



**REGULAR MEETING OF COUNCIL**  
**Tuesday, April 25, 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?it?ath First Nations on whose traditional territories the District of Ucluelet operates.	
3. ADDITIONS TO AGENDA	
4. ADOPTION OF MINUTES	
4.1. April 11, 2017 Regular Minutes <a href="#">2017-04-11 Regular Minutes</a>	5 - 14
5. UNFINISHED BUSINESS	
6. MAYOR'S ANNOUNCEMENTS	
7. PUBLIC INPUT, DELEGATIONS & PETITIONS	
7.1 Public Input	
7.2 Delegations	
8. CORRESPONDENCE	
8.1. Invitation re: Day of Mourning on April 28, 2017 United Steelworkers Local 1-85 <a href="#">C-1 Day of Mourning Invite</a>	15
8.2. Public Input re: St. Jacques Park Development Cary McPherson et. al. <a href="#">C-2 St. Jacques Park Development</a>	17 - 20
9. INFORMATION ITEMS	
9.1. Conserving Amphibian Habitats Wetland Stewards for Clayoquot & Barkley Sounds <a href="#">I-1 Amphibian Habitat Study</a>	21 - 24
10. COUNCIL COMMITTEE REPORTS	
10.1 Councillor Sally Mole <i>Deputy Mayor April – June</i>	
• Ucluelet & Area Child Care Society	

- Westcoast Community Resources Society
- Coastal Family Resource Coalition
- Food Bank on the Edge
- Recreation Commission
- Ucluelet Health Centre Working Group

=> *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
- Alberni-Clayoquot Regional District Board – Alternate

=> *Other Reports*

10.3 Councillor Mayco Noel  
*Deputy Mayor October – December*

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

- West Coast Committee
  - Airport Committee
  - Coastal Community Network
  - Groundfish Development Authority
  - DFO Fisheries Committees for Groundfish & Hake
  - Regional Fisheries Committees
  - Pacific Rim Arts Society
  - Whale Fest Committees
  - Ucluelet Health Centre Working Group
- => *Other Reports*

## 11. REPORTS

- |       |  |         |
|-------|--|---------|
| 11.1. | Expenditure Voucher G-08/17<br><i>Jeanette O'Connor, CFO</i><br><a href="#">R-1 Expenditure Voucher</a>                                      | 25 - 27 |
| 11.2. | Approval of Food Truck Business License and Development Variances<br><i>John Towgood, Planner 1</i><br><a href="#">R-2 Food Truck Report</a> | 29 - 42 |

## 12. LEGISLATION

- |       |  |         |
|-------|--|---------|
| 12.1. | <b>REPORT</b><br>Request to Rescind Third Reading - Zoning Amendment Bylaw No. 1216, 2017<br><i>John Towgood, Planner 1</i><br><a href="#">L-1 Zoning Amendment Bylaw Report</a> | 43 - 44 |
| 12.2. | <b>BYLAW</b><br>Bylaw No. 1216, 2017<br><a href="#">L-2 Bylaw No. 1216, 2017</a>   | 45 - 46 |

## 13. LATE ITEMS

- Late items will be addressed here as addenda items

## 14. NEW BUSINESS

## 15. QUESTION PERIOD

## 16. CLOSED SESSION

*Procedural Motion to Move In-Camera:*

THAT the meeting be closed to the public in order to address agenda items under Section 90(1) of the *Community Charter*.

## 17. ADJOURNMENT





issued a Development Permit to proceed, noting that the owner has already begun to build a road and entrance onto Peninsula.

- Mayor St. Jacques noted that if the zoning already allows for it, the owner was likely given permission to proceed, but that Mr. Towgood would confirm.

C. Liao provided Council with an overview of Wonderful International Travel Ltd.'s work to date to provide marina expansion on their water lot located in front of the Eagle's Nest; Ms. Liao noted that Council previously denied their application due to lack of information; Ms. Liao provided that the marina would be an open space to support recreational boaters, access by the public, and will consider the needs for habitat for marine animals; their process is 95% complete and was begun in 2014; Ms. Liao noted that the approval of Council is the final piece, and her delegation was open to Council's suggestions to improve their proposal so that they may move forward.

- Mayor St. Jacques thanked Ms. Liao for the presentation, noting that this is the first time Council is receiving this information, and that Council would like to invite her delegation and a representative of Ms. Liao's engineering firm to speak again at the next Council meeting.

## 8. CORRESPONDENCE

### 8.1 Request re: Potential for Ucluelet Harbour Seaplane Wharf Randy Hanna, Pacific Seaplanes

2017-117      **It was moved by Councillor Oliwa and seconded by Councillor Noel**  
*THAT Council receive correspondence item 8.1, "Potential for Ucluelet Harbour Seaplane Wharf", for discussion.*

CARRIED.

2017-118      **It was moved by Councillor McEwen and seconded by Councillor Oliwa**  
*THAT Council direct the Harbour Manager and Chief Financial Officer to bring forward a report with additional information on correspondence item 8.1, Pacific Seaplanes' request to use Ucluelet Harbour for flights.*

CARRIED.

## 9. INFORMATION ITEMS

### 9.1 Thank-You and Update on Infinitus Youth Concert West Coast Winter Music Series

2017-119      **It was moved by Councillor McEwen and seconded by Councillor Mole**

*THAT Council receive information item 9.1, "Infinitus Youth Concert", for information.*

CARRIED.

**9.2 Japanese Canadian Historic Places in British Columbia  
Ministry of Forests, Lands and Natural Resource Operations**

2017-120

**It was moved by Councillor McEwen and seconded by Councillor Noel**

*THAT Council direct staff to send a letter to the Ucluelet & Area Historical Society congratulating them on their successful proposal under the Japanese Canadian Historic Places in British Columbia project.*

CARRIED.

**10. COUNCIL COMMITTEE REPORTS**

10.1 Councillor Sally Mole  
*Deputy Mayor April – June*

=> **Other Reports**

- Last week was the film screening of "Us and Them". Bringing the film to Ucluelet was a collaboration between Clayoquot Biosphere Trust, Coastal Family Resource Coalition, District of Ucluelet and the Westcoast Community Resources Society. There was a great turnout for the film and great discussion post screening. The filmmaker was in attendance for the Ucluelet screening and will be going to Ottawa to show it to Members of Parliament. Ucluelet is looking to bring the filmmaker back again in May.

10.2 Councillor Marilyn McEwen  
*Deputy Mayor July – September*

**West Coast Multiplex Society**

- Met on April 3, 2017. Discussed the next stage of the potential build - 3 architectural firms put in proposals for ice arena designs. The 3 proposals will go to a committee on April 13, 2017 in Tofino (committee comprised of the 2 Mayors, 2 people from the Society and 2 First Nations representatives) who will receive a 45 min presentation of each proposal. At the end, the committee will make a recommendation that will go to the ACRD on April 25, 2017. The successful proponent will have their design ready by September; afterwards, a Vancouver Island

University survey will go out to stakeholders to determine if people still want the multiplex.

- The Society's tournament will be September 16, 2017. The Society is sending a representative to the next pool society meeting in Tofino to discuss partnership, as phase 2 of Multiplex is a swimming pool.

### **Ucluelet & Area Historical Society**

- AGM was held April 9, 2017. The guest speaker was Robin Fells, who built the original Wickaninnish Inn in the Pacific Rim Park; 50 people were in attendance, and many had worked at the original Inn. Afterwards, the Election of Officers was held with 7 of previous 8 returning (waiting to hear on 8th person). Paige Martin & Craig Louie won the raffle draw for Mark Hobson & Roy Vickers prints.
- Regular meeting held April 10, 2017; there will not be a Heritage Fair this year at the Elementary school, as Christine Brice - who oversaw the event in past years - is now in a part-time position. The Mother's Day plant sale will be May 13, 2017 at 11am at UAC hall. The salvager for the Canadian Princess has offered further pieces of the ship to the Society. The Society is very excited to hear the news that Tofino / Ucluelet were chosen for the Japanese Heritage recognition project.

### **Wild Pacific Trail Society**

- Met April 5, 2017. The AGM will be held on May 6, 2017, and will begin at Inspiration Point at 2 pm to officially open the lookout; there will then be a 3pm reception at Black Rock, and the meeting will begin at 3:30pm.
- The He-Tin-Kis connector will be paved shortly; the society spoke to Abby about also paving two aprons at the whale parking lot (entrance/exit).
- BC Arts Council is having a conference at the end of April, and the Society agreed to lead a walk for them on April 29, 2017 from 7-8am.
- Society noted that the accessible parking spots at the lighthouse need re-application of paint; Clr. McEwen will look into determining who the appropriate contact is for this request. Someone stole the life ring at lighthouse for a second time; there is a sign there explaining how dangerous the water is and why the life ring is there; society will replace it this time.
- Gord Johns announced that the society was successful in their application for funding for a trail ambassador. The

ambassador will work 450 hrs total - worth about \$5000 and the society will put up the remaining \$2300 to cover the entire salary.

- The Clayoquot Biosphere Trust confirmed that the Society will also receive full funding for their Bog Interpretive Signs project, totalling \$7500. Botanist Andy McKinnon is coming out in May with 20 students to identify 9 locations for interpretive signs.

