289.3	7.8	297.1
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	389.2	49.3	438.5
Total	678.5	57.1	735.6

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Technical Memorandum No. 2
 Lot 16 Sanitary Sewer Review

Issued: October 17, 2019
 Previous Issue: None

4. Results

We have assumed the following conditions during our review of the proposed sanitary sewer model:

1. All the serviced lots/units in the Forbes Road Subdivision including the Multi-Family lot are contributing.
2. Bay Street diversion has been completed.
3. All single family lots that have been serviced.
4. We have not allowed for additional units due to re-zoning (There is potential for Multi-Family lots on Larch Road and Matterson).
5. Hotel units are treated the same as residential units.
6. Commercial and Institutional areas are an assumed area around the building. We have used diurnal patterns; one for residential and one for commercial/Institutional. The loading for commercial/Institutional is between 8am and 6 pm, with a steady flow between those hours. Residential follows a pattern based on flow monitoring from a residential neighbourhood in a Vancouver Island municipality.

The impact of the proposed development on the sanitary sewer was modelled based on the above assumptions for peak flows in the District owned sewer pipes between the proposed development and the Sewage Lagoon. The results are shown in the table below.

The results show that the capacity of the gravity sanitary sewer and pump station on Victoria Road is not sufficient as the pipe would be at 145% capacity and the pump station at 148% capacity. In order to service the proposed development, the forcemain from Big Beach pump station should be extended and connect into the sanitary sewer gravity system on Otter Street.

Up MH	Dn MH	Residential					Comm/Inst	Peak Flow L/s	Size mm	Slope m/m	Capacity L/s	% Full
		Area (ha)		Lot/Units		Pop	Area					
		Trib	Total	Trib	Total		ha					
Forbes PS MD	Big Beach PS	18.30	18.3	121	121	276	0	5.6		28.3	20%	
Pressure	Big Beach PS	9.40	9.4	60	60	137	0			(not applicable)		
Bay Street Big Beach PS	Big Beach PS	16.70	16.7	166	166	378	0	6.6		(not applicable)		
SMH-101	SMH-101	22.00	66.4	223	570	1300	1.3	24.0		34.0	71%	
SMH-102	SMH-102	3.50	69.9	56	626	1427	1.3	27.2	200	0.007	27.4	99%
Victoria Rd PS	Victoria Rd PS	9.00	97.2	13	639	1457	1.3	30.4	200	0.004	21.0	145%
Victoria Rd PS	SMH-304	13.40	110.6	73	712	1623	1.9	34.0			23.0	148%

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Technical Memorandum No. 2
Lot 16 Sanitary Sewer Review

Issued: October 17, 2019
Previous Issue: None

5. Conclusions

The following conclusions are presented as a result of this technical memorandum:

- 1) The projected population for the proposed development is 258
- 2) The proposed peak flows for the development are as follows:
 - a. Peak Domestic Flows 678.5 m³/day
 - b. I&I Allowance 57.1 m³/day
 - c. Peak Flows 735.6 m³/day
- 3) The 200 PVC gravity sanitary sewer pipe on Victoria Road is at 145% capacity.
- 4) The Victoria Road pump station is at 148% capacity

6. Recommendations

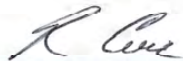
Based on the results discussed in this technical memorandum we recommend the following:

- 1) The existing 150 PVC forcemain from Big Beach pump station is extended to Otter Street.
- 2) The forcemain from Big Beach pump station is isolated from Victoria Road.

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.

Prepared By:



Richard Cave, ASCT
Senior Technologist

Enclosures

Reviewed By:



Chris Downey, P.Eng
Project Manager

KOERS & ASSOCIATES ENGINEERING LTD.

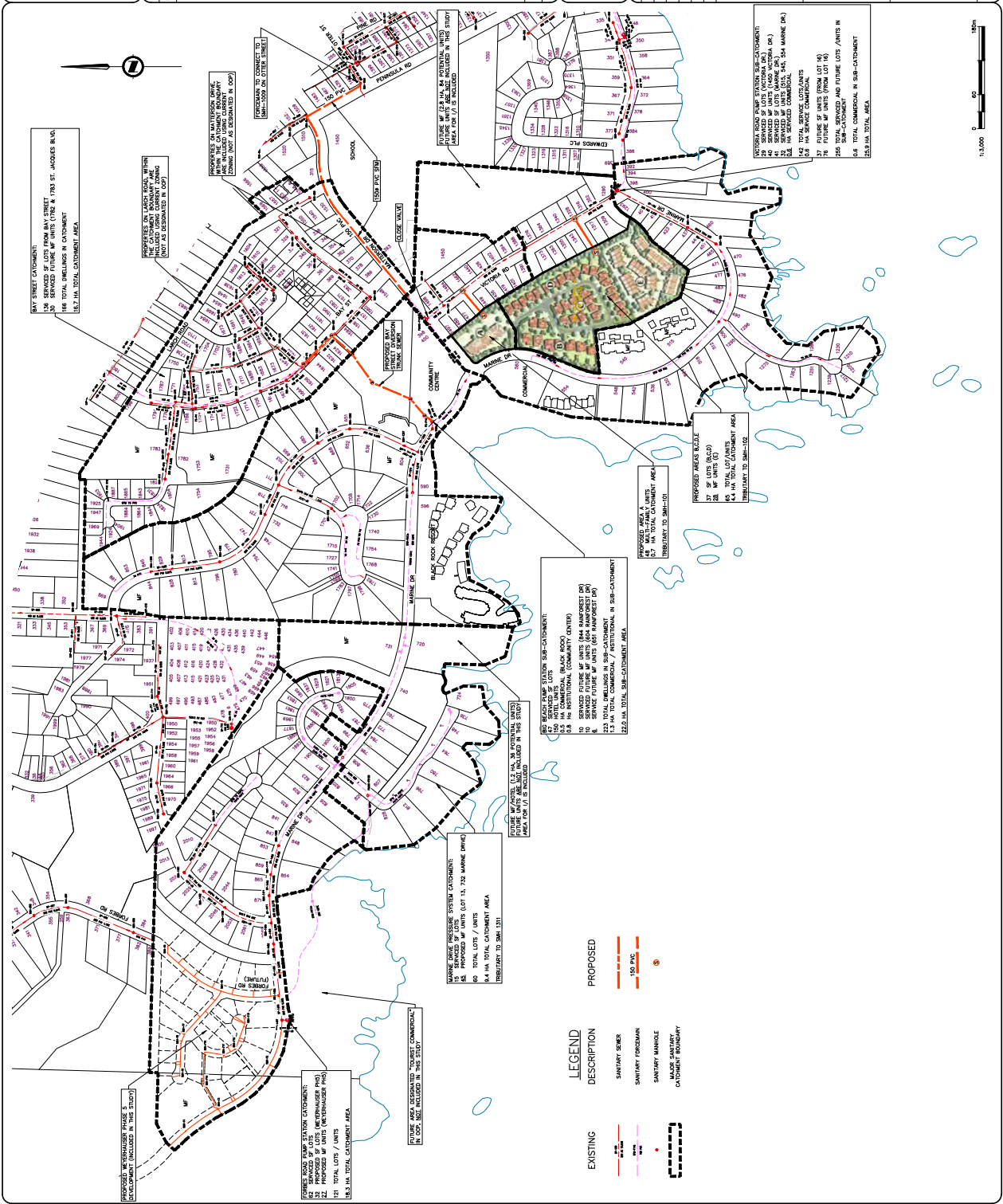
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RECORD OF REVISIONS		RECORD OF ISSUE	
REV	DATE	BY	DESCRIPTION

RECORD OF ISSUE	
ISS	DATE

PROJECT NO.	0361-192
DRAWN	RC
DESIGNED	
CHECKED	CD
APPROVED	
DATE	OCTOBER 2019
SCALE	1:3000
CLIENT	DISTRICT OF UCLUELET

PROJECT	LOT 16 SANITARY ANALYSIS
TITLE	VICTORIA ROAD SANITARY PUMP STATION CATCHMENT AREA
DRAWING No.	0361-192-01
REV.	1/1
SHEET	1/1



File: 0361-192 Sewerage Plan Title: Oct 17, 2019 - 3:07pm User: rcove



UCLUELET

**Matterson Drive Forcemain Victoria to Otter
Cost Estimate (Class 'D')**

November 30, 2020

Koers File: 2047

Item	Description	Unit	Quantity	Unit Price	Extension
Division 1					
1.1	General Requirements	LS	1	\$75,000	\$75,000
1.2	Submittals	LS	1	\$5,000	\$5,000
Division 2					
2.1	Location of Existing Structures	LS	1	\$6,000	\$6,000
2.2 Gravel Surface Restoration					
0.1	Crushed Shoulder Gravel	m ²	75	\$20	\$1,500
2.3 Temporary Trench restoration					
0.1	Coldmix (50 mm thick)	m ²	75	\$50	\$3,750
0.2	Rap (50 mm thick)	m ²	50	\$25	\$1,250
2.4	Reinstate Ditching	m	550	\$20	\$11,000
2.5	Hydraulic Seeding	LS	1	\$4,000	\$4,000
2.6 Sanitary Sewer Forcemain					
0.1	150 HDPE DR 26	m	550	\$190	\$104,500
2.7 Tie-Ins					
0.1	Victoria	LS	1	\$5,000	\$5,000
0.2	Otter	LS	1	\$25,000	\$25,000
2.8 Asphalt Restoration					
0.1	50 mm thick (100mm crush base)	m ²	50	\$100	\$5,000
0.2	Asphalt Pathway	m ²	1,000	\$100	\$100,000
2.9	Rock Excavation	m ³	100	\$300	\$30,000
Subtotal:					\$377,000
20% Engineering Design & Construction Services					\$75,400
30% Contingency					\$136,000
ESTIMATED TOTAL CONSTRUCTION COST (excluding GST) :					\$588,400



DISTRICT OF
UCLUELET

Matterson Drive Forcemain Victoria to Otter
Cost Estimate (Class 'D')

September 24, 2020

Koers File: 2047

Item	Description	Unit	Quantity	Unit Price	Extension
Division 1					
1.1	General Requirements	LS	1	\$75,000	\$75,000
1.2	Submittals	LS	1	\$5,000	\$5,000
Division 2					
2.1	Location of Existing Structures	LS	1	\$6,000	\$6,000
2.2 Gravel Surface Restoration					
0.1	Crushed Shoulder Gravel	m ²	75	\$20	\$1,500
2.3 Temporary Trench restoration					
0.1	Coldmix (50 mm thick)	m ²	75	\$50	\$3,750
0.2	Rap (50 mm thick)	m ²	50	\$25	\$1,250
2.4	Reinstate Ditching	m	550	\$20	\$11,000
2.5	Hydraulic Seeding	LS	1	\$4,000	\$4,000
2.6 Sanitary Sewer Forcemain					
0.1	300 HDPE DR 26	m	550	\$350	\$192,500
2.7 Tie-Ins					
0.1	Victoria	LS	1	\$5,000	\$5,000
0.2	Otter	LS	1	\$25,000	\$25,000
2.8 Asphalt Restoration					
0.1	50 mm thick (100mm crush base)	m ²	50	\$100	\$5,000
0.2	Asphalt Pathway	m ²	1,000	\$100	\$100,000
2.9	Rock Excavation	m ³	100	\$300	\$30,000
Subtotal:					\$465,000
20% Engineering Design & Construction Services					\$93,000
30% Contingency					\$167,000
ESTIMATED TOTAL CONSTRUCTION COST (excluding Engineering & GST) :					\$725,000

(Appendix 'B' to CoW report August 10, 2021)
(not including original attachments)



STAFF REPORT TO COUNCIL

Council Meeting: March 23, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ19-02

SUBJECT: **ZONING AMENDMENT: LOT 16 MARINE DRIVE** **REPORT NO:** 21-

ATTACHMENT(S): APPENDIX A – ZONING AMENDMENT BYLAW NO. 1284, 2021
APPENDIX B – OPTIONAL AMENDMENT TO BYLAW NO. 1284 (TO ADD B&B'S)
APPENDIX C – APPLICATION MATERIALS
APPENDIX D – ADDITIONAL BACKGROUND

1. Recommendations:

THAT Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 ("**Lot 16**"):

1. introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
2. give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
3. direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
4. indicate to the applicant that a variance to allow the requested 16m height for a fourth storey on the proposed apartment building would best be considered under a Development Variance Permit once architectural plans have been submitted;
5. indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:
 - a. construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
 - b. dedication of a 10m wide park greenbelt along the eastern (Victoria Drive side) boundary of the property, as proposed;
 - c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;

- d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;
- e. extension of the proposed new road to connect to Victoria Drive in the general location as shown in Figure 7 of the staff report;
- f. vehicle access to the proposed Lot 'B' ("Townhouse site") be from the new internal road only;
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;
- h. the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval; and,
- i. registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.

2. Purpose:

To provide Council with information on a request to amend the *District of Ucluelet Zoning Bylaw No.1160, 2013* (the "**Zoning Bylaw**"), that is reflective of the applicant's proposed "proof-of-concept" plans (the "**Concept Plans**") over Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 (**Lot 16**).



Figure 1 – Subject Property

3. The Proposal:

Lot 16 is a 12.7 acre property centrally located within walking distance to the schools, the Ucluelet Community Centre, Big Beach Park, and the Village Square. The subject property currently holds the *CD-2A.1.6 Big Beach Estates* zoning designation. For background on the CD-2A zoning, see **Appendix D**.

The proposal submitted by MacDonald Gray on behalf of Nored Developments is to rezone Lot 16 to enable the development of several forms of housing:

- a 48-unit rental apartment building on the corner of Matterson Drive and Marine Drive (label **A** in Figure 2 below);
- 6 R-1 Single Family Residential lots on Marine Drive (label **B** in Figure 2);
- 30 smaller Single Family Residential lots in a new zone (labels **C** and **D** in Figure 2); and,
- 28 townhouse Multi-Family units (label **E** in Figure 2).

The development would include new internal roads and pathways, a 10m dedicated park buffer between the new development and properties on Victoria Road, and an area of park dedication (label **F** in Figure 2) between “The Ridge” development and the new single-family lots (see **Figures 2 & 3** and detailed plans in **Appendix C**).



Figure 2 – illustrative Site Plan (from application)

The applicant held a public information meeting on the 7th of December, 2018, and a summary of that meeting has been submitted by the applicant (see **Appendix C**). The current application and Concept Plans reflect a number of changes made after receiving public comment.

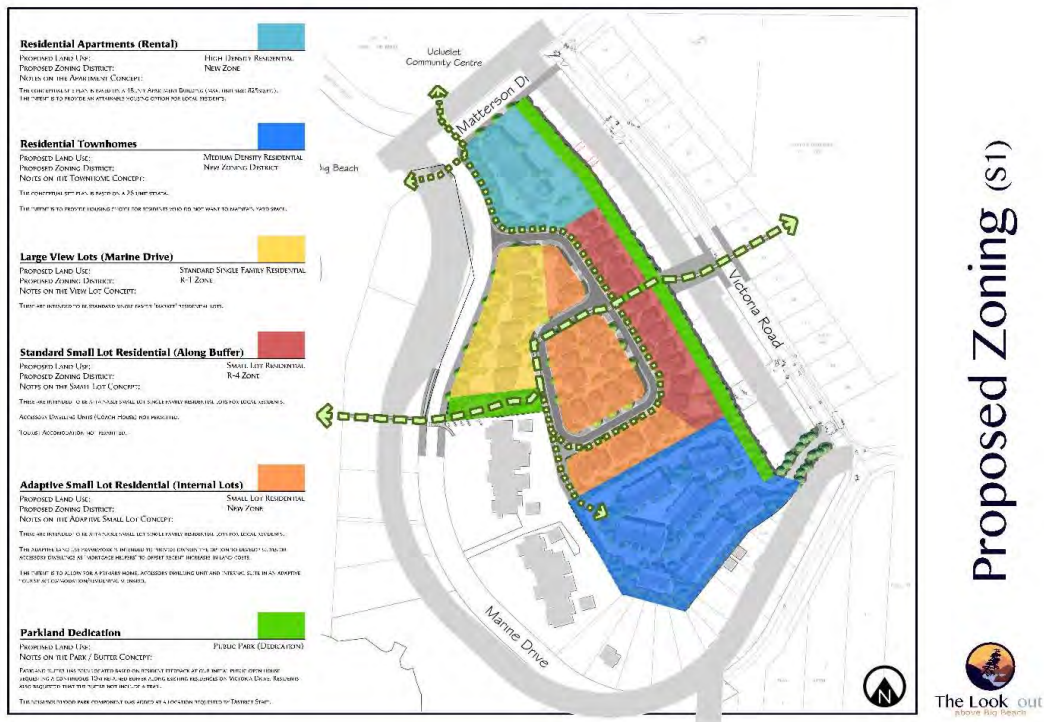


Figure 3 – Site Plan showing land use areas, access and pedestrian circulation (from application)

The Concept Plans submitted are not being presented as finalized plans – this application is not for a Development Permit (DP) at this time, rather it is for rezoning to permit the proposed uses and densities. The plans submitted with the application have been thought through in detail as “proof of concept” drawings, with the expectation that adjustments will be made as the property develops through the future stages of subdivision and DP approvals. Staff have worked with the applicant to mutually understand the developer’s goals as well as the public benefits which could come from this development. As a result some adjustments to the plans are recommended by staff and are discussed below. The zoning amendment bylaw which has been drafted (see **Appendix ‘A’**) accommodates the proposed uses and densities shown; the applicant is asking for two changes which, if supported by Council, could be inserted into the bylaw before proceeding to a public hearing (see **Appendix ‘B’** and options discussed below).

4. Discussion:

This application proposes a positive change from the current CD zoning for resort condo use. This is a good, central location for additional new housing in Ucluelet. The proposal would result in a mix of housing; with different sizes, types and costs resulting from the proposed mix.

Given the central location within walking distance to the village core, community center, schools and parks, this presents a great opportunity to add diverse residential density and create a walkable neighbourhood in this location. The proposed development mix is commended for including large lots, small lots, rental apartments, and townhomes offering housing in different

forms and affordability. The positioning of these uses with the apartment on the corner, the townhouses to the south and residential lots in between creates a clean development pattern and locates uses suitable to the adjacent lands and their context. The densities proposed are higher than found in existing single-family neighbourhoods in Ucluelet (befitting the point in time this is being proposed, and the current land values), but the proposed development also presents transitions and greenspace thoughtfully placed to minimize impact on existing adjacent uses and people's homes.

This report looks at the proposed zoning for uses and densities, issues of access, servicing and proposed amenities; zoning boundaries follow the general location of future road centerlines and boundaries between different uses. The details of the multiple-family development blocks would be subject to future DP applications which would be required as each of those sites develops.

4.1. Rental Apartment Building:

The applicant is proposing that the first phase of developing Lot 16 would be a four-storey, 48-unit Multiple Family Residential apartment building for rental tenancy only. The apartment building would be located at the corner of Marine Drive and Matterson Drive, with access from both Matterson and the new internal road. The proposed 10m park dedication of a treed buffer would separate the apartment parking lot from the adjacent homes on Victoria Road.

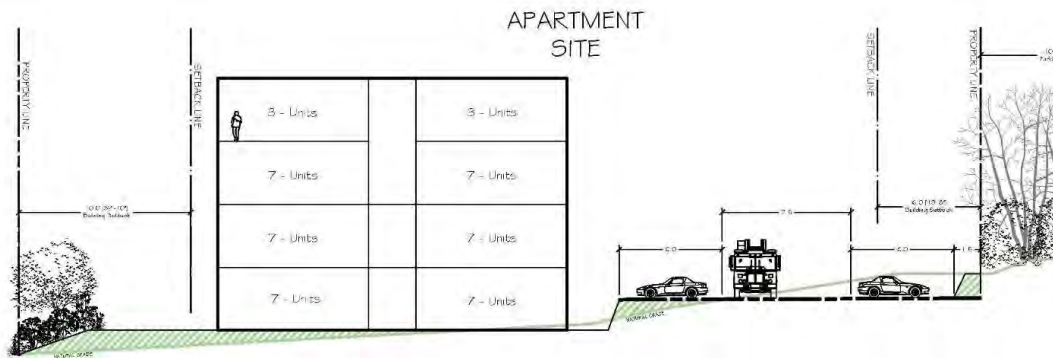
The draft Bylaw No. 1284 would designate this portion of the site as R-3 High Density Residential to accommodate proposed apartment use. The proposed new site-specific regulations in section R-3.8.1(1), (2) and (3) are tailored to this proposal (see **Appendix 'A'**).

These apartments would not be permitted for short-term rental for tourist accommodation, nor would they be stratified for individual ownership. These provisions would be included in a Housing Agreement with the District of Ucluelet, registered on the property title (see recommendation **5(i)** above).

The addition of 48 rental apartments would be a valuable addition to the housing supply in Ucluelet; the applicant's commitment to developing this portion of the site for rental housing is significant, and should be considered among the amenities or other community benefits presented by this proposal.

Building Height:

The R-3 zone currently permits a maximum height of 11m which accommodates a 3-storey building. At this point there are no detailed design drawings of the building or site that would form part of this application; this is a rezoning application only and not a request for a DP at this stage.



Apartment / Multi-Unit Residential Concept
 (Subject to a future Development Permit Application process)

Figure 4 – preliminary section through Apartment site

The applicant has requested that the R-3 zoning include a site-specific provision to allow the maximum height of the building to be increased from 11m to 16m to accommodate a 4-storey building. Staff recommend that this would best be reviewed in connection with a more detailed preliminary design for the actual building being proposed. The applicant could apply for a Development Permit Variance (**DVP**) during the DP process for the apartment building, with the required public notification and opportunity to comment, once the development proceeds to that point and building plans have been prepared. Viewing plans for how the building would be articulated, for example by stepping back portions of upper storeys, would help Council and the community visualize the impact of the development on this corner.

Alternatively, Council could grant the requested additional height outright in the zoning and rely on the form and character DP guidelines to ensure an acceptable building results from the DP process (see **Option #6** at the end of this report). To provide more assurance to Council, the applicant has suggested willingness to include a provision about the height within the restrictive covenant (see also **Option #7** at the end of this report). Both options 6 and 7 would involve review and approval of detailed plans by Council at a later point, but would not result in notification and public input to Council prior to making a decision on approving the building design.

These options 6 and 7 are presented to enable the applicant to make a case for Council to consider and, at Council’s direction, could be easily incorporated as the application moves forward without delay in proceeding to a public hearing.

Outdoor Space and Setbacks:

The applicant is requesting an exemption for the proposed apartment on Lot 16 from the Outdoor Recreation/ Amenity Space required in the Definition of “Multiple Family Residential”. This should be viewed in context with the amenities being offered and the proximity to the Ucluelet Community Centre, Big Beach Park and the schools. If Council were to earmark a portion of the amenity contribution for upgrades to recreation facilities (e.g., additional play equipment in an appropriate nearby public location), it could arguably satisfy the intent of the outdoor recreation space in a way that is accessible to the whole community.

The proposed addition of 10m and 8m setbacks along the property lines of the lot should be achieved by way a green space covenant (S.219 restrictive covenant, as noted in the recommended

motion #5 above). The 10m dedicated greenspace buffer on the east side would also increase the open space and vegetation surrounding the apartment building.

The proposed new rental apartment building would be a very positive addition to the housing supply in the community. At the same time, the location at the corner of Marine and Matterson opposite the UCC is a significant crossroads location at the approach to Big Beach. The building will become a landmark in the community and the overall height - and how the massing of the building is handled in the final design - will have a significant influence on the character of this corner of the community. Balancing these elements is critical when deciding on the appropriate degree and timing of community input, and the degree of control in Council's decision making on this key aspect of the development proposal.

4.2. Single Family Residential:

Along Marine Drive, an area of R-1 zoned single family lots is proposed, north of "the Ridge" and proposed new park, extending north to the new road entrance. These lots would not be accessed from Marine Drive; the proposed 10m greenspace covenant would ensure driveway access would be from the new internal road (see recommendation **5(d)** above).

These proposed larger lots would have the permitted uses currently allowed in the R-1 zone: Single-Family Residential as the principal use and either secondary suite or bed and breakfast as secondary uses, along with home occupation. As proposed, these half-dozen lots could therefore include the ability to provide short-term rental (B&B) accommodation. Recent sales and development on single-family lots in Ucluelet have shown that new construction is leaning more and more toward developing the short-term rental units as a key part of the house. This is placing upward pressure on property values.

B&B units being built in new homes are no longer a bedroom down the hallway within a home; they are generally being constructed as self-contained units with separate external entrances, more akin to motel suites. It is highly likely that most if not all of the proposed R-1 lots would contain one to three B&B units, and this potential impact should be considered when considering the development's overall density.

As a small portion of the overall development, and in this particular location on Marine Drive (with other short-term rental accommodation nearby and with proximity and views to Big Beach), staff recommend that the proposed R-1 lots are a supportable component in the mix of other housing types being proposed.

4.3. Infill Single Family Residential:

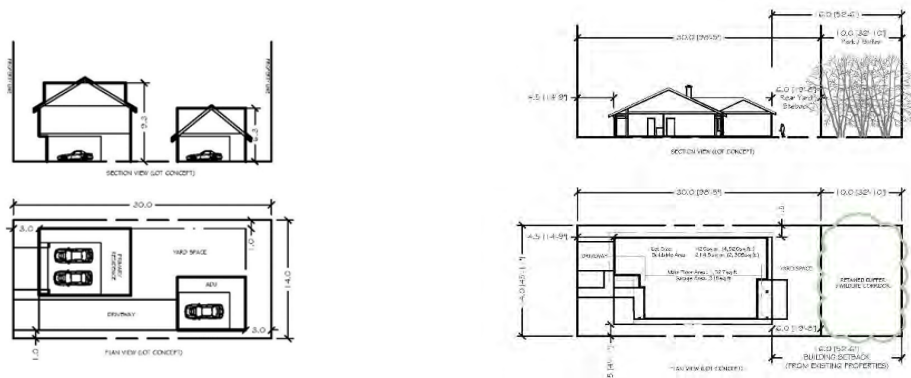
In the centre of Lot 16, approximately 30 compact new single-family lots are being proposed. A new R-6 Infill Single Family Residential zoning designation would be created by Bylaw No. 1284. The new R-6 zoning provisions would accommodate the lots shown in the Concept Plans, while providing flexibility to adjust the specific layout of individual lots as the development proceeds further through the subdivision process.

A 10m park dedication is proposed to maintain a treed greenspace buffer between the new single-family lots on Lot 16 and the adjacent homes on Victoria Road. This aligns with the original commitment to provide a 10m buffer which was part of the density bonusing framework for the CD-2 zone (please see **Appendix 'D'** for more detail on the somewhat confusing history of the prior zoning).

Some key components of the new draft R-6 zone:

- the list of permitted uses, as drafted, are purely residential with no short-term accommodation;
- minimum, maximum and maximum average lot sizes are defined, which would result in a mix of lot areas within a range between 360m² and 600m²;
- accessory uses include *secondary suite* or a detached *accessory residential dwelling unit* (a.k.a., cottage) on lots larger than 480m². Combined with the maximum lot average regulation this will ensure some mix among the housing units developed within this new neighbourhood;
- the Floor Area Ratio of 0.35 is equal to the current R-1 zoning regulations which apply in adjacent existing neighbourhoods, but if additional accessory housing units are included the F.A.R. is increased under the R-6 zoning to 0.5 – creating an incentive to develop more housing rather than larger houses;
- front setbacks are reduced along the new internal roads, but a greater setback is maintained in front of portions of a building with a garage door (so that a parking space is maintained on the driveway without overhanging the property line and sidewalk); and,
- maximum height for the main house would be 8.5m and for an accessory building would be 5.5m (same as in the R-1 zone), but for an *accessory residential dwelling unit* would be 7.5m. The 7.5m height is intended to allow for a small dwelling above a garage, but still be somewhat secondary in appearance to the slightly higher main house.

The new R-6 zone, and this proposed new neighbourhood of lots, would be the first area in Ucluelet where accessory cottages are widely permitted. As noted above, the lot area regulations would ensure that not every lot could have a cottage – at least one or two would be too small to permit that additional use, ensuring that the mix includes some modest homes on compact lots without the addition of a rental unit.



excerpt: Internal Lot

excerpt: showing Park Buffer along Victoria Road

Figure 5 – excerpts from application site plan showing possible infill single family lot options

A new neighbourhood of compact yet livable residential houses, with the ability to include an attached or detached extra long-term rental unit as a mortgage helper, would be a positive addition to the community. The detached cottage is similar to a secondary suite in size and use, but provides a different form with a bit of separation, privacy and often more outdoor private space.

Inclusion of short term rentals:

The applicant is requesting that the zoning also include the ability to have some short-term rentals within the permitted uses, for those internal lots which do not back onto the green buffer adjacent to Victoria Road. The draft Bylaw No. 1284 has not been written to accommodate this use, and staff are not recommending that including this portion of commercial accommodation is a benefit to the affordability or livability of the community. As noted above, a limited amount of short-term rentals within the half-dozen R-1 Lots along Marine Drive does provide for some of that commercial accommodation and added real estate value.

As part of ongoing work to develop a housing strategy for Ucluelet, Council has indicated a priority in looking at opportunities to increase housing choices and supply. Adjusting regulations to allow new forms of accessory dwelling units in existing residential areas is a policy area staff are working on. The work to develop the new R-6 zoning regulations starts to give shape to how such regulations could unfold. The draft regulations are aimed at providing an opportunity, and incentive, to create additional and more diverse housing supply within town - while also maintaining a density, character and adequate separation to maximize quality of life for residents.

As part of the broader housing discussion, tools such as an Intensive Residential Development DP area will be explored. This could include guidelines to improve privacy between adjacent properties when adding accessory units, and to ensure that adequate off-street parking is located in ways that also maintain a pedestrian-friendly streetscape and protect the supply of on-street public parking.

If Council wishes to include short term rentals as an option within the central portion of the R-6 zoned land, draft Bylaw No. 1284 could be amended as noted at the end of this report (see **Option #8** and **Appendix 'B'**), prior to the bylaw moving forward to a public hearing.

4.4. Townhomes:

The applicant is proposing that the south end of Lot 16 be designated for 28 townhomes. This presents yet another housing type and would add diversity to the community housing supply. Townhomes provide ground-oriented housing at a different price point than detached single-family homes. The draft Bylaw No, 1284 would designate this portion of the site as R-3 High Density Residential, with site-specific regulations R-3.8.1(4) and (5) to define the maximum density and setbacks as proposed.



Figure 6 – preliminary section through Townhome site

The Concept Plans presented with the application show the access to the townhome site from Victoria Road near the intersection with Marine Drive. As noted in the discussion of access and circulation, below, staff recommend that the road access would be more appropriate from the new internal road. This change can be made as the development moves forward through subsequent stages of subdivision and DP approval (see recommendation 5(f) above).

4.5. Access and Circulation:

The Concept Plans show two closed, dead-end road loops. The first would provide access to the new single-family lots from a single connection to the existing road network at Marine Drive (highlighted in red in **Figure 7**, below). The second loop would provide access to the townhouse strata from a connection on Victoria Road through an existing municipal road right-of-way approximately 17m (55 ft) from the corner of Marine Drive.

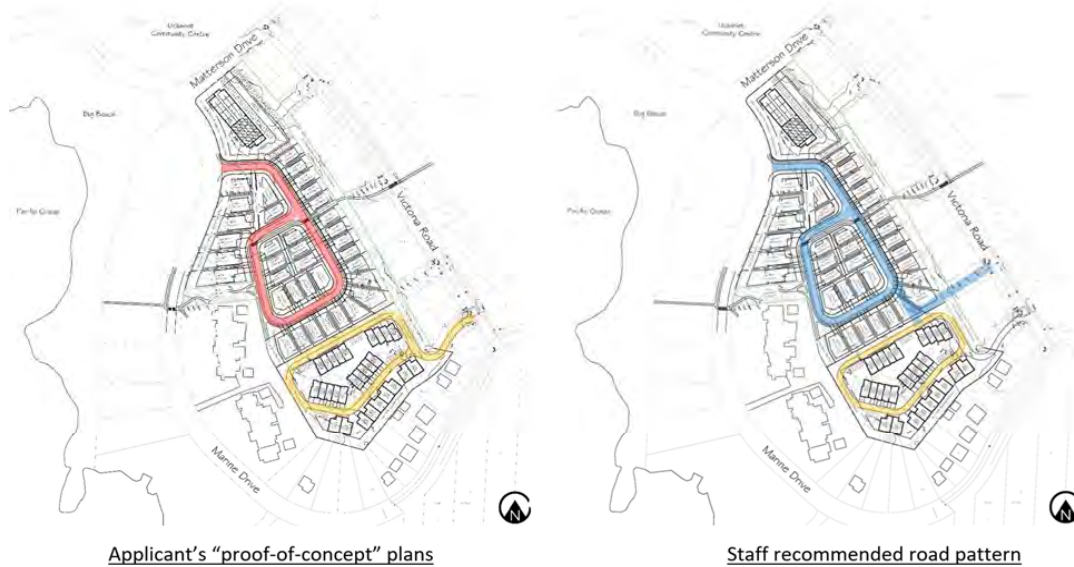


Figure 7 – Road access and circulation.

Staff are recommending that a better road pattern would connect the new public road through Lot 16 from the access on Marine Drive through to Victoria Road at another existing section of municipal road right-of-way 63m (200 ft) further north (highlighted in blue in **Figure 7**, above, and noted in recommendation 5(e) at the outset of this report). The connection to the townhouse strata would be from this new section of public road. This pattern of connecting the street through the site, rather than creating a pair of closed loops, has advantages for traffic flow, neighbourhood connectivity and emergency access. By moving the new intersection with Victoria Road further north away from Marine Drive, it would also avoid potential conflicts at the existing intersection.

The applicant has expressed that either approach would be acceptable and is not pushing for one option over the other.

The layout of new roads and underground utilities is engineered and reviewed as part of the subdivision process, and must fit with existing infrastructure and meet acceptable safety standards. Staff raise this issue because the location of new roads connecting to existing neighbourhoods tends to be a point of great interest, and any potential changes in traffic patterns can become a point of concern. Being transparent about the options at the outset, and the recommended approach to how this new neighbourhood could fit within the network of Ucluelet's streets, will allow the public to comment as part of the public process as this proposal moves forward.

4.6. Public amenities:

The applicant is proposing to contribute the following amenities with the proposed development:

4.6.1. *Park Space:*

The applicant is proposing to dedicate a 1,300m² park space with an ocean view. The proposed park is valuable real estate; the offer to create the park in this position for the public to be able to enjoy the views, and connect a pathway through the site allowing easy access to Big Beach, is of great community benefit. The park space would also act as a green break between "the Ridge" development and the proposed new single-family lots along Marine Drive.

Also proposed is a 10m treed buffer park space behind the existing Victoria Road residential properties (see Concept Plans). This greenbelt would provide separation between the back yards of existing residential properties and the back yards of the proposed new lots. The 10m vegetation buffer meets the intent of the 2006 amenity framework for the existing CD-2 zoning of Lot 16.

4.6.2. *Financial Contribution*

The applicant is proposing a financial contribution to the District of Ucluelet of \$1,000 per multi-family unit or single-family lot, which for the proposal presented would total \$112,000. As noted above, this contribution (or a portion), could be earmarked for outdoor recreation facilities. It could also be used to accelerate paydown of the municipal debt on the UCC, be put toward creating pedestrian improvements, etc.; this is a discretionary decision of Council on what would most benefit the community.

Proposed amenity contributions are difficult to compare between developments. One of the amenities promised in the original Big Beach Estates development was a new public swimming pool and fitness facility, which was to be privately owned and maintained. The details of how that would be viable were not worked out at the time. This is a new development and should be viewed in its current context.

It is a reasonable expectation that a development proposal should present a net benefit to the community. The provision of needed housing and desired green spaces are part of that equation.

The expense of the constructing the development should be covered by the developer. As the development process proceeds, confirmation of the extent to which the developer will cover the following costs should be confirmed:

- pathways, trails and landscaping not specifically mentioned in Ucluelet's subdivision servicing bylaw;

- park furniture or equipment (benches, play or recreation equipment, waste receptacles, signage, etc.);
- landscaping of boulevard and park spaces, and degree of finish (i.e, natural spaces vs. manicured).

These items also clearly benefit the development itself, but confirmation of the level of development of these public facilities would benefit the public review of the proposal.

4.6.3. *One Single-Family Residential Lot*

The applicant is proposing to transfer ownership to the District of Ucluelet one small serviced residential lot. The applicant estimates the value of this contribution at \$90,000 to \$100,000.

4.6.4. *Rental Housing Agreement*

Although not claimed as an amenity by the applicant, the creation of a rental tenure apartment building is clearly a sizeable benefit to the community. The applicant has stated that they will guarantee by covenant a rental-only tenure of the apartment property and that it will be the first phase of the development. Rental housing is one of the most critical needs in the Ucluelet housing spectrum.

The balance of all aspects of the development proposal should be weighed as a whole when considering whether the development presents a net public benefit to the community.

4.7. Services

The applicant has been in discussion with planning and public works staff, and the municipality's consulting engineering firm, to understand the servicing requirements. The developer needs to understand the connection between four things to have a clear picture of the viability of the project:

- i. the cost of off-site utility works (water and sewer) which would be necessary to serve the proposed development;
- ii. what portion (if any) of those works would overlap with charges due under the Development Cost Charge bylaw (and therefore reduce the total DCC's payable);
- iii. the total land and cash amenity contributions offered and accepted by Council as part of the rezoning; and,
- iv. the uses and densities which might be approved by the rezoning.

Based on a DCC Summary from the applicant's engineer, the applicant confirmed on January 13, 2021, that the amenity contribution being offered with the current application is as described above.

4.7.1. *Onsite Services*

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities will be required as part of any future subdivision.

4.7.2. *Offsite Services*

The offsite service considerations for this property are complex. The property currently does not have adequate water pressure to allow for appropriate fire protection. The current

downstream sewer system capacity could not accept the proposed densities. For this discussion we will break down the two main issues of water and sewer:

4.7.3. Water

The proposed development will not have the required fire flows and peak hour pressure with the existing in-ground infrastructure. A check valve installation at the intersection of Matterson Drive and Victoria Road and a watermain upgrade on Victoria Road are required to provide adequate water service for the proposed development.

4.7.4. Sewer

The Victoria Road pump station and the forcemain beyond are currently close to, if not at capacity. In order for the further development to proceed in this area, this station would need to be bypassed and the sewage volume from the Marine Drive pump station must be diverted and picked up at the newly installed gravity piping located on Otter Street, just off Peninsula Road. This project is called the Matterson Bypass, and is identified as a future project within the Sewer Master Plan.

Servicing costs:

To help facilitate this development the District's engineering consultant reviewed the Matterson Bypass project and created a Class 'D' estimate (with 30% contingency). On September 24, 2020, Koers Engineering submitted this Class 'D' estimate with an estimated total construction cost (excluding Engineering & GST) of \$725,000. This bypass would also leave a gravel path parallel to Matterson Drive that could be a safer pedestrian route if it were to be paved (rather than the current route that runs on the road shoulder).

As these the water and sewer servicing costs affect the viability of the proposed development, Planning Staff have worked with the developer to review whether or not these expenditures overlap projects within the Development Cost Charges (DCC) program and if so, how that affects the DCC's charged as the development builds out.

The District's engineering consultant was asked to review the Ucluelet DCC program, to confirm whether these projects align with the DCC project list. The following statement was submitted by Koers & Associates Engineering Ltd on November 16, 2020

"Water

If the Check Valve was installed at Matterson and Victoria, then the Matterson Pressure Zone Requirement would be satisfied and it could be removed from the DCC list. However the watermain improvement on Victoria is directly due to the development and shouldn't be considered a DCC.

Sanitary

The development requires the existing 150mm PVC forcemain to be extended to Otter Street. However this forcemain if constructed should be a 300mm via main to suit future growth in the District. The DCC noted funding for local station improvements and forcemains are essential to pump stations so we could loosely consider the forcemain as part of this project. It should be noted that the Matterson Road forcemain has been identified in the Sanitary Master Plan (300mm dia) with a Draft Report scheduled for the first week of December. An option for the District would be to consider funding the increase in cost of the pipe material between 300mm and 150mm dia. for the forcemain

as the excavation and surface restoration costs are similar for both pipe diameters. Alternately if the developer proceeds with a 150 mm dia. forcemain, the District should plan to install a duplicate main at a later date to meet future demands.”

The municipal solicitors were asked to confirm the legal framework by which DCC projects completed by a developer could be “credited” toward a development. Discussion with the applicant and the developer’s engineering consultant in December, 2020, confirmed that the following costs would advance the DCC program and would not be charged toward the development:

- *Watermain check valve estimated maximum water DCC credit available \$100,000.00*
- *Sanitary sewer extension estimated maximum sanitary DCC credit available \$489,000.00*

The above cost estimates can be confirmed by the District’s engineers as the project design is developed in more detail and class ‘A’ cost estimates are provided. The mechanism for tracking and ensuring the water and sewer servicing costs are “credited” when charging DCC’s on the various areas of the Lot 16 development will need to be clarified as the project proceeds, and prior to subdivision.

5. Time Requirements – Staff & Elected Officials:

Should this application proceed, staff time will be required to process the bylaw amendments (including giving notice of a Public Hearing), a Housing Agreement bylaw and covenant. Future DP and possibly DVP application(s) would also be seen by Council. Subsequent applications would be expected for subdivision and, ultimately, individual building permits.

Coordination and review of on- and off-site infrastructure would also involve both staff and the District’s consulting engineers as the development proceeds.

6. Financial Impacts:

The Development Cost Charges for the new development will be collected at the time of building permit issuance on a per unit basis for the multi-family portions, as set out in the municipal DCC bylaw. DCC’s would also be payable for the new single-family lots at the time the final subdivision approval is granted for each new lot.

Amenity contributions are discussed above. Off-site servicing costs would be borne by the developer. Some additional costs, for extra work to provide public improvements already identified by municipal infrastructure master plans, should be budgeted to align with the timing of the developer’s installation of infrastructure. Two notable items are:

- increasing the pipe size on the Matterson Bypass sewer forcemain (est. cost \$137,000). It would be cost effective for the District to pay for up-sizing the pipe to handle the entire future capacity of this line.
- additional design and paving costs to place an asphalt multi-use path atop the new sewer forcemain alignment parallel to Matterson Drive (est. cost \$100,000). This would provide the improved pedestrian and bicycle connection along Matterson envisioned as the “coast-to-coast connector” in the Parks and Opens Space master plan. The most cost-effective installation of the pathway would be if coordinated with the sewer line installation.

7. Policy or Legislative Impacts:

The development of Lot 16 for a mix of residential uses is consistent with Ucluelet's Official Community Plan. The draft zoning amendment bylaw presented with this report is being recommended for Council to consider to advance this significant proposal to a public hearing.

As discussed above, and noted in the options below, the applicant wishes to request additional height for the proposed apartment building and inclusion of additional short-term rental uses within the central portion of the new single-family lots. The options 6, 7 and 8 below have been crafted so that, should Council choose to support either of those requests by the applicant, the bylaw could be amended before being sent to a public hearing to gather public comment.

Should the application proceed, staff would also prepare a Housing Agreement bylaw for Council to consider to enable the rental apartment commitments to be secured prior to the apartment lot being finally approved.

Conclusion and OPTIONS:

The zoning amendment that is recommended strives to represent the best interests of the community with a residential focus on this key property while allowing for the densities contemplated in the applicant's concept plan. It is worth re-stating that this is a significant housing proposal for Ucluelet. The diversity of housing types being proposed for Lot 16 includes all of the following:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Staff recommend that the zoning amendment bylaw prepared in response to this proposal receive first and second reading and be advanced to a public hearing to allow for community input, as laid out in the recommendations 1 through 5 at the outset of this report.

Alternatively, Council could consider the following:

6. prior to second reading (and in place of recommended motion #4, above), amend the draft Bylaw No. 1284, 2021, by inserting under text amendment C the following into the new text for site specific Other Regulations under R-3.8.1(1):
 - "c.) the maximum height is 16m (52 ft)";

or,

7. alternatively (also in place of recommended motion #4, above), amend the draft Bylaw No. 1284, 2021, as in recommendation #6 but also add the following to the restrictive covenant at the end of recommended motion #5:

“j.) despite the zoning of proposed Lot ‘A’, the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans”;

and/or,

8. prior to second reading, amend the draft Bylaw No. 1284, 2021, by inserting (under text amendment B) *Bed and Breakfast* into the list of permitted secondary uses in the new R-6 zone under R-6.1.1(2) specific to the area of Lot 16 Marine Drive as shown in Appendix B to the staff report of March 23, 2021;

or,

9. Council could provide alternative direction to the applicant and/or staff.

Respectfully submitted: Bruce Greig, Manager of Community Planning
John Towgood, Planner
Rick Geddes, Fire Chief
Warren Cannon, Superintendent of Public Works
Donna Monteith, Acting Chief Administrative Officer



STAFF REPORT TO COUNCIL

Council Meeting: July 13, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

FILE NO: 3360-20-RZ19-02

SUBJECT: LOT 16 MARINE DRIVE

REPORT NO: 21- 109

ATTACHMENT(S): **APPENDIX A** – NORED DEVELOPMENTS DATED JULY 7, 2021
APPENDIX B - OFF-SITE SERVICING MEMORANDA AND COSTS ESTIMATES BY KOERS & ASSOCIATES ENGINEERING
APPENDIX C – ESTIMATE OF DCC CHARGES FOR LOT 16

RECOMMENDATION:

1. **THAT** Council refer this report to a special Committee-of-the-Whole meeting to be held August 10th, 2021.

PURPOSE:

The purpose of this report is to provide additional information in response to questions from Council and the public regarding the proposed rezoning and development of Lot 16 Marine Drive, raised at the public hearing held June 8, 2021, and subsequent Council meeting held June 15, 2021.

BACKGROUND:

At its June 15, 2021, regular meeting, Council discussed comments received from the public to date on the Lot 16 rezoning proposal, and passed the following motion:

*“ **THAT** Council identifies the following items that it wishes to resolve prior to further consideration of the Bylaw:*

- a. Is there an environmental assessment and can we see that report?*
- b. I saw one lot available for affordable housing, how do we figure out that percentage, and how can we work with BC Housing?*
- c. Water runoff onto Victoria Road and Marine Drive.*
- d. What is the width of the roads in the proposed development and will there be sidewalks?*
- e. What are the total DCC's paid for the development?*
- f. What is the buffer (set back) on the Marine Drive side of the development?*

- g. What are the rental caps for the apartment building? What percentage is for affordable housing in the apartment building?*
- h. What do the upgrades look like for Matterson Road?*
- i. Would the developer/owner entertain the idea of focusing on the apartment building first, and then moving over to the rest of the development, to make sure that the apartment is constructed first?*
- j. Who is paying for the sewer upgrades at the corner of Marine Drive and Victoria Road and who is paying for sewer and water upgrades associated with the development in general?*
- k. What is the timeline for this development?*
- l. How does this development help our community?*
- m. Is blasting required at this site? If so, what is the extent of the blasting?*
- n. Is there an archeological study and can we see that study?*
- o. Is this still an archeological site?*
- p. Is a three-storey apartment building an option?*
- q. How are patios addressed in the setback requirements in the zoning?*
- r. Are there alternative access roads other than off of Victoria Road, and the corner of Victoria Road and Marine Drive. What other options are available?*
- s. Requests that a traffic study be conducted.”*

The applicant has provided a response (see **Appendix ‘A’**) providing answers to each of these questions, with references to how these items have been addressed and where more information is provided in the original application and staff reports. In addition, the following section expands on two threads where staff sense that additional information would be helpful for Council and the public.

DISCUSSION:

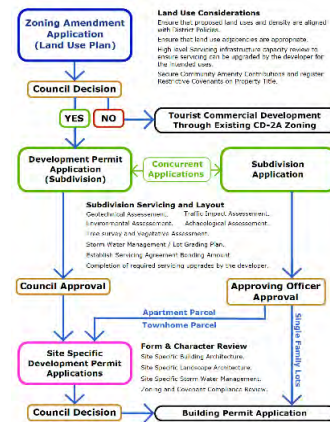
A. Stages of the approval process:

A number of the comments from the public raise questions about details that are often provided at a subsequent stage of the development approvals process. The application before Council at this time is to change the zoning designation of the property. The permitted uses and densities being proposed for different areas of the subject property are the main considerations at this stage.

While quite detailed plans have been submitted with this application, they have been presented as proof-of-concept plans aiming at obtaining rezoning approval. The applicant has acknowledged that more detailed plans and studies would be necessary at the later stages of municipal approval. This is a normal course for this type of development proposal.

Council has indicated a number of critical elements that it wishes to ensure if the development proceeds. These conditions would be secured by a restrictive covenant registered on the title of Lot 16 before Council considers adopting the zoning amendment bylaw.

The applicant has provided a helpful flowchart to illustrate the steps in the approvals process, and the information and studies provided at each stage (see **Appendix 'A'**). As noted, more detailed studies are typical of the Development Permit and Subdivision stages for a development of this sort.



B. Costs of upgrading and expanding infrastructure:

A number of comments from the public raised concerns about the impact on existing infrastructure (such as the Victoria Road sewer pump station), the cost of installing new infrastructure - and questioned whether Ucluelet taxpayers would be bearing those costs. These are good questions. Briefly, in response to questions “e” and “j” of the Council motion above, consider the following:

- o On-site: the cost of constructing new roads, water lines, sewer lines, street lighting, fire hydrants, pathways, etc. to municipal standards within the Lot 16 subdivision is entirely the responsibility of the developer. This is estimated at roughly \$2 million for Lot 16 (see **Figure 1**);
- o Off-site: infrastructure upgrades (e.g., larger sewer pipes, or a new water line) required to service the proposed development are also to be constructed by the developer at their cost. The off-site water and sewer upgrades required by Lot 16 are estimated at approximately \$938,000 (see **Figure 1**);
- o The need for potential upgrades to the municipal systems were analyzed by the District’s engineers to identify what upgrades would be necessary, and how the new development fits within the anticipated demand already projected in the District’s water and sewer master plans (see **Appendix B**);
- o In addition, under the Development Cost Charge (DCC) bylaw, all new developments pay fees to contribute to the incremental cost of expanding infrastructure to service a growing town. A summary showing the preliminary calculation of DCC fees is included in **Appendix C** and is shown in **Figure 1**;
- o the total servicing costs borne by the developer – in approximate numbers at this point - amount to \$3.7 million (the orange areas in the chart in **Figure 1**);

- note that there is an overlap identified between off-site infrastructure and works already defined in the municipal DCC program amounting to \$410,000. If the off-site works are constructed as proposed then that portion of the DCC's would not be charged to the developer – because doing otherwise would amount to double-charging (shown as the dashed line in **Figure 1**).
- as noted in the March 23, 2021, staff report:

“Some additional costs, for extra work to provide public improvements already identified by municipal infrastructure master plans, should be budgeted to align with the timing of the developer’s installation of infrastructure. Two notable items are:

- *increasing the pipe size on the Matterson Bypass sewer forcemain (est. cost \$137,000). It would be cost effective for the District to pay for up-sizing the pipe to handle the entire future capacity of this line.*
- *additional design and paving costs to place an asphalt multi-use path atop the new sewer forcemain alignment parallel to Matterson Drive (est. cost \$100,000). This would provide the improved pedestrian and bicycle connection along Matterson envisioned as the “coast-to-coast connector” in the Parks and Opens Space master plan. The most cost-effective installation of the pathway would be if coordinated with the sewer line installation.”*

Staff have looked in closer detail at the pathway and recommend that \$175,000 would be an appropriate preliminary budget figure to consider for the “coast-to-coast connector”, to include a healthy contingency.

