



**REGULAR MEETING OF COUNCIL**  
**Tuesday, June 11, 2024 @ 4:00 PM**  
**Electronically (Via Zoom) and in the George Fraser Community Room in the**  
**Ucluelet Community Centre, 500 Matterson Drive, Ucluelet**

**AGENDA**

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This meeting is conducted both in-person in the George Fraser Community Room and electronically through Zoom.

Visit [Ucluelet.ca/CouncilMeetings](https://ucluelet.ca/CouncilMeetings)

for Zoom login details, links to the livestream on YouTube and other information about Council meetings.

Members of the public may attend the George Fraser Community Room in the Ucluelet Community Centre to hear, or watch and hear, this meeting including any electronic participation.

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1. CALL TO ORDER

1.1 ACKNOWLEDGEMENT OF THE YUULU?I?ATH

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

1.2 NOTICE OF VIDEO RECORDING

Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.

2. LATE ITEMS

3. APPROVAL OF THE AGENDA

4. PUBLIC INPUT & DELEGATIONS

4.1 Delegations

- Joshua Hunt, CEO, ERIF Sustainable Solutions  
Re: Housing Development Project in Ucluelet

- Sharon Wu  
Re: Seasonal Worker Housing/ Affordable Housing

[2024-06-03 Delegation Request Seasonal Worker/Affordable Housing](#)

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5. UNFINISHED BUSINESS

- 5.1 Development Permit - 1671 Cedar Road (Whiskey Landing Phase 2)  
*Bruce Greig, Director of Community Planning*

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[Appendix A – Original Application Materials 2023](#)  
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[Appendix C – Correspondence re: Certificate of Compliance](#)  
[Appendix D – Confirmation Letter from Ministry of Environment](#)  
[Appendix E – Additional Application Materials, April 2024](#)  
[Appendix F – Koers Engineering Review, May 2024](#)  
[Appendix G – Letters from Azura Mgmt: April 15th and 23rd, 2024](#)  
[Appendix H – DP23-04](#)  
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[Zoning Amendment Bylaw No. 1344, 2024](#)  
[RTC - Zoning Amendments - B&B Regulations and New R1-H Zone, May 14, 2024](#)  
[Draft Minutes Excerpts from May 14, 2024 Regular Council Meeting](#)  
[RTCOW - Short-Term Rental Accommodations Act, April 16, 2024](#)  
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11.2	Councillor Jennifer Hoar <i>Deputy Mayor, January 1 - March 31, 2024</i>	
11.3	Councillor Ian Kennington <i>Deputy Mayor, July 1 - September 30, 2024</i>	
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*Deputy Mayor, October 1 - December 31, 2024*

11.5 Mayor Marilyn McEwen

12. QUESTION PERIOD

13. CLOSED SESSION

14. ADJOURNMENT



## 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 McEwen.

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](mailto:info@ucluelet.ca).

Requested Council Meeting Date: June 11th, 2024

Organization Name: \_\_\_\_\_

Name of person(s) to make presentation: Sharon Wu

Topic: Seasonal Worker Housing/ Affordable Housing

Purpose of Presentation:

Information only

Requesting a letter of support

Other (provide details below)

Please describe:

What is currently being done for the lack of housing for seasonal workers and long-term renters? What are the current bylaws in place to help local businesses and community services retain employees? Permits and re-zoning may be underway, but we need a short-term solution...NOW, not in five years.

Contact person (if different from above): \_\_\_\_\_

Telephone Number and Email: \_\_\_\_\_

Will you be providing supporting documentation?  Yes  No

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

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

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





## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

**FILE NO:** DP23-04/DVP24-07

**SUBJECT:** DEVELOPMENT PERMIT - 1671 CEDAR ROAD (WHISKEY LANDING PHASE 2)

**REPORT NO:** 24-50

**ATTACHMENT(S):** APPENDIX A – ORIGINAL APPLICATION MATERIALS 2023  
 APPENDIX B – APPLICATION EXCERPT; WATERFRONT PATHWAY  
 APPENDIX C – CORRESPONDENCE RE: CERTIFICATE OF COMPLIANCE  
 APPENDIX D – CONFIRMATION LETTER FROM MINISTRY OF ENVIRONMENT  
 APPENDIX E – ADDITIONAL APPLICATION MATERIALS, APRIL 2024  
 APPENDIX F – KOERS ENGINEERING REVIEW, MAY 2024  
 APPENDIX G – LETTERS FROM AZURA MGMT: APRIL 15TH AND 23RD, 2024  
 APPENDIX H – DP23-04  
 APPENDIX I – DVP24-07  
 APPENDIX J – STAFF REPORT DATED MARCH 12, 2024

### RECOMMENDATION(S):

1. **THAT** Council authorize issuance of Development Permit DP23-04 for the construction of a 23-unit multi-unit residential building on the property at 1671 Cedar Road containing a mixed commercial/residential use with a minimum of 15 residential units and up to 8 resort condo units, subject to the owner registering a restrictive covenant on the title of the property assuring that the foreshore lease over District Lot 2167 will be transferred to the District of Ucluelet within 12 months and the public pedestrian walkway will be constructed by the developer to the District's satisfaction prior to an occupancy permit being issued for the building.
2. **THAT** (subject to public comment) Council authorize issuance of Development Variance Permit DVP24-07.

### NOTE:

Staff recommend that Council ask Azura Management Corp. to confirm their offer to construct the proposed public waterfront walkway, and to transfer the foreshore lease over District Lot 2167 to the District of Ucluelet, as proposed in the applicant's submission dated March 23, 2023. Subject to that confirmation, staff recommend that Council consider the above motions.

**BACKGROUND:**

In April of 2023, Azura Management Corp. submitted an application for a Form and Character Development Permit (DP) and a Development Variance Permit (DVP) for development of the property at 1671 Cedar Road; Lot 1, Plan EPP120555 (the “Subject Property”).

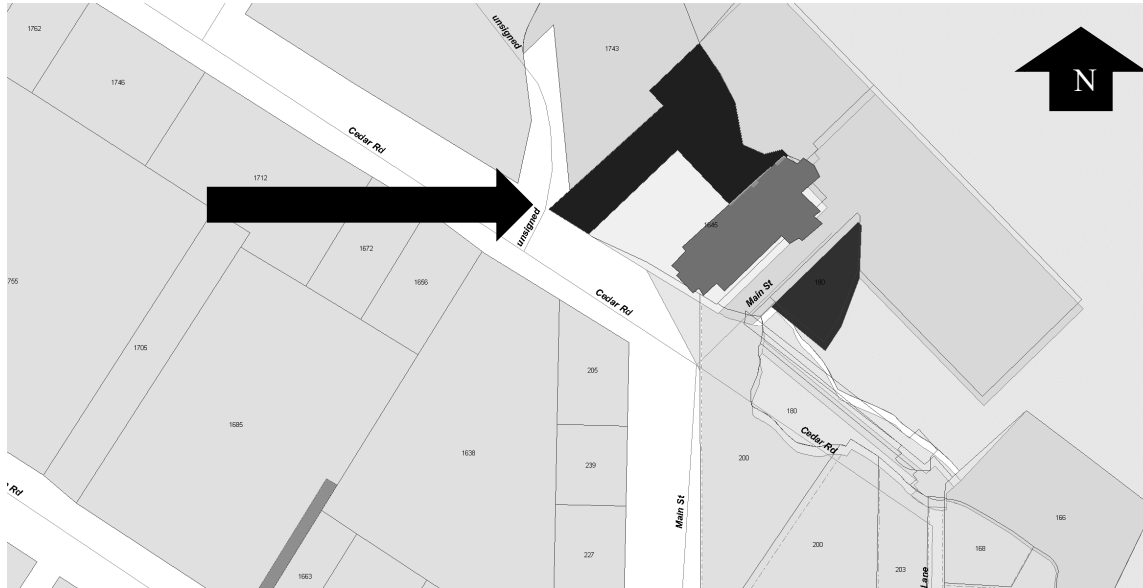


Figure 1 – Subject Property

A report that provides a brief history of the file, an outline of the application, and the status of the application in terms of the provincial *Waste Management Act* and *Contaminated Sites Regulation* was presented to Council on [March 12, 2024](#) (see **Appendix “J”**). Following discussion, Council adopted the following resolution:

*“THAT Council defer a decision on issuing permits for the proposed development at 1671 Cedar Road until the applicant provides a valid certificate of compliance for the proposed multi-family use of the site – or other form of determination or release from the Ministry of Environment – and a landscape plan, noting that under section 9.1 of the Ucluelet Development Application Procedures Bylaw, “every application that has outstanding information requirements for a period greater than nine (9) months is deemed to have been abandoned, with fees forfeited.”*

This resolution required the applicant to provide two items prior to the application proceeding.

1. A Determination from Ministry of Environment and Climate Change Strategy (ENV)

ENV staff stated on March 26, 2024, that “While the municipality is correct that the previously issued Certificate of Compliance for Site 4882 is not applicable to a non-commercial use, the ministry recommends that the owner requests a Director’s Decision for applicable land use, based on the future development plans with parking at grade. If granted, this will change the applicable land use from residential to commercial and, based on the existing Certificate of Compliance, will exempt the site from providing the Site Disclosure Statement and from municipal restrictions on their permit approvals” (see

**Appendix “C”**). The applicant subsequently applied for a determination from ENV Based on the following rationale:

- that the site has been remediated and received a certificate of compliance for commercial land use from ENV in 2002,
- that there has been no known contamination since it was issued, and
- that the proposed development at the site will have an open parkade at ground level and the residential units will have access only from upper levels of the development,

ENV provided their determination on April 5, 2024, that the existing Certificate of Compliance for commercial land use issued on July 23, 2002, remains valid and subsisting for the proposed development (see **Appendix “D”**). This removes the restriction on the municipality from issuing permits for the development of the site.

## 2. Submission of a Landscape Plan

The applicant submitted a Landscape Plan by Lanarc Consultants dated April 19, 2024 (see **Appendix “E”**).

As both the determination letter from ENV and the landscape plan have been received, the application can now be considered complete, and Council can now consider the DP and DVP application for the subject property.

## THE PROPOSAL

Following sections discuss these aspects for Council to consider:

- Development Permit
- items that can be addressed prior to construction
- Variances
- the applicant’s assertion re: permitted tourist accommodation in the CD-4 zone

The proposed development is a 23-unit multi-unit residential building containing a mixed commercial/residential use with a minimum of 15 *residential* units and up to 8 *resort condo* units. The applicant believes the CD-4 zoning permits a different use; see discussion later in this report. The applicant is proposing to construct a 4½ storey building consisting of a ground floor parking parkade with 3½ storeys of *residential* and *resort condo* uses above, which are permitted uses under the subject property’s zoning designation as Comprehensive Development Zone CD-4 – Whiskey Landing (**CD-4**). Some aspects of the proposal, including height, setbacks, and parking requirements are not compliant with the regulations in the zoning bylaw, and are the subject of the DVP discussed below. The property is designated as Village Square Commercial (**VS**) in the District of Ucluelet’s Official Community Plan bylaw (OCP) Long Range Land Use Plan (Schedule A). The proposed development aligns with future designated use of the property.



### FORM AND CHARACTER - DEVELOPMENT PERMIT AREA VILLAGE SQUARE (DPA I):

The subject property falls within the OCP “Village Square” Development Permit Area (DPA I) designation. Form and character DPAs are established to guide development and land use to ensure a pedestrian-oriented, compact, and vibrant community which maintains its coastal village character.

#### Building Form and Design

The building form includes articulations in its building faces and landscape elements to break up the building massing (OCP guidelines F1 & F2). The building form has elements of the original Whiskey Landing building that brings a coherence to the two buildings (OCP- F9). The materials are consistent with the OCP guidelines (OCP- F11). A ground floor parkade is a reasonable approach to utilizing that area in consideration of the coastal storm flood construction level for the property.

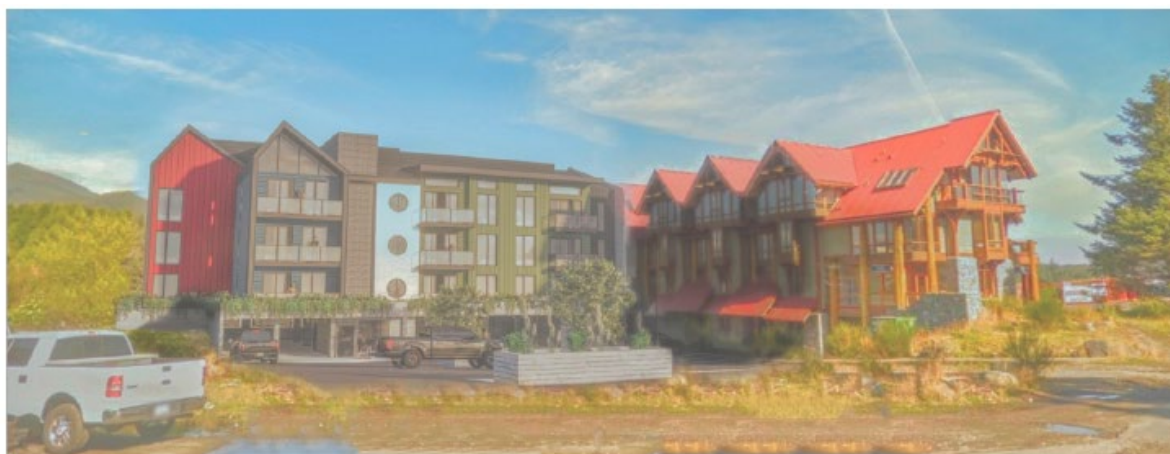


Figure 1 – Proposed Building Rendering

The proposed building’s height, width across the property, and orientation, will have considerable visual impact in relation to the harbour and to the pedestrian realm of Cedar Road and Main Street. While density in the Village Core can add to the core’s vitality, this proposal could be considered too massive and not achieving the OCP objective to deliver a human scale presence at the pedestrian level (OCP- F2). Public pedestrian walkways between the buildings and to access the waterfront would mitigate the effect of the building on the public realm. This was a key part of the proposed development submitted by the applicant (see excerpt in **Appendix “B”**). On April 15<sup>th</sup>, 2024, the applicant sent a letter to the District of Ucluelet (see **Appendix “G”**), stating that they will no longer be open to transferring the water lease fronting the property to the District for a public waterfront walkway.

Removing public access to the waterfront does not match the plans and documents submitted for the DP, and would remove an important component that helped the submitted proposal align with many of the DP guidelines. In addition, this change has consequences in terms of emergency access and overall community benefit balancing out any variances to the current zoning. Without the previously proposed public access walkway along the waterfront, the variances requested to increase the building’s width and height - blocking the view and public connection to the harbour

– would be contrary to what the OCP guidelines consider as critical (OCP- F1.1, F1.2, & F1.3). The proposal, without public water access, also does not enhance or connect the adjacent public spaces (OCP- F1.3, F1.4, & F1.9) and is not consistent with Ucluelet’s Parks & Trails Network Plan (OCP Schedule ‘C’) which indicates the community interest in seeing the continuance of the Safe Harbour Trail along the waterfront of the subject property.

As noted above, staff recommend that Council ask Azura Management Corp. to confirm their offer to construct the proposed public waterfront walkway, and to transfer the foreshore lease over District Lot 2167 to the District of Ucluelet, as proposed in the applicant’s submission dated March 23, 2023, prior to considering approval of the development permit. Without that confirmation, staff recommend that Council consider the alternative options B or C discussed at the end of this report.

#### Landscaping

The landscaping provided (see **Appendix “E”**) is primarily in the boulevard areas, as the majority of the area in front of the building is paved parking. The landscaping that is provided is of native plants (consistent with OCP-F24), washed rocks, and grass.

#### Parking

As mentioned on the previous report (see **Appendix “J”**), the development proposes 25 on-site parking spaces. The *District of Ucluelet Zoning Bylaw No. 1160, 2013*, requires a minimum of 34 spaces for the proposed building if 15 of the units are of residential use and 8 of the units are Resort Condo use (this scenario represents the minimum parking requirement; if more residential units occur the parking requirement would increase), therefore this proposal does not meet the off-street parking requirements in Section 505.1 of the Zoning Bylaw. However, because the subject property is within the Village Square, the developer has the option of paying cash-in-lieu for the on-site parking shortfall of 9 spaces at a rate of \$8,000 per space. This would occur prior to obtaining a building permit.

#### **ITEMS TO BE ADDRESSED PRIOR TO CONSTRUCTION:**

Should the DP be issued, a number of items will need to be clarified or resolved by the developer prior to issuance of a building permit - as is often the case with a development of this sort. These items include:

- Registration of a covenant naming the District to resolve encroachment over neighbouring property and building code limiting distance;
- Registration of covenant assuring that the foreshore lease over District Lot 2167 will be transferred to the District of Ucluelet within 12 months and the public pedestrian walkway will be constructed by the developer to the District’ satisfaction prior to an occupancy permit being issued for the building
- Engineered solution for safe access and turning movements for driveways onto Cedar Road, considering adjacent pedestrian movements and bus stop;
- Confirmation of fire access and turning movement adequate to suit the local emergency apparatus;

- Engineered solution or relocation of storm drain outside the footprint of the building;
- Confirmation of adequate servicing connections via the Phase 1 building;
- Confirmation of adequate sewer capacity in the existing sanitary system on Cedar Road;
- Payment in lieu for deficit of on-site parking.

These items are listed in the draft DP23-04 (see **Appendix “H”**).

In addition to the Landscape Plan, the applicant has recently provided an initial set of civil engineering drawings for site servicing, to answer questions raised previously by staff (see Herold Engineering drawings in **Appendix “E”**). Review comments from Koers engineering dated May 23, 2024, are found in **Appendix “F”**.

#### Proposed building encroachment over neighboring common property

The proposed building has a zero setback to the neighboring common property and the face of that building has balconies that encroach into the common property. This common property is the neighbouring Whiskey Landing phase 1 parking area and has a cross-access easement in favor of the applicant to allow access to the parking area (**Figure 2**). Because the building is proposed to be constructed at and over the property line, prior to issuing a building permit the owner would need to register a section 219 restrictive covenant in favour of the District over the common property of Strata Plan VIS6411 (Whiskey Landing phase 1), restricting the construction of any future building on the neighbouring property within the limiting distance required by the BC Building Code, and those requirements could not be released from the property title without the District’s approval. A draft covenant for this purpose provided by the applicant in April has been forwarded to the District’s lawyers for review and would need to be in place prior to Building Permit.

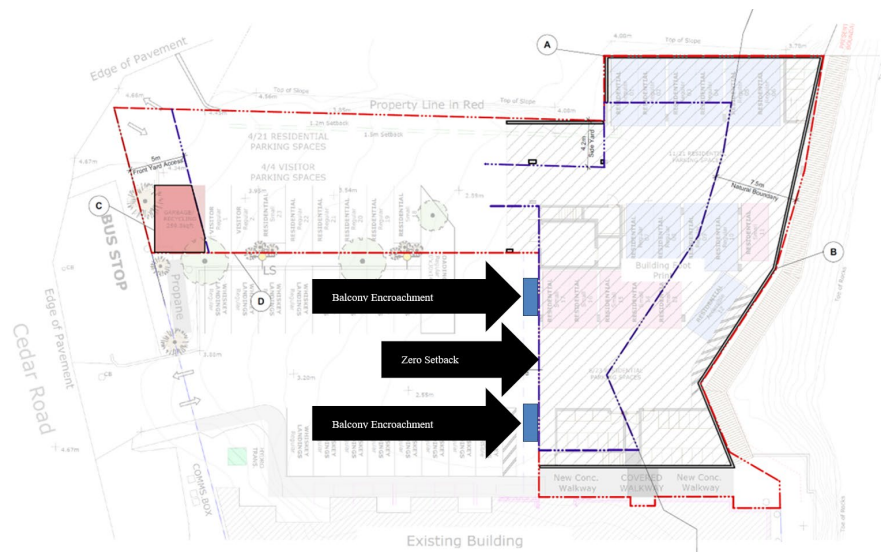


Figure 2 - Encroachments

#### Fire Protection

The Ucluelet Fire Department has reviewed the proposal and has raised a few concerns that require clarification. Firstly, fire protection standards require the width of the access lane to be

maintained at all times, and there is concern that a longer vehicle parked in the proposed parking lot may restrict the ability for fire apparatus to safely pass and operate. Secondly, the plan does not indicate that there is sufficient turning radius for fire apparatus in the parking lot (minimum radius of 12m). If this minimum radius cannot be met, a turnaround must be supplied. Addressing both concerns may reduce the available parking.

Also, the orientation and massing of the building removes the side yards that emergency personnel rely on to fight fires from multiple building faces. In this proposal, firefighting can only be achieved from one face of the building or at a distance from the Whiskey Dock. This concern is exacerbated by the requested increase in height variance. Confirmation of access routes from the applicant would need to be provided prior to the release of the building permit to ensure the ability to fight a fire within the proposed development.

#### Site Servicing

The civil engineering drawings for the proposal were reviewed, commented on (**Appendix F**), and returned to the developer's engineer on May 27, 2024, and items needing clarification and/or revision were brought to the applicant's attention. Further discussion have since occurred between municipal staff, the District's consulting engineer and the developer's civil engineer to advance resolution of these items.

#### Storm Drain Design

The applicant has shown the storm main located within the footprint of the proposed building. This location is not supported by the Districts engineers and they recommend that it be located outside of the building footprint. Potential options include:

- Relocating it to the east to be in the walkway between the Phase 1 & Phase 2 buildings.
- Relocating it to the west onto the adjacent property.
- Modifying the building footprint to allow for the storm drain main to be located along the west property line and outside of the building footprint. This would be in line with the original building layout plan

A plan and profile drawing will be required to be provided for the District's storm main and this drawing is to show the high and low tide levels so that the extent of daily surcharging of the main can be known. The design should include allowance for overland flow from Cedar Road onto and through the property and into the harbour plus on-site oil/water separator as required.

As noted above, these items could be resolved after a DP is issued but before building permit. If the solution requires moving or changing the proposed building, then the developer could need to seek approval to amend the DP.

#### Water and Sanitary

Design calculations are to be provided to demonstrate that the existing municipal service connections for the Phase 1 building are adequate to service both the Phase 1 and Phase 2 buildings.

The proposed development will discharge to the existing sanitary sewer main on Cedar Road, which conveys flow to the Fraser Lane Lift Station. The findings of the recently completed District

of Ucluelet Sanitary Master Plan, Final Report, June 30, 2023, by Koers & Associates Engineering Ltd. suggest that the pumping capacity of the lift station is adequate under existing conditions but future development in the District would increase peak flows beyond the capacity of the Fraser Lane Lift Station.

#### DEVELOPMENT VARIANCE PERMIT

As mentioned throughout the report above, the applicant is requesting variances to *District of Ucluelet Zoning Bylaw No. 1160, 2013*, specific to the plans and elevations attached as Schedule A to the DVP24-07 (see **Appendix “I”**). It should be noted that variances are often granted when they help to better align a proposal with OCP guidelines and increase community benefits. The requested variances are discussed below, along with the associated building, fire fighting, and view corridor consequences:

- A minimum side yard interior setback for the principal building of 0.0m, whereas section CD-4.6.1 (1)(c) of the zoning bylaw indicates a minimum of 4.2m;

A zero setback could be supportable in instances where it results in the continuity of business street frontages in a commercial area. It could also be supportable in instances where moving the building massing to one side of a property results in a larger view corridor and/or the retention on an environmental attribute. The zero interior yard setback in this case does neither. Public access to the waterfront – to allow the public to move past the building – would mitigate the need for a greater setback to preserve views of the harbour.

- A minimum setback for the principal building from the natural boundary of the sea of 0.0m, whereas section 306.2 (1) (a) of the zoning bylaw indicates a minimum of 7.5m;

The 7.5m natural boundary setback has environmental, hazard, and aesthetic reasons. A natural corridor along the waterfront is important for keeping Ucluelet’s coastal ecosystems intact and is important for mammals to move and forage. The waterfront corridor is essentially impassible from the Eagles Nest to Pioneer Boat Works at high tide. This application does not improve or aggravate that current situation. Note that the CD-4 zone does not set a specific setback from the natural boundary, therefore the setback in section 306.2(1)(a) would apply to this site unless varied.

- A minimum front yard setback for an accessory building of 0.0m, whereas section CD-4.6.1 (2)(a) of the zoning bylaw indicates a minimum of 5.0m;

An accessory building located at the street frontage in the Village Square is not typically consistent with the OCP guidelines. The proposal somewhat treats Cedar Road as the back end of the development; again, public access through the site to the waterfront would be a consideration in balancing the net impact on the public realm for this variance.

- A minimum setback for offsite parking from a lot line (other than the front lot line) of 0.0m, whereas section 503.2 (2) of the zoning bylaw indicates a minimum of 1.5m;

The zero setback limits any possible landscaping elements but would be essential for the functioning of the proposed parking lot.

- A maximum height of the principal building of 16.4m whereas section CD-4.5.1 of the zoning bylaw indicates a maximum of 12.0m.

Because of the increase in building mass and in this case, the increase difficulty in fire fighting, an increase in allowable height should only be considered when there is a clear community benefit such as achieving more affordable housing, clustering building massing to increase harbour views and emergency access, or to retain environmental attributes. Absent the initially proposed public access to the waterfront, the requested height increase in this case does none of those things.

#### CORRESPONDENCE FROM THE APPLICANT RE: PERMITTED USES

In addition to the DP and DVP application discussed above, the applicant has submitted correspondence (see **Appendix “G”**) requesting that Council address the uses permitted by the zoning bylaw concurrently with consideration of the DP and DVP. On April 15, 2024, the applicant submitted a letter to The District of Ucluelet’s CAO requesting it to be presented to Council stating that its purpose is to invoke reconsideration by Council that:

*“The applicant seeks Council to resolve the CD-4 zoning use dispute between the “Mixed Commercial Residential” relied on and the “Resort Condo” reference in the March 12, 2024 report, which was arbitrarily imposed by the Director of Planning’s decision on this application.”*

The permitted uses were described in the March 12, 2024, staff report (**Appendix “J”**). The CD-4 Zone permits one principal use that would allow the proposed building as presented, the *Mixed Commercial/Residential* use, as defined below:

*“Mixed Commercial/Residential” means the use of a building containing a combination of:*

- (a) commercial uses that are **otherwise permitted within the Zone** on any storey, including commercial tourist accommodation uses not on the first storey, and*
- (b) residential uses located exclusively at the second storey or higher, unless otherwise specified in a particular Zone;*

As the building contains only dwelling units, the commercial component required by the definition above must be one of the two *commercial tourist accommodation* uses listed in the CD-4 zone, the *hotel* use or the *resort condo* use. As the application does not propose the development to function collectively from an onsite office and staffed lobby (a requirement of *hotel* use), the only applicable remaining *commercial tourist accommodation* type use is *resort condo*. The density of the *resort condo* use in CD-4 is limited to a maximum of one *dwelling unit* per 140 m<sup>2</sup> of lot area, which for this proposal results in a maximum of 8 *resort condo* units allowed. In summary, the proposed 23-unit development must contain at least 2 but not more than 8 *resort condo* units with the remaining dwelling units being *residential*.

Note that *commercial tourist accommodation* is not a standalone permitted principal use in the CD-4 zone (or anywhere in the zoning bylaw); this is a *class* of uses referenced in the zoning bylaw definitions, but is not itself a permitted use of the property. The interpretation described above was reviewed by the municipal solicitors; they confirmed that the applicant’s claim relies on an

implied permission for a standalone *commercial tourist accommodation* use and that the bylaw contains no such implied permission in the CD-4 zone.

It should be noted that there is nothing restricting the applicant from applying for a zoning bylaw amendment to suit their desired outcome.

#### ANALYSIS OF OPTIONS:

A	Subject to the applicant confirming the waterfront walkway, and subject to public comment on the variances, approve DP23-04 and DVP24-07	<u>Pros</u>	<ul style="list-style-type: none"> <li>Allows the applicant to move their project forward or potentially sell the property with DP and DVP approvals in place.</li> <li>Could result in the construction of 23 units with at least 15 used for housing, and up to 8 used for resort condo purposes.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Needs applicant to first clarify contradictory information between the DP application and their recent correspondence.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Applicant would need to be prepared to register a S.219 restrictive covenant on the property;</li> <li>Applicant could address outstanding engineering and fire access questions prior to building permit.</li> </ul>
B	Defer a decision until the applicant revises the proposal to meet the Development Permit Guidelines in the OCP bylaw.	<u>Pros</u>	<ul style="list-style-type: none"> <li>Would allow the applicant to revise the project design to meet the OCP guidelines, in particular to address guidelines F2, F8, FI.1, FI.2, FI.3, FI.4, and FI.6.</li> <li>Applicant could also work to resolve related fire access and engineering questions, although these could be addressed at any time prior to a building permit application.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>More time and work for the applicant, and for subsequent staff review.</li> <li>Could result in a major redesign and added costs for the applicant.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Revisions to the project to meet the guidelines may result in different and/or additional variances, requiring new notification for a DVP – depending on the contents of a revised application.</li> </ul>
		<u>Suggested Motion</u>	<p><b>THAT</b> Council defer a decision on DP23-04 for 1671 Cedar Road and indicate to the applicant that they should revise their proposal to address the applicable OCP Development Permit area guidelines, particularly guidelines F2, F8, FI.1, FI.2, FI.3, FI.4, and FI.6.</p>
C	Reject the application siting the variances and/or DP guidelines that the application does not meet.	<u>Pros</u>	<ul style="list-style-type: none"> <li>The applicant could redesign the proposed development to meet the DP guidelines and better suit the context within the centre of town.</li> <li>Reinforces the importance for the development to address its impacts on the public and on neighbouring properties.</li> <li>Submitting a new complete application would provide a clearer description of the development proposal for consideration by Council, staff and the public.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>More time, work and cost for the applicant, and for subsequent staff review.</li> <li>Additional cost to the developer for a new application fee.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Staff would receive and process a new development proposal once a complete application is submitted.</li> </ul>



	<u>Suggested Motion</u>	That Council reject DP23-04 because the proposal does not adequately meet the following DP guidelines: F2, F8, FI.1, FI.2, FI.3, FI.4, and FI.6.
--	-------------------------	--

**POLICY OR LEGISLATIVE IMPACTS:**

Depending on the applicant’s response clarifying their intention to provide the waterfront walkway, this application may be deemed to be either consistent or inconsistent with the *Official Community Plan* bylaw. The application would vary sections of the *Zoning Bylaw*.

In addition, it is important to note the applicant is responsible for ensuring that all Provincial and Federal laws, requirements, and best practices are followed.

Notification has been completed for the requested DVP and Council should provide an opportunity for public comment.

**NEXT STEPS:**

Next steps are dependent on the response by the applicant and direction of Council.

Respectfully submitted:            Bruce Greig, Director of Community Planning  
    Duane Lawrence, Chief Administrative Officer



Azura Management Corp. 1671 Cedar Road  
Ucluelet, BC  
COVER LETTER

Azura Management Corp.  
800 – 15355 24<sup>th</sup> Avenue  
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Mobile: (604) 309-4154  
E: [fross@azuramanagment.com](mailto:fross@azuramanagment.com)

**April 4, 2023**

By email, and Express Post - [bgreig@ucluelet.ca](mailto:bgreig@ucluelet.ca)

**District of Ucluelet**

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

Dear Mr. Bruce Grieg,

We are pleased to present an updated and alternate Development Permit Application for 1671 Cedar Road, Ucluelet BC (PID 031-694-829)<sup>1</sup>.

This application package has been completed in accordance with the Development Permit (DP) Checklist, and with the communications and feedback provided to us by District of Ucluelet Staff and Whiskey Landing owners over the past five years.

---

<sup>1</sup> Legal Description: LOT 1 DISTRICT LOTS 2164 AND 282 CLAYOQUOT DISTRICT PLAN: EPP120555 ("Lot 1").

Digital copies of the following standard documents have been submitted electronically in support of this application:

1. Signed Application form
2. Title search
3. Site profile
4. Written statement of intent
5. Application drawings

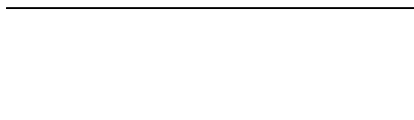
In addition to the standard documents the application package includes the following additional reports:

6. Marine habitat assessment report (previously submitted by Rob Waters on December 20, 2022)
7. Engineering report to determine a site-specific Flood Construction Level

The required hard copies of the following documents are being delivered to you by express post:

- Application drawings (three full size, and two letter size)
- Application fee for \$1,500

We look forward to hearing from you,

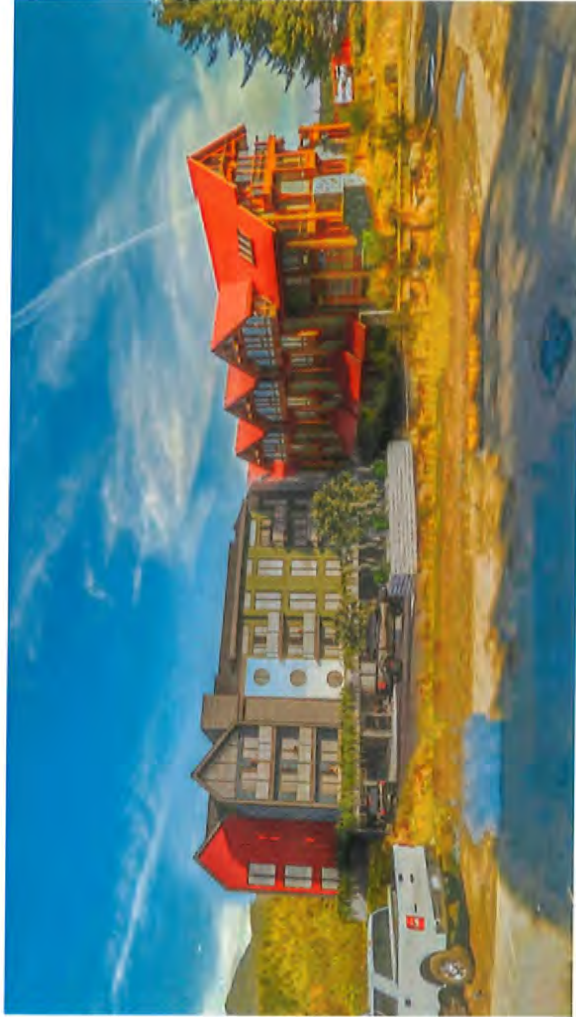


Fawn Ross

# PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC

Parcel Identifier: 031-694-829

Legal Description: LOT 1 DISTRICT LOTS 2164  
AND 282 CLAYOQUOT DISTRICT  
PLAN: EPP120555 ( "Lot 1" ).



SCAN CODE FOR VIDEO  
View from Ocean



SCAN CODE FOR VIDEO  
View from Cedar Rd



SCAN CODE FOR VIDEO  
View from Cedar Rd

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A0.4	Site Plan
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A1.3	Condos 3rd Floor
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<b>ELEVATIONS</b>	
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A3.2	East Section (S.2)
A3.3	North Section (S.3)
A3.4	West Section (S.4)
A3.5	Rendered Images



**MEADOW VIEW DRAFTING AND DESIGN**

14211 Bristow Rd, Summerland, BC

Call: 250-462-0420

Email: craig@meadowviewdrafting.com

# PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC

## PROJECT STATISTICS

### PROJECT DATA- CONDOS

CIVIC ADDRESS 1671 CEDAR ROAD, UCLUELET, BC  
 PROPOSED USE CONDO'S  
 BASIS OF DESIGN BCBC 2018  
 PROPOSED ZONING CD-4

### DEVELOPMENT REPORT

AREA CALCULATION \_\_\_\_\_ ALLOWED 4 PROPOSED 4  
 PROPOSED STOREYS 4 4

TOTAL PROPOSED UNITS 23

SITE 1257.78 sqm (13506.41 sqft)

TOTAL GROSS FLOOR AREA

F.A.R. 2.2 1.7

LOT COVERAGE 90% 57.8%

PARKING  
 PARKADE REGULAR 10/23  
 PARKADE SMALL 6/23  
 PARKADE ACCESSIBLE 1/23  
 PARKING LOT 6/23  
 VISITOR PARKING (EXTERIOR) 2/4  
 OFF SITE PARKING 2/23

### GROSS AREA CALCULATION - APARTMENT

LEVEL	AREA (sqm)	AREA (sqft)
PARKADE	725.48	7,809.05
FIRST FLOOR	603.76	6,498.89
SECOND FLOOR	603.76	6,498.89
THIRD FLOOR	603.76	6,498.89
FOURTH FLOOR (INCLUDING LOFT UNIT OS-D.3)	326.68	3,505.67
<b>BUILDING HEIGHT</b>	2,863.44	30,811.39

MEASURED FROM: AZURA CONDOS (FISHPLANT SIDE) 16.342m  
 AZURA CONDOS (WHISKEY LANDINGS SIDE) 15.525m  
 WHISKEY LANDINGS 14.489m  
 AVE. GRADE 3.16m



A0.2

## CONDO UNIT BREAKDOWN

Unit Types	Unit Count	Bedroom Count	Size (SQFT)	Bathroom Count	Den Count	Deck (SQFT)
PS-A	3	1	617	1	0	69
PS-B	3	2	733	2	0	81
PS-C	3	1	618	1	0	71
OS-A	3	2	715	3	0	51
OS-B	3	1	718	1	1	60
OS-C	3	1	997	2	1	76
OS-D*	3	3	1167	3	0	55
PH-1	1	1	900	2	1	60
PH-2	1	1	1100	2	1	76
						One Bedroom Units 14
						Two Bedroom Units 9

\*Loft on 4th Floor 1 Bedroom and 1 Bathroom 820 sqft

### Common Area (SQFT)

	Parkade	1st Floor	2nd Floor	3rd Floor	4th Floor
Storage	770.5	-	-	-	-
Stairwell	211	293	293	293	167
Hallway	194	488	488	488	400
<b>Total Building Area (SQFT)</b>					

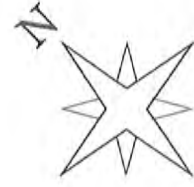
### Total Building Area (SQFT)

	Parkade	1st Floor	2nd Floor	3rd Floor	4th Floor
Unit Area	-	5535	5535	5535	2000
Common Area	1125.5	781	781	781	567



1671 CEDAR RD, UCLUELET, BC





# PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC PLAN VIEW OF AZURA DEVELOPMENTS SITE PLAN

Parcel Identifier: 031-694-829

Legal Description: LOT 1 DISTRICT LOTS 2164  
AND 282 CLAYOQUOT DISTRICT

PLAN: EPP120555 ( "Lot 1" ).



Existing Building

A Site Plan  
Scale: 1:360



1671 CEDAR RD, UCLUELET, BC

A0.3



# PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC



Regional Context

**B**

Scale: N/A

Neighbourhood Context

**B.1**

Scale: N/A



A0.4

1671 CEDAR RD, UCLUELET, BC





# PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC



1 View to Site from Peninsula Rd  
 Scale: N/A



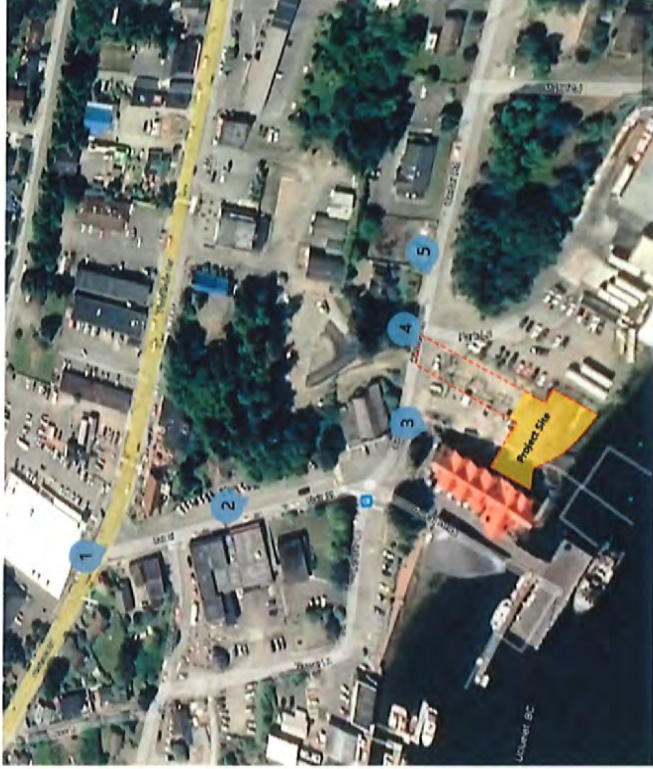
2 View to Site from Main St  
 Scale: N/A



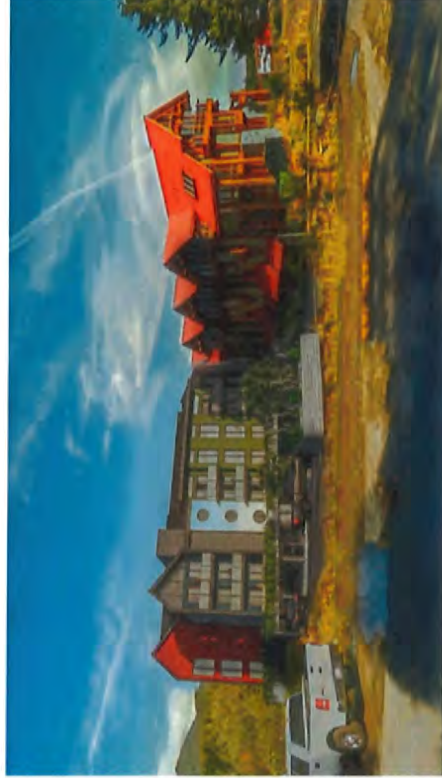
3 View to Site from Cedar Rd and Main St  
 Scale: N/A



5 View to Site from Cedar Rd  
 Scale: N/A



4 View to Site from Cedar Rd  
 Scale: N/A



4.1 Rendered Image of View to Site from Cedar Rd  
 Scale: N/A

A0.5

1671 CEDAR RD, UCLUELET, BC







1671 CEDAR RD, UCLUELET, BC

A1.1

A Parkade Plan  
 Scale: N/A









1671 CEDAR RD, UCLUELET, BC







A1.4

D 4th Floor and Loft Plans  
 Scale: N/A





- EXTERIOR FINISH KEY**
- 1 7 1/4" Exposure Siding- Horizontally Oriented
  - 2 Architectural Concrete
  - 3 Metal Panel
  - 4 Pre-Finished Metal Flashing with Extended Drip Edge
  - 5 42" Face Mounted Glass Guardrail
  - 6 16" Exposure Board and Batt- Vertically Oriented
  - 7 James Handle Shingles
  - 8 Face Stone
  - 9 Metal Roofing Black

-  SW 7583 Wild Currant
-  SW 7075 Web Gray
-  SW 6685 Trinket
-  Corrugated Metal Siding
-  SW 6439 Greenfield
-  SW 9150 Endless Sea

1671 CEDAR RD, UCLUELET, BC

A2.1

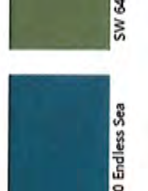
N Ocean, Front Elevation  
 Scale: N/A







- EXTERIOR FINISH KEY**
- 1 7.14" Exposure Siding - Horizontal Grained
  - 2 Architectural Concrete
  - 3 Metal Panel
  - 4 Pre-Finished Metal Finishing with Enameloid DMC Edge
  - 5 4" Face Mounted Glass Curtainwall
  - 6 10" Exposure Board and Batten - Vertical Grained
  - 7 James Hardie Siding
  - 8 Face Stone
  - 9 Metal Roofing Tiles

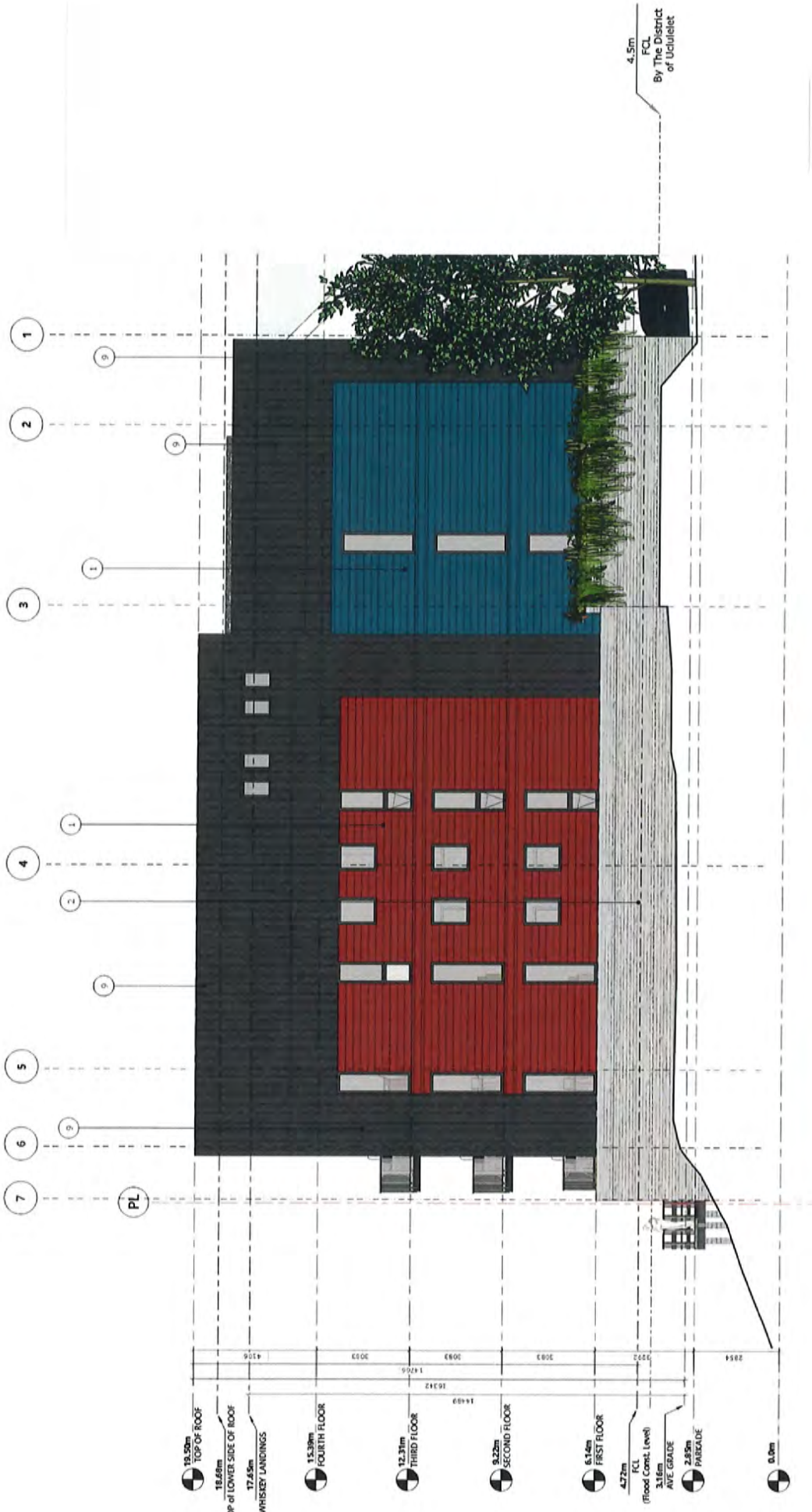


1671 CEDAR RD, UCLUELET, BC

A2.2

S Parkade Elevation  
 Scale: N/A





- EXTERIOR FINISH LIST**
- 1 7.14" Exposure Slab - Rebar Only Concrete
  - 2 Architectural Concrete
  - 3 Metal Panels
  - 4 Pre-Finished Metal Cladding with Emerald DDC E226
  - 5 42" Face Mounted Glass Curtainwall
  - 6 10" Exposure Board and Batten Vertical Grained
  - 7 James Hardie Shingles
  - 8 Face Stone
  - 9 Metal Roofing Black

-  SW 7583 Wild Currant
-  SW 7075 Web Gray
-  SW 6685 Trimlet
-  Corrugated Metal Siding
-  SW 6439 Greenfield
-  SW 9150 Endless Sea

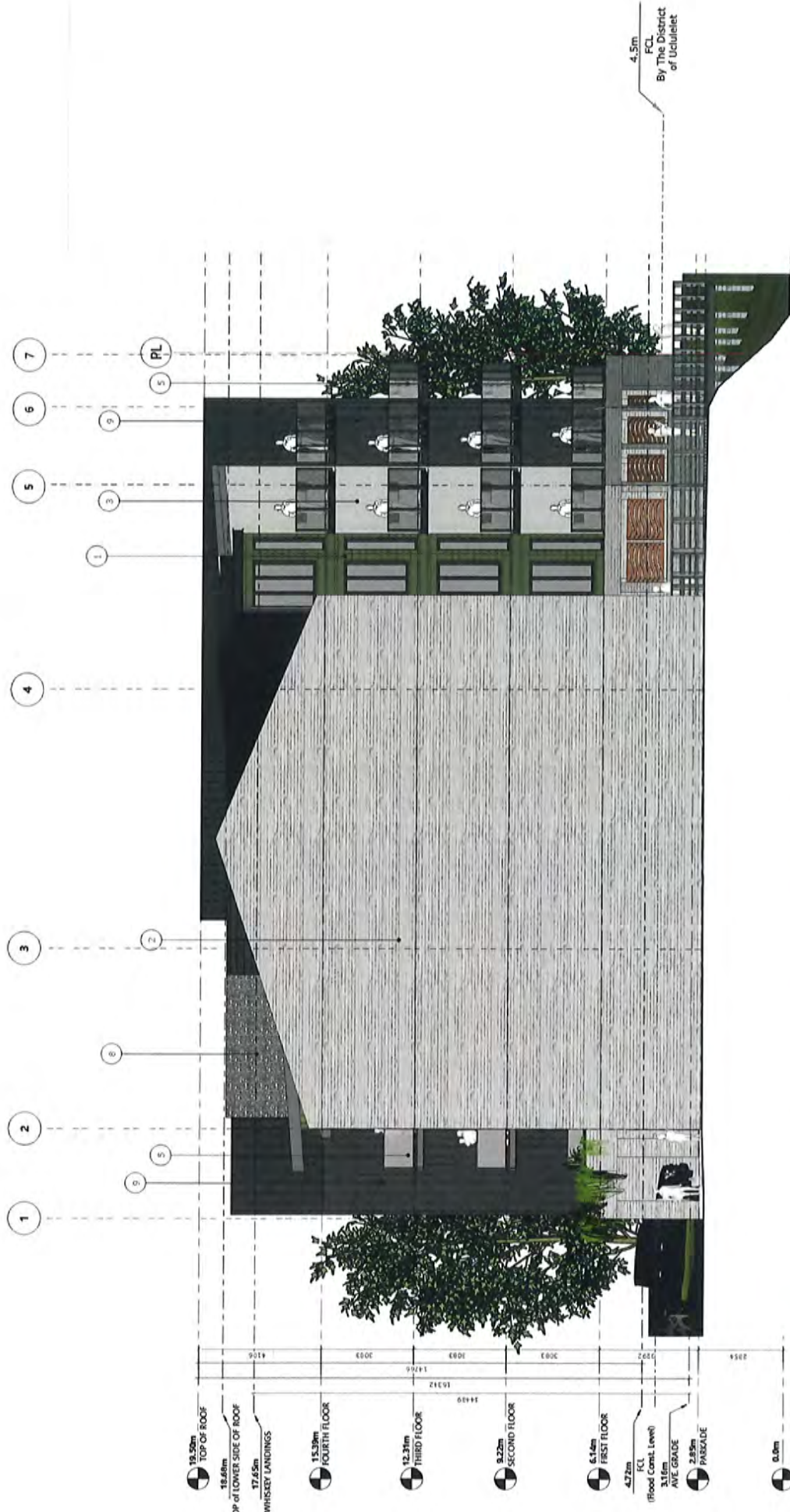
1671 CEDAR RD, UCLUELET, BC

A2.3

North West Elevation  
 Scale: N/A







- EXTERIOR FINISH KEY**
- 1 10' Concrete Stone and Blended with Vertical Grooves
  - 2 Architectural Concrete
  - 3 Moss Panel
  - 4 Fine-Grained Metal Finishing with Expanded Drip Edge
  - 5 4" Fish Mounded Glass Overlaid
  - 6 10' Concrete Stone and Blended with Vertical Grooves
  - 7 James Hardie Shingles
  - 8 Pine Siding
  - 9 Near Footing Brick

-  Black Frost Ledgestone
-  SW 7583 Wild Current
-  SW 7075 Web Gray
-  SW 6685 Trinitite
-  Corrugated Metal Siding
-  SW 6439 Greenfield
-  SW 9150 Endless Sea

1671 CEDAR RD, UCLUELET, BC

A2.4

E South East Elevation  
 Scale: N/A





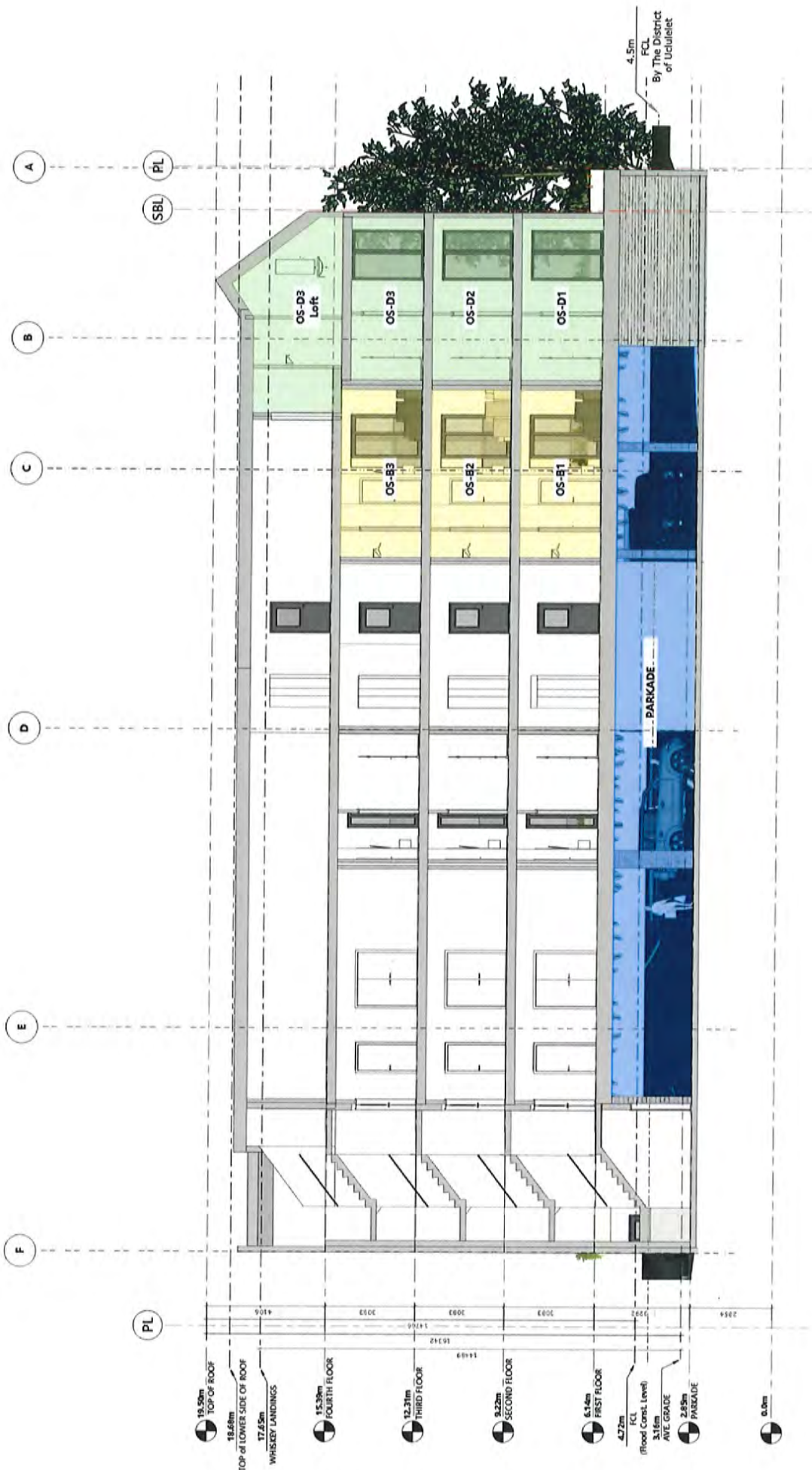
1671 CEDAR RD, UCLUELET, BC

A3.1

S.01 Section S.01  
 Scale: N/A





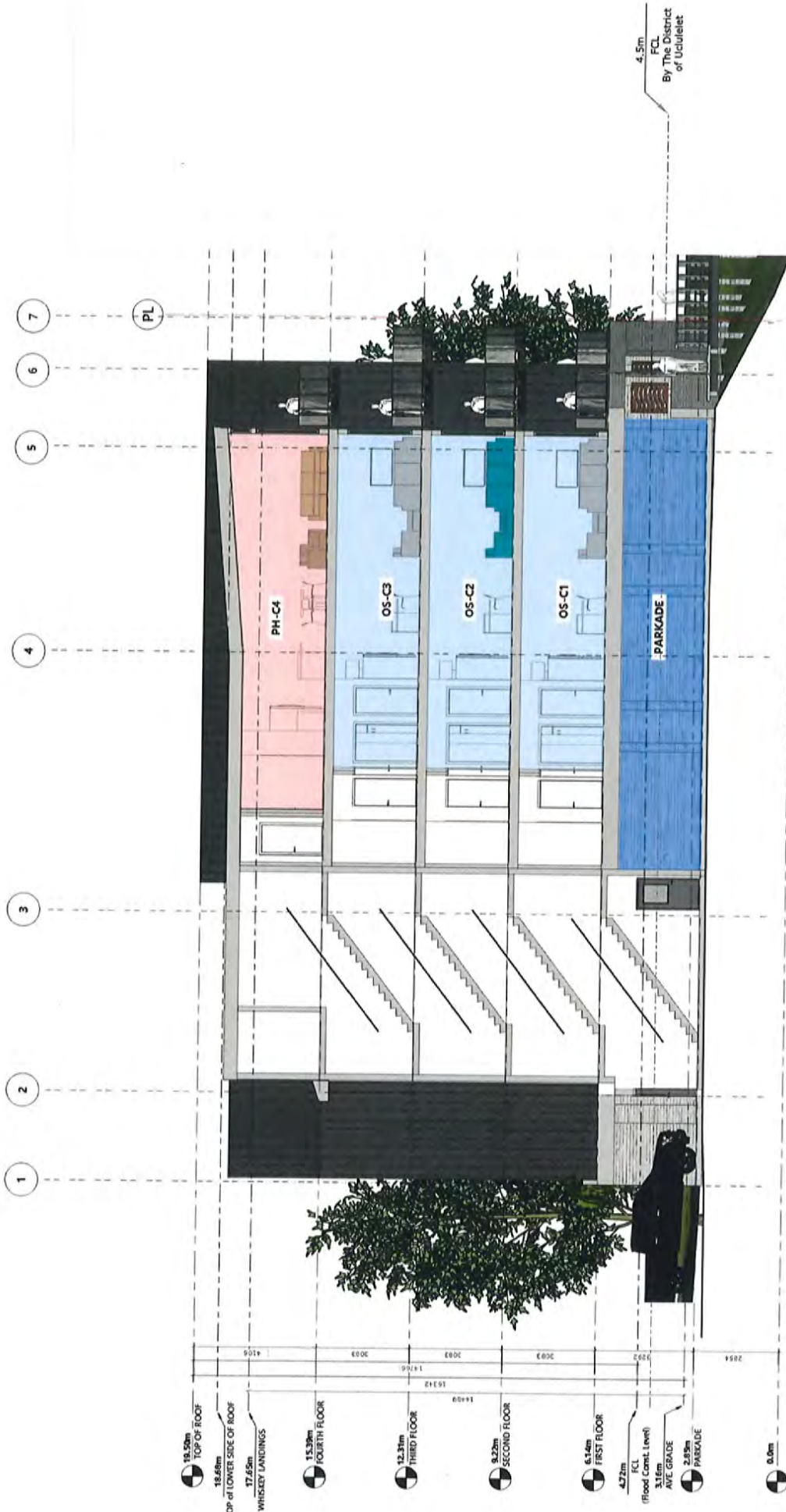


1671 CEDAR RD, UCLUELET, BC

A3.2

Section S.02  
 Scale: N/A



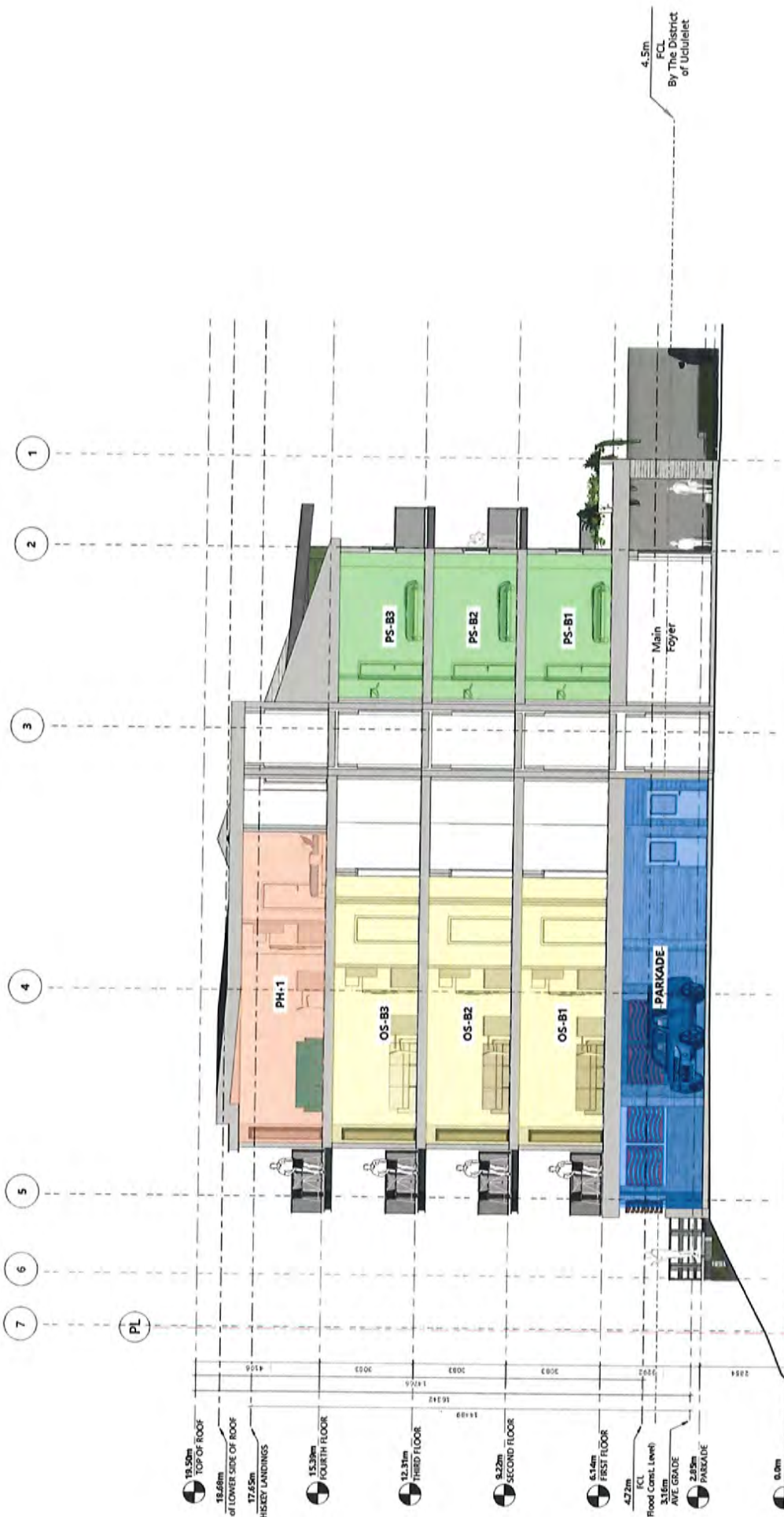


1671 CEDAR RD, UCLUELET, BC

A3.3

S.03 Section S.03  
 Scale: N/A





1671 CEDAR RD, UCLUELET, BC

A3.4

S.04 Section S.04  
 Scale: N/A



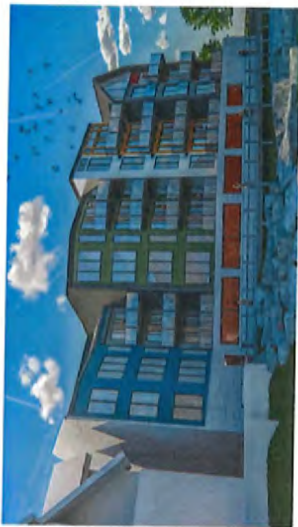




1 Rendered Image of View to Site from Cedar Rd  
 Scale: N/A



2 Rendered Image of View to Site North East Corner  
 Scale: N/A



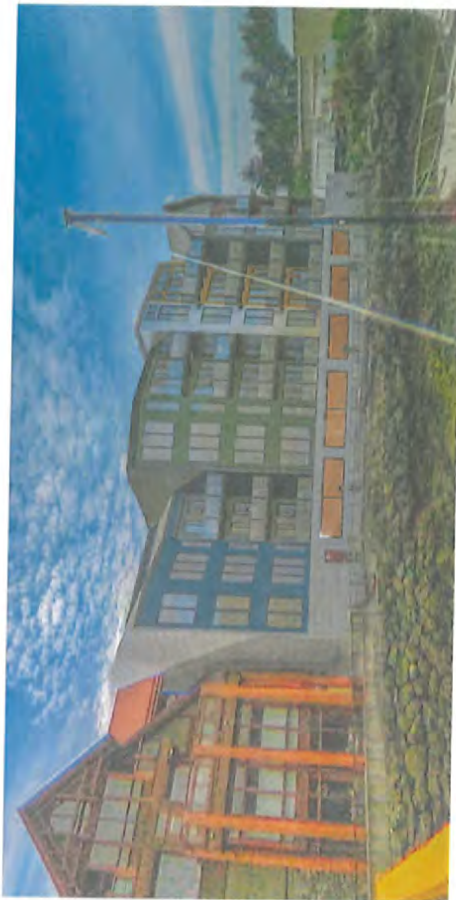
3 Rendered Image of View to Site North West Corner  
 Scale: N/A



4 Rendered Image of View from Whiskey Landings  
 Scale: N/A



5 Rendered Image of View from Parking Entry  
 Scale: N/A



6 Rendered Image of View from Government Wharf  
 Scale: N/A



SCAN CODE FOR VIDEO  
 View from Ocean



SCAN CODE FOR VIDEO  
 View from Cedar Rd



SCAN CODE FOR VIDEO  
 View from Cedar Rd



A3.5

1671 CEDAR RD, UCLUELET, BC

A z u r a M a n a g e m e n t C o r p . 1 6 7 1 C e d a r R o a d  
U c l u e l e t , B C

## DEVELOPMENT PERMIT APPLICATION

1671 CEDAR ROAD  
UCLUELET, BC

APRIL 4, 2023

A z u r a M a n a g e m e n t C o r p . 1 6 7 1 C e d a r R o a d  
U c l u e l e t , B C

Azura Management Corp respectfully acknowledges that we are located on the traditional territory (ḥaahuuḥi) of the Yuuḥuḥiḥath (Ucluelet First Nation).

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Azura Management Corp. 1671 Cedar Road  
Ucluelet, BC

## LETTER OF INTENT

Azura Management Corp.  
800 – 15355 24<sup>th</sup> Avenue  
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Office: (604) 536-7333  
Mobile: (604) 309-4154  
E: [fross@azuramanagment.com](mailto:fross@azuramanagment.com)

March 23, 2023

### 1. Introduction

This letter of intent is to support the development of 1671 Cedar Road, in the District of Ucluelet, British Columbia.

The Property (PID 031-694-829)<sup>1</sup> is in the Village Square Development Permit Area in the District of Ucluelet's Official Community Plan, is zoned CD-4 and is 0.31-acre in size.

It is the empty lot between the Whiskey Landing Development and the Ucluelet Harbour Seafoods Fish Plant (Attachment A). There is a water parcel (D.L. 2167) that extends in front of the Property that is also part of this development. This water parcel shares a boundary with the District owned water lease (DL 1689) that contains the Whiskey Dock Wharf (the Wharf).

The development plan as proposed here is the result of much consideration of the Property's history, the needs of the neighbours, and the goals of the District itself. If approved it will see the creation of twenty-three new units, and numerous public amenities including a new bus stop, public access on privately owned sidewalks, and (potentially) see that the waterfront of DL 2167 secured as a public amenity for generations to come.

The proposed building is as playful as it is practical and has been designed around the essential Village Square theme of creating gathering places for all ages. By purposeful design this project is vibrant, eclectic, compact and reflective of Ucluelet's fishing village heritage.

---

<sup>1</sup> Legal Description: LOT 1 DISTRICT LOTS 2164 AND 282 CLAYOQUOT DISTRICT PLAN: EPP120555 ("Lot 1").

## 2. Background

The Village Square waterfront (including this specific Property) has a long history. The relevant components of its history summarized here:

### 2.1. The Wharf

The Whiskey Dock Wharf (the Wharf) is a focal point in Ucluelet. It has, for more than a century, served as a transition point between land and sea in a community where that divide can be hard to see.

The upland area surrounding the Wharf has a well-documented history. It has grown from part of the Lyche Family homestead to the main street of a small coastal settlement, a transportation hub, then an industrial shipping yard, a Chevron site, and a float plane terminal. It is now being shaped to be a flagship development within the Village Square Permit Area.

The Village Square is defined in the OCP as the “community’s core area”. It is easy to see why as this area exemplifies exactly what it is to be Ukee.

In a 300m radius of the Wharf one can take a trip to the Ucluelet Aquarium to become a living part of the marine ecosystem; see live catches hauled in by local fisherfolk; watch wildlife gather in the sea and skies; and feel the Indigenous culture that is imbedded in the community. A quick read of the Ucluelet and Area Historical Society’s signage will teach one of Indigenous ways, the Maquinna, the start of canneries, and prohibition. If you walk down the sidewalk and look in the windows and you will be enticed into the realm of the local artists and delicious foods.

### 2.2. Development History

In the 1990’s a local developer worked closely with the District to design and implement a multiphase project on this site. The project was named Whiskey Landing and was to be a largescale tourist attraction that had both private and public amenities, would have seen a significant extension of the government wharf, and resulted in retail, hotel, and condominium units built along the foreshore (Attachment B).

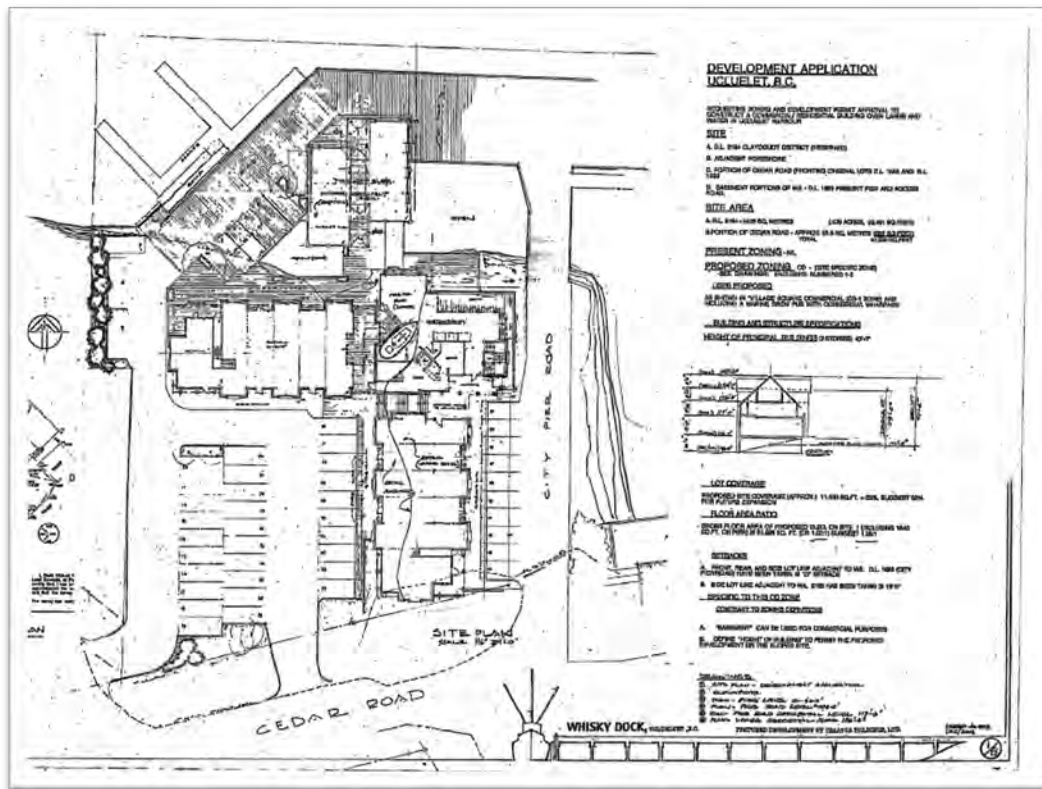


Figure 1: Site plan demonstrating wharf extension that was proposed for Whiskey Landing. Note marina extension with drive lane, parking stalls, and pub built out over the water lease DL 2167.

The District was in favour of the development and assisted the developer in multiple ways including its support for acquisition lands and approvals required from the province, amending its zoning to meet the unique needs of the project, and allowing for multiple variances that were further required for the project to proceed<sup>2</sup>. A Development Permit for the entire Whiskey Landing project was approved by the District in 2003.

The existing Whiskey Landing building (located at 1645 Cedar Road) was built under the 2003 Development Permit as Phase I the project. It is a beautiful stand-alone building that incorporates locally milled timbers and quarried rock, and subtle architectural nods to the Indigenous culture of the area.

It was completed in 2007, but it was the only phase of the project built as its construction was fraught with complications, and the units within it were not fit for sale. Ultimately, all components of the Whiskey Landing development (the Phase I building and the rights to further development) fell into receivership.

<sup>2</sup> The Whiskey Landing Development required variances for increased building height, reduced setbacks, and decreased parking requirements.



For the next decade, the Whiskey Landing Development changed hands numerous times. Each developer made their own attempts to repair construction errors on Phase I and tried to advance the Phase II development via changes to the legal notations attached to the property.

Eventually in 2018, the stratified units in Whiskey Landing were sold to independent owners on an “as-is” basis by court ordered sale. Those buyers are the members of strata VIS6411, which still operates in the Whiskey Landing Building today. The rights to the remaining Phase II lands and water lease were sold to the Azura Management Corp, which is the parent company responsible for this application.

### **2.3. Residual Obstacles to Development**

When Azura bought the rights to the Phase II lands, it came the rights to the existing (yet expired) 2003 Development Permit and all the legal notations registered to the land. After much consideration it was determined that the condition of the Whiskey Landing Phase I building, and changes in government regulations meant the development of Whiskey Landing Phase II was no longer a viable plan.

Moving away from the original design and the status quo was complicated by the as-is-condition of the Whiskey Landing Building, and the legal notations associated with the Phase II lands. As a result, little progress could be made for the development of the Phase II property.

This changed in 2021, when a court decision granted the ability to separate Phase II Property from the Whiskey Landing Development.

### **3. Community Consultation**

The 2021 court decision led to many productive meetings with the Whiskey Landing strata council where the needs, and obligations of both parties were discussed and defined.

In 2022, the results of those meetings were formalized into reciprocal easement agreements (Attachment C). These agreements allowed Whiskey Landing and the Azura Development to coexist as neighbors in close proximity, without being legally bound as a single development.

As you will see below, The agreements comprehensively address the obligations of both developments to each other and resolve any development concerns previously voiced by the District. They are designed to ensure cooperation between the two developments continues not just through construction, but also during the day-to-day operations of both developments.

Prior to the signing of the agreements, Azura had the legal right to develop anywhere on the Phase II lands, could tie into the Whiskey Landing foundation and services, and had

the rights to all twenty-two parking stalls located in the Cedar Road Parking lot<sup>3</sup>. As much as it was legally allowed, developing without consideration of the Whiskey Landing strata’s wishes, would not have been advantageous for anyone.

The agreements therefore added the following restrictions to address the neighbouring developments key requests:

- The Azura building envelope would be restricted to the section of the lot that is parallel to the water, and maintain the circular flow of the parking lot; and
- The Azura building would not tie into the foundation of the Whiskey Landing building.

As the legal parting of the developments was done via a resetting of the option not to proceed, the redevelopment of what was the Phase II lands is governed by the *Strata Property Act*, Section 237<sup>4</sup>. Because of this, concerns previously voiced by the District regarding the need for holistic development plans were also addressed. The agreements establish the following:

- holistic and mutually agreed upon solutions to onsite parking allocations;
- combined management plans for landscaping, garbage, and recycling; and
- support from both developments for the creation of public access between the buildings, and to the waterfront.

When finalized, the agreements were presented to and ratified by the Whiskey Landing owners, then registered on title of all properties. The registration on the titles ensures the resolutions reached are binding for all present and future owners.

### 3.1.1. Additional Consultation Parameters

In addition to the consultation parameters, considerations for a new development plan are predicated on the merits and values of the original Whiskey Landing design, the newest planning documents available from the District, and the current state of the Village Square Area. Based on the reviewed information, the following parameters were included:

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<sup>3</sup> This was by way of the historical legal notations and the 2021 court decision.

<sup>4</sup> *The Strata Property Act* Sec. 237 states that when reviewing a new development plan, the District may take into consideration earlier constructed phases, and can choose to treat the development of the subsequent phase as if it were a part of the phased development rather than a separate entity.

**Importance of the Wharf:** The original Whiskey Landing developer and the District were correct in their assessment that whatever is constructed on this Property should step outside of normal design parameters and enhance the area around the Wharf.

Therefore, the enhancement of the Wharf is identified as the key design parameter in the new development plan.

**Flood Construction Levels:** The introduction of Flood Construction Level (FCL) legislation has since been introduced to ensure new developments are designed to minimize property damage and injuries in the case of flooding events. This legislation did not exist when the original Phase II concept was designed.

Therefore, a new design parameter is the of incorporation of the FCL requirements.

**Success of Commercial Enterprises:** The planned Phase II building was to have commercial storefronts on its lower level. However, consideration of the Whiskey Landing commercial units found that the local businesses there are struggling, and many of the existing commercial spaces remain vacant. This was in part the result of the seasonality of tourism in the area, and in part a result of Whiskey Landing’s parking issues.

Therefore, a new design parameter is to support the revitalization of neighbouring commercial units by not including commercial storefronts in the Azura Building.

### 3.1.2. Results of Consultation:

In summary, community consultation resulted in eight new design parameters. The Azura Development will

- Enhance the Village Square and atmosphere surrounding the Wharf;
- account for FCL requirements;
- support the revitalization of the Whiskey Landing commercial businesses;
- limit use of onsite parking to its own property;
- honour and construct the agreed upon landscaping, garbage and recycling amenities;
- support the creation of public access between the buildings, and to the waterfront;
- be parallel to the water to maintain the circular flow of the parking lot; and
- not be tied into the Whiskey Landing foundation.

#### 4. Compliance with Applicable Development Permit Guidelines

The OCP includes forty-two guidelines for the Village Square, thirty-two of which are applicable to this development. The guidelines are generally designed around three objectives:

- Creation of gathering places for all ages;
- Increasing the walkability and connectivity in the area; and
- Retaining and highlighting Ucluelet's fishing village heritage.

Words used to explain the resulting feel of the Village Square are “vibrant”, “eclectic”, “compact”, “welcoming”, “pedestrian-oriented”, “informality” and “inviting”.

The Azura Development has been designed to be as playful as it is practical and will encourage the success of the success of the community as a whole. It meets the three objectives of the OCP, is consistent with all thirty-two of the applicable guidelines, and is compliant with the consultation parameters defined in Section 3.1.2.

##### 4.1. Form and Character

The design parameters applied to this development plan have greatly affected the architectural shape of this building. The proximity of the building to the Wharf means that the view of it from the waterside is just (if not more) important than the view of it from Cedar Road. The neighbours' requests to keep the building on the waterfront, and to separate the foundations means the width of the Azura building is not consistent, and that there must be a visible firewall between the two developments.

Instead of trying to hide these architectural quirks, the Azura building design deliberately emphasizes them. This allowed us to create a more playful design as is fitting to the Village Square.

Historically, coastal communities (especially those with their roots in industrial industries) develop incrementally over time with each subsequent building reflecting the practical needs, and style of the era in which they were built. The use of bright colours in coastal is also practical in its application. It is a tradition that arose from the fact that historical maritime buildings were often painted with leftover ship paint. This was done for the simple reasons that it was readily available and designed to withstand coastal environments.

The quintessential architectural style of coastal villages is therefore an eclectic mix of infilled structures that are unapologetically diverse and bright. These communities are more inviting for it. The Azura building has been designed to recreate this style with a deliberate sense of play and informality.

The Proposed development is a single building containing twenty-three dwelling units, yet the side of the building seen from the Wharf looks like a series of four eclectic rowhouses. This was achieved by varying the depth of each section of the building, and by applying various heights, roof type and finishes<sup>5</sup> to each rowhouse.

The use of various building heights and rooflines was particularly instrumental in our ability to increase the character of the building, while deliberately decreasing its overall massing.

The exterior seen from Cedar Road follows a similar design yet corresponds more directly with the Whiskey Landing Development. This is done via the use of multiple peaks on the roofline, the and the placement of horizontal building breaks that match those on the neighbouring building.

The colour scheme of the buildings all around the Wharf are especially vibrant, even for coastal communities. This is seen in the blue of the Aquarium, and the red of Whiskey landing, and now in the colour scheme of the Azura development. The continuation of strong bright colours has been used to define the waterfront properties that will together create a playful gathering place around the foreshore. The definition of these properties will become important to the public amenities described below in Section 3.2.

It should be noted that using similar finishes and themes as the Whiskey Landing Development was considered but attempting to match it would have decreased the stand-alone beauty and themes of both developments. Therefore, the use of distinctly different finishes on the Azura building is done intentionally to heighten the visual impact of both buildings.

#### 4.2. Public Edges and Amenities

The District planning documents envision a harbour walkway extending from the Wharf and crossing the waterfront of both the Whiskey Landing and Azura developments. This section of walkway would in the future connect the existing Wharf infrastructure, to a proposed Cedar Road Park on a portion of what is now the fish plant lands.

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<sup>5</sup> All utilized materials and finishes are consistent with the OCP guidelines.



Figure 2: Rendering of the view from the Wharf of the proposed development with the harbourfront walkway constructed through DL 2167.

Azura would like to see this walkway installed and is willing to do build it during the construction of the new building if the required permissions can be granted. Yet the granting of the needed permissions is complicated by historical survey errors, and ownership changes the occur across the waterfront. In short, the walkway will need to traverse the Districts existing water lease, land owned by the Whiskey Landing strata, the water lease owned by Azura, and a small section of upland shoreline that is still controlled by the crown. As a private entity Azura cannot gain the permissions needed from the province; but as a public entity the District may be able to so do. For that to happen, the District would need to own both water leases.

If the proposed development is approved, Azura is willing to reassign its water lease (DL2167) to the District. This decision in not made lightly as it is a valuable resource for the development, which could be used for a private marina, however, we can see the greater value it can provide as public amenity. Discussions regarding the potential water lease transfer are underway with District Staff (Attachment D).

Other public amenities created as part of this project will be the installation of a new bus stop on Cedar Road (as previously requested by District Staff) and as establishment of public access on the privately owned sidewalks between the two developments<sup>6</sup>.

<sup>6</sup> This public access has been proactively registered on the titles of both developments.



Landscape areas for this project will be small but important as they will be along the harbour walkway and Cedar Road. We have retained Lanarc 2015 Consultants Ltd. to complete a landscape design that fits with those they have created for the Village Green Revitalization Project. Lanarc has completed their assessment of the Property and are ready to proceed with the Landscape design. Estimated date of delivery the landscape plan will be provided once this application is accepted by District, and the plans for the foreshore are confirmed.

### 4.3. Parking Calculations

Much effort has been put into determining the appropriate parking calculations the Whiskey Landing Development, however its calculations are ambiguous at best.

The approved 2003 Development Permit did not meet the requirements of the time and but was supported on the assumption that additional spaces would be built over the water, on public land, and still more could be provided offsite in lieu of public amenities that were, in the end, never provided.

Calculation of Whiskey Landing's current parking needs is just as difficult as commercial allocations are determined by business type, and many of the commercial units are vacant; they also have seventeen approved tourist accommodation units in the building (originally sixteen). District bylaws assume the tourist accommodation units are entitled to one space each, but that isn't supported by the strata's bylaws. Under their bylaw's parking allocation is scramble parking, whereby the none of the spaces are formally assigned to any specific unit. This creates issues as parking allocation within Whiskey Landing has never been agreed upon among its current owners.

As explained above, prior to the signing of the agreements, the Azura Development had legal rights to all twenty-two spaces in the Whiskey Landing parking lot. This created a significant issue for Whiskey Landing, therefore both parties agreed that parking allocation for their respective developments would be limited to the spaces located on their own lands. Allocation of the spaces within each development is now at their own discretion.

The Azura Development resolved its parking availability by converting the basement of the new building to a parkade. In doing so we were able to construct twenty-six parking spaces on the Property and return the rights to sixteen more to the Whiskey Landing owners. Of the twenty-six parking spaces twenty-three will be unit specific spaces, the additional three are a space designated for disabled persons, a loading bay (shared with Whiskey Landing), and one Azura specific visitor space.



#### 4.4. Flood construction Levels

As mentioned in Section 3, Flood Construction Level (FCL) requirements were introduced during the design phase of this project. The District has now released a recommended FCL for the project area, which is 4.5 m. Prior to the release of this data, Azura had engaged a professional engineer to determine a site specific FCL. That level was determined to be 4.72m, which is 27cm higher than the municipal recommendation. Out of an abundance of caution, we have designed our building to the more conservative value of 4.72m.

The use of the basement as a parkade ensures that the Azura development meets and exceeds the FCL requirements as all areas below the 4.72m FCL are uninhabitable spaces as it is limited to storage and parking.

### 5. Justification for Support of Development Permit Guidelines

Variance requests for the Azura development have been limited to those previously supported in the 2003 Development Permit. These included the alteration of the building height, and the adjustment of side yard setbacks. Justification for each variance is below:

#### 5.1. Building Height

The maximum building height stated in CD-4 Zoning is 12.0m above average grade, but Whiskey Landing is built to a height of 14.49m. Majority of the Azura Building is designed to a height of 15.52m; the only exception is the A frame peak on the fish plant side that is at 16.34m.

In practical terms, this means most of the new building will be 1.03 m higher than Whiskey Landing (Attachment A; A2.1). This increased height is needed for the Azura building to meet the firewall and FCL requirements.

In recognition that the needed height could cause massing issues with Whiskey Landing building, the Azura building is designed with decreased massing where the buildings are closest. Efforts to decrease the massing included the removal of three units from the fourth floor, and the selection of rooflines and finishes that downplay the visual perception of its overall height.

There is a significant change in elevation of 4.66m from Cedar Road down where the building is placed. As a result, the observational height of the building from Cedar Road is 11.68m.

## 5.2. Side Yard Setbacks

The setbacks in the CD-4 zoning are the ones that were created for the original Whiskey Landing development. These include zero lot lines on the front, back and interior side yards setbacks, and an oversized to exterior side yard setback of 4.27m (14 ft). As mentioned in Section 2.2 oversized exterior setback was in place to allow for a drive isle that would have come off the previously proposed wharf extension. As the drive isle is no longer needed, and a passageway between the two developments is, the Azura building has been shifted towards the fish plant.

It is critically important to maximize the width of the walkway between the two developments as doing so ensures the walkway between them will be safe and welcoming for pedestrians. We have achieved by adjusting the side yard setbacks, and by voluntarily removing an 57m<sup>2</sup> (614 ft<sup>2</sup>) of buildable area from the design to widen the walkway.

Under the zoning and building code requirements, a setback is measured not from the foundation, but from the exterior of the first storey. This means that the basement parkade of the Azura Building can be at the property boundary, if all four floors above it are pulled back to meet the setbacks. This was done on the fish plant side to allow for the widest possible walkway.

The resulting adjustments to the setbacks are that the exterior side yard (fish plant) setback is decreased from 4.27m (14 ft) to 1.52m (5ft)<sup>7</sup>, and that the interior side yard setback (Whiskey Landing) be increased from 0m to 2.86m (9 ft 4 inches). Additional artistic finishes and lighting will also be added to the walkway to improve the pedestrian experience within the walkway.

## 6. Existing and Proposed Uses

The Property consists of a gravel pad to the east, and a paved parking lot to the west. Other existing structures are limited to the dock approach for the Phase II marina at the water's edge, and the existing propane tank and garbage/recycling enclosures currently used by Whiskey Landing. During construction, the dock approach will be removed, and the propane and garbage/recycling enclosures will be relocated to the location shown in (Attachment A; A0.3).

The proposed development will be within the intended uses for the existing CD-4 zoning.

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<sup>7</sup> This is the minimum exterior setback previously recommended by District Staff.

## 7. Existing and Proposed Works and Services

The works and services for the Azura Building were anticipated and built during the construction of Whiskey Landing, therefore all needed services already exist, and connection to them is ensured in the legal notations registered on title.

If required, a small section of the pedestrian walkway between the buildings will be covered. The cover will serve as a utility corridor for electrical and sprinkler systems. This exception to the connection of the buildings will only be used if necessary and is allowed under the mutual agreements with Whiskey Landing.

There is a single storm drain that is located within the proposed building envelope. Engineering needed to address this will be provided to the District as part of the building permit process.

## 8. Conclusion

In conclusion, this application is for the construction of twenty-three units at 1671 Cedar Road, Ucluelet BC. The proposed development is playful as it is practical and is designed around key parameters that address the requirements of both the neighbours and the District.

The Proposed development requires two variances, one for the height of the building to account for FCL and fire code requirements (from 12.0m (39ft 2 inches) to 16.34m (53ft 3 inches)). The second is an adjustment of the side yard setbacks from 4.27m (14 ft) and 0m to 1.52m (5ft) and 2.86m (9 ft 4 inches), to allow for a public pedestrian walkway between the two developments.

The development plan as proposed here meets all communication consultation parameters, as well as all applicable OCP guidelines.

When approved, it will result in the creation numerous public amenities including the creation of a new bus stop, see public access granted on privately owned sidewalks, and potentially allow the waterfront of DL 2167 to be secured as a public amenity for generations to come.

## Attachments

Attachment A: Proposed Azura Development Package

Attachment B: Whiskey Landing Development Permit Package

Attachment C: Reciprocal Easements Agreements

Attachment D: Water Lease Documentation

**References:**

BC Royal Museum Archives (1920). Ucluelet Harbour. A-08044.

BC Royal Museum Archives (1954). History of Ucluelet, 1899-1954 / Elise A. Hillier. In (Vol. MS-3268.V).

BC Royal Museum Archives (1965). Vancouver Island : West coast -- Ucluelet to Port Hardy.

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District of Ucluelet (2020). District of Ucluelet Official Community Plan 2020. Department of Community Planning, Retrieved from <https://ucluelet.ca/community/planning-building-bylaw/community-planning-and-zoning/official-community-plan>

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District of Ucluelet (2022). District of Ucluelet Zoning Bylaw No. 1160, 2013, Unofficial consolidated version incorporating amendments up to and including Bylaw 1310 (September 2022).

Ebbwater Consulting Inc and Cascaida Coast Research Ltd. (2020). District of Ucluelet Coastal Flood Mapping Flood Plain Mapping

Government of British Columbia (2023). Strata Property Act Section 237.

On This Spot (2023). Ucluelet’s People of Safe Harbour, Pioneers. Retrieved March 20, 2023 from <https://onthisspot.ca/cities/ucluelet/safeharbour>

Ucluelet and Area Historical Society (2020). Highway from the Seas.

Ucluelet and Area Historical Society (2023). Ucluelet History Blog -an Occasional Series. <https://ucluelethistory.ca/history-blog/>



## Temporary Use Permit (TUP) / Development Permit (DP) / Rezoning Checklist

**Property Address:** 1671 Cedar Road, Ucluelet BC  
**Type of Application:** Development Permit (DP)  
**Date:** March 31, 2023  
**Submitted By:** Azura Management Corp

- Application Form;** A signed application form by the registered owners - or written authorization for an agent to act on behalf of the owner and/or written Strata Council approval (if applicable).
- Application Fee;** See Bylaw 1186, Schedule D (see below)
- Title Search;** A title search within 15 days of the date of application, along with copies of all non-financial encumbrances (e.g. covenants, statutory rights of ways, easements, etc).
- Site Profile;** this is a screening tool required by the province to identify potentially contaminated sites. This is required for any previously occupied property with past commercial activity. Completed by the property owner when a property is subject to local government development applications and/or permits. See [https://www2.gov.bc.ca/assets/gov/environment/air-land-water/site-remediation/docs/forms/site\\_profile.pdf](https://www2.gov.bc.ca/assets/gov/environment/air-land-water/site-remediation/docs/forms/site_profile.pdf)
- Written Statement of Intent;** A written statement of intent outlines the proposal in full including a description of:
  - the purpose of this application;
  - how the proposal complies with the applicable Development Permit guidelines;
  - any divergence from the applicable Development Permit guidelines and why the divergence could be supported;
  - the existing and proposed use(s) of the land, buildings, and structures;
  - the existing and proposed works and services; and
  - any consultations the applicant has undertaken or proposes to undertake with neighbours and the community.
- Application drawings;** including three full sized copies (for larger applications), two clearly legible 8.5 x 11" reductions, and one digital copy (in PDF form). Drawing sets shall contain the following information:
  - Site plan,** drawn to scale, showing:
    - site context.
    - topographical and geographical features on the site.
    - all property lines, setbacks, existing and proposed buildings and structures including roof lines, utilities, fire hydrant locations, north arrow, waste and recycling storage areas, and open/green space.
    - zoning analysis indicating legal identification, address, lot area, density, floor area ratio, lot coverage, height calculations, setbacks, and other applicable zoning regulations.

- vehicle/pedestrian circulation and turning radius for delivery and emergency vehicles including waste and recycling pick up services.
- all watercourses and riparian areas, natural boundary of the sea, trees to be retained and any other sensitive environmental features including required setback areas.
- works and services, and street lighting.
- areas subject to covenants, statutory rights of way, and easements.
- sidewalks, streets, lanes, highways and adjacent land uses where affected;
- Building elevations**, showing all sides of all buildings and structures, exterior finishes (including materials, colour and signage) and adjacent buildings to reference streetscape;
- Floor plans**, showing all areas and uses of all building floors;
- Landscape plans**, showing the number, sizes, species and planting locations on the plan;
- Applications may require;**
  - BC Land Surveyors sketch plan including any existing buildings on the property in relation to legal property boundaries.
  - environmental impact assessment including environmentally sensitive features
  - acoustical impact study
  - construction and environmental management plan
  - hydrological study including groundwater management assessment
  - tree assessment study
  - stormwater management and drainage study
  - geotechnical study
  - transportation and traffic Impact study
  - site access and servicing including municipal infrastructure impacts
  - archaeological assessment
  - other studies as deemed necessary
- This Checklist;** This checklist should be completed, submitted, and reviewed as part of any development application

District of Ucluelet Fees and Charges Bylaw No. 1186

**Schedule 'D' Planning and Development**

Fees

Plus GST

**Subdivision**

Application Fee	\$800.00 plus \$ 150.00 per lot	No
Fee for each Strata Phase	\$500.00	Yes
Fee for each Strata Phase revision	\$150.00	Yes
Strata Conversion of Previously Occupied Building	\$500.00	Yes

**Zoning and Official Community Plan Application Fees**

Official Community Plan Amendment	\$1,600.00 plus \$500.00 per Ha. over 1 Ha. plus public hearing fee	Yes
Zoning Bylaw Amendment (Text and/or Map)	\$1,000.00 plus \$500.00 per Ha. over 1 Ha. plus public hearing fee	Yes
The Public Hearing fees shall be refundable if Council declines to advance the application to a Public Hearing		

**Development**

Minor Development Permit	\$300.00	No
Development Permit	\$1,000.00 plus \$500.00 per Ha. over 1 Ha.	No
Development Variance permit	\$600.00 plus \$500.00 public notice fee	No
Temporary Use Permit	\$350.00 plus \$500.00 public notice fee	No
Reissuance of an expired Development Permit	\$400.00	No
Reissuance of an expired Development Variance Permit	\$400.00	No

**Board of Variance**

Application	\$600.00	Yes
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**Subdivision Servicing**

Administration fee (% of construction value)	1%	No
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**Liquor-Primary Establishments**

Application fee	\$250.00	Yes
Application Fee & Public process fee	\$250.00 plus \$500 public notification fee	Yes
Changes to License - application fee	\$250.00 plus \$500 public notification fee	Yes
Confirmation of Occupant Load - application fee	\$200.00	Yes
Special occasion license	\$100.00	Yes

**Mobile vending**

Application Fee	\$150.00	No
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## **Marine Habitat Assessment of the Whiskey Landing Phase II Development at 1645 Cedar Street, Ucluelet Harbour, Ucluelet, B.C.**

**December 2022**

### **Introduction**

Castor Consultants Ltd. was retained by Azura Management Ltd. to undertake a marine habitat assessment of the proposed development site at 1645 Cedar Road, Ucluelet, B.C. (Location Figures 1 & 2). This assessment constitutes a part of Azura's Whiskey Landing Phase II development permit application (DPA) to the District of Ucluelet. As per the DPA guidance the District the DPA applies to all lands measured 30 m horizontally in both landward and seaward directions from the high water mark. The following report addresses the general guidelines applicable to all environmental DPAs as per the District's official community plan (OCP).

As shown in Figure 2 the Phase II site (approximated by the green boundary) includes a paved driveway access to a well drained graveled parking area adjacent the shoreline that was in general use until recently (2020) when it was fenced off.

Historically, the site's previous use was industrial as a Chevron Canada bulk oil storage facility, which included upland storage tanks and a wharf to receive vessels and bulk fuel shipments (Transport Canada, 1998). The site was reportedly remediated by Chevron Canada in 1997.

The legal lot boundaries are shown in Figure 3 and include the subject site, Phase II of DL 2164 defined as Lot 1, Plan EPP120555, and the adjacent aquatic lands, District Lot (D.L.) 2167, and a portion of Rem. D.L. 1689, which fronts on Phase I, the existing Whiskey Landing strata. The bathymetry for D.L. 2167 and adjacent area in Rem. D.L 1689 is presented in Figure 4. The marine habitat assessment transects which cover riparian, intertidal and subtidal habitats are shown on Figure 5.

The intertidal zone was examined March 13, 2022 between 1530 and 1700 hrs at which time the tide was falling from a high of 2.9 m at 09:45 hr. to a low of 0.99 m at 17:00 hr. The subtidal zone inspection was carried out between 1300 and 1430 hrs on September 13, 2022 during high water. The inspection extended 30 m off shore from the existing shoreline high water mark (HWM). The riparian zone inspections conducted on March 13, August 23, and September 12 & 21 included the entire unpaved upland area as per OCP development permit guidance.

The site falls within DFO Management Area 23-11 at 48°56'38.14"N and 125°32'46.36"W.





Figure 1. Location Plan



Figure 2. General Plan of Proposed Site Development in Ucluelet Harbour, BC

The 1645 Cedar Road site lies within the District of Ucluelet's marine shoreline development area (DPA VII). As a part of the development process Azura is required to apply for a development permit which includes a habitat assessment of site biological features.

The survey plan showing Lot 1, Plan EPP120555, prepared by JE Anderson land surveyors is presented in Figure 3. The bathymetric plan created by Underhill surveyors is depicted in Figure 4.

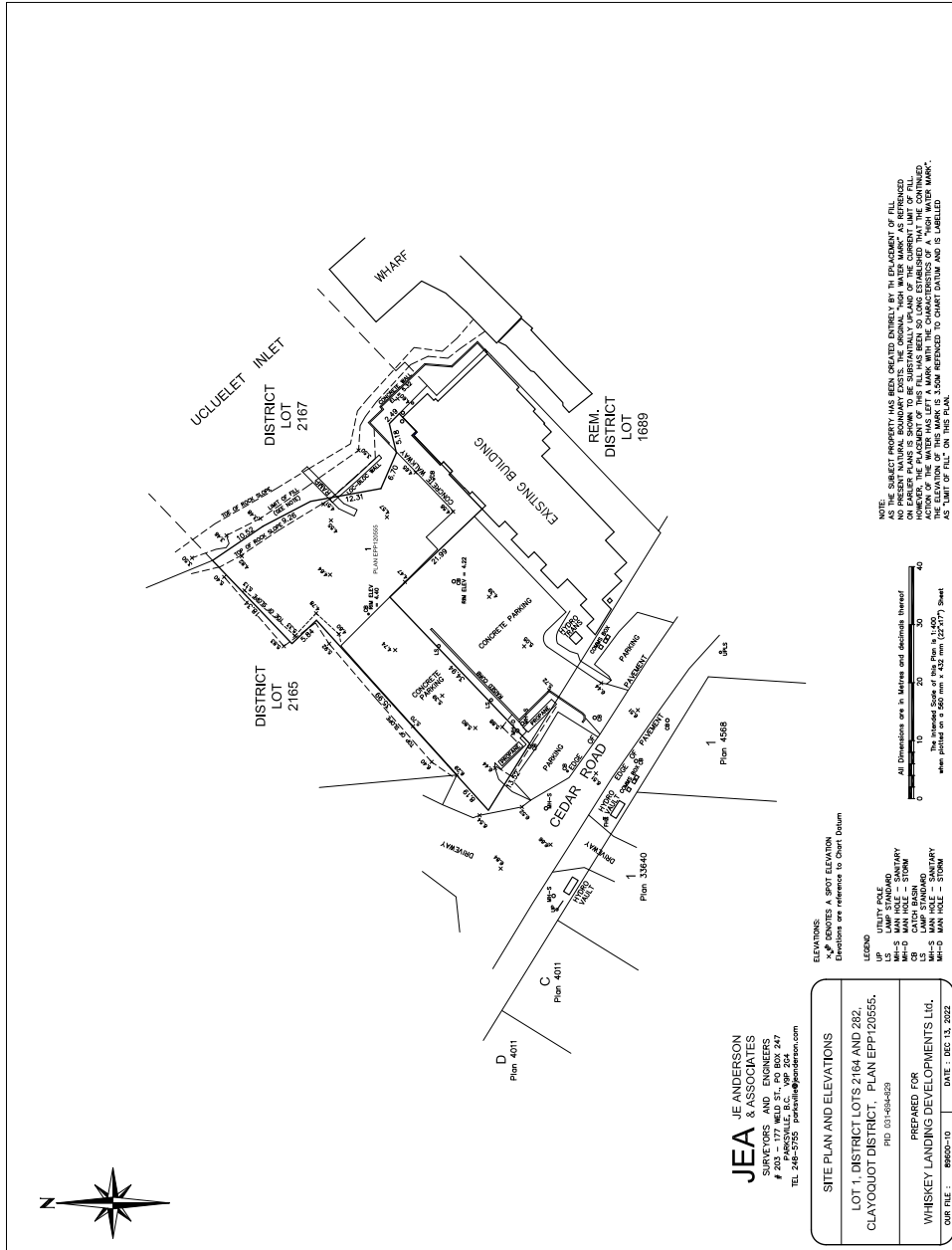


Figure 3. Legal Survey Plan

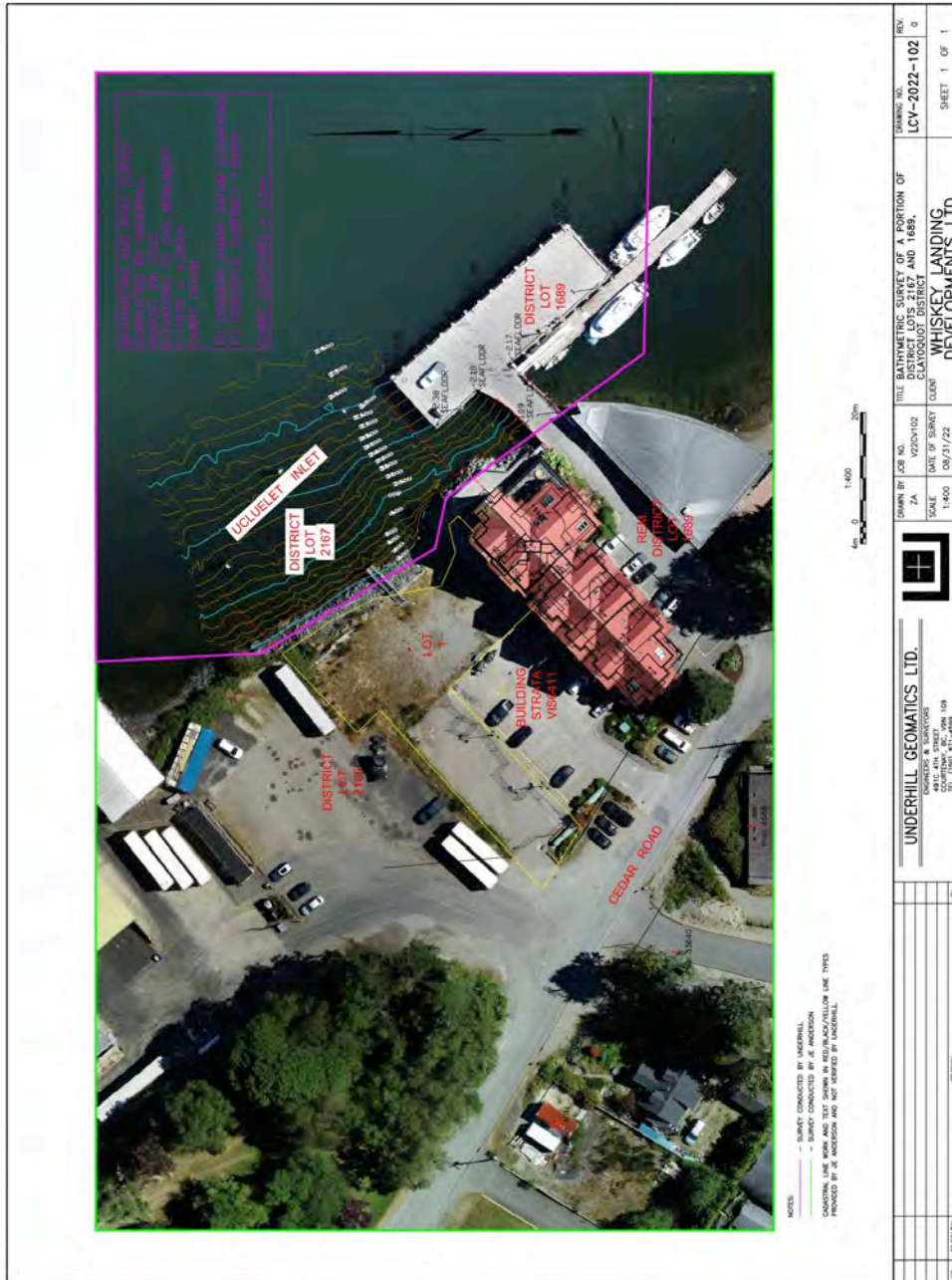


Figure 4. Bathymetric Plan.





**Figure 5. Habitat Inspection Transects**

**Methods**

The habitat assessment concentrated on the riparian, intertidal and subtidal habitats. The locations of the underwater drop camera, intertidal and associated riparian transects are shown in Figure 4. Observations and photographs of the surface biophysical riparian and intertidal features were made at intervals along a cloth tape on each transect. Observations and photographs of the subtidal characteristics were made using an underwater drop camera. Distance records for the subtidal transects were made using a laser ranger (accuracy 1+/- m).

Riparian and intertidal still photos of the site were taken using an iPhone digital camera.

The DFO aquatic species at risk map (<https://www.dfo-mpo.gc.ca/species-especes/sara-lep/map-carte/index-eng.html>) were examined. The information collected from the web sites, which included known plants and animal species, and ecological communities, ecosystem element occurrences and the data on aquatic species at risk are presented for reference in Appendix 1.



**Results**

A record of the intertidal and subtidal observations made along the three transects at the site is given in Tables 1, 2 and 3 below.

**Table 1. Upland and Riparian Habitat Observations, August 2022**

Transect	1			2			3		
	3 m S of N property line			3 m N of trestle			6 m S of trestle		
Location	Dist. (m)*	Obs.	Predom. Macrobiota	Dist. (m)*	Obs.	Predom. Macrobiota	Dist. (m)*	Obs.	Predom. Macrobiota
	2+ to 20 m upland	gravel/soil	Himalayan Blackberry (Rubus armeniacus) Scotch Broom (Cytisus scoarius), grasses & forbes including Sanicle, Common Dandelion (Taraxacum sp.)	3+ to 20 m upland	gravel/soil	Himalayan Blackberry, grasses	2+ to 20 m upland	Lockblocks, gravel/soil	Pearly everlasting (Anaphalis sp.), dock (Rumex sp.), mosses, grasses & forbes (inc Common Dandelion)
	2+ to 20 m	riprap	none	0 to 3+ m	riprap	none	0 to 2+m	riprap	none

0 = HWM

**Table 2. Intertidal Observations**

Transect Location	1 3 m S of N property line			2 3 m N of trestle			3 6 m S of trestle		
	Dist. (m)*	Obs.	Predom. Biota	Dist. (m)*	Obs.	Predom. Biota	Dist. (m)*	Obs.	Predom. Biota
	0 (HWM)	riprap	none	0 (HWM)	riprap	none	0 (HWM)	riprap	none
		riprap	none	1	riprap	green filamentous algae		riprap	none
	1.5	riprap	green algal film	1.5	riprap	green filamentous algae	1.5	riprap	green filamentous algae
	3	cobble, rippap	Acorn barnacles (Balanus sp.) start	2.5	riprap	Acorn barnacles start	2.5	riprap	Acorn barnacles start
	3.5	cobble, rippap	Rockweed (Fucus sp.) starts, Acorn barnacles	3.5	riprap, cobble	Rockweed starts, Acorn barnacles	3	riprap	Rockweed starts
	4.5	cobble, rippap	Sea lettuce (Ulva sp.) starts, Rockweed, Acorn barnacles, few oysters (Crassostrea sp.)				3.5 - 4	riprap ends transition to cobble mixed with boulders	Rockweed, Acorn barnacles, a few oysters
	5	cobble on older bench (mixed fill beneath)	Sea lettuce, Rockweed, Acorn barnacles, few oysters	5	riprap edge, cobble starts on bench	Sea lettuce, Rockweed, Acorn barnacles, few oysters	5	boulders end, cobble	Fucus, Acorn barnacles, a few oysters
	5.5	cobble	Fucus ends	5.5	cobble	Fucus ends			
							6	cobble	Rockweed ends, Acorn barnacles, a few oysters
Tideline	7	cobble	Sea lettuce, Acorn barnacles	7	cobble	Rockweed, Acorn barnacles	7.5	cobble, gravel	Acorn barnacles, oysters
						Leather stars noted below tide			Ochre stars noted below tide
Slope (degrees)		24		25			24		

\* Slope Distances from HWM  
 Dominant biota

**Table 3. Underwater Drop Camera Observations**

Transect Location	1			2			3		
	3 m S of N property line			3 m N of trestle			6 m S of trestle		
	Approx Dist. (m)*	Obs.	Predom. Biota	Approx Dist. (m)*	Obs.	Predom. Biota	Approx Dist. (m)*	Obs.	Predom. Biota
	10	gravel	Tube-dwelling anemone	10	gravel	brown filamentous algae	12	gravel	Tube-dwelling anemone, Leather stars
	15	gravel/cobble/detritis	red algae	15	gravel, cobble	Tube-dwelling anemone, red algae	15	gravel	Tube-dwelling anemone
	18	sand/gravel	Tube-dwelling anemone, red algae	20	gravel, sand	Tube-dwelling anemone, red algae	18	gravel, detritus	Leather star, red algae
	20	sand/gravel	Tube-dwelling anemone Laminaria	30	sand, gravel, debris (tire)	Laminaria	20	gravel, cobble	Tube-dwelling anemone
	30	sand, cobble	Laminaria, red algae				30	gravel, cobble	Tube-dwelling anemone

\* Approx. Distances from HWM

A summary of the flora and fauna observed is presented in Table 4 below.

**Table 4. Summary of Flora and Fauna Observed Upland & Riparian**

Species	Number/ Density	Comments
<b>Forbes &amp; Grasses</b>	9	
Pearly everlasting ( <i>Anaphalis</i> sp.)	numerous	common
Dandelion ( <i>Taraxacum</i> sp.)	sparse	Common
Plantain ( <i>Plantago</i> sp.)	sparse	Few
Buttercup ( <i>Ranunculus</i> sp.)	sparse	Few
Clover ( <i>Trifolium</i> sp.)	sparse	Common
Bull thistle ( <i>Cirsium vulgare</i> )	1	Rare
Burdock ( <i>Rumex</i> sp.)	1	Rare
Ragwort ( <i>Jacobaea</i> sp.)	1	Rare
Grasses – various ( <i>Agrostis</i> sp.)	numerous	Common
<b>Shrubs</b>	2	
Scotch Broom ( <i>Cytisus scoarius</i> )	numerous	Common
Himalyan Blackberry ( <i>Rubus armeniacus</i> )	numerous	Common along seaward edge

**Marine**

Species	Number/ Density	Comments
<b>Fish</b>	1	
Shiner perch ( <i>Cymatogaster aggregata</i> )	4	Occasional in water column
<b>Invertebrates</b>	4	
Acorn Barnacles ( <i>Balanus glandula</i> )	100 +	Common on intertidal rocks
Leather star ( <i>Dermasterias imbricata</i> )	3	Occasional on gravel/sand substrates
Pacific Oyster ( <i>Crassostrea gigas</i> )	10+	Occasional in intertidal on rocks
Tube dwelling anemones ( <i>Pachycerianthus fimbriatus</i> )	100+	Common on sand sediments
<b>Algae</b>	3	
<b>Brown</b>	2	
Rockweed ( <i>Fucus</i> spp.)		Common in the high intertidal
Laminaria ( <i>Laminaria saccharina</i> )		Occasional in the subtidal
<b>Red</b>	2	
Unidentified filamentous red		Occasional in the subtidal
Red algae ( <i>Prionitis</i> spp.)		Occasional in the subtidal
<b>Green</b>	2	
Enteromorpha (spp.)		Common in the intertidal
Ulva ( <i>Ulva</i> spp.)		Occasional in the intertidal and subtidal



**Representative Photographs**

Some representative upland, riparian and intertidal photos of the habitat characteristics and substrate composition at the site are shown below:



**Overview of Site showing upland, riparian and intertidal characteristics.**



**View looking north showing the riprap shoreline at Whiskey Landing Phase I and the vacant lot of Phase II.**

**Representative Upland and Riparian Photos taken along Transects 1, 2 and 3.**



**Views north and south along HWM showing upper riprap and riparian zone.**



**View of vegetation on T-1 at 2m and 5m**



**View of vegetation on T-1 at 12m**





**View seaward along T- 1 showing grasses, Pearly Everlasting and Broom**



**View north along HWM at T-2 showing upper riprap and riparian zone.**



**View of vegetation at 1 m and 15 m on T-2**



View seaward along T-2 showing exposed gravel, grasses and Scotch Broom



Views north and south along HWM at T-3 showing upper riprap and riparian zone.



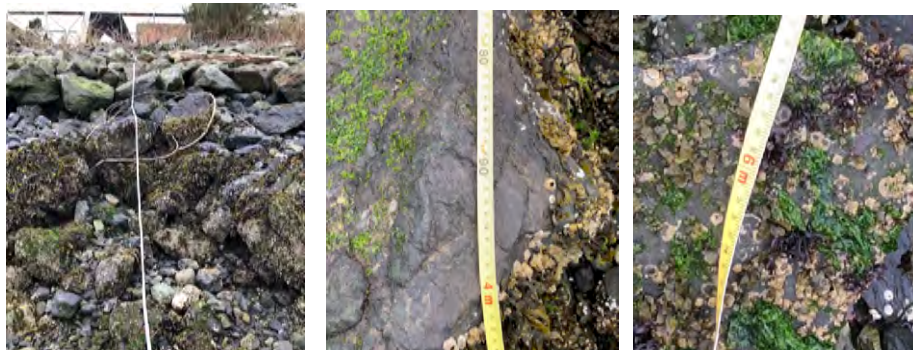
View of vegetation at 1 m and 15 m on T-3



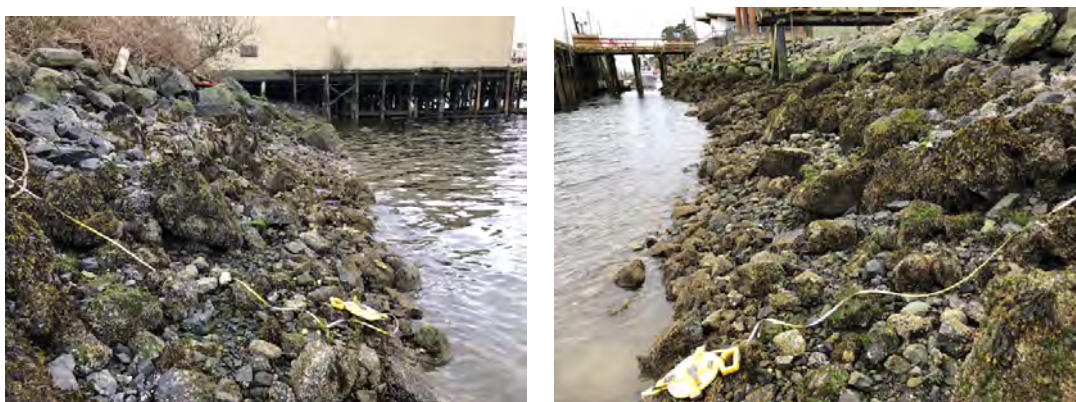


**View seaward along T-3 showing exposed gravel, grasses and Scotch Broom**

### Representative Intertidal Photos Taken of Transects 1, 2 and 3



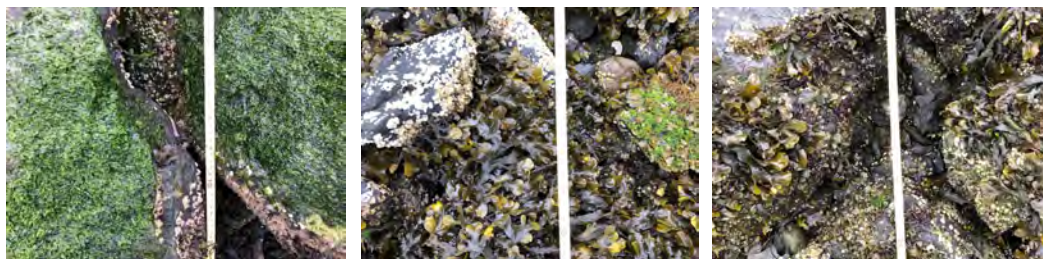
View up T-1 showing zonation and predominant macrobiota



View north and south along shore depicting macrobiota zonation from T-1



View up Transect 2 showing macrobiota zonation



Views of macrobiota zonation at 3m, 4m, 5m on Transect 2





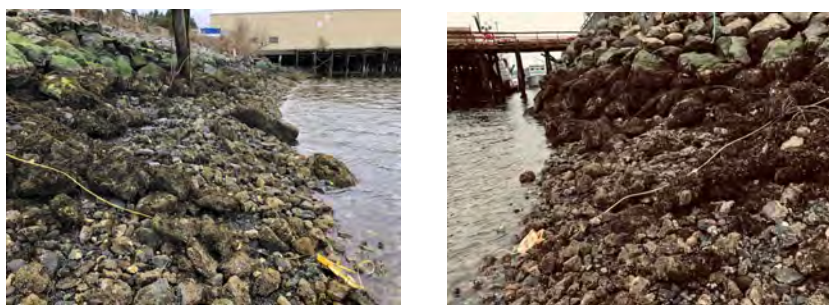
View north and south along shore depicting macrobiota zonation from T-2



View up Transect 2 showing macrobiota zonation



Views of macrobiota zonation at 3m and 6m on Transect 3



View north and south along shore depicting macrobiota zonation from T-3

# CASTOR CONSULTANTS LTD.



Riprap and bedrock showing intertidal zonation views in front Whiskey Landing Phase I

## Representative Subtidal Photos of the Underwater Transects ST-1, ST-2 and ST-3 Taken with the Underwater Drop Camera

### Subtidal Transect ST-1



Views on ST-1 approx. 30 m and 20 m offshore (HWM)



View about 10 m off shore

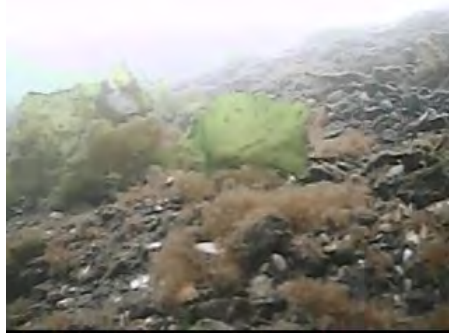
ST-1 views showing sand, gravel substrates, numerous *Pachycerianthus* sp. and sparse algae (*Laminaria*, filamentous red and *Ulva*).

### Subtidal Transect ST-2



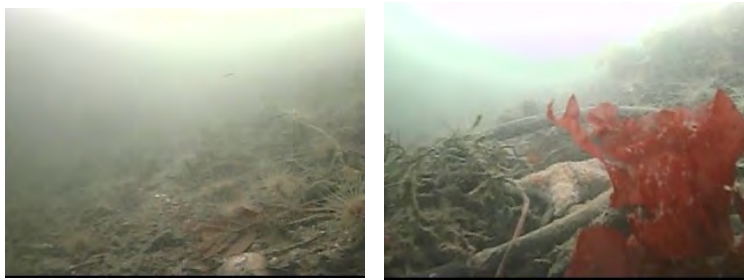
Views on ST-2 approx. 30 m and 20 m offshore (HWM)





ST-2 views showing gravelly substrate, numerous *Pachycerianthus* sp. and sparse algae (*Laminaria* and *Ulva*).

### Subtidal Transect ST-3



Views on ST-3 approx. 30 m and 20 m offshore (HWM)



ST-3 views showing gravelly substrate, detritus, numerous *Pachycerianthus* sp., Leather star and sparse algae (Red algae).

### **Riparian Zone and Upland**

The site is cleared of any native trees or shrubs and associated understory vegetation. The existing riparian vegetation consists mainly of non-native species and is considered to be of low habitat value, typical of cleared lands, and developed or hardened harbour shorelines.

Over the years the site has been filled, encroaching seaward of the legal boundary (the old HWM) for the aquatic lands. These characteristics and the current shoreline (HWM) defined by the limit of fill are noted on Figure 3. The entire upland area exhibits disturbed surficial conditions and is partially covered with concrete and asphalt. The exposed surface substrate consists of coarse granular materials (p-gravel) that extend from the concrete parking area of Phase 1 to a narrow riprap zone that extends above the shoreline intertidal riprap.

For the purposes of this report we are defining the riparian zone as the area between the upper 2 meters of riprap at the existing HWM and a narrow (2 -3 m) vegetated band of invasive species dominated by Himalayan blackberry and Scotch Broom, and weedy species including various forbes and grasses (Table 1). The riprap which forms part of the shore erosion protection extends about 2 meters above the HWM and down through the intertidal zone at a slope of about 24 degrees. The remainder of the upland is more sparsely vegetated, mainly with forbes and grasses.

There is no riparian zone remaining in front of Phase I where a concrete deck and walkway is located above the intertidal zone.

### **Intertidal Zone**

The intertidal zone consists of a characteristic macrobiotic zonation that is dominated progressively down slope by barnacles (*Balanus* sp.), rockweed (*Fucus* sp) and green algae (*Ulva* sp. and *Enteromorpha* sp.) on a substrate made up mainly of riprap underlain by gravels. The intertidal riprap slope is about 8 m wide and extends entirely across the shorefront of Phase II.

To the south of the subject site the intertidal substrate fronting the existing Whiskey Landing (Phase I) consists of large riprap overlain, in part, on a steeply sloped bedrock outcrop. The characteristic macrobiotic zonation noted above extends along and through this area as well.

As noted in Table 2 the site supports a variety of common intertidal biota.

### **Subtidal Zone**

As indicated in Table 3 the subtidal transects indicates the subtidal zone substrate consists mainly of gravel with some sand along with a mix of detritus. Few algae were represented except where there was a hard substrate for attachment. In terms of fauna tube-dwelling anemones appeared to predominate the substrate. A couple of sea stars were present along with occasional shiner perch.

### **DFO Aquatic Species Information**

The DFO Species at Risk Report provided information on critical habitat and on potential species at risk that are known to occur in the area. As indicated Appendix 1 no critical habitat was identified for the species at the subject site and no species at risk were identified.

### **Discussion**

The upland habitat features and the associated riparian zone substrate appear to consist of gravelly soils in the parking lot area, beyond which toward Cedar Road the area is paved. The exposed soils area appears to exhibit common vegetative characteristics of disturbed sites typified by grasses and invasive species. The site, which was cleared years ago and only recently ceased to be used as a parking area, exhibits the characteristic growth of first colonizing grasses and forbes along with invasive exotic plant species such as Scotch broom and Himalyan blackberry. These species can be expected to continue to grow out and fill the site.

The intertidal habitat at the site exhibits characteristic marine macrobiotic zonation of a riprap and bedrock shoreline typified by barnacles and rockweed elements. The lower tidal levels appeared to consist more typically of gravels and cobble size rocks and were observed to support Leather sea stars.

The subtidal habitat zone substrate appeared to consist of gravelly materials with some sandy areas. Detrital materials were noted including woody debris, wires and a tire. The zone appeared to support an abundance of Tube-dwelling anemones with a few Leather stars.

Given the existing site characteristics, cleared of native vegetation and in use as a parking lot since the development of Whiskey Landing Phase 1, there is little riparian zone vegetation. The vegetation that is present consists mainly of invasive species.

## Conclusion and Recommendations

The marine habitat assessment identified that there are no highly valued riparian or marine habitats, such as eelgrass, at the subject site.

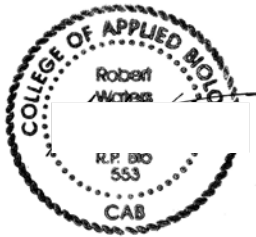
It is considered that the removal of the compromised riparian vegetation composed to a great extent of Scotch broom and Himalayan blackberry will be beneficial.

The DFO species at risk database indicates that several aquatic species at risk occur in the general area but none were observed during this assessment. No critical habitat is identified.

It is recommended that once plans for marine works are finalized they should be submitted to DFO for a Request for Review, along with this report, as part of the on-line application process.

Upon DFO approval the project should adhere to DFO current and archived Best Management Practices, and follow DFO Pathways of Effects guidance to ensure that significant harm does not occur to fish or fish habitat.

Prepared by



Rob Waters, R.P.Bio.

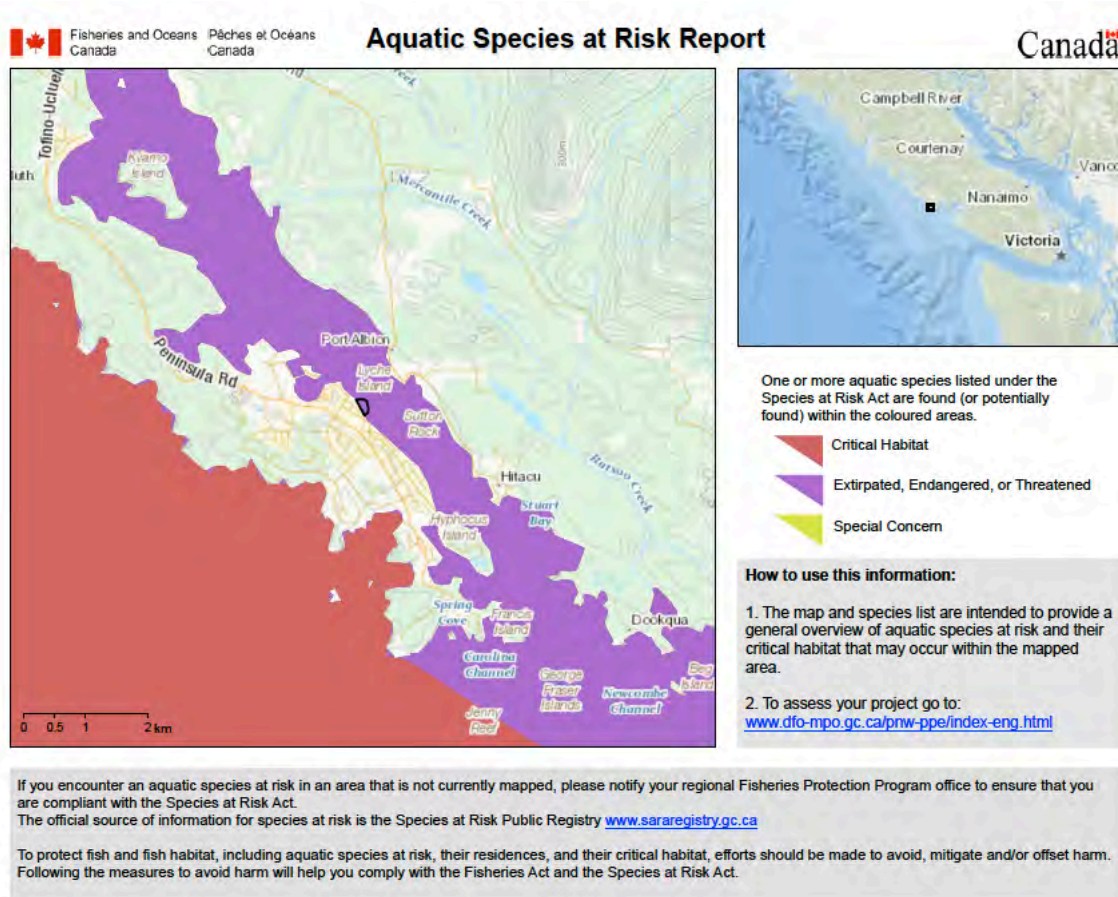
## References

Transport Canada Harbours and Ports Western Regional Engineering Department Environmental Audit of Ucluelet Public Port Facility prepared by Castor Consultants Ltd., January 1998.



Appendix 1.

DFO Aquatic Species at Risk Information



**Critical habitat for these species is found within the outlined area**

Critical habitat is identified in recovery strategies or action plans for species listed under Schedule 1 of the Species at Risk Act as extirpated, endangered or threatened.

Name	Where Found	Species Status
	No critical habitat	

**Species found (or potentially found) within the outlined area**

Name	Where Found	Species Status
<a href="#">Basking Shark - Pacific</a>	Pacific Ocean/Océan Pacifique	Endangered
<a href="#">Bluntnose Sixgill Shark</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Grey Whale - Eastern North Pacific</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Harbour Porpoise - Pacific Ocean</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Humpback Whale - North Pacific</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Killer Whale - Northeast Pacific Northern Resident</a>	Pacific Ocean/Océan Pacifique	Threatened
<a href="#">Killer Whale - Northeast Pacific Offshore</a>	Pacific Ocean/Océan Pacifique	Threatened
<a href="#">Killer Whale - Northeast Pacific Southern Resident</a>	Pacific Ocean/Océan Pacifique	Endangered
<a href="#">Killer Whale - Northeast Pacific Transient</a>	Pacific Ocean/Océan Pacifique	Threatened
<a href="#">Leatherback Sea Turtle - Pacific</a>	Pacific Ocean/Océan Pacifique	Endangered

<a href="#">Longspine Thornyhead</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Northern Abalone</a>	Pacific Ocean/Océan Pacifique	Endangered
<a href="#">Rougheye Rockfish type I</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Rougheye Rockfish type II</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Steller Sea Lion</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Tope</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Yelloweye Rockfish - Pacific Ocean Inside Waters</a>	Pacific Ocean/Océan Pacifique	Special Concern
<a href="#">Yelloweye Rockfish - Pacific Ocean Outside Waters</a>	Pacific Ocean/Océan Pacifique	Special Concern

The Proposed development is a single building containing twenty-three dwelling units, yet the side of the building seen from the Wharf looks like a series of four eclectic rowhouses. This was achieved by varying the depth of each section of the building, and by applying various heights, roof type and finishes<sup>5</sup> to each rowhouse.

The use of various building heights and rooflines was particularly instrumental in our ability to increase the character of the building, while deliberately decreasing its overall massing.

The exterior seen from Cedar Road follows a similar design yet corresponds more directly with the Whiskey Landing Development. This is done via the use of multiple peaks on the roofline, the and the placement of horizontal building breaks that match those on the neighbouring building.

The colour scheme of the buildings all around the Wharf are especially vibrant, even for coastal communities. This is seen in the blue of the Aquarium, and the red of Whiskey landing, and now in the colour scheme of the Azura development. The continuation of strong bright colours has been used to define the waterfront properties that will together create a playful gathering place around the foreshore. The definition of these properties will become important to the public amenities described below in Section 3.2.

It should be noted that using similar finishes and themes as the Whiskey Landing Development was considered but attempting to match it would have decreased the stand-alone beauty and themes of both developments. Therefore, the use of distinctly different finishes on the Azura building is done intentionally to heighten the visual impact of both buildings.

#### 4.2. Public Edges and Amenities

The District planning documents envision a harbour walkway extending from the Wharf and crossing the waterfront of both the Whiskey Landing and Azura developments. This section of walkway would in the future connect the existing Wharf infrastructure, to a proposed Cedar Road Park on a portion of what is now the fish plant lands.

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<sup>5</sup> All utilized materials and finishes are consistent with the OCP guidelines.





Figure 2: Rendering of the view from the Wharf of the proposed development with the harbourfront walkway constructed through DL 2167.

Azura would like to see this walkway installed and is willing to do build it during the construction of the new building if the required permissions can be granted. Yet the granting of the needed permissions is complicated by historical survey errors, and ownership changes the occur across the waterfront. In short, the walkway will need to traverse the Districts existing water lease, land owned by the Whiskey Landing strata, the water lease owned by Azura, and a small section of upland shoreline that is still controlled by the crown. As a private entity Azura cannot gain the permissions needed from the province; but as a public entity the District may be able to so do. For that to happen, the District would need to own both water leases.

If the proposed development is approved, Azura is willing to reassign its water lease (DL2167) to the District. This decision in not made lightly as it is a valuable resource for the development, which could be used for a private marina, however, we can see the greater value it can provide as public amenity. Discussions regarding the potential water lease transfer are underway with District Staff (Attachment D).

Other public amenities created as part of this project will be the installation of a new bus stop on Cedar Road (as previously requested by District Staff) and as establishment of public access on the privately owned sidewalks between the two developments<sup>6</sup>.

<sup>6</sup> This public access has been proactively registered on the titles of both developments.

Fawn Ross, Development Manager  
Azura Management Corp.  
125B – 19055 34A Avenue  
Surrey, BC V3Z 0P6

January 10, 2024

via email: [fross@azuramanagement.com](mailto:fross@azuramanagement.com)

Re: 1671 Cedar Road development application review

Dear Fawn;

The following comments are provided from the review of the application package submitted for the proposed development at 1671 Cedar Road. The initial application review has identified some items that will need to be addressed to move the project forward. As discussed previously, your team is proposing an attractive building and taking a creative approach to the site. However additional information is required to address the following items and form a complete picture of the proposed development and its impacts. We will await receipt of your completed application before further review can proceed.

#### Certificate of Compliance

After some back-and-forth, the Ministry of Environment has confirmed that the Certificate of Compliance (CoC) issued on July 23, 2002, for the property was for **commercial** purposes; the proposed development of a 4-storey 23-unit condominium building qualifies as a “high-density residential land use” under the *Contaminated Sites Regulation*.

