



**REGULAR MEETING OF COUNCIL**  
**Tuesday, March 28, 2017 @ 7:30 PM**  
**George Fraser Room, Ucluelet Community Centre,**  
**500 Matterson Drive, Ucluelet**

**AGENDA**

	Page
1. CALL TO ORDER	
2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY	
Council would like to acknowledge the Yuułu?i?at̓ First Nations on whose traditional territories the District of Ucluelet operates.	
3. ADDITIONS TO AGENDA	
4. ADOPTION OF MINUTES	
4.1. March 14, 2017 Regular Minutes <a href="#">2017-03-14 Regular Minutes</a>	5 - 15
5. UNFINISHED BUSINESS	
6. MAYOR'S ANNOUNCEMENTS	
7. PUBLIC INPUT, DELEGATIONS & PETITIONS	
7.1 Public Input	
8. CORRESPONDENCE	
8.1. Request for Donation re: Annual Potluck Banquet on April 8, 2017 Pacific Rim Fish & Game Association <a href="#">C-1 Pacific Rim Fish and Game</a>	17
8.2. Request for \$30,000 Grant re: Financial Support during Restructuring Ucluelet Chamber of Commerce <a href="#">C-2 Chamber of Commerce Grant Request</a>	19
8.3. Invitation to Attend re: 2017 Arts BC Conference Arts BC <a href="#">C-3 Arts BC Invite</a>	21 - 22
8.4. Expression of Interest re: Crown Land Transfer Barbara Schramm, Wild Pacific Trail Society <a href="#">C-4 WPT Lighthouse</a>	23
9. INFORMATION ITEMS	
9.1. UBCM Follow-up re: Improvements to Peninsula/Main Street Corridor and Highway 4	25 - 26

Ministry of Transportation and Infrastructure

[I-1 Ministry of Transportation and Infrastructure](#)

- 9.2. Input into St. Jacques Park Design 27 - 30  
Seaview Seniors Housing Society  
[I-3 St. Jacques Input Seniors](#)
- 9.3. BC Jobs Plan 5-Year Update 31 - 32  
Ministry of Jobs, Tourism and Skills Training  
[C-3 Canada Starts Here The BC Jobs Plan](#)
- 9.4. BC Rural Dividend Fund - Next Intake April 3 to May 21, 2017 33  
Ministry of Jobs, Tourism, and Skills Training  
[I-4 BC Rural Dividend Intake April - May 2017](#)

## 10. COUNCIL COMMITTEE REPORTS

### 10.1 Councillor Sally Mole

*Deputy Mayor April – June*

- Ucluelet & Area Child Care Society
- Westcoast Community Resources Society
- Coastal Family Resource Coalition
- Food Bank on the Edge
- Recreation Commission
- Alberni Clayoquot Health Network Table of Partners
- Alberni Clayoquot Regional District - Alternate

=> *Other Reports*

### 10.2 Councillor Marilyn McEwen

*Deputy Mayor July – September*

- West Coast Multiplex Society
- Ucluelet & Area Historical Society
- Wild Pacific Trail Society
- Vancouver Island Regional Library Board – Trustee

=> *Other Reports*

### 10.3 Councillor Mayco Noel

*Deputy Mayor October – December*

- Ucluelet Volunteer Fire Brigade
- Central West Coast Forest Society
- Ucluelet Chamber of Commerce
- Clayoquot Biosphere Trust Society - Alternate
- Tourism Ucluelet
- Signage Committee

- Community Forest Board

=> *Other Reports*

10.4 Councillor Randy Oliwa  
*Deputy Mayor January – March*

- Vancouver Island Regional Library Board - Alternate
- Harbour Advisory Committee
- Aquarium Board
- Seaview Seniors Housing Society
- Education Liaison

=> *Other Reports*

10.5 Mayor Dianne St. Jacques

- Alberni-Clayoquot Regional District
- Coastal Community Network
- Groundfish Development Authority
- DFO Fisheries Committees for Groundfish & Hake
- Pacific Rim Harbour Authority
- Pacific Rim Arts Society
- Whale Fest Committee

=> *Other Reports*

11. REPORTS

- |       |  |         |
|-------|--|---------|
| 11.1. | Expenditure Voucher G-6/17<br><i>Jeanette O'Connor, CFO</i><br><a href="#">R-1 Expenditure Voucher</a>   | 35 - 37 |
| 11.2. | Approval of Food Truck Business License and Development Permit Variances for 1636 Peninsula Road<br><i>John Towgood, Planner 1</i><br><a href="#">R-2 Food Truck</a> | 39 - 55 |

12. LEGISLATION

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| 12.1. | <b>REPORT</b><br>Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017 - Three Readings<br><i>Jeanette O'Connor, CFO</i><br><a href="#">L-1 REPORT Fees and Charges Amendment 1215</a> | 57      |
| 12.2. | <b>BYLAW</b><br>District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017<br><a href="#">L-2 BYLAW Fees and Charges Amendment No. 1215</a>                                     | 59 - 65 |
| 12.3. | <b>REPORT</b><br>Zoning Amendment Bylaw No. 1211, 2016 - Third Reading  | 67 - 82 |

*John Towgood, Planner 1*

[L-3 REPORT Zoning Amendment 1211](#)

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| 12.4. | <b>BYLAW</b><br>Zoning Amendment Bylaw No. 1211, 2016<br><a href="#">L-4 BYLAW Zoning Amendment No. 1211</a>   | 83 - 84   |
| 12.5. | <b>REPORT</b><br>Zoning Amendment Bylaw No. 1203, 2016 - Adoption<br><i>John Towgood, Planner 1</i><br><a href="#">L-5 REPORT Zoning Amendment 1203</a>                        | 85 - 111  |
| 12.6. | <b>BYLAW</b><br>Zoning Amendment Bylaw No. 1203, 2016<br><a href="#">L-6 BYLAW Zoning Amendment No. 1203</a>   | 113 - 115 |
| 12.7. | <b>REPORT</b><br>Zoning Amendment Bylaw No. 1214, 2017 - Adoption<br><i>John Towgood, Planner 1</i><br><a href="#">L-7 REPORT Zoning Amendment 1214</a>                        | 117       |
| 12.8. | <b>BYLAW</b><br>Zoning Amendment Bylaw No. 1214, 2017<br><a href="#">L-8 BYLAW Zoning Amendment No. 1214</a>   | 119 - 120 |
| 13.   | LATE ITEMS <ul style="list-style-type: none"> <li>• Late items will be addressed here as addenda items</li> </ul>  |           |
| 14.   | NEW BUSINESS   |           |
| 15.   | QUESTION PERIOD  |           |
| 16.   | CLOSED SESSION   |           |
|       | <i>Procedural Motion to Move In-Camera:</i><br>THAT the meeting be closed to the public in order to address agenda items under Section 90(1) of the <i>Community Charter</i> . |           |
| 17.   | ADJOURNMENT  |           |



- 5.2** Mayor St. Jacques noted that in the minutes the planner and parties involved were going to meet over the Bay Street house, and inquired as to whether or not that has happened. CAO Yeates advised that the planner had discussions and while there has been some improvement of the lot the process will be ongoing.
- 5.3** Councillor Oliwa noted that staff had requested a legal opinion on some Official Community Plan questions and inquired if there was a reply back yet. CAO Yeates stated no, not yet.

## **6. MAYOR'S ANNOUNCEMENTS**

## **7. PUBLIC INPUT, DELEGATIONS & PETITIONS**

### **7.1 Public Input**

R. Parlee addresses concerns of the Harbour Authority Commission, who did not have quorum at their last meeting. Parlee noted the Committee needs help with certain issues, citing the catamaran (has opportunity but also problems as it needs power for draggers and lights) and the water lease. Parlee noted the Commission does not have the authority nor the expertise to deal with these issues, but expressed their desire to take projects to the next level. Parlee encouraged Council to engage someone whose task would be economic job-related harbour priorities. Parlee noted the Commission feels the harbour is an economic driver and a jewel and requested Council to find a consultant or project manager to move projects forward.

- Mayor St. Jacques advised that Council recognizes the importance of the harbour and breakwater, as well as the opportunities and challenges that currently exist; Mayor St. Jacques noted there is an upcoming meeting on March 27, 2017 to discuss this further.

J. A. Clark addressed an item from the last Council meeting regarding a proposal for a food truck. Clark stated he does not have a problem with a food truck but is concerned over the laneway, driveway, and ANAF; Clark inquired as to the role of planning staff in the creation of the proposal; Clark requested clarification on whether the laneway to Larch would become a proper laneway again; Clark requested greater transparency in communication to neighbours when proposals like these come forward; Clark stated belief that once property was subdivided, the laneway would become a proper lane; Clark stated his concern with fire, police, safety, and deliveries; Clark inquired why sketches done by District planner show ANAF driveway as missing; Clark requested that Council eventually look at the area and traffic in and out, which is a concern

- CAO Yeates explained the planner's role in the application process, that generally people put their own applications together but the planner will assist as needed; CAO noted that the sketches/concept drawings were created during the original OCP process, and are provided only as options and background material. CAO explained the communication process, that certain planning endeavours require communication to owners within 60m and that as this was a former character development permit, it did not have the same requirements. CAO was not aware of any agreement on a thoroughfare lane, but agreed that staff could confirm.
- Mayor St. Jacques advised that the laneway issue would have had to go on title, but staff would check to see if it was.

L. Skene commented that the Official Community Plan (OCP) process happened last fall and inquired as to the timeline on the development of a new OCP.

- CAO Yeates advised that staff have had discussions with their consulting group and the Vancouver Island University group. CAO advised they are hoping in the next couple of weeks that the group will produce a report for Council.

## 8. CORRESPONDENCE

### 8.1 Invitation re: 'Celebrating Yuulu?il?ath' on March 18, 2017 Yuulu?il?ath Government

2017-072            **It was moved by Councillor McEwen and seconded by Councillor Oliwa**  
*That Council receive correspondence item "Celebrating Yuulu?il?ath on March 18, 2017" for information.*

CARRIED.

### 8.2 Status Request re: Clayoquot Biosphere Trust Appointments *Re-submitted by District Staff on request of CBT*

2017-073            **It was moved by Councillor Noël and seconded by Councillor Oliwa**  
*THAT Council receive correspondence item "Clayoquot Biosphere Trust Appointments" for information;*  
*AND THAT Council appoint Geoff Lyons as Director to the Clayoquot Biosphere Trust Society, with Councillor Mayco Noël as the Alternate;*  
*AND THAT Council send a letter to Mr. Lyons to thank him for his ongoing commitment to the Board, and to request that he provide Council with quarterly reports or visits to provide updates on the Clayoquot Biosphere Trust Society.*

CARRIED.

## 9. INFORMATION ITEMS

### 9.1 Ucluelet Receives Crown Land Transfer

**BC Government**

2017-074

**It was moved by Councillor McEwen and seconded by Councillor Oliwa THAT Council receive information item "Ucluelet Receives Crown Land Transfer" for information; AND THAT Council direct staff to send a letter to Minister Peter Fassbender to thank him for sponsoring the Crown Land transfer to the District of Ucluelet.**

CARRIED.

**10. COUNCIL COMMITTEE REPORTS**

10.1 Councillor Marilyn McEwen  
*Deputy Mayor July – September*

**West Coast Multiplex Society**

- Met March 6, 2017; next phase will be obtaining the design for the multiplex; the ACRD sent three Requests For Proposals (RFPs) out to architectural companies; RFPs will be open for two weeks, with a budget of \$75,000 for the design; the design will need to be completed by the end of June.
- Society is starting up a fundraising committee, with possibly one in each town; group also received a letter from Toquaht Nation advising they passed a resolution to participate in the multiplex service area

**Ucluelet & Area Historical Society**

- Society are interested in using the lighthouse keeper's house as little museum and tea house.
- AGM set for April 9, 2017 from 2-4 pm at the Ucluelet Community Centre; theme will be the Old Wickaninnish Inn roundtable, with old pictures and guest speakers.
- Society is looking at creating another display similar to the Kimoto 3D display; want to do one on George Fraser and are looking for grants.
- Society is still interested in the Parks Canada house being let go at the corner of Peninsula and Bay; were initially told it would be demolished, but latest word is that it would be sold for fair market value; are interested in using the house as a potential museum; Society would like more information from Parks on the bidding process.

**Wild Pacific Trail Society**

- Met March 1, 2017; society is excited by the lighthouse land news, as wish to use the building as a shelter and space for their summer person who conducts educational tours on the Wild Pacific Trail.
- Danielle Francis is now doing the trail maintenance one day a week, possibly up to 2-3 days/week in future to help Oyster Jim who is off on medical leave; society will eventually advertise this position when Oyster Jim retires.
- Society has received a permit for a highway sign at the junction, with a budget of \$4600.
- Official opening of Inspiration Point is May 6, 2017 (in conjunction with the AGM); sign for it has been ordered and the society will be giving a tour of the new area.
- The next request for Council will be for the bog project in 2017; society has applied to the Clayoquot Biosphere Trust requesting funds for interpretive signage for the bog trail.
- Society is currently reworking their mission and vision statements; they hope to finalize this by next month.

10.2 Councillor Mayco Noël  
*Deputy Mayor October – December*

**Ucluelet Volunteer Fire Brigade**

- The UVFB currently has 27 members with 7 new recruits. Fire Chief Ted Eeftink is happy with the direction the Fire Department is currently going.

**Community Forest Board**

- Road building is progressing; harvesting has been contracted out to a company from Port Alberni, with intention to focus on hiring locally-based fallers and labourers; Board will give Council a tour of the cut area once the road re-opens.

10.3 Councillor Randy Oliwa  
*Deputy Mayor January - March*

**Harbour Advisory Committee**

- Met recently but did not have quorum; Commission has a strategic planning session on March 27 for the Harbour Authority, Commission, staff, and harbour manager; the session stems from the Harbour Authority Association of BC's mentoring pilot program, which provides an individual

for a day to work on strategic planning; will be working with Joel Baziuk, the Steveston Harbour Operations Supervisor

### **Seaview Seniors Housing Society**

- Met recently; group is waiting to hear if they were successful on a grant application for the Phase 2 feasibility study of Forest Glen; group thankful that the District received a second Age Friendly grant; society is currently drafting a letter of requests on what the seniors would like to see in St. Jacques park

### **=> Other Reports**

- Attended a central region meeting hosted by Nuu-chah-nulth Tribal Council; in attendance at the meeting was MP Gord Johns, MLA Scott Fraser, every FN community, Tofino Mayor, Tony Bennett for Area C, and Clr. Oliwa for Ucluelet; meeting was facilitated by Ken Watts; had presentation from Roger Gerard from Canadian Coast Guard and west coast community preparedness group; heard about training initiatives taking place, especially after leviathan incident, including recruiting young ambassadors from communities and putting them through the training; intention is that ambassadors can train others in their communities; also discussed new vessels for west coast, as there is a marine response centre in Port Alberni, and potential for other satellite sites; had spill response discussion, advocated for additional resources on the coast; ended with a sharing exchange between the communities; big takeaway is the uniqueness of the board, as there is no other quasi-provincial meeting group like this one; Gord Johns proposed going after federal funding for it; NTC looking for someone else to take over for Ken Watts in organizing

## 10.4 Mayor Dianne St. Jacques

### **Alberni-Clayoquot Regional District**

- ACRD is working with BC Transit on a feasibility study this year for bus service on the West Coast between Tofino and Ucluelet; BC Assessment provided information on assessment changes in Port Alberni, Tofino and Ucluelet, and all have gone up; the average house price as of July 2016 in Ucluelet is \$288k and \$588k in Tofino; Board received a presentation from Ahousaht First Nation on

their land use plan for their traditional territory, the plan allows for a community forest and parkland.

- Long Beach Airport is pursuing a grant application for rehabilitation of the taxi ways and main apron.
- Council was advised that Tofino is hiring a Building Inspector to service their community and possibly Ucluelet as well.
- Salmon Beach is considering starting a local community commission, as more people are living there than ever before.

### **Ucluelet Health Centre Working Group**

- Working on partnership with Island Health and medical professionals for a health facility in Ucluelet; Island Health currently is putting an RFP together regarding services that could be located within the building; the District will follow up afterwards and see if the community can partner; Cheryl Hoskins is the new manager of Tofino Hospital, Hoskins has a nursing background and came from Sechelt where she ran a hospital.
- Group discussed the helipad at the Tofino Hospital; Island Health will come forward with new plans in coming months.

### **=> Other Reports**

- Mayor attended the Island Coastal Economic Trust meeting in Courtenay; Mayors analyze applications and decide on which projects are successful; the group was given \$50M in the past to disburse, but funds were depleted and now the Province has given them another \$10M.
- Mayor met with the Ministry of Community Sport and Cultural Development in Victoria on March 13, 2017; spoke to Ucluelet's funding application to help with sewer repairs; will hear an update on this application shortly.
- Mayor met with Minister Letnick in Victoria on March 13, 2017 along with West Coast Reduction, Ucluelet Harbour Seafoods, and the Nuuchahnulth Tribal Council; purpose was to give more information on the value of processing fish in BC; fish are generally federally regulated, but BC has a say in the processing done; Cliff Atleo (NTC) spoke to how necessary employment is to the NTC, and UHS spoke to their commitment to hiring within the region.

2016-075            **It was moved by Councillor Oliwa and seconded by Councillor McEwen.**  
                          *THAT Council accept all committee reports.*

CARRIED.

## 11. REPORTS

### 11.1 Expenditure Voucher G-5/17 *Jeanette O'Connor, CFO*

2017-076            **It was moved by Councillor Noël and seconded by Councillor McEwen**  
                          *THAT Council receive Expenditure Voucher G-5/17 for information.*

CARRIED.

### 11.2 Development Permit and Associated Variance For Lot 1 *John Towgood, Planner 1*

2017-077            **It was moved by Councillor McEwen and seconded by Councillor Oliwa**  
                          *THAT Council approve recommendation 1 of report item "Development Permit  
                          and Associated Variance for Lot: 1, Plan: VIP33217, District: 09", which states:*  
                          1. *THAT Development permit and associated variance DP 17-02 be  
                          approved as per the drawings and conditions outlined within the body of  
                          this report.*

CARRIED.

## 12. LEGISLATION

### 12.1 REPORT

#### **Request to Amend Zoning Bylaw No. 1160** *John Towgood, Planner 1*

2017-078            **It was moved by Councillor Oliwa and seconded by Councillor McEwen**  
                          *THAT Council approve recommendation 1 of legislative report item "To Amend  
                          Zoning Bylaw No. 1160, 2013 by Removing Lot: 45 Plan: VIP86134 District: 09  
                          From CD-5C Subzone Single Family Dwelling Residential and Place it in CD-  
                          5C Subzone Park", which states:*

1. *THAT Zoning Amendment Bylaw No. 1214, 2017 be given First, Second  
                          and Third Reading.*

CARRIED.

### 12.2 BYLAW

#### **Zoning Amendment Bylaw No. 1214, 2017**

2017-079            **It was moved by Councillor Oliwa and seconded by Councillor McEwen**  
                          *THAT Zoning Amendment Bylaw No. 1214, 2017 be given First Reading.*

CARRIED.

2017-080            **It was moved by Councillor Noël and seconded by Councillor McEwen**  
                          *THAT Zoning Amendment Bylaw No. 1214, 2017 be given Second Reading.*

CARRIED.

2017-081            **It was moved by Councillor McEwen and seconded by Councillor Oliwa**

*THAT Zoning Amendment Bylaw No. 1214, 2017 be given Third Reading.*

CARRIED.

### 13. LATE ITEMS

#### 13.1 Proposal to Change Friday Night Market to Sundays Ukee Market Society

2017-082            **It was moved by Councillor McEwen and seconded by Councillor Mole**  
*THAT Council receive late item "Proposal to Change Friday Night Market to Sundays" for discussion.*

CARRIED.

2017-083            **It was moved by Councillor McEwen and seconded by Councillor Noël**  
*THAT Council approve changing the Friday Night Market to Sunday afternoon without closing down Fraser Lane to traffic.*

CARRIED.

### 14. NEW BUSINESS

#### 14.1 Councillor Oliwa

- Commented on the West Coast housing crisis; discussed with the Ucluelet Chamber of Commerce the possibility of them hosting events or facilitating networking events on the housing issue; UCOC board will discuss the proposal; Clr. Oliwa noted that if the board agrees to pursue, Council can provide space at the Ucluelet Community Centre and help with advertising; Clr. Oliwa noted that Council is being proactive on the issue as they see an avenue where the local government can co-facilitate discussion on housing.
- Councillor Oliwa congratulated Mayor St. Jacques on her work regarding the awarding of the Coast Guard Lands; Clr. Oliwa also recognized past Council and Staff in bringing this to fruition.
- Councillor Oliwa inquired on updates regarding the Emergency Response Plan and Emergency Notification System; CAO Yeates advised that the notification system was up and running but there was nothing further to report on the plan at this time.
- Councillor Oliwa noted that the He-Tin-Kis Pathway looks very good, and extended congratulations to Staff for completion.

#### 14.2 Councillor Noël

- Councillor Noël noted his concern over the property at the end of Coast Guard Road as the property is not visually appealing and is visible from new He-Tin-Kis pathway; inquired if there was possible bylaw enforcement action to take regarding the way the lot is being kept.

2017-084                   **It was moved by Councillor Noël and seconded by Councillor Oliwa**  
*THAT Council hold a Committee of the Whole meeting on April 4, 2017;*  
*AND THAT Council invite local builders and contractors to attend to discuss*  
*their experiences in 2016 with regards to the building inspection process, and*  
*to discuss how Council can support them in 2017.*

CARRIED.

#### 14.3 Councillor McEwen

- Ucluelet Chamber of Commerce meeting is on March 21, 2017; Clr. McEwen noted that they will discuss the possibility of a public forum on housing but that it might be too early to do so as the District has only just implemented the new software program to track short-term rentals and a list has not been generated yet; Clr. McEwen suggested that once a list is ready it might be a good time to host a session.

#### 14.4 Mayor St. Jacques

2017-085                   **It was moved by Mayor St. Jacques and seconded by Councillor McEwen**  
*THAT Council direct staff to provide Lady Rose Marine with a letter of support*  
*in principle with regards to bringing a car-carrying ferry to the west coast.*

CARRIED.

2017-086                   **It was moved by Mayor St. Jacques and seconded by Councillor McEwen**  
*THAT Council direct staff to provide a letter to the Federal and Provincial*  
*Governments thanking them for their mutual investment in effecting*  
*remediation and upgrades on the Kennedy Lake hill (Highway 4) in the amount*  
*of \$13 million.*

CARRIED.

### 15. QUESTION PERIOD

#### 15.1 Council received questions and comments from the public re:

- The bistro expansion and concerns about public washrooms, parking, and fire access
- Timeline for completion of the micro-brewery

### 16. CLOSED SESSION

#### 16.1 Procedural Motion to Move In-Camera

2017-087                   **It was moved by Councillor Oliwa and seconded by Councillor Noël**  
*THAT the meeting be closed to the public in order to address agenda items*  
*under Section 90(1), subsections (c) and (e), of the Community Charter.*

CARRIED.

