

REGULAR MEETING OF COUNCIL George Fraser Community Room, Ucluelet Community Centre, 500 Matterson Drive, Ucluelet, and Electronically via Zoom (<u>Ucluelet.ca/CouncilMeetings</u>) Tuesday, January 14, 2025 @ 4:00 PM

AGENDA

- 1. CALL TO ORDER
 - 1.1. ACKNOWLEDGEMENT OF THE YUUŁU?IŁ?ATH Council would like to acknowledge the Yuułu?ił?ath, on whose traditional territories the District of Ucluelet operates.
 - 1.2. NOTICE OF VIDEO RECORDING Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.
- 2. LATE ITEMS
- 3. APPROVAL OF THE AGENDA
- 4. PUBLIC INPUT & DELEGATIONS
 - 4.1. Delegations

4.1.1.	Sergeant Marc Jones, Ucluelet RCPM Detachment Re: Quarterly Policing Report and Policing Priorities	5 - 16
	Leadership Report November 2024	
	Leadership Report December 2024	

- 5. UNFINISHED BUSINESS
- 6. BYLAWS
 - 6.1. District of Ucluelet Building Bylaw No. 1363, 2025 17 65 Nicole Morin, Municipal Inspector
 <u>RTC - District of Ucluelet Building Bylaw No. 1363, 2025</u> Appendix A - Building Bylaw No. 1363, 2025 Appendix B - Fees and Charges Amendment Bylaw No. 1364, 2025 Appendix C - Municipal Ticket Information Amendment Bylaw No. 1365, 2025
 6.2. Zoning Amendment for 1959 Cynamocka Road 67 - 81
 - 6.2. Zoning Amendment for 1959 Cynamocka Road Anneliese Neweduk, Planner <u>RTC - Zoning Amendment for 1959 Cynamocka Road</u> <u>Appendix A - Application</u>

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7.	REPC	DRTS	
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	9.2.	Next Lieutenant Governor of British Columbia - Wendy Cocchia, C.M., O.B.C., LL.D.(Hon) Office of the Lieutenant Governor 2024-12-10 Next Lieutenant Governor of British Columbia Announcement	89 - 90
	9.3.	AVICC Joint Area Association Virtual Engagement Session Association of Vancouver Island and Coastal Communities 2025-01-08 AVICC Virtual Engagement Session	91 - 92
10.	MAY	DR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS	
	10.1.	Councillor Shawn Anderson Deputy Mayor, April 1 - June 30, 2025	
	10.2.	Councillor Jennifer Hoar Deputy Mayor, January 1 - March 31, 2025	
	10.3.	Councillor Ian Kennington Deputy Mayor, July 1 - September 30, 2025	
	10.4.	Councillor Mark Maftei Deputy Mayor, October 1 - December 31, 2025	
	10.5.	Mayor Marilyn McEwen	
11.	QUES	STION PERIOD	
12.	CLOS	SED SESSION	
	12.1.	Procedural Motion to Move In-Camera THAT the January 14, 2024 Regular Council Meeting be closed to the public pursuant to the following sections of the Community Charter:	

7.

8.

9.

• 90(1)(c) labour relations or other employee relations;

- 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests 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.

13. ADJOURNMENT



MONTHLY Mayor's / Chief's / President's POLICING REPORT November, 2024 Ucluelet Detachment "E" Division British Columbia



Royal Canadian Gendarmerie royale Mounted Police du Canada



Calls for Service: 88

Annual Performance Plan (A.P.P.'S) Community Priorities

- (1) Crime Reduction a) Speed Enforcement / Awareness
- (2) Build and Maintain Relations with the Communitya) Community Involvementb) Reconciliation
- (3) Vulnerable Persons a) Community Referrals

High Risk Charges

Domestic Violence Charges: 0 Sexual Assault Charges: 0

Crime Reduction

Road Safety

Check stops: 0 Impaired Driving: 0 files Traffic Tickets: 0 – Ucluelet members / ? – Traffic members Written Warning: 1 – Ucluelet members / ? Traffic members

Build and Maintain Relations with the Community

Community Involvement

- Members attended the Remembrance Day Parade.
- Members have continued extra patrols focusing on impaired driving within the communities.
- Members have continued extra speed enforcement within the playground zone in front of the schools.
- Member attended the West Coast Community Resources Board of Directors meeting.
- Member attended the community center lunch.

Reconciliation

- Cst. HARRY continues to dedicate a considerable amount of his personal time by participating in the following:
 - a) Visited with elders on numerous occasions
 - b) Attended various cultural dinners in Hitacu.
 - c) Visited the Hitacu day care
 - d) Attended the Frank family potlatch Tofino Wickinnish School.
 - e) Attended community lunches at both Hitacu and Macoah.
 - f) Attended basketball practice with youth in Hitacu.
 - g) Attended a Health information session in Hitacu.
 - h) Updated the SAFE schools data while visiting the highschool.
- Detachment members have continued to do proactive visits to the communities to open positive interactions with community members.

Vulnerable Persons

Community Referrals

4 for the month of November

Other Police Services

Criminal Record Checks

Criminal record / Vulnerable Sector checks: 20

Sergeant Marc Jones, Ucluelet RCPM Detachment Re: Quarterly Policing Rep...

OCCURRENCES	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Assaults (Not including sexual assaults)	1	36	6	50
Sexual Offences	2	12	1	13
Break and Enters (Residence & Business)	1	13	4	18
Theft of Motor Vehicle	1	6	0	6
Theft Under \$ 5000.00	3	35	1	22
Theft Over \$ 5000.00	1	5	1	8
Drugs (Possession)	0	5	0	3
Drugs (Trafficking)	0	4	0	3
Causing a Disturbance	5	59	3	45
Liquor Act	0	60	1	34
Mischief - damage to property	0	33	2	24
Mischief - obstruct enjoyment	4	29	2	31
Impaired Driving	0	32	1	44
IRP / 24 hr suspension	0	52	0	16
Utter threats	0	19	0	13
Bylaw	2	33	3	52
Mental Health	4	61	1	57
Total Calls for service	88	1322	84	1199

JUSTICE REPORTS	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Victim Services Referral - Accepted	1	24	3	17
Victim Services Referral - Declined	0	13	1	17
Victim Services - Proactive Referral	0	1	0	1
Restorative Justice Referrals	0	1	0	0
Prisoners Held	3	51	5	38
Prisoners escorted	0	3	0	11
Liquor Destroyed Immediately	1	39	1	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



MONTHLY Mayor's / Chief's / President's POLICING REPORT December, 2024 Ucluelet Detachment "E" Division British Columbia



Royal Canadian Gendarmerie royale Mounted Police du Canada



Calls for Service: 101

Annual Performance Plan (A.P.P.'S) Community Priorities

- (1) Crime Reduction a) Speed Enforcement / Awareness
- (2) Build and Maintain Relations with the Communitya) Community Involvementb) Reconciliation
- (3) Vulnerable Persons a) Community Referrals

High Risk Charges

Domestic Violence Charges: 1 Sexual Assault Charges: 0

Crime Reduction

Road Safety

Check stops: 1 Impaired Driving: 2 files Traffic Tickets: 3 – Ucluelet members / 7 – Traffic members Written Warning: 3 – Ucluelet members / 0 Traffic members

Build and Maintain Relations with the Community

Community Involvement

- Members attended training on the newly implemented body worn camera
- Members have continued extra patrols focusing on impaired driving within the communities.
- Members have continued extra speed enforcement within the playground zone in front of the schools.
- Member attended the West Coast Community Resources community Christmas lunch and the board of directors Christmas dinner.
- Members attended the "stuff the cruiser" event.
- Members attended the Ucluelet Senior Secondary School entrepreneurial fair.
- Member attended the municipal fire hall Christmas dinner.

Reconciliation

- Cst. HARRY continues to dedicate a considerable amount of his personal time by participating in the following:
 - a) Visited with elders on numerous occasions
 - b) Attended Hitacu staff dinner at Black Rock resort.
 - c) Visited the Hitacu day care and donated an inflatable snowman.
 - d) Met with new Hitacu emergency program coordinator on two occasions.
 - e) Attended Hitacu community Christmas dinner
 - f) Attended basketball practice and open gym activities with youth in Hitacu.
 - g) Put up Christmas lights on Hitacu sub police office.
 - h) Attended Macoah community lunch.
 - i) Attended the Toquaht Nation Christmas dinner in Port Alberni.
 - j) Attended multi family Christmas dinner at six plex in Hitacu
 - k) Brought Christmas dinner to a Hitacu community elder.
- Detachment members have continued to do proactive visits to the communities to open positive interactions with community members.
- Members attended a community dinner with Cst. HARRY in Hitacu.

Vulnerable Persons

Community Referrals

1 for the month of December

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)	8	44	4	50
Sexual Offences	0	12	0	13
Break and Enters (Residence & Business)	2	15	0	18
Theft of Motor Vehicle	1	7	1	6
Theft Under \$ 5000.00	2	37	5	22
Theft Over \$ 5000.00	0	5	1	8
Drugs (Possession)	1	6	0	3
Drugs (Trafficking)	1	5	0	3
Causing a Disturbance	2	61	2	45
Liquor Act	2	62	3	34
Mischief - damage to property	3	36	6	24
Mischief - obstruct enjoyment	4	33	0	31
Impaired Driving	2	34	3	44
IRP / 24 hr suspension	8	60	1	16
Utter threats	1	20	1	13
Bylaw	1	34	2	52
Mental Health	3	64	4	57
Total Calls for service	101	1423	90	1199

JUSTICE REPORTS	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Victim Services Referral - Accepted	3	27	5	17
Victim Services Referral - Declined	2	15	3	17
Victim Services - Proactive Referral	0	1	0	1
Restorative Justice Referrals	0	1	0	0
Prisoners Held	5	56	1	38
Prisoners escorted	0	3	0	11
Liquor Destroyed Immediately	0	39	1	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



REPORT TO COUNCIL

Council Meeting: January 14, 2025 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: NICOLE MORIN, MUNICIPAL INSPECTOR

FILE No: 3900-25

SUBJECT: DISTRICT OF UCLUELET BUILDING BYLAW NO. 1363, 2025 REPORT NO: 25-01

ATTACHMENT(S): APPENDIX A - BUILDING BYLAW NO. 1363, 2025 APPENDIX B - FEES AND CHARGES AMENDMENT BYLAW NO. 1364, 2025 APPENDIX C - MUNICIPAL TICKET INFORMATION AMENDMENT BYLAW NO. 1365, 2025

RECOMMENDATIONS:

THAT Council gives first, second, and third reading to District of Ucluelet Building Bylaw No. 1363, 2025.

THAT Council gives first, second, and third reading to District of Ucluelet Fees and Charges Amendment Bylaw No. 1364, 2025.

THAT Council gives first, second, and third reading to District of Ucluelet Municipal Ticket Information Amendment Bylaw No. 1365, 2025.

BACKGROUND:

As a society we have decided that minimum standards should apply to the construction of buildings and structures, in order to protect people and the environment. In Canada, a National Building Code (NBC) was first created in the 1930s and adopted in 1941. The NBC is a model code that is updated regularly and then adapted by most provinces to suit the climate and seismic conditions within their jurisdiction.

The NBC works in close alignment with the National Fire Code – while the Building Code focusses on new construction, the Fire Code applies to the use of buildings and facilities and regulates activities that create fire hazards.

The NBC is concerned with health, safety, accessibility, and the protection of buildings from fire or structural damage. It applies to the construction of new buildings and to the demolition or relocation of existing ones. It also applies when a building's use changes or when it is significantly renovated or altered. Some provincial building codes (including the BC Building Code) also address energy conservation.

The Building Code is adopted by the Province - it provides consistency for property owners and the construction industry regardless of where they are located in BC. Each municipality then has

discretion over how it applies the building code and a system of inspections, tailored to the resources of the local community.

The District of Ucluelet Building Bylaw was last updated in 2014. It is best practice to review municipal bylaws every few years to ensure that the bylaws remain relevant and reflect the latest standards, best practices, and legislated requirements. The Municipal Insurance Association of British Columbia (MIABC), in conjunction with the Building Officials Association British Columbia (BOABC), Professional Associations, and Lidstone and Company developed a Model Building Bylaw update in 2018 to assist municipalities in updating their building bylaws. MIABC provided three model building bylaws to fit cities of small, medium, and large populations.

The District of Tofino adopted its current building bylaw based on the MIABC model bylaw for small populations in 2019. Given the District of Ucluelet's similarly small population, and confirmation from MIABC, the small size model building bylaw model was likewise selected by the District of Ucluelet staff. The West Coast building community operates across both jurisdictions, in both Ucluelet and Tofino; having aligned building bylaws will facilitate understanding of requirements for our local builders. The draft bylaws proposed herein seek to bring the District of Ucluelet into alignment with District of Tofino in large part; some departures between the proposed Building Bylaw and Tofino's Building Bylaw include:

- Retaining walls (S. 3.3 (c); S. 12) The current Ucluelet Building Bylaw requires building permits for retaining structures 1.5 metres in height. Most of the jurisdictions on Vancouver Island, including the cities of Nanaimo, Port Alberni and Victoria, require a building permit for retaining structures 1.2 metres in height this matches the height recommended where an engineer becomes involved, according to the Engineers and Geoscientists of BC. Discussions with Tofino staff confirmed that they will also be looking at changing the height where a permit is required to 1.2m. The proposed bylaw No. 1363 incorporates language to make the height where a building permit is required 1.2 metres in height.
- Temporary Shelter During Construction (S. 11)— The new Building Bylaw proposes to include a provision from the current Building Bylaw that permits the use of the recreational vehicle or camper as a temporary shelter on a parcel of land for which a building is being constructed for a single-family dwelling or duplex. This popular provision allows Ucluelet residents or trades engaged in the build to reside on property while building. This can help to alleviate costs during the build and promote more affordable housing here in Ucluelet.

Notable changes from the current Building Bylaw and supporting Fees and Charges and MTI bylaws that are reflected in the updated draft bylaws include:

- Increase the initial length of time that a Building Permit may remain valid (S. 10.45) from 18 months to 24 months. An additional permit extension of 12 months by the District's Building Inspector is permitted, resulting in a total maximum permit length of 36 months. This may result in fewer extensions being required due to longer initial permit period.
- Time limit on Building Permit application (S. 10.51) A provision is proposed to limit how long a building permit (which has been reviewed by staff and is ready for issuance) can remain on File before it expires. There are situations where staff have completed all the

review work, and informed the applicant the permit is ready for issuance, yet the permit is not picked up by the applicant for a year or more. In some cases, given the time lapse, changes to the Building Code may impact on the unissued permit. Establishing a clear expectation that the Building Permit will be closed if after six months the fees have not been paid for issuance (and the Permit therefore issued) would provide a clear direction for staff and applicants.

