



**REGULAR MEETING OF COUNCIL
Tuesday, January 24, 2023 @ 4:00 PM
Ucluelet Community Centre
500 Matterson Drive, Ucluelet**

AGENDA

	Page
1. CALL TO ORDER	
1.1 ACKNOWLEDGEMENT OF THE YUULUŦİŦATH Council would like to acknowledge the YuuluŦiŦath, on whose traditional territories the District of Ucluelet operates.	
1.2 NOTICE OF VIDEO RECORDING Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.	
2. LATE ITEMS	
3. APPROVAL OF THE AGENDA	
4. ADOPTION OF MINUTES	
4.1 December 8, 2022 Special Council Minutes 2022-12-08 Special Minutes	5 - 7
4.2 December 13, 2022 Regular Council Minutes 2022-12-13 Regular Minutes	9 - 17
4.3 January 10, 2023 Regular Council Minutes 2023-01-10 Regular Minutes	19 - 23
5. PUBLIC INPUT & DELEGATIONS	
5.1 Delegations	
• Signy Madden & Julie Rushton, United Way BC Re: Update on Local Social Issues and United Way Investments, Solutions, and Partnerships Delegation - United Way	25
• Randy Oliwa & Yasushi Ohki, Pac Rim Home Development Cooperative Re: West Coast Workforce Housing Initiative Update and Introduction Delegation - PAC RIM Development Corp. PRHDC January 2023 Newsletter PRHDC Housing Development Plan 01.15.23 Revised Jan 16 2023	27 - 33

6. UNFINISHED BUSINESS
7. REPORTS
- 7.1 Covenant Modification & Development Variance Permit - 2010 Cynamocka Road 35 - 60
Monica Whitney-Brown, Planning Assistant
[R - Covenant Modification DVP22-06](#)
[Appendix A - Application](#)
[Appendix B - Covenant](#)
- 7.2 Development Variance Permit for 1425 Helen Road 61 - 67
Monica Whitney-Brown, Planning Assistant
[RTC - DVP22-09](#)
[Appendix A - DVP22-09 Application](#)
- 7.3 Highway 4 Junction Landscaping 69 - 73
Duane Lawrence, Chief Administrative Officer
[RTC - MOTI Hwy 4 Jct](#)
[Appendix A - MOTI Landscaping Area Overview](#)
- 7.4 Responsible Conduct Policy 75 - 126
Duane Lawrence, Chief Administrative Officer
[RTC - Respectful Conduct Policy](#)
[Appendix A - Forging the Path to Responsible Conduct](#)
[Appendix B - Foundational Principles of Responsible Conduct](#)
- 7.5 CMHC Rapid Housing Initiative Grant 127 - 155
Bruce Greig, Director of Community Planning
[RTC - CMHC Rapid Housing grant](#)
[Appendix A - Concept Plans](#)
[Appendix B - Draft RFP for Design/Build of Affordable Housing](#)
8. NOTICE OF MOTION
9. CORRESPONDENCE
- 9.1 BC Epilepsy Society Proclamation 157 - 159
Deirdre Syms, Executive Director, & Sonia Ali, Provincial Manager of Programs, BC Epilepsy Society
[2023-01-18 BC Epilepsy Society - 2023 Proclamation Request](#)
[BC Epilepsy Society - 2023 Proclamation](#)
- 9.2 Ocean Protection Plan 161 - 171
Trevor Heryet, Executive Director, Oceans Protection Plan, Transportation Canada
[OPP Dialogue Forum Invitation](#)
- 9.3 Recent Election, Achievement of Common Goals, and Request to Prioritize Project 173 - 174
Samantha Hackett, Chair, West Coast Multiplex Society
[West Coast Multiplex](#)
10. INFORMATION ITEMS
- 10.1 Community Wildfire Resiliency Plan 175 - 256
Rick Geddes, Fire Chief
[IRTC - CWRP](#)

[Appendix A - 2022 District of Ucluelet Community Wildfire Resiliency Plan](#)

- 10.2 Ucluelet Housing - 2023 Update 257 - 271
 Bruce Greig, Director of Planning
[IRTC - Housing Update](#)
[Appendix A - Staff Report 21-137 \(September 21, 2022\) noting updates](#)

11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

- 11.1 Councillor Shawn Anderson
Deputy Mayor April 1 - June 30, 2023
- 11.2 Councillor Jennifer Hoar
Deputy Mayor January 1 - March 31, 2023
- 11.3 Councillor Ian Kennington
Deputy Mayor July 1 - September 30, 2023
- 11.4 Councillor Mark Maftei
Deputy Mayor October 1 - December 31, 2023
- 11.5 Mayor Marilyn McEwen

12. QUESTION PERIOD

13. CLOSED SESSION

13.1 Procedural Motion to Move In-Camera

THAT the meeting be closed to the public in order to address agenda items under Section 90(1)(c),(g), and (i) of the Community Charter which involve:

- *labour relations or other employee relations;*
- *litigation or potential litigation affecting the municipality; and*
- *the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

14. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Thursday, December 8, 2022 at 1:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, Kennington, and Maftai
 Staff: Duane Lawrence, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 James MacIntosh, Director of Engineering Services
 Joseph Rotenberg, Manager of Corporate Services
 Rick Geddes, Fire Chief
 Sam Parent, Finance Manager
 Samantha McCullough, Executive Assistant

Regrets:

1. CALL TO ORDER

The meeting was called to order at 1:04 PM on December 8, 2022.

1.1 ACKNOWLEDGEMENT OF THE YUULU?I?ATH

Council acknowledged the Yuulu?i?ath First Nation, 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 on Zoom which may store data on foreign servers.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF AGENDA

3.1 December 8, 2022, Special Council Agenda

2022.2072.SPECIAL *It was moved and seconded **THAT** the December 8, 2022, Special Council Agenda be adopted as presented.*

CARRIED.

4. REPORTS

4.1 2023 - 2027 Five Year Financial Plan overview (verbal report)
Donna Monteith, Chief Financial Officer

Ms. Monteith outlined the budget process and schedule which includes a public input period. She went on to review legislative requirements, key budget challenges, core services, and revenue sources.

Bruce Greig, Director of Community Planning, provided an overview of the Planning Department's proposed Operating Budget.

James MacIntosh, Director of Engineering Services, outlined the proposed Water, Sewer and, Public Works Operating Budgets. He also outlined Water special projects carried forward from the 2022 budget to the 2023 budget.

Rick Geddes, Fire Chief, presented proposed the Fire and Emergency Services Operating Budget. Chief Geddes, fielded Council questions about their Fire Department revenue sources.

Ms. Monteith and Joseph Rotenberg (Manager of Corporate Services) outlined the proposed 2023 Finance and Administration Operating Budgets and proposed tax funded special projects.

Abby Fortune, Director of Parks and Recreation, outlined the proposed Harbour Budget. Ms. Fortune also outlined the Parks, Cemetery and Recreation Operating Budgets.

Duane Lawrence, Chief Administrative Officer, outlined District of Ucluelet future staffing needs and costing.

Ms. Monteith outlined the core budget and noted that approximately \$80,000 is required to fund the 2023 core operating budget as a result of an anticipated revenue increase of \$120,000.

Ms. Monteith, outlined the special projects, which are not accounted for in the core budget and noted next steps in the budget process including future meetings.

5. ADJOURNMENT

The meeting was adjourned at 2:58 PM on December 8, 2022.

CERTIFIED CORRECT: Minutes of the Special Council Meeting held on Thursday, December 8, 2022 at 1:00 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, December 13, 2022 at 5:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson (via Zoom), Hoar, Kennington, and Mafei
 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

Regrets:

1. CALL TO ORDER

The meeting was called to order at 5:00 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

2.1 Updated Letter of Intent - Appendix B to "Zoning Amendment for 2108 Peninsula Road" (Agenda Item 8.2.)

2022.2233.REGULAR *It was moved and seconded that the "Updated Letter of Intent" be added to the Agenda as Appendix B to Agenda Item 8.2, "Zoning Amendment for 2108 Peninsula Road".*

CARRIED.

3. APPROVAL OF THE AGENDA

3.1 December 13, 2022 Regular Meeting Agenda

2022.2234.REGULAR *It was moved and seconded **THAT** Council adopt the December 13, 2022 Regular Meeting Agenda as amended.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 December 9, 2021 Special Minutes

2022.2235.REGULAR *It was moved and seconded **THAT** Council adopt the December 9, 2021, Special Council Minutes as presented.*

CARRIED.

4.2 August 10, 2021, Committee of the Whole Minutes

2022.2236.REGULAR *It was moved and seconded **THAT** Council adopt the August 10, 2021, Committee of the Whole Minutes as presented.*

CARRIED.

4.3 October 19, 2021 Committee of the Whole Minutes

Council noted two errors:

- Heather Riddick's name is misspelled; and
- Their, is misspelled on the section related to the Whale Festival Society.

2022.2237.REGULAR *It was moved and seconded **THAT** Council adopt the October 19, 2021 Committee of the Whole Minutes as amended.*

CARRIED.

4.4 November 23, 2021, Committee of the Whole Minutes

2022.2238.REGULAR *It was moved and seconded **THAT** Council adopt the November 23, 2021, Committee of the Whole Minutes as presented.*

CARRIED.

4.5 June 21, 2022, Committee of the Whole Minutes

2022.2239.REGULAR *It was moved and seconded **THAT** Council adopt the June 21, 2022, Committee of the Whole Minutes as presented.*

CARRIED.

4.6 November 29, 2022, Regular Minutes

2022.2240.REGULAR *It was moved and seconded **THAT** Council adopt the November 29, 2022, Regular Council Minutes as presented.*

CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Delegations

John Horn, Connect Support Society
Re: Rent Bank

John Horn, Executive Director, Theresa MacDonald, Rent Bank Case Manager, and Azura Kines, Rent Bank Case Manager, provided a presentation about Connective Support Society's Rent

Bank program. This program provides emergency rent subsidization loans. The delegate also outlined the Society's budget and funding sources.

The Society is seeking additional funding from local governments to expand their service area in the amount of \$10,000.

6. PUBLIC HEARINGS

The Mayor chaired this public Hear.

Mayor McEwen outlined the public hearing rules and the Clerk outlined the how the public can participate online and in-person.

Councillor Kennington, recused himself from the first public hearing, as he is a contractor interested in the property. He left the meeting at 5:24 PM.

6.1 Public Hearing - District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022

The public hearing was opened by the Chair at 5:24 PM.

The Chair noted that the public hearing is also an opportunity to provide input on Development Variance Permit 22-07.

6.2 Proposed Bylaw & Background Information

Bruce Greig, Director of Community Planning, provided a brief overview of Bylaw No. 1319, 2022 and Development Variance Permit 22-07.

6.3 Related Written Correspondence Received During Notice Period

There was no related correspondence received during the notice period.

6.4 Applicant Presentation

The Applicant's representative, Jamie Carson, 780 Rainforest Drive, fielded Council questions related to garbage pickup.

6.5 Public Input

Maggie Brown, 936 Amphitrite Place, asked if the property would be used only for nightly rentals?

Mr. Carson clarified that four units would be residential units which cannot be rented short-term and four units are residential units which could be rented short-term.

There was no further public input.

This public hearing was closed at 5:35 PM.

Councillor Kennington reentered the meeting at 5:36 PM after this public hearing was closed.

6.6 Public Hearing - District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022

The public hearing was opened by the Chair at 5:36 PM.

6.7 Proposed Bylaw & Background Information

Bruce Greig, Director of Community Planning, provided a brief overview of Bylaw No. 1320, 2022.

6.8 Related Written Correspondence Received During Notice Period

There was no correspondence.

6.9 Applicant Presentation

The Applicant, Nicole Buston, outlined the reasons for expanding the footprint of their home and fielded Council questions.

6.10 Public Input

There was no public input.

This public hearing was closed at 5:41 PM.

7. UNFINISHED BUSINESS

There was no unfinished business.

8. BYLAWS

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

Ms. Fortune presented this report.

2022.2241.REGULAR *It was moved and seconded **THAT** Council adopt the District of Ucluelet Cemetery Management Amendment Bylaw No. 1323, 2022.*

CARRIED.

8.2 Zoning Amendment for 2108 Peninsula Road *Monica Whitney-Brown, Planning Assistant*

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

Mr. Greig, addressed Council questions about mechanisms that could be used to require a long-term tenant be on site. Mr. Greig also addressed questions about the uses allowed under the property's current zoning.

The Applicant, Shane Hilder, 2108 Peninsula Road, noted that the requested zoning amendment would create a long-term tenancy and a short-term rental accommodation which would help to fund the construction of the home. He also outlined the planned industrial uses, which would be a workshop which would not be used for retail purposes. Mr. Hilder clarified the location of the proposed workshop, and noted that he does not intend to rent the workshop space out.

Option C was moved, seconded, discussed and defeated.

The Applicant noted that Option B presented in the report was workable.

Option B was moved, seconded, discussed and defeated.

Mr. Greig answered Council questions related to the term, renewal and applying for a fresh temporary use permit after the renewal expires.

Option A was moved, seconded, discussed and carried.

- 2022.2242.REGULAR *It was moved and seconded **THAT** Council direct staff to draft a zoning bylaw amending at 2108 Peninsula Road as requested by the applicant.*
DEFEATED.
- 2022.2243.REGULAR *It was moved and seconded **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.*
DEFEATED.
- 2022.2244.REGULAR *It was moved and seconded **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.*
CARRIED.

9. REPORTS

**9.1 Environmental Development Permit for 1239 Sunset Point Road
Monica Whitney-Brown, Planning Assistant**

Councillor Kennington recused himself and left the meeting at 6:24 pm, because he has an interest in this project.

Ms. Whitney-Brown, presented this report. She outlined the objective and process involved with environmental development permits. Ms. Whitney-Brown went on to outline the proposed project and development permit.

Ms. Whitney-Brown, addressed Council questions regarding when the Qualified Environmental Professional would be on site, and instructions related to a nearby eagles nest and right of way.

The Applicant's representative, Michael Baird, 1780 Larch Road, was invited to speak and was available to address Council questions. There were no questions for the Applicant.

2022.2245.REGULAR *It was moved and seconded **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.*

CARRIED.

**9.2 Environmental Development Permit - 848 Marine Drive
Monica Whitney-Brown, Planning Assistant**

Councillor Kennington re-entered the meeting at 6:34 pm after item 9.1 concluded.

Ms. Whitney Brown presented this report.

The Applicant was invited to speak. She did not speak.

2022.2246.REGULAR *It was moved and seconded **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.*

CARRIED.

**9.3 2023 Council Appointments
Joseph Rotenberg, Manager of Corporate Services**

Mr. Rotenberg presented this report. Council discussed the proposed appointments and Acting Mayor Schedule.

- 2022.2247.REGULAR *It was moved and seconded THAT Council amend the 2023 Council Appointments attached to Report No. 22-168 as Appendix A, so that Councillor Hoar is assigned to the Groundfish Trawl Advisory Committee rather than Mayor McEwen.*
- CARRIED.
- 2022.2248.REGULAR *It was moved and seconded **THAT** Council adopt the 2023 Council Appointments, as amended.*
- CARRIED.
- 2022.2249.REGULAR *It was moved and seconded **THAT** Councillors Anderson, Hoar, Kennington, and Maftei be designated to serve as Deputy Mayor in accordance with the schedule set out in Appendix B to report number 22-168.*
- CARRIED.

10. NOTICE OF MOTION

There were no notices of motion.

11. CORRESPONDENCE

11.1 Japanese Canadian Pavilion Interpretive Centre, November 2022 *Claudia Cole, Ucluelet and Area Historical Society Board of Directors*

Pieter Timmermans, 1958 Bay Street, noted that the project is in the preliminary stages as the grant funds have not been allocated.

Council discussed the request.

- 2022.2250.REGULAR *It was moved and seconded:*
1. **THAT** Council direct Staff to prepare a letter of support for the Ucluelet and Area Historical Society's application to the Japanese Canadian Legacies Society for funding to create a permanent open-air pavilion which houses interpretive panels that tell the story of Japanese Canadian coastal fishing families in the twentieth century; and,
 2. **THAT** Council direct Staff to work with the Ucluelet and Area Historical Society on the open-air pavilion proposal and report back to Council.
- CARRIED.

11.2 Girl Guides - Guiding Lights Across BC Celebration *Shalan Kelly, BC Public Relation and Communications Advisory, Girl Guides of Canada*

- 2022.2251.REGULAR *It was moved and seconded **THAT** Council direct Staff to light up in blue the District of Ucluelet sign at the junction of the Tofino/Ucluelet Highway*

and Highway 4 on February 22, 2023, to participate in the Girl Guides' 'Guiding Lights Across BC Celebration.

CARRIED.

11.3 Alternate Appointment to Clayoquot Biosphere Trust Board of Directors
Rebecca Hurwitz, Executive Director, Clayoquot Biosphere Trust

2022.2252.REGULAR *It was moved and seconded THAT Staff initiate the process required for Council to appoint a new Alternate Director to the Clayoquot Biosphere Trust.*

CARRIED.

12. INFORMATION ITEMS

12.1 North Island Students' Union
NISU Board of Directors and Staff

12.2 Planning, Building and Bylaw Activity Report
Bruce Greig, Director of Community Planning

Mr. Greig presented this information report. Mr. Greig addressed Council questions regarding business license requirements.

12.3 Ucluelet Fire Rescue 2022 Q1-Q3 Report
Rick Geddes, Fire Chief

Mr. Geddes presented this information report.

12.4 District of Ucluelet 2022 Audit Service Plan
Cory Vanderhorst, CPA, CA, MNP

13. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

13.1 Councillor Shawn Anderson

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

Dec. 8 - Attended Special Council Budget Meeting.
 Dec. 10 - Attended Ucluelet Glee performance.

Councillor Hoar thanked members of the public for participating in Christmas related events such as the Advent Calendar project.

13.3 Councillor Ian Kennington

13.4 Councillor Mark Maftei

13.5 Mayor Marilyn McEwen

Mayor McEwen noted the following events:

- Sail Pass which occurred during this meeting.
- Dec. 15 - West Coast Community Resources Society Holiday Lunch.

Mayor McEwen attended the following events:

- Nov. 30 - Alberni-Clayoquot Regional District Finance Department orientation
- Dec. 1 - Alberni-Clayoquot Regional District orientations on Planning and legal issues
- Dec. 5 - Met with Cheryl McLay - BC Government Regional Manager
- Dec. 6 - District of Ucluelet Parks and Recreation and Operations orientation sessions
- Dec. 7 - Alberni-Clayoquot Regional District West Coast Committee meeting.
- Dec. 9 - District of Ucluelet Council orientation session
- Dec. 10 - District of Ucluelet Christmas party

14. QUESTION PERIOD

There were no questions.

15. ADJOURNMENT

The meeting was adjourned at 7:45 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, December 13, 2022 at 5:00 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, January 10, 2023 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, Kennington, and Mattei
 Staff: Donna Monteith, Chief Financial Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation (via Zoom)
 Monica Whitney-Brown, Planning Assistant
 Samantha McCullough, Executive Assistant

Regrets:

1. CALL TO ORDER

The meeting was called to order at 4:00 PM on January 10, 2023.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

3.1 January 10, 2023, Regular Meeting Agenda

2023.2023.REGULAR *It was moved and seconded THAT Council adopt the January 10, 2023 Regular Meeting Agenda as presented.*

CARRIED.

4. PUBLIC INPUT & DELEGATIONS

4.1 Delegations

Marcie DeWitt, Alberni Clayoquot Health Network

Ms. DeWitt provided an overview of the Alberni Clayoquot Health Network (ACHN) 2022 year in review and introduced 2023 programming.

Ms. DeWitt responded to Council questions related to participating an upcoming ACHN event.

5. BYLAWS

5.1 Zoning Amendment Bylaw No. 1312 – 221 Minato Road *Bruce Greig, Director of Community Planning*

Mr. Grieg provided an overview of the report.

2023.2024.REGULAR *It was moved and seconded THAT Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1312, 2022 to facilitate the proposed housing development on the property at 221 Minato Road.*

CARRIED.

5.2 Zoning Amendment Bylaw No. 1319 – 1683 Larch Road *Bruce Greig, Director of Community Planning*

Councillor Kennington recused himself from the meeting at 4:20 PM as he is a contractor interested in the property.

Mr. Grieg provided an overview of the report. Mr. Greig responded to Council questions related to the location of garbage bins on the site and the permitted uses under the zoning amendment.

2023.2025.REGULAR *It was moved and seconded THAT Council, with regard to the proposed redevelopment of the property at 1683 Larch Road give third reading to District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022.*

CARRIED.

2023.2026.REGULAR *It was moved and seconded THAT Council, with regard to the proposed redevelopment of the property at 1683 Larch Road, adopt District of Ucluelet Zoning Amendment Bylaw No. 1319, 2022.*

CARRIED.

2023.2027.REGULAR *It was moved and seconded THAT Council, with regard to the proposed redevelopment of the property at 1683 Larch Road authorize the Director of Community Planning to execute and issue Development Variance Permit 22-07.*

CARRIED.

2023.2028.REGULAR *THAT Council, with regard to the proposed redevelopment of the property at 1683 Larch Road authorize the Director of Community Planning to execute and issue Development Permit 22-19.*

CARRIED.

**5.3 Zoning Amendment Bylaw No. 1320 – 327 Pass of Melfort
Bruce Greig, Director of Community Planning**

Councillor Kennington rejoined the meeting at 4:26 PM following the conclusion of agenda item 5.2.

Mr. Grieg provided an overview of the report.

2023.2029.REGULAR *It was moved and seconded THAT Council give third reading to District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022.*

CARRIED.

2023.2030.REGULAR *It was moved and seconded THAT Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1320, 2022.*

CARRIED.

6. REPORTS

**6.1 Skatepark Lighting Project
Abby Fortune, Director of Parks and Recreation**

This report was presented by Donna Monteith, Chief Financial Officer, on behalf of the Director of Parks and Recreation, who was available by Zoom.

Council discussed deferring the Skatepark Lighting Project due costing issues. Council also discussed potential alternate funding sources.

Ms. Monteith and Ms. Fortune answered Council questions related to potential grants, alternate uses for these funds, and the use of solar lights.

2023.2031.REGULAR *It was moved and seconded THAT Council direct staff to defer the Skateboard Lighting Project until grant funding becomes available to fund the project.*

CARRIED.

**6.2 Temporary Use Permit – 1861 Peninsula Rd.
Monica Whitney- Brown, Planning Assistant**

Ms. Whitney-Brown outlined the report.

The Applicant's representatives, Christian Sampson (Workforce Coordinator) and Dave Dawson (General Manager), were invited to speak and answered Council questions related to the use of the property for staff housing.

There was no public input on this Temporary Use Permit.

2023.2032.REGULAR *It was moved and seconded THAT Council, subject to public comment, authorize the Director of Community Planning to execute and renew Temporary Use Permit 19-06 as amended to allow residential and seasonal accommodation for a period of three years from January 2023 through December 2025 in the Thornton Motel located at 1861 Peninsula Road.*

CARRIED.

7. NOTICE OF MOTION

There were no notices of motion.

8. CORRESPONDENCE

8.1 BC Reconciliation Award - Resources

Office of the Lieutenant Governor of British Columbia, BC Achievement Foundation

Mayor McEwen noted the January 20, 2023 application deadline.

8.2 Winter 2023 Oceans Protection Plan Dialogue Forum - Transport Canada

Cecilia Lei, Regional Director, Oceans Protection Plan Engagement | Transport Canada

Mayor McEwen suggested that Councillor Hoar attend. Councillor Hoar will report back to Council if she is available.

8.3 Aquaculture Update from DFO - Net Pen Transition Plan Engagement FOLLOW UP Session- January 16, 2023

Association of Vancouver Island and Coastal Communities

Councillor Anderson is planning to attend this session.

9. INFORMATION ITEMS

9.1 Ardent Properties - The Ridge, Crosswalk Painting Thank You Letter

Christine Brice, Strata Manager- Ardent Properties Inc.

10. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

10.1 Councillor Shawn Anderson

10.2 Councillor Jennifer Hoar

Attended the New Year's day cold plunge at Little Beach and the Wild Pacific Trail Society meeting.

10.3 Councillor Ian Kennington

10.4 Councillor Mark Maftei

Councillor Maftei mentioned that the University of Victoria students may be interested in attending Council meetings to learn about the process.

Councillor Maftei noted interests in being appointed to the Clayoquot Biosphere Trust.

10.5 Mayor Marilyn McEwen

- Dec. 14, 2022 - Mayor McEwen attended the ACRD morning orientation for Fire Services/ Protection and an afternoon Board Meeting.
- Dec. 21, 2022 - Mayor McEwen attended the ACRD board meeting.

Mayor McEwen reported on regional transit options discussed at the ACRD meetings and a future transit study announcement.

11. QUESTION PERIOD

11.1 Agenda Item 6.1

Lara Kemps, Resident

The Executive Assistant read an email received in the Community Input mailbox which advocated against deferring the Skatepark Lighting Project as recommended in Report Item 6.1.

12. ADJOURNMENT

Meeting was adjourned at 5:11 PM on January 10, 2023.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, January 10, 2023 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: January 24 regular council meeting

Organization Name: United Way BC

Name of person(s) to make presentation: Signy Madden & Julie Rushton

Topic: We appreciate the opportunity to come and present to the new Council to give an up-date on local social issues we are seeing in your community and share information about local United Way investments, solutions and effective partnerships.

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

Please describe:

Contact person (if different from above): Erin Kilcommons

Telephone Number and Email: erink@uwbc.ca

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

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 11:00 a.m. the Wednesday preceding the subsequent 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: January 24, 2023

Organization Name: Pac Rim Home Development Cooperative

Name of person(s) to make presentation: Randy Oliwa, & Yasushi Ohki

Topic: West Coast Workforce Housing Initiative Update and introduction

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

Please describe:

Hello and Happy New Years. The PRHDC will provide Ucluelet Council with a project update and introduce our non-market housing development partner, Yasushi Ohki. Yasushi is the owner of The Green Violin, which he operates as a Community Development Company. The Green Violin will be assisting us with our project planning and development.

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.



Pac Rim Home Development Cooperative

NEWSLETTER
January 2023

Hello and welcome to the Pac Rim Home Development Cooperative. This is our first of many newsletters, and we hope you find it informative and educational. We will start with a quick background to catch everyone up with our progress from the November membership drive and AGM.

Following the Membership drive and AGM we are happy to report that we have six directors and eleven business new members. The 2023 board is comprised of, Randy Oliwa, Graham Aspinall, Dave Schofield, Louis Rouleau, Rob Anderson, and Kerry Harwood.

Since December the executive has been working towards a seamless transition between the Founding Members of the Cooperative and into the hands of this new board. Again, we can't thank the years of efforts that went into this project from those members, it is very much appreciated.

Some of the work has included, applying for grants for administrative staff wages, updating the website, networking, applying to present at the Ucluelet Council meeting, **we have been approved to present at the January 24 4 PM council meeting**, (please join in if you are available). We met with our partners, Cooperative First and have organized FREE Co-op training for the board and membership. This training is online, self paced and FREE, we strongly encourage all members to complete as many modules as possible. Links to the training can be found at www.cooperativefirst.com, simply sign up, register and you are on your way.

The PRHDC is wrapping up "phase 1" of the project and moving to "phase 2". Phase 2 focuses on two parts. The board of directors, and officers will manage the project professional contractors, manage daily operations, and work collectively to build a well-educated organization through training, webinars, and guest speakers. The professional team working with the PRHDC is called The Green Violin and is owned by Yashshi Ohki based in Edmonton Alberta, link here: <https://www.greenviolin.ca/>

We have included Yashushi's workplan for information. Please make yourself familiar with the project plan.

The first meeting of the year will be held **January 30, 2023, at 4 PM by zoom**. The agenda is attached.

We look forward to seeing everyone very soon. If you have any questions, please don't hesitate to reach out.

Sincerely,
Randy Oliwa

Pac Rim Home Development Cooperative Housing Development Plan – Yasushi Ohki – Green Violin

Dec 15, 2022

page: 1

Introduction

The need for affordable housing in Ucluelet, BC is paramount in light of the rapid development of the local tourism industry, as well as resort style, retirement housing, both of which can command a higher rate of return than any form of affordable housing in the municipality. Immediate issues with this economic dynamic is that local businesses that depend on affordable housing for their employees are put under significant stress in trying to find suitable accommodations.

FCM and the Outcomes of This Funded Opportunity

- The triple bottom line of this analysis comes in the form of environmental responsibility, financial sustainability, and social connectivity. By considering each of these three priorities as one of three legs of the equation, a balanced approach will be implemented such that no one category suffers at the advantage of the others. The challenge for this proposal is to ensure that all three priorities are equally recognized in the solution for affordable housing. It is quite easy to forgo both social and environmental considerations in the pursuit of affordability. We have seen this recur in many municipalities, where the rhetoric of affordability seems to necessitate a disregard of environmental and social design values. By establishing the importance of the triple bottom line for Ucluelet at the design stage ensures that no one priority gets left behind.
- The challenge of protecting the triple bottom line is that the initial stages of the development (land procurement and capital expenditures for the housing units) will require innovation, advocacy, and government support, all of which are hallmarks of successful affordable housing projects that can be found in precedents across the province.

Environmental Responsibility

- The project must be developed with established strategies aimed at environmental sustainability. These can be divided into three main stages: minimal disturbance to the land during subdivision (we are using screwpile supports with no basements for the houses); low carbon footprint during the construction of the houses (we are using modular offsite fabrication of the units); and low greenhouse gas emissions during occupancy and operation (we are implementing solar power).

Financial Sustainability

- One of the motivating factors for the project is to increase the inventory of affordable worker housing in Ucluelet. As such, we need to ensure that the project team makes design decisions that drive towards the affordable target.
- There are two ways to support affordability: build the house more economically, and then operate the house more efficiently. Economic construction means using smart design that utilizes compact spaces, and efficient operation means the use of high-tech materials and construction techniques (such as folding walls that deploy after delivery). Smart design leads to a target floor area of 420 square feet, or a footprint of 14' x 30'.

Pac Rim Home Development Cooperative Housing Development Plan – Yasushi Ohki – Green Violin

Dec 15, 2022

page: 2

- Affordability can be measured in many ways. The Federal government defines affordability as “...spending no more than 30% of household income on housing.” The local government defines affordability as 80% of published rental rates for equivalent housing. Social agencies define affordability as “...spending within the income threshold for living expenses, or minimum living standards.” The project target is to rent the houses at \$800/month. This is well below the three standards of affordability cited above and has been calculated for the one-bedroom unit as acceptable by the local business owners assessment of living wages offered to their employees.

Social Connectivity

- The project team feels that one of the major contributors to normalizing affordable housing is to create a common community of social support around the housing provided. It is this philosophy that drives the community design of a village used as a template for social living. Often this type of design is called a Tiny Home Community, but we see examples of village development everywhere from seniors cottages to luxury resort cabins. The proposed project follows a well-established pattern of living that encourages mutual support and social interactions. Combined with environmental responsibility and financial sustainability, this social connectivity is one pre-determinant to wellbeing for the future residents.

Financial Feasibility Analysis

- The target rental revenue generated from \$800/month will be used towards operation and maintenance of the project, and not for debt financing repayments. Therefore, the project will depend on a combination of highly motivated sponsors, cooperation among all levels of Government, and strategic partnerships with unconventional land partners (government owned land, Indigenous land partnerships, church property redevelopment, corners of industrial land holdings rezoned for residential, etc). This challenge is faced by most providers of affordable housing and where there is a willingness to negotiate, there is a very real possibility of success. If it can be done in major municipalities, it can be done in Ucluelet too.

House square footage:	420 square feet			
BC Housing Grant:	\$100,000 per door	x	40 doors	= \$4M
Land development cost:	\$30,000 per door	x	40 doors	= \$1.2M
House development cost:	\$70,000 per door	x	40 doors	= \$2.8M = \$166/sq ft
Delivery and installation:	\$15,000 per door	x	40 doors	= \$600,000
Soft Costs for Consultants:	\$400,000 (10% of \$4M)			= \$400,000
TOTAL PROJECT COST				= \$5M
CMHC Co-Investment Grant:	\$1M (20% of total project cost)			= \$1M

Pac Rim Home Development Cooperative Housing Development Plan – Yasushi Ohki – Green Violin

Dec 15, 2022

page: 3

Challenges Ahead

As with all affordable housing projects, there is no project without land. The main challenge is the search of a land partner that can come to the table with a parcel of land of adequate size and serviceable location that can be zoned for the required residential use class.

Project Outline

1. Site selection
 - Planning municipal growth plan review
 - Engineering network review
 - Topography and geography analysis
 - Zoning review
2. Site procurement
 - Geotech survey and hydrological survey
 - Due diligence for Right of Ways and Reserve dedications
 - Legal Offer and Negotiations
 - Contract stage
 - Further grant funding opportunities
3. Site development
 - Engineering design
 - Survey work
 - Planning and Subdivision consulting
 - Construction of underground utilities
 - Installation of franchise utilities (power, gas, telecom)
 - Construction of roadworks and access
 - Subdivision registration
4. Housing Development
 - 40 housing units - construction costs
 - Mobilization and Installation costs (modular)
5. Project Proforma
 - All of the development costs (engineering and construction)
 - Possible grant funding and subsidies
 - Land costs (raw land)
 - Rental rate at 80% of market

Next Tasks:

- Establish site coverage for the parcel size we are seeking.
- Examine the infrastructure maps of Ucluelet to identify development capacity (and therefore costs for new development)
- Look at land availability to match up our site area needs with potential sites.
- Start conversations with modular housing suppliers to get close to the \$70,000/unit + \$15,000 delivery/installation costs.
- Create a concept layout so that site development costs can be determined.
- Discuss project consultant options (urban planners, engineers, architects/designers for the units)



REPORT TO COUNCIL

Council Meeting: January 24th, 2023
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT **FILE No:** 3090-20 DVP22-06

SUBJECT: COVENANT MODIFICATION & DEVELOPMENT VARIANCE PERMIT –
2010 CYNAMOCKA ROAD **REPORT No:** 23- 06

ATTACHMENT(S): APPENDIX A - APPLICATION
APPENDIX B - FB154853 OCEANWEST GREENSPACE COVENANT

RECOMMENDATION(S):

THAT Council indicate to the applicant that modifying the Greenspace Covenant on the property at 2010 Cynamocka Road would not align with community interests, and suggest the applicant pursue their desired building construction within the zoning setbacks and existing covenanted building envelope.

BACKGROUND:

In July, 2022, the District of Ucluelet bylaw officer and building official noted that an accessory building was being constructed on the property located at 2010 Cynamocka Road (PID 027473686, Lot 28, Plan VIP84686, District Lot 283, Clayoquot Land District - the “subject property”). The structure under construction was noted by the building official as requiring a building permit - due to the building size and a steep slope hazard - and that its current location would require a variance due to encroachment in the side yard setback. The applicant subsequently removed the structure and submitted a Development Variance Permit (DVP) application on October 6th, 2022. The application states that the use of the proposed accessory building would be for a backyard office (see Appendix “A”).

The subject property is subject to zoning requirements in the CD-5c subzone (single family large-size lots) under the District of Ucluelet Zoning Bylaw No. 1160. A single-family dwelling with a secondary suite was recently built on the property, obtaining occupancy in January of 2021. The applicant is now seeking to vary the interior side yard setback from the required 4m to 1.4m to accommodate a 13.5m² (146 ft²) “AuxBox” accessory building. In reviewing the application, staff noted that an existing Greenspace Covenant is registered on title of the property defining a building envelope to limit the placement of any buildings and structures. For the permitting of the

accessory building to proceed in the proposed location, the covenant would need to be amended in addition to issuing a DVP. The first step for this application is to consider whether to modify the covenant to allow development within the greenspace setback.

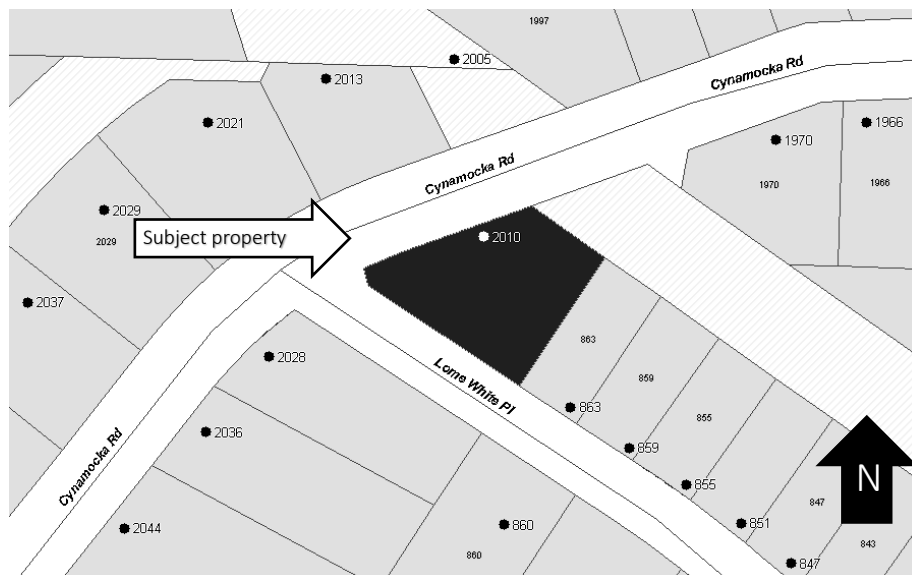


Figure 1- Site

DISCUSSION:

The Set Back Area / Greenspace covenant was registered on March 14th, 2008. The covenant was registered on the subject property - and surrounding neighbourhood properties - as a condition of the subdivision approval for a phase of the OceanWest development. The Grantor is the registered owner in fee simple of the land, and the Grantee is the District of Ucluelet. This is a Section 219 restrictive covenant to restrict the development and use of the Lands and preserve portions of the lands in their natural state.

The covenant establishes Set Back Areas (the area of the Lands inward from each of the respective lot lines to the boundary of the area marked building envelope) according to Schedule A of the covenant (see fig.2). The applicant's property has a covenant setback area of 7.5 metres for the front yard, 5 metres for the side yards and 5 metres for the rear yard. In the text of the covenant "The Grantor covenants and agrees... not to (nor apply for a building permit to) construct, erect or place any building or structure in the Set Back Area" and "The Grantor covenants and agrees that it shall not use (nor permit the use of) the Set Back Area for any use other than green space and a driveway" (see **Appendix "B"**).



Figure 2 - Greenspace Covenant Setback Areas at 2010 Cynamocka Rd.

This covenant was established with clear intent to retain a treed buffer between properties, as was initially established in the Master Development Agreement which, along with the zoning, guided the subdivision of the neighbourhood lots by Weyerhaeuser. The covenant exception for a driveway has been used to access the house on this property (see fig. 3).

The proposal to locate an additional structure behind the driveway in the remaining undisturbed portion of the greenspace would further erode the buffer to the neighbouring property. The greenspace setbacks were established to shape the character of the neighbourhood, and to retain tree cover in this area of Ucluelet. Modifying or reducing the greenspace setbacks for an individual property owner, when there is no clear benefit to the community, would run contrary to the original vision of this neighbourhood and the covenant registered with the subdivision.

Staff are recommending that this application be rejected. If the request is not approved, the owners would still have the option of applying for a building permit to add the desired office space either as an addition to the house or as a detached accessory structure within the defined building envelope.

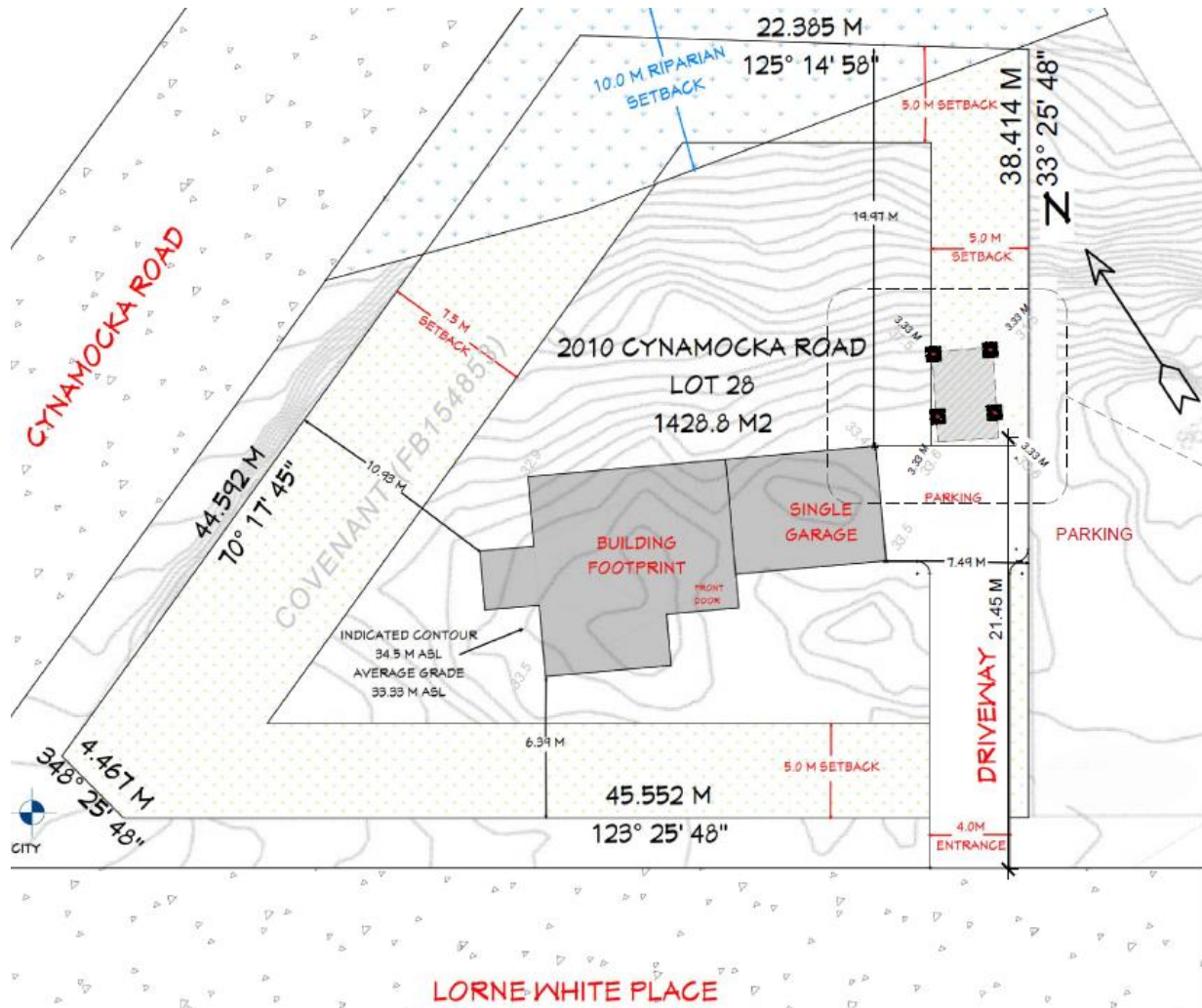


Figure 3 - Site Plan

ANALYSIS OF OPTIONS:

A	Reject the requested modification of the S. 219 Greenspace Covenant at 2010 Cynamocka Road.	<u>Pros</u>	<ul style="list-style-type: none"> Retains green space and minimizes impact of additional accessory buildings on the neighbouring property. Maintains the covenant requirements in line with all surrounding properties in this development. Lessens area of clearing on the edges of the site, with incremental benefit to the natural and constructed environment in this location. Could reduce the likelihood that other property owners seek similar relaxations of the greenspace covenant.
		<u>Cons</u>	<ul style="list-style-type: none"> Staff were unable to identify negative impacts to the District if this application were rejected.
		<u>Implications</u>	<ul style="list-style-type: none"> Public notice for the DVP would not proceed. No further staff time required.

B	Direct Staff to pursue amending the Greenspace Covenant as requested by the applicant, and give public notice for Development Variance Permit 22-06 that would reduce the zoning setback requirements for an accessory building.	<u>Pros</u>	<ul style="list-style-type: none"> • DVP application could proceed. • Neighbours will be notified and have an opportunity to provide feedback on this application.
		<u>Cons</u>	<ul style="list-style-type: none"> • May reduce greenspace and erode effectiveness of the established Greenspace Covenant, including greater impact to neighbouring property. • Sets a precedent for other property owners to apply for modifications to the covenant and zoning setbacks.
		<u>Implications</u>	<ul style="list-style-type: none"> • Applicant would need to submit the DVP notification fee. • Applicant would be responsible for any legal costs for registering the modification of the covenant. • Staff time would be required coordinate the covenant modification, and complete the public notice to pursue the DVP application.
		<u>Suggested Motion</u>	<i>THAT Council direct staff to prepare an amendment to the Greenspace Covenant FB154853 as requested, and give public notice for Development Variance Permit 22-06 to reduce the side yard setback requirements for an accessory building at 2010 Cynamocka Road.</i>

POLICY OR LEGISLATIVE IMPACTS:

Maintaining the building envelope and setback on the subject property would be consistent with the adopted zoning bylaw.

NEXT STEPS:

Should Council indicate support for the covenant modification and DVP, staff will complete the public notice for the Development Variance Permit application, and bring the DVP forward for Council's consideration at a future date.

If the covenant modification and DVP were both approved, the owners would then need to apply for a building permit.

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

Development Application

District of Ucluelet

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

Type of Application

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

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

Description of Property

Civic Address (es): 2010 Cynamocka Road, Ucluelet, BC
Legal Description: Lot 28 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: Heidi Siller Company name: Aux Box Inc.
Mailing address: 1401 Springhill Rd., Parksville, BC Postal Code: V9P 2T2
Tel: 250-586-0770 Cell: 604-916-6298
Email: heidisiller@auxbox.ca 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: 08/30/22

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: Ben Aston
Mailing address: 2010 Cynamocka Road, Ucluelet, BC 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: Ben Aston Digitally signed by Ben Aston
Date: 2022.08.31 21:08:58 -0700 Date: 08/31/22

Office Use Only:

Folio No.: <u>180-538</u>	File No.: <u>DVP 22-06</u>	Date: <u>Oct. 6/22</u>	Receipt No.: <u>71987</u>	Fee: <u>\$1100</u>
------------------------------	-------------------------------	---------------------------	------------------------------	-----------------------

Owners Authorization Form

Type of Permit

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



Description of Property

Civic Address: 2010 Cynamocka Road, Ucluelet, BC Zoning: CD-5C
 Legal Description: Lot 28 Plan VIP84686 Block _____ Section _____ DL 283

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

Property Owner Information (please complete additional forms for more than four owners)

- Owner name: Ben Aston
 Mailing address: 2010 Cynamocka Rd., Ucluelet, BC Postal Code: _____
 Tel: _____ Cell: [REDACTED] Email: [REDACTED]
 Owner Signature: _____ Date: _____
- Owner name: _____
 Mailing address: _____ Postal Code: _____
 Tel: _____ Cell: _____ Email: _____
 Owner Signature: _____ Date: _____
- Owner name: _____
 Mailing address: _____ Postal Code: _____
 Tel: _____ Cell: _____ Email: _____
 Owner Signature: _____ Date: _____
- Owner name: _____
 Mailing address: _____ Postal Code: _____
 Tel: _____ Cell: _____ Email: _____
 Owner Signature: _____ Date: _____

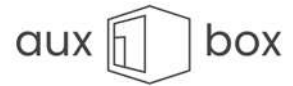
Authorized Agent

Agent's name: Heidi Siller Company Name: aux box Inc.
 Mailing address: 1401 Springhill Rd., Parksville, BC Postal Code: V9P 2T2
 Tel: _____ Cell: 604-916-6298 Email: heidisiller@auxbox.ca
 Agent Signature: [Signature] Date: April 5, 2022

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

Office Use Only

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



1401 Springhill Road, Parksville BC V9P2T2
www.auxbox.ca

Development Variance Permit: Statement of Intent

Re: 2010 Cynamocka Road, Ucluelet, BC

The intent of this letter is to outline the purpose of applying for a development variance permit on behalf of our client, Ben Aston, and his property at 2010 Cynamocka Road, Ucluelet, BC.

The client would like to modify the 5.0m setback within the covenant (FB154853) located along the property line on the north-east side of the lot, to accommodate the proposed location of an accessory unit with a building footprint of 146 sq ft. just north of the main dwelling, and 3.13m north-east of the main dwelling, leaving 1.4m - 1.75m of the setback remaining between the proposed structure and the property line. This accessory unit would be used for the purpose of a backyard office. There is no plumbing in the structure.

The reason for requesting the variance to modify the above mentioned setback is:

- The green space buffer has already eroded by the previously approved current driveway and parking - adding this structure does not materially change the buffer that exists between the two properties - in addition our client is prepared to re-tree along the property line to establish a buffer.
- due to the limitation of usable terrain on the property, the proposed location of the accessory unit would be the most cost effective and logical positioning on the lot;
- that the proposed location of the accessory unit would minimize the environmental impact by avoiding the need to fell additional of trees, preserving it in its current natural state;
- that the proposed location of the accessory unit would allow for utilization of existing access points from the driveway and would provide proximity and access to the main dwelling.
- The proposed (4) concrete column & footing foundation would directly impact only (an estimated) 25 square feet of forest floor, currently untreed.
- In recognition of the adjoining neighbors similar proximity of building structures next to the property line
- In recognition of the historic tacit approval that has been provided to other properties with regards to observing setbacks within the oceans west development.

On behalf of our client, we would like to thank the District of Ucluelet Council and Planning Department for their time and consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "M Seeber".

Morgan Seeber
aux box Inc.



2010 Cynamocka Rd., Ucluelet, BC Model 146 - Permit Drawings

GENERAL NOTES: THIS PLAN HAS BEEN PREPARED TO MEET PROFESSIONAL STANDARDS AND PRACTICES. HOWEVER, BUILDING CODE REQUIREMENTS VARY WITH LOCATION AND CHANGE FROM TIME TO TIME. BEFORE STARTING CONSTRUCTION THE CONTRACTOR MUST REVIEW AND BE RESPONSIBLE FOR ALL DIMENSIONS AND OTHER DETAILS AND SHOULD REVIEW PLANS TO ENSURE THEY MEET ALL LOCAL, STATE AND FEDERAL REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL ASSUME FULL LIABILITY FOR ANY ERRORS, OMISSIONS OR INADEQUACIES IN THESE PLANS. THESE PLANS ARE THE PROPERTY OF AUX BOX INC. AND ARE NOT TO BE USED, REPRODUCED, COPIED, OR DISTRIBUTED FOR ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM AND OR COMPENSATION DUE AUX BOX INC. INCORPORATED. ANY ATTACHED ENGINEERING OR LOCAL BUILDING AUTHORITY NOTATIONS SUPERCEDE AND OVERRIDE MATERIALS, FASTENING, NAILING SCHEDULES AND CONSTRUCTION PROCEDURES PRESENTED BELOW AND OR IN PLAN, SECTION OR DETAIL VIEWS.

Revisions

Issued For Permit 05/20

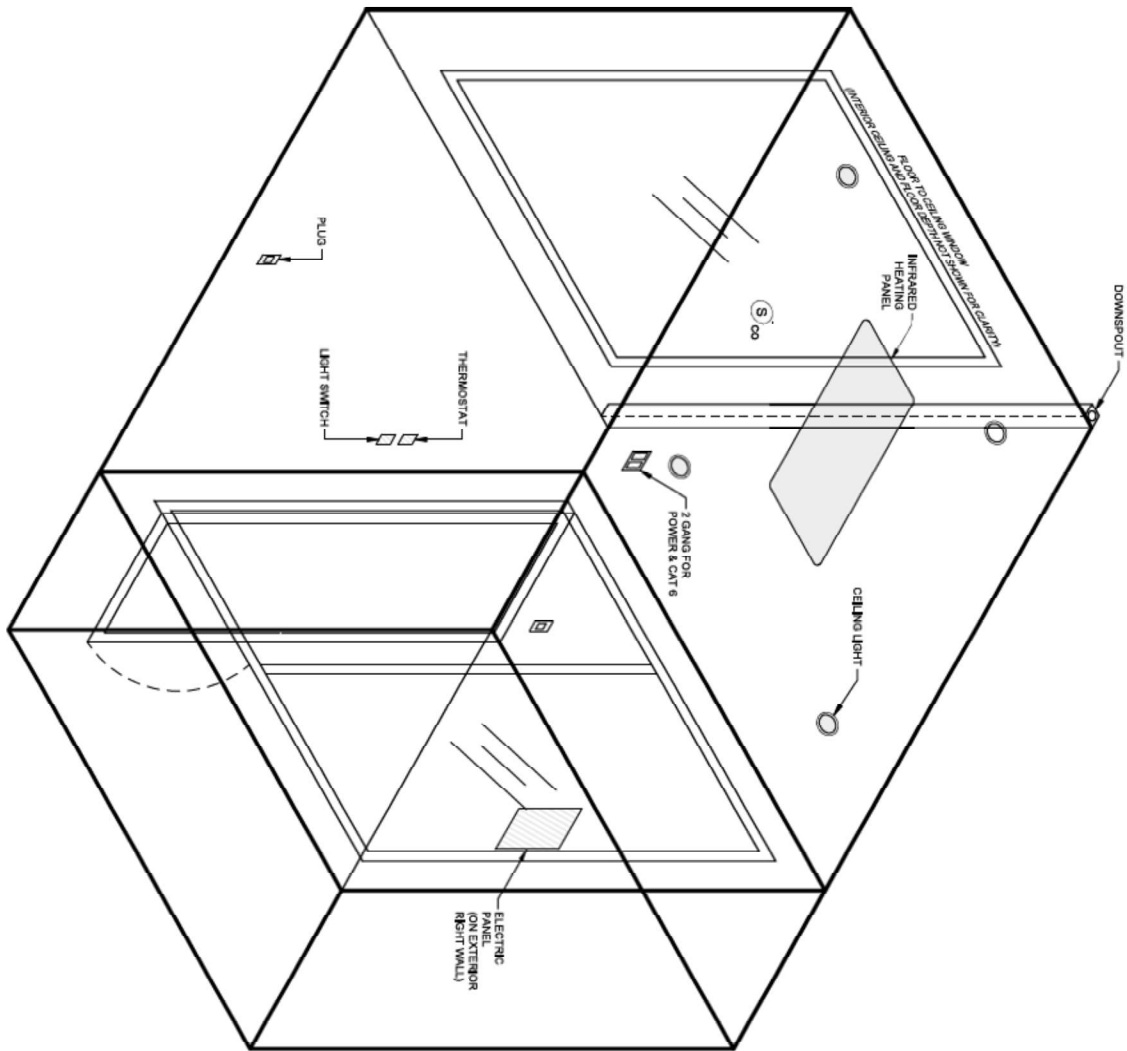
Dwg By: MS/HS Date: 05/19/22
 Project No. 01 Scale: NTS

©2022 aux box inc. Unauthorized use is prohibited

A0:10



1401 Springhill Rd.,
 Parksville, BC V9P 2T2



2010 Cynamocka Rd., Ucluelet, BC Model 146 - Isometric Overview

GENERAL NOTES: THE PLAN HAS BEEN PREPARED TO MEET PROFESSIONAL STANDARDS AND PRACTICES. HOWEVER, BUILDING CODE REQUIREMENTS VARY WITH LOCATION AND CHANGE FROM TIME TO TIME. BEFORE STARTING CONSTRUCTION THE CONTRACTOR MUST REVIEW AND REVISIONS TO THE PLAN, SPECIFICATIONS AND OTHER DETAILS AND SHOULD REVIEW PLANS TO ENSURE THEY MEET ALL APPLICABLE REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING AUTHORITY. THESE PLANS HAVE BEEN GENERATED FOR THE CLIENTS LISTED IN THE PROJECT NAME AND ARE NOT TO BE USED, REPRODUCED, COPIED, OR DISTRIBUTED FOR ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM AND OR COMPENSATION DUE AUX BOX INCORPORATED. ANY ATTACHED ENGINEERING OR LOCAL BUILDING AUTHORITY NOTATIONS SUPERCEDE AND OVERRIDE MATERIALS, FASTENING, NAILING SCHEDULES AND CONSTRUCTION PROCEDURES PRESENTED BELOW AND OR IN PLAN, SECTION OR DETAIL VIEWS.