**16.2** Mayor St. Jacques suspended the regular meeting at 8:43 pm and moved in-camera at 8:50 pm.

**17. ADJOURNMENT**

**17.1** Mayor St. Jacques adjourned the in-camera meeting at 9:59 pm and resumed the regular meeting.

**17.2** Mayor St. Jacques adjourned the regular meeting at 10:00 pm.

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday, March 14, 2017 at 7:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

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Dianne St. Jacques  
Mayor

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Andrew Yeates  
CAO





Filecode: 0230-20 PRFG  
 X-Ref:  
 Forwarded to: Council, Andrew  
 Physical  Electronic  
 March 28, 2017 CM

Box 922  
 Ucluelet, BC  
 V0R 3A0

23 February 2017

#### Annual Potluck Banquet Prize Donation Request

The Pacific Rim Fish & Game Association is hosting their annual Potluck Banquet on Saturday April 8<sup>th</sup> at the Ucluelet Community Centre. As you know, the Association is a non-profit organization that relies heavily on the potluck banquet activities to raise funds to maintain the range, to support a grad scholarship, and to provide various services to its members and visitors throughout the year.

The Fish & Game Executive would appreciate your support of the Association by donating a prize for our annual fundraising event. We would not be able to host such a successful event without the support of our local businesses and volunteers.

Tickets for the event will be available to members immediately, and to the general public by March 15<sup>th</sup>. If you aren't already a member, please consider joining this outdoor adventure association.

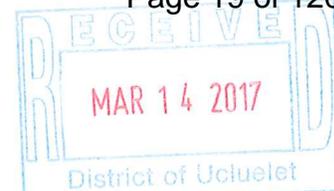
Prize donations of any kind would be greatly appreciated. We would be available to pick up donations in the weeks leading to the event, and will be publicly announcing those organizations that make donations.

For more information, or prize pick up, please contact Dale Holliday at 250.266.0028. We look forward to hearing from you soon.

Thank you!

Pacific Rim Fish & Game Association Executive





Filecode: 0A30-20 UCOC  
 X-Ref:  
 Forwarded to: Council, Andrew  
 Physical  Electronic  
 MARCH 28, 2017 CM

March 14, 2017

Mayor and Council  
 District of Ucluelet  
 PO Box 999  
 Ucluelet, BC, V0R 3A0

Dear Mayor and Council,

I am writing on behalf of the Ucluelet Chamber of Commerce and its Board of Directors to request a grant of \$30,000 from the District of Ucluelet for 2017.

Since Tourism Ucluelet has taken over Visitor Services, we are looking for financial support for the restructuring of our organization and to continue to provide important programs and services to the members of our community.

The Board of Directors are building a solid working relationship with Tourism Ucluelet. We are working together to achieve our common goals and objectives through collaboration for the benefit of our community as whole.

We are also working hard on building our 2017 workplan and budget.

Our strategy is to include programs and services that will support Sustainable Economic Development within our business community. It is our goal to send a delegation to council in April to report on our progress.

The Ucluelet Chamber of Commerce and its Board of Directors are looking forward to working together with the District of Ucluelet as we build capacity, not only amongst our membership, but the entire community.

Thank you in advance for your consideration of our request for financial support.

Respectfully,

Dian McCreary, President  
 Ucluelet Chamber of Commerce



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**Subject:** Arts BC's The Wave Forward: New Fundamentals for Arts and Culture Leaders, Tofino-Ucluelet, April  
**Attachments:** Invite\_Mayor St.Jacques\_Wave Forward kr.docx

**Sent:** Friday, March 10, 2017 9:19 AM

**To:** Council

**Subject:** Arts BC's The Wave Forward: New Fundamentals for Arts and Culture Leaders, Tofino-Ucluelet, April

**From:** Kathy Ramsey

Hello Mayor St. Jacques!

I am very excited to bring Arts BC members to the Pacific Rim for our annual conference this April!

A few years ago you participated in a roundtable on a Cultural Policy Framework for BC that I facilitated at the Ucluelet Community Hall. I came away from that day so impressed by the deep knowledge and understanding everyone in that room shared on arts and cultural issues and it was on that drive home when I said to myself, "I wish all our members could see what is happening out here on the Pacific Rim - they could all learn so much from these communities!"

Well, it seemed like a good idea then and an even better idea now! The Wave Forward: New Fundamentals for Arts and Culture Leaders will bring delegates from across the province to Tofino-Ucluelet and we hope you'll be available to spend some time to share your enthusiasm and passion for the arts!

We'd love to have you come to the Opening Welcome on Friday, April 28th at noon and, perhaps, attend a few of our social events! We'll share details on *that* as we move closer to the date but in the meantime, we are hopeful you can "Save the Date" for our Opening Welcome.

Warmly,

Kathy Ramsey  
Arts BC President  
[www.artsbc.org](http://www.artsbc.org)  
1-778-410-5104  
1-844-Arts 911

*"For the People POWERING the Arts in BC"*



March 19, 2017

District of Ucluelet  
P.O. Box 999 Ucluelet, B.C. V0R 3A0



Dear Dianne St. Jacques:

RE: Ucluelet Amphitrite Land Transfer

On behalf of the Wild Pacific Trail Society, I would like to applaud the efforts put forth by the members of the District of Ucluelet's Council in ensuring the Crown land transfer at Amphitrite Point. Your dedication, and the perseverance of district staff has resulted in a win-win asset for residents and visitors.

At this time, the Trail Society would like to express an interest in sharing the Light Keepers house as step one in delivering interpretive programs on the Wild Pacific Trail. We would welcome a discussion with district staff and Council regarding our potential role with the property in partnership with the Historical Society.

In addition we are delighted that the lighthouse loop land can now protect a wild space for the future.

The Wild Pacific Trail Society is excited at the new opportunities the land transfer will present. We look forward to collaborating with the District of Ucluelet and the Historical Society to preserve the existing historical structures and to enhance the educational potential of the area. The benefits to the community will be immense and highly impactful.

Thank you for your support! Congratulations, let's build a great asset for Ucluelet.

Sincerely,

Barbara Schramm  
Wild Pacific Trail Society

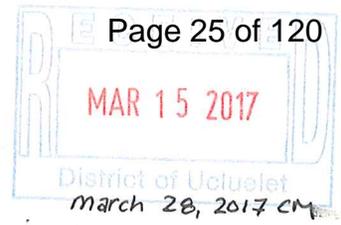
---

**RECEIVED  
VIA E-MAIL**

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**From:** Barbara at Schramm Design  
**Sent:** March 20, 2017 4:35 PM





Filecode: 0410-20 MOT  
X-Ref:  
Forwarded to: Council, Andrew  
 Physical  Electronic

March 3, 2017

Her Worship  
Mayor Dianne St. Jacques  
District of Ucluelet  
PO Box 999  
200 Main Street  
Ucluelet BC V0R 3A0

Reference: 260657

Dear Mayor St. Jacques:

**Re: Thank You**

I am writing to thank you for taking the time to meet with me at the 2016 Union of British Columbia Municipalities (UBCM) convention in Victoria. I am glad we had the opportunity to discuss your interest in a partnership with the Insurance Corporation of British Columbia for improvements to the Peninsula/Main Street corridor, as well as your request for improvements along Highway 4.

The yearly UBCM gathering is a valuable chance for our government to come together with local representatives from around B.C. and look at ways we can work collaboratively to meet the unique needs of our province's communities. It is a privilege to find out more about the important progress being made by local leaders like yourself on transportation issues in your community, and I appreciate the opportunity to identify the steps we can take to help build on this work and deliver on our ministry's commitment to providing the safest, most reliable transportation network possible.

I asked ministry staff to follow up with you directly to discuss your concerns regarding Highway 4 in more detail, and look at the ministry's plans for short and long-term improvements. Ministry staff will also look into signage along Highway 4, as well as look more closely at future paving plans for Main Street Hill, including project timing and potential partnership opportunities.

.../2

- 2 -

I look forward to continuing to work together to ensure British Columbians have their voices heard, so that we can make a difference for generations to come.

Thank you again for taking the time to meet with me.

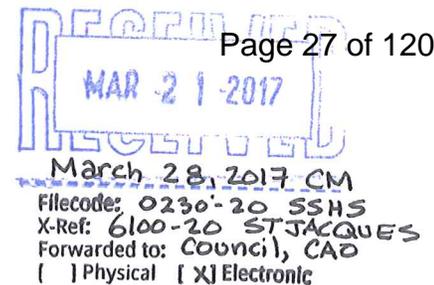
Sincerely,



Todd G. Stone  
Minister

Copy to: Grant Main, Deputy Minister

Kevin Richter, Assistant Deputy Minister  
Highways Department



## Sea View Seniors' Housing Society • Forest Glen

Box 833, 1783 St. Jacques Blvd. Ucluelet BC V0R 3A0  
forestglen@ukeecable.net P 250-726-2789 F 250-726-2780

March 21, 2017

District of Ucluelet  
 (hand delivered)

Mayor and Council:

Thank you for inviting the Sea View Seniors' Housing Society to provide input into the Senior's friendly park located across from Forest Glen on St. Jacques Blvd.

After discussion with our residents and subcommittee of our Board of Directors we have determined that the seniors are looking for an area that is open, bright and sunny. The seniors have expressed their desire to be able to view the children playing and have benches to enjoy the sun.

One of the suggested ideas is a moderately sized, low maintenance labyrinth. The senior's area (labyrinth hopefully) would have to be accessible (ie they are looking for something paved or similar, no rocks) for walkers and wheelchairs. There are no labyrinths on the west coast so thought this could be a unique feature for our community. Some examples of Vancouver Island labyrinths can be found here:

<http://www.albernivalleynews.com/news/151051355.html>

<http://www.comoxvalleyrecord.com/community/379974391.html>

<https://bethlehemcentre.com/labyrinth/>

<http://www.vancouverislandlabyrinths.com/>

Pictures attached to this letter of the labyrinth at Christ Church Cathedral in Victoria.

On behalf of our seniors we would like to donate a bench for this park from funds recently received from Water's Edge Society for this purpose.

Please include us in any further dialogue with respect to this park and the planning process. Our seniors are excited to have been asked for their input and are looking forward to having this park to enjoy. The seniors and the Board are anxious to hear your thoughts.

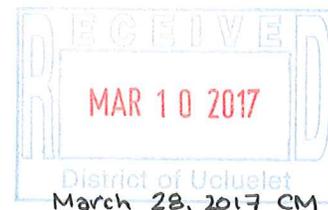
Warm Regards,

Jan Draeseke  
 President  
 Sea View Seniors Housing Society









Filecode: 0410-20 MJTST  
 X-Ref:  
 Forwarded to: Council, Andrew  
 Physical  Electronic Ref: 115270

Her Worship Mayor Dianne St. Jacques  
 Mayor  
 District of Ucluelet  
 PO Box 999  
 Ucluelet, BC V0R 3A0

Dear Mayor St. Jacques:

***Canada Starts Here: The BC Jobs Plan*** was launched five years ago to strengthen, diversify and grow our economy and support long-term job creation in our province.

We are now seeing the significant benefits of these efforts. When we launched the BC Jobs Plan, British Columbia (BC) ranked third among provinces in economic growth and ninth in job creation. Today, we are first in both areas, and many economists across the country expect BC to be a leader in economic growth over the next two years.

We recognize that this growth has not been felt equally across all regions of the province. Our uncertain global economy has led to lower commodity prices and economic declines for some of our trading partners. This is having an impact on many communities that depend on natural resource development for their livelihood.

At the core of the BC Jobs Plan, and a priority for government, is the goal to diversify, grow and strengthen the economies of every region in BC. The focus on key sectors, both traditional and emerging, supports economic resilience for the province. Our fiscal discipline and strong economy mean that we have the capacity to invest in our people, the environment, communities and business. These fundamentals help prepare all of BC to compete in a rapidly changing and often uncertain global environment.

We are also taking specific action to support our rural economies and offset the impact of global economic forces:

- Created the Rural Advisory Council, made up of 13 individuals from communities across rural BC, which provides a strong voice for rural British Columbians.

.../2

Her Worship Mayor St. Jacques

Page 2

- Appointed a new Minister of State for Rural Economic Development to strengthen our focus on economic growth and job creation in rural communities and lead development of a Rural Economic Development Strategy.
- Created the \$75 million BC Rural Dividend program to help small rural communities and First Nations diversify their economies.
- Continue to make significant investments in the building blocks for long-term prosperity in communities including infrastructure, housing, skills training and education, and public health.

As a leader in your community, you are also a partner in our province's economic development. You are a major stakeholder in the future of our economy, which is why we are sending you the BC Jobs Plan 5-Year Update. The document can also be found at [www.bcjobsplan.ca](http://www.bcjobsplan.ca).

This update highlights significant achievements we have made over the past five years. We engaged with a wide variety of stakeholders, representing a number of industries and sectors from across the province to inform 25 new targets. These new targets will help ensure that our businesses, communities and citizens are well positioned for enduring economic prosperity.

We hope, as you read through the 5-Year Update, you feel confident in our commitment to drive diversity and growth in every region across the province. It is our hope that you will assist in distributing the province's economic development strategy, the BC Jobs Plan 5-year Update, to citizens in your region and community to inform them of the benefits of a diverse and strong economy.

Best wishes for you and your community in 2017.

Sincerely,



Shirley Bond  
Minister of Jobs, Tourism and Skills Training  
and Minister Responsible for Labour



Greg Kylo  
Parliamentary Secretary  
The BC Jobs Plan

Enclosure

**Subject:** Funding Alert: Next BC Rural Dividend intake - April 3 – May 31, 2017

On Mar 22, 2017 3:59 PM, "McLay, Cheryl JTST:EX" <[Cheryl.McLay@gov.bc.ca](mailto:Cheryl.McLay@gov.bc.ca)> wrote:

Hi All. For your review and consideration...

<https://news.gov.bc.ca/releases/2017RED0018-000720>

Applications for funding under the recently extended BC Rural Dividend will be accepted April 3 – May 31, 2017.

Funding is available in four categories:

- Community capacity building
- Workforce development
- Community and economic development and
- Business sector development.

The Rural Dividend was established in April 2016, with input from the Rural Advisory Council, to help small rural communities reinvigorate and diversify their local economies. In its first year, the program has already provided over \$24 million in economic development grants to local governments, First Nations and not-for-profit organizations throughout B.C.

Balanced Budget 2017 extended the \$25 million per year Rural Dividend Fund for a fourth year into 2019-20, enhancing the Province's resources to assist rural communities with a population of less than 25,000 residents.

Local governments, not-for-profit organizations and First Nations are encouraged to apply to the third intake of the BC Rural Dividend program. Single applicants can apply for up to \$100,000 for community-driven projects and must contribute at least 20% of the total project cost. Partnerships involving more than one eligible applicant can apply for up to \$500,000, and must contribute 40% of the total project cost.

Applicant contributions can include in-kind contributions of up to 10%. A project development funding stream will provide up to \$10,000 to help communities with limited capacity build business cases and feasibility assessments to support the development of strong projects and future project applications.

Downloadable application forms, a revised program guide, as well as detailed instructions on how to apply will be available as of March 31, 2017, at the BC Rural Dividend website: [www.gov.bc.ca/ruraldividend](http://www.gov.bc.ca/ruraldividend)

The Rural Dividend Fund is one of the key ways the B.C. government is taking action to strengthen, grow and diversify rural communities. The Rural Dividend builds on the immediate investments and long-term action plan outlined in B.C.'s Rural Economic Development Strategy that are expected to create over 26,000 jobs and add \$2.8 billion to provincial GDP.

Best,

*Cheryl McLay*

Regional Manager Vancouver Island/Coast | Regional Economic Operations | Ministry of Jobs, Tourism and Skills Training | 2080 Labieux Road  
Nanaimo | Phone 250.751.3217 | [Cheryl.McLay@gov.bc.ca](mailto:Cheryl.McLay@gov.bc.ca) | [gov.bc.ca/economicdevelopment](http://gov.bc.ca/economicdevelopment) | Follow us on Twitter: @BCJobsPlan



# District of Ucluelet Expenditure Voucher

**G-06/17**

**Date: March 22, 2017**

**Page: 1 of 3**

**CHEQUE LISTING:**

**AMOUNT**

Cheques: # 25438 - # 25470	\$	58,875.92
Cheques: #	\$	
Voided Cheques:	\$	

**PAYROLL:**

PR 6/17	\$	62,134.18
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	<u>\$</u>	<u><b>121,010.10</b></u>
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**RECEIVED FOR INFORMATION AT MEETING HELD:**

**March 28, 2017**

*Jeanette O'Connor, CFO*

Cheque #	Bank	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount	Void
025438	002	10/03/2017	45R27	45 ROBOTS	1535	3 MONTH SUBSCRIPTI	134.40		134.40	
025439	002	10/03/2017	AEL78	ALBION ELECTRIC LT	748497	CAMERA BOXES-INSTA	395.98		395.98	
025440	002	10/03/2017	AL001	ACKLANDS - GRAINGE	452562 32447 352937	TOWLETTES/CAPSCREW IMPACT SOCKETS GLOVES/GRIP WRAP K	329.67 8.41 104.58		442.66	
025441	002	10/03/2017	CA752	GRAY ASHLEY	44006	44006 OVERPAYMENT	437.00		437.00	
025442	002	10/03/2017	CE004	CORPORATE EXPRESS	43662339 43765528 43779845 43790260	KEYBOARD SHELF LAMSHEETS/USBSTICK PAPER/CLIPS/BINDER PENS/LAMSHEETS/N.B	61.15 124.03 234.20 17.64		437.02	
025443	002	10/03/2017	CF870	COMOX FIREFIGHTERS	20170305	FIRE TRAINING	2,625.00		2,625.00	
025444	002	10/03/2017	CK608	KASSLYN CONTRACTIN	D564	D564	1,426.76		1,426.76	
025445	002	10/03/2017	DE001	DUNCAN ELECTRIC MO	P3233	CONTROLLERS-REEF P	1,677.76		1,677.76	
025446	002	10/03/2017	EB313	EDGE BRENDA	121950	UB604-2016 OVERPAY	670.38		670.38	
025447	002	10/03/2017	FSC10	FOUR STAR COMMUNIC	40592	FEB/17	132.30		132.30	
025448	002	10/03/2017	FW050	FAR WEST DISTRIBUT	307792	W/R SUPPLIES	159.58		159.58	
025449	002	10/03/2017	JR381	J. ROBBINS CONSTRU	2843	TOPSOIL/BARK MULCH	533.40		533.40	
025450	002	10/03/2017	KPMG4	KPMG LLP	8001277395	2015 AUDIT	22,785.00		22,785.00	
025451	002	10/03/2017	MA952	MAXXAM ANALYTICS	VA1043617	WATER TESTING	94.50		94.50	
025452	002	10/03/2017	MS170	REVENUE SERVICES O	03/17	MAR/17	3,525.00		3,525.00	
025453	002	10/03/2017	NLS01	NEW LINE SKATEPARK	CAD1175	DESIGN FEE/PROPOSA	2,362.50		2,362.50	
025454	002	10/03/2017	PB104	PIONEER BOAT WORKS	74795 74813	ROPE-FLAGPOLE/LYCH LANG RAIN JACKET/P	17.47 150.08		167.55	
025455	002	10/03/2017	PC285	PETTY CASH - BARBA	03/17	MAR/17	130.40		130.40	
025456	002	10/03/2017	PI110	PUROLATOR INC	433852172 433919388	MAXXAM MAXXAM	165.85 94.99		260.84	
025457	002	10/03/2017	RD205	ACRD	121948	EMERGENCY COORDINA	1,000.00		1,000.00	
025458	002	10/03/2017	RG350	RECEIVER GENERAL F	20170003850	RADIO LICENCE RENE	1,913.00		1,913.00	
025459	002	10/03/2017	SBR01	SONBIRD REFUSE & R	27745 27743 27744 27747 27742 27746	FEB/17 GARBAGE PW FEB/17 GARBAGE 52 FEB/17 GARBAGE WD FEB/17 GARBAGE UVF FEB/17 GARBAGE SCH FEB/17 GARBAGE UCC	529.52 231.11 288.54 89.04 541.49 118.76		1,798.46	
025460	002	10/03/2017	SO001	SOCAN	121949	ACCT ADJ-16/TARIFF	38.31		38.31	
025461	002	10/03/2017	SS419	SOLIDARITY SNACKS	540 539	MNTN MENTOR TRNG-S STJACQUESPRK MTG-S	20.00 23.63		43.63	
025462	002	10/03/2017	UC142	UCLUELET CONSUMER'	71845685 71845742 71845309 71845461 71846031 71846037 71846042 71845981 71847838 71847441 71846901	#10 1 TON #5 4TON #2 CANYON #1 CHEVY #23 F150 #3 GMC #12-BACKHOE #18-QUAD #2-CANYON #2-CANYON #4-CHEVY	115.53 31.91 59.01 86.13 67.38 106.35 65.17 13.47 55.34 74.00 105.01		779.30	

Cheque #	Bank	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount	Void
025463	002	10/03/2017	UC142	UCLUELET CONSUMER'	71850521	#2-CANYON	67.92		1,047.84	
					71848419	#10-FORD	138.24			
					71848146	#24-F150	132.64			
					71848196	#9-GMC	68.37			
					71849875	#14-BOBCAT	48.23			
					71849838	#12-BACKHOE	65.47			
					71852865	#3-GMC	128.83			
					71852681	#24-F150	140.78			
					71852687	#23-RANGER	68.33			
					71852726	#12-BACKHOE	52.13			
					71852817	#4-CHEVY	136.90			
025464	002	10/03/2017	UC142	UCLUELET CONSUMER'	71854830	RESCUE 1	88.20		759.19	
					CO1078339	BUDGET MTG-FEB/20/	46.12			
					71855351	#2-CANYON	56.33			
					71852876	#2-CANYON	50.00			
					71853011	#10-FORD	135.87			
					71853494	#14-BOBCAT	60.09			
					71853726	#12-BACKHOE	66.77			
					CO1028942	AFTERSCHOOL PROG/S	28.49			
					71855237	#1-CHEVY	114.00			
					CO1026679	SECURITY CAM/ACCES	74.15			
					CO1028894	SEC CAMERA INSTALL	39.17			
025465	002	10/03/2017	UC142	UCLUELET CONSUMER'	CO1105882	FAM FUN RUN SUPPLI	62.00		87.74	
					CO1078340	BUDGET MTG-FEB/20/	11.98			
					CO1094717	CREAMER/MILK	13.76			
025466	002	10/03/2017	UI923	UKEE INFO TECH	10421	IT SUPPORT (JAN-FE	1,477.15		1,477.15	
025467	002	10/03/2017	UP459	UCLUELET PETRO-CAN	7124536	#10-1TON/TIRE REPA	119.84		198.59	
					7124453	#22-TOWING-MATTR/M	78.75			
025468	002	10/03/2017	WC345	WURTH CANADA LTD	22595331	SPRAY PAINT/SOLVEN	212.12		212.12	
025469	002	10/03/2017	WIRRL	WEST ISLE RESOURCE	3110	SOIL/MULCH	1,260.00		1,260.00	
025470	002	10/03/2017	XC300	XPLORNET COMMUNICA	INV16829744	SATELLITESERVICE-0	82.87		82.87	
223140	002	15/03/2017	S0171	MUNICIPAL PENSION	PP005/17	PP005/17	9,779.69		9,779.69	
Total:							58,875.92	0.00	58,875.92	

\*\*\* End of Report \*\*\*





## STAFF REPORT TO COUNCIL

Council Meeting: MARCH 28<sup>TH</sup>, 2017

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**FILE NO:** 3060-20

**REF. NO:** DP17-03

**SUBJECT:** APPROVAL OF FOOD TRUCK BUSINESS LICENSE AND DEVELOPMENT PERMIT VARIANCES FOR 1636 PENINSULA ROAD

**ATTACHMENT(S):** APPENDIX A - APPLICATION

### RECOMMENDATION(S):

That Council considers approval of one of the following options:

1. **THAT** a Food Truck business license, associated Development Permit and Development Permit Variances at 1636 Peninsula be approved as per the drawings and notes attached as **Appendix A** and to the conditions outlined within the body of this report.

