



**REGULAR MEETING OF COUNCIL
Tuesday, December 13, 2022 @ 5:00 PM
Ucluelet Community Centre
500 Matterson Drive, Ucluelet**

AGENDA

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13.5	Mayor Marilyn McEwen	
14.	QUESTION PERIOD	

15. ADJOURNMENT

CARRIED.

6. ADOPTION OF MINUTES

There were no minutes for approval.

7. MAYOR'S ANNOUNCEMENTS

There were no Mayor's Announcements.

8. PUBLIC INPUT, DELEGATIONS & PETITIONS**8.1 Public Input**

- **Public input via Zoom.**
- **Public input via communityinput@ucluelet.ca.**

There was no public input.

9. REPORTS**9.1 2022 - 2026 Five Year Financial Plan overview (verbal report)
*Donna Monteith, Chief Financial Officer***

Ms. Monteith provided an overview of the Budget process.

The proposed 2022 operating budgets for each department were outlined by department heads. Proposed changes to the 2022 budget from the 2021- 2025 Five Year Financial Plan were addressed. Department heads also discussed the 2022 non-capital projects.

The Chief Administrative Officer, outlined proposed future staffing increases.

Council recessed at 5:56 PM. The meeting recommenced at 6:01 PM.

James Macintosh, Director of Engineering Services outlined the District's asset management program.

The department heads outlined the completed 2021 capital projects, carried forward capital projects and the proposed 2022 capital projects.

The Director of Engineering reviewed the proposed fleet renewal program. Council discussed the importance of installing covered areas for the equipment.

Ms. Monteith and Mr. Lawrence, summarized the budget and discussed the prospective 20 year capital plan to be presented in 2022.

Council sought clarification on operating budgets, discussed potential funding sources and discussed the projects throughout the meeting.

2021.2103.SPECIAL **It was moved by Mayor Noël and seconded by Councillor Hoar**
THAT Council recess for five minutes.

CARRIED.

10. OTHER BUSINESS

There was no other business.

11. QUESTION PERIOD

11.1 Questions via Zoom

There were no questions.

12. CLOSED SESSION

There was no closed session.

13. ADJOURNMENT

The meeting was adjourned at 7:17 PM.

CERTIFIED CORRECT: Minutes of the Special Council Meeting held on Thursday, December 9, 2021 at 4:00 pm in the George Fraser Room, Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

DISTRICT OF UCLUELET
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, August 10, 2021 at 5:30 PM

Present: **Chair:** Deputy Mayor Hoar
 Council: Councillors Cole, Kemps, and McEwen
 Staff: Bruce Greig, Director of Community Planning
 Joseph Rotenberg, Manager of Corporate Services
 Nicole Morin, Corporate/Planning Clerk
 Paula Mason, Administration Clerk

Regrets: Mayor Noël (recused)

1. CALL TO ORDER

The meeting was called to order at 5:30 pm.

2. ACKNOWLEDGEMENT OF YUULU?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 this proceeding was being broadcast on Zoom and YouTube, which may store data on foreign servers.

4. LATE ITEMS

4.1 Add "District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1284, 2021" as INTRO Item 7.2.

4.2 Add "Lot 16 Marine Drive Late Correspondence" (last updated August 10, 2021 at 2:30 pm) as PUBLIC INPUT Item 8.2.

5. APPROVAL OF AGENDA

August 10, 2021, Special Committee of the Whole

5.1 August 10, 2021, Special Committee of the Whole

2021.2022.COW **It was moved by Councillor McEwen and seconded by Councillor Cole**
 THAT Council approve the August 10, 2021 Committee of the Whole Agenda as amended.

CARRIED.

6. CHAIR'S ANNOUNCEMENTS

The Chair outlined the meeting procedures. Joseph Rotenberg, Manager of Corporate Services, outlined how members of the public could participate by phone or online.

7. INTRO

7.1 Lot 16 Marine Drive - Committee of the Whole *Bruce Greig, Director of Community Planning*

Mr. Greig noted that this is not a Public Hearing, Open House or Townhall meeting.

He described the development site, outlined the current zoning of the lot, outlined the proposed zoning bylaw, outlined covenants, including a rental only covenant which would apply to the rental apartment building, proposed access routes, and the next steps that could occur after this Committee meeting.

Mr. Greig noted the existing zoning, which could allow up to 76 resort condominiums.

7.2 District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1284, 2021

8. PUBLIC INPUT

8.1 Correspondence to Council Regarding Lot 16 Marine Drive (Last Updated August 5, 2021) The Chair called for Public Input from audience members, via Zoom and via email comments sent to communityinput@ucluelet.ca.

Michael Grandbois - 1328 Victoria Road

Mr. Grandbois requested clarity on whether all but two of the R6 family home lots, or only two of the R6 family home lots, could have secondary dwellings on site? He noted concerns with the height of the R6 units, both primary and secondary. He also noted concerns with the proposed density, traffic and concerns related to infrastructure capacity.

- Mr. Greig clarified that the lot regulations in the R6 zone have a minimum lot size, and that secondary uses are only permitted on lots that are 480 metres or greater in size. The number of units will depend how the lots are configured.

Arvid Johnson - 1477 Victoria Road

Mr. Johnson noted a number of uncertainties regarding road access, the green belt and the number of residents which will potentially be on site.

- Mr. Greig noted that there is a park dedication, and that a 10-metre park dedication would run along the back of properties located on Victoria Road. This would be the property of the District of Ucluelet. He noted that the District of Ucluelet owns right of way access to two of the existing roadways and that these roads would not be opened up, as they would conflict with the parkway. He outlined the proposed road circulation internal within the development. Mr. Greig also distinguished green space covenants, park dedications and setbacks, as they are proposed in this development.

Lindsey Black - 1049 Helen Road

Ms. Black asked what the developer is contributing as amenities?

- Mr. Greig outlined the amenity contributions offered by the developer.

How will apartment building related maintenance fees for roadways, street lights be paid?

- Mr. Greig noted that this is not a strata, so the maintenance of the road and street lights would be conducted by the District of Ucluelet, as with any other public road within the municipality. The apartment would be under one ownership and as such the owner will be responsible for maintenance of their private property, such as their parking lot.

Will the developer manage the apartment building?

- Mr. Greig stated that we could not answer that question on behalf of the applicant.

Ms. Black asked if ownership was ever transferred to an owner other than the current applicant, is there a covenant to prevent it from being turned into strata at a later date.

- Councillor Hoar confirmed that the apartment building is covenanted for rental use only.

Matt Harbidge - 1816 Peninsula Road

Mr. Harbidge noted that this development does not improve local quality of life. He also noted that there are other developments in the works around town, but limited job prospects for the future home owners. He raised questions about the environmental sustainability and noted concerns with water capacity.

Mr. Harbidge asked what this development is doing to ensure that the rest of Ucluelet's residents have a sufficient water capacity moving forward? He noted concerns with town becoming too busy and impacts

on mental health. He stated that he feels it is not healthy to grow the town at this rate. Mr. Harbidge noted that the developer's proposal is extremely dense, and that the development does not align with the community's identity as a small town.

- Mr. Greig outlined the findings of the Koer's Engineering report, as related to the water and sewer infrastructure. Many of the upgrading costs for issues that were identified, will be at the cost of the developer. Mr. Greig outlined the DCC summary provided in the report, and noted what DCC's are eligible for.

Barbara Schramm - 1958 Bay Street

Ms. Schramm noted concerns with the density of this proposal, and noted it will have an environmental and social detriment. She noted concerns with the overuse of Big Beach, and the livability of town. She noted concerns with the small, tight lots and road widths.

Ms. Schramm asked if there will be parking allowed for in the proposed, narrow road width?

- Mr. Greig noted that the road width is 14 metres rather than the standard 16 - 20 metre road width. On-street parking is shown as part of the design.

Ms. Schramm noted concerns with the apartment building parking. She also noted concerns with the approval of smaller lots and the precedent this will set for future developments in the region.

Keagan Arsenault - 437 Marine Drive

Mr. Arsenault asked how the water flow from land development on higher ground will impact property owners located on lower ground?

- Mr. Greig noted that when asked this question previously, the applicant gave the following answer. *"Surface water run-off from any development or constructed works must be addressed on site and not flow onto adjacent properties. The upland property owner would be liable for any damage caused to downstream properties. Stormwater management will be undertaken for both the Subdivision Application and site specific Development Permits to the standards set by the Province and District once the Zoning is in place."*

Laurie Bird - 1547 Imperial Lane

Ms. Bird objected to the density of the lots and raised concerns with the livability of Ucluelet. She is in favour of both the rental housing and

additional housing, but is opposed to the density, specifically in the single family dwelling areas. She noted concerns about parking, as well as concerns regarding the requested exemptions for park space in the apartment lot area. Ms. Bird noted that the capacity of current park facilities in Ucluelet is already strained and asked that a larger area be dedicated to the building of a children's park within the development. She also noted that the current proposed park space dedication is small, and would not accommodate all the families that would be living in the development. Ms. Bird also noted concerns with the ability of the local fire department to respond to fires on the fourth storey of the apartment building. She expressed concerns with water capacity.

- Mr. Greig noted that Council has asked for a covenant that limits the apartment building to be three-storey in height, unless other future design plans are approved by Council. Mr. Greig referred to a report that was presented to Council from the Fire Chief that states that under the building code, a fourth storey must be sprinklered.

Ms. Bird asked if there was going to be underground parking at the apartment building? She noted concerns with the number of vehicles parking.

- Mr. Greig noted that the parking would be above ground.

2021.2023.COW **It was moved by Councillor McEwen and seconded by Councillor Kemps**
THAT Council take a five minute recess.

CARRIED.

Recess began at 6:58 PM and Council returned to session at 7:06 PM.

8.1 Public Input continued

Cody Dreger - Nored Developments (developer) via Zoom

Mr. Dreger introduced himself as a local Nanaimo developer. He noted mental health issues related to housing shortages. He noted the importance of providing rental apartment accommodations versus the 76 vacation rentals the land is currently zoned for. He noted that this development would provide a long term rental apartment building and clarified that the small lots would not have vacation rentals. He noted the economic benefit of growth, and argued that increased inventory would result in lower price points. He noted that the rental building will be constructed first.

Travis Wade - 1373 Victoria Road

Mr. Wade agrees that there is a need for more housing but noted that this development is too dense. He noted the importance of considering the social, economic, environmental and engineering viability of this project.

Rob Adams - 1301 Eber Road

Mr. Adams noted concerns with current water discoloration. He noted this would likely be exacerbated by the water volumes required by this development.

- Mr. Greig discussed the source of water discoloration issues. He noted the District has applied for a grant to cover some of the costs associated with installing a filtration plant, intended to address current water discoloration issues.

Bruce Forest - 372 Marine Drive

Mr. Forest raised concerns with whether the existing sewage lagoons can handle the increased volume of sewage associated with this development, as they have not been updated recently.

- Mr. Greig confirmed that upgrades to the sewage lagoons were completed just this last year. He also noted that the addition of this proposed development does not trigger the need for further expansion.

Giovi Corlazzoli - 1860 Peninsula Road

Mr. Corlazzoli asked if there any rules in place to ensure that the houses will be sold or rented with preference to local families? Is there anything to prevent people from buying these units as secondary vacation homes, and having them left empty throughout the year?

- The Committee noted that local preference does not apply to this proposal, however the rental apartment is covenanted for rental use only. Homes could be left vacant, if the owner decided to do so.

Miles Morrison - 1497 Victoria Road via Zoom

Mr. Morrison noted that a previous plan had a park in the centre of the development. He recommended that the apartment building should be in the centre of the development, so as not to spoil the aesthetic.

Mr. Morrison commented that there should be two access roads in and out of the area, without all traffic being routed onto Victoria Road. He

stated that Council should require public support to grant permission for a fourth floor. Mr. Morrison then posed the following questions: Is it true that the fourth floor would result in unnecessary fire costs? Who would build this development? Will there be sufficient water, sewer and internet capacity? Who pays in the event of cost overruns?

- The Committee clarified that there are two access roads proposed by Staff, one via Victoria Road and one via Marine Drive. The building of a fourth floor would still be required to go before Council in the future, therefore public input would still be received. As mentioned previously, this development does not trigger the need for an aerial fire device, and a fourth floor must be sprinklered.

- Mr. Greig noted the developer would be responsible for the full cost of installing the infrastructure. Mr. Greig noted that the District would not be double-charging DCC's where new infrastructure installed by the developer is identified as completing part of the DCC works program. Mr. Greig stated the developer has indicated that they may build the entire development.

Kim and Calvin Clark - 401 Marine Drive via Zoom

Ms. Clark opposed the density and height of this development and recommended that the density be spread out throughout the community. She noted concerns with traffic, roadways, service capacity, required sewage upgrades, quality of life in Ucluelet and impact on Big Beach. Ms. Clark requested an update on the Victoria Road/Marine Drive sewage station upgrades? Will the R3 allow short term rentals? Are short term rentals allowed in other zones?

The Committee noted that there would not be short term rentals allowed in the R3 zones. Short term rentals would only be allowed in the six R1 zoned lots.

Mr. Greig spoke to the Victoria Road/Marine Drive pump station, stating it would benefit from this development, because the development sewage and other upstream load would bypass this station, thus addressing load issues by relieving some of the current pressure on that single station. Despite this current proposal, this particular infrastructure will be improved eventually, but a timeline has not been determined at this point, unless a development such as this one triggers it.

Paula de Jong - 405 Marine Drive via Zoom

Ms. de Jong noted she shares previously mentioned concerns related to density of the development, environmental impacts and increased pressure on existing amenities. She agrees that the town needs more affordable, rental housing but is concerned that this development may not actually address the issue of affordability for locals. Ms. de Jong noted that the development is planned with 1.5 parking spaces, but most households require more. Her questions included: What is the total amount of units, the total amount of dedicated parking spaces and the plan for parking overflow? She addressed road access and asked if a traffic assessment has been done to determine the impact on Victoria Road? Why not use Marine Drive and Matterson Road access points? The original development showed a green space setback of 20 metres, but the current proposal shows a 10 metre setback, off of Marine Drive between the townhouses. What are the permitted uses on the 10 metre setback? Will residents be able to cut down the vegetation or is this protected? How does the development contribute to affordable housing for locals?

- The Committee clarified that a traffic assessment has not been completed yet; it will be conducted at the subdivision stage, at the cost of the developer. Mr. Greig explained that the original proposal showed a 10 metre dedicated buffer along the back of the Victoria Road properties. The current proposal shows a 10 metre building setback, subject to a development permit, for the townhouses behind Marine Drive. Further details on the setbacks would come out during the development permit stage.

Councillor Cole asked what the setback is for the R1 zone?

- Mr. Greig clarified that in R1 the front setback is 7.5 metres, the rear setback is 6 metres.

- Mr. Greig noted that there are no variances proposed to the parking standards in the zoning bylaw, which requires 2 parking spaces for Single Family Dwellings and additional parking with the addition of a suite or cottage. Mr. Greig also clarified the current proposed road access and circulation.

Cody Dreger - Agent of Nored Developments (developer) via Zoom

Cody Dreger noted that the development will provide additional rental inventory, specifically long term market rentals. He noted that prohibiting short term rentals will impact the price of these units. There will also be smaller lots, which are intended to be more affordable. Mr. Dreger noted that the developer intends to partner with CMHC, whose program mandates that a certain portion of the apartment rental units be

affordable units. He noted that there are many positives to the development such as water/sewer upgrades etc.

Monique Copeland - 1309 Victoria Road via Zoom

Ms. Copeland echoed concerns that had been stated already by other residents.

Carla Robison - 1435 Victoria Road via Zoom

Ms. Robison asked if staff are referencing the Draft OCP or current OCP?

- Mr. Greig clarified that the developer is aware of the Draft OCP and its contents. The current OCP is determinative, in the next phase of development, when considering the development permits.

Ms. Robison, noted that she believes there are issues with the current OCP. She submitted that Council formalize and adopt the 2020 Draft OCP before further considering this development and that the Draft OCP policy is not in alignment with this proposal.

Ms. Robison requested information regarding how \$1000 per lot was established?

- Mr. Greig clarified that the developer will be paying both the DCCs of \$12,000 for Single Family Dwellings and approximately \$9,000 for Multi Family Dwellings, as well as an additional \$1,000/door cash contribution. The DCCs must be used for infrastructure improvements and upgrades.

Ms. Robison asked if the proposed contributions are adequate for funding the infrastructure support required for this development?

- Mr. Greig explained that DCCs are established by bylaw which is subject to Provincial approval. There is also an engineering formula that is used to calculate what costs are put in place for each individual municipality. With regards to amenity contributions and their adequacy, it is the task of Council to determine if the amenity contribution of a proposed development is sufficient.

Ms. Robison noted that the small park space that has been proposed is insufficient. She argued there should be a central park in this proposal and recommended that additional green space be satisfied. Ms. Robison argued that there should be a 20 metre green space buffer throughout

the proposal, as well as a pool/fitness centre. She noted the need to protect green space and the environment as well as the wildlife.

Ms. Robison continued that the greenspace behind Victoria Road, should not be used as a trail network.

- Mr. Greig confirmed that the green space would be a park and therefore trails could be constructed there if Council chose to do so.

Monique Copeland - 1309 Victoria Road via Zoom

Ms. Copeland noted that the 10 metre green space behind Victoria Road should be wider. She noted concerns with the density of the development, parking, sidewalks, traffic flow, current school capacity, additional stresses on emergency preparedness and water security. She noted concerns that the development being pursued is based on the 2011 OCP.

Samuel Cassavant - 1333 Helen Road via Zoom

Mr. Cassavant stated that he is in support of this development. He is pleased that some of the high density areas in the town core are being developed, rather than urban sprawl. He noted that the availability of more inventory for people wishing to purchase property in town is welcomed.

Matt Harbidge - 1816 Peninsula Road via Zoom

Mr. Harbidge asked if Council could require paperwork confirming that the developer is working with CMHC be presented, prior to approving the rental apartment? He noted that the same engineers are being used by both the developer and the District of Ucluelet. He also asked if the ACRD landfill can handle the increased amount of waste?

Written Submissions read aloud by Mr. Joseph Rotenberg

- a) Handwritten letter by Elyse Eyford, Ucluelet
- b) Letter from Julia de Wolf - 400 MacKenzie Beach Road, Tofino
- c) Letter from Colleen Broekhuizen - 1112 Coral Way, Ucluelet
- d) Letter from Destiny Poruchny & Andy Brillinger - 1449 Victoria Road

Destiny Poruchny - 1449 Victoria Road

Ms. Poruchny thanked Staff for reading her written submission and asked for clarification on a recent Facebook post created by the

developer, that referenced units for rent, subsidized by CMHC, with a portion available at below-market rents.

- Mr. Greig noted that there is nothing in this proposal which states that there will be rent restricted/affordable housing in the development.

Cody Dreger - Nored Developments (developer) via Zoom

Mr. Dreger clarified that his Facebook post, on a Ucluelet rental page, was addressed to readers that were concerned about a lack of rentals in the area. His post stated that supporting the development would make sense, as in such case as the development was to proceed, the developer would be considering going through CMHC which would produce market or below-market rents for portions. He noted that at this point it is not finalized.

Barb Schramm - 1958 Bay Street

Ms. Schramm recommended density concerns be addressed through conditions on the development approval that include items like a buffer space for Marine Drive and a playground within the proposal.

Written Submissions read aloud by Mr. Joseph Rotenberg

- a) Letter from Bob & Pat Walton - 457 Marine Drive
- b) Letter from Destiny Poruchny - 1449 Victoria Road

Robert Hollingshead - 1435 Victoria Road

Mr. Hollingshead noted that this is an opportunity for give and take, for balance on a larger overall outlook. He noted the importance obtaining satisfactory amenities. Mr. Hollingshead recommended that this development be deferred until after the 2020 Draft OCP is adopted.

8.2 Lot 16 Marine Drive Late Correspondence" (last updated August 10, 2021 at 2:30 pm)

9. COMMITTEE DISCUSSION

- 9.1 Councillor Cole suggested that the Committee of the Whole be adjourned, giving the Committee time to digest all the information that was provided at this Committee meeting. She recommended that ideas and thoughts on the matter be discussed further at the Regular Council Meeting scheduled for August 17, 2021.**

2021.2024.COW **It was moved by Councillor Cole and seconded by Councillor Hoar**
***THAT** this matter be further discussed at the Regular Council Meeting being held on August 17, 2021.*

CARRIED.

10. RECOMMENDATION TO COUNCIL

There were no further recommendations.

11. ADJOURNMENT

The meeting was adjourned at 9:17 PM

CERTIFIED CORRECT: Minutes of the Committee of the Whole Meeting held on Tuesday, August 10, 2021 at 5:30 pm in the Activity Room One, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

DISTRICT OF UCLUELET
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, October 19, 2021 at 3:30 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, and McEwen
 Staff: Duane Lawrence, Chief Administrative Officer
 Joseph Rotenberg, Manager of Corporate Services
 Paula Mason, Administration Clerk

Regrets: Councillor Kemp

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 broadcast on YouTube and Zoom, which may store data on foreign servers.

4. LATE ITEMS

There were no late items.

5. APPROVAL OF AGENDA

5.1 October 19, 2021, Regular Committee of the Whole Agenda

2021.2025.COW **It was moved by Councillor McEwen and seconded by Councillor Cole**
 THAT Council approve the October 19, 2021, Agenda as presented.

CARRIED.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. MAYOR'S ANNOUNCEMENTS

There were no announcements.

8. PUBLIC INPUT AND DELEGATIONS

8.1 A representative from each community group was invited to provide an update on group activities.

Cathy Whitcomb - Sea View Seniors Housing Society

Ms. Whitcomb noted:

- challenges with hosting events due to COVID-19;
- that Forest Glenn is now a emergency warming centre; and
- residents have received COVID-19 booster shots.

Mishele Gagne - West Coast Multiplex Society

Ms. Gagne noted:

- the annual fundraising golf tournament was a success;
- their recently hockey tournament for youth aged 5-11;
- they have applied for grant funding for phase one of the multiplex project;
- fundraising for phase two of the project will commence soon. .

Faye Missar - Coastal Family Resource Coalition

Ms. Missar noted:

- a free screening of the Gabor Mate film "Wisdom of Trauma" on Thursday evening;
- the Harm Reduction Group's current focus is alcohol abuse; and,
- a lead organization is being sought to address issues associated with crisis housing for youth.

Cris Martin - Food Bank on the Edge

Ms. Martin noted:

- a grant funded new refrigeration units that District staff installed;
- submitting a grant application for funding to construct their new facility on District owned lands;
- the society's new website, foodbankontheedge.ca; and,
- Christmas hampers will not be delivered this year.

Central West Coast Forest Society - Mandala Smulders

Ms. Smulders:

- outlined ongoing projects; and
- explained that work on the Walk in the Trail is on schedule to be completed over the next couple of weeks.

Barbara Schramm - Wild Pacific Trail Society

Ms. Schramm noted:

- educational programming was offered on the trail through the Raincoast Education Society and the Central West Coast Forest Society, each day in August;
- additional funding is being sought to hire their full staff compliment;
- interpretative signage for the Ancient Cedars Loop is under development; and
- the opening and dedication at the Spring Cove trail.

Emily Coombs - Canadian Rangers

Ms. Coombs noted:

- 19 local members;
- a new commanding officer and mandate which focuses on community support and key community needs, rather than wilderness survival;
- upcoming Light Urban Search and Rescue training; and
- the 75th anniversary for the Rangers in June of 2022.

Rebecca Hurwitz - Clayoquot Biosphere Trust

Ms. Hurwitz noted:

- the 2010-2020 Periodic Review Self-Study is now available on their website and the Canadian Biosphere Reserves Association has recommended the continued Biosphere designation;
- the rezoning application for the Biosphere Centre is in process; and,
- CBT is reviewing their grant to consider equity issues.

James Rogers - CARE Network

Mr. Rodgers:

- outlined the services CARE Network provides to local governments;
- noted the beer they are brewing with locally sourced hops, in partnership with Vancouver Island Brewing Company, which will be featured at the Black Rock Resort; and
- they are applying to the ACRD for increased space at the Airport.

Girl Guides - Heather Reddick

Ms. Reddick noted:

- this year's enrollment and the Pathfinders and Girl Guides meeting schedule; and
- the Girl Guides will be selling cookies this year.

Tourism Ucluelet - Denise Stys-Norman

Ms. Stys-Norman noted:

- an almost 30% increase in visitation to Vancouver Island over the summer;
- TU marketing now focuses on responsible and sustainable travel;
- ongoing work on the Tourism Masterplan including the recent open house; and
- the Visitor Centre is running on limited hours do to staffing issues.

Tarni Jacobsen - Pacific Rim Hospice Society

Ms. Jacobsen noted:

- the 7 week Youth Peer Educator skill building program has commenced - next enrollment will be in February 2022;
- the Shelter in the Storm grief group will start on November 4, 2021 and will also run for 7 weeks;
- ongoing Cancer Support group meetings - next meeting on October 28, 2021; and

- work with the West Coast Senior Services Network and the Coastal Family Resource Coalition to bring the "Better at Home" program to the West Coast.

Linda Dressler - Whale Festival Society

Ms. Dressler noted:

- the society is seeking new board members;
- their focus is on reinventing the Whale Festival to address COVID-19 requirements, virtual presentations. Last year people from around the world participated online in the festival;
- their AGM is on November 2, 2021

Laurie Hannah - Surfrider Foundation Pacific Rim

Ms. Hannah noted:

- current focus areas and campaigns;
- upcoming fundraising events and the need for new funding options;
- information about ACRD's Composting Program which will be rolling out in September 2022; and
- they are currently working to replace floats at the First Street dock in Tofino.

Nick Haisch - BC Association of Surf Instructors

Mr. Haisch:

- noted the mandate of this organization and advocated for the reinstatement of lifeguards at Long Beach; and
- addressed questions about surf helmets.

Council noted the need for helmets in the surf.

Julie Beeley - Toastmasters

Ms. Beeley noted:

- challenges with meeting via Zoom;
- this organizations is seeking new members; and
- meetings are held weekly on Mondays from 6:45 PM - 7:45 PM

Laurie Gehrke - Ucluelet Chamber of Commerce

Ms. Gerhke noted:

- the Chamber of Commerce is closing their brick and mortar office;
- considering options for this space;
- a partnership with Port Alberni on a "Shop Local";
- the Common Ground Market, established for local artisans, is off to a good start and two Night Markets have been held;
- Midnight Madness will occur in some fashion this year; and
- the Edge-to-Edge Marathon is scheduled for October 2022.

9. REPORTS

9.1 Grant in Aid and In-Kind Contribution Requests (verbal report)
Donna Monteith, Chief Financial Officer

Duane Lawrence, Chief Administrative Officer, outlined key dates associated with the Grant In Aid and In-Kind Contribution program.

10. OTHER BUSINESS

There was no other business.

11. QUESTION PERIOD

There were no questions.

12. CLOSED SESSION

There was no closed session.

13. RECONVENE FROM CLOSED SESSION

14. ADJOURNMENT

The meeting adjourned at 5:30 PM.

CERTIFIED CORRECT: Minutes of the Committee of the Whole Meeting held on Tuesday, October 19, 2021 at 3:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

DISTRICT OF UCLUELET
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE MAIN HALL, 500 MATTERSON DRIVE
Tuesday, November 23, 2021 at 5:30 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen
 Staff: Duane Lawrence, Chief Administrative Officer
 Bruce Greig, Director of Community Planning
 John Towgood, Municipal Planner
 James MacIntosh, Director of Engineering Services
 Joseph Rotenberg, Manager of Corporate Services
 Paula Mason, Administration Clerk

Regrets:

1. CALL TO ORDER

The meeting was called to order at 5:30 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 this proceeding was being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.

4. LATE ITEMS

"2021-11-19 Schramm" and "2021-11-21 Turner and Petrowitz" were added as Appendix D to Report Item 7.1. "Official Community Plan (OCP) Growth Analysis".

5. APPROVAL OF AGENDA

5.1 November 23, 2021 Special Committee of the Whole Agenda

2021.2026.COW **It was moved by Councillor Kemps and seconded by Councillor Cole**
 THAT Council approve the November 23, 2021 Special Committee of the
 Whole Agenda as amended.

CARRIED.

6. MAYOR'S ANNOUNCEMENTS

The Chair outlined meeting procedures and how members of the public could participate via phone, Zoom, communityinput.ca and in person.

7. REPORTS

7.1 Official Community Plan (OCP) Growth Analysis *Bruce Greig, Director of Community Planning*

Mr. Greig provided an analysis of growth options informed by the 2021 West Coast Land Use Demand Study in the context of the draft OCP for both Council and members of the public to review.

8. PUBLIC INPUT & DELEGATIONS

8.1 The Chair called for Public Input from audience members, via telephone, Zoom, email sent to communityinput@ucluelet.ca and in person.

There were no participants via telephone.

The following members of the public participated via Zoom:

- Judy Gray - 506 Marine Drive, Ucluelet BC
- Myles Morrison - 1497 Victoria Road, Ucluelet BC
- Judy Gray (a second time) - 506 Marine Drive, Ucluelet BC

The following members of the public spoke in person:

- Dario Corlazzoli - 1165 Rupert Road, Ucluelet BC
- Joe Corlazzoli - 1157 Rupert Road, Ucluelet BC
- Rena Clark - 851 Eline Road, Ucluelet BC
- Matt Harbidge - 1816 Peninsula Road, Ucluelet BC
- Laura Griffith-Cochrane - 1357 Pine Road, Ucluelet BC
- Mark Maftai - Ucluelet Small Craft Harbour, Ucluelet BC
- Eric Larsen - 332 Marine Drive, Ucluelet BC
- Julian Ling - 1971 Harbour Crescent, Ucluelet BC

The following members of the public participated via email to communityinput@ucluelet.ca. These submissions were read aloud during the meeting:

- Jenny Sheline - 1594 Bay Street, Ucluelet BC
- Dayna Burton - 1561 Bay Street, Ucluelet BC

Council was asked to provide direction on the draft Official Community Plan Bylaw No. 1236, 2020, in particular:

1. Does Council support changing the draft Long-Range Land Use Plan - Schedule "A" to reflect a pattern of development consistent with the medium growth scenario explored in this exercise?

- Council discussed the growth options and provided general direction for staff to present a Long-Range Land Use Plan that reflects a low-medium growth scenario.

2. Does Council support amending the residential housing policies in Part 3 of the draft OCP, by: adding to draft policy 3.134, “As a starting point, target a minimum of 75% of housing in new developments to be attainable by Ucluelet resident households.”

- General direction was provided to amend the draft policy 3.134 to include “As a starting point, target a minimum of 75% of housing in new developments to be attainable by Ucluelet resident households.”

3. Does Council wish to see any additional amendments to the draft OCP?

- Mayor Noël advocated for the OCP to identify the number of visitors in our community during the peak season.

9. ADJOURNMENT

The meeting was adjourned at 7:59 PM

CERTIFIED CORRECT: Minutes of the Committee of the Whole Meeting held on Tuesday, November 23, 2021 at 5:30 pm in the Main Hall, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

DISTRICT OF UCLUELET
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, June 21, 2022 at 4:00 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen
 Staff: Abby Fortune, Director of Parks and Recreation
 Paula Mason, Manager of Corporate Services

Regrets:

1. CALL TO ORDER

The meeting was called to order at 4:00 PM on June 21, 2022.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

2.1 Council acknowledged the Yuułu?it?ath, on whose traditional territories the District of Ucluelet operates.

3. NOTICE OF VIDEO RECORDING

3.1 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

There were no late items.

5. APPROVAL OF AGENDA

5.1 June 21, 2022 Committee of the Whole - Societies Agenda

2022.2025.COW *It was moved and seconded **THAT** Committee of the Whole adopt the June 21, 2022 Committee of the Whole - Societies Agenda be adopted as presented.*

CARRIED.

6. ADOPTION OF MINUTES

6.1 February 15, 2022 Committee of the Whole - Societies

2022.2026.COW *It was moved and seconded **THAT** the February 15, 2022 Committee of the Whole - Societies Minutes be adopted as presented.*

CARRIED.

7. PUBLIC INPUT AND DELEGATIONS

(a) Public Input

There was no public input.

(b) Delegations

A representative from each of the following Community Groups provided an update on group activities:

Seaview Seniors Housing Society

Cathy Whitcomb, Administrative Coordinator, noted ongoing health concerns related to COVID-19, provided a staffing update, outlined future programs and climate resiliency actions.

Pacific Rim Toastmasters

Julie Beeley noted new public speaking programs offered by Toastmasters.

Alberni Clayoquot Health Network

Marcie Dewitt, Program Coordinator, provided an update on new programming including upcoming programming related to poverty and climate resilience.

West Coast Inland Search and Rescue

Marcie Dewitt, Program Coordinator, provided a membership and equipment update.

Food Bank on the Edge

Cris Martin, President, noted increased demand for fresh produce, recent training opportunities attended by volunteers, new programming, and provided an update on constructing their new facility, which is in the planning phase.

Pacific Rim Hospice Society

Tarni Jacobsen, Executive Director, noted the Society's upcoming AGM, their need for volunteers and new Directors, the Cycle of Life Riders, as well as ongoing programming and prospective programming.

Rotary Club of Ucluelet

Jeff Anderson and Ryan Wackett, outlined the benefits of their prospective frisbee golf course on District lands behind the water tower.

Surfrider Pacific Rim

Laurie Hannah, Chapter Coordinator, provided an update on current campaigns including the Hold Onto Your Butt, Take Back the Tap, Ocean Friendly Businesses and Foam Free Docks, and Cut the Cutlery campaigns. she also discussed Earth Day activities, and a number of recycling projects.

Tourism Ucluelet

Denise Stys-Norman, Executive Director, provided updates regarding visitor services at the Pacific Rim Visitor Centre, staffing updates, Municipal and Regional District Tax renewal process, and new messaging related to responsible travel and sustainability. Ms. Stys-Norman also noted their new mascot Salty the Sea Otter.

Ucluelet and Area Childcare Society

Kathy de Vries, Manager, noted grant funding received to open a new childcare centre with nine spaces, scheduled to open in the fall. She noted the need for additional Early Child Care Educators, available training opportunities and interested individuals. Ms. de Vries further noted that the daycare appears to qualify for the ten dollar a day Federal Subsidy. She noted improvements to her Board's bylaws and procedures, and that this Society will not provide afterschool programming in the fall.

