



REGULAR MEETING OF COUNCIL
Tuesday, October 27, 2020 @ 3:30 PM
George Fraser Room, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet

AGENDA

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1. CALL TO ORDER	
2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY	
Council would like to acknowledge the Yuułu?iŋ?ath First Nation, on whose traditional territories the District of Ucluelet operates.	
3. NOTICE OF VIDEO RECORDING	
Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.	
4. ADDITIONS TO AGENDA	
5. APPROVAL OF AGENDA	
6. ADOPTION OF MINUTES	
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2020-10-20 Youth Parliament	
10.2 Let's Talk Parks, Canada!	21 - 22
<i>Pacific Rim National Park Reserve</i>	
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11. INFORMATION ITEMS	

12. COUNCIL COMMITTEE REPORTS

- 12.1 Councillor Marilyn McEwen
Deputy Mayor January - March 2020
- 12.2 Councillor Lara Kemps
Deputy Mayor April - June 2020
- 12.3 Councillor Jennifer Hoar
Deputy Mayor July - September 2020
- 12.4 Councillor Rachelle Cole
Deputy Mayor October - December 2020
- 12.5 Mayor Mayco Noël

13. REPORTS

- 13.1 Development Permit & Development Variance Permit for 1023 Tyee Terrace
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- 13.2 Lot 13 Marine Drive - Development Variance Permit
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- 13.3 ICIP Investing in Canada Infrastructure Program - Rural and Northern
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- 13.4 Hearing on Possible Business License Suspension - "Ucluelet Vacations" 1184
Helen Road 75 - 141
Bruce Greig, Manager of Community Planning
[R- Business License Suspension Hearing](#)

14. OTHER BUSINESS

15. QUESTION PERIOD

16. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, October 13, 2020 at 3:00 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen
 Staff: Mark Boysen, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Manager of Community Planning
 Joseph Rotenberg, Manager of Corporate Services
 Nicole Morin, Corporate / Planning Clerk

Regrets:

1. CALL TO ORDER

The meeting was called to order at 3:00 PM.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

Council acknowledged the Yuułu?iŋ?ath First Nation, on whose traditional territories the District of Ucluelet operates.

3. ADDITIONS TO AGENDA

There were no additions to the Agenda.

4. APPROVAL OF AGENDA

4.1 October 13, 2020 Special Council Agenda

2020.054.SPECIAL **It was moved by Councillor Kemps and seconded by Councillor McEwen**
 THAT Council approve the October 13, 2020 Special Council Agenda as
 presented.

CARRIED.

5. CLOSED SESSION

5.1 Procedural Motion to Move In-Camera:

THAT the meeting be closed to the public in order to address
agenda items under Sections 90(1)(e) and (f) of the
Community Charter.

2020.055.SPECIAL **It was moved by Mayor Noël and seconded by Councillor McEwen**
 THAT the meeting be closed to the public in order to address agenda items
 under Sections 90(1)(e) and (f) of the Community Charter.

CARRIED.

6. ADJOURNMENT

The meeting was adjourned at 3:33 PM.

CERTIFIED CORRECT: Minutes of the Special Council Meeting held on Tuesday, October 13, 2020 at 3:00 pm in the George Fraser Room, Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Mayco Noël
Mayor

Mark Boysen
CAO

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, October 13, 2020 at 3:30 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen
 Staff: Mark Boysen, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Manager of Community Planning
 Abby Fortune, Manager of Recreation & Tourism
 Joseph Rotenberg, Manager of Corporate Services
 Nicole Morin, Corporate / Planning Clerk

Regrets:

1. CALL TO ORDER

The meeting was called to order at 3:50 PM.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

Council acknowledged the Ucluelet First Nation, on whose traditional territories the District of Ucluelet operates.

3. NOTICE OF VIDEO RECORDING

Audience members and delegates were advised that the proceeding was being conducted partially via Zoom and broadcast on the District of Ucluelet's YouTube Channel. They were also advised that Zoom and YouTube may store data on foreign servers and information about how to attend the meeting by Zoom and the YouTube broadcast is available on <https://ucluelet.ca>.

4. ADDITIONS TO AGENDA

4.1 Addition to Agenda Item No. 13.4 "Development Permit & Development Variance Permit for 1892 Peninsula Rd"

- Add the following correspondence after page 123
2020-10-13 Resident

4.2 Addition to Agenda Item No. 13.1 "Revised Covenant and Option to Purchase - Lot 13 Marine Drive"

- Add the following correspondence after page 59
2020-10-12 Menard

5. APPROVAL OF AGENDA

5.1 October 13, 2020 Regular Council Agenda

2020.182.REGULAR **It was moved by Councillor Kemps and seconded by Mayor Noël**
THAT Council approve the October 13, 2020 Regular Council Meeting Agenda as amended.

CARRIED.

6. ADOPTION OF MINUTES

6.1 September 8, 2020 Regular Minutes

2020.183.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
THAT Council adopt the September 8, 2020 Regular Council Minutes as presented.

CARRIED.

6.2 September 15, 2020 Special Council Minutes

2020.184.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemps**
THAT Council adopt the September 15, 2020 Special Council Minutes as presented.

CARRIED.

6.3 September 29, 2020 Special Minutes

2020.185.REGULAR **It was moved by Councillor Cole and seconded by Councillor Kemps**
THAT Council adopt the September 29, 2020 Special Council Minutes as presented.

CARRIED.

7. UNFINISHED BUSINESS

There was no unfinished business.

8. MAYOR'S ANNOUNCEMENTS

8.1 Yuułuᑦiᑦᑭᑦᑭᑦᑭᑦ Government - Ucluelet First Nation Flag Raising Ceremony

Mayor Noël spoke to the important ties between the Yuułuᑦiᑦᑭᑦᑭᑦᑭᑦ Government and the District of Ucluelet and the strong relationship between the communities. President McCarthy reiterated the importance of this relationship and the important symbolism associated with raising the Yuułuᑦiᑦᑭᑦᑭᑦᑭᑦ Government flag in the District of Ucluelet's Council Chamber.

The Yuułuᑦiᑦᑭᑦᑭᑦᑭᑦ Government flag was raised in Council Chambers.

9. PUBLIC INPUT & DELEGATIONS

9.1 Public Input

Helen Poon, resident of Port Alberni and Provincial BC Liberal candidate for Mid Island-Pacific Rim riding, noted the importance of the District's efforts to enact single-use item regulations and support the development of affordable housing.

9.2 Delegations

**Lilly Woodbury, Chapter Manager, Surfrider Foundation Pacific Rim, BC
Re: Surfrider Update**

Ms. Woodbury was unable to present this delegation.

10. CORRESPONDENCE

10.1 Letter to the Honourable John Horgan Regarding the Allocation of 1% of PST to Local Governments **Rob Vagramov, Mayor, City of Port Moody**

2020.186.REGULAR **It was moved by Councillor Kempes and seconded by Councillor McEwen**
THAT Council direct Staff to write a letter to Premier Horgan in support of the resolution passed by the City of Port Moody regarding the allocation of 1% of PST to Local Governments.

CARRIED.

10.2 Community Support - Junior Canadian Rangers **S.D. Macdonald, Major, Officer Commanding JCR Company, Government of Canada (National Defence)**

2020.187.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
THAT Council direct Staff to write a letter of support for the Junior Canadian Rangers.

CARRIED.

10.3 Universal Access to No-Cost Prescription Contraception **Jonathan X. Cote, Mayor, City of New Westminster**

2020.188.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council direct Staff to write a letter to Premier Horgan in support of the resolution passed by the City of New Westminster regarding universal access to no-cost prescription contraception.

CARRIED.

10.4 Barkley Community Forest Corporation - Letter of Support Request

Terry Smith, BCF Chair, Barkley Community Forest

2020.189.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
THAT Council directs Staff to write a letter to the Barkley Community Forest Corporation in support of their proposal to the Ministry of Forest, Lands, Natural Resource Operations and Rural Development for construction or maintenance of trails or recreation facilities on Crown Land.

CARRIED.

11. INFORMATION ITEMS

11.1 District of Ucluelet 2020 Audit Service Plan
Cory Vanderhorst, CPA, CA, MNP LLP

12. COUNCIL COMMITTEE REPORTS

12.1 Councillor Marilyn McEwen
Deputy Mayor January - March 2020

- September 15, 2020 attended Harbour Authority Meeting.
- September 22 - 24, 2020 attended Union of British Columbia Municipalities annual conference. This was a virtual conference.
- On September 15, 2020 met with Ministry of Agriculture Staff to discuss issues related to wild salmon and on September 17, 2020 met with Minister of Transportation and Infrastructure.
- September 19, 2020 attended Vancouver Island Regional Library Board of Trustee meeting.

12.2 Councillor Lara Kempes
Deputy Mayor April - June 2020

- October 1, 2020 attended bi-monthly COVID-19 Recover Taskforce meeting.
- October 4, 2020 attended Tourism Ucluelet strategic planning session.

12.3 Councillor Jennifer Hoar
Deputy Mayor July - September 2020

- September 9 and October 7, 2020 attended Wild Pacific Trail Society meetings.
- September 15, 2020 attended Harbour Authority Meeting.
- September 22 - 24, 2020 attended Union of British Columbia Municipalities annual conference. This was a virtual conference.
- October 1, 2020 attended Local Government Leadership Academy Zoom Town Hall called Facing the Future.

12.4 Councillor Rachelle Cole
Deputy Mayor October - December 2020

- September 22 - 24, 2020 attended Union of British Columbia Municipalities annual conference. This was a virtual conference.
- October 1, 2020 attended Local Government Leadership Academy Zoom Town Hall called Facing the Future.
- October 7, 2020 attended West Coast Committee meeting.
- Attended first responder retreat.

12.5 Mayor Mayco Noël

- October 4, 2020 attended Tourism Ucluelet strategic planning session.

13. REPORTS

13.1 Revised Covenant and Option to Purchase - Lot 13 Marine Drive
Bruce Greig, Manager of Community Planning

Mr. Greig provided this report. He noted that Council rezoned the property on April 28th, the District has entered a Memorandum of Understanding with BC Housing regarding the proposed development on Lot 13 Marine Drive and he outlined the proposed changes to the master development agreement and option to purchase. Mr. Greig also explained where the development is in the development process and outlined next steps. Finally Mr. Greig noted that the developer has proposed that District contribute \$320,000 for servicing on Lot 13 at the time that final occupancy permits are issued rather than at an earlier stage in the development.

Council requested public input from members of the public who were attending in-person, by Zoom Webinar and from members of the public who submitted email correspondence during the meeting.

Matt Harbidge - 1816 Peninsula Road.

Mr. Harbidge raised concerns with the prioritizing developer interests over the interests of Ucluelet. He noted concerns with changing the agreement at later stages in the development approval process. He referenced developments that have occurred in the past. He also raised concerns with the price of the proposed affordable housing units which the Developer's website states are subject to change.

Mr. McClane - Representative of ACMC Holdings Ltd (the Developer)

Mr. McClane noted that he is requesting a change to the option to address priority issues which would prohibit the developer from

obtaining a loan to finance the development. He also explained that a developer is not permitted to advertise pricing until a disclosure statement is registered.

Mr. Greig noted that the affordable housing and rental housing agreements are available for review on the District's website and are attached to the use and development covenant. He noted that rental rates are set out in the rental housing agreement.

Zoe Ludwig - Resident

Ms. Ludwig attended via Zoom. She lives at the end of Rainforest Lane. Ms. Ludwig did not take issue with the proposed changes to the option or master development agreement. Ms. Ludwig noted concerns with maintaining setbacks and greenspace on Lot 13.

Ms. Ludwig noted that the proposed approach to affordable housing is akin to developing project style housing or a mobile home park. She recommended an approach in which neighbourhoods have small and large lots, so affordable housing is sprinkled throughout the community.

2020.190.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Cole**

THAT Council approve recommendation 1 of report item "Revised Covenant and Option to Purchase - Lot 13 Marine Drive" which states:

1. THAT Council accept the proposed Option to Purchase from APMC Holdings as sufficient assurance that the proposed development of affordable housing on Lot 13 will occur in an acceptable time frame;

CARRIED.

2020.191.REGULAR **It was moved by Councillor Kemps and seconded by Councillor McEwen**

THAT Council approve recommendation 2 of report item "Revised Covenant and Option to Purchase - Lot 13 Marine Drive" which states:

2. THAT Council approve the modification of Master Development Agreement and Covenant EX125879, concurrent with the registration of the Use and Development Covenant and the Option to Purchase, to document that 33 affordable units have been created on Lot 13 for future consideration and calculation of the development potential on other lands currently owned by Weyerhaeuser Company Ltd.;

CARRIED.

2020.192.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**

THAT Council approve recommendation 3 of report item "Revised Covenant and Option to Purchase - Lot 13 Marine Drive" which states:

3. THAT Council indicate that the offer to provide funding in the amount of \$320,000.00 to support the servicing and infrastructure of the

development to reduce the cost of units to qualifying households would remain valid until September 1, 2025, and would be payable upon the owner obtaining a final occupancy permit for the last of the 33 houses to be built on the proposed lots.

CARRIED.

**13.2 UBCM Housing Needs Report 2020 Program - Planning Grant for 2021 West Coast Housing Needs Assessment
Bruce Greig, Manager of Community Planning**

Mr. Greig presented this report. He noted that this will be a regional study which will include Tofino, Ucluelet and ACRD Area "C".

2020.193.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
THAT Council approve recommendation 1 of report item "UBCM Housing Needs Report 2020 Program - Planning Grant for 2021 West Coast Housing Needs Assessment" which states:

1. THAT District of Ucluelet Council supports the West Coast Housing Needs Assessment project and approves the primary grant applicant, the District of Tofino, to apply for, receive, and manage the funding from a UBCM Housing Needs Report grant on behalf of the District of Ucluelet.

CARRIED.

**13.3 Lot 13 Marine Drive - Development Permit for Affordable Housing
Bruce Greig, Manager of Community Planning**

Mr. Greig presented this report. He outlined the terms of the Development Permit as well as the application materials and related drawings and plans. Mr. Greig also presented an updated rendering for proposed units and highlighted phasing associated with site clearing written into the Development Permit. He explained that the phased approach allows for clearing for the construction of show homes on the site. The remaining clearing will occur after presales are complete.

Mr. McClane, representative of ACMC Holding Ltd. (the Developer), explained that in order to produce detailed engineering drawings, some logging will occur to allow for continuous sightlines for surveying across the property.

2020.194.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
THAT Council approve recommendation 1 of report item "Lot 13 Marine Drive - Development Permit for Affordable Housing" which states:

1. THAT Council authorize issuance of Development Permit 3060-20-DP20-11 for a proposed 33-lot affordable development on Lot 13, District

Lot 283, Clayoquot Land District, Plan VIP84686;

CARRIED.

2020.195.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
THAT Council approve recommendation 2 of report item "Lot 13 Marine Drive
 - Development Permit for Affordable Housing" which states:

*2. THAT Council authorize discharge of Restrictive Covenant FB154877
 from the title of Lot 13 which restricts development on site within the
 riparian areas defined next to streams "AB" and "AC";*

CARRIED.

2020.196.REGULAR **It was moved by Mayor Noël and seconded by Councillor McEwen**
THAT Council take a five minute recess.

CARRIED.

**13.4 Development Permit & Development Variance Permit for 1892
 Peninsula Rd.
 John Towgood, Planner 1**

Council returned from recess at 5:14 PM.

Mr. Greig presented this report. He outlined the proposed Development Permit and Development Variance Permit for 1892 Peninsula Road and presented several related plans. Mr. Greig noted that the applicant is applying to construct a six unit resort condo/residential mixed use building behind the Harbour View Pharmacy. He explained that the Development Variance Permit would allow tourism accommodations on ground floor of the proposed building.

He noted that the access to the rear of the property will be through the Harbour View Drug store parking lot. There are two driveways to this property. The northern access will be removed under the proposed Development Permit. The access would be narrower than the minimum six meter width for emergency access, but the Fire Department has noted support for the proposal subject to a stand pipe or private hydrant being installed as part of the building permit process.

Council discussed truck access to the rear of the building. Mr. Greig noted that a truck can access the rear of the building and the site's loading area is at the rear of the current building.

Council requested public input on the DVP from members of the public who were attending in-person, by Zoom Webinar and from members of the public who submitted email correspondence during the meeting.

There was no public input in addition to the late item.

2020.197.REGULAR **It was moved by Councillor Kemp and seconded by Councillor Hoar**
THAT Council approve recommendation 1 of report item "Development Permit & Development Variance Permit for 1892 Peninsula Rd." which states:

1. ***THAT*** Council, with regard to a proposed six-unit resort condo/residential mixed-use building at 1892 Peninsula Road (Lot 6, Block A, District Lot 282, Clayoquot District, Plan 7810), approve the following:
 - a. *subject to public comment, issue Development Variance Permit DVP20-03 to allow a commercial tourist accommodation on the first storey of a mixed Commercial/Residential building, whereas section 103 of Zoning Bylaw No. 1160, 2013, defines Mixed Commercial/ Residential as excluding commercial tourist accommodation from the first storey of a building; and,*
 - b. *issue Development Permit DP20-09 for a proposed six-unit resort condo / residential mixed use building, associated site works, and landscaping.*

CARRIED.

13.5 Extension of Approvals for Expanded Outdoor Seating Areas
Bruce Greig, Manager of Community Planning

Mr. Greig presented this report. He noted that the Provincial Government has extended the temporary expanded service areas for liquor licenses to October 31, 2021 and the related District of Ucluelet issued outdoor seating area temporary Development Permits are set to expire at the end of October, 2020.

2020.198.REGULAR **It was moved by Councillor Kemp and seconded by Councillor McEwen**
THAT Council approve recommendation 1 of report item "Extension of Approvals for Expanded Outdoor Seating Areas" which states:

1. ***THAT*** Council authorize Staff to process, as a District initiative, extensions to Development Permits valid through October 31, 2021, for expanded outdoor seating areas for any business requesting such extension.

CARRIED.

13.6 Temporary Use Permit - 1685 Peninsula Road
John Towgood, Planner 1

Mr. Greig, presented this report. He noted that the proposed Temporary Use Permit relates to the use of a commercially zoned building on the property at 1685 Peninsula Road as a single family dwelling.