=> **Other Reports**

- Attended the Association of Vancouver Island Coastal Communities (AVICC) last weekend

10.3 Councillor Mayco Noel

*Deputy Mayor October – December*

**Tourism Ucluelet**

- Group arranging to meet with their stakeholders (i.e. those who collect the 2% hotel tax) on April 25, 2017 (6:30pm-8:30pm) and April 26, 2017 (11am-1pm).
- Met April 11, 2017. Website is receiving a good number of hits, with visitors averaging 4 minutes on the site per visit.
- Tourism Ucluelet is touching up the Pacific Rim Visitor Centre (PRVC) website to keep it working and linking through to their website. Discussed having hotels and motels communicate their vacancies maybe twice a day to the PRVC, who can then share that information with visitors. It could be tied in with whale watching too, regarding seat availability. PRVC is open 7 days a week, 10am-5pm.
- The new Tourism Ucluelet tent with both Tourism Ucluelet and the District of Ucluelet logo is ready. They will be erecting it first in the Public Works yard to test it out; it will eventually move around town. The umbrellas have also arrived.
- Using a grant from Island Coastal Economic Trust, a new website is coming up that will show trail networks, including the Wild Pacific Trail and the West Coast Trail.

=> **Other Reports**

- Council held a Committee of the Whole meeting last week with builders; was a small turnout but builders had a solid message.

10.4 Councillor Randy Oliwa  
*Deputy Mayor January – March*

=> **Other Reports**

- Attended Association of Vancouver Island Coastal Communities last weekend. Was a great opportunity to hear and vote on resolutions, to network, to get up to speed on current legislation, and to take in educational sessions. Met with delegates from Port Alberni and the discussion turned to schools, with idea that both Councils get together to apply for C2C funding. Also met with Island Health and other Ministers, though many were not there due to elections.

10.5 Mayor Dianne St. Jacques

**Alberni-Clayoquot Regional District**

- Attended Committee of the Whole meeting, with Ministry of Transportation in attendance - Mike Pearson and Erik Lachmuth. Discussion included the maintenance contract for Alberni-Clayoquot Regional District, as the current contract with Emcon expires in September 2018. ACRD will be looking for input from community groups and the District.
- Also discussed the upcoming work on Kennedy Lake hill; will be lots of blasting, and ACRD is requesting consideration of a viewpoint where visitors could pull over.

**West Coast Committee**

- Committee met last week. \$100,000 has been spent on clearing activities for aircraft safety at the airport. Telus Fibre has been installed at the airport. The airport also has an agreement with a skydiving company at the airport.
- Committee discussed the Traverse Trail connectors, and how both communities will build to meet the trail. The ACRD needs to create a "service" in order to construct a trail through their property. The existing bike path in Ucluelet is in the ACRD and maintained by the District. Council will direct District staff to locate the existing paperwork on file so that Council can review it, with the possibility of finding a way to extend the path under the existing agreement. If not, a new service will need to be created.

- Parks reported that 7km has been cleared from Radar Hill to Incinerator, but that they have stopped construction due to the Migratory Bird Act, and will start again in September.
- Work on Wickaninnish Road was to start this week; the road will be open this season, but one lane only.
- Parks is asking for a completion extension for the trail from April 2018 to September 2018 for paving.
- A transit study was commissioned with BC Transit on behalf of the West Coast; the committee is contributing \$5000 for a Request for Proposals for the study.
- Committee also discussed west coast emergency planning, and each community has committed \$1000 toward a Coordinator for west coast emergency planning.
- Committee discussed a forthcoming cardboard ban at the landfill. There is still work to be done to inform Ucluelet businesses that this is being considered for as early as July 1, 2017. Committee has invited the ACRD to come out and share this information publicly.

=> **Other Reports**

- Tofino has successfully hired a new Building Inspector for the west coast; inspector will spend 2 days in Tofino and 2 days in Ucluelet each week. This will provide more opportunity for contractors to get their work done.
- Mayor St. Jacques attended the Mayors caucus at the AVICC convention; group discussed challenges on the costs municipalities face, and provided networking opportunity.

2017-121

**It was moved by Councillor Noel and seconded by Councillor Mole.**  
*THAT Council accept all committee reports.*

CARRIED.

## 11. REPORTS

### 11.1 Expenditure Voucher G-07/16 *Jeanette O'Connor, CFO*

2017-122

**It was moved by Councillor McEwen and seconded by Councillor Noel**  
*THAT Council receive Expenditure Voucher G-07/17 for information.*

CARRIED.

## 12. LEGISLATION

### 12.1 REPORT

**Zoning Amendment Bylaw No. 1216, 2017 - Three Readings**  
*John Towgood, Planner 1*

- 2017-123 **It was moved by Councillor McEwen and seconded by Councillor Noel**  
*THAT Council approve recommendation 1 of report item 12.1 "To Amend Zoning Bylaw No. 1160, 2013 by Rewording the Exception to Section 306.2 to Allow This Exception to Cover More than Master Development Agreement Associated with a Comprehensive Development (CD) Zone", which states:*
1. *THAT Zoning Amendment Bylaw No. 1216, 2017 be given First, Second and Third Reading.*

CARRIED.

**12.2 BYLAW****Zoning Amendment Bylaw No. 1216, 2017**

- 2017-124 **It was moved by Councillor McEwen and seconded by Councillor Oliwa**  
*THAT Council give First Reading to Zoning Amendment Bylaw No. 1216, 2017.*

CARRIED.

- 2017-125 **It was moved by Councillor Noel and seconded by Councillor Mole**  
*THAT Council give Second Reading to Zoning Amendment Bylaw No. 1216, 2017.*

CARRIED.

- 2017-126 **It was moved by Councillor McEwen and seconded by Councillor Mole**  
*THAT Council give Third Reading to Zoning Amendment Bylaw No. 1216, 2017.*

CARRIED.

**12.3 REPORT****Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017 -****Adoption*****Jeanette O'Connor, CFO***

- 2017-127 **It was moved by Councillor Mole and seconded by Councillor Noel**  
*THAT Council approve recommendation 1 of report item 12.3 "Ucluelet Fees and Charges Bylaw Amendment - Proposed Bylaw No. 1215, 2017", which states:*
1. *THAT Council gives Fourth Reading (and subsequent Adoption) to proposed District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017.*

CARRIED.

**12.4 BYLAW****District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017**

- 2017-128 **It was moved by Councillor McEwen and seconded by Councillor Oliwa**  
*THAT Council give Fourth Reading to District of Ucluelet Fees and Charges Amendment Bylaw No. 1215, 2017.*

CARRIED.

**13. LATE ITEMS****14. NEW BUSINESS****14.1 Councillor Oliwa**

- 2017-129            **It was moved by Councillor Oliwa and seconded by Councillor McEwen**  
*THAT Council direct staff to write a letter to Emcon Services Inc. requesting an update on Highway #4 road repairs following the winter season, with an accompanying timeline; AND THAT the letter be copied to Mike Pearson, operations manager with the Ministry of Transportation.*

CARRIED.

**14.2 Councillor Oliwa**

- Councillor Oliwa noted that a number of issues are currently taking place regarding schools, including that Port Alberni's new high school is already full and they are bringing in additional classrooms in the form of portables; Ucluelet's Elementary school has no Vice Principal, and is the only school in the area without one.

- 2017-130            **It was moved by Councillor Oliwa and seconded by Councillor Mole**  
*THAT Council approve applying for a Community-to-Community grant through the Union of British Columbia Municipalities for the purpose of meeting with Port Alberni City Council to discuss schools, medical marijuana dispensaries, and affordable housing issues.*

CARRIED.

**14.3 Councillor Noel**

- 2017-131            **It was moved by Councillor Noel and seconded by Councillor Mole**  
*THAT Council approve waiving all user fees for the 'All Candidates' meeting on April 26, 2017 at 7:00 pm at the Ucluelet Community Centre.*

CARRIED.

**14.4 Councillor Noel**

- 2017-132            **It was moved by Councillor Noel and seconded by Councillor Mole**  
*THAT Council direct staff to send a letter of support for the Ucluelet Chamber of Commerce's application to the BC Rural Dividend Fund for \$10,000.*

CARRIED.

- Councillor Mole requested that staff confirm its receipt of its \$10,000 Rural Dividend grant funding to ensure that it is not jeopardized by supporting the Chamber of Commerce.

**14.5 Councillor Noel**

- 2017-133            **It was moved by Councillor Noel and seconded by Councillor Oliwa**  
*THAT Council approve granting the Ucluelet Chamber of Commerce a sum of \$30,000 as transition funding for 2017.*

CARRIED.

- Councillors Noel and Oliwa expressed their support for the funding as a one-time grant to the Chamber of Commerce in their first year transitioning away from Visitor Services to purely Chamber of Commerce functions and activities.
- Councillor Mole expressed her concern in authorizing the funding prior to the public budget presentation.
- Mayor St. Jacques noted that the Chief Financial Officer approved the advance allotment of funding prior to the budget presentation.

#### 14.6 Councillor Noel

- Councillor Noel requested that staff confirm with the school whether the French Class has an application in for funding for this budget cycle.
- Mayor St. Jacques noted that Council would need to review, as the grants-in-aid discussed happened some time ago.
- Councillor Mole stated her belief was that Council did approve funding for a French trip.

### 15. QUESTION PERIOD

#### 15.1 Council received questions and comments from the audience regarding:

- Public review of the Chamber of Commerce budget and plan.
- Council consideration of relocating the wooden sign by the Barkley Café to a more conspicuous location.