Ucluelet Aquarium Society

Laura Griffith-Cochrane, Curator, noted ongoing projects and prospective programming including the surveying of Eelgrass Bed in the Ucluelet Harbour, a new \$10,000 bursary for local high school students, and the Salmon Trail which delivers messaging to visitors about lowering their ecological impacts while in the region. She further noted climate resiliency steps taken to protect their animals,

provided a Staffing update, and explained that school groups are now attending the aquarium.

West Coast Multiplex Society

Samantha Hackett, Chair, outlined the Society's mandate and listed residents that are Board Members. Ms. Hackett went on to provide updates related to community outreach efforts, a new endowment fund, the Society's capital fundraising campaign, and their regional recreation strategy. She noted that the Society is striving to build a plan that allows for the development of the pool and ice rink during the first phase of the project. Ms. Hackett noted the Society will present a new Memorandum of Understanding to Council at future date.

Westcoast Community Resources Society

Carrie Ho, Interim Executive Director, provided updates on staffing, growing office space requirements, sexual awareness training for service providers scheduled for later this month, the Wellness Market, the Society's upcoming Annual General Meeting, and Community Lunches at the Hub.

Pacific Rim Whale Festival Society

Councillor McEwen spoke on behalf of the Society's coordinator, Sarah Watt. Councillor McEwen noted ongoing festival planning, the calendar of events, and the events that will be included in the Festival. She encouraged prospective board members to attend the October 3 Annual General Meeting.

8. REPORTS

There were no reports.

9. QUESTION PERIOD

Denise Stys-Norman recommended a open house where members of the public could learn about local community groups with the intend of bolstering board membership and volunteer enrollment.

10. ADJOURNMENT

The meeting was adjourned at 5:15 PM on June 21, 2022.

CERTIFIED CORRECT: Minutes of the Committee of the Whole Meeting held on Tuesday, June 21, 2022 at 4:00 pm in the Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, November 29, 2022 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, and Kennington
 Staff: Duane Lawrence, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 Joseph Rotenberg, Manager of Corporate Services
 Monica Whitney-Brown, Planning Assistant
 Samantha McCullough, Executive Assistant

Regrets: Councillor Maftai

1. CALL TO ORDER

The meeting was called to order at 4:00 PM on November 29, 2022.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

2.1 Alberni Clayoquot Health Network Table of Partners 2022 - Call for Members ACHN Member Recruitment 2022

2.2 Alberni Clayoquot Health Network Transportation Action Table TOR - Transportation Action Table

3. APPROVAL OF THE AGENDA

3.1 November 29, 2022, Regular Council Agenda

2022.2218.REGULAR *It was moved and seconded **THAT** the two late agenda items be added to the November 29, 2022, Regular Council Agenda as correspondence item 10.3 & 10.4.*

CARRIED.

2022.2219.REGULAR

*It was moved and seconded **THAT** the November 29, 2022, Regular Council Agenda be adopted amended.*

CARRIED.

4. **ADOPTION OF MINUTES**

4.1 **November 1, 2022, Regular Council Minutes**

2022.2220.REGULAR *It was moved and seconded **THAT** the November 1, 2023, Regular Council Minutes be adopted as presented.*

CARRIED.

4.2 **November 15, 2022, Regular Council Minutes**

2022.2221.REGULAR *It was moved and seconded **THAT** the November 15, 2023, Regular Council Minutes be adopted as presented.*

CARRIED.

5. **PUBLIC INPUT & DELEGATIONS**

5.1 Delegations

Sergeant Kevin Smith, RCMP
Re: Ucluelet Policing Update

Sergeant Smith introduced his interim replacement Sergeant Greg Young, provided a staffing update, and presented an update on Ucluelet Policing over the 2022 year.

Bob Hansen and Marianne Paquette, WildSafeBC Pacific Rim
Re: Season-end Report 2022 - Challenges, Successes, and Roadmap

Mr. Hansen and Ms. Paquette provided a season end report and a plan for future years including recommendations related to the new Sort'nG program.

Mr. Hansen fielded questions from council related their funding, wildlife interactions, waste disposal and the Sortn'Go program.

6. **UNFINISHED BUSINESS**

There was no unfinished business.

7. **BYLAWS**

7.1 **Cemetery Management Amendment Bylaw No. 1323** **Abby Fortune, Director of Parks and Recreation**

Ms. Fortune presented this report.

2022.2222.REGULAR *It was moved and seconded **THAT** Council give first, second and third reading to the District of Ucluelet Cemetery Management Amendment Bylaw No. 1323, 2022.*

CARRIED.

8. REPORTS

8.1 2023 Council Conference Attendance *Joseph Rotenberg, Manager of Corporate Services*

Mr. Rotenberg presented this report. Council discussed 2023 Council conference attendance.

2022.2223.REGULAR *It was moved and seconded **THAT** Council authorize all Council members to attend the Local Government Leadership Academy Elected Official Seminars, 2023 Association of Vancouver Island and Coastal Communities Convention, 2023 Union of BC Municipalities Convention and the 2023 Annual Vancouver Island Economic Summit.*

CARRIED.

2022.2224.REGULAR *It was moved and seconded **THAT** Council direct staff to include \$51,000 in the 2023 Council budget for council conferences.*

CARRIED.

8.2 2023 Annual Council Meeting Schedule *Joseph Rotenberg, Manager of Corporate Services*

Mr. Rotenberg presented this report. Council discussed meeting times and dates.

2022.2225.REGULAR *It was moved and seconded **THAT** Council adopt the proposed 2023 Annual Council Meeting Schedule as presented in Appendix A to Report No. 22-161, and direct Staff to give notice of the 2023 Annual Council Meeting Schedule.*

CARRIED.

8.3 Five Year Financial Plan Meeting Schedule (2023-2027) *Donna Monteith, Chief Financial Officer*

Ms. Monteith presented this report. Ms. Monteith noted that the December 8, 2022, meeting would start at 1:00 PM rather than 12:30 PM as presented in the report. Staff provided clarification that future meeting dates/ times are tentative.

2022.2226.REGULAR *It was moved and seconded **THAT** Council receive the Five-Year Financial Plan Meeting Schedule (2023 – 2027) as presented, with the amendment of December 8, 2022 meeting beginning at 1:00 PM.*

CARRIED.

8.4 Development Permit for 259 Boardwalk Boulevard
John Towgood, Municipal Planner

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

Mr. Greig provided clarification for Council on the development permit conditions related to orientation of the driveway.

Council invited the applicant to present. The applicant did not present.

2022.2227.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Development Permit 22-10 for the property at 259 Boardwalk Boulevard to allow a two-unit resort condo building and associated landscaping.*

CARRIED.

8.5 Development Permit for 261 Boardwalk Boulevard
John Towgood, Municipal Planner

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

Council invited the applicant to present. The applicant did not present.

2022.2228.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Development Permit 22-11 for the property at 261 Boardwalk Boulevard to allow a two-unit resort condo building and associated landscaping.*

CARRIED.

8.6 Environmental Development Permit for 736 Odyssey Lane
Monica Whitney-Brown, Planning Assistant

Ms. Whitney-Brown presented this report.

Mr. Greig addressed council questions regarding parking and permitted uses of the property.

Council invited the applicant to speak. The applicant's agent Martijn Zuydervelt noted concerns with changes to District Bylaws.

2022.2229.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Environmental Development Permit DP22-16 for the property at 736 Odyssey Lane to allow the construction of a single-family dwelling on a lot designated within a Terrestrial Ecosystem and Marine Shoreline development permit area.*

CARRIED.

9. NOTICE OF MOTION

There were no notices of motion

10. CORRESPONDENCE

10.1 AVICC 1st Call for 2023 Resolutions and Nominations for AVICC Executive

10.2 AVICC Workshop Suggestions, Hotels for 2023 Convention

10.3 Alberni Clayoquot Health Network Table of Partners 2022 - Call for Members ACHN Member Recruitment 2022

2022.2230.REGULAR *It was moved and seconded **THAT** Councillor Anderson apply to serve on the Alberni Clayoquot Health Network Table of Partners.*

CARRIED.

10.4 Alberni Clayoquot Health Network Action Table

2022.2231.REGULAR *It was moved and seconded **THAT** Council authorize Mayor McEwen to represent the District of Ucluelet on the Alberni Clayoquot Health Network Transportation Action Table.*

CARRIED.

11. INFORMATION ITEMS

11.1 Resolution Tracking - November 2022
Joseph Rotenberg, Manager of Corporate Services

Mr. Rotenberg presented this report. Staff provided clarification on the resolution related Black Rock Resort directional signage.

11.2 A welcome from BCEHS
Neil Lilley, Chief Operating Officer, BC Emergency Health Services

12. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

12.1 Councillor Shawn Anderson

Councillor Anderson attended the Aquaculture DFO - Net Pen Transition Plan Engagement Session on November 25, 2022.

12.2 Councillor Jennifer Hoar
Deputy Mayor November 1 - December 31, 2022

Attended Barkley Community Forest Open house November 27, 2022.

12.3 Councillor Ian Kennington

12.4 Councillor Mark Maftei

12.5 Mayor Marilyn McEwen

- November 16 & 17- attended the ACRD Regional Governance training in Port Alberni.
- November 18- attended the first Island Coastal Economic Trust (ICET) meeting via zoom.
- November 21 attended the West Coast Transportation working group via zoom.
- November 23 Mayor McEwen attended ACRD Board Meeting in Port Alberni.
- November 27 she also attended the celebration of life of the late Ted Eeftink, a former Ucluelet First Responder.

13. QUESTION PERIOD

There were no questions.

14. CLOSED SESSION

14.1 Procedural Motion to Move In-Camera

THAT the meeting be closed to the public in order to address agenda items under Section 90(1)(n) of the Community Charter.

2022.2232.REGULAR *It was moved and seconded **THAT** the meeting be closed to the public in order to address agenda items under Section 90(1)(n) of the Community Charter.*

CARRIED.

The remainder of the meeting was closed to the public 5:47 PM.

15. ADJOURNMENT

The meeting was adjourned at 5:58 pm on November 29, 2022 after the closed session concluded.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, November 29, 2022 at 4:00 pm in the Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor



DISTRICT OF UCLUELET

Request to Appear as a Delegation

All delegations requesting permission to appear before Council are required to submit a written request or complete this form and submit all information or documentation by 12:00 p.m. five clear days before a Council Meeting. Applicants should include the topic of discussion and outline the action they wish Council to undertake.

All correspondence submitted to the District of Ucluelet in response to this notice will form part of the public record and will be published in a meeting agenda. Delegations shall limit their presentation to ten minutes, except by prior arrangement or resolution of Council.

Please arrive 10 minutes early and be prepared for the Council meeting. The Mayor (or Acting Mayor) is the chairperson and all comments are to be directed to the chairperson. It is important to address the chairperson as Your Worship or Mayor Noël.

The District Office will advise you of which Council meeting you will be scheduled for if you cannot be accommodated on your requested date. For more information contact the District Office at 250-726-7744 or email info@ucluelet.ca.

Requested Council Meeting Date: Nov. 15 or 29, 2022

Organization Name: Connective Support Society (formerly John Howard Society of Nanaimo)

Name of person(s) to make presentation: John Horn

Topic: Rent Bank

Purpose of Presentation: Information only
 Requesting a letter of support
 Other (provide details below)

Please describe:

Rent Bank provides interest free loans repayable over 24 months to keep housed people housed. Rental arrears, first month, damage deposit and or utilities are the situations addressed. Rent Bank is province wide and usually supported by the Provincial gov't 80% and local partners 20%. We would like to speak to the use of rent bank in your area.

Contact person (if different from above): _____

Telephone Number and Email: _____

Will you be providing supporting documentation? Yes No

If yes, what are you providing? Handout(s)
 PowerPoint Presentation

Note: Any presentations requiring a computer and projector/screen must be provided prior to your appearance date. The District cannot accommodate personal laptops.

The personal information you provide on this form is collected under s. 26(c) of the FOIPPA and will be used for the purpose of processing your application to appear as a delegation before the District of Ucluelet Council. The application will form part of the meeting's agenda and will be published on the website. Your personal telephone number and e-mail address will not be released except in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of your personal information may be referred to the Manager of Corporate Services 200 Main Street, PO Box 999, Ucluelet BC, V0R 3A0 or by telephone at 250-726-7744.

DISTRICT OF UCLUELET**Zoning Amendment Bylaw No. 1319, 2022**

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

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

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

1. Text Amendment:

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

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

2. Citation:

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

READ A FIRST TIME this 15th day of **November, 2022.**

READ A SECOND TIME this 15th day of **November, 2022.**

PUBLIC HEARING held this day of , 2022.

READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022.

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

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

Public Hearing Notice: Zoning Amendment Bylaws and Development Variance Permit

Pursuant to Section 498, 464, and 466 of the *Local Government Act*, public notice is hereby given that the District of Ucluelet will consider the following Zoning Amendment Bylaws and Development Variance Permit at a Public Hearing held at the **Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C.**, on **December 13, 2022**, commencing at **5:00 p.m.**

District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022

Application Number: RZ22-02

Applicant: Icon Developments Ltd.

Location: 1683 Larch Road **Legal Description:** Lot B, District Lot 282, Clayoquot Land District, Plan VIP77503

Purpose: In general terms, the purpose of this bylaw is to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013 by allowing a standalone Multiple Family Residential use to occur within the front half of the subject property plus Multiple Family Residential and Resort Condo uses only to occur within the rear half of the subject property. The proposed bylaw would also allow an increase to the maximum Floor Area Ratio from the 0.35 currently allowed to 0.616, for a proposed 8-unit condo and townhouse development.

Site Map



Development Variance Permit DVP22-07

Location: 1683 Larch Road **Legal Description:** Lot B, Plan VIP77503, District Lot 282, Clayoquot Land District

Purpose: In general terms, the purpose of this application is to allow a minimum parking area maneuvering aisle width of 6m, whereas section 504.3 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013, requires a minimum of 7.5m.

District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022

Application Number: RZ22-07

Applicant: Nicola Buston & Parker Jackson

Location: 327 Pass of Melfort **Legal Description:** Strata Lot 20, Section 1, Clayoquot Land District, Strata Plan VIS5896

Purpose: In general terms, the purpose of this application is to amend District of Ucluelet Zoning Bylaw No. 1160, 2013 by allowing a Floor Area Ratio of 0.51 whereas section R-4.3.2 (1) specifies a maximum Floor Area Ratio of 0.35, for a proposed 31m² (336 ft²) addition to the existing house on the subject property.

Site Map



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

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

Drop-off at the District Office
200 Main Street
Ucluelet B.C.

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

Email
communityinput@ucluelet.ca

Attend the Public Hearing in-person or by Zoom: **Attend In-person**
Ucluelet Community Centre,
500 Matterson Drive, Ucluelet B.C.

Attend by Zoom and Telephone
To attend by zoom or telephone please visit the upcoming public hearings and bylaw notice section of the District of Ucluelet web page:
<https://ucluelet.ca/community/district-of-ucluelet-council/public-hearings>

If you plan to attend in-person, we ask that you follow all current [Provincial Health guidelines and protocols](#).

If you cannot access this web page or need more information on how to participate, please visit the District Office or contact the Corporate Services Department at 250-726-7744. Please also note that Public Hearings are also live streamed on the District of Ucluelet's YouTube Channel.

Review the application: The applications, bylaws, permit and other relevant materials may be inspected at the District of Ucluelet office at 200 Main Street from the date of this notice, until the Public Hearing, between regular office hours.

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



REPORT TO COUNCIL

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

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

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

SUBJECT: ZONING AMENDMENT AND DEVELOPMENT PERMIT FOR 1683 LARCH ROAD

REPORT NO: 22-156

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

RECOMMENDATION(S):

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

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

BACKGROUND:

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



Figure 1 – Subject Property

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

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

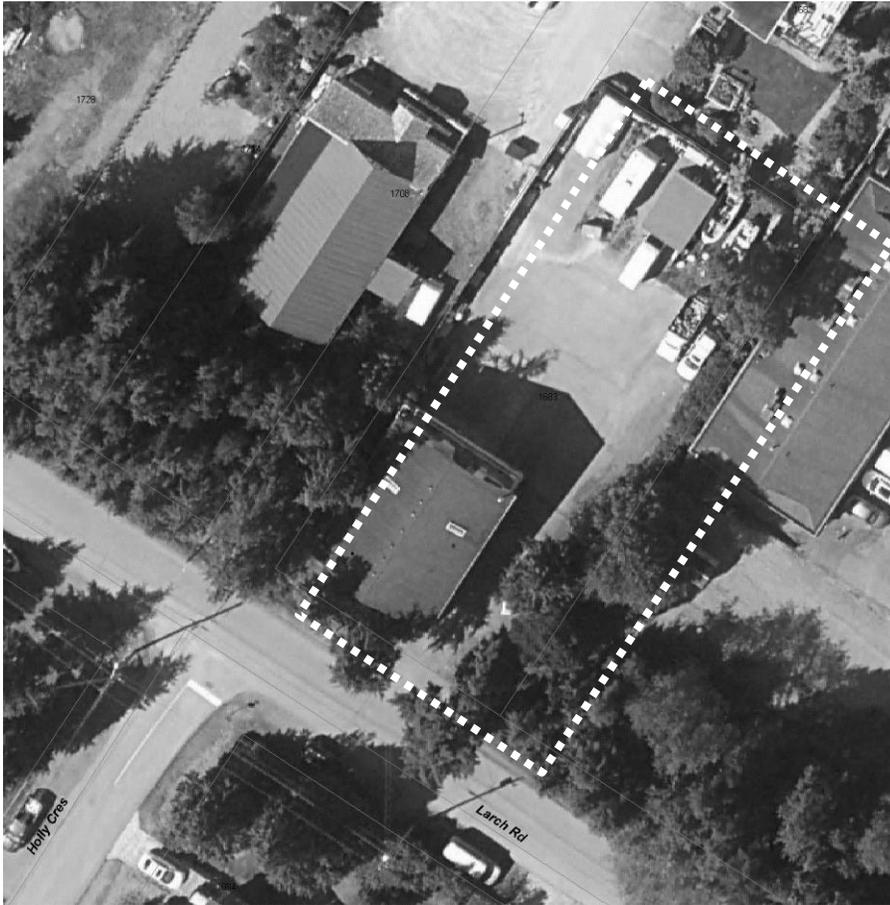


Figure 2 – Property Image

DISCUSSION:

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

The applicant is proposing:

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

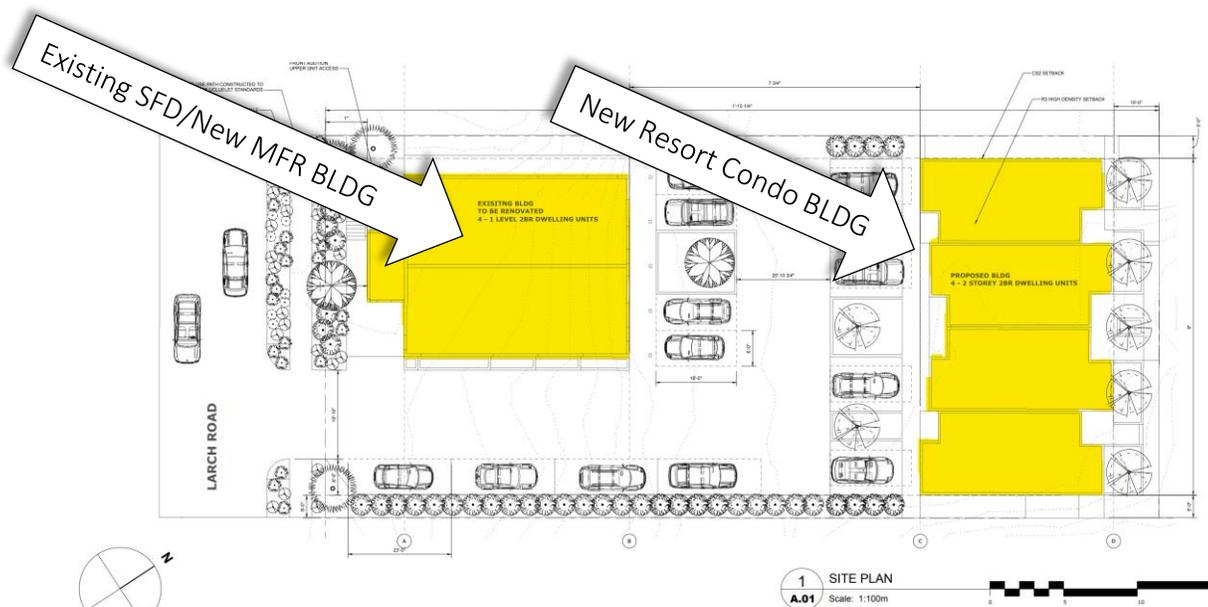


Figure 3 – Proposed site plan

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

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

DEVELOPMENT PERMIT (DP):

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

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

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

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

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

Building Style and Massing

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

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

Overall exterior building materials (both buildings)

The applicant is proposing exterior materials consisting of:

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

These materials are consistent with the DP guidelines.

Landscaping

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

Overall site circulation and accessibility

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

SERVICING:

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

FIRE SERVICES:

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

POLICY OR LEGISLATIVE IMPACTS:

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

ANALYSIS OF OPTIONS:

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

NEXT STEPS:

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

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

Respectfully submitted:

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

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, November 15, 2022 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson and Hoar
 Staff: Duane Lawrence, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 Joseph Rotenberg, Manager of Corporate Services
 Monica Whitney-Brown, Planning Assistant
 Samantha McCullough, Executive Assistant

Regrets: Councillors Kennington and Maftei

1. CALL TO ORDER

The meeting was called to order at 4:01 PM on November 15, 2022.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

3.1 November 15, 2022, Regular Council Meeting Agenda

2022.2203.REGULAR *It was moved and seconded **THAT** agenda Item 5. "Unfinished Business" be replaced with "Public Input".*

CARRIED.

2022.2204.REGULAR *It was moved and seconded **THAT** the November 15, 2022 council meeting agenda be approved as amended.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 October 6, 2022, Regular Minutes

The word "site" was misspelled on page seven of the minutes.

2022.2205.REGULAR *It was moved and seconded **THAT** the October 6, 2022 Regular Minutes be adopted as amended.*

CARRIED.

5. Public Input

Randy Oliwa, 1150 Rupert Road, President of Pac Rim Home Cooperative. He outlined the Cooperative's mandate, their proposal, and upcoming important dates including November 30th membership drive wrap-up and December 7 Annual General Meeting.

6. BYLAWS

6.1 Cemetery Bylaw No. 1206 Amendment

Abby Fortune, Director of Parks and Recreation

Ms. Fortune presented this report. Ms. Fortune fielded Council questions about impacts on cemetery maintenance.

2022.2206.REGULAR *It was moved and seconded **THAT** Council direct staff to present amendments to District of Ucluelet Cemetery Management Bylaw No. 1206, 2016 to allow non-conforming grave site installations in the lower section of the cemetery.*

CARRIED.

6.2 Ucluelet Garbage Collection and Regulation Bylaw No. 960, 2004

Abby Fortune, Director of Parks and Recreation

Ms. Fortune presented this report. Ms. Fortune fielded Council about the bear resistant waste disposal carts.

Council noted concerns related to the outdoor storage of carts and the recommended anchoring system which residents are responsible for implementing.

2022.2207.REGULAR *It was moved and seconded **THAT** Council direct staff to present an amendment to the District of Ucluelet Garbage Collection and Regulation Bylaw No. 960, 2004, to be considered at a future Council meeting, which allows for Bear Resistant Collection Carts to be stored outside provided that the container is anchored to prevent tipping or being dragged away by an adult bear.*

CARRIED.

6.3 Zoning Amendment For 327 Pass Of Melfort

Monica Whitney-Brown, Planning Assistant

Bruce Greig, Director of Community Planning, presented this report. He noted a typo in Draft Bylaw 1320, 2022 which should be addressed.

Mr. Parker, the Applicant, addressed Council regarding the reasons for FAR expansion.

2022.2208.REGULAR *It was moved and seconded **THAT** Council, with regard to the proposed development at 327 Pass of Melfort Place:*

1. Replace text amendment 1. A in draft District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022, with the following:

“A. Removing Lot 20 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, 22, 24 and 25, all of Section 1, Barclay District, Strata Plan VIS5896.”

CARRIED.

2022.2209.REGULAR *2. It was moved and seconded **THAT** Council give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022 as amended.*

CARRIED.

2022.2210.REGULAR *3. It was moved and seconded **THAT** Council direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022.*

CARRIED.

6.4 Zoning Amendment Bylaw No. 1309 – 604 Rainforest Drive Bruce Greig, Director of Community Planning

Mr. Greig presented this report.

2022.2211.REGULAR *It was moved and seconded **THAT** Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1309, 2022 and authorize the Director of Community Planning to execute and issue Development Permit 22-04.*

CARRIED.

6.5 Zoning Amendment and Development Permit For 1683 Larch Road John Towgood, Municipal Planner

Bruce Greig, Director of Community Planning, presented this report. Mr. Greig fielded Council questions related to garbage, fire truck access, and the construction of a zero overhang building.

The Applicant was invited to speak but was not in attendance at the meeting.

2022.2212.REGULAR *It was moved and seconded **THAT** Council, with regard to the proposed development at 1683 Larch Road:*

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

CARRIED.

7. REPORTS

7.1 Business License for Mobile Vendor at 1708 Peninsula Road *Monica Whitney-Brown, Planning Assistant*

Ms. Whitney-Brown represented this report. She addressed Council questions related to the number of businesses permitted to operate on site. Bruce Greig, Director of Community Planning addressed questions about access to garbage disposal facilities.

The Applicant was not available to speak.

2022.2213.REGULAR *It was moved and seconded **THAT** Council approve the issuance of a mobile vending business license for Nuglife Food Truck to be operated at 1708 Peninsula Road, Lot 1, Plan VIP5190, Clayoquot District, subject to the conditions in Appendix A, attached to staff report No. 22-152.*

CARRIED.

7.2 Environmental Development Permit For 384 Marine Drive *Monica Whitney-Brown, Planning Assistant*

This report was presented by Ms. Whitney-Brown. The Applicant and property owners' Agent, Doug Cole of 16802 3rd Ave. La Conner, Washington, USA, addressed questions related to the location of the retaining wall vis a vis the riparian zone, the location of the proposed home and history of the property.

2022.2214.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Development Permit DP22-12 for the property at 384 Marine Drive to allow subdivision and construction of a single-family dwelling on a lot within a Marine Shoreline and Riparian Development permit area.*

CARRIED.

7.3 BC Active Transportation Grant Funding Request *Donna Monteith, Chief Financial Officer*

Ms. Monteith presented this report. Council noted their support for the project.

2022.2215.REGULAR *It was moved and seconded:*

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

CARRIED.

8. NOTICE OF MOTION

There were no notices of motion.

9. CORRESPONDENCE

9.1 The Moorage Street Parking Signage and Enforcement *Christine Brice, Strata Manager | Ardent Properties INC.*

Council discussed this correspondence item and request for increased yellow curbing.

2022.2216.REGULAR *It was moved and seconded THAT Staff provide a report about options for Ardent Properties.*

CARRIED.

9.2 District of Ucluelet - Request to Present on Social Issues & Solutions in Your Community and United Way British Columbia Local Impact *Michael McKnight, President & CEO, United Way British Columbia | Lower Mainland*

2022.2217.REGULAR *It was moved and seconded THAT Council direct Staff to invite the United Way British Columbia to become a delegation a future council meeting.*

CARRIED.

9.3 Adoption Awareness Month *Honourable Mitzi Dean MCFD*

9.4 Aquaculture Update from DFO - Net Pen Transition Plan Engagement Session- November 25, 2022 *AVICC*

Mayor McEwen, Councillor Hoar, and Councillor Anderson intend to attend this meeting.

10. INFORMATION ITEMS

10.1 2022 Election Report *Joseph Rotenberg, Chief Elections Officer*

10.2 New Online Course to Support Responsible Conduct *Nathan Cullen, Minister of Municipal Affairs Jen Ford, President, UBCM*

Corrie Griffiths, President, LGMA

11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

11.1 Councillor Shawn Anderson

11.2 Councillor Jennifer Hoar

Deputy Mayor, November 1 - December 31, 2022

November 11 - attended Remembrance Day service in Victoria

11.3 Councillor Ian Kennington

11.4 Councillor Mark Maffei

11.5 Mayor Marilyn McEwen

Mayor McEwen noted upcoming events including:

- November 25 - Midnight Madness
- November 26 - Christmas Market
- November 27 - Tedd Eeftink's Celebration of Life

Mayor McEwen attended the following meetings:

- November 8 - met with MLA Osborne to discuss how the MLA's office can support the District of Ucluelet.
- November 9 - Barkley Community Forest Meeting
- November 9 - ACRD Inaugural Board Meeting
- November 11 - Remembrance Day Ceremony
- November 14 - Met with the RCMP to discuss the skillset of a new Sergeant to be hired

12. QUESTION PERIOD

There were no questions.

13. ADJOURNMENT

The meeting was adjourned at 5:15 PM on November 15, 2022.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, November 15, 2022 at 4:00 pm in the Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

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

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

(327 Pass of Melfort)

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

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

1. Text Amendment:

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

A. Removing Lot 20 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, 22, 24 and 25, all of Section 1, Barclay District, Strata Plan VIS5896; “

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

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

2. Citation:

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

Public Hearing Notice: Zoning Amendment Bylaws and Development Variance Permit

Pursuant to Section 498, 464, and 466 of the *Local Government Act*, public notice is hereby given that the District of Ucluelet will consider the following Zoning Amendment Bylaws and Development Variance Permit at a Public Hearing held at the **Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C., on December 13, 2022**, commencing at **5:00 p.m.**

District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022

Application Number: RZ22-02

Applicant: Icon Developments Ltd.

Location: 1683 Larch Road **Legal Description:** Lot B, District Lot 282, Clayoquot Land District, Plan VIP77503

Purpose: In general terms, the purpose of this bylaw is to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013 by allowing a standalone Multiple Family Residential use to occur within the front half of the subject property plus Multiple Family Residential and Resort Condo uses only to occur within the rear half of the subject property. The proposed bylaw would also allow an increase to the maximum Floor Area Ratio from the 0.35 currently allowed to 0.616, for a proposed 8-unit condo and townhouse development.

Site Map



Development Variance Permit DVP22-07

Location: 1683 Larch Road **Legal Description:** Lot B, Plan VIP77503, District Lot 282, Clayoquot Land District

Purpose: In general terms, the purpose of this application is to allow a minimum parking area maneuvering aisle width of 6m, whereas section 504.3 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013, requires a minimum of 7.5m.

District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022

Application Number: RZ22-07

Applicant: Nicola Buston & Parker Jackson

Location: 327 Pass of Melfort **Legal Description:** Strata Lot 20, Section 1, Clayoquot Land District, Strata Plan VIS5896

Purpose: In general terms, the purpose of this application is to amend District of Ucluelet Zoning Bylaw No. 1160, 2013 by allowing a Floor Area Ratio of 0.51 whereas section R-4.3.2 (1) specifies a maximum Floor Area Ratio of 0.35, for a proposed 31m² (336 ft²) addition to the existing house on the subject property.

Site Map



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

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

Drop-off at the District Office
200 Main Street
Ucluelet B.C.

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

Email
communityinput@ucluelet.ca

Attend the Public Hearing in-person or by Zoom: **Attend In-person**
Ucluelet Community Centre,
500 Matterson Drive, Ucluelet B.C.

Attend by Zoom and Telephone
To attend by zoom or telephone please visit the upcoming public hearings and bylaw notice section of the District of Ucluelet web page:
<https://ucluelet.ca/community/district-of-ucluelet-council/public-hearings>

If you plan to attend in-person, we ask that you follow all current [Provincial Health guidelines and protocols](#).

If you cannot access this web page or need more information on how to participate, please visit the District Office or contact the Corporate Services Department at 250-726-7744. Please also note that Public Hearings are also live streamed on the District of Ucluelet’s YouTube Channel.

Review the application: The applications, bylaws, permit and other relevant materials may be inspected at the District of Ucluelet office at 200 Main Street from the date of this notice, until the Public Hearing, between regular office hours.

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



REPORT TO COUNCIL

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

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT

FILE NO: 3360-20 RZ22-07

SUBJECT: ZONING AMENDMENT FOR 327 PASS OF MELFORT

REPORT NO: 22-154

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

RECOMMENDATION(S):

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

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

BACKGROUND:

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

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

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

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



Figure 1– Subject Site

DISCUSSION:

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



Figure 2 - Proposed addition photo

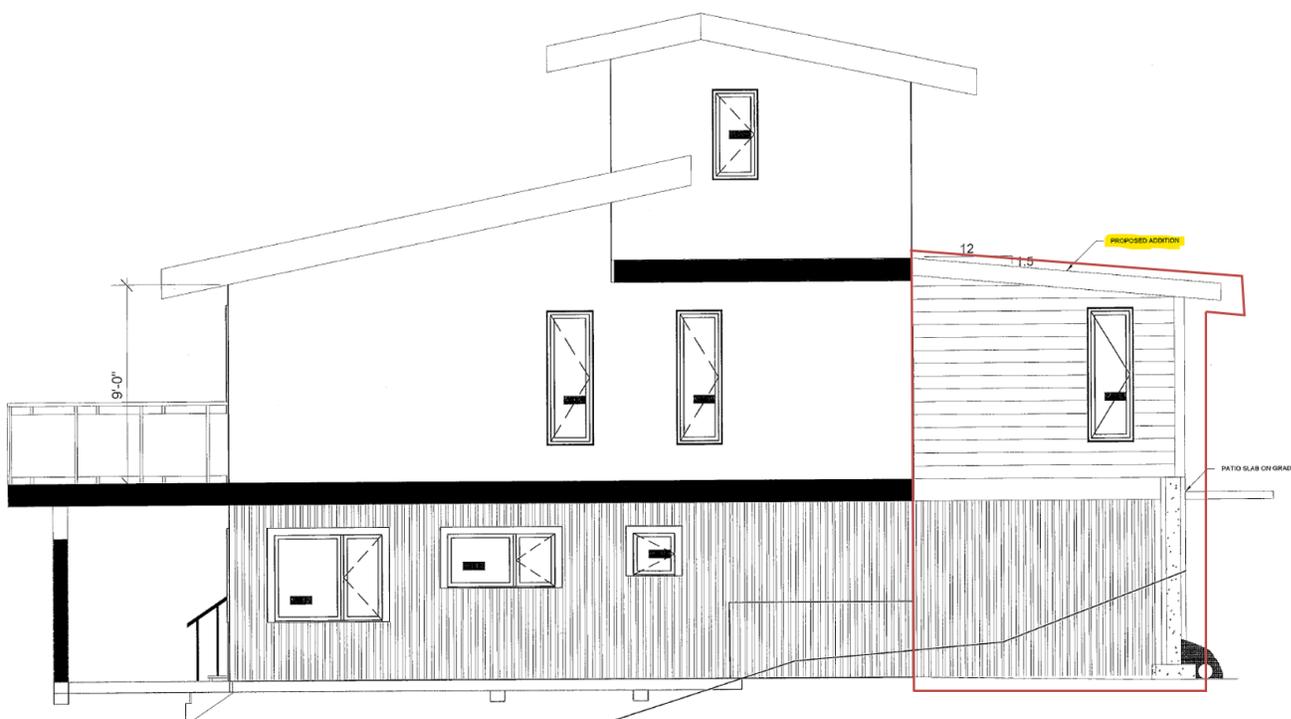


Figure 3 - Proposed addition

ANALYSIS OF OPTIONS

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

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

NEXT STEPS:

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

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

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, November 15, 2022 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson and Hoar
 Staff: Duane Lawrence, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 Joseph Rotenberg, Manager of Corporate Services
 Monica Whitney-Brown, Planning Assistant
 Samantha McCullough, Executive Assistant

Regrets: Councillors Kennington and Maftei

1. CALL TO ORDER

The meeting was called to order at 4:01 PM on November 15, 2022.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

3.1 November 15, 2022, Regular Council Meeting Agenda

2022.2203.REGULAR *It was moved and seconded **THAT** agenda Item 5. "Unfinished Business" be replaced with "Public Input".*

CARRIED.