REVISIONS

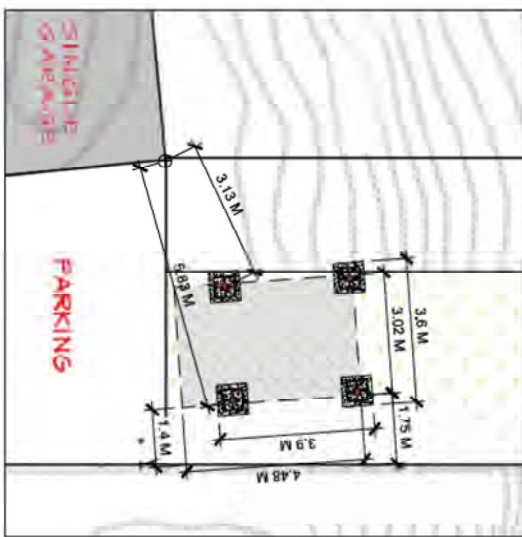
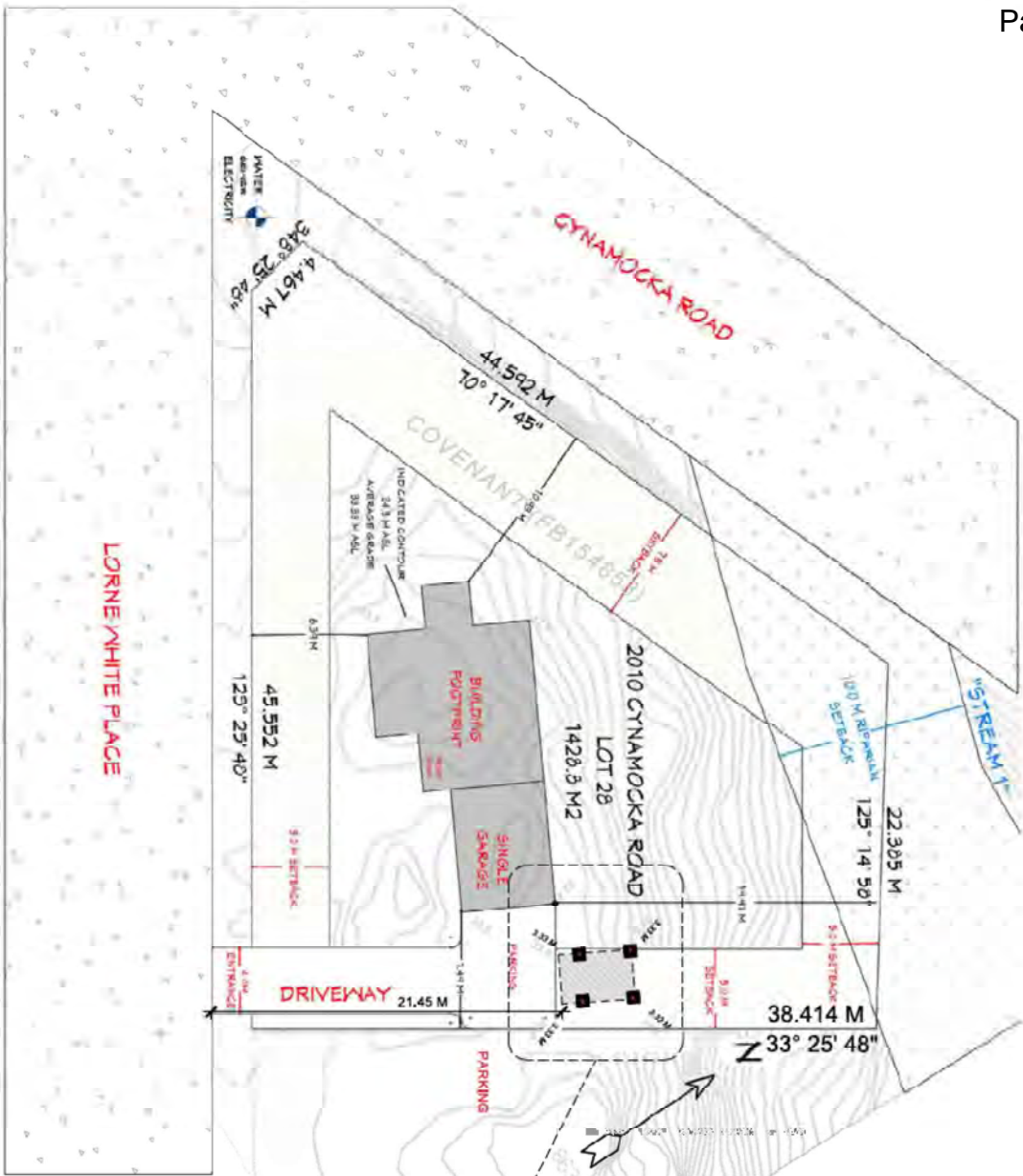
DWG by MS/HS Date 05/18/22
Project No. 01 Scale 1/4" = 1'-0"

A0.1

aux
box

1401 Springhill Rd.
Parksville, BC V9P 2T2

NOTE: DRAWING IS BASED ON ORIGINAL SITE PLAN DRAWING BY LOCAL PELOSO COMPANY, ANGUS DESIGN, LATEX INDUSTRIES



LEGEND:

- PROPOSED MODEL: 146 AUX BOX
- EXISTING CONCRETE FOOTINGS
- PROPOSED AUX BOX UNIT HEIGHT
- ELEVATION

LEGAL DESCRIPTION:
 PID: 02747866, LOT 28, PLAN: VP4688,
 DISTRICT LOT 283, CLAYOQUOT LAND DISTRICT
 ZONING CD-5C

ELEVATIONS:
 AVERAGE FINISHED GRADE OF PROPOSED
 STRUCTURE: 65.09 M

PROPERTY COVENANTS:
 FB15484 - COVENANT
 FB15485 - COVENANT
 FB15487 - COVENANT
 FB15488 - STATUTORY BUILDING SCHEME

2010 Cynamocka Rd., Ucluelet, BC
 Model 146 - Site Plan

GENERAL NOTES: THIS PLAN HAS BEEN PREPARED TO MEET PROFESSIONAL STANDARDS AND PRACTICES. HOWEVER, BUILDING CODE REQUIREMENTS VARY WITH LOCATION AND CHANGE FROM TIME TO TIME. BEFORE STARTING CONSTRUCTION THE CONTRACTOR MUST REVIEW AND REVISIONS TO THE PLAN, SPECIFICATIONS AND OTHER DETAILS AND SHOULD REVIEW PLANS TO ENSURE THEY MEET ALL APPLICABLE CODES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED, COPIED, OR DISTRIBUTED FOR ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM AND OR COMPENSATION DUE AUX BOX INCORPORATED. ANY ATTACHED ENGINEERING OR LOCAL BUILDING AUTHORITY NOTATIONS SUPERCEDE AND OVERRIDE MATERIALS, FASTENING, NAILING SCHEDULES AND CONSTRUCTION PROCEDURES PRESENTED BELOW AND OR IN PLAN, SECTION OR DETAIL VIEWS.

REVISIONS
 05/15/22: ISSUED FOR BUILDING PERMIT
 05/15/22: REVISED FOR DEVELOPMENT VARIANCE PERMIT
 DWG by MSH/S Date 04/04/22
 Project No. 01 Scale 1:125=1

A1.0

aux box
 1401 Springfield Rd.,
 Parksville, BC V9P 2T2



Covenant Modification & Development Variance Permit - 2010 Cynamocka Roa...



To scale illustration of the proposed structure in situ illustrates the structure does not impact the existing greenspace buffer.



Existing approved driveway with greenspace buffer highlighted - illustrates the greenspace buffer no longer exists.

Chris Bozman
847 Lorne White Place
Ucluelet

Jan 9th 2023

Dear Sir/Madam:

Re: Application for variance application at 2010 Cynamocka for office building

We are writing to express our full support of the application for a variance in order for their proposed office to be installed at 2010 Cynamocaka.

As a resident of the Loren White neighborhood, we were consulted about their proposed office in advance of its proposed installation to ensure we had no concerns. We do not. The proposed structure is aesthetically pleasing and fits in well with the neighborhood.

Given the small footprint of the proposed building, the absence of trees already in that area, the presence of their existing driveway already within the setback, the logic of their location makes sense.

As the way we work has changed since the pandemic so too must the way that we utilize properties for not only living but also working spaces. By allowing flexibility for small backyard offices such as this to be constructed the DOU is helping to increase people's work life balance and reducing their carbon footprint by eliminating the need for comuniting.

Best Regards,

Chris Bozman
847 Loren White Place
Ucluelet BC

[REDACTED]

LAND TITLE ACT
FORM C
(Section 219.81)

14 MAR 2008 13 12

FB154853

Province of
British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

PAGE 1 of 8 pages

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

Mark S. Thompson, Singleton Urquhart LLP, Barristers & Solicitors, 1200 -
925 West Georgia Street, Vancouver, B.C., V6C 3L2, (604) 682-7474

DYE & DURHAM

Mark S. Thompson

Greenspace Covenant 2-36

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

SEE SCHEDULE

lot 2 to 36
VIP 84686

3. NATURE OF INTEREST:*

SEE SCHEDULE

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

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

- (a) Filed Standard Charge Terms
- (b) Express Charge Terms
- (c) Release

D.F. Number:

Annexed as Part 2

There is no Part 2 of this instrument

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

5. TRANSFEROR(S):*

Weyerhaeuser Company Limited Incorporation No. 51955A 925 West Georgia Street, Vancouver, B.C. V6C 3L2

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

District of Ucluelet, PO Box 999, 200 Main Street, Ucluelet, B.C. V0R 3A0

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

GM 08/03/14 13:12:22 01 VI 796348
CHARGE \$65.65

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

EXECUTION DATE

Officer Signature(s)

Anne Giardini
Barrister & Solicitor
Weyerhaeuser Company Limited
925 West Georgia Street
Vancouver, BC, V6C 3L2

AS TO BOTH SIGNATURES

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

- * If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.
- ** If space insufficient, continue executions on additional page(s) in Form D.

Y	M	D
08	02	28

WEYERHAEUSER COMPANY LIMITED by
its authorized signatories:

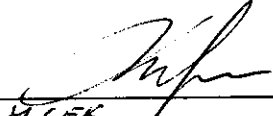
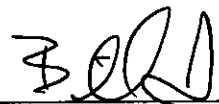
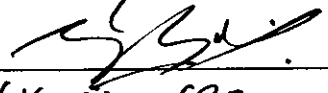
Name: Patrick M. Lane

Name: Unjoo Burlie

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

10
PAGE 2 of 8 pages

Officer Signature(s)	EXECUTION DATE			Transferor/Borrower/Party Signature(s)
	Y	M	D	
 H. GEE DEPUTY CORPORATE OFFICER DISTRICT OF UCLUELET BOX 999, 200 MAIN ST UCLUELET, B.C. V0R 3A0	08	03	06	DISTRICT OF UCLUELET by its authorized signatories  Name: BILL IRVING - ACTING MAYOR  Name: G. LYONS - CAO

OFFICER CERTIFICATION:

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

**LAND TITLE ACT
FORM E**

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM.

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

- TBA Lots 2, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 3, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 4, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 5, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 6, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 7, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 8, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 9, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 10, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 11, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 12, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 13, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 14, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 15, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 16, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 17, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 18, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 19, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 20, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 21, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 22, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 23, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 24, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 25, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 26, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 27, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 28, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 29, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 30, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 31, District Lot 283, Clayoquot District, Plan VIP 84686

LAND TITLE ACT
FORM E

PAGE 4 of 8 pages

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM.

TBA	Lots 32, District Lot 283, Clayoquot District, Plan VIP	<u>84686</u>
TBA	Lots 33, District Lot 283, Clayoquot District, Plan VIP	
TBA	Lots 34, District Lot 283, Clayoquot District, Plan VIP	
TBA	Lots 35, District Lot 283, Clayoquot District, Plan VIP	
TBA	Lots 36, District Lot 283, Clayoquot District, Plan VIP	

3. NATURE OF INTEREST:
DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

S219 Land Title Act Covenant

Entire Document

The Grantee

219

Set Back Area/Greenspace Covenant

TERMS OF INSTRUMENT – PART 2

WHEREAS:

- A. The Grantor is the registered owner in fee simple of certain lands in the District of Ucluelet (hereinafter referred to as the “Parent Lands”);
- B. The Grantee is the District of Ucluelet;
- C. The Grantor has applied to the Grantee’s Approving Officer for subdivision of the Parent Lands in accordance with the MDA as hereinafter defined, to create numerous diverse separate lots, including those 35 lots more particularly described in Item 2 of the Form C General Instrument Part I to which this is attached (the “Lands”, and separately, the “Lots”);
- D. In accordance with the Master Development Covenant (“MDA”) executed and registered in 2005, the Grantor agreed to restrict the development and use of the Lands and preserve certain amenities in their natural state in accordance with the terms of this Covenant, and wishes to grant this Covenant and indemnity to the Grantee;
- E. Section 219 of the *Land Title Act* provides, inter alia, that a covenant, whether negative or positive, in respect of the use of the Lands or the use of a building on or to be erected on land, may be given to provide that the Lands are to be built on or used in accordance with the covenant or are not to be used or built on except in accordance with the covenant or that a specified amenity is to be protected, preserved, maintained, enhanced, restored or kept in its natural state, and that the covenant in favour of a municipality or the Crown may be registered as a charge against the title to that land.

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

- 1. For the purposes of this Covenant.

“Set Back Area” means the area of the Lands inward from each of the respective lot lines to the boundary of the area marked building envelope as set out on the surveyor sketch plan appended hereto as Schedule “A” as determined in accordance with the terms of the District of Ucluelet CD5 zoning Bylaw in force at the date of this agreement and in accordance with the following uses that the portion of the Lands as noted below is assigned and restricted to:

Lot 2	Vacation rental (VR-1)
Lots 3-4	Guest house

Accepted with this sketch in this instrument

Lots 5-11	Vacation rental (VR-1)
Lot 12	Resort Condominium
Lot 13	Affordable Housing
Lots 14-36	Single Family Residential

“Trees” means any living, erect, woody plant which is:

- (a) 5 metres (16.3 feet) or more in height, or
 - (b) 10 centimetres (3.9) inches or more in diameter measured 1.5 metres above the ground.
2. The Grantor covenants and agrees, notwithstanding broader or greater uses and regulations in the Grantee’s Zoning Bylaw as amended from time to time, not to (nor apply for a building permit to) construct, erect or place any building or structure in the Set Back Area, and to comply with the terms of paragraph 4 hereof.
 3. The Grantor covenants and agrees that it shall not use (nor permit the use of) the Set Back Area for any use other than green space and a driveway.
 4. The Grantor further covenants and agrees to preserve the Set Back Area substantially in its natural state and, without limiting the foregoing, not to cut, trim, damage, defoliate or remove Trees or vegetation or excavate or remove soil or place fill on the Set Back Area unless such action is necessary to:
 - (a) provide a single driveway for ingress and egress from the highway fronting the Lands to the non-Set Back Area;
 - (b) build, construct, install, erect, maintain, repair or upgrade a building or structure on the non-Set Back Area of the Lands, subject however to the prior approval of the Grantee, whether such approval would or would not normally be required but for this Covenant; and
 - (c) prevent or remove an immediate hazard to the safety of persons or property, including without limitation hazards caused by blow down subject however to the provision of written notice, in advance if possible, to the Grantee.
 5. Notwithstanding section 4, the Grantor may:
 - (a) as long as Trees are not harmed or removed, alter or remove vegetation or place or remove fill in the Set Back Area in order to provide ocean views or additional high quality landscaping, subject to the provision of additional high quality landscaping; and

Page 7 of 10 pages

- (b) on the initial development of the Lands and one time only (except for the ongoing maintenance of views created by this section), remove or alter up to fifty (50%) percent of the Trees located between the residence to be placed on the Lands and the one or two lot line(s) closest to the ocean from which ocean views may be obtained, in order to obtain ocean water views from the residence, provided that all the following requirements are first satisfied:
- (i) a report is prepared by a qualified professional arborist identifying all the Trees between the residence and the ocean and highlighting the Trees that are to be altered or removed;
 - (ii) the report is submitted to the Grantee for review and approval in its sole discretion acting reasonably;
 - (iii) any changes reasonably required by the Grantee with respect to the significant species or individual Trees are incorporated into the report;
 - (iv) replacement trees are planted elsewhere on the Lands at a rate of one new tree for every Tree removed if recommended by the arborist; and
 - (v) such tree alteration, removal or planting is conducted in compliance with the report and by or under the supervision of a qualified professional arborist.
6. The Grantor and Grantee agree that, with respect to single family residential properties less than seven thousand square feet (7,000 sq. ft.) in gross area, this Agreement shall only apply to the rear lot line Set Back Area.
7. Nothing herein contained or implied shall prejudice or affect the rights and powers of the Grantee and the exercise of its functions under any public and private statutes, bylaws, order and regulations, all of which maybe fully and effectively exercised in relation to the Lands as if this Covenant had not been executed and delivered by the Grantors.
8. The Grantor and the Grantee agree that the enforcement of this Covenant shall be entirely within the discretion of the Grantee and that the execution and registration of this covenant against the title to the Lands shall not be interpreted as creating any duty on the part of the Grantee to the Grantor or to any other person to enforce any provision or the breach of any provision of this Covenant.
9. The Grantor hereby releases and forever discharges the Grantee of and from any claim, cause of action, suit, demand, expenses, costs and legal fees whatsoever which the Grantor can or may have against the said Grantee for any loss or damage or injury that the Grantor may sustain or suffer arising out of this Covenant, except to the extent caused by the negligence of the Grantee.

Page 8 of 10 pages

10. The Grantor covenants and agrees to indemnify and save harmless the Grantee from any and all claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever that anyone might have as owner, occupier or user of the Lands or by a person who has an interest in or comes onto the Lands or by anyone who suffers loss of life or injury to his person or property, that arises out of the terms and restrictions of this Covenant or a breach of this Covenant by the Grantor, except to the extent caused by the negligence of the Grantee.
11. It is mutually understood, acknowledged and agreed by the parties hereto that the Grantee has made no representations, covenants, warranties, guarantees, promises or Covenants (oral or otherwise) with the Grantor other than those contained in this Covenant.
12. The Grantor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Covenant.
13. The Grantor shall pay the registration costs of the Grantee in connection with the registration of this Covenant. This is a personal covenant only.
14. The Grantor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions hereinbefore set out and they shall be binding upon the Grantor as personal covenants only during the period of its respective ownership of any interest in the Lands.
15. The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the Land Title Act as covenants in favour of the Grantee as a charge against the Lands in priority to all non-Grantee encumbrances.
16. This Covenant shall enure to the benefit of the Grantee and shall be binding upon the parties hereto and their respective heirs, executors, successors and assigns.
17. Wherever the expressions "Grantor" and "Grantee" are used herein, they shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

IN WITNESS WHEREOF the parties hereto hereby acknowledge that this Covenant has been duly executed and delivered by the parties executing Form C (pages 1 and 2) attached hereto.

SCHEDULE A

SKETCH PLAN TO ACCOMPANY BUILDING SETBACK COVENANT FOR LOTS 1 to 36, DISTRICT LOT 283, CLAYOQUOT DISTRICT, PLAN VIP 84686

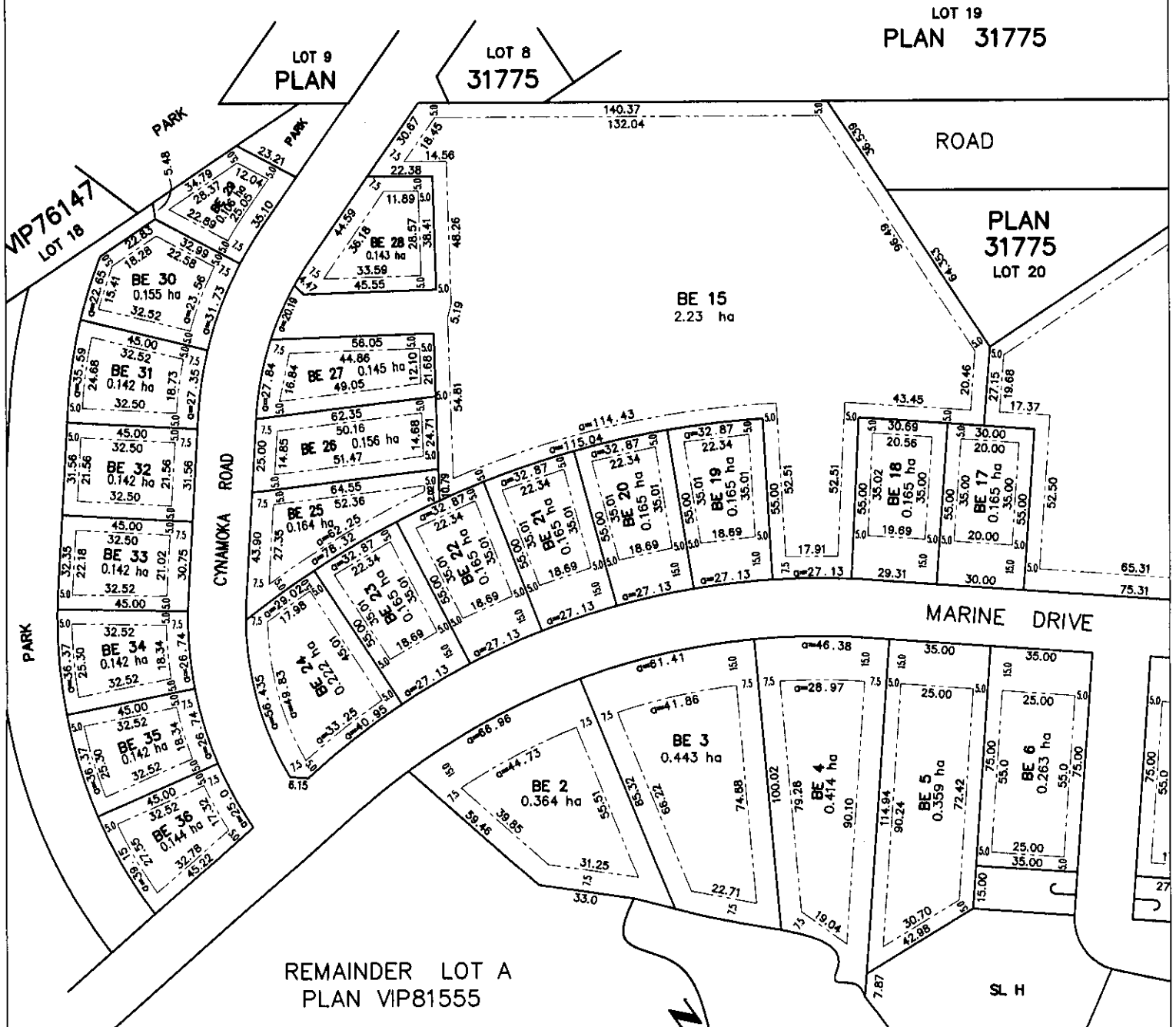
PAGE 1 OF 2

LOT 19 PLAN 31775

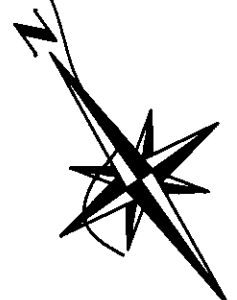
LOT 9 PLAN

LOT 8 31775

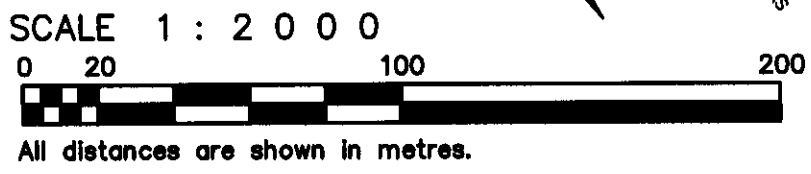
PLAN 31775 LOT 20



Note: BE___ denotes Building Envelope Lot ___



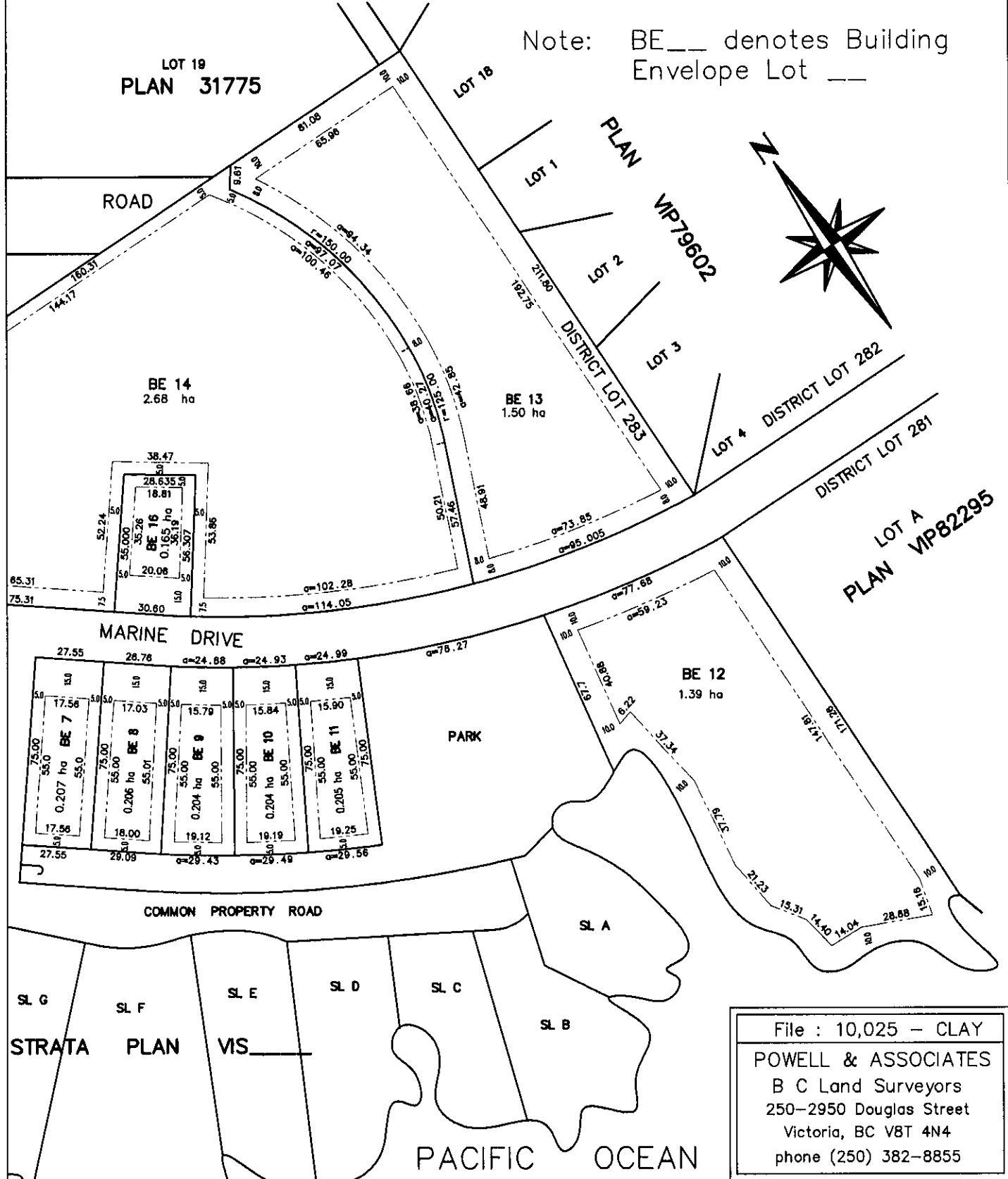
File : 10,025 - CLAY
 POWELL & ASSOCIATES
 B C Land Surveyors
 250-2950 Douglas Street
 Victoria, BC V8T 4N4
 phone (250) 382-8855



SKETCH PLAN TO ACCOMPANY BUILDING SETBACK COVENANT FOR
 LOTS 1 to 36, DISTRICT LOT 283,
 CLAYOQUOT DISTRICT, PLAN VIP _____

PAGE 2 OF 2

Note: BE__ denotes Building Envelope Lot __



END OF DOCUMENT



REPORT TO COUNCIL

Council Meeting: January 24th, 2023
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT **FILE NO:** 3090-20 DVP22-09

SUBJECT: DEVELOPMENT VARIANCE PERMIT FOR 1425 HELEN ROAD **REPORT NO:** 23- 07

ATTACHMENT(S): APPENDIX A - APPLICATION

RECOMMENDATION(S):

THAT Council reject Development Variance Permit 22-09 to reduce the on-site parking requirements for a Bed & Breakfast use at 1425 Helen Road, and encourage the applicant to explore other alternatives to provide the required parking.

BACKGROUND:

The applicant is seeking a development variance permit for their property at 1425 Helen Road (PID 007890397 & 007890419, Lots 24 & 25, Section 21, Clayoquot Land District, Plan VIP1116 – the “subject property”) to vary the off-street parking requirements for a Bed & Breakfast accessory use.

The property is zoned R-1, Single Family Residential. The property has one single-family dwelling on-site, which the applicant is in the process of renovating under building permit to create a 2-bedroom tourist accommodation suite on the ground floor.



Figure 1- Site property

DISCUSSION:Legal Non-Conforming Status:

The applicant submitted a building permit to convert a portion of the house into a separate 2-bedroom tourist accommodation suite prior to the adoption of *Ucluelet Zoning Amendment Bylaw No. 1310, 2022*, which restricted the form of B&B's in residential zones to be in line with traditional B&B operations – specifically to avoid having disconnected suites with separate entrances. The proposed B&B would be permissible as a legally non-conforming use because it was begun prior to the bylaw's adoption. However, the property owners must still comply with all other relevant bylaw requirements, including parking requirements. The owners were made aware of these requirements at the time they first applied.

Zoning Bylaw Parking Requirements for B&Bs:

District of Ucluelet Zoning Bylaw 1160, 2013 (the "Zoning Bylaw"), includes [parking requirements](#) associated with different uses in the District of Ucluelet. Requirements include two standard parking spaces per single-family dwelling, plus one additional space per B&B room.

Parking issues can be a significant way B&B uses impact the streetscape and neighbours in residential areas. It is for this reason that the zoning bylaw requires operators of overnight tourist accommodations to provide private parking spots on their property to service the guests they bring into the neighbourhood. Parking requirements for Bed and Breakfast operations are a measure of control the District of Ucluelet has to minimize the impacts of B&Bs and ensure they only take place on properties where owners can provide full services to their guests, including on-site parking.

Property and Application Context:

The applicant would require four standard parking spaces on their property to serve their home and B&B uses. They currently have a driveway at the rear of the house, accessed off Imperial Lane, leading to a covered carport. Two stacked vehicles are accommodated in the carport and driveway, leaving an additional requirement for two parking spots. The applicant refers in their letter of intent to their "paved driveway" at the front of their property on Helen Road. This area of public boulevard functions as public on-street parking (see fig. 2). The boulevard was privately paved at some point in the past and there is no record that this was done with District approval.

Cash-In-Lieu for Parking:

Zoning Bylaw No. 1160 includes information on allowing for some parking requirements to be waived in exchange for cash-in-lieu. [Regulation 506.1](#) states:

An owner or occupier of a lot within the OCP designation of Village Square may pay cash-in-lieu in the amount of \$8,000 per space, of up to fifty percent (50%) of the required off-street parking spaces.

At this time, there are no bylaws in place to extend the cash-in-lieu parking scheme to properties outside the Village Square, although Council may wish to explore this option. Funds received for cash-in-lieu are placed in a parking reserve fund and used for the expansion and improvement of parking facilities on public, District-owned lands. This could be on-street parking or within public parking lots such as the municipal lots on Cedar Road.



Figure 2- Existing public parking at 1425 Helen Road

A development variance permit was issued for a nearby property on Helen Road in early 2019, where the applicant was approved to waive the parking requirements associated with the addition of a single B&B tourist accommodation suite, due to the difficulty of developing appropriate parking on the lot and its potential impact on adjacent mature trees. It should be noted that the current application is similar and is for a property with equal slope challenges, though perhaps without the same impact on trees. The front yard drops approximately 1.5m (5 ft) from the existing road edge to the front of the house.

Public parking exists directly in front of the subject property, and if the applicant were to seek to construct parking on site the addition of a second driveway would remove one or more of these public spots on Helen Road. Note that section [504.7](#) of the zoning bylaw limits the total driveway width for a residential property to 7m; for this property the existing single driveway on Imperial Lane would account for approximately half of that.

In addition, the Official Community Plan bylaw (2022) includes several references to improvements on Helen Road, including a future pedestrian sidewalk shown on the [Schedule C](#) trails network. Additional driveway cuts and/or reliance on on-street parking could make it more difficult to construct pedestrian improvements in the immediate area.

Since the nearby variance was granted in 2019 there have been contextual changes in town, including significant growth in the number of B&B units in residential areas in Ucluelet. Many of the houses on Imperial Lane and Helen Road face parking challenges, with some residents historically relying fully on public parking. The parking limitation has acted as a constraint on the proliferation of B&Bs in this area. Granting the requested variance may be perceived as Council

supporting the waiving of parking requirements more generally for B&Bs, and could result in an increase in similar applications from property owners or future buyers in this neighbourhood.

ANALYSIS OF OPTIONS:

A	Reject varying the parking requirements for secondary uses at this residential property.	<u>Pros</u>	<ul style="list-style-type: none"> Remains consistent with the Zoning Bylaw and OCP. Retains public on-street parking and minimizes impact of secondary uses on the neighbourhood.
		<u>Cons</u>	<ul style="list-style-type: none"> Would not allow the applicant to proceed with their variance application. Could result in the loss of on-street parking if the applicant chooses to pursue building a new driveway off Helen Road.
		<u>Implications</u>	<ul style="list-style-type: none"> No public notice would be given for this application. No further staff time required.
B	Direct Staff to give public notice for Development Variance Permit 22-09 to eliminate parking requirements for a B&B use on the subject property, as requested.	<u>Pros</u>	<ul style="list-style-type: none"> Applicant can proceed with their application. Neighbours will be notified and have an opportunity to provide feedback on this application. Could maximize the supply of public on-street parking.
		<u>Cons</u>	<ul style="list-style-type: none"> May add additional pressure to public parking in this neighbourhood. May result in increased number of future parking variance applications in residential areas. May cause additional barriers to achieving OCP goals of improving pedestrian infrastructure along Helen Road.
		<u>Implications</u>	<ul style="list-style-type: none"> Staff time required to complete the public notice.
		<u>Suggested Motion</u>	<i>THAT Council direct staff to give public notice for development variance permit 22-09 to vary parking requirements for a proposed B&B use at 1425 Helen Road.</i>

POLICY OR LEGISLATIVE IMPACTS:

Maintaining parking requirements would be consistent with the *Official Community Plan* and the *Zoning Bylaw*.

NEXT STEPS:

Should Council so direct, staff will complete the public notice for this Development Variance Permit application and bring the DVP 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
 V0R 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:

- Official Community Plan Amendment
- Zoning Bylaw Amendment
- Development Permit (no variances)
- Development Permit (with variances)
- Development Permit Amendment
- Development Variance Permit
- Temporary Use Permit
- Board of Variance
- Strata Conversion
- Subdivision

Description of Property

Civic Address (es): 1425 HELEN RD
 Legal Description: Lot 25 Plan VIP1116 Block _____ Section 21 DL Clayquot land District

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: MARIE-HELENE TREMBLAY Company name: _____
 Mailing address: _____ Code: VOR3A0
 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: 20/12/2022

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: [Signature] Date: 20/12/2022

Office Use Only:

Folio No.: <u>098-000</u>	File No.: <u>DVP 22-09</u>	Date: <u>Dec. 20/22</u>	Receipt No.:	Fee: <u>\$600 + \$30</u>
------------------------------	-------------------------------	----------------------------	--------------	-----------------------------

We are asking for a variance pertaining to the additional off-street parking request in relation to 1425 Helen Road, Ucluelet, B.C. The current drainage and neighbourhood appearance will be adversely affected with this requested change. The work required will be a financial hardship to our already stretched budget.

Presently we can park up to six vehicles horizontally onto our paved driveway, at the front of our property along the fence line, off Helen Road and two vehicles at the back of the property. In order to create the one parking spot shown in your diagram four of the existing parking spots will be lost, leaving only 3 parking spots at the front of our property. A loss of three spots.

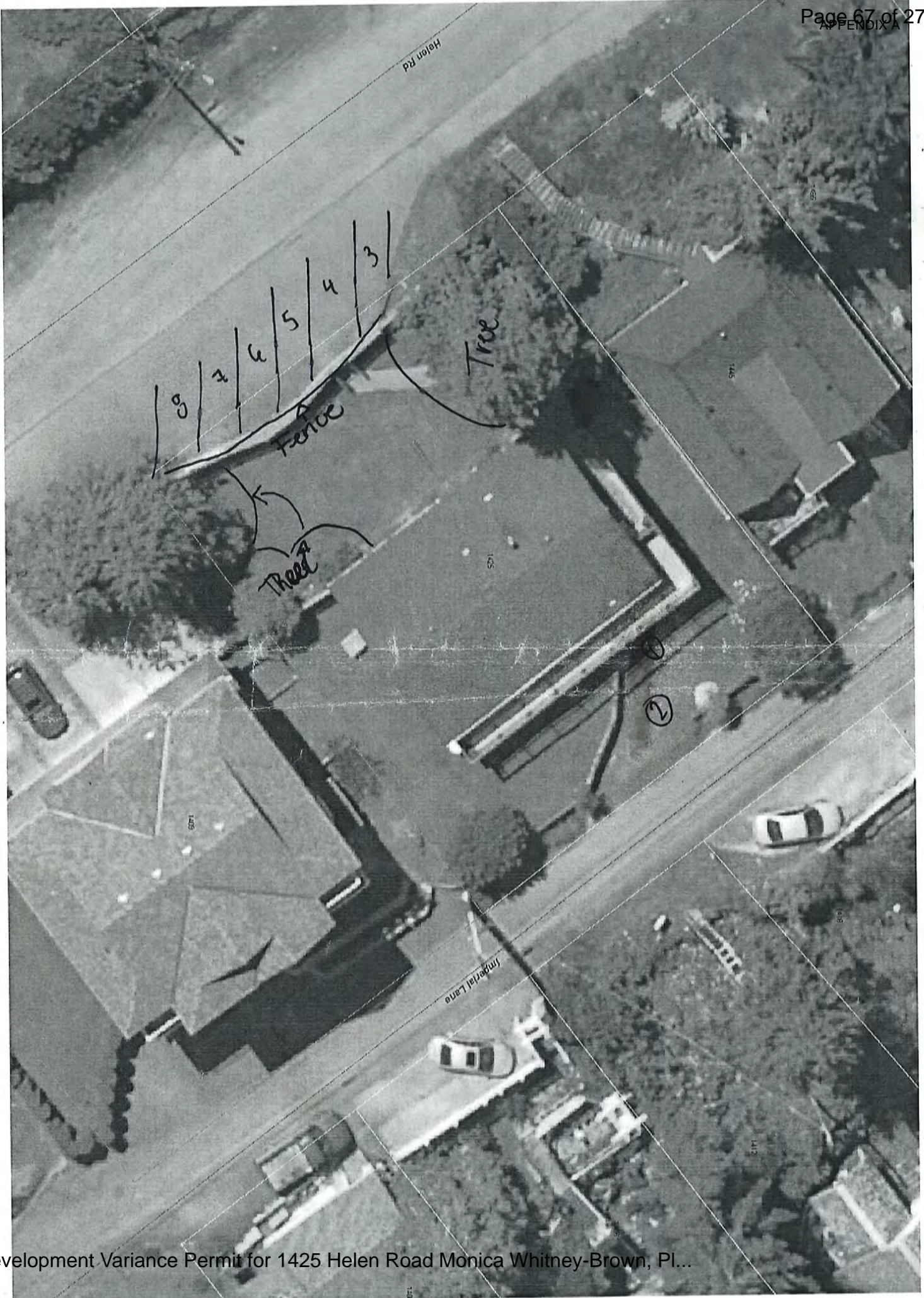
In order to comply with installing the one extra parking space it will require the need to remove a good portion or possibly all of the existing retaining wall, the existing fence, the existing pavement and existing landscaping including a mature deciduous tree. Then refill, repave, refence and relandscape. These changes will be very expensive and in today's poor financial climate especially post Corona virus lockdown and restrictions resulting in the current recession we would be hard pressed to afford this change. The requested parking changes will not only cause great financial strain to us but will also adversely impact the safety, integrity and neighbourhood appearance of the existing retaining wall, pavement and fence.

We are concerned that removal of any of the existing retaining wall, privately paved frontage on Helen Street and the mature trees on our property in order to fulfill the one extra parking space will very likely affect the drainage of the property including Helen Road runoff. The safety of the building could be compromised with these changes.

The removal of the trees and fence will impact the appearance of the neighbourhood.

Yours truly

Marie Helene Tremblay, owner
Brock Crofton, owner





REPORT TO COUNCIL

Council Meeting: January 24, 2023
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DUANE LAWRENCE, CAO **FILE No:** 2240-65
SUBJECT: HIGHWAY 4 JUNCTION LANDSCAPING **REPORT No:** 23- 08
ATTACHMENT(S): APPENDIX A - MOTI LANDSCAPING AREA OVERVIEW

RECOMMENDATION(S):

THAT Council support a beautification project of the Highway 4 and Tofino-Ucluelet Peninsula Highway junction, provided the project can be fully funded through the Resort Municipality Initiative Fund to a maximum of \$50,000;

THAT Council direct staff to work with the Ministry of Transportation and Infrastructure on a landscaping and maintenance agreement for the Tofino-Ucluelet Peninsula Highway and Highway 4 islands; and,

THAT Council direct staff to incorporate the planting, care, and maintenance of the Tofino-Ucluelet Peninsula Highway and Highway 4 islands into the annual Park's maintenance plan.

BACKGROUND:

The District has been advocating for the Ministry of Transportation (MOTI) to make improvements to the intersection at the Highway 4 and Tofino-Ucluelet Peninsula Highway. As the gateway to the peninsula, it was the District's perspective that the intersection should be beautified in some fashion when future safety improvements were made.

In the fall of 2022 MOTI indicated that they were investigating what improvements they could make to the intersection and would advise the District, if and when improvements were going to be undertaken so that the District could provide input into the design.

On January 12, 2023, Staff were advised by the Vancouver Island Operations Manager that MOTI reviewed the site and improvements to the junction were going to be undertaken prior to March 31, 2023. The work would involve rehabilitating the north island including adding a cross walk to allow for safe passage to the south side of Hwy 4. Future work to the south island, which would include an adjustment to the traffic pattern flow, would occur later in 2023 once additional funding was confirmed within their budget process.

Staff requested details on the redesign work and was informed that only minor changes would be occurring including the installation of new curbing, pedestrian corridors between the visitor centre and the businesses to the south of Hwy 4. Staff were further advised that it was not in MOTI's mandate to undertake beautification works, although they would be happy to work with any interested party to make landscaping improvements provided the interested party enter into an agreement for the operation and maintenance of any agreed upon improvements.

MOTI advise District Staff that other intersection options were considered, including a previously suggested round-about option, and determined that there was insufficient space to accommodate a round-about, therefore re-alignment of the southern island was determined to be the best option.

ANALYSIS OF OPTIONS

MOTI is willing to work with the District to make improvements to the intersection under the condition that the District take full responsibility for the care and maintenance of any landscaping completed. If the District is not interested in undertaking, caring for and maintaining landscaping improvements, MOTI will undertake the renewal of the islands with a zero-maintenance plan. Essentially MOTI will replace the island with a similarly paved or hard surface treatment that would require little to no maintenance.

Staff have reviewed the costs of completing the initial planting and then maintaining the islands long-term. With MOTI providing all of the soil, the District would be responsible for purchasing and planting of any plants. The two islands would have an approximate planting area of 5000 sq. ft. Depending on the density of the planting, Staff estimate the cost of plants to be in the neighbourhood of \$50,000. This could be reduced by reducing the total planting area creating pockets of planting primarily around the pedestrian corridor. For the first island, Staff would recommend planning for \$20,000 - \$25,000.

Operationally there are some concerns with respect to accessing the site to water any new plants while they establish themselves and the impact of road material spill onto the islands which could impact the viability of any plantings. For staff time, once established the ongoing maintenance would be estimated at 15 – 24 hours annually.

If the District were to agree to improving the landscaping of the traffic islands, Staff would recommend utilizing native grasses, ferns and low growing shrubs that would require little maintenance and be drought resistant.

Prior to any agreement being finalized Staff would work with MOTI to determine the most cost effective and low maintenance plan for the islands. Staff would further recommend that the District seek approval from the Resort Municipal Initiative (RMI) to fund the project and update the Resort Development Strategy. If funding is not available through RMI staff would recommend not proceeding with the project as this is an unplanned project which would require additional tax funding, the works are outside of the Municipality and there is limited to no direct benefit to the Municipality.

A	Direct Staff to work with MOTI on landscaping options and a maintenance agreement.	<u>Pros</u>	<ul style="list-style-type: none"> Results in the beautification of the Hwy 4 junction. District could make additional improvements to the islands in the future. Results in not having a fully concrete or paved junction.
		<u>Cons</u>	<ul style="list-style-type: none"> District is responsible for ongoing maintenance.
		<u>Implications</u>	<ul style="list-style-type: none"> District will need to utilize existing funds for plants within the operational budget to plant the area, estimated at \$25,000 for each island. Annual dedication of 15 – 24 hours of parks labourer time to maintain the area. District would enter into a MOU or Occupation agreement with MOTI for the ongoing maintenance of the area.
B	Do not proceed with landscaping of the junction	<u>Pros</u>	<ul style="list-style-type: none"> No cost to the District. District is not responsible for the maintenance of the area.
		<u>Cons</u>	<ul style="list-style-type: none"> MOTI will likely concrete or pave the islands. No visual improvements will be made to the islands. Next opportunity to make improvements may not occur for many years.
		<u>Implications</u>	<ul style="list-style-type: none"> No financial or staffing implications would result from not making landscaping improvements to the area.
		<u>Suggested Motion</u>	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

A memorandum of understanding or licence of occupation outlining the terms and conditions for the ongoing maintenance of the landscaped islands would be required.

NEXT STEPS

- Advise MOTI of Council's decision
- Seek approval for a revised RMI program that would fund the improvements
- Develop a planting plan that is supported by MOTI
- Develop a MoU or occupation agreement for the care and maintenance of the islands
- Parks to acquire and plant the island in 2023
- Parks to provide ongoing maintenance of the new plantings

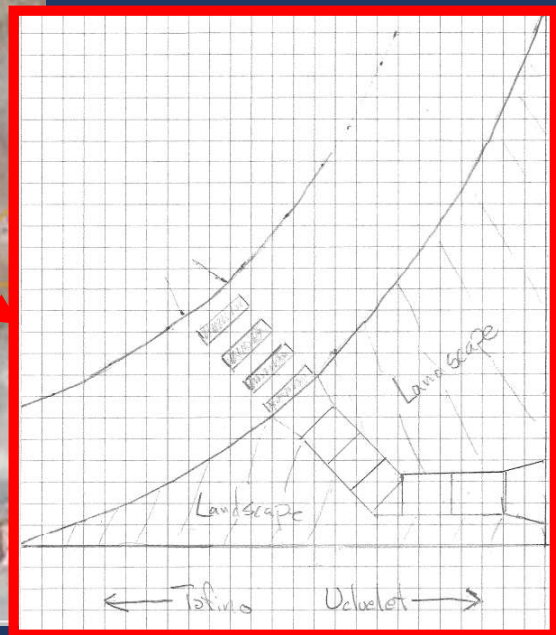
Respectfully submitted: Duane Lawrence, CAO



Proposed Island Landscaping (North Island only)

Alberni-Clayoquot Regional District
Hwy 4/Pacific Rim Highway Junction

Concert curb island with potential landscaped section and crosswalk area in preparation for fulsome junction improvements to come





REPORT TO COUNCIL

Council Meeting: January 24, 2023

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DUANE LAWRENCE, CAO **FILE NO:** 0530-01

SUBJECT: RESPONSIBLE CONDUCT POLICY **REPORT NO:** 23- 10

ATTACHMENT(S): [APPENDIX A - FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT](#)
[APPENDIX B – FORAGING THE PATH TO RESPONSIBLE CONDUCT](#)

RECOMMENDATION(S):

THAT Council direct staff to develop a draft responsible conduct policy to be considered by Council at a future committee of the whole.

BACKGROUND:

[Part 4, Section 113.1 & 113.2 of the Community Charter](#) requires all newly elected municipal Councils to consider the establishment of a Code of Conduct (Responsible Conduct) for locally elected officials within the first six months of the inaugural meeting. The Community Charter calls for Councils to consider the prescribed principles for responsible conduct and if a Council determines not to establish a Responsible Conduct Policy (RCP), make available to the public a statement respecting the reasons for not establishing an RCP.

The foundational principles for the RCP are determined by the [Principles for Codes of Conduct Regulation](#) and include integrity, accountability, respect, leadership, and collaboration. An RCP is seen as the most effective tool to maintain and elevate the public's trust and show Council's commitment to a fair, transparent, and accountable process.

To date the District of Ucluelet has not considered an RCP, requiring the development of a policy for Council to consider in 2023.

ANALYSIS OF OPTIONS

In consideration of the development of an RCP Council may elect to direct staff to develop the policy, develop the policy through a select committee of Council, delegate the development of the RCP to the Mayor, or decline to develop the policy. The RCP typically encompasses the following areas:

- Roles & Responsibilities
- Collection and Handling of Information
- Conflict of Interest & Bias
- Respectful Workplace, Bullying & Harassment
- Social Media Use, Interactions with Public & Media

- Gifts & Personal Benefits
- Breaches, Complaint Handling and Disciplinary Action

The RCP development process would involve conducting a review of existing policies implemented by other municipalities, guiding documents from the Province relating to responsible conduct and ethical standards, recommendations from the Union of British Columbia Municipalities (UBCM), reviewing existing District policies and bylaws and completing a legislative compliance review. A draft policy would be presented for Council comment and consideration during a Committee of the Whole. At which time additional clarification and direction could be provided to refine the policy and ensure it meets Councils requirements.

Although most RCPs are drafted by Staff there are some municipalities that have elected to undertake the development of the policy through a select committee of Council or authorize the Mayor to develop the policy on Council's behalf. Municipalities that have elected to undertake the development of an RCP through the Mayor's office or select committee identified the benefit of having more ownership over the policy than if drafted by staff. In some instances, the Mayor or select committee undertook the drafting of the policy in situations where the adoption was going to be contentious and there was a desire to minimize the perception of staff setting rules of conduct for elected officials.

A	Direct staff to develop a Respectful Conduct Policy	<u>Pros</u>	<ul style="list-style-type: none"> • Developing an RCP is easier when it is not needed. • Confirms Council's intent to maintain a respectful and collaborative work environment. • Shows the community that Council is proactive and positive. • Meets the Community Charter requirements to develop an RCP. • Sets the tone of current and future Council discussions. • Staff are able to move the development of the policy forward in fairly short order. • Council reviews the policy throughout the development process in open meetings.
		<u>Cons</u>	<ul style="list-style-type: none"> • Council has less involvement in the 'nuts and bolts' development of the policy.
		<u>Implications</u>	<ul style="list-style-type: none"> • Policy must be presented to Council for consideration no later than May 1, 2023. • There are no financial implications to adopting an RCP.
B	Establish a Select Committee of Council or authorize the Mayor to develop a Respectful Conduct Policy	<u>Pros</u>	<ul style="list-style-type: none"> • The policy will clearly reflect the values and intent of Council. • Developing and adopting an RCP is easier in times when it is not needed. • Confirms Councils intent to maintain a respectful and collaborative work environment. • Shows the community that Council is proactive and positive. • Meets the Community Charter requirements to develop an RCP. • Sets the tone for current and future Council engagement.
		<u>Cons</u>	<ul style="list-style-type: none"> • Increased time requirements for the appointed select committee/Mayor to develop the policy.
		<u>Implications</u>	<ul style="list-style-type: none"> • Policy must be presented to Council for consideration no later than May 1, 2023.

C		<ul style="list-style-type: none"> The select committee/Mayor will need to dedicate time to review and develop the policy.
	<u>Suggested Motion</u>	<p>THAT Council establish a select committee of Council with the mandate to develop a Respectful Conduct Policy to be presented to Council for consideration no later than May 1, 2023; and,</p> <p>THAT Council appoint _____, _____, and _____ to the Respectful Conduct Policy Select Committee.</p> <p style="text-align: center;"><i>OR</i></p> <p>THAT Council authorize the Mayor to develop a respectful code of conduct policy to be considered by Council no later than May 1, 2023.</p>
	<u>Pros</u>	<ul style="list-style-type: none"> Reduced staff and council time to develop a code of conduct.
	<u>Cons</u>	<ul style="list-style-type: none"> Council determining that a respectful conduct policy is not required may be looked at negatively by the public.
C	Decline to develop a code of conduct and develop a statement as to the reasons why a code of conduct is not required.	<ul style="list-style-type: none"> Council will be required to reconsider the decision before January 1, 2026. A statement outlining the reasons why a Respectful Conduct Policy is not required under the CC will need to be provided by Council.
	<u>Suggested Motion</u>	<p>THAT Council, as required under Part 4, Section 113.1 of the Community Charter, defer the development and consideration of a respectful conduct policy, and provide the following statement to the public:</p> <p>THAT the Council of the District of Ucluelet has determined that a Respectful Conduct Policy is not required for the following reasons:</p> <p>a. _____;</p> <p>b. _____;</p> <p>c. _____.</p>

POLICY OR LEGISLATIVE IMPACTS:

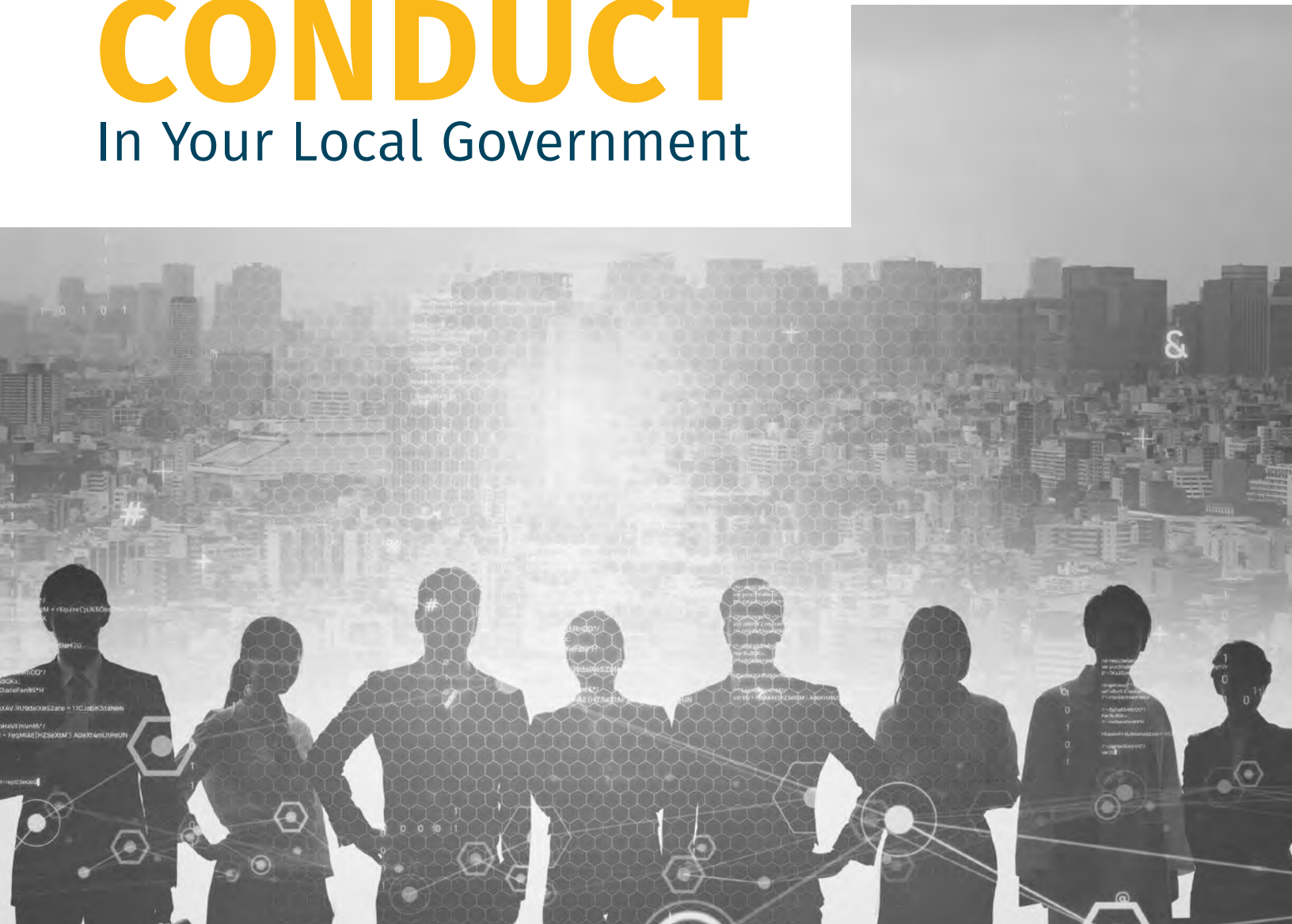
[Part 4, S. 113.1 and 113.2 of the Community Charter](#) requires Council to consider the development of a Code of Conduct (Responsible Conduct Policy) for elected officials within the first six months of being elected and within one-year of the next election if Council initially determined a Code of Conduct is not required.

