



REGULAR MEETING OF COUNCIL
Tuesday, January 23, 2018 @ 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	
2.1. 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. December 12, 2017 Regular Minutes 2017-12-12 Regular Minutes	7 - 17
4.2. December 12, 2017 Late Minutes 2017-12-12 Late Minutes	19 - 20
5. UNFINISHED BUSINESS	
6. MAYOR'S ANNOUNCEMENTS	
7. PUBLIC INPUT, DELEGATIONS & PETITIONS	
7.1 Public Input	
7.2 Delegations	
• Lilly Woodbury - Chapter Manager & Jason Sam - Vice Chair, Surfrider Pacific Rim Re: Surfrider Pacific Rim's mission, accomplishments, and goals for 2018. D-1 Surfrider Delegation Form	21
• Chief Derek Peters & Chief Councillor Robert Dennis Sr., Huu-ay-aht First Nation Re: Development of the proposed LNG Project D-2 Huu-ay-aht First Nation Delegation	23
• Rick Shafer - Economic Development, Toquaht First Nation Re: Remediation at the Toquaht Bay Camp Ground and Marina D-3 Toquaht First Nation Delegation	25
• Samantha Hackett, West Coast Multiplex Society	27

Re: Multiplex Survey
[D-4 West Coast Multiplex Society](#)

8.	CORRESPONDENCE	
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8.2.	Request for Consideration on the Proposed Highway 4 Closures <i>Myrna Ratledge</i> C-2 Myrna Ratledge Letter	31 - 32
8.3.	Request to Consider Changes to Short Term Rental Procedures <i>Kerry Harwood</i> C-3 Kerry Harwood Letter	33
8.4.	Letter of Intent to Become a Cannabis Retailer <i>Andrew Hanson, Ucluelet Liquor Store</i> C-4 Andrew Hanson Letter	35
8.5.	Letters from Students to Mayor and Council <i>Ucluelet Secondary School Students</i> C-5 Letters from Students to Mayor and Council	37 - 46
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9.1.	Ocean Protection Plan - Maritime Awareness Information System (MAIS) Update Transport Canada, Pacific Region / Government of Canada I-1 Oceans Protection Plan	47 - 49
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10.	COUNCIL COMMITTEE REPORTS	
10.1	Councillor Sally Mole <i>Deputy Mayor April – June</i> <ul style="list-style-type: none"> • 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 => <i>Other Reports</i>	
10.2	Councillor Marilyn McEwen <i>Deputy Mayor July – September</i> <ul style="list-style-type: none"> • 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
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- Ucluelet Health Centre Working Group

=> *Other Reports*

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13. LATE ITEMS
14. NEW BUSINESS
15. QUESTION PERIOD
16. CLOSED SESSION

17. ADJOURNMENT

- 6.1 **Mayor St. Jacques advised this Council meeting was the last meeting of the year and wished everyone a happy Holiday Season.**

7. PUBLIC INPUT, DELEGATIONS & PETITIONS

7.1 Public Input

7.2 Delegations

8. CORRESPONDENCE

- 8.1 **Request for Support Re: Prevention of Quagga and Zebra Mussels District of Sicamous**

It was moved by Councillor McEwen and seconded by Councillor Oliwa

THAT Council direct staff to write a letter of support to the District of Sicamous for the Prevention of Quagga and Zebra Mussels using the template provided.

CARRIED.

- 8.2 **Health Hazards of "Smart Meters"
Peter B. Boulton**

It was moved by Councillor Mole and seconded by Councillor Oliwa

THAT Council receive correspondence item, "Health Hazards for Smart Meters" for discussion.

CARRIED.

It was moved by Councillor Mole and seconded by Councillor McEwen

THAT Council refer correspondence item, "Health Hazards of Smart Meters" to Staff, along with the previous referral regarding 5g.

CARRIED.

- 8.3 **Request for Support: West Coast Nest BC Rural Dividend Application
Rebecca Hurwitz, Clayoquot Biosphere Trust**

It was moved by Councillor Oliwa and seconded by Councillor McEwen

THAT Council receive correspondence item, "Request for Support: West Coast Nest BC Rural Dividend Application" for discussion.

CARRIED.

It was moved by Councillor Oliwa and seconded by Councillor McEwen

That Council direct Staff to write a letter of support to the Clayoquot Biosphere Trust for their application to the BC Rural Dividend Program so they may move forward with a two-year continuation of the West Coast Knowledge Economy.

CARRIED.

9. INFORMATION ITEMS

**9.1 BC Council of Forest Industries Announcement
BC Council of Forest Industries**

**9.2 Recreation Commission Minutes
Councillor Sally Mole**

It was moved by Councillor Mole and seconded by Councillor McEwen

THAT Council move information item, "Recreation Commission Minutes" to the budget process.

CARRIED.

**9.3 Service Canada Visit to the West Coast Communities
Service Canada - Government of Canada**

It was moved by Councillor McEwen and seconded by Councillor Noel

THAT Council receive information items, 9.1, 9.2 and 9.3 as a block.

CARRIED.

10. COUNCIL COMMITTEE REPORTS

**10.1 Councillor Sally Mole
Deputy Mayor April – June**

Food Bank on the Edge

- Assembly and distribution of the Christmas hampers takes place on Friday, December 22nd at the UAC Hall at 9:00 am.

Westcoast Community Resources Society

- Ucluelet Community Christmas luncheon is tomorrow, Wednesday, December 13th at the Ucluelet Community Centre from 12:00-2:00pm.

**10.2 Councillor Marilyn McEwen
Deputy Mayor July – September**

West Coast Multiplex Society

- Met December 4, 2017.
- Anxiously awaiting the results of the survey.
- Sponsored an everyone welcome skate at the Alberni Valley Multiplex on November 20th. Almost 200 people attended, with 70 from Ahousaht. MP Gord Johns there too.

- New member on their committee, Shaun Mills.

Ucluelet & Area Historical Society

- Met Monday, December 11th.
- Still looking for a permanent home for their museum. looking at light keepers house, however that is in the tsunami zone and damp being right next to the ocean. Also interested in the Parks property on Peninsula and Bay St. Most recently, the Army, Navy & Airforce Club #293 is potentially looking to partner with them to offer the Society space in their building.

Wild Pacific Trail Society

- Met December 6th.
- Investigating the BC Association for Charitable Gaming Association for a grant under the environmental category. After much research and discussion, the Society will look at applying under a different category for their education centre.
- Telus had a community celebration on December 7th at the Ucluelet Community Centre to mark the transitioning of Ukee Cable to Telus. They made a donation to the Trail Society in the memory of John Ludlow in the amount of \$5,000.
- Telus had one request for recognition, so the Society will dedicate a bench to John Ludlow and to acknowledge Telus.
- Merchandise program going really well, receiving over \$1,200 last month. The merchandise also provides good advertising.

10.3 Councillor Mayco Noel *Deputy Mayor October – December*

Ucluelet Volunteer Fire Brigade

- Had their annual Fireman's Christmas Ball on December 8th at the Black Rock Resort.
- They currently have 23 members, 11 of which have successfully completed the NFPA 1001 level 2. The members which are at that level possess the professional standards qualifications to be professional firefighters anywhere.

Tourism Ucluelet

- Meeting tomorrow, December 13th.
- AGM, March 03, 2018 and currently have three vacant seats
- Pacific Rim Visitor Centre stats: 2015 - 78 visitors, 2016 - 22, 2017 - 136 people already this month. The PRVC is open 7 days a week.

10.4 Councillor Randy Oliwa *Deputy Mayor January – March*

Harbour Advisory Committee

- Met November 29th.
- Introductory meeting; Advisory was able to communicate to CAO Mark Boysen the successes that have worked for the Committee and the Small Craft Harbour and the challenges.
- They are dedicated to working with the Harbour Authority and the CAO.

Aquarium Board

- AGM was November 30th, chaired by Bill Morrison.
- Changes to the Societies Act, they had to update their Bylaws. Went with a 30 member model. New bylaws were adopted and same Board of Directors.
- Release Day went really well.
- March 01, 2018 is their opening day.

Seaview Seniors Housing Society

- Operates Forest Glen; had their AGM November 5th, all their Board members stayed on for another term. New Board member, Heidi Shaw.
- December 11th, Board confirmed their new structure for their president and vice president.
- New food service contractor. Thank you to Sandy Clark with Matterson House who stepped in to help in the interim; the Board also thanked Sheena Brine.
- Society has a building sub-committee. Same architect and consultant produced a document for phase 2, for an additional 10 units. Spoke to John Jessup, on December 4th; grant application for the feasibility study in the amount of \$10,000 will be submitted for the next round of funding which is available April 2018.

- Age Friendly Initiative contractor, Paulette Bellavance will be joining the Board for a meeting in January. As a contractor she will be providing an age friendly data base for all the services available to seniors with a step-by-step process on how to access them.
- Jan Draeske is the Society's representative on the new Ucluelet's Business and Employment Retention and Expansion Program (UBERE) Advisory Team. The Society is hopeful that by increasing their community partnerships and community profile it will highlight the need for 10 more units.
- Wanted to clarify that Forest Glen is not a care home or a seniors centre, it is a independent-living, seniors' housing development.

Education Liaison

- Ucluelet Secondary School (USS) & Ucluelet Elementary School (UES) PAC are both at full compliment. USS had their meeting at the new Ty-Histanis Health Centre. They also have a new playschool. Alternating meetings between Ucluelet, a First Nations Community and Tofino.
- USS has 157 students.
- UES and USS are always fundraising. USS fall golf tournament brought in almost \$10,000 to the athletics department. Thank you to the community and all the businesses who donate to the schools.

=> Other Reports

- Attended the West Coast Regional Human and Animal Co-Existence Working Group meeting on December 6th from 1-4pm at the Toquaht Nation.
- Council will host one of the next meetings and provide lunch.
- Karla Robison, the District's Environmental & Emergency Services manager will be the go between that organization, Staff and Council
- The group identified some key goals

10.5 Mayor Dianne St. Jacques

Alberni-Clayoquot Regional District Board

- Meeting tomorrow, December 13th in Port Alberni.

Groundfish Development Authority

- Groundfish Trawl Association is putting together an economic development impact study in regards to Hake and the District will be participating in that. The study will help the conversation around more BC freezer trawlers at sea, or more plants on shore. This will take place in the next few months and Ucluelet will be able to participate in that.
- Along with CAO Mark Boysen, they attended the Resort Municipality Initiative in Vancouver today. Minister Beare was present; this program runs out in March 2018 and were hopeful for news of an extension, however that did not take place. The Minister is going to champion this program through their Provincial budget process. Mark Boysen, Abby Fortune and Mayor St. Jacques are going to collaborate on a written submission in regards to the questions the Ministry put forward today.

=> **Other Reports**

- Attended the Telus celebration that honoured John Ludlow and Ukee Cable that have been here since 1960. John Ludlow and Ukee Cable provided a great service, supported the community through donations of their time, equipment and financial donations.
- Telus previously had 2 employees on the coast, they now have 5 and may add more.
- Telus also attended the elementary school where they donated \$2,000 for new computers. They are championing an anti-bullying cyber-program.

11. REPORTS

11.1 2018 Council Meeting Schedule

Mark Boysen, Chief Administrative Officer

It was moved by Councillor Noel and seconded by Councillor Oliwa

THAT Council approve recommendation 1 of report item, "2018 Council Meeting Schedule", which states:

1. *THAT Council adopt the Regular Council Meeting Schedule for 2018.*

CARRIED.

11.2 FCM Municipal Asset Management Program Funding and Resolution

Mark Boysen, Chief Administrative Officer

It was moved by Councillor McEwen and seconded by Councillor Oliwa

THAT Council approve recommendation 1 & 2 of report item, "FCM Municipal Asset Management Program Funding and Resolution" which states:

1. THAT Council approve the use of Public Works funds to support the District's Asset Management Program; and

2. THAT Council approve the following resolution required for the FCM grant application:

a. THAT Council directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Asset Management Systems Development in Ucluelet.

b. THAT Council directs Staff to commit to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance the District's asset management program:

- Asset Manager Software Module, Capital Planning and Analysis Software Module, and a Work Order Management Software Tool*
- Data Review/Migration and Implementation*
- Asset Management Training Workshops on Asset Management Systems*

c. THAT Council direct the District of Ucluelet to commit \$11,890.00 from its budget towards the cost of this initiative.

CARRIED.

11.3 BC Rural Dividend Application Resolution

Abby Fortune, Director of Parks & Recreation

It was moved by Councillor Mole and seconded by Councillor McEwen

THAT Council approve recommendation 1 & 2 of report item, "BC Rural Dividend Application Resolution" which states:

- 1. THAT Council authorizes the submission of an application to the BC Rural Dividend Program for the Feasibility Study of the Amphitrite Point Lands, and*
- 2. THAT Council support the Amphitrite Lighthouse Building Plan through its duration.*

CARRIED.

11.4 Ucluelet OCP Bylaw Report - Project Update

Bruce Greig, Manager of Community Planning

It was moved by Councillor Noel and seconded by Councillor Mole

THAT Council receive report item, "Ucluelet OCP Bylaw Review - Project Update" for discussion.

CARRIED.

It was moved by Councillor McEwen and seconded by Councillor Oliwa

THAT Council approve recommendation 1, 2 , 3 & 4 of report item, "Ucluelet OCP Bylaw Review - Project Update" which states:

THAT Council, with respect to the ongoing project to review and update the Official Community Plan bylaw:

1. *give early notice to the following agencies of the District's intent to update the Ucluelet Official Community Plan bylaw, and invite their participation and input:*
 - *Yuuluʔifʔath Legislature –Ucluelet FirstNation;*
 - *ʔukwaaʔath Council -Toquaht Nation;*
 - *AlberniClayoquot Regional District;*
 - *District ofTofino;*
 - *SchoolDistrict70;*
 - *Island Health;*
 - *Ministry of Transportation and Infrastructure;*
 - *PacificRimNational Park Reserve;*
 - *ClayoquotBiosphereTrust;*
 - *Westcoast Community ResourcesSociety;*
 - *AlberniClayoquot HealthNetwork;*
 - *Wild PacificTrailSociety;*
 - *TourismUcluelet; and*
 - *UclueletChamberofCommerce*

2. *reach out to the leadership of the Yuuluʔifʔath andʔukwaaʔath FirstNations to:*
 - a. *inviteYuuluʔifʔath andʔukwaaʔath FirstNations'participationin theupdate of the UclueletmunicipalOfficialCommunity Plan;*
 - b. *askhowthe Yuuluʔifʔath andʔukwaaʔath would like to be consultedon this project;*
 - c. *inquire whether the Yuuluʔifʔath andʔukwaaʔath FirstNations areinterestedinco- authoring a new section ofthemunicipalOCP tooverview therelationship between theUclueletmunicipalgovernment, thebroadercommunity, First Nationspeopleand traditional lands;and,*
 - d. *invite discussionwith theYuuluʔifʔath FirstNationLegislature and Staff, andthe ʔukwaaʔath Council and Staff on areasofmutualinterest and support;*

3. *endorse the work plan as outlined in the staff report; and,*

4. authorize Staff to enter into a sole-source consulting agreement with Vancouver Island University for the scope of research, consultation and analysis as detailed in Appendix 'A' to the Staff report, for an honorarium fee not to exceed \$15,000.

CARRIED.

11.5 Development Variance Permit for the Whispering Pines Mobile Home Park

John Towgood, Planner 1

It was moved by Councillor Noel and seconded by Councillor Oliwa

THAT Council approve recommendation 1 of report item, "Development Variance Permit for the Whispering Pines Mobile Home Park" which states:

1. *THAT Council approve Development Variance Permit (DVP17-4) for Lot A, D.L. 283, Plan VIP86121, PID 027-782-093, conditional to a 3m statutory right of way, running along the eastern property line, being granted to the District of Ucluelet within one year of the approval of this permit, with the deletion of the wording "and shall not exceed 540 square feet" from item 6.iii.*

CARRIED.

11.6 Short-Term Rental Program - Update

Bruce Greig, Manager of Community Planning

It was moved by Councillor McEwen and seconded by Councillor Oliwa

THAT Council receive report item, "Short-Term Rental Program - Update" for information.

CARRIED.

12. LEGISLATION

13. LATE ITEMS

14. NEW BUSINESS

14.1 Councillor Noel

- Requested Staff write a letter to MLA Scott Fraser requesting a meeting in the New Year.
- CAO Mark Boysen advised he believes a letter has been sent but will confirm.

14.2 Councillor Oliwa

- Requested to attend the Critical Communications Workshop at the Ucluelet Community Centre on Tuesday, December 19th from 12:00 - 4:00 pm.

15. QUESTION PERIOD

15.1 Council received questions and comments from the public pertaining to:

- Illegal suites and zoning amendments pertaining to affordable housing.

16. CLOSED SESSION

16.1 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*.

THAT Council

CARRIED.

16.2 Mayor St. Jacques suspended the regular meeting at 9:50 pm and moved in-camera at 9:56 pm.

17. ADJOURNMENT

17.1 Mayor St. Jacques adjourned the in-camera meeting at 10:57 pm and resumed the regular meeting.

17.2 Mayor St. Jacques adjourned the regular meeting at 10:57 pm.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, December 12, 2017 at 7:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Dianne St. Jacques
Mayor

Mark Boysen
CAO

THAT Council receive information items 3.1, 3.2 and 3.3 as a block.

CARRIED.

CERTIFIED CORRECT: Minutes of the Late Items Meeting held on Tuesday, December 12, 2017 at 7:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Dianne St. Jacques
Mayor

Mark Boyen
CAO



DISTRICT OF UCLUELET

Request to Appear as a Delegation

All delegations requesting permission to appear before Council are required to submit a written request or complete this form and submit all information or documentation by 11:00 a.m. the Wednesday preceding the subsequent Council meeting. Applicants should include the topic of discussion and outline the action they wish Council to undertake.

All correspondence submitted to the District of Ucluelet in response to this notice will form part of the public record and will be published in a meeting agenda. Delegations shall limit their presentation to ten minutes, except by prior arrangement or resolution of Council.

Please arrive by 7:20 p.m. and be prepared for the Council meeting. The Mayor (or Acting Mayor) is the chairperson and all comments are to be directed to the chairperson. It is important to address the chairperson as Your Worship or Mayor St. Jacques.

The District Office will advise you of which Council meeting you will be scheduled for if you cannot be accommodated on your requested date. For more information contact the District Office at 250-726-7744 or email info@ucluelet.ca.

Requested Council Meeting Date: _____

Organization Name: _____

Name of person(s) to make presentation: _____

Topic: _____

Purpose of Presentation: Information only
 Requesting a letter of support
 Other (provide details below)

Please describe:

Contact person (if different from above): _____

Telephone Number and Email: _____

Will you be providing supporting documentation? Yes No

If yes, what are you providing?

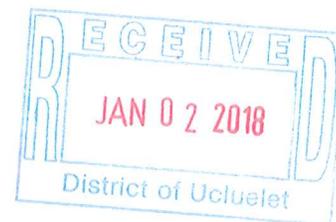
Handout(s)
 PowerPoint Presentation

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



huu ay aht

ANCIENT SPIRIT, MODERN MIND



December 18, 2017

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

info@ucluelet.ca

Attention: Dianne St. Jacques, Mayor

Dear Ms. St. Jacques:

We would like to respectfully discuss with you and your leadership the development of the proposed LNG project located on the west side of Vancouver Island on Huu-ay-aht-owned land. Since the beginning of the project, we have conducted an extensive engagement process with our citizens as well as our hereditary and elected leadership which culminated in a positive referendum vote with 70% in support of the project on March 25, 2017.

Huu-ay-aht and Steelhead LNG have established a co-management process. We are jointly developing the project together, and it is still in the early stages with the goal of exporting Liquefied Natural Gas (LNG). LNG is natural gas that is converted into a liquid form, compressed and loaded onto specially equipped LNG carriers and transported overseas for sale where it is converted back into its original form at a regasification facility.

The co-management relationship with Steelhead LNG means Huu-ay-aht is leading the proposed pipeline engagement with First Nations and is focused on utilizing a Huu-ay-aht traditional, protocol-based approach for this project.

We are seeking an opportunity to meet with your leadership to provide you with information and answer any questions you may have on the proposed LNG project.

Respectfully,

Chief Councillor Robert J. Dennis Sr.
ʔimčis

Chief Derek Peters
Tayii ʔawil ʔiis̓in

Office: Anacla Government Office, 170 Nookemus Road, Anacla, B.C., V0R 1B0

Phone: 1.888.644.4555 | 250.728.3414 | Fax: 250.728.1222

Mail: Port Alberni Government Office, 4644 Adelaide Street, Port Alberni, B.C., V9Y 6N4 | Phone: 250.723.0100 | Fax: 250.723.4646



DISTRICT OF UCLUELET

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The District Office will advise you of which Council meeting you will be scheduled for if you cannot be accommodated on your requested date. For more information contact the District Office at 250-726-7744 or email info@ucluelet.ca.

Requested Council Meeting Date: January 23, 2018

Organization Name: Toquaht First Nation

Name of person(s) to make presentation: Rick Shafer

Topic: Remediation at the Toquaht Bay campground and Marina.

Purpose of Presentation: Information only
 Requesting a letter of support
 Other (provide details below)

Please describe:

The Toquaht Bay marina will be closed for up to 3 years during this remediation. Information on Toquaht's plans to build a new marina at Secret Beach prior to the closure of the existing marina will also be discussed.

Contact person (if different from above): _____

Telephone Number and Email: 250.715.6201 rickmshafer@gmail.com

Will you be providing supporting documentation? Yes No

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

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



DISTRICT OF UCLUELET

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Requested Council Meeting Date: January 23

Organization Name: West Coast Multiplex Society

Name of person(s) to make presentation: Samantha Hackett

Topic: Multiplex Survey

Purpose of Presentation: Information only
 Requesting a letter of support
 Other (provide details below)

Please describe:

Follow up and discussion on the ACRD Multiplex survey. The Society is seeking direction for the project next steps.

Contact person (if different from above): _____

Telephone Number and Email: 250-534-9777 samantha@longbeachlodgeresort.com

Will you be providing supporting documentation? Yes No

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

PowerPoint Presentation

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

**Office of the Mayor**

2760 Cameron Road, West Kelowna, British Columbia V1Z 2T6

Tel (778) 797.2210 Fax (778) 797.1001

December 13, 2017

Dear Local Governments of British Columbia,

With cannabis sales becoming legal in 2018, there must be a formal agreement that will divide the tax revenue on cannabis sales in a fair and equitable manner. Current discussions regarding revenue sharing involve the Federal and Provincial governments with no inclusion of local governments. Ultimately, the legalization will entail additional costs for local governments both in social and policing costs. A Federation of Canadian Municipalities (FCM) paper is stating that the impact may affect policing, fire services, building codes, city planning, municipal licensing and standards, public health, social services, communications, law, etc.

City of West Kelowna Mayor and Council is requesting your support, by writing to the Province to lobby them to agree to 50% of the provincial share of the cannabis tax sharing formula be provided to local governments. This is an adequate and equitable share to help support costs and services incurred by local governments.

Thank you for your consideration.

Sincerely, on behalf of Council,

A handwritten signature in cursive script that reads "Doug Findlater".

Doug Findlater
Mayor

December 28th, 2017

TO: Mayor Josie Osborne, Tofino
Mayor Diane St. Jacques, Ucluelet

COPY: Hon. Clare Trevena, Minister of Transportation
Hon. John Horgan, Premier of British Columbia
Editor, "The Westerly News"

I am writing in response to an article on the front page of last week's copy of "The Westerly News" regarding the proposed Highway 4 closures over the summer to allow for restoration and upgrade of a 1.8 km stretch of road 18 km east of the Pacific Rim junction. The proposed opening windows of 1 am to 2 am and 5 am to 6 am. It is the 9 pm closure time for this work which concerns me. The necessity of the work and the calendar timeframe required to accomplish it is justifiable although inconvenient.

The 9 pm daily closure has ramifications to ferry travel perhaps not realized before now and I am wondering if a later time of 11 pm daily could be considered. BC Ferries operate a 5:20 pm and a 7:30 pm sailing from Horseshoe Bay to Departure Bay on a daily basis. These are two of the most popular afternoon sailing times and are consistently fully loaded. The 5:20 pm departure arrives at Departure Bay at 6:50 pm. Assuming (a) the ferry is on time (which often isn't the case), (b) it takes 15 minutes to disembark the ferry and get on your way, (c) you drive with no stops whatsoever, and (d) there are no traffic hold-ups (road work or slow moving RV's which won't pull over) – the two hour driving time arrival to the proposed closure would be 9:05 pm – a 4 hour wait until the 1 am opening window. Applying the same logic to the 7:30 departure which arrives at Departure Bay at 8:55 pm, you would arrive at the closure at 11 pm – a 2 hour wait until the 1 am opening window. Using either of these two sailings would result in an arrival to Tofino or Ucluelet at well past 2:30 am.

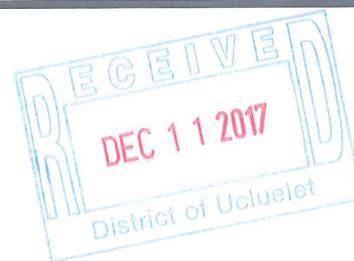
People use these two sailings to obviate having to take a complete day off work but to still arrive at their west coast destination (realistically at 9 pm or 11 pm) in order to have a complete holiday day the following day, instead of having to use half the following day as a travel day. Families find these sailings are optimum travel times for young children which makes a several hour highway wait and a 2:30 am arrival time completely untenable.

If however the closure time was 11 pm, it would allow the ferry passengers from these two most popular sailing times to safely reach their west coast destination well beforehand, and perhaps the two hours wouldn't seriously impact the progress of work.