2022.2204.REGULAR *It was moved and seconded **THAT** the November 15, 2022 council meeting agenda be approved as amended.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 October 6, 2022, Regular Minutes

The word "site" was misspelled on page seven of the minutes.

2022.2205.REGULAR *It was moved and seconded **THAT** the October 6, 2022 Regular Minutes be adopted as amended.*

CARRIED.

5. Public Input

Randy Oliwa, 1150 Rupert Road, President of Pac Rim Home Cooperative. He outlined the Cooperative's mandate, their proposal, and upcoming important dates including November 30th membership drive wrap-up and December 7 Annual General Meeting.

6. BYLAWS

6.1 Cemetery Bylaw No. 1206 Amendment *Abby Fortune, Director of Parks and Recreation*

Ms. Fortune presented this report. Ms. Fortune fielded Council questions about impacts on cemetery maintenance.

2022.2206.REGULAR *It was moved and seconded **THAT** Council direct staff to present amendments to District of Ucluelet Cemetery Management Bylaw No. 1206, 2016 to allow non-conforming grave site installations in the lower section of the cemetery.*

CARRIED.

6.2 Ucluelet Garbage Collection and Regulation Bylaw No. 960, 2004 *Abby Fortune, Director of Parks and Recreation*

Ms. Fortune presented this report. Ms. Fortune fielded Council about the bear resistant waste disposal carts.

Council noted concerns related to the outdoor storage of carts and the recommended anchoring system which residents are responsible for implementing.

2022.2207.REGULAR *It was moved and seconded **THAT** Council direct staff to present an amendment to the District of Ucluelet Garbage Collection and Regulation Bylaw No. 960, 2004, to be considered at a future Council meeting, which allows for Bear Resistant Collection Carts to be stored outside provided that the container is anchored to prevent tipping or being dragged away by an adult bear.*

CARRIED.

6.3 Zoning Amendment For 327 Pass Of Melfort *Monica Whitney-Brown, Planning Assistant*

Bruce Greig, Director of Community Planning, presented this report. He noted a typo in Draft Bylaw 1320, 2022 which should be addressed.

Mr. Parker, the Applicant, addressed Council regarding the reasons for FAR expansion.

2022.2208.REGULAR *It was moved and seconded **THAT** Council, with regard to the proposed development at 327 Pass of Melfort Place:*

1. Replace text amendment 1. A in draft District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022, with the following:

“A. Removing Lot 20 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, 22, 24 and 25, all of Section 1, Barclay District, Strata Plan VIS5896.”

CARRIED.

2022.2209.REGULAR *2. It was moved and seconded **THAT** Council give first and second reading to District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022 as amended.*

CARRIED.

2022.2210.REGULAR *3. It was moved and seconded **THAT** Council direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022.*

CARRIED.

6.4 Zoning Amendment Bylaw No. 1309 – 604 Rainforest Drive Bruce Greig, Director of Community Planning

Mr. Greig presented this report.

2022.2211.REGULAR *It was moved and seconded **THAT** Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1309, 2022 and authorize the Director of Community Planning to execute and issue Development Permit 22-04.*

CARRIED.

6.5 Zoning Amendment and Development Permit For 1683 Larch Road John Towgood, Municipal Planner

Bruce Greig, Director of Community Planning, presented this report. Mr. Greig fielded Council questions related to garbage, fire truck access, and the construction of a zero overhang building.

The Applicant was invited to speak but was not in attendance at the meeting.

2022.2212.REGULAR *It was moved and seconded **THAT** Council, with regard to the proposed development at 1683 Larch Road:*

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

CARRIED.

7. REPORTS

7.1 Business License for Mobile Vendor at 1708 Peninsula Road *Monica Whitney-Brown, Planning Assistant*

Ms. Whitney-Brown represented this report. She addressed Council questions related to the number of businesses permitted to operate on site. Bruce Greig, Director of Community Planning addressed questions about access to garbage disposal facilities.

The Applicant was not available to speak.

2022.2213.REGULAR *It was moved and seconded **THAT** Council approve the issuance of a mobile vending business license for Nuglife Food Truck to be operated at 1708 Peninsula Road, Lot 1, Plan VIP5190, Clayoquot District, subject to the conditions in Appendix A, attached to staff report No. 22-152.*

CARRIED.

7.2 Environmental Development Permit For 384 Marine Drive *Monica Whitney-Brown, Planning Assistant*

This report was presented by Ms. Whitney-Brown. The Applicant and property owners' Agent, Doug Cole of 16802 3rd Ave. La Conner, Washington, USA, addressed questions related to the location of the retaining wall vis a vis the riparian zone, the location of the proposed home and history of the property.

2022.2214.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Development Permit DP22-12 for the property at 384 Marine Drive to allow subdivision and construction of a single-family dwelling on a lot within a Marine Shoreline and Riparian Development permit area.*

CARRIED.

7.3 BC Active Transportation Grant Funding Request *Donna Monteith, Chief Financial Officer*

Ms. Monteith presented this report. Council noted their support for the project.

2022.2215.REGULAR *It was moved and seconded:*

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

CARRIED.

8. NOTICE OF MOTION

There were no notices of motion.

9. CORRESPONDENCE

9.1 The Moorage Street Parking Signage and Enforcement *Christine Brice, Strata Manager | Ardent Properties INC.*

Council discussed this correspondence item and request for increased yellow curbing.

2022.2216.REGULAR *It was moved and seconded THAT Staff provide a report about options for Ardent Properties.*

CARRIED.

9.2 District of Ucluelet - Request to Present on Social Issues & Solutions in Your Community and United Way British Columbia Local Impact *Michael McKnight, President & CEO, United Way British Columbia | Lower Mainland*

2022.2217.REGULAR *It was moved and seconded THAT Council direct Staff to invite the United Way British Columbia to become a delegation a future council meeting.*

CARRIED.

9.3 Adoption Awareness Month *Honourable Mitzi Dean MCFD*

9.4 Aquaculture Update from DFO - Net Pen Transition Plan Engagement Session- November 25, 2022 *AVICC*

Mayor McEwen, Councillor Hoar, and Councillor Anderson intend to attend this meeting.

10. INFORMATION ITEMS

10.1 2022 Election Report *Joseph Rotenberg, Chief Elections Officer*

10.2 New Online Course to Support Responsible Conduct *Nathan Cullen, Minister of Municipal Affairs Jen Ford, President, UBCM*

Corrie Griffiths, President, LGMA

11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

11.1 Councillor Shawn Anderson

11.2 Councillor Jennifer Hoar

Deputy Mayor, November 1 - December 31, 2022

November 11 - attended Remembrance Day service in Victoria

11.3 Councillor Ian Kennington

11.4 Councillor Mark Maffei

11.5 Mayor Marilyn McEwen

Mayor McEwen noted upcoming events including:

- November 25 - Midnight Madness
- November 26 - Christmas Market
- November 27 - Tedd Eeftink's Celebration of Life

Mayor McEwen attended the following meetings:

- November 8 - met with MLA Osborne to discuss how the MLA's office can support the District of Ucluelet.
- November 9 - Barkley Community Forest Meeting
- November 9 - ACRD Inaugural Board Meeting
- November 11 - Remembrance Day Ceremony
- November 14 - Met with the RCMP to discuss the skillset of a new Sergeant to be hired

12. QUESTION PERIOD

There were no questions.

13. ADJOURNMENT

The meeting was adjourned at 5:15 PM on November 15, 2022.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, November 15, 2022 at 4:00 pm in the Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor



REPORT TO COUNCIL

Council Meeting: December 13, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF PARKS AND RECREATION **FILE NO:** 3900-25
SUBJECT: CEMETERY MANAGEMENT AMENDMENT BYLAW NO. 1323 **REPORT NO:** 22- 169
ATTACHMENT(S): APPENDIX A - DISTRICT OF UCLUELET CEMETERY MANAGEMENT AMENDMENT BYLAW 1323, 2022

RECOMMENDATION(S):

THAT Council adopt the District of Ucluelet Cemetery Management Amendment Bylaw No. 1323, 2022.

BACKGROUND:

Staff received a request for the installation of a raised memorial within the lower cemetery that would match an existing memorial. The current bylaw prohibits the installation of raised memorials throughout the cemetery to allow for easier maintenance of the site. In consideration of the request staff presented a report to Council to consider amending the cemetery management bylaw to allow for raised memorials on burial sites in the lower cemetery that had existing raised memorials.

Council directed Staff at the November 15, 2022, regular meeting to prepare an amendment with respect to allowing raised memorials on burial sites adjacent to existing burial sites with raised memorials. On November 29, 2022, Council gave three readings to Bylaw No. 1323, 2022.

ANALYSIS OF OPTIONS:

The proposed amendments to the Cemetery Management Bylaw would allow for the installation of raised memorials within newly defined 'family lots' provided a raised memorial is in place prior to December 1, 2022. A family lot would include existing, purchased lots, that are adjacent to one another and designated for immediate family members.

A	Adopt Bylaw 1323	<u>Pros</u>	<ul style="list-style-type: none"> Allows for families with multiple lots that have raised memorials, to match those memorials for future interments. Limits new raised memorials to only those lots that have existing raised memorials in an adjacent lot.
		<u>Cons</u>	<ul style="list-style-type: none"> Community members with lots in the lower cemetery without raised memorials may question why they can not also have a raised memorial.
		<u>Implications</u>	<ul style="list-style-type: none"> Slight increase in maintenance time needed to edge around raised memorials.

DISTRICT OF UCLUELET

Bylaw No. 1323, 2022

A bylaw to amend District of Ucluelet Cemetery Management Bylaw No. 1206, 2016

WHEREAS Council has the authority under the Local Government Act and Cremation, Internment and Funeral Services Act to provide for the regulation, operation, and maintenance of the Municipal Cemetery;

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

Citation

1. This bylaw may be known and cited for all purposes as the "District of Ucluelet Cemetery Management Amendment Bylaw No. 1323, 2022".

Amendments

2. The "District of Ucluelet Cemetery Management Bylaw No. 1206, 2016" shall be amended by:

- a. inserting under Section 2: Definitions

Family Lots means two or more adjacent interment sites owned by a Family Member.

- b. amending Section 36:

From: Ground Interment Memorials, including those for cremation Lots, shall be installed flush with the ground.

To: Ground Interment Memorials, including those for cremation Lots, shall be installed flush with the ground, *excluding Family Lots within the lower cemetery that have existing raised Memorials as of December 1, 2022.*

READ A FIRST TIME this 29th day of **November, 2022.**

READ A SECOND TIME this 29th day of **November, 2022.**

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

ADOPTED this ** day of ***, 20**.

CERTIFIED CORRECT; "District of Ucluelet Cemetery Management Amendment Bylaw No. 1323, 2022".

Marylin McEwen
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer



REPORT TO COUNCIL

Council Meeting: December 13th, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT

FILE NO: 3360-20 RZ22-08

SUBJECT: ZONING AMENDMENT FOR 2108 PENINSULA ROAD

REPORT NO: 22-172

ATTACHMENT(S): APPENDIX A – APPLICATION

RECOMMENDATION(S):

THAT Council indicate to the applicant that rezoning the property at 2108 Peninsula Road to permit a tourist accommodation suite would not align with community needs, and direct staff to work with the applicant to:

1. draft a zoning amendment bylaw to tailor the zoning of the property to allow for the other commercial uses sought by the owner; and,
2. pursue the tourist accommodation use through a temporary-use permit.

BACKGROUND:

The applicant is seeking a rezoning of their property at 2108 Peninsula Road (PID 025926861, Lot 22, Plan VIP76147, District Lot 284, Clayoquot Land District - the “**subject property**”) to allow additional secondary permitted uses on the property, including a secondary suite and a tourist accommodation suite.

The property is currently zoned CD-1 (Eco-Industrial Park). The CD zoning was created in the early 2000’s and this property formed part of the Forbes Road development by the Mamook Development Corporation. Analysis of older planning documents and records assessed during a building permit review for the property found that the property use is industrial (CD-1.1.3). Single-family dwelling is a [primary permitted use in this subzone](#).

The applicant previously received a variance to alter the exterior side-yard setback to 3 m and provided a report by a Qualified Environmental Professional confirming the minimal impacts of locating a single-family dwelling within a 30 m setback from the watercourse running through the property. The applicant received both variances for this property through a Board of Variance proceeding in 2014.

The applicant has an open building permit, approved in 2020, to build a modest single-family dwelling, with an internal workshop and a secondary suite.

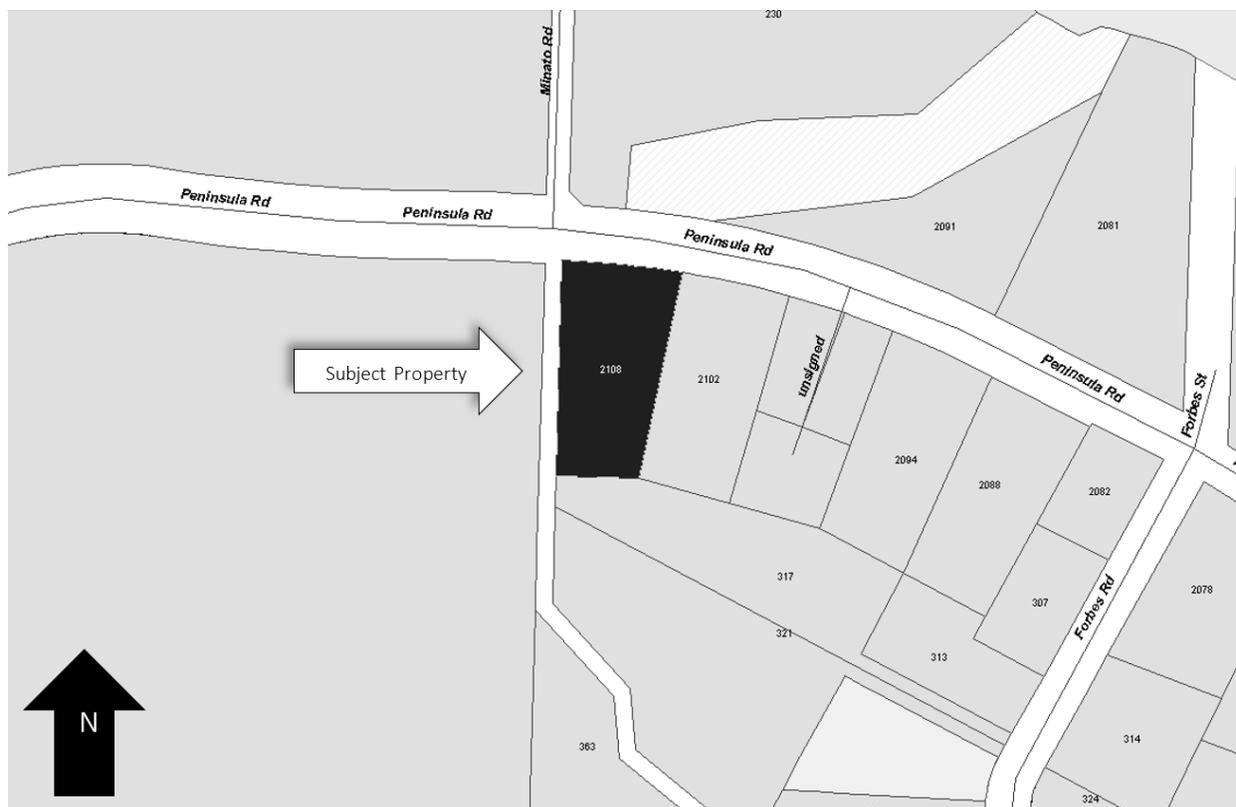


Figure 1– Subject Property

DISCUSSION:**Site Context and Applicant Intention:**

This property has a variety of unusual characteristics which make it unique in the District of Ucluelet. The industrial zoning allows a wide variety of light to medium industrial uses, which could include a service station, auto repair shop or heavy equipment display. However, the property has a fish-bearing stream running directly through it, making it a less suitable site for these types of uses (Figure 2). The applicant has taken additional precautions to protect the watercourse and would seek to ensure any further development of their site is particularly attentive to environmental best practices for a fish-bearing watercourse.

The zoning regulations apply to the subject property as a corner lot with *external* side-yard setbacks because it borders a District right-of-way on the west. Dedicated at the time of subdivision, this right-of-way may eventually be developed as a trail following the stream corridor (it is too small to be developed for road access).

As the property is surrounded by largely industrial and commercial uses, the desired mixed-use zoning with an addition of a tourist accommodation suite and maintenance of other industrial and residential uses may have less impact to the neighbours than if this property were in a residential zone. It also has frontage on Peninsula Road, the main commercial thoroughfare of Ucluelet. This site context may mean it is suitable for a unique spot zone.

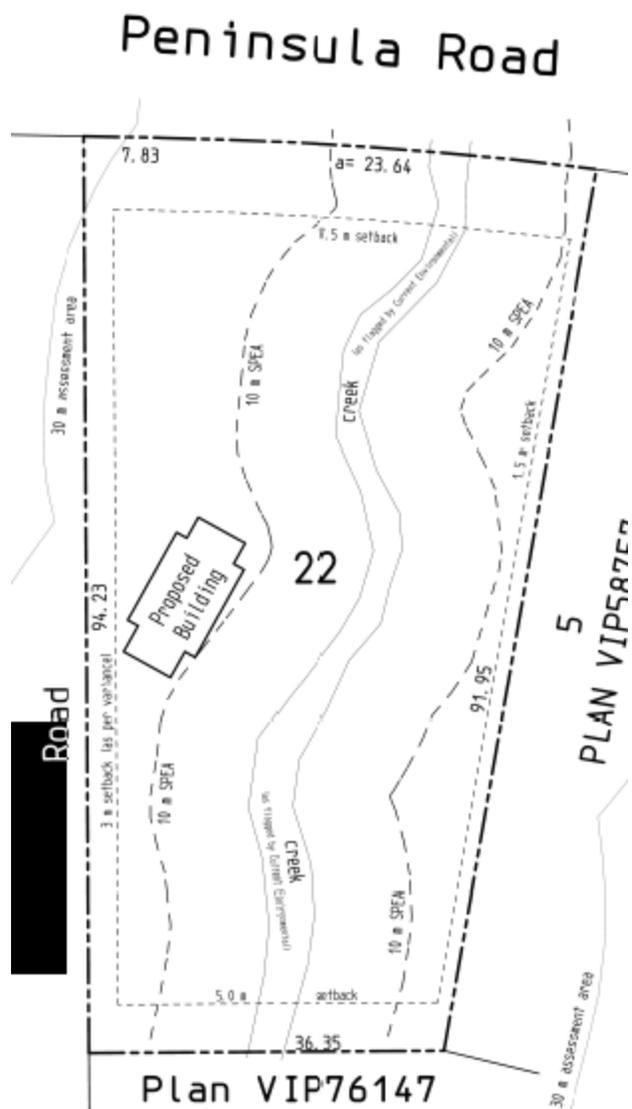


Figure 2 - Site plan

The applicant currently has a building permit for a single-family dwelling, with a secondary suite and a workshop. The applicant has indicated that as a long-term resident in town, they wish to be able to provide a long-term housing unit to the community, recognizing the challenges in Ucluelet regarding this type of housing. The current housing situation in Ucluelet makes the addition of long-term rental suites desirable.

However, the applicant has indicated that rising construction costs and other factors have made the construction of this long-term suite considerably more expensive than originally contemplated. They are seeking a rezoning to allow them to also build a tourist accommodation suite to help offset the costs of the long-term suite, which would only be permitted to operate if the long-term suite is occupied.

This tourist accommodation suite would be beside the secondary suite, located in the area labelled as workshop in their original building plan, and be separate from the main house, with a separate, external

access. In addition, they are seeking to retain some light industrial uses to allow a cabinet-making shop and small jewellery studio to operate on the property.

Short-Term Rentals:

The occurrence and proliferation of short-term rentals within residential zones has been the topic of significant community debate, Council scrutiny and policy development over the past few years. The Official Community Plan (2020) outlines in the Short-term Housing Action Plan ([Policy 3.131](#)) a number of policies, including amending the bylaw to prioritize long-term tenancy and restrict the growth and scope of short-term rentals.

The OCP also has a policy to commission a community housing needs assessment report, which was completed in December, 2021. The [Report](#) found that growth in STRs was impacting local rental availability and housing prices. It included recommendations for priority actions including restricting zones in which STRs are permitted, amending zoning to permit new STRs only through temporary use permit, or permitting only a certain number of STRs at any given time.

In response to the preliminary findings of the housing assessment, Council adopted a [resolution](#) in September, 2021 to prioritize long-term residential housing and slow and contain the proliferation of short-term vacation rentals within residential neighbourhoods. Residential rezonings which have taken place in the wake of these Council decisions have largely removed B&B uses as a permitted secondary use on rezoned residential properties (e.g.: Lot 16 development, Minato Bay development).

After two public hearings, Committee of the Whole meetings, and Council discussions in the Spring and Summer of 2022, Council adopted a bylaw amendment in September 2022 which made changes to the definition and regulations for Bed & Breakfast uses on lands in single-family residential zones. In broad terms the new bylaw clarifies the definition for Bed and Breakfast uses, constraining them mostly to traditional form Bed and Breakfast rooms and removing provisions which allowed for the creation of separate, externally-accessed tourist accommodation suites. These regulations were intended to limit the development of new tourist accommodation suites.

Based on these guiding documents and previous Council decisions, a rezoning to add an additional tourist accommodation suite in a single-family dwelling would not be consistent with previous direction. The recommended motion instead is to direct the applicant to work with staff to pursue a rezoning which is more consistent with the Official Community Plan and other documents, and pursue the tourist accommodation suite use through a temporary use permit (TUP).

Safety Considerations:

One of the issues staff have recognized with the proliferation of externally accessed, separate tourist units is the impact on code-related safety measures. In form and function, these units are most similar to a hotel or motel room. However, hotel or motel uses require higher safety measures such as fire resistance rating than rooms in single-family dwelling do. Application of the BC Building Code is clear for what is required in a hotel and motel, and clear on requirements for a secondary suite, but the tourist accommodation suite units are not well defined, and therefore not as clear for code application.

In applying the building code to tourist accommodation suites, District of Ucluelet building officials have found that while some applicants are willing to provide the higher life-safety precautions required by hotel rooms, it is not a code requirement if considered part of a single-family dwelling. Houses with these types of units are interpreted as a single-family dwelling, assuming the lowest level of risk associated with residential use. Unlike a normal single-family dwelling with bedrooms used for a B&B, tourist commercial suites have unrelated parties occupying a separate suite without oversight from hosts. This means that guest suites have many of the same risks as hotel rooms, without guaranteeing the same safety precautions and requirements.

If Council wishes to proceed with a rezoning to allow a tourist commercial accommodation suite, Option B recommends that a covenant be established on the property to ensure that the tourist commercial accommodation suite be built to the same BC Building Code standard as motel rooms, to ensure user safety moving forward.

Temporary Use Permits: a path to Short-Term Rental uses?

Temporary Use Permits (**TUPs**) are a tool available to all residents in Ucluelet to pursue a short-term nightly rental use on a property when it is not otherwise supported by their underlying zoning. TUPs can be for up to 3 years, with the ability to renew for three additional years. TUPs offer a great deal of flexibility and can be adapted to the applicant's unique situation.

A benefit of this process for residents is that TUPs involve a public notice component, allowing community members who would be affected by the use to raise their concerns. This gives a voice to Ucluelet residents to help guide Council decisions on what uses are suitable in their neighbourhood. The use can be pursued and operated according to the wishes of the applicants but would not be "permanently" allowed by zoning, and therefore would not automatically continue should the property be sold. This may also discourage housing speculation for short-term rental investments. This speculative purchase of housing units for investment purposes has been a factor in rising property values and competition which makes it increasingly difficult for purchase property in Ucluelet.

The use of TUPs for short-term rentals is becoming a common practice in other BC municipalities. [Sun Peaks Mountain Resort Municipality](#) has recently adapted their approach to short-term rentals, and now only permits them through TUP. Squamish-Lillooet Regional District, Sechelt, some Gulf Islands and other municipalities also use TUPs to help regulate and manage short-term nightly rentals in their communities.

ANALYSIS OF OPTIONS:

A	Reject the addition of a tourist accommodation use in the zoning, and instead direct staff to draft a bylaw to achieve other applicant goals and pursue a tourist accommodation suite through temporary-use permit.	<u>Pros</u>	<ul style="list-style-type: none"> • Consistent with the OCP and Housing Needs Study recommendations. • Consistent with recent changes to short-term rentals in the Zoning Bylaw No. 1160. • Does not add any additional short-term rentals in a single-family dwelling. • No additional tourist traffic on this site, minimal use changes for neighbouring properties.
		<u>Cons</u>	<ul style="list-style-type: none"> • Would not allow the applicant to have all their desired uses. • May reduce the applicant's ability to complete a long-term rental suite on their property.
		<u>Implications</u>	<ul style="list-style-type: none"> • Staff time required to revise the application, draft bylaw and follow-up report.
B	Direct Staff to draft a bylaw to allow the uses on the subject property as requested and explore mechanisms to ensure a suitable level of life-safety requirements for any suites.	<u>Pros</u>	<ul style="list-style-type: none"> • Would allow the applicant to use their property as desired. • Would help ensure a long-term rental unit is built for the community. • Would ensure tourist accommodation unit is built to a level of safety consistent with the use.
		<u>Cons</u>	<ul style="list-style-type: none"> • May be perceived as encouraging rezonings to allow tourist accommodation suite uses in single-family dwelling. • Would not be consistent with the Housing Needs Report recommendations and other guiding documents, or recent rezonings. • Would allow a use which was purposefully removed through Bylaw No. 1310.
		<u>Implications</u>	<ul style="list-style-type: none"> • Staff time required to revise the application, draft bylaw and follow-up report.
		<u>Suggested Motion</u>	<i>THAT Council direct staff to draft a zoning bylaw amending the uses at 2108 Peninsula Road as requested by applicant and explore mechanisms to ensure a suitable level of life-safety requirements for any suites.</i>
C	Direct Staff to draft a bylaw to allow the uses on the subject property as requested	<u>Pros</u>	<ul style="list-style-type: none"> • Would allow the applicant to use their property as desired. • Would help ensure a long-term rental unit is built for the community.
		<u>Cons</u>	<ul style="list-style-type: none"> • May be perceived as encouraging rezonings to allow tourist accommodation suite uses in single-family dwelling. • Would not be consistent with the Housing Needs Report recommendations and other guiding documents, or recent rezonings. • Would allow a use which was purposefully removed through Bylaw No. 1310. • Would not ensure the tourist accommodation suite is built to a higher level of safety consistent with its use.

		<u>Implications</u>	<ul style="list-style-type: none"> Staff time required to revise the application, draft bylaw and follow-up report.
		<u>Suggested Motion</u>	<i>THAT Council direct staff to draft a zoning bylaw amending the uses at 2108 Peninsula Road as requested by applicant.</i>
C	Reject the application.	<u>Pros</u>	<ul style="list-style-type: none"> Would not result in a larger building than was originally permitted on the property.
		<u>Cons</u>	<ul style="list-style-type: none"> The applicant will not be able to build their desired addition.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed to public hearing. No further input from Staff. Public hearing fee would be returned to applicant.
		<u>Suggested Motion</u>	<i>That the application associated with RZ22-08 for 2108 Peninsula Road be rejected.</i>

NEXT STEPS:

Should Council direct it, staff would draft a bylaw to allow the applicant’s desired uses on the subject property, and bring the draft Temporary Use Permit forward for Council’s consideration at a future date.

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

District of Ucluelet

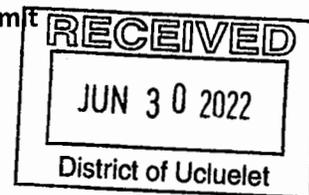
Planning Department
200 Main Street, Ucluelet, BC
VOR 3A0, P.O. Box 999
tel 250-726-4770 fax 250 726 7335

Development Application

Type of Application

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

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



Description of Property

Civic Address (es): 2108 Peninsula Rd. Ucluelet B.C.
 Legal Description: Lot 22 Plan VIP76147 Block _____ Section _____ DL _____

Applicant Information

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

Applicant name: Shane Hilder Company name: _____
 Mailing address: 2108 Peninsula Rd _____ Postal Code: VOR 3A0
 Tel: _____ Cell: _____
 Email: _____ Fax: _____

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

Applicant Signature: [Signature] Date: June 30, 2022

Registered Owner(s)

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

Registered Owner (s) name: Same As Above
 Mailing address: _____ Postal Code: _____
 Tel: _____ Cell: _____
 Email: _____ Fax: _____

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

Owner Signature: _____ Date: _____

Office Use Only:

Folio No.: <u>181-122</u>	File No.: <u>R722-08</u>	Date: <u>June 30/22</u>	Receipt No.: <u>71414</u>	Fee: <u>\$2200 + 30 = \$2230</u>
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Dear District staff and Council,

I am composing this letter to confirm my intentions to rezone my property from Industrial to Single Family Residential. I have lived on the west coast between Tofino and Ucluelet for over 10 years and have owned this property since 2014.

This property is located on the edge of the Eco-Industrial park along Peninsula Rd. It was originally zoned Industrial but I feel that due to its limited building area, and proximity to a salmon bearing stream that dissects the property, the Industrial use isn't practical. Portions of the Eco-Industrial park development were zoned Single Family Residential and I feel that use is better suited here. I am currently building a single family dwelling on the property and feel that aligns with my intentions and vision with the property. I had previous discussion over a year ago with John Towgood. He confirmed that a better use for the property is Single Family Residential, and a change would be supported by district staff. This is reflected in the updated OCP 2020 as the property is shown as Single Family not Industrial. I have had the intention to re-zone to Single Family for over a year after my discussions with John in April 2021.

I am building a 1400 sqft single family home above, with a 500 sqft basement suite, and a 500 sqft workshop below. The build is still 2 years from completion, as it is a complicated timber frame design, and I am the only builder on site most days. It would be my ideal scenario to eventually convert the workshop space into an additional rental unit for short term use, while still maintaining a full time tenant in the suite beside. I would like to contribute to the local community and provide full time accommodation to a community member. While at the same time having a much needed mortgage help with a B&B suite. As the cost of construction is skyrocketing, and the prospects of starting a family are becoming more likely, this would be a huge help for my partner and I to afford to stay in the community. I'm aware this isn't currently within the zoning but I feel this scenario allows for owners to feel they are contributing locally, while still getting the much needed financial support of a B&B suite while raising a family, or paying for the high cost of construction and living on the coast. I can provide ample off-street parking for all units. Either way, I am happy to conform to the local bylaws of single family, I would hope my ideal situation could be achieved through future bylaw changes or variance applications.

Please reach out if you have any additional questions. I appreciate your consideration in my application and look forward to further discussions.

Be well, Shane Hilder

Site Plan of:

Lot 22, District Lot 284

Clayoquot District, Plan VIP76147

Parcel Identifier: 025-926-861

SCALE - 1 : 600



All distances are in metres and decimals thereof

(plot on 8.5" x 11" sheet)

The following non-financial charges are shown on the current title and may affect the property

EHS1473 - Covenant

EHS1474 - Covenant

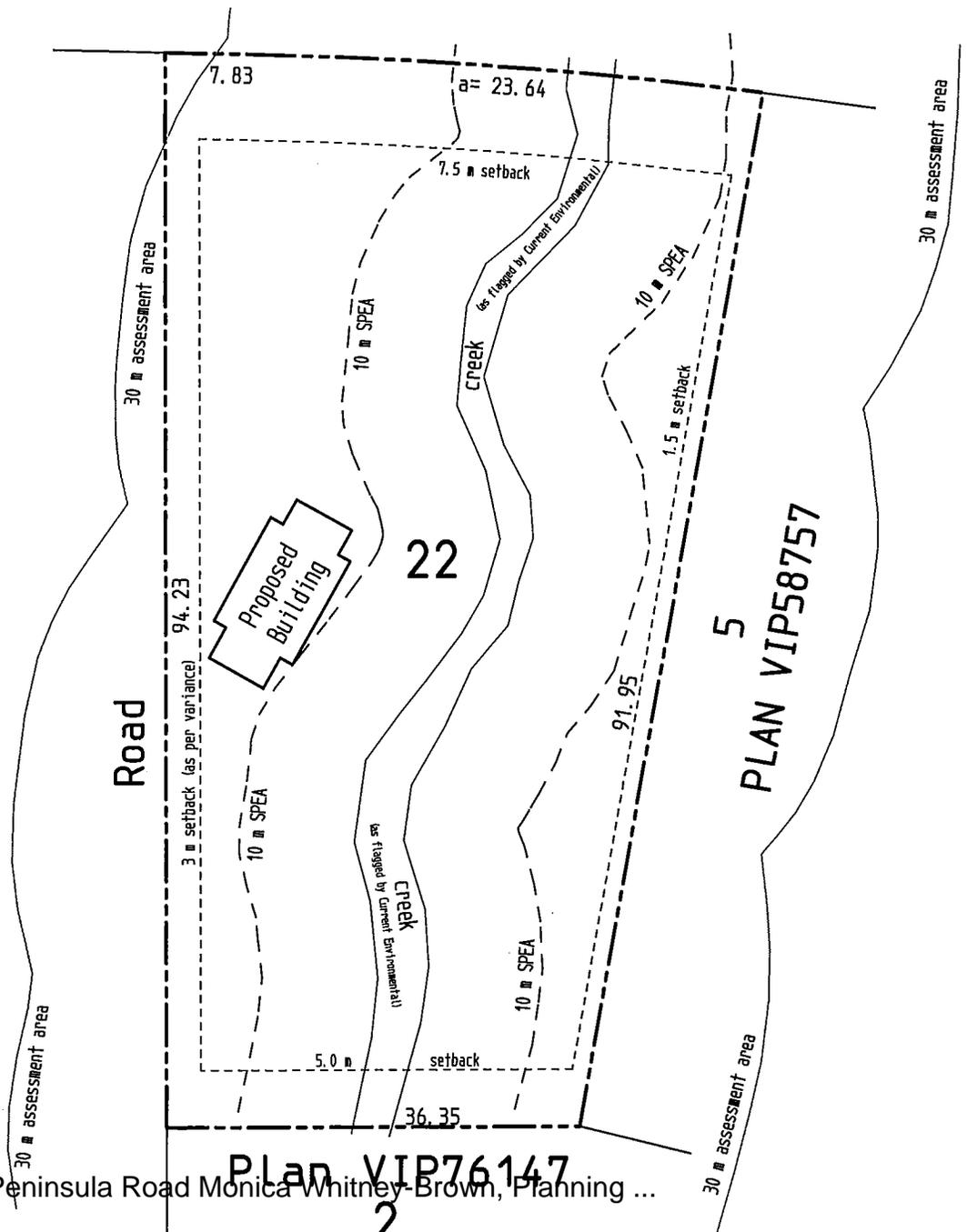
EG25117 - Covenant

EX6444 - Statutory Building Scheme

Parcel dimensions shown hereon are derived from Land Title Office records.