NEXT STEPS

- Development of an RCP to be considered by the committee of the whole.
- Refinement and adoption of an RCP at a future meeting of Council.

Respectfully submitted: Duane Lawrence, CAO

Forging the Path to **RESPONSIBLE CONDUCT** In Your Local Government



WORKING GROUP ON RESPONSIBLE CONDUCT

APRIL 2021



Responsible Conduct Policy Duane Lawrence, Chief Administrative Officer

THANK YOU TO ALL PROJECT PARTICIPANTS

The Working Group on Responsible Conduct is a joint initiative of the B.C. Ministry of Municipal Affairs, the Local Government Management Association of British Columbia, and the Union of British Columbia Municipalities.

We sincerely appreciate the valuable contributions of all those who assisted the Working Group on Responsible Conduct in developing this guide, *Forging the Path to Responsible Conduct in Your Local Government*.

The project greatly benefited from the support and involvement of these participants, including B.C. local government elected and staff officials, and the legal experts who advise them. These individuals, through their willingness to share their experiences, were absolutely central in showing us how leading local governments can manage conduct issues within the current B.C. context. They are truly forging the path to responsible conduct in their communities. It is our hope that in passing on the wisdom built through those experiences, the guide will provide others with practical ideas to allow them to do the same.

INTRODUCTION

About this Guide

How local government elected officials conduct themselves matters. Conduct is central to governance and when conduct issues emerge, especially if allowed to fester, good governance can be impaired and public trust eroded. Yet dealing with conduct issues can sometimes be overwhelming and governing in the face of them enormously challenging.

The guide presents practical ways to help prevent conduct issues and to deal with them if they do arise. The guide does not represent legal advice, nor is it a substitute for that advice.

Guide Development

This guide was developed by the Working Group on Responsible Conduct (WGRC), a joint initiative by the Union of British Columbia Municipalities, the Local Government Management Association of British Columbia (LGMA), and the B.C. Ministry of Municipal Affairs. The staff-level Working Group undertakes collaborative research and policy work on the issue of responsible conduct of local government elected officials.

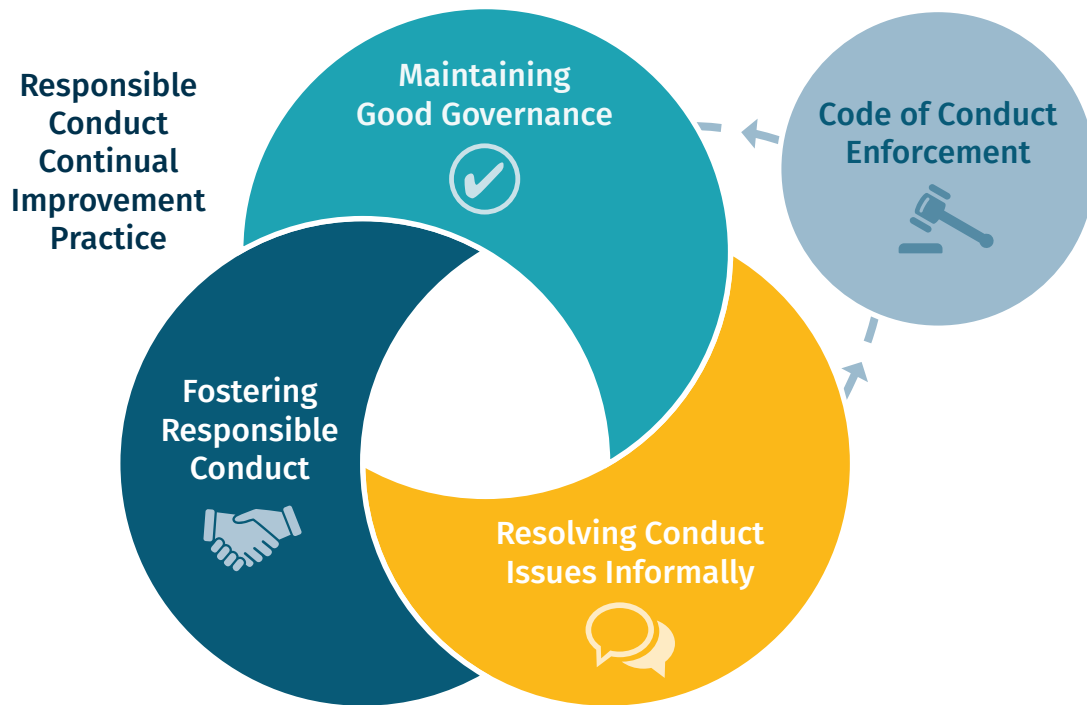
This guide builds on, and should be read in conjunction with, three previous WGRC publications: *Foundational Principles of Responsible Conduct for BC's Local Governments* along with *Getting Started on a Code of Conduct for Your Council/Board: Model Code of Conduct* and its *Companion Guide*.

The guide was informed by WGRC research, a review of a sample of B.C. local government codes of conduct that include enforcement provisions, and discussions with local government elected and staff officials and legal experts experienced in responsible conduct matters.

Our key take-away from those discussions was: **It's worth putting a lot of effort into prevention and informal resolution of conduct issues. There are enforcement processes if that doesn't work, but in practice, local governments are finding more success with informal methods.**

Watch for highlighted leading practice tips and quotes from trusted advisers that came to the WGRC during our research.

All resources noted in the chapters are linked in Chapter 6, Resources.



Guide Organization

The guide is organized around two central concepts:

- A continuous improvement practice to foster responsible conduct, maintain good governance, and resolve conduct issues informally; and
- Where it is needed, code of conduct enforcement.

The three continuous improvement topics do not represent a linear process, with a local government moving sequentially through each; instead, they are intertwined with activities in each undertaken iteratively, shaping an organizational culture of trust and respect, where participants work effectively together and councils and boards govern well.

There is a well-established body of practice in these areas, and the guide draws on this to provide examples, leading practice tips and links to further information and resources.

With these measures in place, conduct issues can be avoided, or managed early on, reducing the need for enforcement of a code of conduct. However, even within this context, there may occasionally be a need for a local government to enforce its code of conduct.

Articulating an enforcement process within a code of conduct is a relatively new practice in B.C. The guide draws on examples from leading local governments that have included enforcement in their codes to highlight both current practice and things a local government may wish to consider as it begins to design its own enforcement process.

Table of Contents

This is an interactive table of contents. Click on any titles to go directly to that section.

See Chapter 6, Resources for links to the publications and other resources referenced throughout this guide.

CHAPTER 1	6	CHAPTER 4	23
Fostering Responsible Conduct		Essentials of Code of Conduct Enforcement	
What Kind of Conduct is Problematic and Why?	6	When to Consider Enforcement	23
What is Responsible Conduct?	7	Overview of Other Enforcement Approaches	24
How Can We Build Responsible Conduct in Our Local Government?	8	Specific Statutory Processes	24
Adopt a Code of Conduct or Other Conduct Policy	8	Process to Decide on a Specific Alleged Conduct	
Align Policies, Procedures and Practices	8	Contravention and Impose Related Sanctions	25
Elected Official Leadership, Knowledge-sharing, Skills Development and Support	9	Obtaining Legal, Law Enforcement and Other Advice About Enforcement Processes	26
Food for Thought	10	Code of Conduct Enforcement: Overarching Considerations	27
		Ensuring a Fair Process	27
		Ensuring the Investigator has Sufficient Independence, Expertise and Authority	28
		Balancing Transparency and Confidentiality	28
		Matters of Cost, Capacity, Efficiency and Effectiveness	28
		Code of Conduct Enforcement: Process Steps, Current Practice and Considerations	29
		Sanctions	38
		Current Practice for Sanctions	38
		Considerations When Imposing Sanctions	39
		How to Improve the Post-sanction Environment	40
		Food for Thought	41
CHAPTER 2	11	CHAPTER 5	42
Maintaining Good Governance		Conclusion	
Working Together Before, During, After – and Despite – Conduct issues	11	Forging the Path to Responsible Conduct	42
Whose Job is it Anyway?	11		
Enhance Collaboration: Embrace Diverse Ideas and Conflicting Views	12		
Contain Conduct Issues	14		
Council/Board Check-ins	14		
Food for Thought	16		
CHAPTER 3	17	CHAPTER 6	43
Resolving Conduct Issues Informally		Resources	
When and Why to Consider an Informal Approach	17		
How to Pursue an Informal Approach	18		
When You Demonstrated Poor Conduct	19		
When You Are on the Receiving End of Poor Conduct	20		
Involvement of Another Person in Individual Discussions	20		
Where an Individual's Conduct Impacts All Members	20		
Tips for These Discussions	21		
Where the Conduct Issues are Systemic or Widespread	21		
Professional Advice from Staff	22		
Food for Thought	22		

CHAPTER 1

Fostering Responsible Conduct

What Kind of Conduct is Problematic and Why?

Some expectations of good conduct will be clear to most, often because these are set out in law: things like a person not voting on something if they have a financial interest in it, keeping confidential information confidential, not discriminating against a person,¹ and not making slanderous statements.

Other behaviours – like respecting others at meetings or not criticizing colleagues, staff or members of the public on social media – may be less obvious to some; perhaps council or board members don't even agree on what conduct they expect of each other in these areas. For example, some may think that there is nothing wrong with dismissing or belittling another in a debate because they have different backgrounds, experiences, or cultural values than you, or because their politics or points of view on a matter are different than yours.

Some may think that shouting at the chair is an acceptable tactic to get their point across, or that intimidating staff when they won't give you what you want is a way to get things done. However, all of these kinds of conduct can be destructive.

Even subtle actions can become pervasive, escalate over time, erode relationships and impair the ability of the local government to fulfill its most basic responsibilities to make collective decisions in the interests of the community. Electors have entrusted elected officials, acting collectively as the local government's governing body, to govern in the public interest; any conduct that gets in the way of that is a problem.



¹ The B.C. Human Rights Code prohibits certain activities and conduct that discriminate against a person or group or class of persons because of the race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or that group or class of persons. See Chapter 6, Resources for a link to the legislation.

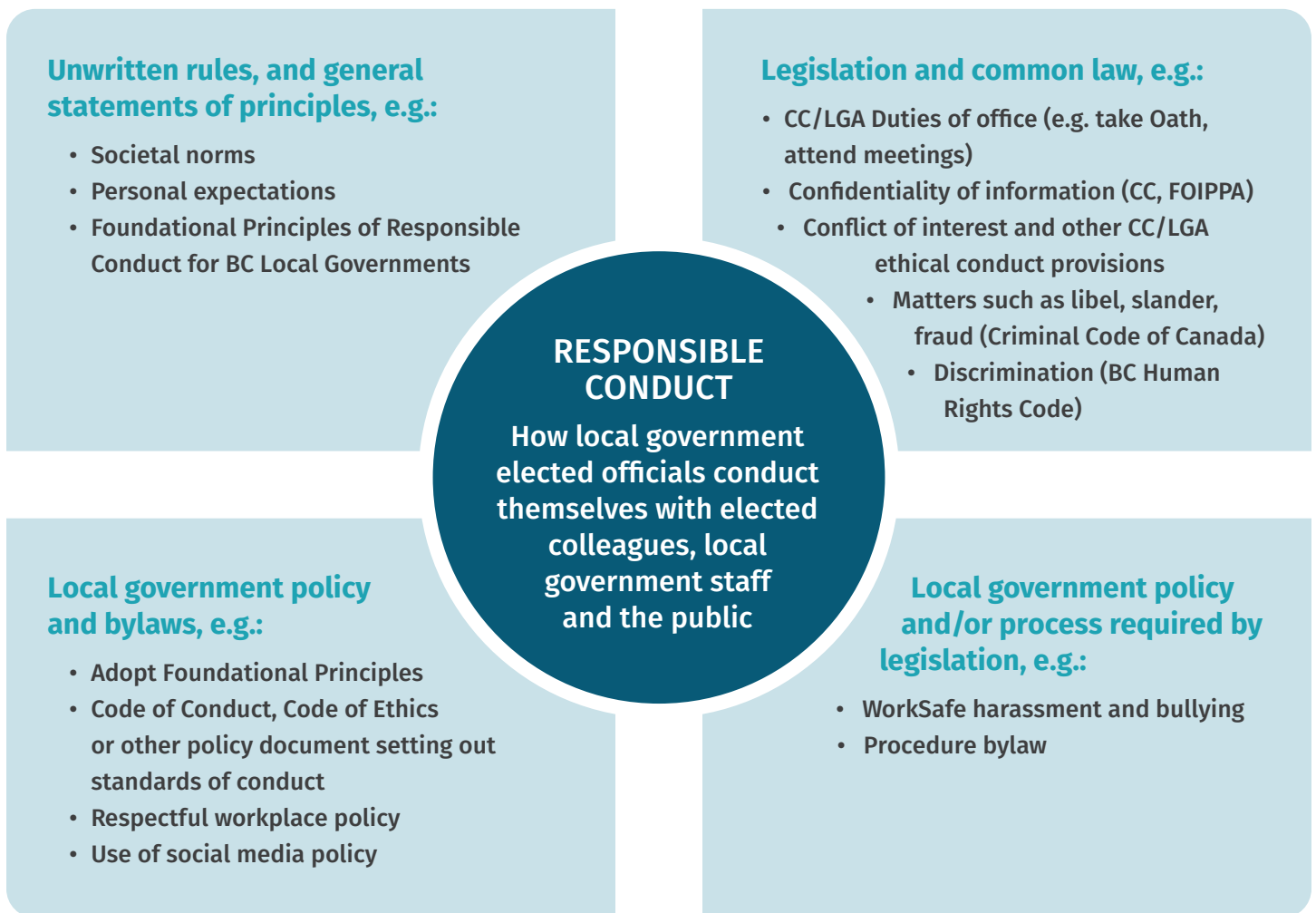
What is Responsible Conduct?

In the context of this guide, responsible conduct refers to how local government elected officials conduct themselves with their elected colleagues, with staff and with the public. It is grounded in conducting oneself according to principles such as integrity, accountability, respect, and leadership and collaboration, in a way that furthers a local government’s ability to provide good governance to its community.

As illustrated in the graphic, conduct expectations can take the form of unwritten norms, written principles, or local, provincial or federal policy or law.

Much of this guide is focused on local government policy and bylaws, such as a local government code of conduct because:

- Preventing conduct issues is difficult when relying on unwritten rules or general statements of principle developed by others and not endorsed by the local government; and
- Considerable guidance is provided elsewhere for conduct that is governed by federal or provincial law; this guide touches on that aspect but directs the reader to external resources for more information.



How Can We Build Responsible Conduct in Our Local Government?

Adopt a Code of Conduct or Other Conduct Policy

Avoiding conduct issues when rules are unwritten is hard because people don't know what is acceptable. Building a shared understanding of expected conduct and setting that out in a code of conduct will make expectations clearer and is a good way to prevent issues.

Codes of conduct provide conduct standards that supplement conduct already required legislatively (e.g., conflict of interest rules, confidentiality requirements, prohibitions on discrimination) or through policy (e.g., council/board-staff relations) to ensure that the full range of expected conduct is clear. Existing legislation and/or local government policies will need to be considered as a local government develops its code to ensure the code is not inconsistent with existing conduct requirements.

Many codes also include details about how alleged contraventions will be dealt with. This can be a preventative measure because it adds clarity about how an individual elected official will be held accountable for their conduct.

Adoption of a code of conduct is strongly recommended – as is the inclusion of an enforcement process to address alleged contraventions, and a range of sanctions that may be imposed by the Council or Board if a contravention is determined. Ideally, initiate discussions towards adoption of the code before conduct issues emerge.

If you already have a code, use Chapter 4, Essentials of Code of Conduct Enforcement, to support development of an enforcement process. If you haven't yet adopted a code, start with two previous WGRC publications (*Model Code of Conduct* and its *Companion Guide*). Both are linked in Chapter 6, Resources.

Align Policies, Procedures and Practices

Procedure bylaws are an important tool in supporting conduct in meetings and Council and Board decision-making. *The Procedure Guide: For B.C.'s Local Governments* by the LGMA and B.C. Ministry of Municipal Affairs aims to help local governments proactively consider and change their procedure bylaw to help address challenging situations and to support responsible conduct.

Local governments have many other policy and procedural tools that can be used to support responsible conduct, including such things as (see links to samples in Chapter 6, Resources):

- Oath of office
- Social media policies
- Information-sharing practices
- Conduct expectations for members of the public
- Checklists and educational tools

LEADING PRACTICE TIPS

It's easiest to have discussions about creating a code of conduct before conduct issues emerge. If your Council or Board is struggling to have those discussions, try starting incrementally and adopting the WGRC's Foundational Principles of Responsible Conduct as a statement of the Council/Board's commitment to those principles.

LEADING PRACTICE TIPS

Try a visual or verbal reminder of expected conduct at meetings, like printing the WGRC's Foundational Principles of Responsible Conduct on a placemat for every Council or Board member's place at the table or stating the oath of office at the beginning of every meeting.

Elected Official Leadership, Knowledge-sharing, Skills Development and Support

Leadership development can play a significant role in maintaining responsible conduct and good governance.

For example, respectful dialogue at a Council or Board meeting is more likely when all members understand that decisions are made collectively and not by the mayor/chair, electoral area director, or any other individual elected official. Additionally, trust and respect can be improved through understanding one's role and how it fits with the roles of others, building cultural humility,² communicating in a way that respects people's inherent dignity, and developing an appreciation of the value of different perspectives.

Building a clear understanding about conduct rules and expectations early in a term – including those that are legislated (e.g., conflict of interest) and those that are established through codes of conduct – can be a key factor in elected officials meeting those expectations. In addition, compliance can be improved and conduct issues avoided if a local government provides its elected officials with trusted advice in response to their concerns about how they can comply with conduct rules.

Similarly, skill development in areas like effective communication, chairing a meeting, dispute resolution, and strategic thinking can support both good governance and responsible conduct. Leadership and skill development should be a priority for Councils and Boards as well as for both newly elected and veteran elected officials across B.C.

For participants in the decision-making process, shared power and decision-making puts a premium on leadership skills that help one's fellow leaders find common ground.

(From the Institute for Local Government webpage article Decision Making in the Collective Interest)

² "Cultural humility is a process of self-reflection to understand personal and systemic biases and to develop and maintain respectful processes and relationships based on mutual trust. Cultural humility involves humbly acknowledging oneself as a learner when it comes to understanding another's experience." First Nations Health Authority. See Chapter 6, Resources for links and more information.

LEADING PRACTICE TIPS

Participate in the Local Government Leadership Academy's Annual Forum, which enables elected officials to learn formally from speakers, and informally through networking with colleagues from around the province. Relationships forged here can have ongoing benefit, as elected officials find they are not alone, and gain confidence to share ideas and seek advice from others who understand the challenges they may be facing.

Consider additional education, including:

- Scenario-based training where participants work through difficult situations or areas of conflict and practice skills to effectively deal with them;
- Training to increase understanding of the history and experiences of people who make up the community and avoid stereotypes and discrimination;
- Confidential coaching or mentoring for individual members of the Council or Board; or
- Pre-election candidate orientation, so individuals considering running for office know what they're getting into.

Consider developing a process to involve your Council or Board in determining their leadership and skills development priorities.

FOOD FOR THOUGHT

- › How well are we prepared to deal with conduct issues if they begin to emerge?
- › Do we have a code of conduct? If not, why not?
- › Does our code include a process to address alleged contraventions? If not, why not?
- › What issues are emerging that aren't dealt with under our code? Do we have policies to deal with them (e.g., social media policy)? Can we strengthen compliance by referring to these policies in our code?
- › Have we allocated funding for elected officials' leadership development, skills building and support in our budget? Do elected officials know this is available? How do we know what support and skills building are important to members individually and collectively?
- › Where can our elected officials go if they have questions about their conduct or to get advice about how they can comply with conduct rules? Does that advice include both legislated rules like conflict of interest and duty to respect confidentiality, as well as our code of conduct?

CLICK HERE for links to resources referenced in this chapter.

CHAPTER 2

Maintaining Good Governance

Working Together Before, During, After – and Despite – Conduct issues

A Council or Board is entrusted by electors to govern in the best interests of the community and it can only do this as a collective. Individual members cannot independently govern or make decisions affecting their community, but they can participate and contribute towards collective decision-making, and collaborative good governance responsibilities.

Given this, Boards and Councils need to find ways to work together; to effectively cooperate, collaborate, and make decisions, regardless of things like conduct issues, strained relationships or conflicting views.

“We need to stop pretending that good governance is an accident; if you’re not doing this proactively, you’ll be doing it reactively.”

(A B.C. local government consultant, facilitator and lawyer)

Whose Job is it Anyway?

Everyone has a role to play in responsible conduct and good governance.

- **Every elected official** is accountable for their own conduct and must make sure they are always acting ethically and responsibly.
- **The mayor or chair** provides leadership and can lead by example, maintain order at meetings and propose policy changes, but they cannot, on their own, ensure the Council or Board operates as it should.
- **All Council or Board members** influence how the collective works, and in the interest of serving their community, all can take steps to work effectively together, including speaking up when problems arise.
- **Staff** provide professional advice to the Council or Board and carry out its decisions in an effective, efficient and non-partisan manner. The relationship between elected and staff officials is intertwined, so it is vital for both to understand and respect one another’s roles. Developing effective lines of communication, and trustful, respectful relationships between elected and staff officials supports good governance, even under challenging circumstances. The CAO is your one employee and your ally to help elected officials be successful.

“Local officials are grappling with difficult policy challenges... A goal is to create a culture of tolerance for differing points of view that credits everyone with having the best interests of the community in mind.”

(From the Institute for Local Government document Tips for Promoting Civility in Public Meetings)

Enhance Collaboration: Embrace Diverse Ideas and Conflicting Views

Councils and Boards that welcome healthy debate, diverse ideas and conflicting views make better decisions. Different lived experiences and fresh perspectives can provide valuable insights, uncover opportunities and bring out solutions that hadn't previously been considered but are better for the community.

Productive conflict³ – that is, conflict that leads to productive results, such as better decisions – can be a significant positive influence on good governance. Productive conflict is an open exchange of conflicting or differing ideas in which parties feel equally heard, respected and unafraid to voice dissenting opinions as they work toward a mutually comfortable solution.

On the other hand, unproductive conflict – characterized by frequent, unresolved arguments – can leave individuals feeling angry and frustrated, bringing about conduct issues and making good governance more difficult.

LEADING PRACTICE TIPS

Provide a way for elected officials to build informal relationships beyond the Council or Board table (it can be as easy as sharing a meal together).

The next time a contentious issue is under discussion, try a “no rebuttal round table session” where every member has an opportunity to state their position on the issue and explain its impact from their perspective, and no member can rebut someone else's statement (when it is their turn, they must speak only to their personal perspectives).

(Details of this process, including its successes, are provided in the Enhancing Collaboration in British Columbia's Regional Districts report, found in Chapter 6, Resources.)

³ From *Unproductive Conflict vs. Productive Conflict*. See Chapter 6, Resources for link and details.

Individual strategies for productive conflict include:

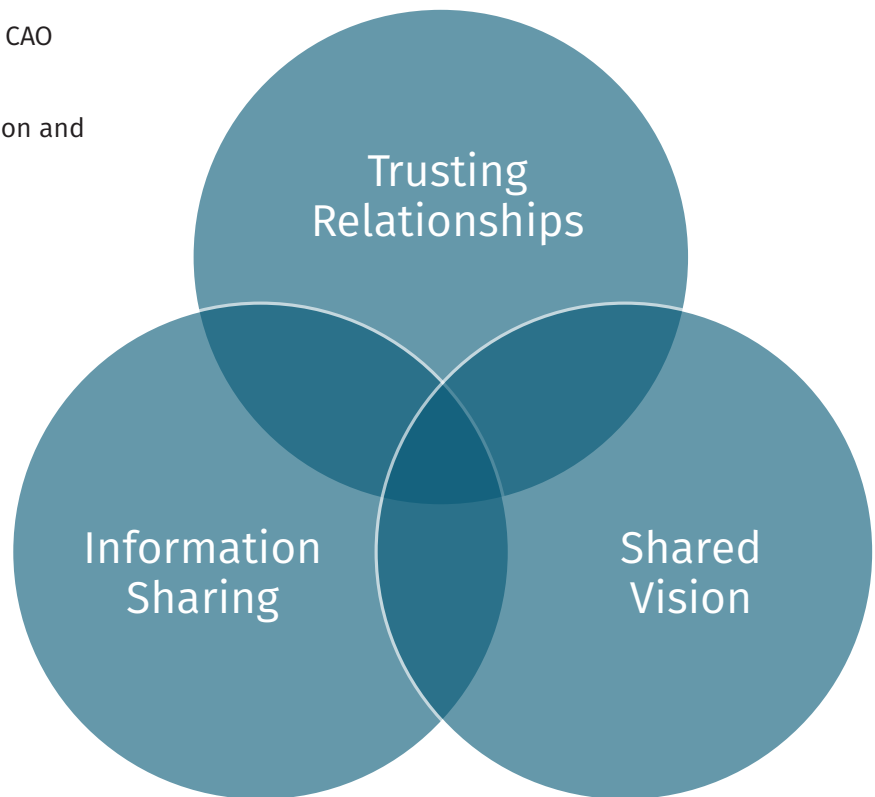
- Separating the person from the issue;
- Moving the discussion from positions to interests; and
- Seeking win-win scenarios, where solutions can meet key mutual interests.

Developing these skills can be a catalyst to move from unproductive conflict, with parties entrenched in their positions, to a place where conflicting views become a pathway to better solutions.

Focusing on trusting relationships, strong information sharing practices and a shared vision can equip a local government to ensure conflict remains productive and improve collaboration. For example:⁴

- Organizing information seminars on complex issues;
- Maintaining a strong chair/mayor and CAO leadership team; and
- Preventing the spread of misinformation and establishing a common set of facts.

“Regional issues may be more obscure than in a municipality and it is important to give all directors, from municipalities and electoral areas, the support they need to appreciate their role in creating a regional vision.”
(A B.C. regional district CAO)



⁴ Examples from *Enhancing Collaboration in British Columbia’s Regional Districts*. See Chapter 6, Resources for link and details.

Contain Conduct Issues: Use Policy/ Procedural Tools to Manage Meetings and Conduct, and Support Good Governance

Simply having policy and procedural tools in place are not enough; they will only be effective in managing conduct if they are used.

If the procedure bylaw supports responsible conduct or a code of conduct is in place, the mayor or chair can remind an elected official of their obligation to comply in real time when a conduct incident occurs at a meeting. Alternately, Councillors or Directors can raise a point of order in relation to the conduct.

If policy levers are not sufficient to support responsible conduct and good governance, any Council or Board member can propose an agenda item for a future meeting to discuss adoption or amendment of the needed policy.

Some examples that illustrate the range of policy levers that could be engaged are shown in the 'Align Policies, Procedures and Practices' section in the previous chapter.

“You might not be able to change behaviour, but you can change the local government’s practices and system framework around it.”
(A B.C. local government legal advisor)

LEADING PRACTICE TIPS

Using a procedure bylaw that specifically addresses conduct expectations, in combination with handbooks like *Robert's Rules of Order*, and *Local Government Act* and *Community Charter* provisions like the ability to expel someone acting improperly from a meeting, can be powerful tools to help contain conduct issues that arise during a meeting.

Developing a checklist for the Council or Board to evaluate its own effectiveness can be a good starting point for a check-in discussion. See Chapter 6, Resources for some sample checklists that can be customized.

Council/Board Check-ins: Find Ways to Work More Effectively Together

A Council or Board discussion – or check-in – about how to work together more effectively can provide a useful forum to identify and address areas of concern, including conduct, conflict, or collective ‘blind-spots’ that get in the way of effective discussion and decision-making. This can help to build trusting relationships as well as identify policy or procedural changes to overcome systemic barriers, and/or learning topics that could support both the collective and its individual participants to become more effective.

When negative conflict or conduct issues are present, these check-ins can help to clear the air, de-escalate unproductive conflict, improve communication, and help the Council or Board refocus on improving working relationships and removing barriers to its effectiveness.

These discussions can be challenging to start if a Council or Board is facing significant stress. Consider initiating them early in the term when tensions aren't high, and continue them on a regular basis after that.

Alternatively, some of the discussion can be woven into other processes, such as those in the graphic. Successes from these early discussions will reinforce the benefit of open dialogue aimed at improving relationships, and may help to create a willingness to participate in future dedicated check-ins.

Success of a dedicated check-in may depend on ensuring elected officials feel comfortable exploring their perspectives on barriers to their collective success without fear of reprisal, so that they can consider new approaches when current patterns of engaging with each other are not working.

In addition to considering external professional facilitation, Councils and Boards may wish to consider undertaking these sessions in the absence of the public, which can help to facilitate the open, honest discussion that will be needed to explore these issues.⁵



⁵ If you are discussing these matters in the absence of the public, make sure you don't also move towards making decisions, which you would need to do in an open meeting. See Chapter 6, Resources for useful resources from the Ministry of Municipal Affairs and the B.C. Ombudsperson.

LEADING PRACTICE TIPS

If you're getting stuck finding ways to work better together, especially if interpersonal dynamics are regularly getting in the way of making decisions, an external professional might be able to help. The combination of professional expertise and independence from the organization provides an opportunity for these professionals to bring new perspectives to the table and suggest approaches that may not have been considered before.

FOOD FOR THOUGHT

- › Is our Council or Board governing well? If we were to get a grade on that, what would it be? What's getting in the way? Do we regularly have discussions about this? Have we made provision for regular check-ins and getting some outside help if we need it?
- › What enhancements could be made to our policies or procedures to avoid conduct issues? Do we have specific issues that seem to be evolving that should be a priority (e.g., release of confidential information)? What can we put in place that would resolve these issues (e.g., does everyone understand their legal obligations, are there changes to our information-sharing practices that could help, and is this something the Council/Board should discuss in a check-in)?
- › What kinds of things are causing tension at the Council/Board table (e.g., whether something discussed in a closed meeting should have been in an open meeting; whether or not a member is in a conflict of interest in a particular matter; lack of respect because of such things as different political views, backgrounds, experience, age, gender identity or sexual orientation)? Would training and leadership development help? Is additional information needed, either generally or on a case-by-case basis? Are there tips or tools that could be developed to support members? Is this something the Council/Board should discuss in a check-in?
- › As an individual, self-awareness is key. Ask yourself: Am I part of the problem? Am I contributing to dysfunction or to good governance? Do I make assumptions about other Council or Board members without trying to understand their experiences or perspectives? What steps can I take to help the Board or Council work better together? What support do I need to do that? How can I help to ensure our conflict is productive?

“If local governments did less in closed meetings, there would be fewer conduct issues.”

(A B.C. local government legal advisor)

CLICK HERE for links to resources referenced in this chapter.

CHAPTER 3

Resolving Conduct Issues Informally

When and Why to Consider an Informal Approach

Conduct issues can often be managed through prevention and good governance measures.

Unfortunately, there are times where the issues are particularly significant or entrenched, and instead escalate or become more pervasive. In these cases, local governments may wish to consider taking additional steps to address the conduct issue.

Two approaches are available, and they are not mutually exclusive. Informal approaches are aimed at resolving conduct issues, through productive discussion toward mutually satisfactory solutions. Enforcement processes are aimed at determining whether there was a conduct contravention, and deciding on sanctions if a contravention is found.

Informal resolution can lead to better outcomes than enforcement processes because informal resolution tends to be:

- More effective in finding solutions that are satisfactory to all parties;
- Quicker, leaving less time for the problematic conduct to remain unchecked and less time for relationships to erode further;
- Less divisive since parties are brought together to work towards solutions that work for all, helping to rebuild trust and repair relationships (whereas in enforcement processes, parties oppose each other to prove or disprove a contravention); and
- Less legalistic, cumbersome and complex, which can also mean they are considerably less costly.

“I have yet to see an enforcement process where the elected official accepted the findings, so we need to make every effort to manage things before it gets to that.”

(A B.C. CAO, mid-sized municipality)

Given these advantages, many local governments are finding that in most circumstances it is well worth pursuing informal approaches to the fullest extent possible to see if they can resolve the conduct issues. In general, they are only considering enforcement processes if those informal resolution efforts are not successful.

However, despite its potential for positive outcomes, informal resolution is not appropriate for all circumstances.

Local governments will want to consider specific circumstances carefully before deciding on a course of action (and seek appropriate legal advice before proceeding). Consider the following examples.

When conduct issues impact employees:

Local governments are responsible for the safety of their employees at work. If a complaint relates to matters covered by legislated provisions to address workplace bullying and harassment, the complaint must be dealt with in accordance with the *Workers Compensation Act* and Occupational Health and Safety policies established by WorkSafeBC.

There may also be other laws, local government policies, or employment arrangements that will govern how to respond when an employee indicates they have been subjected to unsafe working conditions or inappropriate behaviour.

When conduct represents actual or threatened significant or imminent harm to persons, property or the local government:

In these situations, local governments will need to consider how best to preserve safety and security within their community. In addition to legal advice, local governments may need to consult with law enforcement.

“It’s important to remember that trust is built around understanding and respect, not necessarily agreement.”

(From the Institute for Local Government document Attributes of Exceptional Councils)

How to Pursue an Informal Approach

Informal resolution focuses on involved parties working out their differences to come to a mutually acceptable resolution that restores responsible conduct. Fairness is key, and local governments will want to consider fairness elements appropriate to the circumstances, which may be different than what is appropriate for enforcement (e.g., there may not be a need to provide parties an opportunity to be represented in informal discussions). Fairness supports informal discussions since people will be more willing to work towards solutions if they are being treated fairly. In addition, it is important to ensure that informal resolution does not jeopardize subsequent enforcement processes should they be needed. Providing an appropriate standard of fairness in informal discussions will help to meet that objective.

LEADING PRACTICE TIPS

Consider fairness training or coaching for all Council or Board members to raise awareness of the need for fair process in everything they do. This can lead to fewer conduct issues in the first place, and support informal resolution discussions if issues do arise, potentially avoiding the need for all parties to default to legal positions in the early stages of those discussions.

Who is involved in these conversations, and how the process unfolds, will depend on the situation and in part, who is willing and able to work through the issues.

The following are some common approaches; local governments should consider their own unique circumstances in deciding what methods to try.

When You Demonstrated Poor Conduct

All elected officials are accountable for their conduct and the vast majority are responsible, but lapses do occur: someone snipes in the heat of the moment that their colleague is too young, or too old, or too new to this country to have views on a topic; someone hits send on a social media post when they're still angry; someone picks on a staff member because they don't like a report's recommendations; someone takes a colleague's comment out of context in a way it was never intended. Sometimes, that someone is you.

Many elected officials find themselves in these situations; what distinguishes them is how they deal with them. Owning your part in a misunderstanding or admitting you've made a mistake or acted inappropriately is not a sign of weakness; it is a sign of strength and it is a quality common to exceptional leaders. It's also a way to build trust and respect and to repair relationships – valuable activities in one's quest to serve the community and get things done.

When faced with these situations, consider sitting down with the individual impacted by your conduct. It's a good opportunity to clear the air, to make an apology if that's in order, and to get to know each other's perspectives and experiences. It also allows you both to work through the issue and decide what else is needed to avoid further incidents and to move on.

Depending on how wide the impact, consider whether to have this conversation with the full Council or Board, and/or whether a public apology is appropriate.

“In more than six years as the Ombudsman for British Columbia, I have witnessed, again and again, how one action can make a difference in a small but meaningful way. I have observed that a sincerely offered apology will often satisfy a person who has a complaint... An apology can restore self-respect and dignity. An apology acknowledges that a mistake has been made and that the offending party will not repeat the action in question. It can help re-establish trust and assurance that the offending action was not the person's fault.”

(From the BC Ombudsperson special report The Power of an Apology: Removing the Legal Barriers)

LEADING PRACTICE TIPS

If you're immersed in a conduct issue, try finding a personal sounding board – a confidante with whom you can test how your behaviour stacks up and who can give ideas about how you can resolve the issue. An elected official from another local government can be particularly helpful because they can understand what you're going through and may even have faced something similar, but can offer an impartial perspective because they are not directly involved in your situation.

When You Are on the Receiving End of Poor Conduct

An elected official impacted by the conduct of a colleague might consider meeting with them if they are willing. This can help to defuse the situation, understand other points of view, discover common ground and jointly problem solve ways to work better together. It is important to avoid accusations, so it may be prudent to prepare for the conversation by considering how best to share perspectives and find mutual interests, and by thinking about what might be needed to set things right.

Involvement of Another Person in Individual Discussions

Sometimes the two elected officials aren't able to resolve the issues themselves and having a facilitator can help. Choosing the right person depends on the situation. Typical choices include:

- The mayor or chair or their deputy;
- An official who provides advice or support in relation to conduct; or
- An independent third party with experience in dispute resolution.

The choice will depend on the nature and significance of the conduct issue, who has the needed skills, and whether all parties see the facilitator as neutral.

Many local governments avoid involving the CAO or other staff in a Council or Board conflict in this way so that staff are not seen as "taking sides," which may cause considerable damage to elected official and staff relations.

If initial facilitated discussions aren't successful, the local government may wish to consider additional efforts to reach resolution, including negotiation and/or mediation.

Where an Individual's Conduct Impacts All Members

Sometimes the conduct at issue is not directed towards an individual, but to all or part of the Council or Board. For this, the mayor or chair, or their deputy, could initiate a discussion with the elected official whose conduct is at issue. These discussions are similar to those noted above, and could be aimed at gaining a mutual understanding of the various perspectives, identifying solutions to avoid further incident, and perhaps exploring new ways to work more effectively together. Depending on the nature and significance of the conduct, consider a facilitator for these discussions (e.g., an independent third party).

TIPS FOR THESE DISCUSSIONS

Regardless of who initiates or is involved in the conversation, there are a number of elements that can help make the discussions successful, such as:

- › Ensure all discussions treat people fairly; be respectful, honest and accountable; be clear about what brought you to the discussion and what you would like to achieve; and give people an opportunity to respond;
- › Have the conversation in private, and keep the discussion confidential;
- › Try to start from a place of neutrality, aiming to gain an understanding of individual perspectives, intentions and impacts, and reflect on and challenge your own inherent stereotypes, assumptions and perspectives;
- › Try not to judge; separate the problem from the person, actively listen, ask questions, seek clarification, and build on your understanding;
- › Remain open to views about what you or others could have done differently;
- › Seek common ground/mutual interests and use these as a basis for joint problem-solving to find solutions that everyone can accept; and
- › Recognize that resolution may take some time and potentially a series of discussions; don't try and do this all at once as people need time to think through issues and discover solutions, and they may need time to work through complex emotions that the discussions reveal.

“Individuals sometimes ignore rules, and toxic personalities sometimes create challenges... difficult personalities on the Council create a challenging and uncomfortable environment for the Council itself... In the end, the Council must manage its own behavior and seek compliance from its own members.”

(From the Public Management article Preparing Councils for their Work by Julia Novak and John Nalbandian, August 2009, pg. 27)

Where the Conduct Issues are Systemic or Widespread

Some types of conduct lend themselves to discussions with the full Council or Board and informal resolution would begin there (e.g., certain elected officials are repeatedly interrupted, bullied or belittled by others; conduct is markedly different in closed meetings than in open ones; grandstanding becomes an issue when the public is particularly engaged and vocal at the Council or Board meeting).

In other cases, informal resolution that begins with individual discussions noted above reveals underlying causes that need to be discussed by the full Council or Board, and informal resolution would then move to these more broadly-based discussions.

This presents an opportunity for the Council or Board to engage in continuous improvement with broader discussions about how to work more effectively together.

This could involve processes discussed in Chapter 1, Fostering Responsible Conduct and Chapter 2, Maintaining Good Governance, and it is well-suited to discussion as part of a Council or Board's next check-in.

Full Council/Board discussion is appropriate whenever the conduct or its root causes indicate underlying systemic challenges, because those challenges need to be addressed in order to satisfactorily resolve the conduct issue and to avoid future incidents. Councils and Boards that find a way to identify systemic issues (e.g., preconceptions about things like gender identity, economic status, ability, race or age; lack of a common set of facts on matters discussed; gaps in a shared understanding of conduct expectations), speak about them openly and safely, and jointly develop solutions (e.g., leadership development, enhanced policy alignment) may find that conduct issues can be resolved, unproductive conflict and friction reduced, and more effective trusting working relationships established.

Professional Advice from Staff

While ultimately it is up to elected officials to restore responsible conduct of their members, senior staff can provide key support to that process. For example, they are well-positioned to:

- Provide advice about approaches to resolve conduct issues, including resolution at an individual level and potential structural, system or policy realignment;
- Provide process and technical support to individual elected officials on informal resolution and/or enforcement processes;
- Provide advice on how to ensure informal resolution processes are fair to all participants and where expert fairness advice may be needed; and
- Provide advice about when to involve a facilitator in discussions and the skills that will be important to the success of that role, and/or what other external support or advice could be considered (e.g., legal advice; involvement of law enforcement).

FOOD FOR THOUGHT

- › Is there anything in this situation that should prevent it from being considered for an informal resolution process?
- › Who is best positioned to initiate a conversation or to facilitate one if needed?
- › What support could the local government offer to elected officials who have conduct questions or concerns, or who want to better understand the process to try and deal with issues informally?
- › What is being done to support relationship-building? What can be done to ensure all voices are heard? If these were enhanced, might it be easier for elected officials to sort out conduct issues informally? Are there lessons to be learned from this process that could apply more generally to elected officials' relationships, and/or to changes needed in the local government's policies and procedures?
- › At an individual level: What triggers a change in my conduct? How can I manage that? What subconscious assumptions might be influencing my conduct? What support do I need to make a change or to sort out a conduct issue with my colleagues?

CLICK HERE for links to resources referenced in this chapter.

CHAPTER 4

Essentials of Code of Conduct Enforcement

When to Consider Enforcement

In most cases local governments find it is worth exerting considerable effort towards informal resolution, and considering enforcement only if those efforts prove unsuccessful. Conduct is often about relationships, and with the collective governance model of local governments, good working relations are critical to good governance. Informal resolution can help to maintain relationships. Enforcement processes – being lengthy, protracted affairs that sometimes pit colleagues against each other – can serve to erode relationships as well as public trust in the process and the local government.

For this reason, local governments generally find informal resolution more effective, and are more satisfied with its outcomes (see Chapter 3, 'Resolving Conduct Issues Informally' for details). If informal resolution is not attainable, local governments may wish to consider enforcement.

A local government can hold its elected officials accountable for their conduct through an enforcement process articulated within its code of conduct, so long as that process is fair. This chapter focuses on characteristics of these code of conduct enforcement processes, and what to consider in their development, but first, it points to enforcement approaches outside of a code of conduct that may be applicable.



Overview of Other Enforcement Approaches

Specific Statutory Processes

Various federal or provincial laws provide specific accountability or enforcement processes for certain conduct matters, for example:

- **Incidents and complaints regarding bullying and harassment of an employee and/or other conduct that affects employees:** Local governments are responsible for the safety of their employees at work. If a complaint relates to matters covered by legislated provisions to address workplace bullying and harassment, the complaint **must** be dealt with in accordance with the *Workers Compensation Act* and Occupational Health and Safety policies established by WorkSafeBC. There may also be other laws, local government policies or employment arrangements that will govern how to respond when an employee indicates they have been subjected to unsafe working conditions or inappropriate behaviour.
- **Application to court for a declaration of disqualification and forfeiture of financial gain for contraventions of conflict of interest and other ethical conduct requirements:** The *Community Charter, Local Government Act* and related legislation provide rules for conflicts of interest, inside influence, outside influence, gifts, contracts and insider information. Contraventions result in disqualifications and may result in forfeiture of any financial gain that resulted. Electors or the local government may apply to the Supreme Court for a declaration of disqualification and for an order to forfeit financial gain.

- **Prosecution of an offence:** Some contraventions of legal requirements are offences which may, at the discretion of the provincial Crown Counsel, be prosecuted in court, and convictions may result in fines and/or imprisonment (e.g., unauthorized disclosure of personal information under the *Freedom of Information and Protection of Privacy Act*, and unauthorized disclosure of certain confidential information under the *Community Charter, Local Government Act* and related statutes).

LEADING PRACTICE TIPS

This list is not exhaustive. There are numerous other federal or provincial laws that provide enforcement processes (e.g., Court-based prosecutions under the Criminal Code of Canada for contravention of laws related to libel or slander; Human Rights Tribunal determination of discrimination complaints under the BC Human Rights Code). Local governments will want to familiarize themselves with all applicable legislation before initiating a local government enforcement process.

Local Government Process to Decide on a Specific Alleged Conduct Contravention and Impose Related Sanctions

The courts have found that a local government has an ability to control conduct of its members in some circumstances, and local governments have relied on this to impose sanctions for contraventions on a case-by-case basis.

These case-by-case processes are similar to enforcement processes articulated within a code of conduct: both can result in sanctions; both must be undertaken using a high standard of fairness; and both are complex from a legal perspective.

However, an important distinction between them relates to whether the process is established in advance (as it is for processes articulated within a code of conduct), or whether it is developed each time it is needed (as it is for case-by-case processes).

LEADING PRACTICE TIPS

Before getting into a situation where misconduct of a Council or Board member becomes an issue, develop a code of conduct to set standards of conduct, and include within the code the process that will be used to deal with alleged contraventions.

An enforcement process articulated within a code of conduct has several advantages over a case-by-case enforcement process, as illustrated in the graphic, and is strongly recommended.

ADVANTAGES OF CODE OF CONDUCT ENFORCEMENT

ENHANCED CERTAINTY AND TRANSPARENCY IN THE PROCESS	IMPROVED COMPLIANCE	ADMINISTRATIVE EFFICIENCIES	ENHANCED FAIRNESS
<ul style="list-style-type: none"> • Everyone understands the process by which officials will be held accountable for their conduct • Improved public confidence 	<ul style="list-style-type: none"> • Those who are subject to a code may be more likely to comply if there are known consequences for contraventions 	<ul style="list-style-type: none"> • Once the process is developed, using it for a subsequent contravention allegations will eliminate the need to “reinvent the wheel” each time an allegation is made 	<ul style="list-style-type: none"> • Consistent use of the same process helps to ensure everyone is treated fairly • Can help to overcome perceptions of bias in decisions about the process itself

Obtaining Legal, Law Enforcement and Other Advice About Enforcement Processes

Conduct enforcement is a complex and evolving area of law; while this guide is intended to help support local government decision-making in relation to conduct matters, it does not provide legal advice, and it is not a substitute for that advice.

Code of conduct enforcement does not replace other enforcement approaches that may be available or required, such as those described above. As a local government begins to explore what enforcement processes are available for a particular conduct contravention, it may want to consider discussing the matter with their legal advisors and, in some circumstances, with law enforcement or other agencies (e.g., WorkSafe BC for matters in which the conduct affects an employee; Office of the Human Rights Commissioner for matters that may be discriminatory).

Code of conduct enforcement is a complex process and its outcomes can be significant, so it is important for local governments to give considerable thought to how to ensure its process is sound. Articulating an enforcement process within a code of conduct is also a relatively new practice in B.C. and largely untested in the courts, which represents some legal uncertainties. These factors give rise to a critical need to seek legal advice on details of the process as it is being designed and when it is implemented.

This guide should not be used as a template for designing a code enforcement process, because some elements (e.g., what is an appropriate standard of fairness; what would comply with open and closed meeting rules; how to ensure that informal processes do not jeopardize a subsequent enforcement process; what complaints can be dismissed; what sanctions may be imposed) can vary considerably depending on specific circumstances. The considerations and current practice set out in the guide are intended to support a local government's initial thinking about these processes and as a starting point for it to have an informed discussion with its legal advisors about how to design an enforcement process that will meet its unique circumstances and needs.

Code of Conduct Enforcement: Overarching Considerations

Ensuring a Fair Process

Code of conduct enforcement processes have two stages: determining if there has been a contravention (e.g., taking complaints; conducting investigations; making determinations), and if so, making decisions on what, if any, sanctions to impose (e.g., recommendations from investigation and/or a Council/Board decision on sanctions). Fair process in both of these stages is critical.

A local government is obligated to ensure its decision processes are fair, particularly where the decision affects the interests of a specific individual.

Given the significance of these processes to elected officials, local governments need to consider how they can meet a high standard of fairness, including finding ways to ensure throughout the process that:

- The person affected by a decision is able to participate in the process before the decision is made (e.g., is notified of allegations, findings and recommendations and provided all documents and information that will be relied on by decision-makers, is provided with an opportunity to respond and sufficient time to prepare, and is given an opportunity to be represented by legal counsel at the appropriate stage);
- The decision-makers are open-minded (i.e., they have neither a conflict of interest nor a predetermined bias); and
- The decision is based on relevant evidence and, where applicable, the justification for the decision is given to the person(s) affected by it.

LEADING PRACTICE TIPS

Build timelines into the various steps of your enforcement process. This will enhance fairness, and can avoid eroding relationships further as the process drags on.

Build an informal resolution component into your code of conduct enforcement process.

Consider carefully managing the extent to which staff are involved in enforcement processes. Given the nature of these processes, critical staff-elected official working relationships can be significantly affected.

Consider specifically referring to legislated confidentiality requirements in your code of conduct, so members know how they will be held accountable for contraventions of those provisions.

Ensuring the Investigator has Sufficient Independence, Expertise and Authority

It can be extremely challenging to ensure the person conducting an investigation is free from bias or the perception of bias when investigating a colleague (i.e., where a Council/Board or one of its committees is investigating the conduct of a Council/Board member) or when there is an employer/employee relationship (e.g., where a CAO is investigating the conduct of a Council or Board member).

In order to remove this perception of bias, improve fairness, and enhance public trust in the process, investigations are most often assigned to an independent third party.

Balancing Transparency and Confidentiality

Local government legislation provides rules around what must be dealt with in open meetings, and what may or must be dealt with in closed meetings. The *Freedom of Information and Protection of Privacy Act* provide rights of access to certain records, as well as a requirement to protect personal information. A local government will need to ensure compliance with these laws as it develops and implements its enforcement processes.

Within these legislated parameters, there may be some discretion for local governments to make choices about whether to conduct some parts of the enforcement process in open or not. Where there is sufficient discretion, local governments may wish to consider where confidentiality is needed to support a fair process, where transparency is needed to enhance public confidence in the process, and how to balance these two objectives in each step of the process and overall.

For example, to protect the privacy of the individuals involved and ensure investigations are free from bias, most local governments maintain confidentiality throughout the complaint and investigation processes (e.g., notifying only those involved and requiring them to maintain confidentiality). Once the investigation is complete, and if it finds there was a contravention, the balance can sometimes shift towards transparency by providing for consideration of, and decisions on, investigators' reports and sanctions in an open Council or Board meeting. This is typically because the legislation requires this (i.e., the subject matter does not meet the criteria for discussion in a closed meeting) and/or the local government considers the public interest is best served by making these decisions transparently.

Matters of Cost, Capacity, Efficiency and Effectiveness

Decisions around process will have an impact on financial and human resource capacity. For example, decisions about who can make a complaint (e.g., elected officials, staff or the public) can significantly affect the volume of complaints and investigations. This will affect resources that will need to be dedicated to the enforcement process, since investigations can be time consuming and require people with highly specialized skills.

These considerations can help to sharpen the focus on various design elements and implementation strategies, not just for enforcement but for all elements of building and restoring responsible conduct. In addition, they may encourage reconsideration of alternative measures (e.g., prevention activities or informal resolution of conduct issues) that may have been previously discarded because of their associated costs (yet may be much less costly – both financially and in relationship impacts – than code of conduct enforcement).



Code of Conduct Enforcement: Process Steps, Current Practice and Considerations

The inclusion of details of how alleged contraventions will be addressed is a recent trend in B.C. local government codes of conduct. Where processes are articulated, they tend to consist of a number of distinct steps, within which there are both some common elements and some variation.

The following tables are snapshots of these provisions taken from a small sample of current B.C. codes. Readers are cautioned that this does not represent the full extent of existing practice, but rather an overview intended to be generally representative of the range of enforcement approaches articulated currently in B.C. codes of conduct.

As noted earlier, including enforcement provisions in codes of conduct is an emerging area still largely untested in the courts.

The examples provided here are not provided as templates but rather as a starting point; each local government needs to consider its own circumstances and seek its own legal advice as it develops its processes and sanctions.

It is critical that local governments exercise a high standard of fairness in these processes. Some jurisdictions choose to articulate this extensively in their code in order to provide clarity and certainty, while others do not articulate this in their code, but instead provide fair process as a matter of practice, allowing some flexibility to adapt to specific circumstances. Do not assume that codes that lack explicit fair process provisions mean that the jurisdiction is not practicing fair process. The choice is not whether or not to provide a fair process, but rather how and where to define it.

INITIATION: What triggers the process?

<p>How is the enforcement process initiated and who can make a complaint?</p>	<p>The process is typically initiated by a complaint, and complaints are allowed from any member of the Council or Board. In some cases, committee members and/or staff may also make a complaint, and in a few cases, complaints are accepted from “any person,” which would include all of the above as well as members of the public.</p>
<p>How is the complaint made, and what must it contain?</p>	<p>Typically, the complaint must be in writing, and most require these to be signed and dated by the complainant. There are varying degrees of specificity in the detail to be provided, with some codes saying nothing about this, and others requiring more specifics (e.g., detailed description of the conduct, witnesses and supporting documents).</p>
<p>To whom is the complaint made?</p>	<p>Most are delivered to the mayor/chair and/or a staff official (e.g. CAO), with provision that if the mayor/chair is involved, delivery is to the acting mayor/chair. In a few cases, delivery is to mayor and Council/chair and Board, and in some cases, complaints go to an investigator if one has been appointed.</p>

Considerations:

- › **Fair process/cost and capacity:** Fairness would dictate that at a minimum, anyone subject to a code of conduct should be allowed to make a complaint. From a public trust perspective, consideration could be given to allowing complaints from anyone impacted by the conduct (e.g., members of the public who are impacted by the erosion of good governance resulting from the conduct). The volume, and perhaps the complexity, of complaints tends to increase as the number of potential complainants increases, which will have cost and capacity impacts.
- › **Fair process:** Consider timelines for making a complaint. Existing practice examples: some codes don't explicitly provide a deadline, while others tie a deadline to the breach (e.g., as soon as possible after, or within six months).
- › **Fair process:** Consider how much detail to require in a complaint. Part of a fair process is enabling the respondent to respond, which would be difficult without sufficient detail as to the allegation. To be clear about process, consider explicitly stating that the respondent is to be provided notice of the allegations and an opportunity to respond before a decision to proceed to an investigation is made, perhaps with some deadlines. Existing practice examples: some codes do not provide this explicitly, while others do and provide deadlines (e.g. must respond within 14 days of notification).
- › **Confidentiality/transparency:** Consider measures to ensure confidentiality until an investigation of the allegations is complete.

INFORMAL RESOLUTION: What informal resolution processes are available?

<p>When does informal resolution occur and how is it triggered?</p>	<p>Most codes explicitly provide for informal resolution. Some create an informal complaint process, and encourage complainants and respondents to try informal resolution before a formal complaint is made. Some other codes encourage an attempt at informal resolution after a formal complaint has been submitted and before the complaint review process; in these cases, the CAO and/or mayor/chair become involved in that informal resolution step.</p>
<p>What is the informal resolution process?</p>	<p>Some codes that provide for informal resolution are silent as to the process. However, most others call for the complainant to address the issue directly with the respondent to encourage compliance, and/or to request the assistance of the mayor/chair to attempt to resolve the issue. In one case, a senior staff official could be called on to assist the complainant in that process, and third-party mediation is an option if these steps aren't successful in reaching resolution.</p>
<p>What are the timelines and fair process provisions?</p>	<p>There is no deadline for informal resolution where it occurs prior to receiving a formal complaint, because the de facto deadline is when a formal complaint is made. Most codes that encourage informal resolution after a formal complaint is made set a 30-day deadline to attempt informal resolution prior to an investigator being appointed. Most do not have specific fair process or transparency/confidentiality provisions for this informal stage. However, in some cases, there are specific provisions for confidentiality, and where mediation is part of the process, legal or other representation for the complainant and respondent are offered for that part of the process.</p>

Considerations:

- › **Cost/capacity/efficiency/effectiveness:** Local governments may want to consider encouraging informal resolution because that can be less costly and lead to better outcomes than investigation and sanction processes (see Chapter 3, Resolving Conduct Issues Informally).
- › **Confidentiality/transparency:** Consider measures to keep informal resolution processes confidential.

APPOINTMENT OF INVESTIGATOR: Who is appointed to investigate and how are appointments made?