The article indicated discussions were ongoing between the Mayors and the Department of Transportation to mitigate as much as possible the inconvenience to highway travelers while recognizing the work must be done, on time and on budget. Perhaps in these discussions the parties would consider the above observation pertaining to the most popular routes of BC Ferries, and hopefully agree to move the closure time from a 9 pm start to an 11 pm start.

Myrna Ratledge

Subject: FW: Draft Letter to Council



Dear Ucluelet Town Council

I moved to town in May 2015. It was an extremely busy summer and I have seen town get much busier since. Some businesses said they have doubled their summer profits over the last few years. In the last 32 months I have housed 10 people working in town varying from 2 months to 2 years and between them and many other friends, I've heard many stories about what it's like to work in the service industry in our town and it seems to be getting worse.

Businesses are making huge profits in the summer months and yet employees are not making any higher wages. Some do benefit from tips, but this still wasn't enough to keep several of my house mates in town longer than 3 months as they burnt out from intense work loads, long days, and not very much pay. They come here to enjoy this wonderful area and leave somewhat bitter and confused. The general attitude I hear around this is on the lines of "If you don't want to do it, someone else will" or "We all do our part" which tries to justify the situation, but does not address the issue.

On top of wages, lack of accommodation appears to be one of the biggest concerns we are having. With the increase in tourism, locals are trying to capitalize on this as much as possible and with AirBnB now being an incredible tool to connect travelers with local houses, we have reached record levels of visitors. That said, we seem to have record lows of locals being properly housed. The option for a R1 Single family dwelling to either choose a nightly rental, or a full time suite, for many appears to be the far more profitable nightly rental. With fewer and fewer rooms for workers, low wages, and intense working conditions, I feel we are setting ourselves up for failure and now that tourism has slowed down, we have a great opportunity to revisit the laws that were created before secure and organized sites like AirBnB existed.

To address the above issues I would like to propose introducing a new law that anyone with a R1 Single family home listing on Airbnb must have a room rented full time to someone working in town. This then ensures that rooms for workers are available and also allows home owners to legally rent out an additional room and benefit from the much larger profit margin of a Nightly Rental. If home owners only have one extra bedroom, perhaps buildings "Granny Flats" with flexible laws to help accommodate visitors and the workers that serve them and make our town a much more balanced place to live in the summer months. There is a great article here about Granny Flats.

<https://www.citylab.com/design/2017/11/how-cities-get-granny-flats-wrong/546392/>

In addition to this new law, I would also like to inquire as to how much money would be made from 10% of all nightly rentals on AirBnb? Since our local workers are dealing with many visitors using AirBnB, I thought it would be a great idea to charge a Locals Service Tax. A tax that every month evenly divided 10% of all AirbnB Rentals among anyone working a fulltime service related job. AirBnB rates could be increased by 5-10% which would lessen the impact to home owners. Depending on the numbers, this bonus could make many positive changes to those serving our visitors and showing them what living here is truly all about. Enjoying, Exploring and Relaxing. Thank you for your time.

Regards,

-Kerry Harwood
1136 Coral Way

Andrew Hanson
PO Box 10
Ucluelet, V0R 3A0

January 8 2018

Dear Mayor and Council,

I am sure that you are aware that Bill C-45, the legislation for the legalization of cannabis, has been brought forward by the Liberal government and is set to be federal law on July 1 2018.

I have been following the provincial plans and the results from the October public in-pur survey, and from this and other information it would seem the cannabis end consumer distribution will most likely be by government and private liquor stores or it will be from store front locations - as well as online. Which ever method is chosen, I am interested in becoming a legitimate retailer and I would like to begin an application to start the process - whether it be for rezoning or a business licence with local approval.

I have been in the business of selling alcohol in a retail environment for 11 years and in the alcohol hospitality industry for considerably longer. I believe my experience will be an asset in the supply of restrictive substances to the public. As liquor retailers, we are obligated to provide the highest level of responsibility - in the sale of alcohol and in restricting access to minors. As an owner/operator I also have very strict in-store policies and training guides (these can be provided for review) on the service of alcohol. All staff are trained to provincial standards to ensure customers safety. As part of our procedures, the front-line staff are reminded daily of store policy.

What is coming to our province and country is very powerful and should be respected. We are at the forefront of an evolution not seen since prohibition and in one 100 years they will be reviewing what and how we approached this process and how it unfolded. I would like to be a part of it and help to take cannabis from the parking lots and alleys to a respected retail profession. I think we all have an opportunity to take part and be the leaders for our future in this new industry.

I have the ability, the expertise and the available location for a cannabis retail operation. If the government chooses to use liquor stores to sell cannabis, I would renovate the store at 1786 Peninsula Rd to have a separate area within the liquor store, with its own designated entrance/egress to the street, as well as interior access between the two areas.

If the government chooses to use store front locations the same area could be renovated with no internal access to the liquor store. If a wall between the two businesses is not enough separation then another location available the southeast side of 250 Main St, next to the Pacific Rim Arts Society. Both options would provide a professional and safe place for people to shop.

I take the safety of my staff, customers and community very seriously and I hope to help Ucluelet be ready for this new industry. I will follow up again as the January/February announcement comes out and I look forward this new chapter in Canadian history.

Yours faithfully

Andrew Hanson
Ucluelet Liquor Store
Ucluelet Lodge
250.725.8355

Subject: Letter to Mayor and Council

From: Tristan Hinder

Sent: Friday, December 22, 2017 10:53 AM

Subject: Letter to Mayor and Council

Dear City Council of Ucluelet and Tofino,

After hearing and learning about what the council is responsible for in Ucluelet and Tofino, I would like to share my opinion of what is needed and what is not needed in our community.

We don't need the BMX park because we have a skate park that BMXers tend to prefer quite a lot. Also we most certainly need some form of lighting at the basketball court. It would improve the quality of the court at night when high school students play in winter. Most of us don't even get out of school until later (usually after 5pm). Personally the recent installment of street lights and a asphalt pathway just past He-Tin-Kis Park along Peninsula Road seems a bit over the top despite complaints from neighbors to build one. I think that making it asphalt was unnecessary and that it was perfectly fine as hard packed gravel.

Thank you for your time. It is very valued and much appreciated by me and my fellow classmates.

Cheers,

Tristan :)

From: Rueben Williams
Sent: Friday, December 22, 2017 10:48 AM
Subject:

Dear city council of Tofino,

After learning about what the municipality is responsible for in Tofino, I wanted to share my opinions of what is needed and not needed in my community. I would like to see renovations on the theater so that more things would be able to happen there. Also, the things I specifically want renovated are the stage and the projector and the projector screen. I think we should have more well know clothes brands in Tofino because i don't want to go to Port every time we need to buy clothes and food. The food prices should be the similar to Port Alberni.

Sincerely,

Rueben Williams

From: Lucie Beylard
Sent: Friday, December 22, 2017 10:43 AM
Subject:

Dear city council of Tofino,

After learning about what the municipality is responsible for in Tofino, I wanted to share my opinions of what is needed and not needed in my community. I would like to see more things for the people who live year round in Tofino and not just things for tourists.

Sincerely,

Lucie Beylard

Subject: Lights at the outdoor basketball court.

From: Cole SAUNDERSON

Sent: Friday, December 22, 2017 10:36 AM

Subject: Lights at the outdoor basketball court.

Dear city council of Ucluelet.

After learning about what the municipality is responsible for in Ucluelet, I wanted to address my concerns about the basketball court. This one is important because I use this court on a day to day basis if it is not raining. Part of the troubles with me using it, especially in the winter, is when I finally get home and am ready to go shoot its dark out. This is why I think we should put up some lights on the side of the court. If we were to do this kids could get more activity and less screen time because they would be outside enjoying some fresh air. I'm frustrated that money was put into a bmx track that gets close to no use and blow 4,000\$ on just improving it along with spending an unknown amount on the volleyball court that's closed half the time and I've seen used one time. With this money that seems to just vanish when you could be investing it into something that this community would use, and I know that I would use the basketball court at night if you put up lights.

Thank you for listening to this statement and I hope you follow through with the lights,

Cole Saunderson

From: Kaya HICKEY
Sent: Friday, December 22, 2017 10:30 AM
Subject:

Dear City Council of Ucluelet,

After learning about what the municipality is responsible for in Ucluelet, I wanted to share my opinions of what is needed and not needed in my community.

I would like to see more stores selling known brand clothing for all ages, so we don't always have to go out of town to shop for clothing etc. I think that we don't need anymore tourist attractions, because its always so packed. If we keep making more things to attract tourists, more tourists would come and the town would be over loaded with people and we would need more motels/hotels, water, and food.

Thank you for taking the time to read this, and i hope you take my opinions into consideration.

Sincerely Kaya Hickey.

Subject: Opinions on the future of Ucluelet

From: Kai ZYLBERMAN

Sent: Friday, December 22, 2017 10:23 AM

Subject: Opinions on the future of Ucluelet

Dear City Council of Ucluelet,

After learning about what the municipality is responsible for in Ucluelet, I wanted to share my opinions of what is needed and not needed in Ucluelet.

I recently learned that there is a planned community right next to the existing wild pacific trail, and that some extend right down to the waterfront. I'm fairly sure the plan is to build the properties around the wild pacific trail, but it would turn the wild pacific trail to a walk through hotels and houses. It's a huge area. It would be turning all our beautiful wilderness into an all inclusive resort. I don't know about you, but I don't think that should happen. This is a map of the planned area: <http://www.oceanwest.com/oceanwest-sitemap>. It just doesn't feel like Ucluelet. Ucluelet is beautiful because of the wild spaces. You take that away, and then you don't have Ucluelet anymore. You just have some other town where no one wants to live or visit.

On another topic, a few people are saying you should get rid of Tugwell fields. I disagree. Even if people don't play soccer there very much, they still do sometimes. There are plenty of tee-ball and soccer summer camps for younger kids. It's a great place for dogs to run, and the only place for sledding and building snowmen when we're lucky enough to have snow. Not to mention that it's the tsunami muster location. I live right there, and I would not like to see it gone.

Also, on a much less important topic, I think Ucluelet could use a better swimming pool. Preferably not in a huge ultra-modern building, because that wouldn't feel like Ucluelet at all. Maybe near the community center?

-Thanks, Kai Zylberman

From: Callum Mead
Sent: Friday, December 22, 2017 10:19 AM
Subject:

Dear City Council of Ucluelet and Tofino,

After learning about what the municipality is responsible for in Ucluelet and Tofino,
I wanted to share my opinions of what is needed and not needed in my community.

Housing in Tofino is getting very expensive because of people renting vacation homes for use only in the summer, leaving locals with very few options for housing. My friend Kharley is currently renting a apartment that she says is very overpriced and she doesn't want to move out of town and all other options are too expensive. In Ucluelet, I think the forests should be more protected, people should be hired to clean up the garbage.

Subject: Opinions on Spending for Municipality

From: Saiya JACQUES

Sent: Friday, December 22, 2017 10:15 AM

Subject: Opinions on Spending for Municipality

Dear City Council of Ucluelet and Tofino,

After learning about what the municipality is responsible for in Ucluelet and Tofino, I wanted to share my opinions of what is needed and not needed in my community. My name is Saiya Jacques and I was born in Tofino and have been living there for 14 years and I have a few suggestions to improve my life there.

I have heard that Tofino was going to have a multiplex, but it still hasn't happened, so i was thinking that instead of having a multiplex we could just have an ice skating rink. I love ice skating, but if you want to live in a small community like Tofino or Ucluelet, you have to drive all the way to Port Alberni to go ice skating and sometimes it just isn't worth the drive. I would really love to have access to an ice skating rink in my community.

Another thing we could add to Tofino is a pride parade for the LGBTQ+ community. As you may know, June is LGBTQ+ pride month and a lot of people in both of our communities are LGBTQ+ and it would be amazing if we could take a day to celebrate them and a pride parade is a great way to do this. We could also do a women's march on March 8th (also known as International Women's Day). This would be a fun celebration for all the women in our lives. We could march the streets with signs and music and it would be very exciting. The pride parade and women's march are sort of similar but, in my opinion both great ideas that would definitely improve my life and others.

A community is not just one big group of people, it is a big group of people made up of other smaller communities and it is important to take time and celebrate our smaller, unique communities. So thank you for taking your time to listen to my opinions and ideas. Have a good day.

Sincerely,

Saiya Jacques

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Sent: Friday, December 22, 2017 10:15 AM

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A community is not just one big group of people, it is a big group of people made up of other smaller communities and it is important to take time and celebrate our smaller, unique communities. So thank you for taking your time to listen to my opinions and ideas. Have a good day.

Sincerely,

Saiya Jacques

Subject: Dear City Council

From: Pikatube

Sent: Friday, December 22, 2017 10:17 AM

Subject: Dear City Council

Dear City Council of Ucluelet,

After learning about what the municipality is responsible for in Ucluelet, I wanted to share my opinions of what is needed and not needed in my community. I firmly believe that the Oceanwest plan (<http://www.oceanwest.com/oceanwest-sitemap>) is a bad idea because the buildings would be built right around the Wild Pacific

Trail. I don't know about you, but I'm pretty sure there is a reason that it's called the WILD Pacific Trail, and I think that having those buildings there would ruin the trail and take away from the natural beauty of this area.

I also think that the road to Port Alberni should not be closed at those times, if at all, because it will damage businesses that need to leave earlier than seven a.m. in order to do their jobs properly. I would like you to try and change the times if you can please.

P.S. I would also kind of like a new swimming pool if at all possible.

Sincerely,

Ben de Vries

Subject: Oceans Protection Plan - Maritime Awareness Information System (MAIS) update
Attachments: MAIS info graphic.pdf

From: Larkin, Kelly

Sent: Friday, December 22, 2017 12:55 PM

Subject: Oceans Protection Plan - Maritime Awareness Information System (MAIS) update

Season's greetings!

It's been a few weeks since we gathered to discuss the maritime awareness information system (MAIS) as part of the broader Oceans Protection Plan. So, we wanted to provide you with an update on the MAIS project and to discuss potential collaborative work coming up in the New Year. We've also attached a graphic to help explain what the MAIS project is all about.

Ongoing project planning

Since the introductory forums in October-November, we have been working on developing Requests for Proposals (RFPs) that incorporate your comments and ideas from those sessions. Starting in January, we will also begin a series of teleconferences with our First Nations and coastal community partners to discuss various topics, including introduction of the initial version of the system and follow-on pilot projects. This will be followed in March by our next round of face-to-face meetings with *all partners* regarding the Oceans Protection Plan, when we'll go into more detail about the main projects.

If you wish to receive more information about the maritime awareness information system, please reply to this email and we will ensure you're kept up-to-date on the project.

Initial version of MAIS by March 2018

As we discussed at the October-November forums, the first version of the maritime awareness information system will be delivered by March 2018 to First Nations and coastal communities, providing a web-based platform with information similar to the Canadian Coast Guard's Marine Communications and Traffic Services (MCTS). This is an initial picture of near real-time shipping information with only essential content at this early stage of the project, providing communities an opportunity to learn about the system and generate ideas for additional capabilities. Further enhancements will be made in follow-on versions of MAIS.

Pilot Projects

In January 2018, we'll also be beginning work with First Nations and coastal communities for selecting two pilot project communities to evaluate the enhanced elements of the MAIS project, which will be conducted over two years (2018 - 2019). Communities hosting pilot projects will work with an enhanced version of MAIS which will integrate various additional levels of static and dynamic maritime information into an interactive mapping platform. Access to this information will help improve understanding of what's happening in local waters, and enable partners to participate in local marine safety, emergency response, and environmental protection activities.

These pilot projects will be focussed on the communities where they're being conducted, in order to maximise the results achieved. Depending on the location, some of our non-First Nations and coastal community partners may also be requested to support the pilot projects, such as: other federal/provincial government staff, Port Authorities, Pacific Pilotage Authority, BC Coast Pilots, and other non-governmental organizations.

As we discussed in October-November, the longer-term goal is to include additional partners in the final roll-out of the maritime awareness information system.

General Pilot Project timelines and milestones

We have some draft milestones and timelines we'd like you to be aware of:

Oct - Nov 2017	Completed initial engagement with all partners, to inform MAIS project requirements.
By end - Jan 2018	Pilot community evaluation and selection.
Mar - Sep 2018	Pilot project-specific workshops and meetings with pilot communities.
Oct - Dec 2018	Delivery of pilot project systems.
Jan - Aug 2019	Continued update of pilot project systems.
Sep 2019	Presentation of pilot evaluation findings to all partners (pilot and non-pilot).

Looking ahead to 2018

There's much to look forward to in the year ahead. Our goal through this email was to provide you with some information about what's coming-up in 2018, and we'll provide updates as our collaborative work progresses starting in January. We request that you share this information with your leaders and technical experts to keep them informed about MAIS.

It's been a privilege working with you, and we look forward to advancing this project with you in the New Year.

Very best wishes for a safe and happy holiday season.

Kelly

Kelly Larkin, MSM, CD, MBA

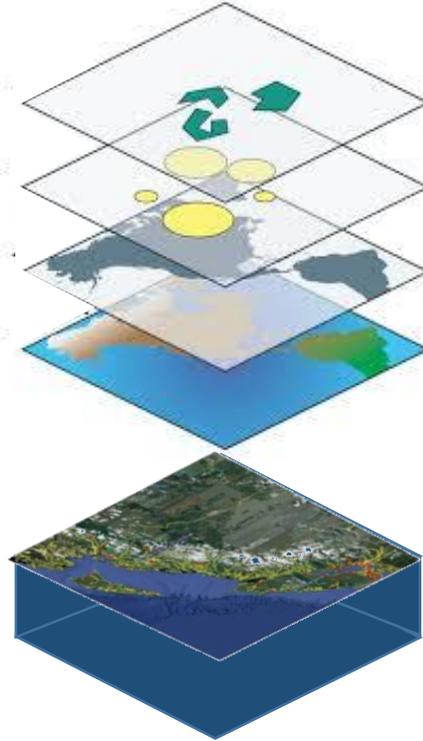
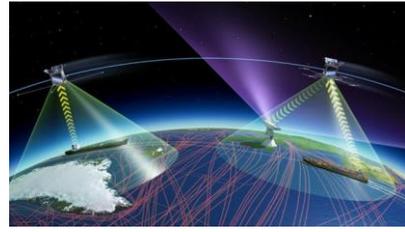
Regional Program Manager – Enhanced Maritime Situational Awareness (EMSA)
Transport Canada, Pacific Region / Government of Canada
kelly.larkin@tc.gc.ca / BB: 604-351-2895 / Cel: 250-588-5359

Gestionnaire de programme régional – Sensibilisation de la situation maritime améliorée
Transports Canada, Région du Pacifique / Gouvernement du Canada
kelly.larkin@tc.gc.ca / Tel: 604-351-2895 / Cel: 250-588-5359





PARTNERS RECEIVE AND SHARE INFORMATION



USING A WEB-BASED COMBINED OPERATING PICTURE WITH ENHANCED LAYERS OF MARITIME INFORMATION

MARITIME AWARENESS INFORMATION SYSTEM



ADAPTABLE TO VARIOUS USER NEEDS

FOR IMPROVED COORDINATION & COLLABORATION AMONGST ALL PARTNERS

CREATE A KNOWLEDGE BASED, SHARED UNDERSTANDING OF MARINE ACTIVITIES



THE CITY OF VICTORIA

OFFICE OF THE MAYOR

BC Minister of Justice and Attorney General
1001 Douglas Street
Victoria, BC V8W 2C5

January 17, 2018

Dear Honourable David Eby:

CORRECTION Re: Modernizing the BC Motor Vehicle Act

On November 23, 2017 Council endorsed the Road Safety Law Reform Group of British Columbia's Position Paper entitled *Modernizing the BC Motor Vehicle Act*.

On behalf of the City of Victoria, I am requesting that the Government of British Columbia review and modernize the BC Motor Vehicle Act to increase safety for all road users and achieve the "Vision Zero" objective of making BC's roads the safest in North America and eliminating road-related injuries and deaths by 2020.

Cycling and walking are important modes of transportation. According to the 2016 census, 37% of Victoria residents walk, cycle or use other forms of active transportation for their journey to work. Benefits of increased active transportation mode share include congestion management, reduced greenhouse gas emissions and air particulates, enhanced transportation affordability and improved community health.

As a part of the City's commitment to increasing active transportation use, we are in support of updating the Motor Vehicle Act to reflect the importance of all road users, to create new rules that improve cyclist and pedestrian safety, and to add fines for actions that threaten vulnerable road users.

Other jurisdictions have modernized their laws to clarify the rights and responsibilities between motorists and cyclists, to align traffic laws with new infrastructure design standards and traffic management practices, and to ensure that the laws remain equitable for vulnerable road users.

Clearly articulated rules, roles and responsibilities can help to increase understanding and compliance with BC traffic laws and reduce conflicts on the road. Additionally, reforms can assist law enforcement agencies in prioritizing enforcement to target activities most likely to result in collisions, injuries and fatalities among vulnerable road users.

Thank you for your attention to this matter. We look forward to your response.

Sincerely,

Lisa Helps
Victoria Mayor

cc. Premier John Horgan
Minister of Transportation and Infrastructure – Honourable Claire Trevena
Members of the Legislative Assembly
AVICC
UBCM

1 Centennial Square Victoria British Columbia Canada V8W 1P6

Telephone (250) 361-0200 Fax (250) 361-0348 Email mayor@victoria.ca



STAFF REPORT TO COUNCIL

Council Meeting: JANUARY 23RD, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

From: Bruce Greig, Manager of Community Planning **File No:** 3300-20-DP17-09 **Folio:** 181.104
Report: 18-01

Subject: Request for the removal of a subject from October 10th, 2017 approval for strata conversion of a commercial building located at 325 Forbes Road

ATTACHMENT(S): APPENDIX A – APPLICANT’S LETTER
APPENDIX B – OCTOBER 10TH REPORT

RECOMMENDATION(S):

1. **THAT** Council revise its October 10th, 2017, approval for a strata conversion of the commercial building located at 325 Forbes Road by removing subject 1.(b) requiring “*the completion of individual service connections and metering*”.

PURPOSE:

To provide Council with information on a request to remove condition 1 (b) from the October 10, 2017, Council motion which granted approval for a proposed strata conversion of a previously occupied commercial/industrial building located at 325 Forbes Road (the “**Subject Building**”).

BACKGROUND:

On October 10th, 2017, Council approved the strata conversion of the subject building by the following resolution:

1. **THAT** Council approve the strata conversion of the commercial building located at 325 Forbes Road subject to:
 - (a) submission of a report from a qualified professional verifying that the proposed strata conversion is in substantial compliance with the current BC Building Code;
 - (b) completion of individual service connections and metering; **and**
2. **THAT** the Mayor and Corporate Officer be authorized to execute all documentation relating to this matter.

The applicant is requesting to remove subject 1.(b) “*completion of individual service connections and metering*”. This request is specific to the water service, as the hydro service already has individually

metered connections, and the sewer service is not a metered service. The applicant is stating that individual metering is not required, based on the establishment of strata bylaws to specifically look to the monitoring of water usage and a resolution process for water usage conflicts between the owners.

Planning Staff had added subject 1.(b) after reviewing similar strata conversions throughout the province, and finding that the completion of individual service connections and metering was a fairly standard subject to any strata conversion. Planning Staff also considered it important to minimize future conflicts and issues between potential occupants and owners regarding water usage.

DISCUSSION:

After discussions with the current owner and a review of the submitted letter, Staff can support the removal of subject 1.(b). Planning Staff still consider it would be best if each unit was individually metered but the applicant has shown that future conflicts can be resolved through the creation of specific clauses within their strata bylaws. Individual metering, whether by the District or by the strata, could be expected to aid water conservation by the strata unit occupants. Given that additional costs would be borne by the property owner to convert the building to individual services, and in the absence of a clear municipal policy or pre-existing bylaw requirements for strata conversions, this request to leave the individual sub-metering up to the strata is reasonable.

OCP:

The OCP does not address the strata ownership of commercial properties.

ZONING BYLAW REQUIREMENTS:

The subject property is currently compliant to zoning and the requested approval would not affect any zoning requirements.

BUILDING BYLAW AND BUILDING CODE REQUIREMENTS:

The District of Ucluelet's building and subdivision bylaw do not specify that water service for strata buildings be metered individually. The applicant has submitted an engineer's report which satisfies the subject 1.(a) confirmation of compliance with the Building Code.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

The removal of subject 1.(b) will not increase required Staff time.

FINANCIAL IMPACTS:

The District of Ucluelet's Finance Department considers that a single water service metering point for the subject building would result in a minor reduction of administration costs compared to individual metering and billing. The total water usage fees are expected to be unaffected.

POLICY OR LEGISLATIVE IMPACTS:

There is currently no District of Ucluelet policy specific to strata conversions.

SUMMARY:

The removal of subject 1.(b) "*completion of individual service connections and metering*", while not optimal, is supportable when considering that the owner will be creating specific clauses within their strata bylaws to resolve possible water service conflicts.

OPTIONS REVIEW:

1. **THAT** Council revise its October 10th, 2017, approval for a strata conversion of the commercial building located at 325 Forbes Road by removing subject 1.(b) requiring "*the completion of individual service connections and metering*". **(Recommended option)**
2. Defer consideration pending receipt of further information to be identified.
3. Refuse the request to revise the October 10th, 2017, strata conversion approval.

Respectfully submitted: Bruce Greig, Manager of Community Planning
Mark Boysen, Chief Administrative Officer

To: Bruce Greig
Manager of Community Planning,
District of Ucluelet

DEC 12 2017

Date: December 12, 2017

Re: 325 Forbes Road (Ucluelet Bottle Depot)

Dear Bruce;

Thank you for taking the time to meet with me today. As per our discussion, this letter is to request the removal of subject (b); completion of individual service connections and metering as a condition of approval for strata conversion, and to provide the reasons for my disinclination to follow through on this specific recommendation.