OR

2. **THAT** this application be tabled for more information.

OR

3. **THAT** this application be considered and denied.

### BACKGROUND

Planning Staff are in receipt of an application for a Mobile Vending License for 1636 Peninsula Road (**Figure 1**). The applicant is requesting to landscape and fence the immediate area and because the subject property falls within the Official Community Plan (OCP), Village Square Development Permit Area, DPA No.1 this work will require a Form and Character Development Permit. Since part of the fencing proposed does not comply to Ucluelet's Zoning Bylaw No. 1160, 2013 (the "**Zoning Bylaw**") a Development Variance Permit is required. Staff have grouped the three statutory requirements for the approval of this application into this report and its recommendations.



*f) At no time will it be permitted for a mobile vending unit to obstruct the free flow of pedestrians or vehicular traffic within the District of Ucluelet.*

*g) Mobile Vendors must obtain and have in their possession at all times a letter of written permission from the private land owner/ permitting the business on the landowner's property.*

The applicant has indicated that they will comply with these Business Bylaw requirements and as per section 16.1 (a) is attempting to get Council approval through this application.

**ZONING:**

The subject site falls within the CS-2 Zone – Service Commercial which allows for the proposed Mobile Vending use under section CS-2.1.2:

***CS-2.1.2*** *For Peninsula Road and Main Street, and for properties fronting either, Mobile Vending is also a principal permitted use.*

With Mobile Vending being defined as follows in the District's Current Zoning Bylaw:

***"Mobile Vending"*** *means the provision of merchandise, services, or food, while temporarily stationary but primarily on foot, bicycle, vehicle or any other means of transportation or with any type of mobile receptacle, including but not limited to carts, tables, and wagons, other than a delivery vehicle owned and operated by a licensed retailer or wholesaler within the District, and specifically excluding hawkers, hucksters and peddlers;*

The Mobile Vending use does not require parking under the Zoning Bylaw but the applicant has indicated the creation of three new parking spaces within their application. The Mobile Vending use does not require washroom facilities for the public or staff under either the Zoning bylaw or the Business Bylaw as the intent of Mobile Vending is to be mobile with the food service as takeout only. This application shows two tables and a washroom area consisting of screening and two port-a-potties. Staff consider the addition of tables to Mobile Vending to blur the lines between a Mobile vending use and a restaurant use. Staff request washroom availability to accompany any formal table arrangement to Mobile Vending but there are no definitive guidelines to this effect. The applicant has complied to this request and since this is not a building code requirement the decision to require a full to the BC Building Code bathroom vs a port-i-pottie is a discretionary Council decision within the form and character DP.

This Application is also proposing fencing and which is regulated by section 601.2 of the Zoning Bylaw:

***601.2*** *For the R-2, R-3, R-4, VR-1 GH, CS-1, CS-2, CS-3, CS-4, CS-5, CS-6, CS-7, I-1 and I-2 Zones and all CD Zones, any lot containing any commercial(including home occupation or commercial tourist accommodation), industrial or multiple family residential use must be fully and suitably landscaped and screened from adjacent uses as follows:*

*(1) along every lot line that abuts a lot containing a lawful residential use (zoned or non-conforming), with:*

- (a) continuous landscaping not less than 1.5 m (5 ft) in width and 1.5 m (5 ft) in height; and*
- (b) a solid decorative fence not less than 1.5 m (5 ft) in height and a maximum of 2 m (6.6 ft) in height; and*

(2) along every other lot line that abuts a highway, with continuous landscaping not less than 1.5 m (5 ft) in width, except only for access points to the abutting highway(s).

Sections of the proposed fencing do not comply with section 601.2 as the heights indicated are above and below the Zoning requirement. This report requests a variance for these fence non-conformities as presented in the applicants sketch.

### **OCP:**

The subject property (**Figure 1**) falls within the Official Community Plan (OCP) Village Square Development Permit Area (DPA No.1). The objectives that justify this designation include assisting in the revitalization of the Village Square and enhancing and creating form and character that befits the community's core area. Ucluelet is designated a "resort municipality" under Provincial legislation, and seeks to distinguish itself from nearby Tofino and other resort regions through its distinctive location, historical development and other attributes, much of which is to be characterized by its core Village Square. The Development Permit Area guidelines are intended to create a high quality and unified character that celebrates the community's history, culture, and natural landscape. A key strategy of the OCP is to create a vibrant and mixed-use Village Square by concentrating new retail, service and office development in the area, complemented by specific residential uses.

It is important to note that the DP aspect of this application is the form and character of the landscaping and fencing. In this regard the applicant is attempting to resolve and beautify this area as per **Figure 2** taken from the applicant's proposal.

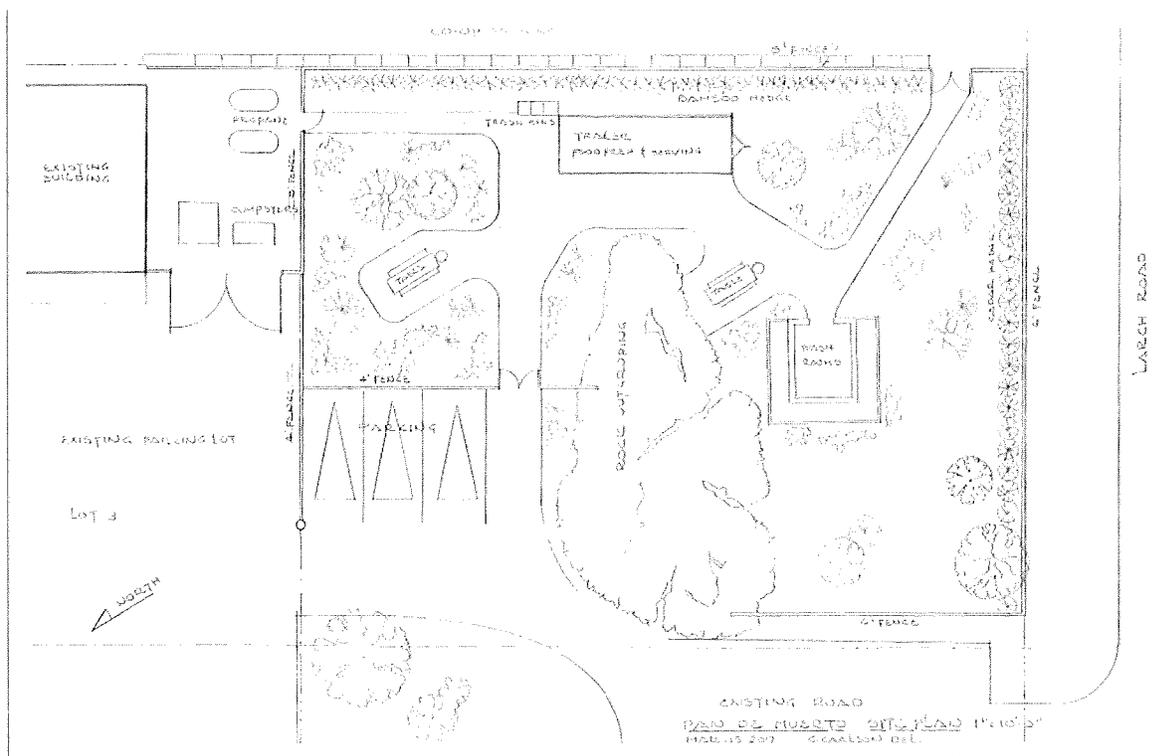
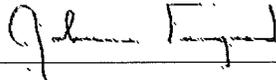


Figure 2

**SUMMARY:**

This application proposes to develop an unresolved and underutilize part of the subject property. The applicant is proposing a beautification to the area through landscaping and to define and screen the area with fencing. The proposed location while distinctly within Ucluelet's commercial core is close to a residential area with the fencing and screening being an attempt to mitigate any conflict. The OCP encourages both the infill and the increase of commercial density and the proposed is a step in that direction. Mobile Vending is a growing trend in BC and is a sought out dining option for both residents and tourist.

Respectfully submitted:



John Towgood, Planning 1



Andrew Yeates, Chief Administrative Officer

## **APPENDIX A**

East Point Productions Inc.  
PO Box 861,  
366 Reef Point Rd,  
Ucluelet, B.C., V0R 3A0

March 12, 2017

Dear District of Ucluelet,

We are excited at the opportunity to submit a proposal to acquire the vacant land located at the rear of 1636 Peninsula Road, at Davison Plaza, Ucluelet. We are prepared to move quickly on the transformation and upgrades of this property, and believe we are well suited to do so. This letter summarizes our proposal.

### **1. Lease agreement**

The Landlord, Al Davison Ltd, and the tenant, East Point Productions Inc, have agreed to a 5 year lease, on terms agreeable to both parties, for the vacant land located at the rear of 1636 Peninsula Road, at Davison Plaza.

The Landlord and the Tenant also have an extended 5 year lease agreement in place for the Barkley Café, located at 1-1636 Peninsula, at Davison Plaza. The tenants built the Barkley Café in 2011/2012 and have created a successful business there, welcoming locals year round, and creating a relaxed West Coast feel for seasonal visitors.

### **2. Business Plan**

The tenant will be landscaping the entire lot with footpaths, gardens, and 2 tables.

The tenant will be placing a brand new 21X8' professional catering trailer on the lot.

The tenant plans to open an authentic food truck business by June 2017.

An esthetically pleasing fence will be constructed behind the food trailer, along the southern lot line which borders the CO-OP parking lot.

A fence will be constructed around 2 seasonal port-a-potties, for esthetic purposes, which will be kept locked and cleaned regularly.

A fence will be built to enclose the trash bins at 1636 Peninsula Rd.

The entire area of land will be tastefully contained with fencing and hedging.

4 new concrete parking spaces will be created.

We sincerely believe that with your support we can transform this land into something beautiful that we can all be proud of.

The parties acknowledge that time is of importance and that they will work towards completing the plaza project as quickly as possible.

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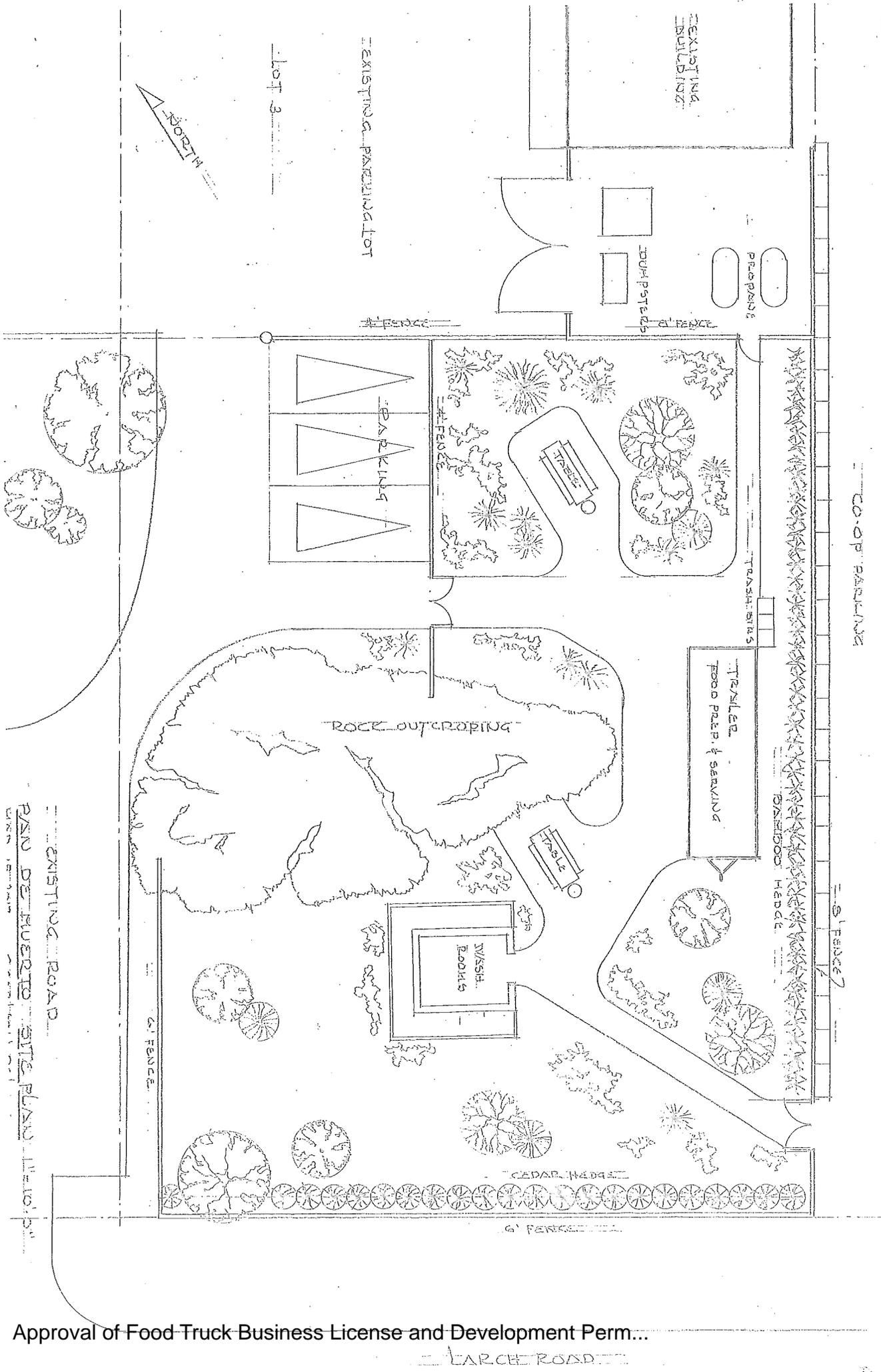
East Point Productions Inc. – The Tenant

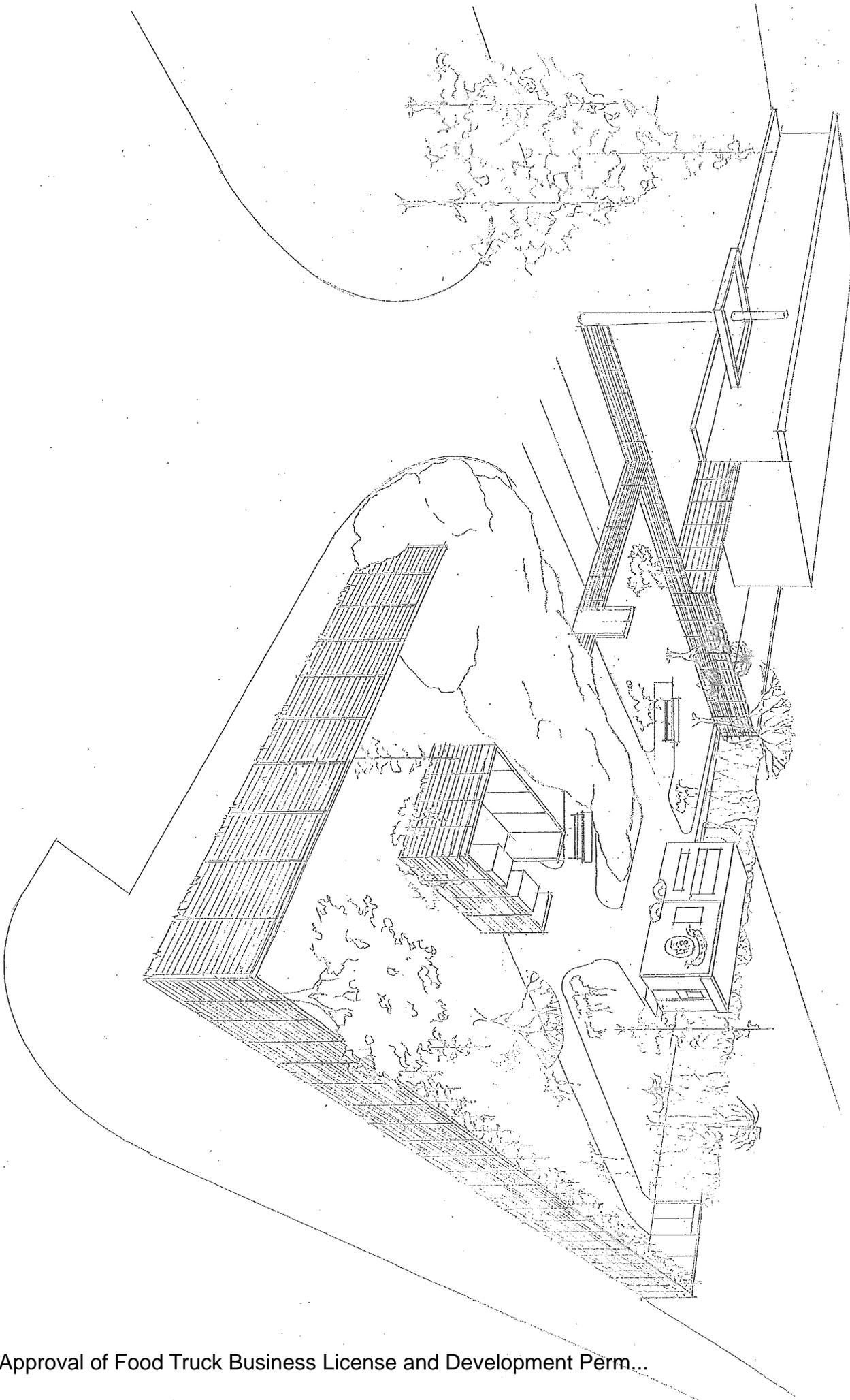
Scott Stewart – Director  
PO Box 861, 366 Reef Point Road,  
Ucluelet, B.C., V0R 3A0  
CELL; 250-266-3396

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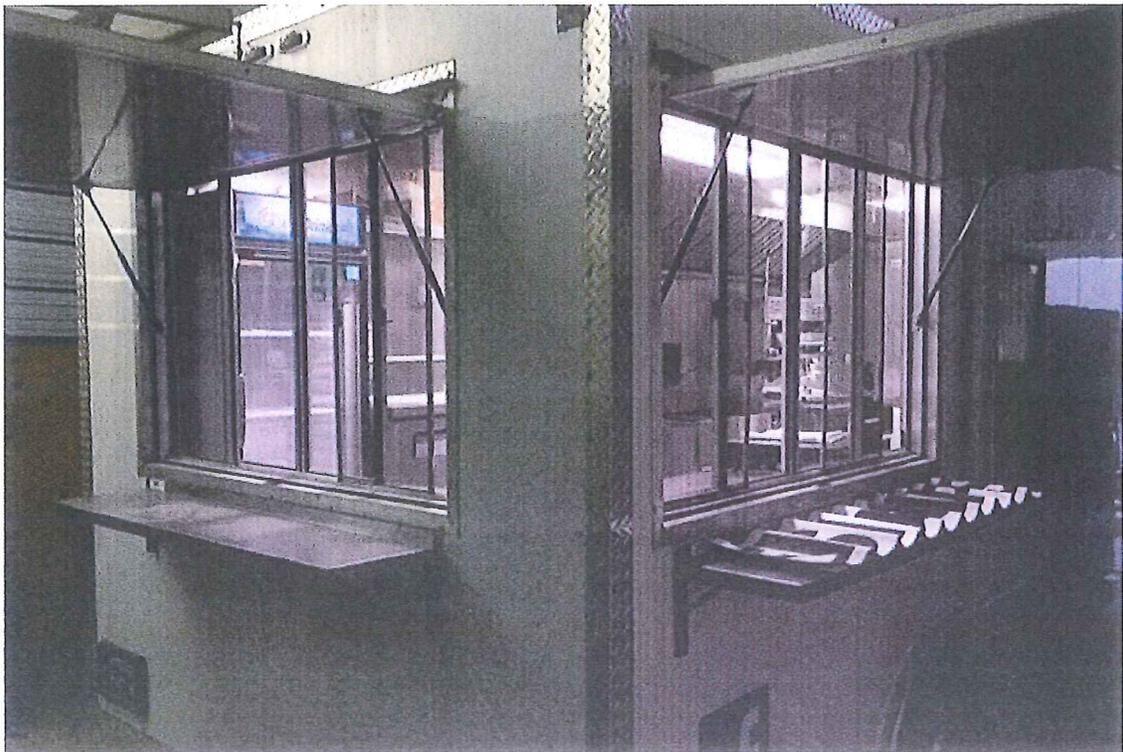
AI Davison Ltd – The Landlord