<p>Who is the investigator, who makes the appointment, and on what basis?</p>	<p>In the majority of cases, the investigator is an independent third party, typically appointed by either the mayor/chair, the person acting in their place, or jointly by the mayor/chair and CAO. Exceptions include when the code assigns investigator duties to a position (e.g., senior staff official), or when the investigator is defined as the Council/Board or an individual or body appointed by the Council/Board. In cases where a senior staff official is assigned in the code as investigator, the code also provides for that individual to appoint an independent third party to investigate instead of the senior staff official.</p>
<p>What duties does the investigator perform?</p>	<p>Typically, investigators undertake the complaint review process, investigation and reporting of findings. In at least one case, a senior staff official is responsible for the complaint review process, and the investigator is appointed only after the complaint review process is complete, if needed. In one case, the investigator is assigned a broader range of responsibilities.⁶</p>
<p>What are the timelines and fair process provisions?</p>	<p>Several jurisdictions require the investigator be appointed within 30 days of receipt of a formal complaint (unless the matter is resolved informally within that time frame). See “Who is the Investigator” above for fair process provisions.</p>

Considerations:

- › **Fair process/investigator independence, expertise and authority:** Choosing an investigator who is free from bias is critical. This would indicate a need to appoint an independent third party, and/or ensure other mechanisms are in place to protect investigator independence. Assigning an investigation to a senior staff position, such as a CAO, is not recommended for most investigations as it would be very difficult to achieve the needed level of independence, and because the investigation could harm the staff-Council/Board relationship, compromising both the ability of the Council/Board to provide good governance and the CAO’s ability to effectively perform their duties. Providing for input from the complainant and respondent on the choice of investigator can help ensure all parties agree the investigator is unbiased and qualified; this effect can be enhanced by provisions that refer to the need for investigators to have professional skills/expertise.
- › **Confidentiality/transparency:** The choice of who appoints the investigator (e.g., Council/Board, mayor/chair and/or CAO) may impact when complaint information becomes public, since Council/Board decisions may need to be made in an open meeting.

⁶ City of Surrey Bylaw 20018 creates an Ethics Commissioner position and assigns a number of roles to the position, including providing advice and delivering training. See link in Chapter 6, Resources.

COMPLAINT-REVIEW PROCESS: How are complaints initially dealt with and by whom?

What is the complaint review process and who carries it out?	If informal resolution is not reached, complaints undergo an initial assessment and are either dismissed or proceed to investigation. Almost always, the investigator is responsible for the initial assessment, although in at least one code of conduct, this role is assigned to a senior staff official.
On what basis can a complaint be dismissed?	Reasons that a complaint may be dismissed are usually provided, but there is some variation on the grounds for dismissal. Many refer to complaints that are frivolous, vexatious and/or not made in good faith. Several also mention complaints that are unfounded, based on insufficient grounds, unlikely to succeed and/or beyond the jurisdiction of the code or other conduct policy.
What is the process if a complaint is dismissed?	Many do not provide a specific process. Where one is provided, there is a requirement to inform the complainant and, in at least one code of conduct, the Council or Board.
What are the timelines and fair process provisions?	Codes don't typically set timelines for this step. Some codes provide that the respondent must be notified and given an opportunity to provide an initial response prior to the complaint review process; of these, a few provide deadlines for the initial response (e.g., within 14 days of notification).

Considerations:

- › **Cost, capacity, efficiency, effectiveness:** Local governments will want to consider some form of complaint-review process, to ensure that investigations aren't required when not warranted by the nature of the complaint.
- › **Fair process:** Both fair process and public trust can be enhanced by being clear about the types of complaints that can be dismissed, while providing some discretion for investigators to make decisions based on their professional judgement and specific circumstance. Local governments may also want to consider whether to provide some deterrents for vexatious complaints (see Other Enforcement-Related Provisions table).
- › **Confidentiality/transparency:** For complaints that are dismissed, local governments will want to consider how to treat the involved parties fairly when making decisions about whether or not to provide notification about the complaint and the reasons it has been dismissed, and the extent of that notification. For complaints that proceed to investigation, fair process would require notification to both the complainant and respondent, and opportunities for the respondent to respond during the investigation (see the Investigation table below).

INVESTIGATION: How are complaints investigated?

<p>What is the purpose of the investigation and how is it conducted?</p>	<p>Investigations tend to be described quite generally (e.g., independent, impartial investigation of complaint; determine the facts, review relevant documents, conduct interviews), which provides considerable room for investigators to use their professional judgement to adapt the investigative process to meet the circumstances. Specific provisions relate to fair process, described below.</p>
<p>What are the timelines?</p>	<p>Some codes do not provide timelines. Where they are provided, timelines can refer to when the investigation begins (e.g., within 10 days, or as quickly as possible), when updates are provided (e.g., updates within 90 days after investigator's appointment) and/or when the investigation finishes (e.g., within 30 days, with extensions possible).</p>
<p>What are the fair process provisions?</p>	<p>Codes typically provide for confidential investigations and require participants to respect that confidentiality. All codes have investigation fair process provisions, that are either general (e.g., investigate in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice), or more specific (e.g., complainant and respondent are provided notice, and relevant documents, respondents must be given opportunity to respond, and participants may be represented (including legal counsel)).</p>

Considerations:

- › **Fair process:** Whether or not specific provisions are included in the code, participants must be afforded fair process. Local governments will need to consider how they will provide key fairness elements, like:

 - How respondents will be able to effectively participate, including how and when they will be provided with relevant documents, how and when they can respond (ensuring they are given sufficient time to prepare that response); and when are respondents and potentially others given an opportunity to be represented and by whom; and
 - How to ensure the decision is based on relevant information (e.g., considerations around things like documentation of evidence, findings and decisions).

In addition, local governments will want to consider how much of this to detail within their code. More detail helps to ensure processes are consistently applied and things don't get missed, but may make the process less flexible and more difficult to adapt to emerging circumstances.

- › **Confidentiality/transparency:** Considerations typically relate to how to ensure allegations and evidence remain confidential during the investigation process.

REPORTING FINDINGS: How are investigation findings and recommendations reported and to whom?

What must be in the investigator’s report?	Reports must provide investigation findings. In some cases, there is a specific requirement to include findings as to whether there has been a contravention, and/or recommendations on resolution of the complaint.
Can sanctions be recommended if there has been a contravention?	There are two approaches: specific authority for the recommendations of sanctions from among a list of potential sanctions in the code; OR no specific mention of the ability to recommend sanctions, even though the code lists potential sanctions.
Can additional recommendations be made in the report?	A number of codes specifically allow any recommendation an investigator deems appropriate and also specifically provide for a recommendation that the complaint be dismissed.
To whom is the report delivered?	There are two general approaches, with some slight variation: to the Council/ Board, with some also provided to a staff official; OR to the mayor/chair (with provision for the acting mayor/chair if that person is involved) with most also being provided to a staff official.
What are the timelines and fair process provisions?	There are few timelines for reporting (see Investigation table above for details). In many cases, there are explicit provisions for reports to be provided to both the complainants and respondents. A few state that the report to the mayor/chair is confidential, and in one case, there is explicit provision that if there is insufficient evidence in an investigation, the investigator reports that finding but there is to be no permanent record of the complaint.

Considerations:

- **Fair process:** Consider how and when the complainant and respondent are informed of the findings of the investigation. Consider whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.
- **Confidentiality/transparency:** Consider whether the investigator’s report is provided confidentially or not. The choice of who receives the investigator’s report may impact the extent to which the report is confidential, since if the report is delivered to the Council/Board, this may be in an open meeting. Where reports are not confidential, consider whether some information must be severed to comply with legislated privacy rules. Consider whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.

FINAL RESOLUTION: What actions can be taken once findings have been reported and by whom?

<p>If the investigator's report goes to mayor/chair, does it also go to Council or Board?</p>	<p>Some codes require the mayor/chair to provide the report, or a summary of it, to the Council/Board, others allow that person to decide whether it should go to the Council/Board, and the remainder do not give direction to the mayor/chair as to whether or not the report should be provided to the Council/Board.</p>
<p>What happens if the investigation finds a contravention?</p>	<p>Some codes state that the decision about whether there was a contravention rests with the Council/Board. Others are less explicit, stating only that the investigator's report must state whether there has been a contravention.</p>
<p>If there was a contravention, who imposes sanctions and what are the parameters around that?</p>	<p>In no case can an investigator impose sanctions. That decision rests with the Council/Board. Codes describe what sanctions may be imposed, and in many cases, a Council/Board can choose from among those provided. In some cases, the only sanctions that can be imposed are some or all of those recommended by the investigator. In at least one case, the Council/Board is directed to consider specified factors (e.g., nature or impact of the conduct).</p>
<p>What are the timelines and fair process provisions?</p>	<p>Some codes do not articulate fair process. Others do, including: notification to the respondent prior to Council/Board consideration, stating that the respondent is entitled to respond and given time to prepare response (e.g., two weeks), stating that the respondent is entitled to be represented, including by legal counsel (some have indemnification; see 'Other Enforcement-related Provisions' table below). Some codes provide for Council/Board consideration in open meetings, while others provide for closed meetings for this.</p>

Considerations:

- › **Fair process:** Whether or not specific provisions are included in the code, participants must be afforded fair process. Local governments will need to consider how they will provide key fairness elements and how much to detail this within their code. **Refer to the fair process discussion in the 'Investigation' table above, which is relevant for this step also.** In addition, consider how to ensure an unbiased decision on sanctions. Some local governments find that limiting Council/Board discretion (e.g. may only impose sanctions recommended by investigator, or must consider specific factors) can help to reduce the potential for bias and/or ensure the decision is based on relevant information.
- › **Confidentiality/transparency:** Consider relevant meeting rules and the nature of the matter. If these matters are dealt with in open meetings, consider whether some personal information should be severed; if dealt with in closed meetings, consider when and how the respondent is informed of decisions, and when and to what extent information is made available to the public (as a void of information can ultimately be filled by misinformation). Consider also whether different approaches are needed if no contravention has been found as opposed to if the findings indicate a contravention.

OTHER ENFORCEMENT-RELATED PROVISIONS: A sample of other key enforcement provisions that may be included in a code.

<p>What enforcement provisions are there for different groups that are subject to a code?</p>	<p>Many codes apply only to members of the Council/Board; some also include committee members and/or staff. Where these other groups are included, codes tend to modify enforcement provisions (e.g., who deals with complaints and how this is done; what sanctions may be imposed) for each group.</p>
<p>Do codes provide for reimbursement of legal costs for a person involved in an enforcement process?</p>	<p>Some codes make provisions for reimbursement of a respondent’s legal costs under certain circumstances, and with certain limits (e.g., if the person did not act in a dishonest, grossly negligent or malicious way; for the first occurrence, but not subsequently unless agreed in advance; upon request; only reasonable costs are reimbursed, sometimes with specified dollar limits).</p>
<p>What are the responsibilities of persons subject to the code?</p>	<p>Most codes require that members refrain from discussing allegations at open meetings until after investigations and Council/Board decisions on them.</p> <p>Some codes require that members endeavour to resolve disputes in good faith, cooperate with informal resolution and/or not obstruct the Council/Board in investigations.</p> <p>Some also require that members not act or threaten reprisal/retaliation against involved persons (i.e., complainant, respondent, witness, staff). In at least one case, for complaints that are vexatious, malicious or in bad faith, complainants are subject to disciplinary action, including sanctions in the code.</p>

Considerations:

- **When code applies to committee members and/or staff:** All processes must be fair, and all will need to consider the confidentiality/transparency balance, but how these are applied is often different for each group. There may also be different legal or contractual requirements that would guide enforcement processes that must be considered (particularly with respect to staff).
- **Reimbursement:** Fairness can be enhanced by providing clear policy in the code, rather than dealing with reimbursement of legal costs on a case-by-case basis. In considering the potential to offer reimbursement of legal costs and limitations around that, local governments may wish to consider whether their indemnification policy could inadvertently act as a deterrent to trying to work things out informally.
- **Responsibilities:** Local governments may wish to consider whether the fairness and/or effectiveness of their enforcement processes could be enhanced by provisions such as these.

Sanctions

As described in the 'Final Resolution' table above, if the findings of an investigation indicate that there has been a conduct contravention, a Council or Board may consider what, if any, sanctions to impose.

As with other elements of a code of conduct enforcement process, legal advice is recommended as sanctions are being designed and when they are imposed.

Current Practice for Sanctions

Codes of conduct that provide details of an enforcement process also typically set out a range of sanctions that the Council or Board could impose for contraventions.

Sanctions are stated specifically, generally, or as a combination of these. For example, some codes say that the Council/Board "may impose sanctions" and follow this with a few examples, while others provide a specific list of sanctions, sometimes followed with a general provision for "any other sanction considered appropriate" by the investigator in some cases and the Council/Board in others.

Some codes also provide overarching statements that sanctions may only be imposed if they do not prevent the member from fulfilling their legislated duties of elected office.

Specific sanctions included in a sampling of B.C. codes of conduct are:

- Request letter of apology
- Mandatory education, training, coaching or counselling
- Suspension/removal from some or all committees or other bodies
- Public censure
- Letter of reprimand or formal warning
- Publication of reprimand or request for apology and member's response
- Suspension or removal as deputy/acting mayor/chair
- Restrictions on representing the local government or attending events or conferences
- Limits on travel/expenses beyond those in corporate policies
- Limiting access to certain local government facilities
- Requirement to return local government property provided for convenience
- Restrictions on how documents are provided to the member
- Reduction in compensation (in accordance with remuneration bylaw)⁷
- Written pledge promising to comply

Readers are cautioned that this listing merely presents a compilation of sanctions currently included within B.C. local government codes of conduct. They should be considered in the context of evolving law and the legal uncertainty that is discussed above. Given this, legal advice is advised on sanctions as well as other elements of a code of conduct enforcement process.

⁷ This sanction is provided for in the District of North Cowichan's code of conduct, and it is specifically linked to its Council remuneration bylaw. See Chapter 6, Resources for link.

Considerations When Imposing Sanctions

- **Fair process:** Fairness can be enhanced and the potential for bias reduced by providing direction to the Council or Board about what it must consider in making sanction decisions, or limiting Council/Board discretion to only imposing some or all of the sanctions recommended by the third-party investigator.
- **Effectiveness:** While sanctions can be imposed as a way of distancing the Council or Board from the member's conduct (e.g., public rebuke) or to penalize the member for the contravention (e.g., reduction in remuneration, imposing limits on travel or suspension of committee appointments), local governments may also wish to consider how sanctions may be used to support a return to responsible conduct and to prevent conduct issues in the future. For example, providing coaching, skills building or training can help to avoid conduct issues that stem from a misunderstanding about roles and responsibilities, from cultural assumptions or from frustration with not being able to get one's point across at a meeting. Additionally, restricting how documents are provided to the member can help to prevent a recurrence of a contravention of a duty of confidentiality.
- **Legal risk:** Sanctions are not specifically mentioned in B.C. local government legislation but local governments have been found by the courts to have the ability to manage conduct; this may include the ability to sanction in cases of the misconduct of a Council or Board member. The edges of that authority – in terms of what specific sanctions may be imposed – aren't yet clear, but some key questions to think about in imposing sanctions are set out in this graphic. Ensuring that each question can be answered with a "yes" may mean that the legal risk related to the proposed sanction is lower.

Could the sanction fall within the local government's legislated powers?

(e.g. CC/LGA fundamental and included powers; power to rescind appointments.)



If the sanction were imposed, would the elected official still be capable of fulfilling their duties of office?

(e.g., a suspension or disqualification from office would mean the elected official could not fulfill their duties of office; removal from rotation as acting mayor/chair or from a committee would not have that effect.)



Is the sanction consistent with other policies and procedures of the local government?

(e.g., do policies related to compensation allow for reduced remuneration if an elected official is found to have contravened the code of conduct?)



Were processes to determine the contravention and impose sanctions procedurally fair, with due regard to natural justice?

(e.g. notice, opportunity to be heard, open-minded decision-making, and consideration of relevant facts?)

How to Improve the Post-sanction Environment

Disqualification is not a sanction that can be imposed by a local government. Consequently, an elected official found to be in contravention of a code of conduct will continue to be a Council or Board member. By the time formal complaints are made, relationships among Council or Board members may be very strained, and the investigation and sanction process will likely further damage these relationships.

Finding effective ways to work together will become even more important, and local governments may wish to consider what specific support could be provided to the elected official found to be in contravention, and to the collective to facilitate them working effectively together again. In addition, consideration may be given to whether policy or procedure changes could support a return to responsible conduct. Local governments may also wish to consider whether to give the investigator an ability to make these types of restorative and support recommendations, which could help to move away from a singular focus on sanctions.



FOOD FOR THOUGHT

- › Is informal resolution something that would be suitable for the conduct issue at hand? If so, have we attempted that? If not, why not?
- › What enforcement processes and sanctions does our code of conduct include? Are they sufficient?
- › Do we have a process in place to review our code of conduct and what it covers? What can we learn from what we have just gone through for any future situations?
- › Does our code refer to legislated conduct rules? If so, is it clear about which enforcement processes refer to what code provisions? (e.g., court-based processes for conflict of interest, WorkSafe BC processes for bullying and harassment involving an employee, code of conduct enforcement for all others).
- › Have we done everything we can to make sure investigations and decisions are free from bias and administratively fair, and that the entire enforcement process reduces the potential for the process to be used for purely political purposes?
- › Are we providing the same standard of fairness to everyone?

“Justice Crawford sounded one important note of caution on the right of an elected council to take action regarding a council member’s misconduct. The power to decide whether a council member’s conduct falls below the expected standard of conduct must be exercised with great care and discretion:

‘Far too easily, this could turn into an abuse of process for cheap political gain, and any council that sets out in this direction must be careful in what it is doing.’”

(From the Young Anderson paper Controlling Councillor Conduct)

CLICK HERE for links to resources referenced in this chapter.

CHAPTER 5

Conclusion

Forging the Path to Responsible Conduct

Local governments are finding that putting sustained effort towards fostering responsible conduct and resolving conduct issues informally is an effective way to avoid lengthy, divisive enforcement processes, and is also necessary to sustain and maintain good governance.

Key success factors include:

- Initiating discussions towards adoption of a code of conduct before conduct issues emerge;
- Adopting a code of conduct, including details of the enforcement process to be used to address alleged contraventions of the code and the range of sanctions that may be imposed by the Council or Board if a contravention is determined;
- Building supporting structures, including policy alignment, and supporting elected official leadership and skills development;
- Finding ways to work effectively together and to build trustful, respectful working relationships, through such means as regular Council or Board check-ins; and
- Not allowing conduct issues to fester, but rather taking steps to resolve them informally early on and identify and address their underlying causes (e.g., preconceptions, mistrust, misinformation) in order to avoid future conduct issues.

“The time to adopt a code of conduct is not when you’re in the middle of a crisis – it’s when things are going well, and when it can be aspirational.”

(A B.C. regional district CAO)

When enforcement processes are needed, local governments are well served by having articulated their process within their code of conduct in advance. Key factors to consider include ensuring a high standard of fairness throughout the process (e.g., the person affected by the decision is able to participate in the process before the decision is made, the decision-maker is open-minded, and the decision is based on relevant information).

Subsequent to enforcement processes, local government have found a need to take a renewed interest in improving working relationships among the Council or Board that tend to have further eroded during the enforcement process. Efforts towards continuous improvement in fostering responsible conduct and maintaining good governance are helpful – in particular, rebuilding respectful and trustful relationships.

CHAPTER 6

Resources

Click the name of the resource in dark blue to link to the website.

Please note: the following links were up-to-date at time of publication. If the links do not work, most of these resources can be found by conducting a web search using the name and organization listed below.

Chapter 1: Fostering Responsible Conduct

Featured Resources

- Working Group on Responsible Conduct materials:
 - [Foundational Principles of Responsible Conduct for BC Local Governments](#) describes key principles to guide elected officials' conduct.
 - [Getting Started on a Model Code of Conduct for Your Council/Board: Model Code of Conduct](#) and its [Companion Guide](#) provide a model code that local governments can modify to meet their needs, and describes things to think about when developing a code; the Companion Guide provides links to numerous resources, including several B.C. local government codes of conduct.
 - The Ministry of Municipal Affairs and Local Government Management Association publication [Procedure Bylaw Guide: For B.C.'s Local Governments](#) explains legislative requirements, provides best practices, and sets out questions to consider in developing procedure bylaw amendments.
- Other local government resources:
 - Oath of office: [City of Kelowna](#)
 - Social media policies: [District of Saanich Code of Conduct, s.6](#)
 - Information-sharing practices: District of North Vancouver policy [Staff Handling of Individual Council Member Requests for Information](#) (see Corporate Administration tab)
 - Conduct expectations for the public: [District of North Cowichan Public Input and Meeting Conduct Policy](#) and [Respectful Places Bylaw](#)
 - Checklists and educational tools: [District of Sparwood Code of Conduct Quick Reference Guide to Accepting and Disclosing Gifts](#)

Click the name of the resource in dark blue to link to the website.

Other Resources

- [B.C. Human Rights Code](#)
- [Local Government Leadership Academy website](#)
- [Local Government Management Association resources webpage](#)
- Institute for Local Government (California) publications:
 - [Developing a Local Agency Ethics Code: A Process-oriented Guide](#)
 - [Ethics Code Menu/Worksheet](#)
- Province of B.C. video [Roles and Responsibilities of a Locally Elected Official](#)
- Province of B.C. video [Characteristics of Effective Locally Elected Officials](#)

Chapter 2: Maintaining Good Governance

Featured Resources

- [Enhancing Collaboration in British Columbia's Regional Districts](#) (2014, by Jennie Aitken of the University of Victoria in collaboration with the Ministry of Community, Sport & Cultural Development, Union of B.C. Municipalities and LGMA) is a research study with findings that show what can support collaboration, and it provides a number of recommendations in relation to this; a [checklist](#) summarizes these recommendations.
- [Local Government External Resource Database](#) provides areas of speciality and contact information for professionals who work with local governments on governance and other critical issues.
- The Province of B.C.'s short videos [What Contributes to Effective Local Government Decision-making](#) and [Roles and Responsibilities of a Locally Elected Official](#) focus on key elements related to effective governance.
- [Sample customizable self-evaluation checklists for Councils and Boards.](#)
- [B.C. Ombudsperson Complaint Handling Guide](#) and [First Nations Health Authority](#) provide information on treating people with dignity and respect and building cultural humility.

Other Resources

- Ministry of Municipal Affairs webpage [Local Government Open Meeting Rules](#)
- B.C. Ombudsperson special report [Open Meetings: Best Practices Guide for Local Governments](#)
- Candice Martin presentation on Prezi.com [Unproductive Conflict vs. Productive Conflict](#)
- Institute for Local Government (California) publications:
 - [Leadership & Governance: Tips for Success](#)
 - [Tips for Promoting Civility in Public Meetings](#)
 - [Understanding the Role of the Chair](#)
 - [Working Together to Achieve Ones' Goals](#)
 - [Dealing with Bumps in the Road](#)

Click the name of the resource in dark blue to link to the website.

Chapter 3: Resolving Conduct Issues Informally

Featured Resources

- B.C. Ombudsperson report [The Power of an Apology: Removing the Legal Barriers](#) and [Quick Tips on Apologies](#)
- *Public Management* article [Preparing Councils for their Work](#), Julia Novak and John Nalbandian (August 2009, pg. 27)
- [Local Government External Resource Database](#) provides areas of speciality and contact information for professionals who work with local governments on governance and other critical issues.
- Institute for Local Government (California) publication [Dealing with Bumps in the Road](#) provides strategies for dealing with elected official and staff relationship challenges, which may also be useful when taking informal steps to resolve conduct issues among elected officials informally.

Resources

- [Getting to Yes: Negotiating an Agreement Without Giving In](#); Roger Fisher and William Ury, with Bruce Patton, Editor
- Institute for Local Government (California) publication: [Attributes of Exceptional Councils](#)

Chapter 4: Essentials of Code of Conduct Enforcement

Featured Resources

- [Getting Started on a Model Code of Conduct for Your Council/Board: Model Code of Conduct](#) and its [Companion Guide](#) – of particular interest to enforcement are links to several B.C. local government codes of conduct, many of which articulate enforcement provisions, located within the *Companion Guide*.
- [City of Surrey Bylaw 20018](#) creates an Ethics Commissioner position and assigns a number of roles to the position, including providing advice and delivering training.
- District of North Cowichan's code of conduct provides for a sanction to reduce remuneration, noted in its [Council remuneration bylaw](#).

Other Resources

- B.C. Ombudsperson resources [Fairness in Practice Guide](#), along with [Fairness by Design](#) and [Quick Tips: Essentials of Procedural Fairness](#)
- Young Anderson report [Controlling Councillor Conduct](#) by Barry Williamson, 2013.
- B.C. Ministry of Municipal Affairs webpage [Ethical Standards for Locally Elected Officials](#)
- Union of British Columbia Municipalities fact sheet [Conflict of Interest](#)
- WorkSafe BC's [bullying and harassment resource toolkit](#) along with [A Handbook on Addressing Workplace Bullying and Harassment](#)
- [B.C.'s Office of the Human Rights Commissioner](#) and [B.C. Human Rights Tribunal](#) websites provide links to information and resources about the Human Rights Code, prohibited discrimination and how to file a complaint with the Human Rights Tribunal.

WORKING GROUP ON RESPONSIBLE CONDUCT

The Working Group on Responsible Conduct is a joint initiative between the Union of BC Municipalities, the Local Government Management Association of British Columbia, and the B.C. Ministry of Municipal Affairs. The group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.



Foundational Principles Of Responsible Conduct

FOR BC'S LOCAL GOVERNMENTS

Key Foundational Principles

- ◇ INTEGRITY
- ◇ ACCOUNTABILITY
- ◇ RESPECT
- ◇ LEADERSHIP & COLLABORATION

PRODUCED BY THE WORKING GROUP ON RESPONSIBLE CONDUCT

January 2018

What are foundational principles?

This document outlines four key foundational principles -- *integrity, accountability, respect, and leadership & collaboration* -- to guide the conduct of local government elected officials in B.C.

The foundational principles provide a basis for how local government elected officials fulfill their roles and responsibilities, including in their relationships with each other, with local government staff and with the public.

These principles are intended to guide both the conduct of individual elected officials and the collective behaviour of the local government council or board. The principles are also meant to guide local governments in fulfilling their corporate functions and responsibilities to their communities.

Responsible conduct at all of these levels is key to furthering a local government's ability to provide good governance to its community.

“The foundational principles provide a basis for how local government elected officials fulfill their roles and responsibilities, including in their relationships with each other, with local government staff and with the public.”

How do the principles “fit” with legal obligations?

It is the duty of elected officials to understand and abide by all legal requirements that apply to elected officials and local governments¹, and nothing in this document should be interpreted as taking precedence over such legal obligations.

Local government elected officials should interpret the principles described below in accordance with the responsibilities and obligations set out in B.C.'s local government legislation, other applicable legislation, the common law and the policies and bylaws of the local government.



¹ Many legal obligations apply to elected officials and local governments, including but not limited to rules about: ethical standards such as conflict of interest; open meetings; protecting confidential information; workplace safety such as harassment; and expenditure of local government funds.

Integrity: *being honest and demonstrating strong ethical principles.*

Be truthful, honest and open in all dealings. Behave in a manner that promotes public confidence in local government, including actively avoiding any perceptions of conflicts of interest, improper use of office, or unethical conduct. Uphold the public interest, serving citizens diligently to make decisions in the best interests of the community. Ensure alignment between stated values and actions, including following through on commitments, engaging in positive communication with the community, and correcting errors in a timely, transparent manner.

Accountability: *an obligation and willingness to accept responsibility or to account for one's actions.*

Be transparent in how an elected official individually, and a council/board collectively, conducts business and carries out their duties. Ensure information is accessible, and citizens can view the process and rationale behind each decision and action, while protecting confidentiality where appropriate or necessary.

- Accept and uphold that the council/board is collectively accountable for local government decisions, and that individual elected officials are responsible and accountable for the decisions they make in fulfilling their roles as council/board members.
- Listen to and consider the opinions and needs of the community in all decision making, and allow for discourse and feedback.

Respect: *having due regard for others' perspectives, wishes, and rights; displaying deference² to the offices³ of local government, and the role of local government in community decision making.*

- Treat every person, including other members of council/board, staff and the public, with dignity, understanding and respect.
- Show consideration at all times for colleagues and staff, including by honouring people's values, beliefs, ideas, roles, contributions and needs.
- Create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.
- Value the role of diverse perspectives and debate in decision making.
- Act in a way that is respectful of the roles and responsibilities of the offices of Mayor/Chair and Councillor/Director.
- Value the distinct roles and responsibilities of local government staff and the community in local government considerations and operations, and commit to foster a positive working relationship between staff, the public and elected officials.
- Call for and expect respect from the community towards elected officials and staff, and their roles and responsibilities within the local government system.

² Displaying deference is acting in a way that is respectful of both the tradition and legacy enshrined in the various local government positions, as well as their intended functions.

³ 'Offices' of local government refers to the roles/responsibilities of the various roles and positions within the local government system, such as Mayor, Chair, Councillor or Director.

Leadership and Collaboration: *an ability to lead, listen to, and positively influence others; coming together to create or meet a common goal through collective efforts.*

- Demonstrate behaviour that builds and inspires public trust and confidence in local government.
- Calmly face challenges and provide considered direction on the issues of the day, while empowering colleagues and staff to do the same.
- Create space for open expression by others, take responsibility for one's own actions and reactions, and accept the decisions of the majority.
- Accept that it is the equal responsibility of the individual elected official, the council/board as a collective, the community and stakeholders to work together to achieve common goals.
- Be an active participant in ensuring the foundational principles are followed in all local government dealings (e.g., including among elected officials, between council/board members and staff, with community members, with other orders of government, in the decisions of a council/board, and in services and other activities of the local government).



LGMA



The Working Group on Responsible Conduct is a joint initiative between the UBCM, LGMA and the Ministry of Municipal Affairs & Housing. The Group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.



REPORT TO COUNCIL

Council Meeting: January 24, 2023

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF PLANNING

FILE NO: 6630-24 CMHC

SUBJECT: CMHC RAPID HOUSING INITIATIVE GRANT

REPORT NO: 23- 12

ATTACHMENT(S): APPENDIX A - CONCEPT PLANS

APPENDIX B - DRAFT RFP FOR DESIGN/BUILD OF AFFORDABLE HOUSING

RECOMMENDATIONS:

1. **THAT** Council direct staff to issue a Request for Proposals (RFP) for a design/build contractor to construct five supportive affordable housing units on the District-owned property at 1300 Peninsula Road;
2. **THAT** Council direct staff to prepare a draft submission to the Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative grant intake, for Council authorization at its March 14, 2023, regular meeting;
3. **THAT** Council authorize spending up to \$25,000 from the affordable housing reserve fund on preliminary survey, engineering, design and project management in preparation of the grant application, RFP and anticipated construction contract;
4. **THAT** Council indicate support to earmark up to \$200,000 from the municipal affordable housing reserve as a municipal cash contribution to the project, for consideration during the ongoing budget discussions and confirmation at the March 14, 2023, Regular Council meeting;
5. **THAT** Council direct staff to continue discussions with community social support service providers with the aim of developing a partnering agreement for the ongoing operation of the housing should the District succeed in obtaining project funding from the current Canada Mortgage and Housing Corporation (CMHC) grant or other sources; and,
6. **THAT** Council direct staff to prepare a zoning amendment bylaw to change the designation of the property at 1300 Peninsula Road from R-1 Single-family Residential to an appropriate multi-family residential zoning designation.

BACKGROUND:

CMHC Grant – Rapid Housing Initiative:

The Canada Mortgage and Housing Corporation (CMHC) recently announced an intake for phase 3 of the federal Rapid Housing Initiative. This grant is open to municipalities for funding affordable and supportive community housing projects.

Staff have taken a number of steps to understand the particulars of the grant program, and conclude that this may align with community needs and capacities to create a supply of housing to fill a critical gap in the Ucluelet housing spectrum. This is a small project, but one that could have a large impact on the lives of a handful of community members.

Community Issue – the need:

The [Ucluelet Housing Needs Assessment](#) identified that there are 75 Ucluelet households in “Extreme Core Housing Need”, and consistent with other regional data the greatest prevalence of this need among household types are lone parents, noting, “One out of four lone parents in the community face financial, spatial or quality hardship as they relate to housing”. Single person / roommate households are not far behind.

Initial staff discussion with a local non-profit service provider confirmed that there is great demand from lone parent households (particularly women and their children) for appropriate and stable affordable housing. This target demographic aligns with the CMHC grant opportunity which prioritizes projects aimed at supporting housing for women and their families.



Opportunity – the grant:

The CMHC [Rapid Housing Grant](#) intake is open until March 15th. Applications will be scored based on a number of criteria, including the ability to deliver the project within 18 months. This has prompted the approach that staff are recommending for Council’s consideration. The grant can fund up to 100% of costs, however it appears that successful projects will need to demonstrate a level of partnering commitment.

Opportunity – the site:

The District-owned property at the corner of Peninsula Road and Alder Street, immediate adjacent to the Ucluelet Elementary School grounds, is a site previously identified as one of the few lots that the municipality may be able to use for an appropriate development of affordable housing. Staff have tested the site for building location, outdoor space, and parking configurations - and have concluded that a 5-unit development in the form of two buildings of accessible duplex-style townhouses would fit the site and the neighbourhood context (see [Appendix “A”](#)).

Opportunity – partnership:

As mentioned, staff have had preliminary conversations with a local community social service provider who, at the staff level, expressed great interest and confirmed that this type of housing would be in high demand and would align with their programs meeting acute needs among community members experiencing personal, family and housing stress. Staff explored the idea of a partnership whereby the District would construct and own the building assets and the partner would ensure that community members genuinely deserving of the housing are able to access these rental units for themselves and their families. This partnership would solve the issue of ongoing management of the housing without the need for ongoing funding coming from the District. The service provider has a long track record in the community; because discussions have so far been at the staff level, and have not had time to receive full Board approval (or Council approval for that matter), it would be appropriate for further details to be provided to Council in a closed portion of the meeting – with the full details to become public in the coming weeks.

Opportunity – the housing:

The site and neighbourhood lean toward ground-oriented housing which could be fully accessible at the ground level, widening the potential range of community members who could benefit. The unit layouts lend themselves to compact but very livable homes with small dedicated outdoor spaces. The majority of units would contain three bedrooms to provide flexibility to accommodate families. A parking space would be provided for each unit, but all units would still have a small front garden entry facing the street to create a neighbourly presence facing the public road.

Strategy – the approach:

Staff recommend that the site particulars and concept plans be put out in a Request for Proposals (RFP) to experienced modular housing construction companies with experience on Vancouver Island. The recommended approach would be to aim at a design / build contract for the turn-key development of the five units on the site within the 18-month timeframe. The RFP would define the District's building program (what is it and what is it being used for) and the quality, durability, sustainability and energy efficiency goals that are expected to be met to provide value for this municipal asset, based on the concept plans.

The timing of the RFP would deliver proposals to the District shortly ahead of the March 15 grant deadline – this would enable staff to confirm a recommended proposal with Council on March 14th and tailor the grant submission with a known price and contractor's track record. Awarding a contract for the housing construction would be subject to successfully obtaining funding through the CMHC grant. A draft RFP document including scope and timeline is attached in **Appendix "B"**.

Staff have so far spoken with two experienced modular contractors who expressed interest and ability to complete the project within the stipulated grant timeline.

Groundwork:

Aside from exploring and discussing the grant details with CMHC and the community service provider, staff have initiated a site survey and sought proposals for geotechnical review and civil engineering for the site services. Regardless of whether the District is successful in the current grant application, this detailed information about the site would provide value for the District.

Financial Implications:

Staff are suggesting that up to a \$200,000 cash contribution to the project from the municipal affordable housing reserve fund would be an appropriate level of commitment for this project. Coupled with committing the land to this use for the foreseeable future (a \$700,000 value), the District's commitment to the project would be significant. The building construction costs are estimated at roughly \$2,000,000; this amount would be confirmed through the RFP and would then inform the grant application.

	cost /value	funding source
land	\$700,000	District owned
pre-design survey & engineering	\$25,000	District affordable housing reserve
Ucluelet cash contribution	up to \$200,000	District affordable housing reserve
capital grant for construction costs	approx. \$2,000,000	CMHC Rapid Housing Initiative
operating costs		community service partner

Conclusion:

Staff recommend that Council consider the motions laid out at the outset of this report to advance a grant application for this supportive affordable housing development on District land. The project would meet one of the most pressing, known housing needs in the community. There is a willing and qualified community partner expressing interest and able to take on the long-term operation and make this project a success. The current grant opportunity is, in staff's opinion, a chance to perhaps align the planets to deliver a rapid affordable housing development to meet a small portion of a dire community need.

ANALYSIS OF OPTIONS:

A	That Council support pursuing the supportive affordable housing project at 1300 Peninsula Road as outlined in the staff report.	<u>Pros</u>	<ul style="list-style-type: none"> Aligns with an identified community housing need – one which will not otherwise be met without commitment of public resources from the District and/or other agencies. Would take advantage of the current CMHC grant opportunity to leverage federal funds to construct the project. Aligns with past initial work to identify where District resources are best spent to address community housing needs. Would take advantage of the site at 1300 Peninsula Road and its proximity to schools and other community facilities – making it particularly well suited for housing or families. Would support an existing non-profit community service provider in delivering their programs to support vulnerable persons and families in the community. Rental revenues would help offset the operational cost of the buildings.
		<u>Cons</u>	<ul style="list-style-type: none"> Reduces future opportunities to undertake other affordable housing projects. Buildings would be a District asset that would need to be insured and included in the Districts long term asset management plan. District would need to plan for the ongoing care and maintenance of the buildings. Cost of operating a rental building can be high.
		<u>Implications</u>	<ul style="list-style-type: none"> Would require a significant commitment of staff time in the coming weeks to ensure the District puts its best foot forward with a complete grant application. Would commit the use of the District-owned property at 1300 Peninsula Road to use for affordable housing for the foreseeable future. Would commit a significant portion of the current Affordable Housing Reserve funds. Rental fees would need to cover insurance and maintenance costs of operating the buildings.
B	THAT Council not support pursuing the grant application and/or development of affordable housing at 1300 Peninsula Road at this time.	<u>Pros</u>	<ul style="list-style-type: none"> Allows for OAP funding to be used for other affordable housing initiatives.
		<u>Cons</u>	<ul style="list-style-type: none"> Would not address a known community housing need. Would not take advantage of the current grant and/or partnership opportunity.
		<u>Implications</u>	<ul style="list-style-type: none"> Staff time could be prioritized for other work. Affordable Housing Reserve funds would be available for other projects.
		<u>Suggested Motion</u>	No motion required.

POLICY OR LEGISLATIVE IMPACTS:

The property is currently designated in the OCP Long-range Land Use Plan as “Multi-Family Residential” but is zoned as R-1 Single-Family Residential. One step for this project would be to rezone the property to an appropriate multi-family zoning designation.

Respectfully submitted: **Bruce Greig, Director of Community Planning**
John Towgood, Municipal Planner
Duane Lawrence, Chief Administrative Officer
Donna Monteith, Director of Finance



OPTION A

FRONT ELEVATION

Elementary School

1309

1301

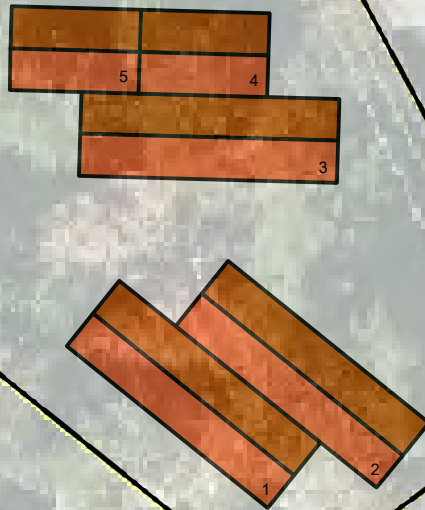
Existing Sidewalk

Peninsula Road

Alder Street

Existing Sidewalk

1288

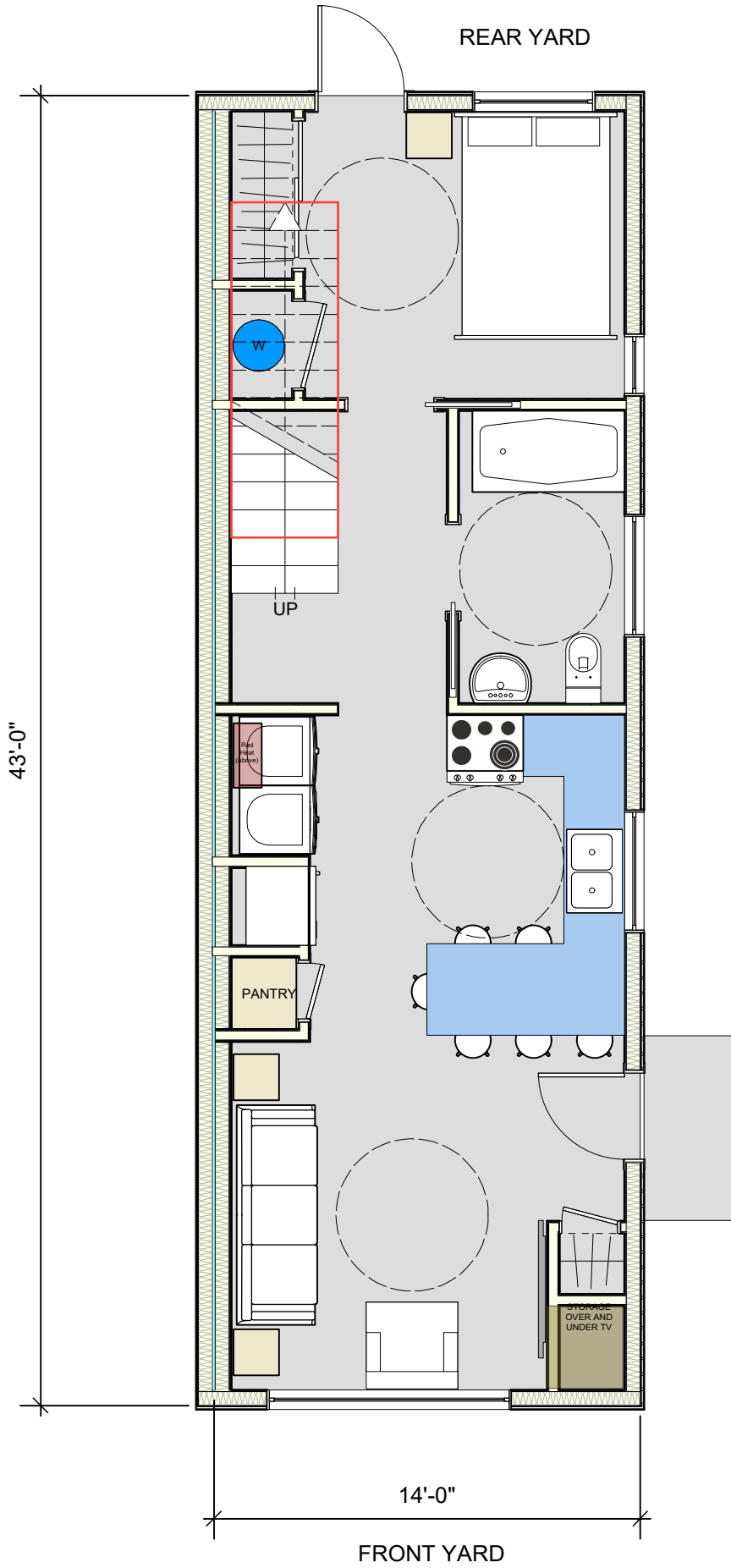


29'-0"

OPTION A

SITE PLAN

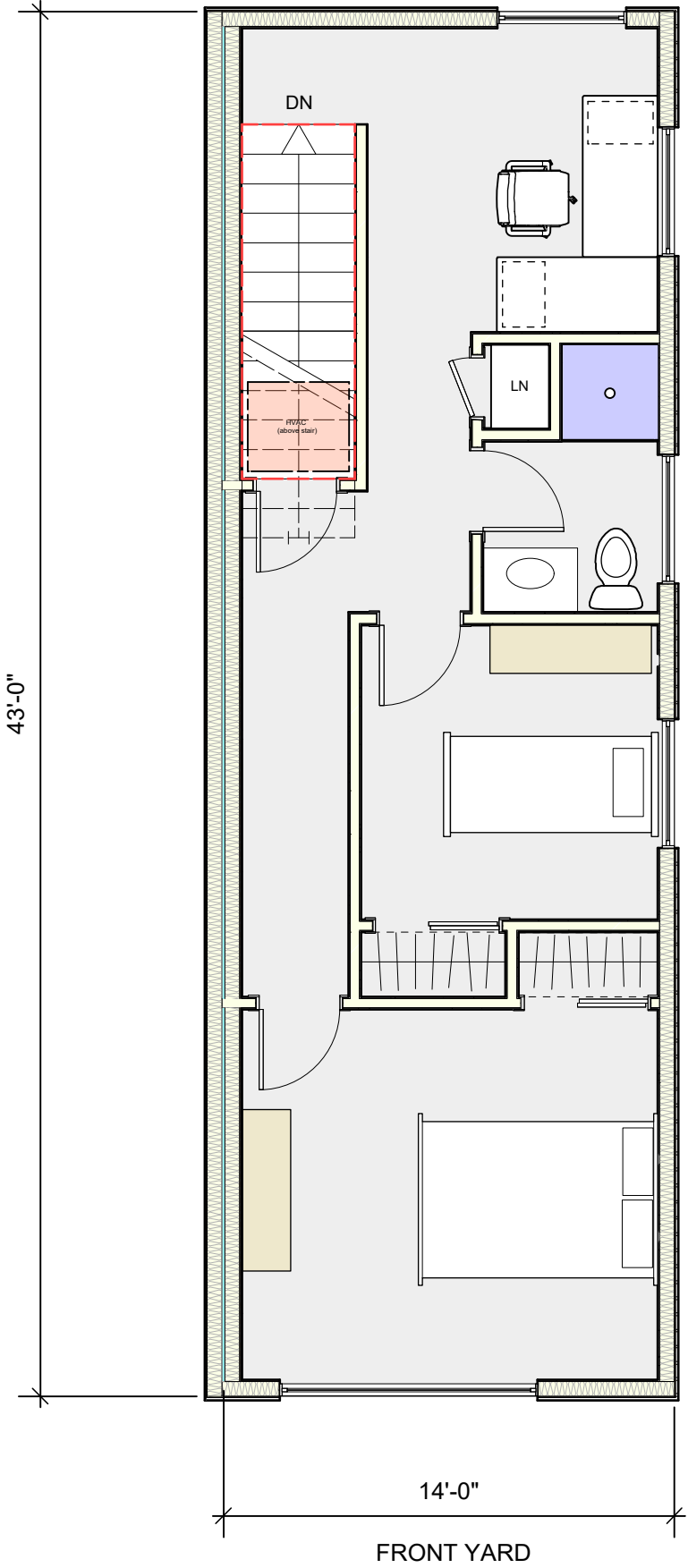




OPTION A

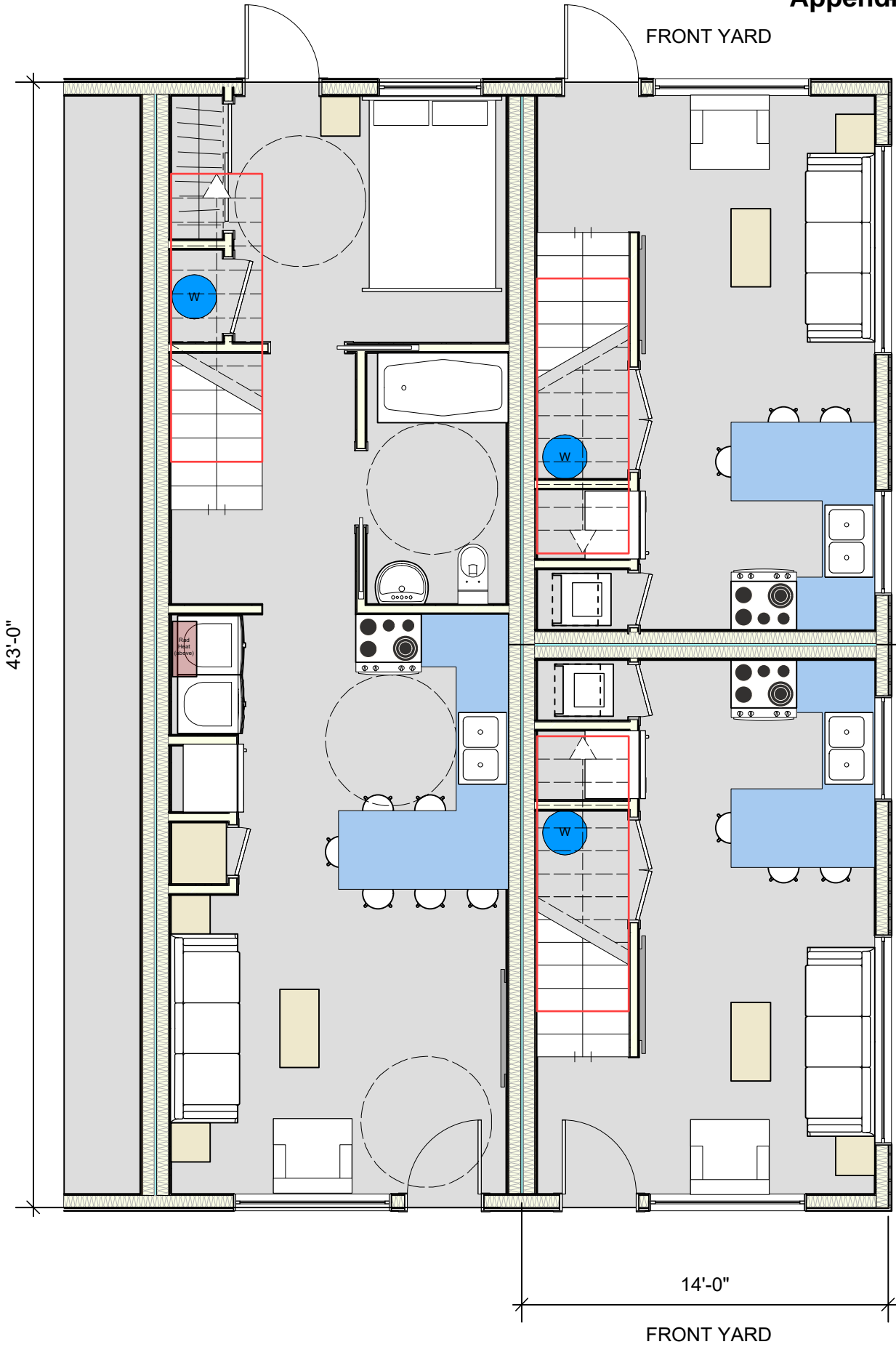
MAIN FLOOR PLAN

REAR YARD



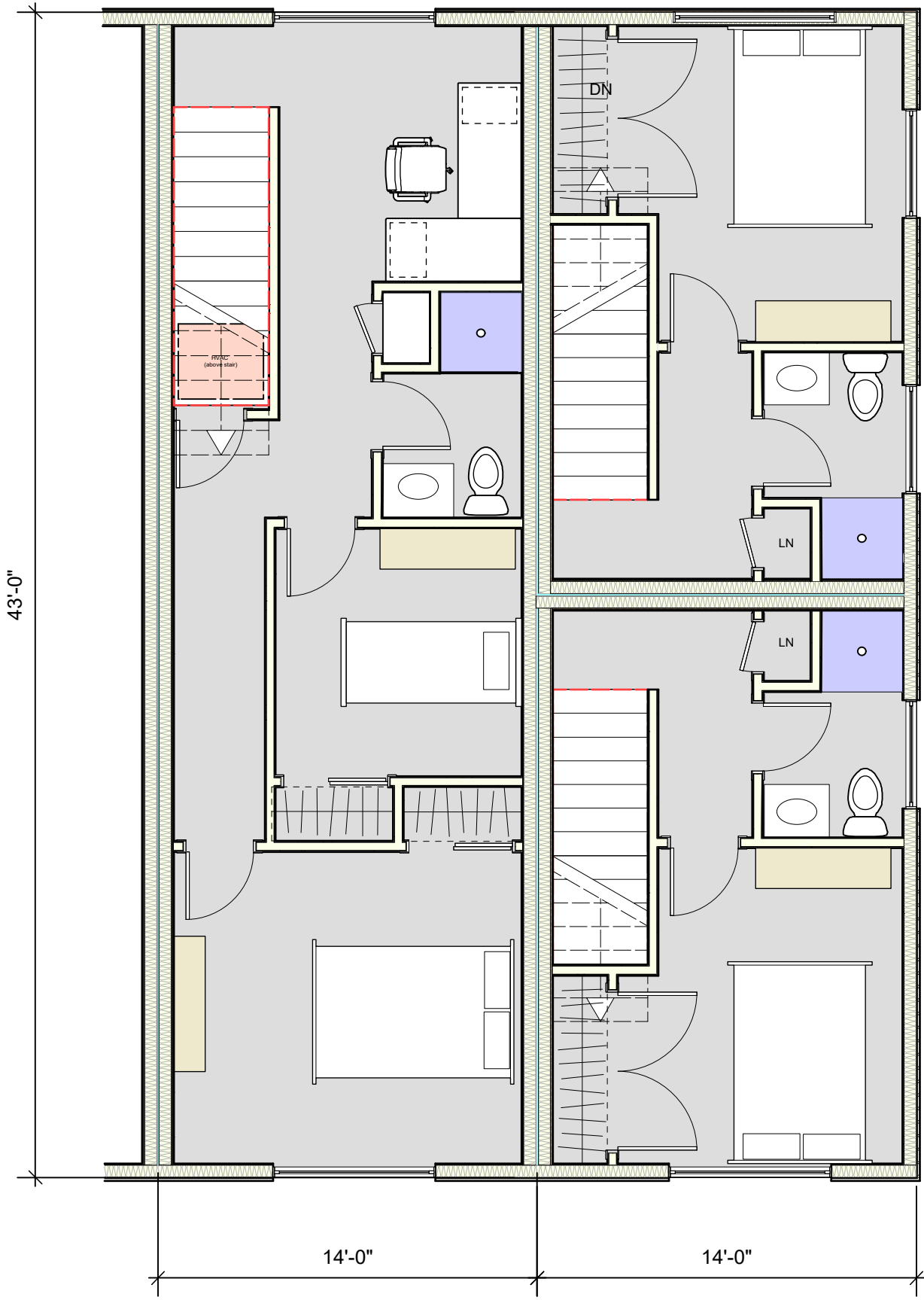
OPTION A

SECOND FLOOR PLAN



OPTION B

MAIN FLOOR PLAN



OPTION B

SECOND FLOOR PLAN

DRAFT January 2023

REQUEST FOR PROPOSALS

Design/Build of a 5-Unit Supportive Housing Project 2023



DRAFT



Table of Contents

1	Instructions to Proponents	2
1.1	Invitation	2
1.2	Closing Time and Date for Submission of Proposals	2
1.3	Contact Person	2
1.4	Signed Offer	2
1.5	Changes to Proposal Wording	3
1.6	Withdrawal	3
1.7	Acceptance of Proposals	3
1.8	Definition and Form of Contract	3
1.9	Agreement with Terms	3
1.10	Modification of Terms	3
1.11	Liability for Errors	3
1.12	Reservation of Rights	3
1.13	Ownership of Responses	4
1.14	Confidentiality of Information	4
1.15	Not a Tender Call	4
1.16	Safety	4
1.17	Submission Format	4
2	Evaluation	5
3	Contract Conditions	5
3.1	Compliance with Laws	5
3.2	Laws of British Columbia	5
3.3	Code of Conduct	5
3.4	Indemnity	6
3.5	Insurance	6
3.6	Registration with WorkSafeBC	6
3.7	Ownership of Documents	6
3.8	Use of Materials	7
4	Preliminary Project Design and Estimate	7
5	Schedule	7
6	Appendix A – Project Scope	8
6.1	Introduction	8
6.2	CMHC Funding	8
6.3	DOU Scope of Responsibilities	8
6.4	Scope of Work	8
6.5	Deliverables	9
7	Appendix B - Proposal Form	11
8	Appendix C – Plans	12

1 Instructions to Proponents

1.1 Invitation

The District of Ucluelet (the “**DOU**”) invites detailed proposals for the design and build of a 5-Unit Supportive Housing Project as described in Appendix A and Appendix C (the “**Project**”) from consultants (the “**Proponents**”) in strict accordance with these proposal documents. The proposals will be evaluated for the selection of a consultant with the intent to enter a contract to provide the Project.

1.2 Closing Time and Date for Submission of Proposals

The DOU will accept four copies of each proposal, in accordance with the instructions contained herein, at the following specific physical location:

Attention: John Towgood, Municipal Planner
Address: 200 Main Street, PO. Box 999, V0R 3A0

On or before the following date and time (the “Closing Time”):

Time: 12:00pm [local time]
Date: March 1, 2023

The DOU reserves the right to extend the Closing Time at its sole discretion. Proposals are to be submitted in sealed envelopes clearly marked with name and address of the proponent and the Project title. Proposals may be sent electronically if sending hard copies is not feasible. Late submissions will not be considered or evaluated and will be returned to the proponent.

1.3 Contact Person

All inquiries related to this RFP, including whether or not the Contract has been awarded, should be directed in writing to the person named below (the “DOU Representative”). Information obtained from any person or source other than the DOU Representative may not be relied upon.