- Changes in fees, security deposits, and fines The proposed changes to the Fees and Charges Bylaw and Municipal Information Ticket Bylaw will bring Ucluelet into alignment with the District of Tofino. There is little change to the building permit fees, beyond raising the amount of damage deposits to match Tofino. The MTI fines for non-compliance with the Building Bylaw would become \$1,000 or \$500 in one instance. The fines established by the Building Bylaw in 2014 ranged from \$100 to \$500.
- Swimming pools (S.15) are not referenced in the current Building Bylaw. The proposed bylaw includes minimum requirements to regulate swimming pool fencing to improve safety.

		1	
A	Council gives first, second, and third reading to Bylaws 1363, 1364, & 1365, 2025.	<u>Pros</u>	 Provides a Building Bylaw that is approved by MIABC, the District's insurer, which accurately reflects current and best practices.
			 Provides alignment between our community and the District of Tofino to better serve the local West Coast building community.
		<u>Cons</u>	None of which staff are aware.
		Implications	• Excluding staff time, there are no financial implications regarding the proposed new bylaw.
	Council provides alternate direction to Staff.	<u>Pros</u>	• Alternate direction from Council would ensure that the new bylaw accurately reflects Council's intentions.
		<u>Cons</u>	• Significant research went into the development of the updated draft bylaw to ensure its relevance and accuracy.
В		Implications	• Excluding staff time, there are no financial implications should Council wish to provide alternate direction.
		Suggested Motion	THAT Council refer the draft bylaws back to Staff to amend District of Ucluelet Building Bylaw No. 1363, 2025 (and/or Bylaws 1364 & 1365) by [<i>insert desired changes</i>].

ANALYSIS OF OPTIONS

		<u>Pros</u>	• There are no obvious positive impacts to maintaining the 10-year- old Building Bylaw.
	Take no action.	<u>Cons</u>	The current bylaw will continue to grow more outdated over time.District of Ucluelet and Tofino Building bylaws will not be aligned
C		<u>Implications</u>	to better serve our local building community.Not acting on this initiative may impact funding received under
		Suggested	HAF Contribution Agreement. No motion is required.
		<u>Motion</u>	

POLICY OR LEGISLATIVE IMPACTS:

The British Columbia Building Code sets the minimum standards for building construction throughout the province of British Columbia. The Municipal Building Bylaw enables the system of permits and inspections that maintain the health and safety standards of the Building Code for residents and visitors to the community. Adopting Building Bylaw No. 1363, 2025 would update the Bylaw to reflect current practices and make permitting more consistent for builders on the West Coast.

It is worth noting that one of the five initiatives being undertaken by Ucluelet to meet its commitments to the CMHC Housing Accelerator Fund, (HAF) Program is to "Streamline Permitting Processes". One task under this initiative is to adopt an updated Building Bylaw.

NEXT STEPS

- Should Council give draft Bylaws 1363, 1364 & 1365, 2025 first, second, and third reading, the draft bylaws would be presented for adoption at the next Council meeting.
- Should Council provide alternate direction, staff would amend the bylaws for consideration of first, second, and third reading, at a future Council meeting.

Respectfully submitted:	Nicole Morin, Municipal Inspector		
	Bruce Greig, Director of Community Planning		

District of Ucluelet Building Bylaw No. 1363, 2025 Nicole Morin, Municip...

Appendix A

District of Ucluelet Building Bylaw No. 1363, 2025



District of Ucluelet Building Bylaw No. 1363, 2025 Nicole Morin, Municip... District of Ucluelet Building Bylaw No. 1363, 2025 Page 21 of 92 1 of 37

DISTRICT OF UCUELET BYLAW NO. 1363, 2025

A Bylaw for Administration of the British Columbia Building Code and Regulation of Construction

WHEREAS the Council of the District of Ucluelet may by bylaw regulate, prohibit and impose requirements in respect to *buildings* and *structures* under sections 8(3)(g) and (I) of the *Community Charter* for the following under section 53(2):

- (a) the provision of access to a *building* or other *structure*, or to part of a *building* or other *structure*, for a person with disabilities;
- (b) the conservation of energy or water;
- (c) the reduction of greenhouse gas emissions;
- (d) the health, safety or protection of persons or property;

AND WHEREAS the Council of the District of Ucluelet is enacting this bylaw to regulate *construction* and administer the British Columbia Building Code in Ucluelet in accordance with the *Community Charter* and the *Building Act*;

AND WHEREAS the District of Ucluelet has employed trained building officials for the purposes of this bylaw;

AND WHEREAS section 137 of the *Community Charter* provides that the power to adopt a bylaw includes the power to amend or repeal it;

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

1. Name

The name of this bylaw for citation purposes is "District of Ucluelet Building Bylaw No. 1363, 2025."

2. Purpose of Bylaw

- 2.1. Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part.
- 2.2. Every *permit* issued under this bylaw is issued expressly subject to the provisions of this Part.
- 2.3. This bylaw is enacted to regulate, prohibit and impose requirements regarding *construction* in the District in the public interest.
- 2.4. The purpose of this bylaw does not extend to
 - (a) the protection of *owners, designers* or *constructors* from economic loss;
 - (b) the assumption by the District or any building official of any responsibility for

ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors* or *designers* retained by the *owner*, with the *building code*, the requirements of this bylaw, or other applicable enactments, codes or standards;

- providing any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy permit is issued under this bylaw;
- (d) providing any person a warranty or assurance that *construction* undertaken under *building permits* issued by the District is free from latent, or any, defects; or
- providing the protection of adjacent real property from incidental damage or nuisance.

3. Scope and Exemptions

Application

- 3.1. This bylaw applies to the geographical area of the District and to land, the surface of water, air space, *buildings* or *structures* in the District.
- 3.2. This bylaw applies to the design, *construction* or *occupancy* of new *buildings* or *structures*, and the *alteration*, reconstruction, demolition, removal, relocation or *occupancy* or change of use or *occupancy* of existing *buildings* and *structures*.
- 3.3. This bylaw does not apply to
 - (a) a fence;
 - (b) an accessory building with a floor area of less than 10 square metres;
 - (c) retaining walls 1.2 metres or less in height that do not support a structure;
 - (d) a trellis, an arbour, or other similar landscape *structures* on a *parcel* zoned for single-family *residential occupancy* uses under the District's zoning bylaw;
 - (e) a *building* or *structure* commonly known as "Canadian Standards Association Z240 MH series, Z241 series or A277 series", except as regulated by the Building Code.

Limited Application to Existing Buildings

- 3.4. Except as provided in the *building code* or to the extent an *existing building* is under *construction* or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the *building* must be *reconstructed* and *altered*, unless it is expressly so provided by this or another bylaw, regulation or statute.
- 3.5. This bylaw applies if the whole or any part of an *existing building* is moved either within or into the District, including relocation relative to *parcel* lines created by subdivision or

consolidation. Part 13 applies to building moves.

- 3.6. If an *alteration* is made to an *existing building* the *alteration* must comply with this bylaw and the *building code* and the entire *building* must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the *building* because of the *alteration*.
- 3.7. If an *alteration* creates an *addition* to an existing *building*, the *alteration* or *addition* must comply with this bylaw and the *building code* and the entire *building* must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the *building* because of the *alteration* or *addition*.

4. Prohibitions

- 4.1 A person must not commence or continue any *construction, alteration, excavation,* reconstruction, demolition, removal, relocation or change the use or *occupancy* of any *building* or *structure,* including other work related to *construction*
 - (a) except in conformity with the requirements of the *building code* and this bylaw; and
 - (b) unless a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 4.2 A person must not occupy or *permit* the *occupancy* of any *building* or *structure* or part of any *building* or *structure*
 - (a) unless a subsisting *occupancy permit* has been issued by a *building official* for the *building* or *structure* or the part of the *building* or *structure*; or
 - (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.
- 4.3 A person must not knowingly submit false or misleading information to a *building official* in relation to any *permit* application or *construction* undertaken pursuant to this bylaw.
- 4.4 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *building* official, or plans and supporting documents which have been filed for reference with the *building official* after a *permit* has been issued.
- 4.5. A person must not, unless authorized in writing by a *building* official, reverse, alter, deface, cover, remove or in any way tamper with any notice, *permit* or certificate posted or affixed to a *building* or *structure* pursuant to this bylaw.
- 4.6. A person must not do any work that is substantially at variance with the *accepted* design or plans of a *building*, *structure* or other works for which a *permit* has been issued, unless such a modification has been authorized in writing by a *building* official.

- 4.7. A person must not interfere with or obstruct the entry of a *building official* or other authorized official of the District on property in the administration of this bylaw.
- 4.8. A person must not construct on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so it may be easily read from the public highway from which it takes its address.
- 4.9. A person must not contravene an administrative requirement of a *building official* made under section 6.6 or any other provision of this bylaw.
- 4.10. A person must not change the use, occupancy or both of a building or structure or a part of a building or structure without first applying for and obtaining a building permit under this bylaw.

5. Permit Conditions

- 5.1. A *permit* is required if work regulated under this bylaw is to be undertaken.
- 5.2. Neither the issuance of a *permit* under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the District will in any way
 - (a) relieve the owner (and if the owner is acting through an agent, the agent of the owner) from full and sole responsibility to perform the work in respect of which the permit was issued in strict compliance with this bylaw, the building code, and all other applicable codes, standards and enactments;
 - (b) constitute a representation, warranty, assurance or statement that the *building code*, this bylaw or any other applicable enactments respecting safety, protection, land use and zoning have been complied with; or
 - (c) constitute a representation or warranty that the *building* or *structure* meets any standard of materials or workmanship.
- 5.3. No person shall rely on any *permit* as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.
- 5.4. Without limiting section 5.2(a), it is the full and sole responsibility of the *owner* (and if the *owner* is acting through a representative, the representative of the *owner*) to carry out the work in respect of which the *permit* was issued in compliance with the *building code*, this bylaw and all other applicable codes, standards and enactments.

6. Powers of a Building Official

Administration

6.1 Words defining the authority of a *building official* are be construed as internal administrative powers and not as creating a duty.

6.2 A building official may

- (a) administer this bylaw, but owes no public duty to enforce or administer this bylaw;
- (b) keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
- (c) create, amend, public and prescribe any forms, notices, policies or other documents to administer this bylaw;
- (d) establish or require an *owner* to establish whether a method or type of *construction* or material used in the *construction* of a *building* or *structure* complies with the requirements and provisions of this bylaw and the *building code*; and
- (e) direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundations be carried out, or that sufficient evidence or proof be submitted by the owner, at the owner's sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or foundation condition complies with this bylaw and the building code.

Refusal and Revocation of Permits

- 6.3. A *building official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *building code* or the provisions of this or any other bylaw of the District, and must state the reason in writing.
- 6.4. A *building official* may revoke a *permit* if, in their opinion, the results of tests on materials, devices, *construction* methods, structural assemblies or *foundation* conditions contravene the *building code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

Right of Entry

6.5. Subject to section 16 of the *Community Charter*, a *building official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met.

Powers

- 6.6. Subject to applicable enactments, a building official may by notice in writing require
 - (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
 - (b) an owner to stop work on a building or structure, or any part of a building or structure, if the work is proceeding in contravention of this bylaw, the building code, or any other enactment of the District or other applicable enactments, or if there is deemed to be an unsafe condition, and may enter on property to affix or post a stop work order in the form prescribed by the building official;
 - (c) an *owner* to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way or easement, or a setback or yard required under an enactment;
 - (d) an *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, *constructed* in contravention of a provision of this bylaw;
 - (e) an owner to have work inspected by a building official prior to covering;
 - (f) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *building* official;
 - (g) a person to cease any occupancy in contravention of a provision of this bylaw;
 - (h) a person to cease any occupancy if any unsafe condition exists because of work being undertaken but not complete and where the building official has not issued a final inspection notice for the work;
 - (i) an owner to correct any unsafe condition; and
 - (j) an owner to correct any work that contravenes this bylaw, the building code, or any other enactment.
- 6.7. Every reference to "owner" in section 6.6 includes a reference to the owner's agent or constructor.
- 6.8. Every person served with a notice under this Part must comply with that notice
 - (a) within the time ordered, or
 - (b) if no time is ordered, immediately.
- 7. Owner's Responsibilities

Permit Requirements

7.1. Subject to Part 10 of this bylaw, every owner must apply for and obtain a permit, prior

to

- (a) constructing, repairing or altering a building or structure, including a pool or retaining wall;
- (b) moving a *building* or *structure* into or within the District;
- (c) demolishing a *building* or *structure*;
- (d) occupying a new building or structure;
- (e) *constructing* a masonry fireplace or installing a wood-burning appliance or chimney, whether attached to, part of or detached from a *building*.
- (f) changing the use or *occupancy* of a *building*, unless the works are the subject of another valid and subsisting *building permit*.
- 7.2. Every *owner* must ensure that plans submitted with a *permit* application bear the name, phone number, address and email address of the *designer* of the *building* or *structure*.

Owner's Obligations

- 7.3. Every owner must
 - (a) comply with the *building code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit any work required by the *building code*, this bylaw or the conditions of a *permit*;
 - (b) ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all municipal inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *building official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work; and
 - (c) prior to the issuance of a *building permit*, execute and submit to the District an *owner's* undertaking in the form prescribed a District of Ucluelet *building official*.
- 7.4. Every owner and every owner's agent, must carry out construction or have the construction carried out in accordance with the requirements of the building code, this bylaw and other bylaws of the District and none of the issuance of a permit under this bylaw, the review of plans and supporting documents, or inspections made by a building official or a registered professional shall relieve the owner, or his or her agent, from full and sole responsibility to perform the work in strict accordance with this bylaw, the building code and all other applicable codes, standards and enactments.
- 7.5. Every owner to whom a permit is issued must, during construction,

(a) allow a building *official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw,

(b) post the civic address on the property so that it may be easily read from the public highway from which the property takes its address; and

(c) post the *permit* on the property so that it may be easily read from the public highway from which the property takes its address.