Note that both of these items are advisable to take advantage of cost savings during construction of the developer’s works - but are optional and could also be completed by the municipality at another time (though likely at greater cost). It is also worth noting that both of these items could be funded without relying on additional municipal property taxes (see green bars in Figure 1, below).

- with respect to question “j”, the proposed new “Matterson bypass” works would result in the sewer volume from Lot 16 and all existing volume coming from the Big Beach pump station then bypassing the Victoria Road station – reducing the load on the existing Victoria Road infrastructure.

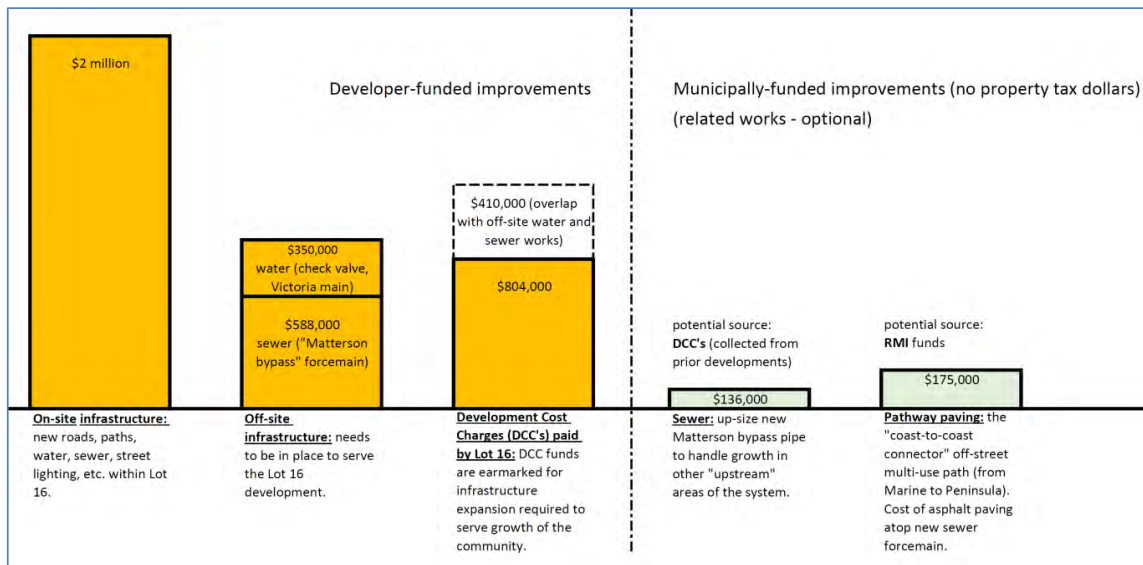


FIGURE 1 – preliminary on- and off-site servicing costs for proposed Lot 16 development

PROCESS AND NEXT STEPS:

At its June 15th meeting, Council also passed the following:

“THAT Council:

- a. direct Staff to prepare a report providing the information, analysis, and recommendations on how those items will be addressed, with input from the applicant as necessary;*
- b. hold a Committee of the Whole meeting to provide an opportunity for the Applicant and Staff to address the report;*
- c. provide an opportunity for further public input at the Committee of the Whole meeting;*
- d. at that point consider whether Council deems it necessary to make changes to the bylaw or conditions of final approval, prior to considering referral of the bylaw to another public hearing; and,*
- e. direct Staff to publish notice of the Special Committee of the Whole meeting as widely as possible.”*

This report and its attachments have now been published and are available to the public on the municipal website. Staff recommend that Council could now refer this report to a

Committee-of-the-Whole (CoW) meeting; a tentative date suggested for this meeting is August 10th.

Staff are prepared to give the public notice of the CoW meeting in much the same manner as is done for a public hearing: print ads in the Westerly News, signs posted on the public road near the entrances to the property, mailout and hand delivery to owners and occupants of neighbouring properties within 100m. Staff suggest that a copy of the CoW notice also be posted at the Co-op community notice board, and that the message be sent out via UkeeMail and District social media.

Alternatively, Council could provide other direction to Staff and/or the Applicant.

Respectfully submitted: Bruce Greig, Director of Community Planning



July 7, 2021

Via Email: Bruce Grief, Director of Planning bgreif@ucluelet.ca

Attention: District of Ucluelet

Re: Email Request for Clarification from District Staff

Council Motion 1:

The Council Motion identifies a list of items and questions that Council wishes to resolve prior to further consideration of the Bylaw. MacDonald Gray Consultants has provided detailed responses to District Staff to be included in their follow up report to Council for that purpose.

Notes on Participation in the Public Hearing

Both the Applicant and Property Owners were present and listening to public comments for the entire length of the Public Hearing. There were several comments made that “we did not speak” at the Public Hearing. It is important that Council and the Community understand that discussion is not intended to occur at a Public Hearing. That said, some discussion did occur at the meeting.

MacDonald Gray Consultants and Nored Developments strive to be open and transparent in all of our development projects and want to assure Council that we were in a difficult position and in no way attempting to hide from the questions raised. In fact, we believe the majority of the questions had been answered prior to the Public Hearing to the satisfaction of Staff and Council.

We do not typically provide a formal presentation at a Public Hearing for the same reasons. A presentation was requested and provided which was our opportunity “to speak” at the hearing. The presentation was pre-recorded due to concerns with the online meeting technology and to avoid any accidental introductions of ‘new information’

As Applicants, we must uphold the integrity of our profession and duty to the public interest of both the property owners and community by not introducing ‘new information’ beyond what was available prior to the hearing.

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Nored Developments Inc.



NORED

DEVELOPMENTS

Why did our team not feel that it was necessary or appropriate to speak at the Public Hearing? Quite simply:

- Because the answers to questions raised at the meeting were addressed and answered within documents available prior to and at the meeting:
 - The District of Ucluelet Planning Department Staff Report provided to Council on March 23, 2021 at the Council Meeting where 1st and 2nd Reading of the Bylaw were passed by Council;
 - The Applicant's Planning Framework Report attached to the Staff Report referenced above.
- Because, a number of questions referenced subsequent application and approval process requirements that were well beyond the level of detail required for a land use discussion at a master planning level.

Suggestions of Withholding Information

There was also a suggestion that comments provided to us from individual members of the public were deliberately omitted from the pre-application Public Information Meeting Summary provided with our Application package.

This is simply not true. All comment sheets submitted to us at the Public Information Meeting on December 7, 2018 and within a specified window of time after the meeting were submitted to the District on December 12, 2021. Some comments were received via email after PIM Summary had already been submitted and were taken into consideration by the project team prior to submitting a formal Application to the District.

Honor and integrity are the key pillars of our approach to land use planning and development. We are both Vancouver Island companies. We love this island and all of the communities that we are so fortunate to work with. We do not bring forward projects that we do not firmly believe are the right land use for the community.

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NORED

DEVELOPMENTS

It is understandable that folks can be cautious of developers and development. It is also understandable that adjacent neighbours are not keen on losing the undeveloped private property adjacent to their homes that they have enjoyed for so long.

MacDonald Gray Consultants

Nigel Gray
Nigel Gray

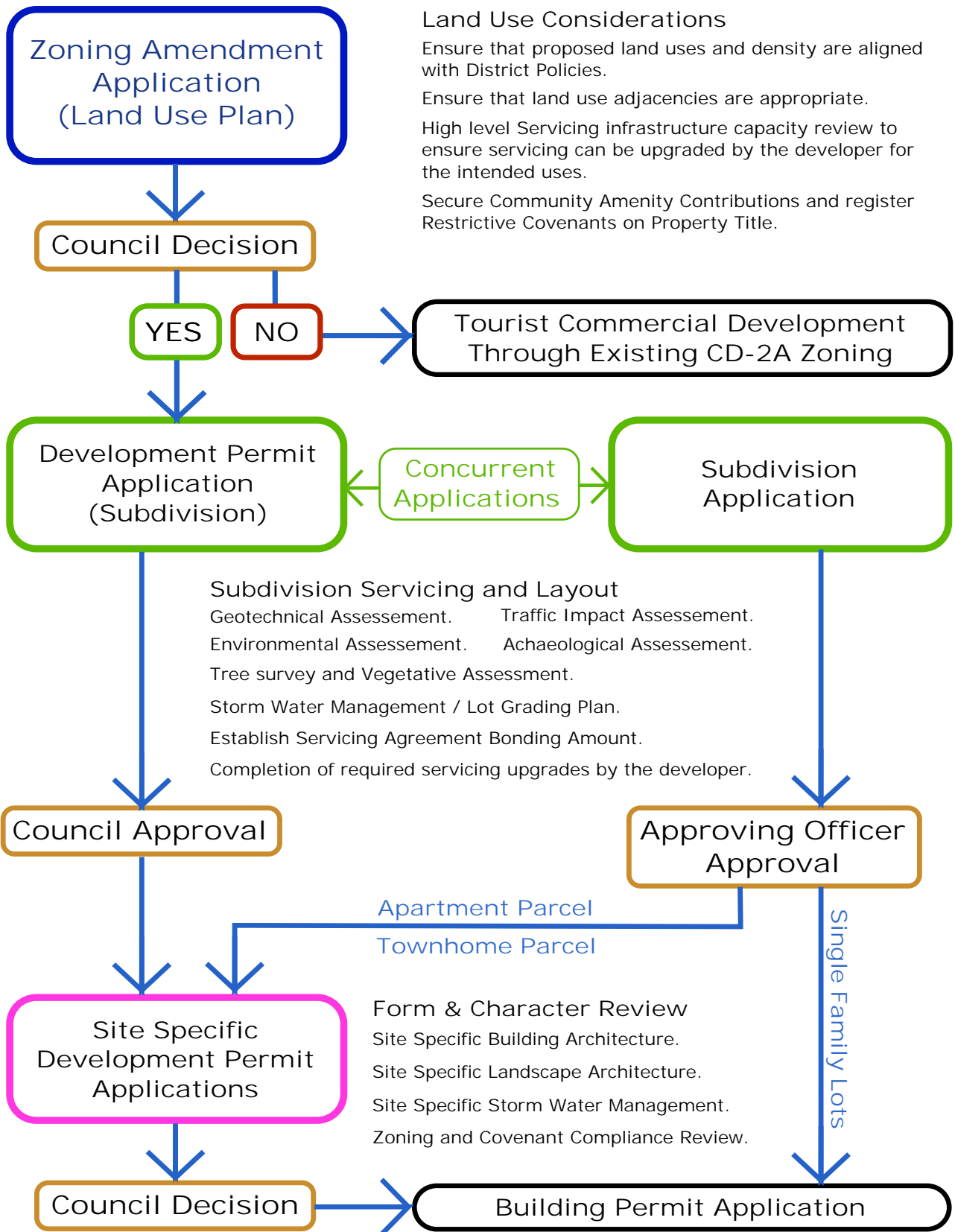
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June 15 Council Motion – 1 Page Summary Responses by Applicant

Question

- a. **Is there an environmental assessment and can we see that report?**

Answer

The lot has been previously disturbed. An environmental report will be prepared at the time of Development Permit / Subdivision Application once the new Zoning is in place.

All provincial and Municipal requirements MUST be met through permitting processes.

Applicable Development Stage(s): Development Permit Application (Subdivision Layout)
Subdivision Application

References:

Official Community Plan Bylaw No. 1140, 2011

Lot 281 - Development Permit Area (DPA) 5 is applicable to areas of the lands as identified on the District of Ucluelet OCP, Schedule 'C' – Map. The DPA is established for the purposes of:

- Protection of the natural environment, its ecosystems and biological diversity;
- Protection of development from hazardous conditions; and,
- Establishment of objectives for the form and character of development in the resort region.

Refer to the Applicant's Planning Framework Report

Section 6.2 Development Permit Areas

Section 9.2 Lot 281 DPA #5 - Considerations

(March 23, 2021 [Council Agenda](#), pg. 101, 103)

Landscape and environmental preservation are key components of the DP guidelines. All development proposals will require careful consideration and design responses that seek to protect existing sensitive ecosystems, significant trees and shrubs.

Environmentally significant areas, including watercourses and significant stands of trees, have not been ground-truthed by the project biologist. The location of these features will need to be incorporated into future site planning and subdivision layout where feasible and as required by law during subsequent permitting processes.

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFFERED 3RD READING

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- b. I saw one lot available for affordable housing, how do we figure out that percentage, and how can we work with BC Housing?**

Answer:

Affordable Housing (Social / Subsidized Housing) is not proposed as a part of this application.

One serviced Infill Small Lot (R-6 Zone) is proposed to be dedicated to the District to be used as they see fit. The lot could be used for affordable housing by the District.

A number of additional mechanisms are available through the Community Amenity Contribution proposal for the District to create affordable housing opportunities as follows:

- A financial contribution to the District is proposed. Beyond the significant land dedication for parks and trails, a financial contribution of \$1,000.00 / per door/unit is proposed. This would equal \$112,000.00 based on proposed density of 112 primary dwelling units (suites are not included);
- The proposed financial contribution (noted above) could also be directed toward other affordable housing initiatives within the District. Funds could be set aside for a DCC Waiver program for eligible developments. The value of this lot has increased and is estimated at approximately \$300,000.00 (2021) by the property owner.
- The District could also close the unused road stubs from Victoria Road to be used for affordable housing projects at the discretion of Staff and Council.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

[Refer to the Applicant's Planning Framework Report](#)
[Section 10.2.2 Vehicle Access Concerns](#)
[Section 10.3.1 Request for a Community Amenity Contribution](#)
(March 23, 2021 [Council Agenda](#), pg. 105, 106)

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFERRED 3RD READING

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- c. **Water runoff onto Victoria Road and other part of Marine drive.**

Answer:

Surface water run-off from any development or constructed works must be addressed on site and not flow onto adjacent properties. The upland property owner would be liable for any damage caused to downstream properties.

Stormwater management will be undertaken for both the Subdivision Application and site specific Development Permits to the standards set by the Province and District once the Zoning is in place.

Applicable Development Stage(s):

Subdivision Application (Works & Services)
Development Permit Application (Site Specific)
Building Permit Application (Site Specific)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)

[Section 4.7.1 Onsite Services](#)

(March 23, 2021 [Council Agenda](#), pg. 66)

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities [will be required](#) as part of any future subdivision.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

d. What is the width of the roads in the proposed development and do they have sidewalks?

Answer:

14m width Public Roads with detached sidewalks and a greenway connection are shown on the 'proof of concept' drawings, but would require future separate approval by the District Engineer and Council.

The District does not currently have a 14m road standard, although a 12m road standard has been applied to the recent Lot 13 Subdivision.

The specific technical details of a 14m Road Right of Way would require approval by the District Engineer, a variance to the District Engineering Standards and an approved Development Permit.

The other option is to develop the single family housing land uses as a Bare Land Strata with our own reduced internal road standards.

Applicable Development Stage(s): Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
[Section 4.7.1 Onsite Services](#)
(March 23, 2021 [Council Agenda](#), pg. 66)

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities will be required as part of any future subdivision.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- e. **What are the total DCC's paid for the development?**

Answer:

District Staff to Quantify DCC amounts based on current rates.

It should be noted that:

- The costs of all works and services required at the time of subdivision will be at the cost of the developer and existing DCC project specific funding;
- Some DCC works have already been identified by the District and funded through DCC fees provided by past development;
- This development will also contribute to future DCC projects within the District;
- There is no cost to District ratepayers to service this development.

Applicable Development Stage(s):

Subdivision Application (DCC Payable - Lots)
Building Permit (DCC Payable – Multifamily by Unit)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)

Section 6 Financial Impacts

(March 23, 2021 [Council Agenda](#), pg. 68)

The Development Cost Charges for the new development will be collected at the time of building permit issuance on a per unit basis for the multi-family portions, as set out in the municipal DCC bylaw.

DCC's would also be payable for the new single-family lots at the time the final subdivision approval is granted for each new lot.

Off-site servicing costs would be borne by the developer.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

f. What is the buffer on the Marine Drive side of the development?

Answer:

10m Setbacks are provided along Marine Drive built to be secured through a restrictive covenant.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption
- Secured in Zoning Bylaw Regulations

References:

[Staff Report – Council Meeting: March 23, 2021: Section 1, 5, d.:](#)

registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;

Appendix A, 1, R-6.6.2, C. R-3.8 Other Regulations, (2)

(2) on proposed Lot 'A' the minimum setbacks for principal buildings from adjacent lot lines shall be as follows:

b.) from Marine Drive: 10m (33 ft)

[Refer to the Applicant's Planning Framework Report Section 10.2.1 10m Buffer Request \(March 23, 2021 Council Agenda, pg. 104\)](#)

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFERRED 3RD READING

Question:

- g. What are the rental caps for the apartment building? What percentage is for affordable housing in the apartment?**

Answer:

Affordable Housing (Social / Subsidized Housing) is not proposed as a part of this application. Refer to the answer to question 'b' above.

A full spectrum of housing options is proposed in a comprehensive package as follows:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Rental Apartment Building

- i) Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
- ii) Registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.
- iii) The maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

Subdivision Application

- Secured by Housing Agreement on Title

References:

[Staff Report – Council Meeting: March 23, 2021:](#)

[Section 1, 5, i, Recommendations](#)

[Section 4 Discussion](#)

[Section 4.1 Rental Apartment Building](#)

[Appendix A, 1, C. R-3.8 Other Regulations](#)

These apartments would not be permitted for short-term rental for tourist accommodation, nor would they be stratified for individual ownership. These provisions would be included in a Housing Agreement with the District of Ucluelet, registered on the property title.

The addition of 48 rental apartments would be a valuable addition to the housing supply in Ucluelet; the applicant's commitment to developing this portion of the site for rental housing is significant, and should be considered among the amenities or other community benefits presented by this proposal.

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFERRED 3RD READING

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

h. What do the upgrades look like for Matterson Road?

Answer:

Frontage improvements will meet the District Engineering Standards for Matterson Road through the Subdivision Application process.

District Staff to identify the specific Engineering Department road standard.

Applicable Development Stage(s): Subdivision Application (Works & Services)

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- i. **Would the developer/owner entertain the idea focusing on the apartment building and then move over to the rest of the development, to make sure that the apartment is constructed first?**

Answer:

This has already been negotiated through conversations with Staff and confirmed as a requirement by Council at the March 23, 2021 Council Meeting.

Rental Apartment Building

- iv) Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
- v) Registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.
- vi) The maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

Staff Report – Council Meeting: March 23, 2021:

Section 1, 5, a, Recommendations

Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;

Section 4.1, Rental Apartment Building

The applicant is proposing that the first phase of developing Lot 16 would be a four-storey, 48-unit Multiple Family Residential apartment building for rental tenancy only.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- j. **Who is paying for the sewer upgrades at the corner of Marine Drive and Victoria Street and who is paying for sewer and water upgrades in general with the development?**

Question:

This is a common misperception raised during application processes.

The Developer pays the cost outright or in combination with DCC funding provided by past developments. This is always the case with all development.

There will be no cost to the ratepayer for the development to occur beyond District Staff time commitments.

Note that DCC funding must be applied to the specified project and cannot be shifted between projects once formally earmarked.

Beyond the required off site works noted above, the on-site works / internal servicing costs are estimated in the ballpark of \$2,000,000.00 by the project Civil Engineer.

Applicable Development Stage(s): Subdivision Application (Works & Services)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
Section 6 Financial Impacts

Off-site servicing costs would be borne by the developer.

[Refer to the Applicant's Planning Framework Report](#)
Section 2.2 Servicing
(March 23, 2021 [Council Agenda](#), pg. 89)

This is a common expectation of municipalities to ensure that the total cost of servicing the proposed land use and density is paid for by the developer. Local area residents will not incur any costs due to the rezoning.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

k. What is the timeline for this development?

Answer:

The project timeline will not be established until the Zoning Amendment is completed.

Market conditions and construction cost constantly fluctuate so it is impossible to determine ahead of the surety of a completed land use change.

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFERRED 3RD READING

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

I. How does this development help our community?

Answer:

Staff have outlined their support for the proposed residential land uses and we have provided a strong supporting planning rationale in our application materials.

Applicable Development Stage(s): Zoning Amendment (Rezoning)

References:

Staff Report – Council Meeting: March 23, 2021:
Section 7 Policy and Legislative Impacts
Conclusions and Options

The development of Lot 16 for a mix of residential uses is consistent with Ucluelet’s Official Community Plan. The draft zoning amendment bylaw presented with this report is being recommended for Council to consider to advance this significant proposal to a public hearing.

The zoning amendment that is recommended strives to represent the best interests of the community with a residential focus on this key property while allowing for the densities contemplated in the applicant’s concept plan. It is worth re-stating that this is a significant housing proposal for Ucluelet. The diversity of housing types being proposed for Lot 16 includes all of the following:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Refer to the Applicant’s Planning Framework Report
Covering Letter

(March 23, 2021 Council Agenda, pg. 86)

The property owners and our project team have worked collaboratively with District Staff and local area residents to expand upon the community’s vision as expressed in the Official Community Plan. We heard from neighbouring residents that there was a strong desire to provide a variety of attainable housing forms for local residents, while preserving existing landscape buffer spaces, and mitigating increased vehicular traffic on local roads.

This community vision has been integrated into our natural systems based design process, which is a collaborative approach to site planning. Environmental, physical and architectural considerations have been woven together to create a Land Use Concept, which is the basis for our Zoning Amendment proposal.

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFERRED 3RD READING

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

m. Is blasting required for this site? If so, what is the extent of the blasting?

Answer:

Blasting would be required for any development of the site due to the presence of shallow bedrock. The extent of blasting will be determined at the time of subdivision once the zoning is approved.

Applicable Development Stage(s):

Subdivision Application (Works & Services)

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

n. Is there an archeological study and can we see the study?

Answer:

The identified architectural site appears to have been removed before this property owner purchased the site.

This was reconfirmed through a survey of the property and will need to be addressed prior to any land altering activities.

Question:

o. Is this still an archeological site?

Answer:

Provincial records indicate a previously recorded archaeological site DfSj-85 on the property. DfSj-85, consisting of two Culturally Modified Trees, is protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch.

The site location has been cleared and subsequently filled in prior to 2005. Air photo evidence and the geotechnical test pit at that location confirm same.

Prior to any land-altering activities, an eligible Consulting Archaeologist should be engaged to determine the steps in managing impacts to the archaeological site. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies.

Applicable Development Stage(s):

Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

References:

[Refer to the Applicant's Planning Framework Report](#)

[Section 2.5 Site History / Archaeology](#)

[Sheet S4 Opportunities & Constraints](#)

(March 23, 2021 [Council Agenda](#), pg. 79, 89)

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

p. Is a three story apartment building an option?

Answer:

Possibly. That will be determined through detail design for a future Development Permit Application.

A restrictive covenant will be placed on title restricting the height to 3 stories, unless Council deems a 4 storey height appropriate at the time of a detailed form and character review through the site specific Development Permit Process.

Applicable Development Stage(s):

Development Permit Application (Site Specific)
Subdivision Application (Works & Services)

References:

Staff Report – Council Meeting: March 23, 2021:

Section Conclusions & Options

“j.) despite the zoning of proposed Lot ‘A’, the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans”;

Section 4.1, Rental Apartment Building

The R-3 zone currently permits a maximum height of 11m which accommodates a 3-storey building. At this point there are no detailed design drawings of the building or site that would form part of this application; this is a rezoning application only and not a request for a DP at this stage.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

q. How are patios addressed in the setback requirements in the zoning?

Answer:

Setbacks are applicable to building and structures (including covered patios).

Patios will not be permitted within the 10m greenspace covenant along Marine Drive.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
[Section 1, 5, d, Recommendations](#)

registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- r. **Is there an alternative access road other than Victoria Road or Victoria and Marine Dr. and what other options are available?**

Answer:

Public Road access to Victoria Drive is not proposed by the Applicant.

A driveway stub was shown on the 'Proof of Concept' drawings only from the townhome site to Victoria Drive.

The location and configuration of site access is not a concern for the developer.

Public road and private driveway access to the property will be provided as directed by the Subdivision Approving Officer. This is under the jurisdictional control of the Province.

Emergency access to Victoria Road will likely be required for public safety in the event of a Tsumami.

Question:

- s. **Request that a traffic study be conducted.**

Answer:

A traffic study will be provided through the Subdivision Application Process by a Professional Transportation Engineer as requested by the Approving Officer.

Applicable Development Stage(s): Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

Staff Report – Council Meeting: March 23, 2021:
Section 4.5 Access and Circulation

Staff are recommending that a better road pattern would connect the new public road through Lot 16 from the access on Marine Drive through to Victoria Road at another existing section of municipal road right-of-way 63m (200 ft) further north (highlighted in blue in Figure 7, above, and noted in recommendation 5(e) at the outset of this report).

The applicant has expressed that either approach would be acceptable and is not pushing for one option over the other.

Refer to the Applicant's Planning Framework Report
Section 10.2.2 Vehicle Access Concerns
(March 23, 2021 Council Agenda, pg. 86)

DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW NO. 1284, 2021 (LOT 16 MARINE DRIVE)
– DEFFERED 3RD READING



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TECHNICAL MEMORANDUM No. 1

Issued Date:	October 9, 2019	File No.:	0361-192-TM1
Previous Issue Date:	None		
To:	Warren Cannon		
From:	Mitchell Brook, P.Eng.		
Client:	District of Ucluelet		
Project Name:	Lot 16 Marine Drive		
Subject:	Water System Review		

1. Objective

The objective of this technical memorandum is to review the watermain servicing requirements for the proposed development at the intersection of Marine Drive and Matterson Drive with consideration for water system improvements required to supply the proposed development.

2. Background

The proposed development is located at the intersection of Marine Drive and Matterson Drive. The proposed development will consist of three areas of single family development, one apartment complex and a townhome complex. Based on information provided by District there is a total of 37 single family lots and 86 multi-family units. The proposed lot layouts are shown on the enclosed drawings provided by the District.

It should be noted that a proposed water network, including hydrant spacing was not provided. The proposed water network that was evaluated is shown on the enclosed figure 0361-192 SK1. This schematic shows the proposed pipe locations, as well as node locations throughout the development to provide a representation of the available fire flow and peak hour pressures. For the purposes of this analysis it has been assumed that the proposed piping for the developments will be 200 mm dia.

For the purposes of this analysis the following site servicing options have been reviewed:

- Option 1:
 - o Current water system conditions.
- Option 2
 - o Pressure zone boundary modifications identified in the July 2017 District Water Master Plan.
 - o Watermain loop to Victoria Road through the proposed development.
- Option 3
 - o Fire flow improvements in the area identified in the July 2017 District Water Master Plan including:
 - A check valve installation at the intersection of Matterson Drive and Victoria Road.
 - Watermain upgrades on Victoria Road.

Issued: October 9, 2019
Previous Issue: None

3. Water Demands

3.1 Domestic Demands

Based on the preliminary details provided, the development will consist of 37 single family lots and approximately 86 multi-family units. The District has identified that the single family lots will include secondary suites in accordance with the zoning bylaw.

Based on a population density of 3.5 ppu for single family and 2.0 ppu for multi-family, the projected population for the development is 302 as detailed in **Table 1** below.

Table 1: Projected Population

Land Use	Units	Population
A - Apartments	48	96
B - Single Family w/ secondary suite	7	25
C - Adaptative Small Lot Residential w/ secondary suite	18	63
D - Small Lot Residential w/ secondary suite	12	42
E - Townhomes	38	76
Total		302

Unit water demand rates used for this analysis were taken from the 2014 Master Municipal Contract Documents Design (MMCD) Guideline and are shown in **Table 2** below:

Table 2: Per Capita Demands

Scenario	Demand Rate
Average Day Demand (ADD)	450 lpcd
Maximum Day Demand (MDD)	900 lpcd
Peak Hour Demand (PHD)	1,350 lpcd

Applying the unit rate demands listed above to the project equivalent population for the development the demand rate is calculated as shown in **Table 3** below:

Table 3: Water Demands

Scenario	Demand (lps)
ADD	1.6
MDD	3.1
PHD	4.7

The proposed demands were allocated uniformly to the junctions in the proposed development.

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Issued: October 9, 2019
 Previous Issue: None

3.2 Fire Flow Demand

The required fire flows of the development are per the 2014 MMCD Design Guideline and are summarized below in **Table 4**:

Table 4: Fire Flow Demands

Land Use	Required Fire Flow (lps)
Single Family Residential	60
Multi-Family	90

When architectural plans for the development are finalized, the required fire flow should be validated using the Fire Underwriters Survey document Water Supply for Fire Protection (1999).

4. Hydraulic Capacity Performance and Design Criteria

Based on the 2014 MMCD Design Guideline, the criteria outlined below in **Table 5** was used to assess the hydraulic impact of the proposed development on the District's water system.

Table 5: Analysis Criteria

Criteria	Analysis Scenario	Parameter Value
Minimum Residual Pressure	PHD	44 psi
Minimum Residual Pressure	MDD+FF	22 psi

5. Water Model Evaluation

The water model was evaluated under current maximum day plus fire flow and peak hour demand conditions for each of the development piping options noted in Section 2.

A summary of the available fire flows and residual peak hour pressures is summarized in **Table 6, 7 and 8** below.

Table 6: Option 1 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	46	63
Existing Hydrant (554 Marine Dr)	20	90	46	58
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	45	54
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	42	50
Proposed Onsite Hydrant 3 (Area E)	28.8	90	33	38
Existing Hydrant (1309 Victoria Rd)	15.9	90	51	57

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Table 7: Option 2 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	45	62
Existing Hydrant (554 Marine Dr)	20	90	45	57
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	45	53
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	42	49
Proposed Onsite Hydrant 3 (Area E)	28.8	90	34	43
Existing Hydrant (1309 Victoria Rd)	15.9	90	45	63

Table 8: Option 3 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	125	62
Existing Hydrant (554 Marine Dr)	20	90	130	57
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	123	53
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	107	49
Proposed Onsite Hydrant 3 (Area E)	28.8	90	75	43
Existing Hydrant (1309 Victoria Rd)	15.9	90	123	63

As shown in the above tables the proposed improvement option 3 is required to provide the required fire flows under and peak hour pressure existing conditions. It should be noted that 90 lps is not available at the proposed onsite hydrant at Area E.

6. Impact of Proposed Development

In order to assess the impact of the development on the rest of the District water distribution system, simulation results from the model were compared between scenarios with and without the development and proposed improvements. The results are summarized below in **Tables 9**:

Table 9: Impact Analysis Summary

Location	Scenario	Without Development	With Development
# of Low Pressure Deficiencies	PHD	26	28
PHD Average Pressure	PHD	60	60
Average Available Fire Flows	MDD	144	155

Overall, the development will have minor hydraulic impact on the City water distribution system in the current scenarios. The peak hour pressure in two locations will drop from 44 psi to 42 psi with the addition of the proposed development.

7. Conclusions

The following conclusions are presented as a result of this technical memorandum:

- 1) The projected population for the proposed development is 302
- 2) The proposed demands for the development are as follows:
 - a. Maximum Day: 3.1 lps
 - b. Peak Hour: 4.7 lps
- 3) Proposed servicing Option 3 can provide the required fire flows and peak hour pressures for the development, with the exception of Area E.
- 4) The design fire flow of 90 lps is not available at the proposed on site hydrant at Area E.
- 5) There are minor impacts to the peak hour pressures in the distribution system with the proposed development. Two locations the pressure drops from 44 psi to 42 psi.

8. Recommendations

Based on the results discussed in this technical memorandum we recommend the following:

- 1) The onsite piping be sized as per the attached figures.
- 2) The required fire flow for the development should be validated using the Fire Underwriters Survey document Water Supply for Fire Protection (1999) when the architectural plans are known.
- 3) Install all works listed in Option 3 to provide the required fire flows and peak hour pressures.
- 4) Review the fire flow requirements for Area E.

Technical Memorandum No. 1
Lot 16 Water Review

Issued: October 9, 2019
Previous Issue: None

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.

Prepared By:



Mitchell Brook, P.Eng
Project Engineer

Reviewed By:



Chris Downey, P.Eng
Project Manager

Enclosures

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TECHNICAL MEMORANDUM No. 2

Issued Date:	October 17, 2019	File No.:	0361-192-TM2
Previous Issue Date:	None		
To:	Warren Cannon		
From:	Chris Downey, P.Eng.		
Client:	District of Ucluelet		
Project Name:	Lot 16 Marine Drive		
Subject:	Sanitary Sewer System Review		

1. Objective

The objective of this technical memorandum is to review the sanitary sewer servicing requirements for the proposed development at the intersection of Marine Drive and Matterson Drive with consideration for sanitary sewer improvements required to service the proposed development.

2. Background

The proposed development is located at the intersection of Marine Drive and Matterson Drive. The proposed development will consist of three areas of single family development, one apartment complex and a townhome complex. Based on information provided by the District there is a total of 37 single family lots and 76 multi-family units. The proposed lot layouts are shown on the enclosed drawings provided by the District.

It should be noted that a proposed sanitary sewer network was not provided. The proposed sanitary sewer network that was evaluated is shown on the enclosed drawing 0361-192-01. This drawing shows the proposed connections from the development to the existing sanitary sewer on Marine Drive.

3. Sanitary Sewer Demands

3.1 Domestic Demands

Based on the preliminary details provided, the development will consist of 37 single family lots and approximately 76 multi-family units. The District has identified that the single family lots will include secondary suites in accordance with the zoning bylaw.

Based on a population density of 2.28 ppu for single family and multi-family, the projected population for the development is 258 as detailed in **Table 1** below.

Table 1: Projected Population

	Units	Population
Connection 1 (Area A) 48 Multi-Family units	48	110
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	65	148
Total		258



Issued: October 17, 2019
 Previous Issue: None

Peak dry domestic sanitary sewer flows for the development were based on the District of Ucluelet Engineering Standards and Specifications and are shown in **Table 2** below:

Table 2: Per Capita Demands

Population	Per Capita Flow (m ³ /cap/day)
0 – 100 people	3.0
101 – 200 people	2.63
200 – 500 people	2.18
500 – 1000 people	1.91
1,000 – 2,000 people	1.67

Applying the per capita flow rate listed above to the project equivalent population for the development the peak domestic sewage demand rate is calculated as **289.3 m³/day** for connection 1 and **389.2 m³/day** for connection 2.

3.2 Infiltration and Inflow Allowance

The required Infiltration and Inflow (I&I) allowance for the proposed development are per the DOU Engineering Standards and Specifications at 11.2 m³/Ha/day and are summarized below in **Table 3**:

Table 3: Infiltration and Inflow Allowance

	Area (Ha)	(m ³ /day)
Connection 1 (Area A) 48 Multi-Family units	0.7	7.8
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	4.4	49.3
Total	5.1	57.1

3.3 Peak Wet Weather Flow

The peak wet weather flow for the proposed development are the combination of the Peak sewage flow and I&I allowance which are summarized below in **Table 4**:

Table 4: Peak Wet Weather Flows

	Peak Sewage (m ³ /day)	I&I (m ³ /day)	Peak Wet Weather Flow (m ³ /day)
Connection 1 (Area A) 48 Multi-Family units	289.3	7.8	297.1
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	389.2	49.3	438.5
Total	678.5	57.1	735.6

KOERS & ASSOCIATES ENGINEERING LTD.

Technical Memorandum No. 2
 Lot 16 Sanitary Sewer Review

Issued: October 17, 2019
 Previous Issue: None

4. Results

We have assumed the following conditions during our review of the proposed sanitary sewer model:

1. All the serviced lots/units in the Forbes Road Subdivision including the Multi-Family lot are contributing.
2. Bay Street diversion has been completed.
3. All single family lots that have been serviced.
4. We have not allowed for additional units due to re-zoning (There is potential for Multi-Family lots on Larch Road and Matterson).
5. Hotel units are treated the same as residential units.
6. Commercial and Institutional areas are an assumed area around the building. We have used diurnal patterns; one for residential and one for commercial/Institutional. The loading for commercial/Institutional is between 8am and 6 pm, with a steady flow between those hours. Residential follows a pattern based on flow monitoring from a residential neighbourhood in a Vancouver Island municipality.

The impact of the proposed development on the sanitary sewer was modelled based on the above assumptions for peak flows in the District owned sewer pipes between the proposed development and the Sewage Lagoon. The results are shown in the table below.

The results show that the capacity of the gravity sanitary sewer and pump station on Victoria Road is not sufficient as the pipe would be at 145% capacity and the pump station at 148% capacity. In order to service the proposed development, the forcemain from Big Beach pump station should be extended and connect into the sanitary sewer gravity system on Otter Street.

Up MH	Dn MH	Residential					Comm/Inst	Peak Flow L/s	Size mm	Slope m/m	Capacity L/s	% Full
		Area (ha)		Lot/Units		Pop	Area					
		Trib	Total	Trib	Total		ha					
Forbes PS MD	Big Beach PS	18.30	18.3	121	121	276	0	5.6		28.3	20%	
Pressure	Big Beach PS	9.40	9.4	60	60	137	0			(not applicable)		
Bay Street Big Beach PS	Big Beach PS	16.70	16.7	166	166	378	0	6.6		(not applicable)		
SMH-101	SMH-101	22.00	66.4	223	570	1300	1.3	24.0		34.0	71%	
SMH-102	SMH-102	3.50	69.9	56	626	1427	1.3	27.2	200	0.007	27.4	99%
Victoria Rd PS	Victoria Rd PS	9.00	97.2	13	639	1457	1.3	30.4	200	0.004	21.0	145%
Victoria Rd PS	SMH-304	13.40	110.6	73	712	1623	1.9	34.0			23.0	148%

KOERS & ASSOCIATES ENGINEERING LTD.



Technical Memorandum No. 2
Lot 16 Sanitary Sewer Review

Issued: October 17, 2019
Previous Issue: None

5. Conclusions

The following conclusions are presented as a result of this technical memorandum:

- 1) The projected population for the proposed development is 258
- 2) The proposed peak flows for the development are as follows:
 - a. Peak Domestic Flows 678.5 m³/day
 - b. I&I Allowance 57.1 m³/day
 - c. Peak Flows 735.6 m³/day
- 3) The 200 PVC gravity sanitary sewer pipe on Victoria Road is at 145% capacity.
- 4) The Victoria Road pump station is at 148% capacity

6. Recommendations

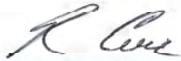
Based on the results discussed in this technical memorandum we recommend the following:

- 1) The existing 150 PVC forcemain from Big Beach pump station is extended to Otter Street.
- 2) The forcemain from Big Beach pump station is isolated from Victoria Road.

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.

Prepared By:



Richard Cave, ASCT
Senior Technologist

Enclosures

Reviewed By:



Chris Downey, P.Eng
Project Manager

KOERS & ASSOCIATES ENGINEERING LTD.



RECORD OF REVISIONS		REVISIONS	DESCRIPTION
REV	DATE	BY	ENG

RECORD OF ISSUE		ISS	DATE	BY	ENG	DESCRIPTION

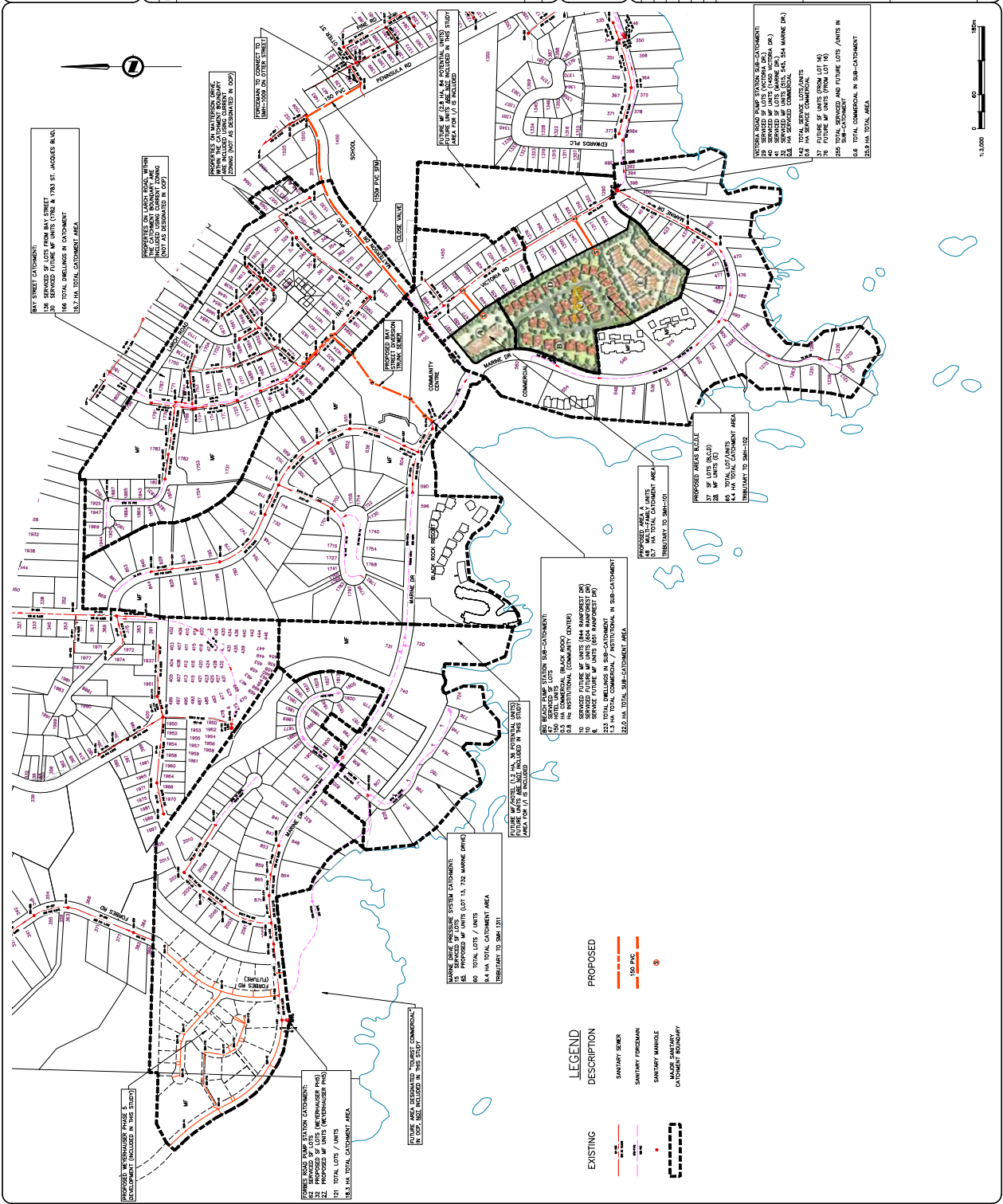
PROJECT NO.	0361-192
DRAWN	RC
DESIGNED	
CHECKED	CD
APPROVED	
DATE	OCTOBER 2019
SCALE	1:3000
CLIENT	

DISTRICT OF
UCCLEULET

PROJECT
LOT 16
SANITARY ANALYSIS

TITLE
VICTORIA ROAD
SANITARY PUMP STATION
CATCHMENT AREA

DRAWING No.	0361-192-01	REV.		SHEET	1/1
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PROPOSED WETWEATHER PUMP STATION CATCHMENT:
137 SERVICED LOTS (WETWEATHER PUMP)
141 TOTAL LOTS / UNITS
18.3 HA TOTAL CATCHMENT AREA

PROPOSED ONE PRESSURE SYSTEM CATCHMENT:
127 SERVICED LOTS (ONE PRESSURE SYSTEM)
130 TOTAL LOTS / UNITS
16.4 HA TOTAL CATCHMENT AREA

PROPOSED ONE PRESSURE SYSTEM CATCHMENT:
127 SERVICED LOTS (ONE PRESSURE SYSTEM)
130 TOTAL LOTS / UNITS
16.4 HA TOTAL CATCHMENT AREA

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PROPOSED ONE PRESSURE SYSTEM CATCHMENT:
127 SERVICED LOTS (ONE PRESSURE SYSTEM)
130 TOTAL LOTS / UNITS
16.4 HA TOTAL CATCHMENT AREA

LEGEND

	EXISTING		PROPOSED
	SANITARY SEWER		150 PPG
	SANITARY FORCEMAIN		6
	SANITARY MANHOLE		
	MAJOR SANITARY CATCHMENT BOUNDARY		

1:3,000
0 50 100

File: 0361-192 Sewerage Plan Title Oct 11, 2019 - 3:07pm User: rcove



DISTRICT OF
UCLUELET

Matterson Drive Forcemain Victoria to Otter
Cost Estimate (Class 'D')

November 30, 2020
Koers File: 2047

Item	Description	Unit	Quantity	Unit Price	Extension
Division 1					
1.1	General Requirements	LS	1	\$75,000	\$75,000
1.2	Submittals	LS	1	\$5,000	\$5,000
Division 2					
2.1	Location of Existing Structures	LS	1	\$6,000	\$6,000
2.2 Gravel Surface Restoration					
0.1	Crushed Shoulder Gravel	m ²	75	\$20	\$1,500
2.3 Temporary Trench restoration					
0.1	Coldmix (50 mm thick)	m ²	75	\$50	\$3,750
0.2	Rap (50 mm thick)	m ²	50	\$25	\$1,250
2.4	Reinstate Ditching	m	550	\$20	\$11,000
2.5	Hydraulic Seeding	LS	1	\$4,000	\$4,000
2.6 Sanitary Sewer Forcemain					
0.1	150 HDPE DR 26	m	550	\$190	\$104,500
2.7 Tie-Ins					
0.1	Victoria	LS	1	\$5,000	\$5,000
0.2	Otter	LS	1	\$25,000	\$25,000
2.8 Asphalt Restoration					
0.1	50 mm thick (100mm crush base)	m ²	50	\$100	\$5,000
0.2	Asphalt Pathway	m ²	1,000	\$100	\$100,000
2.9	Rock Excavation	m ³	100	\$300	\$30,000
Subtotal:					\$377,000
20% Engineering Design & Construction Services					\$75,400
30% Contingency					\$136,000
ESTIMATED TOTAL CONSTRUCTION COST (excluding GST) :					\$588,400



DISTRICT OF
UCLUELET

Matterson Drive Forcemain Victoria to Otter
Cost Estimate (Class 'D')

September 24, 2020

Koers File: 2047

Item	Description	Unit	Quantity	Unit Price	Extension
Division 1					
1.1	General Requirements	LS	1	\$75,000	\$75,000
1.2	Submittals	LS	1	\$5,000	\$5,000
Division 2					
2.1	Location of Existing Structures	LS	1	\$6,000	\$6,000
2.2 Gravel Surface Restoration					
0.1	Crushed Shoulder Gravel	m ²	75	\$20	\$1,500
2.3 Temporary Trench restoration					
0.1	Coldmix (50 mm thick)	m ²	75	\$50	\$3,750
0.2	Rap (50 mm thick)	m ²	50	\$25	\$1,250
2.4	Reinstate Ditching	m	550	\$20	\$11,000
2.5	Hydraulic Seeding	LS	1	\$4,000	\$4,000
2.6 Sanitary Sewer Forcemain					
0.1	300 HDPE DR 26	m	550	\$350	\$192,500
2.7 Tie-Ins					
0.1	Victoria	LS	1	\$5,000	\$5,000
0.2	Otter	LS	1	\$25,000	\$25,000
2.8 Asphalt Restoration					
0.1	50 mm thick (100mm crush base)	m ²	50	\$100	\$5,000
0.2	Asphalt Pathway	m ²	1,000	\$100	\$100,000
2.9	Rock Excavation	m ³	100	\$300	\$30,000
Subtotal:					\$465,000
20% Engineering Design & Construction Services					\$93,000
30% Contingency					\$167,000
ESTIMATED TOTAL CONSTRUCTION COST (excluding Engineering & GST) :					\$725,000



STAFF REPORT TO COUNCIL

Council Meeting: June 15, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 3360-20-RZ19-02

**SUBJECT: DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW
No. 1284, 2021 (LOT 16 MARINE DRIVE) – 3RD READING**

REPORT NO: 21-94

ATTACHMENT(S): APPENDIX A – DISTRICT OF UCLUELET ZONING AMENDMENT BYLAW No. 1284, 2021

RECOMMENDATION:

1. **THAT** District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, be given third reading.

PURPOSE:

The purpose of this report is to bring District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021 (the “Bylaw”) back to Council for third reading.

BACKGROUND:

At the March 23, 2021, Regular Meeting, Council gave the Bylaw first and second reading and referred it to Public Hearing. Notice of the Public Hearing has been published and the Hearing was conducted on June 8, 2021.

Since the Bylaw received second reading and a Public Hearing has been conducted, Council is now in a position to give the Bylaw third reading. If third reading is given, the Bylaw will be brought back to Council at a future meeting for adoption.

OPTIONS:

1. **THAT** District of Ucluelet Zoning Amendment Bylaw No. 1287, 2021, be given third reading. **(Recommended)**

A number of questions were raised at the public hearing, which staff sense Council would like to address before considering 3rd reading of the rezoning bylaw. If that is the case, staff recommend the following:

2. That Council identify specific questions, issues or areas of clarification that it wishes to see resolved prior to further consideration of the Bylaw; and,

3. **THAT** Council:

- a. direct staff to prepare a report providing the information, analysis, and/or recommendations on how those items will be addressed, with input from the applicant as necessary;
- b. hold a Committee-of-the-Whole meeting to provide an opportunity for the applicant and staff to address the report;
- c. provide an opportunity for further public input at the Committee-of-the-Whole meeting; and,
- d. at that point consider whether Council deems it necessary to make changes to the bylaw or conditions of final approval, prior to considering referral of the Bylaw to another public hearing.

Alternatively, Council could provide other direction to Staff and/or the Applicant.

Respectfully submitted: Bruce Greig, Manager of Community Planning

Appendix A

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1284, 2021

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(Zoning amendments for the proposed development of Lot 16 Marine Dr).

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. By amending within Division 300 – General Prohibitions and Regulations, Section 306 Building s & Structures – Setbacks and Siting, such that “R-6” is added to the list of residential zones to which Section 306.3(7) applies.
- B. By adding a new Residential zone, to Schedule B – The Zones that directly follows R-5 Zone – Compact Single Family Residential such that the new section reads as follows:

“R-6 Zone – INFILL SINGLE FAMILY RESIDENTIAL

This Zone is intended for single family residential development providing for a mix of compact lots sizes and housing options, with additional accessory residential dwelling unit uses on the larger lots.

