



REGULAR MEETING OF COUNCIL
Tuesday, July 30, 2024 @ 4:00 PM
Electronically (Via Zoom) and in the George Fraser Community Room in the
Ucluelet Community Centre, 500 Matterson Drive, Ucluelet

AGENDA

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.

Page

1. CALL TO ORDER
 - 1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH
Council would like to acknowledge the Yuulu?il?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.
 - 1.3 THE DISTRICT OF UCLUELET FIRE RESCUE DEPARTMENT
RECOGNITION
2. LATE ITEMS
3. APPROVAL OF THE AGENDA
4. ADOPTION OF MINUTES
 - 4.1 June 25, 2024 Regular Council Meeting Minutes 5 - 14
[2024-06-25 Regular Council Minutes](#)
 - 4.2 July 4, 2024 Special Committee of the Whole Meeting Minutes 15 - 16
[2024-07-04 Special Committee of the Whole Minutes](#)
 - 4.3 July 9, 2024 Regular Council Meeting Minutes 17 - 26
[2024-07-09 Regular Council Minutes](#)
5. PUBLIC INPUT & DELEGATIONS
 - 5.1 Delegations

- Paul Rosenau, EKISTICS Town Planning Inc.
Re: Lot 543 Helen Road Proposal Update
 - Samantha Hackett and Carrie Ho, West Coast Multiplex Society 27 - 37
Re: Project Update and Request of Support Letter
[2024-07-30 West Coast Multiplex Brochure](#)
[2024-07-30 High Performance Surf Center Letter to Minister of Tourism](#)
6. UNFINISHED BUSINESS
7. BYLAWS
- 7.1 Five-Year Financial Plan Amendment Bylaw No. 1349, 2024 39 - 45
Jeffrey Cadman, Director of Finance
[RTC - Five-Year Financial Plan Amendment Bylaw No. 1349, 2024 - Adoption Appendix A - District of Ucluelet 2024 - 2028 Financial Plan Amendment Bylaw 1349, 2024](#)
- 7.2 District of Ucluelet Development Application Procedure Bylaw No. 1350, 2024 47 - 72
Joseph Rotenberg, Manager of Corporate Services
[RTC - District of Ucluelet Development Application Procedure Bylaw No. 1350, 2024](#)
[Appendix A - District of Ucluelet Development Application Procedure Bylaw 1350, 2024](#)
- 7.3 Records Management Bylaw Update 73 - 76
Joseph Rotenberg, Manager of Corporate Services
[RTC - Records Management Bylaw Update](#)
[Appendix A - Records Management Bylaw No. 1353, 2024](#)
- 7.4 Zoning Amendment for 2102 Peninsula Road 77 - 152
Anneliese Neweduk, Planner
[RTC - Zoning Amendment for 2102 Peninsula Road](#)
[Appendix A - June 25, 2024 Report to Council](#)
[Appendix B - Zoning Amendment Bylaw No. 1343, 2024](#)
[2024-07-08 - Correspondence Related to 2102 Peninsula Rd](#)
8. REPORTS
- 8.1 Development Permit for 2102 Peninsula Road 153 - 173
Anneliese Neweduk, Planner
[RTC - Development Permit for 2102 Peninsula Road](#)
[Appendix A - Development Permit 23-09](#)
- 8.2 Notice of Land Disposition Lease Agreement Wild Pacific Trail Society 175 - 180
Abby Fortune, Director of Community Services
[RTC - Notice of Land Disposition Lease Agreement Wild Pacific Trail Society](#)
9. NOTICE OF MOTION
10. CORRESPONDENCE
- 10.1 Supporting Living Organ Donation by Municipal Employees 181 - 182
Pia Schindler, Executive Director, the Kidney Foundation, BC & Yukon Branch

[2024-07-12 Supporting Living Organ Donation by Municipal Employees](#)

- 10.2 Invitation to Meet with the Health Authorities of British Columbia during UBCM Convention 183 - 184
Brigit Schmidt, Director, MUNI UBCM Convention Coordinator
[2024-07-19 Invitation to Meet with Health Authorities of BC](#)
- 10.3 First Nations Leadership Council and UBCM Invitation to Province-wide Community-to-Community Forum 185
Union of British Columbia Municipalities and First Nations Leadership Council
[2024-07-16 First Nations Leadership Council & UBCM Forum Invitation](#)
11. INFORMATION ITEMS
- 11.1 Sanitary Sewer Capacity Limitations 187 - 189
James MacIntosh, Director of Engineering Services
[IRTC - Sanitary Sewer Capacity Limitations](#)
[Appendix A - Lift Station Dwelling Capacity Availability](#)
- 11.2 RCMP Monthly Policing Report June 2024 191 - 195
Marc Jones, Sergeant, Ucluelet RCMP Detachment
[RCMP Leadership Report June 2024](#)
- 11.3 Minister of Environment and Climate Change Strategy Review of the Environmental Assessment Act 197 - 198
Chris Trumpy, A/Chief Executive Assessment Officer and Associate Deputy Minister
[2024-07-10 Ltr MoECCS Environmental Assessment Act Review](#)
12. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS
- 12.1 Councillor Shawn Anderson
Deputy Mayor, April 1 - June 30, 2024
- 12.2 Councillor Jennifer Hoar
Deputy Mayor, January 1 - March 31, 2024
- 12.3 Councillor Mark Maftai
Deputy Mayor, October 1 - December 31, 2024
- 12.4 Councillor Ian Kennington
Deputy Mayor, July 1 - September 30, 2024
- 12.5 Mayor Marilyn McEwen
13. QUESTION PERIOD
14. CLOSED SESSION
- 14.1 Procedural Motion to Move In-Camera
THAT the July 30, 2024, Regular Council Meeting be closed to the public pursuant to the following sections of the *Community Charter*:
- 90(1)(c) labour relations or other employee relations;
 - 90(1)(d) the security of the property of the municipality;

- 90(1)(g) litigation or potential litigation affecting the municipality; and
- 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

15. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD ELECTRONICALLY AND IN THE GEORGE FRASER COMMUNITY ROOM
IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, June 25, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Kennington, and Maftai (via Zoom)
 Staff: Duane Lawrence, Chief Administrative Officer
 Jeffrey Cadman, Director of Finance
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Community Services
 Rick Geddes, Fire Chief
 Joseph Rotenberg, Manager of Corporate Services
 John Towgood, Municipal Planner
 Nancy Owen, Executive Assistant

Regrets: Councillor Hoar

1. CALL TO ORDER

The June 25, 2024, Regular Council Meeting was called to order at 4:00 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

2.1 Additional Public Hearing Written Submissions Related to Bylaw Nos. 1337, 2024 and 1322, 2024

2.2 Letter of Support Request - Raincoast Education Society

2024.2201.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the June 25, 2024, Regular Council Meeting Agenda be amended by:

- *adding the late item titled "Additional Public Hearing Written Submissions Related to Bylaw Nos. 1337, 2024 and 1322, 2024" under Public Hearing Item 5.1.3; and*
- *adding the late item titled "Letter of Support Request – Raincoast Education Society" as Correspondence Item 10.4.*

CARRIED.

3. APPROVAL OF THE AGENDA**3.1 June 25, 2024, Regular Council Meeting Agenda**2024.2202.REGULAR *IT WAS MOVED AND SECONDED:**THAT the June 25, 2024, Regular Council Meeting agenda be adopted as amended.*

CARRIED.

4. ADOPTION OF MINUTES**4.1 April 30, 2024, Regular Council Meeting Minutes**2024.2203.REGULAR *IT WAS MOVED AND SECONDED:**THAT the April 30, 2024, Regular Council Meeting Minutes be adopted as presented.*

CARRIED.

5. PUBLIC HEARINGS**5.1 District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024, and District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024**

The Mayor outlined the rules of the public hearing. Staff provided information about participating in the hearing in-person or electronically.

The Mayor opened the public hearing at 4:06 PM.

5.2 Proposed Bylaws & Related Information

The Director of Community Planning outlined the purpose of the subject bylaws in general terms.

5.3 Related Written Correspondence Received During the Notice Period

The Mayor noted the written correspondence about the subject bylaws on the agenda, including the late item. The following summarizes that correspondence:

- Patricia Sieber, Carl Sieber, and Silva Johnson (Helen Road) wrote in opposition to the development. They raised concerns with increased density, Helen Road's capacity for increased traffic, the Causeway's narrow road width, and the potential precedent approving this development could set. They further outlined difficulties associated with widening the road but acknowledged the need for housing in Ucluelet.

- Lindsey Black (Helen Road), wrote in opposition to the subject bylaws and noted the development would not be consistent with Policy 3.155 of the Official Community Plan. Ms. Black further noted concerns with pedestrian safety, increased density, and the development's impact on the area's natural state.
- Shirley and Keith Martin (Helen Road), wrote in opposition to the development. They cited concerns with the density of the development and increased traffic.
- Benoît Sandjian (Helen Road), outlined a number of questions related to the development. The questions relate to parking, the housing capacity of each dwelling unit, affordability, vegetation retention, and impact on land values.
- Jennifer Yakimishyn and Darren Salisbury (Helen Road), wrote in opposition to the development. They raised concerns related to density, traffic, and the narrow width of the Causeway.
- Leanne Pelosi (Helen Road), wrote in opposition to the development and noted concerns related to density, ecological impact, and pedestrian safety.
- Kristen O'Keefe (Rupert Road), wrote in opposition to the development and noted concerns related to density, ecological impact, pedestrian safety, and issues with emergency vehicle access to Helen Road.
- Tracy Eeftink (Helen Road), wrote in opposition to the development. She cited concerns related to density and setting a precedent for future development approvals in the neighbourhood.
- Christine Skucas (Helen Road), wrote in opposition to the development and cited concerns related to density, traffic, road widths, and community impact.

5.4 Applicant Presentation

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

5.5 Public Input

The Mayor called three times for public input.

Patricia Sieber (Helen Road), spoke in opposition to the development. She noted her letter and concerns related to setting a precedent for future development on Hyphocus, road capacity/infrastructure, and increased traffic.

Christine Skucas (Helen Road), spoke in opposition to the development. She noted concerns with the roads capacity for increased traffic, the density of the development, and setting a precedent for future growth.

The public hearing was closed at 4:16 PM.

6. UNFINISHED BUSINESS

6.1 Development Application Procedures - Input *Bruce Greig, Director of Community Planning*

Mr. Greig presented this report.

Council discussed the questions identified on page seven and eight of the report.

Council also discussed receiving progress reports on applications, Staff developing a real time permit tracker, and creating a mechanism for delayed applications to be automatically referred to Council. In addition, Council discussed implementing a design review panel.

Council noted the reports required during the planning review process and associated delays. Staff provided information about this iterative process. Council discussed investigating this process and improving communication with applicants.

- 2024.2204.REGULAR *IT WAS MOVED AND SECONDED:*
***THAT** Council direct Staff to prepare a draft development approval bylaw which delegates approval of the following permits to Staff:*
- *Minor Development Variance Permits;*
 - *Temporary Use Permits; and*
 - *Environmental Development Permits.*
- CARRIED.
- 2024.2205.REGULAR *IT WAS MOVED AND SECONDED:*
***THAT** Council direct Staff to prepare a draft bylaw development where applications are approved by staff or else elevated to Council for consideration.*
- CARRIED.
- 2024.2206.REGULAR *IT WAS MOVED AND SECONDED:*
***THAT** Council direct Staff to prepare a draft development approval bylaw which requires a panel to review Form and Character Development Permits.*
- CARRIED.
- 2024.2207.REGULAR *IT WAS MOVED AND SECONDED:*
***THAT** Council direct Staff to prepare a draft development approval bylaw:*
1. *which requires reusable notification signs to be posted for the following proposed developments:*
 - *OCP & Zoning Bylaw Amendments;*

- *Development Variance Permits;*
 - *Temporary Use Permits;*
 - *Form and Character Permits; and*
2. *includes general information about the proposal and where additional information can be found.*

CARRIED.

7. BYLAWS

7.1 Five-Year Financial Plan - Amendment *Jeffrey Cadman, Director of Finance*

Mr. Cadman presented this report and highlighted the proposed amendments to the Five-Year Financial Plan.

2024.2208.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council give the first, second and third readings to District of Ucluelet 2024 – 2028 Financial Plan Amendment Bylaw No. 1349, 2024.

CARRIED.

7.2 Rezoning and OCP Amendment for 1061 Helen Road *Anneliese Neweduk, Planner*

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

Mr. Greig, addressed Council questions related to parking requirements, floor area ratio, and setbacks.

Council discussed the development and noted public input in opposition.

2024.2209.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council give third reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024.

DEFEATED.

7.3 Zoning Amendment/Development Permit for 2102 Peninsula Road *Anneliese Neweduk, Planner*

Councillor Kennington declared a conflict of interest and recused himself because he is the development consultant working on this project. Councillor Kennington left the meeting at 5:59 PM.

The applicant was invited to speak, and responded to Council questions related to the resort condo element of the development.

2024.2210.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council direct Staff to give notice of first reading for District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024.

CARRIED.

Councillor Kennington re-entered the meeting at 6:09 PM after item 7.2 was dealt with.

Councillor Anderson left the meeting at 6:09 PM and re-entered at 6:12 PM.

8. REPORTS

8.1 Fire Services Development Design Policy No. 14-7320-2 *Rick Geddes, Fire Chief*

Chief Geddes presented this report.

2024.2211.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council adopt District of Ucluelet Fire Services Development Design Policy No. 14-7320-2.*

CARRIED.

8.2 Environmental Development Permit for 354 Pass of Melfort *Madeleine Haynes, Planning Assistant*

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

The applicant presented. He noted ongoing revegetation work on the site.

2024.2212.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council authorize the Director of Community Planning to execute and issue Development Permit 24-01 for the property at 354 Pass of Melfort to allow a 3'-wide crushed gravel pathway and landscaping with the intent of enhancing the foreshore.*

CARRIED.

9. NOTICE OF MOTION

There were no notices of motion.

10. CORRESPONDENCE

10.1 Question of Re-Zoning Hyphocus Island *Patricia Sieber, Carl Sieber & Silva Johansson*

In response to Council questions, Staff noted that the developer's representatives are likely to present at an upcoming Council Meeting.

10.2 Terrace Beach Public Parking *Pieter Timmermans*

In response to Council questions, Staff provided information about the

parking area referenced in this correspondence item.

10.3 Peninsula Road Safety and Revitalization Project Related Correspondence

Amie Shimizu, Howler's Family Restaurant and Courtney Johnson, Image West Gallery

In response to Council questions, Staff provided information about communications between businesses affected by the referenced construction on Peninsula Road.

10.4 Letter of Support Request - Raincoast Education Society

Councillor Maftai declared a conflict of interest due to his role as the Executive Director of the Raincoast Education Society and recused himself. Councillor Maftai left the meeting at 6:24 PM.

2024.2213.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Mayor and Council provide a letter of support that highlights how the BC Community Grant funds would be spent in support of the RES Field School Program.

CARRIED.

Councillor Maftai rejoined the meeting at 6:26 after item 10.4 was dealt with.

11. INFORMATION ITEMS

11.1 Small Craft Harbour Report Update

Kevin Cortes, Harbour Manager and Abby Fortune, Director of Community Services

Ms. Fortune presented this report.

In response to Council questions, Kevin Cortes (Harbour Manager) clarified that some American recreational fishing vessels have returned to the the Ucluelet Harbour since the end the COVID 19 Pandemic, but the closure of the local customs station has suppressed this number.

11.2 Support for Downloading Costs on Municipalities

Councillor Katie Neustaeter, Deputy Mayor, City of Kamloops

12. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

12.1 Councillor Shawn Anderson

Deputy Mayor, April 1 - June 30, 2024

Councillor Anderson led a tour of Ucluelet Primary School students through the District Office and attended an Alberni-Clayoquot Health Network meeting where the Coastal Family Resource Coalition

presented. He also attended a meetings with Yuułuᑭiᑭᑭᑭᑭ Government representatives and representatives from a development company known as ERIF.

12.2 Councillor Jennifer Hoar
Deputy Mayor, January 1 - March 31, 2024

12.3 Councillor Ian Kennington
Deputy Mayor, July 1 - September 30, 2024

Councillor Kennington attended a meeting with Yuułuᑭiᑭᑭᑭ Government representatives on June 17th, where mutual priorities were discussed, and a meeting with School District 70 representatives where collaboration opportunities were identified.

12.4 Councillor Mark Maffei
Deputy Mayor, October 1 - December 31, 2024

12.5 Mayor Marilyn McEwen

Mayor McEwen noted the Canada Day festivities which will occur on July 1st from 12 pm to 3 pm at the Village Green.

The Mayor attended an Alberni-Clayoquot Regional District Committee of the Whole meeting on June 12th where their grant in aid program was reviewed. On June 13th the Mayor met with other Mayors to discuss challenges and successes.

On June 17th the Mayor attended a meeting with Yuułuᑭiᑭᑭᑭ Government representatives where common interests, projects, and developing a signage about Yuułuᑭiᑭᑭᑭ history to be installed in Ucluelet were discussed. The Mayor also met with the development company known as ERIF.

On June 22nd the Mayor attended the Ucluelet Secondary School Graduation ceremony and on June 25th she attended a meeting with representatives from School District 70.

13. QUESTION PERIOD

13.1 Amie Shimizu
Howler's Family Restaurant

Ms. Shimizu outlined the impact the construction on Peninsula Road has had on her business, Howler's Family Restaurant. She noted that revenues are substantially down and this is Howler's high season. As a result, Howler's has had to close their lunch sitting and layoff

employees.

Ms. Shimizu explained that District Staff informed her that the project would occur in the fall. She asked why the project occurred in the spring and summer? Staff explained the construction schedule was determined by unplanned delays and grant funding deadlines.

Ms. Shimizu noted specific incidents related to the construction which interfered with customer access to Howler's. She noted a gravel pile which impeded access to the lot over a weekend and the loss of parking spaces used by customers with accessibility challenges.

Ms. Shimizu also outlined several ongoing safety concerns associated with the construction and noted that the parking spots constructed on Peninsula Road near Howler's appear to be narrower than other spots provided elsewhere along the construction corridor.

Ms. Shimizu concluded by providing details about a water shutoff that was shorter than communicated by District Staff, and caused Howler's to close unnecessarily.

13.2 Mayco Noel

Mr. Noel spoke in support of Ms. Shimizu and further highlighted the impact of the construction project on local businesses.

14. CLOSED SESSION

14.1 Procedural Motion to Move In-Camera

2024.2214.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the June 25, 2024, Regular Council Meeting be closed to the public pursuant to the following sections of the Community Charter:

- *90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- *90(1)(g) litigation or potential litigation affecting the municipality;*
- *90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and*
- *90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

CARRIED.

The meeting was closed to the public at 7:08 PM. Councillor Maftei left the

meeting at this time.

15. ADJOURNMENT

15.1 Return from Closed Session

Council returned from closed session at 8:12 PM.

Council reported that Geoff Lyons, Julian Ling, and Darrio Corlazzoli were selected during the closed session to represent the District of Ucluelet on the Barkley Community Forest Corporation Board of Directors.

2024.2215.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** the June 25, 2024, Regular Council Meeting be adjourned at 8:13 PM.
CARRIED.*

CERTIFIED CORRECT:

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

Certified Fair and Accurate, Joseph Rotenberg, Manager of Corporate Services

DISTRICT OF UCLUELET
MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING
HELD IN ACTIVITY ROOM ONE IN THE UCLUELET COMMUNITY CENTRE
500 MATTERSON DRIVE
Thursday, July 4, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Kennington, and Maftai
 Staff: Duane Lawrence, Chief Administrative Officer
 Nancy Owen, Executive Assistant

Regrets: Councillor Hoar

1. CALL TO ORDER

The July 4, 2024 Special Committee of the Whole Meeting was called to order at 4:00 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

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

2. LATE ITEMS

There were no late items

3. APPROVAL OF THE AGENDA

3.1 July 4, 2024 Special Committee of the Whole Agenda

2024.2035.COW *IT WAS MOVED AND SECONDED:*

THAT the July 4, 2024 Special Committee of the Whole Agenda be approved as presented.

CARRIED.

4. REPORTS

4.1 Strategic Planning - Part II (Verbal Report)
Duane Lawrence, Chief Administrative Officer

Mr. Lawrence led a strategic planning workshop.

The Committee reviewed and discussed 16 priority topics: housing affordability; infrastructure; streamline development process; growth; funding; climate resilience/environment; government/first nations collaborations; senior support; mental health; community affordability; economic development/resiliency; natural asset management; medical services/clinic; transit; recreation; and communication.

For each of the priority topics, the Committee focused on addressing key issues and challenges, and established corresponding objectives and priority actions.

5. ADJOURNMENT

5.1 Procedural Motion to Adjourn

2024.2036.COW *IT WAS MOVED AND SECONDED:*

***THAT** the July 4, 2024 Special Committee of the Whole Meeting be adjourned.*

CARRIED.

The meeting was adjourned at 7:28 PM.

CERTIFIED CORRECT:

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD ELECTRONICALLY AND IN THE GEORGE FRASER COMMUNITY ROOM
IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, July 9, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar (Via Zoom), Kennington, and Maftai
 Staff: Duane Lawrence, Chief Administrative Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Community Services
 Joseph Rotenberg, Manager of Corporate Services
 Anneliese Neweduk, Planner
 Samantha McCullough, Manager of HR & Communications

Regrets:

1. CALL TO ORDER

The Regular Council Meeting was called to order at 4:00 pm.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

3.1 July 9, 2024, Regular Council Meeting Agenda

2024.2216.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** the July 9, 2024, Regular Council Meeting agenda be adopted as presented.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 May 7, 2024 Committee of the Whole Meeting Minutes

2024.2217.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the May 7, 2024 Committee of the Whole Meeting minutes be adopted as presented.

CARRIED.

4.2 May 13, 2024 Special Committee of the Whole Meeting Minutes

2024.2218.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the May 13, 2024 Special Committee of the Whole Meeting minutes be adopted as presented.

CARRIED.

4.3 May 14, 2024 Regular Council Meeting Minutes

2024.2219.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the May 14, 2024 Regular Council Meeting minutes be adopted as presented.

CARRIED.

4.4 May 28, 2024 Regular Council Meeting Minutes

2024.2220.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the May 28, 2024 Regular Council Meeting minutes be adopted as presented.

CARRIED.

4.5 May 30, 2024 Special Committee of the Whole Meeting Minutes

2024.2221.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the May 30, 2024 Special Committee of the Whole Meeting minutes be adopted as presented.

CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Delegations

Michelle Hall, Clayoquot Biosphere Trust

Re: Clayoquot Biosphere Trust Update

Councillor Hoar entered the meeting at 4:04 PM and participated by Zoom.

The delegate outlined Clayoquot Biosphere Trust's (CBT) vision and provided an update on 2023 programming including the 2023 Vital Signs, West Coast NEST programming, Indigenous led restoration projects, the BC Biosphere Regional Gathering, a Regional Forum, their Networks for Biodiversity program, their Empowering Youth program, and their 2023 grant program.

The delegate described the key features of the Clayoquot Sound Biosphere Centre which will be a green accessible building and requested that Council express support for the Centre. Construction is anticipated to start in spring 2025.

**Rick Geddes, Fire Chief, District of Ucluelet and Robert McGuinness, Technical Director, Fire Underwriters Survey
Re: Fire Underwriter's Survey Review**

Mr. McGuinness provided information about the Fire Underwriters, Fire Insurance Grading Index, Public Fire Protection Classification (PFPC), Dwelling Protection Grade, and the risk assessment conducted for Ucluelet. The District's current PFPC rating is 7. This is a provisional rating, subject to downgrade if the District fails to implement a hydrant maintenance program. Mr. McGuinness went on to outline the recommendations outlined in the Fire Underwriters Survey.

In response to Council questions, the delegate explained that implementing a hydrant maintenance program would allow the District to increase its PFPC rating to 6.

2024.2222.REGULAR

IT WAS MOVED AND SECONDED:

***THAT** the delegation be permitted to go beyond the ten minute time limit.*

CARRIED.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. BYLAWS

**7.1 Development Application Procedures Bylaw No. 1350. 2024
Bruce Greig, Director Community Planning**

Mr. Greig presented this report.

2024.2223.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council give first, second and third reading to District of Ucluelet Development Application Procedures Bylaw No. 1350, 2024.*

CARRIED.

**7.2 Zoning Amendment for 1567 Imperial Lane
Anneliese Neweduk, Planner**

Ms. Neweduk presented this report.

2024.2224.REGULAR

IT WAS MOVED AND SECONDED:

***THAT** Council give first, second, and third reading of the District of Ucluelet Zoning Amendment Bylaw No. 1342, 2024.*

CARRIED.

2024.2225.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council adopt the District of Ucluelet Zoning Amendment Bylaw No. 1342, 2024.*

CARRIED.

8. REPORTS

8.1 Fire Department Apparatus Replacement Rick Geddes, Fire Chief

The Fire Chief presented this report.

2024.2226.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council approve the sole sourcing of a 2025 Fort Garry fire pumper apparatus from Fire Power Emergency Apparatus, for the base price of \$510,000.00; and,*

***THAT** Council approve an overall project price not to exceed \$700,000.00 plus GST.*

CARRIED.

8.2 Development Permit & Development Variance Permit for 1567 Imperial Lane Anneliese Neweduk, Planner

Ms. Neweduk presented this report.

The applicant was invited to speak. The Applicant did not address Council.

Members of the public were invited to comment on the Development Variance Permit. There was no public input on the Development Variance Permit other than the correspondence published in the agenda.

2024.2227.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council authorize the Director of Community Planning to execute and issue Development Variance Permit DP24-02.*

CARRIED.

2024.2228.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council authorize the Director of Community Planning to execute and issue Development Permit DP24-03.*

CARRIED.

8.3 Info Guide and Amnesty for Legalizing Secondary Suites
Bruce Greig, Director of Community Planning

Mr. Greig presented this report.

2024.2229.REGULAR *IT WAS MOVED AND SECONDED:*
THAT Council adopt Secondary Suite Legalization Amnesty / Incentive policy 13-6723-01, waiving for a period of one year the building permit fee for legalising an existing secondary suite.

CARRIED.

2024.2230.REGULAR *IT WAS MOVED AND SECONDED:*
THAT Council receive the draft guide to “Building or Legalizing a Secondary Suite”, for information.

CARRIED.

8.4 Attainable Housing Definition: Policy 13-6722-01
Bruce Greig, Director of Community Planning

Mr. Greig presented this report.

In response to Council questions, Staff clarified the role of the policy within the development approval process for larger developments.

2024.2231.REGULAR *IT WAS MOVED AND SECONDED:*
THAT Council adopt Attainable Housing Definition Policy 13-6722-01 to clarify the local working definition of “attainable” housing.

CARRIED.

2024.2232.REGULAR *IT WAS MOVED AND SECONDED:*
THAT the meeting be recessed for five minutes.

CARRIED.

The meeting recessed at 5:49 PM and recommenced at 5:57 PM.

8.5 Policy: Long-Term Rental Priority Draft Policy 13-6721-01
Bruce Greig, Director of Community Planning

Mr. Greig presented this report.

Council discussed the policy and noted that it would limit options for home owners, create uncertainty for buyers, and could have unfair effects. The importance of short-term rentals (STR) to the local economy and homeowners, the R1H Zone within which short-term rentals are prohibited, and STR's impact on escalating housing prices were also discussed. Council also discussed housing insecurity associated with secondary suites, implications of not adopting this policy on future grant funding applications, considering the appropriate number

of STRs at a future date, establishing a housing authority, and the need for purpose built rental housing.

2024.2233.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council adopt the Long-Term Rental Housing Priority Policy 13-6721-01 with an effective date of September 1, 2024.*

DEFEATED.

8.6 ERIF Letters of Support
Duane Lawrence, Chief Administrative Officer

Mr. Lawrence presented this report.

2024.2234.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council authorize the Mayor to provide a letter of support to Economic Restoration Infrastructure Fund in support of their efforts to develop affordable sales and rental housing within the District of Ucluelet.*

CARRIED.

8.7 Community Works Fund Agreement Renewal
Jeffrey Cadman, Director of Finance

Mr. Cadman presented this report.

2024.2235.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council authorize the Mayor and CAO to execute the Community Works Fund Agreement Renewal with the Union of British Columbia Municipalities (UBCM).*

CARRIED.

8.8 Information Sharing Agreement Under the Short-Term Rental Accommodation Act
Joseph Rotenberg, Manager of Corporate Services

Mr. Rotenberg presented this report.

2024.2236.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council authorize the Corporate Officer to enter into and execute an information sharing agreement with the Provincial Government related to the Province's Short-term Rental Data Portal.*

CARRIED.

9. NOTICE OF MOTION

There were no notices of motion.

10. CORRESPONDENCE

10.1 Request for Reconsider - 1061 Helen Road
Paul Zhan, Principal, Elite-Design

The Mayor noted that third reading of the subject bylaw, Official Community Plan Amendment Bylaw No. 1337, 2024, was defeated on June 25, 2024. The Mayor required that Council reconsider and vote again on this motion pursuant to section 131 of the *Community Charter*.

The Mayor noted that another public hearing should be held on the Official Community Plan Amendment Bylaw and the related District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024, before Council reconsiders third reading of Official Community Plan Amendment Bylaw.

2024.2237.REGULAR *IT WAS MOVED AND SECONDED:*
THAT Council postpone reconsideration of the motion to give District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024, third reading until the September 3rd, Regular Council Meeting.

CARRIED.

2024.2238.REGULAR *IT WAS MOVED AND SECONDED:*
THAT Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024 and District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024, be referred to a public hearing.

CARRIED.

10.2 Request for Fuel Truck at Small Craft Harbour
Louis Rouleau, Owner, WestCoast Wild Adventures Ltd.

Staff were invited to speak and noted that the Department of Fisheries and Oceans Canada (DFO) will not support a fuel barge or truck at the Small Craft Harbour.

Council gave Mr. Rouleau an opportunity to speak to his letter. He noted that the fuel truck proposal is safer than the initial barge proposal and he plans to engage directly with DFO to discuss the fuel truck proposal.

10.3 Withdrawal of Development/Variance Permit Application(s) for 1671 Cedar Road
Ewen Stewart, Whiskey Landing Development Ltd.

10.4 VIS 6724, The Moorage - Peninsula and Lyche Road Upgrade Project
Christine Brice, Strata Manager, Ardent Properties

In response to Council questions Staff noted that a cleanup will occur once the Peninsula Road construction project is complete. Staff also noted that line painting will be completed on affected public roadways as part of the annual line painting program.

10.5 Forbes Road

Bob Schantz

Council discussed this item and noted that speeds should be monitored on Forbes Road and speedbumps considered, if necessary at a later date.

11. INFORMATION ITEMS

11.1 Info Guide for Accessory Dwelling Units
Bruce Greig, Director of Community Planning

Mr. Greig presented this report.

11.2 Resolution Tracking - July 2024
Nancy Owen, Executive Assistant

12. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

12.1 Councillor Shawn Anderson
Deputy Mayor, April 1 - June 30, 2024

Councillor Maftai left the meeting at 7:06 PM and re-entered the meeting at 7:07 PM.

Councillor Anderson noted the 2024 Surf Responder Summit from July 27th to the 28th in Tofino.

Councillor Anderson attended the Barkley Community Forest Annual General Meeting on June 28th and the two Special Committee of the Whole strategic planning meetings on May 30th and July 4th.

12.2 Councillor Jennifer Hoar
Deputy Mayor, January 1 - March 31, 2024

12.3 Councillor Ian Kennington
Deputy Mayor, July 1 - September 30, 2024

12.4 Councillor Mark Maftai
Deputy Mayor, October 1 - December 31, 2024

Councillor Maftai attended two Special Committee of the Whole strategic planning meetings on May 30th and July 4th.

12.5 Mayor Marilyn McEwen

The Mayor noted that the Ucluelet Co-op was currently hosting a meeting in the Community Centre regarding the proposed amalgamation between the Ucluelet Co-op and Mid-Island Co-op. The Mayor also

noted the ongoing Pacific Rim Summer Festival.

The Mayor further noted the following upcoming events:

- Pacific Rim Summer Festival is hosting an Arts and Culture Walk at the Lighthouse on July 13th and a performance by Ballet Victoria on July 14th; and
- Ukee Days is from July 26th to the 28th. This is the 50th anniversary. The Mayor encouraged volunteering, participation in the memory board, and nominating individuals and businesses for Citizen of the Year, Volunteer of the Year, Youth of the Year, and Business of the Year.

The Mayor attended the following events:

- Alberni-Clayoquot Regional District Board (ACRD) meeting on June 26th where the Board adopted ACRD's Accessibility Plan and the West Coast Transit Rates were reduced for seniors;
- Barkley Community Forest Annual General Meeting on June 28 where the District was issued a \$50,000 dividend. No dividends are expected in the coming years;
- Pacific Rim Summer Festival Kickoff on June 30th;
- Canada Day celebration at the Village Green on July 1st;
- Special Committee of the Whole strategic planning meeting on July 4th; and
- Pacific Rim Summer Festival Sip and Rhyme event on July 8th.

13. QUESTION PERIOD

There were no questions.

14. CLOSED SESSION

There was no closed session.

15. ADJOURNMENT

15.1 Procedural Motion to Adjourn

2024.2239.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the July 9, 2024, Regular Council Meeting be adjourned at 7:14 PM.

CARRIED.

The meeting was adjourned at 7:14 PM.

CERTIFIED CORRECT:

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor



WEST COAST
MULTIPLEX

hiišćaksaquwił pronounced hee:sh/jak/sa/qu/wilth an indoor place for every purpose

a regional **POOL & ARENA** facility built together, integrated & cost-effective

Offering: a wide array of recreation, education, and health for West Coast communities

- variety of sports & activities
- community gathering place
- cultural activities & events
- emergency shelter
- wellness - preventative & rehab
- future playing fields

Where: within the traditional unceded homeland of the Tla-o-qui-aht First Nation and adjacent to the Tofino Airport, Pacific Rim National Park Reserve, and Long Beach Golf Course

When: with the continued support of our eight West Coast communities' construction can begin as early as **2025**




Capital Fundraising Campaign: the West Coast Multiplex Society (WCMS) is in full fundraising mode from both government (Federal & Provincial), and private sources to fund the initial build

Impact on Taxes: the operating deficit will be **shared with all communities & grants are available to offset taxes from residents**

What's Next: with a completed schematic design later this year and with our community partners, we will be applying for large government infrastructure grants. Your support and voice is needed now more than ever...

What You Can Do:

- convey your support for the project to elected and other community leaders
- become a board member or regular guest & attend monthly board meetings, (first Monday of the month)
- sponsor, golf, and/or donate an item for the Live and Silent Auctions at the Annual Scramble Golf Tournament on September 21, 2024
- sign up for our newsletter on our website follow and check out links below:

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Samantha Hackett and Carrie Ho, West Coast Multiplex Society Re: Project...





**Proposal for the Establishment of a High-Performance Surf Center (HPSC)
Located at Long Beach, British Columbia, Canada**

To: Minister Lana Popham, Minister of Tourism, Arts, Culture and Sport

Cc: MLA Josie Osborne, Mid Island-Pacific Rim, Minister of Energy, Mines, and Low Energy Carbon Innovation

Cc: MP Gord Johns, Courtney-Alberni

From: Cathy Thicke- District of Tofino, and Samantha Hackett- Chair West Coast Multiplex Society

Dear Minister Popham,

Following your visit to Tofino at the end of March 2024, and discussions at Long Beach, we are respectfully submitting for your review a brief for a High-Performance Surf Center at Long Beach, B.C., in conjunction with a Multiplex Recreation and Wellness Center.




We have cc'd Minister Osborne - as our MLA, as she was present in the discussions. Our MP Gord Johns has been a tireless advocate of the Multiplex for more than 20 years. Our purpose in writing is to share our vision, demonstrate the need for the Multiplex and High-Performance Surf Center, and ask the province for public support of \$1 million.

Introduction:

For over two decades, a vision has persisted for a 'Multiplex' recreation & wellness facility near the Tofino-Long Beach Airport. This vision, fostered by a unique partnership comprising five Nuu-chah-nuth First Nation communities, the District of Tofino, the District of Ucluelet, and the Alberni-Clayoquot Regional District, is on the verge of realization. Our communities are poised to redefine history by addressing the glaring absence of a public pool and arena on the West Coast, a void that has deprived generations of the opportunity to learn to swim and skate. It's time to rewrite this narrative and pave the way for a brighter, safer future for the next generation. Alongside the proposed arena and pool, we aim to establish a High-Performance Surf Center (HPSC) to nurture and draw the burgeoning community of surfers, both competitive and recreational, in the region.