For the purposes of the provincial *Environmental Management Act*, the following definitions of land uses apply:

**"high density residential land use"** means a residential land use in respect of one of the following:

- (a) a multiple-unit dwelling of 3 or more storeys;
- (b) an institutional facility in a building of 3 or more storeys;

**"residential land use"** means the use of land for the primary purpose of

- (a) a residence by persons on a permanent, temporary or seasonal basis, including, without limitation, single family dwellings, cabins, apartments, condominiums or townhouses, or
- (b) institutional facilities, including, without limitation, schools, hospitals, daycare operations, prisons, correctional centres and community centres;

The high-density residential land use matches your proposal. The regulation differentiates this use from commercial:

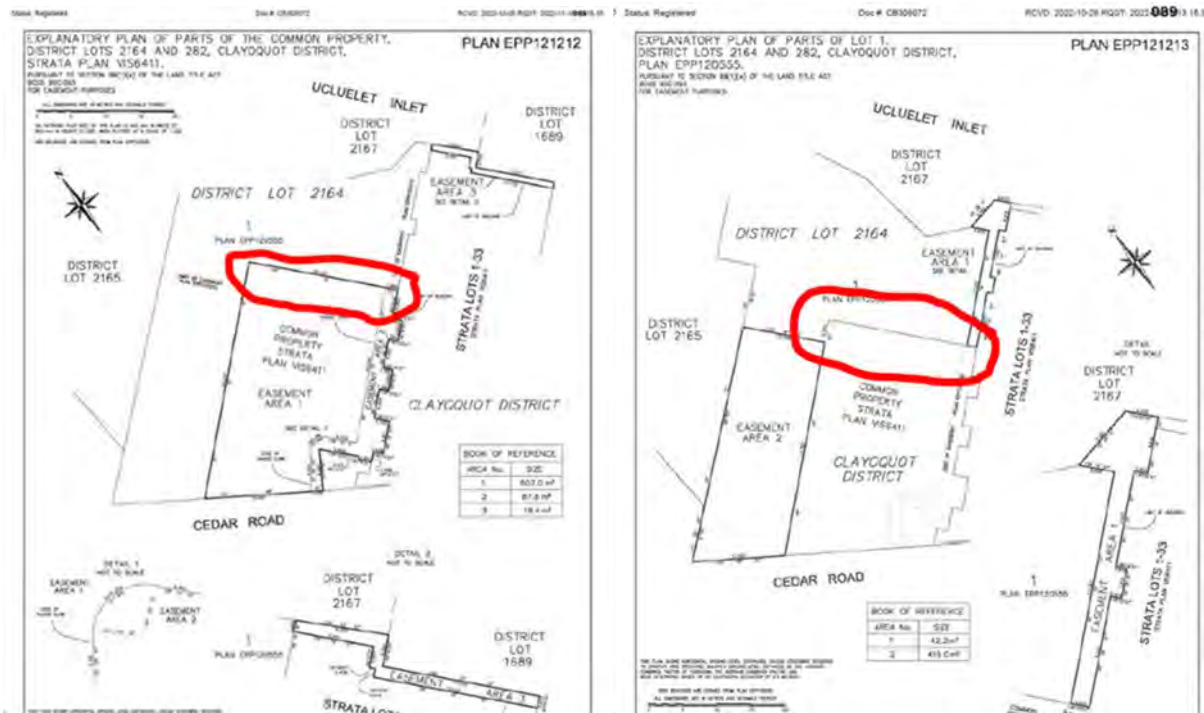
**"commercial land use"** means the use of land for the primary purpose of buying, selling or trading of merchandise or services including, without limitation, shopping malls, office complexes, restaurants, hotels, motels, grocery stores, automobile service stations, petroleum distribution operations, dry cleaning operations, municipal yards, warehouses, law courts, museums, churches, golf courses, government offices, air and sea terminals, bus and railway stations, and storage associated with these uses.

The 2002 CoC does not cover the proposed land use with the current application. This means that the District is restricted from providing development approvals such as a Development Permit, Development Variance Permit or Building Permit until the owner has provided a valid CoC from the Province for the proposed use. An environmental consultant can advise on the options for obtaining a valid CoC or other form of determination or release from the Ministry.

Building Code and Spatial Separation:

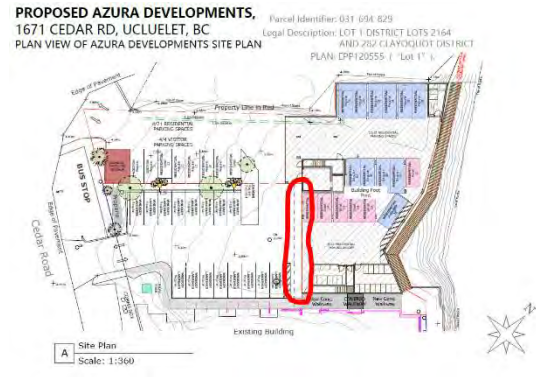
Doug Cole’s email of December 12, 2023, was helpful clarifying the non-combustible construction of the southeast wall facing the existing Whiskey Landing building. The question raised by staff last July, however, included the building code compliance for the limiting distance to the southwest face of the building, which is proposed to be constructed at (and over) the property boundary between Lot 1 Plan EPP120555 and the common property of Strata Plan VIS6411.

The easement documents CB308072 to CB308075 provided with the application do not satisfy the requirements of maintaining spatial separation mandated by the BC Building Code.



As it is proposed, prior to issuing a building permit for the building a section 219 restrictive covenant in favour of the District would need to be registered over the common property of Strata Plan VIS6411 restricting the construction of any future building on the neighbouring property within the limiting distance required by Code.

Alternative approaches to meeting the building code requirements could include removing the cantilevered balconies and unprotected openings (windows) on that face of the building, or moving the face of the building back from the property line. Such changes would affect the form and character of the building; a prime consideration for Council when considering issuance of the requested Development Permit.



Not knowing what approach the applicant will take and whether it will affect the form of the proposed building, staff requested that you clarify how you intend to meet the code requirements - prior to the application being presented to Council. If you choose the route of registering a S.219 restrictive covenant over an area of the existing parking lot on the common property of Strata Plan VIS6411, a letter of support from the Strata would be sufficient at the Development Permit stage. Registration of the covenant would just need to be complete prior to issuance of a building permit.

Engineering:

Engineering comments were provided previously and we understand that Herold Engineering is working to address those issues. The current drawing set does not clearly indicate the location of the existing storm drainage main that crosses the property – it would be helpful to add the existing and relocated storm drain to the site plan to enable us to assess whether surface works (parking, landscaping, etc.) might pose any challenges for future maintenance.

The draft plan for the Cedar Road frontage provided by Herold Engineering for discussion, showing the bus stop, is generally supportable with the following comments:

- Need to provide for a pedestrian walkway connecting from the existing sidewalk at the corner of Main Street to the new bus stop location;
- Explore retaining a parallel public parking space on Cedar near the corner with Main;
- The raised bus stop pad provides pedestrian accessibility but in its current location would see the bus stop in the travel lane. This is not a BC Transit stop but serves irregular private service (Island Express and tour bus), therefore there should be space for a bus to pull out of the travel lane to stop for a lengthier load/offload; and,
- Provide a landscape plan for the proposed treatment of the Cedar Road frontage to complete the DP application.





We look forward to working with you as these items are addressed and the application makes its way to Council. Once you have had a chance to review the above with your team, we would be pleased to schedule a meeting to discuss and answer any questions you might have.

Regards,

[Redacted Signature]

Bruce Greig,  
Director of Community Planning

- Cc: Ewen Stewart, Azura Developments  
Doug Cole, Architect  
Evan Pearce, Herold Engineering  
Duane Lawrence, CAO  
James MacIntosh, Director of Engineering  
Rick Geddes, Fire Chief  
Nicole Morin, Municipal Inspector  
John Towgood, Municipal Planner

**From:** [ENV Site ID ENV:EX](#)  
**To:** [fross@azuramanagement.com](mailto:fross@azuramanagement.com)  
**Cc:** [Duane Lawrence](#); [Bruce Greig](#)  
**Subject:** RE: Support request pertaining to Site ID 4882  
**Date:** March 26, 2024 1:23:42 PM  
**Attachments:** [image001.png](#)

---

**[External]**

Hello Fawn,

Thank you for your enquiry.

While the municipality is correct that the previously issued Certificate of Compliance for Site 4882 is not applicable to a non-commercial use, the ministry recommends that the owner requests a Director's Decision for applicable land use, based on the future development plans with parking at grade. If granted, this will change the applicable land use from residential to commercial and, based on the existing Certificate of Compliance, will exempt the site from providing the Site Disclosure Statement and from municipal restrictions on their permit approvals.

The owner will need to describe their project in detail, to explain why they believe commercial land use should apply at grade. Information provided should also include the development plans.

Submit this request to [SiteID@gov.bc.ca](mailto:SiteID@gov.bc.ca) flagged urgent, and I will make sure this gets to the director as soon as possible for a decision.

Kind regards,

**Site Identification Team**

Environmental Emergencies and Land Remediation Branch | B.C. Ministry of Environment and Climate Change Strategy

*The information or advice provided in this email is for guidance only, should not be considered legal advice, and in no way limits a director's exercise of discretion under the Environmental Management Act.*

**From:** Fawn Ross <[fross@azuramanagement.com](mailto:fross@azuramanagement.com)>  
**Sent:** Friday, March 8, 2024 2:38 PM  
**To:** Skelly, Kerri ENV:EX <[Kerri.Skelly@gov.bc.ca](mailto:Kerri.Skelly@gov.bc.ca)>  
**Subject:** Support request pertaining to Site ID 4882

You don't often get email from [fross@azuramanagement.com](mailto:fross@azuramanagement.com). [Learn why this is important](#)

**[EXTERNAL]** This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello Kerri,

I am following up on documentation submitted in relation to Site ID: 4882, and property PID: 031-694-829, which is located in the District of Ucluelet.

I am working with a project proponent who has applied for a development permit at this site, which has a historical Schedule II use, and subsequent Certificate of Compliance.

The municipal staff have confirmed their submission of the SDS to the province and have notified us that the province has put a freeze on the development. The municipal letter detailing the provincial decision (dated January 10, 2024), and the council report detailing their communications with the province (March 6, 2024) are attached here for your review.

The issue we are having is that there is no SDS, or freeze notice in the site registry, and disagrees the environmental consultants assessment of jurisdiction (attached in the council report).

We are looking to find a way forward, but do not know how to proceed. Please reach out to me at any time. Should you want to speak to the District directly, the contacts there are:

Duane Lawrence ([dlawrence@ucluelet.ca](mailto:dlawrence@ucluelet.ca)) and  
Bruce Greig ([bgreig@ucluelet.ca](mailto:bgreig@ucluelet.ca)).

Thank you,

## Fawn Ross

### Development Manager

Azura Management Corp.  
125B – 19055 34A Avenue  
Surrey, BC V3Z 0P6  
Cell: 250.258.1807  
[fross@azuramanagement.com](mailto:fross@azuramanagement.com)



---

**From:** Skelly, Kerri ENV:EX <Kerri.Skelly@gov.bc.ca>  
**Sent:** Friday, March 8, 2024 3:23 PM  
**To:** Osorio, Vanessa ENV:EX <Vanessa.Osorio@gov.bc.ca>  
**Subject:** FW: Support request pertaining to Site ID 4882

As discussed.



VIA EMAIL: [estewart@azuramanagement.com](mailto:estewart@azuramanagement.com)

Victoria File: 26250-20/4882  
Site ID: 4882

April 5, 2024

Whiskey Landing Developments Ltd.  
225-19055 34A Avenue  
Surrey, BC V4A 2H9  
Attn. Ewen Stewart

Dear Ewen Stewart:

**Re: Certificate of Compliance for Site 4882/Application for Director's Decision  
1645 Cedar Road, Ucluelet, BC**

The Ministry of Environment and Climate Change Strategy (ENV) has reviewed your request to determine the applicable land use standards for the above referenced site based on the future development plans.

The site received a certificate of compliance for commercial land use in 2002. The proposed development at the site includes 23 residential units placed on top of an open parkade. All the residential units will be located on the upper levels and will not have access from the ground level.

On the basis of the ministry's review of your request indicating that:

- The site was remediated and received a certificate of compliance for commercial land use from ENV and there has been no known contamination since it was issued; and,
- The proposed development at the site will have an open parkade at ground level and the residential units will have access only from upper levels of the development.

I concur that the existing Certificate of Compliance for commercial land use issued on July 23, 2002, remains valid and subsisting for the proposed development at the site and there is no requirement to provide a Site Disclosure Statement.

Issuance of this revision is a decision that may be appealed under Part 8 of the *Environmental Management Act*.





Victoria File: 26250-20/4882  
Site No: 4882

July 19, 2002

Mr. Jeff Linke, P. Geo.  
Chevron Canada Limited  
1500-1050 West Pender St  
Vancouver BC V6E 3T4

Attention: Mr. Jeff Linke, P. Geo.

### **CERTIFICATE OF COMPLIANCE**


**(Pursuant to Section 27.6 of the Waste Management Act, RSBC Chapter 482, 1996)**

Please find enclosed a certificate of compliance for the lands located at 1645 Cedar Road, Ucluelet, British Columbia.

The site has been remediated to applicable CSR commercial land use soil standards and aquatic life water use standards.

If any aspect of the certificate requires clarification, please contact me at (250) 356-0475.

Yours truly,

  
Katherine O'Leary, M.Sc., P.Ag.  
Soil and Hydrogeology Specialist

Enclosure

cc: Brad Halsey, Seacor  
Town of Ucluelet

Ministry of  
Water, Land and  
Air Protection

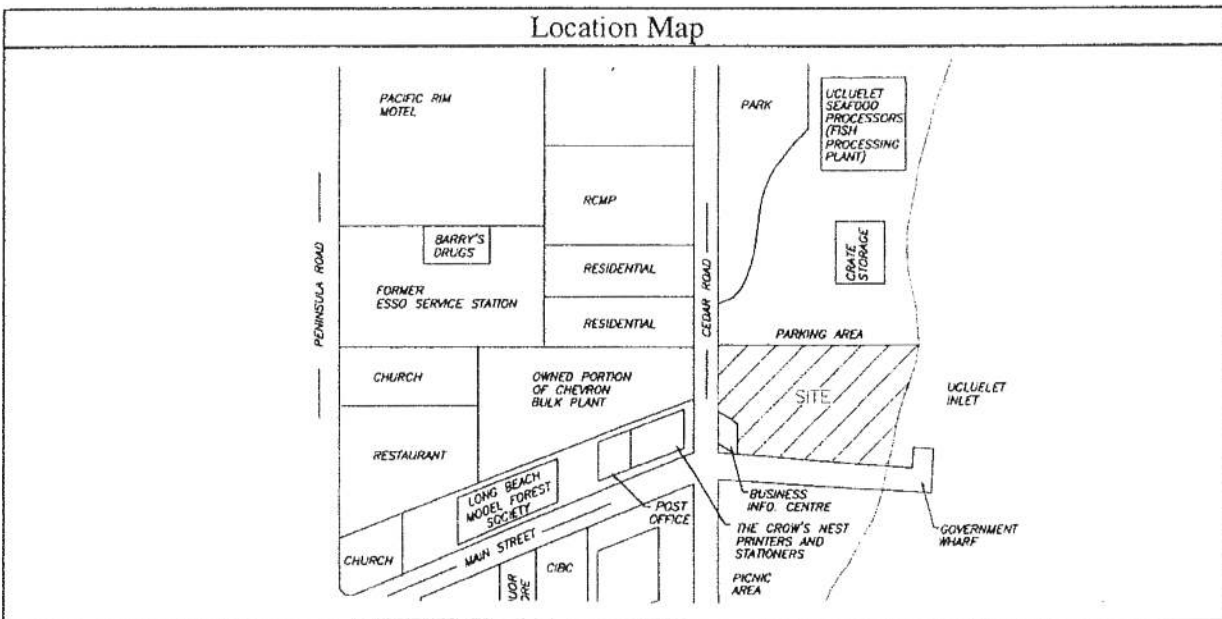
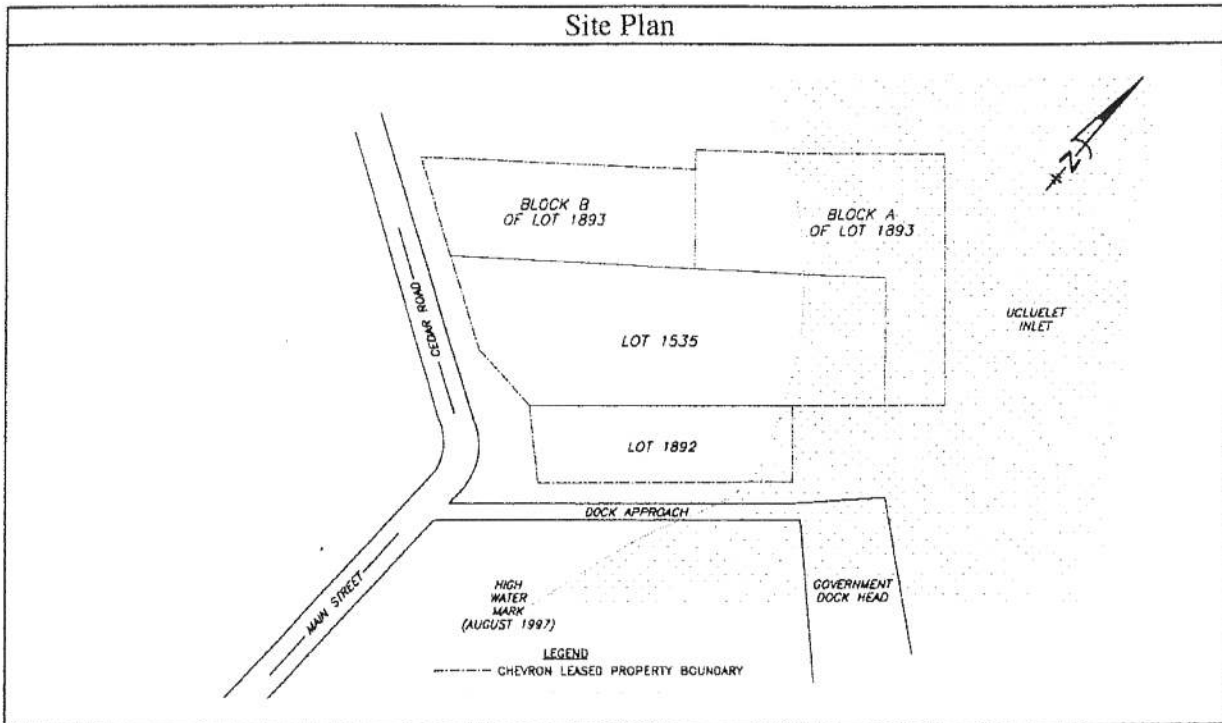
Environmental Protection Division  
Environmental Management Branch  
Toxics, Special Waste and Pesticides Section

Mailing Address:  
PO Box 9342 Stn Prov Govt  
Victoria BC V8W 9M1  
Phone: (250) 356-0475  
Fax: (250) 387-9935

Location:  
3rd Floor, 2975 Jutland Road  
Victoria BC



Schedule "A"



July 23/02  
 Date Issued

[Redacted Signature]  
 Assistant Regional Waste Manager

\_\_\_\_\_  
 Date Amended

\_\_\_\_\_  
 Assistant Regional Waste Manager



ISSUES	RESOLVED FOR
1	PERMIT ISSUED FOR BUILDING PERMIT
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**DRAFT**



LOCATION PLAN

LIST OF DRAWINGS

DWG. No.	DESCRIPTION
C01	KEY PLAN, DRAWING LIST, & GENERAL NOTES
C02	OFFSITE WORKS
C03	ONSITE WORKS, SITE SERVICING

EXISTING	PROPOSED	DESCRIPTION	EXISTING	PROPOSED	DESCRIPTION
[Symbol]	[Symbol]	EDGE OF PAVEMENT	[Symbol]	[Symbol]	REDUCER
[Symbol]	[Symbol]	CURB AND GUTTER	[Symbol]	[Symbol]	FENCE
[Symbol]	[Symbol]	EDGE OF GRAVEL	[Symbol]	[Symbol]	ETD/D/W/RALE
[Symbol]	[Symbol]	TOP/BOTTOM OF BANK	[Symbol]	[Symbol]	W/ATMAN (SEE AND MATERIAL NOTED)
[Symbol]	[Symbol]	SLATCH BASIN	[Symbol]	[Symbol]	SANITARY SEWER (SIZE AND MATERIAL NOTED)
[Symbol]	[Symbol]	WATER VALVE	[Symbol]	[Symbol]	STORM DRAIN (SIZE AND MATERIAL NOTED)
[Symbol]	[Symbol]	FIRE HYDRANT	[Symbol]	[Symbol]	UNDERGROUND TELEPHONE
[Symbol]	[Symbol]	GRAVED END	[Symbol]	[Symbol]	UNDERGROUND HYDRO
[Symbol]	[Symbol]	UTILITY POLE AND STREET LIGHT (LABELLED W/PP/P/ALS ETC.)	[Symbol]	[Symbol]	MONUMENT
[Symbol]	[Symbol]	MANHOLE	[Symbol]	[Symbol]	PROPERTY LINE
[Symbol]	[Symbol]	CLAMPOUT	[Symbol]	[Symbol]	CENTRIFFUGAL AND STATIONING
[Symbol]	[Symbol]	EMERGENCY/INSPECTION CHAMBER (DOW RISER)	[Symbol]	[Symbol]	SANITARY SEWER SERVICE CONNECTION AT MAIN
[Symbol]	[Symbol]	JUNCTION BOX	[Symbol]	[Symbol]	ELEVATIONS
[Symbol]	[Symbol]	AIR VALVE	[Symbol]	[Symbol]	PAVEMENT REMOVAL
[Symbol]	[Symbol]	WATER METER	[Symbol]	[Symbol]	NEW ASPHALT



KEY PLAN

- GENERAL NOTES:**
- ALL WORK AND MATERIALS ARE TO BE AS DESCRIBED IN THE MASTER PLAN AND SPECIFICATIONS AND DISTRICT OF VICTORIA SUBDIVISION CONTROL BY-LAW NO. 527, 1989 AND ANY AMENDMENTS THERE TO.
  - CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, CONNECTION TO, OR ALTERATION OF, EXISTING DISTRICT-OWNED UTILITIES. REQUIRES AUTHORIZATION BY THE DISTRICT ENGINEER.
  - PROPERTY AREAS WILL BE REQUIRED WHERE CONSTRUCTION IS TO BE UNDERTAKEN IN DISTRICT OF VICTORIA HIGH-WAYS AND/OR UNDERGROUND UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND APPROVALS FROM THE DISTRICT OF VICTORIA PRIOR TO COMMENCEMENT OF WORK.
  - THE ENGINEER SHALL BE NOTIFIED 48 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
  - CONTRACTOR TO COMPLY WITH ALL APPLICABLE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE REGULATIONS AND STANDARDS IN CANADA.
  - CONTRACTOR TO CONFIRM LOCATION OF EXISTING UTILITIES AT ALL LOCATIONS PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
  - CONTRACTOR TO CONFIRM FROM ELEVATION, LOCATION AND GRADIENT OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.
  - ALL EXISTING UTILITIES SHALL BE PROTECTED AND NOT BE REMOVED IN THE CONSTRUCTION AREA. SHALL BE PROTECTED BY CONSTRUCTION OF PROTECTIVE STRUCTURES.
  - ALL EXISTING UTILITIES SHALL BE RESTORED TO EXISTING CONDITION OR BETTER.
  - ALL EXISTING UTILITIES SHALL BE RESTORED TO EXISTING CONDITION OR BETTER.
  - ALL EXISTING UTILITIES SHALL BE RESTORED TO EXISTING CONDITION OR BETTER.
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  - ALL EXISTING UTILITIES SHALL BE RESTORED TO EXISTING CONDITION OR BETTER.
- STORM SEWER NOTES:**
- ALL STORM SEWERS ARE TO BE 150MM STANDARD TYPE S11 UNLESS OTHERWISE NOTED.
  - ALL STORM SEWER LIDS ARE TO BE 2008 PVC S11X35 UNLESS OTHERWISE NOTED.
- ROAD NOTES:**
- ALL CURB AND GUTTER TO BE AS PER MMCO STD. DWG. NO. C4 UNLESS OTHERWISE NOTED.
- PRIVATE UTILITY NOTES:**
- PRIVATE UTILITY MAIN AND SERVICE LOCATIONS ARE APPROXIMATE ONLY AND ARE BASED ON BC ONE CALL INFORMATION.

1671 CEDAR ROAD  
WHISKEY LANDING - PHASE 2  
CIVIL WORKS  
VICTORIA, BC  
AZURA MANAGEMENT CO.

**HEROLD ENGINEERING**  
3711 - Steveston Rd., Steveston, BC V3T 2N1  
Tel: 250-751-4558 Fax: 250-751-8559

KEY PLAN, DRAWING LIST & GENERAL NOTES

DESIGNED	ENGINEER
ECAP	
DESIGN REVIEW	
ECAP	
DRAWING	
ECAP	
DRAWING REVIEW	
ECAP	
SCALE	1:100
DATE DRAWN	2024-03-03
DATE CHECKED	2024-03-03
DATE APPROVED	
DATE ISSUED	
PROJECT NO.	24-001
PERMIT NO.	
HEET DRAWING NO.	C01
STATION	1 OF 3

REVISION: ALL DRAWINGS SHOWING PREVIOUS REVISIONS



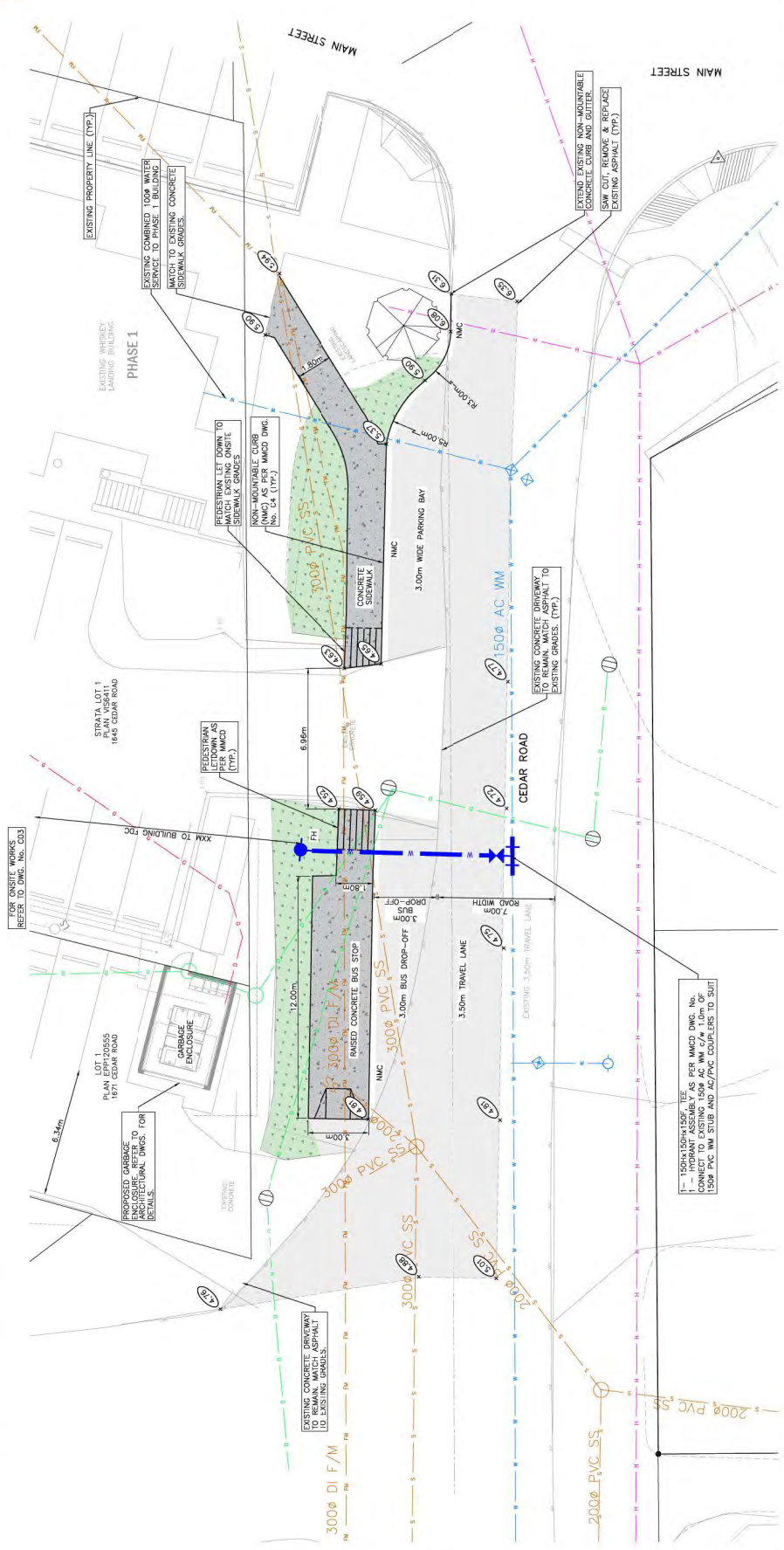
ISSUES	RESOLVED FOR

**DRAFT**

NOTES:  
1. FOR GENERAL NOTES SEE DWG. NO. C01.

ISSUED FOR  
BUILDING PERMIT

- LEGEND**
- PARKING AREA AND TRAVEL LANE
    - 50mm OF ASPHALT FINISH
    - 100mm OF GRANULAR BASE
    - 150mm OF GRANULAR SUBBASE ON GEOTECHNICAL APPROVED SUBGRADE
  - CONCRETE SIDEWALK
    - 100mm OF CONCRETE BASED ON GEOTECHNICAL APPROVED SUBGRADE
  - LANDSCAPE
    - REFER TO LANDSCAPE DWGS. FOR DETAILS.



1 - 150PH150H1450E, REF  
1 - HYDRANT ASSEMBLY AS PER IMCO DWG. NO. 150PH150H1450E  
1500 PVC WM SUB AND 40/PVC SUSPENSERS TO CURB

1671 CEDAR ROAD  
WHISKEY LANDING - PHASE 2  
CIVIL WORKS  
UCLUELET, BC  
AZURA MANAGEMENT CO.

**HEROLD ENGINEERING**  
3741 - Sherbrook Rd. Kelowna, BC V1Y 2K1  
Tel: 250-761-4858 Fax: 250-761-8859

OFFSITE WORKS

REVISION	DATE	BY	DESCRIPTION

SCALE: 1:100  
DATE: 2024  
DRAWING NO.: 8015E-003  
PROJECT NO.: 1671 CEDAR ROAD  
SHEET NO.: 2 OF 3  
C02

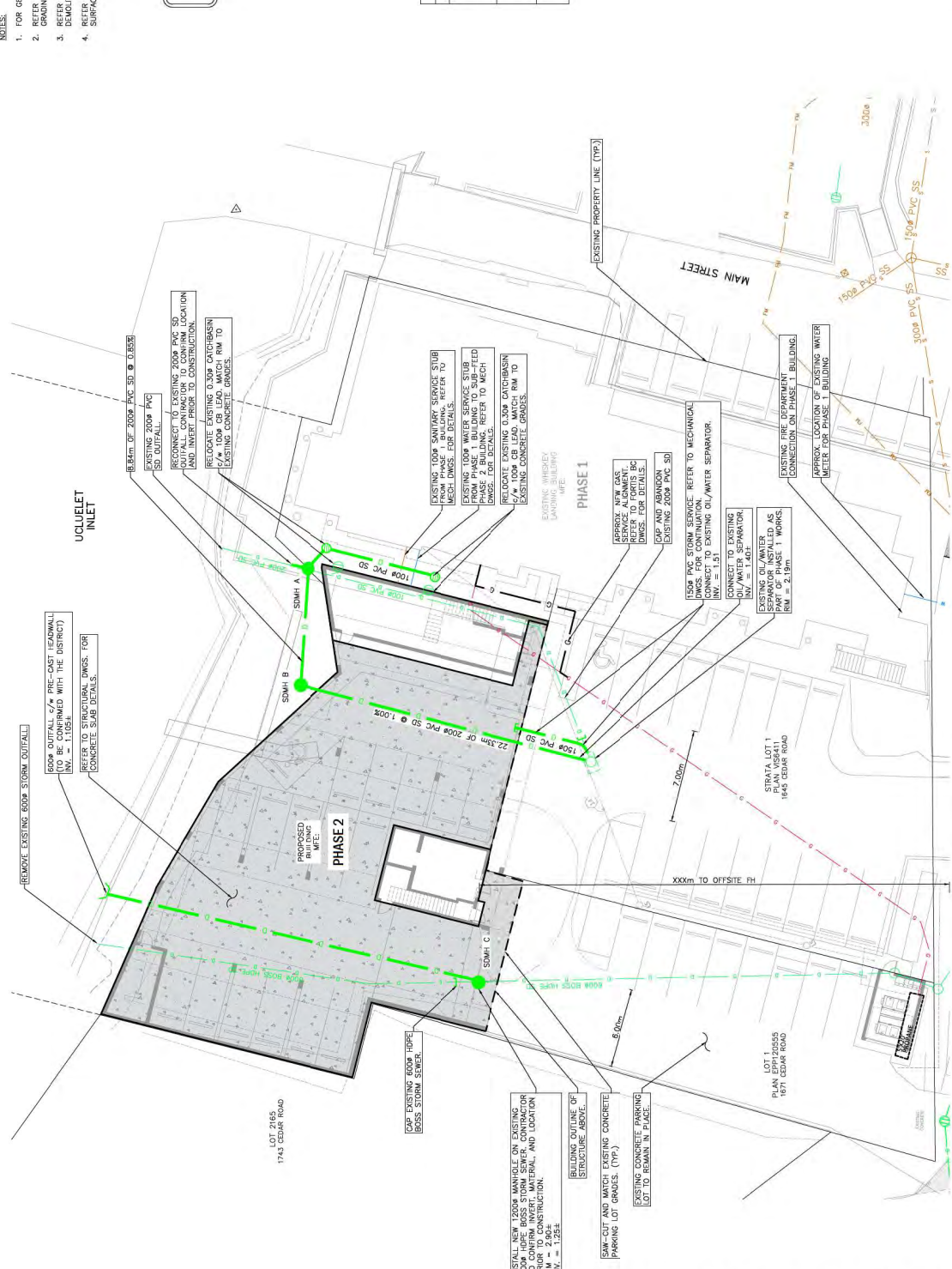
ISSUES	RESOLVED FOR
1.	PERMIT IS ISSUED FOR BUILDING PERMIT

DRAFT

ISSUED FOR  
BUILDING PERMIT

- NOTES:
1. FOR GENERAL NOTES SEE DWG. NO. C01.
  2. REFER TO ARCHITECTURAL DWGS. FOR PARKADE GRADING.
  3. REFER TO ARCHITECTURAL DWGS. FOR ONSITE DEMOLITION DETAILS.
  4. REFER TO ARCHITECTURAL DWGS. FOR ADDITIONAL SURFACE WORK DETAILS.

MANHOLE DATA
10508 SWM1 A SWM S.W. INV. ELEV. = 1.070 N.W. INV. ELEV. = 1.170 S. INV. ELEV. = 1.170
10508 SWM1 B SWM S.W. INV. ELEV. = 1.140 N.W. INV. ELEV. = 1.140 S. INV. ELEV. = 1.140
12008 SWM1 C SWM R.M. ELEV. = 2.852 S.W. INV. ELEV. = 1.269



1671 CEDAR ROAD  
WHISKEY LANDING - PHASE 2  
CIVIL WORKS  
UCLEULET, BC  
AZURA MANAGEMENT CO.



ONSITE WORKS:  
SITE SERVICING

DESIGNED	ENGINEER
CHECKED	ENGINEER
APPROVED	ENGINEER
DRAWN	ENGINEER
DATE	NO. OF SHEETS
SCALE	PROJECT NO.
DATE	CLIENT
PROJECT	LOCATION
PROJECT	LOCATION
PROJECT	LOCATION

3 OF 3 A  
C03  
ESTATION



**PLANT SCHEDULE**

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QTY
<b>TREES</b>						
	TP	Thuja plicata	Western Red Cedar	2.5 m HT		1
<b>SHRUBS</b>						
	MN	Mahonia nervosa	Oregon Grape	#1 Pot		31
	RM	Rhododendron macrophyllum	Pacific Rhododendron	#5 Pot		25
<b>GROUND COVERS</b>						
	AJ	Arctostaphylos uva-ursi	Kinnikinnick	#1 Pot	300 mm	54
	GS*	Gaultheria shallon	Sallal	#1 Pot	300 mm	166
	PM*	Polystichum munium	Western Sword Fern	#1 Pot	300 mm	46
<b>PLANTER BOXES</b>						
	LN**	Larrea nobilis	Bay Laurel	#1 Pot	300 mm	4
	PM**	Polystichum munium	Western Sword Fern	#1 Pot	300 mm	6

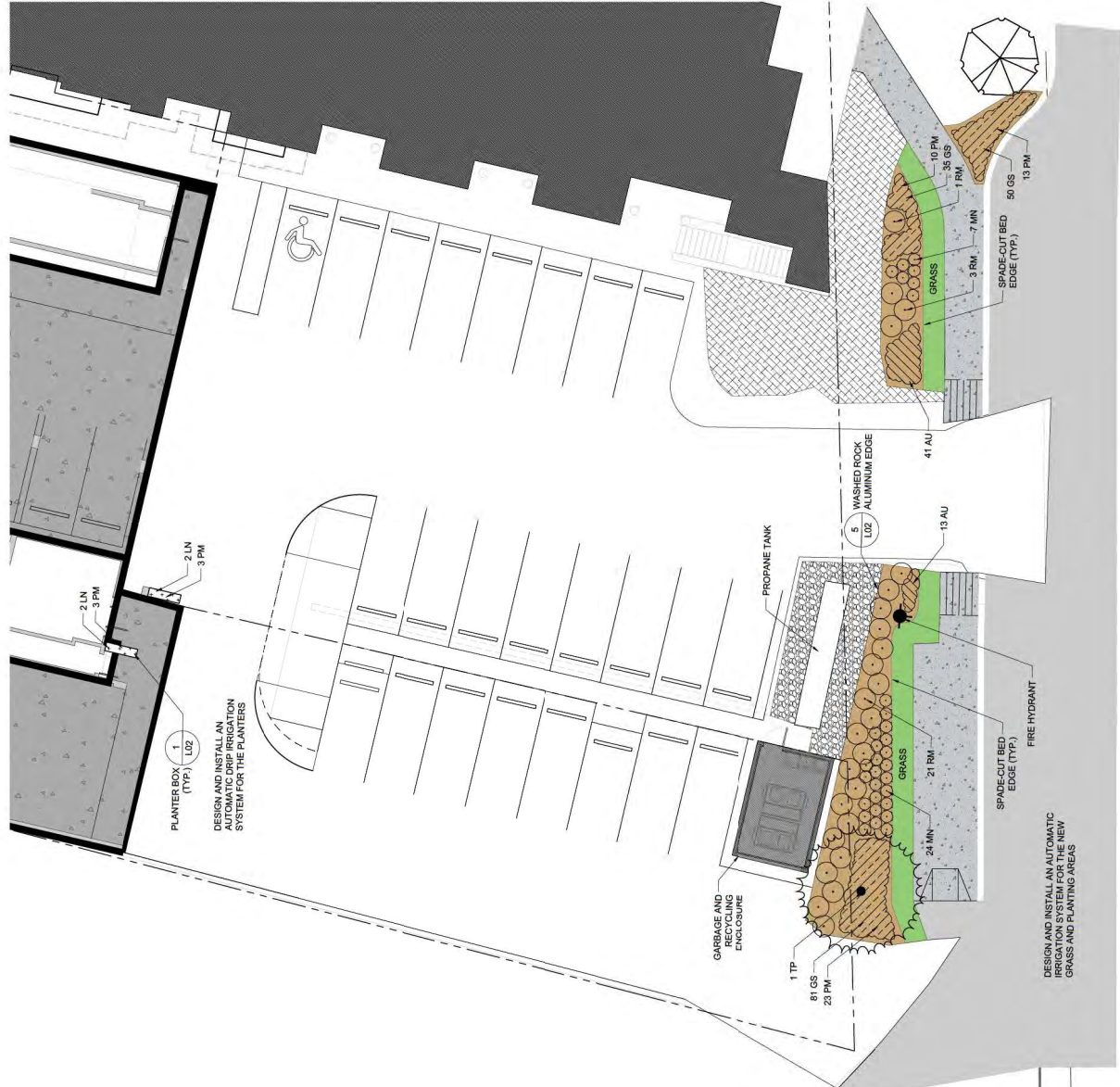
\* GS AND PM TO BE INTERMINGLED IN THE SAME PLANTING ZONES  
 \*\* LN AND PM TO BE PLANTED IN AN ALTERNATING FASHION WITHIN PLANTER

**GENERAL PLANTING NOTES:**

1. ALL LANDSCAPE WORK TO BE PER THE CANADIAN LANDSCAPE STANDARD LATEST
2. ENSURE AVAILABILITY AND SOURCE OF PLANT LIST MATERIALS AT LEAST 2 WEEKS PRIOR TO ANTICIPATED PLANTING TIME.
3. FAVORABLE WEATHER CONDITIONS AND MUST BE PUSHED TO DISPERSE PLANTING LOCATIONS AND WATER LINES AND ANY OTHER UGS SERVICES PRIOR TO DIGGING.
4. CHECK FOR LOCATIONS OF WATER LINES AND ANY OTHER UGS SERVICES PRIOR TO DIGGING.
5. NO TRUNKS OR BRANCHES OF TREES OR SHRUBS TO BE REMOVED. ALL CALIPER-STOCK TREES SHALL BE BAG IN WIRE BASKETS TO DISPERSE DAMAGE GROUP FORM WILL BE ACCEPTED FOR SITE, PRIOR TO INSTALLATION.
6. INSPECT ALL ASSEMBLED PLANT MATERIAL UPON ARRIVAL ON GROWING MEDIUM AND SOIL.
7. RECEIVE MINIMUM 150MM GRASS GROWING MEDIUM AND SOIL.
8. ALL PLANTING AREAS ARE TO RECEIVE MINIMUM MULCH.
9. PRIOR TO MAKING ANY SUBSTITUTIONS OR VARIATIONS OBTAIN WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT REJECTED PLAN, UNAPPROVED SUBSTITUTIONS WILL BE REJECTED.
10. LAY OUT THE PLANTS FOR APPROVAL BY THE LANDSCAPE ARCHITECT. ALL TREES TO BE SPECIMEN QUALITY.
11. DESIGN/BUILD IRRIGATION BY CONTRACTOR. PROVIDE IRRIGATION DESIGN DRAWING FOR APPROVAL AT THE SAME TIME AS THE PLANTING PLAN.
12. SPADE-CUT BED EDGE WHEREVER PLANTING MEETS LAWN.
13. LANDSCAPE CONTRACTOR TO PROVIDE 2-YEAR MAINTENANCE AND WARRANTY ON ALL PLANT MATERIAL. MAINTENANCE SHALL INCLUDE TURF MAINTENANCE SHALL INCLUDE MINIMUM OF 3 MOWS BEFORE HANDING OVER. MOWING RESPONSIBILITIES TO THE OWNER. ADDITIONAL MOWS MAY BE REQUIRED UNTIL THE TURF IS ESTABLISHED.
14. MULCH TO BE HEMFER AND WEED-FREE.

**LEGEND**

- EXISTING TREE
- GRASS WITH 150mm GROWING MEDIUM
- MULCHED PLANTING AREA WITH 450mm GROWING MEDIUM. SEE DETAIL 37/102
- WASHED ROCK. SEE DETAIL 5/ 102
- EXISTING PLANTING AREA TO REMAIN
- SEE CIVIL FOR ALL HARD SURFACING



**1 LANDSCAPE PLANTING PLAN**  
 SCALE: 1:50

SEE CIVIL FOR ALL HARD SURFACING

Issued	By	Appr.	Yr	Mod.
ADDED HYDRANT	GL	BL	24.04.18	
PERMIT SET	GL	BL	24.04.15	

Permit Seal

Project: WHISKEY LANDINGS - PHASE 2

Title: LANDSCAPE PLANTING PLAN

Project No.: 21323

Scale: 1:100

Permit No.: 1 of 2

**COMMERCIAL METAL PLANTERS**  
 A DIVISION OF EDGE ELECTRIC PRODUCTS, LTD.

PRODUCT SPECIFICATION SHEET  
 09/17/21

**PARTITIONS**  
 Material: 0.125" marine grade 5052 aluminum  
 Finish: Durable, UV resistant powder coat  
 Colour: Mocha, Cloud, Carbon, Navy, Snow

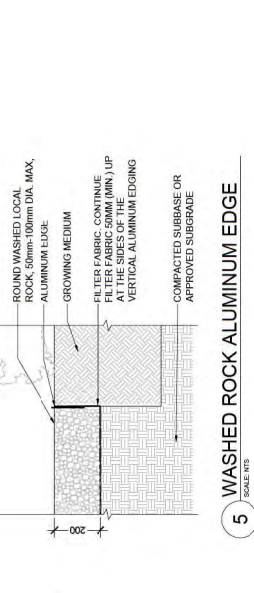
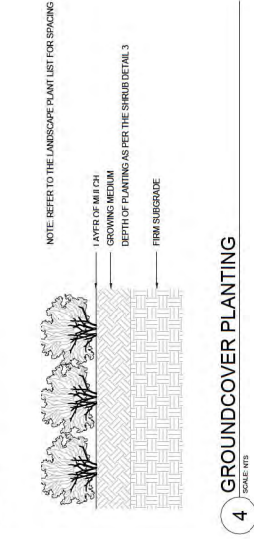
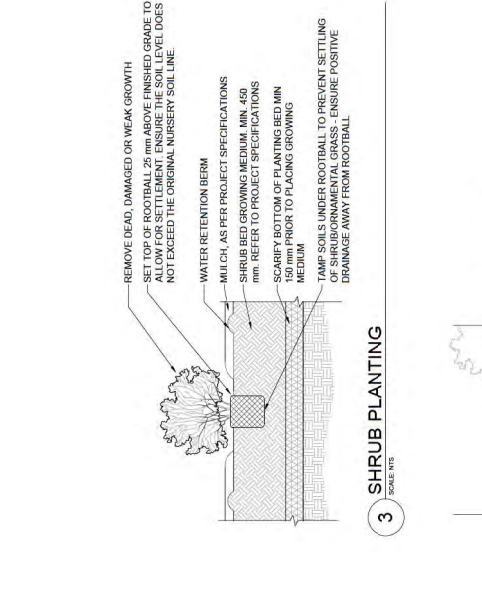
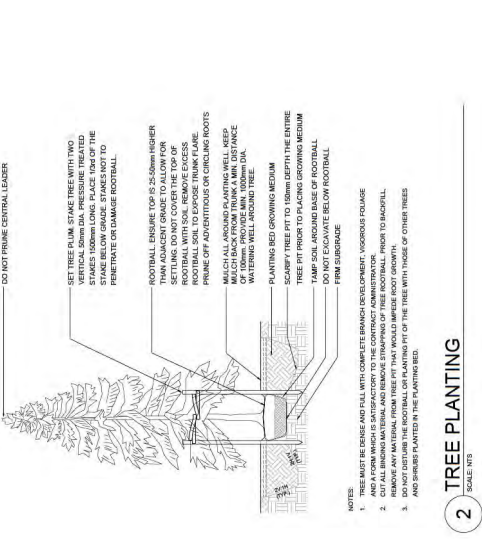
Drainage Holes: Yes  
 Top Lip: Standard 1" lip  
 1" x 1/2" lip with 1" return  
 4" stiffeners

Dimensions (in)		Weights (lbs)	
L	W	H	Net
32	12	32	40
40	12	32	47
48	12	32	53
56	12	32	60
64	12	32	66
72	12	32	72
80	12	32	78
88	12	32	84
96	12	32	90
104	12	32	96
112	12	32	102
120	12	32	108

Custom sizes available upon request.

Project: \_\_\_\_\_  
 Company Name: \_\_\_\_\_  
 Contact Name: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Signature: \_\_\_\_\_

5000 West 26th Ave. Coquitlam BC V3B 4N6  
 604-683-8344  
 100 Lonsdale Ave. Vancouver BC V6A 4S2  
 604-273-8344  
 www.edgeline.com  
 sales@edgeline.com



ADDED HYDRANT	GL	BL	24.04.19
PERMIT SET	GL	BL	24.04.15
Issued	By	Appr.	YYMMDD







**KOERS  
& ASSOCIATES  
ENGINEERING LTD.**  
*Consulting Engineers*

PO BOX 790  
194 MEMORIAL AVENUE  
PARKSVILLE, BC V9P 2G8  
Phone: (250) 248-3151  
Fax: (250) 248-5362  
www.koers-eng.com

May 23, 2024  
9601-2310-02

District of Ucluelet  
P.O. Box 999  
200 Main St  
Ucluelet, BC V0R 3A0

**Attention: Mr. James MacIntosh**  
**Director of Engineering**

**Re: 1671 Cedar Rd**  
**Review of Proposed Off & On-Site Civil Works Drawings**

As requested, we have carried out a review of the three design drawings listed in the table below that were provided to us.

<i>Civil Works Design Drawings by: Herold Engineering Ltd.</i>			
<i>No.</i>	<i>Description</i>	<i>Rev.</i>	<i>Date</i>
C 01	Key Plan, Drawing List & General Notes	A	Apr 24, 2024
C 02	Offsite Works	A	Apr 24, 2024
C 03	Onsite Works: Site Servicing	A	Apr 24, 2024

We understand these drawings are for the proposed development of a 23-unit condominium building comprised of five floors, including ground level parking and for which we previously provided comments of the architects site layout plan in our letter (9601-2310-01, dated November 7, 2023) to the District.

Copies of the drawings with our comments added are attached to the end of this report. A few items we wish to draw to your attention are presented below.

**1 PROPOSED DRIVEWAY ACCESS**

The proposed property driveway entrance/exit on the west side of the property onto Cedar Road conflicts with the existing intersection of the unsigned/unnamed road.

We recommend a traffic engineer be retained by the developer to comment on vehicle and pedestrian safety for the proposed driveway configurations, turning movements of semi-trailers accessing/leaving Ucluelet Harbour Seafoods, turning movements for vehicles/campers/trailers accessing/leaving the District’s parking lot and EV charging station at 1638 Cedar Rd. Access modifications should be reviewed, such as, but not limited to:

- Elimination of proposed west side driveway entrance/exit and use of the existing driveway entrance/exit (centre of property) that services both this proposed development and the parking lot for Phase 1 of Whiskey Landing.

.../2

May 23, 2024  
9601-2310-02

2

District of Ucluelet  
Mr. James MacIntosh

- One driveway access to be entrance only and the other to be exit only.
- West side driveway entrance/exit to be from the unsigned/unnamed road as per the original Whiskey Landing development site plan.

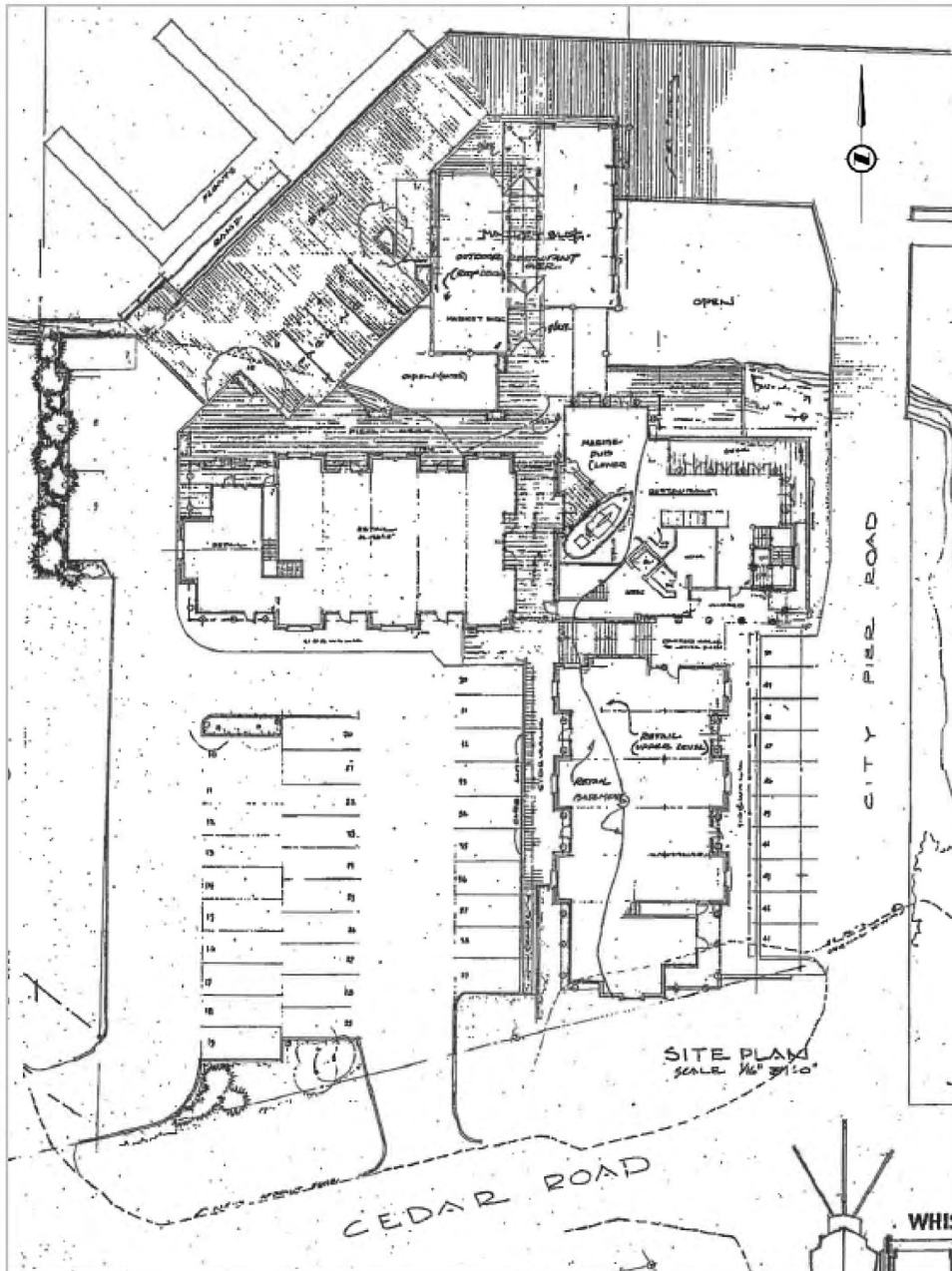


Image from Whiskey Landing development site showing orientation of driveway access on west side from the unsigned/unnamed existing road.

.../3

KOERS & ASSOCIATES ENGINEERING LTD.



May 23, 2024  
9601-2310-02

3

District of Ucluelet  
Mr. James MacIntosh

## 2 CEDAR ROAD

The centreline of the existing paved road ( $\pm 6$  m wide) is not in the centre of the road allowance but is offset to the south by approximately 2 m. In the absence of a road cross section design template, we suggest consideration be given to:

- road upgrading to include 3.6 m travel lane (7.2 m wide face of curb to face of curb),
- the south side curb be offset 5 m from the property line,
- the proposed bus stop in front of the property be located west of the unsigned/unnamed intersection (perhaps opposite 1672/1712 Cedar Rd) to reduce potential vehicle movement conflicts in and around the unsigned/unnamed intersection.

We have added a potential conceptual layout plan on drawing C02, taking in to consideration the location and configuration of the curb return and road width of the Cedar Road and Main Street intersection, to serve as a starting point for design layout discussion between the District and the developer's design Engineer.

## 3 STORM DRAINAGE DESIGN

### 3.1 EXISTING MUNICIPAL STORM DRAIN MAIN

We do not support the relocation of the District's storm drain main to within the footprint of the proposed building. We recommend it be located outside of the building footprint. Potential options include:

- Relocating it to the east to be in the walkway between the Phase 1 & Phase 2 buildings.
- Relocating it to the west onto the adjacent property.
- Modifying the building footprint to allow for the storm drain main to be located along the west property line and outside of the building footprint. This would be in keeping with the original building layout plan (see image on the previous page).

If the District is willing to accept the storm drain main as proposed (which we do not support), we recommend the design acknowledge the fact that future excavation work on a buried main within the building would be very, very difficult and costly. Assessment/ design consideration should be given to the storm main within the building footprint (parking lot) being a concrete rectangular flow channel with a removable top (open mesh grate or metal plates) to allow easy access for inspection and maintenance.

### 3.2 PLAN/PROFILE DESIGN, STORM DRAIN MAIN CALCULATIONS

A plan and profile drawing is to be provided for the District's storm main and it is to show the high and low tide levels so that the extent of daily surcharging of the main can be known.

.../4

KOERS & ASSOCIATES ENGINEERING LTD.





May 23, 2024  
9601-2310-02

4

District of Ucluelet  
Mr. James MacIntosh

The plan/profile drawing is to start at the manhole on 1638 Cedar Road and end at the point of discharge to the ocean. If the existing storm drain main under Cedar Road is CSP, we recommend it be replaced as part of this project.

Design calculations in support of the storm drain main design (pipe dia. and slope) to be provided.

### **3.3 OVERLAND FLOW ROUTE & ON-SITE OIL/GRIT SEPARATOR**

The property is located at the local low spot on Cedar Road. The design should include allowance for overland flow from Cedar Road onto and through the property and into the harbour.

A plan drawing showing the overland flow route through the property is needed. The plan is to include spot elevations to confirm the design of the flow path. This drawing can be used to show if the grading of the existing parking lot is such that the entire parking lot is serviced the existing on-site oil/water separator or if another oil/water separator is required.

## **4 WATER & SANITARY SERVICES**

Design calculations are to be provided to demonstrate the existing municipal service connections for the Phase 1 building are adequate to service both the Phase 1 and Phase 2 buildings.

The proposed development will discharge to the existing sanitary sewer main on Cedar Road, which conveys flow to the Fraser Lane Lift Station. The findings of the recently completed *District of Ucluelet Sanitary Master Plan, Final Report, June 30, 2023* by Koers & Associates Engineering Ltd. suggest that the pumping capacity of the lift station is adequate under existing conditions but future development in the District would increase peak flows beyond the capacity of the Fraser Lane Lift Station. The master plan noted that in the future, the District will need to increase the pumping capacity of this lift station. The amount of the increase will depend on which pump station discharge routing options (see Table 17 of the report) are carried out.

## **5 HYDRO/TEL/CABLE/PROPANE**

As part of the Cedar Road upgrading detailed design drawings, the location of existing underground services along Cedar Road are to be confirmed and shown on the plan drawing.

## **6 OTHER COMMENTS**

There are additional comments on the design drawings that have not been mentioned above.

.../5

KOERS & ASSOCIATES ENGINEERING LTD.



May 23, 2024  
9601-2310-02

5

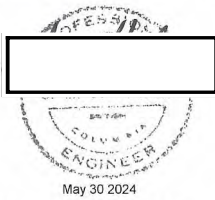
District of Ucluelet  
Mr. James MacIntosh

Our previous design review draft letter (file 9601-2310-01, dated November 7, 2023) contains other design and submission comments as well as references to relevant District drawings and documents (Sanitary and Storm Drainage Master Plans).

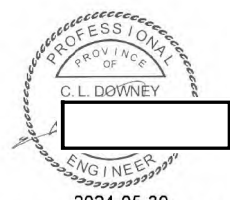
We trust this information meets with your approval and is sufficient for your needs at this time. Do not hesitate to contact us should you have any questions.

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.



Chris Holmes, P.Eng.  
Project Engineer



Chris Downey, P.Eng.  
Project Manager

Permit to Practise No. 1001658

Attachs:

- Herold Engineering Ltd. Whiskey Landing – Phase 2 Civil Works, Drawing Nos: 6019-003: C01, C02 & C03, Draft, Rev A., April 24, 2024 with Koers comments

KOERS & ASSOCIATES ENGINEERING LTD.





ISSUES	RESOLVED FOR	DATE

DRAFT



LOCATION PLAN  
NTS

Koons & Associates Engineering Ltd.  
Comments  
May 22, 2024  
Proj. 800143310

**LIST OF DRAWINGS**

DWG. No.	DESCRIPTION
C01	KEY PLAN, DRAWING LIST, & GENERAL NOTES
C02	OFFSITE WORKS
C03	ONSITE WORKS, SITE SERVICING

LEGEND	EXISTING	PROPOSED	DESCRIPTION	EXISTING	PROPOSED	DESCRIPTION
			EDGE OF PAVEMENT			ROAD
			EDGE OF GRAVEL			DITCH/DRAIN
			WATER VALVE			MANHOLE
			UTILITY POLE AND STREET LIGHT (LAMPED AND UNLAMPED)			STREET LIGHTING
			CLEANOUT			STORMWATER INSPECTION CHAMBER (DOW RISER)
			JUNCTION BOX			PAVEMENT REMOVAL
			AIR VALVE			NEW CURB
			WATER METER			

See comments on  
Drawings C02 & C03



KEY PLAN  
1:2500

- GENERAL NOTES:**
- ALL WORK AND MATERIALS ARE TO BE AS DESCRIBED IN THE MASTER PLAN AND DISTRICT OF VICTORIA SUBURBAN CONTROL BY-LAW NO. 527, 1989.
  - CONNECTION TO, OR ALTERATION OF, EXISTING DISTRICT-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE DISTRICT ENGINEER.
  - PROPERTY AREAS WILL BE REQUIRED WHERE CONSTRUCTION IS TO BE UNDERTAKEN IN DISTRICT OF VICTORIA RIGHT-OF-WAYS AND/OR UNDERPASS/UNDERGROUND TUNNELS.
  - UPON APPROVAL OF THE PERMIT, DISTRICT OF VICTORIA CONSTRUCTION WORKS SHALL BE NOTIFIED 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
  - THE ENGINEER SHALL BE NOTIFIED 48 HOURS PRIOR TO COMMENCEMENT OF CONTRACTOR TO COMPLY WITH ALL APPLICABLE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE REGULATIONS AND STANDARDS IN CANADA.
  - CONTRACTOR TO CONFIRM LOCATION OF EXISTING UTILITIES AT ALL LOCATIONS PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
  - CONTRACTOR TO CONDUCT PROBE ELEVATION, LOCATION AND GRADIENT OF EXISTING UTILITIES PRIOR TO CONSTRUCTION.
  - PROTECTED AREAS TO BE MAINTAINED THROUGHOUT CONSTRUCTION. ALL DISTURBED AREAS TO BE RESTORED TO EXISTING CONDITION OR BETTER.
  - ALL DISTURBED AREAS TO BE RESTORED TO EXISTING CONDITION OR BETTER.
  - ALL DISTURBED AREAS TO BE RESTORED TO EXISTING CONDITION OR BETTER.
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  - ALL DISTURBED AREAS TO BE RESTORED TO EXISTING CONDITION OR BETTER.

- SIDING NOTES:**
- ALL SWITCH BASINS ARE TO BE MMCO STANDARD TYPE S11 UNLESS OTHERWISE NOTED.
  - ALL SWITCH BASIN LEADS ARE TO BE 2008 PVC SDR33 UNLESS OTHERWISE NOTED.

- ROAD NOTES:**
- ALL CURB AND GUTTER TO BE AS PER MMCO STD. DWG. NO. C4 UNLESS OTHERWISE NOTED.

- PRIVATE UTILITY NOTES:**
- PRIVATE UTILITY MAIN AND SERVICE LOCATIONS ARE APPROXIMATE ONLY AND ARE BASED ON BC ONE CALL INFORMATION.

1671 CEDAR ROAD  
WHISKEY LANDING - PHASE 2  
CIVIL WORKS  
VICTORIA, BC  
AZURA MANAGEMENT CO.



3761 St. James St. Victoria, BC V8T 2K1  
Tel: 250-751-8558 Fax: 250-751-8559  
www.herold-engineering.com

KEY PLAN, DRAWING LIST & GENERAL NOTES

REVISION	DATE	DESCRIPTION

DESIGNED	
DRAWN	
CHECKED	
DATE DRAWING	8/19/2023
DATE PERMIT	
SCALE	1:1000
PROJECT NO.	800143310
PERMIT NO.	
HEET NO.	C01
OF	3
EDITION	A

# Development Permit - 1671 Cedar Road (Whiskey Landing Phase 2) Bruce Gre...

ISSUES	RESOLVED FOR	DATE

**DRAFT**

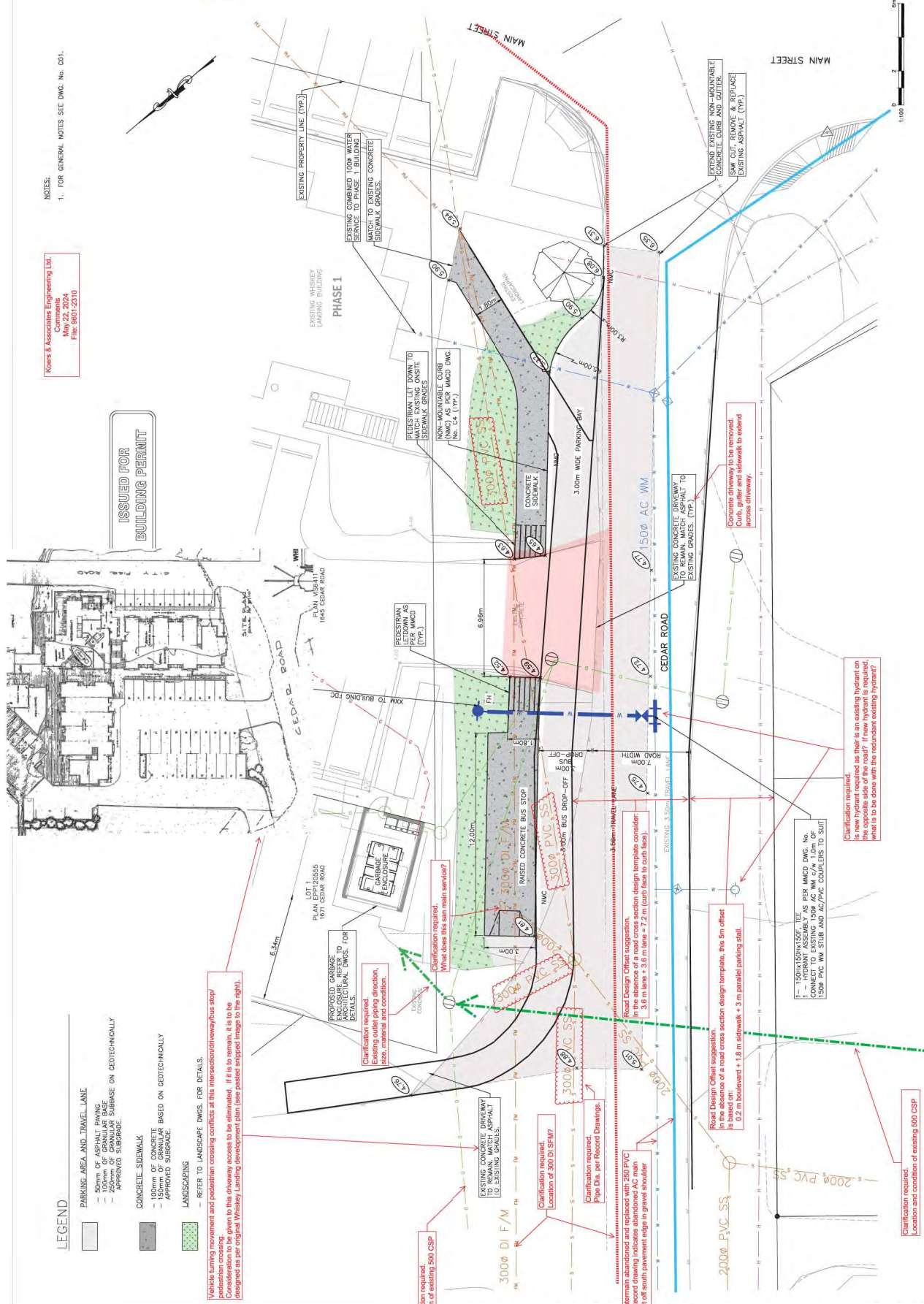
NOTES:  
1. FOR GENERAL NOTES SEE DWG. NO. 001.

Krohn & Associates Engineering Ltd.  
Comments  
May 22, 2024  
File: 0017-2510

ISSUED FOR  
BUILDING PERMIT

- LEGEND**
- PARKING AREA AND TRAVEL LANE**
    - 50mm OF ASPHALT PAVING
    - 100mm OF GRANULAR BASE
    - APPROVED SUBGRADE
  - CONCRETE SIDEWALK**
    - 100mm OF CONCRETE
    - 150mm OF GRANULAR BASE
    - APPROVED SUBGRADE
  - LANDSCAPING**
    - REFER TO LANDSCAPE DWGS. FOR DETAILS.

Vehicle turning movement and pedestrian crossing conflicts at this intersection/roadway/bus stop/ pedestrian crossing.  
Consideration to be given to the driveway access to be eliminated. If it is to remain, it is to be designed as per original Whiskey Landing development plan (see posted stamped maps to the right).



Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
What does this mean service?  
Clarification required:  
Existing outlet piping direction,  
size, material and condition.

Clarification required:  
Location of 300 DI SFM?  
Clarification required:  
Pipe Dia. per Record Drawings

Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
Location and condition of existing 800 CSP

Clarification required:  
Location and condition of existing 800 CSP

REVISION	DATE	BY	DESCRIPTION

SCALE: 1:1000  
DATE: 05/22/24  
PROJECT: 1671 CEDAR ROAD  
DRAWING NO.: 002

**HEROLD ENGINEERING**  
3711 Stouffville Rd., Markham, ON L3R 9V7  
Tel: 290-7911 Ext: 250-751-8038  
Fax: 290-7911  
www.heroldeng.com

**CIVIL WORKS**  
1671 CEDAR ROAD - PHASE 2  
VILLIET, BC  
AZURA MANAGEMENT CO.



Koers & Associates Engineering Ltd.  
 10110-101  
 May 22, 2024  
 File: 9901-2310

- NOTES:
1. FOR GENERAL NOTES SEE DWG. No. C01.
  2. REFER TO ARCHITECTURAL DWGS. FOR PARKADE BRADING.
  3. REFER TO ARCHITECTURAL DWGS. FOR ONSITE DEMOLITION DETAILS.
  4. REFER TO ARCHITECTURAL DWGS. FOR ADDITIONAL SURFACE WORK DETAILS.

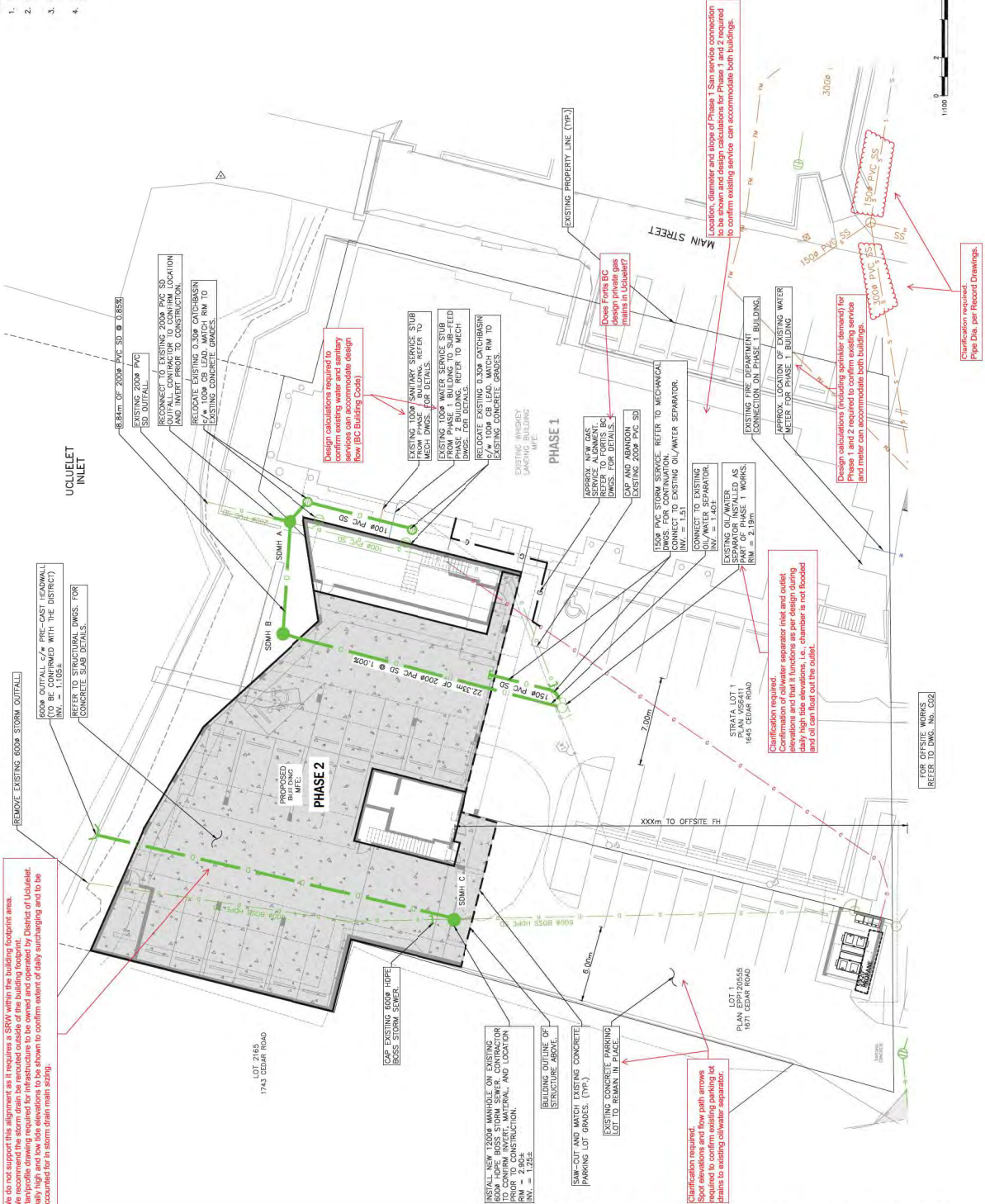
**ISSUED FOR BUILDING PERMIT**

**DRAFT**

ISSUES	RESOLVED FOR

MANHOLE DATA
10508 SMM A S. INV. ELEV.=1.770 N.W. INV. ELEV.=1.070 R.M. ELEV.= 2.70±
10509 SMM B S. INV. ELEV.=1.140 N.W. INV. ELEV.=1.140 R.M. ELEV.= 2.85±
12008 SMM C S.W. INV. ELEV.=1.289 R.M. ELEV.= 2.85±

Clarification required.  
 Confirmation of low and high tide elevations.



We do not support this alignment as it requires a SRW within the building footprint area. Plan profile drawing required for introduction to be owned and operated by District of Ucluelet. Daily high and low tide elevations to be shown to confirm extent of daily surcharging and to be accounted for in storm drain main sizing.

Clarification required.  
 Show elevations and flow path arrows required to confirm existing parking lot remains to existing oilwater separator.

FOR OFFSITE WORKS  
 REFER TO DWG. NO. C02

Clarification required.  
 Pipe Dia. per Record Drawings.

HEROLD ENGINEERING  
 CIVIL WORKS  
 1671 CEDAR ROAD - PHASE 2  
 UCLUELET, BC  
 AZURA MANAGEMENT CO.

ON-SITE WORKS:  
 SITE SERVING

REVISION	DATE	BY

SCALE: 1:100  
 SHEET NO. C03  
 PROJECT NO. 9901-2310  
 DATE: 2024-05-22

Development Permit - 1671 Cedar Road (Whiskey Landing Phase 2) Bruce Gre...



**WHISKEY LANDING DEVELOPMENTS LTD.**

Mail to: 550-800 15355 24 Avenue, SURREY BC V4A 2H9

Office: 225 – 19055 34A Avenue, SURREY BC V4A 2H9

Tel. (604) 309-4154

E. [estewart@azuramanagement.com](mailto:estewart@azuramanagement.com)

Ewen Stewart, President

April 15, 2024

By email - [dlawrence@ucluelet.ca](mailto:dlawrence@ucluelet.ca)

**District of Ucluelet**

200 Main Street,

P.O. Box 999,

Ucluelet, BC V0R 3A0

Attention: Mr. Duane Lawrence  
Chief Administrative Officer

Dear Mr. Lawrence,

***Re: Unresolved Development/Variance Permit Application(s) for 1671 Cedar Road  
Development – Request for section 4.5 Reconsideration, Bylaw 1164***

In addition to the Ministry of Environment decision of April 5, 2024, we request that the Council reconsider our April 6, 2023, application.<sup>1</sup> This letter is to invoke reconsideration by the Council that:

- a) the proposed application for development located at 1671 Cedar Road, Ucluelet, BC, requires a landscape plan, which is expected to be submitted on or before April 19, 2024, and
- b) The applicant seeks Council to resolve the CD-4 zoning use dispute between the “Mixed Commercial Residential” relied on and the “Resort Condo” reference in the March 12, 2024 report, which was arbitrarily imposed by the Director of Planning’s decision on this application (the “Dispute”).

The rationale for reconsideration is that our application is complete but indefinitely held up in limbo without any direction because of the conflicting decision or Dispute. As such, we request approval from the Council for the Development Permit and Development Variance Permit as set out in the appended Schedule A.

Page two,

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As requested in the DP variance application, we also request that the Council approve reasonable variances to CD4 zoning for this mixed commercial-residential development application, including an increase in the allowable building height and reduction of side yard setbacks.

The application has been submitted with the guidance of knowledgeable registered professionals<sup>2</sup>, and the Development in their areas of expertise, as proposed, meets the requirements of the British Columbia Building Code (BCBC) and applicable provincial legislation, including environmental requirements.

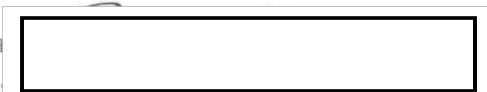
Simultaneously with the development permit process, the project team has been preparing the full building permit documents, which could be submitted as soon as the Form and Character approvals are granted. Regarding the building permit review, we understand the District engages GHJ Consultants Ltd to review Part 3, complex building applications. As such, they would be the appropriate party to confirm the findings and design our team will include with the building permit application materials. This further review and our engineering efforts will prove that all registered professionals support the design before the District issues a formal building permit. Please consider the March 1, 2024 letter attachment (Schedule C below) from our Architect of record, Mr. Doug Coles, in reply to the January 10, 2024 letter from the Director of Planning.

Following Bylaw 1164, section 4.5(c), please arrange for this request to be set on the Council's agenda within six weeks and send confirmation of the meeting date so we may make travel arrangements and plan for our project professional architect's attendance.

Regards,

**Whiskey Landing Developments Ltd.**

Per



Ewen Stewart

Attachments:

- A – Developer's Submissions in response to March 12, 2024 Report to Council
- B – March 1, 2024 Letter – Doug Coles, Architect, AIBC
- C – Copy of April 5, 2024 Decision (Letter) of Ministry of Environment



**DEVELOPER’S REPLY BY AMENDMENT TO: REPORT TO COUNCIL**

Council Meeting: March 12, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**SCHEDULE “A” TO APPLICANT’S REQUEST FOR RECONSIDERATION**

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING (“Planning Director”) FILE No: DP23-04

SUBJECT: DEVELOPMENT PERMIT - 1671 CEDAR ROAD (WHISKEY LANDING PHASE 2) REPORT No: 24-22

ATTACHMENT(s): APPENDIX A - LETTER TO AZURA MANAGEMENT CORP. JANUARY 10, 2024  
 APPENDIX B – LETTER FROM ASSOCIATED ENVIRONMENTAL FEBRUARY 2, 2024  
 APPENDIX C – 2002 CERTIFICATE OF COMPLIANCE  
 APPENDIX D – APPLICATION MATERIALS

<p><u>“RECOMMENDATION(S):</u></p> <p><i>THAT Council defer a decision on issuing permits for the proposed development at 1671 Cedar Road until the applicant provides a valid certificate of compliance for the proposed multi-family use of the site – or other form of determination or release from the Ministry of Environment – and a landscape plan, noting that under section 9.1 of the Ucluelet Development Application Procedures Bylaw, “every application that has outstanding information requirements for a period greater than none (9) months is deemed to have been abandoned, with fees forfeited.”</i></p>	<p><u>Developer’s Response Submissions:</u></p> <ul style="list-style-type: none"> <li>• The Council deferred this application by adopting the Planning Director’s recommendation until:                     <ol style="list-style-type: none"> <li>a) Applicant provides a valid compliance certificate.</li> <li>b) Applicant provides a landscape plan.</li> </ol> </li> <li>• The Ministry of Environment (“ENV”) subsequently issued a “director’s decision” that the existing <b><u>Certificate of Compliance is valid for this project as proposed.</u></b> (See attached, April 5, 2024, ENV’s decision).                      (hereinafter referred to as the “ENV Decision”)</li> <li>• The Applicant will have submitted a landscape plan to Planning Director on or before <u>April 19, 2024.</u></li> <li>• The applicant respectfully submits that the Council should further adopt the Planning Director’s fourth option, to “direct staff to prepare a draft of the Development Permit and Development Variance Permit (DVP) <b><i>and give the required notice to seek public comment on the DVP.</i></b>”</li> </ul>
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<p><u>BACKGROUND:</u></p> <p><i>In April of 2023, Azura Management Corp. (Azura) submitted an application for a Development Permit (DP) and Development Variance Permit (DVP) for a proposed 23-unit multi-family building on the property at 1671 Cedar Road. The property (Lot 1, Plan EPP120555; the “subject property”) was originally planned to be the second phase of the Whiskey Landing phased strata development. The second phase did not proceed, and the subject property is now a separate, neighbouring fee-simple parcel. A number of agreements are registered on the title of these two adjacent properties to resolve issues of servicing, access etc. The property is a documented contaminated site (former Chevron bulk fuel storage facility); a Certificate of Compliance was issued in 2002 clearing the site for development for commercial uses (see Appendix “C”).</i></p>	<p><u>Developer’s Response Submission:</u></p> <p>For clarity, this application, like the Whiskey Landing Phase I development, relies on the CD-4 zoning bylaw: a “Mixed Commercial Residential” use and the related parking requirements for “Residential above Commercial - 1 space per dwelling unit” contrary to the Report to Council:</p> <p>“Mixed Commercial/Residential” means the use of a building containing a combination of:</p> <p>(a) commercial uses that are otherwise permitted within the Zone on any storey, including <b>commercial tourist accommodation</b> uses not on the first storey and</p> <p>(b) residential uses located exclusively at the second storey or higher unless otherwise specified in a particular Zone.</p> <p>(See Zoning Bylaw No. 1160, 2013, page 14.)</p> <p>CD-4 zoning does not expressly contemplate a standalone “multi-family” residential use (“MFR”). It derives from the CS-1 zone applicable to Village Square. We do not seek to build a “Resort Condo” project, noting generally that there is not enough land available in Village Square to meet the density cap of 140 SQM of land per dwelling. CD-4 zoning does not refer to, nor do we seek to build, an “MFR” project “specifically excluding commercial tourist accommodation.”</p> <p>(See Zoning Bylaw No. 1160, 2013, page 15.)</p>
<p><i>On September 22, 2023, the applicant provided a Site Disclosure Statement as is required by the provincial Waste Management Act and Contaminated Sites Regulation, and an updated geotechnical report. Staff reviewed the Site Disclosure Statement and forwarded the statement to the Ministry of Environment on October On November 24, 2023, staff received a response from the Site Identification Team at the</i></p>	<p><u>Developer’s Response Submission:</u></p> <ul style="list-style-type: none"> <li>• The ENV Decision confirms that no Site Disclosure Statement (“SDS”) is required under the Environmental Management Act [SBC 2003], Chapter 53 (“EMA”).</li> <li>• While the Director of Planning requested an SDS from the applicant, questioning existing</li> </ul>

<p><i>Ministry, confirming that the Certificate of Compliance issued for the property in 2002 was for commercial purposes. On December 1, 2023, Staff contacted the Ministry clarifying that the proposed land use was to be multi-family residential and that the municipality looks to the Ministry to confirm whether development approvals can proceed. On December 21, 2023, the Site Identification Team replied noting that under the current provincial framework for reviewing contaminated sites, the municipality (who has the details of the proposed development) must determine whether the Certificate of Compliance is relevant to under Division 3 of the Contaminated Sites Regulation - it is up to the site owner to provide information/evidence to the municipality to support the use of the exemption.</i></p>	<p>exemptions (section 4 of the Contaminated Sites Regulations), he must now rescind his SDS submission with the ENV.</p> <ul style="list-style-type: none"> <li>• <b><u>The ENV Decision is definitive that an open parkade at ground level is a commercial use for the purposes of the EMA and the Contaminated Sites Regulation.</u></b></li> </ul>
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<p><i>On January 5, 2024, after investigating the definitions of the various categories of land uses in the provincial Contaminated Sites Regulation, staff notified the Ministry that the municipality had determined that the Certificate of Compliance was not valid for the proposed use. On January 10, 2024, staff provided a letter to the applicant explaining that the proposed uses do not match the commercial clearance provided in the 2002 Certificate of Compliance. The letter noted that the District is restricted from providing development approvals such as a Development Permit, Development Variance Permit or Building Permit until the owner provides a valid Certificate of Compliance or other form of determination or release from the Province for the proposed use (see Appendix "A").</i></p> <p><i>The letter also listed a number of outstanding items that are either required or that would be beneficial to complete the review of their proposal:</i></p> <ul style="list-style-type: none"> <li>• <i>Because the building is proposed to be constructed at and over the property line, prior to issuing a building permit the owner would need to register a section 219</i></li> </ul>	<p><u>Developer's Response Submission:</u></p> <ul style="list-style-type: none"> <li>• The Director of Planning erred; the existing Certificate of Compliance is valid for the proposed use: see ENV Decision.</li> <li>• The District is not restricted from providing a Development Permit, Development Variance Permit or Building Permit for this applicant.</li> <li>• On <b>November 23, 2022</b>, the Director of Planning received by email two sets of registered reciprocal easements and restrictive covenants ("REAs") filed by the applicant and the Whiskey Landing Phase I owners, which restrict the construction of any future building on the Phase I common property (parking area) within the limiting distance required by the BC Building Code.</li> <li>• The REAs settle all development matters of interest upfront with the Whiskey Landing Phase I owners. Topical highlights of REAs include the following points of mutual agreement:             <ol style="list-style-type: none"> <li>1. Access: Ingress and Egress (surface parking</li> </ol> </li> </ul>
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<p><i>restrictive covenant in favour of the District over the common property of Strata Plan VIS6411 (Whiskey Landing phase 1), restricting the construction of any future building on the neighbouring property within the limiting distance required by the BC Building Code. A letter of support from the Strata would be sufficient at the Development Permit stage; registration of the covenant would just need to be complete prior to issuance of a building permit. Alternatively, the owner could modify their plans to meet the limiting distance required by Code. Staff initially asked the applicant to clarify this aspect of the proposal in July of 2023.</i></p> <ul style="list-style-type: none"> <li><i>An existing storm drain crosses the property beneath where the proposed building would be located, but does not appear on the submitted plans. The pipe carries rainwater from Cedar Road across the site to the Ucluelet Inlet. At the approval of the first phase of the Whiskey Landing development, it was noted that a statutory right-of-way was required during the second phase of the development to cover the storm drain. As yet no such right-of-way has been registered. It would be helpful to show the existing and relocated storm drain on the site plan to enable assessment of whether surface works (parking, landscaping, etc.) might pose any challenges for future maintenance.</i></li> <li><i>Feedback was provided on the draft proposal for a bus stop on the Cedar Road frontage.</i></li> <li><i>It was also noted that the Development Permit application is incomplete without a proper landscape plan.</i></li> </ul>	<p>and drive aisles)</p> <ol style="list-style-type: none"> <li>2. Parking and Other Restrictions (management of surface parking allocations and use).</li> <li>3. Waterfront Access: Ingress and Egress (to facilitate a public waterfront walkway).</li> <li>4. Fire Access.</li> <li>5. Building Encroachment Easements (to accommodate specific Phase I building encroachments onto Lot 1).</li> <li>6. Access Easement to Garbage/Refuse Area (shared use).</li> <li>7. Construction (for Lot 1 development) restricting the construction of any future building on Phase I common property (parking area) within the limiting distance required by the BC Building Code</li> </ol> <ul style="list-style-type: none"> <li>As the District was not a named beneficiary, a draft section 219 restrictive covenant has been submitted to restrict the discharge of the REAs without District consent. While ordinarily a matter for consideration at the time of a building permit application, the strata corporation for the Whiskey Landing Phase I owners will execute it. As previously provided, they are already committed to providing further assurances in the existing reciprocal easements and restrictive covenants on point.</li> <li>Once the applicant locates the actual routing of this storm drain, the District shall be provided with a statutory right-of-way (“SRW”) for storm drain access before the building permit.</li> </ul>
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<p><i>The applicant engaged Associated Environmental Consultants Inc. to review the permit review process and comment on the District’s conclusion with regard to the site and the Contaminated Sites Regulation. In their letter dated February 2, 2024, Associated Environmental describes the proposed uses as a mixed commercial/residential development and concludes that the 2002 Certificate of Compliance for commercial use of</i></p>	<p><u>Developer’s Response Submission:</u></p> <ul style="list-style-type: none"> <li>The Director of Planning erred; the existing Certificate of Compliance is valid for the proposed use: see ENV Decision.</li> <li>The District was not restricted from providing this applicant a Development Permit, Development Variance Permit or Building Permit.</li> </ul>
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the property at 1671 Cedar Road would be sufficient to support issuance of a Development Permit by the municipality. The letter does not substantiate how the ground-level use of the proposed building would qualify as commercial, and describes what staff understand to be an outdated provincial process of reviewing and communicating decisions on site determinations directly with property owners and developers (see Appendix "B"). After the letter from Associated Environmental was provided to the District on February 20th, 2024, Staff reached out to the writer of the review letter but did not receive a response. On February 22, 2024, staff provided to the provincial Site Investigation Team a copy of both the letter from the District to the applicant and the review by Associated Environmental. Staff asked that the province provide an opinion on whether we have approached the processing and review of the Site Disclosure Statement in the correct way. At the time of writing this report, the District has not heard a response from provincial staff.

- Outside the building footprint, the property is nearly covered with concrete and pavement. The only exception to this is a small (approximately 11 m<sup>2</sup>) area of landscape screening that may be required between the garbage enclosure and Cedar Road (Figure 1). All other landscaping requested by the District occurs outside of the property boundary.



**Figure 1:** This is a capture from the site plan demonstrating where the 11 m<sup>2</sup> of constructed landscaping may occur on the subject property.

- A concrete parkade at ground level is a commercial use: ENV Decision.
- Landscape plans are to be submitted before reconsideration by the Council.

The owner and applicant have asked that the Development Permit / Development Permit application be presented to Council for a decision.

DISCUSSION 1 - PROCESS:

Because the Certificate of Compliance does not match the proposed use of the land, under section 557 of the Local Government Act, the municipality cannot at this time issue a development permit or building permit for the redevelopment of the site at 1671 Cedar Road (see Figure 1).

Developer's Response Submission:

- The Director of Planning erred; the existing Certificate of Compliance is valid for the proposed use: see ENV Decision.
- A Site Disclosure Statement is not required under section 40 of the EMA, and the District is not restricted from providing a development, variance, or building permit following section 557 of



<p>Figure 1 (source: <a href="https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/identifying-sites-that-may-be-contaminated/requirements-for-municipalities-and-approving-officers">https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/identifying-sites-that-may-be-contaminated/requirements-for-municipalities-and-approving-officers</a>)</p>	<p>the Local Government Act [RSBC 2015] Chapter 1 (“LGA”).</p> <ul style="list-style-type: none"> <li>• The SDS Process is not applicable; see ENV Decision</li> <li>• The SDS is not a requirement for this site.</li> </ul>
<p>As noted in the letter to the applicant January 10<sup>th</sup>, the application is still incomplete. Under section 7.2 of the Ucluelet Development Application Procedures Bylaw, “an incomplete application need not be processed until all requirements of section 5 Application and Information Requirements have been satisfied, but the Manager of Planning may report to Council and seek Council direction”.</p>	<p><u>Developer’s Response Submission:</u></p> <ul style="list-style-type: none"> <li>• Applications are complete.</li> <li>• Options 1 and 3 are now moot.</li> <li>• Council may consider options 2 and 4 below.</li> <li>• Applicant respectfully requests Council approve option 4 (below, and section D of the Director’s analysis on the last page of the RTC). If approved, the DP would be based upon an affirmative Council decision this application is a “Mixed Commercial Residential” zoning use for form and character (not Resort Condo use).</li> </ul>

Council has the following options:

1. Defer a decision until the applicant has provided a valid certificate of compliance for the proposed use of the site - or other form of determination or release from the Ministry – and a landscape plan, noting that under section 9.1 of the Ucluelet Development Application Procedures Bylaw, “every application that has outstanding information requirements for a period greater than nine (9) months is deemed to have been abandoned, with fees forfeited.”
2. Reject the application, noting that the application for 1671 Cedar Road was initially submitted more than 9 months ago and remains incomplete, and encourage the applicant to reapply when they have assembled a complete application.
3. Defer a decision and direct staff to engage a Qualified Professional to provide a review of the file and make recommendation on the validity of the 2002 Certificate of Compliance for the proposed development.

4. Determine that Council is convinced of the validity of the 2002 Certificate of Compliance and direct staff to prepare a draft of the Development Permit and Development Variance Permit (DVP) and give the required notice to seek public comment on the DVP.

DISCUSSION 2 – DEVELOPMENT PERMIT AND VARIANCES:

The application proposes to construct a 23-unit ~~multi-family~~ mixed commercial<sup>1</sup>/residential building, complimenting without mimicking the adjacent Whiskey Landing building (see Appendix “D”). It is a large but attractive building which has been designed to reduce its visual impact when



viewed from the street and from the waterside. The application describes the use of forms, materials and colours of the building as being, “as playful as it is practical”. Staff agree with that description and recommend that the building would generally meet the development permit area guidelines for the Village Square DP area I. Staff would prefer if the ground-level face of the building adjacent to the waterfront walkway was more animated and pedestrian-friendly; however the practicality of flood construction levels and providing covered parking on site limit the options.

The building siting and design address most of the DP guidelines. Areas where the proposal does not directly respond to the DP guidelines include:

- F1.1 and F1.2- (views of the harbour from Cedar Road)
- F3 (attractive pedestrian environment at the street)
- F4 (screening of parking areas with structures and/or landscaping)
- F28 (CPTED – passageway between buildings with blank walls)

The proposal would create a new bus stop on Cedar Road. Further details are required of the

<sup>1</sup> Applicant’s amendment

proposed landscaping and a safe connected pedestrian walkway along the Cedar Road frontage.

The development proposes to provide a connected public pedestrian walkway along the waterfront and through the site to Cedar Road. This would be consistent with the OCP schedule “C” Parks and Trails Network plan which shows a section of “future Safe Harbour Trail” in this location.

<p>The application also proposes that, if it were approved, the owner would be prepared to transfer the water lease of District Lot 2167 to the municipality for potential public uses adjacent to the northern end of the existing municipal Whiskey Dock.</p>	<p><u>Developer’s Response Submission:</u></p> <ul style="list-style-type: none"> <li>The applicant will not transfer the water lease of District Lot 2167.</li> </ul>
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Twenty-five on-site parking spaces are proposed to serve the new building: one per unit plus two visitor spaces.

The site is within the Marine Shoreline environmental DP area. An environmental assessment has been submitted (see Appendix “D”). There are no sensitive marine ecosystems such as eelgrass adjacent to the development site, and the report makes recommendations for best practices during redevelopment.

USES:

<p>The applicant states that the development would “be within the intended uses for the existing CD- 4 zoning”. They have expressed that their interpretation of the zoning is that all 23 units could be used for either residential or resort condo purposes. There is a density cap on the number of units used for tourist accommodation, however. Under section CD-4.3.1(1) Density – maximum number of hotel and resort condo: 1 guest room or dwelling unit per 140m<sup>2</sup> (1,552 ft<sup>2</sup>) lot area. This results in a maximum number of 8 guest rooms or dwelling units that could be used for tourist accommodation uses on the subject property. Therefore at least 15 of the proposed units would be multi-family residential homes. The District could issue business licences for a maximum of 8 units within the building. If constructed, it is highly advisable that the 8 units (maximum) which could be used for tourist accommodation be identified by the developer and disclosed to future purchasers at the outset.</p>	<p><u>Developer’s Response Submission:</u></p> <ul style="list-style-type: none"> <li>The applicant relies on “Mixed Commercial Residential” zoning use as currently provided by CD-4 zoning. The applicant disputes the Director of Planning’s decision to characterize this proposal as restricted to a Resort Condo use.</li> <li>Applicant requests Council to consider the intent of “Mixed Commercial Residential” zoning use within Village Square.</li> <li>Again, the point of disagreement appears to be whether a stand-alone “commercial tourist accommodation” use is needed to support this project under current CD-4 zoning. The applicant’s proposed multi-unit housing project will likely be occupied by owners who would not invest in a dedicated “Resort Condo” to the exclusion of their right to occupy.</li> <li>The applicant is unwilling to risk investing development costs projected at approximately \$13 million, based upon</li> </ul>
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	<p>the apparent proposed departure from existing CD-4 zoning permitted uses.</p> <ul style="list-style-type: none"> <li>• The applicant seeks no rezoning for CD-4 principle uses in this DP application and opposes the Director’s:             <ul style="list-style-type: none"> <li>a) imputing an MFR or Resort Condo zoning use on this application and</li> <li>b) refusal to acknowledge the “Mixed Commercial Residential” principal use contained within CD-4 zoning.</li> </ul> </li> <li>• Applicant seeks Council approval for this application, which is consistent with the CD-4 zoning bylaw “Mixed Commercial Residential” principal use.</li> </ul>
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Parking:

<p><i>The development proposed 25 on-site parking spaces. The zoning bylaw requires a minimum of 1.5 spaces per multi-family residential unit plus 1 visitor space per 5 units = 39 spaces. The parking requirement for resort condo is 1 space per unit. If 8 units are resort condos, then the total parking requirement for the development would be 34 spaces.</i></p>	<p><u>Developer’s Response Submission:</u></p> <ul style="list-style-type: none"> <li>• The related parking requirements for “Mixed Commercial Residential” use are expressed as “Residential above Commercial - 1 space per dwelling unit”.</li> </ul> <p>(See Zoning Bylaw No. 1160, 2013, page 51 – section 505.1)</p>
<p><i>The property is located within the Village Square designation, therefore according to section 506.1 of the Zoning Bylaw, the developer has the option of paying cash-in-lieu for the on-site parking shortfall of 9 to 14 spaces at a rate of \$8,000 per space. If the developer proposes to limit some (maximum 8) of the units to be resort condo use only to reduce the parking requirement, then a restrictive covenant designating those units and restricting their residential use would be required.</i></p> <p><i>The site plan shows that a designated loading zone would be defined to serve the existing Whiskey Landing businesses.</i></p>	



<p><u>VariANCES:</u></p> <p><i>The following variances would be required for the development as proposed:</i></p> <ul style="list-style-type: none"> <li>• <i>Side yard interior setback:</i></li> <li>• <i>Setback from the upland side of the natural boundary of the sea: reduce from a minimum of 7.5m to 0.0m (for the waterfront walkway);</i></li> <li>• <i>Front setback for an accessory building: reduce from a minimum of 5m to 0.0m;</i></li> <li>• <i>Height: increase from a maximum of 12m to 16.34m (to the peak on the north side of the building).</i></li> </ul> <p><i>Subject to public comment, the variances are supportable for the proposed development.</i></p>	<p><u>Developer’s Response Submission:</u></p> <p>CD-4 Zoning currently provides the following setbacks:</p> <table border="1"> <thead> <tr> <th></th> <th>(a) Front Yard Setback</th> <th>(b) Rear Yard Setback</th> <th>(c) Side Yard – Interior Setback</th> <th>(d) Side Yard – Exterior Setback</th> </tr> </thead> <tbody> <tr> <td>(1) Principal</td> <td>0 m</td> <td>0 m</td> <td>4.2 m (14 ft)</td> <td>0 m</td> </tr> <tr> <td>(2) Accessory</td> <td>5 m (16.5 ft)</td> <td>1.5 m (5 ft)</td> <td>0 m</td> <td>1.5 m (5 ft)</td> </tr> </tbody> </table> <p>The following variances are requested for the development:</p> <ul style="list-style-type: none"> <li>• <i>Side yard interior setback: as stated, reduce from a minimum of 4.2m to 0.0m.</i></li> <li>• <i>Setback from the upland side (front yard) of the natural boundary of the sea is 0.0 m in CD-4 zoning.</i></li> <li>• <i>Front setback for an accessory building: as stated, reduce from a minimum of 5m to 0.0m.</i></li> <li>• <i>Height: As stated, the height will increase from a maximum of 12m to 16.34m (to the peak on the north side of the building).</i></li> </ul>		(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback	(1) Principal	0 m	0 m	4.2 m (14 ft)	0 m	(2) Accessory	5 m (16.5 ft)	1.5 m (5 ft)	0 m	1.5 m (5 ft)
	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback												
(1) Principal	0 m	0 m	4.2 m (14 ft)	0 m												
(2) Accessory	5 m (16.5 ft)	1.5 m (5 ft)	0 m	1.5 m (5 ft)												

<p><u>ANALYSIS OF OPTIONS</u></p> <p><i>The applicant has requested that Council receive and provide a decision on the Development Permit and Development Variance Permit application. Staff recommend that the first order is for Council to determine whether it concurs with the staff conclusion that the application remains incomplete at this time.</i></p>	<p><u>Developer’s Response Submission:</u></p> <ul style="list-style-type: none"> <li>• The ENV Decision is a definitive response to the Director’s concerns raised for options 1 and 3 below.</li> <li>• The ENV Decision further addresses the “cons” identified in option 4 below.</li> <li>• <b>Applicant respectfully requests Council approve the 4<sup>th</sup> option D (below) based upon confirmation of a “Mixed Commercial Residential” zoning use for form and character.</b></li> </ul>
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A	Defer a decision until the applicant provides a valid certificate of compliance and completes their application.	<u>Pros</u>	<ul style="list-style-type: none"> <li>Keeps the application file open.</li> <li>Once the applicant provides all the required information would enable a decision on the requested permits.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Extends the review time on the file.</li> <li>Timeline for the applicant obtaining a determination from the Province is uncertain.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>File would be put on hold until the applicant submits the required additional information.</li> <li>If file is still incomplete after 9 more months (Dec 2024) then file would be closed.</li> </ul>
B	Reject the application.	<u>Pros</u>	<ul style="list-style-type: none"> <li>Would encourage the applicant to submit a complete application.</li> <li>Would close the file and redirect staff time to other priorities.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Applicant would need to submit a new application and fee.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>File DP23-04 would be closed.</li> <li>Applicant could reapply when they have obtained a determination from the Province on the site, and have prepared a complete application.</li> </ul>
		<u>Suggested Motion</u>	THAT Council rejects application DP23-04 for 1671 Cedar Road noting that the application was initially submitted more than 9 months ago and remains incomplete, and encourages the applicant to reapply with a complete application.
C	Defer a decision and engage an environmental consultant to review the validity of the 2002 Certificate of Compliance for the proposed development.	<u>Pros</u>	<ul style="list-style-type: none"> <li>Could provide an independent professional review to help inform Council's decision.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>The District would be undertaking actions and absorbing costs that are the responsibility of the land owner.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Staff would engage a Qualified Professional to review the application and provide a report with recommendations on the validity of the 2002 Certificate of Compliance.</li> <li>Cost is estimated at \$5,000 to \$10,000.</li> </ul>
		<u>Suggested Motion</u>	THAT Council direct staff to engage a Qualified Professional to provide a review of the file and make recommendation on the validity of the 2002 Certificate of Compliance for the proposed development.

D	<p>Accept the validity of the 2002 certificate of compliance.</p> <p>[Requested by applicant]</p>	<u>Pros</u>	<ul style="list-style-type: none"> <li>Moves the application forward.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li><del>No clear evidence that the proposed development qualifies as "commercial" under the Contaminated Sites Regulation.</del></li> <li><del>May allow the development to proceed on a site that has not been remediated to the correct standard for the intended use.</del></li> <li><del>Could create a potential liability to the municipality if it is determined that the existing certificate of compliance was incorrectly applied.</del></li> <li>Potential liability hinges on the reasonableness of a decision to find that the certificate of compliance is valid for the proposed use of the property.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Staff would draft the DP and DVP and bring the application back to a future Council meeting once the required notice has been completed for the variances.</li> </ul>
		<u>Suggested Wording</u>	<p>THAT Council accepts the validity of the 2002 Certificate of Compliance for the proposed development at 1671 Cedar Road, and directs staff to prepare a draft Development Permit and Development Variance Permit, and give the required notice to seek public comment on the variances at an upcoming Council meeting.</p>

Respectfully submitted: Applicant's Amendments to March 12, 2024, Report to Council



Doug Cole Architect, AIBC  
16802 3rd Avenue  
La Conner, WA 98257  
360-466-2555

March 1, 2024

Fawn Ross  
Azura Management Corp  
125B - 19055 34A Avenue  
Surrey, BC V3Z 0P6

Re: Azura Ucluelet Project  
Building Code Compliance Matters

Dear Fawn:

The purpose of this letter is to confirm to Azura that the proposed development located at 1671 Cedar Road, Ucluelet BC (the Project) is being designed under the guidance of the appropriate registered professionals, and that the Project, as proposed, is capable of meeting the requirements of the British Columbia Building Code (BCBC).

As Azura's Architect of record my role is to provide professional services as required under the *Architects Act* and its subsequent regulations. It is also my responsibility to ensure that the project substantially complies with applicable municipal zoning bylaws and the requirements of the BCBC. To deliver a complex building design such as this, we have engaged the services of numerous registered professionals whose firms and respective disciplines are listed below.

The current application in front of the District of Ucluelet (the District) is a Development Permit/Form and Character review, which upon approval allows the project team to submit for building permits. Simultaneous to the Development Permit process the project team has been preparing the full building permit documents, which are now at the point they could be submitted as soon as the Form and Character approvals are granted. In those documents we have analysed and prepared solutions for the spatial separation and limiting distance matters raised by Mr. Greig in his letter of January 10, 2024. It is my belief that both our interpretation of the code and the solutions our team proposes fully meet the requirements outlined in the BCBC. This information, along with signed letters of assurance from all registered professionals, will be included with our building permit application package.

In terms of the building permit review itself, it is my understanding the District engages GHJ Consultants Ltd to provide review of Part 3, complex building applications. As such, they would be the appropriate party to confirm the findings and Alternative Solutions our team will be including with the building permit application materials. This review, combined with our engineering efforts will ensure that all registered professionals support the design in advance of the District issuing a formal Building Permit. I will of course



Azura Ucluelet  
Page 2 of 2

respond to any questions that arise from those technical reviews and will coordinate the responses in collaboration with our team of registered professionals.

Please do not hesitate to reach out to me with any additional questions.

Sincerely,

Doug Cole, Architect, AIBC

**Registered Professional**

Architect

Structural Engineer

Mechanical Engineer

Electrical Engineer

Civil Engineer

Code Consultant

Energy Consultant

Geotechnical Engineer

Landscape Architect

Environmental Consultant

Envelope Consultant

Surveyor

Environmental Specialist

**Retained Consultant**

Doug Cole Architect AIBC

Herold Engineering Limited

Avalon Mechanical

Muir Engineering Ltd.

Herold Engineering Limited

Celerity Engineering

Avalon Mechanical

Lewkowich Engineering Associates Ltd.

Lanarc

Castor Consultants Ltd.

Herold Engineering Limited

JE Anderson & Associates

Associated Environmental



VIA EMAIL: [estewart@azuramanagement.com](mailto:estewart@azuramanagement.com)

Victoria File: 26250-20/4882  
Site ID: 4882

April 5, 2024

Whiskey Landing Developments Ltd.  
225-19055 34A Avenue  
Surrey, BC V4A 2H9  
Attn. Ewen Stewart

Dear Ewen Stewart:

**Re: Certificate of Compliance for Site 4882/Application for Director's Decision  
1645 Cedar Road, Ucluelet, BC**

The Ministry of Environment and Climate Change Strategy (ENV)) has reviewed your request to determine the applicable land use standards for the above referenced site based on the future development plans.

The site received a certificate of compliance for commercial land use in 2002. The proposed development at the site includes 23 residential units placed on top of an open parkade. All the residential units will be located on the upper levels and will not have access from the ground level.

On the basis of the ministry's review of your request indicating that:

- The site was remediated and received a certificate of compliance for commercial land use from ENV and there has been no known contamination since it was issued; and,
- The proposed development at the site will have an open parkade at ground level and the residential units will have access only from upper levels of the development.

I concur that the existing Certificate of Compliance for commercial land use issued on July 23, 2002, remains valid and subsisting for the proposed development at the site and there is no requirement to provide a Site Disclosure Statement.

Issuance of this revision is a decision that may be appealed under Part 8 of the *Environmental Management Act*.

- 2 -

If you require clarification of any aspect of this letter, please contact the undersigned at [Liliana.Jerade@gov.bc.ca](mailto:Liliana.Jerade@gov.bc.ca)

Yours truly,

A black rectangular redaction box covering the signature of Liliana Jerade.

Liliana Jerade  
Senior Contaminated Sites Officer

attach: Certificate of Compliance issued July 23, 2002

cc: Fawn Ross, Azura Management Corp., [fross@azuramanagement.com](mailto:fross@azuramanagement.com)  
Duane Lawrence, District of Ucluelet, [dlawrence@ucluelet.ca](mailto:dlawrence@ucluelet.ca)  
Bruce Greig, District of Ucluelet, [bgreig@ucluelet.ca](mailto:bgreig@ucluelet.ca)  
Vanessa Osorio, ENV, [Vanessa.Osorio@gov.bc.ca](mailto:Vanessa.Osorio@gov.bc.ca)



Victoria File: 26250-20/4882  
Site No: 4882

July 19, 2002

Mr. Jeff Linke, P. Geo.  
Chevron Canada Limited  
1500-1050 West Pender St  
Vancouver BC V6E 3T4

Attention: Mr. Jeff Linke, P. Geo.

**CERTIFICATE OF COMPLIANCE**  
**(Pursuant to Section 27.6 of the Waste Management Act, RSBC Chapter 482, 1996)**

Please find enclosed a certificate of compliance for the lands located at 1645 Cedar Road, Ucluelet, British Columbia.

The site has been remediated to applicable CSR commercial land use soil standards and aquatic life water use standards.

If any aspect of the certificate requires clarification, please contact me at (250) 356-0475.

Yours truly,



Katherine O'Leary, M.Sc., P.Ag.  
Soil and Hydrogeology Specialist

Enclosure

cc: Brad Halsey, Seacor  
Town of Ucluelet

Ministry of  
Water, Land and  
Air Protection

Environmental Protection Division  
Environmental Management Branch  
Toxics, Special Waste and Pesticides Section

Mailing Address:  
PO Box 9342 Stn Prov Govt  
Victoria BC V8W 9M1  
Phone: (250) 356-0475  
Fax: (250) 387-9935

Location:  
3rd Floor, 2975 Jutland Road  
Victoria BC







### CERTIFICATE OF COMPLIANCE

(Pursuant to Section 27.6 of the *Waste Management Act*, RSBC Chapter 482, 1996)

**THIS IS TO CERTIFY** that as of the date indicated below, the lands described herein have been satisfactorily remediated to meet Ministry of Water, Land and Air Protection Commercial land use soil standards and Aquatic Life water use standards in the Contaminated Sites Regulation. The substances for which remediation has been satisfactorily completed are as follows:

In soil           LEPH<sub>s</sub>, VPH<sub>s</sub>, benzene, ethylbenzene, toluene, and xylenes.

In water        LEPH<sub>w</sub>, naphthalene, pyrene and benzo(a)pyrene.

The lands covered by this certificate are located at 1645 Cedar Road, Ucluelet, British Columbia, which are more particularly known and described as:

Block B of Lot 1893, Lot 1535, Lot 1892 and Block A of Lot 1893, Clayoquot District

Approximate Centre of the Lands \*

Latitude:       48°   56'   37.4"

Longitude:     125° 32'  46.2"

\* Using the NAD (North American Datum) 1983 convention

A site plan is attached as Schedule "A" to this certificate.

This certificate is qualified by the notations described in Schedule "B" which is attached to and forms part of this certificate. This certificate is issued based on the most current information available to the Ministry of Water, Land and Air Protection as summarized in:

- "Environmental Site Decommissioning Summary Report, Former Chevron Bulk Plant BP#820, 1645 Cedar Road, Ucluelet, BC" prepared by Seacor Environmental Engineering Inc., dated December 13, 2000.

It should not, however, be construed as an assurance that there are no hazards present on the site described above.

July 23/02  
Date Issued

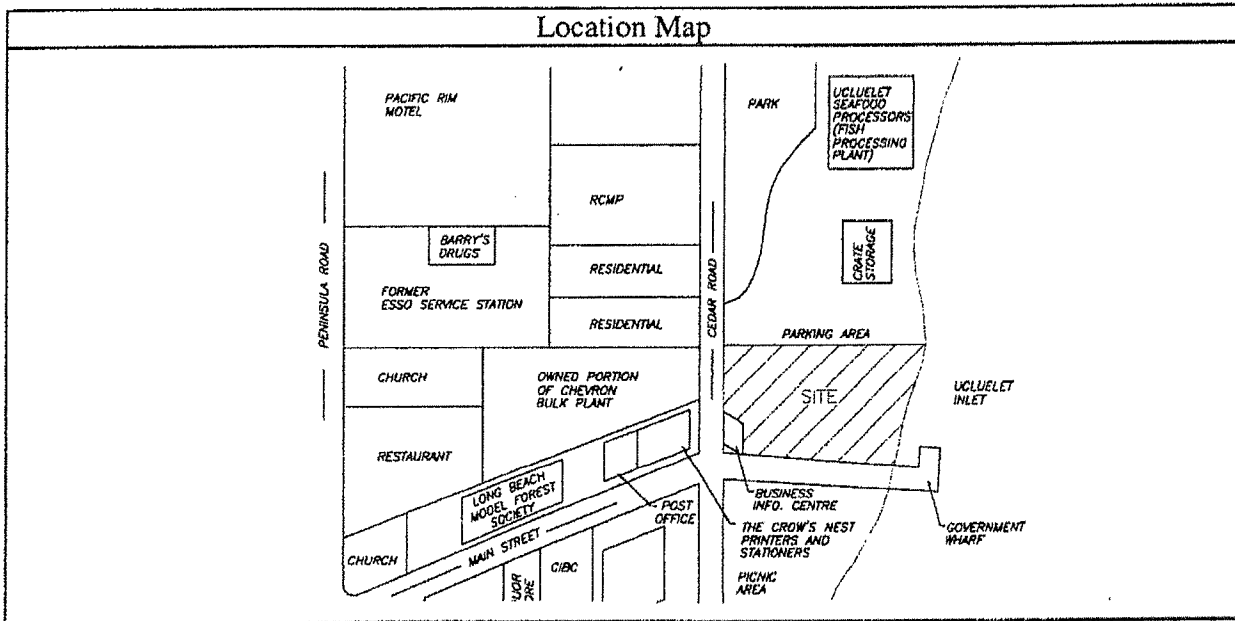
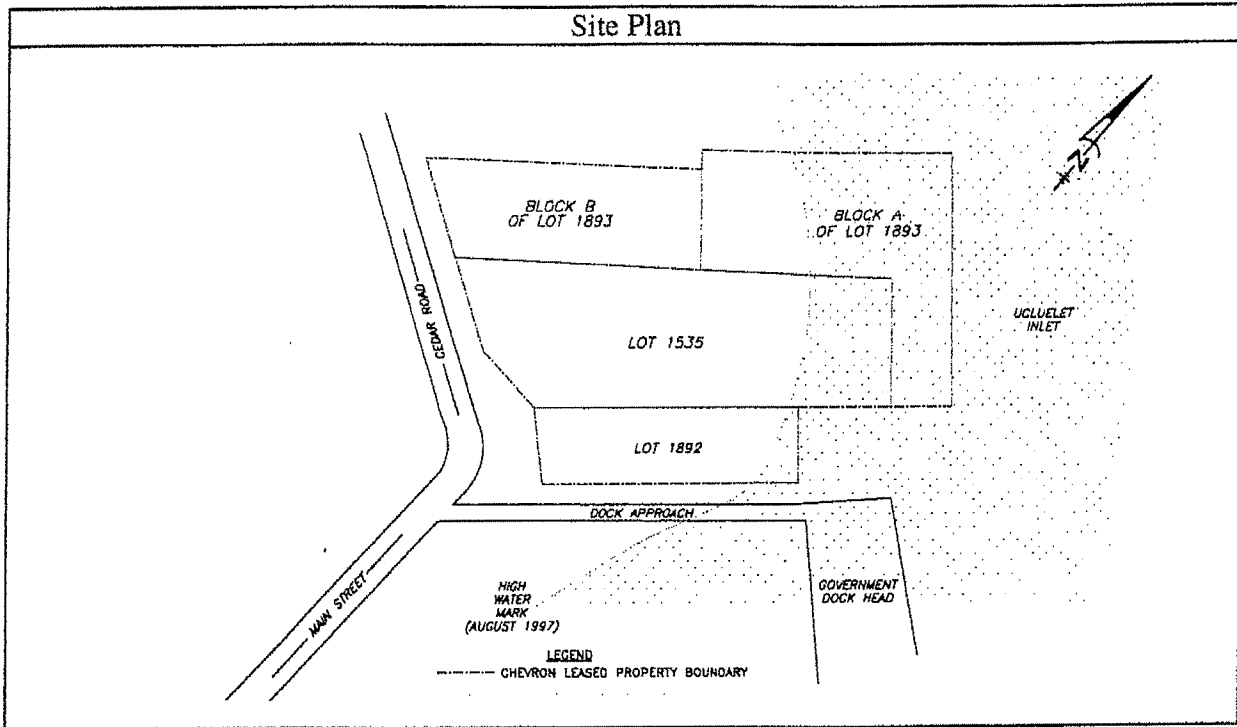


Assistant Regional Waste Manager

\_\_\_\_\_  
Date Amended

\_\_\_\_\_  
Assistant Regional Waste Manager

Schedule "A"



July 23/02  
Date Issued

[Redacted Signature]  
Assistant Regional Waste Manager

\_\_\_\_\_  
Date Amended

\_\_\_\_\_  
Assistant Regional Waste Manager

Schedule "B"

The following notations form a requisite component of this certificate of compliance:

1. Information about this site will be included in the site registry established under the *Waste Management Act*.
2. The provisions of this certificate of compliance are without prejudice to the right of the Regional Waste Manager to make orders or to require additional remediation measures as the Regional Waste Manager may deem necessary in accordance with the applicable laws. Nothing contained in this certificate of compliance will in any way restrict or impair the Regional Waste Manager's power in this regard.
3. The site owner indemnifies the Crown, and her employees against loss, damages, costs, actions, suits and claims arising from any contamination remaining at the site.
4. In view of the site's historical activities, a qualified environmental consultant will be contracted to identify, characterize and appropriately manage any soil and/or groundwater materials of suspect environmental quality which may be encountered during any future subsurface work at the site.

July 23/02  
Date Issued

  
Assistant Regional Waste Manager

\_\_\_\_\_  
Date Amended

\_\_\_\_\_  
Assistant Regional Waste Manager



**WHISKEY LANDING DEVELOPMENTS LTD.**

Mail to: 550-800 15355 24 Avenue, SURREY BC V4A 2H9

Office: 225 – 19055 34A Avenue, SURREY BC V4A 2H9

Tel. (604) 309-4154

E. [estewart@azuramanagement.com](mailto:estewart@azuramanagement.com)

Ewen Stewart, President

April 23, 2024

By email

**District of Ucluelet**

200 Main Street,

P.O. Box 999,

Ucluelet, BC V0R 3A0

To: Mayor and Council

And to: Mr. Duane Lawrence  
Chief Administrative Officer

Dear Sirs and Mesdames,

***Re: Unresolved Development/Variance Permit Application(s) for 1671 Cedar Road  
Development – Request for section 4.5 Reconsideration, Bylaw 1164***

Further to your email of April 22, 2024, saying the Director will advise on the status of your application and any additional requirements:

*“With respect to our application process and consideration of variances, your application will proceed through the review, approval and notification process as any other application would. The planning department will advise you as your application continues through the review process.”*

Regarding the Director’s March 12, 2024, Report to the Council named two outstanding conditions that are now resolved by our submission of a landscape plan and the Ministry of Environment decision of April 5, 2024. We hereby repeat our prior written request for reconsideration by the Council of our completed April 6, 2023 application that:

- a) the proposed application for development located at 1671 Cedar Road, Ucluelet, BC, is complete and
- b) the applicant seeks Council to resolve the CD-4 zoning uses dispute between the “Mixed Commercial Residential” relied on and “Resort Condo” imposed by the Director of Planning’s decision on this application (the “Dispute”).

Development Permit - 1671 Cedar Road (Whiskey Landing Phase 2) Bruce Gre...



Page two,

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Following the development approval procedures Bylaw 1164, section 4.5(c):

- (c) The Chief Administrative Officer or the Corporate Officer should, or arrange to:
  - (i) schedule the request on the Agenda of a meeting of Council within six (6) weeks of receipt of the request;
  - (ii) notify the Applicant of the date at which the reconsideration will occur...

Please arrange for this request to be set on the Council's agenda within six weeks and send confirmation of the meeting date so we may make travel arrangements and plan for our project professional architect's attendance.

The rationale for reconsideration is that our application is indefinitely held in limbo without any direction because of the conflicting decision or dispute. We request approval from the Council for the Development Permit and Development Variance Permit as set out in the appended Schedule A, seeking reasonable variances to CD4 zoning for this mixed commercial-residential development application, including an increase in the allowable building height and reduction of side yard setbacks.

The application has been submitted with the guidance of knowledgeable registered professionals, and the Development in their areas of expertise, as proposed, meets the requirements of the British Columbia Building Code (BCBC) and applicable provincial legislation, including environmental requirements.

Regards,

**Whiskey Landing Developments Ltd.**

Per 

Ewen Stewart

Schedule "A":

## DEVELOPMENT PERMIT DP23-04

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

1. This Development Permit is issued to:

**WHISKEY LANDING DEVELOPMENTS LTD**  
(The "Owner")

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

**PID 031694829; Lot 1, Plan EPP120555, DL 2164, Clayoquot Land District, & DL 282**  
(The "Lands").

3. This Permit authorizes the following improvements on the Lands:

- The construction of a 23-unit multi-unit residential building on the property at 1671 Cedar Road containing a mixed commercial/residential use with a minimum of 15 residential units and up to 8 resort condo units.
- The construction of a 280sqft accessory building.
- A parking Lot containing at total of 25 Parking stalls.
- Associated landscape works.
- Associated hardscape works.

*The improvements listed above and shown in the architectural plans attached to this permit as **Schedule 1**, are approved subject to the owner registering a restrictive covenant on the title of the property assuring that the foreshore lease over District Lot 2167 will be transferred to the District of Ucluelet within 12 months and the public pedestrian walkway will be constructed by the developer to the District' satisfaction prior to an occupancy permit being issued for the building.*

4. These improvements apply only in the locations indicated, and otherwise in accordance with, the drawings and specifications attached to this Permit as **Schedule 1**.
5. Prior to obtaining a Building Permit, the Owner is responsible for the following:
  - A. Registration of a restrictive covenant assuring that the foreshore lease over District Lot 2167 will be transferred to the District of Ucluelet within 12 months and the public pedestrian walkway will be constructed by the developer to the District' satisfaction prior to an occupancy permit being issued for the building
  - B. creation and implementation of a Stormwater Master Plan.
  - C. Registration of a restrictive covenant naming the District to resolve encroachment over neighbouring property and building code limiting distance;
  - D. Engineered solution for safe access and turning movements for driveways onto Cedar Road, considering adjacent pedestrian movements and bus stop;



- E. Confirmation of fire access and turning movement adequate to suit the local emergency apparatus;
  - F. Engineered solution or relocation of storm drain outside the footprint of the building;
  - G. Confirmation of adequate servicing connections via the Phase 1 building;
  - H. Confirmation of adequate sewer capacity in the existing sanitary system on Cedar Road;
  - I. Payment in lieu for deficit of on-site parking.
  - J. submission of a final landscape plan, cost estimate and deposit of 125% of the value of the proposed landscape and hardscape frontage improvements.
6. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The Owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
  7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
  8. The Owner shall substantially commence the development within 24 months of authorization by Council, after which this permit shall be null and void.
  9. This Permit is NOT a Building Permit.
  10. The Municipality’s Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

**AUTHORIZING RESOLUTION** passed by the Municipal Council on the            day of            , 2024.

**ISSUED** the            day of            , 2024.

\_\_\_\_\_  
Bruce Greig  
Director of Community Planning



**Schedule 1**

(DP application Architectural Drawings, Site Plan and Landscape Plan contained within Appendix A  
- Application and Appendix E - Additional Application Materials)





## DEVELOPMENT VARIANCE PERMIT DVP24-07

Pursuant to section 498 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Variance Permit is issued to:

**WHISKEY LANDING DEVELOPMENTS LTD**  
(the "Owner")

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

**PID 031694829, Lot 1, Plan EPP120555, District Lot 2164, Clayoquot Land District, & DL 282**

3. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This permit authorizes the following variances to *District of Ucluelet Zoning Bylaw No. 1160, 2013*, specific to the plans and elevations attached as **Schedule A**:
  - A. A minimum side yard interior setback for the principal building of 0.0m, whereas section CD-4.6.1 (1)(c) of the zoning bylaw indicates a minimum of 4.2m; and
  - B. A minimum setback for the principal building from the natural boundary of the ocean of 0.0m, whereas section 306.2 (1) (a) of the zoning bylaw indicates a minimum of 7.5m; and
  - C. A minimum front yard setback for an accessory building of 0.0m, whereas section CD-4.6.1 (2)(a) of the zoning bylaw indicates a minimum of 5.0m;
  - D. A minimum setback for offsite parking from a lot line (other than the front lot line) of 0.0m, whereas section 503.2 (2) of the zoning bylaw indicates a minimum of 1.5m; and
  - E. A maximum height of the principal building of 16.4m whereas section CD-4.5.1 of the zoning bylaw indicates a maximum of 12.0m.
5. The above variances are granted for the proposed development as shown on **Schedule A**. If the buildings and structures of this proposed development are demolished, the zoning regulations applicable at that time would apply.
6. This permit is valid for a period of 24 months from the date of issuance and if a Building Permit has not been issued within that time this permit should be considered null and void.
7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
8. This Permit is NOT a Building Permit.



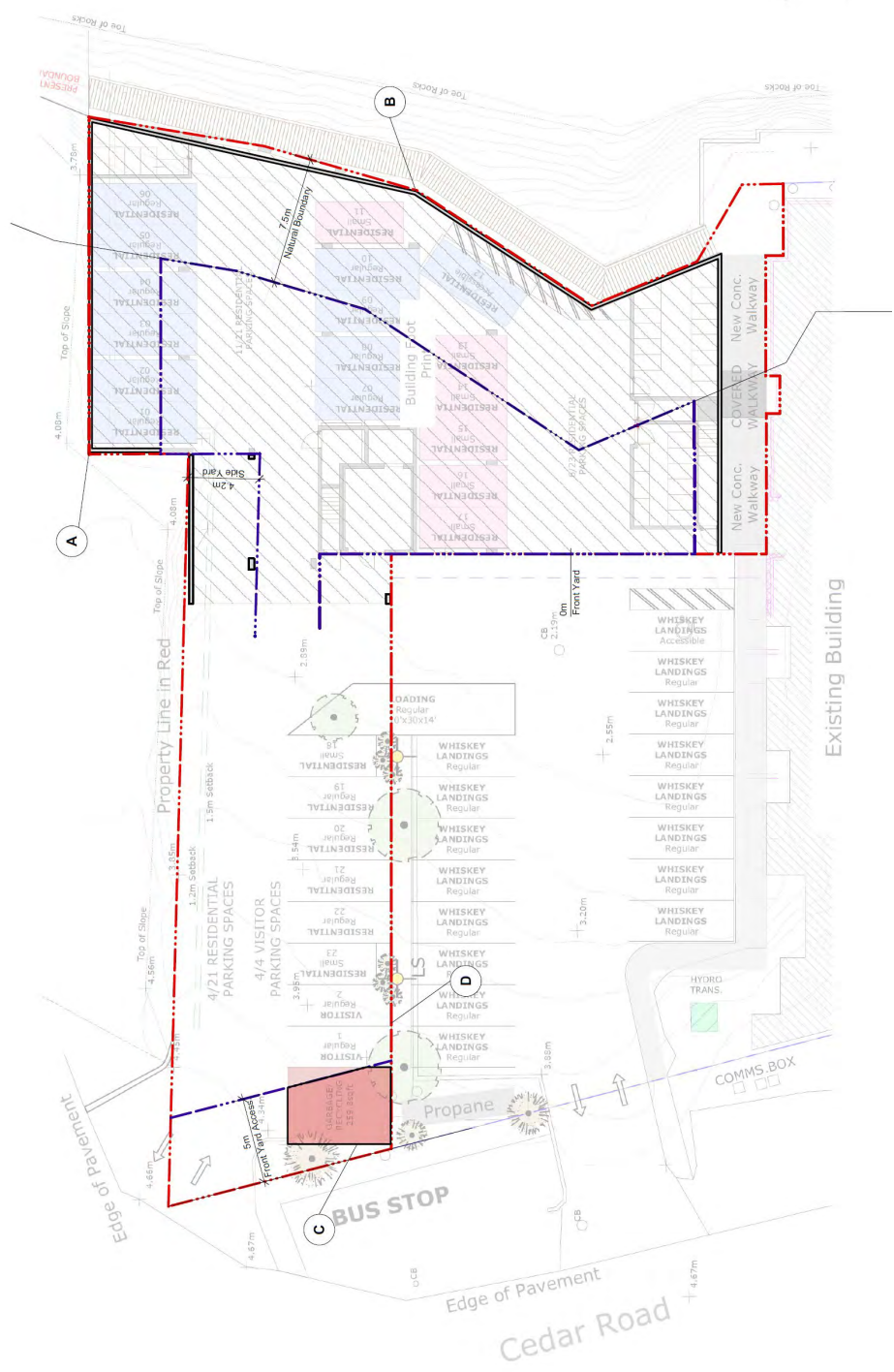
**AUTHORIZING RESOLUTION** passed by the Municipal Council on the    day of    , 2024.

**ISSUED** the    day of    , 2024.

\_\_\_\_\_  
Bruce Greig  
Director of Community Planning

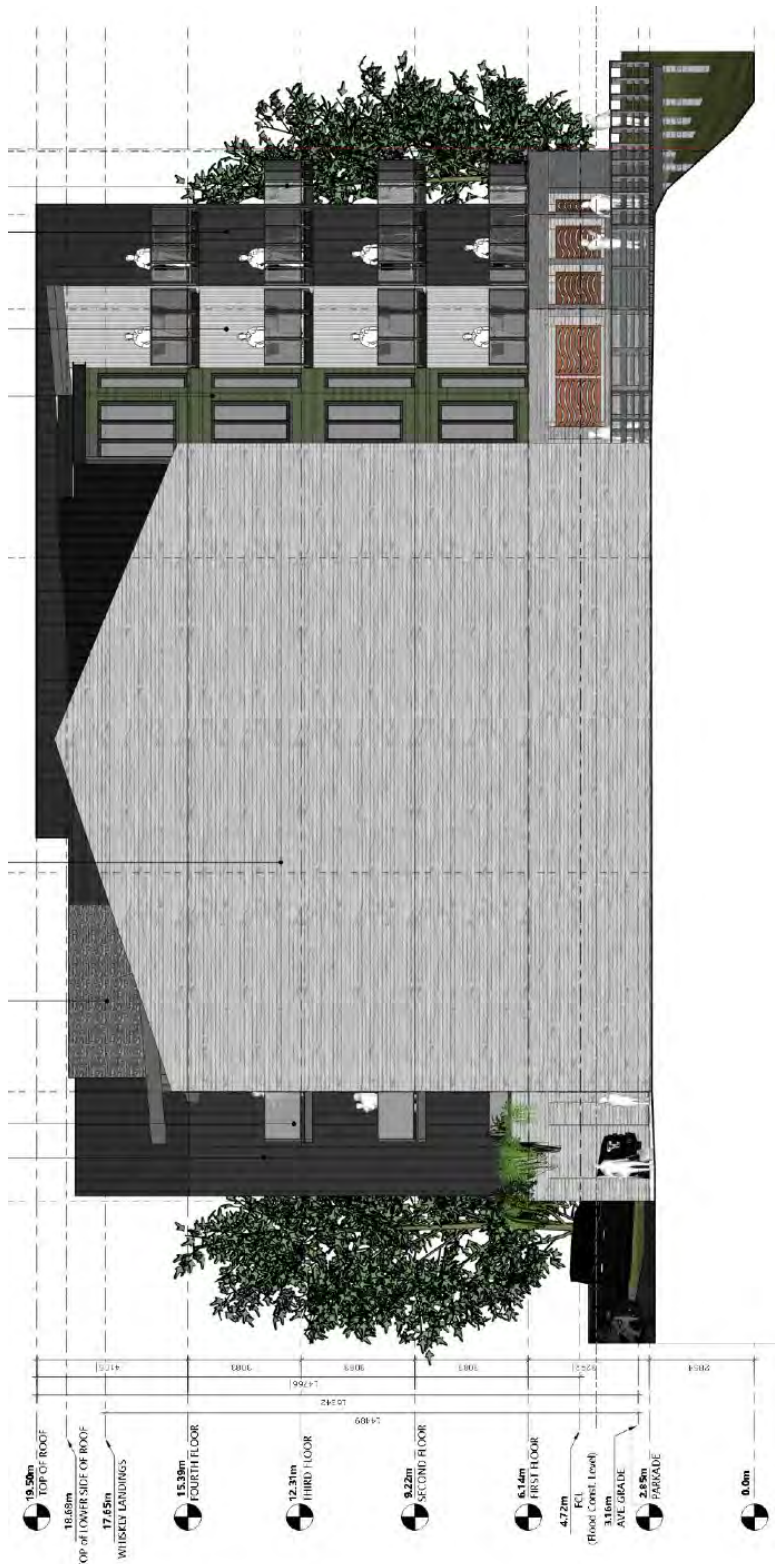


### SCHEDULE A



Plan





Side Elevation



## REPORT TO COUNCIL

Council Meeting: March 12, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

**FILE NO:** DP23-04

**SUBJECT:** DEVELOPMENT PERMIT - 1671 CEDAR ROAD (WHISKEY LANDING PHASE 2)

**REPORT NO:** 24-22

**ATTACHMENT(S):** APPENDIX A - LETTER TO AZURA MANAGEMENT CORP. JANUARY 10, 2024  
 APPENDIX B – LETTER FROM ASSOCIATED ENVIRONMENTAL FEBRUARY 2, 2024  
 APPENDIX C – 2002 CERTIFICATE OF COMPLIANCE  
 APPENDIX D – APPLICATION MATERIALS

### RECOMMENDATION(S):

**THAT** Council defer a decision on issuing permits for the proposed development at 1671 Cedar Road until the applicant provides a valid certificate of compliance for the proposed multi-family use of the site – or other form of determination or release from the Ministry of Environment – and a landscape plan, noting that under section 9.1 of the *Ucluelet Development Application Procedures Bylaw*, “every application that has outstanding information requirements for a period greater than none (9) months is deemed to have been abandoned, with fees forfeited.”

### BACKGROUND:

In April of 2023, Azura Management Corp. (Azura) submitted an application for a Development Permit (DP) and Development Variance Permit (DVP) for a proposed 23-unit multi-family building on the property at 1671 Cedar Road. The property (Lot 1, Plan EPP120555; the “subject property”) was originally planned to be the second phase of the Whiskey Landing phased strata development. The second phase did not proceed, and the subject property is now a separate, neighbouring fee-simple parcel. A number of agreements are registered on the title of these two adjacent properties to resolve issues of servicing, access etc. The property is a documented contaminated site (former Chevron bulk fuel storage facility); a Certificate of Compliance was issued in 2002 clearing the site for development for commercial uses (see **Appendix “C”**).

On September 22, 2023, the applicant provided a Site Disclosure Statement as is required by the provincial *Waste Management Act* and *Contaminated Sites Regulation*, and an updated geotechnical report. Staff reviewed the Site Disclosure Statement and forwarded the statement to the Ministry of Environment on October 5<sup>th</sup>. On November 24, 2023, staff received a response from the Site Identification Team at the Ministry, confirming that the Certificate of Compliance issued for the property in 2002 was for commercial purposes. On December 1, 2023, Staff contacted the Ministry clarifying that the proposed land use was to be multi-family residential and that the municipality looks to the Ministry to confirm whether development approvals can

proceed. On December 21, 2023, the Site Identification Team replied noting that under the current provincial framework for reviewing contaminated sites, the municipality (who has the details of the proposed development) must determine whether the Certificate of Compliance is relevant to the proposed development. The Ministry no longer provides approvals for the use of exemptions under Division 3 of the Contaminated Sites Regulation - it is up to the site owner to provide information/evidence to the municipality to support the use of the exemption.

On January 5, 2024, after investigating the definitions of the various categories of land uses in the provincial *Contaminated Sites Regulation*, staff notified the Ministry that the municipality had determined that the Certificate of Compliance was not valid for the proposed use. On January 10, 2024, staff provided a letter to the applicant explaining that the proposed uses do not match the commercial clearance provided in the 2002 Certificate of Compliance. The letter noted that the District is restricted from providing development approvals such as a Development Permit, Development Variance Permit or Building Permit until the owner provides a valid Certificate of Compliance or other form of determination or release from the Province for the proposed use (see **Appendix "A"**).