As you are aware, three-phase electrical power and three individual Hydro meters were installed during initial building construction in 2010. Roughed-in plumbing (water and sewer) was also completed in each unit.

The primary reason I believe it unnecessary to install individual water meters is because once preliminary layout approval has been granted from the District, it is my intent to establish and register strata bylaws ensuring an equitable distribution of costs associated with water usage amongst all owners, as well as a strata council-based monitoring and resolution processes to deal with any significant consumption increases resulting from new occupations and ownerships.

Generally, strata guidelines and language to be registered will be based on the assumption that the (proposed) strata council will closely monitor water consumption and associated charges to be covered by monthly strata fees. Specifically, to provide some parameters of past usage at this property, please note that in the past 24 months of having installed the master water meter on Forbes Road, consumption has been an average of 2 cubic meters per month. As this average has remained constant with the presence of up to three separate occupants on the property, it will be safe to assume that any significant changes in consumption will be attributable to changes in occupations. In the event a new occupation/ownership results in higher average monthly utility costs, the bylaws to be established will empower individual owners to exercise constitutional rights and propose a change in either the apportionment of monthly metered costs, or **if it be deemed cost effective**, installation of his/her own separate water meter.

Should there be any concerns regarding any one individual strata lot owner with disproportionate amount of "voting rights" based on square footage, please note that non-residential strata bylaws and sections can be registered with lower minimum voting

thresholds that are more effective in nature for individual property owners than ones usually found in standard residential strata bylaws.

Lastly, I request Ucluelet District Council members also consider reasons cited by other municipalities for NOT requiring metering of individual units in strata properties:

- The water system within the strata property is owned and maintained by the individual strata corporation. Although the owners can be made responsible for the cost of obtaining and installing individual meters, the costs associated with overseeing the administration of the separate meters to the District may or may not be offset by the expected increase in fee revenues.
- There may be common water use (landscaping/irrigation system, common use water source such as an outside water tap, wash station or common laundry, etc within the strata which will require additional separate meter(s) which in themselves may also become potential sources of usage conflicts.
- Unaccounted water use such as pipe leakages and/or unauthorized water use such as connections made after meter installations will be beyond the control of the District (or individual strata owners for that matter). The presence of separate meters will have no impact or relevance to individual usage in either case.
- Variations in water usage can be efficiently monitored in-house by the property strata council. Subsequent actions and resolutions can also be pursued effectively by individual owners utilizing strata bylaws.

In conclusion, I understand the District's rationale in stipulating the additional condition for separate water meters as one that seeks to minimize future conflicts and issues between potential occupants/owners regarding water usage. Having also considered the above scenarios and pitfalls, however, it must be granted that the cost of separation may be greater than the possible variance costs or the expected benefits to each existing or potential occupant/owner of the strata property.

Thank you for considering my request.

Sincerely,

Ann Kim
Owner, Developer
325 Forbes Road

DISCUSSION:

The subject building was built in 2007 as a single use commercial space and it received all the necessary approvals for occupancy as a bottle depot. The owner is applying to convert this single space onto three separate strata units. The “*Strata Property Act*” designates Council as the approving authority for strata conversion applications, where the units are previously occupied. The Act sets out certain guidelines that Council must consider in this regard:

- *the priority of rental accommodation over privately owned housing in the area;*
- *any proposals for the relocation of persons occupying a residential building;*
- *the life expectancy of the building;*
- *projected major increases in maintenance costs due to the condition of the building; and*
- *any other matters that, in its opinion, are relevant.*

Because this is a commercial strata conversion and not a residential conversion, the considerations focused on the impact to rental accommodation priorities are not relevant. The following are important Council considerations for this commercial application:

1. *The life expectancy of the building*

The building is 10 years old and with it being constructed in steel and concrete, Staff consider the subject building to have a considerable occupiable time remaining.

2. *Projected major increases in maintenance costs*

With the buildings age Staff do not anticipate large unmanageable increases in building maintenance.

3. *Any other matters that, in its opinion, are relevant*

This last guideline in the act gives Council a chance to look at the bigger picture in relation to this strata conversion and consider what in its opinion are relevant matters.

OCP:

The OCP does not address the strata ownership of commercial properties.

ZONING BYLAW REQUIREMENTS:

The property is currently compliant to zoning and the change of ownership would not change any zoning requirements.

BUILDING BYLAW AND BUILDING CODE REQUIREMENTS:

The building currently has occupancy for one use, the bottle depot, within the building. A second use of an automotive shop was recently added without knowledge of the Planning or Building departments. Both the districts bylaw and building officials are now actively involved to bring this new use into building and business license compliance.

For this application Staff need to ensure the new spaces are fully compliant in regard to structural separation and fire code requirements. As per Staff’s recommendation, before the Mayor and Corporate Officer authorize this strata conversion, the applicant will be required to submit a report

from a qualified professional verifying that the proposed strata conversion is in substantial compliance with the current BC Building Code. Staff also consider that each unit should be serviced and metered individually and have recommended that this requirement be verified before the authorization of this application.

PROTECTION AND RELOCATION OF EXISTING TENANTS:

The owner has provided written verification that all existing tenants have been notified. Staff have not received any feedback from the tenants at the time of the writing of this report.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

A minor amount of Staff time will be required to review, verify and authorize the strata conversion if approved.

FINANCIAL IMPACTS:

There are no other direct financial impacts from this application.

POLICY OR LEGISLATIVE IMPACTS:

There is currently no District of Ucluelet policy specific to strata conversions.

SUMMARY:

The conversion of this building to strata ownership will have minimal impact to the community at large.

OPTIONS REVIEW:

1. Approve the strata conversion of the commercial building located at 325 Forbes Road (recommended option).
2. Defer consideration pending receipt of further information to be identified.
3. Refuse the application.

Staff recommend Option 1 as the proposed

Respectfully submitted:

John Towgood, Planner 1

Mark Boysen, Chief Administrative Officer



STAFF REPORT TO COUNCIL

Council Meeting: January 23, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MARK BOYSEN, CHIEF ADMINISTRATIVE OFFICER

FILE NO: 5280-20

REPORT NO: 18-02

SUBJECT: FCM PARTNERS FOR CLIMATE PROTECTION (PCP) PROGRAM

ATTACHMENT(S): APPENDIX A: Council Resolution to Join the FCM-ICLEI Partners for Climate Protection Program

RECOMMENDATION(S):

1. **THAT** Council approve the resolution to Join the FCM-ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program; and
2. **THAT** Council approve the proposed 2018 Ucluelet Climate Action Project Plan.

PURPOSE:

The purpose of this report is to request Council's support for a resolution to join the Federation of Canadian Municipalities (FCM) and International Council for Local Environmental Initiatives (ICLEI) Partners for Climate Protection (PCP) Program and support the proposed 2018 Ucluelet Climate Action Project Plan.

BACKGROUND:

Ucluelet Climate Action to Date

In 2011, the District developed a modernized Official Community Plan (OCP) including a separate section on Greenhouse Gas (GHG) Emission Targets, Policies and Action. Many new GHG policies were adopted in the 2011 OCP including in the areas of Land Use and Development, Transportation, Buildings, Public Infrastructure and Facilities, Community Energy Systems, Solid Waste and Waste Management, and Awareness, Education and Outreach. It also included a section on actions (Monitoring and Reporting) which, to this point, have not been actively reported on. Although this section of the OCP requires some updating, it provides a foundational framework from which the community can build upon.

To this point there has not been the planning or resources dedicated to move actions forward. The proposed 2018 Ucluelet Climate Action Project Plan will help to ensure the District follows through on these commitments.

In early 2018, the District will utilize an Official Community Plan update process to consult the community on a range of community priorities including climate action. Input will derive from several opportunities to accelerate the climate action conversation and allow the community to contribute to new language in the OCP and to the PCP Program milestones process.

The District has also completed the following climate actions:

- Annual completion of the Climate Action Rebate Incentive Program Reports for the Province of BC.
- Recent commissioning of a corporate energy consumption report conducted and nearly finalized.
- Two existing purchasing policies that support a commitment to environmental best practices.
- Supporting the installation of a DC fast charging station for electric vehicles.

FCM Partners for Climate Protection (PCP) Program

Staff are proposing that Council consider participation in the FCM Partners for Climate Protection (PCP) program. The PCP program is a network of Canadian municipal governments that have committed to reducing greenhouse gases (GHG) and to acting on climate change. Since the program's inception in 1994, over 300 municipalities have joined PCP, making a public commitment to reduce emissions.

The program empowers municipalities to take action against climate change through a five-milestone process that guides members in creating GHG inventories, setting realistic and achievable GHG reduction targets, developing local action plans, and implementing plans using specific, measurable actions to reduce emissions. The milestone framework includes:

Milestone 1 – Creating a greenhouse gas emissions inventory and forecast.

Milestone 2 – Setting an emissions reduction target.

Milestone 3 – Developing a local action plan.

Milestone 4 – Implementing the local action plan or a set of activities.

Milestone 5 – Monitoring progress and reporting results.

The PCP program offers a proven approach to reducing GHG emissions while providing support to achieve success. Through the program, the District will gain access to the following tools and resources:

- Support and guidance, through the PCP Milestone Framework, to help members reduce GHG emissions;
- Access to a network of 300 local governments across Canada that are acting on climate change and can help the community succeed by offering their experience and examples;
- Technical support tools, including the PCP Milestone Tool and PCP Protocol;

- Information and access to funding opportunities, such as those offered by FCM's Green Municipal Fund;
- Capacity-building resources, including workshops, case studies and training opportunities; and
- Awards and recognition for milestone achievements and for reported measures.

Membership in the program also holds the municipality accountable to the following responsibilities:

- Carry out the PCP five-milestone framework within 10 years of joining the program;
- Submit documentation demonstrating progress with the five-milestone framework at least once every two years; ad
- The PCP Program requests that one staff member and one Council act as primary contacts on behalf of the municipality. It is recommended that the Chief Administrative Officer and the Mayor act as primary contacts for the program.

SUMMARY:

FCM PCP Membership Resolution

To become a member in the PCP program, Council must adopt the resolution provided in *Appendix A*, which acknowledges the District's commitment to taking action on climate change.

Proposed District of Ucluelet 2018 Climate Action Program Plan

To support the milestone framework, Staff have drafted the Ucluelet 2018 Climate Action Program Plan which is presented below for Council consideration. The Plan sets a path to achieve the greenhouse gas reduction goals already committed to within the Ucluelet Official Community Plan; 33% by 2020 and 80% by 2050. It also commits to using the methodology of the FCM PCP Program to achieve both community and corporate milestones 1, 2 and 3 in 2018. This would set up the community to achieve milestones 5 by the year 2020. The plan intends to establish an updated baseline for Ucluelet's GHG emissions inventory, reconfirm emissions reduction targets, and outline actions to reduce GHG emissions for municipal operations and the community.

Phase 1: Community GHG Inventory (Feb-Apr 2018)

PCP Milestone 1: Creating a greenhouse gas emissions inventory and forecast

This phase would be primarily completed by a consultant to conduct a community emissions inventory and forecast for the community. Staff will support the consultant and provide local information and expertise.

Phase 2: Target Setting (Apr 2018)

PCP Milestone 2: Setting an emissions reduction target

This phase is for staff to complete using feedback from the community during the OCP consultation, working with staff/Council, and reviewing best municipal practices in BC and Canada.

Phase 3: GHG Plan Development (Apr-Jul 2018)

PCP Milestone 3: Creating a local action plan

This phase would involve development of a Community Energy and Emissions Plan (CEEP) with the help of a consultant. This phase would again benefit from the OCP update process and along with a proposed Sustainability Speaker Engagement Series that would focus on home energy efficiency, vehicle electrification, waste reduction and renewable energy. These sessions would not only provide value information to the community, but will also be a chance for them to provide feedback and contribute to the development of the CEEP.

The completion of this project plan will result in the following high-value climate action assets for the Ucluelet community:

- A completed energy and emissions inventory forecast;
- Confirmation of emission reduction targets including updated baselines; and
- Development of a Community Energy and Emissions Plan to guide future actions.

Progress of the climate action program will be reported on during the municipally legislated annual reporting process. A separate section will be included in the annual report for climate action and sustainability initiatives. The District also uses a quarterly reporting process to update projects and financial information to Council and this will also include climate action projects.

There are several opportunities for this plan to contribute to other District goals and programs including:

- Integration of climate goals into a new asset management program.
- Advancing waste management for the community including composting programs.
- Identifying new renewable energy opportunities for the region, building on existing research such as wave energy generation.
- Raise awareness of adaptation planning for the community including local challenges of sea level rise and water security.

The successful roll out of this plan will set a new standard for the Alberni-Clayquot region and further encourage our local partners to work with Ucluelet on significant regional challenges such as transportation.

FINANCIAL IMPLICATIONS:

Committing to the resolution of the PCP program does not require financial commitment.

Federal funding has been requested to support the proposed 2018 Climate Action Project Plan. The funding application submitted in early January 2018 seeks \$26,000 in funding and has only committed staff time resources from the Municipality to support implementation.

If the funding application is not successful, other funding opportunities will be identified and presented to Council for approval.

OPTIONS:

Staff recommend the following options:

1. **THAT** Council approve the resolution to Join the FCM-ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program.
2. **THAT** Council approve the proposed 2018 Ucluelet Climate Action Project Plan.

Respectfully submitted: Mark Boysen, Chief Administrative Officer
Karla Robison, Manager of Environment and Emergency Services

Council Resolution to Join the FCM–ICLEI (Local Governments for Sustainability) Partners for Climate Protection Program

WHEREAS it is well established that climate change is increasing the frequency of extreme weather events and posing other risks, such as drought, forest fires and rising sea levels, which present serious threats to our natural environment, our health, our jobs and our economy;

WHEREAS the 2016 Paris Agreement, signed by more than 190 countries, including Canada, committed to limit the global temperature increase to below two degrees Celsius and to pursue efforts to limit this increase to 1.5 degrees Celsius, in order to avoid the most severe climate change impacts;

WHEREAS local governments are essential to the successful implementation of the Paris Agreement;

WHEREAS Canada's cities and communities influence approximately 50 per cent of national greenhouse gas (GHG) emissions and can drive systemic low-carbon practices, including: building high-efficiency buildings, undertaking building retrofits and developing district heating; building active transit, electric vehicle infrastructure and electrified public transit; implementing near-zero GHG waste plans; and delivering high-efficiency water and wastewater services;

WHEREAS investments in these types of measures also reduce operating costs, help municipalities maintain and plan for future community services, protect public health, support sustainable community development, increase community resilience and reduce a community's vulnerability to environmental, economic and social stresses;

WHEREAS a number of government and international and national organizations have called for greater cooperation among all stakeholders to meet reduction targets, including Canada's Big City Mayors' Caucus, which supports binding GHG emission reduction targets at the international, national and city levels, action plans that cut emissions, identification of risks and mitigation solutions, and regular municipal GHG emissions reporting;

WHEREAS the Federation of Canadian Municipalities (FCM) and ICLEI–Local Governments for Sustainability have established the Partners for Climate Protection (PCP) program to provide a forum for municipal governments to share their knowledge and experience with other municipal governments on how to reduce GHG emissions;

WHEREAS over 300 municipal governments across Canada representing more than 65 per cent of the population have already committed to reducing corporate and community GHG emissions through the PCP program since its inception in 1994;

WHEREAS PCP members commit to adopt a community GHG reduction target of 30 per cent below 2005 levels by 2030, in line with the Government of Canada's target, and to adopt a corporate GHG reduction target that is similar or more ambitious, and to consider adopting a deeper community and corporate emissions reduction target of 80 per cent by 2050;

WHEREAS the PCP program is based on a five-milestone framework that involves completing a GHG inventory and forecast, setting a GHG reduction target, developing a local action plan, implementing the plan, and monitoring progress and reporting results;



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WHEREAS PCP members commit to carry out the five-milestone framework within 10 years of joining the program and to report on progress at least once every two years;

WHEREAS PCP members accept they can be suspended from the program — subject to prior notice in writing by the PCP Secretariat — in the event of non-submission of progress reports within the established deadlines;

BE IT RESOLVED that the municipality of _____ endorse the Government of Canada's commitment to the Paris Agreement to limit global temperature increase to below two degrees Celsius and to pursue efforts to limit the global temperature increase to 1.5 degrees Celsius; and

BE IT RESOLVED that the municipality of _____ review the guidelines on [PCP member benefits and responsibilities](#) and then communicate to FCM its participation in the PCP program and its commitment to achieving the milestones set out in the PCP five-milestone framework;

BE IT FURTHER RESOLVED that the municipality of _____ appoint the following:

- a) Corporate staff person (Name) _____
 (Contact number) _____
 (Email address) _____
- b) Elected official (Name) _____
 (Contact number) _____
 (Email address) _____

to oversee implementation of the PCP milestones and be the points of contact for the PCP program within the municipality.

_____ Signature

_____ Date



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SCIENTIFIC BACKGROUND

The International Panel on Climate Change (IPCC) says in its 2014 *Fifth Assessment Report* that warming of the Earth's climate system is unequivocal and that "the IPCC is now 95 per cent certain that humans are the main cause of current global warming."

The IPCC concludes this warming is caused primarily by increased atmospheric concentrations of carbon dioxide, methane and nitrous oxide released from burning coal, oil and natural gas and from cutting trees and clearing land for agriculture and development.

The IPCC has a high degree of confidence that the following climate-related impacts are occurring or will occur over the next century in North America:

- More frequent hot and fewer cold temperature extremes, resulting in longer and more frequent heat waves.
- More frequent and intense extreme precipitation events.
- Thawing of permafrost, causing greater emissions of greenhouse gases and leading to disruptions to infrastructure and the traditional ways of life in northern communities.
- Melting of glaciers and polar ice, causing sea level rise in over 70 per cent of coastal communities.
- Increased risk of extinction for a large fraction of terrestrial, freshwater and marine species, undermining food security in many regions.
- In urban areas, increase risks for people, assets, economies and ecosystems including risks from heat stress, storms and extreme precipitation, flooding, landslides, air pollution, drought, water scarcity, sea level rise and storm surges.
- In rural areas, impacts on water availability and supply, food security, infrastructure, and agricultural incomes, including shifts in food production areas.

Under business-as-usual scenarios, the IPCC has high confidence that global surface temperature is likely to exceed two degrees Celsius by the end of the 21st Century.

The IPCC observes that warming resulting from human influences could lead to abrupt or irreversible impacts, depending on the rate and magnitude of climate change, and that the more human activities disrupt the climate, the greater the risks.

Under a stringent emission reduction scenario, the IPCC concludes that surface warming could be kept under two degrees Celsius, which would reduce the risks and impacts of climate change.



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STAFF REPORT TO COUNCIL

Council Meeting: JANUARY 23, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BARBARA MILLAR, MANAGER OF FINANCE

FILE NO: 1880-20

SUBJECT: PAYROLL SOFTWARE PROPOSAL

REPORT NO: 18-03

ATTACHMENT(S): APPENDIX #1 – TEMPLE CONSULTING PRICING ON PAYROLL MODULE
APPENDIX #2 – TEMPLE CONSULTING PRICING ON HUMAN RESOURCES MODULE

RECOMMENDATION(S):

1. **THAT** Council approve funding to change the District of Ucluelet payroll provider from Ceridian Canada to Temple Consulting Group.
2. **THAT** Council authorize Staff to enter into a sole-source consulting with Temple Consulting for the Payroll and Human Resources Module.

PURPOSE:

To present to Council the attached quotes for the Payroll and Human Resources Modules from Temple Consulting for consideration.

BACKGROUND:

Current Service Provider: Ceridian Canada

The District of Ucluelet currently outsources payroll to Ceridian Canada Ltd. They are currently contracted to complete payroll for our organization, make all statutory payments (Income Tax, EI and CPP), as well as generate ROE's and T4's on our behalf. The cost of this service is based on the number of people on payroll and includes a help line. Training costs are in addition to the biweekly fees as are extra cheque runs which are required from time to time. The cost for this service in 2017 was \$7,350, a 5% increase over 2016 (and a 19% increase from 2015-2016). This software does not integrate with our accounting program from Temple Consulting, the Municipal Accounting Inventory System Software (MAIS). Therefore, all journal entries for payroll expenses must be prepared manually and input into MAIS every two weeks. (2.5 man hours x 26 = 65 mh/ year). The help line is a call centre, where calls are taken on a first come first serve basis, with no dedicated agent for our account. Any payroll changes are by a service request, which can take several days to complete. Reports are standardized, with additional costs for set up and delivery of specialized reports. For budgeting purposes data must be extracted and manipulated.

Proposed Service Provider: Temple Consulting

There are several benefits to switching to the Temple modules, most notably though, they would compliment our existing MAIS program. Payroll expenditures would be updated automatically to the

general ledger accounts, thus eliminating the requirement for journal entries to be prepared each pay period. The software will generate customized reports per our requests as needed; most beneficial for budgeting purposes and eliminating additional data manipulation.

Additionally, any questions and problems regarding payroll or human resources will be answered directly by Temple Consulting, by the specialists who designed the software and work with it daily. They can connect to our computers remotely and work through all inquiries on screen, in real time.

The District's Purchasing and Disposal Policy requires 3 written quotes for goods and services over \$10,001 and under \$25,000. A sole-sourced contract would therefore require approval of Council. Temple Consulting currently is the only available provider for these finance modules.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Temple Consulting has a dedicated payroll consultant who will work one on one with finance department staff to set up and implement the payroll and human resource modules. Set up and implementation would be both remotely and on site. The time estimate to have payroll active in MAIS is approximately one month.

FINANCIAL IMPACTS:

The cost of the two modules from Temple Consulting is \$10,584. Based on 2017 Ceridian fees, this initial cost would be an additional \$3,234 for 2018. However, the annual maintenance costs for subsequent years would be \$1,980, resulting in a savings of \$5,370 per year. This calculation is based on 2017 actuals and do not taking into consideration potential fee increases from Ceridian.

OPTIONS REVIEW:

1. That Council approve the additional expenditure to the 2018 – 2022 Financial Plan to purchase the Payroll and Human Resources Module from Temple Consulting to capture; future cost savings, and increase staff productivity through integration.
2. That Council authorize Staff to enter into a sole-source consulting with Temple Consulting for the Payroll and Human Resources Module.
3. That the District of Ucluelet continue to use Ceridian as the payroll provider.

Respectfully submitted: Barbara Millar, Manager of Finance
Carolyn Bidwell, CFO



STAFF REPORT TO COUNCIL

Council Meeting: January 23, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MARK BOYSEN, CHIEF ADMINISTRATIVE OFFICER

FILE NO: 0230-20

SUBJECT: MULTIPLEX SURVEY RESULTS DECISION

REPORT NO: 18-04

ATTACHMENT(S): APPENDIX A: MULTIPLEX SURVEY RESULTS

PURPOSE:

The purpose of the report is to provide Council with a review of the results of the ACRD Multiplex survey results and to consider continued support for the project.

BACKGROUND:

The communities along the Central West Coast of Vancouver Island have been exploring the possibility of constructing and operating a multiuse recreational facility in partnership with the West Coast Multiplex Society. This has been supported by a memorandum of understanding signed by the Alberni-Clayoquot Regional District (ACRD), Tla-o-qui-aht First Nation, the District of Tofino, and the District of Ucluelet. In July 2013.

SUMMARY:

At the direction of the ACRD, a survey was conducted in November 2017 by students and faculty from Vancouver Island University. Residents were surveyed on their support for the current proposal, which includes the construction of an ice rink/dry surface/emergency shelter (along with seating, change rooms, and meeting areas) adjacent to the Tofino Airport. The results of this survey are provided in Appendix A.

Respectfully submitted: Mark Boysen, Chief Administrative Officer

West Coast Multiplex Survey



Prepared for: Alberni-Clayoquot Regional District

Prepared By: Vancouver Island University

Date: December 11, 2017



Background

The communities along the Central West Coast of Vancouver Island have been exploring the possibility of constructing and operating a multiuse recreational facility in partnership with the West Coast Multiplex Society. This has been supported by a memorandum of understanding signed by the Alberni-Clayoquot Regional District (ACRD), Tla-o-qui-aht First Nation, Ahousaht First Nation, Yuutu?it?ath Government, Hesquiaht First Nation, Toquaht First Nation, the District of Tofino, and the District of Ucluelet.

At the direction of the ACRD, a survey was conducted in November 2017 by students and faculty from Vancouver Island University. Residents were surveyed on their support for the current proposal, which includes the construction of an ice rink/dry surface/emergency shelter (along with seating, change rooms, and meeting areas) adjacent to the Tofino Airport.

As noted on the survey, all individual survey responses returned for analysis have been kept strictly confidential: this report presents the aggregate data only to ensure no individual responses can be identified.