Damage to Municipal Works

- 7.6. Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the *permit*.
- 7.7. In *addition* to payment of a security deposit under sections 10.9 to 10.13, every *owner* must pay to the District, within 30 days of receiving an invoice for same from the District, the cost to repair any damage to public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

Demolition

- 7.8. Prior to obtaining a permit to demolish a building or structure, the owner must
 - (a) provide to the District a vacancy date;
 - (b) Pay turn-off fees" as set out in District bylaws governing the water and sewer utilities; and
 - (c) ensure that all municipal services and other services are capped and terminated at the property line in a District standard inspection chamber and valve arrangement.
- 7.9. Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared, and the *site* is levelled or graded, or made safe if levelling and grading are not possible.

Notice

- 7.10. Every *owner* must, at least 48 hours prior to commencing work at a *building site*, give written or online notice to a *building official* of the date on which the *owner* intends to begin such work.
- 7.11. Every *owner* must give written or online notice to a *building official* of any change in or termination of engagement of a *registered professional*, including a *coordinating registered professional*, during construction, within 24 hours of when the change or termination occurs.
- 7.12. If an owner or a registered professional terminates the engagement of a registered professional, including a coordinating registered professional, the owner must terminate all work under a building permit until the owner has engaged a new registered professional, including a coordinating registered professional, and has delivered to a building official new letters of assurance.

- 7.13. Without limiting sections 10.29 to 10.44, every *owner* must give at least 48 hours' online or written notice to a *building official*
 - (a) of intent to do work that is required or ordered to be corrected during *construction;*
 - (b) of intent to cover work that is required under this bylaw to be, or has been ordered to be inspected prior to covering; and
 - (c) when work has been completed so that a final inspection can be made.
- 7.14. Every *owner* must give notice in writing to a *building official* and pay the nonrefundable fee set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor immediately upon any change in *ownership* or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.
- 7.15. Every *owner* must give such other notice to a *building official* as may be required by the *building official* or by a provision of this bylaw.

8. Obligations of Owner's Constructor

- 8.1. Every *constructor* must ensure that all *construction* is done in compliance with all requirements of the *building code*, this bylaw and all other applicable, codes, standards and enactments.
- 8.2. Every *constructor* must ensure that no *excavation* or other work is undertaken on public property, and that such property is not disturbed, no *building* or *structure* erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public property.
- 8.3. For the purposes of the administration and enforcement of this bylaw, every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

9. Registered Professional's Responsibilities

Professional Design and Field Review

- 9.1. The provision by the *owner* to the District of letters of assurance in accordance with the requirements of the *building code* shall occur prior to
 - (a) the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
 - (b) a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the District with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*.

9.2. If a *registered professional* provides letters of assurance in accordance with the *building code*, they must also provide proof of professional liability insurance to the *building official*.

Requirement for a Registered Professional

- 9.3. The owner must retain a registered professional to provide a professional design and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7, Division C, of the building code, in respect of a permit application
 - (a) prior to the pre-occupancy site review coordinated by the *coordinating registered* professional or other registered professional for a *complex building*, or
 - (b) prior to a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the District with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*;
 - except for single storey garages, carports and garden structures, *foundation* and *excavation* components of new *simple buildings* and *additions* greater than 55 square metres to *simple buildings* in accordance with the *building code*;
 - (d) a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* in accordance with the *building code*;
 - (e) prior to alterations to a building, or to a structural component of a building described in paragraph (b);
 - (f) for a *building* in respect of which the *building official* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property under the *building code*;
 - (g) if the *building* envelope components of the *building* fall under Division B Part 3 of the *building code*, the *building* contains more than two dwellings, or if the *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 of the *building code*; and
 - (h) for a parcel of land on which a *building* or *structure* is proposed if the *building* official believes the parcel is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*
 - i. for a report certified by *professional engineer* with experience in geotechnical engineering that the parcel may be used safely for the use intended, and
 - ii. that the plans submitted with the application comply with the relevant

provisions of the building code and applicable bylaws of the District.

9.4. The *building official* may require any *registered professional* carrying out the *professional design* and *field review* required under section 9.3 to provide evidence that they have experience and expertise in respect of the *professional design* and *field review* of the context and scope required.

Professional Plan Certification

- 9.5. The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7, Division C, of the *building code* referred to in sections 9.1 and 9.3 are relied upon by the District and *its building officials* as certification that the design and plans to which the letters of assurance refer comply with the *building code*, this bylaw and other applicable enactment.
- 9.6. Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *building code*.
- 9.7. For a *building permit* issued for the construction of a *complex building*, the building official shall provide the *owner* with a notice that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *building code* and other applicable enactments. Any failure on the part of the *building official* to provide the *owner* with the notice will not diminish or invalidate the reliance by the District or its *building officials* on the *registered professionals*.
- 9.8. If a *building permit* is issued for construction of a *complex building*, the *permit* fee is reduced by 5% of the fees payable under Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor, up to a maximum reduction of \$500.00 (five hundred dollars).

10. Building Application Requirements

Requirements before Applying for a Building Permit

- 10.1. Prior to issuance of a building permit, the owner must satisfy the following requirements or conditions:
 - (a) the owner must apply for and obtain a development permit if the building or structure is in an area designated by the District's Official Community Plan as a development permit area;
 - (b) the owner must ensure that the proposed building or structure complies with all bylaws of the District, except to the extent a variance of a bylaw is authorized by a development permit, development variance permit or order of the Board of Variance;
 - (c) an approving officer must have approved the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*, and the subdivision plan must have been registered in the

Land Title Office;

- (d) the owner must provide evidence to the building official showing that the person applying for the building permit is either the owner of the parcel that is the subject of the proposed building permit, or is the agent of the owner, in which case, the agent must provide the name and contact information of the owner;
- (e) if the parcel that is the subject of the *building permit* application cannot be connected to the District's sewage disposal system, the *owner* must apply for and obtain approval from the District and other applicable public authorities for an alternate *private sewage disposal system*;
- (f) if the parcel that is the subject of the *building permit* application cannot be connected to the District's waterworks system, the *owner* must apply for and obtain approval from the District and other applicable public authorities for an alternate water supply system;
- (g) if the parcel that is the subject of the *building permit* application is not intended to be connected to The District's storm water drainage system, the *owner* must apply for and obtain approval from the District and other applicable public authorities for the alternate storm water drainage and detention system; and
- (h) if all on site and off site works and services required by a District bylaw or other enactment have not been completed in accordance with the enactments, the owner must enter into a completion agreement with the District and deliver to the District letters of credit or cash security for completion of the works and service.

Building Permit Applications for Complex Buildings

- 10.2. An application for a *building permit* with respect to a *complex building* must
 - (a) be made in the form prescribed by the *building official* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - (b) be accompanied by the owner's acknowledgement of responsibility and undertaking made in the form prescribed by a District of Ucluelet building official and signed by the owner, or a signing officer if the owner is a corporation;
 - include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
 - (d) include a *building code* compliance summary including the applicable edition of the *building code*, such as without limitation whether the building is designed under Part 3 or Part 9 of the building code, *major occupancy* classification(s) of the *building, building area* and *building height,* number of streets the *building* faces, and *accessible* entrances, work areas, washrooms, firewalls and facilities;
 - (e) include a copy of a survey plan prepared by a British Columbia land surveyor;

(f)	include a site plan prepared by a registered professional showing
i.	the bearing and dimensions of the parcel taken from the registered subdivision plan;
ii.	the legal description and civic address of the parcel;
iii.	the location and dimensions of <i>existing</i> and proposed statutory rights of way,
iv.	easements and setback requirements, adjacent street and lane names; the location and dimensions of <i>existing</i> and proposed <i>buildings</i> or <i>structures</i> on the parcel;
٧.	setbacks to the natural boundary of any lake, swamp, pond or watercourse;
vi.	north arrow;
vii.	if applicable, location of an approved <i>existing</i> or proposed private or other alternative sewage disposal system, water supply system or storm water drainage system;
viii.	zoning compliance summary;
ix.	the location, dimensions and gradient of parking and parking access;
х.	proposed and existing setbacks to property lines;
xi.	natural and finished grade at <i>building</i> corners and significant breaks in the building plan and proposed grade around the <i>building</i> faces in order to ascertain <i>foundation</i> height;
xii.	first storey floor elevation;
xiii.	location, setbacks and elevations of all <i>retaining walls</i> , steps, stairs and decks;
xiv.	line of upper floors;
XV.	location and elevation of curbs, sidewalks, manholes, and service poles;
xvi.	location of existing and proposed service connections;
xvii.	location and species of all trees greater than 10 centimetres in diameter;
xviii.	location of top bank and water courses;
xix.	access routes for firefighting;
XX.	accessible paths of travel from the street to the building;
xxi.	geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a <i>building</i> or <i>structure</i> where the District's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation, except that the <i>building</i> <i>official</i> may waive, in whole or in part, the requirements for a site plan, if the <i>permit</i> is sought for the repair or <i>alteration</i> of an <i>existing building</i> or <i>structure</i> ;
(g)	include floor plans showing the dimensions and uses and <i>occupancy</i> classification of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; fire separations; plumbing fixtures; structural elements; and stair dimensions;
(h)	include a cross-section through the <i>building</i> or <i>structure</i> in sufficient detail and locations to illustrate <i>foundations</i> , drainage, ceiling heights and constructions systems;

(i) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished *grade*, spatial separations and

ridge height to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the District's zoning bylaw and development permit;

- (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *building code*;
- (k) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the *building code*;
- include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal *permits*, highway access *permits* and ministry of health approvals;
- (m) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7 Division C, of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
- include letters of assurance in the form of Schedule B referred to in subsection
 2.2.7 Division C, of the *building code*, each signed by such *registered professionals* as the *building official* or *building code* may require to prepare the design for and conduct *field reviews* of the construction of the *building*;
- include two sets of drawings at a suitable scale of the design prepared by each registered professional containing the information set out in (g) to (k) of this section;
- (p) include illustration of any slopes on the subject parcel that exceed 30%; and
- (q) define an enclosed area, attached garage, or ancillary building for the purpose of storage for garbage and/or garbage receptacles that prevent access by animals and/or dangerous wildlife. All enclosures and/or buildings used for the purpose of garbage and/or garbage receptacle storage must meet the requirements of the District of Ucluelet Garbage Collection & Regulation Bylaw No. 960, 2004 or its successor and District of Ucluelet Zoning Bylaw No. 1160, 2013 or its successor.
- 10.3. In addition to the requirements of section 10.2 of this bylaw, a *building official* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building* or *structure* or siting circumstances warrant
 - site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the District's subdivision and development servicing bylaw;
 - (b) a section through the site showing grades, *buildings, structures,* parking areas and driveways; and
 - (c) any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

Building Permit Applications for Simple Buildings

- 10.4. An application for a *building permit* with respect to a *simple building* must
 - (a) be made in the form prescribed by the *building official* and signed by the *owner*, or signing officer if the *owner* is a corporation;
 - (b) be accompanied by the owner's acknowledgment of responsibility and undertaking made in the form prescribed by a District of Ucluelet building official signed by the owner, or a signing officer if the owner is a corporation;
 - include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
 - (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
 - (e) include a site plan showing

i.	the bearing and dimensions of the parcel taken from the registered subdivision plan;
ii.	the legal description and civic address of the parcel;
iii.	the location and dimensions of <i>existing</i> and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
iv.	the location and dimensions of <i>existing</i> and proposed <i>buildings</i> or <i>structures</i> on the parcel;
٧.	setbacks to the natural boundary of any lake, swamp, pond or watercourse;
vi.	north arrow;
vii.	if applicable, location of an approved existing or proposed alternative private
	or other sewage disposal system, water supply system or storm water drainage system;
viii.	the location, dimensions and gradient of parking and parking access;
ix.	proposed and <i>existing</i> setbacks to property lines;
х.	natural and finished grade at <i>building</i> corners and datum determination points;
xi.	first storey floor elevation;
xii.	location, setbacks and elevations of all <i>retaining walls</i> , steps, stairs and decks;
xiii.	line of upper floors;
xiv.	location and elevation of curbs, sidewalks, manholes and service poles;
xv.	location of existing and proposed service connections;
xvi.	location and species of all trees greater than 10 centimetres in diameter;
xvii.	location of top bank and water courses;
xviii.	access routes for firefighting;
xix.	accessible paths of travel from the street to the building;
xx.	zoning compliance summary; and
xxi.	the geodetic elevation of the underside of a wood floor system or the top of a

finished concrete slab of a *building* or *structure* where the District's land use

regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation, except that for a *simple building* the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building*;

- (f) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; stair dimensions; fireplaces and wood burning appliances; location of mechanical ventilation system; and location and type of heat source;
- (g) include a cross-section through the *building* illustrating *foundations*; drainage; ceiling heights; insulation, envelope and air barrier details; and construction systems;
- (h) include elevations of all sides of the *building* showing finish details, roof slopes, windows, doors, the *grade*, the maximum *building height* line, ridge height, spatial separations and natural and finished *grade* to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the District zoning and development permit areas;
- include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *building code*;
- (j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal *permits*, highway access *permits* and Ministry of Health approvals;
- (k) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *building official* determines that the site conditions so warrant;
- (I) include two sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section;
- (m) include a *building code* compliance summary including the applicable edition of the *building code*, such as, without limitation, whether the *building* is designed under Part 3 or Part 9 and compliance with article 2.2.2.1(2), Division C of the *building code*;
- (n) include, if required, one set of engineered sealed drawings; and,
- (o) define an enclosed area, attached garage, or ancillary building for the purpose of storage for garbage and/or garbage receptacles that prevent access by animals and/or dangerous wildlife. All enclosures and/or buildings used for the purpose of garbage and/or garbage receptacle storage must meet the requirements of the District of Ucluelet Garbage Collection & Regulation Bylaw No. 960, 2004 or its successor and District of Ucluelet Zoning Bylaw No. 1160, 2013 or its successor.

- 10.5. In addition to the requirements of section 10.4 of this Part, if a *project* involves
 - two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 square metres;
 - (b) two or more buildings that will contain four or more dwelling units; or
 - (c) otherwise if the complexity of the proposed *building* or *structure* or siting circumstances warrant, then a *building official* may require the following be submitted with a *permit* application for the construction of each *simple building* in the *project*:
 - i. a section through the site showing grades, *buildings, structures,* parking areas and driveways;
 - ii. a roof plan and roof height calculations;
 - iii. structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a *registered professional;*
 - iv. letters of assurance in the form of Schedule B referred to in Division C of the *building code*, signed by a *registered professional*; and
 - v. any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

Site and Location Information

- 10.6. Without limiting sections 10.2(f) or 10.4(d) of this Part, the *building official* may in writing require an *owner* to submit an up-to-date plan or survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any *building* to
 - (a) establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
 - (b) verify, on completion of the *construction*, that all provisions of this and other applicable bylaw have been complied with;
 - (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
 - (d) in relation to construction of a new building, or addition to an existing building, prior to and after the placement of concrete for foundations and footings, show the elevation at proposed top of concrete on all building elevations and at all significant changes of elevation to substantiate its size, location and elevation, and every person served with a written requirement under this section must comply with the requirement.