High-Performance Surf Center:

Envisioned as a three to four-room facility, the HPSC will include spaces dedicated to video review and theory, dry-land surf training equipped with a half pipe and crash pad, a weights room for conditioning, and a small office. As part of the Multiplex project, the center will complement existing and planned infrastructure and serve as a hub for surf development, and a training venue for other National teams.

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Samantha Hackett and Carrie Ho, West Coast Multiplex Society Re: Project...



Significance of Surfing in the Region:

The history of surfing at Long Beach dates back to the 1960s, with exponential growth witnessed in recent decades. Notably, the region produced Canada's first Olympic surfer, Sanoa Dempfle-Olin, in 2023, who epitomizes the potential within our coastal communities. With the sport now gaining mainstream recognition, our region stands poised to become a leading destination for surfers worldwide. We embark on a journey of boundless opportunity along the West Coast! [Tofino stands proudly as Canada's surf town](#), where the waves weave more than just sport but a tapestry of community identity and social cohesion. The West Coast, united in purpose, is rallying to forge inclusive and sustainable pathways to collective prosperity.

Surfing Culture:




Over the past half-century, the trajectory of surfing has been nothing short of remarkable. At the forefront of this movement are initiatives like Mulaa, an indigenous-led surf group, which epitomize the ethos of inclusivity and indigenous leadership. These efforts have not only cultivated surf teams but have also fostered a sense of belonging and empowerment within the surfing community, especially youth. These initiatives serve as beacons of hope for the 8 communities.

First Nations Collaboration:

The proposed Surf Center aligns with provincial strategies to engage meaningfully with First Nations communities, fostering health, well-being, and cultural preservation. The proposed HPSC epitomizes a harmonious intersection between modern development and traditional stewardship, echoing provincial strategies aimed at forging deep, meaningful connections with First Nations communities. By integrating Indigenous perspectives and expertise, the HPSC becomes more than just a sporting facility; it becomes a catalyst for community empowerment, cultural resurgence, and holistic well-being. Embracing the rich heritage and wisdom of the First Nations, the center not only fosters health and recreation but serves as a beacon for cross-cultural interactions.

Iconic Location:

Situated within Tla-o-qui-aht Ha-Hoothlee, the esteemed Clayoquot Sound, a UNESCO Biosphere Region, and flanked by national and provincial parks, the proposed High-Performance Surf Center (HPSC) presents an unparalleled opportunity in Canada. Positioned proximally to Long Beach, it offers exclusive access to the majestic Pacific Ocean and its captivating waves. It will be a draw for many national teams training due to the rugged, natural location. Not just a regional amenity, the Center will be an added draw for sporting visitors. They will encounter a world-class surfing destination in a nature-based setting, and nearby- the only High-Performance Surf Center in Canada.

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Ocean Safety and Surf Rescue:

Addressing safety concerns and drowning prevention is paramount, particularly given the influx of visitors to our shores.

Implications:

Beyond fulfilling local aspirations, the establishment of a HPSC holds broader implications for national and international surfing. By leveraging the region's organic growth and cultural heritage, we aim to cultivate excellence in Canadian surfing. Through collaborative efforts with local First Nations, governmental bodies, and regional authorities, we have cultivated a coalition dedicated to advancing this initiative. With the groundwork laid by eight communities over three decades, the success of our endeavor hinges critically upon the support of the Government of British Columbia.

Invitation to Support:

The convergence of factors, including community support, political will, and strategic location, presents an unprecedented opportunity to realize the vision of the Multiplex and HPSC Center at Long Beach. Your financial support will not only help spearhead our vision but also significantly add to the Sports Tourism draw in our region. We cordially invite you to join us on this journey by contributing the first \$1 million to establish this new Center.

To discuss this opportunity and explore how the Government can be involved, we would be honoured to have a meeting with you and your staff, at your earliest convenience.

Please feel free to reach out to Cathy Thicke or Samantha Hackett.

We look forward to our discussion!

Respectively,




Cathy Thicke

Samantha Hackett

cathythicke@gmail.com

info@westcoastmultiplex.org

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Minister Lana Popham at Long Beach, B.C. March 2024



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Key Points:

Significance of Surfing in the Region:

Year	Facts
1950's	No surfers in Tofino, Ucluelet, or other First Nation communities
1960's	4-6 surfers begin surfing on homemade boards at Long Beach
1966	First Surf Contest held at Long Beach by Victoria Reef Rovers (a dive club)
1972	OFY grant (Opportunities for Youth Grant) sponsored by Federal Govt and first Surf School (officially called "Surf Water Safety School")
1980's	20-30 surfers; Wetsuit Technology advances make Cold Water surfing possible
1990's	Approximately 100-200 surfers live or visit the area
2009	North Chesterman Beach becomes 1/5 internationally chosen sites for Cold Water Classic (local Peter DeVries won against international superstars)
2010	Thousands of surfers come to Tofino to surf after Canada reaches the world stage in 2009
2020	Olympics - surfing showcased for the first time
2023	Canada qualifies an Olympic athlete in surfing
2024	Surfing Olympics to be held in Tahiti. Canada ranks 9th in World standing. Talent and depth of Surfing Talent pool increases in Canada; 12 junior surfers (under 18) compete in ISA World Junior championship in El Salvador (May 2024) placing 12th out of 54 nations. Swim Lessons cancelled (ages 5-11) at local private pool, after 25 years. The small resort pool use is for guests only. The nearest pool for swim lessons is 2 hours away in Port Alberni.
2028-2032	Canada qualifies multiple Olympic athletes in surfing! The depth of the talent and numbers in the Canadian surf team doubles.
2030-2040	Tens of thousands of surfers visit Canadas west coast. Private inland water surf parks increase in number worldwide, adding to surfing popularity. Tofino-Ucluelet is designated a World Surfing Reserve.

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**Surf Culture:**

Facts
FN surf team is rising rapidly and indigenous-led: Mulaa Website , Many inclusive surf opportunities: Para surfing (Victoria Feige 5x ISA world champion), Surf's up for Autism, UFN surf store, Coastal Queer Surfing Alliance Website
Women's participation in Surfing began with Surf Sister in 1999: Aims to "empower women in surfing," and probably has one of the largest ratios of women surfers in the world. Website
Over 35 km. Pacific coastline, 11 'surf-able' beaches between Tofino and Ucluelet, almost 365 days per year: High quality and consistency of waves at all beaches.
Water quality management now in place for Tofino (2024) and Ucluelet (1980).
Canada 'surf ecosystem' in region- established for over 10 years: Coaches, athletes, unaltered physical geography, large swell window, pristine area and biodiversity hotspot.
Surfrider Foundation very active locally and promotes ocean beach access and ocean protection Website
Canada's Surf Coach (Shannon Brown) is qualified internationally: Dom Dominic and Board have national and international expertise and recognition Website .
Local support and capacity for training regimes and surf contest expertise at National and International levels (e.g. Qualified judges, international coaching qualification and expertise).
Private sponsorships currently involved with surfing: Lululemon, Yeti, Red Bull, Heineken, Endless Surf, Ripcurl (17 years), etc. Many prospective sponsors are untapped and interested in becoming involved.
Tofino-Ucluelet seen as a Sports Tourism location for many national and extreme sports teams as a training ground.
Surf Canada mission and goals - "is focused on becoming a funded, sustainable national sports federation", with long-term athlete development goals Website
Increase in surf tourism demands that coastal communities better plan and manage the increasing numbers of visitors: 35 million+ surfers globally Article
Inland Wave park technology growing rapidly which could be perceived as a threat to the natural waves of Canada's west coast Article
Surfing is the fastest-growing water sport in the top 25 fastest-growing sports according to a report from the Sports and Fitness Industry Association: Article

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Samantha Hackett and Carrie Ho, West Coast Multiplex Society Re: Project...

**First Nations Collaboration:**

Facts
A swimming pool is proposed as there is no public facility for the 6000 plus west coast residents, to learn to swim, or recreate (Website)
The west coast region is comprised of 33% Indigenous peoples in Five FN communities.
FN and non-FN need to learn to swim as part of the fundamental steps in surfing.
Drowning prevention programs are desperately needed as part of living on and adjacent to the ocean. Children under 5 are most at risk for drowning in all our communities (Document)
The Province of BC strategy upholds UNDRIP and seeks to engage in transformative ways with FN to alleviate mental health stress, decision making, and create healthy alternatives for sport and fitness (Document).
Initiatives such as Mulaa in Tla-o-qui-aht First Nation are developing, and in need of support (Website)
Wya Point First Nation surf business have been forced to close (Article)
Our commitment to each other in this endeavour will inspire all Canadians (Website)
Tla-o-qui-aht First Nation have declared their territory as a Tribal Park

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Samantha Hackett and Carrie Ho, West Coast Multiplex Society Re: Project...

**Iconic Location:**

Facts
The region is in the Clayoquot Sound - an International Biosphere Region UNESCO designation - one of only 700 protected areas in the world (Website)
The surf beaches are within the Pacific Rim National Park (Website)
The area is adjacent to BC provincial parks (Website)
The region is adjacent to Meares Island Tribal Park, and to the Tla-o-qui-aht (TFN) community of Ty-Histanis, and within the traditional Territory of TFN (Website)
The land is in the Alberni-Clayoquot Regional District (ACRD)- and Agreements for operational costs are in place.
10-12' rain annually, further highlighting the need for indoor venues for training, recreation, and education.
The Tofino-Long Beach Airport and proposed Multiplex are within 10-20 min. Of all the region's surf beaches (Website).

Ocean Safety and Surf Rescue:

Facts
Increase the culture of beach and ocean safety, and water hazard awareness.
Increase drowning prevention on the West Coast, particularly for First Nation communities (Link)
Restore Surf-guard program at Long Beach, which ceased operation in 2012, after 40 years of service (Link)
Pacific Rim National Park Reserve Visitor Numbers for 2022-23 is 1.1 million (Link)
The ratio of 6000 residents to 1.1 million visitors in terms of safety is unsustainable.

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Samantha Hackett and Carrie Ho, West Coast Multiplex Society Re: Project...





REPORT TO COUNCIL

Council Meeting: July 30, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JEFFREY CADMAN, DIRECTOR OF FINANCE

FILE No: 3900-25

SUBJECT: FIVE-YEAR FINANCIAL PLAN AMENDMENT BYLAW No. 1349, 2024 - ADOPTION

REPORT No: 24-82

ATTACHMENT(s): APPENDIX A – DISTRICT OF UCLUELET 2024 – 2028 FINANCIAL PLAN AMENDMENT
BYLAW NO. 1349, 2024

RECOMMENDATION(s):

THAT Council adopt *District of Ucluelet 2024–2028 Financial Plan Amendment Bylaw No. 1349, 2024*.

BACKGROUND:

On June 25, 2024, Council gave first, second and third reading to District of Ucluelet 2024 – 2028 Financial Plan Amendment Bylaw No. 1349, 2024 (the “Financial Plan Amendment Bylaw”). For additional information refer to related report in [July 25th](#) Agenda package. Public input was sought on the proposed amendment and no community input was received. Since this Bylaw has received first through third readings, Council is now in a position to adopt bylaw 1349.

The Financial Plan Amendment Bylaw updates the five-year financial plan to reflect the \$2.5 million dollar paving grant that was added to the budget after the bylaw was initially adopted as well as the subtotal error.

POLICY OR LEGISLATIVE IMPACTS:

This amendment is consistent with the Community Charter. If the amendment proceeds, the Bylaw would amend the District of Ucluelet Five-Year Financial Plan Bylaw No. 1339, 2024.

Respectfully submitted: **Jeffrey Cadman, Director of Finance**
 Duane Lawrence, CAO

DISTRICT OF UCLUELET
Bylaw No. 1349, 2024

A bylaw to amendment District of Ucluelet 2024 – 2028 Financial Bylaw No. 1339, 2024

WHEREAS Council desires to amend “District of Ucluelet 2024 – 2028 Financial Bylaw No. 1339, 2024”;

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

Citation

1. This bylaw may be cited for all purposes as "**District of Ucluelet 2024 - 2028 Financial Plan Amendment Bylaw No. 1349, 2024**".

Amendment

2. District of Ucluelet 2024 – 2028 Financial Bylaw No. 1339, 2024, is hereby amended by deleting Schedule “A” in its entirety and replacing it with Schedule “A” attached to and forming part of this bylaw.

READ A FIRST TIME this 25th day of **June, 2024**.

READ A SECOND TIME this 25th day of **June, 2024**.

READ A THIRD TIME this 25th day of **June, 2024**.

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

CERTIFIED CORRECT; “District of Ucluelet 2024 – 2028 Financial Plan Bylaw No. 1349, 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"**"District of Ucluelet 2024 - 2028 Financial Plan Amendment Bylaw No. 1349, 2024"****2024 - 2028 Financial Plan****Statement of Objectives and Policies:**

In accordance with Section 165(3.1) of the Community Charter, municipalities are required to include in the Five-Year Financial Plan, objectives and policies regarding each of the following:

- 1) For each of the funding sources described in Section 165(7) of the Community Charter, the proportion of total revenue that is proposed to come from that funding source;
- 2) The distribution of property value taxes among the property classes that may be subject to taxes; and
- 3) The use of permissive tax exemptions.

The current financial plan provides for \$19,587,609 to be generated for the 2024 year.

Revenue Objectives

- a) The District will review fees and charges regularly to maximize recovery of the cost of service delivery;
- b) The District will actively pursue alternative revenue sources to help minimize property taxes;
- c) The District will consider market rates and charges levied by other public and private organizations for similar services in establishing rates, fees and charges;
- d) The District will establish cost recovery policies for fee-supported services, and these policies will consider whether the benefits received from the service are public and/or private;
- e) The District will establish cost recovery policies for the services provided for other levels of government;
- f) General Revenues will not be dedicated for specific purposes, unless required by law or generally accepted accounting practices (GAAP); and
- g) The District will develop and pursue new and creative partnerships with government, community institutions (schools, churches), and community groups as well as private and non-profit organizations to reduce costs and enhance service to the community.

REVENUE	2024	Percent of total
Property Taxes	5,479,952	28.0%
1% Utility Taxes	46,851	0.2%
Federal/Provincial in Place of Taxes	50,000	0.3%
Total Taxes	5,576,803	28.5%
Recreation	577,649	3.0%
Sales & Services	944,475	4.8%
Transfer from Reserves	1,372,558	7.0%
Grants from other levels of government	10,454,559	53.3%
Own sources of Revenue	661,565	3.4%
Total Revenue	19,587,609	100.0%

Surplus Funds Objective

The Community Charter does not allow municipalities to plan for an operating deficit (i.e. where expenditures exceed revenues). To ensure this situation does not occur, revenue projections are conservative and authorized expenditures will be closely monitored. The combination of conservative revenue projections and controlled expenditures should produce a modest annual operating surplus.

Debt Objective

- a) One-time capital improvements and unusual equipment purchases;
- b) When the useful life of the capital project will exceed the term of financing;
- c) Major equipment purchases;
- d) The maximum borrowing amount to be limited to what is allowed under the Community Charter; and
- e) Reserves are to be considered as a funding source before debt.

Reserve Funds Objective

- a) Provide sources of funds for future capital expenditures;
- b) Provide a source of funding for areas of expenditure that fluctuate significantly from year to year (equipment replacement, special building maintenance, etc.);
- c) Protect the District from uncontrollable or unexpected increases in expenditures or unforeseen reductions in revenues, or a combination of the two;
- d) Provide for working capital to ensure sufficient cash flow to meet the District's needs throughout the year; and
- e) Staff will facilitate Council's review of the amount of reserve funds available on an annual basis.

Proportion of Taxes Allocated to Classes Objective

Council's goal is to ensure that there is a fair and equitable apportionment of taxes to each property class. The apportionment to each class is calculated using the multipliers determined by Council prior to preparing the annual tax rate bylaw. The tax multipliers will be reviewed and set by Council annually.

Permissive Tax Exemptions Objective

The District of Ucluelet Council reviews and passes a permissive exemption bylaw to exempt certain properties from property tax in accordance with guidelines set out under Sections 220 and 224 of the Community Charter. Although there is no legal obligation, Council may choose to grant exemptions as a method of recognizing organizations within our community which enhance the quality of life for community residents.

The permissive exemptions are evaluated with consideration to minimizing the tax burden to be shifted to the general taxpayer.

Development Cost Charges Objective

Development cost charges will be used to help fund capital projects deemed to be required in whole or in part due to development in the community. These charges will be set by a bylaw and reviewed regularly as outlined in the bylaw to ensure that the project estimates remain reasonable and the development costs charged are aligned with the strategic goals of Council.

REVENUE	2024	2025	2026	2027	2028
Property Taxes	\$5,479,952	\$6,519,100	\$7,699,141	\$8,820,405	\$9,839,759
1% Utility Taxes	46,851	46,851	46,851	46,851	46,851
Federal/Provincial in Place of Taxes	50,000	50,000	50,001	50,002	50,003
Total Taxes	\$5,576,803	\$6,615,951	\$7,795,993	\$8,917,258	\$9,936,613
Recreation	577,649	595,967	605,472	615,166	625,055
Sales & Services	594,475	214,261	393,545	2,722,915	227,373
Debt funding	350,000	2,560,950	1,404,950	300,000	3,080,000
Transfer from Reserves	1,372,558	2,180,000	2,062,143	9,432,143	5,732,143
Grants from other levels of government	10,454,559	5,196,071	4,191,040	1,327,000	802,000
Own sources of Revenue	661,565	603,244	614,228	625,432	636,859
Total Revenue	\$19,587,609	\$17,966,444	\$17,067,371	\$23,939,914	\$21,040,043

Expenses	2024	2025	2026	2027	2028
Operational Expenses					
Administration Expenses	\$1,883,557	\$1,902,581	\$1,891,284	\$1,946,590	\$1,977,379
Building Inspection Expense	138,856	141,633	144,466	147,355	150,302
Bylaw Expense	137,338	140,085	142,886	145,744	148,659
Fiscal Services (Debt)	235,258	219,671	193,688	196,110	119,869
Parks Expenses	801,388	817,416	833,764	850,439	867,448
Planning Expenses	572,812	583,468	594,337	605,424	616,732
Protective Services Expenses	508,921	526,152	536,465	546,985	557,714
Public works Expenses	988,777	996,832	1,016,769	1,037,104	1,057,846
Recreation Expenses	1,197,113	1,208,616	1,232,578	1,257,019	1,281,950
Total Operations Expenses	\$6,464,020	\$6,536,454	\$6,586,237	\$6,732,770	\$6,777,899
Capital Expenses					
Affordable Housing	167,000	650,000			
Buildings	155,085		175,000	6,700,000	
General Gov't	252,947	250,000			
Emergency Services	397,464	900,000	600,000		
Fleet	350,000	30,000			80,000
Parks & Recreation	2,242,296	245,000	184,000	60,000	3,530,000
Roads	5,948,327			690,000	
Sanitary	453,550	2,210,000	1,972,144	3,257,144	5,652,144
Water	1,914,919	4,544,990	4,549,990	2,500,000	
Transfer to Capital Program	1,000,000	2,000,000	3,000,000	4,000,000	5,000,000
Harbour	242,001	600,000			
Total Capital Expenses	\$13,123,589	\$11,429,990	\$10,481,134	\$17,207,144	\$14,262,144
Total Expenses	\$19,587,609	\$17,966,444	\$17,067,371	\$23,939,914	\$21,040,043



REPORT TO COUNCIL

Council Meeting: July 30, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

FILE NO: 6632-10 APPLICATION

SUBJECT: DISTRICT OF UCLUELET DEVELOPMENT APPLICATION PROCEDURE BYLAW
No. 1350, 2024

REPORT NO: 24-83

ATTACHMENT(S): APPENDIX A - DISTRICT OF UCLUELET DEVELOPMENT APPLICATION PROCEDURE BYLAW NO.
1350, 2024

RECOMMENDATION(S):

THAT Council adopt *District of Ucluelet Development Application Procedures Bylaw No. 1350, 2024*.

BACKGROUND:

A report on options for a new development application procedures bylaw was published in the June 11, 2024 Regular Council Meeting Agenda. Council deferred consideration of this report to the June 25, 2024 Regular Council Meeting at which time Council considered options for the bylaw and provided direction to staff.

At the July 9, 2024 meeting, District of Ucluelet Development Application Procedures Bylaw No. 1350, 2024 (the “Bylaw”) was presented and received first, second and third reading. Council is therefore now able to adopt the Bylaw.

The Bylaw is attached as Appendix A and related reports are available in the [July 9th](#) and [June 25th](#) Agenda packages.

ANALYSIS OF OPTIONS:

A	Adopt Bylaw No. 1350, 2024	<u>Pros</u>	<ul style="list-style-type: none"> Advances a priority under the Council-endorsed housing work plan. Streamlines the processing of numerous permits. Clarifies a number of requirements and authorities.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown
		<u>Implications</u>	<ul style="list-style-type: none"> Adoption of the bylaw would result in fewer reports to Council for permits that can be reviewed and then issued at the staff level, saving time for applicants and freeing up resources.

B	Direct staff to prepare and present draft amendments for Bylaw No. 1350, 2024, at a future Council meeting	<u>Pros</u>	<ul style="list-style-type: none"> • Could align the bylaw with Council expectations.
		<u>Cons</u>	<ul style="list-style-type: none"> • Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> • This would delay adoption of the Bylaw.
		<u>Suggested Motion</u>	<p>THAT Council direct staff to present amendments to District of Ucluelet Development Application Procedures Bylaw No. 1350, 2024 intended to achieve the following goals:</p> <ol style="list-style-type: none"> 1. _____; 2. _____; and, 3. _____.
C	Abandon Bylaw No. 1350, 2024. [not recommended]	<u>Pros</u>	<ul style="list-style-type: none"> • Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> • Would retain the current processes under the existing bylaw. • Would not streamline the approval process over current practices.
		<u>Implications</u>	<ul style="list-style-type: none"> • <i>District of Ucluelet Development Approval Procedures Bylaw No. 1164, 2015, would remain in effect.</i>
		<u>Suggested Motion</u>	No motion is required.

NEXT STEPS:

- Staff will update development approval processes to align with the Bylaw, as required.

Respectfully submitted: Joseph Rotenberg, Manager of Corporate Services

DISTRICT OF UCLUELET**Development Application Procedures Bylaw No. 1350, 2024**

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 Ucluelet 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 Ucluelet, in open meeting assembled, enacts as follows:

PART 1 – INTRODUCTORY PROVISIONS**Citation**

- 1 This bylaw may be known and cited for all purposes as the “District of Ucluelet Development Application Procedures Bylaw No. 1350, 2024” or as the “Ucluelet Application Procedures Bylaw 1350”.

Definitions

- 2 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);

“**Approving Officer**” means the person appointed to that position by the District in accordance with the *Land Title Act*;

“**Chief Administrative Officer**” means the municipal officer assigned the responsibilities under section 147 of the *Community Charter*;

“**Council**” means the Council of the District of Ucluelet;

“**Day**” means calendar day;

“**Development Permit**” means a permit authorized by section 490 of the *Local Government Act*;

“**Development Review Team**” or “**DRT**” means a group of Staff responsible for review of development applications;

“**Development Variance Permit**” means a permit authorized by section 498 of the *Local Government Act*;

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

“**District of Ucluelet Fees and Charges Bylaw**” means the District of Ucluelet Fees and Charges Bylaw No. 1186, 2016, as amended or replaced from time to time.

“**Land Use Permit**” means a Development Permit, a Temporary Use Permit, or a Development Variance Permit;

“Manager” means the person appointed by the Chief Administrative Officer 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 Ucluelet Official Community Plan Bylaw No. 1306, 2022, as amended or replaced 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 employees of the District;

“Temporary Use Permit” means a permit authorized by section 493 of the *Local Government Act*; and

“Zoning Bylaw” means District of Ucluelet Zoning Bylaw No. 1160. 2013, as amended or replaced from time to time.

Interpretation

- 3 (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 is a reference to the bylaw, policy or form as amended, revised, consolidated, or replaced from time to time.

Council Discretion

- 4 (1) 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.
- (2) Applications initiated by the District are subject only to statutory requirements, and not the additional procedures and requirements of this Bylaw.

Scope

- 5 (1) This Bylaws establishes procedures in relation to applications for:
 - (a) an amendment to the Zoning Bylaw;
 - (b) an amendment to the OCP bylaw;
 - (c) a Temporary Use Permit;
 - (d) a Development Permit;
 - (e) a Development Variance Permit; and
 - (f) a Phased Development Agreement.

- (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 matters under Part 14 or Part 15 of the *Local Government Act*, such as Housing Agreements, Phased Development Agreements, Floodplain Bylaw exemption, and Heritage Revitalization Agreements. Such applications may be made by an Owner 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.

PART 2 – APPLICATION PROCEDURES

Application Fees

- 6 At the time of application, the Applicant must pay the District an application fee in the amount set out in the District of Ucluelet Fees and Charges Bylaw.

Application Requirements and Processing Procedure

- 7 (1) In respect of an application for an OCP bylaw amendment, Zoning Bylaw amendment, Temporary Use Permit, Development Variance Permit, or Development Permit, the Applicant, at their cost, must post a Notice of Application Sign in accordance with Schedule 'A' of this Bylaw.
- (2) An Applicant must submit an application as set out in Schedules 'B' – 'F' to this Bylaw. An application will be made and processed substantially as outlined in Schedules 'A' – 'F' of this Bylaw.

Number of Development Applications

- 8 (1) If 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.
- (2) If land is subject to more than one Development Permit Area designation established by the OCP:
- (a) only one development permit application is required;
 - (b) the application must address the requirements of each applicable Development Permit Area; and
 - (c) the applicant must pay the application fees for each Development Permit Area in the amount set out in the District of Ucluelet Fees and Charges Bylaw.

Development Permit Required Prior to Development

- 9 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 or Zoning Bylaw.

Development Approval Information

- 10 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 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, fire, ambulance and police 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 by the Manager to permit a full understanding of the impact of the proposed activity or development on the community.

Preparation of the Terms of Reference

- 11** (1) 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.
- (2) The Manager may require that the Applicant provide, at the Applicant's expense, documents, plans, and development approval information in a report that is certified by a Qualified Professional, which:
- (a) complies with and fully addresses the relevant assessments;
 - (b) 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;
 - (c) provides recommendations for conditions or requirements that Council or the Manager may impose to mitigate or ameliorate the anticipated impacts;
 - (d) provides recommendations and details costs for modifications to the environment, or construction of works, to mitigate or ameliorate the anticipated impacts; and
 - (e) is prepared to the satisfaction of the Manager.
- (3) The Manager is authorized to establish and revise the required information, documents, plans, and 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 development approval information needed to assist in reviewing or processing the application.
- (4) The Manager is authorized to waive any of the information, documents, plans, and development approval information if, at their discretion, the information is not required to assist in reviewing or processing the application.

Selection of Personnel

- 12** (1) 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.
- (2) 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.

- (3) 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.

Requirement for Independent Review

- 13 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.

Incomplete or Deficient Reports

- 14 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.

Presentation of Reports or Impact Studies

- 15 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.

Publication of Information

- 16 The District may distribute and publish a report containing development approval information requested under this Bylaw.

PART 3 – NOTICE, PUBLIC INFORMATION MEETINGS, AND REFERRALS

Notice of Application Sign

- 17 A Notice of Application Sign shall be posted in accordance with Schedule 'A' of this bylaw.

Notification

- 18 (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 100 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 100 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 requested by the District, the Applicant will provide notice of the meeting to properties within 100 metres from the subject application at least 10 Days prior to the meeting.

Public Information Meetings

- 19** (1) An Applicant may be requested to hold a Public Information Meeting, as outlined in Schedules 'B' and 'C', prior to OCP amendments or rezoning applications with potential for major impact (such as on sites greater than 1ha in area or in especially prominent locations) 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 Ucluelet 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 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 request the Applicant conduct additional public consultation to seek additional community feedback regarding the proposed application, the cost of which will be the responsibility of the Applicant.

Agency Referral Process

- 20** (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 after the date of the referral to provide any comments.
- (2) Applications for OCP amendment, rezoning, or subdivision of properties greater than 0.8ha in area which intersect with areas of high archaeological or cultural potential identified in the OCP will be referred to the Yuułu?ił?atḥ Government with a minimum of thirty (30) Days after the date of the referral for review and comment.
- (3) Requests from an agency to extend the referral period may be granted at the discretion of the Manager.

PART 4 – SECURITY

Security Requirement

- 21 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”); and
 - (c) To guarantee the performance of the terms of a permit (“Performance Security”).

Phased Landscape

- 22 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.

Form of Security

- 23 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.

Amount of Security

- 24 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.
 - (c) 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.
 - (d) 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.

Return of Security

- 25 (1) 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.
- (2) 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:
- (a) The works have been completed in substantial compliance with the approved plan(s).
 - (b) The unsafe condition or damage to the natural environment has been corrected.
- (3) The Substantial Completion Report must be signed and sealed by a Qualified Professional and include the following at a minimum:
- (a) The date and drawing number of the plan reviewed by the Qualified Professional;
 - (b) Date(s) of inspection by the Qualified Professional;
 - (c) A statement from the Qualified Professional that the completed works substantially comply with the approved plan;
 - (d) For Landscape Security, identification of conformance to approved species, quantity of materials, scale, and number of plants, irrigation systems, composition and depth of soils 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;
 - (e) 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
 - (f) The request of the amount of funds to be released.
- (4) 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.
- (5) Should there be any deficiencies identified in the Substantial Completion Report or should the District find any discrepancies 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.
- (6) 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 15th and April 15th, unless otherwise approved by the Manager.
- (7) Upon completion of any items outlined in an inspection report, the Applicant shall notify the District to arrange a further inspection in order to obtain a final release of the security.
- (8) 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).

Partial Return of Landscape Security

- 26** (1) The District may return a portion of the Landscape Security upon receipt of a report from a Qualified Professional. The report must include the following:
- (a) Evidence that the total landscaping is 50% complete and substantially complies with the approved landscape plan;
 - (b) 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;
 - (c) The date and drawing number of the landscape plan reviewed by the Qualified Professional;
 - (d) Date(s) of inspection by the Qualified Professional;
 - (e) 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;
 - (f) Identification of all deviations from the approved landscape plan;
 - (g) 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
 - (h) The request for the amount of funds to be released.
- (2) 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.
- (3) 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 25(8).
- (4) The partial return of the landscape security will occur only once per security deposit unless as otherwise approved by the Manager.

PART 5 – TIME LIMITS, RE-APPLICATIONS, AND CHANGE OF OWNERSHIP

Lapses

- 27** (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 Ucluelet Fees and Charges Bylaw.

- (2) An application that has been inactive for more than one (1) year is deemed to be abandoned and may be closed. No fees will be reimbursed for abandoned applications.
- (3) In the event that an application for bylaw amendment 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 27(1) to (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 Ucluelet Fees and Charges Bylaw.

Re-Application

- 28 (1) 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.
- (2) Where an Applicant intends to appeal to the Council to vary the time limit set in Section 28 (1) 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.

Change of Ownership

- 29 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.

PART 6 – DELEGATION OF AUTHORITY

Delegation to the Approving Officer

- 30 The following powers, duties and functions of Council are delegated to the Approving Officer:
 - (a) The authority to grant an exemption from the minimum frontage requirements under section 512 of the *Local Government Act*.
 - (b) The authority to approve the stratification of a previously-occupied building under section 242 of the *Strata Property Act* except for a building containing a residential use or a tourist accommodation use.

Delegation to the Manager

- 31** The following powers, duties and functions of Council are delegated to the Manager:
- (a) The authority to require security under section 496 and 502 of the *Local Government Act*.
 - (b) The authority to designate the form of any permit issued under this bylaw as per the *Local Government Act*.
 - (c) The authority to designate the form and content of application forms.
 - (d) The authority to create, amend, and prescribe graphic design templates for development application notice signs.
 - (e) The authority to administer this Bylaw and require development approval information.
 - (f) The authority to place conditions on the approval of a Land Use Permit.
 - (g) The authority to issue or amend Development Permits where there are no, or only minor variances requested.
 - (h) The authority to renew Development Permits that have been issued and lapsed provided the permit is consistent with OCP and relevant guidelines.
 - (i) The authority to issue minor Development Variance Permits in accordance with the following sub-sections:
 - (i) 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:
 - (A) Degree or scope of the variance relative to the regulation from which a variance is sought;
 - (B) Proximity of the building or structure to neighbouring properties; and
 - (C) Character of development in the vicinity of the subject property.
 - (ii) In deciding whether to issue a minor Development Variance Permit the Manager must consider the following guidelines:
 - (A) If the proposed variance is consistent with the general purpose and intent of the zone or applicable regulation;
 - (B) There is a valid reason, such as hardship, for the variance request;
 - (C) 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.);
 - (D) If there is a community or environmental benefit to the larger community in granting the variance or it would support a Council priority (e.g. affordable housing, environmental protection, provision of a trail statutory right-of-way);
 - (E) 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;

- (F) If strict compliance with the Zoning Bylaw would be unreasonable; and
 - (G) If the proposed variance would unduly impact the character of the streetscape or surrounding neighbourhood.
- (j) The authority to issue Temporary Use Permits in accordance with the following sub-sections:
- (i) Where the authorized use 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:
 - (A) Degree or scope of the use relative to the uses already permitted on the property;
 - (B) Proximity of the proposed use to neighbouring properties; and
 - (C) Character and intensity of development in the vicinity of the subject property.
 - (ii) In deciding whether to issue a Temporary Use Permit the Manager must consider the following guidelines:
 - (A) If the proposed use is consistent with the general purpose and intent of the zone and/or applicable regulation;
 - (B) There is a valid reason for the use in its proposed location;
 - (C) If there is a community or environmental benefit to the larger community in permitting the use or it would support a Council priority (e.g., temporary housing, environmental protection, construction facilities, economic diversity, cultural events);
 - (D) If locating the proposed use on other lands already zoned for the proposed use would be unreasonable;
 - (F) The duration of the proposed temporary use; and,
 - (G) If the proposed use would unduly impact the character of the streetscape or surrounding neighbourhood.
- (k) The authority to provide a recommendation on a Liquor or Cannabis licensing referral that does not require a Council resolution.

Referral to Council

- 32** (1) The Manager may refer a delegated Land Use 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.
- (2) The Manager may refer a delegated Form and Character Development Permit to Council if the proposed development is in a prominent location where the development would have a noticeable impact on the streetscape or other public lands.
- (3) The Manager will refer a permit application to Council if the Manager determines that the permit could not be approved at the Staff level.

- (4) The Manager will refer a Development Variance Permit to Council in the following circumstances:
- (a) The proposed variance does not meet the criteria of minor;
 - (b) The proposed variance is in conjunction with a Development Permit application that is not delegated to Staff; or
 - (c) 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
- (5) The Manager will refer a Temporary Use Permit to Council in the following circumstances:
- (a) The proposed use may have impact on adjacent properties;
 - (b) The proposed use is in conjunction with a Development Permit application that is not delegated to staff; or
 - (c) The consideration of the proposed use, in the opinion of the Manager, would be in the public interest to be considered by Council.

Appeal to Council of a Staff Decision

Note this section may apply to conditions placed on a permit or the requirement of security.

- 33** (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 review 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 appeal and the delegate will, prior to the date of the meeting at which the appeal will occur, provide a written memo setting out for Council the rationale for their decision.
- (4) The District Corporate Officer will place the request(s) for appeal 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 the appeal will be considered.
- (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 conditions.

PART 7 – ADMINISTRATION

Schedules

- 34** The following schedules are attached to and form part of this Bylaw:
- (a) Schedule 'A' – "Notice of Application Sign" Requirements;
 - (b) Schedule 'B' – General Procedures;
 - (c) Schedule 'C' – Amendment to an Official Community Plan Bylaw or Zoning Bylaw;
 - (d) Schedule 'D' – Land Use Permits (Development Permits, Development Variance

Permits and/or Temporary Use Permits);

- (e) Schedule 'E' – Referrals from the Liquor and Cannabis Regulation Branch (LCRB) for a Liquor License or Cannabis License; and
- (f) Schedule 'F' – Preparation of Phased Development Agreements.

Severability

35 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.