FILE: 116-Peninsula
DWG/DATE: 2020-05-03
AG Surveys
545 - 110 Marine Drive Ucluelet, BC V0R 3A0 phone (250) 266-4536

Peninsula Road





REPORT TO COUNCIL

Council Meeting: December 13, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT

FILE No: 3060-20 DP22-20

SUBJECT: ENVIRONMENTAL DEVELOPMENT PERMIT FOR 1239 SUNSET POINT ROAD

REPORT No: 22-171

ATTACHMENT(S): APPENDIX A – APPLICATION
APPENDIX B – DEVELOPMENT PERMIT 22-20

RECOMMENDATION(S):

THAT Council authorize the Director of Community Planning to execute and issue Environmental Development Permit DP22-20 for the property at 1239 Sunset Point Road to allow the construction of a single-family dwelling on a lot designated within a Marine Shoreline development permit area.

BACKGROUND:

This environmental Development Permit (DP) application was received November 10, 2022, for the property located at 1239 Sunset Point Road (PID 026047837, Strata Lot 3, Plan VIS5628, District Lot 281, Clayoquot Land District - the “**subject property**”). The applicant is planning the construction of a 316m² (3,400 ft²) single-family dwelling, and a set of stairs on the site’s vegetated slope leading to a 9m² (98 ft²) deck on a vegetated outcrop (see **Figure 2**). A small bridge is proposed to connect the stairs and the deck. In addition, the applicant intends to provide site drainage through an engineered drainage pipe beneath the stairs which would discharge to the lower area onto bedrock to minimize any soil erosion or ground disturbance on the slope.

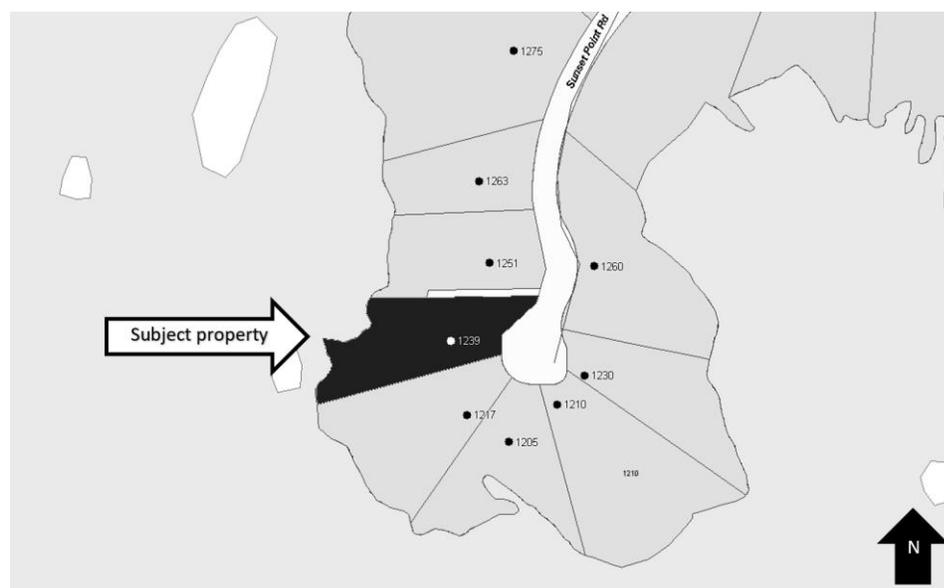


Figure 1- Subject Property

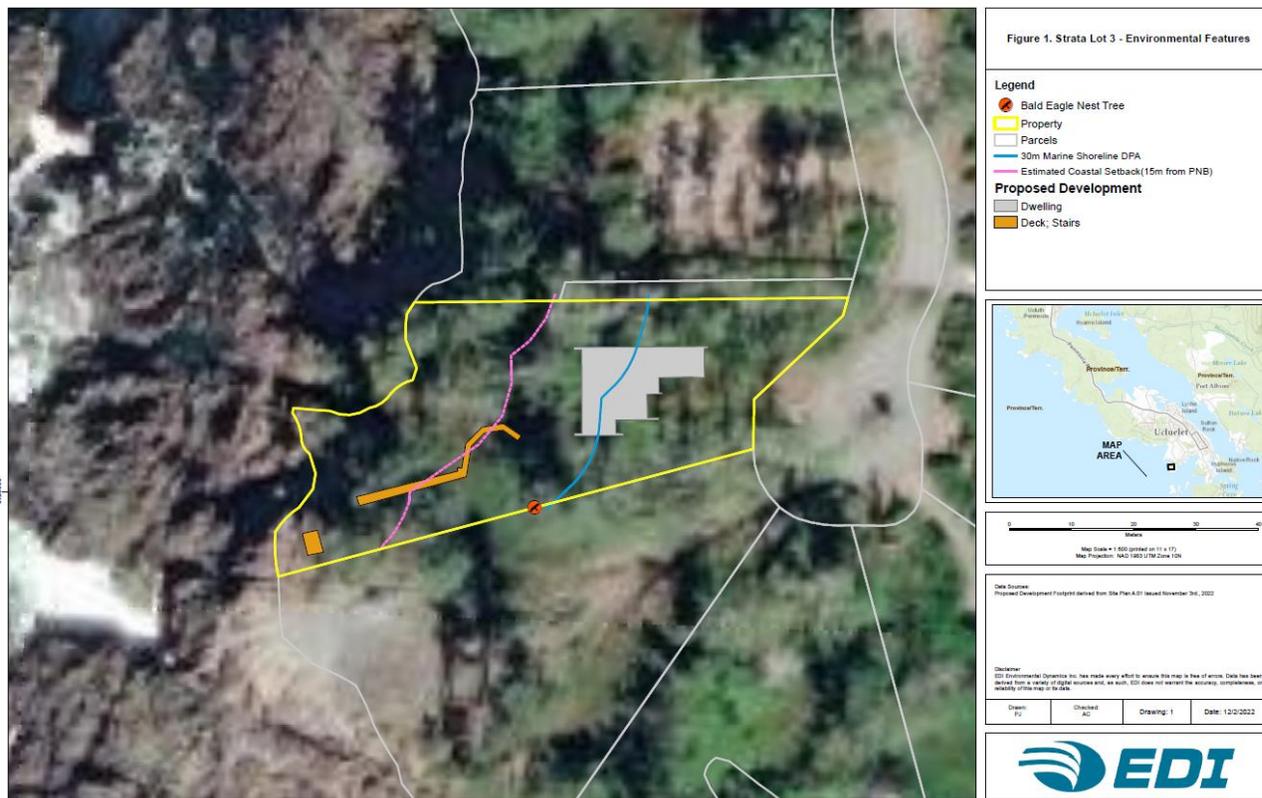


Figure 2 Site Plan

Development Permit Area VII (Marine Shoreline)

The subject property falls within the Official Community Plan’s “*Environmental Development Permit Areas*”. The Marine Shoreline DP area is designated as all land within 30m above and below the natural boundary of the sea.

DISCUSSION:

This application is for a single-family dwelling on Sunset Point on a lot designated within the Marine Shoreline environmental DP area (**figure 3**). The applicant has retained a Qualified Environmental Professional (QEP) to prepare a report on the environmental considerations of the site and develop recommendations to guide development. The QEP concludes that “the nature and extent of proposed development has limited potential to cause harm to environmentally sensitive areas” as long as their recommended mitigation measures are followed “to avoid causing negative impacts to aquatic and marine riparian habitats within and adjacent to the Property”. These recommendations have been compiled by staff into the terms and conditions of this development permit, attached as Appendix B.

Environmental Development Permit Areas are established to guide development and land use to ensure the most sensitive environmental features of a site are protected and ecological functions are not needlessly disturbed by development activities. For all land lying within an Environmental DP area, the applicant must submit a report prepared by a Qualified Environmental Professional (QEP) assessing the site, its natural features and the proposed development - establishing conditions to guide construction to protect and mitigate environmental impacts. Staff draft the associated development permit terms and conditions from the recommendations in the QEP report.

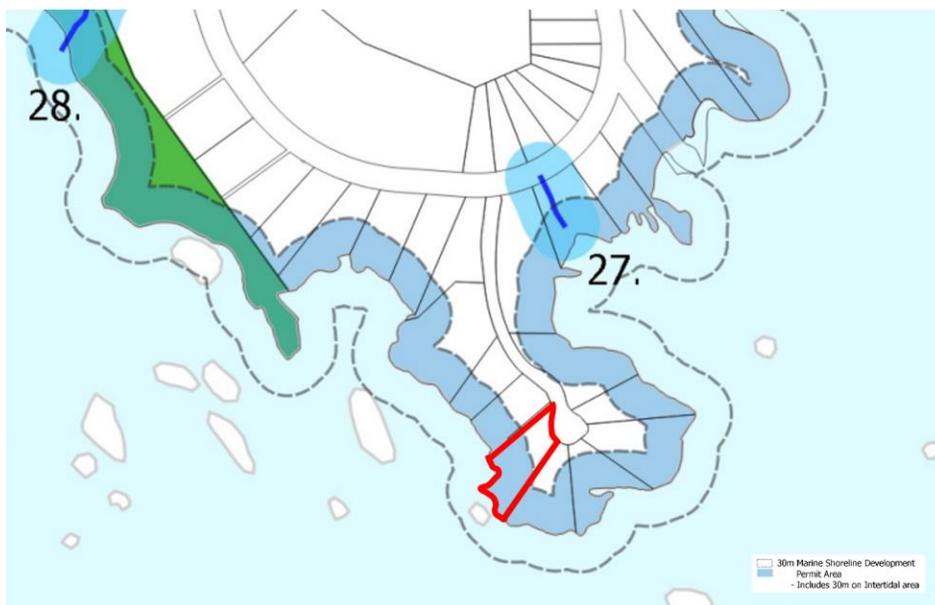


Figure 3- Subject property in Schedule 'E' Environmental Development Permit Area Map

The recommendations of the QEP highlight the importance of avoiding disturbance to the vegetation on the steep slope adjacent to the shoreline. The report also addresses a known nearby eagle nest. The QEP report includes recommendations to follow if eagles are observed in the nest.

ZONING:

The subject property falls within the CD-2A zone and from the information provided the proposed development is consistent with the applicable zoning regulations.

ANALYSIS OF OPTIONS:

A	Authorize the issuance of Development Permit 22-20	<u>Pros</u>	<ul style="list-style-type: none"> Allows applicant’s development to proceed in a manner which a QEP has deemed consistent with the OCP development permit guidelines.
		<u>Cons</u>	<ul style="list-style-type: none"> Development in sensitive environmental areas may occur – though subject to the conditions of the permit.
		<u>Implications</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed.
B	Provide alternative direction	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> THAT Council, with regard to Development Permit 22-20, (<i>provide alternative direction here</i>)
C		<u>Pros</u>	<ul style="list-style-type: none"> This development will not proceed at this time

Reject the application	<u>Cons</u>	<ul style="list-style-type: none"> Does not allow applicant's development to proceed in a manner which a QEP has deemed consistent with the OCP development permit guidelines. Staff would need direction from Council on how to apply the Environmental Development Permit guidelines established in the OCP bylaw and/or make amendments to the DP area guidelines.
	<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed. Additional staff time will be required to follow up with applicant and consultants.
	<u>Suggested Motion</u>	THAT Council reject the application for Development Variance Permit 22-20.

POLICY OR LEGISLATIVE IMPACTS:

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

NEXT STEPS:

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

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

Respectfully submitted:

MONICA WHITNEY-BROWN, PLANNING ASSISTANT

BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

DUANE LAWRENCE, CAO

District of Ucluelet

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

Development Application

Type of Application

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

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

Description of Property

Civic Address (es): 1239 Sunset Point, Ucluelet B.C.
 Legal Description: Lot 3 Plan V155628 Block _____ Section _____ DL 281

Applicant Information

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

Applicant name: Michael Baird Company name: Square One Developments
 Mailing address: Box 497 Ucluelet BC Postal Code: VOR 3A0
 Tel: _____ Cell: 250-266-1415
 Email: mike@squareonedevlopments.com Fax: _____

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

Applicant Signature:  Date: Nov. 10, 2022

Registered Owner(s)

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

Registered Owner (s) name: Square One Developments Ltd.
 Mailing address: PO Box 497, Ucluelet BC Postal Code: VOR 3A0
 Tel: _____ Cell: 250-266-1415
 Email: _____ Fax: _____

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

Owner Signature:  Date: Nov. 10, 2022

Office Use Only:

Folio No.: <u>114.803</u>	File No.: <u>DP 22.20</u>	Date: <u>Nov. 10/11</u>	Receipt No.: <u>72027</u>	Fee: <u>\$300.00</u>
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Nov 10, 2022
Attn: District of Ucluelet

Statement of Intent for 1239 Sunset Point, Ucluelet

- Purpose of this application is to satisfy the District of Ucluelet's requirements for the environmental development permit area
- The property in question is bare land with no current use, and our proposed use is new home residential construction as per CD-2A.1.1 zoning.

Mike Baird
Square One Developments Ltd.

Site Plan of:
**Strata Lot 3, District Lot 281,
Clayoquot District, Plan VIS5628**

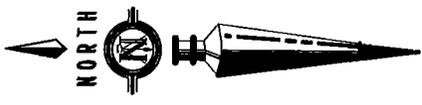
Parcel Identifier: 026-047-837

SCALE - 1 : 500



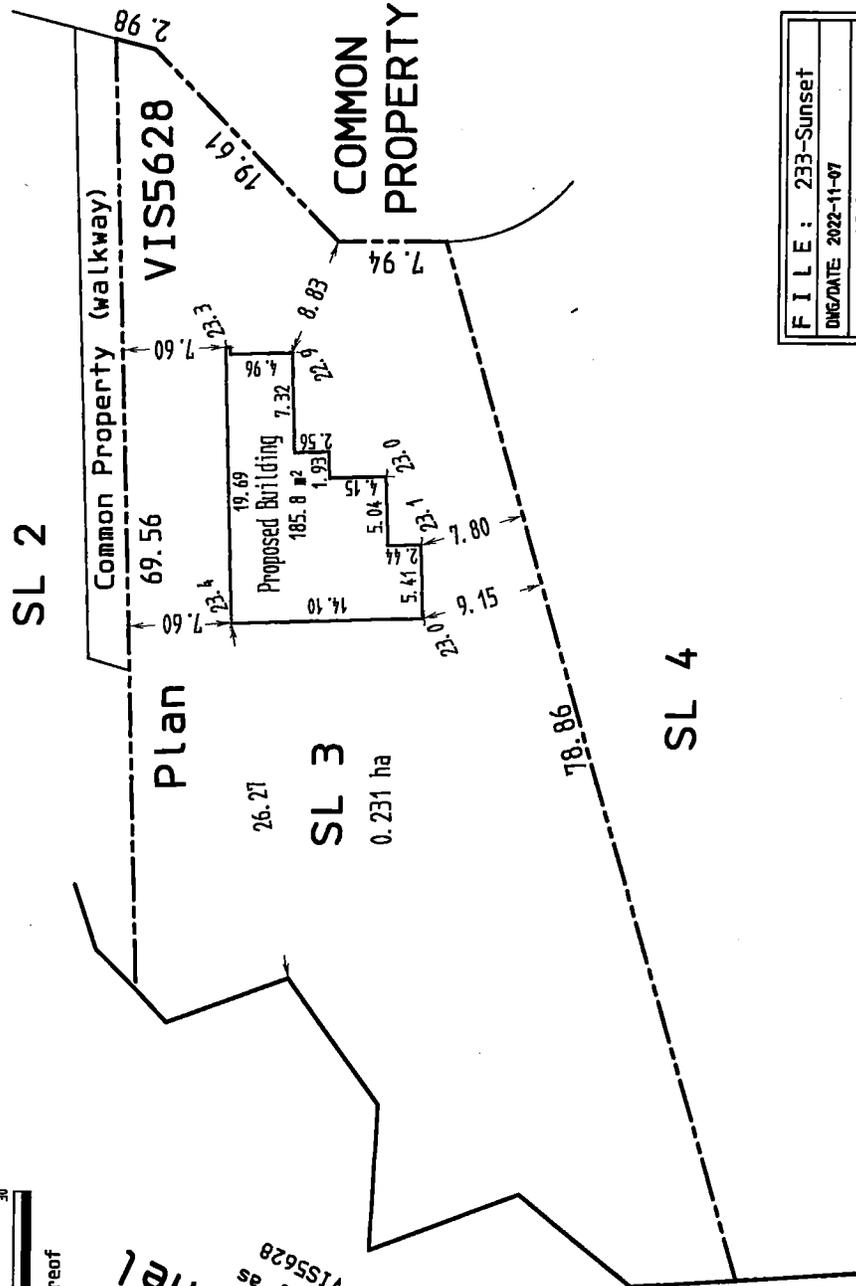
All distances are in metres and decimals thereof
(plot on 8.5" x 11" sheet)

Capoia Channel
natural boundary as
per Plan VIS5628



LEGEND

Elevations are Geodetic (CGVD 2013).
Average Natural Grade of Proposed Building = 23.12M
Proposed Main Floor Elevation = 23.50M
Percentage Lot Coverage of the
Proposed Building = 8.0%



FILE: 233-Sunset
DWG/DATE: 2022-11-07
A6 Surveys
545 - 110 Marine Drive Ucluelet, BC V0R 3A0 phone (250) 266-4536

The following non-financial changes are shown on the current title and may affect the property
 EV150697 - Covenant
 EV154677 - Statutory Building Scheme
 EM58130 - Easement
 EM22663 - Statutory Right of Way
 EM22664 - Statutory Right of Way
 EM26303 - Statutory Building Scheme
 Parcel dimensions shown hereon are derived from Land Title Office records.



DEVELOPMENT PERMIT DP22-20

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

1. This Development Permit is issued to:
Square One Development, PO Box 497, Ucluelet BC, V0R3A0
(The "Owner")
2. This Development Permit applies to, and only to, those lands within the District of Ucluelet described below, and the buildings, structures, and other development thereon:
1239 Sunset Point Road, PID 026047837, Strata Lot 3, Plan VIS5628, District Lot 281, Clayoquot Land District (The "Lands").
3. This Permit authorizes the following improvements on the Lands:
 - a) Construction of a single-family dwelling and associated landscape and hardscape works as shown in the attached site plan (Schedule 1)
4. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of Schedule 2 which is attached hereto and forms part of this permit.
5. In addition to compliance with the requirements of Schedule 2, the permit holder must adhere to all conditions of the Qualified Environmental Professional report in Schedule 3 which is attached hereto and forms part of this permit.
6. Prior to any site disturbance or contractor mobilization, the permit holder must erect fencing or otherwise demarcate the no-disturbance area beyond the top of bank, and contact the District of Ucluelet to arrange a pre-construction inspection.
7. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The Owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
8. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. The Owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
10. Upon completion of all proposed works, the Owner shall provide a letter from a QEP to the District of Ucluelet confirming that the work done under permit was completed meeting the conditions listed below.



- 11. This Permit is NOT a Building Permit.

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

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

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning



Schedule 2 Conditions

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

1. Limit disturbance to riparian vegetation and soils.
 - a. No tree removal or damage to mature trees (>20 cm diameter at breast height) is to occur unless any trees are identified as being hazardous by an ISA certified arborist.
 - b. Use pilings to secure stairs and deck below top of bank so that marine riparian vegetation removal and disturbance is avoided and minimized. Vegetation clearing for deck/stairs shall not extend past the footprint of the deck/stairs and grubbing shall not occur. Vegetation shall only be removed where pilings/footings are required and pruning of limbs and shrubs is the preferred option.
 - c. A QEP will be present when works commence on the sloped area within the DPA and periodically throughout the construction. Visits will be determined by a QEP and coincide with times when key environmental concerns may arise including but not limited to: after heavy rain events where erosion may be an issue, before vegetation clearing during the breeding bird window, or in the case of a hydrocarbon spill.
 - d. Where any wax myrtle occurs within an area to be developed, it should be transplanted when clearing occurs as this species responds well to transplanting.
2. Limit spread of invasive species.
 - a. Remove and dispose of all Scotch broom present within the Property .
 - b. Removal of invasive plants shall be done at the start of construction to avoid accidentally spreading invasive plants, seeds and soils contaminated with seeds.
 - c. Invasive plants must be removed and disposed separately from other vegetation at a landfill that will accept invasive plants.
3. Limit disturbance to nesting Bald Eagles.
 - a. The development site is near a nest, and loud noise associated with construction could disrupt nesting eagles, which could result in nest disturbance/abandonment. If eagles are observed in the nest or in new nests within 100 m of the Property at any time during construction (this year or in future years), the undersigned biologist shall be contacted to provide additional guidance to avoid disturbances that could lead to nest abandonment.
 - b. Should additional clearing (including shrubs) be required during the breeding bird window typically March 1-August 15th a pre-clearing survey shall be completed.
4. Limit generation of suspended sediments.
 - a. Construction activities must not cause the introduction of sediment or sediment laden runoff to enter the marine environment.
 - b. Ensure that no concentrated stormwater or water pumped from the site is directed to the steep slope as this could result in erosion.



- c. During construction, exposed soil stockpiles shall be protected from erosion from rainfall events by covering with poly, tarps or straw mulch or by surrounding with silt fencing.
 - d. Upon completion of construction, exposed soils within 10 m of the steep slope shall be protected from erosion (gravel, grass seed and straw mulch, landscaping, erosion control blankets etc).
 - e. Avoid excavation and other earthworks during or immediately prior to heavy rainfall events (>25 mm in 24h).
5. Limit Hydrocarbon spills.
- a. All machinery and equipment working at and adjacent to the house site will be maintained in good working order and free of fluid leaks.
 - b. All construction machinery will carry oil spill kits.
 - c. All machinery and equipment shall be refueled at least 10 m from the top of bank.
 - d. If any accidental spills occur, they shall be immediately contained, cleaned up and reported to Emergency Management BC: 1 800 663-3456 (if reportable amount/type). Any spill that introduces regulated substances into a watercourse is reportable.
6. Limit Concrete Work Impacts.
- a. Any concrete works at the house site must be conducted such that concrete wash water is not introduced into the marine riparian area or municipal stormwater drains as it can cause elevated pH to levels that can be toxic/deadly to fish and other aquatic organisms.



Schedule 3 QEP Report

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



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

December 02, 2022

EDI Project No: 22N0531

Mike Baird
Square One Developments
1780-b Larch Rd
PO Box 497
Ucluelet, BC V0R 3A0

RE: Environmental assessment for proposed development at Lot 3 Sunset Point Road

INTRODUCTION

EDI Environmental Dynamics Inc. (EDI) has retained by Square One Developments to conduct an environmental assessment for proposed construction of a single-family residence at Lot 3 Sunset Point Road, Ucluelet (the Property). The assessment is required as a portion of the planned development is within the District of Ucluelet’s (the District’s) Marine Shoreline Development Permit Area (DPA VII). This letter report is intended to address the DPA VII guidelines for planned development within 30 m of the natural boundary of the ocean.

SITE CHARACTERISTICS

Background Information

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

Table 1. Summary of Background Information Review

Information Source	Type of Information	Results of Search
Habitat Wizard & Sensitive Habitat Inventory Mapping (SHIM)	Mapped streams, fish observations and stream reports for mapped watercourses. Known occurrences of provincially and federally listed species and ecosystems.	No streams within or near the Property. No known species or ecosystems listed as threatened or rare are known to occur within or immediately adjacent to the study area
Wildlife Tree Stewardship Atlas	Bald Eagle and Osprey nest trees.	No known nests occur within 500 m of the Property. However a well-known unmapped eagle nest occurs on the Property.



Information Source	Type of Information	Results of Search
British Columbia Great Blue Herons Atlas	Great Blue Heron Colonies	No known colonies occur within 500 m of the Property.

Field Observations

The site was visited by the undersigned biologist on October 14, 2022. The west-facing, waterfront Property is located on the west side of Sunset Point Road, which is located along the top of a short peninsula characterized as a narrow bluff extending south from Marine Drive. The proposed development site and building details are depicted on the attached drawings and a physical description of the Property is described in the attached Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. The Property generally consists of two distinct areas:

1. A steep, naturally vegetated slope extending up from the natural boundary.
 - The slope is entirely within the 30 m DPA.
 - Vegetation is dominated by a low understory of dense native shrubs predominately salal and small trees along with a few medium sized coniferous trees sporadically located along the slope, and near the toe of slope.
 - The natural boundary is near the toe of the vegetated slope.
 - An additional vegetated outcrop occurs at the property boundary with the ocean
 - Below the natural boundary, the upper intertidal zone consists of bedrock bluff exposed to the Pacific Ocean.

2. A flat, recently cleared development site extending from Sunset Point Road to near the top of bank.
 - Property boundaries along the north and south sides of the development site contain mature, coniferous trees with a dense shrub understory. Tree species included, Sitka spruce and western hemlock with a dense salal understory and regenerating conifers., and a few blue listed California wax myrtle.
 - The cleared area is partially within the 30 m DPA. The cleared portion of the site is largely devoid of vegetation but has organic soils, with native plants on the edges within the property setback areas.
 - Invasive shrubs have not become established within and beside the recently cleared development site however a single Scotch broom plant is located at the southwest property boundary and an English holly near Sunset Point rd.



Environmental assessment for proposed development at Lot 3 Sunset Point Road
Dec 02, 2022

A Bald Eagle nest is located in a mature Sitka spruce tree on the south property line about halfway along near the top of the slope. The nest tree is within 15 m of the proposed dwelling. This nest was previously reviewed by EDI (formerly Streamline Environmental Consulting Ltd.) in 2010 for a prospective buyer of Lot 2. In 2010, the nest appeared to be active, and the buyer indicated that nesting had been observed there for a couple years. The nest was not active at the time of the current visit, but a pair of Bald Eagles were perched in the nest tree and an adjacent large tree on the north property line at the top of the slope.



Photo 1. Looking west from Sunset Point Road, note large trees along south and north property lines.



Photo 2. Looking north west at vegetated slope below top of bank.



Photo 3. Looking west at vegetated outcrop where planned deck is located, from top of slope.



Photo 4. Looking north east from south west Property boundary towards vegetated slope.



Photo 5. View of Bald Eagle nest.

PROPOSED WORKS

Proposed works are as described in the attached drawings and will include construction of a 3402.5 square foot single family dwelling with a footprint of 2000.5 square feet and a 98 square foot deck. The family dwelling is situated within the flat, cleared development site while the deck is located on a vegetated outcrop in the southwest corner of the property: A set of stairs joining the dwelling and deck are on a vegetated slope and incorporate a bridge to span the area between the slope and outcrop.

- The corner of the dwelling is setback from the top of bank, approximately 21 m from the natural boundary. The remainder of the proposed development is a bit further back from the top of bank but remains within approximately 26 m of the natural boundary.
- The proposed development of the dwelling would not require excavation or disturbance to the naturally vegetated slope below the top of bank. The deck and associated stairs will occur on the vegetated slope and a vegetated rock outcrop below the top of bank.
- Site drainage will occur through an engineered drainage pipe underneath the stairs and discharge to the lower area onto bedrock so as to minimize any soil erosion or ground disturbance.
- The proposed development would not require removal of any mature trees within the 30 m DPA and is unlikely to require removal of any mature trees along the north and south sides of the property.
- The owners have indicated they do not intend to remove any mature trees. Proposed development appears to be at between 5 m - 7 m from adjacent mature trees and is within a cleared area that has limited natural vegetation. The proposed development is therefore unlikely to damage adjacent trees or their roots.



Construction Mitigation Measures

While the nature and extent of proposed development has limited potential to cause harm to environmentally sensitive areas, the following recommended mitigation measures outlined in Table 2 are provided to avoid causing negative impacts to aquatic and marine riparian habitats within and adjacent to the Property.

Table 2. Summary of Primary Potential Impacts of Concern and Recommended Mitigation Measures

Potential Impact	Mitigation Measures
Disturbance to riparian vegetation and soils.	<ul style="list-style-type: none"> No tree removal or damage to mature trees (>20 cm diameter at breast height) is to occur unless any trees are identified as being hazardous by an ISA certified arborist. Use pilings to secure stairs and deck below top of bank so that marine riparian vegetation removal and disturbance is avoided and minimized. Vegetation clearing for deck/stairs shall not extend past the footprint of the deck/stairs and grubbing shall not occur. Vegetation shall only be removed where pilings/footings are required and pruning of limbs and shrubs is the preferred option. A QEP will be present when works commence on the sloped area within the DPA and periodically throughout the construction. Visits will be determined by a QEP and coincide with times when key environmental concerns may arise including but not limited to: after heavy rain events where erosion may be an issue, before vegetation clearing during the breeding bird window, hydro carbon spills. Where any wax myrtle occurs within an area to be developed, it should be transplanted when clearing occurs as this species responds well to transplanting.
Spread of invasive plants.	<ul style="list-style-type: none"> Remove and dispose of all Scotch broom, English holly present within the Property. Removal of invasive plants shall be done at the start of construction to avoid accidentally spreading invasive plants, seeds and soils contaminated with seeds. Invasive plants must be removed and disposed separately from other vegetation at a landfill that will accept invasive plants.
Disturbance to nesting birds and Bald Eagle nest	<ul style="list-style-type: none"> The Bald Eagle nest was inactive at the time of the assessment. It may be used again in future years or new nests could be constructed in nearby trees as the area is suitable for nests. The development site is near the nest, and loud noise associated with construction could disrupt nesting eagles, which could result in nest disturbance/abandonment. If eagles are observed in the nest or in new nests within 100 m of the Property at any time during construction (this year or in future years), the undersigned biologist will be contacted to provide additional guidance (possibly including a mitigation plan) to avoid disturbances that could lead to nest abandonment. Breeding window for Bald Eagles in January 1- August 15. Should additional clearing (including shrubs) be required during the breeding bird window typically March 1-August 15th a pre-clearing survey shall be completed by a QEP.
Generation of suspended sediments.	<ul style="list-style-type: none"> Construction activities must not cause the introduction of sediment or sediment laden runoff to enter the marine environment. Ensure that no concentrated stormwater or water pumped from the site is directed to the steep slope as this could result in erosion. During construction, exposed soil stockpiles shall be protected from erosion from rainfall events by covering with poly, tarps or straw mulch or by surrounding with silt fencing. Upon completion of construction, exposed soils within 10 m of the steep slope shall be protected from erosion (gravel, grass seed and straw mulch, landscaping, erosion control blankets etc.).



Potential Impact	Mitigation Measures
	<ul style="list-style-type: none"> Avoid excavation and other earthworks during or immediately prior to heavy rainfall events (>25 mm in 24h).
Hydrocarbon spills	<ul style="list-style-type: none"> All machinery and equipment working at and adjacent to the house site will be maintained in good working order and free of fluid leaks. All construction machinery will carry oil spill kits. All machinery and equipment shall be refueled at least 10 m from the top of bank. If any accidental spills occur, they shall be immediately contained, cleaned up and reported to Emergency Management BC: 1 800 663-3456 (if reportable amount/type). Any spill that introduces regulated substances into a watercourse is reportable.
Concrete Works	<ul style="list-style-type: none"> Any concrete works at the house site must be conducted such that concrete wash water is not introduced into the marine riparian area or municipal stormwater drains as it can cause elevated pH to levels that can be toxic/deadly to fish and other aquatic organisms.

CONCLUSIONS

Given the site characteristics and the nature and extent of proposed development, it is our opinion that the planned development is unlikely to negatively impact aquatic and marine riparian habitats within and adjacent to the Property, provided that the mitigation measures contained herein are followed.

STATEMENT OF LIMITATIONS

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

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

Yours truly,

EDI Environmental Dynamics Inc.

DISTRIBUTED VIA EMAIL

Pablo Jost, R.P.Bio.
Biologist/Project Manager



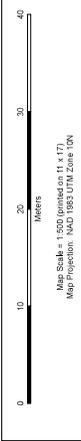
Attachments:

- Figure 1- Environmental Features
- Site Plan
- Geotechnical Hazard Assessment

Figure 1. Strata Lot 3 - Environmental Features

Legend

-  Bald Eagle Nest Tree
-  Property
-  Parcels
-  30m Marine Shoreline DPA
-  Estimated Coastal Seaback(15m from PNB)
-  Proposed Development
-  Dwelling
-  Deck; Stairs



Data Sources:
Proposed Development Footprint derived from Site Plan A.01 Issued November 3rd., 2022

Checklist:
ED1 Environmental Dynamics Inc. has made every effort to ensure this map is free of errors. Data has been derived from a variety of digital sources and, as such, EDI does not warrant the accuracy, completeness, or reliability of this map or its data.