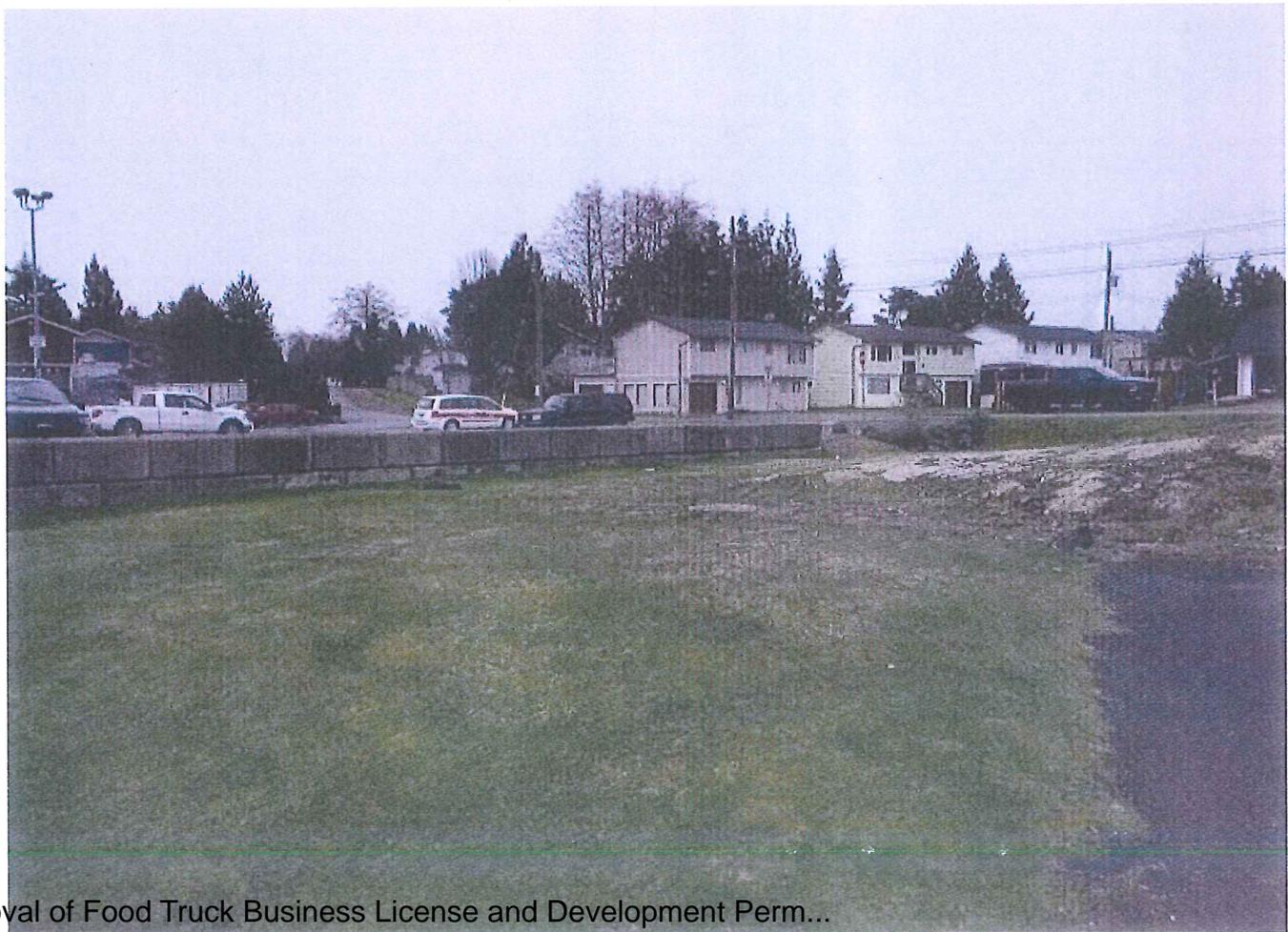
Roman Marczyk  
PO Box 1148, Ucluelet, BC, V0R 3A0  
250-726-8217

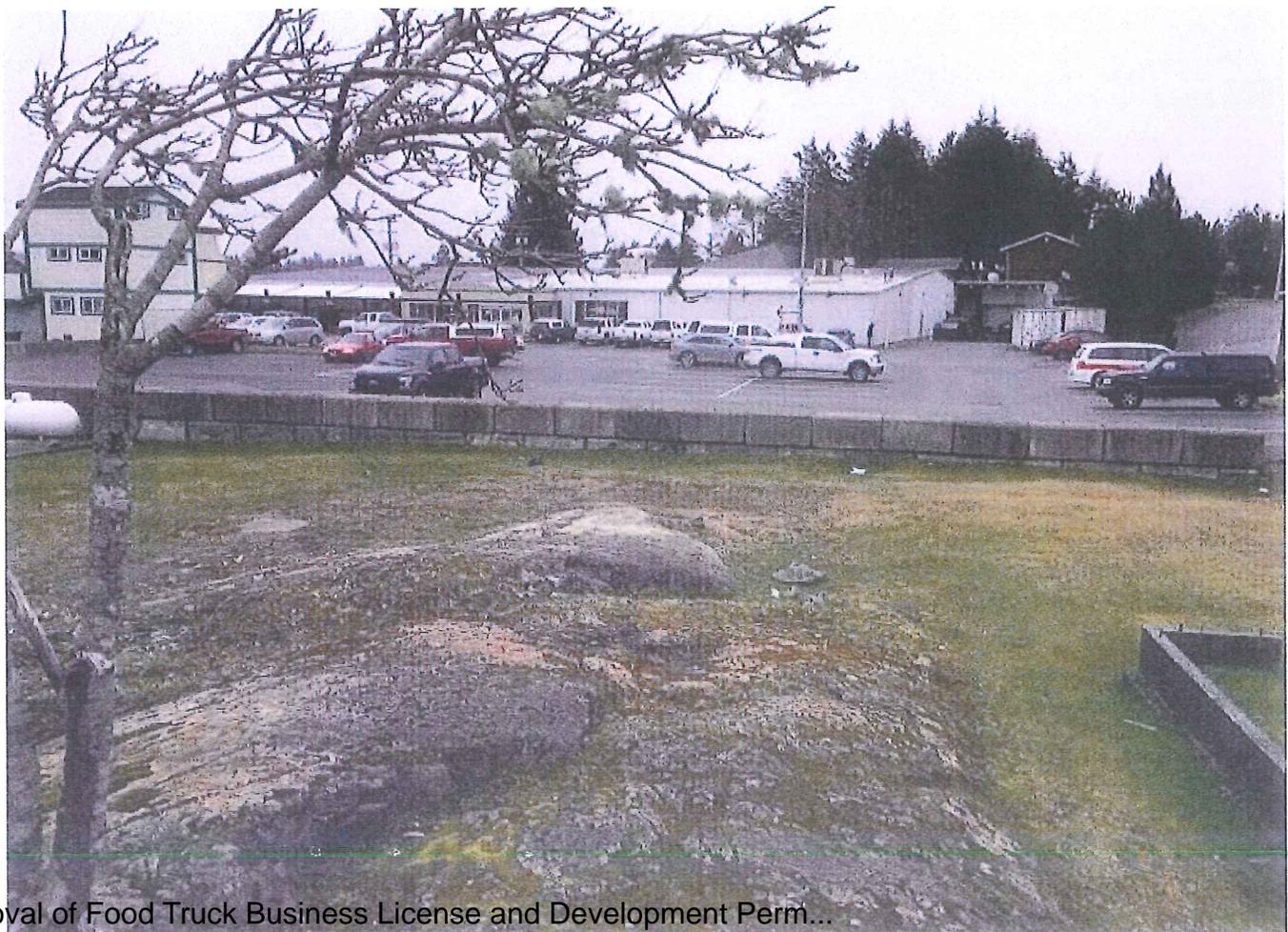
























## STAFF REPORT TO COUNCIL

Council Meeting: MARCH 28, 2017  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JEANETTE O'CONNOR, CHIEF FINANCIAL OFFICER

**FILE NO:** 3900-25 BYLAW 1215

**SUBJECT:** UCLUELET FEES AND CHARGES BYLAW AMENDMENT – PROPOSED BYLAW NO. 1215, 2017

### RECOMMENDATION(S):

1. **THAT** Council gives up to three readings to proposed District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017;

**or**

**THAT** Council direct staff to amend proposed District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017 per Council's direction AND THAT the amended bylaw be brought forward at a subsequent meeting;

**or**

**THAT** Council abandon proposed District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017.

### PURPOSE:

The purpose of this report is to present for Council consideration an amendment bylaw to adjust the rates in Ucluelet Fees and Charges Bylaw No. 1186, 2016.

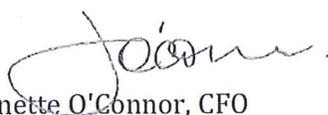
### BACKGROUND:

The rates for business licences in the District of Ucluelet had not been adjusted for several years. There have been two public consultation meetings regarding these proposed changes to the business licence rates. The suggested rates increase the fees paid last year by 20%.

### SUMMARY AND CONCLUSION:

Staff recommend the proposed District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017 be given up to three readings.

Respectfully submitted:

  
Jeanette O'Connor, CFO



Andrew Yeates,  
CAO



**DISTRICT OF UCLUELET****Bylaw No. 1215, 2017**

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

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The Council of the District of Ucluelet enacts as follows;

**Short Title**

1. This bylaw may be known and cited for all purposes as the “District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017”.

**Application**

2. This bylaw amends the indicated provisions of District of Ucluelet Fees and Charges Bylaw No. 1186, 2016.

**Enactment**

3. Where there is a discrepancy between this Bylaw and any or all amendment bylaws enacted prior to this bylaw and affecting the District of Ucluelet Fees and Charges Bylaw No. 1186, 2016, then this Bylaw shall be deemed to supersede the prior bylaw(s) in the matter of the discrepancy.
4. This Bylaw shall come into full force and effect on the final adoption thereof.

**Amendments**

5. SCHEDULE “P” TO BYLAW NO. 1186, 2016, Council:
  - a. deletes the whole of Schedule “P”
  - and
  - b. inserts the amended Schedule “P”

**Severability**

6. 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 March, 2017.

**READ A SECOND TIME** this \*\* day of March, 2017.

**READ A THIRD TIME** this \*\* day of March, 2017.

**ADOPTED** this \*\* day of \*\*\*, 2017.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Fees and Charges Bylaw No. 1215, 2017.”

\_\_\_\_\_  
Mayor  
Dianne St. Jacques

\_\_\_\_\_  
CFO  
Jeanette O'Connor

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

\_\_\_\_\_  
CAO  
Andrew Yeates

## Schedule 'P' Business Licences

Class	Nature of Business	Particulars	Fee Per Annum (unless otherwise stated)
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**1 RENTAL ACCOMMODATION**

1-1	Apartment Houses	From any person carrying on the business of renting dwellings on a monthly or lease basis <i>Dwelling means a set of rooms in a building used for a residential purpose occupied exclusively, unless other use expressly permitted in the designated zone, as a permanent domicile by one or more persons.</i>	\$150.00 Plus \$5.00 per available dwelling
1-1	Condominiums	From any person carrying on the business of renting dwellings on a monthly or lease basis <i>Dwelling means a set of rooms in a building used for a residential purpose occupied exclusively, unless other use expressly permitted in the designated zone, as a permanent domicile by one or more persons.</i>	\$150.00 Plus \$5.00 per available dwelling
1-1	Trailer/Mobile Home Parks	From any person carrying on the business of renting permanent spaces for trailers or mobile homes	\$150.00 Plus \$5.00 per available pad

**2 TOURIST COMMERCIAL - Accommodation**

2-1	Bed & Breakfast	From any person carrying on the business of offering bed & breakfast accommodation <i>This means the accessory use of a single-family dwelling with a maximum of three (3) bedrooms are used or designated for use as guest rooms per Zoning Bylaw. Cooking facilities limited to kettle, coffee maker, toaster (not including a toaster-oven) and Microwave (excluding convection/microwave combination).</i>	\$150.00 For one (1) room, plus \$75 per each additional available room
2-1	Guesthouse	From any person carrying on the business of offering Guesthouse Accommodations	\$150.00 For one (1) room or cabin, plus \$75.00 per each additional available room or cabin
2-1	Vacation Rentals	From any person carrying on the business of offering vacation rentals to transient travellers or vacationers	\$150.00 For first unit, plus \$75.00 each additional available unit

**2 TOURIST COMMERCIAL - Accommodation (continued)**

2-1	Resort Condominium	From any person carrying on the business of offering Resort Condominium rentals to transient travellers and/or vacationers	\$150.00 For first unit, plus \$75.00 each additional available unit
2-1	Hotel	From any person carrying on the business of offering hotel accommodation	\$150.00 Plus \$10.00 per available room
2-1	Motel	From any person carrying on the business of offering motel accommodation	\$150.00 Plus \$10.00 per available room
2-1	Hostel	From any person carrying on the business of offering Hostel accommodations	\$150.00 Plus \$10.00 per available bed
2-1	Campground	From any person carrying on the business of renting campground spaces to transient travellers or vacationers <i>Can include tents, campers and motorized recreational vehicles</i>	\$150.00 Plus \$5.00 per available site

**2 TOURIST COMMERCIAL - Charter Operations**

2-2	Charter Operations	From any person carrying on the business of marine, air or land charters, scenic tours, fishing charters, whale watching, diving, back road adventures whether by boat or other form of transportation, and all like businesses not hereinbefore listed.	\$150.00 Plus \$75.00 per boat or vehicle
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**2 TOURIST COMMERCIAL - Ticket/Booking Agents**

2-3	Travel Agency or Booking Agency	From any person carrying on the business of a travel agency or booking or ticket agency	\$150.00 For first agent, plus \$75.00 for each additional agent
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**3 PROFESSIONAL/CONTRACTOR SERVICES - Professional Services**

3-1	Professional Services	<p>From any person carrying on, maintaining, owning or operating any business, trade, occupation, profession, calling, undertaking or things and all like classifications not listed below:</p> <p><i>Appraiser, Architect, Art &amp; Crafts Teacher, Dental Mechanic/Technician, Chiropractor, Chartered Accountant, Barrister &amp; Solicitor, Dentist/Dental Surgeon, Engineer, General Accountant, General Finance, Insurance Agent/Salesperson, Land Surveyor, Medical Specialist, Mortgage Broker, Notary Public, Pharmacist, Physician or Surgeon, Physiotherapist, Real Estate Agent, Veterinarian, Forest Engineer/Consultant, Laboratory, Registered Massage Therapist, Consultant Service, Barbers/Hairdressers, Bookkeeping Services, Chimney Sweep, Diving Service, Family Day-care, Graphic Arts, Janitorial Services, Commercial Kennel, Laundromat, Music/Dance/Language Teachers, Laundry/Dry Cleaning, Office Services, Pest Control, Photographic Development, TV/Small electrical Repairs, Business Offices, Storage Service/Warehouse, Property Management, Exercise/Fitness Instructor, General Contractor, Garbage Collection &amp; Sanitary Service, Radio Broadcasting, Day-care Provider, Other Professional Services not listed in this section.</i></p>	<p>\$150.00</p> <p>For first professional / consultant, plus \$75.00 for each additional professional / consultant</p>
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**3 PROFESSIONAL/CONTRACTOR SERVICES - Financial Services**

3-2	Bank or Financial Institution	From any person carrying on the business of a banker	\$300.00
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**3 PROFESSIONAL/CONTRACTOR SERVICES - Sub Contractors**

3-3	Sub Contractors	<p>From any person carrying on, maintaining, owning or operating any business, trade, occupation, profession, calling, undertaking or things and all like classifications not listed below:</p> <p><i>Concrete/Paving/Asphalt, Drywall, Electrical, Excavations/Land Fill, Floor/Wall, Coverings, Trucking, Framing/Roofing, Glazing, Heating/Ventilation, Landscaper, Other Sub Contractor not listed in this section</i></p>	\$150.00
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**4 TRANSPORTATION - Miscellaneous**

4-1	Transportation Services	<p>From any business carrying on the business of providing the transportation services listed below.</p> <p><i>Air Carrier, Bus Service, Car Rental, Freight company, Taxi, Vehicle Towing, Vehicle Commercial Parking, Bicycle Rental, Scooter Rental, Other Transportation businesses not listed in this section</i></p>	\$150.00
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**4 TRANSPORTATION - Marine**

4-2	Marine Transportation Services	From any business carrying on the business of providing the marine transportation services listed below.  <i>Boat Marina, Marine Equipment Sales/Service, Boat Ramp, Boat Rentals, Kayak Rentals, Boat Sales &amp; Service, Divers, Mobile Marine Repairs, Marine Towing, Marine Fuel Sales, Tug &amp; Barge Transportation, Other Marine Transportation businesses not listed in this section</i>	\$150.00  Marina - Plus \$5.00 per available slip
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**4 TRANSPORTATION - Motor Vehicle/Equipment/Machinery Related Businesses**

4-3	Motor Vehicle / Equipment / Machinery Related Businesses	From any person carrying on motor vehicle/equipment/machinery related businesses  <i>Motor Vehicle Repair, Fuel Service Station, Small Machinery &amp; Equipment Dealer, Mobile Welding, Auto Body &amp; Painting, Car Wash, Other Motor Vehicle/Equipment/Machinery Related Businesses not listed in this section</i>	\$180.00
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**5 FOOD/BEVERAGE SERVICES**

5-1	Licensed Full Service Establishment	From any person carrying on the business of a restaurant, bistro, café, or other establishment where food and beverages are served to the public for consumption on the premises and licensed under the <i>Provincial Liquor Control and Licensing Act</i>	\$300.00
5-2	Non-Licensed Full Service Establishment	From any person carrying on the business of a restaurant, bistro, café, or other establishment where food and/or beverages are served to the public primarily for consumption on the premises, and the business is <b>not</b> licensed under the <i>Provincial Liquor Control and Licensing Act</i>	\$150.00
5-3	Liquor Outlet	From any person carrying on the business of a dance hall, cabaret, brew pub, marine pub, neighbourhood pub, lounge, or other establishment, where providing and serving primarily alcohol to the public for consumption on the premises and is licensed under the <i>Provincial Liquor Control and Licensing Act</i>	\$360.00
5-4	Catering or Food and/or Beverage Preparation Services	From any person carrying on the business of Catering or Food or Beverage Preparation Services where food and/or beverages are not served to the public primarily for consumption on the premises.	\$150.00
5-5	U-Brew, U-Vin, Licensed Liquor Store	From any person carrying on the business of a U-Brew, U-Vin or licensed private or public liquor store.	\$180.00

**6 COMMERCIAL RETAIL AND/OR WHOLESALE**

	Retail/Wholesale	From any business that sells, rents, or offers for sale, whether as a retailer or wholesaler, any goods, wares, merchandise or service not otherwise specifically provided for herein.	
6-1	Utilizing floor space $\leq 139 \text{ m}^2$	<i>Art Gallery/Framing, Books, Bakery, Convenience Store, Clothing, Drugstore/Pharmacy, Delicatessen, Small Appliances, Dry Goods, Florist, Greenhouse, Flooring, Gift Shop, Groceries, Hardware, Jewelry, Meat/Fish Store, Photographic Supplies, Stationary, Other retail or wholesale uses not listed in this section</i>	\$180.00
6-2	Utilizing floor space $> 139 \text{ m}^2$ but $< 325 \text{ m}^2$		\$300.00
6-3	Utilizing floor space $\geq 325 \text{ m}^2$		\$420.00

**7 INDUSTRIAL/MANUFACTURING USE**

	Industrial / Manufacturing	From any person carrying on the business of an industrial or manufacturing nature	
7-1	Utilizing floor space $\leq 464 \text{ m}^2$	<i>Machine Shop, Fish Processing, Re-Manufactured Electrical Motors, Pulp &amp; Paper Mill, Fish Buyer, Ice Plant, Boat Building, Sawmill, Industrial Storage, Other Industrial/Manufacturing uses not listed in this section</i>	\$360.00
7-2	Utilizing floor space $> 464 \text{ m}^2$		\$700.00

**8 VENDORS**

8-1	Vendors	From any business or person operating a vendor market.	\$150.00 per Street Market Season
8-2	Itinerants	From any non-resident business or person carrying on, maintaining, owning or operating within the District any of the following:  <i>Auctioneers, Carnival, Circus, Concert Hall, Dog &amp;/or Cat Show, Exhibitions, Horse or Pony Show, Theatrical Shows (when held in other than a duly licensed theatre) and all other forms of itinerant shows, entertainment, amusement or exhibition not hereinbefore enumerated</i>	\$200.00  Per Day

**OTHER FEES**

	Transfer of an existing Business License	Whereby a person relocates his existing business to a new location within the municipality.	\$30.00
	Inspection	Inspection fee, if required, due to a transfer to a new location within the municipality.	\$30.00
<p><b><i>Note: New owners of an existing business must apply for a new business license and pay the applicable fee.</i></b></p> <p><b><i>Note: All business fees are non-refundable</i></b></p> <p><b><i>Note: Business Licence fees for all businesses are subject to \$100.00 penalty, if payment is not made on or before June 01 in the year for which the license is valid.</i></b></p>			





## STAFF REPORT TO COUNCIL

Council Meeting: MARCH 28<sup>TH</sup>, 2017  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1      **FOLIO No:** 073.070   **REF No:** RZ16-11   **FILE No:** 3360-20

**SUBJECT:** PROPOSAL TO AMEND ZONING BYLAW NO.1160, 2013 BY REMOVING LOT: 5 PLAN: VIP17976  
SECTION: 21 DISTRICT: 09 FROM R-1 ZONE – SINGLE FAMILY RESIDENTIAL AND PLACE IT IN GH  
ZONE-GUEST HOUSE.

**ATTACHMENT(S):** APPENDIX A – REZONING APPLICATION AND SUPPLEMENTED INFORMATION PRESENTED AT  
THE FEBRUARY 14<sup>TH</sup> PUBLIC HEARING

### RECOMMENDATION(S):

That Council considers approval of one of the following options:

1. **THAT** Zoning Amendment Bylaw No. 1211, 2016 be given Third Reading.

**OR**

2. **THAT** Zoning Amendment Bylaw No. 1211, 2016 be considered and determined not to proceed further.

### BACKGROUND:

On February 14<sup>th</sup> 2017, Council attempted to hold a Public Hearing but due to a clerical error in the agenda Council directed Staff to hold the Public Hearing at a subsequent date. This Public hearing was held prior to this March 28<sup>th</sup>, 2017 Regular Meeting of Council at 7:00pm

On December 13<sup>th</sup> 2016, Council held a Public Hearing and during the Regular Meeting of Council which occurred directly after the Public Hearing, Council considered 3<sup>rd</sup> reading of Bylaw 1211. What resulted was that Council requested more information from the applicant and that this information be presented in a Second Public Hearing. This Public Hearing was held prior to the February 14<sup>th</sup>, 2017 Regular Meeting of Council.

On November 8<sup>th</sup>, 2016 Zoning Amendment Bylaw No. 1211, 2016 had a First and Second reading with the Public Hearing being held prior to the December 13<sup>th</sup>, 2016 Regular Meeting of Council.

An application has been received to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013 (the "**Zoning Bylaw**") by removing Lot: 5 Plan: VIP17976 Section: 21 District: 09 (the "**Subject Lot**") from R-1 Zone – Single Family Residential and placing it in GH Zone - Guest House.

**OCP:**

The current Official Community Plan (OCP) designation for this property is “Residential – Single Family”. Although Guest House zoning is an increase in the commercialization of the subject property, it is still considered a single family residential use.