Application Fee

- 10.7. A non-refundable application fee shall:
 - (a) accompany a building permit application in the amount as prescribed in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor;
 - (b) be credited against the permit fee when the permit is issued.

Building Permit Fee

- 10.8. Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the District
 - (a) the building permit fee prescribed in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor; and
 - (b) any fees, charges, levies or taxes imposed by the District and payable under an enactment at the time of issuance of the *building permit*.

Security Deposit

- 10.9. Prior to the issuance of a *building permit*, the *owner* must pay to the District the security deposit prescribed in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor.
- 10.10. The security deposit sum set out in section 10.9 of this Part
 - (a) covers the cost born by the District to maintain, restore or replace and public works or public lands which are destroyed, damaged or otherwise impaired in the carrying out of the work referred to in any building permit held by the applicant;
 - (b) covers the cost borne by the District to make the site safe if the *permit* holder abandons or fails to complete the work as designated on the *permit*;
 - (c) serves as the security deposit for provisional *occupancy* when the final inspection notice makes provision for a security deposit; or
 - (d) serves as a security deposit to effect compliance with any condition under which the *permit* was issued.
- 10.11. The security deposit or applicable portion must be returned to the *owner* or the person identified by the *owner*, when:
 - (a) the building official is satisfied that no further damage to public works or public lands will occur;
 - (b) the inspections required by this bylaw are complete and acceptable to the

building official;

- (c) the conditions or provisions of a provisional certificate of *occupancy* are completed to the satisfaction of the *building official*;
- (d) an occupancy permit has been issued;

and only if the owner or agent has requested the return of the security.

- 10.12. Any credit greater than the amount of the security deposit used by the District for the purposes described in sections 10.9 to 10.10 of this Part will be returned to the *owner* unless otherwise so directed by the *owner*. Any amount in excess of the security deposit required by the District to complete corrective work to public lands, public works, or the site is recoverable by the District from the *owner*, the *agent*, or the *constructor*.
- 10.13. If the proposed work includes *excavation* or construction on lands within 3 metres of works or services owned by the District, the *owner* must deliver to the *building official* a signed agreement in a form prescribed by the District's Public Works Superintendent under which the *owner* acknowledges and agrees that any damage to municipal works or services arising from the construction associated with the *building permit* will be repaired by the *owner* at its expense and to the satisfaction of the Public Works Superintendent, and the *owner* must deposit with the District security in accordance with sections 10.9 to 10.11 of this Part.

Permit Fee Refunds

- 10.14. No fee or part of a fee paid to the District may be refunded if construction of the *building* has started.
- 10.15. A *building permit* or other *permit* fee may be partially refunded as set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor only if
 - (a) the owner or agent has submitted a written request for a refund;
 - (b) the *building official* has certified a start has not been made on the construction of the *building* or *structure*; and
 - (c) the *permit* has not expired.
- 10.16. A *building permit* or other *permit* fee is not refundable after the *permit* has been extended under section 10.46 of this Part.

Design Modification

10.17. If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the value of the work does not increase or the value of the work decreases, the *owner* must pay to the District a *building permit* fee as indicated in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor.

Construction Before Permit Issued

10.18. The *building permit* or other *permit* fee is doubled for every *permit* application if construction commenced before the *building official* issued a *permit*, to a maximum of \$10,000.00.

Expiration of Application for a Permit

10.19. A *building permit* other *permit* application submittal that is not complete or does not comply with the applicable provisions of this bylaw, expires 180 days from the date an application is received under this Part, unless the *permit* is not issued only due to delays caused by the District.

Issuance of a Building Permit

- 10.20. If
 - (a) a complete application in compliance with sections 10.2 and 10.3 or sections 10.4 and 10.5 of this Part, including all required supporting documentation, has been submitted;
 - (b) the *owner* has paid all applicable fees set out in sections of this Part and Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor;
 - (c) the *owner* or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw;
 - (d) the *owner* has retained a *professional engineer* or geoscientist if required under this bylaw;
 - (e) the owner has retained an architect if required under this bylaw; and
 - (f) no covenant, agreement, resolution or regulation of the District requires or authorizes the *permit* to be withheld,

the *building official* must issue the *permit*, in the form prescribed by the *building official*, for which the application is made, and the date of issuance is deemed to be the date the District receives payment for the building permit.

10.21. Despite section 10.20, the *building official* may refuse to issue a *permit* when the *owner* has been notified of a violation of this bylaw about the construction of another *building* or *structure* by the *owner*.

Compliance with the Homeowner Protection Act

10.22. If the application is in respect of a *building* that includes, or will include, a *residential occupancy* governed by the *Homeowner Protection Act*, the *building permit* must not be issued unless the *owner* provides evidence under section 30(1) of the *Homeowner Protection Act*, that the proposed *building*

- (a) is covered by home warranty insurance; and
- (b) the constructor is a licensed "residential builder" as defined in that Act.
- 10.23. Section 10.22 of this Part does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20(1) or 30(1) of the *Homeowner Protection Act*.
- 10.24. Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act* and negotiations under it during the term of the *permit*.

Partial Construction

- 10.25. If a site has been *excavated* and a *building permit* is not subsequently issued or a subsisting *building permit* has expired under section 10.46, but without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the District to do so.
- 10.26. If a *building permit* has expired and partial construction has progressed, with no extension requested of the *building official* under section 10.47, or if any excavation is left exposed without a subsequent Building Permit for a period of 60 days and is deemed to be a hazard, permanent type fencing with privacy screen complying with the District's zoning bylaw, must be erected around the *building* site for protection to the public.

Conditions of a Building Permit

- 10.27. A building permit or an application for a building permit that is in process may not be transferred or assigned until the *owner* has notified the *building official* in writing, the *building official* has authorized the transfer or assignment in writing and the *owner* has paid the non-refundable fee required under Schedule 'C' of the Fees and Charges Bylaw No. 1186, 2016 or its successor. The transfer or assignment of a building permit is not an extension of a building permit.
- 10.28. The review of plans and supporting documents and issuance of a *building permit* do not prevent the *building official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building* construction or *occupancy* being carried on when in violation of this or another bylaw.

Inspections

10.29. If a *registered professional* provides letters of assurance in accordance with this Part, the District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw and the *building code* as assurance that the construction substantially conforms to the design, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.

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- 10.30. Despite section 10.29 of this Part, a *building official* may attend the site from time to time during construction to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.
- 10.31. A building official may attend periodically at the site of the construction of simple buildings or structures to ascertain whether the work is being carried out in substantial conformance with the building code, this bylaw and any other applicable enactments concerning safety.
- 10.32. For all work in respect of *simple buildings* the *owner* must give at least 48 hours' notice by email to the Building official to the District when requesting an inspection and must obtain an inspection and receive a *building official's* written acceptance of the following aspects of the work prior to concealing them;
 - (a) after demolition, the grading and removal of debris from the site;
 - (b) excavation, within 24 hours of the start of excavation;
 - (c) siting, footing and foundation forms, before concrete is poured;
 - (d) installation of perimeter drainage, damp proofing or water proofing and roof drainage system prior to backfilling
 - (e) subfloor depressurization layer and subfloor radon pipe before it is covered;
 - (f) prior to inspection under section 10.31(g), plumbing located below the finished slab level;
 - (g) the preparation of ground, including ground seal and air barrier when required, subgrade and under slab insulation
 - (h) after inspection under section 10.31(g) hydronic heating pipes and under slab insulation;
 - (i) installation of rough-in plumbing and radon pipe before it is covered;
 - (j) installation of *building* services before being covered;
 - (k) rough in of factory built chimneys and fireplaces and solid fuel burning appliances;
 - sheathing, framing, fire blocking and fire stopping (including drywall in fire separations), bracing, chimney and ductwork, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;
 - (m) insulation and vapour barrier prior to the installation of any finishes that could conceal such work;
 - (n) construction of an exterior deck;

- (o) on-site *constructed* tubs or showers and tub or shower trap tests;
- (p) the installation of wall sheathing membrane, externally applied vapour or air barrier, rainscreen and flashings, but prior to the installation of exterior finishes which could conceal such work; and
- (q) the health and safety aspects of the work and the energy conservation, GHG emission reduction and accessibility aspects of the work when the building or structure is substantially complete, ready for occupancy but prior to occupancy.
- 10.33. A *building official* will only carry out an inspection under section 10.32 if the *owner* or the *owner's agent* has requested the inspection by email in accordance with this bylaw.
- 10.34. Despite the requirement for the *building official's* acceptance of the work outlined in section 10.32, if a *registered professional* provides letters of assurance, the District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the aspects of the construction referenced by those letters of assurance substantially conform to the *design*, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.
- 10.35. For work in respect of *complex buildings*, the *owner* must
 - (a) give at least 48 hours' notice be email to the *building official* when requesting a preconstruction meeting with the *building official* prior to the start of construction, and the *owner* or his or her representative must ensure that the *coordinating registered professional*, the *constructor*, as well as representatives of major trades, are in attendance;
 - (b) give at least 5 business days by email to the *building official* or written notice to the District when requesting a preoccupancy coordinated by the *coordinating registered professional* or other *registered professional* to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *building official* and Fire Services the compliance with *the health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable District requirements and other enactments respecting safety, energy conservation, GHG emission and accessibility aspects of the work; and
 - (c) cause the coordinating registered professional, at least 48 hours prior to the preoccupancy coordinated site review coordinated by the coordinating registered professional, to deliver to the building official the Confirmation of Required Documentation described in this bylaw, complete with all documentation in the form as prescribed by the Building Official.

Stop Work Order

10.36. The *building official* may direct the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by the attachment of a stop

work order notice in the form prescribed by the *building official* on the premises whenever it is found that the work is not being performed in accordance with the requirements of the *building code*, any applicable bylaw of the District or the applicable provisions of the *Homeowner Protection Act*.

- 10.37. The coordinating registered professional may request, in writing, that the building official order the immediate suspension or correction of all or a portion of the construction on a building or structure by attaching a stop work order notice on the premises. The building official must consider such a request and, if not acted upon, must respond, in writing, to the coordinating registered professional and give reasons.
- 10.38. If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to his or her *design* or *field review* and the *building official* is deemed to have issued a stop work order under section 10.36
- 10.39. The *owner* must immediately, after the posting of a notice under section 10.36, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the District.
- 10.40. Subject to section 10.36, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.36 until the stop work order notice has been removed by the *building official*.
- 10.41. The notice referred to in section 9.36 must remain posted on the premises until that which is contrary to the enactments has been remedied.

Do Not Occupy Notice

- 10.42. If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw, a *building official* may post a Do Not Occupy Notice in the form prescribed by the *building official* on the affected part of the *building or structure*.
- 10.43. If a notice is posted under section 10.42, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building* or *structure* immediately and refrain from further *occupancy* until all applicable provisions of the *building code* and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a *building official*.

Inspection and Other Fees

- 10.44. In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor for
 - (a) a second and each subsequent re-inspection where it has been determined by the *building official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than one site visit is required for any required inspection;

- (b) a special inspection during the District's normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location or construction techniques; and
- (c) inspection required under this bylaw which cannot be carried out during the District's normal business hours.

Permit Expiration

- 10.45. Every *permit* is issued on the condition that the *permit* expires and the rights of the *owner* under the *permit* terminate if
 - (a) the work authorized by the *permit* is not commenced within 180 days from the date of issuance of the *permit*;
 - (b) work is discontinued for a period of 180 days; or
 - (c) the work is not completed within two years of the date of issuance of the permit.

Permit Extension

- 10.46. A *building official* may extend the period set out under section 10.45 for only one period, not to exceed twelve months, if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the *owner's* control, or if the size and complexity of the construction warrants, if
 - (a) application for the extension is made at least 30 days prior to the date of *permit* expiration; and
 - (b) the non-refundable fee set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor has been paid.

Building Permit Revocation

- 10.47. The building official may revoke a building permit if there is a violation of
 - (a) a condition under which the *permit* was issued; or
 - (b) a requirement of the *building code* or of this or another bylaw of the District, such *permit* revocation must be in writing and sent to the *permit* holder by signature mail to, or personal service on, the *permit* holder.

Building Permit Cancellation

10.48. A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *building official*.

- 10.49. On receipt of the written cancellation notice, the *building official* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".
- 10.50. If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *building official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *building official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".
- 10.51. If a *building permit* application or *permit* is cancelled, and construction has not commenced under the *permit*, the *building official* must return to the *owner* any fees deposited under Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor,
 - (a) less any non-refundable portion of the fee; and
 - (b) 15% of the refundable portion of the fee.

Occupancy

- 10.52. No person may occupy a *building* or *structure* or part of a *building* or *structure* until a final occupancy permit has been issued by a *building official*.
- 10.53. A final occupancy permit will not be issued unless
 - (a) all letters of assurance have been submitted when required in accordance with the bylaw;
 - (b) all aspects of the work requiring inspection and acceptance pursuant to sections Part 9 and section 10.29 to 10.35 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with this bylaw;
 - (c) the *owner* has delivered to the District as-built drawings of the *building* or *structure* in paper and digital format as required by the District;
 - (d) the *owner* has delivered to the District as-built plans of works and *services* in digital format as required by the District; and
 - (e) all other documentation required under applicable enactments has been delivered to the District.
- 10.54. When a *registered professional* provides letters of assurance in accordance with this bylaw, the District will rely solely on the letters of assurance when issuing a final occupancy permit authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *design, the building code*, this bylaw and other applicable enactments respecting safety.
- 10.55. A building official may issue a final occupancy permit for partial occupancy of a

portion of a building or structure under construction when

- (a) that portion of the building or structure is self-contained and provided with essential services respecting health and safety aspects of the work, and if applicable, accessibility, GHG emissions and conservation; and
- (b) the requirements set out in section 10.53 have been met with respect to it.
- 10.56. A final occupancy permit may not be issued unless
 - (a) all letters of assurance and the Confirmation of Required Documentation as prescribed by the *building official* have been submitted when required in accordance with the requirements of this bylaw;
 - (b) all aspects of the work requiring inspection and review pursuant to Part 9 and sections 10.29 through 10.35 of this bylaw have both been inspected and accepted;
 - (c) the *owner* has executed and delivered to the District every agreement, instrument or form required by the District in relation to the work or the site; and
 - (d) all required offsite works respecting safety have been completed.