Drawn:	PJ	Checked:	AC	Drawing:	1	Date:	12/2/2022
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REPORT TO COUNCIL

Council Meeting: December 13, 2022
 500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT

FILE NO: 3060-20-DP22-15

SUBJECT: ENVIRONMENTAL DEVELOPMENT PERMIT - 848 MARINE DRIVE

REPORT NO: 22- 170

ATTACHMENT(S): APPENDIX A - APPLICATION
 APPENDIX B - PERMIT

RECOMMENDATION(S):

THAT Council authorize the Director of Community Planning to execute and issue Development Permit 22-15 for the property at 848 Marine Drive to allow a four cabin Guest House development.

BACKGROUND:

This development permit was received October 7, 2022. The application is for a development at 848 Marine Drive (PID 027473431, Lot 3, Plan VIP84686, District Lot 283, Clayoquot Land District - the **Subject Property**). The applicant is planning the construction of four cottages, one of which would be used as a single-family dwelling (SFD) by the applicant (until they can build a larger SFD in the future) and three of which would be guest cottages.



Figure 1 – The subject property

The subject property is a vacant lot fronting Marine Drive, and backing onto the Wild Pacific Trail (see **Figure 1**). It is a two-tiered property with a driveway to the lower tier which is where the cottages will be located. The upper tier has been extensively cleared previously, and the lower driveway was cleared under excavation permit in 2019, prior to the Development Permit areas being designated in the OCP bylaw. There is a greenspace covenant on the title of the subject property protecting an area extending 7.5m back from the natural boundary of the sea.

Development Permit Area V, VI & VII (Terrestrial, Riparian and Marine Shoreline)

The subject property falls within [Environmental Development Permit Areas](#) established in the OCP (see **Figure 2**). The Terrestrial Ecosystem, Riparian and Marine Shoreline DP areas overlap the property.

Environmental Development Permit Areas are established to guide development and land use to ensure the most sensitive environmental features of a site are protected and ecological functions are not needlessly disturbed by development activities. For all land lying within an Environmental DP area, the applicant must submit a report prepared by a Qualified Environmental Professional (QEP) assessing the site, its natural features and the proposed development - establishing conditions to guide construction to protect and mitigate environmental impacts. Staff draft the associated development permit terms and conditions from the recommendations in the QEP report.

DISCUSSION:

This application is for the construction of guest cottages on a lot designated as overlapping the Terrestrial Ecosystem, Riparian and Marine Shoreline Environmental Development Permit Areas. The applicant has retained a Qualified Environmental Professional (QEP) to prepare a report on the environmental considerations of the site and develop recommendations to guide development. The QEP concludes that “the proposed works as outlined... can be completed successfully if mitigation measures included are followed”. These recommendations have been compiled by staff into the terms and conditions of this development permit, attached as Appendix B.

The recommendations of the QEP highlight the importance of avoiding additional clearing, limiting native vegetation disturbance to outside the seasonal bird nesting window, installing silt fencing and minimizing erosion impacts.



Figure 2 - Development Permit Area Map

ZONING:

The subject property falls within the [CD-5E subzone](#) permitting a principal single-family dwelling and Guest House uses, and a secondary Guest Cottage use.

ANALYSIS OF OPTIONS:

A	Authorize the issuance of Development Permit 22-15	Pros	<ul style="list-style-type: none"> Allows applicant’s development to proceed in a manner which a QEP has deemed consistent with the OCP development permit guidelines.
		Cons	<ul style="list-style-type: none"> Development in sensitive environmental areas may occur – though subject to conditions of the permit.
		Implications	<ul style="list-style-type: none"> Approval will allow the application to proceed.
B	Provide alternative direction	Pros	<ul style="list-style-type: none"> Unknown at this time
		Cons	<ul style="list-style-type: none"> Unknown at this time
		Implications	<ul style="list-style-type: none"> Unknown at this time
		Suggested Motion	<ul style="list-style-type: none"> THAT Council, with regard to Development Permit 22-15, (<i>provide alternative direction here</i>)
C	Reject the application	Pros	<ul style="list-style-type: none"> This development will not proceed at this time
		Cons	<ul style="list-style-type: none"> Does not allow applicant’s development to proceed in a manner which a QEP has deemed consistent with the OCP development permit guidelines.

		<ul style="list-style-type: none"> Staff would need direction from Council on how to apply the Environmental Development Permit guidelines established in the OCP bylaw and/or make amendments to the DP area guidelines.
	<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed. Additional staff time will be required to follow up with applicant and consultants.
	<u>Suggested Motion</u>	THAT Council reject the application for Development Variance Permit 22-15.

POLICY OR LEGISLATIVE IMPACTS:

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

NEXT STEPS:

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

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

Respectfully submitted:

MONICA WHITNEY-BROWN, PLANNING ASSISTANT

BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

DUANE LAWRENCE, CAO

District of Ucluelet

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

Development Application

Type of Application

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

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

Description of Property

Civic Address (es): 848 Marine Drive

Legal Description: Lot 3 Plan VIP84686 Block _____ Section _____ DL 283

Applicant Information

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

Applicant name: Whitney Tilson Company name: _____
Mailing address: _____ Postal Code: VOR 3A0
Tel : _____ Cell _____
Email : _____ Fax : _____

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

Applicant Signature: Whitney Tilson Date: October 6, 2022

Registered Owner(s)

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

Registered Owner (s) name: Whitney Kathleen Tilson
Mailing address: _____ Postal Code: VOR 3A0
Tel : _____ Cell : _____
Email : _____ Fax : _____

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

Owner Signature: Whitney Tilson Date: October 6, 2022

Office Use Only:

Folio No.: <u>180-513</u>	File No.: <u>DP 22-14</u>	Date: <u>OCT. 7/22</u>	Receipt No.: <u>71905</u>	Fee: <u>\$1000</u>
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Dear District of Ucluelet Planning Department and Council members,

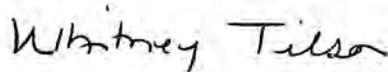
Attached, please find the development permit application for my lot located at 848 Marine Drive. The lot is in a comprehensive development zone. I am proposing to build four cottages as allowed within this zoning. One of the cottages (labeled Cabin 4) will initially be my and my husband's single family dwelling until a time that we are able to afford to build a bigger home on the site. The fourth cottage will then be used as an additional rental unit in the future. There will also be a separate utility room. The lot is two tiered with a driveway to the bottom tier where the cottages will be located. The driveway to the bottom tier was already excavated and approved by the district in 2019. Due to the topography of the site, the driveway grade will need to be lessened and potentially widened to allow for construction vehicles and fire department access; although, sprinklers may be an option if approved by the fire department.

I understand that the community is in a housing crisis and is struggling with balancing housing options for locals with vacation rentals. Please be assured that my husband and I will always be living on site and we will be managing the property. The zoning only allows for guest cottages for use as nightly rentals rather than long term housing. Unlike residential zones in Ucluelet, this lot is zoned commercially specifically for vacation rental purposes therefore the business will be paying the appropriate taxes to support the town. Ucluelet has been our home for a combined 15 years. It has been a dream of mine to have a small business like this. We are not independently wealthy or trying to capitalize on the rental market here. We both work in the community and love being here. It will be a very costly mortgage with high interest rates to move forward but we also see the project as an opportunity for our family to be able to stay long term in the place we love.

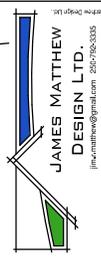
The request follows all planning/building and bylaw requirements. The build will also comply with all community plan, form and character, environmental, and hazardous conditions guidelines. I received a favourable environmental report. I care deeply about the environment and will be planting a significant amount of trees at the top tier to account for the clearing of the site that was unfortunately done by a previous owner. There will be minimal disturbance of the current natural habitat. The cottages will

conform with the form and character guidelines as they will be small with simple peaked metal roofs and cedar cladding. The landscaping will be natural with native plants and the addition of more trees. A combination of wood, natural stone and gravel will be used for walkways. There will also be a parking space for each individual cottage that is off-street and not visible from the road. I am excited to be working with local builders at Sitka Construction. Currently the adjacent lots are vacant land so the construction would not be disturbing immediate neighbours. We would like to connect into municipal water and sewer services. The lot does border the Wild Pacific Trail but the building site has a generous tree and natural plant buffer. There is also a significant drop off from the building site to the trail as well as an additional sewer setback between the trail and the site. The trail views to the waterfront will not be impacted. The lot is zoned to basically allow for a "hotel" with up to ten rental units, but that is not my intention. I want to tuck away small cottages within the existing landscape and build a single family dwelling on the top tier in the future. Please feel free to ask any questions and I appreciate your time in reviewing my application.

Best,



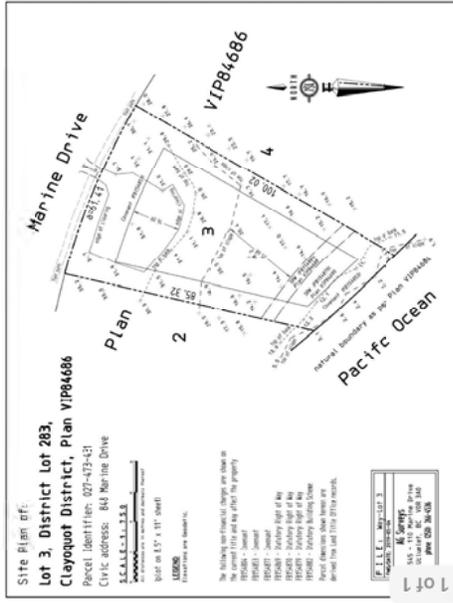
Whitney Tilson



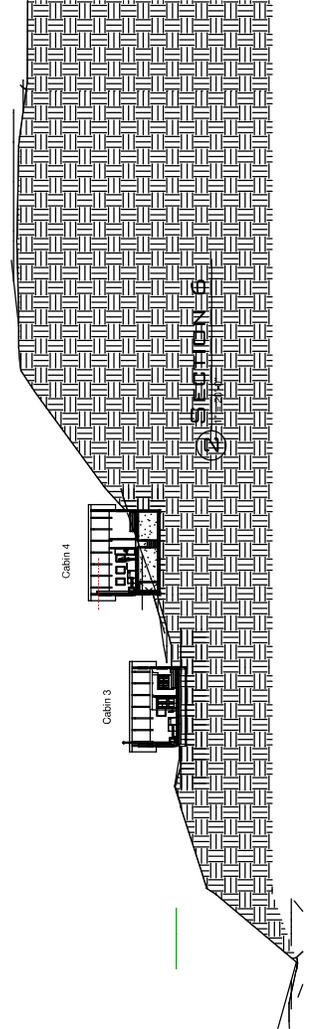
Zone CD-5



SITE



DATE	DESCRIPTION	DATE
03/03/2022	Development Permit	
LOT 3 MARINE DR.		
SITE PLAN & SECTION		
DATE	SCALE	1" = 20'-0"
DP001		



Plot date:
2022-10-29
09:11:29



DEVELOPMENT PERMIT DP22-15

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

1. This Development Permit is issued to:
Whitney Tilson, [REDACTED]
(The "Permittee")
2. This Development Permit applies to, and only to, those lands within the District of Ucluelet described below, and the buildings, structures, and other development thereon:
848 Marine Drive, PID 027473431, Lot 3, Plan VIP84686, District Lot 283, Clayoquot Land District (The "Lands").
3. This Permit authorizes the following improvements on the Lands:
 - a) Construction of four cabins and associated works as shown in the attached site plan (Schedule 1)
4. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of Schedule 2 which is attached hereto and forms part of this permit.
5. In addition to compliance with the requirements of Schedule 2, the permit holder must adhere to all conditions of the Qualified Environmental Professional report in Schedule 3 which is attached hereto and forms part of this permit.
6. Prior to any site disturbance or contractor mobilization, the permit holder must erect silt fencing and demarcate the area of disturbance, and contact the District of Ucluelet to arrange a pre-construction inspection.
7. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
8. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. The owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
10. This Permit is NOT a Building Permit.
11. The Municipality's Director of Community Planning is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.



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

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning

Schedule 1



Schedule 2 Conditions

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

1. Because the subject property backs onto a known “green-space” covenant and because it is associated with a terrestrial and coastal development permit area, additional vegetation clearing works must be avoided to maintain the property’s existing condition.
2. The vegetation buffer (Trail ROW & Green-space) provides important habitat that is utilized by various woodland birds and small and large mammals for foraging and cover, and must be maintained. The vegetation buffers also prevent soil sloughing and sedimentation to foreshore.
3. Any other vegetation clearing of native vegetation within the property must occur outside the federal migratory bird nesting window (if possible) between March 15th – August 15 of a given year. If vegetation (trees & understory) is to be removed within this time period, that a QEP be on site to complete a bird nest sweep of the area.
4. Prior to additional grading works for the two clearings, the contractor must install and key in silt fencing at the base of each clearing lot to prevent sedimentation run-off.
5. All sediment control measures must be in place (i.e. silt fencing) prior to and during construction and then removed only after the site is deemed stable;
6. All soil spoil piles are to be located at a minimum of 30 metres back from the edge of the “Green-space” covenant or the topographic drop leading down to the community trail. Spoil piles left over long periods of time to be covered with poly-plastic sheeting (6 to 10mil poly) or encircled with hay bales or silt control fencing trenched in place;
7. Erosion and sediment controls are to be inspected and maintained by the site construction contractor on a daily basis;
8. All disturbed areas with bare soils must be re-seeded with a coastal native seed mix as soon as possible (post-construction) and covered with a layer of straw (not hay) to prevent soil erosion;
9. Daily equipment inspections must be performed as well as monitoring of on-site machinery for oil leaks and follow-up any repairs prior to machinery being mobilized on site;
10. The construction contractor must have a spill prevention kits on site to rapidly address any potential fuel or hydraulic oil spills that could occur on site;
11. All heavy machinery should be equipped with environmentally-sensitive hydraulic fluids that are non-toxic to aquatic life and are biodegradable; and,
12. The construction contractor should be aware that the area attracts large and small wildlife and ensure that no garbage or hazardous waste material (i.e. grease tubes, fuel containers) be left out overnight.



Schedule 3 QEP Report

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



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

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

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning



AQUAPARIAN
Environmental Consulting Ltd.



**ENVIRONMENTAL ASSESSMENT REPORT
848 MARINE DRIVE, RESIDENTIAL / RECREATIONAL LAND
DEVELOPMENT, UCLUELET, BC**



Whitney Tilson
PO Box 881
Ucluelet, BC, V0R 3A0
Whitneys.email@gmail.com
Phone: (408) 655-9835
August 18, 2022

Suite 203-321 Wallace Street, Nanaimo, BC V9R 5B6
Office 250-591-2258; Cell **CHRIS ZAMORA** 250-714-8864

Environmental Development Permit - 848 Marine Drive Monica Whitney-Brown...

848 Marine Drive

August 2022

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203-321 Wallace Street, Nanaimo, BC V9R 5B6

SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

1.0 INTRODUCTION

Aquaparian Environmental Consulting Ltd (Aquaparian) was retained by Ms. Whitney Tilson to complete an environmental assessment of her property located at 848 Marine Drive in the Town of Ucluelet, BC. As understood, the property is 0.5 hectares in size and zoned residential / recreational and allows for the construction of a single-family home and guest houses. As explained, the owner intends to only construct four small recreational cabins on the property at this stage of development, each approximately 500ft² in area and one story in height. The owner also explained that the property was mostly cleared when she bought it in 2019 but because she was not ready to build at that time, the District of Ucluelet has requested further information regarding environmental attributes for the property be identified.

The legal address for the subject property is understood as follows:

Lot 3 District Lot 283 Clayoquot District Plan VIP 84686.

The objective of this environmental assessment is to document the existing vegetation community including the presence of sensitive ecosystems such watercourses, wetlands or the marine coastal shoreline, the presence of wildlife use including eagles, ospreys or great blue heron nest trees, the presence of old growth trees and review of Species at Risk that might be associated with the property. This report is to be include with development and building permit requirements for the property.

2.0 REGULATORY REVIEW

The following is a review of federal, provincial and municipal requirements. The District of Ucluelet Official Community Plan (OCP) Schedule E identifies that the natural environment surrounding the subject property maybe associated with various environment Development Permit Areas (DPA's). Applicable DPA's subject with the parcel may include the following:

A. Development Permit Area V (Schedule E) – Terrestrial Ecosystems (Mature Forests)

- Detailed site plan (1:250 or larger) identifying the location of property lines, proposed development and natural features including any Sitka Spruce, krummholz tree forms, nesting trees or wildlife corridors;
- An impact statement describing effects of proposed development on the natural features and ecosystems on the site;
- Measures necessary to avoid wildlife conflict and any adjustments to the development plan where necessary to avoid established wildlife corridors;
- Guidelines and procedures for mitigating habitat degradation including limits of proposed leave areas;



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SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

- Recommendations for timing, construction standards, and where further assessment is necessary (e.g., seasonal nesting bird surveys),
- Habitat compensation alternatives, where compensation is approved.

B. Development Permit Area VI (Schedule E) – Stream and Riparian Areas Protection

- Detailed site plan (1:250 or larger) identifying the natural boundary and a line 30 metres from the natural boundary;
- An impact statement describing effects of proposed development on the natural conditions;
- Measures deemed necessary to protect the integrity of streamside protection and enhancement areas from the effects of development;
- Guidelines and procedures for mitigating habitat degradation including limits of proposed leave areas; and, e. habitat compensation alternatives, where compensation is approved.

C. Development Permit Area VII (Schedule E) – Marine Shoreline

- Appropriate siting of buildings, structures, roads, driveways, parking areas, trails, paths, and utilities;
- Retention or restoration of native vegetation and soils;
- Removal of invasive species; iv. Designation of buffer areas to protect environmentally sensitive features or habitat;
- Specification of any activities that may occur within the buffer areas; and
- Must state that the proposal is suitable for the area intended for development.

A site plan produced for the property by AG Surveys of Ucluelet identifies that Land Title for the property indicates the property is also associated with the following Right-of-Ways (ROW) and covenants:

- SRW (FB154869) Plan VIP 84688: Sanitary Sewer Right of Way (ROW) – allows for no crossing of this utility ROW;
- SRW (FB154879) Plan VIP 84690: ROW for Wild Pacific Trail – allows for no encroachment; and,
- Covenant (FB154853) – Green Space Covenant which includes the perimeter of the parcel – No encroachment.

Provincial and federal that may apply include the following:

- **Section 34 of the Provincial Wildlife Act**

Section 34 of the Provincial Wildlife Act states that a person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys:



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- (a) a bird or its egg,
- (b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl; or
- (c) the nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg.

In areas with no local government tree protection bylaws, outside of the nesting season, a landowner has the right to cut down any trees right up to and beside a tree containing the nest. During the nesting season, such an activity may 'molest' the nesting birds, and could result in an offense. Provincial guidelines indicate the songbird nesting season is from April 1st to July 31st of a given year.

*Eagle, Osprey and Great Blue Heron nests are provincially protected year-round, whether or not the nest is in use (as per the Provincial Wildlife Act). Bald eagles, ospreys and herons typically nest in forest stands near the ocean (including near protected coves). Bald eagle nesting season generally starts in January and extends until the end of August of a given year. Nesting activity can occur outside these dates depending on the weather.

- **Provincial Water Sustainability Act (WSA), Section 11 (2016)**

Prohibits any changes in or about a stream without submitting a provincial Section 11 Notification or Approval of proposed works or receiving an Approval from the BC Ministry of Environment. Changes in and about a stream is defined in the WSA as:

- Any modification to the nature of a stream, including any modification to the land, vegetation and natural environment of a stream or the flow of water in a stream or,
- Any activity or construction within a stream channel that has or may have an impact on a stream or a stream channel; includes culvert and bridge installations.

No works such as Culvert or Bridge Installation are to be completed without Notification or Approval by the crown.

- **Heritage Conservation Act.**

All archaeological sites, recorded or not, are protected under the Heritage Conservation Act and must not be altered or damaged without a site alteration permit from the Archaeology Branch. Culturally Modified Trees (CMT) are protected under the BC Heritage Act and require a permit before removal. Old growth trees may also be protected under the BC Heritage Act depending on species, size and significance.



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- **Federal Fisheries Act Section 35:** On August 28, 2019, fish and fish habitat protection provisions under the new *Fisheries Act*, as well as some of the regulations that support these provisions, officially came into force. The new prohibitions include the following:
 - No person shall carry on any work, undertaking or activity, other than fishing, that results in the death of fish; and,
 - No person shall carry on any work, undertaking or activity that results in the harmful alteration, disruption or destruction of fish habitat. The definition of harmful alteration, disruption or destruction of fish habitat is any temporary or permanent change to fish habitat that directly or indirectly impairs the habitat's capacity to support one or more life processes of fish.
- **Federal Migratory Birds Convention Act, 1994.**

Most species of birds in Canada are protected under this act. "Migratory birds" are defined by Article I of the Convention which names the families and sub-families of birds protected, and provides some clarification of the species included. In general, birds not falling under federal jurisdiction within Canada include grouse, quail, pheasants, ptarmigan, hawks, owls, eagles, falcons, cormorants, pelicans, crows, jays, kingfishers, and some species of blackbirds.

Vegetation clearing in the nesting season may result in an impact to birds protected under this Act and are required to undertake a bird nest presence survey prior to any clearing works.

3.0 SITE DESCRIPTION

Aquaparian completed a site visit of the subject property on July 28th and completed a review of the design plan for the property with the land owner on site. The property is described as wedged shaped and steeply sloping (~25 to 35%) down towards the ocean. It is approximately 100m in length along its east property boundary, 85m in length along the west boundary and 60m in width at its top where it fronts Marine Drive. The property has a southwest facing aspect towards a small ocean cove. As mentioned, the property has been partially cleared of vegetation in preparation for land development. Clearing works included a large open rock borrow area within a benched area at the entrance of the property off of Marine Drive and two smaller clearings down the slope where recreational cabins are proposed. The site also includes a cleared driveway graded with blast rock that swings down the east side of the property providing access to a lower bench of land and the cabins. Power will be provided by a small transformer located on a small bench on the east clearing. The cleared borrowed site is approximately 0.08 hectares in area while the two smaller clearings are approximately 0.01 hectares each in area. Borrowed blast rock from the top of the property will be used to further



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construct landings for the four cabins. A site plan generated by AG Surveys shows a Sewer ROW immediately below the location of the cabins. A trail ROW associated with the Wild Pacific Trail is immediately below the sewer force main ROW, followed by a Green Space Covenant (FB154853). The covenant is represented by a near vertical cliff (~10m in height) that falls to the PNB of the ocean below. The owner intends to connect into municipal water and sewer services for the cabins. The forest community appears to include a mix of second growth and old growth / mature coastal forest with a dense understory and thick organic moss layer over bedrock.

A site location map of the study area has been included in this report as Figure 1a and 1b while a legal site plan (AG Surveys) illustrating general topography and the cabin layouts has been included as Figure 2.

4.0 ENVIRONMENTAL SETTING

The following section provides an overview of physical, biophysical and general cultural attributes of the site.

4.1 PHYSICAL RESOURCES

The physical resources of the region are interrelated and are influenced by the surficial geology, topography, climate and drainages of the surrounding environment. These physical attributes are described as follows:

4.1.1 *Topography*

The property slopes to the southwest towards the ocean followed by a near 10m vertical drop to the ocean. The upland forms two topographic benches followed by steep ridges. No creeks or wetlands exist but seepage was observed in geotechnical test pits located at the bottom cabin clearing locations. Exposed rock and the shoreline consist of irregular exposures of volcanic bedrock.

4.1.2 *Climate*

The property is found within the Coastal Western Hemlock Submontaine Very Wet Maritime CWHvh1 subzone variant. The CWHvh1 is restricted to the southwest coast at low elevations between sea level and approximately 200m. The CWHvh1 is restricted to a narrow coastal fringe on the outer coast of southwest Vancouver Island near Port Renfrew to Quatsino Sound (Green and Klinka, 1994). The proximity of the site to the Pacific Ocean moderates



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temperatures and results in a common occurrence of fog, cloud and drizzle throughout the year. Precipitation varies widely in this sub-region, with lowest values occurring in the local rain shadow on the north eastern part of Vancouver Island at Bull Harbour (Green R.N. and Klinka, K, 1994).

The mean annual precipitation in the area ranges between 2009 to 3943 mm. The mean annual temperature is 9.1 °C.

4.1.3 *Land/soil*

A review of the Ministry of Environment Technical Report 17, Soils of Southern Vancouver Island identified the most common soils within the subject property are comprised of the Hankin Soil Association, with the taxonomic classification of Duric Ferro-Humic Podzol (Jungen, Technical Report 17).

Hankin soils occur in the Western redcedar subzone of the Coastal Western Hemlock – Pacific Silver fir (*Amabilis* fir) within the Estevan Coastal Plan. The soils have developed in cobble, gravelly fine and/or gravelly sand colluvial morainal deposits, less than 1m thick overlaying argillite bedrock. Jungen, Technical Report 17). Slopes typically vary between 1 to 30% and near vertical cliffs with elevation from sea level to 600m.

4.1.4 *Surface Water*

No watercourses, wetlands or water filled ditches were identified within the property, nor the adjacent properties to the north or across Marine Drive. A small drainage course is known to exist within the property to the west. This stream drains to the ocean down a near vertical cliff allowing for no fish access. Small seepage points were found in the small cabin clearings. No concern regarding sensitive streams or fish habitat exists on site.

4.2 **BIOLOGICAL RESOURCES**

4.2.1 *Flora*

The CWHvh1 zonal forests (Coastal Western Hemlock Submontaine Very Wet Maritime CWHvh1 subzone variant) are dominated by Western hemlock (*Tsuga heterophylla*), Sitka spruce (*Picea sitchensis*), western redcedar (*Thuja plicata*) and minor amounts of amabilis fir (*Abies amabilis*). Major under story vegetation commonly includes salal (*Gaultheria shallon*), Alaskan blueberry (*Vaccinium*



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alaskaense), red huckleberry (*Vaccinium parvifolium*), deer fern (*Blechnum spicant*), step moss (*Hylocomium splendens*) and lanky moss (*Rhytidiadelphus loreus*). Evergreen huckleberry (*Vaccinium ovatum*) is a minor species on zonal sites, but more common on drier sites (Green and Klinka, 1994).

The site survey was completed on July 28, 2022 and confirmed the site to be partially cleared with an open rock borrow site at the entrance to the property from Marine Drive and two small clearing areas located just above the Wild Pacific trail and sewer force main ROW. The proper predominately consists of a mixed second growth / mature forest stands supporting Western red cedar (*Thuja plicata*) with maximum diameters of 80cm dbh and smaller Sitka spruce (*Picea sitchensis*) and Western hemlock (*Tsuga heterophylla*). More humus acid soils support individual shore pines (*Pinus contorta*). Dry thin understory soils support dense layers of salal (*Gaultheria shallon*), evergreen huckleberry (*Vaccinium ovatum*), red huckleberry (*Vaccinium parvifolium*), thimble berry (*Rubus parviflorus*), deer fern (*Blechnum spicant*), bracken fern (*Pteridium auillinum*), false azalea (*Menziesia ferruginea*), and various mosses including Oregon-beaked moss (*Eurhynchium oregonum*). Seepage points support isolated stands of salmonberry (*Rubus spectabilis*), common horsetail (*Equisetum arvense*), common rush (*Juncus effusus*), and willow herb (*Epilobium hirsutum*).

A wildflower and/or rare plant survey was not completed for this project by Aquaparian and is not expected to be required as clearing works for the new cabins is predominately completed. The cabin clearing area near the west side of the property may require the removal of three small Western red cedars. No other vegetation clearing works is expected.

4.2.2 Fauna

The coastal rainforest of western Vancouver Island supports a broad diversity of wildlife including large and small mammals, bats, songbirds and amphibians. Large terrestrial mammals expected to be found within the forests within and adjacent to the parcel include black bear (*Ursus americanus*), black tailed deer (*Odocoileus hemionus*), cougar (*Puma concolor*) and wolf (*Canis lupus*). Smaller mammals commonly associated with the CWHvh1 zone include American mink (*Mustela vison*), ermine (*Mustela erminea*), river otter (*Lontra canadensis*) and several species of mice and voles. The wetter areas may support more cryptic amphibians including clouded salamanders (*Aneides ferreus*), Pacific tree frog (*Hyla regilla*) and red-legged frog (*Rana aurora*).



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4.2.3 *Birds*

A detailed bird survey was not completed by Aquaparian for this project. The surrounding area does provide suitable habitat for eagle, osprey and heron nesting use due to its ocean front location and presence of mature trees. A number of bird species are expected to utilize the area throughout the year such as various song birds, humming birds, woodpeckers, northwestern crow, American robin (*Turdus migratorius*), common raven (*Corvus corax*), hawks and owls. Bald eagles and common raven were the only avian birds observed the property site investigation.

Review of the Wildlife Tree Stewardship (WITS) nest inventory database did identify the presence of a recorded bald eagle nests located 300m east of the subject property at the end of a small cove adjacent to Black Rock (Nest BAEA-108-308). It should be noted that the WITS database has not been updated for several years. A search of the vegetation community within the property did not result in the observations of feathers, guano splashes, pellets, or prey remains at the base of trees or within open area's. The nesting period for bald eagles on Vancouver Island is typically mid-February to the end of June. Osprey are typically active between mid-April to the beginning of July, while Great blue-herons nest between March and August. As understood, the development project is not expected to require the removal of any additional large or significant trees beyond its existing conditions.

4.2.4 *Species-at-Risk*

The Species-at-Risk Act (SARA) is designed to prevent or reduce the likelihood of wildlife species becoming extinct or extirpated and to provide for the recovery and management of endangered, threatened and species of special concern as a result from harm by human activity. Provisions of SARA include prohibiting the taking or possession of listed species and the damaging or destruction of their residents and critical habitat.

Red-Listed species includes any ecological community, and indigenous species and subspecies that is extirpated, endangered, or threatened in British Columbia. Red-listed species and sub-species may be legally designated as, or may be considered candidates for legal designation as Extirpated, Endangered or Threatened under the Wildlife Act.



Blue-Listed species includes any ecological community, and indigenous species and subspecies considered to be of special concern (formerly vulnerable) in British Columbia.

A search of the BC Species and Ecosystem Explorer Database for red and blue-listed vertebrates, invertebrates, vascular, non-vascular plants and lichens within the Vancouver Island region, South Island, Alberni-Clayoquot Regional District, Coastal Western Hemlock BGC Zone for habitats including: Forest, Ocean, Riparian, Stream/River and Wetland resulted in 18 red-listed species and 48 blue-listed species. The BC CDC species search results have been included as Appendix B.

A search of the BC Conservation Data Center (BC CDC) rare species occurrence records and map (Record 27687) have identified the presence of a provincially red blue-listed vascular plant found within the surrounding area. The Tall Woolly Head (*Psilocarphus elatior*). This vascular plant is known to be present within disturbed sites including dry pool beds and flooded but muddy meadows. The subject property has no characteristics that appear to support this plant.

The BC Species and Ecosystems Explorer Database has also identified two rare species that could be associated within the study area: the Seaside Centipede Lichen (*Heterodermia stchensis*) and the marbled murrelet (*Brachyramphus marmoratus*). Marbled murrelets are sea going birds that nest in high elevation old growth forests and are not expected within this property (See Appendix C).

The following includes a description of sensitive wildlife species that have the potential to be found either within the subject property or within the adjacent lands immediately surrounding the subject lands:

Seaside Centipede Lichen (*Heterodermia stchensis*): Red-listed (COSEWIC Status Endangered)

This lichen is a pale greyish, leafy, basally attached lichen. It can be recognized by the presence of marginal cilia and tiny urn-like structures near the lobe tips. In Canada, it occurs only in coastal British Columbia, where it ranges 210km from northern Vancouver Island south to Pacific Rim National Park. Within this region, it is known exclusively from the Very Wet Hypermaritime subzone of the Coastal Western Hemlock Zone. Throughout its range, this lichen occurs exclusively at seaside on nitrogen-enriched twigs in the lower canopy of old Sitka spruce trees (BC CDC).



This rare species of lichen was identified in the provincial HabitatWizard database as occurring in only two locations in the area including the northern tip of the subject property on old Sitka spruce trees near the shoreline. A narrow buffer of approximately ~8m was left intact along the shoreline at the northern tip of the property where the rare lichen had been recorded. The only other known location of the species was identified at the end of Seaplane Base Road approximately 0.6km east of the subject parcel.

Other species of animals that have the potential of being present within the surrounding area include the following:

Townsend's Big-eared Bat (*Corynorhinus townsendii*): Blue-listed

In Canada, it is restricted to British Columbia. On the coast, it inhabits Vancouver Island, the Gulf Islands and the Vancouver area. In British Columbia this species is associated with a variety of habitats from coastal forests to arid grasslands of the interior. Its elevational range in the province is from sea level to 1070 metres, although most occurrences are from low elevations. Although it is widespread across most of southern British Columbia, this bat is particularly vulnerable to human activity. The only nursery colony found in British Columbia was in the attic of a house on Vancouver Island; it consisted of about 60 females and their young. A late flyer, Townsend's Big-eared Bat emerges an hour or so after dark. It is an agile bat that is capable of flying at slow speeds. Food habits have not been studied in British Columbia (BC CDC). The area surrounding the subject parcel may provide foraging and perching habitat for these bats.

Keen's Myotis (*Myotis keenii*): Blue-listed

These bats frequently use moist to wet coniferous forest habitats. The distributional range suggests an association with coastal forest habitat. Apparently this bat is associated with mature forests. Across its range it has been found roosting in southwest-facing rock crevices, among geothermally heated rocks, in tree cavities, in bark crevices, and in buildings. Tree cavities and loose bark are important natural roost sites and may be limiting in some parts of the range. Known maternity roosts and summer feeding areas in British Columbia are at elevations below 240 meters; known hibernation sites occur above 400 meters in caves over 100 meters long. These bats have been observed foraging over hot spring pools and clearings above scrubby salal (BC CDC). Surrounding forests and estuary may provide foraging opportunities for these bats.