Council discussed whether the dwelling could be rented as a short-term accommodation under the proposed Temporary Use Permit.

Council requested public input from members of the public who were attending in-person, by Zoom Webinar and from members of the public who submitted email correspondence during the meeting.

There was no public input regarding this matter.

2020.199.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**

THAT Council approve recommendations 2 of report item "Temporary Use Permit - 1685 Peninsula Road" which state:

2. ***THAT***, subject to public comment, Council authorize issuance of Temporary Use Permit TUP 20-03 for a period of up to three years, to allow for a Single Family Dwelling residential use within an existing 90m2 building located in the northwest corner of the property at 1685 Peninsula Road.

2020.200.REGULAR **It was moved by Mayor Noël and seconded by Councillor McEwen**

THAT Council amend resolution 2. to as follows:

2. ***THAT***, subject to public comment, Council authorize issuance of Temporary Use Permit TUP 20-03 for a period of up to three years, to allow for a Single Family Dwelling residential use within an existing 90m2 building located in the northwest corner of the property at 1685 Peninsula Road, subject to no short term rental use of this dwelling.

CARRIED.

2020.201.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**

1. ***THAT*** Council provide an opportunity for public comment on this item; and,
2. ***THAT***, subject to public comment, Council authorize issuance of Temporary Use Permit TUP 20-03 for a period of up to three years, to allow for a Single Family Dwelling residential use within an existing 90m2 building located in the northwest corner of the property at 1685 Peninsula Road, subject to no short term rental use of this dwelling.

CARRIED.

13.7 Special Events Update (Verbal Report) ***Abby Fortune, Manager of Recreation & Tourism***

Ms. Fortune noted that the District will not be conducting special events this year and for the foreseeable future due to COVID-19. She also provided an update on recreation programming provided by the District.

13.8 Public Attendance at Council Meetings and Public Hearings ***Joseph Rotenberg, Manager of Corporate Services***

Mr. Rotenberg explained the procedural concerns associated with continuing to allow in-person public attendance at Council Meetings as

well as the means available for members of the public to remotely watch and participate in Council meetings and public hearings.

2020.202.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**

THAT Council approve recommendations 1 and 2 of report item "Public Attendance at Council Meetings and Public Hearings" which state:

1. ***THAT***, pursuant to Ministerial Order M192 and due to limited Council Chamber capacity during COVID-19, Council authorizes that until there are changes to the restriction on gathering and social distancing requirements, all open meetings of Council, including Committee of the Whole and public hearings, shall be conducted without members of the public present in Council Chambers; and
2. ***THAT*** Council is ensuring openness, transparency, accessibility and accountability in respect of all open council meetings and public hearings by:
 - a. livestreaming open council meetings and public hearings on YouTube;
 - b. receiving public input and questions submitted during open council meetings and public hearings via email and having Staff read the same during the Public Input or Question Period sections of the agenda;
 - c. receiving public input and questions in real time at open council meetings and public hearings via Zoom Webinar;
 - d. receiving written correspondence at council meetings and public hearings submitted in accordance with District of Ucluelet Council Procedures Bylaw No. 1264, 2020; and,
 - e. designating Activity Room 1 or 2 as a place where members of the public can attend to watch and hear council meetings and public hearings while they are in progress.

CARRIED.

13.9 Essential Services Mutual Aid Agreement **Joseph Rotenberg, Manager of Corporate Services**

Mr. Rotenberg presented this report. He explained the purpose of the essential service mutual aid agreement and noted that two parties have already approved the agreement.

2020.203.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

THAT Council approve recommendation 1 of report item "Essential Services Mutual Aid Agreement" which states:

1. ***THAT*** Council authorize the District of Ucluelet's authorized signatories to enter into the Essential Services Mutual Aid Agreement.

CARRIED.

13.10 Resolution Tracking August September 2020*Nicole Morin, Corporate/Planning Clerk***13.11 Cheque Listing August and September 2020***Nicole Morin, Corporate/Planning Clerk***14. LEGISLATION****14.1 Freedom of Information Bylaw Update (Adoption)***Joseph Rotenberg, Manager of Corporate Services*2020.204.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar***THAT Council approve recommendation 1 of report item "Freedom of Information Bylaw Update (Adoption)" which states:*

1. **THAT** Council adopt District of Ucluelet Freedom of Information and Protection Bylaw No. 1279, 2020.

CARRIED.

14.2 Single-Use Plastic Bylaw Update (Adoption)*Joseph Rotenberg, Manager of Corporate Services*

Mr. Rotenberg outlined the history of the proposed bylaw and noted that it has received Ministerial approval. He also outlined Surfrider Foundation Pacific Rim's proposal to rollout the bylaw which includes business engagement, consultation and monitoring.

2020.205.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen***THAT Council approve recommendations 1, 2 and 3 of report item "Single-Use Plastic Bylaw Update (Adoption)" which state:*

1. **THAT** Council adopt District of Ucluelet Single-Use Item Regulation Bylaw No. 1266, 2020;
2. **THAT** Council authorize Staff to enter into a service delivery agreement in which the District of Ucluelet pays no more than \$4,000 to the District of Tofino to fund outreach, consultation and monitoring services provided by the Surfrider Foundation Pacific Rim; and
3. **THAT** Council allocate \$4,000 from the Council Promotion budget to satisfy the above service agreement.

CARRIED.

15. OTHER BUSINESS**15.1 The District of Ucluelet Fire Works Bylaw**

Council discussed the District of Ucluelet Fireworks Regulation Bylaw and recommended community engagement about the Bylaw after

Halloween.

- 15.2 Council Rose and Reported a resolution adopted at the October 13, 2020 Closed Meeting of Council regarding 1183 Helen Road - "Ucluelet Guest Suites".**

1183 HELEN ROAD – “UCLUELET GUEST SUITES”

*1. **THAT**, due to evidence of non-compliance with District of Ucluelet Zoning Bylaw No. 1309, 2013, Council give notice to the owners of the property at 1183 Helen Road (Lot 4, Section 21, Clayoquot District, Plan 22495) - Jeffery Robert Swann, Naomie Rae Swann, Michael James Granville Rhodes and Jennifer Marie Ada Rhodes – that Council is considering suspending the business licence for the 3 Guest Room commercial tourist accommodation Bed and Breakfast business conducted by “Ucluelet Vacations” on the subject property, and provide an opportunity for the owners to be heard in this matter at the regular Council meeting scheduled for October 27, 2020; and,*

*2. **THAT** Council rise and report on the above resolution in the open portion of the regular Council meeting October 13, 2020.*

16. QUESTION PERIOD

There were no questions.

17. ADJOURNMENT

The meeting was adjourned at 6:02 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, October 13, 2020 at 3:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Mayco Noël
Mayor

Mark Boysen
CAO

Joseph Rotenberg

From: Joseph Rotenberg
Sent: October 20, 2020 11:16 AM
To: Joseph Rotenberg
Subject: RE: 92nd BC Youth Parliament Session

From: Rhonda Vanderfluit <registrar@bcyp.org>
Sent: October 19, 2020 5:18 PM
To: registrar@bcyp.org
Subject: 92nd BC Youth Parliament Session

Re: British Columbia Youth Parliament, 92nd Parliament

The British Columbia Youth Parliament's 92nd Parliament will hold its parliamentary session from 27 to 31, 2020. Due to COVID-19 this year's Session will be entirely virtual. The BC Youth Parliament is a province-wide non-partisan organization for young people ages 16 to 21. It teaches citizenship skills through participation in the parliamentary session in December and continuing involvement in community service activities throughout the year. **Youth Parliament is a one-year commitment.**

I invite you to encourage eligible youth from your municipality or region to apply to sit as members of the Youth Parliament. BCYP is non-partisan, and applicants need only be interested in learning more about the parliamentary process and in serving their community. If your municipality sponsors a "youth of the year" award or has a municipal youth council, young people with that sort of initiative and involvement are ideal candidates for BCYP.

Each applicant who is accepted to attend as a member of BCYP must pay a **\$90** registration fee. Although Session is virtual this year, we still have fixed costs associated with hosting Session and the annual running of the society but thanks to fundraising, a portion of the cost is covered for all members. We first encourage municipalities to contribute towards the application fee for applicants who are in financial need. If the approval of financial support causes any delay, we encourage the applicant to send in their forms on time along with a note saying that the cheque will arrive after the deadline. In this case, if we receive the completed form and personal statement before the deadline, it will be considered received on time. If you are not able to aid, a limited number of bursaries are available for applicants who cannot meet the expense of the registration fee. Requesting financial assistance will not affect an applicant's chance of being selected as a member. (see <https://bcyp.org/session>).

Members will sit virtually and debate for five days During the virtual sittings, members will be supervised by members of the Board of Directors of the Youth Parliament of B.C. Alumni Society and other youth parliament alumni.

I have attached an application form. I encourage you to make the application form and brochure available to interested young people and to make copies of the forms as needed. A soft copy of the form along with an informational brochure and promotional poster are available from our website at <https://bcyp.org/session>.

All applications must be received by November 10, 2020. Applicants will be notified whether they have been selected in mid-November. If you require more information, please contact me by telephone or e-mail as indicated above, or visit our website at www.bcyp.org.

 Rhonda Vanderfluit
 Registrar, Youth Parliament of BC Alumni Society
 Sponsoring the British Columbia Youth Parliament

E | registrar@bcyp.org

T | 604-646-6623

www.bcyp.org

Joseph Rotenberg

From: Joseph Rotenberg
Sent: October 20, 2020 11:20 AM
To: Joseph Rotenberg
Subject: RE: Let's Talk Parks, Canada!

From: Pacific Rim National Park Reserve <pacrim.info@pc.gc.ca>
Sent: October 19, 2020 3:02 PM
To: Mark Boysen <mboysen@ucluelet.ca>
Subject: Let's Talk Parks, Canada!

2020 Minister's Round Table on Parks Canada

Having trouble viewing this email? [Read it online.](#)



Let's Talk Parks, Canada!

Pacific Rim National Park Reserve would like to invite you to participate in the 2020 Minister's Round Table on Parks Canada, a national consultation on national parks, national historic sites, and national marine conservation areas.

The *Parks Canada Agency Act* grants the Minister responsible for Parks Canada the obligation and opportunity to convene a round table every two years to discuss the work of the Agency with interested Canadians.

This year's round table consultation "Let's Talk Parks, Canada!" will focus on the following five themes.

- **Urban Parks:** Parks Canada as a leader in urban conservation, and providing access to nature and culture in communities.
- **Diversity, Inclusion, and Accessibility:** Parks Canada as a partner and a leader in inclusion, diversity, accessibility, and reconciliation in protected and heritage places.
- **Ecological Corridors:** Connecting protected places to respond to climate change and biodiversity loss.

- **Indigenous Leadership in Conservation:** Advancing Indigenous leadership in conservation, traditional use, Indigenous knowledge, and Indigenous protected and conserved areas.
- **Protecting our Cultural Heritage:** Advancing legislative protection for federal built heritage.

Your ideas and perspectives are important to Parks Canada and we encourage you to share your thoughts on these key topics with us, from now until October 30, by visiting www.LetsTalkParksCanada.ca. Please feel free to extend this invitation within your organization.

We hope that you will participate and look forward to your contributions.

Tleeh-is-a-tuuk-aq-suup / Karen Haugen
Superintendent
Pacific Rim National Park Reserve



This email is intended for mboysen@ucluelet.ca.
[Update your preferences](#) or [Unsubscribe](#)

delivered by
 Campaigner



STAFF REPORT TO COUNCIL

Council Meeting: OCTOBER 27, 2020
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, PLANNER 1

FILE NO: 3060-20-DP20-12/3090-20 -DVP20-05

**SUBJECT: DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT
FOR 1023 TYEE TERRACE**

REPORT NO: 20-113

ATTACHMENT(S): APPENDIX A - APPLICATION
APPENDIX B - DEVELOPMENT VARIANCE PERMIT – DVP20-05
APPENDIX C - DEVELOPMENT PERMIT – DP20-12
APPENDIX D – PUBLIC COMMENTS

RECOMMENDATION(S):

1. **THAT** Council, with regard to a single unit resort condo building at 1023 Tyee Terrace (Strata Lot 19, Plan VIS4490, Section 21, Clayoquot Land District, with interest in common property), approve the following:
 - a. subject to public comment, issue Development Variance Permit DVP20-05 to allow:
 - i. a front yard setback of 4.5m whereas section CS-5.6.1 the District of Ucluelet Zoning Bylaw No. 1160, 2013, requires 6m; and,
 - ii. a rear yard setback of 2.2m whereas section CS-5.6.1 the District of Ucluelet Zoning Bylaw No. 1160, 2013, requires 3m.
 - b. issue Development Permit DP20-12 for a single unit resort condo building, associated site works, and landscaping.

PURPOSE:

The purpose of this report is to provide information on a Development Permit (**DP**) and development Variance Permit (**DVP**) application for 1023 Tyee Terrace - Strata Lot 19, Plan VIS4490, Section 21, Clayoquot Land District, with interest in common property (the "**Subject Property**").

BACKGROUND

This application for a DP and DVP on the Subject Property was received in August of 2020. The subject property falls within the area designated in the Official Community Plan as Development Permit Area No. 3 (Reef Point). The following are the categories under the *Local Government Act* in which this Development Permit Area was established:

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

The Development Permit Area No. 3 (Reef Point) guidelines speak to protecting Reef Point's natural beauty and rich ecological qualities that add significant potential value to Ucluelet, its residents, and future generations. It is these qualities – beautiful, natural, and wild – which residents and people from afar come to experience; therefore, an effort must be made to preserve and enhance this environment.

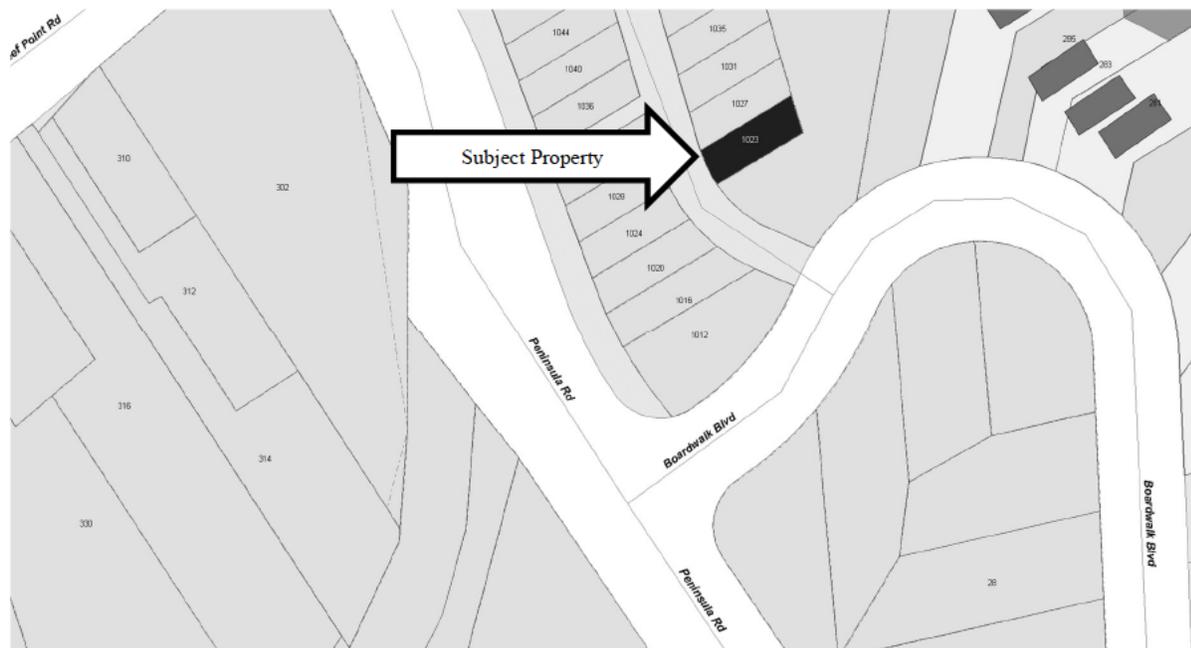


Figure 1- Subject Property

OVERVIEW OF DEVELOPMENT PROPOSAL:

The applicant is proposing to build an 832sq.ft., two-storey resort condo. The size and shape of the subject building is consistent with other buildings in the area. The applicant is proposing Hardi-Board, board-and-batten style siding with natural cedar accents. There are no significant environmental elements to the Subject Property, and it is not anticipated that this property would be subject to flooding. The proposed building and landscaping are consistent with the neighboring properties and the form and character DP guidelines.

ZONING:

The subject site falls within the *CS-5 Zone – Tourist Commercial* which allows for the proposed for a Resort Condo use.

DEVELOPMENT VARIANCE PERMIT

The proposal is non-compliant to the zoning bylaw in regard to the front yard setback and the rear yard setback. A DVP, will be required for the following:

- a front yard setback of 4.5m whereas section CS-5.6.1 the District of Ucluelet Zoning Bylaw No.1160, 2013 requires 6m.
- a rear yard setback of 2.2m whereas section CS-5.6.1 the District of Ucluelet Zoning Bylaw No.1160, 2013 requires 3m.

The above variances are consistent with many of the smaller lots in the area as indicated in **Figure 2** below.



Figure 2

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

If this application is approved, Staff time will be required to process and monitor the compliance of the DP and DVP.

FINANCIAL IMPACTS:

Development Cost Charges (DCC's) are collected at the approval of a Building Permit, based on the number of the commercial and residential units.

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with the Official Community Plan.

SUMMARY:

This application is consistent with the DP guidelines for the area and the DVP request is in keeping with the neighbourhood context of Tyee Terrace.

Alternatively, Council has the following options:

1. **THAT** Council defer consideration pending receipt of further information, to be identified.
2. **THAT** Council refuse the permit application, citing the OCP guidelines with which the proposal does not conform.

Respectfully submitted:

John Towgood, Planner1
 Bruce Greig, Manager of Community Planning
 Mark Boysen, Chief Administration Officer

August 27, 2020

Appendix A

RE: 1023 Tyee Terrace

To District of Ucluelet Planning Department:

At present time 1023 Tyee Terrace is zoned CS5 which bylaws state that the side setbacks and rear setbacks be set at 10' and the front setbacks be set at 20'. The lot is located in Reef Point Cottages. In the original development the setbacks used were 4' on sides, 8' on rear, and 20' on the front. The lot we purchased to build our cottage measures 22 1/2' in width x 62' in length. It is obvious that with the current set back restrictions we could only construct a cottage measuring 3' in width.