The letter also listed a number of outstanding items that are either required or that would be beneficial to complete the review of their proposal:

- Because the building is proposed to be constructed at and over the property line, prior to issuing a building permit the owner would need to register a section 219 restrictive covenant in favour of the District over the common property of Strata Plan VIS6411 (Whiskey Landing phase 1), restricting the construction of any future building on the neighbouring property within the limiting distance required by the BC Building Code. A letter of support from the Strata would be sufficient at the Development Permit stage; registration of the covenant would just need to be complete prior to issuance of a building permit. Alternatively, the owner could modify their plans to meet the limiting distance required by Code. Staff initially asked the applicant to clarify this aspect of the proposal in July of 2023.
- An existing storm drain crosses the property beneath where the proposed building would be located, but does not appear on the submitted plans. The pipe carries rainwater from Cedar Road across the site to the Ucluelet Inlet. At the approval of the first phase of the Whiskey Landing development, it was noted that a statutory right-of-way was required during the second phase of the development to cover the storm drain. As yet no such right-of-way has been registered. It would be helpful to show the existing and relocated storm drain on the site plan to enable assessment of whether surface works (parking, landscaping, etc.) might pose any challenges for future maintenance.
- Feedback was provided on the draft proposal for a bus stop on the Cedar Road frontage.
- It was also noted that the Development Permit application is incomplete without a proper landscape plan.

The applicant engaged Associated Environmental Consultants Inc. to review the permit review process and comment on the District's conclusion with regard to the site and the *Contaminated Sites Regulation*. In their letter dated February 2, 2024, Associated Environmental describes the

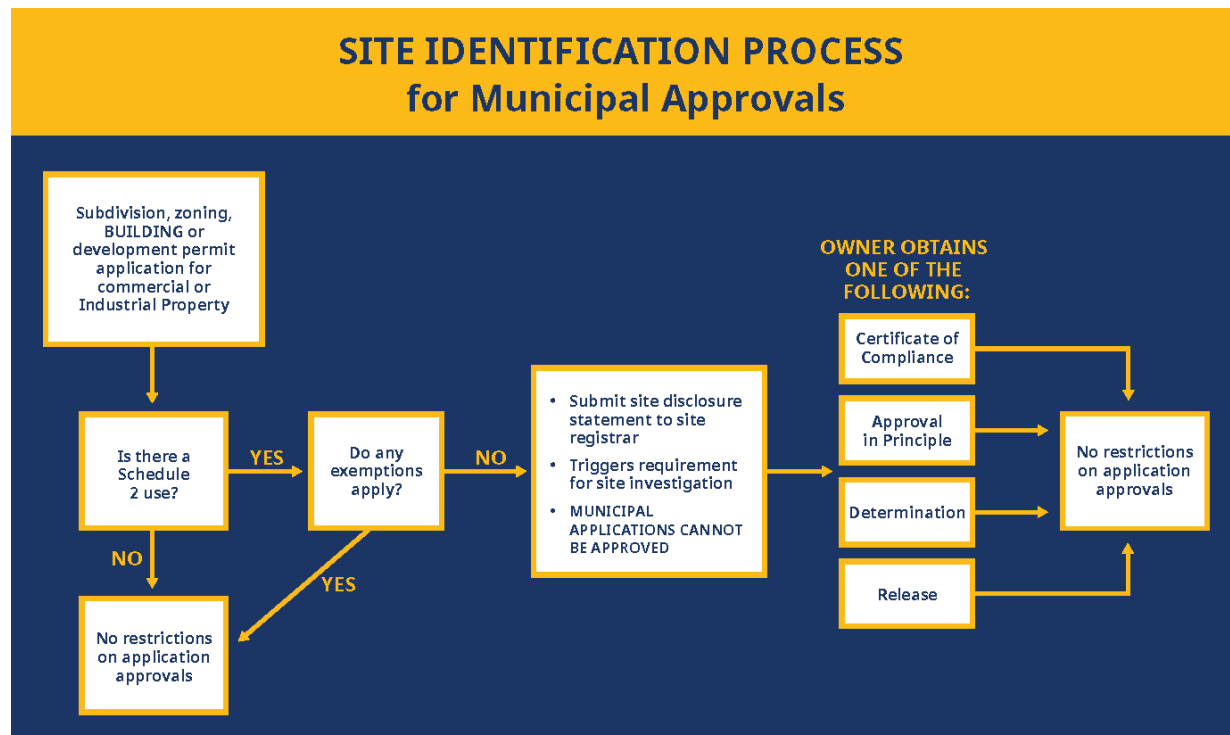
proposed uses as a mixed commercial/residential development and concludes that the 2002 Certificate of Compliance for commercial use of the property at 1671 Cedar Road would be sufficient to support issuance of a Development Permit by the municipality. The letter does not substantiate how the ground-level use of the proposed building would qualify as commercial, and describes what staff understand to be an outdated provincial process of reviewing and communicating decisions on site determinations directly with property owners and developers (see **Appendix “B”**). After the letter from Associated Environmental was provided to the District on February 20<sup>th</sup>, 2024, Staff reached out to the writer of the review letter but did not receive a response.

On February 22, 2024, staff provided to the provincial Site Investigation Team a copy of both the letter from the District to the applicant and the review by Associated Environmental. Staff asked that the province provide an opinion on whether we have approached the processing and review of the Site Disclosure Statement in the correct way. At the time of writing this report, the District has not heard a response from provincial staff.

The owner and applicant have asked that the Development Permit / Development Permit application be presented to Council for a decision.

**DISCUSSION 1 - PROCESS:**

Because the Certificate of Compliance does not match the proposed use of the land, under section 557 of the *Local Government Act*, the municipality cannot at this time issue a development permit or building permit for the redevelopment of the site at 1671 Cedar Road (see **Figure 1**).



**Figure 1** (source: <https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/identifying-sites-that-may-be-contaminated/requirements-for-municipalities-and-approving-officers>)



As noted in the letter to the applicant January 10<sup>th</sup>, the application is still incomplete. Under section 7.2 of the *Ucluelet Development Application Procedures Bylaw*, “an incomplete application need not be processed until all requirements of section 5 *Application and Information Requirements* have been satisfied, but the Manager of Planning may report to Council and seek Council direction”.

Council has the following options:

1. Defer a decision until the applicant has provided a valid certificate of compliance for the proposed use of the site - or other form of determination or release from the Ministry – and a landscape plan, noting that under section 9.1 of the *Ucluelet Development Application Procedures Bylaw*, “every application that has outstanding information requirements for a period greater than none (9) months is deemed to have been abandoned, with fees forfeited.”
2. Reject the application, noting that the application for 1671 Cedar Road was initially submitted more than 9 months ago and remains incomplete, and encourage the applicant to reapply when they have assembled a complete application.
3. Defer a decision and direct staff to engage a Qualified Professional to provide a review of the file and make recommendation on the validity of the 2002 Certificate of Compliance for the proposed development.
4. Determine that Council is convinced of the validity of the 2002 Certificate of Compliance and direct staff to prepare a draft of the Development Permit and Development Variance Permit (DVP), and give the required notice to seek public comment on the DVP.

#### DISCUSSION 2 – DEVELOPMENT PERMIT AND VARIANCES:

The application proposes to construct a 23-unit multi-family residential building, complimenting without mimicking the adjacent Whiskey Landing building (see **Appendix “D”**). It is a large but attractive building which has been designed to reduce its visual impact when viewed from the street and from the waterside. The application describes the use of forms, materials and colours of the building as being, “as playful as it is practical”. Staff agree with that description and recommend that the building would generally meet the development permit area guidelines for



the Village Square DP area I. Staff would prefer if the ground-level face of the building adjacent to the waterfront walkway was more animated and pedestrian-friendly; however the practicality of flood construction levels and providing covered parking on site limit the options.



The building siting and design address most of the DP guidelines. Areas where the proposal does not directly respond to the DP guidelines include:

- F1.1 and F1.2- (views of the harbour from Cedar Road)
- F3 (attractive pedestrian environment at the street)
- F4 (screening of parking areas with structures and/or landscaping)
- F28 (CPTED – passageway between buildings with blank walls)

The proposal would create a new bus stop on Cedar Road. Further details are required of the proposed landscaping and a safe connected pedestrian walkway along the Cedar Road frontage.

The development proposes to provide a connected public pedestrian walkway along the waterfront and through the site to Cedar Road. This would be consistent with the [OCP](#) schedule “C” Parks and Trails Network plan which shows a section of “future Safe Harbour Trail” in this location.

The application also proposes that, if it were approved, the owner would be prepared to transfer the water lease of District Lot 2167 to the municipality for potential public uses adjacent to the northern end of the existing municipal Whiskey Dock.

Twenty-five on-site parking spaces are proposed to serve the new building: one per unit plus two visitor spaces.

The site is within the Marine Shoreline environmental DP area. An environmental assessment has been submitted (see **Appendix “D”**). There are no sensitive marine ecosystems such as eelgrass adjacent to the development site, and the report makes recommendations for best practices during redevelopment.

#### USES:

The applicant states that the development would “be within the intended uses for the existing CD-4 zoning”. They have expressed that their interpretation of the zoning is that all 23 units could be used for either residential or resort condo purposes. There is a density cap on the number of units used for tourist accommodation, however. Under section CD-4.3.1(1) Density – maximum number of hotel and resort condo: 1 guest room or dwelling unit per 140m<sup>2</sup> (1,552 ft<sup>2</sup>) lot area. This results in a maximum number of 8 guest rooms or dwelling units that could be used for tourist accommodation uses on the subject property. Therefore at least 15 of the proposed units would be multi-family residential homes. The District could issue business licences for a maximum of 8 units within the building. If constructed, it is highly advisable that the 8 units (maximum) which could be used for tourist accommodation be identified by the developer and disclosed to future purchasers at the outset.

#### Parking:

The development proposed 25 on-site parking spaces. The zoning bylaw requires a minimum of 1.5 spaces per multi-family residential unit plus 1 visitor space per 5 units = 39 spaces. The parking requirement for resort condo is 1 space per unit. If 8 units are resort condos, then the total parking requirement for the development would be 34 spaces. The property is located within the Village Square designation, therefore according to section 506.1 of the Zoning Bylaw, the developer has the option of paying cash-in-lieu for the on-site parking shortfall of 9 to 14 spaces at a rate of \$8,000 per space. If the developer proposes to limit some (maximum 8) of the units to be resort condo use only to reduce the parking requirement, then a restrictive covenant designating those units and restricting their residential use would be required.

The site plan shows that a designated loading zone would be defined to serve the existing Whiskey Landing businesses.

#### Variances:

The following variances would be required for the development as proposed:

- Side yard interior setback: reduce from a minimum of 4.2m to 0.0m;
- Setback from the upland side of the natural boundary of the sea: reduce from a minimum of 7.5m to 0.0m (for the waterfront walkway);
- Front setback for an accessory building: reduce from a minimum of 5m to 0.0m;
- Height: increase from a maximum of 12m to 16.34m (to the peak on the north side of the building).

Subject to public comment, the variances are supportable for the proposed development.

**ANALYSIS OF OPTIONS:**

The applicant has requested that Council receive and provide a decision on the Development Permit and Development Variance Permit application. Staff recommend that the first order is for Council to determine whether it concurs with the staff conclusion that the application remains incomplete at this time.

<b>A</b>	Defer a decision until the applicant provides a valid certificate of compliance and completes their application.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Keeps the application file open.</li> <li>Once the applicant provides all the required information would enable a decision on the requested permits.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Extends the review time on the file.</li> <li>Timeline for the applicant obtaining a determination from the Province is uncertain.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>File would be put on hold until the applicant submits the required additional information.</li> <li>If file is still incomplete after 9 more months (Dec 2024) then file would be closed.</li> </ul>
<b>B</b>	Reject the application.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Would encourage the applicant to submit a complete application.</li> <li>Would close the file and redirect staff time to other priorities.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Applicant would need to submit a new application and fee.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>File DP23-04 would be closed.</li> <li>Applicant could reapply when they have obtained a determination from the Province on the site, and have prepared a complete application.</li> </ul>
		<b>Suggested Motion</b>	<b>THAT</b> Council rejects application DP23-04 for 1671 Cedar Road noting that the application was initially submitted more than 9 months ago and remains incomplete, and encourages the applicant to reapply with a complete application.
<b>C</b>	Defer a decision and engage an environmental consultant to review the validity of the 2002 Certificate of Compliance for the proposed development.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Could provide an independent professional review to help inform Council’s decision.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>The District would be undertaking actions and absorbing costs that are the responsibility of the land owner.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Staff would engage a Qualified Professional to review the application and provide a report with recommendations on the validity of the 2002 Certificate of Compliance.</li> <li>Cost is estimated at \$5,000 to \$10,000.</li> </ul>
		<b>Suggested Motion</b>	<b>THAT</b> Council direct staff to engage a Qualified Professional to provide a review of the file and make recommendation on the validity of the 2002 Certificate of Compliance for the proposed development.



D	Accept the validity of the 2002 certificate of compliance.  [not recommended]	<u>Pros</u>	<ul style="list-style-type: none"> <li>Moves the application forward.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>No clear evidence that the proposed development qualifies as “commercial” under the <i>Contaminated Sites Regulation</i>.</li> <li>May allow the development to proceed on a site that has not been remediated to the correct standard for the intended use.</li> <li>Could create a potential liability to the municipality if it is determined that the existing certificate of compliance was incorrectly applied.</li> <li>Potential liability hinges on the reasonableness of a decision to find that the certificate of compliance is valid for the proposed use of the property.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Staff would draft the DP and DVP and bring the application back to a future Council meeting once the required notice has been completed for the variances.</li> </ul>
		<u>Suggested Wording</u>	THAT Council accepts the validity of the 2002 Certificate of Compliance for the proposed development at 1671 Cedar Road, and directs staff to prepare a draft Development Permit and Development Variance Permit, and give the required notice to seek public comment on the variances at an upcoming Council meeting.

Respectfully submitted:      Bruce Greig, Director of Community Planning  
    Duane Lawrence, Chief Administrative Officer



## NOTICE OF PUBLIC HEARING

Pursuant to Section 464 and 466 of the *Local Government Act*, public notice is hereby given that a Public Hearing will be held for *District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024*, during the **June 11, 2024, Regular Council Meeting, which commences at 4:00 PM.**

This Regular Council Meeting will be held both in-person in the **George Fraser Community Room in the Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C.** and electronically via the Zoom platform. Members of the public may attend the George Fraser Community Room to hear, or watch and hear, the meeting including any electronic participation.

**The purpose of this proposed Bylaw**, in general terms, is to amend *District of Ucluelet Zoning Bylaw No. 1160, 2013*, to remove certain regulations to *bed and breakfast* accessory uses in single-family residential areas. The proposed changes would:

- Delete subsection 404.1(7) removing the requirement to provide continental breakfast
- Delete subsection 404.1(8) removing the requirement for guest access to be through the main entry of the home
- Delete subsection 404.1(9) removing the prohibition to use exterior doors as the principal entrance and exit of the *bed and breakfast*
- Delete subsection 404.1(10) removing the prohibition to lock the *bed and breakfast* off from the common area of the rest of the home

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

**Participate by written submission:** All written submissions must include your name and street address. Any submission dropped-off at the District Office or mailed must be received by 4:00 pm on the day of the Public Hearing. Written submissions are considered part of the public record pursuant to the *Freedom of Information and Protection of Privacy Act*.

**Drop-off at the District Office**

200 Main Street,  
Ucluelet B.C.

**Drop-off at the Public Hearing**

George Fraser Community  
Room, Ucluelet Community  
Centre, 500 Matterson Drive,  
Ucluelet B.C.

**Mail**

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

**Email**

[communityinput@ucluelet.ca](mailto:communityinput@ucluelet.ca)

**Participate in-person, by telephone or using zoom online:**

**Participate in-person**

George Fraser Community  
Room in the Ucluelet  
Community Centre, 500  
Matterson Drive, Ucluelet  
B.C.

**Participate by Zoom or telephone**

Login details required to participate by Zoom, or telephone through the Zoom platform, are available at [Ucluelet.ca/CouncilMeetings](http://Ucluelet.ca/CouncilMeetings) and [Ucluelet.ca/PublicHearings](http://Ucluelet.ca/PublicHearings). Council Meetings are also live streamed on the District of Ucluelet's YouTube Channel.

For Information about participating by Zoom visit [Ucluelet.ca/PublicHearings](http://Ucluelet.ca/PublicHearings) or contact the Corporate Service Department at 250-726-7744.

**Review related materials:**

Copies of the proposed Bylaw and related staff reports may be inspected at the District of Ucluelet Office, 200 Main St., Ucluelet B.C., during regular business hours (Monday to Friday, 8:30 a.m. - 4:00 p.m., excluding statutory holidays) and online at [Ucluelet.ca/PublicHearings](http://Ucluelet.ca/PublicHearings).

**Questions?**

Contact the District of Ucluelet Planning Department at 250-726-7744 or [jtowgood@ucluelet.ca](mailto:jtowgood@ucluelet.ca).

**Privacy disclaimer**

Public Hearings are webcast live and a recording is available on the District's YouTube channel. Correspondence you submit, including name and address, will form part of the public record, and will be published on the District's website or read into the record. The District considers your name and address relevant to this matter and will disclose this personal information as it informs Council's consideration of your opinion in relation to the subject property. However, your phone number and email address will not be disclosed.

Personal information is collected by the District under the authority of s. 26 (c) of the *Freedom of Information and Protection of Privacy Act* for the purpose of administering the Public Hearing. Please direct any questions about personal information to District's Privacy Officer by telephone: (250) 726-7744, email: [jrotenberg@ucluelet.ca](mailto:jrotenberg@ucluelet.ca), or mail: P.O. Box 999, Ucluelet, BC, VOR 3A0.



**DISTRICT OF UCLUELET**

**Zoning Amendment Bylaw No. 1344, 2024**

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

(Amendments to the regulation of *Bed and Breakfast* uses).

---

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

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

**1. Text Amendment:**

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

- A. by deleting subsection 404.1(7);
- B. by deleting subsection 404.1(8);
- C. by deleting subsection 404.1(9); and,
- D. by deleting subsection 404.1(10).

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024”.

**READ A FIRST TIME** this 14<sup>th</sup> day of **May, 2024**.

**READ A SECOND TIME** this 14<sup>th</sup> day of **May, 2024**.

**PUBLIC HEARING** held this    day of    , 2024.

**READ A THIRD TIME** this    day of    , 2024.

**ADOPTED** this    day of    , 2024.



**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024.”

---

Marilyn McEwen  
Mayor

---

Duane Lawrence  
Corporate Officer

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

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Duane Lawrence  
Corporate Officer



## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

**FILE NO:** 3360-20-RZ24-06 / 6630-27

**SUBJECT:** ZONING AMENDMENTS – B&B REGULATIONS AND NEW R1-H ZONE

**REPORT NO:** 24-44

**ATTACHMENT(S):** APPENDIX A – DRAFT BYLAW NO. 1344  
APPENDIX B – DRAFT BYLAW NO. 1345

### RECOMMENDATION:

Staff seek direction on where Council would like to go with the options for the zoning amendments in draft Bylaws No. 1344 and 1345. The table provided at the end of this report includes options for Council to consider.

### BACKGROUND:

In 2022, Council considered various options to amend the Ucluelet zoning regulations that apply to Bed and Breakfast (B&B) accessory uses in single-family residential areas. Initially, this included exploring a B&B overlay to distinguish those properties permitted to operate a B&B as a secondary use from other single-family residential properties. Following much community discussion, Council at the time provided direction to staff to draft bylaw amendments that would forgo a B&B overlay but instead distinguish between the “traditional B&B” use (as a room or rooms within a home rented out to a vacationing guest and utilizing the main entrance to the home with a high interaction level between the guest and the owner) and a “Guest Suite” (as a vacation rental suite with a private entrance and requiring limited interaction between the owner and guest).

At its [August 2, 2022](#), meeting Council confirmed the following goals:

- Preserve traditional B&B use in residential areas and consider ways to slow or contain “Guest Suite” type uses in residential areas.
- Establish a balance between residential and tourist commercial accommodation in residential zones to prioritize residential uses and maintain the “Low-ish Growth Scenario”.
- Stop or slow the loss of existing long-term rental suites.
- Add ADUs as a permitted secondary use in residential zones.
- Limit the impact of B&Bs and/or accessory residential units on the public streetscape and the supply of public on-street parking.
- Provide a method of notifying neighbours when a business licence is being issued for commercial tourist accommodation in residential areas.

Council discussed and provided direction on a number of specific actions to the above goals. Changes were adopted to both the *Business Regulation and Licensing* bylaw and *Zoning* bylaw. The [Ucluelet Zoning Amendment Bylaw No. 1310, 2022](#), adopted September 6th of that year, contained a number of amendments including:

1. Added new definitions to clarify what constitutes a “principal residence”.
2. Updated the definition of *accessory residential dwelling unit* (ADU).
3. Replaced the regulations for *B&B* uses with a new section containing the following changes:
  - a. Clarify that the bed and breakfast must be located in the *principal residence* of the B&B operator.
  - b. Clarify a maximum of 3 bedrooms and maximum 2 guest per room.
  - c. Limit the area devoted to the *B&B* use to a maximum of 35% of the home.
  - d. Remove the ability for *B&B* rooms to have a kitchenette.
  - e. Require that a *B&B* use must not displace a *secondary suite*.
4. Allowed that an ADU may be built in the front, rear or side yards of a property containing a single family dwelling.
5. Allowed that an ADU may coexist on a property with a *secondary suite* or a B&B.
6. Allowed that a *secondary suite* may coexist on a property with an ADU or a B&B.
7. Added a maximum width for new driveways connecting to the public road right-of-way, to maintain the potential for areas of uninterrupted public boulevard and on-street parking.

Specific to the desire to limit new B&B’s to the “traditional B&B” model, Bylaw No. 1310 inserted the following regulations in section 404.1 of the zoning bylaw:

- “(7) *Consistent with a traditional bed and breakfast use a bed and breakfast use must include a minimum service of a continental breakfast.*
- (8) *A bed and breakfast use must be accessed from the main entry of the home in which it operates, and cannot operate remotely utilizing coded entry locks and/or key lock boxes.*
- (9) *Any exterior door to rooms used for bed and breakfast uses must not be utilized as the principal entrance and exit to the bed and breakfast use.*
- (10) *A bed and breakfast use is an integral part of the home and must not have a separated or locked-off common area.”*

In the fall of 2023, the Province adopted Bill 35 - 2023 [Short-Term Rental Accommodations Act](#) (the “*STRA Act*”). The stated goals of the *STRA Act* are “to strengthen tools to support local government enforcement of short-term rental bylaws, return short-term rentals to the long-term housing market, and establish a provincial role in the regulation of short-term rentals”. With the enactment of the *STRA Act*, the Province removed legally non-conforming protection specifically for *short term rental* uses effective May 1<sup>st</sup>, 2024. At its [April 16, 2024](#), meeting Council received a report addressing these changes and identifying that half of the currently licenced B&B operations in Ucluelet were legally non-conforming with respect to section 404.1 of the zoning bylaw – particularly subsections (8) and (9). At the April 16<sup>th</sup> meeting, Council addressed the immediate conflict created by this non-conformity by resolving:

*“THAT Council direct staff to renew those existing Bed and Breakfast business licences that are legally non-conforming to section 404 of the zoning bylaw as of April 30, 2024, for a period of one year, notwithstanding section 2(2) of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003.”*

Business licence renewals have therefore proceeded, otherwise as normal.

At its April 16<sup>th</sup> meeting Council also resolved as follows:

“THAT Council direct Staff to present zoning amendment bylaws intended to:

- remove amendments to the Zoning Bylaw established by *Zoning Amendment Bylaw 1310*;
- create a version of the R1 Zone with no accessory B&B use to apply to future development.”

### **Draft Bylaw Amendments:**

#### Section 404 B&B regulations:

A draft of *District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024*, is attached to this report (see **Appendix “A”**). This amendment bylaw would remove four sections of the B&B regulations currently found in the zoning bylaw that result in the majority of non-conformities in existing B&B operations. Specifically, three of the subsections (404.1(8), (9) and (10)) require that B&B rooms be accessed through the host’s main entrance – as in a “traditional” B&B. These parts of the regulations, along with subsection 404.1(7) (a.k.a. “the muffin clause”) – would be removed by adopting Bylaw No. 1344.

The overarching intent of adopting these regulations in 2022 was to slow down the proliferation of “guest suites” attached to single-family homes in residential areas (either as part of new construction or through the conversion of secondary suites).

There is an unresolved question of the total sustainable amount of tourist accommodation growth in Ucluelet, and its impact on the balance of secure housing opportunities accessible to locals. In alignment with the strategic priorities of Council, that broader question will be the focus of further work and community discussion this year.

#### New R-1H Zone:

According to the second part of the April 16<sup>th</sup> Council motion, a draft of *District of Ucluelet Zoning*

Prior to the adoption of Bylaw No. 1310, section 404.2(c) of the zoning bylaw clarified that B&B’s, “must not be combined with or located, in whole or in part, in a *duplex, multiple family residential building, mixed commercial/ residential, mixed industrial/residential, accessory residential dwelling unit, or in a secondary suite or a single family dwelling that has a secondary suite.*” Bylaw No. 1310 changed the requirements so that section 404.2(4) of the zoning bylaw now requires that B&B’s, “must not be located in an *accessory residential dwelling unit, in a secondary suite or in the area of a single family dwelling which was formerly a secondary suite.*” The changes adopted with Bylaw No. 1310 enable a B&B to coexist with a secondary suite, so that a homeowner does not have to choose one over the other, and also provides some protection for existing long-term rental units. The last part of the regulation – precluding a B&B use in an area formerly used as a secondary suite - has been key for stopping the conversion of secondary suites into short-term rental B&B guest suites. Bylaw No. 1344 as drafted would not change this regulation in section 404.2.



*Amendment Bylaw No. 1345, 2024*, is also attached to this report (see **Appendix “B”**). This amendment bylaw would add a new single-family residential zone, patterned on the existing R-1 zone but with no *Bed and Breakfast* accessory use. Bylaw No. 1345 would not apply this new zoning designation to any properties at this time; if adopted the new R-1H zone would be “on the books” for potential designation of lands that were subject to development proposals and rezoning applications in the future.

The draft Bylaw No. 1345 in Appendix B includes a number of sections that are highlighted in yellow: these sections differ from the existing R-1 zoning regulations to align with the recommended provisions that the Province has published for local governments to comply with the site standards for Small-Scale Multi-Unit Housing.

The highlighted provisions of the draft Bylaw No. 1345, and the corresponding regulations in the current R-1 zone, are as follows:

	current R-1 Zone	draft R-1H zone
max. height - main house	8.5m (28ft) or 2-1//2 storeys	11m (36ft) or 3 storeys
max. height – accessory dwelling	3.75m (12ft) to 6.5m (21ft) (depending on roof slope and location).	8m (26ft) or 2 storeys
min. front setback – principal	7.5m (25ft)	6m (20ft)
min. front setback – accessory	7.5m (25ft)	6m (20ft)
side yard setback - accessory dwelling	1.5m (5ft)	1.2m (4ft)

A separate report will be presented to Council on changes to align the municipal bylaws with the recent changes made by the Province to the *Local Government Act*; Council could move forward with the amendments in Bylaw No. 1345 at this time, or determine the best timing for this piece of the zoning puzzle within the broader context of regulatory changes to help address the housing challenges in the community.

#### ANALYSIS OF OPTIONS:

<b>A</b>	Proceed with Bylaw No. 1344.	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Would align the zoning regulations with the direction provided by Council on April 16<sup>th</sup>.</li> <li>• Would remove non-conformity for many existing B&amp;B operations.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• On its own, adopting Bylaw No. 1344 may accelerate the construction of purpose-built B&amp;B units and result in a growing number of short-term rentals rather than additional housing units in residential areas.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Because the sole purpose of the bylaw is not for permitting a housing development, the prohibition in section 464(3) of the <i>Local Government Act</i></li> </ul>

		<p>would not apply; Council therefore must either hold a public hearing or by resolution waive the holding of a public hearing.</p> <ul style="list-style-type: none"> <li>Should Council give first readings to the bylaw, Staff would give the required notice for a public hearing at a date to be determined.</li> </ul>	
	<b>Suggested Motion</b>	<ul style="list-style-type: none"> <li><b>1. THAT</b> Council give first reading to <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>;</li> <li><b>2. THAT</b> Council give second reading to <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>;</li> <li><b>3. THAT</b> Council refer <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>, to a public hearing.</li> </ul>	
<b>B</b>	Amend the draft Bylaw No. 1344 before proceeding.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Would ensure the bylaw amendments match Council’s expectations.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<b>Suggested Motion</b>	<ol style="list-style-type: none"> <li><b>1. THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>, to: <i>[specify desired changes]</i></li> </ol>
<b>C</b>	Not proceed with Bylaw No. 1344 at this time.	<b>Pros</b>	<ul style="list-style-type: none"> <li>May allow for bylaw amendments to align with other upcoming zoning changes.</li> <li>May continue to slow the growth of B&amp;B short-term rentals, until such time as Ucluelet adopts a mechanism for balancing the number of tourist beds with the need for more housing to serve residents.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Would not remove the non-conformity for many existing B&amp;B operations; other bylaw amendments would be necessary to achieve that objective.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Further work to address the priorities of Council.</li> </ul>
		<b>Suggested Motion</b>	No motion is required.
<b>D</b>	Proceed with Bylaw No. 1345.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Would create a new R-1H zone that includes single-family residential and accessory residential uses with no accessory short-term rentals.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Further community conversations on housing may result in other amendments that would see the R-1H zone amended in the near future; the question is one of best timing.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Staff would give the required notice that Council will be considering first reading and potential adoption of the bylaw at a future meeting.</li> <li>Because the bylaw creates a zone that is solely for the purpose of developing housing, Council should not hold a public hearing on the bylaw.</li> </ul>
		<b>Suggested Motion</b>	<b>THAT</b> Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1345, 2024</i> .

Respectfully submitted: **Bruce Greig, Director of Community Planning**  
**Duane Lawrence, CAO**

**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1344, 2024**

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

(Amendments to the regulation of *Bed and Breakfast* uses).

---

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

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

**1. Text Amendment:**

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

- A. by deleting subsection 404.1(7);
- B. by deleting subsection 404.1(8);
- C. by deleting subsection 404.1(9); and,
- D. by deleting subsection 404.1(10).

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024”.

**READ A FIRST TIME** this    day of    , 2024.

**READ A SECOND TIME** this    day of    , 2024.

**PUBLIC HEARING** held this    day of    , 2024.

**READ A THIRD TIME** this    day of    , 2024.

**ADOPTED** this    day of    , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024.”

\_\_\_\_\_  
Marilyn McEwen  
Mayor

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

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

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1345, 2024**

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.  
(Amendments to create a new R-1H Single-Family Residential Housing zone).

---

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

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

**1. Text Amendment:**

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding a new Residential zone, to Schedule B – The Zones that directly follows R-1 Zone – Single Family Residential such that the new section reads as follows:

**“R-1H Zone - SINGLE FAMILY RESIDENTIAL HOUSING**

*This Zone is intended for traditional low-density single-family residential development, with accessory residential uses and no short-term vacation rentals.*

**R-1H.1 Permitted Uses**

R-1H.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Secondary Suite*
  - (b) *Accessory Residential Dwelling Unit*
  - (c) *Home Occupation*

**R-1H.2 Lot Regulations**

R-1H.2.1 Minimum Lot Size: 650 m<sup>2</sup> (7,000 ft<sup>2</sup>)

R-1H.2.2 Minimum Lot Frontage: 18 m (60 ft)



R-1H.2.3 Minimum Lot Width: N/A

R-1H.2.4 Minimum Lot Depth: N/A

**R-1H.3 Density:**

R-1H.3.1 Maximum Density: 1 single family dwelling per lot

R-1H.3.2 Maximum Floor Area Ratio: 0.35

(d) Notwithstanding the Density Regulations in Section 304.2, on lots within the R-1H zone, up to 56m<sup>2</sup> (600 ft<sup>2</sup>) of building area designated and used solely for the parking or temporary storage of private vehicles may be excluded from the *gross floor area* used in the calculation of *floor area ratio*.

R-1H.3.3 Maximum Lot Coverage: 35%

**R-1H.4 Maximum Size (Gross Floor Area):**

R-1H.4.1 Principal Building: N/A

R-1H.4.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

**R-1H.5 Maximum Height:**

R-1H.5.1 Principal Buildings & Structures: 11 m (36 ft) or 3 storeys

R-1H.5.2 Accessory Residential Dwelling: 8.0m (26 ft) or 2 storeys

R-1H.5.3 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-1H.6 Minimum Setbacks:**

R-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	6 m (20 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) ADU	6 m (20 ft)	1.5m (5 ft)	1.2m (4 ft)	5 m (16.5 ft)
(3) Accessory	6 m (20 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

R-1.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*."

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1345, 2024”.

**FIRST NOTIFICATION OF FIRST READING published this day of , 2024.**

**SECOND NOTIFICATION OF FIRST READING published this day of , 2024.**

**READ A FIRST TIME** this day of , 2024.

**READ A SECOND TIME** this day of , 2024.

**READ A THIRD TIME** this day of , 2024.

**ADOPTED** this day of , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1345, 2024.”

---

Marilyn McEwen  
Mayor

---

Duane Lawrence  
Corporate Officer

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

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Duane Lawrence  
Corporate Officer



**Minute Excerpts from the  
May 14, 2024, Regular Council Meeting**

**6.4 Zoning Amendments - B&B Regulation and new R1-H Zone  
*Bruce Greig, Director of Community Planning***

2024.2151.REGULAR      *IT WAS MOVED AND SECONDED:*

- 1. **THAT** Council give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024;*
- 2. **THAT** Council give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024; and*
- 3. **THAT** Council refer District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024, to a public hearing.*

CARRIED.





## REPORT TO COMMITTEE OF THE WHOLE

Council Meeting: April 16, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

**FILE NO:** 6630-27

**SUBJECT: SHORT-TERM RENTAL ACCOMMODATIONS ACT:  
LOSS OF LEGAL NON-CONFORMING STATUS FOR EXISTING B&B'S**

**REPORT NO:** 24-33

### SUMMARY OF DESIRED OUTCOME:

That the Committee of the Whole discuss and provide Staff with direction on the desired outcome of potential bylaw changes to address the housing, growth, and tourist accommodation issues discussed in this report (items numbered below). Most timely, Committee discussion on deferring the impact of the provincial *Short-Term Rental Accommodations Act* on existing but non-conforming Bed & Breakfast businesses would provide clarity for staff and more certainty to those affected business owners / homeowners.

### BACKGROUND AND DISCUSSION:

In the fall of 2023, the Province adopted Bill 35 - 2023 [Short-Term Rental Accommodations Act](#) (the "*STRA Act*"). The stated goals of the *STRA Act* are "to strengthen tools to support local government enforcement of short-term rental bylaws, return short-term rentals to the long-term housing market, and establish a provincial role in the regulation of short-term rentals".

#### A. Principal residence:

At its meeting on February 15, 2024, Council received an initial [report on the STRA Act](#) and discussed the "opt in" options relating to the principal residency requirement - resolving to not opt in at this time.

In September of 2022, with the adoption of *Zoning Amendment Bylaw No. 1310*, and the accompanying *Business Regulation & Licensing Amendment Bylaw No. 1313*, Ucluelet enacted a principal residence requirement for the operation of short-term rentals in the form of *Bed and Breakfast (B&B)* uses on single-family residential zoned properties. The new principal residence requirement in the *STRA Act* therefore poses little change for those operations.



### B. Other B&B-specific regulations:

Also adopted with *Ucluelet Zoning Amendment Bylaw No. 1310, 2022*, were changes to the regulations of short-term tourist accommodation specific to Bed & Breakfast uses within single-family homes, found in section 400 of the zoning bylaw. Council held two public hearings on the bylaw, a committee of the whole discussion and a special Council meeting held August 2<sup>nd</sup>, 2022. The result was direction from Council to enact changes to the B&B regulations aimed at allowing “traditional” B&B’s but to disallow the recent pattern of purpose-built guest suites accessed and run more independently from the residential household of the host.

The adoption of Bylaw No. 1310 resulted in the current B&B regulations; changes enacted with the adoption of the bylaw on September 6, 2022, are highlighted in the box to the right.

### C. Legally Non-conforming B&B’s:

Bed & Breakfasts that were legally established prior to the adoption of Bylaw No. 1310, and which do not meet all of the requirements found in section 404 of the zoning bylaw, enjoyed legally non-conforming status. A legally non-conforming use can generally be continued (but not expanded) as long as it is not discontinued for a period of six months. This has been the case under provincial legislation and case law in BC for decades. With the enactment of the *STRA Act*, the Province has removed legally non-conforming protection specifically for *short term rental* uses - effective May 1<sup>st</sup>, 2024.

## 404 BED & BREAKFASTS

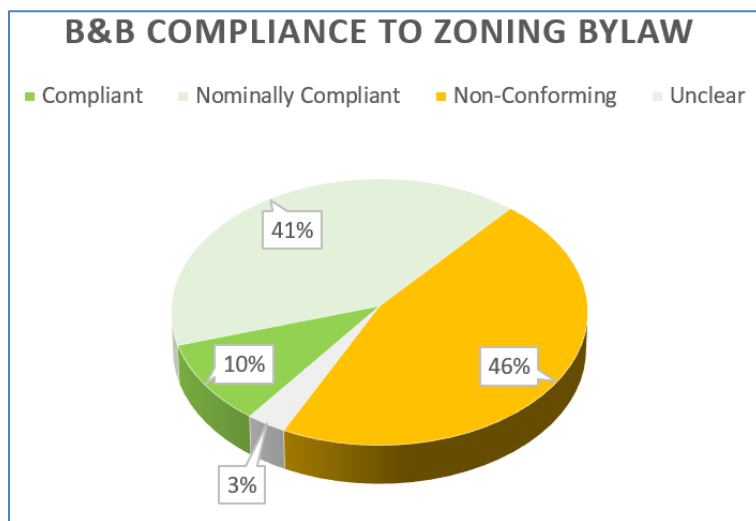
**404.1** One *bed and breakfast* use is permitted within a *single family dwelling* if all the following conditions are satisfied for the establishment and continued use and operation of the *bed and breakfast*:

- (1) *Bed and Breakfasts* are only permitted:
  - (a) in the *Zones* where *single family dwelling* is listed as a *principal permitted use* and *bed and breakfast* is identified as a *secondary permitted use*;
  - (b) *accessory* to a permanent *residential* use and must be administered by an occupant of the *single family dwelling* for whom the *single family dwelling* is their *principal residence*;
  - (c) within one *single family dwelling* per *lot*; and
  - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or a *Community Care Facility*.
- (2) A maximum of three (3) guest rooms may be used for the *bed and breakfast* with a maximum occupancy of two (2) guests per room.
- (3) The gross floor area devoted to the *bed and breakfast* use must not exceed 35% of the habitable area of the *single family dwelling* in which it is located.
- (4) The area designated for *Bed and Breakfast* use (including *guest rooms* and any common room provided outside of the *residential* occupant’s personal area) must not contain the following:
  - (a) Cooking facilities or appliances, with the exception of a microwave, toaster, kettle and/or coffee maker;
  - (b) 220-volt supply which could be used for larger appliances;
  - (c) Refrigerators in excess of 5.0 cubic feet capacity.
- (5) A valid District of Ucluelet Business Licence is required in order to register a *bed and breakfast*.
- (6) Off-street parking must be provided in accordance with Division 500.
- (7) Consistent with a traditional *bed and breakfast* use a *bed and breakfast* use must include a minimum service of a continental breakfast.
- (8) A *bed and breakfast* use must be accessed from the main entry of the home in which it operates, and cannot operate remotely utilizing coded entry locks and/or key lock boxes.
- (9) Any exterior door to rooms used for *bed and breakfast* uses must not be utilized as the principal entrance and exit to the *bed and breakfast* use.
- (10) A *bed and breakfast* use is an integral part of the home and must not have a separated or locked-off common area.

The effect of this is that those B&B businesses which enjoyed legally non-conforming protection will lose that protection on May 1<sup>st</sup>. Under section 2(2) of the *Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003*, as amended, “no person shall carry on a business within the municipality without approval from the License Inspector or Director of Planning confirming that the property on which the business is located or operated from, **meets all applicable regulations of the District of Ucluelet Zoning Bylaw**, as determined by the License Inspector or Director of Planning.” This will affect the renewal of business licences for those B&B’s that formerly enjoyed legal non-conforming status which will disappear on May 1<sup>st</sup>.

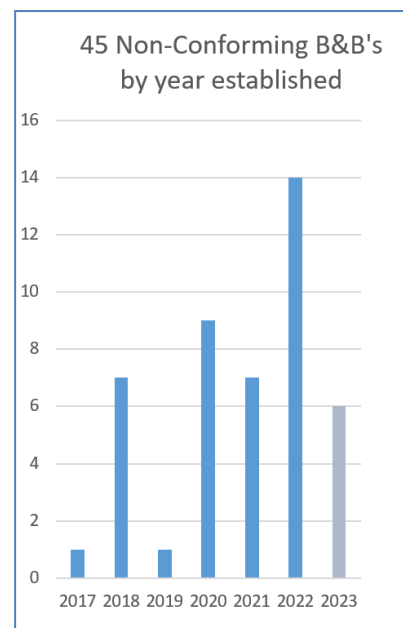
D. Non-conforming B&B’s:

Staff reviewed the details of all business licences for B&B operations (note this discussion is focussed on B&B’s – the bylaw changes in 2022 did not affect *guest house, vacation rental or resort condo* uses). Of the 100 current B&B business licences, 51 appear to conform to the zoning regulations (of these, 10 are truly “traditional” B&B’s within the main house and 41 are only nominally accessed through the host’s residence): 46 appear to be non-conforming and the status of 3 are unclear (mostly older files with less information).



Of the 46 non-conforming B&B’s, all were established since 2017 and all have entrances that are separate from the main house. These businesses were established according to the bylaw regulations that were in effect at the time, but they now do not comply with sections 404.1(8), (9) and/or (10).

As was presented to Council and the public in 2022, homes that were under construction at the time that had shown B&B rooms on their building permit plans - prior to the adoption of Bylaw No. 1310 - were deemed to have established the use and subsequently received business licences. That handful of B&B’s enjoyed legal non-conforming status like the others established prior to 2022.



### E. Options going forward:

The removal of legal non-conforming protection for STR uses by the province is one new tool to enable local governments to “return short-term rentals to the long-term housing market”. That is not to say that this is necessarily the best tool to use in the context of the Ucluelet community and/or bed & breakfast uses in residential neighbourhoods. Decisions on whether to enact mechanisms to encourage - or require - homeowners to transition short-term rentals into long-term housing uses are best made at the local level, following a broader community discussion. The new provincial legislation now makes the discussion possible.

Whether existing B&B’s might convert to long-term accommodation (if the B&B use were removed or becomes infeasible) is uncertain; it would depend on many factors including the situation and preferences of property owners, the specifics of building layout, cost of renovations (if/where necessary), etc. In many cases, areas in homes that are currently non-conforming B&B units could be compared to bachelor suites in size and layout.

A range of options exist for Council to consider. The following list of options is in order, from most to least restrictive. This sequence also corresponds in order from most impact on an existing B&B business and property owner, to least impact:

	<b>Options</b>	<b>Implications</b>
1.	Make no changes. Existing non-conforming B&B’s would not receive a renewed business licence. Property owners would need to cease advertising their B&B rooms and cancel any bookings from May 1 <sup>st</sup> onwards.	<ul style="list-style-type: none"> <li>• Impacts 46 to 49 property owners;</li> <li>• Staff time required for inquiries and applications;</li> <li>• Possibility of some conversion to long-term housing.</li> </ul>
2.	Make no changes to the zoning bylaw, and signal that existing B&B business licence holders could apply for a site-specific zoning amendment or Temporary Use Permit (TUP) if they wish to re-instate their B&B business. Property owners would need to cease advertising their B&B rooms and cancel any bookings from May 1st onwards, and make an application for a site specific approval; if successful they would then apply for a new business licence.	<ul style="list-style-type: none"> <li>• Impacts 46 to 49 property owners;</li> <li>• Significant staff time commitment for permit processing, zoning amendment applications and other competing commitments could be jeopardized.</li> <li>• Possibility of some conversion to long-term housing.</li> <li>• Increased controls over B&amp;B’s – TUP could be cancelled at anytime if nuisance complaints received</li> </ul>
3.	Direct staff to prepare a zoning amendment to recognize those existing non-conforming B&B uses but with a sunset clause - providing a future date when the B&B’s would need to become fully compliant with the regulations, or cease operation.	<ul style="list-style-type: none"> <li>• Impacts 46 to 49 property owners;</li> <li>• Staff time required for inquiries, zoning amendment;</li> <li>• Possibility of some conversion to long-term housing.</li> </ul>

4.	Direct staff to proactively prepare TUP's for the 46 non-conforming B&B businesses, and give notice to enable public comment. Property owners would need to cease advertising their B&B rooms and cancel any bookings from May 1st onwards, and if successful in obtaining a TUP they could then apply for a new business licence. This option would allow those non-conforming B&B's to operate for up to 3 years (depending on the term permitted by Council) before renewing, seeking alternative authorization or ceasing operation.	<ul style="list-style-type: none"> <li>• Some impact on 46 to 49 property owners &amp; business licence holders;</li> <li>• Staff time devoted to preparing permits and notifications;</li> <li>• Possibility of some conversion to long-term housing.</li> </ul>
5.	<p>Direct staff to renew business licences for existing established B&amp;B's for a period of one year while Council considers changes to the B&amp;B regulations and other zoning amendments. In this case, Council could consider directing staff to prepare draft amendments and seek public input on changes such as:</p> <ul style="list-style-type: none"> <li>• create a B&amp;B zone that would apply to those existing legal non-conforming B&amp;B businesses to make them conforming (i.e., despite section 404 of the zoning bylaw allow those specific properties to have their B&amp;B rooms accessed by separate exterior entrances); or,</li> <li>• remove the regulations in section 404 of the zoning bylaw which restrict B&amp;B rooms from having separate entrances from the main house.</li> </ul>	<ul style="list-style-type: none"> <li>• No immediate impact on 49 property owners – would allow continuity of existing businesses for the short term;</li> <li>• Staff time required to draft bylaw amendments;</li> <li>• Decision on bylaw changes would benefit from the concurrent broader discussion on housing, growth, the balance of tourist accommodation and the appropriate role of B&amp;B's in that context;</li> <li>• Impact on long-term housing would depend on the direction chosen and the details.</li> </ul>

Other options or variations on the above could also be considered. Some possible outcomes include:

A. If no changes are made:

- As of May 1<sup>st</sup>, non-conforming B&B businesses would need to cease operation;
- Some property owners may make physical changes to their homes to become compliant with the bylaw, and then return to operating a B&B business;
- Others may leave the B&B business;
- Of those, some may instead make changes to their homes to instead seek long-term tenants;
- Tourist accommodation units would be removed from the market, at least in the short term; this could impact overall visitation and the revenues of other tourist-sector and ancillary businesses;

- Conversely, other forms of tourist accommodation may see additional demand;
- May have a downward effect on some single-family residential property values;
- District could see a reduction in business licence revenue in the order of \$20k to \$25k.

B. If non-conforming B&B licences are renewed for 2024:

- Would ease uncertainty that was introduced with the adoption of the *STRA Act*;
- Would allow time to understand the complete picture of housing demand, legislative impacts and community preferences before making regulatory changes;
- Could delay the conversion of some properties to providing long-term housing accommodation as an accessory use.

F. Context – growth and the balance of Housing and Tourist Accommodation:

Under the suite of new housing legislation enacted late last year by the Province, the District will in the coming months need to consider other changes to municipal bylaws. This includes:

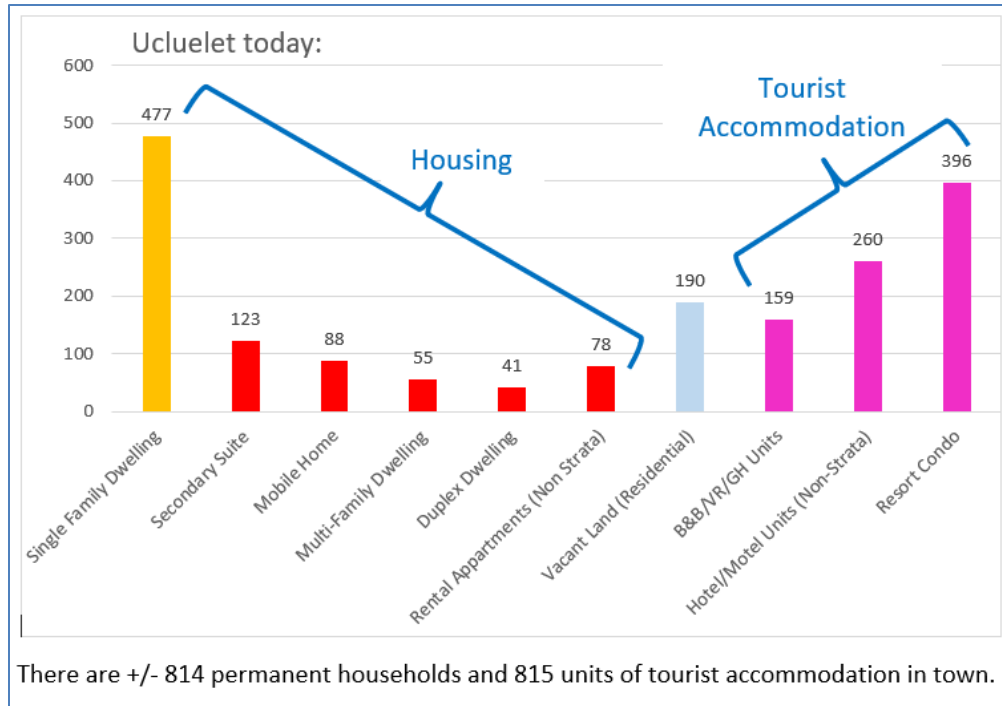
- updating the Housing Needs Report to identify the housing required to meet the community needs for the next 20 years;
- amending the OCP bylaw to designate adequate land to meet community housing needs for the next 20 years;
- amending the zoning bylaw to include enough appropriately-zoned land to meet community housing needs for the next 20 years.

Following the Housing Needs Report update (at the time of writing this report, criteria for these required reports have not yet been published by the Province), a Council and community discussion will be timely to revisit a number of related topics:

- the desired amount of total community growth;
- the balance of housing and tourist accommodation in Ucluelet;
- the best strategies and types of housing to meet the Ucluelet community's needs;
- the appropriate locations for new housing and housing types, including the relative impact and availability of services.

The growth analysis that led to the “low-ish growth scenario” endorsed by Council in the 2022 OCP relied on the assumption that Ucluelet would control the number of B&B tourist accommodation units. Changes to the zoning and business regulation bylaws were adopted to manage the form of B&B operations, however no bylaw changes were made at the time to directly manage the number of B&B's operating throughout town. Currently all residential zones which allow B&B's as an accessory use can have up to 3 rooms and 6 guests in a B&B operation. The question of overall growth - and the balance of housing units to tourist accommodation units - will require that Ucluelet make informed choices about land use.





Some regulatory options that the community and Council can consider include:

1. remove B&B as an outright secondary use in all residential zones and move to a process of permitting B&B's by issuing TUP's;
2. limiting the number of B&B business licences issued;
3. create a small-scale tourist accommodation zoning designation to apply to properties operating tourist accommodation on properties among residential neighbourhoods. This could be used to recognize the long-term continuation of existing businesses in Ucluelet – including established B&B's, vacation rentals, guest houses, etc.;
4. change zoning to allow new B&B units only on properties that already have long-term rental accommodation in place;

The above items are direct regulatory options. Providing more supply and diversity of long-term housing units in town will not just be accomplished through regulation. Other approaches the District can consider include:

1. pre-zoning lands for additional types and densities of housing, including more rental and affordable / attainable options;
2. streamlining approval processes for new housing development and housing conversions;
3. educating and promoting development of new housing especially accessory dwelling types;
4. providing incentives for creating new housing development.

All of these items will be the focus of further discussion in the coming weeks and months for Council and the community to consider. Since the results of these discussions may affect the desired shape of long-term regulations of Bed and Breakfast uses, staff suggest that an interim approach may be most appropriate. Staff are seeking input and direction from Council on all of

the above, but also recommend that business licences be renewed for the next year to enable existing B&B's – which were initially established lawfully according to the rules in place at the time - to continue uninterrupted for this season. Meanwhile, as the community discussion on housing and growth evolves, staff and Council will keep in mind the options for a more certain set of B&B regulations for the long-term.

**RECOMMENDATION TO COUNCIL:**

**THAT** the Committee of the Whole recommend Council direct staff to renew those existing Bed and Breakfast business licences that are legally non-conforming to section 404 of the zoning bylaw as of April 30, 2024, for a period of one year, notwithstanding section 2(2) of *Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003*; and

**THAT** the Committee of the Whole rise and report.

Respectfully submitted:      **Bruce Greig, Director of Community Planning**  
   **Duane Lawrence, CAO**



**Minute Excerpts from the  
April 16, 2024, Regular Council Meeting**

**7. COMMITTEE OF THE WHOLE**

**7.1 Short-Term Rental Accommodations Act: Loss of Legal Non-conforming Status for Existing B&B's**

*Bruce Greig, Director of Community Planning*

Mr. Greig presented this report.

The Committee discussed repealing Zoning Amendment Bylaw No. 1310, 2022, which would legalize many legally non-conforming Bed and Breakfasts (B&Bs).

The Committee clarified that the principle residence requirement should remain in place and noted that Bill 35 was intended to address whole home B&Bs, not units in residents' homes. The Committee further discussed Staff time being prioritized for facilitating the development of housing.

A spot zoning approach to legalize legally non-conforming B&Bs was discussed and concerns related to the inequitable impact on property values and tax valuation were raised.

The Committee discussed options for limiting the growth of B&Bs in Ucluelet, including introducing an additional R1 definition that restricts or prohibits nightly rentals in new development.

The Committee also discussed potential for the District to lose its Resort Municipality Status, if there are too few Short-Term Rentals.

Staff provided information from the District's Growth Analysis, and outlined tools that could be used to regulate B&Bs.

The Committee discussed the negative and positive impacts of B&Bs and Short-Term Rentals, on current and future housing market conditions. The Committee discussed incentivizing the conversion of B&Bs to long-term rentals. Advantages and challenges with converting B&B units into long-term rental units were discussed.

The Committee noted the need for long-term solutions intended to address the housing crisis, Council's history of requiring affordable and attainable housing in proposed new development, and challenges with private sector development of affordable housing.

2024.2114.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Staff come back to Council with an amendment that changes the provisions of section 404 of the Zoning Bylaw back to how they were before this section of the Zoning Bylaw was amended in September of 2022.

CARRIED.

2024.2115.REGULAR *IT WAS MOVED AND SECONDED THAT:*  
***THAT*** Staff come back to Council with an amendment to create a new zoning that would restrict nightly rentals in residential areas for future subdivisions.

CARRIED.

2024.2116.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** the Committee of the Whole recommend Council direct staff to renew those existing Bed and Breakfast business licences that are legally non-conforming to section 404 of the zoning bylaw as of April 30, 2024, for a period of one year, notwithstanding section 2(2) of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003.

CARRIED.

2024.2117.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** the Committee of the Whole Rise and Report.

CARRIED.

The Committee of the Whole rose and reported at 5:18 PM. Council considered the Committees' recommendations at this time.

## 7.2 Council's Consideration of the Committee of the Whole's Recommendations

2024.2118.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council direct staff to renew those existing Bed and Breakfast business licences that are legally non-conforming to section 404 of the zoning bylaw as of April 30, 2024, for a period of one year, notwithstanding section 2(2) of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003.

CARRIED.

2024.2119.REGULAR

***THAT*** Council direct staff to present zoning amendment bylaws intended to:

- 1. remove amendments to the Zoning Bylaw established by Zoning Amendment Bylaw 1310, 2022;*
- 2. create a version of the R1 Zone with no accessory B&B use to apply to future development.*

CARRIED.





**From:** [Anthony Persaud](#)  
**To:** [Info Ucluelet](#)  
**Subject:** Letter to Mayor and Council  
**Date:** June 6, 2024 10:31:36 AM

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**[External]**

Dear Mayor and Council,

We are writing to express our support for the proposed Zoning Amendment Bylaw No.1344, 2024. Like many others, we have worked very hard to be in a position to purchase a home in Ucluelet. Given the price of real estate, rising property taxes, interest rates, and increased maintenance costs, home ownership today is a costly endeavor. For some time now we have been going through the tedious process of trying to start a bnb in our home, in addition to the legalization of a 1 bdrm long term suite. However, we have not proceeded with the former because the current bylaws make starting and running a bnb unnecessarily difficult, and create a situation that is not appropriate for our household or for guests staying with us.

At the same time, we understand and agree with the general sentiment surrounding the creation of those by-laws in the first place. We recognize the privilege that we have to be able to own property, and understand that this is not possible for many, often leaving people in precarious housing situations. To do our part we have legalized a 1 bdrm long-term suite in our home, but we believe that there are serious and immediate affordable housing challenges in Ucluelet that need to be addressed through innovative actions from the District and other levels of government which could include:

- Inclusionary zoning for all new developments moving forward
- The creation of land trusts and other alternative housing ownership models
- Increased allowances for tiny-homes or alternative living arrangements

We don't believe that the current bnb bylaws do anything to address the current housing challenges facing Ucluelet, and instead just make life more difficult for homeowners who live and work in this community. We urge council to pass Zoning Amendment Bylaw No.1344, 2024, and to continue to look for new ways to address Ucluelet's housing challenges.

Sincerely,

Anthony W. Persaud, PhD and Shayla Williams, CPA





## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ANNELIESE NEWEDUK, PLANNER

**FILE NO:** 3360-20 RZ24-06 / 6630-27

**SUBJECT:** B&B REGULATIONS

**REPORT NO:** 24-52

**ATTACHMENT(S):** APPENDIX A – ZONING AMENDMENT BYLAW NO. 1344, 2024

### RECOMMENDATION(S):

1. **THAT** Council give third reading of the *District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024*.
2. **THAT** Council adopt *District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024*.

### BACKGROUND:

The *District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024* received first and second reading during the May 14, 2024, Regular Council Meeting. Notification was completed and a public hearing on the Bylaw was held prior to this report as part of this Council Meeting. Having conducted a public hearing, Council is now in a position to consider third reading and adoption of Bylaw No. 1344.

Background information can be found in the [May 14, 2024, Regular Council Meeting Agenda](#) (item 6.4) and in agenda item 7. Public Hearing, subheading 7.1 District of Ucluelet Zoning Amendments Bylaw No. 1344 of this agenda.

### ANALYSIS OF OPTIONS:

	Give third reading to Bylaw No. 1344	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Would provide an opportunity for Council to discuss the public input, the Bylaw, and its implications.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Unknown.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Council may determine whether the Bylaw should be adopted, abandoned, or provide an alternative direction.</li> </ul>
A	Adopt Bylaw No. 1344	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Would align the zoning regulations with the direction provided by Council on April 16<sup>th</sup>.</li> <li>• Would remove non-conformity for many existing B&amp;B operations.</li> </ul>

B		<u>Cons</u>	<ul style="list-style-type: none"> <li>On its own, adopting Bylaw No. 1344 may accelerate the construction of purpose-built B&amp;B units and result in a growing number of short-term rentals rather than additional housing units in residential areas.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Would remove non-conformity for many existing B&amp;Bs,</li> <li>May increase the number of B&amp;Bs,</li> <li>May impact availability of secure housing availability for locals.</li> </ul>
	Amend Bylaw No. 1344	<u>Pros</u>	<ul style="list-style-type: none"> <li>Would ensure the bylaw amendments match Council's expectations.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
<u>Implications</u>		<ul style="list-style-type: none"> <li>Further work to address the priorities of Council,</li> <li>If the Bylaw is amended, Council will have to direct staff to give notice for another public hearing.</li> </ul>	
		<u>Suggested Motion</u>	<ol style="list-style-type: none"> <li><b>THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>, to: <b>[specify desired changes]</b></li> <li><b>THAT</b> Council directs staff to give notice of a Public Hearing of <i>Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>, as amended.</li> </ol>
C	Abandon Bylaw No. 1344	<u>Pros</u>	<ul style="list-style-type: none"> <li>May allow for bylaw amendments to align with other upcoming zoning changes.</li> <li>May continue to slow the growth of B&amp;B short-term rentals, until such time as Ucluelet adopts a mechanism for balancing the number of tourist beds with the need for more housing to serve residents.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Would not remove the non-conformity for many existing B&amp;B operations; other bylaw amendments would be necessary to achieve that objective.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Further work to address the priorities of Council.</li> </ul>
		<u>Suggested Motion</u>	No Motion Required.

**POLICY OR LEGISLATIVE IMPACTS:**

This application is consistent with the *District of Ucluelet Official Community Plan Bylaw No. 1306, 2022*, the *Local Government Act*, and would amend the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, if adopted.

**NEXT STEPS:**

This is the last step in the Bylaw adoption process.

Respectfully submitted:      Anneliese Neweduk, Planner  
Bruce Greig, Director of Community Planning  
Duane Lawrence, CAO



**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1344, 2024**

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

(Amendments to the regulation of *Bed and Breakfast* uses).

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

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

**1. Text Amendment:**

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

- A. by deleting subsection 404.1(7);
- B. by deleting subsection 404.1(8);
- C. by deleting subsection 404.1(9); and,
- D. by deleting subsection 404.1(10).

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024”.

**READ A FIRST TIME** this 14<sup>th</sup> day of **May, 2024**.

**READ A SECOND TIME** this 14<sup>th</sup> day of **May, 2024**.

**PUBLIC HEARING** held this    day of    , 2024.

**READ A THIRD TIME** this    day of    , 2024.

**ADOPTED** this    day of    , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024.”

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Marilyn McEwen  
Mayor

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Duane Lawrence  
Corporate Officer

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

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Duane Lawrence  
Corporate Officer



## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ANNELIESE NEWEDUK, PLANNER

**FILE NO:** 3360-20-RZ24-05 / 6630-27

**SUBJECT:** WEYERHAEUSER OCEANWEST PHASE 5 ZONING

**REPORT NO:** 24-54

**ATTACHMENT(S):** APPENDIX A - ZONING AMENDMENT BYLAW NO. 1341, 2024  
APPENDIX B – MAY 14, 2024, REPORT TO COUNCIL

**RECOMMENDATION(S):**

1. **THAT** Council give first, second, and third reading of *the Ucluelet Zoning Amendment Bylaw No. 1341, 2024*.
2. **THAT** Council adopt *Ucluelet Zoning Amendment Bylaw No. 1341, 2024*.

**BACKGROUND:**

During the May 14, 2024, Regular Council Meeting, *Ucluelet Zoning Amendment Bylaw No. 1341, 2024* (See **Appendix “A”**) was introduced to Council. At this meeting, Council directed staff to give notice of first reading. Notification was completed and Council is now in a position to consider up to three readings and adoption of Bylaw No. 1341.

Background information can be found in the [May 14, 2024, Regular Council Meeting Agenda](#) (item 6.2) and in **Appendix “B”**.

**ANALYSIS OF OPTIONS:**

<b>A</b>	Give first, second, and third readings for Bylaw No. 1341	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>• Would provide an opportunity for Council to discuss the Bylaw and its implications.</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>• Council may determine whether the Bylaw should be adopted, abandoned, or provide an alternative direction.</li> </ul>
	Adopt Bylaw No. 1341	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>• Would ensure development proposal aligns with wetland remediation and protection.</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>

		<u>Implications</u>	<ul style="list-style-type: none"> <li>SD, DP, DVP, and other decisions of Council would be able to be considered.</li> </ul>
B	Amend Bylaw No. 1341	<u>Pros</u>	<ul style="list-style-type: none"> <li>Would ensure the bylaw amendments match Council's expectations.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Further work to address the priorities of Council,</li> <li>If the Bylaw is amended, Council will have to direct staff to give notice for another first reading.</li> </ul>
		<u>Suggested Motion</u>	<ol style="list-style-type: none"> <li><b>THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024</i>, to: <b>[specify desired changes]</b>.</li> <li><b>THAT</b> Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1341, 2024</i>, as amended.</li> </ol>
C	Abandoned Bylaw No. 1341  [not recommended]	<u>Pros</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Wetland remediation and offsetting work may be delayed,</li> <li>Construction and completion of utility connections would be delayed,</li> <li>The availability of new residential lots would be delayed,</li> <li>Would not allow applicant's proposed subdivision to proceed.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>The application would not proceed,</li> <li>Additional staff time will be required to follow up with applicant and consultants.</li> </ul>
		<u>Suggested Motion</u>	No motion is required.

**POLICY OR LEGISLATIVE IMPACTS:**

This application is consistent with the *District of Ucluelet Official Community Plan Bylaw No. 1306, 2022*, the *Local Government Act*, and would amend the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, if adopted.

It is important to note that [Bill 44 – 2023 Housing Statutes \(Residential Development\) Amendment Act, 2023](#) amended Part 14, Division 3, Section 464.3 of the *Local Government Act*, which now states that:

*“(3) A local government must not hold a public hearing on a proposed zoning bylaw if*

*(a) an official community plan is in effect for the area that is the subject of the zoning bylaw,*

*(b) the bylaw is consistent with the official community plan,*

*(c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and*

*(d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development,”*

Where a public hearing would have previously been held, these legislative changes do not permit the District of Ucluelet to hold public hearing for *District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024*.

**NEXT STEPS:**

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

Respectfully submitted:           Anneliese Neweduk, Planner  
  Bruce Greig, Director of Community Planning  
  Duane Lawrence, CAO





**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1341, 2024**

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.  
(Weyerhaeuser – OceanWest phase 5 - lot size changes to CD-5C zone)

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

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

**1. Text Amendment:**

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

- a. deleting Section CD-5C.1.2;
- b. replace the CD-5C Subzone (Development Area 3) – Oceanwest Subzone map with the subzone map attached as **Schedule A** of this bylaw;
- c. replacing Subsection CD-5C.2.1 (1) (a), as follows:  
“(a) 405 m<sup>2</sup> (4360 ft<sup>2</sup>) but less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) for at least 40 lots but not exceeding 50 *lots*”
- d. replacing Subsection CD-5C.2.1 (1) (b), as follows:  
“(b) 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 10 lots but not exceeding 21 *lots*”
- e. replacing Subsection CD-5C.2.1 (1) (c), as follows:  
“(c) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 55 lots but not exceeding 64 *lots*”
- f. replacing Subsection CD-5C.2.2 (1) (a), as follows:  
“(a) 10 m (33 ft) for *lots* less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”
- g. replacing Subsection CD-5C.2.2 (1) (b), as follows:

“(b) 21.3 m (70 ft) for lots equal to or exceeding 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>);”

h. replacing Subsection CD-5C.4.1 (1) (a), as follows:

“(a) 40% for lots less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”

i. replacing Subsection CD-5C.4.1 (1) (b), as follows:

“(b) 25% for lots equal to or exceeding 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024”.

**FIRST NOTIFICATION OF FIRST READING** published this **29th** day of **May**, 2024.

**SECOND NOTIFICATION OF FIRST READING** published this **5th** day of **June**, 2024.

**READ A FIRST TIME** this      day of      , **2024**.

**READ A SECOND TIME** this      day of      , **2024**.

**READ A THIRD TIME** this      day of      , **2024**.

**ADOPTED** this      day of      , **2024**.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024.”

\_\_\_\_\_  
Marilyn McEwen  
Mayor

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

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

---

Duane Lawrence  
Corporate Officer

### Schedule "A"



**CD-5C SubZone (Development Area 3) OCEANWEST**





## REPORT TO COUNCIL

Council Meeting: May 14, 2024  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, MUNICIPAL PLANNER

**FILE NO:** 3360-20 RZ24-05

**SUBJECT:** ZONING AND DP AMENDMENTS FOR WEYERHAEUSER OCEANWEST PHASE 5

**REPORT NO:** 24-43

**ATTACHMENT(S):** APPENDIX A – APPLICATION  
APPENDIX B – ZONING AMENDMENT BYLAW NO. 1341  
APPENDIX C – DEVELOPMENT VARIANCE PERMIT 24-03  
APPENDIX D – DEVELOPMENT PERMIT 18-07 (AMENDED)  
APPENDIX E – 2018 SITE PLAN FROM DEVELOPMENT PERMIT 18-07  
APPENDIX F – WETLAND REMEDIATION PLAN

### RECOMMENDATION(S):

**THAT** Council directs Staff to give notice of first reading of *District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024*.

### BACKGROUND:

In 2018 Weyerhaeuser Co. Ltd. (the “**Applicant**”) started the process to subdivide a 10.3ha (25.5 acre) area of its lands located northeast of the Marine Drive and Cynamocka Road intersection; PID 026-784-297, Lot A, Plan VIP81555, District Lot 283, Clayoquot Land District, Except Plan VIP84686 and portions of PID 025-635-742, Lot 4, District Lots 285, 286 and 473, Clayoquot Land District Except Plan VIP80031 (“**the development area**”) (see **Figure 1**). The proposed subdivision would be phase 5 of the OceanWest development.

The applicant applied for and received a Development Permit (**DP**) and Preliminary Layout Assessment (**PLA**) for their subdivision application. With the DP approval in place, which included an environmental assessment by Environmental Dynamics Inc (**EDI**), the applicant began the clearing of the land, construction of roads and services for the subdivision. The progress of the subdivision was delayed first by the Covid-19 pandemic in 2020 when the development was put on hold by Weyerhaeuser. The applicant restarted the development in early 2022. After this restart, the Ministry of Land, Water and Resource Stewardship (the “**Ministry**”) issued an Engineer’s Order under the *Water Sustainability Act* to cease all works on the property. The Ministry stopped all works in several areas that they deemed to be impacted wetlands (including two wetland areas that were already cleared in the alignment of the Forbes Road extension) and

required that the entire site be reassessed to identify all streams and wetlands according to the *Water Sustainability Act*.

It should be noted that the applicant had originally engaged a biologist to do the environmental assessment of the development and subsequent environmental management plan prior to commencing any works on the site. The works were being carried out under the supervision of that biologist. The provincial order to stop work was the result of differing professional opinions on what defines a wetland under the *Water Sustainability Act*. Staff understand that the Province has begun work on a regionally-specific BC manual for wetland delineation.

The applicant, working with EDI and the Ministry, developed a Wetland Remediation and Offsetting Plan that involved a redesign of the development’s lot and road layout, an increase in the park dedication, wetland remediation, and environmental offsets. The proposed offsetting approach was approved by the Ministry in October of 2023 (see **Appendix F**).

The redesign of the subdivision to shift a section of Forbes Road to the west, away from the adjacent wetland, causes the need for a zoning amendment for the lot size allocation within the CD-5C Zone, Development Variances for a number of the lot frontages, and a requirement to exempt some of the lots from the minimum frontage required under the *Local Government Act*. The Applicant submitted and paid for a rezoning amendment, a Development Variance Permit (**DVP**) and updated subdivision PLA on March 4, 2024.



Figure 1. The Development Area

**DISCUSSION:**

This report has multiple elements that will require approvals in the following sequence:

**Zoning:**

The zoning of the development is Comprehensive Development Zone 5C (**CD-5C**), and the proposed zoning changes address three areas (see **Appendix B**); the first being the allowable number of various lot sizes in the development area. The CD-5C zone has the minimum lots size broken into three lot size categories; *CD-5C.2.1(1)(a)* (**Small**), *CD-5C.2.1(1)(b)* – (**Medium**), *CD-5C.2.1(1)(c)* – (**Large**). The zoning is written as follows:

*CD-5C.2.1 Minimum Lot Size:**(1) Single Family Dwelling:*

- (a) 405 m<sup>2</sup> (0.1 acre) but less than 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) for at least 40 lots but not exceeding 50 lots;*
- (b) 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 10 lots but not exceeding 15 lots;*
- (c) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 55 lots but not exceeding 70 lots, but 1,618.75 m<sup>2</sup> (0.4 acre) for any of these lots if accessed off a major road;*

The change proposed in the new subdivision layout does not alter the number of lots created but rearranges the size of the lots (to allow for greater area being set aside as park land). The proposed subdivision, when combined with what has already been built out in previous Weyerhaeuser development areas (the first four phases of OceanWest), would be over the maximum number of Medium sized lots by six. To account for this, the proposed zoning amendment would reduce the maximum large lot allocation from 70 lots to 64 and increase the medium allocation from 15 to 21.

The second change proposed is in regard to the minimum lot size. Section CD-5C2.1(a) stipulates that lots must be less than 650m<sup>2</sup> and provides the imperial conversion for convenience only in brackets (see Section 104.1). However, 650m<sup>2</sup> converts to 6,996.54ft<sup>2</sup>, not the 7,000ft<sup>2</sup> conversion stated in the bylaw. In the proposed subdivision plan the applicant created multiple lots at exactly 650m<sup>2</sup> in area, with the intention that they be considered as small lots. While this is consistent with the imperial conversion (6,996.54ft<sup>2</sup> being less than 7,000ft<sup>2</sup>), the imperial conversions included in the bylaw are for convenience only. Therefore, the proposed lot size doesn't quite meet the metric threshold as the zoning bylaw reads that a small lot must be less than 650m<sup>2</sup>. Therefore, the proposed lots at exactly 650m<sup>2</sup> would have to be considered as medium lots. This would in turn affect the required lot frontage and maximum lot coverage. Staff propose for all instances in the CD-5C zone that 650m<sup>2</sup> be changed to 650.3m<sup>2</sup>. This change would make the small

lot and medium lot threshold constant with the setback threshold and be a more accurate translation to imperial conversion. In staff's opinion this is partly a housekeeping matter to clean up the CD zoning.

The third change proposes to remove an awkward regulation within the CD-5C zoning. CD-5C.2.1 contains a requirement for larger lots on a major road "1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 55 lots but not exceeding 70 lots, but 1,618.75 m<sup>2</sup> (0.4 acre) for any of these lots if accessed off a major road". The original intent of this clause was most likely an attempt to increase forested areas along Marine Drive: put simply, less driveways more trees. Since lot frontage enacted for the large lots and the proposed greenspace covenant are better mechanisms to achieve the reduced driveways, it is proposed to just remove that clause within the CD-5C regulations.

The fourth change proposes to remove an obsolete clause within the CD-5C zoning. CD-5C.1.2 contains a clause that specifically relates to Lot 13, plan VIP84686; this parcel was removed from the CD-5C zone with the adoption of *District of Ucluelet Zoning Amendment Bylaw No. 1269, 2020*, making section CD-5C.1.2 now redundant.

#### Development Variance Permit for Minimum Frontage:

The applicant has worked with Ministry staff to arrive at an accepted wetland remediation and offsetting plan. The result is a proposal to set aside areas of high environmental value (wetlands and their buffer areas) as park. In order to set aside those areas, the applicant has squeezed three lots which therefore do not meet the minimum frontage requirement (Lots 81, 82 and Lot 87 – see **Appendix C**). Varying the minimum frontage for these three lots is reasonable. If/when notice is given for the bylaw amendments, staff would also give the required notice for public comment on the DVP. The Development Variance Permit would then be presented for consideration by Council separately but at the same meeting as the proposed zoning amendment is being considered for adoption.

#### Minimum Highway Frontage - Local Government Act:

Four of the proposed lots do not meet the minimum frontage required under section 512(2) of the *Local Government Act* which states:

*512(1) If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of:*

- (a) 10% of the perimeter of the lot that fronts on the highway, and*
- (b) the minimum frontage that the local government may, by bylaw, provide.*

Lot 81, 82, 87, 90, 91, and 96 appear to not meet this 10% frontage requirement. Staff will provide a resolution for Council to consider exempting those lots from Section 512 of the *LGA* when the application returns on a future agenda.

Acceptance of Parkland:

Parkland dedication offered as part of a subdivision must be accepted by resolution of Council. This subdivision will create 3 areas of parkland for a total of 9,382m<sup>2</sup> total (see **Appendix A**) that correspond to the site’s environmentally sensitive areas. A resolution for Council consideration will be presented if/when the proposed zoning amendment is adopted.

OCP policy 2.63 supports the protection of sensitive ecosystems through park dedication. The subdivision would also provide connecting trail corridors generally consistent with the original DP site plan (see **Appendix E**). One internal pathway has been removed as the lots have shifted with the relocated Forbes Road, but the connectivity of trails with the broader trail network is maintained.

Amendment of Development Permit DP18-07:

The development of this subdivision has been undertaken under DP18-07 which was authorized under Ucluelet’s previous Official Community Plan (**OCP**). It is proposed to amend the existing DP by changing out the civil and landscape plans attached to this report (new plans are contained in **Appendix A**). This change represents the following:

- The lot layout would change to reflect the Wetland Remediation and Offsetting Plan.
- The sidewalk on both sides of Forbes Road will be reduced to one sidewalk located on the southeast side.
- The park sizes and locations are revised.
- There is a rerouting of the trailway system. It should be noted that the trail is to be constructed by the applicant, to District specifications, as part of the subdivision works (see drawing 100 Site Plan in **Appendix A**).

A draft of the amended DP is attached in **Appendix D**.

ANALYSIS OF OPTIONS:

A	Direct Staff to give notice of first reading of District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Would allow District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024, to be considered for first, second, third readings and adoption.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Would allow District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024 to be considered for first, second, third readings and adoption.</li> <li>• DVP and other decisions of Council would be considered at a future meeting once notification has been completed.</li> </ul>



B	Modify the draft zoning bylaw prior to directing staff to give notice of first reading.	<u>Pros</u>	<ul style="list-style-type: none"> <li>A modification to the bylaw amendment that Council deems appropriate may be beneficial to the application.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>The application would be delayed.</li> </ul>
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> <li>“THAT Council directs staff to modify the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024</i>, to <b>(state desired outcome of amendments)</b>, for further consideration at a future meeting.”</li> </ul>
D	Reject the application.  [not recommended]	<u>Pros</u>	<ul style="list-style-type: none"> <li>Unknown at this time</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Wetland remediation and offsetting work may be delayed.</li> <li>Construction and completion of utility connections would be delayed.</li> <li>The availability of new residential lots would be delayed.</li> <li>Would not allow applicant’s proposed subdivision to proceed.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>The application would not proceed.</li> <li>Additional staff time will be required to follow up with applicant and consultants.</li> </ul>
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> <li>“THAT <i>District of Ucluelet Zoning Amendment Bylaw no. 1341, 2024</i> be rejected.”</li> <li>THAT Council indicates to staff and the applicant that in order to proceed with the development the following changes are necessary: <b>[state reasons]</b>.</li> </ul>

**POLICY OR LEGISLATIVE IMPACTS:**

This application impacts the *District of Ucluelet Zoning Bylaw No. 1160, 2013* by adding a text amendment and variance to section CD-5C.

It is important to note that *Bill 44 – 2023 Housing Statutes (Residential Development) Amendment Act, 2023* amended Part 14, Division 3, Section 464 (3) of the *Local Government Act*, which now states that:

- (3) A local government must not hold a public hearing on a proposed zoning bylaw if
- (a) an official community plan is in effect for the area that is the subject of the zoning bylaw,
  - (b) the bylaw is consistent with the official community plan,
  - (c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and
  - (d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development,

Where a public hearing would have previously been held, these legislative changes do not permit a public hearing for *District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024*. For the

proposed development, the District of Ucluelet is permitted to provide the public the opportunity to make verbal submissions on the proposed variance (**DVP**) but is not permitted to hold a public hearing on the zoning bylaw amendment.

In addition, it is important to note, that the applicant is responsible for ensuring that all Provincial and Federal laws, requirements, and best practices are followed as the subdivision servicing proceeds.

**NEXT STEPS:**

If Council directs Staff to give notice of first reading of *District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024*, staff will undertake the necessary notification and schedule the bylaw to be considered by Council for a potential first, second, third reading and adoption at a future Regular Council Meeting.

**Respectfully submitted:**

JOHN TOWGOOD, MUNICIPAL PLANNER  
BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING  
DUANE LAWRENCE, CAO

February 16, 2024

0716-004

**District of Ucluelet**  
200 Main Street / PO Box 999  
Ucluelet, BC, V0R 3A0

Attention: Bruce Greig, Director of Community Planning (By email: bgreig@ucluelet.ca)

Dear Sir:

**RE: Ocean West Phase 5 – Development Application**

As requested, this letter is being provided with the revised Development Application for Phase 5 of Ocean West to explain the purpose of the revisions to the previously approved Development.

Construction of Phase 5 began in 2019 and, due to disruptions related to the Covid-19 pandemic, was halted in 2020 then restarted in 2022. In October 2022, construction was again halted in response to an order from the Ministry of Forests to avoid impacts to newly designated wetlands. Since that time, the development plan has been under revision to respond to the Ministry's order while still providing a connection of Forbes Road to Marine Drive as required by the District's Community Plan.

The revised Development Application shifts the south end of Forbes Drive approximately 20 meters to the west to avoid the Stream 14 wetland and also changes the locations of the previously dedicated park areas to include the Stream 14 and Raven Haven Creek wetlands to provide permanent protection of wetlands and streams. To maintain the total 33 lots available to the community, several lots have been reduced in size. One of the remaining lots, Lot 97, is designated Multi-Family in the District's Community Plan and we will submit an application to rezone this Lot to multi-family shortly after this revised Development Application is approved.

Weyerhaeuser appreciates the assistance you have provided through the process of revising the development plan. We look forward to District Approval so construction can be completed this summer and additional lots can be provided to meet the needs of current and future residents.

Please feel free to contact the undersigned if you have any questions or require any additional information.

Yours truly,

**Newcastle Engineering Ltd.**

Nathan Trobridge, P.Eng.



<p><b>Weyerhaeuser</b> NEWKASILE 14-378 PROJECT FILE NO.</p>		<p><b>07116-004</b> DRAWING NO. 100 REVISION NO. 02 DATE 11/15/11</p>	
<p><b>Weyerhaeuser</b> COMPANY LIMITED</p>		<p><b>Weyerhaeuser Lands</b> DEVELOPMENT PHASE 5</p>	
<p><b>CLIENT NAME</b> WEYERHAEUSER COMPANY LIMITED</p>		<p><b>PROJECT NAME</b> WEYERHAEUSER LANDS DEVELOPMENT PHASE 5</p>	
<p><b>DESIGNER'S SCALE</b> 1:750</p>		<p><b>VERTICAL SCALE</b> 1:750</p>	
<p><b>SECTION</b> DRAWN: CH CHECKED: JBT DATE: 03-18-24 PRINT DATE: 03-18-24</p>		<p><b>SECTION DESCRIPTION</b> SITE PLAN, CLAYDOUT DISTRICT, PLAN WPS1555, EXCEPT PART IN PLAN WPS4886, LOT 4, DISTRICT LOTS 288, 298, AND 473, CLAYDOUT DISTRICT</p>	
<p><b>DATE</b> 11/15/11</p>		<p><b>SCALE</b> 1:750</p>	





LOCATION PLAN N.T.S.

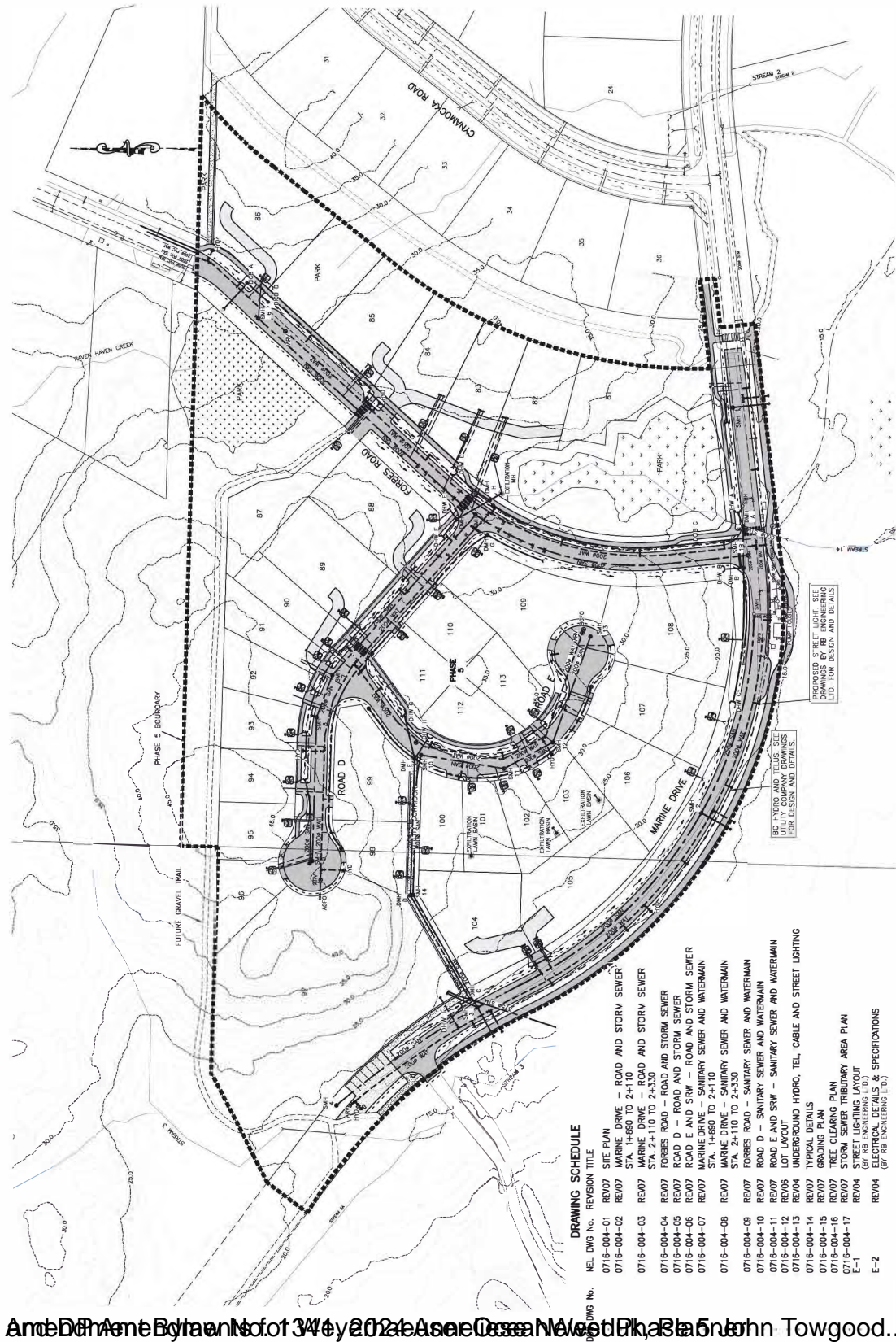
NOTES:

- 1. ALL WORK AND MATERIALS ARE TO BE AS DESCRIBED IN THE MASTER EDITION OF THE MASTER PLAN... 2. THE DISTRICT OF CIVIL ENGINEERING CONSTRUCTION DEPARTMENT SHALL BE NOTIFIED 48 HOURS PRIOR TO THE START OF ANY CONSTRUCTION WORK...

EROSION AND SEDIMENT CONTROL:

- 1. EROSION AND SEDIMENT CONTROL FOR THIS PROJECT WILL BE AS OUTLINED IN THE EROSION AND SEDIMENT CONTROL PLAN... 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR EROSION AND SEDIMENT CONTROL FROM THE DISTRICT OF CIVIL ENGINEERING CONSTRUCTION DEPARTMENT...

ISSUED FOR PERMIT PURPOSES ONLY



Project information including drawing title 'SITE PLAN', project name 'WEYERHAEUSER LANDS DEVELOPMENT PHASE 5', and drawing numbers '0716-004 01 07'.

Professional information including the Engineer's Seal for William D. Johnson, License No. 1-980-474-9388, and project details like 'LOT 1, DISTRICT LOT 283, CLAYQUOCT DISTRICT, PLAN WPB1555...'.

Legend and revision table. Legend includes symbols for storm sewer, sanitary sewer, and other utilities. Revision table lists drawing numbers and descriptions of changes.

Legend and revision table. Legend includes symbols for storm sewer, sanitary sewer, and other utilities. Revision table lists drawing numbers and descriptions of changes.

Legend and revision table. Legend includes symbols for storm sewer, sanitary sewer, and other utilities. Revision table lists drawing numbers and descriptions of changes.





NEWMAN CONSULTING ENGINEERS  
3437183 B.C. REG. PROFESSIONAL ENGINEER  
PROJECT FILE # 2014-001

CLIENT NAME  
**WEYERHAEUSER COMPANY LIMITED**

PROJECT NAME  
**WEYERHAEUSER LANDS DEVELOPMENT PHASE 5**

DRAWING NO. 0716-004

SECTION NO. 02

REAR LOT STORM SERVICE FOR LOTS 101, 102 & 103

DATE: 07

ISSUED FOR PERMIT PURPOSES ONLY

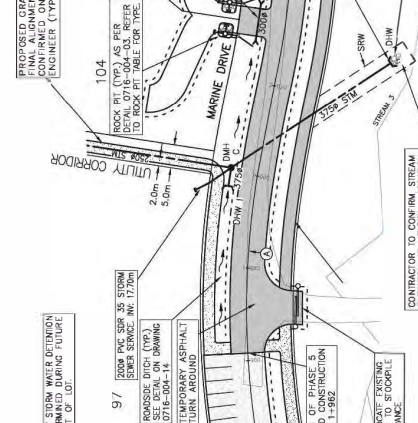
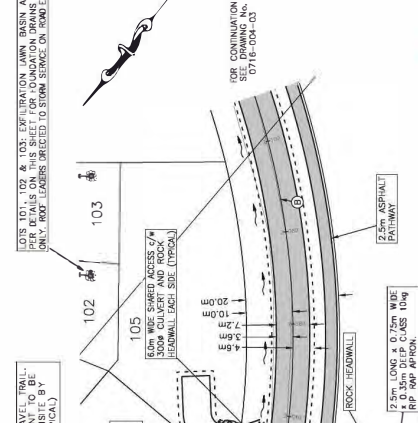
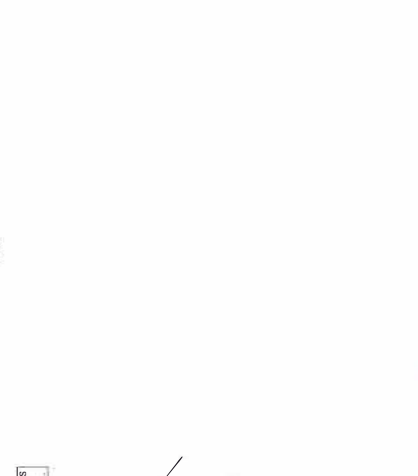
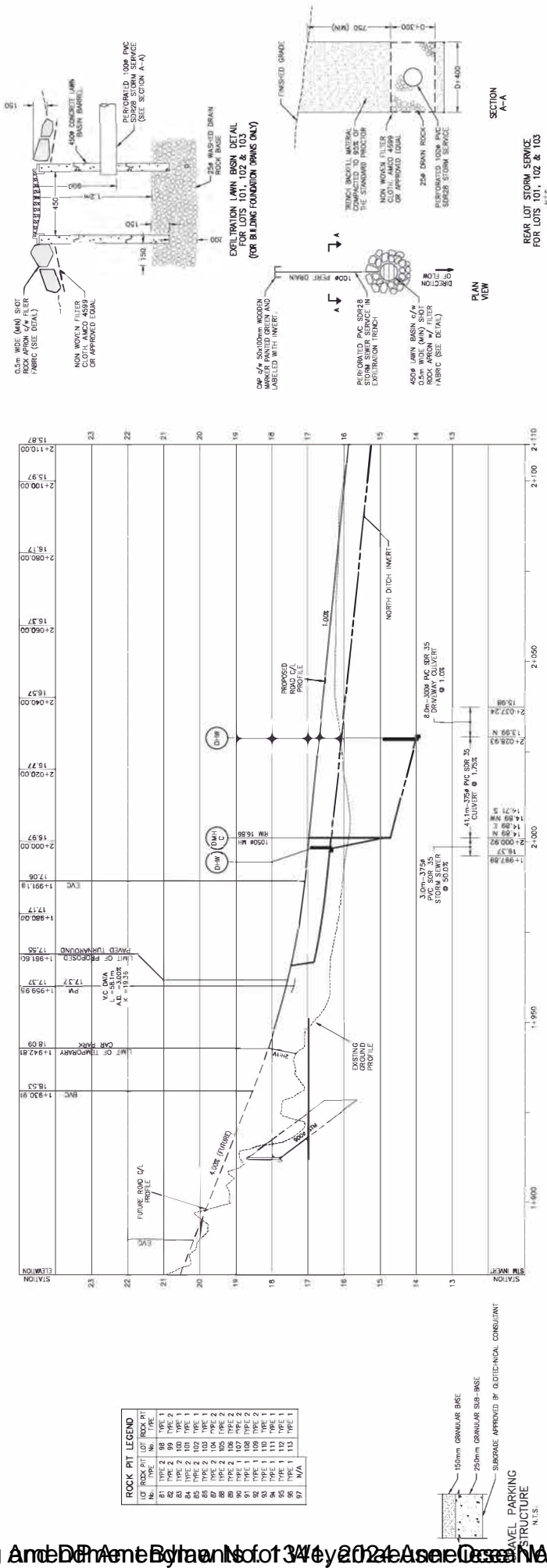


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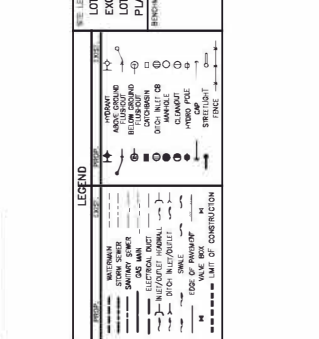
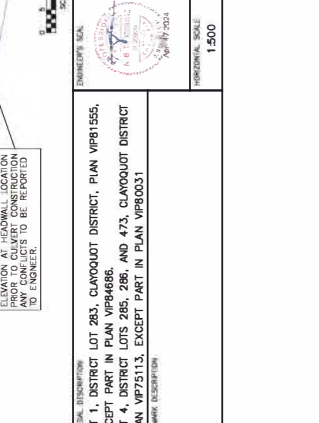
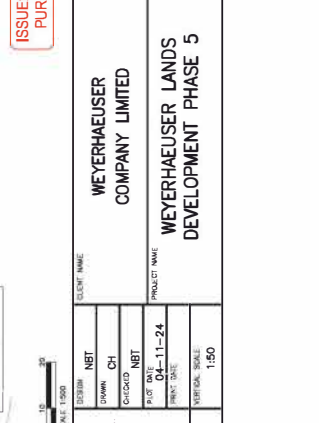
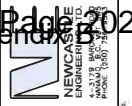


Table with 2 columns: Description and Symbol. Contains symbols for rock pit legend, curve table, gravel trail, and asphalt areas.

NOTES:  
1. SEE DRAWING 0716-004-01 FOR GENERAL NOTES.  
2. THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATELY AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR. PROPOSED SERVICES SHALL BE SHOWN AS SHOWN AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY CONFLICTS.



MARINE DRIVE  
ROAD AND STORM SEWER  
STA. 2+110 TO 2+330

WEYERHAEUSER  
COMPANY LIMITED  
PROJECT NAME  
WEYERHAEUSER LANDS  
DEVELOPMENT PHASE 5

0716-004 03 07

NOTES:

- SEE DRAWING 0716-004-01 FOR GENERAL NOTES.
- THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATELY AND THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND DEPTH OF ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF WORK. EXISTING & PROPOSED SERVICES MAY BE IN CONFLICT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF ALL SERVICES. THE ENGINEER SHALL BE NOTIFIED OF ANY CONFLICT.

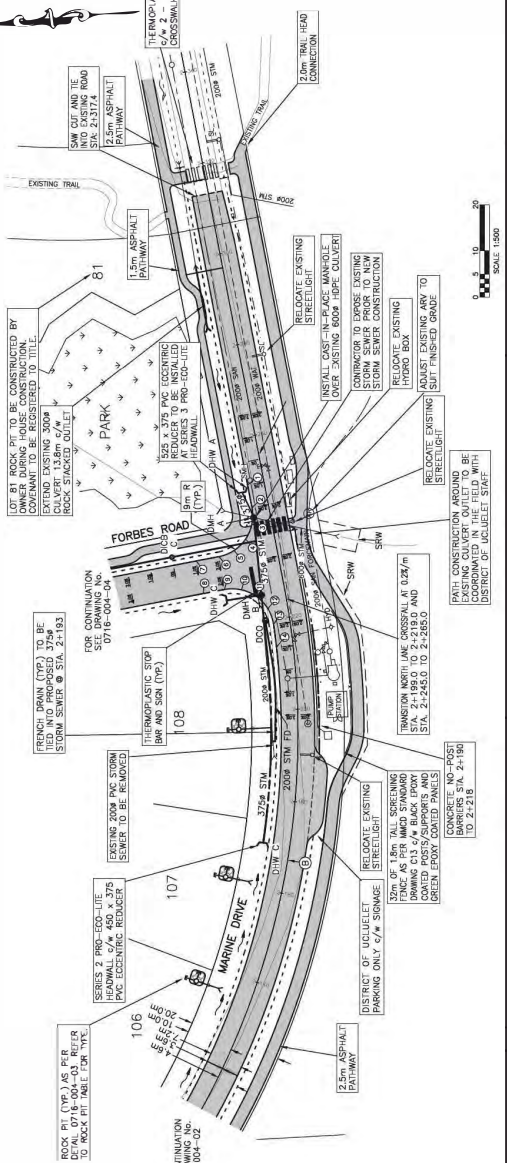
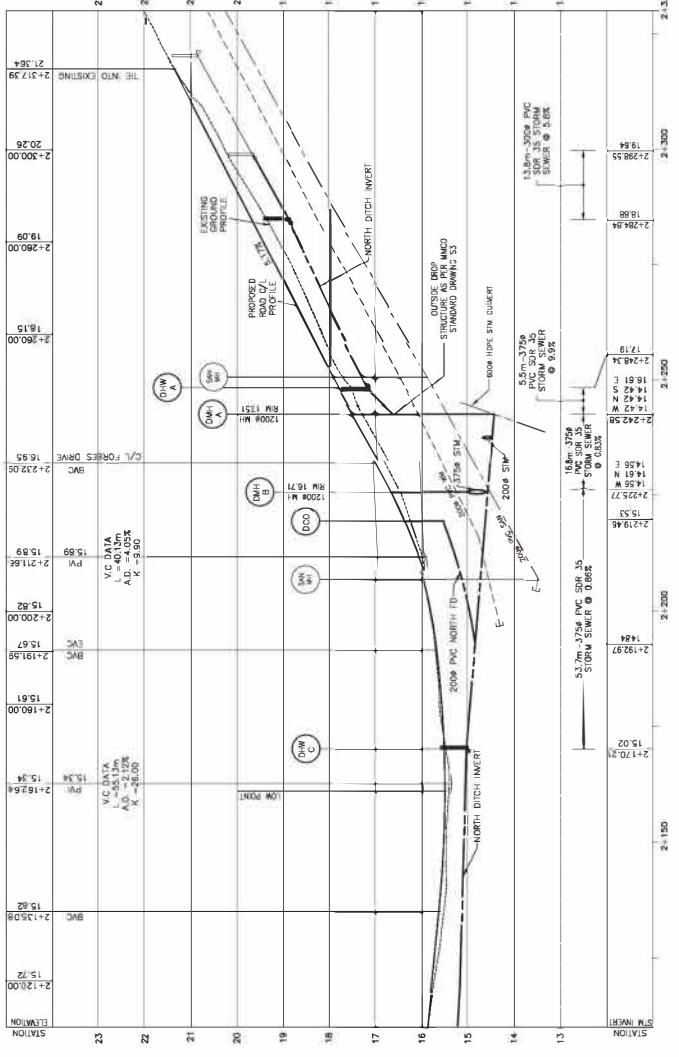
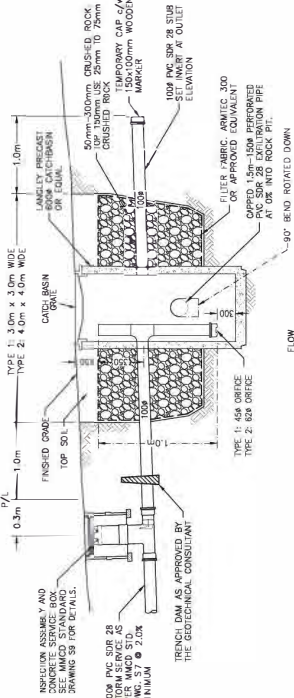
ISSUED FOR PERMIT  
PURPOSES ONLY

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6	OUTLET
7	OUTLET

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3	TYPE 3
4	TYPE 4
5	TYPE 5
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93	TYPE 93
94	TYPE 94
95	TYPE 95
96	TYPE 96
97	TYPE 97
98	TYPE 98
99	TYPE 99
100	TYPE 100

TYPE 1 & 2 STORM SERVICE  
CONNECTION INSTALLATION DETAIL  
N.T.S.

- NOTE:
- ROCK PIT TO BE INSTALLED AT TIME OF SUBDIVISION CONSTRUCTION.
  - MAINTENANCE OF ROCK PIT TO BE THE RESPONSIBILITY OF HOME OWNER.
  - CONTRACTOR SHALL VERIFY THE EXISTENCE AND DEPTH OF ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF WORK. EXISTING & PROPOSED SERVICES MAY BE IN CONFLICT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF ALL SERVICES. THE ENGINEER SHALL BE NOTIFIED OF ANY CONFLICT.
  - MINIMUM BASEMENT FLOOR ELEVATION TO BE ABOVE ROCK PIT OVERFLOW OUTLET ELEVATION.



CLIENT NAME	
WEYERHAEUSER	COMPANY LIMITED

DRAWING NO.	
0716-004	03

PROJECT NAME	
WEYERHAEUSER LANDS	DEVELOPMENT PHASE 5

SCALE	
1:500	1:500

LEGEND	
---	EXISTING ROAD
---	PROPOSED ROAD
---	EXISTING STORM SEWER
---	PROPOSED STORM SEWER
---	EXISTING WATER MAIN
---	PROPOSED WATER MAIN
---	EXISTING GAS
---	PROPOSED GAS
---	EXISTING ELECTRIC
---	PROPOSED ELECTRIC
---	EXISTING TELEPHONE
---	PROPOSED TELEPHONE
---	EXISTING CABLE TV
---	PROPOSED CABLE TV
---	EXISTING FENCE
---	PROPOSED FENCE
---	EXISTING CURB
---	PROPOSED CURB
---	EXISTING SIDEWALK
---	PROPOSED SIDEWALK
---	EXISTING BIKEWAY
---	PROPOSED BIKEWAY
---	EXISTING TRAIL
---	PROPOSED TRAIL
---	EXISTING DRIVEWAY
---	PROPOSED DRIVEWAY
---	EXISTING UTILITY MARKER
---	PROPOSED UTILITY MARKER
---	EXISTING MANHOLE
---	PROPOSED MANHOLE
---	EXISTING CATCH BASIN
---	PROPOSED CATCH BASIN
---	EXISTING ROCK PIT
---	PROPOSED ROCK PIT
---	EXISTING TRENCH
---	PROPOSED TRENCH
---	EXISTING CONSTRUCTION LIMIT
---	PROPOSED CONSTRUCTION LIMIT

REVISION DESCRIPTION	
01	ISSUED FOR PERMIT
02	REVISED FOR COMMENTS
03	REVISED FOR COMMENTS
04	REVISED FOR COMMENTS
05	REVISED FOR COMMENTS
06	REVISED FOR COMMENTS
07	REVISED FOR COMMENTS
08	REVISED FOR COMMENTS
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100	REVISED FOR COMMENTS



NO.	DATE	REVISION DESCRIPTION
01	05/07/2018	FOR PERMIT SUBMISSION
02	07/11/2018	FOR REVIEW OF THIS DRAWING
03	07/11/2018	FOR REVIEW OF THIS DRAWING
04	07/11/2018	FOR REVIEW OF THIS DRAWING
05	07/11/2018	FOR REVIEW OF THIS DRAWING
06	07/11/2018	FOR REVIEW OF THIS DRAWING
07	07/11/2018	FOR REVIEW OF THIS DRAWING
08	07/11/2018	FOR REVIEW OF THIS DRAWING
09	07/11/2018	FOR REVIEW OF THIS DRAWING
10	07/11/2018	FOR REVIEW OF THIS DRAWING
11	07/11/2018	FOR REVIEW OF THIS DRAWING
12	07/11/2018	FOR REVIEW OF THIS DRAWING
13	07/11/2018	FOR REVIEW OF THIS DRAWING
14	07/11/2018	FOR REVIEW OF THIS DRAWING
15	07/11/2018	FOR REVIEW OF THIS DRAWING
16	07/11/2018	FOR REVIEW OF THIS DRAWING
17	07/11/2018	FOR REVIEW OF THIS DRAWING

**REVISIONS**

DATE: 05/07/2018  
 DRAWN BY: J. SMITH  
 CHECKED BY: M. SMITH  
 APPROVED BY: M. SMITH

**LEGEND**

1. 1.68m-2008 PVC SDR35 STORM SEWER  
 2. 5.1m-2008 PVC SDR35 STORM SEWER  
 3. 15.4m-2008 PVC SDR35 STORM SEWER

**CLIENT**  
MEYERHAEUSER COMPANY LTD.

**PROJECT**  
WEYERHAEUSER LANDS DEVELOPMENT PHASE 5

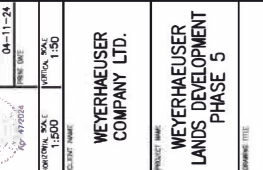
**FORBES ROAD AND STORM SEWER**

**PROJECT NO.** 0716-004-03

**DATE** 04-11-24

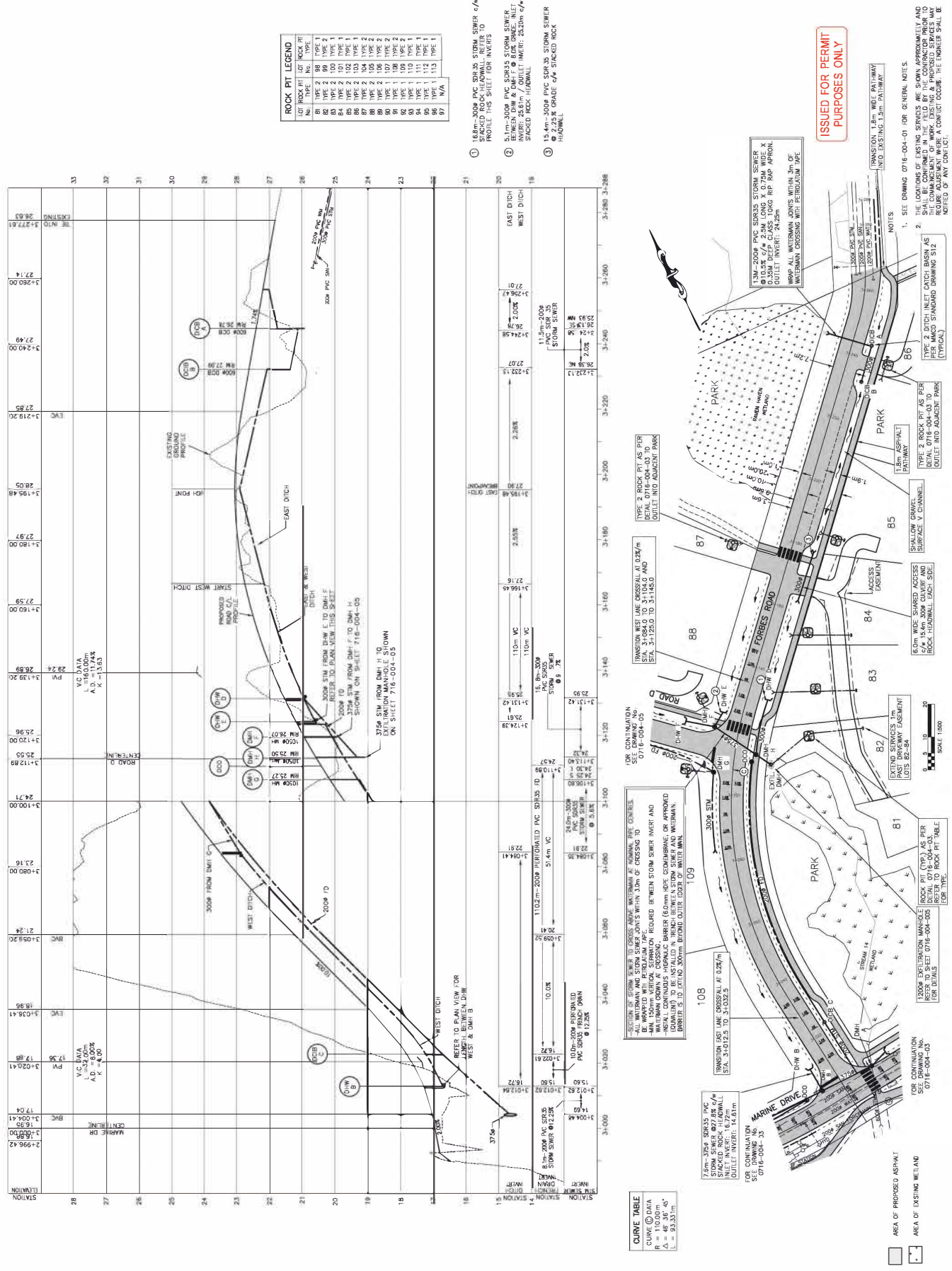
**SCALE** 1:500

**CLIENT NAME** MEYERHAEUSER COMPANY LTD.



**ISSUED FOR PERMIT PURPOSES ONLY**

1. SEE DRAWING 0716-004-01 FOR GENERAL NOTES.  
 2. THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATELY AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES PRIOR TO COMMENCEMENT OF WORK.



**ROCK PIT LEGEND**

LOT ROCK PIT	LOT ROCK PIT
81 TYPE 2 98	TYPE 1
82 TYPE 2 99	TYPE 2
83 TYPE 2 100	TYPE 3
84 TYPE 2 101	TYPE 4
85 TYPE 2 102	TYPE 5
86 TYPE 2 103	TYPE 6
87 TYPE 2 104	TYPE 7
88 TYPE 2 105	TYPE 8
89 TYPE 2 106	TYPE 9
90 TYPE 2 107	TYPE 10
91 TYPE 2 108	TYPE 11
92 TYPE 2 109	TYPE 12
93 TYPE 2 110	TYPE 13
94 TYPE 2 111	TYPE 14
95 TYPE 2 112	TYPE 15
96 TYPE 2 113	TYPE 16
97 N/A	N/A

- 1. 1.68m-2008 PVC SDR35 STORM SEWER PROFILE THIS SHEET FOR INVERTS
- 2. 5.1m-2008 PVC SDR35 STORM SEWER PROFILE THIS SHEET FOR INVERTS
- 3. 15.4m-2008 PVC SDR35 STORM SEWER PROFILE THIS SHEET FOR INVERTS

**CURVE TABLE**

CURVE NO.	CH	PC	PT	PI	PE	EA	EB	EC	EA	EB	EC
1	1000	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00
2	1000	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00	3100.00

**NOTES**

1. SEE DRAWING 0716-004-01 FOR GENERAL NOTES.  
 2. THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATELY AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES PRIOR TO COMMENCEMENT OF WORK.



ROAD D  
ROAD AND STORM SEWER

0716-004 05 07

ISSUED FOR PERMIT  
PURPOSES ONLY

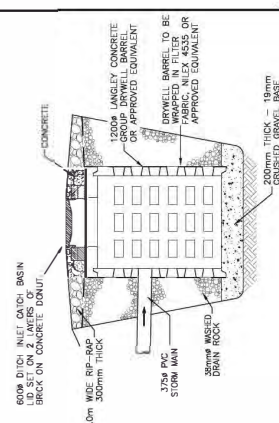
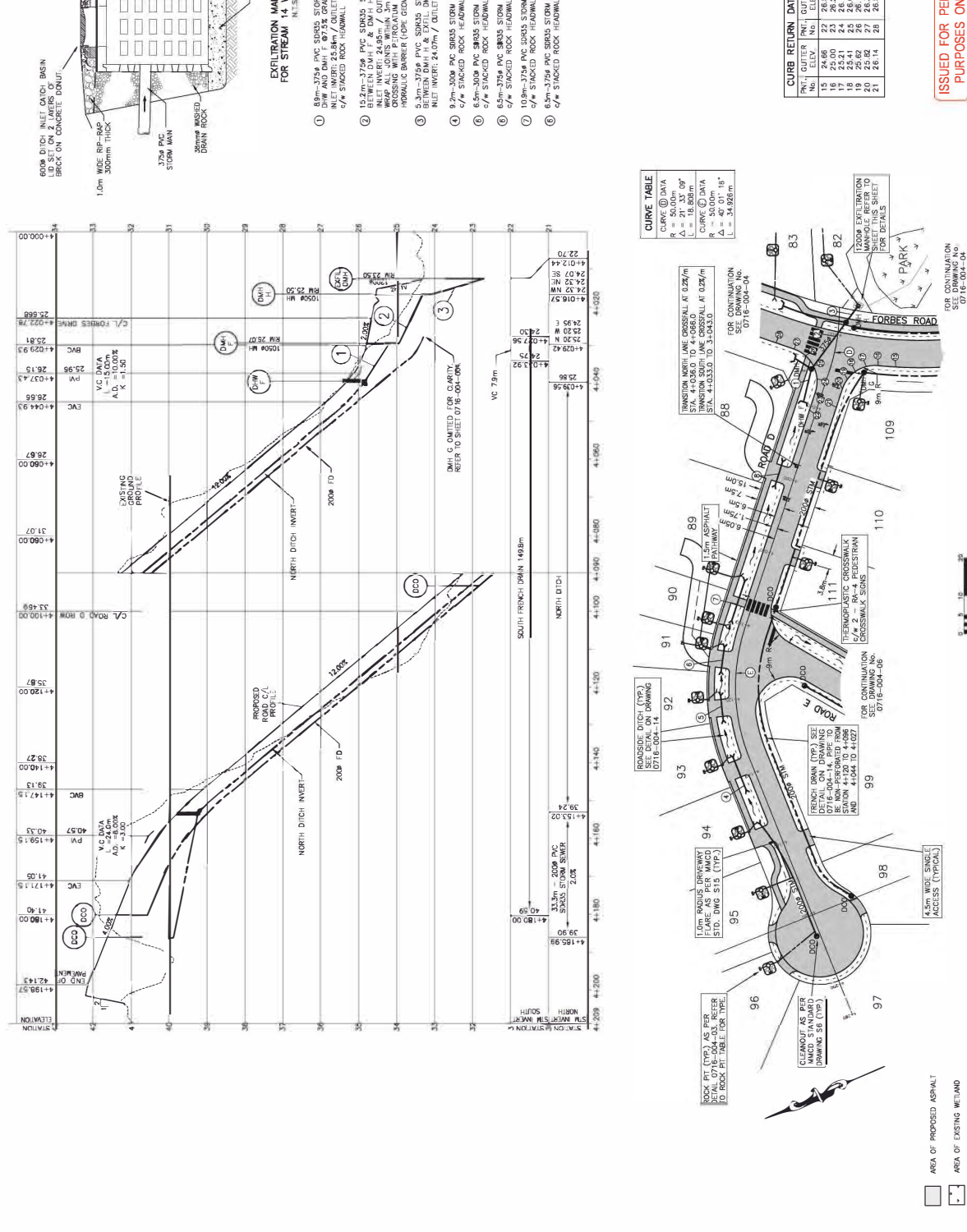
WEYERHAEUSER  
COMPANY LIMITED  
WEYERHAEUSER LANDS  
DEVELOPMENT PHASE 5

DESCRIPTION	NBT
CHECKED	CH
DATE	04-11-24
PROJECT NAME	WEYERHAEUSER LANDS DEVELOPMENT PHASE 5
SCALE	1:500
VERTICAL SCALE	1:500

SEE LOCAL DISTRICTS  
LOT 1, DISTRICT LOT 283, CLAYCOTT DISTRICT, PLAN VP81555,  
EXCEPT PART IN PLAN VP44886,  
LOT 4, DISTRICT LOTS 285, 286, AND 473, CLAYCOTT DISTRICT  
PLAN VP79313, EXCEPT PART IN PLAN VP80031

DATE	BY	DESCRIPTION
05/06/24	...	...
07/17/24	...	...
08/08/24	...	...
08/08/24	...	...
08/08/24	...	...
08/08/24	...	...
08/08/24	...	...

1. SEE DRAWING 0716-004-01 FOR GENERAL NOTES.  
2. THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATELY AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE RELEVANT AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTICES FROM THE RELEVANT AGENCIES.



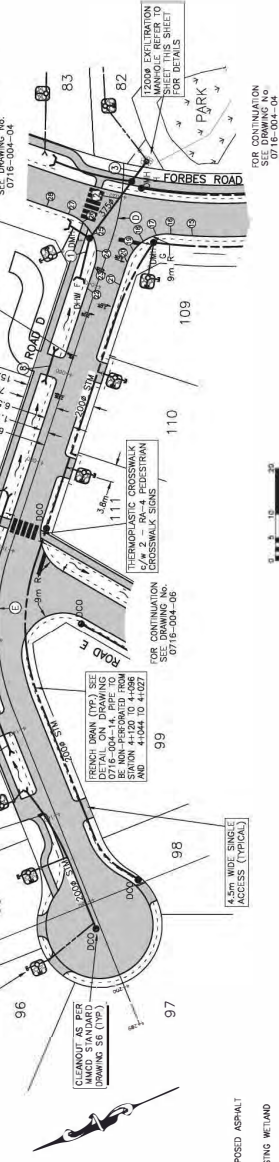
- EXHAUSTION MANHOLE DETAIL FOR STREAM 14 WETLAND PARK
- 85m-375x PVC SR505 STORM SEWER BETWEEN D/W AND D/H @ 0.15% GRADE. INLET INVERT: 25.8m / OUTLET INVERT: 25.20m C/W STACKED ROCK HEADWALL.
  - 15.2m-375x PVC SR505 STORM SEWER BETWEEN D/H 1 & D/H 2 @ 4.1% GRADE. INLET INVERT: 25.8m / OUTLET INVERT: 25.20m. WRAPI ALL JOINTS WITH A 3m OF WATER MAIN HORNBALLS BARREL (USE COMBINATION OF SALAR).
  - 5.3m-375x PVC SR505 STORM SEWER BETWEEN D/H 1 & EXIST. D/H @ 25.8% GRADE. NET INVERT: 24.0m / OUTLET INVERT: 22.70m C/W STACKED ROCK HEADWALL.
  - 9.2m-300 PVC SR505 STORM SEWER @ 1.0% GRADE. C/W STACKED ROCK HEADWALL.
  - 6.5m-300 PVC SR505 STORM SEWER @ 1.1% GRADE. C/W STACKED ROCK HEADWALL.
  - 9.2m-300 PVC SR505 STORM SEWER @ 1.1% GRADE. C/W STACKED ROCK HEADWALL.
  - 10.9m-375x PVC SR505 STORM SEWER @ 15.0% GRADE. C/W STACKED ROCK HEADWALL.
  - 6.5m-375x PVC SR505 STORM SEWER @ 2.0% GRADE. C/W STACKED ROCK HEADWALL.

CURE RETURN DATA

NO.	DATE	TIME	TEMP.
15	24.68	22	26.50
16	25.00	23	26.23
17	25.00	24	26.00
18	25.41	25	26.00
19	25.69	26	26.17
20	25.14	27	26.52
21	25.14	28	26.52

CURVE TABLE

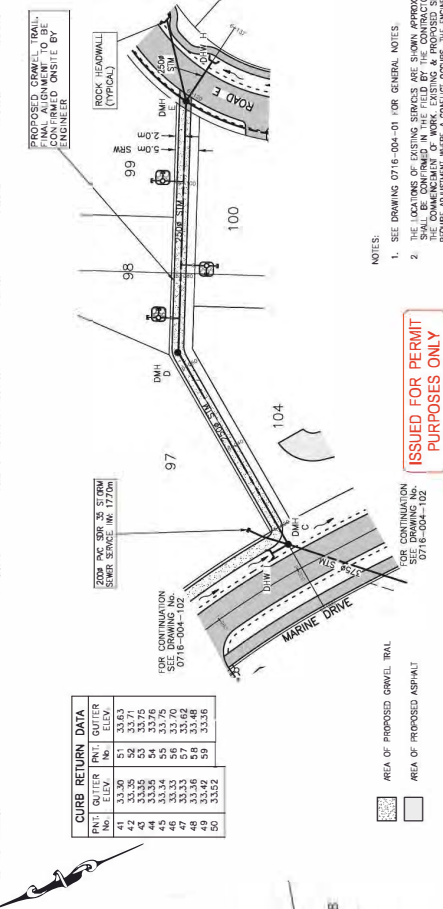
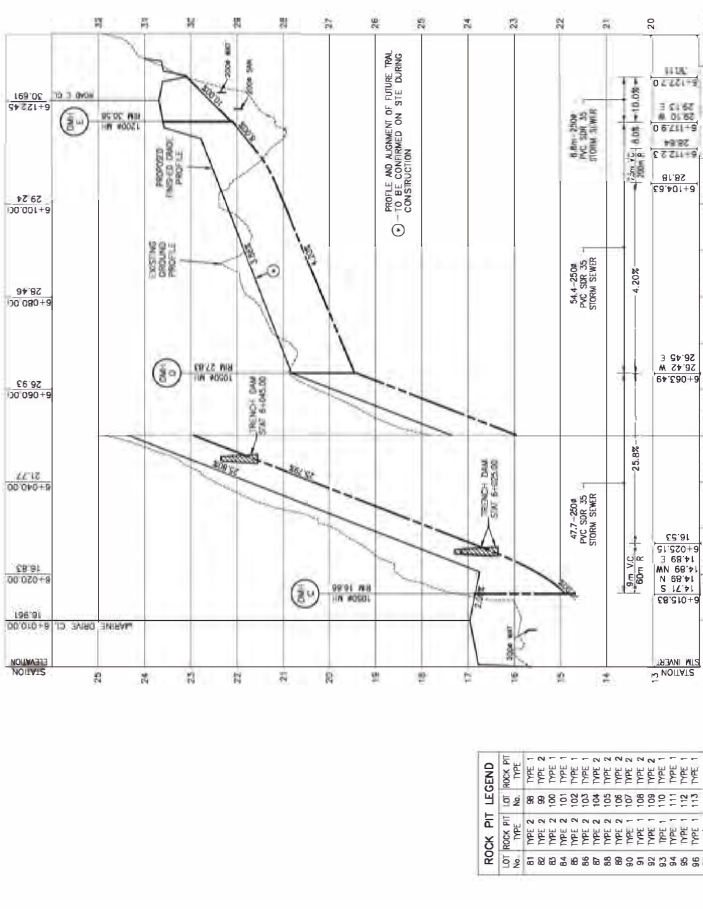
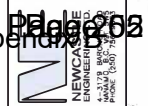
CLAVE @ DATA	A = 50.00m	R = 90°
CLAVE @ DATA	A = 50.00m	R = 18.000m
CLAVE @ DATA	A = 50.00m	R = 18°
CLAVE @ DATA	A = 34.925m	R = 18°



ROCK PIT LEGEND

LOT	ROCK PIT	ROCK PIT
81	TYPE 1	TYPE 2
82	TYPE 1	TYPE 2
83	TYPE 1	TYPE 2
84	TYPE 1	TYPE 2
85	TYPE 1	TYPE 2
86	TYPE 1	TYPE 2
87	TYPE 1	TYPE 2
88	TYPE 1	TYPE 2
89	TYPE 1	TYPE 2
90	TYPE 1	TYPE 2
91	TYPE 1	TYPE 2
92	TYPE 1	TYPE 2
93	TYPE 1	TYPE 2
94	TYPE 1	TYPE 2
95	TYPE 1	TYPE 2
96	TYPE 1	TYPE 2
97	TYPE 1	TYPE 2



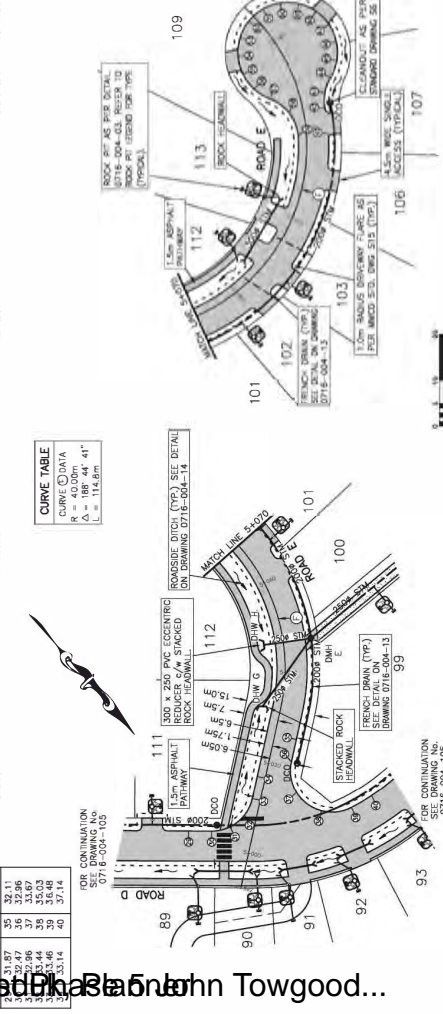
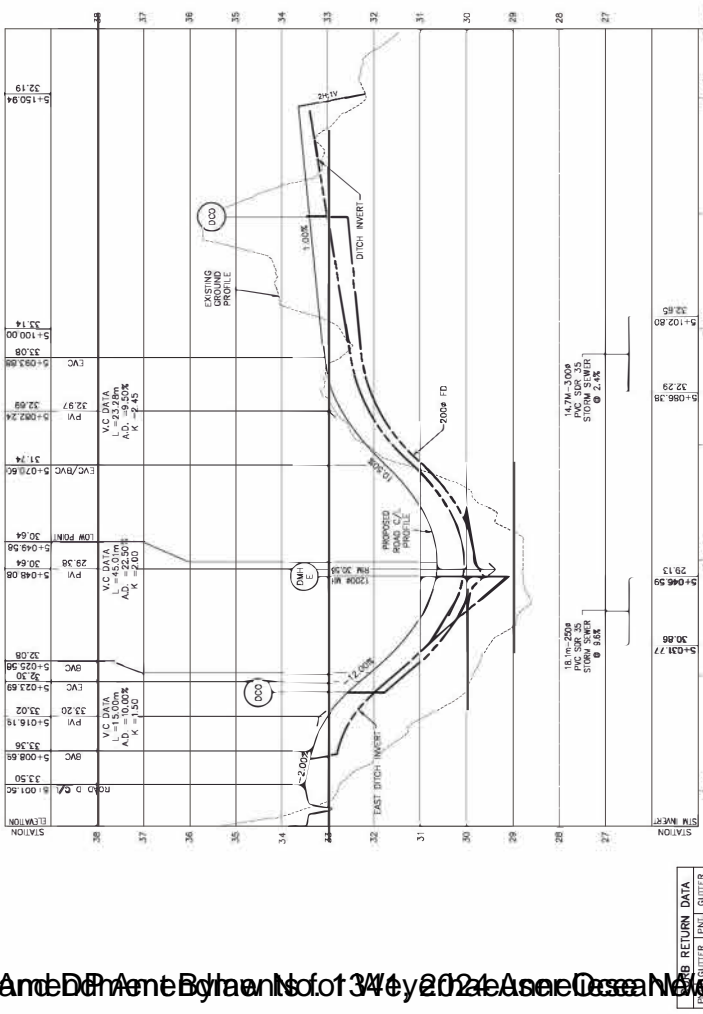


**ROCK PIT LEGEND**

LOT	ROCK PIT	LOT	ROCK PIT
No.	Type	No.	Type
81	TYPE 2	88	TYPE 2
82	TYPE 2	89	TYPE 2
83	TYPE 2	90	TYPE 2
84	TYPE 2	91	TYPE 2
85	TYPE 2	92	TYPE 2
86	TYPE 2	93	TYPE 2
87	TYPE 2	94	TYPE 2
88	TYPE 2	95	TYPE 2
89	TYPE 2	96	TYPE 2
90	TYPE 2	97	TYPE 2
91	TYPE 2	98	TYPE 2
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101	TYPE 2	108	TYPE 2
102	TYPE 2	109	TYPE 2
103	TYPE 2	110	TYPE 2
104	TYPE 2	111	TYPE 2
105	TYPE 2	112	TYPE 2
106	TYPE 2	113	TYPE 2
107	TYPE 2	114	TYPE 2
108	TYPE 2	115	TYPE 2
109	TYPE 2	116	TYPE 2
110	TYPE 2	117	TYPE 2
111	TYPE 2	118	TYPE 2
112	TYPE 2	119	TYPE 2
113	TYPE 2	120	TYPE 2

**CURB RETURN DATA**

NO.	ELEV.	NO.	ELEV.
41	33.30	51	33.63
42	33.30	52	33.75
43	33.35	53	33.75
44	33.35	54	33.76
45	33.35	55	33.76
46	33.35	56	33.76
47	33.33	57	33.62
48	33.33	58	33.58
49	33.42	59	33.58
50	33.52	60	33.52



**CURB RETURN DATA**

NO.	ELEV.	NO.	ELEV.
26	31.87	35	32.11
27	32.26	36	32.49
28	32.46	37	32.67
29	32.44	38	32.63
30	32.44	39	32.63
31	32.44	40	32.63
32	32.44	41	32.63
33	32.44	42	32.63
34	32.44	43	32.63
35	32.44	44	32.63
36	32.44	45	32.63
37	32.44	46	32.63
38	32.44	47	32.63
39	32.44	48	32.63
40	32.44	49	32.63
41	32.44	50	32.63



**NOTES:**

- SEE DRAWING 0716-004-01 FOR GENERAL NOTES
- THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATE AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE ENGINEER FOR NECESSARY ADJUSTMENTS. THE ENGINEER SHALL BE NOTIFIED OF ANY CONFLICT.

**ISSUED FOR PERMIT PURPOSES ONLY**

FOR CONTINUATION SEE DRAWING NO. 0716-004-102

AREA OF PROPOSED GRAVEL TRAIL  
AREA OF PROPOSED ASPHALT

**CLIENT NAME:** WEYERHAEUSER COMPANY LIMITED

**PROJECT NAME:** WEYERHAEUSER LANDS DEVELOPMENT PHASE 5

**SCALE:** 1:500

**DATE:** 04-11-24

**PROJECT NO.:** 0716-004

**SCALE:** 1:500

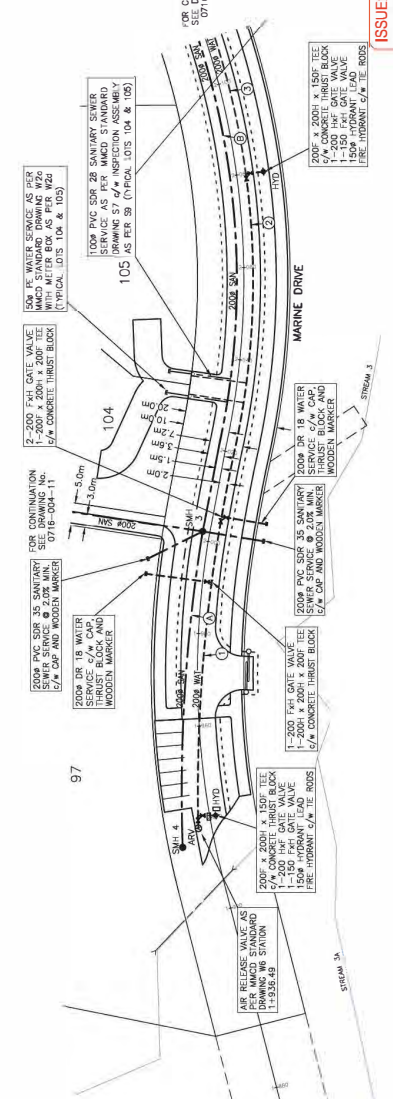
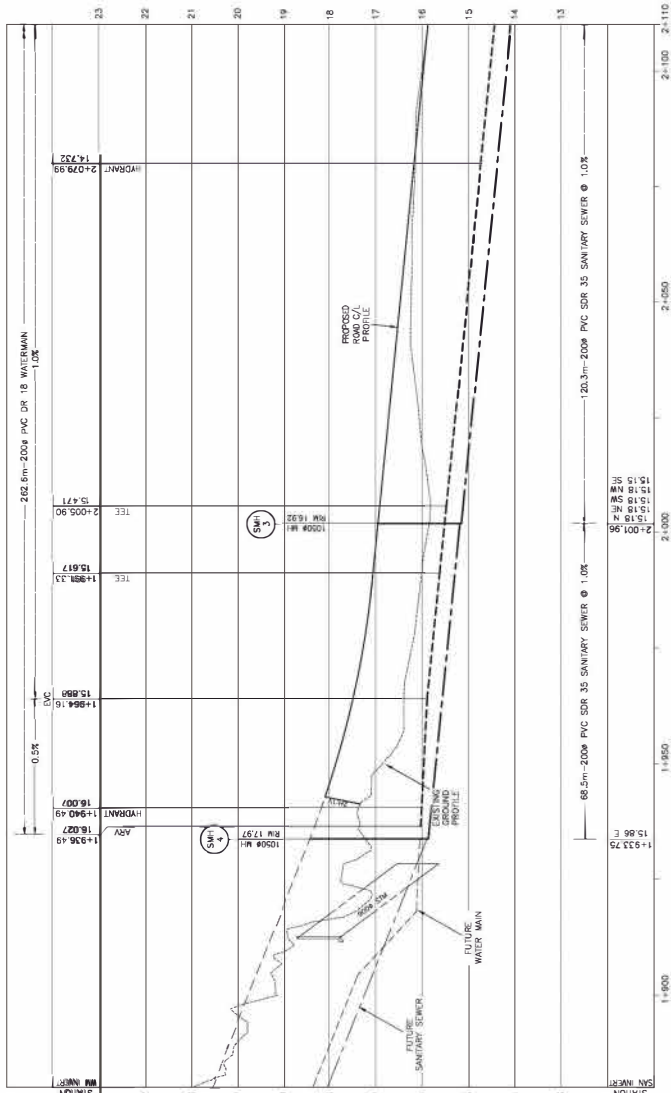
**REVISIONS:**

NO.	DATE	DESCRIPTION
01	07/27/19	ISSUED TO DISTRICT OF CLAYQUOT FOR REVIEW - NOT FOR CONSTRUCTION
02	07/27/19	REVISION TO DISTRICT OF CLAYQUOT COMMENTS ADDRESS - NOT FOR CONSTRUCTION
03	07/27/19	REVISION TO DISTRICT OF CLAYQUOT COMMENTS ADDRESS - NOT FOR CONSTRUCTION
04	07/27/19	REVISION TO DISTRICT OF CLAYQUOT COMMENTS ADDRESS - NOT FOR CONSTRUCTION
05	07/27/19	REVISION TO DISTRICT OF CLAYQUOT COMMENTS ADDRESS - NOT FOR CONSTRUCTION
06	07/27/19	REVISION TO DISTRICT OF CLAYQUOT COMMENTS ADDRESS - NOT FOR CONSTRUCTION
07	07/27/19	REVISION TO DISTRICT OF CLAYQUOT COMMENTS ADDRESS - NOT FOR CONSTRUCTION

**LEGEND:**

- EXISTING ROAD
- EXISTING STORM SEWER
- EXISTING MANHOLE
- EXISTING CATCH BASIN
- EXISTING CURB
- EXISTING SIDEWALK
- EXISTING ASPHALT
- EXISTING GRAVEL
- EXISTING CONCRETE
- EXISTING EARTHWORK
- EXISTING UTILITIES
- EXISTING TREES
- EXISTING VEGETATION
- EXISTING FENCES
- EXISTING SIGNAGE
- EXISTING LIGHTING
- EXISTING UTILITIES
- EXISTING TREES
- EXISTING VEGETATION
- EXISTING FENCES
- EXISTING SIGNAGE
- EXISTING LIGHTING





**CURVE TABLE**

STATION	DATE	DESCRIPTION
1+933.75	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
1+956.16	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
1+966.49	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
1+986.16	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
1+996.49	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+006.90	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+016.17	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+026.44	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+036.71	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+046.98	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+057.25	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+067.52	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+077.79	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+088.06	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+098.33	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+108.60	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE
2+110	11/19/08	200P PVC SR 35 SANITARY SEWER @ 1.0% SLOPE

ISSUED FOR PERMIT PURPOSES ONLY

**WYERHAEUSER COMPANY LIMITED**  
**WYERHAEUSER LANDS DEVELOPMENT PHASE 5**

**MARINE DRIVE**  
**SANITARY SEWER AND WATERMAIN**  
**STA. 1+930 TO 2+110**

PROJECT NO. 0716-004 DRAWING NO. 07 SECTION NO. 07 SHEET NO. 07

DATE: 11/19/08

SCALE: 1:500

PROJECT DESCRIPTION: DISTRICT 283, CLAYQUOT DISTRICT, PLAN VP81555, EXCEPT PART IN PLAN VP84886, LOT 4, DISTRICT LOTS 285, 286, AND 473, CLAYQUOT DISTRICT PLAN VP79313, EXCEPT PART IN PLAN VP80031

ENGINEER: [Signature]

DATE: 11/19/08

SCALE: 1:500

PROJECT NO. 0716-004 DRAWING NO. 07 SECTION NO. 07 SHEET NO. 07



MARINE DRIVE  
SANITARY SEWER AND WATERMAIN  
STA. 2+110 TO 2+330

WEYERHAEUSER  
COMPANY LIMITED  
WEYERHAEUSER LANDS  
DEVELOPMENT PHASE 5

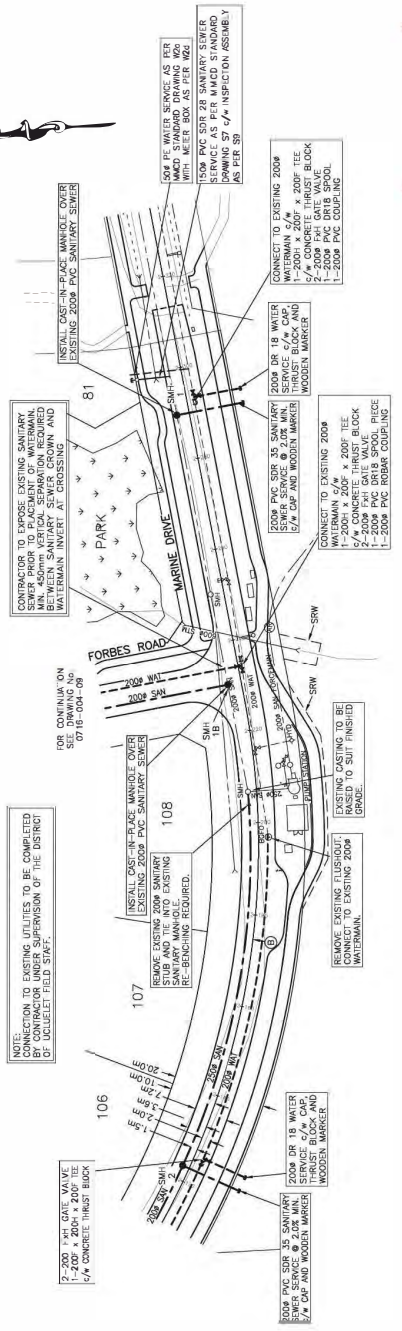
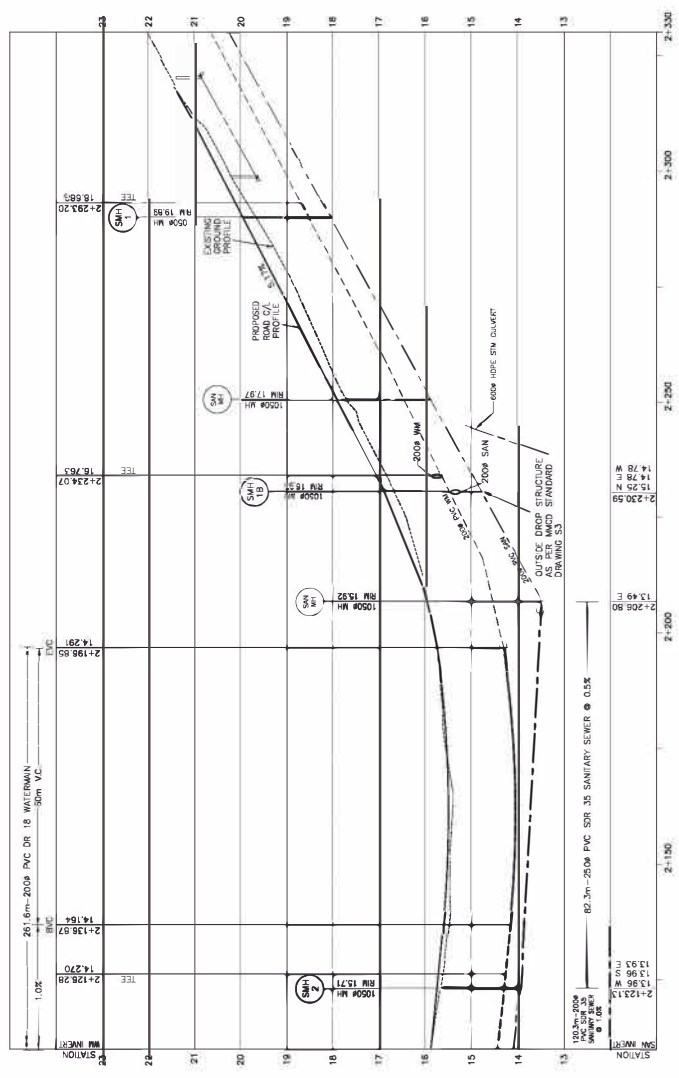
Table with 2 columns: TITLE, CLIENT NAME, and other project details.