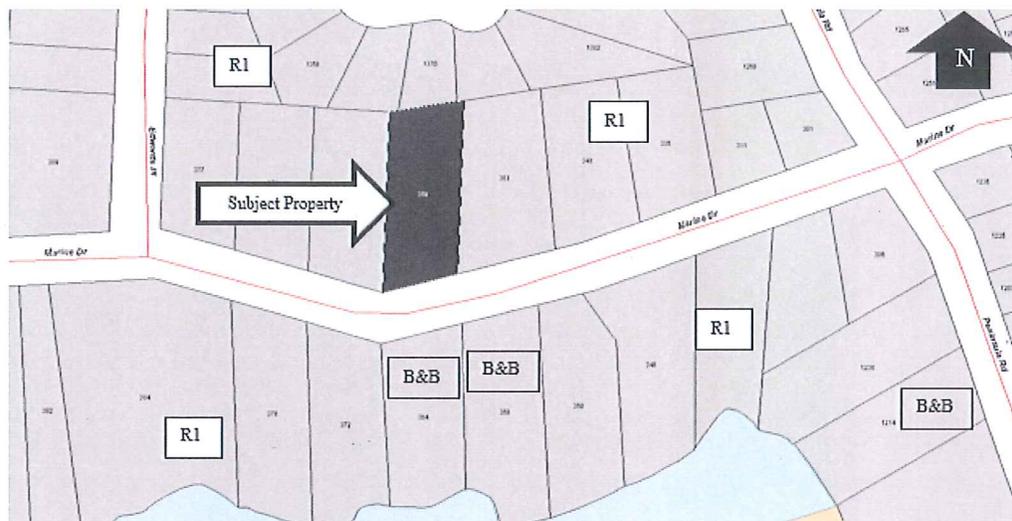


Figure 1

**ZONING:**

The subject lot is currently zoned R-1 and it is located in a residential neighbourhood with an established B&B use occurring directly across the street. Under the current R-1 zoning the subject lot supports a principle use of a Single Family Dwelling (SFD) and the secondary uses of a B&B, a home occupation and a secondary suite.

Under the proposed zoning the subject lot would support 4 guest rooms (similar to B&B rooms) within the SFD and 2 guest cottages. The major zoning differences are noted in the table below:

Zoning Regulations	Current (R1)	Proposed (GH)	Will Conform to GH
Minimum Lot size	650m <sup>2</sup> (1.2acre)	2,000m <sup>2</sup> (1.2acre)	Yes (2184m <sup>2</sup> )
Minimum Lot Frontage	18m	24m	Yes (32m)
Maximum Density	1 SFD	1 SFD (Currently)	Yes
Minimum Side Yard	1.5m	4.6m	No (3.6m)
Lot Coverage	35%	40%	Yes
Floor Area Ratio	35%	None	Yes

It should be noted that the maximum area for a Guest Cottage is 37.2m<sup>2</sup> (400sqft) and that the total accessory building gross floor area including the guest cottages would be 93m<sup>2</sup> (1000sqft). The cabins are regulated to be built to the rear of the front face of the SFD, 4m (5') from the rear property lines, 7.5m (25') from the side property line, and have a minimum of 9m (30') between the cabins. It should also be noted that the rezoning will take away the potential for the property to create a secondary suite, which is considered an affordable housing option.

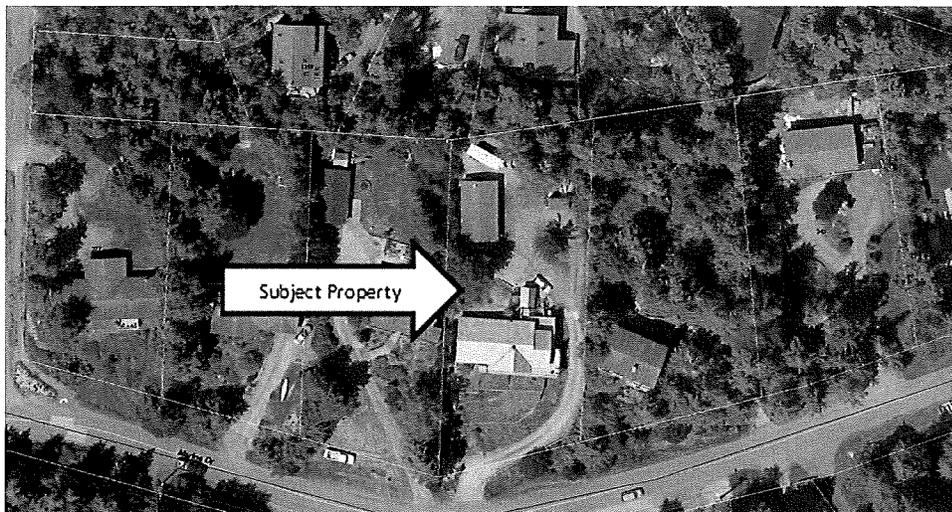


Figure 2

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Staff time to analyze and report on the application. The fees associated with rezoning attempt to recover those costs.

**FINANCIAL IMPACTS:**

Ucluelet's tax base could theoretically expand with the potential increase of the subject lot's property value, if the applicant has it built out.

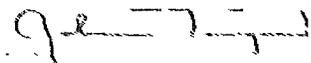
**POLICY OR LEGISLATIVE IMPACTS:**

This proposal would amend Zoning Bylaw No. 1160, 2013.

**SUMMARY:**

The rezoning of this property to the Guest House zoning represents a potential increase to the commercialization of the subject property. The size of the property supports the proposed use and, with the location of the Guest Cabins regulated to the rear of the property, the impact from the street will be negligible. The property to the rear of the subject property could have a more direct impact of the rezoning as the cabins have the potential of being placed as close as 4m (13ft) from the rear property line.

Respectfully submitted:

  
 John Towgood, Planning 1



Andrew Yeates, Chief Administrative Officer

## APPENDIX A

Jason Hayes-Holgate  
PO Box 1318  
359 Marine Drive  
Ucluelet, BC V0R 3A0

District of Ucluelet  
PO Box 999  
200 Main Street  
Ucluelet, BC V0R 3A0

To Mr. John Towgood,

I am submitting this letter to address the support from our neighbours and concerns from the Saunderson's and Hasse's regarding our application for Guest House Zoning. The Public Hearing was held on December 13, 2016, which my wife, Tanya Elliott attended.

It was brought to my attention through discussions with Tanya and the article in the Westerly Newspaper (Wednesday December 21, 2016), that neighbours have concerns about the rezoning and more specifically the parking requirements.

We initially submitted the application for rezoning to the District of Ucluelet on October 6, 2016. It was then presented on November 8, 2016 to Council at a regular meeting, for first and second reading. At that meeting, we did not hear any concerns from any Council members regarding the application and/or the information provided. The Council unanimously passed the application through both 1<sup>st</sup> and 2<sup>nd</sup> readings.

At the Public Hearing (Dec. 13<sup>th</sup>) a letter from our neighbour and owner of Horizons West B&B Jennifer Nemis was read, supporting our application for Guest House Zoning. In addition, Tanya had spoken to several of our neighbours both on Marine Drive and Edwards Place and had gained signatures of support. Although, these were not presented at the Public Hearing, I have attached them with this letter for evidence of support.

It was expressed by an opposing neighbour that the change from Single Family Residence to Guest Housing would have a negative impact on the neighbourhood. Horizons West B&B, Bostrom's B&B, Little Beach Resort, Snug Cove B&B and several more within walking distance are successful businesses operating in our neighbourhood for the past 10 years and have had limited to no negative impact. They have contributed to the growing tourism economy in Ucluelet and supported other local businesses, thus showing us only a positive impact. We would like the opportunity to work alongside them in providing stellar accommodation which shows off our great town.

Our property meets the District's requirements at half acre to provide two guest cottages for rental and ample parking for all guests and residents of the property. The property can accommodate a minimum of seven (20 feet x 8 feet) designated parking spaces. Additional parking could be constructed if needed. Attached is a schematic of the property and how the guest cottages and parking would fit within the required setbacks and allowances provided by the District of Ucluelet's Zoning Bylaw. In addition, all buildings and parking are at the rear of the property and would not change the street appearance of the family residence thus adhering to Off-Street Parking Standards.

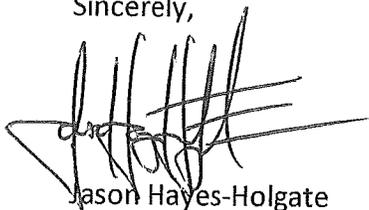
I also understand that the neighbouring house to the rear has concerns of noise and exhaust. Currently, we have old growth trees between our two properties and it is our intention to improve this greenspace with additional landscaping, trees and screening. Another benefit to changing the zoning to Guest Housing would be that the setback on the property is increased to fifteen feet (15'), thus increasing the distance between our two properties. Along with the removal of the existing outbuilding (workshop) to accommodate the new guest cottages this should alleviate our neighbours concerns.

We look forward to our application being accepted and stand by our initial intent. We still believe that this change would provide local craftsman and trades with temporary employment; contribute to the community by providing more housing for tourism; and increase the value of the property benefitting both the neighbourhood and the District of Ucluelet.

Should you require any further information or would like to speak with me directly, I may be reached either by email [hayesholgatejason@gmail.com](mailto:hayesholgatejason@gmail.com) or by phone, home (250)726-2255, and cellular (604) 935-9010 or (604) 809-8894.

Thank you again.

Sincerely,



Jason Hayes-Holgate



Tanya Elliott

# Parking worries stall Marine Drive cottages

ANDREW BAILEY

[andrew.bailey@westerlynews.ca](mailto:andrew.bailey@westerlynews.ca)

Tickets to Ucluelet's accommodation-provider paradise might be getting harder to come by.

Jayson Hayes-Holgate and Tanya Elliot are trying to get in on, and help, Ucluelet's tourism economy by building two 400 sq. ft. guest cottages next to their Marine Drive residence but their hopes were trapped in a zoning limbo last week. In a letter to the district office, Hayes-Holgate suggested the development would create employment for local tradespeople and contribute to Ucluelet's economy by "providing more housing for tourism."



RANDY OLIVA

Before the cottages can be built though, council needs to allow the property to move out of its Single Family Residential zone and into a Guest House zone.

"Under the proposed zoning, the sub-lot would support six guestrooms—similar to B&B rooms—within the Single Family Dwelling and two guest cottages," wrote Ucluelet's Planner 1 John Towgood in a report to council.

Council heard both support and opposition to the move during a Dec. 13 public hearing.

Jennifer Nemmis, who owns a neighbouring property, expressed "no concerns or issues," and encouraged council to let the proposal move ahead.

*"We could be looking at six parking spots as well as the residence and we don't even have a parking scheme for this."*

—Randy Oliwa

Avid and Sue Hasse though, who live directly behind the property, weren't so keen.

"We feel that allowing this property to be zoned GH will definitely have a negative impact, not only on the neighbourhood but our house in particular," they wrote.

"We are already affected by noise and fumes from this property as their backyard currently serves as a parking lot for their diesel truck. We feel that the increased traffic from a guesthouse will only serve to make the noise and fumes unbearable."

Tanya Elliot said she and Hayes-Holgate have heard more kudos than concerns about their plan.

"I have canvassed the neighbourhood two or three times and I do have a great amount of support in making the changes," Elliot said. "I have spoken to several neighbours on the street and they don't object to it at all, actually, they encourage it. They'd like to see more rentals or accommodations available to tourists coming into Ucluelet."

She added a workshop on the property, which she suggested is a likely source of the Hasse's noise-frustration, would be

taken down if the cottages were built.

"The mill work and carpentry work that is currently being done in the backyard, by my husband, would no longer be on the property so the noise from that would be eliminated," she said.

Area resident Tom Saunderson noted the new zoning would not only allow for two cottages to be built, but four guestrooms inside the property's primary residence as well.

"They've indicated that they don't plan on doing the guestrooms, just the cottages. But, in the future, if they were going to do that or if a future owner decides to do that, it's zoned guesthouse; there's no going back," Saunderson said expressing concerns over where guests would park.

Elliot said only one room in the residence would potentially be open for guests.

"I don't want this to be an invasion for our residence," she said.

Coun. Randy Oliwa said the district doesn't have a firm grasp on its bylaw enforcement and "all the associated costs and implications of this boom that we're having in Ucluelet."

"It's going to take us another year to really get that all nailed down and it's not going to be without hiccups," he said. "Rezoning, especially going from residential to more of a commercial application, has been a very hot topic in Ucluelet; actually pretty much everywhere."

He added he had not heard a ringing endorsement from the neighbourhood.

"We've had numerous rezonings come through here over the last little bit and that

weighs heavy on us, on neighbours, communities and neighbourhoods," he said. "It's not a matter of pitching residential properties against residential properties. The decisions we make here tonight go on long after those neighbours are neighbours in some regard...I'm just not feeling the overwhelming acceptance that we've had at a lot of the other rezonings for this application."

Coun. Marilyn McEwen noted Elliot claimed to have her neighbours' support but, without official letters from those neighbours, council couldn't be sure.

"It would be great to have more documentation to that effect," she said. Oliwa suggested the district's staff had failed to give council enough information to act.

"We have to think of the worst case and the best case scenario for a rezoning," he said. "We could be looking at six parking spots as well as the residence and we don't even have a parking scheme for this."

Mayor DiAnne St. Jacques agreed and questioned why staff had not done a more thorough investigation before council was tasked to make a decision.

"When we get rezoning applications like this, wouldn't it be part of the process to have a bit of a plan in place for us to approve to see how this is going to work," she asked.

District CAO Andrew Yeates responded council could stall on making a decision and ask staff to present a more detailed report at a future meeting, which council unanimously voted to do.

Jason Hayes-Holgate  
PO Box 1318  
359 Marine Drive  
Ucluelet, BC V0R 3A0

District of Ucluelet  
PO Box 999  
200 Main Street  
Ucluelet, BC V0R 3A0

To Mr. John Towgood,

I am submitting this letter of intent with my application for the rezoning of my Ucluelet property. I currently have single-family zoning and my intent is to rezone to a guest housing designation. The rezoning to guest housing would provide additional income for my family, boosting our local economy and helping to maintain our residency here in the place we call home.

Should this application be approved, we would utilize and develop our property further by building guesthouses and complete landscaping. Which, in turn, would potentially provide local craftsman and trades with temporary employment; contribute to the community by providing more housing for tourism; and increase the value of the property benefitting both the neighbourhood and the community.

Our property meets the districts requirements for guesthouse zoning as it is more than 0.5 acres. Additionally, any new dwellings will be located away from all public easements and will not be visible from the road. This will provide privacy for our guests and maintain the quiet and peaceful enjoyment of property for our neighbours.

I thank you for your careful consideration of this application. Please let me know what the next steps are to complete this request of rezoning. We are excited to move forward and work towards a brighter future here in Ucluelet.

Should you require any further information or would like to speak with me directly, I may be reached either by email [redacted] or by phone, home (250)726-2255, cellular (604) 935-9010.

Thank you again.

Sincerely,



Jason Hayes-Holgate

**NOTICE OF PUBLIC HEARING – December 13, 2016 at 7pm**

Ucluelet Zoning Amendment Bylaw No. 1211, 2016 proposes to amend The District of Ucluelet Zoning Bylaw 1160, 2013 by:

- Changing the Zoning designation of Lot: 5, Plan: VIP17976, District: 09, P.I.D. 003-838-731, from R-1 Zone – Single Family Residential to GH Zone – Guest House.

**Civic Address 359 Marine Drive, Ucluelet, BC**

As our neighbour, we would like your support to change our current zoning from R-1 Zone – Single Family Residential to GH Zone – Guest House.

Jason Hayes-Holgate and I, (Tanya Elliott) have every intention of making the transition to this new zoning as simple and non-intrusive as possible. We appreciate that there will be concerns with Guest Housing and we are willing to address these concerns before the Public Hearing.

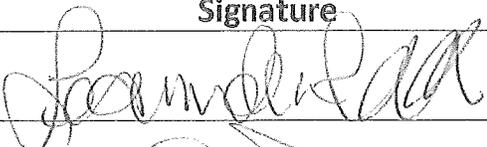
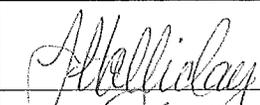
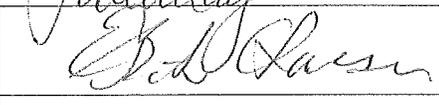
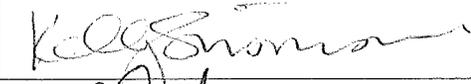
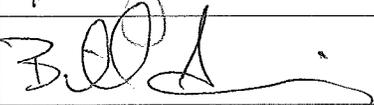
- Buildings will be within the required allowances of the property
- Guest parking is not visible from the street and is secured on our property
- Privacy and Noise concerns between adjacent neighbours will be addressed with new landscaping, and fencing, if necessary

If there are any other concerns, issues or oppositions to the Rezoning, list them here:

*Limit to 2 400 sq. ft. max. cottages only  
 concern for noise in summer, but Tim says we can communicate  
 & we haven't had problems w/ the other B&B's.*

If you are NOT opposed to us Rezoning our property and **SUPPORT** our decision, please sign below:

Print Name	Address	Signature
Bruce Forrest	372 Marine Drive	Bruce Forrest
1 Barbara Forrest		Barbara Forrest
JUDY GOLD	378 MARINE DR.	J. Gold
2 JACK GOLD		J. Gold
3 Judy Bastros	358 Marine Dr	J. Bastros
4 Heather Riddick	1382 Edwards Pl.	H. Riddick

Print Name	Address	Signature
5 Leandra Lock	343 Marine drive	
6 Terry Christensen	335 Marine Dr	
7 Karielene Herlihey	311 Marine	
8 Erik Larsen	332 Marine	
9 Kelly Simonson	350 Marine Dr.	
10 Bill Irving	371 MARINE DR.	
11 Karen Maroxyk	351 Marine Dr.	
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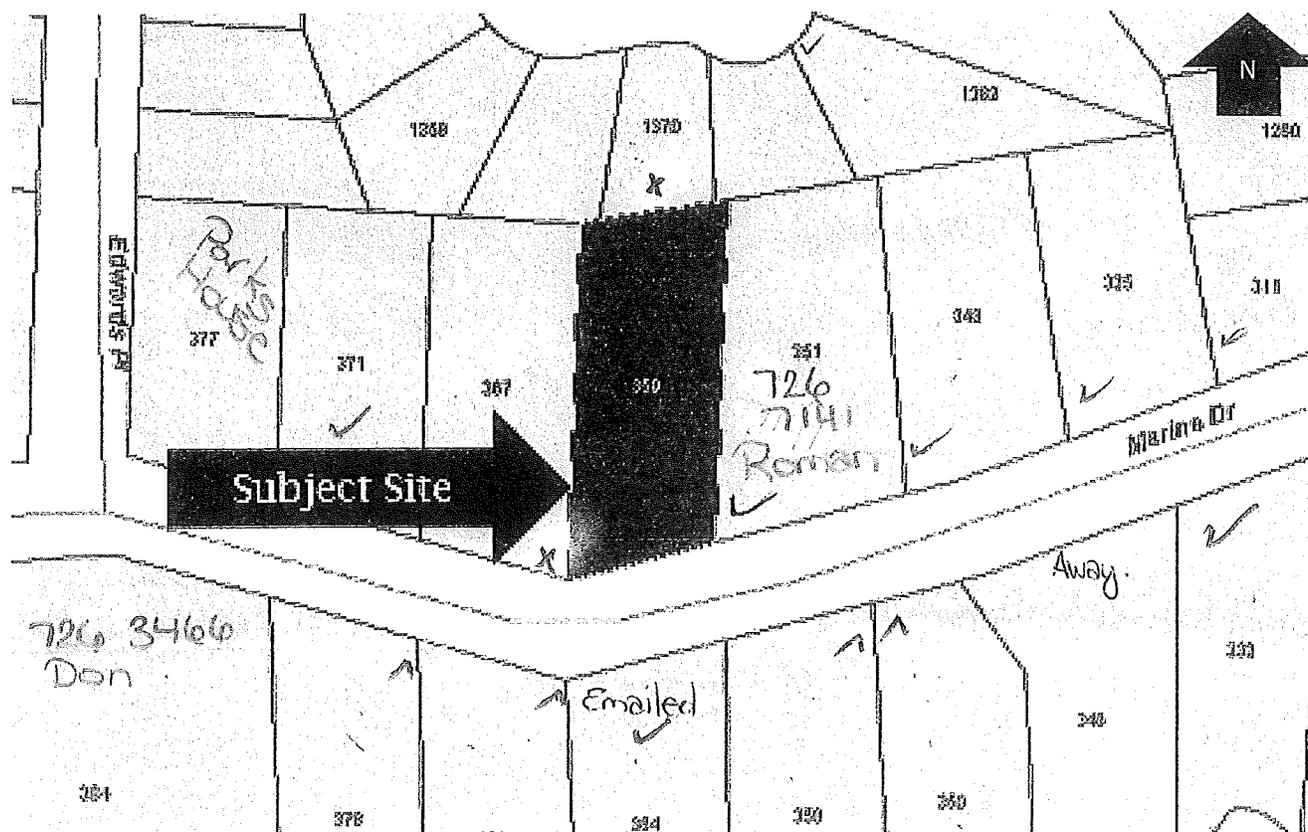
November 22<sup>nd</sup>, 2016

## NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing, pursuant to Sections 464 and 466 of the Local Government Act, will be held at the Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C., on December 13<sup>th</sup>, 2016 commencing at 7:00 p.m.

Ucluelet Zoning Amendment Bylaw No. 1211, 2016 proposes to amend The District of Ucluelet Zoning Bylaw 1160, 2013 by:

- changing the Zoning designation of Lot: 5, Plan: VIP17976, District: 09, P.I.D. 003-838-731, from R-1 Zone - Single Family Residential to GH Zone - Guest House



Anyone who believes the proposed bylaw will affect their interests will be given an opportunity to be heard at the public hearing. Inquiries, comments and concerns may also be directed to District of Ucluelet's Planning Department by telephone at (250)-726-4770 or email: [jtowgood@ucluelet.ca](mailto:jtowgood@ucluelet.ca). Written submissions may also be mailed to the District of Ucluelet, P.O. Box 999, Ucluelet B.C., V0R 3A0, or faxed to (250)-726-7335, but must be received before the commencement of the Public Hearing. A copy of the proposed bylaw and other relevant information may be inspected at the District of Ucluelet office at 200 Main Street from 8:30 a.m. to 4:00 p.m. weekdays except statutory holidays.