Temporary Buildings

- 10.57. Subject to the bylaws of the District and orders of Council, the *building official* may issue a *building permit* for the erection or placement of a *temporary building* or *structure* for *occupancy* if
 - (a) the *permit* is for a period not exceeding one year; and
 - (b) the *building* or *structure* is located in compliance with the District's zoning bylaw, built in compliance with the *building code* and this bylaw, and connected, as required by enactments, to District utility services.
- 10.58. An application for a *building permit* for the erection or placement of a *temporary building* or *structure* must be made in the form of a temporary *permit* application in the form prescribed by the *building official*, signed by the *owner* or *agent*, and must include
 - (a) plans and supporting documents showing the location and building height of the *building* or *structure* on the parcel;
 - (b) plans and supporting documents showing construction details of the *building* or *structure*;
 - (c) a statement by the *owner* indicating the intended use and duration of the use;
 - (d) plans and supporting documents showing the proposed parking and loading space;

- (e) a written description of the project explaining why the building is temporary;
- (f) a copy of an issued development *permit*, if required;
- (g) in the case of a manufactured *building*, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel *building* must be certified in accordance with CSA Standard A660;
- (h) a report or drawing by an *engineer, architect* or designer confirming compliance with the *building code*, this bylaw, the District's zoning bylaw and other applicable bylaws; security in the form of cash or a letter of credit for 10% of the value of the *temporary building*, which security
 - i. may be used by the District to remove the *building* after one year of the date of the final inspection required under this bylaw; or
 - ii. must be returned to the *owner* if the *owner* removes the *temporary building* within one year of the date of the final inspection of the *temporary building* required under this bylaw; and
 - iii. in the case of a *temporary building*, information to comply with article 1.1.1.1(2)(f), Division C of the *Building Code*.
- 10.59. Before receiving a *building permit* for a *temporary building* or *structure* for *occupancy*, the *owner* must pay to the District the applicable *building permit* fee set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor.
- 10.60. A permit fee for a temporary building or structure is not refundable.

11. Temporary Shelter During Construction

- 11.1. The *building official* may issue a *building permit* authorizing the use of a recreational vehicle, trailer or camper as a temporary shelter on a parcel of land on which a principal *building* is being constructed for a single family dwelling unit or a duplex dwelling.
- 11.2. A temporary shelter authorized under section 11.1, is subject to the following conditions:
 - (a) use shall not exceed the lesser of
 - i. 2 years from the date of issuance of the building permit; or
 - ii. 15 days following issuance of an occupancy permit for the dwelling unit

upon which time authorization to use the temporary shelter shall expire and shall not be extended or renewed unless the extension or renewal is granted in accordance with section 10.46;

(b) the owner must pay to the District the security deposit sum set out in Schedule 'C' of the

Fees and Charges Bylaw No. 1186, 2016 or its successor, as security for removal of the temporary shelter when required; and

- (c) the *owner* shall actively proceed with the construction of the principal *building* for which the permit is issued.
- 11.3. If authorization to use the temporary shelter expires and it continues to be used for a residential purpose, the District may cause the temporary shelter to be removed at the expense of the *owner* and may deduct the cost of removal from the security deposit provided by the *owner* from the deposit plus a fixed fee as set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor for District costs.
- 11.4. Without limiting section 11.3, the District must return the security deposit to the *owner* upon cessation of use of the temporary construction shelter, and the *owner* shall not recommence or permit another person to commence use of the temporary construction shelter, unless otherwise authorized under this bylaw.

12. Retaining Walls And Grades

- 12.1. No person may construct, or structurally repair, a *retaining wall without a permit*.
- 12.2. Except as certified by a *professional engineer* with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a parcel, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.
- 12.3. Without limiting section 11.2, no person may occupy a *building* unless the finished *grade* complies with all applicable enactments.

13. Building Move

- 13.1. No person may move a *building* or *structure* into or within the District
 - except where certified by a registered professional that the building, including its foundation, will substantially comply with the current version of the building code; and
 - (b) a building permit has been issued for the building or structure.

14. Numbering of Buildings

- 14.1. Immediately upon issuance of a *building permit* governing the *construction*, *alteration* or repair of a *building*, or prior to and during the *occupancy* of a *building*, the *owner* or occupant must display the address number assigned to it by the District; on or over the entrance to the *building* or where landscaping or *structures* obscure the visibility of a *building* entrance from the adjacent highway, on the *building* property within sight of the adjacent highway; and
 - (a) until such time as the *building* is removed from the site or has been demolished.

- 14.2. Despite section 14.1, the District may renumber or alter the assigned numbers in respect of any *building* on any parcel, including those already in existence or numbered.
- 14.3. Without limiting sections 14.1 or 14.2, the *building official* must, *on the issuance of a building permit and in accordance with the Civic Address Numbering Bylaw No. 1108, 2009* or its successor, designate or cause to be designated a house number or set of house numbers related to the *building* authorized by the *permit*. The *owner* or occupier must post the number or numbers on the site immediately after obtaining the *building permit* and keep the numbers always posted in a conspicuous location during construction.
- 14.4. Without limiting sections 14.1 through 14.3, on issuance of an *occupancy permit,* the *owner* or occupier of the parcel must affix the numbers permanently in accordance with the *Civic Address Numbering Bylaw No. 1108, 2009* or its successor.

15. Pools

Swimming Pool Permit and Fencing

- 15.1. Without limiting section 5.1 of this bylaw, a person must not construct, or structurally repair, a swimming *pool* without a valid *building permit*.
- 15.2. A swimming *pool*, including a spa or hot tub must be enclosed within a fence constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.22 metres and no openings greater than 100 mm at their greatest dimension.

Pool Gate

15.3. Access through a fence enclosing a swimming *pool*, spa or hot tub must be only through a self-closing and self-latching gate designed and constructed or installed to cause the gate to return to a closed position when not in use and secured by a latch located on the swimming *pool*, spa or hot tub side of the gate.

Spa or Hot Tub Lid

15.4. In lieu of a fence, a spa or hot tub may be covered with a locking cover, which would prevent unauthorized access to the water.

Maintenance

15.5. A person may not use or *occupy* a swimming *pool*, including a spa or hot tub unless the *owner* or *occupier* of property on or in which a *pool*, spa or hot tub is located maintains every fence or cover required under sections 14.2 to 14.4 in good order, and without limitation maintains and repairs in good order at all times all sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members.

Leaks or Other Failures

15.6. A person may not obtain a valid and subsisting *building permit* for or use or *occupy* a swimming *pool* without first delivering to the *building official* at the time of the *building permit* application an opinion of a *registered professional* that the *design* of the *pool* will not cause or result in leaks or other failures of the *pool*.

16. Access Route for Fire Vehicle

16.1. Prior to the issuance of a *building permit* for a *building* under Part 9 of the *building code*, the *owner* must satisfy the *building official* that the *building* or *structure* for which the *permit* is issued will be served by a fire access route that complies with the minimum BC Building Code requirements and satisfies the requirements of the District of Ucluelet Fire Services Development Guidelines, as amended from time to time.

17. Offences

Violations

- 17.1. Without limiting Part 4 of this bylaw, every person who
 - (a) violates a provision of this bylaw;
 - (b) permits, suffers or allows any act to be done in violation of any provision of this bylaw; and
 - (c) neglects to do anything required to be done under any provision of this bylaw,

commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000, or a term of imprisonment not exceeding three months, or both, in addition the costs of prosecution. Each day during which a violation, contravention or break of this bylaw continues is deemed to be separate offence.

- 17.2 Every person who fails to comply with any administrative requirement issued by a *building official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 17.3 Every person who commences work requiring a *building permit* without first obtaining such a *permit* must, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional charge as outlined in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor.

Deemed Offence

- 17.4 An *owner* is deemed to have knowledge of and be liable under this bylaw in respect of any construction on the parcel the *owner* owns and any change in the use, *occupancy* or both of a *building* or *structure* or part of a *building* or *structure* on that parcel.
- 17.5 No person is deemed liable under section 17.4 who establishes, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.

- 17.6 Nothing in section 17.5 affects
 - (a) the District's right to require and the owner's obligation to obtain a permit; and
 - (b) the obligation of the owner to comply with this bylaw.

Ticketing

- 17.7 The offences noted in *Municipal Ticket Information Bylaw No. 949* Schedule 'C' or its successor are designated for enforcement under section 264 of the *Community Charter*.
- 17.8 The following persons designated as bylaw enforcement officers under section 264(1)(b) of the Community Charter for enforcing the offences in the Municipal Ticket Information Bylaw No. 949 Schedule 'C' or its successor: building inspector, bylaw enforcement officer, chief administrative officer are designated by Council as bylaw enforcement officers.
- 17.9 The words or expressions set forth in Column 1 of Municipal Ticket Information Bylaw No. 949 Schedule 'C' or its successor are authorized pursuant to section 264 (1)(c) of the Community Charter to designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or phrases.
- 17.10 The amounts appearing in Column 3 and Column 4 of *Municipal Ticket Information Bylaw No. 949* Schedule 'C' or its successor are the fines established pursuant to section 265(1)(a) of the *Community Charter* for the corresponding offence designated in Column 1.

18. Interpretation

Definitions

- 18.1. In this bylaw
- accepted means reviewed by the *building official* under the applicable provisions of the *building* code and this bylaw;
- addition means an alteration to any building which will increase the total aggregate floor area or the building height (in storeys), and includes the provision of two or more separate buildings with openings between each other for intercommunication;
- administration document means a document described in the "Building and Development Procedures" as amended from time to time.
- agent includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence;

alternative solution means an alternative solution authorized under the building code;

alteration means a change, repair or modification of the *construction* or arrangement of or use of any *building* or *structure*, or to an *occupancy* regulated by this bylaw;

architect means an architect within the meaning of the Professional Governance Act, SBC 2018, c47

building code means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

building official means the person designated in or appointed to that position by the District, and includes a building inspector, plan checker, plumbing inspector, gas inspector, or electrical inspector designated or appointed by the District, and for certainty the building official is the "building official" referred to in the Community Charter and Local Government Act;

complex building means:

- (a) a building used for a major occupancy classified as:
 - i. assembly occupancy
 - ii. care occupancy
 - iii. detention occupancy
 - iv. high hazard industrial occupancy;
 - v. treatment occupancy; or
 - vi. post-disaster building,
- (b) a *building* exceeding 600 square metres in *building area* or exceeding three storeys in *building height* used for a *major occupancy* classified as:
 - i. residential occupancy
 - ii. business and personal services occupancy;
 - iii. mercantile occupancy; or
 - iv. medium and low hazard industrial occupancy,

coordinating registered professional means a registered professional retained pursuant to the building code to coordinate all design work and field reviews of the registered professionals required for a development;

construct includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, *excavate* or shore;

constructor means a person who constructs;

existing, in respect of a building, means that portion of a building constructed prior to the

submission of a permit application required under this bylaw;

foundation means a system or arrangement of foundation units through which the loads from a building are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building that lie below the finished grade immediately adjacent to the building;

GHG means greenhouse gas;

- health and safety aspects of the work means design and construction regulated by Parts 3, 4, 5,
 6, 7, 8, 9 and 10, Division B, of the *building code*; and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B;
- owner means the registered owner in fee simple, or an agent duly authorized by the owner in writing in the "Letter of Authorization" administration document found in the "Building and Development Procedures"
- *permit* means permission or authorization in writing by the *building official* to perform work regulated by this bylaw and, in the case of a final inspection notice, to occupy a *building* or part of a *building*;
- *pool* means a *structure* or *constructed* depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a depth, at any point, exceeding 0.6 m, including an in-ground *pool* and hot tub;
- professional design means the plans and supporting documents bearing the date, seal or stamp, and signature of a registered professional;
- professional engineer means an individual who is registered with the regulatory body as a professional engineer under the *Professional Governance Act*, SBC 2018, c 47;
- professional geoscientist means an individual who is registered with the regulatory body as a professional geoscientist under the *Professional Governance Act*, SBC 2018, c 47;
- professional design means the plans and supporting documents bearing the date, seal or stamp, and signature of a registered professional;

project means any construction operation;

retaining wall means a structure that holds or retains soil or other material behind it;

- simple building means a building of three storeys or less in building height, having a building area not exceeding 600 square metres and used for a major occupancy classified as
 - (a) residential occupancy;
 - (b) business and personal services occupancy;
 - (c) mercantile occupancy;

District of Ucluelet Building Bylaw No. 1363, 2025 Nicole Morin, Municip... District of Ucluelet Building Bylaw No. 1363, 2025 Page 55 of 92 35 of 37

- (d) medium hazard industrial occupancy; or
- (e) low hazard industrial occupancy,

structure means a construction or portion of construction, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving

temporary building includes a sales office, construction office, shipping or intermodal container, or a *structure* in which tools are stored during construction of a *building* or other *structure*;

value of the work means that amount that is calculated as indicated in Schedule 'C' of the District of Ucluelet Fees and Charges Bylaw No. 1186, 2016

- 18.2. In this bylaw the following words and terms have the meanings
 - (a) set out in section 1.4.1.2 of the building code as of the date of the adoption of this bylaw: accessible, assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, dwelling unit, excavation, field review, firewall, first storey, foundation, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, post disaster occupancy, private sewage disposal system, registered professional, residential occupancy, storey, suite, treatment occupancy, unsafe condition
 - (b) subject to this bylaw, set out in the Schedule to the *Community Charter*: assessed value, highway, land, occupier, parcel, public authority, service and soil; and
 - (c) subject to this bylaw, set out in section 29 of the *Interpretation Act: may, must, obligation, person, property, writing, written* and *year*.
- 18.3. Every reference to this bylaw in this or another bylaw of the District is a reference to this bylaw as amended to the date of the reference.
- 18.4. Every reference to
 - the *building code* is a reference to the current edition as of the date of issuance of the *building permit*; and
 - (b) a section of the *building code* is a reference to the applicable successor sections, as the code or section may be amended or re-enacted from time to time.
- 18.5. Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

19. Severability

If any provision of this Bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed, and its severance shall not affect the validity of the remainder of the Bylaw.

20. Repeal

"District of Ucluelet Building Bylaw No. 1165, 2014" is hereby 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; "District of Ucluelet Building Bylaw No. 1363, 2025".