Repeal

36 The *District of Ucluelet Development Approval Procedures Bylaw No. 1164, 2015*, together with any amendments is hereby repealed.

READ A FIRST TIME this 9th day of **July, 2024**.

READ A SECOND TIME this 9th day of **July, 2024**.

READ A THIRD TIME this 9th day of **July, 2024**.

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

CERTIFIED CORRECT; "District of Ucluelet Development Application Procedures Bylaw No. 1350, 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'
"Notice of Application Sign" Requirements

Installation

- 1 In respect of an application for an OCP Bylaw Amendment, Zoning Bylaw Amendment or Land Use Permit the Applicant, at their cost, must install a Notice of Application Sign in accordance with this Bylaw.

Timing

- 2 The Notice of Application Sign must be posted within 10 Days of an application being accepted as substantially complete by Staff.

Design

- 3 The design of the sign shall be in a form prescribed by the Manager.

Preparation

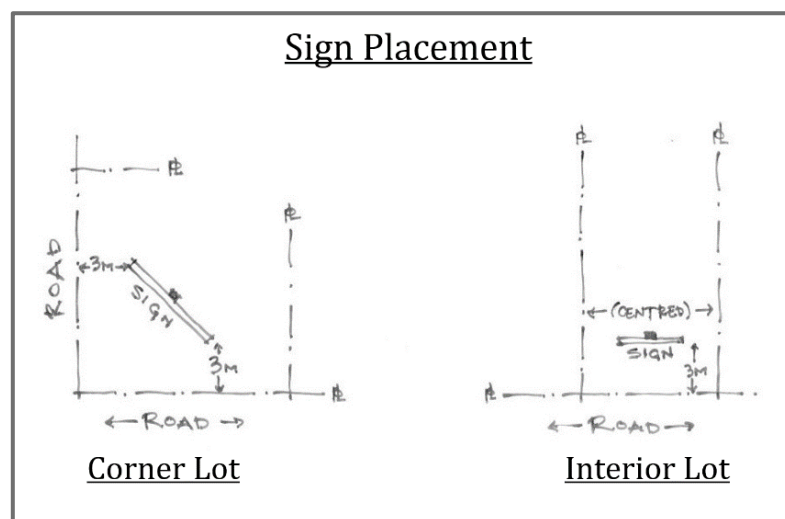
- 4 The Notice of Application Sign(s) will be provided by the District. The Applicant shall provide a deposit for each sign, which will be returned to the Applicant upon return of the sign(s) in good re-useable form.

Posting

- 5 The posting of the Notice of Application Sign is the responsibility of the Applicant. The sign must be installed in a sound workmanlike manner and must be capable of withstanding wind and weather. 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.

Siting

- 6 All Notice of Application Signs shall be placed on the property at a setback of no more than 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 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 to create a hazard.



Number of Signs

- 7 The Applicant shall post a minimum of one (1) Notice of Application Sign. For large parcels with over 200 metres of street frontage or frontage on more than one street, one (1) Notice of Application Sign shall be required for each adjoining street and each 200 metres of street frontage, to a maximum of three signs.

Maintenance

- 8 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 10.

Amendments to Application

- 9 If any significant amendments are made to the application, the Applicant may be required to install new sign(s) reflecting the change in application.

Sign Removal

- 10 (1) The Notice of Application Sign shall be removed by the Applicant within seven (7) Days following:
- (a) The conclusion of the public hearing or adoption of the amending bylaw if a public hearing is not required;
 - (b) The final consideration of an application by Council;
 - (c) The authorization of the application under delegated authority; or
 - (e) The abandonment of the application.
- (2) The Applicant shall be responsible for returning the sign to the District.

Failure to Post, Maintain or Remove

- 11 (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.

Schedule 'B'
General Procedures

The information in these schedules is meant as a general guide to the processing procedure and is not to be regarded as granting the right to development approval if the steps indicated are followed.

Due to the unique, specific conditions of each site and each development proposal, an Applicant may find that information presented in support of their application may trigger the need for other studies or information to enable complete assessment of the development and its impacts.

Application Requirements

- 1 Application requirements are specified on the District of Ucluelet Development Application Form.

Processing Procedure

- 2 An amendment application submitted in accordance with this Bylaw will be substantially processed as follows:
 - (a) 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.
 - (b) 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.
 - (c) 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.
 - (d) Staff may prepare a Permission to Proceed report to Council to introduce the application and seek preliminary direction regarding the application including referral and other matters as required.
 - (d) The Applicant will post a Notice of Application Sign as per Schedule 'A' of this Bylaw.
 - (e) Staff will refer the application to all applicable District departments, Development Review Team, government ministries, agencies, and organizations.
 - (f) 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 or requirements identified in the Comprehensive Letter(s);
 - (ii) submit any necessary reports or studies; and
 - (iii) complete any required approvals.
 - (g) The Applicant must address the items in the Comprehensive Letter and may wish to revise the application accordingly.
 - (h) Staff will mail or otherwise deliver notices to adjacent property owners as per this bylaw and as per requirements of the *Local Government Act*. When required, notice will also be published pursuant to the *Local Government Act*.

- (i) Staff will prepare a technical report, incorporating feedback received from the referral process, the community and any recommendations from the Development Review Team.
- (j) If the Manager refers an application to Council per this Bylaw, the Applicant will be notified when the report is published on a Council meeting agenda. The Applicant will be provided an opportunity to address Council in the meeting when their application is introduced.

Schedule 'C'

Amendment to an Official Community Plan Bylaw or Zoning Bylaw

The following is a general guide to additional steps in the processing procedure for OCP amendment and/or rezoning applications – i.e., where amendment bylaws are adopted by Council.

Consultation

- 1 An application for an amendment to the OCP will include one or more opportunities for consultation with persons, organizations, and authorities the District 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.

Processing Procedure

- 2 (1) Processing of the application will initially follow the procedures outlines in Schedule 'B'.
(2) For larger applications (e.g., on sites greater than 1ha in area) or in especially prominent locations in town, the applicant is encouraged to host a Public Information Meeting at their own expense prior to the amending bylaw being considered by Council. If held, the Applicant is to conduct the public information meeting in accordance with the requirements of Section 19 of this bylaw.
(3) 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.
(4) 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*.
(5) 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 pursuant to the *Local Government Act*. Note that for a rezoning application for residential development where the proposed zoning bylaw is consistent with the OCP, a public hearing may be prohibited by the *Local Government Act*.
(6) 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.
(7) Once all of the conditions identified at third reading, if any, have been addressed, Council will consider adoption of the bylaw(s).
(8) Once the minutes of the Council resolution have been prepared, the Applicant will be notified of the outcome.

Schedule 'D'**Land Use Permits (Development Permits, Development Variance Permits, and Temporary Use Permits)**

The following is a general guide to additional steps in the processing procedure for Land Use Permit applications – i.e., where permits may be issued by staff or Council.

- 1 Processing of the application will initially follow the procedures outlines in Schedule 'B'.
- 2 All Land Use Permit applications and technical reports will be referred to the Manager for consideration.
- 3 If the Manager refers the application to Council as per this Bylaw, Council will receive the permit application and technical report for consideration. Council may authorize the issuance of the permit or authorize the issuance of the permit with conditions. Council may alternatively decide to postpone or deny the application.
- 4 If a Development Permit application includes a request for a variance(s), the request may be considered by Staff or Council as a parallel Development Variance Permit 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 Ucluelet Fees and Charges Bylaw.
- 5 The Applicant will be notified of the decision regarding the application.
- 6 If a Land Use 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'

Referrals from the Liquor and Cannabis Regulation Branch (LCRB) for a Liquor License or Cannabis License

This information is meant as a general guide to the processing procedure and is not to be regarded as granting the right to development approval if the steps indicated are followed.

Application Requirements

- 1 (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 on the District of Ucluelet Development Application Form.

Processing Procedure for Liquor Licenses and Cannabis Licenses

- 2 A Liquor License Application submitted in accordance with this Bylaw will be substantially processed as follows:
 - (a) 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.
 - (b) Staff will review the application to determine whether it is complete, and, if incomplete, will request the required information from the Applicant.
 - (c) 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.
 - (d) 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.
 - (e) Staff may refer the application to all applicable District departments and Development Review Team (DRT).
 - (f) Staff may prepare a Comprehensive Letter(s), incorporating feedback received from the *referral* process to identify recommended conditions and requirements which will be sent to the Applicant.
 - (g) 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.

- (h) 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.
- (i) 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.
- (j) 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.
- (k) If a Council resolution is not required per the LCRB, the Manager will review the Application and any feedback received from the review and may provide a recommendation to the LCRB for their review and final approval.

Schedule 'F'**Preparation of Phased Development Agreements**

- 1 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, timing, amenities, features, servicing, phasing of the development, and terms for abandoned or stalled developments. 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 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*.



REPORT TO COUNCIL

Council Meeting: July 30, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

FILE No: 3900-25

SUBJECT: RECORDS MANAGEMENT BYLAW UPDATE

REPORT No: 24- 84

ATTACHMENT(S): APPENDIX A - RECORDS MANAGEMENT BYLAW NO. 1353, 2024

RECOMMENDATION(S):

THAT Records Management Bylaw No. 1353, 2024, be introduced, and given first, second and third reading.

BACKGROUND:

The District adopted the Village of Ucluelet Retention and Destruction of Records Policy By-Law in 1994. This bylaw regulates District records management but no longer aligns with best practices.

The District has implemented a records system which is a modified version of the Local Government Management Association's file classification and retention system. This system is created specifically for local governments in British Columbia and incorporates legal and statutory requirements for records.

To comply with current legislation the District's system must be authorized by Council and the District must designate a person to manage and maintain it.

The proposed bylaw, Record Management Bylaw No. 1353, 2024, would:

- replace the Districts outdated records management bylaw (Village of Ucluelet Village of Ucluelet Retention and Destruction of Records Policy By-Law No. 648, 1994);
- formally authorize the District's current records management system; and
- designates and authorizes the District's Manager of Corporate Services to manage and maintain the District's records management system including the classification and retention schedules.

ANALYSIS OF OPTIONS:

Given the above rationale, it is recommended that By-Law No. 648, 1994, be repealed and replaced with Bylaw 1353, 2024.

A	Give Bylaw No. 1353, 2024 three readings	<u>Pros</u>	<ul style="list-style-type: none"> Formal adoption of the District's current record management system
		<u>Cons</u>	<ul style="list-style-type: none"> None that Staff are aware of
		<u>Implications</u>	<ul style="list-style-type: none"> Bylaw 1353 achieves compliance with records related legislation
B	Take no action at this time	<u>Pros</u>	<ul style="list-style-type: none"> None that Staff are aware of
		<u>Cons</u>	<ul style="list-style-type: none"> Legislative compliance would not be achieved
		<u>Implications</u>	<ul style="list-style-type: none"> No further Staff time would be required
		<u>Suggested Motion</u>	No motion is required.

NEXT STEPS:

- Bylaw would be brought back for Council to consider adoption at a future meeting

Respectfully submitted: Joseph Rotenberg, Manager of Corporate Services

DISTRICT OF UCLUELET

Bylaw No. 1353, 2024

A bylaw to provide for records and information management

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

Citation

1. This bylaw may be known and cited for all purposes as the “Records Management Bylaw No. 1353, 2024”.

Interpretation

2. In this Bylaw:

“**Chief Administrative Officer**” means the municipal officer appointed under section 147 [*chief administrative officer*] of the *Community Charter*, as amended or re-enacted from time to time;

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

“**Manager of Corporate Services**” means the person so appointed by the Chief Administrative Officer;

“**record**” includes books, documents, maps, drawings, photographs, letters, vouchers, papers, and any other thing on which information is recorded or stored by graphic, electronic, mechanical, or other means, but does not include a computer program or any other mechanism that produces records;

“**records management system**” includes a system used by the District to manage the records of the District from record creation through to records disposal.

Records Management System Authorized

3. The records management system currently used by the District is authorized.

Compliance With Records Management System

4. All records in the custody and control of the employees of the District are the property of the District. All records of the District must comply with the records management system and this Bylaw. All employees, management, service providers, and volunteers of the District must comply with this bylaw.

Manager of Corporate Services

5. The Manager of Corporate Services is responsible for the management and maintenance of the records management system. The Manager of Corporate Services is authorized to manage and maintain the records management system.

Manual of Procedures and Policy

6. The Manager of Corporate Services is authorized to create and maintain a manual of procedures and policy (the “Manual”). Records of the District are created, accessed, maintained, and disposed of only as provided by the Manual.

Integrity and Authenticity Maintained

- 7. The records management system must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.

Authorization to Amend Manual

- 8. The Manager of Corporate Services is authorized to amend the Manual.

Compliance with Law

- 9. The records management system must comply with the Manual, applicable laws, and any provincial, national, or international standards adopted for use and contained in the Manual.

Repeal

- 10. Village of Ucluelet Retention and Destruction of Records Policy By-Law No. 648, 1994 and its amendments are repealed.

READ A FIRST TIME this ** day of ***, 20**.

READ A SECOND TIME this ** day of ***, 20**.

READ A THIRD TIME this ** day of ***, 20**.

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

CERTIFIED CORRECT; "Records management Bylaw No. 1353, 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: July 30, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ANNELIESE NEWEDUK, PLANNER

FILE NO: 3360-20 RZ24-04

SUBJECT: ZONING AMENDMENT FOR 2102 PENINSULA ROAD

REPORT NO: 24-81

ATTACHMENT(S): APPENDIX A – JUNE 25, 2024, REPORT TO COUNCIL
APPENDIX B – ZONING AMENDMENT BYLAW NO. 1343, 2024

RECOMMENDATION(S):

1. **THAT** Council give first, second, and third reading to *District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024*.
2. **THAT** Council adopt the *District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024*.

BACKGROUND:

During the June 25, 2024, Regular Council Meeting, *District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024 (Appendix “B”)* was introduced to Council. At this meeting, Council directed staff to give notice of first reading for the Bylaw. Notification was completed and Council is now in a position to consider up to three readings and adoption of Bylaw No. 1343.

Background information can be found in the [June 25, 2024 Regular Council Meeting Agenda](#) (item 7.3) and in **Appendix “A”**.

ANALYSIS OF OPTIONS:

A	Give first, second, and third readings, and adopt for <i>Bylaw No. 1343</i>	<u>Pros</u>	<ul style="list-style-type: none"> • Would provide an opportunity for Council to discuss the Bylaw and its implications. • Council would be in a position to consider DP 23-09.
		<u>Cons</u>	<ul style="list-style-type: none"> • Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> • Would allow for multi-family residential use on the subject property. • Would allow for the application to proceed.
B	Amend <i>Bylaw No. 1343</i>	<u>Pros</u>	<ul style="list-style-type: none"> • Would ensure Council’s expectations are met.
		<u>Cons</u>	<ul style="list-style-type: none"> • Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> • Further work to ensure the bylaw addresses the direction of Council.

		<ul style="list-style-type: none"> If the Bylaw is amended, Council will have to direct staff to give notice for another first reading. 	
	<u>Suggested Motion</u>	<p>THAT Council direct staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024</i>, to: <i>[specify desired changes]</i>.</p> <p>THAT Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1343, 2024</i>, as amended.</p>	
C	Abandon Bylaw No. 1343	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Would not allow application to proceed. Additional staff time will be required to follow up with applicant and consultants.
		<u>Suggested Motion</u>	No Motion Required.
<i>If Bylaw 1343 is adopted, Council would be in a position to consider the issuance of DP23-09.</i>			

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with the *Local Government Act* and the *District of Ucluelet Official Community Plan Bylaw No. 1306, 2022*. If the application proceeds, the Bylaw would amend the *District of Ucluelet Zoning Bylaw No. 1160, 2013*.

NEXT STEPS:

Should the Bylaw be adopted, Staff would bring the accompanying Development Permit forward for Council’s authorization at that time.

Respectfully submitted: Anneliese Neweduk, Planner
 Bruce Greig, Director of Community Planning
 Duane Lawrence, CAO



Appendix A

REPORT TO COUNCIL

Council Meeting: June 25, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ANNELIESE NEWEDUK, PLANNER

FILE No: 3360-20 RZ24-04/ 3060-20 DP23-09

SUBJECT: ZONING AMENDMENT/DEVELOPMENT PERMIT FOR 2102 PENINSULA ROAD

REPORT No: 24-64

ATTACHMENT(S): APPENDIX A – APPLICATION
 APPENDIX B – ZONING AMENDMENT BYLAW NO. 1343, 2024
 APPENDIX C – DEVELOPMENT PERMIT 23-09
 APPENDIX D – ENVIRONMENTAL QEP REPORT
 APPENDIX E – ENGINEERING AND SERVICING REPORT

RECOMMENDATION(S):

THAT Council direct staff to give notice of first reading for *District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024*.

BACKGROUND:

In April 2024 the Ucluelet Rent-It Center Ltd. (the “**Applicant**”) submitted a proposal to build a mixed commercial/residential development at 2102 Peninsula Road and the adjacent property; PID 018743633, Lot 5, Plan VIP58757, District Lot 284, Clayoquot Land District, and PID 027730573, Lot C, Plan VIP85941, District Lot 284, Clayoquot Land District, (the “**development area**”) (See **Figure 1 and Figure 2**). It should be noted that the two parcels that make up the development area are anticipated to be consolidated.

THE PROPOSAL:

The development area is currently undeveloped, with a mixture of disturbed and forested lands. The proposed development includes three (3) four-unit townhomes near the rear (south), and two ground-floor commercial with second-storey resort condo buildings at the front (north) of the development area (See **Figure 3 and 4**).

There is a gradual northward slope towards Peninsula Road, therefore a large retaining wall is proposed to create flat ground for the two mixed commercial/resort condo buildings, and the associated parking, and create vehicle and pedestrian access to the upper residential area. An amenity greenspace will aid the transition from residential to commercial. There is an existing driveway and access easement that allows access to the rear portion of the development area

Appendix A

across the neighbouring property, however the intent is for it to remain as emergency access only. Access to all buildings will be through a new paved driveway and there will be a total of 55 parking spots.



(Figure 1. The Development Area)



(Figure 2. Orthographic image of Development Area)

Appendix A

ZONING:

The development area is currently zoned as Service Commercial (**CS-2**). Permitted principal uses in the CS-2 zone relevant to this application include *Mixed Commercial/Resort Condo* as well as *Mixed Commercial/Residential*. The CS-2 zone does not have *Multi-Family Residential (MFR)* as a stand alone principal permitted use, which would be required to allow for the townhomes.

Immediately surrounding the subject property, land is mostly zoned CS-2, except for Comprehensive Development Zone 1 (Eco Industrial; CD-1) directly south. Construction of a new medical center directly east of the subject property is underway. Just beyond that is the Raven Lodge Multi-family housing (R-3 Zone), northeast is the C&N Backpackers Hostel (HS Zone), and the remaining area consists of vacant lots (CS-2) and some parkland (P-1).

OFFICIAL COMMUNITY PLAN:

LONG RANGE LAND USE PLAN:

The subject property is designated as “Service Commercial” (**SC**) as per the Long-Range Land Use Plan (Schedule A) in the District of Ucluelet *Official Community Plan Bylaw No. 1306, 2022 (OCP)*. The proposal aligns with future designated use of the property and the accompanying policies.

DEVELOPMENT PERMIT AREAS:

The subject property lies within the following Development Permit Areas:

- Development Permit Area II – Peninsula Road (Form and Character)
- Development Permit Area IV – Multi-Family/Commercial/Mixed Use (Form and Character)
- Development Permit Area VI – Stream and Riparian Area Protection (Environmental)

The DP areas will be encompassed into a single permit (See **Appendix “C”**).

DISCUSSION:

REZONING:

The intent of CS-2 zoning is to include a range of uses, including both residential and commercial. However, having a residential building separate from the commercial building is not currently permitted. The applicant is requesting a zoning amendment to the CS-2 zone in the *District of Ucluelet Zoning Bylaw no. 1160, 2013*, that would allow MFR as a principal use in the development area (See **Appendix “B”**). This zoning amendment would not change density or the intended use of the CS-2 zone, but it would allow for the residential and commercial uses to exist in separate buildings.

Appendix A

PARKING:

Currently, the application proposes 55 parking spaces, meeting the minimum requirements outlined by Section 505.1 of the zoning bylaw. To determine the commercial parking requirements, the *Retail* use was used. Note that if the use of the existing commercial space changes, parking requirements could change.



(Figure 3. Illustrative Site Plan)



(Figure 4. Illustrative site plan aerial view)

Appendix A

FORM AND CHARACTER DEVELOPMENT PERMIT AREAS:

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. The [General, Peninsula Road \(DPAll\)](#) and [Multi-Family / Commercial / Mixed Use \(DPAIV\)](#) guidelines are specifically relevant to this application.

BUILDING FORM:

The three 2-storey residential townhomes would each contain four units (153m² each) for a total floor area of 1841m² (See **Figure 3 and 4**). Each unit would be three bedrooms, contain a one-car enclosed garage, and a balcony. The proposed townhomes would help broaden the supply of housing choices in Ucluelet and could positively contribute to OCP affordability and housing objectives (OCP Policies 3.131G, 3.137, 3.140, 3.147, and 3.149)

The two mixed commercial/resort condo buildings have a total floor area of 818m² (See **Figure 3 and 4**). A total of eight (1 two-bedroom and 7 one-bedroom) resort condo units will be accessible by a set of indoor and outdoor stairs, will each have their own balcony, and will have access to a communal amenity outdoor deck. The specific ground floor commercial uses would be dependent on the incoming tenants.

The design and architecture intend to evoke fishing village heritage and west coast character through form and materials, therefore utilize corrugated steel, concrete, and facades with light colours and wood accents to add warmth (OCP F1 and F11).

Guideline F8 recommends avoiding “*extensive use of blank walls regardless of material*” and contains various recommendations on how developments can soften the visual impact of blank walls such as public seating, planters, graphic design, or architectural details. In addition, guideline F22 requires landscape planting to provide clarity within the public realm and suggests that planting can be used to help define outdoor spaces, highlight pedestrian corridors, beautify streetscapes, and more. While the Frontage to Peninsula Road addresses these policies, note that the retaining wall, adjacent mixed commercial/resort condo building, and parking area exhibit large areas of concrete face (See **Figure 5**). Given the challenging topography of the site, the concrete retaining aspects of the development are justifiable.

PEDESTRIAN CONNECTIVITY:

The frontage currently contains a paved Multi-Use Path (**MUP**), which the applicant proposes to connect directly to (OCP F.II.6). Pedestrians can access the rear residential portion of the development area through stairs and a pedestrian walkway, creating comprehensive pedestrian connectivity throughout the development area.

LANDSCAPING:

The applicant notes that it is not anticipated that a significant amount of tree retention will be possible, and majority of the development area will become impervious surfaces and buildings. It is important to note that large trees shown on the concept plans are outside the development area boundary (See **Figure 3 and 4**).

Appendix A

The area fronting Peninsula Road will be fully landscaped, with low-growing native grasses, mulch-topped garden beds with native vegetation, and retained or newly planted native trees (OCP F21, F.I.5, and F.II.7). Additional landscaping will be completed to provide shade and privacy across the development area, consisting of non-invasive native and drought tolerant plants. A communal green and park amenity space is located in between the commercial and residential buildings to create a buffer and space for residents to gather and recreate (OCP F9). The development area's west property line borders a watercourse and area where significant tree canopy has been retained, however south and east has seen significant clearing.

ARCHAEOLOGICAL POTENTIAL:

Additionally, guideline F30 states that *"All developments shall respect archaeological resources and comply with all relevant statutes for the protection thereof"*. According to OCP Archaeological and Cultural Potential Map 3, areas of archaeological potential fall within the development area. The applicant has been provided information on Protected Archaeological sites in BC, and is aware of the necessary steps to remain in line with the *Heritage Conservation Act* to assess the archaeological potential of the development area.



(Figure 5. Illustration of parking area, mixed commercial/resort condo area, and retaining wall)

ENVIRONMENTAL PROTECTION PERMIT AREA:

The development area borders a watercourse and falls within the OCPs Stream and Riparian Area Protection DP area (DPA VI). The OCP exempts *"Development in sites which have been previously assessed and where a Section 219 Restrictive Covenant has already been registered on the title of the property identifying areas and measures necessary to protect environmental values"* according to DPA Exemptions Section 13. An existing covenant on title states that *"no building shall be constructed, nor mobile home located within thirty (30.0) metres of the natural boundary of the sea, nor within fifteen (15.0) metres of the natural boundary of any nearby watercourse, whichever is greater."* The development exhibits a 15m setback from the watercourse.

Appendix A

Notwithstanding, the applicant has engaged a QEP at Current Environmental to complete a biophysical assessment of the development area (See **Appendix “D”**). The report states that the development must not encroach on a 10m Streamside Protection and Enhancement Area (**SPEA**). The proposal does not encroach on this setback, therefore satisfying this aspect of the QEP report and the existing covenant. The report outlines potential environmental impacts (Section 4) and accompanying mitigation measures (Section 5) that have been incorporated into the development permit. The QEP assessed the development as acceptable for the property and of low environmental risk, if the mitigation measures recommended in the report are effectively implemented.

RELEVANT OCP POLICIES:

Below are other policies listed in the OCP relevant to the proposal that may facilitate minor proposal adjustments that will not impact the issuance of a DP:

- Policy 2.15 will require some of the parking to incorporate infrastructure to support electric vehicle charging,
- Policy 2.29 recommends the inclusion of adequate, secure, bike parking facilities,

FIRE PROTECTION:

The subject property satisfies the initial access requirements of the Fire Department. Any proposed alterations to the layout design will require consultation and approval of the Fire Chief.

SERVICING:

The applicant engaged Herold Engineering to complete a servicing review of the proposal (see **Appendix “E”**). The site has been reviewed for Development Permit (preliminary design) civil works. The developer has provided a detailed mark-up identifying items that need clarification and revision prior to Building Permit (detailed design).

Potable Water:

- There is enough capacity within the water system fronting the property without additional off-site upgrades.

Fire Flow Water:

- There is enough capacity for firefighting purposes without additional off-site upgrades. Prior to the completion of detailed design, the adequacy of the proposed 150mm water service will have to be confirmed.

Sewer:

Appendix A

- The development is located within the Peninsula Road Lift Station catchment area. The system includes flows along the inner harbour system which is approaching capacity. To accommodate growth, including this development, the District is working on capacity solutions. The timing of this development may be affected by capacity constraints of the Inner Harbour sewer system.

Storm:

- Prior to the completion of detailed design, a storm water master plan will be required as well as a permit from the Ministry of Transportation and Infrastructure.

Site Access:

- Prior to the completion of detailed design, the District's road cross section and site access specifications will have to be integrated.

BUILDING SERVICES:

Due to the complexity of the proposed development, in accordance with District of Ucluelet Building Bylaw No. 1165, 2014, Section 10.3., the Building Official will require professional design and review for all aspects of construction - civil, geotechnical, structural, and mechanical under letters of assurance. Fire suppression systems, if proposed, will be required to be designed and reviewed by a registered professional under letters of assurance. The owner shall retain a coordinating registered professional to coordinate all design work and field reviews of the registered professionals of record required for the project to ascertain that the design and construction will substantially comply with the British Columbia Building Code and other applicable enactments respecting safety. Referral to the Ministry of Transportation for traffic impact, access and drainage will be required and should be under the purview of the project civil engineers.

ANALYSIS OF OPTIONS:

A	Direct staff to give notice of first reading to <i>Bylaw No. 1343, 2024</i>	<u>Pros</u>	<ul style="list-style-type: none"> • Development application will proceed at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> • Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> • Approval would allow the application to proceed. • Could allow for MFR use on the development area if adopted/issued.
B	Provide alternative direction	<u>Pros</u>	<ul style="list-style-type: none"> • Achieves the goals and objectives as identified by Council.
		<u>Cons</u>	<ul style="list-style-type: none"> • Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> • Depends on the direction of Council.
		<u>Suggested Motion</u>	THAT Council, with regards to Zoning Amendment Bylaw No. 1343, [<i>provide alternative direction here</i>]

Appendix A

C	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> The development will not proceed at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> Does not allow the applicant's proposed development to proceed.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed. Additional staff time will be required to follow up with applicant and consultants.
		<u>Suggested Motion</u>	<p>THAT Council reject the application for DP23-09 and RZ24-04 because it does not adequately address [<i>quote OCP Bylaw DP guideline section(s) not met</i>].</p>

POLICY OR LEGISLATIVE IMPACTS:

This application impacts the *District of Ucluelet Zoning Bylaw No. 1160, 2013* by adding a text amendment to section CS-2.1.

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 Part 14, Division 3, Section 464 (3) of the *Local Government Act*, 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 prohibit the District of Ucluelet from holding a public hearing for *District of Ucluelet Zoning Amendment Bylaw No. 1343, 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 directs staff to give notice of first reading to the draft of *District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024*, staff would undertake the required notifications.

Respectfully submitted:

ANNELIESE NEWEDUK, PLANNER
 BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
 DUANE LAWRENCE, CAO

Appendix A

District of Ucluelet Planning Department
200 Main Street,
POBox 999,
Ucluelet, BC,
V0R3A0

Date: February 12, 2023

Attn: Bruce Greig

Re: Development Permit, 2102 Peninsula Rd, Ucluelet, BC.

LOT 5, SECTION 21, CLAYOQUOT DISTRICT, PLAN VIP 587757, DISTRICT LOT 284 & LOT C
PLAN VIP 85941, DISTRICT LOT 284
Zoned CS2 – Service Commercial

Project Intent:

To create a compact vibrant mixed use neighbourhood at the entrance to The District of Ucluelet.

Project Overview:

The subject property is located at and adjacent to 2102 Peninsula Road, Ucluelet, BC.

The development spans two parcels both zoned CS2 Service Commercial. Rent-it Centre is proposing a mixed use development consisting of 417 m² of ground floor commercial with condo-hotel units on the second storey, spread across two buildings adjacent to Peninsula Rd. The proposal also includes 3 x 4 unit two storey townhome buildings, two to the rear of the property (Lot 5) and the third occupying the second parcel (Lot C).

While access to Lot C is possible from an existing road and access easement it is envisioned this site will be accessed primarily through Lot 5. The existing access easement will remain for emergency access and fire apparatus turn-around as initially intended with the easement.

We would be looking for guidance on a preferred path to addressing the two lots and access to satisfy the zoning and the intent of the OCP either through a site specific zoning amendment, variance, or rezoning if necessary.

While we acknowledge the townhouse units on Lot C do not conform the Primary use for CS2 There is an opportunity to create a compact medium density neighbourhood comprised of “missing middle” housing forms which are a scarce commodity in Ucluelet. These units are in close proximity to the commercial uses on Lot 5 which would perhaps still be considered aligned with the vision within the OCP.

The townhouse units would be sold at market rates with STR restrictions and no long term rental restrictions to encourage year round occupancy for local residents.

The total Floor Area spanning Lot 5 & Lot C is equal to 2731 m² (.47 FAR) and would be distributed as follows:

- 3 x 4 (153.4 m² incl. Garage) units townhouse buildings totalling 1841 m²
- 8 x 1 & 2 bedroom Resort Condo Units Totalling 446 m²

Appendix A

- Ground level commercial space totalling 372m²

Parking and Loading:

A total of 54 parking spaces for the entire development are provided with additional parking spaces possible with reduced green space if necessary.

28 surface and covered parking spaces are provided for the commercial units at a ratio of .75 spaces per 10m² which would satisfy the most stringent parking bylaw ratios for various potential uses.

2 of the spaces are “small” at 2.5m x 5.2m. Two spaces are designated as accessible and the remainder are full size at 2.5m x 6m. 8 full size parking spaces are provided for the Condo hotel units @ 1 space per unit.

1.5 parking spaces per townhouse unit are provided for resident use and an additional 3 guest parking spaces are available provided. 1 garage space per dwelling unit with the remainder consisting of surface parking.

All drive aisles are minimum 6m wide with parking areas served by 7.5m wide drive aisles.

A covered loading zone (9m x 3m) with overhead clearance of 4.3m is provided at the rear of the mixed use building adjacent to Peninsula Rd.

Landscape/Environment:

The properties are a mixture of disturbed and forested lands sloping down to the north end and fronting onto Peninsula road. The forested areas contain a mixture of Hemlock Cedar and Spruce. Due to the topography and significant earth works required to complete the development it is not anticipated that a significant number of trees would be able to be retained. Large trees indicated on the concept plans largely fall outside of the property boundaries and are shown for context.

The property to the west contains a watercourse and tree cover along the property line has been retained by the property owner who is in final stages of development.

Current Environmental has provided the Biophysical Assessment for both this property and the neighbouring property as required under Environmental DPA guidelines.

Significant Landscaping will be required to provide shade and privacy within the development. The landscaping will consist of non-invasive native and drought tolerant plants.

A communal green space and park amenity space is located on Lot C providing a buffer between neighbouring properties and space for residents to gather and recreate.

The Peninsula Road Frontage will be planted to provide intermittent views of the building facade. A combination of low growing native shrubs and grasses and Native deciduous flowering trees will screen the upper floor units while allowing commercial frontages to have visual exposure to the street. Plant Species to include: Pacific Dogwood, Pacific Crabapple, Vine Maple, Dull Oregon Grape, Red-osier Dogwood, and Kinnikinnik.

Areas of disturbance with neighbouring properties are to be restored using native plant materials including: Western Red Cedar, Sitka Spruce, Douglas Fir, Salal Evergreen Huckleberry and Sword Ferns.

Appendix A

A conceptual Landscape Plan is provided as part of the Development Permit Application while a detailed Landscape Architectural plan is subject to final grading and clearing requirements and will be submitted as part of the Building Permit.

Architecture:

The design is intended to evoke the fishing village heritage of the region with form and materials derived from the industrial waterfront buildings such as corrugated steel and concrete pilings. Facades utilize light colours and wood accents to add warmth and “west coast” character.

The building massing does not exceed the 8.5m height restriction under the existing CS2 zoning. Special consideration was given to the design to keep the height below the maximum through low slope roof lines in order to keep the development from being visually intrusive and to maintain as much light through the site as possible.

Due to the site being dramatically undulating and partially cleared it is difficult to assess what the average natural grade is and detailed survey information will need to be collected to ensure maximum heights are respected and in some cases may require a variance application or design revisions at Building Permit Stage.

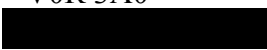
Waste Management:

Animal proof waste bins and recycling rolling bins will be accessible for both commercial and residential use as indicated in the two locations on the site plans.

In Conclusion:

We have taken time to consider the commercial, tourism economy, and long term housing needs of the community. Our initial meeting with the Planning department last year was encouraging and we look forward to continuing this collaborative approach. It is our hope that this development aligns with the priorities set out in the OCP as well as attempting to adjust to rapidly evolving Provincial and District housing policies.