Survey results

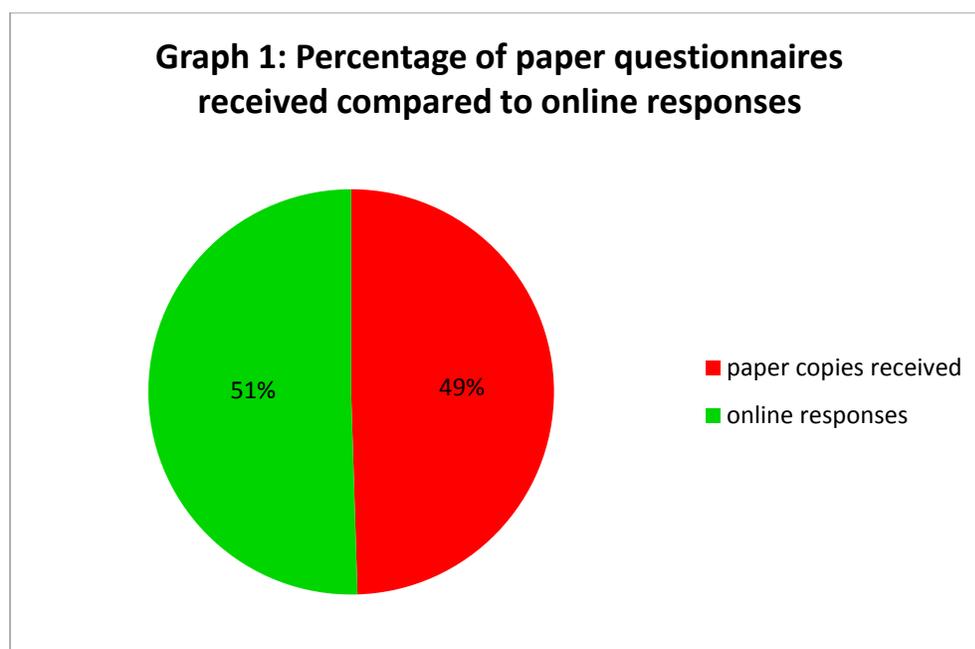
Data was collected in November of 2017 through two methods of collection. The first was a paper survey sent to private residences, with a return pre-paid envelope to encourage the return of the questionnaire. In total, 2,672 paper copies were sent out: 2,222 were mailed to private residences in Tofino, Ucluelet, and the Long Beach Electoral Area (Area C) of the Alberni Clayoquot Regional District (ACRD), and 450 were distributed to residents on Reserve Lands held by Tla-o-quiaht First Nation, Yuutu?it?ath Government, Toquaht Nation, Hesquiaht First Nation, and Ahousat First Nation (see Table 1). Of the 2,672 paper copies, 27% (n=728) were returned.

Table 1: Distribution of paper copies of the survey

	<i>Percentage of paper copies distributed</i>	<i>Number of copies distributed</i>
Mailed to private residences	83.2	2,222
Delivered (breakdown as follows):	16.8	-
Tla-o-qui-aht First Nation	5.6	149
Yuutu?it?ath Government	5.6	149
Toquaht Nation	1.9	51
Hesquiaht First Nation	1.9	51
Ahousaht First Nation	1.9	50
TOTAL	100.0	2,672

At the request of the ACRD, an online version of the survey was also made available. In total, 51% (n=744) were online respondents¹ (see Graph 1). The total number of respondents is 1,472.

In order to provide representative results, it is important to collect data from a representative sample. The criteria for a representative sample are met when it is possible to calculate the probability of participating for every individual or household in the population. While sending out one paper copy to all private residences would have permitted this calculation of probabilities of participating, the online survey and the free distribution of surveys do not. The results presented here, therefore, are not representative of the population and must be examined in that light. The results represent the opinions of the respondents who took time to participate in the survey, and not necessarily those of the entire population.



Respondent Profile

Over 85% of the total respondents live in Ucluelet (47%) and in Tofino (41%). Table 2 indicates the breakdown of their place of residence. Three percent (3.3%) of the total number of respondents did not answer this question; the comments provided suggested that some people who received the paper questionnaire did not know how/chose not to/provide an additional response when answering this question. For example, Salmon Beach is not included in the suggested answers, but some residents added this as their place of residence. It may also be that residents identify with other non-incorporated areas within Area C. Respondents are free to leave any questions blank and/or provide an additional response in the “Comments” section of the survey: if no additional comment is provided, a definitive analysis of the

¹ Although online surveys provide opportunities for all respondents to complete the questionnaire, they can not and do not provide a representative sample of the population. In addition, the data collected must always be heavily scrutinized because it is possible for one or two people to complete multiple versions of the survey. In an effort to control for this, the data was examined and any duplicate data was deleted. In addition, any data from duplicate IP addresses was examined for repetition of information.

3.3% of non-responses cannot be provided, and as it is a small fraction of total responses, this missing data does not hold a large impact on the aggregate results.

Table 2: Respondents' place of residence

Where do you live?	%	Number
Ucluelet	46.9	690
Tofino	40.9	602
Long Beach (Area C)	6.0	88
Yuutu?it?ath Gov't	2.1	32
Ahousat FN	1.3	19
Toquaht Nation	1.3	19
Tla-o-qui-aht FN	1.2	18
Hesquiaht FN	0.3	4
Total	100	1,472

Over 75% of the respondents (78%) are full-time residents and 82% are owners or co-owners. Only 4% see themselves moving out of the area in the next 5 years.

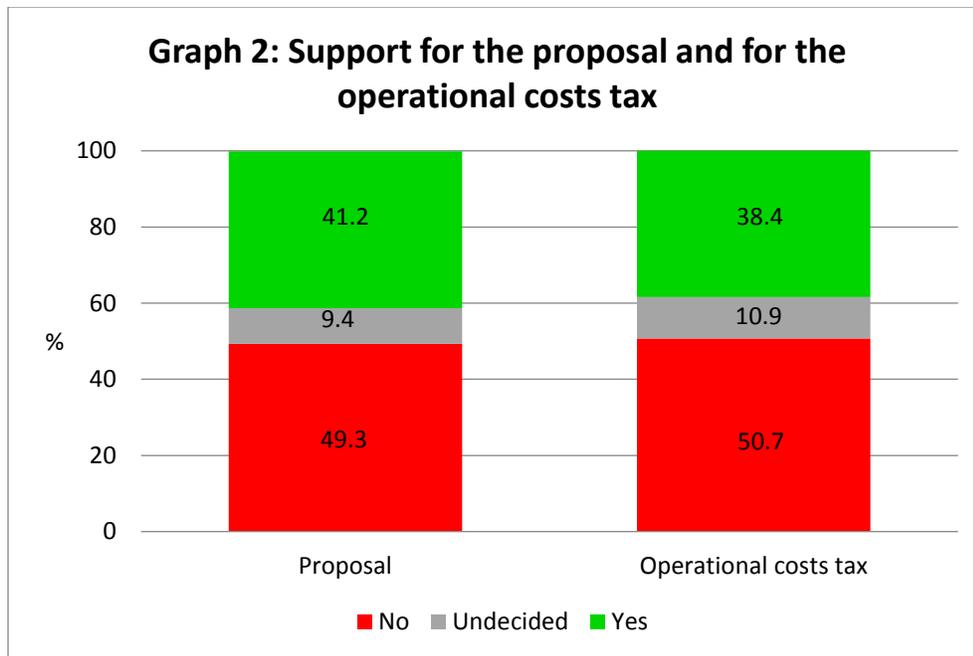
Support for the proposal

Graph 2 illustrates the total opinion of all respondents (paper and online) on the proposed project. The response is split: 49% indicate that “no”, they do not support the proposal as it is presented; 41% state that “yes”, they do support it. An additional 9% indicate that they are “undecided”.

The same pattern appears for the question regarding support for the multiplex operational costs tax: 51% indicate they do not support it, 38% indicate they do support it, and 11% are undecided.

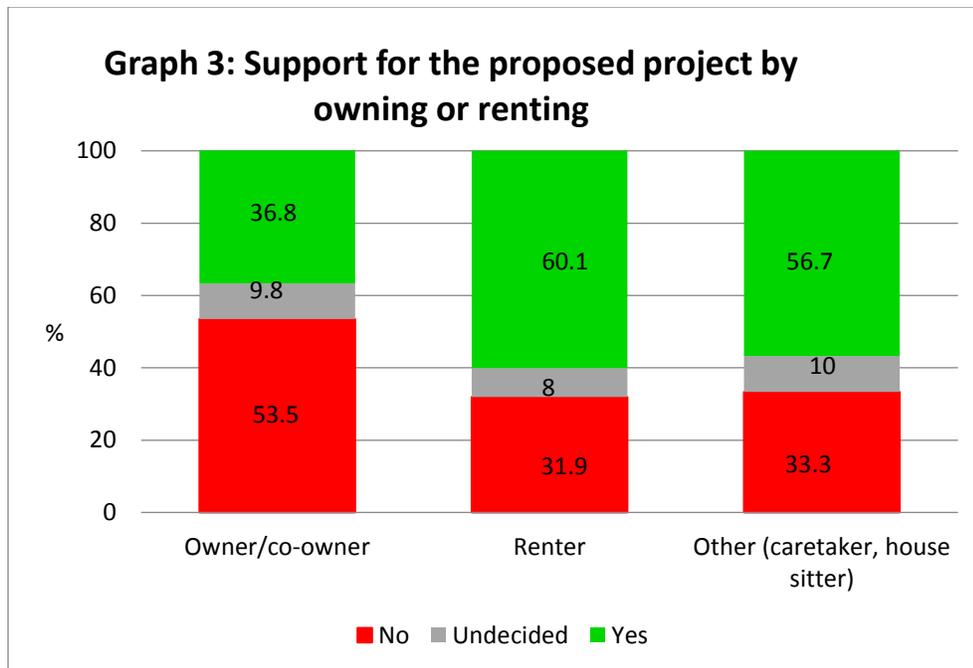
The survey intentionally did not offer a range of response options (such as strongly support/support/oppose/strongly oppose) as the objective was to gain as clear an indication as possible on the respondents support/not support for the multiplex concept as currently envisioned.

These results indicate that more respondents do not support the proposal by a margin of approximately 8% when asked about the concept plan. A stronger response is received on the operational costs tax with just over half of the respondents indicating they do not support the tax; it is noted that the proportion of respondents of this question who are undecided is slightly larger when compared to the response for the concept plan.

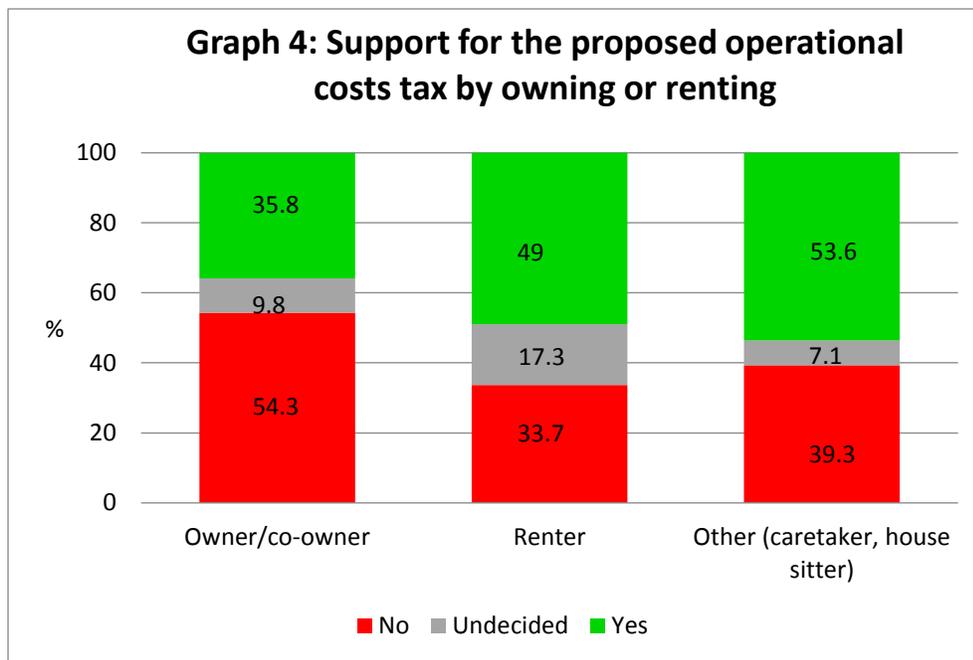


The results indicate that among those who support the concept plan, there is opposition to the operational cost tax – this is illustrated in the differences between the first column (support for the proposal) and the second column (support for the operational costs tax). Those responding “yes” declined from the first to the second question, and increased for those responding “no” as illustrated on Graph 2.

Graph 3 breaks down the responses from those who own or do not own their property. The graph illustrates that 53% of respondents who own/co-own property do not support the proposal, compared to 32% of renters and 33% in the “other” category. It is noted that the “other” category includes respondents who may be property caretakers, house sitters, or otherwise living in the area but not (by their own definition) owning or renting property. That is, support for the proposal is higher among renters/others.

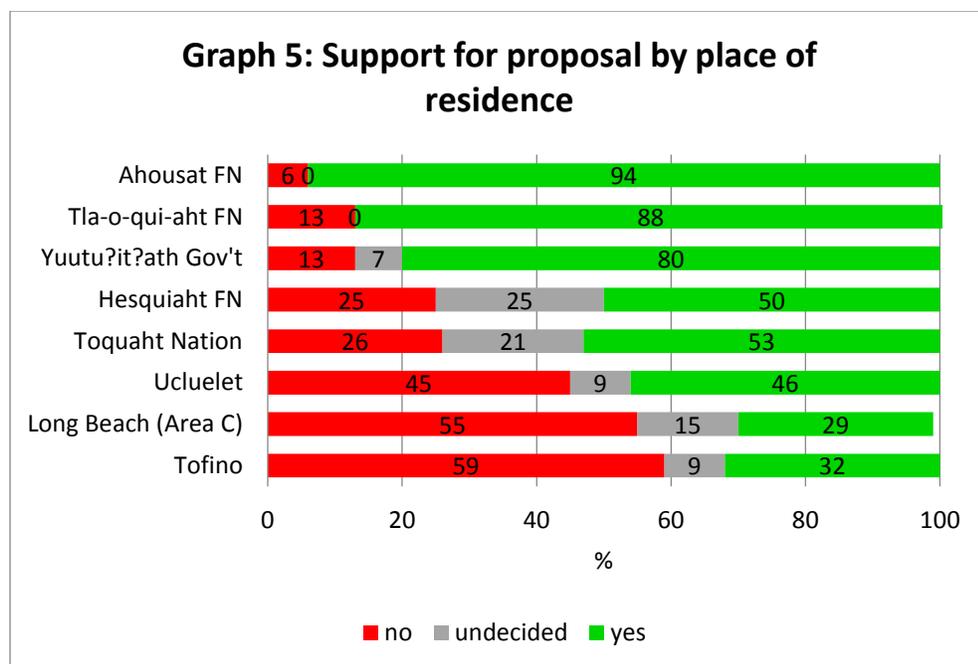


This same pattern is illustrated in the question regarding support for the operational costs tax: once again, property owners show the least amount of support. Fifty-four percent do not support the tax, compared to 34% of the renters and 39% in the “other” category (see Graph 4). This may speak to owner/co-owners seeing a direct relationship between their household costs and taxes, while household costs tend to be aggregated in property rental calculations and may not be seen as having direct impacts on renters. The comments received from survey respondents supports this interpretation.



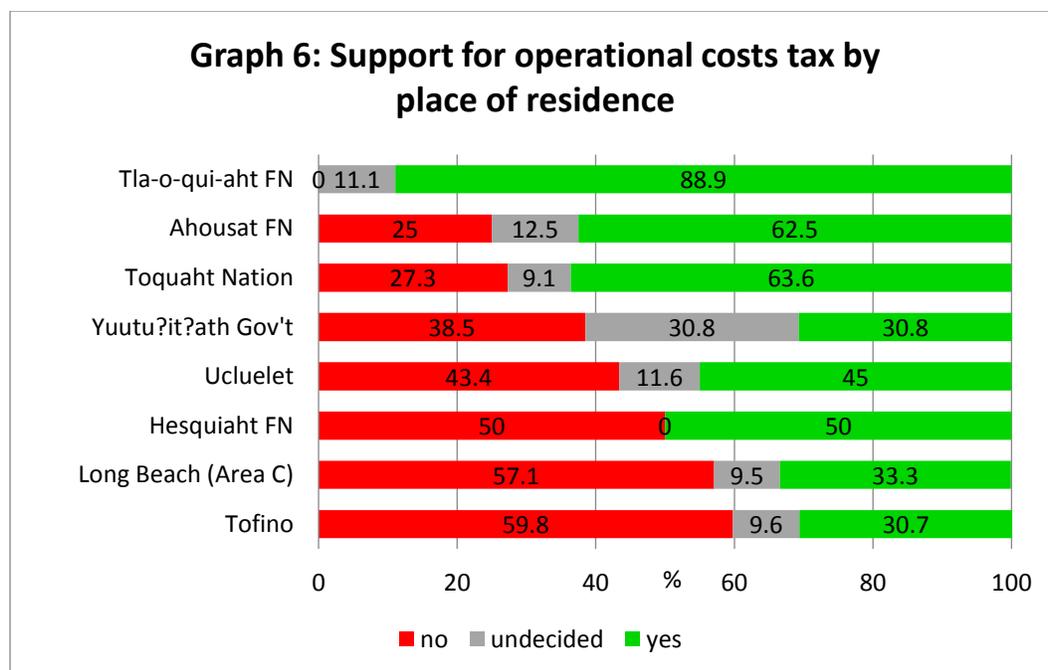
Place of residence

Support for the proposal differs according to the respondents' place of residence. As indicated in the following two graphs, the project receives greater support from respondents who live on First Nations land than in the incorporated municipalities or the Regional District. For example, 94% of respondents from Ahousat First Nation said that they support the proposal compared to 32% in Tofino. The lowest support for the project was in Long Beach (Area C): 29% said that they support the proposal.



A similar pattern exists when respondents were asked if they support the operational costs tax. However, in some instances, there appears to be greater indecision on this question (see Graph 6).

It is important to specify that, although only respondents from Tofino, Ucluelet and Area C were asked to respond to this question, respondents from other areas did as well. These results have not been excluded from this table because they offer the opinion of respondents living in locations that, in some areas, are moving toward taxation. These results also show the differentiation between support for the proposal and support for the operational costs tax. For example, in Yuutu?i?ath Government, support is higher for the multiplex than it is for the tax, which mirrors the results from residents within the incorporated local governments and the Regional District.



Frequency of use

Respondents were asked how often they potentially see themselves using the facilities at the multiplex, and to respond for themselves and for members of their household. Table 3 illustrates that 46% of respondents indicated that they would “never” use it and 44% said the members of their households would “never” use it. It is important to note that only the 728 respondents who received a paper copy of the questionnaire were asked this question.²

Table 3: Potential frequency of use by respondents and by the members of their households

	Frequently		Often		Seldom		Never		Unsure	
	n	%	n	%	n	%	n	%	n	%
Respondent	56	8.1	64.0	9.2	162.0	23.4	315.0	45.5	95.0	13.7
Household	58	9.5	58.0	9.5	142.0	23.3	268.0	44.0	83.0	13.6

Comments Included on the Survey

At the end of the questionnaire, respondents were provided with a space to include comments. Approximately half of the respondents did add additional text (52.3%). These were coded according to the themes and Table 4, below, lists the themes and the percentage of respondents who mentioned them. It

² Due to a technical issue, this question did not appear in the online survey.

is noted that the total percentage will not equal 100% because some of the comments covered more than one theme and are represented in more than one place for ease of analysis by the readers of this report.

The most frequent comment was related to a pool: 20% of comments indicated that the respondent preferred a pool over an ice rink.

Taxes were the next most occurring subject for those providing comments: 13% of respondents provided additional text indicating that they did not support a raise in taxes and/or preferred any tax increase be otherwise expended.

The third most occurring comment was about money (unrelated to taxes or maintenance). Approximately 10% of respondents felt the price tag of the proposal was too high.

Although the majority of the comments were unsupportive, leaning to the negative, or critical of the project, 8% of respondents provided a positive comment such as “can’t wait!”, “all for it”, and “good for communities and area.” Positive comments were also received in the themes “Kids and Youth” and “Recreation” with respondents indicating that the multiplex would provide a new activity for young people and a new sport/rec function.

The themes are summarized below, along with the percent of comments relating to these themes. This commentary provides additional detail otherwise not available through the analysis of the survey questions.

Table 4: Respondents’ comments

	n	%
Pool	298	20.2
Taxes	197	13.4
Money or costs (not taxes)	144	9.8
Positive comment	116	7.9
Not catering to community	83	5.6
Priorities	81	5.5
Kids and youth	75	5.1
Location and transportation	73	5.0
Too ambitious for community	72	4.9
Hockey	70	4.8
Age restrictive	55	3.7
Won't be used	51	3.5
Recreation	37	2.5
Environmental	21	1.4
Maintenance	12	0.8
TOTAL	1472	---

Pool

In total, 20% of respondents mentioned the pool in their comments. The general consensus is that the respondents are more interested in building a pool than an ice rink. Some respondents commented on how they would support a tax increase if it was specifically for a public pool in their community. Respondents explained how, compared to an ice rink, a pool is accessible to every age category, and suggested that a pool provides a wider range of benefits to many different people. For instance, one respondent said *“our west coast communities need access to a public pool for drowning-prevention, water safety, swimming lessons, year round aquatic fitness, water therapy and recreation for our residents of all ages and varying abilities. I do not support a tax increase to operate an inaccessible arena. I would be in favour of a tax increase to support a public aquatic facility in Tofino”*. In addition to the pool benefitting all age brackets, respondents commented that a pool does not require expensive extra equipment such as skates and hockey equipment.

Taxes

Approximately 13% of respondents commented on taxes. Many spoke in opposition to additional tax increases. Others stated that their taxes are already too high or that they will not be able to afford to stay if taxes increase. Additional comments regarding taxes are related to the category “too ambitious for the community” (see below): for example, one respondent indicated *“the tax base is not large enough to support such a large expenditure.”*

Money or costs (not taxes)

Of the total number of respondents, 10% mentioned money or other costs. In general, this category contains comments about expenses related to hockey and skating. Comments indicate that parents would not be able to afford to have their children play hockey; overall, the equipment is seen as expensive as is the ice time. Respondents expressed concerns about the feasibility of the multiplex when it is *“just as cheap to travel to Port Alberni.”* Other comments were related to costs or expenses which appeared unknown, such as how much would it cost to convert the ice rink to a dry surface for other events, and what the user fees would be once the facility is constructed.

Positive comments

As noted previously, approximately 8% of respondents provided positive comments on some aspect of the facility/operational costs. Examples of the positive feedback include *“Please make this a reality”*, *“beautiful plans, good luck”*, and *“long time running, support this from beginning to end.”* Besides an indication of overall enthusiasm, respondents in this category stated that the facility would build community strength and continuity, benefitting families as well as the economy.

Not catering to the community

This category captures the sentiment that an ice rink would not cater to everyone in the community and as such, would not be used by the majority of the community. Approximately 6% of respondents provided a comment that was related to this theme. For example, some respondents stated that *“an ice rink serves a small population out here”* and *“it targets a smaller segment of the population.”* The main issue was related to the older members of the community who do not skate. This theme was often combined with comments supporting a pool, and how a pool would be beneficial to everyone, regardless of their age or physical abilities. Respondents also indicated that an ice rink does not represent or fit into the West Coast lifestyle. One participant stated *“an ice rink is not appropriate for the West Coast.”* Another stated *“We need to embrace where we live and have a multiplex that reflects that... we are beach goers, hikers,*

mountain climbers. Also, I don't believe that tourists will be using this complex because they pay thousands of dollars to come here to SEE here." It was mentioned that children of the West Coast should learn to swim rather than to skate since they live by the ocean. For these respondents, an ice rink was not seen as matching a West Coast lifestyle.

Priorities

Some respondents (6%) felt that the community should be addressing more pressing priorities. For example, respondents mentioned that improving the infrastructure at local beaches (i.e. public bathrooms and change rooms) is more important than building a multiplex. Others questioned the need for a new building when the existing community buildings are underutilized; they recommended renovations to the theatre and community hall. Some of the other priorities mentioned include: an exercise or sports gym (basketball, tennis, volleyball, etc.); a swimming pool, community meeting rooms or a library, and improvement of the road system into the area. It was also suggested that the money be put towards more affordable housing, better childcare, care for the elderly, transit systems, water treatment centre and sewage development, or a new hospital/medical services building that is at a higher elevation and not so close to the water.

Kids and youth

Approximately 5% of respondents provided a comment that was generally supportive on the positive impact that the proposed facility would have for kids and youth in the area. Some examples are: *"would be ideal for our children"* and *"this would be good for my nieces, nephews, and grandchildren."* While there are many outdoor activities in the area, participants indicated that there are limited indoor activities for youth, especially during the rainy winter months. One participant stated: *"This is a very needed facility on the West Coast, there is nothing for our kids and I find that the kids are bored and wandering the streets and need to be active."* Participants indicated that having this facility for youth would make people, especially young families, want to move to and stay in the area.

Contrasting the desire for an indoor recreation facility a concern held by participants is that the ice rink would draw their children away from the outdoors. One participant represents this concern: *"We had an amazing childhood in Tofino and used the natural environment as our playground. I raised my now teenage kids the same way. I believe we are all blessed with different environments and opportunities and can be grateful and creative with what we have. We have beaches, hire lifeguards instead!"* Another issue that came up was transportation; young people are most likely to utilize the facility, however, they are dependent on others for transportation. Respondents felt as though something must be implemented to address this problem.

Location/transportation

This category contains comments regarding the location of the multiplex and the difficulties in accessing the facility. For the 5% of respondents who provided a comment that fit this theme, public transportation to and from the multiplex was the issue: *"It should be built at the intersection of Hwy 4 to Ukee-Tofino", "inconvenient for every community",* and *"I do not see reliable public transport in the near future."* Also of concern is the road that links Port Alberni and the west coast communities. Some respondents suggested it was too dangerous, others requested that the money be spent on improving the Pacific Rim Highway: *"our Hwy 4 is too dangerous to have families coming out to play hockey at a multiplex on the westcoast."*

Too ambitious for the community

A further 5% of respondents provided a comment that suggested the multiplex is too ambitious for the community. This category contains comments that indicate the community does not have a large enough population or tax base to support the multiplex; comments indicated that there will be low user rates and thus not enough money to fully support it. Several respondents suggest that the project is a waste of money. One respondent speaks directly about the population and states that we *“simply do not have the population.”*

Hockey

Approximately 5% of respondents believe there is too much focus on hockey and on the small number of people who play hockey. Hockey is viewed as an expensive sport that is limited to specific ages and tends to be gender specific. Respondents noted that the population base is small and other teams will have to travel on dangerous roads to get to the area. Respondents said that it is a dangerous, aggressive, competitive, and violent sport that has many risks of concussions. Many stated that hockey is not a priority sport and is not diverse enough for the area.