Due to the hardship of these setbacks, we are proposing that both the sides and the rear setbacks be granted a variance to the original allowances. We do not want to change the style or appeal of what already exists in the development, we merely wanting to mimic what already exists.

The setbacks we are proposing are 4' on the sides, 8' on the rear, and 18'3" on the front left corner and 19' 3" on the front right corner. This excludes eaves, fireplace outcrops, and porches and decks as per zoning bylaw number 306.3

We have kept with the existing building scheme and setbacks that were originally in place. No windows are placed on the left where our neighbour's cabin is situated. Unlike existing structures in this development, we will be using noncombustible cladding for added protection.

. Building a 3' wide cottage is not feasible and nor can we knowingly sell an unusable piece of land; therefore, we would appreciate an amendment to be able to build what already exists in the Reef Point Cottages development.

Thank you for your consideration,

Pat and Aleisha Hyde

November 8, 2019

SL 19, 1023 Tyee Terrace Building Proposal

As per Bylaw 34 of the strata corporation rules I am hereby giving notice of construction on SL#19 at 1023 Tyee Terrace.

As per rule 34, construction will take place in a prefabrication method. Commencement of construction will take place from November 1,2020 till January 31,2020. A more detailed timeline of construction will be listed below. Construction timelines may have to be altered due to weather conditions and unforeseen issues and delays that are out of my control. I will work as closely as I can with Christine Brice on any delays or issues that may arise. A typical work week would be from 9:00 A.M. to 5:00 P.M. With no machinery or power tools starting before 9:30 A.M. and running past 4:30 P.M. Exceptions may be on the day of the structure's erection.

Structure design: The design of the cottage will mimic SL#22. all but the main color will be the same. We will be following the B.C. building codes and will have regular inspections from the district authorities. All plans and set backs will approved by the district and a building permit will be issued closer to construction time. Lot boundaries and foundation footings will professionally pinned by AG surveys of Ucluelet so there is no discrepancy. Trades and sub-trades are all professionals and are either local or imported from out of area. Setbacks are stated on the plans and have been discussed with the district planning office. Setbacks will be approved by the district and construction has been altered to conform with the provincial and local fire codes.

We chose to build in reef point cottages again because we thought it could be a good investment and the last lot in the row came available and was one we originally desired. The first build went relatively smooth and working with the district and the strata was nice and easy so we decided to repeat. As you can see by the plans we are a mirror image of what we have constructed on SL 22. The colors we have chose for the main cladding is a James Hardie Timber Bark with strong natural cedar accents for the trims. The gutters and downspouts will be black along with the flange on the exterior of the windows. The roofing material will be a black asphalt shingle with a natural stained cedar barge board and fascia.

My goal is to complete this project in a timely manner with as little disruption as possible to resort guests, staff and owners. As previously mentioned I will work as closely as needed with Christine Brice to resolve any issues that may arise. A clean and safe jobsite will be maintained at all times. I will follow all proper codes and bylaws implemented by the district and the province to complete a cottage that is safe and will last for years. I am looking forward to your response and approval for the commencement of our family cottage.

Thanking you,

The Hydes

Pat and Aleisha Hyde
1519 Meadowood Way Qualicum Beach, B.C. V9K 2V2
Home [REDACTED]
Cell [REDACTED]

Reef Point Cottages
1023 Tyee Terrace

Bare Land Strata Lot SL19 Plan Section 21 Clayoquot District. Plan VIS 4490
Parcel Identifier 024-007-862
Zoned CS-5

Front 6 meters (20')
Sides 4'
Rear 10' (variance to 8')

Height restrictions 39'

Lot coverage 40%
Max Floor Ratio -70%

8% Glass Ratio

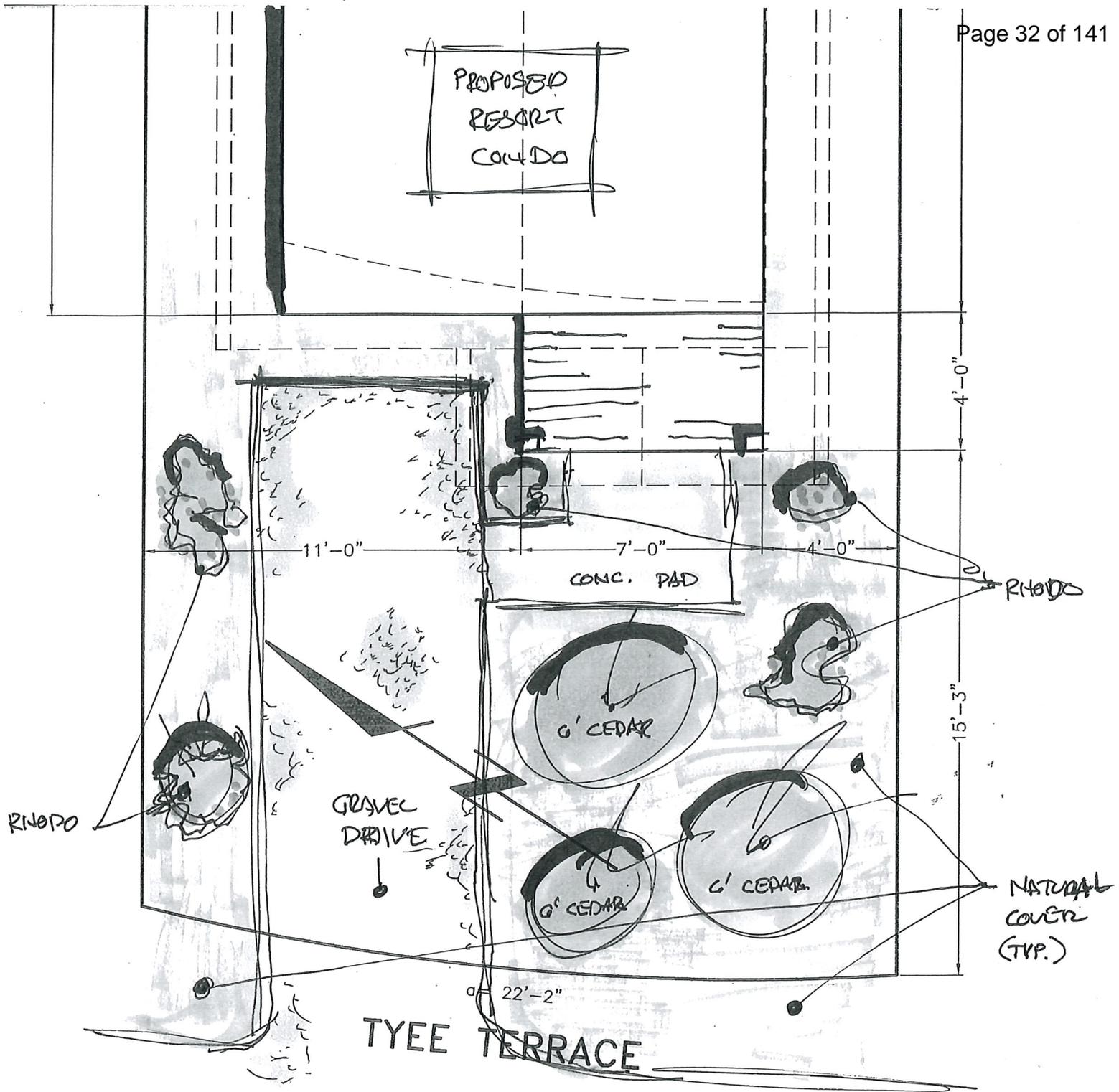
Exterior:

3' Crawl
Hardie plank board and Batten siding (Timber Bark)
Natural color cedar trim, barge board and fascia and band board
Black asphalt shingles with roof venting
Black Flashing and gutters
Black vinyl windows
Non vented cedar soffits

Interior

Counter tops and vanity tops (granite)
Ceiling- Vaulted or not, will be T&G cedar
Walls all Drywall
Flooring- Laminate and ceramic tile
Fireplace- Electric

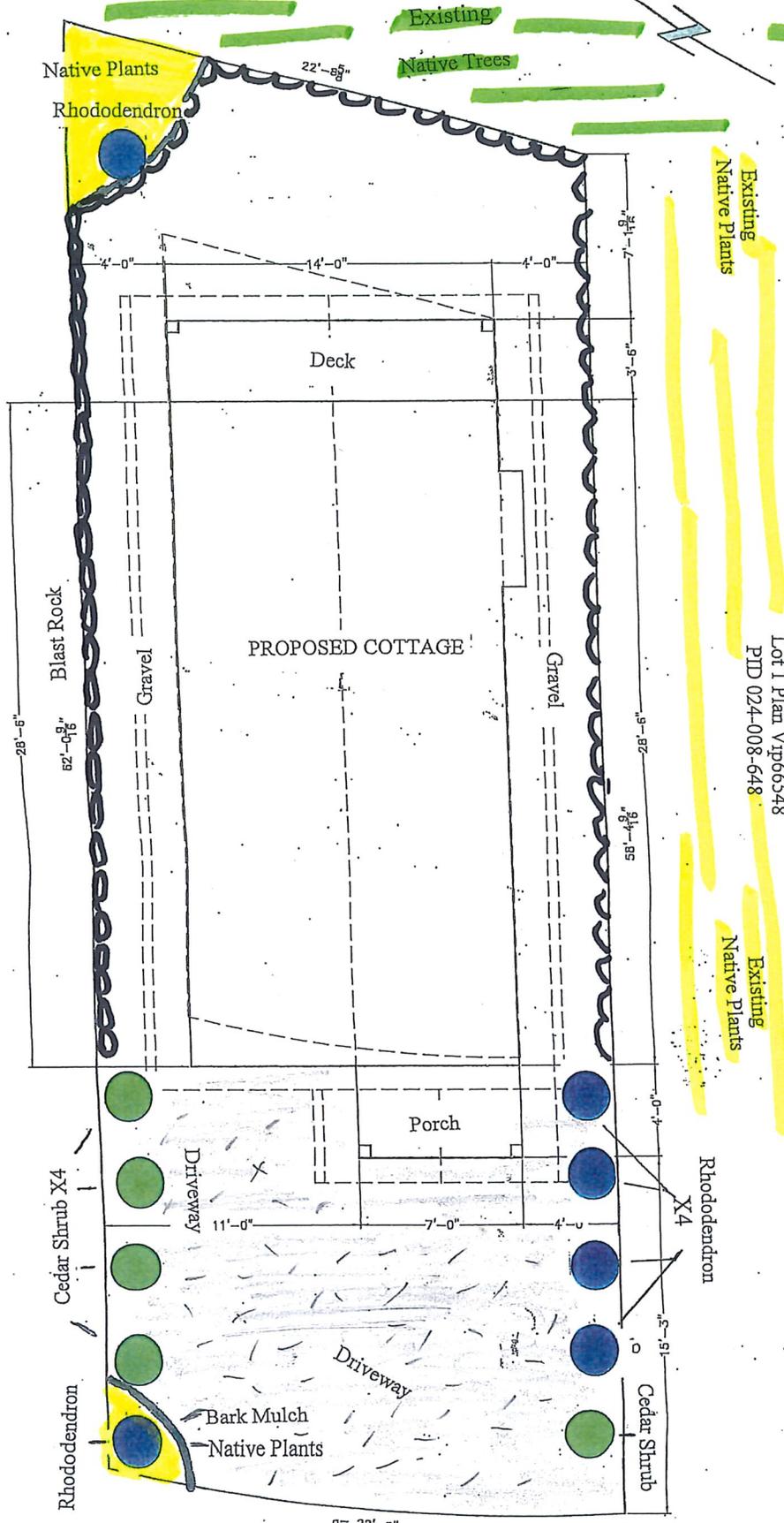
Contacts John Towgood-Ucluelet Planning Department 250-726-4770
Building Inspector- Nicholas Henderson T-250-726-4776, Fax 250-726-7335,
Cell 250-726-6349 email nhenderson@ucluelet.ca



GENERAL NOTES:

BUILDING CONTRACTOR TO VERIFY ALL DIMENSIONS PR ALL CONSTRUCTION TO COMPLY WITH THE LATEST B.C. HEADER SIZES SHALL BE SUPPLIED BY TRUSS MANUF/ DESIGNER ASSUMES NO RESPONSIBILITY FOR ANY ERR UNLESS ADVISED IN WRITING PRIOR TO ANY CONSTRUCT

SITE PLAN
SL 19-1023 Tyee Terrace



SL 18

Existing
Native Plants

Lot 1 Plan Yip66548
PID 024-008-648

Existing
Native Plants

TYEE TERRACE



Appendix B

DEVELOPMENT VARIANCE PERMIT DVP20-05

Pursuant to section 498 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Variance Permit is issued to:

Patrick Hyde; Aleisha Hyde, 1519 Meadowood Way, Qualicum Beach, BC
2. This Development Variance Permit applies to, and only to, those lands within the District of Ucluelet described below, and the buildings, structures, and other development thereon:

1023 Tyee Terrace, Lot 19, Plan VIS4490, Section 21, Clayoquot Land District, with interest in common property
3. The work authorized by this Permit may only be carried out in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013, except where specifically varied or supplemented by this Development Variance Permit and in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This Permit authorizes the following variances specific to the plans and details attached as Schedule:
 - a. **a front yard setback of 4.5m whereas section CS-5.6.1 the District of Ucluelet Zoning Bylaw No.1160, 2013 requires 6m.**
 - b. **a rear yard setback of 2.2m whereas section CS-5.6.1 the District of Ucluelet Zoning Bylaw No.1160, 2013 requires 3m.**
5. The above variances are granted for the proposed structures and use of the land as shown on Schedule A. Should the building be later removed or destroyed, this Development Variance Permit shall cease to apply and the zoning requirements in effect at the time shall apply.
6. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
7. This Permit is NOT a Building Permit.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2020.

ISSUED the day of , 2020.

Bruce Greig - Manager of Community Planning



Schedule A

(See Appendix A)



Appendix C

DEVELOPMENT PERMIT DP20-12

Pursuant to section 488 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:

Patrick Hyde; Aleisha Hyde, 1519 Meadowood Way, Qualicum Beach, BC

2. This Development Permit applies to, and only to, those lands within the District of Ucluelet described below, and the buildings, structures, and other development thereon:

1023 Tye Terrace, Lot 19, Plan VIS4490, Section 21, Clayoquot Land District, with interest in common property

3. This Development Permit is issued subject to compliance with all bylaws of the District of Ucluelet.

4. This Permit authorizes the following improvements on the Lands:

- a. **A building consisting of a one-unit resort building; and**
- b. **Associated landscaping and parking area.**

These improvements apply only in the locations indicated, and otherwise in accordance with, the drawings and specifications attached to this Permit as **Schedule A**.

5. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.

6. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

7. This Permit is NOT a Building Permit.

8. **Schedules A** attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2020.

ISSUED the day of , 2020.

Bruce Greig - Manager of Community Planning



Schedule A

(See Appendix A)

Joseph Rotenberg

From: Aohan Cui [REDACTED]
Sent: October 21, 2020 10:11 AM
To: Community Input Mailbox
Subject: Fwd: DVP20-05

----- Forwarded message -----

From: Aohan Cui [REDACTED]
Date: Wed, Oct 21, 2020 at 10:10 AM
Subject: DVP20-05
To: <communityinput@uclulet.ca>

Hello my name is Aohan Cui. I had gotten a letter in the mail over DVP20-05

- A. I do not support the Variance. And Believe that the Front Yard should Stay at 6Meters
- B. I do not support the Variance and believe it must stay at 3 meters.

If you require any additional information please call me at [REDACTED]

Thank you
Aohan Cui



STAFF REPORT TO COUNCIL

Council Meeting: October 27, 2020
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 3090-20-DVP20-02

SUBJECT: LOT 13 MARINE DRIVE – DEVELOPMENT VARIANCE PERMIT

REPORT NO: 20-114

ATTACHMENT(S): APPENDIX A – APPLICATION AND NOTICE

APPENDIX B – DEVELOPMENT VARIANCE PERMIT 3090-20-DVP20-02

RECOMMENDATIONS:

1. **THAT** Council receive public input on the proposed Development Variance Permit 3090-20-DVP20-02; and,
2. **THAT** Council authorize issuance of Development Variance Permit 3090-20-DVP20-02 for the proposed 33-lot affordable development on Lot 13, District Lot 283, Clayoquot Land District, Plan VIP84686 as follows:
 - a. *vary the Ucluelet Subdivision Control Bylaw No. 521, 1989, to allow development of a compact residential road and services within a 10m dedicated road right-of-way (instead of a 15m minimum road dedication).*

PURPOSE:

The purpose of this report is to present the application for a Development Variance Permit (DVP) **DVP20-02** from APMC Holdings Ltd., for the roadway within a proposed affordable housing development on Lot 13, District Lot 283, Clayoquot District, Plan VIP844686 (**Lot 13**).

BACKGROUND:

Initial reports on this application were considered by Council at its meetings on November 26, 2019; March 17, 2020; and April 28, 2020. On April 28, 2020, Council adopted the Zoning Amendment Bylaw No. 1269, 2020, and Housing Agreement Bylaw No., 1270, 2020. On June 24, 2020, the District entered into an *Affordable Home Ownership Program Master Partnering Memorandum of Understanding* with BC Housing. On October 23, 2020, Council issued Development Permit 3060-20-DP20-11.