R-6.1 Permitted Uses

R-6.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Single Family Dwelling*
- (2) Secondary:
 - (a) *Home Occupation*
 - (b) The following additional *secondary permitted uses* are only permitted on lots of 480m² area or greater:

- (i) *Secondary Suite; or,*
- (ii) *Accessory Residential Dwelling Unit*

R-6.2 Lot Regulations

- R-6.2.1 Minimum Lot Size: 360 m² (3,875 ft²)
- R-6.2.2 Maximum Average Lot Size 480 m² (5,167 ft²)
- R-6.2.3 Maximum Lot Size: 600 m² (6,458 ft²)
- R-6.2.4 Minimum Lot Frontage: 10 m (33 ft)

R-6.3 Density:

- R-6.3.1 Maximum Floor Area Ratio: 0.35
- R-6.3.2 Maximum Floor Area Ratio with *secondary suite*
or *accessory residential dwelling unit* 0.5
- R-6.3.3 Maximum Lot Coverage: 45%

R-6.4 Maximum Size (Gross Floor Area):

- R-6.4.1 Principal Building: n/a
- R-6.4.2 Accessory Buildings: 90 m² (968 ft²) combined total

R-6.5 Maximum Height:

- R-6.5.1 Principal Buildings & Structures: 8.5 m (28 ft)
- R-6.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)
- R-6.5.3 *Accessory Residential Dwelling Unit:* 7.5m (25 ft)

R-6.6 Minimum Setbacks:

R-6.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	3 m (9.8 ft)	3 m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)
(2) Garage face	6m (19.6 ft)	n/a	n/a	n/a
(3) Accessory		3m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)

R-6.6.2 In addition, no *accessory building* may be located between the front face of the principal building and the street.”

- C. By adding the following subsection to section R-3 in alphanumerical order, as follows:

“R-3.8 Other Regulations

R-3.8.1 Notwithstanding other regulations in this bylaw, on the R-3 zoned portions of the lands legally described as Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140: PID 025-812-823 (Lot 16 Marine Drive), the following regulations apply:

(1) on proposed Lot ‘A’ (Apartment site) subject to registration of a Housing Agreement to the satisfaction of the District restricting the use of multiple family residential dwelling units to rental tenancy and prohibiting strata conversion;

- a.) the lot is exempt from the minimum useable outdoor recreation space requirement found in the definition of *multiple family residential* in section 103;
- b.) the maximum density is 48 units (83 units per hectare); and,
- c.) the maximum height is 16m (52 ft)”;

(2) on proposed Lot ‘A’ the minimum setbacks for principal buildings from adjacent lot lines shall be as follows:

- a.) from Matterson Drive: 8m (26ft)
- b.) from Marine Drive: 10m (33 ft)
- c.) from all other lot lines: 6m (20 ft)

(3) on proposed Lot ‘A’ the maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

(4) on Proposed lot ‘B’ (Townhome site) the maximum density is 28 units (20 units per hectare);

(5) on proposed Lot ‘B’ the minimum setbacks for principal buildings from external lot lines shall be 10m (33 ft).”; and,

- D. By deleting subsection CD-2A.1.6 from the regulations under the CD-2 Zone – BIG BEACH.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140 (PID 025-812-823) from CD-2 Zone (Big Beach), Subzone "CD-2A.1.6 Big Beach Estates", to areas designated as "R-1: Single Family Residential", "R-3: High Density Residential" and "R-6: Infill Single-Family Residential" as outlined in black on the map attached to this Bylaw as Appendix "A".

3. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021".

READ A FIRST TIME this **23rd** day of **March**, 2021.

READ A SECOND TIME this **23rd** day of **March**, 2021.

PUBLIC HEARING held this **8th** day of **June**, 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021."

Mayco Noël
Mayor

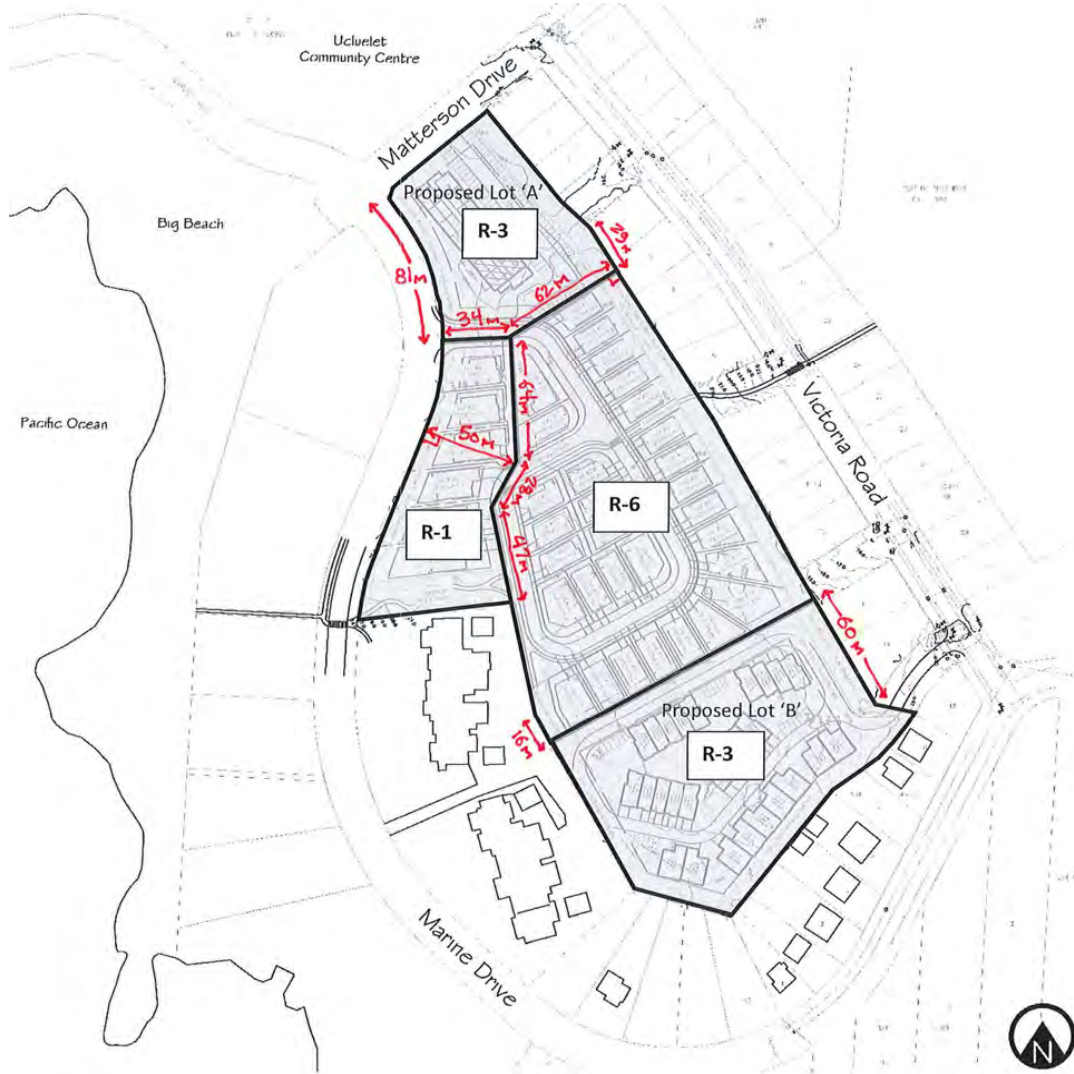
Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021
(Lot 16 Marine Drive)

From: CD-2A.1.6 Big Beach Estates
To: R-1 (Single Family Residential);
R-3 (High Density Residential); and,
R-6 (Infill Single-Family Residential) as shown:





STAFF REPORT TO COUNCIL

Council Meeting: MAY 25, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: RICK GEDDES, FIRE CHIEF

FILE NO: 7380-20

SUBJECT: 4-STOREY BUILDINGS & AERIAL FIRE APPARATUS

REPORT NO: 21-84

ATTACHMENT(S): NONE

RECOMMENDATIONS:

THAT Council receives this report for information.

SUMMARY OF CONCLUSIONS:

An aerial apparatus (a.k.a. ladder truck) is not automatically required in a community prior to approving 4-storey buildings. The BC Building Code does require that all new 4-storey buildings have an approved fire suppression sprinkler system. The ability for the District to require fire sprinklers in buildings less than 4 stories is limited by provincial legislation.

Given the number of larger existing 3- and 4-storey buildings in town, the Fire Underwriters Survey guidance suggests that the District of Ucluelet Fire Department could benefit from an aerial apparatus. Adding that piece of equipment, however, would have considerable implications for initial and ongoing fleet and building costs, plus training requirements for fire department members. Detailed analysis of the pros and cons of acquiring such equipment is not the subject of this report.

The District of Ucluelet will maximize its ability to maintain public safety in new developments by providing clear direction on the maximum allowable size of buildings, based on the District's fire suppression capabilities.

BACKGROUND:

Comments from the public on development proposals have, more than once, raised a question of whether the District is required to have a ladder truck before it can approve any more buildings over 3 stories in height. This report aims at informing any discussion on this topic.

DISCUSSION:

As development progresses within the District of Ucluelet, so do the challenges with the ability of the District of Ucluelet Fire Department to maintain acceptable levels of life safety and fire suppression. Life safety must be a priority in planning future development within the municipality.

Large developments pose unique challenges related to the fire department. Some of these challenges include longer egress times and distances, complex evacuation strategies, fire department accessibility, as well as fire suppression capabilities (or limitations) of the fire department.

With these challenges in mind, it is vital that the District of Ucluelet provide clear, consistent messaging to developers on expectations and requirements, prior to decisions on rezoning applications or the issuance of future development and/or building permits.

Building Code and Fire Underwriters:

The BC Building Code (2018) establishes the requirements for fire and life safety protection in all new construction based on several factors. Two of the main factors are the size of the building and its use (occupancy type). The building code does not limit the amount or size of buildings that are built in a given municipality. The responsibility for controlling the maximum size of building to be permitted in a municipality rests with local government. Fire insurance grades are a comparative measure of a community's fire risk versus the fire protection capacity of the fire department.

As a general rule, three-story residential construction does not require sprinklers. Four-story residential buildings are required to be sprinklered by the BC Building Code.

Through Section 5 of the *Building Act*, local governments are restricted from regulating technical matters that are regulated by the BC Building Code. Some municipalities (approximately 30) in BC had previously been allowed to exceed the BC Building Code and require all new construction to be sprinklered. The jurisdictions that had existing sprinkler bylaws under the previous Provincial government were permitted to retain them. The Ministry of Attorney General and Minister Responsible for Housing has not been able to provide clear direction on whether additional community access to enhanced fire sprinkler regulations will be possible.

At the present, Ucluelet is on the cusp of needing to seriously consider expanding its fleet to include an aerial fire apparatus, according to Fire Underwriters Survey (FUS). FUS is a national organization that provides data on public fire protection for fire insurance statistical work and underwriting purposes of subscribing insurance companies. FUS assigns a residential and commercial insurance for communities. Insurance rates are then calculated using those rates.

We are at a point in time where the District should consider limiting the risk associated with larger, more complex buildings by restricting the height and overall area of buildings (through potential changes within the Zoning regulations), or plan for the purchase of an aerial apparatus in the near future. Besides potentially rescuing people above the reach of ground ladders, aerial apparatus provide elevated fire suppression streams, horizontal reach to buildings where road access and terrain create problems, special rescue scenarios, safer operations at chimney fires, and roof access when adequate personnel are not available to hoist ground ladders. A local example of where an aerial apparatus would be beneficial is a large un-sprinklered building such as the Ucluelet Harbour Seafoods plant.

Some other ways that the District can improve life safety in new construction is to encourage the use of fire resistant or non-combustible exterior cladding on buildings and promote FireSmart principles. Fire Sprinklers are also one of the biggest ways we can increase building safety and our firefighting capacity - and thus improve public safety (by minimizing the risk).

FINANCIAL IMPACTS:

Nanaimo Fire Rescue recently purchased an aerial truck for \$1.56 million. In addition, the existing District of Ucluelet Fire Hall would not accommodate this type of addition to the vehicle fleet and therefore would require significant renovations. On an ongoing basis, the purchase of an aerial apparatus comes with other large commitments such as initial and ongoing training of our firefighters. Safe operation of aerial firefighting apparatus requires very specialized training.

At a some point the District of Ucluelet will need to seriously consider and prepare to purchase an aerial apparatus. This is recognized as a significant undertaking for a small community and will need to be planned well in advance. The Fire Chief is not advocating for an aerial apparatus at this time. District staff are recommending that we maintain and continue to improve on our capacity to provide a safe community for residents and visitors alike.

The purchase of an aerial apparatus, and/or expansion of the fire hall, does not currently appear in the municipal five-year financial plan.

CONCLUSION:

An aerial apparatus (a.k.a. ladder truck) is not automatically required in a community prior to approving 4-storey buildings. The BC Building Code does require that all new 4-storey buildings have an approved fire suppression sprinkler system. The ability for the District to require fire sprinklers in buildings less than 4 stories is limited by provincial legislation.

Given the number of larger existing 3- and 4-storey buildings in town, the Fire Underwriters Survey guidance suggests that the Ucluelet Fire Department could benefit from an aerial apparatus. Adding that piece of equipment, however, would have considerable implications for initial and ongoing fleet and building costs, plus training requirements for fire department members.

Respectfully submitted: Rick Geddes, Fire Chief
Bruce Greig, Manager of Community Planning
Donna Monteith, Director of Finance



STAFF REPORT TO COUNCIL

Council Meeting: March 23, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ19-02

SUBJECT: **ZONING AMENDMENT: LOT 16 MARINE DRIVE** **REPORT NO:** 21-35

ATTACHMENT(S): APPENDIX A – ZONING AMENDMENT BYLAW NO. 1284, 2021
APPENDIX B – OPTIONAL AMENDMENT TO BYLAW NO. 1284 (TO ADD B&B'S)
APPENDIX C – APPLICATION MATERIALS
APPENDIX D – ADDITIONAL BACKGROUND

1. Recommendations:

THAT Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 ("**Lot 16**"):

1. introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
2. give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
3. direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
4. indicate to the applicant that a variance to allow the requested 16m height for a fourth storey on the proposed apartment building would best be considered under a Development Variance Permit once architectural plans have been submitted;
5. indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:
 - a. construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
 - b. dedication of a 10m wide park greenbelt along the eastern (Victoria Drive side) boundary of the property, as proposed;
 - c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;

- d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;
- e. extension of the proposed new road to connect to Victoria Drive in the general location as shown in Figure 7 of the staff report;
- f. vehicle access to the proposed Lot 'B' ("Townhouse site") be from the new internal road only;
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;
- h. the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval; and,
- i. registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.

2. Purpose:

To provide Council with information on a request to amend the *District of Ucluelet Zoning Bylaw No. 1160, 2013* (the "**Zoning Bylaw**"), that is reflective of the applicant's proposed "proof-of-concept" plans (the "**Concept Plans**") over Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 (**Lot 16**).



Figure 1 – Subject Property

3. **The Proposal:**

Lot 16 is a 12.7 acre property centrally located within walking distance to the schools, the Ucluelet Community Centre, Big Beach Park, and the Village Square. The subject property currently holds the *CD-2A.1.6 Big Beach Estates* zoning designation. For background on the CD-2A zoning, see **Appendix D**.

The proposal submitted by MacDonald Gray on behalf of Nored Developments is to rezone Lot 16 to enable the development of several forms of housing:

- a 48-unit rental apartment building on the corner of Matterson Drive and Marine Drive (label **A** in Figure 2 below);
- 6 R-1 Single Family Residential lots on Marine Drive (label **B** in Figure 2);
- 30 smaller Single Family Residential lots in a new zone (labels **C** and **D** in Figure 2); and,
- 28 townhouse Multi-Family units (label **E** in Figure 2).

The development would include new internal roads and pathways, a 10m dedicated park buffer between the new development and properties on Victoria Road, and an area of park dedication (label **F** in Figure 2) between “The Ridge” development and the new single-family lots (see **Figures 2 & 3** and detailed plans in **Appendix C**).



Figure 2 – illustrative Site Plan (from application)

The applicant held a public information meeting on the 7th of December, 2018, and a summary of that meeting has been submitted by the applicant (see **Appendix C**). The current application and Concept Plans reflect a number of changes made after receiving public comment.

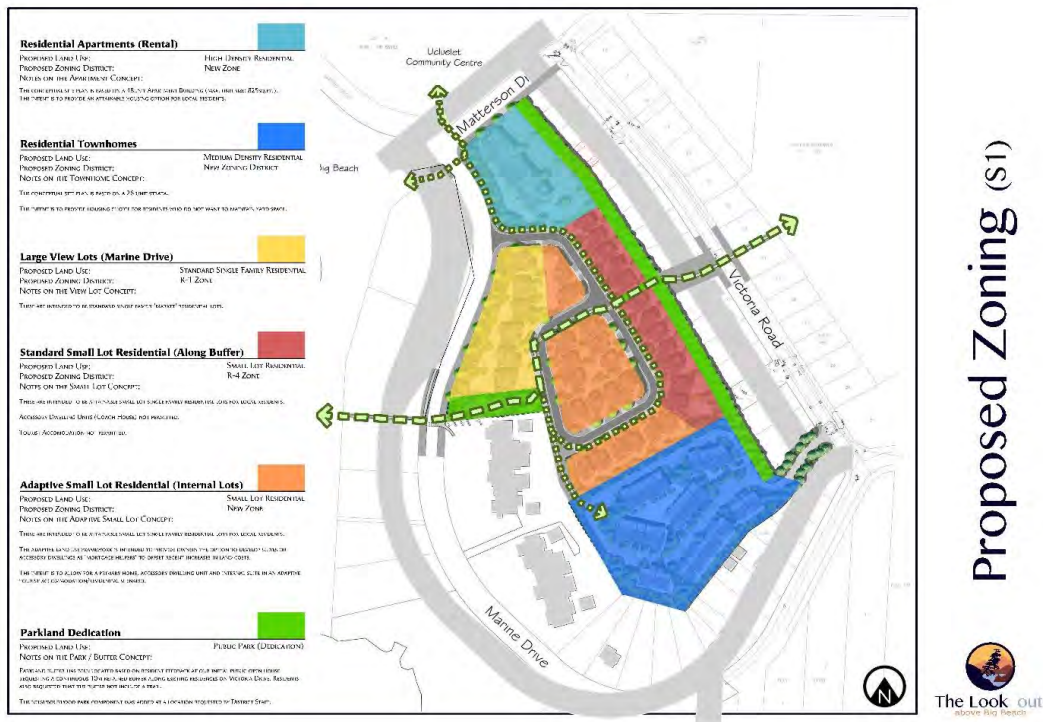


Figure 3 – Site Plan showing land use areas, access and pedestrian circulation (from application)

The Concept Plans submitted are not being presented as finalized plans – this application is not for a Development Permit (DP) at this time, rather it is for rezoning to permit the proposed uses and densities. The plans submitted with the application have been thought through in detail as “proof of concept” drawings, with the expectation that adjustments will be made as the property develops through the future stages of subdivision and DP approvals.

Staff have worked with the applicant to mutually understand the developer’s goals as well as the public benefits which could come from this development. As a result, some adjustments to the plans are recommended by staff and are discussed below. The zoning amendment bylaw which has been drafted (see **Appendix ‘A’**) accommodates the proposed uses and densities shown; the applicant is asking for two changes which, if supported by Council, could be inserted into the bylaw before proceeding to a public hearing (see **Appendix ‘B’** and options discussed below).

4. **Discussion:**

This application proposes a positive change from the current CD zoning for resort condo use. This is a good, central location for additional new housing in Ucluelet. The proposal would result in a mix of housing; with different sizes, types and costs resulting from the proposed mix.

Given the central location within walking distance to the village core, community center, schools and parks, this presents a great opportunity to add diverse residential density and create a walkable neighbourhood in this location. The proposed development mix is commended for including large lots, small lots, rental apartments, and townhomes offering housing in different

forms and affordability. The positioning of these uses with the apartment on the corner, the townhouses to the south and residential lots in between creates a clean development pattern and locates uses suitable to the adjacent lands and their context. The densities proposed are higher than found in existing single-family neighbourhoods in Ucluelet (befitting the point in time this is being proposed, and the current land values), but the proposed development also presents transitions and greenspace thoughtfully placed to minimize impact on existing adjacent uses and people's homes.

This report looks at the proposed zoning for uses and densities, issues of access, servicing and proposed amenities; zoning boundaries follow the general location of future road centerlines and boundaries between different uses. The details of the multiple-family development blocks would be subject to future DP applications which would be required as each of those sites develops.

4.1. Rental Apartment Building:

The applicant is proposing that the first phase of developing Lot 16 would be a four-storey, 48-unit Multiple Family Residential apartment building for rental tenancy only. The apartment building would be located at the corner of Marine Drive and Matterson Drive, with access from both Matterson and the new internal road. The proposed 10m park dedication of a treed buffer would separate the apartment parking lot from the adjacent homes on Victoria Road.

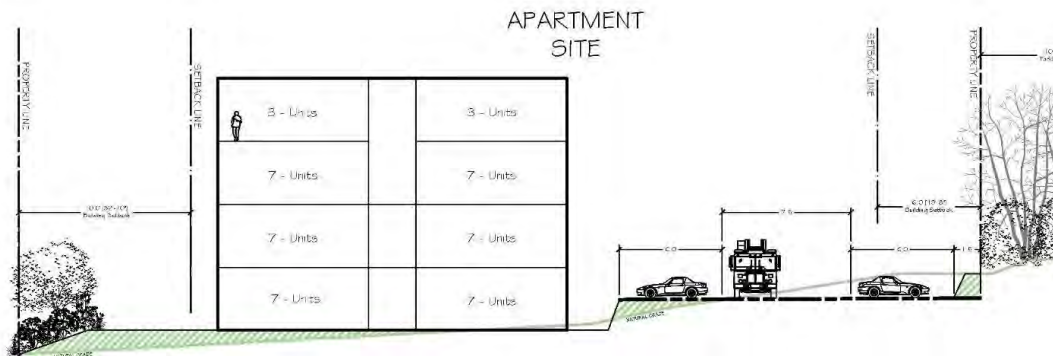
The draft Bylaw No. 1284 would designate this portion of the site as R-3 High Density Residential to accommodate proposed apartment use. The proposed new site-specific regulations in section R-3.8.1(1), (2) and (3) are tailored to this proposal (see **Appendix 'A'**).

These apartments would not be permitted for short-term rental for tourist accommodation, nor would they be stratified for individual ownership. These provisions would be included in a Housing Agreement with the District of Ucluelet, registered on the property title (see recommendation **5(i)** above).

The addition of 48 rental apartments would be a valuable addition to the housing supply in Ucluelet; the applicant's commitment to developing this portion of the site for rental housing is significant, and should be considered among the amenities or other community benefits presented by this proposal.

Building Height:

The R-3 zone currently permits a maximum height of 11m which accommodates a 3-storey building. At this point there are no detailed design drawings of the building or site that would form part of this application; this is a rezoning application only and not a request for a DP at this stage.



Apartment / Multi-Unit Residential Concept
 (Subject to a future Development Permit Application process)

Figure 4 – preliminary section through Apartment site

The applicant has requested that the R-3 zoning include a site-specific provision to allow the maximum height of the building to be increased from 11m to 16m to accommodate a 4-storey building. Staff recommend that this would best be reviewed in connection with a more detailed preliminary design for the actual building being proposed. The applicant could apply for a Development Permit Variance (**DVP**) during the DP process for the apartment building, with the required public notification and opportunity to comment, once the development proceeds to that point and building plans have been prepared. Viewing plans for how the building would be articulated, for example by stepping back portions of upper storeys, would help Council and the community visualize the impact of the development on this corner.

Alternatively, Council could grant the requested additional height outright in the zoning and rely on the form and character DP guidelines to ensure an acceptable building results from the DP process (see **Option #6** at the end of this report). To provide more assurance to Council, the applicant has suggested willingness to include a provision about the height within the restrictive covenant (see also **Option #7** at the end of this report). Both options 6 and 7 would involve review and approval of detailed plans by Council at a later point, but would not result in notification and public input to Council prior to making a decision on approving the building design.

These options 6 and 7 are presented to enable the applicant to make a case for Council to consider and, at Council’s direction, could be easily incorporated as the application moves forward without delay in proceeding to a public hearing.

Outdoor Space and Setbacks:

The applicant is requesting an exemption for the proposed apartment on Lot 16 from the Outdoor Recreation/ Amenity Space required in the Definition of “Multiple Family Residential”. This should be viewed in context with the amenities being offered and the proximity to the Ucluelet Community Centre, Big Beach Park and the schools. If Council were to earmark a portion of the amenity contribution for upgrades to recreation facilities (e.g., additional play equipment in an appropriate nearby public location), it could arguably satisfy the intent of the outdoor recreation space in a way that is accessible to the whole community.

The proposed addition of 10m and 8m setbacks along the property lines of the lot should be achieved by way a green space covenant (S.219 restrictive covenant, as noted in the recommended

motion #5 above). The 10m dedicated greenspace buffer on the east side would also increase the open space and vegetation surrounding the apartment building.

The proposed new rental apartment building would be a very positive addition to the housing supply in the community. At the same time, the location at the corner of Marine and Matterson opposite the UCC is a significant crossroads location at the approach to Big Beach. The building will become a landmark in the community and the overall height - and how the massing of the building is handled in the final design - will have a significant influence on the character of this corner of the community. Balancing these elements is critical when deciding on the appropriate degree and timing of community input, and the degree of control in Council's decision making on this key aspect of the development proposal.

4.2. Single Family Residential:

Along Marine Drive, an area of R-1 zoned single family lots is proposed, north of "the Ridge" and proposed new park, extending north to the new road entrance. These lots would not be accessed from Marine Drive; the proposed 10m greenspace covenant would ensure driveway access would be from the new internal road (see recommendation **5(d)** above).

These proposed larger lots would have the permitted uses currently allowed in the R-1 zone: Single-Family Residential as the principal use and either secondary suite or bed and breakfast as secondary uses, along with home occupation. As proposed, these half-dozen lots could therefore include the ability to provide short-term rental (B&B) accommodation. Recent sales and development on single-family lots in Ucluelet have shown that new construction is leaning more and more toward developing the short-term rental units as a key part of the house. This is placing upward pressure on property values.

B&B units being built in new homes are no longer a bedroom down the hallway within a home; they are generally being constructed as self-contained units with separate external entrances, more akin to motel suites. It is highly likely that most if not all of the proposed R-1 lots would contain one to three B&B units, and this potential impact should be considered when considering the development's overall density.

As a small portion of the overall development, and in this particular location on Marine Drive (with other short-term rental accommodation nearby and with proximity and views to Big Beach), staff recommend that the proposed R-1 lots are a supportable component in the mix of other housing types being proposed.

4.3. Infill Single Family Residential:

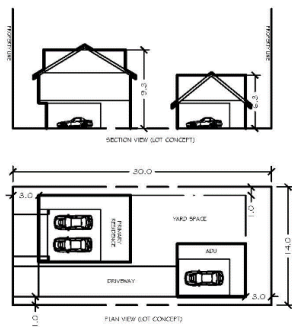
In the centre of Lot 16, approximately 30 compact new single-family lots are being proposed. A new R-6 Infill Single Family Residential zoning designation would be created by Bylaw No. 1284. The new R-6 zoning provisions would accommodate the lots shown in the Concept Plans, while providing flexibility to adjust the specific layout of individual lots as the development proceeds further through the subdivision process.

A 10m park dedication is proposed to maintain a treed greenspace buffer between the new single-family lots on Lot 16 and the adjacent homes on Victoria Road. This aligns with the original commitment to provide a 10m buffer which was part of the density bonusing framework for the CD-2 zone (please see **Appendix 'D'** for more detail on the somewhat confusing history of the prior zoning).

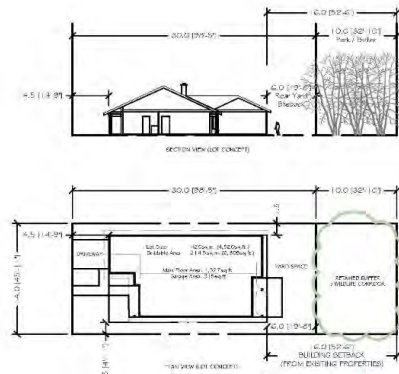
Some key components of the new draft R-6 zone:

- the list of permitted uses, as drafted, are purely residential with no short-term accommodation;
- minimum, maximum and maximum average lot sizes are defined, which would result in a mix of lot areas within a range between 360m² and 600m²;
- accessory uses include *secondary suite* or a detached *accessory residential dwelling unit* (a.k.a., cottage) on lots larger than 480m². Combined with the maximum lot average regulation this will ensure some mix among the housing units developed within this new neighbourhood;
- the Floor Area Ratio of 0.35 is equal to the current R-1 zoning regulations which apply in adjacent existing neighbourhoods, but if additional accessory housing units are included the F.A.R. is increased under the R-6 zoning to 0.5 – creating an incentive to develop more housing rather than larger houses;
- front setbacks are reduced along the new internal roads, but a greater setback is maintained in front of portions of a building with a garage door (so that a parking space is maintained on the driveway without overhanging the property line and sidewalk); and,
- maximum height for the main house would be 8.5m and for an accessory building would be 5.5m (same as in the R-1 zone), but for an *accessory residential dwelling unit* would be 7.5m. The 7.5m height is intended to allow for a small dwelling above a garage, but still be somewhat secondary in appearance to the slightly higher main house.

The new R-6 zone, and this proposed new neighbourhood of lots, would be the first area in Ucluelet where accessory cottages are widely permitted. As noted above, the lot area regulations would ensure that not every lot could have a cottage – at least one or two would be too small to permit that additional use, ensuring that the mix includes some modest homes on compact lots without the addition of a rental unit.



excerpt: Internal Lot



excerpt: showing Park Buffer along Victoria Road

Figure 5 – excerpts from application site plan showing possible infill single family lot options

A new neighbourhood of compact yet livable residential houses, with the ability to include an attached or detached extra long-term rental unit as a mortgage helper, would be a positive addition to the community. The detached cottage is similar to a secondary suite in size and use, but provides a different form with a bit of separation, privacy and often more outdoor private space.

Inclusion of short term rentals:

The applicant is requesting that the zoning also include the ability to have some short-term rentals within the permitted uses, for those internal lots which do not back onto the green buffer adjacent to Victoria Road. The draft Bylaw No. 1284 has not been written to accommodate this use, and staff are not recommending that including this portion of commercial accommodation is a benefit to the affordability or livability of the community. As noted above, a limited amount of short-term rentals within the half-dozen R-1 Lots along Marine Drive does provide for some of that commercial accommodation and added real estate value.

As part of ongoing work to develop a housing strategy for Ucluelet, Council has indicated a priority in looking at opportunities to increase housing choices and supply. Adjusting regulations to allow new forms of accessory dwelling units in existing residential areas is a policy area staff are working on. The work to develop the new R-6 zoning regulations starts to give shape to how such regulations could unfold. The draft regulations are aimed at providing an opportunity, and incentive, to create additional and more diverse housing supply within town - while also maintaining a density, character and adequate separation to maximize quality of life for residents.

As part of the broader housing discussion, tools such as an Intensive Residential Development DP area will be explored. This could include guidelines to improve privacy between adjacent properties when adding accessory units, and to ensure that adequate off-street parking is located in ways that also maintain a pedestrian-friendly streetscape and protect the supply of on-street public parking.

If Council wishes to include short term rentals as an option within the central portion of the R-6 zoned land, draft Bylaw No. 1284 could be amended as noted at the end of this report (see **Option #8** and **Appendix 'B'**), prior to the bylaw moving forward to a public hearing.

4.4. Townhomes:

The applicant is proposing that the south end of Lot 16 be designated for 28 townhomes. This presents yet another housing type and would add diversity to the community housing supply. Townhomes provide ground-oriented housing at a different price point than detached single-family homes. The draft Bylaw No. 1284 would designate this portion of the site as R-3 High Density Residential, with site-specific regulations R-3.8.1(4) and (5) to define the maximum density and setbacks as proposed.



Figure 6 – preliminary section through Townhome site

The Concept Plans presented with the application show the access to the townhome site from Victoria Road near the intersection with Marine Drive. As noted in the discussion of access and circulation, below, staff recommend that the road access would be more appropriate from the new internal road. This change can be made as the development moves forward through subsequent stages of subdivision and DP approval (see recommendation 5(f) above).

4.5. Access and Circulation:

The Concept Plans show two closed, dead-end road loops. The first would provide access to the new single-family lots from a single connection to the existing road network at Marine Drive (highlighted in red in **Figure 7**, below). The second loop would provide access to the townhouse strata from a connection on Victoria Road through an existing municipal road right-of-way approximately 17m (55 ft) from the corner of Marine Drive.

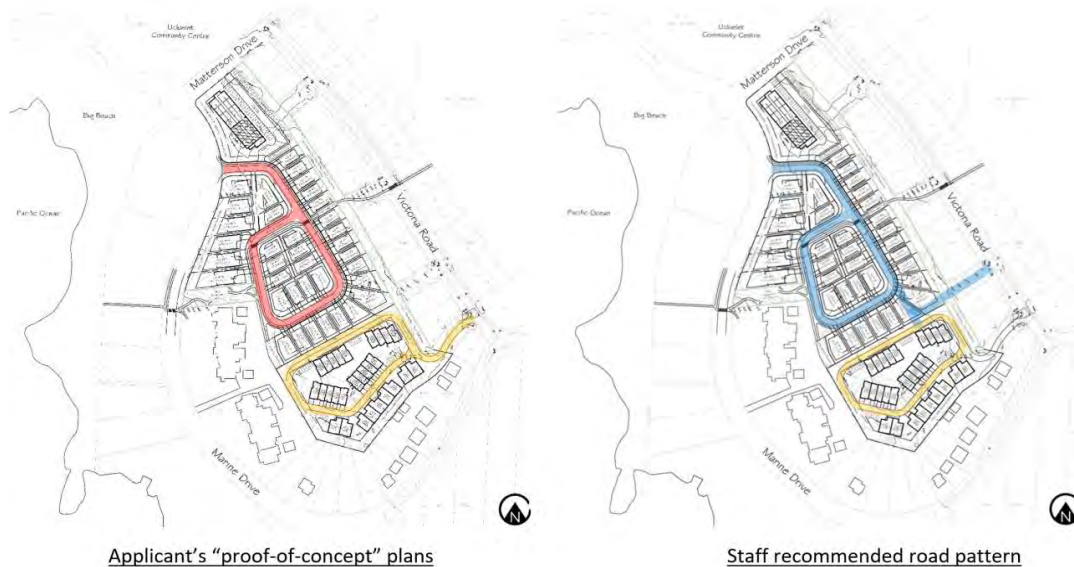


Figure 7 – Road access and circulation.

Staff are recommending that a better road pattern would connect the new public road through Lot 16 from the access on Marine Drive through to Victoria Road at another existing section of municipal road right-of-way 63m (200 ft) further north (highlighted in blue in **Figure 7**, above, and noted in recommendation 5(e) at the outset of this report). The connection to the townhouse strata would be from this new section of public road. This pattern of connecting the street through the site, rather than creating a pair of closed loops, has advantages for traffic flow, neighbourhood connectivity and emergency access. By moving the new intersection with Victoria Road further north away from Marine Drive, it would also avoid potential conflicts at the existing intersection.

The applicant has expressed that either approach would be acceptable and is not pushing for one option over the other.

The layout of new roads and underground utilities is engineered and reviewed as part of the subdivision process, and must fit with existing infrastructure and meet acceptable safety standards. Staff raise this issue because the location of new roads connecting to existing neighbourhoods tends to be a point of great interest, and any potential changes in traffic patterns can become a point of concern. Being transparent about the options at the outset, and the recommended approach to how this new neighbourhood could fit within the network of Ucluelet's streets, will allow the public to comment as part of the public process as this proposal moves forward.

4.6. Public amenities:

The applicant is proposing to contribute the following amenities with the proposed development:

4.6.1. *Park Space:*

The applicant is proposing to dedicate a 1,300m² park space with an ocean view. The proposed park is valuable real estate; the offer to create the park in this position for the public to be able to enjoy the views, and connect a pathway through the site allowing easy access to Big Beach, is of great community benefit. The park space would also act as a green break between "the Ridge" development and the proposed new single-family lots along Marine Drive.

Also proposed is a 10m treed buffer park space behind the existing Victoria Road residential properties (see Concept Plans). This greenbelt would provide separation between the back yards of existing residential properties and the back yards of the proposed new lots. The 10m vegetation buffer meets the intent of the 2006 amenity framework for the existing CD-2 zoning of Lot 16.

4.6.2. *Financial Contribution*

The applicant is proposing a financial contribution to the District of Ucluelet of \$1,000 per multi-family unit or single-family lot, which for the proposal presented would total \$112,000. As noted above, this contribution (or a portion), could be earmarked for outdoor recreation facilities. It could also be used to accelerate paydown of the municipal debt on the UCC, be put toward creating pedestrian improvements, etc.; this is a discretionary decision of Council on what would most benefit the community.

Proposed amenity contributions are difficult to compare between developments. One of the amenities promised in the original Big Beach Estates development was a new public swimming pool and fitness facility, which was to be privately owned and maintained. The details of how that would be viable were not worked out at the time. This is a new development and should be viewed in its current context.

It is a reasonable expectation that a development proposal should present a net benefit to the community. The provision of needed housing and desired green spaces are part of that equation.

The expense of constructing the development should be covered by the developer. As the development process proceeds, confirmation of the extent to which the developer will cover the following costs should be confirmed:

- pathways, trails and landscaping not specifically mentioned in Ucluelet's subdivision servicing bylaw;

- park furniture or equipment (benches, play or recreation equipment, waste receptacles, signage, etc.);
- landscaping of boulevard and park spaces, and degree of finish (i.e, natural spaces vs. manicured).

These items also clearly benefit the development itself, but confirmation of the level of development of these public facilities would benefit the public review of the proposal.

4.6.3. *One Single-Family Residential Lot*

The applicant is proposing to transfer ownership to the District of Ucluelet one small serviced residential lot. The applicant estimates the value of this contribution at \$90,000 to \$100,000.

4.6.4. *Rental Housing Agreement*

Although not claimed as an amenity by the applicant, the creation of a rental tenure apartment building is clearly a sizeable benefit to the community. The applicant has stated that they will guarantee by covenant a rental-only tenure of the apartment property and that it will be the first phase of the development. Rental housing is one of the most critical needs in the Ucluelet housing spectrum.

The balance of all aspects of the development proposal should be weighed as a whole when considering whether the development presents a net public benefit to the community.

4.7. Services

The applicant has been in discussion with planning and public works staff, and the municipality's consulting engineering firm, to understand the servicing requirements. The developer needs to understand the connection between four things to have a clear picture of the viability of the project:

- i. the cost of off-site utility works (water and sewer) which would be necessary to serve the proposed development;
- ii. what portion (if any) of those works would overlap with charges due under the Development Cost Charge bylaw (and therefore reduce the total DCC's payable);
- iii. the total land and cash amenity contributions offered and accepted by Council as part of the rezoning; and,
- iv. the uses and densities which might be approved by the rezoning.

Based on a DCC Summary from the applicant's engineer, the applicant confirmed on January 13, 2021, that the amenity contribution being offered with the current application is as described above.

4.7.1. *Onsite Services*

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities will be required as part of any future subdivision.

4.7.2. *Offsite Services*

The offsite service considerations for this property are complex. The property currently does not have adequate water pressure to allow for appropriate fire protection. The current

downstream sewer system capacity could not accept the proposed densities. For this discussion we will break down the two main issues of water and sewer:

4.7.3. Water

The proposed development will not have the required fire flows and peak hour pressure with the existing in-ground infrastructure. A check valve installation at the intersection of Matterson Drive and Victoria Road and a watermain upgrade on Victoria Road are required to provide adequate water service for the proposed development.

4.7.4. Sewer

The Victoria Road pump station and the forcemain beyond are currently close to, if not at capacity. In order for the further development to proceed in this area, this station would need to be bypassed and the sewage volume from the Marine Drive pump station must be diverted and picked up at the newly installed gravity piping located on Otter Street, just off Peninsula Road. This project is called the Matterson Bypass, and is identified as a future project within the Sewer Master Plan.

Servicing costs:

To help facilitate this development the District's engineering consultant reviewed the Matterson Bypass project and created a Class 'D' estimate (with 30% contingency). On September 24, 2020, Koers Engineering submitted this Class 'D' estimate with an estimated total construction cost (excluding Engineering & GST) of \$725,000. This bypass would also leave a gravel path parallel to Matterson Drive that could be a safer pedestrian route if it were to be paved (rather than the current route that runs on the road shoulder).

As these the water and sewer servicing costs affect the viability of the proposed development, Planning Staff have worked with the developer to review whether or not these expenditures overlap projects within the Development Cost Charges (DCC) program and if so, how that affects the DCC's charged as the development builds out.

The District's engineering consultant was asked to review the Ucluelet DCC program, to confirm whether these projects align with the DCC project list. The following statement was submitted by Koers & Associates Engineering Ltd on November 16, 2020:

“Water

If the Check Valve was installed at Matterson and Victoria, then the Matterson Pressure Zone Requirement would be satisfied and it could be removed from the DCC list. However the watermain improvement on Victoria is directly due to the development and shouldn't be considered a DCC.

Sanitary

The development requires the existing 150mm PVC forcemain to be extended to Otter Street. However this forcemain if constructed should be a 300mm via main to suit future growth in the District. The DCC noted funding for local station improvements and forcemains are essential to pump stations so we could loosely consider the forcemain as part of this project. It should be noted that the Matterson Road forcemain has been identified in the Sanitary Master Plan (300mm dia) with a Draft Report scheduled for the first week of December. An option for the District would be to consider funding the increase in cost of the pipe material between 300mm and 150mm dia. for the forcemain

as the excavation and surface restoration costs are similar for both pipe diameters. Alternately if the developer proceeds with a 150 mm dia. forcemain, the District should plan to install a duplicate main at a later date to meet future demands.”

The municipal solicitors were asked to confirm the legal framework by which DCC projects completed by a developer could be “credited” toward a development. Discussion with the applicant and the developer’s engineering consultant in December, 2020, confirmed that the following costs would advance the DCC program and would not be charged toward the development:

- *Watermain check valve estimated maximum water DCC credit available \$100,000.00*
- *Sanitary sewer extension estimated maximum sanitary DCC credit available \$489,000.00*

The above cost estimates can be confirmed by the District’s engineers as the project design is developed in more detail and class ‘A’ cost estimates are provided. The mechanism for tracking and ensuring the water and sewer servicing costs are “credited” when charging DCC’s on the various areas of the Lot 16 development will need to be clarified as the project proceeds, and prior to subdivision.

5. Time Requirements – Staff & Elected Officials:

Should this application proceed, staff time will be required to process the bylaw amendments (including giving notice of a Public Hearing), a Housing Agreement bylaw and covenant. Future DP and possibly DVP application(s) would also be seen by Council. Subsequent applications would be expected for subdivision and, ultimately, individual building permits.

Coordination and review of on and off-site infrastructure would also involve both staff and the District’s consulting engineers as the development proceeds.

6. Financial Impacts:

The Development Cost Charges for the new development will be collected at the time of building permit issuance on a per unit basis for the multi-family portions, as set out in the municipal DCC bylaw. DCC’s would also be payable for the new single-family lots at the time the final subdivision approval is granted for each new lot.

Amenity contributions are discussed above. Off-site servicing costs would be borne by the developer. Some additional costs, for extra work to provide public improvements already identified by municipal infrastructure master plans, should be budgeted to align with the timing of the developer’s installation of infrastructure. Two notable items are:

- increasing the pipe size on the Matterson Bypass sewer forcemain (est. cost \$137,000). It would be cost effective for the District to pay for up-sizing the pipe to handle the entire future capacity of this line.
- additional design and paving costs to place an asphalt multi-use path atop the new sewer forcemain alignment parallel to Matterson Drive (est. cost \$100,000). This would provide the improved pedestrian and bicycle connection along Matterson envisioned as the “coast-to-coast connector” in the Parks and Opens Space master plan. The most cost-effective installation of the pathway would be if coordinated with the sewer line installation.

7. Policy or Legislative Impacts:

The development of Lot 16 for a mix of residential uses is consistent with Ucluelet's Official Community Plan. The draft zoning amendment bylaw presented with this report is being recommended for Council to consider to advance this significant proposal to a public hearing.

As discussed above, and noted in the options below, the applicant wishes to request additional height for the proposed apartment building and inclusion of additional short-term rental uses within the central portion of the new single-family lots. The options 6, 7 and 8 below have been crafted so that, should Council choose to support either of those requests by the applicant, the bylaw could be amended before being sent to a public hearing to gather public comment.

Should the application proceed, staff would also prepare a Housing Agreement bylaw for Council to consider to enable the rental apartment commitments to be secured prior to the apartment lot being finally approved.

Conclusion and OPTIONS:

The zoning amendment that is recommended strives to represent the best interests of the community with a residential focus on this key property while allowing for the densities contemplated in the applicant's concept plan. It is worth re-stating that this is a significant housing proposal for Ucluelet. The diversity of housing types being proposed for Lot 16 includes all of the following:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Staff recommend that the zoning amendment bylaw prepared in response to this proposal receive first and second reading and be advanced to a public hearing to allow for community input, as laid out in the recommendations 1 through 5 at the outset of this report.

Alternatively, Council could consider the following:

6. prior to second reading (and in place of recommended motion #4, above), amend the draft Bylaw No. 1284, 2021, by inserting under text amendment C the following into the new text for site specific Other Regulations under R-3.8.1(1):
 - "c.) the maximum height is 16m (52 ft)";

or,

7. alternatively (also in place of recommended motion #4, above), amend the draft Bylaw No. 1284, 2021, as in recommendation #6 but also add the following to the restrictive covenant at the end of recommended motion #5:

“j.) despite the zoning of proposed Lot ‘A’, the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans”;

and/or,

8. prior to second reading, amend the draft Bylaw No. 1284, 2021, by inserting (under text amendment B) *Bed and Breakfast* into the list of permitted secondary uses in the new R-6 zone under R-6.1.1(2) specific to the area of Lot 16 Marine Drive as shown in Appendix B to the staff report of March 23, 2021;

or,

9. Council could provide alternative direction to the applicant and/or staff.

Respectfully submitted: Bruce Greig, Manager of Community Planning
John Towgood, Planner
Rick Geddes, Fire Chief
Warren Cannon, Superintendent of Public Works
Donna Monteith, Acting Chief Administrative Officer

Appendix A

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1284, 2021

A bylaw to amend the "District of Ucluelet Zoning Bylaw No. 1160, 2013".
(Zoning amendments for the proposed development of Lot 16 Marine Dr).

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. By amending within Division 300 – General Prohibitions and Regulations, Section 306 Building s & Structures – Setbacks and Siting, such that "R-6" is added to the list of residential zones to which Section 306.3(7) applies.
- B. By adding a new Residential zone, to Schedule B – The Zones that directly follows R-5 Zone – Compact Single Family Residential such that the new section reads as follows:

"R-6 Zone – INFILL SINGLE FAMILY RESIDENTIAL

This Zone is intended for single family residential development providing for a mix of compact lots sizes and housing options, with additional accessory residential dwelling unit uses on the larger lots.

R-6.1 Permitted Uses

R-6.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Single Family Dwelling*
- (2) Secondary:
 - (a) *Home Occupation*
 - (b) The following additional *secondary permitted uses* are only permitted on lots of 480m² area or greater:

- (i) *Secondary Suite; or,*
- (ii) *Accessory Residential Dwelling Unit*

R-6.2 Lot Regulations

- R-6.2.1 Minimum Lot Size: 360 m² (3,875 ft²)
- R-6.2.2 Maximum Average Lot Size 480 m² (5,167 ft²)
- R-6.2.3 Maximum Lot Size: 600 m² (6,458 ft²)
- R-6.2.4 Minimum Lot Frontage: 10 m (33 ft)

R-6.3 Density:

- R-6.3.1 Maximum Floor Area Ratio: 0.35
- R-6.3.2 Maximum Floor Area Ratio with *secondary suite*
or *accessory residential dwelling unit* 0.5
- R-6.3.3 Maximum Lot Coverage: 45%

R-6.4 Maximum Size (Gross Floor Area):

- R-6.4.1 Principal Building: n/a
- R-6.4.2 Accessory Buildings: 90 m² (968 ft²) combined total

R-6.5 Maximum Height:

- R-6.5.1 Principal Buildings & Structures: 8.5 m (28 ft)
- R-6.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)
- R-6.5.3 *Accessory Residential Dwelling Unit:* 7.5m (25 ft)

R-6.6 Minimum Setbacks:

R-6.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	3 m (9.8 ft)	3 m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)
(2) Garage face	6m (19.6 ft)	n/a	n/a	n/a
(3) Accessory		3m (9.8 ft)	1.5 m (5 ft)	2.5 m (8.2 ft)

R-6.6.2 In addition, no *accessory building* may be located between the front face of the principal building and the street.”

- C. By adding the following subsection to section R-3 in alphanumerical order, as follows:

“R-3.8 Other Regulations

R-3.8.1 Notwithstanding other regulations in this bylaw, on the R-3 zoned portions of the lands legally described as Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140: PID 025-812-823 (Lot 16 Marine Drive), the following regulations apply:

(1) on proposed Lot ‘A’ (Apartment site) subject to registration of a Housing Agreement to the satisfaction of the District restricting the use of multiple family residential dwelling units to rental tenancy and prohibiting strata conversion;

a.) the lot is exempt from the minimum useable outdoor recreation space requirement found in the definition of *multiple family residential* in section 103; and,

b.) the maximum density is 48 units (83 units per hectare);

(2) on proposed Lot ‘A’ the minimum setbacks for principal buildings from adjacent lot lines shall be as follows:

- a.) from Matterson Drive: 8m (26ft)
- b.) from Marine Drive: 10m (33 ft)
- c.) from all other lot lines: 6m (20 ft)

(3) on proposed Lot ‘A’ the maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

(4) on Proposed lot ‘B’ (Townhome site) the maximum density is 28 units (20 units per hectare);

(5) on proposed Lot ‘B’ the minimum setbacks for principal buildings from external lot lines shall be 10m (33 ft).”; and,

- D. By deleting subsection CD-2A.1.6 from the regulations under the CD-2 Zone – BIG BEACH.

2. Map Amendment:

Schedule A (Zoning Map) of District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by changing the zoning designation of Lot 16, District Lot 281, Clayoquot District, Plan VIP76214 except part in plans VIP80735, VIP83067 and VIP86140 (PID 025-812-823) from CD-2 Zone (Big Beach), Subzone "CD-2A.1.6 Big Beach Estates", to areas designated as "R-1: Single Family Residential", "R-3: High Density Residential" and "R-6: Infill Single-Family Residential" as outlined in black on the map attached to this Bylaw as Appendix "A".

3. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021".

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

PUBLIC HEARING held this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of "District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021."

Mayco Noël
Mayor

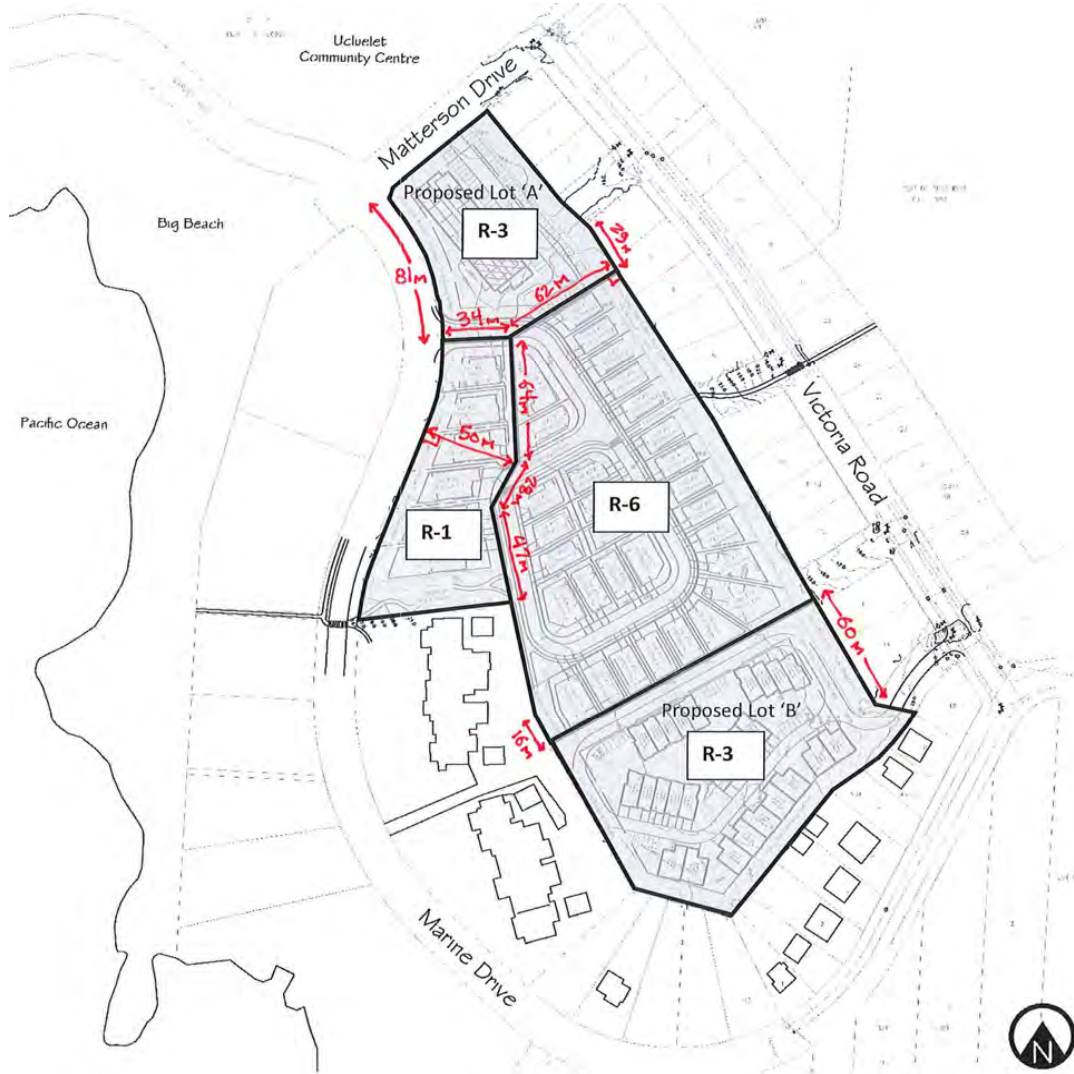
Joseph Rotenberg
Corporate Officer

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

Joseph Rotenberg
Corporate Officer

APPENDIX 'A' to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021
(Lot 16 Marine Drive)

From: CD-2A.1.6 Big Beach Estates
To: R-1 (Single Family Residential);
R-3 (High Density Residential); and,
R-6 (Infill Single-Family Residential) as shown:

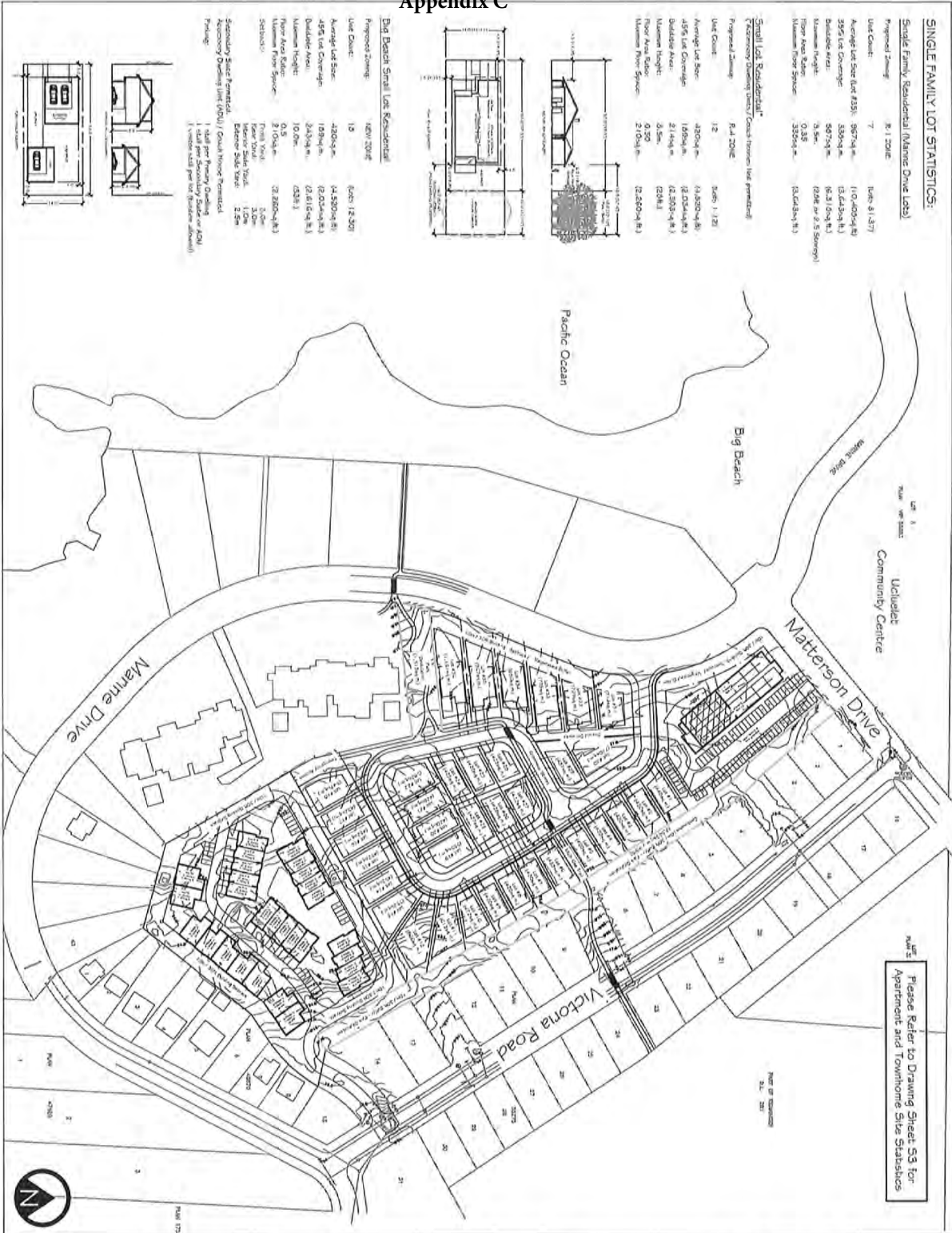


Appendix B (Optional: additional B&B use)

R-6.1.1(2)(c) On lots created within the following area (of Lot 16 Marine Drive), *Bed and Breakfast* is also a permitted secondary use:



Appendix C

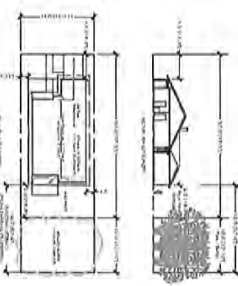


SINGLE FAMILY LOT STATISTICS:

Proposed Zoning	R-1 Zone	Lot #	167
Lot Count	7	Lot #	167
Average Lot Size (ft ²)	9874 sq. ft.	Average Lot Size (ft ²)	110,400 sq. ft.
25% Lot Coverage	2468 sq. ft.	25% Lot Coverage	27,600 sq. ft.
Builder Area	8972 sq. ft.	Builder Area	6,210 sq. ft.
Maximum Height	9.5m	Maximum Height	12.5m (or 2.5 Storeys)
Minimum Floor Space	3200 sq. ft.	Minimum Floor Space	10,400 sq. ft.

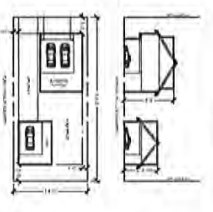
Small Lot Residential¹

Proposed Zoning	R-1 Zone	Lot #	121
Lot Count	12	Lot #	121
Average Lot Size (ft ²)	4200 sq. ft.	Average Lot Size (ft ²)	11,320 sq. ft.
25% Lot Coverage	1050 sq. ft.	25% Lot Coverage	2,825 sq. ft.
Builder Area	2100 sq. ft.	Builder Area	4,200 sq. ft.
Maximum Height	8.5m	Maximum Height	10.5m
Minimum Floor Space	0.35	Minimum Floor Space	2,200 sq. ft.



Big Beach Small Lot Residential

Proposed Zoning	R-1 Zone	Lot #	15
Lot Count	15	Lot #	15
Average Lot Size (ft ²)	4200 sq. ft.	Average Lot Size (ft ²)	14,500 sq. ft.
25% Lot Coverage	1050 sq. ft.	25% Lot Coverage	16,200 sq. ft.
Builder Area	2100 sq. ft.	Builder Area	27,150 sq. ft.
Maximum Height	10.0m	Maximum Height	12.5m
Minimum Floor Space	2100 sq. ft.	Minimum Floor Space	2,200 sq. ft.



Secondary Suite Permitted:
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Please Refer to Drawing Sheet S3 for
 Apartments and Townhome Site Statistics

#	Date	NOTES
1	Oct 2014	Final Planning Analysis (PAA)
2	Jan 2015	Revised Application
3	Feb 2016	Checklist Requested Revisions

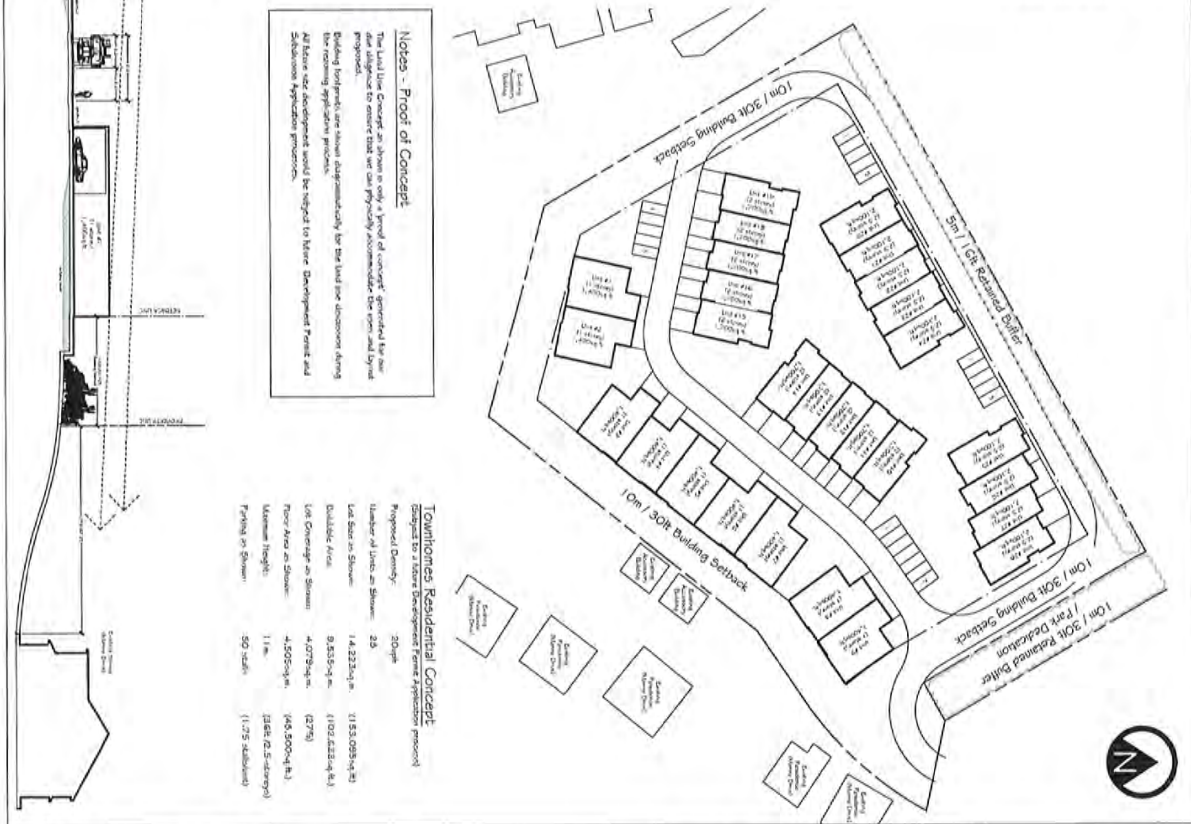
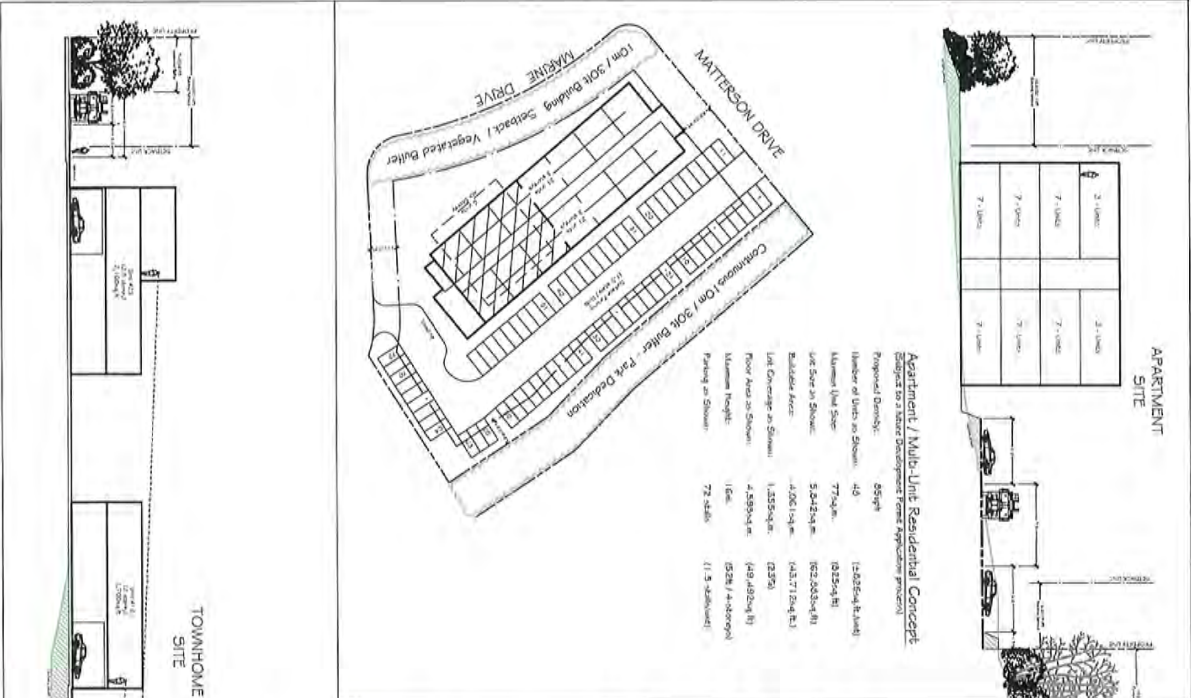
PROOF OF CONCEPT

Date: February 2020
 Drawn: HD
 Checked: HD
 Scale: 1:1000
 Project Number: 17-0157

DRAWING NUMBER: S2 of 4

Lot 16
 0985470 B.C. Ltd.
 District of Ucluelet, BC

macdonald gray
 814 Sherwood Drive, Parksville, BC V9P 1S1
 TEL: 250.248.8800 FAX: 250.248.8801
 www.macdonaldgray.ca



Notes - Proof of Concept

This Unit Size Concept as shown is only a proof of concept generated for use as a guide to ensure that we can physically accommodate the proposed development. Building footprint sizes shown are approximate for the unit size dimensions along with future site development would be subject to future Development Permit and subsequent application process.

Townhomes Residential Concept

Subject to a future development from application process

Proposed Density:	20/pt	
Number of Units on Show:	28	
Lot Size on Show:	1,422sq.m.	(11,53,009sq.ft.)
Building Area:	9,335sq.m.	(1,012,228sq.ft.)
Lot Coverage on Show:	4,079sq.m.	(12,779)
Floor Area on Show:	4,002sq.m.	(44,500sq.ft.)
Maximum Height:	11 m.	(36ft / 3-story)
Parking on Show:	90 stalls	(1.275 stalls/unit)

#	Date	NOTES
1	Oct 2018	For Servicing Analysis (ASA)
2	Jan 2019	Bidding Application
3	Feb 2019	District Requested Revisions

PROOF OF CONCEPT

Date: February 2020

Drawn: [Signature]

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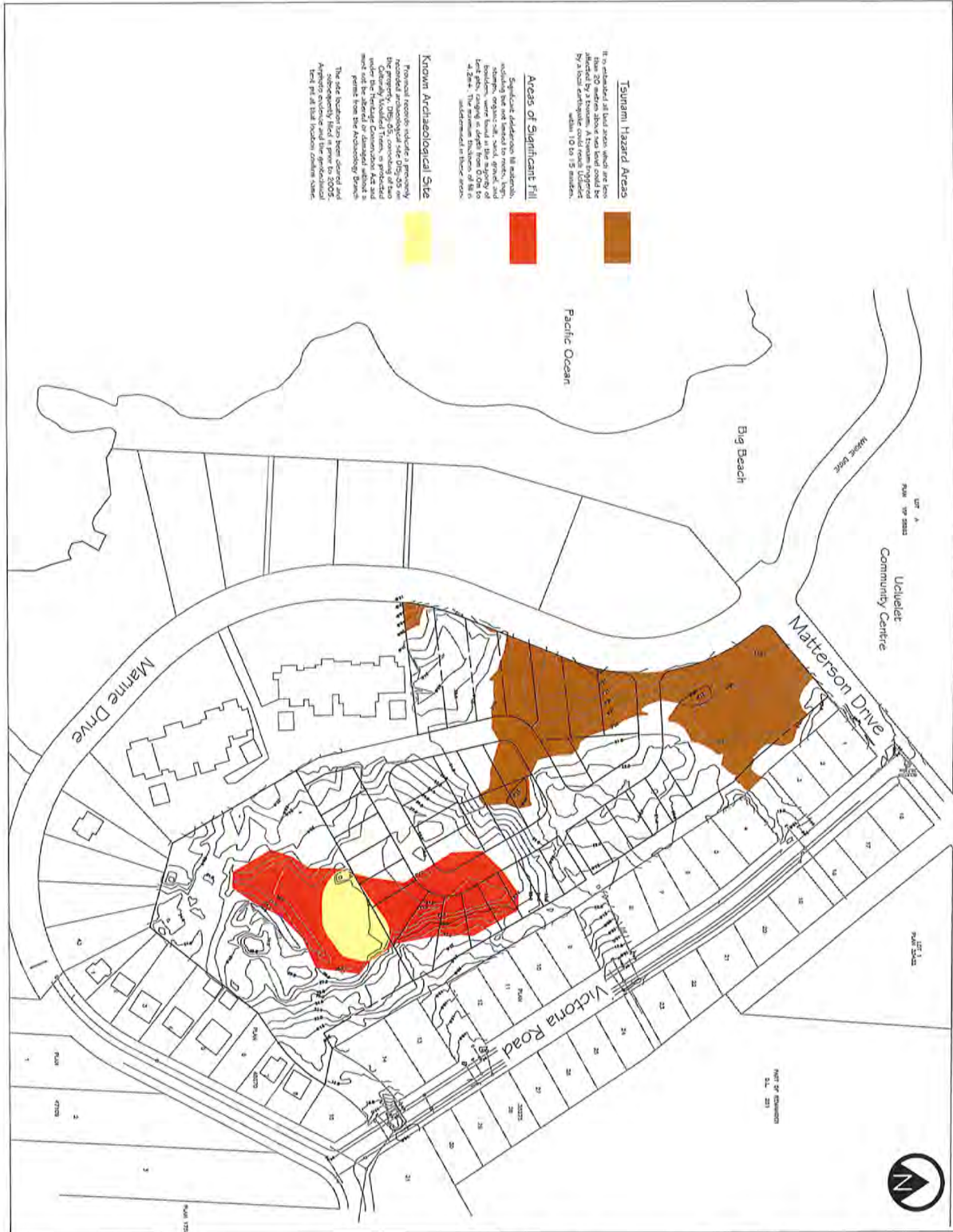
Project Number: 17-0157

DRAWING NUMBER: **S3** of 4

Lot 16
0985470 B.C. Ltd.
 District of Ucluelet, BC

macdonald gray

114 Stovewood Drive, Parksville, BC V8P 1S1
 (250) 863-1111 | www.macdonaldgray.ca



Tsunami Hazard Areas
 The boundary of land areas which are free from tsunami hazard is shown on the map. Areas between this boundary and the coastline are shown as being at risk from a tsunami. A tsunami triggered by a local earthquake could cause tsunamis within 15 to 19 minutes.

Areas of Significant Fill
 Significant fill/deposits in watersheds, including but not limited to roads, high walls, embankments, and other structures, were found at the survey of Lot 16, ranging in depth from 0.7m to 1.4m. The areas shown on the map are defined in these notes.

Known Archaeological Site
 Previous reports indicate a previously known archaeological site (Dg-35) on the property, which has been identified under the Heritage Conservation Act and is listed in the Archaeological Sites Register. The site boundary has been established based on archaeological evidence and the geotechnical test pit at that location (reference to plan).

REVISION SCHEDULE	
#	DATE / NOTES
3	Oct 2014 For Servicing Analysis (S&A)
1	Jan 2019 Rezoning Application
2	Feb 2020 District Requested Revisions

Opportunities & Constraints

Date: February 2020

Drawn: 100

Checked: 100

Scale: 1:1000

Project Number: 17-0157

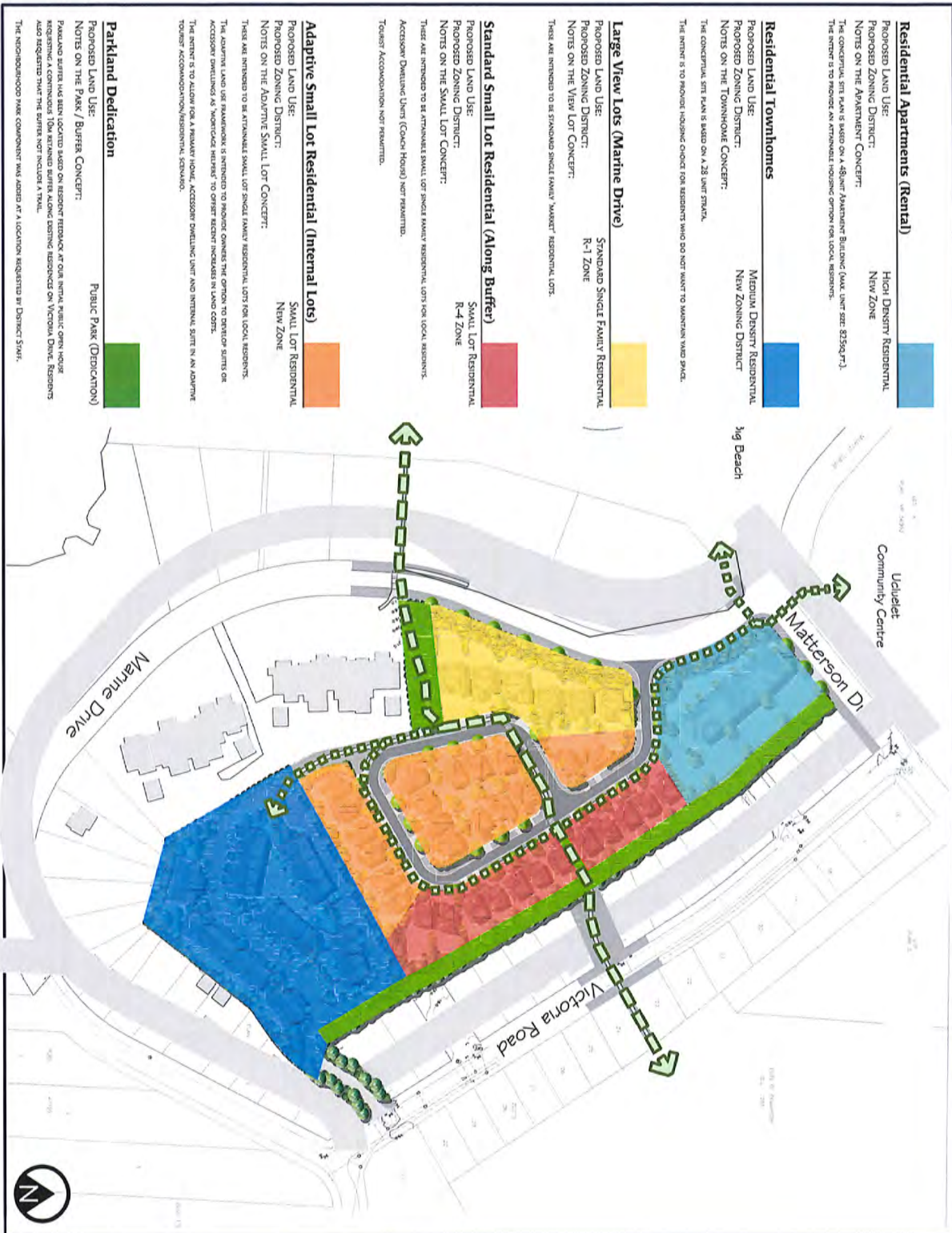
DRAWING NUMBER: S4 of 4

Lot 16
0985470 B.C. Ltd.
 District of Ucluelet, BC

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macdonald gray

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 TEL: 250.748.3919 FAX: 250.748.3914
 www.macdonaldgray.ca



Proposed Zoning (S1)





October 27, 2020

To Whom It May Concern:

Introduction

The property ownership group (Owners) submitted a Zoning Amendment Application to the District of Ucluelet (District) in February of 2019 for the Lot 16 property. The Owners currently hold and manage a number of rental buildings on Vancouver Island. Through our recent discussions with District Staff, it was suggested that further confirmation and clarification of our intent to develop rental housing on the northern portion of the property should be formalized in a Letter of Intent on our corporate letterhead. This letter is intended to provide additional assurance to the District of Ucluelet Council that it is our intent to develop a 4-storey, ± 48 unit, rental apartment building on Lot 16 as outlined in our Zoning Amendment Application.

Purpose

This Document is intended to outline the basic terms to be used in a future Housing Agreement between 0985470 B.C. LTD., of Nanaimo, B.C. and the District of Ucluelet. The terms in this Document are not comprehensive and it is expected that additional terms may be added, and existing terms may be changed or deleted. The basic terms are as follows:

Statement of Intent

The Owners agree to establish a density bonusing structure through the District's Zoning powers under Section 482 of the *Local Government Act* (LGA) to encourage the provision of market residential rental units; or,

To execute a Housing Agreement after 3rd Reading of the proposed Zoning Bylaw Amendments as a condition of 4th Reading and Bylaw Adoption. All obligations as indicated in the future Housing Agreement would be formally registered on the Property Title prior to 4th Reading.

Mezzanine Floor
6421 Applecross Road
Nanaimo, BC V9V 1N1

t 250 390 5055
fx 250 390 5074
e noreddev@shaw.ca

Nored Developments Inc.



NORED

DEVELOPMENTS

In either scenario, the Housing Agreement would be registered on the property Title as a condition of future development binding current and future property owners, to the following conditions:

1. The units will be occupied solely as market residential rental units;
2. The units may not be converted to a building strata.

This Document accurately reflects the Owners understanding of the proposed terms of a Housing Agreement between the District and the Owners, subject to the success of our current Zoning Amendment Application proposal for the Subject Property in its entirety.

LANCE MCNABB

Mezzanine Floor
6421 Applecross Road
Nanaimo, BC V9V 1N1

t 250 390 5055
fx 250 390 5074
e noreddev@shaw.ca

Nored Developments Inc.

Lot 16 Ucluelet

Zoning Amendment Application: Planning Framework Report



macdonald gray

814 SHOREWOOD DRIVE,
PARKSVILLE, BC V9P 1S1 CANADA
TEL. (250) 248-3089

EMAIL. macdgray@telus.net
www.macdonald-gray.ca

Updated Application - July 2020

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February 10, 2019

John Towgood
District of Ucluelet
200 Main Street
Ucluelet, BC
V0R 3A0

Attention: John Towgood

Re: Zoning Amendment Application – Lot 16 Ucluelet

MacDonald Gray Consultants has been retained by the property owners to provide planning services in support of a Zoning Amendment to 'the land' described as Lot 16 within the District of Ucluelet, British Columbia.

The property owners and our project team have worked collaboratively with District Staff and local area residents to expand upon the community's vision as expressed in the Official Community Plan. We heard from neighbouring residents that there was a strong desire to provide a variety of attainable housing forms for local residents, while preserving existing landscape buffer spaces, and mitigating increased vehicular traffic on local roads.

This community vision has been integrated into our natural systems based design process, which is a collaborative approach to site planning. Environmental, physical and architectural considerations have been woven together to create a Land Use Concept, which is the basis for our Zoning Amendment proposal.

The Land Use Concept shown today is a 'proof of concept' generated for our due diligence to ensure that we can physically accommodate the uses and layout proposed. This plan has everything we felt there is a need for in Ucluelet with some adaptive planning frameworks applied.

The resulting 'Lookout' neighbourhood concept offers the District of Ucluelet a unique opportunity to realize a compact and complete residential node with an appropriate mix of attainable housing forms, while respecting the existing neighbourhood concerns and maintaining the form and character of adjacent tourist commercial properties.

The proximity of the neighbourhood to community amenities like Big Beach Park, Wild Pacific Trail, Coast to Coast Trail and the Ucluelet Community Centre is ideal. When you add the fact that the Village Square Core area is within walking distance, this makes the area an ideal location for future residents to enjoy the benefits of a west coast lifestyle. We are looking forward to continuing our collaboration with District Staff and Council to create an example of appropriate neighbourhood development.

Sincerely,

Nigel Gray, MCIP, RPP, MBCSLA
Principal Planner / Project Manager
Macdonald Gray Consultants

1.0 INTRODUCTION

0985470 BC Ltd. of Nanaimo, British Columbia is proposing a complimentary mix of multi-unit residential apartments, townhomes, small lot and single unit residential development on Lot 16. The property is 5.14hectares (12.6acres) in size.

The owner wishes to make an application to the District of Ucluelet (District) for the purpose of accommodating these new land uses on the parcel. This report and Zoning Amendment Application has been prepared based on a comprehensive review of the planning framework currently in place for the project site as well ongoing discussions with District Staff and neighbouring residents.

An opportunity and constraints analysis was conducted based on existing site conditions including geotechnical realities, topographic features, existing vegetation and servicing considerations. These items are attached to this report in order to illustrate the findings of the opportunities and constraint analysis and a proposed development framework.



Figure 1 – Google Maps Air Photo Excerpt (Property Outlined in White)

2.0 SITE DESCRIPTION

2.1 TOPOGRAPHY

Contours have been interpolated from two sources (a topographic survey plan prepared by Newcastle Engineering and Lidar imagery). A Contour Plan, dated March 5, 2018, as prepared by Newcastle Engineering Ltd. is attached to this application. Topography varies from moderately sloping to relatively flat with a grade break (ridgeline) running northwest to

4

macdonald gray

southeast bisecting the site. Elevations range from a high point of 30metres (behind 'The Ridge' Development) to a low point of 15metres along Marine Drive toward the northwest corner of the lands.

2.2 SERVICING

An underlay of existing utilities is included in an Excerpt from Ucluelet OCP , Schedule 'A' – Water and Sanitary Sewer Network, attached as Appendix 'B'. A preliminary Servicing Report is included with this application, as prepared by Newcastle Engineering Ltd.

Off-site works required to adequately service the proposed land use will be constructed or bonded for through a Servicing Agreement as a condition of the Zoning Amendment. This is a common expectation of municipalities to ensure that the total cost of servicing the proposed land use and density is paid for by the developer. Local area residents will not incur any costs due to the rezoning. This approach also helps to mitigate real estate speculation.

2.3 SUBSOIL DATA

The owner has completed a Geotechnical Assessment of the Property. The report indicates, "From a geotechnical point of view, the land is considered safe for the use intended...". Please refer to the Geotechnical Assessment (report), as prepared by Lewkowich Engineering Associates Ltd., included with the application for additional detail.

2.4 EXPOSURE AND VIEWS

The site generally has a southwest exposure with strong view potential toward the Pacific Ocean to the south and west. The high point of the site may benefit from 360-degree views depending on site vegetation and the height of proposed structures.

2.5 SITE HISTORY / ARCHAEOLOGY

Provincial records indicate a previously recorded archaeological site DfSj-85 on the property. DfSj-85, consisting of two Culturally Modified Trees, which is protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch.

The site location has been cleared and subsequently filled in prior to 2005. Airphoto evidence and the geotechnical test pit at that location confirm same.

3.0 LOCATION IN RELATION TO COMMUNITY FACILITIES

3.1 FIRE PROTECTION

The Ucluelet Fire Dept is located at 1520 Peninsula Road. The Fire Hall is 450metres or a 2minute drive from the lands.

3.2 POLICE

A Royal Canadian Mounted Police detachment is located at 1712 Cedar Road. The Detachment is 900metres or a 3minute drive from the lands.

3.3 HEALTH

The Ucluelet Health Centre is located at 1566 Peninsula Road. The Health Centre is 500metres or a 2minute drive / 7minute walk from the lands.

Tofino General Hospital is located at 261 Neill St, Tofino, BC. The Hospital is 41kilometers or a 39minute drive from the lands.

3.4 CANADA POST

A number of Canada Post community mailboxes will be required to accommodate development as build out occurs. Community mailboxes are currently present on Resort Drive adjacent to the property. The precise location of additional facilities will be coordinated with the District's Engineering Department.

3.5 TRANSPORTATION ROUTES

The lands are located directly adjacent to Matterson Drive, which is an existing looping collector road that connects to Peninsula Road. Peninsula Road is the primary arterial road through Ucluelet.

Multi-use pathways were recently installed along Marine Drive and Matterson Drive connecting the lands to the Village Square core area and waterfront parks. Extensions of the Wild Pacific Trail are also proposed along Marine Drive adjacent to the lands connecting to the proposed Matterson Drive multi use pathway. Excerpt from Ucluelet OCP , Schedule 'D' – Transportation Network, attached as Appendix 'B'.

3.6 PUBLIC TRANSPORTATION

BC Transit currently does not operate bus routes in close proximity to the lands and has not adopted plans for future service expansion in the surrounding neighborhoods.

The Ucluelet Bus Depot is located in Murray's Grocery at 1980 Peninsula Road. The Depot is 750metre or a 9minute walk from the lands. Tofino Bus provides intercity commercial bus service from this location.

3.7 COMMERCIAL SERVICES

The plan area is 500metres from Village Square core area services on Peninsula Road by way of a 5minute walk.

3.8 RECREATIONAL

The subject property is kiddie corner to Big Beach Park and the existing multi use pathways along Marine Drive (parallels the Wild Pacific Trail) and Matterson Road (portion of the Coast to Coast Connection route).

Excerpt from Ucluelet Parks & Recreation Master Plan, Figure 6 – Coast to Coast Connection, attached as Appendix ‘C’

The Ucluelet Community Centre is located directly across Matterson Drive. The Centre offers a wide array of programs from Latin dance classes to roller hockey and outdoor basketball courts.

Ucluelet Secondary is a 5minute walk from the site and provides a number of after-hours recreation activities including a running track, field space, basketball courts and a BMX park.

3.9 SCHOOLS

A number of elementary schools are within proximity of the lands including English and French Immersion programs. Based on the School District 70 information, school infrastructure is at or over capacity. Funding for additional school infrastructure would be bolstered by Development Cost Charges (DCC) associated with the project.

North Island College – Ucluelet Centre located at 1636 Peninsula Road is 750metres or a 9minute walk from the lands. The centre offers university transfer, diploma and adult basic education programs.

Table 1: Nearby Elementary Schools and Current Capacities (2018)

School	Grade Levels	Walking Distance	Driving Distance	Current Enrolment /Trend
Ucluelet Elementary School	K - 7	11 min 850m	2 min 850m	156 / slight increase
Ucluelet Secondary School	8 -12	6 min 450km	2 min 450km	160 / decreasing

4.0 EXISTING LAND USE

The lands fall within the District of Ucluelet Municipal boundary. The current land use framework is described in the following sections.

4.1 DISTRICT OF UCLUELET BYLAW NO. 1160, 2013

An underlay of existing zoning is included in an Excerpt from District of Ucluelet Schedule A – Zoning Map, attached as Appendix ‘D’.

The Zoning District is:

[Comprehensive Development 2A \(CD-2A.1.6\) - Big Beach Estates](#)

The Zoning Bylaw and language as it relates to the lands is quite convoluted. It is difficult to determine what language is in fact regulatory and legally binding to the development of the lands.

There are numerous anecdotal references to historical amendment processes, now defunct development plans and specific developers.

No base density is described within the CD-2A Zoning District regulations. We must assume that

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there is a base density as not providing one would have the effect of sanitizing the lands of all potential development.

4.1.1 BASE DENSITY:

Based on our interpretation of Section 203, Comprehensive Development Zones, which “are provided for historical reference, interpretation and informational purposes only”, we have had to make assumptions in our interpretations. The base land use and density available without the provision of both of the amenities described below appears to be as follows:

- 0.8 resort condo units per hectare;
- 40 square metres gross floor area of retail commercial and / or personal services per hectare;
- 40 square metres gross floor area of a public assembly (community use?) or recreational use per hectare.

4.1.2 AMENITY BASED DENSITY BONUS(ING):

The density bonus(ing) framework is based on a 15-20% parkland dedication/ amenity contribution, which is to be in the form of:

- A new swimming pool and fitness facility, which will be privately owned and maintained;
- A 10metre vegetation buffer abutting all existing residential lots in abutting Zones in order to provide a buffer between existing homes and the development in this zone.

Upon the provision of the amenities described above, available land use and density is increased as follows:

- Up to 76 resort condo units;
- 1,672 square metres gross floor area of retail commercial, personal services, or commercial recreation;
- Unlimited community use.

Table 2: Zoning & Land Use Densities

Zoning Districts	Permitted Land Uses	Planning / ha	Minimum Parcel Size	Maximum Density (units/ha)
CD-2A Base Density	Resort Condo	0.8 / ha	1,000sq.m.	4 condos
	Retail	40sq.m. /ha	800sq.m.	205.6sq.m.
	Personal Services	40sq.m. /ha	800sq.m.	205.6sq.m.
	Public Assembly	40sq.m. /ha	800sq.m.	205.6sq.m.

Zoning Districts	Permitted Land Uses	Planning / ha	Minimum Parcel Size	Maximum Density (units/ha)
CD-2A.1.6 Bonus Density	Resort Condo	n/a	1,000sq.m.	76 condos
	Retail	n/a	800sq.m.	
	Personal Services	n/a	800sq.m.	1,672sq.m (combined)
	Recreational Services (Commercial)	n/a	800sq.m.	
	Community Use	n/a	n/a	n/a

4.1.3 RESORT CONDO LAND USE INTERPRETATIONS:

“Resort Condo” means a building, or group of buildings, providing two or more separate dwelling units, for commercial tourist accommodation use only, without the accessory uses commonly associated with or specifically permitted with hotels or motels. The building(s) must be on the same lot or within the strata plan;

“Dwelling Unit” means a self-contained set of contiguous habitable rooms, consisting of at least kitchen, sanitary (bathroom), living and sleeping rooms and facilities, in the same building;

“Commercial Tourist Accommodation” means the non-residential, daily or short- term (not exceeding 30 consecutive days) accommodation of paying guests, transient motorists, tourists or vacationers, as commonly associated with hotels, motels, resorts, vacation rentals, guest houses, hostels, bed and breakfasts, and campgrounds.

Land use adjacencies within District are described in the following sections. Table 3, below provides a brief overview of adjacent Zoning Districts.

4.2 DISTRICT OF UCLUELET BYLAW NO. 1160, 2013

An underlay of adjacent zoning is included in an Excerpt from District of Ucluelet Schedule A – Zoning Map, attached as Appendix ‘D’.

The adjacent Zoning Districts include:

Comprehensive Development (CD-2A)

The lands are included in the overall CD-2 zone plan which includes a mix of uses that include: hotel, neighbourhood pub, multi-family residential, resort condominiums and single family dwellings.

Single Family Residential (R-1)

“This Zone is intended for traditional low density single family residential development, with accessory uses providing a minimal impact on the surrounding residential neighbourhood.”

Vacation Rental (VR-1)

"This zone provides for low density, single residential dwelling developments and also for two principal dwellings on certain corner lots within the R1 and R1a zone."

Public Institutional (P-1)

"This zone provides agriculture and rural uses on larger lots without urban services."

Table 3: Adjacent Zoning & Land Use Densities

Zoning Districts	Permitted Land Uses	Dwelling Units	Minimum Parcel Size & Dimensions	Maximum Density (units/ha)
Single Family Residential (R-1)	Single Family Dwelling Bed and Breakfast Home Occupation Secondary Suite	1 SF / Lot	650sq.m. 18m Frontage 0.35 FAR 35% Coverage	n/a
Vacation Rental (VR-1)	Single Family Dwelling Vacation Rental Home Occupation Secondary Suite	1 SF / Lot	650sq.m. 18m Frontage 0.50 FAR 45% Coverage	n/a
Public Institutional (P-1)	School Public Administration & Utility Public Assembly Community Care Facility Outdoor Recreation Park		60% Coverage 1.0 FAR	n/a

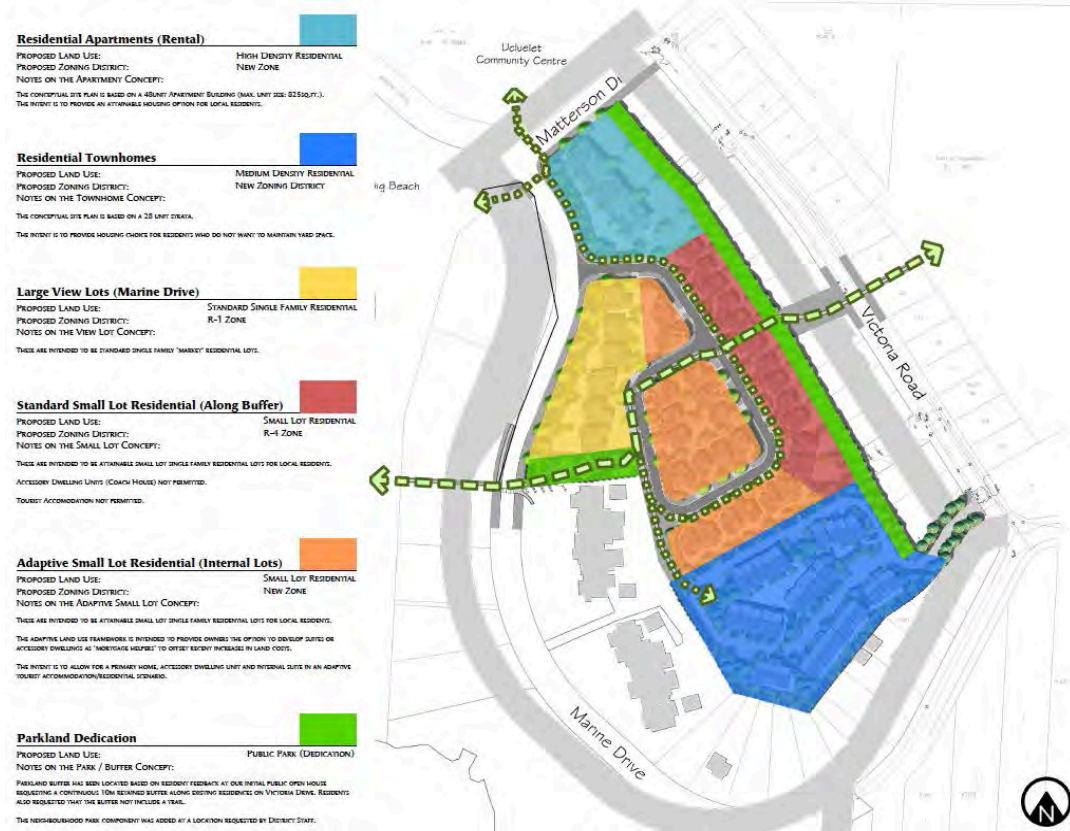


Figure 4 – Refer to Drawing S1 – Land Use and Zoning Districts attached to this application

5.0 PROPOSED LAND USES

5.1 RESIDENTIAL APARTMENTS (NEW ZONE)

The intent is to provide an attainable housing option for local residents. The conceptual site plan is based on a 48unit Apartment Building (maximum unit size 77sq.m. / 825sq.ft.). The following draft zoning template is based on existing District regulations.

5.1.1 PERMITTED USES TO INCLUDE:

Principal Land Uses	Secondary
Multiple Family Residential (principal)	Home Occupation

5.1.2 LOT REGULATIONS:

Principle Use	Minimum Lot Size	Minimum Lot Frontage	Minimum Lot Depth
Multiple Family Residential	1,000sq.m.	18m	n/a

5.1.3 DENSITY:

Principle Use	Maximum Density	Maximum Floor Area Ratio	Maximum Lot Coverage
Multiple Family Residential	90 units/hectare	1.0	50%

5.1.4 MAXIMUM SIZE:

Building / Unit Type	Gross floor Area
Principal Buildings & Structures	n/a
Accessory Buildings & Structures	70sq.m.
Dwelling Unit	77sq.m.

5.1.5 MAXIMUM HEIGHT:

Building Type	Maximum Height
Multiple Family Residential	15.0m.
Accessory Buildings & Structures	5.5m.

5.1.6 MINIMUM BUILDING SETBACKS:

Building Type	Front Yard	Rear Yard	Side Yard Interior	Side Yard Exterior
Multiple Family Residential (a)	10.0m.	6.0m.	6.0m.	8.0m.

- a. In addition, all buildings and structures will be setback a minimum of 10m from a property line adjacent to Marine Drive.
- b. In addition, accessory buildings and structures must be located:
 - i.) to the rear of the front face of the principal building, and;
 - ii.) at least 3 m (10 ft) from the principal building(s).

5.2 RESIDENTIAL TOWNHOMES (NEW ZONE)

The intent is to provide housing choice for residents who do not want to maintain yard space. The conceptual site plan is based on a 38 unit strata. The following draft zoning template is based on existing District regulations.

5.2.1 PERMITTED USES TO INCLUDE:

Principal Land Uses	Secondary
Multiple Family Residential (principal)	Home Occupation

5.2.2 LOT REGULATIONS:

Principle Use	Minimum Lot Size	Minimum Lot Frontage	Minimum Lot Depth
Multiple Family Residential	1,000sq.m.	18m.	n/a

5.2.3 DENSITY:

Principle Use	Maximum Density	Maximum Floor Area Ratio	Maximum Lot Coverage
Multiple Family Residential	90 units/hectare	0.4	35%

5.2.4 MAXIMUM SIZE:

Building Type	Gross floor Area
Principal Buildings & Structures	n/a
Accessory Buildings & Structures	70sq.m.

5.2.5 MAXIMUM HEIGHT:

Building Type	Maximum Height
Multiple Family Residential	11.0m.
Accessory Buildings & Structures	5.5m.

5.2.6 MINIMUM BUILDING SETBACKS:

Building Type	Front Yard	Rear Yard	Side Yard Interior	Side Yard Exterior
Multiple Family Residential (a)	10.0m.	10.0m.	10.0m.	10.0m.

- a. In addition, accessory buildings and structures must be located:
 - i.) to the rear of the front face of the principal building, and;
 - ii.) at least 3 m (10 ft) from the principal building(s).

5.3 ADAPTIVE SMALL LOT RESIDENTIAL (NEW ZONE)

These are intended to be attainable small lot single family residential lots for local residents.

The adaptive land use framework is intended to provide owners the option to develop suites or

accessory dwellings as 'mortgage helpers' to offset recent increases in land costs.

The intent is to allow for a primary home, accessory dwelling unit and internal suite in an adaptive tourist accommodation/residential scenario.

Individual lot layout concepts are provided for discussion purposes to illustrate how the uses could be accommodated on a lot.

The following draft zoning template is based on existing District regulations.

5.3.1 PERMITTED USES TO INCLUDE:

Principal Land Uses	Secondary
Single Family Dwelling (principal)	Home Occupation
	Secondary Suite (a)
	Accessory Dwelling Unit
	Commercial Tourist Accommodation (b)

- a. Secondary suites are only permitted within a primary single family dwelling;
- b. Commercial Tourist Accommodation is only permitted:
 - i.) in a secondary suites contained within the principle single family dwelling, and;
 - ii.) within an accessory dwelling unit.

5.3.2 LOT REGULATIONS:

Principle Use	Minimum Lot Size	Minimum Lot Frontage	Minimum Lot Depth
Single Family Dwelling	360sq.m.	10m.	n/a

5.3.3 DENSITY:

Principle Use	Maximum Density	Maximum Floor Area Ratio	Maximum Lot Coverage
Single Family Dwelling	1 per lot	0.5	45%

5.3.4 MAXIMUM SIZE:

Building Type	Gross floor Area
Principal Buildings & Structures	n/a
Accessory Buildings & Structures	90sq.m.

5.3.5 MAXIMUM HEIGHT:

Building Type	Maximum Height
Single Family Dwelling	10.0m.
Accessory Buildings & Structures	8.5m.