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Northern Red-legged Frog (*Rana aurora*): Blue-listed

Range extends from southwestern British Columbia, including Vancouver Island in Canada, south along the coast of the United States. Red-legged frogs have been observed in a variety of aquatic and terrestrial habitats. They breed in shallow, littoral zones of lakes, temporary and permanent pools, wetlands, bogs and fens in close proximity to forests. Lotic habitats with little to no flow may be utilized by red-legged frogs, and riparian areas are important for newly metamorphosed froglets. Outside of the breeding season, red-legged frogs primarily utilize all forest and woodland types, but individuals are occasionally found in more open and rural areas such as shrubland/chaparral, cropland/hedgerow, old fields, and suburban/orchard. Red-legged frogs are most common at elevations below 500m with low slopes and containing moist, mature/old forest in some areas (BC CDC). Because of the steep terrain and rapidly draining soil conditions, the property is not likely to support red-legged frog.

Western Toad (*Anaxyrus boreas*): Blue-listed

Western toads have been observed in a variety of aquatic and terrestrial habitats. They breed in shallow, littoral zones of lakes, temporary and permanent pools and wetlands, bogs and fens, and roadside ditches. Toads utilize a variety of terrestrial habitats in BC, including all forest and woodland types, shrubland/chaparral, savanna, cropland/hedgerow, grassland/herbaceous cover, old fields, and suburban/orchard. Hibernacula are located in areas with loose soils and burrows. Toads have been observed using downed wood for cover in recent clearcuts (BC DCD). Because of the properties steep topography and lack of standing water for rearing or breeding use, the site is not expected to support population of Western toads.

Ermine (*Mustela erminea anguinae*): Blue-listed

Ermine are endemic to Vancouver Island and they inhabit a variety of forest and woodland habitats. Ermine are highly adaptable predators, easily invading small burrows to feed on voles, mice, and young rabbits. They also eat earthworms, frogs, and squirrels, climbing trees and swimming if necessary. In the summer, the Ermine's coat is brown, but in the winter it is pure white except for the tip of the tail, which stays black. Ermine population density tends to fluctuate as rodent populations fluctuate. Ermine prefer coniferous or mixed forests and streamside woodlands (BC CDC). Due to close location to the shoreline and its suitability for foraging, Ermine maybe present in the surrounding area.



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Wandering Salamander (*Aneides vagrans*): Blue-listed

This salamander is widespread on Vancouver Island and neighboring islands in British Columbia, and also has been found on the mainland. Habitat ranges from moist coniferous forests; in forest edge, forest clearings, talus, and burned over areas. The salamander is usually found under bark, in rotten logs, or in rock crevices. It may aggregate in decayed logs in summer. Logs are the primary microhabitat in spring, summer, and fall on Vancouver Island. It lays eggs in cavities in rotten logs, in rock crevices, under bark, or among vegetation. The wandering salamander feeds on small arthropods and is inactive in cold temperatures and hot, dry weather (BC CDC). The subject parcel contains damp and wet areas with downed logs that may support this species.

Western Screech Owl *kennicottii* subspecies (*Megascops kennicottii kennicottii*): Blue-listed

The range of this small owl extends from south-coastal and southeastern Alaska, south through coastal British Columbia to coastal Oregon. In Canada, the species occurs only in British Columbia in two regions: along the coast of BC including Vancouver Island, but excluding the Queen Charlotte Islands, and in the southern interior part of the province, with most of the interior birds being found in the Okanagan Valley. This subspecies has a very low population in Canada where it depends on lower elevation mature riparian woodlands for nesting and roosting. This owl prefers open forest for foraging and requires cavities in old, large trees for nesting and roosting. Populations have apparently declined in southern Vancouver Island and the Lower Mainland concurrently with the recent arrival of the Barred Owl, which is likely a predator of this species. The Western Screech-owl is a nocturnal, non-migratory species that is territorial year-round (BC CDC). The western screech owl may use the mature riparian forest habitat of the study area and adjacent lands.

4.3 LAND USE**4.3.1 Special Places**

The study area falls within the lands traditionally occupied by the Ucluelet First Nation which are part of the collective Nuuchah-nulth First Nation. Because the site was already in a precleared and disturbed state, a review of cultural and historical information for the subject parcel was not conducted through the BC



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Archaeological Branch of the Ministry of Forests, Land and Natural Resource Operations (MFLNRO). However, the Ucluelet area is known to support first nations villages and culturally sensitive artifacts from its historical use. A search of the parcel did not identify the presence of any Culturally Modified Trees (CMT's) or remains of raised shell midden materials. It is understood that further works on the site would require infilling of low topographic points and no additional excavations. If cultural finds are identified during further site preparation, the contractor / owner area to stop the activity immediately and notify the local office of the Nuu-chah-nulth First Nation. All recorded or non-recorded cultural finds are protected in British Columbia.

5.0 SUMMARY

The subject parcel is located west of the Village of Ucluelet and along a new development area along Marine Drive. The subject property is associated with a series of steep sloping wedge shaped lots that slope down to the open and bordered by the Wild Pacific trail. The property is zoned for a single-family home and up to four guest houses. The 500ft² cabins will be separated from the Wild Pacific trail by a dense 8 to 10m wide vegetation stand that includes a number of second / mature trees. As understood further vegetation removal will only include one cluster (2 to 3 trees) of second growth trees and no additional understory vegetation. Additional importing of blast rock will be required to further grade the clearings for the cabins. The access road leading down to the cabin locations may also require further grading and importing of road bed material. No sensitive watercourse, wetlands or vegetation communities were identified by Aquaparian during our site visit.

5.1 REGULATORY DEVELOPMENT MEASURES

The following are environmental mitigation measures that should be followed in preparation with construction of the cabins and future home building works.

- Because the subject property backs onto a known “green-space” covenant and because it is associated with a terrestrial and coastal development permit area, additional vegetation clearing works be limited from its existing condition. The vegetation buffer (Trail ROW & Green-space) provides important habitat that is utilized by various woodland birds and small and large mammals for foraging and cover. The vegetation buffers also prevent soil sloughing and sedimentation to foreshore.
- That any other vegetation clearing of native vegetation within the property occurs outside the federal migratory bird nesting window (if possible) between March 15th – August 15



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of a given year. If vegetation (trees & understory) is to be removed within this time period, that a QEP be on site to complete a bird nest sweep of the area.

- That prior to additional grading works for the two clearings, the contractor install and key in silt fencing at the base of each clearing lot to prevent sedimentation run-off.
- All sediment control measures will be in place (i.e. silt fencing) prior to and during construction and then removed only after the site is deemed stable;
- All soil spoil piles are to be located at a minimum of 30 metres back from the edge of the “Green-space” covenant or the topographic drop leading down to the community trail. Spoil piles left over long periods of time to be covered with poly-plastic sheeting (6 to 10mil poly) or encircled with hay bales or silt control fencing trenched in place;
- Erosion and sediment controls are to be inspected and maintained by the site construction contractor on a daily basis;
- That all disturbed areas with bare soils be re-seeded with a coastal native seed mix as soon as possible (post-construction) and covered with a layer of straw (not hay) to prevent soil erosion;
- Perform daily equipment inspections and monitoring of on-site machinery for oil leaks and follow-up any repairs prior to machinery being mobilized on site;
- That the construction contractor to have a spill prevention kits on site to rapidly address any potential fuel or hydraulic oil spills that could occur on site;
- All heavy machinery should be equipped with environmentally-sensitive hydraulic fluids that are non-toxic to aquatic life and are biodegradable; and,
- That the construction contractor be aware that the area attracts large and small wildlife and that no garbage or hazardous waste material (i.e. grease tubes, fuel containers) be left out over night and that all waste material is either taken off-site daily or placed in locked container.

6.0 CONCLUSION

Aquaparian Environmental Consulting Ltd (Aquaparian) was retained by Whitney Tilson, the owner of 848 Marine Drive to complete an environmental assessment for the construction of four recreational cabins and whether their development would result in an impact over the sites natural ecological conditions. This environmental assessment has been completed to



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determine possible constraints and opportunities for the development within the subject parcel based on development requirements by the District of Ucluelet as identified in the Official Community Plan for the area. At the time of the site visit, the property had been previously disturbed including the clearing for rock quarry use, the clearing and grading of an access road and for proposed cabins.

The habitat values within the property were found to be moderate in value and considered important in providing foraging and rearing habitat for various bird species, and small and large mammals. No sensitive watercourses or wetlands exist on the site and no obvious nest trees (bald eagle or great blue heron) were observed. It is Aquaparian's professional opinion that the proposed works as outlined in this report can be completed successfully if mitigation measures included in this report are followed.

7.0 CLOSURE

This report has been completed in accordance with generally accepted biological practices. No other warranty is made, either expressed or implied. Aquaparian trusts that the information provided in this report meets your requirements.

Any questions regarding information provided in this document, please contact the undersigned at (250) 591-2258.

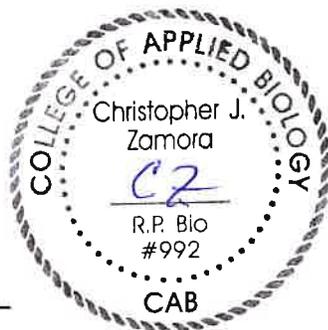
Respectfully submitted,

AQUAPARIAN ENVIRONMENTAL CONSULTING LTD.

Prepared by:



Chris Zamora, R.P.Bio, B.Sc.
Senior Biologist, Principal



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FIGURE 1a & 1b
SITE LOCATION MAP
UCLUELET, BC



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FIGURE 1A & 1B: 848 MARINE DRIVE SITE LOCATION MAP(S)

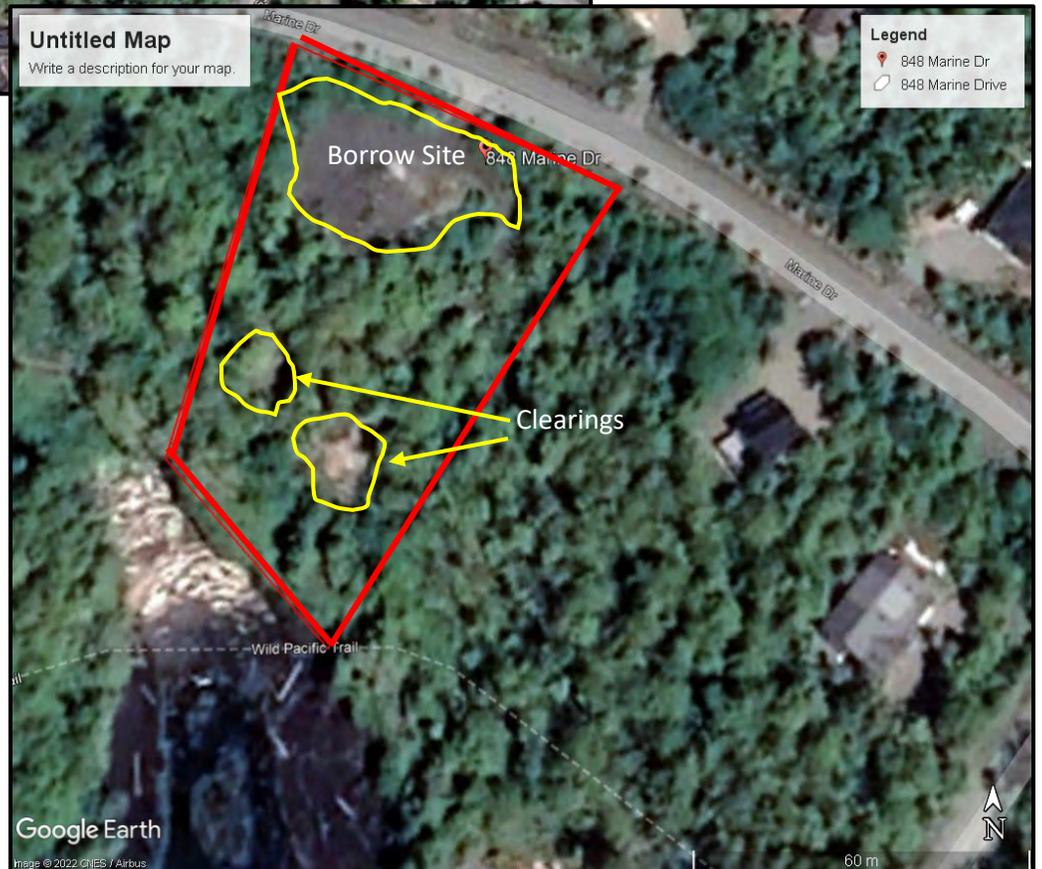


FIGURE 2

SITE PLAN – LOT 3, DISTRICT LOT 283

CLAYOQUOT DISTRICT, PLAN VIP 84686

AG SURVEY, UCLUELET, BC



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APPENDIX A
SITE PHOTOGRPAHS



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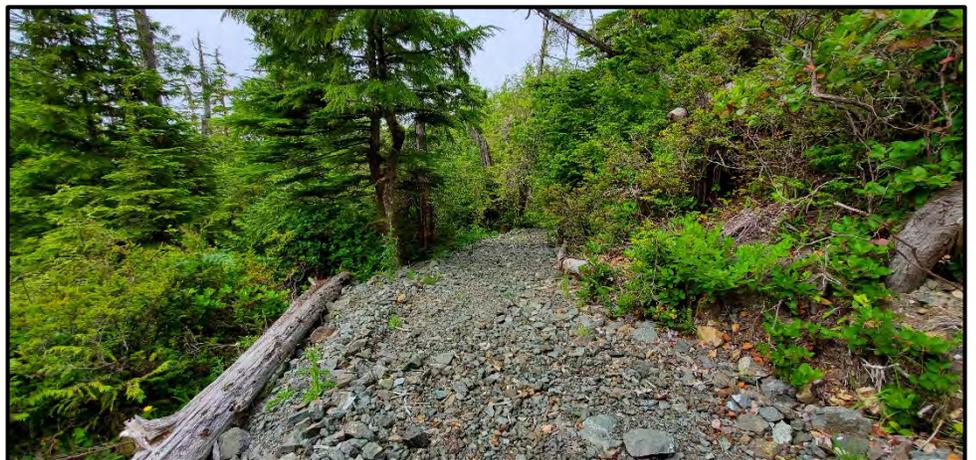
848 MARINE DRIVE - APPENDIX A SITE PHOTOGRAPHS



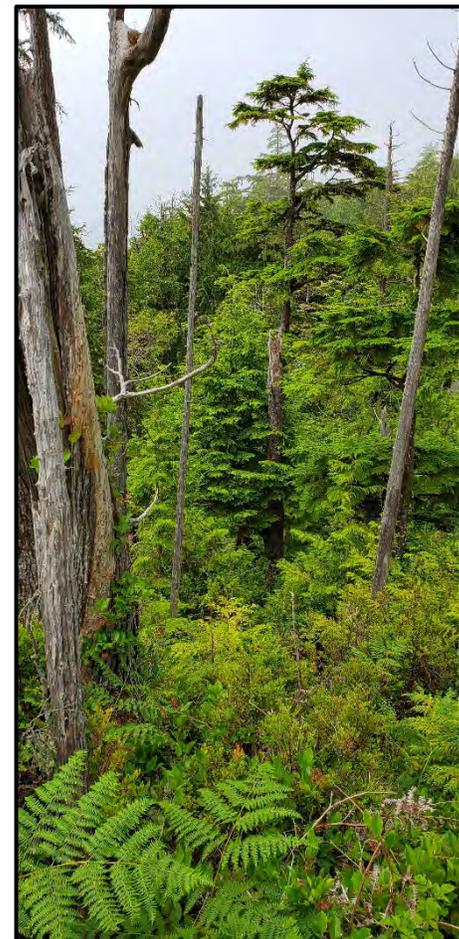
View of entrance and borrow area at 848 Marine Drive

Below: View looking back towards road entrance.

Below: Undisturbed forest on upper property.



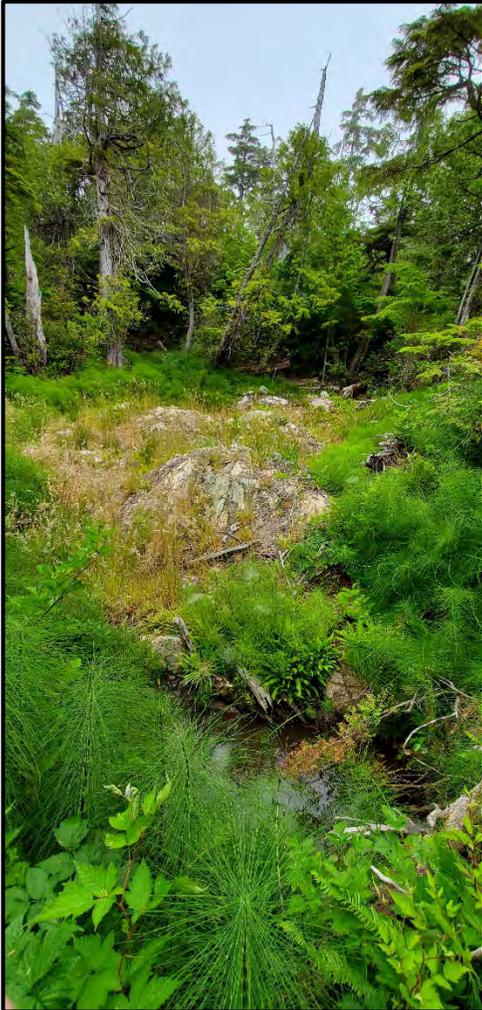
Above: Blasted and graded road leading down to clearings for cabins.



Right: East clearing area for two cabins. View looking down gradient.



Below: View looking upgradient along east clearing



Above: Wild Pacific Trail at base of property. Property to the right.

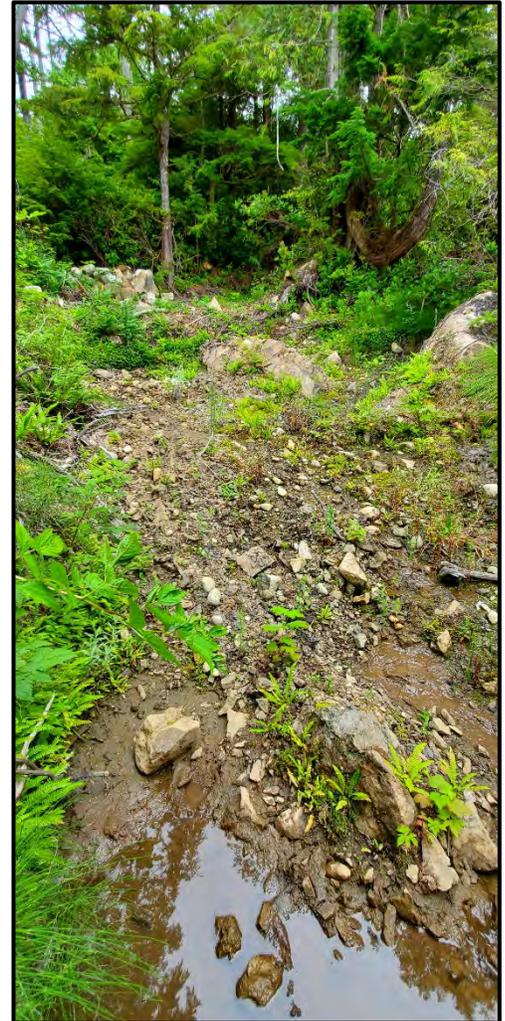
Right: View of ocean cove below property.



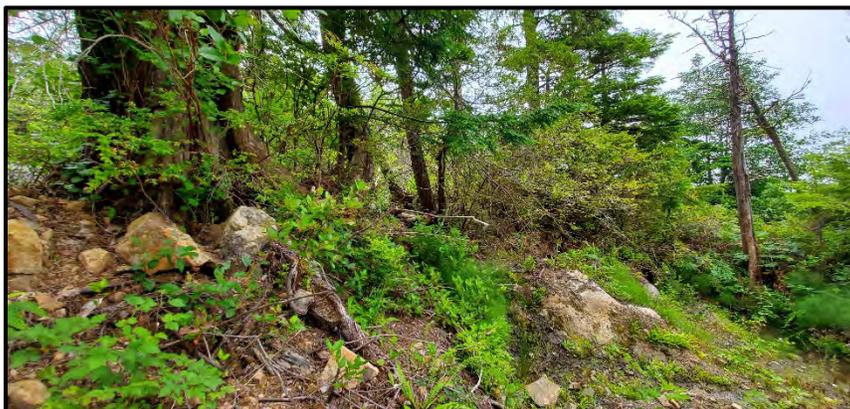


Left: View looking down gradient of clearing on west side of property

Right: View looking up gradient of small clearing west side.



Below: View looking west and across clearing. Clearing to be further graded.



Left: View looking east and across clearing.

APPENDIX B
BC CONSERVATION DATA CENTRE SYSTEM EXPLORER
SEARCH RESULTS



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BC Species and Ecosystems Explorer Search Results 32 records

Close

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA	Provincial FRPA	Land Use Objectives	CDC Mapped Locations	
										Public	Confidential
<i>Accipiter gentilis laingi</i>	Northern Goshawk, <i>laingi</i> subspecies	CDF CWH	S2 (2010)	Red	G5T2 (2016)	T	1-T (2003)	Y		Y	
<i>Aneides vagrans</i>	Wandering Salamander	CDF CWH	S3 (2022)	Blue	G4 (2005)	SC	1-SC (2018)			Y	
<i>Ardea herodias fannini</i>	Great Blue Heron, <i>fannini</i> subspecies	CDF CWH	S3B, S4N (2022)	Blue	G5T4 (2016)	SC	1-SC (2010)	Y		Y	
<i>Brachyramphus marmoratus</i>	Marbled Murrelet	CDF CWH MH	S3 (2022)	Blue	G3 (2016)	T	1-T (2003)	Y		Y	
<i>Callipepla johnsoni</i>	Johnson's Hairstreak	CDF CMA CWH	S2? (2020)	Red	G3 (2017)	SC		Y		Y	
<i>Cardellina canadensis</i>	Canada Warbler	BWBS CDF CWH	S3B (2022)	Blue	G5 (2016)	SC	1-T (2010)			Y	
<i>Cervus elaphus roosevelti</i>	Roosevelt Elk	CWH MH	S3S4 (2017)	Blue	G5T4 (2016)						

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA	Provincial FRPA	Land Use Objectives	CDC Mapped Locations	
										Public	Confidential
<i>Chordeiles minor</i>	Common Nighthawk	BG BWBS CDF	S3S5B (2022)	Blue	G5 (2016)	SC	1-T (2010)				
<i>Coenonympa californica insulana</i>	Common Ringlet, <i>insulana</i> subspecies	CDF CWH	S1 (2021)	Red	G6T3T4 (1998)						Y
<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	BG CDF CWH ICH IDF PP	S3 (2022)	Blue	G4 (2016)						Y
<i>Deroceras hesperium</i>	Evening Fieldslug	CWH	SH (2015)	Red	G2Q (2013)	DD					
<i>Epargyreus clarus</i>	Silver-spotted Skipper	CDF CWH ESSF ICH IDF MH MS PP	S3 (2020)	Blue	G5 (2020)						

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA	Provincial FRPA	Land Use Objectives	CDC Mapped Locations	
										Public	Confidential
<i>Euphagus carolinus</i>	Rusty Blackbird	BG BWBS CDF	S3S4B (2015)	Blue	G4 (2016)	SC	1-SC (2009)				
<i>Glaucidium gnoma swarthi</i>	Northern Pygmy-owl, <i>swarthi</i> subspecies	CDF CWH MH	S3S4 (2018)	Blue	G4G5T3T4Q (2019)			Y		Y	
<i>Gulo gulo luscus</i>	Wolverine, <i>luscus</i> subspecies	BAFA BWBS CMA CWH ESSF ICH IDF IMA MH MS SBPS SBS SWB	S3 (2010)	Blue	G4T4 (2016)	SC	1-SC (2018)	Y			
<i>Gulo gulo vancouverensis</i>	Wolverine, <i>vancouverensis</i> subspecies	CMA CWH MH	SH (2017)	Red	G4TH (2016)	SC	1-SC (2018)	Y		Y	
<i>Hemphillia dromedarius</i>	Dromedary Jumping-slug	CDF CWH	S2 (2015)	Red	G3G4 (2005)	T	1-T (2005)			Y	

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA	Provincial FRPA	Land Use Objectives	CDC Mapped Locations	
										Public	Confidential
<i>Hemphillia glandulosa</i>	Warty Jumping-slug	CDF CWH	S2? (2015)	Red	G3G4 (2005)	SC	1-SC (2005)			Y	
<i>Megascops kennicottii kennicottii</i>	Western Screech-Owl, <i>kennicottii</i> subspecies	CDF CWH MH	S2S3 (2017)	Blue	G4G5T4 (2016)	T	1-T (2005)			Y	
<i>Mustela richardsonii anguinae</i>	Ermine, <i>anguinae</i> subspecies	CDF CWH MH	S3 (2010)	Blue	G5T3 (2016)					Y	
<i>Myotis lucifugus</i>	Little Brown Myotis	BG BWBS CDF CWH ESSF ICH IDF MH MS PP SBPS SBS SWB	S3S4 (2022)	Blue	G3G4 (2021)	E	1-E (2014)				

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA	Provincial FRPA	Land Use Objectives	CDC Mapped Locations	
										Public	Confidential
<i>Oreamnos americanus</i>	Mountain Goat	BAFA BG BWBS CDF CMA CWH ESSF ICH IDF IMA MH MS PP SBPS SBS SWB	S3 (2015)	Blue	G5 (2016)						
<i>Patagioenas fasciata</i>	Band-tailed Pigeon	CDF CWH ICH IDF MS SBS	S3S4 (2022)	Blue	G4 (2016)	SC	1-SC (2011)				
<i>Pinicola enucleator carlottae</i>	Pine Grosbeak, <i>carlottae</i> subspecies	CMA CWH MH	S3 (2005)	Blue	G5T3 (2016)						
<i>Pristioma johnsoni</i>	Broadwhorl Tightcoil	CDF CWH MH	S3 (2015)	Blue	G3 (2013)						
<i>Progne subis</i>	Purple Martin	BWBS CDF CWH ICH	S3S4B (2022)	Blue	G5 (2016)					Y	

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA	Provincial FRPA	Land Use Objectives	CDC Mapped Locations	
										Public	Confidential
<i>Prophyaeon coeruleum</i>	Blue-grey Taidropper	CDF CWH	S2S3 (2015)	Blue	G3G4 (2010)	T	1-T (2019)			Y	
<i>Setophaga castanea</i>	Bay-breasted Warbler	BWBS CWH ICH MS SBS	S2B (2022)	Red	G5 (2016)			Y		Y	
<i>Setophaga virens</i>	Black-throated Green Warbler	BWBS CDF CWH ESSF ICH SBS	S3B (2015)	Blue	G5 (2016)			Y		Y	
<i>Staala gwail</i>	Haida Gwail Slug	CWH	S2? (2015)	Red	G2? (2016)	SC	1-SC (2018)			Y	
<i>Synthliboramphus antiquus</i>	Ancient Murrelet	CDF CWH	S2S3B, S4N (2022)	Blue	G4 (2016)	SC	1-SC (2006)	Y		Y	
<i>Ursus arctos</i>	Grizzly Bear	BAFA BWBS CMA CWH ESSF ICH IDF IMA MH MS SBPS SBS SWB	S3? (2015)	Blue	G4 (2022)	SC	1-SC (2018)	Y			

Search Criteria

Animals
AND BC Conservation Status:Red (Extirpated, Endangered, or Threatened) OR Blue (Special Concern)
AND Distribution: Native
AND Regional Districts:Regional District of Alberni-Clayoquot
AND Habitat Subtypes: Conifer Forest - Moist/wet
AND BGC Zone: CWH
Sort Order:Scientific Name Ascending

Notes

1. Citation: B.C. Conservation Data Centre. 2022. BC Species and Ecosystems Explorer. B.C. Minist. of Environ. Victoria, B.C. Available: <https://a100.gov.bc.ca/pub/eswp/> (https://a100.gov.bc.ca/pub/eswp/) (accessed Aug 18, 2022).
2. The data contained in the Results Export in BCSEE are provided under the Open Government License - BC (<http://www.data.gov.bc.ca/local/dbc/docs/license/OGI-vbc2.0.pdf>).
3. We welcome your comments at cdcddata@gov.bc.ca.

BC Species and Ecosystems Explorer Search Results 8 records

Close

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA	Provincial FRPA	Land Use Objectives	CDC Mapped Locations	
										Public	Confidential
<i>Aphyllon pinorum</i>	pine broomrape	CDFmm CWHmm CWHxm	S1S2 (2019)	Red	G4 (2016)					Y	
<i>Cardamine angulata</i>	angled bittercress	CWHdm CWHvh CWHwh	S3 (2019)	Blue	G5 (1988)					Y	
<i>Mitellastrum caulescens</i>	leafy mitrewort	CMA CWHds CWHms CWHxm MHmm	S3 (2019)	Blue	G5 (1990)					Y	
<i>Oxalis oregana</i>	redwood sorrel	CWHvh CWHvm	S3 (2019)	Blue	G5 (1990)					Y	
<i>Polystichum setigerum</i>	Alaska holly fern	CMA CWHvm CWHwh CWHws	S3 (2019)	Blue	G3 (2011)					Y	
<i>Prosartes smithii</i>	Smith's fairybells	CWHmm CWHvh CWHvm CWHxm	S3? (2022)	Blue	G5 (1990)					Y	

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA	Provincial FRPA	Land Use Objectives	CDC Mapped Locations	
										Public	Confidential
<i>Rubus lasiococcus</i>	dwarf bramble	CDFmm CWHds CWHmm CWHxm ESSFmw MHmm	S3 (2019)	Blue	G5 (1990)					Y	
<i>Viola howellii</i>	Howell's violet	CDFmm CWHmm CWHxm MHmm	S1S2 (2019)	Red	G4 (1988)					Y	

Search Criteria

Plants
 AND Distribution: Native
 AND 'Regional Districts':Regional District of Alberni-Clayoquot
 AND Habitat Subtypes: Conifer Forest - Moist/wet
 AND BGC Zone: CWH
 Sort Order:Scientific Name Ascending

Notes

1. Citation: B.C. Conservation Data Centre. 2022. BC Species and Ecosystems Explorer. B.C. Minist. of Environ. Victoria, B.C. Available: <https://a100.gov.bc.ca/pub/eswp/> (<https://a100.gov.bc.ca/pub/eswp/>) (accessed Aug 18, 2022).
2. The data contained in the Results Export in BCSEE are provided under the Open Government License - BC (<http://www.data.gov.bc.ca/local/dbc/docs/license/OGL-vbc2.0.pdf>).
3. We welcome your comments at cdcddata@gov.bc.ca.

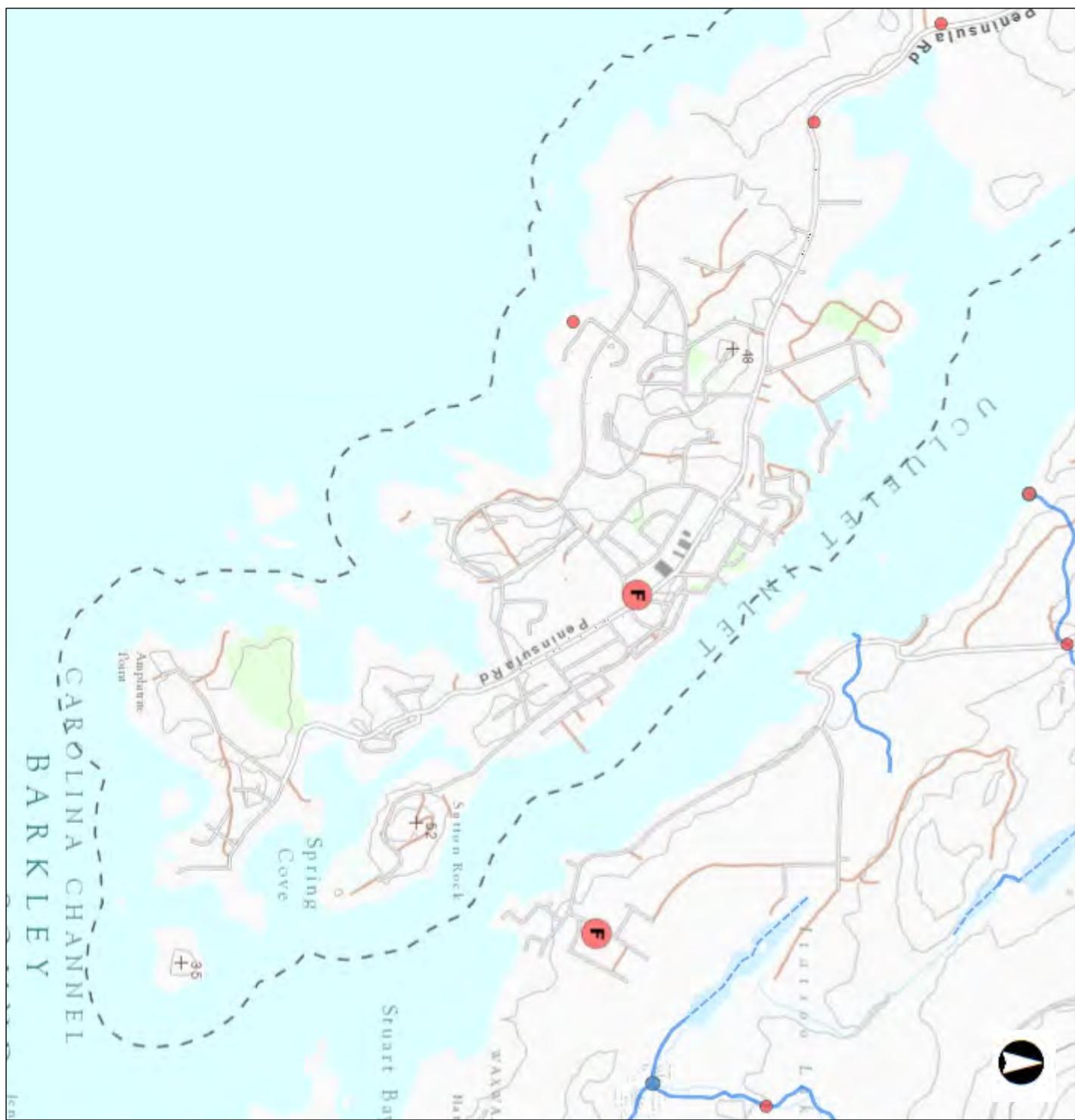
APPENDIX C

BC HABITAT WIZARD SITE SEARCH RESULTS



203-321 Wallace Street, Nanaimo, BC V9R 5B6

SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864



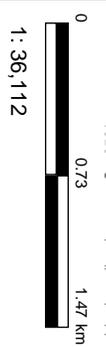
Legend

All Fish points

- Observation
- Summary

Stream Centre Line Network

- WDIC_SPTTP_CODE
- 100 - Coastline
 - 1000 - Single-line blue/line, main
 - 1050 - Single-line blue/line, thro
 - 1100 - Single-line blue/line, seco
 - 1150 - Single-line blue/line, seco
 - 1200 - Construction line, main fl
 - 1250 - Construction line, double
 - 1300 - Construction line, second



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Datum: NAD83
Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere

Key Map of British Columbia





REPORT TO COUNCIL

Council Meeting: December 13, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

FILE NO: 0530-10

SUBJECT: 2023 COUNCIL APPOINTMENTS

REPORT NO: 22-168

ATTACHMENT(S): APPENDIX A - 2023 COUNCIL APPOINTMENTS
APPENDIX B – 2023 ACTING MAYOR SCHEDULE
APPENDIX C – COUNCIL REMUNERATION, EXPENSE REIMBURSEMENT AND BENEFITS BYLAW No. 1226, 2017
APPENDIX D – COUNCIL EXPENSE REIMBURSEMENT - POLICY NUMBER 5-1920-3

RECOMMENDATIONS:

1. **THAT** Council adopt the 2023 Council Appointments, as set out in Appendix A to report number 22-168.
2. **THAT** Councillors Anderson, Hoar, Kennington, and Maftai be designated to serve as Deputy Mayor in accordance with the schedule set out in Appendix B to report number 22-168.