Name: John Towgood
Telephone: 250 726 7744
Email: jtowgood@ucluelet.ca

Proponents finding discrepancies or omissions in the Contract or RFP or having questions on the meaning or intent of any provision, should immediately notify the DOU Representative. If the DOU determines that an amendment is required to this RFP, the DOU Representative will issue a written addendum to the Proponents. No oral conversation will affect or modify the terms of this RFP or may be relied upon by any Proponent.

1.4 Signed Offer

The proposal must include a signed Proposal Form (Appendix B) and must be signed, by a person(s) authorized to sign on behalf of the proponent(s) and to bind the proponent(s) to statements made in the proposal.

1.5 Changes to Proposal Wording

The Proponent will not change the wording of its proposal after the closing date and time specified and no words or comments will be added to the proposal unless requested by the District of Ucluelet for purposes of clarification.

1.6 Withdrawal

Proposals may be withdrawn prior to the deadline upon emailed notice to the main Project contact. Withdrawn proposals may be replaced by alternative proposals providing emailed notice of intent is delivered at least 24 hours prior to the closing deadline.

This Project is subject to attaining CMHC's Rapid Housing Initiative funding and will only proceed if the DOU is successful in obtaining the CMHC grant to fund the project. The CMHC has indicated that funding will be awarded by July 1, 2023. Proposals must remain valid for 180 days following the RFP closing date and time noted. Proposals are irrevocable after the closing date and time.

1.7 Acceptance of Proposals

This RFP is not an agreement to purchase goods or services. The District of Ucluelet is not bound to enter into a Contract with any proponent. Proposals will be assessed in light of the proposal review criteria. The DOU will be under no obligation to receive further information, whether written or oral, from any proponent. The offer of services will prevail whether accurate or not.

1.8 Definition and Form of Contract

The receipt of an offer of services with a proposal will not constitute a contract. A contract will not be entered into until the DOU accepts a proposal and the District of Ucluelet and the proponent enter into a full written Contract.

1.9 Agreement with Terms

By submitting a proposal, the proponent agrees to all the terms and conditions of this RFP. Proponents who have obtained the RFP electronically must not alter any portion of the document, with the exception of adding the information requested. To do otherwise will invalidate the proposal.

1.10 Modification of Terms

The DOU reserve the right to modify the terms of this RFP, in their sole discretion, at any time up to five (5) working days prior to the noted closing date. This includes the right to cancel this RFP at any time without entering into a Contract.

1.11 Liability for Errors

The information contained in this RFP is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the DOU, nor is it necessarily comprehensive or exhaustive. Nothing in this RFP is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in this RFP.

1.12 Reservation of Rights

The DOU reserve the right, at their sole discretion to waive any defect or irregularity in any or all

Proposals and to negotiate with any Proponent. The DOU also reserve the right to:

- a) Accept any Proposal
- b) Reject any Proposal
- c) Reject all Proposals
- d) Reject a Proposal even if it is the only one received
- e) Contact any or all Proponents to clarify or confirm information provided, without any obligation to Contact any other Proponent
- f) Invite any or all Proponents to provide brief presentations
- g) Negotiate with one or more Proponents without any obligation to advise, consult with, or enter into more discussions with any Proponent.
- h) All of the above as considered by the DOU to be in their best interests.

1.13 Ownership of Responses

All documents submitted to the District of Ucluelet become the property of the District. The Districts are subject to the provisions of the Freedom of Information and Protection of Privacy Act. As a result, while Section 21 of that Act does offer some protection for third party business interests, the DOU cannot guarantee that any information provided to the DOU can be held in confidence. To the extent that is it legally able to do so the DOU may, but will not be obligated to, hold in confidence any information specifically identified by the Proponent as being confidential.

The DOU reserves the right to submit to the CMHC as part of its grant application any materials submitted by the Proponent in response to this RFP.

1.14 Confidentiality of Information

Information pertaining to the DOU obtained by the proponent as a result of participation in this RFP is confidential and must not be disclosed without written authorization from the DOU.

1.15 Not a Tender Call

This RFP is not a tender call, and the submission of any response to this RFP does not create a tender process.

1.16 Safety

The successful Proponent will be expected to follow all requirements of the BC Occupational Health and Safety Regulation. The Consultant will also be designated as the Prime Contractor under Worksafe BC.

1.17 Submission Format

Each Proposal must be arranged as follows:

1. Title Page
2. Letter of Introduction
3. Table of Contents
4. Executive Summary
5. Qualifications
6. Relevant Experience

7. Approach and Methodology to the Project
8. Project design (70% Note: structural information not required)
9. Project specifications (70%)
10. Project estimate (Class B)

2 Evaluation

Proposals will be evaluated according to the following criteria:

1. References	10%
2. Quality of submission	10%
3. Experience with similar Projects	20%
4. Suitability of proposed building and landscaping	30%
5. Value per square foot of proposed Project	30%
Total	100%

In all cases, the DOU reserves the right to cancel the competition and call for new proposals.

3 Contract Conditions

By submission of a Proposal, the Proponent agrees that should its Proposal be successful, the Proponent will enter into a Contract with the DOU subject to final design and material negotiations.

3.1 Compliance with Laws

The Consultant will give all the notices and obtain all the licenses and permits required to perform the work. The Consultant will comply with all laws applicable to the work or performance of the contract.

3.2 Laws of British Columbia

Any Contract resulting from this RFP will be governed by and will be construed and interpreted in accordance with all laws in effect for the province of British Columbia.

3.3 Code of Conduct

The Consultant agrees that it and its sub-consultants and employees agree to comply with the following code of conduct:

Professionalism

Applicable to all employees, volunteers, agents, and contractors who are required to:

- a) Carry out their responsibilities in a professional and competent manner.
- b) Continue to improve their knowledge, competence, skills, and professional ability.
- c) Be aware of and abide by the British Columbia *Human Rights Code*.
- d) Not engage in any action or conduct or make any comment, gesture, or contact which a reasonable person would regard as likely to cause offence or humiliation to anyone, whether in the workplace or any other location.
- e) Act, and be perceived by the public to act, in a fair and impartial manner in the performance of their duties or provision of services.
- f) Not make any public comments that denigrate, disparage, or are disrespectful of the DOU,

employees, and elected officials, and refrain from making negative comments about the credibility of the DOU, employees, and elected officials.

- g) Conduct themselves in a friendly, courteous, and professional manner when dealing with the public.
- h) Refrain from engaging in any other practice that could unfavorably reflect upon the DOU as identified solely by the DOU.

3.4 Indemnity

The Consultant hereby agrees to indemnify and save harmless the DOU, its officers, employees, elected officials and agents against all claims, demands, losses, costs, damages, actions, suits or proceedings by whomever made, brought or prosecuted and in any manner based upon, arising out, related to, occasioned by or attributable to the negligent acts, errors or omissions of, or breach of this agreement by, the Consultant, its servants, agents or sub- contractors, in providing the services and performing the work of the Contract, excepting always liability arising solely out of the negligent act or omission of the DOU.

3.5 Insurance

Any Contract resulting from this RFP will require that the Consultant, without limiting its obligations or liabilities and at its own expense, provide and maintain throughout the Contract term, comprehensive commercial general liability insurance in an amount not less than \$2,000,000 inclusive per occurrence, insuring against bodily injury and property damage and including liability assumed under the Contract.

The DOU are to be added as an additional insured and the policy shall contain a cross liability clause. The Consultant will provide the DOU with evidence of the required insurance in the form of a certificate of insurance, upon execution and delivery of the Contract.

The Consultant will provide and maintain professional liability insurance in an amount not less than \$2,000,000 per occurrence and \$5,000,000 insuring the Consultant's liability resulting from errors and omissions in the performance of professional services under the Contract.

The Consultant will provide evidence of automobile liability on all vehicles owned, operated or licensed in the name of the Contractor and used in the performance of the work in an amount not less than \$5,000,000.

3.6 Registration with WorkSafeBC

The Consultant and any approved sub-consultants must be registered with the WorkSafeBC, in which case WorkSafeBC coverage must be maintained for the duration of the Contract. Prior to receiving any payment, the Consultant may be required to submit a WorkSafeBC Clearance Letter indicating that all assessments have been paid. The Consultant shall abide by all provisions of the Workers Compensation Act of British Columbia and must sign a safety agreement in the form provided by the DOU.

3.7 Ownership of Documents

All deliverables including, but not limited to: plans, models, designs, specifications, reports and other documents ("Work Product") produced by the Consultant and any agent, member, employee, Consultant or sub-contractor of the Consultant in connection with the provision of the Services and

provided to the DOU shall become the sole property of the DOU. The DOU shall have the right to share and or utilize the Work Product for its benefit at its sole discretion. If required by the DOU, the Consultant will assign any copyright of the product of the Consultant's Services and will obtain similar assignments from the sub-consultants.

3.8 Use of Materials

The Consultant agrees that no information, materials or other products created as a result of this Contract are to be used for the Consultants promotional or marketing purposes without the prior written consent of the DOU.

4 Preliminary Project Design and Estimate

Based on the information provided in Appendix A and Appendix C, the RFP submission must include a set of preliminary architectural and landscape drawings, specifications and cost estimate with enough detail such that the DOU can fully understand what is being proposed. These drawings and specifications should include, but not limited to, the following information;

1. Architectural, structural, landscape, and accessible design;
2. Building permit documentation;
3. Excavation works and site preparation;
4. Property servicing;
5. Foundations;
6. Building construction;
7. Transportation cost;
8. Crane work;
9. Landscape, hardscape, and frontage works.
10. Worker housing during construction;

5 Schedule

A detailed schedule must be provided as part of the RFP that indicates the anticipated major Project milestones. The following is the tentative schedule of major milestones. The DOU reserves the right to alter the schedule at its sole discretion:

Description	Date
RFP closing	March 1, 2023
Preferred Proponent Identified by Council	March 14, 2023
CMHC Grant application closing	March 15, 2023
CMHC funding announcement	July 1, 2023
Council final contract approval	July 18, 2023
Project Kick off	July 19, 2023
Project completion	December 31, 2024 (18 months from July 1)

6 Appendix A – Project Scope

6.1 Introduction

The purpose of this Request For Proposal is to solicit prospective proponents to submit proposals for the design, build, install five supportive housing units and associated hardscaping and landscaping on a DOU owner property located at 1300 Peninsula Road Ucluelet (the “Lands”).

6.2 CMHC Funding

The Canada Mortgage and Housing Corporation (CMHC) is requesting proposals from Local governments and nonprofit organizations to build new housing through the Rapid Housing Initiative for people and populations who are vulnerable and prioritized under the National Housing Strategy. To facilitate this Project the DOU is applying for funding-based costs identified by proponents of this RFP. As noted previously, if the DOU is not successful in this grant application, the Project will not proceed until other grant funding becomes available.

6.3 Prime Contractor

This project may be complete by a single contractor or by team of contractors or a (Design-Build Team). If there is a proponent that is Design-Build Team, that team shall have a prime contractor that will be responsible for the project for the duration of the project as required by British Columbia Occupational Health and Safety regulations.

6.4 DOU Scope of Responsibilities.

1. Costs associated to building permits, development cost charges, and development permits will be the responsibility of the DOU.
2. The DOU will complete a site survey.
3. The DOU will complete a preliminary geotechnical review.

6.5 Scope of Work

6.5.1 Design Criteria:

The following are key building design considerations:

1. The Project is to be based off the concept sketches and other supplemental information supplied in Appendix C.
2. The proposed 5 units will consist of:
 - a. Three 3-bedroom “Family Units” that have a fully accessible ground floors and an accessible bedroom on the ground floor.
 - b. Two 1-bedroom “Single Bedroom Units” (not necessarily accessible).
3. Because this will be a publicly-owned asset with a long expected functional lifespan, the life-cycle costs place a priority value on quality, durability and energy efficiency embodied in building materials and systems. The exterior materials and finishes are to be of high quality and detailed to withstand the climate of the west coast. Exterior finish selection should give attention to durability consistent with high quality social housing and minimize ongoing maintenance costs. Proponents may look to the [Ucluelet Official Community Plan](#) multi-family design guidelines for appropriate material specifics.
4. The interior materials and finishes are to be of good quality with attention to livability and durability consistent with high quality social housing.

5. Roof shapes should give the development a friendly experience from the street with a preference to peaked roofs.
6. Project should meet or exceed the national Energy Code for part 3 building or national building code for part 9 building by 15%.
7. Functional areas for mechanical systems, storage, garbage and recycling are to be integrated in the successful design.

The following are key landscaping design considerations:

1. The lands are to be fully landscaped with trees and shrubs defining entries and functional private outdoor spaces. Lawn areas may be minimized. Appropriate integration of native and introduced plant species should be considered to balance aesthetics, function and low maintenance.
2. Larger plants to screen and create privacy between the neighbouring property and the proposed and buildings and yard spaces. Attractive low-maintenance privacy fencing of side and rear property edges to be included.
3. The frontage should be fully planted and present an attractive, neighbourly face to the street.
4. All pathways and building entrances are to be accessible and constructed of concrete, tight smooth pre-cast pavers or equivalent quality materials.
5. All exterior lighting to be night sky compliant.
6. Hardscaping should connect the paved parking pads, the existing sidewalk and all entrances to all units.
7. Consideration should be given for low maintenance and integrating rainwater runoff with the planting design.

6.6 Deliverables

6.6.1 Construction documentation.

1. A full set of architectural drawings detailing the building(s) and its materials.
2. A full set of structural drawings including but not limited to building(s), foundations, mechanical, electrical, and civil.
3. Landscape drawings and plant list showing all plants size, species and quantities.
4. A review of accessibility by an expert in the field.
5. A Project schedule indicating all major milestones.

6.6.2 Specifications

1. Specifications of all items supplied including but not limited to; doors, windows, exterior siding, roofing material, door hardware, cabinets, countertop, floor finishes, trim detail, lighting, mechanical equipment, large appliances, and all other items require to finish a dwelling unit.
2. Specifications should indicate how the items meet the design criteria for durability and livability.

6.6.3 Project Management:

1. Kick-off meeting agenda and minutes.
2. Monthly progress reports.
3. Updated schedule.

4. Management of all construction aspects of the construction of this Project.

6.6.4 Building

1. The supply and/or construction of the proposed 5 unit building to the point the building(s) are in fully constructed and finished state that attains occupancy.
2. The full landscaping and hardscaping (pathways, driveway pads and aprons, fencing).

DRAFT

7 Appendix B - Proposal Form

Request for Proposal; **Design Build of a 5-Unit Supportive Housing Project 2023**

The undersigned confirms that their Proposal is in response to the request for proposal for a Design Build of a 5-Unit Supportive Housing Project 2023, and the Proponent acknowledges receipt of addenda # ____ through addenda # ____ . The Proponent acknowledges that the RFP process will be governed by the terms and conditions of the RFP, and that, among other things, such terms and conditions confirm that this procurement process does not constitute a formal, legally binding bidding process (and for greater certainty, does not give rise to a Contract), and that no legal relationship or obligation regarding the procurement of any good or service will be created between the DOU and the Proponent unless and until the DOU and the Proponent execute a written agreement for the deliverables.

Name of Firm: _____

Address: _____

Contact Name: _____

Phone: _____

Email: _____

Quoted Price	\$
Disbursements (to be detailed in proposal)	\$
GST as applicable	\$
Total Proposed Price	\$

Authorized Signature(s)

Name and Title

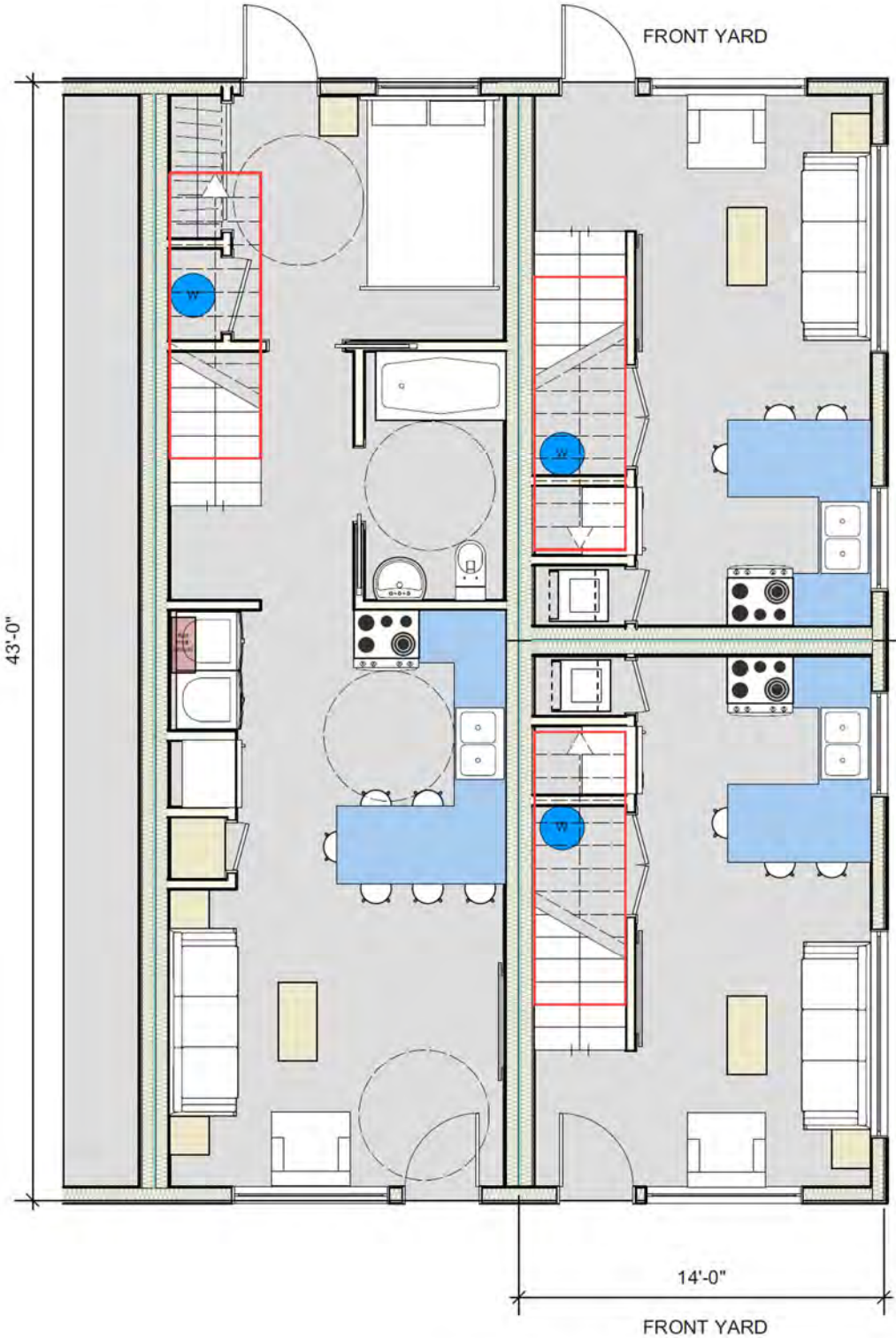
Date

8 Appendix C – Plans

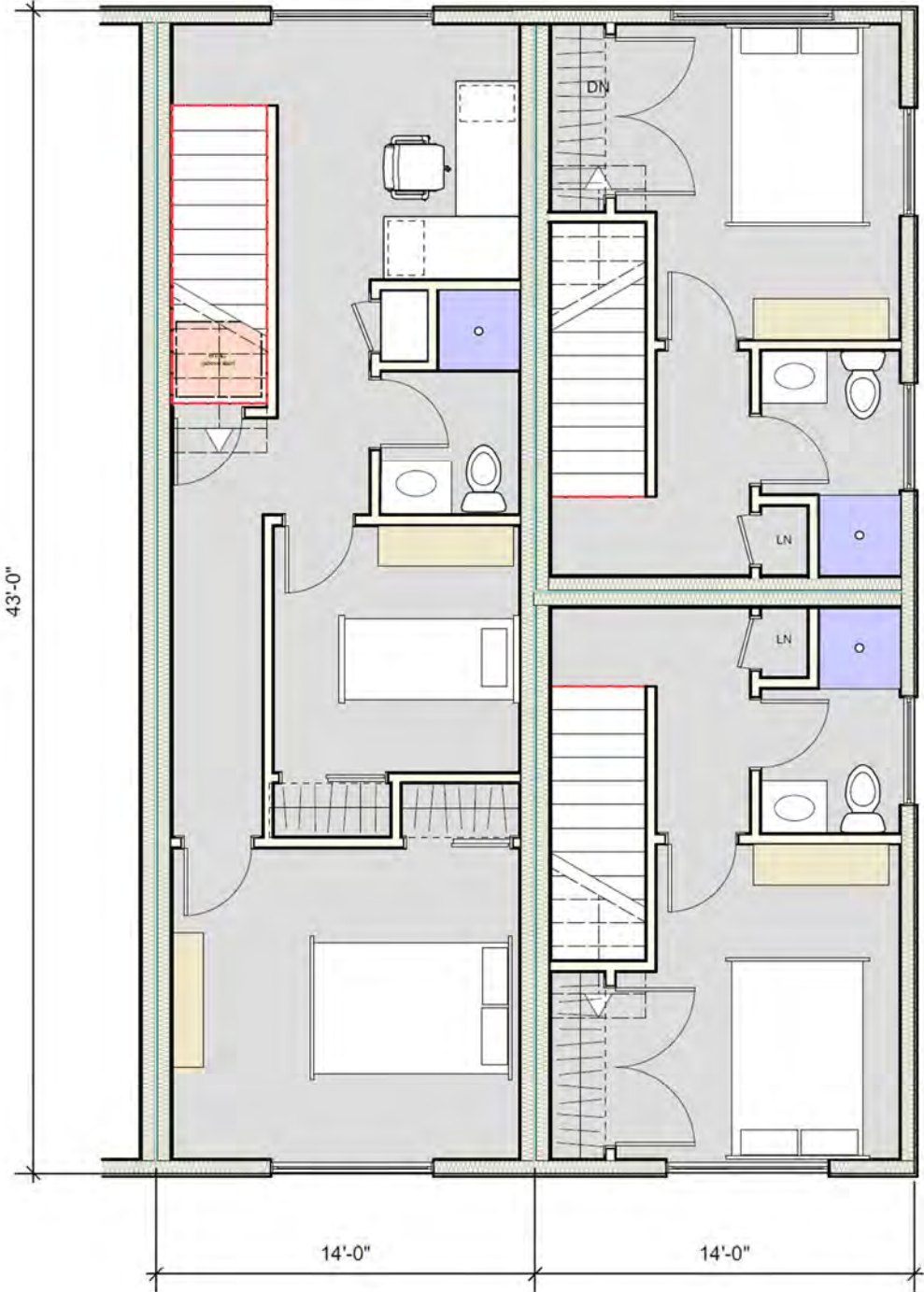


OPTION A
SITE PLAN





OPTION B
MAIN FLOOR PLAN



OPTION B
SECOND FLOOR PLAN



OPTION B
FRONT ELEVATION

Note: This image provides an example of the character the DOU wishes to attain for the Project and is not necessarily meant to be prescriptive for detailing or materials .

From: [Erin Turton](#)
To: [Info Ucluelet](#)
Date: January 18, 2023 8:17:13 AM
Attachments: [2023 Proclamation Draft.docx](#)

[External]

To: Whom It May Concern,

Epilepsy is one of the most common neurological conditions, however, it has the least recognition in society. The BC Epilepsy Society is a provincially incorporated non-profit organization and a federally registered charitable organization that serves the over 50,000 people living with epilepsy in BC and their families, friends and loved ones and works to raise awareness of epilepsy in the communities in which we live.

We are excited to let you know that International PURPLE DAY® for Epilepsy Awareness is coming up and will take place on March 26th, 2023. International PURPLE DAY® for Epilepsy Awareness is a time when people in countries around the world take part in events and activities to raise much-needed awareness of epilepsy.

We would like to request a Proclamation from the Mayor and Council designating March 26th, 2023, as International PURPLE DAY® for Epilepsy Awareness in Ucluelet. Included with this letter is a document outlining our draft Proclamation.

Through your participation in International PURPLE DAY® for Epilepsy Awareness on March 26th, 2023, you will not only be able to show people living with epilepsy that they are not alone but will also get people talking about epilepsy in an effort to raise awareness of epilepsy in the community.

We look forward to working with you on International PURPLE DAY® for Epilepsy Awareness on March 26th, 2023, and in the future. Please feel free to contact me via email at deirdre@bcepilepsy.com or via telephone at 1-788-533-0790 should you have any questions or require any additional information.

Sincerely,
Deirdre Syms
Executive Director
BC Epilepsy Society

Thanks!

Kind regards,
Sonia Ali
Provincial Manager of Programs and Services
BC Epilepsy Society

Mailing Address: PO Box 30521, Burnaby RPO Madison, BC V5C 6J5
Phone: 236-334-7087
Email: sonia@bcepilepsy.com
Website: www.bcepilepsy.com

Social Media:
Instagram: [BCEpilepsySociety](#)

Facebook: [BC Epilepsy Society](#)

Twitter: [BCEpilepsy](#)

The BC Epilepsy Society empowers, educates, and supports British Columbians living with epilepsy.

2023 Proclamation Draft

“Purple Day”

WHEREAS Purple Day is celebrated on March 26 annually, during Epilepsy Awareness Month, to increase knowledge and understanding of epilepsy in the community;

AND WHEREAS Purple Day was founded in 2008 by Cassidy Megan, a nine-year-old girl from Nova Scotia, who wanted people living with epilepsy that they were not alone;

AND WHEREAS On Purple Day, people in communities around the world are encouraged to wear purple and host events in support of epilepsy awareness;

AND WHEREAS There are over 50,000 people in British Columbia, over 380,000 people in Canada and over 65 Million people worldwide living with epilepsy;

AND WHEREAS The onset of epilepsy can occur at any stage of life and does not discriminate against age, gender, race, ethnicity, religion, socioeconomic status, geographic location, or sexual orientation;

AND WHEREAS Purple Day can improve the quality of life of people living with epilepsy, create a society that embraces the beauty of difference and help us understand how we can all come together to make the world a better place:

NOW THEREFORE I **[Insert Name and Title]** DO HEREBY PROCLAIM Sunday March 26th, 2023 as

“PURPLE DAY”

in the **[City/Municipality/Town/Village]** of **[Insert Name of City/Municipality/Town/Village]**.



OCEANS PROTECTION PLAN PLAN DE PROTECTION DES OCÉANS

Hello,

On behalf of the Government of Canada's Oceans Protection Plan (OPP) Federal Departments, I am pleased to invite you to participate in the Winter 2023 Oceans Protection Plan Forum. The Forum will be held at the Pinnacle Hotel Harbourfront on **February 22 – 23, 2023**, as a hybrid event with sessions taking place face to face and select sessions livestreamed.

You will receive an email from Whova with a registration link shortly. Please register through Whova to indicate your interest in attending.

The 2023 Forum theme is "Making Connections," and the Forum's objectives focus on providing information on the renewed Oceans Protection Plan, engaging on specific OPP initiatives and facilitating coordination and collaboration. Sessions will include presentations, panel discussions, mini-workshops, information briefs and information booths.

The participation of Indigenous peoples, coastal communities and stakeholders is essential to the Oceans Protection Plan. Funding to support Forum participation is available for eligible groups through Transport Canada's Community Participation Funding Program (CPFP). Participants who receive funding through Transport Canada's Indigenous and Local Communities Engagement and Partnership Program (ILCEPP) are asked to email tc.cfpf-pfpc.tc@tc.gc.ca before applying. Approval is required before expenditures are incurred. For eligibility requirements, application deadlines and to submit an application, please visit: <https://www.tc.gc.ca/en/services/marine/apply-cfpf-funding.html>.

A block of rooms is available at the Pinnacle Hotel Harbourfront in downtown Vancouver for Forum participants on a first come, first serve basis. Please use this passkey link for room bookings: <https://book.passkey.com/event/50468285/owner/2075/home>.

For any questions about the Forum please contact TC.OPPBCReg-PPOCBEnreg.TC@tc.gc.ca. We look forward to seeing you at the Forum!

Sincerely,

Trevor Heryet
Executive Director, Oceans Protection Plan
Transport Canada
Pacific Region

Making Connections

OPP Dialogue Forum – Winter 2023

Pinnacle Hotel Harbourfront
Vancouver, British Columbia

February 22 – 23, 2023

Annotated Agenda

Conference Objectives

The conference has three main objectives:

Conference Objectives
<ul style="list-style-type: none"> • Inform: to provide information on OPP 2.0 and new or renewed OPP initiatives to establish a foundation of knowledge and understanding among participants for awareness and to support follow up engagement on specific subjects.
<ul style="list-style-type: none"> • Involve and Consult: to gather input on specific OPP initiatives, where appropriate and timely.
<ul style="list-style-type: none"> • Coordinate: to promote relationship building and networking to facilitate coordination and collaboration on marine transportation and ocean protection initiatives.

Pre-Conference

(Tuesday Evening)

3:00 – 6:00 pm: *Early Registration*

Includes pre-registration for concurrent sessions and info briefs.

TBC

Meet and Greet/Refreshments

Day One

8:15 – 9:00 am *Registration and Networking*

Includes pre-registration for concurrent sessions and info briefs.

Plenary Session

9:00 – 9:15 am *Welcome, Indigenous Opening Ceremony & Introductions*

9:15 – 10:00 am *OPP 2.0: Federal Partner Panel Session*

This panel discussion will focus on OPP 2.0 and the participating Federal departments' involvement in OPP 2.0. The panelists will highlight key initiatives and linkages between their departments, communities and stakeholders.

10:00 – 10:45 am *OPP Community and Partners Panel*

This panel will feature OPP partners who will speak to their respective roles and partnerships. Discussions will touch upon the impact that these partnerships have had for their communities and organizations, lessons learned and how they see partnerships evolving through OPP 2.0.

10:45 – 11:15 am *Health Break and Info Booth Visits*

Concurrent Sessions- Round 1

11:15 – 12:15 pm

1. CUMULATIVE EFFECTS OF MARINE SHIPPING (TC)
2. ENHANCED MARITIME SITUATIONAL AWARENESS (EMSA) (TC)
3. PROPOSED AMENDMENTS TO THE CANADA SHIPPING ACT, 2001 (TC)
4. COMMUNITY HYDROGRAPHY (CHS-DFO)
5. AN OCEAN NOISE STRATEGY FOR CANADA (DFO)
6. EMERGENCY TOWING – MARINE NAVIGATION RISK ASSESSMENT (TC/CCG)
7. SPILL MODELLING AT ECCC: ACTIVITIES, CAPABILITIES, AND POTENTIAL USES RELATED TO OPP 2.0 (ECCC)
8. MULTI-PARTNER RESEARCH INITIATIVE (MPRI) (NRCAN)
9. ECCC EMERGENCIES CONTRIBUTION TO OPP INITIATIVES (ECCC)

12:15 – 1:15 pm *Lunch*

Concurrent Sessions- Round 2

1:15 – 2:15 pm

1. **CUMULATIVE EFFECTS OF MARINE SHIPPING (TC)**
2. **ENHANCED MARITIME SITUATIONAL AWARENESS (EMSA) (TC)**
3. **PROPOSED AMENDMENTS TO THE CANADA SHIPPING ACT, 2001 (TC)**
4. **COMMUNITY HYDROGRAPHY (CHS-DFO)**
5. **AN OCEAN NOISE STRATEGY FOR CANADA (DFO)**
6. **EMERGENCY TOWING – MARINE NAVIGATION RISK ASSESSMENT (TC/CCG)**
7. **SPILL MODELLING AT ECCC: ACTIVITIES, CAPABILITIES, AND POTENTIAL USES RELATED TO OPP 2.0 (ECCC)**
8. **MULTI-PARTNER RESEARCH INITIATIVE (MPRI) (NRCAN)**
9. **ECCC EMERGENCIES CONTRIBUTION TO OPP INITIATIVES (ECCC)**

2:15 – 2:45 pm *Health Break and Info Booth Visits*

Info Briefs – Round 1

2:45 – 3:55 pm

1. ***Active Vessel Traffic Management and Anchorages (VFPA & TC)***
This session will provide updates on work led by the VFPA on Active Vessel Traffic Management with TC support, including anchorage management.
2. ***The Salish Sea Strategy (TC)***
The Salish Sea Strategy is a new initiative to build awareness and make linkages across the various initiatives and existing work related to marine transportation and ocean protection within the Salish Sea.
3. ***Identifying Sensitive Marine Ecosystems and Wildlife (ECCC)***
ECCC will share information about their initiative regarding considerations and science priorities for marine birds and community-based partnerships.
4. ***Marine Pollution Preparedness, Response and Recovery (TC)***

TC has developed a Discussion Paper that outlines a proposal for a national system for preparedness, response, and recovery for marine pollution incidents. This information session will provide an opportunity to learn more about the proposal and how to provide feedback.

5. *Navigation Safety Assessment Process (NSAP) (TC)*

TC Marine Safety and Security (MSS) has developed a national policy framework for a more cohesive and integrated approach to navigation safety assessments for proposed marine terminals. This session shows how the new process overcomes key concerns with the old one (formerly TERMPOL).

6. *Southern Resident Killer Whales Protection (TC)*

This distinct population of orcas is endangered. Only one clan remains, with only 73 individuals who are organized in 3 pods. This session will share information on the concerted effort to protect these whales from extinction.

7. *Proactive Vessel Management (TC)*

This session will provide an update on the work done through PVM, partnering with Pacific North Coast Nations to develop new voluntary guidelines for waterway safety, in collaboration with marine stakeholders.

8. *Pilotage Renewal Initiative (TC)*

Pilotage has gone through a period of considerable change. This session will provide an update on the creation of the National Pilotage Certification program.

9. *Clean Water Policy: Vessel Biofouling (TC)*

As part of the next phase of the Oceans Protection Plan, Transport Canada will be developing a policy framework on the control and management of vessel biofouling. The session will highlight some of the initiatives that are planned to address current data gaps on vessel biofouling in Canadian waters.

10. *Marine Emissions Reduction Action Plan (TC)*

TC is developing an action plan for green shipping policy and corridors. This session will provide further information on this initiative, with a focus on climate change.

11. *Enhanced Bridge Watch Rating Program*

This session will focus on OPP's Marine Training Program at BCIT and Camosun College, which provides women and Indigenous people with the hands-on training required for entry level positions as a deckhand in the marine industry.

12. *Ship Source Oil Pollution Fund*

This session will provide information on compensation for oil pollution damages caused by ships and boats. Join this session to learn about Canada's Ship-source Oil Pollution Fund, the compensation they provide, and the steps they take to recover money from responsible parties.

3:55 – 4:00 pm

Return to Plenary Seating

Plenary Session

4:00 – 4:25 pm

Conference Report-Out– Linkages Panel

This panel session will highlight participants' experience with the Dialogue Forum including their respective highlights from Day 1 regarding the impact of OPP and best practices for OPP 2.0.

Day Two

Plenary Session

9:00 – 9:20 am

Welcome, Updates & Recap of Day One

9:20 – 10:10 am

The Vessels of Concern Strategy (TC/CCG)

The *Wrecked, Abandoned or Hazardous Vessels Act* (WAHVA) aims to address, remove, and prevent hazardous vessels that threaten local communities and the marine environment. The Vessels of Concern Strategy is designed to advance this goal by informing, engaging, and mobilizing stakeholders and communities behind it. This panel discussion will provide an overview of the different elements of the strategy (e.g., public awareness, research, enforcement, removal), the respective roles of TC and CCG, and the various ways that partners and community members can get involved.

10:10 – 10:45 am

Info Booth Visits and Health Break

Info Briefs – Round 2

10:45 – 12:00 pm

(see Day 1 for session titles and descriptions)

12:00 – 1:00 pm *Lunch*

Concurrent Sessions- Round 3

1:00 – 2:00 pm

1. **CUMULATIVE EFFECTS OF MARINE SHIPPING (TC)**
2. **ENHANCED MARITIME SITUATIONAL AWARENESS (EMSA) (TC)**
3. **PROPOSED AMENDMENTS TO THE CANADA SHIPPING ACT, 2001 (TC)**
4. **COMMUNITY HYDROGRAPHY (CHS-DFO)**
5. **AN OCEAN NOISE STRATEGY FOR CANADA (DFO)**
6. **EMERGENCY TOWING – MARINE NAVIGATION RISK ASSESSMENT (TC/CCG)**
7. **SPILL MODELLING AT ECCC: ACTIVITIES, CAPABILITIES, AND POTENTIAL USES RELATED TO OPP 2.0 (ECCC)**
8. **MULTI-PARTNER RESEARCH INITIATIVE (MPRI) (NRCAN)**
9. **ECCC EMERGENCIES CONTRIBUTION TO OPP INITIATIVES (ECCC)**

2:00 – 2:15 pm *Info Booth Visits and Health Break*

Plenary Session

2:15 – 2:45 pm *Making Connections: Participant Feedback and
OPP Panel*

This session focuses on the conference theme: 'Making Connections' and will facilitate discussion based on feedback from participants.

2:45 – 3:00 pm *Closing Comments & Indigenous Closing
Ceremony*

3:00 pm *Conference Adjourns*

Attachment 1

Concurrent Session Descriptions

- **CUMULATIVE EFFECTS OF MARINE SHIPPING (TC)**

CEMS' purpose is to establish shared approaches to better understand the cumulative effects of regional marine shipping activities on the environment and the people surrounding it. This work takes a variety of forms, from a series of "pilots" to test assessment methods to programs that amalgamate data from different sources and gather new knowledge to support regional CEMS assessments. A national cumulative effects assessment framework was published in June 2022 – a milestone that will strengthen the partners' role in sharing and building this knowledge base. This session will inform stakeholders and communities of current initiatives in the program and how they can become engaged. Presenters are especially interested in feedback from Indigenous People regarding any potential impacts on their rights and interests arising from CEMS' activities or the impacts from marine shipping.
- **ENHANCED MARITIME SITUATIONAL AWARENESS (EMSA) (TC)**

EMSA is an accommodation measure for the Trans Mountain Expansion (TMX) Project. Its objective is to provide Indigenous, coastal communities, and other users with access to maritime information including near-real time traffic information. EMSA is currently entering a new phase in which it will expand its engagement activities, building on relationships with partners, identifying priorities, and determining best approaches to advance key/strategic issues via annual EMSA workshop. The presenters are seeking to inform participants about this next phase, share information from EMSA's work so far, and seek advice and input from other agencies and partners.
- **PROPOSED AMENDMENTS TO THE CANADA SHIPPING ACT, 2001 (TC)**

This initiative advances both marine safety and environmental protection and proposes amendments to the Act in four key areas: 1) enhancing marine emergency management; 2) preparedness and response for hazardous and noxious substances; 3) increasing regulatory responsiveness; and 4) strengthening compliance and enforcement. The session will explain the proposed changes and their implications for marine safety and environmental protection, seek feedback from the participants, and respond to questions and concerns among coastal communities.
- **EMERGENCY TOWING – MARINE NAVIGATION RISK ASSESSMENT (TC/CCG)**

This session will look at how risk assessment operates in this emergency environment. Presenters will explain how the risk assessment process works and describe the results. This includes the use of "scenario development" as a key tool in the methodology. Partners and stakeholders will be encouraged to provide input and suggestions on the approach, and especially to help inform development of scenarios that will shape risk assessment in different regions. Presenters are also looking for interested partners and stakeholders who wish to participate in the next phase of the risk assessment (i.e., criteria selection for regional scenario development).
- **COMMUNITY HYDROGRAPHY (CHS-DFO)**

Bathymetric data is foundational to safe navigation, fisheries and harvesting activities, and is central to the concept of coastal resilience. The Government of Canada is exploring new ways to collect

bathymetric data where gaps exist. A community hydrography approach offers a promising way forward that supports coastal communities while promoting innovation in hydrography. Specifically, the program will:

- Identify communities that have interest in acquiring bathymetric data
- Determine the goals and the method to collect data.
- Loan equipment and provide training
- Assess data quality
- Establish data flow
- Tell the story

This session will explain how the approach empowers coastal communities to collect data to support community priorities and the important role it can play in informing Canadians about the science of hydrography.

- **SPILL MODELLING AT ECCC: ACTIVITIES, CAPABILITIES, AND POTENTIAL USES RELATED TO OPP 2.0 (ECCC)**
Knowledge of the fate and behaviour of spills in the environment are essential for response and preparedness, including understanding of risks and effects on the environment. This knowledge can be made available for specific spill scenarios via computational modelling based on a wealth of available and growing knowledge about how substances released in the environment move and behave. The Spill Modelling Unit of ECCC, part of its Emergencies Science and Technology Section, is the only federal-level entity responsible for uninterrupted operational spill modelling. ECCC will introduce the Spill Modelling Unit by providing information on its main recent activities, capabilities, developments, challenges, and collaborations. Linkages between the unit's work and OPP 2.0 initiatives including Vessels of Concern, 24/7 Response, Hazardous and Noxious Substances, and Integrated Marine Response Plans will be also discussed.
- **AN OCEAN NOISE STRATEGY FOR CANADA (DFO)**
As part of the Oceans Protection Plan, the Government of Canada leads the development of an Ocean Noise Strategy for Canada. The strategy will define the Government's vision, and guide future federal efforts to address priority underwater noise issues. This includes establishing a whole-of-government approach and long-term plan to guide federal science research, technology development and the management of human-produced marine noise in Canada's oceans. DFO expects a Draft Ocean Noise Strategy to be available in early 2023. This session will explain the challenges such a strategy faces, both in terms of the scientific questions around noise reduction and the strategy's implementation.
- **MULTI-PARTNER RESEARCH INITIATIVE (MPRI) (NRCAN)**
MPRI was established to create networks to advance scientific knowledge of the effects and efficacy of oil spill response techniques and technologies within marine and freshwater environments to minimize environmental impacts and enhance habitat recovery. To do this, MPRI is funding research activities to train the next generation of researchers and to build networks and partnerships between Canadians and international spill research organizations. This also enhances the oil spill response community and general public's awareness and knowledge of spill response science. The objective of this session is to provide highlights of the first phase of MPRI and introduce opportunities for funding under the next phase.
- **ECCC EMERGENCIES CONTRIBUTION TO OPP INITIATIVES (ECCC)**

This session will discuss the role of the Environment and Climate Change Canada (ECCC) National Environmental Emergency Centre (NEEC) in the marine safety regime and how NEEC is supporting several initiatives under the Ocean Protection Plan (OPP) renewal. NEEC works with partners to provide consolidated scientific and technical advice to spill managers during an environmental emergency. Under the OPP renewal, NEEC is contributing to several initiatives including directly increasing its capacity to prepare for and respond to pollution incidents. NEEC will build operational capacity to respond to spills involving Hazardous and Noxious Substances, and to provide support to address Vessels of Concern. And NEEC will contribute to the federal government's framework on Recovery from marine oil spills.

DRAFT

Attachment 2

Info Booths

<i>Info Booths</i>
<i>1. Preventing the spread of aquatic invasive species from marine shipping and TC's work in support of Marine Protected Areas (TC)</i>
<i>2. Multi-Partner Research Initiative (NRCan)</i>
<i>3. National Aerial Surveillance Program (TC)</i>
<i>4. Community Hydrography (DFO)</i>
<i>5. Ship Source Oil Pollution Fund</i>
<i>6. Enhanced Bridge Watch Rating Program</i>
<i>7. Liability and Compensation under the Marine Pollution Preparedness and Response Pillar (TC)</i>
<i>8. Active Vessel Traffic Management (VFPA)</i>
<i>9. Emergency Towing: Marine Navigation Risk Assessment (TC)</i>



January 17, 2023

Mayor Marilyn McEwen
Councillor Shawn Anderson
Councillor Jennifer Hoar
Councillor Ian Kennington
Councillor Mark Maftei
District of Ucluelet

PO BOX 999, Ucluelet, BC, V0R 3A0

Letter sent via email: mmcewen@ucluelet.ca, sanderson@ucluelet.ca, jhoar@ucluelet.ca, ikennington@ucluelet.ca, mmaftei@ucluelet.ca, info@ucluelet.ca

Subject: Recent election, achievement of common goals, and request to prioritize project

Dear Mayor & Councillors,

The West Coast Multiplex Society would like to congratulate you for being elected (re-elected) to Council and extend its gratitude for your leadership and dedication towards the well-being and interests of the municipality and community, and for contributing to the development of municipal programs and services.

The Society is taking this opportunity to provide an update and to express the urgency for the newly elected local officials to include this project in their strategic priorities and reconfirm regional support by signing an updated MOU regarding ownership, partnering, planning, construction and operation of the Centre. The Society continues to work on behalf of the west coast communities and is prioritizing regional needs with an integrated approach that includes health, art, culture, education, wellness, sport, recreation, economic development, and more. This comprehensive approach includes the full range of needs and priorities as expressed by all governmental agencies in the area, and other key community stakeholder organizations and complements the regional approach which is key to our small remote communities making this centre achievable and sustainable. Eight communities plus additional partners working collaboratively will ensure capital funds and further sharing of operating costs will solidify long term positive transformation for our region's residents and future generations.

The project supports the achievement of the common goal to contribute to the well-being and interests of the region and development of programs and services, by building a Centre to complement the communities' efforts. The Centre will be located within the Ha-Houlthee of Tla-O-Qui-Aht First Nation with central access to residents from five First Nations and three non-First Nations communities, along Airport Road on ACRD managed land. The Centre will have many purposes with its main focus on recreation, as well as a primary emergency response location for the entire west coast region, and a gathering point for educational and health utilization. The Centre will complement efforts to provide sufficient emergency gathering spaces for residents and visitors, as well as to surrounding first nation communities that currently do not have such a facility.

The Society is excited to present the updated facility design, which will include a pool, arena, and considerations for future spaces and partnerships. The Centre will increase diversity and accessibility to indoor recreational programming, provide a place to foster physical health and mental wellbeing of individuals and communities, support inclusion, acceptance, and reconciliation from cultural diversity, as well as provide a large gathering space in case of a natural disaster.

The Society is looking forward to engaging with the DoU directly and through the West Coast Committee and ACRD. As elected leaders who set/change policies, direct the priorities of the community, and oversee the district staff in executing their directives, your role is essential in making the Centre a reality. As you all know the entire west coast has limited access to indoor facilities despite an increasing population and needs. The current and future generations will benefit significantly from this fully integrated regional multi-purpose Centre. The next step

is to include the Centre in the municipal strategic priorities and reconfirm regional support by promptly signing an updated MOU. The Society is making great progress on everyone's behalf and is looking forward to finalizing the design, continuing to network with potential funders, and applying for capital funding in 2023!

Let's make it happen.

Best Regards,



Samantha Hackett, Chair, [REDACTED]

P.S. The Society deeply wishes that all council members for the District of Ucluelet will support making this Centre a priority and hope you will champion this project which we will all be proud of for generations to come!

PO Box 304, Tofino, BC, V0R 2Z0 | info@westcoastmultiplex.org

www.westcoastmultiplex.org |  WestCoastMulti |  westcoastmultiplex |  YouTube <https://youtu.be/db-X0ZINkyQ>

We acknowledge the territories of Hesquiaht First Nation, Tla-o-qui-aht First Nations, Toquaht Nation, Ahousaht, and Yuułu?ił?ath in the spirit of truth, healing, and reconciliation.

Recent Election, Achievement of Common Goals, and Request to Prioritize ...



INFORMATION REPORT

Council Meeting: January 24, 2023
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: RICK GEDDES, FIRE CHIEF **FILE NO:** 1855-03
SUBJECT: COMMUNITY WILDFIRE RESILIENCY PLAN **REPORT NO:** 23- 09
ATTACHMENT(S): APPENDIX A – 2022 DISTRICT OF UCLUELET COMMUNITY WILDFIRE RESILIENCY PLAN

PURPOSE:

The purpose of this report is to present an overview of the 2022 District of Ucluelet Community Wildfire Resiliency Plan.

BACKGROUND:

At the Council meeting of October 12, 2021, the following recommendations were approved:

1. **THAT** Council supports the activities outlined in the District of Ucluelet 2021 grant application to the UBCM Community Resiliency Investment Program - FireSmart Community Funding & Supports 2021; and
2. **THAT** Council will provide overall grant management of the UBCM Community Resiliency Investment Program - FireSmart Community Funding & Supports 2022.

As part of this project, and through the UBCM Community Resiliency Investment Program Grant, The District commissioned Frontera Forest Solutions Inc. to complete a community wildfire resiliency plan (CWRP).

The purpose of a CWRP is to identify wildfire threats within and surrounding the District of Ucluelet and to quantify the risks and impacts to the community from wildfire.

REPORT:

The CWRP outlines strategies to reduce threat and risk by providing recommendations that will:

- Decrease the likelihood of wildfires entering the community,
- Increase the preparedness of the community to respond to wildfires, and
- Reduce the potential loss of homes, businesses, and critical infrastructure from wildfire.

The CWRP focuses on wildfire risk assessment and the seven FireSmart disciplines. FireSmart is a framework for living with and managing wildfire that utilizes seven principles to help protect and preserve fire prone These seven principles include:

- Education,
- Legislation and planning,
- Development considerations,
- Interagency cooperation,
- Cross-training,
- Emergency planning, and
- Vegetation management

Several factors are considered when determining a community's wildfire risk, including the landscape surrounding the community, the fuel types, fire history, and weather data.

The wildfire threat identified in Ucluelet's wildland urban interface and surrounding area is low to moderate. However, with the unknown impacts of climate change, coastal communities such as Ucluelet must prepare for unpredictable climatic events including an increased frequency of wildfires.

This CWRP is intended to provide guidance to District staff and to educate and motivate Ucluelet community members to take part in FireSmart.

Respectfully submitted: Rick Geddes, Fire Chief
 Duane Lawrence, CAO

2022 DISTRICT OF UCLUELET COMMUNITY WILDFIRE RESILIENCY PLAN



Published Date:

January 13, 2023





SIGNATURE PAGE

Lauren Shinnimin
Registered Professional Forester
Frontera Forest Solutions, Inc.

Date

Rick Geddes
Fire Chief
District of Ucluelet

Date

Duane Lawrence
Chief Administrative Officer
District of Ucluelet

Date

TABLE OF CONTENTS

SIGNATURE PAGE.....	i
TABLE OF CONTENTS	i
TABLE OF TABLES	ii
TABLE OF FIGURES	iii
ACKNOWLEDGMENTS.....	iv
FREQUENTLY USED ACRONYMS.....	1
DEFINITIONS	2
EXECUTIVE SUMMARY	3
INTRODUCTION.....	18
Overview/CWRP Background	18
Purpose.....	19
Plan Development Summary	19
LINKAGES TO OTHER PLANS.....	20
COMMUNITY DESCRIPTION	23
Area of Interest.....	23
Wildland-Urban Interface	23
Community Information	25
WUI Values at Risk	25
Human Life and Safety.....	25
Critical Infrastructure.....	26
Fire Suppression Capabilities	28
Community Water Supply.....	28
Electrical Infrastructure and Supply	28
High Environmental Values.....	29
WILDFIRE RISK ASSESSMENT.....	30
Wildfire Environment.....	30
Topography.....	30
Vegetation (Fuels).....	33
Weather and Climate.....	35
Wildfire History.....	40



Fuel Types	42
Canadian Forest Fire Danger Rating System (CFFDRS)	45
Fire Threat: PSTA.....	46
Local Wildfire Threat Assessment.....	48
Local Wildfire Risk Assessment.....	50
FIRESMART DISCIPLINES.....	52
EDUCATION.....	52
Current Status and Action Planning.....	54
LEGISLATION AND PLANNING	55
Municipal Bylaws	55
Provincial Acts and Regulations	56
Federal Acts and Regulations.....	56
Legislation and Planning: Current Status and Action Planning.....	57
DEVELOPMENT CONSIDERATIONS	58
Development Considerations: Current Status and Action Planning	58
INTERAGENCY COOPERATION.....	61
Development of a Community FireSmart and Resiliency Committee (CFRC).....	61
Interagency Cooperation: Current Status and Action Planning.....	62
CROSS-TRAINING.....	63
Cross-Training: Current Status and Action Planning.....	63
EMERGENCY PLANNING.....	64
Emergency Planning: Current Status and Action Planning	64
VEGETATION MANAGEMENT.....	65
Vegetation Management: Current Status and Action Planning.....	65
Proposed Fuel Treatments	65
APPENDICES.....	70
Appendix A: Determining Wildfire Threat and Risk at a Local Level Based on Updated Fuel Types	70
Appendix B: Climate Modeling Using Climate BC	72

TABLE OF TABLES

Table 1: list of all Community wildfire resilience plan actions. Priority levels ‘high’ and ‘very high’ are coloured red.3

Table 2: Key plans and Relationship to CWRP

Table 3: Community Demographics (Statistics Canada, 2021).

Table 4: Climate model projections table for Winter Precipitation (mm). Blue percent changes depict an increase in overall precipitation	38
Table 5: Climate Model Projections Table for Summer Precipitation (mm). Blue percent changes depict an increase in overall precipitation. Yellow percent changes depict a decrease in overall precipitation	38
Table 6: Climate Model Projections Table for Winter Temperature (°C). Orange percent changes depict an increase in relative temperature	39
Table 7: Climate Model Projections Table for Summer Temperature (°C). Orange percent changes depict an increase in relative temperature	39
Table 8. Fuel Types Identified within the Wildland Urban Interface of Ucluelet	42
Table 9: Revised local Wildfire Threat score based on WTA data and topographical features used to calculate overall Wildfire Risk scores and classification. Weighting for each input is shown in brackets.....	50
Table 10: The weighted Wildfire Risk Score (out of 10) and the corresponding Relative Wildfire Risk Classification from the BCWS <i>Determining Wildfire Threat and Risk at a Local Level</i> document.	51
Table 11: FireSmart Critical Infrastructure Assessments Completed for this CWRP, including scores and recommendations.	58
Table 12: Proposed Fuel Treatment Summary Table	67
Table 13: Revised Local PSTA Scores Based on Stand Attribute Data from Wildfire Threat Assessment Worksheets Completed in the Field.	70
Table 14: Local Wildfire Risk Score and Classification for each WTA Polygon Based on Field Verified Fuel Types.....	71
Table 15: Relative Wildfire Risk Classification Based on a Weighted Total Wildfire Risk Score	71

TABLE OF FIGURES

Figure 1: General overview map of land ownership and tenure within the area of interest (AOI) represented by the District boundary of Ucluelet. The WUI is denoted by the brown dashed line around the AOI, which represents the area that is eligible for the FireSmart Community Funding and Supports program (FCFS).....	24
Figure 2: An overview of Critical Infrastructure and Fire Hydrants in the District of Ucluelet.....	27
Figure 3: the Wildfire Environment Triangle (https://catalog.extension.oregonstate.edu/em9230/html).....	30
Figure 4: Topographic map of the District of Ucluelet and surrounding area using a provincial digital elevation model.....	32
Figure 5: Biogeoclimatic (BEC) zones around the District of Ucluelet and surrounding areas.....	34
Figure 6: Wind roses derived from the Tofino weather station throughout May to August for years 2015 to 2022.	37
Figure 7: Fire history overview map indicating extent of historical fire perimeters, and locations of wildfire ignitions resulting in fires one or more hectares in size.....	41
Figure 8: Fuel types within the Ucluelet WUI and surrounding areas.....	44
Figure 9: Proportion of each PSTA threat rating class within the Ucluelet WUI.	47
Figure 10: Wildfire Threat Assessments (WTA) completed throughout the Ucluelet WUI area.	49
Figure 11: FireSmart Home Ignition Zones	53
Figure 12: Proposed Fuel Management Treatment Areas located on municipal land.	66



ACKNOWLEDGMENTS

The authors would like to thank the District of Ucluelet Fire Chief, Rick Geddes, who invested substantial time in meetings, answering questions, and commenting on the contents of this document. Their knowledge, input and recommendations were invaluable to the development of the strategy.

In addition, the authors would like to thank Joshua Macy from BC Wildfire Service for their knowledge and time in providing insightful input for this report.

This report would not be possible without the Community Resiliency Investment (CRI) Program and funding from the Union of British Columbia Municipalities (UBCM).

FREQUENTLY USED ACRONYMS

AOI	Area of Interest
BC	British Columbia
BCWS	British Columbia Wildfire Service
BEC	Biogeoclimatic Ecosystem Classification
CFDRS	Canadian Forest Fire Danger Rating System
CFS	Community Funding and Support
CI	Critical infrastructure
CRI	Community Resiliency Investment
CWRP	Community Wildfire Resiliency Planning
DP	Development Permit
DPA	Development Permit Area
FBP	Fire Behavior Prediction System
FCFS	FireSmart Community Funding and Supports
FESBC	Forest Enhancement Society of British Columbia
FESIMS	Forest Enhancement Society Information Management System
FMP	Fire Management Plan
FSCCRP	FireSmart Canada Community Recognition Program
FNESS	First Nations Emergency Services Society
HIZ	Home Ignition Zone (also see Structure Ignition Zone)
HRVA	Hazard Risk and Vulnerability Analysis
LRMP	Land and Resource Management Plan
MFLNRORD	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
MOTI	Ministry of Transportation and Infrastructure
PSOE	Provincial State of Emergency
PSTA	Provincial Strategic Threat Assessment
OCP	Official Community Plan
RSWAP	Resource Sharing Wildfire Allocation Protocol
SOLE	State of Local Emergency
SWPI	Strategic Wildfire Prevention Initiative
UBCM	Union of British Columbia Municipalities
VAR	Values at Risk
WRR	Wildfire Risk Reduction
WUI	Wildland Urban Interface

DEFINITIONS

Area of Interest (AOI): The AOI for a CWRP includes all the area that lies within the municipal boundary, regional district boundary, or First Nations land including First Nation reserve land, land owned by a Treaty First Nation (as defined by the Interpretation Act) within treaty settlement lands, or land under the authority of an Indigenous National Government boundary.