Table with 2 columns: DISTRICT, LOT, and PLAN numbers.

Table with 2 columns: DISTRICT, LOT, and PLAN numbers.

Table with 2 columns: DISTRICT, LOT, and PLAN numbers.

Table with 2 columns: DISTRICT, LOT, and PLAN numbers.



ISSUED FOR PERMIT PURPOSES ONLY

CONTRACTOR TO EXPOSE EXISTING SANITARY... MIN. 450mm VERTICAL SEPARATION REQUIRED...

FOR CONTINUATION SEE DRAWING NO. 0716-004-09

REMOVE EXISTING 200MM PVC SANITARY SOWER... RE-BENCHING REQUIRED.

REMOVE EXISTING 200MM WATERMAIN... RASSED TO SUIT FINISHED GRADE.

CURVE TABLE with columns for CURVE @ DATA, DELTA, and LENGTH.

AREA OF EXISTING WETLAND

1. SEE DRAWING 0716-004-01 FOR GENERAL NOTES.  
2. THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATELY AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR PRIOR TO CONSTRUCTION. REQUIRE ADJUSTMENT WHERE A CONFLICT OCCURS. THE CONTRACTOR SHALL BE NOTIFIED OF ANY CONFLICT.

LEGEND table listing symbols for various construction elements like manholes, pipes, and structures.

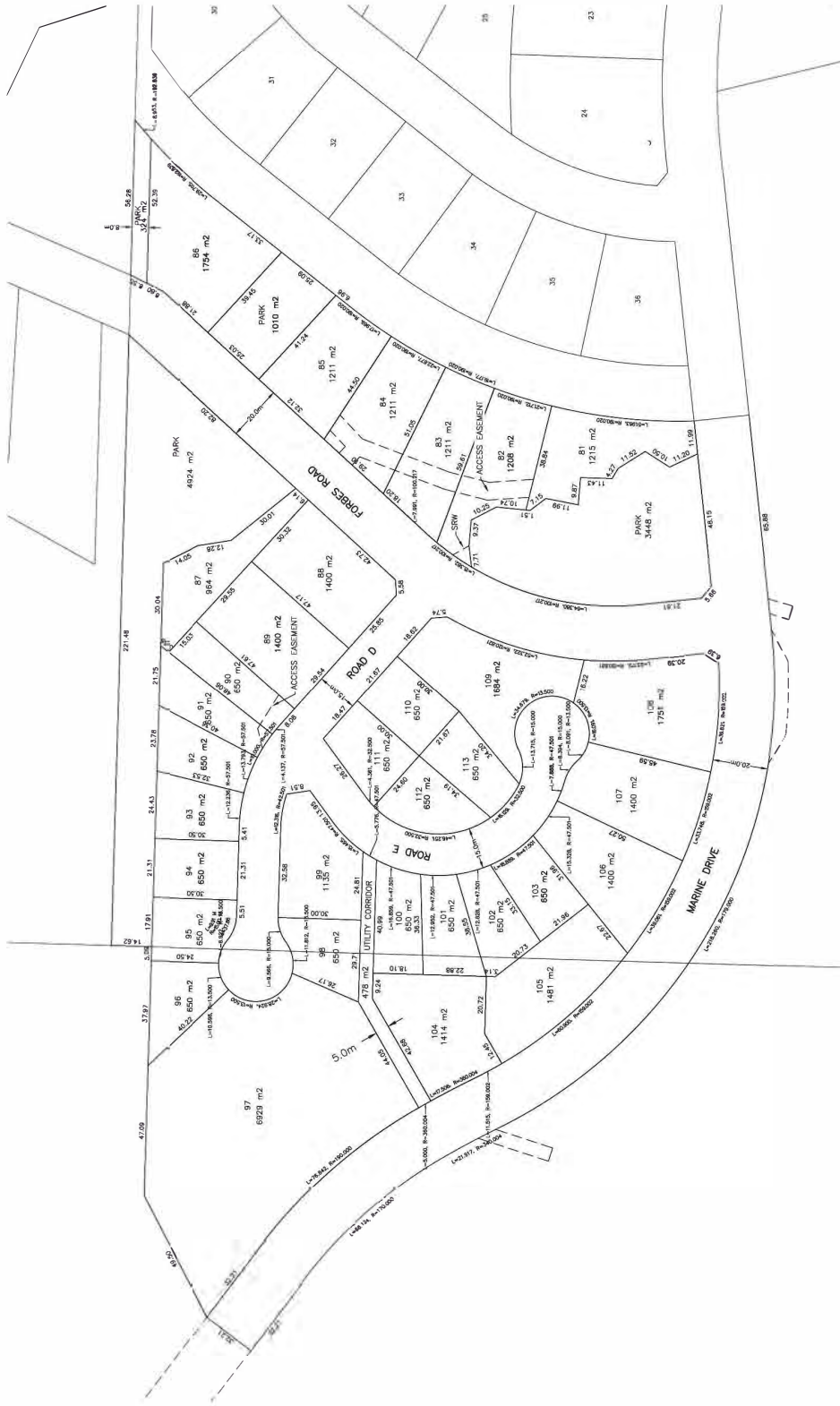












PRELIMINARY  
NOT FOR CONSTRUCTION

**NEWMAN**  
NEWCASTLE  
4-3175 BOYD  
PARKWAY, SUITE 100  
DALLAS, TEXAS 75244

CLIENT NAME: **WEYERHAEUSER COMPANY LIMITED**  
PROJECT NAME: **WEYERHAEUSER LANDS DEVELOPMENT PHASE 5**

DRAWING NO.: 0716-004  
SECTION NO.: 12  
REVISION NO.: 06

**LEGEND**

SYMBOL	DESCRIPTION
[Solid Line]	PROPERTY BOUNDARY
[Dashed Line]	ACCESS EASEMENT
[Dotted Line]	UTILITY CORRIDOR
[Thin Solid Line]	LOT BOUNDARY
[Thick Solid Line]	ROAD BOUNDARY
[Circle with Center]	WATER FEATURE
[Circle with Center]	UTILITY PILE
[Circle with Center]	WELL
[Circle with Center]	SEWER
[Circle with Center]	ELECTRICAL
[Circle with Center]	TELEPHONE
[Circle with Center]	STAKE
[Circle with Center]	EDGE OF PAVEMENT
[Circle with Center]	RIGHT OF WAY
[Circle with Center]	SMOOTH
[Circle with Center]	GRAVEL
[Circle with Center]	CONCRETE
[Circle with Center]	ASPHALT
[Circle with Center]	CLAY
[Circle with Center]	SILT
[Circle with Center]	SAND
[Circle with Center]	ROCK
[Circle with Center]	SOIL
[Circle with Center]	WATER
[Circle with Center]	WELL
[Circle with Center]	SEWER
[Circle with Center]	ELECTRICAL
[Circle with Center]	TELEPHONE
[Circle with Center]	STAKE
[Circle with Center]	EDGE OF PAVEMENT
[Circle with Center]	RIGHT OF WAY
[Circle with Center]	SMOOTH
[Circle with Center]	GRAVEL
[Circle with Center]	CONCRETE
[Circle with Center]	ASPHALT
[Circle with Center]	CLAY
[Circle with Center]	SILT
[Circle with Center]	SAND
[Circle with Center]	ROCK
[Circle with Center]	SOIL

**REVISIONS**

NO.	DATE	DESCRIPTION
01	05/02/19	ISSUED FOR PERMIT
02	07/23/19	FOR PERMIT
03	08/29/19	FOR PERMIT
04	09/24/19	FOR PERMIT
05	09/24/19	FOR PERMIT
06	09/24/19	FOR PERMIT

**PROJECT DESCRIPTION**

LOT 1, DISTRICT LOT 283, CLAYQUOT DISTRICT, PLAN VP81555, EXCEPT PART IN PLAN VP64886, AND 473, CLAYQUOT DISTRICT LOT 4, DISTRICT LOTS 285, 286, AND 473, CLAYQUOT DISTRICT PLAN VP72513, EXCEPT PART IN PLAN VP80031

**SCALE**: 1:750

**DATE**: 09/24/19

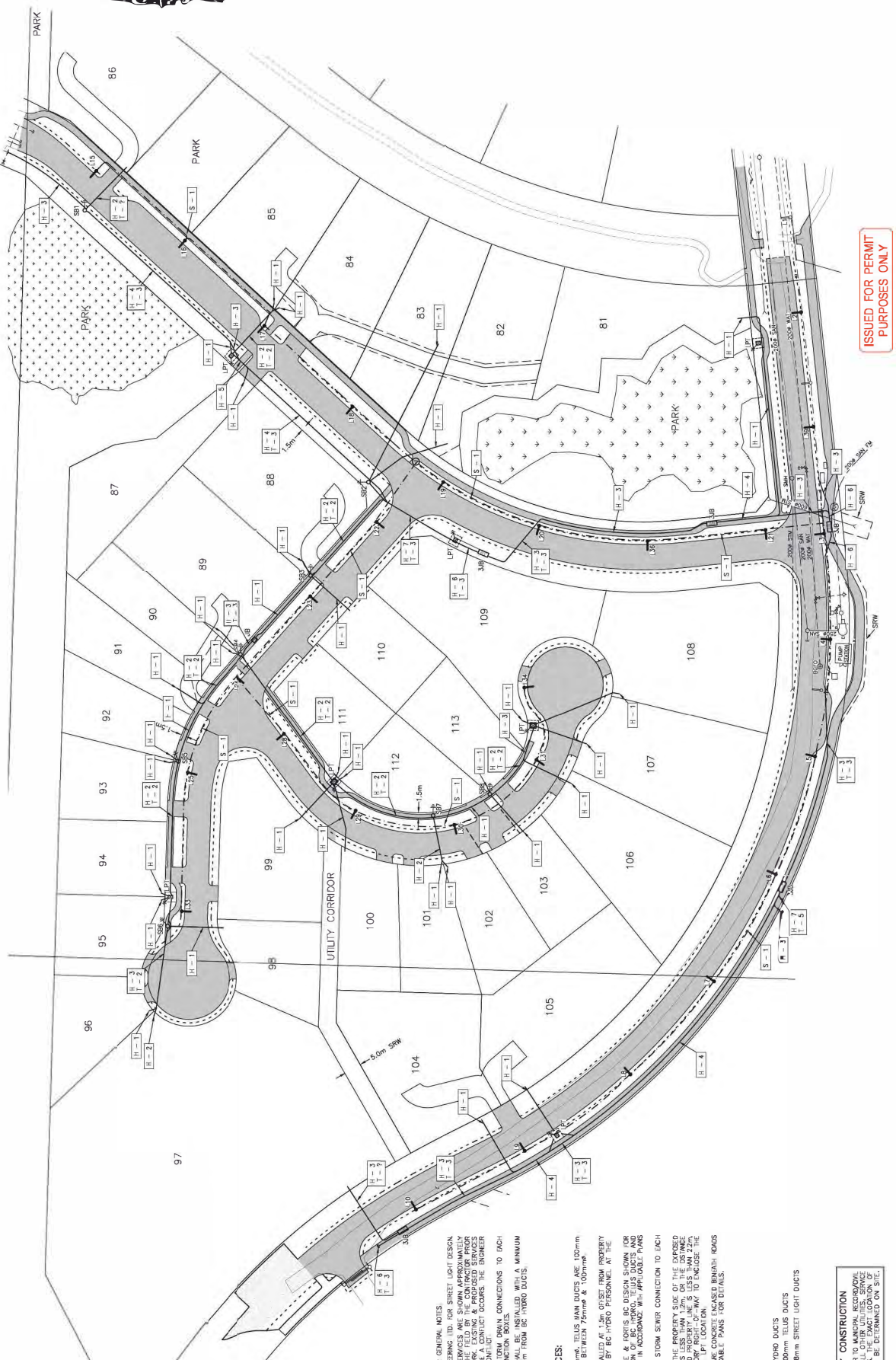
**DRAWN BY**: [Name]

**CHECKED BY**: [Name]

**DATE**: 09/24/19

**PROJECT NO.**: 04-11-24

**REVISION NO.**: 06



ISSUED FOR PERMIT PURPOSES ONLY

<b>NEWMARK CONSULTING</b> NEWCASTLE 4-3172 BRICK PARADE LANE MELBOURNE VIC 3015	DRAWING TITLE
<b>UNDERGROUND HYDRO, TEL, CABLE AND STREET LIGHTING</b>	
PROJECT NO. 0716-004	SECTION NO. 04

<b>WEYERHAEUSER COMPANY LIMITED</b>	CLIENT NAME
<b>WEYERHAEUSER LANDS DEVELOPMENT PHASE 5</b>	
PROJECT NAME	PLAN NO.

DATE	DRAWN BY	CHECKED BY	SCALE
04-11-24	CH	NBT	N/A
DRAUGHTSMAN'S SEAL		HORIZONTAL SCALE	
[Seal]		1:500	

SEE LOCAL DISPOSITION  
LOT 1, DISTRICT LOT 283, CLAYOQUOT DISTRICT, PLAN WFB1555,  
EXCEPT PART IN PLAN WFA4886,  
LOT 4, DISTRICT LOTS 285, 286, AND 473, CLAYOQUOT DISTRICT  
PLAN WFB1555, EXCEPT PART IN PLAN WFB0031  
BENCHMARK DESCRIPTION

SYMBOL	DESCRIPTION
[Symbol]	100mm TELUS DUCT
[Symbol]	150mm TELUS DUCT
[Symbol]	100mm HYDRO DUCT
[Symbol]	150mm HYDRO DUCT
[Symbol]	100mm SANITARIUM
[Symbol]	150mm SANITARIUM
[Symbol]	100mm SANITARIUM
[Symbol]	150mm SANITARIUM
[Symbol]	100mm SANITARIUM
[Symbol]	150mm SANITARIUM
[Symbol]	100mm SANITARIUM
[Symbol]	150mm SANITARIUM
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[Symbol]	150mm SANITARIUM
[Symbol]	100mm SANITARIUM
[Symbol]	150mm SANITARIUM
[Symbol]	100mm SANITARIUM
[Symbol]	150mm SANITARIUM

DATE	DESCRIPTION
04/25/24	ISSUED FOR PERMIT PURPOSES ONLY
04/25/24	ISSUED FOR PERMIT PURPOSES ONLY
04/25/24	ISSUED FOR PERMIT PURPOSES ONLY
04/25/24	ISSUED FOR PERMIT PURPOSES ONLY

**PRIOR TO ANY CONSTRUCTION**  
CONTRACTOR SHALL REFER TO MANCORA RECORDS/OIL  
DISION DRAWINGS FOR ALL OTHER UTILITIES. SERVICE  
LOCATIONS OF EXISTING UTILITIES SHALL BE DETERMINED ON SITE.  
THESE UTILITIES SHALL BE DETERMINED ON SITE.

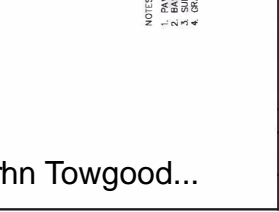
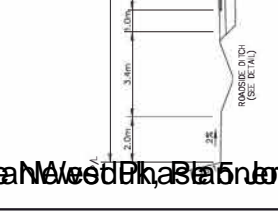
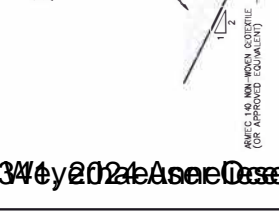
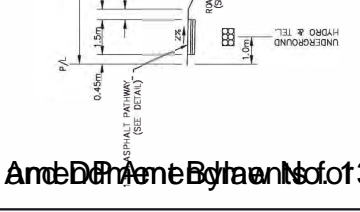
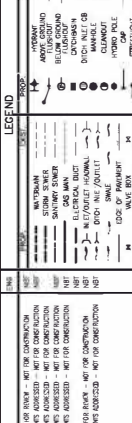
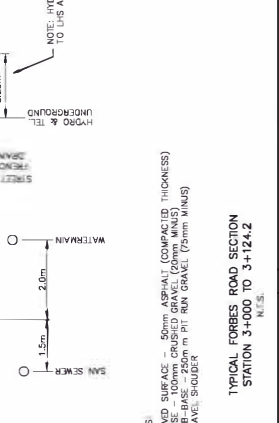
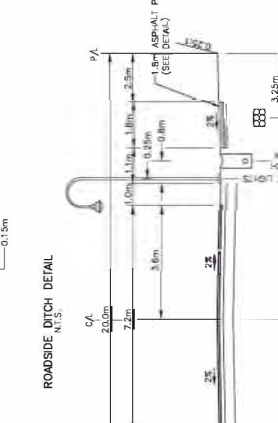
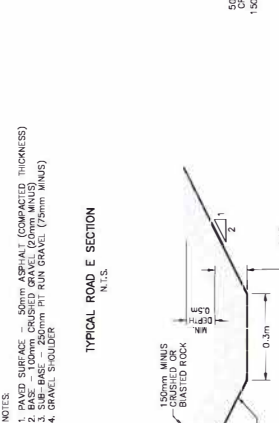
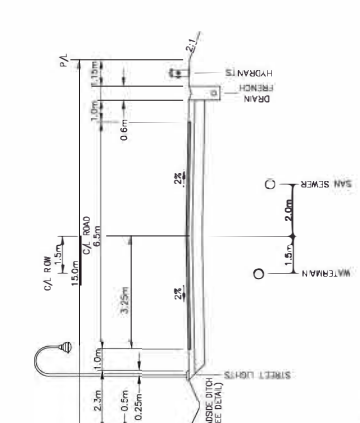
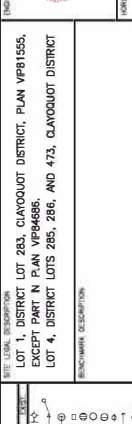
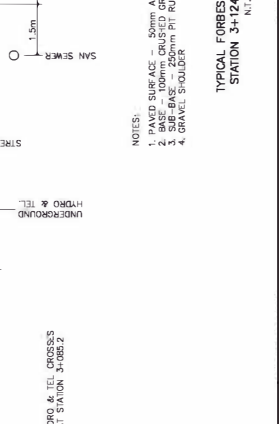
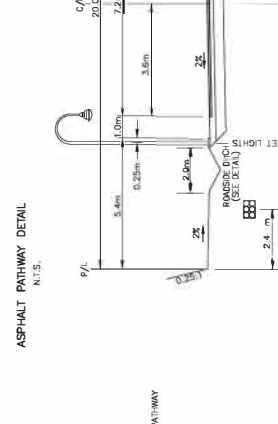
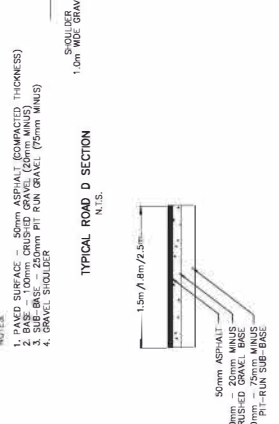
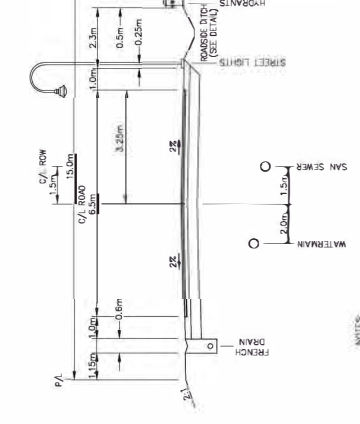
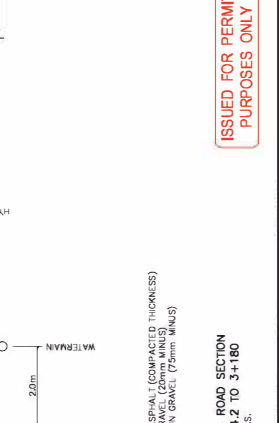
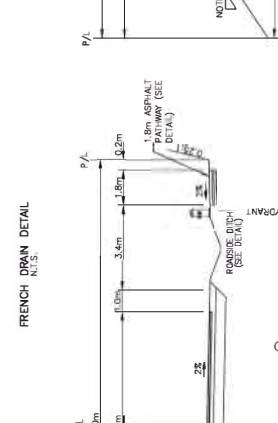
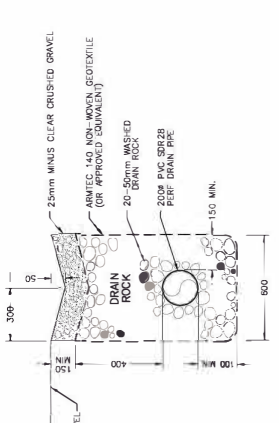
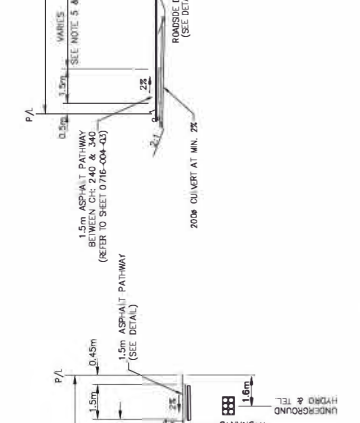
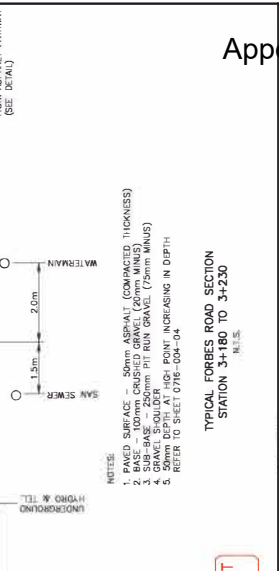
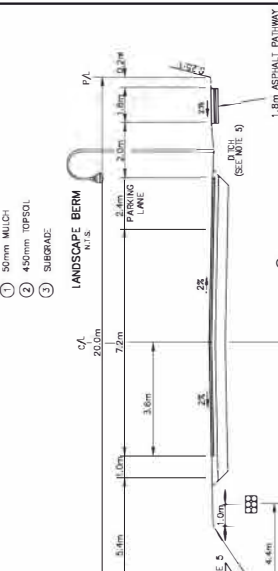
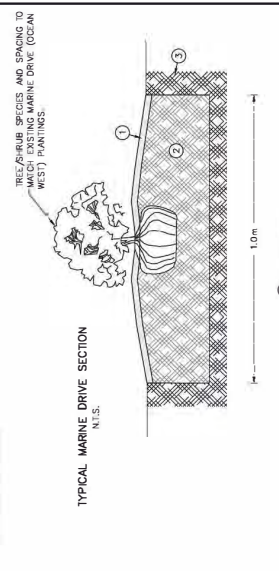
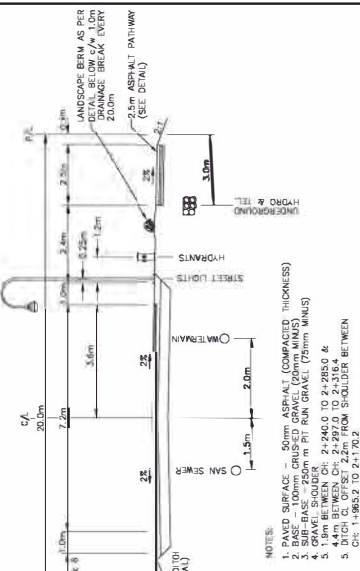




TYPICAL DETAILS

WEYERHAEUSER  
COMPANY LIMITED  
WEYERHAEUSER LANDS  
DEVELOPMENT PHASE 5

PROJECT NO.	0716-004
STATION	14
REGION NO.	07
DRAWING TITLE	0716-004



REV	DATE	REVISION DESCRIPTION	BY	CHECKED	DATE
01	02/23/24	ISSUED FOR PERMIT PURPOSES ONLY			
02	07/19/24	REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION			
03	04/25/24	REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION			
04	04/25/24	REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION			
05	07/19/24	REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION			
06	07/19/24	REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION			
07	04/17/24	REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION			

ISSUED FOR PERMIT PURPOSES ONLY



LOT 1, DISTRICT LOT 283, CLAYQUOT DISTRICT, PLAN VP81585, EXCEPT PART IN PLAN VP84686.  
LOT 4, DISTRICT LOTS 285, 286, AND 473, CLAYQUOT DISTRICT

REVISION DESCRIPTION	DATE
REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION	04-11-24

REVISION DESCRIPTION	DATE
REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION	04-11-24

REVISION DESCRIPTION	DATE
REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION	04-11-24

REVISION DESCRIPTION	DATE
REVISION TO DETAIL OF BULLET FOR PERMIT - NOT FOR CONSTRUCTION	04-11-24



**GRADING PLAN**

PROJECT NO. 0716-004 DRAWING NO. 15 SECTION NO. 07

**WEYERHAEUSER COMPANY LIMITED**  
**WEYERHAEUSER LANDS DEVELOPMENT PHASE 5**

CLIENT NAME: WEYERHAEUSER COMPANY LIMITED  
 PROJECT NAME: WEYERHAEUSER LANDS DEVELOPMENT PHASE 5  
 SHEET NO.: 15 OF 15  
 SHEET DATE: 04-02-24  
 SHEET SCALE: 1:500

SEE LOCAL DESCRIPTION  
 LOT 1, DISTRICT LOT 283, CLAVOQUOT DISTRICT, PLAN VP81855, EXCEPT PART IN PLAN VP44886, LOT 4, DISTRICT LOTS 285, 286, AND 473, CLAVOQUOT DISTRICT PLAN VP75313, EXCEPT PART IN PLAN VP80031

**LEGEND**

SYMBOL	DESCRIPTION
[Solid line]	EXISTING GROUND CONTOUR
[Dashed line]	FINISHED GRADE SPOT ELEVATION
[Hatched area]	AREA OF PROPOSED CUT
[Dotted area]	STRUCTURAL FILL TO BE PLACED IN LOTS UNDER THE DIRECT ON-SITE SUPERVISION OF THE GEOTECHNICAL CONSULTANT

**REVISION DESCRIPTION**

NO.	DATE	DESCRIPTION
01	07/17/19	ISSUED FOR PERMIT
02	07/17/19	REVISED TO REFLECT OWNER COMMENTS - NOT FOR CONSTRUCTION
03	07/17/19	REVISED TO REFLECT OWNER COMMENTS - NOT FOR CONSTRUCTION
04	07/17/19	REVISED TO REFLECT OWNER COMMENTS - NOT FOR CONSTRUCTION
05	07/17/19	REVISED TO REFLECT OWNER COMMENTS - NOT FOR CONSTRUCTION
06	07/17/19	REVISED TO REFLECT OWNER COMMENTS - NOT FOR CONSTRUCTION
07	04/02/24	REVISED TO REFLECT OWNER COMMENTS - NOT FOR CONSTRUCTION

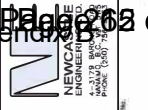


**NOTES:**

- SEE DRAWING 0716-004-01 FOR GENERAL NOTES.
- ALL LOT AND ROAD GRADING SHALL BE UNDER THE DIRECT SUPERVISION AND CONTROL OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMMENCEMENT OF WORK, OBTAINING & MAINTAINING ALL NECESSARY PERMITS, AND NOTIFYING THE ENGINEER OF ANY CHANGES TO THE GRADING PLAN. THE ENGINEER SHALL BE NOTIFIED OF ANY CHANGES.

**ISSUED FOR PERMIT PURPOSES ONLY**





TREE CLEARING PLAN

PROJECT NO. 0716-004 DRAWING NO. 16 REGION NO. 07

CLIENT NAME  
**WEYERHAEUSER COMPANY LIMITED**  
PROJECT NAME  
**WEYERHAEUSER LANDS DEVELOPMENT PHASE 5**

DESIGNER	NET
CHECKED	CH
PLOT DATE	04-02-24
PRINT DATE	
HORIZONTAL SCALE	1:500
VERTICAL SCALE	

SEE LOCAL DISPOSITION  
LOT 1, DISTRICT LOT 283, CLAYOQUOT DISTRICT, PLAN VP81955, EXCEPT PART IN PLAN VP84886, LOT 4, DISTRICT LOTS 285, 286, AND 473, CLAYOQUOT DISTRICT PLAN VP793113, EXCEPT PART IN PLAN VP80031  
BENCHMARK DESCRIPTION

DATE	DESCRIPTION
07/07/19	ISSUED FOR PERMIT
07/07/19	REVISED FOR CONSTRUCTION
07/07/19	REVISED FOR CONSTRUCTION
07/07/19	REVISED FOR CONSTRUCTION
07/07/19	REVISED FOR CONSTRUCTION
07/07/19	REVISED FOR CONSTRUCTION

DATE	DESCRIPTION
07/07/19	ISSUED FOR PERMIT
07/07/19	REVISED FOR CONSTRUCTION
07/07/19	REVISED FOR CONSTRUCTION
07/07/19	REVISED FOR CONSTRUCTION
07/07/19	REVISED FOR CONSTRUCTION
07/07/19	REVISED FOR CONSTRUCTION

SCALE 1:500

ISSUED FOR PERMIT PURPOSES ONLY

NOTES:

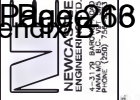
- SEE DRAWING 0716-004-01 FOR GENERAL NOTES.
- THIS PLAN IS FOR INFORMATION ONLY AND DOES NOT REPRESENT THE CONTRACTOR'S OBLIGATION TO VERIFY THE COMPLETION OF WORK, EXISTING & PROPOSED UTILITIES, AND TO VERIFY THE ACCURACY OF ALL CONVEYANCE RECORDS. THE ENGINEER WILL NOT BE NOTIFIED OF ANY CHANGE.



AREA OF PROPOSED ON-SITE TREE REMOVAL







### STORM SEWER TRIBUTARY AREA PLAN

PROJECT NAME: WEYERHAEUSER LANDS DEVELOPMENT PHASE 5  
 SHEET NO: 0716-004

CLIENT NAME: WEYERHAEUSER COMPANY LIMITED  
 PROJECT #/DATE: 04-11-24

DISTRICT: CH  
 CHECKED BY: [Signature]  
 PROJECT NO: [Number]

SCALE: 1:750  
 DATE: 04-11-24

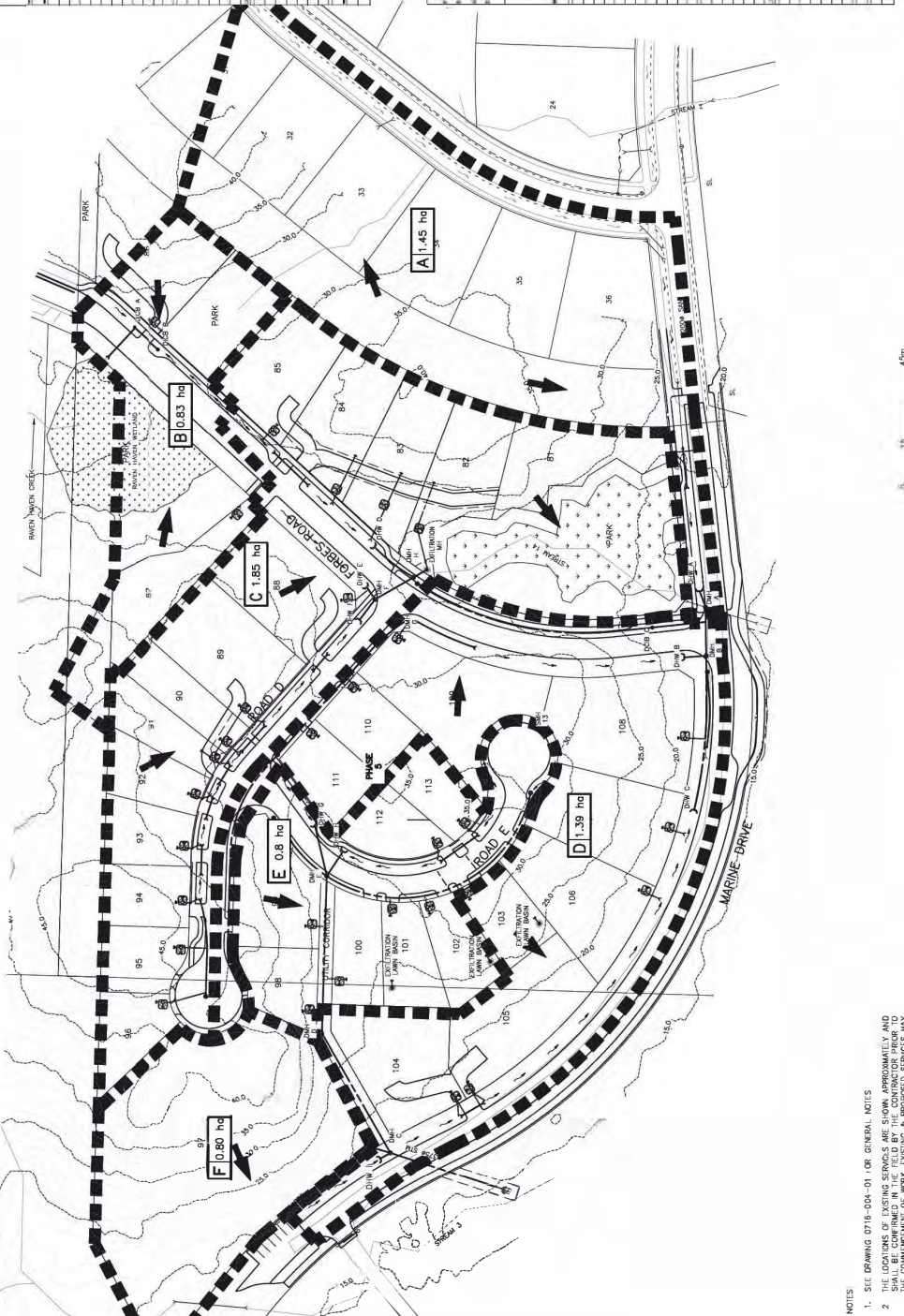
#### LEGEND

NO.	DATE	REVISION DESCRIPTION
01	05/07/24	ISSUED FOR PERMIT PURPOSES ONLY
02	05/07/24	FOR CONSTRUCTION

**ISSUED FOR PERMIT PURPOSES ONLY**

- NOTES**
- SEE DRAWING 0716-004-01 FOR GENERAL NOTES
  - THE LOCATIONS OF EXISTING SERVICES ARE SHOWN APPROXIMATELY AND THE COMPLETION OF WORK, EXISTING & PROPOSED SERVICES MAY BE AFFECTED BY ANY UNEXPECTED CONDITIONS. THE ENGINEER SHALL BE NOTIFIED OF ANY CONFLICT.

MANHOLE DATA TABLE									
Manhole ID	Flow In (mm)	Flow Out (mm)	Invert (m)	Flow (m³/s)	Velocity (m/s)	Flow Direction	Notes	Structural Details	
MH-001	1000	800	2.50	0.5	0.5	N/S	1000mm Dia	1000mm Dia	1000mm Dia
MH-002	1200	900	2.00	0.7	0.7	N/S	1200mm Dia	900mm Dia	1200mm Dia





**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1341, 2024**

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.  
(Weyerhaeuser – OceanWest phase 5 - lot size changes to CD-5C zone)

---

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

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

**1. Text Amendment:**

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

- a. deleting Section CD-5C.1.2;
- b. replace the CD-5C Subzone (Development Area 3) – Oceanwest Subzone map with the subzone map attached as **Schedule A** of this bylaw;
- c. replacing Subsection CD-5C.2.1 (1) (a), as follows:  
“(a) 405 m<sup>2</sup> (4360 ft<sup>2</sup>) but less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) for at least 40 lots but not exceeding 50 *lots*”
- d. replacing Subsection CD-5C.2.1 (1) (b), as follows:  
“(b) 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 10 lots but not exceeding 21 *lots*”
- e. replacing Subsection CD-5C.2.1 (1) (c), as follows:  
“(c) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 55 lots but not exceeding 64 *lots*”
- f. replacing Subsection CD-5C.2.2 (1) (a), as follows:  
“(a) 10 m (33 ft) for *lots* less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”
- g. replacing Subsection CD-5C.2.2 (1) (b), as follows:

“(b) 21.3 m (70 ft) for lots equal to or exceeding 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>);”

h. replacing Subsection CD-5C.4.1 (1) (a), as follows:

“(a) 40% for lots less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”

i. replacing Subsection CD-5C.4.1 (1) (b), as follows:

“(b) 25% for lots equal to or exceeding 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024”.

**FIRST NOTIFICATION OF FIRST READING** published this    day of    , 2024.

**SECOND NOTIFICATION OF FIRST READING** published this    day of    , 2024.

**READ A FIRST TIME** this    day of    , 2024.

**READ A SECOND TIME** this    day of    , 2024.

**READ A THIRD TIME** this    day of    , 2024.

**ADOPTED** this    day of    , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024.”

\_\_\_\_\_  
Marilyn McEwen  
Mayor

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

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

---

Duane Lawrence  
Corporate Officer



### Schedule "A"



**CD-5C SubZone (Development Area 3) OCEANWEST**



# DEVELOPMENT VARIANCE PERMIT DVP24-03

Pursuant to section 498 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Variance Permit is issued to:

**WEYERHAEUSER CO LTD.**  
(the "Owner")

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

**Lot 82 and Lot 87 on the Phase 5 subdivision plan that occurs within the parent parcel of Lot A, Plan VIP81555, District Lot 283, Clayoquot Land District, Except Plan VIP84686; PID 026784297,**

3. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.

4. This permit authorizes the following variances to *District of Ucluelet Zoning Bylaw No. 1160, 2013*, specific to the plans and elevations attached as **Schedule A**:

**A. Lot 81: a minimum lot frontage of 11.99m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m;**

**B. Lot 82: a minimum lot frontage of 15.382m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m; and,**

**C. Lot 87: a minimum lot frontage of 6.14m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m.**

5. The above variances are granted for the proposed Weyerhaeuser Phase 5 Subdivision as shown on **Schedule A**.

6. This permit is valid for a period of 24 months from the date of issuance.

7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

8. This Permit is NOT a Building Permit.

**AUTHORIZING RESOLUTION** passed by the Municipal Council on the    day of    , 2024.

**ISSUED** the    day of    , 2024.

\_\_\_\_\_  
Bruce Greig  
Director of Community Planning



### SCHEDULE A



PRELIMINARY  
NOT FOR CONSTRUCTION

 NEWCASTLE ARCHITECTURAL LTD. ARCHITECTS 100-1070 20th St. W. Vancouver, BC V6P 6E9		PROJECT NO. 0716-004 SHEET NO. 12 DATE 06
WETERHAUSER COMPANY LIMITED  WETERHAUSER LANDS DEVELOPMENT PHASE 5		PROJECT NAME WETERHAUSER LANDS DEVELOPMENT PHASE 5 PROJECT NO. 04-11-24 SHEET NO. 12 DATE 06
PROJECT NO. 04-11-24 SHEET NO. 12 DATE 06	 PROJECT NAME WETERHAUSER LANDS DEVELOPMENT PHASE 5 PROJECT NO. 04-11-24 SHEET NO. 12 DATE 06	PROJECT NO. 04-11-24 SHEET NO. 12 DATE 06
PROJECT NO. 04-11-24 SHEET NO. 12 DATE 06		
PROJECT NO. 04-11-24 SHEET NO. 12 DATE 06		
PROJECT NO. 04-11-24 SHEET NO. 12 DATE 06		
PROJECT NO. 04-11-24 SHEET NO. 12 DATE 06		



# DEVELOPMENT PERMIT DP18-07 (Amended 2024)

Pursuant to Part 14, Division 7 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:

WEYERHAEUSER COMPANY LIMITED

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

Lot A, Plan VIP81555, Clayoquot District, except plan VIP84686 and in part of Lot 4, Plan VIP75113, Clayoquot District, District Lot 285, 286 & 473, except Plan VIP80031

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

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

- a. The creation of a subdivision consisting of 33 Single Family Dwelling:
  - i. 16 less than 650.3 m<sup>2</sup>
  - ii. 7 lots greater than 650.3m<sup>2</sup> but less than 1,393.5m<sup>2</sup>
  - iii. 10 Lots greater than 1,393.5 m<sup>2</sup>
- b. The extension of Marine Drive approximately 450m
- c. The extension of Forbes Road and intersection with Marine Drive
- d. The full servicing (underground hydro, potable water, sanitary sewer, storm sewer/French drain) of the subdivision.
- e. Full paved road construction including but not limited to 3.6 lane widths, line painting, traffic signage, parallel parking, cul-de-sac roundabouts as per the Subdivision Services Control Bylaw No. 521, 1989 and the Master Municipal Construction Documents (MMCD). It is acknowledged that an alternative road standard is being used as per Schedule A.
- f. Full Street lighting as per the existing details within the 1<sup>st</sup> phase of the Oceanwest Subdivision but fitted with a LED light source.
- g. Full landscaping of the road boulevard in native species as per the detail of the existing Oceanwest Subdivision.
- h. A paved 2.5m multiuse path on the west side of Marine Drive constructed consistent with the MMCD.
- i. A paved 1.5m pedestrian trail on the south side of Forbes Road consistent with the MMCD.
- j. A paved path on one side of both cul-de-sac's consistent with the MMCD.
- k. Gravel pedestrian trails as per the plans submitted and forming Schedule A.
- l. Crosswalks and crosswalk signage as per the plans submitted and forming Schedule A.
- m. Paved driveway aprons a minimum of 5m from road edge with gravel driveways roughed in.
- n. A gravel parking lot at the terminus of Marine Drive for Wild Pacific Trail parking.

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



- 5. This permit is issued subject to the following conditions:
  - a. Preparation of a Construction Environmental Management Plan by a Qualified Environmental Professional (QEP), including monitoring and reporting by the QEP throughout construction.
  - b. All development must follow the terms, conditions, prescriptions, monitoring, and evaluation of as described in the OceanWest Phase 5 Works Wetland Remediation and Offsetting Plan prepared by Ecofish for Environmental Dynamics dated February 23, 2024.
- 6. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
- 7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
- 8. This Permit is NOT a Building Permit.
- 9. **Schedules "A"** attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

**AUTHORIZING RESOLUTION** passed by the Municipal Council on the 26<sup>th</sup> day of March, 2019.

AUTHORIZING RESOLUTION passed by the Municipal Council on the 26<sup>th</sup> day of March, 2019.

**IN WITNESS WHEREOF** this Development Permit is hereby executed and issued by the Municipality the 26<sup>th</sup> day of March, 2019.

**AMENDED BY RESOLUTION** passed by the Municipal Council on the \_\_\_ day of \_\_\_, 2024.

**THE DISTRICT OF UCLUELET**

by its authorized signatories:

\_\_\_\_\_

Bruce Greig  
Director of Community Planning





### Schedule A (May 2024 Amendments)

Newcastle Engineering – Weyerhaeuser Lands Development Phase 5  
Site Plan drawing 0716-004-100 revision 02 Dated March 18, 2024



Newcastle Engineering – civil drawings 0716-004 pages 01-17 revision 07 Dated April 11, 2024





**OCEANWEST**  
*Live the Lasting Impression*

# Phase V Site & Circulation Plan




-  Covenant Protected Greenspace & Right of Ways
-  Landscaping/Yard Areas
-  Residences
-  Driveways & Gravel Paving
-  Gravel Trails
-  Multi-use Paved Trail
-  Paved Roads





# OceanWest Phase 5 Works

## Wetland Remediation and Offsetting Plan



Prepared for:

**EDI Environmental Dynamics Inc.**  
301 George Street  
Prince George, BC, V2L 1R4

February 23, 2024

Prepared by:

**Ecofish Research Ltd.**





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**Disclaimer:**

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## 1. INTRODUCTION

This Wetland Remediation and Offsetting Plan (the Plan) describes the recommended works and activities that are to be implemented by Weyerhaeuser Company Limited (Weyerhaeuser) to satisfy a provincial Order issued under Section 92(2) of the *Water Sustainability Act* (WSA). The Plan is intended to remediate impacts to Stream 14 Wetland and to offset impacts to the Raven Haven Creek Wetland (collectively, “the Wetlands”), associated with Phase 5 of Weyerhaeuser’s OceanWest mixed-use development project in Ucluelet, British Columbia (the Project). The Plan is based on a substantially revised Phase 5 layout and, as such, has been prepared by Ecofish Research Ltd. (Ecofish), in collaboration with the Project team, which includes staff from Weyerhaeuser, Newcastle Engineering Ltd. (Newcastle), and EDI Environmental Dynamics Inc. (EDI). Furthermore, the Plan has been prepared in consideration of written correspondence and direction from provincial staff overseeing this file, and in accordance with the BC Environmental Mitigation Policy (BC MOE 2014).

## 2. BACKGROUND

### 2.1. Project Overview and Regulatory Context

OceanWest is a 340-acre comprehensive development approved by the District of Ucluelet in a Master Development Agreement in 2006. Four phases of streets and residential and commercial development have been completed over the past 18 years. Phase 5 is a residential subdivision of 33 lots (the property; Map 1), which included the extensions of Marine Drive and Forbes Road to complete an important roadway link for access and emergency services to Peninsula Road in accordance with the Official Community Plan.

Construction of the Phase 5 subdivision, which began in March of 2021 with a Section 11 Notification in place, included clearing, grubbing, and preliminary earthworks of the right-of-way for the extension of Forbes Road to Marine Drive. This activity disturbed what has now been identified by Ecofish as 1,143 m<sup>2</sup> of the Wetlands.

Due to concerns that wetlands have been disturbed by construction activities between Forbes Road and Marine Drive, the Ministry of Water, Land, and Resource Stewardship (the Ministry) had issued an Order under the WSA, requiring a wetland assessment and remediation plan be prepared by an appropriate Qualified Environmental Professional (QEP). On October 21, 2022, Weyerhaeuser submitted a Wetland Assessment and Remediation Plan prepared by Ecofish (Wright *et al.* 2022) to comply with the Order.

The Ministry reviewed the recommendations within the Wetland Assessment and Remediation Plan and requested a wetland offsetting plan for the Project. In March 2023, Ecofish completed a desktop and field assessment of the property (within Weyerhaeuser owned lands at and near the Phase 5 subdivision) to identify suitable sites to offset wetland function loss through creation of new and/or enhanced wetland areas. The assessment was followed by development of a conceptual design brief for offsetting the loss of 1,143 m<sup>2</sup> of wetland habitat and associated functions at the Property

(Wright *et al.* 2023). The conceptual design was developed to support offsetting a larger area (1,576 m<sup>3</sup>) of wetland disturbance associated with completion of Forbes Road. The conceptual design brief was submitted to the Ministry for review in June 2023. The Plan was developed in consideration of the Ministry’s feedback on the conceptual design brief, which included a request to reconsider the alignment of Forbes Road to avoid further disturbance to Stream 14 Wetland and to restore the wetland and its riparian buffer.

2.2. Wetland Extent and Functions

Table 1 is a summary of the estimated area of the Wetlands that existed prior to Forbes Road construction activities, and the estimated intact (undisturbed) and impacted (from Phase 5 Project activities) wetland areas, including those areas currently disturbed but that will be remediated as part of this Plan. A third wetland, approximately 302 m<sup>2</sup> in area and located adjacent to Marine Drive, was identified during the original Wetland Assessment (Wright *et al.* 2022) but will not be disturbed by the current Phase 5 development, nor will a fourth wetland, Stream 3 Wetland, which is located outside of the Phase 5 boundary (Map 1).

The Wetlands are classified as coniferous treed swamps, with a mix of slope and flat basin forms (NWWG 1997). The ecological communities of these wetlands most resemble Western redcedar – Western hemlock – Skunk cabbage swamps (*Thuja plicata* – *Tsuga heterophylla* – *Lysichiton americanus*; Ws54; Mackenzie and Moran 2004), though slough sledge (*Carex obnupta*) was more abundant than skunk cabbage at all sites (Wright *et al.* 2022). The Wetlands provide habitat for amphibians, songbirds, and small and large mammals. The Wetlands also maintain streamflow during dry periods and improve water quality by filtering sediment and pollutants; this latter function may be a more important function of the Wetlands as the Property becomes populated.

**Table 1. Estimated total area of wetlands on the Property before Phase 5 construction, and estimated area of intact and disturbed portions of these wetlands.**

Site	Wetland Area Prior to Phase 5 Activities (m <sup>2</sup> )	Intact Wetland Area (m <sup>2</sup> )	Impacted Wetland Area (m <sup>2</sup> )
Raven Haven Creek Wetland	2,330	1,936	394
Stream 14 Wetland	1,921	1,172	749
Marine Drive Wetland	302	302	-
Total Areas	4,553	3,410	1,143

**3. AVOIDANCE, MINIMIZATION, AND COMPENSATION MEASURES**

This section describes the specific measures proposed to avoid, minimize, remediate, and offset the loss of wetland and riparian functions. Map 1 provides a visual of the Plan, with specific areas labelled and referred to in the following mitigation components.

### 3.1. Wetland Avoidance

Wetland avoidance was the highest priority and was achieved by revising the site plan to avoid further disturbance to Stream 14 Wetland and any future disturbance to Stream 3 Wetland. Forbes Road will be constructed to the west of Stream 14 Wetland, and construction of Marine Drive will be terminated 100 m short of the Phase 5 boundary to provide adequate flexibility for the future extension of Marine Drive to avoid Stream 3 Wetland and its 15-m riparian setback (Label 23 and 24 in Map 1).

### 3.2. Minimization of Wetland Disturbance

To minimize potential future disturbance to the Wetlands, riparian setbacks (referred to hereafter as buffers) will be established. Some riparian buffers have been previously disturbed and will be remediated, while others, where remediation is unavoidable, will be offset through wetland construction or riparian protection.

- A 15 m riparian buffer will be established between Raven Haven Wetland and the adjacent lot 87 (Label 6 on Map 1).
- A buffer of between 7 m and 10 m will be established between Stream 14 and the adjacent lots 81 and 82 (Label 16 on Map 1). This buffer is less than the Ministry requested 15-m setback due to the topography of the land. The wetland buffer extends 2 to 3 m vertically up a steep rock slope that will remain intact post-construction, and therefore meets the objective of providing a functional wetland buffer.
- A 3 m to 15 m buffer will be re-established to the north, west, and south of Stream 14 Wetland (Label 10 on Map 1). These buffer areas were previously disturbed during clearing for planned construction of Forbes Road and will be reclaimed. Where it is not feasible to extend the riparian buffer to 15 m on the north and west sides of Stream 14 Wetland, due to road requirements for the Project (Label 15 on Map 1), the loss of function will be offset, in part, by wetland habitat creation at a ratio of 1:1 (described in Section 3.3).
- Phase 5 construction activities caused no disturbance to the riparian areas of Stream 14 Wetland or Marine Drive Wetland beyond the approximate boundaries of what had previously been disturbed during the construction of Marine Drive between 2005 and 2010 (Labels 22 and 11 on Map 1, totaling 1,244 m<sup>2</sup>). Such Marine Drive construction work was conducted prior to the WSA revisions (and before Phase 5 of the Project) and therefore should not require offsetting as part of this Project. Nevertheless, the functions associated with the 2005 to 2010 disturbance will be offset through the Stream 2 riparian protection (Label 18 on Map 1; described in Section 3.3) and riparian buffer protection (Label 2 and 25 on Map 1) of the Offsetting Wetland.

Stream 2 and 14 and all wetlands and their buffers will be designated as Park and are not overlapped by housing lots. Signs will be posted in these areas to notify the public of these ecologically sensitive areas and split cedar fences will be erected to prevent disturbance.

In addition to establishing protective buffers, other measures will be taken to reduce and control construction-related effects on wetland functions, including:

- Adhering to the Project’s Environmental Management Plan (EMP; EDI 2020), which includes measures for erosion and sediment control to manage surface water and avoid sedimentation in adjacent vegetation communities during construction.
- Adhering to the Project’s Wetland Management Plan (Appendix C in Wright *et al.*, 2022), which includes clearly delineating (flagging) wetland buffers prior to site preparation to keep clearing activities within the designated Project footprint.
- Remediating, through reclamation and/or restoration, any temporarily disturbed riparian areas as soon as practicable. Existing soils and plants that will be removed during construction will be incorporated in reclaimed/restored areas, where appropriate and technically feasible.
- Removing invasive species that have been discovered on site, as soon as possible.

3.3. Wetland Compensation

The area of wetland loss associated with the Project is 1,143 m<sup>2</sup>, with a further loss of 2,590 m<sup>2</sup> of wetland riparian buffers. The associated loss of wetland and riparian functions will be compensated for through wetland restoration and creation, wetland riparian buffer reclamation and protection, and stream riparian protection, as summarized in Table 2 and described below.

- Remediation of the disturbance to Stream 14 Wetland and its riparian buffer through approximately 1,721 m<sup>2</sup> of restoration that includes all the disturbed Stream 14 Wetland area (749 m<sup>2</sup>; Label 13 on Map 1) and reclamation of a portion of its riparian buffer (973 m<sup>2</sup>; Label 10 on Map 1).
- Offsetting the loss of approximately 394 m<sup>2</sup> of Raven Haven Wetland (Label 8 on Map 1) and a portion of the reduced riparian buffer of Stream 14 Wetland (Label 15 on Map 1) through the creation of 888 m<sup>2</sup> of wetland (Label 1 on Map 1). The remaining portion of Stream 14 Wetland riparian buffer and the Raven Haven Wetland riparian buffer (Label 5 on Map 1) that will be/has been lost due to construction of Forbes Road will be offset through the establishment of a 15-m riparian buffer around the newly created wetland offsetting site with a total area of 2,630 m<sup>2</sup>. The riparian buffer will surround the Offsetting Site (Label 2 on Map 1), except where the buffer overlaps with, and extends beyond, the 5-m Stream 14 setback (Label 3 and 4 on Map 1). To avoid double counting protection areas, an area between Stream 14 and north of the Offsetting Site (Label 25 on Map 1) has been proposed for protection; this protection area equals the area of overlap between the Stream 14 setback and the Offsetting Site (and includes the area labelled “4” on Map 1).

- Protection of Stream 2 and its riparian area to offset the loss of a portion of Stream 14 Wetland and Marine Drive Wetland riparian buffer caused by the construction of Marine Drive prior to implementation of the Project.
  - Stream 2, located in the northeast section of the property (Map 1), had no previously assigned setback because past investigations by EDI found no surface water connection between Stream 2 on the property and the sections downstream of the property. The riparian area for this headwater provides similar water quality, hydrologic, and habitat functions as the Raven Haven Creek Wetland (Wright *et al.* 2022). Development on the slopes buffering Stream 2 is likely to impact the functions of the riparian area. To maintain riparian functions and protect the stream headwaters and to offset for losses to wetland riparian areas, a 1,010 m<sup>2</sup> area around Stream 2 will be designated as Park for future protection (Label 18 on Map 1).
- Development and implementation of a wetland monitoring program (Section 6) to document the performance of compensatory wetlands and provide adaptive management strategies to improve effectiveness, if required.

This Plan is expected to result in no net loss of wetland functions on the Property. The Plan will result in a net gain of 2,516 m<sup>2</sup> of wetland and riparian habitat area (Table 2)

The following sections provide site descriptions and prescriptions for wetland and wetland riparian buffer remediation (Sections 4) and wetland offsetting (Section 5), and recommended effectiveness monitoring requirements (Section 6).



**Table 2.** Total area of wetland and wetland riparian buffer area loss, and proposed total area of wetland restoration and creation (offsetting), reclamation of wetland riparian buffer, and wetland and stream riparian habitat protection.

Site	Impacted	Reduced	Wetland Restoration and Creation Area	Reclaimed	Protection Area	
	Wetland Area (m <sup>2</sup> )	Wetland Buffer Area <sup>1</sup> (m <sup>2</sup> )			Wetland Buffer Area (m <sup>2</sup> )	Stream 2 Park <sup>3</sup> (m <sup>2</sup> )
Raven Haven Creek Wetland	394	1,578	-	-	-	-
Stream 14 Wetland	749	1,013	749	973	-	-
Marine Drive Wetland	-	-	-	-	-	-
Wetland Offsetting Site	-	-	888	-	2,630	1,010
<b>Total Areas</b>	<b>1,143</b>	<b>2,590</b>	<b>1,636</b>	<b>973</b>	<b>2,630</b>	<b>1,010</b>
<b>Total Losses<sup>4</sup></b>	<b>-</b>	<b>3,733</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Gains<sup>5</sup></b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,249</b>

<sup>1</sup> Area of wetland riparian buffer less than the minimum 15 m setback requirement for wetlands on the Property; this area requires offsetting

<sup>2</sup> Protected 15 m riparian buffer around the Wetland Offsetting Site

<sup>3</sup> Protected area around Stream 2, between Lots 85 and 86; includes 204 m<sup>2</sup> of reduced Raven Haven Creek Wetland buffer area

<sup>4</sup> Impacted Wetland Area + Reduced Wetland Buffer Area

<sup>5</sup> Wetland Restoration and Creation Area + Reclaimed Wetland Buffer Area + Protection Areas

1494-02



#### 4. REMEDIATION SITES AND PRESCRIPTIONS

Remediation of impacts caused by clearing Stream 14 Wetland and its riparian buffer will be completed through approximately 1,721 m<sup>2</sup> of restoration that includes all the disturbed Stream 14 Wetland area (749 m<sup>2</sup>; Label 13 on Map 1) and reclamation of a portion of its riparian buffer (973 m<sup>2</sup>; Label 10 on Map 1). Appendix A provides an overview of Stream 14 Wetland and Buffer remediation design, including a plan view, cross-section profiles, and a summary of the planting prescriptions and standards. Recommended construction timing is discussed in Section 6.3.

##### 4.1. Site Descriptions

###### 4.1.1. Stream 14 Wetland Restoration Site

Stream 14 Wetland is a 749 m<sup>2</sup> area lost through vegetation and soil removal, though some areas of developing soil have remained after clearing. Three general zones, including shallow open water in the northern portion, a shrub and herb dominated swamp in the central portion, and a shrubby swamp in the south portion, comprise the Stream 14 Wetland:

1. The shallow open water is approximately 200 m<sup>2</sup>, with an open water pool and a sparse cover of common horsetail (*Equisetum arvense*), slough sedge (*Carex obnupta*), Pacific soft rush (*Juncus effusus* ssp. *pacificus*), and cattail (*Typha latifolia*).
2. The shrub and herb dominated swamp is approximately 250 m<sup>2</sup>, with a variety of scattered shrubs, herbs, and mosses, such as, evergreen huckleberry (*Vaccinium ovatum*), salmonberry (*Rubus spectabilis*), thimbleberry (*Rubus parviflorus*), deer fern (*Struthiopteris spicant*), slough sedge, and Pacific soft rush.
3. The shrubby swamp is approximately 300 m<sup>2</sup>, located adjacent to Stream 14. The vegetation in this area is dominated by a thick cover of salmonberry with patches of evergreen huckleberry and slough sedge.

###### 4.1.2. Stream 14 Wetland Buffer Reclamation Site

Stream 14 Wetland Buffer is a 973 m<sup>2</sup> area lost through vegetation and soil removal. It is made up of two general zones, including bedrock outcrops in the northern portion and a shrub and herb swamp community in the central and southern portions.

1. The bedrock outcrops are approximately 500 m<sup>2</sup>, with patches of remaining soil and sparsely distributed herbs and mosses, such as deer fern and juniper haircap moss (*Polytrichum juniperinum*).
2. The shrub and herb swamp community is approximately 473 m<sup>2</sup>, with a variety of shrubs, herbs, and mosses, such as: evergreen huckleberry, salmonberry, thimbleberry, deer fern, juniper haircap moss, and crane's-bill moss (*Atrichum selwynii*). The shrub and herb community has areas of adequate soil development remaining.

#### 4.2. General Prescriptions for Stream 14 Wetland Restoration and Reclamation Sites

The steps for site preparation and remediation of Stream 14 Wetland and Buffer are outlined below. Further details, including site design, are provided in Appendix A.

1. Remove all invasive plant species.

The first action for the restoration and reclamation of Stream 14 Wetland and Buffer is to remove any noxious invasive plant species infestations, according to the BC Weed Control Regulation (*Weed Control Act* 2011). Invasive plant species detected at site or along the adjacent roadsides shall be manually removed and disposed of at an approved site. Invasive plant infestations should not be mowed, and plant materials are not to be mixed into the existing soil. Any equipment arriving at site must be clean and free of soil and plant material to prevent the potential for the spread of invasive plant species. The use of chemical herbicides for control or management of invasive species will be avoided due to the proximity to waterbodies.

2. Salvage soil and plant materials, and add soil and woody debris where needed.

When clearing vegetation to the west of Stream 14 Wetland (for the extension of Forbes Road to Marine Drive), retain portions of soil, root mats with small trees, shrubs, herbs, mosses, and seed bank for use in the Stream 14 Wetland Restoration and Buffer Reclamation Sites. Stockpile salvaged soils for later use or simultaneously spread soils, root mats, and vegetation directly to Stream 14 Wetland and Buffer Sites where existing soils are less than 25 cm to save costs from importing purchased soil. However, existing natural vegetation that has already established should not be covered. Where soils are not adequately established, add topsoil to a 200 – 300 mm thickness in a rough or loose finished grade. Careful consideration of topsoil requirements will be made prior to purchase. Topsoil should be weed-free and consist of 'premium mix' or organically enriched soil with approximately 75% organic compost and 25% washed sand. Scatter coarse woody debris from cleared areas throughout the Stream 14 Wetland Restoration and Reclamation Buffer Sites.

3. Plant native species applicable to site conditions.

Plant nursery stock by hand following the General Planting Standards in Appendix A. At the Stream 14 Wetland Restoration Site, plant rushes in the shallow open water zone, and plant sedges, rushes, and skunk cabbage along the edges of the open water and in wet depressions or topographic hollows throughout the rest of the restoration site. At the Stream 14 Wetland Buffer Reclamation Site, plant nursery stock plugs on bedrock outcrops where soils may be thinner. Plant sedges, rushes, and skunk cabbage in wet depressions or hollows throughout the rest of the reclamation site. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the restoration and reclamation sites.

Estimated plant densities and layout are provided in Appendix A. Not all nursery planting material will be required due to patches of existing vegetation present at the sites and the potential use of salvaged plants from construction of Forbes Road. Careful consideration of plant requirements will

be made prior to purchase, which will be completed after plant salvage from the adjacent road clearing site; any surplus nursery plants not used at these sites can be used for the Wetland Offsetting Site.

4. Implement site protection measures.

Prior to any clearing or movement of soils when constructing Forbes Road adjacent to Stream 14 Wetland and Buffer Sites, the contractor must implement erosion and sediment control measures as per the EMP to minimize sediment inputs to the wetland and its reclaimed buffer.

Assess risk of deer browse and identify whether any browse protection should be installed prior to planting. Seek to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on a minimum of 20% of planted conifers if high browse levels are observed at nearby sites.

Low split cedar fencing must be installed at the north and south edges of Stream 14 Wetland Restoration and Buffer Reclamation Sites at intersection points with Marine Drive and Forbes Road to discourage people and pets from entering the wetland remediation area. Installation of signs indicating that the area is a dedicated park for stream and wetland conservation could also help protect the sites from disturbance.

Seed native species by hand or handheld spreader at intersection points with Marine Drive and Forbes Road, following invasive species removal at these locations. Use a native seed mixture, such as 100% Native Roadside Riparian seed mix from Premier Pacific Seeds. The seeding rate must be 40–50 kg per hectare (Table 3). Native Roadside Riparian seed mix mitigates invasive plant growth in disturbed soils, provides erosion and sediment control, and is tolerant to high soil moisture and seasonal flooding (Premier Pacific Seeds 2020).

**Table 3. Native Roadside Riparian seed mix.**

Common Name	Botanical Name	Percentage by Weight (%)
Meadow barley	<i>Hordeum brachyantherum</i>	41
Mountain brome	<i>Bromus marginatus</i>	40
Native red fescue	<i>Festuca rubra</i>	15
Tufted hairgrass	<i>Deschampsia cespitosa</i>	3
Spike bentgrass	<i>Agrostis exarata</i>	1

Seeding Rate: 40-50 kg per hectare (one bag equals 22.7 kg)

4.3. Schedule, Design Supervision, and Reporting

Ideally, the clearing for extension of Forbes Road to Marine Drive will occur in the spring of 2024 from March to May. Replanting activities in the Stream 14 Wetland Restoration and Wetland Buffer Reclamation sites could occur concurrently with this clearing to make use of salvaged

soil and plant materials. To minimize risk to breeding amphibians, remediation activities during the spring will be focused on the placement of salvaged soil and plants in the Wetland Buffer Reclamation site and will avoid the shallow open water and wetted areas of the Stream 14 Wetland Restoration site, which will be planted in late summer, coinciding with planting at the Offsetting Site. Additionally, a General Wildlife Permit for salvage will be obtained prior to the start of works, and exclusion fencing for amphibians will be erected in the wetland remediation site in spring to avoid wetted areas, and around the perimeter of the wetland and/or wetland buffer where road clearing activities are taking place.

A QEP will supervise all stages of remediation habitat design works, including daily search and salvage for amphibians prior to road clearing and remediation activities, invasive plant identification and removal, plant and soil salvage, and implementation of site protection measures during construction activities and post-remediation. A memorandum will be produced by the QEP following remediation that describes the methods and results of the initial restoration and reclamation activities to inform effectiveness monitoring (Section 6).

## 5. OFFSETTING SITE AND PRESCRIPTION

A swamp wetland of approximately 888 m<sup>2</sup> will be created to offset the loss of approximately 394 m<sup>2</sup> of Raven Haven Wetland and a portion of the reduced riparian setback of Stream 14 Wetland. The newly created wetland will be protected by a buffer totalling 2,630 m<sup>2</sup>, which will offset the loss of the Raven Haven Wetland riparian buffer and a portion of the Stream 14 riparian buffer. Appendix B provides an overview of the Wetland Offsetting Site design, including a plan view, longitudinal profiles, and a summary of the planting prescriptions and standards.

### 5.1. Wetland Offsetting Site Description

The wetland offsetting site (Area 3 in the Conceptual Design Brief; Wright *et al.* 2023) was chosen for its large size (888 m<sup>2</sup>), disturbed condition, and its location adjacent to Stream 14 and an intact, blue-listed ecosystem. The wetland offsetting site is a gravel clearing, possibly a previous parking lot, located adjacent to a closed (but utilized) footpath that is on private (Weyerhaeuser) property. The wetland offsetting site is adjacent to and east of Stream 14, and adjacent to and north of an intact, blue-listed terrestrial ecosystem (CWHvh1/15). Only sparse vegetation is growing out of the gravel, mostly non-native grasses and herbs. The edges of the site have regenerated western redcedar (*Thuja plicata*), Sitka spruce (*Picea sitchensis*), salal (*Gaultheria shallon*), salmonberry, evergreen huckleberry, deer fern, common horsetail, and Pacific soft rush. Two soil pits were manually excavated in November 2023 reaching about 30 cm in depth, showing a persistent gravel layer. There is a large pile of wood pulp at the northwest end of the site and a large pile of wood debris and logs at the northeast end of the site. A portion of this material is anticipated to contribute to organic material and large wood for wetland construction.



## 5.2. General Prescriptions for Wetland Offsetting

The steps for site preparation and construction of the Offsetting Wetland are outlined below. Further details, including site design, are provided in Appendix B. Recommended construction timing is discussed in Section 6.3.

1. Remove all invasive plant species and salvage any native plant species.

Manually remove all noxious invasive plant species from the Wetland Offsetting Site, including its buffer and dispose at an approved site, according to the BC Weed Control Regulation (*Weed Control Act* 2011). Invasive plant species detected at site or along adjacent paths shall be manually removed and disposed of at an approved site. Invasive plant infestations should not be mowed, and plant materials are not to be mixed into the existing soil. Any equipment arriving at site must be clean and free of soil and plant material to prevent the potential for the spread of invasive plant species. The use of chemical herbicides for control or management of invasive species will be avoided due to the proximity to waterbodies.

Existing native vegetation at the excavation site will be kept for future planting, if practical.

2. Excavate and grade the Site.

Prior to any excavation or movement of gravel or other materials from the Wetland Offsetting Site, and during wetland construction, the contractor will implement erosion and sediment control measures along the east edge of Stream 14, as per the Project's EMP, to minimize sediment input to the watercourse and riparian area. The existing gravel surface will be excavated to a depth of approximately 1.5 – 2.5 m to match the elevation of the adjacent Stream 14 streambed, which is expected to remove all introduced gravels. Introduced gravel surface materials will be removed from the site and can be used for lot construction elsewhere on the Property.

The surface of the site will be regraded to mimic swamp topography, which consists of a sequence of hummocks (mounds) and hollows (depressions) of varying dimensions (see Appendix B). The resultant topography should direct water drainage towards Stream 14 by sequencing hollows toward the stream. This will be supported by the creation of a subtle berm (approximately 0.3 – 0.5 m high and 40 m long) along the south edge of the wetland, parallel to the existing footpath so that water flows toward Stream 14 and not south across the footpath.

3. Add soil and woody debris.

Where soils are not adequately established, topsoil will be added to a 200 – 300 mm thickness in a rough or loose finished grade lining the hummocks and hollows. Careful consideration of topsoil requirements will be made prior to purchase. Topsoil should be weed-free and consist of 'premium mix' or organically enriched soil with approximately 75% organic compost and 25% washed sand. Wood debris and pulp will be scattered in depressions and hollows to kickstart organic soil development and logs from the existing log pile will be positioned to create microsite habitats adjacent to the open water features.

4. Plant native species applicable to site conditions.

Plant nursery stock by hand following the General Planting Standards in Appendix B. Plant sedges, rushes, and skunk cabbage within shallow open water areas, wet depressions, or hollows throughout the Wetland Offsetting Site. Plant at least half of the salmonberry stock within the riparian area near Stream 14. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the offset site. Estimated plant densities and layout are provided in Appendix B. Upon completion of earthworks, the planting plan may be updated to suit existing conditions before nursery stock is ordered. In addition, any plant or soil material salvaged from the extension of Forbes Road to Marine Drive that was not used in the restoration and reclamation of the Stream 14 Wetland and Buffer Sites can be used at the Wetland Offsetting Site.

5. Implement site protection measures.

Assess risk of deer browse and identify whether any browse protection should be installed prior to planting. Seek to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on a minimum of 20% of planted conifers if high browse levels are observed at nearby sites.

Keep the existing footpath but install a low split cedar fence to discourage people and pets from entering the wetland. Installation of signs indicating that the area is a dedicated park for stream and wetland conservation could also help protect the site from disturbance.

Seed native species by hand or handheld spreader along the south edge of the wetland adjacent to the existing footpath (following invasive species removal) to prevent new introductions of invasive species. Use a native seed mixture, such as 100% Native Roadside Riparian seed mix from Premier Pacific Seeds. The seeding rate must be 40–50 kg per hectare (Table 3).

### 5.3. Schedule, Design Supervision, and Monitoring

Depending on equipment resources, the Wetland Offsetting Site could be excavated, and gravel removed, during clearing activities associated with the extension of Forbes Road to Marine Drive, to make use of any excess salvaged soil and plant materials. Otherwise, the Wetland Offsetting Site should be constructed in late summer of 2024, with initial nursery plugs planted in September to October 2024, followed by planting remaining nursery plugs and container stock in the spring of 2025.

A General Wildlife Permit for salvage will be obtained prior to the start of works, and exclusion fencing for amphibians will be erected between the Offsetting Site and Stream 14 during clearing and wetland construction activities. Daily search and salvage for amphibians will be completed prior to clearing and construction work.

A QEP will supervise all stages of wetland construction design works, including updating the planting plan to suite existing conditions prior to ordering nursery stock, if necessary. A memorandum will be produced by the QEP following wetland construction that describes the methods and results of the initial construction activities to inform effectiveness monitoring (Section 6).

## 6. EFFECTIVENESS MONITORING AND EVALUATION

This section describes effectiveness monitoring for the Plan, which is intended to verify the recovery of the compensation sites based on the objectives outlined in Section 6.1, and to guide corrective actions to promote the long-term effective performance of the compensatory wetland and riparian habitat to provide conditions and functions similar to unimpacted wetland and riparian habitat on the Property.

The following sections describe the monitoring objectives and approach (Section 6.1), field methods and standards for monitoring (Section 6.2), the timing and frequency of monitoring relative to the timing of habitat restoration/reclamation/construction and site conditions upon monitoring (Section 6.3), when and how adaptive management strategies should be implemented (Section 6.4), and reporting schedule (Section 6.5).

### 6.1. Monitoring Objectives and Approach

The effectiveness monitoring program is based on the repeated collection of monitoring data over time and the analysis of these data with the objective of evaluating the effectiveness of wetland remediation and construction, including site contouring (for the Wetland Offsetting Site) and revegetation techniques, and adaptively modifying prescriptions based on monitoring results to achieve no overall loss to wetland and riparian buffer functions.

Monitoring methods will follow a qualitative approach to assess the effectiveness of Stream 14 Wetland restoration, Stream 14 Wetland buffer reclamation, and Wetland Offsetting Site construction based on hydrological, water quality and habitat functions, following these objectives:

1. The objective for the Stream 14 Wetland Site is to restore the site with adequate soil and vegetation cover of similar plant species as the unimpacted (intact) Stream 14 Wetland area. The result of the topsoil replacement and planting plan is intended to set the wetland community on a trajectory toward functions comparable to the adjacent Stream 14 Wetland, such that water flow, water quality, and habitat mirror an early successional stage western redcedar - Sitka spruce/skunk cabbage forested swamp community (CWHvh1/13). This wetland swamp community will be enhanced with an area of shallow open water wetland in the northern portion, and a riparian stream community in the southern portion where Stream 14 flows from the northeast to southwest.
2. The objective for the Stream 14 Wetland Buffer Site is to reclaim the site with adequate soil and vegetation cover of similar plant species as the unimpacted (intact) Stream 14 Wetland Buffer area to the east of the intact Stream 14 Wetland. The result of the topsoil replacement and planting plan is intended to set the buffer community on a trajectory toward functions comparable to the intact Stream 14 Wetland Buffer, such that water flow, water quality, and habitat mirror an early successional stage western redcedar – western hemlock/salal forested community (CWHvh1/01). The vegetation cover will reflect local site conditions. For example, the crest of the bedrock outcrop area will naturally be dryer

than the areas between the outcrops, with vegetation communities differing based on these conditions.

3. The objective for the Wetland Offsetting Site is to excavate the compacted gravel and create a wetland swamp with open water features to compensate for the loss of wetlands and wetland riparian buffers that were impacted by Phase 5 development. Organic topsoil will be added and graded to create a depressional area with hummocks and hollows. Vegetation will be replanted using similar plant species as the unimpacted (intact) Stream 14 Wetland Site, including vegetation adapted to shallow open water. The result of the topsoil replacement and planting plan is intended to set the wetland community on a trajectory toward functions comparable to a forested swamp, such that water flow, water quality, and habitat mirror an early successional stage western redcedar - Sitka spruce/skunk cabbage forested swamp community (CWHvh1/13). This wetland swamp community will be enhanced with areas of shallow open water, hummocks, hollows, and riparian vegetation at the southwestern edge adjacent to Stream 14.

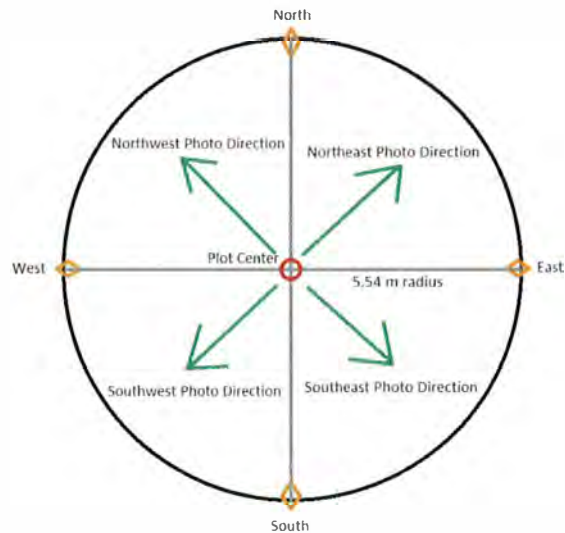
Compensation sites will be monitored by establishing permanent plots to record physical stability and hydraulic function, and revegetation progress over time, and by comparing these to data collected in plots established in adjacent unimpacted (or intact) areas of Stream 14 Wetland and its riparian buffer to the east.

#### 6.2. Field Methods and Standards

Field crews will assess revegetation progress and functions using qualitative assessments according to standards of practice for ecosystem restoration (RIC 1996; Machmer and Steeger 2002; Nelson *et al.* 2023).

Prior to construction and revegetation activities, two permanent plots will be established in each of the three restoration/reclamation/offsetting sites and in reference sites (Intact Stream 14 Wetland and Buffer). Plot data will be recorded prior to and after vegetation planting. Plot locations will be selected to capture the variability of vegetation communities and microsite positions, such as shallow open water, swamp, riparian, and bedrock outcrop. Plots will be 100 m<sup>2</sup> in size with a radius of 5.54 m. Plot centers will be permanently marked with a wooden stake and the perimeter will be marked with temporary bright-coloured flagging tape or pin flags. String will be placed from plot center to the perimeter at each cardinal direction: north, east, south, and west. Within each plot, photos will be taken to capture the vegetation cover and site conditions within each quarter of the plot viewing northeast, southeast, southwest, and northwest (Figure 1).

Figure 1. Permanent plot setup.



At each plot, the following biophysical conditions will be monitored once during each monitoring year, at the same time each year (within one month and under the same conditions, i.e., considering whether the monitoring year is drier or wetter than in previous years of monitoring), recording:

- Vegetation species composition and structure;
- Mortality percent cover;
- Vegetation species percent cover;
- Exposed soil or erosion percent cover;
- Invasive plant species percent cover;
- Deer browse percent cover or rating (none, low, moderate, high);
- Evidence of bank slumping;
- Notes on bird, mammal, or amphibian observations;
- Notes on water flow and water direction (if applicable);
- Measurements of surface water level and water table depth;
- Notes on water quality – visual assessment of sedimentation/water turbidity (none, low, moderate, high); and
- Water pH – quantitative measurement of water acidity or hydrogen ion (H<sup>+</sup>) content.



Additional qualitative assessments of the entire site (outside of permanent plots) will also be completed. These assessments will include noting observations of invasive plant species, deer browse, exposed soil or evidence of erosion, areas of significant plant mortality, and incidental observations of birds, small and large mammals, and amphibians.

### 6.3. Schedule

The timing of recovery within and between the compensation (remediation and offsetting) sites is expected to differ due to the initial level of disturbance. For instance, the northern portions of the Stream 14 Wetland Restoration and Buffer Reclamation Sites have areas of little to no soil remaining and only sparse regenerating vegetation cover since it was initially cleared, such as in the shallow open water and bedrock outcrop zones, whereas the central and southern portions have varying amounts of remaining soil and regenerating patches of vegetation. Stream 14 Wetland and Buffer Sites will only have topsoil added to the existing surface grade, whereas the topography of the Wetland Offsetting Site will be created and completely regraded to represent a depressional swamp with shallow open water features. Monitoring for effectiveness will therefore need to be flexible and adaptable, as described below.

Post-construction effectiveness monitoring will occur during the summer (July – September) in year one (if wetland and riparian habitats are remediated/constructed in spring), and in at least years three, five, and seven after remediation/construction at the sites is completed. Depending on the monitoring results from year one, and/or the timing of remediation/construction works, it may be important to monitor again in year two. For instance, if first year monitoring results show poor planting survival, inadequate water flow/depth, or high rates of invasive plant species, then it will be prudent to add year two monitoring and adaptive management solutions to the schedule to avoid escalating issues. The monitoring schedule must also be adaptive to ensure the restored and constructed wetlands and reclaimed riparian buffers meet or exceed the function and habitat quality of existing unimpacted (intact) wetlands and riparian buffers.

### 6.4. Success Criteria and Adaptive Management

Corrective (adaptive) management actions will be implemented immediately if the QEP and/or the Ministry advises it is necessary based on monitoring results, i.e., to address any performance criteria that are not trending towards success to meet the compensation objectives. Field data will be analyzed to evaluate whether success criteria have been met. The recommended success criteria for evaluating the effectiveness of compensation habitats are as follows:

- 85% or more of ponds/pools and wetland habitat shows no sign of bank slumping that negatively affects the functionality of the wetland habitat;
- No more than 5% exposed soil;
- Soil thickness remains a minimum of 200 mm and has established vegetation growth;

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**PROJECT MAP**





**Legend**

- Phase 5 Development Boundary
- Property Lines
- Streams
- Culvert
- Intact wetland
- Intact Buffer
- Intact Buffer - to be Relocated
- Intact Buffer - to be Relocated
- Intact Buffer - Proposed Relocation
- Lost Wetland to be Offset
- Wetland to be Restored
- Buffer to be Reclaimed
- Buffer to be Offset
- Buffer to be Offset - Overlaps Park
- Buffer - Proposed not to Offset
- Offsetting Site
- Park
- Buffer - Previously Disturbed (Marine Drive)
- Stream 14 Setback (5 m)

**Remediation and Offsetting**

OceanWest Phase 5  
Wetland

**MAP SHOULD NOT BE USED FOR LEGAL OR NAVIGATIONAL PURPOSES**

Scale: 1:1,500

North Arrow

**ECOFISH**

Map 1



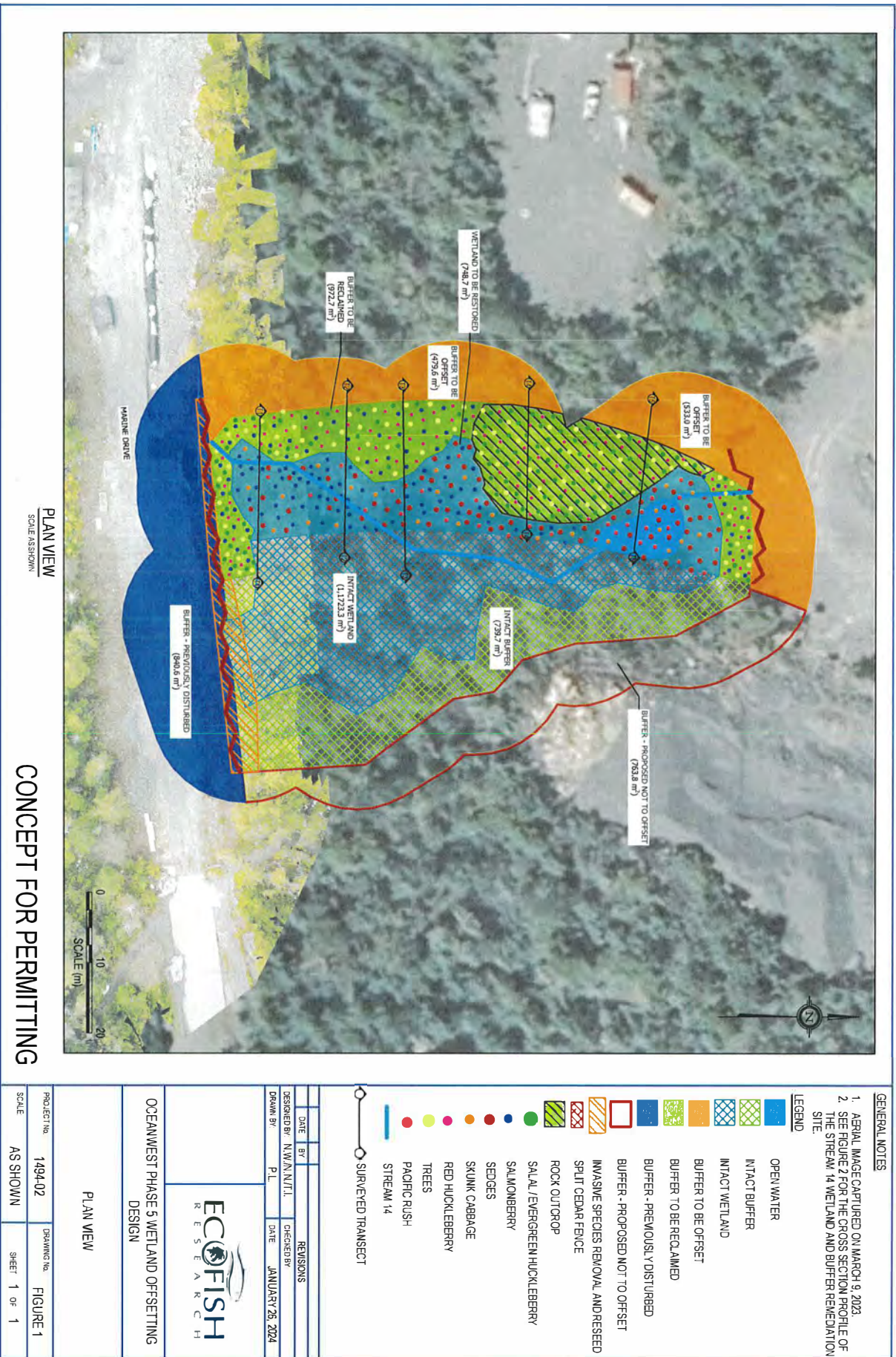
OceanWest Phase 5 Wetland Remediation and Offsetting Plan – Appendix A

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**Appendix A. Stream 14 Wetland and Buffer Remediation Design**

**LIST OF FIGURES**

Figure 1. Plan view..... 1  
Figure 2. Surveyed transects ..... 2  
Figure 3. Stream 14 Wetland Restoration site plan..... 3  
Figure 4. Stream 14 Wetland Buffer site plan..... 4



PLAN VIEW  
SCALE AS SHOWN

CONCEPT FOR PERMITTING

- GENERAL NOTES
1. AERIAL IMAGE CAPTURED ON MARCH 9, 2023.
  2. SEE FIGURE 2 FOR THE CROSS SECTION PROFILE OF THE STREAM/ 14 WETLAND AND BUFFER REMEDIATION SITE.

LEGEND

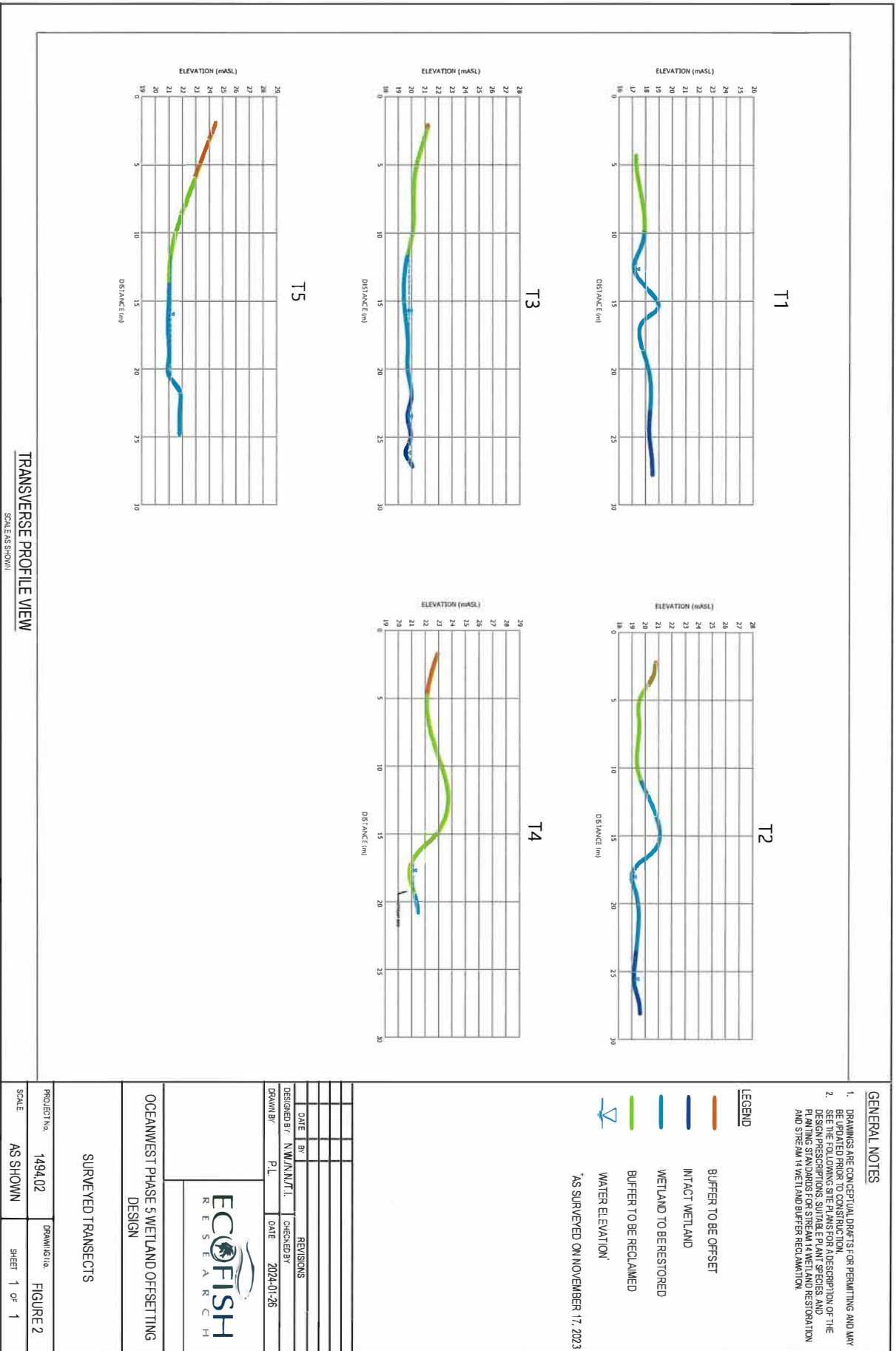
- OPEN WATER
- INTACT BUFFER
- INTACT WETLAND
- BUFFER TO BE OFFSET
- BUFFER TO BE RECLAIMED
- BUFFER - PREVIOUSLY DISTURBED
- BUFFER - PROPOSED NOT TO OFFSET
- INVASIVE SPECIES REMOVAL AND RESEED
- SPLIT CEDAR FENCE
- ROCK OUTFROP
- SALAL / EVERGREEN HUCKLEBERRY
- SALMONBERRY
- SEEDS
- SKUNK CABBAGE
- RED HICKLEBERRY
- TREES
- PACIFIC RUSH
- STREAM 14
- SURVEYED TRANSECT

DATE	BY	REVISIONS
DESIGNED BY	N.W./N.T./L.	CHECKED BY
DRAWN BY	PL	DATE
		JANUARY 26, 2024

**ECOFISH**  
R E S E A R C H

OCEANWEST PHASE 5 WETLAND OFFSETTING DESIGN

PROJECT No.	1494-02	DRAWING No.	FIGURE 1
SCALE	AS SHOWN	SHEET	1 OF 1





**Stream 14 Wetland Restoration Site Description**

Stream 14 Wetland is a 749 m<sup>2</sup> area located through vegetation and soil removal. Three general zones, including shallow open water in the eastern portion, a shrub and herb-dominated swamp in the central portion, and a shrubby riparian area on the south portion, comprise Stream 14 Wetland. The shallow open water is approximately 200 m<sup>2</sup>, with an open water pool and a sparse cover of common reed, slough sedge, Pacific soft rush, and cattail. The shrub and herb-dominated swamp is approximately 250 m<sup>2</sup> with a variety of green shrubs, herbs, and mosses such as evergreen huckleberry, salmonberry, huckleberry, deer fern, slough sedge, and Pacific soft fish. The shrubby riparian area is approximately 300 m<sup>2</sup>, and the vegetation is dominated by a thick cover of salmonberry with patches of evergreen huckleberry and slough sedge. Stream 14 Wetland has areas of developing soil remaining after clearing.



**Stream 14 Wetland Restoration Site Prescription**

Remove invasive plant species. Per the BC Weed Control Regulation, remove any noxious invasive plant species detected at site and dispose at an approved site. Use caution to avoid mixing invasive plant materials with the existing soil. Avoid using chemical pesticides and herbicides for control or management of invasive species (e.g. noxious weeds).

Implement erosion and sediment control measures before clearing or moving soil materials along adjacent edges of the wetland restoration site and its buffer to minimize sediment inputs to the restored wetland areas, per the EAMP.

Retain sections of topsoil, root mats with small trees, shrubs, herbs, mosses, and seed bank when clearing vegetation for construction of Fisheries Road, for use in the wetland restoration.

Stockpile and/or spread snags, root mats, and vegetation directly to the restoration site where existing soils are less than 25 cm to save costs from importing purchased topsoil. Do not cover existing natural vegetation that has already been established.

Establish or verify adequate topsoil depth and restore any eroded/thin-soil areas with a 200 to 300 mm thick layer of topsoil.

Manually roughen and loosen the finished grade surface to reduce erosion, establish roots of planted stock, and add in seed capture for additional natural regeneration.

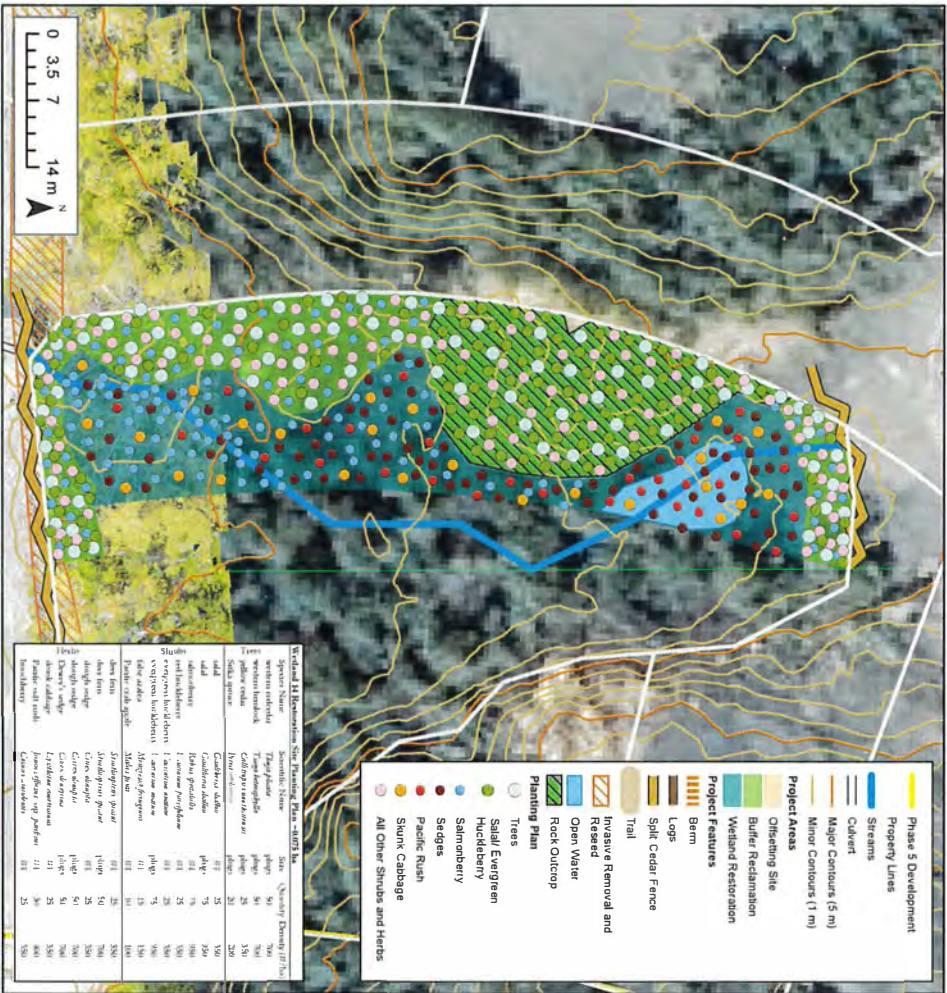
Scatter coarse woody debris from any newly cleared construction areas throughout the restoration site. Verify that logs are greater than 0.2 m in diameter and 3.0 m in length, and the bole of stumps is greater than 0.2 m in diameter.

Plant nursery stock by hand with shovels and hrowls. See General Planting Standards for further planting guidelines.

Plant canals in the shallow open water area, and sedges, rushes, and Frank cabbage along the edge of the shallow water area and in wet depressions or hollows throughout the rest of the restoration site. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the restoration site.

Seed native species by hand or hand-held spreader at a seeding rate of 40-50 kg per hectare (one bag is 22.7 kg). Use a native seed mixture, such as 100% Native Roadside Riparian seed mix from Premier Pacific Seeds.

11. Assess the risk of deer browse and identify whether browse protection should be installed before planting. Stock to provide adequate browse protection to achieve 80% center survival. Provide browse protection on at least 20% of planted counters if high browse levels are observed at nearby sites.



**General Planting Standards**

- Refer to recommendations from the Project's Environmental Management Plan (EAMP 2020).
- Ensure that plants are from a certified nursery stock, free of disease and noxious species, and have performance records where available.
- Confirm that plants meet or exceed British Columbia Nursery and Landscape Association Standards.
- Arrange for planting to be overseen by a qualified professional (QP) who will determine appropriate biomass of trees and shrubs based on spacing requirements and moose conditions.
- Apply native grass seed to the planting areas adjacent to existing road edges or pedestrian pathways by hand or manual spreader.
- Plant during the dormant season in the spring (March to April) or fall (September to October), depending on local conditions during the year of planting.
- Install up to 3 plants per square meter (minimum 1 plant per square meter) using a mix of trees, shrubs, and herbs as directed in planting plans or by the QP.
- Use associative plant groupings, such as planting clusters of 3 to 5 of the same plants close together interspersed with different species.
- Plant on a main or overcast day. If it is sunny and dry, ensure the roots are not exposed to sunlight and are always kept moist.
- Dig holes one and a half times larger in diameter than the root ball and several inches deeper. Backfill with enough loose topsoil so that the top of the root ball is even or slightly below ground level. Add a handful of humus and mix into the loose soil.
- Place the nursery stock in the hole, drawing the roots as little as possible. Backfill with topsoil and water thoroughly. Firm off any damaged branches.
- Apply water to planted areas on an as-needed basis during periods of dry weather to facilitate growth from June to September. Consider if additional watering and/or replanting is required to establish vigorous vegetation cover throughout the first year of growth.
- Maintain planting markers per the Project's EAMP and any subsequent management plans created for the Project. Check that all equipment entering a site is clean and free of soil and plant material to prevent the potential for the spread of invasive plant species.

**Monitoring**

- Monitor plantings for survival and invasive species presence one growing season following planting, then every two years for the first year (e.g., at year 1, year 3, year 5, and year 7 after planting). The schedule may be adapted according to investigation outcomes.
- Aim to achieve a target survival of 90% of the planted stock. Natural regeneration may compensate for planted stock as long as the total density of native trees, shrubs, and fern species is equivalent to at least 80% of their density when planted.
- Monitor plantings for adequate amounts of water during extensive dry periods.
- Monitor water quality (e.g., turbidity and pH) per the EAMP for one growing season following planting, then every two years for the first year (e.g., at year 1, year 3, year 5, and year 7 after planting).
- Provide recommendations on the potential removal of invasive species or additional plantings, if necessary, to promote the regeneration of native ecological communities.

Figure 3. ECOFISH RESTORATION



# Stream 14 Wetland Buffer Site Plan

## Stream 14 Wetland Buffer Site Description

Stream 14 Wetland Buffer is a 973 m<sup>2</sup> area lost through vegetation and soil removal. Two general zones, including a bedrock outcrop in the northern portion and a shrub and herb community in the central and southern portions, comprise Stream 14 Wetland Buffer. The bedrock outcrop has patches of remaining soil with sparsely disturbed herbs and mosses, such as deer fern and juniper harecap moss. A variety of shrubs, herbs, and mosses, such as evergreen huckleberry, salmonberry, thimbleberry, deer fern, juniper harecap moss, and crane-shall moss, comprise the shrub and herb community. The shrub and herb community has areas of adequate soil development remaining.



## Stream 14 Wetland Buffer Site Prescription

Remove invasive plant species. Per the BC Weed Control Regulation, remove any noxious invasive plant species detected at site and dispose at an approved site. Use caution to avoid mixing invasive plant materials with the existing soil. Avoid using chemical pesticides and herbicides for control or management of invasive species (e.g., noxious weeds).

Implement erosion and sediment control measures before clearing or moving soil materials along the edge of the riparian buffer reclamation site to minimize sediment inputs, per the EAMP. Reclaim topsoil, root mats with small trees, shrubs, herbs, mosses, and seed bank for use in reclamation site when clearing vegetation west of Stream 14 Wetland and its riparian buffer.

Stockpile or spread soils directly to the bedrock outcrops and where existing soils are less than 25 cm to save costs from importing purchased topsoil.

Spread a 100 to 300 mm thick layer of topsoil over the bedrock outcrops and wetland buffer where natural vegetation has not been established.

Manually roughen and loosen the finished grade surface to reduce erosion, establish roots of planted stock, and aid in seed capture for additional natural regeneration.

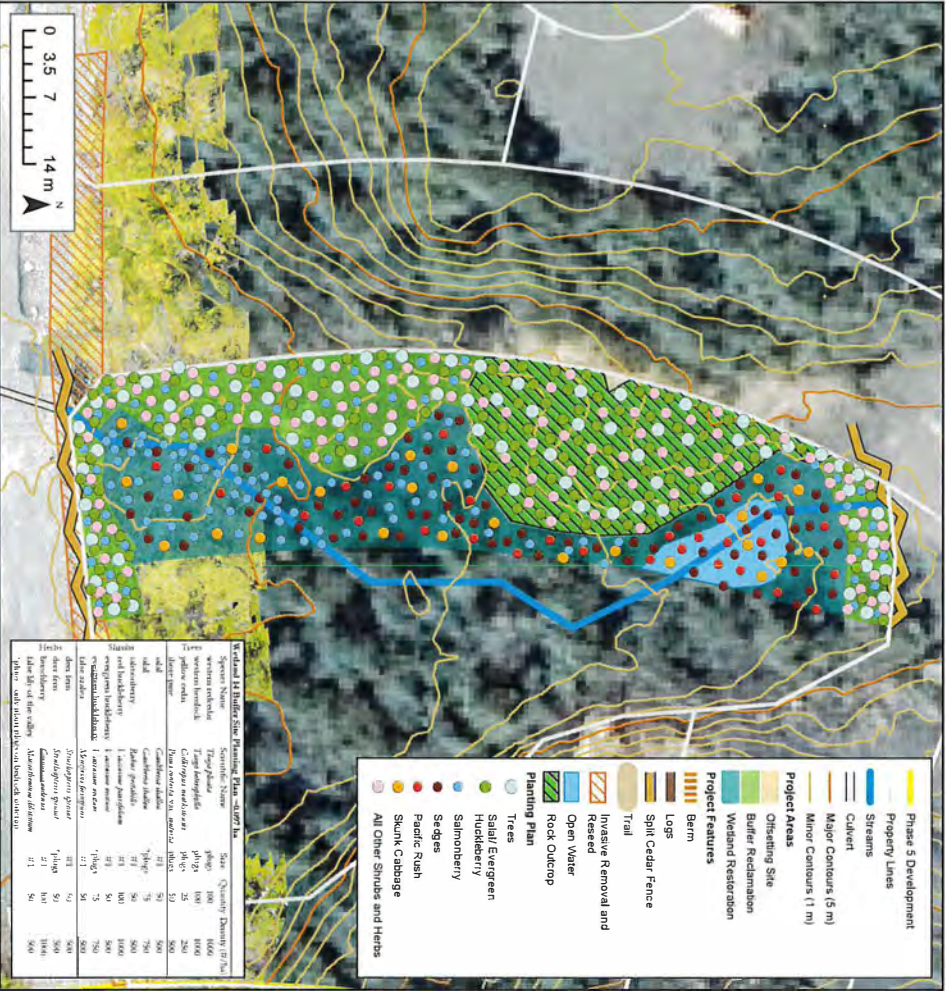
Scarify coarse woody debris from any adjacent cleared areas throughout the Buffer Reclamation Site. Verify that logs are greater than 0.2 m in diameter and 5.0 m in length, and the hole of stumps is greater than 0.2 m in diameter.

Plant nursery stock by hand with shovels and trowels. See General Planting Standards for further planting guidelines.

Plant nursery stock plugs on bedrock outcrops where soils may be thinner. Plant scydes, fishes, and skunk cabbage in wet depressions or hollows throughout the rest of the reclamation site. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the reclamation site.

Seed native species by hand or handhold spreader at a seedling rate of 40-50 kg per hectare (one bag is 22.7 kg), especially at intersection points with Marine Drive and Forbes Road. Use a native seed mixture, such as 100%<sup>o</sup> Native Kadsistie Riparian seed mix from Premier Pacific Seeds.

11. Assess the risk of deer browse and identify whether any browse protection should be installed before planting. Stock to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on at least 20% of planted conifers if high browse levels are observed at nearby sites.



## General Planting Standards

- Refer to recommendations from the Project's Environmental Management Plan (EAMP 2020).
- Ensure that plants are from a certified nursery stock, free of disease and invasive species, and have provenance records where available.
- Confirm that plants meet and/or exceed British Columbia Nursery and Landscaping Association Standards.
- Arrange for planting to be overseen by a qualified professional (QP) who will determine appropriate locations of trees and shrubs based on spacing requirements and onsite conditions.
- Apply native areas west to the planting areas adjacent to existing road edges or pedestrian pathways by hand or manual spreader.
- Plant during the dormant season in the spring (March to April) or fall (September to October), depending on local conditions during the year of planting.
- Install up to 3 plants per square meter (maximum 1 plant per square meter) using a mix of trees, shrubs, and herbs as directed by planting plans or by the QP.
- Use rootbarrier plant groupings, such as planting plants or by the QP.
- Use rootbarrier plant groupings, such as planting plants or by the QP.
- Plant on a rainy or overcast day. If it is sunny and dry, ensure the roots are not exposed to sunlight and are always kept moist.
- Dig holes one and a half times larger in diameter than the root ball and several inches deeper. Backfill with rough loose topsoil so that the top of the root ball is even or slightly below ground level. Add a handful of bonemeal and mix into the loose soil.
- Place the nursery stock in the hole, disturbing the roots as little as possible. Backfill with topsoil and water thoroughly. Prime off any damaged branches.
- Apply water to planted areas on an as-needed basis during periods of dry weather to facilitate growth from June to September. Consider if additional watering and/or replanting is required to establish vigorous vegetation cover throughout the first year of growth.
- Maintain planting machinery, per the Project's EAMP, and any subsequent management plans created for the Project. Check that all equipment arriving at site is clean and free of soil and plant material to prevent the potential for the spread of invasive plant species.

## Monitoring

- Monitor plantings for survival and invasive species presence over growing season following planting, then every two years for five years (e.g., year 1, year 3, year 5, and year 7 after planting). The schedule may be adapted according to regeneration success.
- Aim to achieve a target survival of 80% of the planted stock. Natural regeneration may compensate for planted stock as long as the total density of native shrubs, trees and fern species is equivalent to at least 80% of their density when planted.
- Monitor plantings for adequate amounts of water during extensive dry periods.
- Monitor water quality (e.g., turbidity and pH) per the EAMP (see on-going section following planting, then every two years for five years (e.g., 1 year 1, year 3, year 5, and year 7) after planting.
- Provide stream recommendations on the potential removal of invasive species or additional plantings, if necessary, to promote the regeneration of native ecological communities.

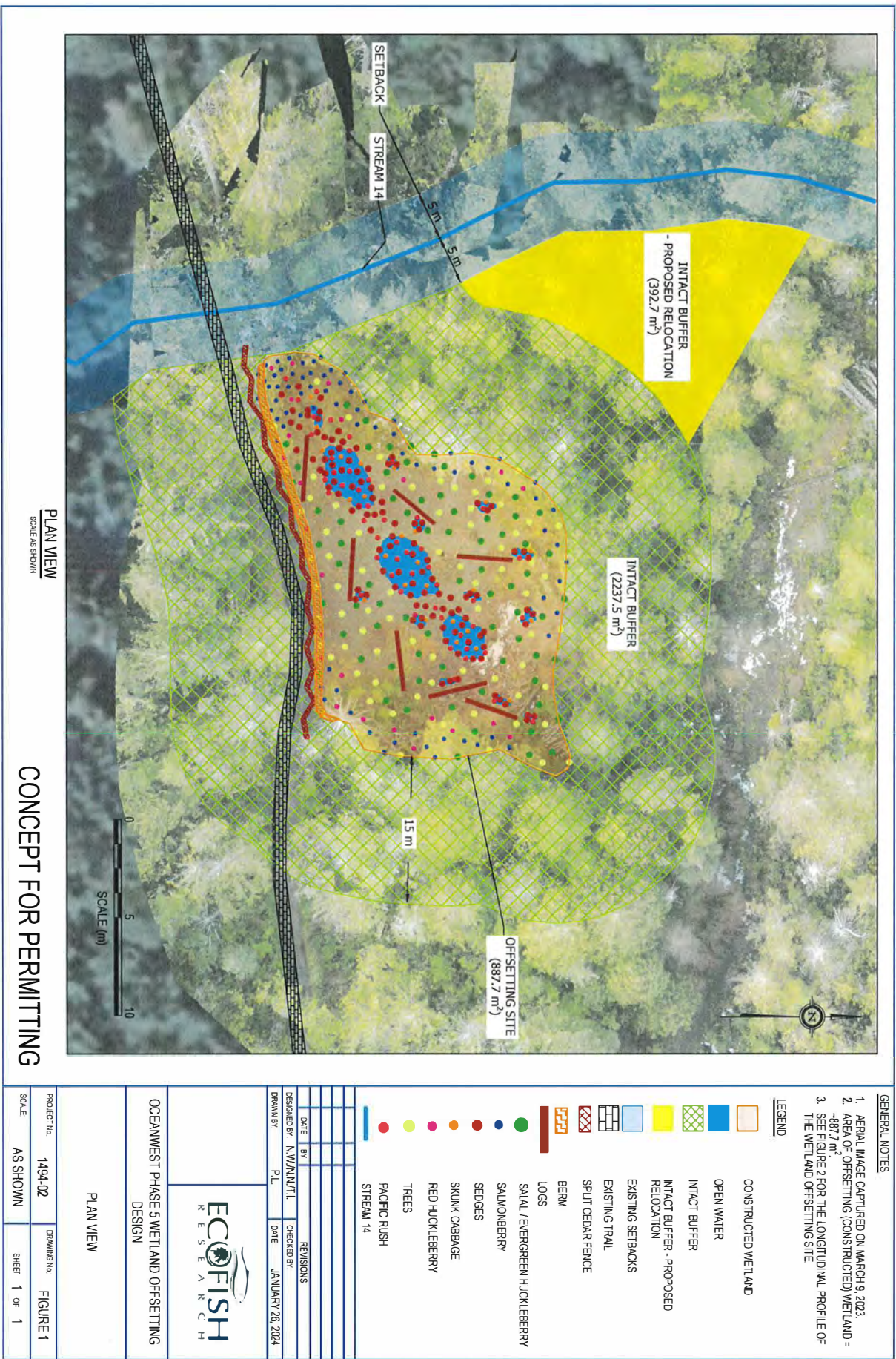
Figure 4

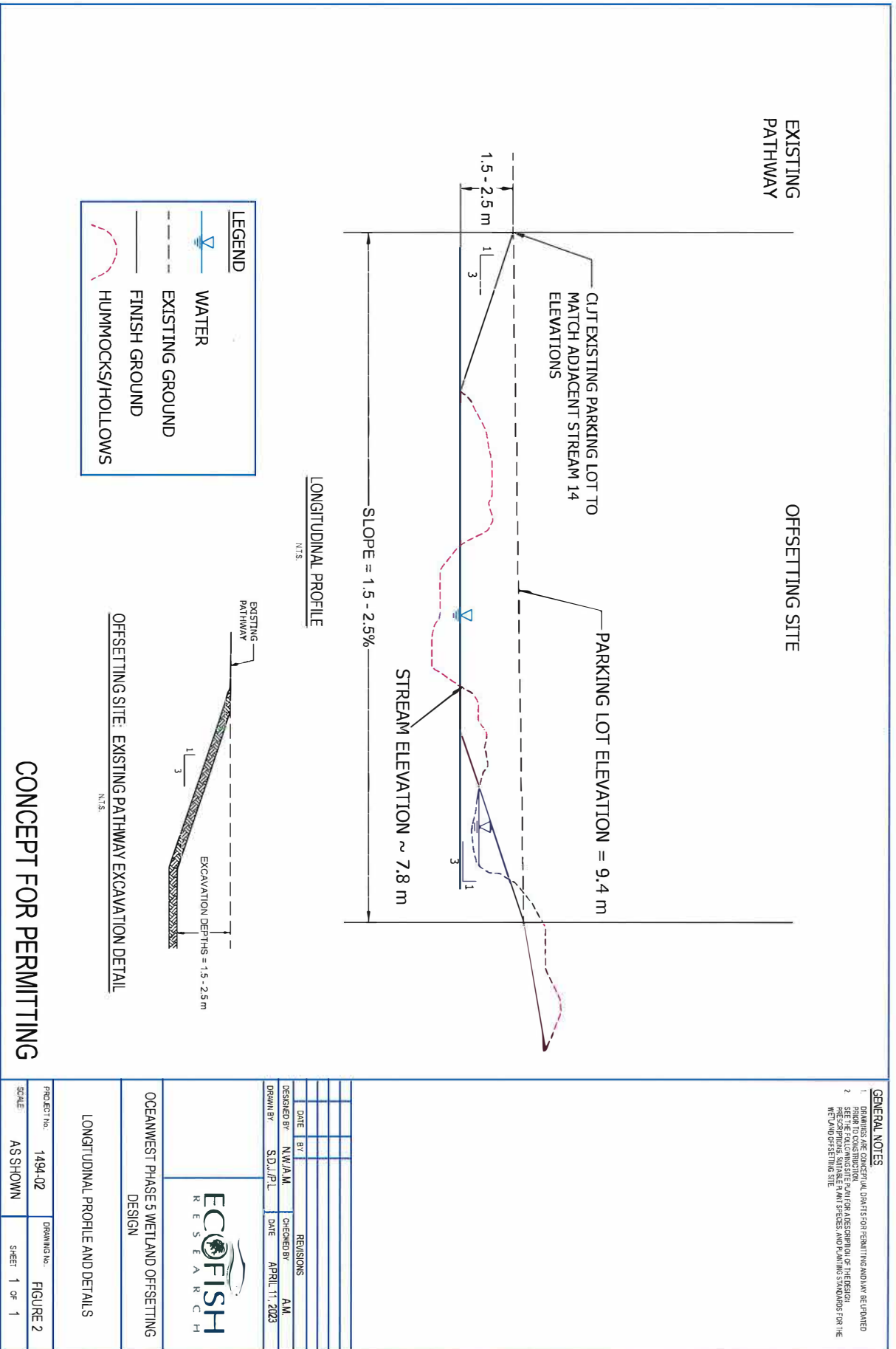


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# Wetland Offsetting Site Plan

## Wetland Offsetting Site Description

The Offsetting Site is an 888m<sup>2</sup> disturbed area that will be used to offset the loss of wetland and wetland riparian functions through the creation of a swamp wetland. The Offsetting Site is currently a gravel quarry, possibly a previous parking lot, and is located adjacent to and east of Stream 14, and adjacent to and north of a closed (but utilized) footpath that is on private property that borders an mine, historical terrestrial ecosystem (CWT 14/15) to the south. The Wetland Offsetting Site has sparse vegetation mostly grasses and weeds growing out of the gravel. The edges of the gravel area had a dense understory of ferns, salal, salmonberry, evergreen huckleberry, deer fern, common horsetail, and Pacific silver cholla. Two soil pits were manually excavated in November 2023, reaching about 30 cm in depth and showing a persistent root layer. There is a large pile of wood pulp at the northwest end of the site and a large pile of wood debris and logs at the northeast end of the site. A portion of this material is anticipated to contribute to the organic content and large wood for the wetland construction.

## Wetland Offsetting Site Prescription

Remove invasive plant species. Per the BC Wetland Control Regulation, remove any noxious invasive plant species detected at site and dispose at an approved site. Use caution to avoid mixing invasive plant materials with the existing soil. Avoid using chemical pesticides and herbicides for control or management of invasive species (e.g., noxious weeds).

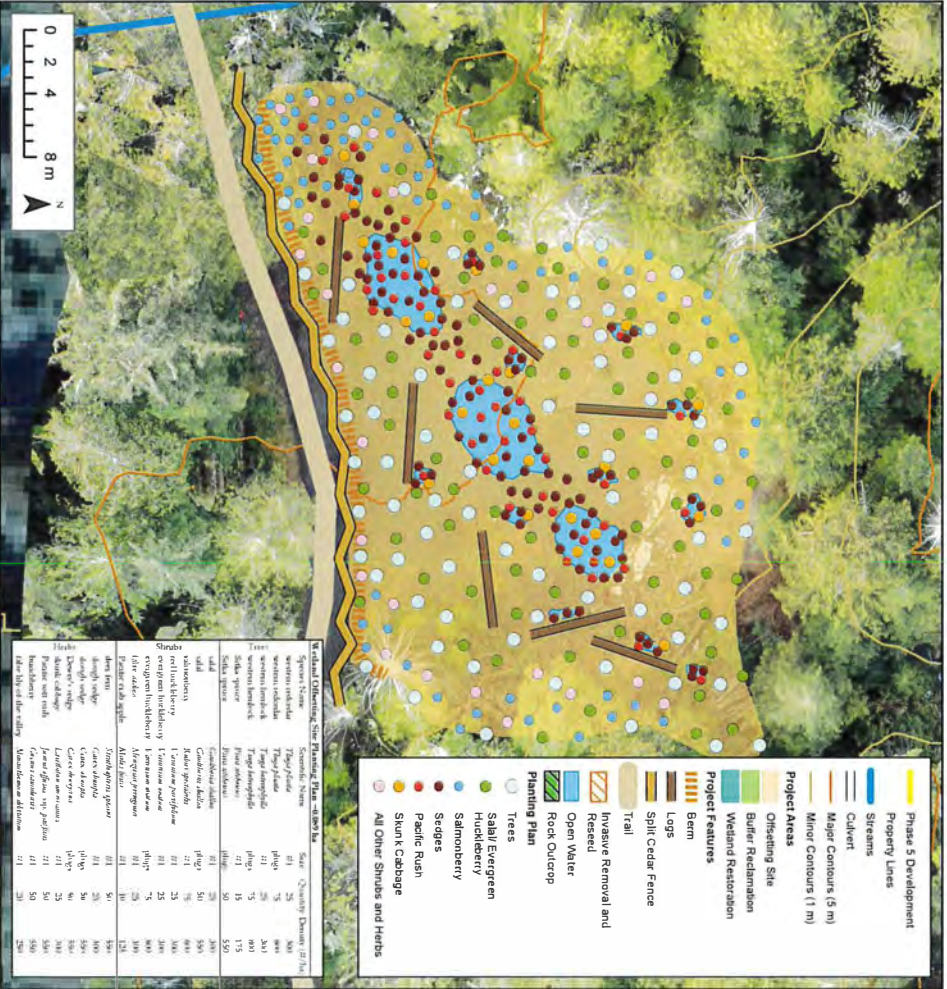
Excavate the existing gravel parking lot surface to match the elevation of the adjacent stream bed. Verify that excavation depths are approximately 1.5 to 2.5 m. Remove excess surface material from site. Regrade areas to mimic swamp topography, which is a sequence of hummocks (mounds) and hollows (depressions) of varying dimensions; the resultant topography should direct water drainage towards Stream 14 by sequencing hollows toward the creek. Keep existing natural vegetation, if practical. Create a stable berm (approximately 0.3 to 0.5 m) along the south edge of the wetland, parallel to the existing path so that water flows toward Stream 14 and not south across the path. Keep the existing path and install a low-spirit cedar fence to discourage people and pets from entering the wetland. Use existing swamps (riparian portions of Stream 14 Wetland) as a reference site.

Spread a 100 to 300 mm thick layer of topsoil over the Wetland Offsetting Site, where natural vegetation has not been established. Annually roughen and loose the finished grade surface to reduce erosion, establish roots of planted stock, and aid in seed capture for additional natural regeneration. Scatter coarse woody debris throughout the site. Verify that logs are greater than 0.2 m in diameter and 5.0 m in length, and the hole of stumps is greater than 0.2 m in diameter. The stockpiled logs in the northeastern corner of the site may be used.

Plant nursery stock by hand with shovels and rakes. See General Planting Standards for further planting guidelines. Plant sedges, nixies, and skunk cabbage within shallow open water areas, wet depressions, or hollows throughout the Wetland Offsetting Site. Plant at least half of the salmonberry stock within the riparian area near Stream 14. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the site.

Seed native species by hand or hand-held spreader at a seeding rate of 40-50 kg per hectare (one bag is 22.7 kg), especially at intersection points with the pedestrian pathway. Use a native seed mixture, such as 10% Native Roadsides Riparian seed mix from Premier Pacific Seeds.

11. Assess the risk of deer browse and identify whether any browse protection should be installed before planting. Seek to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on at least 20% of planted conifers if high browse levels are observed in nearby sites.



## General Planting Standards

- Refer to recommendations from the Project's Environmental Management Plan (EMP 2020).
- Ensure that plants are from a certified nursery stock, free of disease and invasive species, and have provenance records where available.
- Confirm that plants meet and/or exceed British Columbia Nursery and Landscaping Association Standards.
- Arrange for planting to be overseen by a qualified professional (QP) who will determine appropriate locations of trees and shrubs based on spacing requirements and on-site conditions.
- Apply native grass seed to the planting areas adjacent to existing road edges or pedestrian pathways by hand or manual spreader.
- Plant during the dormant season in the spring (March to April) or fall (September to October), depending on local conditions during the year of planting.
- Install up to 3 plants per square meter (minimum 1 plant per square meter) using a mix of trees, shrubs, and herbs as directed by planting plans or by the QP.
- Use associate plant groupings, such as planting clusters of two to three of the same plants close together, interspersed with different species.
- Plant on a main or overcast day. If it is sunny, and dry, ensure the roots are not exposed to sunlight and are always kept moist.
- Dig holes one and a half times larger in diameter than the root ball, and several inches deeper. Backfill with enough loose topsoil so that the top of the root ball is even or slightly below ground level. Add a handful of bonemeal and mix into the loose soil.
- Place the nursery stock in the hole, directing the roots as high as possible. Backfill with topsoil and water thoroughly. Remove any damaged branches.
- Apply water to planted stock on an as-needed basis during periods of dry weather to facilitate growth from June to September. Consider if additional watering and/or replanting is required to establish vigorous vegetation cover throughout the first year of growth.
- Monitor plant health per the Project's EMP and any subsequent management plans created for the Project. Check that all equipment arriving at site is clean and free of soil and plant material to prevent the potential for the spread of an invasive plant species.

## Monitoring

- Monitor plantings for survival and invasive species presence over growing season following planting, then every two years for the years (e.g., at year 1, year 3, year 5, and year 7 after planting). The schedule may be adapted according to revegetation success.
- Aim to achieve a target survival of 80% of the planted stock. Natural regeneration may compensate for planted stock as long as the total density of native shrubs, trees, and fern species is equivalent to at least 80% of their density when planted.
- Monitor plantings for adequate amounts of water during extensive dry periods.
- Monitor water quality (e.g., turbidity and pH) per the EMP for one growing season following planting, then every two years for five years (e.g., at year 1, year 3, year 5, and year 7 after planting).
- Provide recommendations on the potential control of invasive species or additional plantings if necessary, to promote the regeneration of native ecological communities.

Figure 3  
ECOFISH  
RESERARCH







## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ANNELIESE NEWEDUK, PLANNER

**FILE NO:** 3360-20-RZ24-08 / 6630-27

**SUBJECT:** NEW R1-H ZONING AMENDMENT BYLAW NO. 1345, 2024

**REPORT NO:** 24-55

**ATTACHMENT(S):** APPENDIX A – ZONING AMENDMENT BYLAW NO. 1345, 2024  
APPENDIX B – MAY 14, 2024, REPORT TO COUNCIL

**RECOMMENDATION(S):**

1. **THAT** Council give first, second, and third reading of *the Ucluelet Zoning Amendment Bylaw No. 1345, 2024*.
2. **THAT** Council adopt *Ucluelet Zoning Amendment Bylaw No. 1345, 2024*.

**BACKGROUND:**

During the April 16, 2024 Regular Council Meeting, Council directed staff to draft *Ucluelet Zoning Amendment Bylaw No. 1345, 2024* (See **Appendix “A”**). The Bylaw was introduced to Council during the May 14, 2024, Regular Council Meeting, where Council directed staff to give notice of first reading. Notification was completed and Council is now in a position to consider up to three readings and adoption of Bylaw No. 1345.

Background information can be found in the [May 14, 2024, Regular Council Meeting Agenda](#) (item 6.4) and in **Appendix “B”**.

**ANALYSIS OF OPTIONS:**

<b>A</b>	Give first, second, and third readings for Bylaw No. 1345	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>Would provide an opportunity for Council to discuss the Bylaw and its implications.</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>Council may determine whether the Bylaw should be adopted, abandoned, or provide an alternative direction.</li> </ul>
		<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>Would create a new R-1H zone that includes single-family residential and accessory residential uses with no accessory short-term rentals.</li> </ul>

A	Adopt Bylaw No. 1345	<u>Cons</u>	<ul style="list-style-type: none"> <li>Further community conversations on housing may result in other amendments that would see the R-1H zone amended in the near future; the question is one of best timing.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Council could apply the R-1H zone to future development or rezoning applications.</li> </ul>
B	Amend Bylaw No. 1345	<u>Pros</u>	<ul style="list-style-type: none"> <li>Would ensure the bylaw amendments match Council’s expectations.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Further work to address the priorities of Council,</li> <li>If the Bylaw is amended, Council will have to direct staff to give notice for another first reading.</li> </ul>
		<u>Suggested Motion</u>	<ol style="list-style-type: none"> <li><b>THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1345, 2024</i>, to: <b>[ specify desired changes ]</b>.</li> <li><b>THAT</b> Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1345, 2024</i>, as amended.</li> </ol>
C	Abandoned Bylaw No. 1345	<u>Pros</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>No new R-1H zone that includes single-family residential and accessory residential uses with no accessory short-term rentals would be created.</li> </ul>
		<u>Suggested Motion</u>	No motion is required.

**POLICY OR LEGISLATIVE IMPACTS:**

This application is consistent with the *District of Ucluelet Official Community Plan Bylaw No. 1306, 2022*, the *Local Government Act*, and would amend the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, if adopted.

It is important to note that [Bill 44 – 2023 Housing Statutes \(Residential Development\) Amendment Act, 2023](#) amended Part 14, Division 3, Section 464.3 of the *Local Government Act*, which now states that:

“(3) A local government must not hold a public hearing on a proposed zoning bylaw if

(a) an official community plan is in effect for the area that is the subject of the zoning bylaw,

(b) the bylaw is consistent with the official community plan,

(c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and

(d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development,”

Where a public hearing would have previously been held, these legislative changes do not permit the District of Ucluelet to hold public hearing for *District of Ucluelet Zoning Amendment Bylaw No. 1345, 2024*.

Respectfully submitted:      Anneliese Neweduk, Planner  
Bruce Greig, Director of Community Planning  
Duane Lawrence, CAO





**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1345, 2024**

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.  
(Amendments to create a new R-1H Single-Family Residential Housing zone).

---

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

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

**1. Text Amendment:**

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding a new Residential zone, to Schedule B – The Zones that directly follows R-1 Zone – Single Family Residential such that the new section reads as follows:

**“R-1H Zone - SINGLE FAMILY RESIDENTIAL HOUSING**

*This Zone is intended for traditional low-density single-family residential development, with accessory residential uses and no short-term vacation rentals.*

**R-1H.1 Permitted Uses**

R-1H.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Secondary Suite*
  - (b) *Accessory Residential Dwelling Unit*
  - (c) *Home Occupation*

**R-1H.2 Lot Regulations**

R-1H.2.1 Minimum Lot Size: 650 m<sup>2</sup> (7,000 ft<sup>2</sup>)

R-1H.2.2 Minimum Lot Frontage: 18 m (60 ft)

R-1H.2.3 Minimum Lot Width: N/A

R-1H.2.4 Minimum Lot Depth: N/A

**R-1H.3 Density:**

R-1H.3.1 Maximum Density: 1 single family dwelling per lot

R-1H.3.2 Maximum Floor Area Ratio: 0.35

(d) Notwithstanding the Density Regulations in Section 304.2, on lots within the R-1H zone, up to 56m<sup>2</sup> (600 ft<sup>2</sup>) of building area designated and used solely for the parking or temporary storage of private vehicles may be excluded from the *gross floor area* used in the calculation of *floor area ratio*.

R-1H.3.3 Maximum Lot Coverage: 35%

**R-1H.4 Maximum Size (Gross Floor Area):**

R-1H.4.1 Principal Building: N/A

R-1H.4.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

**R-1H.5 Maximum Height:**

R-1H.5.1 Principal Buildings & Structures: 11 m (36 ft) or 3 storeys

R-1H.5.2 Accessory Residential Dwelling: 8.0m (26 ft) or 2 storeys

R-1H.5.3 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-1H.6 Minimum Setbacks:**

R-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	6 m (20 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) ADU	6 m (20 ft)	1.5m (5 ft)	1.2m (4 ft)	5 m (16.5 ft)
(3) Accessory	6 m (20 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

R-1.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*."

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1345, 2024”.

**FIRST NOTIFICATION OF FIRST READING** published this **29th** day of **May**, 2024.

**SECOND NOTIFICATION OF FIRST READING** published this **5th** day of **June**, 2024.

**READ A FIRST TIME** this    day of    , 2024.

**READ A SECOND TIME** this    day of    , 2024.

**READ A THIRD TIME** this    day of    , 2024.

**ADOPTED** this    day of    , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1345, 2024.”

\_\_\_\_\_  
Marilyn McEwen  
Mayor

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

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

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer





## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

**FILE NO:** 3360-20-RZ24-06 / 6630-27

**SUBJECT:** ZONING AMENDMENTS – B&B REGULATIONS AND NEW R1-H ZONE

**REPORT NO:** 24-44

**ATTACHMENT(S):** APPENDIX A – DRAFT BYLAW NO. 1344  
APPENDIX B – DRAFT BYLAW NO. 1345

### RECOMMENDATION:

Staff seek direction on where Council would like to go with the options for the zoning amendments in draft Bylaws No. 1344 and 1345. The table provided at the end of this report includes options for Council to consider.

### BACKGROUND:

In 2022, Council considered various options to amend the Ucluelet zoning regulations that apply to Bed and Breakfast (B&B) accessory uses in single-family residential areas. Initially, this included exploring a B&B overlay to distinguish those properties permitted to operate a B&B as a secondary use from other single-family residential properties. Following much community discussion, Council at the time provided direction to staff to draft bylaw amendments that would forgo a B&B overlay but instead distinguish between the “traditional B&B” use (as a room or rooms within a home rented out to a vacationing guest and utilizing the main entrance to the home with a high interaction level between the guest and the owner) and a “Guest Suite” (as a vacation rental suite with a private entrance and requiring limited interaction between the owner and guest).

At its [August 2, 2022](#), meeting Council confirmed the following goals:

- Preserve traditional B&B use in residential areas and consider ways to slow or contain “Guest Suite” type uses in residential areas.
- Establish a balance between residential and tourist commercial accommodation in residential zones to prioritize residential uses and maintain the “Low-ish Growth Scenario”.
- Stop or slow the loss of existing long-term rental suites.
- Add ADUs as a permitted secondary use in residential zones.
- Limit the impact of B&Bs and/or accessory residential units on the public streetscape and the supply of public on-street parking.
- Provide a method of notifying neighbours when a business licence is being issued for commercial tourist accommodation in residential areas.