### 16. CLOSED SESSION

### 17. ADJOURNMENT

17.1 Mayor St. Jacques adjourned the regular meeting at 8:40 pm.

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday, April 11, 2017 at 7:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

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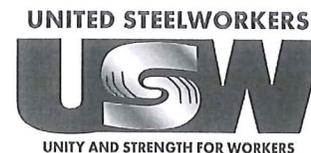
Dianne St. Jacques  
Mayor

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Jeanette O'Connor  
Interim CAO



District of Ucluelet  
 APRIL 25, 2017 CM  
 Filecode: 0400-20 USW  
 X-Ref:  
 Forwarded to: Council  
 Physical  Electronic



Local 1-85

# Day Of Mourning

## We invite you to attend:

On April 28, 2017, the United Steelworkers Local 1-85 will host a Day of Mourning Ceremony at the Steelworkers Hall at 4904 Montrose Street at 10:30 am (Doors Open at 10:00 am).

Day of Mourning Ceremonies have been held across the country ever since the Canadian Labour Congress initiated a National Day of Mourning Ceremony on April 28, 1984. The National Day of Remembrance offers an opportunity for us to honour co-workers, friends, and family who've lost their lives to workplace injury and disease, and to collectively renew the commitment to create safer workplaces in our province.

We invite you to join us in showing support for the Day of Mourning at our Ceremony. This year we have chosen the Ty Watson House as the local charity we would like to support. In lieu of flowers or a wreath we would ask that you make a donation to The Ty Watson House. There will be individual carnations at the ceremony to be laid at the cenotaph upon the completion of the ceremony.

**Date:** Friday April 28, 2017

**Time:** 10:00 am Doors Open

10:30 am Ceremony Starts

**Location:** 4904 Montrose Street, Port Alberni, BC

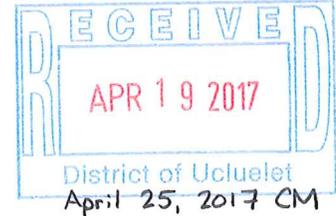
Yours truly,

Glen Cheetham, Financial Secretary  
 USW Local 1-85



To: Mayor St Jacques  
Councillor Oliwa  
Councillor Noel  
Councillor McEwen  
Councillor Mole  
Abby Fortune, Director of Parks and Recreation  
John Towgood, Planner

April 18, 2017  
Filecode: 6520-20 ST JACQUES PARK  
X-Ref: 0220-40 2017  
Forwarded to: Council, Abby, John  
! Physical [X] Electronic



Re: St Jacques Park Development

We appreciate the public discussion that has occurred thus far in relation to the St Jacques Park development and commend the District for this new and more consultative approach to development in our community. We, the undersigned, respectfully provide you with a document outlining our outstanding concerns and our recommendations relating to each concern.

While the meeting held on Feb 15, 2017 was an appreciated first step in the public consultation process, we look forward to continued public consultation and the commitment to build a park that meets the desired District and community objectives while being respectful of the concerns of affected property owners and residents of the area.

We look forward to our next meeting when these outstanding issues can be discussed and an appropriate resolution and agreement achieved so the project can advance.

Thank you,

Respectfully,

Carey McPherson  
David McPherson  
Shelly LaRose  
Bill Embury  
Malcolm Daly  
Sam Vandervalk  
Don Cornwell  
Robyn Cooley  
Hank Griffin  
Heather Griffin  
Maureen Harvey  
Jim Harvey

### Phase 1 Development of St Jacques Park

<i>Community Concerns</i>	<i>Recommendations</i>
Privacy for adjoining and nearby properties	Maintain the existing natural forest boundary between properties on St Jacques Blvd (North boundary) and properties on Rainforest Drive (West and South boundary) in perpetuity
Run off from the park which naturally slopes towards St Jacques Blvd	Maintain as much of the existing forest and undergrowth as possible to retain water during rainfall. Removal of this biomass will cause erosion issues on properties on St Jacques Blvd
Motorized vehicle traffic on existing trails and excessive speed by cyclists	Install staggered cycle barriers on existing trails to enforce controlled speeds and thereby increase pedestrian safety. Please see attached picture for an example
Drinking and partying on the existing adjoining trails continuing in the newly-created park	Situate the proposed accessible seating area (see attached drawing) in an existing naturally open area in the lower third of the park to allow for open sight lines from the parking area. This will allow the police to more easily monitor activity in the seating area.
Garbage on the existing trails	Provide garbage cans at the intersection of the existing trails and in the seating area.
Return currently paved and excavated areas to a natural state	Repatriate the area between the accessible sidewalk and the east boundary of lot 3 to native plantings
Speeding on St Jacques Blvd	Increase pedestrian safety by providing a 'pillow' crosswalk from the proposed sidewalk to the north side of St Jacques Blvd
Reduce impact on the existing forest	Situate the seating area in an existing open area in the park while preserving the 2 large shore pines in and near the area (see photo below). To selectively remove only the minimum trees required to the west of the seating area to maintain a sunny area while preserving the natural forest.
Trip hazards	Move proposed accessible sidewalk (see drawing attached) to the east to avoid having the three existing utility vaults buried in the sidewalk. These vaults present a serious trip hazard for persons with dementia, persons with reduced peripheral vision and those using walkers. In addition, if the vaults are within the sidewalk area,

	any access to them for work will disrupt pedestrian access to the park.
Lost tourists	Provide a “You are Here” map near the seating area with the park location noted







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

7 April 2017

Dear Mayor, Council and Staff:

I am writing to share information about amphibian breeding habitats that we have been monitoring within the District of Ucluelet. Our organization's mandate is to promote awareness and stewardship of wetland ecosystems and their connections to surrounding lands and waters. We focus on amphibians because they are fascinating creatures that play important roles in food webs within ponds and surrounding forests, they are sensitive to changes in the environment, and 55% of B.C.'s amphibian species are declining. The province has recommended several conservation approaches that begin with knowing where they occur on the landscape at the local level.

We have found two COSEWIC-listed<sup>1</sup> species and four other species of amphibians within the District of Ucluelet. The attached page provides photos of each of these species, information about where we have found them in the District, and concise statements about relevant recommendations from the *Guidelines for Amphibians and Reptile Conservation during Urban and Rural Land Development in British Columbia (2014)*. This document can be found in its entirety at the Ministry of Environment's website:  
<http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare/>

Key findings from our surveys in Ucluelet are:

- Annual counts of egg masses of the COSEWIC-listed Northern Red-legged Frog indicate a stable breeding population of up to 211 breeding females at the pond at the Ucluelet Aquifer. The District property at the Aquifer site provides ideal breeding habitat and is part of the complex of wetlands around the Junction that supports over 2500 female Red-legged Frogs that lay eggs. This number translates into a population of at least 5000 adult frogs, making the area a "hotspot" for this species in Canada. The province has recognized the importance of the area by protecting 19 ha of Crown land and installing a special culvert as an experimental underpass for frogs at the peak crossing point on Highway 4 northwest of the junction. Forest on the north side of Ucluelet's pond is important for providing frogs with habitat for foraging and shelter during the non-breeding season.
- No Northern Red-legged Frog egg masses have been found at the pond at Tugwell Fields since 2012 when we counted 11. Consequently, we suspect that the species has become locally extirpated. The disappearance is likely because the remnant forest around the pond is not big enough to sustain the population that was there before the industrial park and the soccer field were constructed. Northwestern Salamanders still breed in the pond

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<sup>1</sup> Listed by the Committee on the Status of Endangered Wildlife In Canada (COSEWIC)

but their numbers have dropped by an order of magnitude from over 280 to less than 30 since 2012. We suspect that Pacific Treefrogs still breed at the pond but we need to survey later this season to be certain.

- We found successful breeding activity by Pacific Treefrogs and Rough-skinned Newts at several sites within the spray zone above the intertidal, along the outer coast. These sites varied considerably in their salinity depending on weather conditions over the spring and summer and we were surprised to find amphibians in ponds with salinity up to 11 ppt (seawater is 35 ppt). We plan to learn more about the ecology of amphibians in these understudied habitats through further research this summer and we will share what we learn with the general public, local naturalists and interpreters at the Ucluelet Aquarium, Wild Pacific Trail Society, Central Westcoast Forest Society, Clayoquot Biosphere Trust, etc. In the meantime, we feel it is important to raise your awareness about the existence of amphibians in these areas so that recreational activities and housing and resort developments can be planned and managed in ways that will not alter or encroach upon these habitats.

We believe that conserving amphibian habitat within the District's landscape is worthwhile for people, as well as these species. Many of the habitat features that amphibians require add aesthetic and market value to communities, and control erosion and increase water storage capacity within watersheds. The presence of frogs and salamanders enhances the quality of life for many residents and visitors. Please be in touch if you would like more information about our survey work. We would appreciate feedback on whether this letter has provided useful information to you.

Sincerely,



Barb Beasley, PhD

Project Leader

Association of Wetland Stewards for Clayoquot & Barkley Sounds

P.O. Box 927, Ucluelet, B.C. V0R 3A0

Email: [wetlandstewards@gmail.com](mailto:wetlandstewards@gmail.com)

Phone: 250-726-2536

[www.splatfrotunnel.blogspot.ca](http://www.splatfrotunnel.blogspot.ca)

<https://www.facebook.com/wetland.stewards/>

## Conserving the Amphibians of Ucluelet



### Northern Red-legged Frog \*

Breeds in the seasonal pond at the Ucluelet Aquifer site at the Junction. Migrates up to 5 km through forests. There have been no records in town since 2012 at Tugwell Field.