5.3.6 MINIMUM SETBACKS:

Building Type	Front Yard	Rear Yard	Side Yard Interior	Side Yard Exterior
Single Family Dwelling	4.5m.	6.0m.	1.5m.	2.5m.
Accessory (a)	7.5m.	1.5m.	3.0m.	2.5m.

- a. In addition, accessory buildings and structures must be located:
 - i.) to the rear of the front face of the principal building, and;
 - ii.) at least 3 m (10 ft) from the principal building(s).

6.0 REGULATORY STATUS

6.1 DISTRICT OF UCLUELET OFFICIAL COMMUNITY PLAN (OCP)

It should be noted that 2018 Official Community Plan Consultation is currently underway which may result in changes to the current land use designations and policy context. An underlay of OCP Future Land Use Designations is included in an Excerpt from District of Ucluelet OCP Schedule 'A' Map, attached as Appendix 'E'.

The proposed land use for the lands is [Comprehensive Development](#).

6.1.1 RELATED OCP COMPREHENSIVE DEVELOPMENT POLICIES:

1. Public access to the water in all CD areas is supported, encouraged and intended to be secured including through agreement and dedication;

Not Applicable.

2. District Lots 281 and 282 are designated as Comprehensive Development. Although the existing CD zoning permits a range of mixed-use including resorts, and multi-family units, the lands contained within these two District Lots have primarily been developed as low density residential; these lots may be redesignated and rezoned in the future to reflect the variety of uses established without further amendment of this OCP;

The lands are included in District Lot 281. This policy permits a zoning amendment (rezoning) to any of the CD-2 uses without a concurrent OCP amendment process.

3. The area on Seaplane Base Road, surrounding the Recreation Hall, is designated for Comprehensive Development and identified as a potential Industrial swing area. If additional industrial lands are required, only those uses that need water access will be considered for this area;

Not applicable.

4. The area on Minoto Road north of Peninsula Road is designated for Comprehensive Development. This area is envisioned primarily as a residential community with significant tree retention. The shoreline is recognized as having important ecosystem values. A greenbelt should be maintained along the shoreline;

Not applicable.

5. In order to support the viability of future resort type developments within the Comprehensive Development and Tourist Commercial designations, Hyphocus Island and Francis Island are targeted instead for Residential development. This reflects the desired future use as primarily clustered residential communities with substantial tree retention and significant public open space. These areas are not intended for private marina or significant commercial, tourist commercial or resort development, though Council may consider redesignation on advancement of a comprehensive plan that

retains more land and provides more community amenities;

Not applicable.

6. Acknowledge the private ownership of Francis Island by permitting up to one single family residential dwelling, without secondary suite, B&B, vacation rental or tourist commercial uses; Encourage and explore means of preservation, and maximum tree retention, with limited public access, including as an amenity for more intensive development of adjacent lands;

Not applicable.

7. For areas of land higher than 20 to 30 metres above sea level, development, park dedication and public/open space should be coordinated with the District's Emergency Plan when considering the potential for public vistas, integrated with the multi-use pathway, Wild Pacific Trail and road network, as well as muster areas within a close walk of development areas;

The owners will work with District Staff to establish emergency procedures as required. Tsunami preparedness and emergency routes have been considered in the current land use concept.

8. The number of District-owned and operated sewer pump stations should be minimized, and;

To be considered in detailed servicing analysis at the rezoning stage.

9. Non-potable water should be used, where practical, for golf course and park irrigation.

Not applicable

6.2 DEVELOPMENT PERMIT AREAS (DPA)

The following District of Ucluelet DPA is applicable to the lands:

6.2.1 LOT 281 (DPA #5);

This DPA is applicable to areas of the lands as identified on the Excerpt from District of Ucluelet OCP, Schedule 'C' – Map, attached as Appendix 'F'. The DPA is established for the purposes of:

- Protection of the natural environment, its ecosystems and biological diversity;
- Protection of development from hazardous conditions; and,
- Establishment of objectives for the form and character of development in the resort region.

This development proposal has paid careful consideration to the existing DPA guidelines in the

development of the conceptual site layout, proposed land uses and proof of concept plans. More detailed plans and drawings will be provided during the subsequent development permit application process for each phase of future development.

7.0 TITLE – CHARGES, LIENS AND INTERESTS

7.1 RIGHT OF WAYS:

EV149363 – District of Ucluelet. For the purpose of a footpath and conveying and draining run-off water. The location of the SRW has not been located on the base plans and will need to be determined by the project land surveyor.

FB239228 – BC Hydro and Power Authority.

FB239229 – Telus Communications Inc.

7.2 COVENANTS:

None.

8.0 OPPORTUNITIES

8.1 OCP LAND USE DESIGNATIONS AND SUPPORTING POLICIES

The lands are included in the District Lot 281 comprehensive development policy context. Policy language permits a zoning amendment (rezoning) to any of the CD-2 uses without a concurrent OCP amendment process.

Residential multi-family policies encourage the development of multi-family residential units along Matterson Road and within approximately a 5minute walk of the Village Square, which is the case for the lands. Existing multi use pathways along Marine Drive (parallels the Wild Pacific Trail) and Matterson Road (portion of the Coast to Coast Connection route) provide strong support for this approach.

Residential single-family policies acknowledge the role of single-family housing and encourage intensification with smaller lot sizes, accessory dwelling units and bare land strata developments.

A range of land use configurations is possible based on the OCP language.

8.2 EXISTING LANDSCAPE

The lands contain many native plant and tree species within a unique bluff landscape that lend themselves well to a resort or residential neighbourhood configuration. With thoughtful site design these features should be identified and incorporated into the development. The

resulting optics would then be incorporated in later marketing efforts.

9.0 CONSTRAINTS

9.1 CURRENT ZONING INCONSISTENCIES

The current comprehensive development zoning is problematic. Based solely on the specific language of the Zoning Bylaw, there is little or no base density for permitted land uses without the application of density bonus(ing). Density bonusing is only possible through the provision of highly prescriptive contributions. These amenities are held over from the original development master plan proposal and are out of scale with remaining potential.

Tenure and stay restrictions associated with the current 'Resort Condo' land use are outdated approaches to resort development. Modern planning has taken a more adaptive approach permitting both permanent residential and tourist accommodation within resort developments to offset both the ebb and flow of the tourism economy and the need for rental housing for permanent residents.

9.2 LOT 281 DPA #5 - CONSIDERATIONS

Landscape and environmental preservation are key components of the DP guidelines. All development proposals will require careful consideration and design responses that seek to protect existing sensitive ecosystems, significant trees and shrubs. All Sitka Spruce must be preserved as well as any tree with a diameter at breast height (DBH) over 30centimetres.

Environmentally significant areas, including watercourses and significant stands of trees, have not been ground-truthed by the project biologist. The location of these features will need to be incorporated into future site planning and subdivision layout where feasible and as required by law during subsequent permitting processes.

The lands have been identified as having a potential risk of flooding during a tsunami event. Additional measures may be required to protect the development from flooding and tsunami hazards.

10.0 PUBLIC MEETING / REVISED LAND USE CONCEPT

10.1 PUBLIC MEETING SUMMARY

A pre-application Public Open House was conducted on December 7, 2018 from 5:00PM to 7:00PM at the Ucluelet Community Centre. The Community Centre is directly across from the lands on Matterson Drive.

A newspaper ad was placed two concurrent weeks prior to the meeting and letter invitations were individually delivered to every neighbouring property owner or resident within 50 metres

of the subject property.

(29) neighbours signed in for the meeting and (13) comment sheets were completed at the meeting. Please find supporting documentation attached as Appendix 'J' for your reference and records.

Many of the comments mentioned the desire to see a 10 - 15m buffer strip along existing residences that was proposed as a component of a previous development proposal. It was suggested that the buffer consist of retained vegetation with no trail access and to provide an ecological corridor.

A proposed single vehicle access point to Victoria Drive was also identified by neighbours as a concern. It is perceived that Victoria Drive cannot handle the additional traffic volume. Additional connections through to Matterson Drive and Marine Drive were suggested.

There was a strong preference for a primarily residential development.

The inclusion of Accessory Dwelling Units (Carriage Home, Coach House) was a concern for 1/3 of the neighbours who commented, who were primarily focused on potential traffic increases and infrastructure demand.

The proposed density of the neighbourhood was a concern to 1/4 of the neighbours who commented, who were primarily focused on potential traffic increases and infrastructure demand.

10.2 REVISED LAND USE CONCEPT – PUBLIC MEETING COMMENTS

In response to comments and concerns raised by neighbouring residents, we have made the following revisions to the land use concept:

10.2.1 10M. BUFFER REQUEST

A 10m retained buffer is proposed along the entire length of the property adjacent to existing residential lots along Victoria Road.

The buffer will be dedicated as parkland to the District where it is adjacent to the proposed multi-unit apartment site and proposed single family small lot residential lots. This represents 6% of the area of the lands which is in excess of the 5% parkland dedication that will be required through future subdivision of individual lots.

The 10m buffer will be retained within a Restrictive Covenant on title where it is adjacent to the proposed townhome site.

A 10m building setback is proposed along the property line adjacent to The Ridge multi-unit development and single family lots that front onto Marine Drive to retain additional separation between dwelling units.

In addition, all buildings and structures on the proposed apartment site will be setback a minimum of 10m from a property line adjacent to Marine Drive to set the building back from

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the roadway.

10.2.2 VEHICLE ACCESS CONCERNS

Vehicle access to the apartment site will be from Matterson Drive connecting through to the proposed new internal roadway loop.

An internal roadway loop is proposed with access from Marine Drive. With the exception of (3) single family lots along Marine drive, all other single family lots will be accessed from the new internal roadway loop.

Access to the townhome site will be from the existing road stub at the southeast corner of the property close to the intersection of Marine Drive and Victoria Road.

Only the townhome site will access Victoria Drive, which will free up the (3) remaining road stubs for District initiatives (trails, staff housing, affordable housing, etc.).

10.2.3 SMALL LOT SINGLE FAMILY LOTS

Small lot land uses have been divided into two distinct conditions.

To address privacy and density concerns, small lots adjacent to the proposed 10m buffer along existing residential lots along Victoria Road will be developed under the current R-4 Zoning District:

- R-4 Zoning does not allow Accessory Dwelling Units (ADU) or commercial tourist accommodation;
- The resulting lots are intended for a purely residential land use;
- Building heights are restricted to 8.5m;
- The rear yard building setback is 6.0m. When added to the proposed 10m buffer, the total distance between a small lot home and the rear property line of homes on Victoria drive will be 16m (52.5ft).

Internal small lots will be developed under a new 'adaptive' zone that will permit an adaptive residential and tourist accommodation scenario.

10.3 REVISED LAND USE CONCEPT – DISTRICT STAFF COMMENTS

The following is a summary of Staff Requested Application revisions and responses provided in this application update.

10.3.1 REQUEST FOR A COMMUNITY AMENITY CONTRIBUTION

The following items are placeholders for potential amenity contributions as proposed by the property owners subject to further negotiation with the District Council.

If additional contributions are requested by the District for off-site engineering 'amenity' works, then the items below will need to be reconsidered and balanced with the financial viability of the overall development.

- 1) Additional parkland dedication to the District is proposed. See further descriptions below. Total parkland dedication is equal to 9.5% of the property. We are proposing a parkland amenity dedication of 0.23ha. (4.5% of Parent Parcel) beyond the 5% dedication of 0.26ha. required at the time of subdivision. the land value of this dedication based on the area divided by the assessed property value (2019) is approximately \$28,215.00;
- 2) A financial contribution to the District is proposed. Beyond the significant land dedication for parks and trails, a financial contribution of \$1,000.00 / per door/unit is proposed. This would equal \$112,000.00 based on proposed density of 112 primary dwelling units (suites are not included);
- 3) We are also proposing the provision of one small lot residential lot to the District intended to provide affordable or District Staff housing. The proposed financial contribution (noted above) could also be directed toward other affordable housing initiatives within the District. Funds could be set aside for a DCC Waiver program for eligible developments. The value of this lot is estimated at approximately \$90,000.00 - 100,000.00 by the property owner.

10.3.2 REQUEST FOR EXPANDED PARKLAND DEDICATION

The precise location of parkland is subject to a future Subdivision Application process. The Provincial Approving Officer will make the final decision at that time.

- 1) The Proof of Concept has been updated to include the proposed 10m. Buffer between the site and properties and existing lots on Victoria Drive as parkland dedication;
- 2) A neighbourhood park has been included in the Proof of Concept at a location preferred by District Staff.

10.3.3 REQUEST FOR A 10M. CONTINUOUS RETAINED VEGETATION STRIP ALONG MARINE DRIVE

The zoning template setback is currently proposed at 10m. along Marine Drive.

- 1) Vegetation with the exception of potential hazard trees, noxious and invasive plants shall be retained within the 10m. buffer. No driveway access shall be permitted to Marine Drive.
- 2) Further restricting driveway access to Marine Drive will retain the integrity of this corridor as a greenway street and maintain the natural setting of the existing roadside trail experience.

10.3.4 REQUEST FOR FORM & CHARACTER GUIDELINES

A Development Permit template for Form & Character has been prepared through the 2018 OCP Review. General Guidelines applying to all Form and Character Development Permit Areas and Development Permit Area IV (Multi family, Commercial and Mixed Use Development are both applied to the site. Guidelines will inform future development proposals and assist architectural professionals during the design process.

- 1) Note that the 39ft' height allowance noted in F.IV.5 is not aligned with the proposed development (this type of specific regulatory item should be located within the applicable Zoning District).

10.3.5 REQUEST FOR CHANGES TO THE RESIDENTIAL APARTMENTS ZONING TEMPLATE

The 'Single Family Use' has been removed from the proposed 'Residential Apartments' Zoning District.

Request to Limit building height to 3-storey maximum.

- 1) We would like to keep the stepped 3 to 4 storey concept;
- 2) Restricting the apartment building height to 3 stories would require a different apartment layout and probably some under building / underground parking which would add significant cost to site development resulting in reduced unit affordability. Each underground parking stall would add approximately \$40,000.00 per unit.

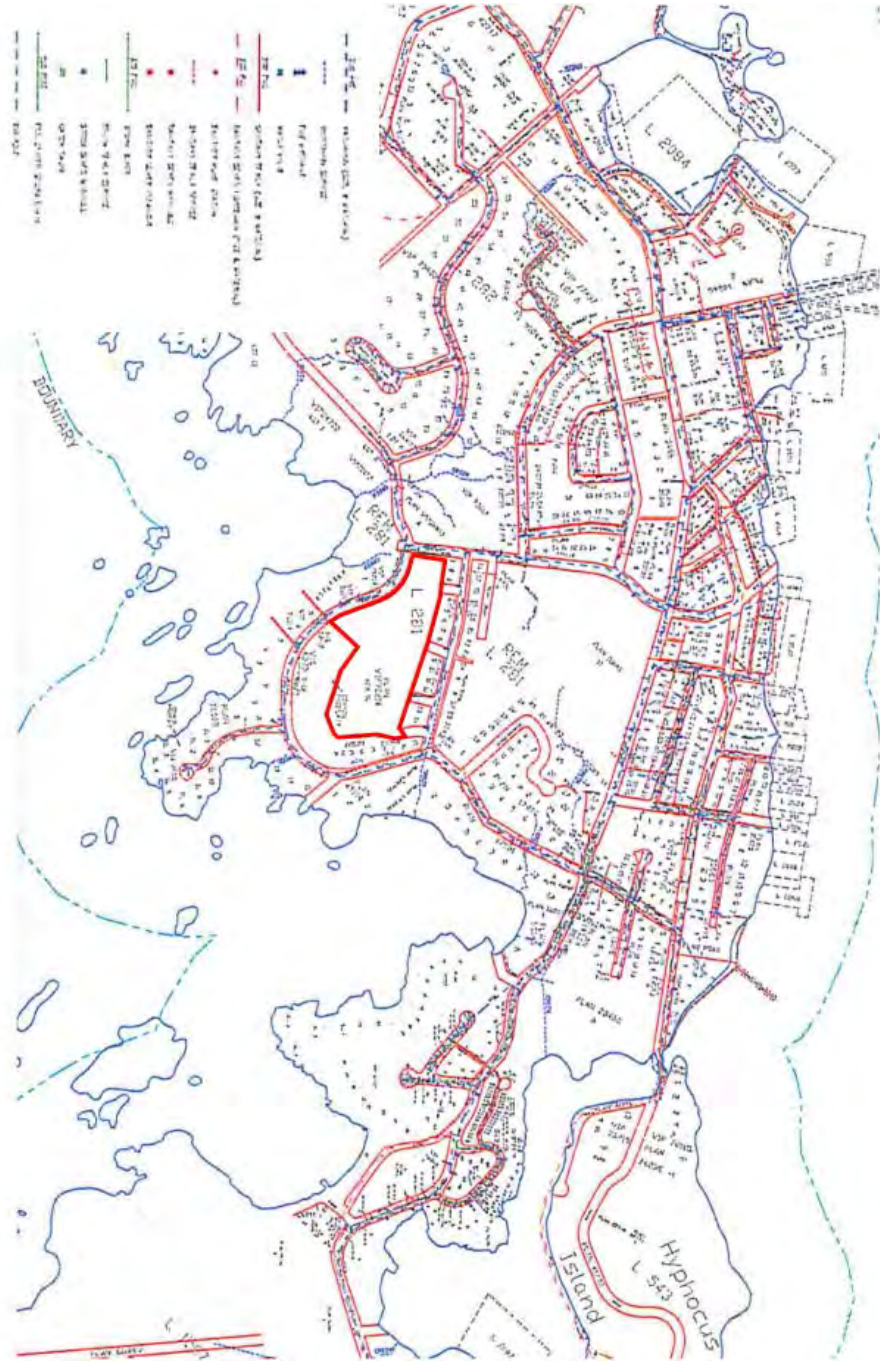
Limit the size of units to encourage affordability.

- 1) Unit size will be limited to a maximum of 77sq.m. (825sq.ft.);
- 2) This simply locks in the intended stacked residential land use. Restricting the unit size will hold the cost of individual units to a more attainable purchase or rental price.

10.3.6 REQUEST FOR CHANGES TO THE RESIDENTIAL TOWNHOMES ZONING TEMPLATE

The 'Single Family Use' has been removed from the proposed 'Residential Townhomes' Zoning District. This will effectively preserve the parcel as a townhome site.

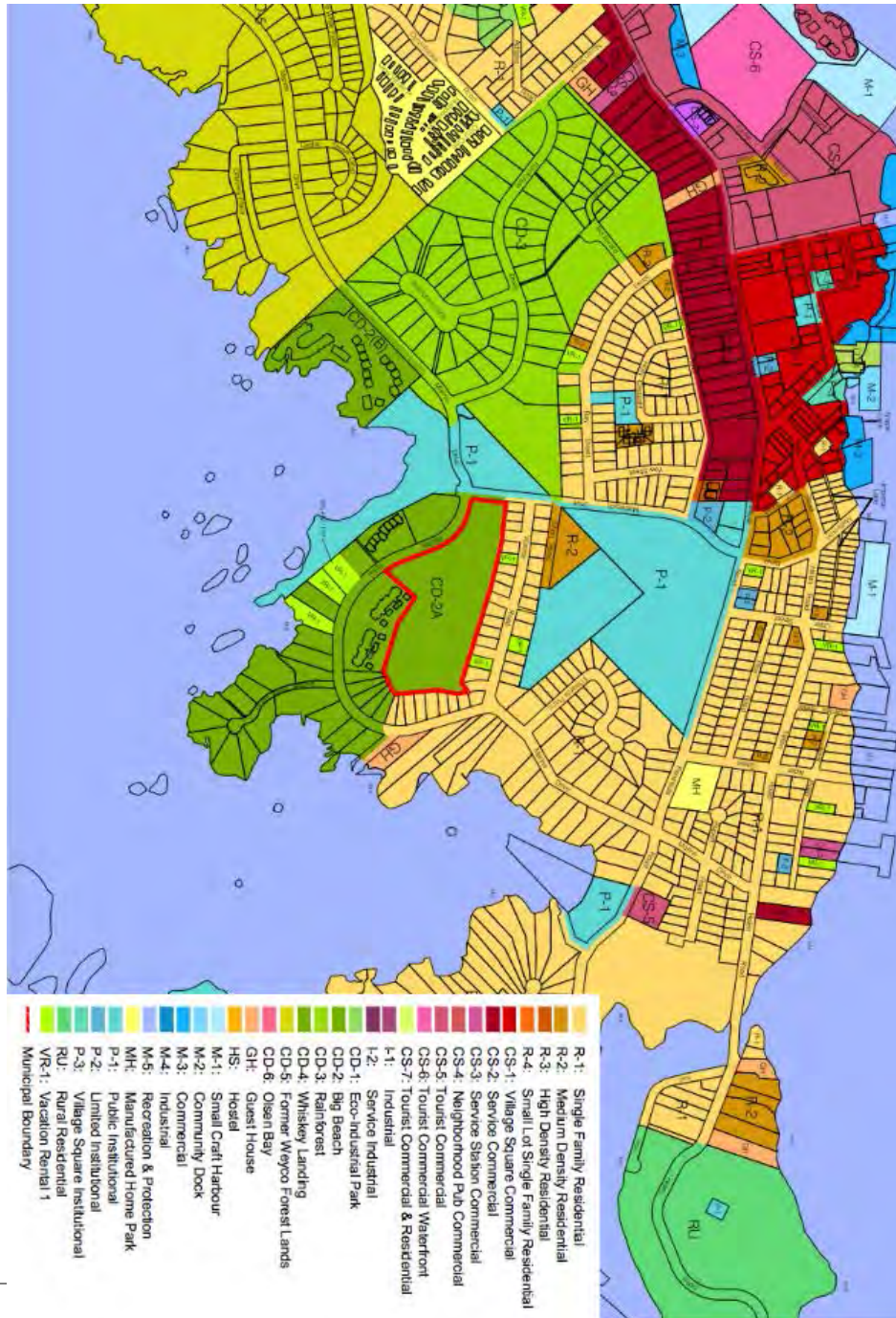
11.0 APPENDIX 'A' – WATER & SANITARY SEWER NETWORK



13.0 APPENDIX 'C' - COAST TO COAST CONNECTION

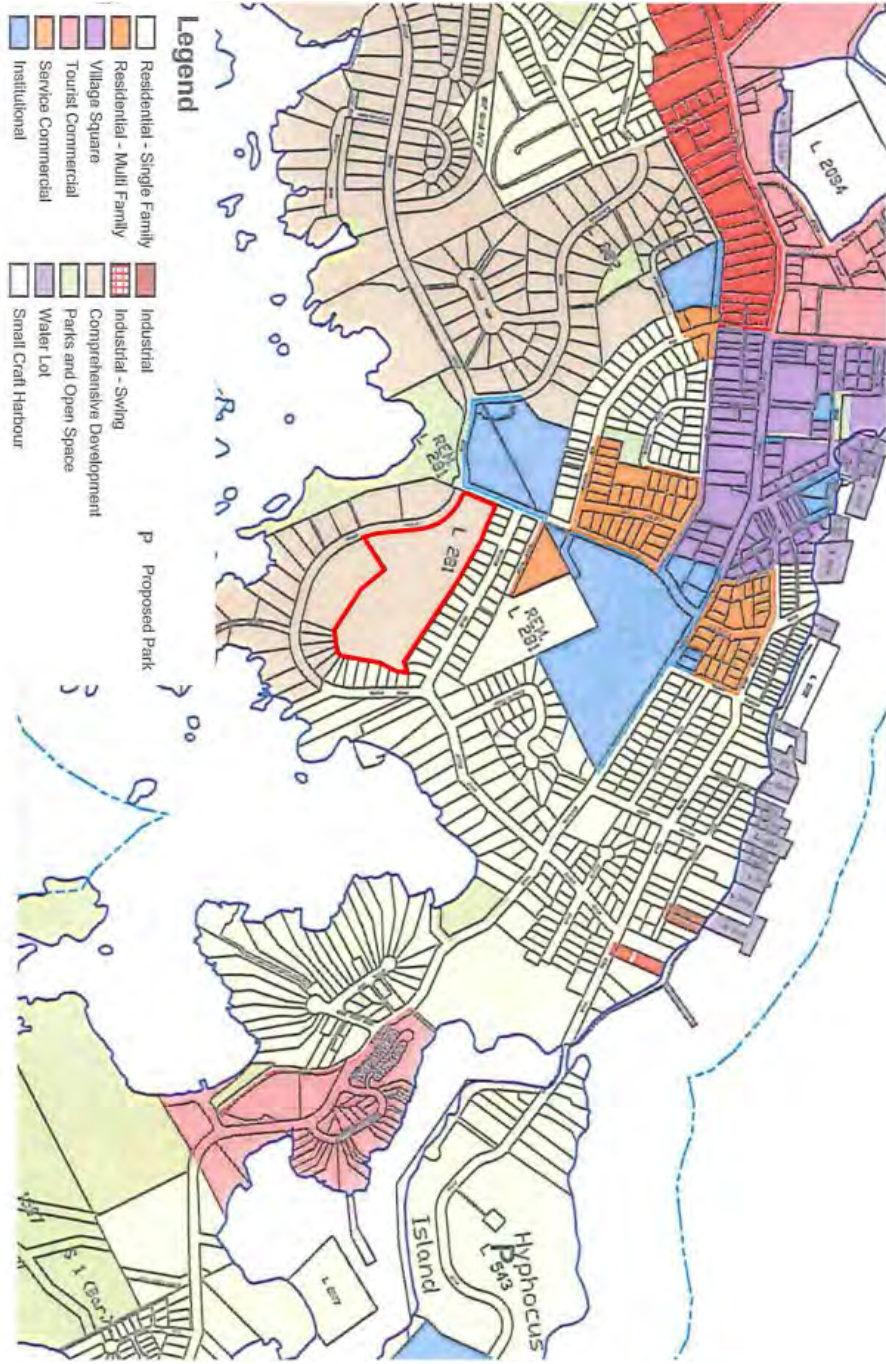


14.0 APPENDIX 'D' - ZONING MAP

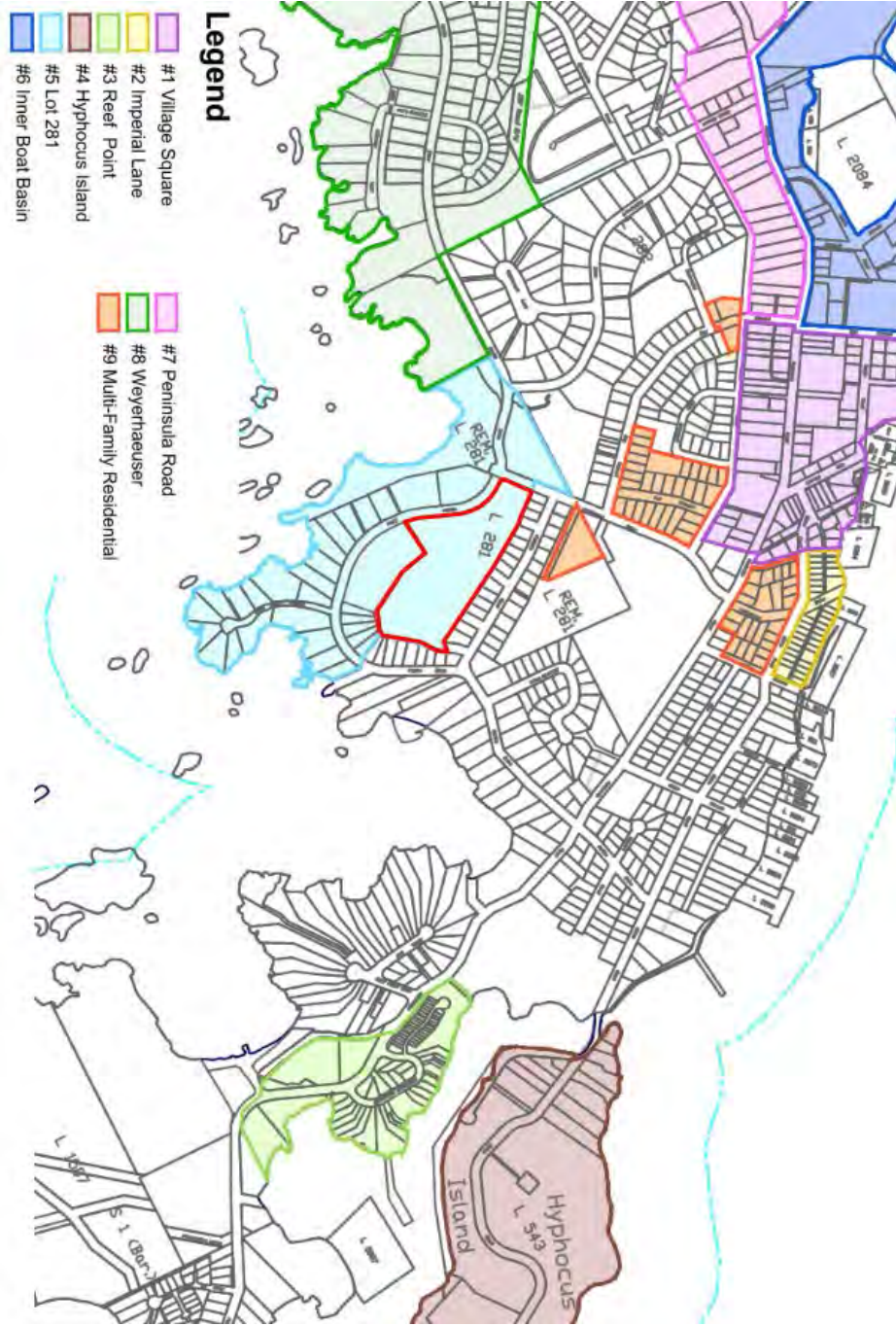


macdonald gray

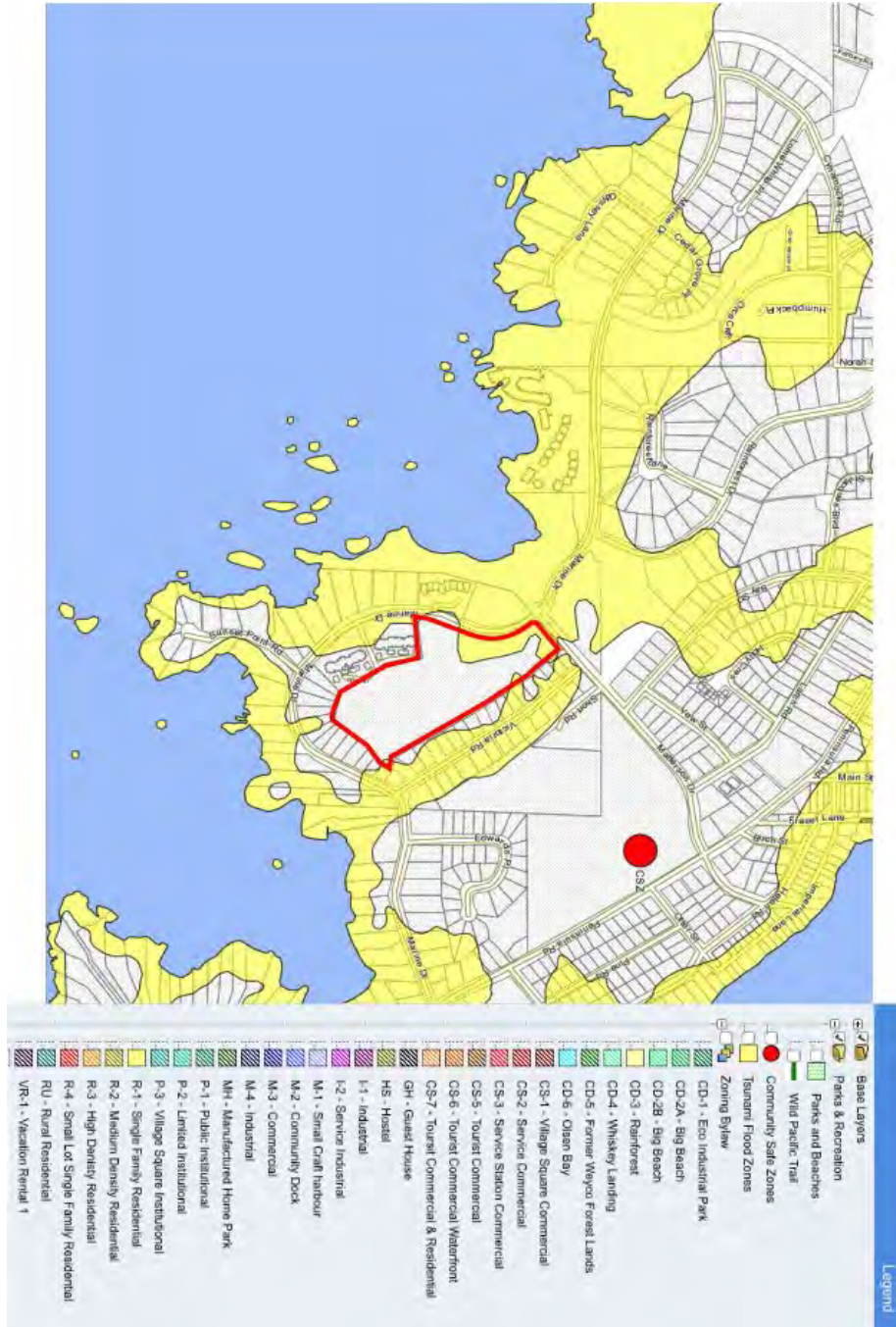
15.0 APPENDIX 'E' - OCP LAND USE DESIGNATIONS



16.0 APPENDIX 'F' - DEVELOPMENT PERMIT AREAS



17.0 APPENDIX 'G' - TSUNAMI SAFE ZONES



18.0 APPENDIX 'H' - PARKS



19.0 APPENDIX 'I' - GOOGLE AIRPHOTO



20.0 APPENDIX 'J' - SUMMARY - PUBLIC OPEN HOUSE

21.0 APPENDIX 'K' - SERVICING REPORT

22.0 APPENDIX 'L' - GEOTECHNICAL REPORT

TITLE SEARCH PRINT

2021-02-01, 11:14:23

File Reference:

Requestor: John Towgood

Declared Value \$456100

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District VICTORIA
 Land Title Office VICTORIA

Title Number CA3571129
 From Title Number FB239237

Application Received 2014-01-30

Application Entered 2014-02-11

Registered Owner in Fee Simple
 Registered Owner/Mailing Address: 0985470 B.C. LTD., INC.NO. BC0985470
 2240 JEFFS ROAD
 NANAIMO, BC
 V9S 5P7

Taxation Authority Port Alberni Assessment Area
 Ucluelet, District of

Description of Land
 Parcel Identifier: 025-812-823
 Legal Description:
 LOT 16 DISTRICT LOT 281 CLAYOQUOT DISTRICT PLAN VIP76214 EXCEPT PART
 IN PLANS VIP80735, VIP83067 AND VIP86140

Legal Notations
 HERETO IS ANNEXED EASEMENT FB44418 OVER LOT 1, PLAN VIP83067

Charges, Liens and Interests

Nature: STATUTORY RIGHT OF WAY
 Registration Number: EV149363
 Registration Date and Time: 2003-12-08 10:13
 Registered Owner: DISTRICT OF UCLUELET
 Remarks: INTER ALIA

Nature: STATUTORY RIGHT OF WAY
 Registration Number: FB239228
 Registration Date and Time: 2008-12-30 13:37
 Registered Owner: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
 Remarks: INTER ALIA

TITLE SEARCH PRINT

File Reference:
Declared Value \$456100

2021-02-01, 11:14:23
Requestor: John Towgood

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	FB239229
Registration Date and Time:	2008-12-30 13:37
Registered Owner:	TELUS COMMUNICATIONS INC. INCORPORATION NO. A55547
Remarks:	INTER ALIA

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE

Appendix D

Background on CD-2A Zoning:

In the early part of 2003, Lot 16 was created as part of a development application called the “Big Beach Estates”. Lot 16 is a 12.7-acre property centrally located within walking distance to the schools, the Ucluelet Community Center, Big Beach Park, and the Village Square. The property does not currently contain any buildings or key environmental features except a forested area around the perimeter of the property.

The subject property’s current zoning was enacted with the adoption of *Zoning Amendment Bylaw No. 1045, 2006*. The preamble to the CD-2A zone gives a 2014 update on the status of Lot 16 as follows:

Lot 16 was the large lot created north of Marine Drive, labeled “Big Beach Estates”. It remains only partially subdivided and developed:

- *Lot A, Plan VIP80735 created a lot for two buildings, The Ridge, which was stratified into 24 units per Strata Plan VIS6275.*
- *Plan VIP86140 created 5 single family dwelling lots.*
- *PID 025-812-823 Lot 16, Plan VIP76214 except that part in Plan VIP80735, VIP83067 and VIP86140 (“Remainder Lot 16”) will support additional subdivision and development according to this zone, noting the Big Beach Estates Master Plan may require further consideration following requested alteration of uses and densities in rezoning subsequent to the preparation of that plan. Amenities are outstanding in this area and are preferred to be accessed off Matterson Drive to create synergy with the Community Centre.*
- *The maximum density for Multiple Family Residential use has been reached, through the 18 dwelling units in The Primera and 12 dwelling units in The Ridge*
- *With 12 Resort Condo units developed at The Ridge, up to 76 Resort Condo units may be provided on Remainder Lot 16, in addition to other uses noted below.*

The following site plan was included with the text above:



Figure 2 – Big Beach Site Plan

Although the text above seems to precisely define the principle uses, their densities and the locations of those uses, there is ambiguity in the zoning. Note the following specific use descriptions:

- *The maximum density for Multiple Family Residential use has been reached, through the 18 dwelling units in The Primera and 12 dwelling units in The Ridge*
- *With 12 Resort Condo units developed at The Ridge, up to 76 Resort Condo units may be provided on Remainder Lot 16, in addition to other uses noted below.*

With the Densities further described in section CD-2A.3.1 as follows:

CD-2A.3.1 Maximum Number:

(2) Multiple Family Residential:

(a) 18 dwelling units on Strata Plan VIS5917 (The Primera)

(b) 12 dwelling units on Strata Plan VIS6275 (The Ridge)

(3) Resort Condo:

(a) 12 dwelling units on Strata Plan VIS6275 (The Ridge)

(b) 76 dwelling units on Remainder Lot 16

No mechanism was put in place to define which 12 units at The Ridge would be *Multiple Family Residential* and which 12 would be *Resort Condo*. There is nothing preventing owners of units at The Ridge to all use the units as *Resort Condo* (as appears to largely be the case). Therefore, it is unclear whether the use of all 24 units at The Ridge for *Resort Condo* uses changes the balance of what could have been permitted on Lot 16 (under the current zoning, and assuming the density bonusing framework is followed – more on that below).

It should be noted that in the “Big Beach Estates” development plan above (**Figure 2**), a 20m green space buffer is indicated between the existing residential neighborhoods fronting Victoria Drive and Marine Drive. However, this 20m buffer requirement did not make it into the rezoning regulations that were created as part of this development, nor were any restrictive covenants put in place to this effect. The following setback clause was put in place:

“CD-2A.6.1.5 (iii) In addition, 7.5 m minimum yard setback applies to all lot lines abutting a single family dwelling lot or multiple family residential lot or lot with a principal residential use.”

Yet, to further confuse matters, in the description of the CD-2 zone it lists the contributions that were to be part of the density bonusing framework, including #3; *“10m vegetation buffer abutting all existing residential lots in abutting Zones in order to provide a buffer between existing homes and development in this zone.”*

The other outstanding amenity contribution on which the density bonusing was predicated (which would permit 76 resort condos on Lot 16) is #2; *“new swimming pool and fitness facility, which will be privately owned and maintained.”* Again, no covenant was placed on the title of Lot 16 to secure or further define this commitment for a public amenity - which in theory was to be provided as part of the development when it was conceived in the early 2000’s.

Given the ambiguity of the above, it is not surprising that Lot 16 has not been developed prior to this point. The current application process should perhaps best be viewed as a fresh start to determine the appropriate land uses, densities and public amenities to be realized through the development of this portion of Ucluelet at this point in time.



DISTRICT OF UCLUELET

Excerpts from the Draft August 17, 2021 Regular Meeting Minutes

12.4 District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021 (Lot 16 Marine Drive) - Results of CoW
Bruce Greig, Director of Community Planning

The Mayor recused himself and left the meeting at 4:05 PM because he lives in the neighbourhood.

Mr. Greig outlined the changes proposed by the Applicant since the August 10, 2021, Committee of the Whole. These include:

- reducing the height of the apartment building to three storeys;
- increasing the rear property line setback between the proposed townhomes and properties on Marine Drive from 10 metres to 15 metres; and
- offering to dedicate an additional 280 square metres of parkland.

Mr. Greig noted this is an appropriate time for Council to consider what they heard at the August 10th Special Committee of the Whole and for Council to consider if there are any additional matters that need to be addressed before this matter moves forward. He also noted that an additional public hearing on the proposed bylaw would have to be held before the bylaw progressed to third reading.

Councillor McEwen noted the changes proposed by the developer and clarified that the developer is offering parkland but not playground equipment.

Councillor Cole noted that the developer's offering reflected some of the concerns raised at the August 10th Special Committee of the Whole. She noted that the local population will grow gradually with this development, there will likely be fewer secondary detached dwellings with the amended bylaw and park dedication, and supported the removal of the fourth storey from the apartment building. Councillor Cole has asked that the developer fund a sidewalk on Victoria Road. She supports the developers amended proposal as shown in this report.

Councillor McEwen noted public input that recommended a preference for local buyers and renters but noted challenges associated with enforcing such preferences. She further noted that the developer will not fund the construction of a sidewalk on Victoria Road and her sense is that the developer will not bargain further with the District of Ucluelet regarding amenities or changes to their development.

Council discussed the mechanisms used in the Lot 13 Marine Drive Affordable Housing development to regulate the purchase, sale and rental of units in that development.

Councillor Hoar noted that she appreciates the increased setbacks offered by the developer, but would prefer to see a green space covenant.

Councillor Kemps noted that there are some things that she likes about the project and some that she does not. She also noted that she likes this project much more than the development that's allowed under the site's current zoning.

Councillor Cole noted that the developer is interested in becoming a resident of the community and the developer has stated that further contributions are not financially tenable. She further noted the current zoning, which allows for short term rentals, is not a good fit for the community.

Councillor Hoar noted that she is in support of increased density and townhomes because density is more environmentally sustainable and there is need for housing in Ucluelet. She gave examples of dense neighbourhoods that are environmentally sustainable in Europe.

Councillor Cole also noted that dense development is more cost effective for municipalities than sprawling developments.

2021.2251.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
1. THAT Council rescind second reading of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.

CARRIED.

- 2021.2252.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
2. **THAT** Council amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, to incorporate the following changes as found in Appendices “B” and “C” to the Staff report dated August 17, 2021:
a. on Proposed Lot ‘A’ (Apartment site) in the new section R-3.8.1(1) remove subsection (c) allowing a maximum height of 16m (in which case the 11m maximum height regulation in the existing R-3 zoning regulations would apply);
b. on Proposed Lot ‘B’ (Townhome site) in the new section R-3.8.1(5) increase the minimum setback from 10m (33ft) to 15m (49ft).
CARRIED.
- 2021.2253.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemps**
3. **THAT** Council give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, as amended.
CARRIED.
- 2021.2254.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemps**
4. **THAT** Council refer District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, to a Public Hearing.
CARRIED.
- 2021.2255.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
5. **THAT** Council indicate that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following additional offer be satisfied as the property is subdivided and developed:
k. dedication of an additional 280m² area of park land.
CARRIED.
- 2021.2256.REGULAR **It was moved by Mayor Noël and seconded by Councillor Hoar**
THAT Council recess for five minutes.
CARRIED.

DISTRICT OF UCLUELET
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, August 10, 2021 at 5:30 PM

Present: **Chair:** Deputy Mayor Hoar
 Council: Councillors Cole, Kemps, and McEwen
 Staff: Bruce Greig, Director of Community Planning
 Joseph Rotenberg, Manager of Corporate Services
 Nicole Morin, Corporate/Planning Clerk
 Paula Mason, Administration Clerk

Regrets: Mayor Noël (recused)

1. CALL TO ORDER

The meeting was called to order at 5:30 pm.

2. ACKNOWLEDGEMENT OF YUULU?IL?ATH

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

3. NOTICE OF VIDEO RECORDING

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

4. LATE ITEMS

4.1 Add "District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1284, 2021" as INTRO Item 7.2.

4.2 Add "Lot 16 Marine Drive Late Correspondence" (last updated August 10, 2021 at 2:30 pm) as PUBLIC INPUT Item 8.2.

5. APPROVAL OF AGENDA

August 10, 2021, Special Committee of the Whole

5.1 August 10, 2021, Special Committee of the Whole

2021.2022.COW **It was moved by Councillor McEwen and seconded by Councillor Cole**
 THAT Council approve the August 10, 2021 Committee of the Whole Agenda
 as amended.

CARRIED.

6. CHAIR'S ANNOUNCEMENTS

The Chair outlined the meeting procedures. Joseph Rotenberg, Manager of Corporate Services, outlined how members of the public could participate by phone or online.

7. INTRO

7.1 Lot 16 Marine Drive - Committee of the Whole *Bruce Greig, Director of Community Planning*

Mr. Greig noted that this is not a Public Hearing, Open House or Townhall meeting.

He described the development site, outlined the current zoning of the lot, outlined the proposed zoning bylaw, outlined covenants, including a rental only covenant which would apply to the rental apartment building, proposed access routes, and the next steps that could occur after this Committee meeting.

Mr. Greig noted the existing zoning, which could allow up to 76 resort condominiums.

7.2 District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1284, 2021

8. PUBLIC INPUT

8.1 Correspondence to Council Regarding Lot 16 Marine Drive (Last Updated August 5, 2021)

The Chair called for Public Input from audience members, via Zoom and via email comments sent to communityinput@ucluelet.ca.

Michael Grandbois - 1328 Victoria Road

Mr. Grandbois requested clarity on whether all but two of the R6 family home lots, or only two of the R6 family home lots, could have secondary dwellings on site? He noted concerns with the height of the R6 units, both primary and secondary. He also noted concerns with the proposed density, traffic and concerns related to infrastructure capacity.

- Mr. Greig clarified that the lot regulations in the R6 zone have a minimum lot size, and that secondary uses are only permitted on lots that are 480 metres or greater in size. The number of units will depend how the lots are configured.

Arvid Johnson - 1477 Victoria Road

Mr. Johnson noted a number of uncertainties regarding road access, the green belt and the number of residents which will potentially be on site.

- Mr. Greig noted that there is a park dedication, and that a 10-metre park dedication would run along the back of properties located on Victoria Road. This would be the property of the District of Ucluelet. He noted that the District of Ucluelet owns right of way access to two of the existing roadways and that these roads would not be opened up, as they would conflict with the parkway. He outlined the proposed road circulation internal within the development. Mr. Greig also distinguished green space covenants, park dedications and setbacks, as they are proposed in this development.

Lindsey Black - 1049 Helen Road

Ms. Black asked what the developer is contributing as amenities?

- Mr. Greig outlined the amenity contributions offered by the developer.

How will apartment building related maintenance fees for roadways, street lights be paid?

- Mr. Greig noted that this is not a strata, so the maintenance of the road and street lights would be conducted by the District of Ucluelet, as with any other public road within the municipality. The apartment would be under one ownership and as such the owner will be responsible for maintenance of their private property, such as their parking lot.

Will the developer manage the apartment building?

- Mr. Greig stated that we could not answer that question on behalf of the applicant.

Ms. Black asked if ownership was ever transferred to an owner other than the current applicant, is there a covenant to prevent it from being turned into strata at a later date.

- Councillor Hoar confirmed that the apartment building is covenanted for rental use only.

Matt Harbidge - 1816 Peninsula Road

Mr. Harbidge noted that this development does not improve local quality of life. He also noted that there are other developments in the works around town, but limited job prospects for the future home owners. He raised questions about the environmental sustainability and noted concerns with water capacity.

Mr. Harbidge asked what this development is doing to ensure that the rest of Ucluelet's residents have a sufficient water capacity moving forward? He noted concerns with town becoming too busy and impacts

on mental health. He stated that he feels it is not healthy to grow the town at this rate. Mr. Harbidge noted that the developer's proposal is extremely dense, and that the development does not align with the community's identity as a small town.

- Mr. Greig outlined the findings of the Koer's Engineering report, as related to the water and sewer infrastructure. Many of the upgrading costs for issues that were identified, will be at the cost of the developer. Mr. Greig outlined the DCC summary provided in the report, and noted what DCC's are eligible for.

Barbara Schramm - 1958 Bay Street

Ms. Schramm noted concerns with the density of this proposal, and noted it will have an environmental and social detriment. She noted concerns with the overuse of Big Beach, and the livability of town. She noted concerns with the small, tight lots and road widths.

Ms. Schramm asked if there will be parking allowed for in the proposed, narrow road width?

- Mr. Greig noted that the road width is 14 metres rather than the standard 16 - 20 metre road width. On-street parking is shown as part of the design.

Ms. Schramm noted concerns with the apartment building parking. She also noted concerns with the approval of smaller lots and the precedent this will set for future developments in the region.

Keagan Arsenault - 437 Marine Drive

Mr. Arsenault asked how the water flow from land development on higher ground will impact property owners located on lower ground?

- Mr. Greig noted that when asked this question previously, the applicant gave the following answer. *"Surface water run-off from any development or constructed works must be addressed on site and not flow onto adjacent properties. The upland property owner would be liable for any damage caused to downstream properties. Stormwater management will be undertaken for both the Subdivision Application and site specific Development Permits to the standards set by the Province and District once the Zoning is in place."*

Laurie Bird - 1547 Imperial Lane

Ms. Bird objected to the density of the lots and raised concerns with the livability of Ucluelet. She is in favour of both the rental housing and

additional housing, but is opposed to the density, specifically in the single family dwelling areas. She noted concerns about parking, as well as concerns regarding the requested exemptions for park space in the apartment lot area. Ms. Bird noted that the capacity of current park facilities in Ucluelet is already strained and asked that a larger area be dedicated to the building of a children's park within the development. She also noted that the current proposed park space dedication is small, and would not accommodate all the families that would be living in the development. Ms. Bird also noted concerns with the ability of the local fire department to respond to fires on the fourth storey of the apartment building. She expressed concerns with water capacity.

- Mr. Greig noted that Council has asked for a covenant that limits the apartment building to be three-storey in height, unless other future design plans are approved by Council. Mr. Greig referred to a report that was presented to Council from the Fire Chief that states that under the building code, a fourth storey must be sprinklered.

Ms. Bird asked if there was going to be underground parking at the apartment building? She noted concerns with the number of vehicles parking.

- Mr. Greig noted that the parking would be above ground.

2021.2023.COW **It was moved by Councillor McEwen and seconded by Councillor Kemps**
THAT Council take a five minute recess.

CARRIED.

Recess began at 6:58 PM and Council returned to session at 7:06 PM.