Council discussed and provided direction on a number of specific actions to the above goals. Changes were adopted to both the *Business Regulation and Licensing* bylaw and *Zoning* bylaw. The [Ucluelet Zoning Amendment Bylaw No. 1310, 2022](#), adopted September 6th of that year, contained a number of amendments including:

1. Added new definitions to clarify what constitutes a “principal residence”.
2. Updated the definition of *accessory residential dwelling unit* (ADU).
3. Replaced the regulations for *B&B* uses with a new section containing the following changes:
  - a. Clarify that the bed and breakfast must be located in the *principal residence* of the B&B operator.
  - b. Clarify a maximum of 3 bedrooms and maximum 2 guest per room.
  - c. Limit the area devoted to the *B&B* use to a maximum of 35% of the home.
  - d. Remove the ability for *B&B* rooms to have a kitchenette.
  - e. Require that a *B&B* use must not displace a *secondary suite*.
4. Allowed that an ADU may be built in the front, rear or side yards of a property containing a single family dwelling.
5. Allowed that an ADU may coexist on a property with a *secondary suite* or a B&B.
6. Allowed that a *secondary suite* may coexist on a property with an ADU or a B&B.
7. Added a maximum width for new driveways connecting to the public road right-of-way, to maintain the potential for areas of uninterrupted public boulevard and on-street parking.

Specific to the desire to limit new B&B’s to the “traditional B&B” model, Bylaw No. 1310 inserted the following regulations in section 404.1 of the zoning bylaw:

- “(7) *Consistent with a traditional bed and breakfast use a bed and breakfast use must include a minimum service of a continental breakfast.*
- “(8) *A bed and breakfast use must be accessed from the main entry of the home in which it operates, and cannot operate remotely utilizing coded entry locks and/or key lock boxes.*
- “(9) *Any exterior door to rooms used for bed and breakfast uses must not be utilized as the principal entrance and exit to the bed and breakfast use.*
- “(10) *A bed and breakfast use is an integral part of the home and must not have a separated or locked-off common area.*”

In the fall of 2023, the Province adopted Bill 35 - 2023 [Short-Term Rental Accommodations Act](#) (the “*STRA Act*”). The stated goals of the *STRA Act* are “to strengthen tools to support local government enforcement of short-term rental bylaws, return short-term rentals to the long-term housing market, and establish a provincial role in the regulation of short-term rentals”. With the enactment of the *STRA Act*, the Province removed legally non-conforming protection specifically for *short term rental* uses effective May 1<sup>st</sup>, 2024. At its [April 16, 2024](#), meeting Council received a report addressing these changes and identifying that half of the currently licenced B&B operations in Ucluelet were legally non-conforming with respect to section 404.1 of the zoning bylaw – particularly subsections (8) and (9). At the April 16<sup>th</sup> meeting, Council addressed the immediate conflict created by this non-conformity by resolving:

*“THAT Council direct staff to renew those existing Bed and Breakfast business licences that are legally non-conforming to section 404 of the zoning bylaw as of April 30, 2024, for a period of one year, notwithstanding section 2(2) of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003.”*

Business licence renewals have therefore proceeded, otherwise as normal.

At its April 16<sup>th</sup> meeting Council also resolved as follows:

“THAT Council direct Staff to present zoning amendment bylaws intended to:

- remove amendments to the Zoning Bylaw established by *Zoning Amendment Bylaw 1310*;
- create a version of the R1 Zone with no accessory B&B use to apply to future development.”

**Draft Bylaw Amendments:**

Section 404 B&B regulations:

A draft of *District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024*, is attached to this report (see **Appendix “A”**). This amendment bylaw would remove four sections of the B&B regulations currently found in the zoning bylaw that result in the majority of non-conformities in existing B&B operations. Specifically, three of the subsections (404.1(8), (9) and (10)) require that B&B rooms be accessed through the host’s main entrance – as in a “traditional” B&B. These parts of the regulations, along with subsection 404.1(7) (a.k.a. “the muffin clause”) – would be removed by adopting Bylaw No. 1344.

The overarching intent of adopting these regulations in 2022 was to slow down the proliferation of “guest suites” attached to single-family homes in residential areas (either as part of new construction or through the conversion of secondary suites).

There is an unresolved question of the total sustainable amount of tourist accommodation growth in Ucluelet, and its impact on the balance of secure housing opportunities accessible to locals. In alignment with the strategic priorities of Council, that broader question will be the focus of further work and community discussion this year.

New R-1H Zone:

According to the second part of the April 16th Council motion, a draft of *District of Ucluelet Zoning*

Prior to the adoption of Bylaw No. 1310, section 404.2(c) of the zoning bylaw clarified that B&B’s, “must not be combined with or located, in whole or in part, in a *duplex, multiple family residential building, mixed commercial/ residential, mixed industrial/residential, accessory residential dwelling unit, or in a secondary suite or a single family dwelling that has a secondary suite.*” Bylaw No. 1310 changed the requirements so that section 404.2(4) of the zoning bylaw now requires that B&B’s, “must not be located in an *accessory residential dwelling unit, in a secondary suite or in the area of a single family dwelling* which was formerly a *secondary suite.*” The changes adopted with Bylaw No. 1310 enable a B&B to coexist with a secondary suite, so that a homeowner does not have to choose one over the other, and also provides some protection for existing long-term rental units. The last part of the regulation – precluding a B&B use in an area formerly used as a secondary suite - has been key for stopping the conversion of secondary suites into short-term rental B&B guest suites. Bylaw No. 1344 as drafted would not change this regulation in section 404.2.

*Amendment Bylaw No. 1345, 2024*, is also attached to this report (see **Appendix “B”**). This amendment bylaw would add a new single-family residential zone, patterned on the existing R-1 zone but with no *Bed and Breakfast* accessory use. Bylaw No. 1345 would not apply this new zoning designation to any properties at this time; if adopted the new R-1H zone would be “on the books” for potential designation of lands that were subject to development proposals and rezoning applications in the future.

The draft Bylaw No. 1345 in Appendix B includes a number of sections that are highlighted in yellow: these sections differ from the existing R-1 zoning regulations to align with the recommended provisions that the Province has published for local governments to comply with the site standards for Small-Scale Multi-Unit Housing.

The highlighted provisions of the draft Bylaw No. 1345, and the corresponding regulations in the current R-1 zone, are as follows:

	current R-1 Zone	draft R-1H zone
max. height - main house	8.5m (28ft) or 2-1//2 storeys	11m (36ft) or 3 storeys
max. height – accessory dwelling	3.75m (12ft) to 6.5m (21ft) (depending on roof slope and location).	8m (26ft) or 2 storeys
min. front setback – principal	7.5m (25ft)	6m (20ft)
min. front setback – accessory	7.5m (25ft)	6m (20ft)
side yard setback - accessory dwelling	1.5m (5ft)	1.2m (4ft)

A separate report will be presented to Council on changes to align the municipal bylaws with the recent changes made by the Province to the *Local Government Act*; Council could move forward with the amendments in Bylaw No. 1345 at this time, or determine the best timing for this piece of the zoning puzzle within the broader context of regulatory changes to help address the housing challenges in the community.

**ANALYSIS OF OPTIONS:**

A	Proceed with Bylaw No. 1344.	<b>Pros</b>	<ul style="list-style-type: none"> <li>• Would align the zoning regulations with the direction provided by Council on April 16<sup>th</sup>.</li> <li>• Would remove non-conformity for many existing B&amp;B operations.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>• On its own, adopting Bylaw No. 1344 may accelerate the construction of purpose-built B&amp;B units and result in a growing number of short-term rentals rather than additional housing units in residential areas.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>• Because the sole purpose of the bylaw is not for permitting a housing development, the prohibition in section 464(3) of the <i>Local Government Act</i></li> </ul>

		<p>would not apply; Council therefore must either hold a public hearing or by resolution waive the holding of a public hearing.</p> <ul style="list-style-type: none"> <li>Should Council give first readings to the bylaw, Staff would give the required notice for a public hearing at a date to be determined.</li> </ul>	
	<b>Suggested Motion</b>	<ul style="list-style-type: none"> <li><b>1. THAT</b> Council give first reading to <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>;</li> <li><b>2. THAT</b> Council give second reading to <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>;</li> <li><b>3. THAT</b> Council refer <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>, to a public hearing.</li> </ul>	
<b>B</b>	Amend the draft Bylaw No. 1344 before proceeding.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Would ensure the bylaw amendments match Council’s expectations.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<b>Suggested Motion</b>	<ol style="list-style-type: none"> <li><b>1. THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>, to: <i>[specify desired changes]</i></li> </ol>
<b>C</b>	Not proceed with Bylaw No. 1344 at this time.	<b>Pros</b>	<ul style="list-style-type: none"> <li>May allow for bylaw amendments to align with other upcoming zoning changes.</li> <li>May continue to slow the growth of B&amp;B short-term rentals, until such time as Ucluelet adopts a mechanism for balancing the number of tourist beds with the need for more housing to serve residents.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Would not remove the non-conformity for many existing B&amp;B operations; other bylaw amendments would be necessary to achieve that objective.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Further work to address the priorities of Council.</li> </ul>
		<b>Suggested Motion</b>	No motion is required.
<b>D</b>	Proceed with Bylaw No. 1345.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Would create a new R-1H zone that includes single-family residential and accessory residential uses with no accessory short-term rentals.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Further community conversations on housing may result in other amendments that would see the R-1H zone amended in the near future; the question is one of best timing.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Staff would give the required notice that Council will be considering first reading and potential adoption of the bylaw at a future meeting.</li> <li>Because the bylaw creates a zone that is solely for the purpose of developing housing, Council should not hold a public hearing on the bylaw.</li> </ul>
		<b>Suggested Motion</b>	<b>THAT</b> Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1345, 2024</i> .

Respectfully submitted: **Bruce Greig, Director of Community Planning**  
**Duane Lawrence, CAO**







## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ANNELIESE NEWEDUK, PLANNER

**FILE NO:** 3360-20-RZ24-07 / 6630-27

**SUBJECT:** ZONING AMENDMENTS – SMALL-SCALE MULTI-UNIT HOUSING

**REPORT NO:** 24-56

**ATTACHMENT(S):** APPENDIX A – ZONING AMENDMENT BYLAW NO. 1346, 2024  
APPENDIX B – MAY 14, 2024, REPORT TO COUNCIL

**RECOMMENDATION(S):**

1. **THAT** Council give first, second, and third reading of the *Ucluelet Zoning Amendment Bylaw No. 1346, 2024*.
2. **THAT** Council adopt *Ucluelet Zoning Amendment Bylaw No. 1346, 2024*.

**BACKGROUND:**

During the April 16, 2024 Council Meeting, Council directed staff to draft *Ucluelet Zoning Amendment Bylaw No. 1346, 2024* (See **Appendix “A”**). The Bylaw was introduced to Council during the May 14, 2024, Regular Council Meeting, where Council directed staff to give notice of first reading. Notification was completed and Council is now in a position to consider up to three readings and adoption of Bylaw No. 1346.

Background information can be found in the [May 14, 2024, Regular Council Meeting Agenda](#) (item 6.3) and in **Appendix “B”**.

**ANALYSIS OF OPTIONS:**

<b>A</b>	Give first, second, and third readings for Bylaw No. 1346	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>Would provide an opportunity for Council to discuss the Bylaw and its implications.</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>Council may determine whether the Bylaw should be adopted, abandoned, or provide an alternative direction.</li> </ul>
		<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>Would align zoning regulations with the changes to the <i>Local Government Act</i> enacted with the adoption of Bill 44,</li> </ul>

A	Adopt Bylaw No. 1346		<ul style="list-style-type: none"> <li>Would make the development regulations for single-family dwellings and accessory housing units consistent with most (if not all) other local governments in BC.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Would enact changes that may differ from some Ucluelet residents' expectations.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Bylaws to comply with the new requirements of the Province must be adopted by June 30<sup>th</sup> of this year.</li> </ul>
B	Amend Bylaw No. 1346	<u>Pros</u>	<ul style="list-style-type: none"> <li>Would ensure the bylaw amendments match Council's expectations.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Additional time would be required to ensure that bylaw changes stay aligned with the provincial policy guidance,</li> <li>If the Bylaw is amended, Council will have to direct staff to give notice for another first reading.</li> </ul>
		<u>Suggested Motion</u>	<ol style="list-style-type: none"> <li><b>THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024</i>, to: <b>[ specify desired changes ]</b>.</li> <li><b>THAT</b> Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1346, 2024</i>, as amended.</li> </ol>
C	Abandoned Bylaw No. 1346	<u>Pros</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Would leave the municipal zoning bylaw non-compliant with provincial legislation.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Could result in regulatory changes being imposed by the provincial cabinet,</li> <li>Would result in additional staff and Council time,</li> <li>Could have other implications for the municipal relationship with the Province.</li> </ul>
		<u>Suggested Motion</u>	No motion is required.

#### POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with the *District of Ucluelet Official Community Plan Bylaw No. 1306, 2022*, the *Local Government Act*, and would amend the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, if adopted.

It is important to note that [Bill 44 – 2023 Housing Statutes \(Residential Development\) Amendment Act, 2023](#) amended Part 14, Division 3, Section 464.3 of the *Local Government Act*, which now states that:

“(3) A local government must not hold a public hearing on a proposed zoning bylaw if

(a) an official community plan is in effect for the area that is the subject of the zoning bylaw,

*(b) the bylaw is consistent with the official community plan,*

*(c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and*

*(d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development,”*

Where a public hearing would have previously been held, these legislative changes do not permit the District of Ucluelet to hold public hearing for *District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024*.

**NEXT STEPS:**

Staff will report out to the Province prior to June 30<sup>th</sup> on steps Ucluelet has taken to meet the new requirements in the *Local Government Act*.

Respectfully submitted:           Anneliese Neweduk, Planner  
  Bruce Greig, Director of Community Planning  
  Duane Lawrence, CAO



**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1346, 2024**

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

(Zoning amendments to bring the Ucluelet Zoning Bylaw into alignment with sections 481.3 and 582.1 of the *Local Government Act* relating to the provision of Small-Scale Multi-Unit Housing).

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

**WHEREAS** Sections 481.3 and 582.1 of the *Local Government Act* require municipalities to align their zoning regulations with the *Provincial Policy Manual and Site Standards* for the provision of Small-Scale Multi-Unit Housing;

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

**1. Text Amendment:**

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

**A.** within Division 400 Supplemental Regulations section 408 Accessory Residential Dwelling Unit (ADU), make the following changes:

i. replace subsection 408.1(10) with the following:

“(10) An *Accessory Residential Dwelling Unit* must be located a minimum of 4m from the principal dwelling.”

ii. replace subsection 408.2 with the following:

“408.2 Notwithstanding the maximum height specified in other sections of this bylaw, the maximum height for an *accessory building* containing an *Accessory Residential Dwelling Unit* is 8.0m.”



**B.** within Division 500 Off-Street Parking and Off-Street Loading section 505 Off-Street Parking Requirements, make the following changes within the table in Section 505.1:

- i. after the row including the requirement for *Secondary Suite*, add the following:

<i>Single-Family Dwelling plus Secondary Suite and/or Accessory Residential Dwelling Unit</i>	1 space per <i>dwelling unit</i>
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- ii. replace the row with the requirement for Duplex Dwelling with the following:

<i>Duplex Dwelling</i>	1 space per <i>dwelling unit</i>
------------------------	----------------------------------

**C.** within Schedule B – The Zones, make the following changes:

- i. under the regulations for the R-6 Zone – Infill Single-Family Residential, section R-6.1 Permitted Uses, replace subsection R-6.1.1(2) with the following:

“(2) Secondary:

- (a) either a *Secondary Suite* or an *Accessory Residential Dwelling Unit*
- (b) *Home Occupation*”

- ii. by amending the table of minimum setbacks within the following subsections within the Zones:

- a. R-1.6.1 [R-1 Single Family Residential]
- b. R-2.5.1 [R-2 Medium Density Residential]
- c. R-4.6.1 [R-4 Small Lot Single Family Residential]
- d. GH-6.1 [GH Guest House]

to add the following row defining minimum setbacks for accessory buildings containing an *Accessory Residential Dwelling Unit*, at the end of each table:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback
<b><i>Accessory Residential Dwelling Unit</i></b>	<b>6m</b>	<b>1.5m</b>	<b>1.2m</b>

- iii. by amending the maximum height regulation within the following subsections within the Zones:

- a. R-1.5.1 [R-1 Single Family Residential]

- b. R-2.4.1(1) [R-2 Medium Density Residential]
- c. R-4.5.1 [R-4 Small Lot Single Family Residential]
- d. R-6.5.1 [Infill Single-Family Residential]
- e. GH-5.1 [GH Guest House]
- f. VR-1.5.1 [VR-1 Vacation Rental]
- g. CD-1.5.1(1) [CD-1 Eco-Industrial Park]
- h. CD-2A.5.1(1) [CD-2A District Lot 281]
- i. CD-3A.5.1(1) [CD-3A District Lot 282]
- j. CD-5B.5.1(1) [CD-5B Central Park]
- k. CD-5C.6.1(1) [CD-5C Area #3 OceanWest]
- l. CD-5E.5.1(1) [CD-5E Area #5 OceanWest]
- m. CD-5E.5.1(2) [CD-5E Area #5 OceanWest]

to replace the maximum height for a principal building containing a *single family dwelling* as follows:

	Maximum Height
<b><i>Single Family Dwelling</i></b>	<b>11m</b>

**2. Citation:**

This bylaw may be cited as “*District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024*”.

**FIRST NOTIFICATION OF FIRST READING** published this **29th** day of **May**, 2024.

**SECOND NOTIFICATION OF FIRST READING** published this **5th** day of **June**, 2024.

**READ A FIRST TIME** this    day of    , 2024.

**READ A SECOND TIME** this    day of    , 2024.

**READ A THIRD TIME** this    ay of    , 2024.

**ADOPTED** this    day of    , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024.”

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Marilyn McEwen  
Mayor

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Duane Lawrence  
Corporate Officer

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

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Duane Lawrence  
Corporate Officer



## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

**FILE NO:** 3360-20-RZ24-07 / 6630-27

**SUBJECT: ZONING AMENDMENTS – SMALL-SCALE MULTI-UNIT HOUSING**

**REPORT NO:** 24-45

**ATTACHMENT(S):** APPENDIX A – DRAFT BYLAW NO. 1346

APPENDIX B – HIGHLIGHTED ZONING BYLAW CHANGES IN BYLAW NO. 1346

### RECOMMENDATION(S):

**THAT** Council directs staff to give notice of first reading of *Ucluelet Zoning Amendment Bylaw No. 1346, 2024*.

### BACKGROUND:

The *Local Government Act* was amended on December 7, 2023, to require local governments to update their zoning bylaws to allow secondary suites or accessory dwelling units (ADUs) in all single-family zones and - where applicable - permit a minimum of 3-6 units of small-scale, multi-unit housing (SSMUH) in zones otherwise restricted to single-family dwellings or duplexes. Zones restricted to single-family dwellings or duplexes as of December 7, 2023, are referred to as “*Restricted Zones*” in the legislation.

Through the SSMUH legislation, the Province aims to increase housing supply, create more diverse housing choices, and over time, contribute to more affordable housing across the province. Local governments are required to update their zoning bylaws before June 30, 2024 to comply with SSMUH legislation.

#### All BC communities:

A minimum of one secondary suite or one detached ADU must be permitted on lots zoned for single-family use. Local governments may decide to permit either a secondary suite or ADU, or both a secondary suite and an ADU on a lot.

This requirement applies to Ucluelet.

#### Larger BC communities:

Unless an exemption applies, three to six dwelling units must be allowed on each parcel of land zoned for single-family or duplex use that is:

- a) wholly or partly within an urban containment boundary established by a regional growth strategy, or
- b) if (a) does not apply, wholly or partly within an urban containment boundary established by an official community plan within a municipality with a population greater than 5,000 or
- c) if neither (a) or (b) apply, in a municipality with a population greater than 5,000.

Ucluelet has a population less than 5,000 and is not within an urban containment boundary in a regional growth strategy; therefore the requirement to allow three to six dwelling units on all single-family or duplex lots does not apply.

The District is required to update its zoning bylaw to ensure that a minimum of one secondary suite or one detached ADU is permitted on all lots zoned for single-family use; bylaws to enact such zoning amendments must be adopted by municipalities no later than June 30, 2024. When doing so, local governments are required to consider the applicable guidelines for Small-Scale Multi-Unit Housing provided by the Province.

#### DISCUSSION:

To create opportunities for more supply and diversity of housing in Ucluelet, Council may wish to amend the zoning bylaw to go beyond the new minimum standards required by the *Local Government Act*. Another requirement of the recent provincial legislation is that amendments to the *Official Community Plan Bylaw* and *Zoning Bylaw* will be required prior to December 31, 2025, to designate sufficient lands to accommodate 20 years of housing growth. Additional forms of small-scale multi-unit housing may well be part of satisfying that requirement and furthering community housing goals in Ucluelet. The specific locations and densities of additional housing capacity need to be informed by an updated analysis of municipal infrastructure, however, to ensure that the services are available to match the housing capacity adopted in updated zoning. That work is progressing and will be part of forthcoming community consultation on total growth and housing opportunities. Staff anticipate identifying locations where multiple units are appropriate in Ucluelet (and have the services to support pre-zoning for densification), as a starting point for community discussion.

For now, this report discusses changes needed to bring the current Ucluelet zoning bylaw into alignment with the new provincial legislation. The province has published a [Provincial Policy Manual & Site Standards for Small-Scale Multi-Unit Housing](#). The amendments to the Ucluelet zoning bylaw discussed below have been prepared following the direction of the provincial policy manual.

#### Draft Bylaw Amendments:

A draft of *District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024*, is attached to this report (see **Appendix "A"**). This amendment bylaw would make changes to the zoning bylaw to achieve the following:



- ensure all restricted zones allow a *secondary suite* or an *accessory residential dwelling unit*. This poses little change, since the Ucluelet zoning bylaw already allows both types of accessory dwellings in almost all single-family zones. The R-6 zoning designation currently restricts the accessory dwelling uses to lots greater than 480m<sup>2</sup> in size: the draft *Bylaw No. 1346* would remove that restriction.
- generally match minimum setbacks to the provincial site standards;
- increase the maximum height of *single-family dwellings* and *accessory residential dwelling units* to match the provincial site standards. This is probably the most noticeable change being driven by the province which would affect the current zoning regulations. The maximum height of single-family homes in most residential zones is currently 8.5m or 2-1/2 storeys, which would be increased to 11m or 3 storeys. The new 8m maximum height for *accessory residential dwelling units* would enable 2-storey ADU’s on most lots.
- reduce the parking requirement for single-family or duplex properties containing multiple units to a minimum requirement of 1 parking space per dwelling unit.

A few of the existing residential zones (and in particular CD sub-zones) have minimum side setbacks larger than the provincial recommended minimum of 1.2m for accessory dwelling units; these zones also have larger lot sizes and the existing setbacks would not unreasonably restrict the development of additional accessory housing units.

If Council wished to keep the maximum height of a principal building lower than the suggested 11m, consideration should be given to whether this could restrict the development of housing on some lots.

Excerpts of the zoning bylaw containing the affected sections with the changes highlighted is attached as **Appendix “B”**.

Because the residential zones in Ucluelet generally already allow a secondary suite and/or accessory dwelling unit, the changes driven by this policy direction of the province are minor.

**ANALYSIS OF OPTIONS:**

<b>A</b>	Proceed with Bylaw No. 1346.	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>• Would align zoning regulations with the changes to the <i>Local Government Act</i> enacted with the adoption of Bill 44.</li> <li>• Would make the development regulations for single-family dwellings and accessory housing units consistent with most (if not all) other local governments in BC.</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>• Would enact changes that may differ from some Ucluelet residents’ expectations.</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>• Staff would give the required notice that Council will be considering first reading and potential adoption of the bylaw at a future meeting.</li> <li>• Because the bylaw amendments are for compliance with the new provincial housing legislation, Council may not hold a public hearing on the bylaw.</li> <li>• Bylaws to comply with the new requirements of the Province must be adopted by June 30<sup>th</sup> of this year.</li> </ul>

<b>B</b>	Amend the draft Bylaw No. 1346 before proceeding.	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Would ensure the bylaw amendments match Council’s expectations.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Additional time would be required to ensure that bylaw changes stay aligned with the provincial policy guidance.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>
		<u>Suggested Motion</u>	<ol style="list-style-type: none"> <li>1. <b>THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024</i>, to: <i>[ specify desired changes ]</i></li> <li>2. <b>THAT</b> Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1346, 2024</i>, as amended.</li> </ol>
<b>C</b>	Not proceed with Bylaw No. 1346 at this time.	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Would leave the municipal zoning bylaw non-compliant with provincial legislation.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Could result in regulatory changes being imposed by the provincial cabinet.</li> <li>• Would result in additional staff and Council time.</li> <li>• Could have other implications for the municipal relationship with the Province.</li> </ul>
		<u>Suggested Motion</u>	No motion is required.

**Policy and Legislative Impacts:**

Amending the zoning bylaw to comply with the updates to the *Local Government Act* would appear to be a rare non-optional course of action for Council to consider. Staff have reviewed the provincial policy manual and the details of the Ucluelet zoning bylaw and recommend that adopting the draft Bylaw No. 1346 would align our zoning regulations with provincial policy.

Staff will report out to the Province prior to June 30<sup>th</sup> on steps Ucluelet has taken to meet the new requirements in the *Local Government Act*.

Respectfully submitted:            Bruce Greig, Director of Community Planning  
   Duane Lawrence, CAO

#### 408 ACCESSORY RESIDENTIAL DWELLING UNIT (ADU)

408.1 Where a Zone specifically includes an *Accessory Residential Dwelling Unit* as a permitted secondary use, one *Accessory Residential Dwelling Unit* use is permitted if all the following conditions are satisfied for the establishment and continued use of the *Accessory Residential Dwelling Unit*.

- (1) *Accessory Residential Dwelling Units* are only permitted in the Zones where *single family dwelling* is listed as a *principal permitted use* and *Accessory Residential Dwelling Unit* is identified as a *secondary permitted use*.
- (2) The *gross floor area* of the *Accessory Residential Dwelling Unit* must not exceed 7% of the lot area to a maximum of 90 m<sup>2</sup>.
- (3) The *gross floor area* of the *Accessory Residential Dwelling Unit* can be excluded from the calculation of maximum size for accessory buildings in the regulations specific to each zone.
- (4) A minimum outdoor space equal to the gross floor area of the *Accessory Residential Dwelling Unit* shall be provided as a dedicated space for the use by residents of the *Accessory Residential Dwelling Unit*.
- (5) An *Accessory Residential Dwelling Unit* must not have more than 2 bedrooms.
- (6) A clear pathway with a minimum width of 1.0m shall be provided from the sidewalk or street to the front door of the *Accessory Residential Dwelling Unit*.
- (7) Cantilevered balconies are not permitted on the interior side or rear faces of an *Accessory Residential Dwelling Unit*.
- (8) An *Accessory Residential Dwelling Unit* is only permitted where the owner of the lot has registered a covenant under section 219 of the *Land Title Act* against the title of the lot, in favour of the District of Ucluelet and satisfactory in its form and priority of registration, providing that the *Accessory Residential Dwelling Unit* must not be subdivided from the lot containing the principal building, whether pursuant to the *Strata Property Act*, the *Land Title Act*, or otherwise.
- (9) Off-street parking must be provided in accordance with Division 500.
- (10) An *Accessory Residential Dwelling Unit* must be located a minimum of ~~3m from any lot line and a minimum~~ 4m from the principal dwelling.
- (11) Despite subsection (1) *Accessory Residential Dwelling Units* are also permitted in some Industrial and Commercial zones according to the regulations of those zones.

408.2 ~~In addition to minimum height requirements of other parts of this bylaw:~~

- ~~(1) For an *Accessory Residential Dwelling Unit* whose roof pitch is equal to or greater than 3:12, the maximum height shall not exceed 4.2m.~~
- ~~(2) For an *Accessory Residential Dwelling Unit* with flat roofs or roofs with a pitch less than 3:12, the maximum height shall not exceed 3.75m.~~

- ~~(3) The height of the Accessory Residential Dwelling Unit may be increased by 0.3m vertical distance for every 0.6m increase in excess of the minimum setbacks established by this bylaw, to a maximum height of 6.5m~~
- ~~(4) For an Accessory Residential Dwelling Unit with flat roofs or roofs with a pitch less than 3:12, the area of a second floor shall be no greater than 60% of the total floor area beneath it.~~

**Notwithstanding the maximum height specified in other sections of this bylaw, the maximum height for an accessory building containing an Accessory Residential Dwelling Unit is 8.0m.**

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### 505 OFF-STREET PARKING REQUIREMENTS

505.1 Off-street parking spaces must be provided for each use, building and structure on each lot, calculated in accordance with the following requirements:

Use, Building or Structure	Off-Street Parking Spaces Required
<i>Single Family Dwelling</i>	2 spaces for use of principal <i>dwelling unit</i>
<i>Duplex Dwelling</i>	<del>3 spaces for use of both <i>dwelling units</i></del> <b>1 space per dwelling unit</b>
<i>Multiple Family Residential (including Affordable Housing)</i>	1.5 spaces per <i>dwelling unit</i> , Plus 1 Visitor Parking Space per 5 <i>dwelling units</i>
<i>Staff Housing</i>	1 space per staff housing unit
<i>Residential above Commercial</i>	1 space per <i>dwelling unit</i>
<i>Accessory Residential Dwelling Unit</i>	1 space per <i>dwelling unit</i>
<i>Secondary Suite</i>	1 space per suite
<b><i>Single-Family Dwelling plus Secondary Suite and/or Accessory Residential Dwelling Unit</i></b>	<b>1 space per <i>dwelling unit</i></b>
<i>Home Occupation</i>	1 space per non-resident
<i>Bed &amp; Breakfast</i>	1 space per <i>bedroom</i> or guest room for B&B use
<i>Vacation Rental</i>	1 space per unit
<i>Guest House</i>	1 space per guest room

---

## R-6 Zone - INFILL SINGLE-FAMILY RESIDENTIAL

### R-6.1 Permitted Uses

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

(1) Principal:

(a) Single Family Dwelling

(2) Secondary:

~~(a) Home Occupation~~

~~(b) The following additional secondary permitted uses are only permitted on lots of 480m<sup>2</sup> area or greater:~~

~~(i) Secondary Suite; or,~~

~~(ii) Accessory Residential Dwelling Unit~~

**(a) either a *Secondary Suite* or an *Accessory Residential Dwelling Unit***

**(b) *Home Occupation***







## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

**FILE NO:** 3320-20-SD19-02

**SUBJECT:** WEYERHAEUSER OCEANWEST PHASE 5 SUBDIVISION

**REPORT NO:** 24- 58

**ATTACHMENT(S):** APPENDIX A – UPDATED SITE PLAN: OCEANWEST PHASE 5 SUBDIVISION  
 APPENDIX B – EXCERPT AMENDED DP18-07  
 APPENDIX C – DVP24-03

### RECOMMENDATION(S):

1. **THAT** Council authorize the Director of Community Planning to execute and issue Development Variance Permit 24-03.
2. **THAT** Council exempt the proposed lots 81, 82, 87, 90, 91, and 96 of the Weyerhaeuser OceanWest phase 5 subdivision from the minimum 10% highway frontage required under section 512 (1) of the *Local Government Act*.
3. **THAT** Council indicate acceptance that the proposed park land dedication shown on the Site Plan 0716-004 drawing 100 revision 02 by Newcastle Engineering Ltd. dated March 18, 2024, for the proposed Weyerhaeuser OceanWest phase 5 subdivision fulfilling the developer's requirements under section 510 of the *Local Government Act* and as proposed by the developer.

### BACKGROUND:

At its [May 14, 2024, regular meeting](#) Council received a report on amendments to the plans for the "OceanWest Phase 5" subdivision by Weyerhaeuser Corp. The properties affected are PID 026-784-297, Lot A, Plan VIP81555, District Lot 283, Clayoquot Land District, Except Plan VIP84686 and portions of PID 025-635-742, Lot 4, District Lots 285, 286 and 473, Clayoquot Land District Except Plan VIP80031. At the May 14 meeting, Council resolved to give notice of first reading for *Zoning Amendment Bylaw No. 1341, 2024*. Also at that meeting, Council authorized amendment of the Development Permit DP18-07 (see excerpt in **Appendix "B"**) to incorporate updated plans and environmental offsetting for wetlands.

The May 14<sup>th</sup> report noted a few items that would also need Council consideration after the zoning amendment proposed in *Bylaw No. 1341* is resolved. Notice of first reading has been completed and the zoning amendment bylaw will be on Council's agenda for potential readings and adoption June 11<sup>th</sup>. Having dealt with the bylaw, Council could now consider approval of the following:

- a. authorize Development Variance Permit DVP24-03 to vary minimum lot frontage under section CD-5C.2.2 (1)(b) of the zoning bylaw which specifies a minimum of 21.3m:
  - for Lot 81: a minimum lot frontage of 11.99m
  - for Lot 82: a minimum lot frontage of 15.38m; and,
  - for Lot 87: a minimum lot frontage of 6.14m.
- b. also pass a resolution exempting six lots - 81, 82, 87, 90, 91, and 96 – from the 10% minimum frontage requirement under section 512(2) of the *Local Government Act*; and,
- c. pass a resolution accepting the proposed park land dedication.

Section 512(1) of the *Local Government Act* has a requirement for minimum lot frontage that works in parallel with any minimum specified in a municipal zoning bylaw:

*“512(1) If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of:*

- (a) 10% of the perimeter of the lot that fronts on the highway, and*
- (b) the minimum frontage that the local government may, by bylaw, provide.”*

The six lots noted above would have less than 10% of their perimeter fronting a road. Section 512 (2) of the *LGA* allows a local government to exempt a lot from this statutory minimum lot frontage requirement. As noted in the May 14<sup>th</sup> staff report, the revised lot configuration (see **Appendix “A”**) creates a number of lots which are smaller than in the original layout, and somewhat squeezed to avoid greater areas of buffer around delineated wetlands.

The areas of parkland dedication have been increased over the original site plan, to better protect areas of sensitive ecosystems. This is entirely consistent with the Ucluelet OCP.

Resolving these items would allow the applicant to seek an updated subdivision Preliminary Layout Assessment letter from the Approving Officer.

**ANALYSIS OF OPTIONS:**

<b>A</b>	Council adopt the resolutions at the outset of this report to advance the OceanWest phase 5 subdivision.	<u>Pros</u>	<ul style="list-style-type: none"> <li>• The subdivision could proceed.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Unknown.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• The issued permit and resolutions would be provided to the applicant and Approving Officer.</li> </ul>
<b>B</b>	That Council provide	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>

alternative direction	<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
	<b><u>Suggested Motion</u></b>	<p>THAT Council indicate to <i>[staff or the applicant]</i> that the proposed development be amended to <i>[insert direction]</i>.</p>

**POLICY OR LEGISLATIVE IMPACTS:**

Notification has been completed for the Development Variance Permit DVP24-03 (see draft permit in **Appendix “C”**). Council should provide an opportunity for public comment on the requested variances.

**Next Steps:**

Should the DVP be authorized and resolutions adopted as recommended above, they would be provide to the applicant and the subdivision Approving Officer. The applicant could then proceed with the subdivision process.

Respectfully submitted:      Bruce Greig, Director of Community Planning  
    Duane Lawrence, CAO







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## DEVELOPMENT PERMIT DP18-07 (Amended May 2024)

Pursuant to Part 14, Division 7 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:

WEYERHAEUSER COMPANY LIMITED, INC. NO. A91273

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

Lot A, Plan VIP81555, Clayoquot District, except plan VIP84686 and in part of Lot 4, Plan VIP75113, Clayoquot District, District Lot 285, 286 & 473, except Plan VIP80031

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

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

- a. The creation of a subdivision consisting of 33 Single Family Dwelling:
  - i. **16 less than 650.3 m<sup>2</sup>**
  - ii. **7 lots greater than 650.3m<sup>2</sup> but less than 1,393.5m<sup>2</sup>**
  - iii. **10 Lots greater than 1,393.5 m<sup>2</sup>**
- b. The extension of Marine Drive approximately 450m
- c. The extension of Forbes Road and intersection with Marine Drive
- d. The full servicing (underground hydro, potable water, sanitary sewer, storm sewer/French drain) of the subdivision.
- e. Full paved road construction including but not limited to 3.6 lane widths, line painting, traffic signage, parallel parking, cul-de-sac roundabouts as per the Subdivision Services Control Bylaw No. 521, 1989 and the Master Municipal Construction Documents (MMCD). It is acknowledged that an alternative road standard is being used as per Schedule A.
- f. Full Street lighting as per the existing details within the 1<sup>st</sup> phase of the Oceanwest Subdivision but fitted with a LED light source.
- g. Full landscaping of the road boulevard in native species as per the detail of the existing Oceanwest Subdivision.
- h. A paved 2.5m multiuse path on the **west** side of Marine Drive constructed consistent with the MMCD.
- i. A paved 1.5m pedestrian trail on the **south** side of Forbes Road consistent with the MMCD.
- j. A paved path on one side of both cul-de-sac's consistent with the MMCD.
- k. Gravel pedestrian trails as per the plans submitted and forming Schedule A.
- l. Crosswalks and crosswalk signage as per the plans submitted and forming Schedule A.
- m. Paved driveway aprons a minimum of 5m from road edge with gravel driveways roughed in.
- n. A gravel parking lot at the terminus of Marine Drive for Wild Pacific Trail parking.

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



- 5. This permit is issued subject to the following conditions:
  - a. Preparation of a Construction Environmental Management Plan by a Qualified Environmental Professional (QEP), including monitoring and reporting by the QEP throughout construction.
  - b. All development must follow the terms, conditions, prescriptions, monitoring, and evaluation of as described in the OceanWest Phase 5 Works Wetland Remediation and Offsetting Plan prepared by Ecofish for Environmental Dynamics dated February 23, 2024.**
- 6. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
- 7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
- 8. This Permit is NOT a Building Permit.
- 9. **Schedules "A"** attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

**AUTHORIZING RESOLUTION** passed by the Municipal Council on the 26<sup>th</sup> day of March, 2019.

AUTHORIZING RESOLUTION passed by the Municipal Council on the 26<sup>th</sup> day of March, 2019.

**IN WITNESS WHEREOF** this Development Permit is hereby executed and issued by the Municipality the 26<sup>th</sup> day of March, 2019.

**AMENDED BY RESOLUTION** passed by the Municipal Council on the **14<sup>th</sup>** day of **May**, 2024.

**THE DISTRICT OF UCLUELET**  
by its authorized signatories:

[Redacted signature box]

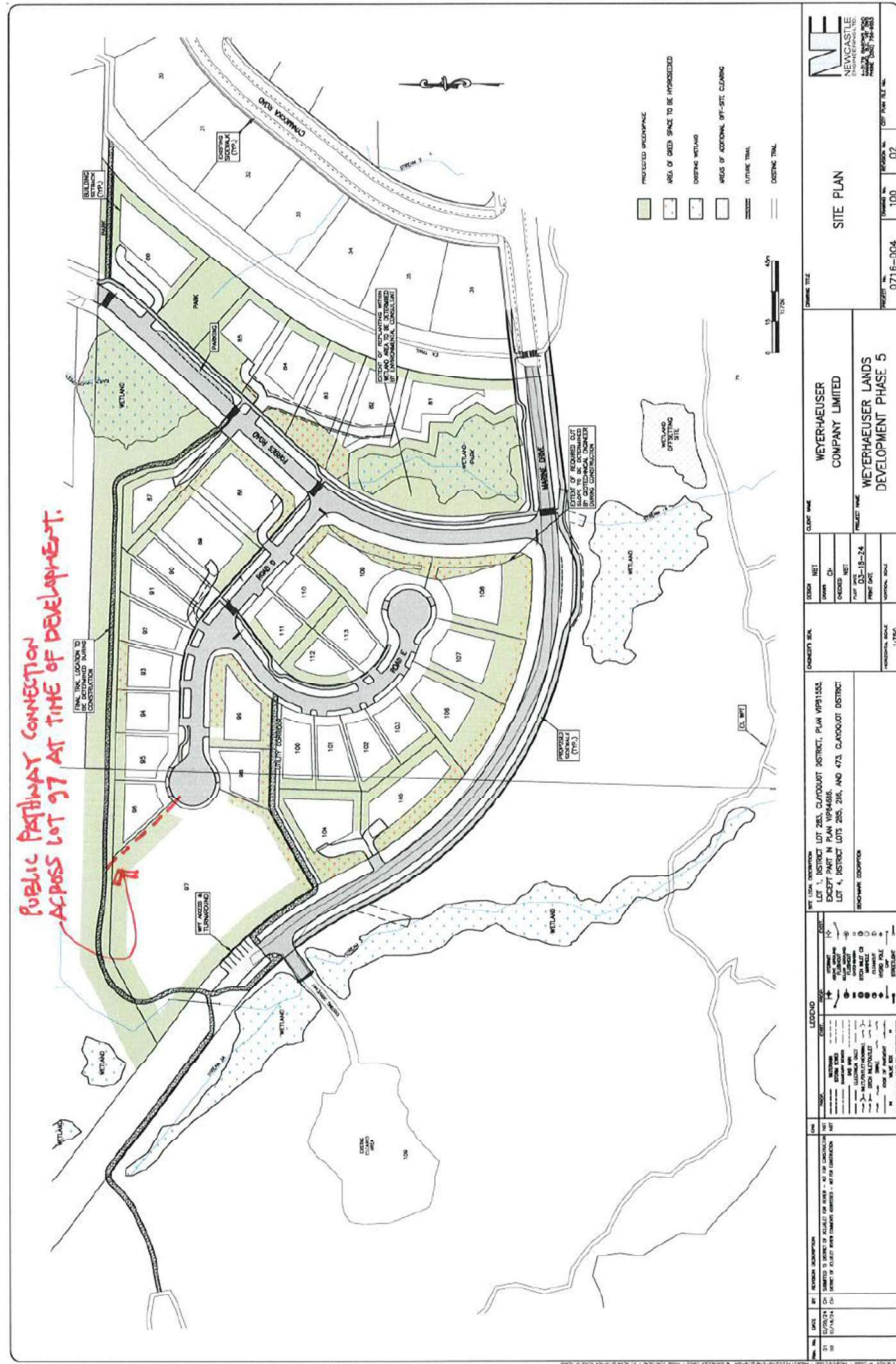
Bruce Greig  
Director of Community Planning





### Schedule A (Amended May 2024)

Newcastle Engineering – Weyerhaeuser Lands Development Phase 5  
Site Plan drawing 0716-004-100 revision 02 Dated March 18, 2024







**Schedule A**  
**(Amended May 2024)**

Newcastle Engineering – civil drawings 0716-004 pages 01-17 revision 07 Dated April 11, 2024

EDI Environmental Dynamics Inc. – October 2020 Environmental Management Plan

EcoFish Research Ltd. – 2024 Wetland Remediation and Offsetting Plan



NEWCASTLE  
PLANNING DEPARTMENT  
PLANNING DIVISION  
100 WEST HARRIS STREET  
Raleigh, NC 27601  
PHONE: 919.972.7600  
FAX: 919.972.7601

PROJECT NO. 07115-004  
SHEET NO. 01  
REVISED BY: 07

ISSUED FOR PERMIT PURPOSES ONLY

WYERHAEUSER COMPANY LIMITED  
WYERHAEUSER LANDS DEVELOPMENT PHASE 5

DATE: 07/11/2011  
SCALE: 1"=40'

PROJECT NAME: WYERHAEUSER LANDS DEVELOPMENT PHASE 5  
PROJECT NO.: 07115-004  
SHEET NO.: 01

DATE: 07/11/2011  
SCALE: 1"=40'



**NOTES:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE N.C. CONSTRUCTION CODE.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
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**EROSION AND SEDIMENT CONTROL:**

1. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE N.C. CONSTRUCTION CODE.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.

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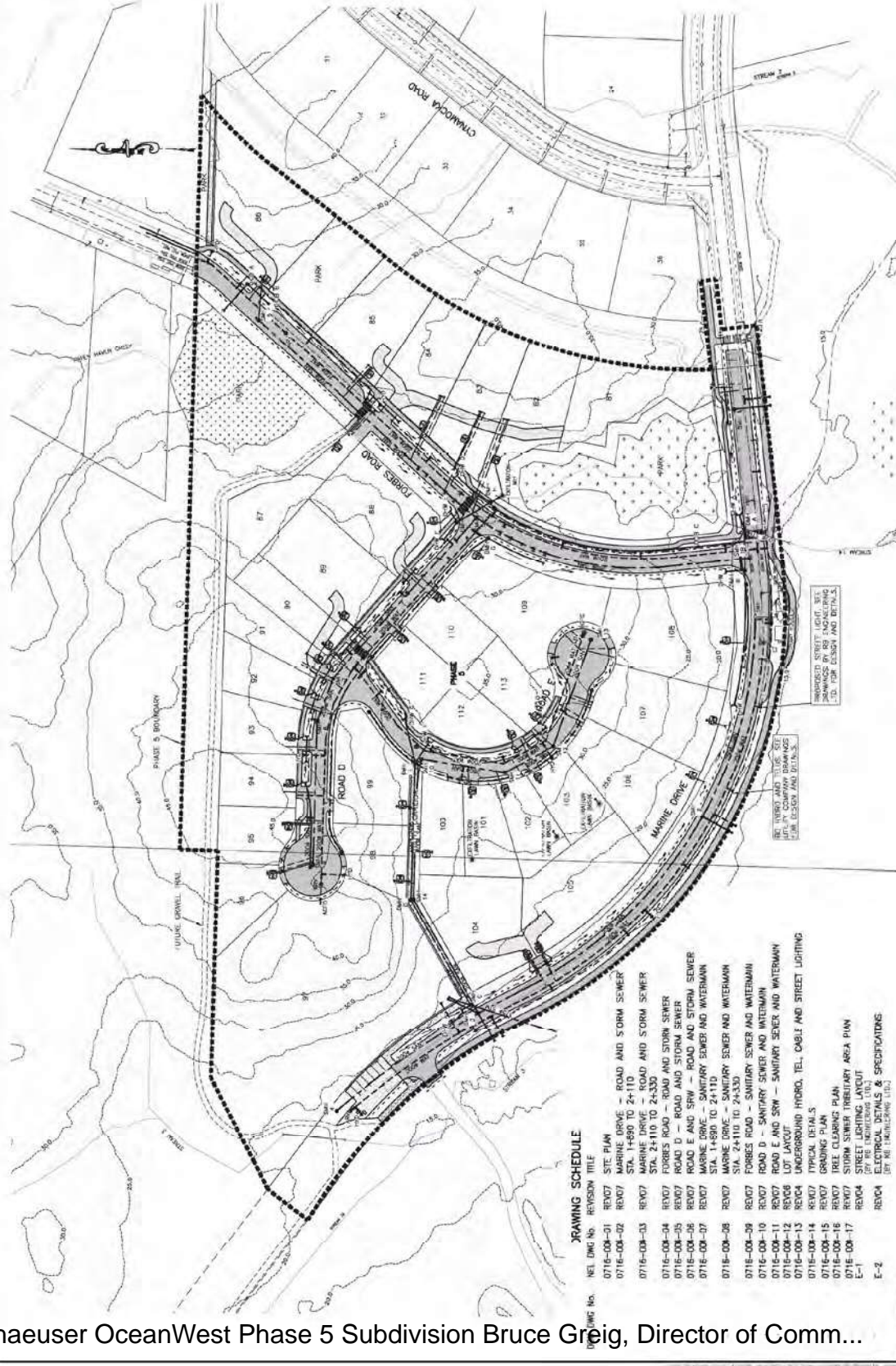
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ISSUED FOR PERMIT PURPOSES ONLY

WYERHAEUSER COMPANY LIMITED  
WYERHAEUSER LANDS DEVELOPMENT PHASE 5

DATE: 07/11/2011  
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# DEVELOPMENT VARIANCE PERMIT DVP24-03

Pursuant to section 498 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Variance Permit is issued to:

**WEYERHAEUSER CO LTD.**  
(the "Owner")

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

**Lot 82 and Lot 87 on the Phase 5 subdivision plan that occurs within the parent parcel of Lot A, Plan VIP81555, District Lot 283, Clayoquot Land District, Except Plan VIP84686; PID 026784297,**

3. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.

4. This permit authorizes the following variances to *District of Ucluelet Zoning Bylaw No. 1160, 2013*, specific to the plans and elevations attached as **Schedule A**:

**A. Lot 81: a minimum lot frontage of 11.99m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m;**

**B. Lot 82: a minimum lot frontage of 15.382m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m; and,**

**C. Lot 87: a minimum lot frontage of 6.14m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m.**

5. The above variances are granted for the proposed Weyerhaeuser Phase 5 Subdivision as shown on **Schedule A**.

6. This permit is valid for a period of 24 months from the date of issuance.

7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

8. This Permit is NOT a Building Permit.

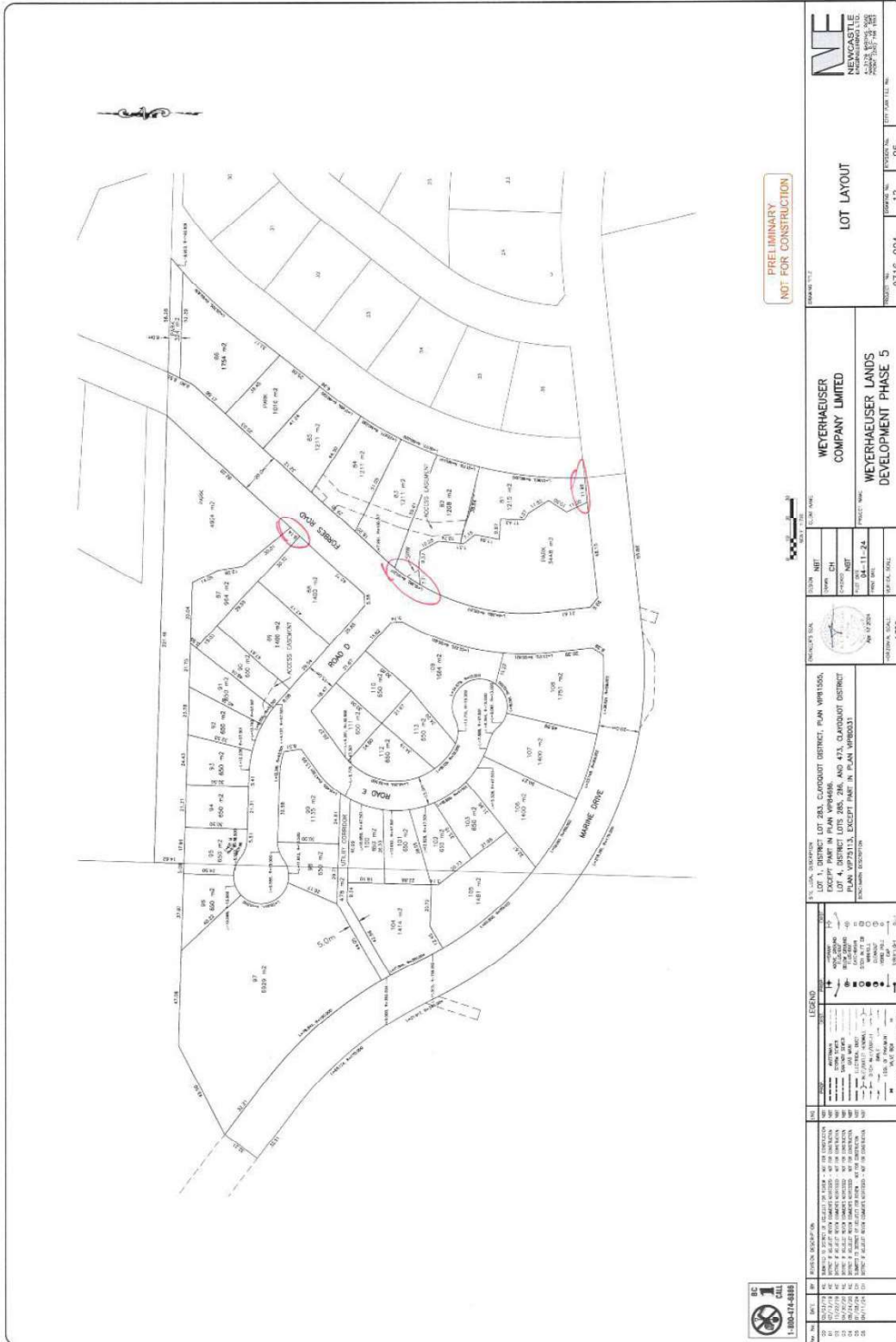
**AUTHORIZING RESOLUTION** passed by the Municipal Council on the    day of    , 2024.

**ISSUED** the    day of    , 2024.

\_\_\_\_\_  
Bruce Greig  
Director of Community Planning



SCHEDULE A







## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ANNELIESE NEWEDUK, PLANNER

**FILE No:** 3060-20 DP 24-02

**SUBJECT:** DEVELOPMENT PERMIT FOR 1167 HELEN RD

**REPORT No:** 24-51

**ATTACHMENT(S):** APPENDIX A – APPLICATION  
APPENDIX B – DEVELOPMENT PERMIT 24-02

### RECOMMENDATION:

**THAT** Council authorize the Director of Community Planning to execute and issue Development Permit DP24-02

### BACKGROUND:

In April 2024 the applicant submitted a development permit application to renovate an existing commercial recreation structure and convert it to a hotel on 1167 Helen Rd (**Figure 1**); PID 005059127, Lot 1, Plan VIP11560, Section 31, Clayoquot Land District (the “subject property”).

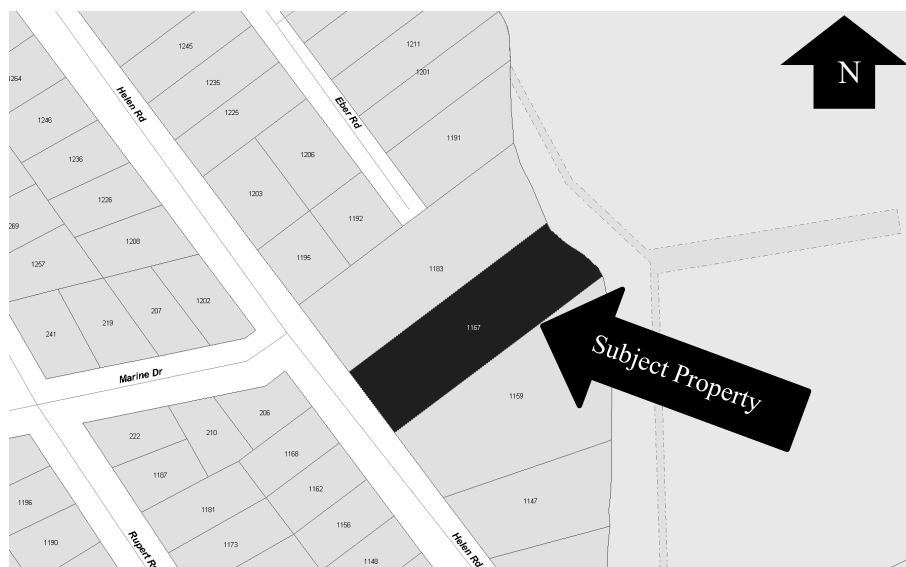


Figure 1. Subject Property

Current structures on the subject property include a two-story shop that operated as a kayak rental until 2022, and a single-family dwelling (SFD). The applicant plans to personally operate the newly converted seven guest room hotel and reside in the existing SFD on the subject property.

**ZONING:**

The subject property is zoned as Service Commercial (**CS-2**) and the proposed principal and secondary uses of the subject property are in accordance with CS-2 zoning.

**OFFICIAL COMMUNITY PLAN:****Long Range Land Use Plan - Schedule A:**

The subject property is designated as Tourist Commercial/Residential in the District of Ucluelet's Long Range Land Use Plan (Schedule A). The proposed development aligns with future designated use of the property.

**Form and Character Development Permit Area - Multi-Family, Commercial & Mixed-Use (DPA IV):**

The subject property falls within the Official Community Plan's "Form and Character Development Permit Areas" under the Multi-Family/Commercial/Mixed-Use Development Permit Area (DPA IV). Form and character DPAs are established to guide development and land use to ensure a pedestrian-oriented, compact, and vibrant community which maintains its coastal village character.

*Building Design*

The proposal involves renovations to convert the existing shop into a seven guest room hotel; three units on the ground level, two on the second level, and two units on a third level that is the existing 18' tall high-bay garage stall. Two elevated decks are proposed to provide access to the four upper-level units, with screened areas below each deck to provide secure storage and animal proof waste bins. An accessory building is proposed as an office/check-in centre near the northeast corner of the existing structure.

No major structural or design alterations are proposed to the existing structure, which currently aligns with traditional west coast architecture. Existing lap siding is to remain, the shingled roof will be replaced with metal, and spruce or cedar siding will be added by doorways.

*Landscaping*

The application proposes to maintain the existing landscaping and shrubbery, which minimizes the visibility of the building and parking frontage to Helen Road. No land clearance of the vegetation would be needed for parking requirements or driveways. Additional native trees, shrubs, and bushes will be added around the perimeter of the building and parking areas.

**SERVICING:**

The subject property will be assessed for available servicing once detailed design is underway and prior to the building permit.

**FIRE PROTECTION:**

The subject property will be required to successfully complete a fire safety inspection prior to occupancy.

**BUILDING SERVICES:**

The owner is required to obtain a building permit for the proposed renovation and change of use to ensure substantial compliance with the BC Building Code.

**ANALYSIS OF OPTIONS:**

<b>A</b>	Authorize the issuance of DP24-02	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>Allows applicant's development to proceed.</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>Unknown at this time</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>Approval will allow the application to proceed.</li> </ul>
<b>B</b>	Provide alternative direction	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>Unknown at this time</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>Unknown at this time</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>Unknown at this time</li> </ul>
		<b><u>Suggested Motion</u></b>	THAT Council, with regard to Development Permit 24-02, <i>(provide alternative direction here)</i>
<b>C</b>	Reject the application	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>Unknown at this time</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>Does not allow applicant's development to proceed.</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>The application would not proceed.</li> <li>Additional staff time will be required to follow up with applicant and consultants.</li> <li>If rejecting the application, Council should state which DPA guidelines are not being adequately met by the current proposal.</li> </ul>
		<b><u>Suggested Motion</u></b>	THAT council reject the application for Development Permit 24-02 <i>[noting which specific DP guidelines are not being adequately met]</i> .

**POLICY OR LEGISLATIVE IMPACTS:**

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

In addition, is important to note, that the applicant is responsible for ensuring that all Provincial and Federal laws, requirements, and best practices are followed.

**NEXT STEPS:**

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

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

Respectfully submitted:                   Anneliese Neweduk, Planner  
  Bruce Greig, Director of Community Planning  
  Duane Lawrence, CAO



Doug Cole Architect, AIBC  
16802 3rd Avenue  
La Conner, WA 98257  
360-466-2555

March 20, 2024

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

Re: Development Permit Application – Letter of Intent  
1167 Helen Road, PID 005-059-127

Dear Planning Staff & Council:

On behalf of the property owner, Gabriel Rapozo, I am writing this Letter of Intent supporting the proposed conversion of an existing shop structure into a seven-unit boutique hotel.

The existing structure was built twenty years ago by [REDACTED] for use as [REDACTED] mechanic's shop. While this was [REDACTED]'s intent, the building was never used in that manner, rather it served as the home and headquarters to Majestic Ocean Kayaking, which [REDACTED] started in 1993 and continued to operate with [REDACTED] until 2022 when the business was sold to new ownership [REDACTED]. The new business owners were not able to continue the kayak business so the current property owner is looking to convert the building into a seven-unit boutique hotel, where the owner will personally operate and reside in the existing residence on the property.

The existing two storey structure is well-screened from direct view of Helen Road by existing landscaping and shrubs, all of which would remain in place. The structure itself currently contains an office, storage room, washroom, and two mechanics bays on the ground floor level. Above is a single dwelling unit. The property also includes a separate stand-alone single-family residence, located closer to Ucluelet Harbour on the northeast portion of the lot.

The owners long term plan for the property includes the proposed conversion of the existing structure, the addition of a stand-alone office for guest check in, and two future free-standing cabins in the existing forested area of the property. For purposes of this application, the owner is seeking a Development Permit for just the reno/conversion of the existing structure, along with construction of the small office/check-in centre.

The proposed renovation includes creating seven guest rooms; three on the ground level, two on the upper level, and two additional units in the existing 18' tall high-bay garage stall. A laundry and supplies room would be located on the ground level, as would the stand-alone 100 sf structure which functions as an office and check in centre for guests. Two elevated decks will provide access to the four upper-level units, with screened areas under each deck providing both secure storage and a location for the animal-proof waste and recycle containers.



District of Ucluelet

March 20, 2024

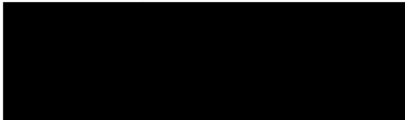
Page 2 of 2

Parking for hotel guests and staff will occur at the existing gravel parking areas that previously provided parking for guests of the Majestic Ocean Kayaking business. No new clearing of land, addition of new driveways, or removal of existing vegetation is contemplated by the proposed design. The envelope of the existing building will remain the same in terms of volume and roof lines, however various roof line enhancements, eyebrow trims at suite entries, and new window placements will all be made to suit the use as a small hotel.

It should be noted that the existing structure is slightly taller than allowed by current zoning bylaw which allows for a height of 8.5m above average grade. The roof peak of the existing structure is about 1m higher than that. No additional height or expansion of the existing building envelope is proposed so other than upgrading the look and feel of the exterior envelope, the building will still not be readily noticeable from Helen Road due to the existing vegetation.

Thank you for your consideration of this application and do not hesitate to reach out to me for any additional supporting information which may be required.

Sincerely,



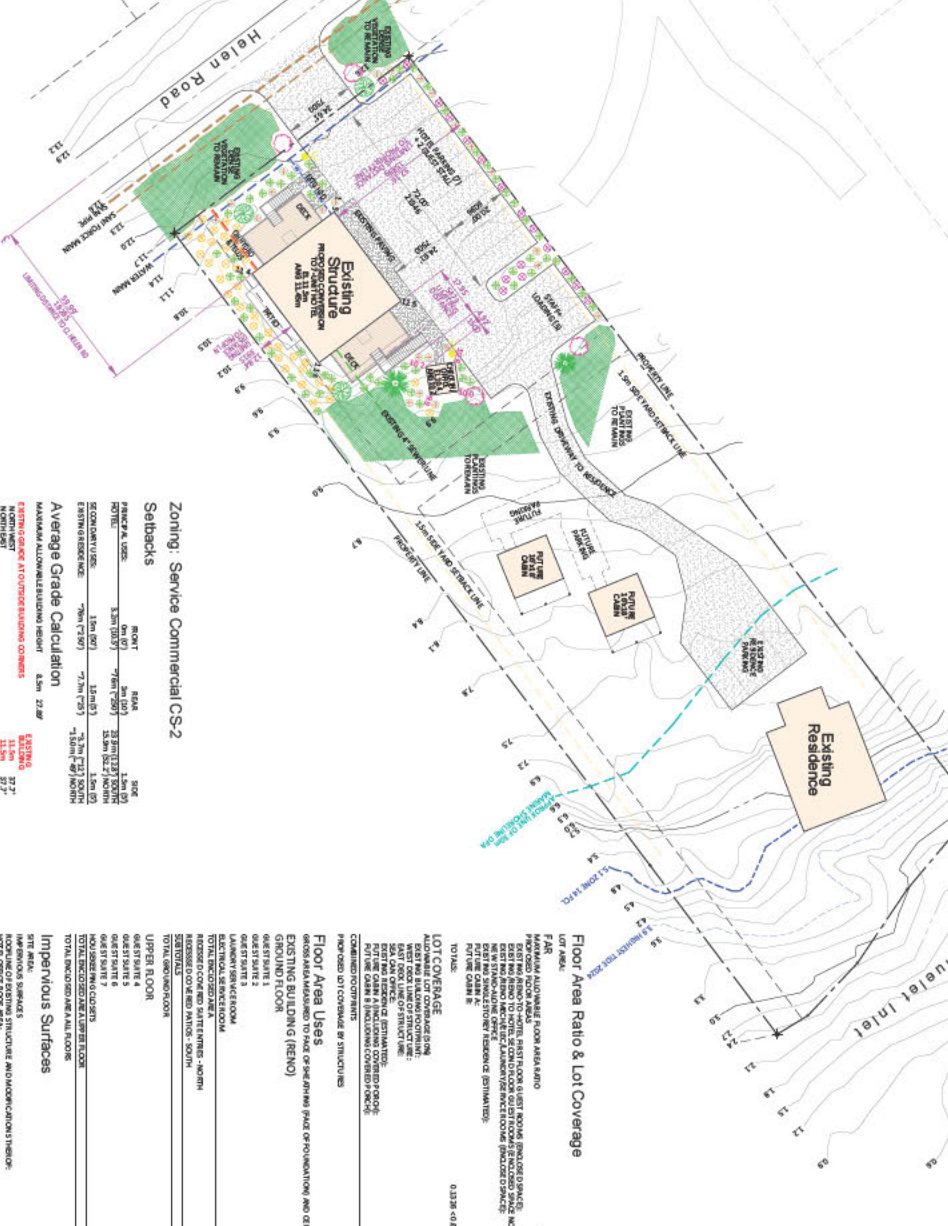
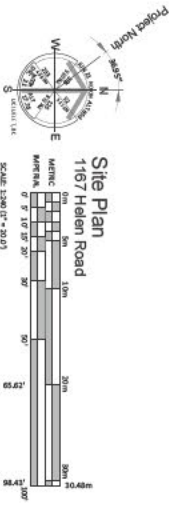
Doug Cole, AIBC  
British Columbia Architect 2075

## Appendix A

### Landscape Symbol Legend

**General Notes**  
 1. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PLANTING, 2018 EDITION, LATEST REVISIONS, AND THE STANDARD SPECIFICATIONS FOR LANDSCAPE INSTALLATION, LATEST EDITION, LATEST REVISIONS, BOTH PUBLISHED BY THE NATIONAL ASSOCIATION OF SPOFFORD COUNTY, VIRGINIA. THIS LEGEND PROVIDES A SUMMARY OF THE PLANTING SPECIFICATIONS TO BE USED IN THE LANDSCAPE PLAN. FOR A COMPLETE LIST OF SPECIFICATIONS, REFER TO THE REFERENCED DOCUMENTS.  
 2. PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PLANTING, 2018 EDITION, LATEST REVISIONS, AND THE STANDARD SPECIFICATIONS FOR LANDSCAPE INSTALLATION, LATEST EDITION, LATEST REVISIONS, BOTH PUBLISHED BY THE NATIONAL ASSOCIATION OF SPOFFORD COUNTY, VIRGINIA.

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	1.00M x 1.50M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)
	1.00M x 1.00M SPURGE		3.00M x 3.00M PLANTER BOXWOOD (CORONATION)



### Floor Area Ratio & Lot Coverage

DESCRIPTION	AREA	RATIO / COVERAGE
LOT AREA	3,000 sq ft	3,000 sq ft
FAR	0.40	1,200 sq ft
EXISTING BUILDING	1,200 sq ft	40%
EXISTING RESIDENCE	1,000 sq ft	33%
EXISTING GARAGE	500 sq ft	17%
EXISTING DRIVE	300 sq ft	10%
EXISTING PORCH	100 sq ft	3%
EXISTING WALKWAY	50 sq ft	2%
EXISTING PATIO	200 sq ft	7%
EXISTING DECK	100 sq ft	3%
EXISTING SCREENED PORCH	100 sq ft	3%
EXISTING PERGOLA	100 sq ft	3%
EXISTING SIGN	100 sq ft	3%
EXISTING FENCE	100 sq ft	3%
EXISTING UTILITY	100 sq ft	3%
EXISTING DRIVEWAY	100 sq ft	3%
EXISTING DRIVE	100 sq ft	3%
EXISTING DRIVE	100 sq ft	3%
EXISTING DRIVE	100 sq ft	3%
EXISTING DRIVE	100 sq ft	3%
EXISTING DRIVE	100 sq ft	3%
EXISTING DRIVE	100 sq ft	3%
EXISTING DRIVE	100 sq ft	3%

### Zoning: Service Commercial CS-2

USE	MAXIMUM HEIGHT	MAXIMUM AREA
OFFICE	35' 0"	1,000 sq ft
RESTAURANT	35' 0"	1,000 sq ft
RETAIL	35' 0"	1,000 sq ft
WAREHOUSE	35' 0"	1,000 sq ft
INDUSTRIAL	35' 0"	1,000 sq ft
AGRICULTURAL	35' 0"	1,000 sq ft

**Doug Cole, Architect**  
 1167 HELEN ROAD  
 LOUSETT, VIRGINIA 22081  
 WWW.DOUGCOLEARCHITECT.COM  
 540.482.2532

**HELEN ROAD RENO & CONVERSION**  
 1167 HELEN ROAD  
 LOUSETT, VIRGINIA 22081  
 (540) 726-5900

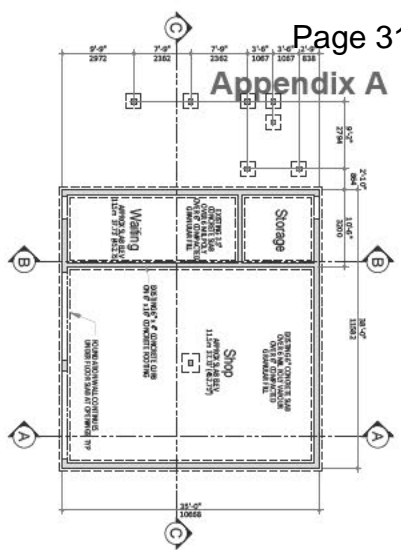
**Site Plan**  
 1167 HELEN ROAD  
 LOUSETT, VIRGINIA 22081  
 (540) 726-5900

**Issued for Development Permit Review**  
 DATE: 08/14/2024  
 SCALE: AS SHOWN  
 SHEET NO. A1.1

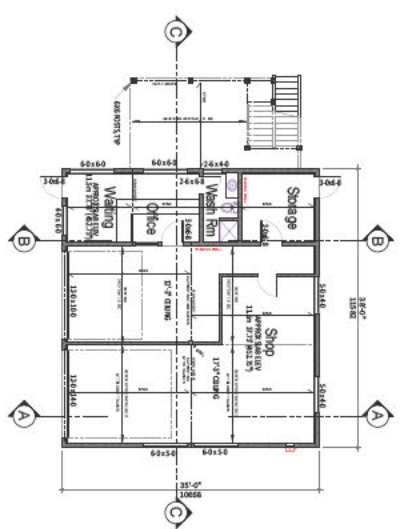


Appendix A

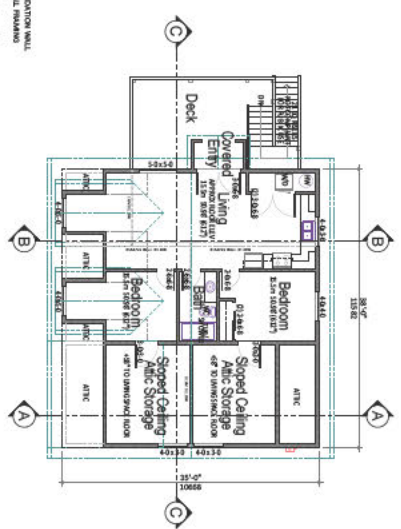
Existing Foundation Plan



Existing Lower Level Plan

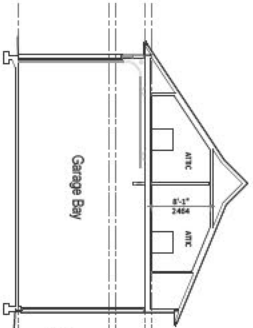


Existing Upper Level Plan

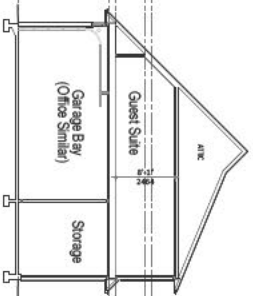


Existing Floor Plans, Building Sections, & Site Photos

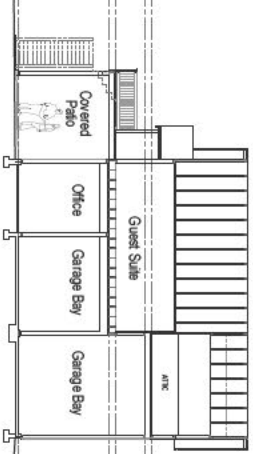
Building Section A-A



Building Section B-B



Building Section C-C

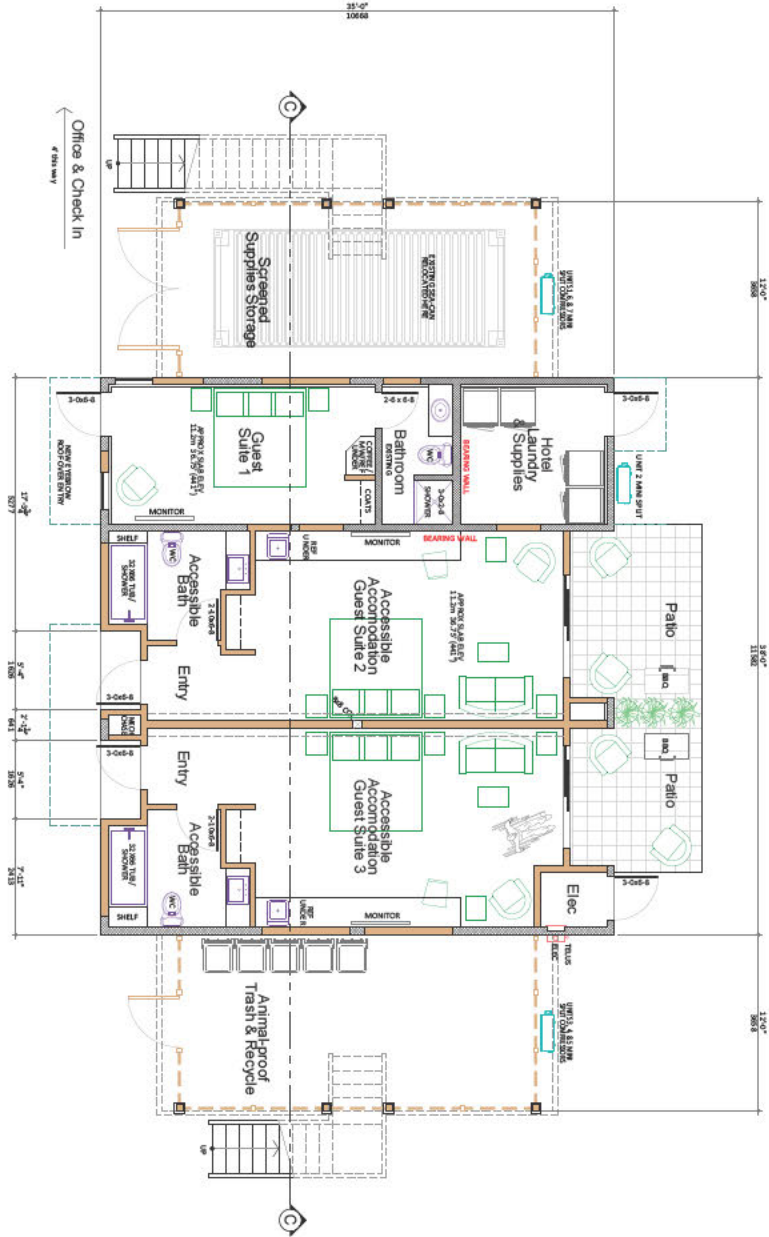


**Doug Cole, Architect**  
 P.A. ARCHITECTURE, LLC  
 1107 HELEN ROAD  
 DUBLUET, IOWA 52002  
 WWW.DCOLEARCHITECT.COM  
 563.462.9220

PROJECT NAME: HELEN ROAD RENNO & CONVERSION  
 1107 HELEN ROAD  
 DUBLUET, IOWA 52002  
 DATE: 08/2020  
 SHEET: A0.3

NO. 1	FOUNDATION	EXISTING CONCRETE FOUNDATION WALL
NO. 2	FOUNDATION	EXISTING WOOD STUD WALL
NO. 3	FOUNDATION	MASONRY
NO. 4	FOUNDATION	EXISTING CONCRETE FOUNDATION WALL
NO. 5	FOUNDATION	EXISTING WOOD STUD WALL
NO. 6	FOUNDATION	MASONRY
NO. 7	FOUNDATION	EXISTING CONCRETE FOUNDATION WALL
NO. 8	FOUNDATION	EXISTING WOOD STUD WALL
NO. 9	FOUNDATION	MASONRY
NO. 10	FOUNDATION	EXISTING CONCRETE FOUNDATION WALL
NO. 11	FOUNDATION	EXISTING WOOD STUD WALL
NO. 12	FOUNDATION	MASONRY

Issued for Development Permit Review  
 EXISTING FLOOR PLANS, BUILDING SECTIONS, & SITE PHOTOS  
 SHEET: A0.3



**Proposed Lower Level Floor Plan**  
Refer to Sheet A0.3 for Additional Information on Existing Structure

**Wall Type Legend**

- NEW INSULATED WOOD FRAME CONSTRUCTION
- NEW INSULATED WOOD FRAME CONSTRUCTION
- NEW INSULATED WOOD FRAME CONSTRUCTION
- NEW CONCRETE FOUNDATION WALL
- EXISTING CONCRETE FOUNDATION WALL
- EXISTING CONCRETE FOUNDATION WALL
- EXISTING CONCRETE FOUNDATION WALL

**Scale:** 1/8" = 1'-0"

**North Arrow:** U. QUARTER, K.C. S. (North arrow pointing towards the top right of the page)

**Scale:** 1/8" = 1'-0"

0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100

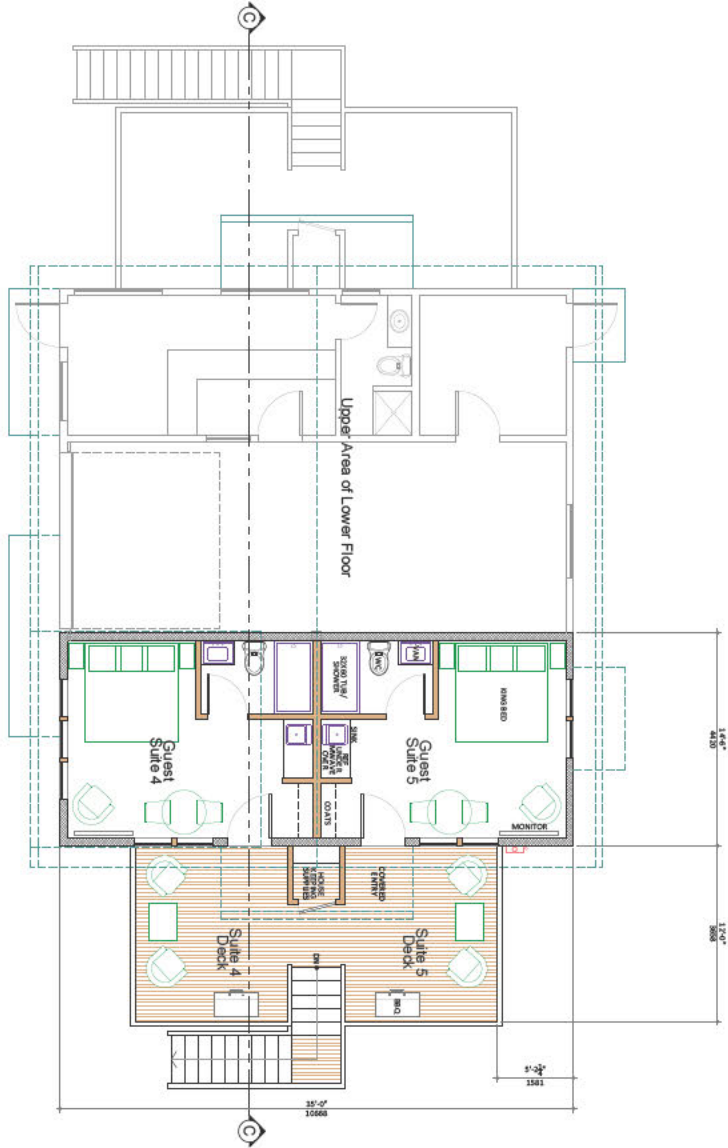
SCALE FOR REVISIONS: 1/8" = 1'-0"

**Doug Cole, Architect**  
P.A. ARCHITECTURE, LLC  
1167 HELEN ROAD  
DALLAS, TEXAS 75243  
WWW.DOUGCOLEARCHITECT.COM  
214.462.2222

**HELEN ROAD RENOVATION & CONVERSION**  
1167 HELEN ROAD  
DALLAS, TEXAS 75243

**Client:** (b) (4)  
**1167 HELEN ROAD**  
**DALLAS, TEXAS 75243**

NO. 1167 HELEN ROAD, DALLAS, TEXAS 75243  
PROJECT NO. 2023-001  
DATE: 10/10/2023  
SHEET NO. 1167 HELEN ROAD RENOVATION & CONVERSION - LOWER LEVEL FLOOR PLAN  
ISSUED FOR DEVELOPMENT PERMIT REVIEW  
DESIGNED BY: [Name]  
CHECKED BY: [Name]  
DATE: 10/10/2023  
SHEET TITLE: PROPOSED LOWER LEVEL FLOOR PLAN  
SHEET NUMBER: A2.1



**Proposed Upper Level West Floor Plan**  
 Refer to Sheet A0.3 for Additional Information on Existing Structure

**Wall Type Legend**

- NEW INSULATED WOOD/FRAMING CONSTRUCTION
- EXISTING WOOD/FRAMING CONSTRUCTION
- NEW CONCRETE FOUNDATION WALL
- EXISTING CONCRETE FOUNDATION WALL
- EXISTING 8" x 8" CONCRETE WALL
- EXISTING 8" x 8" CONCRETE WALL

**Scale:** 1/8" = 1'-0"

**North Arrow:** U. QUARTER, NC S

**Graphic Scale:** 0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100

**Graphic Scale:** 0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100

**Scale:** 1/8" = 1'-0"

**Doug Cole, Architect**  
 P.A. ARCHITECTURE, LLC  
 1167 HELEN ROAD  
 QUAILLETT, NC 27881  
 WWW.DOUGCOLEARCHITECT.COM  
 757.496.2525

**HELEN ROAD RENOVATION & CONVERSION**  
 1167 HELEN ROAD  
 QUAILLETT, NC 27881

**Client:** (Name Redacted)  
 1167 HELEN ROAD  
 QUAILLETT, NC 27881

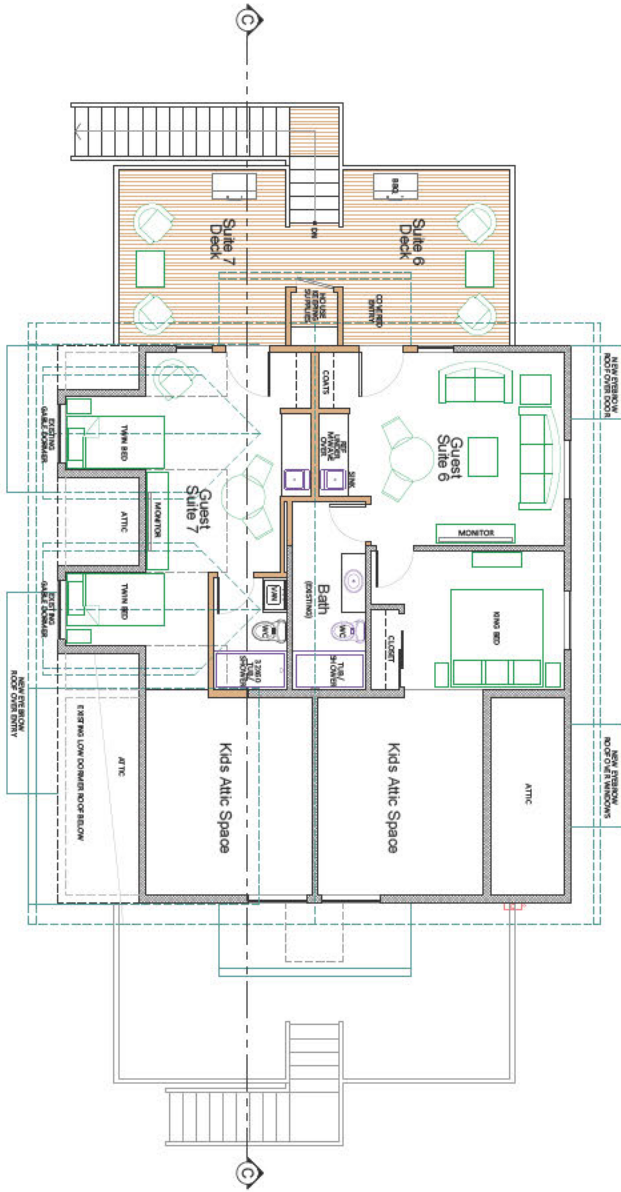
**PROPOSED UPPER LEVEL WEST FLOOR PLANS**

**Issued for Development Permit Review**

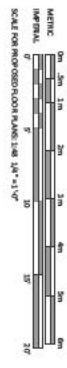
**DATE:** 10/20/2023  
**BY:** [Name Redacted]

**PROJECT NUMBER:** A2.2





**Proposed Upper Level East Floor Plan**  
Refer to Sheet A0.3 for Additional Information on Existing Structure



**PROPOSED UPPER LEVEL EAST FLOOR PLANS**

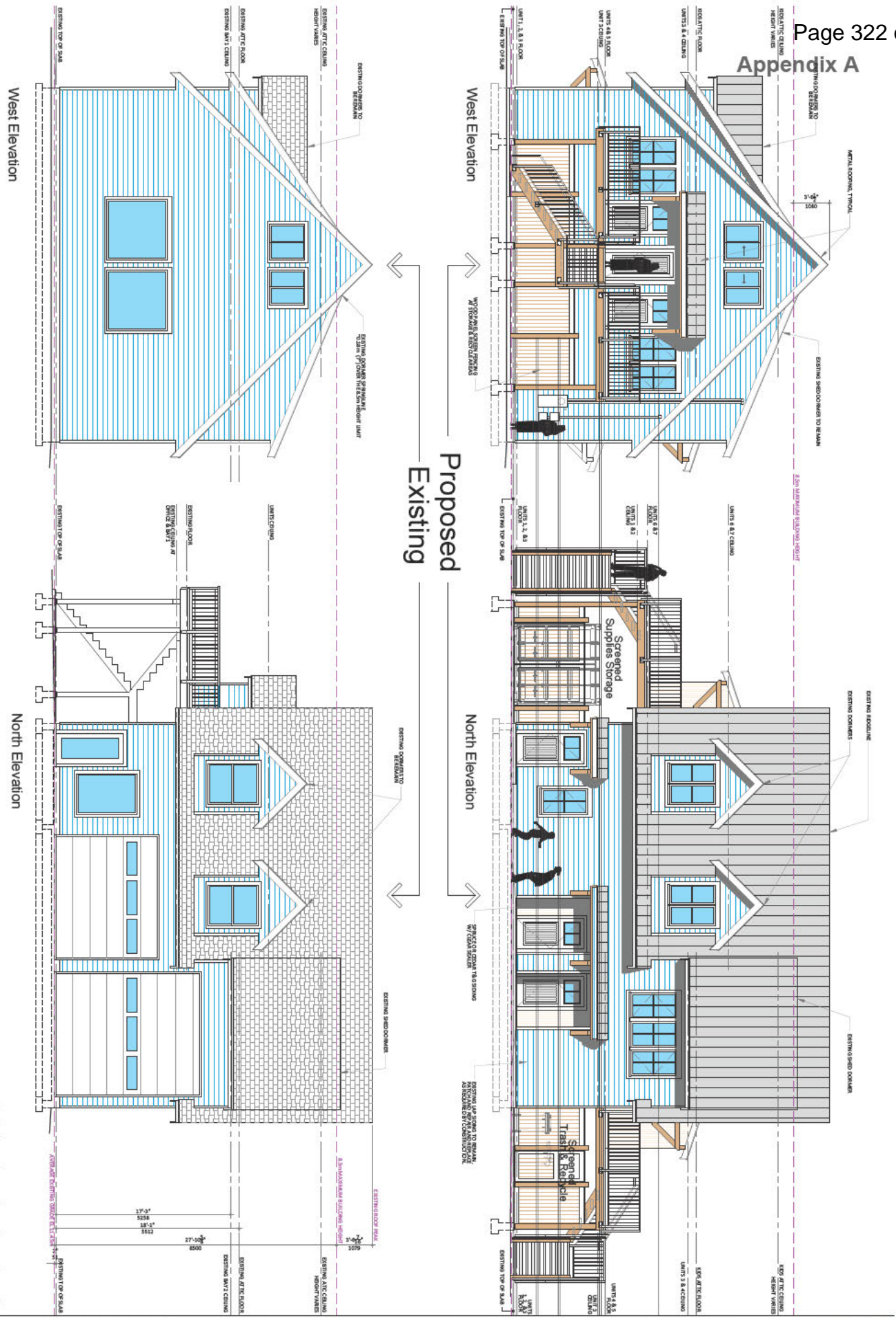
**A2.3**

Development Permit or 1167 Helen Rd Anneliese Neweduk, Danner

**Doug Cole, Architect**  
 P.A. ARCHITECTURE, LLC  
 1167 HELEN ROAD  
 DUNWOODY, GA 30328

**HELEN ROAD RENOVATION & CONVERSION**  
 1167 HELEN ROAD  
 DUNWOODY, GA 30328

Appendix A



**Doug Cole Architect**  
 1107 HELEN ROAD  
 DUBLIN, CA 94568  
 TEL: 925.835.1234  
 WWW.DOUGCOLEARCHITECT.COM

HELEN ROAD RENOVATION  
**HELEN ROAD RENOVATION & CONVERSION**  
 1107 HELEN ROAD  
 DUBLIN, CA 94568

DATE: 10/20/2020  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO: [Number]  
 SHEET NO: [Number]

**PROPOSED & EXISTING BUILDING ELEVATIONS**

Issued for Development Permit Review

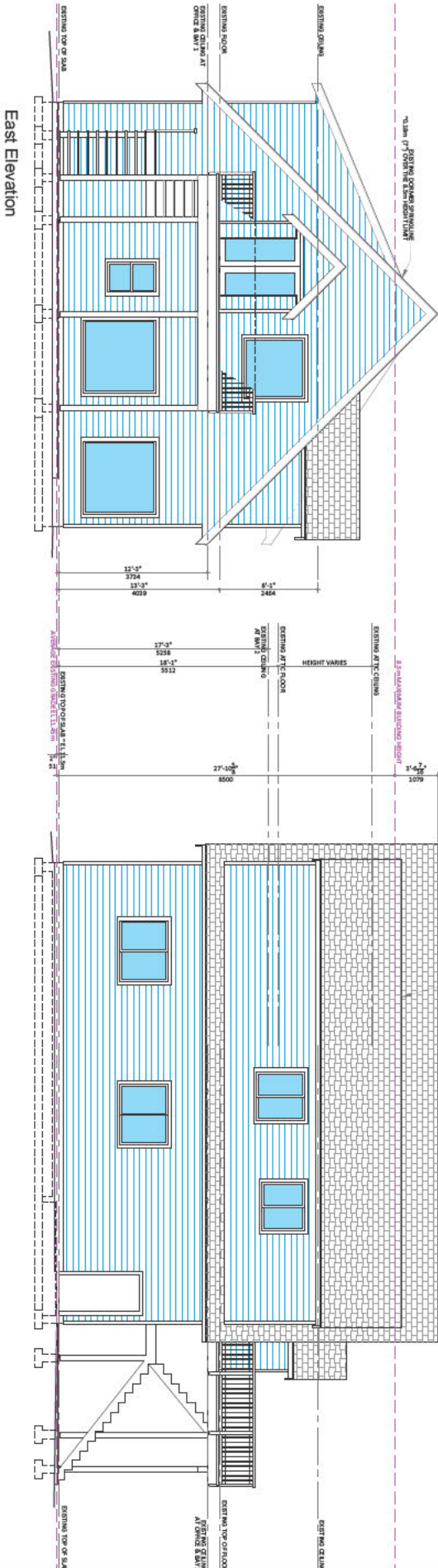
1107 HELEN ROAD RENOVATION & CONVERSION

1107 HELEN ROAD  
 DUBLIN, CA 94568

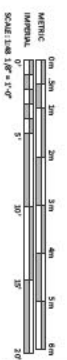
DATE: 10/20/2020

SCALE: 1/8" = 1'-0"

Appendix A



Proposed  
Existing



A3.2

PROPOSED & EXISTING BUILDING ELEVATIONS

Issued for Development Permit Review

DATE: 08/20/2024

PROJECT: 1167 HELEN RD ANNELISE NEWEDUK, DALLAS, TX 75243

CLIENT: ANNELISE NEWEDUK

ARCHITECT: DOUG COLE ARCHITECTURE

1167 HELEN RD ANNELISE NEWEDUK, DALLAS, TX 75243

PROJECT NO: 2024-08-001

DATE: 08/20/2024

SCALE: 1/8\"/>

DOUG COLE ARCHITECTURE

1167 HELEN RD ANNELISE NEWEDUK, DALLAS, TX 75243

PHONE: (214) 350-1167

WWW.DOUCCOLEARCHITECT.COM

HELEN ROAD RENNO & CONVERSION

1167 HELEN ROAD DALLAS, TX 75243

DATE: 08/20/2024

PROJECT NO: 2024-08-001

DATE: 08/20/2024

1167 HELEN RD ANNELISE NEWEDUK, DALLAS, TX 75243

PROJECT NO: 2024-08-001

DOUG COLE ARCHITECTURE

1167 HELEN RD ANNELISE NEWEDUK, DALLAS, TX 75243

PHONE: (214) 350-1167

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DOUG COLE ARCHITECT

1167 HELEN RD ANNELISE NEWEDUK, DALLAS, TX 75243

PHONE: (214) 350-1167

WWW.DOUCCOLEARCHITECT.COM

DOUG COLE ARCHITECT

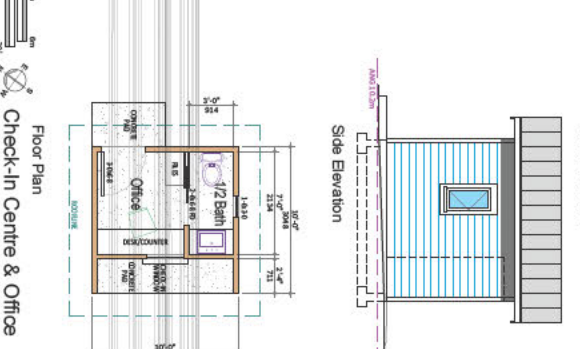
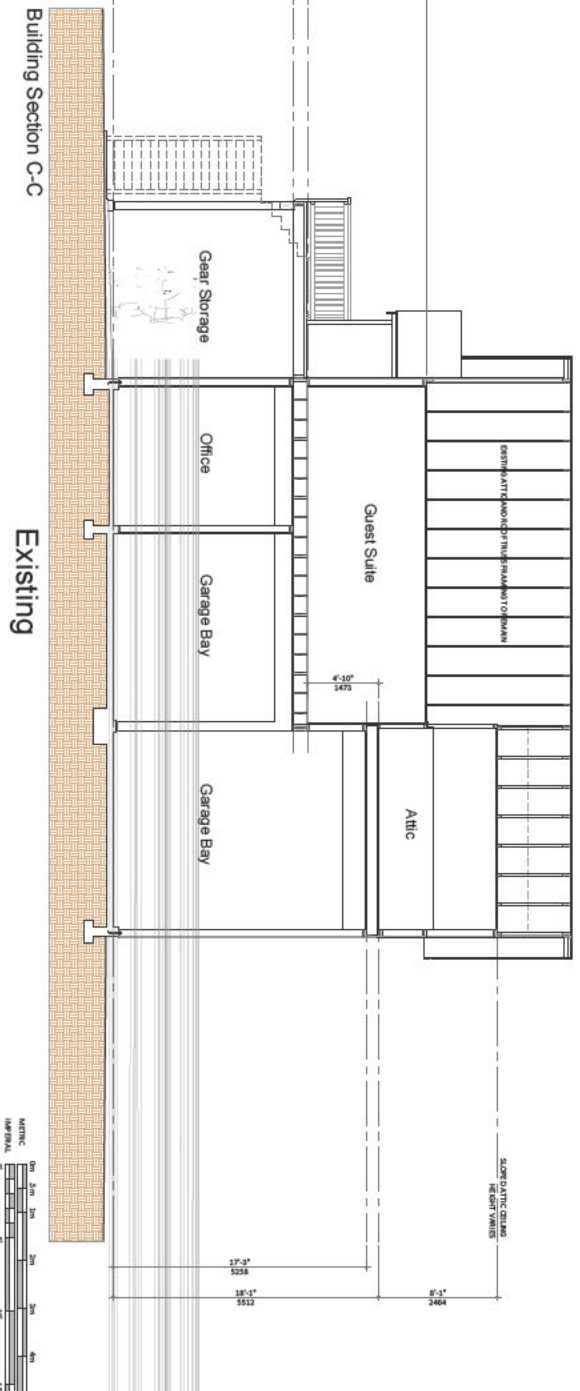
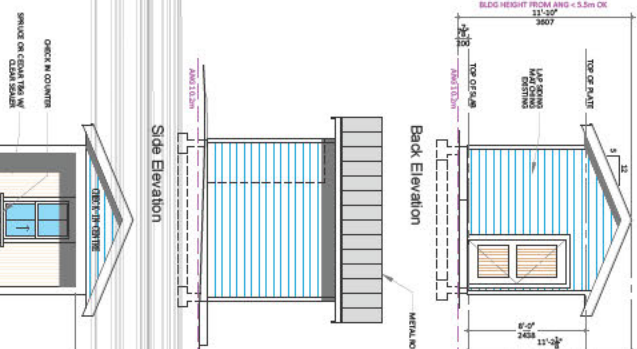
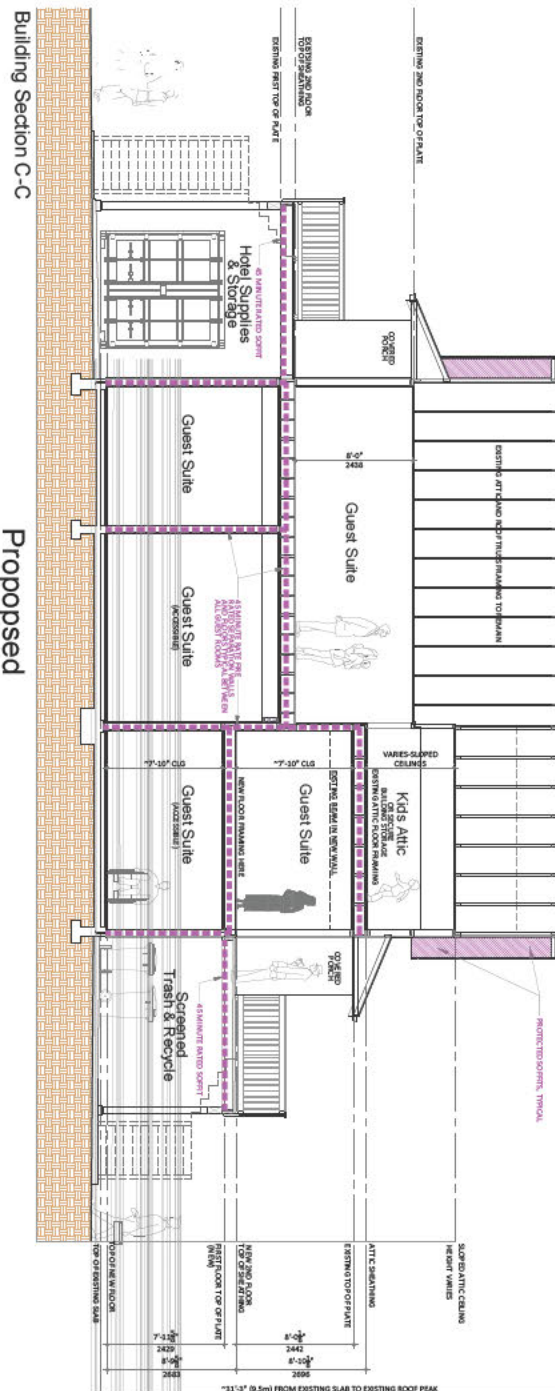
1167 HELEN RD ANNELISE NEWEDUK, DALLAS, TX 75243

PHONE: (214) 350-1167

WWW.DOUCCOLEARCHITECT.COM



Appendix A



**Development Permit for 1167 Helen Rd Anneliese Neweduk, Planner**

**Doug Cole, Architect**  
 P.A. ARCHITECTURE INC.  
 610-200-0404  
 WWW.DOUCCOLEARCHITECT.COM  
 000-4929255

**HELEN ROAD RENO & CONVERSION**  
 1167 HELEN ROAD  
 QUINCY, BC V4M 4W4  
 (604) 681-3930

**Issued for Development Permit Review**  
 EXISTING & PROPOSED BUILDING SECTIONS & CHECK-IN CENTRE OFFICE PLANS  
 DATE: 11/28/2017

**A4.1**

**DEVELOPMENT PERMIT DP24-02**

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

1. This Development Permit is issued to:

*GABRIEL RAPOZO* (The “Owner”)

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

*1167 Helen Road; PID 005059127, Lot 1, Plan VIP11560, Section 31, Clayoquot Land District* (The “Lands”).

3. This Permit authorizes the renovations to convert the existing structure into a 7-unit hotel.
4. These improvements apply only in the locations indicated, and otherwise in accordance with, the drawings and specifications attached to this Permit as **Schedule 1**.
5. Once detailed design is underway and prior to issuance of a Building Permit, the owner is responsible for obtaining a servicing assessment and approval for the site servicing.
6. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The Owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
8. The Owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
9. This Permit is NOT a Building Permit.
10. The Municipality’s Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

**AUTHORIZING RESOLUTION** passed by the Municipal Council on the       <sup>th</sup> day of       , 2024.

**ISSUED** the       <sup>th</sup> day of       , 2024.

\_\_\_\_\_  
Bruce Greig  
Director of Community Planning



Schedule 1 (1 of 4)



Landscape Symbol Legend

**General Notes**

1. The plan shows the proposed landscape design in accordance with the applicable codes and standards.
2. The plan shows the proposed landscape design in accordance with the applicable codes and standards.
3. The plan shows the proposed landscape design in accordance with the applicable codes and standards.

**LANDSCAPE SYMBOLS**

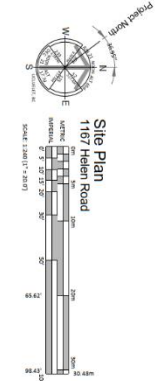
- 1. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.
- 2. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.
- 3. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.

**SHRUBS & BUILES**

- 1. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.
- 2. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.
- 3. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.

**GRASSES**

- 1. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.
- 2. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.
- 3. 1" = 1' PLANTING SYMBOL: INDICATES THE LOCATION AND TYPE OF PLANTING.



**Zoning: Service Commercial CS-2**

**Setbacks**

REAR	6.0M	20.0'
FRONT	9.0M	30.0'
LEFT SIDE	3.0M	10.0'
RIGHT SIDE	3.0M	10.0'
MINIMUM DISTANCE TO ADJACENT PROPERTY	3.0M	10.0'

**Average Grade Calculation**

**Vertical Curve Data**

Stationing	Grade	Notes
0+00	0.1%	
0+20	0.1%	
0+40	0.1%	
0+60	0.1%	
0+80	0.1%	
1+00	0.1%	
1+20	0.1%	
1+40	0.1%	
1+60	0.1%	
1+80	0.1%	
2+00	0.1%	

**Floor Area Ratio & Lot Coverage**

**Floor Area Ratio (FAR)**

**Lot Coverage**

EXISTING RESIDENCES	1,200 sqm	28.2%
EXISTING MAINTENANCE BUILDING	1,500 sqm	35.3%
PROPOSED MAINTENANCE BUILDING	1,000 sqm	23.5%
<b>TOTAL</b>	<b>3,700 sqm</b>	<b>87.0%</b>

**Floor Area Uses**

RESIDENTIAL	1,200 sqm
COMMERCIAL	1,500 sqm
INDUSTRIAL	1,000 sqm
<b>TOTAL</b>	<b>3,700 sqm</b>

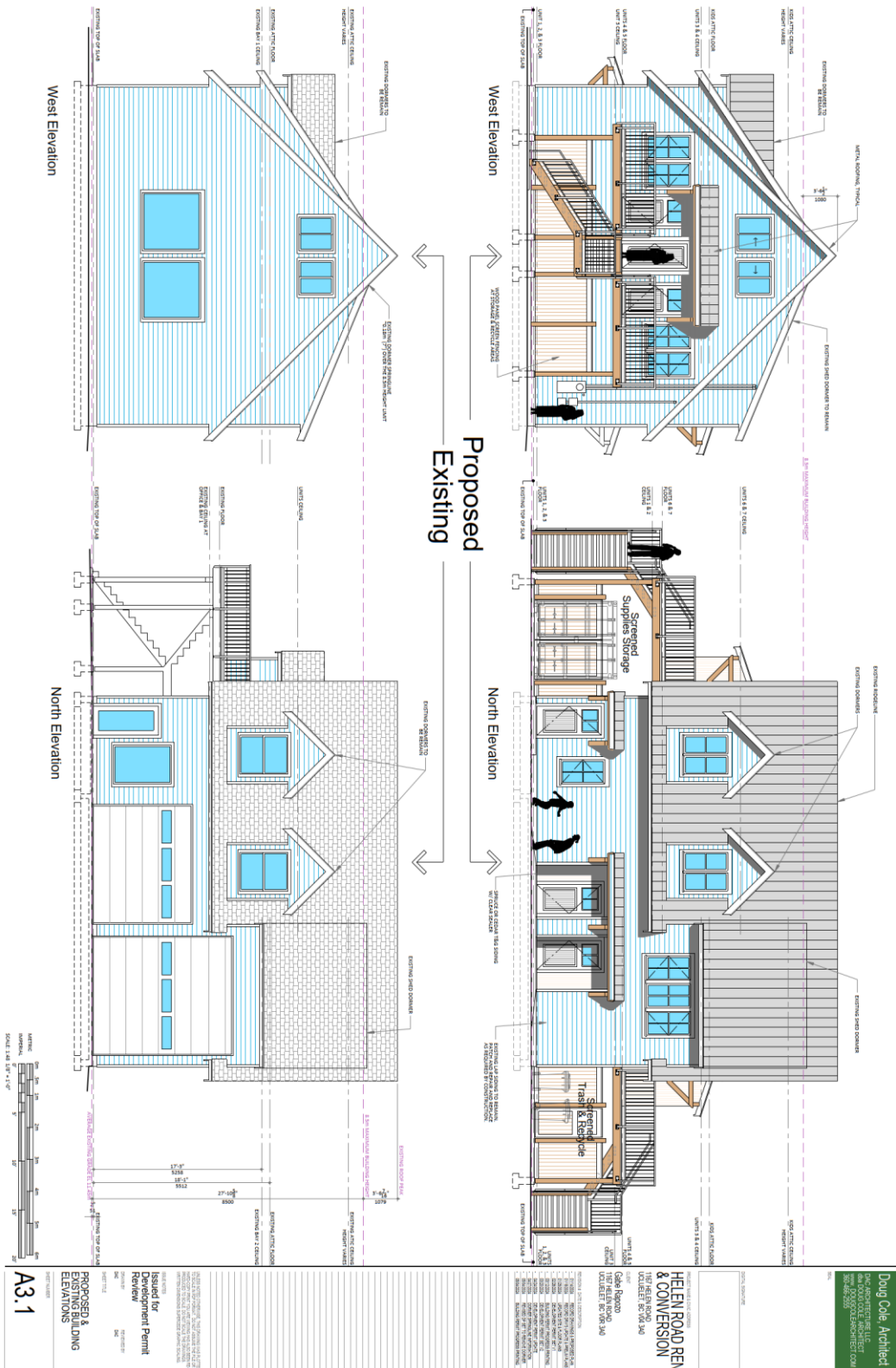
**Vertical Curves**

Stationing	Grade	Notes
0+00	0.1%	
0+20	0.1%	
0+40	0.1%	
0+60	0.1%	
0+80	0.1%	
1+00	0.1%	
1+20	0.1%	
1+40	0.1%	
1+60	0.1%	
1+80	0.1%	
2+00	0.1%	

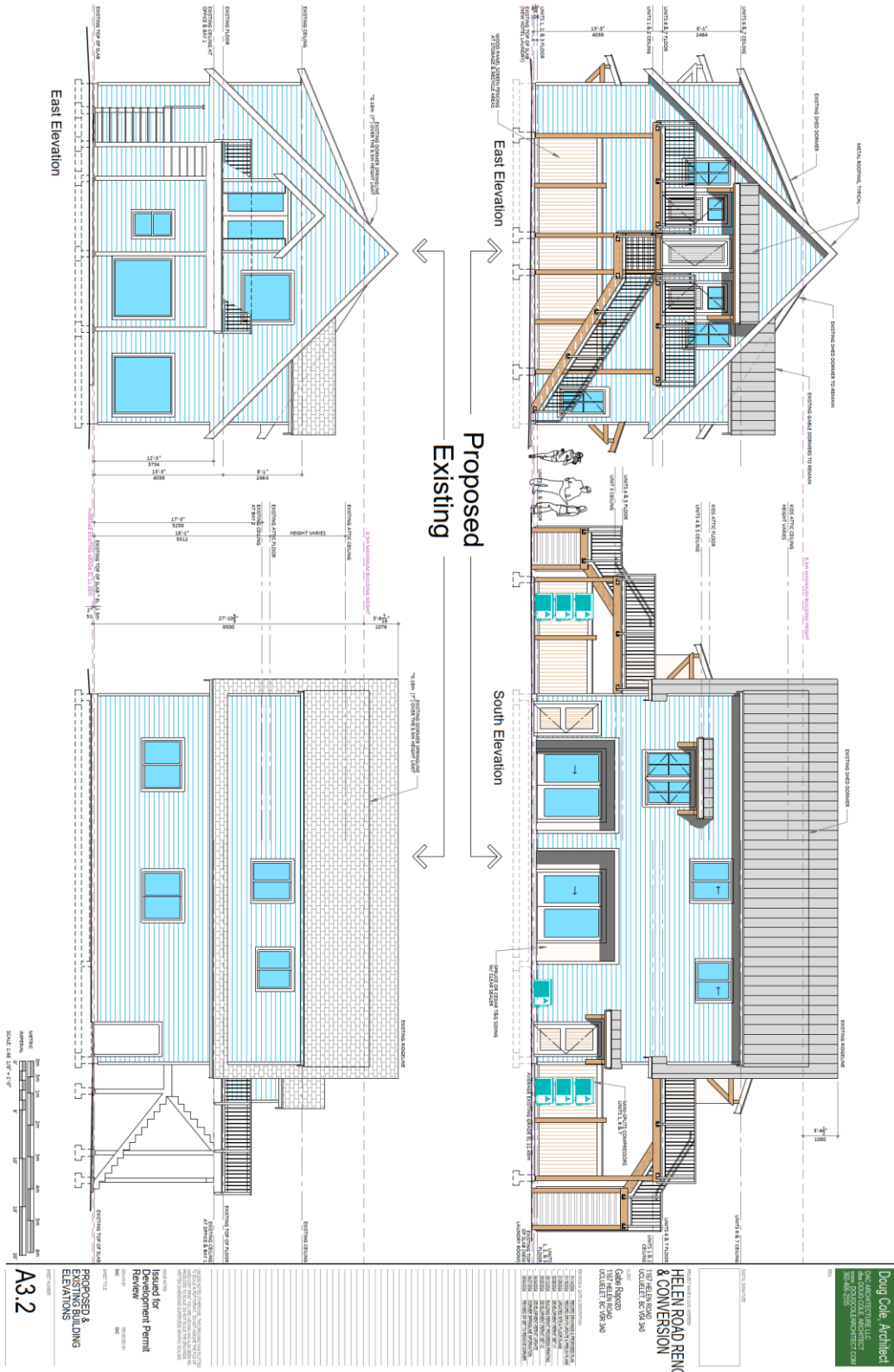
**Impervious Surfaces**

EXISTING RESIDENCES	1,200 sqm
EXISTING MAINTENANCE BUILDING	1,500 sqm
PROPOSED MAINTENANCE BUILDING	1,000 sqm
<b>TOTAL</b>	<b>3,700 sqm</b>

Schedule 1 (2 of 4)



Schedule 1 (3 of 4)



Schedule 1 (4 of 4)









## REPORT TO COUNCIL

Council Meeting: June 11, 2024  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ANNELIESE NEWEDUK, PLANNER

**FILE NO:** 3360-20 RZ24-02/3060-20 DP24-03/3090-20 DVP24-02

**REPORT NO:** 24-57

**SUBJECT:** ZONING AMENDMENT/DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT FOR 1567 IMPERIAL LANE

**ATTACHMENT(S):** APPENDIX A – APPLICATION  
APPENDIX B – ZONING AMENDMENT BYLAW NO. 1342, 2024  
APPENDIX C – DEVELOPMENT PERMIT 24-03  
APPENDIX D – DEVELOPMENT VARIANCE PERMIT 24-02  
APPENDIX E – QEP ENVIRONMENTAL REPORT  
APPENDIX F – GEOTECHNICAL REPORT

### RECOMMENDATION(S)

THAT Council, with regard to the proposed exterior renovations and associated structural works at 1567 Imperial Lane:

- a. Direct staff to give notice of first reading to *District of Ucluelet Zoning Amendment Bylaw No. 1342, 2024*, and;
- b. Direct staff to give statutory notice to receive input on the Development Variance Permit DVP 24-02.

### BACKGROUND

A re-zoning (REZ), environmental Development Permit (DP), and Development Variance Permit (DVP) application was received in March of 2024, for the property located at 1567 Imperial Lane (Figure 1 and 2); PID031828345, Lot 1, Plan EPP124154, District Lot 282, Clayoquot Land District (the “subject property”).



Figure 1. Subject Property

ZONING

The subject property is currently zoned for Service Commercial (**CS-1**) use and is situated between **CS-1** zoning to the west and south and Single Family Residential (**R-1**) zoning to the east. The historical and current use of the subject property is Single Family Dwelling (**SFD**). The SFD on the subject property is of lawful non-conforming status.



Figure 2. Orthographic image of subject property

#### DEVELOPMENT PERMIT AREA VII (MARINE SHORELINE)

The subject property is within the Official Community Plan's (OCP) "Environmental Development Permit Areas". The Marine Shoreline Development Permit Area (DPA VII) is designated as all land within 30m above and below the natural boundary of the sea.

This application includes exterior structural renovations and landscaping within the 30m Marine Shoreline DPA (Figure 3).

Environmental Development Permit Areas are established to guide development and land uses to protect the most sensitive environmental features and not needlessly disturb ecological functions of a site. For developments on all lands within Environmental DP areas, a report prepared by a Qualified Environmental Professional (QEP) must be submitted in the application. The report must assess the site, its natural features, and include recommendation measures to reduce or mitigate negative impacts. Staff then draft the associated development permit terms and conditions from the recommendations in the QEP report (See **Appendix "C"**).



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

#### DEVELOPMENT PERMIT AREA I (VILLAGE SQUARE)

The subject property falls within the OCP's "Development Permit Areas for Form and Character". The Village Square Development Permit Area (DPA I) is established for the following purposes:

- Revitalizing an area in which commercial, multi-family and mixed uses are permitted; and,
- establishing objectives for the form and character of development in the resort region.

### DEVELOPMENT PERMIT AREA VIII (NATURAL HAZARD AREAS PROTECTION)

The subject property falls within the OCP's "Development Permit Areas for Hazardous Conditions", which includes all properties containing areas of steep slopes with an incline of 30 degrees or more. Steep slopes that are disturbed or exposed by developments can be hazardous due to decreased tree cover, increased run off, and increased erosion. This can increase the risk of slope instability and failure. To minimize risks associated with steep slopes, properties in DPA VIII require a geotechnical report by a qualified licensed professional engineer or other qualified professional.

### THE DEVELOPMENT

The existing developments on the subject property include a single-family dwelling, a recently installed dock, a driveway, and a narrow path from the deck through the shoreline to the dock (See **Appendix "A"**). The applicant is proposing exterior renovations and structural changes including upgrading/replacing the rear decks and extending the east deck to include a split-level staircase; replacing the garage door and sloping driveway with a levelled permeable parking area using a retaining wall; adding a gathering space and permeable path down to the dock; and landscaping areas of the rear yard (**Figure 4**).



Figure 4. Proposed gravel patio, path, and deck plans

DISCUSSIONREZONING

Current permitted uses of CS-1 zoning do not include SFD unless the property is listed in Section CS-1.1.4, which states that:

*“On the following properties, Single Family Dwelling is also permitted as a principal permitted use and Bed and Breakfast, Home Occupation and Secondary Suite as related secondary permitted uses only permitted in conjunction with a Single Family Dwelling, and subject to the stricter regulations under this zone and the R-1 Zone – Single Family Residential.”*

The applicant has applied for a text amendment that would add the subject property to Section CS-1.1.4 (see draft Bylaw in **Appendix “B”**); this would bring the current building use out of lawful non-conforming status while maintaining flexibility of future permitted uses. The applicants also own 1569 Imperial Lane, the property directly west of the subject property, and intend to maintain the CS-1 zoning for both of their properties. In addition, on page 47 of the *Official Community Plan Bylaw No. 1306, 2022 (OCP)* under Land Use, Housing, and Managed Growth, it states that:

*“The District may consider requests to down-zone properties to recognize existing non-conforming land uses (brought about by past blanket rezonings), without triggering an amendment of this OCP even if the existing / interim use does not match the long range uses anticipated on Schedule A.”*

On the OCP Schedule A, Long-Range Land Use Plan, the subject property is designated as Village Square Commercial (**VS**). Collectively, the proposed rezoning application aligns with planned long-term use of the property and addresses the existing/interim non-conforming use.

MARINE SHORELINE DEVELOPMENT PERMIT

The applicant has retained a QEP who reported on the environmental considerations and recommendations (see **Appendix “E”**). The QEP report states that the proposed development is of relatively low impact considering that the marine shoreline is already highly modified, and any impact to the shoreline ecosystem is unlikely to cause significant harm. No sensitive species or communities exist in the riparian area of the subject property. The report recommends that a construction environmental monitoring plan (**CEMP**) be developed and implemented to address the environmental risks of construction, that permeable surfaces be utilized where possible to reduce surface level runoff, that drainage be directed to municipal sewers or French drains, and all removed vegetation be replaced with a 3:1 ratio prior to completion of the development.



VILLAGE SQUARE DEVELOPMENT PERMIT

Development Permit Area Exemptions in the OCP states that:

“The following are exempt from requiring a form and character Development Permit:

1. *construction of a single-family dwelling unit on a property where single-family dwelling is a principal permitted use under the property’s designation in the zoning bylaw.”*

If the rezoning application described above is approved, the subject property’s SFD would be a principal permitted use designated by the zoning bylaw, therefore the SFD would be exempt from DPA I designation and the associated requirements.

HAZARDOUS CONDITIONS DEVELOPMENT PERMIT

The OCP states that a property may be exempt from the requirement to obtain a hazardous conditions Development permit for steep slopes “*where a geotechnical report has been received in conjunction with an application for building permit or subdivision approval*”. Therefore, the applicant is exempt from obtaining a Hazardous Conditions permit, nonetheless is advised to follow the mitigation measures outlined in the Geotechnical Report (See **Appendix “F”**).

**BUILDING SERVICES**

The subject property is in the DP VIII – Steep Slopes Hazard Area. The applicant has provided a geotechnical hazard report written by a qualified professional geotechnical engineer which certifies that the land is safe for the intended use. The assessment contains conditions for the safe use of the land and will need to be registered on title attached to a covenant pursuant to Section 219 of the Land Titles Act. Covenant registration must be complete before the District’s Building Official may issue the building permit. Geotechnical engineering review of soil and bearing under letters of assurance will be required during construction to ensure that the recommendations of the geotechnical report attached to the covenant are followed.

Retaining structures are noted on the submitted plans. Any retaining structures that are critical to the stability of building foundations or over 1.5 metres in height are required to be designed by a professional engineer.

Based on the submitted drawings that the applicant proposes to change an existing garage space located on the ground floor to habitable space which will require a building permit to ensure that the space meets the current BC Building Code requirements.

**DEVELOPMENT VARIANCE PERMIT**

In addition to the REZ and DP application, the applicant is requesting a DVP. The applicant is proposing to remove the garage door and replace it with a foundation wall as well as a perpendicular retaining wall that will be backfilled to level the parking area with Imperial Lane. The retaining wall is proposed to have a 0m setback from the neighbouring property line. Achieving this requires a DVP to vary Section CS-1.1.6(1)(c) of District of Ucluelet Zoning Bylaw No. 1160, 2013, which specifies the minimum setback to be 1.5m (See **Appendix “D”**).

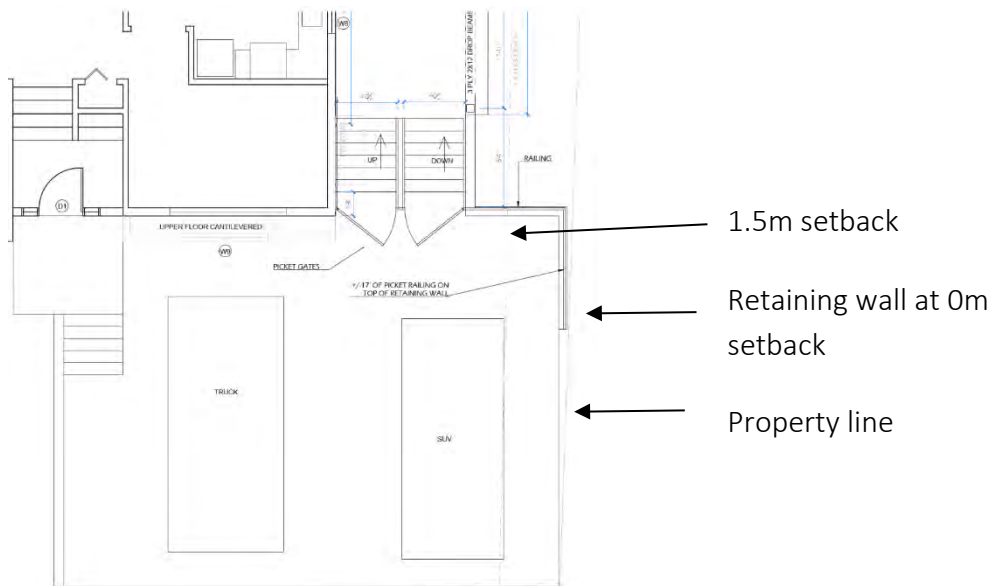


Figure 5. Southeast retaining wall Site Map

**ANALYSIS OF OPTIONS:**

<b>A</b>	Give notice of first reading to Bylaw No. 1342, 2024, and direct staff to give statutory notice for DVP24-02	<b>Pros</b>	<ul style="list-style-type: none"> <li>• Would remove lawful non-conforming status of SFD</li> <li>• Future use of subject property remains aligned with Long-Range Land Use Plan (Schedule A)</li> <li>• Allows the application to achieve their most desired outcome.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>• Unknown at this time</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>• Would allow application to proceed</li> <li>• Would provide an opportunity for public input</li> </ul>
		<b>Suggested Motion</b>	<b>THAT</b> council give notice of first reading to Bylaw No. 1342, 2024, and direct staff to give notice for DVP24-02
<b>B</b>	Provide alternative direction	<b>Pros</b>	<ul style="list-style-type: none"> <li>• Achieves the goals and objectives identified by council</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>• Unknown at this time</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>• Dependent on the direction of Council.</li> </ul>

D		<u>Suggested Motion</u>	<ul style="list-style-type: none"> <li>• THAT Council (<i>provide alternative direction here</i>).</li> </ul>
	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Unknown at this time</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Does not allow application to proceed</li> <li>• SFD would remain lawfully non-conforming</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• The application would not proceed.</li> <li>• Additional staff time will be required to follow up with applicant and consultants.</li> </ul>
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> <li>• No motion required.</li> </ul>

**POLICY OR LEGISLATIVE IMPACTS:**

This application impacts the *District of Ucluelet Zoning Bylaw No. 1160, 2013* by adding a text amendment to section CS-1.1.4 and variance of section CS-1.6.1(1)(c).

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

It is important to note that *Bill 44 – 2023 Housing Statutes (Residential Development) Amendment Act, 2023* amended Section 464.3 of the *Local Government Act*, and now states that:

- “(3) A local government must not hold a public hearing on a proposed zoning bylaw if
- (a) an official community plan is in effect for the area that is the subject of the zoning bylaw,
  - (b) the bylaw is consistent with the official community plan,
  - (c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and
  - (d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development,”

Where a public hearing would have previously been held, this legislative change prohibits a public hearing for *District of Ucluelet Zoning Amendment Bylaw No. 1342, 2024*.

In addition, is important to note, that the applicant is responsible for ensuring that all Provincial and Federal laws, requirements, and best practices are followed.

**NEXT STEPS:**

If Council proceeds to the first reading of *District of Ucluelet Zoning Amendment Bylaw No. 1342, 2024* staff would undertake the necessary notification to enable public input on the Bylaw and the accompanying Development Variance Permit. If the Bylaw is adopted, Development Permit 24-03 and Development Variance Permit 24-02 could then be approved by Council.

Respectfully submitted:                    ANNEIESE NEWEDUK, PLANNER  
     BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING  
     DUANE LAWRENCE, CAO

January 24, 2024

### Statement of Intent

#### *1567 Imperial Lane – Development Permit and Zoning Text Amendment*

Dear Staff and Council,

Sid and Sue Whittaker purchased 1567 Imperial Lane with the intention to use it as a single-family dwelling in a community they love. In the process of cleaning up and landscaping the yard, the family became aware of the due process to be followed given the sensitive nature of the property's location, and are making every action to get the further planned works completed through said process. The Whittaker family have requested support from their team members at the Hazelwood Group of Companies (Hazelwood) to prepare this application.

#### Purpose of the Application

Since the purchase, via a formal permitting process involving the District, the Department of Fisheries, and Transportation Canada, the Whittakers have added a dock to be able to access the water. In 2023 a Building Permit was submitted to staff to redo an aging deck, add some retaining structure to the driveway, and fill in an unused garage to turn it into a large storage room with access of the water side of the building. From Staff's initial planning check of the 2023 BP submission, in a response from Planning dated August 2, 2023, the Hazelwood Group learned that the home is legally non-conforming, however, any addition or replacement of existing buildings or structures must conform to the CS-1 Village Square Commercial zone. In subsequent discussions, we were advised by Staff to make a text amendment to the current zoning, utilizing the following example:

- CS-1.1.4 On the following properties, *Single Family Dwelling* is also permitted as a *principal permitted use* and *Bed and Breakfast, Home Occupation* and *Secondary Suite* as related secondary permitted uses only permitted in conjunction with a *Single Family Dwelling*, and subject to the stricter regulations under this zone and the R-1 Zone - Single Family Residential:
- (1) PID: 005-117-496: Lot 3, District Lot 282, Clayoquot District, Plan 11055
  - (2) PID: 005-117-470: Lot 1, District Lot 282, Clayoquot District, Plan 11055
  - (3) PID: 001-483-978: Lot 2, District Lot 282, Clayoquot District, Plan 11055
  - (4) PID: 001-357-221: Lot A, District Lot 282, Clayoquot District, Plan 29748
  - (5) PID: 024-481-386: Lot A, District Lot 282, Clayoquot District, Plan VIP68634
  - (6) PID: 025-505-092: Lot A, District Lot 282, Clayoquot District, Plan 11055

*Figure 1: excerpt from Zoning Bylaw No. 1160, 2013 (unofficial consolidation up to Bylaw 1310, 2022)*

Planning Staff additionally advised Hazelwood to apply for a Development Permit concurrently with the rezoning text amendment for greatest efficiency and ease of review for Staff and Council. We have discussed all currently known future plans with the Whittaker family, and are submitting this document to outline the proposed works for review.

The Development Application has been submitted for the following:

1. Zoning Bylaw Amendment
2. Development Permit (no variance)
3. Board of Variance (for the zoning text amendment)

### Existing and Proposed Use of the Land, Buildings and Structures

The land, buildings and structures have been historically utilized as single-family residential. The Whittaker family plans to continue this use. The proposed improvements consist of:

- Replacing the rear deck as well as extending it slightly and also adding a split-level staircase to both front grade and rear yard grade
- Removing the garage door and filling in the opening with poured concrete and waterproofing it to turn it into a foundation wall, then back filling against it to remove a driveway that slopes towards the home
- Replacing the driveway and current parking pad with a permeable surface
- Connecting the new garage wall with the staircase off the deck and a retaining wall that will be minimally visible from the street frontage
- Adding a gathering space with a permeable surface, beginning under the deck and projecting in a round shape towards the rear of the yard
- Building a permeable path down to the new dock in a manner that eases grades
- Landscaping the rear of the yard, especially on new and existing slopes, in a way that utilizes native vegetation to provide stabilization, retention and beauty at a 3:1 replacement ratio of any outgoing plants
- Interior renovations to be completed under a subsequent Building Permit, the application materials expected will be provided with this package.

### The Existing and Proposed Works and Services

The property is presently serviced by municipal water and sanitary.

### Compliance with DP Guidelines

The property lies within several Development Permit Areas, as outlined in the OCP and related maps:

#### DPA I – Village Square –

As identified by the map shown in OCP Schedule F, this property falls under the guidelines of DPA 1 as outlined in the 2022 OCP, beginning on page 115. This property is at the very edge of the marked area on the map. Staff advised Hazelwood that the proposed changes to the property are not typically considered as positively or negatively impacting the form and character of the area especially given that the home has been historically utilized as a single-family dwelling, and therefore it does not represent a variance. Staff did, however, note the guidelines to respect public views and the community character



along an important thoroughfare. The finishes planned for the work will be completed with quality construction in a contemporary, West Coast architectural style. Landscape works in the rear yard are contemplated to only utilize native trees and plants in accordance with BCSLA standards. The current downwardly sloped driveway and parking pad are proposed to be replaced with permeable surfaces, and the new gathering area and path in the back yard are also contemplated to be made of permeable gravel path. Given the long-standing presence of the home, we respectfully ask that this property be considered within the “specific residential uses” mentioned within the DPA I section of the OCP, to avoid seeking a variance.

#### DPA VII- Marine Shoreline 30m DPA –

As identified by the map shown in OCP Schedule E, this property falls under the guidelines of DPA VII as outlined in the 2022 OCP, beginning on page 131. A report was commissioned from the Qualified Environmental Professionals at Current Environmental to review and provide recommendations to mitigate environmental impact as a result of the development. The report considers siting, landscaping, planting and run off retention, among other things, and ultimately states that the proposal is suitable for the area intended for development. Given the proposed changes are set back from the natural boundary of the ocean by a considerable distance, no impact to the shoreline or aquatic environment is expected. A construction environmental monitoring plan will be prepared prior to any work commencing.

#### DPA VIII – Natural Hazard Areas Protection (Steep Slopes)

As identified by the map shown in OCP Schedule G, this property falls under the guidelines of DPA VIII as outlined in the 2022 OCP, beginning on page 133. Although only several small portions of the property experience a 30% slope or greater, the proposed works on site do not substantially alter these grades. The deck extension, plantings and newly created slopes / retaining walls will serve to ease grades, reduce runoff as it occurs currently, and provide for greater long-term stability. A report has been prepared by Ryzuk Geotechnical and it speaks to minimal impact of the development.

#### Divergence from DP Guidelines

With the exception of the legal non-conforming residence, no known divergences from the OCP are contemplated and as such, we have not considered this a Development Permit Variance.

#### Divergence from Zoning Bylaw and the Zoning Text Amendment

In keeping with other properties currently zoned as CS-1, whose histories are predominantly residential, Hazelwood respectfully proposes to amend CS-1.1.4 within Zoning Bylaw 1160 to include this property as number 10 on the list:

(10) PID: 031-828-345: Lot 1, District Lot 282, Clayoquot District, Plan EPP124154

Further, should Staff find this application warrants review by the Board of Variance, Hazelwood is amenable to that.

#### Consultations

For the purposes of the rezoning text amendment, Division 14 of the Local Government Act creates specific policies for non-conforming uses and structures, as mirrored within CS-1.1.4 of Zoning Bylaw

1160. Hazelwood is not presently aware of any required consultations required beyond the District providing public notice before first reading.

Hazelwood is not aware of any requirements for community consultation for the DP as no variances are proposed.

