



REGULAR MEETING OF COUNCIL
Tuesday, October 26, 2021 @ 3:30 PM
George Fraser Room, 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, which may store data on foreign servers.	
4. LATE ITEMS	
5. APPROVAL OF AGENDA	
6. ADOPTION OF MINUTES	
6.1 October 12, 2021 Regular Minutes	3 - 11
2021-10-12 Regular Council	
7. UNFINISHED BUSINESS	
8. MAYOR'S ANNOUNCEMENTS	
9. PUBLIC INPUT & DELEGATIONS	
9.1 Public Input	
10. REPORTS	
10.1 Temporary Use Permit 21-17, 254 Boardwalk Boulevard <i>John Towgood, Municipal Planner, District of Ucluelet</i>	13 - 27
R - TUP 21-17	
10.2 Five Year Financial Plan 2021-2025 Bylaw Variance Report Q3 <i>Donna Monteith, Chief Financial Officer, District of Ucluelet</i>	29 - 31
R - Q3 Variance Report	
10.3 Resolution Tracking - October 2021 <i>Joseph Rotenberg, Manager of Corporate Services</i>	33 - 38
R - Resolution Tracking	

10.4	Draft Fire Protection Services and Donation Agreements with Toquaht Nation <i>Rick Geddes, Fire Chief, District of Ucluelet</i> R - Toquaht Fire Service	39 - 59
11.	LEGISLATION	
11.1	Review of Bylaw 967, 2004 <i>Rick Geddes, Fire Chief, Ucluelet Fire Rescue</i> L - Bylaw No. 967, 2004	61 - 68
11.2	Ucluelet OCP Bylaw No. 1236, 2020 - Schedule <i>Bruce Greig, Director of Community Planning, District of Ucluelet</i> L - OCP CoW Schedule	69 - 70
11.3	Zoning Amendment - 312 Pass of Melfort Place <i>John Towgood, Municipal Planner, District of Ucluelet</i> L - 312 Pass of Melfort Pl	71 - 77
12.	NOTICE OF MOTION	
13.	CORRESPONDENCE	
13.1	Correspondence Regarding Bay Street Speed Controls and Crosswalk 2021-10-16 Ferguson 2021-10-17 Appenheimer 2021-10-18 de Vries 2021-10-20 Tarling	79 - 87
13.2	Petition for Installation of Speed Humps on Bay Street Bay Street Petition	89 - 91
14.	INFORMATION ITEMS	
14.1	AVICC 2022 Call for Nominations and Resolution Form <i>AVICC Executive</i> 2022 AVICC Call for Resolutions and Nominations	93 - 101
14.2	Nominations for 2021 Premier's Awards for Excellence in Education <i>Hon. Jennifer Whiteside, Minister of Education, Ministry of Education</i> 2021-10-18 Excellence Awards Nominations - Ministry of Education	103 - 105
15.	OTHER BUSINESS	
16.	QUESTION PERIOD	
17.	CLOSED SESSION	
18.	RECONVENE FROM CLOSED SESSION	
19.	ADJOURNMENT	

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, October 12, 2021 at 3:30 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen
 Staff: Duane Lawrence, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 James Macintosh, Director of Engineering
 Bruce Greig, Director of Community Planning
 Rick Geddes, Fire Chief
 Joseph Rotenberg, Manager of Corporate Services
 Paula Mason, Administration Clerk

Regrets:

1. CALL TO ORDER

The meeting was called to order at 3:30 PM.

2. ACKNOWLEDGEMENT OF THE YUULU?I?ATH

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

3. NOTICE OF VIDEO RECORDING

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

4. LATE ITEMS

4.1 The Mayor requested that Item 10.1. be deleted due to notice issues.

5. APPROVAL OF AGENDA

5.1 October 12, 2021 Regular Agenda

2021.2281.REGULAR **It was moved by Mayor Noël and seconded by Councillor Kemps**
THAT Council approve the October 12, 2021, Regular Agenda as amended.

CARRIED.

6. ADOPTION OF MINUTES

6.1 September 9, 2021 Special Minutes

2021.2282.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
THAT Council adopt the September 9, 2021 Special Minutes as presented.
 CARRIED.

6.2 September 21, 2021 Regular Minutes

**Councillor Hoar noted that she attended the West Coast Housing
 Need focus group.**

2021.2283.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
*THAT Council adopt the September 21, 2021 Regular Minutes as
 amended.*
 CARRIED.

7. UNFINISHED BUSINESS

There was no unfinished business.

8. MAYOR'S ANNOUNCEMENTS

The Mayor welcomed Duane Lawrence, the District's new Chief Administrative Officer.

9. PUBLIC INPUT & DELEGATIONS

9.1 Public Input

There was no public input.

9.2 Delegations

British Columbia Social Procurement Initiative

Robert Fisher, Project Coordinator, and Colleen Evans, Co-Chair, British Columbia Social Procurement Initiative

Robert Fisher and Colleen Evans presented on behalf of BCSPi. The delegation provided information about social procurement in the context of municipal governments and the District of Ucluelet's strategic goals. They also discussed how BCSPi supports municipal governments.

10. REPORTS

10.1 Temporary Use Permit 21-17, 254 Boardwalk Boulevard ***John Towgood, Planner***

This item was deleted.

10.2 Request for Four Temporary Use Permits for a Rooming Housing use at; 1259 Eber Road, 1241 Eber Road, 277 Otter Street, and 1313 Helen Road

John Towgood, Planner

Bruce Greig, Director of Community Planning, presented this report. He explained the definition of the term rooming house, and noted the subject properties are owned by Parks Canada. Mr. Greig noted that notice of this Temporary Use Permit application has been provided.

Council discussed the appearance of the subject properties and the need for upgrades.

The Mayor called for public input on Temporary Use Permit 21-02, 21-03, 21-04 and 21-05. There was no public input.

- 2021.2284.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
That Council authorize the issuance of TUP 21-02, to allow for a Rooming House use for four Pacific Rim National Park Reserve employees for a period of up to three years at 1259 Eber Road (Lot 12, Section 21, Clayoquot District, Plan 13683).
 CARRIED.
- 2021.2285.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
That Council authorize the issuance of TUP 21-03, to allow for a Rooming House use for four Pacific Rim National Park Reserve employees for a period of up to three years at 1241 Eber Road (Lot 11, Section 21, Clayoquot District, Plan 13683).
 CARRIED.
- 2021.2286.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
That Council authorize the issuance of TUP 21-04, to allow for a Rooming House use for three Pacific Rim National Park Reserve employees for a period of up to three years at 277 Otter Street (Lot 8, Section 21, Clayoquot District, Plan 11923).
 CARRIED.
- 2021.2287.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
That Council authorize the issuance of TUP 21-05, to allow for a Rooming House use for three Pacific Rim National Park Reserve employees for a period of up to three years at 1313 Helen Road (Lot 10, Block 1, Section 21, Clayoquot District, Plan 9200).
 CARRIED.

10.3 Temporary Use Permit 21-18, 210 Minato Road
John Towgood, Planner

Mr. Greig presented this report. He addressed the property's zoning, structures on site, and the owners' future plans. He noted that notification has been given for this Temporary Use Permit application.

The Mayor called for public input on Temporary Use Permit 21-18.

Mark Fortune, the Temporary Use Permit applicant, spoke in support of the application. There was no further public input.

2021.2288.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemps**

That Council authorize the issuance of Temporary Use Permit 21-18 for a period of 3 years, to allow two seasonal RV camping spaces for local workers.

CARRIED.

10.4 Community Resiliency Investment Program Funding **Rick Geddes, Fire Chief**

Mr. Geddes presented this report. He outlined the proposed grant application and the planned FireSmart programming.

2021.2289.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

1. **THAT** Council supports the activities outlined in the District of Ucluelet 2021 grant application to the UBCM Community Resiliency Investment Program - FireSmart Community Funding & Supports 2021; and

2. **THAT** Council will provide overall grant management of the UBCM Community Resiliency Investment Program - FireSmart Community Funding & Supports 2022.

CARRIED.

10.5 Signature Circle Utilities Recommissioning Cost Estimate **James MacIntosh, Director of Engineering**

Mr. MacIntosh presented this report. He provided background about the services on site and the request that the services be recommissioned. Mr. MacIntosh noted the Ministry of Transportation and Infrastructure report regarding traffic improvements required at the intersection of the Tofino/Ucluelet Highway and Florencia Drive, prior to the Drive being opened.

Mr. Greig clarified that Council never turned down the request to recommission the services on site.

2021.2290.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**

***THAT** Council direct staff to allocate \$69,496 for the recommissioning of site services including water, sewer, streetlights, and fire for the Phase 1 Signature Circle development within the 2022 operational budget.*

CARRIED.

10.6 2022 Council Meeting Schedule
Joseph Rotenberg, Manager of Corporate Services

Council discussed scheduling meetings at 4:00 PM rather than 3:30 PM.

2021.2291.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
***THAT** Council amend the draft 2022 Council Meeting schedule so all meetings start at 4:00 PM.*

CARRIED.

2021.2292.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar**
***THAT** Council adopt the proposed 2022 Council Meeting Schedule as amended.*

CARRIED.

2021.2293.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
***THAT** Council direct Staff to give notice of the 2022 Council Meeting Schedule in accordance with the Community Charter.*

CARRIED.

10.7 District of Ucluelet Staff and Contractor Housing
Joseph Rotenberg, Manager of Corporate Services

Mr. Rotenberg presented this report. He noted the details of the District of Ucluelet Housing Policy's scope and purpose. He also provided details about the District of Ucluelet's current use of the rental unit located at 313 Forbes Road.

2021.2294.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
***THAT** Council adopt the District of Ucluelet Staff Housing Policy as presented.*

CARRIED.

2021.2295.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
***THAT** Council direct Staff to pursue extending the District of Ucluelet's residential tenancy agreement with Braker Developments Ltd. for the rental of Unit 4, 313 Forbes Road, Ucluelet B.C. for the period of one year.*

CARRIED.

10.8 Cheque Listing - Sept 2021
Paula Mason, Administration Clerk

There was no discussion.

11. LEGISLATION

11.1 Ucluelet OCP Bylaw No. 1236, 2020

Bruce Greig, Director of Community Planning

Mr. Greig presented this report. He outlined the edits made to the draft OCP as presented in the agenda.

Council noted that the proposed trails on the Pacific Rim Motel property had not been removed from the Parks and Trails Network plan.

Mr. Greig outlined the policies in the Draft OCP that address growth. He referenced the 2021 West Coast Land Use Demand Study and discussed how it could be integrated into the OCP.

Council discussed the recommendation to provide an analysis of growth options in the context of the draft OCP and proposed public engagement process.

Council noted that focus groups were used to develop the OCP adopted in 1998 and members of that group should be invited to provide input at the proposed Committee-of-the-Whole meeting. Council also noted the timelines identified in the report.

2021.2296.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
THAT staff be directed to provide an analysis of growth options informed by the 2021 West Coast Land Use Demand Study in the context of the draft OCP.

CARRIED.

2021.2297.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
THAT the draft OCP (along with the growth options) be presented for community feedback at a Committee-of-the-Whole meeting.

CARRIED.

11.2 Proposed Amendment to District of Ucluelet Single-Use Item Regulation Bylaw No. 1266, 2020

Joseph Rotenberg, Manager of Corporate Services

Mr. Rotenberg provided the legislative background on this matter and noted the previous Pacific Rim Surfrider Foundation delegation.

2021.2298.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
THAT Council direct Staff to present amendments to “District of Ucluelet Single-Use Item Regulation Bylaw No. 1266, 2020” that regulate the provision of plastic and bioplastic utensils and stir sticks.

CARRIED.

11.3 District of Ucluelet Harbour Amendment Bylaw No. 1296, 2021 - Adoption
Abigail K. Fortune, Director of Parks and Recreation

2021.2299.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
THAT Council adopt District of Ucluelet Harbour Regulation Amendment Bylaw No. 1296, 2021.

CARRIED.

12. NOTICE OF MOTION

There was no notice of motion.

13. CORRESPONDENCE

13.1 Every Child Matters Crosswalk
Courtney Johnson

Councillor Hoar noted that she would like to see a similar crosswalk installed by next year's National Day of Truth and Reconciliation. Council discussed potential locations in Ucluelet for the crosswalk.

2021.2300.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
THAT Council consider implementing an Every Child Matters crosswalk through the 2022 Budget process.

CARRIED.

14. INFORMATION ITEMS

14.1 Tofino-Ucluelet Service Plan Update
BC Transit

Councillor Cole noted that there are no local businesses that could meet the maintenance and storage requirements of BC Transit. Council noted that there are two scheduled stops in Hitacu.

14.2 Clayoquot Biosphere Trust update
Rebecca Hurwitz, Executive Director, Clayoquot Biosphere Trust

14.3 UNESCO Designation of the Clayoquot Biosphere Maintained
Rebecca Hurwitz, Executive Director, Clayoquot Biosphere Trust

14.4 Ambulance Paramedics of British Columbia - CUPE 873
Troy Clifford, Provincial President, Ambulance Paramedics of BC, CUPE Local 873

2021.2301.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
THAT Council direct Staff to request a delegation from the Ambulance Paramedics of British Columbia.

CARRIED.

- 14.5 Appointment of Directors to Regional District Board**
Kelly Kenney, Corporate Officer, City of Langley
- 14.6 Cathy Peters presentation to Global Virtual Summit on the Impact of Pornography on Youth and Children "Connect to Protect" - please attend; October 13-15, 2021.**
Cathy Peters, BC anti-human trafficking educator, speaker, advocate

15. COUNCIL COMMITTEE REPORTS

15.1 Councillor Marilyn McEwen *Deputy Mayor January - March 2021*

September 25 - Attended Vancouver Island Regional Library Board of Trustees Regular meeting
September 27 - 28 - Attended Council of Senior Citizens' Organizations of British Columbia conference
October 5 - Attended Tourism Master Plan Open House

15.2 Councillor Lara Kemps *Deputy Mayor April - June 2021*

End of September - Attended Ucluelet Secondary School PAC Meeting and elected board members.
October 5 - Attended Tourism Master Plan Open House

15.3 Councillor Jennifer Hoar *Deputy Mayor July - September 2021*

October 6 - Attended Wild Pacific Trail Board Meeting. The society is moving forward with the new lookouts.
September 30 - Attended the "Escaping Residential Schools" exhibit from the Legacy of Hope Foundation on display at the Ucluelet Secondary School.

15.4 Councillor Rachelle Cole *Deputy Mayor October - December 2021*

September 22 - Attended ACRD Board Meeting.
September 23 - Attended UES PAC meeting
October 6 - Attended West Coast Committee

15.5 Mayor Mayco Noël

September 18 - Attended Yuułu?iŋ?ath Day
October 12 - Met with Minister Osborne

The Mayor noted that the Yuułu?iŋ?ath Government declared a local state of emergency effective on October 7th.

16. OTHER BUSINESS

There was no other business.

17. QUESTION PERIOD

There were no questions.

18. CLOSED SESSION

There was no closed session.

19. RECONVENE FROM CLOSED SESSION

20. ADJOURNMENT

The meeting was adjourned at 5:05 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, October 12, 2021 at 3:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Mayco Noël
Mayor

Joseph Rotenberg
Corporate Officer



STAFF REPORT TO COUNCIL

Council Meeting: October 26, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM:	JOHN TOWGOOD, PLANNER	FILE No:	3070-20-TUP21-17
SUBJECT:	TEMPORARY USE PERMIT 21-17, 254 BOARDWALK BOULEVARD	REPORT No:	21-148
ATTACHMENT(S):	APPENDIX A – APPLICATION APPENDIX B – DRAFT TEMPORARY USE PERMIT APPENDIX C – PUBLIC INPUT RECEIVED AS OF OCTOBER 20, 2021		

Recommendation

THAT, subject to public comment, with regard to 254 Boardwalk Boulevard; Lot 29, Section 21 Clayoquot District, Plan VIP66186, Council consider the following:

- A. **THAT** Council authorize the issuance of Temporary Use Permit 21-17 for a period of 3 years, to allow four seasonal RV camping spaces for construction workers and the staging of construction materials directly related to the development of Lot 8 and 9, Plan VIP66186.

1. Purpose:

The purpose of this report is to review an application for four seasonal RV camping spaces for construction workers and the staging of construction materials on 254 Boardwalk Boulevard, Lot 29, Section 21 Clayoquot District, Plan VIP66186 (the “**Subject Property**”). The applicant proposes to use the property to house workers during the construction of a previously approved multi-unit tourist accommodation development on the property directly across Boardwalk Boulevard.

2. Subject Property Location

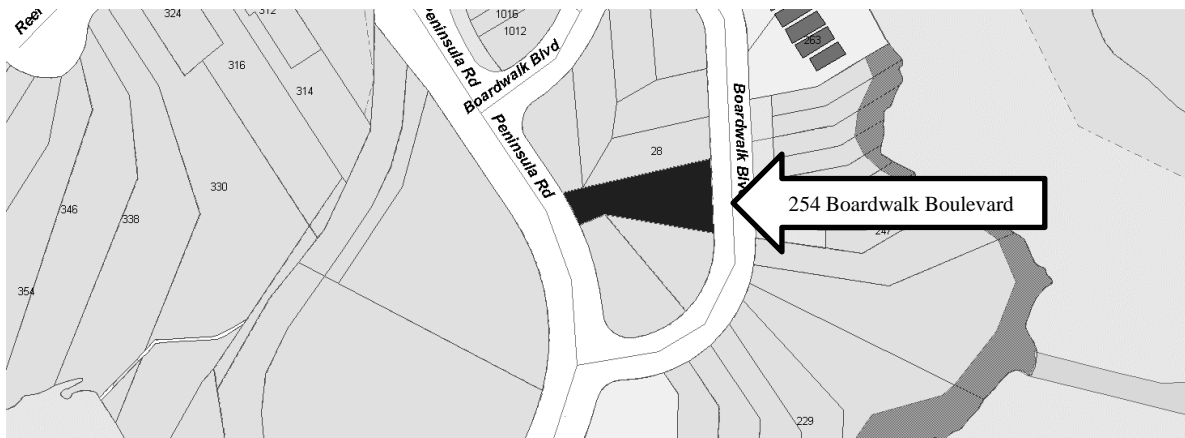


Figure 1 - Subject Property



Figure 2 - Multi-unit tourist accommodation development.

3. **Application Specifics:**

Item		Comments
Number of units:	4	The subject property is a large at 900m ² and is currently vacant.
Respects Setbacks:	Yes	The units are within the required setbacks, approximately 6m from the front property and 3m from the side yards.
Separation of Units	Yes	The units will be a minimum of 3m apart.
Located to Rear of bldg.:	No	There is currently no building on the subject property.
On-site parking:	Yes	There is ample area for parking at each unit.
Sewer connection:	Yes	The applicant has indicated that all four units will be connected to the Ucluelet sewer system.
Water connection:	Yes	The applicant has indicated that all four units will be connected to the Ucluelet potable water system.
Hydro connection:	Yes	The applicant has indicated that all four units will be connected to hydro.
On site manager:	No	The applicant has not indicated an onsite manager in their application but have stated that they would oversee the 4 spaces
Seen from the street:	Yes	The three units will be visible from Boardwalk Boulevard.

- The staging of construction materials must be directly related to the development of Lot 8 and 9 Plan VIP66186 and shall not occur within the required front, side, or rear yards.
- The front and rear yards must be fully landscaped or retain the existing vegetation except for areas used for parking.
- The municipal Bylaw Enforcement Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.
- Failure of the Permittee to meet and maintain any of the terms listed above may result in suspension of the permit and forfeiture of the security deposit.

7. **Public Notice**

Pursuant to section 494 of the *Local Government Act*, notification has been given for this application as follows:

- This application was advertised in the October 20th, 2021, Westerly News.
- The property owners (registered on the title with BC Land Title and Survey) within 100m of the subject property have been notified by a mailout.
- Tenants on properties within 100m of the subject property have been notified by hand delivery.

- Council should provide an opportunity to be heard to anyone wishing to speak to the application, prior to making a decision on the requested permit.

8. **Options:**

Council may seek clarification from the applicant on any aspect of the proposal. Council may wish to add, remove or modify the permit conditions as it sees fit.