Age restrictive

Four percent of the respondents were concerned that an ice rink is age restrictive: *“only a small percentage will get use out of an ice rink, whereas a pool would get used by everyone. Elderly, babies, children.”* Another respondent stated *“I understand that families with young children might support the multiplex but as I’m a senior I would only support a pool that accommodates people of all ages.”* According to these respondents, a pool could accommodate residents of all ages and all physical abilities.

Won’t be used

This category represents the comments from respondents (4%) who mentioned that they do not think they or their family would ever use the facility. According to respondents, the community does not seem to be interested in the ice rink and there is not enough local hockey to support the use of an ice rink. Some respondents refer to the ice rink as being a *“white elephant”* and indicate it is unnecessary. As one respondent states: *“an ice rink is NOT used as much as a community pool. It targets a smaller segment of the population.”* Overall, these respondents believe the complex would not be used and see it as unnecessary.

Recreation

Three percent of respondents stated that they support all types of recreation and that the ice rink is too restrictive. They ask if it will be converted to incorporate curling or other options than hockey. For example, *“I support recreation in our communities, but this is not the right facility in our surf town.”* There are requests for a facility that includes more recreational options: *“We would be interested in a more ‘multi’ multiplex incorporating as well as ice rink, a swimming pool/ kids water park, gym/exercise areas for yoga/zumba etc., meeting rooms.”* Overall, the responses that make up this category indicate that there is support for recreational activities, but not necessarily an ice rink as the primary proposed use. However, it should be noted that this category also includes support for the multiplex: *“based on winter months on the West Coast alone, this makes sense (offer folks something to do indoors!)”*

Environmental

The comments in this category (1%) relate to the amount of energy required to operate the facility and suggestions for the use of renewable energy: *“No to carbon footprint of keeping ice frozen in a temperate*

climate”, and “there should be self-powered sustainable technologies applied to this design, to subsidize these costs [...] Solar and wind assisting the power needs to this complex should be a priority when considering operating costs over the short and long term”. They also include comments about the beauty of the region and the attraction of outdoor activities for tourists: “we are one of the few communities that is resort/eco activity based”, and “why spend more to keep us from this beautiful nature out?”

Maintenance

Some of the respondents (1%) questioned the resources that would be needed to maintain the multiplex. Most comments were related to costs associated with the maintenance, others were closely linked to the previous category of environmental concerns. *“I don’t believe we should be building large buildings that need intensive and expensive maintenance when we are naturally blessed with ocean, lakes, mountains and forest that provide us with free recreational activities which help develop respect for our natural environment”, and “the cost for maintenance is probably underestimated and the demographics that a rink appeals to is too small.”*

Conclusion

The data obtained from 1472 respondents suggests that more respondents oppose than support the project by a margin of 49% to 41%. The remaining 10% were either undecided or did not answer the question. Similarly, the respondents also do not support the additional operation tax with 51% of respondents indicating “no” and 38% indicating that “yes” they do support the tax. The remaining 11% of respondents either were undecided or did not respond to this question.

Overall, while the results cannot be considered as scientifically representative of the community given the two survey methods, they do illustrate the opinions of a large number of community members who took the time and attention required to complete the survey.



STAFF REPORT TO COUNCIL

Council Meeting: January 23rd, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

From: John Towgood, Planner 1

Ref No: RZ17-03 **Folio No:** 3360-20 **File No:** 3360-20

Report No: 18-05

Subject: RZ17-03, CS-5 side yard setback zoning bylaw amendment

RECOMMENDATION(S):

1. **THAT** zoning amendment Bylaw No. 1219, 2017 be given third reading.

PURPOSE:

To advance Bylaw No.1219 to Third Reading having been given First and Second Reading at an open meeting of Council on November 14th, 2017 and having received a Public Hearing on January 23rd, 2018.

OPTIONS REVIEW:

1. That zoning amendment Bylaw No. 1219, 2017 be given third reading. (**Recommended**)
2. That Council defer the third reading of Bylaw No. 1219, 2017 to a future date to be identified.
3. That Council abandon Zoning Amendment Bylaw No. 1219, 2017.

Respectfully submitted:

John Towgood, Planner 1
Bruce Greig, Manager of Planning
Mark Boysen, Chief Administrative Officer

DISTRICT OF UCLUELET**Bylaw No. 1219, 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 District Planning Staff have applied to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013 ("Zoning Bylaw") to recognize the requirement for smaller side yard setbacks for the smaller strata lots created within the Reef Point area in the CS-5 Tourist Commercial Zone.

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

1. Section CS-5.6 of the Zoning Bylaw is amended by adding the following subsection:

CS-5.6.3 On the following properties the minimum interior side yard setback shall be reduced to 1.2m (4'): VIS4490 Lots 1-31; VIS5200 Lot B; VIS5496 Lot 3; VIS5583 Lot 1; VIS5843 Lots 1 and 2; VIS6122 Lots A and B; VIS6124 Lots A and B; VIS6125 Lots A and B; VIS6131 Lot 4; VIS6132 Lot 2; VIP66186 Lots 18, 20, and 22,

2. This bylaw may be cited as "Zoning Amendment Bylaw No. 1219, 2017".

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

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

PUBLIC HEARING this day of , 2017

READ A THIRD TIME this day of , 2017.

ADOPTED this day of , 2017.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1219, 2017.”

Mayor
Dianne St. Jacques

CAO
Mark Boysen

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

CAO
Mark Boysen



STAFF REPORT TO COUNCIL

Council Meeting: January 23rd, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

From: John Towgood, Planner 1 **Folio No:** 115.035 **Ref No:** RZ17-06 **File No:** 3360-20

Report No: 18-

Subject: To amend zoning bylaw no.1160, 2013 for the development of Lot 1, Plan VIP85870 as Black Rock Staff Housing.

ATTACHMENTS: APPENDIX A – APPLICATION
APPENDIX B – DRAFT HOUSING AGREEMENT

RECOMMENDATION(S):

1. **THAT** Zoning Amendment Bylaw No. 1224, 2018 be given first and second reading and advance to a public hearing, subject to the applicant providing a complete landscape plan for the proposed development.

PURPOSE:

To provide Council with information on a zoning amendment application, Housing Agreement and Development Permit for the development of Staff Housing by the Black Rock Resort on the property at Lot 1, Plan VIP85870 (the “**Subject Lot**”).

BACKGROUND:

An application has been received to develop the subject lot (**Figure 1**) as Staff Housing to support the Black Rock Resort.



Figure 1 – Site Plan

After a review of the District of Ucluelet’s Zoning Bylaw and meeting with the applicant, Planning Staff concluded that a zoning amendment and Development Permit (**DP**) would be required. These processes can be done concurrently, with the approval of a DP immediately following the fourth reading of a zoning amendment bylaw.

DEVELOPMENT PERMIT:

The subject property is within the Official Community Plan’s (the “**OCP**”) development permit designation of “Development Permit Area No.8 (Former Forest Reserve Lands) which were established for the purposes of:

- Protection of the natural environment, its ecosystems and biological diversity; and
- Protection of development from hazardous conditions; and
- Establishment of objectives for the form and character of development in the resort region;

Protection of the natural environment, its ecosystems and biological diversity:

The building area of the lot has been relatively cleared and there are no significant environmental features. The general development permit guidelines indicate that an “Environmental Impact Assessment” shall be required for all properties greater than 2 HA in size to evaluate the impacts of a proposed development on the natural environment. The Subject property is 0.22 HA and, considering there have been past environmental work at the subdivision of the property and that there is no significant environmental features on the site, an Environmental Impact Assessment is not required for this development. The applicant has stated that they will protect existing flora when possible and any disturbed areas will be fully landscaped with native species.

OCP, Protection of development from hazardous conditions:

This development is located on an upper bench and is approximately 100m from the natural boundary, and approximately 10 meters above datum.

OCP, Establishment of objectives for the form and character of development in the resort region:

The “*Former Forest Reserve Lands*” are recognized for their natural beauty and rich ecological qualities and add significant value to Ucluelet, its residents, and future generations by contributing to the distinct character of the community. The primary character-giving qualities of this area are:

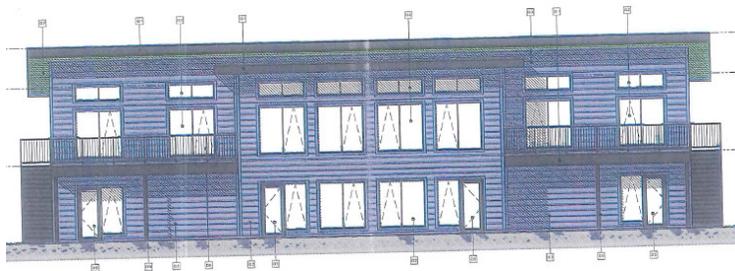
- The immediacy of the ocean and the marine environment; and
- The presence of significant stands of forest, including old-growth.

These qualities result in a real sense of inhabiting a coastal rainforest. Preserving as much of the natural shoreline condition as possible, as well as the forest and its underlying shrub layer is critical in maintaining this character. Any development within this DPA must recognize these values and strive to minimize the adverse effects on the natural environment development can often bring. The form and character of buildings here, as with all DPA’s, should reflect the natural beauty of the area. This can be achieved through:

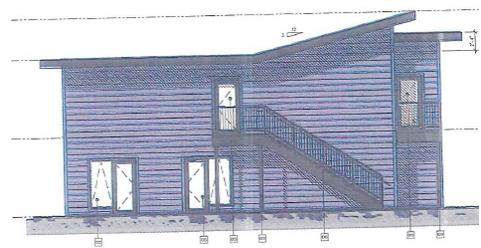
1. The sensitive siting of buildings;
2. Producing architectural designs that are naturally inspired;

3. Using materials and building methods that are inherent to the area and its natural and man-made history

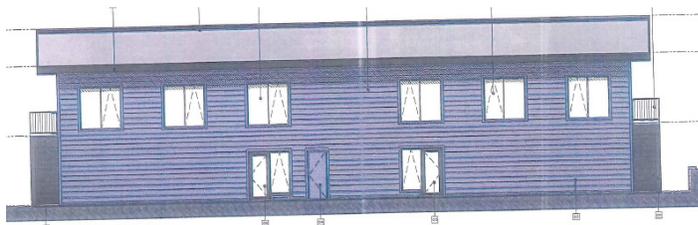
This application is proposing cedar clapboard siding with a black 2 ply SBS roofing torch-on roofing membrane. The property will be fully landscaped in keeping with the surrounding native species. This proposal is attempting to match with the existing Black Rock Resort buildings. (**Figure 2**). Planning Staff consider that while this application meets the DP guidelines, and the attempt to match the massing and materials of the existing resort has value, a greater architectural statement to match the prominence of the Black Rock Resort Hotel would have been preferred. Staff recognize the economics of creating staff housing, however, and would encourage the applicant to soften the streetscape impact of this less dominant architectural form with a strong landscape design.



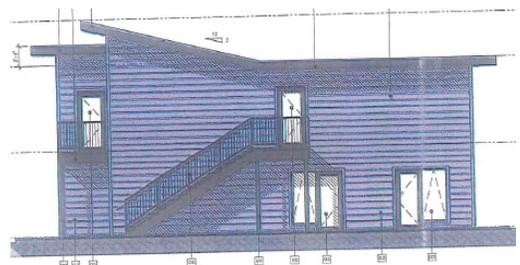
North Elevation



East Elevation



South Elevation



West Elevation

Figure 2 – Building Elevations

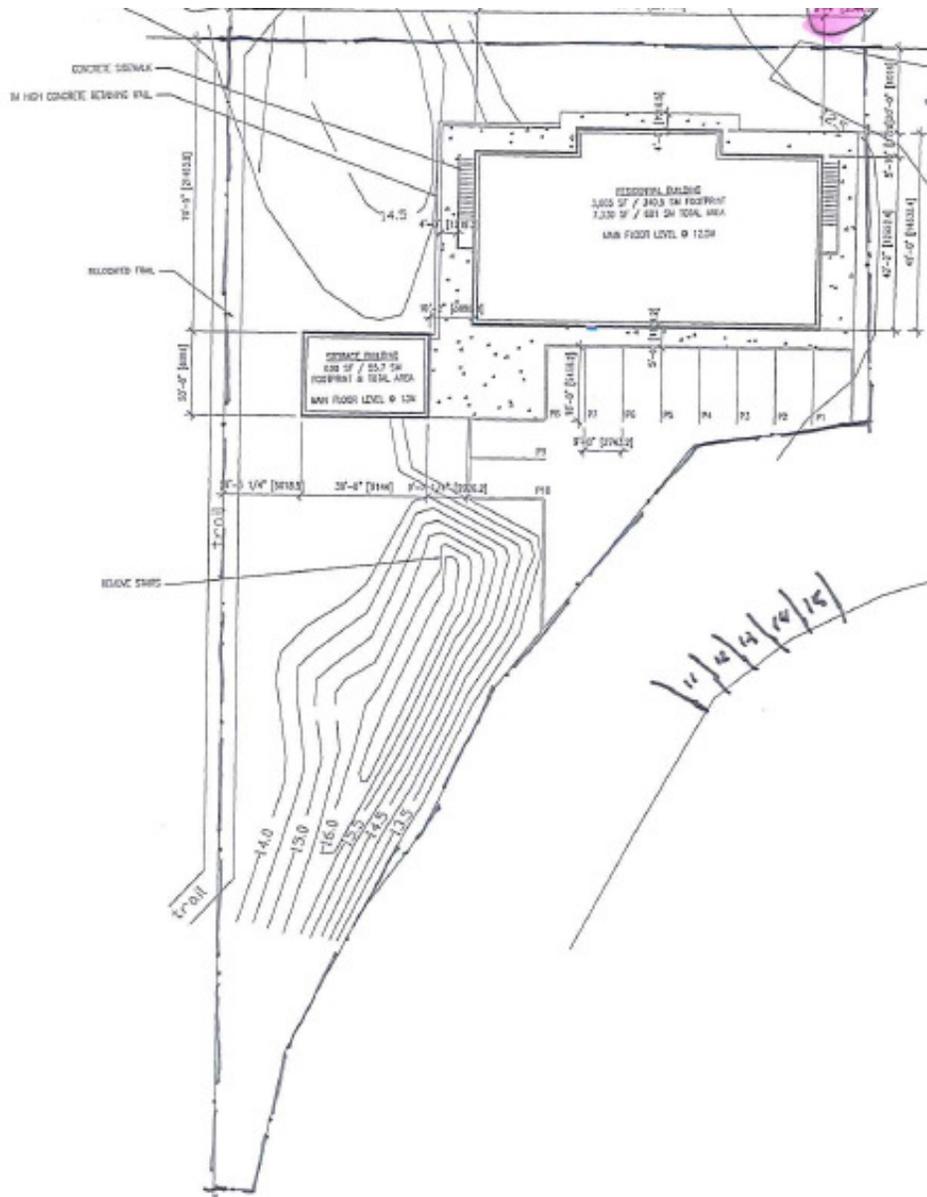


Figure 3 – Site Plan

The applicant proposes to landscape the property in keeping with the surrounding forested setting. A landscape plan has not yet been received. A plan showing how the development will connect pedestrian pathways, screen the building and parking areas, and enhance the Marine Drive streetscape will be an important part of the development review and should ultimately form part of the Development Permit. Staff understand that the landscape design is underway, and plans should be submitted shortly. To keep the project review moving forward in a timely manner, the rezoning bylaw could be considered at this point. Should the bylaw receive second reading and be advanced to a public hearing, Staff suggest that the scheduling and notice of the public hearing be subject to receipt of a complete landscape plan. This would allow Council and the public time to see the details of the proposed landscaping ahead of the public hearing and further consideration of the rezoning and DP.

REZONING**CURRENT ZONING:**

The subject property is currently zoned in the CD-2B SubZone–Black Rock and is contemplated to be “*Staff Housing*” within Zoning Bylaw 1160, 1013 (the “**Zoning Bylaw**”) and is specifically mentioned in both the CD-2B subsection preamble:

2014 Update: Portions of the original CD-2B Zone were removed and placed in the CD-3 Zone (per Zoning Amendment Bylaw 1025, 2006). The remainder represents the constructed Black Rock Resort and adjacent Lot 1 Plan VIP85870 currently restricted by Covenant for use as passive recreation and accessory parking, until consolidated with adjacent Lot 12 Plan VIP84686 (portion of CD-5 Zone) for development of Staff Housing. Amenities have been provided.

It is also specifically mentioned in s.CD-2B.1.2 of the Zoning Bylaw:

CD-2B.1.2 - *On Lot 1 Plan VIP85870, Staff Housing is also permitted when this lot is consolidated with Lot 12 Plan VIP84686.*

Proposed Zoning

The applicant has indicated that they are not intending to consolidate the subject lot (Lot 1) and Lot 12 (**Figure 1**). Since section CD-2B.1.2 clearly indicates that Staff Housing is only allowed once lot 1 and lot 12 are consolidated, the zoning Bylaw must be amended to allow this application to proceed. Planning Staff are also proposing minor text amendments within this section that clarify the intent of this application:

- Remove “Parking Lot” as a primary use, as a standalone parking lot use is not required. The current parking is considered parking associated with the hotel use.
- Add *Staff Housing* as a secondary use to allow density for current resort condo units to be used or converted into staff housing, and the ability for the hotel site to build new staff housing units subject to all the other zoning regulations within the zoning bylaw.
- Rewrite section CD-2B1.2 to be specifically for staff housing.
- Separate *Staff Housing* and *Hotel* to ensure the subject lot cannot be used for a *Hotel* use.
- Separate *Staff Housing* and *Hotel* to reflect the 136 hotel units that exist in the Black Rock Resort and what is being proposed at 15 staff housing units. Staff have added a minor amount of extra density to allow for design flexibility to both the Hotel and Staff housing uses.

Parking and Access:

Planning Staff propose to amend the parking section of the zoning bylaw to clarify the staff housing parking requirement. Currently staff housing is listed within the multiple family residential category at a requirement of 1.5 spaces per dwelling unit. The bylaw would amend that requirement to 1 space per staff housing unit to clarify and better represent the parking required for staff housing. It should be noted that the applicant has only indicated 10 parking spaces on lot 1. The required parking for the proposed building would be 15 after the zoning amendment. Planning Staff will work with the applicant to ensure that 5 additional spaces are secured specifically for the proposed staff housing building in the area indicated below (**Figure 4**). The parking lot access for

the staff housing, because it runs through the neighbouring Black Rock hotel lot, will require an access easement. Planning Staff will work with the applicant and present an easement agreement covering both the parking and access at fourth reading, for Council approval.



Figure 4 – Parking and access sketch

Housing Agreement:

The Zoning Bylaw defines Staff Housing as:

“Staff Housing” means the accessory residential use associated with but subordinate to, and occupied by the current employees of, one or more principal permitted uses on the lot on which it is located, or, in the case of comprehensive development Zones in accordance with the conditions under the CD Zone, and noting:

(a) Staff Housing may be provided under the terms of a housing agreement with the District pursuant to section 905 of the Local Government Act;

(b) accessory residential use, for the purposes of this definition, means any combination of accessory residential dwelling units or bedrooms in a communal facility with common bathrooms, kitchen, dining and social facilities (not exceeding 6 bedrooms per communal facility), each bedroom considered one (1) “Staff Housing unit”;

This definition allows for staff housing to occur on a separate lot in a comprehensive development zone in accordance with the conditions under the CD Zone if Staff Housing is provided under the terms of a housing agreement with the District pursuant to section 483 (formerly s. 905) of the *Local Government Act*. A housing agreement bylaw could be brought forward at such time as Council may consider third reading of the rezoning bylaw. A draft of the housing agreement can be found in the attachments to this report (see **Appendix C**), for reference. The draft agreement, developed by the municipal solicitors with input from the applicant, would ensure that the staff housing is occupied as intended, by employees of the service industry within Ucluelet.

Existing covenant FB22432:

The subject property currently has a Section 219 covenant registered on title that acts to link the development of the adjacent parcel, lot 12, with the development of the subject lot as staff housing. This covenant speaks to the consolidation of lot 12 with the subject lot 1, and the development of lot 12 as Resort Condominiums. Planning Staff are recommending the release of this covenant at fourth reading based on two factors:

1. This application, to supply staff housing, achieves the goal of this covenant.
2. The zoning of lot 12 lists Affordable Housing as the primary use for lot 12 with Resort Condominium being a secondary use. This indicates Lot 12 cannot develop without affordable housing being its primary use.

This zoning attached to lot 12 is a controlling element which mitigates the concern that if the covenant is released, the applicant could proceed with the development of lot 12 without following through with the building of the proposed staff housing. To develop lot 12 into any other primary use other than affordable housing, the applicant (who is currently the owner of lot 1 as well), would first need to rezone the property. Council could ensure the timing of such rezoning does not advance until the staff housing building on Lot 1 is substantially complete.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Staff time will be required to monitor and review the progress of this application and associated agreements, including the required notification for a public hearing on the zoning amendment bylaw.

FINANCIAL IMPACTS:

Development Cost Charges would be charged per unit and a building permit fee would be charged based on the project cost. The value of the property will increase with the proposed improvements, increasing the District's tax base. Water and sewer fees will be collected based on usage.

POLICY OR LEGISLATIVE IMPACTS:

This application is in line with the intent of the Master Development Agreement for the area, and the OCP.

SUMMARY:

This proposal is in line with the intent of the Master Development Agreement that was in place for the subdivision of this area, meets the DP guidelines for Development Permit Area No.8 (Former Forest Reserve Lands) and will help to alleviate a current community hardship caused by the shortage of staff housing within the community. Staff support the application advancing to a public hearing, subject to receipt of a comprehensive landscape plan.

OPTIONS REVIEW:

1. THAT Zoning Amendment Bylaw No. 1224, 2018 be given first and second reading and advance to a public hearing, subject to the applicant providing a complete landscape plan for the proposed development. (**Recommended option**).
2. That Council defer the introduction of this bylaw to a future date to be identified.
3. That Council consider Zoning Amendment Bylaw No. 1224, 2018 and determine it not to proceed further.

Respectfully submitted: John Towgood, Planner 1
Bruce Greig, Manager of Planning
Mark Boysen, Chief Administrative Officer

November 20 2017

District of Ucluelet
200 Main Street
Ucluelet B.C., V0R 3A0

Attention: Bruce Greig
Director of Planning

Dear Sir

Re: Development Overview
Lots 1 and Lot 12

Further to our recent discussion we are pleased to provide for you consideration an overview of the future development plans we have for the lands adjacent to Black Rock Resort. While we have a very definitive plan for the development of Lot 1 we have only a more general program under consideration for Lot 12. Notwithstanding this we feel that it is beneficial to provide an overview setting out how these two parcels of land can interact with the current Black Rock facility.

It should be noted that these two properties are held by two separate companies. Lot 1 is held by Black Rock Oceanfront Resort Inc. and Lot 12 is owned by Black Rock Residences Inc. though both of the companies have common shareholders. Consequently we will be able to ensure any activities or obligations involving the adjacent properties will be carried out in concert.

From a processing perspective it is extremely important for us that the employee housing contemplated for Lot 1 be implemented at the earliest possible date. It is our goal that we would be able to initiate the construction of the housing by this upcoming spring whereas we recognize that the Lot 12 review process could run into mid 2018. These different schedules will of course necessitate the parties working closely together to ensure their co-ordination.

We look forward to initiating this process with the District and will make every effort to respond quickly to any questions or submissions which will come from your staff.

Best regards,



David Ehrhardt
Black Rock Management Inc.

OVERVIEW

Identification of the Lands

Lot 1 is a Remainder parcel created in 2008 thru the stratification process for the 133 residential and 4 commercial lots making up Black Rock Resort. Of the original 8 acre parcel approximately 7.5 acres made up the strata and the balance of 23,680 ft² is the Lot 1 Remainder. The original zoning for the lands contemplated a total of 150 hotel units. Of this total some 17 units were allocated to the Lot 1 Remainder parcel.

Lot 12 is approximately 3 acres in size. This parcel was identified for uses set out in the 2005 Weyerhaeuser Master Development Agreement. Under this agreement the lands were designated for the creation of 30 Resort Condominiums. See Appendix VII of agreement.

Activities – 2008

A Development Permit was initiated in 2008 for the consolidation of Lots 1 and 12 for the creation of a mixed residential project. The approvals granted included the creation of 46 condominiums plus 11 staff housing units. As part of the DP process a covenant was registered over the parcels to ensure the integrity of the DP. Unfortunately due to the economic turndown this redevelopment was not initiated and till this time has not proceeded.

Current Considerations

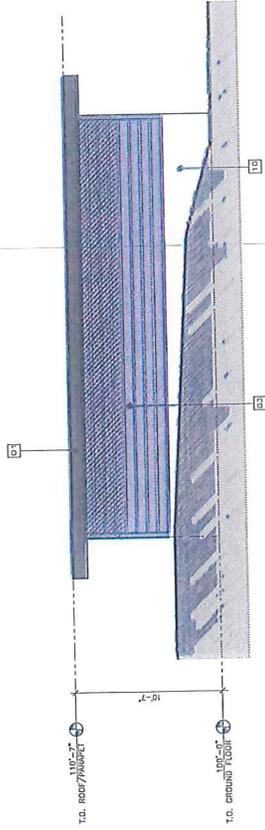
Lot 1 - In order to provide some immediate relief to the current shortage of housing available to the Black Rock employees it has been decided to proceed with the applications necessary to permit the construction of eight employee housing units on Lot 1. To permit such a approval the DP process will require at minimum the removal from Lot 1 of an existing development covenant but could also require an amendment to the current zoning bylaw. A DP application has been submitted and is currently up for review by the District staff.