*Protect aquatic breeding sites from development and human disturbance. Maintain connections between ponds through forested habitat.*



### Northwestern Salamander

Breeds in the pond at Tugwell Field. Requires permanent water because its larvae take a year to develop before crawling onto land. Migrates 500 m into forest but some individuals never leave the water.

*Maintain riparian buffers, and avoid the use of pesticides and fertilizers near wetlands and other watercourses.*



### Pacific Treefrog (aka Pacific Chorus Frog)

Breeds in many ditches and ponds, including those at the Ucluelet Community Centre and Tugwell Field, and in numerous small pools within the spray zone all along the rocky outer coast. Some individuals migrate but others persist in small isolated forest patches.

*Restrict human access to breeding habitats by use of fencing, native plant hedgerows, signage, and leash laws. Discourage people from moving tadpoles between ponds to prevent the transfer of disease.*



### Rough-skinned Newt

Breeds in some small ponds within the spray zone along the rocky outer coast, including a few sites along the shoreline at Oceanwest and Wyndansea properties. Can migrate at least 500 m into forest.

*Avoid development close to breeding habitats. During construction of buildings and trails, maintain the natural hydrological regime of watercourses and seeps that feed/drain ponds, regardless of their size, flow rates, depth or duration.*



### Wandering Salamander \*

Breeds within moist cavities of decaying logs. Found under bark, logs, firewood and wooden porches in town at houses near patches of forest. Small home range. Rarely moves more than 100 m.

*Maintain forested green space with snags and fallen logs, especially large-diameter pieces in various stages of decay.*



### Western Red-backed Salamander

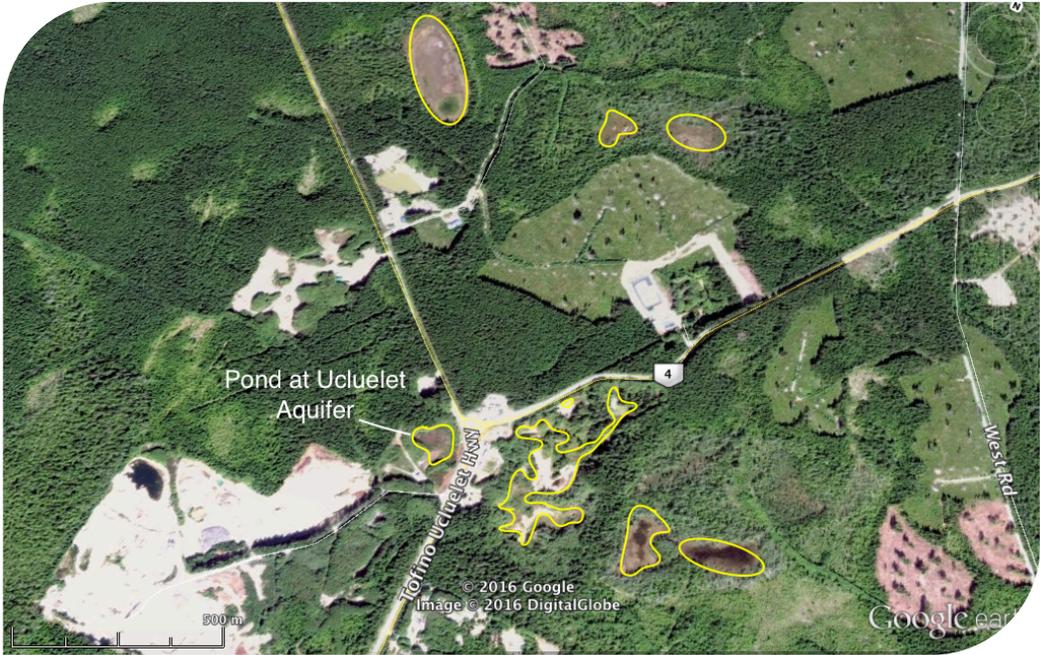
Breeds within moist cavities underground, under rocks, and under wood. Found under logs, piles of firewood, and downspouts at houses near patches of forest. Small home range.

*Maintain forested green space with fallen logs, talus, ferns, and moist leaf litter.*

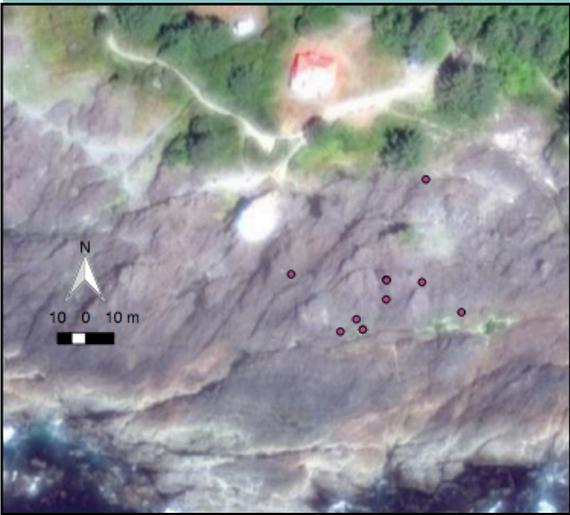
\* Designated a Species of Special Concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC)

Recommendations in italics are from the "Guidelines for Amphibian and Reptile Conservation during Urban and Rural Land Development in British Columbia (2014)"

Amphibian Breeding Sites in Ucluelet



Important breeding habitat for the Northern Red-legged Frog at the Ucluelet Aquifer site and around the Junction.



Sites where ponds in the spray zone were surveyed in 2016 for breeding Pacific Treefrogs and Rough-skinned Newts. Side map shows ponds at Amphitrite Point.

# District of Ucluelet Expenditure Voucher

**G-08/17**

**Date: April 18, 2017**

**Page: 1 of 3**

**CHEQUE LISTING:**

**AMOUNT**

Cheques: # 25574 - # 25610	\$	73,939.89
Cheques: #	\$	
Voided Cheques:	\$	

**PAYROLL:**

PR 08/17	\$	68,343.83
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	<u>\$</u>	<u><b>142,283.72</b></u>
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**RECEIVED FOR INFORMATION AT MEETING HELD:**

**April 11, 2017**

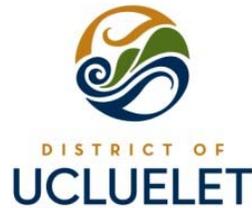
*Jeanette O'Connor, CFO*

Cheque #	Bank	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount	Void
025574	002	13/04/2017	ACE92	ACE COURIER SERVIC	14194377 14193151	DUNCAN ELECTRIC SHIPPING-ACRD	24.68 17.58		42.26	
025575	002	13/04/2017	AGS11	AGS BUSINESS SYSTE	19980	MAR/17	514.38		514.38	
025576	002	13/04/2017	AL001	ACKLANDS - GRAINGE	89587	BLADES/UTILITY KNI	118.68		118.68	
025577	002	13/04/2017	BC707	BC HYDRO	4005696	PROJECT NO.4005696	3,743.25		3,743.25	
025578	002	13/04/2017	BC888	BETTSM CONTROL INC	1000312	ANNUAL SCADA LICEN	3,716.21		3,716.21	
025579	002	13/04/2017	BWE65	B WEBSTER ENTERPRI	38	BREAKWATER-WATERLI	30,649.50		30,649.50	
025580	002	13/04/2017	CE004	CORPORATE EXPRESS	44071502 44084200	ENVELOPES/FILEGUID KEYBOARD/MOUSE/FOL	316.47 249.61		566.08	
025581	002	13/04/2017	CGISC	CGIS CENTRE	42856	MAY/17	699.54		699.54	
025582	002	13/04/2017	CK608	KASSLYN CONTRACTIN	D568	D568	1,659.84		1,659.84	
025583	002	13/04/2017	CUPE1	CUPE LOCAL #118	03/17	MAR/17	1,928.63		1,928.63	
025584	002	13/04/2017	DH151	DOBBIN HANNAH	121970	DOBBIN-KIDS YOGA	744.00		744.00	
025585	002	13/04/2017	HS002	HOGAN, SARAH	121972	HOGAN-DANCEFIT55	135.79		135.79	
025586	002	13/04/2017	IC173	IMERGE CONSULTING	UC20170317	RECORDS MNGMT PROG	7,525.80		7,525.80	
025587	002	13/04/2017	JI072	JUSTICE INSTITUTE	2803	FABFF COURSE	300.00		300.00	
025588	002	13/04/2017	M9355	MOLE SALLY	121980	MOLE-COALITION/TOF	45.36		45.36	
025589	002	13/04/2017	M9370	McEWEN MARILYN	121977	MCEWEN-AVICC/DAY 1	156.92		156.92	
025590	002	13/04/2017	MA952	MAXXAM ANALYTICS	VA1050703 VA1048563	WATER TESTING CODERS/GEL PACKS	94.50 157.50		252.00	
025591	002	13/04/2017	MS170	REVENUE SERVICES O	04/17	04/17	3,525.00		3,525.00	
025592	002	13/04/2017	MT004	MacKINNON TAMMI	121971	MACKINNON-DOGOBEDI	480.00		480.00	
025593	002	13/04/2017	NRG20	NRGWISE CONSULTING	UC11702	LABOUR RELATIONS-M	406.88		406.88	
025594	002	13/04/2017	O9310	OLIWA RANDY	121981	OLIWA-NTC REGIONAL	39.96		39.96	
025595	002	13/04/2017	PC285	PETTY CASH - BARBA	03A/17	03/17	188.75		188.75	
025596	002	13/04/2017	PGS93	PIN-GEL STEEL FABR	8612	SIGN FRAME-JUNCTIO	560.00		560.00	
025597	002	13/04/2017	RL068	RIVERA LYVIER	121973	RIVERA-DANCE	79.67		79.67	
025598	002	13/04/2017	S9372	ST JACQUES DIANNE	121978 121979	STJACQUES-AVICC/CA STJACQUES-MIN.LETN	198.92 735.38		934.30	
025599	002	13/04/2017	SE130	WESTERRA EQUIPMENT	255014415	BOBCAT-REPLACE BRU	583.83		583.83	
025600	002	13/04/2017	SF061	STEVENS FLICKERINE	121974	STEVENS-YOGA	88.35		88.35	
025601	002	13/04/2017	SI604	SHU IAN	121975	SHU-PURPLE DRAGON	3,535.20		3,535.20	
025602	002	13/04/2017	SJ004	S & J SERVICES	236774 236773 236777 236775 236776	MAR/17 JANITORIAL MAR/17 JANITORIAL MAR/17 JANITORIAL MAR/17 JANITORIAL MAR/17 JANITORIAL	138.60 1,386.00 651.00 315.00 315.00		2,805.60	
025603	002	13/04/2017	UC142	UCLUELET CONSUMER'	71857518 71858335 71857787 71857834 71858158 71859151 71856096	#14 BOBCAT #23 RANGER #12 BACKHOE WHITE RANGER FUEL CONTAINERS-PW #10 FORD #24 F150	67.00 73.22 79.94 70.19 163.81 123.34 116.13		984.32	