### Zoning Analysis

legal identification

address

lot area

density

floor area ratio

lot coverage

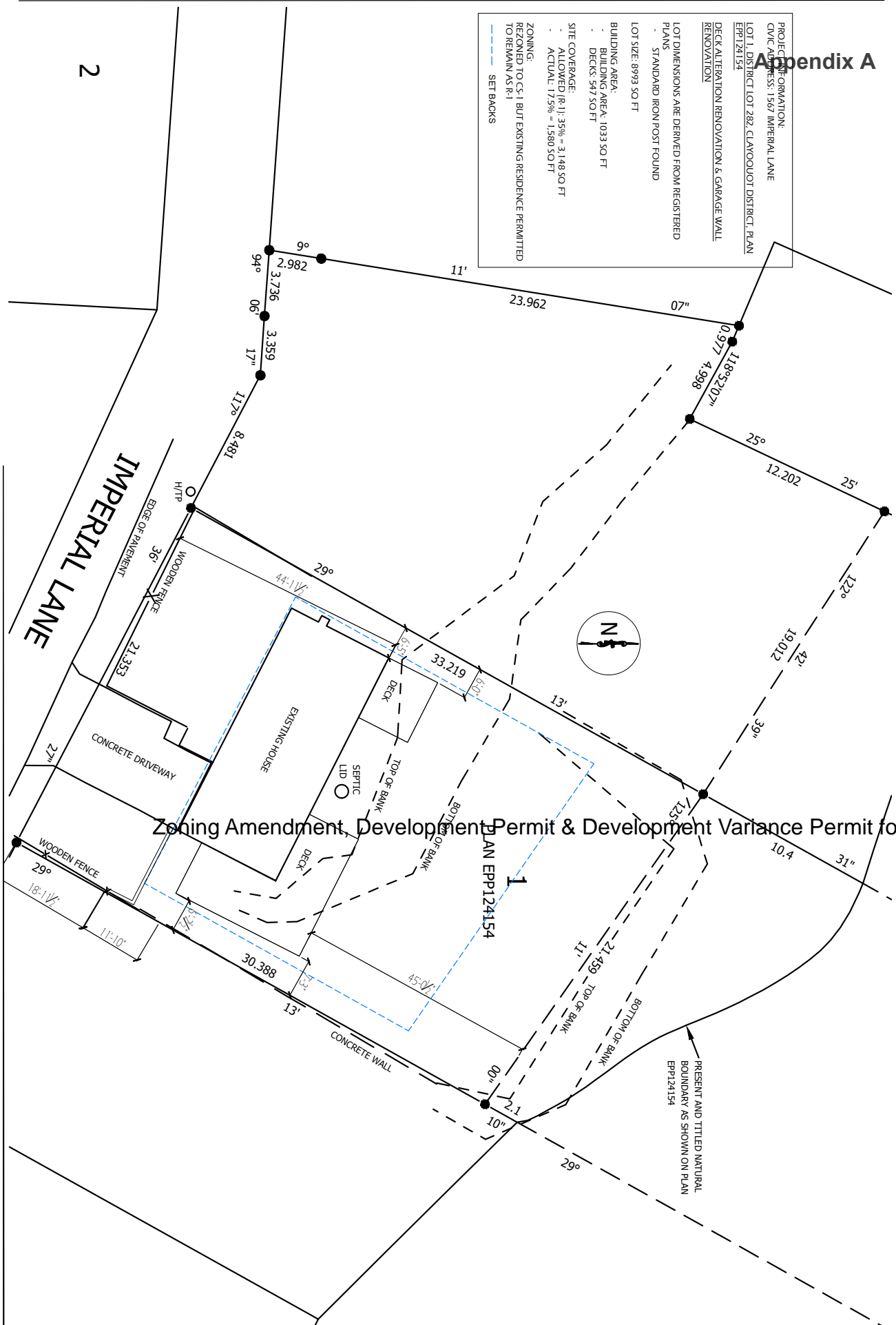
height calculations

setbacks


### Accompanying Support Documents

- A list of support documents is noted on the DP checklist form submitted with this package, but includes:
  - An application form
  - An appointment of agent
  - Application fee of \$1000+\$1000
    - Willing to supplementally pay the \$600 Board of Variance fee should this be deemed appropriate
  - A site survey prepared by a BC Land Surveyor
  - A title search
  - Application drawings in digital format
    - Site plan details are contained within the survey, the reports, and the drawing sets.
  - DP /zoning checklist
- We have not provided
  - A landscape plan (the environmental recommendation was to prepare a 3:1 replacement of existing native plants, as directed by the landscaper)
  - Exact building elevations, as the location and size are not changing
  - Physical plan sets, but will be prepared to provide if required

PROJECT INFORMATION:  
 CIVIC ADDRESS: 1567 IMPERIAL LANE  
 LOT 1, DISTRICT LOT 282, CLAVOQUOT DISTRICT, PLAN EPP124154  
 DECK ALTERATION RENOVATION & GARAGE WALL RENOVATION  
 LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS - STANDARD IRON POST FOUND  
 LOT SIZE: 8993 SQ FT  
 BUILDING AREA:  
 - BUILDING AREA: 1033 SQ FT  
 - DECKS: 547 SQ FT  
 SITE COVERAGE:  
 - ALLOWED (R-1): 35% = 3,148 SQ FT  
 - ACTUAL: 175% = 1,580 SQ FT  
 ZONING:  
 REZONED TO CS-1 BUT EXISTING RESIDENCE PERMITTED TO REMAIN AS R-1  
 SET BACKS

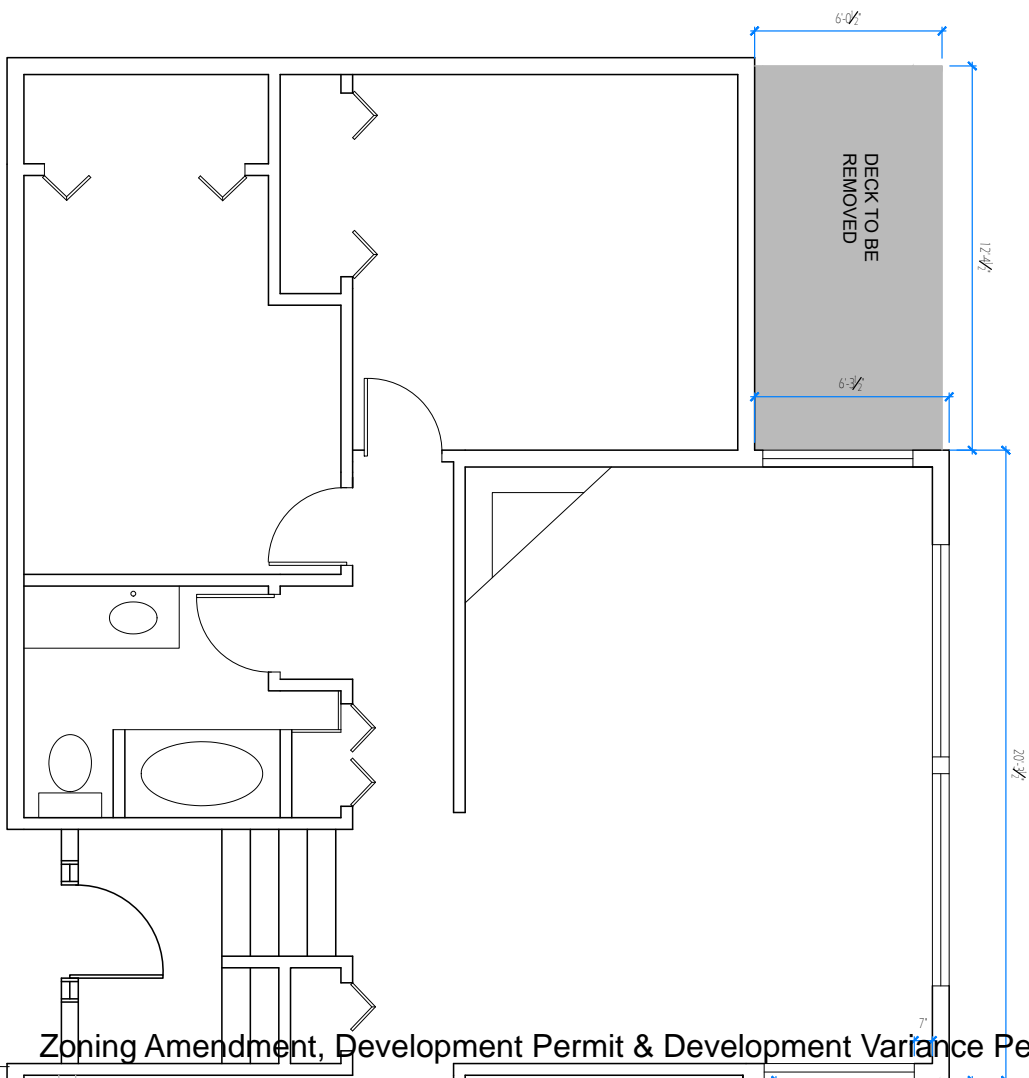


Zoning Amendment, Development Permit & Development Variance Permit for 1...

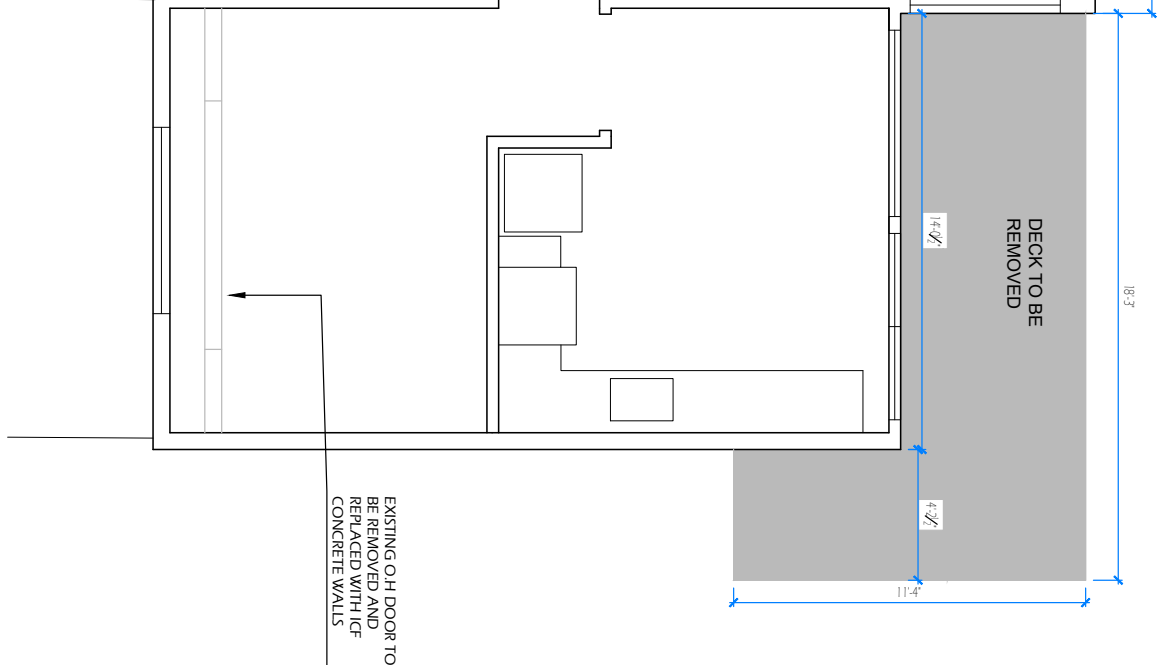
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	SCALE: 1/16" = 1'-0"	SITE PLAN	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								


# Appendix A DEMO PLAN - UPPER FLOOR

NOTES:  
 REFER TO PROJECT SPECIFICATIONS FOR MORE INFORMATION.  
 CONSULT WITH PROJECT MANAGER FOR ANY CHANGES TO SPECIFIED DESIGNS OR PRODUCTS.



Zoning Amendment, Development Permit & Development Variance Permit for 1...

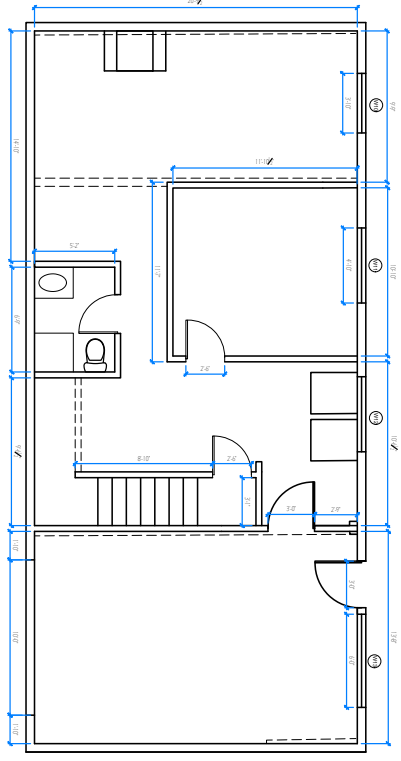


<b>A.02</b>	DATE: 6/19/23	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (M/D/Y)
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	DRAWN BY: JL								

NOTES:  
 REFER TO PROJECT SPECIFICATIONS FOR MORE INFORMATION.  
 CONFIRM WITH PROJECT MANAGER BEFORE MAKING CHANGES TO SPECIFIED DESIGNS OR PRODUCTS.

# Appendix A

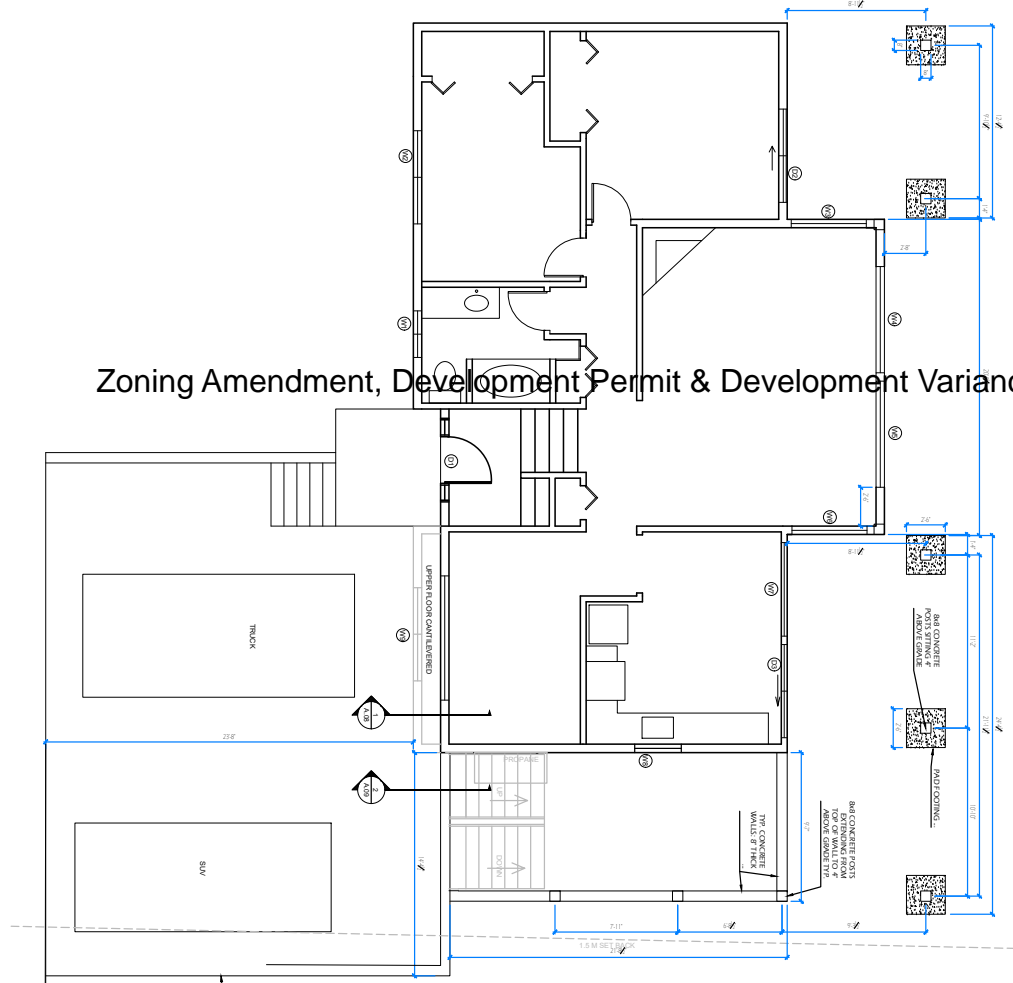
WINDOW AND DOOR SCHEDULE	NUMBER	UNIT SIZE (WxH)	OPERATION	MATERIAL	NOTES
	W1	35 1/2" X 35 1/2"	HORIZ. SLIDER	VINYL	BATH WINDOW
	W2	71 1/2" X 35 1/2"	HORIZ. SLIDER	VINYL	2ND BEDROOM WINDOW
	W3	59 1/2" X 83 1/2"	PICTURE	VINYL	LIVING WINDOW 4
	W4	83 1/2" X 83 1/2"	PICTURE	VINYL	LIVING WINDOW 1
	W5	83 1/2" X 83 1/2"	PICTURE	VINYL	LIVING WINDOW 2
	W6	59 1/2" X 83 1/2"	PICTURE	VINYL	LIVING WINDOW 3
	W7	71 1/2" X 47 1/2"	HORIZ. SLIDER	VINYL	KITCHEN WINDOW 1
	W8	71 1/2" X 35 1/2"	HORIZ. SLIDER	VINYL	KITCHEN WINDOW 2
	W9	71 1/2" X 47 1/2"	HORIZ. SLIDER	VINYL	3RD BEDROOM WINDOW
	W10	71 1/2" X 47 1/2"	HORIZ. SLIDER	VINYL	BASEMENT WINDOW 1
	W11	59 1/2" X 35 1/2"	HORIZ. SLIDER	VINYL	BASEMENT WINDOW 2
	W12	59 1/2" X 35 1/2"	HORIZ. SLIDER	VINYL	BASEMENT LAUNDRY WINDOW
	W13	71 1/2" X 79 1/2"	HORIZ. SLIDER	VINYL	BASEMENT GARAGE WINDOW
	D1	3' X 58"	RH	WOOD	FRONT DOOR
	D2	7'1" X 80"	LEFT SLIDING	VINYL	PRIMARY BED SLIDING DOOR
	D3	7'1 1/2" X 79 1/2"	RIGHT SLIDING	VINYL	KITCHEN SLIDING DOOR



## BOTTOM FLOOR

## FOUNDATION PLAN TOP FLOOR VIEW

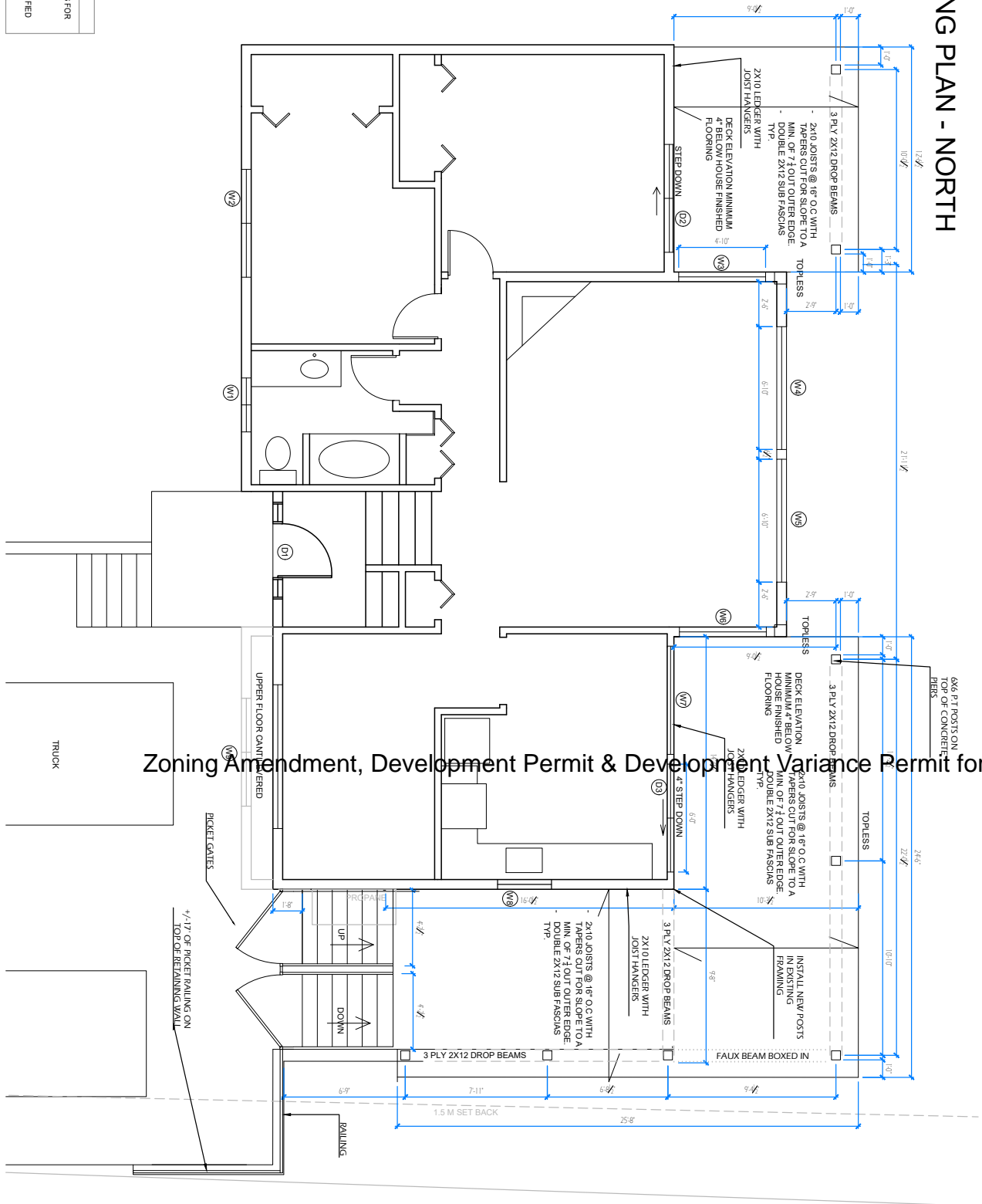
Zoning Amendment, Development Permit & Development Variance Permit for 1...



A.03	DATE: 6/14/23	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (M/D/Y)
	SCALE: 1/8" = 1'-0"	FOUNDATION PLAN AND LOWER LEVEL	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								



# Appendix A FRAMING PLAN - NORTH



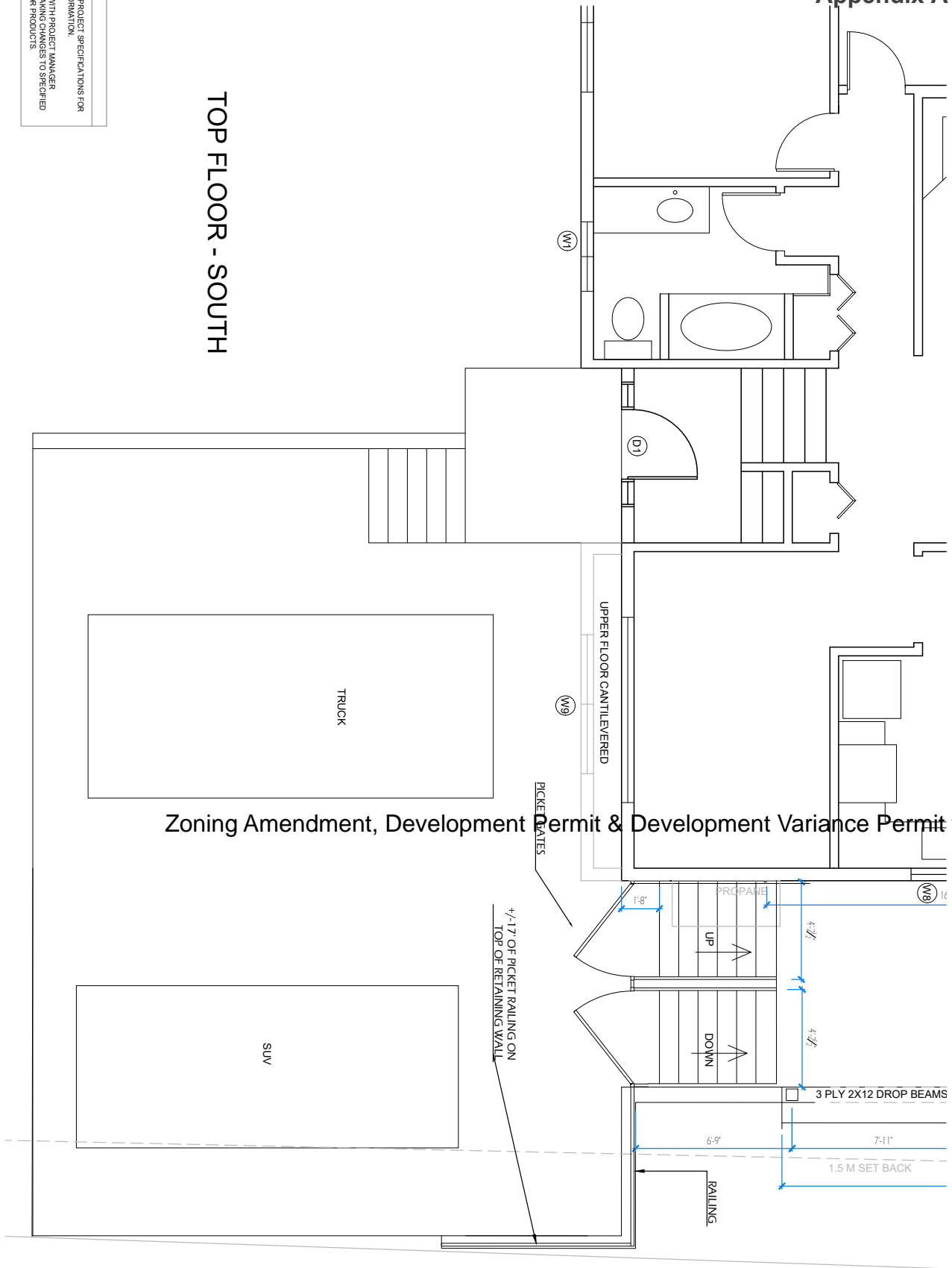
Zoning Amendment, Development Permit & Development Variance Permit for 1...

NOTES:  
 REFER TO PROJECT SPECIFICATIONS FOR MORE INFORMATION.  
 CONSULT WITH PROJECT MANAGER BEFORE ANY CHANGES TO SPECIFIED DESIGNS OR PRODUCTS.

A.04	DATE:	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:	NO.	DRAWING	BY	DATE (M/D/Y)
	6/14/23	FRAMING PLAN	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9				
	SCALE: 1/4" = 1'-0"							
DRAWN BY: J.L								




TOP FLOOR - SOUTH



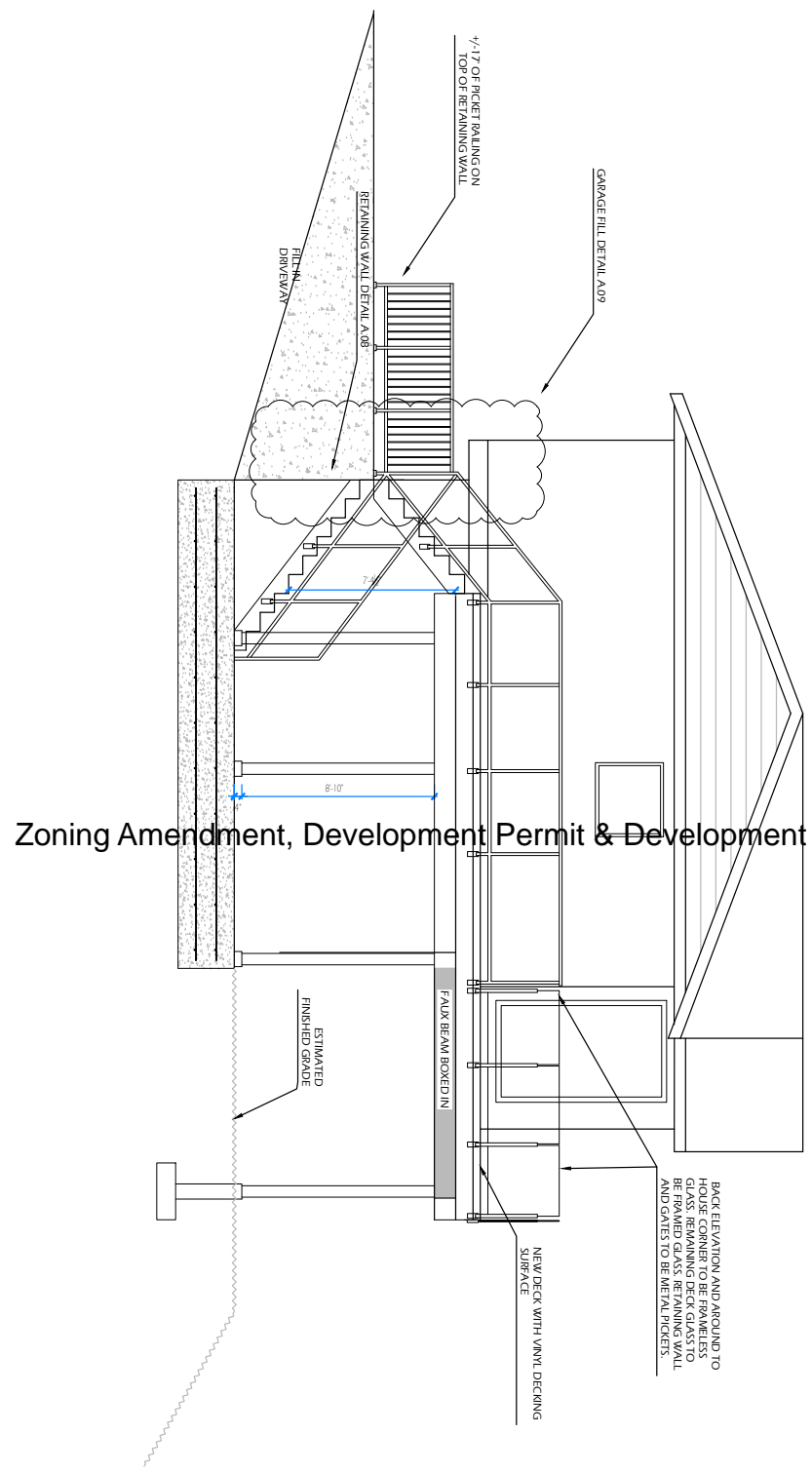
Zoning Amendment, Development Permit & Development Variance Permit for 1...

NOTES  
 REFER TO PROJECT SPECIFICATIONS FOR MORE INFORMATION.  
 CONSULT WITH PROJECT MANAGER FOR ANY CHANGES TO SPECIFIED DESIGNS OR PRODUCTS.


A.05	DATE: 6/14/23	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (M/D/Y)
	SCALE: 3/16" = 1'-0"	DRIVEWAY	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								

NOTES:  
 SUBJECT SPECIFICATIONS FOR  
 REFER TO PERMITTING  
 MORE INFORMATION.  
 CONFORM WITH PROJECT MANAGER  
 AND ARCHITECT'S CHANGES TO SPECIFIED  
 DESIGNS AND CONDITIONS

SIDE ELEVATION

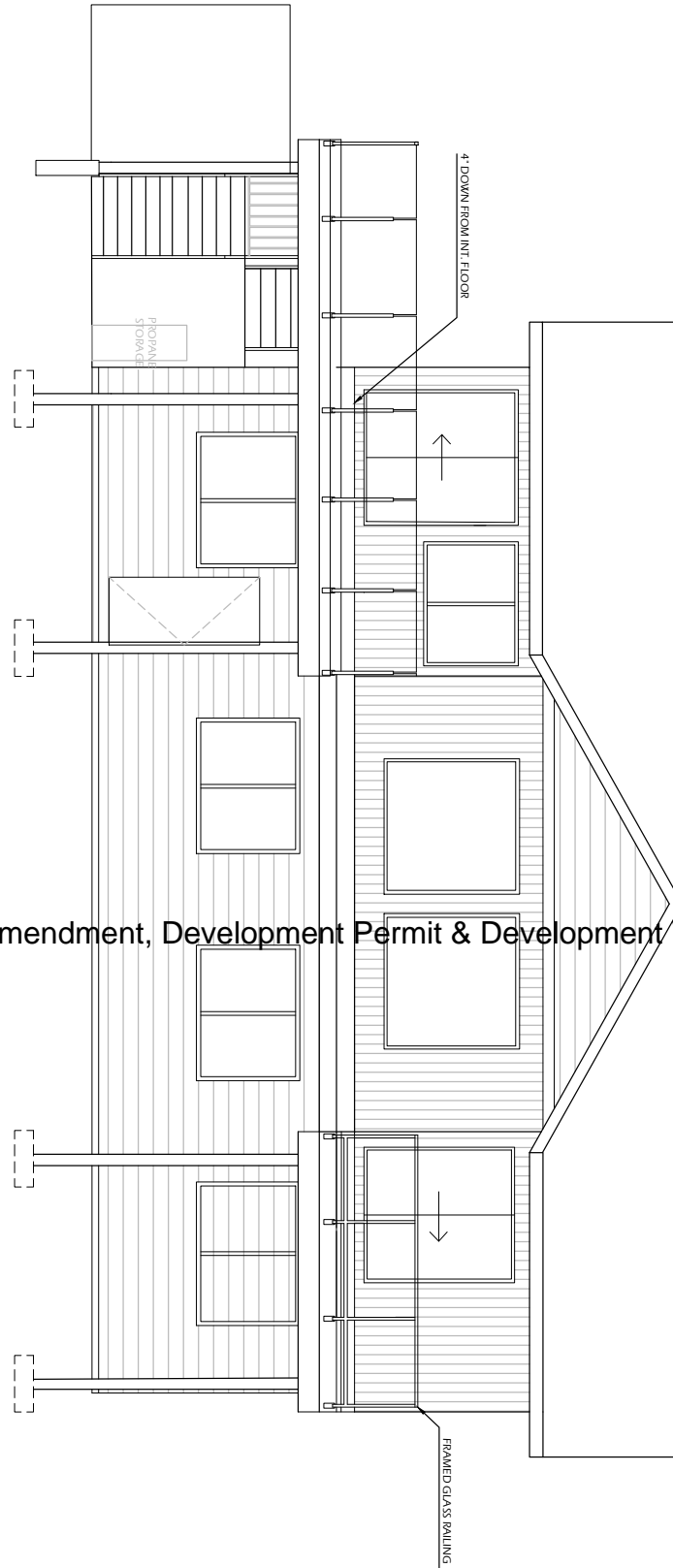


Zoning Amendment, Development Permit & Development Variance Permit for 1...


<b>A.06</b>	DATE: 6/14/23	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (MID/Y)
	SCALE: 3/16" = 1'-0"	SIDE ELEVATION	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: J.L								

NOTES:  
 REFER TO SUBJECT SPECIFICATIONS FOR  
 MORE INFORMATION.  
 CONFIRM WITH PROJECT MANAGER  
 BEFORE MAKING CHANGES TO SPECIFIED  
 DESIGN OR MATERIALS.

## BACK ELEVATION



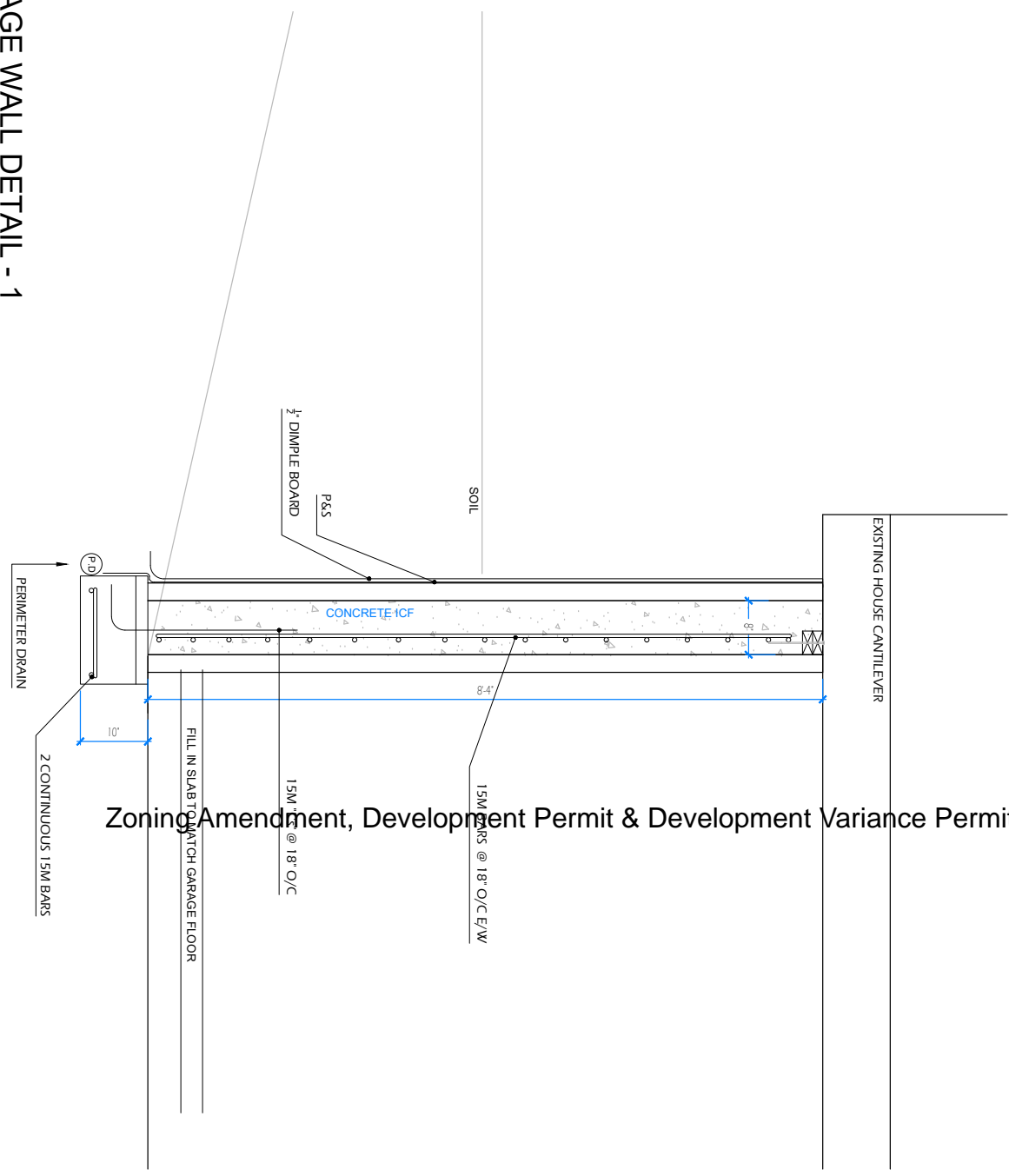
Zoning Amendment, Development Permit & Development Variance Permit for 1...

<b>A.07</b>	DATE: 6/14/23	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (MID/Y)
	SCALE: 3/16" = 1'-0"	BACK ELEVATION	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								


# Appendix A

NOTES:  
 SUBJECT SPECIFICATIONS FOR  
 REFER TO SECTION  
 MORE INFORMATION  
 CONSULT WITH PROJECT MANAGER  
 BEFORE MAKING CHANGES TO SPECIFIED  
 DESIGNS OR PRODUCTS

## GARAGE WALL DETAIL - 1



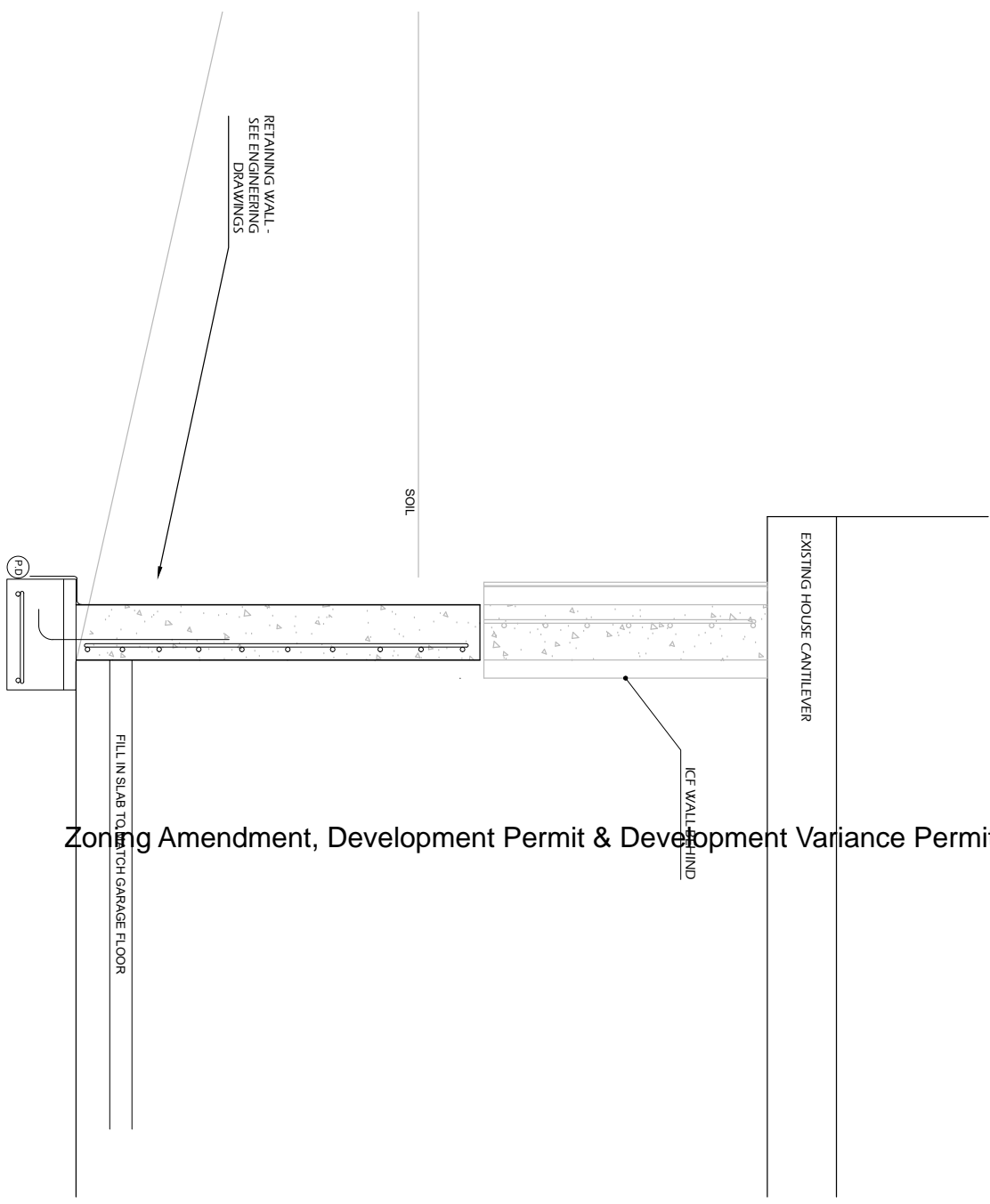
Zoning Amendment, Development Permit & Development Variance Permit for 1...

<b>A.08</b>	DATE: 6/14/23	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (M/D/Y)
	SCALE: 3/4" = 1'-0"	GARAGE WALL DETAIL	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								




NOTES  
 REFER TO PROJECT SPECIFICATIONS FOR MORE INFORMATION.  
 APPROVED BY PROJECT MANAGER BEFORE MAKING CHANGES TO SPECIFIED DESIGNS OR PRODUCTS.

Appendix A

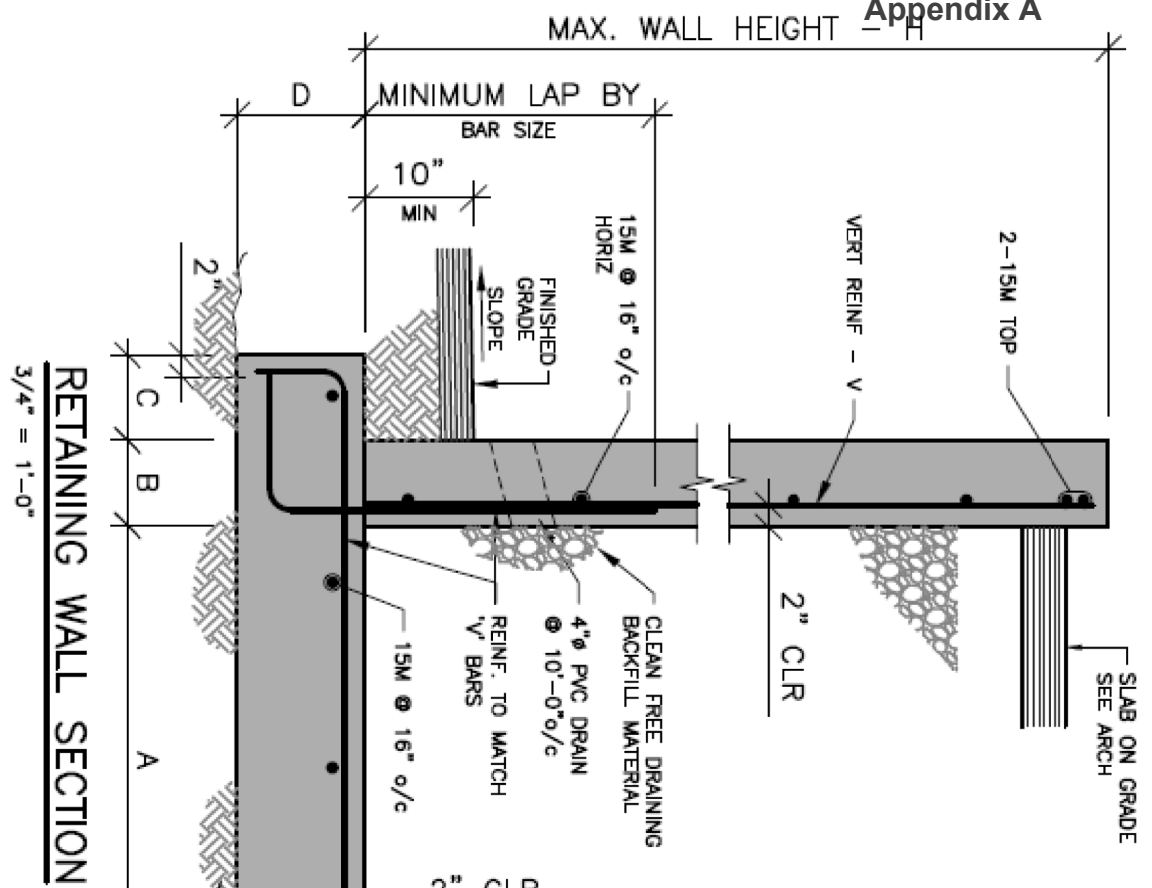


RETAINING WALL DETAIL - 2

Zoning Amendment, Development Permit & Development Variance Permit for 1...

<b>A.09</b>	DATE: 6/14/23	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (M/D/Y)
	SCALE: 3/4" = 1'-0"	RETAINING WALL DETAIL	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								

Appendix A



**RETAINING WALL SCHEDULE - 4.80 kPa SURCHARGE**

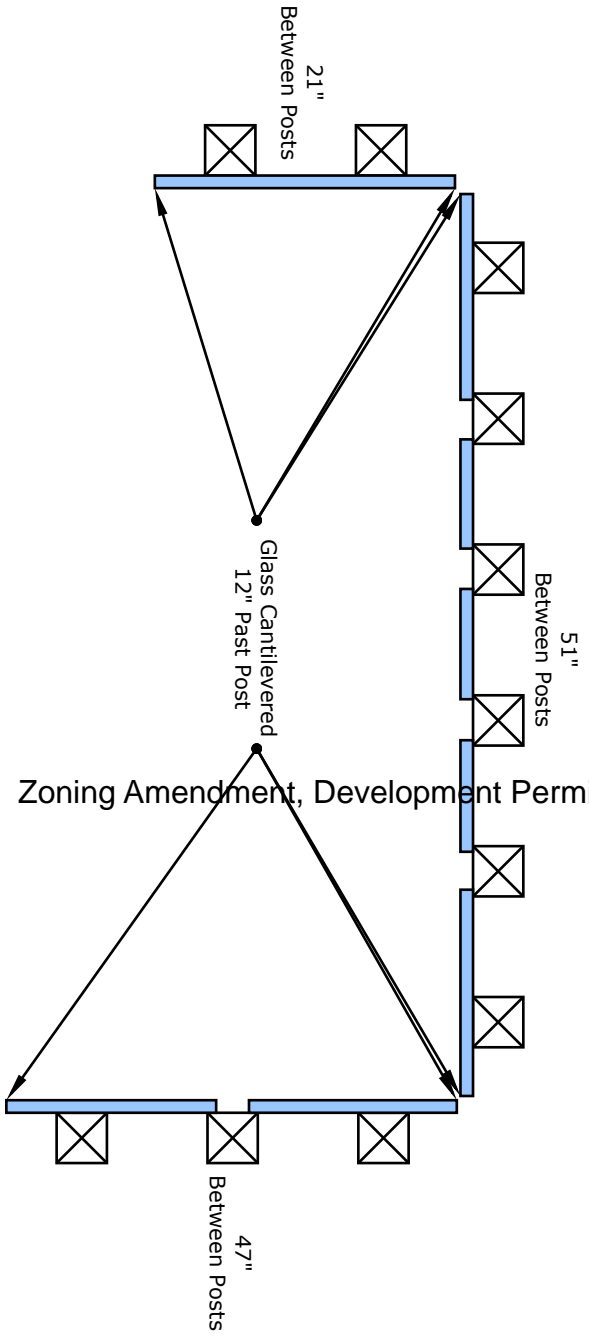
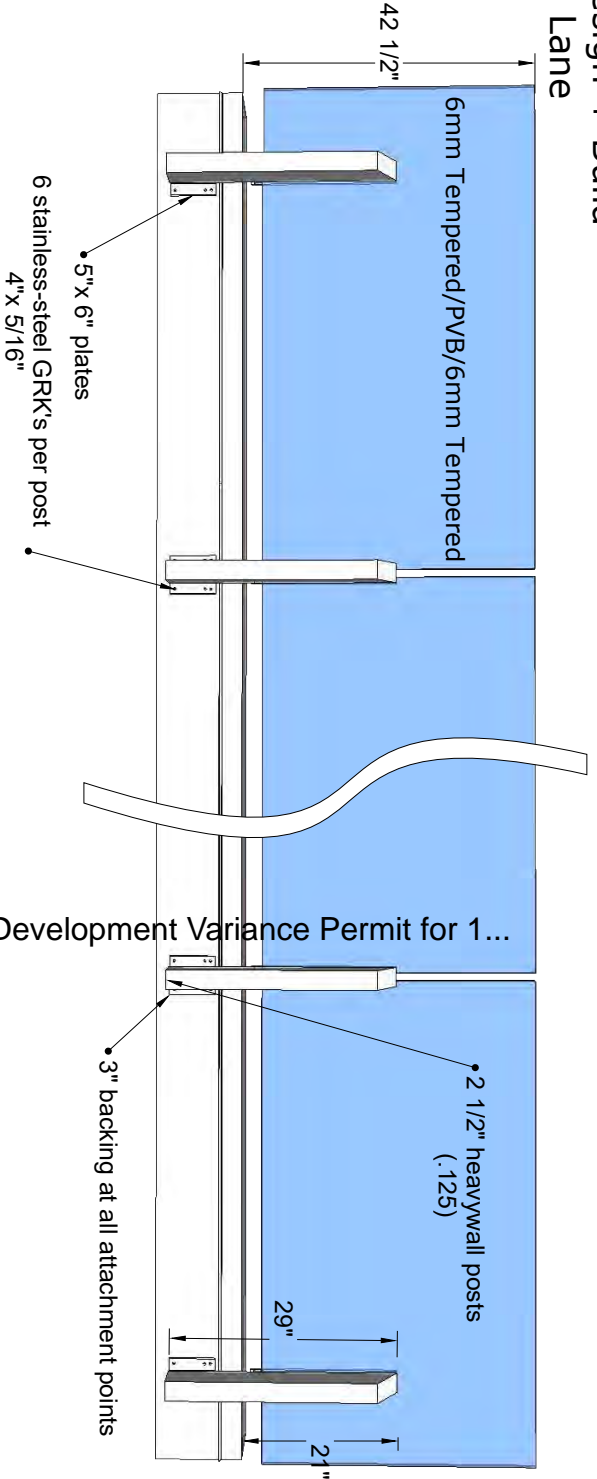
MAX WALL HEIGHT H	VERT REINF V	WALL DIMENSIONS			
		A	B	C	D
4'-0"	15M @ 20"	26"	8"	8"	10"
5'-0"	15M @ 20"	38"	8"	8"	10"
6'-0"	15M @ 10"	50"	8"	8"	10"
7'-0"	15M @ 6"	64"	8"	8"	12"
8'-0"	20M @ 6"	78"	8"	8"	12"
9'-0"	20M @ 6"	84"	10"	8"	12"
10'-0"	20M @ 4 1/2"	96"	10"	8"	14"
11'-0"	20M @ 4"	106"	12"	8"	14"
12'-0"	20M @ 4"	114"	14"	8"	16"

**RETAINING WALL SECTION**  
 3/4" = 1'-0"



Momentum Design + Build  
 1567 Imperial Lane  
 Ucuquet B.C.

Appendix



Zoning Amendment, Development Permit & Development Variance Permit for 1...



Dwg. #1	Dwg. by N.N.	Not to scale	July 12, 2023
---------	--------------	--------------	---------------



SITE PLAN SHOWING PROPOSED DECK LOCATED ON:  
**LOT 1, DISTRICT LOT 282, CLAYQUOT DISTRICT, PLAN EPP124154**

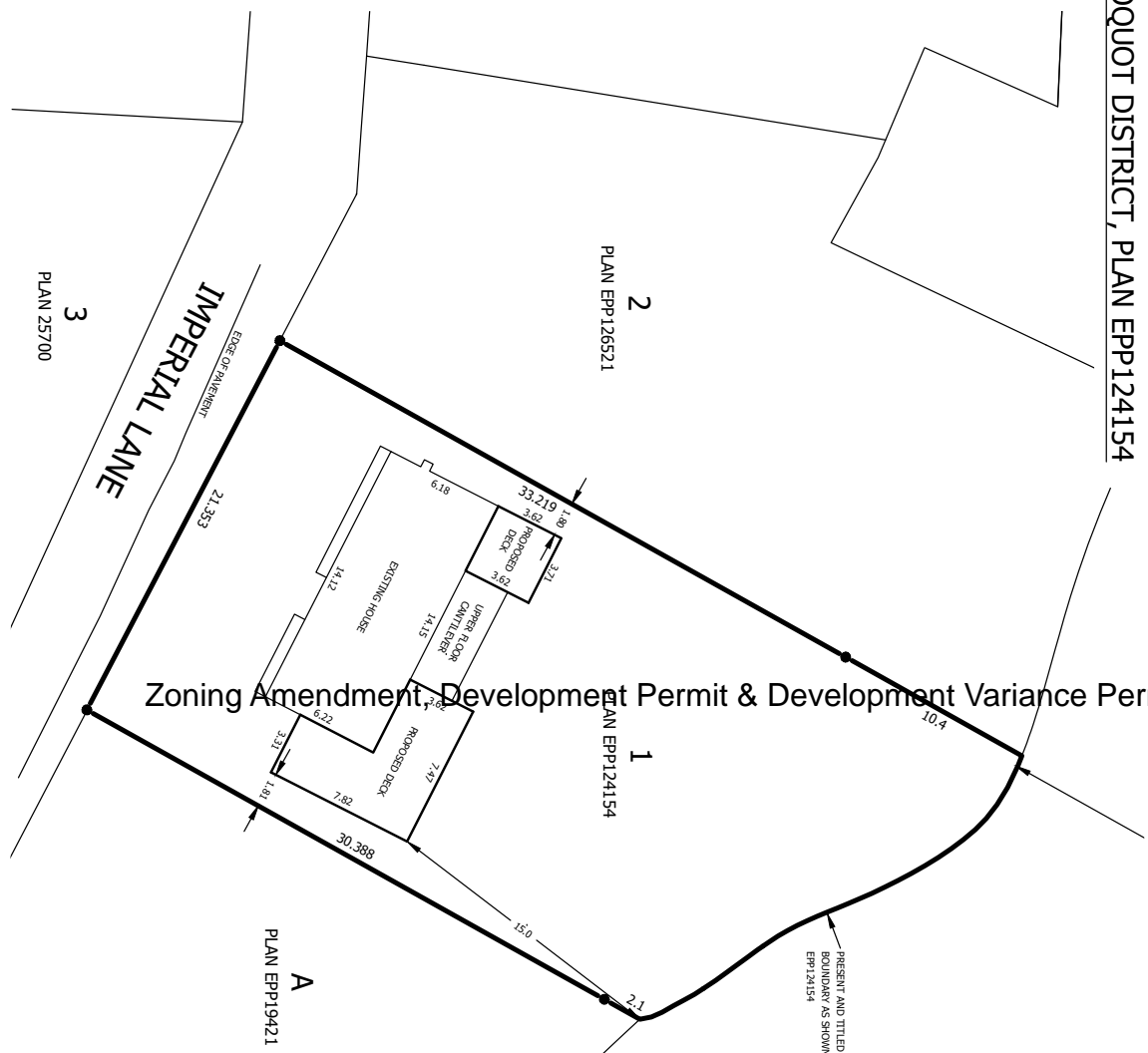


NOTES:

- CIVIC ADDRESS: 1567 IMPERIAL LANE
- LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.
- STANDARD IRON POST FOUND.

THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR PROPOSED IMPROVEMENT(S) SHOWN RELATIVE TO ONLY THE BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).  
 THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).  
 THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

**WILLIAMSON & ASSOCIATES**  
 PROFESSIONAL SURVEYORS © 2024  
 3088 BARONS ROAD NANANING B.C. V9T 4B5  
 PHONE: 250-756-7723 FAX: 250-756-7724  
 EMAIL: WMS@WIBS.CA  
 FILE: 2818-4 SITE PLAN DECK (BASE PLAN 2818)



Zoning Amendment, Development Permit & Development Variance Permit for 1...

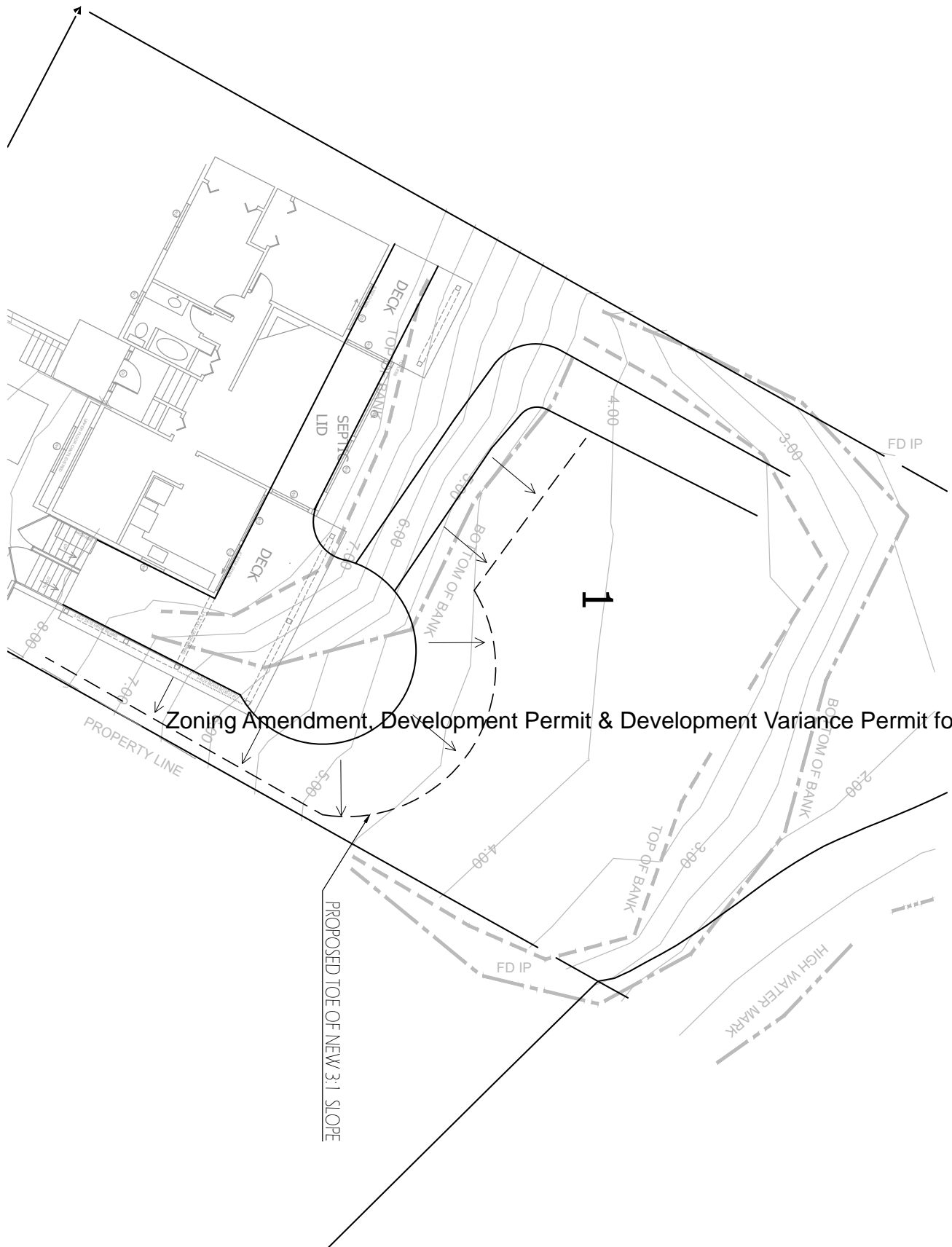
THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL & IS CERTIFIED CORRECT THIS DATE OF: APRIL 2, 2024.

**Arne Hals**  
 8GLE8H  
 c=CA, cn=Arne Hals 8GLE8H,  
 o=BC Land Surveyor, ou=Verify  
 ID at www.juricert.com/  
 LKUP.cdnid=8GLE8H  
 2024.04.02 14:53:25 -07'00'


Arne O. Hals, BCLS  
 THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED.







Zoning Amendment, Development Permit & Development Variance Permit for 1...

<b>L.01</b>	DATE: 2/1/24	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (M/D/Y)
	SCALE: 3/32" = 1'-0"	SITE PLAN & LANDSCAPE CONCEPT	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								

## Appendix B

**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1342, 2024**

A bylaw to amend the "District of Ucluelet Zoning Bylaw No. 1160, 2013".  
(1567 Imperial Lane)

---

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

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

**1. Text Amendment:**

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

- A. adding the following subsection (10) to section CS-1.1.4 in alphanumerical order, as follows:

"(10) PID: 031-828-345, Lot 1, District Lot 282, Clayoquot Land District, Plan EPP124154"

**2. Citation:**

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1342, 2024".

Appendix B

**FIRST NOTIFICATION OF FIRST READING** published this    day of            , **2024.**

**SECOND NOTIFICATION OF FIRST READING** published this    day of            , **2024.**

**READ A FIRST TIME** this    day of            , **2024.**

**READ A SECOND TIME** this    day of            , **2024.**

**READ A THIRD TIME** this    day of            , **2024.**

**ADOPTED** this    day of            , **2024.**

**CERTIFIED CORRECT:** “District of Ucluelet Zoning Amendment Bylaw No. 1342, 2023.”

\_\_\_\_\_  
Marilyn McEwen  
Mayor

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

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

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

## DEVELOPMENT PERMIT DP24-03

---

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

1. This Development Permit is issued to:

*SIDNEY WHITTAKER; SUSAN WHITTAKER* (The “**Owner**”)

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

*1567 Imperial Lane; PID 031828345, Lot 1, Plan EPP124154, District Lot 282, Clayoquot Land District* (The “**Lands**”).

3. This Permit authorizes the exterior renovations, associated landscaping, and hardscaping works.
4. These improvements apply only in the locations indicated, and otherwise in accordance with, the drawings and specifications attached to this Permit as **Schedule 1**.
5. The permit holder, as a condition of issuance of this Permit, agrees to comply with the terms and conditions of **Schedule 2** which is attached hereto and forms part of this permit.
6. In addition to compliance with the terms and conditions listed in Schedule 2, the permit holder must adhere to all conditions of the Qualified Environmental Professional report in **Schedule 3** which is attached hereto and forms part of this permit.
7. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The Owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
8. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. The Owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
10. This Permit is NOT a Building Permit.
11. The Municipality’s Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

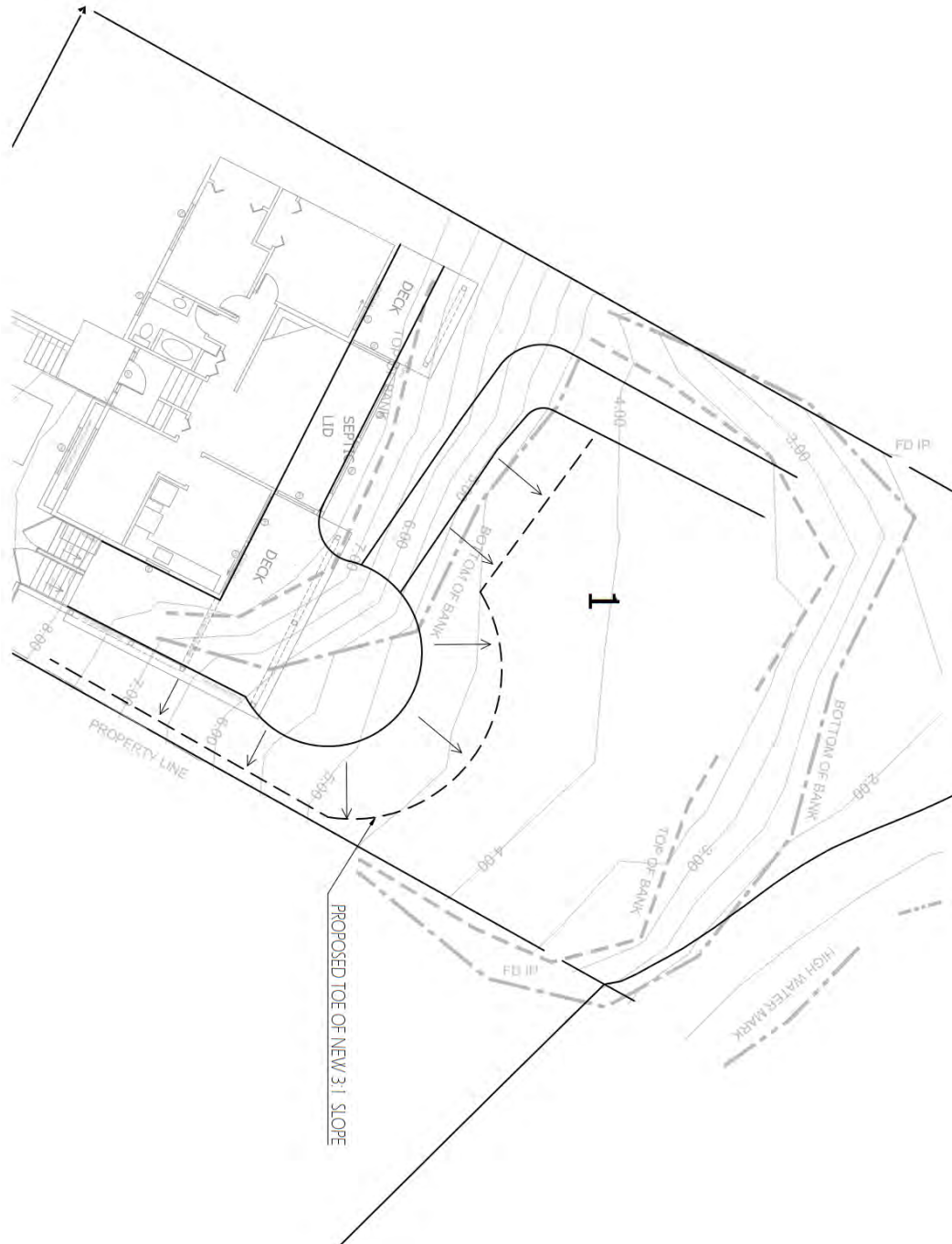
**AUTHORIZING RESOLUTION** passed by the Municipal Council on the       <sup>th</sup> day of       , 2024.

**ISSUED** the       <sup>th</sup> day of       , 2024.

---

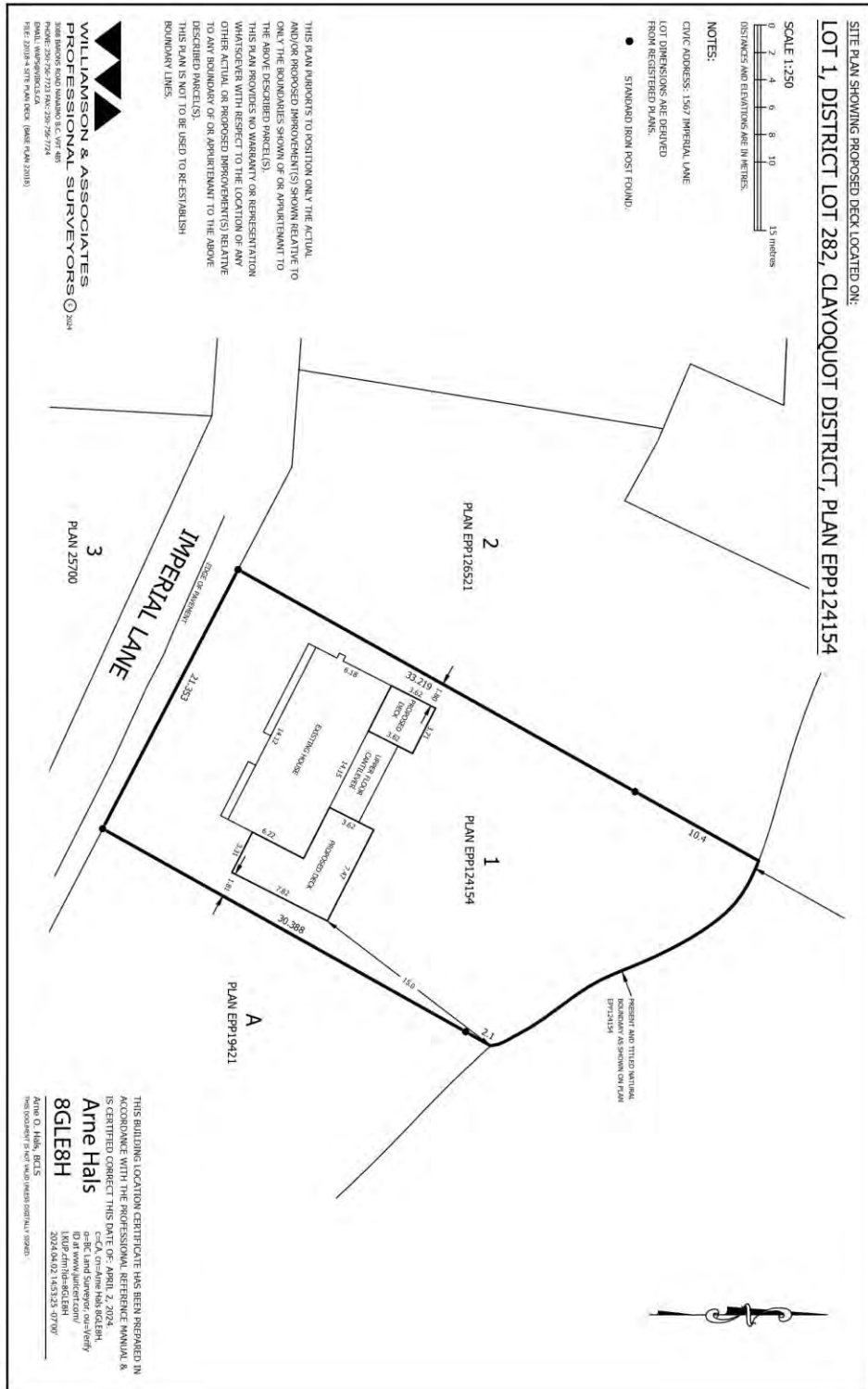
Bruce Greig  
Director of Community Planning

Schedule 1 (1 of 7)

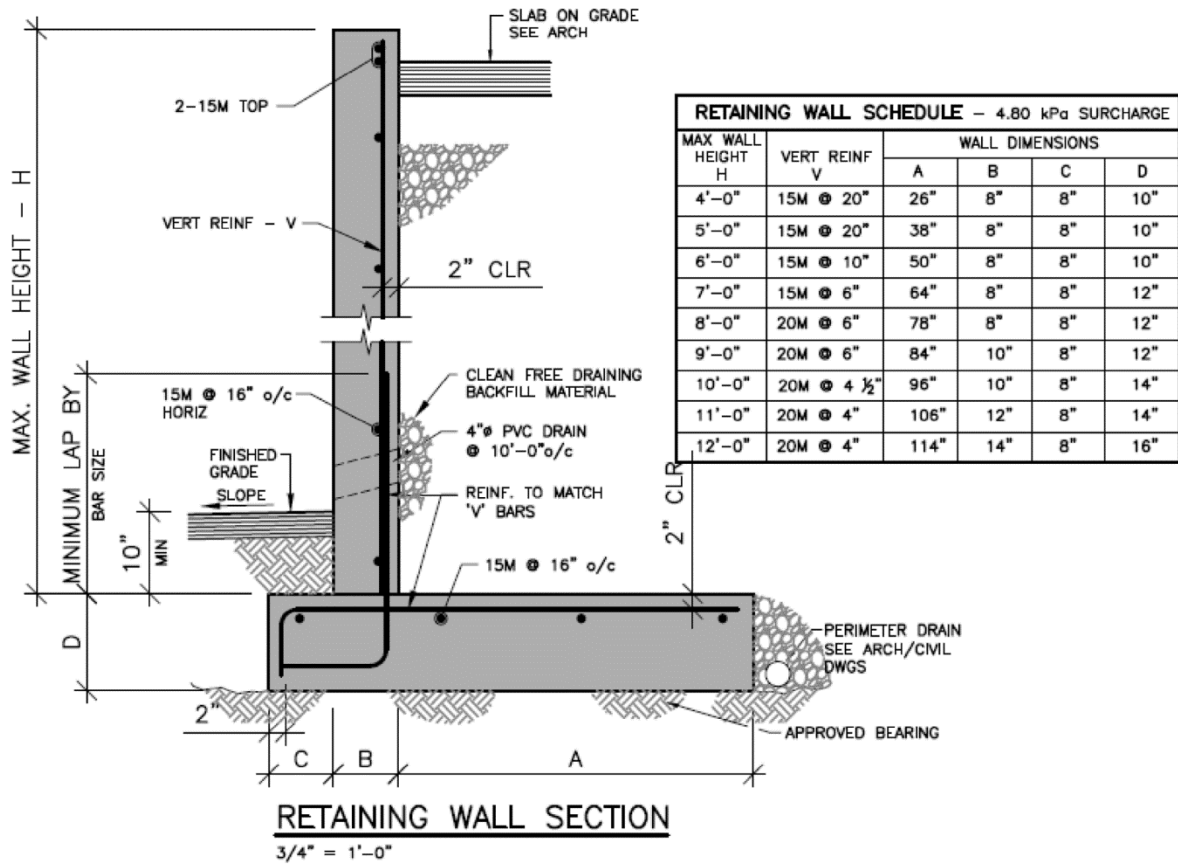




Schedule 1 (2 of 7)



Schedule 1 (3 of 7)



Schedule 1 (4 of 7)

1671 Imperial Lane UCLUELET, B.C. (Map Reference: 1671-1212-022)

**GENERAL NOTES:**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE BC BUILDING CODE AND ALL APPLICABLE REGULATIONS.
2. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
4. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
5. ALL UTILITIES SHALL BE PROTECTED AND DEEPER THAN THE MINIMUM REQUIREMENTS.
6. ALL FOUNDATIONS SHALL BE DESIGNED FOR THE APPLICABLE SOIL CONDITIONS AND SEISMIC ZONING.
7. ALL ROOFING SHALL BE IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS.
8. ALL EXTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS.
9. ALL INTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS.
10. ALL ELECTRICAL AND MECHANICAL SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS.
11. ALL SANITARY AND VENTILATION SYSTEMS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS.
12. ALL GLAZING SHALL BE IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS.
13. ALL PAINTING SHALL BE IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS.
14. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
15. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED BUDGET.
16. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED QUALITY STANDARDS.
17. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED SAFETY STANDARDS.
18. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED ENVIRONMENTAL STANDARDS.
19. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED ACCESSIBILITY STANDARDS.
20. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED HISTORIC PRESERVATION STANDARDS.

**REVISIONS:**

NO.	DATE	DESCRIPTION
1	2023-01-15	ISSUED FOR PERMIT
2	2023-02-01	REVISED FOUNDATION DETAIL
3	2023-02-15	REVISED ROOFING DETAIL
4	2023-03-01	REVISED ELECTRICAL DETAIL
5	2023-03-15	REVISED MECHANICAL DETAIL
6	2023-04-01	REVISED SANITARY DETAIL
7	2023-04-15	REVISED GLAZING DETAIL
8	2023-05-01	REVISED PAINTING DETAIL
9	2023-05-15	REVISED CONSTRUCTION SEQUENCE
10	2023-06-01	REVISED CONSTRUCTION BUDGET
11	2023-06-15	REVISED CONSTRUCTION QUALITY STANDARDS
12	2023-07-01	REVISED CONSTRUCTION SAFETY STANDARDS
13	2023-07-15	REVISED CONSTRUCTION ENVIRONMENTAL STANDARDS
14	2023-08-01	REVISED CONSTRUCTION ACCESSIBILITY STANDARDS
15	2023-08-15	REVISED CONSTRUCTION HISTORIC PRESERVATION STANDARDS

**1671 IMPERIAL LANE UCLUELET, B.C.**

**HEROLD ENGINEERING**

**GENERAL NOTES / REMAINING WALL DETAIL**

**REVISIONS**

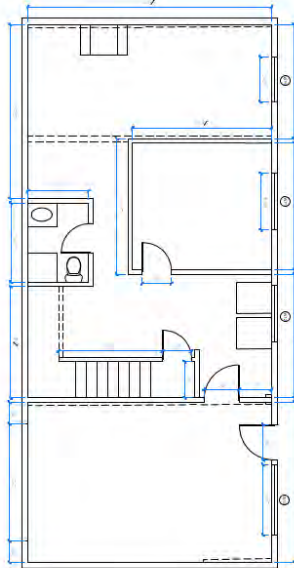
NO.	DATE	DESCRIPTION
1	2023-01-15	ISSUED FOR PERMIT
2	2023-02-01	REVISED FOUNDATION DETAIL
3	2023-02-15	REVISED ROOFING DETAIL
4	2023-03-01	REVISED ELECTRICAL DETAIL
5	2023-03-15	REVISED MECHANICAL DETAIL
6	2023-04-01	REVISED SANITARY DETAIL
7	2023-04-15	REVISED GLAZING DETAIL
8	2023-05-01	REVISED PAINTING DETAIL
9	2023-05-15	REVISED CONSTRUCTION SEQUENCE
10	2023-06-01	REVISED CONSTRUCTION BUDGET
11	2023-06-15	REVISED CONSTRUCTION QUALITY STANDARDS
12	2023-07-01	REVISED CONSTRUCTION SAFETY STANDARDS
13	2023-07-15	REVISED CONSTRUCTION ENVIRONMENTAL STANDARDS
14	2023-08-01	REVISED CONSTRUCTION ACCESSIBILITY STANDARDS
15	2023-08-15	REVISED CONSTRUCTION HISTORIC PRESERVATION STANDARDS

**REVISIONS**

NO.	DATE	DESCRIPTION
1	2023-01-15	ISSUED FOR PERMIT
2	2023-02-01	REVISED FOUNDATION DETAIL
3	2023-02-15	REVISED ROOFING DETAIL
4	2023-03-01	REVISED ELECTRICAL DETAIL
5	2023-03-15	REVISED MECHANICAL DETAIL
6	2023-04-01	REVISED SANITARY DETAIL
7	2023-04-15	REVISED GLAZING DETAIL
8	2023-05-01	REVISED PAINTING DETAIL
9	2023-05-15	REVISED CONSTRUCTION SEQUENCE
10	2023-06-01	REVISED CONSTRUCTION BUDGET
11	2023-06-15	REVISED CONSTRUCTION QUALITY STANDARDS
12	2023-07-01	REVISED CONSTRUCTION SAFETY STANDARDS
13	2023-07-15	REVISED CONSTRUCTION ENVIRONMENTAL STANDARDS
14	2023-08-01	REVISED CONSTRUCTION ACCESSIBILITY STANDARDS
15	2023-08-15	REVISED CONSTRUCTION HISTORIC PRESERVATION STANDARDS

Schedule 1 (5 of 7)

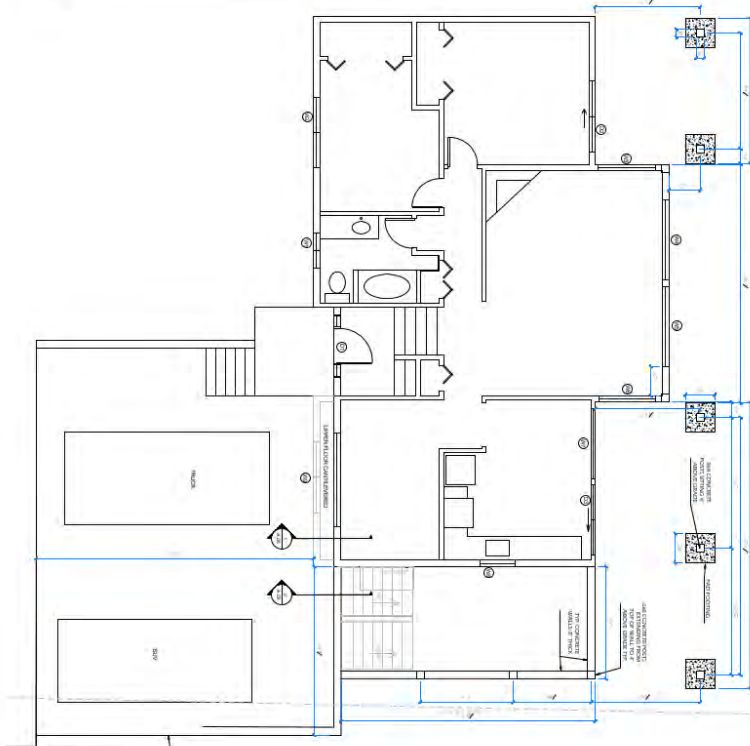
BOTTOM FLOOR



NUMBER	UNIT SIZE (WxH)	OPERATION	MATERIAL	NOTES
W1	35" X 35"	HORIZ SLIDER	VINYL	BATH WINDOW
W2	71" X 35"	HORIZ SLIDER	VINYL	2ND BEDROOM WINDOW
W3	89" X 83"	PICTURE	VINYL	LIVING WINDOW 4
W4	89" X 83"	PICTURE	VINYL	LIVING WINDOW 1
W5	89" X 83"	PICTURE	VINYL	LIVING WINDOW 2
W6	89" X 83"	PICTURE	VINYL	LIVING WINDOW 3
W7	71" X 47"	HORIZ SLIDER	VINYL	KITCHEN WINDOW 1
W8	71" X 35"	HORIZ SLIDER	VINYL	KITCHEN WINDOW 2
W9	71" X 47"	HORIZ SLIDER	VINYL	3RD BEDROOM WINDOW
W10	71" X 47"	HORIZ SLIDER	VINYL	BASINENT WINDOW 1
W11	89" X 35"	HORIZ SLIDER	VINYL	BASINENT BED WINDOW
W12	89" X 35"	HORIZ SLIDER	VINYL	BASINENT LAUNDRY WINDOW
W13	71" X 79"	HORIZ SLIDER	VINYL	BASINENT GARAGE WINDOW
D1	3' X 68"	RH	WOOD	FRONT DOOR
D2	77" X 88"	LEFT SLIDING	VINYL	PRIMARY BED SLIDING DOOR
D3	71" X 79"	RIGHT SLIDING	VINYL	KITCHEN SLIDING DOOR

NOTES:  
REFER TO PRODUCT SPECIFICATIONS FOR  
MODE INFORMATION  
COORDINATE WITH PROJECT MANAGER  
DESIGNER TO SPECIFIED  
DESIGNER OR PRODUCTS

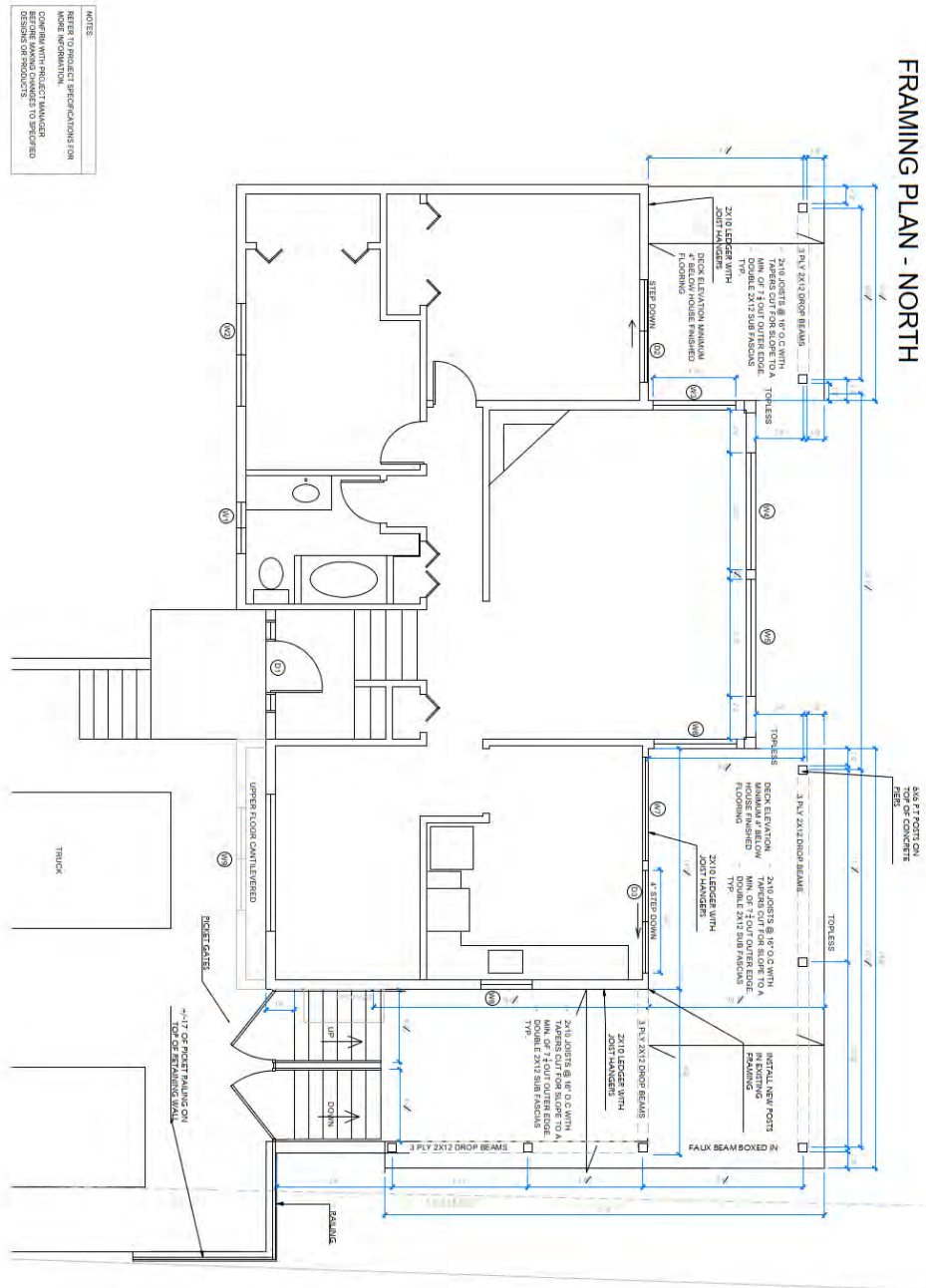
FOUNDATION PLAN  
TOP FLOOR VIEW




<b>A.03</b>	DATE: 6/14/23	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (MM/YY)
	SCALE: 1/8" = 1'-0"	FOUNDATION PLAN AND LOWER LEVEL	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JIL								

Schedule 1 (6 of 7)

FRAMING PLAN - NORTH



NOTES:  
 1. REFER TO PROJECT SPECIFICATIONS FOR  
 2. REFER TO PROJECT SPECIFICATIONS FOR  
 3. REFER TO PROJECT SPECIFICATIONS FOR  
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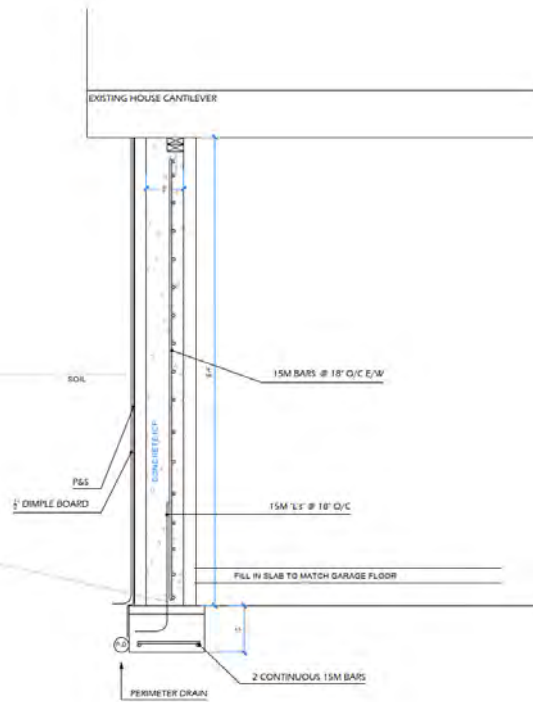
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Schedule 1 (7 of 7)

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 CONFIRM WITH PROJECT MANAGER  
 BEFORE MAKING CHANGES TO SPECIFIED  
 DESIGNS OR PRODUCTS

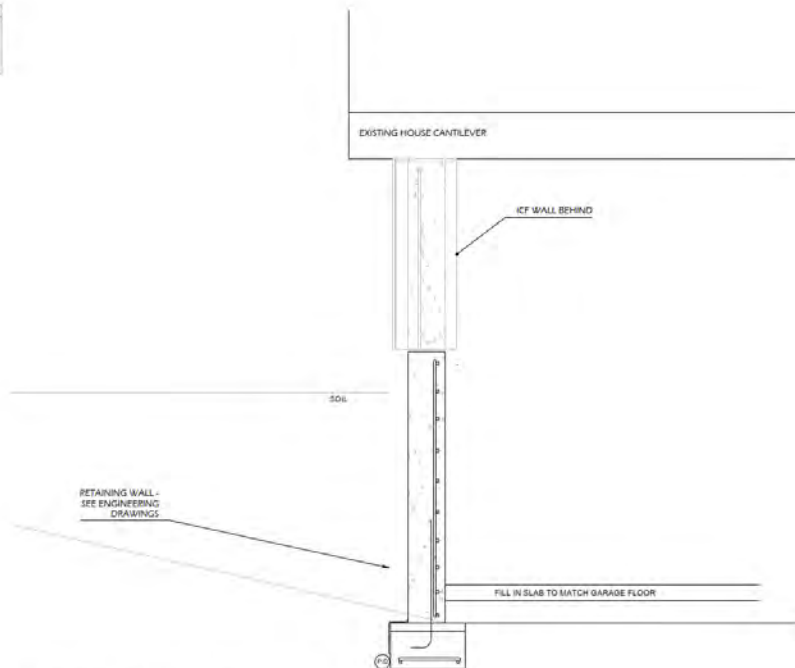
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 CONFIRM WITH PROJECT MANAGER  
 BEFORE MAKING CHANGES TO SPECIFIED  
 DESIGNS OR PRODUCTS

RETAINING WALL DETAIL - 2



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BOJAN VUKOBRADEVIC	BOJAN VUKOBRADEVIC	UCLUELET GARAGE	10/15/2023
PROJECT	DRAWING NAME	SCALE	DRAWN BY/A
UCLUELET GARAGE	RETAINING WALL DETAIL	3/4\"/>	
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**Schedule 2 (1 of 1)****Terms and Conditions**

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

The following mitigation measures are recommended during construction:

- 1) A construction environmental monitoring plan (CEMP) must be developed and implemented prior to the commencement of the proposed development. The CEMP should include applicable mitigation measures such as:
  - a. Sedimentation and erosion control measures (e.g. Silt fencing)
  - b. Contamination prevention plan
  - c. Prevention of encroachment into the foreshore area by machinery
  - d. Reducing clearing and grubbing of vegetation to the minimum feasible area
  - e. Invasive species management
  - f. Emergency spill response plan
- 2) A revegetation plan should be developed prior to the commencement of the proposed development. The revegetation plan should include:
  - a. The replacement of any shrubs removed at a 3:1 ratio (new shrubs planted should exceed the number of old shrubs).
- 3) Run off from new structures to the ocean should be limited as much as possible:
  - a. The replacement of permeable surfaces with impermeable surfaces should be limited as much as possible. Where impermeable surfaces are created, landscaping should direct water to municipal sewers or French drains.
  - b. The driveway surfaces should be:
    - i. permeable (e.g. gravel), or
    - ii. sloped towards municipal sewers, or
    - iii. an oil/water separator should be installed (District of Ucluelet, OCP E.VII.11.).



Schedule 3 (1 of 13)

Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet



To: Sid Whittaker Date: March 22, 2024
From: Warren Fleenor, R.P. Bio Project: 4 0 2 3
Stephan Boraks, P. Bio Pages: 13

RE: Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet BC.

This letter report prepared by Current Environmental Ltd. describes the outcomes of a reconnaissance-level survey to determine potential environmental effects of a renovation proposed at 1567 Imperial Lane in Ucluelet, BC. The proposed development plans for this property are the replacement of a deck, driveway and the construction of a patio area. Specifically, this report satisfies the reporting requirements laid out in District of Ucluelet Official Community Plan Bylaw No. 1236, 2020<sup>1</sup>, DPA-VII Environmental Development Permit Areas as the proposed works are within 30 m of the shoreline.

This report is divided into the following categories:

1.0 Introduction ..... 2
1.1 Study area ..... 2
1.2 Proposed development..... 3
1.2.1 Second Story Deck Replacement ..... 3
1.2.2 Driveway Upgrades..... 5
1.2.3 Construction of patio and path ..... 6
2.0 Results ..... 7
2.3 Desktop Review ..... 7
2.4 Site survey ..... 7
3.0 Potential Impacts..... 8
4.0 Mitigation Measures..... 8
5.0 Conclusions..... 9
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8.0 Photos..... 10
9.0 Site Plans..... 13

<sup>1</sup> District of Ucluelet. (2020). Bylaw No. 1236. District of Ucluelet Official Community Plan Bylaw. DPA VII – Environmental Development Permit Areas. pp.131

## Schedule 3 (2 of 13)

*Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet*



## 1.0 INTRODUCTION

The property owner at 1567 Imperial Lane in Ucluelet, BC is proposing to renovate and expand a deck and driveway, as well as construct a patio area and path on their lot within 30 m of the shoreline. As per the *District of Ucluelet Official Community Plan Bylaw No. 1236, 2020*<sup>2</sup>, a Qualified Environmental Professional must complete an Assessment Report for any development proposed within 30 m of the shoreline (Development Permit Area VII – Marine Shoreline). This report, completed by Current Environmental Ltd., is intended to satisfy those requirements by identifying how the proposed development may affect aquatic resources and recommend measures to mitigate potential negative impacts.

### 1.1 STUDY AREA

The subject property is located at 1567 Imperial Lane in Ucluelet, BC (PID: 031-828-345). The latitude/longitude coordinates at the center of the property are 48°94'21.9"N 125°54'45.2"W (Figure 1) and the property is approximately 835 m<sup>2</sup> in size. The subject property is bordered by ocean to the north, residential development to the east, commercial development to the south, and undeveloped land to the west. The property is zoned as CS-1 (Commercial Services -1/Village Square Commercial) and was recently purchased by the proponent. Existing developments on the subject property include a residential dwelling, a recently constructed dock, and a gravel driveway (Photos 1-3). Overall, the project location is situated within a modified shoreline area with a prevalence of shorefront development, docks and wharves.



Figure 1. Location of the subject property outlined in red (District of Ucluelet mapping, accessed Nov. 16, 2023)

<sup>2</sup> District of Ucluelet. (2020). Bylaw No. 1236. District of Ucluelet Official Community Plan Bylaw. DPA VII – Environmental Development Permit Areas. pp.131



Schedule 3 (3 of 13)

Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet



1.2 PROPOSED DEVELOPMENT

Proposed development on the subject property includes the replacement and expansion of a deck and driveway, as well as the construction of a path and patio area within 30 m of the shoreline.

1.2.1 Second Story Deck Replacement

The replacement of the deck will involve removal of the old deck, excavation and construction of concrete footing and a load bearing concrete wall, and an increase in the footprint of the deck. The residential building currently has two cantilevered decks that extend off the house into the backyard. The deck on the north-east side of the building wraps around exterior of the building. Both decks have vinyl surfaces and glass railings.



Photo 1. A photo of the back (north) of the house at 1567 Imperial Lane, with the existing deck.

The proposed development will involve the removal of the existing decks (Figure 1) followed by installation of new foundations. The foundations will consist of concrete footings to the north of the building, and a concrete wall to the east of the building (Figure 2.).

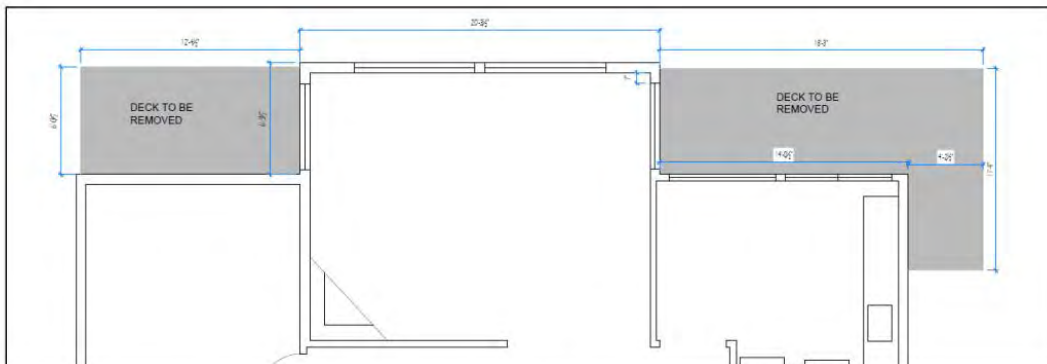


Figure 2. Aerial view of the proposed demolition of the existing decks. Drawings provided by Momentum Design Build.



Schedule 3 (4 of 13)

Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet



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w: currentenvironmental.ca

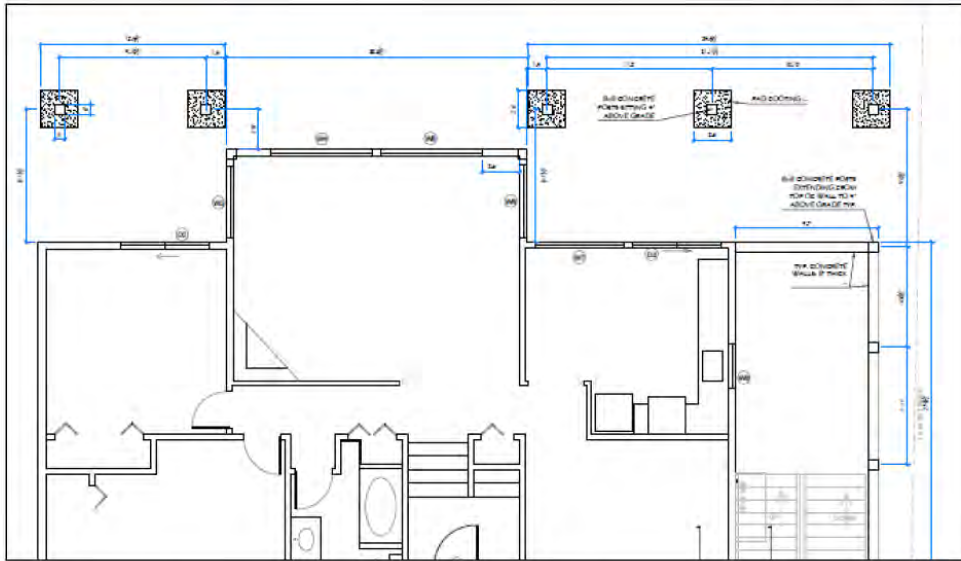


Figure 3. Aerial view of the proposed locations of concrete footings (north) and concrete wall (east) for the foundation. Drawings provided by Momentum Design Build.

The new deck will have a similar footprint on the back of the house, and a new section of deck on the east side of the building. The deck expansion will include a landing and staircase which will connect the deck to the driveway (Figure 4).



Figure 4. Side view of the building and proposed deck expansion. Drawings provided by Momentum Design Build.

Schedule 3 (5 of 13)

Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet



1.2.2 Driveway Upgrades

The existing driveway at 1567 Imperial Lane consists of a sloped (>10%) asphalt lane that leads to a garage door and an adjacent level gravel pad (Photo 2). The proposed development of the driveway includes the removal of the garage door and replacement with a retaining wall. The existing sloped driveway will be filled to be level with Imperial Lane, with no slope towards the home. The driveway is to be finished with a permeable material (likely gravel) and gently sloped towards Imperial Lane (Figure 5).



Photo 2. A photo of the front of the house at 1567 Imperial Lane, with the existing drive.

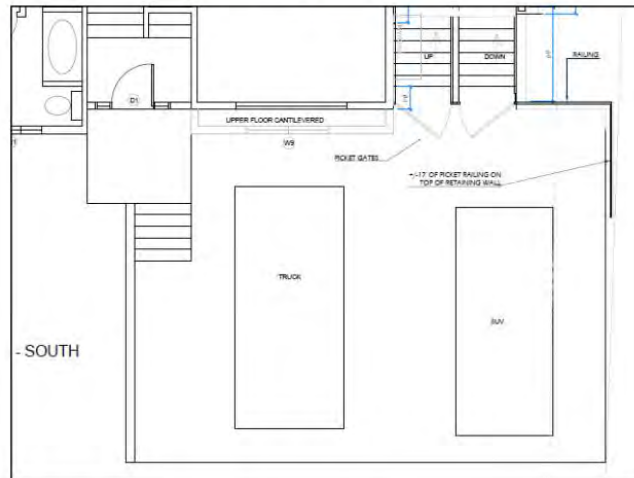


Figure 5. An aerial view of the south of the residence with the footprint of the proposed driveway. Drawings provided by Momentum Design Build.

Schedule 3 (6 of 13)

Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet



1.2.3 Construction of patio and path

The construction of a patio area and path is planned immediately north of the home, below and adjacent to the proposed second story deck (Figure 6). The proposed patio area is to be approximately 35 m<sup>2</sup> in size and the path to the dock will be approximately 37 m<sup>2</sup>. The patio area and path will require excavation and landscaping of the backyard, including significant alteration to an existing vegetated berm/slope. Both the patio area and path are proposed to remain as permeable surfaces (gravel).



Figure 6. Proposed gravel patio, path, and deck plans at 1567 Imperial Lane.



## Schedule 3 (7 of 13)

*Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet*



## 2.0 RESULTS

A desktop review using online mapping databases was completed and a site visit to the subject property was completed on November 16, 2023. The site visit was conducted by a Qualified Environmental Professional from Current Environmental Ltd.

### 2.3 DESKTOP REVIEW

A desktop review was conducted to identify sensitive species, habitat, or development permit areas relevant to the subject property. A search was conducted for mapped watercourses and wetlands on or near the subject property using the District of Ucluelet Mapping Database (Online GIS Portal), and iMap BC (Data BC). No freshwater water courses or wetlands were identified on or near the subject property.

The Conservation Data Center's iMap was used to search for sensitive species that have been detected near the subject property. Tall woolly-heads (*Psilocarphus elatior*) are a rare and red-listed species of aster that grow in moist meadows and along the sides of paths in the lowland zone. Tall woolly-heads have been detected in Ucluelet with the closest occurrence being approximately 1,100 m from the subject property. Additionally, the northern red-legged frog (*Rana aurora*) is a blue listed amphibian that has been observed as close as 500 m from the subject property.

As per Appendix E (Feb 17, 2021) of the *District of Ucluelet Official Community Plan Bylaw No. 1236, 2020* the proposed works fall within the Shoreline Development Permit Area (Figure 7).

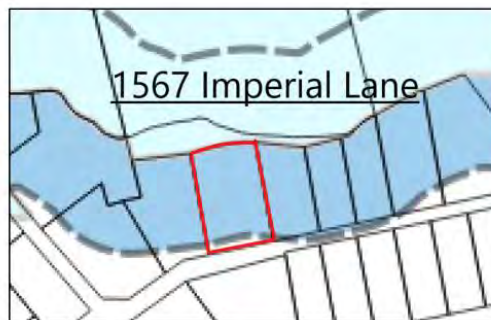


Figure 7. Location of the subject property outlined in red, with the shoreline DPA visualized as a blue polygon extending 30 m from the shoreline (retrieved and adapted from Appendix E, Ucluelet Official Community Plan)

### 2.4 SITE SURVEY

A site survey was conducted by Current Environmental Ltd. (CEL) on November 16, 2023. Existing developments on the subject property include a residential dwelling, a recently installed dock, and a gravel driveway (Photos 1-8). A narrow footpath leads from the existing deck through the shoreline on the eastern edge of the lot.

## Schedule 3 (8 of 13)

*Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet*



The plant community on the subject property can be divided into two communities: foreshore and upland/backshore. Vegetation in the foreshore consists of patches of slough sedge (*Carex obnupta*), beach dune grass (*Leymus mollis*), and sea asparagus (*Salicornia sp.*) (Photo 6). The lots front the Ucluelet Harbour in an area that has historical and current commercial and industrial use for marine activities. The greater Ucluelet Harbour is known to support dense, productive eelgrass (*Zostera marina*) beds. The upland area between the house and the beach is primarily a maintained lawn and ornamental plants (Photos 4-6). Douglas fir (*Pseudotsuga menziesii*), red cedar (*Thuja plicata*), and red alder (*Alnus rubra*) were identified growing along in the backshore area, as well as a large common juniper (*Juniperus communis*) and a large ornamental rhododendron (Photos 6-8).

Tall woolly-heads and potential amphibian habitat were not found on the subject lot at the time of the assessment.

### 3.0 POTENTIAL IMPACTS

All of the proposed developments are located within the 30-meter Marine Shoreline Development Permit Area. Primary sources of potential harm, during or following construction, to sensitive species and ecosystems within the foreshore and subtidal areas include the following:

- 1) Physical disturbance from construction equipment
- 2) Release of deleterious substances into the aquatic environment (i.e., fuel).
- 3) General impacts to water quality, most likely through increased turbidity (construction).
- 4) Destruction of riparian, shoreline vegetation (access during construction)

### 4.0 MITIGATION MEASURES

The following mitigation measures must be implemented during dock construction:

- 1) A construction environmental monitoring plan (CEMP) must be developed and implemented prior to the commencement of the proposed development. The CEMP should include applicable mitigation measures such as:
  - a) Sedimentation and erosion control measures (e.g. Silt fencing)
  - b) Contamination prevention plan
  - c) Prevention of encroachment into the foreshore area by machinery
  - d) Reducing clearing and grubbing of vegetation to the minimum feasible area
  - e) Invasive species management
  - f) Emergency spill response plan
- 2) A revegetation plan should be developed prior to the commencement of the proposed development. The revegetation plan should include:
  - a) The replacement of any shrubs removed at a 3:1 ratio (new shrubs planted should exceed the number of old shrubs) .
- 3) Run off from new structures to the ocean should be limited as much as possible:



**Schedule 3 (9 of 13)**

*Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet*



- a) The replacement of permeable surfaces with impermeable surfaces should be limited as much as possible. Where impermeable surfaces are created, landscaping should direct water to municipal sewers or French drains.
- b) The driveway surfaces should be:
  - i) permeable (e.g. gravel), or
  - ii) sloped towards municipal sewers, or
  - iii) an oil/water separator should be installed (District of Ucluelet, OCP E.VII.11.).

**5.0 CONCLUSIONS**

A desktop review and site visit found that no sensitive species or communities exist in the riparian area of the subject lot. As well, the subject property fronts a highly developed and disturbed section of the marine shoreline. Most of the property is encompassed by the shoreline DPA. Given that the subject property is highly modified, and the proposed development is of relatively low impact, the proposed development is unlikely to cause significant harm to the shoreline ecosystems.

A CEMP which addresses the environmental risks of the construction project should be developed and implemented prior to the start of construction. New construction should have permeable surfaces wherever possible to reduce surficial runoff into the ocean. Wherever possible, drainage should be directed to the municipal sewers or French drains. Vegetation that is removed during construction should be replaced prior to the completion of the proposed development.

**6.0 CLOSURE**

We trust this assessment has satisfied your requirements. Please contact the undersigned if you have any queries.



Warren Fleenor, R.P.Bio.



Stephan Boraks P. Bio. &

**7.0 DISCLAIMER**

This report was prepared exclusively for Sid Whittaker. The quality of information, conclusions and estimates contained herein is consistent with the level of effort expended and is based on: i) information available at the time of preparation; ii) data collected by the authors and/or supplied by outside sources; and iii) the assumptions, conditions and qualifications set forth in this report. This report is intended to be used by Sid Whittaker and regulators only; subject to the terms and conditions of their contract or understanding with Current Environmental. Other use or reliance on this report by any third party is at that party's sole risk.

Schedule 3 (10 of 13)

*Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet*



**8.0 PHOTOS**



**Photo 3.** Photo of 1567 Imperial Lane showing the east side of the residence. (November 16, 2023)



Schedule 3 (11 of 13)

*Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet*

**current**   
ENVIRONMENTAL  
558 England Ave  
Courtenay, BC V9N 2N3  
p: 250.871.1944  
w: currentenvironmental.ca



**Photo 4.** Photo of 1567 Imperial Lane showing the north-east side of the residence and the backyard, (November 16, 2023)



**Photo 5.** Photo of 1567 Imperial Lane showing the north side of the residence and the backyard, (November 16, 2023)

Schedule 3 (12 of 13)

*Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet*



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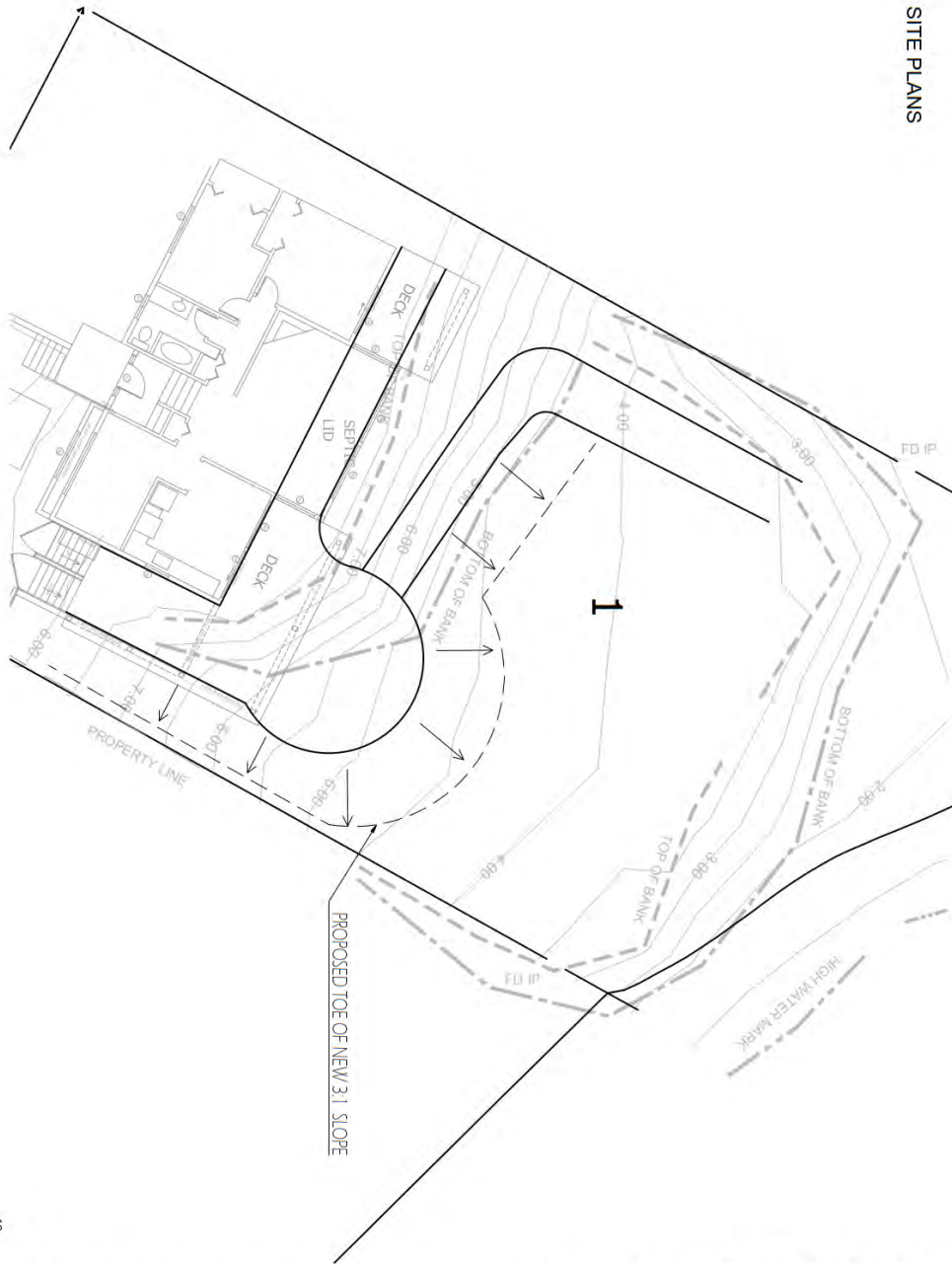


**Photo 6.** Photo of the foreshore of 1567 Imperial Lane showing beach dune grass and sea asparagus. Red alder, red cedar and Douglas-fir are shown growing along the shoreline. The north side of the residence can be seen in the distance. (November 16, 2023)




Schedule 3 (13 of 13)

9.0 SITE PLANS



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	SCALE: 3/32" = 1'-0"	SITE PLAN & LANDSCAPE CONCEPT	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								



## **DEVELOPMENT VARIANCE PERMIT DVP24-02**

Pursuant to section 498 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Variance Permit is issued to:

**Sidney Whittaker and Susan Whittaker, 1567 Imperial Lane, Ucluelet, BC, V0R 3A0**  
(the "Owner")

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

**1567 Imperial Lane; PID 031828345, Lot 1, Plan EPP124154, District Lot 282, Clayoquot Land District** (the "Land")

3. The work authorized by this Permit may only be carried out:
  - a. in compliance with the requirements of the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, except where specifically varied or supplemented by this development variance permit; and,
  - b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This permit authorizes the following variances to *District of Ucluelet Zoning Bylaw No. 1160, 2013*, specific to the plans and elevations attached as **Schedule A**:

1. **A Side Yard Setback of 0m whereas section R-1.6.1(1)(c) of the zoning bylaw indicates a minimum of 1.5m.**

5. The above variances are granted for the proposed addition to the existing single-family dwelling as shown on **Schedule A**.
6. The above variance is granted for the proposed structures and use of the land as shown on **Schedule A**. Should the buildings be later removed or destroyed, this Development Variance Permit shall cease to apply and the zoning bylaw requirements in effect at the time shall apply.
7. The Owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
8. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. This Permit is NOT a Building Permit.



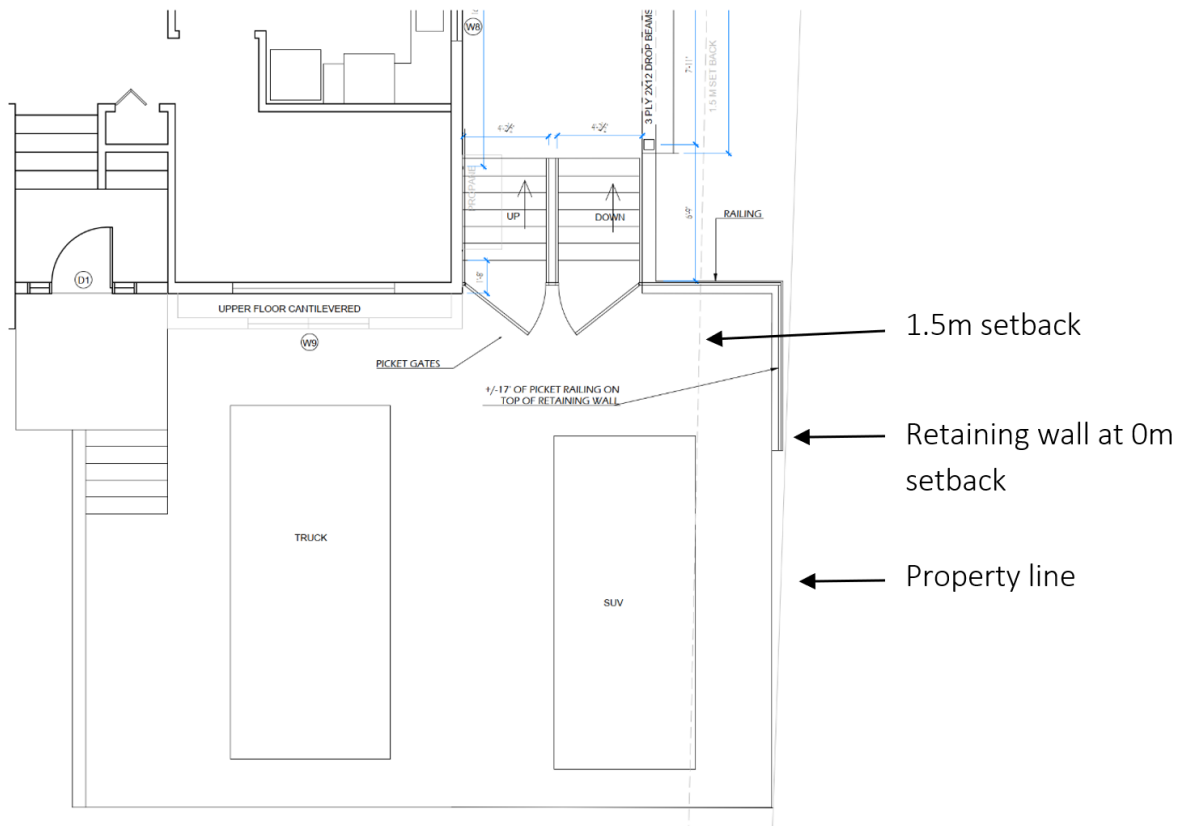
Appendix D

AUTHORIZING RESOLUTION passed by the Municipal Council on the <sup>th</sup> day of , 2024.

ISSUED the <sup>th</sup> day of , 2024.

Bruce Greig  
Director of Community Planning

SCHEDULE A



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To: Sid Whittaker                                      Date: March 22, 2024  
From: Warren Fleenor, R.P. Bio                  Project: 4 0 2 3  
Stephan Boraks, P. Bio                              Pages: 13

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RE:      Environmental Impact Assessment – 1567 Imperial Lane, Ucluelet BC.

This letter report prepared by Current Environmental Ltd. describes the outcomes of a reconnaissance-level survey to determine potential environmental effects of a renovation proposed at 1567 Imperial Lane in Ucluelet, BC. The proposed development plans for this property are the replacement of a deck, driveway and the construction of a patio area. Specifically, this report satisfies the reporting requirements laid out in *District of Ucluelet Official Community Plan Bylaw No. 1236, 2020<sup>1</sup>*, DPA-VII Environmental Development Permit Areas as the proposed works are within 30 m of the shoreline.

This report is divided into the following categories:

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<sup>1</sup> District of Ucluelet. (2020). Bylaw No. 1236. [District of Ucluelet Official Community Plan Bylaw](#). DPA VII – Environmental Development Permit Areas. pp.131

## 1.0 INTRODUCTION

The property owner at 1567 Imperial Lane in Ucluelet, BC is proposing to renovate and expand a deck and driveway, as well as construct a patio area and path on their lot within 30 m of the shoreline. As per the *District of Ucluelet Official Community Plan Bylaw No. 1236, 2020*<sup>2</sup>, a Qualified Environmental Professional must complete an Assessment Report for any development proposed within 30 m of the shoreline (Development Permit Area VII – Marine Shoreline). This report, completed by Current Environmental Ltd., is intended to satisfy those requirements by identifying how the proposed development may affect aquatic resources and recommend measures to mitigate potential negative impacts.

### 1.1 STUDY AREA

The subject property is located at 1567 Imperial Lane in Ucluelet, BC (PID: 031-828-345). The latitude/longitude coordinates at the center of the property are 48°94'21.9"N 125°54'45.2"W (Figure 1) and the property is approximately 835 m<sup>2</sup> in size. The subject property is bordered by ocean to the north, residential development to the east, commercial development to the south, and undeveloped land to the west. The property is zoned as CS-1 (Commercial Services -1/Village Square Commercial) and was recently purchased by the proponent. Existing developments on the subject property include a residential dwelling, a recently constructed dock, and a gravel driveway (Photos 1-3). Overall, the project location is situated within a modified shoreline area with a prevalence of shorefront development, docks and wharves.



Figure 1. Location of the subject property outlined in red (District of Ucluelet mapping, accessed Nov. 16, 2023)

<sup>2</sup> District of Ucluelet. (2020). Bylaw No. 1236. District of Ucluelet Official Community Plan Bylaw. DPA VII – Environmental Development Permit Areas. pp.131

**1.2 PROPOSED DEVELOPMENT**

Proposed development on the subject property includes the replacement and expansion of a deck and driveway, as well as the construction of a path and patio area within 30 m of the shoreline.

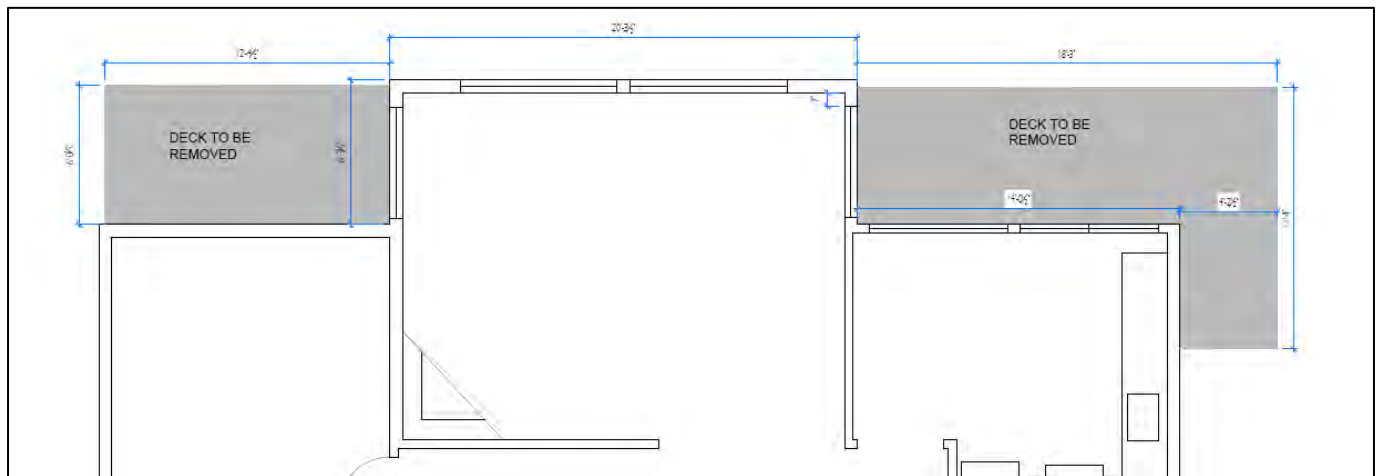
**1.2.1 Second Story Deck Replacement**

The replacement of the deck will involve removal of the old deck, excavation and construction of concrete footing and a load bearing concrete wall, and an increase in the footprint of the deck. The residential building currently has two cantilevered decks that extend off the house into the backyard. The deck on the north-east side of the building wraps around exterior of the building. Both decks have vinyl surfaces and glass railings.



**Photo 1. A photo of the back (north) of the house at 1567 Imperial Lane, with the existing deck.**

The proposed development will involve the removal of the existing decks (Figure 1) followed by installation of new foundations. The foundations will consist of concrete footings to the north of the building, and a concrete wall to the east of the building (Figure 2.).



**Figure 2. Aerial view of the proposed demolition of the existing decks. Drawings provided by Momentum Design Build.**



Appendix E

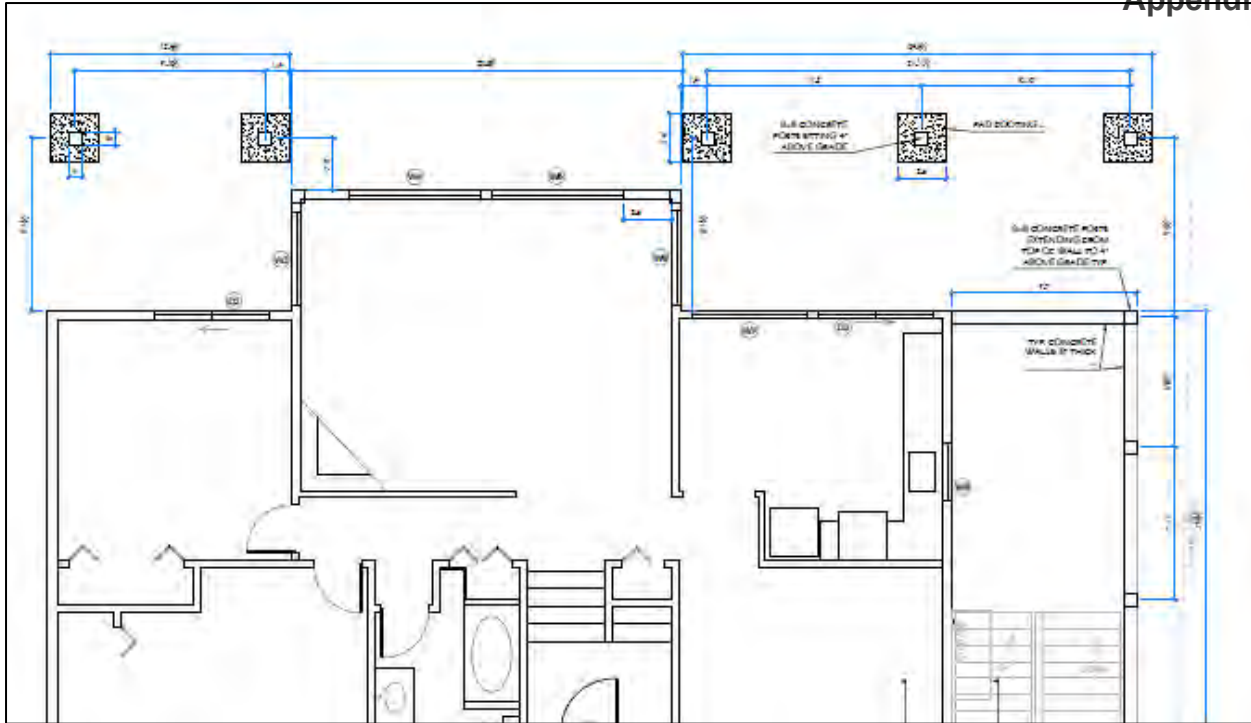


Figure 3. Aerial view of the proposed locations of concrete footings (north) and concrete wall (east) for the foundation. Drawings provided by Momentum Design Build.

The new deck will have a similar footprint on the back of the house, and a new section of deck on the east side of the building. The deck expansion will include a landing and staircase which will connect the deck to the driveway (Figure 4).

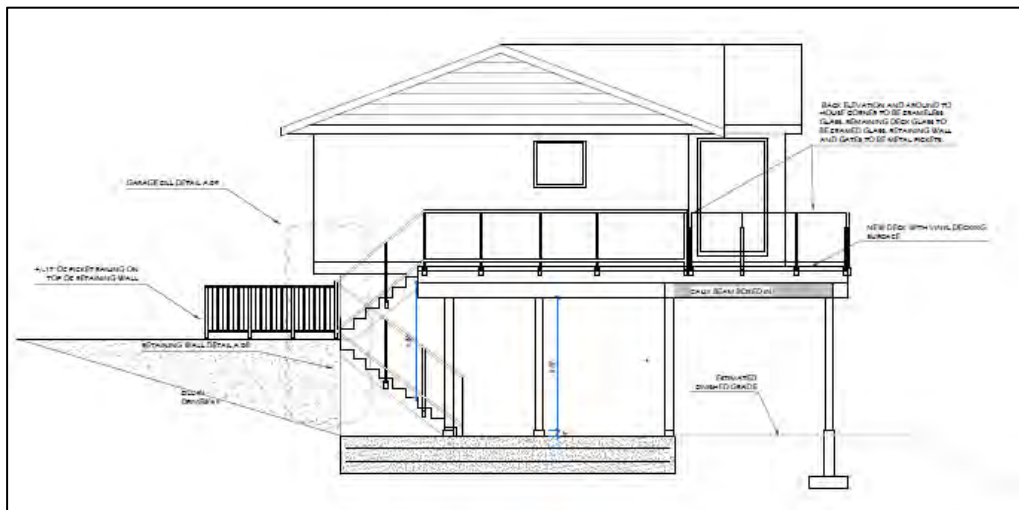


Figure 4. Side view of the building and proposed deck expansion. Drawings provided by Momentum Design Build.

### 1.2.2 Driveway Upgrades

The existing driveway at 1567 Imperial Lane consists of a sloped (>10%) asphalt lane that leads to a garage door and an adjacent level gravel pad (Photo 2). The proposed development of the driveway includes the removal of the garage door and replacement with a retaining wall. The existing sloped driveway will be filled to be level with Imperial Lane, with no slope towards the home. The driveway is to be finished with a permeable material (likely gravel) and gently sloped towards Imperial Lane (Figure 5).



Photo 2. A photo of the front of the house at 1567 Imperial Lane, with the existing drive.

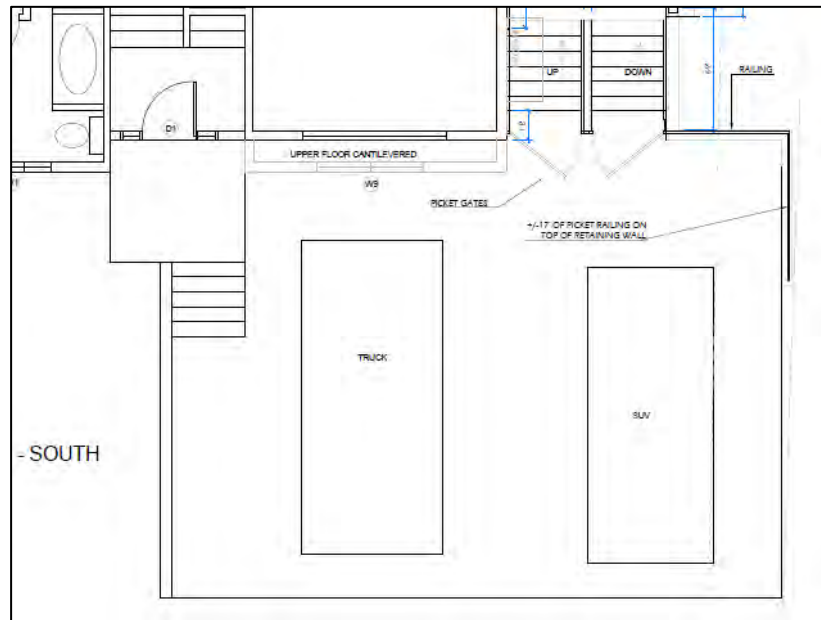


Figure 5. An arial view of the south of the residence with the footprint of the proposed driveway. Drawings provided by Momentum Design Build.

**1.2.3 Construction of patio and path**

The construction of a patio area and path is planned immediately north of the home, below and adjacent to the proposed second story deck (Figure 6). The proposed patio area is to be approximately 35 m<sup>2</sup> in size and the path to the dock will be approximately 37 m<sup>2</sup>. The patio area and path will require excavation and landscaping of the backyard, including significant alteration to an existing vegetated berm/slope. Both the patio area and path are proposed to remain as permeable surfaces (gravel).

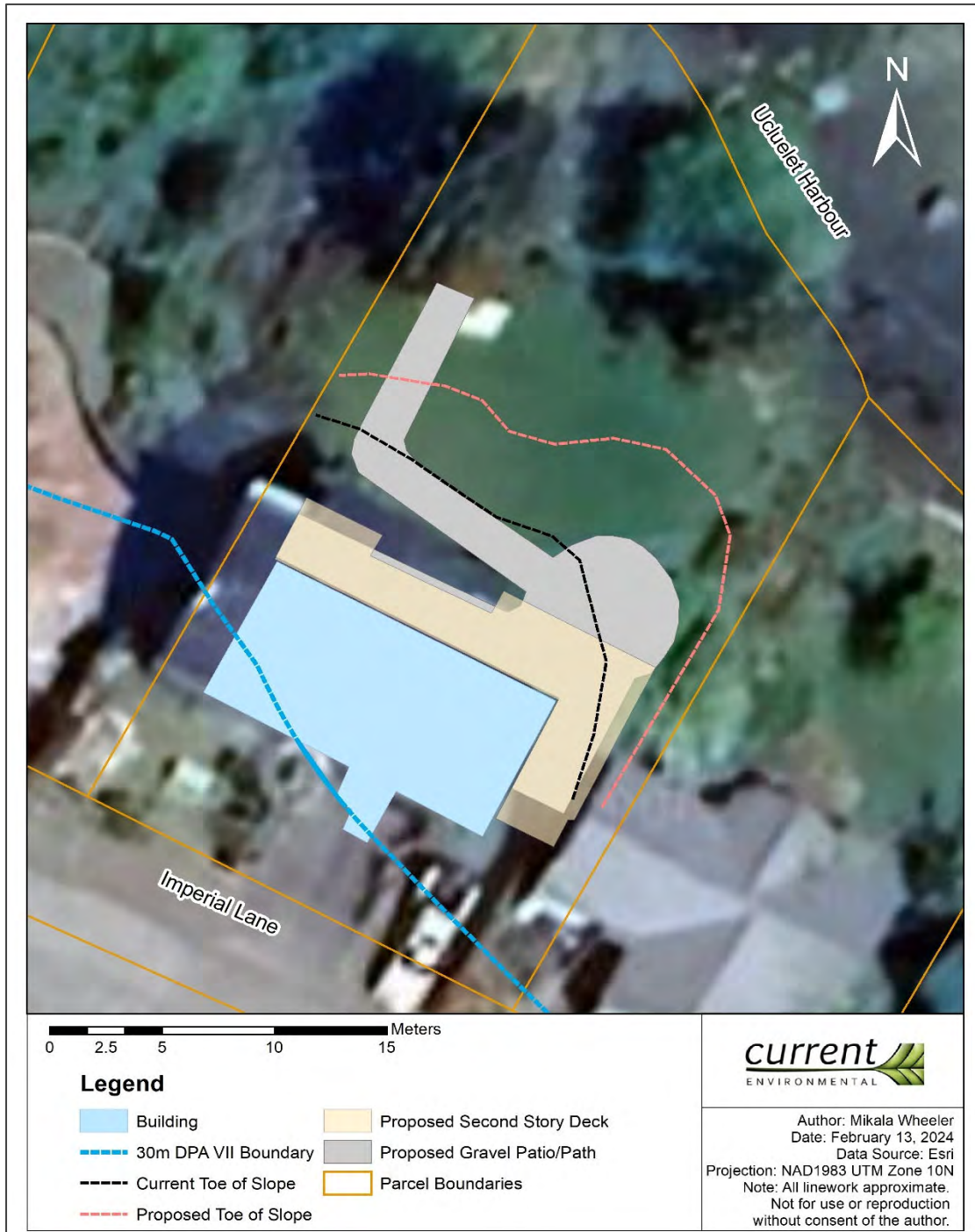


Figure 6. Proposed gravel patio, path, and deck plans at 1567 Imperial Lane.



## 2.0 RESULTS

A desktop review using online mapping databases was completed and a site visit to the subject property was completed on November 16, 2023. The site visit was conducted by a Qualified Environmental Professional from Current Environmental Ltd.

### 2.3 DESKTOP REVIEW

A desktop review was conducted to identify sensitive species, habitat, or development permit areas relevant to the subject property. A search was conducted for mapped watercourses and wetlands on or near the subject property using the District of Ucluelet Mapping Database (Online GIS Portal), and iMap BC (Data BC). No freshwater water courses or wetlands were identified on or near the subject property.

The Conservation Data Center's iMap was used to search for sensitive species that have been detected near the subject property. Tall woolly-heads (*Psilocarphus elatior*) are a rare and red-listed species of aster that grow in moist meadows and along the sides of paths in the lowland zone. Tall woolly-heads have been detected in Ucluelet with the closest occurrence being approximately 1,100 m from the subject property. Additionally, the northern red-legged frog (*Rana aurora*) is a blue listed amphibian that has been observed as close as 500 m from the subject property.

As per Appendix E (Feb 17, 2021) of the *District of Ucluelet Official Community Plan Bylaw No. 1236, 2020* the proposed works fall within the Shoreline Development Permit Area (Figure 7).

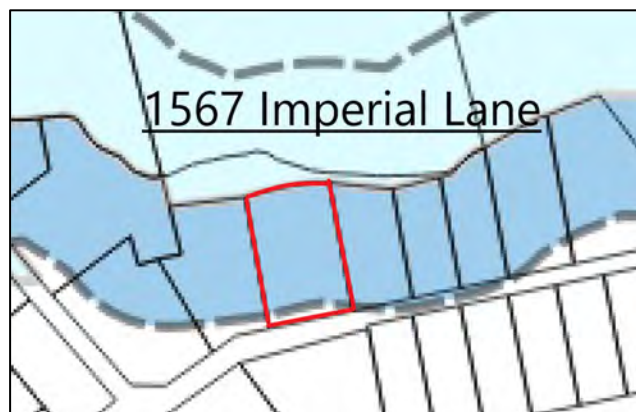


Figure 7. Location of the subject property outlined in red, with the shoreline DPA visualized as a blue polygon extending 30 m from the shoreline (retrieved and adapted from Appendix E, Ucluelet Official Community Plan)

### 2.4 SITE SURVEY

A site survey was conducted by Current Environmental Ltd. (CEL) on November 16, 2023. Existing developments on the subject property include a residential dwelling, a recently installed dock, and a gravel driveway (Photos 1-8). A narrow footpath leads from the existing deck through the shoreline on the eastern edge of the lot.

The plant community on the subject property can be divided into two communities: foreshore and upland/backshore. Vegetation in the foreshore consists of patches of slough sedge (*Carex obnupta*), beach dune grass (*Leymus mollis*), and sea asparagus (*Salicornia sp.*) (Photo 6). The lots front the Ucluelet Harbour in an area that has historical and current commercial and industrial use for marine activities. The greater Ucluelet Harbour is known to support dense, productive eelgrass (*Zostera marina*) beds. The upland area between the house and the beach is primarily a maintained lawn and ornamental plants (Photos 4-6). Douglas fir (*Pseudotsuga menziesii*), red cedar (*Thuja plicata*), and red alder (*Alnus rubra*) were identified growing along in the backshore area, as well as a large common juniper (*Juniperus communis*) and a large ornamental rhododendron (Photos 6-8).

Tall woolly-heads and potential amphibian habitat were not found on the subject lot at the time of the assessment.

### 3.0 POTENTIAL IMPACTS

All of the proposed developments are located within the 30-meter Marine Shoreline Development Permit Area. Primary sources of potential harm, during or following construction, to sensitive species and ecosystems within the foreshore and subtidal areas include the following:

- 1) Physical disturbance from construction equipment
- 2) Release of deleterious substances into the aquatic environment (i.e., fuel).
- 3) General impacts to water quality, most likely through increased turbidity (construction).
- 4) Destruction of riparian, shoreline vegetation (access during construction)

### 4.0 MITIGATION MEASURES

The following mitigation measures must be implemented during dock construction:

- 1) A construction environmental monitoring plan (CEMP) must be developed and implemented prior to the commencement of the proposed development. The CEMP should include applicable mitigation measures such as:
  - a) Sedimentation and erosion control measures (e.g. Silt fencing)
  - b) Contamination prevention plan
  - c) Prevention of encroachment into the foreshore area by machinery
  - d) Reducing clearing and grubbing of vegetation to the minimum feasible area
  - e) Invasive species management
  - f) Emergency spill response plan
- 2) A revegetation plan should be developed prior to the commencement of the proposed development. The revegetation plan should include:
  - a) The replacement of any shrubs removed at a 3:1 ratio (new shrubs planted should exceed the number of old shrubs) .
- 3) Run off from new structures to the ocean should be limited as much as possible:



- a) The replacement of permeable surfaces with impermeable surfaces should be limited as much as possible. Where impermeable surfaces are created, landscaping should direct water to municipal sewers or French drains.
- b) The driveway surfaces should be:
  - i) permeable (e.g. gravel), or
  - ii) sloped towards municipal sewers, or
  - iii) an oil/water separator should be installed (District of Ucluelet, OCP E.VII.11.).