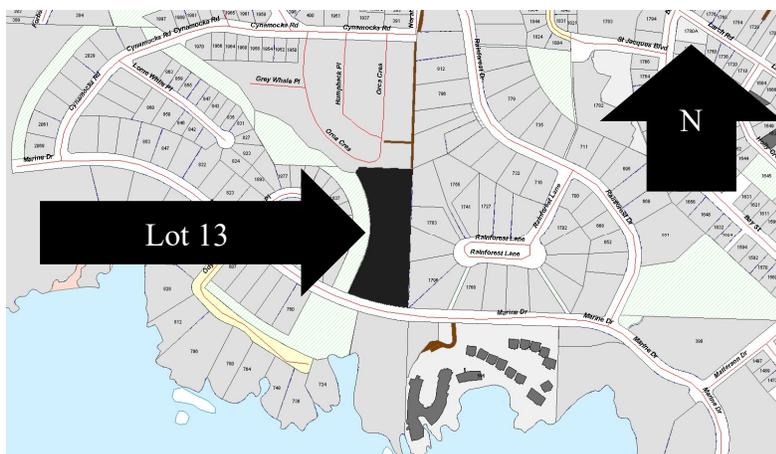


Figure 1 - Site Context

DISCUSSION:

Past Resolutions:

At its March 17, 2020, meeting, Council passed the following pertinent resolutions:

2020.043

“THAT, subject to public input, Council indicate support for Development Variance Permit No. 3090-20-DVP20-02 which would vary the following:

- a. vary the Ucluelet Subdivision Control Bylaw No. 521, 1989, to allow development of a compact residential road and services within a 10m dedicated road right-of-way (instead of a 15m minimum road dedication) as proposed in the cross section by Park City Engineering Ltd. dated February 14, 2020; and,*
- b. for proposed Lots 1, 2 and 5, vary section R-5.6.2 of District of Ucluelet Zoning Bylaw No. 1160, 2013, to permit access to a parking space to be located between the front face of the principal building and the adjacent road;”*

Note that subsequent adjustment of the site plan has removed the need for the second variance (for the location of parking spaces) for proposed Lots 1, 2 and 5.

At that same meeting, Council waived holding a public hearing on the rezoning bylaw for the Lot 13 affordable housing development, due to concerns over the safety of holding a public gathering at the onset of the COVID-19 health emergency. Public input was sought by written submission instead. Staff noted that while the legislation provides the ability to waive a public hearing, it does not have a parallel process for waiving the notice for a Development Variance Permit. Accordingly, Council also passed the following at its March 17, 2020, meeting:

2020.044

“THAT Council defer further consideration and giving notice for public input on the requested Development Variance Permit until a later date;”

Roadway and Landscaping:

The standard 15m road right-of-way with a 7.5m wide paved road with non-mountable curbs is proposed to be varied to permit a 10m road right-of-way with a 6.1m (20 ft) paved road surface, with gravel shoulders. The proposed design would still meet the minimum road width necessary for emergency vehicle access.

The proposal is to create a modest “lane” type road to serve this compact neighbourhood. Roads with narrower lane widths, combined with numerous driveway entrances and no through-traffic, typically result in lower vehicle speeds. Although the roadway will be shared by vehicles and pedestrians (and street hockey), this compact configuration can make for excellent neighbourhood interaction and walkability.

No parallel shoulder parking would be possible; residents (and their guests) would need to make efficient use of the parking provided on the driveways of each lot, and the on-street visitor parking located next to the park. The District’s engineering consultants estimate the cost savings from the proposed servicing variance would be \$115,750. This value is captured by the AHOP mortgages and permanently committed to affordable housing in the District.

The landscape plans provide details of the proposed street trees and boulder placement. As presented previously, the road design is intentionally narrower than standard and is not intended to include parking areas on the road shoulder. The trees and boulders along the edges of the road will discourage parking where there is inadequate shoulder space (see **Figure 2**). This should ensure that the shared roadway is kept clear for vehicle and pedestrian movement (see also plans and details attached in **Appendix ‘B’**).



Figure 2

Note that on-street public parking is shown in the vicinity of the park area, where there is space to accommodate the parking without blocking the circulation of vehicles or pedestrians.

Justification for the variance:

The proposal to create a narrower, shared roadway for the proposed development offers the following:

- minimizes the land area used for circulation, to maximize the area provided in what are already very compact lots (noting the significant areas of the site also being given over to park and greenspace);
- cost savings, which are in turn captured under the AHOP housing program;
- reduction in resources used (less paving = less carbon emissions);
- reduced vehicle speeds; and,
- adds a distinct character to this street of cottages.

Council will recall that at the outset, the developer proposed to create a private strata road to enable a narrower road width than the municipal standard. Staff suggested that by varying the road width instead, and therefore avoiding both the initial and ongoing costs of setting up and managing a bare land strata, it would improve the ongoing affordability of the proposed homes in the long term (i.e., no strata fees). If the road width were not varied, then the developer would need to reduce the already small lots, or propose a reduced greenspace buffer and/or park land dedication along the adjacent stream corridor.

CONCLUSIONS

The required statutory notification has now been completed, and this meeting is an opportunity for Council to receive public comment on the proposed variance, prior to making a decision on issuing the requested permit.

Options Review:

Subject to public comment, staff recommend that Council consider issuing the DVP.

Alternatively, Council could consider the following:

3. **THAT** Council not approve issuance of a Development Variance Permit at this time.

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

Development Application

District of Ucluelet

Planning Department
200 Main Street, Ucluelet, BC
VOR 3A0, P.O. Box 999
tel 250-726-4770 fax 250 726 7335

Type of Application

An application is submitted for one or more of the following:

- Official Community Plan Amendment
- Zoning Bylaw Amendment
- Development Permit (no variances)
- Development Permit (with variances)
- Development Permit Amendment
- Development Variance Permit
- Temporary Use Permit
- Board of Variance
- Strata Conversion
- Subdivision



Description of Property

Civic Address (es): Lot 13 Marine Drive 027-473-538
 Legal Description: Lot 13 Plan V4P 844686 Block _____ Section _____ DL 283

Applicant Information

Notice of Disclosure to Applicant(s): The following contact information will be available to the public and may be posted on the Districts' website to allow interested parties to contact you about this application.

Applicant name: Andrew McLane Company name: Acme Holdings LTD
 Mailing address: PO Box 124 Parksville BC Postal Code: V9P 2G3
 Tel: 250-951-1141 Cell: 250-951-1141
 Email: _____ Fax: _____

The undersigned owner/authorized agent of the owner makes an application as specified herein, and declares that the information submitted in support of the application is true and correct in all respects.

Applicant Signature: [Signature] Date: July 22nd 2020

Registered Owner(s)

List all registered owners. For strata properties, provide accompanying authorization from all strata owners (not just strata corp.). If the owner is an incorporated company/society, attach a current corporate/society search or "notice of directors".

Registered Owner (s) name: Weyerhaeuser Company Limited
 Mailing address: 580 - 928 West Georgian St Postal Code: V6E 4G1
 Tel: 604 661 8000 Cell: _____
 Email: _____ Fax: _____

Freedom of Information and Protection of Privacy Act (FOIPPA): Personal information is collected, used and disclosed under the authority of the Local Government Act, and section 26 (c) of the FOIPPA. The information will be used for the purpose of processing this application.

Owner Signature: [Signature] Agent for Weyerhaeuser Company Limited Date: July 22 2020

Office Use Only:

Folio No.:	File No.:	Date:	Receipt No.:	Fee:
	<u>DVP 20-02</u> <u>DP 20-08</u>	<u>Jul 21/20</u>	<u>67210</u> <u>67211</u>	<u>1100.00</u> <u>1500.00</u>

Schedule A, Bylaw 1164, 2015

June 2015



Public Notice – Development Variance Permit

Pursuant to Section 499 of the *Local Government Act*, public notice is hereby given that the District of Ucluelet will consider The following Development Variance Permit(s) at a regular meeting of Council held on **Tuesday, October 27, 2020 at 3:30 pm** in the **George Fraser Room at the Ucluelet Community Centre, 500 Matterson Drive, Ucluelet** (the “Council Meeting”).

Application:	DVP20-02
Applicant:	Weyerhaeuser Company Limited, Inc. No. A91273, 500 – 925 West Georgia Street Vancouver, BC, V6C 3L2
Location:	731 Marine Drive, Ucluelet, BC
Legal Description:	Lot 13, District Lot 283, Clayoquot District, Plan VIP84686

Map:



Purpose: The applicant has submitted a request for a Development Variance Permit to authorize the following variance(s):

Vary the District of Ucluelet Subdivision Control Bylaw No. 521, 1989, to allow development of a compact residential road and services within a 10m dedicated road right-of-way (instead of a 15m minimum road dedication) as proposed in the cross section by Park City Engineering Ltd. dated February 14, 2020.

Anyone who believes application will affect their interests may make a written submission and/or will be given an opportunity to be heard at the Council meeting as follows:

Participate by Written Submission: Written submissions must be received before the start of the Council meeting and include your name and street address. They are considered part of the public record pursuant to the Freedom of Information and Protection of Privacy Act.

Drop-off or Mail Box 999 200 Main Street Ucluelet, BC, VOR 3A0	Email communityinput@ucluelet.ca
-----------------------------------------------------------------------------	--------------------------------------------------------------------------------------------

Attend the Council Meeting by Zoom: Members of the public are encouraged to watch Council Meetings from home on the [District of Ucluelet Government YouTube Channel](#). Due to COVID-19 and limited Chambers capacity, members of the public are not currently permitted to attend Council meetings or public hearings in-person. Ucluelet Community Centre, Activity Room 1 or 2 is made available to view the meeting live via YouTube.

Information on how to participate by Zoom Webinar, which includes a phone-in option, is available at <https://ucluelet.ca/community/district-of-ucluelet-council/communicating-with-council> or the Public Notice Board at the District of Ucluelet Office at 200 Main Street.

Review the application: The application, permit and other relevant materials may be inspected at the District of Ucluelet office at 200 Main Street from the date of this notice until the Council Meeting, Monday to Friday between 1:00 p.m. to 4:00 p.m., except on Statutory holidays and online within the relevant agenda: <https://ucluelet.ca/community/district-of-ucluelet-council/city-council-agendas-minutes>

Questions? Contact the District of Ucluelet’s Planning Department at 250-726-7744 or jtowgood@ucluelet.ca.



Appendix B

DEVELOPMENT VARIANCE PERMIT DVP20-02

Pursuant to section 498 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Variance Permit is issued to:

**Weyerhaeuser Company Limited, Inc. No. A91273
500 – 925 West Georgia Street
Vancouver, BC, V6C 3L2**

2. This Development Variance Permit applies to, and only to, those lands within the District of Ucluelet described below, and the buildings, structures, and other development thereon:

Lot 13, District Lot 283, Clayoquot District, Plan VIP84686 (the “Land”)

3. The work authorized by this Permit may only be carried out:

- a. in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013, except where specifically varied or supplemented by this development variance permit.
- b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.

4. This Permit authorizes the following variances for the proposed subdivision and development of the Land as shown on the plans attached as Schedule A:

- a. **vary the District of Ucluelet Subdivision Control Bylaw No. 521, 1989, to allow development of a compact residential road and services within a 10m dedicated road right-of-way (instead of a 15m minimum road dedication) as proposed in the cross section by Park City Engineering Ltd. dated February 14, 2020;**

5. The above variances are granted for the proposed initial subdivision and servicing of the Land as shown on Schedule A. Should the Land or portions of the Land be redeveloped at some future date, this Development Variance Permit shall cease to apply and the zoning and servicing standards in effect at the time shall apply.

6. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

7. This Permit is NOT a Building Permit.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2020.

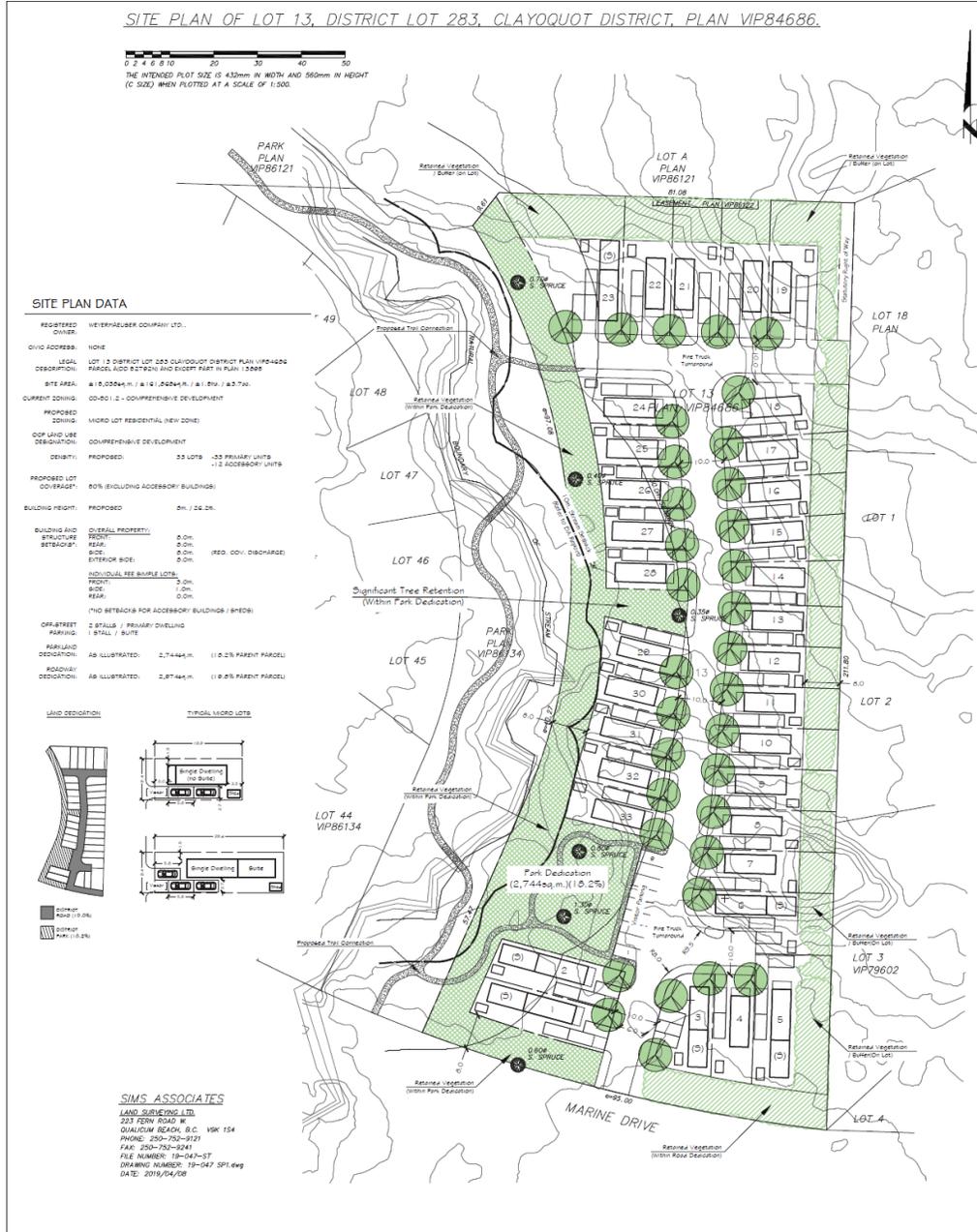
ISSUED the day of , 2020.

Bruce Greig - Manager of Community Planning

Page 1 of 4



SCHEDULE A



#	Date	NOTES
0	JULY 2019	PRELIMINARY CONCEPT
1	JULY 2019	REVISED PER DISTRICT INPUT
2	JAN 2020	REVISED PER DISTRICT INPUT
3	FEB 2020	REVISED PER DISTRICT INPUT

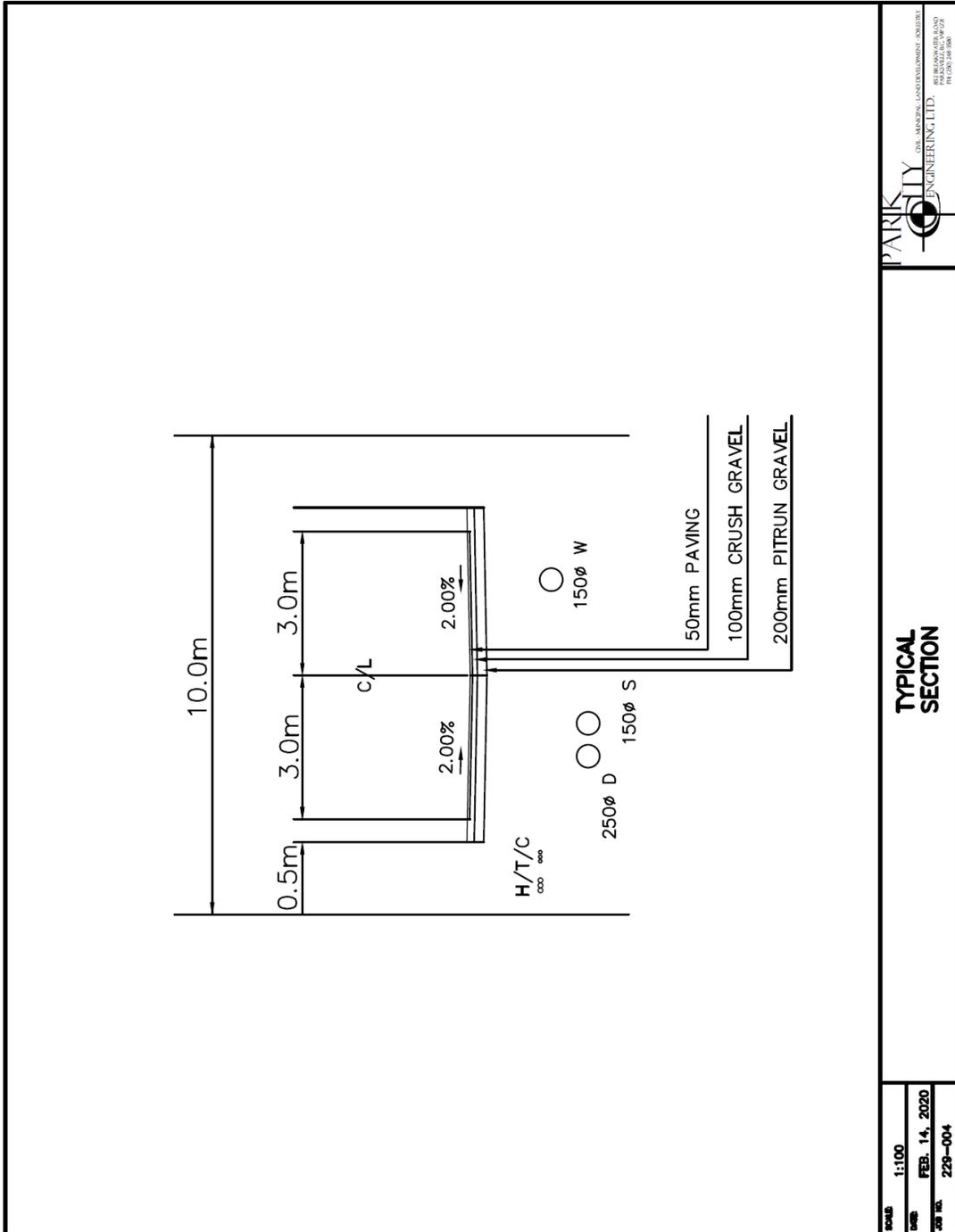
Land Use & Landscape Concept

Date: February 4, 2020
 Drawn: Staff
 Checked: HQ
 Scale: 1 : 400 METRIC
 Project Number: 19-0239
 DRAWING NUMBER: S1 of 1