Cheque #	Bank	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount	Void
					71856063	#10 FORD	107.70			
					71857836	#5-4TON	37.71			
					71856007	#3-GMC	137.22			
					71858156	GENERATOR	8.06			
025604	002	13/04/2017	UC142	UCLUELET CONSUMER'	71860768	ENGINE 1	63.95		1,020.72	
					71864328	#23-RANGER	73.21			
					71863513	#24-F150	96.18			
					71864598	#2-CANYON	73.72			
					71860180	#4 CHEVY	157.89			
					71860126	#24 F150	130.72			
					71861618	RESCUE 1	60.69			
					71860786	ENGINE 2	89.13			
					71860454	#2 CANYON	80.51			
					71861889	#2-CANYON	52.01			
					71864278	#10-FORD	142.71			
025605	002	13/04/2017	UC142	UCLUELET CONSUMER'	71867086	#2-CANYON	81.73		878.81	
					71864631	#12-BACKHOE	38.48			
					CO1070882	LUNCH-STRATAPLAN 3	100.18			
					CO1082492	LIGHTBULBS-UAC	14.09			
					71865780	#1 CHEVY	134.95			
					CO1044636	DRAIN CLEANER-UCC	11.19			
					71867081	#9-GMC	100.19			
					71867668	#24-F150	142.25			
					71864805	#3-GMC	123.44			
					71867722	#23-RANGER	52.31			
					71867724	#4-CHEVY	80.00			
025606	002	13/04/2017	UC142	UCLUELET CONSUMER'	CO1094851	RESCUE 1	52.30		527.49	
					CO1097205	GENERATOR-JUNCTION	121.60			
					CO1097206	GENERATOR-HELEN	134.41			
					CO1092782	RUBBERMAID CANS	33.58			
					CO1099942	PERLITE/SOIL	79.04			
					CO1090175	SPRAY CANS	39.19			
					CO1090332	MILK/CREAM	13.76			
					CO1121953	BRUSHES/BOTTLES	12.18			
					CO1121870	PLASTIC BIN	41.43			
025607	002	13/04/2017	UR849	UCLUELET RENT-IT C	25608	MAR/17 TOILET CLEA	1,724.80		1,724.80	
025608	002	13/04/2017	UV146	UCLUELET VOLUNTEER	Q1/17	Q1/17	2,100.00		2,100.00	
025609	002	13/04/2017	WP166	WINDSOR PLYWOOD -	10050A	BLADE/DISCS-EDNA B	119.86		623.75	
					10048A	LUMBER/NAILS-LYCHE	48.01			
					12219A	BOLTS/WASHERS-AQUA	45.61			
					10241A	LUMBER-EDNA BACHEL	11.58			
					10444A	CEMENT-CEMETERY	53.75			
					10336A	KICKDOWNS/LIGHTBUL	57.88			
					10073A	FLURO BULBS/DUPLOC	176.23			
					11095A	PAINTERS TAPE/BRIS	32.97			
					10914A	SPRAY FOAM/RAT TRA	27.01			
					11383A	TAPE MEASURE	19.13			
					10283A	BREAKWATER CABINET	31.72			
025610	002	13/04/2017	WP166	WINDSOR PLYWOOD -	9676A	LUMBER-CEMETERY HE	12.90		53.22	
					9768A	DUPLICATE KEYS-FOR	20.16			
					9748A	DUPLICATE KEYS-FOR	20.16			
Total:							73,938.89	0.00	73,938.89	

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





## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 25<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  
APPENDIX B – LETTER AGAINST PROPOSAL

### RECOMMENDATION(S):

That Council considers approval of one of the following options:

1. **THAT** a Mobile Vendor business license and Development Permit 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 considered and denied.

### UPDATE

During the March 28<sup>th</sup> Regular Meeting of Council this application was tabled pending further information with regards to gathering input from the immediate neighbourhood on the proposal. Staff suggested that the applicant hold a public information meeting and to ensure that all neighbors within a 100 meter radius were aware of this meeting the District's Bylaw Officer hand delivered notices to those addresses. This information meeting was held on April 15<sup>th</sup> at 5pm in the Barkley Café. Eighteen people attended including three members of Council. The applicant put up a petition for the plaza project within the Barkley Café. This petition was labeled:

*"Proposal for a high end food truck to be located at the back of Davison plaza  
Authentic Mexican Cuisine – Great atmosphere – Beautiful Gardens  
Let's keep beautifying our downtown core"*

This petition gathered 156 signatures of support from what appears mostly local signatories. It should be noted that this petition was not monitored by staff.

The applicant has revised their concept by removing the fenced in port-a-pottie and leaving the washrooms to be a future item. The applicant added two fixed structures over the picnic tables as rain covers. They also propose to increase the fence height along Larch Road to 8' and extend the fence to cut off vehicle access to the property from Larch (**Figure 1, 2, 3 and 4**). It should be noted

that the proposed improvements will need to be completed before the issuance of the mobile vending business license.