Sincerely

Mayco Noel
Rent-it Centre
#313-317 Forbes Rd
Ucluelet, BC
V0R 3A0




2102 PENINSULA RD
Ucluelet, BC

Design Centre
ARCHITECTURAL & INTERIOR
PLANNING & DESIGN
3375 Columbia Park Avenue, Suite 104
Vancouver, BC V6C 3K5
Tel: 604.275.2879

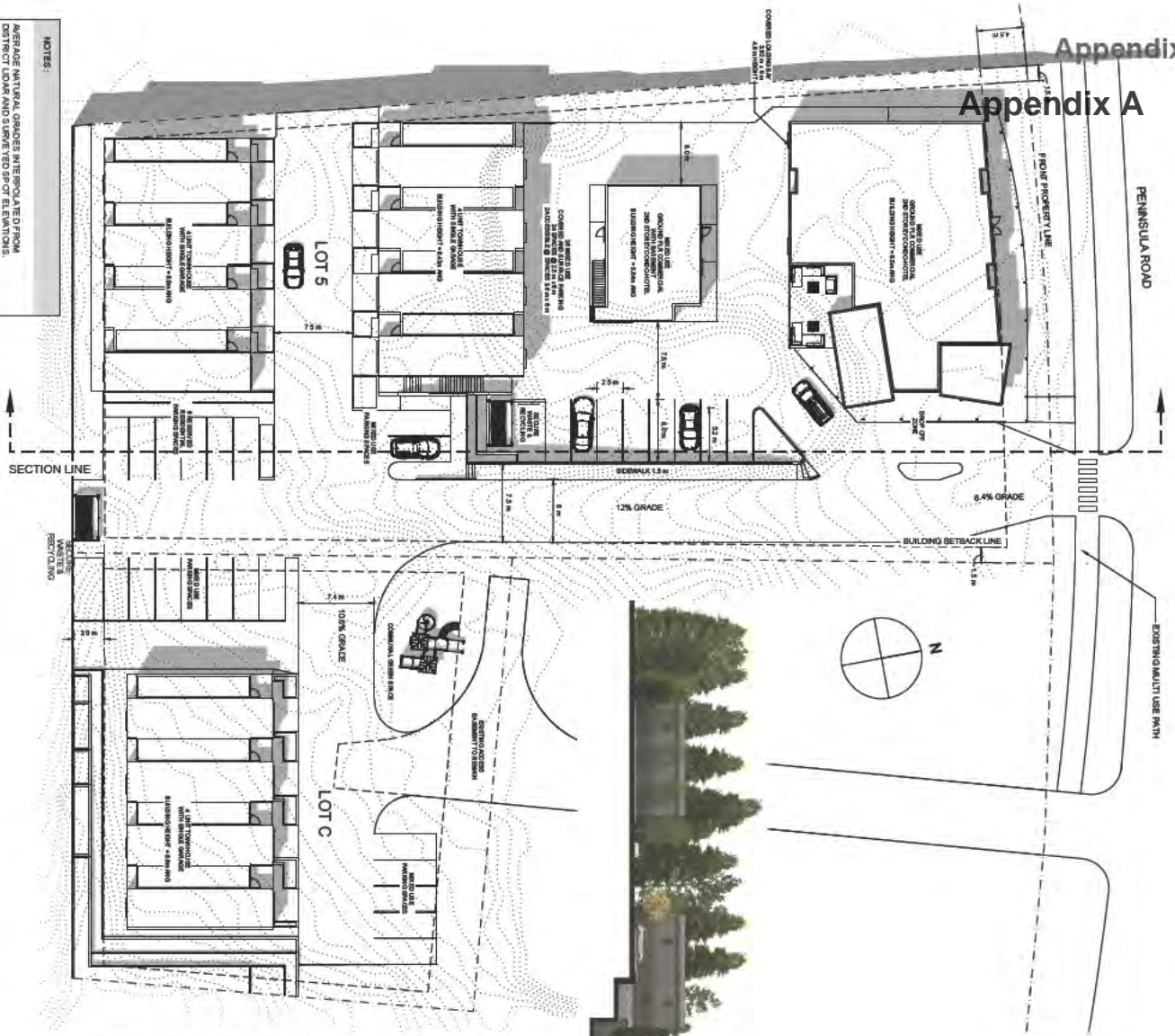
CLIENT
RENT-HIT CENTRE

DRAWN BY
K

ISSUE
February 12,

PROJECT

Appendix A



NOTES:
 AVERAGE NATURAL GRADES INTERPOLATED FROM
 GRADES TO BE VERIFIED BY DETAIL ED SURVEY AT
 BUILDING PERMIT STAGE

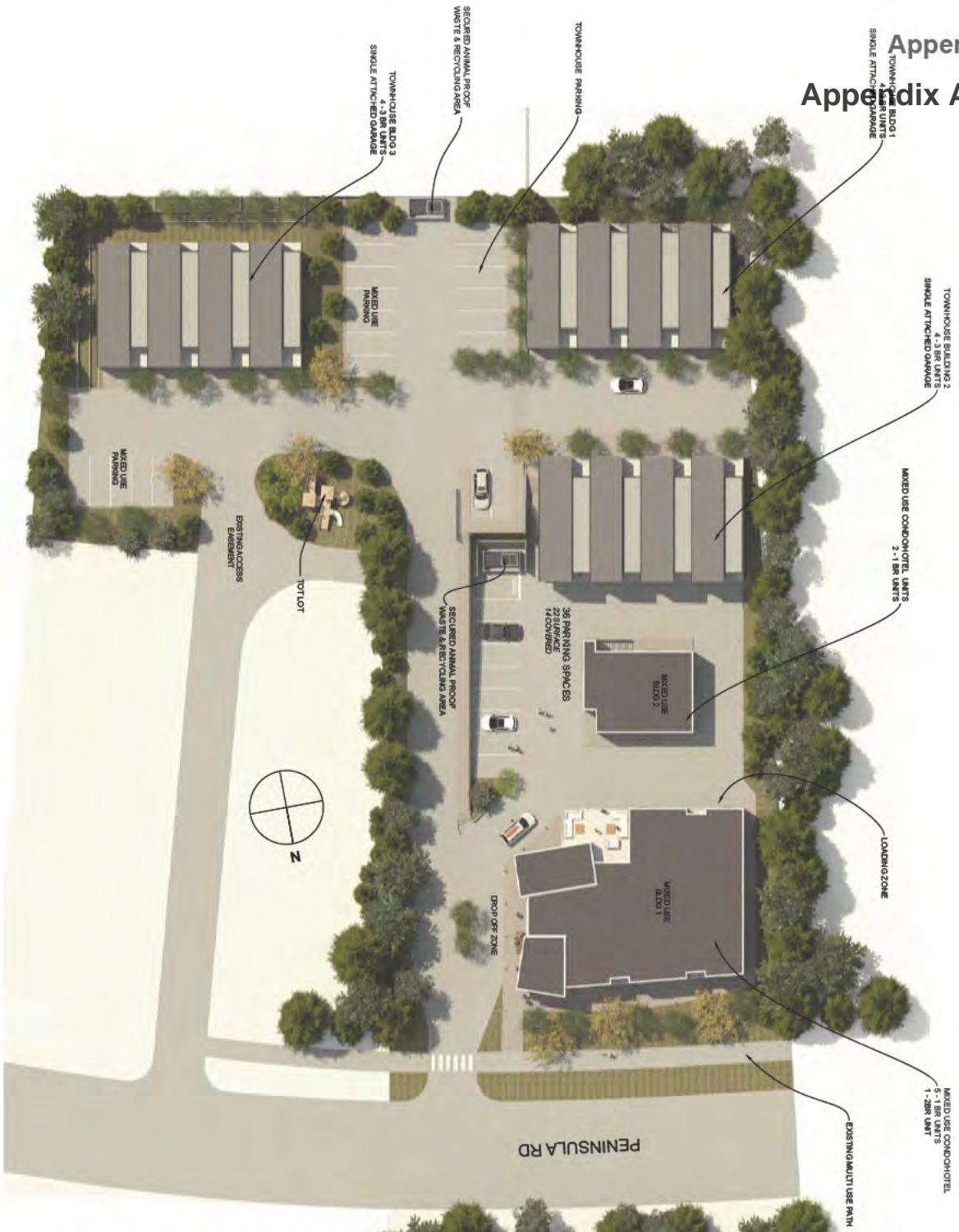


ZONING INFORMATION:			
CIVIC ADDRESS:	2102 PENINSULA RD		
LEGAL DESCRIPTION:	LOT 5, SECTION 21, CLAYCOLOT DISTRICT, PLAN VFP 587757, DISTRICT LOT 284 & LOT C		
ZONING:	CS2		
LOT AREA: (5884 sq.m. / 63136 sq.ft.)	LOT 5 (4156.7 sq.m. / 44871.5 sq.ft.)	LOT C (1715.4 sq.m. / 18464.4 sq.ft.)	
HEIGHT / SETBACK REQUIREMENTS:			
HEIGHT:	ZONING	PROPOSED	COMPARING
FRONT YARD SETBACK:	8.5m (28'-0")	8.5m (28'-0")	YES
REAR YARD SETBACK:	4.5m (15'-0")	4.5m (15'-0")	YES
INTERIOR SIDE SETBACK:	3m (10'-0")	3m (10'-0")	YES
EXTERIOR SIDE SETBACK:	1.5m (5'-0")	1.5m (5'-0")	YES
LOT COVERAGE: (1311 sq.m./14111 sq.ft.)	50%	na	YES
22.3%			
PROPOSED FLOOR AREA:			
TOWNHOUSE X 12 (1546 sqm)	1841 sq.m (1981 sq.ft.)		
CONDO/HOTEL 8 UNITS	446 sq.m (4804 sq.ft.)		
COMMERCIAL	372 sq.m (4004 sq.ft.)		
COMMERCIAL BLDG BASEMENT STORAGE	72 sq.m (773 sq.ft.)		
TOTAL:	2731 sq.m (29286 sq.ft.)		
FLOOR AREA RATIO (FAR):	.47		YES

1 SITE PLAN
 A01 Scale: 1:200m



Appendix A



1 ILLUSTRATIVE PLAN
A.02 Scale: NTS

DEVELOPMENT SUMMARY:

GROUND FLOOR COMMERCIAL - 372 m² (4004 ft²)

BLDG 1 - 304 m² (3272 ft²)

BLDG 2 - 48 m² (522 ft²)

CONDO-HOTEL UNITS - 448 m² (4804 ft²)

1-2 BEDROOM UNITS

7-1 BEDROOM UNITS

TOWNHOUSE UNITS:

3 2 BEDROOM UNITS @ 129 m² (1387 ft²)

9 3 BEDROOM UNITS @ 129 m² (1387 ft²)

1 ATTACHED GARAGE SPACE @ 244 m² (2631 ft²)

PARKING:

COMMERCIAL (1.75 spaces per 10m² provided)

285 SURFACE & COVERED SPACES (including 2 access to the spaces)

CONDO-HOTEL:

8 SERVICES

TOWNHOUSE (1.5 per unit provided)

1 ATTACHED GARAGE SPACE + 6 SURFACE SPACES

ILLUSTRATIVE PLAN

A.02

ISSUE February 12, 2024
PROJECT 2102 PENINSULA RD
DRAWN BY

CLIENT RENT-IT CENTRE

The Design Centre

RESIDENTIAL & RESORT PLANNING & DESIGN
1339 Edwards Plaza, PO Box 5243
Victoria, BC V8P 3A0, 250.726.9703

Appendix A



- A HYDRANGEA, NATIVE GRASSES
- B MUCH TOPPED GARDEN BEDS, NATIVE SHRUBS AND GROUND COVERS, OR #1 / #2 POT EVERGREEN HUCKLEBERRY, RED OIL SUN DOGWOOD, DILL, OREGON GRAPE, AND SWORD FERN.
- C RETAIN EXISTING TREES OR ALLOW FOR MAX OF #1 POT SAIL, EVERGREEN HUCKLEBERRY AND SWORD FERNS AND 3M HEIGHT WESTERN RED CEDAR, SILVA SPRUCE AND DOUGLAS FIR
- D ACCESSIBLE HAND SURFACE PAVING
- E LOW VOLTAGE GROUND LIGHTING BOLLARDS

PLANT LIST

TREES:	SHRUBS:	GROUND COVERS:	SIZE
CORNUS NUTTALLI	PACIFIC DOGWOOD	COMMON SWEETWERTY	50m
MAHONIA	WESTERN RED CEDAR	SAIL	#1 POT
WILLOW	WESTERN RED CEDAR		#1 POT
TYLA PLATANUS	DOUGLAS FIR		#2 POT
PRINCEBIRCH			3m Height
PRELONIBERNA WEDDERS			
NATIVE SHRUBS:			
POTENTILLA MENTANA	SHRUB FERNS		#1 POT
WILLOW	WESTERN RED CEDAR		#1 POT
WILLOW	DILL OREGON GRAPE		#2 POT
WILLOW	EVERGREEN HUCKLEBERRY		#1 POT
KENNELCAMP			50m
GALTYHERNA SHALCON			#1 POT

DEVELOPMENT PERMIT ONLY
NOT FOR CONSTRUCTION

Note: Landscape design is conceptual only. Detailed landscape plan and plant mix to be provided at building permit stage. Final landscape design to be prepared by registered Landscape Architect.

1 CONCEPTUAL LANDSCAPE PLAN
A.03 Scale: NTS



1 MIXED USE BUILDING 2
A.04 Scale: NTS



2 MIXED USE PARKING
A.04 Scale: NTS



3 SITE ENTRANCE
A.04 Scale: NTS

Appendix A



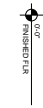
1 TOWNHOUSE LANEWAY
A.05 Scale: NTS



2 TOWNHOUSE LANEWAY 2
A.05 Scale: NTS



3 MIXED USE PARKING
A.05 Scale: NTS



- STEEL CLAD PARCH TRIMS & GUTTERS - DARK GREY
- CORRUGATED STEEL SIDING - WHITE
- CEMENTITIOUS WOOD GRAIN LAP SIDING
- CEMENTITIOUS WOOD COLOURED PANEL TRIM
- GLASS OR ALUMINIUM DEC BALUNES
- CEMENTITIOUS LAP SIDING - DARK GREY

1
A.06

ELEVATION 1 FRONT
Scale: 1/4" = 1'-0"



2
A.06

ELEVATION 2 REAR
Scale: 1/4" = 1'-0"



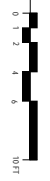
Appendix A



1 ELEVATION 1 BLDG 1 FRONT
 A.07 Scale: 1/4" = 1'-0"



2 ELEVATION 2 BLDG 2 FRONT
 A.07 Scale: 1/4" = 1'-0"



Appendix A



1 ELEVATION 3 BLDG 1 SIDE
A.08 Scale: 1/4" = 1'-0"



2 ELEVATION 4 BLDG SIDE
A.08 Scale: 1/4" = 1'-0"

Appendix A

NOTES:
DIMENSIONS INCLUDE EXTERIOR SHEETING
INTERIOR WALLS MEASURED FROM TO FINISHING



1 FP1
A.09 Scale: 1/4" = 1'-0"

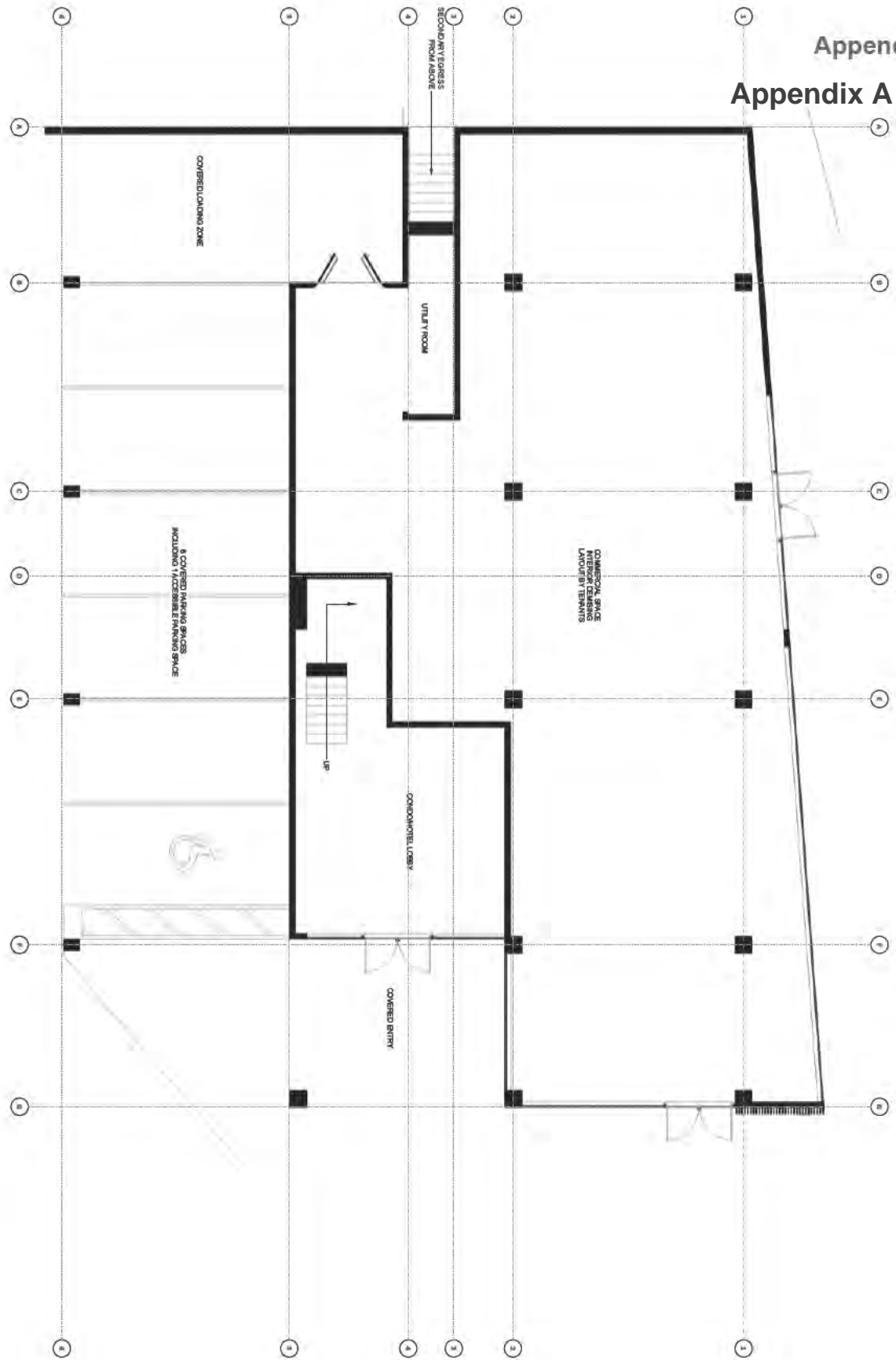
Appendix A

NOTES:
DIMENSIONS INCLUDE EXTERIOR SHEETING
INTERIOR WALLS MEASURED FROM TO FINISHING



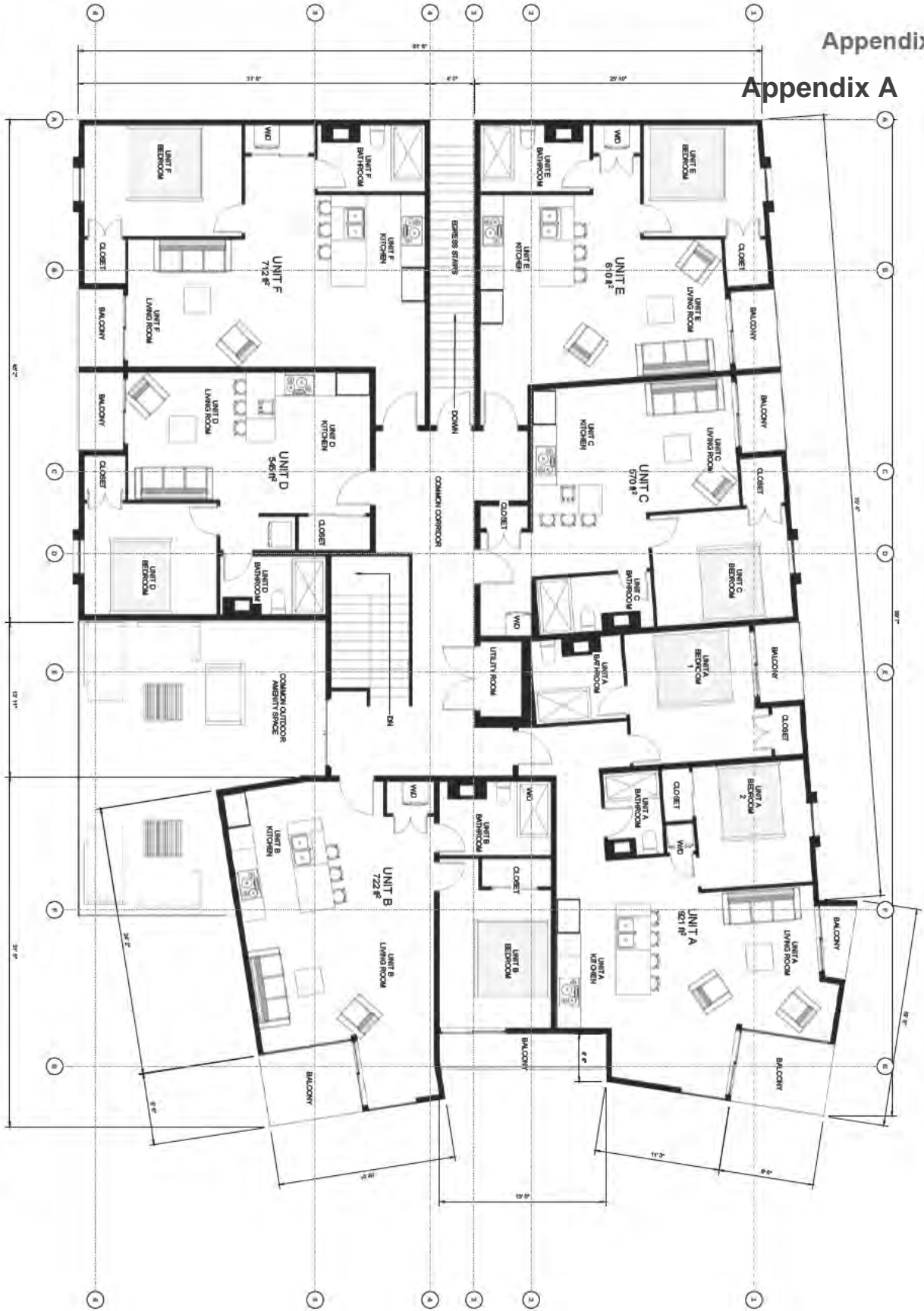
1 FP2
A.10 Scale: 1/4" = 1'-0"

Appendix A



1
A.11 FP1 COMMERCIAL UNITS
 Scale: 1/4" = 1'-0"

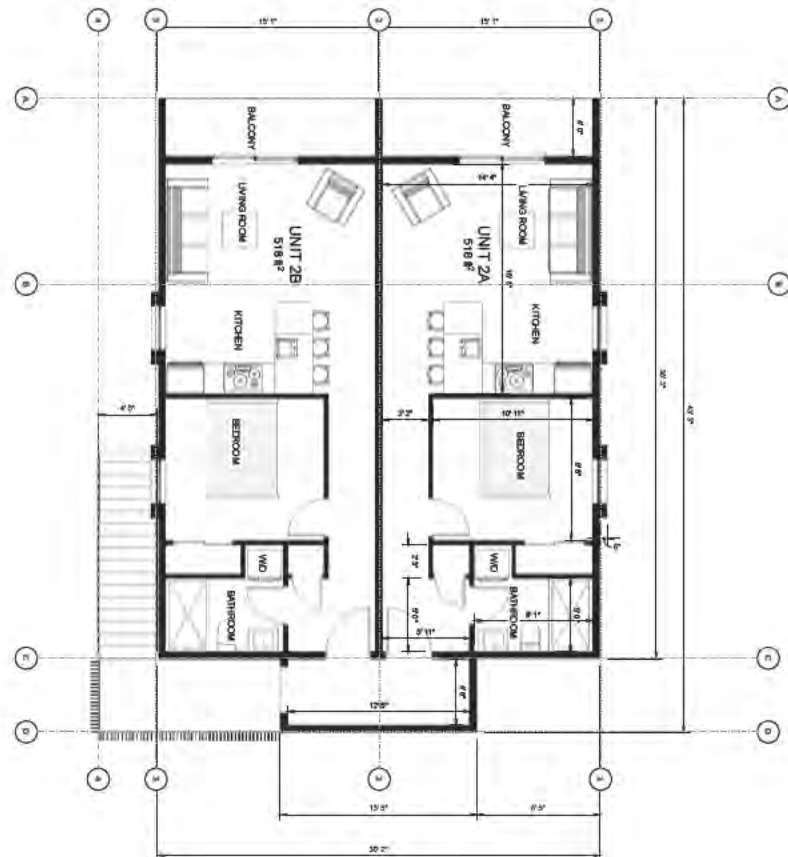
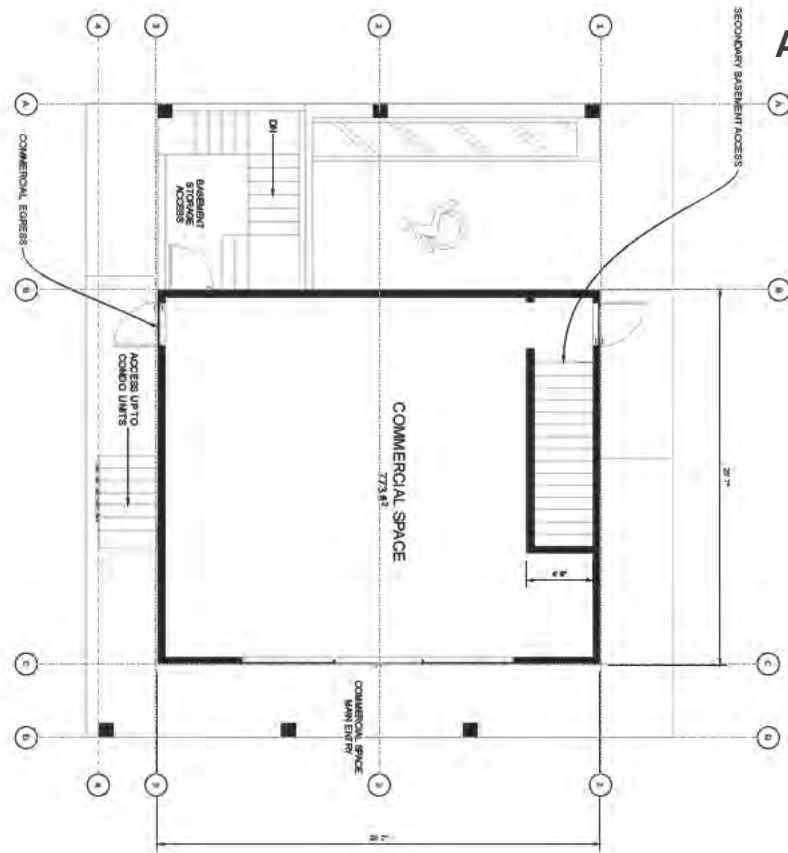
Appendix A



NOTES:
 DIMENSIONS INCLUDE EXTERIOR SHE ETYING
 INTERIOR WALLS MEASURED FROM TO FINISHING

1 FP2 CONDO/HOTEL UNITS
 A.12 Scale: 1/4" = 1'-0"

Appendix A



1 FP 1 COMMERCIAL UNITS
Scale: 1/4" = 1'-0"

2 FP2 CONDO/HOTEL UNITS
Scale: 1/4" = 1'-0"

NOTES:
DIMENSIONS INCLUDE EXTERIOR SHEETING
INTERIOR WALLS MEASURED FINISH TO FINISH



To: Mayco Noël, Project Proponent Date: December 2, 2022
 CC: Ian Kennington, Project Architect

From: Jamie Godfrey, Technologist Pages: 25
 Dusty Silvester, R.P.Bio.
 Cc: Ucluelet Planning Department

RE: Biophysical Assessment for 2102 Peninsula Road, Ucluelet, BC

This letter report is intended to inform the District of Ucluelet (DoU) of the current biophysical state of Lot 5, Plan VIP58757, District Lot 284, Clayoquot Land District with the PID: 018-743-633. This biophysical report is required as part of the development permit requirements for lands within Development Permit Area VI – Stream and Riparian Areas Protection as defined in the District of Ucluelet Official Community Plan, Bylaw 1306¹.

The objectives of this biophysical assessment are to:

1. Describe any previously unidentified sensitive habitats and species on the subject property;
2. Identify potential impacts to environmentally sensitive areas;
3. Provide recommendations for protection of and mitigation of impacts to environmentally sensitive areas if required.

This report is divided into the following categories:

TABLE OF CONTENTS

1	Background	3
1.1	Property Overview	3
1.2	Proposed Development.....	4
2	Methods	7
2.1	Aquatic Habitats and Species	7
2.2	Terrestrial Habitats and Species	7
2.1	Species at Risk and Raptor Nesting	8
3	Results.....	8
3.1	Aquatic Habitat - Stream 1	8
3.1.1	Stream 1 Setbacks	9
3.2	Terrestrial Habitat	9

¹ District of Ucluelet. 2022. District of Ucluelet Bylaw No. 1306, 2022. Accessed from:
https://ucluelet.ca/images/OCP_Bylaw_1306.pdf



558 England Ave
 Courtenay, BC V9A 1G1
 p: 250.871.1944
 w: currentenvironmental.ca

Appendix A

3.2.1 Nesting Birds 10

3.3 Species/Ecological Communities at risk 10

3.3.1 Tall Woolly-Heads..... 11

4 Potential Environmental Impacts..... 12

4.1 Impacts to Hydrological Function and Water Quality 12

4.2 Construction Related Impacts 12

4.3 Loss of Wildlife Habitat and Species at Risk 12

4.4 Increased Human Interaction with Sensitive Habitats 13

5 Mitigation Measures 13

5.1 Mitigation Strategies – Design 13

5.1.1 Maintaining and Protecting the 10 m SPEA for Stream 1..... 13

5.1.2 Stormwater Management 13

5.1.3 Restricting Use of Sensitive Habitats..... 13

5.1.4 Restoration Plan 15

5.2 Mitigation Strategies – Construction Phase 15

5.2.1 Monitoring and Enforcement..... 15

5.2.2 Vegetation Management, Disturbance or Removal..... 15

5.2.3 Wildlife Habitat Alteration, Disturbance, or Loss 16

5.2.4 Sediment and Erosion Control..... 16

5.2.5 Fuels and Hazardous Materials 17

5.2.6 Garbage and Waste..... 18

6 Conclusion 18

7 Closure 19

8 Disclaimer..... 19

9 Photos..... 20

1 BACKGROUND

The site of proposed development is a 0.42 ha Service Commercial (CS-2)zoned lot northwest of the town center of Ucluelet. CS-2 zoning allows for vehicle accessible businesses on larger lots, with potential for residential or accommodation uses. The subject lot resides on the main arterial road access to Ucluelet and is bordered to the west and north by relatively well vegetated lands zoned for eco-industrial, and residential development, respectively. Lands to the east and south are mostly cleared of trees and have been developed for commercial uses (Figure 1).

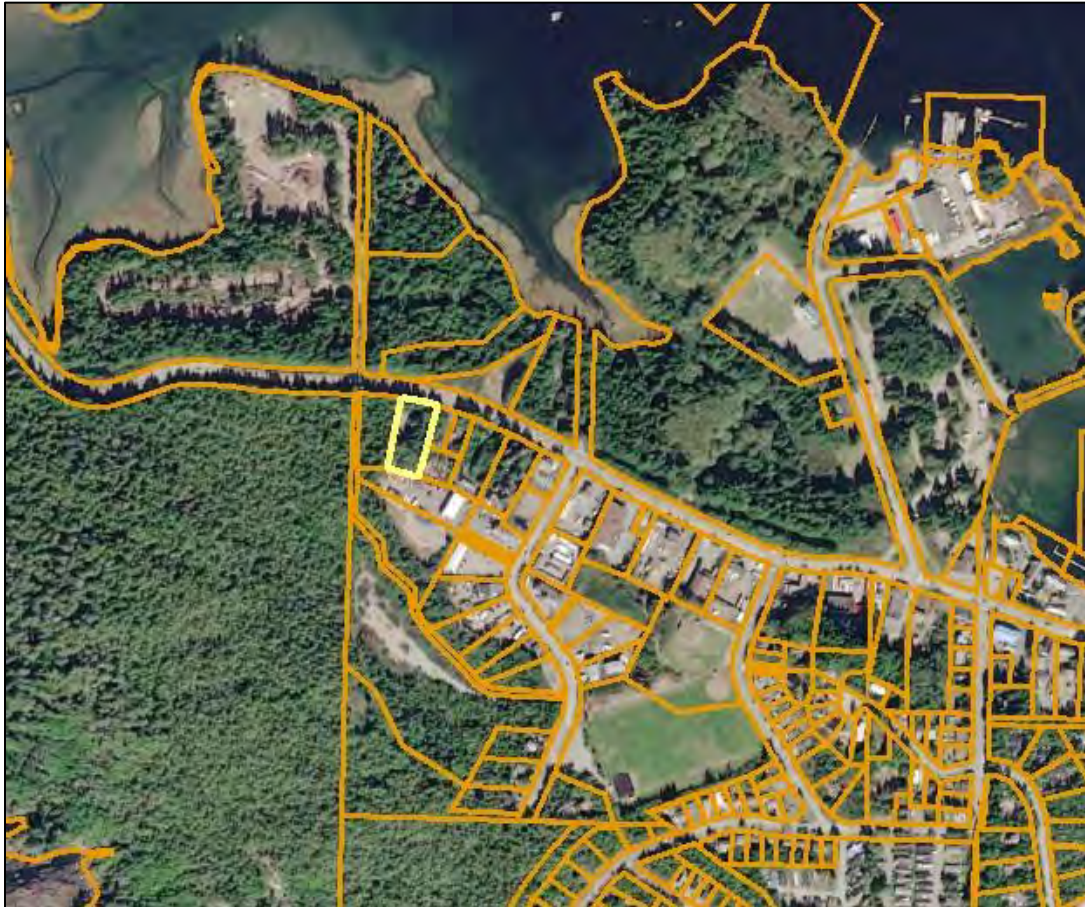


Figure 1. Overview of the subject property (outlined in yellow) and surrounding land use.

1.1 PROPERTY OVERVIEW

The subject property lies within the jurisdiction of the District of Ucluelet and bears the legal description “LOT 5, Plan VIP58757 District Lot 284, Clayoquot Land District” and the PID: 018-743-633. It has previously been partially cleared but does not retain any permanent development other than two access roads (Photos 1, 2, and 3) which both connect to Peninsula Road. Development of lots surrounding the subject property is variable, with forest canopy being largely intact to the north and west, while there has been much more clearing to the south and east.

The property lies within the Coastal Western Hemlock Very Wet Hypermaritime (CWHvh1) biogeoclimatic (BGC) zone, which covers lower elevations on much of British Columbia's western coasts. The moderate temperatures, low annual snowfall, and high humidity result in vigorous plant growth. Formalized vegetation plots were not conducted on the property; however, the vegetation community appears to closely match that of the CwYc-Salal site series of this BGC zone. Intact forest remains along the property's east and south boundaries that is dominated by western hemlock (*Tsuga heterophylla*) and western redcedar (*Thuja plicata*), with red alder (*Alnus rubra*) present around forest edges and in previously disturbed areas. There is a well-developed shrub layer consisting primarily of salal (*Gaultheria shallon*) and evergreen huckleberry (*Vaccinium ovatum*), with salmonberry (*Rubus spectabilis*) and thimbleberry (*Rubus parvifolius*) around forest edges and clearings. The forb layer is dominated by deer fern (*Blechnum spicant*) (Photos 2 and 4).

An unnamed fish bearing creek runs adjacent to the subject property on the neighboring property to the west. This creek runs roughly parallel to the western border of the subject property at a distance of between 15 and 20 m (Figure 2). It is the proximity of this creek to proposed development on the subject property that has triggered development permit requirements for lands within Development Permit Area VI – Stream and Riparian Areas Protection as defined in the District of Ucluelet Official Community Plan, Bylaw 1306¹

1.2 PROPOSED DEVELOPMENT

The proposed development on the subject property consists of a mixed commercial and residential use plan. The development will cover almost the entire lot at 2102 Peninsula Road and extend onto a neighboring property to the east (Figure 2). The neighboring property included in the development proposal has no street address but has the assigned PID: 027-730-573. Development proposed on the subject property includes 4 separate buildings: 2 separate 4-unit townhomes, and 2 buildings with commercial space on the ground floor and condo-hotels on the second floor (Figure 3). A third 4-unit townhouse and communal green space are proposed for the neighboring lot with PID 027-730-573. All buildings will be connected by paved driveways and there will be a total of 46 parking spaces (Figure 2).



Figure 3: Site Plan of proposed development on the subject property (Development extending to neighboring property not shown) in relation to Stream 1 and associated SPEA.

2 METHODS

Background information on the property and potential sensitive species or ecosystem occurrences in proximity to it were obtained from the following sources:

1. District of Ucluelet Community Map (UkeeMap)²;
2. Habitat Wizard³;
3. Wildlife Tree Stewardship Atlas (WiTS)⁴;
4. Great Blue Heron (GBHE) Management Team Atlas⁵;
5. British Columbia Conservation Data Center⁶
6. British Columbia Species Explorer⁷
7. Satellite imagery.

A site assessment of aquatic and terrestrial habitats and species was carried out on November 1, 2022, according to the methodologies explained under the headings below.

2.1 AQUATIC HABITATS AND SPECIES

Criteria for delineating streams was based primarily on *Riparian Areas Protection Regulation* (RAPR) methodology⁸. All aquatic habitat was delineated using Avenza software on an iPad mini 4; therefore, the accuracy of these features depicted in site plans will vary depending on forest cover and satellite availability at the time of assessment. Buffers and setback areas for the streams were then displayed using ArcMap 10.5 software. All mapped linework produced by CEL is for illustration purposes only and a legal survey must establish the physical setbacks at the site level. No fish sampling was conducted as a part of this assessment.