Alternatively, Council could:

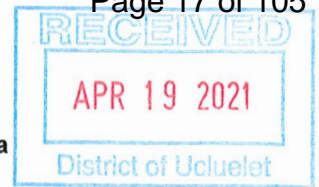
- A. **THAT** Council defer a decision on the requested TUP until the applicant has provided additional clarification to address any outstanding questions of Council;
- B. **THAT** Council deny the application; **or**,
- C. **THAT** Council provide alternative direction to Staff.

Respectfully submitted:

John Towgood, Planner
Bruce Greig, Director of Community Planning
Duane Lawrence, Chief Administrative Officer



Reef Point Cottages Ltd.
PO Box 537
1012 Peninsula Road
Ucluelet, British Columbia
V0R 3A0 Canada



Tel: 250-726-2268
Fax: 250-726-4429
Email: cliff@reefpoincottages.com

April 16, 2021

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

Attention: Bruce Greig, Planning Department

Dear Sir:

RE: Temporary Use Permit on Lots 26 and 29, Section 21, Clayoquot District, Plan VIP66186

Please find attached our application for a Temporary Use Permit for Lots 26 and 29, Section 21, Clayoquot District, Plan VIP66186.

OWNER:

Lot 26: Reef Point Cottages Ltd.
Lot 29: 1150452 B.C. Ltd.

Although there are different owners for the two parcels, we don't feel this should be a problem as there are no activities that straddle a property line.

PURPOSE:

The purpose of this Temporary Use Permit is to provide temporary construction worker accommodation during the construction of Lots 8/9 (239 Boardwalk Boulevard), Lot 26 and Lot 29. A side benefit of these proposed works is that the existing pond on Lot 26 will be eliminated.

As a campground is a permitted use within the current CS-5 zoning, we are applying to temporarily follow that permitted use on the property during the construction phases of these and the neighbouring 239 Boardwalk Boulevard developments. Note that we are not looking for permanent campground designation – this is strictly an interim measure to house workers and act as a staging area.

The developments that we are proposing on Boardwalk Boulevard are reasonably large developments which cannot be handled in a timely fashion by utilizing just Ucluelet contractors. It will be necessary to import workers and those workers will need accommodation. The property at 239 Boardwalk Boulevard is far too constrained to house workers on-site.

HISTORY:

The original developer of this property (Mark Consiglio) cleared both subject properties (as well as most of the neighbouring lots) in 1998 (+/-). The intent at that time was the construction of a Coast Hotel as part of the then grandiose development plans for the area. Clearly that development was never realized.

During the construction of a neighbouring lot around 2005/6, the owners excavated the lot and, instead of hauling away their overburden, they dumped it on Lot 29 – which they did not own.

Unfortunately, that material created a berm which eliminated the then existing overland drainage course on Lot 29 which in turn created the pond that currently exists on Lot 26.

FUTURE DEVELOPMENT:

The future plan for Lot 26 includes 3 nightly rental suites above, office space on the main floor and staff accommodation in the basement. The design of the form and character of this structure is still underway and time is needed to finalize that design.

The future plan for Lot 29 would be a 10-12 unit motel style development with the form and character of the structures also not yet finalized.

Form and character design of these buildings is underway but we are not yet quite prepared to submit a DP application for Lot 26 and 29 and not yet ready to start construction. We believe an interim use assigned to those properties is appropriate – particularly when considering the lack of construction worker accommodation.

INTERIM SOLUTION:

The development on Lots 8/9 (239 Boardwalk Boulevard) requires soil for landscaping purposes. The developable portion of that property was totally cleared of soil in the past.

An excess of material exists on Lot 29 so rather than importing material for the landscaping at 239 Boardwalk Boulevard, it makes sense to use the excess material on Lot 29 for that purpose.

The plan would be to remove all alder trees and other nuisance vegetation from Lots 26 and 29; drain the pond and install permanent drainage; and remove excess soil from Lot 29 and place on Lots 8/9.

Water, sewer and electrical service would be installed to service the RV pads. The remainder of the site would be finished with a well draining gravel and would be used for material handling/staging. Screening would be installed to mitigate any negative views from the neighbour.

Although the current zoning permits campground use, these RV pads would not be for nightly rentals but strictly for construction worker use. These will not be for long term use. A tradesman will come to Ucluelet, work on his component of the construction, and then leave room for the next tradesman. Obviously we wish to hire as many locals as possible, but it is not realistic to believe that locals alone can get this project built in a timely fashion.

Photo of the pond on Lot 26 – taken from Boardwalk Boulevard



This photo is Lot 26 as it exists today. This clearly shows the pond that has been created by the illegal fill as well as the alder trees that have thrived in this environment.

Our Temporary Use Permit would include removal of the pond and alder trees and taking the land back to a presentable and safe state.

As the current elevation of this lot is significantly lower the Boardwalk Boulevard, the ability to see the interior of the lot will not change under the TUP. The perimeter will look vastly improved with the removal of the alder, blackberry and other nuisance vegetation.

Photo of Lot 29 from Boardwalk Boulevard

The photo below of Lot 29 is taken from Boardwalk Boulevard and shows the alder growth as well as the development on the adjoining Lot 28.

The streetscape here would be vastly improved with only 3 RV parking spots and landscape screening replacing the overgrown alder.

A sign permit will be applied for to support a sign as well as electrical meters for the RV units.

Attached in support of this application please find the following:

- Temporary Use Permit application duly signed together with the application fees
- Title searches for Lots 26 and 29 including copies of all non-financial charges.
- Overall plan showing RV sites and potential future development of Lots 26 and 29.

I trust that the foregoing is self-explanatory, but should you have any questions, please don't hesitate to contact the undersigned at your convenience.

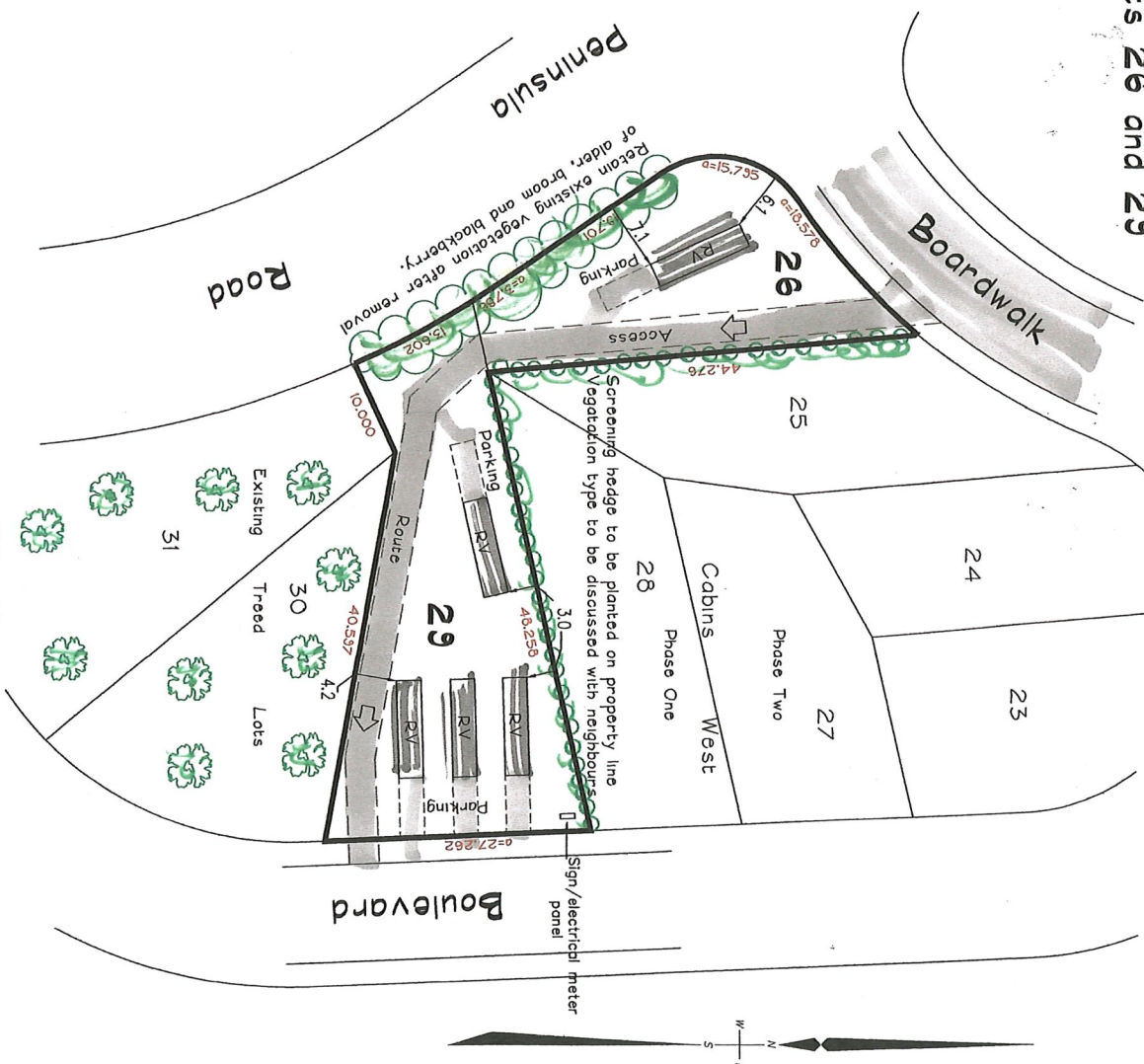
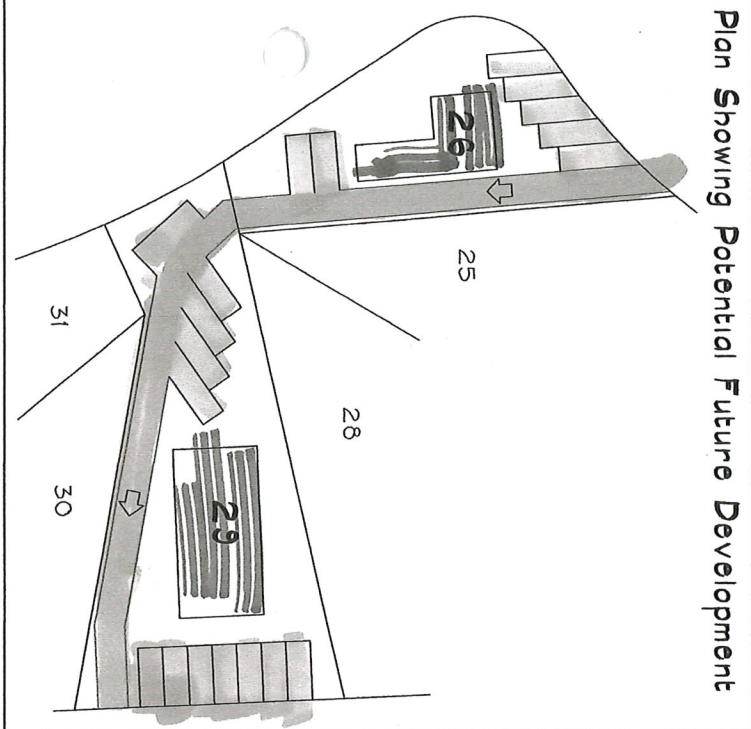
Respectfully submitted

Cliff McCool, RI

Plan to Accompany Temporary Use Permit on Lots 26 and 29
 Section 21, Clayoquot District, Plan VIP66186

Scale 1:500

Plan Showing Potential Future Development



John Towgood
 SITE PLANNER

Box 537
 Uclulet, BC V0R 3A0
 Phone: (250) 726-2228
 email: john@towgood.com

Drawn by: CMCC
 Date: April 8, 2021

Client:
 Dwg#s: 26-29RV



Appendix B

TEMPORARY USE PERMIT TUP-21-17

Pursuant to section 492 to 497 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Temporary Use Permit is issued to:

Reef Point Cottages, No.0609823, PO Box 537, Ucluelet, BC, V0R 3A0 (the "Permittee")

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

254 Boardwalk Blvd; Lot 29, Section 21 Clayoquot District, Plan VIP66186 (the "**Lands**").

3. This Temporary Use Permit is issued subject to compliance with all bylaws of the District of Ucluelet.
4. This Temporary Use Permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
5. This Temporary Use Permit authorizes the following use of the Lands, despite the regulations adopted in Ucluelet Zoning Bylaw No. 1160, 2013, as amended:

"To allow four seasonal RV camping spaces for construction workers and the staging of construction materials directly related to the development of Lot 8 and 9 Plan VIP66186 on the Lands"

6. The permit holder, as a condition of issuance of this Permit, agrees to comply with the terms and conditions of **Schedules 3**, which are attached hereto and form part of this permit.
7. The land described herein shall be used and developed strictly in accordance with the terms and conditions and provisions of this Permit.
8. If the Permittee does not substantially commence the use with respect to which this permit was issued within six months after the date it was issued, the Permit shall lapse.
9. Notice shall be filed in the Land Title Office under section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
10. This Permit is valid until the completion of the construction on adjacent Lot 8 and 9 up to a maximum of a three-year period beginning from the date of issuance.
11. This Permit is NOT a Building Permit nor is it a Development Permit.
12. Provisions of sections 495, 496 and 502 of the *Local Government Act* requiring security applies to this permit as set forth in **Schedule 2**.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2021.

ISSUED the day of , 2021.

Bruce Greig – Director of Community Planning



Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:

I (We), representing *the Lands* hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
- b) Abide by all conditions of the Temporary Use Permit.
- c) Provide the occupant's contact information to the District of Ucluelet.

I(We) understand that should we not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon *the Lands* and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of *the Lands* as herein set out.

We further understand that in the event of a default of the conditions contained within the Temporary Use Permit, we shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

Contact Information for the Owner/Manager

Cell: _____

Email: _____

Signatures

Owner: _____

Signature: _____

Date: _____

Owner: _____

Signature: _____

Date: _____

Witness: _____

Signature: _____

Date: _____



Schedule 2 Security

As a condition of the issuance of this Permit, the District of Ucluelet is holding a security set out below to ensure that development is carried out and operated in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to use the land as authorized according to the terms and conditions of the Permit and within the time provided, the District of Ucluelet may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee; or should the Permittee carry out the development permitted by this Permit within the set time set out above, the security shall be returned to the Permittee. There is filed accordingly:

A Letter of Credit or cash to be deposited into a specified bank account, to be held for the term of the permit in the amount of \$4,000 (\$1000 per unit). The purpose of the security is to cover any associated costs to the District of Ucluelet with respect to the removal of recreational vehicle units and associated structures or services

Schedule 3 - Terms and Conditions

1. An on-site parking space shall be provided for each seasonal RV camping space.
2. The Permittee must oversee the use of the Lands and their telephone and email contact shall be provided to the district and updated as required.
3. The seasonal RV camping spaces use is only for workers directly involved in the development and construction of Lot 8 and 9 Plan VIP66186.
4. No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within a home containing the Rooming House use which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.
5. The proposed seasonal RV spaces are for staff accommodation, to be inhabited by local workers.
6. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
7. At the end of each seasonal stay, or within 6 months (whichever is less), the Permittee shall notify the Bylaw Services Officer in writing that the unit has been vacated.
8. The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
9. Prior to anyone occupying a seasonal RV camping space must contact the Fire Department to arrange an inspection by emailing rgeddes@ucluelet.ca or calling (250) 726-7744. The permittee is responsible for maintaining the following for each unit:
 - a. A working multipurpose fire extinguisher,
 - b. A working smoke alarm,
 - c. A working carbon monoxide alarm,
 - d. A house number prominently displayed on the frontage of the property facing the road.
10. The staging of construction materials must be directly related to the development of Lot 8 and 9 Plan VIP66186 and shall not occur withing the required front, side, or rear yards.
11. The front and rear yards must be fully landscaped or retain the existing vegetation except for areas used for parking.
12. The municipal Bylaw Enforcement Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.
13. Failure of the Permittee to meet and maintain any of the terms listed above may result in suspension of the permit and forfeiture of the security deposit.

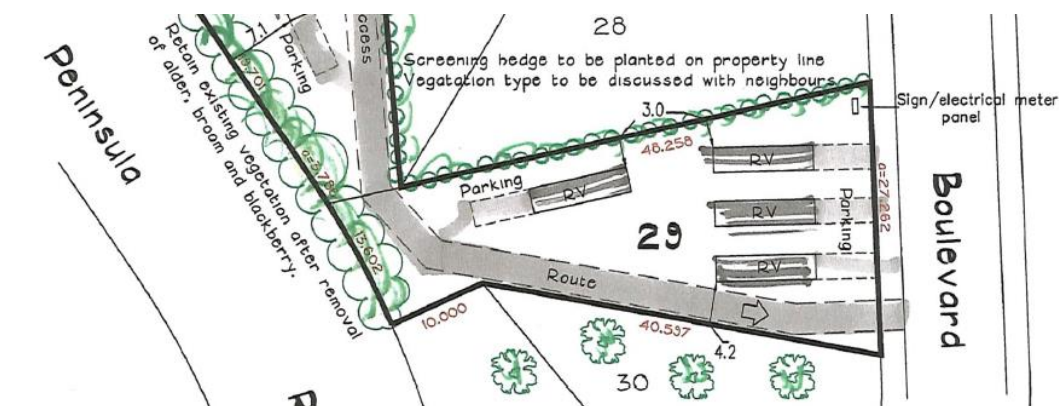


Figure 1 -Plan

Appendix C

Joseph Rotenberg

From: Andrew MacPherson [REDACTED]
Sent: October 16, 2021 7:36 PM
To: Community Input Mailbox
Subject: Temporary use permit Tup21-17 254 Boardwalk Blvd

[External]

To whom it may Concern,

I own the property at 247B Boardwalk Blvd. My name is A MacPherson and I am concerned about the impacts this permit will have on my vacation rental located across the street from this location.

I can't imagine it will be good for any of the rentals in the surrounding area but particularly mine. I'm imaging a further drop in income already affected over the past 18 months due to covid related losses.

As well as having construction on two sides of my property. Lot is 254 going to be a temporary assembly site with materials and vehicles traveling across the road between the two sites as well as a temporary residence for workers living in 4 RV's. Can't they stage materials on lots 8 & 9 and avoid as much disturbance as possible? The construction on lots 8 & 9 will be disturbance enough.

How many months will this affect my rental property? How much impact will this have? I doubt there's going to be any compensation coming to those of us affected while this is on going for how long?

I know the construction will happen but at least they can work to limit the possible Finacial impacts on the surrounding properties.

One way they might be able to do this is to at least not permit them to stage and possibly assemble materials on lot 254. Temporary residence maybe. At least then there won't be any traffic between the two properties.

Construction on two sides of my vacation rental is a great selling point let alone one side. Let them do it on one site.

Thanks for your time,

Andrew MacPherson
247B Boardwalk Blvd
[REDACTED]

Sent from my iPhone

Joseph Rotenberg

From: Lynn Dawson-Summerfeldt [REDACTED]
Sent: October 20, 2021 7:43 AM
To: Community Input Mailbox
Subject: TUP21-17

[External]

Oct 20, 2021

District of Ucluelet Re: TUP21-17

As the property owner of 265 Boardwalk Blvd. I am writing to express my opposition to the issuance of this Temporary Use Permit for the following reasons:

- a) VR Zoned property and neighbourhood; it is not in alliance with guest expectations nor my vision for the area. Our guests do not want to be in a neighbourhood with seasonal RV/campers/workers.
- b) I believe it would require 24/7 on site security to ensure reduced noise levels/campfire bans/garbage (bear aware) etc are adhered to at all times.
- c) I believe this property owner is currently using lots in contravention of Bylaw 303 regarding parking/storing. (see subsection 303.3 Prohibited Uses) So there is already a lack of respect and responsibility to neighbouring property owners - without the additional burden of seasonal trailers/RVs/workers.
- d) I am concerned that allowance for this usage would set a precedence for future uses of RVs/campers that would detract from the aesthetic beauty of this area.

*As a side note, the cabins across the street from ours were recently built in a timely considerate manner; without the need to house any workers on site, thus it is entirely possible to accomplish without this TUP.

Sincerely,
Greg Summerfeldt



STAFF REPORT TO COUNCIL

Council Meeting: Oct 26, 2021

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DONNA MONTEITH, CHIEF FINANCIAL OFFICER

FILE NO: 1880-20 (FIN. REPORT)

**SUBJECT: FIVE YEAR FINANCIAL PLAN 2021-2025 BYLAW VARIANCE
REPORT Q3**

REPORT NO: 21-151

ATTACHMENT(S): APPENDIX A - FIVE YEAR FINANCIAL PLAN 2021-2025 BYLAW VARIANCE SCHEDULE A

RECOMMENDATION(S):

This report is for information purposes only.