Figure 1

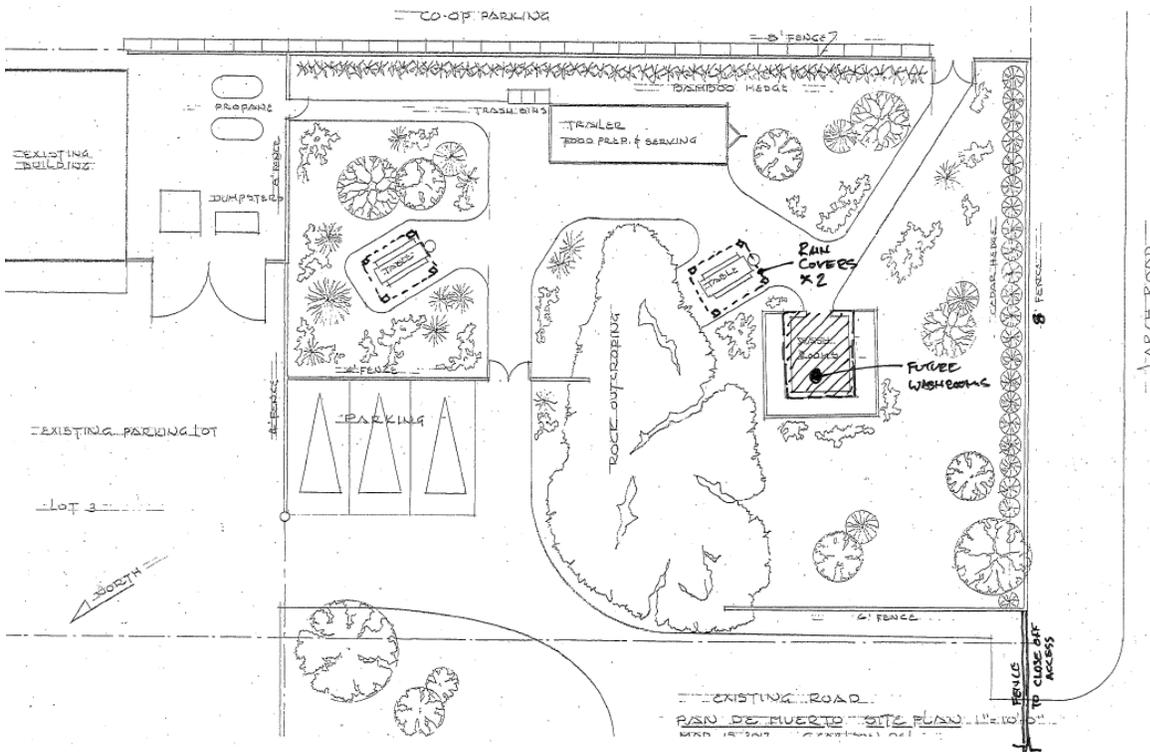


Figure 2

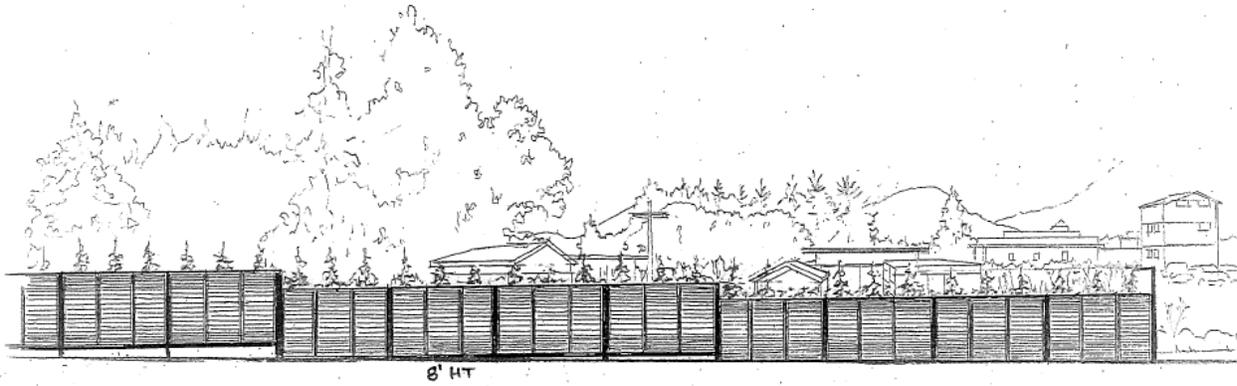


Figure 3

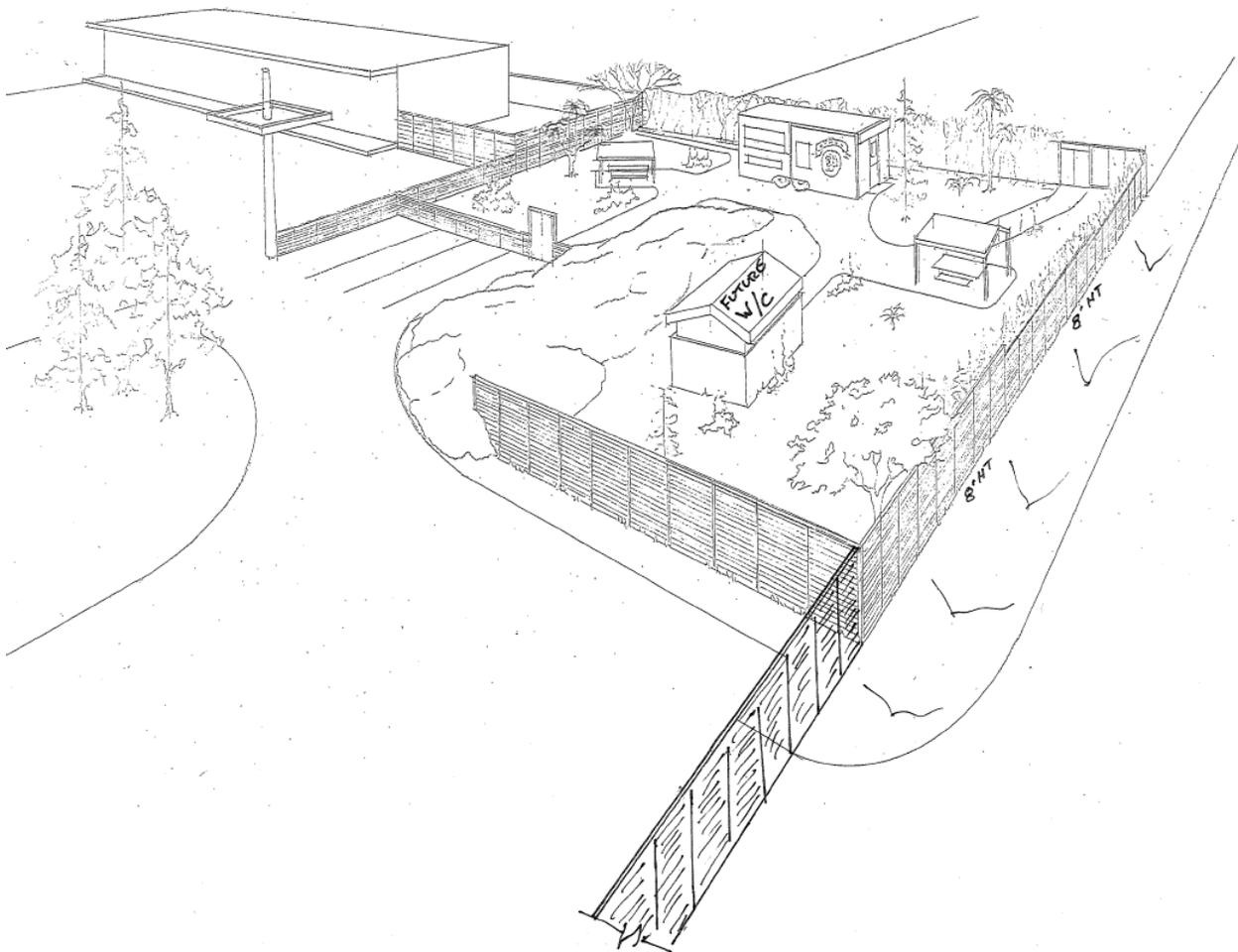


Figure 4

With the increased fence height staff looked at the commercial fencing requirements in greater detail. Upon review fencing is regulated for commercial only when it abuts residential. This application only abuts commercial properties and Larch Road. In the case of this proposal, fencing is considered landscaping and will not require a variance but should be considered in the context of

form and character within this Development Permit. Staff consider the longer higher fences now being proposed go counter to the aspects of the Official Community Plan (the “OCP”). The OCP guidelines encourage developments to strive to create openness and connections through open spaces or pathways. This proposal would seem to create a long featureless barrier wall on one side and a compound on the other. The OCP guidelines also indicate that extensive use of blank walls (defined as any linear run of wall without fenestration or variation in its vertical plane for a given length), regardless of the material used, must be avoided. The original concept had a shorter wall, both in height and length, that was especially open on end and did not have the impact compared to what is being proposed in this report. Staff would like to recognize that the applicant is responding to requests from some of the the neighbor’s to create a visual separation between the residential and the commercial uses. In this regard this fence may have that effect. The closing off of the Vehicle access has both benefits and drawbacks. The vehicular flow thru will no longer happen and more parking will be created with the drawbacks being that all traffic will now access from Peninsula Road only. Planning Staff consider that these paths through our long blocks are very important to the pedestrian permeability of our community and the applicant has stated that a pedestrian access will be provided.

The hard covers being proposed are entrenching the more sit down and eat setting and pushing the boundary of what a takeout vendor is meant to be. With the applicant pushing the construction of the bathroom outside this DP, the covered seating of this application further blurs the lines between a Mobile vending use and a restaurant use. The applicant does not address the pavement access that the new fence will cut off on Larch Road. The pavement will need to be removed up to the fence and the area will need to be landscaped.

A neighbourhood petition against this proposal was also received. This petition was labeled:

Petition not to allow a food truck to operate in the greenspace of Davison plaza and on the border of Larch Road.

*“Opposition to proposed food truck. I oppose the potential location of a food truck in the Davison Plaza green space. It is too close to residential homes and will bring additional noise, odor from portable toilets and food garbage, loitering afterhours, wildlife, spots lights, video camera, traffic to an already busy area with parking concerns. And we feel that there is a better location in town for this type of business.*

*Action petition for opposed food truck. We the undersigned, are concerned citizens who urge our leaders to act now to stop this potential food truck so close to residential homes.”*

This petition gathered 154 signatures of support from what appears mostly local signatories. It should be noted that this petition was not monitored by staff. Both petitions will be available for viewing at the district hall and Council will be forwarded copies.

## **MARCH 28<sup>TH</sup> REPORT**

### **BACKGROUND**

Planning Staff are in receipt of an application for a Mobile Vending License for 1636 Peninsula Road (**Figure 5**). 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. Staff have

grouped the two requirements for the approval of this application into this report and its recommendations.



Figure 5

#### **OVERVIEW OF DEVELOPMENT PROPOSAL:**

The Applicant is proposing to locate a Mobile Vending food truck towards the end of the subject property in an open area behind and to the south east of the existing mall building. The applicant is proposing to landscape and fence off the area.

#### **BUSINESS BYLAW:**

Mobile Vending is addressed in Section 16.1 of Ucluelet's Business bylaw:

##### **16.1 MOBILE VENDORS**

- a) All applicants for a Mobile Vendor license shall require Council approval prior to the issuance of a business license.
- b) The license inspector shall not issue a business license to a Mobile Vendor until the applicant has provided a copy of an insurance policy in the amount of two million dollars (\$2,000,000.00) for personal injury, death and property damages, as well as, if applicable, vehicle insurance. The liability insurance must contain a clause indemnifying the District of Ucluelet from liability in the event of injury or damage to any persons or property as a result of any activity of the business, including fees for solicitors and other professionals. The liability insurance must also contain a clause that the insurance cannot be terminated without a thirty-day notification of such to the District of Ucluelet.
- c) Mobile Vendor businesses must meet all Provincial food handling requirements, provide proof to the License Inspector of such approval and shall be in possession of a valid permit issued by the Provincial Authority having jurisdiction.

*d) Every vehicle used in the operation of a mobile vendor business shall be in good mechanical condition and shall have a dust-tight, well-lighted sanitary interior from which the business is to be carried out.*

*e) On Peninsula Road and Main Street only "off-street" vending will be permitted.*

*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.