PURPOSE:

The purpose of this report is to confirm the 2023 Council appointments and establish the 2023 Acting Mayor Schedule.

BACKGROUND:

Acting Mayor Schedule

Council is required by the *Community Charter* and the District of Ucluelet Council Procedures Bylaw to annually adopt an Acting Mayor Schedule. This schedule designates Council members to fulfill the Mayor's duties on a rotating basis throughout the year when the Mayor is absent, unable to act or the Mayor office is vacant.

The proposed Acting Mayor Schedule is attached as **Appendix B** to this report.

Council Appointments

Annually, Council members are appointed to be members or liaisons to external boards.

Members appointed by Council resolution are entitled to represent the District of Ucluelet and are remunerated in accordance with *Council Remuneration, Expense Reimbursement and Benefit Bylaw No. 1226, 2017* (**Appendix C**) and the *Council Expense Reimbursement Policy* (**Appendix D**).

Most community group liaison appointments were discontinued in early 2019 and replaced with regular Committee of the Whole Meetings which provide an opportunity for Council to engage directly with those groups.

Confirmed Appointments

The following appointments have already been made by resolution:

- **Mayor McEwen** – ACRD Board of Directors & Alberni Clayoquot Health Network Transportation Action Table
- **Councillor Anderson** – Alternate, Vancouver Island Regional Library Board (VIRL) & Alberni Clayoquot Health Network Table of Partners (subject to successful application process)
- **Councillor Hoar** – Trustee, VIRL
- **Councillor Maftai** – Alternate, ACRD Board of Directors

These appointments are included in **Appendix A**.

Open Appointments

There are a number of Council appointments which have not been made. Appendix A includes proposed appointments.

The following sections outline the mandate of each organization for which there is an open appointment.

Barkley Community Forest - Liaison

Barkley Community Forest Corporation (BCFC) is jointly owned by the District and the Toquaht Nation. It is authorized by the Province of British Columbia under the Barkley Community Forest Agreement to an allowable annual cut of 27,000 cubic metres and an initial term of 25 years.

BCFC is run by a Board of Directors comprised of an equal number of representatives appointed by the District and the Toquaht Nation, plus one non-partisan member agreed upon by both parties.

The District has already appointed its representation on the Board but historically Council also selected a Council member to serve as a liaison.

Coastal Community Network

The Coastal Community Network is a group of Mayor's and their delegates that advocate for discrete issues of importance identified by the members.

Historically the Mayor participated in this Network's meetings.

DFO Groundfish Trawl Advisory Committee - Liaison

This Committee makes annual recommendations regarding the allocation of Ground Fish quotas. It consists of representatives from communities, crew and shore workers, processors, groundfish trawl license holders, First Nations, and non-licensed individuals.

Historically the Mayor served as a liaison to this committee.

Ucluelet Tourism Association – DBA - Tourism Ucluelet

Tourism Ucluelet is an innovative destination management organization committed to leading a sustainable visitor economy through industry and destination development, visitor services, destination marketing and leadership.

The District is entitled to appoint one Council member to Tourism Ucluelet's Board of Directors, as a voting member. This is a new entitlement which will commence after Tourism Ucluelet's AGM in 2023.

Island Coast Economic Trust (ICET)

ICET is a partner and catalyst to build a diverse, innovative and sustainable Island and Coastal Economy. ICET has provided funding for economic development projects in Ucluelet and throughout Vancouver Island.

No appointment is necessary to this Board as the Mayor is automatically appointed as a result of her office.

Future Appointments

Clayoquot Biosphere Trust Society

The Clayoquot Biosphere Trust (CBT) relies on the vision and strategic direction of its Board of Directors to support its role as a community foundation.

The Board of Directors is comprised of appointments from Hesquiaht First Nation, Ahousaht, Tla-o-qui-aht First Nations, Yuułuʔiłʔatḥ Government, Toquaht Nations, District of Tofino, District of Ucluelet and the Alberni-Clayoquot Regional District Area C, as well as two At-large Directors.

Toni Buston is the District’s current appointed Director.

The CBT has advised the District that Rachelle Cole’s appointment as Alternate Director, expires in December and the District must undertake a public process to appoint the Alternate Director. Staff expect to commence this process in the new year.

ANALYSIS OF OPTIONS:

Adopt the proposed Council Appointments and Acting Mayor Schedule	<u>Pros</u>	<ul style="list-style-type: none"> Additional Council liaison appointments and reporting.
	<u>Cons</u>	<ul style="list-style-type: none"> Some increase in Council time required to attend external board meetings.
	<u>Implications</u>	<ul style="list-style-type: none"> May result in increased meeting per-diem and expense recovery costs associated with new liaison appointments
Adopt an amended 2023 Council Appointments schedule and/or 2023 acting Mayor Schedule.	<u>Pros</u>	<ul style="list-style-type: none"> This direction may better align with Council’s interest.
	<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
	<u>Implications</u>	<ul style="list-style-type: none"> May result in increased meeting per-diem and expense recovery cost depending on the adopted appointments. May result in increase in Council time required to attend external board meetings.
		<ol style="list-style-type: none"> THAT Council amend the 2023 Council Appointments attached to report no. 22-168 as Appendix A, as follows: <ol style="list-style-type: none"> _____; _____; and, _____.

		<p>2. THAT Council adopt the 2023 Council Appointments attached to report no. 22-168, as amended.</p> <p>3. THAT Council amend the 2023 Acting Mayor Schedule attached to report no. 22-168 as Appendix B, as follows:</p> <p style="padding-left: 40px;">a. _____;</p> <p style="padding-left: 40px;">b. _____; and</p> <p style="padding-left: 40px;">c. _____.</p> <p>4. THAT Council adopt the 2023 Council Appointments schedule attached to report no. 22-168, as amended.</p>
--	--	---

POLICY OR LEGISLATIVE IMPACTS:

Council members appointed to external boards or as liaisons will be reimbursed in accordance with the *Council Remuneration, Expense Reimbursement and Benefit Bylaw No. 1226, 2017 (Appendix C)* and the *Council Expense Reimbursement Policy*.

Adopting an Acting Mayor Schedule satisfies the [Community Charter](#) requirement to designate a member to act in the place of the Mayor in accordance with the [District of Ucluelet Council Procedure Bylaw](#).

NEXT STEPS:

- Update records related to Council appointments
- Update agenda packages to reflect Acting Mayor Schedule
- Conduct CBT appointment process

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

2023 COUNCIL APPOINTMENTS

Appointee	External Boards	Council Liaison Appointments
Councillor Shawn Anderson	<ul style="list-style-type: none"> • Vancouver Island Library Board (Alternate) • Alberni-Clayoquot Health Network Table of Partners 	
Councillor Jennifer Hoar	<ul style="list-style-type: none"> • Vancouver Island Library Board 	
Councillor Ian Kennington		
Councillor Mark Maftei	<ul style="list-style-type: none"> • Alberni-Clayoquot Regional District Board (Alternate) 	
Mayor Marilyn McEwen	<ul style="list-style-type: none"> • Alberni-Clayoquot Regional District Board • Ucluelet Tourism Association D.B.A. Tourism Ucluelet • Alberni Clayoquot Health Network Transportation Action Table • Coastal Community Network 	<ul style="list-style-type: none"> • Barkley Community Forest • Groundfish Trawl Advisory Committee

2023 ACTING MAYOR SCHEDULE

Deputy Mayor	Term
Councillor Jennifer Hoar	January 1 – March 31, 2023
Councillor Shawn Anderson	April 1 – June 30, 2023
Councillor Ian Kennington	July 1 – September 30, 2023
Councillor Mark Maftei	October 1 – December 31, 2023

District of Ucluelet**Bylaw No. 1226, 2017**

A Bylaw to provide for annual remuneration, expense reimbursement and benefit allowances for members of the Council of the District of Ucluelet

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

Repeal

1. "Council Remuneration, Benefits and Expenses Bylaw No. 1042, 2007" and all amendments thereto are hereby repealed.

Remuneration

2. The base annual remuneration for the Mayor shall be \$24,331.77 per annum effective August 1, 2017. Hereafter the base salary shall be adjusted annually on January 1 of subsequent years to reflect changes in the annual Consumer Price Index for British Columbia as published by Statistics Canada. One-third of the remuneration is for expenses incidental to the discharge of the duties of the Mayor's office.
3. The base annual remuneration for each Council member shall be \$13,907.08 per annum effective August 1, 2017. Hereafter the base salary shall be adjusted annually on January 1 of subsequent years to reflect changes in the Consumer Price Index for British Columbia as published annually by Statistics Canada. One-third of the allowance is for expenses incidental to the discharge of the duties of the Councillors' office.

Expense Reimbursement

4. The Mayor and Acting Mayor, while acting in the capacity of the Mayor, are hereby authorized to and shall be entitled to reimbursement of expenses incurred for the entertainment of guests of the District or to promote the interests of the District.
5. When authorized by Council to represent the District, engage in District business, or attend a meeting, course or convention outside the boundaries of the District, members of Council shall be entitled to reimbursement of expenses incurred during their absences from the District in accordance with Schedule "A" – Schedule of Expenses, which is attached to and forms part of this Bylaw.
6. When authorized by Council to represent the District on a board or organization which meets within the boundaries of the District, members of Council shall be entitled to reimbursement of expenses incurred as a result of this representation, with the exception of meals and mileage.
7. When authorized by Council to represent the District at meetings over and above regular and special meetings of Council, members of Council shall be entitled to compensation pursuant to Schedule "B" – Per Meeting and Travel Day Allowance, which is attached to and forms part of this Bylaw.

8. Members of Council who travel on District business or for attendance at seminars, conferences and other training or educational purposes will adhere to the procedures and guidelines specified in Schedule "C" – Expense Reimbursement Procedures and Guidelines, which is attached to and forms part of this Bylaw.
9. Attendance at conferences, conventions, courses, seminars and other meetings, and expenditures on gifts or other protocol-related expenditures, shall be limited to the budget provided for Council for these purposes in the Five Year Financial Plan bylaw.

Benefits

10. The District is hereby authorized to enter into agreements for medical, dental and life insurance benefits for Council members and their dependents.
11. Benefit premiums will be paid by the District of Ucluelet and participation in any or all of the benefit plans shall be at the Council member's option. Council members opting not to participate in benefit plans are not eligible to receive the equivalent amount of remuneration as a cash benefit.

Citation

12. This bylaw may be cited for all purposes as "Council Remuneration, Expense Reimbursement and Benefits Bylaw No. 1226, 2017".

READ A FIRST TIME this 11th day of **July**, 2017.

READ A SECOND TIME this 11th day of **July**, 2017.

READ A THIRD TIME this 11th day of **July**, 2017.

ADOPTED this 27th day of February, 2018.

CERTIFIED A TRUE AND CORRECT COPY of "Council Remuneration, Benefits and Expense Reimbursement Bylaw No. 1226, 2017".



Dianne St. Jacques
Mayor



Mark Boysen
CAO/Corporate Officer

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



Mark Boysen
CAO/Corporate Officer

Bylaw No. 1226, 2017

Schedule "A"

Schedule of Expenses

Travel			
	Mileage	Maximum allowance permitted by the Canada Revenue Agency for tax purposes as set annually	
	Other – air travel, etc.	100% reimbursement	Receipts required
Meals			
	Breakfast	\$12.00	
	Lunch	\$23.00	
	Dinner	\$30.00	
Accommodation		100% reimbursement	Receipts required
Transportation	Taxi, ferry, parking, etc.	100% reimbursement	Receipts required
Registration fees	Seminars, conventions, etc.	100% reimbursement	Receipts required

Bylaw No. 1226, 2017

Schedule "B"

Per Meeting and Travel Day Allowance

<p>Per Meeting Allowance: for meetings over and above regular or special meetings of Council</p> <p><i>Note – Individual meetings in the context of a larger event such as a convention or seminar are not considered as separate meetings for expense calculations</i></p>		
For meetings or travel days up to 4 hours	\$80.00	
For meetings or travel days lasting 4 hours or longer	\$160.00	

Bylaw No. 1226, 2017**Schedule "C"****Expense Reimbursement Procedures and Guidelines**

1. Travel must be arranged by the most economic means available, taking into consideration cost, convenience, the need for a vehicle at a destination, and the ability of members of Council to travel together.
2. If a member of Council chooses to use a personal vehicle for long distance travel instead of an airline, the amount which will be reimbursed will be the lesser of the economy class airfare based on booking far enough in advance of the event to qualify for discounted rates plus related ground transportation, or the distance to be travelled by the most direct route, multiplied by the current rate per kilometre.
3. Where a member of Council chooses a means of transportation other than those described above, reimbursement shall only be for an amount equivalent to that which would have otherwise been incurred.
4. If circumstances require a means of transportation other than described, thereby incurring a greater cost, the increased cost shall require the approval of the Mayor.
5. All transportation expenses except mileage shall be paid on the basis of single fares.
6. Members of Council may be reimbursed annually for the difference between the insurance premium they would normally pay for their personal vehicle without District use, and the premium for business class coverage necessitated by District use, provided that the Council member has not or would not normally insure that vehicle for business use coverage.
7. Members of Council will be reimbursed the cost of repairing damage to a personal vehicle, to a maximum of \$500.00 or the amount of the insurance deductible, whichever is the lesser, when the damage occurs while the vehicle is being used for District purposes.
8. When reserving or obtaining accommodation, members of Council making their own arrangements will request the Provincial government rate.
9. If a spouse is accompanying a member of Council, the District will pay an additional \$10.00 per night for a double room rate. Any expense greater than \$10.00 will be at the member's expense and will not be reimbursed.
10. Hotel expenses for movies, bar service or any other room service fee will not be reimbursed.
11. When a member of Council chooses to stay with friends or relatives, an allowance of \$25.00 per night may be claimed without receipts for a gift for hosting.
12. Members of Council attending a meeting, conference, convention, course or seminar will not request meal allowances for meals that are provided at the event.

13. Incidental expenses and sundry travel items are included within the incidental portion of the allowance provided by Schedule "B" – Per Meeting and Travel Day Allowance to this Bylaw; no additional reimbursement will be paid.
14. At the discretion of the Mayor, expenses for laundry, long distance calls home on the basis of a maximum of one ten-minute call per day, and other reasonable expenses will be reimbursed upon provision of receipts.
15. Members of Council must complete a travel expense form immediately upon return from travel, and forward these to the Chief Financial Officer for processing.
16. Receipts for all claimed travel expenses must be provided in accordance with Schedule "A" – Schedule of Expenses to this Bylaw.
17. When a member of Council chooses to travel on municipal business or to attend a conference, convention, course or seminar with a spouse or other family members, the District will not pay any additional expenses beyond those associated with the member of Council, with the following exceptions:
 - a) \$10.00 increase to the accommodation rate to upgrade from a single occupancy rate to a double occupancy rate.
 - b) At the annual convention of the Union of BC Municipalities only, the cost of the spouse's attendance at the Welcome Reception, UBCM Banquet, and the cost of one Partner Program per day on both Wednesday and Thursday of the convention.

All other expenses associated with the spouse/family member travelling with the member of Council will be at that member's expense.



POLICY NUMBER: 5-1920-3

REFERENCE:
Council Expense Reimbursement

ADOPTED BY:
Council
January 22, 2019

AMENDED DATE:
N/A

SUPERSEDES:
New

DEPARTMENT:
Finance

EFFECTIVE DATE:
January 22, 2019

Policy Statement:

Page 1 of 2

The purpose of this policy is to provide clarification regarding the types of meetings and events that are eligible, or ineligible, for reimbursement under the *Council Remuneration, Expense Reimbursement and Benefits Bylaw No. 1226, 2017* (the "Bylaw").

1. Council Authorized:

Council members are authorized to represent the District, and be reimbursed in accordance with the Bylaw, when a resolution is adopted at a council meeting that either:

- a) Appoints the council member to a board or organization,
- b) Authorizes the council member to attend a course or convention, or
- c) Authorizes the council member to attend a meeting or event as the District representative.

2. Eligible Meetings and Events:

The following types of meetings and events will be entitled to compensation:

- a) All District of Ucluelet board and committee meetings, including the Harbour Authority and Ucluelet Economic Development Corporation;
- b) Joint meetings between Ucluelet Council and another board, including but not limited to:
 - Barkley Community Forest Corporation;
 - Local Governments and their committees;
 - First Nations;
 - School District; and



The Corporation of the District of Ucluelet

MUNICIPAL POLICY MANUAL

- Boards or organizations based within the District.
- c) Workshop, planning or training sessions hosted by District staff or contracted consultants (e.g. Strategic Planning);
- d) When requested by the CAO, attending business meetings with District staff in the role of Mayor, Acting Mayor, or Council representative; and
- e) Any other meetings when a resolution is adopted at a council meeting.

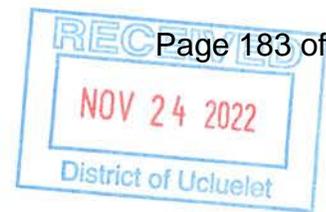
3. Ineligible Meetings and Events:

The following meetings and events will not be entitled to compensation:

- a) Regular and special Council meetings, including budget and in-camera meetings;
- b) District and non-District public events that are advertised and open to the general public, except when the Mayor or Acting Mayor is requested to fulfill a ceremonial role;
- c) Meetings with residents, businesses, and representatives from governmental and non-governmental organizations without prior authorization from Council or CAO;
- d) Annual General Meetings, except when a council member is appointed to represent the District on the board;
- e) Educational webinars that are free of charge; and
- f) Meetings where expenses are paid by other agencies (e.g. Vancouver Island Regional Library).

Mayor Mayo Noël
District of Ucluelet

Ucluelet and Area Historical Society



To: Mayor and Council

RE: Japanese Canadian Pavilion Interpretive Centre, November 2022

The UAHS is planning to apply for funding through the Japanese Canadian Legacies Society, which will administer the Redress fund announced on May 21, 2022 when the Premier of British Columbia, officially acknowledged the injustice done to Japanese Canadians by the 1942 Internment. The Province's created a Redress Fund to be distributed in fulfilment of the redress initiatives: education, heritage, community, monument, seniors' health & wellness, and anti-racism. It is anticipated that some portion of the fund will go to creating interpretive centres.

A unique fact about Ucluelet's population prior to forcible removal in 1942 was that the thriving community of Japanese Canadian fishing families comprised one half the population of Ucluelet.

The Ucluelet and Area Historical Society has long seen the need for permanent recognition of the Japanese Canadian community's achievements and their resilience after the historical wrong done to them. The Society will apply to the Japanese Canadian Legacies Society for funding to create a permanent open-air pavilion housing interpretive panels that will tell the story of the Japanese Canadian coastal fishing families in the Twentieth Century. Our goal is to contribute to reconciliation through education that will reach locals of all ages, and also thousands of tourists who visit annually.

Our initial concept: An open pavilion of authentic traditional Japanese architecture, on public land administered by the District of Ucluelet. The structure would incorporate First Nations art as recognition of the early friendship between Japanese and coastal indigenous families. We would like to include an artist's representation of the 20th-century fishing industry that was central to all three ethnic groups on the West Coast. Ideally, we would like the pavilion to be located on the harbour, or with a view of the ocean, which was the base of the local economy and lifestyle.

Photographic/interpretive panels created by the Historical Society will tell the story of the Japanese Canadian settlers' full experience: initial settlement as fishing families, the unjust and traumatic removal and loss of property, and in the early 1950s the return of some families to thrive again as an integral part of the community.

The open pavilion, large enough for groups such as walking tours to gather under its shelter, will be located in an area where most visitors will see it and all locals will know it. Double-sided metal interpretive panels running partially around the perimeter, with the traditional Japanese roof overhang will allow viewing from both sides, even in heavy rain. Though requiring only a relatively small space, it will be a draw to visitors, and become a focal point of the community. *In fulfilment of the requirements of the Japanese Canadian Legacies Society, it will be a lasting recognition of Japanese Canadians' historic experience on the West Coast, including the co-operative interaction with other settlers and First Nations.*

Our project will depend on the support of the District of Ucluelet, First Nations government, Pacific Rim Arts Society, Wild Pacific Trail Society and other not-for-profit organizations. We are requesting a letter of support and a motion from the District of Ucluelet Council to direct a staff member to work with the Historical Society to find a suitable location on District of Ucluelet land, to create the Ucluelet Japanese Canadian Legacy Pavilion.

The planning process will begin when criteria for granting of funds are announced by the Japanese Canadian Legacies Society, probably in the Spring. At this point the Ucluelet & Area Historical Society seeks to build support.

Claudia Cole for

Ucluelet and Area Historical Society Board of Directors
info@ucluelethistory.ca

From: [BC PR & Communications Adviser](#)
To: [Info Ucluelet](#)
Date: November 25, 2022 2:25:51 PM

[External]

Dear Mayor and Council,

On behalf of Girl Guides of Canada's British Columbia Council, I am writing to ask for your support for girl empowerment in BC this February 22, by lighting up in the colour blue. Blue is the well-known colour of Girl Guides and girls/women in BC have worn their blue Girl Guide uniforms with pride for many generations.

BC Girl Guides invites you to participate in our third-annual Guiding Lights Across BC celebration on February 22, 2023!

February 22 is a special day for Girl Guides around the world, as we celebrate World Thinking Day, a day of international friendship.

It is an opportunity to speak out on issues that affect girls and young women globally, celebrate the founding of Girl Guides, and be connected to the 10 million members around the world who are part of the Guiding movement.

Here in British Columbia, we have thousands of girls and women who are members of Girl Guides of Canada. Our Girl Guide program is present in nearly every community across BC. Our girls/volunteers light up their communities year-round through leadership, community service, and efforts to create a better world, by girls.

Girls typically participate in annual Thinking Day activities held on/around February 22 and our Guiding Lights Across BC celebration has helped our members celebrate

For Thinking Day 2023, we will again celebrate with our third-annual Guiding Lights Across British Columbia event.

This community initiative will light up outdoor landmarks, bridges, buildings, stadiums, and other illuminated locations, with blue lights, in celebration of the sisterhood of Guiding across BC and beyond. With two great years of celebration having happened in 2021 and 2022 with over 100 landmarks each year that have lit up, we want to keep this tradition going, and we need your help!

Participating locations and the Guiding Lights resources can be found at:

www.girlguides.ca/guidinglightsacrossbc

We will be encouraging our members and their families to admire these lit-up sites, posting photos on social media, emailing our members with info about how to participate, and more.

Our Girl Guide members and broader network of supporters would be thrilled to have your landmarks lit up as part of Guiding Lights Across British Columbia, and we're ready to highlight your participation. Please contact us at bc-prcomm@girlguides.ca to confirm your ability to participate in this February 22, 2023, activity. Upon confirmation, your landmark will be added to our map. To participate, a landmark must glow blue or have other specialized décor in the colour blue.

Thank you for your support for Guiding in BC!

Kindest regards

Shalan Kelly

Shalan Kelly (She/Her) | BC Public Relations and Communications Adviser

BC Council, Girl Guides of Canada

bc-prcomm@girlguides.ca / (cell) 250-816-0353

I respectfully acknowledge that I live and work within the ancestral, traditional, and unceded territory of the Songhees, Esquimalt, and WSÁNEĆ Nations.



Mayor and Council
 District of Ucluelet
 P.O. Box 999
 Ucluelet, B.C.
 V0R 3A0



December 5, 2022

Dear Mayor McEwen and Council:

Re: Alternate Appointment to Clayoquot Biosphere Trust Board of Directors

In December, Rachelle Cole, the alternate director appointed to the Clayoquot Biosphere Trust (CBT) by the District of Ucluelet (DoU), will reach the end of her four-year term. We are grateful to Rachelle for her passion for community and commitment to the CBT during this time.

I invite the DoU to initiate a process to appoint a new alternate director. Toni Buston is the primary director appointed by the DoU. Her term began in March 2021 and will continue to 2024. You can find a listing of all CBT directors [here](#).

When establishing the CBT, all participating communities – including the District of Ucluelet – made a commitment to use a public process to select board members. All communities also agreed that the selection criteria for directors should include an objective assessment of skills, knowledge, or expertise that the individual could bring to the CBT.

Interested candidates should know that the CBT was established by the communities of the Clayoquot Biosphere Region in 2000 and is the only organization in Canada that is both a community foundation and a UNESCO biosphere. We pair this spirit of community with the power of a global presence to bring more people together for a shared understanding. Our board and staff work to strengthen the development of all citizens, communities, and the ecosystems on which we all depend, for a future we can all be proud of.

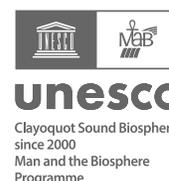
As you undertake the selection process, I ask that you consider the following:

- The CBT exists to support research, education, and programs that advance conservation, the understanding of natural processes in the marine and terrestrial ecosystems, and that promote the health of individuals and communities in the Clayoquot Sound Biosphere Region.

PO Box 67, 316 Main Street, Tofino BC Canada V0R 2Z0
 T 250.725.2219

clayoquotbiosphere.org

Alternate Appointment to Clayoquot Biosphere Trust Board of Directors Re...



- The CBT is steward and administrator of the Clayoquot Sound UNESCO Biosphere designation. As such, the CBT is focused on the broad objectives of sustainable development, biodiversity conservation, and reconciliation.
- The CBT is also the west coast community foundation. The board oversees the management of the Canada Fund endowment, as well as twelve other community funds. The board has a decision-making role in our major granting streams and helps to raise awareness of funding opportunities. Directors may assist with fundraising activities and an interest is appreciated. Experience as a volunteer on our advisory committees is also appreciated.
- The CBT board is a governance board. We seek an individual that is keen to be a public face of the CBT in their community and can gather input to share with our board and staff. An orientation will be provided, and training opportunities are ongoing.
- All directors are expected to uphold the principles, interests, and objectives of the CBT.
- The board meets approximately eight times a year. Most of these meetings take place during the day and early evenings on weekdays, less so during weekends. The board is moving back towards meeting in person throughout the region, but virtual participation is also an option.
- The director will serve a four-year term from the date on which the appointment is effective. Each director can serve a maximum of two terms.

CBT staff is available to assist with advertising the position and can share a posting that communities have used in the past. We can also highlight the volunteer opportunity on our social media, website, and in our newsletter.

Please notify the Board of Directors of the CBT once you have made your selection.

Thank you for your continued commitment to the UNESCO Biosphere designation and participation in the CBT. Please feel free to contact me at 266-0106 if you have any questions or require further information.

Sincerely,



Rebecca Hurwitz
Executive Director



Welcome elected officials

We would like to congratulate you on your successful campaign and election to your role. It takes considerable time, courage, and effort to run as an elected official and here at North Island Students' Union (NISU) we hold deep appreciation for all the folks who make that commitment.

NISU is a student run organisation which represents all credit earning students at North Island College (NIC). With campuses in Port Alberni, Comox Valley, Campbell River and Port Hardy, a learning centre in Ucluelet and students who join us online from all over the world, NISU represents over 5000 full time students. NISU is the recognized voice for all students at NIC and we look forward to collaborating with you on solutions to issues that affect students.

NISU focuses on three areas of engagement: Services, Community and Advocacy. Services aim to offset the decision of students to step out of the labour force mostly or entirely.

Services include an extended health and dental plan, student handbook/day planner, the Deals App, which provides access to discounts locally and province wide as well as a NISU app for direct, dedicated communication to members.

Community includes events and clubs to help students find connection and belonging while studying.

Students today face multiple barriers to education and through our advocacy work we aim to reduce barriers working towards fair, affordable, and equitable education for all. NISU lobbies at all levels of government both independently and in collaboration with the BC Federation of Students. As an elected official, we hope you will keep the needs of students in your thoughts as you vote on the varied and complex issues that will come before you. In our experience, the issue of housing is of huge importance and will continue to fall further onto

North Island Students' Union is honoured to acknowledge territories of the combined 35 First Nations; Nuu-chah-nulth, Kwakwaka'wakw and Coast Salish peoples, on whose unceded lands we learn, live and play

the shoulders of local governments. Access to public transportation, medical services, mental health supports as well as environmental concerns and the rising cost of living continue to impact students.

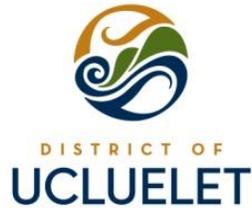
We understand that municipal governments are stretched thin, with many services being downloaded from higher levels of governments and a small percentage of the tax dollar being afforded to do the important work tasked to you. We hope to join you in consultation for student needs and as a partner in lobbying for grants, financial aid, and reliable revenue streams to help you succeed in delivery of services.

Should you like to deepen your understanding of NISU or collaborate on something you are focused on which affects students in your area, please book a meeting through our bookable calendar on Calendly at calendly.com/nisuoffice or email us at theoffice@nisu.ca.

Sincerely from NISU Board of Directors and staff
Nicholas McCann-Anderton - Accessibility and Equity Director
Alfie Esperanza - Community Director
Mercedes Dysserick - Communications Director
Alex McColm - Federation and Governance Relations Director
Vincent Michaud - Internal Relations Director
Mary Rickinson - Services Director

Rebecca Lennox - Organiser, Advocacy
Joanne Probert - Organiser, Services
Carissa Wilson - Executive Director

North Island Students' Union
Local 15 British Columbia Federation of Students
theoffice@nisu.ca 778-585-6478 2300 Ryan Road, Courtenay V9N 8N6



INFORMATION REPORT

Council Meeting: December 13, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

FILE NO: 4020-20

SUBJECT: PLANNING, BUILDING AND BYLAW ACTIVITY REPORT

REPORT NO: 22- 174

ATTACHMENT(S): NONE

PURPOSE:

The purpose of this report is to provide an update on departmental activity in the Planning, Building Inspections and Bylaw Enforcement functions. This includes an updated snapshot on permit activity, business licensing and short-term rental (STR) monitoring, investigation and bylaw enforcement.

BACKGROUND:

This report provides an updated snapshot of activity within the Community Planning department including results since the last activity report was provided to Council in November of 2021.

PLANNING ACTIVITY:

This period saw the following long-range planning projects completed:

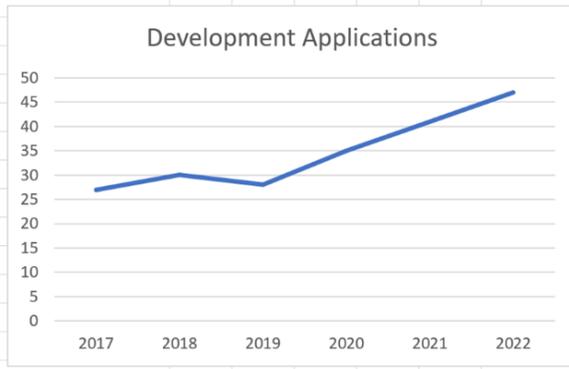
- OCP Bylaw No. 1306, 2022, adopted.
- West Coast Housing Needs Assessment completed.
- B&B regulation & Business Licensing updates (Bylaws 1310 & 1313).
- Addition of Accessory Residential Dwelling Unit (ADU) as a permitted use in most single-family residential zones.

Staff also coordinated the development of new Council-adopted policies for:

- Early referral of major development applications to the Yuułuʔiłʔatḥ Government for review and comment.
- Tsunami risk tolerance for new public infrastructure, rezonings and subdivisions in areas of known tsunami hazard.

Development applications have continued to increase despite the rise in interest rates and signs of economic uncertainty (see **Figure 1**). Larger rezoning applications such as 221 Minato Road and 604 Rainforest Drive also took staff time to process prior to the municipal election.

Applications	2017	2018	2019	2020	2021	2022
Development Permits	10	13	5	14	9	17
Rezoning	10	10	6	10	5	7
Development Variances	7	5	7	5	7	6
Temporary Use Permits	n/a	n/a	6	5	19	12
Board of Variance	n/a	2	4	1	1	5
Total	27	30	28	35	41	47



(Figure 1. Trend in Development Applications)

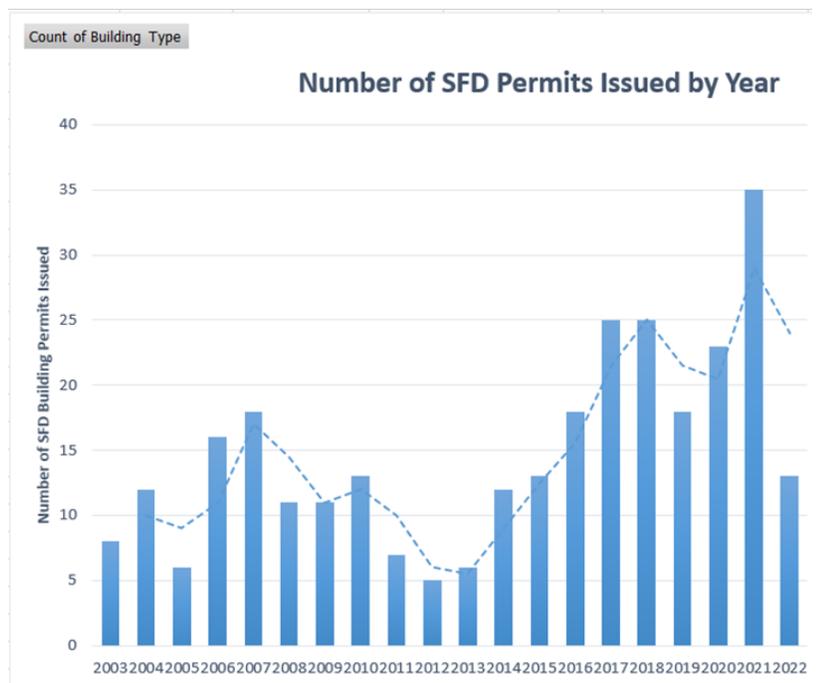
The volume of inquiries from existing, prospective and new property owners has remained steady.