**From:** Jennifer Nemis  
**Sent:** January 4, 2017 10:27 AM  
**To:** aivilo-tani@hotmail.com  
**Subject:** FW: RE: Ucluelet Zoning Amendment Bylaw No. 1211  
**Importance:** High

**From:** Jennifer Nemis [mailto:info@horizons-west.com]  
**Sent:** December 5, 2016 4:31 PM  
**To:** 'jtowgood@ucluelet.ca' jtowgood@ucluelet.ca  
**Bcc:** 'aivilo-tani@hotmail.com'  
**Subject:** RE: Ucluelet Zoning Amendment Bylaw No. 1211  
**Importance:** High

Amendment to The District of Ucluelet Zoning Bylaw 1160 :

Hi John,

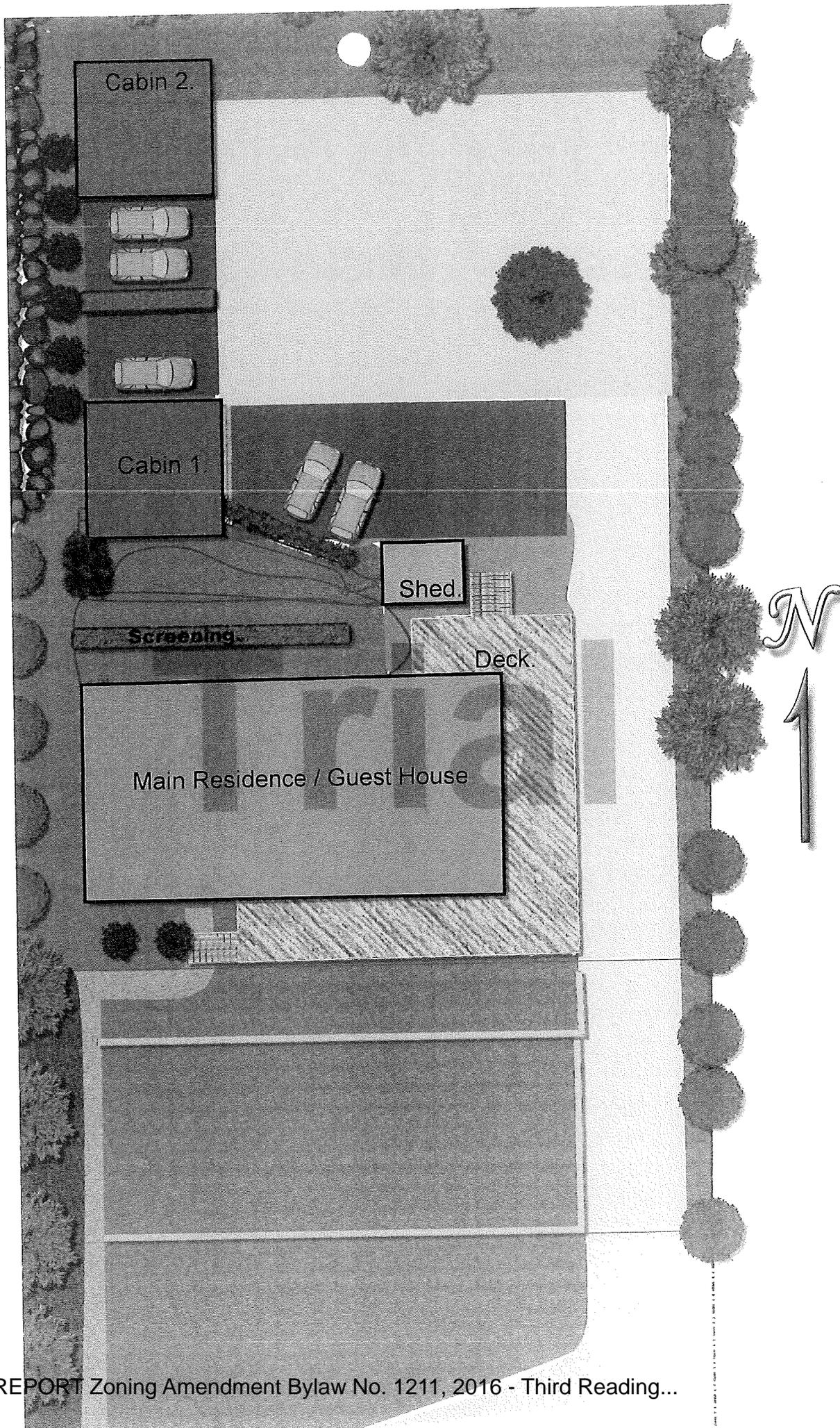
My name is Jennifer Nemis and I live at 364 Marine Drive in Ucluelet. I am Tanya & Jason Hayes-Holgate's direct neighbour.

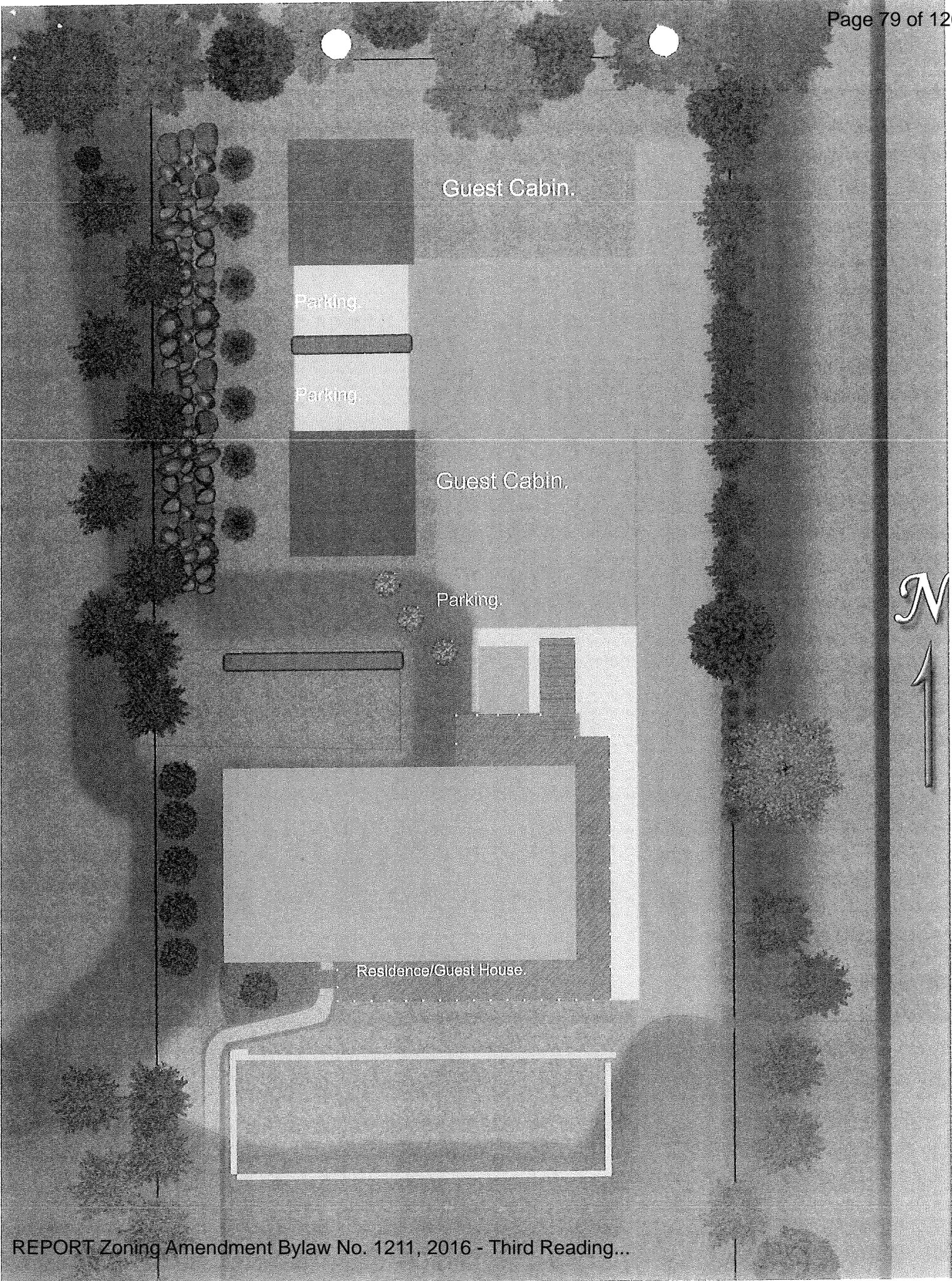
I just wanted to write a letter in **Full Support** of the proposed amendment to the zoning bylaw, with no concerns or issues. We sincerely hope and encourage the district to consider their application for re-zoning from R-1 Zone ( Single family residential) to GH Zone ( Guest House).

Thank you in advance, for your consideration.

Sincerely,  
Jennifer Nemis

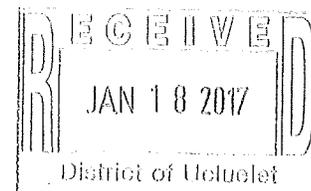
Horizons West  
364 Marine Drive  
P.O Box 339  
Ucluelet, BC  
V0R 3A0  
[info@horizons-west.com](mailto:info@horizons-west.com)  
[www.horizons-west.com](http://www.horizons-west.com)  
Bus: 250-726-2271  
TF: 1-877-726-2271





January 18, 2017

Her Worship Mayor Dianne St. Jacques and Council  
 District of Ucluelet  
 Box 999  
 Ucluelet, BC V0R 3A0



Filecode: 3360-20  
 X-Ref: R216-11  
 Forwarded to: Council, Andrew, John  
 Physical  Electronic

Dear Mayor St. Jacques and Council:

Re: Rezoning of 359 Marine Drive

As stated in our previous letter to Council dated November 29, 2016, we are very much opposed to the rezoning of the property at 359 Marine Drive. We purchased our property (1370 Edwards Place) with the understanding and expectation that we would be living and retiring in a quiet residential neighbourhood. We certainly did not expect to have a mini motel pop up in our back yard.

Unless there are mechanisms in place to control and enforce by-laws, VRBOs can quickly become a problem. You just have to look to our neighbours in Tofino where the VRBO situation is out of control. VRBOs can easily affect the stability of established residential neighbourhoods. By their very nature VRBOs introduce an unknown transient component that can quickly upset neighbourhood stability. It goes without saying there will be increased noise and traffic. In Ucluelet's own Bylaw No. 915, it states that "No person, being the owner, tenant or occupier of real property, shall allow or permit such real property to be used so that noise or sound which occurs thereon or emanates therefrom, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons on the same property or in the neighbourhood or vicinity."

With a VRBO in a residential neighbourhood, you are likely to have different neighbours every couple of days. You will never know who your neighbours are. With an increase in a transient population there is always the risk of increased crime as well. VRBOs can also have a negative impact on property values in a residential neighbourhood. For instance, a VRBO adjacent to a residential home for sale can certainly have a negative effect on prospective buyers looking to establish themselves in a quiet residential neighbourhood.

There are already too many VRBOs along this stretch of Marine Drive. This section of Marine Drive is a dangerous traffic area. The blind hill at the corner of Marine Drive and Edwards Place (which is only two houses away from the subject property) is a hazard to pedestrians and a traffic problem that we are all aware of. An increase in traffic along here will only make the situation worse.

The problem with VRBOs is that they turn quiet residential neighbourhoods into semi industrial areas.

The rezoning of this property would allow the potential for two four hundred square feet guest cottages and six guestrooms in the main dwelling. At any given time there could be as many as sixteen people or more staying in these guest cottages and rooms. This would have a direct and negative impact on our property as well as others. We have a small property so there is not much of a buffer zone. If this rezoning is allowed, we could have people moving in and out constantly with cars coming and going at all hours.

- 2 -

Parking would definitely be another problem. With the scope of what could be developed, there would have to be at least eight parking spots for guests and a parking spot for the owners. That is a minimum of nine parking spots. Would those parking spots be on Marine Drive or in the back of the property?

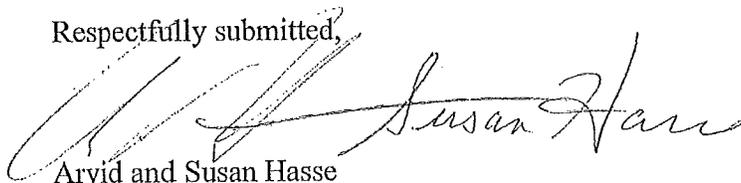
Our privacy would be seriously compromised. With the scope of what could happen, there would be a dramatic increase in noise levels and light incursion. And all of this would be going on virtually right at our back door.

We have worked hard all of our lives and invested our hard earned money to build a home in Ucluelet and in this neighbourhood with the understanding and expectation that we were investing long-term in a quiet residential neighbourhood.

We understand that tourism is important to our town. There are many areas in Ucluelet that are prime locations for businesses catering to tourists which do not impact residential neighbourhoods. We do not see the need to attract tourists into residential areas. We are asking that council not set a dangerous precedent for future development in ours and other quiet residential neighbourhoods.

We would ask council to carefully consider the negative impact of the proposed rezoning and not allow our quiet neighbourhood to be compromised.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Susan Hasse". The signature is written in black ink and is positioned above the typed name and address.

Arvid and Susan Hasse  
1370 Edwards Place

**John Towgood**

---

**From:** [REDACTED]  
**Sent:** February-13-17 8:16 PM  
**To:** Morgan Dosdall  
**Subject:** FW: 359 Marine Drive Guest House rezoning

Sent from [Mail](#) for Windows 10

**From:** [REDACTED]  
**Sent:** February 13, 2017 7:41 PM  
**To:** [council@ucluelet.ca](mailto:council@ucluelet.ca)  
**Subject:** 359 Marine Drive Guest House rezoning

Dear Mayor and Council,

I'm writing this letter to express my opposition to the rezoning application for 359 Marine Drive from R1 zoning to Guest House zoning. My Home is directly beside the subject property. The description of the current R1 Zone taken from the District of Ucluelet's zoning bylaws is:

"This Zone is intended for traditional low density single family residential development, with accessory uses providing a minimal impact on the surrounding residential neighbourhood."

Changing from the current zone to Guest House would allow for two cottages and up to four B&B units. In my opinion the increased use and density would be dramatically different and much like a commercial property in the middle of a "traditional low density single family residential development" that has been in existence for roughly 30 years. By my calculations there could be accommodation for roughly 16 people with the addition of at least 6 more vehicles. The owners have stated to me that their only intention is to build two small cottages yet the possibility of a much more dense development is possible once rezoned if not by them but by a future property owner. It should be noted that in my opinion only one neighbor that would be directly affected has offered support. All others who did not oppose are down the hill, across the street or down the street from the subject property. I also have concerns with the safety of vehicles exiting the property especially those who are not familiar with the neighborhood due to visibility issues and a steep winding driveway. If council decides to give approval to this rezoning I would ask that consideration be given to placing a covenant on the property restricting it to cottages only with no B&B units.

Respectfully Yours,

Tom Saunderson  
367 Marine Drive

Sent from [Mail](#) for Windows 10

**DISTRICT OF UCLUELET**

**Bylaw No. 1211, 2016**

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

---

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

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

1. THAT the property with legal description of P.I.D. 003-838-731, Lot: 5, Plan: VIP17976, District: 09, generally as shown highlighted in black on the Schedule 'A' attached to and forming part of this bylaw, be rezoned from R-1 Zone - Single Family Residential to GH Zone - Guest House and the Text and Zoning Maps of the District of Ucluelet Zoning Bylaw No. 1160, 2013 be amended accordingly.
  
2. This bylaw may be cited as "Zoning Amendment Bylaw No. 1211, 2016".

**READ A FIRST TIME** this 8th day of November, 2016.

**READ A SECOND TIME** this 8th day of November, 2016.

**PUBLIC HEARING** this 13th day of December, 2016.

**PUBLIC HEARING** this 14th day of February, 2017.

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

**ADOPTED** this    day of    , 20    .

**CERTIFIED A TRUE AND CORRECT COPY** of "District of Ucluelet Zoning Amendment Bylaw No. 1211, 2016."

\_\_\_\_\_  
Mayor  
Dianne St. Jacques

\_\_\_\_\_  
CAO  
Andrew Yeates

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

\_\_\_\_\_  
CAO  
Andrew Yeates

**SCHEDULE 'A'**  
**Bylaw No. 1211, 2016**





## STAFF REPORT TO COUNCIL

Council Meeting: MARCH 28<sup>TH</sup>, 2017  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1      **FOLIO NO:** 127.082    **REF NO:** RZ16-07    **FILE NO:** 3360-20

**SUBJECT:** PROPOSAL TO AMEND ZONING BYLAW NO.1160, 2013 BY REMOVING LOT 33, PLAN VIP79602 FROM THE CD-3 ZONE COMMERCIAL / RESIDENTIAL AND PLACE IT IN R-2 ZONE – MEDIUM DENSITY RESIDENTIAL

**ATTACHMENT(S):** APPENDIX A – NOVEMBER 8<sup>TH</sup> STAFF REPORT  
APPENDIX B – SRW CA5864650

### RECOMMENDATION(S):

**THAT** Council considers approval of one of the following options:

1. **That** Zoning Amendment Bylaw No. 1203, 2016 be given Fourth and Final Reading.

**OR**

2. **That** Zoning Amendment Bylaw No. 1203, 2016 be considered and determined not to proceed further.

### BACKGROUND:

The Applicant has paid the amenity contribution of \$4200 on the 24<sup>th</sup> of January, 2017 and the SWR was registered with the Land Title Office on March 10<sup>th</sup>, 2017.

On November 8<sup>th</sup> 2016, a report was produced addressing the August 9<sup>th</sup> Council resolution noted below. Council approved the Staff's recommendation that an amenity contribution of \$4200 be secured and a SRW be registered prior to the consideration of Final Adoption of Zoning Amendment Bylaw No. 1203, 2016.

On August 9<sup>th</sup> 2016, A Public Hearing and Third reading was given to Bylaw No. 1203 with Council Directing Staff to: *"Continue negotiations to secure Statutory Rights of Way for a public sidewalk, trail, or road allowance and a voluntary payment in consideration of DCCs foregone by the loss of commercial space on the property, payable at building permit, and if agreed by the applicant, to register the SRWs and Covenant prior to consideration of Final Adoption, and that the District or applicant be responsible for legal and registration costs."*

On July 12<sup>th</sup>, 2016, Bylaw No. 1203 was given First and Second Reading

In 2004/2005 a large 50 lot development locally known as the Rainforest Estates was created. It consisted of primarily single family dwellings with four larger mixed commercial/residential lots (one of which has been rezoned to a single family dwelling use and another to the R-4 zone), two

large multifamily lots and a community care facility. None of the mixed commercial/residential lots or large multifamily lots have been developed and approximately 70% of the single family residential lots still remain to be developed. The area has two lots that are designated parks but are not at this time developed. The subject site (Figure 1) is zoned for mix of commercial, residential and resort condo uses with the residential and resort condo component only being allowed on the second floor.

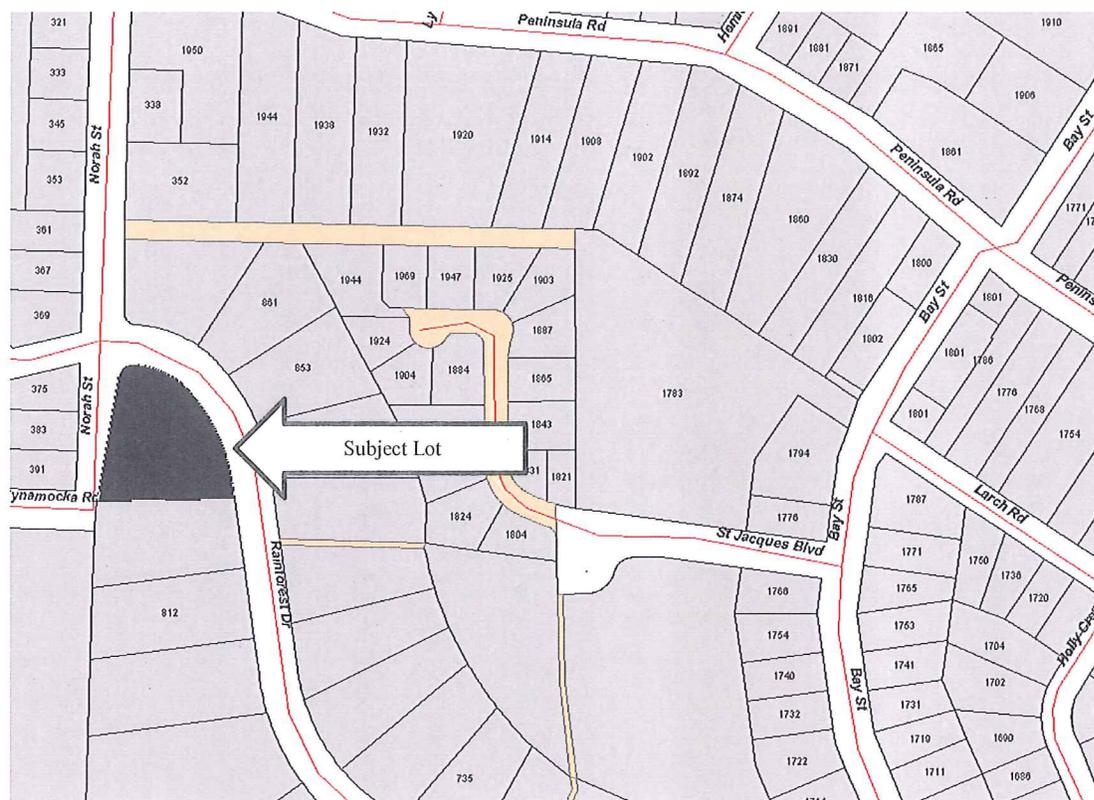


Figure 1

Planning Staff have broken down the analysis as follows:

### **OCP**

The Official Community Plan (OCP) under Section 1.5 (1) encourages the retention of commercial uses near the Village Square or Village Core. This is further underlined in Ucluelet's subsequent 2012 Economic Development Strategy. The subject site falls just outside the area designated as the Village Square and thus the removal of commercial uses from the subject site is not in conflict with the OCP.

### **Current Zoning**

The subject property is currently zoned CD-3A and is part of a 2004 comprehensive development that included the Rainforest Estates subdivision, the St. Jacques subdivision, the Seaview Seniors Center and the skate park. The zoning regulations that are specific to lot 29 are as follows:

*CD-3A.1.4 The following uses are permitted on Lots 19, 29, and 33, all of Plan VIP79602, in the areas of the CD-3 Zone Plan labeled "Commercial/ Residential", but secondary permitted uses are only permitted in conjunction with a principal permitted use:*

*(1) Principal:*

- (a) Office
  - (b) Retail
  - (c) Personal Services
  - (d) Daycare Centre
  - (e) Commercial Entertainment
  - (f) Recreational Services
  - (g) Community Use
- (2) Secondary:
- (a) Mixed Commercial/Residential
  - (b) Mixed Commercial/Resort Condo

*CD-3A.3.1 Maximum Number:*

*Dwelling Unit component of Mixed Commercial/Residential & Mixed Commercial/Resort Condo combined:*

- (b) 6 dwelling units on Lot 33, Plan VIP79602

*CD-3A.4.1 Principal Building:*

*(1) Mixed Commercial/Residential & Mixed Commercial/Resort Condo:*

- (b) 557.4 m<sup>2</sup> (6,000 ft<sup>2</sup>) gross floor area combined on Lot 33, Plan VIP79602;

With Mixed Commercial/Residential and Mixed Commercial/Resort Condo being defined as follows:

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

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

*"Mixed Commercial/Resort Condo" means the use of a building containing a combination of:*

- (a) commercial uses that are otherwise permitted within the Zone, excluding commercial tourist accommodation uses, on any storey; and
- (b) commercial tourist accommodation uses located exclusively at the second storey or higher;

Lot 33 supports a variety of commercial use on the ground floor and up to 6 dwelling units of residential or resort condo use. The total gross floor area, combined is 557.4.2 m<sup>2</sup> (6,000ft<sup>2</sup>). Both the subjects property's Floor Area Ratio(FAR) and Lot coverage allow for a greater gross floor area than allowed under section CD-3A.4.1 743.2 m<sup>2</sup> (8,000 ft<sup>2</sup>) and are therefore made redundant.