PURPOSE/DESIRED OUTCOME:

The purpose of this report is to provide Council year to date revenue and expenditure actuals with variances in relation to the Five Year Financial Plan 2021-2025 for the District of Ucluelet.

STRATEGIC GOAL:

This report follows the District's Strategic Plan indicating that quarterly reports to Council will provide an opportunity for Council and staff to regularly review and communicate progress in achieving Council's goals.

BACKGROUND:

This is a preliminary report to Council relaying the balances for the various revenue and expenditure summary totals for first three quarters covering the period of January 1 to September 30, 2021 as per the attached Schedule A. Explanations for some of the major variances identified are included in this report.

Discussion:

Total Revenues

- Taxes have been invoiced in full for the year with minor variances due to the assessment roll. At the time of this report approximately 95% of taxes had been received.
- Small Craft Harbour and Recreation revenues are up compared to the same period in 2020, however still down from the same period in 2019. Overall though, Sales of Services including water and sewer are well above target for this time of year.
- The Small Communities grants, Community Works Funds (gas tax), and Resort Municipality Initiative grants have been received for the year.
- Internal transfers and deferred revenue entries will be posted as the offsetting expenses occur.

Total Expenses

The District has had several challenges due to the Covid-19 pandemic including the ability to hire staff and labour, backorders and shortages of materials. As the restrictions lift, we expect expenses to increase to a normal pace.

Capital Projects

Capital projects are moving forward as much as possible. Costs for materials have increased significantly, which has resulted in re-examining several estimates for projects within the Five Year Financial Plan.

Surpluses

The year to date surplus is \$1.6m, which is consistent with this time last year. The uncompleted projects will be carried over into next year.

FINANCIAL IMPACTS:

To mirror the message from the District's auditor, MNP, the global outbreak of COVID-19 (coronavirus), has had a significant impact on municipalities through the restrictions put in place by the Canadian and provincial governments regarding travel, municipal operations and isolation/quarantine orders. At this time, the extent of the impacts from the COVID-19 outbreak may have had, or will have, on the District of Ucluelet are unknown. Impacts will depend on future developments that are highly uncertain, arising from the inability to predict the duration of the outbreak, travel restrictions, office closures and disruptions, and quarantine measures that are currently, or may be put, in place.

To address this uncertainty, cash flow will continue to be monitored regularly, with adjustments made as required.

OPTIONS REVIEW:

This report is for information purposes only. No motions are required.

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

DISTRICT OF UCLUELET				
5-YEAR FINANCIAL PLAN BYLAW NO. 1289				
Variance Report - As at Sept 30, 2021 (unaudited)				
	Sept 30, 2021 Draft Actual	2021 Adopted Budget	Amount Over (Under) Budget	Percent of Budget Used
	Budget	Budget	Budget	Budget
REVENUE				
Taxes	3,177,071	3,164,806	12,265	100.39%
Sale of services	944,314	884,414	\$59,900	106.77%
Penalties and Interest earned	57,508	85,300	(\$27,792)	67.42%
Grants and donations	1,657,275	7,463,680	(5,806,405)	22.20%
Deferred revenues recognized (DCC, Other)	300	1,013,383	(1,013,083)	0.03%
Water sale of services	695,690	747,655	(51,965)	93.05%
Sewer sale of services	539,102	646,518	(107,416)	83.39%
Transfers	194,572	2,368,973	(2,174,401)	8.21%
Total Revenue	7,265,832	16,374,729	(9,108,897)	44.37%
EXPENSE				
Interest payments	39,988	145,329	(105,341)	27.52%
Amortization expenses	874,940	1,167,665	(292,725)	74.93%
General Government	1,141,617	1,679,231	(537,615)	67.98%
Protective services	240,011	371,767	(131,756)	64.56%
Planning & Development	434,529	763,040	(328,511)	56.95%
Transportation services	737,708	961,331	(223,623)	76.74%
Environmental health (Garbage/recycling)	34,950	27,686	7,264	126.24%
Cemetery	8,346	12,442	(4,096)	67.08%
Recreation	671,217	1,016,061	(344,844)	66.06%
Parks	404,446	681,440	(276,994)	59.35%
Water operations	333,350	1,020,167	(686,817)	32.68%
Sewer operations	302,816	661,027	(358,211)	45.81%
Total Expense	5,223,916	8,507,186	(3,283,270)	61.41%
ADD				
Amortization	874,940	1,167,665	(292,725)	75%
Total Additions	874,940	1,167,665	(292,725)	75%
DEDUCT				
Principal payments debt	55,139	171,106	(115,967)	32.23%
Transfers to Reserves	274,048	55,000	219,048	498.27%
Acquisitions of tangible capital assets	919,504	8,809,102	(7,889,598)	10.44%
Total Deductions	1,248,691	9,035,208	(7,786,517)	
Financial Plan Balance: Surplus (Deficit)	\$1,668,165	\$0		



STAFF REPORT TO COUNCIL

Council Meeting: October 26, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

FILE NO: 0550-20

SUBJECT: RESOLUTION TRACKING – OCTOBER 2021

REPORT NO: 21-155

ATTACHMENT(S): APPENDIX A: RESOLUTION TRACKER

RECOMMENDATION(S):

There is no recommendation. This report is provided for information only.

PURPOSE:

The purpose of this report is to provide Council with a monthly status update on resolutions that have been adopted by Council.

BACKGROUND:

The resolution follow-up status categories are:

- Assigned – action has not yet commenced;
- In Progress – action has been taken by Staff; and,
- Complete – action has been completed.

Items will be removed from the list after actions are shown once as being completed.

OPTIONS REVIEW:

1. There is no recommendation. This report is provided for information only. **(Recommended)**
2. **THAT** Council provide alternative direction to Staff.

Respectfully submitted: Joseph Rotenberg, Manager of Corporate Services

Date	Meeting Item Description	Resolution	Action	Department Responsible	Follow-Up Status
September 25, 2018	Lease with Ucluelet & Area Historical Society	THAT Council approve recommendation 1 of report item, "Lease with Ucluelet & Area Historical Society", which states: THAT Council enter into a lease agreement with the Ucluelet and Area Historical Society that is similar to their original Provincial Lease #111228 – Block A District Lot 1507, Clayoquot Land District for approximately 2.4 hectares	Meet with UAHS looking at options. UAHS to get back to Ms. Fortune to confirm the direction they would like to proceed	Parks & Recreation	In Progress: Met with Historical Society January 2021 - waiting for feedback on the lease.
October 14, 2019	Zoning Amendment, Housing Agreement & DVP (354 Forbes Road)	THAT Council, with regard to the proposal to renovate the building on Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road) and request for zoning amendments to permit commercial tourist accommodation on the property: give third reading to the "District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1248, 2019"; give third reading to the "Ucluelet Housing Agreement Bylaw No. 1249, 2019"; and issue Development Variance Permit DVP19-03	Bring Bylaw No. 1248 & No. 1249 for adoption, once all subject to conditions being met	Planning	In Progress - waiting for applicant to meet conditions prior to adoption
December 10, 2019		THAT Staff provide Council with options for rejuvenating the Frank Jones Memorial site.	Staff to provide Council with options for rejuvenating the Frank Jones Memorial site	Parks & Recreation	In Progress - This will be part of overall master plan for Tugwell Field Area - Planning 2021
January 14, 2020		THAT Staff work with Black Rock Oceanfront Resort & Spa to identify unique solutions for navigation to the resort	A.) Staff to incorporate options for directional landmarks in designs for Peninsula Road B.) Staff to follow up with Black Rock to discuss options for appropriate directional signs	Planning	In Progress - pending design phase of Peninsula Road project.
February 11, 2020	West Coast Multi-Use Path Extension Bruce Greig, Manager of Community Planning West Coast Multi-Use Path Extension	THAT the District of Ucluelet make application to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development to expand Licence of Occupation File 1407317, to allow for the extension of the West Coast Multi Use Path and other associated utility uses, between the existing Multi Use Path and Pacific Rim National Park Reserve	Apply to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development	Planning / Public Works	ACRD is the lead on this project.
March 12, 2020	Reporting and Request for Funding Letter from the Ucluelet Chamber of Commerce	THAT Council directs Staff to present a report that explores options for the use of the \$10,000 allocated to explore economic development options including the future location of Tourism Ucluelet	Draft report regarding future locations for Tourism Ucluelet	Planning	In Progress
March 12, 2020	Operating and Project Review - Draft 5 Year Financial Plan	THAT Council direct Staff to provide a report on options for investing the remaining Community Forest Funds that have not been allocated for the 2020 budget	Draft report	CAO	Assigned - Planning report Summer 2021
March 17, 2020	Water Treatment Loan Authorization Donna Monteith, Chief Financial Officer	THAT District of Ucluelet Loan Authorization Bylaw No. 1268, 2020 be given third reading and referred to the Inspector of Municipalities for approval	Staff to refer bylaw to the Inspector for Municipalities for approval	Administration / Finance	Assigned: Grant approved Aug/21. Staff reports on process in process.
June 23, 2020	District of Ucluelet Flood Mapping Project Bruce Greig, Manager of Community Services	THAT Council earmark the results of the flood mapping project for upcoming discussions in the Strategic Planning update and subsequent Budget preparations, for next steps to: update Emergency Preparedness plans; consider resiliency in long-term Asset Management planning; consider changes to development regulations, including a process for public consultation, as they relate to existing properties; and, consider new policy on future developments to avoid areas of flood risk.	Use report findings to update strategic planning, emergency preparedness plans, asset management planning, development regulations, policies related to development and	Administration	Assigned: this will be brought back during strategic and budget planning.

April 14, 2020	Audio Visual Upgrades for the Main Hall	THAT Council approve using up to \$60,000 RMI funds for Audio Visual (AV) upgrades to the Main Hall at the Ucluelet Community Centre.	Implement AV upgrades.	Parks & Recreation	In Progress - Final installation underway
October 13, 2020	Revised Covenant and Option to Purchase - Lot 13 Marine Drive Bruce Greig, Manager of Community Planning	THAT Council indicate that the offer to provide funding in the amount of \$320,000.00 to support the servicing and infrastructure of the development to reduce the cost of units to qualifying households would remain valid until September 1, 2025, and would be payable upon the owner obtaining a final occupancy permit for the last of the 33 houses to be built on the proposed lots.	Pay funds to the developer if and when occupancy permits are issued.	Finance	Assigned: Long Term Project Subject to Developer performance.
December 15, 2020	Development of "The Cabins" Properties in the Reef Point Area John Towgood, Planner 1	THAT Council authorize the following: a. discharge of Statutory Right-of-Way EL10355 from the Cabins Property, as defined in this report, at the time the subdivision is registered to redefine the parcel boundaries for the subject properties; and, b. removal of section 3.a from Statutory Right-of-Way EL10354 from the Lodge and the Staff Housing Property, as defined in this report, at the time the subdivision is registered to redefine the parcel boundaries for the subject properties; and,	Discharge and amend the Statutory Rights of Way at the appropriate time.	Planning	In Progress: to be completed at subdivision
April 14, 2021	Request to Open Florencia Drive and Re-Commissioning Municipal Services to Signature Circle; Onni Group Bruce Greig, Manager of Community Planning	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.	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.	Planning	In Progress
April 14, 2021	Request to Open Florencia Drive and Re-Commissioning Municipal Services to Signature Circle; Onni Group Bruce Greig, Manager of Community Planning	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;	Present a report regarding the cost and timing of providing the requested flushing, testing and re-commissioning of water, hydrant and services for Signature Circle.	Public Works	Completed
May 11, 2021	Temporary Use Permit TUP21-13 (636 Marine Drive) John Towgood, Planner 1	THAT Council authorize the issuance of Temporary Use Permit TUP21-13 for a period of six months, to allow for one seasonal RV camping spaces for local workers.	Issue TUP 21-13.	Planning	In Progress - waiting for applicant to meet conditions
May 11, 2021	Temporary Use Permit TUP21-15 (317 Forbes Road) John Towgood, Planner 1	THAT Council authorize the issuance of Temporary Use Permit TUP21-15 for a period of six months, to allow for 3 seasonal RV camping spaces for local workers.	Issue TUP 21-15.	Planning	In Progress - waiting for applicant to meet conditions
May 11, 2021	Temporary Use Permit TUP21-09 (1682 Peninsula Road) John Towgood, Planner 1	THAT Council authorize the issuance of Temporary Use Permit TUP21-09 for a period of six months, to allow for one (1) seasonal RV camping space for local workers.	Issue TUP 21-09.	Planning	In Progress - waiting for applicant to meet conditions
May 11, 2021	Temporary Use Permit TUP21-11 (2074 Peninsula Road) John Towgood, Planner 1	THAT Council authorize the issuance of Temporary Use Permit TUP21-11 for a period of six months, to allow for three (3) seasonal RV camping spaces for local workers.	Issue TUP 21-11	Planning	In Progress - waiting for applicant to meet conditions
May 11, 2021	Temporary Use Permit TUP21-12 (1947 St. Jacques) John Towgood, Planner 1	THAT Council authorize the issuance of Temporary Use Permit TUP21-12 for a period of six months, to allow for one seasonal RV camping space for local workers.	Issue TUP 21-12.	Planning	In Progress - waiting for applicant to meet conditions

May 25, 2021	Temporary Use Permit TUP21-06 (221 Minato Road) John Towgood, Planner 1	THAT Council authorize the issuance of Temporary Use Permit TUP21-06 for a period of six months, to allow for 8 seasonal RV camping spaces for local workers under the conditions that: a. each RV on the site be equipped with washroom facilities, toilet, sink and shower; b. if generators are used, they must be screened and safely located (fire hazard / exhaust discharge) in a way that mitigates the noise to any neighbouring property between the hours of 7 am and 8 pm; and c. prior to the permit being issued, the owners are required to provide the email and cell phone contact information for the person responsible for managing the worker housing sites.	Issue TUP 21-06	Planning	In Progress - waiting for applicant to meet conditions
June 15, 2021	Food Bank on The Edge - proposed new location Bruce Greig, Manager of Community Planning	THAT Council supports contributing to the project to offset site servicing and construction costs, with confirmation of the amount and source of funding to be determined in the 2022 budget process.	Bring forward during budget 2022 budget discussions.	Administration	Assigned
June 15, 2021	Resolution Tracking - May 2021 Paula Mason, Administration Clerk	THAT staff provide a report to Council with options for the investment of Barkley Community Forest Funds at an upcoming Council Meeting.	Staff to provide report.	CAO	Assigned
August 17, 2021	District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021 (Lot 16 Marine Drive) - Results of CoW Bruce Greig, Director of Community Planning	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.	Draft applicable section 219 Covenant.	Planning	Complete
August 17, 2021	Contract Award - Village Green design & engineering services Bruce Greig, Director of Community Planning	THAT Council authorize Staff to enter into a consulting contract with Lanarc Consultants and Herold Engineering to complete the planning, design, tendering and construction management of the Village Green Revitalization project, for a maximum fee of \$149,955.	Enter agreement with Lanarc Consultants and Harold Engineering.	Planning	Complete
September 9, 2021	OCP and Zoning Amendments: CD-5A and CD-6 Areas to RU Rural Residential Bruce Greig, Director of Community Planning	THAT Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1293, 2021 and, THAT Council adopt District of Ucluelet Official Community Plan Amendment Bylaw No. 1292, 2021.	Update and file bylaws.	Administration	Complete
September 9, 2021	August 24, 2021, Special Council Minutes	THAT Council adopt the August 24, 2021, Special Council Minutes as presented.	Print, sign, file and post minutes.	Administration	Complete
September 9, 2021	August 17, 2021 Regular Council Minutes	THAT Council adopt the August 17, 2021, Regular Council Meeting as amended.	Amend, print, sign, file, and post minutes.	Administration	Complete
September 9, 2021	August 10, 2021, Special Council Minutes	THAT Council adopt the August 10, 2021 Special Council Meeting Agenda as presented.	Print, sign, file and post minutes.	Administration	Complete
September 21, 2021	Correspondence Related to Ucluelet Fireworks Bylaw Stephanie Prewitt	THAT Council direct Staff to bring forward the District of Ucluelet Fireworks Bylaw for review and discussion at the next Council meeting.	Draft covering report and bring forward Ucluelet Fireworks Bylaw for review at the next Council meeting.		Assigned
September 21, 2021	Regular Council Meeting Schedule Change Joseph Rotenberg, Manager of Corporate Services	THAT Council reschedule the October 26, 2021, Regular Meeting to October 25, 2021 at 5:00 PM.	Give notice of this change in the Council Schedule.	Administration	Complete
September 21, 2021	District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021 (Lot 16 Marine Drive) - 3rd Reading Bruce Greig, Director of Community Planning	THAT Council give third reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.	Update bylaw, register covenant and bring back bylaw for adoption.	Planning	In Progress - Draft is with applicant for their review.
September 21, 2021	District of Ucluelet Harbour Amendment Bylaw No. 1296, 2021 Abigail K. Fortune, Director of Parks and Recreation	THAT Council give District of Ucluelet Harbour Regulation Amendment Bylaw No. 1296, 2021 first, second and third reading.	Update bylaw and bring back for adoption.	Recreation	Complete
September 21, 2021	Sergeant Kevin Smith, RCMP Re: RCMP Update	THAT Council direct Staff to write a letter in support of additional RCMP officers being stationed in Ucluelet.	Draft letter in support.	Administration	Assigned
September 21, 2021	Dr. Carrie Marshall and Faye Missar, Coastal Family Resource Coalition Re: Harm Reduction	THAT Council direct Staff to bring back the alcohol harm reduction information to a future meeting for Council discussion.	Draft report and bring back alcohol related information for Council discussion.	Recreation	In progress - Report in December

September 21, 2021	Virtual Conference ~ Living in the 21st Century: A Seniors' Strategy Sheila Pither, President, Council of Senior Citizens' Organizations of BC	THAT Council authorize Councillor McEwen and Barb Gudbranson to attend the Living in the 21st Century: a Senior's Strategy conference.	Register Councillor McEwen to attend this convention.	Administration	Complete
September 21, 2021	Alys Hoyland, Youth Programming and Beach Clean Coordinator, Surfrider Pacific Rim Re: Cut the Cutlery: Amending the Single-Use Plastic Regulation Bylaw	THAT Council direct Staff to provide a report that reviews amending the Single Use Plastic Bylaw to include cutlery.	Present a report that addresses recommended amendments to the Single-Use Plastic Bylaw.	Administration	Complete
October 12, 2021	September 21, 2021, Regular Minutes	THAT Council adopt the September 21, 2021, Regular Minutes as amended.	Amend, print, sign and file.	Administration	Complete
October 12, 2021	Request for Four Temporary Use Permits for a Rooming Housing use at; 1259 Eber Road, 1241 Eber Road, 277 Otter Street, and 1313 Helen Road John Towgood, Planner	D. That Council authorize the issuance of TUP 21-05, to allow for a Rooming House use for three Pacific Rim National Park Reserve employees for a period of up to three years at 1313 Helen Road (Lot 10, Block 1, Section 21, Clayoquot District, Plan 9200).	Issue TUP21-05	Planning	In Progress
October 12, 2021	Request for Four Temporary Use Permits for a Rooming Housing use at; 1259 Eber Road, 1241 Eber Road, 277 Otter Street, and 1313 Helen Road John Towgood, Planner	C. That Council authorize the issuance of TUP 21-04, to allow for a Rooming House use for three Pacific Rim National Park Reserve employees for a period of up to three years at 277 Otter Street (Lot 8, Section 21, Clayoquot District, Plan 11923).	Issue TUP21-04	Planning	In Progress
October 12, 2021	Request for Four Temporary Use Permits for a Rooming Housing use at; 1259 Eber Road, 1241 Eber Road, 277 Otter Street, and 1313 Helen Road John Towgood, Planner	B. That Council authorize the issuance of TUP 21-03, to allow for a Rooming House use for four Pacific Rim National Park Reserve employees for a period of up to three years at 1241 Eber Road (Lot 11, Section 21, Clayoquot District, Plan 13683).	Issue TUP21-03	Planning	In Progress
October 12, 2021	Request for Four Temporary Use Permits for a Rooming Housing use at; 1259 Eber Road, 1241 Eber Road, 277 Otter Street, and 1313 Helen Road John Towgood, Planner	A. That Council authorize the issuance of TUP 21-02, to allow for a Rooming House use for four Pacific Rim National Park Reserve employees for a period of up to three years at 1259 Eber Road (Lot 12, Section 21, Clayoquot District, Plan 13683).	Issue TUP21-02	Planning	In Progress
October 12, 2021	Temporary Use Permit 21-18, 210 Minato Road John Towgood, Planner	A. That Council authorize the issuance of Temporary Use Permit 21-18 for a period of 3 years, to allow two seasonal RV camping spaces for local workers.	Issue TUP21-18	Planning	In Progress
October 12, 2021	Community Resiliency Investment Program Funding Rick Geddes, Fire Chief	1. THAT Council supports the activities outlined in the District of Ucluelet 2021 grant application to the UBCM Community Resiliency Investment Program - FireSmart Community Funding & Supports 2021; and 2. THAT Council will provide overall grant management of the UBCM Community Resiliency Investment Program - FireSmart Community Funding & Supports 2022.	Submit resolution in support of Grant Application.	Fire Chief	Completed
October 12, 2021	Signature Circle Utilities Recommissioning Cost Estimate James Mactinosh, Director of Engineering	THAT Council direct staff to allocate \$69,496 for the recommissioning of site services including water, sewer, streetlights, and fire for the Phase 1 Signature Circle development within the 2022 operational budget.	Funds to be allocated in 2022 budget workbook.	Public Works	Completed
October 12, 2021	2022 Council Meeting Schedule Joseph Rotenberg, Manager of Corporate Services	1. THAT Council amend the draft 2022 Council Meeting schedule so all meeting start at 4:00 PM. 2. THAT Council adopt the proposed 2022 Council Meeting Schedule as amended; and 3. THAT Council direct Staff to give notice of the 2022 Council Meeting Schedule in accordance with the Community Charter.	Amend schedule and give notice in accordance with Community Charter	Administration	In Progress
October 12, 2021	District of Ucluelet Staff and Contractor Housing Joseph Rotenberg, Manager of Corporate Services	THAT Council direct Staff to pursue extending the District's residential tenancy agreement with Braker Developments Ltd. for the rental of Unit 4, 313 Forbes Road, Ucluelet B.C. for the period of one year.	Negotiate extension to lease agreement.	Administration	Assigned