Lot 12 - It has been brought to Black Rock's attention that as part of the DP consideration for Lot 1 it would be appropriate to also consider the future of Lot 12. By way of background it should be noted that our acquisition of Lot 12 from Weyerhaeuser was predicated upon the hope that as the occupancy levels at Black Rock Resort grew any additional growth could be accommodated on these three adjacent acres. It is now clear that increases in business and occupancy levels in the hotel will require the creation of additional support services for the health/wellness and corporate meeting components of the business. This expansion of our meeting rooms and spa space cannot be fulfilled within the existing Black Rock structure and will need to be provided elsewhere, logically on Lot 12.

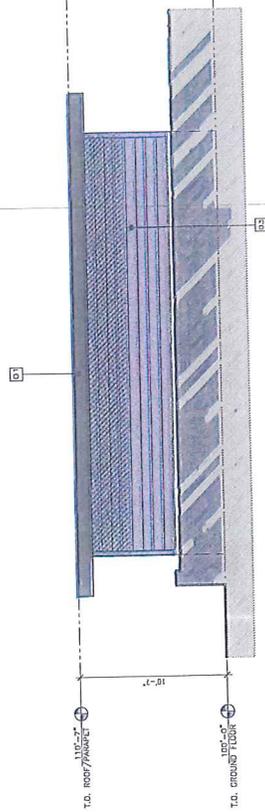
Proposal

We would like to move forward immediately with the necessary approvals to permit the development of the employee accommodations as detailed in the recent DP submission. In addition we would like to initiate the necessary amendments to the current zoning on Lot 12 which will permit additional uses to include not only the resort condos currently permitted but to also allow ancillary hotel uses which are currently permitted under the adjacent Black Rock zoning. In particular we would like to see the creation of additional wellness/spa services and support facilities for corporate meetings and retreats. It is our proposal that an amendment to the zoning bylaw would permit the additional uses and set densities

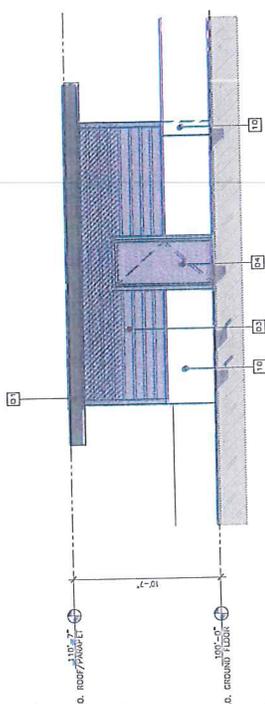
taking into consideration the current zoning however the bylaw would mandate a separate Development Permit process to deal with the form and character of the development. In this fashion it would be possible to move forward with zoning bylaw amendments permitting the Lot 1 employee housing in the immediate future with a more detailed and thoughtful DP process for Lot 12 to follow. The goal would be to complete the approvals necessary for construction on Lot 1 to be in place by May 1 2018 and a DP for Lot 12 by Dec 31 2018.



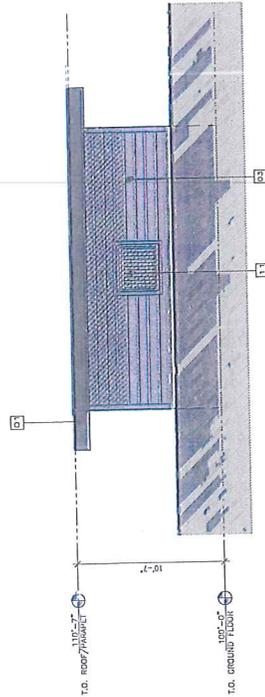
2 SOUTH ELEVATION
 1/4" = 1'-0"



4 NORTH ELEVATION
 1/4" = 1'-0"



1 EAST ELEVATION
 1/4" = 1'-0"



3 WEST ELEVATION
 1/4" = 1'-0"

NO.	FINISH	DESCRIPTION	DN	BY
1	CEILING	ALUMINUM WINDOOR FRAME WITH DOUBLE PANE GLAZING & ALUMINUM DOOR		
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STAFF HOUSING
 BUILDING

PROJECT NO. 17031
 SHEET NO. A3.2

DATE: 11/15/17

SCALE: 1/4" = 1'-0"

HOUSING AGREEMENT

(Section 483, *Local Government Act*)

This Agreement, dated for reference the ___ day of _____, 2018 is

BETWEEN:

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

(the "District")

and:

Blackrock Oceanfront Resort Inc., 0713863
5439 Buckingham Avenue
Burnaby, BC
V5E 1Z9

(the "Owner")

WHEREAS:

- A. The Owner is the registered owner of land located at 920 Marine Drive in the District of Ucluelet, which land is within the CD-2B Zone under the District's Zoning Bylaw 1160, and is more particularly described as:

PID: 027-696-901

Lot 1 District Lot 281 Clayoquot District Plan VIP85870

(the "Land");

- B. The District's Zoning Bylaw allows, and the Owner proposes to construct, 20 staff housing units on the Land, and the Owner has offered to enter into this agreement restricting the occupancy of the proposed staff housing units to employees of hotels, motels and restaurants operating within the boundaries of the District of Ucluelet.
- C. The District may, pursuant to Section 483 of the *Local Government Act*, enter into a housing agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of the housing that is

subject to the agreement.

- D. The Council of the District has, by Housing Agreement Bylaw No. _____, 2018, authorized the District to enter into this Agreement with the Owner.

THIS AGREEMENT is evidence that in consideration of \$2.00 paid by the District to the Owner, the receipt and sufficiency of which are acknowledged by the Owner, and in consideration of the promises exchanged below, the parties agree, as a housing agreement between the Owner and the District under s. 483 of the *Local Government Act*, as follows:

STAFF HOUSING UNITS

1. **Occupancy Restriction.** The Owner agrees that every housing unit, dwelling unit, or any other unit of residential use or accommodation located on the Land will be occupied only by the employees of restaurants, hotels or motels located within the boundaries of the District of Ucluelet, and the children and spouses of those employees, provided that children and spouses are only allowed to occupy a unit while the unit is occupied by the employee.
2. **Annual Verification.** No later than January 15 of each year beginning in 2019 the Owner will provide to the District, substantially in the form attached as Schedule A to this Agreement unless the District agrees to accept another form, a written statement of the Owner confirming the occupancy in respect of each unit on the Land complies with section 1, above.

DEFAULT AND REMEDIES

3. The Owner agrees that any breach or default in the performance of this Agreement on its part must be corrected, to the satisfaction of the District, within the time stated in any notice of default provided to the Owner by the District.
4. The Owner acknowledges that an award of damages may be an inadequate remedy for a breach of this Agreement and that the District is entitled in the public interest to an order for specific performance of this Agreement, a prohibitory or mandatory injunction to cure any breach of this Agreement, and a declaration that a residential tenancy agreement or any portion of such an agreement or a strata corporation bylaw constitutes a breach of this Agreement and is unenforceable.

GENERAL PROVISIONS

5. **Housing Agreement.** The Owner acknowledges that this Agreement constitutes a housing agreement under s.483 of the *Local Government Act* and that the District will register a notice of this housing agreement against title to the Land.
6. **Indemnity.** The Owner shall indemnify and save harmless the District and each of its elected officials, officers, directors, employees and agents from and against all claims, demands, actions, loss, damage, costs and liabilities for which any of them may be liable by reason of

any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is at law responsible, that constitutes a breach of this Agreement.

7. **Release.** The Owner releases and forever discharges the District and each of its elected officials, officers, directors, employees and agents and each of their heirs, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions or causes of action arising out of the performance by the Owner of its obligations under this Agreement.
8. **Survival.** The obligations of the Owner set out in sections 10 and 11 shall survive any termination of this Agreement.
9. **Municipal Powers Unaffected.** This Agreement does not limit the discretion, rights, duties or powers of the District under any enactment or the common law, impose on the District any duty or obligation, affect or limit any enactment relating to the use or subdivision of the Land, or relieve the Owner from complying with any enactment.
10. **No Public Law Duty.** Where the District is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the District is under no public law duty of fairness or natural justice in that regard and the Owner agrees that the District may do any of those things in the same manner as if it were a private party and not a public body.
11. **Notice.** Notice required or permitted to be served under this Agreement is sufficiently served if delivered in person or mailed to the postal address of the Owner or the District, as the case may be, at the address set out above, and in the case of mailed notice shall be deemed to have been received on the third day following mailing.
12. **Enuring Effect.** This Agreement is binding upon, and enures to the benefit of the parties and their respective successors and permitted assigns.
13. **Severability.** If any provision of this Agreement is found to be invalid or unenforceable, it shall be severed from this Agreement and the remainder shall remain in full force and effect.
14. **Remedies and Waiver.** All remedies of the District under this Agreement are cumulative, and may be exercised in any order or concurrently, any number of times. Waiver of or delay by the District in exercising any remedy shall not prevent the later exercise of any remedy for the same or any similar breach.
15. **Sole Agreement.** This Agreement represents the entire agreement between the parties respecting the tenure, use and occupancy of the housing units to be located on the Land, and there are no representations, conditions or collateral agreements on the part of the District other than those set out in this Agreement.
16. **Further Assurance.** The Owner must forthwith do all acts and execute such instruments as

may be reasonably necessary in the opinion of the District to give effect to this Agreement.

17. **Runs with the Land.** This Agreement runs with the Land, including any part into which the land may be subdivided, and is binding on the Owner and all persons who acquire an interest in the Land.

18. **No Joint Venture.** Nothing in this Agreement will constitute the District as the joint venturer, agent or partner of the Owner or give the Owner any authority to bind the District in any way.

Blackrock Oceanfront Resort Inc., by its authorized signatories:

Name:

Date:

The Corporation of the District of Ucluelet,
by its authorized signatories:

Mayor:

Date:

Corporate Officer:

Date:

Appendix A to Housing Agreement

STATUTORY DECLARATION

CANADA)	IN THE MATTER OF A HOUSING
)	AGREEMENT WITH THE DISTRICT OF
)	UCLUELET
)	
PROVINCE OF BRITISH COLUMBIA)	("Housing Agreement")
)	

TO WIT:

I, _____ of _____, British Columbia, do solemnly declare that:

1. I am the owner or authorized signatory of the owner of land located at 902 Marine Avenue in the District of Ucluelet, (the "Lands"), and make this declaration to the best of my personal knowledge.
2. This declaration is made pursuant to the Housing Agreement in respect of the Lands.
3. For the period from _____ to _____ the Lands were occupied only by employees of hotel, motel or restaurant business operating within the District of Ucluelet, or the children or spouses of those employees. Attached to this declaration is a list of the tenants of each of the units located on the Lands, and their place of employment.
4. I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at the City of _____)
 _____, in the Province of British)
 Columbia, this _____ day of)
 _____, 20____.)

 A Commissioner for Taking Affidavits in the)
 Province of British Columbia)

 DECLARANT

DISTRICT OF UCLUELET

Bylaw No. 1224, 2018

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

WHEREAS the District of Ucluelet Planning Staff propose to amend the CD-2B Subzone – Black Rock, to clarify the density of staff housing and to create a specific staff housing parking requirement;

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

1. Remove the 2014 update from the header of the CD-2B Subzone.
2. Section CD-2B.1.1 of the Zoning Bylaw is amended by removing Staff Housing from the section description and removing the “Parking Lot” use, such that the subsection of the Zoning Bylaw reads as follows:

CD-2B.1.1 The following uses are permitted, in the area of the CD-2 Zone Plan labeled “Hotel”, but secondary permitted uses are only permitted in conjunction with a principal permitted use:

(1) Principal:

(a) Hotel

(2) Secondary:

(a) Accessory Residential Dwelling Unit

(b) Staff Housing

3. Section CD-2B.1.2 of the Zoning Bylaw is amended by removing the lot specific text and adding a staff housing specific use, such that the subsection of the Zoning Bylaw reads as follows:

CD-2B.1.2 The following uses are permitted, in the area of the CD-2 Zone Plan labeled “Staff Housing”:

(1) Principal:

(a) Staff Housing

4. Section CD-2B.2.1 of the Zoning Bylaw is amended by adding use specific lot sizes, such that the subsection of the Zoning Bylaw reads as follows:

CD-2B.2.1 Minimum Lot Size:

- (1) Hotel: 10,000 m² (2½ acres)
- (2) Staff Housing: 2,020m² (1/2 acre)

5. Section CD-2B.3 of the Zoning Bylaw is amended by changing the maximum number of hotel guest rooms or dwelling units from 150 to 140 and adding clause “(3) Staff Housing: 20 staff housing units”, such that the subsection of the Zoning Bylaw reads as follows:

CD-2B.3 Density:

CD-2B.3.1 Maximum Number:

- (1) *Hotel:* 140 *guest rooms or dwelling units*
- (2) *Accessory Residential Dwelling Unit:* 1 per lot (non-strata only)
- (3) *Staff Housing:* 20 *staff housing units*

6. Section 505.1 of the Zoning Bylaw is amended by isolating the staff housing component within the chart with a parking requirement of “1 space per staff housing unit,”, such that the two sections of the chart within subsection 505.1 of the Zoning Bylaw reads as follows:

<i>Multiple Family Residential (including Affordable Housing)</i>	1.5 spaces per <i>dwelling unit</i> , <i>Plus 1 Visitor Parking Space per 5 dwelling units</i>
<i>Staff Housing</i>	1 space per staff housing unit,

- 7. The CD-2 Zone submap is amended to indicate Lot 1, District Lot 281, Clayoquot District, Plan VIP85870 as “Staff Housing CD-2B1.2” as shown on Schedule “A”.
- 8. This bylaw may be cited as “Zoning Amendment Bylaw No. 1224, 2018”.

READ A FIRST TIME this day of , 2018.

READ A SECOND TIME this day of , 2018.

PUBLIC HEARING held this day of , 2018.

READ A THIRD TIME this day of , 2018.

ADOPTED this day of , 2018.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1224, 2018.”

Mayor
Dianne St. Jacques

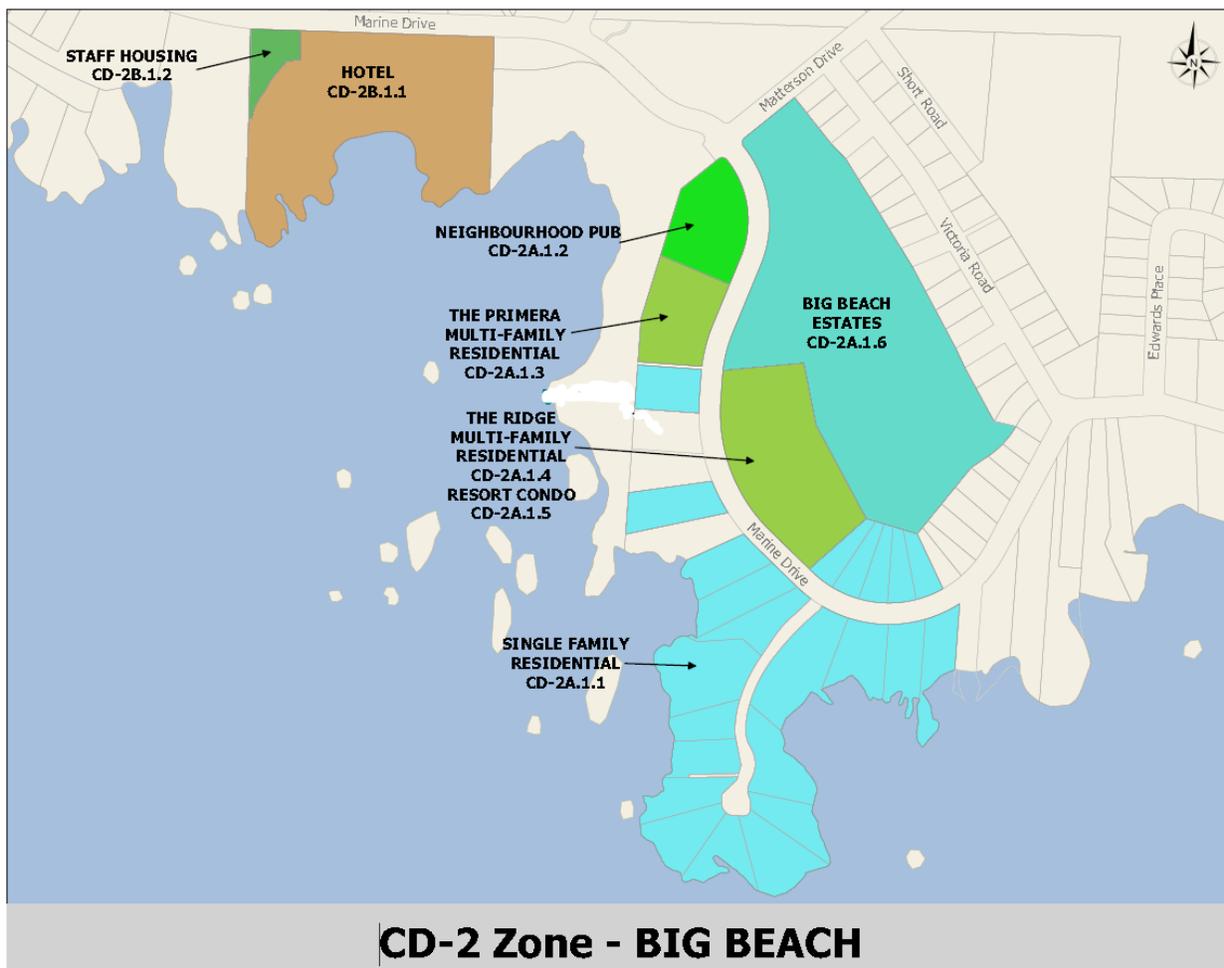
CAO
Mark Boysen

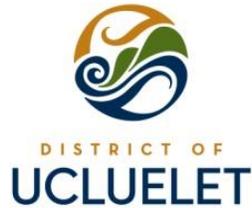
THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:

CAO
Mark Boysen

Schedule "A"

Bylaw No.1224, 2018





STAFF REPORT TO COUNCIL

Council Meeting: January 23rd, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, PLANNER 1

FOLIO NO: 114.975 **FILE NO:** 3360-20-RZ17-07

SUBJECT: TO AMEND ZONING BYLAW NO.1160, 2013 FOR THE DEVELOPMENT OF A MIXED COMMERCIAL/MULTI-FAMILY BUILDING ON LOT B, DISTRICT LOT 281, CLAYOQUOT DISTRICT, PLAN VIP82211

ATTACHMENTS: APPENDIX A – APPLICATION

RECOMMENDATION(S):

THAT Council, with regard to the requested zoning amendment to facilitate development of a mixed commercial / multi-family residential building containing 7 townhomes on Lot B Plan VIP82211:

- A. give first and second reading to Zoning Amendment Bylaw No. 1225, 2018;
- B. advance the bylaw to a public hearing; and,
- C. indicate that final approval of the requested zoning amendment bylaw would be subject to registration of a Section 219 restrictive covenant on the title of the property to ensure that the development conforms to the plans submitted.

PURPOSE:

To provide Council with information on an application for zoning amendment and Development Permit for Lot B, Plan VIP82211, District Lot 281 (the “**Subject Lot**”).

BACKGROUND:

An application has been received to develop the subject lot (**Figure 1**) as a mixed commercial/multifamily building.

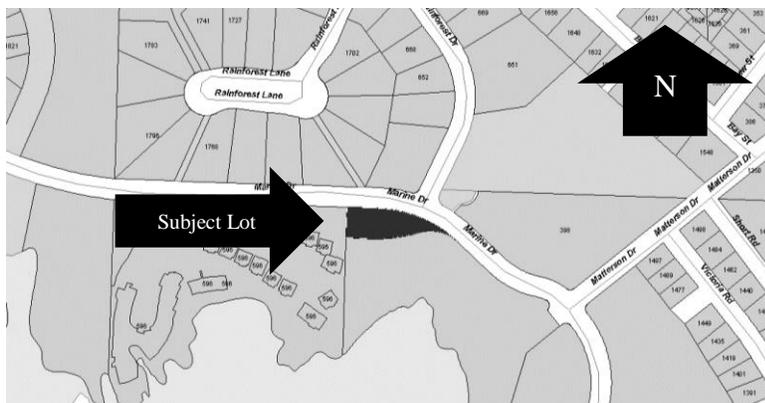


Figure 1 – Site Plan

After a review of the District of Ucluelet's Zoning Bylaw and meeting with the applicant, Planning Staff concluded that a zoning amendment and Development Permit (**DP**) would be required. These processes will be done concurrently with the approval of the DP following fourth reading of the zoning amendment bylaw.

DEVELOPMENT PERMIT:

The subject property is within the Official Community Plan's (the "**OCP**") development permit designation of "*Development Permit Area No.8 (Former Forest Reserve Lands)*" which were established for the purposes of:

- *Protection of the natural environment, its ecosystems and biological diversity; and*
- *Protection of development from hazardous conditions; and*
- *Establishment of objectives for the form and character of development in the resort region;*

Protection of the natural environment, its ecosystems and biological diversity:

The building area of the lot has been relatively cleared and there are no significant environmental features except for a large cedar on the north side of the property. The applicant has stated that they will keep this tree by working around it. The general development permit guidelines indicate that an "Environmental Impact Assessment" shall be required for all properties greater than 2 HA in size to evaluate the impacts of a proposed development on the natural environment. The Subject property is 0.21 HA and, considering there has been past environmental work at the time of subdivision of the property and that there is no significant environmental features on the site, Staff have not required an Environmental Impact Assessment for this development. The applicant has stated that they will protect existing flora when possible and any disturbed areas will be fully landscaped with the native species.

OCP, Protection of development from hazardous conditions;

This development is located on an upper bench and is approximately 75m from the natural boundary, and approximately 11 meters above datum.

OCP, Establishment of objectives for the form and character of development in the resort region:

The "*Former Forest Reserve Lands*" are recognized for their natural beauty and rich ecological qualities and add significant value to Ucluelet, its residents, and future generations in terms of community character. The primary character-giving qualities of this area are:

- The immediacy of the ocean and the marine environment; and
- The presence of significant stands of forest, including old-growth.

These qualities result in a real sense of inhabiting a coastal rainforest. Preserving as much of the natural shoreline condition as possible, as well as the forest and its underlying shrub layer is critical in maintaining this character. Any development within this DPA must recognize these values and strive to minimize the adverse effects on the natural environment development can often bring. The form and character of buildings here, as with all DPA's, should reflect the natural beauty of the area. This can be achieved through:

The sensitive siting of buildings

As mentioned above the large cedar on the north frontage of the property will be maintained and the smaller trees along the frontage will be kept when possible. A paved sidewalk will run along the frontage connecting the existing sidewalk to the south to the wild pacific trail connection that runs along the northern property line. The frontage should be fully landscaped in keeping with the surrounding native species, as per a landscape plan to be provided. The applicant will define the road side along the frontage to supply parallel parking with landscaped bump outs and packed gravel spaces.



Figure 2 – Site Plan

Producing architectural designs that are naturally inspired

The architectural design of the proposed building follows the natural grade to bold effect. The wave roof effect both blends into the landscape and creates a prominent architectural form. This building form has ties to Ucluelet's aquarium and another proposed building project located on Cedar Road. This spattering of strong architectural forms, such as the Whiskey Landing, the Moorage, Black Rock, the Aquarium, and this proposed building can help further define our community's architectural identity. The southern commercial element with its large overhang and outdoor seating creates a visual connection from the forest surroundings to the commercial space underneath. The multifamily component of the building is 7 two-storey walkup townhomes. These types of street facing town homes, with their front doors facing Marine Drive, can add warmth to the street by increasing the pedestrian street presence or to use a common planning phrase "eyes on the street".

Using materials and building methods that are inherent to the area and its natural and man-made history

The applicant is proposing an exterior finish of galvanized metal, blue metal, stained cedar shingle and wooden accents. The roof material will be black 2 ply SBS roofing torch-on roofing membrane.

Landscape Design

The applicant proposes to landscape the property in keeping with the surrounding forested setting. The Landscape plan shows how the development will connect pedestrian pathways, screen the building and parking areas, and enhance the Marine Drive streetscape. A final detailed landscape plan and cost estimate will be required at the development permit stage.

REZONING

CURRENT ZONING:

The subject property is currently zoned as “*CD-3B SubZone – DISTRICT LOT 281 (REMAINDER)*”. This SubZone was originally part of the CD-2 Zone, with a road closure and exchange creating a lot at the T-Intersection of Marine Drive and Rainforest Drive, across from the Community Centre. The current zoning was specifically created for the subject lot and it contemplated a mixed commercial resort condominium or mixed commercial residential with a density cap of 3 dwelling units (resort condominiums or Multi-Family Residential units). This mixed use lists the commercial component as the primary use, meaning that it must be there, with the dwelling units only allowed on the second storey or higher.