Critical Infrastructure (CI): Assets owned by the Provincial government, local government, public institution (such as health authority or school district), First Nation or Treaty First Nation that are essential to the health, safety, security or economic wellbeing of the community and the effective functioning of government, or assets identified in a Local Authority Emergency Plan Hazard, Risk & Vulnerability and Critical Infrastructure assessment.

Values at Risk (VAR): The human or natural resources that may be impacted by wildfire. This includes human life, property, critical infrastructure, high environmental and cultural values, and resource values.

Wildfire Risk: commonly defined as the likelihood of a fire occurring, the associated fire behaviour, and the impacts of the fire on human values (consequence). The exposure to the chance of loss from wildfire.

Wildfire Threat: The inherent ability of a wildfire to ignite, spread, and consume organic material (trees, shrubs, and other organic materials) in the forest. The major components used to define wildfire threat are fuel, weather, and topography, also known as the wildfire environment.

Wildland-Urban Interface (WUI): any area where combustible forest fuel is found adjacent to homes, farm structures or other outbuildings. This may occur at the interface, where development and forest fuel (vegetation) meet at a well-defined boundary, or in the intermix, where development and forest fuel intermingle with no clearly defined boundary.

EXECUTIVE SUMMARY

Wildfire is becoming increasingly prevalent across the BC landscape, with climate change impacting moisture regimes, temperatures, and weather patterns. Wildfire threat and the associated risk to communities within the Wildland Urban Interface (WUI) is therefore likely to increase due to climatic changes, making it more critical than ever to understand wildfire risk and identify the most effective strategies for its mitigation.

The purpose of this Community Wildfire Resiliency Plan (CWRP) is to identify wildfire threats within and surrounding the District of Ucluelet (the 'District'), and to quantify the risks and impacts to the community from wildfire. The CWRP outlines strategies to reduce threat and risk by providing recommendations to decrease the likelihood of wildfires entering the community, to increase the preparedness of the community to respond to wildfires, and reduce the potential loss of homes, businesses, and critical infrastructure from wildfire. This CWRP is intended to provide guidance to District staff and to educate and motivate Ucluelet community members to take part in FireSmart.

The CWRP focuses on wildfire risk assessment and the seven FireSmart disciplines including:

- Education,
- Legislation and planning,
- Development considerations,
- Interagency cooperation,
- Cross-training,
- Emergency planning, and
- Vegetation management.

Several factors are considered when determining a community's wildfire risk, including the landscape surrounding the community, the fuel types, fire history, and weather data. The wildfire threat identified in Ucluelet's wildland urban interface and surrounding area is **Low to Moderate**. However, with the unknown impacts of climate change, coastal communities should be prepared for unpredictable climatic events including more frequent wildfires.

Table 1 lists all the recommended actions for the District of Ucluelet, categorized by the seven FireSmart disciplines. Actions are prioritized as: **Moderate, High, and Very High**, based on anticipated effectiveness in reducing overall wildfire hazard and risk.

TABLE 1: LIST OF ALL COMMUNITY WILDFIRE RESILIENCE PLAN ACTIONS. PRIORITY LEVELS 'HIGH' AND 'VERY HIGH' ARE COLOURED RED.

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
Risk Assessment						
<i>The purpose of a risk assessment is to identify the specific risks to a community and its assets. An ongoing review of the risk assessment should occur and an update to this CWRP should occur in at least 10 years.</i>						
1. Read and understand this CWRP's identified risks and recommended actions. The currently identified risks include:	Fire Chief, FireSmart Coordinator, Deputy Fire Chief, District staff	Very High	Immediate	Fire Chief, FireSmart Coordinator, Deputy Fire Chief, District staff and local	Fire Chief, FireSmart Coordinator, Deputy Fire Chief, District staff and leadership	N/A

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
<p>I. Wildfire hazard and FireSmart principles are currently not well understood amongst the community due to a wet climate and lack of major historical wildfire occurrences. With unknown changes in climate, the threat of wildfire may increase if temperatures and drought days increase.</p> <p>II. Interface neighbourhoods, such as Reef Point and Rainforest Drive, are at high risk in the event of a wildfire as homes are surrounded by forest with long driveways and limited evacuation. Additionally, the risk of fire spreading into the forest from structure fires in these areas is high.</p> <p>III. Recreational tourism is high in the summer which substantially increases the population within and around the District. This increases the potential for fire ignitions.</p>	and Leadership			elected officials to spend some time becoming familiar with this CWRP.	comprehend the risks and actions to take within this CWRP and consider next steps for implementing recommendations.	



Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
<p>IV. The Ucluelet Fire Department has agreements to respond to fires in the surrounding ACRD neighbourhoods and the Ucluelet First Nation. This could potentially put a strain on response services.</p>						
<p>V. The Fire Department currently does not have sufficient wildland firefighting suppression equipment (bladder tanks, hose, and pumps, etc.) to action wildfires.</p>						
<p>VI. There currently are no development permits requiring the implementation of FireSmart principles, or wildfire Development Permit Areas required for development. Many structures have hazardous materials on or near them, including conifer trees up against the homes.</p>						
<p>VII. Although the District currently has 19 volunteer firefighters plus the Fire Chief,</p>						



Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
<p>most volunteers are insufficiently trained in wildfire fighting to safely and effectively action wildfires. Given the long response time from the BCWS Mid-Island Zone, District volunteer firefighters need to be continually trained to provide basic suppression on wildfires.</p> <p>VIII. High prevalence of private land within the District boundary limits fuel management activities on the landscape, putting more importance on private landowners to take action to reduce wildfire hazards on their property.</p> <p>IX. Some critical infrastructure and neighbourhoods have a high FireSmart hazard rating. These structures remain at risk from both ember showers and from direct radiant heat from flaming fronts.</p>						

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
Education						
<i>Education is a critical piece of resiliency planning as it relates directly to the recruitment and retention of community members in the FireSmart program as well as reduces the probability of wildfire ignitions within the WUI.</i>						
2. Hold a FireSmart event/open house to introduce FireSmart concepts to community members and educate them on things they can do around their homes to reduce fire hazard. This should be held annually between May and October.	Fire Chief, Volunteer Fire Department, FireSmart Coordinator, Deputy Fire Chief	Very High	Annually	Social media, posters, resources to run the event (ie. tent, food, etc.)	Participation by minimum of 50 residents.	Funding is available under UBCM's Community Resiliency Investment (CRI) ¹ program.
3. Hire a fulltime or parttime FireSmart Coordinator (required by 2024). This position will run all aspects of the FireSmart program for the District and generally support many aspects of this CWRP. The District should apply for funding through CRI to help support this position.	Fire Chief	Very High	Spring 2023	An annual salary of \$30,000 to \$60,000 and some training and orientation at the beginning will be required.	Successfully hire or appoint an individual who is enthusiastic about promoting FireSmart, and ideally is a leader in the community or is well known.	Funding is available under UBCM's CRI ¹ program to support a salary for a FireSmart Coordinator.
4. Distribute FireSmart promotional resources to members of the public at local businesses, FireSmart events, farmers markets or other community events.	FireSmart Coordinator, Deputy Fire Chief, Fire Chief	High	Ongoing	FireSmart promotional items.	Participation by minimum of 50 residents	FireSmart promotional items can be found on the FireSmart BC website ²
5. Promote/encourage and complete FireSmart Home Assessments on private property for those community members who are interested. Provide recommendations on	FireSmart Coordinator, Deputy Fire Chief	Very High	Immediate/Ongoing	A certified Local FireSmart Representative must complete the home assessments.	Participation by minimum of 25 residents	Funding is available under UBCM's CRI ¹ program per structure.

¹ <https://www.ubcm.ca/cri/firesmart-community-funding-supports>

² <https://firesmartbc.ca/resource-ordering-form/>

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
actions they can take to make their homes more FireSmart and reduce the risk of loss and damages in the event of a wildfire						
6. Organize Community Chipper Day(s) and/or Community Cleanup Day(s) to assist homeowners with removal of hazardous vegetation and debris around their homes. Given the municipal restriction on all open burning larger than a campfire, more than Chipper Day a year may be necessary.	FireSmart Coordinator, Deputy Fire Chief, Public Works	Moderate	Annually	Chipper, disposal bins	Removal of hazardous vegetation, invasive plants and other flammable materials around homes.	Funding is available through the UBCM's CRI program ¹
7. Encourage private property/homeowners to have a FireSmart Home Assessment completed and implement FireSmart activities around their homes utilizing the FireSmart rebate program through use of social media, the internet, and FireSmart events.	FireSmart Coordinator, Deputy Fire Chief	High	Ongoing	Communication resources such as District website, someone to complete FireSmart Home Assessments	Participation by minimum of 25 residents who complete at least one eligible FireSmart activity on their home.	FireSmart activity rebate program up to \$500 ³
8. Inform the community about upcoming FireSmart events via the internet, social media and public newsletter. Communications should be coordinated with the ACRD and Tofino if possible.	FireSmart Coordinator, Deputy Fire Chief	High	Ongoing	Communication resources	FireSmart events are well-attended with 50+ residents	N/A

³ <https://firesmartbc.ca/wp-content/uploads/2020/06/FireSmart-Assessment-Work-Hours-Estimate-Form-CRI.pdf>

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
9. Put up educational signage along major tourist trails warning of the role people play in preventing wildfire ignitions.	District Parks and Recreation staff, Fire Chief	Very High	Within 2 years (2024)	Develop and construct signage	Signage is posted along major tourist trails by 2025	N/A
10. Apply for FireSmart Canada's Neighbourhood Recognition Program. Once recognized, annually renew for FireSmart Recognition.	FireSmart Coordinator, Deputy Fire Chief, Fire Chief	Moderate	Immediate, then Annually	A certified Local FireSmart Representative.	There currently are no neighbourhoods in the District recognized as a FireSmart Neighbourhood	Application to be filled out and required actions for recognition must be completed ⁴
Legislation and Planning						
<i>Legal or regulatory changes and community planning will improve community resiliency by encouraging and supporting the District's members to change their decisions to build a more resilient community.</i>						
11. Incorporate strategies to educate the public and reduce fire ignitions from recreation and tourism into the District of Ucluelet Parks and Recreation Master Plan and the Tourism Master Plan.	District Parks and Recreation staff, Tourism Ucluelet, Deputy Fire Chief	Moderate	Within 5 years (2027)	Communication resources	Community members and tourists become more aware of the potential impact of recreation and tourism on fire ignitions.	N/A
Development Considerations						
<i>Development considerations deal with how planned development (home, business and critical infrastructure) should be designed to optimize the District's resiliency to wildfire.</i>						
12. Revise zoning and development permits to require fire resistant landscaping or other FireSmart considerations, such as fire-resistant building materials for roofs, decking, etc. or	District Planning Department, Fire Chief	High	Immediate	Public engagement and Communication resources, potential legal oversight	Development permits limit building materials and landscaping vegetation that are a high fire hazard.	Funding is available under UBCM's CRI ⁵ program to support development considerations.

⁴ <https://www.firesmartcanada.ca/programs-and-education/neighbourhood-recognition-program/>

⁵ <https://www.ubcm.ca/cri/firesmart-community-funding-supports>

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
restrictions around outdoor cedar saunas. This would be most important for neighbourhoods with high forest cover.						
13. Establish a Development Permit Area (DPA) for Wildfire Protection for new development/buildings within forested neighbourhoods. The Wildfire DPA should incorporate some FireSmart principles in development and landscaping while also aiming to retain the overall forest structure within neighbourhoods so as not to drastically change the unique character of neighbourhoods. The Wildfire DPA should also align with existing Environmental Development Permit Areas.	District Planning Department	Moderate	Within 5 years	Public engagement and Communication resources, qualified wildfire professional input, potential legal oversight	New developments or building renovations in forested neighbourhoods would be less at risk from wildfire.	Funding is available under UBCM's CRI ⁵ program to support development considerations.
14. Implement FireSmart recommendations resulting from the completed FireSmart Critical Infrastructure (CI) Assessment to critical buildings/infrastructure to reduce hazard score ratings to Moderate or Low. Critical	FireSmart Coordinator, Deputy Fire Chief, Fire Chief, Public Works	High	Within the next 5 years (2027)	Labour, machinery, and construction materials	FireSmart recommendations have been implemented for the highest priority CI to reduce the hazard score rating to Moderate where possible.	Funding is available through the UBCM's CRI program ⁶

⁶ <https://www.ubcm.ca/funding-programs/local-government-program-services-funding/community-resilience/firesmart-community>

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
<p>Infrastructure Assessments were completed for all CI within the District for the development of this CWRP. Vegetation surrounding CI was often identified as one of the highest hazards. The infrastructure with the highest hazard identified is:</p> <ul style="list-style-type: none"> I. Water tower near the school II. Radio tower 						
Interagency Cooperation						
<i>To increase and share local knowledge, develop relationships and to collaborate on future projects.</i>						
<p>15. Establish a Community FireSmart and Resiliency Committee (required by 2024 for success to CRI funding) for the region with the following potential parties:</p> <ul style="list-style-type: none"> I. The District of Ucluelet's FireSmart Coordinator and Fire Chief II. The Ucluelet First Nation, III. Ucluelet Emergency Network and Emergency Support Services, 	<p>FireSmart Coordinator, Deputy Fire Chief, Fire Chief, ACRD Emergency Management representative</p>	Very High	Immediate	Communication Resources	<p>Hold one meeting annually with all committee members involved. Participation in this committee is becoming a requirement for CRI applicants starting in 2024.</p>	<p>Funding is available through the UBCM's CRI program⁷ to support participation in interagency meetings</p>

⁷ <https://www.ubcm.ca/funding-programs/local-government-program-services-funding/community-resilience/firesmart-community>

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
IV. Emergency management staff from the Alberni-Clayoquot Regional District						
V. District of Tofino Protective Services Department staff,						
VI. Pacific Rim National Park Reserve representative,						
VII. BC Wildfire Service representative from the Mid-Island Zone,						
VIII. Ministry of Forests Wildfire Risk Reduction staff,						
IX. Local timber licensees operating in the area.						
16. Work in collaboration with the Alberni-Clayoquot Regional District on improvements to hydrant access and suppression capacity within the regional district neighbourhoods that Ucluelet responds to, including Willowbrae,	FireSmart Coordinator, Deputy Fire Chief, Fire Chief, ACRD Emergency Management representative	Very High	Within 3 years (2025)	The ACRD should lead this and involve the Ucluelet Fire Department	Installation of fire hydrants in vulnerable neighbourhoods requiring them.	Funding is available through the UBCM's CRI program ⁸

⁸ <https://www.ubcm.ca/funding-programs/local-government-program-services-funding/community-resilience/firesmart-community>

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
Millstream, and Port Albion.						
17. Communicate semi-regularly with the South Island Natural Resource District's Wildfire Risk Reduction representative regarding their annual/long-term plans to conduct wildfire risk reduction activities in areas outside of the District.	FireSmart Coordinator, Deputy Fire Chief	Moderate	Annually	Communication Resources	At least 1 annual meeting with FLNRO's WRR representative	N/A
Cross-Training						
<i>Cross-training increases the District's wildland firefighting capacity while simultaneously supporting the structural volunteer fire department.</i>						
18. Contact the BCWS Mid-Island Fire Zone in and discuss the possibility of annual cross-training opportunities for local firefighters.	FireSmart Coordinator, Deputy Fire Chief, Fire Chief	Moderate	Immediate	Communication Resources	Make initial contact to BCWS to discuss cross-training opportunities.	N/A
19. Provide cross training opportunities for firefighters such as the S100 or S185 course. The S100 course requires an annual refresher.	Fire Chief	High	Annual	Facility to hold the training, potentially some basic suppression equipment.	Complete funding application for submission in October.	Funding is available through the UBCM's CRI program ⁹
20. Continue to build the District's volunteer fire department and encourage firefighters to participate in cross-	Fire Chief	Moderate	Ongoing	Volunteers interested in fire suppression and fire	Acquire an additional 5 volunteer fire fighters from the community.	N/A

⁹ <https://www.ubcm.ca/funding-programs/local-government-program-services-funding/community-resilience/firesmart-community>

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
training and annual refresher exercises, including: <ol style="list-style-type: none"> I. Hydrant flushing/testing, II. Refresher training of pumps and hose. 				suppression equipment.		
21. Collaborate with the Ucluelet First Nation who may be interested in wildland firefighting/cross-training and exercises. This will assist them in building their volunteer fire department, which could help increase the safety of the Nation and take pressure off the Ucluelet Fire Department to respond.	Fire Chief, FireSmart Coordinator, Deputy Fire Chief	Moderate	Annually	Communications Resources, interested participants, and funds available to conduct training session(s)	At least one instance of an organized training session	N/A
Emergency Planning						
<i>Emergency Planning informs community leaders and members on how to respond to different types of emergencies.</i>						
22. Encourage community members to subscribe to the emergency notification system currently in use in Ucluelet. Emergency notices can be delivered via email, text, or voice messages.	Fire Chief, FireSmart Coordinator, Deputy Fire Chief	Very High	Ongoing	Posters, social media, other communication resources	Participation and passing of emergency response tests/exercises by at least 50 residents	N/A
23. Make the Evacuation/Emergency Response Plan available to the community via the internet or at the District's public offices. The District of Ucluelet Emergency Response	Fire Chief, FireSmart Coordinator, Deputy Fire Chief	High	Immediate	Website, social media	At least one established source by which community members can access the plan	N/A

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
Plan is currently being updated and therefore not available online for viewing.						
24. Purchase or acquire ancillary suppression equipment including portable tanks, hoses, and portable pumps.	Fire Chief, FireSmart Coordinator/ Deputy Fire Chief	Very High	Immediate	Funding and/or source of capital to purchase fire equipment.	Resources secured and desired fire equipment purchased.	Funding is available through the UBCM's CRI program ¹⁰ for specified equipment, namely the structure protection unit.
25. Assess community backup electrical power and water delivery ability as required for emergency response and suppression activities. Currently, the municipal buildings that have emergency backup power are the fire hall, and the high school which has a large generator available during emergencies. A number of private homeowners have generators but the exact number is unknown.	Fire Chief, Public Works	Moderate	Within 5 years (2027)	Contractor to complete the assessment.	An assessment of backup emergency power has been completed and next steps to increase emergency backup power are understood.	Funding is available through the UBCM's CRI program ¹¹ to complete an assessment.

¹⁰ <https://www.ubcm.ca/funding-programs/local-government-program-services-funding/community-resilience/firesmart-community>

¹¹ <https://www.ubcm.ca/funding-programs/local-government-program-services-funding/community-resilience/firesmart-community>

Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
Vegetation Management						
<i>The purpose of vegetation management is to reduce wildfire risk through the reduction of vegetative fuels available for consumption, while supporting forest values and healthy ecosystems.</i>						
26. Apply for funding to complete fuel management demonstration projects to reduce forest fuels on municipal land and demonstrate what a more fire resilient stand looks like to the public. These fuel management areas cannot exceed 5.0 ha. Three areas have been identified as candidates for these projects: <ul style="list-style-type: none"> I. The forested area behind the schools, II. The forested area around the senior's center, and III. The forested area behind the community centre. 	Fire Chief, FireSmart Coordinator, Deputy Fire Chief	High	Within the next 3 years (2025)	An RPF must write the fuel management prescription	At least one fuel management demonstration project is completed by 2025.	Funding is available through the UBCM's CRI program ¹² for both prescription development and operational work.
27. Encourage homeowners to remove all vegetation from the Non-Combustible Zone and landscape using fire-resistant plants. Cedar trees within the first 10m (Zone 1) of the home should be	FireSmart Coordinator, Deputy Fire Chief	High	Immediate	A certified Local FireSmart Representative.	15 residents have implemented FireSmart landscaping and vegetation removal on their property by 2027	N/A

¹² <https://www.ubcm.ca/funding-programs/local-government-program-services-funding/community-resilience/firesmart-community>



Action	Lead(s)	Priority	Time frame	Resources Required	Metric for Success	Notes
encouraged for removal.						

INTRODUCTION

Wildfire is a natural disturbance agent on the landscape, but with warming temperatures and changing precipitation regimes due to climate change, the frequency, severity, and size of wildfires in British Columbia has been increasing in the last decade. This can be seen in 2017 and 2018, which were two of the worst wildfire seasons in BC history, with 1.2 and 1.3 million hectares burned, respectfully¹³. The most recent 2021 wildfire season has been notable as well, with approximately 868,000 hectares burned, 181 community evacuation orders, and 304 community evacuation alerts¹⁴. The increased presence of fire across BC, along with lessons learned, advances in knowledge, and loss prevention programs have encouraged the need for deliberate and effective wildfire risk prevention measures to occur within the wildland-urban interface (WUI), or the area where structures and other human development meet or intermingle with surrounding wildland/vegetative fuels¹⁵.

Overview/CWRP Background

Community Wildfire Resiliency Plans (CWRPs) are the next generation of Community Wildfire Protection Plans (CWPPs) in British Columbia. CWPPs were introduced in 2004 as a comprehensive and science-based approach toward wildfire risk reduction planning that reflects local priorities and provincial goals for wildfire mitigation¹⁶. Key provincial goals of the newly revised Community Wildfire Resiliency Planning process are to:

- increase communities' capacity and understanding of wildfire threat and risk,
- foster greater interagency collaboration across administrative boundaries,
- be more responsive to the needs of different types of communities throughout British Columbia, and
- develop achievable and accountable action items for reducing wildfire threat and risk.

Specifically, the new CWRP process addresses the seven principles/disciplines of FireSmart Canada¹⁷:

1. Education
2. Vegetation Management
3. Legislation and Planning
4. Development Considerations
5. Interagency Cooperation
6. Cross-training
7. Emergency Planning

In 2022, Frontera Forest Solutions Inc. was retained by the District of Ucluelet to develop a Community Wildfire Resiliency Plan (CWRP) for municipal land within the District. Ucluelet has not had a CWPP completed previously. Threat from wildfire has become a greater concern in recent years from increasing summer recreation and tourism, an increase in population and development within the District, and the unknown potential impacts of climate change to coastal forests.

¹³ [Wildfire Season Summary - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/safety/wildfire-status/about-bcws/wildfire-history/wildfire-season-summary#provstat)

¹⁴ <https://www2.gov.bc.ca/gov/content/safety/wildfire-status/about-bcws/wildfire-history/wildfire-season-summary#provstat>

¹⁵ <https://www.firesmartcanada.ca/what-is-firesmart/understanding-firesmart/what-is-the-wui/>

¹⁶ <https://www.ubcm.ca/sites/default/files/2021-05/2021%20CWRP%20Supplemental%20Instruction%20Guide.pdf>

¹⁷ <https://www.firesmartcanada.ca/what-is-firesmart/understanding-firesmart/seven-firesmart-disciplines/>

Purpose

The purpose of this Community Wildfire Resiliency Plan is to identify wildfire threat within and surrounding the District of Ucluelet, to quantify the potential risks and impacts to the community from wildfire and provide strategies for reducing identified threats and risks. Specifically, the landscape-level wildfire risk assessment methods of this CWRP will inform strategies that will aim to:

1. Reduce the likelihood of wildfire entering Ucluelet,
2. Increase the safety of community members in the event of a wildfire, including egress safety,
3. Reduce the impacts/losses to property and critical infrastructure by employing FireSmart principles, and
4. Ultimately provide recommendations to reduce the negative economic and social impacts of wildfire to the community of Ucluelet.

Plan Development Summary

The area of interest for this CWRP is the wildland-urban interface (WUI) of the District of Ucluelet. The WUI is characterized as the zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels. For the purpose of this CWRP, the WUI is defined as a one-kilometer buffer around structures and development within the Ucluelet district boundary (see Wildland-Urban Interface).

In developing this CWRP, the consultants worked through these three key phases:

1. Consultation with local government representatives and wildfire specialists; information sharing with District representatives such as Fire Chief Rick Geddes throughout plan development, and ensuring linkages with existing plans (See LINKAGES TO OTHER PLANS below).
2. Identification of the values at risk and assessment of local wildfire threat; wildfire threat assessments take into consideration the natural fire regime and ecology, Provincial Strategic Threat Analysis (2021), field assessments and forest fuel type verification, and GIS wildfire threat analyses (see WILDFIRE RISK ASSESSMENT).
3. Developing a risk mitigation strategy; a guide for the District of Ucluelet to implement wildfire mitigation and risk reduction activities. The risk mitigation strategy focuses on FireSmart activities around homes and structures, legislation and planning around emergency management, prioritization of fuel treatments, and wildfire response recommendations to reduce overall wildfire threat within the community (See FIRESMART DISCIPLINES).

LINKAGES TO OTHER PLANS

There are many plans that can relate and help inform the CWRP by providing background information and guide the development of the CWRP. The following plans in Table 2 were consulted in the development of the CWRP and to avoid unnecessary replication of information and align with existing objectives.

Plan Type	Description	Relationship to CWRP
District of Ucluelet Fire Department Establishment, and Fire and Safety Regulations Bylaw No.1251, 2019	Guidelines for the establishment of a fire department and to provide for the prevention of fire and protection of persons and property. It outlines the duties of the Ucluelet Volunteer Fire Brigade (UVFB) including: burning regulation, fire suppression, emergency planning, and fire prevention.	<p>Section 6.1 gives the UVFB authority to provide wildland urban interface fire suppression, fire prevention, and emergency planning services.</p> <p>Section 6 Discusses the fire department’s obligation to fight interface wildfires within the UVFB’s service area.</p> <p>Section 8 gives the Fire chief or a bylaw officer the power to ban outdoor burning at any time.</p>
District of Ucluelet Outdoor Burning Bylaw No. 1288, 2021	This bylaw gives the fire chief the authority to regulate outdoor burning and prohibits fires greater than the size of a campfire (0.5m x 0.5m). Open burning can only occur if approved by the fire chief.	<p>Regulating open burning helps limit human-caused ignitions and escaped fires.</p> <p>Section 3 defines under what conditions a campfire is permitted to burn.</p> <p>Section 4 defines prohibited burning and fires.</p>
District of Ucluelet Parks and Recreation Master Plan (2013)	The Parks and Recreation Master Plan functions as a complimentary document to the OCP, expanding on the policies related to parks and trails in the District of Ucluelet. Goals of the Plan are to provide recommendations and design guidelines for improving both the existing recreation system and community events, as well as new parks and trails over the next 10 to 20 years.	<p>This plan discusses planned changes to green spaces within the urban interface and focuses on the development of trails and parks.</p> <p>The development and enhancement of trails and parks around Ucluelet will likely increase recreation and should align with fuel management practices.</p>

Plan Type	Description	Relationship to CWRP
District of Ucluelet Resort Development Strategy (2019)	The Resort Development Strategy is a road map to developing and enhancing tourism within the town to create an environmentally sustainable and economically stable tourism industry within Ucluelet.	There is no direct reference to wildfire management within the Strategy. However, the plan to develop and increase tourism infrastructure within the community may result in land use changes and increase recreational tourism. The Development Strategy should consider impacts to community emergency response with increased tourism.
Tourism Ucluelet 2021 One Year Tactical Plan	District of Ucluelet one year budget and goals for Tourism Ucluelet in 2021.	There is no reference to wildfire management within the tactical plan. The tactical plan outlines the primary goals, target markets and implementation activities of Tourism Ucluelet.
District of Ucluelet Five-Year Strategic Business Plan (2018)	The strategic business plan discusses tourism objectives over a 5-year term to increase visitors to Ucluelet to bolster the economy. This includes development of outdoor recreation, infrastructure, and visitor services.	There is no direct reference to wildfire management within the plan. The strategic plan outlines plan for infrastructure growth and indicates changes in land use as well as number of visitors to the community. Plans to increase tourism within the community should consider impacts to community emergency response.
Ucluelet Emergency Plan	A comprehensive emergency plan that outlines notification, chain of command, roles and responsibilities, vulnerabilities, and emergency response and logistics in the event of a natural disaster or other emergency.	The emergency plan outlines a response procedure in the event of a wildfire (p. 93). It identifies BCWS as the key agency to lead response efforts and potential major issues that may arise. The wildfire procedure information does not provide specific details regarding step-by-step response guidelines, chain of command, or individual responsibilities. A more detailed response plan in the event of a wildfire would provide clarity for more effective emergency management.
Ucluelet Official Community Plan 2020	The OCP is a statement of objectives and policies adopted by a local government to guide decisions on land	The Community Health, Safety, and Wellbeing (pg. 39) part of the report discusses fire suppression capacity as well

Plan Type	Description	Relationship to CWRP
	use planning, land use management and municipal operations. The OCP sets out a 30-year road map for the community of Ucluelet. The OCP is adopted by Bylaws and any other subsequent bylaw must be consistent with the plan. Ucluelet is a growing community and plans for additional infrastructure, housing, economic growth, and emergency services are the focus of this OCP. A large component of this report focuses on maintaining natural areas to protect ecological function and to support the wellbeing of community members.	as plans to do a community risk assessment to evaluate necessary infrastructure and emergency resources as the community grows.
Vancouver Island Land Use Plan (2000)	The Vancouver Island land use plan designates land use over the next 10 years. Ucluelet is a part of the Maggie land use area. This area is designated as an enhanced forestry zone. Within this area there are plans for limited second growth timber harvest, but most of the focus is on maintaining visual objectives on the coast as well as near Maggie Lake.	The Vancouver Island land use plan determined land use in and around Ucluelet from 2000 to 2010. Around Ucluelet the main objective was maintaining visual values. Understanding previous land use gives an indication of long-term objectives for this area.
Ucluelet Climate Change Adaption Plan	The Ucluelet climate adaption program discusses how the community will become resilient to climate change.	The Climate adaption plan discusses wildfire resilience and planning.
Ucluelet First Nation Government Official Community Plan Act YFNS 32/2013	The community plan provides actionable tasks for improvement of community condition, economic growth and emergency services. A part of the community plan is collaboration with other municipalities, including Ucluelet, in both economic and emergency planning.	The community plan has a large section that is oriented towards emergency response and relevant to the CWRP. The plan discusses collaboration with municipalities in the area during emergencies. Further access is being developed by creating and established helipad. In addition, an emergency response plan is proposed.

COMMUNITY DESCRIPTION

Area of Interest

For the purpose of this CWRP, the Area of Interest (AOI) is the municipal lands located within the boundary of the District of Ucluelet (Figure 1). A majority of the land within the District is designated as private land. The District of Ucluelet is located on the southern tip of the Ucluelet Peninsula along the west coast of Vancouver Island. These lands are situated within the traditional territory of the Yuułuʔiłʔatḥ (Ucluelet) First Nation. The only access is via the Tofino Ucluelet Highway branching south off Highway 4. The neighbouring District of Tofino is approximately 40km northeast on Highway 4. Ucluelet falls within the Alberni-Clayoquot Regional District and is adjacent to the Pacific Rim National Park to the northwest and across the inlet from the Ittatsoo 1 Indian Reserve to the east. The District of Ucluelet encompasses a land area of approximately 7 km² or 700 hectares.

Wildland-Urban Interface

The Wildland-Urban Interface (WUI) occurs where homes, structures, and critical infrastructure are found adjacent to or intermixed with combustible vegetated lands. The WUI differs from the AOI in that historically in BC, the WUI was created by buffering an area where structure density is greater than 6 structures/km² by 2 km. The 2 km buffered area was originally designed to represent a reasonable distance that embers from a wildfire can travel to ignite a structure. However, for the purpose of the provincial FireSmart Community Funding and Support (FCFS) program eligibility, the eligible WUI within this CWRP is redefined as a maximum of one kilometer from where structure density is greater than 6 structures/km². Figure 1 also illustrates the resulting eligible WUI for this CWRP.

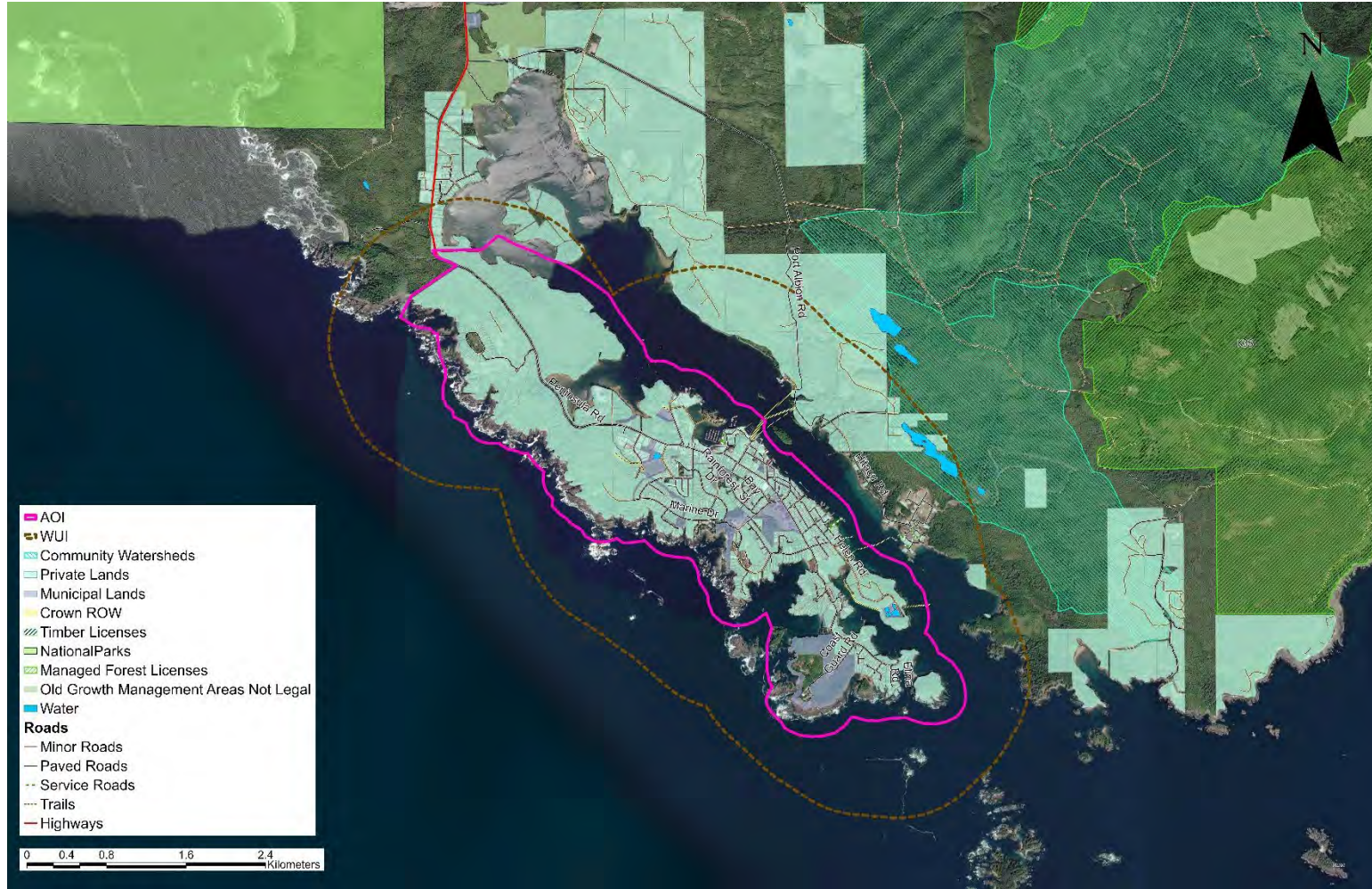


FIGURE 1: GENERAL OVERVIEW MAP OF LAND OWNERSHIP AND TENURE WITHIN THE AREA OF INTEREST (AOI) REPRESENTED BY THE DISTRICT BOUNDARY OF UCLUELET. THE WUI IS DENOTED BY THE BROWN DASHED LINE AROUND THE AOI, WHICH REPRESENTS THE AREA THAT IS ELIGIBLE FOR THE FIRESMART COMMUNITY FUNDING AND SUPPORTS PROGRAM (FCFS)

Community Information

The District of Ucluelet has a population of approximately 2,066 people. Population growth between the 2016 and 2021 census was significant at 20.3%. The population is generally centralized and due to topographic limitations, there is minimal room for outward expansion. The local economy of Ucluelet is primarily recreational and eco-tourism based, which results in a substantial increase in seasonal residents and tourists during the summer months. The tourism economy has continued to see strong growth each year and is anticipated to continue along this trend. The District has developed an economic/resort development strategy with the goal to continue to increase tourism and extend tourism season by providing infrastructure and amenities that support year-round enjoyment.

TABLE 3: COMMUNITY DEMOGRAPHICS (STATISTICS CANADA, 2021).

Total Population (year)	2,066 (2021)
Population Density (people per sq. km)	318.8
Median Age (years)	39.6
Housing Units	997
Median Household Income	\$ 97,000 (2020)
Unemployment Rate	8.1%

WUI Values at Risk

The following section is a description of the extent to which wildfire has the potential to impact the values at risk (VAR) identified within the Area of Interest. VAR are the human or natural resource values that may be impacted by wildfire; this includes human life, property, critical infrastructure, high environmental and cultural values, and resource values. High VAR are often found within the WUI, but can also be geographically isolated, such as a communication tower.

Human Life and Safety

Human life and safety are the highest priority in the event of a wildfire. A key consideration is the evacuation of at-risk areas and safe egress when necessary. Evacuation can be complicated by the unpredictable and dynamic nature of wildfire. Orderly evacuation takes time and safe egress routes can be compromised by quickly moving/changing wildfire, or by traffic congestion and accidents.

Ucluelet is relatively remote and located at the end of a peninsula. The community has one primary access via the Tofino-Ucluelet Highway connecting to Highway 4 going east. The nearest community to the District of Ucluelet is the Ucluelet First Nation across the inlet; however, the Nation has minimal services. The next closest community is Tofino, located 40 kilometers to the north. Tofino is the only community on the peninsula that has an urgent care center (Tofino General Hospital). There is a secondary egress route via Port Albion Road which heads to the east around the inlet and eventually connects to Highway-4. All of these roads are single lane, which can easily become congested during evacuation, particularly during high tourism season.

There are inherent issues with a one-road in and one-road out community, which can complicate evacuation procedures. Within Ucluelet, evacuation would likely be local to specific neighbourhoods from a structure-to-structure fire. The Ucluelet Emergency Response Plan provides detailed evacuation procedures for the community, primarily in the event of a tsunami. Additionally, the District has established an Emergency Notification System that notifies members of emergency alerts via email, text or voice message.

To date, Ucluelet has never experienced an evacuation alert or order for a wildfire event. In the event of a full community wildfire evacuation, people would likely be redirected to Port Alberni; it is predicted that due to its size, Tofino would not be able to handle the influx of people. The most likely impact to the Ucluelet community from wildfire would be disruption to utilities such as loss of electrical power.

Critical Infrastructure

Critical infrastructure (CI) are structures or facilities that are essential to the health, safety, security, economic wellbeing, and/or effective functioning of a community or government. Protection of critical infrastructure during a wildfire event is an important consideration for emergency response preparedness and effectiveness, ensuring that coordinated evacuation can occur if necessary, and that essential services can be maintained and/or restored quickly after an emergency event. Critical infrastructure includes emergency and medical services, electrical and gas services, transportation and primary road networks, drinking and wastewater systems, social/support services, and communications infrastructure. Completing FireSmart activities around critical infrastructure will help to reduce losses and impacts related to wildfire.

The following CI were identified within the District of Ucluelet (Figure 2):

1. Community Center,
2. Fire Hall,
3. Senior Center,
4. Water Towers,
5. Radio tower,
6. Water Treatment facility,
7. Ambulance service,
8. Emergency Notification Towers
9. RCMP office, and
10. Municipal office.

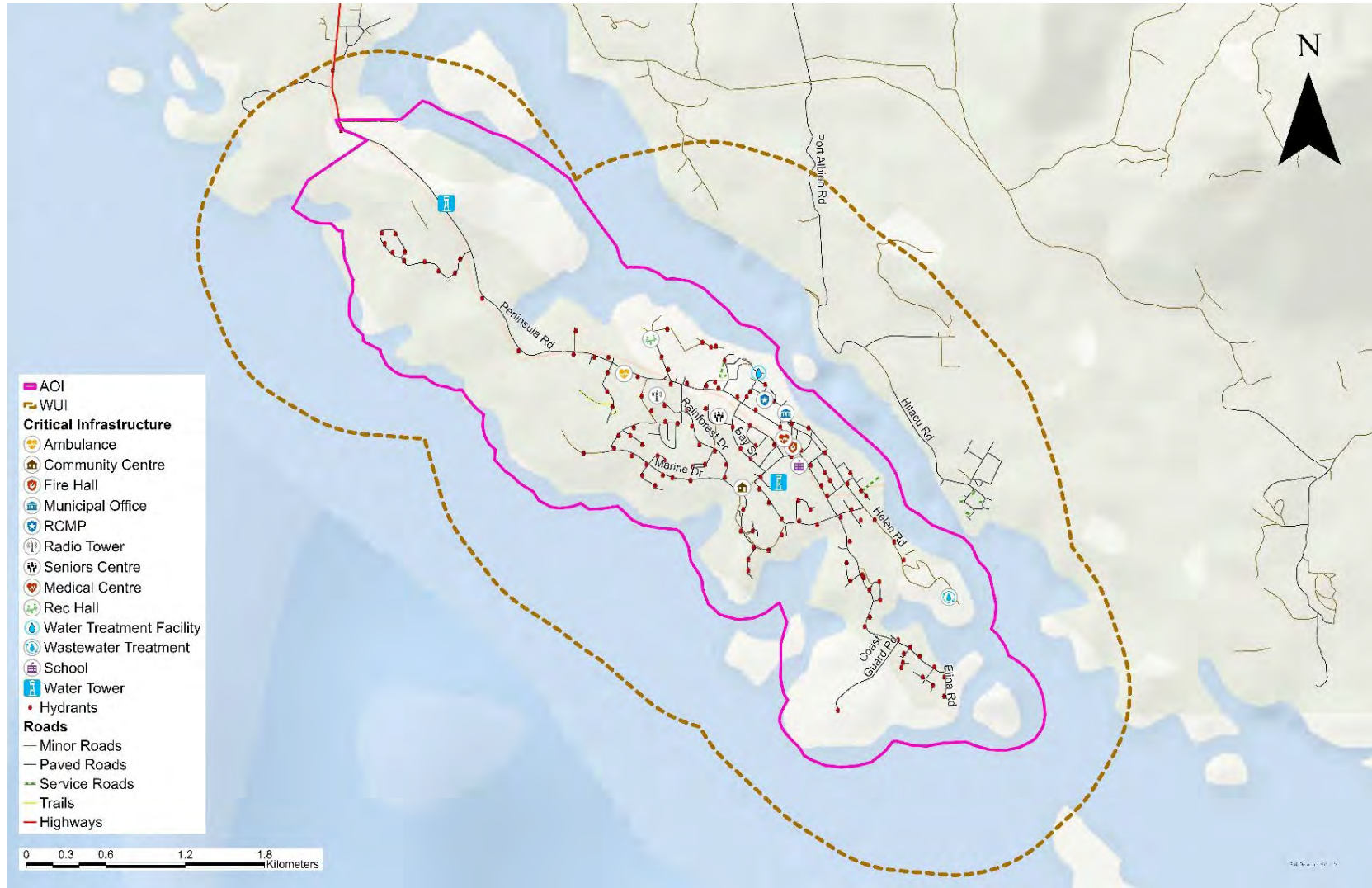


FIGURE 2: AN OVERVIEW OF CRITICAL INFRASTRUCTURE AND FIRE HYDRANTS IN THE DISTRICT OF UCLUELET



For this CWRP, FireSmart Critical Infrastructure Assessments were completed for most of the Critical Infrastructure listed above. A breakdown of scores and recommendations for each CI can be found in the **DEVELOPMENT CONSIDERATIONS** section later in this document.

Fire Suppression Capabilities

The District of Ucluelet has a fire hall with 19 volunteer fire fighters and a Fire Chief. Structural fire suppression within the district boundary is sufficient. The fire department owns two structural fire engines that can service the community and there is full hydrant coverage with no known deficits in water pressure. The District also has agreements to provide response coverage to the surrounding Alberni-Clayoquot Regional District and the Ucluelet First Nation. However, suppression response outside of the District of Ucluelet is more of a challenge due to limited hydrants. Wildland fire suppression capabilities are also limited as the fire department has insufficient wildland fire suppression gear including a water tender, bladder tanks, pumps, hoses, nozzles, etc. The District has recently received wildfire suppression equipment from Parks Canada. Wildland suppression would rely on structural gear as well as response from BC Wildfire Service.

Initial attack from BC Wildfire Service aims to keep new ignitions under one hectare and held within 72 hours. Suppression success is high on the west coast of the Island because fuel moisture and weather doesn't typically get dry enough to have the fire take off and become out of control. Initial response to the Ucluelet area could be by vehicle or helicopter; it is a 15 min helicopter flight from the Port Alberni base, or a 2.5 hour drive from the Errington base. It is likely that in the event of wildfire within the Ucluelet fire protection jurisdiction, the Ucluelet Fire Department would be responsible for initial suppression. BCWS would take a supporting role and take direction from the Ucluelet Fire Department. The Ucluelet Fire Department may also be requested to provide initial suppression to areas outside their fire protection jurisdiction if BCWS is unable to respond rapidly based on the provincial response capacity.

Community Water Supply

The community has two sources of water, the Lost Shoe Creek Aquifer and Mercantile creek. The community gets 9,450 m³/day from the Lost Shoe Creek Aquifer and 3,239m³/day from Mercantile Creek. 500 cubic meters of water per day are diverted to Ucluelet First Nations. The Lost Shoe Creek Aquifer runs low during summer months. The District of Ucluelet approved a \$20.7 million plan to upgrade water treatment as well as storage to secure water supply to the area.

Electrical Infrastructure and Supply

Electrical power in Ucluelet is supplied by BC Hydro. The primary electrical transmission line servicing the District runs along Highway 4 from Port Alberni. The transmission line transports 69 KV of electricity diverging at a substation between Tofino and Ucluelet. Power is on the same transmission line for these two communities so if lines are damaged between Port Alberni and the Tofino Ucluelet Highway, both communities would be impacted. There is no District-wide backup electricity in the event of a power outage, leaving the community vulnerable should the transmission or distribution lines sustain damage in a wildfire. Currently, the Fire Hall is the only municipal structure with backup emergency power. Additionally, the High School owns a large generator that can be accessed during an emergency power outage. A number of private homeowner's own power generators, however the number owned by community members is unknown.

High Environmental Values

The natural environment is a critical pillar in the economic and social lifestyle and culture of the Ucluelet community. Its position on the edge of the west coast of Vancouver Island provides for a rich diversity of terrestrial and marine habitat to support an abundance of vegetation, wildlife, and ocean life. The forested areas around Ucluelet are comprised of Sitka spruce, western hemlock, western redcedar, Douglas-fir and Amabilis fir. These stands are adapted to high wind events and salt spray, which provide for a unique stand structure and habitat for birds. There is also the presence of sensitive and at-risk species including the northern red-legged frog (*Rana aurora*) and tall woolly-heads (*Psilocarphus elatior*)¹⁸ (a small herb). This unique coastal environment is an integral component to everyday life in Ucluelet, and draws tens of thousands of tourists during the summer season. Recreational parks and trails in Ucluelet are abundant and well-used. Because the use of these parks and trails are significantly higher in summer season due to tourism, there is an increased potential for damages to these ecosystems through littering, trampling, the introduction of invasive species, and human-caused fire ignitions. As tourism and development continues to increase, the impacts to the environmental values within and around Ucluelet must be considered and mitigation activities implemented.

¹⁸ <http://maps.gov.bc.ca/ess/hm/cdc/>

WILDFIRE RISK ASSESSMENT

A wildfire risk assessment provides a decision support tool for determining the most appropriate wildfire risk reduction activities and opportunities to increase community resiliency. Wildfire risk is different from wildfire threat in *that risk takes into consideration the impact and consequences of a wildfire event on human values*. Wildfire risk and wildfire threat are defined below.

Wildfire Risk: commonly defined as the likelihood of a fire occurring, the associated fire behaviour, and the impacts of the fire on human values (consequence). The exposure to the chance of loss from wildfire.

Wildfire Threat: The inherent ability of a wildfire to ignite, spread, and consume organic material (trees, shrubs, and other organic materials) in the forest. The major components used to define wildfire threat are fuel, weather, and topography, also known as the wildfire environment.

Wildfire Environment

The environment in which wildfire occurs is influenced by three main components: topography, vegetation (fuel), and weather. Together, these components interact to characterize the overall wildfire environment and influence wildfire behaviour (Figure 3).



FIGURE 3: THE WILDFIRE ENVIRONMENT TRIANGLE ([HTTPS://CATALOG.EXTENSION.OREGONSTATE.EDU/EM9230/HTML](https://catalog.extension.oregonstate.edu/em9230/html))

Topography

Topography is a landscape component that can influence fire behaviour, particularly slope, slope position, and aspect. Slope position and aspect can affect the temperature, solar intensity, fuel moisture, and relative humidity as a consequence of varying degrees of solar radiation. Slope affects local wind patterns, with steeper slopes facilitating greater up-slope wind speeds during the day, and fuels upslope being closer to flames during a fire. Warmer aspects ie. south facing in Canada, and steeper slopes increase the rate of spread of a fire. Fire that spreads faster is more difficult to control, making potential values situated on upper slopes more vulnerable.



Ucluelet is located on a relatively flat peninsula, surrounded by ocean on three sides (Figure 4). The land base within Ucluelet is rocky with some outcrops along the edges and small hills inland. There are no steep slopes (slopes >40% rise) on the peninsula, outside of rock outcrops. The presence of ocean on three sides is a significant barrier to the spread of wildfire. Overall, the topography around Ucluelet would help to reduce wildfire intensity and spread.

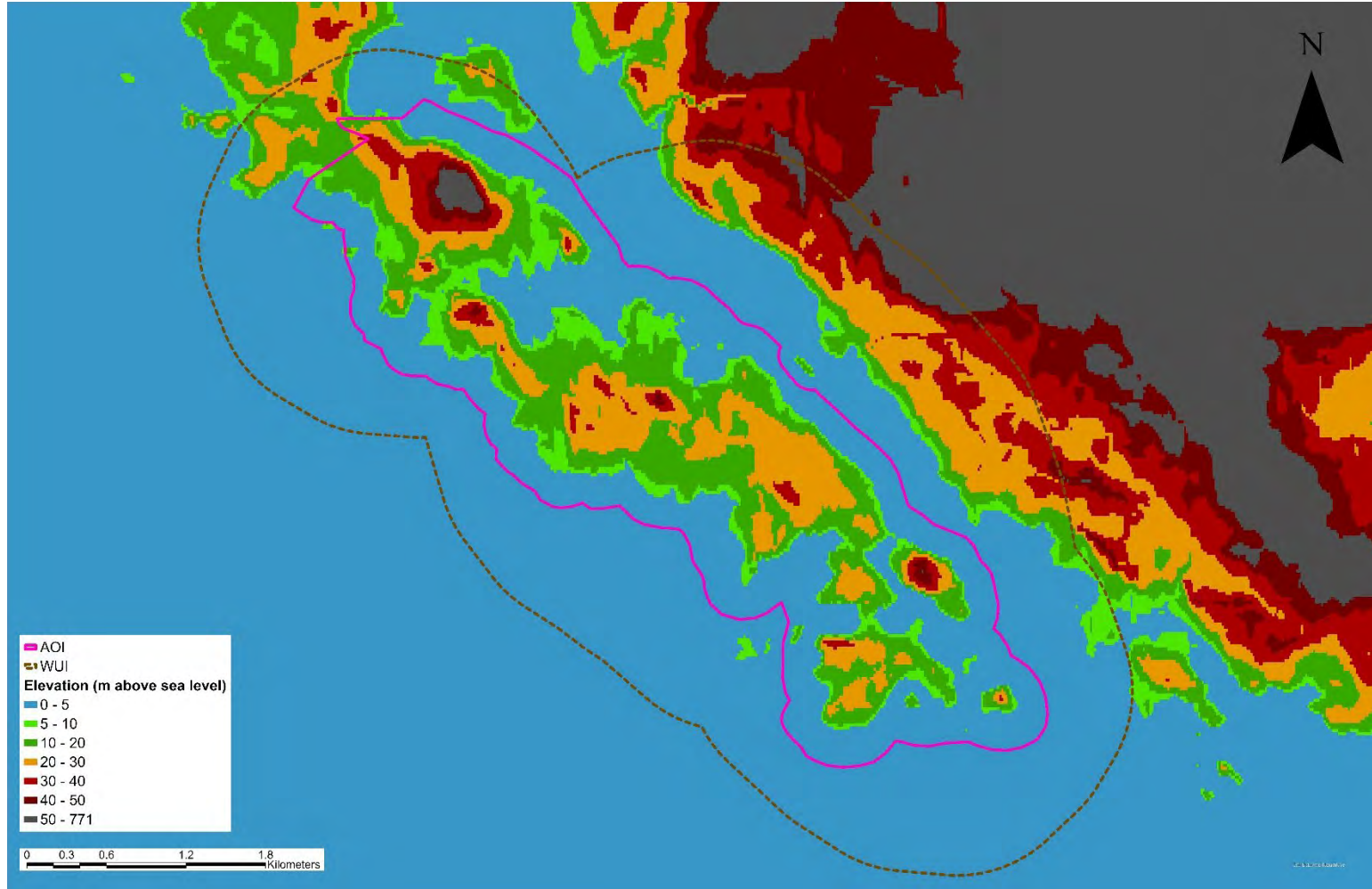


FIGURE 4: TOPOGRAPHIC MAP OF THE DISTRICT OF UCLUELET AND SURROUNDING AREA USING A PROVINCIAL DIGITAL ELEVATION MODEL.

Vegetation (Fuels)

Fuels refers to the loading, size and shape, arrangement (horizontal and vertical), compactness, chemical properties, and moisture content within organic materials. In a forest environment, the focus is primarily on woody fuels.

Biogeoclimatic Ecosystem Classification (BEC) Zones

The vegetation (fuels) within any given area of British Columbia can be summarized using the provincial Biogeoclimatic Ecosystem Classification (BEC) system. The BEC system in BC describes and categorizes ecological zones by vegetation, soils, and climate. Regional subzones are derived from relative precipitation and temperature. Subzones may be further divided into variants based upon climatic variation and the resulting changes in the vegetative communities¹⁹. By understanding the vegetative communities of an area, we can better predict the natural disturbance regime of those ecosystems and the potential effects of wildfire. The District of Ucluelet and surrounding area is comprised of one primary BEC subzone: the Very Wet Hypermaritime Coastal Western Hemlock (**CWHvh1**) (Figure 5).

Very Wet Hypermaritime Coastal Western Hemlock (CWHvh)

The CWHvh occurs at low elevations in hyper-maritime areas of the BC south coast²⁰. On Vancouver Island it is primarily restricted to a narrow coastal fringe on the outer coast of the Island between Port Renfrew up to Quatsino Sound. The CWHvh is the wettest BEC zone in BC with annual precipitation averaging over 3,000 mm. The proximity of the CWHvh to the Pacific Ocean moderates temperatures throughout the year, keeping them relatively cool. Fog, cloud, and drizzle are common throughout the year. Forest ecosystems in this subzone are dominated by western hemlock (Hw), amabilis fir (Ba), western red cedar (Cw), and Sitka spruce (SS). Common understory species include salal, Alaskan blueberry, red huckleberry, and deer fern. The disturbance regime is defined by windthrow, forest pathogens, and rare stand-replacing fires. Disturbance events are typically small or patchy in size resulting in uneven-aged, multi-storied stands across the landscape.