Appendix A

October 12, 2021	District of Ucluelet Staff and Contractor Housing Joseph Rotenberg, Manager of Corporate Services	THAT Council adopt the District of Ucluelet Staff Housing Policy as presented.	Sign, update policy tracker, upload and distribute policy.	Administration	Complete
October 12, 2021	Ucluelet OCP Bylaw No. 1236, 2020 Bruce Greig, Director of Community Planning	1. THAT staff be directed to provide an analysis of growth options informed by the 2021 West Coast Land Use Demand Study in the context of the draft OCP; and, 2. THAT the draft OCP (along with the growth options) be presented for community feedback at a Committee-of-the-Whole meeting.	Analyze growth options and present the same at a CoW.	Planning	In progress
October 12, 2021	Proposed Amendment to District of Ucluelet Single-Use Item Regulation Bylaw No. 1266, 2020 Joseph Rotenberg, Manager of Corporate Services	THAT Council direct Staff to present amendments to "District of Ucluelet Single-Use Item Regulation Bylaw No. 1266, 2020" that regulate the provision of plastic and bioplastic utensils and stir sticks.	Draft bylaw amendment for presentation to Council.	Administration	Assigned
October 12, 2021	District of Ucluelet Harbour Amendment Bylaw No. 1296, 2021 - Adoption Abigail K. Fortune, Director of Parks and Recreation	THAT Council adopt District of Ucluelet Harbour Regulation Amendment Bylaw No. 1296, 2021.	Update bylaw, update bylaw tracker, sign, and file.	Administration	Assigned
October 12, 2021	Every Child Matters Crosswalk Courtney Johnson	THAT Council Consider implementing an Every Child Matters crosswalk during the 2022 Budget process.		Public Works	Assigned
October 12, 2021	Ambulance Paramedics of British Columbia - CUPE 873 Troy Clifford, Provincial President, Ambulance Paramedics of BC, CUPE Local 873	THAT Council direct staff to request a delegation from the Ambulance Paramedics of British Columbia.	Invite Paramedics of BC to present to Council.	Administration	Complete
October 12, 2021	September 9, 2021 Special Minutes	THAT Council adopt the September 9, 2021 Special Minutes as presented.	Print, file, sign and send.	Administration	Complete

Resolution Tracking - October 2021 Joseph Rotenberg, Manager of Corporat...



STAFF REPORT TO COUNCIL

Council Meeting: October 26, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: RICK GEDDES, FIRE CHIEF

FILE NO: 2240-65

SUBJECT: DRAFT FIRE SERVICES AND DONATION AGREEMENTS WITH
TOQUAHT NATION

REPORT NO: 21-152

ATTACHMENT(S): APPENDIX A - FIRE SERVICES AGREEMENT
APPENDIX B - DONATION AGREEMENT

RECOMMENDATION(S):

1. **THAT** Council endorse the draft Fire Services Agreement and Donation Agreement between the District of Ucluelet and Toquaht Nation as presented; and further,

THAT Council direct staff to present the final Fire Service Agreement and Donation Agreement between the District of Ucluelet and Toquaht Nation upon Toquaht Nation executing the agreement.

PURPOSE/DESIRED OUTCOME:

The purpose of this report is to present information on the “Fire Services and Donation Agreements” (The Agreements) between the District of Ucluelet and Toquaht Nation.

BACKGROUND:

Toquaht Nation owns 1557 hectares of land, which includes the community of Macoah and Secret Beach Campgrounds. Macoah is approximately 45 minutes from Ucluelet by road. Road access includes travel on approximately 20 kms of gravel road.

While Toquaht Nation has taken significant steps to maintain the overall safety of its citizens, they have never had the means to provide adequate fire protection. In recent years, Toquaht Nation installed a domestic water system which included fire hydrants that provide coverage to the majority of the community.

While it is not reasonable to assume that the District of Ucluelet can provide the same level of fire protection to Macoah that it does within our municipal boundaries, a service agreement with Toquaht Nation will provide some peace of mind for residents of Macoah.

This agreement will provide Toquaht Nation with much-needed equipment, personnel, training, and expertise. The goal of this partnership is to assist Toquaht Nation in eventually forming its own independent fire department.

Under the agreement, if a fire were to occur in Macoah, the District of Ucluelet would provide fire suppression support by way of trained firefighters. District firefighters will respond in the Fire Chief's command vehicle, when available as determined by the Fire Chief. Emergency response will be limited to structure fires, garbage container fires, chimney fires and motor vehicle fires.

During a response to Macoah, the District of Ucluelet's Fire Chief will assume overall incident command. The District's legal counsel has advised that while there may be implications of liability on the District, the liability risk is, *"very likely covered by the indemnity at section 6.9 of the Agreement. Toquaht Nation must indemnify the District for liability it incurs that is in any way related to the Fire Services. Part of the Fire Services is responding to fires on Toquaht lands and directing firefighting efforts which may be aided by Toquaht responders."*

The proposed agreements include transfer of ownership of the District's surplus 1986 Chevrolet pumper truck. This apparatus will remain at Macoah and allow Toquaht Nation to initiate fire suppression while awaiting the arrival of support from the District. The District will also provide several sets of out-of-service firefighting turnout gear. While this turnout gear is out of date (older than 10 years), it is still in serviceable condition and is considered safe and adequate for exterior firefighting operations.

The agreements include (but are not limited to) training in the following areas: safe operation of the pumper truck; care, maintenance use of turnout gear; and basic firefighter safety and firefighting techniques. All training will be provided by the District of Ucluelet's Fire Chief. The proposed agreement will also make the Fire Chief available to Toquaht Nation for fire safety inspections, ongoing consultation, and instruction, as required.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

The proposed agreements will require staff time of approximately ten to twenty hours per year on an ongoing basis. It is anticipated that staff time requirements will be on the higher end of this range during the initial phase of training and orientation to the equipment being provided.

There have not been any fires of note in Macoah in recent years. It is anticipated that fire response to Macoah will be a very low-frequency event due to the preparation and training that has already been established there.

FINANCIAL IMPACTS:

Often, service agreements such as these are revenue producing ventures for the party providing the service. The intent of this agreement is to collaborate with our neighbours while recovering costs involved to do so.

Toquaht Nation will pay the District an annual fee of \$5,000.00 which should adequately cover all anticipated expenditures, staff time and vehicle use, for the term of the agreement (5 years). This fee will be inclusive of the transfer of ownership of the District's retired pumper truck, used turnout gear, and ongoing training and consultation as required. No other fees are anticipated to be charged.

POLICY OR LEGISLATIVE IMPACT:

Toquaht Nation is aware that implementation of the Fire Protection Services Agreement will be contingent on the ability of Ucluelet Fire Rescue to maintain an adequate level of operations within the District of Ucluelet.

OPTIONS REVIEW:

1. **THAT** Council endorse the draft Fire Services Agreement and Donation Agreement between the District of Ucluelet and Toquaht Nation as presented; and further,

THAT Council direct staff to present the final Fire Service Agreement and Donation Agreement between the District of Ucluelet and Toquaht Nation upon the Toquaht Nation executing the agreement. **(Recommended)**;

-OR-

2. **THAT** Council direct staff to amend the Fire Service Agreement by
 - a. revising the term of the agreement from 5 years to _____ years.
 - b. adjusting the fee from \$5000 to \$ _____.
 - c. altering the services provided by removing/adding _____; and,

THAT Council direct staff to amend the Donation Agreement with the Toquaht nation by _____; and further,

THAT Council direct staff to present the revised Fire Service Agreement and Donation Agreement between the District of Ucluelet and Toquaht Nation upon the Toquaht Nation executing the agreement.

-OR-

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

Respectfully submitted: Rick Geddes, Fire Chief

Appendix A

DONATION AGREEMENT (EQUIPMENT)

THIS AGREEMENT dated for reference the 1st day of November 1, 2021 is

BETWEEN:

DISTRICT OF UCLUELET

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

(the “**District**”)

AND:

TOQUAHT NATION

P.O. Box 759, 1971 Peninsula Road, Ucluelet, British Columbia, V03 3A0

(“**Toquaht Nation**”)

WHEREAS:

- A. The District decommissioned a 1986 GMC One Ton Pumper fire engine equipped with supply and attack fire hose bearing VIN: 1GDJC34M7GJ511263 (the “**Vehicle**”);
- B. The District has a surplus of used turnout gear for firefighting purposes which is detailed in Schedule A” (the Turnout Gear); and
- C. Instead of selling the Vehicle and Turnout Gear (the “**Equipment**”) at public auction, the District wishes to transfer and convey the Equipment to Toquaht Nation as a gift and Toquaht Nation wishes to accept the Equipment on the terms and conditions of this Agreement.

THIS AGREEMENT is evidence that in consideration of \$1.00 paid by each of the parties to the other, the promises contained herein, and other good and valuable consideration (the receipt and sufficiency of which the parties acknowledge), the District and Toquaht Nation agree as follows:

Gift of Equipment

1. The District will transfer the Equipment to Toquaht Nation on November 1, 2021 (the “**Transfer Date**”), on the terms and conditions of this agreement.

Process of Transfer

2. On the Transfer Date, the parties will bring a completed ICBC Transfer/Tax Form, in the form attached to this Agreement as Schedule “**B**”, to an Autoplan Broker to complete the transfer of ownership of the Vehicle to Toquaht Nation. Upon the Autoplan Broker

accepting the documents of transfer, the District will convey the Vehicle to Toquaht Nation and Toquaht Nation will take possession of the Vehicle.

3. On the Transfer date, the District will deliver the Turnout Gear to the Toquaht Government. Upon Toquaht Nation taking possession of the Turnout Gear all right in and title to the Turnout Gear shall vest in the Toquaht Government.

Condition Precedent

4. The District's obligation to donate the Equipment and Toquaht Nation's obligation to accept it is subject to Toquaht Nation providing to the District before the Transfer Date, a Toquaht Government Certified Resolution passed at a properly convened meeting of the Executive authorizing the entering into of this Agreement, the bill of transfer and any other agreements and documents to affect the transfer contemplated herein.

Risk

5. The Equipment will remain at the risk of the District until Toquaht Government takes possession of the Equipment and will thereafter be at the risk of Toquaht Government.

Fair Market Value

6. The parties agree that the fair market value of the Equipment is \$3000.00.

Toquaht Nation's Acknowledgement and Agreements

7. Toquaht Nation acknowledges and agrees that:
 - (a) the District transfers and Toquaht Nation accepts the Equipment on an "as is" basis and condition;
 - (b) the District has not made any representations, warranties, or agreements as to the condition or quality of the Equipment or its suitability for any purpose and it is the sole responsibility of Toquaht Nation to satisfy itself with respect to same;
 - (c) effective from and after the Transfer Date, Toquaht Nation:
 - (i) assumes and is solely responsible for, and releases the District (and its elected and appointed officials, employees, contractors, and agents) from and against any and all actions, causes of action, liabilities, demands, claims, losses, damages, costs, expenses, fines, and penalties whether occurring, incurred, accrued or caused on or after the Transfer Date, which the First Nation or any other person has or may have arising out of or in any way related to or in connection with the Equipment;
 - (ii) agrees to indemnify and save harmless the District from all losses, actions, demands, claims, expenses, and harm of any kind which the District or its

elected officials, officers, employees, agents, or others may directly or indirectly suffer, resulting from, connected with or in relation to the Equipment and its transfer to Toquaht Nation; and

- (iii) the release and indemnity in (i) and (ii), above, survive the transfer of the Equipment contemplated herein.

Costs

8. Each party will be responsible for paying its own legal fees and disbursements. Toquaht Nation will pay all costs in connection with the transfer of the Equipment, including any applicable registration fees and taxes, including GST.

Miscellaneous

9. Time shall be of the essence of this agreement.
10. There are no representations, warranties, guarantees, promises, or agreements other than those contained herein, all of which survive the completion of the transfer of the Equipment as contemplated by this agreement, and shall not merge with any deeds or agreements delivered in connection with completion and do not merge with the bill of transfer.
11. In this agreement, any reference to a party includes that party's heirs, executors, administrators, successors, and assigns, and any reference to the singular or masculine shall include the plural or feminine where the context or the parties so require.
12. The provisions of this Agreement will be governed and interpreted in accordance with the laws of Toquaht Nation, Province of British Columbia, or Canada, as applicable.

AS EVIDENCE of their agreement to be bound by the above terms and conditions, the parties have executed this agreement on the dates written below.

DISTRICT OF UCLUELET

by its authorized signatory(ies):

Name:

Name:

Date: _____

TOQUAHT NATION

by its authorized signatory(ies):

Name:

Name:

Date: _____

Schedule "A" – Used Turnout Gear

<u>Description</u>	<u>Quantity</u>
Coveralls	10 units
Turnout Gear	5 sets
Firefighting Helmets	4
Firefighting Boots	10 pairs
Firefighting Gloves	7 pairs
Balaclavas	10

Schedule "B"

DO NOT WRITE OR STAPLE
IN THIS SPACE

Transfer/Tax Form

Insurance Corporation
of British Columbia



Motor Vehicle Act
Commercial Transport Act
Provincial Sales Tax Act
Excise Tax Act
Off-Road Vehicle Act
Motor Dealer Act
Social Service Tax Act

This form must be completed in full and taken to an Autoplan Broker with identification within ten days of the sale. Use blue or black ink only.

VEHICLE DESCRIPTION

REGISTRATION NO.	COLOUR	FUEL SIC REVISED	YEAR	MAKE	MODEL	BODY STYLE
VEHICLE IDENTIFICATION NO. (VIN)		SEATING CAPACITY	NET WEIGHT (kg)	GROSS WEIGHT (kg)	DISP (CC)	VEHICLE STATUS A - ALIASED B - REBUILT S - SALVAGE
Complete this line only if the vehicle was constructed new by a primary manufacturer and a secondary manufacturer and has 2 vehicle identification numbers (e.g. motor homes, school buses). (see reverse)		YEAR FRAME / BODY	MAKE	FRAME / BODY	SECONDARY VEHICLE IDENTIFICATION NO. (VIN)	FRAME / BODY

SELLER INFORMATION AND VEHICLE DECLARATION (Must be completed in full by the seller)

DATE OF SALE (dd/mm/yyyy)	PREVIOUS VEHICLE HISTORY HAS VEHICLE EVER BEEN USED FOR: <input type="checkbox"/> Rental <input type="checkbox"/> Lease <input type="checkbox"/> Emergency or Police <input type="checkbox"/> Taxi <input type="checkbox"/> None of these	VEHICLE PREVIOUSLY REGISTERED OUTSIDE BC <input type="checkbox"/> No <input type="checkbox"/> Yes	CUMULATIVE VEHICLE DAMAGE New vehicle where damage exceeded 20% of asking price <input type="checkbox"/> No <input type="checkbox"/> Yes	Used vehicle damage over \$2,000 <input type="checkbox"/> No <input type="checkbox"/> Yes	ODOMETER READING <input type="checkbox"/> ODOMETER REPLACED/BROKEN <input type="checkbox"/> km <input type="checkbox"/> mi
NAME (SURNAME followed by given names (no initials) or registered company name(s))		SELLER'S BC DRIVERS LIC. NO.	SELLER'S BC DRIVERS LIC. NO.	SELLING PRICE \$ _____	
RESIDENTIAL ADDRESS OF SELLER					
SIGNATURE OF SELLER(S) (Print name and title if other than an individual.)					
SIGNATURE OF SELLER(S) (Print name and title if other than an individual.)					

I/we the seller(s) certify that we are the registered owner(s) of the described vehicle and that I/we are entitled to sell it, and that the selling price includes any and all consideration received for the vehicle and that the information above is true.

PURCHASER INFORMATION AND TAX DECLARATION

- Exemption from tax being claimed? <input type="checkbox"/> No <input type="checkbox"/> Yes - Stated purchase price below market value? <input type="checkbox"/> No <input type="checkbox"/> Yes - Stated trade-in value more than market value? <input type="checkbox"/> No <input type="checkbox"/> Yes - BC seller collected GST only, but no PST? <input type="checkbox"/> No <input type="checkbox"/> Yes - Vehicle received as a gift? <input type="checkbox"/> No <input type="checkbox"/> Yes		Tax Calculation NON-REGISTRANTS ONLY PURCHASE PRICE \$ _____ LESS TRADE (if applicable) \$ _____ NET PURCHASE PRICE \$ _____ PST/HST PAYABLE (if applicable) \$ _____ HST (BC) PAYABLE (if applicable) \$ _____		PST/HST/GST REGISTRANTS ONLY SELLER'S PST/HST/GST REG. NO. _____ DEALER REG. NO. OR ICBC APP. NO. _____	
Comments: _____ Your Autoplan Broker or the Ministry of Finance may ask you to provide supporting documentation if the purchase price is below current market value, the trade-in vehicle is more than current market value, or if an exemption is being claimed. Retain all documents supporting the tax paid or the exemption claimed for tax audit purposes for five (5) years. If HST paid or exempted retain documents for seven (7) years. A signed Vehicle Registration (APV250) must accompany this document (for licensed dealers an APV250 or APV9 is acceptable)		CTB AUTHORIZING STAMP (WHERE REQUIRED) (ALL COPIES)			
NAME (SURNAME followed by given names (no initials) or registered company name(s))		PURCHASER'S BC DRIVERS LIC. NO.		PURCHASER'S BC DRIVERS LIC. NO.	
RESIDENTIAL ADDRESS OF PURCHASER		I/we the purchaser(s) being 18 Years of age or older or having obtained parents' consent apply to the Insurance Corporation of British Columbia for vehicle registration or transfer of registered ownership of the vehicle described above and by my/our signature(s), I/we declare that the information included above is true.			
PROVINCE		POSTAL CODE		SIGNATURE OF PURCHASER(S) (Print name and title if other than an individual.)	
PROVINCE		POSTAL CODE		SIGNATURE OF PURCHASER(S) (Print name and title if other than an individual.)	