Proposed Zoning

The applicant is proposing 760sf of ground floor commercial with a mezzanine on the southern end of the building. They are not proposing the entire ground floor as commercial as is the requirement of the Mixed Commercial zoning definition. This proposal also indicated a density of Multi-Family Residential above what is currently allowed in the zoning. With this proposal being out of the commercial core (where commercial density and continuity are important), the reduction of ground floor commercial has less impact and is not only supported but encouraged. With the shortage of residential housing stock especially in the smaller multi-family unit form the increase in density supported. All other aspects of this project meet the existing zoning. As the proposal does not meet with the definition of Mixed Commercial/Residential and the applicant is asking for more density than allowed in the current zoning for the property a zoning amendment will be required. Planning Staff are proposing to delete the entire wording of the CD-3B SubZone and replace it as follows:

CD-3B SubZone - DISTRICT LOT 281 (REMAINDER)**CD-3B.1 Permitted Uses:**

CD-3B.1.1 The following uses are permitted in the area of the CD-3 Zone Plan labeled “Commercial/Residential CD-3B.1.1”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Multiple Family Residential*
 - (b) *Restaurant*
 - (c) *Bistro/Cafe*
 - (d) *Office*
 - (e) *Personal Services*
 - (f) *Daycare Centre*
- (2) Secondary:
 - (a) *Home Occupation*

CD-3B.2 Lot Regulations

CD-3B.2.1 Minimum Lot Size: 1,725 m² (18,550 ft²)

CD-3B.3 Density:

CD-3B.3.1 Maximum Density:

- (1) 7 *Multiple Family Residential* units per lot.
- (2) 140 m² (1,500 ft²) per lot of Commercial uses that are otherwise permitted within the zone.

CD-3B.3.2 Maximum Floor Area Ratio: 0.50

CD-3B.3.3 Maximum Lot Coverage: 30%

CD-3B.4 Maximum Size (Gross Floor Area):

CD-3B.4.1 Accessory Buildings: 9 m² (97 ft²)

CD-3B.5 Maximum Height:

CD-3B.5.1 Principal Buildings & Structures: 9 m (30 ft)

CD-3B.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

CD-3B.6 Minimum Setbacks:

CD-3B.6.1 The following minimum setbacks apply, as measured from the *front lot line*, *rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	8 m (26 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)

It is important to note that the only regulatory changes proposed to this zoning are the aligning of the uses to the proposal and the addition of 4 units to the Multi-Family Residential unit density. The overall building location, height and size would be unchanged.

Parking and Access:

Parking in this proposal is separated into two areas with the residential located to the north end and the commercial and loading located from a separate entrance located on south end. This entrance is located exactly opposite Rainforest Drive. This opposing position of the driveway and Rainforest Drive is better than an offset and is thus supported by Staff. The garbage receptacles are to the rear of the parking area and will be screened as per s.602.1 of the zoning bylaw.

Section 219 Covenant

To ensure that the development proposed as part of this rezoning proceeds as presented, Council may require that prior to adoption of the rezoning bylaw, a Section 219 restrictive covenant be registered on the title of the property. The covenant would reference the drawings presented with the rezoning application and ensure that the development proceeds as planned, or that approval of any changes be first obtained from the District. The covenant runs with the land, so that the resulting development would be unchanged by any future changes of ownership. The details of the covenant would be brought to Council for approval prior to final adoption of the requested rezoning bylaw.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Staff time will be required to monitor and review the progress of this application and associated agreements.

FINANCIAL IMPACTS:

Development Cost Charges will be charged per unit for the dwelling units and per square metre for the Commercial space. A building permit fee will be charged based on project cost. The value of the property will increase with the proposed improvements increasing the districts tax base. Water and sewer fee will be collected based on usage. There are no other direct financial impacts from this application.

POLICY OR LEGISLATIVE IMPACTS:

This application is in line with the intent of the Development Permit Area No.8 (Former Forest Reserve Lands).

SUMMARY:

This proposal meets the DP guidelines for Development Permit Area No.8 (Former Forest Reserve Lands), it has a strong architectural form with and an appropriately sized commercial component. The 7 units of Multi-Family residential are a needed element in Ucluelet's housing inventory.

OPTIONS REVIEW:

- A. **THAT** Council, with regard to the requested zoning amendment to facilitate development of a mixed commercial / multi-family residential building containing 7 townhomes on Lot B Plan VIP82211:
 - 1. give first and second reading to Zoning Amendment Bylaw No. 1225, 2018;
 - 2. advance the bylaw to a public hearing,; and,
 - 3. indicate that final approval of the requested zoning amendment bylaw would be subject to registration of a Section 219 restrictive covenant on the title of the property to ensure that the development conforms to the plans submitted. (**Recommended option**).
- B. That Council defer the readings of this bylaw to a future date to be identified.
- C. That Zoning Amendment Bylaw No. 1225, 2018, not proceed further.

Respectfully submitted: John Towgood, Planner 1
 Bruce Greig, Manager of Planning
 Mark Boysen, Chief Administrative Officer

THE WAVE AT BIG BEACH

DESIGN RATIONALE

Lot B, Marine Drive, is a 2134 sq. m. (22,969 sq. ft.) lot in the CD-3B SubZone of Ucluelet.

“This Zone is Commercial/ Residential CD-3B.1.1. Principal uses are office, retail or personal services. In conjunction with these uses, secondary uses are Mixed Commercial/ Resort Condo, Mixed Commercial/ Residential and Home Occupation for Residential of Mixed Commercial/ Residential.

The property is located in Development Permit Area 5.

As referred to in the Community Plan;

‘The area referred to as Lot 281 has evolved into one of Ucluelet’s premier locations for tourist commercial developments as well as single and multi-family homes. Its prominent position next to Big Beach and its south-west orientation makes District Lot 281 a valuable and defining neighbourhood requiring attention in the form and character of developments.’

The principle concept of ‘The Wave at Big Beach’ is to provide seven townhouses, combined with a commercial storefront or food services. Both uses are described in the zoning. We are asking for an increase in density of the dwelling units.

The proposed seven townhouses are in a two storey wood frame building that steps with the natural topography. It is clad in metal and wood siding and has a distinctive ‘wave’ form to its roof that follows the slope of the land. This corresponds to the community plans requirements for form and character:

1. *The form and character of buildings here, as with all DPAs, should reflect the natural beauty of the area. This can be achieved through: i. The sensitive siting of buildings; ii. Producing architectural designs that are naturally inspired; iii. Using materials and building methods that are inherent to the area and its natural and man-made history.*

And

11. *Architectural form and character must be site sensitive to both the physical environment, as well as to the qualities of natural beauty in the area. Buildings should work with the natural environment on all levels;*

In addition, the proposed site plan has the residential parking lot access curve around the old growth cedar at the northwest roadside of the site, in order to preserve it, as suggested in the Community Plan:

5. *The removal of any native tree species that is 30cm Dbh or greater (Diameter at Breast Height = 1.3m) measured with a proper tree caliper, is prohibited*

The proposal has 12 parking spaces on site for the residential, including 1 handicap parking space.

The proposal has 3 parking spaces on site for the commercial unit, including 1 handicap parking space and one loading bay. We will provide 2 on-street parking spaces for the commercial portion.

We are asking to increase the allowable 3 dwelling units to a total of 7 dwelling units.

We are asking to increase the allowable square meters for the dwelling units from 520 sq. m. (5,600 sq. ft.) to 773 sq. m. (8,320 sq. ft.).

We are proposing a commercial space of 68 sq. m. (730 sq. ft.)

In order to provide the on site parking, we are asking for a variance of the parking setbacks:

We are asking for a relaxation of the front yard parking setback on the north side from 6'0" to 5'0". We will provide a landscape screen between the parking lot and the street.

We are asking for a relaxation of the rear yard parking setback on the north side from 6'0" to 5'0". We will provide a landscape screen between the parking lot and the rear property line. We will preserve as much of the natural landscape on the rear property as feasible.

We are asking for a relaxation of the side yard parking setback on the west side from 6'0" to 5'0". We will provide a landscape screen between the parking lot and the west side property line. We will preserve as much of the natural landscape on the west side property as feasible.

PUBLIC REALM AND LANDSCAPE

The principal concept of The Wave at Big Beach is to create a vibrant social addition to the Ucluelet Big Beach area in an iconic building. A new commercial storefront will add life to the street. We are envisioning either a neighbourhood café or coffee shop in the commercial space, with indoor and outdoor seating, or small office, personal services or daycare.

We are proposing minimal disturbance to the natural landscape on the south side of the property

The old growth cedar tree on the northwest edge of the property will be preserved. We will augment the landscape with the planting of native trees and shrubs. Driveways, parking lots and pathways will be gravel, which allow for better site drainage than asphalt. Driveway entry aprons will be paved. Landscape lighting will be non-glare, low level down lighting.

We will provide a paved sidewalk along Marine Drive in front of the property with bump outs for street parking (see Site Plan A100). Access to the parking lots for the residential parking and the commercial parking will be paved. All parking lots and street parking will be gravel.

ARCHITECTURAL RESPONSE

The building is a two storey wood frame building that steps with the natural grade of the site.

The sweeping 'wave' roof rises from east to west, curving with the natural slope of the site. The roof form creates a recognizable iconic profile for the building. The residential townhouses on Marine Drive have entrance terraces facing the street, providing 'eyes on the street'.

On the south side of the building, units will have decks and terraces facing the natural forest.

The cladding is a mix of metal siding and cedar siding, with accents of cedar shingles. Windows will be black vinyl framed. The roof is asphalt torch-on bitumen, charcoal grey in colour. Terraces have glass balcony guards with aluminum rails.

The Marine Drive commercial is storefront aluminum frame and glass. The roof sweeps out to create a wide covered outdoor area. The majority of roof drainage will end here in a featured large scupper that drains into a water/stone landscape feature.

PROJECT COMPONENTS

ACCESS, PARKING, LOADING

Access for residential parking and garbage pick up and recycling will be from the driveway on the west side of the property. Both parking and garbage and recycling bins will be screened with fencing. Garbage and recycling bins will be bear proof roll down bins .

Loading for the commercial component will be from the loading bay provided on the site. Parking for the commercial component will be on the site with two additional parking spaces provided on the street. Access for commercial garbage pick up and recycling will be from the driveway on the east side of the property.

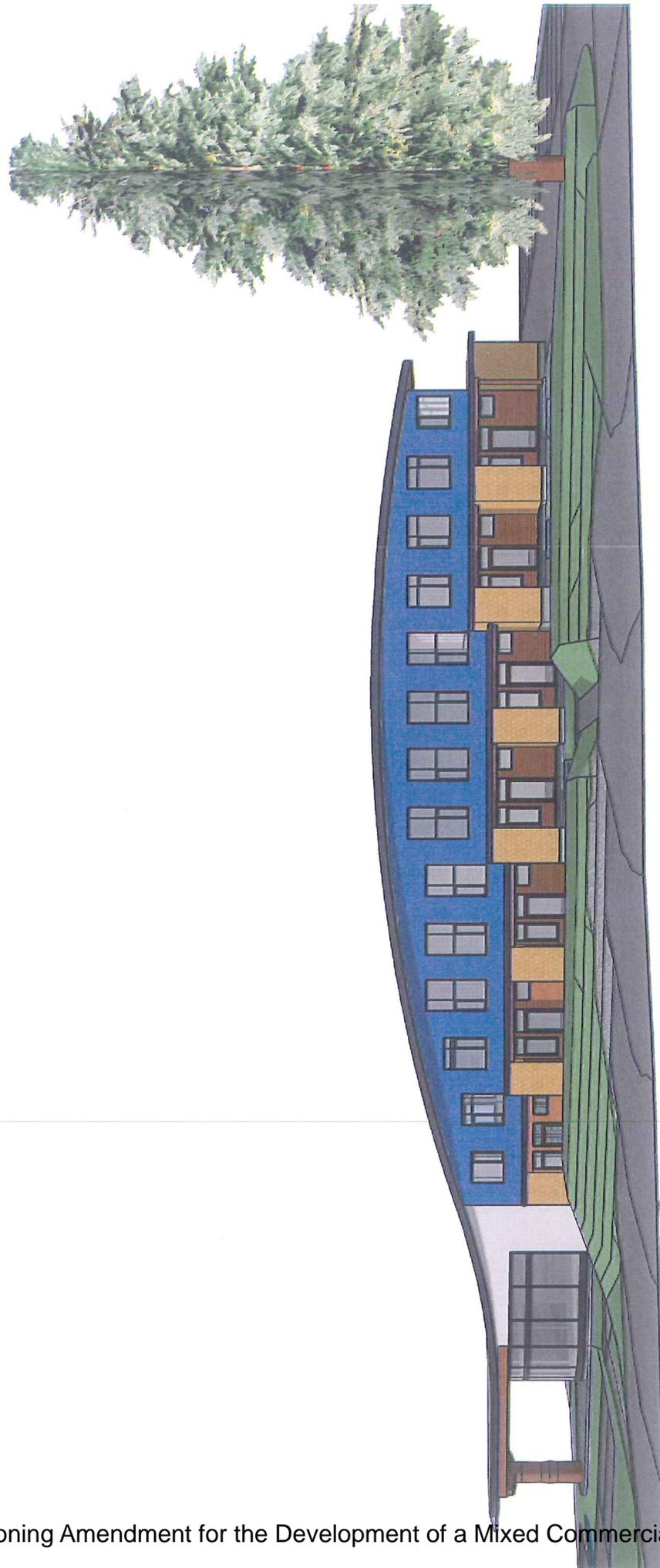
DENSITY

Allowable Floor Area Ratio on this site is 0.50 FSR. We are proposing an FSR of 0.40. Allowable site coverage for this site is 30%. We are proposing a site coverage of 30%.

CONCLUSION

The Wave at Big Beach will provide a mixed use building with commercial on Marine Drive and seven townhouses, in a townhouse typology that will fill a need in Ucluelet's housing stock. It will set a high quality addition to the mixed use residential buildings as described in the Ucluelet Community Plan.

2018-01-18



Ucluelet, Lot B Marine Drive

View of North Elevation from Marine Drive



2018-01-18



Ucluelet, Lot B Marine Drive

View of North West Elevations from Marine Drive



2018-01-18

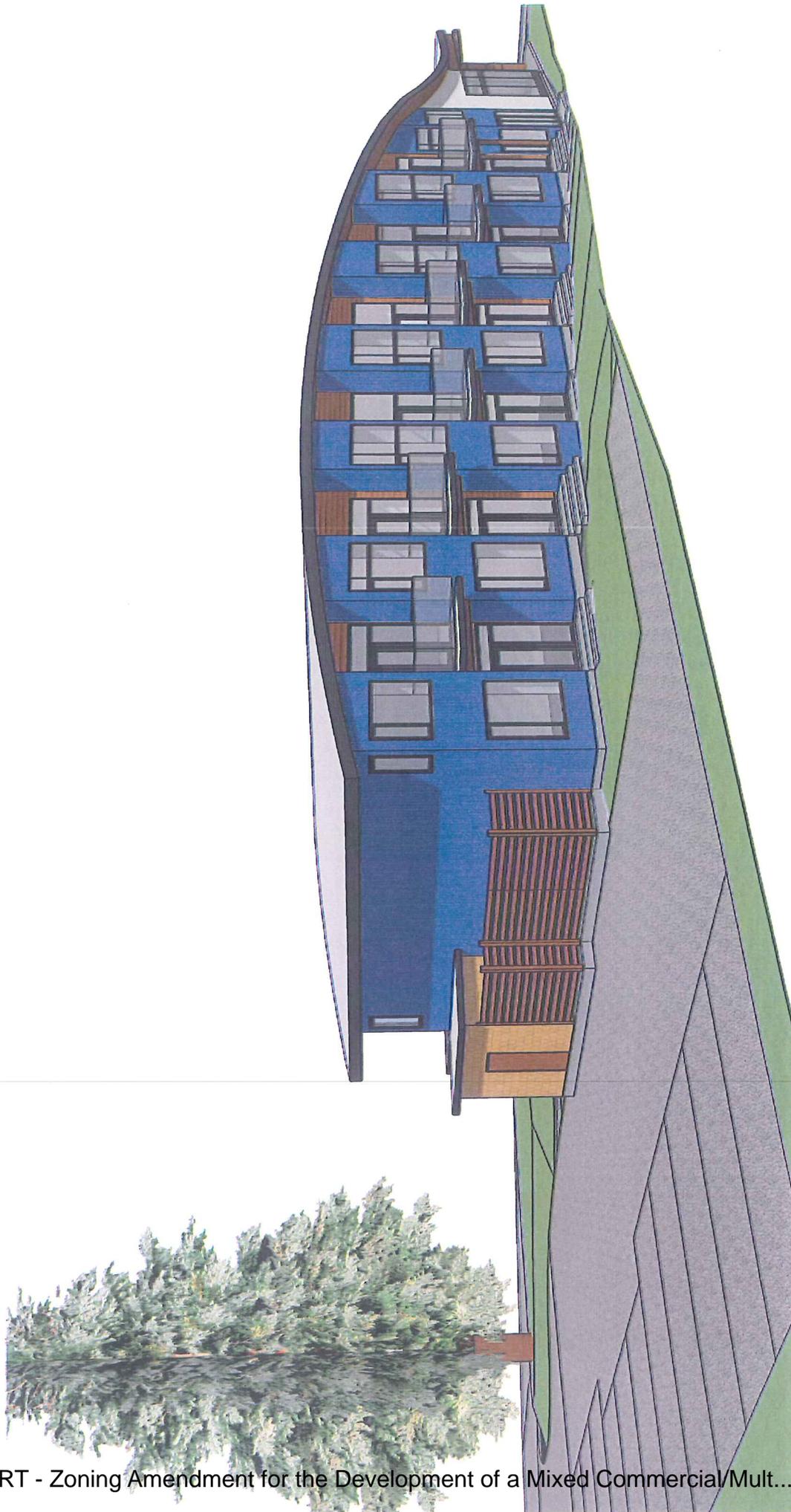


Ucluelet, Lot B Marine Drive

View of North West Elevations from Entry to Residential Parking



2018-01-18

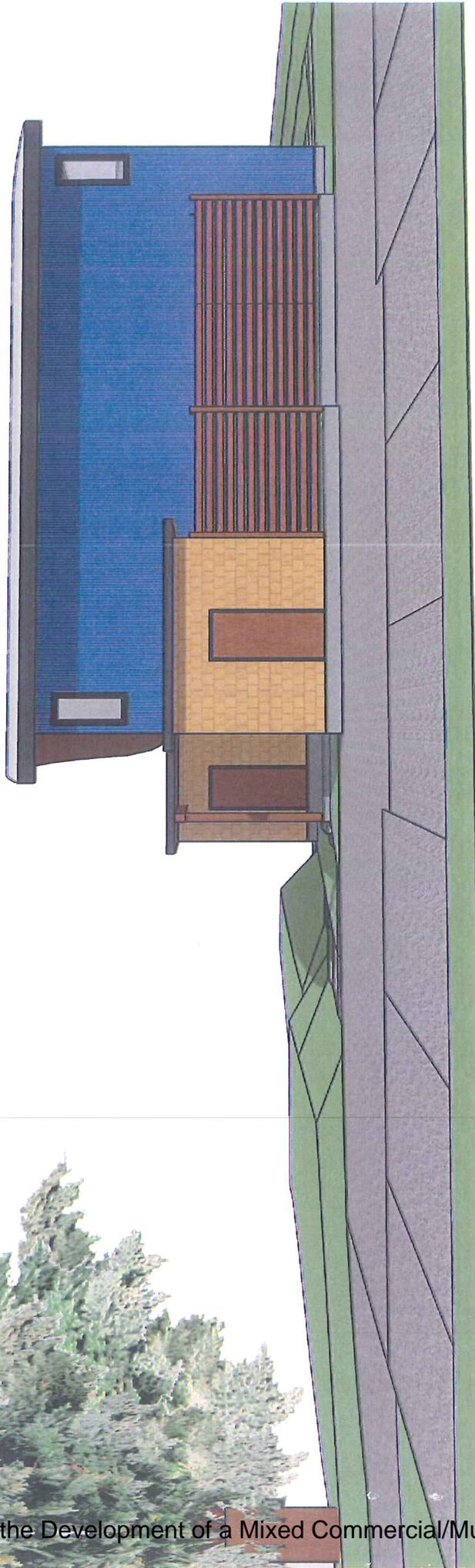


Ucluelet, Lot B Marine Drive

View of South West Elevations



2018-01-18

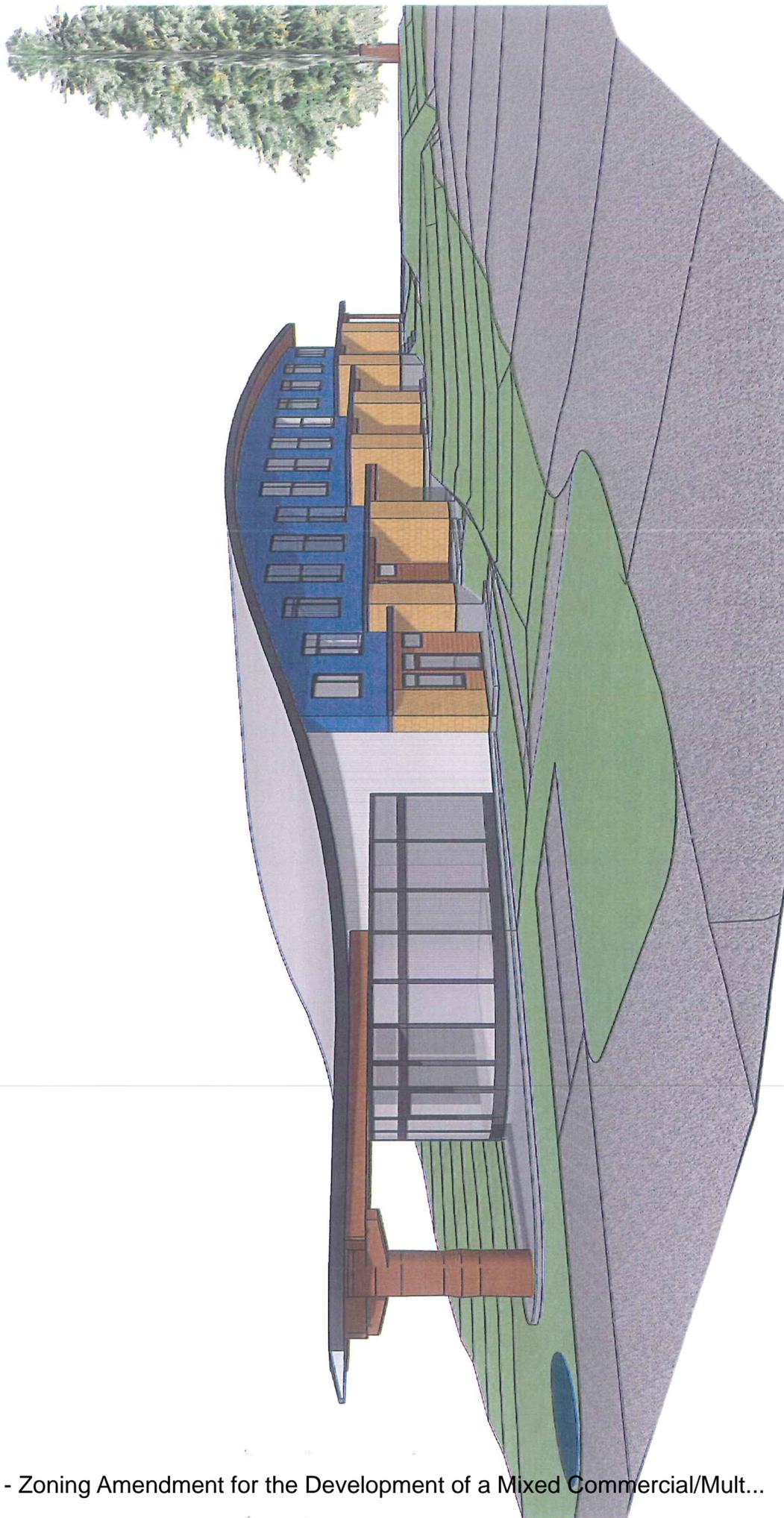


Ucluelet, Lot B Marine Drive

View of West Elevation from Residential Parking



2018-01-18

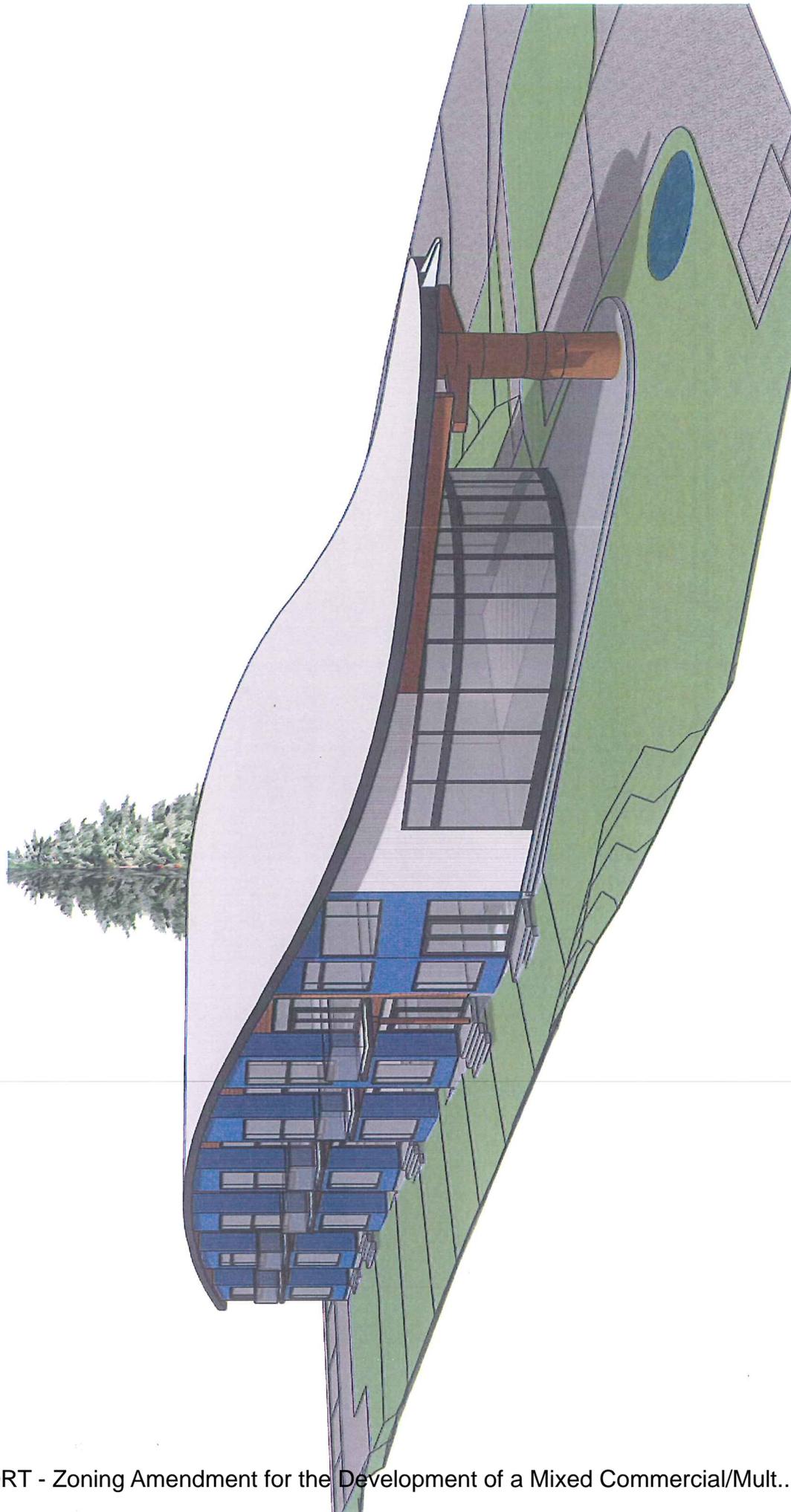


Ucluelet, Lot B Marine Drive

View of Commercial Space from Marine Drive (North East)