¹⁹ [BEC WEB \(gov.bc.ca\)](http://gov.bc.ca)

²⁰ <https://www.for.gov.bc.ca/hfd/pubs/docs/Lmh/Lmh28.pdf>

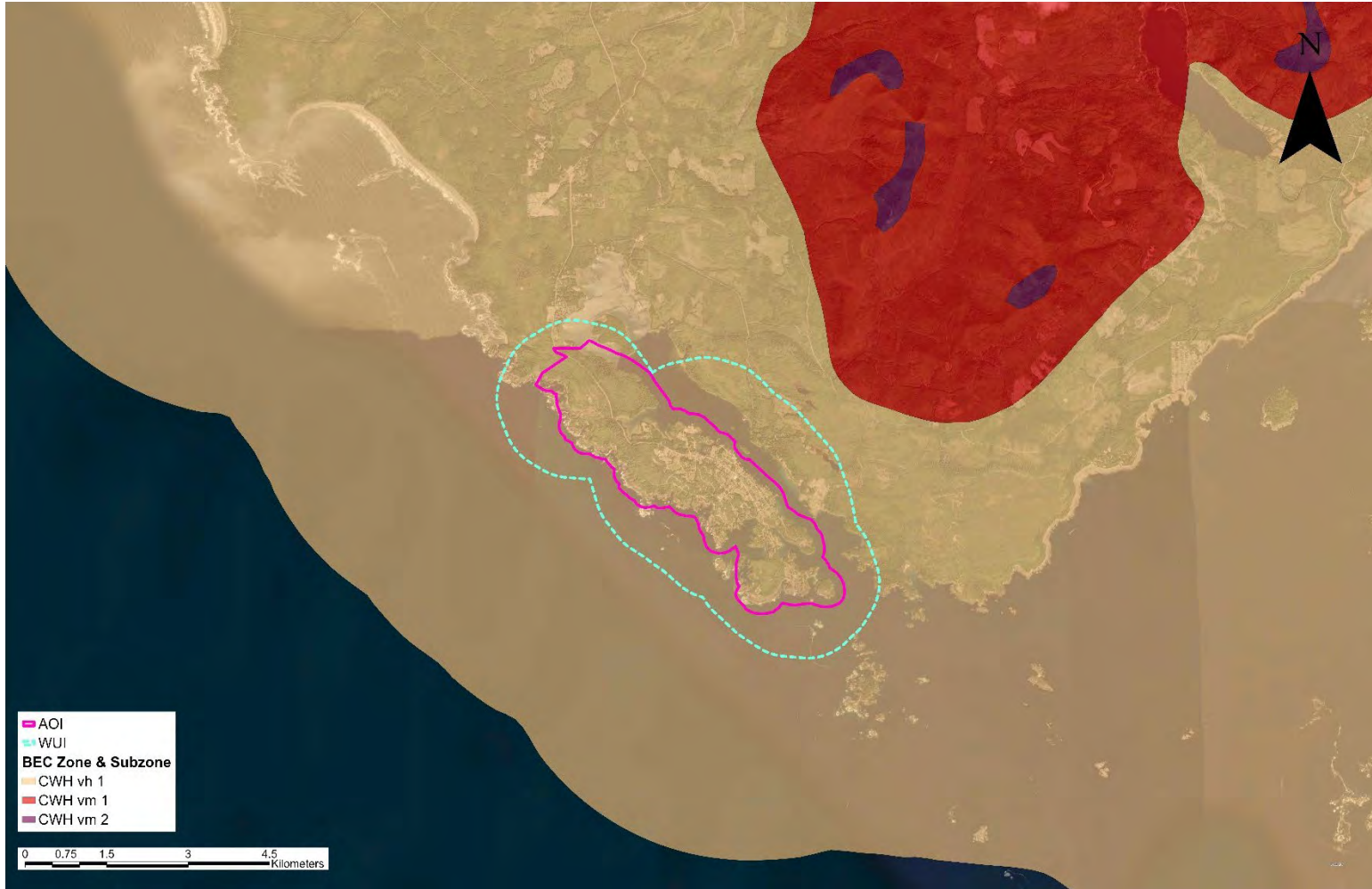


FIGURE 5: BIOGEOCLIMATIC (BEC) ZONES AROUND THE DISTRICT OF UCLUELET AND SURROUNDING AREAS

Forest Health

The District of Ucluelet is located in the Arrowsmith Timber Supply Area (TSA). Several health agents exist in the Arrowsmith TSA; however, few are significant. Root diseases, especially *Phellinus* and *Armillaria*, summer drought, risk of fire, and losses to windthrow in partial harvest areas are of highest concern²¹. Frequent storms and strong wind events occur around the Ucluelet-Tofino area; however, forest harvesting in the area is low, so a majority of forest stands are well established and continuous, and trees have developed resistance to windthrow through frequent exposure to high winds. Forest health concerns such as drought or may become more prevalent within the Ucluelet-Tofino area as climate change is anticipated to bring higher annual average temperatures and reduced rainfall in the summer months.

Weather and Climate

Weather attributes including temperature, relative humidity, precipitation, wind speed and wind direction are critical factors in the ignition, spread, and duration of wildfires. Climate is the most important factor influencing the development of forest ecosystems, providing for vegetative fuel that interacts with daily weather to create the conditions for potential wildfire behavior. The climate in Ucluelet is characterized by short cool summers, and long cool winters with high precipitation. The climate is regulated by the ocean, limiting extreme changes in temperature. On average, the warmest month is August which sees an average high temperature of 19°C. The coolest months on average is between December and February which gets an average low of 4°C and a high of 9°C²².

Ucluelet has high seasonal precipitation variability with summer months getting significantly less rain. The months of July and August sees around 75mm of monthly precipitation on average, while November through January sees nearly 500mm of monthly precipitation on average. By contrast, on the east side of Vancouver Island, Nanaimo experiences the rain shadow effect from the Vancouver Island Ranges. The result is an average monthly precipitation of 30mm in the summer months and an average monthly precipitation of 150mm November through January. This means Ucluelet receives two and a half times more rain in the summer months, and over three times more rain in the winter months. The result is a moist and lush temperate rainforest in Ucluelet that is typically not prone to fire ignitions. However, preliminary analyses of the future impacts of climate change suggest growing season moisture deficits will increase, particularly in southern and coastal BC (Spittlehouse 2008). Deficits occur where monthly precipitation is less than monthly evaporative demand (reflecting solar radiation, air temperature, relative humidity, and wind).²³ Predicted impacts of climate change on Ucluelet is discussed further in the Climate Change section below.

Wind significantly influences fire behaviour and direction of fire spread and is summarized in the wind roses from the local representative Tofino Airport weather station (Figure 6) operated by Environment Canada. Variables including wind speed, wind direction, relative humidity, and air temperature is compiled daily at 12:00 p.m. local time to provide estimates of prevailing wind directions and wind speed. The data is restricted to the core fire

²¹ https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/silviculture/silviculture-strategies/arrowsmith_tsa_irmp_situational_analysis_v1_4.pdf

²² <https://weather-and-climate.com/average-monthly-Rainfall-Temperature-Sunshine,ucluelet,Canada>

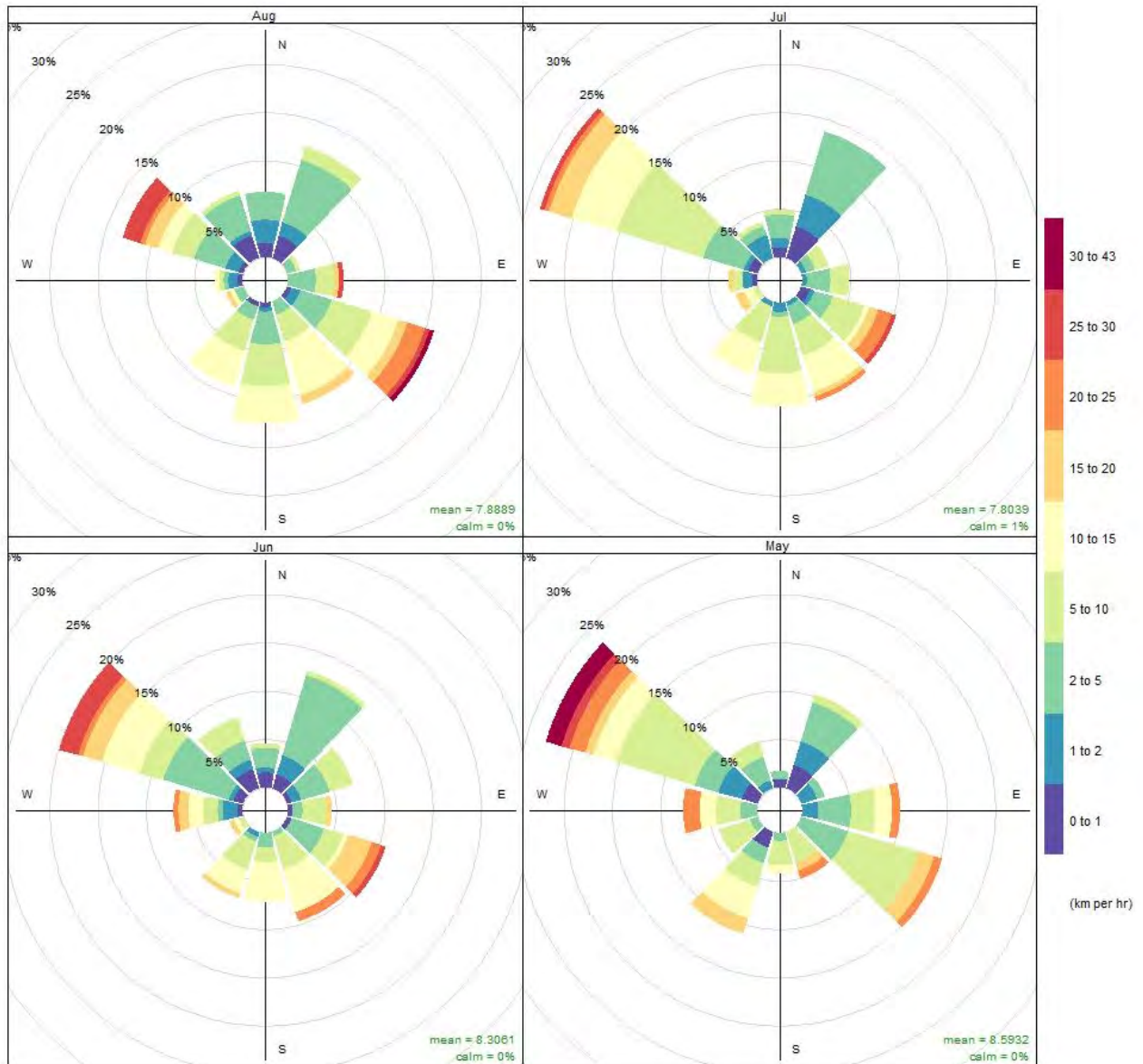
²³ https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/nrs-climate-change/applied-science/2a_va_bc-climate-change-final-aug30.pdf



season as identified by the Rationale for the development of “Core Wildfire Season” for use in the 90th Percentile Calculator²⁴, as required by forestry consultants in the Tools for Fuel Management²⁵. The core wildfire season for the Humid Maritime and Highlands eco-division where Ucluelet is located is from May 15th to August 31st. Throughout the duration of the core wildfire season, prevailing winds tend to blow primarily from the northwest and southeast.

²⁴ https://wps-prod.apps.silver.devops.gov.bc.ca/static/media/90th_percentile_calculator_rationale.d02b2d447dc0912b8405.pdf

²⁵ <https://www2.gov.bc.ca/gov/content/safety/wildfire-status/prevention/vegetation-and-fuel-management/fire-fuel-management/fuel-management>



Frequency of counts by wind direction (%)

FIGURE 6: WIND ROSES DERIVED FROM THE TOFINO WEATHER STATION THROUGHOUT MAY TO AUGUST FOR YEARS 2015 TO 2022.

Climate Change

An important component of building community resiliency is recognizing the potential impacts of climate change and being proactive in preparing the community for those changes. Although wildfire historically has not been a significant natural ecosystem disturbance on the west coast of Vancouver Island, ecosystem structures and the disturbances acting on them may shift under a changing climate. For Ucluelet, projections and predictions made utilizing the ClimateBC climate model program (Wang et al), were used to determine some basic potential future climate variables including precipitation and temperature in both the winter and summer seasonal windows. Different ranges of 30-year increments were selected to represent three different future timeframes, 2011-2040, 2041-2070, 2071-2100. Recorded temperature and precipitation from a current year range of 1991-2020 was modeled using the same program and guidelines to ensure an even comparison. Each of these ranges were modeled to get a representation of the change over time the area could potentially experience in both temperature and precipitation, given predetermined climate change algorithms. A detailed summary of the model and algorithms used can be found in Appendix B: Climate Modeling Using Climate BC.

The following tables show the modeled values for seasonal temperature and seasonal precipitation for both the current period and each 30-year future period up to the year 2100.

TABLE 4: CLIMATE MODEL PROJECTIONS TABLE FOR WINTER PRECIPITATION (MM). BLUE PERCENT CHANGES DEPICT AN INCREASE IN OVERALL PRECIPITATION

Time Period	Season	Precipitation Range (mm)	Difference (mm)	% Change
Current (1990 - 2020)	Winter	1115 - 2298	0	0
2040 (2011 - 2040)	Winter	1169 - 2425	+73	+ 6%
2070 (2041 - 2070)	Winter	1227 - 2542	+132	+ 11%
2100 (2071 - 2100)	Winter	1246 - 2589	+160	+ 13.5%

TABLE 5: CLIMATE MODEL PROJECTIONS TABLE FOR SUMMER PRECIPITATION (MM). BLUE PERCENT CHANGES DEPICT AN INCREASE IN OVERALL PRECIPITATION. YELLOW PERCENT CHANGES DEPICT A DECREASE IN OVERALL PRECIPITATION

Time Period	Season	Precipitation Range (mm)	Difference (mm)	% Change
Current (1990 - 2020)	Summer	247 - 614	0	0
2040 (2011 - 2040)	Summer	242 - 608	-1	- 0.27%
2070 (2041 - 2070)	Summer	241 - 613	+5	+ 1.36%
2100 (2071 - 2100)	Summer	231 - 589	-9	-2.45%

Table 4 above demonstrates a fairly steady increase in predicted precipitation during the winter season. Table 5 shows that changes in precipitation during the summer season over the next 80 years is uncertain and will likely be similar to current levels of summer precipitation, or slightly less. It is important to note that precipitation projections, particularly regional and seasonal patterns, contain much more uncertainty than temperature projections.

TABLE 6: CLIMATE MODEL PROJECTIONS TABLE FOR WINTER TEMPERATURE (°C). ORANGE PERCENT CHANGES DEPICT AN INCREASE IN RELATIVE TEMPERATURE

Time Period	Season	Temperature Range (°C)	Difference (°C)	% Change
Current (1990 - 2020)	Winter	(-1.4) - 5.8	0	0
2040 (2011 - 2040)	Winter	(-1.1) - 6.1	0.3	4.2%
2070 (2041 - 2070)	Winter	(-0.2) - 7	1.2	16.7%
2100 (2071 - 2100)	Winter	0.5 - 7.7	1.9	26.4%

TABLE 7: CLIMATE MODEL PROJECTIONS TABLE FOR SUMMER TEMPERATURE (°C). ORANGE PERCENT CHANGES DEPICT AN INCREASE IN RELATIVE TEMPERATURE

Time Period	Season	Temperature Range (°C)	Difference (°C)	% Change
Current (1990 - 2020)	Summer	11.4 - 15.6	0	0
2040 (2011 - 2040)	Summer	12.3 - 16.5	0.9	21.4%
2070 (2041 - 2070)	Summer	13.2 - 17.4	1.8	42.9%
2100 (2071 - 2100)	Summer	14 - 18.2	2.6	61.9%

Table 6 and Table 7 above demonstrate that temperatures in both the winter and summer seasons are predicted to increase significantly in the next 80 years, relative to current temperature ranges. Therefore, winters in Ucluelet are predicted to be warmer and wetter, with a predicted increase in extreme storm and wind events. Of particular concern is a greater than 60% predicted increase in summer temperatures by 2100, with little predicted changes in summer precipitation. Despite predicted wetter winters, if summers on the west coast become warmer with similar precipitation patterns or slightly less precipitation, this can have substantial impacts on terrestrial communities and tree survival. Preliminary analyses suggest growing season moisture deficits will increase in coastal BC²⁶. Moisture deficits occur where monthly precipitation is less than the monthly evaporative demand (reflecting solar radiation, air temperature and humidity, and wind). This can lead to drier conditions and therefore increased fire danger. Moisture deficits and potential for resulting tree mortality can cause both increased ignition potential and fuel build up on coastal areas, thereby enhancing conditions for wildfire events.

²⁶ https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/nrs-climate-change/applied-science/2a_va_bc-climate-change-final-aug30.pdf

Wildfire History

The natural disturbance regime along the west coast of Vancouver Island is characterized by rare stand-initiating disturbance events and are categorized as a Natural Disturbance Type (NDT) 1. Disturbance events are dominated by wind, landslide, pathogen, or fire events that are small and patchy in size²⁷. The Ucluelet area is surrounded by temperate rainforest and water. The fuel arrangement is primarily old growth west coastal forest. As a result, historical documented wildfires in the Ucluelet-Tofino area greater than a few hectares in size are very rare (Figure 7). Provincial historical data shows there was one documented wildfire near the Tofino airport that occurred in 1958 and was 26 ha in size. Wildfires become more frequent moving inland on Vancouver Island as climatic and geographic factors allow for drier conditions.

An interview with Joshua Macy, Wildfire Officer for the Mid Island Fire Zone - Errington/Port Alberni, provided insight into the wildfire behaviour and history on the west coast of Vancouver Island. There are little to no natural occurrence of fires and no known history of cultural burning by local First Nations. Fires in the area are human caused and typically occur in artificially created fuel types ie. open grass, slash, and under very specific weather conditions. Recreation fire starts are more common inland towards the Kennedy Lake area. Fire ignitions rarely grow to be over a few hectares and remain on the ground as surface fires. Currently, the greatest fire concern for Ucluelet is the spread of structure-to-structure fires via grasses, cedar shrubs, cedar trees, etc. as a majority of homes are situated in close proximity to forests and vegetation.

Larger fires in the area are most likely to occur as a result of industrial burning, such as licensees burning cured slash after harvest. Fire abatement after harvest is a legal responsibility of forest licensees, however waste and residue removal after harvest on the coast is often unsuccessful. A harvest block full of cedar slash on a south facing slope could cause a very intense fire under the right conditions. Wildland firefighting on coastal terrain is very tough and slow in steep areas; there are many danger trees to navigate, minimal opportunity to use machinery, a very long mop up process, and an intensive use of resources. This makes suppression much more difficult than in interior BC terrain.

Under current climate conditions, the Kennedy Lake area and Ucluelet peninsula have a very high buildup of fuels due to a lack of stand-replacing disturbance events in the highly productive temperate rainforest ecosystem. There is the possibility that this becomes a concern in the future under climate change if drought conditions and the right weather conditions for burning increase in frequency.

²⁷ https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/cariboo-region/cariboochilcotin-rlup/biodiversity_guidebook.pdf

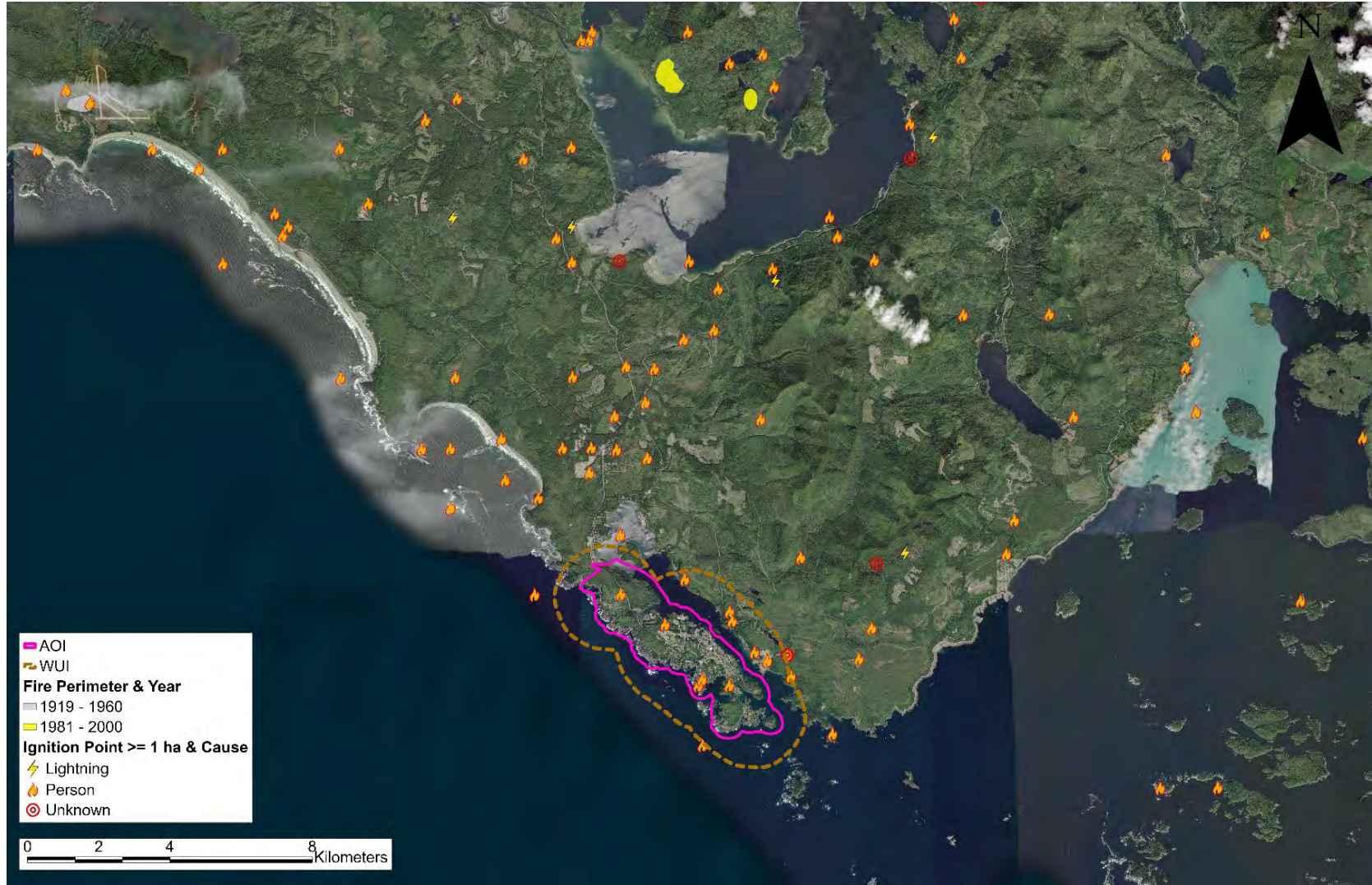


FIGURE 7: FIRE HISTORY OVERVIEW MAP INDICATING EXTENT OF HISTORICAL FIRE PERIMETERS, AND LOCATIONS OF WILDFIRE IGNITIONS RESULTING IN FIRES ONE OR MORE HECTARES IN SIZE.

Fuel Types

The Canadian Forest Fire Behaviour Prediction (FBP) System outlines five major fuel groups and sixteen fuel types modeled based on characteristic fire behaviour within common boreal vegetation under defined weather conditions²⁸. In general, fuel types are defined in the FBP System by overall vegetation structure, dominant overstory species, and understory, ladder fuel, and forest floor characteristics²⁹. Fuel typing is a subjective process, as many of the vegetation communities of BC are not suitably represented by the boreal-based FBP fuel types. Therefore, the most appropriate fuel types were assigned based on best-available scientific research and information, professional experience, and practical knowledge. There are notable limitations with the fuel typing system for the purpose of this CWRP including: a fuel typing system designed to describe fuels which do not occur within the AOI, fuel types which cannot accurately capture the natural variability within a spatial polygon, and limitation in the data used to create the initial fuel types.

The most prevalent forested fuel types on the landscape around the District of Ucluelet are C-5 and D-1/2, with minor components of M-1/2 and C-3 (Figure 8). Table 8 below provides further description of each of the prevalent fuel types. The C-5 fuel type is characterized by mature, lower density conifer stands with well-developed deciduous shrub understories³⁰. They generally have low potential for active crown fire and therefore a lower expected fire intensity or rate of spread when compared to other conifer-dominated fuel types. Fires in this fuel type would primarily burn as a surface fire. However, this potential can increase significantly when wind-driven and/or under drought conditions due to heavy buildup of surface fuels generally present in mature coastal stands. The D-1/2 fuel type is considered to have a very low hazard for crown fire or spotting potential due to high moisture retention in foliage, with fires primarily burning as a surface fire.

TABLE 8. FUEL TYPES IDENTIFIED WITHIN THE WILDLAND URBAN INTERFACE OF UCLUELET

Fuel Type	FBP/ CFDDRS Description	BC/AOI Description	Wildfire Behaviour Under High Wildfire Danger Level	Fuel Type- Crown Fire/ Spotting Potential
C-3	Mature jack or lodgepole pine. Stands that have matured at least to the stage of complete crown closure.	Dense immature stands containing Douglas fir, western redcedar and/or western hemlock. Understory conifer layers may be present.	Surface and crown fire, potential for very high fire intensity and rate of spread	High

²⁸ <https://cfs.nrcan.gc.ca/publications?id=10068>

²⁹ Perrakis, D. and G. Eade. 2015. BC Wildfire Service. Ministry of Forests, Lands, and Natural Resource Operations. British Columbia Wildfire Fuel Typing and Fuel Type Layer Description 2018 Version. <https://cfs.nrcan.gc.ca/publications?id=39432>

³⁰ https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/wildfire-management/fire-fuel-management/bcws_bc_provincial_fuel_type_layer_overview_2015_report.pdf

Fuel Type	FBP/ CFDDRS Description	BC/AOI Description	Wildfire Behaviour Under High Wildfire Danger Level	Fuel Type- Crown Fire/ Spotting Potential
C-5	Mature stands of red pine and eastern white pine. The understory is of moderate density of conifers and/or deciduous shrubs.	Mature, low density coastal vegetation communities of mature Douglas-fir, western hemlock and/or western redcedar. High crown base height and high deciduous shrub component. Often accompanied by dead woody fuel accumulations.	Low potential for active crown fire. Under drought conditions, fuel consumption and fire intensity can be higher due to dead woody fuels	Low-Moderate
D-1/2	Pure aspen stand (leafless and green). A conifer understory is noticeably absent.	Deciduous stands with greater than 80% deciduous overstory composition.	Always a surface fire, low to moderate rate of spread and fire intensity	Very Low
M-1/2	Boreal mixedwood (leafless and green) comprised of various coniferous and deciduous species.	Moderately well-stocked mixed stand of conifers (20-80%) and deciduous species, low to moderate dead, down woody fuels.	Surface fire spread, torching of individual trees and intermittent crowning, (depending on slope and percent conifer)	<26% conifer (Very Low); 26-49% Conifer (Low-Moderate); >50% Conifer (Moderate-High)

The original provincial fuel type dataset was relatively accurate, with the exception of non-fuel development within the Ucluelet town core mapped as D-1/2 deciduous forest. This error did not have an impact on the existing wildfire threat ratings as both deciduous stands and non-fuel areas have very low wildfire intensity potential. For these particular fuel type change polygons, wildfire threat was determined to be Low. There were also a couple instances where a C-3 stand was mapped as a C-5 stand in the provincial dataset, however these C-3 stands were typically more open than a typical C-3 stand.



FIGURE 8: FUEL TYPES WITHIN THE UCLUELET WUI AND SURROUNDING AREAS.

Canadian Forest Fire Danger Rating System (CFFDRS)

The national Canadian Forestry Service developed the Canadian Forest Fire Danger Rating System (CFFDRS) to assess fire danger and potential fire behaviour. Fire Danger Classes provide a relative index of how easy it is to ignite a fire and how difficult control is likely to be. A network of fire weather stations is maintained throughout the province during the fire season by the MFLNRORD, and the recorded data are used to determine fire danger represented by Fire Danger Classes on forest lands within/around a community. The fire danger information can be obtained from the BCWS and is most commonly utilized by municipalities and regional districts to monitor fire weather, restrict high risk activities when appropriate, and to determine hazard ratings associated with bans and closures.

The BC *Wildfire Act* [BC 2004]³¹ and *Wildfire Regulation* [BC Part 3/2021]³² specify responsibilities and obligations with respect to fire use, prevention, control, and rehabilitation, and restrict high risk activities based on Fire Danger Classes. The five Fire Danger Classes are defined as follows:

- **Class 1 (Very Low):** Fires are likely to be self-extinguishing and new ignitions are unlikely. Any existing fires are limited to smoldering in deep, drier layers.
- **Class 2 (Low):** Creeping or gentle surface fires. Ground crews easily contain fires with pumps and hand tools.
- **Class 3 (Moderate):** Moderate to vigorous surface fires with intermittent crown involvement. They are challenging for ground crews to handle; heavy equipment (bulldozers, tanker trucks, and aircraft) are often required to contain these fires.
- **Class 4 (High):** High-intensity fires with partial to full crown involvement. Head fire conditions are beyond the ability of ground crews; air attack with retardant is required to effectively attack the fire's head.
- **Class 5 (Extreme):** Fires with fast spreading, high-intensity crown fire. These fires are very difficult to control. Suppression actions are limited to flanks, with only indirect actions possible against the fire's head.

An analysis of fire danger information for the area showed that Ucluelet has historically never reached **High** or **Extreme** fire danger ratings. However, the area has experienced days of Moderate fire danger rating during drier months such as July and August. As mean summer temperatures are predicted to rise and summer precipitation is predicted to remain constant or decrease slightly under a changing climate, this can significantly impact moisture levels in both the atmosphere and vegetative fuels. As a result, there is strong potential for Ucluelet to start experiencing increased number of days of **Moderate** fire danger and even **High** fire danger days.

³¹ https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/04031_01

³² https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/11_38_2005

Fire Threat: PSTA

The Provincial Strategic Threat Analysis (PSTA) Fire Threat Rating is a spatial dataset developed by the BC Wildfire Service to assess and predict potential wildfire threat and risk to values, utilizing three primary inputs including: fire occurrence density, spotting impact, and head fire intensity³³. Values ranging from 1 to 10 are generated based on an average weighting process of the aforementioned three inputs. The values were then grouped into the following general threat class descriptions: **low (1-3); moderate (4-6); high (7-8); and, extreme (9-10)**. Water bodies were automatically given a value of ‘no threat’ (-1). The PSTA analysis has historically not been completed for private land, so private land is automatically given a value of ‘no data’ (-2).

Within the Ucluelet area, wildfire hazard is generally low throughout. The Port Albion region across the Ucluelet inlet has the highest identified wildfire threat in the Ucluelet fire protection area based on knowledge from local wildfire officer Joshua Macy. Figure 9 shows the breakdown of PSTA fire threat rating values within and around the District of Ucluelet. A large proportion (>50%) of the WUI is classified as ‘no threat’ due to the surrounding water. The high proportion of private land within the District has resulted in 30% of the WUI classified as having ‘no data’ available. As a result, there is minimal data depicting the potential threat of the vegetative areas within the District. The threat data outside the Ucluelet WUI shows that the surrounding forested C-5 and C-3 fuel types have an overall threatening rating of **Moderate**. From this, we can assume that the forested C-5 and C-3 areas within parks and private land in the District also have a fire threat rating of Moderate. Deciduous forests will have a fire threat rating of Low.

³³ <https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/wildfire-status/prevention/fire-fuel-management/fuels-management/2020-wildfire-threat-assessment-guide-final.pdf>

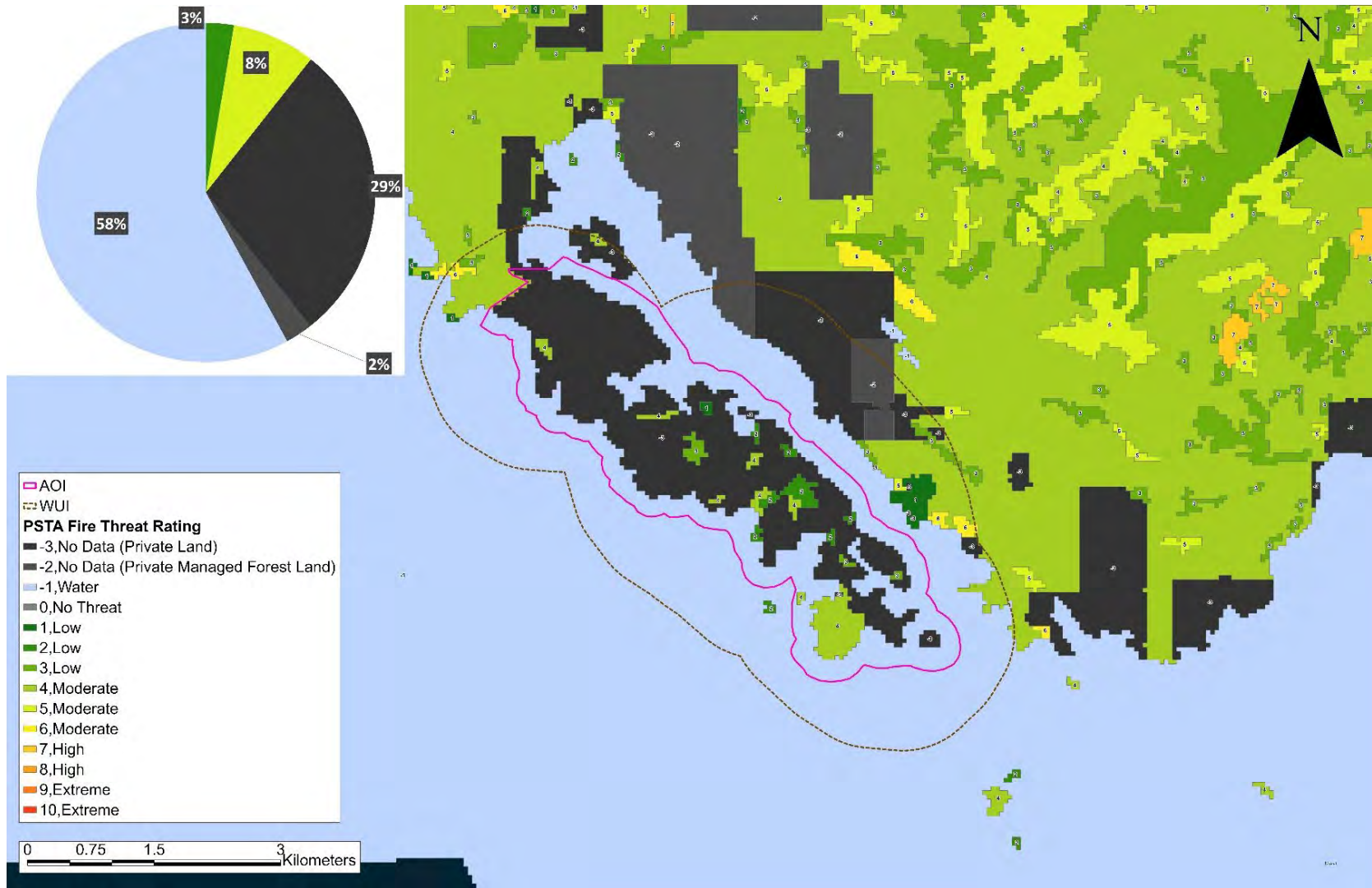


FIGURE 9: PROPORTION OF EACH PSTA THREAT RATING CLASS WITHIN THE UCLUELET WUI.

Local Wildfire Threat Assessment

Part of the process of developing this CWRP involves on-the-ground verification and assessment of local vegetation types and the inherent wildfire threat of forested areas within and around a community. Wildfire threat is assessed using the Wildfire Threat Assessment (WTA) tool developed by BC Wildfire Service³⁴, which focuses on forest stand attributes and fuel structure, independent of fire weather and other fire behaviour components which are contained in the PSTA data.

The authoring forester completed field verification and wildfire threat analysis for the Ucluelet WUI. Ten Wildfire Threat Assessments were completed in various forested areas (Figure 10); 50% of assessed areas achieved a wildfire threat rating of **Moderate**, 30% a **Low** threat rating, and 20% a **High threat rating**. Fire threat differs from fire risk in that fire threat does not take into account proximity to values or the consequence of damage to those values in a wildfire event. Low and Moderate wildfire threat ratings were associated with C-5 forest fuel types, while the High wildfire threat ratings were associated with denser C-3 forest fuel types. Figure 10 below contains a table outlining the wildfire threat rating for each completed WTA.

³⁴ <https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/wildfire-status/prevention/fire-fuel-management/fuels-management/2020-wildfire-threat-assesment-guide-final.pdf>

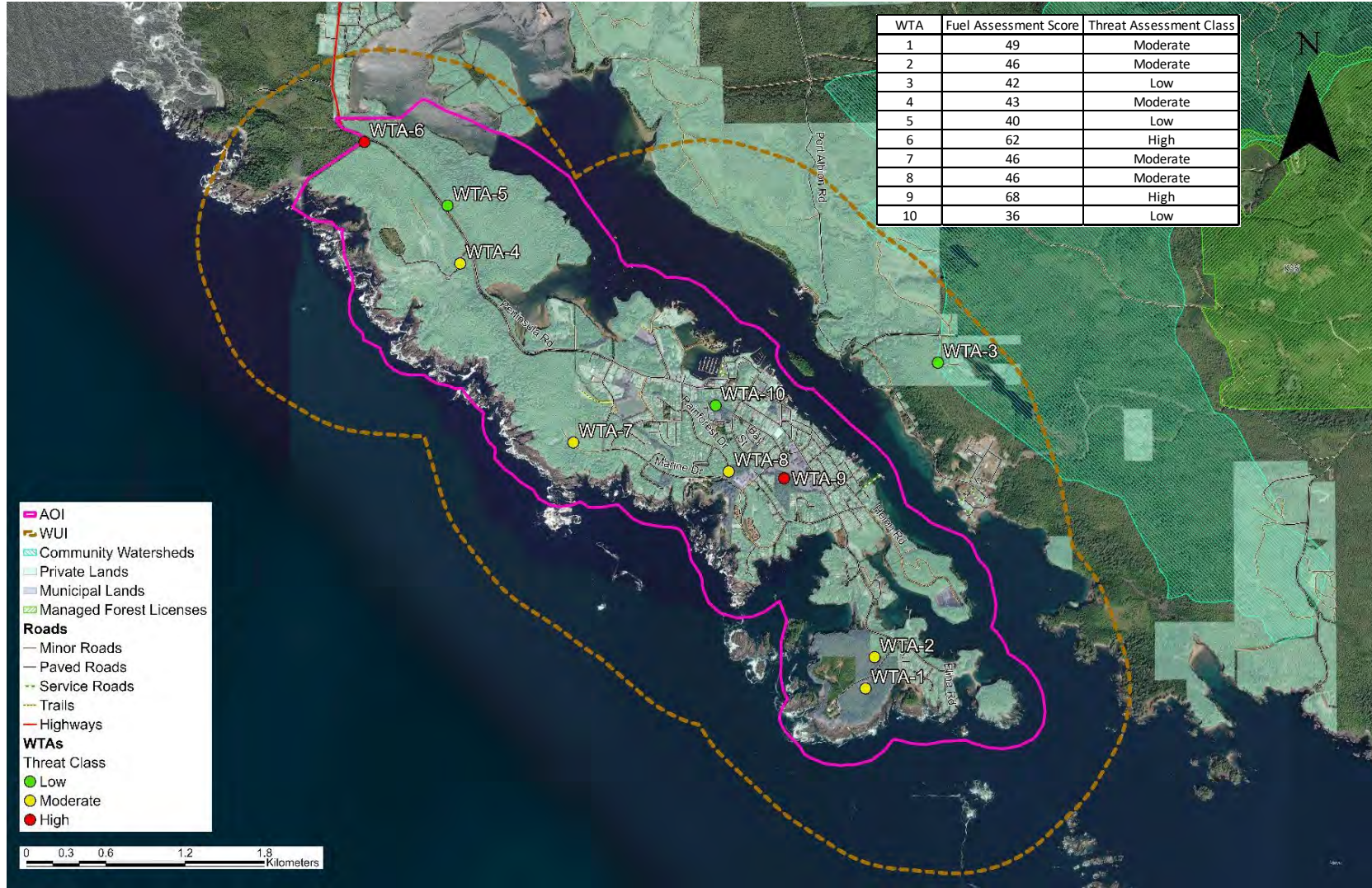


FIGURE 10: WILDFIRE THREAT ASSESSMENTS (WTA) COMPLETED THROUGHOUT THE UCLUELET WUI AREA.

Local Wildfire Risk Assessment

Stand attributes, fuel structure and landscape information collected in the WTA is used in conjunction with the provincial PSTA Wildfire Density and Spotting Impact spatial datasets to develop a new PSTA Fire Threat Rating that more accurately reflects local characteristics. The new PSTA Fire Threat Rating is then used along with proximity to values, and landscape and topographic data to develop an overall wildfire risk score and relative risk classification (Table 9). Wildfire risk differs from wildfire threat in that it takes into consideration the proximity of human values to the vegetated area being assessed. Table 9 outlines the updated Wildfire Risk scores based on the revised local wildfire threat score from collected field data. Determining wildfire risk helps foresters identify vegetative areas within or around a community that would benefit from vegetative and fuel management treatments to help reduce the overall threat to surrounding values. Forested areas identified for fuel management within the Ucluelet WUI are presented in the **VEGETATION MANAGEMENT** section of this CWRP.

TABLE 9: REVISED LOCAL WILDFIRE THREAT SCORE BASED ON WTA DATA AND TOPOGRAPHICAL FEATURES USED TO CALCULATE OVERALL WILDFIRE RISK SCORES AND CLASSIFICATION. WEIGHTING FOR EACH INPUT IS SHOWN IN BRACKETS.

WTA ID	Local Threat Score (30%)	Proximity (30%)	Fire Spread Patterns (30%)	Slope Position (5%)	Slope % (5%)	Total Wildfire Risk Score	Relative Risk Classification
1	3.5	8	7	1	1	5.7	Moderate
2	3.5	8	7	1	1	5.7	Moderate
3	1.5	10	7	2	1	5.7	Moderate
4	3.3	8	10	1	1	6.5	Moderate
5	1.5	10	10	1	1	6.6	Moderate
6	5.3	2	10	1	1	5.3	Moderate
7	3.3	8	7	2	1	5.6	Moderate
8	3.5	10	10	2	2	7.3	High
9	5.2	10	10	2	2	7.8	High
10	1.7	10	10	1	1	6.6	Moderate

The Relative Risk Classification scoring system is outlined in the BCWS document *Determining Wildfire Threat and Risk at a Local Level*³⁵ and is summarized in Table 10 below. A detailed breakdown of the risk assessment inputs and methodology can be found in Appendix A: Determining Wildfire Threat and Risk at a Local Level Based on Updated Fuel Types.

³⁵ https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/wildfire-status/prevention/fire-fuel-management/fuels-management/2020_determining_wildfire_threat_and_risk_at_a_local_level.pdf

TABLE 10: THE WEIGHTED WILDFIRE RISK SCORE (OUT OF 10) AND THE CORRESPONDING RELATIVE WILDFIRE RISK CLASSIFICATION FROM THE BCWS *DETERMINING WILDFIRE THREAT AND RISK AT A LOCAL LEVEL* DOCUMENT.

Relative Wildfire Risk Classification	Weighted Wildfire Risk Score
Low	0 - 3.9
Moderate	4 – 6.9
High	7 – 8.9
Extreme	9 - 10

FIRESMART DISCIPLINES

EDUCATION

Public education and outreach efforts help community members learn about wildfire and its potential impacts to their communities. In addition, these efforts should be designed to help individuals understand their role in taking action to reduce risk. Education and outreach activities are designed for all groups to benefit, including elected officials, community planners, residents, visitors, businesses, land managers, first responders, and more.

Effective education is important to inform community members about the risk of wildfire and ways to minimize that risk. It is important that information is shared accurately and clearly to be effective at informing the target audience. The following sections will identify areas of focus, delivery methods, and actions to provide education.

FireSmart BC³⁶ and FireSmart Canada³⁷ provide several resources that are available to communities to learn about reducing their risk of wildfire. These websites provide a number of resources such as brochures, video, posters, and guidebooks that can be distributed within the community. Community websites and social media accounts can also be valuable resources to connect with the community and a broader audience, and to distribute information from FireSmart Resources. It is important to put regular updates on website and social media accounts about FireSmart information, events, meetings, and informing on the publication of the CWRP.

There are a number of training programs through FireSmart BC that can help educate the community, such as the FireSmart 101 or Wildfire Risk Reduction courses³⁸, and Local FireSmart Representative (LFR) training workshop. Local FireSmart Representatives are individuals trained to understand the wildland fire hazard assessment process and appropriate wildfire mitigation measures available to individuals or neighbourhoods. The LFR workshop is designed to assist participants in becoming familiar with and implement all components of the FireSmart Canada Neighborhood Recognition Program.

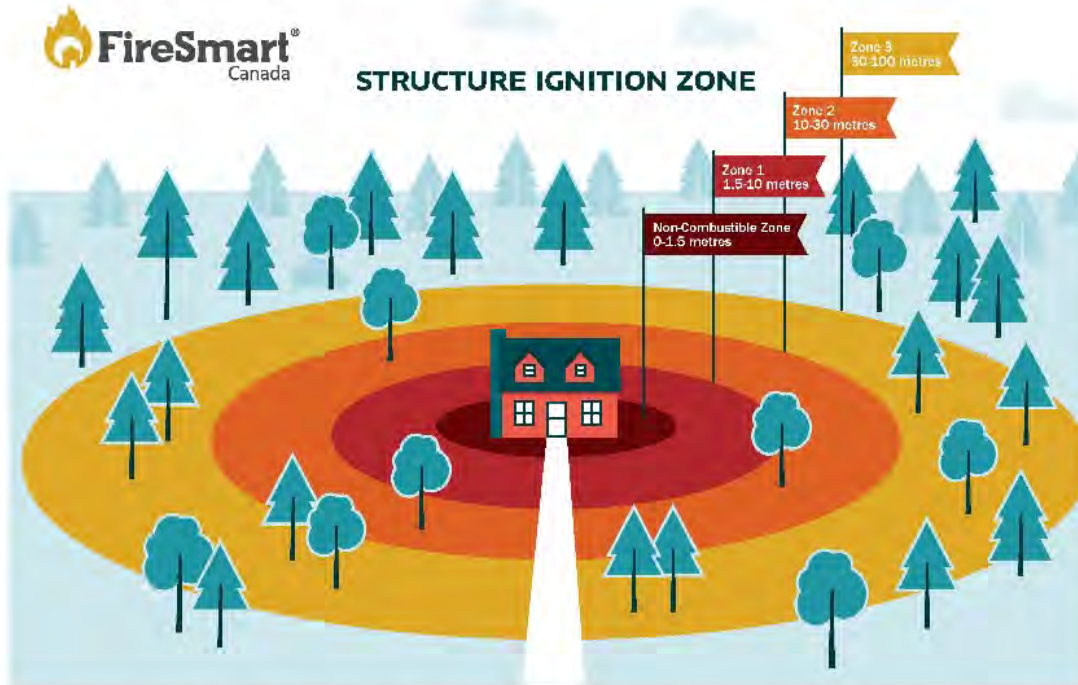
FireSmart Canada's Neighbourhood Recognition Program³⁹ educates community members on how to increase their home's chance of survival in the event of a wildfire through proactive actions, while encouraging neighbours to work together to reduce losses and damage. The more neighbourhoods that become recognized, the safer the community is as a whole. The mitigation actions that are developed for the FireSmart Neighbourhood Recognition Program align with the recommendations of this CWRP. Homeowners are encouraged to implement FireSmart recommendations around their homes to further increase their home's chance of survival; the most important zone is the first 1.5m around the home (non-combustible zone) (Figure 11).

³⁶ <https://firesmartbc.ca/>

³⁷ <https://www.firesmartcanada.ca/>

³⁸ [Courses | FireSmart BC](#)

³⁹ [How to apply for the FireSmart Canada Neighbourhood Recognition Program \(FCNRP\) | FireSmart BC](#)



Work with your neighbours in any overlapping priority zones!

<p>Non-combustible Zone (0-1.5 metres)</p>	<p>Reduce the chance of wind-blown embers igniting materials near your home. A non-combustible surface should extend around the entire home and any attachments, such as decks. Creating a non-combustible surface can be as easy clearing vegetation and combustible material down to mineral soil. To add to your landscape design, use non-combustible materials such as gravel, brick, or concrete in this critical area adjacent to your home. Woody shrubs, trees or tree branches should be avoided in this zone, any that are present should be properly mitigated.</p>
<p>Zone 1 (1.5-10 metres)</p>	<p>Create a landscape that will not easily transmit fire to the home. A FireSmart yard includes making smart choices for your plants, shrubs, grass and mulch. Selecting fire resistant plants and materials can increase the likelihood of your home surviving a wildfire. Plant a low density of fire-resistant plants and shrubs. Avoid having any woody debris, including mulch, as it provides potential places for fires to start. Storing items such as firewood piles, construction materials, patio furniture, tools and decorative pieces against or near a house is a major fire hazard. Move firewood piles, trailers/ recreational vehicles, storage sheds and other combustible structures out of this zone and into Zone 2. If unable to move, store firewood inside your mitigated garage, shed or other ember resistant structures, create a non combustible zone underneath and for 1.5 metres around trailers/ vehicles and mitigate sheds and other structures to the same standards as those of your home.</p>
<p>Zone 2 (10-30 metres)</p>	<p>If your property extends out to this zone, thin and prune evergreen trees to reduce hazard in this area. Within 30 metres of your home, selectively remove evergreen trees to create at least 3 metres of horizontal space between the single or grouped tree crowns and remove all branches to a height of 2 metres from the ground on the remaining evergreen trees. If possible, pruning trees up to 100 metres from your home (Zone 3) is recommended. Regularly clean up accumulations of fallen branches, dry grass and needles from on the ground to eliminate potential surface fuels. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for this zone.</p>
<p>Zone 3 (30-100 metres)</p>	<p>Taking FireSmart actions in Zone 3 on your property will influence how a wildfire approaches your home. You can change the dynamics of wildfire behaviour by managing vegetation within this zone. Look for opportunities to create a fire break by creating space between trees and other potentially flammable vegetation. Thinning and pruning is effective here as well. These actions will help reduce the intensity of a wildfire. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for this zone.</p>

FIGURE 11: FIRESMART HOME IGNITION ZONES

https://firesmartcanada.ca/wp-content/uploads/2022/01/FS_HOME-IGNITION-ZONE-POSTER.PDF

Current Status and Action Planning

Historically, FireSmart has not been a focus within the Ucluelet community due to a wet climate and lack of historical wildfire occurrences. As a result, there is minimal FireSmart resources put out by the District of Ucluelet. For example, FireSmart education and promotion is not currently offered to the public on the District website. However, the Alberni-Clayoquot Regional District provides FireSmart information on their website,⁴⁰ including information on the home assessments and rebate program, as well as resources such as the FireSmart homeowner's manual, landscaping guide, evacuation checklist, and fact sheets. The following are recommended action items for the District of Ucluelet to increase FireSmart awareness, education and action within the community:

Action #1: Read and understand this CWRP's identified risks and recommended actions.

Action #2: Hold a FireSmart event/open house to introduce FireSmart concepts to community members and educate them on things they can do around their homes to reduce fire hazard. This should be held annually between May and October.

Action #3: Hire a fulltime or parttime FireSmart Coordinator. This position will be required by 2024 to receive funding and will run all aspects of the FireSmart program for the District and generally support many aspects of this CWRP. The Fire Department is currently in the process of hiring a Deputy Fire Chief who will be responsible for coordinating FireSmart activities. The District should apply for funding through CRI to help support this position.

Action #4: Distribute FireSmart promotional resources to members of the public at local businesses, FireSmart events, farmers markets or other community events.

Action #5: Promote/encourage and complete FireSmart Home Assessments on private property for those community members who are interested. Provide recommendations on actions they can take to make their homes more FireSmart and reduce the risk of loss and damages in the event of a wildfire

Action #6: Organize Community Chipper Day(s) and/or Community Cleanup Day(s) to assist homeowners with removal of hazardous vegetation and debris around their homes. Given the municipal restriction on all open burning larger than a campfire, more than Chipper Day a year may be necessary.

Action #7: Encourage private property/homeowners to have a FireSmart Home Assessment completed and implement FireSmart activities around their homes utilizing the FireSmart rebate program through use of social media, the internet, and FireSmart events.

Action #8: Inform the community about upcoming FireSmart events via the internet, social media and public newsletter. Communications should be coordinated with the ACRD and Tofino if possible.

Action #9: Put up educational signage along major tourist trails warning of the role people play in preventing wildfire ignitions.

Action #10: Apply for FireSmart Canada's Neighbourhood Recognition Program. Once recognized, annually renew for FireSmart Recognition.

⁴⁰ <https://www.acrd.bc.ca/firesmart>

LEGISLATION AND PLANNING

Legislation and Regulation can be a very effective tool for reducing wildfire risk on provincial crown lands and within the administrative boundaries of a local government or First Nation community. Provincial acts and regulations provide the means for local governments and First Nation communities to implement wildfire risk reduction actions through by-laws.

Municipal Bylaws

The following municipal bylaws relating to wildfire protection currently exist for the District Ucluelet:

District of Ucluelet Fire Department Establishment, and Fire and Safety Regulations, Bylaw No. 1251, 2019

A bylaw for the establishment and regulation of a fire department, and to provide for the prevention of fire and the protection of persons and property in the District of Ucluelet and fire service agreement areas.

5.2. The Ucluelet Volunteer Fire Brigade (UVFB) may respond to an incident outside of the District Service Area..

(d) when in accordance with an agreement with or standard operating procedures established by BCWS or any other provincial emergency agency.

6.1. UVFB is authorized to provide the following services within the District Service Area..

(g) Wildland urban interface fire suppression;

(j) Fire prevention and public education;

(o) Trail rescue (utilizing the Fire Department's UTV or quad when necessary);

(t) Emergency planning;

(u) Supporting Ucluelet's Emergency Preparedness Plan under the direction of the District Emergency Operations Centre.

6.3. The UVFB may provide fire suppression outside of the District Service Area where a wildfire or an interface fire imminently threatens any part of the UVFB's District Service Area.

7.9. The Fire Chief [...] may exercise one or more of the following powers within the District Service Area:

(i) Make orders or take measures to ensure that flammable material is: (a) removed from land or premises.

8.1. The Fire Chief may:

(a) order a partial or total ban on open air burning at any time and for any duration;

(b) Suspend, cancel or restrict for such time as deemed necessary or desirable any or all burning permits issued under the District's "Bylaw to Regulate Outdoor Burning".

District of Ucluelet Outdoor Burning Bylaw No. 1288, 2021

This bylaw gives the fire chief the authority to regulate and restrict outdoor burning and prohibits fires greater than the size of a campfire (0.5m x 0.5m). Open burning can only occur if approved by the fire chief.

Section 3: defines under what conditions a campfire is permitted to burn.

Section 4: defines prohibited burning.

Provincial Acts and Regulations

BC Building Act and Building Code

The building act provides consistency in technical building requirements across BC and sets training and qualification requirements for building officials.

BC Open Burning and Smoke Control Regulations

BC Open Burning Smoke Control Regulation (OBSCR) covers open burning of wood debris (vegetative material) to manage smoke and fine particulate matter from contributing to poor air quality⁴¹. OBSCR has requirements that pertain to burning for community wildfire risk reduction. The OBSCR requires anyone conducting an open burn for wildfire risk reduction to submit the plan to a director, to give notification to the community about the burn plan, that a ventilation forecast is “good” or “fair”, and that the burn is completed within a day⁴².

BC Wildfire Act and Wildfire Regulations

BC *Wildfire Act* and Regulation sets out legal responsibilities and obligations for everyone in BC that are enforceable during bans and restrictions⁴³. This Act and regulations could impact this CWRP recommendations and treatments when a provincial fire ban is in effect.

Federal Acts and Regulations

Canada Federal Fisheries Act

The Federal *Fisheries Act*⁴⁴ is in place to provide a framework for the management and control of fisheries in Canada, as well as conservation and protection of fish and fish habitat. Any wildfire prevention and mitigation treatments that could impact fish or fish habitat, including riparian areas will need to adhere to the legal requirements of this Act.

Canada Federal Species at Risk Act (SARA)

SARA⁴⁵ is federal legislation to prevent species from extinction and/or extirpation in Canada and provide recovery strategies for extirpated, endangered, and threatened species, as well as prevent species of concern from becoming threatened or endangered. The CWRP treatments and recommendations will need to consider species at risk and follow the requirements and prohibitions set out in SARA.

⁴¹ <https://www2.gov.bc.ca/gov/content/environment/air-land-water/air/air-pollution/smoke-burning/regulations/openburningregulation>

⁴² https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/152_2019/

⁴³ <https://www2.gov.bc.ca/gov/content/safety/wildfire-status/about-bcws/governance/legislation-regulations>

⁴⁴ <https://laws-lois.justice.gc.ca/eng/acts/f-14/>

⁴⁵ <https://laws-lois.justice.gc.ca/eng/acts/S-15.3/>



Legislation and Planning: Current Status and Action Planning

Existing municipal bylaws sufficiently address wildfire response and protection within the District, as well as burning regulations to limit the probability of human-caused fire ignitions. To further enhance wildfire protection and preparedness, The District of Ucluelet could consider incorporating wildfire mitigation and education strategies into the Ucluelet Parks and Recreation Master Plan and the Tourism Master Plan, and FireSmart bylaws or regulations into their building codes or building development plans. The following are recommended action items regarding FireSmart Legislation and Planning:

Action #11: As increased recreation and tourism activities occur within and around the District, incorporate strategies to educate the public and reduce fire ignitions from recreation and tourism into the District of Ucluelet Parks and Recreation Master Plan and the Tourism Master Plan.