2.2 TERRESTRIAL HABITATS AND SPECIES

Survey methods for terrestrial elements or Environmentally Sensitive Areas (ESAs) were directed in part by those outlined in *Environmental Best Management Practices for Urban and Rural Land Development in British Columbia*⁹, and the *Field Manual for Describing Terrestrial Ecosystems*¹⁰. Trees were inspected for bird nests and habitat values

² District of Ucluelet (2022). UkeeMap. Accessed from <<https://ucluelet.ca/community/ukeemap/>>

³ Ministry of Environment and Climate Change (2022). Habitat Wizard. Accessed from <<http://maps.gov.bc.ca/ess/hm/habwiz/>>

⁴ Wildlife Tree Stewardship (WiTS) Program (2022). Nest Tree Report. The Community Mapping Network. Accessed from <<http://www.cmnmaps.ca/wits/>>

⁵ Great Blue Heron (GBHE) Management Team (2022). The Community Mapping Network. Accessed from <<http://cmnmaps.ca/GBHE/>>

⁶ BC Conservation Data Center. CDC iMap (2022). Accessed from <<http://maps.gov.bc.ca/ess/sv/cdc/>>

⁷ BC Conservation Data Center. (2022). Species and Ecosystems Explorer. Accessed from <<http://a100.gov.bc.ca/pub/eswp/>>

⁸ Ministry of Forests, Lands, Natural Resource Operations & Rural Development. (2019). Riparian Areas Protection Regulation Technical Assessment Manual. Accessed from: <https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/fish-fish-habitat/riparian-areas-regulations/rapr_assessment_methods_manual_for_web_11.pdf>

⁹ Ministry of Environment (2014). Develop With Care: Environmental Guidelines for Urban and Rural Land Development. Accessed from <<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/best-management-practices/develop-with-care>>

¹⁰ Ministry of Forests, Lands and Natural Resource Operations (formerly Ministry of Forests and Range) and Ministry of Environment (2010). Field Manual for Describing Terrestrial Ecosystems, 2nd Edition. Accessed from <http://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/conservation-data-centre/field_manual_describing_terrestrial_ecosystems_2nd.pdf>

using Nikon Prostaff 3S binoculars, and *Plants of Coastal British Columbia*¹¹ was used as an aid for plant identification as needed.

2.1 SPECIES AT RISK AND RAPTOR NESTING

An office-based inquiry of Species at Risk occurrences on and near the property was completed using the Provincial *CDC iMap*⁶ and *Species Explorer*⁷. Raptor and heron nesting sites were researched using the online *WiTS Atlas*⁴ and the *GBHE Atlas*⁵ and assessed visually during field work. The on-site assessment was completed according to guidelines in *Environmental Best Management Practices for Urban and Rural Land Development*.

3 RESULTS

Development on the property is affected by one DoU Environmental Development Permit Area (DPA):

- 1) DPA VI (Stream and Riparian Areas Protection) – Associated with a creek running roughly north-south through the neighboring property to the west.

The results discussed in the following sections are intended to address the primary concerns of this Environmental DPA, as well as address any other potential environmental concerns with development on the subject property.

3.1 AQUATIC HABITAT - STREAM 1

There is one stream that flows south to north along the western edge of the subject property (Figure 3, Photos 5 and 6). This stream is unnamed according to the available online databases and is referred to as “Stream 1” in this report.

Stream 1 appears to originate in a wetland approximately 500 m upstream of the subject property and flows into the ocean at Ucluelet Inlet approximately 150 m north of the subject property. Adjacent to the subject property the stream channel is characterized by well-defined banks, a relatively steep bed gradient (~ 3 %), and substrates that consist primarily of cobble, gravel, and sand. There are several Coarse Woody Debris (CWD) complexes overhanging Stream 1 (Photo 6) which provide shade and refuge habitat for fish. Additionally, the general stream profile has a natural riffle/pool sequence and meandering flow path that suggests it has been subject to minimal disturbance in the past. With a relatively steep gradient and banks that slope away from the stream, there are no concerns with an active floodplain or active meandering channel at this location. The steep (60% slope) eastern (right) bank of Stream 1 adjacent to the subject property (Photo 7) is very well vegetated with a multi-layer tree and undergrowth canopy; however, it could present erosion concerns if development were to encroach too closely or if stormwater is not managed appropriately. As such, the stream setback was calculated from the Top of Bank (TOB) rather than the High-Water Mark (HWM) as per provincial *Riparian Areas Protection Regulation* (RAPR) standards.

The riparian area of Stream 1 lies mostly on the neighboring property to the west, and consists of mature forest vegetation, with a thick shrub layer and mature trees. Dominant shrub species include salal, deer fern, and evergreen huckleberry, and dominant tree species include western red cedar, western hemlock, and Sitka spruce (*Picea sitchensis*). Overall, the riparian vegetation is of excellent quality with mature forest, overhanging vegetation for

¹¹ Pojar, J. and A. Mackinnon. 2004. *Plants of Coastal British Columbia Including Washington, Oregon, and Alaska*. Lone Pine Publishing, Vancouver B.C.

nutrient inputs and shade, plenty of large woody debris, a thick shrub layer, and well-established root networks (Photos 5 and 7).

The instream habitat of Stream 1 consists of both rearing and spawning habitat (Photo 6), making it of high value for fish. There are local reports of both cutthroat trout (*Oncorhynchus clarkii*) and Coho salmon (*Oncorhynchus kisutch*) utilizing this stream; however, fish presence is not documented on the available online resources and no fish sampling was completed as part of this assessment. Although no evidence of salmon spawning was found during the November 1, 2022 site visit, a previous stream assessment by Current Environmental Ltd. (CEL) on this stream in November 2019 did confirm the presence of a Coho salmon redd containing eggs in Stream 1 adjacent to the subject property.

Finally, Stream 1 crosses under Peninsula Road through a 900 mm culvert that outlets north of the road. This culvert outlet was observed for issues with fish passage, and there appeared to be none; the culvert was partially embedded, and the outlet pool backwatered into the culvert.

3.1.1 Stream 1 Setbacks

Stream measurements were taken and used to calculate a Streamside Protection and Enhancement Area (SPEA) according to *Riparian Areas Protection Regulation* (RAPR) methodology. A 100 m section of Stream 1 was walked immediately adjacent to the subject property, and an average width of 1.7 m was calculated. A width of 1.7 m for a known fish stream corresponds to a 10 m setback under RAPR. Furthermore, RAPR dictates that where streambanks are steeper than a 3:1 slope, the SPEA must be measured from the point where the slope becomes less than 3:1 for a distance of at least 15 m (Top of Bank). As such, **the 10 m SPEA for Stream 1 was measured at the TOB of the right bank (Figure 2). The development as proposed does not overlap with this setback.**

3.2 TERRESTRIAL HABITAT

The subject property supports fragmented second growth forest indicating that it has previously been cleared for development; however, the history of the site is unknown as no structures remain. Existing evidence of disturbance on the site consists of two access roads with remnant logs piled along the edges (Photo 3), and an early seral stage forest growing in the central portion of the property where the original forest canopy was removed. Forest edges and open areas in the center of the property are dominated by red alder, which is a pioneering species that grows into disturbed sites and begins the process of succession towards climax species assemblages dominated by conifers (Photo 2). Portions of the property that are relatively undisturbed exhibit a plant community typical of “western cedar – yellow cedar – salal” sites within the CWHvm1 BGC subzone (Photo 1). This plant community indicates a relatively dry site with low to moderate levels of soil nutrients and is relatively common throughout the CWHvm1 BGC subzone.

The subject property is surrounded by relatively high levels of development, with the main highway access for Ucluelet – Peninsula Road – forming the northern border of the property, and industrial development bordering the property to the south and east. Based on the previous and continued development on and surrounding the subject property, it has limited value as a wildlife corridor.

The overall value of terrestrial habitat on the subject property in its current state is considered low due to:

- a) **Fragmentation of forest canopy.**
- b) **Large portions of early seral stage forest with dense undergrowth.**
- c) **Proximity to disturbances such as highway traffic and industrial activity.**

3.2.1 Nesting Birds

An office-based review of known bald eagle and great blue heron nests was conducted prior to the November 1, 2022 site visit and revealed that the closest known bald eagle nest was approximately 1.2 km from the subject property, and the closest great blue heron nest was almost 10 km from the property.

The property was inspected for any undocumented nests sites belonging to bird species listed under Section 34 of the BC *Wildlife Act* and although several suitable trees were found (Photo 8), there was no evidence of current or past nesting activity. Additionally, it was observed that the property does retain enough tree and shrub cover to provide ample nesting habitat for a range of songbird species. **To ensure that no nests or eggs are damaged, site clearing should be planned outside of the nesting bird window for Vancouver Island (March 15 – August 15). If works cannot be timed to fall outside of this window, then pre-clearing nest surveys should be completed.**

3.3 SPECIES/ECOLOGICAL COMMUNITIES AT RISK

According to the provincial Conservation Data Center iMap application, the subject property overlaps the historical range of one red-listed plant species – Tall woolly-heads (*Psilocarphus elatior*). Additionally, the BC Species and Ecosystems Explorer reveals 10 other provincially listed species that have range and habitat requirements that overlap with the subject property. Table 2 below summarizes the results from the BC Species and Ecosystems Explorer, while Section 3.3.1 discusses the potential of Tall woolly-heads being found on the subject property.

Table 1. List of potential Species at Risk utilizing the subject property at 2102 Peninsula Road.

Common Name	BC List Level	Habitat Suitability at 2102 Peninsula Road
Northern Goshawk, <i>laingi subspecies</i> (nesting)	Red listed	Low – Some trees large enough for nesting or roosting; however, the proximity to a main road may deter potential nesters. Additionally, the preferred forest type for this species is a closed canopy and open understory, while forests on the subject property have a fragmented canopy with dense undergrowth.
Keen's Long-eared Myotis (roosting)	Blue listed	Low – Some trees with peeling bark that could provide summer roosting habitat, and riparian areas on site have potential foraging, but no critical winter hibernation sites available.
Band-tailed Pigeon (nesting)	Blue listed	Low to moderate – Some trees large enough for nesting or roosting, however the proximity to a main road may deter potential nesters. Foraging potential is moderate as there are many berry producing shrubs present (primarily salal).
Western Screech-owl (nesting)	Blue listed	Low to moderate – As secondary cavity nesters, this species relies on larger excavations made by woodpeckers. While some of the trees are large enough to support nesting, there were no dead or dying snags with existing cavities identified on the property.
Northern Pygmy-owl (nesting)	Blue listed	Low to moderate – As with the Western Screech-owl, this species is a secondary cavity nester. While some of the trees are large enough to support nesting, there were no dead or dying snags with existing cavities identified on the property.
Great Blue Heron (nesting)	Blue listed	Low – Low potential for nesting as there are some tall mature trees, however this species is sensitive to disturbance, and the subject property is immediately adjacent to a main road and an industrial property. No nests were observed.
Townsend's Big-eared Bat (roosting)	Blue listed	Low – Some trees with peeling bark that could provide summer roosting habitat, and riparian areas on site have potential foraging, but no critical winter hibernation sites available.
Red-legged Frog (adult life stages)	Blue listed	Low – Stream 1 may be a potential adult migration corridor towards the wetland upstream, and adult foraging/refuge habitat under coarse woody debris on the forest floor; however this is on the neighboring property. Unlikely for frogs to migrate up the steep banks to the subject property.
Bald Eagle (roosting/nesting)	Yellow listed	Low to moderate – Moderate potential for perching with some mature trees on the subject property, however no previous nesting site identified in this area, and bald eagles have high nesting site fidelity.
Black Bear (summer forage and denning)	Yellow listed	Low to Moderate – Moderate likelihood of summer foraging with berry shrubs on the subject property – appropriate forest but too close to a main road.
Cutthroat trout	Blue listed	Likely (Stream 1) – Due to lack of stream habitat, there is no potential for this species to exist on the subject property; however, it is known to inhabit Stream 1.

3.3.1 Tall Woolly-Heads

Tall Woolly-heads (*Psilocarphus elatior*) is a small plant in the family Asteraceae known to exist in the southeastern portion of Vancouver Island in the Coastal Douglas-fir BCG zone. Typical habitats are vernal pools in Garry oak meadows which are characterized by sun exposure and seasonal wetness other than very dry summer months. No such habitat was found to exist at the subject property, as forest plants create a very shady environment in intact

areas of the property that are not suitable for Tall Woolly-head growth, while open areas of the property only exist due to previous disturbance. Furthermore, the recorded occurrence near Ucluelet is from a specimen collected in 1909, and no further specimens have been found on the west coast of Vancouver Island in any subsequent collecting efforts¹². **The likelihood of Tall Woolly-heads persisting anywhere around Ucluelet is extremely low.**

4 POTENTIAL ENVIRONMENTAL IMPACTS

Potential environmental impacts that may occur as part of the proposed development at 2102 Peninsula Road are outlined in the following sections. Section 5 describes the mitigation strategies that should be followed to minimize any potential environmental impacts both during the design phase and during construction.

4.1 IMPACTS TO HYDROLOGICAL FUNCTION AND WATER QUALITY

Increases in the total impervious surfaces and drainage networks (roof leaders and piping) associated with residential developments can impact the hydrological response of local areas. This can result in increased peak flows to downstream watercourses resulting in channel degradation such as increased erosion and channel aggradation, decreases in habitat complexity, channel widening, and flooding of terrestrial areas. As well, the decreased retention capabilities of soils and seasonally flooded areas can seriously impact the availability of wetted habitat during periods of drought.

Surface runoff from driveways, rooftops, and residential yards can result in negative impacts on aquatic resources as a result of increased pollution loading that typically includes hydrocarbon, metal, and fertilizer-based elements related to vehicle use and residential yard and house maintenance. Due to the extent of impermeable surfaces planned in this development as well as their proximity to the steep bank of Stream 1, impacts to hydrological function and water quality of Stream 1 are considered moderate. See Section 5.1.2 for mitigation measures.

4.2 CONSTRUCTION RELATED IMPACTS

Land clearing and other construction-related activities can cause serious degradation of habitat through the release of sediments to downstream habitats, destruction of trees, the spread of invasive plants, and the unnecessary encroachment into prescribed setback areas. Construction-related impacts to aquatic habitat and environmentally sensitive features on site can be managed through the effective implementation of the mitigation measures outlined in Section 5.2 of this report.

4.3 LOSS OF WILDLIFE HABITAT AND SPECIES AT RISK

The existing plant community on the property is highly fractured and disturbed and will largely be removed during the proposed development process. Based on observations made during the process of the site investigation, no species at risk were observed and the assessed value of the habitat on the property for all species at risk considered is low or low-moderate. Due to the subject property being closely associated with ongoing industrial development and traffic noise, it is also not considered highly valuable as a wildlife corridor.

The overall habitat quality of the property is low, and if measures are put in place prior to construction to protect the sensitive habitats of Stream 1 there is expected to be minimal loss of high-quality wildlife habitat.

¹² COSEWIC. 2018. COSEWIC Assessment and Status Report on the Tall Woolly-heads *Psilocarphus elatior* in Canada. Committee on the Status of Endangered Wildlife in Canada. Ottawa.

4.4 INCREASED HUMAN INTERACTION WITH SENSITIVE HABITATS

A new development on the subject property of the size being proposed will bring more human/wildlife interaction, and the potential for increased foot traffic within the riparian area of Stream 1. Another potential impact is the interaction of pets (dogs and cats) on nesting birds and salmon habitat (especially spawning sites) in Stream 1. The potential for increased interaction with sensitive habitats is considered moderate. Mitigation measures to minimize impacts are outlined in Section 5.1.3 below.

5 MITIGATION MEASURES

Mitigation measures with respect to the design and the construction of the new development at 2102 Peninsula Road will be implemented to minimize impacts to the identified sensitive habitats outlined in this report. These mitigation strategies are outlined below.

5.1 MITIGATION STRATEGIES – DESIGN

5.1.1 Maintaining and Protecting the 10 m SPEA for Stream 1

The effective implementation of the prescribed 10 m Streamside Protection and Enhancement Area (SPEA) measured from the top-of-bank of Stream 1 (Figure 2) will help ensure ecosystem processes will remain largely intact after construction is completed. All proposed clearing, construction, storage of materials, and machine access during construction will be outside of the 10 m SPEA for Stream 1. Additionally, with significant clearing of the forest on the subject property for the proposed development, and the steep banks of Stream 1 adjacent to the proposed development, windthrow is a concern. **A certified arborist or danger tree assessor must be retained to assess proposed clearing activities and develop a plan to limit wind effects on newly exposed trees as a result of clearing, if needed.**

5.1.2 Stormwater Management

Due to the significant amount of coverage of impermeable surfaces proposed on the subject property, it is important to ensure that rainwater runoff is not piped or otherwise channelized into the 10 m SPEA of Stream 1. Piping and channelizing stormwater runoff increases the flashiness of flow patterns in streams, and exacerbates problems caused by erosion. The steep bank of Stream 1 adjacent to the proposed development will accelerate any erosion caused by insufficient drainage infrastructure. **In order to minimize the impacts of runoff, drainage infrastructure associated with new development must be designed by a Qualified Engineering Professional specializing in hydrology to ensure that existing hydrological conditions of Stream 1 are retained.** Design guidelines and target conditions of the stormwater infrastructure are recommended to be adapted from *A Guidebook for British Columbia: Stormwater Planning*¹³.

5.1.3 Restricting Use of Sensitive Habitats

While the development as proposed does not encroach into the 10 m SPEA of Stream 1, the development of residential, commercial, and tourism on the subject property will drastically increase the amount of human use

¹³ Government of British Columbia. 2002. A Guidebook for British Columbia: Stormwater Planning. Accessed from: https://www2.gov.bc.ca/assets/gov/environment/waste-management/sewage/stormwater_planning_guidebook_for_bc.pdf

adjacent to the SPEA. If left unmarked, there is a relatively high potential for people and pets to create desire trails in the forested edge of the subject property, including scrambling down the banks to access the stream. **To avoid such impacts to the sensitive riparian habitat, the 10 m SPEA or subject property boundary (whichever is further from Stream 1) must be fenced to discourage access.** Any fences must, however, be designed to allow for the free passage of wildlife by using a combination of the following design characteristics:

1. Gaps are left in fence panels where existing animal migration routes (ie. Deer paths) are evident.
2. Maximum height 1 m (40").
3. Provide sections that meet "under passage" requirement of 0.6 m (18").
4. Fence should be easily visible.

No part of the fence will have a negative impact on the root zones of trees within environmental setbacks and will be installed no closer than 10 m from the Top of Bank as flagged on November 1, 2022. Appropriate Root Protection Zones (RPZs) for the protection of all trees within the 10 m SPEA will be determined by a qualified arborist and the fence will be installed outside of these zones.

Examples of recommended fencing options are shown in Figure 4 below:

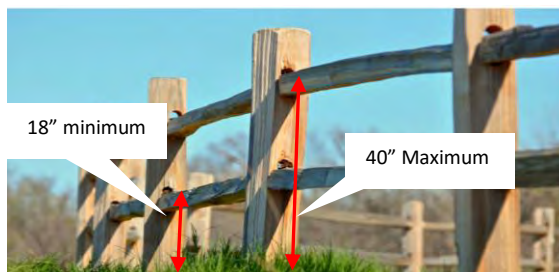
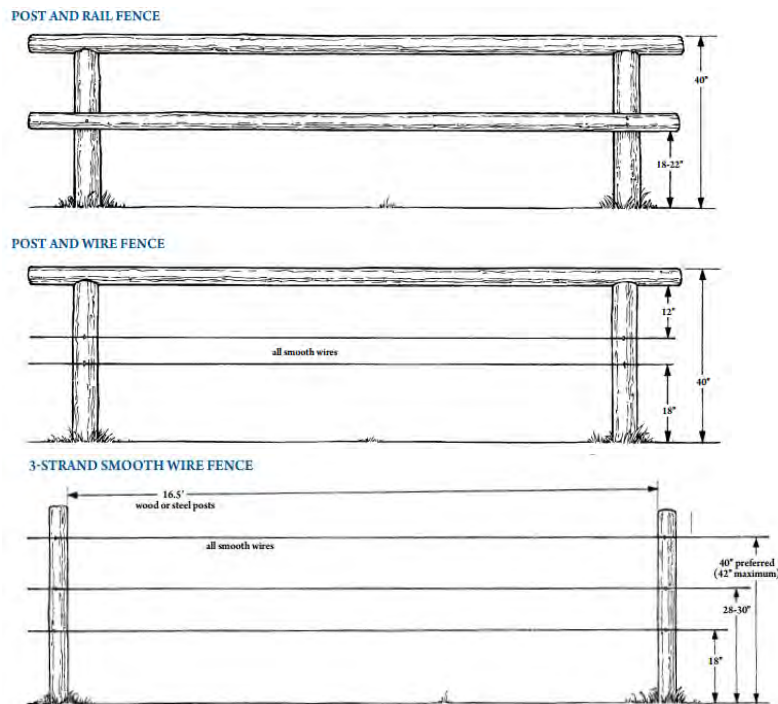


Figure 4: Fence examples meeting criteria for supporting ungulate and bird passage including high-visibility, low height, and under passage. Gaps in fence panels are also required where animal migratory routes are observed.

5.1.4 Restoration Plan

As previously described, the SPEA for Stream 1 is in excellent condition. There are multiple layers of forest succession, and healthy mature trees and shrubs in the forest. As such, there are no recommendations for enhancement of the SPEA at this time. Instead, the emphasis is on protection, as described in the previous section 5.1.3 and 5.1.1. Development as proposed will not encroach within the 10 m SPEA (Figure 2).

5.2 MITIGATION STRATEGIES – CONSTRUCTION PHASE

The following table (Table 3) outlines the general environmental mitigation measures that should be followed during construction of the proposed development at 2102 Peninsula Road to protect the sensitive habitats described in this report.

Table 2. Environmental mitigation measures that should be followed during construction to minimize impacts to Stream 1.

5.2.1 Monitoring and Enforcement
<ol style="list-style-type: none"> 1) As laid out in the District of Ucluelet Official Community Plan, monitoring and enforcement of a proposed development site should be a collaborative effort between Local Government, the QEP employed by the developer, landowners, non-government organizations (NGOs) such as stream keepers, and the public. The public or NGOs can inform the District of violations. 2) The property owner must contact the QEP prior to commencing work on the proposed development, to review the requirements in this report and to ensure all the necessary mitigation measures are in place prior to starting work. 3) The QEP must be contacted if an unanticipated issue occurs during construction, such as a hydraulic spill into the SPEA or Stream 1, and the QEP will follow-up promptly with guidance and applicable reporting. 4) A post construction monitoring site visit must be done by the QEP to ensure that the new development is in compliance with the measures in this report and that the SPEA remains intact.
5.2.2 Vegetation Management, Disturbance or Removal
<ol style="list-style-type: none"> 1) Clearing limits must be flagged or clearly identified prior to construction, and areas outside of the limits will be protected from disturbance. This is particularly important with respect to the SPEA so that no unintentional encroachment into the protected area can occur during site clearing works. 2) Temporary fencing will be established along the SPEA boundary and any root protection zones identified by an arborist prior to the start of work. Temporary fencing must be highly visible, and all workers made aware of the sensitivities of protected areas. Temporary fencing must be replaced with permanent fencing as soon as practicable and prior to substantial completion of the project. 3) Prevent the spread of invasive plant species that could be found on site by cleaning equipment before moving into new areas. Remove all weeds and suspect plants from equipment and vehicles to prevent

the spread of invasive species. If encountered, separate cleared material containing invasive species from other cleared material and perform disposal at an appropriate transfer facility (i.e. landfill).

- 4) Restore bare soil as quickly as possible after disturbance using a native seed mix or native plants to prevent invasive species from establishing.

5.2.3 Wildlife Habitat Alteration, Disturbance, or Loss

- 1) Do not destroy, remove or clear any active bird nests.
- 2) All clearing activities should occur outside of the **migratory bird nesting window for this region, which is approximately March 15th to August 15th**. Although it is preferable to have clearing completed outside this nesting window, should any clearing be required to happen within this timeframe, a bird nest assessment must be undertaken no earlier than five days prior to the required clearing by a Qualified Environmental Professional with experience identified bird nests.
- 3) All wildlife attractants should be secured on the work-site. No food, food waste, cook stoves, garbage, drink containers (full or empty), recyclable materials will be left neither unattended nor accessible to wildlife.
- 4) There is a low potential of amphibians (both adults and juveniles) migrating near the western edge of the worksite, especially during heavy rainfall events throughout the fall, winter, and spring. If any salamanders or frogs are observed on the work site, care should be taken to isolate these animals from potential traps such as deep excavations by using silt fencing or poly as needed.

5.2.4 Sediment and Erosion Control

- 1) Erosion control measures that prevent sediment from entering Stream 1 will be an important element of construction. Sediment laden water being released into aquatic habitat can harm aquatic life stages of amphibians as well as fish.
- 2) Filter fabric dams, rock check dams, settling ponds, geotextiles, French drains, interception ditches, and silt fencing should be used as needed on a site-specific basis to control erosion. Filtration should be accomplished using filter fabric keyed into substrates and banks and elevated using stakes. Silt fencing is not an acceptable mitigation technique to control erosion in flowing ditches; however, it is useful for containing slumping areas of soil and for use as baffles to slow water velocities.
- 3) Excavation should be stopped during intense rainfall events or whenever surface erosion occurs affecting Stream 1. Erosion and sediment control measures should be inspected within 24 hours after intense rainfall events.
- 4) Runoff and stormwater are to be managed and directed away from areas of exposed soils.
- 5) Wherever possible, soil stockpiles should be placed a minimum of 30 m from Stream 1 and in a location where erosion back into this stream cannot occur. Soil stockpiles with the potential to erode into Stream 1 should be covered with poly sheeting.
- 6) Clearing should take place immediately prior to excavation and earthworks to minimize the length of time that soils are exposed.

5.2.5 Fuels and Hazardous Materials

- 1) The accidental release of petroleum, oils, hydraulic fluids, lubricants, concrete additives, anti-freeze or other hazardous materials onto land surfaces or into waterbodies may result in degradation of habitat quality and could be a threat to human health. As such, it must be actively prevented.
- 2) Any contractor working on site must establish and follow a spill response plan in the event of any spill. The spill response plan should be reviewed by all crew members regularly during tailgate meetings, especially machine operators as they are often the first line of defense.
- 3) A large spill kit should be on hand at all times during construction. Spill response supplies must be capable of dealing with 110% of the largest potential spill and shall be maintained in good working order.
- 4) All identified spills will be cleaned up immediately, and contaminated soils and vegetation will be removed for appropriate disposal.
- 5) Refueling of equipment and maintenance of equipment with the potential for accidental spills (i.e., oil changes, lubricants) should occur only at designated fueling stations and located at least 30 m from all waterbodies. Tarps should be laid down prior commencement of work to facilitate clean up.
- 6) All fuel, chemicals, and hazardous materials will be clearly marked and stored a minimum of 30 m from any waterbody.
- 7) If accidental mixing of fuels, chemicals, and hazardous materials does occur, the waste product will need to be removed to an approved disposal/recycling facility.
- 8) Pumps, generators, and jerry cans are to be placed on poly sheeting and sorbent pads or drip trays to contain spills.
- 9) Used oil, filters, and grease cartridge lubrication containers, and other products of equipment maintenance should be collected and kept in a secure receptacle for later disposal.
- 10) In the event of a spill, the following general guidelines should be followed:
 - a. Stop work in the vicinity of the spill;
 - b. Deploy on-site personnel to build containment dykes or pump spilled contaminant into storage drums.
 - c. Apply sorbent pads and booms as necessary.
 - d. Dispose of all contaminated debris, cleaning materials, and absorbent material by placing in an approved disposal site.
 - e. Debrief all site personnel on the incident and take additional precautions to ensure that similar accidents will not recur.
 - f. Spills to the receiving environment are to be reported to the Environmental Management BC (1-800-663-3456) if they exceed the reportable limits (e.g. 100 liters of fuel or oil or spills of any quantity to water).

5.2.6 Garbage and Waste

- 1) Work areas should be kept in a safe, clean, and sanitary condition. All waste, rubbish and debris will be kept in a centralized location within the work area and removed from the project site at the end of each day.
- 2) Waste containers should be wildlife and wind proof containers to prevent dispersal. Food or food waste should be stored in leak-proof storage containers or vehicles that will prevent access by wildlife throughout the workday.

6 CONCLUSION

The potential risk to riparian function of Stream 1 as a result of the development proposal for 2102 Peninsula Road is considered to be low if the following mitigation measures are implemented:

- 1) The protection of the 10 m SPEA for Stream 1 as measured from the Top of Bank (T.O.B. flagged Nov. 1, 2022) as shown in Figure 2.
- 2) The assessment of the 10 m SPEA by a Certified Arborist and the development of a plan to mitigate the potential effects of windthrow.
- 3) A permanent fence constructed at whichever is furthest from Stream 1 of: the 10 m SPEA; property boundary; or RPZ as defined by a Professional Arborist to encourage protection of trees and discourage human encroachment into the SPEA of Stream 1.

The overall quality of terrestrial habitat on the subject property in its current state is considered to be low both in general and for known Species At Risk in the area. The clearing of the property in favor of the proposed development is expected to have minimal impacts to terrestrial habitat. Impacts will be further reduced through the following measures:

- 1) Conducting vegetation clearing works outside of the bird nesting window for the region: March 15th to August 15th. If unable to time works outside of this window, pre-clearing nest surveys must be conducted by a Qualified Environmental Professional within 5 days of clearing works.
- 2) Effective implementation of the general construction mitigation measures as outlined in Section 5.2.

The development as proposed for 2102 Peninsula Road is considered acceptable for the property, and of low environmental risk if the mitigation measures recommended in this report are effectively implemented.

7 CLOSURE

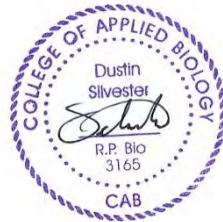
We trust that this assessment meets the requirements for a biophysical assessment of the proposed development at 2102 Peninsula Road. The observations and recommendations made in this report are intended to characterize existing site conditions and present current regulatory requirements. The presence of the features and functions described herein are based on available information at the time of writing and are subject to change. Environmental site conditions are dynamic and should development of the site be postponed an additional survey may be warranted at a later date.

Please contact the undersigned with any questions or concerns.

Current Environmental Ltd.



Jamie Godfrey, Tech



& Dusty Silvester, R.P.Bio

8 DISCLAIMER

This report was prepared exclusively for the property owner, Mayco Noël, by Current Environmental Ltd. 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 the property owner only, subject to the terms and conditions of its contract or understanding with Current Environmental Ltd. Other use or reliance on this report by any third party is at that party's sole risk.

9 PHOTOS



Photo 1. The subject property as seen from the driveway access off Peninsula Road. The lot has been partially cleared of trees to support the creation of a gravel access road.



Photo 2: Existing access road running north-south and connecting Peninsula Road to the back end of the lot. Photo taken looking south.



Photo 3: Logs piled on site from initial clearing of land.



Photo 4: Representative photo of an intact portion of forest vegetation on the subject property at 2102 Peninsula Road.



Photo 5: Representative photo of Stream 1 on the adjacent property to the west of the subject property showing intact fish habitat.



Photo 6: A portion of Stream 1 with abundant shade from a complex structure of Coarse Woody Debris (CWD) and gravels, representing excellent salmonid habitat.



Photo 7: The right (east) bank of Stream 1 on the adjacent property. Stream 1 runs from right to left along the bottom of the image (blue line), and the TOB from which the setback must be measured can be seen near the top of the image (red line).



Photo 8: Large cedar snag that could provide potential raptor perching on the subject property. It was confirmed to be absent of nests during the November 1, 2022 site visit.

UCLUELET MIXED USE DEVELOPMENT
2102 PENINSULA ROAD
CIVIL ENGINEERING SITE WORKS & SERVICING REPORT

1. INTRODUCTION

The intent of this report is to identify possible issues related to accessing and servicing this site and to suggest appropriate approaches for the civil engineering design of this development in support of a development permit application.

The project is located at 2102 Peninsula Road and Lot C, District Lot 284 which is located within the District of Ucluelet (DoU) and is zoned CS-2 (Service Commercial). Both lots have been partially cleared but do not retain any permanent development other than two access roads which connect to Peninsula Road. Development of lots surrounding the area is variable, with forested areas to the north and west, and cleared areas to the south and east (Figure 1).

The proposed development includes the consolidation of 2102 Peninsula Road and Lot C into one new lot. The development on the new lot consists of five separate buildings: 3 separate 4-unit townhomes, and 2 buildings with commercial space on the ground floor and condo-hotels on the second floor. All buildings will be connected by paved driveways and there will be a total of 46 parking spaces.

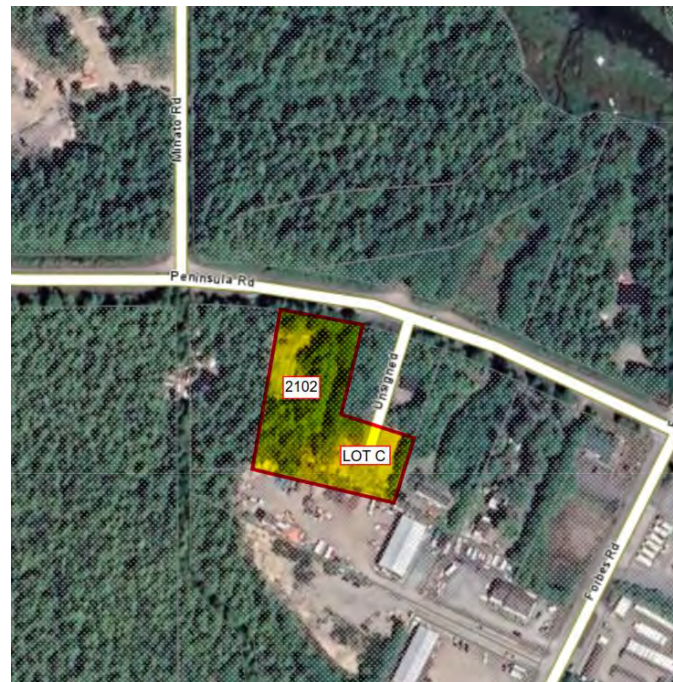


Figure 1: Existing Site – 2102 and Lot C (District of Ucluelet Community Map)

The site and proposed services are shown on the attached drawings C01-C03.

2. ROADS AND ACCESS

The subject site is fronted by Peninsula Road to the north (Figure 2). There are currently two access roads which connect the two existing lots to Peninsula Road and after the boundary adjustment and lot consolidation only one access to the site will remain. The remaining access will be upgraded to meet MoTI access requirements. (see drawing SK-1 attached). A highway use access permit will be coordinated with MoTI through detailed design.

Peninsula Road

Per online DoU Community Map information, Peninsula Road is located within a 24m-wide right-of-way. The Peninsula Road frontage currently consists of two drive lanes, one in each direction, complete with a 2.5m wide asphalt multi-use pathway and gravel boulevard on the south side of the road, and gravel shoulder and grass boulevard on the north side.

Discussions with DoU staff and the DoU 2011 Transportation Plan indicate that offsite frontage works on Peninsula Road are anticipated to include resurfacing Peninsula Road with new asphalt up to the existing centerline and the mixed-use pathway with new asphalt along the property frontage. A new grass swale with lawn catch basin is proposed between the drive lane and mixed-use pathway.

Final road cross sections will be determined through detailed design in coordination with DoU staff.



Figure 2: Peninsula Road - Looking East (Google Maps)

3. WATERMAINS

3.1. Water Servicing

There is an existing 50Ø PE water service to the site connected to a 200Ø PVC distribution main on the south side of Peninsula Road. In addition, there is a 350Ø PVC supply main along the south side of the road. The existing 50Ø PE water service is proposed to be capped & abandoned. The new development is proposed to be serviced by a new 150Ø PVC combined fire & domestic service, extending from the 200Ø PVC distribution main along Peninsula Road with a meter in a vault and backflow prevention arrangement at the property line. The service will be split to the individual buildings onsite (see drawing SK-1 for details). Alternatively, the water meter and backflow prevention could be located inside a water-room in Building #1 and then split onsite to service the remaining buildings. The anticipated domestic water demands for the commercial and multi-family portions of the buildings were considered separately and are summarized in Tables 1, 2, & 3 below:

Table 1: Domestic Flow Demands (Multi-Family)

	Flow Required (L/capita/day) *	Flow Demands (L/day)	Flow Demands (L/s)
Average Daily Domestic Flow	455	18,200	0.21
Maximum Daily Domestic Flow	1,135	45,400	0.53
Peak Hour Domestic Flow	1,820	72,800	0.84

* Assumed 2.0 persons per unit for each multi-family residential unit – total of 20 units, demands per DoU Bylaw No. 521. (see drawings SK-1 & architectural drawings for details).