### **OCP:**

The subject property 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 6** taken from the applicant’s proposal.

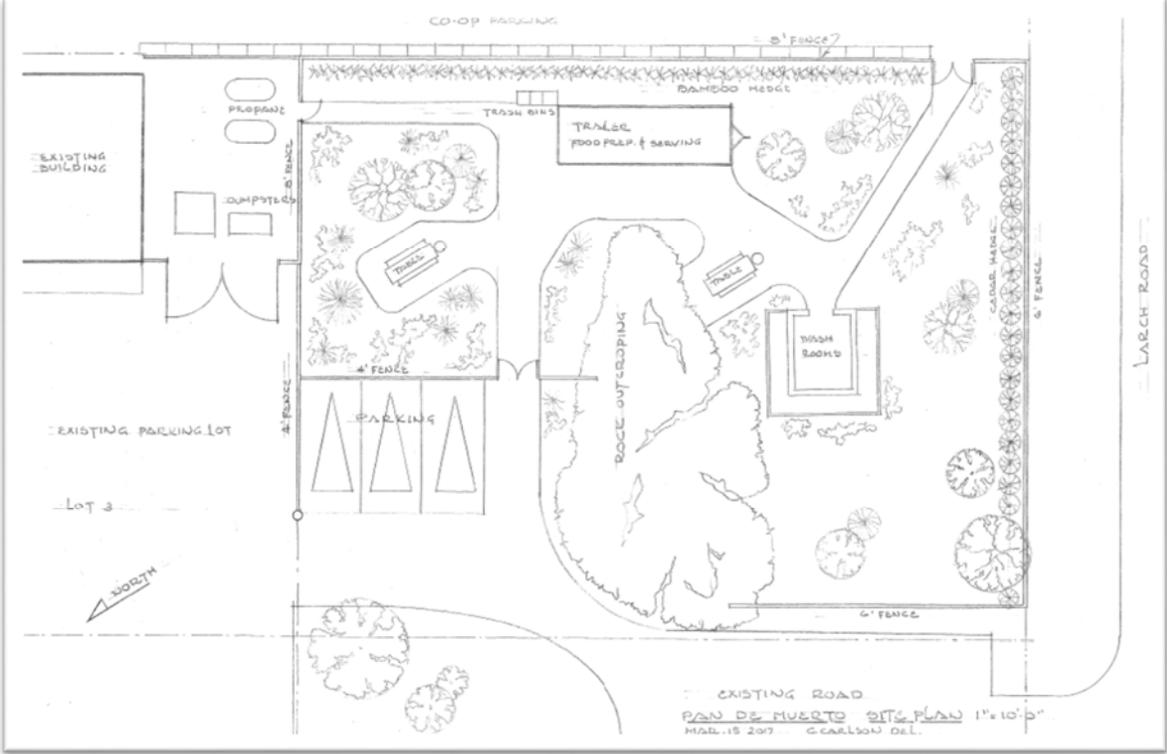


Figure 6

**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  
John Towgood, Planning 1

## 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.

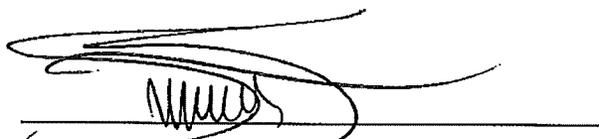
A fence will be built to enclose the trash bins at 1636 Peninsula Rd.

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.



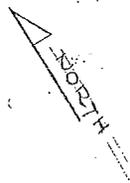
East Point Productions Inc. – The Tenant

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



AI Davison Ltd – The Landlord

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



Lot 3

EXISTING PARVULATOR

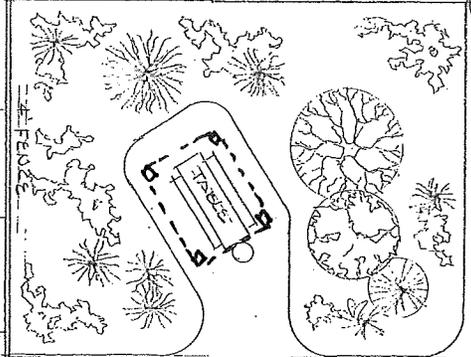
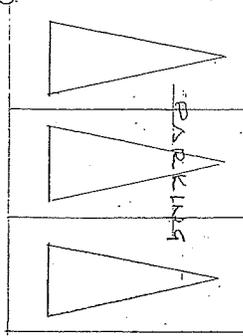
EXISTING BUILDING