Consent of parent or legal guardian for applicant under 18 years of age
I, _____
PRINT NAME OF PARENT OR LEGAL GUARDIAN

PRINT ADDRESS IN FULL

SIGNATURE OF PARENT OR LEGAL GUARDIAN

consent to the registration and licencing in the name of the applicant(s), of the vehicle described hereon.

WARNING TO PURCHASER AND SELLER

This form is not valid if the information shown is inconsistent, changed or altered. The Ministry of Finance regularly audits vehicle transactions to verify the information provided. Any false information regarding the selling price or purchase price and trade-in (if applicable) or tax payable may result in fines and penalties. It is an offence under Provincial consumption tax legislation to make false or deceptive statements to evade the payment of tax. A person who commits such an offence is liable to fines and/or imprisonment.

AUTOPLAN AGENT TO COMPLETE For all new registrations, and rebuilt or altered vehicles - Check applicable boxes

Canadian Import <input type="checkbox"/> Canadian vehicle - previous jurisdiction Vehicle purchased from GST/HST registrant? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> VIN sighted and confirmed <input type="checkbox"/> IFRE confirmed <input type="checkbox"/> BC Vehicle Inspection Report(s) <input type="checkbox"/> Vehicle Import Form - Form 1 No. of plates surrendered: <input type="checkbox"/> 1 <input type="checkbox"/> 2	Proof of ownership <input type="checkbox"/> NWS/Certificate of Origin <input type="checkbox"/> Vehicle Registration <input type="checkbox"/> Certificate of Title <input type="checkbox"/> Bill of Sale <input type="checkbox"/> Salvage Invoice <input type="checkbox"/> Broker Equity confirmed ownership	Physical Damage (except BC dealer with NWS) <input type="checkbox"/> Windshield <input type="checkbox"/> Body location <input type="checkbox"/> None visible	
Foreign Import <input type="checkbox"/> P - may not be sold or disposed of in Canada at any time without authorization from Canada Border Services Agency <input type="checkbox"/> T - may not be sold on or before _____ <input type="checkbox"/> N - not subject to a disposal restriction	NOT VALID UNLESS STAMPED BY AUTHORIZED ISSUING OFFICE			
TYPE OF IDENTIFICATION	IDENTIFICATION NUMBER	TYPE OF IDENTIFICATION	IDENTIFICATION NUMBER	LEGAL ENTITY NUMBER (other than individual)
I have viewed the purchaser's identification or confirmed legal entity and verified the "Autoplan Agent to complete" information.		NAME OF AGENT (PRINT)		SIGNATURE OF AGENT

APV9/T (11/2014)

SEE REVERSE FOR INSTRUCTIONS

Vehicle Registration

COMPLETION OF TRANSFER/TAX FORM (APV9T)

- The purchaser is advised to check for liens and encumbrances with the Personal Property Registry, Victoria, BC before finalizing the sale.
- The seller completes the 'Seller' section of the form including the price the vehicle was sold for and information from the Vehicle Registration, and signs the Seller's Certification.
- The purchaser completes and signs the 'Purchaser' section.
- The seller retains the Seller copy of the form with the 'Seller' and 'Purchaser' sections completed.
- The purchaser must present the remaining copies of the Transfer/Tax Form (APV9T) and the Vehicle Registration (APV250 only, signed by the registered owner) to an Autoplan Broker for registration within 10 days of sale.

Signatures – where the seller or purchaser is a registered company, the signatures required are of signing officer(s) with official title(s) with the company.

Note: Business names not registered with the Corporate Registry, Victoria, BC, may not be used.

TAX OWING

For vehicles that were purchased in BC or that entered BC April 1, 2013 or later, the following tax rules apply:

Vehicles Purchased in BC

1. Dealer and Vendor Sales: GST and Provincial Sales Tax (PST) will be collected by the dealer or vendor. ICBC requires the vendor's PST number and proof PST paid. For Dealers, the Dealer number is required. If a seller collects GST only (and not PST) ICBC will collect PST on the purchase price.
2. Private Sales: PST is payable on the purchase price. Both the seller and purchaser must certify the price of the vehicle.

Vehicles Purchased Outside BC

1. *Purchased in Canada, GST or HST Paid:* PST is payable on the purchase price shown on the bill of sale.
2. *Private Sales in Canada:* Provincial Sales Tax (PST) is payable on the purchase price shown on the bill of sale.
3. *Purchased Outside Canada:* PST is payable on value for tax + excise tax + duty (if applicable) as shown on the Canada Border Services Agency (CBSA) B3 or B15 duty form.

Vehicles Received as Gifts

Gifts of vehicles in BC and vehicles brought into BC and received as gifts are subject to PST on the Fair Market Value unless a specific exemption applies.

Exemptions and Below Market Sales

The purchaser must provide supporting documentation if claiming an exemption, and may be asked to provide documentation if the purchase price is lower than current market value, or if the trade-in value is more than the current market value.

NEW VEHICLE REGISTRATIONS — TWO VINs ON NEW VEHICLE INFORMATION STATEMENT (NVIS)

The year, make and vehicle identification numbers recorded on the NVIS will be entered on the Transfer/Tax Form as follows:

School Bus - Year and Make: Always record year and make of secondary manufacturer on the first line of the Transfer/Tax document.

Record the year and make of the primary manufacturer on the third line of the Transfer/Tax document, circling the word "Frame".

VIN: Record the secondary manufacturer's VIN on the second line of the Transfer/Tax document only if the VIN is 17 digits long, otherwise record the primary manufacturer's VIN. Record the alternate VIN on the third line of the Transfer/Tax document and circle "Frame" or "Body".

Motor Home Class A: Follow Year and Make and VIN instructions as for school bus.

Motor Home Class C: Year and Make: Record year, make and VIN of primary manufacturer on the first line of the Transfer/Tax document. Record year and make of the secondary manufacturer on the third line of the Transfer/Tax document, circling the word "Body".

SUBSTITUTE VEHICLE:

An owner of a BC-licensed and insured vehicle may transfer the number plates to a newly-purchased BC vehicle and operate the vehicle for a maximum period of 10 days from purchase date provided ALL of the following conditions are met:

- the newly purchased vehicle is the same type and the plates are compatible (e.g., passenger plates on a passenger vehicle, commercial plates on a commercial vehicle); AND
- the newly purchased vehicle is a BC registered vehicle or is a new vehicle purchased from a BC registered dealer; AND
- title or interest in the original vehicle has been transferred.

During the 10-day period the operator must carry all the following documents, and produce to a Peace Officer upon request:

- the Purchaser's copy of the completed, dated, and signed Transfer/Tax Form (APV9T); and
- the Purchaser's *Owner's Certificate of Insurance and Vehicle Licence* for the transferred original vehicle; and
- the previous owner's *Certificate of Registration* for the newly-purchased vehicle, or a signed and dated Bill of Sale if brand new vehicle purchased from a BC Registered Dealer.

NOTE: If the original licence plates are not compatible with the newly-acquired vehicle, or if the title to or interest in the original vehicle has not been transferred, the 10-day substitute vehicle provision cannot be used, and the vehicle must be registered and licensed immediately with compatible plates, before being used on a highway. Attend an Autoplan Agent. You will need to complete and sign a Transfer/Tax Form (APV9T), and your broker will process the transfer of ownership, collect any fees, taxes and premium owing, and issue new (compatible) plates. **No insurance is in force on the vehicle until the transfer is processed and new compatible plates are issued.**

All newly purchased vehicles must be registered in the name of the licence holder at an Autoplan Agent within 10 days of purchase.

VEHICLES BROUGHT INTO BRITISH COLUMBIA FROM ANOTHER JURISDICTION:

Passenger vehicles, including small pickup trucks, motorcycles and trailers used for personal/pleasure use, must be registered by the owner within 30 days of entering the province. Cars, motor homes, vans and small trucks with a net weight of 3,500 kgs or less that have been previously registered, titled or licensed in another jurisdiction must pass a certified safety inspection before they can be registered and licensed in BC.

Commercial vehicles (except for commercial trailers) used for commercial purposes must be registered immediately. Commercial trailers that are licensed in compliance with their home jurisdiction may be operated on a BC highway.

All vehicles imported by the owner into BC must be taken to an Autoplan Broker by the owner, where the ownership, description of the vehicle, body style, vehicle identification number and odometer reading will be verified. Tax is payable unless the owner qualifies for an exemption under Provincial legislation.

Present Vehicle Registration, Certificate of Title and plates - **must be surrendered**. Owner(s) of a vehicle from another country must also produce a Vehicle Import Form - Form 1 and surrender it at the time of registration.

FUEL TYPE CODES	Code	Fuel Type	Code	Fuel Type	Code	Fuel Type	Code	Fuel Type
	A	Alcohol	F	Diesel - Butane	N	Natural Gas	T	Diesel - Propane
	B	Butane	G	Gasoline	P	Propane	U	Gasoline - Natural Gas
	D	Diesel	H	Gasoline - Alcohol	R	Diesel - Natural Gas	W	Gasoline - Propane
	E	Electric	L	Gasoline - Electric	S	Propane - Natural Gas	Y	Hydrogen
							Z	Multi-Fuel

PRIVACY NOTICE:

The personal information on this form is collected: (a) by ICBC for the purpose of considering the application by seller and purchaser of the initial vehicle registration or transfer of vehicle ownership and is authorized by the *Motor Vehicle Act*, the regulations thereunder and other related legislation; (b) by ICBC for the purpose of administering the *Provincial Sales Tax Act* and regulations thereunder, *Excise Tax Act* and the regulations thereunder, and (c) by the Ministry of Finance ("Ministry") for the purpose of administering the *Excise Tax Act* and the regulations thereunder and Provincial tax legislation. Each of ICBC and the Ministry may use and disclose this information in accordance with the provisions of Part 3 of the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information can be directed to: (a) for ICBC, to the Manager, Information and Privacy, by phone 604-661-2800 or to this address: ICBC, PO Box 5050 Station Terminal, Vancouver BC V6B 4T4; (b) for the Ministry, to the Manager Program Services Section, at, Ministry of Finance, by phone toll-free at 1-877-388-4440 and ask to be re-directed, or to this address: PO BOX 9442, Stn Prov Govt, Victoria, BC V8W 9V4.

Appendix B

FIRE SERVICES AGREEMENT

This Agreement dated for reference the 1st day of November 2021, is

BETWEEN:

DISTRICT OF UCLUELET

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

(the “**District**”)

AND:

TOQUAHT NATION

P.O. Box 759, 1971 Peninsula Road, Ucluelet, British Columbia, V03 3A0

(the “**Toquaht Nation**”)

WHEREAS:

- A. Toquaht Government has requested that the District provide fire protection services and fire training services on Toquaht Lands, including the community of Macoah within which most, but not all, Toquaht Nation Infrastructure and Buildings are located;
- B. Under section 13.1 of the *Community Charter* the District is authorized to provide a service within treaty lands under an agreement with a treaty first nation; and
- C. The District and Toquaht Nation wish to enter into this Agreement under which the District shall provide fire protection services to Buildings in Toquaht Lands and provide fire training services to the Toquaht Government’s emergency response team.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements herein contained, the sufficiency of which is hereby acknowledged, the PARTIES hereto agree as follows:

1.0 DEFINITIONS

- 1.1 In this Agreement, including this section, the recitals and schedules hereto, unless the context otherwise requires:

“**Building**” means a residential building, mobile home, or any structure, whether occupied or not.

“**District**” means the District of Ucluelet.

Oct 19, 2021 2:04 PM/JR

02051165-3

“Fire Chief” means the person appointed as the Chief of the District’s fire department, and any officer, member, or inspector who in the normal course of his or her duty is authorized by the Fire Chief to act on his or her behalf.

“Fire Services” means the fire protection services described in Schedule “A” to this Agreement.

“Maa-nulth Treaty” means the Maa-nulth First Nations Final Agreement, a treaty within the meaning of section 35 of the *Constitution Act, 1867* (Canada), between Canada, British Columbia, Toquaht Nation and the other Maa-nulth First Nations, which came into effect on April 1, 2011, as amended from time to time.

“Macoah” means the Macoah community as shown on the map attached to this Agreement as Schedule “B”.

“Toquaht Government” means the “Maa-nulth First Nation Government” of the Toquaht Nation within the meaning of the Maa-nulth Treaty.

“Toquaht Lands” means the “Maa-nulth First Nation Lands” of Toquaht Nation within the meaning of the Maa-nulth Treaty and identified as “Additional Lands” and “Former Indian Reserves of Toquaht Nation” in Schedule “B”.

“Toquaht Nation” means the “Toquaht Nation” within the meaning of the Maa-nulth Treaty.

“Toquaht Nation Infrastructure” means any and all streets, roadways, bridges and associated streetlights and sidewalks, traffic lights and traffic control signs on or adjacent to Toquaht Lands that provide access to or from Toquaht Lands, driveways for access to or from Buildings and all water mains, lines, hydrants, connections, and associated works on or under Toquaht Lands as necessary for the purpose of providing Fire Services to Toquaht Lands.

“Term” means a period of time which this Agreement remains in force and effect, as described in Section 2.0.

“Training Services” means the fire protection training services described in section 4.1 of this Agreement.

“Vehicle” means the fire engine equipped with supply and attack fire hose bearing VIN: 1GDJC34M7GJ511263 that was transferred by the District to Toquaht Nation.

2.0 TERM

- 2.1 This Agreement commences on November 1st, 2021, and expires on October 30th, 2026, subject to earlier termination under section 2.2 or section 8.1.
- 2.2 This Agreement may be terminated by either party on one (1) month’s written notice delivered to the other party.

3.0 FIRE SERVICES

- 3.1 During the Term, the District will provide the Fire Services within Toquaht Lands, on the terms and conditions of this Agreement.
- 3.2 In the event of a fire, a request for the Fire Services shall be made by Toquaht Government by calling 9-1-1, who will then contact the District's Fire Rescue Duty Officer by pager.
- 3.3 The District shall provide the Fire Services when the Fire Chief determines the District is capable of providing the Fire Services without compromising its ability to provide fire protection services within the boundaries of the District. In making this determination, the Fire Chief shall consider:
- (a) the availability of human resources; and
 - (b) the availability of equipment.
- 3.4 When the Fire Chief determines the District is capable of providing the Fire Services in accordance with section 3.3, the District will provide the Fire Services using the Fire Chief's command vehicle carrying up to four firefighters and their personal protective equipment.
- 3.5 Toquaht Nation acknowledges that it will take the District at least 40 minutes from a request for service to reach the scene of an incident at Macoah and that response time may be longer if the incident occurs on other Toquaht Lands that are further or less accessible than Macoah.
- 3.6 The Fire Chief shall assume incident command upon arrival at an incident in Toquaht Lands.
- 3.7 The District's personnel shall discontinue providing the Fire Services in response to an incident when:
- (a) the Fire Chief determines that the incident is under control; or
 - (b) the District's personnel are required to respond to an incident in the District.
- 3.8 The District may, from time to time at its sole discretion, assist Toquaht Government in determining fire cause and origin.
- 3.9 Upon request by the Toquaht Government, the District will provide fire safety inspections on public buildings within Toquaht Lands. Inspections will be scheduled at mutually convenient times and will be undertaken by a qualified fire inspector.
- 3.10 The District makes no representation or warranty that the level or degree of Fire Services provided under this Agreement will be maintained or continued to any particular standard other than as stated expressly herein. Toquaht Nation acknowledges and agrees that from time to time there may be interruptions or reductions in the level of Fire Services, and that the District will not be held liable for any losses, costs, damages, claims, or expenses arising from or

connected with a temporary interruption or reduction in the level of Fire Service provided under this Agreement.

- 3.11 The District is not obliged to provide the Fire Services to any Building in Toquaht Lands if there is an outstanding stop work or fire prevention order in respect of the Building that has not been remedied to the satisfaction of the District's Fire Chief or if Toquaht Nation Infrastructure necessary for the provision of the Fire Services, including hydrants and water mains, do not meet the applicable safety and engineering standards for such works in the District of Ucluelet.

4.0 TRAINING SERVICES

- 4.1 The District shall provide Toquaht Government or its designates with training on the appropriate use of the Vehicle and training on basic firefighting techniques, including firefighter safety.
- 4.2 The District may provide further training on the appropriate use of the Vehicle and basic fire fighting techniques at a mutually agreeable time and place.
- 4.3 The Fire Chief of the District shall provide Toquaht Government with ongoing consultation where Toquaht Government requests and the Fire Chief of the District determines, in the Fire Chief's sole discretion, that Toquaht Government would benefit from such consultation.
- 4.4 All members of Toquaht Government's emergency response team will complete Incident Command Level 100 Training.

5.0 PAYMENT FOR SERVICES

- 5.1 As compensation for the provision of Fire Services, Toquaht Nation shall pay the District an annual fee of \$5,000 (the "Service Fee") on or before the THIRTIETH (30th) day after the commencement of the Term and each anniversary thereof.
- 5.2 As compensation for the provision of the Training Services, Toquaht Nation shall pay the District one dollar (\$1.00).

6.0 COVENANTS OF THE TOQUAHT GOVERNMENT

- 6.1 Toquaht Government shall service and maintain the Vehicle in good working order and shall store the Vehicle in a sheltered location.
- 6.2 Toquaht Government will service and maintain in good working order all fire hydrants, water distribution lines, and other Toquaht Nation Infrastructure necessary for the provision of the Fire Services in Macoah to a standard substantially similar to that in the District of Ucluelet and will permit the District's fire personnel to inspect all such water distribution lines, fire hydrants and related Toquaht Nation Infrastructure.

- 6.3 Toquaht Government shall give the District maps and other information required by the District in order to enable the District to identify the location of all existing Buildings, streets, water distribution lines and fire hydrants located in Toquaht Lands on the commencement date of the Agreement. Toquaht Government shall number each Building and shall indicate each Building's number on the map required above. Toquaht Government shall, upon request of the District, guide the Fire Chief on an inspection of Toquaht Lands to confirm the location of all Buildings, water distribution lines and fire hydrants.
- 6.4 Toquaht Government shall notify the District of:
- (a) any inspection reports and orders that are issued to the occupants or owners of any Buildings in Toquaht Lands as they occur;
 - (b) any new Buildings which have been constructed, erected, or placed in Toquaht Lands no later than the first day of the following month; and
 - (c) immediately notify the District in writing of any malfunctioning fire hydrants.
- 6.5 Toquaht Government shall retain in its administration records:
- (a) copies of all plans of all existing Buildings;
 - (b) copies of those plans that have been approved for all proposed Buildings;
 - (c) copies of any plans that have been approved for all additions to existing Buildings.
- 6.6 Toquaht Government will obtain and maintain during the Term of this Agreement, comprehensive general liability insurance covering bodily injury, personal injury, and property damage of not less than FIVE MILLION DOLLARS (\$5,000,000) per occurrence. The policy of insurance shall:
- (a) name the District as an additional insured;
 - (b) include that the District is protected notwithstanding any act, neglect or misrepresentation by Toquaht Government which might otherwise result in the avoidance of a claim and that such policies are not affected or invalidated by any act, omission, or negligence of any third party which is not within the knowledge or control of the insureds;
 - (c) not be cancelled or materially altered without the insurer providing the District with 30 days written notice stating when such cancellation or change is to be effective;
 - (d) be primary and non-contributing with respect to any policies carried by the District and shall provide that any coverage carried by the District is excess coverage;
 - (e) include a cross-liability clause; and

(f) be issued by an insurance company entitled to carry on the business of insurance under the laws of British Columbia.

- 6.7 Toquaht Government shall provide the District with certificates of insurance confirming the placement and maintenance of the required insurance upon the commencement of this Agreement and from time to time upon the District's request.
- 6.8 If Toquaht Government fails to insure as required, the District may effect the missing insurance in the name and at the expense of Toquaht Nation and Toquaht Nation shall promptly repay the District all costs incurred by the District in doing so. For clarity, the District has no obligation to effect such insurance.
- 6.9 Toquaht Government will indemnify, defend, release, and hold harmless the District from any loss, damage, expense, or cost suffered or incurred directly or indirectly as a result of or in any way related to the provision of the Fire Services or the Training Services except to the extent to which such loss, damage, expense, or cost arises as a result of negligence on the part of the District.

7.0 RIGHTS OF ACCESS

- 7.1 Representatives of the District may at any time enter Toquaht Lands for the purpose of providing any of the Fire Services and Training Services required in accordance with this Agreement as outlined under sections 3.0 and 4.0 and inspecting Toquaht Nation Infrastructure and ensuring compliance with the terms of the Agreement.