Table 2: Domestic Flow Demands (Commercial)

	Flow Required (L/ha/day) *	Flow Demands (L/day)	Flow Demands (L/s)
Average Daily Domestic Flow	9,000	360	0.004
Maximum Daily Domestic Flow	22,500	900	0.010
Peak Hour Domestic Flow	36,000	1,440	0.017

* 1st floor of Building #1 & #2 classified as “commercial” (22,500 litres per hectare per day per MMCD 2021 Design Guidelines Section 2.4 – total building area 0.04ha (see drawing SK-1 & architectural drawings for details).

Table 3: Combined Domestic Flow Demands

	Flow Demands (L/day)	Flow Demands (L/s)
Average Daily Domestic Flow	18,560	0.21
Maximum Daily Domestic Flow	46,300	0.54
Peak Hour Domestic Flow	74,240	0.86

The final size of the service and meter, as well as the arrangement of backflow prevention will be determined through detailed design and coordination with the mechanical consultant and DoU.

3.2. Fire Flows

Preliminary Fire Underwriter's Survey (2020) calculations indicate that a fire flow of 83 L/s is required for a duration of 1.5 hours (see attached Fire Flow Calculations).

There is an existing fire hydrant located on the south side of Peninsula Road in the boulevard near the northwest corner of the 2094 Peninsula Road property, which is approx. 50m from the northeast corner of the site. A new private onsite hydrant complete with backflow prevention is proposed to be installed on the site to provide 45m coverage to fire department connections (FDC) on the face of all onsite buildings.

As part of the DP review process, we request that the DoU run their water model to confirm the flows currently available to the site. It is our understanding that the DoU may request Koers & Associates Engineering Ltd. to run a water modelling analysis for the site at the developer's expense.

The final arrangement of hydrants will be determined through detailed design and coordination with the DoU Fire Chief.

4. **SANITARY SEWER**

Per available District of Ucluelet record drawings, there is a 250mm diameter gravity sanitary main running along the north side of Peninsula Road to the Peninsula Road Lift Station, but no sanitary service to the site. A new 150Ø PVC sanitary service to the existing 250mm diameter gravity sanitary main is proposed for the site.

The anticipated sanitary flow from this development is 2.997L/s (see attached Sanitary Flow Calculations). Preliminary design suggests that a 150Ø sanitary service is adequate for the entire proposed development. The final servicing option will be determined through detailed design in coordination with mechanical consultant.

The capacity of the Peninsula Road Lift Station is listed as 9.3 L/s. As part of the DP review process, we request that the DoU confirm that the lift station has available capacity for the proposed development's sanitary flow.

5. **STORM DRAINAGE AND STORMWATER MANAGEMENT**

The following stormwater management plan was created based on the DoU Subdivision Control Bylaw No. 521. Additionally, "Stormwater Source Control Design Guidelines 2012" (SSCDG) was consulted for stormwater management best practices.

The proposed site drainage and stormwater management is shown on drawings SK-1 and is as follows:

5.1. Site Overview

- 1) The existing site is approximately 0.59ha in size, and slopes from south to north (falling approximately 8m towards Peninsula Road).
- 2) The site does not appear to have an existing storm service. There is an existing unnamed fish bearing creek running south-north through the neighboring property to the west. The creek passes through a 900mm CSP culvert under Peninsula Road and flows into the ocean at Ucluelet inlet approximately 150 m north of the site. We propose to install a new 1050Ø offsite storm manhole and extend a 250Ø PVC storm sewer along the property frontage and connect to the 900mm CSP culvert or exiting storm manhole at the culvert invert. We propose to connect a new 250Ø PVC service to the site, connecting to the 1050Ø offsite storm manhole.
- 3) We understand that a geotechnical investigation is currently in progress and the potential for stormwater infiltration into the subgrade will be reviewed further during detailed design in coordination with the geotechnical consultant.
- 4) The site will have some onsite capacity to retain stormwater on site. Approximately 27% of the site area will either remain in its undeveloped state or be landscaped. these areas will be considered to retain and/or infiltrate any stormwater that lands directly on them but will not be designed to accept any additional runoff.

5.2. Detention

- 5) Per BC MoTI Engineering requirements, the detention storage volume for a 5-year rainfall event for the entire site is 18.26m³. (See attached Detention Calculations). All stormwater that lands on the hard surfaces (building roofs & asphalt driveway) will be directed into a shared onsite below-grade storage tank sized to detain this volume.
 - a) The below-grade storage tank will outflow through an orifice-control manhole to limit the post development flows leaving the site to a pre-development rate of 27.28L/s (See attached Detention Calculations).
 - b) Further to points #5 above, the tank may be designed to infiltrate into the ground as site conditions allow as directed by the geotechnical consultant. The details of the stormwater detention system will be refined in detailed design in coordination with the geotechnical consultant.
- 6) The orifice-control manhole will also include an overflow to convey larger return period rainfall events up to the 100-year event.
- 7) The proposed 250Ø PVC storm service for the site noted in point #2 has capacity for a 100-year rainfall event (see attached storm sewer calculations).

5.3. Water Quality

- 8) All stormwater that lands on the impermeable asphalt access road/parking lot will flow through an oil/water separator (Stormceptor, CDS or equivalent) for water quality treatment and removal of TSS before leaving the site.

5.4. Offsite Flows, Overflow, and Major System

- 9) Currently, the 100-year flow path flows overland to the north toward Peninsula Road. The proposed development will include site grading to promote drainage to the onsite storm sewer system and roadways to direct overland flows away from the proposed buildings and neighboring properties and towards the onsite stormwater management system. The proposed development is not expected to significantly alter the existing 100-year flow path.
- 10) Preliminary design indicates that the 100-year flow leaving the site will be 83.5 L/s (see attached Storm Sewer Calculations). The proposed 250Ø storm service noted in point #2 will have the capacity to convey the 100-year storm event.

The final layout and details will be determined through detailed design and coordination with the landscape architect after a thorough review of the downstream ditches and piping with DoU staff.

6. EROSION AND SEDIMENT CONTROL

An Erosion and Sediment Control plan meeting current DoU requirements and best practices will be prepared and submitted with the application for Building Permit.

7. CONCLUSION

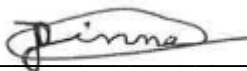
The design of the civil works associated with this project will be consistent with District of Ucluelet engineering standards and aligned with the overall project goals of sustainability, functionality & practicality.

Submitted by:

HEROLD ENGINEERING LIMITED

Prepared by:

Reviewed by:



Jake Pinneo, EIT

Patrick Ryan, P. Eng



FIRE UNDERWRITER'S SURVEY

PROJECT NAME: Mixed Use Development
PROJECT LOCATION: 2102 Peninsula Road
DESIGNED BY: Jake Pinneo, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

HEL PROJECT No.: 3833-002
DATE: 00/01/1900

FIRE AREA CONSIDERED	TOTAL AREA (m ²)	SPRINKLERED	FIRE FLOW (L/MIN)	FIRE FLOW (L/SEC)
Building 1 - Mixed Use Condo/Hotel	700	YES	4973	83
Building 2 - Mixed Use Condo/Hotel	250	YES	2125	35
Building 3 - Townhouse	505	YES	3570	60
Building 4 - Townhouse	505	YES	4760	79
Building 5 - Townhouse	505	YES	4760	79

**FIRE UNDERWRITER'S SURVEY**

PROJECT NAME: Mixed Use Development
PROJECT LOCATION: 2102 Peninsula Road
DESIGNED BY: Jake Pinneo, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

HEL PROJECT No.: 3833-002
DATE: 00/01/1900

FIRE AREA CONSIDERED: Building 3 - Townhouse

TYPE OF CONSTRUCTION: TYPE V, WOOD FRAME CONSTRUCTION

FIRST FLOOR AREA: 252.5 m² **CONSTRUCTION COEFFICIENT, C:** 1.5
SECOND FLOOR AREA: 252.5 m²
THIRD FLOOR AREA: $RFF = 220C\sqrt{A}$

TOTAL FLOOR AREA, A: 505 m² **FIRE FLOW FROM EQUATION** 7000 L/min. a

GROUP C - RESIDENTIAL
HAZARD Limited Combustible -15% x a -1050 L/min.
SUBTOTAL 5950 L/min. b

AUTOMATIC SPRINKLER YES -30%
WATER SUPPLY IS STANDARD FOR BOTH THE SYSTEM AND YES -10%
FIRE DEPARTMENT HOSE LINES
FULLY SUPERVISED SYSTEM YES -10%
-50% x b -2975 L/min.
SUBTOTAL 2975 L/min. c

EXPOSURES	DISTANCE					
FRONT	N/A	ADD	0%	* Automatic sprinkler protection in both buildings		
LEFT	30	ADD	10%			
RIGHT	35	ADD	0%			
BACK	N/A	ADD	0%	* Automatic sprinkler protection in both buildings		
		TOTAL	10%	x b	595	L/min. d

NOTES:

1. Front is the Peninsula Road Frontage
2. Floor area taken from Architectural Plans
3. Based on Water Supply For Public Fire Protection - 2020

FIRE FLOW REQUIRED c + d **3570** L/min.
or
60 L/Sec.

**FIRE UNDERWRITER'S SURVEY**

PROJECT NAME: Mixed Use Development
PROJECT LOCATION: 2102 Peninsula Road
DESIGNED BY: Jake Pinneo, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

HEL PROJECT No.: 3833-002
DATE: 00/01/1900

FIRE AREA CONSIDERED: Building 5 - Townhouse

TYPE OF CONSTRUCTION: TYPE V, WOOD FRAME CONSTRUCTION

FIRST FLOOR AREA: 252.5 m² **CONSTRUCTION COEFFICIENT, C:** 1.5
SECOND FLOOR AREA: 252.5 m²
THIRD FLOOR AREA: $RFF = 220C\sqrt{A}$

TOTAL FLOOR AREA, A: 505 m² **FIRE FLOW FROM EQUATION** 7000 L/min. a

GROUP C - RESIDENTIAL
HAZARD Limited Combustible -15% x a -1050 L/min.
SUBTOTAL 5950 L/min. b

AUTOMATIC SPRINKLER YES -30%
WATER SUPPLY IS STANDARD FOR BOTH THE SYSTEM AND FIRE DEPARTMENT HOSE LINES YES -10%
FULLY SUPERVISED SYSTEM YES -10%
-50% x b -2975 L/min.
SUBTOTAL 2975 L/min. c

EXPOSURES	DISTANCE					
FRONT	35	ADD	0%			
LEFT	N/A	ADD	0%		* Automatic sprinkler protection in both buildings	
RIGHT	22	ADD	10%			
BACK	10	ADD	20%			
		TOTAL	30%	x b		1785 L/min. d

NOTES:

1. Front is the Peninsula Road Frontage
2. Floor area taken from Architectural Plans
3. Based on Water Supply For Public Fire Protection - 2020

FIRE FLOW REQUIRED c + d **4760** L/min.
or
79 L/Sec.

Stormwater Management
Summary Sheet

PROJECT NAME: Mixed Use Development
PROJECT LOCATION: 2012 Peninsula Road
DESIGNED BY: Jake Pinneo, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

HEL PROJECT No.: 3833-002/03
DATE: 27/02/2023

Predevelopment Area	C	Area (m ²)	Area (ha)
Heavy Soil, Greater than 5% Slope	0.35	5884	0.59
N/A	0.00	0	0.00
Total Average	0.35	5884	0.59

Post Development Area	C	Area (m ²)	Area (ha)
Building Roofs	0.85	1565	0.16
Walkways	0.85	455	0.05
Streets	0.90	2300	0.23
Landscaping	0.25	1564	0.16
N/A	0.00	0	0.00
Total Average	0.71	5884	0.59

IDF Curve	UCLUELET AMPHITRITE POINT	+10%
-----------	---------------------------	------

1. Based on the Environment Canada 2021 IDF Curves for Amphitrite Point (Ucluelet)
2. 10% Added to Intensities for climate change

Results Summary		
Pre-Development Flow Rate (L/s)	27.28	
Post-Development Flow Rate (L/s)	55.34	5-Year
Total Detention Volume (m ³)	18.26	5-Year

Pages Following:

5 Year Detention Calculations
 Storage Calculations

Notes:

1. Based on the Environment Canada 2021 IDF Curves for Amphitrite Point (Ucluelet)
2. Onsite areas taken from Architectural Drawings.
3. Pre-development onsite runoff coefficient taken as Heavy Soil, with slopes greater than 5% , as per DoU Bylaw No. 521.
4. Post development onsite runoff coefficient is a weighted average of proposed roofs, drives & walks, and heavy soil, with varying slopes, as per DoU Bylaw No. 521.

Appendix E Appendix A



Stormwater Management 5-Year Calculation

PROJECT NAME: Mixed Use Development
PROJECT LOCATION: 2012 Peninsula Road
DESIGNED BY: Jake Pinneo, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

HEL PROJECT No.: 3833-002/03
DATE: 27/02/2023

IDF Curve	UCLUELET AMPHITRITE POINT	5-Year	10% Added to Intensities
------------------	---------------------------	--------	--------------------------

Time of Concentration (min)		$R=A \cdot t_c^B$	
t_c (Pre)	10	$A_2=$	22.2
t_c (Post)	10	$B_2=$	-0.373

Predevelopment Area	C	Area (m ²)	Area (ha)	Flow (L/s)
Forested	0.35	5884	0.5884	27.28
N/A	0.00	0	0	0.00
Total Average	0.35	5884	0.5884	27.28

Post Development Area	C	Area (m ²)	Area (ha)	Flow (L/s)
Building Roofs	0.85	1565	0.1565	17.62
Walkways	0.85	455	0.0455	5.12
Streets	0.90	2300	0.23	27.42
Landscaping	0.25	1564	0.1564	5.18
N/A	0.00	0	0	0.00
Total Average	0.71	5884	0.5884	55.34

Duration (hr)	I (mm/hr)	Inflow (L/s)	Total Inflow Volume over Duration (L)	Total Allowable Outflow Volume over Duration (L)	Storage Required (m ³)
0.083	61.7	71.66	21499	8183	13.32
0.100	57.6	66.95	24102	9819	14.28
0.117	54.4	63.21	26548	11456	15.09
0.167	47.6	55.34	33202	16366	16.84
0.250	41.0	47.57	42812	24548	18.26
0.500	31.6	36.73	66117	49097	17.02
0.750	27.2	31.58	85256	73645	11.61
1.000	24.4	28.36	102108	98194	3.91

Maximum Storage Required (m³)	18.26
-------------------------------------------------	--------------

Notes:

- Five Year Detention Storage Per MoTI Engineering Requirements

3701 Shenton Road Nanaimo, BC V9T 2H1 250-751-8558 mail@heroldengineering.com


**STORMWATER MANAGEMENT
MANHOLE STORAGE**

PROJECT NAME: Mixed Use Development
PROJECT LOCATION: 2012 Peninsula Road
DESIGNED BY: Jake Pinneo, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

HEL PROJECT No.: 3833-002/03
DATE: 27/02/2023

Required Detention Volume (m³)	18.3
--------------------------------------------------	-------------

Number of Manholes	1
Diameter (m)	1.05
Depth (m)	1.00
Manhole Volume (m³)	0.9

Length (m)	4.50
Width (m)	3.60
Depth (m)	1.10
Pipe Volume (m³)	17.8

Total Storage Volume (m³)	18.7
---------------------------------------------	-------------



PROJECT NAME: Mixed Use Development
 PROJECT LOCATION: 2102 Peninsula Road
 DESIGNED BY: Jake Pinneo, EIT
 REVIEWED BY: Patrick Ryan, P.Eng.

IDF LOCATION: UCLUELET AMPHITRITE POINT
 RETURN PERIOD: 10 YEAR
 HEL PROJECT No.: 3833-002
 DATE: 22/02/2023

Mannings "n" 0.013 PVC Time of Concentration 10.00 mins
 Mannings "n" 0.024 CSP
 Mannings "n" 0.014 CONC.

Rational Formula: $Q = CIA^{2.78}$

FROM MH	TO MH	Catchment Area	Area (Ha)	Run Off Coeff. (C)	Equiv. Area (ha)	Total Area, A (Ha)	Time of Conc. (mins)	Rainfall Intensity, I (mm/hr)	Q (l/sec)	Slope, s (%)	Pipe Diameter, D (mm)	Pipe Material	Velocity, V (m/s)	Length (m)	Time of Flow (min)	Capacity (l/s)
		Pre-Development														
		Entire Site	0.588	0.35	0.206	0.21	10.00	48.69	30.6	2.00	200	PVC	1.48	5	0.06	46.4
		Post-Development														
		Entire Site	0.588	0.71	0.417	0.42	10.00	48.69	62.2	2.00	250	PVC	1.71	5	0.05	84.1

Notes:

- Based on the Environment Canada 2021 IDF Curves for Amphitrite Point (Ucluelet)
- Onsite areas taken from Architectural Drawings.
- Pre-development onsite runoff coefficient taken as Heavy Soil, with slopes greater than 5%, as per DOU Bylaw No. 521.
- Post development onsite runoff coefficient is a weighted average of proposed roofs, drives & walks, and heavy soil, with varying slopes, as per DOU Bylaw No. 521.
- To be read in conjunction with "Stormwater Management Rationale" prepared by Herold Engineering Ltd.

3701 Shenton Road Nanaimo, BC V9T 2H1 250-751-8558



PROJECT NAME: Mixed Use Development
 PROJECT LOCATION: 2102 Peninsula Road
 DESIGNED BY: Jake Pinneo, EIT
 REVIEWED BY: Patrick Ryan, P.Eng.

IDF LOCATION: UCLUELET AMPHITRITE POINT
 RETURN PERIOD: 100 YEAR
 HEL PROJECT No.: 3833-002
 DATE: 22/02/2023

Mannings "n" 0.013 PVC Time of Concentration 10.00 mins
 Mannings "n" 0.024 CSP
 Mannings "n" 0.014 CONC.

Mannings Formula
 $V = R_n^{(2/3)} S^{(1/2)}$
 n

FROM MH	TO MH	Catchment Area	Area (Ha)	Run Off Coeff. (C)	Equip. Area (ha)	Total Area, A (Ha)	Time of Conc. (mins)	Rainfall Intensity, I (mm/hr)	Q (l/sec)	Slope, s (%)	Pipe Diameter, D (mm)	Pipe Material	Velocity, V (m/s)	Length (m)	Time of Flow (min)	Capacity (l/s)
		Pre-Development														
		Entire Site	0.588	0.35	0.206	0.21	10.00	65.40	41.2	2.00	200	PVC	1.48	5	0.06	46.4
		Post-Development														
		Entire Site	0.588	0.71	0.417	0.42	10.00	65.40	83.5	2.00	250	PVC	1.71	5	0.05	84.1

Notes:

- Based on the Environment Canada 2021 IDF Curves for Amphitrite Point (Ucluelet)
- Onsite areas taken from Architectural Drawings.
- Pre-development onsite runoff coefficient taken as Heavy Soil, with slopes greater than 5%, as per DOU Bylaw No. 521.
- Post development onsite runoff coefficient is a weighted average of proposed roofs, drives & walks, and heavy soil, with varying slopes, as per DOU Bylaw No. 521.
- To be read in conjunction with "Stormwater Management Rationale" prepared by Herold Engineering Ltd.

3701 Shenton Road Nanaimo, BC V9T 2H1 250-751-8558

Appendix E Appendix A

DISTRICT OF UCLUELET SANITARY SEWER FLOW ANALYSIS - CALCULATION SHEET

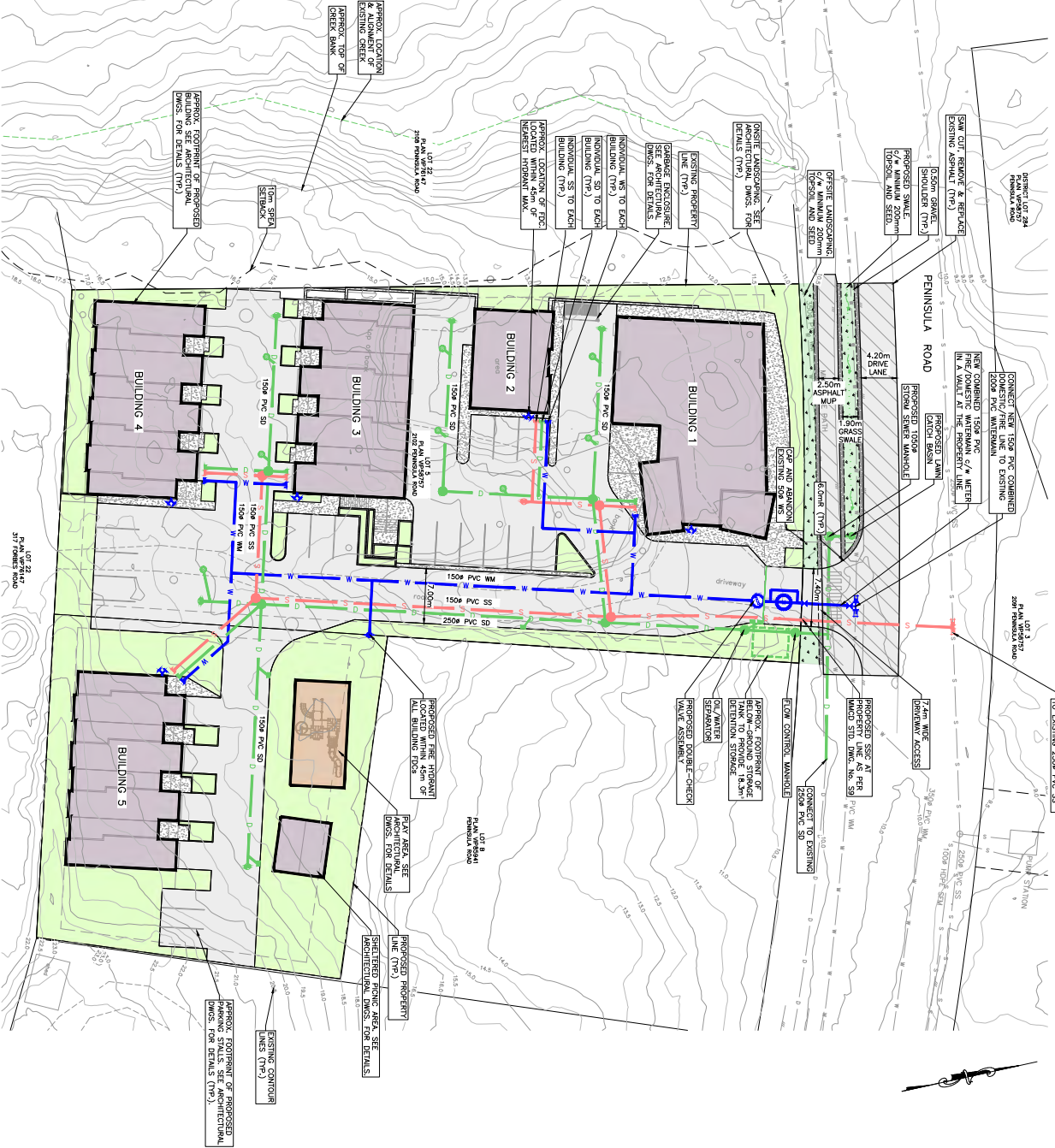
Subject: **2102 Peninsula Road** Date: 22-Feb-23
 Consulting Company: Herold Engineering Ltd. Design By: Jake Pinneo, EIT
 Address: 3710 Shenton Rd. Nanaimo BC Review By: Patrick Ryan, P.Eng.
 Engineer: Patrick Ryan, P.Eng. Sheet: 1 of 1

Area	MH No.	Location	Area (Ha)	Units	Density ppu	Equiv. Pop. (ca)	Peak flow Per Capita (L/day)	Sewage Flow			Total Flow		Pipe Capacity				
								Peak Flow (L/day)	Peak Flow (ML/day)	Infiltr. (ML/day)	Cum. Infiltr. (ML/day)	Total Flow (ML/day)	Flow (L/s)	Slope (%)	Pipe Diameter (mm)	Velocity (m/s)	Capacity (L/s)
Entire Proposed Development	Pump Station	2102 Peninsula Road	0.59	20	2.0	84	3000	252,390	0.0252	0.007	-	0.259	2.997	2.0	150	1.22	21.54
*Assumed																	

- Notes:
1. Population Density (Commercial - 1st Floor) = 75ppha commercial per District of Ucluelet (DoU) Bylaw No. 521 & MMCD Design Guidelines 2022
 2. Population Density (Multi-Family - Townhouses) = 2.0 Person Per Unit (PPU).
 3. Population Density (Multi-Family - Condo/Hotel) = 2.0 Person Per Unit (PPU).
 4. Peak Flow = 3000L/capita/day per DoU Bylaw No. 521.
 5. Infiltration = 11,200L/day/ha per District of Ucluelet Bylaw No. 521.
 6. To be read in conjunction with "Civil Engineering Site Works & Servicing Report" prepared by Herold Engineering Ltd.



Appendix E Appendix A



ISSUED FOR
CO-ORDINATION

NOT FOR
CONSTRUCTION

NO.	DATE	ISSUED FOR
1	11/20/20	ISSUES

**MIXED USE DEVELOPMENT
CIVIL WORKS
2102 PENINSULA ROAD**

UCLUELET, BC
RENT-IT CENTER

HEROLD ENGINEERING
3701 Shannon Rd, Vancouver, BC V6P 3H1
Tel: 250-791-4508 Fax: 250-791-4599
www.herold-engineering.com

NO.	DATE	ISSUED FOR
1	11/20/20	ISSUES

DESIGNED	JDP/MSR	CHECKER'S SEAL
DESIGN REVIEW	JDP	
PERMITTED	JDP	
DRAWING REVIEW	JDP	
PROJECT NO.	3853-002	DRAWING NO.
SCALE	AS SHOWN	REVISION
REV.	1	DESCRIPTION
DATE	11/20/20	
BY	JDP	
CHECKED	JDP	
DATE	11/20/20	
PROJECT NO.	3853-002	
DRAWING NO.	SK-1	
SCALE	1 OF 1	
REVISION	A	

DISTRICT OF UCLUELET**Zoning Amendment Bylaw No. 1343, 2024**

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(2102 Peninsula Road)

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 section (3) to section CS-2.1 in alphanumerical order, as follows:

“CS-2.1.3 For Lot 5, Plan VIP 58757, District Lot 284, Clayoquot Land District and Lot C, Plan VIP 85941, District Lot 284, Clayoquot Land District, *Multiple Family Residential* is also a *principal permitted use*”

2. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1343, 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 CORRECT: “District of Ucluelet Zoning Amendment Bylaw No. 1343, 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

From: [Shane Hilder](#)
To: [Info Ucluelet](#); [Marilyn McEwen \(Ucluelet Mayor\)](#); [Shawn Anderson \(Ucluelet Council\)](#); [Jennifer Hoar \(Ucluelet Council\)](#); [Ian Kennington \(Ucluelet Council\)](#); [Mark Maftei \(Ucluelet Council\)](#)
Subject: Development Permit 2102 Peninsula Rd.
Date: July 7, 2024 11:26:47 PM

[External]

Dear District, Mayor and Council

My name is Shane Hilder, owner at 2108 Peninsula Rd. As a direct neighbour to the proposed development at 2102 Peninsula Rd, I have a few concerns I'd wish to share.

My property and the proposed development share a 90m long property line, along the west side of the proposed development. My property contains a salmon bearing stream, sensitive habitat and I'm in the process of building a custom timber framed, single family home.

I do believe there are some wonderful community benefits to the proposed development, namely the construction of townhouses. But I am opposed to the idea of allowing Resort Condo uses within this development. I don't feel that's a need for our community. There's a lot of uses proposed on the property and I totally understand that's within the framework of the zoning there. But it would be a bit of a precedent in town to allow resort condo, commercial and long term accommodation within the same development. The Moorage is one example that's close. My understanding of community feelings towards that project is regret that short term accommodation was ever allowed.

I feel the second, smaller commercial/ resort condo building, is somewhat redundant. I would rather see more green space allotted in its place personally, creating a buffer from the townhouse complex above. There is a lot of concrete/paving/parking, more green space would help break up the development. I would expect with a slightly scaled back version, parking requirements would be more reasonable to fit within the development, and overall building space constraints wouldn't feel so pressed to minimum setbacks. So I would appreciate, and support a scaled back version of the current design.

I also have concerns with the resort condo buildings having balconies that directly face my property and home. As many of these buildings are a much higher elevation than my home, I feel this has a negative impact on my families privacy.

A large concern I have are the major retaining walls/foundations proposed very close to the shared property line. Ultimately, I'd like to keep every tree/bush along my property for as much privacy as possible from this project. I'm concerned there will be erosion/over excavation/tree and slope stability issues in forming major below grade foundation walls within 5' of a property line. There was no additional protection added for the root boundary of trees along the creek protection area/our shared property line on this commercial development. I would like to make it known, that I will not be allowing any access over my property line for excavation/forming work. The developer should take every precaution necessary to survey, flag and protect root boundaries of trees within my property line. Exposed windage from the South East also makes many of the trees within the creek habitat/my home vulnerable. Ideally the developer could step buildings back off the minimum 5' sideyard setbacks so as to avoid any issues with the stream protection area, and my property line tree retention.

The creek was assessed twice in recent years and determined to be ideal for fish habitat. I track the creek every year and once every 2 years there is a coho spawn. These small streams are critical to salmon, as they are abundant and all play a role in contributing to the overall system.

I'm not naive and of course I expected development to occur around me. But I'd like to see Ucluelet retain much of its current charm within future developments, and not get too far ahead of itself. I appreciate you taking the time to review my concerns as a community member.

Be well, Shane



REPORT TO COUNCIL

Council Meeting: July 30, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ANNELIESE NEWEDUK, PLANNER

FILE NO: 3060-20 DP23-09

SUBJECT: DEVELOPMENT PERMIT FOR 2102 PENINSULA ROAD

REPORT NO: 24-86

ATTACHMENT(S): APPENDIX A – DEVELOPMENT PERMIT 23-09

RECOMMENDATION:

THAT Council authorize the Director of Community Planning to execute and issue Development Permit DP23-09.

BACKGROUND:

During the June 25, 2024, Regular Council Meeting, Council was introduced to Development Permit 23-09 regarding a proposed mixed residential and commercial development at 2102 Peninsula Road.

At an earlier time during this Council meeting, Council would have considered first, second, and third reading, and adoption for the *District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024*. If the Bylaw was adopted, Council could now consider authorization of Development Permit 23-09 (**Appendix “A”**).

Background information can be found in the [June 25, 2024 Regular Council Meeting Agenda](#) (item 7.3) and in **Appendix “A”** of Agenda Report No: 24-86 for this Council meeting.

ANALYSIS OF OPTIONS:

A	Authorize issuance of DP23-09	<u>Pros</u>	<ul style="list-style-type: none"> Environmental impacts would be mitigated through issuance of DP23-09. Would allow applicant to achieve desired outcome.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Approval would allow the application to proceed.
B	Provide Alternative Direction	<u>Pros</u>	<ul style="list-style-type: none"> Would allow Council to meet their objective.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Suggested Motion</u>	THAT Council, with regard to Development Permit DP23-09, <i>[provide alternative direction here]</i>

C	Reject DP23-09	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> Would not allow applicant's development to proceed.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed. Additional staff time would be required to follow up with applicant and consultants.
		<u>Suggested Motion</u>	THAT council reject the application for Development Permit 23-09 [<i>noting which specific DP guidelines are not being adequately met</i>].

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with the *Local Government Act* and the *District of Ucluelet Official Community Plan Bylaw No. 1306, 2022*, and *District of Ucluelet Zoning Bylaw No. 1160, 2013*.

NEXT STEPS:

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

Respectfully submitted: Anneliese Neweduk, Planner
Bruce Greig, Director of Community Planning
Duane Lawrence, CAO



DEVELOPMENT PERMIT DP23-09

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:

UCLUELET RENT-IT CENTER 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:

2102 Peninsula Road and the adjacent property; PID 018743633, Lot 5, Plan VIP58757, District Lot 284, Clayoquot Land District, and PID 027730573, Lot C, Plan VIP85941, District Lot 284, Clayoquot Land District, (The "Lands").

- 3. This Permit authorizes the construction of three four-unit townhomes, two commercial/resort condominium buildings, play equipment and associated landscaping.
- 4. This development applies 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. Prior to issuance of a Building Permit, the Owner’s engineer shall confirm that adequate civil works are available or will be available prior to occupancy to adequately service the development Lands.
- 8. Prior to issuance of a Building Permit, the owner is responsible for engineering and obtaining approval for the location and details of the driveway entrance, entry signage, and marked pedestrian crossings to the satisfaction of the Ministry of Transportation and Infrastructure (MoTI). The Owner is responsible for complying with any permit requirements from MoTI.
- 9. Prior to issuance of a Building Permit, the Owner is responsible for the creation and implementation of a Stormwater Master Plan.
- 10. Prior to issuance of a building permit, the Owner is responsible for retaining a coordinated registered professional to coordinate all design world and field reviews of the registered professionals of record required for the project to ascertain that the design and construction will substantially comply with the British Columbia Building code and other applicable enactments respecting safety.
- 11. Prior to issuance of a Building Permit, the Owner shall consolidate the Lands into a single parcel.
- 12. 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.



- 13. 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.
- 14. The Owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
- 15. This Permit is NOT a Building Permit.
- 16. 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.

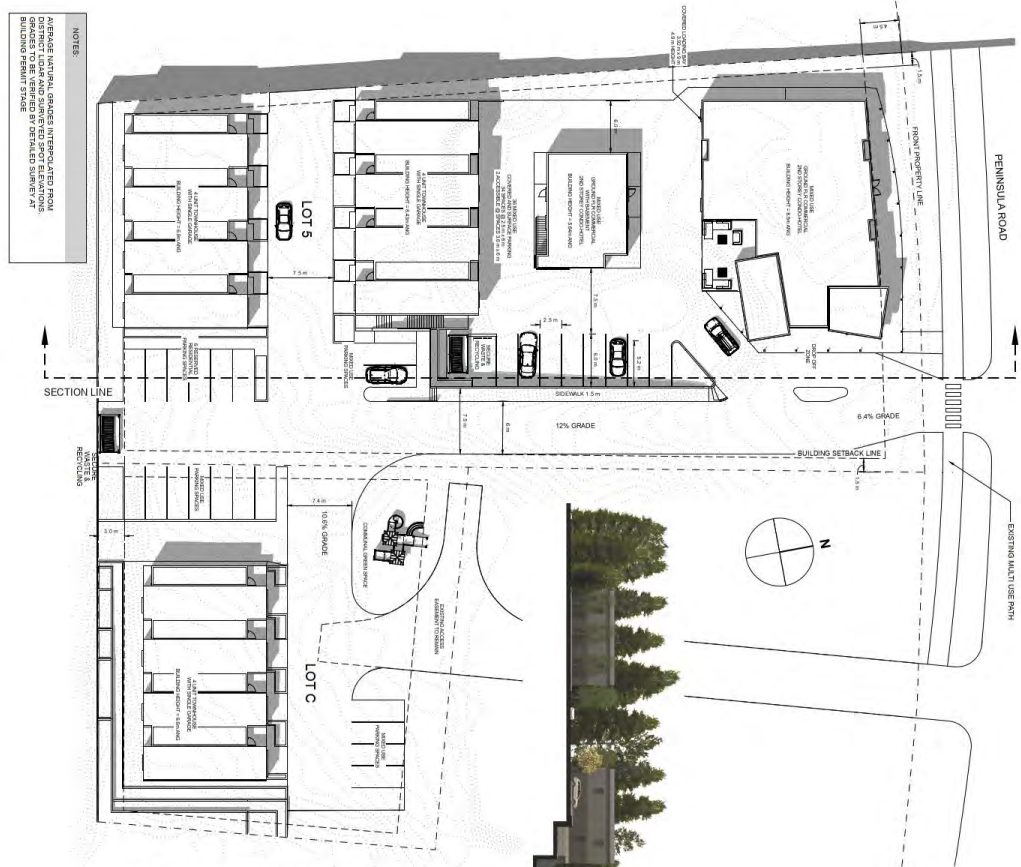
AUTHORIZING RESOLUTION passed by the Municipal Council on the th day of , 2024.