8.1 Public Input continued

Cody Dreger - Nored Developments (developer) via Zoom

Mr. Dreger introduced himself as a local Nanaimo developer. He noted mental health issues related to housing shortages. He noted the importance of providing rental apartment accommodations versus the 76 vacation rentals the land is currently zoned for. He noted that this development would provide a long term rental apartment building and clarified that the small lots would not have vacation rentals. He noted the economic benefit of growth, and argued that increased inventory would result in lower price points. He noted that the rental building will be constructed first.

Travis Wade - 1373 Victoria Road

Mr. Wade agrees that there is a need for more housing but noted that this development is too dense. He noted the importance of considering the social, economic, environmental and engineering viability of this project.

Rob Adams - 1301 Eber Road

Mr. Adams noted concerns with current water discoloration. He noted this would likely be exacerbated by the water volumes required by this development.

- Mr. Greig discussed the source of water discoloration issues. He noted the District has applied for a grant to cover some of the costs associated with installing a filtration plant, intended to address current water discoloration issues.

Bruce Forest - 372 Marine Drive

Mr. Forest raised concerns with whether the existing sewage lagoons can handle the increased volume of sewage associated with this development, as they have not been updated recently.

- Mr. Greig confirmed that upgrades to the sewage lagoons were completed just this last year. He also noted that the addition of this proposed development does not trigger the need for further expansion.

Giovi Corlazzoli - 1860 Peninsula Road

Mr. Corlazzoli asked if there are any rules in place to ensure that the houses will be sold or rented with preference to local families? Is there anything to prevent people from buying these units as secondary vacation homes, and having them left empty throughout the year?

- The Committee noted that local preference does not apply to this proposal, however the rental apartment is covenanted for rental use only. Homes could be left vacant, if the owner decided to do so.

Miles Morrison - 1497 Victoria Road via Zoom

Mr. Morrison noted that a previous plan had a park in the centre of the development. He recommended that the apartment building should be in the centre of the development, so as not to spoil the aesthetic.

Mr. Morrison commented that there should be two access roads in and out of the area, without all traffic being routed onto Victoria Road. He

stated that Council should require public support to grant permission for a fourth floor. Mr. Morrison then posed the following questions:
Is it true that the fourth floor would result in unnecessary fire costs? Who would build this development? Will there be sufficient water, sewer and internet capacity? Who pays in the event of cost overruns?

- The Committee clarified that there are two access roads proposed by Staff, one via Victoria Road and one via Marine Drive. The building of a fourth floor would still be required to go before Council in the future, therefore public input would still be received. As mentioned previously, this development does not trigger the need for an aerial fire device, and a fourth floor must be sprinklered.

- Mr. Greig noted the developer would be responsible for the full cost of installing the infrastructure. Mr. Greig noted that the District would not be double-charging DCC's where new infrastructure installed by the developer is identified as completing part of the DCC works program. Mr. Greig stated the developer has indicated that they may build the entire development.

Kim and Calvin Clark - 401 Marine Drive via Zoom

Ms. Clark opposed the density and height of this development and recommended that the density be spread out throughout the community. She noted concerns with traffic, roadways, service capacity, required sewage upgrades, quality of life in Ucluelet and impact on Big Beach. Ms. Clark requested an update on the Victoria Road/Marine Drive sewage station upgrades? Will the R3 allow short term rentals? Are short term rentals allowed in other zones?

The Committee noted that there would not be short term rentals allowed in the R3 zones. Short term rentals would only be allowed in the six R1 zoned lots.

Mr. Greig spoke to the Victoria Road/Marine Drive pump station, stating it would benefit from this development, because the development sewage and other upstream load would bypass this station, thus addressing load issues by relieving some of the current pressure on that single station. Despite this current proposal, this particular infrastructure will be improved eventually, but a timeline has not been determined at this point, unless a development such as this one triggers it.

Paula de Jong - 405 Marine Drive via Zoom

Ms. de Jong noted she shares previously mentioned concerns related to density of the development, environmental impacts and increased pressure on existing amenities. She agrees that the town needs more affordable, rental housing but is concerned that this development may not actually address the issue of affordability for locals. Ms. de Jong noted that the development is planned with 1.5 parking spaces, but most households require more. Her questions included: What is the total amount of units, the total amount of dedicated parking spaces and the plan for parking overflow? She addressed road access and asked if a traffic assessment has been done to determine the impact on Victoria Road? Why not use Marine Drive and Matterson Road access points? The original development showed a green space setback of 20 metres, but the current proposal shows a 10 metre setback, off of Marine Drive between the townhouses. What are the permitted uses on the 10 metre setback? Will residents be able to cut down the vegetation or is this protected? How does the development contribute to affordable housing for locals?

- The Committee clarified that a traffic assessment has not been completed yet; it will be conducted at the subdivision stage, at the cost of the developer. Mr. Greig explained that the original proposal showed a 10 metre dedicated buffer along the back of the Victoria Road properties. The current proposal shows a 10 metre building setback, subject to a development permit, for the townhouses behind Marine Drive. Further details on the setbacks would come out during the development permit stage.

Councillor Cole asked what the setback is for the R1 zone?

- Mr. Greig clarified that in R1 the front setback is 7.5 metres, the rear setback is 6 metres.

- Mr. Greig noted that there are no variances proposed to the parking standards in the zoning bylaw, which requires 2 parking spaces for Single Family Dwellings and additional parking with the addition of a suite or cottage. Mr. Greig also clarified the current proposed road access and circulation.

Cody Dreger - Agent of Nored Developments (developer) via Zoom

Cody Dreger noted that the development will provide additional rental inventory, specifically long term market rentals. He noted that prohibiting short term rentals will impact the price of these units. There will also be smaller lots, which are intended to be more affordable. Mr. Dreger noted that the developer intends to partner with CMHC, whose program mandates that a certain portion of the apartment rental units be

affordable units. He noted that there are many positives to the development such as water/sewer upgrades etc.

Monique Copeland - 1309 Victoria Road via Zoom

Ms. Copeland echoed concerns that had been stated already by other residents.

Carla Robison - 1435 Victoria Road via Zoom

Ms. Robison asked if staff are referencing the Draft OCP or current OCP?

- Mr. Greig clarified that the developer is aware of the Draft OCP and its contents. The current OCP is determinative, in the next phase of development, when considering the development permits.

Ms. Robison, noted that she believes there are issues with the current OCP. She submitted that Council formalize and adopt the 2020 Draft OCP before further considering this development and that the Draft OCP policy is not in alignment with this proposal.

Ms. Robison requested information regarding how \$1000 per lot was established?

- Mr. Greig clarified that the developer will be paying both the DCCs of \$12,000 for Single Family Dwellings and approximately \$9,000 for Multi Family Dwellings, as well as an additional \$1,000/door cash contribution. The DCCs must be used for infrastructure improvements and upgrades.

Ms. Robison asked if the proposed contributions are adequate for funding the infrastructure support required for this development?

- Mr. Greig explained that DCCs are established by bylaw which is subject to Provincial approval. There is also an engineering formula that is used to calculate what costs are put in place for each individual municipality. With regards to amenity contributions and their adequacy, it is the task of Council to determine if the amenity contribution of a proposed development is sufficient.

Ms. Robison noted that the small park space that has been proposed is insufficient. She argued there should be a central park in this proposal and recommended that additional green space be satisfied. Ms. Robison argued that there should be a 20 metre green space buffer throughout

the proposal, as well as a pool/fitness centre. She noted the need to protect green space and the environment as well as the wildlife.

Ms. Robison continued that the greenspace behind Victoria Road, should not be used as a trail network.

- Mr. Greig confirmed that the green space would be a park and therefore trails could be constructed there if Council chose to do so.

Monique Copeland - 1309 Victoria Road via Zoom

Ms. Copeland noted that the 10 metre green space behind Victoria Road should be wider. She noted concerns with the density of the development, parking, sidewalks, traffic flow, current school capacity, additional stresses on emergency preparedness and water security. She noted concerns that the development being pursued is based on the 2011 OCP.

Samuel Cassavant - 1333 Helen Road via Zoom

Mr. Cassavant stated that he is in support of this development. He is pleased that some of the high density areas in the town core are being developed, rather than urban sprawl. He noted that the availability of more inventory for people wishing to purchase property in town is welcomed.

Matt Harbidge - 1816 Peninsula Road via Zoom

Mr. Harbidge asked if Council could require paperwork confirming that the developer is working with CMHC be presented, prior to approving the rental apartment? He noted that the same engineers are being used by both the developer and the District of Ucluelet. He also asked if the ACRD landfill can handle the increased amount of waste?

Written Submissions read aloud by Mr. Joseph Rotenberg

- a) Handwritten letter by Elyse Eyford, Ucluelet
- b) Letter from Julia de Wolf - 400 MacKenzie Beach Road, Tofino
- c) Letter from Colleen Broekhuizen - 1112 Coral Way, Ucluelet
- d) Letter from Destiny Poruchny & Andy Brillinger - 1449 Victoria Road

Destiny Poruchny - 1449 Victoria Road

Ms. Poruchny thanked Staff for reading her written submission and asked for clarification on a recent Facebook post created by the

developer, that referenced units for rent, subsidized by CMHC, with a portion available at below-market rents.

- Mr. Greig noted that there is nothing in this proposal which states that there will be rent restricted/affordable housing in the development.

Cody Dreger - Nored Developments (developer) via Zoom

Mr. Dreger clarified that his Facebook post, on a Ucluelet rental page, was addressed to readers that were concerned about a lack of rentals in the area. His post stated that supporting the development would make sense, as in such case as the development was to proceed, the developer would be considering going through CMHC which would produce market or below-market rents for portions. He noted that at this point it is not finalized.

Barb Schramm - 1958 Bay Street

Ms. Schramm recommended density concerns be addressed through conditions on the development approval that include items like a buffer space for Marine Drive and a playground within the proposal.

Written Submissions read aloud by Mr. Joseph Rotenberg

- a) Letter from Bob & Pat Walton - 457 Marine Drive
- b) Letter from Destiny Poruchny - 1449 Victoria Road

Robert Hollingshead - 1435 Victoria Road

Mr. Hollingshead noted that this is an opportunity for give and take, for balance on a larger overall outlook. He noted the importance obtaining satisfactory amenities. Mr. Hollingshead recommended that this development be deferred until after the 2020 Draft OCP is adopted.

8.2 Lot 16 Marine Drive Late Correspondence" (last updated August 10, 2021 at 2:30 pm)

9. COMMITTEE DISCUSSION

- 9.1 Councillor Cole suggested that the Committee of the Whole be adjourned, giving the Committee time to digest all the information that was provided at this Committee meeting. She recommended that ideas and thoughts on the matter be discussed further at the Regular Council Meeting scheduled for August 17, 2021.**

2021.2024.COW **It was moved by Councillor Cole and seconded by Councillor Hoar**
THAT this matter be further discussed at the Regular Council Meeting being held on August 17, 2021.

CARRIED.

10. RECOMMENDATION TO COUNCIL
There were no further recommendations.

11. ADJOURNMENT
The meeting was adjourned at 9:17 PM

CERTIFIED CORRECT: Minutes of the Committee of the Whole Meeting held on Tuesday, August 10, 2021 at 5:30 pm in the Activity Room One, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer



DISTRICT OF UCLUELET

Excerpts from the July 13, 2021 Regular Meeting Minutes

13. LEGISLATION

13.1 Lot 16 Marine Drive

Bruce Greig, Director of Community Planning

Mayor Noel recused himself at 4:12 PM as he lives in the vicinity of Lot 16. Councillor Hoar chaired the meeting in his absence.

Mr. Greig presented this report. He noted that the Applicant's letter attached to the report as Appendix A which responds to questions identified by Council at a previous meeting.

Council discussed the property's current zoning. Staff noted that there is some debate regarding the permitted number of vacation units and a previous owner's commitment to build a swimming pool.

2021.2231.REGULAR **It was moved by Councillor Kemps and seconded by Councillor McEwen**

THAT Council refer this report to a special Committee of the Whole meeting, to be held on August 10, 2021.

CARRIED.



DISTRICT OF UCLUELET

Excerpts from the June 15, 2021 Regular Meeting Minutes

16.2 District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021 (Lot 16 Marine Drive) - 3rd Reading
Bruce Greig, Manager of Community Planning

The Mayor recused himself at 5:25 PM due to a conflict of interest. Councillor Kemps chaired the meeting in his absence.

Mr. Greig presented this report. He explained the options presented in the report and noted that a public hearing was held on June 8, 2021. Mr. Greig explained that if Council would like to receive additional information regarding the Bylaw or submissions from the applicant or the public, an additional public hearing would be required.

Council discussed moving third reading of the bylaw at this time and noted that a number of issues and questions were raised at the public hearing. They noted the desire to hold an in-person public hearing. They also discussed the alternate recommendation to hold a Committee of the Whole on the bylaw where a report that addresses Council questions can be reviewed and questions from members of the public can be answered.

Council discussed the questions they would like to be addressed at the proposed Special Committee of the Whole.

2021.2208.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**

THAT Council identifies the following items that it wishes to resolve prior to further consideration of the Bylaw:

- a. Is there an environmental assessment and can we see that report?*
- b. I saw one lot available for affordable housing, how do we figure out that percentage, and how can we work with BC Housing?*
- c. Water runoff onto Victoria Road and Marine Drive.*
- d. What is the width of the roads in the proposed development and will there be sidewalks?*
- e. What are the total DCC's paid for the development?*
- f. What is the buffer (set back) on the Marine Drive side of the development?*
- g. What are the rental caps for the apartment building? What percentage is for affordable housing in the apartment building?*
- h. What do the upgrades look like for Matterson Road?*

- i. Would the developer/owner entertain the idea of focusing on the apartment building first, and then moving over to the rest of the development, to make sure that the apartment is constructed first?*
- j. Who is paying for the sewer upgrades at the corner of Marine Drive and Victoria Road and who is paying for sewer and water upgrades associated with the development in general?*
- k. What is the timeline for this development?*
- l. How does this development help our community?*
- m. Is blasting required at this site? If so, what is the extent of the blasting?*
- n. Is there an archeological study and can we see that study?*
- o. Is this still an archeological site?*
- p. Is a three story apartment building an option?*
- q. How are patios addressed in the setback requirements in the zoning?*
- r. Are there alternative access roads other than off of Victoria Road, and the corner of Victoria Road and Marine Drive. What other options are available?*
- s. Requests that a traffic study be conducted.*

CARRIED.

2021.2209.REGULAR

It was moved by Councillor Hoar and seconded by Councillor McEwen

THAT Council:

- a. direct Staff to prepare a report providing the information, analysis, and recommendations on how those items will be addressed, with input from the applicant as necessary;*
- b. hold a Committee of the Whole meeting to provide an opportunity for the Applicant and Staff to address the report;*
- c. provide an opportunity for further public input at the Committee of the Whole meeting;*
- d. at that point consider whether Council deems it necessary to make changes to the bylaw or conditions of final approval, prior to considering referral of the bylaw to another public hearing; and,*
- e. direct Staff to publish notice of the Special Committee of the Whole meeting as widely as possible.*

CARRIED.

15. OTHER BUSINESS

There was no other business.

16. QUESTION PERIOD

16.2 Questions via Zoom.

Karla Robison, resident, requested that materials related to the Lot 16 development be published on a standalone section of the District's web page.

Ms. Robison asked Council for a progress report on the development known as Lot 13 Marine Drive?

Ms. Robison, noted that a number of questions raised at the public hearing (including questions related to parking and density) were not addressed in Council motion and asked that Staff address those questions at the Special Committee of the Whole related to Lot 16. Council noted that these questions can be reiterated by members of the public at the Committee of the Whole.

16.2 Questions via communityinput@ucluelet.ca

Nora O'Malley, from the Westerly News, noted difficulty hearing Bruce Greig, Director of Community Planning, during his Item 14.3. Another email was received that withdrew this submission.



DISTRICT OF UCLUELET

Excerpts from the May 25, 2021 Regular Meeting Minutes

13. REPORTS

13.1 4-Storey Buildings & Aerial Fire Apparatus

Rick Geddes, Fire Chief

Chief Geddes presented this report. He noted that Council should plan to increase local fire safety and fighting capacity, as density increases and taller buildings are constructed in Ucluelet. Chief Geddes discussed Ucluelet's fire ratings and how insurance rates relate to local fire fighting capacity.

Council discussed the importance of developing a reserve fund for the purchase of an aerial fire apparatus (ladder truck) at a later date.

Chief Geddes noted that covenants, negotiated at the time of rezoning, can be used to require fire suppression, like sprinkler systems, in proposed buildings.

Council noted that the District of Totino has an aerial apparatus and there is a fire fighting mutual aid agreement between the Districts of Ucluelet and Totino.



DISTRICT OF UCLUELET

Excerpts from the March 23, 2021 Regular Meeting Minutes

9. LEGISLATION

9.1 Zoning Amendment: Lot 16 Marine Drive

Bruce Greig, Manager of Community Planning

Mr. Greig presented this report. He explained Lot 16's current zoning, the proposed zoning amendment bylaw and associated Section 219 Covenant. The proposed zoning amendment would allow for the development of:

- a 48 unit rental apartment building on the corner of Matterson Drive and Marine Drive;
- 6 R-1 Single Family lots on Marine Drive;
- 30 small Single Family residential lots; and
- 28 townhouse Multi-Family Residential units.

Mr. Greig addressed the recommended conditions to be satisfied as the property is subdivided and developed, which would be enforced through a Section 219 Covenant. He noted that one of those conditions is the connection of the Developer's new internal road to Victoria Drive. This road is not shown on the Developer's drawings.

Mr. Greig noted that water and sewer upgrades would be required for this development. He outlined those upgrades and how the District's Development Cost Charge program relates.

Mr. Greig outlined the community amenities that the Developer is offering. He explained that the proposed rental apartment building could be considered a community amenity given local demand. Mr. Greig also noted the recommendation that the proposed apartment building be subject to a housing agreement intended to limit its use to long-term rental. He also noted the park dedication offered by the Developer, a small residential lot provided by the Developer to the District of Ucluelet, and a \$1,000.00 financial contribution to the District by the developer per unit, times 112 units for a total cash contribution of \$112,000. Mr.

Greig outlined the proposed zoning areas in detail.

Nigel Gray, the applicant's agent, outlined the developers request that the

bylaw be amended to:

1. increase the maximum height of the apartment building to 16 meters; and
2. allow Bed and Breakfast use in the R-6 zone (the small residential lots) proposed for this development.

Mr. Gray summarized the input received at a public information session held by the Developer in December of 2018.

Council discussed the importance of introducing various housing options to the market and noted that this development would support that goal.

Council discussed the amendment related to the height of the rental apartment building. Concerns regarding granting the height-related amendment before Council has the opportunity to review architectural plans for the rental apartment building were raised.

Council also noted the water and sewer upgrades required for this development.

In response to questions about the need for fire equipment related to the construction of a four-story apartment building, Chief Geddes, noted that the District might wish to consider purchasing an aerial apparatus fire truck (ladder truck) if the building is constructed.

Council debated the amendment related to allowing short-term rentals (Bed and Breakfast use) in the R-6 Zone.

- 2021.2102.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 ("Lot 16") introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020.
CARRIED.
- 2021.2103.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
*THAT Council amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020, by inserting under text amendment C the following into the new text for the site specific Other Regulations under R-3.8.1(1):
"c.) the maximum height is 16m (52 ft);"*
CARRIED.
- 2021.2104.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council further amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020, by inserting under text amendment C the following into the

*new text for the site specific Other Regulations under R-3.8.1(1):
"c.) the maximum height is 16m (52 ft);" and,*

*Unless first approved by the District Council upon submission of
detailed architectural plans.*

Council noted that the first three adopted resolutions moved by Councillor Hoar referenced "...Zoning Amendment Bylaw No. 1284, 2020" when the subject bylaw is actually named "...Zoning Amendment Bylaw No. 1284, 2021."

- 2021.2105.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 ("Lot 16") introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.
CARRIED.
- 2021.2106.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
*THAT Council amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, by inserting under text amendment C the following into the new text for the site specific Other Regulations under R-3.8.1(1):
"c.) the maximum height is 16m (52 ft);"*
CARRIED.
- 2021.2107.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, as amended.
CARRIED.
- 2021.2108.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
THAT Council direct Staff to give notice of public hearing for the District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.
CARRIED.
- 2021.2109.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council Indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:
a. *construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site"? be in the first phase of the development;*

- b. dedication of a 10m wide park greenbelt along the eastern (Victoria Drive side) boundary of the property, as proposed;*
- c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;*
- d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;*
- e. extension of the proposed new road to connect to Victoria Drive in the general location as shown in Figure 7 of the staff report;*
- f. vehicle access to the proposed Lot 'B' ("Townhouse site"? be from the new internal road only;*
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;*
- h. the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval;*
- i. registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site"? at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion; and*
- j. despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans.*

CARRIED.

It was clarified by Council and Councillor Hoar that when the following motion was adopted:

"THAT Council amend the draft Bylaw No. 1284, 2021, by adding the following restrictive covenant:

j.) despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans."

Council intended to add the following term to a 219 Restrictive Covenant registered against the title of Lot 16 rather than to amend Bylaw No. 1284, 2021 further:

"j.) despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans."

2021.2110.REGULAR

It was moved by Mayor Noel and seconded by Councillor McEwen

THAT Council amend the draft Bylaw No. 1284, 2021, by inserting (under text amendment B) Bed and Breakfast into the list of permitted secondary

*uses in the new R-6 zone under R-6. 1.(2) specific to the area of Lot 16
Marine Drive as shown in Appendix B to the staff report of March 23, 2021.*

DEFEATED.

2021.2111.REGULAR

It was moved by Mayor Noel and seconded by Councillor McEwen

THAT Council take a five minute break.

CARRIED.

Lot 16 Marine Drive - Written Submissions Received Before the Notice Period

1. CORRESPONDENCE TO COUNCIL REGARDING LOT 16 MARINE DRIVE
 - 1.1 Correspondence received before the June 8, 2021 Public Hearing was closed
 - [2021-05-31 Murray](#)
 - [2021-06-01 Ayre](#)
 - [2021-06-01 Pluegge](#)
 - [2021-06-02 Ardent Properties The Ridge VIS4490](#)
 - [2021-03-27 Poruchny](#)
 - [2021-05-28 Andrea Marc](#)
 - [2021-05-31 de Jong & Gauthier](#)
 - [2021-06-04 Walton](#)
 - [2021-06-06 Drake](#)
 - [2021-06-06 Kite](#)
 - [2021-06-06 Sargent](#)
 - [2021-06-07 Bethel](#)
 - [2021-06-07 Bird](#)
 - [2021-06-07 Clark](#)
 - [2021-06-07 Drake](#)
 - [2021-06-07 LeFevr](#)
 - [2021-06-07 Schramm](#)
 - [2021-06-07 Timmermans](#)
 - [2021-06-08 Bray](#)
 - [2021-06-08 Grand](#)
 - [2021-06-08 Noel](#)
 - [2021-06-08 Overvelde](#)
 - [2021-06-08 Poruchny](#)
 - [2021-06-08 Robison](#)
 - [2021-06-08 Robison 2](#)
 - [2021-06-08 Swann](#)
 - 1.2 Correspondence received after the June 8, 2021 Public Hearing and before the August 17, 2021 Regular Council Meeting was adjourned
 - [2021-06-29 Gray](#)
 - [2021-08-02 Turner](#)
 - [2021-08-04 White](#)
 - [2021-08-08 Klimek](#)
 - [2021-08-10 F. Kennington](#)
 - [2021-08-10 L. Kennington](#)
 - [2021-08-10 Oliwa](#)
 - [2021-08-10 Dreger](#)
 - [2021-08-10 Poruchny](#)
 - [2021-08-10 Walton](#)
 - [2021-08-11 Black](#)
 - [2021-08-11 Dewitt](#)
 - [2021-08-11 McDonald](#)
 - [2021-08-14 Butler](#)
 - [2021-08-17 Murray](#)
 - [2021-08-17 Morrison](#)

From: [Deborah](#)
To: [Community Input Mailbox](#)
Subject: District of Ucluelet Proposed Zoning Amendment Bylaw no. 1284, 2021
Date: May 31, 2021 8:00:59 PM

[External]

To Whom it May Concern:

We are the owners and reside at Lot 6, District Lot 281, civic address 419 Marine Drive, and we believe this bylaw will affect our interests.

The 10m designated green space buffer zone provided for in the original bylaw 1160, 2013, has been removed in this proposal and as current property owners and residents we strongly object to this glaring omission.

The proposal seems to disregard this original and very important green space designation; the only space between existing homes and residences in this development proposal is now only referring to small setbacks from adjacent lot lines. This will result in noise, congestion and an overall detrimental change to Ucluelet's small village landscape, not to mention the strain on current infrastructure. Do tourists want to leave their cities to visit another city?

This proposal is more representative of dense housing found in a larger city and appears to primarily represent the developers interest by packing in as many units as possible. This is not why we or many of our neighbors choose to live here.

Thanks for the opportunity to make our submission.

Regards,
Deborah and Scott Murray
419 Marine Drive,
Ucluelet, B.C. V0R 3A0

Sent from [Mail](#) for Windows 10

From: [mikebev_ayre](#)
To: [Community Input Mailbox](#)
Subject: Hearing Bylaw #1284, 2021 (Lot 16, Marine Dr)
Date: June 1, 2021 8:39:03 PM

[External]

As members of the Ucluelet community, we are encouraged to see further development of housing to cater to many family sizes.

Our one concern is with regards to the outdated pump station located on the corner of Marine and Victoria. This pump station is antiquated and currently breaks down at least twice a year, resulting in contaminated water being pumped into the creek that crosses our property (394 Marine Drive) as well as our 2 neighbours properties, and is then deposited into Little Beach Bay. If it is the intention that this pump station also be used for this new development, we would have a serious concern. The current pump station needs an upgrade in the very near future with the number of properties that it already services.

Michael and Beverley Ayre
394 Marine Drive

From: [Sylvia Pluegge](#)
To: [Community Input Mailbox](#)
Subject: District of Ucluelet Zoning Bylaw No.1284, 2021
Date: June 1, 2021 12:20:24 PM

[External]

To Public Hearing June 8, 2021.

Hello,

Norbert and Sylvia Pluegge, we are the owners of 423 Marine Drive, Ucluelet BC.

Our property backs onto Lot 16 and the development that will be the Townhouses on Proposed Lot B, R-3.

Under your #3 subheading #(5) it says on proposed Lot B” the minimum “setbacks” for principal buildings from “external lot lines shall be 10m.

We think the setback of 10m is not wide enough and is too close to our property line. Can you please consider a much wider Setback and leave the trees and the shrubs in the 10m setback?

I would like to know how high and wide the buffer zone is, that is directly behind our property. I called the planning department last week and they could not answer that question. I was told that the property line is in the middle of that rise (buffer).

How many stories high, how tall, will the townhouses be?

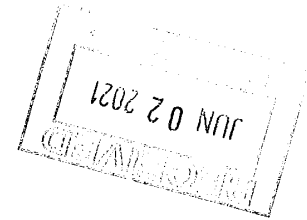
Please consider a much wider setback from property line and the green space to ensure more privacy and quietness for the enjoyment of living there. The wildlife travels through there as well.

We love the quiet, peaceful and the serene green space environment behind us.

Thank you for taking the time to read this,

Sincerely,

Norbert and Sylvia Pluegge.



June 2, 2021

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

Attention: Mayor Noel and Councilors Cole, Hoar, Kemp and McEwen

**RE: Marine Drive Lot 16 Public Hearing
District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021
The Ridge VIS 6275
515 & 545 Marine Drive, Ucluelet**

We write on behalf of the Council of Owners, Strata Plan VIS4490

The Strata Council of The Ridge wishes to provide their feedback on the proposed development plan for Lot 16 on Marine Drive.

The Council is supportive of the overall plan that would provide much needed family friendly and long-term rental housing. The dedication of greenspace buffers between the development and existing properties, such as The Ridge, are positive aspects of the plan. The inclusion of dedicated pedestrian paths to connect foot traffic from Lot 16 through the greenspaces to Marine Drive is a positive as well.

The Council would like to see the inclusion of a fence between The Ridge and the proposed development on the back (or east) side of The Ridge. This physical barrier would encourage foot traffic to use the dedicated pedestrian paths and reduce the incidents of "cutting" through.

We appreciate your consideration and look forward to further discussion.

Yours truly,
ARDENT Properties Inc.

A handwritten signature in cursive script, appearing to read 'Christine Brice'.

Christine Brice
Strata Manager

CB

371 Franklyn Street . Nanaimo BC . V9R 2X5 t. 250.753.0881 f. 250.753.5451

Correspondence received before the June 8, 2021 Public Hearing was closed. Feedback due:

From: [Nicole Morin](#)
To: [Nicole Morin](#)
Subject: FW: Lot 16 development
Date: March 29, 2021 10:06:38 AM

From: Destiny P [REDACTED]
Sent: March 27, 2021 2:36 PM
To: Info Ucluelet <info@ucluelet.ca>
Subject: Lot 16 development

Hi there,

I am a resident of Victoria Road and attended the council meeting on March 23rd, 2021 where the proposed development of Lot 16 was discussed.

I have many concerns with the proposal and was confused by the outcome of the meeting. Can you please clarify what the next step is for this development and whether you will be soliciting additional public input? I am very disappointed that public comments were not included in the appendix and felt that the summary provided only touched on a few concerns of the residents of Victoria Road. This is a massive development, which will have long lasting implications to the future vision of our neighborhood and the community plan of Ucluelet and I feel that there has been insufficient public engagement thus far.

Thank you for listening to my concerns. I look forward to hearing from you on what the next steps are and how I can make my voice heard.

Sincerely,
Destiny Poruchny
1449 Victoria Road

From: deepsnowandurf
To: [Community Input Mailbox](#)
Cc: [Mauro Nady](#); [Bachelis Cole](#); [Jennifer Hoar](#); [Lara Kemoy](#); [Marilyn McEwan](#)
Subject: LOT 16: District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021
Date: May 28, 2021 2:46:49 PM
Attachments: [Screen Shot 2021-05-28 at 12:11:03 PM.png](#)
[Screen Shot 2021-05-28 at 1:22:32 PM.png](#)
[Big Beach CDZA zoning.pdf](#)
[Open_House_PowerPoint.pdf](#)

[External]
To The Mayor, Council and District of Ucluelet

We are writing this in response to the development of Lot 16 as owners of property adjacent to said development (Lot D Marine Drive) We are not in opposition of this new development but rather welcome it as it will add a much need mix of housing for our growing town We do however have the following concerns:

1. SETBACKS

The CD-2 Zone - BIG BEACH (see attached) states that there must be a "10 metre vegetation buffer abutting all existing residential lots in abutting Zones in order to provide a buffer between existing homes and the development in this zone"

This was discussed at length in the Public Information Meeting with the development company (MacDonald Gray) at their Public Open House meeting December 7, 2018 In fact this was the number one concern by neighbouring residents along both Marine Drive and Victoria Road The documentation supplied by MacDonald Gray at this meeting also makes mention of retaining rear yard privacy for existing homes that are adjacent to the development (see attached)

Residential Townhomes

- Single Storey (or walk in level walk out basement where grades permit) patio style townhomes are shown along the bluff.
- These are 1,400sq.ft. ground floor master floor plates. The units are shown set back from the bluff to retain rear yard privacy for existing homes below

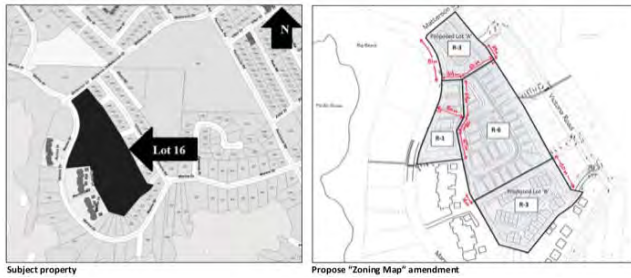


macdonald gray

This resident feedback over the green space buffer along BOTH Victoria Road and Marine Drive was brought to the District's attention in the zoom meeting on March 23, 2021 as it was not attached to any of the documents given to the District See March 23, 2021 Regular Council Meeting YouTube Video <https://www.youtube.com/watch?v=BE079B9QJWg> Time 51:00 where Councillor McEwan asks to see the Public Input Document from December 7, 2018 that was not included in the application

We want to make sure that this green space buffer along BOTH Victoria Road and Marine Drive is put into the language of the document to ensure that it will in fact be adhered to along ALL adjacent lots on Victoria and Marine Drive and not tallied up and added to a single parkland "wherever the topography allows" as Mr Gray says at Time 52:37

Throughout the zoom meeting of March 23, 2021 the mention of a 10m green buffer is exclusively talked about along Victoria Road with no mention of Marine Drive, even though it was voiced by BOTH Victoria Road and Marine Drive residents at the Public Open House meeting December 7, 2018 The lot map supplied in the Notice of Public Hearing document shows both a 10m buffer and a 7.5m setback for lots adjacent to Victoria Road, but only a 10m setback for lots along Marine Drive, and must be corrected



The wording of the Public Hearing Notice for Lot 16, makes no mention of a green space buffer either Rather the wording is as such:

on proposed Lot 8 the minimum setbacks for principal buildings from external lot lines shall be 10m

This wording allows the development to clear to their lot line as long as the "principal building" is built at a minimum of 10m from the external lot line, therefore eliminating any green buffer whatsoever Furthermore it could allow for an accessory building to be built within this 10m setback if that is not explicitly addressed in the language for the new zoning of Lot 16

As I am sure I speak for every adjacent neighbour of Lot 16, please ensure this 10m green buffer is maintained and enforced along BOTH Victoria Road and Marine Drive Adding the green buffer should be exclusive of the development's setbacks and not be the developments setback An increase in setback from 7.5m to 10m without any mention of green space is unacceptable This is by far the highest density development in Ucluelet and as such demands an adequate buffer if such density is to be approved

2. INFRASTRUCTURE

Another important matter for discussion that does not just pertain to Lot 16 but to all future development, is the timely infrastructure upgrades that will be required for the increase load these developments will have on our current Sewer, Water, Roads, Sidewalk etc Have these been addressed and planned for? We all know of our water issues but not many, myself included, are aware of any confirmed action plan and funding allocation to address its supply and clarity issues Some "clarity" and by-whens would be greatly appreciated from Council and The District

3. CARRIAGE HOUSE / PARKING

Great that the new R6 zoning in the inner-circle of lots only allows one bed & breakfast room and 1 too along with Mayer Noel applaud Mr Gray for using the following language: "owner occupied with secondary suite or bed & breakfast designation" However, it seems that allowing detached suites or carriage houses to such small lots seem counterintuitive Would this not be better suited to larger lots that would allow increased privacy both on each lot in question and adjacent lots? Also, this brings up the question of how do these small lots accommodate the off-street parking requirements stated in the Division 500 of the Zoning Bylaw? Let's say for argument a lot designated R6 is a 2 bedroom primary with a 1 bedroom carriage house - that could equate to 6 people that each have a vehicle With such small lot frontage in this area street parking will be at a premium and depending on the road width and sidewalk infrastructure built could provide for congestion and egress issues in the future

Thanks for your time and consideration of these issues

We look forward to the development of Lot 16 and are excited for the new dynamic this will bring to our housing market

Sincerely

Andrea and Marc
482 Marine Drive
Lot D Marine Drive

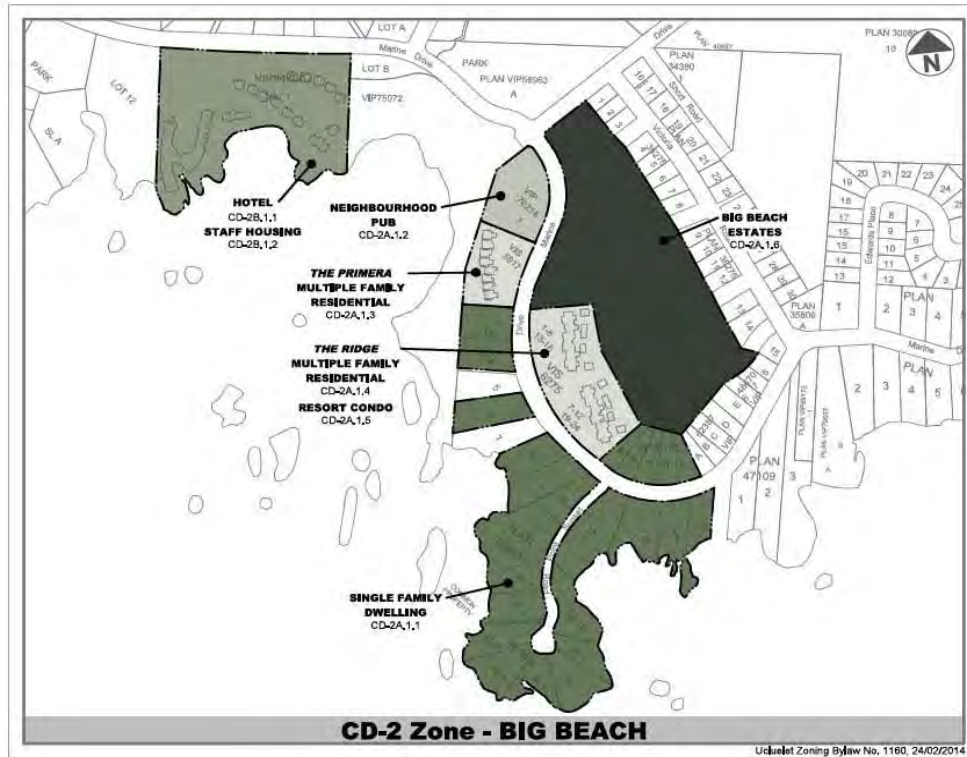
CD-2 Zone – BIG BEACH

In this Comprehensive Development Zone, the density bonusing framework is based on a 15 20% parkland dedication/ amenity contribution, which is to be in the form of

1. public recreational amenities, open space and green space;
2. new swimming pool and fitness facility, which will be privately owned and maintained;
3. 10 metre vegetation buffer abutting all existing residential lots in abutting Zones in order to provide a buffer between existing homes and the development in this zone.

2014 Update: The latter two amenities remain to be provided with the future development of Remainder Lot 16, labeled “Big Beach Estates” in plan and as further defined below, in the CD 2A SubZone. The amenities for the CD 2B SubZone have been accounted for, and the Black Rock Resort has largely developed this subarea. Descriptions for the SubZones follow.

Comprehensive Development (“CD-2 Zone”) Plan



CD-2A SubZone – DISTRICT LOT 281 (Lot 1)

2014 Update: Plan VIP76214 created 16 lots, and most of the development parcels as follows:

- Lot 1 is designated for neighbourhood pub use.
- Lot 2 was developed as multiple family residential only per Strata Plan VIS5917 (The Primera). In 2008, an owner was successful in its Court case against the original developer regarding representations suggesting tourist accommodation use was permitted but a related challenge of the Zoning Bylaw was unsuccessful. The Court upheld the District's zoning as multiple family residential use only, with no nightly rentals or other commercial tourist accommodation permitted on these lands or under the multiple family residential use category.
- Lots 5 and 7 were removed from the CD 2A Zone and placed in the Vacation Rental (VR 1) Zone, further to rezoning applications.
- Lot 11 was originally intended for a wellness centre but was subsequently rezoned and subdivided into single family dwelling lots.
- Lot 16 was the large lot created north of Marine Drive, labeled "Big Beach Estates". It remains only partially subdivided and developed:
 - Lot A, Plan VIP80735 created a lot for two buildings, The Ridge, which was stratified into 24 units per Strata Plan VIS6275.
 - Plan VIP86140 created 5 single family dwelling lots.
 - PID 025 812 823 Lot 16, Plan VIP76214 except that part in Plan VIP80735, VIP83067 and VIP86140 ("Remainder Lot 16") will support additional subdivision and development according to this zone, noting the **Big Beach Estates Master Plan** may require further consideration following requested alteration of uses and densities in rezonings subsequent to the preparation of that plan. Amenities are outstanding in this area, and are preferred to be accessed off Matterson Drive to create synergy with the Community Centre.
 - The maximum density for Multiple Family Residential use has been reached, through the 18 dwelling units in The Primera and 12 dwelling units in The Ridge.
 - With 12 Resort Condo units developed at The Ridge, up to 76 Resort Condo units may be provided on Remainder Lot 16, in addition to other uses noted below.

Subdivision Plan VIP76214:

PLAN OF SUBDIVISION OF:
LOT 1, DISTRICT LOT 281,
CLAYDQUOT DISTRICT, PLAN VIP62019
B. C. G. S. 92-C. 023

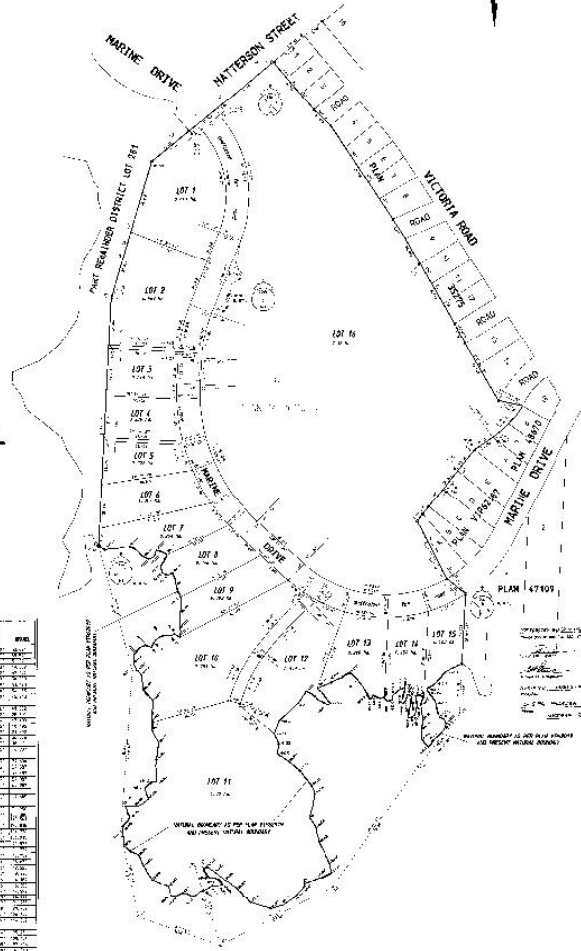
SCALE 1:1000

LEGEND



PLAN VIP 76214
DATE: 2014.08.01
BY: [Signature]

CAROLINA CHANNEL



PLAN 147909

Table with columns for Lot No., Area, and other details. It lists lots 1 through 17 and provides specific measurements and areas for each.

PLANNED BY:
[Signature]
DATE: 2014.08.01

Vertical column of signatures and stamps on the right side of the plan, including various professional seals and handwritten notes.

(August, 2014)

Big Beach Estates Master Plan (per Zoning Amendment Bylaw 1045, 2006):



CD-2A.1 Permitted Uses:

CD 2A.1.1 The following uses are permitted on Lots 3, 4, 6, 8 15 Plan VIP76214 (and lots subdivided therefrom) and on Lots A E, Plan VIP86140, in the areas of the CD 2 Zone Plan labeled "Single Family Dwelling", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Single Family Dwelling*
- (2) Secondary:
 - (a) *Bed and Breakfast*
 - (b) *Home Occupation*
 - (c) *Secondary Suite*

CD 2A.1.2 The following uses are permitted on Lot 1, Plan VIP76214, , in the area of the CD 2 Zone Plan labeled "Neighbourhood Pub", but *secondary*

permitted uses are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Neighbourhood Pub*
- (2) Secondary:
 - (a) *Mixed Commercial/Residential*

CD 2A.1.3 The following uses are permitted on Strata Plan VIS5917, in the area of the CD 2 Zone Plan labeled "*The Primera Multiple Family Residential*", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Multiple Family Residential*
- (2) Secondary:
 - (a) *Home Occupation*

CD 2A.1.4 The following uses are permitted on Strata Plan VIS6275, in the area of the CD 2 Zone Plan labeled "*The Ridge Multiple Family Residential / Resort Condo*", but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Multiple Family Residential*
- (2) Secondary:
 - (a) *Home Occupation*

CD 2A.1.5 The following uses are permitted on Strata Plan VIS6275, in the area of the CD 2 Zone Plan labeled "*The Ridge Multiple Family Residential / Resort Condo*", with no *secondary permitted uses*:

- (1) Principal:
 - (a) *Resort Condo*
- (2) Secondary: N/A

CD 2A.1.6 The following uses are permitted on *Remainder Lot 16* (and lots subdivided therefrom), , in the area of the CD 2 Zone Plan labeled "*Big Beach Estates*", not already developed per previous subsections, with no *secondary permitted uses*:

- (1) Principal:

- (a) *Resort Condo*
 - (b) *Retail*
 - (c) *Personal Services*
 - (d) *Recreational Services*
 - (e) *Community Use*
- (2) Secondary: N/A

CD-2A.2 Lot Regulations

CD 2A.2.1 Minimum Lot Size:

- (1) Single Family Dwelling:
 - (a) 1,000 m² (¼ acre) for 5 lots in Plan VIP86140
 - (b) 2,000 m² (½ acre) otherwise
- (2) Multiple Family Residential: 1,000 m² (¼ acre)
- (3) Resort Condo: 1,000 m² (¼ acre)
- (4) Neighbourhoob Pub with Mixed Commercial/Residential: 6,475 m² (1.6 acre)
- (5) Retail: 800 m² (8,600 ft²)
- (6) Personal Services: 800 m² (8,600 ft²)
- (7) Recreational Services 800 m² (8,600 ft²)
- (8) All other uses: N/A

CD 2A.2.2 Minimum Lot Frontage:

- (1) Single Family Dwelling: 18 m (60 ft)
- (2) Duplex Dwelling: 18 m (60 ft)
- (3) Multiple Family Residential: 23 m (75 ft)

CD 2A.2.3 Minimum Lot Width: N/A

CD 2A.2.4 Minimum Lot Depth: N/A

CD-2A.3 Density:

CD 2A.3.1 Maximum Number:

- (1) Single Family Dwelling: 1 per lot
- (2) Multiple Family Residential:
 - (a) 18 dwelling units on Strata Plan VIS5917 (*The Primera*)
 - (b) 12 dwelling units on Strata Plan VIS6275 (*The Ridge*)
- (3) Resort Condo:
 - (a) 12 dwelling units on Strata Plan VIS6275 (*The Ridge*)

(b) 76 dwelling units on Remainder Lot 16

(4) Neighbourhoob Pub with Mixed Commercial/Residential:

(a) Neighbourhoob Pub: 1,942 m² (20,900 ft²)

(b) Residential component of Mixed Commercial/Residential:

6 dwelling units with 487.5 m² (5,250 ft²) gross floor area combined, and each unit must not be less than 46.5 m² (500 ft²) gross floor area

(5) Retail, Personal Services & Commercial Recreation:

1,672 m² (18,000 ft²) combined total

(6) All other uses: N/A

CD 2A.3.2 Maximum Floor Area Ratio:

(1) Single Family Dwelling: 0.50

(2) Multiple Family Residential: 0.70

(3) Neighbourhoob Pub with Mixed Commercial/Residential: N/A

(4) All other uses 0.50

CD 2A.3.3 Maximum Lot Coverage:

(1) Single Family Dwelling: 35%

(2) Multiple Family Residential: 40%

(3) Neighbourhoob Pub with Mixed Commercial/Residential: 50%

(4) All other uses: 30%

CD-2A.4 Maximum Size (Gross Floor Area):

CD 2A.4.1 Principal Building: N/A

(1) Neighbourhoob Pub with Mixed Commercial/Residential:

(a) Neighbourhoob Pub: 1,942 m² (20,900 ft²)

(b) Residential component of Mixed Commercial/Residential:

6 dwelling units with 487.5 m² (5,250 ft²) gross floor area combined, limited to gross floor area above pub

(2) All other uses: N/A

CD 2A.4.2 Accessory Buildings:

(1) Single Family Dwelling: 60 m² (645 ft²) combined total per lot

(2) Multiple Family Residential: 60 m² (645 ft²) combined total per lot

(3) Neighbourhoob Pub with Mixed Commercial/ Residential: N/A

(4) All other uses: 80 m² (860 ft²) combined total per lot

CD-2A.5 Maximum Height:

CD 2A.5.1 Principal Buildings & Structures:

- (1) Single Family Dwelling: 9 m (30 ft) or 2 ½ storey
- (2) Multiple Family Residential: 12 m (39 ft) or 3 storey
- (3) Neighbourhoob Pub with Mixed Commercial / Residential: 11 m (36 ft)
- (4) All other uses: 11 m (36 ft)

CD 2A.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

CD-2A.6 Minimum Setbacks:

CD 2A.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Single Family Dwelling – Lots less than 2,023 m ² (½ acre) in lot area:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) Single Family Dwelling – Lots at least 2,023 m ² (½ acre) in lot area:				
(i) Principal	7.5 m (25 ft)	6 m (20 ft)	7.5 m (25 ft)	5 m (16.5 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(iii) In addition, for principal <i>building</i> , the <i>side yards</i> combined must not be less than 20% of the <i>lot width</i> .				
(3) Multiple Family Residential:				
(i) Principal	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)	6 m (20 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(4) Neighbourhood Pub, Recreational Services or Community Use:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	7.5 m (25 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(5) All other uses:				
(i) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(ii) Accessory	8 m (26 ft)	1.5 m (5 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(iii) In addition, 7.5 m minimum yard setback applies to all <i>lot lines</i> abutting a <i>single family dwelling lot</i> or <i>multiple family residential lot</i> or lot with a principal <i>residential use</i> .				



The Lookout

A New Neighbourhood above Big Beach

Lot 16
Public Open House

Friday, December 7th, 2018

macdonald gray

Context



macdonald gray

The Land Use Concept

- The Land Use Concept shown today is a 'proof of concept' generated for our due diligence to ensure that we can physically accommodate the uses and layout proposed.
- This plan has everything we felt there is a need for in Ucluelet with some adaptive planning frameworks applied.
- Building footprints are shown diagrammatically for the land use discussion.

macdonald gray

The Land Use Concept

- All sites would be subject to the Development Permit process, for which we could consider generating a new tailored Development Permit Area attached directly to the Zoning Bylaw
- This should be a good way to capture any land use related concerns expressed by the public - privacy, stepping the building masses back, buffering, etc.
- We expect that there will be thoughtful input from the public on their concerns related to the land use concept.

macdonald gray

Constraints – Tsunami Hazard Areas

Tsunami Hazard Areas

It is estimated all land areas which are less than 20 metres above sea level could be affected by a tsunami. A tsunami triggered by a local earthquake could reach Ucluelet within 10 to 15 minutes.

Public Park / Rally Point

Emergency personnel will not have sufficient time to warn residents of the impending danger. Therefore it is critical residents are aware of immediate evacuation plans, which should consider evacuation routes to areas of high ground.



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Constraints – Areas of Significant Fill

Areas of Significant Fill

Significant deleterious fill materials, including but not limited to roots, logs, stumps, organic silt, sand, gravel, and boulders, were found in the majority of test pits, ranging in depth from 0.0m to 4.2m+. The maximum thickness of fill is undetermined in these areas.