8.0 TERMINATION FOR BREACH OF AGREEMENT

- 8.1 Should either party be in breach of its covenants or undertakings under this Agreement which remains un-rectified for a period of THIRTY (30) days following written notification of such breach, the party not in breach may, at its option and without prejudice to any other rights or remedies it might have, immediately terminate this Agreement.
- 8.2 If this Agreement is terminated or otherwise cancelled for any reason, a prorated portion of any advance payments made by the Toquaht Nation will be refunded.

9.0 LIABILITY AND FORCE MAJEURE

- 9.1 The District does not warrant or guarantee the continuance or quality of any of the Fire Services provided under this Agreement and shall not be liable for any damages, expenses or losses occurring by reason of suspension or discontinuance of Fire Services for any reason which is beyond the reasonable control of the District, including without limitation acts of God, forces of nature, soil erosion, landslides, lightning, washouts, floods, storms, serious accidental damage, strikes or lockouts, vandalism, negligence in the design and supervision or construction of the Toquaht Nation Infrastructure, or in the manufacture of any materials used therein, and other similar circumstances.

10.0 COMMUNICATIONS AND CONTRACT PROTOCOL

10.1 Each of the Parties to this Agreement will appoint one or more representatives, with notice to the other Party of such appointments, as the principal contacts for official communications about this Agreement, and as the principal contacts for operational matters pursuant to this Agreement. The Parties further agree to establish a communications protocol to manage issues arising under this Agreement.

11.0 DISPUTE RESOLUTION

11.1 In the interests of cooperation and harmony the parties agree to use their best efforts to avoid conflict and to settle any disputes arising from or in relation to this Agreement.

12.0 ACKNOWLEDGEMENT OF RIGHTS

12.1 Nothing contained in this Agreement will be deemed to limit or affect any treaty rights or claims Toquaht Government may have at law or in equity. Nothing contained in this Agreement will be deemed to limit or affect the legal rights, duties or obligations of the District. The Parties agree that nothing in this Agreement will affect the cooperation or consultation covenants the Parties have entered into pursuant to other agreements.

13.0 HEADINGS

13.1 Headings that precede sections are provided for the convenience of the reader only and shall not be used in constructing or interpreting the terms of this Agreement.

14.0 ENTIRE AGREEMENT

14.1 This Agreement constitutes the entire agreement between the parties and there are no undertakings, representations or promises express or implied, other than those expressly set out in this Agreement.

14.2 This Agreement supersedes, merges, and cancels any and all pre-existing agreements and understandings in the course of negotiations between the parties.

15.0 NOTICE

15.1 The address for delivery of any notice or other written communication required or permitted to be given in accordance with this Agreement, including any notice advising the other party of any change of address, shall be as set out on the first page of this Agreement, and sent, in the case of the District, to the attention of the Fire Chief, and in the case of Toquaht Nation, to the attention of the Director of Operations.

15.2 The parties may change their address for delivery of any notice or other written communication in accordance with Section 15.1.

15.3 Any notice mailed shall be deemed to have been received on the FIFTH (5th) business day following the date of mailing. For the purposes of this section 15.3, the term “business day” shall mean Monday to Friday, inclusive of each week, excluding days which are statutory holidays in the Province of British Columbia.

16.0 AMENDMENT

16.1 The Agreement shall not be amended except by written agreement of both parties.

16.2 No waiver of the terms, conditions, warranties, covenants, and agreements set out herein shall be of any force and effect unless the same is reduced to writing and executed by all parties hereto and no waiver of any of the provisions of this Agreement will constitute a waiver of any other provision (whether or not similar) and no waiver will constitute a continuing waiver unless otherwise expressly provided.

17.0 GOVERNING LAWS

17.1 The provisions of this Agreement will be governed and interpreted in accordance with the laws of Toquaht Nation, Province of British Columbia, or Canada, as applicable.

18.0 ASSIGNMENT

18.1 The rights and obligations of the parties may not be assigned or otherwise transferred. An amalgamation by a party does not constitute an assignment.

DRAFT

19.0 ENUREMENT

19.1 This Agreement enures to the benefit and is binding upon the parties and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the respective dates written below.

DISTRICT OF UCLUELET

by its authorized signatory(ies):

Name:

Name:

Date: _____

TOQUAHT NATION

by its authorized signatory(ies):

Name:

Name:

Date: _____

DRAFT

SCHEDULE "A" - FIRE SERVICES

Ucluelet Fire Rescue will respond to the following types of calls for service within the areas specified in Schedule "B" of this agreement:

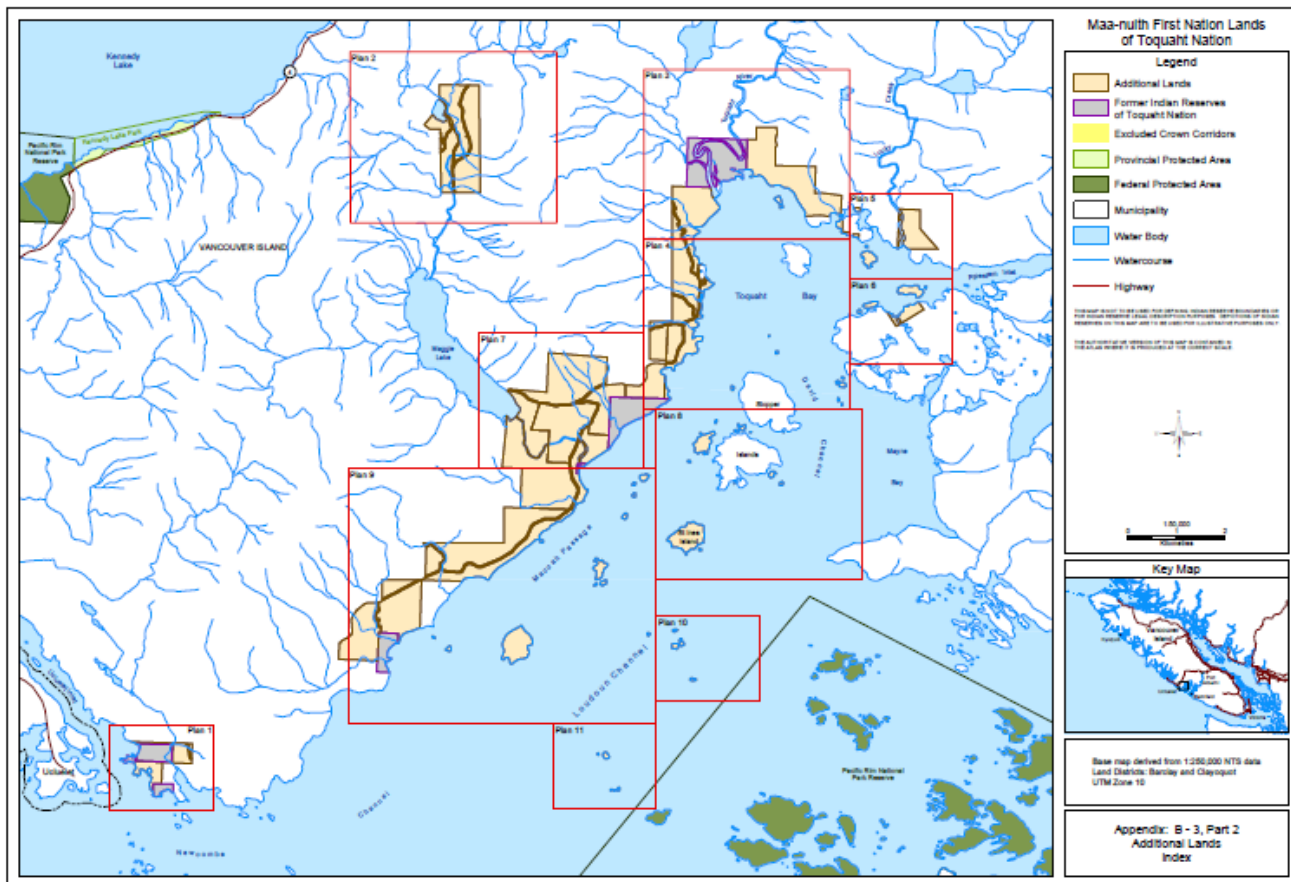
- Structure fires;
- Garbage container fires;
- Chimney fires; and
- Motor vehicle fires.

Road rescue service will continue to be provided by Ucluelet Fire Rescue through Emergency Management BC.

DRAFT

SCHEDULE "B" - MAP OF TOQUAHT LANDS

Government will service and maintain in good working order all fire hydrants, water distribution lines, and other Toquaht Nation Infrastructure necessary for the provision of the Fire Services in Toquaht Lands to a standard substantially similar to that in the District of Ucluelet and will permit the District's fire personnel to inspect all such water distribution lines, fire hydrants and related Toquaht Nation Infrastructure.





STAFF REPORT TO COUNCIL

Council Meeting: OCTOBER 26, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: RICK GEDDES, FIRE CHIEF

FILE NO: 3900-25

SUBJECT: REVIEW OF BYLAW NO. 967, 2004

REPORT NO: 21-153

ATTACHMENT(S): APPENDIX A - BYLAW NO. 967, 2004

RECOMMENDATION(S):

1. **THAT** Council directs staff to update Bylaw No. 967, 2004 in the form of a new bylaw to regulate the sale, use, and possession of fireworks within the municipality by:
 - a. prohibiting the sale, use, or possession of Consumer fireworks; and,
 - b. permitting the use of Display Fireworks and Special Effect Pyrotechnics through a permitting process.

PURPOSE:

The purpose of this report is to provide Council with information on options for an updated fireworks bylaw that would better reflect the immediate and future needs of the District of Ucluelet while maximizing the District's obligations towards protecting public safety.

BACKGROUND:

Bylaw 967, 2004 governs the sale, use, and possession of fireworks within the District of Ucluelet. It is Staff's position that this Bylaw is outdated, easily misinterpreted, and difficult for one to disseminate concise direction. These factors make this Bylaw particularly difficult to enforce.

In Canada, fireworks are generally grouped into one of three classifications:

- **Consumer Fireworks** are those designed for recreational use such as roman candles, sparklers, fountains, wheels, volcanoes, mines, and snakes.
- **Display Fireworks** are high-hazard firework articles designed for use by professionals holding a Fireworks Operator Certificate.
- **Special Effect Pyrotechnics** are high-hazard pyrotechnic articles designed for use by professionals holding a Fireworks Operator Certificate. This class also includes special purpose pyrotechnics manufactured live on stage or for the film and television industry.

Bylaw No. 967, 2004 does not distinguish between the various classifications of fireworks. This makes education and enforcement particularly difficult and can lead to open interpretation of the regulation.

DISCUSSION:

The only Display Fireworks Permit issued by the District in the last two years has been for a professional display of Fireworks on Halloween night of 2019.

The following information compares Fireworks Bylaws from several nearby municipalities:

Tofino Does not allow the sale of fireworks;

Allows the discharge of consumer fireworks between the hours of 5:00 pm and midnight on the following dates: January 1, July 1, July 4, October 31, or December 31 of each year;

Has no provision for Display or Special Effect Pyrotechnics.

Port Alberni Does not allow the sale, possession, or use of consumer fireworks;

Allows the possession, storage, and discharge of Display fireworks with a permit by the Fire Chief;

Allows the possession, storage, and discharge of Special Effect Pyrotechnics only with Council's approval.

Parksville Does not allow the sale, possession, or use of consumer fireworks;

Allows the possession, storage, and discharge of Display fireworks with a permit issued by the Fire Chief;

Ucluelet Allows the sale of fireworks between October 24th and October 31st each year;

Allows the discharge of consumer fireworks between October 24th and October 31st each year provided a permit has been obtained from the District

Does not address the possession, storage, and discharge of Special Effect Pyrotechnics.

OPTIONS REVIEW:

1. **THAT** Council directs staff to update Bylaw No. 967, 2004 in the form of a new bylaw to regulate the sale, use, and possession of fireworks within the municipality by:
 - a. prohibiting the sale, use, or possession of Consumer fireworks; and,
 - b. permitting the use of Display Fireworks and Special Effect Pyrotechnics through a permitting process. **(Recommended)**

-OR-

2. **THAT** Council provides alternate direction to staff.

Respectfully submitted: Rick Geddes, Fire Chief
Duane Lawrence, Chief Administrative Officer

Appendix A

DISTRICT OF UCLUELET

Bylaw No. 967, 2004

A bylaw to regulate the sale, use, and possession of fireworks.

WHEREAS the Council may, by bylaw, pursuant to the *Fireworks Act*, declare that Act applicable to the municipality;

AND WHEREAS the Council may, by bylaw, and subject to the *Fireworks Act*, regulate or prohibit the sale or disposal to any person of firecrackers and fireworks of every nature and kind;

AND WHEREAS the Council may, by bylaw, regulate or prohibit the discharging or exploding of firecrackers or fireworks;

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

1. Title

This Bylaw may be cited as "Fireworks Regulation Bylaw No. 967, 2004."

2. Definitions

"**Firecracker**" means small fireworks with entwined fuses used solely as noisemakers, and not for pyrotechnic effect.

"**Fireworks**" means manufactured goods intended to be used for pyrotechnic effect that are classified by the Canada Explosives Regulations as low hazard fireworks for recreation, including, but not limited to, fireworks showers, fountains, golden rain, lawn lights, pinwheels, roman candles and volcanoes, but excluding sparklers, Christmas Crackers and caps for toy guns.

"**Bylaw Enforcement Officer**" means a person employed or appointed by the District of Ucluelet to enforce the provisions of this bylaw.

3. Wholesale and Retail Sales

- a) It shall be unlawful for any person to offer for sale, expose for sale, advertise or display or sell at wholesale or retail;
- i) any fireworks, with the exception of sparklers, Christmas Crackers and caps for toy guns, to any person or organization except between October 24th and October 31st inclusive, in any year.
 - ii) any fireworks, to a person who is under the age of eighteen (18) years of age or to a person who appears to be under the age of eighteen (18) years and does not produce evidence that he/she is eighteen (18) years of age or older.
 - iii) any fireworks, unless such person is in possession of a valid District of Ucluelet Business Licence.

- b) It shall be unlawful for any person to supply any person, directly or indirectly, any firecracker, whether for his own use or not.

4. Possessions and Discharge of Fireworks and Firecrackers

- a) It shall be unlawful for any person to possess, sell, use, detonate or explode any firecrackers at any time of the year within the District of Ucluelet.
- b) It shall be unlawful for any person under the age of eighteen (18) years to possess, use, detonate or explode any fireworks.
- c) It shall be unlawful for any person to set off, discharge or explode any fireworks on any street, land, square or public place unless such person or persons shall first have obtained a permit from the District of Ucluelet, and it shall be the responsibility of the permit holder to ensure compliance with the provisions contained therein, or for any damages that may arise therefrom by reason of the issuance of any such permit.
- d) It shall be unlawful for any person to set off, discharge or explode any fireworks except between October 24th and October 31st inclusive, in any year unless such person(s) shall have first obtained a permit from the District of Ucluelet. It shall be the responsibility of the permit holder to ensure compliance with the provisions contained therein, or for any damages that may arise therefrom by any reason of the issuance of any such permit.
- e) It shall be unlawful for any person to point or direct or throw fireworks at any person, animal, building, motor vehicle, tree or bush, where such fireworks are in the process of exploding or detonating.

5. Vendors Permit

- a) It shall be unlawful for any person to offer for sale, expose for sale, advertise or display, or sell at wholesale or retail, any fireworks, unless such person is in possession of a valid Business License from the District of Ucluelet and a valid and subsisting Fireworks Vendors Permit issued by the District of Ucluelet.
- b) An application for a Fireworks Vendor Permit shall be made to the District of Ucluelet and shall be accompanied by a fee of \$50.00.
- c) The District of Ucluelet may refuse to issue a Fireworks Vendor Permit where:
 - i) The Vendor does not hold a valid and subsisting Business License issued by the District of Ucluelet;
 - ii) The Vendor, or an employee or agent of the Vendor, has been convicted of an offence against any of the provisions of this Bylaw or its predecessors, the Explosives Act (Federal) or the Fireworks Act (Provincial) within the twenty-four (24) months preceding the date of application.
 - iii) The District of Ucluelet may revoke a Fireworks Vendor Permit where the Vendor, or an employee or agent of the Vendor, violates any of the provisions of the Bylaw, the Explosives Act or the Fireworks Act.

6. Storage of Fireworks

- a) No person shall store, cause to be stored or have in his/her possession or on his/her premises, more than 23 kg (50.703 lbs) aggregate weight of fireworks at any time.
- b) No person shall store or cause to be stored any fireworks adjacent to any heat, flame or other source of ignition.
- c) No vendor shall store or cause to be stored, fireworks in a position or area that is readily accessible to customers or prospective customers. The storage area must be screened off from customers by a solid physical barrier and an attendant must always be on duty.
- d) An owner or occupier of premises in which fireworks are stored or kept for sale to any person must maintain a ULC approved, minimum 2A 10BC rating, multipurpose dry chemical portable fire extinguisher which is readily available on the premises at all times.
- e) Any owner or occupier of premises in which fireworks are stored, sold or disposed of to any person shall display or cause to display, a "NO SMOKING" sign with letters of a minimum height of 7.5 cm (2.95 inches) and of a contrasting colour to the background on the entrance door to the said premises and in a prominent position to the place where the fireworks are stored or sold.
- f) If the District of Ucluelet determines that a fire hazard exists on the premises of the holder of a Fireworks Vendor Permit and the holder does not eliminate such hazard forthwith upon notice thereof, the District of Ucluelet may order the removal of all fireworks from the premises and no person shall refuse or fail to comply with such order.

7. Seizure:

The Bylaw Enforcement Officer may seize firecrackers or fireworks being held in violation of this bylaw and may dispose of them without compensation.

8. Designation of Bylaw Enforcement Officer

For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following;

- a) Bylaw Enforcement Officer for the District of Ucluelet
- b) Fire Chief for the District of Ucluelet
- c) Chief Administrative Officer for the District of Ucluelet
- d) R.C.M.P. Officers and auxiliary members

9. Fines & Penalties:

Every person who violates any of the provisions of his bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw is liable on summary conviction to a fine of not more than two thousand dollars (\$2,000.00) and costs (including the costs of the committal and conveyance to the place of imprisonment) for each offense, and in default of payment therefore, to imprisonment of a term not exceeding six months in jail. Each day that such violation is permitted to continue shall be a separate offence.

10. Ticketing:

Fines and penalties for tickets issued for offences against this bylaw shall be in accordance with Schedule "A", attached hereto and forming part of this Bylaw.

11. Liability for Damages and Costs

In addition to all other penalties herein provided, any person causing damage to any public property shall be responsible for the cost of repairing such damage.

12. Severability

If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

13. Administrative Provisions:

- a) This bylaw hereby repeals "Fireworks Regulation Bylaw No. 747, 1997" and any amendment thereto.
- b) This bylaw may be cited for all purposes as the "District of Ucluelet Fireworks Regulation Bylaw No. 967, 2004."


READ A FIRST TIME this 10th day of **August, 2004**

READ A SECOND TIME this 10th day of **August, 2004**

READ A THIRD TIME this 10th day of **August, 2004**

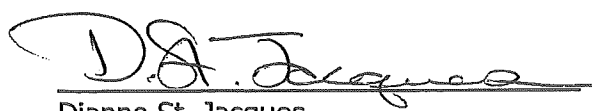
ADOPTED this 24th day of **August, 2004**

CERTIFIED A TRUE AND CORRECT COPY of "Fireworks Regulation Bylaw No. 967, 2004."