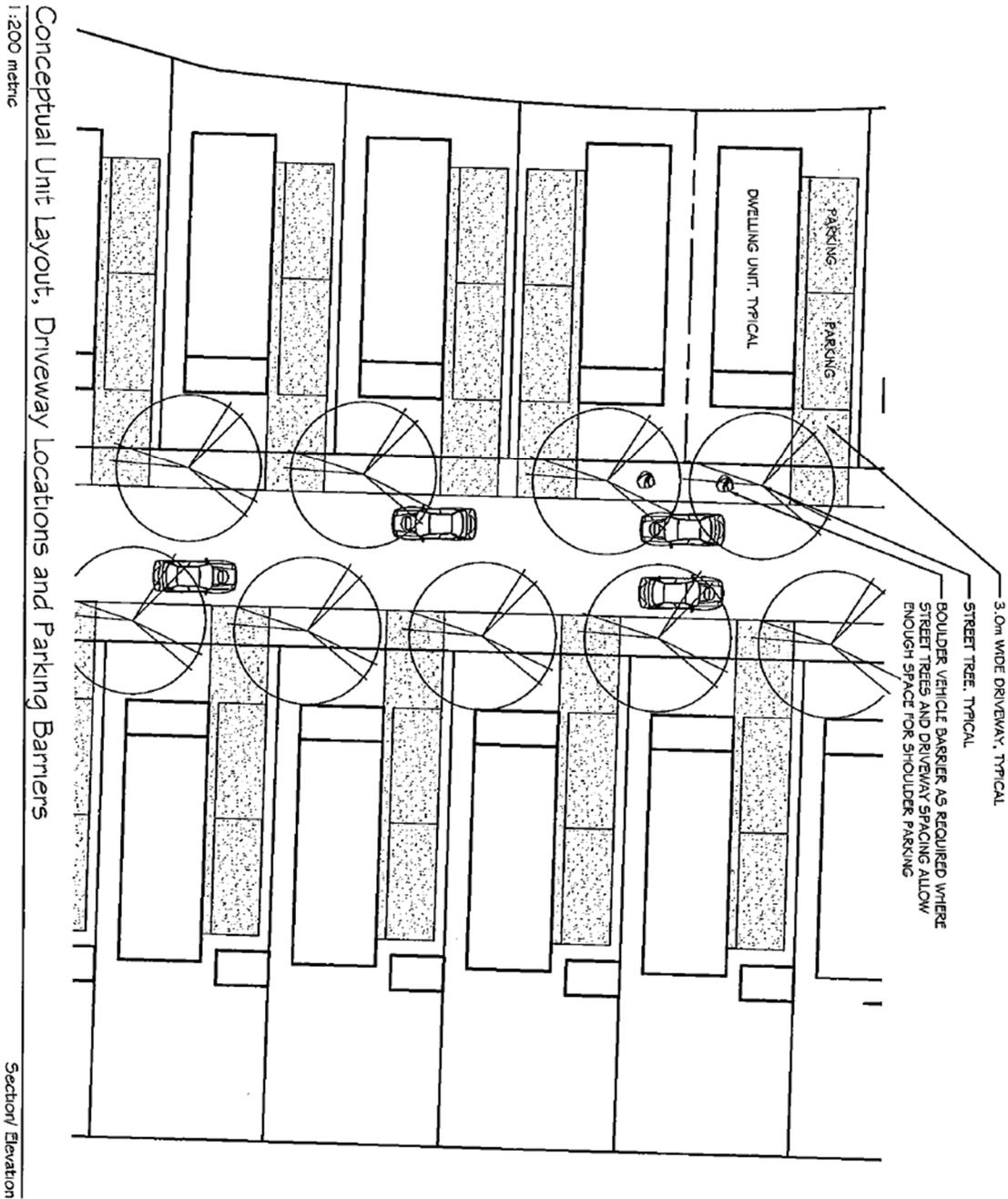
Lot 13 - Ucluelet
 A. McLane
 District of Ucluelet, BC



Site Plan



PARK CITY ENGINEERING LTD.	
<small>INCORPORATED IN BRITISH COLUMBIA REGISTERED PROFESSIONAL ENGINEERS P.L. NO. 14000</small>	
TYPICAL SECTION	
SCALE: 1:100	DATE: FEB. 14, 2020
JOB NO. 228-004	



Landscape Detail



STAFF REPORT TO COUNCIL

Council Meeting: OCTOBER 27, 2020
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: WARREN CANNON, MANAGER OF OPERATIONS

FILE NO: 1855-04 ICIP

**SUBJECT: ICIP INVESTING IN CANADA INFRASTRUCTURE PROGRAM-RURAL
AND NORTHERN COMMUNITIES GRANT APPLICATION**

REPORT NO: 20-116

ATTACHMENT(S): APPENDIX A – GRANT APPLICATION
APPENDIX B – SEA PLANE BASE ROAD SANITARY SEWER SYSTEM DRAWINGS

RECOMMENDATION(S):

1. **THAT** Council authorize Staff to submit a grant application to the Investing in Canada Infrastructure Program-Rural and Northern Communities to fund the Sanitary Sewer Collection System Expansion Sea Plane Base Road Area project; and
2. **THAT** Council commit to its share of any cost overruns related to the Sanitary Sewer Collection System Expansion Sea Plane Base Road Area project.

PURPOSE:

The purpose of this report is to outline the Sanitary Sewer Collection System Expansion Sea Plane Base Road Area project (the “Project”) and obtain Council authorization to apply for grant funding.

SUMMARY:

On June 25, 2020, the Canadian and British Columbian governments committed up to \$58.7 million towards the second intake of the Rural and Northern Communities (the “RNC”) Program to support cost-sharing of infrastructure projects in communities across the province. This intake is designed to target projects starting in 2021 or 2022.

The RNC Program supports Local Governments projects with a population of less than 5,000 by funding up to one hundred percent of the total eligible project. Sixty percent is contributed by the Government of Canada and forty percent by the Province of British Columbia. Applicants must be prepared to finance project construction as well as cover any cost over-runs. The Project meets the eligibility criteria for this funding stream.

BACKGROUND:

The District has identified the need to extend municipal sewage collection system to service existing developments along Seaplane Base Road and Harbour Crescent. Two properties along Seaplane Base Road are serviced by a small localized sewage system that is more than 80 years old and is not connected to the District's sewage collection, treatment and discharge system that operates under a permit issued under the Waste Management Act. The small localized system was recently discovered to be connected to a private system.

Once complete, the Project will convey the sewage to the District's community wide sanitary sewer collection for treatment and disposal.

POLICY AND LEGISLATIVE IMPACT:

The expansion of the sewage collection system in this area aligns with the Draft District of Ucluelet Sewer Master Plan which is 75% complete. The expansion will also facilitate economic development by providing sanitary sewer service to presently undeveloped lands with OCP land-use designations of light industrial, tourist commercial and multi-family residential. It will also facilitate the future installation of a public washroom facility and fish cleaning station at the community's public boat launch (Pat Leslie Ucluelet Public Boat Launch).

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

The application was completed by Koers & Associates Engineering Ltd. in consultation with staff.

Future staff time will be required to:

- a) Review and conduct due diligence on contractor provided design drawings;
- b) Administer the contract; and
- c) Complete required grant reporting.

FINANCIAL IMPACTS:

The estimates cost of the project is \$995,000.00. This class B estimate has been provided by Koers & Associate Engineering Ltd. The estimate is broken down as follows:

- Design/Engineering \$30,000
- Tendering/Construction Management/ Commissioning \$80,000
- Sanitary sewer collection system \$220,000
- Sanitary lift station \$550,000
- Contingency \$115,000

As discussed, the total eligible project cost is one hundred percent funded through the RNC program however any costs over-runs are the responsibility of the District and will be covered through Sewer reserve funds, if needed.

OPTIONS REVIEW:

1. **THAT** Council authorize Staff to submit a grant application to the Investing in Canada Infrastructure Program-Rural and Northern Communities to fund the Sanitary Sewer Collection System Expansion Sea Plane Base Road Area project; and **(Recommended)**
2. **THAT** Council commits to its share of any cost overruns related to the Sanitary Sewer Collection System Expansion Sea Plane Base Road Area project. **(Recommended)**

OR

3. **THAT** Council direct staff not to apply for a grant under the Investing in Canada Infrastructure Program-Rural and Northern Communities at this time.

Respectfully submitted: Warren Cannon, Manager of Operations

|



Investing in Canada Infrastructure Program

Appendix A

Instructions

Program Information

- For detailed program information, including application closing date, please visit the Ministry's Investing in Canada Infrastructure Program website and review the Program Guide.
- For further information, please email the Ministry at Infra@gov.bc.ca or phone 250-387-4060.

Important Notes

- The system will automatically time-out after 15 minutes when there has been no activity – please repeatedly save work, otherwise it will be lost.
- An Application does not have to be completed in one session.
- Once an Application is submitted, it will be locked and you will not be able to make changes online. If changes need to be made after an Application has been submitted, please use the contact information above.
- **Applicants should be aware that information collected is subject to provincial freedom of information legislation.**

Submitting an Application

- All fields are required, unless otherwise indicated.
- Please ensure you have uploaded all required documents.
- We recommend printing/saving the application as a PDF BEFORE submission.

Applicant Information

Applicants will access the application through their client record in the Local Government Information System (LGIS). Please see the Accessing the Online Application document for setting up access to LGIS if your organization does not already have this.

Applicant Name and Project Number

Ucluelet

IR0258

Primary Contact

Contact must be from the applicant organization as this will be the person the Ministry will contact regarding this application.

First Name

Warren

Last Name

Cannon

Title

Manager of Operations

Telephone Number

(250) 726-5507

Telephone Extension**Email Address**

wcannon@ucluelet.ca

Secondary Contact**First Name**

Mark

Last Name

Boysen

Title

CAO

Telephone Number

(250) 726-7744

Telephone Extension

Email Address

mboysen@ucluelet.ca

Head of the Applicant Organization's Contact Information

This information will be used during the decision process for any formal correspondence. Example:
Chief, President, Mayor, Board Chair

First Name

Mayco

Last Name

Noël

Title

Mayor

Telephone Number

(250) 726-7744

Telephone Extension**Email Address**

mnoel@ucluelet.ca

Project Information**Project Title**

Sanitary Sewer Collection System Expansion, Seaplane Base Road Area

Project Description and Rationale**Brief Project Description**

Extension of the District's municipal sanitary sewer collection system

Detailed List of Project Works

Construction of: Sanitary sewer collection system consisting of: - 271 m of 200 mm diameter gravity main, - 42 m of 150 mm diameter gravity main, - 100 m of 75 mm diameter low pressure forcemain, - a duplex (2 pumps) sanitary sewer lift station, and - sanitary sewer forcemain (420 m of 75 mm

Briefly describe why the project is needed and how need was assessed

The District has identified the need to extend its municipal sewage collection system to service existing development along Seaplane Base Road and Harbour Crescent. Two properties along Seaplane Base Road are serviced by a small localized sewage system that is more than 80 years old and is not connected to the District's sewage collection, treatment and discharge system that operates under Permit No. 14515 issued by the BC Ministry of Environment under the Waste Management Act. The system was recently discovered to be discharging on to private property and the property owners want it stopped. This project will convey the sewage to the District's community wide sanitary sewer collection for treatment and disposal. The expansion of the sewage collection system in this area is in accordance with the District's Master Sanitary Master Plan that is being prepared (75% complete) and will facilitate economic development by providing sanitary sewer service to presently undeveloped lands with OCP land-use designations of light industrial, tourist commercial and multi-family residential. It will also facilitate the future installation of a public washroom facility and fish cleaning station at the community's public boat launch (Pat Leslie Ucluelet Public Boat Launch).

Federal Outcomes

Identify the outcome that best describes the major benefits from project works. (The selection of the outcome is important as questions within the application will be related specifically to the outcome that is selected.)

The project will increase the capacity to treat and/or manage wastewater

Project Type

Project Type

Wastewater

Project Location**Project physical address (and/or start and end points)**

Along Seaplane Base Road, from approximately 60 m north of #160 Seaplane Base Road to approximately 80 m south of #260 Seaplane Base Road (from Harbour Crescent intersection to Peninsula Road intersection). Along Harbour Crescent from #1970 Harbour Crescent to intersection with Seaplane Base Road.

Has this project (or related components or phases) been the subject of another infrastructure grant application?

NO

Project Works

Nature of the project works?

Nature of the Project

Indicate % for each relevant type

New

0

Rehabilitation

20

Expansion

80

Other

0

Total

100

Will the completed works be used by the general public or members of the community (is it public facing)? *

NO

*Projects that are used by the general public must meet or exceed the requirement of the highest published accessibility standard in a jurisdiction, in addition to applicable provincial codes and local government bylaws. Accessibility Standards are as defined in the Canadian Standards Association Technical Standard Accessible Design for the Built Environment CAN/CSA B651-12. (Please see the **ICIP RNC Program Guide** .)

Will the highest published applicable energy efficiency standards in the jurisdiction be met or exceeded? (Please see the ICIP RNC Program Guide.)

YES

Does this project include dedicated spacing for housing; early learning and childcare facilities; highways and trade corridor infrastructure; resource development infrastructure; healthcare facilities or education facilities? (Projects that include these types of works are not eligible, except if they are improved education and health facilities that benefit Indigenous peoples by advancing the Truth and Reconciliation Commission of Canada: Calls to Action (http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf) as approved by Canada.)

NO

Does the project advance reconciliation with Indigenous communities?

NO

What regulatory authorities must be contacted (engaged) to complete the project and what permits will be required for the project?

None

If available, please upload permits or licenses that have been obtained prior to application

Eligibility

Is the Project Eligible

Projects that are eligible under the Rural and Northern Communities Program must be public infrastructure (capital assets) owned by a Local Government, Indigenous Ultimate Recipient, Not-For-Profit or For-Profit* organization.

*see restrictions in the **ICIP RNC Program Guide** for For-Profit projects.

Do you have a Council/Board/Band Council/other appropriate governing body resolution authorizing the project to proceed and committing your share of project funding?** Your resolution must include the project name, the Rural and Northern Communities program name and the total cost of the project. Commitment to overages and commitment to the applicant share should also be included in the resolution. Please refer to the Resolution template on the RNC website for guidance.

NO

When do you expect to submit the Council/Board/Band Council resolution?

2020-10-27

**The Council/Board/Band Council resolution is required to be received within one month of the application intake closing date. Please see the ICIP RNC Program Website for an example of the council resolution.

Has the construction phase of the project started?***

NO

ICIP Investing in Canada Infrastructure Program - Rural and Northern Com...

***Projects that have started (construction tender awarded) are ineligible.

What is the percentage of project design that has been completed as of application submission date? (This should match the class of your estimate.)

76 - 100%

Estimated project start date (including design work)?

2021-01-01

Estimated project completion date (including reporting after construction)?

2022-09-30

Estimated construction start date. This date should be at least 1 year from the time of application submission to allow time for project approvals and design work.

2021-11-01

Estimated construction completion date?

2022-06-30

What is the population that will be directly served by this project?

700

What is the name and population of the community where the project is located?

District of Ucluelet. BCStats population estimate = 1,842 (July 1, 2019)

Does the project benefit a wider geographic area than the applicant community?

YES

List any communities that will use the infrastructure, their corresponding populations, and how they will benefit.

Will allow for installation of a public washroom facility at the public boat ramp (Pat Leslie Ucluelet Public Boat Launch) which can be used by the local public as well as individuals from neighbouring communities (Ucluelet First Nation - 280, Tofino - 2,434, Port Alberni - 18,751)

Will the project support Indigenous populations?

YES

Please estimate the Indigenous population that the project will directly serve.

0

Please estimate the Indigenous population that the project will indirectly support.

280

Will the applicant own and operate the completed project? */**

YES

*For-Profit entities please refer to Section 9.1.2 REVENUE FROM ASSETS in the ICIP RNC Program Guide

**Please refer to Section 9.1.1 DISPOSAL OF ASSETS in the ICIP RNC Program Guide

For Projects Related to Drinking Water or Wastewater

Applications from Improvement Districts or water utilities must be made by the sponsoring municipality or regional district. If the application is successful in obtaining funding, the ownership of the infrastructure and associated assets must be transferred to the sponsoring local government.

If the infrastructure is currently owned by an Improvement District, a Society, or private person or entity, is the organization prepared to dissolve and transfer ownership of the service to a municipal or regional district applicant?*

NOT APPLICABLE

**Applications from Improvement Districts or water utilities must be made by the sponsoring municipality or regional district. If the application is successful in obtaining funding, the ownership of the infrastructure and associated assets must be transferred to the sponsoring local government.*

Mandatory Documents

Please attach each of the following mandatory documents (15 MB limit per document). ZIP files will not be accepted.

In all cases, relevant information must be included within the completed application form itself, as this will form the basis of the assessment. **Please make specific reference within the application to sections of attached documents that you wish to be included in the review.** Attachments should be clearly labelled, organized, and succinct. Mandatory documents may vary by applicant type and must be submitted with the application in order for the project to be eligible for review and potential funding.

Please see the ICIP RNC Program Guide for explanation of requirements for each mandatory document.

Mandatory Documents for Local Governments

Project location .KML file

LG_PROJECT_KML_Seaplane Base Rd Lift Station & Forcemain Location.kml

See instructions on the ICIP RNC website .