Marilyn McEwen, Mayor

Duane Lawrence, Corporate Officer

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

Duane Lawrence, Corporate Officer

DISTRICT OF UCLUELET

Bylaw No. 1364, 2025

A bylaw to amend District of Ucluelet Fees and Charges Bylaw No. 1186, 2016

WHEREAS the Council of the District of Ucluelet wishes to amend "District of District of Ucluelet Fees and Charges Bylaw No. 1186, 2016" under the provisions of the *Community Charter*;

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

Citation

1. This bylaw may be known and cited for all purposes as the "District of Ucluelet Fees and Charges Amendment Bylaw No. 1364, 2025".

Amendments

2. District of Ucluelet Fees and Charges Bylaw No. 1186, 2016 is hereby amended by deleting "Schedule 'C' Building Inspection – 2022" in its entirety and replacing it with "Schedule 'C' Building Permits" attached to and forming part of this bylaw.

Severability

3. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

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; " District of Ucluelet Fees and Charges Amendment Bylaw No. 1364, 2025".

Marilyn McEwen Mayor Duane Lawrence Corporate Officer

Fees and Charges Amendment Bylaw No. 1364, 2025

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

Duane Lawrence Corporate Officer

Fees and Charges Amendment Bylaw No. 1364, 2025

Schedule C – Building Permits

Part A - Fees

Section	Category	Description	Fee	Plus GST
10.7	Application Fee	Non-refundable Due when the building permit application is submitted and credited against building permit fee	\$120.00	No
Building	Permit Fees			•
10.8	New construction or addition	Constructing a building, addition, structure, pool, retaining wall	Minimum Fee \$120.00 Refer to Part B – Construction Value	No
	Renovation, alteration, repair of existing structures	Renovating, altering, change of use, repairing	Minimum Fee \$120.00 Refer to Part B – Construction Value	No
	Building Move	Moving a building or structure into or within the District	Minimum Fee \$120.00 Based on value of work onsite as provided by owner	No
	Wood Burning Appliance	Constructing a masonry fireplace or installing a wood-burning appliance or chimney	\$120.00	No
	Demolition	Demolishing a building or structure	\$120.00 if less than 50 square metres \$150.00 if equal to or greater than 50 square metres	No
	Excavation	Excavation and site preparation of building site	\$120.00	No
10.60	Temporary Building	Review of applications for erection or placement of temporary building or structure	Minimum Fee \$120.00 Hourly charge at rate described under "Part C". One hour minimum charge.	No
	Permit Discounts			
9.8	Professional Reliance Discount	Reduction of building permit fee for Complex Buildings	5% of fee to maximum of \$500.00	No
Security l	Deposits			1
10.10		Single family dwelling or Simple building Addition, alteration, and renovations to Single family dwelling and Simple buildings, construction of pool, retaining wall, or accessory building, demolition	\$2500.00 \$1000.00	No No
		Complex building Addition, alteration, renovation,	\$10,000.00 \$5000.00	No No
11.2	Temporary Shelter	demolition to Complex building Temporary shelter during construction of Single family dwelling or Duplex		
10.59	Temporary BuildingSecurity in the form of cash or a letter of credit for 10% of the value of the temporary building10% of declared value of the building as provided by owner			
	eous Fees			
7.14	Change Notice	Change in ownership or change in address of owner prior to issuance of permit	\$75.00	No
10.17	Design Modification	Modification to the building design whereby the construction value remains same or decreases	Hourly charge at rate described under "Part C". One hour minimum charge.	No

Fees and Charges Amendment Bylaw No. 1364, 2025 District of Ucluelet Building Bylaw No. 1363, 2025 Nicole Morin, Municip...

Schedule C – Building Permits

10.27	Transfer of Permit	Transfer or assignment of a building permit or application	\$75.00	No	
10.45 (a)	Re-inspection	Second and subsequent inspections	\$75.00	No	
10.45 (b)	Special inspection	Special inspection during District's normal business hours	Hourly charge at rate described under "Part C". One hour minimum	No	
10.45 (c)	After hours inspection	Required inspections that can't be carried out during the District's normal business hoursHourly charge at two times the rate described under "Part C". T hours minimum			
10.47	Permit extension	Extension of a building permit	\$100.00	No	
10.18	Construction before Permit	Work started before building permit issued	Building permit fee is doubled to a maximum of \$10,000.00	No	
10.20	Title charge	For providing property title search from Land Title Office (per title)	\$30.00	No	
	Alternate Solutions	Review of alternate solutions by District building officials and third party - engineer/code consultant	Hourly charge at rate described under "Part C", plus actual cost for third party review	No	
	Complex Part 9 and Part 3 Building Permit Review	Third-party engineer and code consultant review of building permit application	Actual cost of third-party review	No	

Part B - Construction Value

Building Type	Construction Value
Small Multi-family (up to 3	\$9.00 for each \$1000.00, or portion thereof, of construction value based on estimated
dwellings), Single family,	value of the construction as determined in accordance with the "Marshall & Swift
Accessory Dwelling Unit – <i>New</i>	Valuation Service" or "Residential Cost Handbook" using "average" quality of
construction, including	construction
additions	
Accessory buildings, Temporary	\$9.00 for each \$1000.00, or portion thereof, of construction value based on estimated
buildings, and other structures	value of the construction value based on a declaration from an owner, agent of owner, or
	constructor
Large Multifamily (4 or more	\$9.00 for each \$1000.00, or portion thereof, of construction value based on estimated
units), Commercial, Industrial,	value of the construction value based on a declaration from an owner, owner's agent,
Institutional, Part 3 and	project manager, or Architect
Complex Part 9 Buildings	

<u> Part C - Hourly Rate</u>

Position	Fee
Building Official, Planner	Current hourly wage plus 25% for benefits; plus 10% for administration

DISTRICT OF UCLUELET

Bylaw No. 1365, 2025

A bylaw to amend Municipal Ticket Information Bylaw No. 949, 2004.

WHEREAS the Council of the District of Ucluelet wishes to amend "Municipal Ticket Information Bylaw No. 949, 2004" under the provisions of the *Community Charter*;

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

Citation

1. This bylaw may be known and cited for all purposes as the "Municipal Ticket Information Amendment Bylaw No. 1365, 2025".

Amendments

2. Municipal Ticket Information Bylaw No. 949, 2004 is hereby amended by deleting Schedule 'C' in its entirety and replacing it with Schedule 'C' attached to and forming part of this bylaw.

Severability

3. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

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; "Municipal Ticket Information Amendment Bylaw No. 1365, 2025".

Marilyn McEwen Mayor Duane Lawrence Corporate Officer

Municipal Ticket Information Amendment Bylaw No. 1365, 2025

THE CORPORATE SEAL of the

District of Ucluelet was hereto affixed in the presence of:

Duane Lawrence Corporate Officer

Municipal Ticket Information Amendment Bylaw No. 1365, 2025

Bylaw No. 949, 2004 Schedule "C"

Building Bylaw No. 1363, 2025

Column 1	Column 2	Column 3	Column 4
Offence	Section	Fine – 1 st Offence	Fine – 2 nd and Subsequent Offences
Building without a Permit – i.e. building, plumbing, excavation, demolition, moving a building	4.1	\$1000.00	\$1000.00
Occupy contrary to permit	4.2	\$1000.00	\$1000.00
Submission of false or misleading information	4.3	\$1000.00	\$1000.00
Alteration of building permit documents post issuance	4.4	1000.00	\$1000.00
Tamper with notice, permit, certificate	4.5	\$1000.00	\$1000.00
Work contrary to permit	4.6	\$1000.00	\$1000.00
Obstruction of building official	4.7	\$1000.00	\$1000.00
Failure to post civic address during construction	4.8	\$500.00	\$500.00
Contravention of an administrative requirement or order	4.9	\$1000.00	\$1000.00
Change in use or occupancy with a building permit	4.10	\$1000.00	\$1000.00

Municipal Ticket Information Amendment Bylaw No. 1365, 2025



REPORT TO COUNCIL

Council Meeting: January 14, 2024 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: ANNELIESE	Neweduk, Planner	FILE No: 3360-20 RZ24-10	
SUBJECT: ZONING	Amendment for 1959 Cynamocka Road	Report No: 25-02	
Attachment(s):	Appendix A – Application Appendix B – District of Ucluelet Zoning Amendme Appendix C – Opinion of Probable Cost for Frontag	,	

RECOMMENDATION(S):

THAT Council direct staff to give notice of first reading for *District of Ucluelet Zoning Amendment Bylaw No. 1354, 2024.*

BACKGROUND:

This report relates to the property at 1959 Cynamocka Road (See **Figure 1**); PID 001128493, Lot 16, District Lot 284, Clayoquot Land District, Plan VIP31775 (the **"Subject Property**"). The owner has applied to subdivide the property into two parcels, and this re-zoning application would facilitate the proposed subdivision.

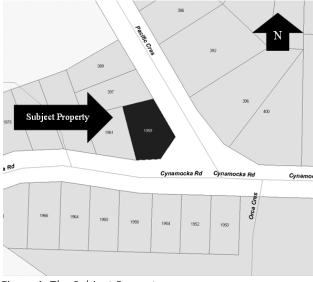


Figure 1. The Subject Property.

1

As Figures 1 and 2 show, the subject property is a corner lot with a single-family dwelling (SFD), accessory shed, and an accessory detached garage. The owner intends to demolish both the accessory buildings (See Figure 2), which would be required prior to final subdivision approval. The newly created northern lot (labeled Lot A on Figure 2) would consist of the existing single SFD, and the use would continue as is. The newly created southern lot (labeled Lot B on Figure 2) would become a vacant parcel suitable for infill housing development.



Figure 2. Orthographic image of the proposed subdivision. The accessory buildings highlighted in yellow would be demolished prior to final subdivision approval.

The subject property is currently zoned Single Family Residential (**R-1**). It is surrounded by other R-1 zoned lots, with Tugwell Field (**P-1**) northwest of the property and Manufactured Home Park (**MH**) southeast of the property.

Zoning Amendment Bylaw No. 1354 would re-zone the entire subject property to Infill Single Family Residential (**R-6**). It would also allow for a higher Floor Area Ratio (**FAR**) of 0.485 for proposed lot B.

DISCUSSION:

OFFICIAL COMMUNITY PLAN (OCP):

In this application, the owner is proposing to provide a community benefit through infill housing, which creates space for additional housing without the need to disturb unaltered natural environments or extend servicing infrastructure. In general, the infill of smaller dwellings within

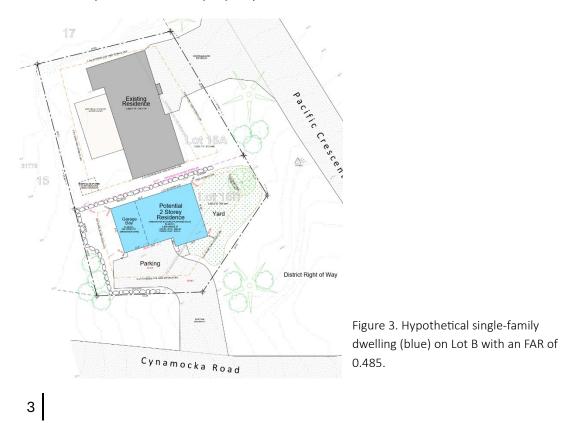
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existing neighbourhoods is a positive form of growth for the community as supported by the OCP (E.g. Policies <u>2.16</u>, <u>3.131</u>, & <u>3.137</u>). The application aligns with the subject property's Long Range Land Use Designation (OCP Schedule A), which is for Single Family Residential (**SF**), and the property does not fall into any Development Permit Areas. The subject property is above 20m and outside of the Tsunami Flood Hazard Vulnerability Zones (OCP Map 5), making it a suitable place for infill development.

RE-ZONING:

The intent of the R-6 zone is to provide a mix of housing options suitable for infill development on smaller, more compact lot sizes. *Bylaw No. 1354* would not change the principal permitted use of the subject property, as it is *SFD* for both the R-1 and R-6 zones, however, the density and lot size regulations of R-6 align closer to the proposed subdivision parcel sizes compared to R-1.

The applicant has worked with an architect to conceptualize what a reasonable house size on proposed Lot B could look like (See **Figure 3**), considering that Lot B would be on the smaller end of the spectrum at 364.1m² (R-6 requires lots to be between 360m² and 600m²). The applicant is proposing to increase the allowable FAR from 0.35 to 0.485. It should be noted that in the R-6 zone, provision R-6.3.2 already allows for an FAR increase to 0.5 if the SFD also contains either a secondary suite (**SS**) or an accessory dwelling unit (**ADU**). This indicates that higher FAR's are suitable in the R-6 zone in certain contexts. The proposed FAR increase could be seen as removing the incentive to add a SS or ADU, however creating additional dwelling units is always a discretionary decision of the property owner. Corner lots remain an ideal location for small lot



subdivisions and the creation of infill housing is a community benefit. Considering the smaller lot size and the applicants' efforts to conceptualize a livable SFD size within the greater context of the community benefits that infill housing can provide, the requested FAR increase appears suitable and is therefore considered supportable.

SUBDIVISION STANDARDS:

Subdivisions are required to meet the *District of Ucluelet Subdivision Control Bylaw No. 521, 1989.* The Bylaw requires the applicant to complete frontage upgrades to meet the curb, gutter, and sidewalk details set by the bylaw. The applicant can do this through constructing the frontage upgrades to municipal standards, or by paying the District cash-in-lieu where the money would be held in reserve until construction is completed for the entire block. The applicant will pay cash-in-lieu of \$33,010.00 as per the cost estimation completed by Herold Engineering Ltd (See **Appendix C**). Additional civil servicing and infrastructure upgrades will be assessed to municipal standards prior to final subdivision approval.

ENGINEERING AND SERVICING:

A complete engineering and servicing review will be completed prior to final subdivision approval.

BUILDING:

The proposed subdivision may have impacts on the safety of the existing building. Prior to approval of the subdivision, the applicant will be required to provide a code review to identify any issues and those issues would need to be addressed under building permit.

A survey done by a BCLS confirming the distance to the new property line from exterior building assemblies may be required to verify construction requirements.

ANALYSIS OF OPTIONS:

А	Give notice of first reading to <i>Bylaw</i> <i>No. 1354, 2024</i>	<u>Pros</u>	•	Infill housing and frontage improvements would provide a public benefit.
			•	Would support the applicant's desired outcome.
		<u>Cons</u>	•	Unknown at this time.
		Implications	•	Would allow the application to proceed.
	Provide alternative direction	<u>Pros</u>	•	Would ensure Council's intent is met.
		<u>Cons</u>	•	Unknown at this time.
		Implications	•	Would require staff time to complete the amendments and resubmit for first and second reading.