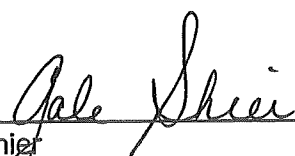


 Gale Shier
 Municipal Clerk

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



 Dianne St. Jacques
 Mayor



 Gale Shier
 Municipal Clerk

Fireworks Regulation Bylaw No. 967, 2004

Schedule "A"

Fines and Penalties

Description	Section	Fine – 1st Offense	Fine – 2nd and Subsequent Offenses
Offer fireworks for sale prior to October 24 th or after October 31 st of any year	3 (a)(i)	150.00	300.00
Offer to sell, or sale of fireworks to a person under 18 years of age	3(a)(ii)	250.00	500.00
Offer for sale, expose, advertise, display or sell fireworks without valid District of Ucluelet Business License	3(a)(iii)	250.00	500.00
Offer, sell, give any person a firecracker	3(b)	100.00	200.00
Possess, sell, detonate, explode any firecrackers	4(a)	100.00	200.00
Persons under 18 years of age possessing, detonating, exploding fireworks	4(b)	100.00	200.00
Discharge, explode fireworks on road, street, park, public place without a permit	4(c)	250.00	500.00
Discharge, explode fireworks prior to October 24 th or after October 31 st of any year	4(d)	150.00	300.00
Point, direct, throw firecrackers at any person, animal, building, motor vehicle, bush or tree	4(e)	250.00	500.00
Offer for sale, expose, advertise, display or sell fireworks without valid Vendors Permit	5(a)	250.00	500.00
Possession or storage of more than 23kg aggregate weight of fireworks	6(a)	250.00	500.00
Illegal storage of fireworks	6(b)(c)(d)(e)	250.00	500.00
Obstruct a Bylaw Enforcement Officer	7	250.00	500.00



STAFF REPORT TO COUNCIL

Regular Council Meeting: October 26, 2021

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

FILE NO: 6480-20-2020-OCF

SUBJECT: UCLUELET OCP BYLAW No. 1236, 2020 – COW SCHEDULE

REPORT NO: 21-150

ATTACHMENTS: N/A

RECOMMENDATIONS:

1. **THAT** Staff be directed to move, and give notice, that the November 23, 2021, Regular Council Meeting and Special Committee of the Whole Meeting be held at the Main Hall at the Ucluelet Community Centre at 500 Main Street, Ucluelet, B.C.

BACKGROUND:

The *Ucluelet Official Community Plan Bylaw No. 1236, 2020* (the “Bylaw”), has been under development since 2016. On October 12th Staff presented proposed amendments to the Bylaw, and tentative next steps which include a Committee of the Whole Meeting in November and a Public Hearing as early as December 1st. Council directed Staff to provide an analysis of growth options within the Bylaw’s context and present the same at a Committee of the Whole Meeting.

Staff are recommending that the Committee of the Whole Meeting be conducted on November 23rd in the Main Hall and, subject to Council referral of the Bylaw, the public hearing be held at the January 11, 2022 Regular Council Meeting (also in the Main Hall). This change to the tentative schedule would allow additional time to advertise the Committee of the Whole Meeting and to obtain expert opinion on the subject growth analysis. The change in location would allow Council to host a greater level of in-person public participation.

Under the proposed amended schedule, Council could be in a position to adopt the Bylaw in January of 2022.

OPTIONS AND NEXT STEPS:

If this approach is approved, the next steps would be as follows:

- Staff to draft the analysis of growth options informed by the *2021 West Coast Land Use Demand Study* in the context of the draft OCP and present the same on the District’s website and at the Community Centre.
- **November 23, 2021:** Council to receive community input and discuss the growth analysis at the Committee of the Whole Meeting. Council to provide direction to Staff regarding any edits to the Bylaw.
- **December 14, 2021:** At this Regular meeting Council could review the Bylaw and consider:

- rescinding second reading of the Bylaw;
- giving second reading as amended;
- consider referral of the amended Bylaw to public hearing.
- **January 11, 2022:** Council could hold a public hearing and thereafter consider third reading of the Bylaw. Council would be in a position to adopt the OCP bylaw at this meeting.

Alternatively, Staff could strive to meet the tentative schedule previously presented. If this approach is taken, Staff still recommend holding the Special Committee of the Whole in the Main Hall. To do so, the following resolution is recommended:

***THAT** the November 2, 2021, Special Committee of the Whole take place at the Main Hall located at the Ucluelet Community Centre at 500 Main Street, Ucluelet, B.C.*

Respectfully submitted: Bruce Greig, Director of Community Planning
Joseph Rotenberg, Manager of Corporate Services
Duane Lawrence, Chief Administrative Officer



STAFF REPORT TO COUNCIL

Council Meeting: October 26, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM:	JOHN TOWGOOD, MUNICIPAL PLANNER	FILE NO:	3360-20-RZ21-05
SUBJECT:	ZONING AMENDMENT - 312 PASS OF MELFORT PLACE	REPORT NO:	21-154
ATTACHMENT(S):	APPENDIX A - BYLAW NO. 1299, 2021 APPENDIX B – APPLICATION		

A. Recommendation:

1. **THAT** Council give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1299, 2021, and refer the bylaw to a public hearing.

B. Purpose:

To provide Council with information on an application to amend Zoning Bylaw No. 1160, 2013, to allow for a site-specific increase in Floor Area Ratio (**FAR**) for: 312 Pass of Melfort, Lot 3, Clayoquot District, Plan VIS5896 (the “**Subject Property**”).



Figure 1 – Subject Property

C. Background:

The subject property is a vacant 0.12-acre residential corner lot in the Pass of Melfort Place subdivision (the “**Subdivision**”). There are residential properties to the sides and rear of the subject property. The subdivision is zoned R-4, which was designed as a zone for small homes

(90m²/900ft² average) on small Lots (450m² / 4500ft² average of the lots created). To regulate the home size the zone has the smallest FAR in our zoning bylaw at 0.2. The FAR regulation is the ratio of a building's total gross floor area to the size of the piece of land upon which it is built. In 2013, a zoning amendment bylaw was adopted to allow the following site-specific FAR increases to the Pass of Melfort Properties:

- 0.35 - Lots 2-9, 13-15, 18, 20, 22, 24 and 25
- 0.50 - Lot 21
- 0.66 - Lot 17
- 0.67 - Lot 16
- 0.39 - Lot 1

This change was made to recognize homes built to a gross floor area that did not meet the allowable 0.2 FAR and to give the vacant landowners an allowable gross floor area comparable to those existing homes.

In 2017, the applicant has stated that they had completed a home design for a Single-Family Dwelling for the subject property. This design utilized a zoning bylaw exemption that excluded areas for indoor parking and the storage of cars from the gross floor area.

In April of 2020, Council adopted a bylaw that, in part, refined the definition of Gross Floor Area and specific to this application it removed the exclusion of indoor parking and the storage of cars from the gross floor area.

On March 16, 2021, the applicant submitted the 2017 home design drawings for a building permit. Upon review, the proposed building did not meet the maximum gross floor area regulation because of the zoning bylaw change. The applicant revised the drawings by removing the wall of the garage space so that that space would be considered a carport and therefore reducing the gross floor area of the building so that the proposed building would comply.

On July 12, 2021, the building permit for this proposed building was issued.

On May 31, 2021, the applicant submitted this rezoning application to allow for a site-specific increase in FAR.

D. Discussion:

The applicant is requesting to increase the allowable gross floor area by 0.025. This increase in gross building area will allow the applicant to close in the carport area (**Figure 2**):



Figure 2 – Building Rendering

Considering the modest nature of the increase request and that there is a high level of variability in the building sizes already allowed in the neighborhood, this application is supportable.

E. Financial Implications:

There are no direct financial implications to the District of Ucluelet.

F. Options:

Staff support the zoning amendment. Alternatively, Council could consider the following:

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

Respectfully submitted: John Towgood, Municipal Planner
Bruce Greig, Director of Planning
Duane Lawrence, Chief Administrative Officer

Appendix A**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1299, 2021**

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

(312 Pass of Melfort)

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

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

1. Text Amendment:

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

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

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

B. adding the following subsection (6) to section R-4.3.2 in alphanumerical order, as follows:

"(6) 0.375 for lands legally described as Strata Lot 3, Section 1, Barclay District, Strata Plan VIS5896."

2. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1299, 2021".

READ A FIRST TIME this of , 2021.

READ A SECOND TIME this of , 2021.

PUBLIC HEARING this of , 2021.

READ A THIRD TIME this of , 2021.

ADOPTED this of , 2021.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1299, 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

Bruce Greig, Manager of Community Planning
District Of Ucluelet
PO BOX 999
Ucluelet, BC
V0R 3A0

Dear Mr. Greig

Re: Site specific zoning amendment request: 312 Pass of Melfort Place (R4)

The purpose of this site-specific application is to increase the allowable Floor Area Ratio (FAR) for this property from 0.35 to 0.375 (an increase of 0.025) to allow for a small one car garage.

Background

It has been our daughter Jess' dream to live and work in Ucluelet, to become part of the community and partake in the natural amenities they have come to love. To this end we bought the above lot with Jess (Aug. 2017) and began the long 3 year process of planning the home with completed structural and engineered plans (2018) followed by searching, unsuccessfully, for a contractor, which is very difficult. This all finally started to come together in January, 2021 when we were able to hire Bran Kirkwood, BKC Contracting and submit for a Building Permit (BP).

At the time the plans were completed the zoning bylaw had an exemption for garage space on the overall FAR for all single family residences including R1 and R4. The drawings prepared at the time conformed to the bylaw and was actually 0.31 FAR, which was less than the 0.35 FAR allowed. The plans passed the strata "Building Scheme" and matched the other homes on the street. The plans also passed the structural part of the building permit but did not receive planning approval due to the new FAR restrictions as of 2020.

Zoning changes

In 2020, Council passed a zoning amendment removing the garage floor area exemption from all Residential zoning. This zoning was subsequently amended to allow an exemption of up to 600 sq.ft. of garage space for R1 zones only. Unfortunately this was not extended to R4 zones which are also single family lots but of a smaller size.

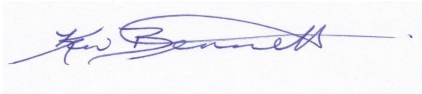
An exemption to the FAR as requested would allow for a small one car garage as originally designed and would have essentially no effect on the existing character or density of the subdivision.

We ask that you consider these impacts to Jess' unique situation and expedite this amendment to increase the FAR for this lot that would allow us to build the garage as originally designed. This would be a reasonable solution in keeping with the form of the neighbourhood and would have negligible impact to the density.

Community Support

Pass of Melfort Place is under the Wild Pacific Cove Strata Corp. for the common property. The lots and homes are individually owned but are subject to building guidelines. We have the support of the Strata for this modest amendment and we will solicit support from the immediate neighbours as well. These letters of support will be forthcoming.

Sincerely yours

A handwritten signature in blue ink, reading "Ken Bennett", with a long horizontal flourish extending to the right.

Ken Bennett

October 16, 2021

To District of Ucluelet Council,

Hello, My name is Jonny Ferguson and I'm a 16 year resident of Ucluelet. I've been living at my house at 1657 Bay Street, with my family, and have been watching our community change. Speed up.

I'm writing regarding our neighbourhoods need for some speed control measures.

Without a lengthy rambling about how fast people drive around town in general, I'd like to point out a few things specific about our area.

Our part of Bay street, bordering the 'Edna Batchelor Park' has blind hills, or hills that you can't really see over the crest of when driving the average 50-60 kilometres/hr through.

So there is a 30km/hr sign on either side of the park, on each hill. There's a new crosswalk-built last year- at the bottom of the hills, with signage, across from the park. This all shows that this is a busy zone. The crosswalk and signs aren't working at slowing drivers down.

For years this has been a fast section. Bay street had a new surface remediation paving job a few years ago and the speed went up even more now the "natural" speed bumps were smoothed over. At the time of the new surface work I mentioned to Public Works that people are flying through now. The reply, "People will get used to it and slow down. Let's monitor it". Umm, okay. I have been...

Now the last two years has seen another increase in traffic quantity, and quality. There's some really nice cars coming by!

I think it's because of a few factors;

-West Coast is really much busier. Yep.

-The Community Centre, Skate park, Basketball court, and bike park at the end of Bay Street are all really busy.

-The school and field are up that way. The Firehall and UAC Hall are up there.

-Big Beach is that way.

-A lot of BMWs, Audis and happy Google Map Following tourists are going to Black Rock ASAP in the most direct route, which isn't Matterson btw.

Our street is almost entirely residential. Not much for BnBs/Vacation rentals. The park is busier than ever as well. There's a new-ish community garden too. There's a lot of kids on the road (not just my kids, although they DO love that smooth pavement).

I also know there's been a few near-accidents recently, one fairly serious hit and run and one dangerous driver which has prompted my neighbour to take action. The request for speed bumps on either side of the 30km/hr zone, much like the school zone on Peninsula and Matterson Rd is needed here too.

I'm writing this letter to second this idea. I've been on the verge of putting my own speed bumps out there. Writing my own kind of "Slow Down" signs. Something needs to happen here.

It should also be noted that there are no sidewalks around here either. I'm not advocating for sidewalks, the road is wide enough to walk beside it. But kids will ride bikes, skateboards, scooters, whatever beside a road.

Bay Street has turned into a pseudo highway for people taking their first turn off from the commute on Highway 4- it's actually a residential neighbourhood, not an off-ramp.

I know the, "If we grant speed bumps here, we'll get requests for them everywhere" logic. However, this town is changing quickly and if we want to retain a sense of community, we need to slow down.

Thank you for your work within the community and your attention with this.

Jonny Ferguson

1657 Bay Street

Ucluelet, B.C

Joseph Rotenberg

From: Wade Appenheimer [REDACTED]
Sent: October 17, 2021 8:31 PM
To: Community Input Mailbox
Subject: To: Mayor and Council

[External]

To: Mayor and Council
From: Wade Appenheimer and Joanne Allison
Re: Bay Street Speed Bumps

Our family has lived on Bay Street for the past 26 years in the dip between two down hill sections of the street. We have raised four children here and now have a young granddaughter who frequently uses Edna Bachelor Park. In the time we have lived here we have witnessed an increasing amount of traffic using Bay Street as a short cut, along with fewer drivers observing the speed limit. As you know, there are no sidewalks on either side of the street, so pedestrians, including the elderly, parents with strollers, people walking dogs, and children, must walk/bike on the road which is very dangerous considering one side has a downhill blind spot and the other side an even steeper hill. Both of these downward slopes contribute to the excessive speed and meet at the bottom of the dip where Edna Bachelor Park is located, along with the 30 km/h playground zone which many drivers ignore. Therefore, we feel that two speed bumps are needed with one placed on each downward slope. In addition, it would be beneficial if there was a flashing yellow light warning drivers of a crosswalk that they cannot see.

Please take the time to consider this important request as the safety of all people who use Bay Street is paramount.

Yours truly,

Wade Appenheimer and Joanne Allison.

Sent from my iPad

October 18, 2021

District of Ucluelet

RE: Bay Street Crosswalk by Edna Batchelor Park

The Ucluelet Children's Centre is located at 500 Matterson Drive. We provide childcare services for over 70 families in the Ucluelet area. Part of our programming is to go for walks, and visit and play at the community playgrounds.

There is a wonderful new path between the Community Centre and Bay Street that we are excited to be able to use as the kids are safe from traffic. When we get to Bay Street there is a crosswalk for crossing Bay Street to the park entrance; however, due to the location of the crosswalk, at the bottom of a hill on either side, it has become a high speed zone.

The raised sidewalks/speed bumps put in recently on Matterson Road by Bay Street and Victoria Road have noticeably decreased the number of vehicles driving too fast in that area. We have definitely felt safer moving larger groups of children around with the increased awareness to slow down in that area. Thank you!

As the daycare is a close neighbour of the Edna Batchelor Park and our kids enjoy the experience of playing at this park we would like to support the neighbourhoods request for better awareness at this crosswalk. We have observed cars coming over the hill driving way to fast for the number of children and pedestrians in the area. Something similar to what was done on Matterson would be great on Bay Street. Travelers new to the area don't realize how quickly they leave the highway and end up in a small community and are often driving too quickly as they approach our park areas.

We are happy to discuss this further or answer any questions you may have. Thank you for your attention to this important safety matter.

Yours sincerely

Kathy de Vries, Daycare Manager

Ucluelet and Area Childcare Society Board of Directors

Staff of the Ucluelet Children's Centre

10/18/2021

To the District of Ucluelet Council;

My name is Greigh Tarling, I live with my wife and two young children (2 under 2) at 1648 Bay Street. We have lived in our home on Bay Street for 3 years but have observed Ucluelet from across the water (Ittatsoo Bay) for 20. It's quite amazing how the community has grown, there's a buzz about town, and with it a new pace.

I write today regarding an increasing issue we are experiencing in our neighborhood; **total disregard for the posted speed limits around Edna Batchelor Park**. I request that the Mayor and Council seek to install speed bumps on either side of the 30km/hr zone around the park. I worry that if this measure is not taken then it is only a matter of time until one of our children is seriously injured, or worse, killed by a speeding vehicle. Indeed, a very close call with my own child has prompted this request.

On May 4th, 2021 my daughter Indigo (2yr old) and I were at the foot of our driveway enroute to the swings at Edna Batchelor Park, directly across from our house. A car had just come over the crest of the northern hill on Bay Street, it appeared to be going extremely fast – 70-80kms. Of course, the moment I take my eyes off the child to assess the situation she bolts. In a panic I run after her, swooping her up seconds before this vehicle speeds through the crosswalk. The driver hits the ebrake and drifts past Indigo and I, coming to a full sideways stop in my neighbour's driveway. I quickly handed the child to my wife, who had run outside after hearing the screeching tires (thinking the worst had happened). This was my first ever experience with a stranger putting my child's life at risk, suffice to say I was ready to put hands on this fella. When I returned to the vehicle I found the driver in a domestic altercation with our neighbor, his ex. The driver and I had words, he took off, the police arrived, and the driver was eventually charged with dangerous driving. He is now legally unable to enter the district of Ucluelet. A small victory, hurrah.

That moment is seared into my memory. 10 feet further and Indigo would be dead. Simply put, if a speed bump had been in place this numbskull would have had to slow down. I am now acutely aware of the dangers this road possesses. I've yet to deal with another drifter, but I can confidently say that 1 out every 4 vehicles that pass are going over the posted speed limit.

Since that day I have completed fencing my entire property, with the addition of a driveway gate just this last week. I never imagined this would be required in such a small town, on what should be a quiet residential street. But here we are... I've done my best to protect my own children, but I fear for the many others that frequent the area. It is with them in mind that I set out to petition the street for support of a speed hump installation. This petition has unanimous support from the residents of Bay Street. The people who live on Bay Street would be the most adversely affected by further speed control measures, yet they all agree that bumps are now a necessary evil. The safety of our children is paramount.



The Bay Street “Dip” is a unique situation, requiring a unique solution. Let me explain;

- Our neighborhood is predominantly residential and many of these residences are home to young families. On Bay Street alone there are over 35 children. As you know there are no sidewalks on Bay Street, so these children ride their bikes, scooters, skateboards etc on the sides of the road. (Which is fine, the road is wide enough)
- All of these kids frequent Edna Batchelor Park, and now the wonderful trail to the community centre and Big Beach. This trail is truly an asset to the community, but it has also increased traffic on Bay Street, specifically the new crosswalk in front of the park.
- The area around Edna Batchelor Park has two blind hills (blind in the sense that you cannot see over the crest) that drop into a small valley where the park and crosswalk are located. Personally, I never focus on the 30km/hr speed limit signs located on these hills as I’m too worried about who or what is coming up the other side.
- As you come over the crest of one hill you see the next ahead. I think most people find it counter intuitive to slow down on a downward slope when there is an upward slope not far ahead, crosswalk or not (they haven’t seen the 30km/hr signs because of the blind hills).
- The park and community garden is not visible as you come down either hill. It is not until your basically passing the crosswalk that you can see either. You most definitely cannot see the group of 15 daycare kids leaving the park on their way back to the community centre, via the new crosswalk, when you’re focused on your gps... “Where the heck is this Black Rock?”.
- A ton of this traffic is not local! Bay street has become a thoroughfare for Black Rock guests and other out of towners headed to their Marine Drive Airbnb or Big Beach. And for some reason none of them have clocked the “Stress Free Zone” signs at the junction, they just speed through in their BMW’s as if they’re trying to dodge rush hour traffic! They have no idea the park is there, they only see a crosswalk.

For these unique reasons I see the only solution to be the installation of two speed humps, one at the foot of either hill. Once installed these humps will give speeders no choice but to respect the posted speed limits. The traditional arguments “If we grant a speed bump here everyone will request them” or “We can’t slow down emergency vehicles on a main road” simply hold no weight when a child’s life is at risk.