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Constraints – Areas of Significant Fill

Known Archaeological Site

Provincial records indicate a previously recorded archaeological site DfSj-85 on the property. DfSj-85, consisting of two Culturally Modified Trees, is protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch

The site location has been cleared and subsequently filled in prior to 2005. Airphoto evidence and the geotechnical test pit at that location confirm same.



macdonald gray

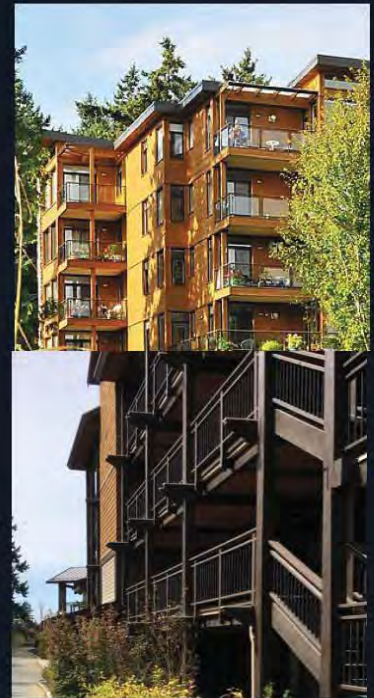
Proposed Land Uses



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Residential Apartments (Rental)

- The intent is to provide an attainable housing option for local residents.
- The conceptual site plan is based on a 50unit Apartment Building (avg. unit: 825sq.ft.).



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Residential Apartments (Rental)

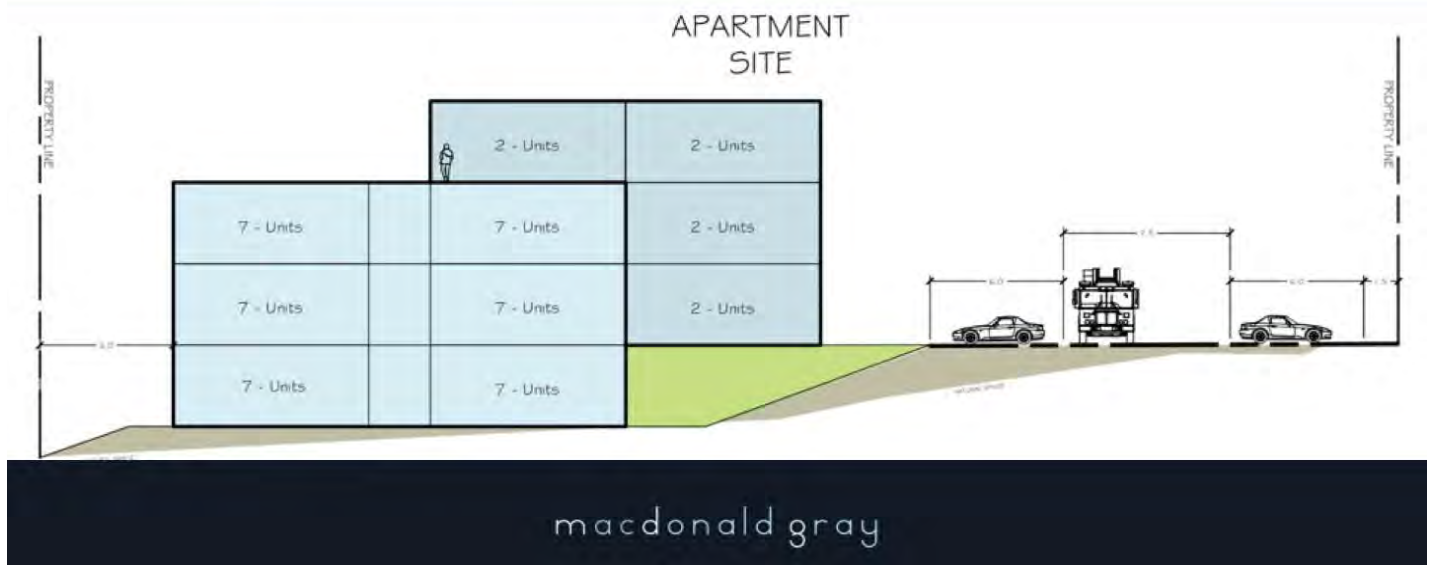
- Access is From Matterson Drive.
- A fire access may be required through to the internal looped road.
- Surface parking is indicated due to the shallow bedrock at this location.



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Residential Apartments (Rental)

- The building is illustrated as stepped to pick up the grade change, make the building less imposing along Marine Drive, and allow views from 4th storey units. This is just a concept to be refined later.



Residential Townhomes

- The intent is to provide housing choice for residents who do not want to maintain yard space.
- The conceptual site plan is based on a 30 unit strata.



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Residential Townhomes

- Single Storey (or walk in level walk out basement where grades permit) patio style townhomes are shown along the bluff.
- These are 1,400sq.ft. ground floor master floor plates. The units are shown set back from the bluff to retain rear yard privacy for existing homes below



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Residential Townhomes

- Two Storey (or parking under walk up - chalet style) townhomes are indicated behind or staggered from the single storey units to maximize view potential.



- Three storey (family units) are located along and accessed from the main roadway where there is restricted view potential.

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Adaptive Small Lot Residential

- These are intended to be attainable small lot single family residential lots for local residents.
- The adaptive land use framework is intended to provide owners the option to develop suites or accessory dwellings as 'mortgage helpers' to offset recent increases in land costs.



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Adaptive Small Lot Residential

- The intent is to allow for a primary home, accessory dwelling unit and internal suite in an adaptive tourist accommodation/residential scenario.
- Individual lot layout concepts are provided for discussion purposes to illustrate how the uses could be accommodated on a lot.



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Adaptive Small Lot Residential

- The intent is to allow for a primary home, accessory dwelling unit and internal suite in an adaptive tourist accommodation/residential scenario.
- Building heights are as indicated to allow for views from upper floors (3-storey).



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Large View Lots (Marine Drive)

- These are intended to be standard single family 'market' residential lots.



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Large View Lots (Marine Drive)

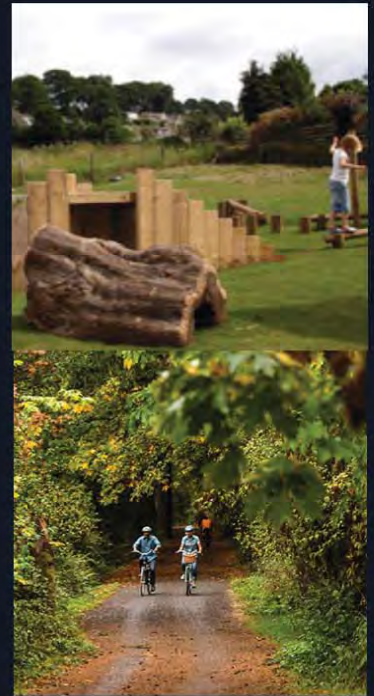
- Rear access to the lots is proposed to avoid having vehicles backing out onto Marine Drive.
- Garage doors would be set to the rear which will improve the look of the streetscape along Marine Drive.



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Neighbourhood Park (Public)

- The park is intended as an open space for the entire neighbourhood that will offset the proposed density on individual lots.



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Neighbourhood Park (Public)

- The park site has been located to align with proposed trail connections.
- The park will also act as the neighbourhood rally point during a Tsunami event.



macdonald gray

Thank You!

*Please be sure to sign in and
fill out a comment sheet*

macdonald gray

From: [Paula de Jong](#)
To: [Community Input Mailbox](#); [dominic.gauthier](#)
Subject: re: Amendment bylaw 1284, 2021
Date: May 31, 2021 8:24:33 PM

[External]

Hello,

We are property owners of 405 Marine Drive - Paula de Jong & Dominic Gauthier.

We want to submit our opposition to the proposed zoning changes to "lot 16". When we bought our home, we did extensive research on the plan for this lot, which is located directly behind our property. We recognize the need for affordable housing and support the original development which included less density, access off of Marine and Matterson as well as the 20m green space buffer.

We are concerned about the following impacts of the proposed changes:

- We are deeply concerned about the ecological damage caused by the decreased greenspace setbacks. Originally these were proposed to be 20m and should remain as a green belt to protect the wildlife, noise, privacy and sensitive ecological zones. We would like to see this area protected as an ecological corridor with no trails or roads.
- Road access off of Victoria drive - this is a quiet family-filled street that cannot handle the increased volume of traffic that would be demanded by 28 townhomes, 48 homes (with rental suites) The original proposal was for road access off Materson and marine drive, in which we support.
- Opposed to the level of density. The new zoning is a massive increase from the original proposal, which raised concerns about noise, light pollution, traffic, and damage to the environment.
- Excluding the min on site outdoor recreation space feels like you're trying to maximize the number of units without maintaining the greenspace and ecology that draws us all to the area.

While we support the development of affordable homes that are desperately needed for locals, we are concerned about the density, traffic, infrastructure, and impact on the environment that this zoning amendment is proposing.

Paula

From: [Patricia Walton](#)
To: [Community Input Mailbox](#)
Cc: [Bob Walton](#)
Subject: Input for Bylaw No. 1284,2021
Date: June 4, 2021 9:00:05 AM

[External]

To Mayor and Council,

We have owned a home at 457 Marine Drive since 1990 and our property backs on to Lot 16. Although, we understand the need for housing in Ucluelet, we have concerns regarding this development that we would like addressed.

We are very concerned about the density of this development. The minimum setback of 10 metres between the property line of a single family home and a principle building in a high density development is not enough. In order to maintain the privacy and integrity in this established neighbourhood, we request that the minimum setback for a principle building be increased. Or, better yet, a green belt buffer zone provided.

It is our understanding that the Ucluelet fire department does not have the capability to deal with a 4 story apartment building and a build out of this high density. We feel the density needs to be reduced and setbacks increased for both safety and aesthetic reasons.

An outdoor area is essential for residents' health and safety. It is unconscionable in this day and age to not provide the minimum on-site outdoor recreation space required. Please do not exempt the lot from the minimum outdoor space required.

Finally, a development of this size will greatly increase traffic on existing roadways. It is unclear as to how this will be addressed. We ask that Council proceed thoughtfully and carefully with this application keeping in mind to balance the needs of existing residents and the community's need for long term housing.

Please maintain the wonderful and welcoming Ucluelet that we know!

Thank you

Pat and Bob Walton
457 Marine Drive
[REDACTED]

From: [Alistair Drake](#)
To: [Community Input Mailbox](#)
Subject: District of Ucluelet Zoning Amendment bylaw No. 1284, 2021
Date: June 6, 2021 5:38:26 PM

[External]

Hey,

Alistair Drake here. I've been living at 1317 Victoria rd since 1998. I spent a good chunk of my childhood playing in the forest and wetland land behind my house, "Proposed Lot 16". There were so many frogs it was deafening at night. The salamanders, ducks, and wildlife were plentiful. Then in the early 2000's ukee sellout Elke Loof-Koehler filled in the wetland with "big plans" of housing and a swimming pool with no regard for the land. All the water from this now elevated wetland is in the green space between victoria rd and lot 16. This water is flooding the forest and our foundations on Victoria rd. Making the trees unstable and dangerous. My family has to clear the drains coming from "Lot 16" every few months to manage the water. I'm worried this development is only going to make things worse for our community and sensitive ecosystem. It's been painful watching the natural watershed and environment get destroyed by careless developers with only money in mind. This isn't ukee.

Thanks,
Alistair Drake,
1317 Victoria rd

From: [Elke Kite](#)
To: [Community Input Mailbox](#)
Subject: District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021
Date: June 6, 2021 9:00:15 PM

[External]

Dear Mayor and Council of Ucluelet:

Thank you for the opportunity to provide input regarding the proposed development of Lot 16.

We are the owners of 392 Marine Drive located downstream from Lot 16 and we are glad to see more housing being made available, we do however have the following concerns:

Excess run off surface water

With the proposed higher density and reduced setbacks & greenspace we are concerned about excess run off surface water. This excess of water would drain into the ditch along Victoria Road, further into the natural creek that runs through our property and into the ocean. This may cause erosion and potentially endanger our driveway and adjacent properties.

How will the development address the excess surface water running into the creek or will the municipality be responsible?

Sewer pump station

As you know the sewer pump station on the corner of Victoria Road and Marine Drive periodically malfunctions and overflows into the creek and thus the ocean.

What extra infrastructure is being planned to deal with the extra sewer volume, and to save guard against future contamination of the creek?

We trust that all this has already been taken into account and we respectfully request access to the engineering and planning documents that are currently available.

Thank you for your time and consideration,

Andrew & Elke Kite

392 Marine Drive, Ucluelet

Re: District of Ucluelet Zoning Amendment Bylaw NO. 1284, 2021

June 06, 2021

Dear Mayor & Council,

Please accept this letter as my objection to this proposed bylaw amendment. I have reviewed the Staff Report to Council dated March 23, 2021 and did not note any proposed steps to address the water and drainage issues related to "Lot 16" that are a direct result of a previous developer ruining a wetland area by filling it with rock and who knows what else.

I was surprised to read that this filled in area may be an archaeological site. I would like to know more about that and what, if anything is being done to manage such a site.

Before any changes are made to the property or to bylaws related to it, I propose that the developer facilitate a hydrological study of the property and how it currently affects neighbouring properties. With that we can then discuss what remediations are needed and how these may impact the proposed green corridors and setbacks. I don't think 10 meters will be sufficient if the trees and vegetation need to be disturbed to address the flooding that the previous developer caused.

I am generally concerned about a pattern whereby developers come in with big ideas for important spaces in our community and for one reason or another, botch the job and leave an eyesore and/or a liability for neighbouring properties. 1914 Peninsula quickly comes to mind.

Other concerns I have about this proposed amendment, and the project itself, are related to parking, access and the setbacks/green corridors.

Parking: From what I have seen, these higher density developments tend to look good on paper, and in theory, but in practice, they quickly get overwhelmed with parked cars, boats, and other large toys. And that overwhelm tends to spill over into the surrounding community. I imagine that, if this project goes ahead as proposed, the parking lots a Big Beach and the community centre will get filled with vehicles from Lot 16. Evidence of this phenomenon can be seen daily at the parking area across from Forest Glen. Victoria Road will also see many more parked vehicles making what is now a relatively safe street (without sidewalks) for many local children and animals, more dangerous.

Access: I am not in favour of Lot 16 being accessed via Victoria Road as I believe this will make the road more dangerous due to an increase in vehicle traffic and the likelihood of more cars being parked on Victoria (as noted above). These changes will forever alter the neighbourly culture of this special road. Might it be an option to have the second access road integrated with the Ridge's access road off of Marine?

Setbacks/Green Corridors: We don't yet have enough information to know if a 10-meter setback from the Victoria Road properties will be sufficient for it's intended purpose (carried over from the last proposed development plan). The site preparations from the last go-around destroyed important animal habitat and has caused serious drainage issues. The necessary work to remediate this issue will likely alter the area currently proposed as a green corridor. Establishing what the sizes of these setbacks and areas are cannot be done until we know what those areas will look like post remediation.

Heather Sargent
1317 Victoria Road



From: [A & L Skihar Bethell](#)
To: [Community Input Mailbox](#)
Subject: Public Input regarding Lot 16 development proposal
Date: June 7, 2021 10:06:29 PM

[External]

To the Mayor, Council, and District of Ucluelet

RE: Marine Drive Lot 16 Public Hearing District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021 The Ridge VIS 6275 515 & 545 Marine Drive, Ucluelet

We are writing this in response to the development of Lot 16 as owners/residents of a property behind the development at 545 Marine Drive. After visiting the Ucluelet Tofino area since the early 1980's 4 years ago we decided to purchase in Ucluelet at The Ridge. In March 2021 we made the huge and exciting decision to move to Ucluelet full time. We moved here to enjoy nature and the intimate nature of the village and to become hopefully an active part of the community.

On many levels, we are in favour of the development proposed for Lot 16 to address the need for mixed housing as our community grows.

We do however have the following concerns.

1. The vegetation buffer zones.

We feel that it is imperative that the 10-meter vegetation buffer abutting all existing lots and along the full extent of Marine Drive must not be removed or decreased in size or built on between the homes and the development in this zone.

This buffer zone will ensure privacy for the existing homes in the neighbourhood and the new proposed development. It will also contribute to keeping the present ecosystems partially intact and allow various wildlife to continue using Lot 16 as a safe corridor.

2. Fence.

As owners and living full time in The Ridge complex, we are proposing that a fence be erected along the west end and rear (north side) of The Ridge property to ensure our property is not used as a pathway or "shortcut" to Big Beach or Marine Drive. This will help ensure the pathways to be built by the developers are used by the new development's residents.

3. Density/Parking of Lot 16.

Our other concern is the density of the development suggested for Lot 16. The number of houses, townhomes and an apartment building (surely needed - 4 stories seems to be tall given its location) on 12.7 acres is a large suburb in the small village of Ucluelet.

We understand the need for housing, but the density appears to lack thoughtfulness and appreciation for the Village of Ucluelet and dismisses the need for smaller-scale developments in addressing our current housing needs.

Correspondence received before the June 8, 2021 Public Hearing was close...

We would ask the council to request this development scale back in the number of structures in order to maintain more green space, appreciating and acknowledging the west coast village of Ucluelet.

4. Development aesthetic.

When we review the suggested development there does not appear to be any mention as to the architectural aesthetic that this development will follow. The relationship of the new development and community are integral to ensure an acknowledgment and appreciation for the surrounding environment and community it plans to join. With building costs skyrocketing (which could equal cost savings being sought by the developer leading to a finished product that may not be conducive to the villages look/feel) it is imperative that the village makes sure the aesthetic is fitting for the Village of Ucluelet and does not end up looking like a suburb that could be found anywhere. Uniqueness is part of this gorgeous area lets make sure we embrace that when building such large-scale projects.

We ask the council to request the aesthetic of the development be presented to ensure it acknowledges the west coast and the village of Ucluelet.

Sincerely Lance Bethell & Anita Skihar
545 Marine Drive

[REDACTED]

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Thank-you A&L

Laurie Bird
[REDACTED] 1547 Imperial Lane
Ucluelet, BC V0R 3A0

Re: District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021

To the Ucluelet Council and Members of the Public

I have reviewed the proposal for the building proposal for the residential housing development on District Lot 281, Clayoquot District, Plan VIP76214 and the aforementioned zoning amendment associated with the proposals. I wish to voice my questions, concerns and comments and have them included in the public hearing on June 8.

Initially I will comment that I am in favour of adding additional rental properties, in the form of an apartment building, to the existing district housing options.

I have the following questions/concerns/comments regarding the aforementioned zoning document:

- Point #2 – *“adding a new zone, R-6 Zone – INFILL SINGLE FAMILY RESIDENTIAL...lots larger than 480 m2”*
 - I find this point is not well described/explained. 480 m2 is not a very large lot yet from what I read there may be an option for an additional rental ‘cottage’ or ‘suite’ on a lot this size or larger.
 - How many of that size lots are included in this development?
 - Given the significant number of proposed housing lots/townhouses and the apartment, additional ‘cottages and suites’ would significantly impact the density and traffic in the proposed development.
 - Would such suites/cottages be only for residential use, or would tourism activities be permitted? Such as Air B and B rentals which already significantly impact long-term rental options in town?

- Point #3 (1) (a) – *“the lot is exempt from the minimum on-site outdoor recreation space requirement for multiple family residential properties”*
 - Why would no assigned on-site outdoor rec space be an acceptable option for a multi-family build (apartment building)?
 - Apparently, there could be 48 families if the building is built to the maximum number of units. This could equate to a significant number of residents including children.
 - Is there the expectation that these residents will simply utilize our existing parks and playgrounds?

- I am concerned that the existing rec sites, particularly playgrounds, in town are already well used by residents and visitors. Many are in need of updated equipment, and residents already default to the school district playground sites given the District options and the distance between them – i.e. lack of accessibility particularly for foot traffic.
- I do not agree with this exemption.
- Point #3 (1) (c) – *“the maximum height is 16 m. (52 ft.)”*
 - Two questions in reference to this point
 - What does this 16 m. equate to in terms of floors/or stories in this proposed apartment building?
 - Does our fire department have equipment to adequately service a multi floored building of this height should there be a fire on the top floor?
- Point #3 (2) – *“On proposed Lot A the minimum setbacks for principal building from adjacent lot lines shall be 8 m from Matterson Drive, 10 m from Marine Drive, and 6 m from all other lot lines”.*
 - Why the differences in these setbacks?
 - In particular, why should an adjacent residential property have less of a setback? District residents in their own home are significantly more affected by an adjacent apartment building and should have at least the same setback as roads. Residents will have their privacy impacted, have to deal with increased noise, and people and vehicular traffic.
 - I do not agree with the setbacks as stated in this amendment.

Thank you.

Laurie Bird.

June 6, 2021

District of Ucluelet

Via email to communityinput@ucluelet.ca

Re: Zoning Amendment Bylaw No. 1284, 2021 for Lot 16, District Lot 281, Clayoquot District, Plan VIP76214

We Calvin R Clark and Kimberley A Clark are the property owners and full time, year-round residents of 401 Marine Drive, Ucluelet, BC V0R 3A0. We are lifetime residents of Ucluelet and have been living in our home at this address since 1996, this is our primary and only home.

Please accept this letter as our official opposition to the proposed zoning changes to Lot 16. When we bought our property and built our home it was with the intention to live within a quiet neighbourhood in our beautiful village surrounded by neighbors that are friends with greenspace, nature and wildlife literally in our backyard. The original development of Lot 16 included less density, specifically less high density residential.

We have the following concerns about the impacts of the proposed changes:

The development proposals are high density more suited to large towns and not a small village. The development has decreased minimum setbacks, decreased greenspace, and in some areas, patios have been excluded from the setback requirements. Privacy of all neighbours should be a higher priority than currently proposed. We do not support any less than a 20 m greenspace setback in order to preserve the wildlife, privacy of residents, reduce noise and minimize ecological impacts.

We do not support the high-density R-3 townhomes proposed for Lot B that are directly behind our home. There are far too many units in a small area, located too close to neighbouring homes.

We do not support Road access from Victoria Road, this is a family filled street that cannot support the increased volume of traffic that this proposed development would incur. There currently are no sidewalks and we have many residents living on Victoria Road and surrounding areas travelling by bike, foot, skateboard and car along this corridor all while young children are playing and riding bikes and travelling to and from school.

We do not have the infrastructure in our water, sewer, roads or sidewalks to service a development of this size in this area. The sewer station on the corner of Marine Drive and Victoria Road is outdated and unable to service the current demand prior to any further development in the area.

Parking, how will extra vehicles on tiny lots, or attached to carriage homes, suites, or B&B's be accommodated?

We are concerned about the ecological impact on the area of development and how the surrounding neighbours will be impacted. How will the water run off be absorbed once the vegetation and trees are removed? In times of large volumes of rain, the existing drainage ditches and culverts cannot handle the runoff. The wildlife in the area will also be displaced. We currently have an active den for the local deer population in the greenspace behind our home that has been in existence for many years.

How will owner occupied units with rentals be enforced, do we currently have bylaw staff, or will more staff be required to enforce compliance?

The amenities do not outweigh the large-scale development proposed and the loss of community from a development of this scale. We should ask ourselves why the volume of development, and density within a single lot. Shouldn't the development be scattered among the community rather than focused in one area?

We hope to see a scaled back version of housing more suited to our community and Lot 16, prior to any approval of rezoning.

Thank you for your consideration.

Calvin and Kim Clark

From: [Alistair Drake](#)
To: [Community Input Mailbox](#)
Subject: District of Ucluelet Zoning Bylaw No.1284, 2021
Date: June 6, 2021 9:07:51 PM

[External]

Hey,

Alistair drake from 1317 Victoria rd here. Just wanted to share a few pictures of the drainage issues between Victoria Rd and "Lot 16". This used to be a well draining gravel Rd with healthy forest on either side. Now it's a muddy mess of skunk cabbage and swamp grass. Keep in mind this is June 6th. There's pooling water in the forest, even with the ditch somewhat clear.

Thanks,
Alistair Drake,



Correspondence received before the June 8, 2021 Public Hearing was close...



Correspondence received before the June 8, 2021 Public Hearing was close.



Correspondence received before the June 8, 2021 Public Hearing was closed.

From: [Holly LeFevre](#)
To: [Community Input Mailbox](#)
Cc: [Mayco Noël](#); [Rachelle Cole](#); [Jennifer Hoar](#); [Lara Kemps](#); [Marilyn McEwen](#)
Subject: Development of lot 16 Amendment Bylaw No.1284,2021
Date: June 7, 2021 10:44:00 PM

[External]

To the Mayor, Council and the District of Ucluelet,

We are writing in response to the proposed development of lot 16 as adjacent land owners of 489 Marine Drive.

We are opposed to the proposed changes in the setback of the development. As home owners who's property directly backs on to the proposed development we would like to see the 10 meter vegetation buffer as well as the additional setbacks maintained as laid out in the initial planning. Please ensure that all residential properties that are adjacent to the development are protected by the green space buffer.

We are additionally concerned about the demands to the water and sewer systems in our community. Infrastructure needs to be in place before a development of this size can be added to our already stressed and frankly, malfunctioning system. How will the new increased density of this neighbourhood and the additional load on the sewer and water systems be managed?

And last, the density of the neighbourhood and the proposal for detached carriage homes suggests that off road parking will be an issue for the residents of the neighbourhood. How will the parking, main house and carriage house all fit on the proposed small lots?

Thank you for your time and consideration of these issues.

Sincerely,

Holly and Jason LeFevre
489 Marine Drive

Dear Mayor and Council,

June 7, 2021

RE: Lot 16 public input

I would like to very briefly speak about the impact of the density at lot 16 on Big Beach Park. I am concerned that several hundred people living without private back yards and/or visiting these small lots will create a burden on Big Beach Park (imagine the beach fire problem alone). This density creates unsustainable numbers.

Private yards or shared green spaces for outdoor enjoyment are completely missing for a majority of the units on this proposal. Counting a thin path corridor and setback areas as park space does not create a playground, picnic area or neighbourhood space. The proposal speaks about a small contribution of cash to cover this lack of recreational space, but that does not create a place for that amenity to appear close to the high density development.

The apartment complex is greatly needed and I personally applaud that as urgently needed, but our desire for this should not overrule the density math. There will be plenty of sales income even with less lots. I would also like to see some sort of price indexing fixed to the townhome area so they do not still demand very high prices like units in Tofino have illustrated.

Developers will always press to maximize density and point to affordability of construction as an excuse to wave previously envisioned density and amenities. If affordability (not profit) is the driver, where are the guarantees of price control? Approving this density allows any future lot plan to infill every meter of space. Reducing that density with a request for interior park space would greatly reduce impacts to Big Beach and create a more livable community.

Lastly, parking should also be realistically counted on this proposal. Small lots and narrow roads force less than 2-car parking spaces per home, even for lots allowing B&B use. Where will all those extra cars go? I fear the community centre and Matterson Drive will be over-flow parking lots.

Again the apartment building is valuable, but the density is better suited to a city core than Ucluelet.

Sincerely, Barbara Schramm

1958 Bay Street

To: Ucluelet council:

Re: Bylaw No. 1284, 2021, Public hearing June 8, 2021

My understanding of how the development process works is that developers look at the zoning in place on a piece of property and submit plans, to the district planners, accordingly. District planners cannot deny or change what is deemed allowable, only our elected council has that 'power'. (Please correct me if I am wrong)

In regards to the Big Beach estates development, I urge council to reject portions of the plan due to the density proposed.

Concerns:

- we only see a draft, no actual development details
 - small lots, dwellings crammed together, reduced set backs
 - narrow roads, no street parking
 - B+B's allowed but no extra parking space included
 - no yards, therefore not kid friendly. Big Beach park will end up being the front and back yard area to go to for room to move. Yet more crowding and lack of usual space for locals.
 - small size does not translate into affordable. (view new cottages being erected across from senior centre, they are half the size of earlier units and just a costly!)
- How is the R-6 portion not another cottage development, definitely not a neighborhood I would want to live in or around.

In summary, I don't understand the density requested for this part of town, considering all the land available that is better suited and not within the 'heart' of our community. Why do we as a community have to approve such density, which is out of character for a vision of a livable community?

Non-concern: 3-storey rental apartment, great

Respectfully,
Pieter Timmermans, 1958 Bay Street

Just a note: the last time the district dealt with a numbered company on a large development, it did not end well for the community. No swimming pool!

Mike and Nicole Bray
1426 Victoria Road
Ucluelet, BC V0R 3A0

June 8, 2021

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

Re: Lot 16 Marine Drive Development, Zoning Amendment Bylaw No. 1284, 2021

Council and Mayor:

Thank you for the opportunity to provide comments regarding the Lot 16 Marine Drive Development proposal and associated Zoning Amendment Bylaw No. 1284, 2021.

We would like to preface by stating that we are supportive of diverse housing developments for the community and growth of our town. We do, however, have concerns regarding the infrastructure and density of the Lot 16 Marine Drive Development proposal.

Our concerns for this large-scale development project increasingly grow as we hear of many changes and the lack of public engagement. We feel, and are hoping that, considering we are a week or so away from the COVID-19 gathering restriction to be lifted to allow us to gather in a non-virtual capacity that this hearing can be pushed until then so we may gain a better understanding of the proposed project and have an opportunity to discuss the following concerns:

- water/sewer capacities that could also amplify existing issues
- traffic congestion (Victoria Road is already a big issue)
- fire protection
- density of about 1/4 of Ucluelet's population on approximately 12 acres property
- being fluid with the design/look and height restrictions that everyone has abided by on the beautiful Marine Drive

As we stated at the beginning of this letter, we are not opposed to development but would like to see this pushed a few weeks so that the residents on Marine, Victoria and surrounding would be able to have representation in a non-virtual setting.

Sincerely,
Mike and Nicole

June 8, 2021

Dear Mayor and Council,

We are the owners and residents of Lot 28, District Lot 281, civic address 1328 Victoria Road and we have serious concerns that the development of Lot 16 will affect our interests.

We submit this written statement to show our strong opposition to the District of Ucluelet's proposed Zoning Amendment Bylaw No.1284, 2021. Our apprehensions as outlined in the following submission for the public record will show that our concerns stem from the density of the proposed R-6 Zone defined as the Infill Single Family Residential and the added traffic volume that will result from it. We are also very much opposed to the proposed access on Victoria Road that will serve this new community as it will add an enormous volume of traffic and noise disturbance to the small residential street.

First off, we'd like to commend Council for the effort they have made to ensure that some of the proposed development can/will address the growing need for family housing. We would ask that Council seriously reconsider the density of the proposed R-6 Zone. According to the March 23rd, 2021 Staff Report to Council "*The new R-6 Zone, and this proposed new neighborhood of lots, would be the first area in Ucluelet where accessory cottages are widely permitted... [T]he lot area regulations would ensure that not every lot could have a cottage-**at least one or two would be too small to permit that additional use**, ensuring that the mix includes some modest homes on compact lots without the addition of a rental unit.*" So, in essence at least 28 lots out of 30 will have the option to build a primary residence, an Accessory Residential Dwelling Unit or secondary suite in addition to an accessory building on lots bigger than 480m². If the District admits that this proposed density is higher than any other existing single-family neighborhood in Ucluelet, then we ask Council to address one of the glaring concerns of adjacent homeowners on Victoria Road: anticipated traffic volume and disturbance to the existing neighborhood.

In Macdonald Gray's December 12, 2018 letter to John Towgood, a short meeting summary identifies the concerns that were brought to the developer's attention after the December 7th Public Meeting. The setback with existing properties and the access road on Victoria Road were two highlights from the meeting. The proponent claims that 1/3 of the comments from attendees indicated concern about the inclusion of Accessory Dwelling Units due to the "potential" traffic increases and infrastructure demand. Further to this, the letter claims that another ¼ of respondents were primarily focused on "potential" traffic increases and infrastructure demand. We were in attendance and provided feedback which has not been included in the record and as we understand, this is the case with other attendees. I have spoken to several neighbors and have heard each one express concern for the increased traffic that Victoria Road will undoubtedly see. It is not "potential" traffic; it is guaranteed traffic! Guaranteed traffic from the densest residential development in Ucluelet. We would suggest that the worry about traffic is not the concern of a quarter or even a third of residents but rather, **all that reside on Victoria Road**. Those numbers are not accurate and Macdonald Gray's failure to include all the attendees' feedback has likely skewed the reported level of concern expressed by the community for the proposed development.

Either way, we are disturbed that Victoria Road access is still being considered at all after hearing the community's feedback and concerns. Victoria Road is a quiet residential street where almost half of all current residents have children under the age of 18 (9 out of 20 homes). We were especially disappointed to learn in the March 23, 2021 Staff Report to Council that Council itself had recommended a new access road as stated under Recommendations 5e: "extension of the proposed new road to connect to Victoria Road in the general location as shown in Figure 7 of the staff report" and further explained in Section 4.5 -Access and Circulation. The image below shows the two proposed road accesses.



So we ask, who's idea was it to address the community concerns about traffic on Victoria Road by moving the developer's proposed road location from the corner of Victoria Road/Marine Drive so that now vehicle traffic from both Lot B Townhomes and the Infill Single Family Residential R-6 Zone will spill out onto Victoria Road!? This is no way addresses these concerns but rather exacerbates the problem!

Given the proposed density of zones of Lot B Townhouses R-3 and R-6, this could amount to an enormous increase in the current traffic volume. We are talking about potential vehicular traffic from 56 "dwellings" in R-6 and who knows how many "dwellings" in the 28 units of R-3 Townhouse Zone. This is not sustainable and not safe for those of us living on Victoria Road. Has there been any consideration given to conducting a thorough traffic study? The volume of traffic coming from Lot B **and** R-6 zone will absolutely destroy the quiet charm and safe feel that residents currently enjoy. Victoria Road does not have the width to support the traffic, the sidewalks nor the lighting to keep pedestrians safe and the traffic controls to keep motorists in check. We would invite members of Council to spend some time studying the traffic use on Victoria Road before giving this anymore consideration. Come watch two full sized pick-up trucks share the road with a few kids on bikes and tell me you feel comfortable with this decision.

Full disclosure: the newly proposed road would be directly in front of our property, resulting in a tremendous loss of privacy and sense of safety for our family and our adjoining neighbors. This is not just another NIMBY argument, we don't wish this road intrusion and level of impact on any of our neighbors but if there needs to be a road access on Victoria Road it should be the one that the proponent suggested at the corner of Victoria Road and Marine Drive, and it should **only** service the Lot B townhouses with a closed loop. Similarly, the Infill Single Family Residential R-6 Zone should be serviced by the road access on Marine Drive as suggested by the developer and should also be a closed loop.

Nobody can deny that Marine Drive is much better suited to handle the actual volume and disturbance caused by this traffic. That said, has any consideration been given to extending the road that currently services The Ridge for access to the Lot B townhouses and/or the R-6 Zone? We've never seen a single child playing out front of The Ridge and for half the year they are sparsely occupied. **Again, Victoria Road is not a suitable access for this new development, and we think efforts need to be made to find a reasonable solution.**

Further to this, there is a possible financial burden to this proposed Victoria Road access plan. Would the \$112 000 Amenity Contribution from the developer cover the costs to upgrade Victoria Road? Would that be the burden of the taxpayer, much like the development and installation of ancillary sewage and water services as referred to in parts 4.7.3 and 4.7.4 of the March 23rd, 2021 Staff Report to Council?

Lastly, can we stop pretending like the developer is providing a net benefit to the community by committing to retaining a small strip of trees and calling it parkland? The 10m strip of vegetation that has been proposed along the property line should not be referred to as "park"; it is a minimum required setback, period. To insinuate that this is a "community benefit" is ridiculous. We appreciate the inclusion of the buffer (while it is not nearly wide enough), but please stop referring to it as anything more than a greenspace buffer. In the original plan there was a centrally located park in addition to a fitness center with a pool, those are community benefits. The new plan has moved the 1300m² park space to Marine Drive where its true purpose of creating a buffer between the expensive R-1 lots and The Ridge is obvious. No gym or pool in this new development proposal but rather, we are led to believe that the increased densification of Lot 16 should be seen as a community benefit.

We appreciate your time and attention in addressing the concerns identified by local residents and ask that Council seriously consider the impacts of the proposed development of Lot 16 on adjacent property owners and residents. This is a major development with the potential to increase the population of Ucluelet by several hundred people and their several hundred cars. The character of the surrounding neighborhood is at risk as is the health and safety of residents if concerns around density of Zone R-6 and road access from Victoria Road are not properly addressed.

Respectfully,

Michael Grandbois and Kate Metzger
1328 Victoria Road

From: lilia.sertic
To: [Community Input Mailbox](#)
Subject: Victoria rd access
Date: June 8, 2021 4:04:10 PM

[External]

Hello Council

My name is Lilia Noël I live at [1302 Victoria Road](#).

When I review the OCP schedule “B” (Transportation Network) I am concerned with the use of Victoria Road as an entry into this development. In the Proposed OCP, Matterson Road is identified as a collector road.

When you are reviewing all aspects of this rezoning please take in account the peace of our neighbourhood with excessive traffic and years of construction equipment entering and exiting our street that we love to live on. I would encourage you all to look at entry ways into Lot 16 from Marine or Matterson only. Victoria Road will require a complete overhaul in order to keep the general public and our kids safe on this road. Currently there are No Sidewalks or parking on the road sides.

The Entry to and from Victoria Road to Lot 16 as proposed on a corner does not make sense to us. If you are not aware Victoria Road is not designed to take any more traffic than it is currently hosting. I personally would love to see speed bumps installed.

Secondly, We need the apartment building and would encourage you all to ensure that it is not held up with the rest of the development. Delays are costly to the community and the apartment building is needed let's make sure that there is an equal number of market based and affordable, in the calculation for rent.

Thirdly, Are locals that work and live in the community going to have first opportunity to purchase these properties.? Or at least a percentage of the lots? We as locals struggle to find building lots available for purchase. We have many examples of non locals buying homes for second Residents which will only increase with this development. Many locals may wish to upgrade to a new area and this would create some more housing stock.

Thank you for doing what you all do.

Lilia Noël

From: [Christine Overvelde](#)
To: [Community Input Mailbox](#)
Subject: Zoning Bylaw Amendment 1284, 2021 - feedback
Date: June 8, 2021 4:19:46 PM

[External]

Just adding my 2 cents to the proposal for high density residential zoning between Marine Drive and Victoria Road -

I'm concerned for increased traffic in the neighbourhood. It's busy enough with much activity in this small area. Cars already go very fast along Marine Drive and more safety and care is needed - especially with the daycare nearby, community centre, skate-board park, bicyclists, pedestrians, and deer roaming in the streets! I only fear it would be worse - along with the overload of people going to Big Beach. If it's only residents, then hopefully some consideration will be taken. However, if it's more tourists who are oblivious to the community, then problems will surely arise.

I really don't think this is the right area for high density living. And, for all of us who have moved to Ucluelet for peace, quiet, and green space, then please develop a residential area for us - away from a cramped, urban-like setting.

I have not considered other matters yet but only thought of this obvious and current concern.

Sincerely,
Christine Overvelde
536 Marine Drive, Ucluelet

Dear Mayor and Council members,

Thank you for the opportunity to provide comments relating to Zoning Amendment Bylaw No. 1284, 2021.

As an eight-year resident of Victoria Road, I have always known that this vacant lot would be developed; however I did not anticipate the scale of what is being proposed. I think it is important to start off by highlighting the magnitude of what is being discussed today. As Mayor Noël said in the May 23rd Council meeting, the Lot 16 Housing Development is a "big topic for the community" and, in reference to the apartment building, the Staff Report to Council stated, "The building will become a landmark in the community and the overall height - and how the massing of the building is handled in the final design - will have a significant influence on the character of this corner of the community." This proposed 125-unit housing project has a density unlike this town has ever seen before in immediate proximity to Big Beach, the Community Center/Daycare and the quiet, established, residential neighborhoods along Victoria Road and Marine Drive. If you estimate 3 people per house (which is probably a conservative estimate when you include the accessory residential dwelling units permitted on some of the lots), this means approximately 375 people, or a 20% population increase, in this one-block development alone. The existing CD-2A zoning allows half of this density, or up to 76 resort condos. The proposed development will transform this community.

As someone who will be greatly impacted by this development, I am disappointed in the extent of public engagement in this process thus far, given the magnitude of this development. There was one public open house for this development almost 3 years ago. When Council passed the first and second readings at the Council meeting on March 23rd, public comments from this open house were not included in the package for review and, I feel that this was a lost opportunity for Council to address some of these concerns with the Developer. I think it is disappointing that Council would push this past the first and second readings and to a public hearing without reviewing public comments. This does not make me feel like public input matters. Furthermore, Council went against the recommendation in the March 23rd Staff Report to Council, and decided that the applicant would not need to apply for a Developer Variance Permit for the four-story building, which would have required a second public hearing once the architectural plans were submitted. This would have given the public the chance to visualize the impact of the development on this Matterson/Marine Drive corner and provide feedback. This process could have answered some outstanding questions and concerns, such as "Will there be balconies overlooking my backyard?" Instead Council chose to push forward the four-story bylaw change to be reviewed in this virtual public hearing alongside the other zoning changes. I now feel like we are commenting blind on this development. This is extremely concerning to me as someone who will be living in the shadow of this building. I did not anticipate that an apartment building as tall as the Black Rock would be towering over my backyard. How does a building of this size reflect Ucluelet's west coast and fishing village heritage? Is this the appropriate location for such a large building? Possibly seeing the architectural plans could put my mind at ease. I understand that a restrictive covenant will be placed on the title of the property prior to adoption of the zoning amendment bylaw proposed, such that Council alone will need to approve the final design. I wonder when and if the residents will get the opportunity to see these plans before it is approved.

One of the primary concerns outlined in the public comments from December 2018 was the lack of a buffer or a greenspace along all existing properties in the initial proposal shown in the public house. The existing CD-2A zoning had this buffer as a density bonusing amenity, alongside a new swimming pool and fitness facility, which would be privately owned and maintained. I am relieved that it is now proposed that this buffer is added as a restrictive covenant on the title of the property. That being said, I find it strange that this 10m buffer, alongside the rental component of the apartment building and a tiny park area, are considered suitable amenities for doubling the allowable density and that this justifies removing the requirement to give the community a pool and a fitness center in this development as was required in the current CD-2A zoning. I understand that there will also be \$1,000/door fee paid to the District, and a small serviced residential lot transferred to the District. I hope that Council can comment on how these amenities will be used for the benefit of the overall community. I know that the residents have been asking for a community pool and fitness center for a long time. Are these replacement amenities suitable for the scale of what is being proposed? Will the community have input into how these amenities are used?

Another concern brought up by Victoria Road residents, including the Mayor in his public comments, is the increase in traffic on Victoria Road. Victoria Road is a narrow street, with no sidewalks and ditches on both sides. You cannot currently have two cars pass each other alongside a pedestrian. Think about the increase in traffic on this street once a few hundred additional residents are using this to access their properties. I would love to understand how these concerns will be mitigated. I didn't see a plan for sidewalks along Victoria Road in Schedule C "Parks and Trails Network" in the 2020 draft OCP.

I am also concerned with the infrastructure upgrades required to service this population increase. Policy 4.1 in the 2020 draft OCP requires that developers pay for full servicing costs associated with growth and states that "the District should carefully evaluate the long-term financial operating costs before assuming responsibility for future infrastructure as a result of new development." Further, Objective 4G is to ensure that the costs of upgraded services are borne primarily by those who benefit. From what I understand, the obvious direct water and sewer upgrade costs will be passed on to Developer, but what about the overall impact of this growth on the less obvious things like the sewage lagoon, sidewalks, adequate fire protection for a four-story building and our water availability? Or on the schools, the post office and the grocery store? This development could result in significant population growth and this impact should be looked at holistically, especially when considered alongside other developments that are currently in progress.

Like many other communities across the country, we are in the midst of a housing crisis. At the current market rate, all houses are selling for prices far higher than is attainable by average working individuals and families and there is a lack of long-term rental housing. I understand that the proposed development provides a variety of different housing options and I believe that this is the driving force that is pushing this forward at an accelerated pace. If that is the justification, then why was the Housing Needs Assessment not completed prior to pushing forward a housing development of this scale? I am not clear the extent to which these rental units will even be in service of resolving the housing crisis. The top floors of the apartment building will have sweeping views of Big Beach and the Pacific Ocean which leads me to believe that the cost will be reflective of that. Does Council have any knowledge of the proposed rent of the apartments? The developer must have crunched the

numbers in order to determine that it was not viable to build a rental apartment building with less than 50 units, which is apparently why the four-stories are required in order to proceed. I think the developer should disclose this information for transparency in the type of rental housing provided. Buyers/renters looking for vacation homes also seek out apartments, townhouses and small lots. What proportion of this development do you think will be lived in by local residents? Without intervention from Council, I am concerned that these new townhouses, lots and apartments will be purchased and rented by out of towners, and run as vacation rentals, driving up house prices and providing little value to the housing situation in town. Without a bylaw officer(s) and an administrative system to ensure compliance, I am not clear how illegal rentals are enforced. Have the Mayor and Council considered long-term rental strategies to ensure that 30-day rentals are not considered long-term rentals? Or rental caps on these apartments, even if just on the first and second floor, to help ensure affordability for local residents? Or a requirement to rent to local residents? Will Council monitor/measure this at each stage of the development to ensure the housing development is achieving your desired outcome?

I would like Council to take into consideration Policy 3.143 "Rezoning applications involving more than 5 dwelling units shall provide a statement describing the affordable housing components achieved by the proposal" and Policy 3.134 "Ensure larger developments are required to provide affordable housing as a portion of each development phase" in the 2020 draft OCP when considering moving this development forward. These items do not seem in line with the current proposal for this Housing Development as I do not see any affordable housing component in this entire development. Rental does not equal affordable. Why is there not an affordable housing component in this Housing Development?

I think that it will be beneficial to the community to have more diverse housing options and agree that this is critically important; although I think that you can achieve this without the density proposed in Lot 16. The number one priority in the District of Ucluelet Strategic Plan is "Managing Growth and Maintaining Quality of Life". The plan specifically recognizes that "An increasing demand for housing and development driven by thriving tourism has the potential to diminish the character and liveability of our community...". I hope that Council can demonstrate the short- and long-term actions required to ensure that "Managing Growth and Maintaining Quality of Life" is maintained.

Thank you for your time and consideration.

Sincerely,
Destiny Poruchny & Andy Brillinger
1449 Victoria Road

Karla Robison
1435 Victoria Road, [REDACTED]
Ucluelet, BC VOR 3A0

June 8, 2021

District of Ucluelet
200 Main Street, PO Box 999
Ucluelet, BC VOR 3A0

Re: Lot 16 Marine Drive Development, Zoning Amendment Bylaw No. 1284, 2021

Council and Mayor:

Thank you for the opportunity to provide comments regarding the Lot 16 Marine Drive Development proposal and associated Zoning Amendment Bylaw No. 1284, 2021.

I would like to initially express that I'm supportive of diverse housing developments for the community. I do however have concerns regarding the sustainability of the Lot 16 Marine Drive Development proposal and its correlation with Ucluelet's Strategic Plan, particularly the plans number one priority to "Manage Growth and Maintain Quality of Life."

My apprehensions for this large-scale development project have partly transpired from a lack of public engagement and transparency from both the Developer and the District, for example:

- There has only been one public engagement session for this large-scale development project, which was close to three years ago;
- Lack of discussion and questions Council partook during the March 23rd, 2021 First and Second Reading;
- Council opted from having the Developer obtain a variance for the four-story apartment building, resulting in the shortfall of an additional public hearing (this was despite the March 23rd staff report recommendation); and
- In one-week, COVID-19 gathering restrictions will be lifted which will allow for gatherings in non-virtual settings for 50 people. Furthermore, a recent OCP petition was signed by approximately 10% of Ucluelet's residents in a short time frame outlining concerns of virtual public hearings, significant changes to the OCP, and large-scale development projects. I understand the public comments and concerns expressed at the May 13th, 2021 OCP Public Hearing have not been responded to by Council.

Considering some of my questions and concerns have not been raised, partly due to the points identified above, I will attempt to express my apprehensions in this correspondence. I would also like to note that I found the First and Second Reading during the March 23rd, 2021 Council meeting perplexing. This resulted in further lack of clarity regarding next steps for this development proposal, as well as concerns with some of the resulting outcomes from this meeting. Furthermore, I was surprised that residents' comments from the 2018 public meeting were not included in the March 23rd, 2021 Council report. The points below are intended to summarize some of these concerns. I recognize the length and details of this letter may be extensive to some, but I feel this may be the only opportunity to express my apprehensions.

1

Correspondence received before the June 8, 2021 Public Hearing was close...

Lot 16 Marine Drive Development Concerns

1) The Lot 16 Marine Drive Development has the potential to be the largest development project the community of Ucluelet has ever undergone, which may have long lasting implications to the future vision of the community, in particular the neighborhoods on the west side of Ucluelet. I'm concerned how the design of the development, particularly the four-story apartment building will reflect Ucluelet's west coast and fishing village heritage, as well as how the development will fit within the neighbourhood context and align with Ucluelet's Strategic Plan.

2) The density of the proposed development is extremely ambitious. I am unclear as to why the District is interested in maximizing the density of this small region to a third of Ucluelet's current population. It is also unclear as to how the Developer plans to fit so many homes and adequate parking spaces into this area. If I understand correctly, 125 units, plus potential carriage homes, could be extrapolated to three or four people per household resulting in upwards of 500 people or more in a 12.7-acre parcel. This would result in an approximate 25% population increase. When I compare this to the current CD-2A zoning of 76 resort condos or half the density, I have to ponder if all issues and impacts resulting from this very high-density proposal have been considered.

I feel this level density would pose public safety issues (e.g., accessibility for fire trucks and lack of an aerial apparatus), increase the demand on the community's water and sewer infrastructure, and result in a loss of sensitive and valuable environmental features and ecological functions. I have outlined additional density considerations below.