		Suggested Motion	THAT Council direct staff to modify the <i>District of Ucluelet Zoning</i> <i>Amendment Bylaw No. 1354, 2024</i> , to [<i>state desired outcome</i>], for consideration at a future meeting.
С	Reject the application	<u>Pros</u>	Unknown at this time.
		<u>Cons</u>	Would not provide infill development options.
			• District would not receive cash-in-lieu for frontage improvements.
		Implications	Subject property would maintain existing zoning.
			The application would not proceed.
		<u>Suggested</u> <u>Motion</u>	No motion required.

POLICY OR LEGISLATIVE IMPACTS:

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

It is important to note that Bill 44 – 2023 Housing Statutes (Residential Development) Amendment Act, 2023 amended Section 464.3 of the Local Government Act, and now states that:

"(3) A local government must not hold a public hearing on a proposed zoning bylaw if

(a) an official community plan is in effect for the area that is the subject of the zoning bylaw,

(b) the bylaw is consistent with the official community plan,

(c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and

(d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development,"

Where a public hearing would have previously been held, this legislative change prohibits a public hearing for *District of Ucluelet Zoning Amendment Bylaw No. 1359, 2024.*

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

NEXT STEPS:

If Council proceeds to the first reading of *District of Ucluelet Zoning Amendment Bylaw No. 1354, 2024* staff would undertake the necessary notification to enable public input on the Bylaw. If the Bylaw is adopted, the subdivision could move forward.

Respectfully Submitted:Anneliese Neweduk, PlannerBruce Greig, Director of Community Planning
Duane Lawrence, CAO

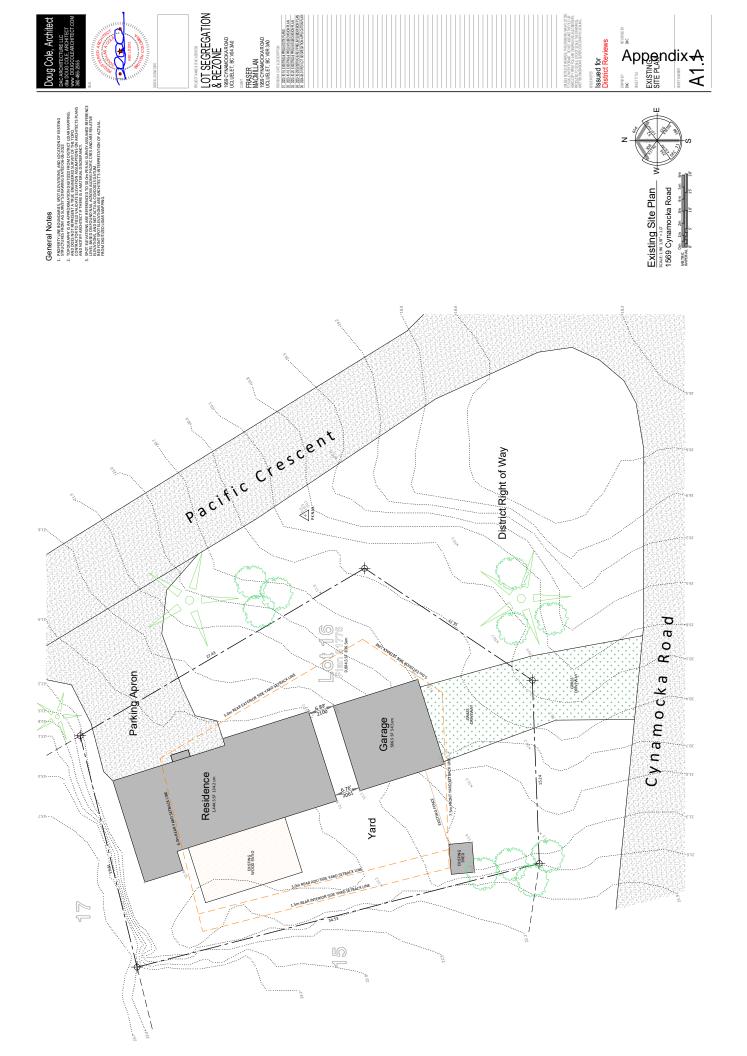
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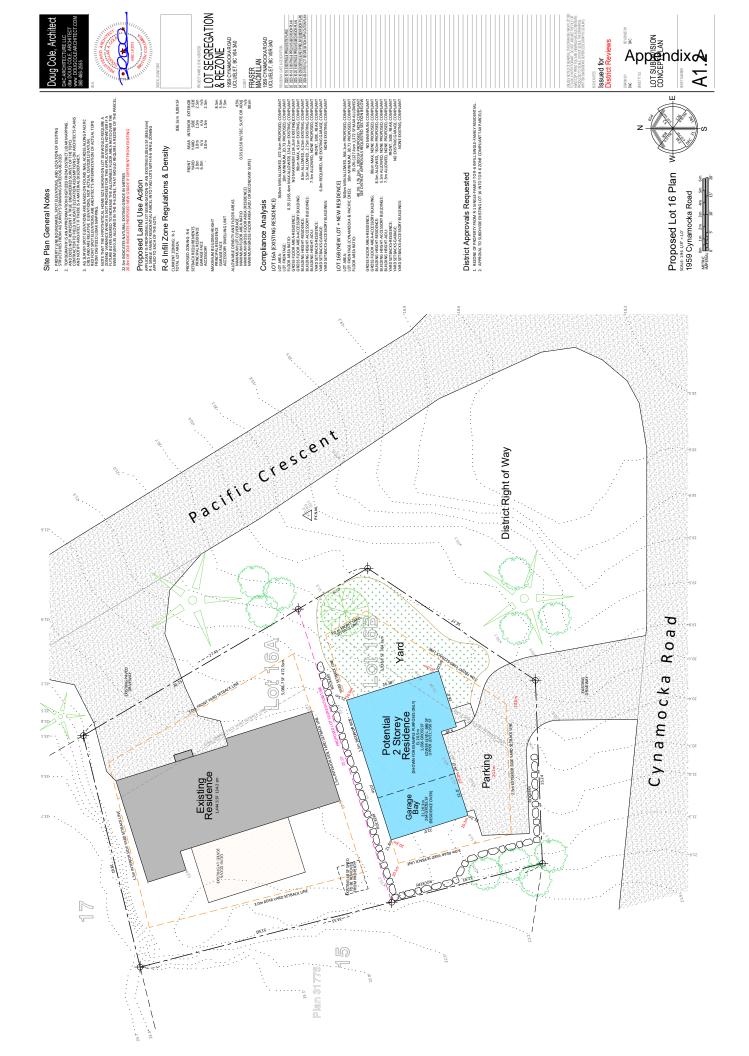
Written statement of intent

- a) The purpose of the application is to primarily rezone(R-6) and secondarily subdivide (PI-001-128-493) into two city lots, with the intention of making the 'new" property suitable for a housing development (single family residence) to densify housing in the community of Ucluelet.
- b) This development follows the development guidelines. It can enhance Ucluelet's community by tastefully densifying housing without any further disturbance to the natural environment. Necessary infrastructure is already available at the property for development.
- c) There are no divergences from the development guidelines with this application, all the guidelines are sufficiently met or exceeded.
- d) The existing use on this land (PI-001-128-493) is a detached garage which would be removed to create space for a new single family residence. Approval on this application would allow for a newly titled lot to be created inturn allowing for housing development within the city bylaws.
- e) Works and services are already connected at the lot, or with minor work can be tied into the existing community services.
- f) The neighbors have been verbally notified of the proposed idea and further agreeance can be obtained if wished upon.

).

)





DISTRICT OF UCLUELET

Zoning Amendment Bylaw No. 1354, 2024

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

(1959 Cynamocka 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. Map Amendment:

Schedule A (Zoning Map) of *District of Ucluelet Zoning Bylaw No. 1160, 2013*, as amended, is hereby further amended by changing the zoning designation of Lot 16, District Lot 284, Clayoquot Land District, Plan VIP31775, PID: 001-128-493 (1959 Cynamocka Road), shown shaded on the map attached to this Bylaw as Appendix 'A', from R-1 Single Family Residential to R-6 Infill Single-Family Residential.

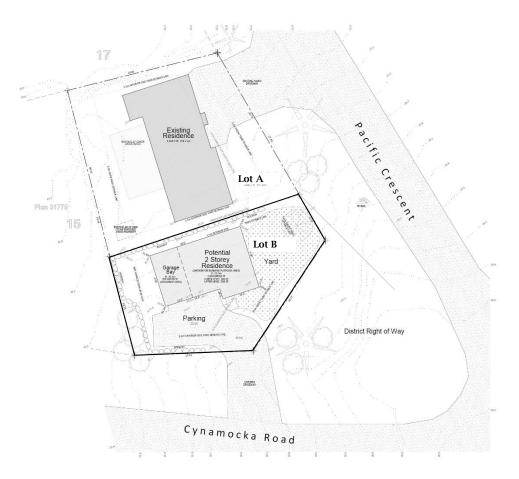
2. Text Amendment:

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

A. adding a new subsection alphanumerically to the R-6 zone such that the new section reads as follows:

"R-6.7.2 Notwithstanding other regulations of this bylaw, on the lands legally described as Lot 16, District Lot 284, Clayoquot Land District, Plan VIP31775, PID: 001-128-493 (1959 Cynamocka Road), the following regulations apply:

(1) Lot B, as identified in the Future Subdivision Map at the bottom of this section, has a maximum allowable Floor Area Ratio of 0.485



Future Subdivision Map"

3. Citation:

This bylaw may be cited as "District of Ucluelet Zoning Amendment Bylaw No. 1354, 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. 1354, 2024."

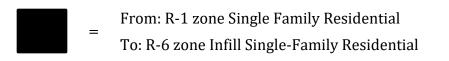
District of Ucluelet Zoning Amendment Bylaw No. 1354, 2024

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

Appendix 'A' District of Ucluelet Zoning Amendment Bylaw No. 1354, 2024





Herold Engineering Ltd. 3701 Shenton Road Nanaimo, B.C. V9T 2H1 OPINION OF PROBABLE COST				
Project Name:	1959 Cynamo	cka - 2 Lot	Subdivisio	n
Project Number	P24-010.1			
Project Description:	Offsite Sidewa	alk Upgrade	es	
Date Estimate Prepared:	7-Nov-24			
Estimate Prepared By	JDP			
BASIS OF OPINIO	ON OF PROBA	BLE COST		
This Estimate is Valid for a period of 90 days only.				
This Estimate does not include the following: • LEGAL SURVEYING FEES • GEOTECHNICAL FEES • GOVERNING AUTHORITIES FEES AND CHARGES • HYDRO / TEL / GAS CHARGES • STORM/SANITARY SEWER UPGRADES	 LAND ACQUISITION RIGHT OF WAY ACI LANDSCAPING AND ROCK EXCAVATION WATERMAIN UPGR 	QUISITION COSTS DELECTRICAL SER	VICING	
Enclosed is the Opinion of Probable Cost for the above n our possession related to the costs of projects of a gener may be affected by a number of factors which are outside SUMMARY OF THE	ally similar nature and our control and which	scope. Howeve h involve informa	er, as you are aw tion to which we	are, the actual cost
			00010	¢00 700 00
Concrete Curb & 1.5m Wide Sidewalk (MMCD Dwg. C2 & C4)			\$28,700.00	
TOTAL OF THE DIRECT CONSTRUCTION COSTS \$28,700			\$28,700.00	
SUMMARY OF OTHE	ER RELATED C	HARGES A	ND FEES	
Contingecy (10%)				\$2,870.00
GST (5%)				\$1,440.00
TOTAL PROJECT COSTS			\$33,010.00	
OPINION OF PROBABLE COST Project Name: 1959 Cynamocka - 2 Lot Subdivision Project Description: Offsite Sidewalk Upgrades Project Number: P24-010.1				
DIRECT CONSTRUCTION COSTS				
Description	Quantity Unit	Unit Cost	Amount	Total
Concrete Curb & 1.5m Wide Sidewalk (MMCD Dy	wg. C2 & C4)			
Sidewalk Stripping & Common Excavation, 300mm	45 m ³	\$ 35.00	1,575.00	
Sidewalk Sub-grade Preparation	150 m²	\$ 2.00	300.00	
Sidewalk Base Course (100mm Thick)	50 tonne	\$ 65.00	3,250.00	
Non-Mountable Concrete Curb and Gutter (MMCD C4)	95 m	\$ 180.00	17,100.00	
1.5m Wide Concrete Sidewalk 100mm Thick (MMCD C2)	1 1	\$ 115.00	9,200.00	
1.5m Wide Concrete Sidewalk 150mm Thick (MMCD C7)) 15 m²	\$ 160.00	2,400.00	28.700.00
		Sub-1	luidi	20,700.00



REPORT TO COUNCIL

Council Meeting: January 14, 2025 500 Matterson Drive, Ucluelet, BC VOR 3A0

FROM: RICK GEDDES, FIRE CHIEF	File No: 2830-30
SUBJECT: JOINT COMMUNITY EMERGENCY PREPAREDNESS FUND GRANT APPLICATION	Report No: 25-03
Attachment(s): None	

RECOMMENDATIONS:

THAT Council authorize the Alberni-Clayoquot Regional District to apply for, receive, and manage grant funding through the Union of BC Municipalities 2025 Community Emergency Preparedness Fund, on behalf of the District of Ucluelet for emergency services response supplies and equipment.

BACKGROUND:

The Alberni-Clayoquot Regional District (ACRD) is pursuing a grant opportunity for Emergency Support Services (ESS) through the Union of BC Municipalities (UBCM – Community Emergency Preparedness Program Fund (CEPF) 2025. This grant allows for collaboration with partners to submit one regional application, whereby each partner could apply for up to \$40,000. The grant covers 100% of the cost of eligible activities, with no requirement to match funds.

Regional resilience is critical for emergency management, particularly as hazards often cross jurisdictional boundaries. As such, the ACRD has invited the District of Ucluelet and the City of Port Alberni to partner in a grant application that would facilitate and strengthen regional ESS capacity. The ACRD has successfully partnered with the District of Ucluelet on previous CEPF grants. This project will continue the momentum and relationships that have been established with the ACRD regarding emergency planning.

Through this grant, supplies, equipment and resources to strengthen our Emergency Support Services (ESS) capacity and improve volunteer management will be purchased. The grant will include the purchase of storage units for Bamfield, Ucluelet and Port Alberni, creating dedicated, accessible space for essential emergency response supplies. Other items that will be purchased through this grant include supplies to support reception centre and group lodging facility operations, such as cots, bedding, food, water, signage, and reception centre kits with supplies for an active set-up. In order to support and retain ESS volunteers, identifying equipment (i.e. jackets, vests, hats) will be purchased to increase responder safety during an incident.