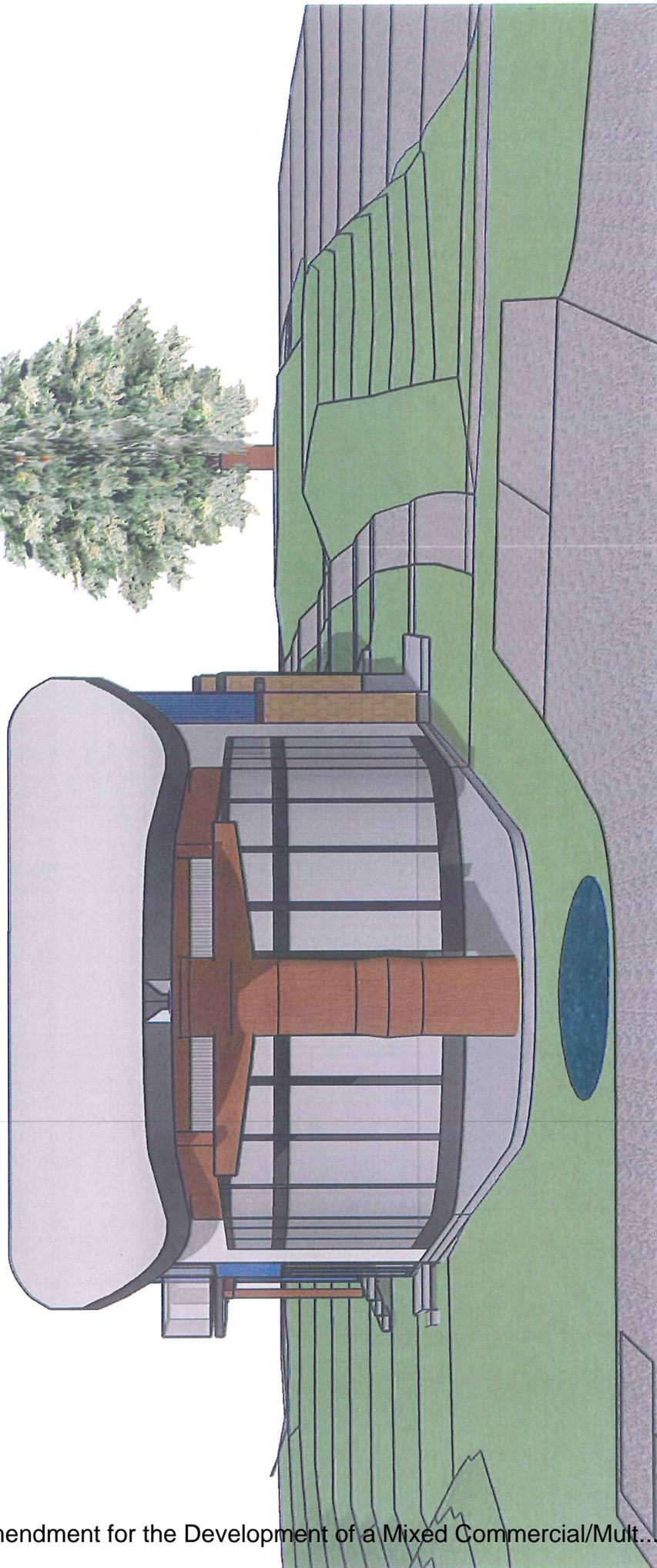
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Ucluelet, Lot B Marine Drive
View of Commercial Space (South East)



2018-01-18



Ucluelet, Lot B Marine Drive

View of Commercial Space from East



DISTRICT OF UCLUELET**Bylaw No. 1225, 2018**

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

WHEREAS the Owner of PID: 026-908-719 Lot B, District Lot 281, Clayoquot District, Plan VIP82211 (the “**Lands**”), generally shown highlighted in black on Schedule ‘A’ attached to and forming part of this bylaw, has applied to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013 (the “**Zoning Bylaw**”) in order to increase the dwelling unit density from 3 units to 7 units and to allow for the multi-family residential use to occur on the ground floor.

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

1. The Zoning Bylaw is amended by deleting the entire CD-3B Subzone and replacing it, such that this subsection reads as follows:

CD-3B SubZone – DISTRICT LOT 281 (REMAINDER)

CD-3B.1 Permitted Uses:

CD-3B.1.1 The following uses are permitted in the area of the CD-3 Zone Plan labeled “Commercial/ Residential CD-3B.1.1”, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
 - (a) *Multiple Family Residential*
 - (b) *Restaurant*
 - (c) *Bistro/Cafe*
 - (d) *Office*
 - (e) *Personal Services*
 - (f) *Daycare Centre*
- (2) Secondary:
 - (a) *Home Occupation*

CD-3B.2 Lot Regulations

CD-3B.2.1 Minimum Lot Size: 1,725 m² (18,550 ft²)

CD-3B.3 Density:

CD-3B.3.1 Maximum Density:

- (1) *7 Multiple Family Residential* units per lot.

(2) 140 m² (1,500 ft²) of Commercial uses per lot that are otherwise permitted within the zone.

CD-3B.3.2 Maximum Floor Area Ratio: 0.50

CD-3B.3.3 Maximum Lot Coverage: 30%

CD-3B.4 Maximum Size (Gross Floor Area):

CD-3B.4.1 Accessory Buildings: 9 m² (97 ft²)

CD-3B.5 Maximum Height:

CD-3B.5.1 Principal Buildings & Structures: 9 m (30 ft)

CD-3B.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

CD-3B.6 Minimum Setbacks:

CD-3B.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line* and *side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard - Interior Setback	(d) Side Yard - Exterior Setback
(1) Principal	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)
(2) Accessory	8 m (26 ft)	5 m (16.5 ft)	7.5 m (25 ft)	7.5 m (25 ft)

2. This bylaw may be cited as “Zoning Amendment Bylaw No. 1225, 2018”.

READ A FIRST TIME this day of , 2018.

READ A SECOND TIME this day of , 2018.

PUBLIC HEARING held this day of , 2018.

READ A THIRD TIME this day of , 2018.

ADOPTED this day of , 2018.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1225, 2018.”

Mayor
Dianne St. Jacques

CAO
Mark Boysen

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

CAO
Mark Boysen

SCHEDULE "A"

Bylaw 1225, 2018





STAFF REPORT TO COUNCIL

Council Meeting: January 23rd, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

From: John Towgood, Planner 1

Ref No: RZ17-08 **Folio No:** 114.812 **File No:** 3360-20
Report No: 18-08

Subject: Application to amend Zoning Bylaw No. 1160, 2013, to change the principle use on the property at 506 Marine Drive from Single Family Dwelling to Vacation Rental (VR-2).

ATTACHMENT(S): APPENDIX A –APPLICATION

RECOMMENDATION:

1. **THAT** the request to Amend Zoning Bylaw No. 1160, 2013 to change the principle use on Lot 2, Plan VIP80321, District 09 (506 Marine Drive) from Single Family Dwelling to Vacation Rental VR-2 not be approved at this time.

PURPOSE:

To provide Council with information on an application to amend Zoning Bylaw No 1160, 2013 (the “**Zoning Bylaw**”), to change the principle use on Lot 2, Plan VIP80321, District 09, 506 Marine Drive (the “**Subject Lot**”) from Single Family Dwelling to Vacation Rental VR-2.



Figure 1 - Subject Lot.

BACKGROUND:

An application has been received to amend Zoning Bylaw No 1160, 2013 (the “Zoning Bylaw”), to change the principal use on the subject lot from *Single Family Dwelling* to *Vacation Rental VR-2*.

The Subject Property

The subject property has the CD-2A.1.1 zoning designation, which currently lists *single family dwelling* as the principal use. The subject lot was created on the 24th of January 2006 and the Single Family Dwelling (**SFD**) and secondary suite (**SS**) on the subject property were given occupancy on March 6th, 2008.



Figure 2 – Street Scene

The Zoning Bylaw

The **Vacation Rental** use was introduced to the zoning bylaw and later modified by the following amending bylaws:

Bylaw 926, January 2004

Bylaw 926 created a new vacation rental use defined as “C-VR” with a specific zone being created as the “C-VR Zone”. The C-VR use was also permitted in the following zones CS-1, CS-2, and CS-3. The C-VR zone was not well defined or understood and this zoning format for vacation rentals only lasted 4 months before it was replaced.

Bylaw 941, April 2004

Bylaw 941 removed the C-VR definition and zone and separated the vacation rental use into two separate uses as VR-1 and VR-2. These uses were each given specific zones and defined as follows:

"Vacation Rental" means the use of a single family dwelling for either (1) fully contained suite and (2) B&B rooms or (2) fully contained suites and (1) B&B room. In no case shall there exist more than three units in a single family dwelling.

- (a) *Within the VR-1 zone, the suite(s) and/or B&B rooms may be used for tourist accommodation on a nightly, weekly, or monthly basis when the long-term tenant lessee or owner or an adult member of that person's family is present and residing in the dwelling on a full-time basis.*
- (b) *Within the VR-2 zone, the suite(s) and/or B&B rooms may be used for tourist accommodation on a nightly, weekly, or monthly without the existence of a long-term tenant lessee or owner or an adult member of that person's family.*

Note that the *VR-1* description above indicates that *suite(s)* may be used for tourist accommodation only when the long-term resident is present and residing in the dwelling on a full-time basis and that the *VR-2* description above indicates that *suite(s)* may be used for tourist accommodation without the existence of a long-term resident present and residing in the dwelling.

In the period of time while this definition and zoning were active after Bylaw 941 was passed, 15 properties were rezoned to *VR-1* and one property was rezoned to *VR-2*. From the business license records, there is no indication that the one property zoned to allow a *VR-2* use has operated as a *VR-2*. From the information gathered for this report there appear to be no active or lawfully non-conforming *VR-2* uses in Ucluelet.

Bylaw 1053, April 2007

Bylaw 1053 was the result of community engagement on the vacation rental strategy at the time, and reworked the zoning format. The highlights of this bylaw are as follows:

- Removed the *VR-2* zone;
- Deleted *VR-1* and *VR-2* uses from the *CS-1*, *CS-2*, and *CS-3* zones;
- Rezoned the single *VR-2* zoned property to *VR-1*; and,
- Further defined “vacation rental” closer to what it is currently in the Zoning Bylaw.

The report presented with the introduction of Bylaw 1053 indicated that Council was interested in creating a moratorium on *VR-2* uses, and that the definitions for both *VR-1* and *VR-2* were being reviewed and updated to create a clearer picture of what these designations exactly allowed.

Current Zoning Bylaw

The vacation rental definition of *VR-1* and *VR-2* have been tweaked by various amending bylaws since Bylaw 1053. The Current *Vacation Rental VR-2* use is defined in the Zoning Bylaw, which reads as follows:

“Vacation Rental” means the use of an otherwise residential dwelling unit for commercial tourist accommodation, provided in accordance with Section 406 of this Bylaw;

With Section 406 being defined as follows:

“406 VACATION RENTALS

406.1 Where a Zone specifically includes Vacation Rental (VR-1) or Vacation Rental (VR-2) as a permitted use, all the following conditions must be satisfied for the establishment and continued use and operation of the vacation rental:

- (1) The “VR-1” designation restricts the commercial tourist accommodation as:*

- (a) *accessory to a permanent residential use and administered by the full-time and present resident occupying at least sixty percent (60%) of the principal building;*
- (b) *occupying a maximum of two (2) secondary suites; and*
- (c) *occupying a maximum of forty percent (40%) of the principal building on the lot, and no part of an accessory building or structure.*

(2) The "VR-2" designation permits the commercial tourist accommodation to be either an accessory use or a principal use, as follows:

- (a) *If accessory, the VR-1 provisions of section 406.1(1) apply fully; and*
- (b) *If principal,*
 - i. *only one dwelling unit per lot that is not a secondary suite may be used for commercial tourist accommodation;*
 - ii. *a secondary suite, if present, must only be used for residential use.*

(3) A Vacation Rental must not be located within a building or on a lot that includes a Daycare Centre or other Community Care Facility.

406.2 For greater certainty, notwithstanding other provisions of this Bylaw:

- (1) VR-1 uses are permitted within single family dwellings and duplexes (including their secondary suites), but are not permitted in multiple family residential buildings;*
- (2) VR-2 uses are permitted within single family dwellings only, but are not permitted in duplexes, or multiple family residential buildings, or the secondary suite(s) of a single-family dwelling; and*
- (3) Bed and Breakfasts, Guest Houses, Guest Cottages, Guest Rooms, Hostels, Hotels, Motels, Mixed Commercial/Residential, and Resort Condo are, or may include, other commercial tourist accommodation and are regulated separately under this Bylaw.*

406.3 A valid District of Ucluelet Business License is required in order to register a vacation rental.

406.4 Off-street parking must be provided in accordance with Division 500."

Both *Vacation Rental (VR-1)* and *Vacation Rental (VR-2)* uses have been contemplated for future development in the zoning bylaw in both the CD-5 and CD-6 zones. The specific lots for these potential VR-1's and VR-2's have not been created yet, but the zoning would permit these vacation rental uses on lots in future subdivisions within the CD-5 and CD-6 zones.

Short Term Rentals

Council directed Staff in 2016/2017 to review and develop a strategy for achieving bylaw compliance among illegal Short-Term Rentals (**STR**). Additional resources were added to increase bylaw investigation and enforcement in this area. This effort has revealed many instances where entire homes were being rented out as STR's, contrary to the Zoning Bylaw. Staff have been contacting these owners to relay that they are in contravention of the Ucluelet Zoning Bylaw and Business Bylaw. These illegal STR's have developed from many origins or situations. Some of the examples or shades of this STR rental model are as follows:

- An owner is living in the suite and renting out the house;
- An owner is renting the home out on weekends while living in the home weekdays;
- An owner is renting the home while working out of the community and living in the home while not working;

- An owner is spending summer living in the home and renting it over the winter while traveling; and,
- An owner of multiple homes is renting these homes as STR's without spending any substantial time in Ucluelet.

DISCUSSION:

STR's are prevalent in most of Ucluelet's residential neighborhoods. They may allow homeowners to offset their mortgages and may offer a unique accommodation option for visitors. They may increase property values and encourage land development. STR's in residential neighborhoods are not without drawbacks as the vacationing occupants of STR's can cause noise and other disturbances. The addition of a STR in the zoning of a property can add value to the land, which is a positive for the current land owner, but can also make the property less affordable.

Forms of Short Term Rentals

There are various forms of STR's in residential settings. There is a Bed and Breakfast, Guest House, Vacation Rental (VR-1) and Vacation Rental (VR-2). The applicant is requesting Vacation Rental (VR-2) which allows the following SFD, VR and Secondary Suite (SS) configurations:

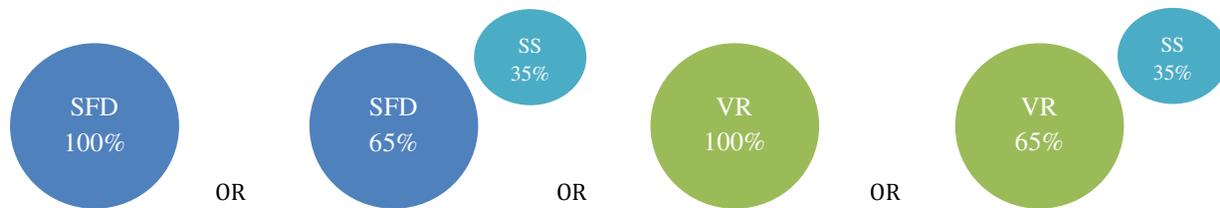


Figure 3 - Bubble Diagram for permitted uses under VR-2

As indicated above, a VR-2 can be used as a SFD, a SFD with a SS (if a SS is allowed in the zone), a standalone VR in the entire house or a standalone VR in the entire house with a secondary suite. It is important to note that under this designation both SFD and SS require a full time and permanent resident while VR does not. For contrast the following are the possible configurations for VR-1 use:

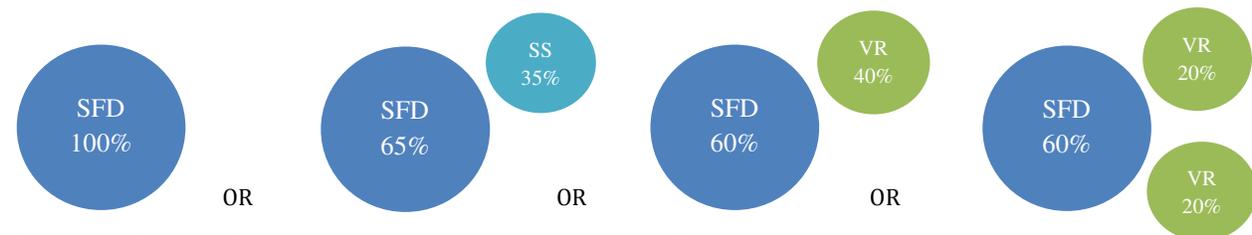


Figure 4 - Bubble Diagram for permitted uses under VR-1

Here it is important to note that at no time is the vacation rental use allowed without a full-time resident within the SFD.

The property's current zoning allows the following:

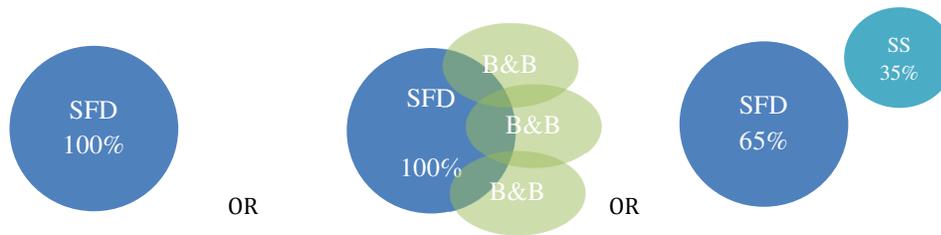


Figure 4 – Bubble Diagram for permitted uses under CD-2A.1

The subject lot is currently built out as a SFD with SS. A secondary suite (housing a long-term tenant) can be considered to have a relatively low impact to the neighborhood whereas a VR-1, with two suites, or a standalone VR-2, could be expected to have a higher impact. A VR-2 use with no permanent residential component would have the biggest impact to the neighborhood as there would be no responsible person present on the property who could be expected to control any noise or disturbance arising from the STR use.

The subject property is already developed with a SFD and a SS and the applicant has stated that they will only rent out the SFD when they travel, and will continue to offer the SS as a full-time rental. It is important to consider that the SS is built and exists as long-term rental accommodation, making it unlikely that there will be no full time residential component on the property if the applicant is successful with this rezoning. This larger waterfront SFD would offer something unique to the accommodation sector and it is not a housing form within Ucluelet's housing inventory which is commonly seen as a legal short-term rental.

VR-2 Zone

Elements of the VR-2 are comparable to VR-1 in many ways. The VR-1 use allows for two suites at 20% of building area (40% of SFD) whereas the VR-2 use can have 65% of the SFD as VR with a possible 35% SS. The difference to the to the community between a single group renting 65% of a SFD vs two groups renting two suites, at 20% each, of a SFD is negligible. The difference between the residential component at 65% of the home in a VR-2 use vs 35% of the SFD as a SS is again negligible. The community is currently in the need of Staff type housing and the smaller space of the SS may be more in line with what the community needs. The element of the VR-2 zone that has the most negative impact with the least benefit would be standalone vacation rental use with no full time residential component. This element could lead to empty streets and uncontrolled commercial use in a residential context. If Council was to support this application Planning Staff would strongly suggest that Council consider removing the standalone vacation rental use of a single-family home as an allowable use moving forward.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Should the application proceed, staff time will be required to prepare and process this Zoning Bylaw Amendment including giving notice of a Public Hearing.

FINANCIAL IMPACTS:

There is no direct financial impact to District operations as a result of this zoning amendment. It should be noted that as with other Bed and Breakfasts and Vacation Rentals with less than 4 units, the subject property as a VR-2 would not be required to pay into the 2% Municipal and Regional District Tax (MRDT). An indirect impact of adding the VR use to this or other properties could be the further inflation of property values.

POLICY OR LEGISLATIVE IMPACT:

The area including the subject property is designated within the Official Community Plan (the “OCP”) proposed land use map as Comprehensive Development (**CD**) which contemplates components of Vacation Rental uses and as such this application could be considered consistent with the OCP.

SUMMARY:

The subject property has an existing built form which includes a secondary suite, which retains a residential component on the property. This proposal would offer something unique to Ucluelet’s visitor accommodation sector. Planning Staff also consider that, given the location, this proposal would likely result in minimal impact to the neighborhood. That being said, the current lack of long-term housing availability, the STR strategy currently being implemented, and the current bylaw enforcement of illegal VR-2 type STR’s (entire homes) are important elements of the current context to the request to rezone this property. The historical context where the VR-2 use was considered by Council and subsequently removed is also an important element to consider. Given the current housing challenges, from a community perspective the subject lot is currently in the optimum housing form as a SFD with SS and therefore staff recommend that this application not proceed at this time.

Should Council support the application proceeding at this time, staff recommend that the zoning amendment bylaw include a clause to remove the use of a standalone single-family dwelling as a short-term vacation rental within the VR-2 designation.

The role and impact of vacation rentals is very much a current and evolving issue within the community of Ucluelet. As noted below, a further option is to table this application until the District’s housing policies have perhaps been clarified as the current OCP review and Short Term Rental Strategy progress further.

OPTIONS REVIEW:

1. That the request to Amend Zoning Bylaw No. 1160, 2013 to change the principle use on Lot 2, Plan VIP80321, District 09 (506 Marine Drive) from Single Family Dwelling to Vacation Rental VR-2 not proceed further. (**Recommended**);
2. That Staff be directed to prepare a bylaw amendment which, if adopted, would achieve the requested designation of Vacation Rental VR-2 as a principal use on the subject property and remove the standalone vacation rental use from the zoning bylaw;
3. That Staff be directed to prepare a bylaw amendment which, if adopted, would achieve the requested designation of Vacation Rental VR-2 as a principal use on the subject property;
4. That Council table the current request to seek further information from the applicant; or,
5. That Council table the current request until such time as the Short Term Rental strategy and/or review of District housing policies results in a clear direction on stand-alone STR’s in single family neighbourhoods.

Respectfully submitted: John Towgood, Planner 1
Bruce Greig, Manager of Planning
Mark Boysen, Chief Administrative Officer

November 19, 2017

To Mayor and Council & Planning

Hand delivered

RE: rezoning application for 506 Marine Drive to VR2 – vacation rental

To whom it may concern,

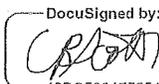
We are wishing to apply for VR2 a zoning that is currently enjoyed by two of the neighbours in our block as lawful non-conforming. We rent our secondary suite on a full-time basis and are happy to continue doing so. We are finding the costs of maintaining our home more and more cumbersome as we age.

We currently pay \$1000.00 per month for property taxes and \$500.00 per month for insurance and wish to travel more as we get on in life. Carl will be 72 and Judy will be 60. We love our home and enjoy having large family gatherings. If we were able to offer our home for rental while we travel then we would be better able to afford to keep our place and work less. We do not want to sell our home.

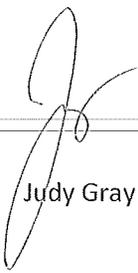
As a growing tourist community there is more need for this type of occasional accommodation. We have been living with two homes with this zoning and the Ridge complex across the street for the past nine years. We have not had any reason to complain about noise or nuisance and do not believe the occasional rental of our home will be of any nuisance. This neighbourhood is mixed already, and we very much enjoy living here with this mix.

We thank-you for consideration of our application.

Best to you,

DocuSigned by:
 /
18BC5304E755422...

Carl Scott



Judy Gray