## 5.0 CONCLUSIONS

A desktop review and site visit found that no sensitive species or communities exist in the riparian area of the subject lot. As well, the subject property fronts a highly developed and disturbed section of the marine shoreline. Most of the property is encompassed by the shoreline DPA. Given that the subject property is highly modified, and the proposed development is of relatively low impact, the proposed development is unlikely to cause significant harm to the shoreline ecosystems.

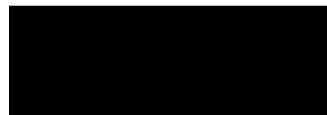
A CEMP which addresses the environmental risks of the construction project should be developed and implemented prior to the start of construction. New construction should have permeable surfaces wherever possible to reduce surficial runoff into the ocean. Wherever possible, drainage should be directed to the municipal sewers or French drains. Vegetation that is removed during construction should be replaced prior to the completion of the proposed development.

## 6.0 CLOSURE

We trust this assessment has satisfied your requirements. Please contact the undersigned if you have any queries.



Warren Fleenor, R.P.Bio.



Stephan Boraks P. Bio. &

## 7.0 DISCLAIMER

This report was prepared exclusively for Sid Whittaker. The quality of information, conclusions and estimates contained herein is consistent with the level of effort expended and is based on: i) information available at the time of preparation; ii) data collected by the authors and/or supplied by outside sources; and iii) the assumptions, conditions and qualifications set forth in this report. This report is intended to be used by Sid Whittaker and regulators only; subject to the terms and conditions of their contract or understanding with Current Environmental. Other use or reliance on this report by any third party is at that party's sole risk.

**8.0 PHOTOS**



**Photo 3.** Photo of 1567 Imperial Lane showing the east side of the residence. (November 16, 2023)





**Photo 4.** Photo of 1567 Imperial Lane showing the north-east side of the residence and the backyard, (November 16, 2023)



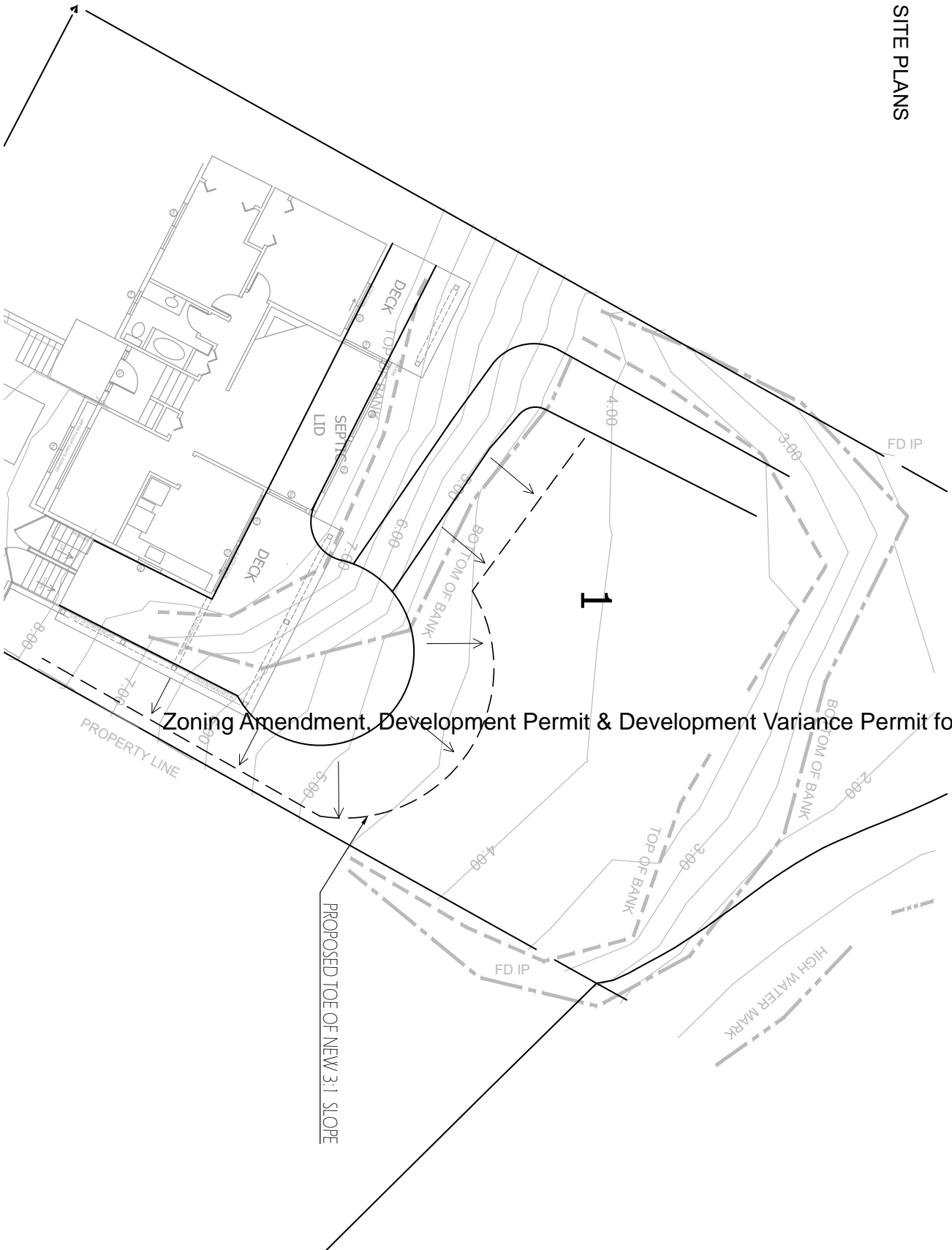
**Photo 5.** Photo of 1567 Imperial Lane showing the north side of the residence and the backyard, (November 16, 2023)






**Photo 6.** Photo of the foreshore of 1567 Imperial Lane showing beach dune grass and sea asparagus. Red alder, red cedar and Douglas-fir are shown growing along the shoreline. The north side of the residence can be seen in the distance. (November 16, 2023)

**Appendix E**  
**9.0 SITE PLANS**



Zoning Amendment, Development Permit & Development Variance Permit for 1...

<b>L.01</b>	DATE: 2/1/24	DRAWING NAME:	PROJECT:	PROJECT DRAWINGS BY:		NO.	DRAWING	BY	DATE (M/D/Y)
	SCALE: 3/32" = 1'-0"	SITE PLAN & LANDSCAPE CONCEPT	S WHITTAKER UCLUELET RESIDENCE	MOMENTUM DESIGN BUILD B-2345 DELINEA PL NANAIMO, BC V9S 5L9					
	DRAWN BY: JL								





**RYZUK GEOTECHNICAL**

Engineering &amp; Materials Testing

#6-40 Cadillac Ave, Victoria, BC, V8Z 1T2 Tel: 250-475-3131 E-mail: mail@ryzuk.com www.ryzuk.com

Date: March 20, 2024

File No: 12004-1

Sid Whittaker - Hazelwood Group  
202-572 Stewart Ave  
Nanaimo, BC  
V9S 5T5

Attn: Hazen Fowler (By E-mail: hazen.fowler@hazelwood.ca)

Re: Geotechnical Assessment  
1567 Imperial Lane – Ucluelet, BC

As requested, we attended the referenced site on February 16, 2024, to assess the geotechnical conditions as they relate to the safe use of the property. This report supersedes our previously submitted report of March 8, 2024. The site is designated as a Development Permit Area (DPA) VIII – Natural Hazard Areas Protection (Steep Slopes) in accordance with the District of Ucluelet Official Community Plan (OCP). We understand that a permit exemption may be granted for development within a steep slope area if a geotechnical report has been received in conjunction with an application for a building permit or subdivision approval. Our associated observations, comments, and recommendations in this regard are contained herein. Our work has been carried out in accordance with, and is subject to, the previously accepted Terms of Engagement.

### Existing Conditions

The waterfront site is located in a mixed-use area of Ucluelet, BC, and is bounded by the foreshore of Ucluelet Inlet to the north, single-family residential lots to the east, Imperial Lane to the south, and a vacant lot to the west. Topographically, the site generally slopes downward from Imperial Lane in the south towards the foreshore in the north, with a total vertical relief of up to 10 m across the site. Based on the provided survey drawings and field observations, the site is generally inclined at 10 to 15 degrees below horizontal, with locally steeper areas/benches inclined at 25 to 35 degrees, adjacent to the residence along the north and west sides. The site is vegetated with a few mature trees near the foreshore and some landscaped areas surrounding the residence, as well as a paved parking area in the south.

We understand that it is intended to complete minor renovations to the existing property, including replacing the deck structure of the existing residence, constructing a small concrete retaining wall to the west of the residence, replacing and expanding the parking area, as well as minor terrain levelling and adding some hard- and landscaped areas to the north and west of the residence. We further understand that the existing interior floor areas will not be expanded or raised/lowered. We anticipate that the new deck structure and retaining wall will be supported by conventional shallow concrete spread footings. See the attached Site Plan, prepared by Momentum Design Build, for reference.

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Ryzuk Geotechnical

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## Geotechnical Assessment and Recommendations

During our site attendance, we advanced 5 shallow test holes across the site using a hand auger to depths of up to 0.5 m. Three holes were advanced into native soils; two within the lower lawn area below the residence (near the foreshore) and one in the upper lawn area above the residence (near Imperial Lane). Two holes were also located within the steeper embankment immediately to the north of the residence. The subsurface stratigraphy noted within the former three holes generally consisted of up to 50 mm of organic/topsoil material, atop native dense to very dense brown sand and gravel. The stratigraphy within the latter two holes consisted of up to 0.1 m of non-select fills and organics, atop compact to dense silty/sandy gravel (inferred fill). The native soils encountered within our test holes are generally consistent with geological mapping and our historical file information of the surrounding area.

No indications of seepage were observed within the general site area, and no ponded water was observed in any of the test holes. While bedrock was not encountered within any of the test holes, bedrock outcrops were observed locally within the foreshore area and near the northern property line, as well as near the southwest corner of the site. We would anticipate bedrock to exist at relatively shallow depths beneath the site.

No indications of previous soil sloughing or creep were noted across the site, and there was no evidence of past shallow instability apart from minor erosion/sloughing of surficial soils. Such erosion typically occurs near areas of high foot traffic and during saturated conditions, where organic and weathered soils displace from upslope areas. No indication of deep-seated slope instability was apparent in the assessed areas at the time of our visit. As such, and given the general geological conditions of the assessed area – that being gentle to moderate sloping terrain generally comprising dense sand and gravels atop inferred shallow bedrock – we consider the site to be globally stable.

During our visual assessment, we did not note any significant ponding or watercourses in or around the site, and we do not anticipate the proposed development to be at a significant risk of flooding due to overland flow.

We expect that the proposed retaining wall and new deck structure will be founded upon the observed native dense brown sand and gravel or exposed bedrock. Topsoil or fill materials are not considered suitable for support of new foundation elements, and all organic soils, non-select fills, or disturbed soils should be removed prior to placing footings or before recovering grade with engineered fill.

Engineered fill should comprise approved, well-graded free-draining select granular material, and should be placed in maximum 300 mm lifts and compacted to at least 95% of the Standard Proctor Maximum Dry Density (SPMDD) value. Engineered fill placed beneath foundations must have a footprint that extends horizontally beyond the footings at a distance equal to the thickness of the engineered fill to provide adequate splay for foundation loads and must be laterally confined to prevent particle migration. Engineered fill, if/where required, must be placed upon approved, native subgrade. Note that subgrade bearing conditions and placement/compaction of engineered fill should be reviewed by a qualified geotechnical professional at the time of construction.

For preliminary design purposes, based on the observed and expected soil conditions at foundation depths, footings can be dimensioned based on Serviceability Limit State (SLS) and Ultimate Limit State (ULS) bearing resistances of 100 kPa and 150 kPa, respectively. The noted Limit State Design



Sid Whittaker - Hazelwood Group  
1567 Imperial Lane – Ucluelet, BC

(LSD) values use a geotechnical resistance factor of 0.5 as per the current CFEM guidelines. We recommend minimum footing widths of 400 mm and 600 mm for strip and pad footings, respectively, and all foundations should be placed at least 450 mm below the finished grade to provide adequate frost protection.

Gravel or other permeable surfacing is expected to be the preferred option for the new parking area of the residence. For general light traffic and parking areas, a driving structure consisting of at least 150 mm of 19 mm minus crushed base course overlying at least 300 mm of 75 mm minus crushed rock subbase is recommended, properly placed and compacted atop approved subgrade. Prior to driveway construction, any deleterious or unsuitable soils should be removed from the area.

The final grade at the site should be sloped to direct surface water away from the building and foundation areas. Furthermore, we consider that all surface vegetation, including all trees, shrubs, and grass, can be removed from building areas without causing undue erosion, provided that any permanent sloping areas are revegetated following building construction.

We expect that surface runoff volumes from landscaped areas would generally be maintained, being similar to the existing conditions. Construction should be carried out with care to minimize disturbance to soils within sloping areas. Excavation and/or trucking activities during heavy rain should be avoided, and frequent street cleaning may be necessary to remove any substantial accumulation of soils within the road surface during off-site removal of waste soils. Temporary dewatering may be required during construction, and care should be taken to ensure that sediment-laden water is diverted to a filtration area and treated to remove sediment prior to disposal. Disposed water should not be diverted in a concentrated manner towards sloping terrain or the foreshore.

Closure

In summary, and provided the above recommendations are followed, we consider the development, as proposed, to be feasible from a geotechnical perspective, while maintaining conformance with the OCP. We also confirm that the land may be used safely for the use intended, as described above, pursuant to Section 56 of the BC *Community Charter*. Our assessment considers a design seismic occurrence with a 2% probability of exceedance in 50 years. Finally, Ryzuk Geotechnical acknowledges that the District may review this report prior to making land development decisions.

We trust the preceding is suitable for your purposes at present. If you have any questions with respect to the above, please contact our office.

Sincerely,  
Ryzuk Geotechnical  
PTPN: 1002996



Remy Kennedy-Kuiper, EIT  
Advanced Junior Engineer



Shane Moore, P. Geo.  
Senior Geoscientist  
President

Attachments: Momentum Site Plan







## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** DUANE LAWRENCE, CAO **FILE No:** 8400-20

**SUBJECT:** MUNICIPAL VISITOR PARKING PROGRAM **REPORT No:** 24- 49

**ATTACHMENT(S):** APPENDIX A - Visitor Parking Survey Results  
Appendix B - RTCOW – Visitor Parking Program – 2023-10-23

### RECOMMENDATION(S):

If Council wishes to proceed with a visitor parking program Staff would recommend the following resolution:

**THAT** Council direct Staff to proceed with the implementation of a visitor parking program.

### BACKGROUND:

In February of 2023, as part of the budgetary discussions Council directed Staff to investigate additional revenue opportunities which could be used to reduce the cost of future borrowing needs related to known future capital expenditures. As a result of that direction Staff presented to Council in October 2023, an option to explore a visitor parking program. The report provided an overview of the potential revenue generation, high level costs for the implementation of a visitor parking program and what the program might look like.

The general parameters for the program that were discussed include:

1. All permanent Ucluelet residents exempt from parking fees;
2. Exemption for permanent residents of west coast communities (or admin cost recovery);
3. Blanket parking program (all District roads and parking lots);
4. A flat daily rate for all visitor vehicles; and,
5. Kiosk and/or digital payment system.

Council directed Staff to undertake a community survey and issue a request for proposal process with the goal of determining how the community would feel about the implementation of a visitor parking program, if there was support, what concerns there might be and verify the implementation and operational costs if the District were to proceed.

## ANALYSIS OF OPTIONS

### Survey Results

Staff issued a community survey asking the following questions:

1. Are you a Ucluelet resident, west coast resident or visitor.
2. How supportive are you of a parking program (not supportive, somewhat supportive, supportive or very supportive)

The survey garnered 581 responses with 453 from Ucluelet residents, 65 from the West Coast and 63 visitors. 51% of Ucluelet residents were unsupportive with 49% somewhat to very supportive. West coast residents were 66% unsupportive with 44% somewhat to very supportive and visitors 60% unsupportive and 40% somewhat to very supportive.

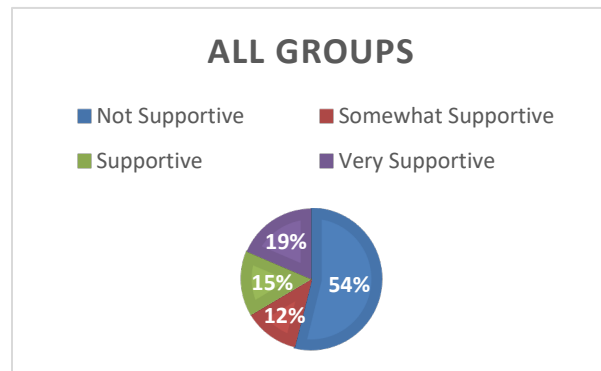
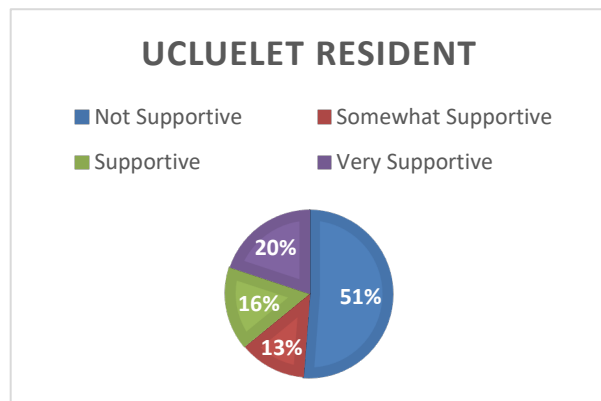
Staff provided respondents with an opportunity to comment within the survey to better understand their positions and concerns.

Of those that were unsupportive of a visitor parking program there were general concerns about:

Parking fees would be a deterrent to visiting Ucluelet, that Ucluelet and west coast residents should not have to pay, pay parking is unwelcoming, it would impact small businesses, that we don't want to be like Tofino, the District already receives enough funding from tourism, visitors already pay too much to visit Ucluelet, creates a financial barrier for visitors to experience Ucluelet, Ucluelet does not have a parking issue to solve, we pay too much tax already, its just a bad idea, visitor parking is a gateway to resident parking fees, look at other tax options to raise additional funds, Ucluelet receives a lot of funds from RMI and MRDT already, general dislike for paying for parking, it would take away our small town feel, it's not necessary, disproportionately affects low income people, administration of the program is cost prohibitive, concerns that pay parking would encourage overflow of parking in free private lots (such as the Co-Op).

Those that were somewhat supportive to very supportive provided the following general commentary:

Concerns about impacts on tourism and businesses, concern about nickel and diming visitors, only if it fixes infrastructure issues, only if it reduces property taxes, concerns about overall administration of the program, make sure locals do not have to pay, like the idea of visitors



contributing to maintaining the community, concerns about how the funds would be used, ensure an exemption for west coast residents, charge Tofino if they charge Ucluelet, friends and family visiting should be exempt, helps offset the cost of tourism, hoping it addresses overnight camping, people will not like it but it's the right thing to do, concern about pushing parking into private lots, tax payers pay enough already and this would help reduce the taxes on long term residents, we need more funds to fix things and this will help, roads and sidewalks need help, if the park and Tofino are charging seems ridiculous that Ucluelet would not, tax payers pay enough – visitors need to contribute, like the idea as long as locals are not charged.

As anticipated, there was a greater number of people that voiced their opinion that were not in support of the proposal than those that were in favour of it, as is typical from most surveys. It should be noted that we did not hear from about two thirds of Ucluelet residents.

### Parking Proposals

Staff issued an RFP requesting proposals for the implementation of a comprehensive parking program inclusive of physical parking kiosks and app-based payment systems. Four proposals were received. Somewhat surprisingly, the proposals are vastly different and difficult to make concrete comparisons. The below table provides an overview of the proposals and estimated costs. If Council wishes to proceed, Staff will continue to evaluate the proposals and enter into negotiations with the preferred proponent prior to bringing a final recommendation forward for Council consideration.

	Proposal 1	Proposal 2	Proposal 3	Proposal 4
<b>Base Annual Cost with Contract Enforcement</b>	\$415,622	\$338,363	n/a	\$387,711
<b>Base Annual Cost with Municipal Enforcement *DoJ Staff Costs Included</b>	\$386,216	\$132,780	\$163,040	\$265,294
<b>Maintenance Support</b>	n/a	\$125/hr	n/a	\$165/hr
<b>Revenue Sharing % (included above)</b>	8.40%	7.10%	15%	8.20%
<b>(\$500,000 Gross Revenue)</b>				
<b>Total Net Revenue – Contract Enforcement</b>	\$84,378	\$161,637	n/a	\$112,289
<b>Total Net Revenue – Municipal Enforcement</b>	\$113,784	\$367,220	\$336,960	\$234,706
<b>(\$1,000,000 Gross Revenue)</b>				
<b>Total Net Revenue – Contract Enforcement</b>	\$542,378	\$626,137	n/a	\$572,789
<b>Total Net Revenue –Municipal Enforcement</b>	\$571,784	\$831,720	\$761,960	\$695,206

The above proposal estimates are based on a net revenue of \$500,000 and \$1,000,000 annual revenue models at \$10/vehicle/day inclusive of a standard 2.9% credit card transaction fee. Overall fees would increase or decrease within each proposal depending on increases or decreases to revenues and/or transactions. Proposals differ widely based on kiosk purchase or rental options, sign purchase or rental fee(s), service levels, and administrative fees or revenue sharing schemes. All proposals have been aligned to reflect the installation of 10 kiosks and 80 sign placements in order to provide general program proposal comparisons. Staff have included the costs for one full-time municipal employee within all proposals for municipal enforcement.

At this time, Staff are not making a recommendation as to a preferred proponent. If Council wishes to proceed with a parking program Staff would undertake additional investigation into the proposals and then enter into negotiations with the intent to enter into a service agreement. At a future meeting of Council, Staff would present options for Councils consideration regarding internal or contract enforcement; rates; the extent of an exempt program; and, program parameters.

**Implementation**

If Council wishes to move forward with a parking program, there are a number of items that would need to be completed prior to rolling out the program.

- Complete negotiations with the successful proponent
- Confirm kiosk locations and sign requirements
- Complete the customization of the resident vehicle registration system
- Complete the customization of the Ucluelet visitor parking program
- Confirm parking zone(s) and fee(s)
- Update the Traffic & Parking Bylaw
- Update the Fees and Charges Bylaw and Municipal Ticketing Information Bylaw
- Order and install parking kiosks
- Order and install parking signage
- Develop and roll out visitor parking program information
- Initiate resident vehicle registration(s)

Considering that we are currently entering the summer months Staff would estimate that the program could be ready for implementation in October or November of 2024. Due to the lateness in the year, it is recommended that the program be developed for implementation for early 2025. This would provide valuable time to ensure all aspects of the program were implemented in a thoughtful and proactive manner. The additional time would also allow for a more thorough community and visitor engagement process, defer most implementation expenditures until 2025, and allow for a full revenue season to cover implementation costs.

<b>A</b>	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Provides direction to Staff to move the parking program into the next stage.</li> <li>• Implementation in 2025 ensures there is enough time to develop the program in a thoughtful manner and address as many potential challenges as possible.</li> <li>• Defers capital expenses until 2025</li> <li>• Allows for a full revenue general season to cover the implementation costs.</li> </ul>
	<u>Cons</u>	<ul style="list-style-type: none"> <li>• Defers any revenue generation until 2025</li> <li>• Ucluelet would be implementing a parking program</li> <li>• Revenue generation (total value) will be unknown until a full season is complete</li> </ul>

<b>B</b>		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Estimate of 200 – 250 hours of Staff time in 2024 to complete program per-implementation work</li> <li>• Estimate of 100 hours annually of Staff time to oversee program (excluding enforcement)</li> <li>• Roll over of \$200K capital costs into 2025 budget</li> </ul>
	Do not proceed with a parking program	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Status quo is maintained</li> <li>• Visitors will not be required to pay for parking</li> <li>• No Staff time commitments</li> <li>• No financial risk to the municipality</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• No potential for revenue generation from parking fees</li> <li>• Districts primary source of revenue will remain through property taxation and grants.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• No revenue is generated for capital programs</li> </ul>
		<u>Suggested Motion</u>	No motion is required not to proceed.
<b>C</b>	Enter into negotiations with a proponent and bring a follow up report to Council	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Moves the project forward</li> <li>• Allows Council another opportunity to consider the program</li> <li>• Council can provide additional direction to Staff with respect to areas where additional information is required prior to proceeding.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Defers implementation to 2025 at the earliest</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Estimated 30 hours of Staff time to enter into discussion with proponents and bring a follow up report back to Council.</li> <li>• There is no financial commitment at this time.</li> </ul>
		<u>Suggested Motion</u>	<p><b>THAT</b> Council direct Staff to enter into discussion with proponents and develop a follow up report with recommendations for implementation of a visitor parking program to Council for consideration; and,</p> <p><b>THAT</b> Council direct Staff to include within the follow up visitor parking program report details on the following items:</p> <p>a. _____;</p> <p>b. _____; and,</p> <p>c. _____.</p>

**POLICY OR LEGISLATIVE IMPACTS:**

In order to implement a parking program the following bylaws would need to be updated:

- Traffic and Parking Bylaw No. 948, 2004
- Municipal Ticket Information System Bylaw No. 949, 2004
- District of Ucluelet Fees and Charges Bylaw No. 1186, 2016



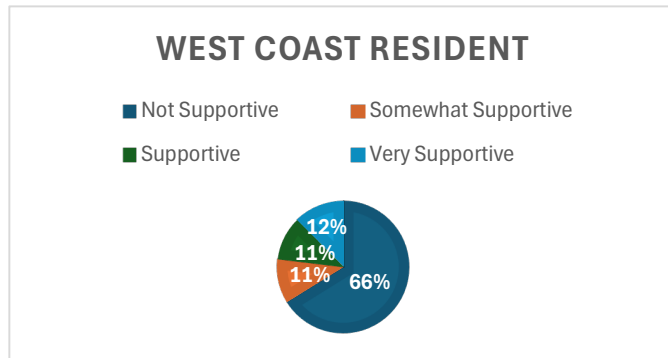
NEXT STEPS

- Finalize parking program proposals, enter into negotiations with preferred proponent
- Report back to Council on agreement
- Update bylaws
- Develop and undertake program implementation plan

Respectfully submitted:        Duane Lawrence, CAO

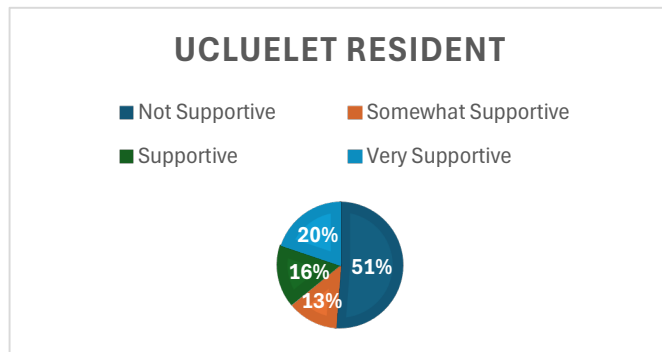
**West Coast Residents**

Not Supportive	43
Somewhat Supportive	7
Supportive	7
Very Supportive	8
<b>Total</b>	<b>65</b>



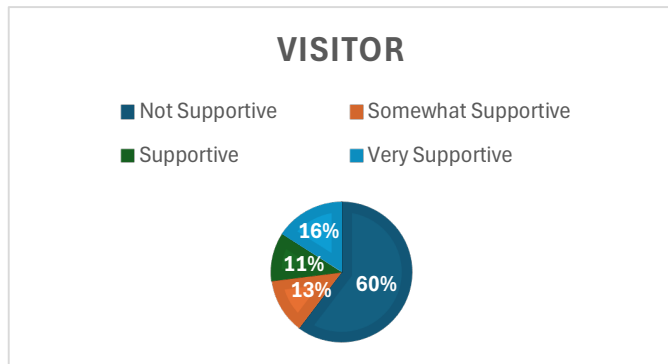
**Ucluelet Resident**

Not Supportive	232
Somewhat Supportive	58
Supportive	73
Very Supportive	90
<b>Total</b>	<b>453</b>



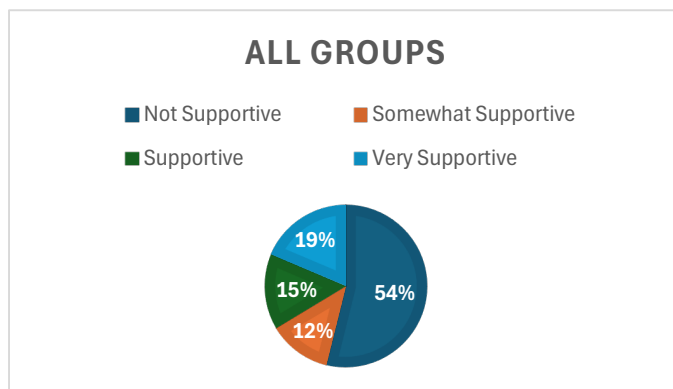
**Visitors**

Not Supportive	38
Somewhat Supportive	8
Supportive	7
Very Supportive	10
<b>Total</b>	<b>63</b>



**All Groups**

Not Supportive	313
Somewhat Supportive	73
Supportive	87
Very Supportive	108
<b>Total</b>	<b>581</b>



Question 1: How supportive are you of the implementation of a Visitor Parking Program in Ucluelet with the revenues being used to offset municipal expenses related to tourism?

Question 2: Are you:

Question 3: Comments (Please do not include any personal information):

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

Hello, I live in Millstream. I am speaking on behalf of neighbours in Millstream, as well as friends in Esowista and Tofino whom I've spoken to about this. Parking admin fees should be waived for folks west of Port Alberni. This includes Millstream, Esowista, Tofino, and the communities on the other side of the inlet such as Port Albion, Hitacu, Macoah, etc. Make money and charge tourists, but do not make local residents pay their admin fees. It will have an effect on locals going into Ukee. Remember that Millstream, Port Albion, Macoah are all locals.

Second, I am somewhat in support of time-based parking. So yes, pay once per day, but do not park your car for 6 hours in front of a business that only has a few parking spots to begin with. Pay once for a parking fee, but you need to move your vehicle in 4 hours, or something like that.

Thank you.

Not supportive

A resident of a West Coast community

I feel that this would deter visitors from coming and we would lose business.

Not supportive

A resident of a West Coast community

we should not have to pay to park, so we can visit one or more of the many small businesses in town. we also should not have to pay so we can enjoy nature.

Not supportive

A resident of a West Coast community

Don't follow the way of Tofino. Ucluelet is not that.

Not supportive

A resident of a West Coast community

ONE more reason not to visit the communities of tofino and ucluelet only for the very rich .do better

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

Nature should be free for all to enjoy. Tourists already provide revenue when they visit Ucluelet. Fees are crushing society.

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

Tofino and Ukee have been steadily turning into the wealthy peoples playground. What a shame that you want to ruin it like they have in Tofino.

Not supportive

A resident of a West Coast community

need pay parking THEN you don't need me or my money!!!!!!!!!!!!!!

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

I find the charges are troublesome. The entire area of the Pacific Rim Park - is full of charges. It just sets the image that all you are after is the visitors money and indirectly to fund whatever it is that your community needs. With today's rising cost from housing, food, gas and etc cost your parking fees discriminate visitors and just leaves a nasty taste in our mouths. What is there next to charge visitors ? Remember most of us who visit your communities live in B.C.- I wonder how you would feel being charged to death visiting Ladysmith, or Sooke.

Ask yourselves please- would I want these fees if I visited another place ?

I think the answer is clear.

Stop nickel and dimming your visitors, show some love.

Not supportive

A resident of a West Coast community

I feel it's best to leave it the way it is. People are already hurting and this is just another hurt we don't need.

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

Not supportive

A resident of a West Coast community

No way man !! Not my IP bro !

Not supportive

A resident of a West Coast community

Life is expensive enough. Please don't add to the cost of families trying to take a vacation by adding parking fees on top of that.

Not supportive	A resident of a West Coast community	No need for it
Not supportive	A resident of a West Coast community	Unnecessary after you made parking lots that noone use. Tourist will park in residential areas. Dumb idea
Not supportive	A resident of a West Coast community	
Not supportive	A resident of a West Coast community	
Not supportive	A resident of a West Coast community	
Not supportive	A resident of a West Coast community	
Not supportive	A resident of a West Coast community	Most of the town closes too early or doesn't have as much as Tofino, which has mostly free parking, so I'd be cautious if you're wanting to keep people who are staying in Ucluelet to also eat and shop in it as well instead of just driving to Tofino.  If you're going to do it just do it in the summer months, not the rainy off season months.  It's going to be harder to implement and track who's a resident vs not, unless you give residents permit stickers.  The council will encourage people to walk instead of drive as a moot point because some of the nicest resorts are VERY far from anything happening downtown, and with the rain non locals aren't walking that - That note is a stretch.  As a Vancouver island small town resident who's town has free parking, is ocean front and has plenty of tourism, it's a little sad to see a much smaller community trying to make it even harder for people to travel. Gas, food and hotels have increased significantly in the last 2 years already making barriers for most so high. It won't stop the rich people, but little fees like this will stop my family from being able to as someone who is already at the top of their budget with just paying to drive to Ucluelet, stay there and eat at restaurants for every meal. The rich people can afford to stay in Tofino, so just be careful.
Not supportive	A resident of a West Coast community	Any fees, which essentially are taxes with a different name, need to be considered carefully and not complacently. The Long Beach area including Ucluelet and Tofino need to work together. Implement separate fees between municipalities and parks for every thing visitor's come here for is totally inappropriate. Visitors already pay enjoy the park, pay to visit Tofino, and now pay to visit Ucluelet. Is the tourist tax already imposed on those who pay hard earned dollars to visit this area through accommodations and supporting local business not sufficient? What is next, a tax on washroom facility use. Over the years I have notices that the visitors who come here are from afar and local or west coast residents are fewer. Such a pity.
Not supportive	A resident of a West Coast community	
Not supportive	A resident of a West Coast community	Increase the hotel tax or something else. Parking fees piss off visitors, then they spend less at businesses they visit. It's a thing!
Not supportive	A resident of a West Coast community	Just enforce parking violations with tickets and generate revenue that way. Perhaps there should be time limits on parking in certain areas of the town like any other city.
Not supportive	A resident of a West Coast community	I am less likely to visit and spend time in Ucluelet if there is pay parking. I think many others will too. This is exactly why I avoid downtown Victoria, don't like to pay for parking. Also, what is the current problem with parking in Ucluelet that you feel the need to create this pay parking system?
Not supportive	A resident of a West Coast community	
Not supportive	A resident of a West Coast community	People from all over cherish the beauty of the west coast. Don't gate-keep that. There's already so many barriers to visiting before even considering paid parking.

Not supportive	A resident of a West Coast community	<p>I live in port alberni. I work in camp, and all of my very close friends live in Ucluelet. The reason we all moved/hang out in your awesome small town is because of the laid back, easy going freedom that it exudes.</p> <p>Adding another money grab restriction, especially pay parking is the step that Ucluelet takes across the line that defines wether you are standing strong as your own unique entity, or selling your soul and becoming another Tofino.</p> <p>If you give up on what Ucluelet represents, I will never come there again. Whether port alberni has to pay or not.</p> <p>Liam</p>
Not supportive	A resident of a West Coast community	
Not supportive	A resident of a West Coast community	
Not supportive	A resident of a West Coast community	Really bad idea to raise money. Think of something else.
Not supportive	A resident of a West Coast community	<p>Would there be an exemption for Salmon Beach residents?</p> <p>You say it won't impact local businesses, but if it costs me for parking every time I come into town, personally I won't be stopping for breakfast or lunch or to look around the local shops. I'll get my groceries and gas, then leave. You'll probably find this will be the same for other residents too.</p> <p>Right now we're getting gouged from every direction with rising food prices, gas, you name it. This is one more cash grab that makes peoples lives more difficult.</p> <p>I think saying this will not have an impact on local businesses is a fallacy.</p>
Not supportive	A resident of a West Coast community	<p>Tofinos has been a failure on multiple levels and is race based. Punative to small local business. Reduced price passes are not available ot vehicles registered to business. very limited fiscal benefit</p>
Not supportive	A resident of a West Coast community	<p>I believe that the commercial parking scheme operators are the ones to gain the most from this, and that the financial benefit to the community will not be greater than the detriment such a scheme could cause to Ucluelet businesses and to residents of nearby communities on the west coast.</p> <p>By comparison, Tofino with much more visitation than Ucluelet makes a parking scheme revenue net of operating expenses of about \$230k, which is about 4% of the overall Property Tax revenue amount (~\$6m). With a smaller visitor base, but comparable scheme operational expenses, I doubt that the net revenue will be very much at all compared to Ucluelet's Property Tax revenues of ~\$4m per year.</p> <p>In this consultation, no studies have been published on the expected implementation cost, operating cost, headline revenues and therefore net revenues from this initiative, and thus residents are therefore deprived of a key point of information that may sway their support one way or the other when they consider the pros and cons.</p> <p>Are the pros: a little revenue to offset the general taxation, really worth the cons: annoyance and/or reduction in visitation and consequential reduction in economic activity for resident businesses?</p> <p>This proposal is inadequately constructed to really cast a confident vote for or against and on the face of it does not offer significant benefit to the community, if any. The district should publish a proposal including revenues and costs to facilitate any further consideration.</p>
Somewhat supportive	A resident of a West Coast community	I am an owner of a home that I live in a portion of and rent another portion
Somewhat supportive	A resident of a West Coast community	
Somewhat supportive	A resident of a West Coast community	I live in the Itattsoo Bay development. I have to come into Ucluelet for necessities such as groceries, gas, hardware/ building supplies and mail. As part of the community, I don't feel I should have to pay to park here.
Somewhat supportive	A resident of a West Coast community	



Somewhat supportive	A resident of a West Coast community	I have a place in Tofino and spend as much time there as possible, but bans on residents parking fees - since I am not sure whether or not I could be considered a resident - are beginning to make me feel unwelcome.
Somewhat supportive	A resident of a West Coast community	West coast residents should be able to park in all west coast communities to encourage healthy economic growth and support the community members
Somewhat supportive	A resident of a West Coast community	As long as Hitacu residents get free parking, I'm supportive of getting tourists to pay for parking! They should have a tourist tax too!
Supportive	A resident of a West Coast community	
Supportive	A resident of a West Coast community	
Supportive	A resident of a West Coast community	As a Tofino resident I feel strongly that this is a great source of revenue for the district however it does not feel fair for other west coast residents to be paying for parking when we may not have a choice whether or not to drive and park in town. I believe visitors paying for parking is a great idea but that locals (from either Tofino or Ucluelet) should be exempt. Thank you.
Supportive	A resident of a West Coast community	Please consider a free parking pass for residents of all Pacific Rim communities and Nations. We come to Ukee weekly to shop, visit trails and beaches and participate in youth recreation programs. Paying for parking would be an additional financial barrier to the already high cost of living on the coast. Thank you!
Supportive	A resident of a West Coast community	How much is the proposed parking fee?
Supportive	A resident of a West Coast community	I would be open to a "nominal " admin fee
Supportive	A resident of a West Coast community	I am hoping that you will be more generous than Tofino and allow Tofinoites to park for free. Otherwise, visitors parking is a good source of income.
Very Supportive	A resident of a West Coast community	
Very Supportive	A resident of a West Coast community	
Very Supportive	A resident of a West Coast community	need more visible signage regarding RV parking
Very Supportive	A resident of a West Coast community	
Very Supportive	A resident of a West Coast community	
Very Supportive	A resident of a West Coast community	I have an Airbnb in Ucluelet, and feel strongly that this visitor parking program should be added for infrastructure purposes.
Very Supportive	A resident of a West Coast community	Resident of ACRD (Millstream). Strongly encourage Millstream to be included in free resident annual passes. We already pay for the Tofino one, along with Ucluelet residents.
Very Supportive	A resident of a West Coast community	I found this as a municipal employee looking for strategies to also offset the impact tourism has on our infrastructure. Seems like a great idea! I feel the growing public consciousness is that tourism has an impact and I'd be very willing to pay something like this when I visit.
Not supportive	A resident of Ucluelet	I don't believe we should be implementing more obstacles to tourism. I would be in support if the district were to create more parking in town before thinking about adding parking fees
Not supportive	A resident of Ucluelet	No new taxes
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	it will be a turn off to come in Ucluelet like it is to go to Tofino. I hate to go to Tofino. It will be very expensive to administer for what you will get out of it. Every tourist will park at the Coop and Davidson plaza and this will create more issues. Please don't do that.
Not supportive	A resident of Ucluelet	

Not supportive	A resident of Ucluelet	<p>The implementation of the District of Ucluelet's Visitor Parking Program could have a negative impact on tourism dependence due to several reasons. First, introducing parking fees or restrictions may deter potential visitors who are already considering the costs associated with traveling to the area. This decrease in tourist numbers could lead to a decline in revenue for local businesses that rely heavily on tourism, such as hotels, restaurants, and shops.</p> <p>Moreover, tourists may perceive the parking program as an additional inconvenience during their visit, potentially leading to negative reviews and word-of-mouth publicity. This could tarnish the reputation of Ucluelet as a tourist-friendly destination and result in a decrease in repeat visitors.</p> <p>Additionally, if tourists opt to visit other destinations with less stringent parking regulations, Ucluelet could lose its competitive edge in the tourism market. As a result, the local economy may suffer, leading to job losses and a decrease in overall prosperity for the community.</p> <p>Ultimately, while the intention behind the Visitor Parking Program may be to manage congestion and improve local infrastructure, its implementation could inadvertently harm the very industry upon which Ucluelet relies for economic stability and growth.</p>
Not supportive	A resident of Ucluelet	We are not Tofino.
Not supportive	A resident of Ucluelet	<p>As a property owner in the district I can't support this idea. I don't think Tofino charges a parking fee and I don't see how this encourages tourism which is good for the economy of the area. Especially after the hit taken during the Hwy4 closures on business. Seems unreasonable. While my property is at a resort and I'm all for ensuring stable property taxes I am not convinced this is the right way to go about it. I could see beach parking lots and west coast trail as paid but not for shopping etc.</p> <p>Life's full of costs everywhere you look, a family coming to Ucluelet should be able to park with out paying. I find pay parking very unwelcoming at a destination.</p> <p>Over the past 12 years, I've watched this area become gentrified. Unfortunately, I already have difficulty seeing friends that live outside of Ucluelet because of how expensive it is for them to come and visit here.</p> <p>Please stop making Ucluelet a community only available for financially wealthy people. As a resident and contributing member of this community, please do not implement a visitor parking program.</p> <p>While I have the attention of the town, please restrict air bnb's in residentially zoned areas. And please consider the well-being of all Ucluelet residents, not just the affluent.</p> <p>How much money do we think we will generate from this program annually? Have any studies been completed?</p> <p>What will the impacts be on locals accessing parking at Co-op and the Post Office?</p> <p>I am generally not supportive of implementing pay parking. If there were to be pay parking, the I might be supportive of specific sites (eg. Lighthouse park and around main street). I don't think it should apply to all streets.</p> <p>If we are trying to attract visitors from Tofino I don't think charging for parking would support that.</p> <p>Encourage friendliness in the community and encourage people to Come stay and support Business when They visit. It is also going to cost to police the parking? So that is another salary ? Leave it free and look elsewhere to fund the services</p>
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	<p>I haven't experience parking issues that would justify charging visitors. Tourism is large part of our economy. The last thing we need to do is create reasons for people to not come to Ucluelet. Until such time as we are having significant parking issues in our town( like Tofino does now) we should keep it all free.</p> <p>Canadians already pay to much taxes. Parking should be part of common goods covered by municipal expenses.</p> <p>Property owners - non-permanent residents should also be exempt if this program is pushed through</p> <p>Please don't turn Ucluelet into another Tofino. This is not needed and very unattractive. Having pay parking and a time limit in that spot takes away from the charm of being in Ucluelet. Being able to enjoy nature and the beauty of the West Coast with out having to check our watches is what Ucluelet is all about. Please don't turn Ucluelet into another Tofino. !!!</p> <p>100% against this. You are going to farm it out Robins parking and take 1/2 . the money you pull in will not compensate the village for the BAD feelings and publicity we will receive.</p>
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	



Not supportive	A resident of Ucluelet	<p>There is no parking problem in this town. There is ample street parking and regular pay parking lots for groceries etc that are not overflowing. Adding pay parking brings a very different vibe to the town and immediately shifts it to one where the town is trying to take as much as possible from tourists vs providing. I think it is the wrong direction and if the goal is to just raise money, there are easier kinder ways to do that. It should be outlined what these "tourism expenses" are, as tourism should be bringing money into town and if we are losing money on tourists, then we need to rethink tourism bc that is backwards. in the future, if street parking becomes a notable problem, then a potential would be charge a fee to the air bnbs that are making a killing off the tourists and bringing the extra cars in. They can pay fees for street parking for their guests or something alike. To start a blanket street parking which negatively affects so many people who are not making money off the tourists is a souring idea. Many of us have friends and family that come out and are not tourists but would get hit with street parking. I am very Unsupportive of this proposal.</p> <p>also your supportive or not question is biased - you have 4 options and 3 of those are supportive variants and only one unsupportive variant. that is flawed.</p>
Not supportive	A resident of Ucluelet	This may negatively impact businesses that rely on street parking.
Not supportive	A resident of Ucluelet	Consider increasing tourism taxes instead. Implementing a new program costs money whereas there's already a mechanism in place for tourism tax. The idea of having visitors pay for the infrastructure is good. The way proposed is not the best.
Not supportive	A resident of Ucluelet	Not a good idea. Not a friendly welcome for tourists.
Not supportive	A resident of Ucluelet	Let's not become Tofino.
Not supportive	A resident of Ucluelet	quit reducing the amount of available parking from the existing amount. Put staff boots-on-the-ground through out the summer to see where people park and then determine where its' not needed. You will be surprised!
Not supportive	A resident of Ucluelet	Tofino has had great difficulty in implementing their parking fees with many unanticipated negative impacts to residential areas, ever increasing fees from Robinson's taking the real profits, and a big deterrent to neighboring community business flow. I think Ucluelet prospers with our welcoming lack of parking hassle. I suggest visitors to be encouraged to donate in a different way that is desirable. Like a voluntary Ukee passbook with a discount to businesses in the book. The booklet fee goes to the district, the increased business goes to the businesses. The staff time already stretched so far does not need another layer of planning for parking with all that signage etc.
Not supportive	A resident of Ucluelet	We were not always residents of Ucluelet. And if I think back to when we were tourists, if we had to pay to park anywhere - that would be discouraging for me. Not so much the price, but the fact that you have to go through the process of paying daily. Last year we had to go to Tofino to the notary while pay parking was in effect. That was a freaking mess! they wanted you to download an app to pay. I refuse to add more apps to my phone for a one time thing. If Ucluelet carries through with this, please have kiosks that you can put your credit card in to pay - similar to Pacific Rim Park.
Not supportive	A resident of Ucluelet	Let's not do this. There must be a better way. Why are we not encouraging new business and developments to lift the tax base. Please think long term wealth management not quick cash grabs.
Not supportive	A resident of Ucluelet	Ucluelet receives millions in RMI funding to offset municipal expenses related to tourism.
Not supportive	A resident of Ucluelet	I am not supportive because there are visitors who are not tourists! My boyfriend is a year-round WORKER in Ukee, whose official residence is not in Ukee because renting & owning in the area is either too transient or too expensive. There are workers who camp & drive in, or live in trailers or RV's or boats (marina or at anchor) because their income is too low. Many businesses already suffer from feast & famine from tourist season, and can't adequately attract and support their workers.
Not supportive	A resident of Ucluelet	Businesses already have a difficult time attracting employees when the housing crisis has been made worse by wealthy tourists gobbling up rentals & real estate. Workers don't have that luxury. Few businesses can take on the financial & administrative burden of staff accommodation. Workers abused by the lack of regulation of staff accommodation (not covered by the Landlord Tenancy Act), like mold/mildew, and disrepair. Businesses with parking would have to police their parking lots with staffing and incidental costs (signage, towing) when they already pay more property tax with a larger acreage.
Not supportive	A resident of Ucluelet	Also, there is no consideration by the City in their Duty to Accommodate those with disabilities or chronic illness. Many Persons With Disabilities cannot walk far from their free parking, like me. This could trigger a BC Human Rights Tribunal complaint & legal costs. As a PWD, I've already filed 2 HRT complaints (1 win, 1 pending). I hope PWD's would get free parking like in Kelowna and Seattle (with SPARC placard).
Not supportive	A resident of Ucluelet	If you allow non-resident workers, their partners, and PWD's a free parking pass, then maybe I would support this. If not, at least offer a yearly rate that is much cheaper than the daily rate.
Not supportive	A resident of Ucluelet	The real solution lies with the province transferring more monies to tourist towns. That, or greatly increase property tax for those who don't live or work in Ukee.

Not supportive	A resident of Ucluelet	<p>I feel there are a lot of ways that we are getting money from visitors already, and asking for parking is borderline gouging.</p> <p>Encouraging people to do day trips to Ucluelet, as well as visitors who are staying here to go around town and visit the various shops, restaurants/coffee shops, etc. is very important to the economic growth and stability of the community.</p> <p>Any possible deterrents to these important economic factors, even something as small as having to pay for parking, is not a good idea in my view.</p> <p>With Tofino already adopting this policy (which makes more sense there, with the significant parking shortages they can have), it gives Ucluelet another opportunity to show how friendly and nice we are to visitors. That we want them in our town, spending money and experiencing it's beauty, and that we aren't just trying to get money from them in every possible way. It's a big enough ask getting people here to begin with.</p>
Not supportive	A resident of Ucluelet	<p>Pay parking for visitors will be a big mistake. The majority of the parking downtown is occupied by workers and people living there. They park for their work shift, occupying spaces needed for quick access at the bank, businesses. I would rather see timed parking for EVERYONE in these zones. Businesses need support after last summer - road closure. Pay parking with deter visitors from that quick stop to grab a drink or pizza. Also, the properties with parking lots will likely see an increase in people parking there to avoid paying. (Co-op parking lot, Davison Plaza) I would support making Ucluelet more pedestrian friendly - bike racks, walkable sidewalks, clear cross walks, green space. This encourages locals and visitors to walk or ride. Tourism Ucluelet and the Chamber could start a campaign to "park your car and walk". We also need better signage to the municipal parking lots. I would love to see employers encourage their workers to park in the lots or walk/ride.</p>
Not supportive	A resident of Ucluelet	<p>There should be enough money thru Tourism Ucluelet as District of Ucluelet receives a portion of the tax on accommodation.</p> <p>As Ucluelet Chamber of Commerce, District of Ucluelet, Tourism Ucluelet and Resorts, as well as businesses (pay for business Licences) and (some Pay Taxes) All of these encourage visitors to the area therefore we should not charge for visitors to pay park.</p> <p>As per the District ByLaw all business including B&amp;B are suppose to have off street parking. The District has allowed certain business to open and operate with no parking for their establishment. These are the ones that should have higher tax rates and/or pay a percentage on a yearly basis to cover the parking fee. People parking in the yellow zones/or no parking zones (which by the way there are lots) should be given a ticket to help subsidize this parking fee as well.</p> <p>So I guess what I'm saying that there needs to be more research done and figure out a better solution.</p> <p>What do you hope to accomplish here? What are the "municipal expenses related to tourism"? I thought RMI funds were for that. Parking has been a known potential issue for a very long time, yet the district continues to allow new businesses to open without adequate adjacent parking. For example, it was fine for a church to use the co-op parking when the co-op was always closed on Sundays. They are now open Sundays and extended hours, and the church is a brew pub now. It is ridiculous that the Plaza now is full almost all day, and not necessarily with Plaza patrons. Mostly patrons of restaurants and a pub across the street. I appreciate the beautification plans for Peninsula road but the parking issue should have been solved years ago before it came to this. Find another way, not a parking fee that will be nearly impossible to enforce.</p>
Not supportive	A resident of Ucluelet	<p>What do you hope to accomplish here? What are the "municipal expenses related to tourism"? I thought RMI funds were for that. Parking has been a known potential issue for a very long time, yet the district continues to allow new businesses to open without adequate adjacent parking. For example, it was fine for a church to use the co-op parking when the co-op was always closed on Sundays. They are now open Sundays and extended hours, and the church is a brew pub now. It is ridiculous that the Plaza now is full almost all day, and not necessarily with Plaza patrons. Mostly patrons of restaurants and a pub across the street. I appreciate the beautification plans for Peninsula road but the parking issue should have been solved years ago before it came to this. Find another way, not a parking fee that will be nearly impossible to enforce.</p>
Not supportive	A resident of Ucluelet	<p>Please don't make Ucluelet like Tofino. Ucluelet has always been a nice place to visit and I worry that changing parking to being paid will impact those who visit here (they may choose to just pay for the parking in Tofino and not bother with Ucluelet...who wants to pay for parking in both places). I am not aware of any parking issues and have not seen congestion. Tofino has become out of reach for many to visit as it is too expensive now and I don't want to see Ucluelet moving in that direction.</p>
Not supportive	A resident of Ucluelet	<p>The destruction of available parking is creating this need to constrain parking by monetarily penalizing the users. Ucluelet needs to recognize the need for more parking. Not everyone is or ever will be into cycling. Consider the vehicle demands versus cycling demands -the former users outnumber the latter by a factor of hundreds to one - you can not significantly change this by removing driving and parking privileges! I do not agree with any form of pay-parking. Check out the fiasco in Tofino - in the past we have learned from Tofino's debacles, this is yet another failing - stay away from it!!! Please!!!</p>
Not supportive	A resident of Ucluelet	<p>This will make our town even more unaffordable, family's that are stretched to come here already to experience the coast should not have to pay to shop in our local stores and restaurants. As a resident of 25yrs I can say we are close to loosing our small town charm.</p> <p>If wended more money for services we should look at trimming some fat in our offices. Our population has barley changed since I have been here yet our government offices works seem to have quadrupled.</p> <p>I for one like that Ucluelet is still somewhat small town feeling. Let's leave the city mentality in the city. Preserve what we have.</p>
Not supportive	A resident of Ucluelet	<p>If we had proper sidewalks and streets I would happily agree that tourists should pay to park.....currently the roads and infrostructure are not good enough to make someone pay.</p>
Not supportive	A resident of Ucluelet	<p>How is this going to be enforced? We only have one bylaw and she cannot keep up as it is. And our district employee wages are already ridiculously too high. Is management willing to take a cut in pay to be able to hire more front line staff? Oh wait...where will we house any new employees??</p>
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	<p>Please provide documentation that the cost of administering and enforcing this program would not exceed the revenue collected.</p>



Not supportive	A resident of Ucluelet	Silly plan, tofino parking plan is silly as well. Tourists are already the driving force of Ucluelet. Property taxes pay for the infrastructure yes, however tourism pays for a large portion of people's property on the west coast. Keep upping cost to come visit and eventually they will stop. Especially return visitors once they get that feeling of a hand in their pocket everywhere they go. Having to pay in tofino as a west coast resident is ridiculous. I think a better option would be to stop limiting the vacation rental possibilities for ACTUAL full time residents on the west coast, but upping the initial cost of permits for nightly rentals. A substantial 1 time fee yearly for nightly possibilities is minor, even if only renting out a home for 2 months in the summer season. Tourists want to come and don't mind the high costs of visiting our community but I don't feel making them pay to park in ukee, then pay to stop in the pacific rim, then pay to park in tofino is a good way to treat a group of people who allow a large number of locals to live on the coast all year round.
Not supportive	A resident of Ucluelet	Even though I am not supportive, I wanted to write to ensure that if it did go ahead, the local First Nations, particularly Ucluelet First Nation and Toquaht First Nation should absolutely not be charged a cent in this program. Perhaps the west coast First Nations park pass would be a good solution that doesn't add additional administrative work.  Also, temporary residents (as in the workers businesses need for our businesses) should also be exempt. And I really want to emphasize businesses should be able to have free parking for their employees (including small sole proprietors, so the family members who might not be on payroll). A system for businesses to register the license plates of their employees would be important.
Not supportive	A resident of Ucluelet	In our community so many individuals depend on tourism for our living and I feel that this initiative is akin to biting the hand that feeds you. Tofino at least has some public transit options where we have zero options in Ukee . Pay parking adds stress, hassle and expense for tourists and for locals as well and just chips away at the qualities that make our town an attractive and unique place to live and visit. Thanks for your consideration!
Not supportive	A resident of Ucluelet	I believe that the cost of administration and enforcement will make any benefit nonexistent.
Not supportive	A resident of Ucluelet	Quit wasting time spending money thinking of ways to screw over people and businesses. Would just add onto the overloaded bureaucracy in the village office..
Not supportive	A resident of Ucluelet	I don't believe Ukee should follow in Tofino's footsteps and adopt pay parking within town. There are many concerns, one being the cost to enforce the parking pass system. It may very well cost more to enforce the system than what it can generate to support the infrastructure.  The second being the loss of the "laid back" feeling of the town, which so many visitors come here to embrace. Our visitors want to come here to relax and enjoy their time in the downtown. They don't want to worry about downloading and figuring out an app to be nickel and dimed to death. It is already an expensive location to come visit, adding more fees/taxes is surely likely to deter people from coming to visit (mostly out of principal).  I believe that anyone should be able to come visit the west coast, not just the people with money. Many of our visitors are younger people, students, surfers, young families, who may already be stretching their budget to come here. If we can learn one thing from Tofino, it is not to do as they do. They lost their sense of community a long time ago. We need to keep Ukee feeling like Ukee. Please try to keep in that way. No pay parking.
Not supportive	A resident of Ucluelet	I feel all this is going to do is scare the tourists away. It is already expensive enough to get here, and stay here. Tourists already pay the mrdt tax on their stays so really just gouge some more... Lets be Tofino!  With less to offer.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	We operate a local small business and reside in the downtown area. We believe this cost will negatively affect both our business and personal residence.
Not supportive	A resident of Ucluelet	Let's continue to differ ourselves from Tofino
Not supportive	A resident of Ucluelet	Good evening! Is the town of ucluelet struggling this badly for money or is there a group of people taking too much off the top? If you do decide to charge tourists to park and make their trip even more expensive then at the very least please ensure anyone with a job can park for free as many people are living at the several campgrounds around town and many other living in the driveways of their friends. Its quite clear that there is a huge problem with finances and corporate greed at the federal level in canada. I pray ucluelet is running with integrity fairness and honesty for all of our residents and visitors. Thank you for your time, and may ucluelet one day soon return to a truly stress free zone. :)
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	I think you should focus on making those who are profiting from extreme housing and vacation rental prices, it is such a small town it would be ridiculous to try and pinch pennies off the tiny amount of parking we have available.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	Visitors are already paying more and more. Higher cleaning fees, MRDT, every meal costs more, gas costs more. We're paying more for our property taxes, business licenses, insurance. It has to stop somewhere or people will stop coming.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	I do not support any pay parking in Ucluelet as there isn't sufficient parking places for visitors and people will start parking on private properties.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	

Not supportive	A resident of Ucluelet	Feels like a cash grab. It's already expensive enough to adventure out on the edge of the town for parking already. District should discover alternatives to save money instead of gouging tourism.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	Pls don't turn us into tofino
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	I think the spillover effect will create a negative impact on local businesses in every scenario. Patrons and staff will have a difficult time finding parking in busy spots like whiskey dock landing and the break/yayu area. The displacement of visitors parking will spill into areas like the coop which are already full in peak season. In the blanket fee scenario I really doubt the resources needed to monitor and collect fees will be less than the actual payments and fines collected. Ucluelet has an older demographic that really depend on parking availability at places like the coop. Lastly the statement that this will not have a negative impact on businesses purely because parking fees do not dissuade people from visiting an area does not mean other factors do not apply such as the spill over into private parking lots. No business has the resources to enforce and monitor their own parking fee structure Including resorts like the black rock or small business areas like the den. Large families who visit this area usually carpool and a limited option for parking (because of spillover) has a direct impact on whether that family will choose one business over another. There is enough space across the town for people to source out nearby parking that does not disturb local residents or overly effect businesses. By including a pay parking system you are introducing a layer of possible issues to the businesses and residents in the effected areas. Has there been consultation with the Tofino district on their pay parking system? What are the projected funds and what projects would they effect? How would this inconvenience benefit residents in the long run? It might be helpful for people to stomach if specific projects or timelines are given as a result. Thanks for your time
Not supportive	A resident of Ucluelet	Tofino ugly sister trying to do the same how cute is that
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	This is the worst idea. Why in the world would you want to implement paid parking. Get control of your in house spending instead of looking to bleed the public. We already pay enough just for the basics as do visitors coming to our area. This is a place a young family on a tight budget should be able to come spend the day and not get priced out of visiting even if it's just a day trip. Everyone is welcome in Ucluelet not just the rich.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	Paid parking sucks anywhere even if I'm not the one to pay for it. I think it makes us look cheap and commercialized to have paid parking for tourists. Personally would find it embarrassing. If it does go through if we could make sure Tofino residents can park for free, or even other members of the island that would be much better. Tofino's paid parking especially with Ukee residents still having to pay even ifts discounted is just so shitty
Not supportive	A resident of Ucluelet	I would be supportive of pay parking in the downtown core . I am not supportive of out of town guests or visiting family to have to pay to park in residential areas when they are visiting me in my home .
Not supportive	A resident of Ucluelet	Where is the cutoff line for resident of ucluelet ? Long time resident of the greater mill stream area, ukee is my town. I spend a tone of money in town, I'll be super pissed off if I have to pay for parking, or any sort of administrative fee. I should thank you guys from proposing this as I think this will go a long way in keeping my town from getting more overrun than it already is in the summer. This will get rid of our pesky tourist problem. This looked cheesy on Tofino it will look cheesy on ukee. I get where you're coming from but boooooo
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	The area is already expensive, and \$5/day also adds up. As a visitor in bigger cities, I personally hate paying for parking. It says at my budget even if the amount seems insignificant. \$5 can pay for someone's coffee, tea, or snack. The west coast is meant to be a place where people get away from the hustle and charging for parking feels like yet another way we suck \$\$ out of tourists.
Not supportive	A resident of Ucluelet	Ucluelet, quaint little town. You-are trying in to be like Tofino.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	If Ucluelet cannot meet its financial needs, stop hiring over priced consultants and paying so much for renovations and improvements to buildings. Do better at managing projects and realize how much money is being wasted on needless studies and surveys. Look at current expenditures for staff as well, district vehicles etc. In my opinion there are many ways we are overpaying and simply wasting money. Charging for parking will hurt small businesses, especially in the winter months. We are not Tofino, or Whistler. Let's keep the character of Ucluelet friendly, personal and welcoming. We need to embrace who we are as a community and not fall victim to becoming like all the other tourist trap towns. We can do better.
Not supportive	A resident of Ucluelet	Keep predatory third-party companies like 'Robbins' out of our community, once they're in they are never leaving.

Not supportive	A resident of Ucluelet	I am a local business owner and I do not support this. Every visitor we have in our shop, please know they love Ucluelet, because itâ€™s still a real, authentic small town, unlike Tofino, where you have to pay for everything, â€œeven parking!â€  We should remain the peopleâ€™s small town, not try to pretend to be Tofino.  Letâ€™s keep Ucluelet, the town of the hard working people.  Also I didnâ€™t see any mention of Ucluelet First Nations in this survey. Did you consult with them? Ask them? Share the survey? Reach out? Offer free parking?  I vote â€œNo!â€ to visitor pay parking in Ucluelet.  Letâ€™s be the town people can afford to visit and become the option people decide to come to visit over Tofino.  We donâ€™t need our town to be Disneyland, where you pay for everything.
Not supportive	A resident of Ucluelet	It is unwelcoming to charge parking, we want tourists to spend money at local businesses and not frustrate locals by having pay parking so tourists start driving more into residential areas for parking. It's a small town so a short walk isn't a big deal, let's be Friendly Ucluelet and not nickle and dime our tourists
Not supportive	A resident of Ucluelet	Stops grinding
Not supportive	A resident of Ucluelet	Paid parking makes charming places feel elite and capitalist
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	This frankly does not need to happen. There are much bigger problems to resolve in town and paid parking is not a priority that will create solutions for this community. As someone working in tourism, parking and accessibility are consistent issues faced by tourists who fund businesses and keep this town going. I donâ€™t believe implementing a Visitor Parking Program will reduce municipal financial stress or create any improved conditions for locals who are already being driven out by the constant increases in costs of living in this town. Find better solutions please without causing an increased burden to locals and tourists.
Not supportive	A resident of Ucluelet	Part of what makes ukee so appealing is its small town charm, this will diminish that as well as create an extra barrier for local folks to access these areas. Despite it being free for locals there is paperwork and steps involved to park without being ticketed which may be challenging for some. perhaps have the parking lot behind crow nest be pay parking and leave the rest as an alternative idea
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	I get it. But itâ€™s really lame.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	To charge visitors to park on neighborhood side streets is unfair. Itâ€™s not only tourists that come visit but family and friends too from places all around. This â€œtaxâ€ like operation seems like a bandaïd or cry to make a bit of money to help a poorly managed budget. Make this money elsewhere. I strongly disagree.
Not supportive	A resident of Ucluelet	We donâ€™t need to become another â€œTofinoâ€ We are UCLUELET
Not supportive	A resident of Ucluelet	A blanket system for parking including all residential streets is absolutely ridiculous. This town is not only visited by tourists, but by family and friends of those of us who live here full time. A residential street is not a pay parking lot for the district to pull money from. I am strongly against this proposal.
Not supportive	A resident of Ucluelet	you guys are idiots
Not supportive	A resident of Ucluelet	instead of offsetting tourism make affordable housing.
Not supportive	A resident of Ucluelet	Pretty lame idea. Also, if this does get implemented then there is no reason that Tofino should get a free pass, they didnâ€™t offer one to Ucluelet! Maybe you could bargain with them and say if we give Tofino people a pass then they will return the favour.
Not supportive	A resident of Ucluelet	I still think this is a dumb idea and youâ€™re just making it harder for people to come visit our beautiful little town.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	As the smaller and less frequented towns I dont think we can afford to deter visitors. Business already struggle to survive as it is and this would just further impact them.
Not supportive	A resident of Ucluelet	Please dont do it. We donâ€™t have a parking problem in town. We dont need this. The businesses dont need this. Lets find other ways to make money. This ruins small town feels
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
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Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	Pay parking would ruin this coastal community. Ukee's never been a sideshow attraction so don't treat it like one. Keep it authentic and for the people who live here.
Not supportive	A resident of Ucluelet	No paid parking this isn't Tofino!!!
Not supportive	A resident of Ucluelet	We don't want this
Not supportive	A resident of Ucluelet	It will negatively impact businesses that are already having a hard enough time here
Not supportive	A resident of Ucluelet	You already collect enough revenue through these businesses
Not supportive	A resident of Ucluelet	Stop money grabbing
Not supportive	A resident of Ucluelet	Pay parking would only intensify the complexity of parking in Ucluelet.
Not supportive	A resident of Ucluelet	If this goes through it only will show that we have the wrong people at the helm.
Not supportive	A resident of Ucluelet	This is completely unnecessary and only going to create negativity between everyone, local residents and tourists alike. Its a colossal waste and indicative of miss management of already existing funds for the inevitable upgrades to infrastructure that are necessary to all towns, regardless of tourism.
Not supportive	A resident of Ucluelet	I'm not really stoked on this. I think enough money goes to tourism and supporting visitors. Not enough to supporting residents. With a third party managing and lack of accountability I don't see how this is helpful. What specifically would this pay for? What is the projected income? How does it directly help residents?
Not supportive	A resident of Ucluelet	I have lived here many years and raised my family here. Ucluelet is a small town. Small towns should not have pay parking. I would not stop in a small town if I had to pay for parking. Let's keep Ukee small town please!
Not supportive	A resident of Ucluelet	As a local I travel to Tofino less due to their strict parking enforcement. I believe that offsetting tourism expenses with paid parking makes sense but in a very small area of Ukee. Ie. lighthouse parking, peninsula between the brewery and the liquor store. I believe that when there's a parking attendant trolling around town for tickets that it makes Ukee feel less like a quaint small town.
Not supportive	A resident of Ucluelet	I think people pay enough to visit here; they shouldn't be penalized further. What we need is someone enforcing the no overnight parking rule. Also, petition the federal government to give you a portion of the proceeds from parking in the Pacific Rim National Park instead.
Not supportive	A resident of Ucluelet	Paid parking disproportionately affects people of low income and those who are struggling. A lovely small community such as Ukee, shouldn't be focused on nickel and diming the people who want to appreciate it. How about you tax the people who own more than one house, or the houses that sit empty. The town could fine all the properties that have done permanent environmental damage to the coastline (There's alot). There's alot of ways to milk your residents.. At least milk the ones who have abundant money. Black houses should be taxed more (kidding), it would work surprisingly well tho
Not supportive	A resident of Ucluelet	Sincerely a concerned resident
Not supportive	A resident of Ucluelet	Terrible idea!!
Not supportive	A resident of Ucluelet	Pay parking, while it is a seemingly insignificant cost, is a HUGE deterrent for people visiting an area. The cost of implementation and operation of a pay parking system compared to expected revenues should be shared if we are to make a sound decision on this program. The potential exists that, at the end of the day, we have no real profit from the pay parking and have spent a large sum of money as well as peoples time and efforts with the only end result being the nuisance of pay parking and no resources to put towards the abovementioned infrastructure work. Cost aside, pay parking takes away from the quaint charm of our small community that so many people love. I know many Ukee locals who visit Tofino far less on the principle that they are charged to park there car. travelling to a town almost always results in supporting it's local economy by spending at hotels, restaurants, shops etc. It feels like a "low blow" of sorts to be charged to park in order to spend money in the local economy.
Not supportive	A resident of Ucluelet	There is already the MRDT. Why implement another form of taxation?

Not supportive A resident of Ucluelet

By the numbers...

Tofino has low parking supply and high summer demand. Tofino generated \$672,656 of parking income in 2022 (District of Tofino, 30 May, 2023). Robbins Parking took \$374,441 of that, leaving Tofino less than half. Robbins collects about \$400,000 annually from Tofino (District of Tofino, May 11, 2023).

Ucluelet does not have a parking problem. CAO Duane Lawrence admits "We don't have to move people out of our downtown area; We're doing pretty good for our parking levels" (Bailey, 2023). Also, Council is not planning on parking enforcement: "staff does not believe that would be required" (Bailey, 2023).

I would question Ucluelet coming close to Tofino's parking revenue numbers without a robust parking enforcement program that will create a large drag on net revenue and annoy all parked vehicle owners.

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Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet

Completely unacceptable and disagree.

Please do not do this and turn into tofino. This is one of the great things about ukee still

People will park at business,ie,co-op,post office, residential streets etc and will park poorly on road sides meant for local pedestrians, to avoid parking fees. The cost of having staff patrol all those areas all day and having staff to process all the tickets and fines, which I'm sure will be many, will likely outweigh the benefits to the district coffers.

More important to spend energy on making streets safer by placing speed limits on side streets near playgrounds and parks and painting the crosswalks with bright new stripes so the visitors can plainly see them.

I agree that visitors in camper vans and campers should not be allowed to park on streets or business parking areas but should have designated areas and signs on main streets that clearly state that and where they can park.

Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet

Just another cash grab. People are paying to much for things these days.

Honestly as a ucluelet resident i hate going up to tofino even more when i know I could get a ticket jump for parking to go in and support a local business. I think it would lessen the likelihood pf visits and business from neighboring communities and might kill the soul of our town. We don't want to be Tofino.

Not supportive A resident of Ucluelet

Firstly administering such a program inevitably costs more than projected including accounting, software and IT support, registering local passes, enforcement etc. How many passes per household? The mayor parsed her wording regarding eventual requirements for locals to pay. Ucluelet has a parking issue for sure. Drive around town and it is obvious by the wrecks, old boats. RV's, uninsured vehicles and sheer numbers of vehicles spilling out onto the road. The visitors looking for free parking opportunities will inevitably impact local properties and businesses. I think this is a shameless money grab neither rationale nor supportable. Clean up the town and the clutter already cluttering our streets. This is a politically unsupportive initiative in my opinion and I caution against it.

Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet

Please keep our town from becoming a place where we just nickle and dime everyone, I stopped going to tofino as much due to this, I don't have the money to pay for parking on top of high gas prices to just be able to enjoy our communities

Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet  
 Not supportive A resident of Ucluelet

Stupid idea



Not supportive	A resident of Ucluelet	<p>I am not In support of pay parking in ucluelet for various reasons and urge Council not to proceed</p> <p>I believe one of the effects Would be that our co-op grocery store, Davidson plaza and nearby residential streets would be highly impacted by those seeking free parking and/or the annoyance of actually paying for the parking.</p> <p>The costs of implementing such a program and the staff required would be high and I wonder as our town is only really busy 4 months a year- does this make financial sense?</p> <p>Also, are we not still trying to attract tourists here? Trying to rustle up a few extra dollars from tourists in an already expensive destination and in our current economy does not seem prudent. It could potentially deter visitors to the ucluelet core, impacting small business. Quite risky. As a resident of the coast for 20 years, I will say that i have not been to Tofino since they implemented pay parking. Not to town or the beaches.</p> <p>We are not a city, we are a small tourist destination. If council and district are looking to capture tourist dollars via pay parking perhaps look to implementing something for the wild pacific trail but not in town.</p>
Not supportive	A resident of Ucluelet	<p>I am not in support of this proposed initiative. I would imagine that a monitoring company or several staff would be required to enforce this program. The cost of that hire could possibly be more than the income revenue. Do we really want to follow in the footsteps of Tofino who has lost their appeal and sold out to the highest bidder. So many locals have left there, it doesn't feel the same anymore and that's not in a good way. Do we really want to be that? Little Whistler, Little Squamish. No! Enforcing all streets would be a nightmare, how do you tell who's a non-resident? So many people need to park on the street as many homes house multiple seasonal staff, family members, visiting family ...</p> <p>We are taxes and pay fees for EVERYTHING in this world today and we please not go this route for yet another FEE. Revisit the budget, see if there is some shuffling that can be done or maybe spend less on Tourism infrastructure. Spend more on trying to improve our little town for the locals who make this their home. What were the community future proceeds uses for? There were a few million earned there. Maybe some kind of grants you can apply for? Please look for other options other than yet another tax increase or FEE implementation for locals or folks who wish to visit our beautiful area. Stay Pay Parking Free!</p> <p>Thank you! Lifetime Ukee Resident</p>
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	<p>I think it be a deterrent for people to visit</p> <p>Itâ€™s a bad idea , cost too much to come here already . And next thing you know local will have to pay also</p> <p>I feel that the cost of having people monitor who has paid for parking will result in not much profit from the fees, and I think it would make visitors think twice about visiting from Tofino/parks and reduce money spent at local businesses</p> <p>As someone who has lived in other cities, I've seen down-town cores become ghost-towns when paid parking comes into effect. It devastates local businesses. And a day pass is ridiculous. At least do metered parking like every other city, with an option to park for free further away. I imagine most tourists will just come with their cars fully-loaded from shopping elsewhere to avoid shopping in Ucluelet and paying a day pass just to pick up a cup of coffee in the morning! I already see this happening with vacation rentals (i.e. the tourists bring all their groceries and don't buy a thing here) so why not help businesses instead by encouraging shopping like Qualicum Beach does. Perhaps a day pass could be charged to all tourists entering the region (by car) and then divided up between the communities. Personally, I'd like to see less cars by implementing a public transportation service instead.</p> <p>I believe there are much better ways of saving money rather than trying to extract yet more money from our visitors. There comes a point were people will find it too expensive to travel to our community. I have had feedback from many travelers that we are almost there. Maybe have a look at internal spending if you need more money.....</p> <p>My concern is with the monitoring and enforcement of this venture. If the District is going to have to hire someone to deal with this I am flat against any more spending on an already over staffed District. It is difficult enough to find parking, let alone to have to pay for it too. We are proud to say â€œno paid parking in Ukeeâ€ go to Tofino for that.</p> <p>Private parking lots, coop and plaza will be overwhelmed.</p> <p>Please stop....it's already extremely expensive to live here, and you're making it worse. Greedy. Stop</p> <p>Stupid idea</p> <p>Havenâ€™t we over the past many years had to deal with so much against us This is just NOT needed right now Give the community a break</p>
Not supportive	A resident of Ucluelet	
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Not supportive	A resident of Ucluelet	

Not supportive	A resident of Ucluelet	Not enough detail provided in this plan to justify value. What are the costs of implementation? Enforcement vs projected revenue. How do you plan to enforce on all streets? Does the parking pass include over night parking? Are there restrictions on vehicle size and duration of parking stay. What tourist related costs are being offset? What other projects for new revenue are being rejected in favour of this plan?
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	Residents of ucluelet should never have to pay for parking in our small town. My fear is that the district will implement payed parking for visitors the first year, and once the program is up and running will then make residents pay the following years, just like Tofino did with their beaches.
		You guys also decided to remove ample parking spots in our growing community to make your front lawn bigger.
Not supportive	A resident of Ucluelet	
Not supportive	A resident of Ucluelet	Maybe tackle illegal camping instead?
Not supportive	A resident of Ucluelet	Too soon, look at it next year after peninsula road improvements finished
Not supportive	A resident of Ucluelet	I think this would negatively impact businesses in Ucluelet and do not support it.
Not supportive	A resident of Ucluelet	Ukees economy is now largely based on tourism. As we know, many eateries close in the colder months, many for up to 6 months because tourists are not here to sustain their businesses .We offer good welcome to those who come & help us stay vibrant & economically healthy. A parking tax does not seem in line with the Ukee spirit. It may lead to some going to other spots. Ukee is special, we agree but there are many other special places out there too. Rain & more rain can of course happen in many weeks, as we happily live in a great rainforest but it can be difficult for visitors to deal with day after day. Also some weather can make the summit difficult to cross. Let's welcome visitor to our wonderful space; not have their first encounter a parking tax! Taxes can also have unintended negative consequences & be costly to collect. Also who is a tourist? Someone coming to visit family? or on professional biz.? Taxes such as these can be problematic. Let's keep to our entry sign saying welcome to Uclulelet & not slap visitors with an immediate daily tax. Many come & do not drive but walk & take boats etc to enjoy Ukee. We attract good ecological minded tourists for the most part, spending at places like the UA, our wonderful eateries, resorts, home- based mortgage- helping B&B & on. There are other mindful ways to raise funds. Today April 18 Tracker will be filming @ Big Beach. That will bring in lots of \$\$s. We have an inspired & clever council team under good leadership to find creative ways to bring in funds. Let's welcome our guests to this place.
		Slapping taxes on them may not be the way to encourage them to return.
		This month I gained insight by spending time with a tourist friend. He walked, & hiked & went on boats & I think he drove in & drove out, not using his car much at all. On my suggestion he spent money for gifts at the UA plus visiting multiple times, also at Mint & Pina. Took me for sups & dips at many of our wonderful eateries. & tipped very well. Yay
Not supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	I think we are nickle and diming visitors to death and it's becoming super unaffordable for the average family. Also I don't believe it will be as profitable as projected
Somewhat supportive	A resident of Ucluelet	will it lower property taxes and fix the potholes ALL the roads? fix public parking lots with correct line markings?? and make sure there is adequate parking for all households as some do not have driveways ? But I think we need more information to be able to answer this truthfully.
Somewhat supportive	A resident of Ucluelet	As long as local residents can get multiple passes.
Somewhat supportive	A resident of Ucluelet	Will homeowners see a reduction in property taxes as a result of this extra funding? Will the extra money be used solely for tourism infrastructure and initiatives, or will it go towards road repairs or added bylaw officers and support etc? Who will be enforcing this? How many pay parking kiosks will be put around town and where? what will they look like, will they be an eyesore?
Somewhat supportive	A resident of Ucluelet	My concern is that the cost of setting this up and administering it will consume most or all of the revenues generated.
Somewhat supportive	A resident of Ucluelet	If approved, people who own homes and pay property taxes may require multiple parking passes for family vehicles (e.g. my family owns 3 vehicles). Online info suggests singular parking pass, but this may be an oversight. Will those who rent in town be eligible? Will funds simply go to pay for more bylaw officers to enforce parking - if so, not interested in supporting the effort and the general tone that would set in town (not welcoming). If infrastructure improvements will be made without additional property tax increases, I could get behind the idea but there must be absolute transparency and accountability for use of funds solely dedicated to infrastructure improvement.
Somewhat supportive	A resident of Ucluelet	I live part time in Ucluelet and this would mean that I couldn't drive and park in town to support any businesses without paying for parking. I worry that owners of property within the community who arent permanent residents will be penalized by this program, despite paying taxes within the community. I am in support of a tourist paying for resources but if someone lives part time in the community or rents in the community I don't think they should be burdened with the additional cost. In the event that part time residents are charged, I think there should be an annual discounted pass available. I do support on street parking meters for specific zones (water front, RV lot, etc.) that could be activated seasonally. I worry that workers who drive to work may be penalized if they live outside of the community and must drive into work and it may be a further burden to employers in retaining staff.
Somewhat supportive	A resident of Ucluelet	the impact of pay to park in Ucluelet will negatively impact private business parking lots and will require small business to hire/police their own parking lots. The loss of business parking for "free" access to park for the day will cause loss of income for local businesses. The District must consider a parking attendant to prevent "free" parking being used by tourists that are only here to tour...
Somewhat supportive	A resident of Ucluelet	By all means charge the visitors; but DO NOT place any fee on Locals! Our taxes pay for these facilities; which are declining rapidly, as we forfeit parking for bicycle lanes and beautification.

Somewhat supportive	A resident of Ucluelet	It is a good idea to have visitors pay for their impact on our infrastructures. However, it is important to ensure that parking remain easily available to residents and that some residential areas keep the street parking reserved to residents and do not allow visitors to spread in quieter areas.
Somewhat supportive	A resident of Ucluelet	I would also be nice if there was an option that would grant access to parking on both Ucluelet and Tofino as well as for both visitors and local residents as people also have to pay to access the National Park Reserve. If it means lower taxes on my property then fine maybe. But if not then hard no. Pay parking is very annoying and I hate that it's being implemented everywhere. I would want to see the offset and the deduction from income for such a thing on my property tax form.
Somewhat supportive	A resident of Ucluelet	Residents should not have to pay to park anywhere in town at all - that is ridiculous.
Somewhat supportive	A resident of Ucluelet	I like the idea of visitors to the area helping to fund the maintenance of infrastructure that they obviously have a significant impact on. I don't really like the idea of paid parking in our small community. If this is the only idea of the table, however, I would be for it. I would be interested in hearing about other options or ideas as well.
Somewhat supportive	A resident of Ucluelet	We want to encourage tourists to visit Ukee, and return in the future. Having to pay for parking - when there is lots of it - seems a bit too much. For now.
Somewhat supportive	A resident of Ucluelet	I like that locals are exempt. I would like to know what the money would be spent on? Maintaining walkways?
Somewhat supportive	A resident of Ucluelet	We own a place in Ucluelet - but it's not our primary residence - not sure how to answer the above question- property taxes are high enough
Somewhat supportive	A resident of Ucluelet	I would hesitate to charge too much as it creates a somewhat negative feel, but understand the need to recoup expenses for public services used by tourism
Somewhat supportive	A resident of Ucluelet	I'm somewhat supportive as I understand that there needs to cover expenses and regulate overnight park but not too high of a parking fee as everything is getting so expensive and it sends a very Tofino vibe. Still an annoying vibe though
Somewhat supportive	A resident of Ucluelet	If you're inviting West coast residents meaning Tofino in particular, to pay a nominal fee, then we should be offered the same for their parking fees.
Somewhat supportive	A resident of Ucluelet	sure you can charge visitors a fee for prime spots - but thats going to deter visits from the tourists that the town benefits from. I know I wouldn't come back if its going to cost me to park, unless it is super easy and super cheap... but then why charge for it??
Somewhat supportive	A resident of Ucluelet	Until Ukee has the same traffic numbers as Tofino it would be better to focus on getting the nasty ass 'free van' overnight people who spend no \$ in town to park in designated spots (aka outskirts of town or further!) if they don't like it, ticket/impound them.
Somewhat supportive	A resident of Ucluelet	It is hard to provide feedback on paid parking without knowing where the proposed paid parking locations would be located? Will it only push visitors to park already narrow residential streets?
Somewhat supportive	A resident of Ucluelet	I feel like I need more information. How will it be enforced? How much it will cost for enforcement? Year round or only in peak seasons?
Somewhat supportive	A resident of Ucluelet	I'm wondering how easy / difficult will it be for visitors to get the daily pass.... how effective will the monitoring of this be, i.e. will those who don't buy the pass, or who try to hide in the Co-op parking lot, be caught and fined, and how will payment of these fines be collected, etc. Will residents get an identifiable sticker or etc. for their vehicles so we are clearly exempt? I assume some sort of full-time by-law enforcement officer will be necessary, so will paying their salary leave enough extra to make the program profitable anyway? Residents, especially seniors or parents with children or those with mobility issues must be left with easy-to-access parking for shopping, banking, etc.
Somewhat supportive	A resident of Ucluelet	Need more info. Do the proceeds of such a program exceed the costs of enforcement? This seems a bit unfriendly - can Ukee impose a nightly surcharge on hotel/bnb guests instead as part of their rate so visitors don't feel a nickel and dime'd by Ukee
Somewhat supportive	A resident of Ucluelet	I am concerned that the implementation of such a program would cost a taxpayer or significant amount of money in terms of managing all of the signage on all of the streets as well as paying a BYLAW officer to monitor the parking. I also have concerns about what you consider a nominal fee for non-Ucluelet residents considering that a significant number of people live in Millstream and pay towards the school, fire services, etc. in their taxes. I believe that currently the nominal annual fee for West Coast residents to park in Tofino is approximately \$60. One could argue that this is not nominal for many people. I don't like to pay for parking and while I wouldn't as a resident, I do find I avoid going to Tofino beaches and the town in general because I hate paying for parking there; Perhaps that sounds petty but it's a reality.
Somewhat supportive	A resident of Ucluelet	There are quite a number of people in this community who are, for want of a better description, semi-Residents. They have built or purchased property here and pay Council taxes for the full year, but may live here for less than a year and have their residence elsewhere.
		In our own case, we built here well over 20 years ago, we pay our full taxes every year, we consider ourselves absolutely part of the community and in no way as "visitors", although we are not fully resident .
		I would invite the Council to consider this carefully. It would be manifestly unjust to make people in this situation pay parking fees to raise resources for infrastructure improvements when they are already funding them, through their annual property taxes, in exactly the same way as full residents that own property. This is surely not envisaged.
		So, if this parking fee plan moves ahead, I submit that the drafting should exclude from fee paying all residents and/or property owners paying full Council taxes.

Somewhat supportive	A resident of Ucluelet	I would like to see an exemption for visiting family members of Ucluelet residents, i.e. Appointments for daughter coming to visit eligible for a temporary one day parking pass. This could be implemented by issuing a temporary visitor parking pass to the Ucluelet resident to use with discretion.
Somewhat supportive	A resident of Ucluelet	If you're going to start charging for pay parking, it would be nice to approach it as a region. Like all west coast (Ucluelet and Tofino) is free for residents, while visitors pay a day pass. Maybe you could set it up so a percent goes to the local First Nations (like Tribal Park Alliance and you'll need to address the places pay parking will push people to park for free (ACRD). It doesn't feel like we are there yet, but maybe the time for pay parking is closer than I want.
Somewhat supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	This will not stop visitors from continuing to park illegally, blocking driveways, cul-de-sacs, and narrow residential streets. It will actually make the situation worse because once they've bought the pass they will feel even more entitled to park anywhere they want. We need more bylaw enforcement, proactive patrols of known problem areas, especially during the summer targeting overnight parkers, and permanent "no parking" markings on curbs. I think Ucluelet and Tofino should have free parking for each other in each community.
Somewhat supportive	A resident of Ucluelet	Agree that if residents are subsidizing the costs of tourism on the community, then it makes sense to charge appropriate and balanced fees to tourists to recover costs. Also, future projects that contribute to reducing all driving by residents and tourists (ie safe walking and biking pathways, buses, etc)
Somewhat supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	I was upset when Tofino implemented parking fees at the beaches and in Tofino, especially when Ucluelet FN, Ucluelet, Millstream and the surrounding area were not exempt. Since they chose that route it sets precedence for Ucluelet to unfortunately. If you go that route I feel strongly that Tofino residents are charged full parking fees in Ucluelet, they made no effort to exclude Ucluelet residents. Fair is fair, unless they reverse an exemption for local Ucluelet residents they get charged full price.
Somewhat supportive	A resident of Ucluelet	Being a resident of Ucluelet to be exempt from parking fees should include Ucluelet, Millstream, Port Albion, and Ucluelet East only. People residing in Tofino or other west coast communities should not be exempt from paying fees.
Somewhat supportive	A resident of Ucluelet	We have a second home in Ucluelet & spend about 40% of our time here. We pay the same taxes as permanent residents. The proposed system would be extremely unfair to us. We patronize local businesses & enjoy walking the local trails. Part-time residents should have access to free parking as well.
Somewhat supportive	A resident of Ucluelet	I believe this should only be used in high season (May-September) when parking is ever an issue and/OR I think all locals (Uke-Tofino and surrounding reserve community members) should be allowed to have multiple free passes or that this shouldn't be on any streets other than the main tourism streets aka the Main Street block/Lighthouse loop parking/ Peninsula road from Main Street to COOP gas station. All other areas are mostly residential and people should be able to park their vehicles and their visiting friends vehicles in the street without hassle, it's not like it's actually that busy on the streets for most of the year. Also, will the amount being paid actually cover the cost of hiring someone to monitor all the streets? Because it sounds like our town can barely afford more than one by-law officer as it is. Thanks for this opportunity to give our opinions.
Somewhat supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	As long as local residents and business owners do not have to pay for parking, I'm all for it
Somewhat supportive	A resident of Ucluelet	Locals should be exempt
Somewhat supportive	A resident of Ucluelet	If this is going to be run by the Ucluelet municipality and provide jobs to locals then I am open to the idea, but not really in favour. If it gets sub-contracted out to some big company then it's a horrible idea. Look at Tofino. How much are they paying per year to have their parking fees enforced. I go to Tofino once a month and do not pay for parking no matter where I park. I straight up refuse to pay for beach parking at Cox, Chesterman or anywhere in town. I am yet to get one single ticket, so there's a great example of how bad their system works.  Set up a tole booth after Millstream somewhere and charge visitors to the area a west coast sustainability fee and your problem is solved. One extra lane on the road. One tole booth.  If you think that sounds crazy, take a look in the mirror about the pay parking idea.
Somewhat supportive	A resident of Ucluelet	Visitors may not be happy with a visible parking fee. A fee tied to the National Park fee or camp/vacation-housing costs would generate income with less stress on visitors and might ameliorate the need for enforcement costs.  A clear and direct requirement to pay for a parking sticker or pass would require facilities to purchase passes, printing costs for passes, enforcement and a structure for dealing with scofflaws. Such a system would incur costs that the fees would have to cover, making those fees higher than a hidden fee.  The no-fee alternative which we currently have is easy and non-confrontational, but puts the burden on all town residents rather than the businesses which benefit directly from tourism. It seems to me that the costs for building and maintaining facilities for tourism should largely be covered by those most benefiting from tourism. Yes, all residents do benefit from tourist income and the facilities and opportunities arising from community investment in tourism but placing the financial burden foremost on the whole community doesn't feel right.  In summary I rank covering municipal expenses arising from tourism in this order from worst to best: * The status quo * A for-fee parking system * A cost recovery plan implementing a tourism tax on camping, housing and tourist activities like fishing, kayaking and led hikes.
Somewhat supportive	A resident of Ucluelet	

Somewhat supportive	A resident of Ucluelet	Family members visiting permanent residents should be able to get free parking. May be worth special temporary passes?
Somewhat supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	I don't feel this is necessary and I expect it will cause us more issues than benefits with people filling up the Coop's and other private parking lots to avoid the fee. Having said that, it is worth a try as we can always cancel it later.
Somewhat supportive	A resident of Ucluelet	
Somewhat supportive	A resident of Ucluelet	I can appreciate and encourage the initiative to collect revenue from visitors to help offset the infrastructure expenses incurred within the district. I would be very concerned with the additional stress this will bring to both the Co-op and Davison Plaza parking lots as people try to find "free" spots. These are two locations that are very important for residents and are already the cause of great stress for whenever we need to pull into one of these lots.
		<p>Suggestions</p> <ul style="list-style-type: none"> <li>- Trial the program by implementing pay parking at the tourist spots: Lighthouse, Whale Lot, Little Beach, Big Beach, Brown's. If visitors are parking downtown, they are most likely also going to visit one of these spots as well so it should generate a similar amount of revenue.</li> </ul> <p>Improving the Downtown Experience</p> <ul style="list-style-type: none"> <li>- Re-paint the lines on parking spots along Main Street and Peninsula. Hopefully, this would help ensure parking is used to its fullest potential instead of the current "guess where the parking spot is" game.</li> <li>- Place signage with time limits on down-town parking spots. 15 min for parallel spots along Main Street (The Break to CIBC). 2 Hours for other spots along Main Street / Peninsula. 6-8 hours in the Cedar Lot and the Lot beside Ukee Dogs. I would assume that the district may not have staff to monitor this. Perhaps just the signage would be a deterrent enough to help with congestion?</li> <li>- Larger signage along Peninsula and Main Street to say, "NO RV PARKING" and directing them to Cedar Rd or other appropriate locations.</li> </ul> <p>Thank you for allowing us the time to provide our "two cents."</p>
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	As long as residents did not have to pay for parking, I am supportive of this program.
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	Important to make the fee amount not too onerous. How is enforcement going to work. Overnight parking should still not be allowed.
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	A daily parking fee for tourists is reasonable and a good idea.
Supportive	A resident of Ucluelet	This could back fire with people searching out alternative parking that is unpaid in places in town they shouldn't be parking. Hopefully it helps with directing visitors to the appropriate parking areas.
Supportive	A resident of Ucluelet	It would be great to offset the impacts of tourism, support housing or other big community needs.
Supportive	A resident of Ucluelet	With Tofino and Pac Rim already charging, it seems we should follow suit with discounts for our neighbours obviously. As a tourist it would not have deterred me from day-tripping from Tofino to Ukee to pay \$5 to park anywhere for the day.
Supportive	A resident of Ucluelet	Would this help with people camping on our streets ? I would be very supportive in that case - I often wake up to people treating our road like a toilet. I find bylaw impossible to negotiate with by emails in cases like this that require more immediate responses. Would residents receive a parking pass to display ? Myself and many of my neighbours use the boulevard for parking. I have a lot of questions, but managed properly without affecting residential parking would be amazing to offset costs.
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	No parking fees for permanent Ucluelet and communities to the junction, residents and businesses. Parking or access toll booth at the Ucluelet boundary?
Supportive	A resident of Ucluelet	
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Supportive	A resident of Ucluelet	



Supportive	A resident of Ucluelet	<p>1. I strongly believe the program should charge reciprocal annual fees for Tofino residents. I purchase annual 'resident discount' passes for two personal vehicles plus I pay full day costs each day I park my (local) business vehicle at the Tofino beaches and Downtown parking zones therefore I believe it is only fair that Tofino residents and businesses should be subject to matching costs when they park their personal and business vehicles on district lots and streets in Ucluelet.</p> <p>2. Perhaps the municipalities of Tofino and Ucluelet could both agree to waive ALL annual parking fees for residents who have personal and business vehicles registered in either Tofino or Ucluelet.</p> <p>3. I strongly believe that vehicles registered to addresses in the communities of the Manulth Treaty Area First Nations should NOT be required to pay ANY parking fees anywhere in Ucluelet.</p> <p>4. I believe the program should be launched as a pilot, to collect data, and that the program should only be made permanent after the impacts of the pilot are assessed with input from the community.</p> <p>5. No changes should be permitted to the pilot project plans without significant data analysis and community engagement and indicating greater positive impacts than negative consequences for Ucluelet residents and businesses. For example, no quick tweaks internal changes such as raising the parking rates or adding new rules and exemptions, or expanding the parking fee collection program operating budget. If the plan is not fully formed enough to stick to, then don't launch it until it is.</p> <p>6. Be prepared to pull the plug on the plan. Ucluelet govt is not great at distributing important news to the community. There are many unexpected, negative consequences that arise from ineffective and insufficient communication with residents. The water flushing program one example. Ucluelet did not ONCE update the website with schedule changes. nor survey residents to assess impacts. FaceBook is not the way to go.</p>
Supportive	A resident of Ucluelet	<p>I think this is a good idea as long as the kiosks are not spaced too far apart and they are easy to dispense for tourists; keeping the payment method easy for everyone (including seniors). Please study the benefits of credit card vs coin payments (or including both options) - do they have to download an App? - that can be annoying if they are trying to do that in a hurry. Tourists can become easily frustrated if they run into difficulties paying especially if they have a scheduled outing. Could they pay ahead online or at a visitor centre in some cases? Instructions to pay parking could be included in accommodation confirmations or on local marketing. Keep it simple.</p>
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	<p>We are home owners in Ucluelet who are not currently permanent residents due to unforeseen life circumstances. We believe anyone paying property taxes on a home in Ukee should be included in the exemption. Treating us as visitors does not seem fair as we are already paying our taxes. While the posted FAQ indicates people paying property taxes would be exempt, that is not how it may be interpreted.</p> <p>Separately it is unclear where seasonal workers fit in this plan. Certainly people coming to work here to support the tourism (or construction, or whichever) economy should not be expected to pay the same as visitors here for a day or two.</p> <p>The daily rate makes sense as a blanket to the entire region.</p> <p>One other note. The lack of taxi and ride sharing services in Ukee are contributors to the needs of guests to drive and park. I believe Ukee should consider using funds from this program to operate a service similar to Tofino's free shuttle between downtown and the visitor centre. Perhaps the new transit services will fill this gap, but it is an ongoing issue.</p>
Supportive	A resident of Ucluelet	<p>Keep locals exempt and let them all for it !</p> <p>I feel it may be hard to enforce.</p> <p>Many areas and roads are poor and parking is difficult to find</p>
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	<p>I am hoping this creates a few long term jobs and that proceeds go to up keep (fix the pot holes)/creation of accessibility ramps for our roads.</p>
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	<p>Residents of Ucluelet should not be required to pay any parking fees.</p>
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	<p>My feelings are anyone who has is a full time resident and lives between the junction to Tofino and Ucluelet, including Ucluelet First nations does not pay. Anyone else visiting needs to pay. People outside this area do not have a need to visit. Also I would like to see Vehicles with Veteran plate exempt from paying.</p>
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	

Supportive	A resident of Ucluelet	I have already sent in one feedback notice, but came up with some additional comments and questions. Can the District charge parking on Peninsula Rd and Main Street? These are both, I don't want to say owned, but they are managed by Highways. Tofino does not charge for parking on Campbell St as, I believe the reason is it is part of Highway 4. If the District can not charge parking, then I do not see this viable. Most of the establishments visitors go to are on either Peninsula Rd or Main St. It is not like Tofino here where Campbell St is very short, 4 blocks long, and Peninsula and Main at least a KM long.
Supportive	A resident of Ucluelet	<p>Parking fee needs to be earmarked for projects (let's say public transport - to be divisive) and not just disappear in town coffers.</p> <p>Town needs to really work on getting a better deal than Tofino, for their parking goons.</p> <p>If it's for the town, it should stay in town.</p> <p>Driving is a luxury and not a human right and most people can use other modes of transportation once they arrived in our small town.</p>
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	<p>My concern is with who will be enforcing these new parking rules. Bylaw does not address overnight camping in the UCC parking lot, skate park or on residential roads as it is. Will parking enforcement on this grand scale be included in their daily tasks?</p> <p>Furthermore, will these new parking rules push even more van campers into less travelled residential neighborhood areas cluttering up the roadside with even more vehicles?</p> <p>Lastly, one of the biggest complaints from visitors to Tofino is the lack of parking and the fact that few parking lots allow visitors to leave a car for multiple days while away on a multi-day kayak or camping trip. Will there be some accommodation for these uses? A designated lot for overnight parking that will not turn into a van camping area hopefully...</p>
Supportive	A resident of Ucluelet	No annual fee should be required for permanent residents
Supportive	A resident of Ucluelet	<p>Would be great as a local to not pay for parking within Ucluelet and Tofino. I agree with charging tourists to park, the tourists I have spoken to are surprised they don't have to pay for parking anywhere in our town.</p> <p>Implementation of resident passes that allow residents unrestricted parking around town. Tofino and ACRD get a discounted pass (reflective of tofino pay parking).</p> <p>I like that it's a flat daily rate with a single zone across all Ucluelet. So much better than what they have in Tofino!</p> <p>I like this idea, as long as the money can be used for infrastructure projects we need badly, water, sewer and road work.</p>
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	
Supportive	A resident of Ucluelet	I am in favour of this as long as down the road locals are never charged for parking. I think it's a great idea to offset the expense of having tourists here.
Supportive	A resident of Ucluelet	I appreciate the effort to ensure that ucluelet residents paying property taxes aren't paying for the additional costs of the wear & tear that tourism brings to our infrastructure.
Supportive	A resident of Ucluelet	Would like to have the ability to use a resident sticker or something so I can still park while shopping, etc.
Very Supportive	A resident of Ucluelet	<p>Who would be enforcing the parking rules?</p> <p>It would be important to ensure that fees collected help support enforcement of the Cities by-laws. Compliance and enforcement is the bedrock of ensuring bi-laws, including parking, are respected.</p> <p>There isn't enough parking at the bank area! Sometimes I have to drive around the block 3 times, still no parking, so go home. I'm disabled and the only parking is waterfront. So have to cross the road, go up steps, cross the grass, go up more steps and walk the sidewalk to the bank. Something very wrong with this.</p> <p>Also, when our children come to visit, they shouldn't have to pay parking.</p>
Very Supportive	A resident of Ucluelet	
Very Supportive	A resident of Ucluelet	
Very Supportive	A resident of Ucluelet	
Very Supportive	A resident of Ucluelet	
Very Supportive	A resident of Ucluelet	Yes please. Just the 'lighthouse parking' if possible to help get this BETA test start slowly and ensure we don't push the tourists away. It could grow to be a good revenue stream.
Very Supportive	A resident of Ucluelet	I think that many people will complain about this but it is the right thing to do.
Very Supportive	A resident of Ucluelet	





Not supportive	A visitor	Visiting a community with pay parking is incredibly inconvenient. 3% tourism tax, business licenses and RMI funds should cover municipal expenses related to tourism. If that isn't enough to cover the essentials than we have to sit together as a community and figure something out.
Not supportive	A visitor	
Not supportive	A visitor	
Not supportive	A visitor	Please, it doesnt need help to be even more expensive to visit the coast. I live in Courtenay and have been visiting Ukee since 1993, lived there in 2008-2009. I love it as an affordable alternative to Tofino
Not supportive	A visitor	
Not supportive	A visitor	I would travel elsewhere on the island instead of going to Uclulet.
Not supportive	A visitor	
Not supportive	A visitor	You want us to visit and spend money here but don't want us to stop and park. There are other places to go in B.C. if you implent this.
Not supportive	A visitor	
Not supportive	A visitor	
Not supportive	A visitor	Not a good idea ðŸ˜€
Not supportive	A visitor	There is no other option other than to drive to visit the lovely little communities on the west coast...and then you want to hold me me hostage when coming to visit by charging me to park to pay for the residents municipal services????!! NOPE! A) I'll stop coming. B) Perhaps we should leverage similar charges to west coast residents to come do shopping/ visiting in other communities on the island. This of course is equally absurd-but exactly what you are proposing! News flash, my property taxes have increased significantly in the last couple of years to pay for municipal services and everyone (residents and visitors) benefits. Your proposal is exactly the opposite of being part of an island / province / country community. Does the west coast want to be part of the island community or not? Charge a parking fee to everyone, or no one and find a different funding source. Municipal services are the responsibility of each of us to pay for where we live in the form of property taxes. I'm really offended that you are arrogant enough to think that I should have to pay for my sewer where I live (where you all come to visit) AND YOURS!
Not supportive	A visitor	As a visitor, it is quite expensive to get to Ukee, stay and support all the businesses I love there. I treasure my west coast holidays but adding another expense is something that would cut into my holiday budget. I would probably end up needing to pack lunches instead of going to the brewery, cafe, or restaurants to off set the fees.
Not supportive	A visitor	Please don't add visitor parking fees, I have a visit planned for the fall.
Not supportive	A visitor	I previously lived in Ucluelet for 20 years, this is my home town where I grew up and I do not think we should pay to park when everything else is extraordinary expensive.
Not supportive	A visitor	
Not supportive	A visitor	I prefer locations with free parking.
Not supportive	A visitor	Wouldn't it be simpler to just add a tax to the businesses that cater to tourists? le Bed and Breakfasts, motels, resorts, etc.
Not supportive	A visitor	there would be no need for ticket kiosks, by-law officers, signage etc.
Not supportive	A visitor	We no longer go to Tofino because of paid parking so I can imagine many others being put off coming to Ucluelet and pay for parking.
Not supportive	A visitor	
Not supportive	A visitor	
Not supportive	A visitor	As a visitor to Ucluelet I would think twice about choosing to visit if paid parking was introduced. The cost of the west coast is already a stretch and this just creates additional cost but also its pain to deal with and leaves a bad taste. I dont understand why such a quaint small town would want to do this. There are other ways to save money.
Not supportive	A visitor	
Not supportive	A visitor	
Not supportive	A visitor	
Not supportive	A visitor	
Not supportive	A visitor	
Not supportive	A visitor	You just lost a æœœtouristæœœ
Not supportive	A visitor	We live on the East side of the Island, and love coming out to the Coast. Because of the ever increasing costs to come out here now, it's almost impossible. We usually stay in Ukee because we love that it still has a soul. Recently we stayed in Tofino after not staying there for years. We were extremely disappointed at how its changed, and have been left traumatised that you have to pay to go to any beach. Fair enough in the park, but implementing pay parking everywhere makes us feel like never coming back. There are signs everywhere, in some places every six feet, with no parking, or pay to park here. Its too much. While in Tofino it made us feel so bad, we drove to Ukee just to feel some semblance of normality, and feel like we could breathe, without the constant rules, do this, don't do that. If Ucluelet goes the same road as Tofino, then we will no longer visit. For all the millions you'll clearly spend on implementing pay parking for people who aren't locals, is it really worth it, to alienate fellow Islanders.



Not supportive	A visitor	I grew up in Ucluelet and still return to visit parents and friends. Not happy to have to pay to park on street in front of my parents house as they have a single driveway.
Not supportive	A visitor	As an ex-resident who loves to return and support Ukee tourism and businesses I am not supportive of pay parking as blanket revenue generator. There are no options for visitors to not bring a car. I also have many questions about projected revenues vs cost to implement - monitoring, equipment, IT or support costs, etc. this will not lead to a good visitor experience.
Not supportive	A visitor	Having to pay for parking changes the experience. Ucluelet would no longer have the beautiful rustic charm that I currently feel when I visit. While I understand the reason for parking fees and can afford them; nevertheless, they always feel (to me) like a excuse for a money grab from visitors by local governments. And it's always a nuisance to find the pay station or load the ap and mess with it. Plus, as a visitor my time actually in Ucluelet is usually relatively short - quick stop to enjoy the town and stretch my legs, or pick up a pastry and coffee, or maybe have lunch. I typically look forward to visiting and enjoying the feeling of the town, but realistically I never spend more than about 1 hour actually in the town, so if there is a parking fee I will just do a drive through without stopping. For comparison, when I visit Tofino it now feels to me like it has lost it's small town rustic charm and it's more just another tourist town. Maybe that is what Ucluelet want to be? FYI I live in Parksville area so I try to make a few trips to the west coast each year and recently find myself enjoying going to Ucluelet more than Tofino.
Not supportive	A visitor	I live in Port and work in Ucluelet. This would reduce family visits. As a family, we visit Tofino less often due to parking fees (eg, we go to Pacific Rim, but don't bother to go into town anymore), and have taken visitors less frequently into town than before. Also to consider are the number of workers who commute into the area. Businesses have difficulty retaining staff already due to lack of housing.
Somewhat supportive	A visitor	As someone who comes to the community on a regular basis I think that off setting the costs that taxpayers undertake is great. That said, if the fee is too high you will find people making their own parking which would create greater impact on the neighbourhood and the infrastructure (parking on the sides of the road, blocking driveways etc.)
Somewhat supportive	A visitor	
Somewhat supportive	A visitor	<p>Questions:</p> <p>(I had to answer the "which are you" but I am not any of the 3 options)</p> <p>1) Will there be consideration for property owners from non-coastal communities who live part time in Ukee?</p> <p>2) what about seasonal workers?</p> <p>3) What about high season fees -if any - July/Aug only</p> <p>4) I'd like to see the feedback on Tofino's paid parking trial over 2 years before jumping in - also setting up a Q&amp;A for Ukee visitors over that same timeframe ie:</p> <p>Would the costs of pay parking in Ucluelet - on top of Parks Canada fees + parking fees in Tofino affect your decision to visit us?</p> <p>I'd love to see us be the less money-focused family friendly holiday location.</p>
Somewhat supportive	A visitor	While not from the west coast, we are from the island in Comox, and the thought of paying for parking is unpalatable. We come from a town where costs are rising, but still we have the freedom of not paying for parking, and we try to avoid going to places that are built up to enjoy nature and avoid paying for all those extras. We've always avoided Tofino because of how many city people go there, and instead prefer the quiet of Ucluelet. I would rather include that tax in my accommodation reservation fee. It's clear there needs to be financial support to Ucluelet, but I'd rather it not come from parking.

Somewhat supportive	A visitor	<p>I am a property owner in Ucluelet. Although the categories above do not differentiate Ucluelet not as a tourist but a prospective resident working towards a long term goal of living and working on the west coast permanently.</p> <p>As such, I pay taxes like residents of Ucluelet so it would be nice to be granted similar parking privileges to those of Ucluelet residents.</p> <p>I like the idea of parking fees being used to fund municipal infrastructure but I am worried that the introduction of these fees will take away from the laid back feel of Ucluelet in comparison to Tofino. Whatever system of parking is implemented, please make sure it's user friendly and doesn't discourage tourists from visiting local businesses. Additionally, I worry about this program causing certain areas (like the grocery store) to become competitive for parking.</p> <p>I have mixed feelings about this as it seems more straightforward to just increase tourism/hotel taxes and new development charges, but at the end of the day I am supportive of any funding models that are going to contribute to infrastructure upgrades without financially implicating residents.</p>
Somewhat supportive	A visitor	<p>I feel charging a small sum in summer but not winter months is appropriate. Often, we pop in to the lighthouse to watch the sunset on our first night or to "say goodbye" before going home. We would be discouraged from doing this if there was a fee. Anything over \$5 is too much. Resort prices are going up and we have already stopped coming annually due to this, adding more costs could discourage visitors.</p>
Somewhat supportive	A visitor	<p>Annual visitor. I fully support a reasonable fee for parking LOTS and for streets in the near vicinity of LOTS and main tourist areas. Not for streets further out. Visitor-oriented businesses should be able to reimburse. If I am staying in Tofino but want to dine in Ucluelet or do a fishing or whale watching trip, a full-day parking fee on top of the cost ( which itself contributes to the economy) would be a deterrent.</p>
Somewhat supportive	A visitor	<p>If it involves people paying through an app you should not do this.</p> <p>You are going to irritate people who drive in from Tofino or people who are just popping into Ucluelet. I think you should find a sponsor</p>
Supportive	A visitor	<p>I own a place in Ucluelet and visit several times throughout the year. There are some locations that need to be vacated at night. I feel some RV lots could be 24 hours possibly limit to two or three nights. No camping etc</p>
Supportive	A visitor	<p>A one-hour free period would encourage brief, local visits while generating revenue for longer-term stays. Enforcement would be more complex, but still equipped to deal with overstayers. Additionally, would the daily fee be sufficient to disincentivize campervan stays in town? The fee may be so low that overnight van sleepers simply pay it and stay overnight.</p>
Supportive	A visitor	<p>I support the daily rate, but would suggest a discounted 3 day, weekly, monthly rate.</p>
Supportive	A visitor	<p>most tourists already anticipate paid parking at destinations. Will some (paid) parking spots for the disabled ( with valid documentation) be designated? (e.g. not al of us can walk ourselves or push a another person from motel to restaurant, museum, etc.) Most sensible visitors recognize town's costs are increasing. When implemented, you will get some grumbling, but after the first season, it will die down. Good that much thought has been given to local and regional residents. As a visitor to Ucluelet every few years (bringing overseas tourists and/or newcomers to Canada ) I say "go for it!"</p>
Supportive	A visitor	
Supportive	A visitor	
Supportive	A visitor	<p>User friendly meters or one purchased at the motel one is staying in</p>
Very Supportive	A visitor	<p>I like the idea of the flat fee when we come to visit. We can just add it to the cost of our trip. If it could stay around the \$10 range that would be great. We visit often because we love the west coast but can't afford to live there. So having it too high will be difficult for anyone with a modest travel budget</p>
Very Supportive	A visitor	<p>make it simple to pay (online, app, sms billing, pre-purchase, etc.). Vancouver Island residents should get a discount.</p>
Very Supportive	A visitor	<p>Why should local taxes pay for visitors to park? The visitor has a choice whether to park there.</p>
Very Supportive	A visitor	
Very Supportive	A visitor	
Very Supportive	A visitor	<p>Just please do not get one of the predatory parking companies such as WestPark, Indigo, Impark, Advanced Parking, etc. to manage the parking as they are extremely profit driven and "corporate". Those companies do not represent the area of Ukee/Tofino and West Coast VI.</p>
Very Supportive	A visitor	<p>Why should local taxes pay for visitors to park? The visitor has a choice whether to park there.</p>
Very Supportive	A visitor	

Very Supportive

A visitor

I'm a regular visitor to Ucluelet and fully support a paid parking fee. Visitors are generally prepared to pay for things on their vacation and parking is one reasonable expense. I also think that this is a great way for the district to make some revenue towards infrastructure. This is a simple and straightforward way for the district to collect what is essentially a tourist tax that goes towards benefiting residents, who are wonderful hosts.

Very Supportive

A visitor

Just makes sense for a community that relies so heavily on tourism, and yet needs the revenue to maintain the area. Perhaps a reduced rate in non peak times/seasons to encourage visitors to spread out their impact.





## REPORT TO COMMITTEE OF THE WHOLE

Council Meeting October 23, 2023  
500 Matterson Drive, Ucluelet, BC V0R 3A0

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<b>FROM:</b>	DUANE LAWRENCE	<b>FILE NO:</b> 8400-20
<b>SUBJECT:</b>	VISITOR PARKING PROGRAM	<b>REPORT NO:</b> 21- 139
<b>ATTACHMENT(S):</b>	N/A	

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### BACKGROUND SUMMARY OF DESIRED OUTCOME

The District is experiencing a growing demand for resources to support increased community growth and aging infrastructure, in part due to increased tourism. In order to support the demands of a growing community with a substantial tourist population, aging infrastructure and increasing service level demands, Staff are seeking direction from Council with respect to exploring visitor parking fees as an alternative revenue source that would assist in meeting these increased demands.

### BACKGROUND

As the District completes its infrastructure assessments and asset management (AM) plans, staff have identified significant deficiencies within the municipalities water, storm, sewer, road and sidewalk networks and buildings. This is primarily due to aging infrastructure that was installed between 40 to 70 years ago and is now at the end or past its anticipated useful life and increased system demands related to tourism. Many municipalities have initiated long-term asset management programs over the past 10 – 15 years. Ucluelet started an AM program around 2015, that work, in combination with the new reserves bylaw, is showing more clearly the anticipated funding gaps.

The District’s aging infrastructure and associated replacement costs are also increasing due to community growth and demands related to tourism. This increases demand on infrastructure and staff time needed to operate, maintain, and repair various community assets. The demand is further compounded by an expanding visitor presence in the community which effectively triples demand levels. During the peak tourist season, Ucluelet can see demands on our infrastructure that are the equivalent of over 6000 permanent residents.

Excluding some specific grant opportunities - such as recreation-orientated grants that provide for the replacement of recreation facilities, and the one-time Growing Communities Fund announced in 2023 by the Province - there are currently limited grant opportunities that fund the *replacement* of existing infrastructure (water, sewer, roads, storm). Additionally, development cost charges (DCC), connection fees, the municipal resort development tax (MRDT), resort municipal initiative (RMI), gas tax etc., are restricted funds focussed on new infrastructure; at the time of this report these sources cannot be utilized to fund the replacement of existing infrastructure.

At the February 2023 budget meeting Council directed staff to investigate additional alternative revenue source opportunities which could be utilized to support the:

- reduction of the total long-term borrowing requirements for the water treatment project



- reduction of the anticipated borrowing requirements for future fire apparatus purchases
- funding the replacement and maintenance of aging infrastructure (lift stations, pumps, water/sewer lines, storm systems)
- increasing costs associated with bylaw enforcement and parks and trails maintenance directly related to increased visitor presence
- offsetting the impacts of tourism related increases in population on infrastructure
- funding of statutory and non-statutory reserves to allow for effective funding and leveraging of funds against Provincial and Federal grant programs

## ANALYSIS OF OPTIONS

Staff have reviewed potential alternative revenue sources and have identified a visitor parking program as the most beneficial program available to the municipality.

As a result of this investigation, parking fees was the only program identified that could be developed to generate additional revenues without directly impacting taxation on permanent residence.

In communities that have developed and managed parking programs, it is reported that parking fees have the potential to be the second largest source of revenue for a municipality. Additionally, parking fee programs can have the added benefit of encouraging visitors and locals to use non-motorized transportation options, thereby reducing traffic volumes, demands on parking infrastructure and reduced vehicle emissions.

At the time of this report the following information regarding visitors and vehicle traffic to the west coast and Ucluelet are as follows:

- Parks Canada sells an average of 1.1M vehicle passes annually.
- Total number of vehicles entering Ucluelet annually was 647,292 in 2021 (MOTI Traffic Data).
- Average daily vehicle count on the Tofino-Ucluelet High south of the junction is 1,901.
- Ucluelet has 839 individual rooms available through hotels and vacation rentals, not including camping or vacation rentals outside of the Municipality.
- The Wild Pacific Trail, lighthouse loop, sees approximately 55,000 visitors per month during the summer.
- There are an estimated 800 District-operated public parking spaces.

## PARKING PROGRAM OVERVIEW

In order to provide Council with a starting point with respect to what a potential visitor parking program could look like Staff have developed the following overview. These details will be subject to change as determined by Council and are intended to provide discussion points for consideration. There are many possible fee structures and implementation strategies with various benefits and costs. Below is staff's first consideration of a visitor parking program that would be the simplest and most cost-effective to implement and manage.

## GENERAL PARKING PROGRAM OVERVIEW

1. All permanent Ucluelet residents exempt from parking fees.
2. Nominal cost recovery fee for all other West Coast permanent residents.
3. Blanket parking program (all District roads and parking lots).
4. A flat daily rate for all visitor vehicles.
5. Kiosk and/or digital payment system.

Item	Pros	Cons
District wide fair zone (streets, parking lots, District properties)	<ul style="list-style-type: none"> <li>• Reduces the spillover effect from visitors looking for free parking areas</li> <li>• Ease of implementation &amp; enforcement</li> <li>• Reduced signage requirements</li> <li>• Reduced number of kiosks</li> <li>• Encourages visitors to walk from local accommodation rather than drive</li> <li>• Potential to ease/reduce future parking lot expansion requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Potential for increased amount of parking in private parking lots (potential mitigation through installation of signage indication private lot is parking fee compliant)</li> </ul>
Flat rate system (day rate) i.e. \$5/day	<ul style="list-style-type: none"> <li>• Ease of implementation</li> <li>• Increases likelihood of longer visitations</li> <li>• Easier for visitors, buy once &amp; good for the day no matter where they park</li> <li>• Enforcement is easier</li> </ul>	<ul style="list-style-type: none"> <li>• Visitors stopping by quickly may not purchase a pass</li> </ul>
Local Residents Exemption	<ul style="list-style-type: none"> <li>• Does not impose an additional cost on residents already paying property taxes</li> </ul>	<ul style="list-style-type: none"> <li>• Increased oversight costs</li> <li>• Does not discourage local vehicle usage behaviours</li> <li>• Reduced total revenues</li> </ul>
West Coast Residents (Nominal Cost Recovery for Administration of parking passes)	<ul style="list-style-type: none"> <li>• Ucluelet residents are not subsidizing neighbouring residents that do not directly contribute to municipal services</li> <li>• West Coast residents outside of Ucluelet will not be subject to the full parking fees only administration cost recovery</li> </ul>	<ul style="list-style-type: none"> <li>• West coast residents will need to register their vehicles and pay a nominal cost recovery fee for administering the pass</li> </ul>
Business Rate (annual fee)	<ul style="list-style-type: none"> <li>• An annual fee that would cover the administrative costs of the program could be considered</li> <li>• Minimizes impact of parking fees on local businesses</li> <li>• ICBC estimate 750 commercial vehicles are registered in Ucluelet</li> </ul>	<ul style="list-style-type: none"> <li>• Adds a cost to local businesses that operate commercial vehicles</li> </ul>
Parking Fees (General)	<ul style="list-style-type: none"> <li>• Increases municipal revenues to address key priority areas</li> <li>• May mitigate/dissuade van life parking behaviours</li> <li>• Targeted revenue program aimed to generate revenues from visitors which do not contribute to maintaining infrastructure</li> <li>• Reduces tax burden of permanent residents and businesses who contribute to infrastructure requirements directly related to tourism</li> </ul>	<ul style="list-style-type: none"> <li>• Some businesses may see this as discouraging visitors</li> <li>• Mitigation efforts will need to be undertaken to address potential increased usage of private parking lots</li> <li>• Increased demands on the municipality for implementation and oversight</li> <li>• Enforcement costs</li> </ul>

### PARKING FEE COLLECTION SYSTEMS

The collection of parking fees could utilize a combination of digital and in-person credit or cash kiosk systems. Based on a community wide program staff would anticipate placing kiosks in key locations within

the community where visitors can easily access a kiosk station such as at the light house, near the municipal hall, locations along Peninsula Road etc. Staff would also anticipate using an online platform that would be accessed via a downloadable app.

**ENFORCEMENT**

The level and type of enforcement will be determined based on how aggressive or passive Council wishes to enforce compliance. As a Tourist destination, it is the goal of the community to ensure visitors experience is a positive one; receiving a parking ticket and having aggressive parking enforcement may have a negative impact. Initially staff would recommend using signage to advise visitors of the parking program and bylaw enforcement to educate and gain compliance as needed. Staff are assuming that 75 – 80% of the population will automatically purchase a parking pass without the need for active enforcement. 10- 20% of visitors may try to avoid paying a parking fee although if they see enforcement occurring will purchase a pass. 5 -10% of visitors will go to greater lengths to avoid parking fees. The level of enforcement should be considered based on how desirable it is to capture the 20 – 25% of visitors that might not purchase a parking pass. If fees are maintained at a reasonable rate, voluntary compliance is likely to be fairly high, at or above 80%.

**GENERAL IMPACT ASSESSMENT**

If a parking program is implemented based on the suggestions within this report the below table provides an overview of the potential anticipated impacts to the various stakeholders that reside or visit the community. If desired, staff could contract out a formal impact assessment, using a third-party consultant to provide increased confidence in the determination of how a parking program could impact residents, businesses and visitors.

Permanent Residents	<ul style="list-style-type: none"> <li>Residents will be required to register and display parking passes.</li> </ul>
West Coast Residents	<ul style="list-style-type: none"> <li>Required to register and pay for the administration of a parking pass.</li> </ul>
Day Trippers to the West Coast	<ul style="list-style-type: none"> <li>Unlikely to see a reduction in visitations.</li> <li>Planned trip, will visit all sites they wanted to explore.</li> </ul>
Overnight Visitors	<ul style="list-style-type: none"> <li>Potential for reduced travel inside town, may walk or bike rather than drive to locations.</li> </ul>
Tofino Day Trippers	<ul style="list-style-type: none"> <li>Moderate potential impact, possible change in number of visits to Ucluelet over the entirety of their stay although fairly low. i.e. If they want to visit the wild pacific trail a parking fee is unlikely to affect this decision.</li> </ul>
Fishing Community	<ul style="list-style-type: none"> <li>No reduction in visitations. Very unlikely that a visitor will change their destination based on a parking fee.</li> </ul>
Local Business Visitations	<ul style="list-style-type: none"> <li>Impacts on various businesses is very difficult to predict or validate. Residential visitations to businesses should remain unchanged if locals are exempt from parking fees. With respect to visitors, if the above assumptions are correct there should be limited impacts for most businesses with some businesses seeing increased pedestrian traffic. Pedestrians are more likely to enter a business if they are walking than if they are in a vehicle driving to a specific location or on a specific errand.</li> </ul>

## OPERATIONAL EXPENDITURES

Staff anticipate entering into either a contracted services agreement, supply and maintenance agreement or combination thereof. A competitive bidding process would be required where staff would request proposals from organizations that have the expertise, knowledge, and experience with the implementation of parking programs.

Based on discussion with the District of Tofino, staff anticipate a temporary increase in demands at the front counter answering questions and issuing passes. The finance department will see an increase in dedicated oversight and management responsibilities to oversee the program. Bylaw enforcement will see the highest impact with a potential need to increase bylaw officers depending on the level of enforcement desired by Council. If increased bylaw enforcement is supported, the position(s) should be fully fundable through visitor parking fees.

Capital costs would include the lease or purchase and installation of signage and kiosks. Operational costs and the costs of licence for the software would be an annual cost. Based on other jurisdictions that have implemented parking programs, staff would anticipate a fee for service program that includes the installation, maintenance and operation of parking kiosks.

If the District were to pursue a parking program, staff would recommend issuing a request for proposal for a parking program based on the parameters identified by Council. The costs associated for the development and implementation of the program would be dependent on the number of kiosks required, enforcement contract (if desired), signage, online platform, complexity of managing the program, and/or if the proponent would be responsible for delivering all or part of the program.

Staff have reviewed the parking programs undertaken by the ACRD at the Long Beach Airport and the District of Tofino. Both programs operate based on a flat annual operating fee plus a percentage of the total revenue generated by the parking program.

## REVENUE

Based on the assumption that a visitor parking program would not apply to local residents and in order to give Council an idea of the potential revenue, before expenses, staff have undertaken a high-level calculation experiment that would provide some insight into the possible monthly gross revenues of a community-wide parking program.

Table 1 below was developed based on the inferences made based on high-level data provided by Tourism Ucluelet on the number of overnight visitors to Ucluelet. To simplify the calculations staff have utilized a one-rate model rather than an a tiered hourly/multi-hour/daily rate structure. To reduce the likelihood of over-projecting possible revenues, staff have made an assumption that visitors would use pay parking areas within Ucluelet 50% of the time with the remainder of time having their vehicle remain at their accommodation provider's property. It should be noted that staff have not included any projections for day visits or visits from persons staying in campgrounds or accommodation outside of Ucluelet.

Month	Air DNA	Total Rooms	Total Vehicles	Days/Mth	50% Parking Days	Total Parking Days	Total Parking Per Day	\$5/day
January	25%	839	210	31	16	3251	105	\$16,256
February	40%	839	336	28	14	4698	168	\$23,492
March	50%	839	420	31	16	6502	210	\$32,511
April	55%	839	461	30	15	6922	231	\$34,609
May	65%	839	545	31	16	8453	273	\$42,265
June	75%	839	629	30	15	9439	315	\$47,194
July	90%	839	755	31	16	11704	378	\$58,520
August	95%	839	797	31	16	12354	399	\$61,771
September	81%	839	680	30	15	10194	340	\$50,969
October	55%	839	461	31	16	7152	231	\$35,762
November	50%	839	420	30	15	6293	210	\$31,463
December	40%	839	336	31	16	5202	168	\$26,009
								<b>\$460,820</b>

**Table 1:** projected revenue

\*Air DNA provides high level data on occupancy rates. The provided percentage is the average monthly occupancy level for Ucluelet for reporting accommodation providers.

\*calculation based on 1 vehicle per vacation rental room and visiting vehicles paying for parking a maximum of half their stay.

\*above calculation does not include fees generated from visitors staying outside of Ucluelet and day tripping into town.

\*parking fee based on \$5/day although it is recommended that a higher rate or tiered rate be utilized.

\*revenue potential should be seen as +/- 50% at this time and are calculated before expenses.

**Discussion Questions**

Staff have identified some key presumptions that may impact Council’s decision on whether or not to institute a parking fee program for Ucluelet.

- A. Can a parking program exempt permanent residents?**  
Yes, through the use of a free parking pass to permanent residents, all permanent residents could be exempt from any parking fees imposed by the municipality.
- B. Can Council extend an exemption or reduced fees to permanent residents of other communities?**  
Yes, Council could extend the exemption, through a process, to neighbouring communities or discount an annual parking pass. It should be noted that administering an exemption program would have staffing and cost implications with the management and oversight of a validation system.
- C. How do we prevent pushing visitors out of parking lots and onto neighbourhood streets?**  
Parking programs that charge fees for specific parking lots or areas do see changes in parking habits with vehicles being parked blocks away from the core areas in order to avoid paying parking fees. Staff are recommending the District consider a blanket, community wide, parking program, all parking lots, streets, side streets etc. to require a parking permit (no free or time restricted parking areas) this would negate the incentive for visitors to search out ‘free’ parking opportunities.



**D. How would the District mitigate visitors leaving cars in private parking lots i.e. the Co-op to avoid parking fees?**

The District has little control over private lands and no way to provide coverage or oversight of private parking areas. The prohibition from aiding a business prevents a municipality from assisting a business in this manner.

**E. Can the District implement a program that is specific to existing parking lots?**

Yes, there are a variety of options for implementing a parking fee program including charging for specific parking lots, streets, areas etc. If only specific parking areas are designated as fee zones, the District would likely see increased visitor parking in non-fee areas which would undermine the program and have a negative impact on residents.

**F. Can the District oversee private parking lots?**

No. The District is not permitted to charge for parking on private lands. Local businesses could, at their expense, charge for parking on their lands provided they have adequate space and are permitted within their specific zoning.

**G. What would the impact on local businesses be?**

Staff would estimate that there would be limited impacts on local businesses. Visitors to the region have travelled specifically to visit Ucluelet, Tofino, and the Pacific Rim National Park. It is unlikely that visitors would avoid Ucluelet entirely due to the need to purchase a parking pass.

**H. How would enforcement be undertaken?**

There are two options that could be considered. The District could undertake enforcement utilizing bylaw enforcement officers which would likely require the hiring of additional bylaw officers to provide monitoring of parking compliance. Alternatively, the District could enter into an agreement with a third party that undertakes enforcement. The degree of active enforcement is at the discretion of Council.

**COMMUNITY ENGAGEMENT**

It will be important to engage both the business community and community at large if a visitor parking fee program is implemented. The level and type of engagement will need to be determined and planned in advance if this initiative is furthered. There are two considerations that will significantly impact how we plan out an engagement strategy.

If Council has determined that the implementation of a visitor parking fee program is a critical service and revenue generator for the community, then the communication strategy would be informative in nature. Advising residents and businesses of the direction Council is taking, providing answers to anticipated questions and concerns, providing an overview of the program and requesting comments from stakeholders with respect to any items that have been missed or not been considered. An informative communication program would be undertaken in concert with the development of the program and required approximately 80 – 120 hours of staff time to implement.

If Council is undecided as to the benefit of the program and would like to know how the community feels about the implementation of a visitor parking fee program, then a more intensive engagement strategy would be required. This strategy would ask questions about if the community would like to see a parking program be undertaken, what goals or objectives of the program should be considered, perceived impacts, structure etc. If a full engagement program is desirable staff would recommend engaging a third party to undertake the communication and engagement work which staff would anticipate would take between 3

and 4 months. Undertaking this internally would require a minimum of 200 – 300 hours of staff time and draw out the engagement process for an additional 2 to 3 months.

#### KEY QUESTIONS

1. Does Council wish to explore the implementation of a visitor parking fee program for Ucluelet?
2. If a visitor parking fee program is supported:
  - a. Does Council support a community-wide parking program approach?
  - b. Does Council support the exclusion of permanent west coast residents from parking fees?
  - c. Does Council support a flat rate fee structure?

#### SUGGESTED RESOLUTION

That the Committee of the Whole recommend Council direct staff to issue a request for proposals for the implementation of a visitor parking program; initiate an informative community engagement process; and bring a follow-up report back to Council providing an overview of the parking program inclusive of costs, impacts and revenue generation for consideration.

#### NEXT STEPS

- Development of communication materials and strategy
- Confirm type and function of a parking program
- Development and Issuance of Request for Proposals
- Update of Traffic and Parking Bylaw
- Update of Municipal Ticket Information Bylaw

**Respectfully submitted:** Duane Lawrence, Chief Administrative Officer



## REPORT TO COUNCIL

Council Meeting: June 11, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

**FILE NO:** 6632-10

**SUBJECT:** DEVELOPMENT APPLICATION PROCEDURES – INPUT

**REPORT NO:** 24- 53

**ATTACHMENT(S):** APPENDIX A – BC DEVELOPMENT APPROVALS PROCESS REVIEW 2019 REPORT  
 APPENDIX B – UCLUELET BYLAW NO. 1164, 2015  
 APPENDIX C – TOFINO BYLAW NO. 1331, 2023

### RECOMMENDED PROCESS:

This report aims at gathering input from Council on different aspects of the municipal development application review and approval process. The report overviews a number of areas that a development application procedures bylaw typically includes. A series of questions are presented for Council to consider, discuss and then provide direction to staff by passing resolutions. These will guide staff in preparing a draft new Development Application Procedures bylaw; the bylaw would then be brought to Council at an upcoming meeting for initial discussion and consideration. Staff will overview the issues and options covered in this report, will be available to answer any questions and then staff recommend Council focus discussion on the questions by placing individual motions on the table for debate and vote.

Attached to this report are three appendices for context: the final report on the BC Development Approvals Process Review completed in 2019 (**Appendix “A”**), the current District of Ucluelet Development Approval Procedures Bylaw No. 1164, 2015 (**Appendix “B”**), and for comparison the new District of Tofino Development Application Procedures Bylaw No. 1331, adopted in August of 2023 (**Appendix “C”**).

### BACKGROUND AND CONTEXT:

In 2019 the Province engaged stakeholders to review the challenges and opportunities in the municipal development review process, with an aim to find ways to improve legislation and practices to create more streamlined processes while meeting community needs. The final report of that process recommended a number of areas where municipalities can streamline their processes (see Appendix ‘A’). The new provincial housing legislation adopted in late 2023 and 2024 shows a parallel interest in streamlining development approval processes at the municipal level.

The ADAPT (Adaptable Development Approvals Process Toolkit) project underway by the Town of Qualicum Beach and Vancouver Island University similarly shows the need and interest among local governments to revisit and right-size their processes.

In 2023 Council endorsed a workplan that the Planning Department is advancing to streamline and accelerate development approvals in Ucluelet, particularly focused on the development of housing. The workplan includes the following tasks:

- adopt new Development Application Procedures bylaw;
- delegate authority for issuing Development Permits;
- Delegate authority for issuing variances when creating new accessory housing units;

Since the delegation of authority to issue permits is enacted in a development application procedures bylaw, this is three tasks in one. The goal for the District is to ensure the process is as clear as possible, fully transparent, efficient and effective.

#### DISCUSSION AREAS:

##### Information Requirements

Because all development sites are unique- and because owners and/or developers can propose an open-ended variety of programs, forms and intensities – there can be no one-size-fits-all set of requirements for the information, plans and studies provided to support a decision on any given development application.

Ucluelet is designated as a Development Approval Information Area in the OCP bylaw:

OCP Bylaw No. 1306, 2022

##### *“Development Approval Information*

*Pursuant to the establishment of a Development Approval Information Area (DAIA) bylaw, the entire area of the District of Ucluelet covered by this Official Community Plan is designated as a development approval information area under the authority of Section 485 (1) (b) of the Local Government Act.*

*Development approval information will be required for:*

- *Zoning Bylaw amendments;*
- *Temporary Use Permits, and;*
- *Development Permits.*

*The information provided in a Development Approval Information (DAI) report will help ensure that future development considers potential impacts to transportation and parking, municipal servicing infrastructure, public facilities including schools and parks, community services, archaeological and cultural matters, natural ecosystems, climate change and other issues. The District’s DAIA bylaw will establish the information required,*

*procedures to be followed in the application process, and in what circumstances a DAI impact report is necessary to address items including:*

- *Terms of reference for DAI reports;*
- *Qualifications for personnel providing impact reports;*
- *Timing;*
- *Response options to inadequate reports;*
- *Peer review;*
- *Presentation of reports to Council; and*
- *Use and publication of the report.”*

If Council wishes to modify the Development Approval Information Area an amendment to the OCP would be required. This is an enabling aspect of the OCP bylaw necessary to inform decisions on development applications.