A number of Lands files have also been overseen by the department, including negotiating new statutory rights-of-way for pedestrian access at the Small Craft Harbour and at Pass of Melfort Place.

BUILDING PERMIT AND INSPECTION ACTIVITY:

Bringing on a full-time building inspector at the beginning of 2022 has allowed the department to make headway on the permit activity brought by the recent building boom.

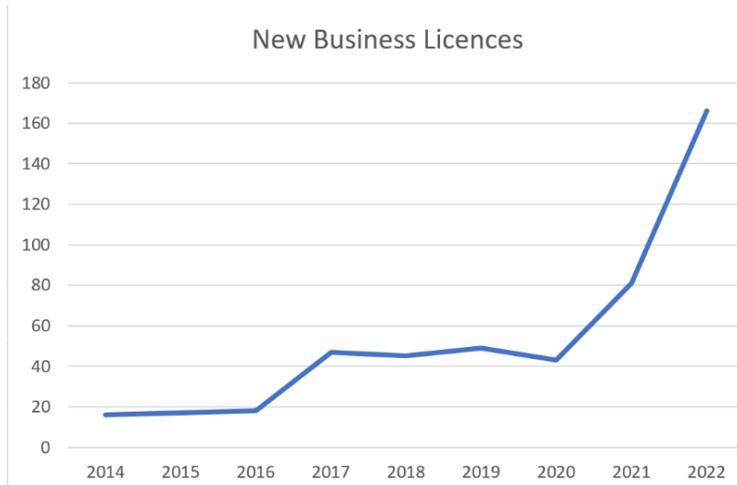
The number of new permit applications this year has returned to the 15-year average (see Figure 2). It will remain to be seen how interest rates, housing demand and new subdivision approvals will affect building activity in town; staff expect that development will remain steady at least in the short- to medium-term.



(Figure 2. Single-Family building permits)

BYLAW SERVICES:

The Bylaw Enforcement and Business Licence review side of the department is currently staffed with one full-time officer. Covid recovery funding for a second, seasonal officer position has ended.



Business licence activity is up. There are a total of 542 active business licences in Ucluelet, with over 166 new businesses established so far this year alone – for comparison in 2020 there were 43 new business licences and in 2021 there were 80 (see **Figure 3**).

Of these newly licensed businesses, over a third are new short-term rental businesses in single-family dwellings.

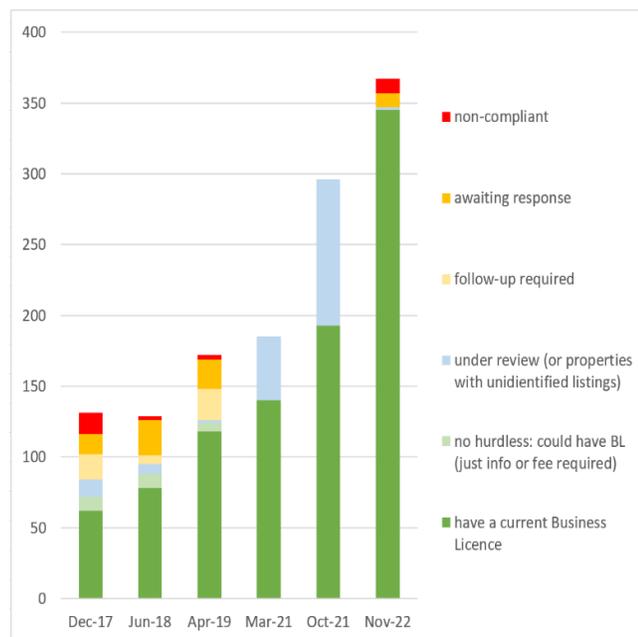
(Figure 3: new Business Licences)

There are currently just over 350 online listings for short-term vacation rentals (STRs) in Ucluelet. This number changes weekly as properties are added or removed from the short-term rental market, but for the purposes of this report that number can be considered reasonably accurate and current. The number of listings has increased over last year (see **Figure 4**). Approximately 200 listings in Ucluelet are for commercial resort condo units; approximately 150 are B&B's in residential properties.

The following issues or concerns are sometimes encountered with STR units, and are enforced when they are noted:

- Not a permitted use in the zoning bylaw;
- Construction or change of use without the required building permit; and/or,
- Owner not a present, full-time resident in cases where it is required by zoning.

The monitoring of STR units is one of the areas of proactive enforcement established by Council policy. Due to the nature of the short-term rental business and online bookings, oversight and monitoring of this class of business licence takes more staff



(Figure 4. online Short-Term Rental accommodation listings)

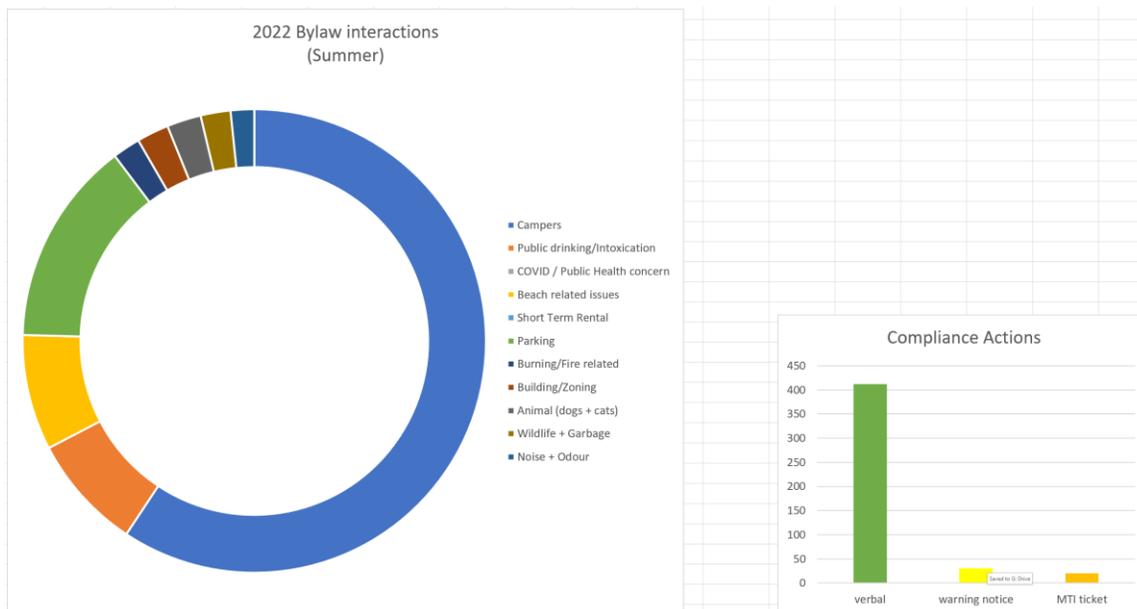
time than others. As the numbers of online listings increases, the web-crawler monitoring service employed by the District rises proportionately.

The ongoing monitoring and enforcement of STR's is important to lessen the impacts on housing and to level the playing field with other forms of tourist accommodation businesses.

The other area of proactive enforcement involves patrolling, educating and enforcing a range of bylaws that largely cover issues of nuisance and conduct in public places. These activities are aimed at improving quality of life for residents as well as improving the visitor experience.

Over the past two summers, the single largest issue has been illegal camping on public roads and other public places, followed by parking issues and issues on the Town's beaches.

As seen in the lower right chart in **Figure 5**, some 95% of bylaw interactions are dealt with by education and in some cases warnings; only in 5% of cases is the issuance of a ticket deemed necessary.



(Figure 5. 2022 Bylaw interactions)

Respectfully submitted:

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



INFORMATION REPORT

Council Meeting: December 13, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: RICK GEDDES, FIRE CHIEF

FILE No: 7380-20

SUBJECT: UCLUELET FIRE RESCUE 2022 Q1-Q3 REPORT

REPORT No: 22- 173

ATTACHMENT(s): N/A

PURPOSE:

This report is to update Council on Ucluelet Fire Rescue activities from January 2022 to the end of September 2022.

OPERATIONS:

From January 1st, 2022 to September 30th, 2022, Ucluelet Fire Rescue has responded to 131 calls. This represents a similar call volume for the same period of 2021.

Call breakdown includes:

- Alarm Activations: 24
- Ambulance assists: 9
- Beach / Brush Fires: 4
- Chimney Fires: 1
- Duty Officer Investigations: 13
- Medical Calls: 45
- Motor Vehicle Incidents: 21
- Structure Fires: 3
- Tsunami Alerts: 1
- Other: 10

Only 1 of the 3 structure fires was in Ucluelet. The other 2 were in contracted areas.

Ucluelet Fire Rescue responded to 26 calls in contracted areas during this period. This includes motor vehicle incidents which the fire department responds to on behalf of Emergency Management BC (EMBC).

The District receives compensation when responding on behalf of EMBC. This money gets allocated to the Fire Facilities, Vehicles, & Equipment Reserve Fund Account.



District of Ucluelet

2022 Audit Service Plan

Report to Mayor and Council

December 31, 2022

Cory Vanderhorst, CPA, CA

T: 250.734.4319

E: cory.vanderhorst@mnt.ca



Wherever business takes you

[MNP.ca](https://www.mnt.ca)



November 16, 2022

Members of Mayor and Council of the District of Ucluelet

Dear Mayor and Council:

We are pleased to present our Audit Service Plan for the District of Ucluelet (the "District"). In this plan we describe MNP's audit approach, our engagement team, the scope of our audit and a timeline of anticipated deliverables. We are providing this Audit Service Plan to Mayor and Council on a confidential basis. It is intended solely for the use of Mayor and Council and is not intended for any other purpose. Accordingly, we disclaim any responsibility to any other party who may rely on this report.

Our audit will include an audit of the District's consolidated financial statements for the year ended December 31, 2022, prepared in accordance with Canadian public sector accounting standards. Our audit will be conducted in accordance with Canadian generally accepted auditing standards.

At MNP, our objective is to perform an efficient, high quality audit which focuses on those areas that are considered higher risk. We adhere to the highest level of integrity and professionalism. We are dedicated to maintaining open channels of communication throughout this engagement and will work with management to coordinate the effective performance of the engagement. Our goal is to exceed Mayor and Council's expectations and ensure you receive outstanding service.

Additional material provided along with this report includes our Engagement Letter. Our Engagement Letter is the formal written agreement of the terms of our audit engagement as negotiated with management and outlines our responsibilities under Canadian generally accepted auditing standards.

We look forward to discussing our Audit Service Plan with you and look forward to responding to any questions you may have.

Sincerely,

A handwritten signature in black ink that reads 'MNP LLP'.

MNP LLP

Chartered Professional Accountants

MNP LLP

400 MNP Place, 345 Wallace Street, Nanaimo B.C., V9R 5B6

T: 250.753.8251 F: 250.754.3999

MNP's Client Service Commitment

To make strategic business decisions with confidence, your stakeholders and Mayor and Council of the District need relevant, reliable and independently audited financial information. But that's not all. You need an audit team that can deliver insight beyond the numbers and enhance the District's strategic planning and implementation processes so you can embrace new opportunities while effectively managing risk. Our audit strategy is risk based, and considers the limitations and opportunities you encounter each day, allowing our recommendations to be implemented with greater ease. Committed to your success, MNP delivers meaningful, reliable financial information to not only help you fulfill your compliance obligations, but also to achieve your key strategic goals.

Our Audit Service Plan outlines the strategy we will follow to provide the District's Mayor and Council with our Independent Auditor's Report on the December 31, 2022 consolidated financial statements.

Topics for Discussion

We are committed to providing superior client service by maintaining effective two-way communication. Topics for discussion include, but are not limited to:

- Changes to your business operations and developments in the financial reporting and regulatory environment
- Business plans and strategies
- Any other issues and/or concerns
- Documents comprising the annual report, and their timing of issuance
- Fraud, including how fraud could occur, the risk of fraud and misstatement, and any actual, suspected or alleged fraud
- The management oversight process
- Your specific needs and expectations

Key Changes and Developments

Based on our knowledge of the District and our discussions with management, we have noted the recent developments set out below. Our audit strategy has been developed considering these factors.

Key Issues and Developments		Summary
	New Reporting Developments	<ul style="list-style-type: none"> • PS 1201 Financial Statement Presentation (Amendments) • PS 3280 Asset Retirement Obligations (New) • PS 3400 Revenue (New) • PS 3450 Financial Instruments (Amendment)
	New Assurance Developments	<ul style="list-style-type: none"> • CAS 315 Identifying and Assessing the Risks of Material Misstatement (Amendment)

Detailed information on Key Changes and Developments are included as Appendix A.

CAS 315 Update

The Canadian Auditing Standards (CAS) has revised the auditing standard related to identifying and assessing risks of material misstatements.

The revised CAS 315 will be effective for our audit of the District's financial statements for the fiscal year ending December 31, 2022.

Key changes include:

- Re-analyse financial statement risks by component parts: complexity, subjectivity, etc.;
- In depth understanding of the District's use of information technology (IT);
- Additional requirements around management's control environment

What does this mean for our audit?

There will be an increase in upfront planning time required from both management and our audit team to meet the revised requirements. Specifically:

1. Audit risk assessment currently considers fraud schemes and significant risks, and assertion-level evaluation of financial statement risk. The addition of inherent risk factors (complexity, subjectivity, change, uncertainty or susceptibility to misstatement due to management bias or other fraud factors) is more granular and will require both careful assessment at planning, and specific audit procedures in response.
2. We will require assistance from management and the District's information technology department to understand the District's use of IT. Based on this detailed understanding, our audit team will evaluate the risks arising from IT and the design and implementation of the IT general controls. Implications may include the involvement of an IT specialist and testing of the District's IT general controls and IT application controls. In addition to the IT environment, our audit team will be assessing key controls and the benefits of testing the operating effectiveness of these controls as it relates to the overall audit approach.
3. Even where we do not plan to rely on controls, additional requirements apply to understand components of management's entity-level control environment including oversight, culture, assignment of responsibility and how individuals are held accountable.

The new requirements noted above may result in the identification of deficiencies in the design and implementation of certain controls. We will then engage with management through the subsequent period to ensure our parallel assessment of efforts aimed at remediating control deficiencies.

Sample questions to consider asking management are:

1. Has the District evaluated controls over risk assessment, oversight, culture, assignment of authority/responsibility?
2. Has the District extended the evaluation of controls to the District's information technology system (e.g. changes to manage change or logical access IT general controls, implementation of new IT applications) and were any weaknesses identified?
3. Were there any challenges in applying the new requirements?

Further we encourage you to ask us questions to stay informed, here are a sample of questions to consider:

1. How has the revised CAS 315 influenced the risk assessment for the current year audit? Has the scope changed from the prior year?
2. How has the assessed risks of material misstatement related to the District's information technology systems affect the audit and how have you addressed those potential risks?
3. To what extent did you engage IT specialists to be involved in the audit of financial statements? If so, how were the specialists used, and did the use of specialists change in the current year?
4. How has your risk assessment of the internal control policies and procedures impacted the audit strategy for the current year?
5. Are there any areas where management could be of greater assistance to reduce the amount of time spent by you?
6. Were there any challenges in applying the new requirements to the audit?

Key Milestones

Based on the audit planning performed and areas of audit risks identified, the following timelines for key deliverables have been discussed and agreed upon with management:

Key Deliverable	Expected Date
Delivery of December 31, 2022 Audit Service Plan to Mayor and Council	November 2022
Interim procedures	November 21, 2022 to November 23, 2022
Year-end fieldwork procedures	April 3, 2023 to April 7, 2023
Draft year-end consolidated financial statements to be discussed with management	April 2023
Presentation of December 31, 2022 Audit Findings Report to Mayor and Council	April 2023
Presentation of Management Letter to Mayor and Council	April 2023
Issuance of Independent Auditor's Report	April 2023

Audit Materiality

Materiality is an important audit concept. It is used to assess the significance of misstatements or omissions that are identified during the audit and is used to determine the level of audit testing that is carried out. Specifically, a misstatement or the aggregate of all misstatements in consolidated financial statements as a whole (and, if applicable, for particular classes of transactions, account balances or disclosures) is considered to be material if it is probable that the decision of the party relying on the consolidated financial statements, who has reasonable understanding of business and economic activities, will be changed or influenced by such a misstatement or the aggregate of all misstatements.

The scope of our audit work is tailored to reflect the relative size of operations of the District and our assessment of the potential for material misstatements in the District's consolidated financial statements as a whole (and, if applicable, for particular classes of transactions, account balances or disclosures). In determining the scope, we emphasize relative audit risk and materiality, and consider a number of factors, including:

- The size, complexity, and growth of the District;
- Changes within the organization, management or accounting systems; and
- Concerns expressed by management.

The scope of our audit work is tailored to reflect the relative size of operations of the District and our assessment of the potential for material misstatements in the District's consolidated financial statements as a whole.

Judgment is applied separately to the determination of materiality in the audit of each set of consolidated financial statements (and, if applicable, for particular classes of transactions, account balances or disclosures) and is affected by our perception of the financial information needs of users of the consolidated financial statements. In this context, it is reasonable to assume that users understand that consolidated financial statements are prepared, presented and audited to levels of materiality; recognize uncertainties inherent in the measurement of amounts based on the use of estimates, judgment and consideration of future events; and make reasonable economic decisions based on the consolidated financial statements. The foregoing factors are taken into account in establishing the materiality level.

We propose to use \$300,000 as overall materiality for audit planning purposes.

Audit Team

In order to ensure effective communication between Mayor and Council and MNP, we outline below the key members of our audit team that will be responsible for the audit of the District and the role they will play:

Team Members	Contact Information
Cory Vanderhorst, CPA, CA, Engagement Partner	E: Cory.Vanderhorst@mnp.ca
Louise Blomer, CPA, Engagement Manager	E: Louise.Blomer@mnp.ca

In order to serve you better and meet our professional responsibilities, we may find it necessary to expand our audit team to include other professionals whose consultation will assist us to evaluate and resolve complex, difficult and/or contentious matters identified during the course of our audit.



Any changes to the audit team will be discussed with you to ensure a seamless process and that all concerned parties' needs are met.

Fees and Assumptions

DESCRIPTION	2022 ESTIMATE	2021 ACTUAL
Base audit fee as per our fee quote dated September 5, 2019	\$ 27,500	\$ 26,500
Adoption of CAS 315 new audit standard (one time fee)	\$ 1,500 - \$ 3,000	\$ -
Disbursements	\$ 1,450 - \$ 1,525	\$ 1,325
Total	\$ 30,450 - \$ 32,025	\$ 27,825

If any significant issues arise during the course of our audit work which indicate a possibility of increased procedures or a change in the audit timetable, these will be discussed with management by the engagement partner, so a mutually agreeable solution can be reached.

Invoices will be rendered as work progresses in accordance with the following schedule:

DESCRIPTION	AMOUNT
On delivery of the audit service plan, 50% of fee	\$ 13,750
At the start of year-end field work, 25% of fee	\$ 6,875
Upon the delivery of the final financial statements and independent auditor's report 25% of the fee	\$ 6,875
CAS 315 - with final billing	\$ 1,500 - \$ 3,000

Appendix A – Key Changes and Developments

We would like to bring to your attention the following accounting and auditing developments, which may have some impact on your financial reporting.

Issues and Developments Summary

New Reporting Developments

PS 1201 Financial Statement Presentation (Amendments)

In April 2021, the Public Sector Accounting Board (PSAB) issued amendments to PS 1201 *Financial Statement Presentation*.

The narrow-scope amendments clarify the presentation of derivatives, specifically allowing public sector entities to present the remeasurement impact of derivatives separately on the statement of change in net debt. Other minor presentation clarifications have also been included such as allowing a new subtotal for the change in net debt excluding the impact of remeasurement gains and losses on the statement of change in net debt and allowing the inclusion of a footnote on the net debt indicator in the statement of financial position to refer to additional detail provided on the statement of change in net debt.

The amendments are effective in the same period PS 2601 *Foreign Currency Translation* and PS 3450 *Financial Instruments* are adopted. PS 2601 and PS 3450 are to be adopted together and are effective for annual financial statements relating to fiscal years beginning on or after April 1, 2022. Early application continues to be permitted.

PS 3280 Asset Retirement Obligations (New)

In August 2018, new PS 3280 *Asset Retirement Obligations* was included in the CPA Canada Public Sector Accounting Handbook (PSA HB). The new PS 3280 establishes standards on how to account for and report a liability for asset retirement obligations (ARO). As asset retirement obligations associated with landfills are included in the scope of new PS 3280, PS 3270 *Solid Waste Landfill Closure and Post-Closure Liability* will be withdrawn.

The main features of this standard are as follows:

- An ARO represents a legal obligation associated with the retirement of a tangible capital asset.
- Asset retirement costs increase the carrying amount of the related tangible capital asset and are expensed in a rational and systematic manner.
- When an asset is no longer in productive use, the associated asset retirement costs are expensed.
- Measurement of the ARO liability should result in the best estimate of the amount required to retire a tangible capital asset at the financial statement date.
- Subsequent measurement of the ARO liability results in either a change in the carrying amount of the related tangible capital asset or an expense. The accounting treatment depends on the nature of the remeasurement and whether the asset remains in productive use.
- The best method to estimate the liability is often a present value technique.

This standard was to be effective for fiscal years beginning on or after April 1, 2021. On June 25, 2020, the PSAB made the decision to defer the effective date by one year due to the impact of the COVID-19 pandemic. The new Section is now effective for annual financial statements relating to fiscal years beginning on or after April 1, 2022.

Early application continues to be permitted.

PS 3400 Revenue (New)

In November 2018, new PS 3400 *Revenue* was included in the CPA Canada Public Sector Accounting Handbook (PSA HB). The new PS 3400 establishes standards on how to account for and report on revenue by distinguishing between revenue arising from transactions that include performance obligations and transactions that do not have performance obligations. The main features of this Section are as follows:

- Performance obligations are enforceable promises to provide specific goods or services to a specific payor.
- Performance obligations can be satisfied at a point in time or over a period of time.
- The new standard outlines five indicators to determine if the revenue would be recognized over a period of time.
- Revenue from a transaction with a performance obligation(s) is recognized when, or as, the entity has satisfied the performance obligation(s).
- Revenue from transactions with no performance obligation is recognized when a public sector entity has the authority to claim or retain an inflow of economic resources and a past event that gives rise to a claim of economic resources has occurred.

Further editorial changes have also been made to other standards as a result of the issuance of PS 3400.

This Section was to be effective for fiscal years beginning on or after April 1, 2022. On June 25, 2020, the PSAB made the decision to defer the effective date by one year due to the impact of the COVID-19 pandemic. The new Section is now effective for annual financial statements relating to fiscal years beginning on or after April 1, 2023. Early application continues to be permitted.

PS 3450 Financial Instruments (Amendment)

In April 2020, the Public Sector Accounting Board (PSAB) issued amendments to PS 3450 *Financial Instruments*. The main features of the amendments include:

Bond Repurchase Transactions

- Bond repurchase transactions are only to be treated as extinguishments when they are either:
 - Legally discharged;
 - An exchange of debt instruments with substantially different terms; or
 - A substantial modification of the terms of an existing financial liability or part of it.

Section Application

- Clarification that PS 3450 does not apply unless a contractual right or a contractual obligation underlies a receivable or payable. By definition, there must be a contract for there to be a financial instrument.
- Clarification for how to account for a transfer of collateral pursuant to a credit risk management mechanism in a derivative contract.
- Addition of application guidance explaining that derecognition of a financial asset does not occur if the transferor of a financial asset retains substantially all the risks and benefits of ownership.

Transitional Provisions

- Clarification that a controlling government should use carrying values of the financial assets and liabilities in the records of its government organizations when consolidating a government organization.
- For financial assets or financial liabilities in the cost or amortized cost category which have an associated unamortized discount, premium or transaction costs, the unamortized discount, premium or transaction costs should be included in the item's opening carrying value.
- For derivatives which may not have been recognized or may not have been measured at fair value prior to the adoption of PS 3450, any difference between the previous carrying value and fair value should be recognized in the opening balance of accumulated remeasurement gains and losses.

The amendments were to be effective for fiscal years beginning on or after April 1, 2021. On June 25, 2020, the PSAB made the decision to defer the effective date by one year due to the impact of the COVID-19 pandemic. The new Section and amendments are now effective for annual financial statements relating to fiscal years beginning on or after April 1, 2022. Early application continues to be permitted.

New Assurance Developments

CAS 315 Identifying and Assessing the Risks of Material Misstatement (Amendment)

In May 2020, the Auditing and Assurance Standards Board (AASB) issued the revised CAS 315 *Identifying and Assessing the Risks of Material Misstatement Through Understanding the Entity and its Environment*, to align with the International Auditing and Assurance Standards Board's (IAASB) changes to International Standards on Auditing (ISA) 315 (revised), with the same title.

The revised CAS 315 incorporates changes to establish more robust requirements and detailed guidance to assist auditors in performing appropriate risk assessment procedures corresponding with the size and nature of the entity. It also includes changes to enhance the application of professional skepticism in audits. The revised CAS 315 accomplishes the following:

- Distinguishes the nature and extent of work needed for indirect and direct controls in the system of internal control;
- Clarifies which controls need to be identified for evaluating the design of a control, and determining whether the control has been implemented;
- Highlights scalability of the standard by keeping the principles-based requirements focused on what needs to be done, and using separate headings in the application material to illustrate scaling based on the complexity of the situation;
- Clarifies the definition of "significant risk" and introduces the concept of spectrum of inherent risk to assist the auditor in making a judgment, based on the likelihood and magnitude of a possible misstatement, on a range from higher to lower, when assessing risks of material misstatement;
- Introduces the concept of inherent risk factors, including complexity, subjectivity, change, uncertainty or susceptibility to misstatement due to management bias or other fraud risk factors insofar as they affect inherent risk;
- Introduces the concepts of "significant classes of transactions, account balances and disclosures" and "relevant assertions" to assist with the identification and assessment of the risk of material misstatement;
- Separates the assessment of inherent and control risk;
- Enhances the auditor's considerations regarding the entity's use of information technology and how it affects the audit, and includes considerations for using automated tools and techniques in the application material;
- Introduces a requirement to "stand back" to evaluate the completeness of the significant classes of transactions, account balances and disclosures at the end of the risk assessment process;
- Uses more explicit language and enhances requirements and application material to reinforce the importance of exercising professional skepticism when performing risk assessment procedures; and
- Clarifies the threshold for identifying possible risks of material misstatement in CAS 200 *Overall Objectives of the Independent Auditor and the Conduct of an Audit in Accordance with Canadian Auditing Standards*.

As a result of issuing the revised CAS 315, requirements for several other standards have been amended to better articulate the auditor's responsibilities regarding identifying and assessing the risks of material misstatement:

- CAS 240 *The Auditor's Responsibilities Relating to Fraud in an Audit of Financial Statements*
- CAS 330 *The Auditor's Responses to Assessed Risks*
- CAS 402 *Audit Considerations Relating to an Entity Using a Service Organization*
- CAS 540 *Auditing Accounting Estimates and Related Disclosures*

The revised CAS 315 and other conforming amendments to other standards are effective for audits of financial statements for periods beginning on or after December 15, 2021. Earlier application is permitted.

Appendix B – The Audit Process

Our Plan

Our audit process focuses on significant risks identified during the pre-planning and planning and risk assessment stage, ensuring that audit procedures are tailored to your specific circumstances and appropriately address those risks.

Mayor and Council is responsible for approval of the consolidated financial statements and District policies, and for monitoring management's performance. Mayor and Council should consider the potential for management override of controls or other inappropriate influences, such as earnings management, over the financial reporting process. Mayor and Council, together with management, is also responsible for the integrity of the accounting and financial reporting systems, including controls to prevent and detect fraud and misstatement, and to monitor compliance with relevant laws and regulations.

Effective discharge of these respective responsibilities is directed toward a common duty to provide appropriate and adequate financial accountability, and quality financial disclosure.

Key responsibilities of MNP and management are outlined in the Engagement Letter (see attached).

Our overall audit strategy is risk-based and controls-oriented. Assessment and identification of risk is performed continuously throughout the audit process. We focus on the risks that have a potential impact on the financial accounting systems and subsequent financial reporting.

Our overall audit strategy does not, and is not intended to involve the authentication of documents, nor are our team members trained or expected to be experts in such authentication. Unless we have reason to believe otherwise, we accept records and documents as genuine. The subsequent discovery of a material misstatement resulting from fraud does not, in and of itself, indicate a failure to comply with Canadian generally accepted auditing standards.

Appendix B – The Audit Process

(continued from previous page)

Audit Procedures

To meet our responsibilities in accordance with Canadian generally accepted auditing standards, our audit examination includes:

- Obtaining an understanding of the entity and its environment, the applicable financial reporting framework and the entity's system of internal controls, in order to identify and assess the risk that the consolidated financial statements contain material misstatements due to fraud or misstatement;
- Assessing the design and implementation of and examining, on a test basis, the key controls over significant transaction streams and over the general organizational and computer environments;
- Assessing the systems used to ensure compliance with applicable legislative and related authorities pertaining to financial reporting, revenue raising, borrowing, and investing activities;
- Examining, on a test basis, evidence supporting the amounts and disclosures in the consolidated financial statements;
- Assessing the appropriateness and consistency of accounting principles used and their application;
- Assessing the significant estimates used by management; and,
- Assessing the entity's use of the going concern basis of accounting in the preparation of the consolidated financial statements.

As part of our planning process, we will also undertake to inform Mayor and Council of concerns relating to management's implementation and maintenance of controls, and the effects of any such concerns on the overall strategy and scope of the audit. These concerns might arise from the nature, extent and frequency of management's assessments of controls in place to detect fraud and misstatement, and of the risk that the consolidated financial statements may be misstated; from a failure by management to appropriately address significant deficiencies in controls identified in prior audits; and, from our evaluation of the District's control environment, and management's competence and integrity.

Appendix B – The Audit Process

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Overall Reliance

Control Reliance Level	Low/None	Moderate	High
Description	Where we cannot rely on controls because they are weak or absent, or where it is deemed to be more efficient to carry out a high level of direct substantive tests of details. Audit evidence is primarily obtained through detailed verification procedures and sufficient substantive tests of details.	Where there are some deficiencies in systems application or procedural controls, or where it is deemed to be inefficient to test systems application controls, but where we can test and rely on the management monitoring systems in place to detect and correct material misstatements in the financial reporting systems. Testing of controls is supplemented with a moderate level of substantive tests of details.	Where a high degree of control is in place in the areas of management monitoring controls AND systems application and procedural controls. Our audit work focuses on testing both management monitoring and systems application and procedural controls, and is supplemented with a low level of substantive tests of details.
Planned Reliance		—	—

For the December 31, 2022 audit, we are planning to place low reliance on the District's controls. This level of reliance is consistent with the prior year, and will involve mainly substantive tests of details.

The amount of substantive work will be reduced for cycles where there are controls in place that MNP can test and rely on.

Appendix B – The Audit Process

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As part of our audit work we will update our understanding of the entity and its environment, the applicable financial reporting framework and the entity's system of internal controls relevant to our audit of the principal transaction cycles, sufficient to identify and assess the risks of material misstatement of the consolidated financial statements resulting from fraud or misstatement. This will be accomplished through inquiries with management and others within the entity, analytical procedures and observation and inspection. Furthermore, we will consider whether effective controls have been established to adequately respond to the risks arising from the use of IT or manual systems and test the operation of those controls to an extent sufficient to enable us to reduce our substantive work. Our review of the District's controls will not be sufficient to express an opinion as to their effectiveness or efficiency.



Although we will provide Mayor and Council with any information about significant deficiencies in internal control that have come to our attention, we may not be aware of all the significant deficiencies in internal control that do, in fact, exist.

Appendix B – The Audit Process

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Inherent Limitations in the Auditing Process

An auditor cannot obtain absolute assurance that material misstatements in the consolidated financial statements will be detected due to factors such as the use of significant judgment regarding the gathering of evidence and the drawing of conclusions based on the audit evidence acquired; the use of testing of the data underlying the consolidated financial statements; inherent limitations of controls; and, the fact that much of the audit evidence available to the auditor is persuasive, rather than conclusive in nature.

Because of the nature of fraud, including attempts at concealment through collusion and forgery, an audit designed and executed in accordance with Canadian generally accepted auditing standards may not detect a material fraud. While effective controls reduce the likelihood that misstatements will occur and remain undetected, they do not eliminate that possibility. Therefore, the auditor cannot guarantee that fraud, misstatements and non-compliance with laws and regulations, if present, will be detected when conducting an audit in accordance with Canadian generally accepted auditing standards.

The likelihood of not detecting material misstatements resulting from management fraud is greater than for employee fraud, because management is in a position to manipulate records, present fraudulent information or override controls.

We will inform the appropriate level of management or Mayor and Council with respect to identified:

- Misstatements resulting from errors, other than clearly trivial misstatements;
- Fraud, or any information obtained that indicates that fraud may exist;
- Evidence obtained that indicates non-compliance or possible non-compliance with laws and regulations, other than that considered inconsequential;
- Significant deficiencies in the design or implementation of controls to prevent and detect fraud or misstatement; and
- Related party transactions that are not in the normal course of operations and that involve significant judgments made by management concerning measurement or disclosure.

Our concern as auditors is with material misstatements, and thus, we are not responsible for the detection of misstatements that are not material to the consolidated financial statements taken as a whole.

MADE ^{IN} CANADA

And proud of it!

At MNP we're proud to be the national accounting, consulting and tax firm that is 100% Made in Canada.

Our history defines who we are and our approach to business. Being a Canadian firm has helped shape our values, our collaborative approach, and the way we work with our clients, engaging them every step of the way.

We have a unique perspective. Our decisions are made here – decisions that drive Canadian business and help us all achieve success — and we know the impact that our choices have on the cities and towns we call home.

Throughout our six decades of work, we've seen our communities are more than just a place we do business in. They're a place where our families live, play, and thrive, and we work to make them the best places they can be.

Being 100% Canadian is something we wear proudly. This country provides us with great opportunities, and we're here to help our clients seize the opportunities so we can create a brighter future for the generations to come.



Wherever business takes you

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