The zoning for this lot can support various use combinations and as a general rule of thumb, to analyze a developments impact it is best to consider the best and highest use the subject lot can support. With this in mind Planning Staff have created a hypothetical CD-3 buildout for visualization purposes:

- Two 46.6m<sup>2</sup> (500ft<sup>2</sup>) commercial units on the ground floor
- Six 77.4m<sup>2</sup> (833ft<sup>2</sup>) dwelling units on the second Floor
- Total gross floor area 557.4.2 m<sup>2</sup> (6,000 ft<sup>2</sup>)

The following sketch has been created to help visualize the current zonings potential density and impact (Figure 2). It should be noted all sketches and calculations in this report are for visualization purposes only and their inclusion in this report does not verify the acceptance of the site or building design or the accuracy of the calculations by the District of Ucluelet.



Figure 2

### Proposed Zoning

The applicant is proposing the subject lot be rezoned to R-2 Medium Density Residential. This Zone is intended to facilitate medium density residential multifamily dwellings. The setbacks, the floor area ratio (FAR), the lot coverage and building height have the same values as the current zoning.

The key zoning differences are:

- Maximum number of units:
  - CD-3 – 6 units
  - vs
  - R-2 – 10 units( Base density of 30 units per hectare)
- Maximum size:
  - CD-3 - Total gross floor area 557.4.2 m<sup>2</sup> (6,000 ft<sup>2</sup>)
  - vs
  - FAR 2407.9m<sup>2</sup> (25,918ft<sup>2</sup>)

The applicant has proposed a three unit multifamily building with a maximum FAR of 278.7m<sup>2</sup> (3,000ft<sup>2</sup>) which is substantially less than the maximum allowed.

### Affordable Housing

A healthy community has housing options with inventory available that accommodates citizens of all income groups. This can be termed the affordability ladder and Ucluelet currently has an excess inventory of larger more expensive lots. Both the current zoning and the proposed zoning represent a needed housing opportunity.

### Commercial

The original 2004 vision of this developments commercial elements seems at odds with the neighborhood's single family dwelling focus and was likely a response to the high growth pressure of the time. To maintain commercial density in Ucluelet's commercial cores all commercial is encouraged through policy to develop within those designated areas. The exception would be commercial elements that advance and celebrate Ucluelet's identity such as locations with coastal/water views, unique forest locations or places of historical significance.

### **Neighbourhood Impact and Continuity**

Although the zoning change represents a potentially significant increase in building size and density. Planning staff consider a build out to that density unlikely. The proposed three unit multifamily building is a reduction in what was envisioned in the original comprehensive development.

### **Amenity Contributions**

In the original 2004 Comprehensive Development, the density bonusing framework was based on a 10% parkland dedication, amenity contribution, provided in the form of public recreational amenities, open space and green space.

1. A "tot" park worth approx. \$20,000.00;
2. A skateboard park and associated parking area worth approx. \$200,000.00;
3. The rebuilding and reconstruction of the Big Beach Trail from Bay Street to Marine Drive and dedication of a public right-of-way from Bay Street to Big Beach (Big Beach Trail) worth approx. \$25,000.00;
4. The construction 1,500 metres of Trail within District right-of-ways (1,500 metres at \$80/m) valued at \$120,000.00;
5. The donation of a 7,100 ft<sup>2</sup> lot to the District of Ucluelet for a daycare centre and the dedication of an additional 4.12 acres of parkland on DL 282. (\$50,589.00);
6. The construction of a basketball court worth approx. \$55,000.00;
7. A \$100,000.00 monetary contribution to the District of Ucluelet payable at the time of the completion of subdivision of DL 282 (2004);

All amenities from the original 2004 development have been provided, and continue to form an integral part of the community.

### **TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Rezoning applications in general require significant Staff time to analyze and coordinate. The fees associated to rezoning attempt to recover those costs.

### **FINANCIAL IMPACTS:**

There are no direct financial impacts.

### **POLICY OR LEGISLATIVE IMPACTS:**

This proposal would amend Zoning Bylaw No. 1160, 2013.

### **SUMMARY:**

The proposed zoning amendment removes the commercial/resort condo element of the current zone and focuses the properties use to multifamily. This change will encourage the development of a purely multifamily building that would be more appropriate to the neighbourhood than a mixed commercial/residential/resort condo building.

Respectfully submitted:



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John Towgood, Planning 1



---

Andrew Yeates, Chief Administrative Officer

## APPENDIX A

**FOR REFERENCE**

**STAFF REPORT TO COUNCIL**

Council Meeting: NOVEMBER 8<sup>TH</sup>, 2016  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1**FOLIO NO:** 127.082 **REF NO:** RZ16-07 **FILE NO:** 3360-20**SUBJECT:** REQUEST FOR DIRECTION ON RIGHT OF WAY AND POSSIBLE AMENITY CONTRIBUTION FOR LOT 33, PLAN VIP79602**ATTACHMENT(S):** APPENDIX A – AMENITY OFFER  
APPENDIX B – LEGAL AGREEMENT DRAFTS**RECOMMENDATION(S):**

That Council consider approval of one of the following options:

1. **THAT** the amenity offer contained in the body of this report is satisfactory and Staff be directed to register the SRWs and amenity covenant prior to consideration of Final Adoption of Zoning Amendment Bylaw No. 1203, 2016.

**OR**

2. **THAT** the amenity offer contained in the body of this report is not satisfactory and Staff are directed to continue the negotiations.

**DESIRED OUTCOME:**

That the amenity offer contained in the body of this report is satisfactory and Staff are directed to register the SRWs and amenity covenant prior to consideration of Final Adoption of Zoning Amendment Bylaw No. 1203, 2016. August 9th, 2016

**SUMMARY:**

Considering the encroachment of the road was not of the applicants doing, Planning Staff consider that the offer proposed by the applicant is fair and equitable.

**BACKGROUND:**

At the August 9th Regular Meeting of Council, 3rd reading was given to Zoning Amendment Bylaw No. 1203, 2016 which would amend Zoning Bylaw No. 1160, 2013 by removing Lot 33, Plan VIP79602 (the “**Subject Lot**”) from the CD-3 Commercial/Residential Zone and place it in the R-2 Zone – Medium Density Residential.

Council also made the motion to direct Staff to continue negotiations to secure Statutory Rights of Way (“**SRW**”) for a public sidewalk, trail, or road allowance and a voluntary payment in consideration of DCCs foregone by the loss of commercial space on the property, payable at

## FOR REFERENCE

building permit, and if agreed by the applicant, to register the SRWs and Covenant prior to consideration of Final Adoption, and that the District or applicant be responsible for legal and registration costs.

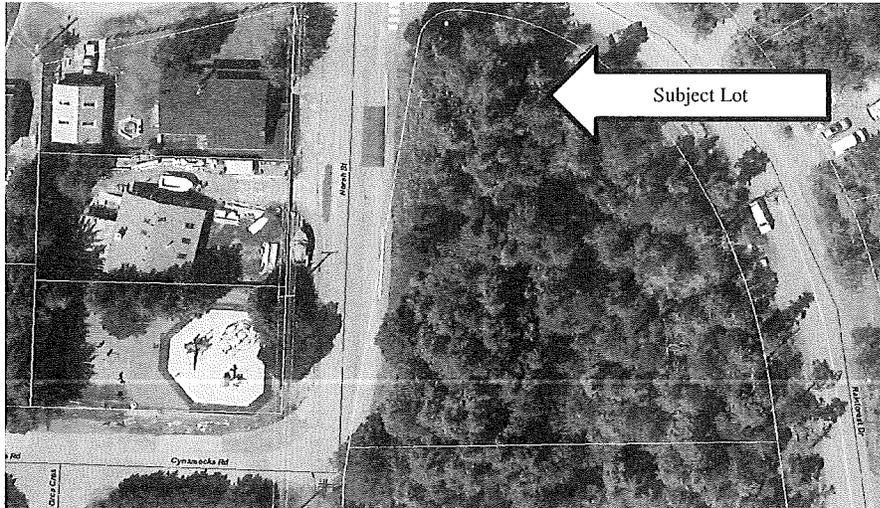


Figure 1

### NORAH ROAD SRW

Planning Staff previously noted that the District of Ucluelet road allowance for Norah Road tapered in between Rainforest Drive and the corner transition to Cynamocka Road. This tapering causes part of the paved road to fall on Lot 33 as shown in Figure 1 above.

The applicant has offered to allow a service right away (“**SRW**”) 10ft from the edge of the current pavement. Planning Staff consider that 10’ would be sufficient to allow for the road pavement at current traffic volume, a 1.5m sidewalk, and the road drainage. The applicant has produced a sketch that generally shows the SWR (Figure 2).

It should be noted that the corner of lot 32 will also need to be secured at some point to allow for a future sidewalk.

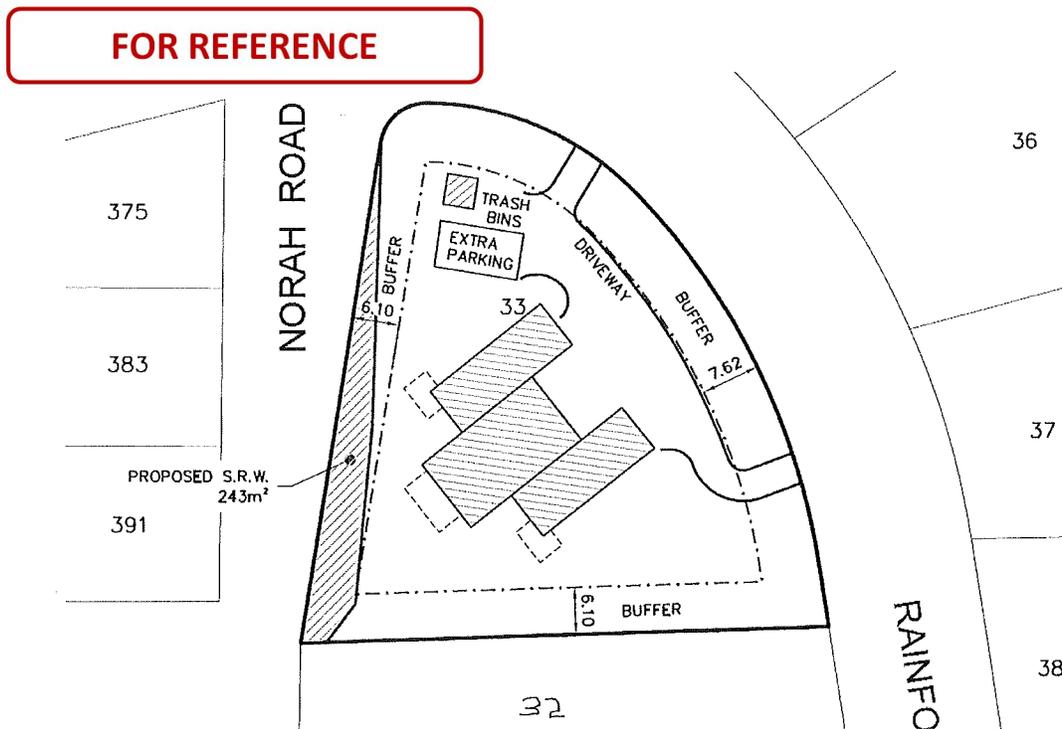


Figure 2

**AMENITY CONTRIBUTION**

The applicant has offered to give the equivalent contribution of one single family dwelling development cost charge minus the value of the SRW area, and this amenity would be due at the time a building permit is requested for the property. The total amenity contribution would equal \$4,200 and be due at the release of any building permit for the property.

**FINANCIAL IMPACTS:**

The legal work for the preparation and registration of the SWR, amenity contribution, plus the survey work is expected to be \$6,000.

**POLICY OR LEGISLATIVE IMPACTS:**

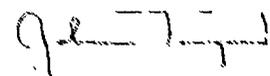
The above sketch (Figure 2) indicates the applicant's intent to build a 3-plex. A building with fewer than 4 self-contained dwelling units is exempt from a DCC charge.

*Section 561 (5) Subject to a bylaw under subsection (6), a development cost charge is not payable in relation to a development authorized by a building permit that authorizes the construction, alteration or extension of a building that will, after the construction, alteration or extension, (a) contain fewer than 4 self-contained dwelling units, and (b) be put to no other use other than the residential use in those dwelling units.*

This exemption occurs regardless of this rezoning and therefore it should not be a consideration of this rezoning but a consideration of the upcoming DCC bylaw review.

**FOR REFERENCE**

Respectfully submitted:

  
\_\_\_\_\_  
John Towgood, Planning 1

  
\_\_\_\_\_  
Andrew Yeates, Chief Administrative Officer

REPLY TO: VANCOUVER OFFICE

VIA EMAIL: [jtowgood@ucluelet.ca](mailto:jtowgood@ucluelet.ca)

March 17, 2017

John Towgood  
Planning Assistant  
District of Ucluelet  
Box 999  
200 Main Street  
Ucluelet, BC V0R 3A0

Dear Mr. Towgood:

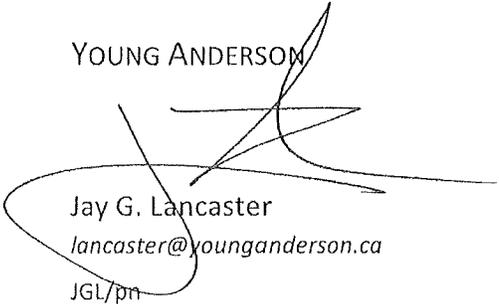
**Re: Lot 33 Statutory Right of Way  
Our File No. 00119-0140**

We are pleased to advise that the Statutory Right of Way in this matter was accepted in the Victoria Land Title Office on March 10, 2017 and reached final registration today under number **CA5864650**. The Statutory Right of Way Plan **EPP68569** was filed under application number **CA5864649**. We enclose a copy of the above documents bearing registration particulars and a title search for the property confirming registration.

As this matter is now complete, we will attend to the closing of our file in due course.

Yours truly,

YOUNG ANDERSON



Jay G. Lancaster  
[lancaster@younganderson.ca](mailto:lancaster@younganderson.ca)

JGL/pn

Enc(s)

---

WWW.YOUNGANDERSON.CA

---

1616 - 808 Nelson Street, Box 12147 Nelson Square, Vancouver, BC V6Z 2H2 | tel: 604.689.7400 | fax: 604.689.3444 | toll free: 1.800.665.3540  
201 - 1456 St. Paul Street, Kelowna, BC V1Y 2E6 | tel: 250.712.1130 | fax: 250.712.1180

LAND TITLE ACT  
FORM C (Section 233) CHARGE

Mar-10-2017 11:55:17.003

CA5864650

GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 9 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

Jay Gilbert  
Lancaster  
VNVKVI

Digitally signed by Jay Gilbert  
Lancaster VNVKVI  
DN: c=CA, cn=Jay Gilbert Lancaster  
VNVKVI, o=Lawyer, ou=Venfy ID at  
www.juricert.com/LKUP.cfm?  
id=VNVKVI  
Date: 2017.03.10 11:27:25 -08'00'

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Jay Lancaster, Barrister & Solicitor

YOUNG ANDERSON

1616 - 808 Nelson Street

Vancouver

BC V6Z 2H2

Phone: (604) 689-7400

File: 119-140

road and sidewalk statutory right of way

Document Fees: \$71.58

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

026-432-374

LOT 33 DISTRICT LOT 282 CLAYOQUOT DISTRICT PLAN VIP79602

STC? YES

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Statutory Right of Way

over part in Plan EPP68569

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

(a)  Filed Standard Charge Terms D.F. No.

(b)  Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

SEE SCHEDULE

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

DISTRICT OF UCLUELET

A MUNICIPAL CORPORATION

BOX 999, 200 MAIN STREET

UCLUELET

BRITISH COLUMBIA

V0R 3A0

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

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

Officer Signature(s)

Execution Date

Transferor(s) Signature(s)

Kathryn J. Greening

Notary Public

320 - 10th St

Courtenay, B.C. V9N 1P5

Y	M	D
17	02	07

DENNIS KAEICHELE

NECIA KAEICHELE

(as to all signatures)

OFFICER CERTIFICATION:

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

LAND TITLE ACT  
FORM D

EXECUTIONS CONTINUED

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y	M	D
17	02	02
17	02	06
17	03	08

\_\_\_\_\_  
 Shemin R. Jamal  
 Notary Public  
 101A 1124 Lonsdale  
 North Vancouver, B.C. V7M 2H1  
 (604) 986-7600

(as to all signatures)

\_\_\_\_\_  
 Shemin R. Jamal  
 Notary Public  
 101A 1124 Lonsdale  
 North Vancouver, B.C. V7M 2H1  
 (604) 986-7600

\_\_\_\_\_  
 Myron E. Plett  
 Barrister & Solicitor  
 Raincoast Law  
 P.O. Box 909  
 1566 Peninsula Road  
 Ucluelet, BC V0R 3A0

(as to all signatures)

\_\_\_\_\_  
DANE KAEICHELE

\_\_\_\_\_  
GABRIENE KAEICHELE

\_\_\_\_\_  
BLAKE RANDALL

DISTRICT OF UCLUELET by its  
authorized signatory(ies):

\_\_\_\_\_  
Name: Andrew Yeates

\_\_\_\_\_  
Name: Jeanette O'Connor

OFFICER CERTIFICATION:

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

**LAND TITLE ACT  
FORM E****SCHEDULE**

PAGE 3 OF 9 PAGES

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

**5. TRANSFEROR(S):**

DENNIS KAEICHELE and NECIA KAEICHELE, as to an undivided 1/3 interest as joint tenants

DANE KAEICHELE and GABRIENE KAEICHELE, as to an undivided 1/3 interest as joint tenants

BLAKE RANDALL, as to an undivided 1/3 interest

**TERMS OF INSTRUMENT – PART 2****ROAD and SIDEWALK RIGHT of WAY (Section 218 *Land Title Act*)**

THIS AGREEMENT dated for reference the 17<sup>th</sup> day of January, 2017 is

BETWEEN:

**DENNIS KAECELE** and **NECIA KAECELE**,  
as to an undivided 1/3 interest as joint tenants  
**DANE KAECELE** and **GABRIENE KAECELE**,  
as to an undivided 1/3 interest as joint tenants  
**BLAKE RANDALL**, as to an undivided 1/3 interest  
all of P.O. Box 234  
Merville, BC V0R 2M0

(the "Grantor")

AND:

**DISTRICT OF UCLUELET**  
Box 999  
200 Main Street  
Ucluelet BC V0R 3A0

(the "District")

WHEREAS:

- A. The Grantor is the registered owner of the lands and premises located at 844 Rainforest Drive in Ucluelet BC and more particularly described as:

Parcel Identifier: 026-432-374

Lot 33 District Lot 282 Clayoquot District Plan VIP79602

(the "Lands");

- B. The Grantor has agreed to grant to the District a statutory right of way for the construction, installation, improvement, extension, removal, alteration, repair, maintenance, operation, replacement and use of a public walkway and a portion of a public road and other facilities and appurtenances necessary or convenient for the use of the Statutory Right of Way area as a public walkway and road (the "Works");
- C. This statutory right of way is necessary for the operation and maintenance of the District's undertaking.

THIS AGREEMENT is evidence that, pursuant to s. 218 of the *Land Title Act*, and in consideration of TWO DOLLARS (\$2.00) paid by the District to Grantor, and other good and valuable consideration (the receipt and sufficiency of which the Grantor hereby acknowledges), the Grantor grants to and covenants with the District as follows:

1. **Grant of Statutory Right of Way** – The Grantor hereby grants, conveys and confirms to the District in perpetuity the full, free and uninterrupted right, liberty, easement and statutory right of way (“Statutory Right of Way”) for the District, its officers, employees, contractors and agents, and the public, in common with the Grantor, at all times hereafter from time to time at their will and pleasure to enter, go, be on, pass and repass, with or without vehicles, personal property and equipment, upon, over, under and across the portion of the Lands shown outlined in heavy black on the reference plan deposited for registration in the Victoria Land Title Office under number EPP68569, a reduced copy of which is attached to this agreement as Schedule “A” (the “Right of Way Area”) in order to:
  - (a) construct and install the Works upon the Lands and to remove, replace, repair, alter, maintain, clean, inspect, patrol and operate the Works from time to time in the District’s discretion;
  - (b) have unobstructed access over the Right of Way Area at any and all times;
  - (c) make surveys and tests and establish grades and levels;
  - (d) remove from the Lands such structures, improvements, fixtures, fences, gates, trees, shrubs, plants and other obstructions whatsoever as, in the District’s reasonable opinion, is necessary in order to exercise its rights under this agreement;
  - (e) store upon the Lands all vehicles, equipment, machinery, materials or other moveable property of any description necessary to construct, install, remove, repair, operate, alter, maintain, inspect, clean, or replace the Works; and
  - (f) do all other things on the Lands as may be reasonably necessary, desirable, or incidental to the Works.
2. **Grantor’s Obligations** – The Grantor will:
  - (a) not do or permit to be done anything which in the reasonable opinion of the District may interfere with, injure, or impair the operating efficiency of, or obstruct access to or the use of, the Right of Way Area, the Works, or the rights granted to the District under this agreement;
  - (b) permit the District to trim or cut down any tree or other growth on or overhanging the Right of Way which in the opinion of the District constitutes or may constitute a danger, impairment or obstruction to the Works or to those using the Right of Way Area;

- (c) permit the District to peaceably hold and enjoy the rights granted by this agreement;
- (d) permit the District to:
  - (i) maintain and clean the surface of the Right of Way Area to the extent required for the construction and maintenance of the Works; and
  - (ii) do all other things on the Right of Way Area which in the reasonable opinion of the District are necessary for the safe use and preservation of the Right of Way Area for the purposes of the Works and the Statutory Right of Way;
- (e) not deposit or place garbage, debris or other material on the Lands;
- (f) not carry on blasting on or adjacent to the Right of Way Area without the District's approval.

3. **District's Obligations** – The District shall:

- (a) do all things hereby authorized to be done by it over, through, under and upon the Right of Way Area in a good and workmanlike manner so as to cause no unnecessary damage or disturbance to the Grantor, the Right of Way Area, or to any improvements thereon; and
- (b) be responsible for costs of planning, design and construction of the Works, and cause this agreement to be registered in the land title office, including all survey costs and filing fees associated therewith.

4. **No Obligation to Maintain** – No right herein granted to or reserved by the District requires the District to clean, repair or maintain the Works, except as expressly provided herein.