The details of how development information is collected need to be enacted in the development application procedures bylaw. For comparison, refer to the current Ucluelet framework in sections 4.1(b) and 5 in Appendix B, and section 5 in the Tofino bylaw in Appendix C.

#### Terms of Reference and DP guidelines

Development Permit Area Guidelines are adopted in the OCP bylaw. Another task in the workplan is to adopt more streamlined Form and Character DP guidelines – that is a next-level task that will commence later this year and would be enacted by amendments to the OCP bylaw.

Also in the workplan is to develop a concise terms of reference for QEP reports (i.e., consulting biologists’ assessment of sensitive ecosystems and, in particular, wetland delineation). That effort is underway and is being discussed at the staff level with neighbouring jurisdictions as an opportunity for regional collaboration and consistency – more to follow.

#### Professional Reliance model (e.g., QEP reports)

An aspect that should be considered is the professional reliance model in BC. The municipality does not employ registered professionals in all of the many areas of expertise encountered in the process of land development. There is a legal framework in BC for owners and approving agencies to rely on the assessment and recommendation by registered professional acting in their areas of expertise. This is a very workable framework but has some limitations. An ability for questioning whether a report is complete and accurate is a necessary part of the process; this can be in the form of a request for clarification (common) or a third-party independent review (less common, but important).

#### Public Notification

Keeping the public informed is an important part of maintaining transparency and accountability in local government. With development applications, there is generally great interest among community members to understand what possible changes may be coming on a given site, and the resulting impact on various factors: neighbourhood character, environmental impacts, traffic changes, etc.



A balance needs to be struck between public awareness and the cost (in both time and money) of different possible notification steps. Some minimum requirements are a matter of legislation, but Council has discretion on the degree and types of notification that the municipality undertakes beyond satisfying the legislated minimums. Generally, more notification takes more time and money – with costs borne by the applicant and/or the municipal taxpayer.

In an era of increasing information access and speed, there are some increased expectations for municipalities to provide more information and to provide it more rapidly. Expectations are also raised when members of the public compare the District's processes with those of other jurisdictions- which in many cases are able to devote greater resources to their communication and notification functions. This is an area where there may not be one correct way, rather it is a choice of Council to strike a balance to efficiently keep the community adequately informed.

Some avenues for public notification that are frequently used by municipalities include:

- signs posted on the property (generic)
- signs posted on the property (customized, with some detail of the proposal)
- newspaper advertisements
- mailed notices
- hand-delivered notices
- municipal notice boards
- community notice boards
- municipal newsletter
- municipal email (i.e., UkeeMail)
- municipal website: Council agendas
- municipal website: events (e.g., 'public hearings' page)
- municipal website: development proposal summaries (e.g., 'First Light / Lot 13' development)
- municipal website: real-time permit status tracker

For various development applications, Ucluelet has used all but the first and last formats listed above.

### Public Comment

Similar to notification, there are some legislated areas where opportunities for public comment are required (e.g., public hearing on a new OCP bylaw) and other areas where public input is not required but is helpful and is commonly part of municipal processes (e.g., open houses, surveys, verbal or written comments).

The Development Application Procedures bylaw can define when and how public comment is sought and provided to inform decision making processes.

An area that has recently changed, by provincial legislation aimed at reducing the pressure placed on municipal councils when approving new housing, is the new prohibition on holding a

public hearing on zoning bylaws for residential developments. This has already been incorporated into the municipal processes; notification is now being given of *first reading* of such bylaws. The District has to be careful that other forms of public input opportunities do not create something akin to a public hearing, when processing residential development applications.

### Public Information Meetings

Public information meetings are outside of the municipal approval process, and are held by a developer – typically early in the process. The intent of the meeting (typically an open house) is to gauge community support or concerns, and inform the development plans before a formal application is made to the District. Including parameters for public information meetings in the bylaw can guide developers and make the meetings more open, transparent and consistent.

Public information meetings are typically held for larger developments – the time, effort and expense is not justified for smaller proposals.

### Internal Referrals

While development applications typically are received by staff in the Planning department, at times all other municipal departments are involved in review, comment and identifying conditions that would need to be met as the development proceeds. Engineering and servicing aspects, Fire and emergency access, potential impact on parks, roads and other public spaces – all can be part of the review of a proposed development and its impact on the community.

While there is no need for the bylaw to authorize municipal staff to share information and seek direction from other departments within the organization, it is useful for the bylaw to mention these processes – if for no other reason than to help raise awareness of the process among applicants, the public and Council.

### Delegated Authority:

The BC Development Approvals Process Review (DAPR) suggests that municipalities look to streamline processes by delegating authority to issue permits, wherever possible.

There is a tradeoff for Council between efficiency and control.

Delegation depends on a degree of trust – by Council and by the public –

- that the criteria for obtaining a permit are clear
- that staff will apply the criteria reasonably and consistently
- that an unsuccessful application has a route for subsequent consideration by Council

Currently some decisions on developments are delegated:

- minor DP matters delegated under section 4 of the current Bylaw No. 1164
- information required for applications
- Board of Variance – is appointed by Council to grant minor variances in cases of hardship

DAPR suggests that municipal Councils delegate authority so that staff can process and issue:

- Environmental DP's
- Form and Character DP's
- Minor variances by DVP
- Temporary Use Permits

How it could work:

The scope of delegated authorities can be broad or narrow (e.g. delegate a broad range of variances vs delegate a narrow range such as DVP's for setbacks when it is for an additional dwelling unit).

Decisions made under delegated authority could rest with an individual staff member (e.g., Manager of Planning) or could be informed by a panel of staff (e.g., Planner, Engineer, Building Official).

Delegation could be for approval or rejection (with rejected applications being appealed to Council), or delegation could be for approval only (whereby if staff find they can't approve an application it is then automatically elevated to Council for a decision to either approve or reject).

Allow discretion for staff to elevate an application to Council if it is deemed to be contentious or of particular community interest.

### Monitoring

Currently there are no dedicated staff resources for monitoring the performance of owners and their contractors when developing under a DP. In particular, environmental DP's are monitored on an ad-hoc basis as time allows or as staff become aware of issues.

If increased monitoring is desired, some options are to add staff or consultant resources (which adds costs borne by the municipal tax base), or put the onus on a property owner to engage their QEP to monitor and report / certify that best practices and conditions of the DP have been followed (which adds costs to the owner/developer).

### Deposits

Security deposits are a tool frequently used by local governments to ensure performance by an owner / developer in carrying out construction activities as approved. They commonly take two forms:

- Landscape deposit (for work affecting public side of Form & Character DPs)
- Environmental performance (e.g., revegetation or erosion control measures in Environmental DP area)

Security deposits are either cash or a letter of credit held by the municipality and are commonly 125% of the estimated cost of the works. If the owner fails to complete the work, the municipality can draw on the security deposit to do so – rare, but in those cases a necessary tool for protecting the environment and/or public interest.

**QUESTIONS:**

- a. **Is Council interested in delegating some or all of the possible permit approvals to staff?**  
*While streamlining processes is a goal shared by Council, staff and many community members, there have also been recent appeals to Council specifically voicing a lack of trust in municipal staff.*
- b. **If yes, which types of permits would Council delegate? Conversely, which should be determined by Council?**
  - i. Development Variance Permits;
  - ii. Temporary Use Permits;
  - iii. Form and Character Development Permits; and/or,
  - iv. Environmental Development Permits.
- c. **Would Council prefer:**
  - i. **that applications be approved or rejected by staff, with a process to appeal such decisions to Council?**  
*could be perceived as more confrontational*
  - or:
  - ii. **that application be approved by staff or else elevated to Council for the decision to approve or reject?**  
*may result in more applications being placed on agenda for Council consideration, (including incomplete or weak applications).*
- d. **Would review by a staff panel be preferred by Council?**  
*Decisions made by a single staff member would take less time than convening a panel; however, decisions informed by a panel may avoid the appearance of individual subjectivity.*
- e. **Does Council consider developer-led Public Information Meetings a useful part of the process?**
- f. **Are there specific types of developments that should trigger a public information meeting? At a certain scale?**
- g. **notification signs, posted on site can be:**

- i. none;
- ii. generic; or
- iii. customized.

Custom signs are a common municipal requirement, containing a site map and description of the proposal on the sign. These can be costly, and there is no sign shop on the west coast producing such signs.

If used, should notification signs be required in cases of:

- iv. OCP & Zoning bylaw amendments;
- v. Development Variance Permits;
- vi. Temporary Use Permits;
- vii. Form and Character Development Permits; and/or,
- viii. Environmental Development Permits?

**h. print notification**

currently used for Temporary Use Permits, OCP bylaw amendments, Zoning bylaw amendments and (less common) open houses; depending on size costs \$250- \$1000

**Would council like to see additional print notification (Westerly) be used for other types of applications?**

**i. digital notification opportunities**

possibilities include UkeeMail, social media, dedicated web page; all take staff time.

**Would Council like to see development application notifications expanded beyond the required statutory notifications?**

**j. alignment with our neighbour**

The West Coast functions as a single housing market and development community; wherever possible staff aim to ensure alignment between regulations or procedures with those adopted by Tofino. There are times when unique circumstances or priorities of the two communities differ, but when all else is equal it benefits community members and builders to see common regulations. The recently adopted Tofino bylaw in Appendix C contains elements that staff are seeing as common practices in the bylaws of municipalities of similar size. That said, a more streamlined and perhaps user-friendly version of the bylaw may be possible.

**Would Council see advantage in aiming to create a more streamlined bylaw, or would it be more important to be closer aligned with the Tofino procedures?**

**k. Does Council have other direction for staff?**



**NEXT STEPS:**

Staff will take the direction of Council and draft a new development application procedures bylaw, based on best practices and examples from other similar jurisdictions. The draft bylaw will be presented to Council at an upcoming meeting for discussion and direction.

Respectfully submitted:        **Bruce Greig, Director of Community Planning**



# Development Approvals Process Review

**FINAL REPORT FROM A PROVINCE-WIDE  
STAKEHOLDER CONSULTATION**

**SEPTEMBER 2019**



**BRITISH  
COLUMBIA**

# Acknowledgements

The Ministry of Municipal Affairs and Housing wishes to thank all the participants who attended and contributed to the stakeholder working group and technical committees meetings. The Ministry also wants to acknowledge the work of the meeting facilitators, Pinna Sustainability Inc. and Gary Penway Consulting.





# Executive Summary

In February 2018, the Minister of Municipal Affairs and Housing released [Homes for B.C.: Government's 30-Point Plan for Housing Affordability in British Columbia](#). Local governments are an important partner in this work, and government is committed to empowering and supporting their efforts to accelerate the construction of the homes people need.

The process for approving development has a major impact on how quickly housing projects are built. While local government development approvals play an important role in ensuring community interests are met and developments are healthy and safe, they can also result in complex, lengthy and expensive processes with significant uncertainties for developers.

Expectations of development have changed significantly over the past few decades. Affordable housing and climate mitigation are now regularly addressed in the development process, and there are expectations that development will also deliver public amenities. Meanwhile, the development industry has also grown and changed and is now one of the largest industries in British Columbia (B.C.). As the sector grows, increasing competition for building sites has resulted in shorter option periods when acquiring land, creating greater risk for developers and heightening their need for more certainty at the outset of the development process.

To address challenges and identify opportunities for improvement in the current development approvals process, and to support local governments in eliminating barriers to affordable housing and accelerate the construction of the homes they need in their communities, the Ministry of Municipal Affairs and Housing (MAH) has initiated the Development Approvals Process Review (DAPR). As a first step, MAH engaged a broad range of stakeholders to discuss the challenges of the current development approvals process in B.C., to identify opportunities for addressing those challenges and to develop an informed list of ideas about how to improve the efficiency and effectiveness of the process.

The consultation (DAPR Phases 1-3) was broad in scope and considered a full range of legislated and non-legislated elements of the process, as well as regional differences across the province. Over the course of six months, stakeholders contributed their knowledge, experience and perspectives to inform potential future changes to the local government development approval process.





Challenges and corresponding opportunities to address them identified through the DAPR discussions were ranked by stakeholders according to their level of importance. Collectively, the highest ranked of these were grouped into six main categories:



- **Local government application processes**, including process variations across local government approvals, and developer applications.
- **Local government approval processes**, including delegation of authority on land use permits, and the requirement and processes associated with public input.
- **Development finance tools**, including the scope and use of development cost charges and community amenity contributions.
- **Subdivision**, including the role of approving officers, the use of preliminary layout approvals, and requirements for parkland dedication.

- **Provincial referrals and regulatory requirements**, including referrals to, approvals from, and permits authorized by provincial ministries, Crown corporations and major utilities.
- **Other overarching themes**, including opportunities to improve broad understanding of the development approvals process through training, guides and resources, and cross-jurisdictional research.

Looking ahead, the next stages of DAPR will require a thoughtful evaluation of the range of identified opportunities. Ongoing collaboration with stakeholders will be a critical element of this process, as many of the identified ideas could have significant implications for local governments and other stakeholders.

MAH is committed to ensuring that work undertaken to explore and implement any of the opportunities identified in this report is fully informed by the knowledge and experience of those who are directly working with and impacted by development approval processes.

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# 1 Context

In February of 2018, the Minister of Municipal Affairs and Housing released [Homes for B.C.: Government's 30-Point Plan for Housing Affordability in British Columbia](#). Under this plan, the Province committed to a number of measures to stabilize the housing market, crack down on tax fraud and close loopholes, build the homes people need, improve security for renters, and support the building and preservation of affordable housing. Local governments are an important partner in this work, and government is committed to empowering and supporting their efforts to accelerate the construction of homes that people need.

While building and preserving affordable housing is a critical part of improving the housing market, providing a supply of different types of housing also plays an important role in ensuring that all British Columbians have access to the homes they need. The process for approving development has a major impact on how quickly projects, including housing, are built.

The *Local Government Act* provides local governments in B.C. with a variety of planning and land use tools. These include regional growth strategies, official community plans (OCPs), zoning bylaws, development permits, development cost charges, density bonusing, subdivision and development control bylaws.<sup>1</sup> The *Community Charter* provides local governments with tools for building bylaws. Local governments may vary some of the above provisions by issuing development variance permits, temporary use permits, and heritage alteration permits. Minimum content and public input requirements for these planning and land use tools are also described in legislation. Other tools, such as community amenity contributions and additional

public input processes, are not legislated but are commonly employed by local governments in their development approval processes.

Local governments have considerable discretion over the use of these tools to plan for their communities, achieve land use control and approve individual development proposals. Each local government develops its own requirements and follows its own process for development approvals. Often, these vary widely between local governments, including adjacent ones, adding an additional layer of complexity for developers while also recognizing the differences among communities.

On the development side of the equation, the development sector has grown and changed over the past few decades to become one of the largest industries in the province. In 2017, residential development alone was responsible for nearly \$12 billion in wages and nearly 200,000 jobs.<sup>2</sup> Strong demand has increased competition for building sites, particularly in high-growth areas, resulting in shorter option periods when acquiring land. This creates greater risk for developers and heightens the need for more certainty at the outset of the development process.

To address challenges and identify opportunities for improvement in the current development approvals process, and to support local governments in eliminating barriers to affordable housing and accelerate the construction of new homes, Ministry of Municipal Affairs and Housing (MAH) initiated the Development Approvals Process Review (DAPR). Section 2 outlines the project purpose, objectives and scope of the DAPR stakeholder consultations.

<sup>1</sup> City of Vancouver gets its authority from the *Vancouver Charter*.

<sup>2</sup> Canadian Home Builders' Association  
– Economic Impacts of Residential Construction

## 2 Project purpose, objectives and scope

### 2.1 Project Purpose

MAH initiated DAPR as part of its commitment to empower local governments to eliminate barriers to affordable housing and accelerate the construction of homes people need. More specifically, DAPR identifies opportunities to increase the efficiency (including timeliness, predictability, certainty and consistency) and effectiveness (including fairness, balance, transparency, inclusivity, and outcomes that are in the public interest) of local government development approvals processes.

The DAPR project consists of four phases, with the first three focusing on stakeholder consultation. The primary objective of the consultation was to engage stakeholders in a robust conversation to identify:

- challenges within current development approval processes;
- core qualities of an effective and efficient development approval process; and
- opportunities to address challenges while improving the efficiency and effectiveness of the development approval process.

During phase four, MAH will further consider and analyze particular opportunities, in consultation with stakeholders, and implement solutions as appropriate.

The goal of this report is to reflect the list of informed ideas generated by the stakeholder consultation in phases one, two and three.

### 2.2 Consultation Scope

The scope of the DAPR consultations addressed the wide range of considerations, processes and tools associated with the development approvals process, including legislated and non-legislated elements (Figure 1).

Consultations were province-wide and addressed challenges, tools, and processes in rural, urban and suburban communities.

Eleven meetings were held throughout the province to provide stakeholders with an opportunity to reflect on current approaches, identify challenges and opportunities, and to suggest ideas for increasing the efficiency and effectiveness of development approval processes.



**Figure 1.** Elements of the Development Approvals Process Review

### 2.3 Development Approvals Process Review Working Group and Technical Committees

Stakeholder consultations were undertaken with the participation of a Development Approvals Process Review Working Group (Working Group) and four Development Approvals Process Review Technical Committees (Technical Committees).

The consultation was led by the Working Group, which was comprised of executive-level representatives from a range of stakeholder groups including: local government, industry, non-profit organizations, academia and other relevant agencies. The role of the Working Group was to provide critical input on issues and opportunities to improve the effectiveness and efficiency of the local development approvals process. The Working Group prioritized areas for more in-depth analysis by the Technical Committees and validated the action ideas that were generated.

The regional Technical Committees were comprised of senior and technical-level staff from the same stakeholder sectors as the Working Group. In total, four regional Technical Committees were convened, representing the North, Okanagan and Interior, Lower Mainland and Vancouver Island. The Technical Committees were tasked with analyzing and proposing implementable actions in response to challenges and opportunities identified by the Working Group.

Appendix A contains a list of participants.

### 2.4 Process overview and timeline

This section describes the consultation process with the Working Group and Technical Committees that occurred over the first three phases of DAPR (Figure 2, Table 1).

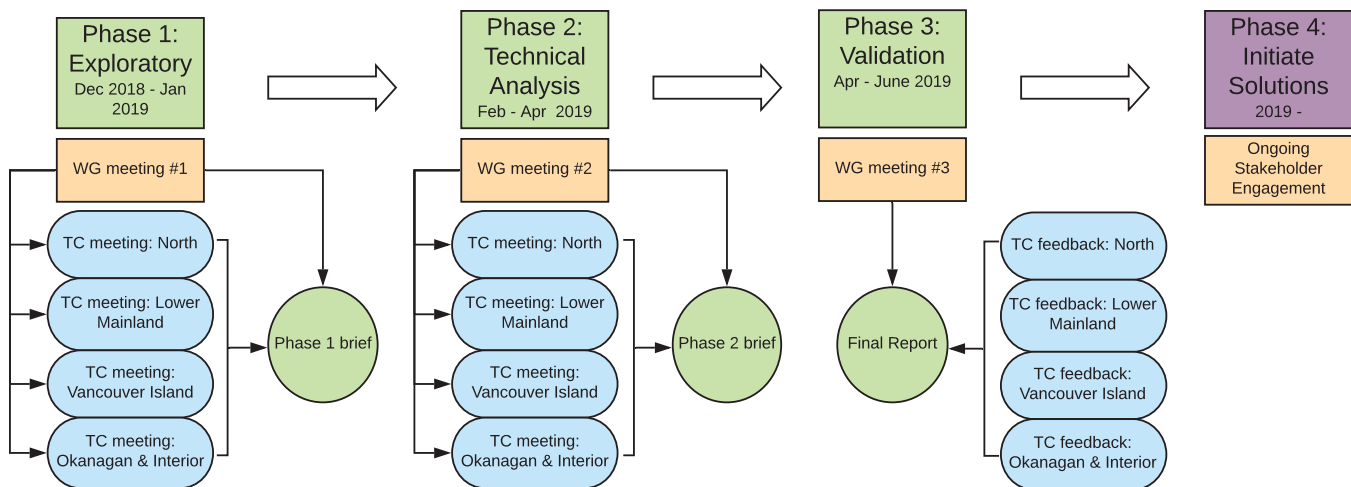


Figure 2. Phases of the Development Approvals Process Review



**Table 1: DAPR process description**

	PRIMARY GOAL	GENERATING IDEAS
<b>PHASE 1: EXPLORATORY</b>	Format	Five meetings (one Working Group, four Technical Committee) December 2018 - January 2019
	Focus	<ul style="list-style-type: none"> <li>Participants each identified challenges they currently experience with the development approvals process as well as opportunities that may help to address the challenges, thereby increasing the efficiency and effectiveness of the process.</li> </ul>
<b>PHASE 2: TECHNICAL ANALYSIS</b>	Primary Goal	Discussing and ranking opportunities identified in Phase 1
	Format	Five meetings (one Working Group, four Technical Committee) February - March 2019
	Focus	<ul style="list-style-type: none"> <li>The Working Group undertook an initial review of each opportunity identified during Phase 1 and assessed them as follows: out of scope or not supported; needs more discussion or definition; opportunity is worth further consideration by MAH.</li> <li>Opportunities categorized as requiring further discussion or recommended for consideration by MAH were moved forward for Technical Committee review. Technical Committee participants then provided their insights on each opportunity and considered the level of importance the opportunity had in its ability to improve the development approvals process by supporting one or more of the guiding principles (see section 3). Additionally, they considered the level of effort that would be required to implement the opportunity, from the perspective of their organization.</li> </ul>
<b>PHASE 3: VALIDATION</b>	Primary Goal	Reviewing and confirming the ideas brought forward in Phase 1 and 2
	Format	One meeting (Working Group) May 2019
	Focus	<p>Working Group participants provided feedback on the three groups of opportunities identified as being highest priority by the Technical Committees:</p> <ul style="list-style-type: none"> <li>Improving public input tools and requirements;</li> <li>Revising community amenity contributions and development cost charges;</li> <li>Updating delegated authority tools and practices.</li> </ul>
<b>PHASE 4: INITIATE SOLUTIONS</b>	Primary Goal	MAH staff to review ideas, analyze next steps and plan for implementation
	Format	To be determined, in consultation with stakeholders
	Focus	To be determined.

## 3 Guiding principles for Development Approvals Processes



During the stakeholder consultation, participants of both the working group and technical committees identified qualities of an efficient and effective development approvals process. The qualities were established as a set of guiding principles and used to consider and frame potential opportunities throughout the course of the discussions. The guiding principles could also assist MAH as it moves forward in its consideration of next steps.

### 1. ACHIEVES OUTCOMES IN THE PUBLIC INTEREST

The approvals process is set up to support development that is strategically aligned with adopted community plans, supports community values, is strategically aligned with the public interest and results in high-quality built environments.

### 2. CERTAINTY

The requirements, timeframes and costs of development approvals are clearly outlined and communicated in advance or as early as possible in the application process. The expectations remain consistent throughout the process.

### 3. TRANSPARENT ACCESS TO INFORMATION

Decisions during the approval process are documented and communicated in a clear and timely manner. Application status is accessible to proponents and to all staff involved in the approval process. The public is informed.

### 4. COLLABORATIVE

Local governments and applicants work collaboratively to achieve desired outcomes. Where public involvement is appropriate, the process seeks public input early in the process and in an informed manner.

### 5. FLEXIBLE

The process achieves consistency while providing flexibility that enables developments in line with these guiding principles. Flexibility also allows for and even rewards innovation.

### 6. TIMELY

The development approval process occurs on timeframes that are appropriate to the level of complexity of the application. All parties, including local governments, proponents, provincial agencies, professionals, and others involved in the application process, provide needed input in a timely manner.

### 7. BALANCED

The development approval process strives to achieve a fair balance of costs and benefits to the public and the proponent.

## 4 Key insights on improving Development Approvals Processes

The following section outlines the ideas identified to be of high importance by the stakeholders.<sup>3</sup> Several other challenges and opportunities were ranked of medium or lower importance by participants, and these are included in a comprehensive list in Appendix B. The high importance ideas are grouped into six main topic areas, including:

- Local government application processes;
- Local government approval processes;
  - Public input,
  - Delegation of authority,
- Development finance tools;
- Subdivision;
- Provincial referrals and regulatory requirements;
- Overarching themes.



### 4.1 Local government application processes

#### CONTEXT

Local government processes for planning and land use are flexible, in part to allow for their application to a wide range of unique circumstances. In the case of development approvals, this has resulted in considerable process variations and differing requirements between local governments. Proponents and developers are responsible for learning and following the development approval process requirements for the communities in which they wish to build.

#### CHALLENGES

Participants identified several elements of internal application processes that pose challenges for both proponents and local governments, and increase overall timelines for application processing, including:

- incomplete or poor-quality submissions by proponents;
- increased complexity of requirements;
- inconsistent development permit guidelines; and
- contradictory advice from different departments.

Outside of lengthy application processes, other challenges raised included:

- lack of transparency on the status of development applications, and
- lack of consistency of requirements between adjacent local governments.

<sup>3</sup> In the same way that the Technical Committee members ranked the relative importance of identified opportunities, they also ranked level of effort on a scale of low, medium and high, based on individual perception of the effort that would be required by their organization to implement. Further assessment of implementation effort will be considered in more detail by the MAH as part of phase four. Appendix C provides a brief summary of the opportunities identified as likely to require a higher level of effort to implement by at least one stakeholder group.

Participants also noted challenges with internal staff resourcing, particularly with respect to obtaining and retaining qualified building officials and experienced planning staff, and difficulties with resource planning due to misalignment between budget requests and fluctuations in the number of applications.

### OPPORTUNITIES

Participants identified numerous best practices that can be employed by local governments to improve the efficiency of internal reviews and approvals, with some of these already being tested or in practice in individual local governments. Participants highlighted the usefulness of developing best practice guides, both for local governments and developers, and suggested that local governments and proponents could conduct reviews of their processes guided by these best practices.

Other opportunities considered to be of high importance for improving application processing included:

- triaging development applications at the submission stage to identify incomplete, easy and complex applications, and have a different process for acting on each kind;
- implementing a digital permit tracking system where cost effective (or with assistance from the provincial government);
- creating a model Development Approvals Procedures Bylaw;
- local governments to develop best practice guide to clearly define what constitutes a major versus minor amendment change;
- creating model development checklists; and
- emphasizing the need for staff across departments to communicate, understand, and balance requirements administered through development approval processes.

While staff resourcing was considered high importance, participants noted that it could be challenging to address. Some ideas on this topic included:

- working with the development community to find a balance between improved processing times and increased application and permit fees to cover the costs of additional staffing;
- provincial government support for professional positions in underserved regions and smaller communities;
- setting minimum liability insurance requirements for professionals; and,
- addressing building official training, recruitment and retention.

### REGIONAL NOTES

Generally, opportunities for improving internal processes were ranked as being of lower importance in the North. Representatives from the Okanagan and Interior placed extra importance on the development of best practice guides, model checklists and resourcing. Mandatory application timeframes, limited to staff-approved applications, were identified as important on Vancouver Island; however, there was concern with regard to potential legal challenges and staffing issues. Other regions also raised concerns over the practicality of mandatory timelines given the need for external referrals, complex applications, applicant response times, legal challenges and consequential rejection of applications. As an alternative to mandatory timelines, participants suggested that local governments set target timeframes for application reviews.

## 4.2 Local government approval processes

Challenges and opportunities for local government approval processes are divided into two sub-categories: delegation of authority and public input.

### 4.2a Delegation of authority

#### CONTEXT

The Province provides authority to local governments for development approval tools under several pieces of legislation: the *Local Government Act*, the *Community Charter*, the *Building Act* and the *Vancouver Charter*, which applies to the City of Vancouver only. Legislation specifies which decisions must be made by elected officials, which may be delegated to staff, and which must be made by staff. Under the current system, amendments to zoning bylaws (i.e., rezoning applications) and development variance permits must be approved by elected officials, while development permits, temporary use permits, and tree cutting permits may be delegated. The City of Vancouver has more flexibility and some additional powers in relation to land use matters, and has more matters that are specifically stated in legislation as delegable to staff.

#### CHALLENGES

Participants identified that some types of approvals by elected officials can increase overall timeframes, potentially impacting project costs, particularly as agendas for council and board meetings are frequently full and applications may need to wait several weeks before being heard. Elected official approval may lead to uncertainty – in some circumstances projects may meet required criteria and are not approved due to subjective requirements from council.

Many participants questioned whether elected official approvals were necessary in cases where applications are aligned with the OCP, council/board-approved area plans, or development permit area guidelines. Concerns were raised regarding elected officials making decisions on development applications based on details that are not supposed to be taken into account (e.g., making a decision on the intended users of a proposed development instead of the intended use), either due to pressure from the public or lack of understanding about the parameters of evaluation.

#### OPPORTUNITIES

There was significant interest in and high importance placed on increasing opportunities for local governments to delegate approval decisions to staff. This suggestion was provided in the context that greater emphasis should be placed on the development of area plans and pre-zoning that have been subject to robust public input. The approval of applications that align with these plans could then be delegated to staff, helping to make the approval process more efficient while maintaining its effectiveness. Participants identified the following action ideas:

- Conduct a review of opportunities to increase councils' and boards' ability to delegate individual development approvals.
- Reframe legislation to make delegation the default approach for some approvals, with the option to opt into elected official decision-making.
- In the case of a new delegation authority, provide an option for applicants receiving delegated approvals to appeal staff decisions to elected officials.
- Provide training to local governments and/or create best practices guide on conducting a meaningful and robust public consultation process for OCP and pre-zoning, then delegate approval of subsequent applications.



- Enable conditional/discretionary uses for all local governments, similar to Vancouver, and delegate approval decision for these uses to staff.<sup>4</sup>
- Provide local governments the authority to delegate decision making to staff for minor development variance permit matters (for example, minor variances to parking, siting, etc., that do not affect use or density and do not create a significant impact on neighbouring properties).
- Identify options for enhancing pre-zoning tools to enable local governments to secure benefits that are currently negotiated through site specific rezoning.

### REGIONAL NOTES

Participants in the Okanagan and Interior and on Vancouver Island indicated the highest levels of support for these opportunities.

## 4.2b Public input process

### CONTEXT

Minimum requirements for public input are established by legislation, with public hearings having an additional framework set out in common law. For example, legislation does not address what can be heard after a public hearing and before a decision, yet there are very strict rules about this that have been created by the courts. This makes the public hearing context different than most other land use and planning provisions. Public hearings are required for all development applications that seek amendments to OCPs and to zoning bylaws that are not consistent with the OCP. Public hearings can be waived for rezonings that are consistent with the OCP; however, many local governments choose to hold a public hearing regardless.

Public hearings must be held after first reading and before third reading of a bylaw. The public hearing, third reading and adoption can occur in one meeting. Earlier opportunities for public input are not required in legislation; however, many local governments have created their own processes for meaningful public engagement earlier in the process. Similarly, while there are no requirements for proponents to engage with the public at any point in the process, many choose to do so.

### CHALLENGES

Participants noted that in general, public hearings tend to be an ineffective means of engaging and receiving input from the public, in particular:

- The format of a public hearing does not allow for discussion. Councils and boards may not respond to the comments from the public, which can cause frustration on the part of the public.
- Public hearings occur late in the development approvals process, after considerable time (sometimes years) and significant cost has gone into a proposed project. Consequently, change can be difficult to accommodate.
- Public hearings tend to attract and empower well-organized interest groups that may not represent the broad perspective of the community or even those who would be the most directly impacted by a decision. This can result in applications being denied despite being aligned with adopted community and neighbourhood plans. Public hearings can enable NIMBY (an acronym for “not in my backyard”) which describes residents’ opposition to a development in their own neighbourhood, while raising no objections to similar developments in other neighbourhoods.
- Unnecessary public hearings can add costs and time delays to projects.

<sup>4</sup> In the City of Vancouver, in each zoning district, land uses are categorized as either outright or conditional uses. Conditional uses are those that may be allowed, subject to conditions as determined by the Director of Planning, or may be refused.

## OPPORTUNITIES

There was significant interest in and high importance placed on increasing the efficiency and effectiveness of the public input process, including:

- the need to improve, supplement, or replace the public hearing process;
- identification of options for receiving more meaningful, earlier input from the public;
- reviewing notification requirements to replace newspaper ads; and
- potentially reducing the number of bylaw readings.

Participants noted the importance of area or neighbourhood planning and the value in identifying ways to strengthen public input during these processes. Participants also discussed:

- the use of OCPs in relation to the development approval process;
- a provincial review of the frequency of OCP updates; and
- removing the requirement for a public hearing for minor amendments.

Participants noted that provincial funding for OCP updates would be of high importance. The consideration of the potential inclusion of housing targets in the OCP was also given high priority, although some participants raised concerns about local governments' ability to implement.

## REGIONAL NOTES

The North placed specific importance on replacing advertising requirements with more modern methods. Across all other regions there was agreement on the high importance opportunities identified.

## 4.3 Development finance tools

### CONTEXT

Development finance tools play a significant role in the development approvals process as they are a key mechanism by which local governments invest in the infrastructure, services and amenities needed to support new development.

Development cost charges (DCCs) are fees municipalities and regional districts choose to collect from new development to help pay the cost of off-site infrastructure services needed to accommodate new growth. DCCs are applied as a one-time charge, and are usually collected from developers at the time of subdivision approval, or at the building permit approval stage.

Local governments are limited in the types of services they may fund using DCC revenues. Specifically, revenues are used to help offset the costs associated with the provision, construction, alteration or expansion of roads, sewage infrastructure, waterworks and drainage works, and may be used in the acquisition and improvement of parks, as provided for in provincial legislation and enacted by bylaw. DCC revenues may not be used to fund libraries, recreation facilities, affordable housing or fire services.<sup>5</sup>

As such, many local governments increasingly rely on community amenity contributions (CACs). CACs are amenity contributions agreed to by the applicant/developer and local government as part of a rezoning process initiated by the applicant/developer. CACs are negotiated by the local government and are not defined in legislation. CACs can take several forms including community amenities, affordable housing or financial contributions towards infrastructure that cannot be obtained through DCCs.

<sup>5</sup> Vancouver and the Resort Municipality of Whistler have broader DCC provisions.

The *Local Government Act* also defines density benefits which permit local governments to establish different density rules for a zone, applicable if certain conditions are met, including conditions relating to the provision of amenities, affordable and special needs housing. In addition, the *Local Government Act* allows local governments to enter into housing agreements for affordable and special needs housing.

### CHALLENGES

While DCCs provide a funding tool for the expansion of certain services in growing communities, they do not provide funding for maintaining and replacing infrastructure, which is funded by the existing property tax base. Additionally, DCCs can only be collected for limited uses. As a result, many local governments have increasingly relied on CACs to address public expectations for a range of neighbourhood amenities. CACs are not defined in legislation and are usually negotiated on a site-by-site basis. Since CACs are regularly secured through the rezoning process and rely on the discretion of elected officials, CACs can be unclear and create considerable cost and approval uncertainty.

### OPPORTUNITIES

A comprehensive policy review of development finance tools and an identification of new or expanded options for funding community infrastructure and amenities was ranked as being of high importance by participants. Opportunities identified for improving effectiveness and efficiency of development finance include:

- defining CACs in legislation;
- removing the ability of local governments to levy CACs and creating in their place a new financing tool, including a “super DCC” which would cover a wider range of public benefits than is currently allowed for under legislation;
- pending the development of revised development finance tools, developing new best practice guidance;

- local government best practices to address social objectives in DCCs and CACs including recognizing social benefits (affordable/special needs housing) as community amenities;
- considering options to secure and provide more reliable funding for local governments from senior government for infrastructure as a means of reducing funding pressures from DCCs and CACs; and
- training for local government staff on communicating, understanding, and balancing development approval requirements across departments.

### REGIONAL NOTES

Generally all regions had similar rankings for these issues; however, the North placed medium rather than high importance on the need for internal training to balance requirements across departments.

## 4.4 Subdivision

### CONTEXT

Subdivision applications must be approved by an approving officer appointed under the *Land Title Act*. In municipalities, the approving officer is an employee of the local government and thus performs two roles: 1) performing duties directly under provincial legislation outside of council decision or influence, and 2) performing local government responsibilities under council direction. In the unincorporated areas of regional districts, Ministry of Transportation and Infrastructure (TRAN) staff act as approving officers with responsibility for subdivision reviews and approvals. Under the *Land Title Act*, TRAN may appoint approving officers for regional districts, however, this authority is not currently used. Approving officers are quasi-judicial officials, who act independently to ensure that subdivisions comply with provincial acts and regulations, and with local government bylaws for official community plans, zoning, servicing, and other plans and bylaws.

Prior to final subdivision approval, it is common for an approving officer to issue a preliminary layout approval (PLA), which is not required in legislation. The PLA identifies any subdivision approval conditions. This allows for the developer to prepare a pro forma, secure financing, retain required consultants, pursue a land purchase, and to begin construction of the subdivision.

The legislation enables approving officers to require parkland dedication as a condition of subdivision approval. Cash-in-lieu for parkland dedication must be used to acquire new parks and cannot be used for park improvements.

### CHALLENGES

Participants identified several challenges with respect to subdivision approvals, including:

- the role of approving officers is often unclear to, or misunderstood by, councils, boards and the public;
- training opportunities are infrequent and only offered in select areas of the province;
- low capacity at TRAN due to limited staff resources and high staff turnover results in slow regional district subdivision approvals in some regions; and
- preliminary layout approvals are useful in reducing unexpected impacts to developers but are not used consistently.

The inflexibility in allocating cash-in-lieu for off-site works and parkland dedication is also a challenge, since funds can only be used for a specific purpose. This can result in funds being essentially unusable, and held indefinitely in orphaned bank accounts.

Additionally, the five percent parkland dedication requirement may result in small park segments scattered throughout communities

### OPPORTUNITIES

Several opportunities regarding the subdivision approval process were identified, including:

- developing enhanced communication materials for elected officials, local government staff and the public about the subdivision approval process;
- providing regional districts the authority to have their own approving officers;
- providing small municipalities the option to opt out of having an approving officer and instead access the services of the regional district approving officer; and
- providing additional training for approving officers and offering courses in more locations throughout the province.

With respect to PLAs, high importance was placed on developing model letters that local governments could use to provide proponents with early direction and to reduce the potential for unexpected impacts on the developer late in the process.

Participants noted the usefulness of enabling local governments to use cash-in-lieu for off-site works, to be allocated more widely for related purposes, such as sidewalks in the area and not just adjacent to the development site.

Opportunities for more effective parkland dedication included:

- enabling local governments to use cash-in-lieu for park improvements; and
- allowing segmented, underused parkland to be sold with proceeds being used for other parkland acquisition or park improvements.

### REGIONAL NOTES

Generally, participants from the Lower Mainland ranked opportunities associated with subdivision as low and those in the North, and Okanagan and Interior rated a few of the opportunities as high, such as a review of policy to establish best practices for cash-in-lieu for off-site works and opportunities to improve staff resources at TRAN.

## 4.5 Provincial referrals and regulatory requirements

### CONTEXT

Development in local government jurisdictions routinely requires referrals to, approvals from, and permits authorized by provincial ministries, Crown corporations or major utilities. Communication to and between these groups, along with the internal process requirements, can influence the efficiency and effectiveness of the development approval process.

### CHALLENGE

Overall, the need for more communication from ministries about legislative changes, new policies and new regulatory requirements was identified as a challenge for local governments and other stakeholders. Participants identified several other challenges related to provincial referrals and regulatory requirements that, if addressed, would reduce cost, complexity and timelines. These include:

#### *Ministry of Environment and Climate Change Strategy*

- Uncertainty around contaminated site regulations and potential upcoming changes that would shift approvals to the building permit stage

#### *Ministry of Forests, Lands, Natural Resource Operations and Rural Development*

- Requirements under the *Riparian Areas Regulation* are difficult for local governments to enforce, and require substantive review and reform to effectively protect habitat
- Delays in section 11 permits issued under the *Water Sustainability Act*

#### *Ministry of Municipal Affairs and Housing*

- The need for additional lead time to learn of Building Code changes before they come into effect

#### *Ministry of Transportation and Infrastructure*

- High number of referrals to TRAN for developments within 800 meters of a provincial road
- Lack of authority for TRAN to create latecomer agreements, resulting in reluctance for developers to bear the high cost of being the first to develop, including in areas identified as important for meeting community objectives

#### *BC Hydro*

- BC Hydro engages late in the process, sometimes resulting in the requirement for substantive changes to design and subsequent considerable delays for developers

### OPPORTUNITIES

Participants strongly supported improved and consistent communication from the Province to local governments about upcoming changes to requirements that could affect the local government development approvals process. Participants also highlighted the following opportunities specific to each ministry:

#### *Ministry of Environment and Climate Change Strategy*

- Improved communication about contaminated sites, including clear materials that can be distributed by local governments who serve as the interface with proponents



### Ministry of Forests, Lands, Natural Resource Operations and Rural Development

- Comprehensive review of the *Riparian Areas Regulation* and associated policy to make these approvals more effective
- Additional ministry staff to approve section 11 permits under the *Water Sustainability Act*

### Ministry of Municipal Affairs and Housing

- Improved communication and earlier advance notice of Building Code changes to enable faster local government approval of alternative solutions that align with those changes

### Ministry of Transportation and Infrastructure

- Updating the TRAN referral requirements for development within 800 meters of a provincial road; for example, considering an approach of pre-approving area plans and only reviewing applications that do not align with those plans or are directly connecting to provincial roads
- TRAN review of its authority for the use of latecomer agreements, to distribute the high cost for first developers across multiple properties
- TRAN review of the use of latecomer fees to distribute DCCs across multiple projects. It was noted that broader cost per unit analysis based on potential future densities may be appropriate

### BC Hydro

- Proponents can employ best practices in engaging BC Hydro early in the process. There is also a role for the Province to support BC Hydro in engaging earlier, particularly with respect to substantive design issues

## REGIONAL NOTES

In the Okanagan and Interior, participants identified the need to review the *Riparian Areas Regulation* as having high importance. Vancouver Island participants ranked the importance of changing involvement of BC Hydro in the process as low, while all other regions ranked this as high.

### 4.6 Overarching topics

Participants suggested several broader opportunities to improve the collective understanding of the development approvals process with the objective of improving its effectiveness and efficiency, including:

- comprehensive training opportunities for all parties involved in development approval processes, including local government staff (planners, engineers, parks staff, building officials, etc.), elected officials, proponents, qualified professionals, consultants, provincial staff and others;
- resources such as checklists, model bylaws and best practice guides, with a central website to access all of these resources; and
- understanding how other jurisdictions have addressed similar challenges to analyze their applicability to B.C.

## 5 Conclusion and next steps



DAPR consultations brought together diverse stakeholders from organizations across the province, enabling MAH to undertake a broad review of development approval processes. Stakeholder participation in the process was invaluable; many perspectives were shared and captured to identify an informed list of ideas for improving the development approvals process in the province.

The ideas described in the report have significant overlap and linkages, as well as potential implications for the overall planning and land use system. Further analysis of the opportunities presented will include a comprehensive review of the effect of legislative or non-legislative projects on the land use planning framework overall.

Acknowledging that the consultation done in Phases 1-3 of DAPR is the first step in a longer-term evaluation of opportunities for improving the development approvals process in B.C., participants highlighted the following key considerations for MAH as it plans next steps:

- Proceed with significant ongoing input from all parties involved. This is to avoid unintended consequences resulting from changes to policies, regulations or legislation. Deep consultation with stakeholders on specific proposals is essential for success.
- Identify how opportunities that are implemented will be evaluated and monitored.

The final phase of the DAPR project, Phase 4: Initiate Solutions is now underway and includes a longer-term process of evaluating and acting on opportunities for updating the local government development approvals process in B.C.

As part of this phase, MAH will be carefully considering how to best engage with DAPR participants going forward. Many of the identified ideas could have significant implications for local governments and other stakeholders. MAH is committed to ensuring that work undertaken to implement the opportunities identified in this report is fully informed by the knowledge and experience of those who are directly working with and impacted by development approval processes.

## 6 Appendix A: List of participants

Aboriginal Housing Society of Prince George	City of Prince Rupert	Purdey Group
Architectural Institute of British Columbia	City of Richmond	Regional District of Central Okanagan
BC Chamber of Commerce	City of Surrey	Regional District of Fraser – Fort George
BC Housing Corporation	City of Terrace	Regional District of Nanaimo
BC Non Profit Housing Association	City of Vancouver	Saanich Community Association Network
Bragg Construction	City of Vernon	Simon Fraser University
Brightside Community Homes Foundation	City of Victoria	Social Planning and Research Council BC
Building Officials Association of British Columbia	Colliers International – Greater Vancouver Area	Strand Development
Building Owners and Managers Association of British Columbia	District of Central Saanich	Strathcona Regional District
Burquitlam Community Association	District of Invermere	Stretch Development
Canadian Home Builders Association of British Columbia	District of Lake Country	The Planning Institute of British Columbia
City of Abbotsford	Engineers and Geoscientists of British Columbia	Town of Ladysmith
City of Campbell River	Fraser Valley Regional District	Town of Smithers
City of Coquitlam	Greater Victoria Housing Society	Tri-Amm Developments Corp
City of Grand Forks	Homebuilders Association Vancouver	Union of British Columbia Municipalities
City of Kamloops	Jason Schmidt	University of British Columbia
City of Kelowna	Landlord BC	Urban Development Institute – Okanagan Chapter
City of Langford	Langara College	Urban Development Institute – Pacific Region
City of Langley	Municipal Insurance Association of British Columbia	Urban Land Institute – British Columbia
City of New Westminster	Naikoon Contracting Ltd	Vancouver Island University
City of North Vancouver	Nanaimo Neighbourhood Network	Vancouver Native Housing Society
City of Port Moody	Northern Rockies Regional Municipality	
City of Prince George	Peter Schultz Construction Ltd.	
	Polygon Homes Ltd	

## 7 Appendix B: List of opportunities

The following tables summarize the opportunities identified throughout the process, and for each opportunity the average level of importance is shown as ranked by the Technical Committees during Phase 2. Where new ideas were added during the Phase 2 meetings, these are listed below and denoted as [Add] (for “added”), and it is noted that the importance was not ranked for these added items.

**TABLE 1. LOCAL GOVERNMENT INTERNAL PROCESS**

TOPIC	OPPORTUNITIES	IMPORTANCE
<b>1.1</b> Lengthy and complicated internal staff development approvals process	1.a. Training and best practice guide to be used to optimize process	High
	1.b. Local governments to pursue way to make the internal process of development applications more effective and efficient	High
	1.c. Local governments to pursue digital permit tracking systems for use by all departments involved in approvals	Medium
	1.d. Provincial funding for local government digital permit system	High
	1.e. Provincial policy review: mandatory application timeframes to be established	Low
<b>1.2</b> Incomplete and poor-quality applications	1.f. Developer training and best practices guide to improve applications. To be prepared by private sector with local government input.	High
	1.g. Local government to implement process changes to establish effective “gatekeeping” to keep poor quality applications from being received (include in local government training and best practices guide), or establish a ‘Nexus’ line for applicants with prior application and approval	High
	1.h. Create “penalty box” for applicants with history of lower quality applications that affect local government’s capacity to process other applications	Low
<b>1.3</b> Differences between municipal processes / requirements	1.i. Create model development application checklists accessible by any local government	High
	1.j. Local governments to consider Development Application Procedures Bylaw / Zoning Bylaws and development permit guidelines / checklists and harmonize these with neighbouring municipalities when possible	High
<b>1.4</b> Number and type of development permits	1.k. Province to review development permit provisions within the <i>Local Government Act</i> and <i>Vancouver Charter</i> and assess whether some development permit categories could be combined or eliminated	Medium
	1.l. Local government training and best practices guide for creating development permit areas / guidelines	Medium
	[Add] Name change to prevent ongoing complications of distinguishing development permits and development variance permits.	[Not ranked]
<b>1.5</b> Minor vs. major amendment	1.m. Provincial policy review: <i>Local Government Act</i> definitions to define major versus minor amendments	Medium
	1.n. Local governments develop a best practice guide to clearly define what constitutes a major versus minor amendment change	High

TOPIC	OPPORTUNITIES	IMPORTANCE
1.6 Lack of funding and resources for development process	1.o. Local governments to increase staff resources as required to efficiently and effectively process the volume and complexity of applications	High
	1.p. Adjust development fees to achieve cost recovery for critical staff positions	Medium
	[Add] Conduct a study or pilot project to establish resourcing benchmarks – this can provide context during budgeting.	[Not ranked]
	[Add] Develop a best practice guide to host conversation with development community to find a balance between improved processing times and increased application and permit fees.	
	[Add] Senior government employment program to fund professional positions in underserved regions, particularly in smaller communities.	
1.7 Lack of enforcement tools	1.q. Provincial review of enforcement tools for development permits, including withholding occupancy	Low
	1.r. Local government practices and policies to maximize enforceability, for example: <ul style="list-style-type: none"> <li>➤ Adopt development permits as part of the zoning bylaw for stronger court support</li> <li>➤ Review and update securities and requirements</li> </ul>	Low
	1.s. Applicant best practice to use coordinating professional to ensure all development permit guidelines are met by end of project	Medium
	1.t. Legislative change to allow servicing requirements to be applied to strata properties	Low
1.8 Servicing requirements	1.u. Province to consider legislative change to allow a risk-based approach to liability	Low
1.9 Joint and several liability	1.v. Local government best practice: set minimum liability insurance requirements for professionals	High
	1.w. Province to work with the Building Officials' Association of B.C. to consider extending the certification requirement deadline; consider lowering the passing grade to under 80%; and consider reducing the requirement for Part 9 buildings to Level 2	Medium
1.10 Shortage of building officials	1.x. Shift responsibility for BC Building Code compliance to the Province	Low
	1.y. Province and local governments to work with the Building Officials' Association of B.C. to provide more opportunities for building official training, promote careers in the field, encourage transfers from related positions, allow local governments to train in-house	High
	1.z. Local governments to pursue building official retention and recruitment by creating a positive, healthy work environment, improve compensation package, consider sharing a pool of workers within a region (suggest testing with a pilot project)	High
	1.aa. Province to consider mandatory building inspections, even in more remote areas, or establish a minimum density where mandatory	Medium



**TABLE 2-A. DELEGATION OF AUTHORITY**

TOPIC	OPPORTUNITIES	IMPORTANCE
2.3 Staff delegation and development permits	2.f. Provincial policy review of opportunities to increase councils' and boards' ability to delegate individual development approvals, including reframing legislation to make delegation the default with opt-in option for elected official review	High
	2.g. Local government training and best practices guide to provide robust public process for official community plans and pre-zonings, then delegate staff approval of subsequent applications	Medium
	[Add] Enable conditional / discretionary zoning for all local governments, as is currently allowed in Vancouver.	[Not ranked]
	[Add] Review whether development variance permits can be delegated or otherwise give minor variance approval to staff.	

**TABLE 2-B. PUBLIC INPUT**

TOPIC	OPPORTUNITIES	IMPORTANCE
2.1 Legal requirements of approval process	2.a. Provincial policy review of what is required in terms of the obligation for duty to consult	Medium
2.2 Public hearings	2.b. Provincial review of public hearings and consideration of alternative options for more meaningful, earlier public input and in different formats	High
	2.c. Local government training and best practices guide on when and how to hold public hearings	Medium
	2.d. Applicant best practices on participating at public hearings	Medium
	2.e. Provincial and local government review of bylaw adoption requirements to replace newspaper advertising requirements with more modern methods and reduce number of bylaw readings (from current four readings)	High
2.3 OCP amendments and housing targets	2.h. Provincial policy review of official community plans with respect to development approvals - adoption process, update requirements, recommended levels of detail, streamlined process for minor amendments	High
	2.i. Provincial funding for official community plan updates	High
	2.j. Local government best practices for writing, adopting, amending official community plans	Med/High
2.4 Applicant referrals and advisory design panels	2.k. Provincial policy review to consider tying development approvals to housing targets	High
	2.l. Provincial policy review of application referrals to outside groups and best practices education for elected officials and community associations on their roles	Medium
	2.m. Local government policy review of advisory bodies including best practices for membership, mandate and procedures for design panels	Medium
	[Add] Board of Variance training	[Not ranked]

**TABLE 3. LOCAL GOVERNMENT FEES AND REQUIREMENTS**

TOPIC	OPPORTUNITIES	IMPORTANCE
<b>3.1</b> Role of development cost charges and community amenity contributions	3.a. Provincial comprehensive policy review of both development cost charges and community amenity contributions to determine options for infrastructure and community amenities to be funded, in part, through development	High
	3.b. Provincial consideration of more reliable funding from senior government for municipal infrastructure to reduce dependency on development cost charges and community amenity contributions	High
	3.c. Pending more funding, local government best practice for the use of development cost charges and community amenity contributions including method of calculation (lift or fixed), early notice to owners/developers, fairness, in-stream protection	High
	[Add] Create a “DCC guidebook” and a consistent training program across the province	[Not ranked]
<b>3.2</b> Onerous local government requirements	3.d. Internal training on maintaining balance on requirements imposed through the development approval process	High
<b>3.3</b> Letters of credit	3.e. Provincial policy review of letters of credit to require partial release that specifies parameters and timelines; if deficiencies not identified by the local government in specified time, then money required to be released	Low
	3.f. Local government best practice to address letters of credit in a timely manner and accept letters of indemnity from secure non-profit groups (e.g., BC Housing)	Medium
<b>3.4</b> Social housing	3.g. Local government best practices to address social objectives in development cost charges and community amenity contributions including recognizing social benefits (affordable/ special needs housing) as community amenities	High

**TABLE 4. SUBDIVISION**

TOPIC	OPPORTUNITIES	IMPORTANCE
4.1 Complex subdivision process	4.a. It was suggested that the Ministry of Transportation and Infrastructure give regional districts Approving Officer status to expedite process. Where appropriate resources/funding available or provided by Province, this could be on a pilot project basis	Medium
	4.b. Participants suggested the Ministry of Transportation and Infrastructure evaluate rolling the subdivision process into the local government process and remove from provincial jurisdiction	Low
	4.h. Participants suggested the Ministry of Transportation and Infrastructure provide small municipalities the option to opt-out of having an Approving Officer on staff	Low
4.2 Approving Officer	4.c. It was suggested that the Ministry of Transportation and Infrastructure: <ul style="list-style-type: none"> <li>➤ Develop enhanced communication materials about subdivision processes that can be understood by elected officials and the public.</li> <li>➤ Prepare plain language guidance and checklists to explain the process.</li> <li>➤ Provide more training for Approving Officers and bring training to various parts of the province.</li> </ul>	High
4.3 Preliminary Layout Reviews or Approvals	4.d. Provide for Preliminary Layout Approval review in legislation	Low
	4.e. Develop model Preliminary Layout Approval review letters that give early direction and help avoid unexpected impacts on developer later in process	High
4.4 Cash-in-lieu for off-site works	4.i. Provincial policy review and establish best practices for cash-in-lieu for off-site works	Medium
	4.f. Develop remedy for orphaned bank accounts (e.g. allow cash to be re-allocated to related purposes). Review policies and practices to ensure problem is avoided in future.	High
4.5 Parkland dedications	4.g. Review parkland dedication legislation to consider allowing the cash to be used for park improvements and allowing segmented underused parkland to be sold with proceeds to other park acquisition or improvements. Policy should be accompanied by best practice guidance.	High

**TABLE 5. PROPONENTS AND PROFESSIONALS**

	TOPIC	OPPORTUNITIES	IMPORTANCE
<b>5.1</b>	Professional competency	5.a. Provincial and professional associations' policy review to consider increased oversight of qualified professionals from professional associations to audit quality of work. Association action would be required to deal with professional that are not competent in their duties	Medium
		5.b. Define clear path for local governments to pursue with professional associations or the Province if professionals do not meet standards	Medium
		5.c. Extend qualified professionals' liability insurance requirements to ensure municipal reliance (minimum time limit requirements)	Medium
		[Add] Require professional credentials be included with rezoning submissions	[Not ranked]
<b>5.2</b>	Shortage of qualified professionals	5.d. Local governments could consider adjusting credential requirements to enable broader types of qualified professionals [the <i>Building Act</i> – Building Code Legislation, Part 9, rather than Part 3 buildings]	Low
		5.e. Local government best practices to consider developing and maintaining list of qualified professionals and where there is a shortage of qualified professionals, increase staff reviews (e.g. energy advisor on staff)	Low
		5. h. Provincially review capacity and identify "hard to recruit" areas for qualified professionals needed in development and use this to inform programs	Medium
		[Add] Allow Alberta registered professionals to work in the North	[Not ranked]
<b>5.3</b>	Role of Registered Planners	5.f. Provincial and Professional Associations policy review to consider if Registered Professional Planners should be granted professional status(e.g. like Professional Engineers)	Low
<b>5.4</b>	Major projects	5.g. Create a submission manual for major projects for professionals involved in preparing development applications – e.g. LNG development	Low
		[Add] Professional bodies could allow complaints / challenges to be filed by local governments (not just by a member)	[Not ranked]
		[Add] Increase the number of qualified persons in the field for environmental professionals (i.e. by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development with respect to <i>Riparian Area Regulation</i> )	[Not ranked]

**TABLE 6. PROVINCIAL REGULATIONS AND REFERRAL PROCESS**

TOPIC	OPPORTUNITIES	IMPORTANCE	
6.1	Communication of new provincial policies and regulations	6.a. MAH to provide guidance to other provincial ministries on best practices and/or consistent forums for communication and engagement with local governments on potential new or changes to policy and regulation that affect development approvals processes	High
6.2	Referrals to the Ministry of Transportation and Infrastructure	6.b. Review referral process and specifically consider the following: <ul style="list-style-type: none"> <li>➤ For highway access properties, establish a formalized early greenlight process that doesn't require full application completion prior to provincial feedback or even approval;</li> <li>➤ For properties without direct highway access, remove the TRAN from process where application aligns with "ministry stamped" local plan and/or reduce the 800m rule. This may necessitate having the TRAN formally participate in neighbourhood plans / area structure plans by being required to comment</li> </ul>	High
6.3	High cost for first developer	6.c. TRAN to review the use of latecomer fees to distribute the costs across multiple properties	High
6.4	Contaminated Sites Regulation	6.d. Ministry of Environment and Climate Change Strategy: <ul style="list-style-type: none"> <li>➤ provide expanded training or resources for local government staff to help educate the public and applicants; and</li> <li>➤ establish a policy enabling concurrent processing of local government applications while contamination concerns are being resolved (up to but not including approval)</li> </ul>	High
6.5	<i>Riparian Area Regulation</i>	6.e. Ministry of Forests, Lands, Natural Resource Operations and Rural Development conduct a comprehensive review of both policy and legislation related to Riparian Areas	Medium
6.6	Changes to Building Code	6.f. Ministry of Municipal Affairs and Housing: Review policy for building code changes, including opportunities to provide in-stream protection, potential to provide earlier notice of upcoming changes and increased education to accompany changes. To support innovation, the Building and Safety Standards Branch could review opportunities to enable faster local government approval of innovative alternative solutions	High
6.7	BC Hydro engaging late	6.g. Applicants to include early engagement with BC Hydro / utilities to avoid delays as a best practice  [Add] Participants suggested the Province would be best positioned to communicate these challenges to BC Hydro  [Add] Province could consider requiring BC Hydro to engage earlier and provide early assessment of requirements. This will increase feedback from BC Hydro to applicants in a timely manner.	High  [Not ranked]



**TABLE 7. OVERARCHING TOPICS**

TOPIC	OPPORTUNITIES	IMPORTANCE
7.1 Lack of training on development approval process	7.a. Develop province-wide training program: <ul style="list-style-type: none"> <li>➤ Provide training on the development approval process for all participants involved in development applications and approvals (council members, planners, engineers, Approving Officers, fire prevention, Ministry of Transportation and Infrastructure, Ministry of Environment and Climate Change Strategy, health authorities, developers, etc.)</li> <li>➤ Increased education for realtors on due diligence e.g., communicating development potential of adjacent sites</li> </ul>	High
7.2 Examples of the development approvals process in other jurisdictions	7.b. Review other jurisdictions such as Ontario, Alberta, Washington State and California to determine how they enable and obligate local governments, delegate authority to staff, implement provincial or state regulations, prompt efficiency and effectiveness at all levels of approval	Medium/High
7.3 Lack of access to and awareness of materials	7.c. Create development approvals portal (similar to the BC Energy Step Code portal)  [Add] Present findings from this project at Union of British Columbia Municipalities and tailor findings to the impact on larger and smaller communities. Provide an update to regional planning committees (i.e. Metro Vancouver Regional Planning Advisory Committee).	High  [Not ranked]

## 8 Appendix C: Level of effort highlights

Participants were asked to rate the level of effort based on their perception of the effort that would be required by their organization to implement. Level of effort involved is dependent in many cases on which stakeholder will be responsible for leading the change. Therefore, caution is needed in recognizing the total impacts of each opportunity on the various stakeholders.

The following opportunities were identified by over half of participants representing local governments at Technical Committee meetings as requiring a **high level of effort for local governments if the opportunity was implemented:**

- **1.c.** Local governments to pursue digital permit tracking systems for use by all departments involved in approvals
- **1.e.** Provincial policy review: mandatory application timeframes to be established
- **1.o.** Local governments to increase staff resources as required to efficiently and effectively process the volume and complexity of applications
- **2.b.** Provincial review of public hearings and consideration of alternative options for more meaningful, earlier public input and in different formats
- **3.a.** Provincial comprehensive policy review of both development cost charges and community amenity contributions to determine options for infrastructure and community amenities to be funded, in part, through development
- **4.b.** Participants suggested the Ministry of Transportation and Infrastructure evaluate rolling the subdivision process into the local government process and remove from provincial jurisdiction

The following opportunities were identified by over half of participants representing developers at Technical Committee meetings as requiring a **high level of effort for developers if the opportunity was implemented:**

- **1.a.** Training and best practice guide to be used to optimize process
- **1.e.** Provincial policy review: mandatory application timeframes to be established
- **1.o.** Local governments to increase staff resources as required to efficiently and effectively process the volume and complexity of applications
- **2.k.** Provincial policy review to consider tying development approvals to housing targets







**DISTRICT OF UCLUELET**

**BYLAW NO. 1164, 2015**

A Bylaw to establish development approval procedures for the District of Ucluelet

\*\*\*\*\*

**WHEREAS** Council of the District of Ucluelet has adopted an Official Community Plan and a Zoning Bylaw,

**AND WHEREAS** in accordance with section 895 of the *Local Government Act*, Council must, by bylaw, define procedures under which an owner of land may apply for an amendment to the plan or bylaw or for the issue of a permit under Part 26 *Planning and Land Use Management* of the *Local Government Act*;

**AND WHEREAS** in accordance with section 931 of the *Local Government Act*, Council may, by bylaw, impose fees for applications and inspections;

**AND WHEREAS** Council has authority to delegate matters to staff, and provide for reconsideration procedures;

**AND WHEREAS** this table of contents is inserted for purposes of ease of reference only:

1. TITLE AND REPEAL:.....	1
2. INTERPRETATION AND DEFINITIONS .....	2
3. SCOPE AND APPLICATION .....	3
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**NOW THEREFORE** the Council of the District of Ucluelet in open meeting assembled enacts as follows:

**1. TITLE AND REPEAL**

- 1.1. This Bylaw may be cited for all purposes as "District of Ucluelet Development Approval Procedures Bylaw No. 1164, 2015" or the "Development Procedures Bylaw".
- 1.2. For purposes of information only, Schedule "A" of the District of Ucluelet Zoning Bylaw No. 800, 1999 has previously been repealed and no other bylaws are required to be repealed for this Bylaw to have full force and exclusive effect.



## 2. INTERPRETATION AND DEFINITIONS

2.1. In this Bylaw, the following terms have the following meanings:

- (a) "**Application**" means any one or more of the applications referred to in Section 3 *Scope and Application* of this Bylaw as is appropriate to the context;
- (b) "**Official Community Plan**" or "**OCP**" means the District of Ucluelet Official Community Plan Bylaw No. 1140, 2011;
- (c) "**Development Permit**" means a permit authorized by section 920 of the *Local Government Act*;
- (d) "**Development Variance Permit**" means a permit authorized by section 922 of the *Local Government Act*;
- (e) "**Housing Agreement**" means an agreement authorized by section 905 of the *Local Government Act*;
- (f) "**Manager of Planning**" means the person hired or appointed as such by the District and includes his or her selected designate(s), and includes the District's highest level Planner when the Manager of Planning designation is vacate;
- (g) means the person hired or appointed as such by the District and includes his or her selected designate(s);
- (h) "**Phased Development Agreement**" means an agreement authorized by section 905.1 of the *Local Government Act*;
- (i) "**Public Hearing**" means a Public Hearing of Council pursuant to section 890 of the *Local Government Act*;
- (j) "**Temporary Use Permit**" means a permit authorized by section 921 of the *Local Government Act*;
- (k) "**Works and Services**", for the purposes of this Bylaw, includes water supply, sanitary sewer supply and disposal, storm water drainage, and highway access;
- (l) "**Zoning Bylaw**" means the District of Ucluelet Zoning Bylaw No. 1160, 2013.

2.2. Any enactment referred to in this Bylaw is a reference to an enactment of British Columbia and its regulations, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to in this Bylaw is a referenced to an enactment of the Council of the District of Ucluelet as amended, revised, consolidated or replaced from time to time.

2.3. Any section, subsection, sentence, clause or phrase of this Bylaw, which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.

2.4. Defined terms are italicized in this bylaw for convenience purposes only, and the above definitions apply whether a term is italicized or not.

- 2.5. The following schedules are attached to and form a part of this Bylaw:
- (a) Schedule "A" – Development Application Form
  - (b) Schedule "B" – Fee Schedule

### 3. SCOPE AND APPLICATION

- 3.1. This Bylaw applies to applications for:
- (a) amendment to the Official Community Plan;
  - (b) amendment to the Zoning Bylaw;
  - (c) a Development Permit;
  - (d) a Development Variance Permit;
  - (e) a Temporary Use Permit;
  - (f) any combination of the above permitted by law;
- and including amendments, modifications and extensions where applicable.
- 3.2. To the extent necessary, this Bylaw also applies to applications for other approvals, exemptions or agreements related to the development of land, buildings or structures not specifically dealt with under other District bylaws and may include:
- (a) matters under Part 26 or Part 27 of the *Local Government Act*, such as Board of Variance applications, Housing Agreements, Phased Development Agreement, Floodplain Bylaw exemption, Minimum Frontage exemptions and Heritage Revitalization Agreements; and
  - (b) matters under other Provincial statutes, such as strata conversion of previously occupied buildings, covenants and statutory rights of way for which the District is a signatory or named party.
- Such applications may be made by an owner of land and must be accompanied by similar information requirements for processing in a similar manner as outlined in this Bylaw and in accordance with statutory requirements.
- 3.3. Nothing contained within this Bylaw shall relieve any person from the responsibility to seek and comply with other legislation applicable to the use, activity or other matter on their land, or otherwise.
- 3.4. Any one or more of the procedures in this Bylaw, except those that are governed by statutory provisions, may be temporarily suspended by unanimous vote of the Council present.
- 3.5. The failure of Council or staff to observe the provisions of this Bylaw does not affect the validity of resolutions passed or bylaws enacted by Council otherwise in compliance with statutory requirements.
- 3.6. Applications initiated by the District are subject only to statutory requirements, and not the additional procedures and requirements of this Bylaw.

#### 4. DELEGATED POWERS AND RECONSIDERATION

- 4.1. The **Manager of Planning** is hereby delegated authority to:
- (a) prescribe application forms in addition to those prescribed by this Bylaw, and such forms may be different for different Applications under this Bylaw;
  - (b) with respect to information requirements:
    - (i) determine additional information requirements applicable to an Application as appropriate to and in consideration of the nature or complexity of the Application, the lands, surrounding lands and neighbourhoods, the District OCP and other plans and policies, including under the authority of section 920(11); or
    - (ii) waive or permit less detailed information to be provided where the information is not necessary or convenient for the processing of the Application;
  - (c) prescribe the form of permits applicable to permits issued under Part 26 of the *Local Government Act*;
  - (d) with respect to on-site notification signage required under Section 8 *Public Notification and Hearings* of this Bylaw:
    - (i) prescribe the form of notification sign; and
    - (ii) require that the Applicant secure the appropriate sign from the District, including payment of associated damage deposit and preparation fee; and
  - (e) with respect to Development Permits not requiring security, process and decide upon each or any of the following:
    - (i) Applications for signage;
    - (ii) Applications where the value of construction is less than \$75,000;
    - (iii) Amendments where the footprint, setbacks or height of buildings or structures identified in the original Development Permit is not altered;
    - (iv) Renewals or extensions not exceeding twelve (12) months.
- 4.2. Where an application is controversial, complicated or of particular importance each as determined in his/her sole discretion, the Manager of Planning may choose to make a recommendation for decision by Council instead of making a decision under delegated authority. The reconsideration provisions of this Bylaw do not apply to such decisions, either of the Manager of Planning or of Council.
- 4.3. The **Chief Administrative Officer** and **Corporate Officer** is hereby delegated authority to sign and issue permits approved within the scope of this Bylaw and to cancel permits when they lapse.
- 4.4. The **Mayor, Chief Administrative Officer** and **Corporate Officer** are hereby authorized to sign covenants and other documents related to the applications within the scope of this Bylaw.
- 4.5. **Reconsideration:** Where the **Manager of Planning** makes a decision under

delegated authority, an Applicant may request reconsideration by Council, and the following rules shall apply:

- (a) The Applicant's request for reconsideration must:
  - (i) be made in writing, addressed to the Corporate Officer;
  - (ii) be made within ten (10) business days of being notified of the decision of the Manager of Planning;
  - (iii) set out the specific decision it wishes reconsidered, the rationale for why the decision was inappropriate, and the specific alternative decision sought from Council.
- (b) The Manager of Planning should prepare a Report to Council responding to the Applicant's request and explaining the rationale for his/her decision.
- (c) The Chief Administrative Officer or the Corporate Officer should, or arrange to:
  - (i) schedule the request on the Agenda of a meeting of Council within six (6) weeks of receipt of the request;
  - (ii) notify the Applicant of the date at which the reconsideration will occur;
  - (iii) if the Applicant is not present at the meeting in which the decision is reconsidered, send written notification of Council's decision to the address on the Applicant's request for reconsideration.
- (d) Council:
  - (i) shall review the written submissions and may, but is not obligated, to hear from the Applicant or any other interested person;
  - (ii) must either confirm or modify the Manager of Planning's decision, or substitute its own decision.

4.6. In addition, decisions of the Manager of Planning regarding additional or lesser information requirements associated with applications may be reviewed and varied by Council, with or without request from the Applicant.

## **5. APPLICATION AND INFORMATION REQUIREMENTS**

5.1. All Applications must:

- (a) be made by the owner of land affected, or by a person authorized in writing by the owner;
- (b) be made on the form attached in the Schedules to this Bylaw or, where no form is attached, on the form prescribed by the District;
- (c) be made in writing to the Manager of Planning;
- (d) be accompanied by the fees identified in Schedule "B" to this Bylaw, or in a fees bylaw, or otherwise required by law; and
- (e) be accompanied by the information requested:
  - (i) on the form;



- (ii) In this Bylaw, including its Schedules;
  - (iii) in the Development Permit Area ("DPA") designation identified in the Official Community Plan, where the land is within a DPA;
  - (iv) in Appendix A of the Official Community Plan, where the land contains a riparian area; and
  - (v) by the Manager of Planning when exercising authority under this Bylaw or otherwise under the *Local Government Act*, *Community Charter* or other applicable legislation.
- 5.2. If an Application for a Development Permit seeks to vary a bylaw under Division 7 or 11 of Part 26 of the *Local Government Act* and the applicable Development Permit guidelines do not address such variances, the Applicant must make a concurrent Application for a Development Variance Permit and pay the application fee in accordance with this Bylaw, or a fees bylaw.
- 5.3. For amendments to the **Official Community Plan**, the **Zoning Bylaw**, or both, and for **Development Permit** applications, the Applicant must provide all of the following in addition to the requirements of Section 5 *Application and Information Requirements*:
- (a) A written statement outlining the proposal in full including description of:
    - (i) the purpose of and reasons in support of the requested Application;
    - (ii) the existing and proposed use(s) of the land, including its building and structures;
    - (iii) the existing and proposed Works and Services for the land, including its building and structures; and
    - (iv) any consultations the Applicant has undertaken or proposes to undertake with neighbours and the community.
  - (b) Title Search made within 15 days of the date of Application, along with copies of all non-financial encumbrances (e.g. covenants, statutory rights of ways, easements, etc);
  - (c) Three full sized copies and one clearly legible 8.5 x 11" reduction of each of the following plans:
    - (i) Site plan, drawn to scale, showing:
      - site context,
      - topographical and geographical features on the site,
      - all buildings and structures, including roof structures,
      - density, floor area ratio, lot coverage and other regulations of applicable OCP designation and Zoning Bylaw zones,
      - parking and loading areas,
      - Works and Services, and street lighting,
      - areas subject to covenants, statutory rights of way and



- easements,
  - sidewalks, streets, lanes, highways and adjacent land uses where affected;
  - (ii) Building elevations showing all sides of all buildings and structures, exterior finishes (including materials, colour and signage) and adjacent buildings to reference streetscape;
  - (iii) Floor plans showing all areas and uses of all building floors;
  - (iv) Landscape plans showing all sizes, species and planting locations on the site plan; and
  - (v) Sign plans showing locations, lighting, dimensions and finishes of all free-standing signs, where applicable.
- 5.4. For **Development Variance Permits**, the Applicant must provide the information identified in this Section 5 *Application and Information Requirements*, but all only as it relates to the requested variance, acknowledging that Building Elevations, Floor Plans, and Sign Plan are not likely applicable.
- 5.5. For **Temporary Use Permits**, the Applicant must provide the information identified in this Section 5 *Application and Information Requirements*, but all only as it relates to the requested temporary use, acknowledging that Building Elevations, Floor Plans, and Sign Plan are not likely applicable.
- 5.6. **Change of Ownership:** If there is a change of ownership of a parcel of land that is the subject of an application pursuant to this Bylaw, the Applicant must provide an updated title search and written authorization from the new owner prior to proceeding further with the Application.

## 6. FEES

- 6.1. Where the fee for an Application is not specified in Schedule "B", or in a fees bylaw, the application fee shall be \$1,000.
- 6.2. Where an Application is withdrawn or defeated prior to Public Notification advertisements being placed and notices prepared for distribution, that portion of the fee shall be refunded.
- 6.3. **Additional Fees for Land Title Office and Legal Costs:**
- (a) All Applications that require Notice to be filed at the Land Title and Survey Authority Office shall include an additional fee corresponding to the prescribed by the Land Title and Survey Authority for such notice. This portion of the fee shall be refunded if approval for the Application is not granted, and therefore no Notice is filed.
  - (b) All Applications, including but not limited to those Applications identified in Schedule "B", or in a fees bylaw, are to be supplemented with a fee for District legal costs related to covenants, statutory rights of way, housing agreements and other development agreements associated with, volunteered or required as a condition of approval, as identified on Schedule "B", or in a fees bylaw.

- (c) The Applicant remains at all times responsible for registration and registration costs of Land Title Office documents, and their own independent legal advice.
- (d) Where the District's actual legal costs are substantially lower or higher than the above-noted fee, the difference shall be refunded or paid accordingly.

## **7. STAFF PROCESSING OF APPLICATIONS**

7.1. For complete Applications, the Manager of Planning:

- (a) shall review the Application and, where a decision of Council is required, prepare a report to Council, including a recommendation or alternatives as appropriate;
- (b) may commence referrals to applicable District committees or commissions;
- (c) may commence referrals to persons, organizations and authorities, either before or after Council direction;
- (d) shall, in relation to Official Community Plan amendments,
  - (i) seek the direction of Council under sections 879 and 881 of the *Local Government Act*;
  - (ii) refer to the applicable persons, organizations and authorities, and
  - (iii) conduct or advise the Applicant to conduct the opportunities for consultation, as directed by Council;
- (e) should otherwise process the Application in accordance with statutory requirements, the requirements of this Bylaw and Council direction.

7.2. An incomplete Application need not be processed until all requirements of Section 5 *Application and Information Requirements* have been satisfied, but the Manager of Planning may report to Council and seek Council direction.

## **8. PUBLIC NOTIFICATION AND HEARINGS**

8.1. The Applicant is at all times responsible for satisfaction of statutory public notification requirements, and the Manager of Planning may arrange newspaper advertisements and public hearings.

8.2. For the purposes of section 892(4) of the *Local Government Act*, the distance specified for notification is 100 metres distance from the property lines of parcel of land that is subject to the bylaw alteration.

### **8.3. Notification Signage for OCP and Zoning Applications:**

- (a) For Applications that include amendment of the Official Community Plan or the Zoning Bylaw, the Applicant must post one or more notification sign(s) on the land that is the subject of an Application, within fourteen (14) days of submitting the Application.
- (b) Where the District has signs available to satisfy the requirements of this Section, the Applicant must:
  - (i) secure the signage from the District;
  - (ii) pay a preparation fee;

- (iii) provide a damage deposit, to be returned on the safe return of the sign(s).
  - (c) The Applicant must notify the Manager of Planning in writing that the sign has been posted.
  - (d) The notification sign must be:
    - (i) posted so as to face each highway on which the subject land has frontage;
    - (ii) posted so as to be unobstructed to viewing by the public;
    - (iii) placed at least 1 m above grade and not more than 2 m above grade;
    - (iv) placed not further back than three (3) metres from the property line adjacent the highway;
    - (v) maintained in good repair and replaced at the Applicant's cost if defaced, damaged or removed; and
    - (vi) removed within a reasonable time following the Council's final decision on the Application.
  - (e) The notification sign must contain the following:
    - (i) the type of Development Application;
    - (ii) a general description on the subject matter of the development application and the proposed development;
    - (iii) a sketch plan highlighting the land subject to the Application relative to neighbouring properties and highways;
    - (iv) the name and contact number of the Applicant, and the District's office, under the heading "For any additional information"; and
    - (v) such other information as prescribed, and in the form prescribed, if a form is prescribed.
  - (f) If the Applicant does not maintain a notification sign in accordance with this Bylaw, the Council or Manager of Planning may delay, postpone or cancel a Public Hearing until the requirements of the Bylaw have been complied with, and an additional public notification fee shall apply.
  - (g) A notification sign is not required if the Manager of Planning determines that the development that is the subject of the Application is so minor as to have minimal impact on abutting lands.
- 8.4. The public is entitled to make representations to the District respecting matters contained in the proposed Application where the *Local Government Act* requires a Public Hearing and such hearing is not waived. In all other instances, representations may be provided in writing up to the close of the business day of a Council decision, but leave of the person presiding at the Council meeting is required for oral representations at that Council meeting, however acknowledging that such does not create an additional personal or public duty of care or fairness than otherwise required by the *Local Government Act*.

**9. ABANDONED AND EXPIRED APPLICATIONS**

- 9.1. Every Application that has outstanding information requirements for a period greater than nine (9) months is deemed to have been abandoned, with fees forfeited.
- 9.2. Every Application not decided within eighteen (18) months of the date of Application is deemed to have expired, with fees forfeited.
- 9.3. All Applications abandoned or expired shall be considered closed, and shall require a new Application, with new fee.

**10. RE-APPLICATION**

- 10.1. The time limit for reapplication is six (6) months, which may only be varied in accordance with section 895(3) of the *Local Government Act*.

**READ A FIRST TIME** this 14<sup>th</sup> day of July, **2015**.

**READ A SECOND TIME** this 14<sup>th</sup> day of July, **2015**.

**READ A THIRD TIME** this 14<sup>th</sup> day of July, **2015**.

**ADOPTED** this 8<sup>th</sup> day of September, **2015**.

**A TRUE AND CORRECT COPY** of "District of Ucluelet Development Approval Procedures Bylaw No. 1164, 2015".

[Redacted Signature Box]

Dianne St. Jacques  
Mayor

[Redacted Signature Box]

Andrew Yeates  
Chief Administrative Officer

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

[Redacted Signature Box]

Andrew Yeates  
Chief Administrative Officer



## SCHEDULE "A" DEVELOPMENT APPLICATION FORM

# Development Application

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

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**Type of Application**

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

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

Civic Address (es): \_\_\_\_\_  
 Legal Description: Lot \_\_\_\_\_ Plan \_\_\_\_\_ Block \_\_\_\_\_ Section \_\_\_\_\_ DL \_\_\_\_\_

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**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: \_\_\_\_\_ Company name: \_\_\_\_\_  
 Mailing address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 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: \_\_\_\_\_ Date: \_\_\_\_\_

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**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: \_\_\_\_\_  
 Mailing address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Tel : \_\_\_\_\_ Cell : \_\_\_\_\_  
 Email : \_\_\_\_\_ Fax : \_\_\_\_\_

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

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Office Use Only:**

Folio No.:	File No.:	Date:	Receipt No.:	Fee:
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Schedule A, Bylaw 1164, 2015
June 2015



**SCHEDULE "B"  
FEE SCHEDULE**

Type of Application	Application Fee	
	Base Fee	Additional Fees (Plus those in Notes)
Official Community Plan Amendment	\$400	+ \$500/ha. for properties greater than 1 ha. in area + \$300 Public Notice Fee
Zoning Bylaw Amendment (text and/or map)	\$600	+ \$500/ha. for properties greater than 1 ha. in area + \$300 Public Notice Fee
Development Permit	\$650	+ \$500/ha. for properties greater than 1 ha. in area
Development Permit – Amendment	\$250	
Development Variance Permit	\$350	+ \$150 Public Notice Fee
Temporary Use Permit	\$350	+ \$150 Public Notice Fee
Board of Variance	\$250	
Strata Conversion of Previously Occupied Building	\$400	
Subdivision	\$800	+ \$150 <i>per lot</i>

**Notes:** Fees in this section are in addition to and as applicable to the Application:

(1) Land Title and Survey Authority Fees:

(i) At cost, as prescribed by the Land Title and Survey Authority.

(2) District Legal Fees:

(i) \$750.00 for documents not exceeding 5 pages,

(ii) \$1,500.00 for documents exceeding 5 pages, and

(iii) Otherwise at cost.

Superseded: see Schedule D of current Fees and Charges Bylaw



CORPORATION OF THE  
DISTRICT OF TOFINO

**District of Tofino  
Development Application Procedures Bylaw  
No. 1331, 2023**

Effective Date – August 8, 2023

**DISTRICT OF TOFINO****BYLAW NO. 1331, 2023**


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A bylaw to establish procedures for the processing of development applications, to establish policies for development approval information to specify distances for notification, and to delegate powers, duties, and functions of Council.

**WHEREAS** under the *Community Charter* and Parts 14 and 15 of the *Local Government Act*, the District of Tofino may, by bylaw, delegate Council's powers and establish procedures for applications to: amend the Official Community Plan or the Zoning Bylaw, issue a permit, establish or amend a Phased Development Agreement;

**NOW THEREFORE** the Council of the District of Tofino, in open meeting, enacts as follows:

**1. Name**

The name of this Bylaw for citation purposes is "District of Tofino Development Application Procedures Bylaw No. 1331, 2023."

**2. Definitions**

In this Bylaw:

**APPLICANT** means the owner or an agent duly authorized to act on the owner's behalf in relation to an application(s);

**COMPREHENSIVE DEVELOPMENT PLAN** means a plan required by the District in advance of consideration of an OCP amendment for lands which have not been thoroughly assessed for development potential or where significant constraints have been identified which may affect the potential development of the site (e.g., infrastructure, servicing, access, topography, visual impact, or environmentally sensitive areas);

**COUNCIL** means the Council of the District of Tofino;

**DAY** means calendar day;

**DEVELOPMENT REVIEW TEAM** or **DRT** means a group of District of Tofino staff responsible for review of development applications;

**DISTRICT** means the Corporation of the District of Tofino;

**MANAGER** means the person appointed to be responsible for the administration of development applications at the District and includes a delegate fulfilling an Acting Manager position during the Manager's absence;

**OFFICIAL COMMUNITY PLAN** or **OCP** means the District of Tofino Official Community Plan Bylaw as amended or superseded from time to time;

**OWNER** means the registered owner(s) of property as demonstrated on the Land Title Certificate;

**PHASED DEVELOPMENT AGREEMENT** means an agreement authorized by section 516 of the *Local Government Act*;

**QUALIFIED PROFESSIONAL** means a professional engineer, geoscientist, architect, landscape architect, certified arborist, biologist, planner, forester, qualified environmental professional, or other professional licensed to practice in British Columbia with experience relevant to the applicable matter, as determined appropriate by the Manager.

**STAFF** means District of Tofino staff.

### 3. Interpretation

- (1) A reference in this bylaw to any enactment of British Columbia is a reference to the enactment as amended, revised, consolidated, or replaced from time to time.
- (2) A reference in this bylaw to any bylaw, policy or form of the District of Tofino is a reference to the bylaw, policy or form as amended, revised, consolidated, or replaced from time to time.

### 4. General Provisions

#### (1) Application Fees

- (a) At the time of application, the applicant must pay the District an application fee in the amount set out in any applicable District of Tofino Fees and Charges Bylaw as amended or superseded from time to time.

#### (2) Application Requirements and Processing Procedure

- (a) In respect of an application for an OCP Bylaw amendment, Zoning Bylaw amendment, or Temporary Use Permit, the applicant, at their cost, must post a Notice of Application Sign in accordance with Schedule 'A' of this bylaw.
- (b) An applicant must submit an application as set out in Schedules 'B' – 'G' to this bylaw. An application will be made and processed substantially as outlined in Schedules 'A' – 'G' of this bylaw.

#### (3) Number of Development Applications

- (a) Where a proposed activity or development involves more than one type of application, the applicant must comply with all of the applicable provisions of this Bylaw.
- (b) Where land is subject to more than one Development Permit Area designation, only one development permit application is required and the application must address the requirements of each applicable Development Permit Area and the applicant must pay the application fees for each Development Permit Area in the amount set out in any District of Tofino Fees and Charges Bylaw.

#### (4) Development Permit Required prior to Development

- (a) In all Development Permit Areas, an applicant must obtain all required Development Permits before land is subdivided or development occurs, including but not limited to land clearing, preparation for the construction of services or roads, blasting, and construction of, addition to or alteration of a building or structure, unless otherwise exempted from requiring a Development Permit as specified in the Official Community Plan and/or Zoning Bylaw.

### 5. Development Approval Information

#### (1) Type of Information Required:

Pursuant to the *Local Government Act* and as set out in the OCP, the Manager may require an applicant to provide information, at the applicant's expense, on the anticipated impact of a proposed activity or development on the community, including but not limited to the following:

- (a) Compliance of the activity or development with the OCP and any other relevant District bylaw, plan or policy in preparation or adopted by Council;
- (b) The impact of the proposed development on the natural environment such as adjacent riparian and wetland areas, vegetation, soils and erosion, geotechnical characteristics, topographical features, ecosystems and biological diversity, fish and

wildlife habitat, environmentally sensitive features, and rare or endangered plant or animal species;

- (c) Hazardous conditions including, but not limited to, mud flow, debris torrents, erosion, land slip, rock falls, subsidence, avalanche, wildfire, flood, inundation or other hazard (including appropriate construction elevations and setbacks);
- (d) Transportation assessments including but not limited to transportation impacts in terms of daily and peak hour trip generation and assignments, public transit, parking demand, traffic safety, pedestrian, cyclist and vehicular traffic flow or operation, trip generation, site access and egress, network connectivity and accessibility;
- (e) The aesthetic values of the proposed development such as visual character, landscaping, integration with public areas, view corridors, and the natural environment, lighting, noise, and odour;
- (f) The impact of the proposed development on groundwater quantity and quality; surface water generated by the proposed development; and the options for collection, storage, reuse and dispersal of such drainage;
- (g) Hydrological and/or hydrogeological assessment including, but not limited to, infiltration, interception, groundwater and overland flow, as well as hydrologic processes including accretion and erosion;
- (h) An assessment of wildfire hazard and mitigative measures that assures project construction activities comply with Urban Wildfire Interface management principles;
- (i) Functional servicing assessment of local infrastructure and site servicing including, but not limited to, drainage, water, sewer or other utilities; to determine the impact of the development on District infrastructure including capital, operations and maintenance over the lifecycle of the development;
- (j) Tree assessment and plan that promotes the retention and planting of native plant species, plant health, habitat preservation, reduces wildfire risk, minimizes erosion and a revegetation plan to ensure that the landscape retains a natural appearance;
- (k) Impacts on the demand and potential financial impacts for local services including but not limited to community facilities and services, schools, parks, recreation, emergency protective and health services;
- (l) Assessments of impacts on historical, cultural and archaeological buildings, structures, sites or features;
- (m) How the proposed development impacts and buffers adjacent uses;
- (n) Energy efficiency, water efficiency and emissions reduction;
- (o) Air Quality Impact Assessment including, but not limited to, pollution, dust, fumes, smoke and odours;
- (p) Retail impacts of a proposed commercial development, including but not limited to, the effects of additional competition, traffic impacts, effects on tenancy and potential impacts to neighbourhoods;
- (q) Socio-economic impacts affecting the day-to-day quality of life of people and communities, including direct and indirect economic impacts, demographics, affordable housing, housing choice, local services and socio-cultural issues;
- (r) Construction management plan outlining the staging, implementation schedule, and duration of construction for any proposed development including proposed impact mitigation; and



- (s) Other studies as deemed necessary to permit a full understanding of the impact of the proposed activity or development on the community.
- (2) Preparation of the Terms of Reference
- (a) The applicant will be required to work with Staff to review and confirm the scope of the report or impact study in accordance with any relevant Terms of Reference for Professional Reports.
  - (b) The Manager may require that the applicant provide, at the applicant's expense, documents, plans, and/or development approval information in a report that is certified by a qualified professional, which:
    - (i) complies with and fully addresses the relevant assessments;
    - (ii) identifies and defines the context, magnitude and significance of the anticipated impacts of the activity or development on the community, as well as the methodology, assumptions, acceptability thresholds, and how the anticipated impacts may cumulatively contribute to existing circumstances and risks;
    - (iii) provides recommendations for conditions or requirements that Council or the Manager may impose to mitigate or ameliorate the anticipated impacts;
    - (iv) provides recommendations and details costs for modifications to the environment, or construction of works, to mitigate or ameliorate the anticipated impacts; and
    - (v) is prepared to the satisfaction of the Manager.
  - (c) The Manager is authorized to establish and revise the required information, documents, plans, and/or development approval information needed for each type of application pursuant to this Bylaw. The Manager is authorized to establish and revise the size, form and quality of information, documents, plans, and/or development approval information needed to assist in reviewing or processing the application
  - (d) The Manager is authorized to waive any of the information, documents, plans, and/or development approval information if, at their discretion, the information is not required to assist in reviewing or processing the application.
- (3) Selection of Personnel
- (a) The applicant will be required to provide the reports and impact studies prepared by Qualified Professionals at the applicant's expense in accordance with the District's specifications for Terms of Reference for Professional Reports.
  - (b) If required by the Manager, a qualified professional shall certify all documentation including drawings, reports, security estimates, technical letters, and other documentation submitted to the Manager for the purposes of reviewing the application.
  - (c) The Manager may review all documents and design drawings to verify general compliance with the requirements but will not necessarily check the adequacy or accuracy of the qualified professional's design. Any errors or omissions will be the sole responsibility of the qualified professional who has certified the documents and design drawings.
- (4) Requirement for Independent Review
- (a) The District may require an independent review of the study results in certain circumstances, at the applicant's expense, including but not limited to staff capacity and to ensure the timely review of the study results and application processing timelines. If an independent review is required, the applicant will be invoiced.
- (5) Incomplete or Deficient Reports

- (a) If it is determined by the Manager that a report containing development approval information is outdated, incomplete or deficient, the applicant will be notified in writing the nature of deficiencies and the timeframe to resubmit the corrected report.
- (6) Presentation of Reports or Impact Studies
- (a) The Manager may request, at the applicant's expense, the presentation of the report or impact study to Council, the community, or Staff by the Qualified Professional(s) that prepared the document.
- (7) Publication of Information
- (a) The District may distribute and publish a report containing development approval information requested under this bylaw.
- 6. Notice of Application Sign**
- (1) A notice of Application Sign shall be posted in accordance with Schedule 'A' of this bylaw.
- 7. Notification**
- (1) Where a notice is required to be mailed or delivered to owners and tenants, pursuant to the *Local Government Act*, the District will provide notice to owners and tenants in occupation of parcels within 60 metres from any boundary of any subject property of the application or proposed bylaw.
  - (2) Where notification is not required by the *Local Government Act*, the District will provide notification to owners and tenants as follows:
    - (a) The District will provide notification for delegated minor development variance permits to be mailed or otherwise delivered to owners and tenants in occupation of parcels within 60 metres from the boundaries of the subject application at least 10 days prior to the consideration of the application.
    - (b) The District will make reasonable efforts to notify adjacent residents of an applicant's request to undertake a Comprehensive Development Plan. Methods of notification may include but are not limited to direct mail outs, newsletters, advertisements in the newspaper or notices on the District's website.
    - (c) When a public information meeting is required by the District, the District will provide notice of the meeting to properties within 60 metres from the subject application or proposed bylaw at least 10 days prior to the meeting.
- 8. Public Information Meetings**
- (1) An applicant may be required to hold a Public Information Meeting, as outlined in Schedules 'A' – 'C' and Schedule 'F', prior to OCP amendments, zoning amendments, and temporary use permit applications being considered by Council to provide an additional opportunity for the public to access information and to inquire about the proposal beyond that available through the standard application processes.
  - (2) When a public information meeting is held by the applicant, it is the responsibility of the applicant to arrange and conduct the meeting at a location that is approved by Staff, accessible to individuals with disabilities, and in Tofino and/or on a virtual meeting platform at their expense.
  - (3) As determined by the Manager, the applicant must advertise the meeting in a local newspaper and/or alternate means at least 10 days prior to the meeting at their expense.
  - (4) After the meeting is held, applicants must submit a report to the District summarizing the meeting including the following information:

- (a) Location, time, and duration of meeting;
  - (b) Number of attendees;
  - (c) Proof of how the meeting was advertised;
  - (d) Information provided at the meeting; and
  - (e) A summation of questions raised and major discussion points.
- (5) Council may require the applicant to conduct additional public consultation to seek additional community feedback regarding the proposed application, the cost of which will be the responsibility of the applicant.

## **9. Agency Referral Process**

- (1) When reviewing applications, Staff will develop a referral list of agencies, organizations, or levels of government that the application may be sent to for review and comment. Each agency, organization or level of government shall be given a minimum of twenty-one (21) days from the date of the referral to provide any comments.
- (2) Requests from an agency to extend the referral period may be granted at the discretion of the Manager.

## **10. Security**

- (1) Pursuant to the *Local Government Act* and the OCP, security may be required as a condition of permit issuance for the following:
  - (a) Landscaping (“Landscape Security”);
  - (b) An unsafe condition or damage to the natural environment that may result as a consequence of a contravention of a condition in a permit (“Remediation Security”); or;
  - (c) To guarantee the performance of the terms of a permit (“Performance Security”).

### **(2) Phased Landscape**

- (a) Plans may be approved for large-scale developments at the discretion of the Manager to enable the completion of the landscape plan in phases and the submission of the related security deposit at each phase. The applicant is required to request a phased approach to the execution of the landscape plan at the time of Development Permit application, clearly identifying on the submitted landscape plan the proposed phases and related cost estimates for each phase.

### **(3) Form of Security**

- (a) Security will be provided in the form of an automatically renewing irrevocable letter of credit, bank draft or in a form satisfactory to the Manager.

### **(4) Amount of Security**

The amount of security will be calculated and submitted by a Qualified Professional at the applicant’s expense, to the satisfaction of the Manager using the following:

- (a) For Landscape Security, the amount of security will be 125% of an estimate or quote of the cost of works, including but not limited to: inspections, monitoring, maintenance, hardscaping, irrigation, labour and plantings materials.
- (b) For Remediation Security, the amount of security will be 125% of an estimate or quote of the cost of works, including but not limited to: inspections, monitoring, maintenance, irrigation, labour and planting materials.

(i) Where security is required in the case of an unsafe condition or damage to the natural environment that may result from a contravention of a permit condition, the amount of security shall reflect:

- (i) the nature of the permit condition;
- (ii) the nature of the unsafe condition or damage; and
- (iii) the cost to the District of entering the land to undertake the work to correct the unsafe condition or restore and enhance the natural environment, including the cost of repairing any damage to land that may have been caused by the unsafe condition or that may have occurred in connection with the repair work.

(c) For Performance Security, the amount of security will be 125% of an estimate or quote of the cost of works to guarantee the performance of the terms of the permit. Such works may include but are not limited to: inspections, monitoring, maintenance, irrigation, labour, planting materials and works required to restore the land or remove any temporary structures.

(5) Return of Security

(a) If a permit is cancelled by the applicant and no work has occurred related to the security deposit, the security deposit will be returned to the applicant at the approval of the Manager.

(b) Unless otherwise stated in this bylaw, the District will return the security when written request has been submitted by the applicant and includes a satisfactory Substantial Completion Report by a Qualified Professional, or other professional for small scale works approved by the Manager, certifying that:

- (i) The works have been completed in substantial compliance with the approved plan(s).
- (ii) The unsafe condition or damage to the natural environment has been corrected.

(c) The Substantial Completion Report must be signed and sealed by a Qualified Professional and include the following at a minimum:

- (i) The date and drawing number of the plan reviewed by the Qualified Professional;
- (ii) Date(s) of inspection by the Qualified Professional;
- (iii) A statement from the Qualified Professional that the completed works substantially comply with the approved plan;
- (iv) Identification of conformance to approved species, quantity of materials, scale and number of plans, irrigation systems and features (including hard landscaping) as shown on approved drawing(s) and installation to British Columbia Society of Landscape Architects (BCSLA)/British Columbia Landscape & Nursery Association (BCLNA) standards;
- (v) Confirmation that the depth of soils and composition of soils are to British Columbia Society of Landscape Architects (BCSLA)/British Columbia Landscape & Nursery Association (BCLNA) standards;
- (vi) A description of all deviations from the approved plan(s) with a rationale for the changes and whether the changes meet the intent of the approved plan(s); and;
- (vii) The request of the amount of funds to be released.

(d) Upon receipt of a Substantial Completion Report, the District may conduct a site inspection to verify that the works are installed in accordance with the approved plans.

(e) Should there be any deficiencies identified in the Substantial Completion Report or should the District find any discrepancies and/or deficiencies during an inspection, an inspection report will be issued to the applicant and the security will be retained until the deficiencies have been addressed. Any changes to the

approved plans will require approval of the District prior to installation of any works. Depending on the level of non-conformance with the approved plans, Council approval of the revised plan(s) may be required through an amended permit application prior to the release of the security.

- (f) Site inspections and final acceptance by the District of the installation of plant material, sodding or seeding, will not be carried out during the plant dormancy period between November 15<sup>th</sup> and April 15<sup>th</sup>, unless otherwise approved by the Manager.
  - (g) Upon completion of any items outlined in an inspection report, the applicant shall notify the District for further inspection in order to obtain a final release of the security.
  - (h) Upon substantial completion, the District will return a portion of the security deposit. The District will withhold 10% of the total security deposit or 25% of the value of soft landscaping, whichever is greater, as a maintenance bond for up to two growing seasons to ensure that the work has been fully implemented and demonstrated to function (ecologically or as designed).
- (6) Partial Return of Landscape Security
- The District may return a portion of the Landscape Security upon receipt of a report from a Qualified Professional.
- (a) The report must include the following:
    - (i) Evidence that the total landscaping is 50% complete and substantially complies with the approved landscape plan;
    - (ii) Evidence that the perimeter landscaping is 100% complete as required by the approved landscape plan for any portion of the subject property that includes street frontage;
    - (iii) The date and drawing number of the landscape plan reviewed by the Qualified Professional;
    - (iv) Date(s) of inspection by the Qualified Professional;
    - (v) Evidence of conformance to approved species, quantity of materials, scale and number of plants, irrigation systems and features (including hard landscaping) as shown on approved drawing(s) and installation to British Columbia Society of Landscape Architects (BCSLA)/British Columbia Landscape & Nursery Association (BCLNA) standards;
    - (vi) Identification of all deviations from the approved landscape plan;
    - (vii) The submission of a revised landscape plan and cost estimates for the remainder of the works to be completed for the approval of the Manager; and
    - (viii) The request for the amount of funds to be released.
  - (b) When considering a request for partial release, Staff will consider the visual impact and safety of the remainder of the site as well as the public interface areas prior to approving a partial return request.
  - (c) If the request for the partial return of security is approved, the District will return 50% of the original cost estimate or quote and will withhold a portion of the original cost estimate as a maintenance bond as set out in Section 10(5)(h).
  - (d) The partial return of the landscape security will occur only once per security deposit unless as otherwise approved by the Manager.

#### **11. Permit Renewals, Extensions, Lapses and Re-application**

- (1) The District only accepts complete applications. If Staff determine that an application is incomplete during the initial review, the application will be placed on hold and the applicant will be requested to provide the required information. If an applicant does not provide the required information within three (3) months of the request, the file will be closed and the application and fee will be returned in



- accordance with the District of Tofino Fees Bylaw.
- (2) An application that has been inactive for more than one (1) year is deemed to be abandoned and may be closed.
  - (3) In the event that an application made pursuant to this bylaw has not been given final adoption by Council within one (1) year after the date it was given third reading or one (1) year after the date of last consideration by Council the application may be deemed to be abandoned and the file closed.
  - (4) In the case of applications that have been delegated to the Manager, if final approval of the application is not granted within one (1) year after a written request from the Manager to submit any outstanding items, the application will be deemed to be abandoned and may be closed.
  - (5) In order for an application that has lapsed under Sections 11(1) to 11(4) to proceed, a new application and fee will be required.
  - (6) For a bylaw amendment, upon written request from the applicant received 30 days prior to the lapse of the application, Council may extend the deadline for a period of one (1) year by passing a resolution to that effect to enable the applicant to complete the requirements for final adoption. A maximum of two (2) one-year time extensions may be granted by Council. If Council decides to deny an extension request or the applicant has received two (2) one-year time extensions and still has not met the requirements for final adoption and wishes to proceed with the application, a new application and fee will be required as per the District of Tofino Fees and Charges Bylaw.
  - (7) Re-Application
    - (a) Subject to the *Local Government Act*, where an application made pursuant to this bylaw has been refused by Council, re-application for the same amendment or permit will not be accepted for a six (6) month period immediately following the date of refusal.
    - (b) Where an applicant intends to appeal to the Council to vary the time limit set in Section 11(7)(a) pursuant to the *Local Government Act*, the applicant shall submit, in writing, a detailed statement as to why the time limit for the reapplication should be varied.

## **12. Change of Ownership**

- (1) If there is a change of ownership of a parcel(s) of land that is the subject of an application under this bylaw, the District will require updated Land Title Certificate(s) for the parcel(s) of land and written authorization from the new owner(s) prior to proceeding with the application.

## **13. Delegation of Authority**

The following powers, duties and functions of Council are delegated to the Manager:

- (1) The authority to require security under section 496 and 502 of the *Local Government Act*.
- (2) The authority to designate the form of any permit issued under this bylaw as per the *Local Government Act*.
- (3) The authority to designate the form and content of application forms.
- (4) The authority to create, amend, and prescribe graphic design templates for

- development application notice signs.
- (5) The authority to administer this bylaw and require development approval information.
  - (6) The authority to determine the appropriate level of consultation with persons, organizations, and authorities they consider will be affected by an amendment to the Official Community Plan.
  - (7) The authority to issue or amend Development Permits where there are no, or only minor variances requested.
  - (8) The Manager may refer a delegated Development Permit to Council if, in the opinion of the Manager, it would be in the public interest to instead have the application considered by Council.
  - (9) The authority to renew Development Permits that have been issued and lapsed provided the permit is consistent with OCP and relevant guidelines.
  - (10) The authority to issue Minor Development Variance Permits in accordance with the following sub-sections:
    - (a) Where the variance would be minor and would have no significant negative impact on the use of immediately adjacent or nearby properties. In making this determination the Manager must consider the following criteria:
      - (i) Degree or scope of the variance relative to the regulation from which a variance is sought;
      - (ii) Proximity of the building or structure to neighbouring properties; and
      - (iii) Character of development in the vicinity of the subject property.
    - (b) In deciding whether to issue a Minor Development Variance Permit the Manager must consider the following guidelines:
      - (i) If the proposed variance is consistent with the general purpose and intent of the zone and/or applicable regulation;
      - (ii) There is a valid reason, such as hardship, for the variance request;
      - (iii) If the proposed variance addresses a physical or legal constraint associated with the site (e.g., unusual parcel shape, environmentally sensitive area, topographical feature, statutory right-of-way, etc.);
      - (iv) If there is a community or environmental benefit to the larger community in granting the variance and/or it would support a Council priority (i.e. affordable housing, environmental protection, provision of a trail statutory right-of-way);
      - (v) The variance request must not include a reduction in the required number of parking stalls except in situations where an increase in parking spaces is associated with a change in use associated with a business licence application and does not propose additional floor area or supports the viability of affordable housing;
      - (vi) If strict compliance with the zoning regulation would be unreasonable; and,
      - (vii) If the proposed variance would unduly impact the character of the streetscape or surrounding neighbourhood.
    - (c) The Manager will refer a Minor Development Variance Permit to Council in the following circumstances:
      - (i) The proposed variance does not meet the criteria of minor;
      - (ii) The proposed variance is in conjunction with a Development Permit application that is not delegated to staff; or
      - (iii) The proposed variance meets the criteria of minor, but in the opinion of the Manager, it would be in the public interest to instead have the application considered by Council.

**14. Council Reconsideration of a Staff Decision**

- (1) Within 14 days of being notified in writing of the decision of a delegate under this bylaw, an applicant may, at no charge, request that Council reconsider the decision.
- (2) The applicant must give written notice to the District Corporate Officer setting out the grounds on which the applicant considers the decision to be inappropriate, including the specific decision, and what decision Council should use as a substitute.
- (3) The District Corporate Officer will notify the delegate of the request(s) for reconsideration and the delegate will, prior to the date of the meeting at which the reconsideration will occur, provide a copy of the written memo setting out for Council, the rationale for their decision.
- (4) The District Corporate Officer will place the request(s) for reconsideration on the agenda of a meeting of Council to be held as soon as reasonably possible.
- (5) The District Corporate Officer will notify the applicant of the date of the meeting at which reconsideration will occur.
- (6) Council will review the information provided by the applicant and Staff, and either confirm the decision made by Staff, or substitute its own decision including Development Permit conditions.

**15. Severability**

- (1) If any section, subsection, sentence, clause or phrase forming part of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed from the Bylaw without affecting the validity of the Bylaw or any remaining portions of the Bylaw.

**16. Repeal**

- (1) The District of Tofino Development Approvals Bylaw No. 1301, 2021 together with any amendments is hereby repealed.
- (2) The District of Tofino Development Approval Information Area Bylaw No. 1300, 2021 together with any amendments is hereby repealed.

**READ A FIRST TIME** on July 25, 2023

**READ A SECOND TIME** on July 25, 2023

**READ A THIRD TIME** on July 25, 2023

**ADOPTED** on August 8, 2023

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Dan Law, Mayor

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Nyla Attiana, Deputy Corporate Officer

**Schedule 'A'**  
**Notice of Application Sign Requirements**

**1. Installation**

In respect of an application for an OCP Bylaw Amendment, Zoning Amendment or Temporary Use Permit the applicant, at their cost, must install a District of Tofino Notice of Application Sign in accordance with this bylaw.

**2. Timing**

The Notice of Application sign must be posted in accordance with the specifications outlined in Schedule 'A' forming part of this bylaw.

**3. Design of Sign**

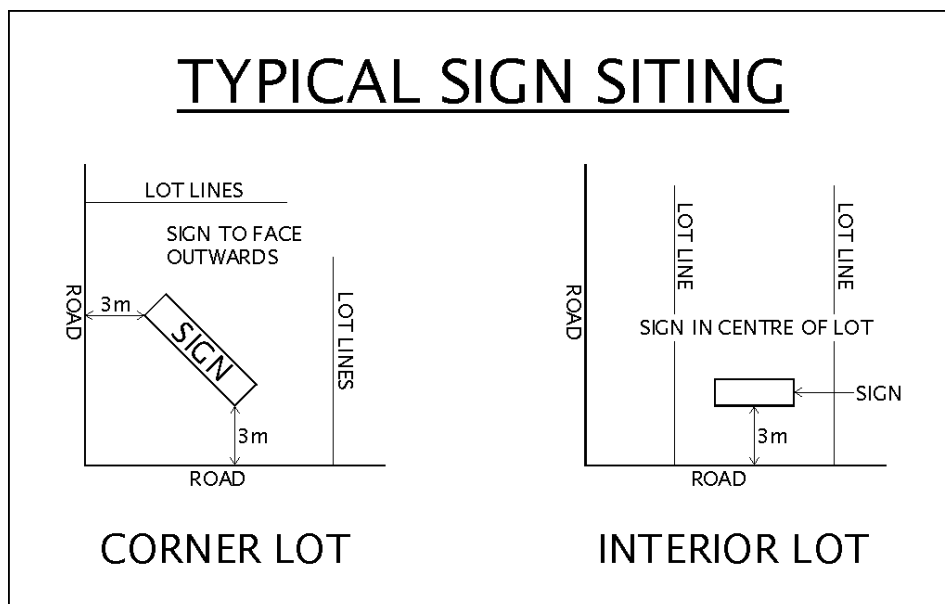
The design of the sign shall be in a form prescribed by the Manager ('District Sign Format Sheet').

**4. Preparation of Sign**

The preparation and posting of the Notice of Application sign is the responsibility of the applicant and must be undertaken as per the requirements of this bylaw and as identified on the Sign Format Sheet. The applicant will provide a mock-up of the sign with their complete application for review and approval prior to final sign printing. Once the sign is posted, the applicant shall demonstrate proof to Staff of the posted sign within 10 days of Staff approval of the mock-up.

**5. Siting of Sign**

All Notice of Application Signs shall be placed on the property at a setback of 3 metres from the front property line as demonstrated in the below diagram. The sign must face the street and be clearly visible. All proposed sign locations must be verified by the District Staff prior to installation. The sign must be located so as not to interfere with pedestrian or vehicular traffic, or obstruct visibility from streets, lanes, walkways or driveways so as to create a hazard. The Notice of Application Sign must be installed in a sound workmanlike manner and must be capable of withstanding wind and weather.



**6. Number of Signs**

The applicant shall post a minimum of one (1) Notice of Application Sign. For large parcels with over 200 m of street frontage, one (1) Notice of Application Sign shall be required for each 200 m of street frontage, to a maximum of three signs.

**7. Maintenance of Sign**

It is the responsibility of the applicant to ensure the sign(s) remain intact and visible as per the sign siting specifications until such time the sign can be removed, in accordance with Section 9.

**8. Amendments to Application**

If any significant amendments are made to the application, the applicant will be required to install new sign(s) reflecting the change in application. The applicant will provide a mock-up of the sign to the District Staff for review and approval prior to final printing.

**9. Sign Removal**

The Notice of Application Sign shall be removed by the applicant within seven (7) days following:

- (1) The conclusion of the public hearing or adoption of the amending bylaw if a public hearing is not required; or
- (2) The final consideration of an application by Council; or
- (3) The abandonment of the application.

**10. Failure to Post, Maintain or Remove**

(1) Failure to post and maintain the required Notice of Application Sign(s) in accordance with this bylaw may result in the postponement of any Public Information or Council meeting and any costs associated with the postponement will be borne by the applicant. Non-compliance with this section due to the removal, destruction, or alteration of the sign by vandalism or natural occurrence shall not affect the validity of the application or postpone a Public Information or Council meeting as long as reasonable efforts have been taken by the applicant to maintain the sign.

(2) Failure to remove the sign as required may result in the sign being removed at the expense of the applicant. The District shall not be liable for any damage or loss of the sign.



**Schedule 'B'**  
**Amendment to an Official Community Plan Bylaw or Zoning Bylaw (including the**  
**establishment of a Phased Development Agreement)**

This information is meant as a general guide to the processing procedure and is not regarded as the right to development approval if the steps indicated are followed.

**1. Application Requirements**

Application requirements are specified in the District of Tofino Development Application Form.

**2. Consultation**

An application for an amendment to the OCP will include one or more opportunities for consultation with persons, organizations, and authorities it considers affected by the application as per the *Local Government Act*. The opportunity for consultation will be considered for each amendment application and will be outlined within Staff's technical report to Council.

**3. Processing Procedure**

An amendment application submitted in accordance with this bylaw will be substantially processed as follows:

- (1) The applicant will have a Pre-Application Meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the District.
- (2) Staff will review the application to determine whether it is complete, and, if incomplete, will return the application and request the required information from the applicant.
- (3) Staff will review the proposal for compliance with relevant District bylaws and policies and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- (4) Staff may prepare a Permission to Proceed Staff Report to Council to introduce the application and seek preliminary direction regarding the application including referral to advisory committees and other matters as required.
- (5) The Applicant will post a Notice of Application sign as per Schedule 'A' of this bylaw.
- (6) Staff will refer the application to all applicable District departments, Development Review Team (DRT), advisory committees, government ministries, agencies and organizations.
- (7) Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify preliminary development conditions/requirements which will be sent to the applicant to:
  - (a) Resolve conditions/requirements identified in the Comprehensive Letter(s)
  - (b) Submit any necessary reports/studies; and
  - (c) Complete any required approvals.
- (8) The applicant must address the items in the comprehensive letter and may wish to revise the application accordingly.
- (9) The applicant may be required and is encouraged to host a public information meeting at their own expense prior to the amending bylaw being considered by the Council. If required, the applicant is to conduct the public information meeting in accordance with the requirements of Section 7 of this bylaw.
- (10) For a rezoning application where the proposed zoning bylaw is consistent with the OCP, Staff will publish and give notice of the amending bylaw(s) advising of the date of the first reading of the bylaw in accordance with the *Local Government Act*.

- (11) Staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, advisory committees, the community and any recommendations from the Development Review Team (DRT).
- (12) Council will receive the technical report, and if Council decides to proceed with the amendment application, the amending bylaw may be given readings. Council may alternatively decide to postpone or deny the application.
- (13) Should the amending bylaw receive readings and should Council decide that a public hearing be held prior to third reading to permit the public to comment on the application pursuant to the *Local Government Act* and as per this bylaw, notice(s) of the amending bylaw(s) will be published in a newspaper pursuant to the *Local Government Act*. For a rezoning application where the proposed zoning bylaw is consistent with the OCP, a public hearing is not a default requirement of the *Local Government Act*; however, may be required by Council.
- (14) If a public hearing is held, the minutes of the Public Hearing will be presented to Council prior to consideration of third reading of the amending bylaw.
- (15) Council may proceed with third reading of the amending bylaw (including the imposition of conditions), postpone or deny the application. Upon third reading, an amendment bylaw may need to be referred to the relevant provincial minister(s) for signature before proceeding to adoption.
- (16) Once all of the conditions identified at third reading, if any, have been addressed, Council will consider adoption of the bylaw(s).
- (17) Once the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome.

#### 4. Preparation of Phased Development Agreements

If a Phased Development Agreement is required, it may be processed concurrently with a Zoning Bylaw Amendment application, and will be substantially processed with the following additional steps:

- (1) The applicant will be required to work with Staff to develop a Terms Sheet identifying the basic conditions to be outlined in the Phased Development Agreement. Such conditions include, but are not limited to, the lands affected and intent of the agreement, the term, amenities, features and phasing of the development. Other conditions may be required and will be determined on a site-specific basis.
- (2) The applicant will submit the draft Terms Sheet to the District who will refer it to applicable District departments, government ministries, agencies, organizations and the Development Review Team.
- (3) Staff will prepare a technical report to the Manager for consideration of the Terms Sheet. Once the basic conditions in the Terms Sheet have been agreed upon, the applicant will be directed to draft the Phased Development Agreement, at the applicant's expense, and submit the agreement to the District.
- (4) Staff will refer the draft Phased Development Agreement to all applicable District departments, government ministries, agencies, organizations and may refer the draft Phased Development Agreement to a solicitor.
- (5) Staff will prepare a technical report for Council's consideration on the draft Phased Development Agreement, incorporating feedback received from the referral process, the community and any recommendations from Development Review Team (DRT).
- (6) Notices of the amending bylaw(s) will be given advising of the date of the first reading of the bylaw in accordance with the *Local Government Act*.
- (7) If Council wishes to proceed with the Phased Development Agreement, the Phased

Development Agreement bylaw will be given first reading and second reading (including the placement of conditions, where appropriate). Council may alternatively decide to postpone or deny the application.

- (8) Should the Phased Development Agreement Bylaw receive first and second readings and Council decides that a public hearing be held to permit the public to comment on the application pursuant to the *Local Government Act* and as per this bylaw, notice(s) of the amending bylaw(s) will be published in a newspaper pursuant to the *Local Government Act*.
- (9) Following the close of the public hearing, Council may proceed with third reading of the amending bylaw (including the imposition of conditions), postpone or deny the application.
- (10) Once the applicant has adequately addressed all of the conditions identified at third reading (if any), Council will consider adoption of the Phased Development Agreement bylaw(s).
- (11) If a Phased Development Agreement is entered into, a Notice of Permit will be registered against the title of the property at the Land Title Office by Staff.
- (12) Amendments to an approved Phased Development Agreement may occur pursuant to the *Local Government Act*.

**Schedule 'C'**  
**Comprehensive Development Plans**

This information is meant as a general guide to the processing procedure and is not regarded as the right to development approval if the steps indicated are followed.

**1. Application Requirements**

Application requirements are specified in the District of Tofino Development Application Form.

**2. Processing Procedure – PART A: Development of Terms of Reference for a Comprehensive Development Plan**

A request for the development of Terms of Reference for Comprehensive Development Plans submitted in accordance with this bylaw will be substantially processed as follows:

- (1) The applicant will have a Pre-Application Meeting to discuss the proposed Terms of Reference and application requirements for the Comprehensive Development Plan with Staff prior to submitting a formal application to the District. Staff may refer the request for a Terms of Reference to Council for direction on whether to pursue a Comprehensive Development Plan or an Area Plan. Where applicable, the District may require collaboration/joint applications between adjoining landowners to ensure comprehensive development planning as per the OCP.
- (2) Staff will review the application to determine whether it is complete, and, if incomplete, will return the application and request the required information from the applicant.
- (3) Upon receipt of a complete application submitted in accordance with the requirements of this bylaw, Staff will issue a receipt to the applicant.
- (4) Staff will review the proposal for compliance with relevant District bylaws and policies and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- (5) The Applicant will post a Notice of Application sign as per Schedule 'A' of this bylaw.
- (6) Staff will notify affected residents of the applicant's request to undertake a Comprehensive Development Plan as per Section 8 of this bylaw.
- (7) The Manager will work with the applicant to prepare a draft Terms of Reference for the Comprehensive Development Plan.
- (8) Staff will refer the draft Terms of Reference to applicable District departments, Development Review Team (DRT), advisory committees, government ministries, agencies and organizations.
- (9) Based on feedback received through the referral process, Staff may meet with the applicant and/or send the applicant a letter(s) identifying any outstanding issues to be addressed in order to finalize the draft Terms of Reference.
- (10) Staff will prepare a technical report for Council's consideration of the draft Terms of Reference, incorporating feedback received from the referral process and the community and any recommendations from the Development Review Team (DRT).
- (11) Council will consider the technical report and may approve, approve with conditions, postpone or deny the draft Terms of Reference for the Comprehensive Development Plan.

**3. Processing Procedure – PART B: Submission of a Comprehensive Development Plan**

A Comprehensive Development Plan submitted in accordance with this bylaw will be substantially processed as follows:

- (1) Once the Terms of Reference have been prepared and approved by Council, the applicant will commission a Qualified Professional to prepare the draft

Comprehensive Development Plan in consultation with the District and interested parties.

- (2) The applicant will submit the draft plan in accordance with the authorized Terms of Reference.
- (3) Staff will review the draft plan for compliance with the Terms of Reference, relevant District bylaws and policies and may meet with the applicant to address any outstanding issues (as required). Staff may conduct a site visit as part of the evaluation process.
- (4) Staff will refer the draft plan to all applicable District departments, advisory committees, Development Review Team (DRT), advisory committees, government ministries, agencies, and organizations.
- (5) The applicant may be required and is encouraged to arrange a public information meeting at the applicant's expense, per Section 9 of this bylaw, to present the draft plan to the community and solicit feedback. The proposed format and timing for the session must be submitted to the Manager for approval a minimum of one-month prior to the consultation session. The consultation may include a referral to the local neighbourhood association(s).
- (6) If a public information meeting is conducted, the applicant will be required to submit a report summarizing the session, per this bylaw.
- (7) Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify preliminary development conditions/requirements which will be sent to the applicant to:
  - (i) Resolve conditions/requirements identified in the Comprehensive Letter(s);
  - (ii) Submit any necessary reports/studies; and,
  - (iii) Complete any required approvals.
- (8) The applicant must address the items in the comprehensive letter and may wish to revise the application accordingly.
- (9) Staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, advisory committees, the community and any recommendations from the Development Review Team (DRT).
- (10) Council will receive the technical report, and Council may approve the Comprehensive Development Plan or approve the Comprehensive Development Plan with conditions. Council may alternatively decide to postpone or deny the application.
- (11) Once the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome.
- (12) If the Terms of Reference specify that the Comprehensive Development Plan be submitted or completed in distinct phases, the procedures outlined in this schedule will be repeated for each phase as applicable.

#### **4. Processing Procedure – PART C: Official Community Plan Amendment**

- (1) Once Council has approved all phases of the Comprehensive Development Plan, Staff will bring forward an amendment to the Official Community Plan, in accordance with Schedule 'B' of this bylaw, to ensure consistency with the Comprehensive Development Plan.



**Schedule 'D'**  
**Development Permit**

This information is meant as a general guide to the processing procedure and is not regarded as the right to development approval if the steps indicated are followed.

**1. Application Requirements**

Application requirements are specified in the District of Tofino Development Application Form.

**2. Processing Procedure**

A Development Permit Application submitted in accordance with this bylaw will be substantially processed as follows:

- (1) The applicant will have a Pre-Application Meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the District.
- (2) Staff will review the application to determine whether it is complete, and, if incomplete, will request the required information from the applicant.
- (3) Staff will review the proposal for compliance with relevant District bylaws and policies, and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- (4) Staff will refer the application to all applicable District departments, Design Review Panel, Development Review Team (DRT), government ministries, agencies and organizations.
- (5) Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify preliminary development conditions/requirements which will be sent to the applicant to:
  - (i) Resolve conditions/requirements identified in the Comprehensive Letter(s);
  - (ii) Submit any necessary reports/studies; and,
  - (iii) Complete any required approvals.
- (6) The applicant must address the items in the comprehensive letter and may wish to revise the application accordingly.
- (7) Staff will prepare a technical report for consideration, incorporating feedback received from the referral process and any recommendations from the Development Review Team (DRT). All development permit applications and technical reports will be referred to the Manager for consideration.
- (8) If the Manager opts-out of making a delegated decision as per this bylaw, Council will receive the development permit application and technical report for consideration. Council may authorize the issuance of the development permit or authorize the issuance of the development permit with conditions. Council may alternatively decide to postpone or deny the application. If the development permit application includes a request for a development variance(s), the request may be considered by Staff or Council in conjunction with the development permit application pursuant to requirements of this bylaw and the *Local Government Act*. Additional fees will be required as per the District of Tofino Fees and Charges Bylaw.
- (9) The applicant will be notified of the decision regarding the application.
- (10) If a Development Permit is granted, a Notice of Permit will be registered against the title of the property at the Land Title Office by Staff.

**Schedule 'E'**  
**Minor Development Variance Permit AND Development Variance Permit**

This information is meant as a general guide to the processing procedure and is not regarded as the right to development approval if the steps indicated are followed.

**1. Application Requirements**

Application requirements are specified in the District of Tofino Development Application Form.

**2. Processing Procedure**

A Development Variance Permit application submitted in accordance with this bylaw will be substantially processed as follows:

- (1) The applicant will have a Pre-Application Meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the District.
- (2) Staff will review the application to determine whether it is complete, and, if incomplete, will request the required information from the applicant.
- (3) Staff will mail or otherwise deliver notices to adjacent property owners as per requirements of this bylaw and the *Local Government Act*. If the Manager has delegated authority to review the Development Variance Permit, no notice is required as per the *Local Government Act*; however, the Manager may require notification to be sent to adjacent property owners as per this bylaw.
- (4) Staff will review the proposal for compliance with relevant District bylaws and policies, and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- (5) Staff may refer the application to the Development Review Team (DRT), all applicable District departments, government ministries, agencies and organizations. Staff will determine whether the variance request is minor or needs to be referred to Council for a decision.
- (6) Staff will prepare a technical report for consideration, incorporating feedback received from the referral process and any recommendations from the Development Review Team (DRT). If the application is deemed to be a Minor Development Variance Permit and the Manager has delegated authority to approve the Permit, the application and technical report will be referred to the Manager for consideration, otherwise the report will be prepared for Council's consideration.
- (7) The Manager may authorize the issuance of a Minor Variance Permit or alternatively decide to deny the application or refer it back to Staff for further information or deem that the variance is not minor and refer the application to Council for a decision. If authority has not been delegated or the Manager denies the application, Council will receive the technical report, and if Council decides to proceed with the development permit application, Council may authorize the issuance of the development permit or authorize the issuance of the development permit with conditions. Council may alternatively decide to postpone or deny the application.
- (8) If a variance is approved, a Notice of Permit will be registered against the title of the property at the Land title Office by Staff.
- (9) When a permit is (re)considered by Council, Staff will forward a technical memo, incorporating feedback received from the referral process, advisory committees, and the community.
- (10) Council will receive the technical memo and may authorize the issuance of the Development Variance Permit or authorize the issuance of the Development Variance Permit with conditions. Council may alternatively decide to postpone or deny the application.

(11) If a Development Variance Permit is granted by Council, a Notice of Permit will be registered against the title of the property at the Land title Office by Staff.

**Schedule 'F'**  
**Temporary Use Permit**

This information is meant as a general guide to the processing procedure and is not regarded as the right to development approval if the steps indicated are followed.

**1. Application Requirements**

Application requirements are specified in the District of Tofino Development Application Form.

**2. Processing Procedure**

A Temporary Use Permit application submitted in accordance with this bylaw will be substantially processed as follows:

- (1) The applicant will have a Pre-Application Meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the District.
- (2) Staff will review the application to determine whether it is complete, and, if incomplete, will request the required information from the applicant.
- (3) The Applicant will post a Notice of Application sign as per Schedule 'A' of this bylaw.
- (4) Staff will review the proposal for compliance with relevant District bylaws and policies and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- (5) Staff may refer the application to all applicable District departments, advisory committees, Development Review Team (DRT), government ministries, agencies, and organizations.
- (6) Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify preliminary development conditions/requirements which will be sent to the applicant to:
  - (i) Resolve conditions/requirements identified in the Comprehensive Letter(s);
  - (ii) Submit any necessary reports/studies; and
  - (iii) Complete any required approvals.
- (7) Staff will mail or otherwise deliver notices to adjacent property owners as per this bylaw and as per requirements of the *Local Government Act*. Notice will also be published pursuant to the *Local Government Act*.
- (8) The applicant may be required and is encouraged to host a public information meeting at their own expense prior to the permit being considered by the Council. If required, the applicant is to conduct the public information meeting in accordance with the requirements of this bylaw.
- (9) Staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, the community and any recommendations from the Development Review Team (DRT).
- (10) Council will receive the technical report, and Council may grant the requested permit (including the imposition of conditions) or may postpone or deny the application.
- (11) Once the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome.
- (12) If a Permit is granted by Council, a Notice of Permit will be registered against the title of the property at the Land Title Office by Staff.

**Schedule 'G'**  
**A Referral for Liquor License and Cannabis License under the Liquor and Cannabis**  
**Regulation Branch (LCRB)**

This information is meant as a general guide to the processing procedure and is not regarded as the right to development approval if the steps indicated are followed.

**1. Application Requirements**

- (1) Applicants must review the Liquor and Cannabis Regulation Branch (LCRB) requirements prior to submitting a Liquor License or a Cannabis License application to the District. The LCRB specifies application requirements and when local governments are required to comment on liquor license applications.
- (2) Application requirements are specified in the District of Tofino Development Application Form.

**2. Processing Procedure for Liquor Licenses and Cannabis Licenses**

A Liquor License Application submitted in accordance with this bylaw will be substantially processed as follows:

- (1) The applicant will have a Pre-Application Meeting to discuss the proposal and application requirements with Staff prior to submitting a formal application to the District.
- (2) Staff will review the application to determine whether it is complete, and, if incomplete, will request the required information from the applicant.
- (3) Upon receipt of a complete application submitted in accordance with the requirements of this bylaw, Staff will issue a receipt to the applicant. Applicants are required to demonstrate proof of application to the LCRB prior to municipal consideration. The LCRB may forward a summary report to the District prior to the District's review of the application.
- (4) Staff will review the proposal for compliance with relevant District bylaws and policies and may meet with the applicant (as required). Staff may conduct a site visit(s) as part of the evaluation process.
- (5) Staff may refer the application to all applicable District departments and Development Review Team (DRT).
- (6) Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the referral process to identify recommended conditions/requirements which will be sent to the applicant.
- (7) In order to obtain public input, the District may, in accordance with the *Liquor Control and Licensing Act* and the *Cannabis Control and Licensing Act*:
  - (i) Advertise the proposal in one edition of a local newspaper to solicit written comments on the application from the public. Such comments shall be submitted in writing to the Manager within fourteen (14) days of the publication of the notice.
  - (ii) Send notifications to adjacent property owners in accordance with this bylaw.
- (8) If a Council resolution is required as per the LCRB, staff will prepare a technical report for Council's consideration, incorporating feedback received from the referral process, the community, and any recommendations from the Development Review Team (DRT) and in accordance with the criteria local governments must consider as per guidelines specified by the LCRB.
- (9) If a Council resolution is required as per the LCRB, Council will receive the technical report, and Council will make a recommendation to the LCRB by passing a resolution to either approve or deny the application.



- (10) Once the minutes of the Council resolution have been prepared, the applicant will be notified of the outcome. Staff will forward the Council resolution to the LCRB for their final review and approval.
- (11) If a Council resolution is not required per the LCRB, the Manager will review the application and any feedback received from the review and provide a recommendation to the LCRB for their review and final approval.



May 29, 2024

BC Municipalities

Dear BC Mayors, Council and Staff

**RE: Deputy Mayor to Represent Kamloops City Council**

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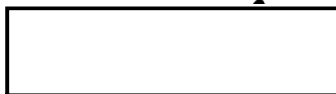
Kamloops City Council wishes to inform all representatives of the Municipal Governments of BC that Mayor Reid Hamer-Jackson is no longer authorized to speak for the will of Kamloops City Council or the corporation of the City of Kamloops, as per Council resolution effective May 28, 2024.

The appointed Deputy Mayor, which rotates month-to-month among the eight councillors and is outlined in the attached schedule, will represent City Council and the organization at all events and for all matters locally, provincially, and federally. Please note, the Deputy Mayor schedule is subject to change. The current version is posted online at [Kamloops.CivicWeb.net](https://www.kamloops.ca/civicweb). This decision does not preclude staff speaking publicly on behalf of the City of Kamloops.

The Deputy Mayor will author and sign all communications from Kamloops City Council. All applicable provincial and federal government agencies and all municipal governments within BC will receive this communication.

Any official communications for Kamloops City Council should be directed to Deputy Mayor and Council via the Executive Assistant to Mayor and Council at [eacouncil@kamloops.ca](mailto:eacouncil@kamloops.ca). We appreciate your cooperation and look forward to working with you.

Sincerely,



Deputy Mayor Kelly Hall  
City of Kamloops

Enclosed: 2024 Deputy Mayor Schedule



**Nancy Owen**

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**From:** Nancy Owen  
**Sent:** June 5, 2024 8:45 AM  
**To:** Nancy Owen  
**Subject:** FW: 2024 AGM Invitation, May Mix & Mingle Recap and Island Good Days!

**From:** info@viea.ca <info@viea.ca>  
**Sent:** Monday, May 27, 2024 1:00 PM  
**To:** Marilyn McEwen (Ucluelet Mayor) <mmcewen@ucluelet.ca>  
**Subject:** 2024 AGM Invitation, May Mix & Mingle Recap and Island Good Days!

[External]



Visit our site  
[viea.ca](http://viea.ca)

The Latest  
From VIEA

VIEA AGM

Mix and Mingles  
Recap

Island Good Days

Save the Date!  
Early Bird Registration opening  
June, 2024 for the Economic  
Summit!

The 18th Annual State of The Island Economic  
Summit will take place on **October 23 & 24** at  
Vancouver Island Conference Centre in Nanaimo, BC.

Brought to you by Vancouver Island Economic  
Alliance.



BMEEx Program



**NOTICE TO MEMBERS  
VIEA AGM  
1:30pm, Friday, June 24, 2024**

**Members are welcome to attend VIEA's AGM  
Please **RSVP** in advance for this meeting.**

**Join us in person at the Cowichan Community Centre or via Zoom. Details  
will follow in RSVP replies.**

The agenda will include:

- Year End Financial Report
- Election of Directors
- President's Report
- Strategic Plan Release

## **Mix and Mingles Recap**



In May, we connected with VIEA members, Island Good businesses and guests at our mix and mingle events.

From Wolf Brewing in Nanaimo to Riptide Marine Pub in Campbell River, to Devils' Bath Brewery in Port McNeill, to the Cowichan Regional Visitor Centre in Duncan and 40 Knots Winery in Comox, each gathering was an opportunity for networking and collaboration. These events provided invaluable opportunities to delve into the latest developments in various regions and explore how VIEA can continue to offer meaningful support to our members.

Thanks to [Greig Seafood](#) for generously contributing their delectable smoked salmon, expertly prepared by Island Good [Hardy Buoys](#), at the Campbell River



mix and mingle. We also extend our gratitude to Island Good [Wolf Brewing](#), [Cowichan Regional Visitor Centre](#), [Mensch Catering](#), [Red Arrow Brewing](#), [Paradise Island Cheese](#), [Island Farmhouse Poultry](#), [Longwood Brewery](#), [Natural Pastures Cheese](#), and [40 Knots Winery](#) for graciously hosting and/or contributing to the success of these gatherings.

As we reflect on the connections made and insights gained during our May adventures, we eagerly anticipate the upcoming events planned for September, focusing on the West Coast and South Island regions. Stay tuned for more details as we continue to foster meaningful connections and support a thriving sustainable economy for Vancouver Island and the rural Islands.



Get ready for the third annual 'Island Good Days' taking place from June 3 to June 9, 2024!

Exciting news! Island Good Days has been officially declared in Campbell River, Duncan, Esquimalt, Ladysmith, Langford, Nanaimo, Port Alberni, and Victoria!

Did you know that nearly 200 businesses throughout Vancouver Island and the rural islands are proudly Island Good, and this number is steadily increasing?

Island Good Days will celebrate locally grown, raised, produced and manufactured goods and those grocers, retailers and restaurants that support them.

Keep an eye out for the Island Good logo while you shop, follow @islandgoodbrand on social media, spread the word to your friends and family, and explore all the Island Good businesses at [www.islandgood.ca](http://www.islandgood.ca).

Let's celebrate Island Good this week and throughout the year! It's good for jobs, good for our economy, good for sustainability, good for us all!



## Vancouver Island Businesses are Turning Construction Waste into a Resource

BMEx (Building Material Exchange) is a new initiative that connects construction and manufacturing businesses in south and central Vancouver Island to prevent valuable construction materials from going to waste. It serves as a bridge



between businesses with surplus materials and those who can breathe new life into them.

If your business is looking to reduce the amount of waste sent to landfill or trying to source affordable building materials, then BMEx is for you.

### Why get involved?

- Stay updated on the latest policies shaping material reuse and diversion.
- Explore how to offset your waste management and material costs.
- Find matches for your waste materials or secure local materials for less.
- Build cross-sectoral partnerships to maximize impact.

Let's discuss how our initiative can benefit your business and help save you money. Sign up here to find out more about the program and our upcoming Solutions Lab event in June: <https://www.light-house.org/bmex/>

VIEA operates on the traditional and unceded lands of the Coast Salish, Kwakwaka'wakw and Nuu-chah-nulth Peoples.

Contact VIEA

250-668-5389

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[julie@viea.ca](mailto:julie@viea.ca)

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