Detailed Cost Estimate

LG_DETAILED_COST_ESTIMATE_ICIP RNC, Seaplane Base Rd Lift Station Detailed Cost Estimate.xlsx

Must use the template found on the ICIP RNC website .

Confirmation of Funds

LG_CONFIRMATION_FUNDS_confirmation_of_funds_rnc(1).xlsx

Must use the template found on the ICIP RNC website .

Site Plan/Map

LG_SITE_PLAN_Seaplane Base Rd Sewage Collection System Figure, Oct 19, 2020.pdf

See the ICIP RNC program guide for details.

Project Study or Plan

LG_PROJECT_STUDY_OR_PLAN_ICIP - RNC Application, Seaplane Base Rd Sewer System Expansion Plan.pdf

See the ICIP RNC program guide for details.

Water Conservation Plan

LG_WATER_CONSERVATION_PLAN_Final Report.pdf

See the ICIP RNC program guide for details.

Copy of Council/Board/Band Council endorsement for Water Conservation Plan

LG_WATER_CONSERVATION_PLAN_ENDORSEMENT_council endorsement water conservation.pdf

Must use the template found on the ICIP RNC website .

Partnership/Memorandum of Understanding (MOU) Agreement (if needed)

See the ICIP RNC program guide for details.

Additional Documentation (click to expand)

Additional documentation is optional and may be uploaded here to support your application. Supporting document examples: Cost Benefit Analysis or Other Study; Design Drawings; Letters of Support; Community Energy Plan; Food Security Plan; Options Assessment; or, Asset Management Plan. (Please refer to the ICIP RNC Program Guide for more information.)

Additional Document

LG_ADDITIONAL_1_Seaplane Base Rd Sewer System Design Drawing, Oct 16, 2020.pdf

Additional Document**Additional Document****Additional Document****Additional Document**

Project Costs and Project Delivery

Total Gross Project Costs

\$995,000

Total Ineligible Project Costs

\$0

Total Eligible Project Costs [Total Gross Project Costs less Total Ineligible Project Costs]

\$995,000

Other Funding Sources (Do not include internal sources)

Other Funding Sources from other Federal Programs*

\$0

Other Funding Sources from other Provincial Programs*

\$0

Other Funding Sources that are not from a Provincial or Federal Program (Do not include organization's own funds / internal sources)

\$0

*Please note: Other federal and/or provincial grants may affect the total grant requested as per stacking rules. See the **ICIP RNC Program Guide** for information on stacking rules.

Other Funding Sources Total

\$0

Net Eligible Costs [Total Eligible Project Costs less Total Other Funding Sources]

\$995,000

Maximum Grant Amount (Estimated)*

\$995,000

*Grant amount may be adjusted after ministry review.

Are you requesting less than the maximum grant amount?

NO

If your detailed cost estimates do not directly correspond with these amounts, clarify the variance between the costs.

Please fill in the costs below. The costs to be entered will represent how much money you expect to spend on eligible costs for the project each year. The second intake is designed to target projects which will be starting in 2021 or 2022.

Fiscal Year*

Forecasted Eligible Project Costs (April 1 to March 31)

2021 - 2022

\$850,000

2022 - 2023

\$145,000

2023 - 2024

\$0

2024 - 2025

\$0

2025 - 2026

\$0

Total

\$995,000

Difference from Net Eligible Costs

\$0

**Fiscal Year Breakdown Totals must equal Net Eligible Costs OR Eligible Costs based on Requested Grant Amount.*

Funding Details

Is this project a phase or component of a larger project?

NO

Can the project, as submitted, be broken into smaller phases if full funding is not available?

NO

Please explain why it can't be phased.

The sewage collection system requires the pump station and forcemain in order to convey the sewage to the District's treatment system and the pump station requires the collection system to collect the sewage that it will pump.

Is there the intent to submit a request for the use of own force labour and equipment for this project?

NO

Do you intend to directly award contracts (sole sourced) during procurement for any aspect of the project?

NO

Is the employment of apprentices; Indigenous peoples; women; persons with disabilities; veterans; youth; recent immigrants; and small-sized, medium-sized and social enterprises to be considered during project procurement/construction?

NO

Funding/Planning

Applicants should have their share of the costs secured prior to application to the program. In addition to answering the questions below, details of the secured/borrowed costs must be entered in the Confirmation of Funds Form found on the ICIP RNC website . This information is a requirement of the program and will be utilized to assess financial risk and project readiness.

Project Financing

Approved projects for Local Governments with a population under 5000 will be funded up to 100%.

How does your organization intend to carry the project costs until reimbursements occur?

Sanitary Sewer reserve funds.

What plans are in place and where will funds be sourced from if project costs escalate beyond budgeted contingencies (cost overruns)?

If project costs escalate beyond contingencies, the District's Infrastructure Reserve Fund would be used to remediate any cost overruns. The fund is generated through development cost charges received from developers, and includes funds for Sanitary Sewer, as well as Roads, Water, Storm Water, and Parks. If the Sanitary Sewer Infrastructure Reserve Fund was insufficient, the District would consider using a portion of the other Infrastructure Reserve Funds (e.g. Roads, Storm Water, Sewer, or Parks) to supplement cost overruns. As the District issues debt instruments through the Municipal Finance Authority (MFA), the District could also consider obtaining a loan and/or requesting an extension of an existing loan as an alternative approach to finance cost overruns.

Please Note: ICIP does not provide additional funds to cover cost overruns. Also note stacking rules in the ICIP RNC Program Guide.

Does the project help meet your organization's long-term goals and does it benefit the public and the wider community?

YES

How does it align with your long-term plans?

The project aligns with the current OCP (2011) and the draft OCP (2018) which propose light industrial (+/- 3 ha), tourist accommodation/tourist commercial (+/- 240 accommodation units plus commercial floor space), and multi-family residential development(+/- 90 dwelling units) for lands yet to be developed which the sewage collection system would service.

How does it benefit the public and the wider community?

The project would allow the construction of a public washroom facility at the public boat launch (Pat Leslie Ucluelet Public Boat Launch).

What affected or interested groups or stakeholders have been consulted or will be consulted regarding the project? Please list.

The District has a good working relationship with the Yuulu-it-ath First Nation (YFN) and the Alberni-Clayoquot Regional District (ACRD). The District of Ucluelet currently supplies potable water to these same two stakeholders with water agreements in place with both the ACRD and YFN as well as a partnership agreement with the YFN to treat and dispose of the Yuulu-it-ath First Nation raw sewage by the District's sewage lagoon and submarine outfall. Each group has expressed verbal support towards the project.

What were the results of these discussions?

The District plans to maintain an open dialogue and regular communication with all parties. As the design is further developed, costs will be further refined and updated estimates and construction schedules will be shared with all parties.

What stage of consultation has occurred with surrounding Indigenous Groups? Please identify the Indigenous groups that have been consulted and what steps have been taken.

Verbal consultation has occurred. The District of Ucluelet has a close relationship with the Yuulu-it-ath First Nation (YFN) through existing partnerships and will work closely with the YFN through all phases of the project.

Are there any unsettled land claims on or culturally sensitive issues related to land on which the project works will occur?

NO

Is any part of the project located on federal lands?

NO

Is the project subject to an impact assessment as per the Impact Assessment Act (2019) (<https://laws.justice.gc.ca/eng/acts/I-2.75/index.html>)?

NO

Federal Checklist

ICIP Investing in Canada Infrastructure Program - Rural and Northern Com...

The following elements are of interest to the Government of Canada (Infrastructure Canada)

Select "Yes" for risks that are applicable to your project and provide a brief description of the risk and mitigation strategies undertaken or planned.

Select "No" for risks that are not relevant to your project.

For example: Describe risk and its probability (low/medium/high), impact and the mitigation response (will the risk be avoided, mitigated, transferred or accepted). Describe the planned actions and what the residual risk will be.

Project Complexity

Remote geographical location

NO

Unpredictable weather

NO

Untested or unproven technologies

NO

Highly technical or complex project

NO

Interdependencies between phases

NO

Other

NO

Project Readiness

Project site hasn't been finalized

NO

Land hasn't been acquired

NO

Potential issues with permits or authorizations (federal, provincial, territorial and municipal)

NO

Industry supply may not be able to meet demand

NO

Funding sources are not secured for the entire project cost (assuming a grant is received through this program)

NO

Other

NO

Project Sensitivity

The project has received positive media attention

NO

The project has received negative media attention

NO

Certain stakeholders have been vocal about the project

YES

The owner(s) of the private property the discharge of municipal sewage has been discovered.

Other

NO

Identify any broader project risks (excluding those already identified in the federal risk checklist) such as those related to project feasibility, scope, public support, social and environmental impacts, technology, and long-term management of the project. Please list all that are known, and include your evaluation and proposed mitigation for each risk.

Not doing the project could result in a lawsuit from owners of the private property that the discharge of municipal sewage has been discovered.

Management and Planning

Management and Planning

ICIP Investing in Canada Infrastructure Program - Rural and Northern Com...

Asset Management - Additional resources on infrastructure asset management can be found on the

How do you manage your infrastructure assets? Do you have an asset management plan linked with a long-term financial plan, asset management policy, strategy, framework, and/or governance structure?

The District has completed an Asset Management Plan, funded by the Federation of Canadian Municipalities (FCM) Asset Management Program. This allows the District to make informed infrastructure investment decisions based on sound asset management practices, as recommended by the Government of Canada. The program also provides the District with training and enables knowledge sharing for communities across Canada, to ensure that the District is equipped with the necessary tools and information to make infrastructure dollars go further. The District has collected data to assess existing infrastructure and developing governance models. CityWide software is being used to manage asset information and is being phased into broader usage.

What communication and engagement activities take place to ensure the community is aware of your planning around infrastructure? This includes the current levels of service provided, and associated costs to the community to continue to provide (or increase/decrease) the expected services.

Budget meetings are conducted annually through open council meetings. There are typically 3 sessions which provide information on 5 year capital plans and current levels of service provided and associated costs to the community. These meetings are made available through the District's social media network as well as youtube. The District also hosts an open house each year on capital improvement projects which allows community engagement activities

How do the project design and project components support the infrastructure being operationally cost effective/cost efficient over its lifecycle?

The sewage lift station design is the same as other stations in the District. It will use the same high quality pumps and electrical controls used in its other lift stations. This creates operation and maintenance cost efficiency for the District as the public works staff are familiar with the pump station layout and the equipment. The standardization of equipment between the stations creates purchasing cost efficiencies through economies of scale and allows the District to maintain an assortment of spare parts that can be used at more than one station, thereby reducing emergency rush-order purchasing costs.

Describe your long-term planning activities that will ensure that there will be funds to replace the proposed project at the end of its life.

The new asset will be incorporated into the District's asset management program which was updated in 2018 to include a robust online asset management software system. This application is a cloud-based Asset Management Solution that is GIS integrated. CityWide provides the District of Ucluelet with a complete asset registry for all asset types. The CityWide AM and GIS modules provides customized metrics including accounting for all infrastructure assets, total replacement cost, age-based condition ratings, estimated life remaining of assets, and annual projected costs.

What are your ongoing revenue sources and how will you fund your proposed project's ongoing operating and maintenance costs?

Funding will be sourced from the District's sewer funds and sewer revenues. Operating and Capital budgets are reviewed annually by all departments and the asset will be incorporated into the CityWide software tool which provides financial modeling for the assets operating and maintenance costs which will provide a financial plan to deliver the required infrastructure budget.

Describe how you review and improve your asset management practices (plan, activities, policies) once they are completed.

Asset management practices are reviewed on an annual basis by all departments. Condition

assessment information, life cycle activity predictions, estimated costs, sustainability analyses, project prioritization are part of this review and provide the information to improve asset management practices to align with policies, strategic plans, financial plans to optimize deliverables and services for the community

Climate Change, Environmental and Resiliency Considerations

Climate Change, Environmental and Resiliency Considerations

How does the project design process incorporate climate change considerations, and as a result of these considerations, how do you intend to physically adapt the project? (Ex. what did you consider and how did that material affect what/where you decided to build?)

The proposed location of the pump station (above the 4.5 m geodetic elevation) incorporates the Flood Construction Levels presented in the recently completed (June 2020) District of Ucluelet Coastal Flood Mapping Report for flood levels developed for a 1 in 200 year flood event (0.5% Annual Exceedance Probability) and 1.0 m of relative sea level rise plus 0.6 m of freeboard.

Will the project achieve a reduction in greenhouse gas emissions?

YES

How does/will the proposed project represent the most efficient solution to achieving lower greenhouse gas (GHG) emissions?

The lift station will be connected to the District's SCADA system. This allows operational staff to remotely monitor, record and control the operation of the lift station equipment each day without having to drive to the site. Not driving to the site reduces vehicle CO2 emissions. Without the use of a SCADA system, daily driving by operational staff to inspect the operation of the lift station equipment would generate an estimated 200 kg of CO2 each year.

Please provide an estimate of the GHG emissions (in tonnes Co2 equivalent per year), before the investment, and an estimate of the GHG emissions after the investment. See guidance on methodology on the ICIP RNC website .

Before Investment

After Investment

Estimate the GHG emissions (in tonnes Co2 equivalent per year)

200

0

Total Amount of CO2e Greenhouse Gas Reduced:

Has your organization completed work on a long-term plan or strategy to ensure resiliency against natural hazards such as flood, earthquake and fire, etc.? (Example: Hazard Risk Vulnerability Assessment)

YES

Please describe what work has been completed.

District of Ucluelet Coastal Flood Mapping Project, June 2020.

Describe how any of the following are applied during the construction, design or operation of the project. (Example: reduced energy usage, reduction in use of materials, use of local materials, water conservation, or emissions production) Please select all boxes that apply.

A reduction in the use of natural resources, Recovery or the reuse of resources

Please describe the reduction in the use of natural resources.

The pump station forcemain diameter is capable of conveying the present conditions sewage flows as well as the projected sewage flows at build-out of the Official Community Plan. This eliminated the requirement for two different sized forcemains. The pumps will be equipped with Variable Frequency Drive (VFD) controls, which are more energy efficient compared to non VFD controlled pumps. The reinstatement of the asphalt surface will be coordinated with other asphalt paving projects in the area (Ucluelet/Tofino) as the nearest asphalt plant is in Port Alberni (more than 100 kms away). This will reduce vehicle/truck fuel use.

Please describe the recovery or the reuse of resources.

The existing concrete manhole barrel (1.5 m long by 1.05 m in diameter) along with the manhole frame and cover (Cast Iron) will be reused instead of being disposed in the landfill. The nelson boxes (two), water valves (two) and the tee (all Cast Iron) from the watermain that was abandoned in place (25 years ago) will be removed and returned to the public works yard instead of being disposed in the landfill. The Nelson boxes can be reused and the water valves and tee will be recycled. Excavated soils that are organic, will be captured and returned to the public works yard for the Parks Department landscaping needs instead of being backhauled for disposal at the gravel pit. Potential volume could be 75 cubic meters (10 dump truck loads).

Outcome Specific Questions

Please navigate to Project Information, then to Federal Outcomes. Please Identify which outcome the project will support before navigating to this page.

Wastewater (Sewer) Supplemental Questions

Projects eligible under the Rural and Northern Communities Program, Environmental Quality outcomes are public infrastructure (capital assets) owned by a Local Government or Indigenous Ultimate Recipient. The desired Outcome of the Wastewater (sewage) category is to increase the capacity to treat or manage wastewater (sewage). For example, the treatment level of wastewater may be increased or wastewater treatment may be made available to more people. Please keep the

Program Targets and Benefits

Does the project affect a wastewater system and/or facility that does not currently achieve the national effluent quality standards? (Typically, such a system and/or facility is affected by a Transitional Authorization (TA) issued under the federal Wastewater Systems Effluent Regulations (WSER)).

NO

What provincial regulation(s) and/or authority regulates the wastewater system of which the project forms a part? And, how does this project affect the authorization? Please describe and include ministry responsible.

The District's sewage collection, treatment and discharge system operates under Permit No. 14515 issued by the BC Ministry of Environment under the Waste Management Act. The extension of the collection system to service the properties along Seaplane Base Rd and Harbour Crescent is covered by the permit as the lands to be serviced are within the District's municipal boundaries.

How does the project meet the goal of reducing pollutants introduced to the environment and increase the capacity to treat or manage wastewater?

The project will stop the discharge of sewage onto private property.

Managing Demand

Identify the demand/flow utilized for planning and design of the project and project components, including each of the following:

- **Design flow (e.g. L/s, M3/d, etc.) upon which the size of the infrastructure is based, including how future growth/capacity is incorporated;**
- **How the demand/flow is measured/estimated; and,**
- **A per-capita flow equivalent for the population of the area serviced.**

The collection system, lift station, and forcemain will be able to convey the 15 L/s peak flow calculated based on OCP Build-out of the lands that the lift station will service. This will require 23 hp pumps which the system is to be designed for, including the electrical panel. To begin with, only 4 hp pumps will be necessary to convey the initial 3 L/s peak flow from the existing developed properties. As development occurs in the future and flows into the lift station increase, the pumps can be replaced with larger capacity pumps.

How are the flows in the wastewater system being influenced or managed to make the infrastructure cost effective and suitable for the full duration of its useful life?

The sewage collection system is being designed and will be constructed to eliminate the infiltration of groundwater into the system with the use of gasketed pipe joints and gaskets on manhole barrel joints. Carriage bolts will be installed in in manhole lifting holes to prevent the inflow of surface water.. All commercial/industrial properties are equipped with water meters which are read monthly and sues are billed based on usage.

Environmental Benefits

How is the management of wastewater integrated with other services in the community (integration with services like drinking water, stormwater, solid waste, roads, etc.)?

Wastewater management is integrated with drinking water services by providing rebates to local residents to purchase a low-flushing toilet at local business (water conservation study)

How is the recovery and reuse of resources (the capture and reuse of materials that would otherwise be wasted) included in the project? Include the estimated quantity recovered/reused.

The existing concrete manhole barrel (1.5 m long by 1.05 m in diameter) along with the manhole frame and cover (Cast Iron) will be reused instead of being disposed in the landfill. The Nelson boxes (two), water valves (two) and the tee (all Cast Iron) from the watermain that was abandoned in place (25 years ago) will be removed and returned to the public works yard instead of being disposed in the landfill. The Nelson boxes can be reused and the water valves and tee will be recycled. Excavated soils that are organic, will be captured and returned to the public works yard for the Parks Department landscaping needs instead of being backhauled for disposal at the gravel pit. Potential volume could be 75 cubic meters (10 dump truck loads).