5. **District's Rights** – The District:

- (a) is entitled to peaceably hold and enjoy the rights, liberties and Statutory Right of Way hereby granted without hindrance, molestation or interruption by the Grantor or any person, firm or corporation claiming by, through, under or in trust for the Grantor;
- (b) in its sole discretion may at any time remove any or all of the Works installed by the District in, upon or under the Lands, all of which remain chattels and the property of the District, notwithstanding that they may be annexed or affixed to the freehold;
- (c) on default by the Grantor of any of its obligations under this Agreement, may, but is not obliged to, rectify the default, provided that, except in the case of an emergency, the District must first give 20 days prior notice to the Grantor specifying

the default and requiring it to be remedied, and the Grantor shall reimburse District for its reasonable, out of pocket expenses incurred in remedying such a default; and

- (d) despite section 5(b), if the District abandons, releases or discharges the Statutory Right of Way, the District is not responsible or obligated in any way to remove or pay for the cost of removal of any Works from the Lands.
6. **No Waiver** – No waiver of default by either party is effective unless expressed in writing by the party waiving default, and no condoning, overlooking or excusing by either party of a previous default of the other will operate as a waiver of any subsequent or continuing default, or to in any way defeat or affect the rights and remedies of the non-defaulting party.
  7. **Priority** – The Grantor shall, at its own expense, do or cause to be done all acts necessary to grant priority to this Statutory Right of Way over all charges and encumbrances which are registered, or pending registration, against title to the Lands, in the Land Title Office, save and except those as have been approved in writing by the District or have been granted in favour of the District.
  8. **Discretion** – Wherever in this Agreement the approval of the District is required, some act or thing is to be done to the District's satisfaction, the District is entitled to form an opinion, or the District is given a sole discretion:
    - (a) the approval, opinion or satisfaction is in the discretion of the Engineer acting reasonably in accordance with municipal engineering practice;
    - (b) any discretion of the Engineer is not subject to public law duties and the principles of procedural fairness and the rules of natural justice have no application; and
    - (c) the sole discretion of the District is deemed to be the sole, absolute and unfettered discretion of the District and the principles of procedural fairness and the rules of natural justice have no application.
  9. **No Effect on Powers** – This Agreement does not:
    - (a) affect or limit the discretion, rights, duties or powers of the District under the common law or any statute, bylaw, or other enactment;
    - (b) affect or limit the common law or any statute, bylaw or other enactment applying to the Lands; or
    - (c) relieve the Grantor from complying with the common law or any statute, bylaw or other enactment.
  10. **Indemnity** – The Grantor will indemnify and save harmless the District, its elected officials, officers, and employees at all times from all losses, damages, actions, suits, claims, demands, costs, expenses, fees and liabilities of any nature whatsoever by whomsoever

brought, made or suffered for which the District is or may become liable, incur or suffer by reason of any injury to person (including death) or loss or damage to property or economic loss arising directly or indirectly from a breach or non-performance by the Grantor of its covenants or obligations in this Agreement, or arising directly or indirectly, or from any wrongful act, omission or negligence of the Grantor in, on, around and about the Lands or in any way connected to or relating to the Works.

11. **Further Assurances** – The Grantor shall, at its own expense, do or execute or cause to be done or executed all such further and other lawful acts, deeds, things, conveyances and assurances whatsoever for better assuring to the District the rights, liberties and statutory right of way hereby granted.
12. **Notice** – Any notice to be given pursuant to this agreement must be in writing and may be delivered personally or sent by prepaid mail. The addresses of the parties for the purpose of notice are the addresses set out in the recitals to this agreement, unless a party gives written notice of a different address, in which case that address shall be deemed to be that party's address for the purpose of giving notice under this agreement. If notice is delivered personally, it may be left at the relevant address in the same manner as ordinary mail is left by Canada Post and is to be deemed given when delivered. If notice is mailed, it will be deemed given 5 days after mailing by deposit at a Canada Post mailing point. In the case of any strike or other event causing disruption of ordinary Canada Post operations, a party giving notice must do so by personal delivery as provided in this section.
13. **Amendment** – No amendment of this Agreement, is valid or binding unless in writing and executed by the parties.
14. **Interest In Lands and Enurement** – The Statutory Right of Way granted by this agreement runs with the Lands and each and every part into which the Lands may be subdivided or consolidated by any means (including subdivision plan, reference or explanatory plan, strata plan, bare land strata plan or lease), but no part of the fee of the Lands passes to or is vested in the District under or by this Agreement and the Grantor may fully use the Lands subject only to the common law and the rights, obligations and restrictions expressly set out in this Agreement. This Statutory Right of Way enures to the benefit of and is binding on the parties notwithstanding any rule of law or equity to the contrary.

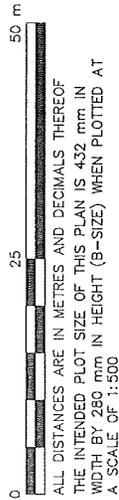
As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

PLAN EPP68569

STATUTORY RIGHT OF WAY PLAN OVER PART OF LOT 33, DISTRICT LOT 282, CLAYOQUOT DISTRICT, PLAN VP79602

PURSUANT TO SECTION 113 OF THE LAND TITLE ACT.

BCGS 92C.093



LEGEND:

GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10 (123° WEST LONGITUDE)

THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY ACHIEVED ARE DERIVED FROM DUAL FREQUENCY GNSS OBSERVATIONS TO CANADIAN ACTIVE CONTROL STATIONS 'FN0' AND 'UCLU'.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES, UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 1.0000299. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED ON AN ELLIPSOIDAL ELEVATION OF 3.07 METRES.

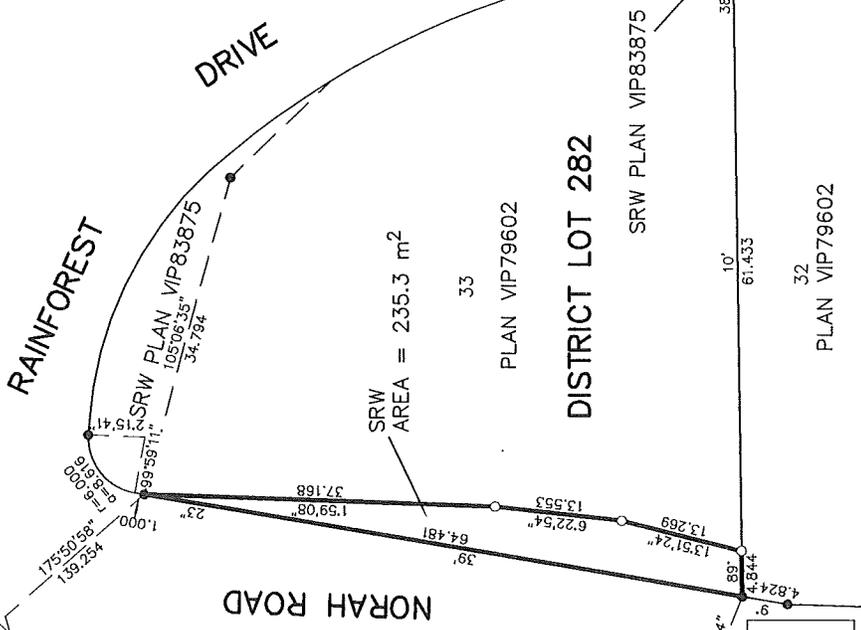
SYMBOLS DESCRIPTION

- FOUND PLACED
- △ GNSS CONTROL STATION
- STANDARD IRON POST

**McElhanney**  
 MCELHANEY ASSOCIATES  
 LAND SURVEYING LTD.  
 Suite 1  
 1351 Estevan Road  
 Nanaimo BC  
 Canada V8S 3Y3  
 Tel 250 718 3336

OUR FILE NO. 2232-00204-02  
 OUR DRAWING NO. 00204-02-0 SRW

DATUM.....NAD83 (CSRS) 3.0.0.BC.1.NVI  
 UTM ZONE.....10  
 UTM NORTHING.....5424372.520  
 UTM EASTING.....312800.845  
 POINT COMBINED FACTOR.....1.0000313  
 ESTIMATED HORIZONTAL POSITIONAL ACCURACY.....0.01m



THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 14TH DAY OF DECEMBER, 2016  
 TYSON QUOCKSISSTER, BCLS #801

THIS PLAN LIES WITHIN THE ALBERNI-CLAYOQUOT REGIONAL DISTRICT

APPLICATION TO DEPOSIT PLAN Mar-10-2017 11:55:17.001  
 AT LAND TITLE OFFICE  
 PROVINCE OF BRITISH COLUMBIA

CA5864649  
 PAGE 1 OF 2 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.732, and a true copy, or a copy of that true copy, is in your possession.

Jay Gilbert  
 Lancaster  
 VNVKVI

Digitally signed by Jay Gilbert Lancaster  
 VNVKVI  
 DN: c=CA, cn=Jay Gilbert Lancaster  
 VNVKVI, o=Lawyer, ou=Verify ID at  
 www.juricert.com/LKUP.cfm?id=VNVKVI  
 Date: 2017.03.10 11:49:21 -08'00'

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Jay Lancaster, Barrister & Solicitor

YOUNG ANDERSON

1616 - 808 Nelson Street

Vancouver

BC V6Z 2H2

Phone: (604) 689-7400

File: 119-140

Document Fees: \$89.96

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

**026-432-374 LOT 33 DISTRICT LOT 282 CLAYOQUOT DISTRICT PLAN VIP79602**

3. APPLICATION FOR DEPOSIT OF:

PLAN TYPE

PLAN NUMBER

CONTROL NUMBER

NUMBER OF NEW  
 LOTS CREATED

Statutory Right of Way

EPP68569

148-245-0070

4. OWNER(S): (updated owner(s) name(s), occupation(s), postal address and postal code)

**SEE SCHEDULE**

5. ADDITIONAL INFORMATION:

**SCHEDULE**

PAGE 2 OF 2 PAGES

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION APPEARS ON THE FIRST PAGE.

**4. OWNER(S):**

DENNIS KAEICHELE, Farmer, and NECIA KAEICHELE, Registered Nurse  
P.O. Box 234, Merville, BC V0R 2M0  
as to an undivided 1/3 interest as joint tenants

DANE KAEICHELE, Provincial Snowboard Coach, and GABRIENE KAEICHELE, Civil Engineer,  
P.O. Box 234, Merville, BC V0R 2M0  
as to an undivided 1/3 interest as joint tenants

BLAKE RANDALL, Professional Poker Player  
P.O. Box 234, Merville, BC V0R 2M0  
as to an undivided 1/3 interest

**TITLE SEARCH PRINT**

File Reference: 119-140

Declared Value \$100000

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

VICTORIA

VICTORIA

**Title Number**

From Title Number

CA5112758

CA1009405

**Application Received**

2016-04-15

**Application Entered**

2016-05-03

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

DENNIS KAEICHELE, FARMER  
 NECIA KAEICHELE, REGISTERED NURSE  
 P.O. BOX 234  
 MERVILLE, BC  
 V0R 2M0

AS TO AN UNDIVIDED 1/3 INTEREST AS JOINT TENANTS

Registered Owner/Mailing Address:

DANE KAEICHELE, PROVINCIAL SNOWBOARD COACH  
 GABRIENE KAEICHELE, CIVIL ENGINEER  
 P.O. BOX 234  
 MERVILLE, BC  
 V0R 2M0

AS TO AN UNDIVIDED 1/3 INTEREST AS JOINT TENANTS

Registered Owner/Mailing Address:

BLAKE RANDALL, PROFESSIONAL POKER PLAYER  
 P.O. BOX 234  
 MERVILLE, BC  
 V0R 2M0

AS TO AN UNDIVIDED 1/3 INTEREST

**Taxation Authority**

PORT ALBERNI ASSESSMENT AREA  
 VILLAGE OF UCLUELET

**Description of Land**

Parcel Identifier:

026-432-374

Legal Description:

LOT 33 DISTRICT LOT 282 CLAYOQUOT DISTRICT PLAN VIP79602

**Legal Notations**

HERETO IS ANNEXED RESTRICTIVE COVENANT FA43686 OVER LOT 2, PLAN  
 VIP62019

**TITLE SEARCH PRINT**

File Reference: 119-140

Declared Value \$100000

**Charges, Liens and Interests**

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	EX119907
Registration Date and Time:	2005-09-20 11:26
Registered Owner:	DISTRICT OF UCLUELET
Remarks:	INTER ALIA CANCELLED AS TO ALL EXCEPT THAT PART IN PLAN VIP83875 BY FB107538

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	CA5864650
Registration Date and Time:	2017-03-10 11:55
Registered Owner:	DISTRICT OF UCLUELET
Remarks:	PART IN PLAN EPP68569

**Duplicate Indefeasible Title** NONE OUTSTANDING

**Transfers** NONE

**Pending Applications** NONE

PARCEL INFORMATION & MISCELLANEOUS NOTES PRINT

File Reference: 119-140

PARCEL IDENTIFIER (PID): 026-432-374

SHORT LEGAL DESCRIPTION:S/VIP79602/////33

MARG:

TAXATION AUTHORITY:

- 1 PORT ALBERNI ASSESSMENT AREA
- 2 VILLAGE OF UCLUELET

FULL LEGAL DESCRIPTION: CURRENT

LOT 33 DISTRICT LOT 282 CLAYOQUOT DISTRICT PLAN VIP79602

MISCELLANEOUS NOTES:

PLAN 2693 RW  
VIP83875 SRW

ASSOCIATED PLAN NUMBERS:

RIGHT OF WAY PLAN VIP2693RW  
SUBDIVISION PLAN VIP79602  
STATUTORY RIGHT OF WAY PLAN VIP83875  
STATUTORY RIGHT OF WAY PLAN EPP68569

AFB/IFB: MN: Y PE: 0 SL: 1 TI: 1

SURVEY PLAN CERTIFICATION  
PROVINCE OF BRITISH COLUMBIA 0901

PAGE 1 OF 2 PAGES

By incorporating your electronic signature into this form you are also incorporating your electronic signature into the attached plan and you  
(a) represent that you are a subscriber and that you have incorporated your electronic signature to the attached electronic plan in accordance with section 168.73 (3) of the Land Title Act, RSBC 1996 c.250; and  
(b) certify the matters set out in section 168.73 (4) of the Land Title Act,  
Each term used in this representation and certification is to be given the meaning ascribed to it in part 10.1 of the Land Title Act.

Tyson  
Quocksister  
X19FKC  
Digitally signed by Tyson Quocksister  
X19FKC  
DN: c=CA, cn=Tyson Quocksister  
X19FKC, o=BC Land Surveyor,  
ou=Verify ID at www.juricert.com/  
LKUP.cfm?id=X19FKC  
Date: 2016.12.22 15:41:10 -08'00'

1. BC LAND SURVEYOR: (Name, address, phone number)

Tyson Quocksister, BSc. Eng, B.C.L.S.  
McElhanney Associates Land Surveying Ltd  
1-1351 Estevan Road  
Nanaimo BC V9S 3Y3

Office: 250-716-3336  
Fax: 250-716-3339  
Cel: 250-616-1699

Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: 148-245-0070

Plan Number: EPP68569

This original plan number assignment was done under Commission #: 901

LTO Document Reference: CA5864649

3. CERTIFICATION:

Form 9  Explanatory Plan  Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on: 2016 December 14 (YYYY/Month/DD) The checklist was filed under ECR#: 194583  
The plan was completed and checked on: 2016 December 22 (YYYY/Month/DD)

None  Strata Form S

None  Strata Form U1  Strata Form U1/U2

Arterial Highway

4. ALTERATION:

# SRW PLAN VIP 79602

OF THE LAND TITLE ACT.

DATUM.....NAD83 (CSRS) 3.0.0.BC.1.NVI  
 UTM ZONE.....10  
 UTM NORTHING.....5424372.520  
 UTM EASTING.....312800.845  
 POINT COMBINED FACTOR.....1.0000313  
 ESTIMATED HORIZONTAL POSITIONAL ACCURACY....0.01m

50 m

LINEALS THEREOF

1:15432 mm IN

WHEN PLOTTED AT

VIP 8540  
 3.39'04"  
 198.161

DIFFERENTIAL DUAL FREQUENCY

REF TO THE CENTRAL MERIDIAN

IDE

ED HORIZONTAL POSITIONAL

COMBINED FREQUENCY GNSS

CONTROL STATIONS 'TFNO' AND

ND LEVEL DISTANCES, UNLESS

RID DISTANCES, MULTIPLY

VE RANGE COMBINED FACTOR OF

FACTOR HAS BEEN DETERMINED

1.003.07 METRES.

TION  
ST

PLAN

BEARING DERIVATION

8

## RAINFORREST DRIVE

## DISTRICT LOT 282

SRW PLAN VIP 83875  
105°06'35"  
34.794

SRW AREA = 235.3 m<sup>2</sup>

33

PLAN VIP 79602

SRW PLAN VIP 83875

38"

10'

61.433

4.844

9.9

111°34'14"  
12.778

13°51'24"  
13.269

6°22'54"  
13.553

64.481

1°59'08"  
37.168

1.000

175°50'58"  
136.254

1°00'00"  
1.619

1.....NAD83 (CSRS) 3.0.0.BC.1.NVI  
 ONE.....10  
 ORTHING.....5424174.755



**DISTRICT OF UCLUELET****Bylaw No. 1203, 2016**

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

---

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

**AND WHEREAS** the owner of Lot 33, District Lot 282, Clayoquot District, Plan VIP79602 (the "**Lands**"), generally as shown highlighted in black on the Schedule 'A' attached to and forming part of this bylaw, has applied to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013 ("**Zoning Bylaw**") in order to remove the commercial and mixed commercial/ residential uses from the Lands and rezone the lands to R-2 Medium Density Residential.

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

1. Section CD-3A.1. 4 of the Zoning Bylaw is amended by deleting the Lot "33" reference for the Lands from the short legal descriptions along with consequential amendments, such that those subsections of the Zoning Bylaw read as follows:

"CD-3A.1.4 The following uses are permitted on Lot 19, all of Plan VIP79602, in the areas of the CD-3 Zone Plan labeled "Commercial/ Residential", but secondary permitted uses are only permitted in conjunction with a principal permitted use:

- (1) Principal:
  - (a) Office
  - (b) *Retail*
  - (c) *Personal Services*
  - (d) *Daycare Centre*
  - (e) *Commercial Entertainment*
  - (f) *Recreational Services*
  - (g) *Community Use*
- (2) Secondary:
  - (a) Mixed Commercial/Residential
  - (b) Mixed Commercial/Resort Condo"

2. Section CD-3A.3(4)(b) of the Zoning Bylaw is amended by deleting the 6 dwelling units assigned to the Lands as the "*Dwelling Unit* component of Mixed Commercial/Residential & Mixed Commercial/Resort Condo combined:" density, and replacing with a parenthetical annotation such that the subsection reads as follows:

<b>"CD-3A.3</b>	<b>Density:</b>	
CD-3A.3.1	Maximum Number:	
(1)	Single Family Dwelling:	1 per lot
(2)	Duplex Dwelling:	1 per lot
(3)	Multiple Family Residential:	20 dwelling units per lot

(4) *Dwelling Unit* component of Mixed Commercial/Residential & Mixed Commercial/Resort Condo combined:

- (a) 6 dwelling units on Lot 19, Plan VIP79602
- (b) [Deleted by Zoning Amendment Bylaw No. 1188, 2016]
- (c) [Deleted by Zoning Amendment Bylaw No. 1203, 2016]
- (d) [Deleted by Zoning Amendment Bylaw No. 1180, 2015]

3. Section CD-3A.4.1(1)(b) of the Zoning Bylaw is amended by deleting the maximum size (gross floor area) assigned to the Lands, and replacing with a parenthetical annotation such that the subsection reads as follows:

**“CD-3A.4 Maximum Size (Gross Floor Area):**

CD-3A.4.1 Principal Building:

- (1) Mixed Commercial/Residential & Mixed Commercial/Resort Condo:
  - (a) 557.4 m2 (6,000 ft2) gross floor area combined on Lot 19, Plan VIP79602;
  - (b) [Deleted by Zoning Amendment Bylaw No. 1188, 2016]
  - (c) [Deleted by Zoning Amendment Bylaw No. 1203, 2016]
  - (d) [Deleted by Zoning Amendment Bylaw No. 1180, 2015]

4. The Zoning Map and the CD-3 Zone Plan of the Zoning Bylaw be updated accordingly.

5. This bylaw may be cited as “Zoning Amendment Bylaw No. 1203, 2016”.

**READ A FIRST TIME** this 12th day of July, 2016.

**READ A SECOND TIME** this 12th day of July, 2016.

**PUBLIC HEARING** this 9th day of August, 2016.

**READ A THIRD TIME** this 9th day of August, 2016.

**ADOPTED** this    day of    , 2016.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1203, 2016.”

---

Mayor  
Dianne St. Jacques

---

CAO  
Andrew Yeates

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

---

CAO  
Andrew Yeates







## STAFF REPORT TO COUNCIL

Council Meeting: MARCH 28TH, 2017

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**FOLIO NO:** 180.635 **REF NO:** RZ17-01 **FILE NO:** 3360-20

**SUBJECT:** TO AMEND ZONING BYLAW NO.1160, 2013 BY REMOVING LOT: 45 PLAN: VIP86134 DISTRICT: 09 FROM CD-5C SUBZONE SINGLE FAMILY DWELLING RESIDENTIAL AND PLACE IT IN CD-5C SUBZONE PARK.

### RECOMMENDATION(S):

That Council consider approval of one of the following options:

1. **THAT** Zoning Amendment Bylaw No. 1214, 2017 be Fourth Reading and Final Reading.

**OR**

2. **THAT** Zoning Amendment Bylaw No. 1214, 2017 be considered and determined not to proceed further.

### DESIRED OUTCOME:

That Zoning Amendment Bylaw No. 1214, 2017 be given Fourth Reading and Final Reading.

### SUMMARY:

Lot: 45 Plan: VIP86134 District: 09 (1813 Cedar Grove Place) is in the process of being transferred to the District of Ucluelet for the purpose of a Community Park. This Rezoning is necessary to reflect that use. As per Section 464 (2) of the Local Government Act the public hearing is being waived for the rezoning of this property.

Respectfully submitted:

John Towgood, Planning 1

Andrew Yeates, CAO



**DISTRICT OF UCLUELET**  
**Bylaw No. 1214, 2017**

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

---

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

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

1. THAT the property with legal description of P.I.D. 027-784-771, Lot: 45, Plan: VIP86134, District: 09, generally as shown highlighted in black on the Schedule 'A' attached to and forming part of this bylaw, be rezoned from CD-5C.1.1 – Single Family Residential to CD5C.1.4 - Park and the Text and Zoning Maps of the District of Ucluelet Zoning Bylaw No. 1160, 2013 be amended accordingly.
  
2. This bylaw may be cited as "Zoning Amendment Bylaw No. 1214, 2017".

**READ A FIRST TIME** this 14th day of March, 2017.

**READ A SECOND TIME** this 14th day of March, 2017.

**PUBLIC HEARING WAIVED** pursuant to Section 464 (2) of the *Local Government Act*.

**READ A THIRD TIME** this 14th day of March, 2017.

**ADOPTED** this    day of                    , 2017.

**CERTIFIED A TRUE AND CORRECT COPY** of "District of Ucluelet Zoning Amendment Bylaw No. 1214, 2017."

\_\_\_\_\_  
Mayor  
Dianne St. Jacques

\_\_\_\_\_  
CAO  
Andrew Yeates

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

\_\_\_\_\_  
CAO  
Andrew Yeates

**SCHEDULE 'A'**  
**Bylaw No. 1214, 2017**