ISSUED the th day of , 2024.

Bruce Greig
Director of Community Planning



Schedule 1 (1 of 11)



NOTES:
 1. ALL PROPOSED BUILDINGS, DRIVEWAYS, UTILITY PIPES, DISTRICT LOTS AND SURFACES SHOWN ON THIS PLAN ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE DISTRICT ZONING BY-LAW AND THE DISTRICT ZONING BY-LAW REGULATIONS. ALL DIMENSIONS AND SETBACKS ARE TO BE VERIFIED BY THE APPLICANT PRIOR TO CONSTRUCTION.

ZONING INFORMATION:			
LOT ADDRESS:	2102 PENINSULA RD		
LEGAL DESCRIPTION:	ANNELOISE NOWEDUK TRS INC, PLAN VP 8994, DISTRICT LOT 244		
ZONING:	CSZ		
LOT AREA (SQ.M / SQ.FT.):	LOT A (1428.7 SQ.M / 4487.13 SQ.FT.), LOT B (1715.4 SQ.M / 5244.4 SQ.FT.), LOT C (1715.4 SQ.M / 5244.4 SQ.FT.)		
HEIGHT / SETBACK REQUIREMENTS:			
HEIGHT:	ZONING	PROPOSED	COMPLYING
FRONT YARD SETBACK:	8.5M (28'-0")	8.5M (28'-0")	YES
REAR YARD SETBACK:	4.5M (15'-0")	4.5M (15'-0")	YES
SIDE YARD SETBACK:	1.5M (5'-0")	1.5M (5'-0")	YES
EXTENSION SIDE SETBACK:	3M (10'-0")	3M (10'-0")	YES
LOT COVERAGE:	50%	22.3%	YES
PROPOSED FLOOR AREA:			
TOWNHOUSE X (12 UNITS):	1841 SQ.M (1997 SQ.FT.)		
TOWNHOUSE Y (12 UNITS):	446 SQ.M (4804 SQ.FT.)		
TOWNHOUSE Z (12 UNITS):	372 SQ.M (4004 SQ.FT.)		
TOTAL:	2711 SQ.M (29386 SQ.FT.)		
FLOOR AREA RATIO (FAR):			
	47		YES

1 SITE PLAN
 A.01 Scale: 1:200m



SITE SECTION

CONTEXT MAP

A.01

Site Plan

ISSUE
 February 12, 2024
 DRAWN BY

PROJECT
 2102 PENINSULARD

CLIENT
 RENT-IT CENTRE



RESIDENTIAL & RESORT
 PLANNING & DESIGN
 1339 55th St. Suite 101, Victoria, BC V8N 2G7
 Phone: 250.726.3673



Schedule 1 (4 of 11)



- STEEL CLAD PACHA TRIMS & BUTTERS - DARK GREY
- CONCRETE/STEEL SIDING - WHITE
- CEMENTITIOUS WOOD GRAIN LIFT SIDING
- CEMENTITIOUS WOOD COLOURED PANEL TRIM
- GLASS ON ALUMINIUM/SPC BALCONIES
- CEMENTITIOUS LIFT SIDING - DARK GREY

1 ELEVATION 1 FRONT
A.06 Scale: 1/4" = 1'-0"



2 ELEVATION 2 REAR
A.06 Scale: 1/4" = 1'-0"



A.06

ELEVATIONS

ISSUE
February 12,
2024
DRAWN BY

PROJECT
2102 PENINSULAR RD

CLIENT
RENT-IT CENTRE



RESIDENTIAL & RESORT
PLANNING & DESIGN
1333 Emerald Park, RD 2041 1340
UCLUELET BC V9R 3A0 250.726.2873

Schedule 1 (5 of 11)



GLASS PANEL WALLINGS
 STEEL ALUMINUM TRIMS - WHITE
 PERFORATED PANEL CLADDING - WOOD COLOUR
 CORRUGATED STEEL SIDING - WHITE
 EXPOSED CONCRETE FINISH

A.07
ELEVATIONS

ISSUE
February 12, 2024

PROJECT
2102 PENINSULAR RD

CLIENT
RENT-IT CENTRE

DRAWN BY

The Design Centre
 RESIDENTIAL & RESORT
 PLANNING & DESIGN
 1339 Steeles Road, PO Box 12-01
 UCLUELET, BC V8R 6K1 TEL: 250.726.3073



Schedule 1 (6 of 11)



A.08

ELEVATIONS

ISSUE
February 12, 2024
DRAWN BY

PROJECT
2102 PENINSULA RD

CLIENT
RENT-IT CENTRE

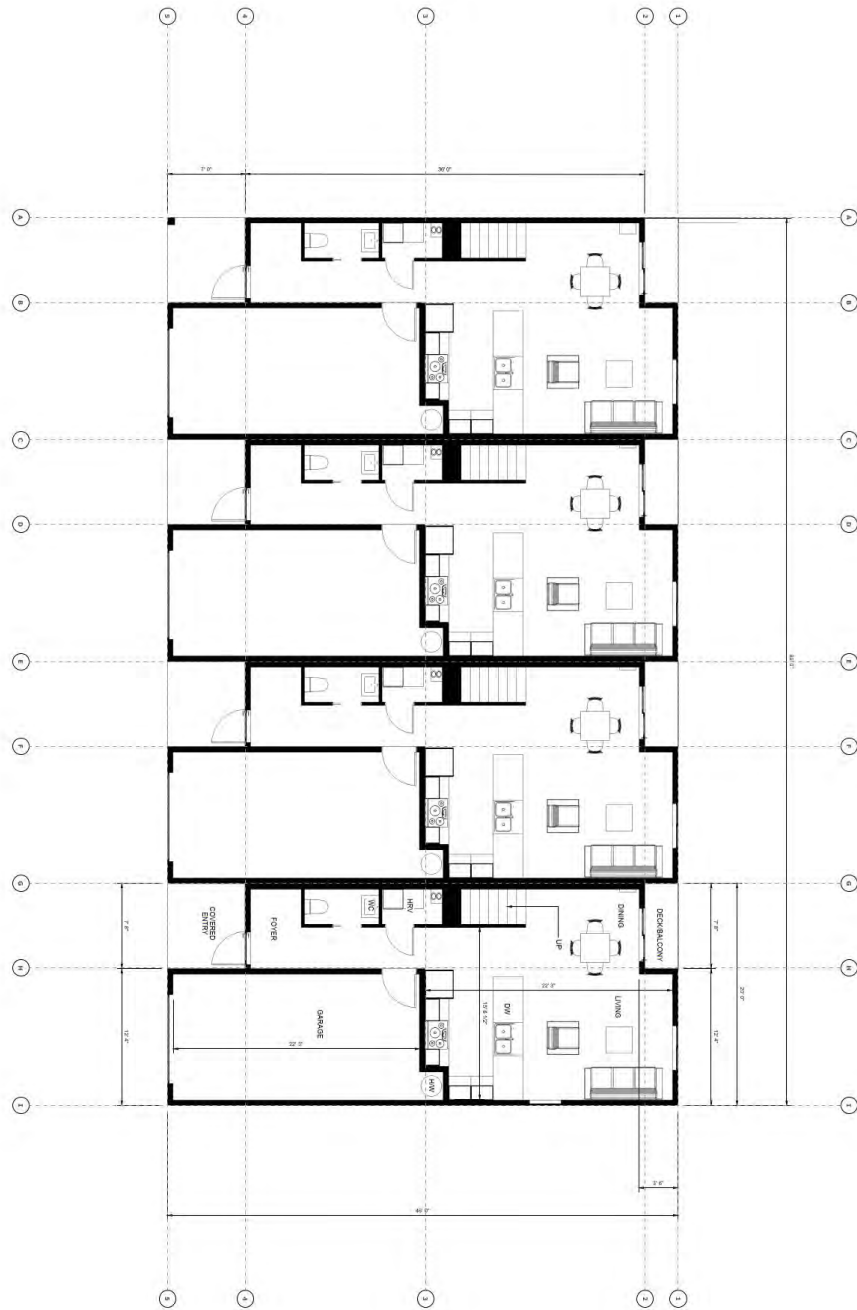


RESIDENTIAL & RESORT
PLANNING & DESIGN
1339 Douglas Place, PO Box 12443
Vancouver, BC V6M 4K6 (604) 278-2873



Schedule 1 (7 of 11)

NOTES
DIMENSIONS INCLUDE EXTERIOR FINISHING
INTERIOR WALLS INCLUDED FROM TO FINISH



1
A.09
Scale: 1/4" = 1' - 0"

A.09

1ST FLOOR PLAN
TOWNHOUSE

ISSUE
February 12,
2024
DRAWN BY

PROJECT
2102 PENINSULAR RD

CLIENT
RENT-IT CENTRE

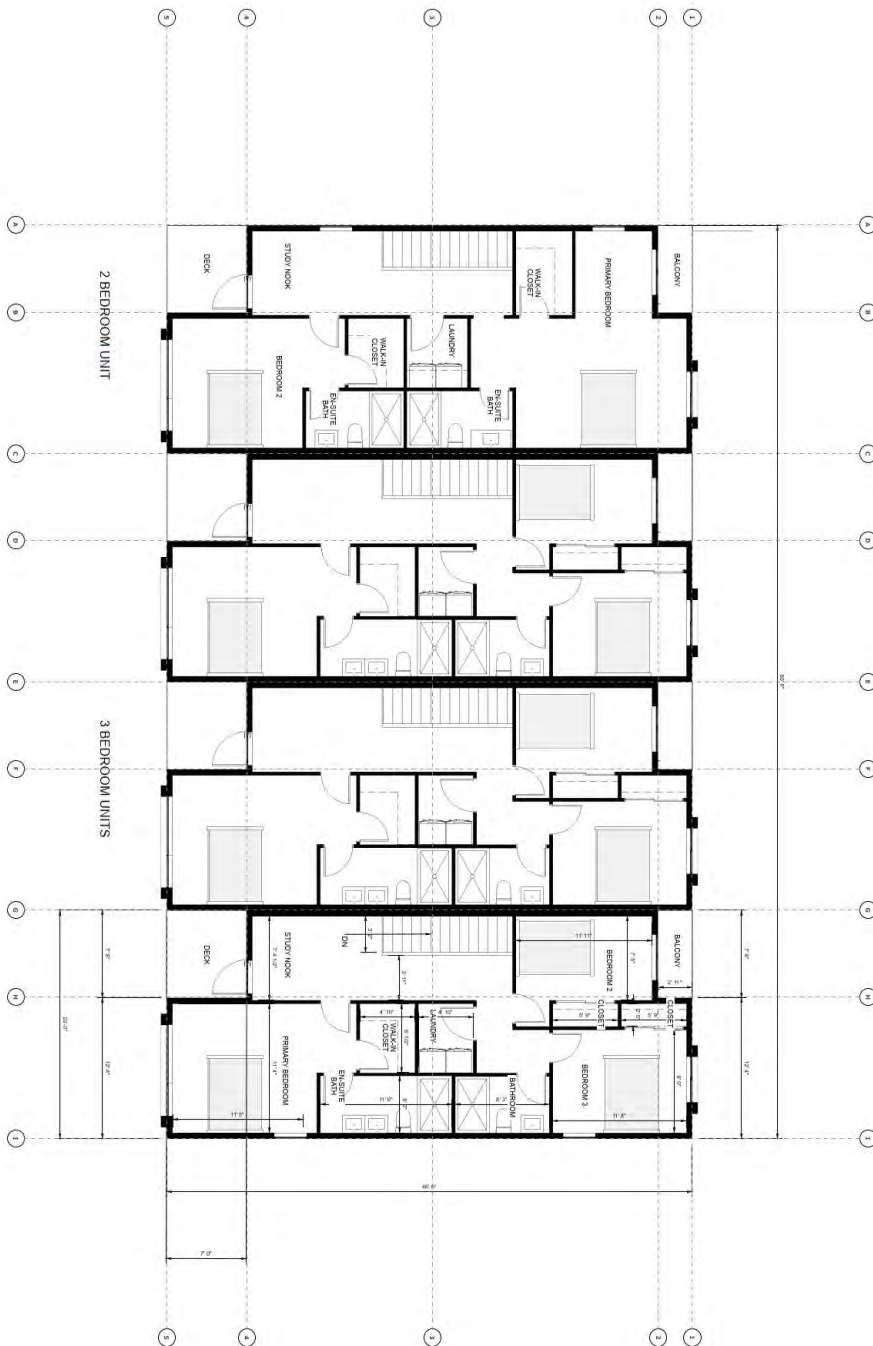


RESIDENTIAL & RESORT
PLANNING & DESIGN
1329 Edwards Road PO Box 1245
UCLUELET, BC V8R 5A5 250.728.3873



Schedule 1 (8 of 11)

NOTES
DIMENSIONS INCLUDE EXTERIOR SHEATHING
INTERIOR WALLS UNGLAZED FRAMING



1 FP2
A.10 Scale: 1/4" = 1' - 0"

A.10

2ND FLOOR PLAN
TOWNHOUSE

ISSUE
February 12,
2024

DRAWN BY

PROJECT
2102 PENINSULARD

CLIENT
RENT-IT CENTRE

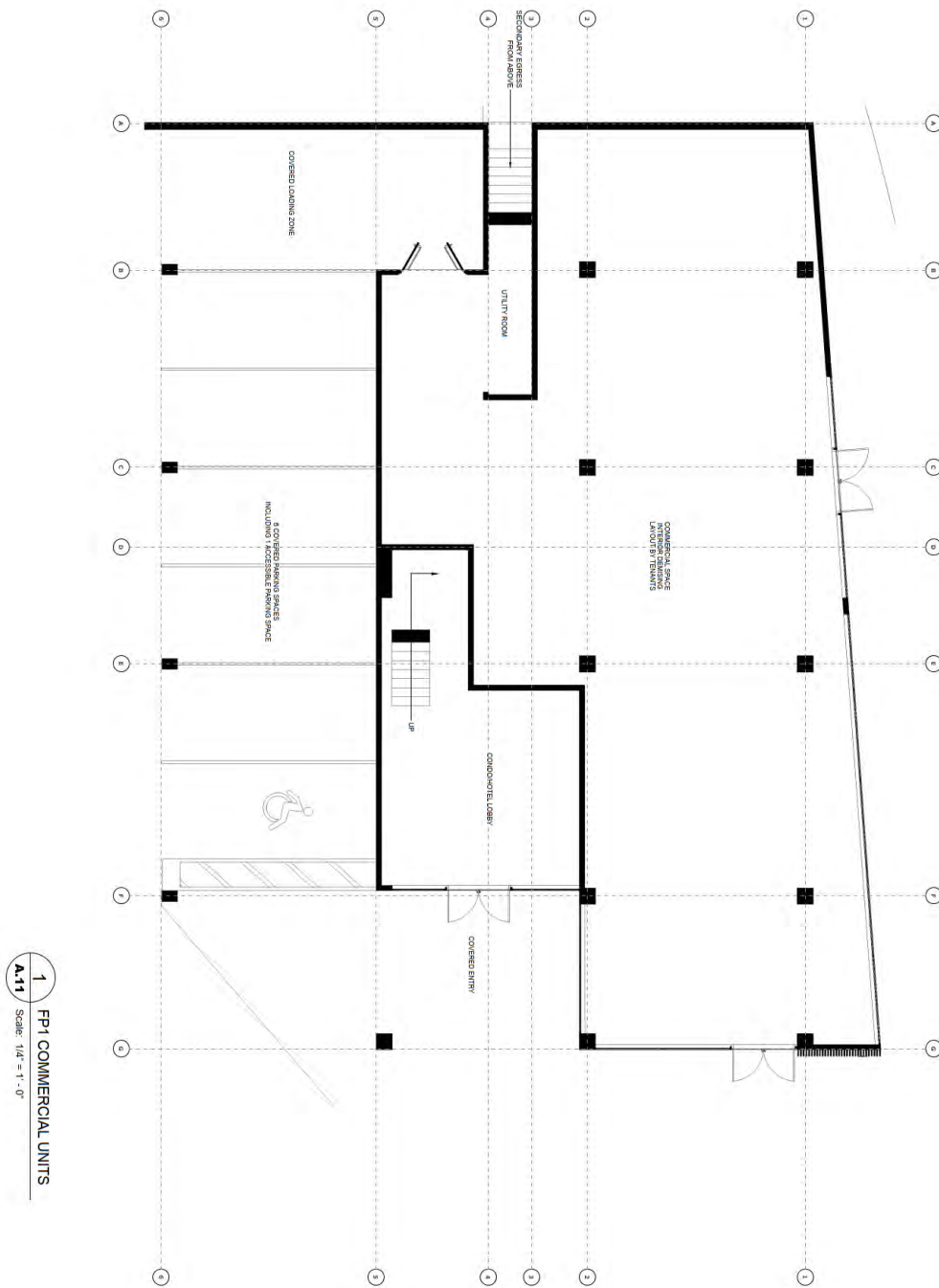


RESIDENTIAL & RESORT
PLANNING & DESIGN

1380 Cowichan Place, PO Box 11241
Lions Bay, BC V0R 3A0 250.726.3973



Schedule 1 (9 of 11)



1 FP1 COMMERCIAL UNITS
A.11 Scale: 1/4" = 1' - 0"

A.11 1ST FLOOR PLAN
MIXED USE BLDG 1
COMMERCIAL

ISSUE
February 12,
2024

PROJECT
2102 PENINSULAR RD

CLIENT
RENT-IT CENTRE

DRAWN BY

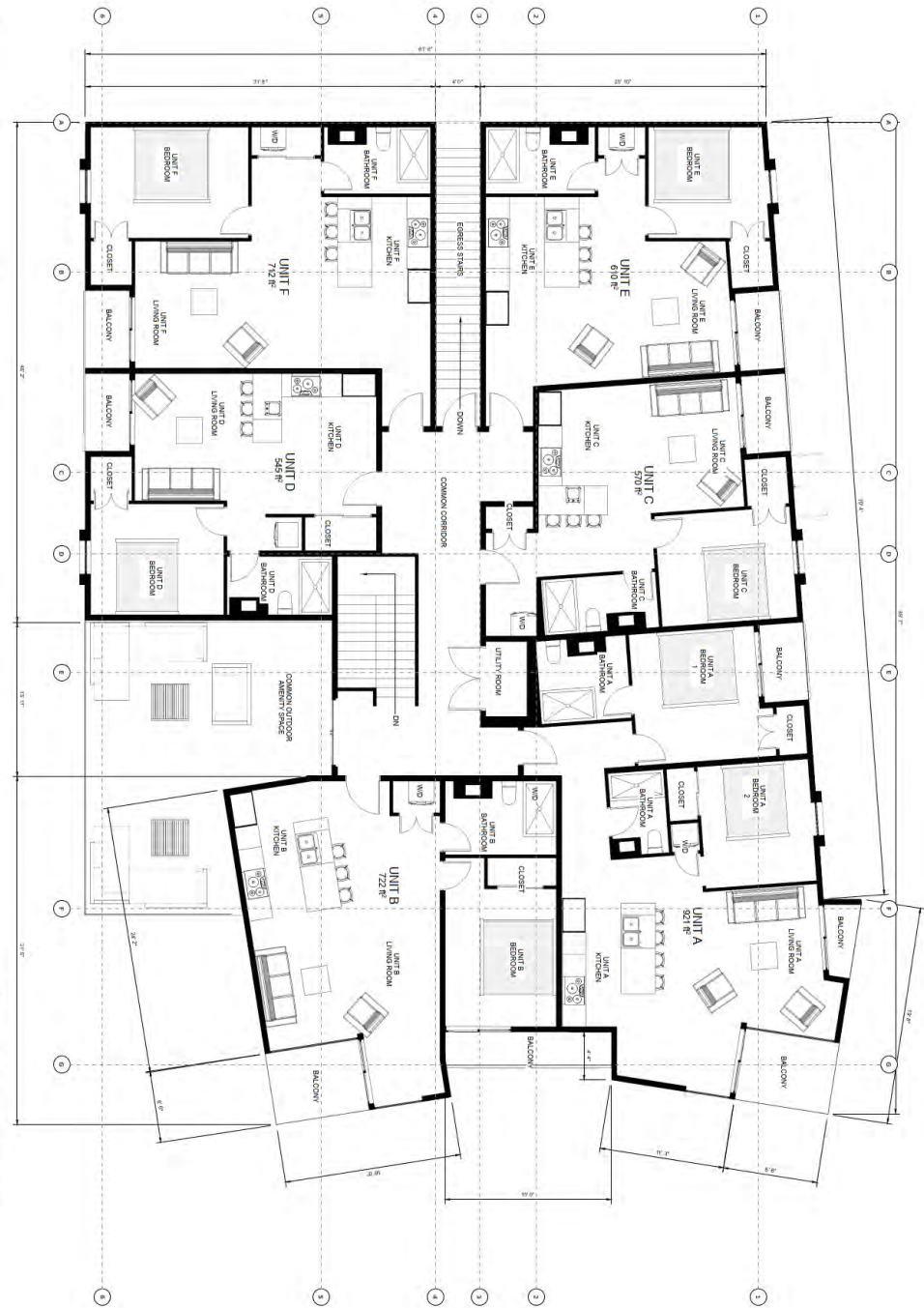


RESIDENTIAL & RESORT
PLANNING & DESIGN
1331 Edwards Walk PO Box 1243
Victoria BC V8R 3A0 250.725.2673



Schedule 1 (10 of 11)

NOTES:
DIMENSIONS INCLUDE EXTERIOR SHEATHING
INTERIOR WALLS MEASURED FROM TO FINISH



1 FP2 CONDO/HOTEL UNITS
A.12 Scale: 1/4" = 1' - 0"

A.12
2ND FLOOR PLAN
MIXED USE BLDG 3
CONDO HOTEL

ISSUE
February 12,
2024
DRAWN BY

PROJECT
2102 PENINSULARD

CLIENT
RENT-IT CENTRE

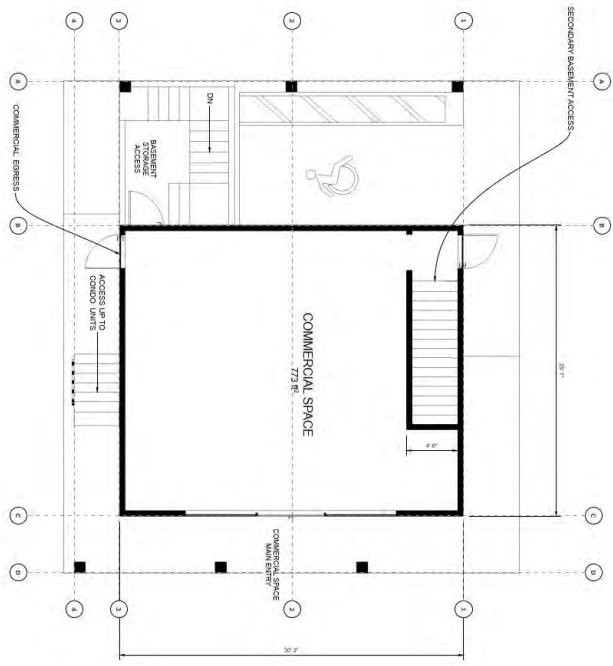
The Design Centre
RESIDENTIAL & RESORT
PLANNING & DESIGN
1338 E. 5th Ave. P.O. Box 1214
Lillooet, BC V3R 2A5, 604.728.3873



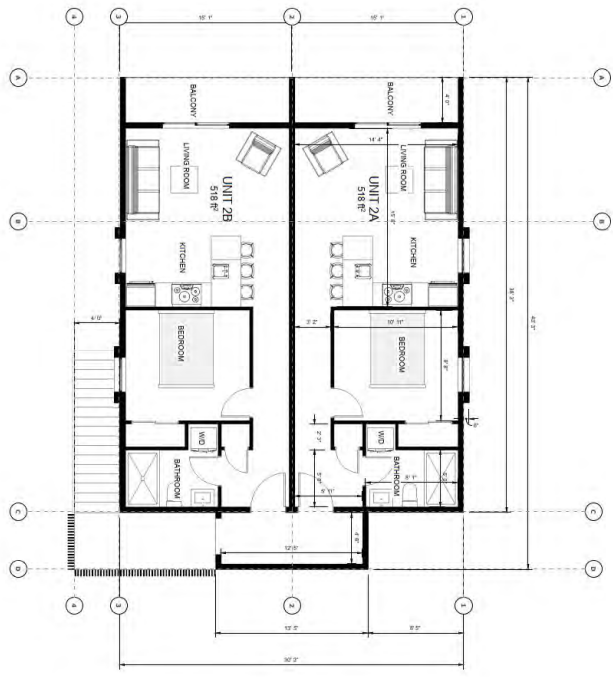
Schedule 1 (11 of 11)

NOTES
DIMENSIONS INCLUDE EXTERIOR SIGHTLING
INTERIOR WALLS MEASURED FROM TO FINISHING

1 FP1 COMMERCIAL UNITS
Scale: 1/4" = 1'-0"



2 FP2 CONDO/HOTEL UNITS
Scale: 1/4" = 1'-0"



A.13

2ND FLOOR PLAN
MIXED USE BLDG 2

ISSUE
February 12,
2024

DRAWN BY

PROJECT
2102 PENINSULARD

CLIENT
RENT-IT CENTRE



RESIDENTIAL & RESORT
PLANNING & DESIGN

1355 Esplanade West, PO Box 12443
Lynnway, BC V0R 5A0 250.726.5873

Schedule 2 (1 of 5)

Terms and Conditions

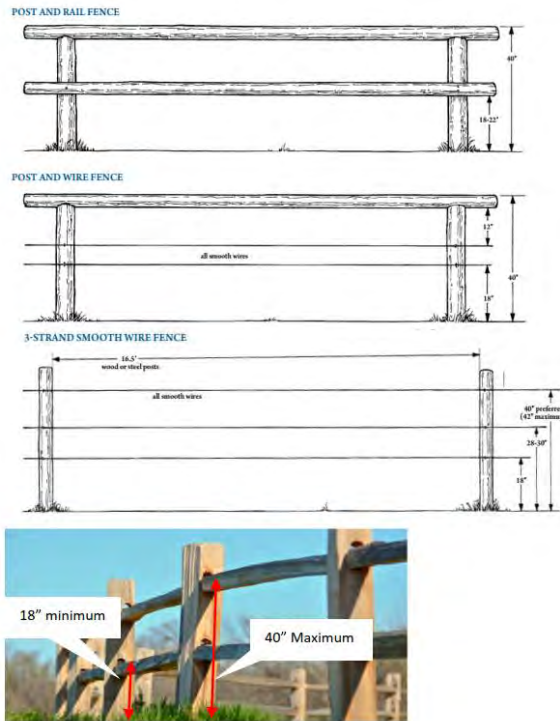
As a condition of the issuance of this Permit, the Permittee representing the Lands hereby to comply with all following Impact Reductions and Mitigation Measures, determined by Qualified Environmental Professional (QEP) as necessary to avoid negative impacts to environmental habitats within and adjacent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

The following mitigation measures are recommended regarding the design phase:

1. Maintaining and protecting the 10m Streamside Protection and Enhancement Area (SPEA) for Stream 1
 - a. All proposed clearing, construction, storage of materials, and machine access during construction will be outside of the 10 m SPEA
 - b. Due to the significant clearing of the forest on the subject property, and the steep banks of Stream 1 adjacent to the proposed development, A certified arborist or danger tree assessor must be retained to assess proposed clearing activities. If needed, a plan to limit wind effects on newly exposed trees as a result of clearing may be needed.
2. Stormwater Management
 - a. Due to the significant amount of coverage of impermeable surfaces proposed on the subject property, it is important to ensure that rainwater runoff is not piped or otherwise channelized into the 10 m SPEA of Stream 1 as it will likely increase the flashiness of flow patterns and exacerbate problems caused by erosion.
 - b. To minimize the impact of runoff, drainage infrastructure associated with new development must be designed by a Qualified Engineering Professional specializing in hydrology to ensure that existing hydrological conditions of Stream 1 are retained. Design guidelines and target conditions of the stormwater infrastructure are recommended to be adapted from A Guidebook for British Columbia: Stormwater Planning
3. Restricting Use of Sensitive Habitats
 - a. The development of residential, commercial, and tourism on the subject property will drastically increase the amount of human use adjacent to the SPEA
 - b. To avoid such impacts to the sensitive riparian habitat, the 10 m SPEA or subject property boundary (whichever is further from Stream 1) must be fenced to discourage access. Any fences must, however, be designed to allow for the free passage of wildlife by using a combination of the following design characteristics:
 - i. Gaps are left in fence panels where existing animal migration routes (ie. Deer paths) are evident.
 - ii. Maximum height 1 m (40”).
 - iii. Provide sections that meet “under passage” requirement of 0.6 m (18”).

Schedule 2 (2 of 5)

- iv. Fence should be easily visible.
- c. No part of the fence will have a negative impact on the root zones of trees within environmental setbacks and will be installed no closer than 10 m from the Top of Bank as flagged on November 1, 2022. Appropriate Root Protection Zones (RPZs) for the protection of all trees within the 10 m SPEA will be determined by a qualified arborist and the fence will be installed outside of these zones.
- d. Examples of the recommended fencing options are shown below:



4. Restoration Plan

- a. The SPEA for Stream 1 is in excellent condition, therefore there are no recommendations for restoration at this time, and the emphasis is on protection as described in **Schedule 2**.

The following mitigation measures are recommended regarding the construction phase:

1. Monitoring and Enforcement

- a. As laid out in the District of Ucluelet Official Community Plan, monitoring and enforcement of a proposed development site should be a collaborative effort between Local Government, the QEP employed by the developer, landowners, non-government organizations (NGOs) such as stream keepers, and the public. The public or NGOs can inform the District of violations.

Schedule 2 (3 of 5)

- b. The property owner must contact the QEP prior to commencing work on the proposed development, to review the requirements in this report and to ensure all the necessary mitigation measures are in place prior to starting work.
 - c. The QEP must be contacted if an unanticipated issue occurs during construction, such as a hydraulic spill into the SPEA or Stream 1, and the QEP will follow-up promptly with guidance and applicable reporting.
 - d. A post construction monitoring site visit must be done by the QEP to ensure that the new development is in compliance with the measures in this report and that the SPEA remains intact.
2. Vegetation Management, Disturbance or Removal
- a. Clearing limits must be flagged or clearly identified prior to construction, and areas outside of the limits will be protected from disturbance. This is particularly important with respect to the SPEA so that no unintentional encroachment into the protected area can occur during site clearing works.
 - b. Temporary fencing will be established along the SPEA boundary and any root protection zones identified by an arborist prior to the start of work. Temporary fencing must be highly visible, and all workers made aware of the sensitivities of protected areas. Temporary fencing must be replaced with permanent fencing as soon as practicable and prior to substantial completion of the project.
 - c. Prevent the spread of invasive plant species that could be found on site by cleaning equipment before moving into new areas. Remove all weeds and suspect plants from equipment and vehicles to prevent the spread of invasive species. If encountered, separate cleared material containing invasive species from other cleared material and perform disposal at an appropriate transfer facility (i.e. landfill).
 - d. Restore bare soil as quickly as possible after disturbance using a native seed mix or native plants to prevent invasive species from establishing.
3. Wildlife Habitat Alteration, Disturbance, or Loss
- a. Do not destroy, remove or clear any active bird nests.
 - b. All clearing activities should occur outside of the migratory bird nesting window for this region, which is approximately March 15th to August 15th. Although it is preferable to have clearing completed outside this nesting window, should any clearing be required to happen within this timeframe, a bird nest assessment must be undertaken no earlier than five days prior to the required clearing by a Qualified Environmental Professional with experience identified bird nests.
 - c. All wildlife attractants should be secured on the work-site. No food, food waste, cook stoves, garbage, drink containers (full or empty), recyclable materials will be left neither unattended nor accessible to wildlife.

Schedule 2 (4 of 5)

- d. There is a low potential of amphibians (both adults and juveniles) migrating near the western edge of the worksite, especially during heavy rainfall events throughout the fall, winter, and spring. If any salamanders or frogs are observed on the work site, care should be taken to isolate these animals from potential traps such as deep excavations by using silt fencing or poly as needed.
4. Sediment and Erosion Control
 - a. Erosion control measures that prevent sediment from entering Stream 1 will be an important element of construction. Sediment laden water being released into aquatic habitat can harm aquatic life stages of amphibians as well as fish.
 - b. Filter fabric dams, rock check dams, settling ponds, geotextiles, French drains, interception ditches, and silt fencing should be used as needed on a site-specific basis to control erosion. Filtration should be accomplished using filter fabric keyed into substrates and banks and elevated using stakes. Silt fencing is not an acceptable mitigation technique to control erosion in flowing ditches; however, it is useful for containing slumping areas of soil and for use as baffles to slow water velocities.
 - c. Excavation should be stopped during intense rainfall events or whenever surface erosion occurs affecting Stream 1. Erosion and sediment control measures should be inspected within 24 hours after intense rainfall events.
 - d. Runoff and stormwater are to be managed and directed away from areas of exposed soils.
 - e. Wherever possible, soil stockpiles should be placed a minimum of 30 m from Stream 1 and in a location where erosion back into this stream cannot occur. Soil stockpiles with the potential to erode into Stream 1 should be covered with poly sheeting.
 - f. Clearing should take place immediately prior to excavation and earthworks to minimize the length of time that soils are exposed.
 5. Fuels and Hazardous Materials
 - a. The accidental release of petroleum, oils, hydraulic fluids, lubricants, concrete additives, anti-freeze or other hazardous materials onto land surfaces or into waterbodies may result in degradation of habitat quality and could be a threat to human health. As such, it must be actively prevented.
 - b. Any contractor working on site must establish and follow a spill response plan in the event of any spill. The spill response plan should be reviewed by all crew members regularly during tailgate meetings, especially machine operators as they are often the first line of defense.
 - c. A large spill kit should be on hand at all times during construction. Spill response supplies must be capable of dealing with 110% of the largest potential spill and shall be maintained in good working order.
 - d. All identified spills will be cleaned up immediately, and contaminated soils and vegetation will be removed for appropriate disposal.

Schedule 2 (5 of 5)

- e. Refueling of equipment and maintenance of equipment with the potential for accidental spills (i.e., oil changes, lubricants) should occur only at designated fueling stations and located at least 30 m from all waterbodies. Tarps should be laid down prior commencement of work to facilitate clean up.
 - f. All fuel, chemicals, and hazardous materials will be clearly marked and stored a minimum of 30 m from any waterbody.
 - g. If accidental mixing of fuels, chemicals, and hazardous materials does occur, the waste product will need to be removed to an approved disposal/recycling facility.
 - h. Pumps, generators, and jerry cans are to be placed on poly sheeting and sorbent pads or drip trays to contain spills.
 - i. Used oil, filters, and grease cartridge lubrication containers, and other products of equipment maintenance should be collected and kept in a secure receptacle for later disposal.
 - j. In the event of a spill, the following general guidelines should be followed:
 - i. Stop work in the vicinity of the spill;
 - ii. Deploy on-site personnel to build containment dykes or pump spilled contaminant into storage drums.
 - iii. Apply sorbent pads and booms as necessary.
 - iv. Dispose of all contaminated debris, cleaning materials, and absorbent material by placing in an approved disposal site.
 - v. Debrief all site personnel on the incident and take additional precautions to ensure that similar accidents will not recur.
 - vi. Spills to the receiving environment are to be reported to the Environmental Management BC (1-800-663-3456) if they exceed the reportable limits (e.g. 100 liters of fuel or oil or spills of any quantity to water).
6. Garbage and Waste
- a. Work areas should be kept in a safe, clean, and sanitary condition. All waste, rubbish and debris will be kept in a centralized location within the work area and removed from the project site at the end of each day.
 - b. Waste containers should be wildlife and wind proof containers to prevent dispersal. Food or food waste should be stored in leak-proof storage containers or vehicles that will prevent access by wildlife throughout the workday.