Wastewater Project Indicator Table

Include only assets that will be receiving investment.

Before Investment (N/A if new asset)

After Investment

Volume of materials diverted *in cubic meters per day*

Capacity to dispose of materials *in cubic meters per day*

Indicate number or length as appropriate

Number / Length of assets receiving investment

Physical Condition before investment

Physical Condition after investment

Lagoon systems

Linear wastewater assets *in meters*

35

Poor

Very Good

Wastewater treatment plants

Wastewater pump stations

Wastewater lift stations

1

N/A

Very Good

Wastewater storage tanks

Other

Other Description

The project includes the replacement of 35 m of gravity sanitary sewer main along Seaplane Base Rd.

Submission

Applicants should be aware that information collected is subject to the Freedom of Information and Protection of Privacy Act.

On behalf of

Ucluelet

I Warren Cannon

certify that the information contained in this Application form is to the best of my/our knowledge, correct and complete and has been submitted with Council/Board/Band Council concurrence, as authorized by a resolution dated (or that is anticipated on):

2020-10-27

I acknowledge that if a construction tender is signed or construction starts prior to receiving final approval, the project will be considered withdrawn from the program.

This will certify the following authorities have reviewed and approved this application:

Donna Monteith

Chief Financial Officer

Financial Approver

Warren Cannon

Manager of Operations

Engineer or Project Manager Approver

Appendix B



CLIENT	DISTRICT OF UCLUELET
PROJECT	SEAPLANE BAY ROAD SANITARY SEWER SYSTEM

TITLE	PROPOSED COLLECTION SYSTEM AND LIFT STATION	
DATE	OCTOBER 16, 2020	SCALE NTS
PROJECT No.	1947	DWG No. 1947-201



STAFF REPORT TO COUNCIL

Council Meeting: OCTOBER 27, 2020
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 4010-20-2020-1183HELEN

**SUBJECT: HEARING ON POSSIBLE BUSINESS LICENCE SUSPENSION –
“UCLUELET VACATIONS” 1183 HELEN ROAD**

REPORT NO: 20-115

ATTACHMENT(S): APPENDIX ‘A’ – CORRESPONDENCE RECEIVED OCTOBER 21, 2020
APPENDIX ‘B’ – STAFF REPORT DATED OCTOBER 13, 2020

RECOMMENDATION:

Staff recommend that Council conduct a hearing to determine whether to suspend or uphold the business license issued to “Ucluelet Vacations”, a Bed and Breakfast operating at 1183 Helen Road. The recommended hearing process is as follows:

1. Council provide an opportunity for District of Ucluelet staff (the “staff”) and then the owners of the property and business or their representative to be heard on the matter of the potential suspension of the business licence for the “Ucluelet Vacations” Bed and Breakfast operating at 1183 Helen Road;
2. Council use the opportunity of the hearing to ask any questions of staff and/or the owners that Council deems necessary to clarify the facts of the matter;
3. Council provide an opportunity for the owners to then challenge or dispute information which has been provided to Council;
4. Council carefully review all information provided prior to ruling on the business licence suspension including, if necessary, seeking clarification from the municipal solicitors;
5. Council make a motion to uphold the business license or in the alternative a motion to suspend the business license due to non-compliance with section 404 of District of Ucluelet Zoning Bylaw No. 1160, 2013 until the business owners present to Staff:
 - a. an executed lease agreement or a signed statement from the individual who is the permanent present resident occupying the single-family dwelling; and,
 - b. a signed statement from the individual occupying the single-family dwelling that states that they are administering and operating the business known as Ucluelet Vacations.
6. After making the motion to uphold or suspend the business license, Council should discuss the information provided at the hearing and how it relates to the motions. When discussion concludes, the motion should then be put to a vote.

PURPOSE:

This report presents background and a framework for Council to consider when conducting a hearing on potential suspension of a business licence on grounds of non-compliance with the regulations for short-term vacation rental *Bed and Breakfast* secondary use of the property at 1183 Helen Road, advertised as the “Ucluelet Guest Suites” and operating under a business licence as “Ucluelet Vacations”.

BACKGROUND:

At its October 13, 2020, in-camera meeting, Council considered a staff report on the *Bed and Breakfast* business activities at 1183 Helen Road (see **Appendix ‘B’**). At that meeting Council passed the following resolutions:

1. ***“THAT, due to evidence of non-compliance with District of Ucluelet Zoning Bylaw No. 1309, 2013, Council give notice to the owners of the property at 1183 Helen Road (Lot 4, Section 21, Clayoquot District, Plan 22495) - Jeffery Robert Swann, Naomie Rae Swann, Michael James Granville Rhodes and Jennifer Marie Ada Rhodes – that Council is considering suspending the business licence for the 3 Guest Room commercial tourist accommodation Bed and Breakfast business conducted by “Ucluelet Vacations” on the subject property, and provide an opportunity for the owners to be heard in this matter at the regular Council meeting scheduled for October 27, 2020; and,***
2. ***THAT Council rise and report on the above resolution in the open portion of the regular Council meeting October 13, 2020.”***

Please note that a typographical error in the draft Council resolution in the October 13, 2020, report referred to the Zoning bylaw by an incorrect bylaw number (1309), which carried through into the resolution adopted by Council, above. Elsewhere in the report, the Zoning bylaw was correctly referenced as the Ucluelet Zoning Bylaw No. 1160, 2013.

As noted previously, on September 20, 2020, staff requested that the property owners confirm the time and date of 9:30am Saturday, October 10, 2020, for a site inspection (the earliest date suggested by the Owners). At the time of writing the report considered by Council on October 13, 2020, the owners had not provided a reply. Late on October 9, 2020, the owners contacted staff and subsequently the Bylaw Officer and Manager of Community Planning were able to meet with all four owners on the property at noon on October 10, 2020.

Staff notified the owners of Council’s direction from the October 13, 2020, meeting. Correspondence from the property owners was submitted by email on October 21, 2020 (see **Appendix ‘A’**).

DISCUSSION:

As noted in the October 13, 2020, report the *Bed and Breakfast* use is a permitted secondary use under the R-1 Single Family Residential zone. Key aspects of the regulations governing the *Bed and Breakfast* use are:

- A. must be accessory to a permanent residential use;
- B. must be administered and operated by the full-time permanent and present resident of the single-family dwelling; and
- C. is limited to a maximum of three (3) guest rooms.

Section 404 of the Ucluelet Zoning Bylaw No 1160, 2013, contains the regulations specific to *Bed and Breakfast* uses. Background on the operation of the Bed and Breakfast at 1183 Helen Road is contained in **Appendix 'B'**.

PROCESS:

The Business Regulation and Licensing Bylaw No. 922, 2003, provides the ability to suspend or cancel a business licence – including a process by which a suspension or revocation of a business licence can be appealed to Council.

Under section 60(3) of the *Community Charter*, Council is required to give the licence holder notice of a proposed suspension, and an opportunity to be heard. In this instance, Council is acting in a quasi-judicial role, which is different than the more usual legislative or policy-setting role of Council. Procedural fairness requires that:

- ✓ the persons who will be affected by the decision are given advance notice that a decision will be made;
- ✓ the persons affected by a decision are given the information that will be considered when a decision is made;
- the persons affected by a decision are given a meaningful opportunity to state or present their case;
- the persons affected by a decision are given an opportunity to challenge or dispute any information that might be contrary to his or her position when a decision is being made;
- the decision maker be thorough and thoughtfully review all the information provided by the person affected by a decision;
- the decision maker be impartial (unbiased and without a personal interest in the outcome); and,
- the decision maker give meaningful reasons for the decision that are understandable to the affected persons.

If after reviewing all information the licence were suspended, the owners would then have ten days to submit a written appeal, which would then be placed on a future open Council agenda. At the Appeal Council could revisit its decision - including consideration of re-instating the licence. On request, written reasons for Council's decision to suspend must be provided.

Staff recommend that Council follow the steps outlined above to ensure procedural fairness throughout the hearing on this matter, and take the time to gather and consider all information necessary to arrive at a thorough decision.

Respectfully submitted: Bruce Greig, Manager of Community Planning
Joseph Rotenberg, Manager of Corporate Services
Mark Boysen, Chief Administrative Officer

Joseph Rotenberg

From: Joseph Rotenberg
Sent: October 21, 2020 12:46 PM
To: Joseph Rotenberg
Subject: RE: Ucluelet Guest House dba Ucluelet Vacations Appendix A

From: swanns [REDACTED]
Sent: Wednesday, October 21, 2020 12:03:24 PM
To: Info Ucluelet <info@ucluelet.ca>
Cc: info <info@uclueletguesthouse.ca>; Arbutus Guest Suite Information <contact@arbutusguestsuite.com>; Bruce Greig <bgreig@ucluelet.ca>; Nicholas Henderson <nhenderson@ucluelet.ca>; John Towgood <JTowgood@ucluelet.ca>; Mark Boysen <mboysen@ucluelet.ca>; Brent Ashton <bashton@ucluelet.ca>
Subject: Re: Ucluelet Guest House dba Ucluelet Vacations

Good Afternoon,

As per the email from Bruce Greig, we reached out to Joseph via phone and email to get the process for making a submission for the upcoming council meeting. As we did not receive a reply here is our submission.

To the Ucluelet Mayor and Council Members.

We read the detailed report we received from Mr. Greig via bylaw officer Ashton and we would like to take this opportunity to focus on where we have fixed and modified our accommodation listing, which seems to be the crux of the issue.

We no longer advertise more than three Suite options.

We are renting the three lower Suites in our house as per our business licence, and that is it.

Additionally, we have made the decision to sell the property in question. We have had multiple showings of the property and now have an offer on the home that we are now in negotiations with. In the meantime we are still paying our mortgage, utilities, taxes and other bills, which is primarily funded by the suite rentals and thus requires us maintaining our business license.

Moving forward, we will have a full time resident back in place in the upper portion of the house. We have a short term tenancy agreement being put in place with tenants who will be renting the top three bedrooms.

We will be spending time with them in the next few weeks to train them on their role in administering the property until such time as a sale is reached on the home.

As for the two Bylaw tickets, Mr Greig has been advised of some errors on them, including the service of this legal document via email.

Mr Greig sent us an email advising that the re-service of these tickets is no longer a priority for the District. We are making the assumption that the priority was compliance, not tickets, and we can confirm compliance is now fully in place.

Prior to receiving Mr Greig's email, we requested on three occasions to have the tickets re-served on us. Like any incident, there are very different accounts as to what transpired the night that Bylaw attended our property. The guests present have and are willing to provide their evidence about this. But, if the tickets are not going to be re-served, then we trust that they will be cancelled and stricken from the record.

We await further instructions from Mayor and Council, and apologize that this elevated to your level.

Thank you,
Mike and Jennifer Rhodes
Jeff and Naomie Swann



OCTOBER 16, 2020

FILE: 4010-20-COMP-2020

To: Jeffery Robert Swann
 Naomie Rae Swann
 [REDACTED]
 Ucluelet, BC

Appendix B

and;

Michael James Granville Rhodes
 Jennifer Marie Ada Rhodes
 [REDACTED] - [REDACTED]
 Ucluelet, BC

Re: 1183 Helen Road, Ucluelet, B.C. (PID 003-271-595) Lot 4, Section 21, Clayoquot Land District, Plan 22495.

Notice is hereby given that, on October 13, 2020, Council of the District of Ucluelet reviewed the attached report regarding bylaw compliance for your Bed and Breakfast business operating under the name "Ucluelet Vacations" and in the home on the property at 1183 Helen Road, and adopted the following resolutions:

1. **"THAT**, due to evidence of non-compliance with District of Ucluelet Zoning Bylaw No. 1309, 2013, Council give notice to the owners of the property at 1183 Helen Road (Lot 4, Section 21, Clayoquot District, Plan 22495) - Jeffery Robert Swann, Naomie Rae Swann, Michael James Granville Rhodes and Jennifer Marie Ada Rhodes - that Council is considering suspending the business licence for the 3 *Guest Room* commercial tourist accommodation *Bed and Breakfast* business conducted by "Ucluelet Vacations" on the subject property, and provide an opportunity for the owners to be heard in this matter at the regular Council meeting scheduled for October 27, 2020; and,
2. **THAT** Council rise and report on the above resolution in the open portion of the regular Council meeting October 13, 2020."

Attached, for your information, is the staff report and background material that Council considered at its October 13, 2020, in-camera meeting.

If you wish to make a written submission for Council to consider with this matter, please provide it by noon on Wednesday, October 21, 2020, so that it can be included on the Council meeting agenda.

Due to the COVID-19 pandemic, in-person attendance at Council meetings is currently restricted. To participate by Zoom you can connect via the link provided at the following web page:

<https://ucluelet.ca/community/district-of-ucluelet-council/communicating-with-council>

Should you have any questions about the process for making submissions or participating remotely in the upcoming Council meeting, please contact Joseph Rotenberg, Manager of Corporate Services at (250) 726-7744 or jrotenberg@ucluelet.ca

Thank you all for taking the time to meet with the Bylaw Officer and myself this past Saturday. Please note that an excerpt of relevant sections of the Zoning Bylaw were included with the correspondence dated November 3, 2017, found in Exhibit 'A' within Appendix 'D' of the attached report. Please don't hesitate to contact me if you have any remaining questions about the Zoning Bylaw regulations for the Bed and Breakfast use within a Single-Family Residence.

Sincerely,



Bruce Greig
Manager of Community Planning

Cc: Mark Boysen, Chief Administrative Officer
Joseph Rotenberg, Manager of Corporate Services
Brent Ashton, Bylaw Services Officer



IN-CAMERA STAFF REPORT TO COUNCIL

Council Meeting: OCTOBER 13, 2020

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 0890-02-PENINSULA 985

SUBJECT: 1183 HELEN ROAD – “UCLUELET GUEST SUITES”

REPORT NO: 20-110

ATTACHMENT(S): APPENDIX ‘A’ – BUSINESS LICENCE NO. 1372

APPENDIX ‘B’ – MTI’S NO. 000657 AND 000658 ISSUED AUGUST 10, 2020

APPENDIX ‘C’ – EXCERPT FROM BUSINESS REGULATION AND LICENSING BYLAW NO. 922, 2003

APPENDIX ‘D’ – BYLAW FILE TIMELINE INCLUDING EXHIBITS ‘A’ THROUGH “I”

RECOMMENDATIONS:

1. **THAT**, due to evidence of non-compliance with District of Ucluelet Zoning Bylaw No. 1309, 2013, Council give notice to the owners of the property at 1183 Helen Road (Lot 4, Section 21, Clayoquot District, Plan 22495) - Jeffery Robert Swann, Naomie Rae Swann, Michael James Granville Rhodes and Jennifer Marie Ada Rhodes – that Council is considering suspending the business licence for the 3 *Guest Room* commercial tourist accommodation *Bed and Breakfast* business conducted by “Ucluelet Vacations” on the subject property, and provide an opportunity for the owners to be heard in this matter at the regular Council meeting scheduled for October 27, 2020; and,
2. **THAT** Council rise and report on the above resolution in the open portion of the regular Council meeting October 13, 2020.

PURPOSE:

This report provides background on bylaw enforcement efforts surrounding the non-compliant whole-house short-term vacation rental of the property at 1183 Helen Road, advertised as the “Ucluelet Guest Suites” and operating under a business licence as “Ucluelet Vacations”.

BACKGROUND:

1183 Helen Road (the “subject property” – see **Figure 1.**) is designated by the Ucluelet Zoning Bylaw No. 1160, 2013, as R-1 Single-Family Residential. Under the R-1 designation, the principal permitted use is *Single Family Dwelling*, and a secondary permitted use is *Bed and Breakfast*. Section 404 of the Zoning Bylaw stipulates that the bed and breakfast use:

- A. must be accessory to a permanent residential use;
- B. must be administered and operated by the full-time permanent and present resident of the single-family dwelling; and
- C. is limited to a maximum of three (3) guest rooms.

Section 404 also limits the cooking facilities which may be within the area designated for a bed and breakfast use.



Figure 1 – Subject Property

Since 2017, staff have received complaints and have observed online advertising of a whole-house short-term vacation rental use of the subject property. After initial prompting in late 2017 by the Bylaw Officer, the owners applied in 2018 for a business licence for a 3-room Bed and Breakfast on the subject property (see **Appendix 'A'**). A full history of bylaw investigation and communication with the property and business owners is included in **Appendix 'D'**.

Most recently, in the early hours of August 1, 2020, the Bylaw Officer and RCMP responded to a noise complaint about a large gathering on the subject property. At the time Staff observed 19 people gathering on the property, with no sign of a permanent resident being present to oversee the short-term rental. When asked how many people fit in the house, the renter replied that they were renting 4 suites for the weekend: 2 up and 2 down.

The 3 bedrooms licensed for the Bed and Breakfast use would provide accommodation for a maximum of 8 people.

Online advertising by the owners observed on August 8, 2020, represents a "5 Bedroom Home" for short term tourist accommodation rental.

In correspondence August 10, 2020 and September 20, 2020, staff have asked the owners to provide the name and contact

By current Order of the Provincial Health Officer:

1. A maximum of five individuals may attend a social gathering or an event in vacation accommodation, in addition to the occupants.
2. The owner of vacation accommodation must require any tenant, guest or other person using or occupying the vacation accommodation to comply with the requirement in section 1.

The gathering of 19 people observed August 1, 2020, in the vacation accommodation at 1183 Helen Road has been referred to the Province. This is a separate matter from municipal Bylaw compliance.

information of the full-time permanent resident of the house at 1183 Helen Road who is responsible for administering and operating the Bed and Breakfast business. The owners have not provided a reply.

Municipal Ticket Informations (“MTI’s” or bylaw “tickets”) have been served to the owners for non-compliance with section 2(b) of the Noise Control Bylaw No. 915, 2003, and section 404.2 of the Zoning Bylaw No. 1160, 2013 (see **Appendix ‘B’**). The tickets were not disputed within the 14-day window for registering a dispute.