- A. I understand the applicant will only be required to have parking as per the Zoning Bylaw No. 1160 for any aspect of the proposed development and that no variances to the parking requirements are being proposed.
 - ⇒ Will there be sufficient parking space for all residents (i.e., up to two or three parking spaces per household)? Or where will additional parking be allocated for families that have multiple vehicles and visitors (i.e., will parking occur at the Community Centre, Big Beach parking lot, along Victoria Road and Marine Drive, etc.)?
 - ⇒ I understand the Ridge currently has parking woes during the busy summer months.
- B. Will traffic congestion and road capacity concerns, as well as safety of design and modification of new streets, sidewalks, and pathways be implemented?
 - ⇒ Matterson Drive, Victoria Road and Marine Drive already have congestion issues, particularly during the busy summer season due to activity at Big Beach and the Wild Pacific Trail, Community Centre and Day Care, skatepark, basketball court, and as a main transportation route to Black Rock resort.
- C. Will the prioritization of pedestrian improvements be implemented to provide safe routes to the schools and to the Community Centre, as well as pedestrian and cycling improvements and safety considerations along Matterson Drive, Marine Drive and Victoria Road, as outlined in the 2020 Draft OCP Schedule B: Transportation Network?
 - ⇒ Victoria Road currently does not have sidewalks and is a narrow street where vehicles tend to speed on. This road can also have high volumes of traffic. The parking congestion around the skatepark and basketball court tends to have drivers enter into the opposing lane, and traffic congestion and speeding occurs on Matterson Drive.
- D. Will updated Subdivision and Development Servicing Standards bylaw or best practices consider low impact design principles and require the construction of appropriate vehicle, pedestrian and

- bicycle facilities, and will there be consideration for low-impact development road retrofits and street standards to prioritize pedestrians and cycling, as outlined in the 2020 Draft OCP?
- E. Will low-impact design principles be implemented, such as: *limited areas of impermeability, open drainage, high retention and replacement of natural vegetation, drought resistant landscaping, slow traffic speeds, pedestrian and cyclist connectivity, end-of-trip facilities, site and lot grading which follows existing topography, environmental protection and enhancement, and wide natural buffers and retention of significant natural features*, as outlined in the 2020 Draft OCP?
 - F. Will high-efficiency buildings be implemented (e.g., leading edge energy technologies and renewable energy systems), with an aim to implement the provincial Step Code to raise the bar on energy efficiency, as well as electric vehicle charging stations, as outlined in the 2020 Draft OCP.
 - G. Will the regulation and enforcement for short-term rentals be implemented (i.e., municipal bylaw enforcement policy to clearly communicate expectations and priorities for the monitoring and enforcement of bylaws to ensure community health, safety, wellbeing and positive visitor experience, and for a regular review to reduce situations of conflict and nuisance), as outlined in the 2020 Draft OCP?
 - H. Will seismic design requirements be implemented for multi-story buildings and BC Building Code guidelines, as outlined in the 2020 Draft OCP?
 - I. Will the District ensure all municipal standards, pertaining to land use and buildings within the development, be met in order to lower risks to the community, protect the environment and ensure the safety of first responders, as outlined in the 2020 Draft OCP?

Lastly, in regards to density, I would like to see other examples of where this magnitude of density and small lot design has been successful for other rural communities. The only examples that come to mind, that may be potentially similar to the proposed density, is the neighbourhood known as “vinyl village” in Tofino or mobile home parks, both of which I do not feel fit into the charter of Ucluelet, especially in the Marine Drive neighbourhood. I would also like to learn of Nored Developments previous project experience relating to Lot 16.

3) When I purchased my home on Victoria Road in 2007, it was my understanding there was a 20 m green space buffer behind my house and Big Beach Estates. I recognize the most recent zoning bylaw outlines this greenspace as 10 m. I understand the 10 m greenspace behind Victoria Road is now being presented as park or a cost amenity to the community. I’m confused as to why because this 10 m greenspace was already in place.

I strongly feel that additional greenspace is required for this proposal, and that the protection of old growth trees and other large coniferous trees should be a requirement, as well as habitat protection for wildlife such as amphibians, reptiles, mammals and birds that utilize this greenspace as habitat and as a movement corridor. I also feel that any remaining greenspaces should not have trail networks incorporated into them to help ensure some flora and fauna is left for wildlife.

The *Zoning Amendment Application: Planning Framework* does not outline the mitigation measures that will be put in place to protect sensitive and valuable environmental features, and the disruption of ecological functions for this area, as well as the potential protection for archeological and cultural sites and features.

4) It is imperative that taxpayers understand the costs and changes resulting from this proposal.

The Developers Community Amenity Contribution¹ (CACs) and Development Cost Charges (DCCs)² seem to be deficient. Furthermore, it does not appear Council has considered density bonusing³. Additional comments and questions regarding costs and charges resulting from this proposal are outlined below.

- The fairness of the loss of a privately owned swimming pool and fitness centre for an apartment building and a 1,300 square meter park. I understand the swimming pool and fitness centre cost amenities could have been enjoyed by both residents and visitors, and would amount to 15-20% parkland dedication or amenity.
- The fairness of a financial contribution of \$1,000 / per door (total \$112,000), plus a small lot to the District.
- The ambiguity of who (Developer or District or tax payers) will pay the approximate \$100,000+ upgrade for the water and sewer pump stations, and approximate \$489,000 for sanitary sewer extensions, as well as any other costs associated costs with water and sewer upgrades.
- A better understanding of how the proposed development and associated density will affect the current infrastructure systems, such as the community water supply, sewage lagoon and roadway structures.
- What other CACs and DCCs should be considered (e.g., contribution towards a ladder truck to service a four-story apartment building)?
- Can the DCC calculations be shared with the public?
- It does not seem adequate that the 10 m greenspace behind Victoria Road should be allocated as a cost amenity contribution.
- Lastly, how do the current proposed amenities benefit the entire community? I foresee all residents being directly or indirectly impacted by this proposed development?

I support OCP Policy 4.1 that requires that developers pay for full servicing costs and that "the District should carefully evaluate the long-term financial operating costs before assuming responsibility for future infrastructure as a result of the development." Further, Objective 4G is to ensure that the costs of upgraded services are bore primarily by those who benefit.

I understand that Lot 16 is only one of many developments currently underway and proposed in our community. With these new developments, there will be additional pressure on our water and sewer

¹ In-kind or cash contributions. <https://www2.gov.bc.ca/gov/content/governments/local-governments/planning-land-use/land-use-regulation/zoning-bylaws/density-bonusing-amenities>

² "DCCs are generally determined by dividing the net capital infrastructure costs attributable to new development over a certain time period, by the corresponding number of projected development units (or area) that will be developed in that same time period. DCC calculations typically coincide with the Financial Plans. DCCs are commonly imposed on a range of land uses, including both residential and non-residential."
https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/finance/dcc_best_practice_guide_2005.pdf.

³ "Sometimes referred to as bonusing or floor area relaxations, is used as a zoning tool that permits developers to build additional floor area, in exchange for amenities and affordable housing needed by the community."
<https://vancouver.ca/home-property-development/density-bonus-zoning.aspx#:~:text=Density%20bonusing%2C%20sometimes%20referred%20to,housing%20needed%20by%20the%20community.>

infrastructure, and as tax payer, I do not want to be subject to increased taxes to supplement infrastructure upgrades due to these development projects.

5) Council opted from having the developer obtain a variance for the four-story apartment building, resulting in the shortfall of a public hearing. This decision was made despite the following factors:

- The Planner noted in the report that "the building will become a landmark in the community and the overall height - and how the massing of the building is handled in the final design - will have a significant influence on the character of this corner of the community;"
- Councillor Kemps expressed the need for an aerial fire truck in order to reach the proposed height of the proposed new apartment building;
- The Fire Chief outlined the requirement of an aerial apparatus for a four-story building; and
- It was noted that this was a "big ticket item" by the Mayor and both Councillor Hoar, and the Mayor remarked they would like to see a third-party report on this.

For Council to decide that this decision should not be put out to the public separately, despite staff's recommendation for the Developer to apply for a development variance permit, was extremely concerning and further exemplifies concerns over a lack of public engagement.

Furthermore, I would like to emphasise the point made by Chief Gillies regarding the community reaching the three to four story building threshold, thus resulting in the need for an aerial apparatus should an additional four-story building be developed in Ucluelet. I recall when I worked for the municipality as the Emergency Service Manager, and when I helped to procure the newest fire truck, an aerial truck was not an option because this apparatus would not fit into the current fire hall. Furthermore, I recall a ladder truck being a large expense that the District was not willing to procure. I therefore ask, how the District plans to manage the additional proposed story for the apartment building; therefore, will residents taxes increase to pay for a new fire hall and ladder truck? Or how does the District plan to supersede this fire protection public safety measure? I would also like to see a Fire Protection Risk Assessment and Plan to outline how the District can adequately service this very high density residential area to ensure public safety.

6) The proposed development provides a variety of different housing options; however, it is unclear if the units will help resolve the current housing crisis or whether they will be unattainable to the working class. Currently, the development is being touted for the views, which presents concerns that housing cost will be reflective of this. I would like to obtain a definition of what is "attainable" housing. I would also like to learn if has Council has considered the following for the Housing Agreement between the Developer and the District: rental caps for the apartment building to help ensure attainability for local residents, and a process to ensure 30-day stays are not considered long-term rentals?

In my opinion, I foresee the small lots and dwellings posing a challenge for families to reside in due to lack of space. I therefore anticipate that some of these smaller dwellings will become vacation cabins, which in turn could be shared by family and friends resulting in a potential short-term rental situation.

I understand that OCP Policy 3.143 "Rezoning applications involving more than 5 dwelling units shall provide a statement describing the affordable housing components achieved by the proposal" and Policy 3.134 "Ensure larger developments are required to provide affordable housing as a portion of each development phase." These policy statements do not seem in line with the current proposal, and as I understand, rental does not equal affordable or attainable.

7) Additional comments and questions

- I would like to see a Housing Needs Assessment conducted which takes into consideration all of the current and proposed development projects in Ucluelet and Tofino.
- The District of Ucluelet Official Community Plan (2018) is in draft. It is unclear as to how this large-scale development proposal can move forward without the finalization of the OCP, as there may be changes to the current land use designations and policy context. The March 23rd, 2020 Council Report outlines that Lot 16 is consistent with Ucluelet's OCP. I would like to learn if this statement is referring to the 2020 Draft OCP, as I do not find the *Zoning Amendment Application: Planning Framework* to consider all relevant OCP policies relating to this development proposal.
- Can Council please outline how the public can obtain the environmental and archeological assessment reports required for the Development Permit and subdivision stages?
- I would also like learn about the phased approach for this development? Therefore, can you please explain the anticipated schedule and timelines for the various subdivision developments? Can you also please outline the anticipated construction hours and noise levels residents will have to endure during this phased approach? Please recognize, the neighbourhood around Lot 16 is currently a very quiet residential area. The construction will have a significant impact on the quality of life for the residents in this area and surrounding neighbourhoods.

As you can see, I have various questions and concerns. It was my understanding after the 2018 Lot 16 public information session that there would be additional opportunities to learn more about this large-scale development project. Can you please outline how my questions and concerns will be addressed since it does not appear the Developer or District are moving forward with additional public information and engagement / consultation sessions, and since these questions and concerns have not been brought forward during the First and Second Reading.

I feel that development projects should not be pushed through by pressure and need to be well thought out, as well as represent the voices of residents to help enhance liveability and the long-term vision of the community. The Strategic Plan outlines that "an increasing demand for housing and development driven by thriving tourism has the potential to diminish the character and liveability of our community." I truly hope that the District and Developer can demonstrate how this proposal will ensure the character and liveability of our community remains intact, as well as considers all public safety measures.

Thank you for your time and consideration. I look forward to your reply.

Respectfully,



Karla Robison

Karla Robison
1435 Victoria Road, [REDACTED]
Ucluelet, BC V0R 3A0

June 8, 2021

District of Ucluelet
200 Main Street, PO Box 999
Ucluelet, BC V0R 3A0

Re: Lot 16 Marine Drive Development, Zoning Amendment Bylaw No. 1284, 2021

Council and Mayor:

I would like to add a few additional comments to my initial correspondence regarding Lot 16 Marine Drive Development, Zoning Amendment Bylaw No. 1284, 2021.

1. I would like to outline that I have experienced similar concerns that my neighbours shared in regards to drainage issues in my backyard along Victoria Road. I therefore request additional greenspace to be incorporated into this proposal to ensure erosion, root stability and additional flooding does not occur for homes along Victoria Road.
2. I also request additional greenspace behind Victoria Road and the apartment building. I feel that the 75 plus cars coming and going from this parking lot will minimize quality of life due to continuous noise and pollution.

Thank you for your consideration.

Regards,
Karla Robison

From: [Jeff and Naomie Swann](#)
To: [Community Input Mailbox](#)
Subject: Lot 16 Input
Date: June 8, 2021 7:02:48 PM

[External]

Naomie and Jeff Swann June 8, 2021 1260 Sunset Point Rd.
Ucluelet, BC

Council and Mayor,

Thank-you for the opportunity to provide comments and feedback regarding the Lot 16 Marine Drive Development proposal and associated Zoning Amendment Bylaw No. 1284, 2021.

We have concerns regarding the large scale development project on Lot 16 on Marine Dr. A development of this nature would be the largest development that the community has ever done and has the potential to have long lasting implications to the community we all call home. A development of this nature deserves public engagement and transparency. Both of which seem to be lacking.

We are concerned that the Development is said to have 125 units on the site. The potential number of people and vehicles in this area will add to the already congested area of our town. Not to mention where will all these people park, along Victoria Rd, or Marine Dr? This does create safety issues in itself. Kids going to and from school, to and from the skate park and basketball courts.....

The increased demand on the communities water and sewer infrastructure are also very concerning.

We ask the council to take their time and consider the community and neighbours questions and concerns.

Regards,

Jeff and Naomie Swann

From: [Nicole Morin](#)
To: [Nicole Morin](#)
Subject: FW: It's time to say yes to increased supply
Date: July 13, 2021 1:30:34 PM
Attachments: [image001.png](#)
[BCREA Housing Supply Press Release - June 29 2021.docx](#)

From: Judy JG. Gray [REDACTED]
Sent: June 29, 2021 9:17 AM
To: Mayco Noël <mnoel@ucluelet.ca>; John Towgood <JTowgood@ucluelet.ca>; Bruce Greig <bgreig@ucluelet.ca>
Cc: Marilyn McEwen <mmcewen@ucluelet.ca>; Lara Kemps <lkemps@ucluelet.ca>; Jennifer Hoar <jhoar@ucluelet.ca>; Rachelle Cole <rcole@ucluelet.ca>
Subject: It's time to say yes to increased supply

[External]

Good morning All,

It is time to start saying yes to developers so that the housing supply can increase. Focusing on Affordable Housing will not make housing in Ucluelet more affordable, we need more housing in order for prices to ease.

Lot 16 Marine would have been a big step forward to easing the supply and increasing affordability as well as giving us some rental supply.

Please read the attached article.

Kindest Regards,

Judy

Judy Gray - Team Leader - CCIM - CRES
RE/MAX Mid-Island Realty
[109-1917 Peninsula Road](#)

[REDACTED]
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BC Real Estate Association Agrees with Expert Panel’s Calls to Increase Housing Supply for Improved Affordability

Vancouver, BC – June 29, 2021. Increasing and diversifying housing supply is part of a necessary, meaningful, and long-lasting solution to make housing more affordable in British Columbia. The British Columbia Real Estate Association is encouraged by the [final report](#) from the Expert Panel on Housing Supply and Affordability and its specific recommendations around housing supply.

“There is no question that, for British Columbians to access housing options within their means, the supply of housing has to increase. To do so, local governments must decrease barriers and speed up their approval processes,” says BCREA CEO Darlene Hyde. “We welcome these findings from the Expert Panel, which echo our own recommendations about housing supply. We are – as always – ready to work with governments to help them develop and implement thoughtful, evidence-based policies that will deliver results.”

Among the 23 recommendations from the panel, the report calls for the BC government to conduct a review of public hearings and consider alternative options for more meaningful, earlier public input in different formats. This eliminates the potential for a loud minority to skew and delay outcomes and timelines. BCREA is also encouraged to see the panel highlight challenges and opportunities outlined in the provincial government’s 2019 Development Approvals Process Review (DAPR) report, which outlines solutions to the issue of needlessly long development approval timelines.

The provincial government has made some progress to facilitate more supply, but much more needs to be done as it is increasingly difficult to become a homeowner in BC.

Established by the governments of Canada and BC in 2019, the Expert Panel was tasked with examining housing trends for rental and homeownership and making recommendations to both levels of government.

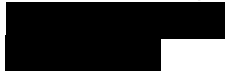
- 30 -

About the British Columbia Real Estate Association:

BCREA is the professional association for over 23,000 REALTORS® in BC. Working with the province’s ten real estate boards, we provide professional development opportunities, advocacy, economic research and standard forms so REALTORS® are trusted, respected and proud of their profession.

For more information contact:

Shaheed Devji
BCREA Marketing Communications Specialist



2 August 2021

Mayor & Council
District of Ucluelet
200 Main Street, PO Box 999
Ucluelet, B.C. VOR 3A0

Dear Sir & Mesdames:

Re: Lot 16 Marine Drive Development proposal

Thank you for the opportunity to comment on the Lot 16 development proposal and the Zoning Bylaw Amendment Bylaw No. 1284, 2021 that would facilitate it.

The ByLaw Amendment was obviously drafted to accommodate the extreme residential densities in the proposal. It should be rejected outright to send a clear message to the developers that their proposal needs to be rethought and redrafted to comply with existing residential zoning standards, not seek ways to get around them. Additionally it should demonstrate some consideration for the ambience of the surrounding community and the well-being of its permanent residents. You have already received many **letters of concern about the project's** potential impact on the neighbours.

The proposed new R-6 Infill Single Family Residential zoning is particularly troubling and totally inappropriate for a small rural community whose chief attraction is its unspoiled natural setting. Infill-zoned enclaves are being tried in the older parts of major metropolitan areas like Vancouver and Edmonton. They are controversial even there. They change the character of the community and disrupt established residential neighbourhoods. Residents complain of overcrowding; increased noise; loss of gardens, green space, and privacy; parking inadequacies; traffic issues; poor maintenance; and an increase in petty crime and incidents requiring police intervention. **We don't need that** here in Ucluelet. Nor do we need zoning to allow **"accessory buildings" on** small lots where zoning currently prohibits them; **that's just creeping infill**, and will have the same consequences.

I have a few questions about the proposal's **impact on the community** at large that **weren't answered as I looked** through the material for the Hearing on August 10.

1. What is the justification for increasing the population of Ucluelet by around 25%? What are all these people going to do for a living? Or is this new development just to re-house people who are already here? If so, where are they living now? More affordable housing is needed, but we can do better than cram it onto micro-lots in a densified market-housing complex. Local builders have already demonstrated that they can produce attractive affordable housing on normal lots with normal set-backs and green **space around them. Let's have more of that, and maybe an incentive** programme to encourage more long-term rentals throughout the community instead of just B&Bs.

2. Assuming the 300-400 people (probably more, with visitors) will be additional to the present population (1,717 in 2016), are the water and sewer systems adequate to handle their needs? I see a lot of engineering discussion about the pipes and pumps that make up the present systems, and what upgrades would be needed for them, but nothing about the water supply sources or the capacity of the sewage treatment facility. Both have been problematic in recent years. The decision to continue using the old well field after our grant request to improve it was refused, and the upgrade and repairs to the sewage lagoons, were both based on the existing population level.

3. Parking space for residents and visitors does not seem to be addressed in the proposal. Being able to walk to schools, the post office, and other community facilities **in mere minutes is cited as an advantage of the development's central location. All well and good as long as you're here, but to get here or go anywhere else** you need a vehicle of some sort. Where will the people in the apartment block, in the townhouses, and on the infill lots park theirs?

Many design specifics are not spelled out in this proof-of-concept proposal. Apparently all will be revealed as the detailed plans are drawn up after the zoning changes are approved. **That's what the previous developer said before laying waste to this site and others in Ucluelet, and then walking away.**

Please don't make the same mistakes again. Reject this proposal now.

Ann Turner,
1160 Coral Way

Elisa and David White
1148 Coral Way
Ucluelet V0R 3A0

████████████████████
4 August 2021

Dear Mayor and Council,
District of Ucluelet.

How to “Nanaimo-ize” Ucluelet...one easy step

Thank you for the opportunity to present comments on the proposed development of **Lot 16, Marine Drive**.

Just to be clear, we have

- a) no property next to the site;
- b) no financial interest in it, nor in any property next to it.

Our comments come purely from a concern for community values, a kind of environment and lifestyle that we thought intrinsic to Ucluelet, which made us fall in love with this community 25 years ago, build a home and be happy....and yet.....

Lot 16 has surely had a rough time over the years....stripped, spoiled, neglected. It now looks like it is being prepared for some other kind of abuse, of a decidedly worse nature because the consequences would be felt permanently.

The proposed density of development is off any reasonable scale. It would completely change the balance of the neighbourhood....20-25% more homes for Ucluelet crammed into a 12 acre plot; 112 units and then some, once “infill-itis” starts with a rash of accessory cottages bursting out.

Let’s be honest: this is not about dangling carrots of low cost housing or giving away a bit of handkerchief “park”. However dressed up, the impression is of maximising cash that can be generated for those with interests in building and selling. It means

“Nanaimo-izing” a decent, tranquil area of Ucluelet.... unfortunately, another example of a stressed and debilitated community being invited increasingly to worship at the altar of development & the power of Mammon.

Years ago, when the lands on the oceanside started to become available for purposes other than forestry, there was a lot of discussion about how to handle this resource, without at the same time negatively shifting the centre of gravity away from the town centre. Yet here we are, with a proposal that dramatically does just that. If only half the money, effort, attention, imagination that has been directed over the years onto oceanside properties had been channelled into the heart of the town, a better, wider spread result would have been achieved and probably a lot of people made happier.

Of course, everybody recognises the need for low cost housing and this proposal astutely puts it right into front focus, as if to say “This is what you get if you swallow the rest”. Read that as: you get some benefit if you mutilate the nature of the area. That doesn’t seem an approach worthy of proper consideration by the Council. Let’s avoid a mindset of trying to solve one problem by creating yet others and worse. There needs to be a dramatic rethink:

- first consider what is a **reasonable load of accommodation appropriate** for this plot to bear; then make development proposals fit...i.e. when you determine the size of the jar should be a pint, stop pouring a gallon into it; it just makes mess;
- maintain at least some **sensible element of green** (not the bare bones offered in this scheme, called “park”...let’s not debase the word);
- acknowledge that there should be a certain **harmony with the homes of existing residents** on contiguous plots who have lives, histories, expectations that need to be taken into account and respected;
- **stress-test traffic and parking** scenarios: what is the real volume of traffic going to be? Houses with B & B, and accessory cottages, can generate 5-6 cars per plot; potentially, there could be some 400 cars, plus services, plus deliveries; where are they going to go? Are the Big Beach and UCC parking lots going to be choked up? What will be the impact on Marine Drive or Matterson Drive, really fit only as quiet domestic roads ?
- **dump 4 storey proposals** (a really bad precedent; next developer in the line will ask for 5 storeys, sure and certain);
- **dump the “in-fill “**, accessory cottage proposal; this is a recipe for copycat applications all over the town, with far reaching, negative effects and the capacity to create annoyances and friction, pit neighbour against neighbour.
- remember this site has an important **relevance for Big Beach**, an asset that still maintains, despite development so far, an air of beauty, mystery, tranquility, a call to nature and an echo of the past; what is that going to be like if 300- 400 more people in crammed sites are right next doors? Kiss goodbye to Big Beach as you know it. Say hello to a busy urban open space.

- environmental disturbance is also menaced with respect to **light pollution from a hugely increased activity**. A great beauty of this area is the ability to see the stars at night, the Universe as our roof. So rare today, a treasure for much of Ucluelet, but at growing risk with development and every ill-considered illumination. Can you imagine the night time glow that could result from a development of the intensity proposed? Whatever the eventual outcome, Council should put this squarely on the agenda. All illumination should be in conformity with the standards of the International Dark Skies Association. What a shame it would be to see orange glow leaching into the night sky and half the stars disappearing.

A **more gentle concept of development at Lot 16** speaks to all the balanced, fair needs of the community. There is no reason why it cannot encompass a certain provision for low cost housing. That should be part of the structure, for sure. But how come that when this topic arises, the solution is seen simply as bulldozing green space? That's easy to do, less challenging, more profitable for sure than putting a thinking cap on and working out **how to redevelop some of the tired, worn out areas in the community** (we all know where they are) that desperately call for an injection of talent, care, imagination, capital and which could provide plenty of opportunity for good low cost housing, without unnecessarily impacting green space in fragile areas.

Mr Mayor, Councillors, as it stands this **proposal is out of size, wrong, a threat to irrevocably damage part of the community**, detrimental to the "small village" atmosphere which Ukee has still managed to cling to. It should not be approved. Send it back to the drawing board, please.

Yours respectfully,

David White

Elisa White

From: [Magda Ilcewicz](#)
To: [Community Input Mailbox](#)
Subject: Lot 16 proposal
Date: August 8, 2021 7:06:22 PM

[External]

Hello,

I have reviewed the development proposal for the lot 16 , Marine Drive. I am concerned that for such a large density area , I understand up to 300 people, I cannot find a designated area for recreational outdoor use space including a playground. Perhaps I missed it on the plans. I will not be able to attend the meeting but I would appreciate any comments regarding this issue.

Kind regards,
Magda Klimek, 1363 Edwards place

Joseph Rotenberg

From: Faye Kennington [REDACTED]
Sent: August 9, 2021 12:37 PM
To: Community Input Mailbox
Subject: Lot - 16 - We Need Those Apartments

[External]

Dear Council,

It's no secret we have a housing problem in Ucluelet. Many good, local families and business owners struggle to find secure housing. With the cost of building, we need to look at doing things differently than in the past.

Choosing to build higher density housing is a logical choice, especially when the property is located within walking distance to our village's amenities.

With regard to lot 16, I think we are fortunate that a developer is interested in building a much-needed apartment building for our community. I would love to see more housing options, such as this, available. The proposal seems reasonable and is overall a huge investment in Ucluelet.

Lot 16 is not in my back yard. I live adjacently and my "commute" will be slightly impacted by the traffic it creates. It's worth it to give people places to live.

I have nothing to gain from the approval of this project other than new neighbours with secure housing.

Best Regards,

Faye Kennington
1339 Edwards Place
Ucluelet BC. V0R 3A0

Joseph Rotenberg

From: Ian Kennington [REDACTED]
Sent: August 9, 2021 11:11 AM
To: Community Input Mailbox
Subject: Lot 16

[External]

Mayor/Council/Planning Department

I am writing to express my support for the Lot 16 rezoning. Specifically I support the amendment of building height for the apartment building in order to ensure the maximum number of rental units possible within the building footprint and recognizing the importance of economy of scale and feasibility. I do recognize and share the same concerns of neighbouring residents and would prefer not to see access from Victoria Rd as well as preserving/expanding the green space buffer at the rear of the property. With the housing situation being dire in Ucluelet due to tight supply and high demand. It is clear that compact development provides a variety of housing options and would help alleviate the upward pressure on home prices that has eroded affordability for local families. The benefits of a 48 unit apartment building to our community can not be overstated.

Thank you

Ian Kennington, BLA



1339 Edwards Place
[REDACTED]
Ucluelet, BC
V0R 3A0
[REDACTED]

District of Ucluelet
200 Main Street, PO Box 999
Ucluelet, BC VOR 3A0

Re: Lot 16 Marine Drive Development, Zoning Amendment Bylaw No. 1284, 2021

Council and Mayor:

Thank you for the opportunity to provide comments regarding the Lot 16 Marine Drive Development proposal and associated Zoning Amendment Bylaw No. 1284, 2021.

I would like to start with the general statement that I am all for additional housing opportunities, I don't believe that Ucluelet would be worse off with all this new housing and do support higher density such as in-fill development. I have read almost everything I can find on your website including the written submissions. I understand many of the comments in those letters, all legitimate, concerns, questions and solutions. Sadly, very little can be applied to this development in short order.

My concern with this proposal is that the community simply has not had the time, direction, or support to do the work that is required to help the district put policy and bylaws in place that will then guide this and future development.

The district embarked (2016) on a very lengthy and costly OCP review/update. If the OCP had been completed, Council could then roll up their sleeves and draft/implement many of the new policies and create lasting bylaws. The new regulatory documents are necessary to staff giving them the tools they need to take the guesswork out of these proposals.

One example of these technical tools planning staff need can be found by referring to Tofino's Subdivision and Development Bylaw. It is a very clear document that addresses many of the technical questions we are hearing from local residents. The questions about affordability, non-market housing, land contributions, community land trusts, housing authorities, would be addressed in any similar bylaw that does not currently exist for Ucluelet.

Yes, Ucluelet needs more housing, but we do NOT need the same old same old, which without all the background work completed is exactly what this project will be. To be completely clear, the work that needs to be completed is NOT by the developer. The work that needs to be done is done by the community and municipality together. The developer has provided everything and more that they are required to provide. They have done their work.

Thank you,

Respectfully submitted
Randy Oliwa
1150 Rupert Road
Ucluelet BC
VOR-3A0

From: [REDACTED]
To: [Mayco Noël](#)
Cc: [Council](#); [Bruce Greig](#); [Andy Laidlaw](#); [Joseph Rotenberg](#); ["Lara Kemps"](#)
Subject: RE: Lot 16 council main contact.
Date: August 10, 2021 3:22:34 PM
Attachments: [Julia Dewolfe Ucluelet.docx](#)
[Colleen Ucluelet.docx](#)

[External]

Good Afternoon

Attached are several letters in support of Lot 16 Marine Drive application. I heard several others were sent in over the past few days. I had a post on the Ucluelet Facebook Housing Rental page that was up for less than 2 hours before being taken down by the admin with overwhelming support for this project.

I look forward to tonight's meeting and hopefully moving forward with this much needed project.

Talk soon

Regards,

Cody Dreger

If you know anyone who is buying or selling, I would love the opportunity to help them.

To Whom It May Concern

My name is Julia Dewolfe and I live at Middle Beach Lodge in staff housing.. I am writing in support of the rezoning application at Lot 16 Marine Dr Ucluelet. I have been in the area for the past 2 summers working, playing and living here. I love it here and love all the people I am meeting. However the biggest issue facing people trying to come and work here is accommodations. Either we are crammed into staff accom or we are living in a small home with too many people. The west coast is in desperate need for more housing and it is my understanding that this development will mainly have long term rentals and not short term. I currently work as Lead House Keeper and I am constantly fighting for more staff, but with the lack of rooms people come and go which is killing the businesses here. I would also like to mention that living in housing provided by your employers is a recipe for unfair working conditions. Some employers in Tofino know that they can hold your accommodation over your head and treat you unfairly without the fear of losing staff because there's no other options for a place to live.

We need housing so badly and this seems like an amazing opportunity for that to happen.

Julia Dewolfe
400 Mackenzie Beach rd

Hi There.

Regarding planned development in Ucluelet to create more housing, I would like to express my support for the plans. We own a house in Ucluelet and spend a lot of time there. I understand that there is a serious lack of housing available which is affecting business operations in some cases. The creation of new housing units would be a positive thing for the community.

Thank you.
Colleen Broekhuizen
1112 Coral Way

Sent from my iPhone

Dear Mayor and Council members,

Thank you for the opportunity to provide additional comments relating to Zoning Amendment Bylaw No. 1284, 2021.

First off, I would like to commend Council for listening to the public and scheduling this Committee of the Whole meeting to get further public input into the proposal for Lot 16. I understand that there are many perspectives and that Council has an unenviable job of balancing these and determining what is best for the overall community. I do want to make it clear that I want to see Lot 16 get developed; however I have some concerns with the current proposal.

The Developer's motivation is to make a profit. They do not want to build at this density out of the kindness of their hearts; they are trying to maximize the money they will make. Council now has an opportunity to maximize the benefits provided to the community in exchange and ensure that the best interests of the residents are represented.

I, therefore, ask for Council to consider the following:

1. Please continue to show your commitment to public engagement and roll back the part of the zoning amendment bylaw and associated restrictive covenant that allows for a four-story apartment building subject to Council's approval. I ask that you go with the recommendation in the [Staff Report to Council on March 23rd](#) that "a variance to allow the requested 16m height for a fourth storey on the proposed apartment building would best be considered under a Development Variance Permit once architectural plans have been submitted" given that "The building will become a landmark in the community and the overall height - and how the massing of the building is handled in the final design - will have a significant influence on the character of this corner of the community."
2. Please consider whether the proposed density is appropriate and inline with Ucluelet's west coast and fishing village heritage. A development of this density will transform this community. The existing CD-2A zoning allows half of this density, or up to 76 resort condos. I absolutely understand that more diverse housing options are needed; although I think that you can achieve this without the density proposed in Lot 16. According to the [West Coast Land Use Study](#), the entire west coast population is projected to grow by between 13 and 646 residents over the next 5 years and between 175 and 1311 in the next 10 years. Is there truly a demand for this many houses in this high of density given all of the other vacant and underutilized land available for development? Should this large of a proportion of the projected population growth be housed in one block? Will new residents and guests want to leave the city to live in/visit this type of density?
3. Please ask for suitable amenities for such a large scale development. The existing CD-2A zoning already had the 10m buffer as a density bonusing amenity, alongside a new swimming pool and fitness facility and notably more greenspace than in the new proposal. Is providing a postage stamp sized park alongside a \$1,000/door fee paid to the District, and a small serviced residential lot transferred to the District suitable amenities for essentially doubling the allowable density? Is it sufficient to keep the same size (10m) buffer next to such a large development backing on to residential properties? Wouldn't it be more suitable for 15 or

20m considering this is currently a wildlife corridor? These “amenities” seem to pale in comparison to the scale of the development. Previously this municipality received [a skateboard park, basketball court and tot-park as well as contributions towards a new community centre and multi-purpose sports field](#) in exchange for other developments. I know that the residents have been asking for a community pool and fitness center for a long time. Isn't that the type of legacy that Council would want to leave behind, rather than one where a Developer makes millions while providing very little benefit to the existing residents?

4. Please demonstrate the commitment to affordable housing outlined in the OCP. The 2020 Draft OCP states "Rezoning applications involving more than 5 dwelling units shall provide a statement describing the affordable housing components achieved by the proposal" and "Ensure larger developments are required to provide affordable housing as a portion of each development phase." According to the [West Coast Land Use Study](#), it is estimated that 23.7% of households are in Core Housing Need. This proposal does not have any social or below market housing. Small lots do not equal affordable or even attainable. Current market rate for 1,100 sq ft townhouses down the street is close to \$700,000 + GST. I know that we are in the midst of a housing crisis, but I wonder what proportion of the community in need of housing can afford that.

When you leave today, I ask you to look across the street and imagine a building the size of the Black Rock there. Think about how this impacts this area, and the residents. Go down to Big Beach, look back up the hill and again imagine this building. Then imagine the impact of 375-500 more people using this beach, and how that affects the community as a whole. Walk down Victoria Road and imagine 375-500 additional residents using that road. The number one priority in the District of Ucluelet Strategic Plan is “Managing Growth and Maintaining Quality of Life”. The plan specifically recognizes that “An increasing demand for housing and development driven by thriving tourism has the potential to diminish the character and liveability of our community...”. I hope that Council can demonstrate the short- and long-term actions required to ensure that “Managing Growth and Maintaining Quality of Life” is maintained.

Thank you for your time and consideration.

Sincerely,
Destiny Poruchny & Andy Brillinger
1449 Victoria Road

From: [REDACTED]
To: [Community Input Mailbox](#)
Subject: Lot 16 question
Date: August 10, 2021 6:21:59 PM

[External]
Hi Council,

I've heard that the Developer posted on the Ucluelet "For Rent" page on Facebook that the apartment building would be subsidized by CMHC grants and have a portion of the units available at below market rents, but this post has since been taken down. From everything I have seen and the comments today, I don't think that is accurate. Can the Committee provide further clarification here?

Thanks,
Destiny Poruchny
1449 Victoria Road

From: [REDACTED]
To: [Community Input Mailbox](#)
Subject: Follow up to my question
Date: August 10, 2021 9:02:52 PM
Attachments: [image002.png](#)

[External]

Please see the attached image provided by John Towgood. Can you bring this up on screen?

Clause 5d: indicates that a 10m covenanted area be secured along the Marine Drive frontage of the subject property to retain vegetation (no buildings) and preclude driveway access along this road corridor. The sketch below roughly shows the area dedicated;

- as District of Ucluelet park (**Yellow**);
- the 10m greenspace (no buildings) covenanted area (**Green**); and
- the road dedication area (**Blue**).

It should be noted that building setbacks are from property lines not from a covenant boundary.

T A
VP 50953

Ucluelet
Community Centre

LOT
PLAN 51

Please Refer to Drawing Sheet S3 for
Apartment and Townhome Site Statistics

PART OF REMAINDER
D.L. 231



From: [Pat Walton](#)
To: [Community Input Mailbox](#)
Subject: Lot 16
Date: August 10, 2021 8:52:02 PM

[External]

From Bob And Pat Walton
457 Marine Drive

We support the need for housing.

Affordable for workers in this town.

But please Consider the quality of life in this great area. Green space is mandatory.

We would like to add our voice to the concern of the density too much for the area of Lot 16.

Traffic and parking must be addressed.

We are dismayed to find there is no 10m buffer to the lots on Marine Drive. Green space is the lungs of the community.

A large apartment needs adjacent green space for people. Given COVID and advised people to gather outside space must be provided.

Thank you

Sent from my iPhone

From: [Community Input Mailbox](#)
To: [Community Input Mailbox](#)
Subject: FW: Lot 16 Proposal
Date: August 16, 2021 3:13:19 PM

From: Lindsey Black [REDACTED]
Sent: August 11, 2021 9:54 AM
To: Mayco Noël <mnoel@ucluelet.ca>
Cc: Rachele Cole <rcole@ucluelet.ca>; Jennifer Hoar <jhoar@ucluelet.ca>; Lara Kemps <lkemps@ucluelet.ca>; Marilyn McEwen <mmcewen@ucluelet.ca>; Bruce Greig <bgreig@ucluelet.ca>
Subject: Lot 16 Proposal

[External]

Dear Council and Mayor

I attended yesterday's meeting regarding the proposed development of Lot 16 which I found to be both informative and somewhat disconcerting. I heard many of the Ucluelet residents not in favour of this development due to its high density which would result in a substantial increase in the population. I can certainly understand why individuals are concerned as the plan appears to lack park space, a playground area and parking.

However, I do agree that long-term housing for many Ucluelet residents is a massive issue with many of the businesses in town staying in business due to difficulty keeping and maintaining employees as a result of a housing shortage. In order to offer more affordable housing, I understand that a higher density plan will help alleviate that pressure and likely one of the few options available.

As somebody who works in real estate and has consulted and appraised many multi-family projects, I think that the plan could be improved upon. The apartment building absolutely should be a mixed-use development with commercial at grade level offering perhaps a small grocery store/convenience store along with a coffee shop to service the residents there. This will help reduce traffic into town and lower emissions in the area. A small playground/picnic area would also be helpful for the residents there.

Lastly, I am wondering when the CAC's were negotiated. \$1,000 per unit does not seem sufficient and appears as though the District is leaving money on the table. How does this compare to other municipalities? If this development proposal goes through, I certainly hope that the District has negotiated everything possible to help offset any unforeseen costs that will certainly arise with such a large project.

Thank you for your time and consideration.

Sincerely,

Lindsey Black, AACI, P.App

From: [Community Input Mailbox](#)
To: [Community Input Mailbox](#)
Subject: FW: Lot 16
Date: August 16, 2021 3:15:27 PM

From: Marcie DeWitt [REDACTED]
Sent: August 10, 2021 7:08 PM
To: Info Ucluelet <info@ucluelet.ca>
Subject: Lot 16

[External]

Hello,

Sorry I could not stay any later for the meeting.

I am a consultant who has been living in Ucluelet for the past 13 years working with all the communities on health equity issues and social determinants of health. I am currently writing the Poverty Reduction Action plan for the region and just wanted to bring that perspective to the discussion.

While the current proposal is still in development and certainly requiring some revisions to be in line with community input we do need to think about increased density and availability of all types of rental and ownership opportunities in our community. Regarding this specific step of the process for this development I think it would be wise to consider housing before increased tourism development.

We currently have a median income in the community which is less than the living wage required to live here, this means that a good proportion of our residents are not able to save let alone buy a home. Results from the Poverty Reduction community engagement showed that a vast majority of west coast respondents were or had struggled with obtaining housing or saving to purchase a home unless they had done so 5 + years ago. At the same time we do not have the variety or density which allows people in our community to purchase in a modest price range or something that might suit their lifestyle better than a \$700 000 single family home. With the COVID pandemic and just overall increase in people working from home people are moving here and our home prices are rapidly increasing. We need a range of interventions and options available to ensure we keep our young professionals and families in community. Developing density, diverse options of housing and rental suites will allow mobility for those (like myself) who have means to purchase, staying in community as well as freeing up valuable spaces for the next young professional or family.

As our community is already busy, businesses cannot find enough staff and local families are struggling to find housing I hope we are able to

Correspondence received after the June 8, 2021 Public Hearing and before...

move forward with proposals which offer alternatives to our housing needs rather than attracting more tourism to the area.

Thank you.

Marcie DeWitt

Consulting Services

██████████

Want to know more - check out my past projects via ██████████

From: [Mady MacDonald](#)
To: [Community Input Mailbox](#)
Subject: Lot 16
Date: August 11, 2021 6:29:17 PM

[External]

Good afternoon,

I dropped into the special council meeting last night to listen (rather than read people's opinions on FB) to the rezoning plan presented. It seems well thought out. I own my housing and it's not in my backyard so it was curiosity more than personal impact that brought me to the meeting. Given that it is a change from tourist housing (which we definitely do not need more of) to a high density housing project it seems like a needed, practical approach. I understand people are concerned about the increase in traffic etc. but with good walking, biking and other infrastructure these effects can be mitigated. My only concern is that it's in early stages and the multiple levels they still need to go through makes it seem like years before this project could be in place.

Given that other developers often don't have the integrity to follow through with the low-cost housing units they promise it seems a staged approach based on the town's needs be approved first. For instance, approve the apartment building and once that's done they can do the various other stages rather than a blanket approval.

Overall though, it seems the council and planner has worked hard to think of all aspects. I hope it goes through and some mitigation measures (fencing, the green belt, bike paths etc.) are considered to appease some of the people that are so very concerned. We need housing and this makes good sense to me.

Mady MacDonald
Skype: madymacdonald

"If we all did the things we are capable of doing, we would literally astound ourselves." -- Thomas Edison

"Success is stumbling from failure to failure with no loss of enthusiasm." -- Winston Churchill

From: [Carly Butler](#)
To: [Info Ucluelet](#)
Subject: LOT 16 HOUSING DEVELOPMENT
Date: August 14, 2021 11:22:59 AM

[External]

Dear Council,

I'm writing as I feel there's a need for clarity regarding the proposed Lot 16 Housing Development.

A lot of Facebook comments and conversations with friends have been around the presumed affordability of the high density lots. Several people are under the impression that these lots will be sold between \$90-100,000. These residents are supporting the project based on this assumption, and the belief that they will be able to afford a lot and build to their own specifications.

I cannot find anything in the proposal that supports this belief. I am assuming that the information about the one small serviced lot that will be transferred to the District has become misinterpreted as an estimate for the value of all the other lots?

(Committee Meeting August 10th: 4.6.3. One Single-Family Residential Lot The applicant is proposing to transfer ownership to the District of Ucluelet one small serviced residential lot. The applicant estimates the value of this contribution at \$90,000 to \$100,000.)

Finally, there is also an assumption that the apartment building rentals will be capped at an affordable rental rate for residents. Again, I cannot find anything in the proposal to support this assumption. All I have read from the developer is that 'Affordable Housing (Social / Subsidized Housing) is not proposed as a part of this application'. This doesn't seem to support affordable rental units in any way.

I would love to be wrong on both points and see affordable lots and low rental units as part of the development, but I fear I am not. If these two points could be clarified for the public I think we would be able to have a more informed discussion with less speculation and misinterpretation. I would hate for supporters of the project to feel misled if the project moves forward. I realize that social media is not the best forum for complex housing discussions, but I do feel a short post from the District clearly outlining the parameters of the project as related to affordability for residents would be very helpful.

Sincerely,
Carly
1595 Bay Street

--



Joseph Rotenberg

From: Joseph Rotenberg
Sent: August 17, 2021 8:28 AM
To: Joseph Rotenberg
Subject: RE: LOT 16 : results of CoW : AUG 17 COUNCIL MEETING

From: Andrea Murray [REDACTED]
Sent: August 16, 2021 11:09 PM
To: Mayco Noël <mnoel@ucluelet.ca>; Rachele Cole <rcole@ucluelet.ca>; Jennifer Hoar <jhoar@ucluelet.ca>; Lara Kemps <lkemps@ucluelet.ca>; Marilyn McEwen <mmcewen@ucluelet.ca>
Cc: Info Ucluelet <info@ucluelet.ca>
Subject: LOT 16 : results of CoW : AUG 17 COUNCIL MEETING

[External]

Dear Mayor & Council,

We are very thankful that a Committee of the Whole meeting was held regarding the proposed LOT 16 zoning amendments. We thank Mayor and Council for continuing to hear what the ucluelet residents have to say as this directly impacts our everyday lives and will do so for years to come.

We believe we've all been drawn to this slice of paradise on the coast to enjoy more space, the ocean, the rainforest and the amazing community many of us call home.

We are grateful for the proposed changes offered by the developer in response to community feedback. As Ucluelet community members for the last 15 years and with intention of continuing to live and raise our young children and move our parents to this coastline, we would like to propose further measurable solutions that would be a benefit to our town that also meet the vision of our OCP.

1. Lot 16 is located in the middle of an already existing and thriving community. We appreciate the developer's proposed update of reducing the total potential doors from 112 to approximately 102 (*these numbers do NOT whoever include* accessory residential buildings/secondary suites in the R6 parcel). We understand the need for 'smaller' lot offerings and diverse housing needs. The rental apartment building is great. R6 zoning a great option for smaller home builds. Townhomes allow even more diversity. The concern is....each of these *very dense* offerings - are proposed on the same parcel of land - amidst already existing homes. If all 3 proceed within the same development then our solution would be to slightly reduce the total units of each zone so that the housing needs of the community could still be met BUT the density could at the same time be addressed. The apartment building remaining 3 storeys is great. R6 could be reduced to a maximum of 20 lots instead of the 30 drawn. The 28 townhomes could be reduced to 20 townhomes. This would still be 86 doors total (including the larger marine drive lots) before accessory residential building doors are counted. By offering all 3 options - but slightly reducing each of their total door counts - this still meets the needs of the community but also reduces some of the extreme 'city like' density in this area and it's subsequent stress on infrastructure/parking/traffic flow.
2. We appreciate the increase to a 15m setback between the townhome portion of the development and existing homes/lots along Marine drive. As green space and privacy are important to everyone - especially bordering this proposed dense 3 storey townhome site - our suggestion is to require the registration of a green space covenant within this added 5m setback (in the area directly abutting existing homes/lots along Marine drive.).

We are grateful that our Mayor and Council have our community's best interests at heart.

Smiles,

Andrea, Marc, Takaya + Finn.

Lot D Marine drive (adjacent property to Lot 16)

+ 482 Marine drive

Joseph Rotenberg

To: Joseph Rotenberg
Subject: RE: Ucluelet lot 16 Subdivision Concerns

From: Myles Morrison [REDACTED]
Sent: August 17, 2021 2:50 PM
To: Mayco Noël <mnoel@ucluelet.ca>; Info Ucluelet <info@ucluelet.ca>; Bruce Greig <bgreig@ucluelet.ca>; John Towgood <JTowgood@ucluelet.ca>
Subject: Ucluelet lot 16 Subdivision Concerns

[External]

Dear Mayor and Council (and staff),

The lot 16 Subdivision...

The current proposal has no affordable housing, no park, crammed expensive housing, wants to break the towns three-story Covenant with an apartment building towering over the entrance to Big Beach.

Put the apartment in the subdivision with a small park in front of it and make it rent controlled.

Make a 2% or annual inflation rate whichever is less ceiling covenant on yearly house price increases and owner must live in.

No more short term rental. The Developer / Builder needs to work with the town's needs. He will already make a huge profit.

Thx
Myles Morrison
30+ year resident

August 20, 2021

District of Ucluelet
PO Box 999, 200 Main St.
Ucluelet, BC
V0R 3A0

Re: The Cabins at Terrace Beach - cabin expansion
Development of Lot 16

Dear Mayor and Council,

I would like to formally oppose the current development plans for the above mentioned development sites.

Firstly, the expansion of 13, 3 storey cabin units on the shoreline of Terrace Beach by The Cabins at Terrace Beach, owner Ron Clayton and partners. After talking to Mr. Clayton and hearing his plans to build up the site, sell off everything and retire I was quite taken back. This is not for the better of the community. This project is for the lining of one's pocket and selling off one of our community beach fronts. Why would council agree to all of the adjustments to setbacks, rezoning of these developers adjacent properties when there is clearly and abundant opposition from the neighboring community? It's all just for better resale purposes. Is the community benefitting in any way from this expansion? Is this company offering up a grand donation to a community initiative, project, something all community could enjoy besides a piece of trail and a small green space? Could they make a smaller footprint than 13 large units?

In regard to the proposed development on Lot 16, this plan is a very dense proposal of the land. I'm worried incoming developers are taking advantage of an opportunity to squeeze in as many lots and profit making spaces on this property as possible. Just look at the lots/housing development down Place of Melfort for what NOT to do, subdivide and make as many properties as possible, build huge houses on small lots. Do we want a Nanaimo type suburb in Ucluelet? Do they really have our best interest at heart or their own? They make it sound like they are doing us a favour. Do we want all houses looking alike, crammed side-by-side so you can hear your neighbor's toilet flush?

The developer has tossed the District of Ucluelet and its community a very small bone in relation to what they are offering to us for this 'plan' to go through. One or two lots, a bit of cash \$120K ish, fix Matterson drive once they tear it up because there will need to be upgraded services, a small green space etc... That is a drop in the bucket as to what they are going to profit from on this development. The developer likes to toss back that they could build 76 vacation rentals, it sounds to me like a threat, where the District and the community should have the upper hand here and say "hey this is the integrity

of our town and residents you are dealing with, we will only approve the very best plan for our community". Why not tell them what we would like to see for our community. Why don't we ask for a less dense plan? Maybe an expansion to the skate park with lights put in a proper BMX track, beach volleyball, tennis/hockey court, donation to the Multiplex as a few ideas. This developer should be asked to contribute more back for what they are proposing. Think of the price tag of just selling off 6 large lots on Marine drive. We should not sell our community soul to the big developer. Yes, it is inevitable that Ucluelet and the surrounding area will grow and the big money developers will roll in but we need to make very sound decisions as there will be no turning back. Yes, we need more housing here on the west coast but it also needs to be something people can afford to buy or pay rent on if they are earning next to minimum wage. Our infrastructure, water/sewer, grocery facilities, post office expansion, staffing for current businesses should be more so front and centre and in place before more larger developments are approved.

I just ask that you PLEASE really consider all the aspects of how these types of developments are going to affect our community as a whole. Do we really want to turn into Tofino or Whistler? As a lifelong resident, I don't! We need to heed the warning of others that have gone down this path before us and make better decisions for our beloved Ukee.

Thank you for your time, intense thought, consideration and putting on "your big girl/boy gonchies" so to speak, to stand up to developers on our community's behalf.

My best to you all as I realize your positions are not easy ones ;-)

Thank you!

Sandy Corlazzoli and Family
Lifetime Ucluelet residents