I would like to finish by thanking you all for your hard work and dedication to shepherding this town through times of transition. Mayco, Marilyn, Lara, Jennifer and Rachelle – we are abundantly grateful for your community service.

Greigh Tarling
1648 Bay Street
Ucluelet, BC

Petition for installation of speed humps on Bay Street

We, the undersigned residents of Bay Street, request the District of Ucluelet to act now and install speed humps on Bay Street, from Matterson Drive to Peninsula Road, in order to reduce speeding in our neighbourhood.

Total number of Bay street residences:

Total number in support of speed humps:

Signature	Address	Comments	Date
A. Tving	1648 BAY STREET	(2 kids)	5/4
P. Morin	1594 Bay St		5/4
Joanne O'Connell	1624 Bay St	Grandchild safety	May 4/21
Wendy Appenheimer	1624 Bay St.	Dog safety Dog, young niece, skateboarders	May 4/21
W. Appenheimer	1624 Bay St	Safety	5/4/21
L. L.	1582 BAY	DOG	05/04
J. J.	1561 Bay St		05/04
Jeanette	1571 Bay St.		5/4
Key	1583 Bay St	Dog	5/4
A. L.	1595 Bay St.	Kid	5/4
Cheryl Burton	1595 Bay St.	Child + pedestrian safety	5/4
Wade Smith	1631 Bay St.	Kids + Dogs	5/4
Wade Smith	1631 Bay Street	Kids	5/4
Chantel Cummell	1657 Bay Street	2 Kids + Dog	May 4 2021
Carla Davis	1714 Bay St	Concerned about safety. Speed humps? Signage	May 15/2021

Petition for installation of speed humps on Bay Street

We, the undersigned residents of Bay Street, request the District of Ucluelet to act now and install speed humps on Bay Street, from Matterson Drive to Peninsula Road, in order to reduce speeding in our neighbourhood.

Total number of Bay street residences:

Total number in support of speed humps:

Signature	Address	Comment	Date
Wanna Jagan	1683 Bay St	2 young kids	May 4
Hewley	1683 Bay St	" "	May 4
Garen S. Larson	1673 Bay ST	Safety for the children	May 4
Ken Webb	1684 BAY ST	" "	"
Y. W.	1711 Bay St	Good idea	May 4th
Hilary Webb	1719 Bay St	Residential area needs residential speeds!!	
Kjell Lundgren	1731 BAY	People drive too fast.	May 4
Lauren Howard-Tapp	1741 Bay St.	One on the way	May 4
Colin Robinson	1741 Bay St.	Blind hill + many kids. no sidewalks	May 4
Michael Shepherd	1753 Bay St	Too many kids to have high speeds - need traffic calming	May 5
DIETRICH LECLERC	1765 Bay St	1 KID	MAY 5
RAMONA SERTIK	1780 LARCH CORNER OF BAY + LARCH		
Amanda Peacher	1800 Bay Street	2 children	May 4
Andre Gardiner	1800 Bay Street + (A)	4 children	May 4

Petition for installation of speed humps on Bay Street

We, the undersigned residents of Bay Street, request the District of Ucluelet to act now and install speed humps on Bay Street, from Matterson Drive to Peninsula Road, in order to reduce speeding in our neighbourhood.

Total number of Bay street residences: Total number in support of speed humps:

Signature	Address	Comment	Date
Philip Busch	1794 Bay Street Unit 3	Keep our communities Kid friendly.	May 4
Kathleen Gunn	1794 Bay Street Unit 3	Great idea.	May 4
A Shepherd	1754 BAY ST.		MAY 4
Stacy	1766 BAY ST		
S Sworn	1771 BAY ST.	GOOD IDEA.	May 4
Jessica Bedard	1740 Bay St.	100%!	May 4
Greg Wainwright	1706 Bay St		
R Home	1674 Bay St.	GREAT IDEA	
a m Daley	1664 Bay St.		May 4th
Kevin Smith	1611 Bay St.	Great	May 4
TITELIA BAILEY	1632 BAY ST.		
Kevin	1776 bay st	4 kids	may 4/21
Kevin	1657 BAY ST	way too many fast cars in a 30km	May 4

From: [AVICC](#)
To: avicc@ubcm.ca
Subject: AVICC 1st Call for 2022 Resolutions and Nominations for AVICC Executive
Date: October 19, 2021 12:39:53 PM
Attachments: [2022 AVICC Call for Resolutions.pdf](#)
[2022 Call for Nominations and Nomination Form.pdf](#)

[External]

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

The AVICC Executive is putting out a first call for resolutions to be considered at the 2022 convention. The convention is being planned as an in-person event to be held April 1-3 in Victoria at the Conference Centre. AVICC member local governments may now submit board or council endorsed resolutions following the requirements outlined in the attached call for resolutions.

The deadline for resolutions is Noon on Friday, January 28th. Please follow the guidelines to ensure resolutions are submitted that provide AVICC and UBCM with clear policy direction for advocacy. Sending in resolutions well ahead of the deadline is strongly encouraged to allow time to review submissions with the sponsoring local government.

The second document attached has information on nominating members to serve on the 2022/2023 AVICC Executive Committee. The deadline to receive nominations is also Noon on Friday, January 28th.

There will be a second email sent out with information on submitting suggestions for workshops and speakers at the convention. That email will also have information on how to book hotel rooms in Victoria for the convention.

AVICC will continue to monitor Public Health Office guidelines, and will keep members informed if there are any changes required to our plans for holding our convention in-person in Victoria next year.

We look forward to being able to meet in-person in Victoria.



2022 AGM & CONVENTION

RESOLUTIONS NOTICE REQUEST FOR SUBMISSIONS

The AVICC Executive is calling for resolutions to be considered at the 2022 AGM and Convention that, subject to public health order restrictions, will be held at the Victoria Conference Centre as an in-person event from April 1-3, 2022.

Members are now asked to submit resolutions for consideration at the 2022 Convention. The requirements for the resolutions are outlined below and in the following pages.

DEADLINE FOR RESOLUTIONS

AVICC must receive all resolutions by: **noon, Friday, January 28, 2022**

IMPORTANT SUBMISSION REQUIREMENTS

To submit a resolution to the AVICC for consideration please send:

1. One copy as a **word document** by email to avicc@ubcm.ca by the deadline; AND
2. One copy of the resolution by regular mail that may be received after the deadline to:
AVICC, 525 Government Street, Victoria, BC V8V 0A8

AVICC's goal is to have resolutions that can be clearly understood, and that have specific actions. If a resolution is endorsed, it's "therefore clause" will form the basis for advocacy work with other levels of government and agencies. Detailed guidelines for preparing a resolution are on the next pages, but the basic requirements are:

- Resolutions are only accepted from AVICC member local governments, and must have been endorsed by the board or council.
- Members are responsible for submitting accurate resolutions. AVICC recommends that local government staff assist in drafting the resolutions, check the accuracy of legislative references, and be able to answer questions from AVICC & UBCM about each resolution. Please contact AVICC & UBCM for assistance in drafting the resolution.
- Each resolution **must include a separate backgrounder** that is a maximum of 3 pages and specific to a **single** resolution. Do not submit backgrounders for multiple resolutions. The backgrounder may include links to other information sources and reports.
- Sponsors should be prepared to speak to their resolutions.
- Resolutions must be relevant to other local governments within AVICC rather than specific to a single member government.
- The resolution must have at least one "whereas" clause and should not contain more than two "whereas" clauses. Each whereas clause must only have **one sentence**.

LATE AND OFF THE FLOOR RESOLUTIONS

- a. A resolution submitted after the regular deadline is treated as a "Late Resolution". Late Resolutions need to be received by AVICC by noon on **Wednesday, March 30th**.
- b. Late resolutions are not included in the resolutions package sent out to members before the Convention. They are included in the Report on Late Resolutions that is distributed on-site.
- c. The Resolutions Committee only recommends late resolutions for debate if the topic was not known prior to the regular deadline date or if it is emergency in nature. Late resolutions require a special motion at the convention to admit for debate.
- d. Late resolutions are considered after all resolutions printed in the Resolutions Book have been debated. The time is set out in the program, and is normally on Sunday morning.
- e. Off the Floor resolutions must be submitted in writing to the Chair of the Resolutions Session, and copies must be made available to all delegates no later than Sunday morning.

UBCM RESOLUTION PROCEDURES

UBCM urges members to submit resolutions to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

UBCM and its member local governments have observed that submitting resolutions first to Area Associations results in better quality resolutions overall. If absolutely necessary, however, local governments may submit council or board endorsed resolutions directly to UBCM by June 30. Should this be necessary, detailed instructions are available on the UBCM website.

UBCM RESOLUTIONS PROCESS

1. Members submit resolutions to their Area Association for debate.
2. The Area Association submits resolutions endorsed at its Convention to UBCM.
3. The UBCM Resolutions Committee reviews the resolutions for submission to its Convention.
4. Resolutions endorsed at the UBCM Convention are submitted to the appropriate level of government for response.
5. UBCM will forward the response to the resolution sponsor for review.

UBCM RESOLUTIONS GUIDELINES

The Construction of a Resolution:

All resolutions contain a preamble – the whereas clause(s) – and an enactment clause. The preamble describes **the issue** and the enactment clause outlines **the action being** requested of AVICC and/or UBCM. A resolution should answer the following three questions:

- a) **What is the problem?**
- b) **What is causing the problem?**
- c) **What is the best way to solve the problem?**

Preamble:

The preamble begins with "WHEREAS", and is a concise paragraph about the nature of the problem or the reason for the request. It answers questions (a) and (b) above, stating the problem and its cause, and should explain, clearly and briefly, the reasons for the resolution.

The preamble should contain no more than two "WHEREAS" clauses. Supporting background documents can describe the problem more fully if necessary. Do not add extra clauses.

Only one sentence per WHEREAS clause.

Enactment Clause:

The enactment clause begins with the phrase "Therefore be it resolved", and is a concise sentence that answers question (c) above, suggesting the best way to solve the problem. **The enactment should propose a specific action by AVICC and/or UBCM.**

Keep the enactment clause as short as possible, and clearly describe the action being requested. The wording should leave no doubt about the proposed action.

HOW TO DRAFT A RESOLUTION

1. Address one specific subject in the text of the resolution.

Since your community seeks to influence attitudes and inspire action, limit the scope of a resolution to one specific subject or issue. Delegates will not support a resolution if it is unclear or too complex for them to understand quickly. If there are multiple topics in a resolution, the resolution may be sent back to the sponsor to rework and resubmit, and may end up as a Late Resolution not admitted for debate.

2. For resolutions to be debated at UBCM, focus on issues that are province-wide.

The issue identified in the resolution should be relevant to other local governments across BC. This will support productive debate and assist UBCM to represent your concern effectively to the provincial or federal government on behalf of all BC municipalities and regional districts. Regionally specific resolutions may be referred back to the AVICC, and may not be entered for debate during the UBCM Convention.

3. Use simple, action-oriented language and avoid ambiguous terms.

Explain the background briefly and state the desired action clearly. Delegates can then debate the resolution without having to try to interpret complicated text or vague concepts.

4. Check legislative references for accuracy.

Research the legislation on the subject so the resolution is accurate. Where necessary, identify:

- the correct jurisdictional responsibility (responsible ministry or department, and whether provincial or federal government); and
- the correct legislation, including the title of the act or regulation.

5. Provide factual background information.

Even a carefully written resolution may not be able to convey the full scope of the problem or the action being requested. Provide factual background information to ensure that the resolution is understood fully so that members understand what they are debating and UBCM can advocate effectively with other levels of government and agencies.

Each resolution **must include a separate backgrounder** that is a maximum of 3 pages and specific to a single resolution. Do not submit backgrounders that relate to multiple resolutions. The backgrounder may include links to other information sources and reports.

The backgrounder should outline what led to the presentation and adoption of the resolution by the local government, and can link to the report presented to the council or board along with the resolution. Resolutions submitted without background information **will not be considered** until the sponsor has provided adequate background information. This could result in the resolution being returned and having to be resubmitted as a late resolution.

6. Construct a brief, descriptive title.

A title identifies the intent of the resolution and helps eliminate the possibility of misinterpretation. It is usually drawn from the "enactment clause" of the resolution. For ease of printing in the Annual Report and Resolutions Book and for clarity, a title should be no more than three or four words.

TEMPLATE FOR A RESOLUTION

Whereas << *this is the area to include an issue statement that outlines the nature of the problem or the reason for the request* >> ;

And whereas << *if more information is useful to answer the questions - what is the problem? what is causing the problem?>> :*

Therefore be it resolved that AVICC & UBCM << *specify here the action(s) that AVICC & UBCM are being asked to take on, and what government agency the associations should be contacting to solve the problem identified in the whereas clauses* >>.

If absolutely necessary, there can be a second enactment clause (the “therefore” clause that specifies the action requested) with the following format:

And be it further resolved that << *specify any additional actions needed to address the problem identified in the whereas clauses* >>.



2022 AGM & CONVENTION

CALL FOR NOMINATIONS FOR AVICC EXECUTIVE

AVICC members elect directors to the Executive Committee at the AGM. The Executive Committee ensures that the policies set by the general membership are carried forward, and provides direction for the Association between annual meetings. This circular is notice of the AVICC Executive Committee positions open for nomination, and the procedures for nomination.

1. POSITIONS OPEN TO NOMINATIONS

The following positions are open for nomination:

- President
- First Vice-President
- Second Vice-President
- Director at Large (3 positions)
- Electoral Area Representative

2. NOMINATION PROCESS AND QUALIFICATIONS FOR OFFICE

Candidates must be an elected official of an AVICC local government member and must be nominated by two elected officials of an AVICC local government member. Background information on the key responsibilities and commitments of an AVICC Executive member is provided following the nomination form. The Chair of the 2022 Nominating Committee is Past President Carl Jensen.

3. NEXT STEPS

The Nominating Committee will review the credentials of each candidate for eligibility. A Report on Nominations including a photo and biography will be prepared under the direction of the Nominating Committee, and distributed prior to the Convention.

**To be included in the Report on Nominations,
Nominations Must Be Received by noon, Friday, January 28, 2022**

4. AT CONVENTION

Candidates may also be nominated at the Convention from the floor. Candidates and their two nominators must be elected officials of an AVICC local government member.

5. FURTHER INFORMATION

All enquiries should be directed to:

**Past President Carl Jensen, Chair, 2022 Nominating Committee
c/o AVICC
525 Government Street
Victoria, BC V8V 0A8
Phone: (250) 356-5122
email: avicc@ubcm.ca**

AVICC AGM & Convention – April 1-3, 2022 – Victoria



BACKGROUND INFORMATION FOR CANDIDATES TO THE AVICC EXECUTIVE

1. RESPONSIBILITY OF AVICC EXECUTIVE

Under the AVICC Bylaws:

“The Executive shall manage or supervise the management of the Society”

See <http://avicc.ca/about-the-avicc/constitution-bylaws/> for a complete copy of the AVICC Constitution and Bylaws.

2. AVICC EXECUTIVE STRUCTURE

- President
- First Vice-President
- Second Vice-President
- Director at Large (three positions)
- Electoral Area Representative
- Past President

COMMITTEES

The President may appoint Executive members to AVICC committees and to external committees and working groups as required. The Nominating Committee is a standing committee and is comprised of the Past President and the Executive Director. All members of the Executive serve on the Resolutions Committee.

CONTRACTED EMPLOYEE

The Association contracts with UBCM for the provision of key services that support the Association. A staff person based in Victoria’s Local Government House provides the key functions. The President is responsible for overseeing the regular activities of the Association and for providing direction to staff.

3. EXECUTIVE MEETINGS

The full Executive normally meets in person five times a year, following this pattern:

- During the last day of the annual Convention (less than 15 minutes)
- Mid June
- End of October
- Mid January
- Thursday before the Annual Convention

Executive meetings (other than those held in conjunction with the Convention) are generally held on a Friday or Saturday from 10:00 am to 3:00 pm and are typically held in Nanaimo. Online meetings usually occur 2-3 times per year on an as needed basis (60-90 minutes).

Travel expenses and a per diem are provided for Executive Meetings. For the meeting held on the Thursday before the Convention, reimbursement is only for the added expenses that would not normally be incurred for attending the annual Convention. AVICC does not provide Executive members with complimentary registration for the AGM and Convention.

NOMINATIONS FOR THE 2022-23 AVICC EXECUTIVE

We are qualified under the AVICC Constitution to nominate¹ a candidate and we nominate:

Candidate Name: _____

Local Government Position (Mayor/Councillor/Director): _____

Local Government Represented: _____

AVICC Executive Office Nominated For: _____

MEMBERS NOMINATING THE CANDIDATE:

Printed Name: _____ Printed Name: _____

Position: _____ Position: _____

Muni/RD: _____ Muni/RD: _____

Signature: _____ Signature: _____

CONSENT FORM

I consent to this nomination and attest that I am qualified to be a candidate for the office I have been nominated for pursuant to the AVICC Bylaws and Constitution². I also agree to provide the following information to avicc@ubcm.ca by **noon, Friday, January 28, 2022**.

- Photo in digital format
- Biographical information of approximately 300 words that may be edited by AVICC

Printed Name: _____

Current Position: _____

Muni/RD: _____

Signature: _____

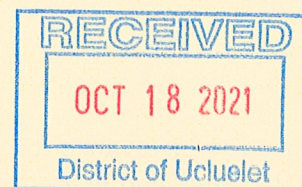
Date: _____

¹ Nominations require two elected officials of local governments that are members of the Association.

² All nominees must be an elected official of an AVICC local government member. Nominees for the position of Electoral Area Representative must be an Electoral Area Director.

**Return To: Past President Carl Jensen, Chair, Nominating Committee,
c/o AVICC, 525 Government Street, Victoria, BC V8V 0A8
or scan and email to avicc@ubcm.ca**

AVICC AGM & Convention – April 1-3, 2022 – Victoria



September 27, 2021

Ref: 250032

To: All Mayors

I am pleased to announce the launch of the 2021 Premier's Awards for Excellence in Education, effective today. Following the cancellation of the 2020 Awards due to the COVID-19 global pandemic, our government is once again proud to have an opportunity to recognize the enormous contributions of British Columbia's exceptional teachers, administrators and support staff that are vital to the cultural, economic and social well-being of the province. The Awards recognize all outstanding education professionals who have made exceptional contributions to benefit their school, students and their communities.

The Awards are open to all education professionals within the BC K-12 public, independent, and First Nations school systems. This year, Awards will be given in the following categories:

- Community Engagement
- District Leadership
- Extracurricular Leadership
- Indigenous Education
- Outstanding New Teacher
- Outstanding Support (School Community)
- Outstanding Support (Teaching Assistant)
- Outstanding Team Collaboration
- School Leadership
- Social Equity and Diversity

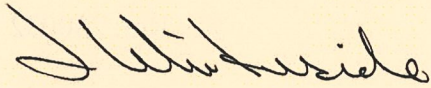
Nominations are now open and are welcomed from all BC citizens, including students, parents, teachers, administrators, trustees and community organizations. The deadline for nominations is January 7, 2022.

Additional information on the Awards, including a downloadable poster, can be found on the Premier's Awards for Excellence in Education website at www.gov.bc.ca/excellenceineducation.

.../2

Thank you in advance for your participation in promoting the Premier's Awards for Excellence in Education, and in assisting to ensure that British Columbia's very best receive the recognition that they deserve.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Whiteside". The signature is fluid and cursive, written in a professional style.

Jennifer Whiteside
Minister

Enclosure



EXCELLENCE
IN EDUCATION



★ NOMINATIONS NOW OPEN ★

DO YOU KNOW

a teacher, administrator, principal, vice-principal or support worker who has made a positive impact on students and your school community?

Education professionals deserve acknowledgement for their dedication to helping students succeed.

EACH WINNER WILL RECEIVE:

- ✔ **\$3,000** taxable personal bursary for professional learning
- ✔ **\$2,000** contribution to the winner's school community for professional learning *(for Outstanding Team Collaboration category, amount will be shared if members are from more than one school community)*

RUNNERS UP WILL RECEIVE:

- ✔ **\$1,000** taxable personal bursary for professional learning
- ✔ **\$1,000** contribution to their school community for professional learning *(for Outstanding Team Collaboration category, amount will be shared if members are from more than one school community)*

NOMINATION DEADLINE: JANUARY 7, 2022

For nomination info go to: gov.bc.ca/excellenceineducation



BRITISH
COLUMBIA