Investing in emergency resources and volunteer management will significantly bolster regional resilience by ensuring that community members (whether District of Ucluelet or ACRD Area "C") have immediate access to essential supplies and trained responders during emergencies. This proactive approach enhances our capacity to respond swiftly and effectively, reducing vulnerability and supporting faster recovery in the face of disasters.

ANALYSIS OF OPTIONS

This grant application is another opportunity for the District of Ucluelet to partner with the ACRD to bolster regional resilience to disasters and emergencies.

ACRD staff will manage the grant and execute the allotted funds (up to \$40,000.00) on behalf of, and in consultation with District of Ucluelet staff, minimizing the amount of local staff time required.

Support the joint grant application	<u>Pros</u>	 The equipment purchased through this grant will provide a significant increase to regional emergency preparedness and resilience. Partnering with the ACRD on projects such as this will continue to strengthen inter-governmental relationships within the region.
	<u>Cons</u>	• There is no obvious downside in partnering with the ACRD on this grant application as the grant execution will be managed by ACRD staff.
	Implications	• There is a net zero budget implication as this project would be fully funded through the grant.
Do not support the joint grant application	<u>Pros</u>	• There is no obvious advantage in not partnering with the ACRD on this grant application.
	<u>Cons</u>	 Not supporting this grant could be seen as a missed opportunity to bolster our regional emergency resilience. Not participating in this potential funding opportunity would delay the inevitable purchase of these emergency supplies and equipment.
	Implications	 The items purchased through this grant would eventually be absorbed into the emergency services budget if the funds were not provided via this grant. The longer that significant purchases such as this are delayed, the more expensive they become.
	<u>Suggested</u> <u>Motion</u>	No motion is required.

NEXT STEPS

3

- ACRD staff will submit a joint UBCM grant application on behalf of the District of Ucluelet to purchase and install emergency equipment and supplies as described.
- District of Ucluelet staff will work with ACRD staff to execute the project by utilizing the provided grant funding.

Respectfully submitted:

Rick Geddes, Fire Chief Duane Lawrence, CAO

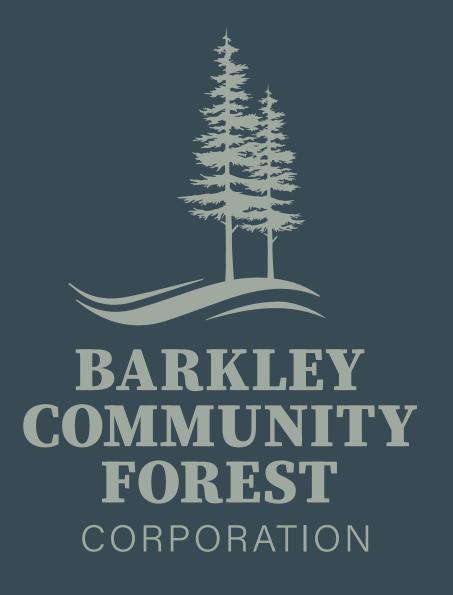
— WELCOMETOTHE — **BARKLEY COMMUNITY FOREST**

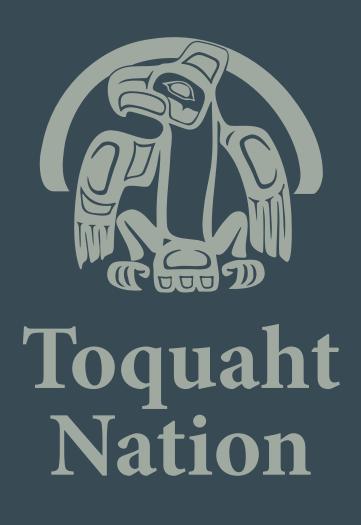
The Barkley Community Forest is managed by the Barkley **Community Forest Corporation - a partnership of the** Toquaht Nation and the District of Ucluelet.

Located within the traditional territory of both the Toquaht and Yuułu?ił?ath Nations, the community forest encompasses over 6,760 hectares between Barkley Sound and Draw Lake.

The vision of the BCFC is to enhance the quality of life for current and future generations of local residents through sound environmental, social and economic management.

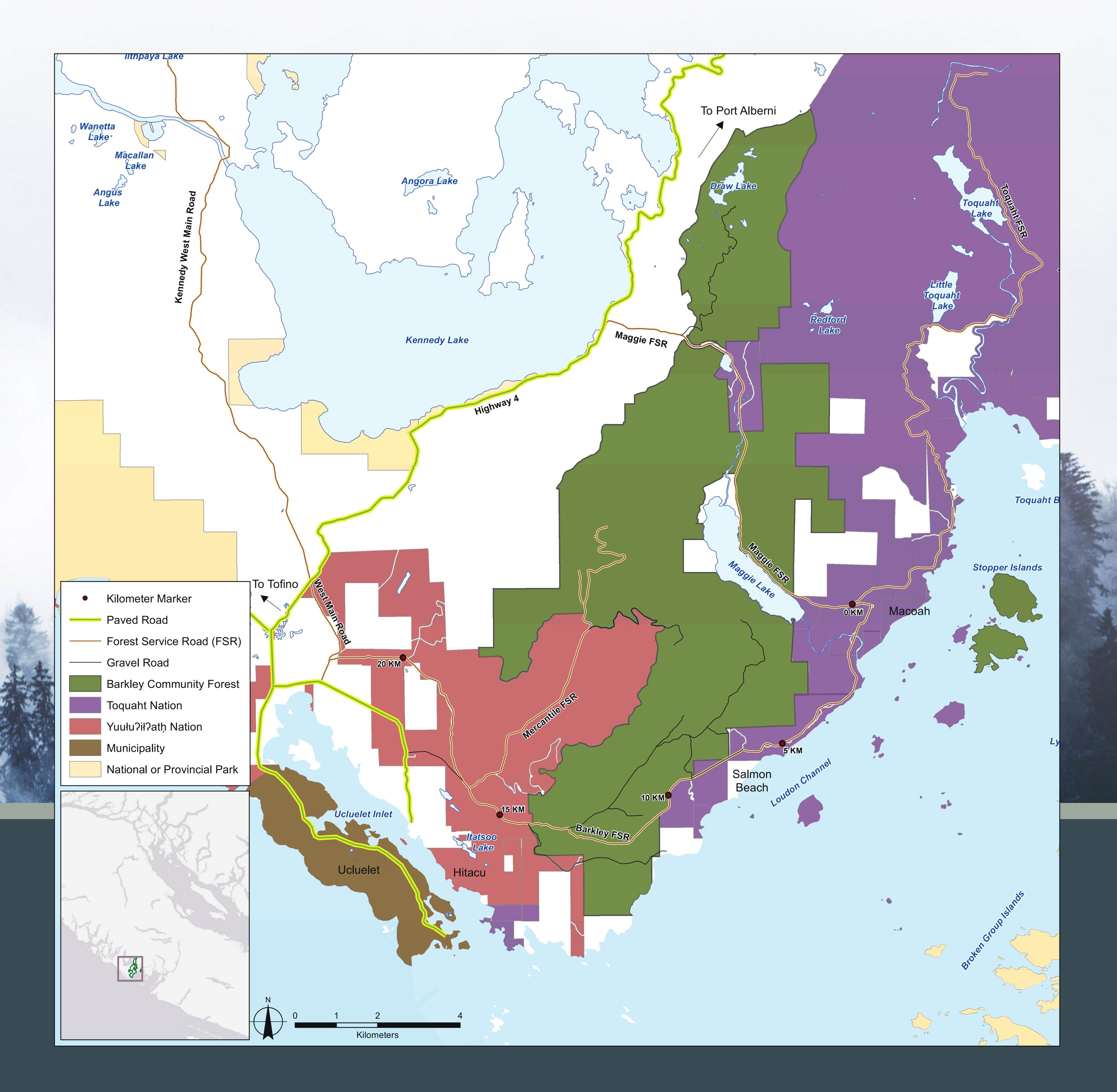
For more information, please visit www.barkleyforest.ca











BARKLEY COMMUNITY FOREST

THIS PARKING AREA IS FOR DAY USE ONLY

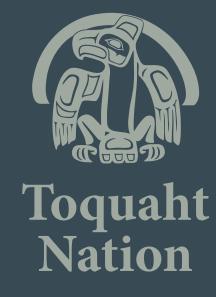
Please respect the forest, wildlife and our neighbours.

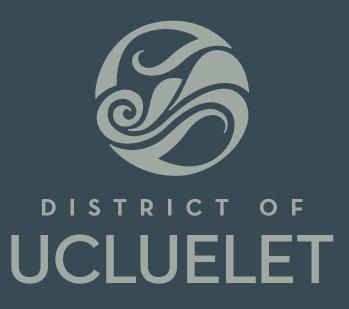
No overnight parking or camping
Do not block the main access road
Leave no trace

For more information, please visit www.barkleyforest.ca











Barkley Community Forest New Signage Barkley Community Forest



Wendy Cocchia, C.M., O.B.C., LL.D. (Hon) announced as the next Lieutenant Governor of British Columbia

Wendy Cocchia, C.M., O.B.C., LL.D. (Hon), has been announced as the next Lieutenant Governor of British Columbia.

"I am deeply honoured to be appointed as the 31st Lieutenant Governor of British Columbia, a role that is both a privilege and a profound responsibility. I look forward to this opportunity to engage meaningfully with the richly diverse communities of this province. I extend my heartfelt gratitude to the current Lieutenant Governor, Janet Austin, for her exceptional service and the significant contributions that Her Honour has made over the past 6 years."

—Wendy Cocchia, C.M., O.B.C., LL.D. (Hon)

"It has been the honour of a lifetime to serve as the 30th Lieutenant Governor of British Columbia for close to seven years. Throughout my term, I have been heartened by the resilience, generosity, and diversity of British Columbians, and inspired by the potential of our province. I am delighted to extend my warmest good wishes to Lieutenant Governor Designate, Wendy Cocchia, whose leadership and record of exemplary community service will continue to strengthen the bonds that unite us."

—The Honourable Janet Austin, O.B.C., 30th Lieutenant Governor of British Columbia

For more details, please refer to the <u>Prime Minister's official announcement</u> regarding Wendy Cocchia's appointment as the 31st Lieutenant Governor of British Columbia. Additional background on the Office of the Lieutenant Governor and its role can be found <u>here</u>.

For all media inquiries, the Office of the Lieutenant Governor would be delighted to assist. Please contact:

- Jerymy Brownridge, Private Secretary Email: jerymy.brownridge@gov.bc.ca
- Amanda Campbell, Deputy Private Secretary and Director of Communications
 Email: <u>a.rose.campbell@gmail.com</u> | <u>amanda.campbell@gov.bc.ca</u>

Details regarding the Installation arrangements will be shared in the coming weeks.



Wendy Cocchia, C.M., O.B.C., LL.D. (Hon)



Wendy Cocchia is an entrepreneur, philanthropist, and dedicated community leader in British Columbia and Canada.

A champion for disability rights and services, Ms. Cocchia is the co-founder of the Pacific Autism Family Network in British Columbia. The Pacific Autism Family Network (PAFN) is a firstof-its-kind knowledge and resource network in North America that provides essential information and services to people who are neurodivergent (including autism spectrum disorder) and their families across the lifespan.

Ms. Cocchia has been an active member of her community throughout her life. She has served as Governor of the Business Council of British Columbia, as the first female Trustee of the Vancouver Police Foundation, and as the Greater Vancouver Board of Trade's fifth and youngest female Chair. She is a Fellow of Royal Roads University in Victoria, British Columbia, and was a founding Director for Destination British Columbia.

In recognition of her leadership and community involvement, Ms. Cocchia is a member of the Order of Canada, the Order of British Columbia and has received two honorary doctorates from the Justice Institute of British Columbia and Vancouver Island University. She was inducted into the Hall of Fame for Canada's Most Powerful Women: WXN Top 100 award, she has received the Queen Elizabeth II Diamond Jubilee Medal, the King Charles III Coronation Medal, the British Columbia Community Achievement Award and received Variety's International Corporate Fundraiser of the Year.

Ms. Cocchia has built a successful career in the hospitality industry. She is the co-founder of the Absolute Spa Group and grew the company from one location to Canada's largest independent spa chain, which sold in 2020. Most recently, she was the Chief Executive Officer of Crew Management Ltd. and the Century Plaza Hotel in Vancouver.

Ms. Cocchia holds a Bachelor of Arts Degree from the University of British Columbia.

-----Original Appointment-----From: AVICC Info <<u>info@avicc.ca</u>> Sent: January 8, 2025 12:12 PM To: AVICC Info Subject: Save-the-Date: Joint Virtual Session - Legislative Reform Initiative When: February 28, 2025 9:00 AM-1:00 PM (UTC-08:00) Pacific Time (US & Canada). Where: Via Zoom - link to follow with registration

[External]

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

Hello AVICC members,

On behalf of AVICC President Ben Geselbracht, and the AVICC Executive, member elected representatives and senior staff are invited to a Joint Area Association Virtual Engagement Session on the legislative reform initiative to modernize the *Local Government Act* (LGA). The session has been scheduled to take place on **February 28, 2025, from 9:00am-1:00pm.**

Since 2021, the legislative reform initiative has been advanced by an ad-hoc working group made up of elected officials and CAOs from Vancouver Island and the lower mainland. This working group has supported education and engagement sessions at AVICC and UBCM. More recently, the other Area Association Presidents, Board members and staff have joined the conversation. As part of the process to broaden local government participation provincially, we are jointly hosting this session.

The session would have the broad objective of educating membership on the aspects of the *Local Government Act* that need updating, along with receiving feedback about issues relevant to specific regions within BC. The content of the session will include a section-by-section review of the *LGA* using a document prepared by Don Lidstone, KC, that will outline problems with the current legislation and possible solutions. The document will serve as a framework to receive feedback on the challenges local governments from all five area associations are facing, and the feedback will be used to produce a report for UBCM and the Province that clearly defines the issues faced and the need for the modernization of the current legislation.

Further information will be sent in the coming month, including a registration link to the complimentary virtual event and information to support the engagement. In the meantime,

please save-the-date in your calendars. If you have any questions, please do not hesitate to reach out. We look forward to including your voice in the conversation!

Association of Vancouver Island and Coastal Communities

236.237.1202

info@avicc.ca

www.avicc.ca

The AVICC acknowledges that we are grateful to live, work, and play on the traditional territories of the Coast Salish, Nuu-Chah-Nulth and Kwak-Waka'wakw Peoples

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