Schedule 3 (1 of 1)

As a condition of the issuance of this permit, the Permittee representing the Lands hereby agrees to comply with all following conditions in the Environmental Assessment Report (See Appendix D)



REPORT TO COUNCIL

Council Meeting: July 30, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF COMMUNITY SERVICES

FILE NO: 2380-20

SUBJECT: NOTICE OF LAND DISPOSITION LEASE AGREEMENT
WILD PACIFIC TRAIL SOCIETY

REPORT NO: 24-87

ATTACHMENT(S): N/A

RECOMMENDATION:

THAT Council authorize staff to issue a public Notice of Property Disposition for a portion of the lands having the PID 030104009 and legal description Block B, District Lot 1517, Clayoquot Land District, & District Lot 1507 and more commonly referred to as Amphitrite House, lease area, by way of lease to the Wild Pacific Trail Society, for a term of 4 years, and lease fee for the entire term of \$5,232.17, including tax.

THAT, upon completion of the notice of disposition process, Council authorize the Director of Community Services to execute a four-year lease agreement with the Wild Pacific Trail Society for the lease area of the Amphitrite House.

BACKGROUND:

On June 17, 2024, a Request For Proposals (RFP) was re-issued seeking proposals for operation and facility oversight at the newly rebuilt Amphitrite House. The District was looking for proponents to:

- provide general oversight services of the venue during their proposed operational hours;
- support the maintenance of the washroom and general washroom facilities; and
- open and close the venue when required.

ANALYSIS OF OPTIONS:

The District received one proposal from the Wild Pacific Trail Society (WPTS). WPTS are aware that they will have primary use of the lease area only and the use of the non-lease space is nonexclusive and needs to be maintained as a multi-use space for public access, community programs, activities, and events.

In addition, the Wild Pacific Trail Society is coordinating with the Raincoast Education Society (RES) to fulfill the hours of operation requirement set out in the RFP. The WPTS and RES have concluded a Memorandum of Understanding that establishes the terms of engagement between both parties regarding the use of Amphitrite House and how the parties will meet the hours of operation requirement. If successful with awarding of the lease, the WPTS will be responsible for

coordinating with the Recreation Department, and the Director of Community Services. In the event that a sublease is required, the District must approve the sublease as per the lease.

Wild Pacific Trail Society addressed all components of the RFP and were able to meet the minimum requirement of year-round operation. The following matters were addressed in WPTS' RFP:

- Providing a positive and welcoming presence and response to public inquiries.
- One-on-one interpretive interactions using stationary displays and props with a focus on the natural and cultural history of the west coast.
- Enhancing visitors' environmental awareness and stewardship through interactions and educational materials.
- Exhibit and display development and maintenance.
- Potential selling of merchandise in relation to educational mandate, logo wear/branded items and/or consumable goods (i.e. simple tea and coffee service, prepackaged snacks).

Noise Management:

WPTS are cognizant of sound transference. The proposed services would endeavour to emit no noise louder than a quiet conversation thus limiting the impact to regular programming within the public portion of the facility when used for activities, programs, and events.

Waste Management:

WPTS are dedicated to zero waste initiatives. At Amphitrite House, their aim is to minimize plastic waste by reducing the use of plastic in packaging and products. The goal will be to utilize no single-use beverage or food containers, and they will exclusively use washable service ware or customers' own reusable cups. To ensure that the waste generated daily at Amphitrite House is diverted from landfills, they will explore recycling and composting initiatives with the District of Ucluelet. This may involve establishing a centralized area with a sorting station for composting, recycling, and other waste disposal.

Facility Oversight:

With regard to facility oversight, WPT plans to:

- Act as an on-site ambassador to greet, assist, and engage facility users on-site.
- Assist with completing daily and weekly duties to ensure excellent site standards, and positive users' impressions are met.
- Provide oversight of equipment or display cases in the building.
- Adhere to all safety considerations, related operating processes, and policies for user groups, programs, and use of on-site equipment
- Develop and maintain employee's schedules to ensure space is staffed and open to the public during the proposed operational hours of 9am - 4pm and have a contingency plan in place in event of staff illness or inability to work their scheduled shift.
- Adhere to the standard operating procedures and schedules as set out and agreed upon with the District.
- Ensure compliance with procedures for the opening, operating, and closing of the Amphitrite House.
- Maintain a clean and neat facility appearance.

- Model the standard of customer service and lead fulfillment of principles and processes.
- Maintain effective lines of communication with the District.

Proposed Operational Hours:

WPTS plans to provide year-round operations to accommodate the needs of the community and tourists visiting Ucluelet. Proposed operational hours are 9 am to 4 pm annually, Sunday – Saturday.

Lease Rate:

WPTS proposed an annual lease rate of \$1,200 plus gst for four years with an annual increase of 2.5% for a total of \$5,232.17

Year 1: \$1,200 + \$60 gst = \$1,260

Year 2: \$1230 + \$61.50 gst = \$1,291.50

Year 3: \$1260.75 + \$63.04 gst = \$1,323.79

Year 4: \$1292.27 + \$64.61 gst = \$1,356.88

For comparison purposes, a large office space at the Ucluelet Community Centre Hub is leased out annually at \$4,421.46 & gst for 2024. This includes an office, some common space, hydro, and janitorial. This number was based on low end market rate at time of signing.

Although the lease rate proposed by WPTS is low, it allows the Amphitrite House to be open during regular business hours, which in turn allows the space to be used the way it was intended. The District would have significant operational cost savings of \$70k - \$100k for not having to staff the facility. The off hours would also allow the Recreation Department to generate funds through programs and events to help offset operational costs of the facility.

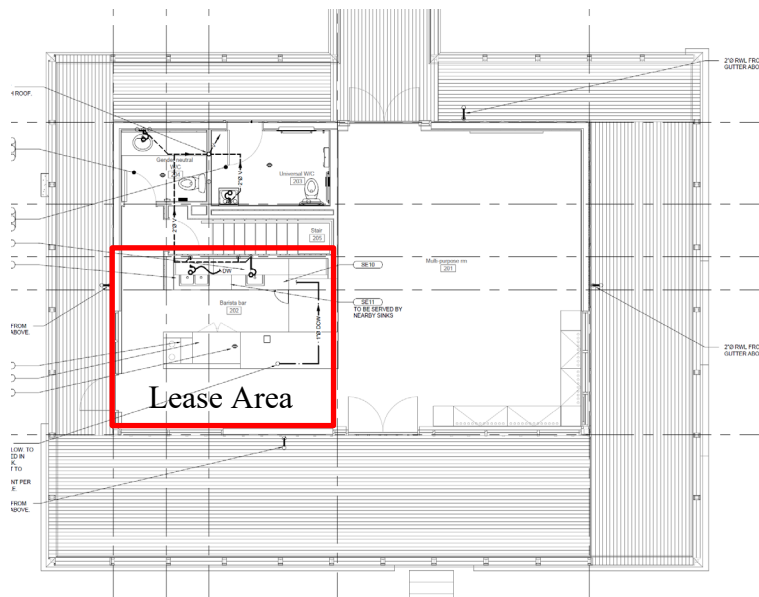
Experience & Qualifications:

The Wild Pacific Trail Society has successfully delivered interpretive programs in a dynamic outdoor venue for the past 10 years. They have a track record of involving and educating thousands of visitors in the message of stewardship, care for the environment, appreciation of the Wild Pacific Trail and its environment, and its countless educational themes.

WPTS have experience interacting with the public in a reception/orientation capacity. WPTS oversees the Discovery Tent at the Amphitrite Lighthouse that serves as a welcome hub for visitors and houses the interactive educational displays and materials. They are accustomed to seeing large volumes of trail users with 100 people per hour passing by the lighthouse at peak times and have the ability to effectively engage with a wide variety of audiences. This skill set would translate in an indoor customer service setting.

WPTS have notable experience working and collaborating in a team environment as demonstrated by the years of educational partnerships. They are continually networking and collaborating with their long-term education partners (RES, Redd Fish Restoration, Ucluelet Aquarium, SMIRS, WildSafe BC, and Parks Canada). The WPTS oversees the scheduling of interpretive programming, walks and events on the Wild Pacific Trail.

The WPTS has a strong existing relationship with the District of Ucluelet and specifically the Recreation Department. In collaboration, they have undertaken planning, development, and implementation of numerous trail building projects and trail user services.



ANALYSIS:

Wild Pacific Trail Society is able to meet the requirements of the RFP and have addressed the various components of the RFP. Therefore, if Council wishes to lease Wild Pacific Trail Society a portion of the Amphitrite House, a Notice of Proposed Property Disposition is required pursuant to Section 26 of the Community Charter before a lease can be issued.

<p>A</p> <p>Provide Public Notice of disposition and execute lease agreement for WPTS</p>	<p><u>Pros</u></p>	<ul style="list-style-type: none"> • The project would move forward with oversight. • Other organizations can utilize the space through the Recreation Department. • Legislative requirements are met for a four-year lease. • Lessee will provide direct, year-round, oversight of the facility during their operational hours, saving the district operation expenditures. • Washrooms will be overseen by lessee during busiest parts of the day. • The facility will be maintained as an open venue for visitors and non-profit organization activities. • Programing will still be available in the mornings and evenings through the Recreation Department. • New job(s) created in the community.
	<p><u>Cons</u></p>	<ul style="list-style-type: none"> • The leased space is locked-in for four years. • Payment for the lease space is minimal • The leased space cannot be utilized for other District uses during regular business hours of 9:00 am – 4:00 pm.

		<u>Implications</u>	<ul style="list-style-type: none"> • A Notice of Disposition would be posted. • A lease would be finalized. • The District receives funds annually to help offset operational expenditures of the facility. • Lease agreement saves approximately 2900 hours (\$100,000) of staff time if the municipality provided direct oversight of the facility.
B	Do not go forward with the Lease for the current proponent suggested.	<u>Pros</u>	<ul style="list-style-type: none"> • The District could explore other businesses or options through issuing a new RFP.
		<u>Cons</u>	<ul style="list-style-type: none"> • The use of the facility would not be available or very limited until a lessee is found.
		<u>Implications</u>	<ul style="list-style-type: none"> • Staff would reissue the RFP • If the District were to operate the facility an estimated \$100,000 would need to be included in the budget for operations and staffing.
		<u>Suggested Motions</u>	THAT Council direct staff to reissue the RFP for Amphitrite House Facility.
C	Approach WPTS to renegotiate lease price point	<u>Pros</u>	<ul style="list-style-type: none"> • Parameters are already established • WPTS is a known entity and has a positive working relationship with the District of Ucluelet
		<u>Cons</u>	<ul style="list-style-type: none"> • There would be a delay in disposition notice • The WPTS might stick to their original proposed lease amount and the District would be back to the original starting point and would need to re-issue a RFP.
		<u>Implications</u>	<ul style="list-style-type: none"> • Staff would attempt to renegotiate with WPTS • WPTS is able to provide oversight for what is required for the facility. This in turn saves the District of Ucluelet a minimum of \$100 of staff time to operate the facility.
		<u>Suggested motion</u>	THAT Council direct staff to reapproach the WPTS to renegotiate the lease price point for Amphitrite House Facility.

POLICY OR LEGISLATIVE IMPACTS:

Pursuant to Section 26 of the Community Charter notice is required to be given in accordance with section 94 of the *Community Charter*, that the District of Ucluelet intends to lease a portion of the District of Ucluelet's Amphitrite house for a term of four years for the purpose of providing oversight services during regular business hours.

Notice of proposed property disposition

26 (1) Before a council disposes of land or improvements, it must publish notice of the proposed disposition in accordance with section 94 [public notice].

(2) In the case of property that is available to the public for acquisition, notice under this section must include the following:

(a) a description of the land or improvements;

From: [Nancy Owen](#)
To: [Nancy Owen](#)
Subject: FW: Supporting Living Organ Donation by Municipal Employees
Date: July 12, 2024 4:17:18 PM

From: Pia Schindler <pia.schindler@kidney.ca>
Sent: Friday, July 12, 2024 10:57 AM
To: Marilyn McEwen (Ucluelet Mayor) <mmcewen@ucluelet.ca>
Subject: Supporting Living Organ Donation by Municipal Employees

[External]

Dear Mayor Marilyn McEwen,

I am writing to you on behalf of the Kidney Foundation of Canada – BC & Yukon Branch to request that the District of Ucluelet consider participating in the Kidney Foundation's Living Donor Circle of Excellence program. This important initiative acknowledges public and private sector employers who support employees who are living organ donors. We would be happy to meet virtually with yourself or your staff to answer any questions you have. If you are not able to meet, we hope you will come to the booth we will have in the trade show at the Union of BC Municipalities Conference which will take place September 16 to 20 in Vancouver. For municipalities who agree to join this program, we will be hosting a public recognition ceremony on November 13th in downtown Vancouver and would love to have you in attendance.

The Living Donor Circle of Excellence program is a certification that recognizes model employers who offer to cover the lost wages of employees who donate a kidney as they recover from surgery. This will help remove a key barrier to organ donation as the potential loss of income can reduce the likelihood that an employee will choose to be an organ donor. Recognizing that there are only 15 live donors for every million Canadians it should be noted that this would likely not be a frequent occurrence at any given workplace. It is important for us to support those who willingly choose to give life. Assuming a median salary of \$60,000 per year, 80% support for four weeks of coverage is only \$4,000.

In addition to being able to help the 1 in 10 British Columbians who currently suffer from chronic kidney disease, the Circle of Excellence program provides participating organizations with formal certification and dedicated public recognition. I am also pleased to inform you that the Government of British Columbia has also recently signed up for the program, along with others like Thrive Health and the University of British Columbia.

I look forward to hearing from you, and I hope to be able to answer any questions you may have about the program or how to better support kidney donors and recipients in your local community.

Sincerely,

Pia Schindler
Executive Director
The Kidney Foundation, BC & Yukon Branch
#200 – 4940 Canada Way
Burnaby, BC V5G 4K6

604.240.9359

From: [Nancy Owen](#)
To: [Nancy Owen](#)
Subject: FW: Invitation to Meet with the Health Authorities of British Columbia During UBCM Convention
Date: July 24, 2024 9:49:43 AM
Importance: High

From: MUNI UBCM Meeting Requests MUNI:EX <MUNI.UBCM.MeetingRequests@gov.bc.ca>
Sent: Friday, July 19, 2024 11:56 AM
Subject: Invitation to Meet with the Health Authorities of British Columbia During UBCM Convention
Importance: High

[External]

This message is being sent to all Union of BC Municipalities (UBCM) Member Municipalities, Regional Districts, and First Nations on behalf of the Ministry of Municipal Affairs.

Subject: Invitation to Meet with the Health Authorities of British Columbia During UBCM Convention

Intended Recipient(s): Mayors/Regional District Chairs/Islands Trust Chair/CAOs/Chiefs and Chief Councillors
and cc: General Email/Administrative Support staff/Alternates

If you have received this message in error, please forward it to the appropriate person in your organization.

2024 UBCM Convention – Ministries, Agencies, Commissions, and Corporations (MACC) Staff Meetings

Senior staff from the Regional Health Authorities and the Provincial Health Services Authority (PHSA) are pleased to offer UBCM Delegates an opportunity to meet to discuss matters related to the following:

Regional Health Authorities (Northern Health Authority; Interior Health Authority; Fraser Health Authority; Vancouver Coastal Health Authority; Island Health)

- When most people think about health care, the first thing they think of are hospitals. While many services are offered in the hospitals operated by the regional health authorities, they also offer a wide range of other important services such as:
 - Home and community care
 - Long-term care
 - Seniors care
 - End of life care
 - Mental health & substance use
 - Environmental health
 - Public health
 - Healthy Living
 - Infant & Youth
 - Sexual Health
 - Lab and medical imaging services

Invitation to Meet with the Health Authorities of British Columbia durin...

- Indigenous health

Provincial Health Services Authority:

- PHSA has a unique role in B.C.'s health authority system: to ensure that B.C. residents have access to a coordinated provincial network of high-quality specialized health-care services.
- PHSA programs provide care and services through specialized hospitals and centres across B.C. such as BC Children's Hospital and BC Cancer.
- PHSA is also responsible for specialized health services, which are delivered across the province in collaboration with regional health authorities, such as cardiac, trauma, perinatal and stroke services. Through BC Emergency Health Services, PHSA oversees the BC Ambulance Service and Patient Transfer Services.

To request a meeting with the Regional Health Authorities or the PHSA, please complete the form located at: <https://www.civicinfo.bc.ca/UBCMMeetingRequest/Staff>.

The deadline to submit online meeting requests is **Wednesday, August 21**. Decisions regarding MACC staff meeting requests will be communicated by September 11 to the contact(s) identified on your meeting request form.

As a reminder, meetings will be held **Monday, September 16 to Thursday, September 19** at the Fairmont Waterfront Hotel.

If you have any questions, please contact the MACC Staff Meeting Coordinator, Sarah Staszkiel, by phone at: 778 405-1784, or the Assistant MACC Staff Meeting Coordinator, Casey Cathcart by phone at: 778 405-3140. You may also reach out via email at: MUNI.UBCM.MeetingRequests@gov.bc.ca.

Regards,

Birgit Schmidt, Director
MUNI UBCM Convention Coordinator
Local Government Division | Ministry of Municipal Affairs
Phone: 778 698-3260 | Email: Birgit.Schmidt@gov.bc.ca



FIRST NATIONS LEADERSHIP COUNCIL

July 16, 2024

To First Nation and Local Government Leaders,

On behalf of the First Nations Summit, BC Assembly of First Nations and Union of BC Indian Chiefs (collectively working as the First Nations Leadership Council), and the Union of BC Municipalities, we are pleased to extend our invitation to you and your neighbouring community to join us for the 7th Province-wide Community-to-Community Forum on September 16th in Vancouver.

This forum aims to advance reconciliation and, foster dialogue, collaboration and understanding between local government and First Nation leaders across British Columbia. It provides a vital platform for meaningful discussions on shared priorities, challenges, and opportunities that affect our communities.

Date: **Monday September 16, 2024**
 Time: **8:30 am - 4:30 pm (Registration & Breakfast at 7:45am)**
 Location: **Fairmont Waterfront Hotel, 900 Canada Place, Vancouver**

For more information and to register, please go to the event [webpage](#). As more information becomes available, including the agenda, it will be shared and posted here.

We are also pleased to offer a limited number of travel subsidies for First Nation leaders. The maximum available subsidy is up to \$1100 per First Nation and is limited to two attendees. You can find more information on this and instructions for booking accommodation by navigating to the same event [page](#).

Your participation and insights are crucial in shaping the future of our province. Please take a moment to invite your First Nation/local government neighbour to attend with you.

Should you have any questions, please do not hesitate to contact Colin Braker at cbraker@fns.bc.ca or Marlene Wells at mwells@ubcm.ca. We look forward to welcoming you to this important gathering. Together, we can build stronger partnerships and work towards a shared vision of prosperity and well-being for all British Columbians.

Warm regards,

Union of British Columbia Municipalities
 Councillor Trish Mandewo, President

First Nations Leadership Council
 Cheryl Casimer, First Nations Summit (FNS) Political Executive
 Robert Phillips, FNS Political Executive
 Hugh Braker, FNS Political Executive
 Regional Chief Terry Teegee, BC Assembly of First Nations (BCAFN)
 Grand Chief Stewart Phillip, President, Union of BC Indian Chiefs (UBCIC)
 Chief Don Tom, Vice President, UBCIC
 Chief Marilyn Slett, Secretary Treasurer, UBCIC



INFORMATION REPORT

Council Meeting: July 30, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JAMES MACINTOSH, DIRECTOR OF ENGINEERING SERVICES

FILE NO: 5340-01

SUBJECT: SANITARY SEWER CAPACITY LIMITATIONS

REPORT NO: 24-86

ATTACHMENT(S): APPENDIX A – LIFT STATION DWELLING CAPACITY AVAILABILITY

PURPOSE:

To provide a brief update to Council concerning the District's sanitary sewer capacity limitations and plan to increase capacity to allow for future developments.

BACKGROUND:

The district's sanitary sewer system was constructed between the late 1970s and early 1980s. It comprises fourteen lift stations, approximately 8 kilometers of gravity mains and pressurized mains, a sewage lagoon, and an outfall. Initially designed to serve a small, unincorporated village with a few hundred residents, the system has evolved to support 2,100 permanent residents and an increasing number of seasonal visitors.

To manage infrastructure development, the District utilizes engineered utility master plans. These plans analyze the existing system's challenges and forecast future growth. They operate on a 30-year horizon and are subordinate to the Official Community Plan (OCP), with the objective of enabling sustainable and economically viable infrastructure growth.

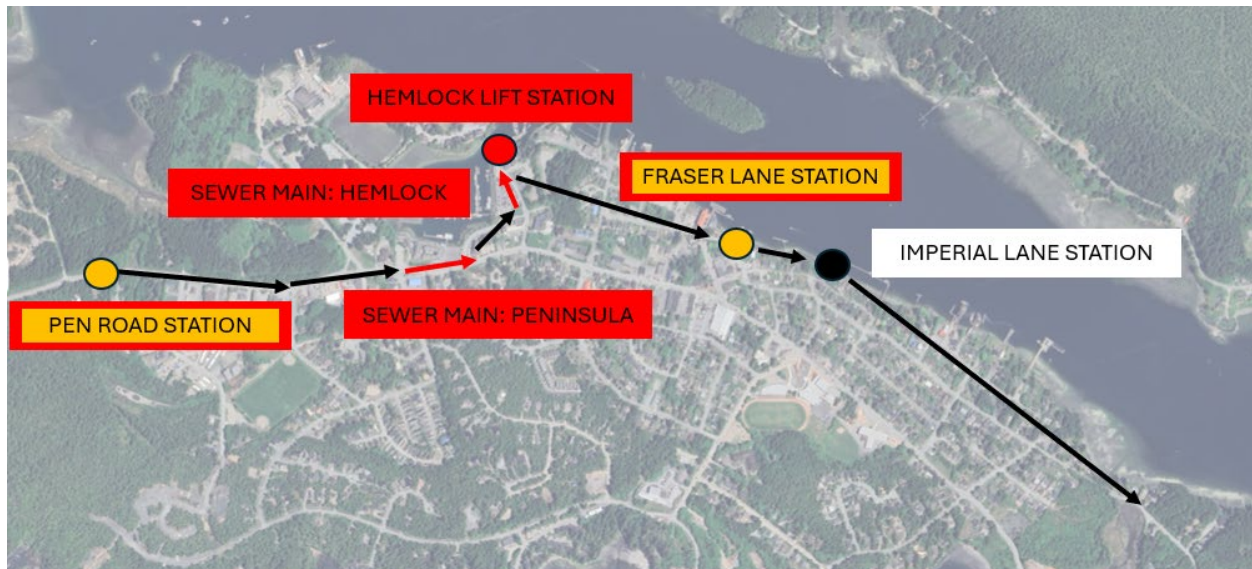
The District's 2023 [Sanitary Sewer Master Plan](#) identified significant limitations in sewer conveyance capacity along the eastern harbor. This limitation prevents the issuance of additional building permits upstream of the blockages, which are located approximately north of the municipal office, along the inner harbor, Peninsula Road, and extending to Minato Road. Specifically, the Fraser Lane and Hemlock Street Lift Stations, as well as two sanitary pressure mains in the Peninsula Road catchment area, are operating at or beyond their design capacity.

This capacity issue from the District's Master Plan was provided to Council in an Information Report on October 23, 2023. The replacement of the Hemlock Lift Station has been incorporated into the 20-year capital plan, however the extent of upgrades anticipated are unfunded.

REPORT:

The solution to address these capacity constraints involves upgrading the Hemlock and Fraser Lane Lift Stations, along with the two sanitary force mains in the affected catchment area. Recent

recalculations of growth patterns and future projections for the next 30 years indicate a need for appropriately sized infrastructure to manage the anticipated development. The shift in growth patterns, with a more immediate focus on Minato Bay and infills along Peninsula Road, has placed additional pressure on the inner harbor sanitary sewer system. This shift deviates from the original OCP growth projections, which anticipated significant development in the ONNI and Weyerhaeuser lands.



A comprehensive plan is currently being developed to address these issues. This plan will be presented to Council in the autumn and will include detailed information on:

- Estimated costs of the proposed upgrades
- Potential funding strategies
- Sequencing and timelines for installation
- Availability of capacity upon completion
- Options, implications and feasibility of an expedited upgrade plan

Upon execution, this plan will appropriately increase the sanitary sewer system's capacity on the eastern side of town, accommodating growth for the next 30 years.

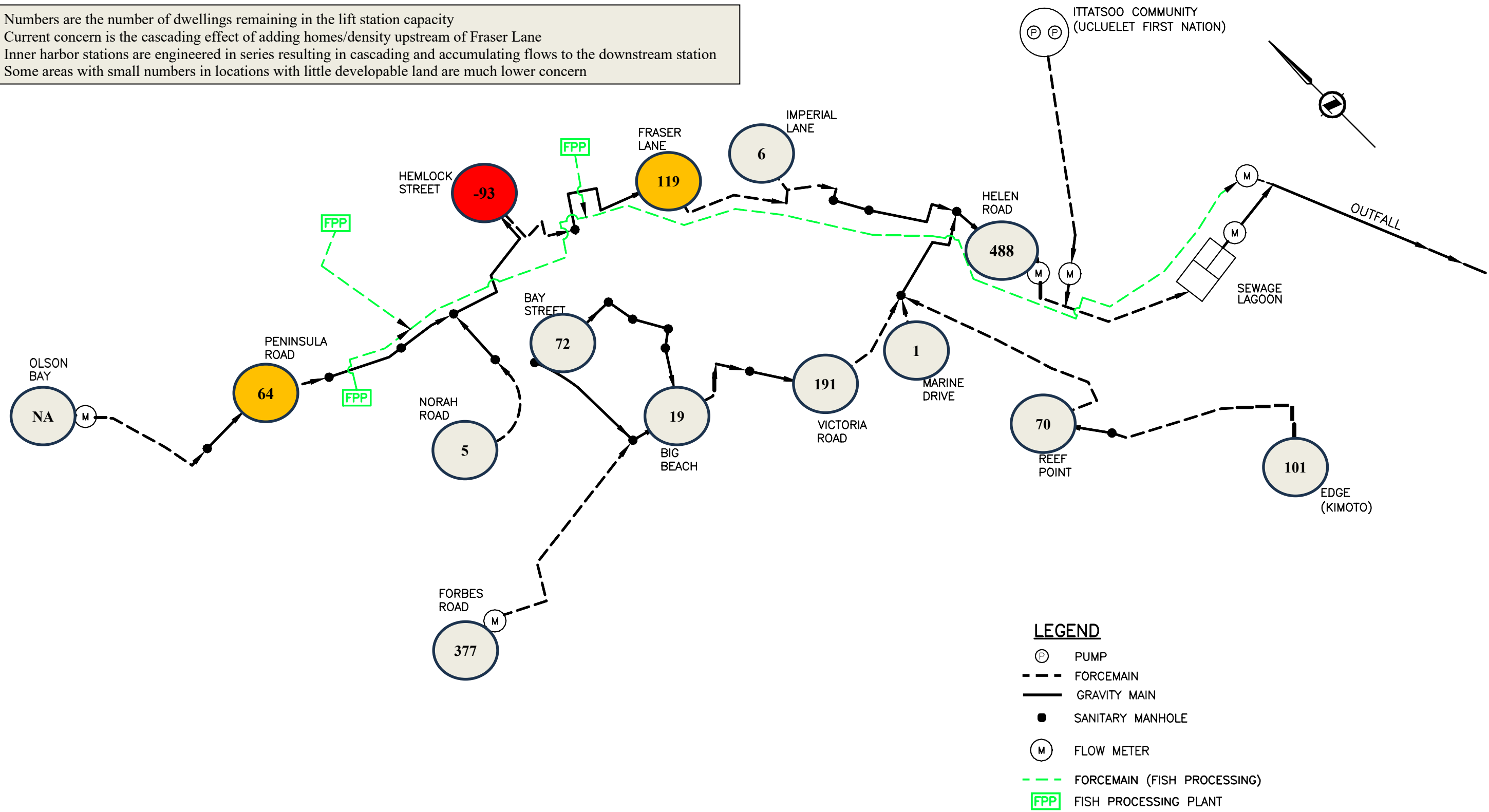
Addressing this immediate capacity bottleneck will realign the long-range infrastructure plan, enabling continued capacity expansion in a controlled manner, consistent with the Official Community Plan.

Respectfully submitted: **James MacIntosh, Director of Engineering Services**
 Duane Lawrence, CAO


File: H:\8250 Ucluelet District\1863 Sanitary Sewer Master Plan\03 Drawings\Figure 2 (PS Layout Schematic).dwg Plot Time: Jun 28, 2023 - 1:05pm User: rcove


APPENDIX A – LIFT STATION DWELLING CAPACITY AVAILABILITY

Numbers are the number of dwellings remaining in the lift station capacity
 Current concern is the cascading effect of adding homes/density upstream of Fraser Lane
 Inner harbor stations are engineered in series resulting in cascading and accumulating flows to the downstream station
 Some areas with small numbers in locations with little developable land are much lower concern



- LEGEND**
- (P) PUMP
 - FORCEMAIN
 - GRAVITY MAIN
 - SANITARY MANHOLE
 - (M) FLOW METER
 - - - FORCEMAIN (FISH PROCESSING)
 - FPP FISH PROCESSING PLANT


KOERS & ASSOCIATES ENGINEERING LTD.
 Consulting Engineers
P.O. Box 790, 194 Memorial Ave. Parksville, BC V9P 2G8
 Ph: 250-248-3151
 www.koers-eng.com Fax: 250-248-5362

CLIENT  DISTRICT OF UCLUELET
 PROJECT **SANITARY MASTER PLAN**

TITLE **SEWAGE LIFT STATION SCHEMATIC EXISTING CONDITIONS**
 APPROVED _____ SCALE Not to Scale
 DATE JUNE 2023 DWG No. **FIGURE 2**
 PROJECT No. 1863

Page 189 of 198



**MONTHLY
Mayor's / Chief's / President's
POLICING REPORT
June, 2024
Ucluelet Detachment
"E" Division
British Columbia**



Royal Canadian Mounted Police Gendarmerie royale du Canada



Calls for Service: 121

Annual Performance Plan (A.P.P.'S) Community Priorities

- (1) Crime Reduction
 - a) Speed Enforcement / Awareness
- (2) Build and Maintain Relations with the Community
 - a) Community Involvement
 - b) Reconciliation
- (3) Vulnerable Persons
 - a) Community Referrals

High Risk Charges

Domestic Violence Charges: 2

Sexual Assault Charges: 0

Crime Reduction

Road Safety

Check stops: 1

Impaired Driving: 6 files

Traffic Tickets: 5

Written Warning: 2

Build and Maintain Relations with the Community

Community Involvement

- Members joined a local soft ball team and continue to play.
- Members attended the West Coast Community resources meetings
- Members attended the go by bike event, lead the parade and barbequed for attendee's.
- Members attended and barbequed at the high school event West Coastchella.
- Members have been making foot patrols in the whiskey dock and business area.
- Members have begun extra patrols focusing on impaired driving within the communities.

Reconciliation

- Cst. HARRY continues to dedicate a considerable amount of his personal time by participating in the following:
 - a) Took out elders, visited with elders locally and outside of Ucluelet, had tea and meals with elders.
 - b) Attended a funeral in Hitacu.
 - c) Attended elders lunch in Hitacu to support community members with recent deaths.
 - d) Attended Hitacu AGM dinner.
 - e) Attended Toquaht Nation AGM Lunch then participated in a territory boat patrol
 - f) Attended the YFN Totem pole unveiling at the National park.
 - g) Attended Homalco First Nation for their AGM and celebrations.

- Detachment members have continued to do proactive visits to the communities to open positive interactions with community members.

Vulnerable Persons

Community Referrals

7 for the month of June

Other Police Services

Criminal Record Checks

Criminal record / Vulnerable Sector checks: 17

OCCURRENCES	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Assaults (Not including sexual assaults)	2	18	3	50
Sexual Offences	0	4	0	13
Break and Enters (Residence & Business)	1	5	1	18
Theft of Motor Vehicle	0	5	0	6
Theft Under \$ 5000.00	1	21	5	22
Theft Over \$ 5000.00	0	2	0	8
Drugs (Possession)	0	3	0	3
Drugs (Trafficking)	2	3	1	3
Causing a Disturbance	10	28	6	45
Liquor Act	12	28	3	34
Mischief - damage to property	3	19	1	24
Mischief - obstruct enjoyment	1	11	5	31
Impaired Driving	6	16	3	44
IRP / 24 hr suspension	8	22	0	16
Utter threats	3	12	2	13
Bylaw	2	16	6	52
Mental Health	3	32	12	57
Total Calls for service	121	643	119	1199

JUSTICE REPORTS	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Victim Services Referral - Accepted	3	13	2	17
Victim Services Referral - Declined	1	10	1	17
Victim Services - Proactive Referral	0	0	0	1
Restorative Justice Referrals	0	1	0	0
Prisoners Held	7	18	5	38
Prisoners escorted	0	0	5	11
Liquor Destroyed Immediately	11	14	2	8

Should you have any questions or concerns regarding this report, please feel free to contact me to discuss.

Prepared by: Sgt. Marc JONES

Telephone: 250 726-7773

Email: marc.jones@rcmp-grc.gc.ca

Extended Distribution List:

District Advisory NCO



File: ARCS-048-22339 / ARRP IN

Reference: 410993

July 10, 2024

SENT VIA EMAIL

To whom it may concern:

The Environmental Assessment Office (EAO) wishes to notify you of its upcoming legislative review of the [Environmental Assessment Act, 2018](#) (the Act). The Act outlines the process for conducting assessments for major projects in British Columbia that are reviewable under the Act and carrying out monitoring, compliance, and enforcement activities on those projects.

As [required by the Act](#), the Minister of Environment and Climate Change Strategy must initiate a review of the Act within five years of the Act coming into force (December 16, 2019). This means the review must begin by December 16, 2024, as seen below:

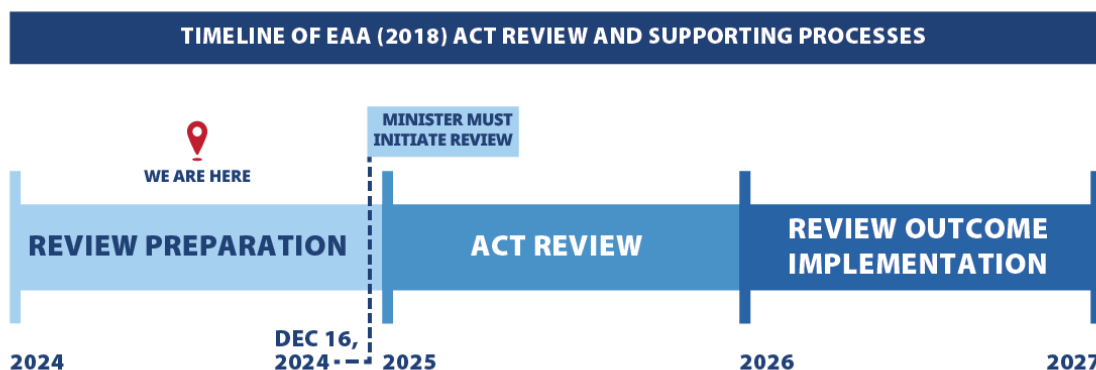


Figure 1: Timeline of the Environmental Assessment Act (2018) Act Review and Supporting Processes.

...2

**Environmental
Assessment
Office**

Office of the
Associate
Deputy Minister

Mailing Address:
PO Box 9426 Stn Prov Govt
Victoria BC V8W 9V1

Location:
2nd Fl – 836 Yates St
Victoria BC V8W 1L8

As part of the review preparation phase, the EAO will be engaging with First Nations, industry associations, and other associations including the Union of BC Municipalities (UBCM), to identify potential areas of focus for the review. This initial engagement, which will take place during the summer of 2024, will focus only on issues identification so that the EAO can be sure it understands what the key issues are with the Act. The EAO will not consider making changes to the Act until after the Act Review has begun.

If you would like to notify us of any issue with the Act and/or its regulations that you have identified, please contact UBCM with this information. Once the Act Review has begun, local governments, and all other interested and affected groups, will have the chance to participate in a future round of engagement.

Further information

If you have any questions related to the Act Review or the upcoming engagement of industry associations, please contact EAO.ActReview@gov.bc.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Trumpy".

Chris Trumpy
A/Chief Executive Assessment Officer and Associate Deputy Minister