DEVELOPMENT CONSIDERATIONS

Development decisions, such as land use types, structure density, road patterns, and other considerations, shape the built and natural environments. These decisions can bring lasting impacts to the WUI and wildfire risk by affecting public and first responder safety and survivability of homes, critical infrastructure, and other community features. Considering these factors early in the development process can reduce wildfire risk to life, safety, and property.

The District of Ucluelet continues to see a steady increase of both permanent and seasonal residents, as well as tourists. An increase in population and tourism increases the demand for housing, hospitality services and public utility services. With the new development of a variety of residential and commercial units, it will be important to consider wildfire threat.

New builds/development should consider some of the following strategies to reduce the chances of structural losses from wildfire:

- Use of fire-resistant exterior construction materials following FireSmart recommendations and standards.
- Inclusion of minimum setbacks from forested edge and top of slope based on FireSmart principles.
- Use of FireSmart landscaping (low flammability plants, appropriate spacing and low flammability aggregates/ ground cover based on FireSmart principles).
- Prompt removal of combustible construction materials, thinning/ fuel management debris, or clearing debris during the fire season.
- Review and approval process for submitted applications.
- Post-development inspections and sign-offs.
- Outline of responsibilities for staff and applicants.
- Enforcement and regulation (consequences of non-compliance).

Development Considerations: Current Status and Action Planning

No FireSmart recommendations have been incorporated into District development requirements, permits, or policies. It would be beneficial for the District of Ucluelet to develop and implement building codes and permitting requirements that govern all new developments and provides standards that follow current FireSmart principles. The FireSmart hazard rating and recommendations from the completed FireSmart Critical Infrastructure Assessments can be found in Table 11 below. It is recommended that CI that did not have a FireSmart Assessment completed be completed by a Local FireSmart Representative.

TABLE 11: FIRESMART CRITICAL INFRASTRUCTURE ASSESSMENTS COMPLETED FOR THIS CWRP, INCLUDING SCORES AND RECOMMENDATIONS.

CI	Critical Building	Critical Structure	Non-Combustible Zone	Zone 1 (1.5-10m)	Zone 2 (10-30m)	Total Score	Recommendations
Community Centre	90	N/A	0	30	45	165	Remove coniferous vegetation within Zone 1

Fire Hall	17	N/A	30	30	25	102	Remove combustible materials stored within the first 10m of the building
Water Tower (near Schools)	66	0	30	60	50	206	Remove coniferous trees and surface fuels within first 10m of structure. Outbuilding contains wooden materials.
Senior Center	52	N/A	30	30	50	162	Complete a Fuel Management Demonstration Project in Zone 2 forested area.
Radio Tower (Athlone Rd)	90	30	0	90	45	255	Radio tower contains wooden materials. Remove conifer trees and surface fuels in Zone 1, Zone 2 if possible.
Water Tower (Peninsula Rd)	N/A	36	0	60	25	121	Replace wooden operational box with metal. Clear some conifer trees within Zone 2.
Ambulance building	36	N/A	0	30	45	111	Remove cedar trees against building.
RCMP Building	30	N/A	30	60	25	145	If possible, remove flammable plastic tent from Zone 1.
Municipal Office	160	N/A	30	0	0	190	Wood siding has some gaps, moss on roof. Replace siding with non-combustible material.

The following are recommended action items regarding FireSmart development considerations:



Action #12: Revise zoning and development permits to require fire resistant landscaping or other FireSmart considerations, such as fire-resistant building materials for roofs, decking, etc. or restrictions around outdoor cedar saunas. This would be most important for neighbourhoods with high forest cover.

Action #13: Establish a Development Permit Area (DPA) for Wildfire Protection for new development/buildings within forested neighbourhoods. The Wildfire DPA should incorporate some FireSmart principles in development and landscaping while also aiming to retain the overall forest structure within neighbourhoods so as not to drastically change the unique character of neighbourhoods. The Wildfire DPA should also align with existing Environmental Development Permit Areas.

Action #14: Implement FireSmart recommendations resulting from the completed FireSmart Critical Infrastructure (CI) Assessment to critical buildings/infrastructure to reduce hazard score ratings to Moderate or Low. Critical Infrastructure Assessments were completed for all CI within the District for the development of this CWRP. Vegetation surrounding CI was often identified as one of the highest hazards. The infrastructure with the highest hazard identified is:

- I. Water tower near the school,
- II. Radio tower.

INTERAGENCY COOPERATION

It takes the collaborative efforts of multiple stakeholders working together to achieve a fire resilient community. These people include the local fire departments, local government staff, elected officials, First Nations representatives, industry representatives and provincial government residents in your area. Individually they are responsible to their own organizations, but all of the stakeholder organizations are dependent upon each other to develop an effective Community Wildfire Resiliency Plan and undertake a successful wildfire response.

Development of a Community FireSmart and Resiliency Committee (CFRC)

The Community FireSmart and Resiliency Committee (CFRC) is a board of community members and agencies that can influence and implement wildfire risk reduction in and around a neighborhood or community⁴⁶. The goal of the CFRC is to coordinate and collaborate between local and provincial agencies to implement FireSmart principles within the community, ultimately increasing the community's resiliency to wildfire. Members of this committee could include local representatives such as local fire departments, First Nations, local government staff or elected officials, along with regional/provincial agencies such as BC Wildfire Service, Emergency Management BC, BC Parks, First Nations Emergency Services Society (FNESS), Forest industry partners and non-government organizations.

The goals of the CFRC are to:

- Develop or maintain a Community Wildfire Resiliency Plan.
- Provide collaboration and coordination on Community Funding and Supports Projects, and Crown Land Wildfire Risk Reduction project initiatives that reduce risk to municipalities, First Nation communities and supporting critical infrastructure.
- Collaborate on a communication and public education strategy with multiple local governments.
- Develop a fuel management plan in collaboration with FLNRORD and other agency staff.
- Streamline FireSmart Home Assessment and FireSmart grant programs by sharing capacity between multiple local authorities.
- Develop a network of Local FireSmart Representatives in the area and coordinate their activities within the region.
- Create an advocacy program for participation in the FireSmart Canada Neighbourhood Recognition Program and work towards increasing the number of recognized neighbourhoods in the region each year.
- Coordinate applications to the Community Resiliency Investment program and other funding opportunities.
- Identify FireSmart activities that should be undertaken to best build wildfire resiliency in higher risk areas; connect and share information to the public via social media.
- Identifying funding sources to access and support priority projects from Provincial, Federal and Regional Programs, ensuring the coordination of project initiatives that span multiple jurisdictions and scales over space and time.
- Develop/update, implement, and monitor the success of a completed Community Wildfire Resiliency Plan.

⁴⁶ <https://firesmartbc.ca/wp-content/uploads/2020/06/Community-FireSmart-and-Resiliency-Committee-Guidance-1.pdf>



Interagency Cooperation: Current Status and Action Planning

The District of Ucluelet is currently not a part of a CFRC and would benefit from increased interagency cooperation to increase FireSmart awareness and community support and implement FireSmart and wildfire risk reduction activities over a broader area outside the District. The formation of a CFRC will be required to receive funding by 2024. The following are recommended action items moving forward in regard to FireSmart Interagency Cooperation:

Action #15: Establish a Community FireSmart and Resiliency Committee (required by 2024) for the region with the following potential parties:

- I. The District of Ucluelet's FireSmart Coordinator and Fire Chief,
- II. The Ucluelet First Nation,
- III. Ucluelet Emergency Network and Emergency Support Services,
- IV. Emergency management staff from the Alberni-Clayoquot Regional District,
- V. District of Tofino Protective Services Department staff,
- VI. Pacific Rim National Park Reserve representative,
- VII. BC Wildfire Service representative from the Mid-Island Zone,
- VIII. Ministry of Forests Wildfire Risk Reduction staff,
- IX. Local timber licensees operating in the area.

Action #16: Work in collaboration with the Alberni-Clayoquot Regional District on improvements to hydrant access and suppression capacity within the regional district neighbourhoods that Ucluelet responds to, including Willowbrae, Millstream, and Port Albion.

Action #17: Communicate semi-regularly with the South Island Natural Resource District's Wildfire Risk Reduction representative regarding their annual/long-term plans to conduct wildfire risk reduction activities in areas outside of the District.

CROSS-TRAINING

Wildland-Urban Interface resiliency planning and incident response draw on many different professions who do not typically work in a wildfire environment. Cross-training of fire fighters, public works staff, utility workers, local government and First Nations administration, planning and logistics staff, and other key positions will help support the development of comprehensive and effective wildfire risk reduction planning and activities, as well as a safe and effective response.

Cross-training ensures that fire fighters within the community are trained in both structural and basic wildfire suppression⁴⁷. For communities within the WUI it is important that professionals are well trained to ensure proper response to fire. Some training programs available are:

- Basics wildland fire training
- Structure protection training
- Incident Command System training
- Local FireSmart Representative training
- FireSmart Home Partners Mitigation Specialist training
- FireSmart Neighbourhood Champion workshop

Cross-Training: Current Status and Action Planning

The District of Ucluelet currently has good structural firefighting capacity, with approximately 19 firefighters. In the spring of 2022, the fire department received basic wildland fire suppression training. This cross-training is important given the closest BCWS base is located Port Alberni or Errington, and the Ucluelet fire department is responsible for providing wildfire suppression until BCWS arrives. Investing in regular wildfire suppression training for fire fighters and ensuring that they possess the necessary basic skills to respond to a wildfire would be beneficial. The following are recommended action items relating to FireSmart Cross-training:

Action #18: Contact the BCWS Mid-Island Fire Zone in and discuss the possibility of annual cross-training opportunities for local firefighters.

Action #19: Provide cross training opportunities for firefighters such as the S100 or S185 course. The S100 course requires an annual refresher.

Action #20: Continue to build the District's volunteer fire department and encourage firefighters to participate in cross-training and annual refresher exercises, including:

- I. Hydrant flushing/testing,
- II. Refresher training of pumps and hose.

Action #21: Collaborate with the Ucluelet First Nation who may be interested in wildland firefighting/cross-training and exercises. This will assist them in building their volunteer fire department, which could help increase the safety of the Nation and take pressure off the Ucluelet Fire Department to respond.

⁴⁷ [Cross-training | FireSmart BC](#)

EMERGENCY PLANNING

Community preparations for a wildfire emergency requires a multi-pronged approach. Individuals and agencies need to be ready to react by developing plans, mutual-aid agreements, resource inventories, training and emergency communication systems. All of these make it possible for a community to respond effectively to the threat of wildfires as a whole.

An Emergency Management Plan is beneficial in coordinating response efforts and increasing efficiency and effectiveness of communications and evacuations in the event of an emergency. An emergency management plan should focus on emergency preparedness, response activities, and recovery.

Emergency Planning: Current Status and Action Planning

The District of Ucluelet faces inherent difficulty and complexity in the event of an emergency evacuation with only one road in and out of the community. Road access is via Peninsula Road/Tofino Ucluelet Highway to Highway 4. Highway 4 is a difficult road to travel under normal conditions as it is narrow and winding with swift weather changes. Due to these constraints, the District has developed an Emergency Plan that focuses on alternate responses to emergency situations that does not rely on Highway # 4 or Peninsula Road to evacuate the community elsewhere. The District also has an emergency notification system in place with two tsunami warning system speakers. The following are recommended action items to further enhance Emergency Planning:

Action #22: Encourage community members to subscribe to the emergency notification system currently in use in Ucluelet. Emergency notices can be delivered via email, text, or voice messages.

Action #23: Make the Evacuation/Emergency Response Plan available to the community via the internet or at the District's public offices. The District of Ucluelet Emergency Response Plan is currently being updated and therefore not available online for viewing.

Action #24: Purchase or acquire ancillary suppression equipment including portable tanks, hoses, and portable pumps.

Action #25: Assess community backup electrical power and water delivery ability as required for emergency response and suppression activities. Currently, the municipal buildings that have emergency backup power are the fire hall, and the high school which has a large generator available during emergencies. A number of private homeowners have generators but the exact number is unknown.

VEGETATION MANAGEMENT

The general goal of vegetation management is to reduce the potential wildfire intensity and ember exposure to people, infrastructure, structures, and other values through manipulation of both the natural and cultivated vegetation that is within or adjacent to a community. A well-planned vegetation management strategy that is coordinated with development, planning, legislation, and emergency response wildfire risk reduction objectives can greatly increase fire suppression effectiveness and reduce damage and losses to structure and infrastructure.

Fuel management, also referred to as vegetation management or fuel treatment, is an important element of wildfire risk reduction within the WUI. The objective of fuel management treatments are to alter aspects of wildfire behaviour, such as decreasing potential intensity, to limit damage to infrastructure and allow for safer and more effective suppression strategies. Vegetation management within and around the community can be accomplished through two different activities:

1. Residential scale FireSmart landscaping: The removal, reduction, or conversion of flammable plants (such as landscaping for residential properties, parks and open spaces) in order to create more fire-resistant areas in FireSmart Noncombustible Zone and Priority Zones 1, 2 and 3.
2. Fuel management treatments: The manipulation or reduction of living or dead forest and grassland fuels to reduce the rate of spread and head fire intensity and enhance the likelihood of successful suppression, generally outside of the FireSmart Noncombustible Zone and Priority Zones 1, 2 and 3 on crown land.

Vegetation Management: Current Status and Action Planning

Due to the high proportion of private land within the District boundary and the cool and moist forest environment along the coast, there have been no landscaping or vegetation management treatments completed for the purposes of fuel reduction and wildfire mitigation. FireSmart home assessments are voluntary to private land/homeowners, however no homes have yet had a FireSmart Home Assessment completed.

Proposed Fuel Treatments

The potential vegetation management treatment areas were chosen primarily based on limited municipal forested land and proximity to critical infrastructure (Figure 12). The areas identified for potential treatment are detailed in Table 12 and have been prioritized based on wildfire hazard (Wildfire Threat Assessment ratings). Due to their small size (<5.0 ha), the proposed areas fall under the 'fuel management demonstration project' funding. The following are recommended action items regarding FireSmart Vegetation Management and fuel treatments:

Action #26: Apply for funding to complete fuel management demonstration projects to reduce forest fuels on municipal land and demonstrate what a more fire resilient stand looks like to the public. These fuel management areas cannot exceed 5.0 ha. Three areas have been identified as candidates for these projects:

- I. The forested area behind the schools,
- II. The forested area around the senior's center, and
- III. The forested area behind the community centre.

Action #27: Encourage homeowners to remove all vegetation from the Non-Combustible Zone and landscape using fire-resistant plants. Cedar trees within the first 10m (Zone 1) of the home should be encouraged for removal.

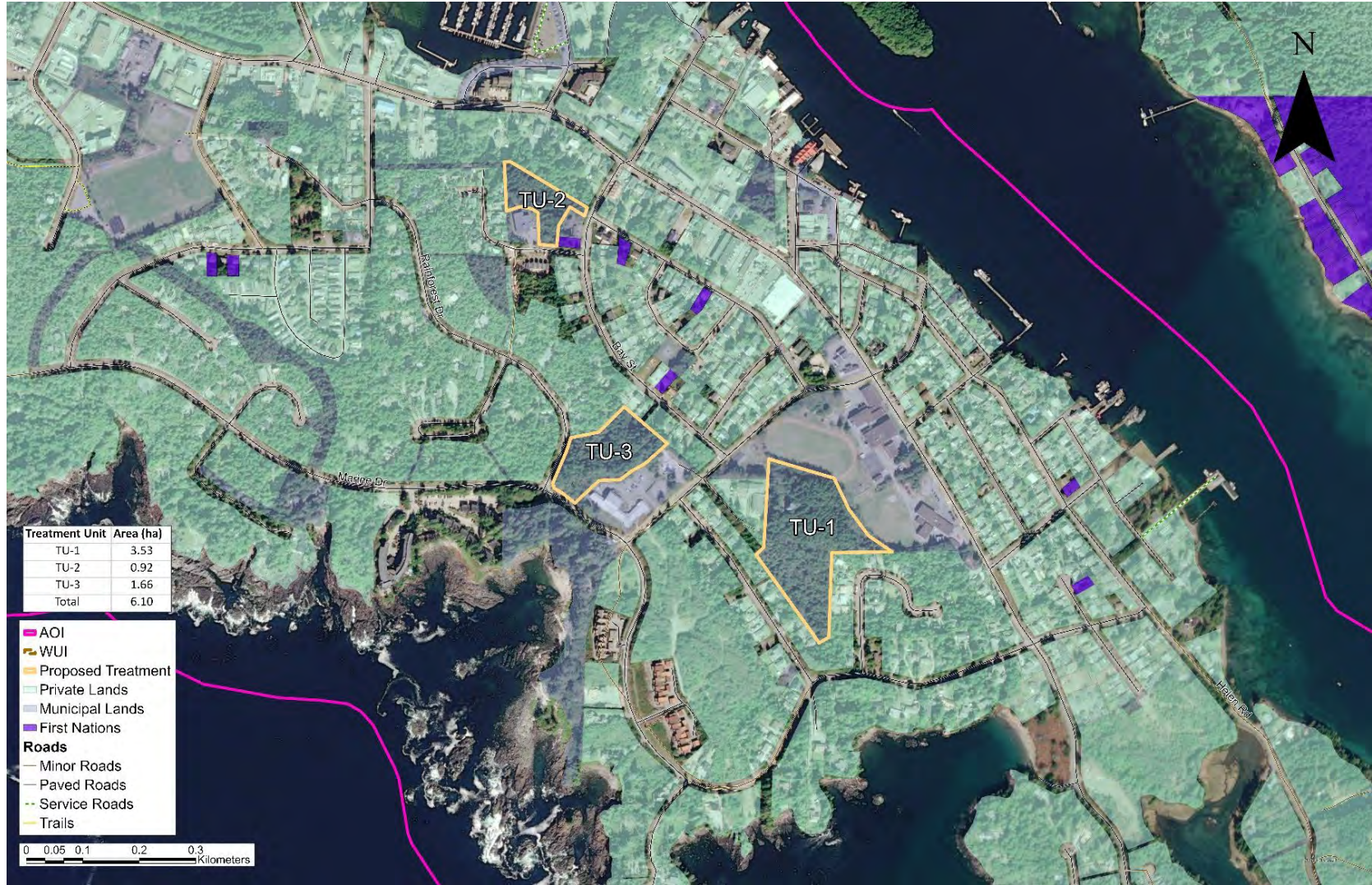


FIGURE 12: PROPOSED FUEL MANAGEMENT TREATMENT AREAS LOCATED ON MUNICIPAL LAND.

TABLE 12: PROPOSED FUEL TREATMENT SUMMARY TABLE

Fuel Treatment ID	Total Area (ha)	Treatment Unit Type / Objective	Local Fuel Threat (Hectares)			Overlapping Values / Treatment Constraints	Treatment Rationale
			Extreme / High	Mod	Low		
TU-1 School	3.5	Interface	3.5	0.0	0.0	Surrounds the municipal water tower. Adjacent to Ucluelet Elementary, Ucluelet Secondary School.	<p>The proposed treatment unit is a small, forested area bound by the Ucluelet Elementary and Ucluelet Secondary School to the northeast, and private residences to the south and west. A municipal water tower is located within the treatment unit. The area consists of an immature C-3 fuel type characterized by a relatively high density of Cw in both the overstory and understory. Surface fuels are also relatively high. There are numerous unofficial trails running through the unit. Both the wildfire threat and wildfire risk to infrastructure were rated as High.</p> <p>A thin from below to reduce continuity of ladder fuels and surface fuel reduction would reduce rate of spread of a potential surface fire and reduce probability of a crown fire.</p>
TU 2 – Seniors Centre	0.9	Interface	0.0	0.3	0.6	Adjacent to the Seaview Seniors Housing Society.	<p>The proposed treatment unit is a small, forested area adjacent to the Seniors Centre and private residences on Peninsula Rd and St Jacques Blvd. The area consists of a C-5 fuel type</p>

Fuel Treatment ID	Total Area (ha)	Treatment Unit Type / Objective	Local Fuel Threat (Hectares)			Overlapping Values / Treatment Constraints	Treatment Rationale
			Extreme / High	Mod	Low		
							<p>characterized by a multi-layered stand and high deciduous shrub component. There is small stream running through the middle of the treatment area that transitions into a non-classified drainage with wet soils. A portion of the TU behind private residences to the northeast consists of a higher density Cw stand with high fuel loading. The wildfire threat rating of the area is Low with a Moderate wildfire risk due to proximity to the Seniors Centre and homes.</p> <p>Surface fuel removal and removal of suppressed understory trees would help to further reduce the overall risk to structures to Low.</p>
TU 3 – Community Centre	1.7	Interface	0.0	1.7	0.0	Adjacent to the Ucluelet Community Center, overlaps gravel walking path.	<p>The proposed treatment unit is a small, forested area adjacent to the Community Centre and private residences on Rainforest Drive and Bay St. The TU contains a gravel walking path that bisects the unit, and a non-classified drainage. The area consists of a C-5 fuel type with a high deciduous shrub component and intermediate Cw and Hw</p>



Fuel Treatment ID	Total Area (ha)	Treatment Unit Type / Objective	Local Fuel Threat (Hectares)			Overlapping Values / Treatment Constraints	Treatment Rationale
			Extreme / High	Mod	Low		
							<p>trees acting as ladder fuels. The terrain slopes up approximately 20% from the community centre to Rainforest Dr. The existing wildfire threat rating is Moderate with a wildfire risk rating of High due to slope and proximity to infrastructure and homes.</p> <p>A thin from below to and surface fuel reduction would reduce probability of ignitions from the walking path and reduce the probability of a crown fire.</p>

APPENDICES

Appendix A: Determining Wildfire Threat and Risk at a Local Level Based on Updated Fuel Types

The Determining Wildfire Threat and Risk at a Local Level guidance document from BCWS⁴⁸ was used to assist in determining the revised local PSTA threat score for each polygon where a Wildfire Threat Assessment (WTA) worksheet was completed in the field (Table 13). Professional judgement was also an important factor, given that the guidance does not specify the specific weighting of each wildfire component to calculate the original PSTA threat score. A majority of the revised PSTA scores remained within the 'Moderate' threat classification represented by the original assigned threat score. Two of the revised PSTA scores saw an increase in threat rating from 'Moderate' to 'High'.

TABLE 13: REVISED LOCAL PSTA SCORES BASED ON STAND ATTRIBUTE DATA FROM WILDFIRE THREAT ASSESSMENT WORKSHEETS COMPLETED IN THE FIELD.

WTA ID	Updated Fuel Type	Original Threat Score	New Fuel Assessment Score (60%)	Wildfire Density Score (30%)	Spotting Impact Score (10%)	Revised PSTA Score
1	C-5 (no change)	4	5	1	2	3.5
2	C-5 (no change)	4	5	1	2	3.5
3	C-5 (no change)	-2	2	1	0	1.5
4	C-5 (no change)	-3	5	1	0	3.3
5	C-5 (no change)	-3	2	1	0	1.5
6	C-5 (no change)	4	8	1	2	5.3
7	C-3 to C-5	-3	5	1	0	3.3
8	C-5 (no change)	4	5	1	2	3.5
9	C-5 to C-3	4	8	1	1	5.2
10	C-5 (no change)	4	2	1	2	1.7

Once the revised local PSTA threat score was determined, it was used to assess the total wildfire risk for each WTA polygon (Table 14). The weighting for each contributing attribute is shown in the table. Weighted scores for each attribute were based on the weighting values within the 2021 WTA worksheet. Relative Risk Classification was determined based on the total weighted score ranges outlined in Table 15, which is provided in the Determining Wildfire Threat and Risk at a Local Level guidance document. The total wildfire risk score for a majority of assessed polygons remained within the 'Moderate' risk classification. However, two assessed polygons increased from a 'moderate' risk classification to a 'High' risk classification.

⁴⁸ https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/wildfire-status/prevention/fire-fuel-management/fuels-management/2020_determining_wildfire_threat_and_risk_at_a_local_level.pdf

TABLE 14: LOCAL WILDFIRE RISK SCORE AND CLASSIFICATION FOR EACH WTA POLYGON BASED ON FIELD VERIFIED FUEL TYPES

WTA ID	Local Threat Score (30%)	Proximity (30%)	Fire Spread Patterns (30%)	Slope Position (5%)	Slope % (5%)	Total Wildfire Risk Score	Relative Risk Classification
1	3.5	8	7	1	1	5.7	Moderate
2	3.5	8	7	1	1	5.7	Moderate
3	1.5	10	7	2	1	5.7	Moderate
4	3.3	8	10	1	1	6.5	Moderate
5	1.5	10	10	1	1	6.6	Moderate
6	5.3	2	10	1	1	5.3	Moderate
7	3.3	8	7	2	1	5.6	Moderate
8	3.5	10	10	2	2	7.3	High
9	5.2	10	10	2	2	7.8	High
10	1.7	10	10	1	1	6.6	Moderate

TABLE 15: RELATIVE WILDFIRE RISK CLASSIFICATION BASED ON A WEIGHTED TOTAL WILDFIRE RISK SCORE

Relative Risk	Weighting
Low	0-3.9
Moderate	4-6.9
High	7-8.9
Extreme	9+

Appendix B: Climate Modeling Using Climate BC

Climate BC is a MS Windows application and program that uses the PRISM, Parameter-elevation Relationships on Independent Slopes Model, to project climate variables in British Columbia at an Annual, Seasonal or Monthly increment. The program generates scale-free climate data for specific locations or areas. The following methodology was used when creating spatial climate layers in Climate BC as well subsequent scaling that occurred post processing of variables.

Inputs and Parameters:

A DEM layer that is representative of the study area is loaded into the program to instigate area processing. With the DEM layer in the program a decision in what General circulation models (GCMs) were to be used and at which Shared Socioeconomic Pathway (SSP) they would be evaluated at.

The following table represents the different SSPs that could be chosen from for a projects analysis:

Table X. Shared Socioeconomic Pathways in the IPCC Sixth Assessment Report²

SSP	Scenario	Estimated warming	Estimated warming	Very likely range in °C
		(2041–2060)	(2081–2100)	(2081–2100)
SSP1-1.9	very low GHG emissions:	1.6 °C	1.4 °C	1.0 – 1.8
	CO ₂ emissions cut to net zero around 2050			
SSP1-2.6	low GHG emissions:	1.7 °C	1.8 °C	1.3 – 2.4
	CO ₂ emissions cut to net zero around 2075			
SSP2-4.5	intermediate GHG emissions:	2.0 °C	2.7 °C	2.1 – 3.5
	CO ₂ emissions around current levels until 2050, then falling but not reaching net zero by 2100			
SSP3-7.0	high GHG emissions:	2.1 °C	3.6 °C	2.8 – 4.6

	CO ₂ emissions double by 2100			
SSP5-8.5	very high GHG emissions:	2.4 °C	4.4 °C	3.3 – 5.7
	CO ₂ emissions triple by 2075			

A SSP of 2-4.5 (245) is chosen for the evaluation in this report as it represents an intermediate GHG emission and is considered to be the most likely temperature projection.

An ensemble of GCMs is evaluated together to get a representative output for a study area. This is done to find the most accurate projections for both current Climate standings and future normal period predictions. An ensemble of 13 GCMs is evaluated against one another to get representative outputs for a multitude of climate variables available through the program. An ensemble of 8 GCMs can be used as well as both options are available within the program. The Amount of GCMs used for an evaluation depends on the intricacy of the analysis and the detail required for the anticipated outputs. The climate variables selected for evaluation in this project were as follows:

- Winter Average Precipitation (mm)
- Summer Average Precipitation (mm)
- Winter Average Temperature (C)
- Summer Average Temperature (C)

Each climate variable was represented spatially for the study area and values were compared to the Current normal Period derived values. To keep consistency, the program was also used with the same parameters to produce the current normal period derived values so a comparison evaluation could be done.

Normal periods were chosen to show the change over time until the end year of 2100. The following are the normal period ranges:

- Current: 1991 – 2020
- 2040: 2011 – 2040
- 2070: 2041 – 2070
- 2100: 2071 – 2100

Rescaling Temperature:

Temperature outputs given by ClimateBC needed to be rescaled to match the metric scale, this process was done using processing tools in ArcPRO. To rescale the georeferenced tiff. The output layer from ClimateBC needs to be loaded into ArcPRO and run through the Raster Calculator tool. The following equation was run to rescale the raster:

'Raster layer' / 10 = Rescaled Temperature Raster

Difference Comparison:

With all the outputs processed, rescaled and downloaded a comparative analysis is done to determine the relative change in precipitation and temperature when future normal periods are evaluated against the current periods modeled outputs. The difference comparison takes the change in precipitation and temperature in each future normal period and converts the value into a proportion for that variable range. If an area experiences more precipitation in future periods the percent change value recorded will be a positive value. Similarly, if the temperature increases in a future normal period, the percent change value will be positive indicating the percent of change the variable experienced compared to the baseline.

Findings are presented in a Table format with conditional formatting of percent change to indicate the severity.

Disclaimer:

Climate modeling is a complex and intricate process that requires a high degree of manipulation and input to get the desired analysis. The parameters chosen for this analysis were carefully considered and evaluated so as to produce the most accurate results for the project and its associated area. It is understood that many different variables could be changed or manipulated in order to produce different outputs for the same analysis.



INFORMATION REPORT

Council Meeting: January 24, 2023
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF PLANNING

FILE No: 6630-24

SUBJECT: UCLUELET HOUSING – 2023 UPDATE

REPORT No: 23- 11

ATTACHMENT(S): APPENDIX A – STAFF REPORT 21-137 (SEPTEMBER 21, 2021) NOTING UPDATES

PURPOSE:

This report provides an update on municipal housing issues and initiatives, for Council's information.

BACKGROUND:

As noted in a staff report from September, 2021, *“addressing community housing challenges will not be a single project or a one-time initiative. This should be approached as an ongoing area of service and adaptation within the community”*. That report presented a number of strategies for Council to consider, and the discussion confirmed a number of goals for improving the availability and affordability of housing in Ucluelet. An annotated copy of the September 21, 2021, staff report is attached highlighting steps that have been taken in the 16 months since the report was originally written (see **Appendix “A”**).

These materials are being presented to Council to provide context to current and ongoing initiatives, as Council considers priorities through its strategic planning and budget processes.

DISCUSSION:

Staff consider the goals that Council confirmed on September 21, 2021, to still be valid:

- a. Prioritize long-term residential housing;
- b. Slow and contain the proliferation of short-term vacation rentals within residential neighbourhoods;
- c. Create opportunities for more diverse and new forms of housing, with a priority on more affordable forms of housing; and,
- d. Create opportunities for the development of new rental housing.

The District has made headway on a number of fronts, most notably with a significant community discussion and bylaw amendments last spring relating to the regulation of bed and breakfasts and accessory residential dwelling units. Council adopted changes to clarify the definition of bed and breakfast uses and reduce their impacts. An unresolved aspect of the regulation of B&B's in residential neighbourhoods is a disconnect that exists between the current Zoning bylaw and the Official Community Plan bylaw, when it comes to the overall growth of tourist accommodation in the form of residential B&B units. The overall acceptable rate of growth in the community, and the balance between housing and tourist accommodation, are issues for Council to consider and perhaps discuss in the context of developing its strategic plan.

Beyond regulatory changes, Council has also shown support for development proposals which prioritize housing which will be attainable by Ucluelet residents. The recent rezoning of the property at 221 Minato Road sets the stage for phases of mixed housing units meeting the stated policy goals of the District.

A third area of action that the District can pursue is to build housing. As noted in the September 2021 report, the District is not a large landowner. A potential opportunity has recently come up for a supportive affordable

The PRHDC proposal:

In May of 2022 staff met with representatives of the Pacific Rim Home Development Cooperative and discussed their [proposal](#) including the "business plan" dated December 3, 2021, which was presented to Council at its March 29, 2022, regular meeting. In the meeting and in a subsequent follow-up email staff expressed to the representatives of the cooperative that their current proposal did not present a complete business case projecting either capital or operating costs. Staff noted the following assumptions in the business plan which raise questions:

- It is not clear that the District can legally provide assistance to a group of businesses through their proposed coop model;
- The business plan noted the following assumptions of financial assistance from the District:
 - \$50,000 grant to develop their business case;
 - free use of publicly-owned land;
 - free land servicing costs (water, sewer, drainage, access, hydro, data, etc.);
 - exemption from property taxes;
- Of the three potential sites listed in the business plan, two are dedicated municipal park land and the third is an un-serviced parcel that would require significant engineering to provide access and utilities;
- The business plan also noted that a capital grant of approximately \$10 million dollars would be necessary to make the project viable (to cover construction costs), on top of the concessions and contributions sought from the municipality.

The business plan shows no significant financial investment by members of the cooperative. The cooperative should be applauded for its efforts and explorations aimed at finding a creative solution to a housing problem. However, at this point staff cannot recommend that their proposal, in its current form, aligns with community interests or funding priorities. The cooperative has indicated that it intends to make a presentation to Council at the upcoming regular meeting. Staff provide the above perspective to be clear on our current understanding of their proposal and to place it in context with other municipal projects and priorities.

housing project that may suit one of the few lots owned by the community – that is the subject of a separate staff report on Council’s agenda.

The [District of Ucluelet Housing Needs Report](#), received by Council last January, provides excellent background data and recommendations for addressing the current challenges facing many Ucluelet residents - and by extension, businesses. The report is a valuable resource that can help guide municipal decisions on housing matters.

Staff consider housing to be a priority issue facing the community, and can answer questions Council may have about options and steps available to the District.

Respectfully submitted: Bruce Greig, Director of Community Planning
Duane Lawrence, Chief Administrative Officer

**STAFF REPORT TO COUNCIL**

Council Meeting: September 21, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

FILE NO: 6630-20-HOUSING

SUBJECT: UCLUELET HOUSING - ²⁰²³2021 UPDATE

REPORT NO: 21-137

APPENDICES: APPENDIX A – 2018 STAFF REPORT - OCP HOUSING ACTION PLAN

RECOMMENDATIONS:

*ADOPTED.
SEPT. 21/21*

1. **THAT** Council adopt the following goals aimed at improving the availability and affordability of housing in the community:
 - a. prioritize long-term residential housing;
 - b. slow and contain the proliferation of short-term vacation rentals within residential neighbourhoods;
 - c. create opportunities for more diverse and new forms of housing, with a priority on more affordable forms of housing; and,
 - d. create opportunities for the development of new rental housing.

*ADOPTED.
SEPT. 21/21*

2. **THAT** Council direct staff to further explore regulatory and development strategies to action Council's goals for addressing housing availability and affordability in the community.

PURPOSE:

To provide Council with options for addressing current housing issues, confirm the goals for any regulatory changes, gauge the degree of public consultation desired by Council on these issues, and to lay out possible next steps.

BACKGROUND AND CONTEXT:

Ucluelet is at a pinch point. Like many communities across the country, housing affordability has become an issue at the forefront of concerns for most households. This is an issue for both community members and business owners; increasingly, housing issues are translating into staffing issues. This report is being presented in the context of:

- o a doubling of local housing prices in the past decade;
- o a draft OCP underway but not adopted; *ADOPTED 2022.*
- o a global pandemic that is not over, which has upended travel, economics and livelihoods;
- o a Housing Need Assessment underway for all West Coast communities; *COMPLETE RECEIVED JAN. 2022*
- o a real estate and building boom;
- o escalating construction costs due to supply-chain bottlenecks and localized demand;
- o the ongoing loss of existing rental housing stock to short term tourist accommodation rentals;
- o the final year of this Council term; and, *NEW COUNCIL ELECTED.*
- o a Strategic Plan that includes a focus on Housing Affordability. *NEW STRATEGIC PLAN UNDERWAY.*

Also part of the housing context are a number of recent and current housing development approvals:

- Ocean West phase 5 (32 lot single-family subdivision: DP and PLA issued);
- "Lot 13" Marine Drive affordable housing (33-lot single-family subdivision: rezoning, DP and PLA issued);
- "Lot 16" Marine Drive housing development (112 units total: rezoning underway); *ZONING ADOPTED.*
- "The Wave" on Marine Drive development (6 townhouses: rezoning, DP and BP issued); *COMPLETED.*
- development of 20 new homes under the *Pocket Neighbourhood Residential* regulations on St. Jacques Boulevard; and,
- a handful on "one-off" site-specific single-family re-zonings to allow an Accessory Residential Dwelling Unit (ARDU).
- *MINATO ROAD REZONING ADOPTED FOR 212 HOUSING UNITS: 78% ATTAINABLE & AFFORDABLE.*

As well, Council has supported the retention of existing housing and creation of temporary worker housing:

- "Raven Lodge" rezoning to recognize existing non-conforming multi-family units and to enable their upgrade; and,
- numerous Temporary Use Permits for seasonal worker housing, including a 2021 pilot project for a batch intake of TUP applications.

THE CURRENT CHALLENGE:

Ucluelet has been experiencing a dramatic shift of value within the housing market. This is partly brought about by external forces (increased demand for rural properties brought by a global pandemic, a culture shift to working remotely, historically low interest rates, etc.), and is also affected by local forces (existing zoning regulations, destination tourism marketing, labour availability, etc.).

For years, within the Ucluelet zoning bylaw the Bed and Breakfast ("**B&B**") use has been a permitted secondary use. This accessory use was intended to be a "mortgage helper" and first arose in the zoning regulations as the local economy saw shifts in the forestry and fishing sectors, and the community began to turn to tourism for additional economic opportunities. Over time, there has been rising popularity and demand for short term rentals ("**STR's**"; in this report we will use this term interchangeably with B&B in the discussion of short-term tourist accommodation within single-family residential properties).

In 2008 AirBnB was founded. Online bookings for independent STR accommodation began to grow in popularity.

The B&B accessory use within the residential zones in Ucluelet perhaps started as an innocuous side gig, but the rise of AirBnB and other online booking platforms led to that being discovered and promoted to the point where the B&B use is now effectively a loophole into the commercial vacation accommodation market.

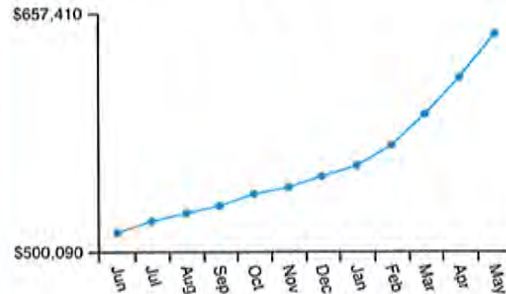
The market for residential properties is now being influenced by commercial / investment / accommodation value – these uses are no longer secondary to the value of the home. Instead these uses are driving the cost of local housing stock.

Increasingly, we are seeing new houses being constructed with purpose-built attached (with separate exterior access) motel units; these may meet the definition within the zoning but are no longer the B&B bedrooms down the hall within a family home. Additionally, what were formerly long-term rental secondary suites are being converted and put to use as STR’s for tourist accommodation.

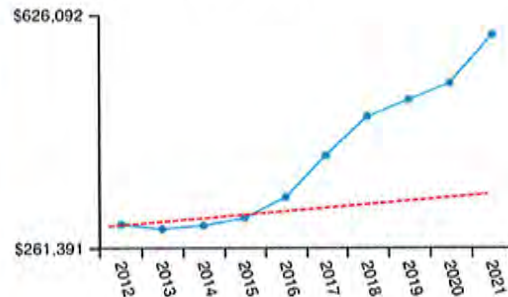
All of the above have contributed to the recent rise in the price of land and housing - to the point that working Ucluelet families are essentially priced out of the market. This is acutely affecting both ownership and rental opportunities.



Past 12 months



Past 10 years



The red line (added) shows the home price that the median Ucluelet household can afford.

If sustained, a 14.5% year-over-year increase in the average market price means that home prices would double in less than 5 years.

The character of the town and the fabric of the community depends on people being able to see a long-term path to stable housing, to meet their family’s needs. Households make long-term decisions on where they will invest their time and money, where they will raise kids, volunteer and put down roots. These individual decisions affect how a community functions and how it defines itself. If it wishes to keep its values then Ucluelet, like many communities, will need to take an active role in addressing local housing issues on many fronts.

In this context, this report aims to briefly explore some short-term and long-term actions the municipality could take, and seek direction from Council on where best to focus energies and resources. These include:

- regulatory (particularly Zoning Bylaw) changes;
- building housing; and,
- creating a supportive environment for housing initiatives (i.e., governance & resources).

DISCUSSION:

Potential Strategies:

To avoid getting buried in details at the outset, staff suggest that the best starting point is for Council to first consider and confirm the goals as outlined in the recommendations at the beginning of this report. Once Council has confirmed the goals for addressing the supply and affordability of housing, the next step would be for staff to provide more detailed information and a discussion of the pros and cons of pursuing each potential strategy, for further discussion and direction.

The following provides an overview of future strategies Council could consider.

A. Zoning:

Arguably the District’s zoning needs to catch up with the times. Zoning can affect the amount, type, location and cost of housing in the community. Adjusting regulations within the zoning bylaw is perhaps the central lever that Council controls which can affect the supply and cost of housing over time. Some examples of zoning changes that could be explored include:

- 1. **Option: flip the status to put housing first (reduce B&B and increase ARDU zoning) – explore changing residential zones to make ARDU’s an outright accessory use, and make a site-specific zoning amendment necessary for creating more short-term rentals instead.**

PARTIALLY COMPLETE
w/ BYLAW NO. 1310,
2022:
ARDU'S NOW PERMITTED
IN MOST RESIDENTIAL
ZONES.
A CONFIGURATION OF
B&B'S HAS BEEN
ADJUSTED BUT STILL AN
OUTRIGHT PERMITTED USE
TOTAL POTENTIAL
NUMBER OF NEW
B&B'S IS NOT
LIMITED.

Currently, as mentioned above, commercial tourist accommodation use (a B&B) is an outright secondary use permitted in most residential zones in the District. At the same time, an Accessory Residential Dwelling Unit (ARDU) is not generally permitted; this accessory use would require a rezoning application. A handful of properties have successfully made application and rezoned to allow an ARDU for long-term accommodation.

An ARDU unit – also known as a cabin – provides a different type of housing unit than a secondary suite. By definition secondary suites are attached within the main house. A cabin for a renter or family member provides for a little separation and outdoor space, adding a different and often more livable long-term housing situation.

This is not to suggest that STR’s be “banned”; the zoning could acknowledge those existing licensed B&B’s but contain their further spread.

- 2. **Option: seek to create a diverse mix of residential zoning designations for different sizes and types of long-term residential housing, and apply a policy of seeking a majority of long-term housing within each new development.**

As properties within town come forward with rezoning applications, prioritize housing and more affordable forms of housing. OCP POLICY 3.134 (BYLAW 1306, 2022). HAS ALREADY INFLUENCED ZONING AMENDMENT FOR MINATO ROAD (78% AFFORDABLE & AFFORDABLE, NO SHORT TERM RENTALS).

- 3. **Option: explore adding long-term ARDU housing as a permitted accessory use on properties already zoned for guest cabin accommodation.**

As we have seen during the pandemic, at times it may be more desirable for an owner of tourist accommodation to instead use it for residential housing. Such units are already dwellings built to code for long-term occupancy, with parking on site. If an owner wishes to lease a cabin to a long-term tenant, then that’s one more resident housed.

COMPLETE: ZONING AMENDMENT BYLAW NO. 1310, 2022.

- 4. **Option; clarify within the zoning bylaw and/or business licensing bylaw that the property must be the principal residence of the business licence holder.**

The B&B use regulations have long specified that it is the full-time and present resident of the dwelling who operates and administers the B&B. In other words, clarify within the bylaws that a tenant "manager" is insufficient to justify the accessory B&B use.

COMPLETED w/AMENDMENTS TO ZONING BYLAW & BUSINESS LICENSING BYLAW.

- 5. **Option: explore prioritizing housing within mixed-use buildings in the centre of town by removing resort condo as an outright permitted use.**

It has long been a policy to support more rental housing in the centre of town. The CS-2 zoning permits mixed-use multi-family (i.e., apartments above commercial uses) but also mixed-use resort condos. The CS-2 zoning would still allow *Hotel* and *Motel* uses, but this zoning change may encourage / protect the "apartment above the shop".

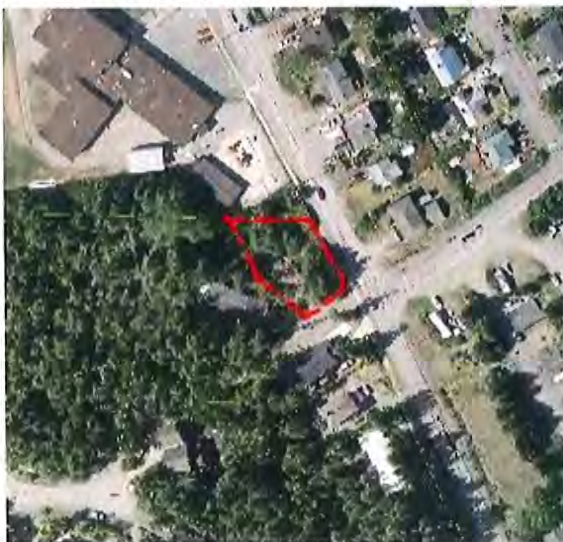
With any of these potential changes, a degree of public consultation and community input will be advisable and required. A greater degree of public engagement can raise awareness and acceptance of potential changes, but consequently takes more time and resources. Staff suggest that Council discuss and consider at a high level the degree of community input – early and/or ongoing - that might be appropriate with any potential options being explored.

B. Build Housing:

Option: explore, within the 5-year financial plan, funding capacity for one or more affordable housing projects on District-owned land.

The District of Ucluelet is not a large land owner, but some municipally-owned properties may be suitable for constructing housing. The District could prioritize these lands for strategically developing housing stock to fill the most critical gaps identified in the Housing Need Assessment (HNA). This may mean partnering with not-for-profit housing developers. Some lands that may be considered (and that have been previously identified and discussed at different points) include:

- 1. Peninsula Road at Alder Street. This property is next door to the elementary school and may be suitable for 3 or 4 townhouses; an affordable housing project at this location might prioritize single parents, seniors, etc. (again, the need to be identified from the HNA).



** SEE ASSOCIATED REPORT ON CMHC RATIO HOUSING INITIATIVE GRANT OPPORTUNITY.*

- 2. Matterson reservoir site. This is a large, treed property that could be an option for developing affordable ownership and affordable rental units. Access, servicing and subdivision would all be precursors to developing housing. The location is adjacent to both schools and the community centre. Park dedication and habitat values would also be key considerations.



- 3. Forbes Road behind public works yard. This District lot would need water and sewer services extended to it, and grading work to level the site. Located within the light industrial area, but also adjacent to the Tugwell Fields park, this might be most suitable for temporary worker and/or contractor housing.



In all cases, for the above or other sites, the development of new housing infrastructure would require that the District undertake steps of:

- confirming the housing program and affordable housing goals;
- site selection (and confirmation of highest and best use);
- site analysis and feasibility testing;
- business case and confirmation of funding and/or partnerships;
- design and construction management;
- site servicing;
- construction;
- commissioning and ongoing maintenance; and (significantly),
- qualifying and vetting potential buyers and/or renters against affordable housing criteria.

These types of projects are not quick and require groundwork to ensure the financing and project success. Any such project would be informed by the results of the community Housing Need Assessment currently underway.

C. Build Housing Capacity:

The District is not alone facing these housing challenges. As the West Coast Housing Need and Demand study will illustrate, these challenges are being seen across the region. Working together with regional partners and communities, particularly on the servicing and supply side of the housing equation, will take time but holds promising win/win benefits for all communities. Some strategies that Council might consider include:

1. **Option: explore the potential and lobby regional agencies for the creation of a West Coast Housing Authority.**

As affordable housing units come on stream, recognize that the ongoing management of these community assets is itself a job. Individually, small local municipal and First Nation governments of the West Coast do not currently contain the capacity to take this on. Plus, the job of qualifying housing applicants and managing housing assets is not a side-of-desk job. Pooled resources could provide the best value to all West Coast communities in delivering affordable housing. This could take the form of:

- a. a new regional service provided by the Alberni-Clayoquot Regional District;
- b. a servicing agreement for contracted services provided by one localized service provider (e.g., Tofino Housing Corp. or other); or,
- c. a contracted regional service provided by either a for-profit or not-for-profit housing consultant.

2. **Option: invite conversations at the staff and elected official levels with the Toquaht Nation and Yuułuʔiłʔatḥ Government about mutual housing challenges and opportunities. Key starting points may be identifying where there are shared community values and goals, and alignment of housing needs and capacities. An eye to identifying shared efficiencies in delivering services and infrastructure could benefit all partners.**

Under the section discussing the regional context with our neighbours, reconciliation and relations with indigenous communities, the draft 2020 OCP includes the policy 1.4, *“seek opportunities for mutual benefit when exploring topics of housing, economic development, transportation, utilities, tourism, emergency services and other matters which affect the wellbeing of our communities”*. That the 2021 Housing Need Assessment is being completed as a collaborative partnership among all local government and indigenous communities on the West Coast is evidence that there is recognition and willingness to tackle our community issues such

as housing in a coordinated effort. Opportunities exist for working together to re-balance the local housing supply, create appropriate housing options for all community residents and also to create sustainable local economic development opportunities.

Process and Financial Implications:

Addressing community housing challenges will not be a single project or a one-time initiative. This should be approached as an ongoing area of service and adaptation within the community (see also 2018 report in **Appendix 'A'** for further context and background). As mentioned above, individual pieces may resolve as line items in the municipal Budget and 5-year Financial Plan. Other efforts will be tackled as part of core services and could at times affect all municipal departments – specifics will become clear as we get further down the path. As the community evolves the demand for services – including around housing – will increase and it can be expected that additional resources will become necessary. At this point, staff are seeking high-level Council direction; detailed decisions and supporting analysis will need to follow to ensure that these efforts are adequately resourced.

OPTIONS REVIEW AND NEXT STEPS:

It is recommended that Council consider providing direction on the goals for short- and long-term housing initiatives as described at the outset of this report. Staff would follow up with more detailed reports on the following for specific strategies, including:

- background, and experiences of other communities;
- budget implications;
- pros and cons;
- processes for public input; and,
- draft bylaws,

based on Council's direction on strategic housing initiatives.

Alternatively, Council could receive this report for information and revisit this discussion when the results and recommendations of the 2021 West Coast Housing Need Assessment are received later this fall.

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



STAFF REPORT TO COUNCIL

Council Meeting: June 26, 2018

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 6480-20-2018-OCF

SUBJECT: UCLUELET OCP – HOUSING ACTION PLAN

REPORT NO: 18-65

RECOMMENDATIONS:

1. **THAT** Council provide feedback on the actions listed in the draft 2018 Housing Action Plan; and,
2. **THAT** the District proceed with commissioning a Community Housing Needs Assessment to analyze the current and emerging housing needs, identify gaps in the spectrum of existing and planned housing supply, and assist in identifying housing priorities in Ucluelet.

PURPOSE:

To provide Council with a brief background and preview of OCP housing discussions - plus a draft of potential short-term housing actions - and to seek direction on the immediate task of commissioning a Housing Needs Assessment.

Background:

Throughout the engagement of the Ucluelet Official Community Plan Update, initiated in 2016, a primary area of concern recognized by community members, staff and Council has been a suite of issues surrounding the supply and affordability of housing. During community consultation in March, housing was a key topic area and generated excellent discussion and feedback. Staff consider it timely to prompt further discussion focused on housing as the draft OCP takes shape. At the same time, other current community discussions could be informed by a clear picture of what the municipality is doing in this area. It is also timely to consider a series of short-term tasks to move forward on addressing these issues.



The 2016 Census counted a resident population of 1,717 people in Ucluelet, and a total of 735 occupied private dwellings. Gathered from the census data over the past ten years, Ucluelet has experienced 1.36% annual population growth, or 23 new residents per year; this could be considered strong, positive growth.

Over the same period, visitor growth and non-resident home ownership has also expanded considerably (though the numbers are not captured by the census). The advent of on-line advertising and bookings for short-term vacation rentals is depleting the supply of rental housing available to long-term residents in Ucluelet (and many other communities in BC). This is having a negative effect on both business viability and community well-being.

Over the past year the District has actively monitored and enforced its bylaws on short-term vacation rentals. Approximately 130 short-term rental units are active in the municipality, many in existing residential neighbourhoods. A number of long-term rental units, including secondary suites, have been converted to short-term rentals, displacing this supply of vital housing stock.

In April of 2018, the provincial government introduced two new pieces of legislation affecting how local governments address housing issues. Bill 18 will require local governments to commission a housing needs assessment within 3 years, and update the report every 5 years thereafter. It is expected that a completed needs assessment report will be a pre-requisite to provincial grant funding for affordable housing projects. Bill 23 will enable local governments to designate properties in their zoning bylaws exclusively for rental housing. This spring the federal government has announced new funding for affordable housing, including making land available to municipalities for the development of new affordable housing units. The details of these new regulations and funding have yet to be announced.

DISCUSSION: In response to the current housing situation, staff propose that the District pursue the following short-term housing action plan. Subject to Council approval of 2019 and 2020 budgets, the following actions are expected over the next two years:

2018 Short-Term Housing Action Plan:

1. Continue the program to actively monitor and enforce short-term rentals;
2. Commission a community Housing Needs Assessment report;
3. Explore the feasibility of creating temporary seasonal employee housing on municipally-owned property;
4. Look for opportunities to update the District's inclusionary zoning and density bonusing, particularly on lands previously designated as Comprehensive Development under a Master Development Agreement, to ensure a mix of affordable housing types are delivered with each phase of new development in the community;
5. Explore and seek community input on zoning amendments to:
 - a. ensure that the first rental unit on single-family residential lots is for long-term tenancy, with any additional short-term rental uses to depend on the continued existence of the long-term rental;
 - b. remove standalone short-term rental of single-family homes from the VR-2 zoning designation;
 - c. add options for infill of compact, more affordable units in existing and new neighbourhoods (e.g., small lots, rental cottages, etc.);
6. A number of federally-owned former Parks Canada and RCMP employee housing lots are now designated *Institutional* on the Schedule A Land Use Plan; create a new institutional Community Residential zoning designation for these properties, clarifying the community expectation for the future conversion of these lands to a possible variety of community care, shelter, supportive and affordable housing uses;
7. Explore the use of the new rental zoning powers proposed in Bill 23;
8. Explore the use of Development Cost Charges for affordable housing;
9. As a follow-up to the needs assessment, develop a municipal Affordable Housing Strategy – identifying the best focus of municipal resources when addressing housing issues; and,
10. Develop a District land and development strategy and explore the options for an ongoing affordable housing program.

It is expected that these actions would be revisited in a 2020 amendment to fine-tune the OCP. Meanwhile, these actions would enable the District to better understand the dynamics of the housing market and supply in Ucluelet, and also allow the municipality to be proactive on balancing the community housing needs as new development occurs.

Process, Timeline and Financial Implications:

A. Housing Needs Assessment:

Staff are presently working on the draft updated OCP chapters and maps. Engaging a consultant to get started on a Housing Needs Assessment does not need to wait to follow adoption of an updated OCP bylaw. Staff consider this a clear next step and recommend pursuing the assessment as soon as possible. The needs assessment will be a pre-requisite to upcoming provincial grant opportunities, and is expected to become a legislated requirement in the near future. The results of the needs assessment will also provide a solid background to help in the analysis of future rezoning proposals which may affect the amount and diversity of housing supply in the community.

The cost to complete a needs assessment is estimated to be approximately \$20,000. The funding of the needs assessment could be accommodated within the current allotment for the OCP project and other consulting in the 2018 budget. As an alternative, Council could wait to see if provincial grant funding is announced in September (as rumoured) to assist municipalities in undertaking these housing needs assessment reports.

Any additional costs for other tasks which fall outside the regular Planning operating budget would be brought forward to Council for consideration in its budgeting process.

B. Other Tasks:

The other tasks listed are either already underway or could be tackled in the work program over the next two years. As the draft OCP is coming together, staff see the document as a complete and current plan but with a number of areas to be expanded in the short term. Staff anticipate a near-term revision to the OCP to enable the District to adopt a comprehensive "2020 vision" looking at a 30-year horizon to 2050. The proposed housing action plan would provide a number of elements to build toward this.

OPTIONS REVIEW:

1. **THAT** Council provide feedback on the actions listed in the draft 2018 Housing Action Plan; **(Recommended)** and,
2. **THAT** the District proceed with commissioning a Community Housing Needs Assessment to analyze the current and emerging housing needs, identify gaps in the spectrum of existing and planned supply, and assist in identifying housing priorities in Ucluelet. **(Recommended);** or,
3. **That** Council defer action on a Housing Needs Assessment until the province has clarified what funding will be available, if any, to assist municipalities with this work.

Respectfully submitted: Bruce Greig, Manager of Planning
John Towgood, Planner
Mark Boysen, Chief Administrative Officer