TOILETS

PREP AREA

4' FENCE

4' FENCE



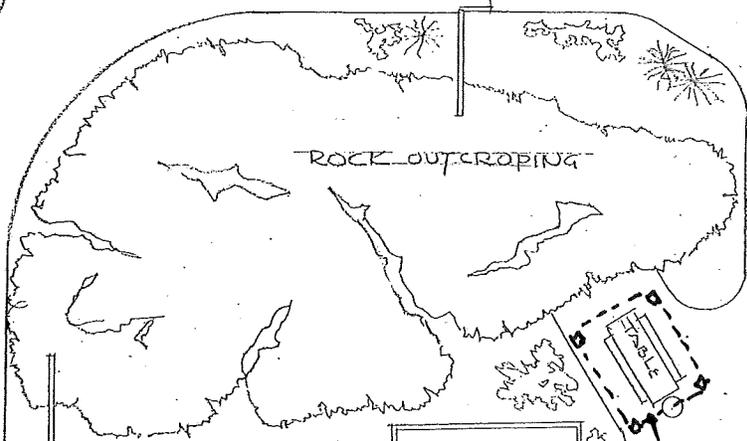
TRASH BINS

CO-OP PARKING

TRASHED FOOD PREP & SERVING

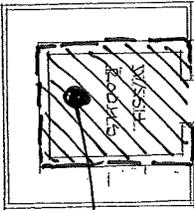
BARBECUE HEDGE

8' FENCE



TABLE

RAIN COVERS X 2



FUTURE WASH ROOMS

CEDAR HEDGE

8' FENCE

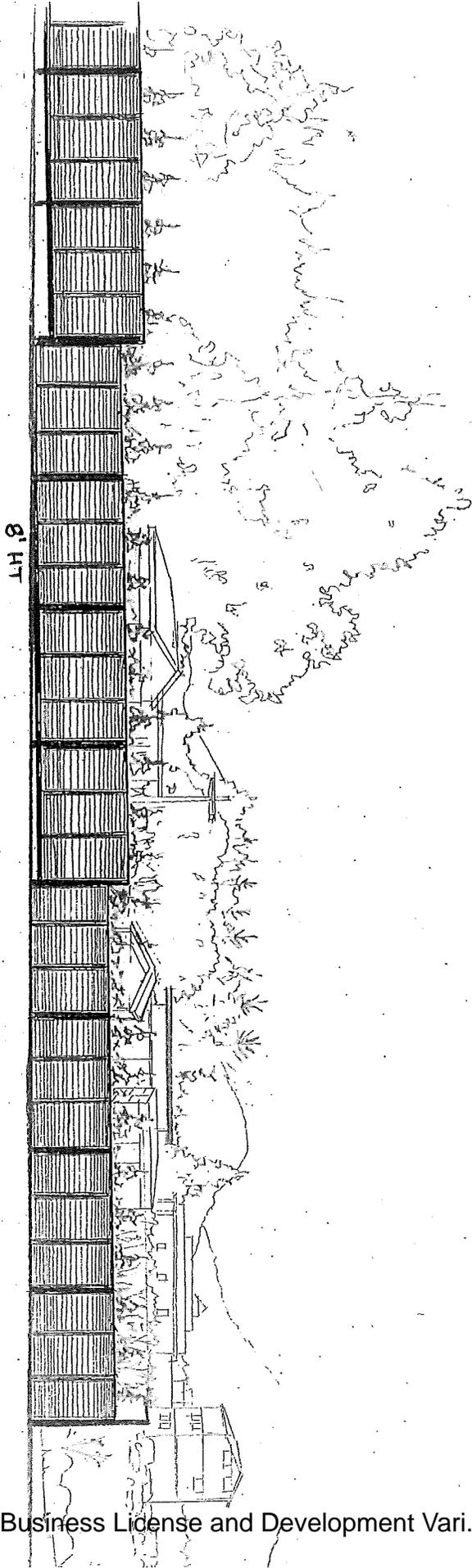
EXISTING ROAD

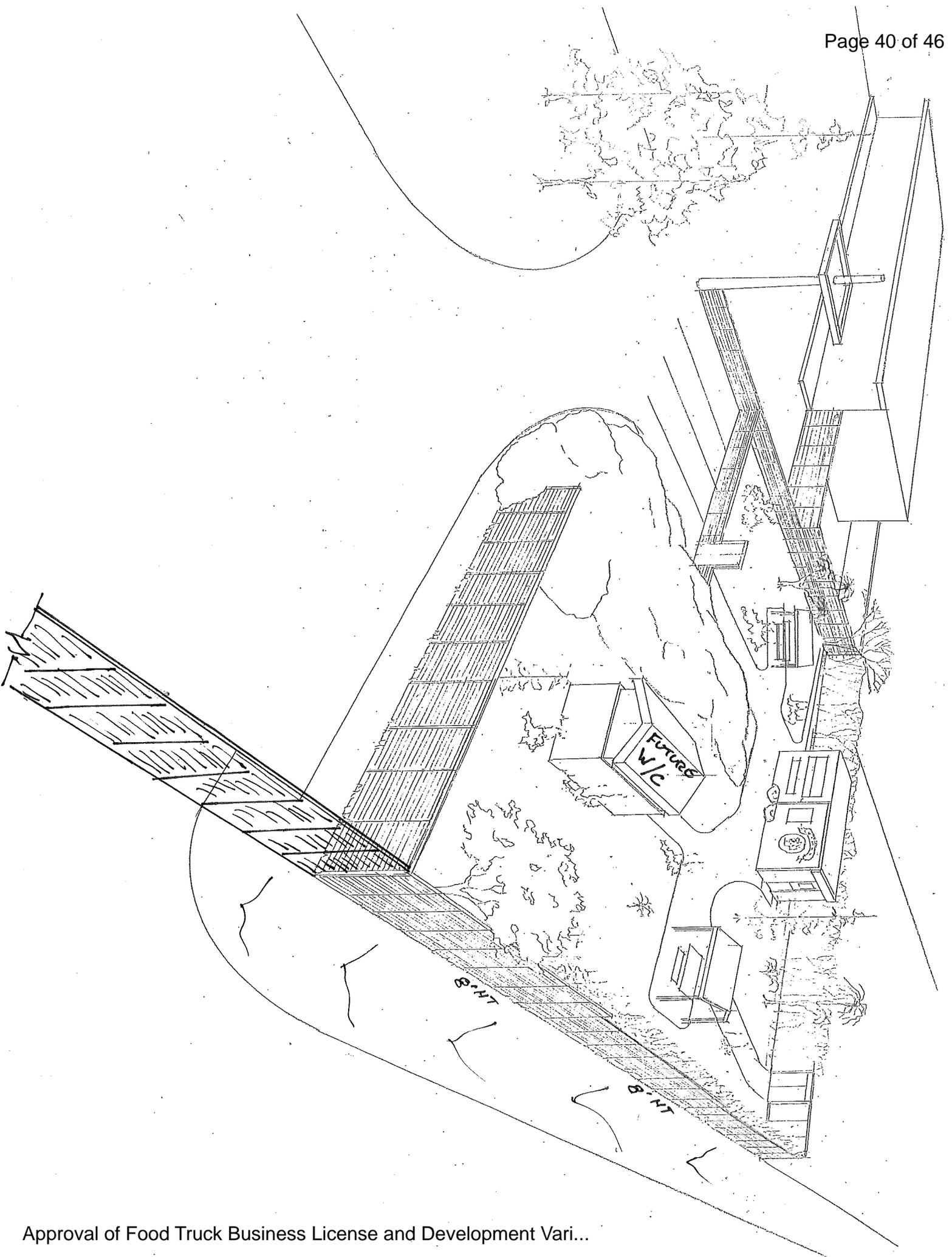
RAN DE HUERTO SITE PLAN WITH 15' 2017

6' FENCE

FENCE TO CLOSE OFF ACCESS

LARCH ROAD







## APPENDIX B

### PROPOSED FOOD TRUCK ON LARCH ROAD (DAVIDSON PLAZA)

A food truck has been proposed to operate on the empty lot on larch Rd side of Davidson Plaza approximately 50 feet from residential property. This brings many concerns for me such as

- Vehicle parking. With two entry points to the property one being off larch Rd and the coop parking lot this will invite people to park either on larch Rd or in the coop parking lot. I feel that the three additional parking stalls that is proposed will not be enough for this establishment.
- Transients and extra foot traffic coming and going past residential property would increase potential crime in the area.
- People Loitering after business hours. With picnic tables and portapotties I feel this will invite people to come hang out and drink ect.
- The smell that the extra garbage and portapotties will create. I don't think that anyone would want this outside their family homes
- The increase of crows and wild life that will be attracted to the area is a health and safety concern as the birds will be waiting on the electrical wires on the residential side of the street defaecating on our vehicles and property as they wait to swoop in.
- I am also concerned about the add noise and overall safety for my family and neighbourhood children from the add traffic

I feel that we have been left in the dark about this and have little time to get the proper information. I know that this is also a topic of concern with the coop grocery store and this is one of their topics they are discussing in tonight's board meeting. There is already an issue with people loitering and trying to steel we don't need to invite more to the residential area.

I have also include a list of signatures from my neighbours that also nave concerns regarding this site that was chosen for this type of business.

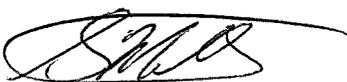
Thank you

Shaun Mills

1626 larch road

Ucluelet BC

250-726-3928





## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 25<sup>TH</sup>, 2017  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, PLANNER 1

**REF NO:** RZ17-02

**FILE NO:** 3360-20

**SUBJECT:** TO AMEND ZONING BYLAW NO.1160, 2013 BY REWORDING THE EXCEPTION TO SECTION 306.2 TO ALLOW THIS EXCEPTION TO COVER MORE THAN MASTER DEVELOPMENT AGREEMENT ASSOCIATED WITH A COMPREHENSIVE DEVELOPMENT (CD) ZONE

### **RECOMMENDATION(S):**

That Council consider approval of one of the following options:

1. **THAT** Zoning Amendment Bylaw No. 1216, 2017 have the Third Reading rescinded to allow for the required notification for waiving of a public hearing.

**OR**

2. **THAT** Zoning Amendment Bylaw No. 1216, 2017 be considered and determined not to proceed further.

### **DESIRED OUTCOME:**

That Zoning Amendment Bylaw No. 1216, 2017 be given Fourth and Final Reading.

### **UPDATE:**

Bylaw No.1216, 2017 was given First, Second and Third reading at the March 28<sup>th</sup> regular meeting of Council. Staff have noted that the Local Government Act requires notification prior to Third Reading for the waiving of a public Hearing. Staff are requesting a rescinding of the Third Reading to allow for the required notification period.

### **BACKGROUND:**

Bylaw No.1216, 2017 was given first, second and third reading at the March 28<sup>th</sup> regular meeting of Council. Staff have noted that the Local Government Act required notification Prior to Third Reading.

During the process of reviewing Bylaw No. 1160, 2013 planning added an exception clause that exempted properties with an s.219 Covenant registered as a condition of a Master Development Agreement associated with a Comprehensive Development (CD) Zone. The purpose of this exemption is to exempt a property from the natural boundary of the ocean and the natural boundary of any other natural watercourse or source of water supply, when an s.219 covenant is in place that guides riparian and natural boundary setbacks. This was done at the request of Weyerhaeuser for the Oceanwest properties which have relevant s.219 covenants in place. Planning

Staff have since noted that other subdivisions that are not part of a Master Development Agreement associated with a Comprehensive Development (CD) Zone have s.219 covenants in place that guide riparian and natural boundary setbacks. Currently staff require these properties to apply for a variance to relieve setback requirement in favour of the s.219 Covenant. The entire section of the zoning bylaw currently read as follows:

**306.2** *In addition to minimum setback requirements of other parts of this Bylaw:*

*(1) No building or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged within*

*(a) 7.5 m (25 ft) on the upland side of the natural boundary of the ocean,*

*(b) 30 m (98.5 ft) of the natural boundary of any other natural watercourse or source of water supply,*

*“except as expressly otherwise specified in a Zone, or a S.219 Covenant registered as a condition of a Master Development Agreement associated with a Comprehensive Development (CD) Zone.”*

Staff propose to modify the exception of this section as follows:

*“except as expressly otherwise specified in a Zone, or in a registered covenant under section 219 of the Land Title Act in favour of the District or the Province.”*

**OCP:**

The proposed change is consistent with the Official Community Plan.

**SUMMARY:**

Staff consider this change a fine tuning of Zoning Bylaw No.1160, 2013. That although there is no way for Planning Staff to review all of the s.219 covenants in place across Ucluelet, Staff have reviewed enough to be comfortable that this change should have no unforeseen effects. This change has also been reviewed by the District of Ucluelet’s legal representation. Since this change is in line with the Districts OCP, and there are no negative effects foreseen to property owners or the environment, Planning Staff are requesting to waive the Public Hearing.

**Respectfully submitted:**

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

**DISTRICT OF UCLUELET****Bylaw No. 1216, 2017**

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

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

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

1. THAT the Zoning Bylaw No. 1160, 2013 ("**Zoning Bylaw**") be amended by deleting the annotation at the bottom of Section 306.2 of the Zoning Bylaw and replacing it with an annotation such that this section reads as follows:

**306.2** In addition to minimum setback requirements of other parts of this Bylaw:

(1) No *building* or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged within

(a) 7.5 m (25 ft) on the upland side of the *natural boundary* of the ocean,

(b) 30 m (98.5 ft) of the *natural boundary* of any other natural *watercourse* or source of water supply,

except as expressly otherwise specified in a *Zone*, or in a registered covenant under section 219 of the Land Title Act in favour of the District or the Province.

2. This bylaw may be cited as "Zoning Amendment Bylaw No. 1216, 2017".

**READ A FIRST TIME** this 11th day of APRIL, 2017

**READ A SECOND TIME** this 11th day of APRIL, 2017

**PUBLIC HEARING WAIVED** in accordance with *Local Government Act* 464(2).

**READ A THIRD TIME** this 11th day of APRIL, 2017

**ADOPTED** this    day of    , 2017.

**CERTIFIED A TRUE AND CORRECT COPY** of "District of Ucluelet Zoning Amendment Bylaw No. 1216, 2017."

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

\_\_\_\_\_  
Interim CAO  
Jeanette O'Connor

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

\_\_\_\_\_  
CAO