On September 20, 2020, staff requested that the owners confirm the time and date of 9:30am Saturday, October 10, 2020, for a site inspection (the earliest date suggested by the Owners). The owners have not provided a reply.

DISCUSSION:

The business licence for 1183 Helen Road was issued for a 3-room Bed and Breakfast. The “Ucluelet Guest Suites” or “Ucluelet Guest House” is being advertised as a 5- bedroom house rental; the occupancy for the entire house rental is being advertised as either 12 or 14 persons. See excerpt of online advertising captured October 8, 2020, in **Figure 2**:

GUEST ROOMS

- 1 Bedroom - Sleeps 2
- 1 Bedroom - Sleeps 2
- 1 Bedroom - Sleeps 4
- 2 Bedroom Family Suite - Sleeps 4
- Large Groups - Sleeps 14

Large Groups – Sleeps 14








Rent All Our Suites as a Package!

Need some extra space to accommodate your extended family or large groups? Why not rent all our suites for your entire group! With access to all the bedrooms, bathrooms and the ability to sleep 14, the package boasts a large games & TV room and outdoor hot tub to relax under the stars. The ocean front house also has private access to the beach on Ucluelet Harbour. Sit and relax in the yard or hot tub! Watch the fishing charters and whale watching boats come and go. It's all waiting for you at Ucluelet Guest House!

Figure 2 - current online ad for the “Ucluelet Guest House”

Given the pattern of observed non-compliance shown by the advertising of the business, the evidence observed by the Bylaw Officer and RCMP indicating that more than 3 guest rooms had

been rented with no resident on the property administering the short-term rental on the night of July 31 / August 1, 2020, and the lack of response from the owners in identifying a permanent resident responsible for administering the business, staff recommend that Council consider suspending the business licence.

Statutory Requirements:

The Business Regulation and Licensing Bylaw No. 922, 2003, provides the ability to suspend or cancel a business licence – including a process by which a suspension or revocation of a business licence can be appealed to Council (see **Appendix ‘C’**).

Under section 60(3) of the *Community Charter*, Council is required to give the licence holder notice of a proposed suspension, and an opportunity to be heard. Staff recommend that if Council chooses to move in the direction of suspending the business licence, that the owners should be provided a copy of this report and advised that the matter would be placed on the next open Council meeting agenda, scheduled for October 27, 2020. This would enable two weeks’ notice to the owners prior to the matter being heard.

If the licence were suspended, the owners would then have ten days to submit a written appeal, which would then be placed on a future open Council agenda. In that case, if the owners’ appeal provides evidence that the operation of the business will comply with the municipal bylaws, then Council could consider re-instating the licence.

Options Review:

Staff recommend that at this point Council consider suspending the business licence for the Bed and Breakfast use at 1183 Helen Road, and give the owners notice and an opportunity to be heard. Alternatively, Council could consider the following:

3. **THAT** Council direct staff to continue to monitor the advertisement and operation of the Bed and Breakfast business at 1183 Helen Road and issue additional tickets if evidence of further non-compliance is observed; or,
4. **THAT** Council provide alternative direction to staff.

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



**District of Ucluelet
Business Licence Application**

Businesses operating in the District of Ucluelet are required to have a valid business licence. The information requested in this application is necessary to fully evaluate your request for a business licence. **Completion of this form does not guarantee approval of a business licence, nor should business be commenced prior to a licence being issued.**

Date Nov. 8, 2017 New Licence Reinstatement Address Change Change of Owner Business Name Change
 Home Occupation (work conducted within the home) Home Based (community work based from home)

Trade Name of Business <u>Ucluelet Vacations</u>		Type of Business <u>Vacation Accomodation</u>	
Business Address (Civic and Mailing, including postal code) <u>1183 Helen Rd Ucluelet BC - V0R3A0</u>		Name of Owner/Licencee (Person or Corporation) <u>Naomie Swann</u>	
Owner/Licencee No's: Business: _____ Fax: _____ Cell: _____ Home _____ E-mail/Website _____		Licencee Home Mailing Address (if different from business)	
CCRA # _____	Floor Area - m ² <u>128.5</u>	<input type="checkbox"/> Vendor <input type="checkbox"/> Mobile	Number of employees <u>2</u>
Emergency Contacts - for Fire and Police (two, if possible)			
Name: <u>Naomie Swann</u>		Number: _____	
Name: <u>Jennifer Rhodes</u>		Number: _____	

I, Naomie Swann hereby make application for a licence in accordance with the particulars as stated in this application, and declare the information in this statement to be true and correct and I undertake that if I am granted the licence applied for I will comply with each and every obligation contained in all laws and bylaws now in force or which may hereafter come into force in the District of Ucluelet. I further understand that if this application involves the use of premises for business purposes, they may not be occupied until they have been inspected by the District Department concerned and a licence is issued. I also understand that the payment of the Business Licence fee in advance does not guarantee approval, nor may I commence business until such time as a Business Licence is approved and issued.

Naomie Swann
Signature

Nov 8, 2017
Date
3 x B&B units

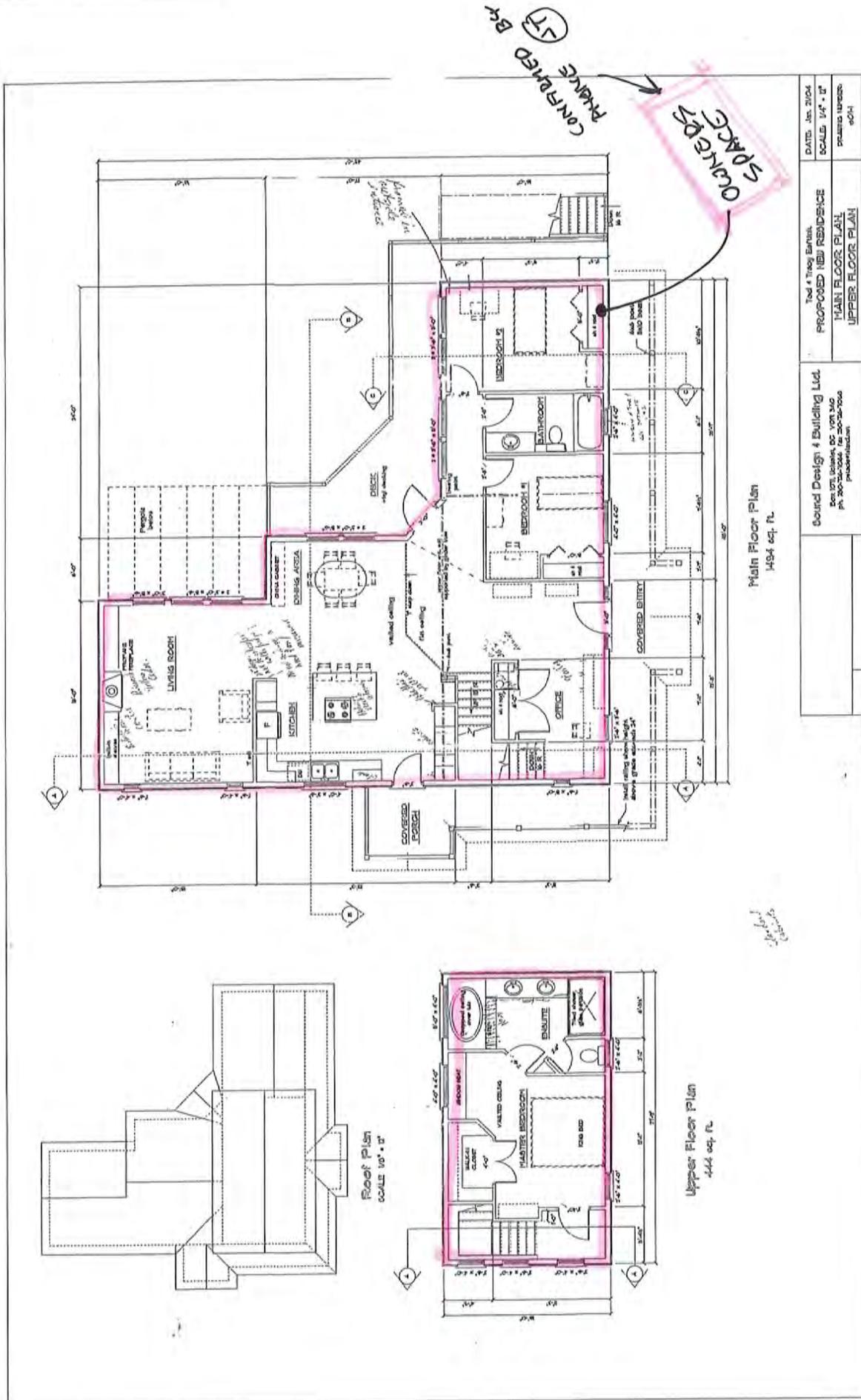
For Office Use Only				
Zoning (if applicable) <u>B-1</u>	Business Class: <u>B&B</u>			
Required Checks	Approved	Declined	Date	Initial
Planning			<u>Mar 26/18</u>	<u>JS</u>
Building	<u>M</u>			
Health				
RCMP				
Other <u>BYLAW</u>	<u>JS</u>		<u>Mar 26/18</u>	<u>BR</u>
ANNUAL FEE: <u>\$300.00</u>				
FEE PAID: <u>\$35 #01-59075 Cash 17-11-17</u>				
DATE PAID: _____				
CASH _____ CHEQUE _____				

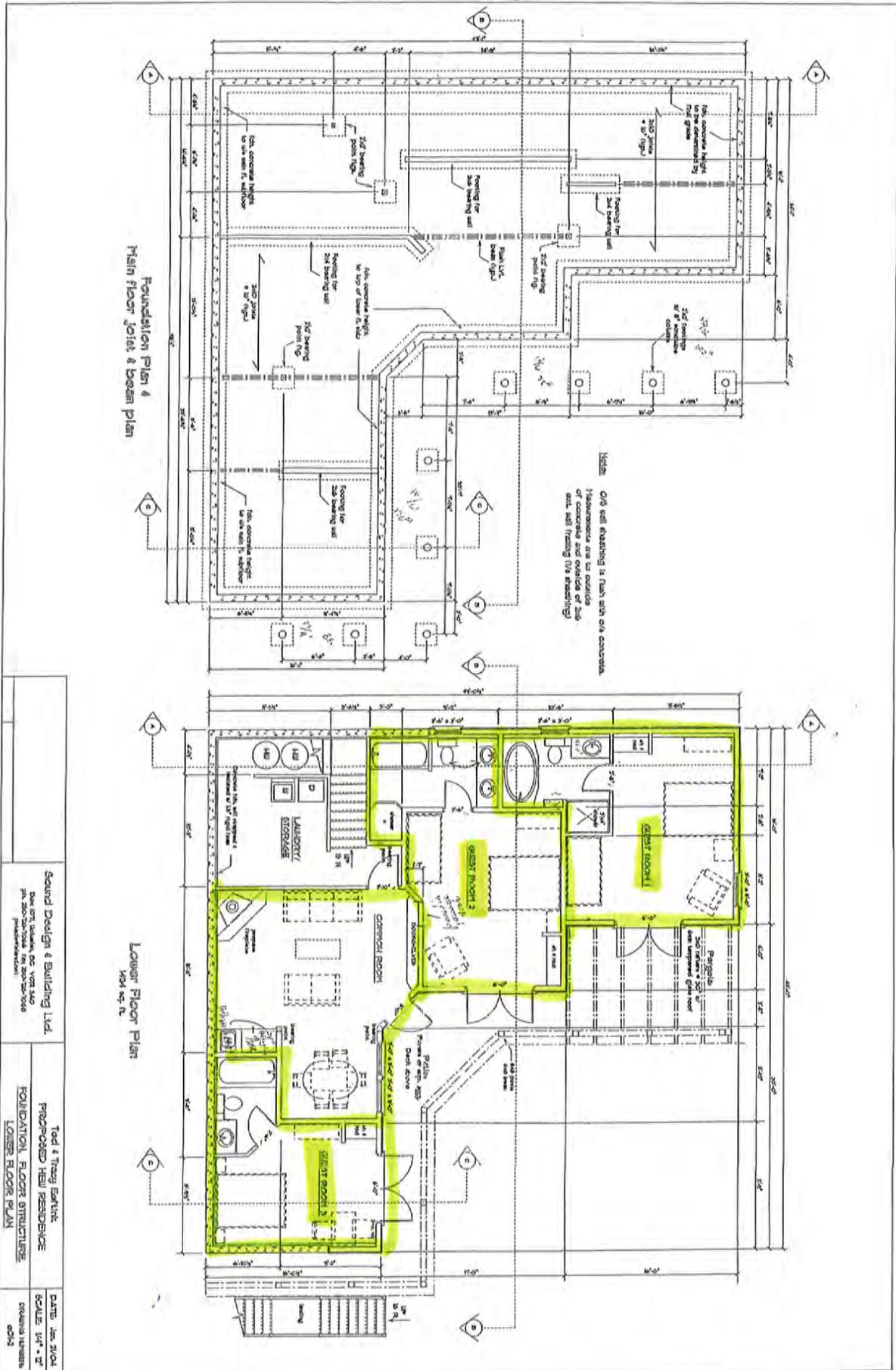
Approved this 37 day of March, 2018.

District of Ucluelet Approval: Chidwell

Business Licence No. 1372

Personal information you provide on this form is collected under the authority of the Community Charter, Freedom of Information and Protection of Privacy Act (FOIPPA) and the Business Licence Bylaw. Your business name, civic address and business telephone number maybe be released in accordance with FOIPPA. If you have any questions about the collection and use of this information, please contact the District Municipal Office at (250) 726-7744.







Ucluelet
Community Charter

0J0658

MUNICIPAL TICKET INFORMATION

ISSUED TO:

SURNAME OR CORPORATE NAME <i>Ucluelet Vacations</i>		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONT'D)		GENDER M F	BIRTHDATE YY MM DD
ADDRESS <i>1183 Helen Rd.</i>		POSTAL CODE <i>V0R 3A0</i>	
CITY <i>Ucluelet</i>	PROVINCE <i>BC</i>		

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED

ON OR ABOUT 20 08 10 AT THE TIME OF 00:05 24hr Clock HH MM

AT OR NEAR 1183 Helen Rd. STREET ADDRESS, DISTRICT OF UCLUELET, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW: *Noise Control Bylaw #95 2003*

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT	FINE AMOUNT IF PAID WITHIN 30 DAYS
<i>Noise which disturbs</i>		<i>2(b)</i>	<i>\$ 100</i>	<i>\$ —</i>

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO GIVE NOTICE OF DISPUTE:

District of Ucluelet
P.O. Box 999, 200 Main St., Ucluelet, B.C. V0R 3A0
Tel: (250) 726-7744

OR DELIVER, HAVE DELIVERED, OR MAIL A NOTICE OF DISPUTE TO THE ABOVE ADDRESS AS DESCRIBED ON THE REVERSE. THE FINE AMOUNT MAY BE PAID IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

AT HEARING CONVICTED DISMISSED

SIGNATURE OF JUSTICE

BYLAW ENFORCEMENT OFFICER NAME OR NUMBER
R. ASHTON

BYLAW ENFORCEMENT OFFICER SIGNATURE
[Signature]

AREAS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED.

IF THE FINE IS NOT PAID OR THE ALLEGATION CONTAINED IN THIS TICKET IS NOT DISPUTED (SEE REVERSE) WITHIN 14 DAYS FROM THE DATE OF SERVICE OF THIS TICKET, YOU WILL BE DEEMED TO HAVE PLEADED GUILTY TO THE OFFENCE CHARGED AND THE FINE AMOUNT WILL BE IMMEDIATELY PAYABLE.

ALLEGED OFFENDER'S COPY



Ucluelet
Community Charter

0J0657

MUNICIPAL TICKET INFORMATION

ISSUED TO:

SURNAME OR CORPORATE NAME <i>Ucluelet Vacations</i>		<input type="checkbox"/> YOUNG PERSON	
GIVEN NAMES (OR CORPORATE NAME CONT'D)		GENDER M F	BIRTHDATE YY MM DD
ADDRESS <i>1183 Helen Rd.</i>		POSTAL CODE <i>V0R 3A0</i>	
CITY <i>Ucluelet</i>	PROVINCE <i>BC</i>		

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED

ON OR ABOUT 20 08 10 AT THE TIME OF 00:05 24hr Clock HH MM

AT OR NEAR 1183 Helen Rd. STREET ADDRESS, DISTRICT OF UCLUELET, PROVINCE OF BRITISH COLUMBIA

DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW: *District of Ucluelet Zoning Bylaw #1160 2013*

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT	FINE AMOUNT IF PAID WITHIN 30 DAYS
<i>No. - Compliant B&B</i>		<i>404.2</i>	<i>\$ 100</i>	<i>\$ —</i>

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO GIVE NOTICE OF DISPUTE:

District of Ucluelet
P.O. Box 999, 200 Main St., Ucluelet, B.C. V0R 3A0
Tel: (250) 726-7744

OR DELIVER, HAVE DELIVERED, OR MAIL A NOTICE OF DISPUTE TO THE ABOVE ADDRESS AS DESCRIBED ON THE REVERSE. THE FINE AMOUNT MAY BE PAID IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

AT HEARING CONVICTED DISMISSED

SIGNATURE OF JUSTICE

BYLAW ENFORCEMENT OFFICER NAME OR NUMBER
R. ASHTON

BYLAW ENFORCEMENT OFFICER SIGNATURE
[Signature]

AREAS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED.

IF THE FINE IS NOT PAID OR THE ALLEGATION CONTAINED IN THIS TICKET IS NOT DISPUTED (SEE REVERSE) WITHIN 14 DAYS FROM THE DATE OF SERVICE OF THIS TICKET, YOU WILL BE DEEMED TO HAVE PLEADED GUILTY TO THE OFFENCE CHARGED AND THE FINE AMOUNT WILL BE IMMEDIATELY PAYABLE.

ALLEGED OFFENDER'S COPY

8. POWERS OF LICENSE INSPECTOR

1. The License Inspector shall have the power to grant, issue, or transfer a license, as set out in this bylaw and subject to the provisions of the Local Government Act.
2. The License Inspector or his designate or a Bylaw Enforcement Officer may enter at all reasonable times on any property to ascertain whether the bylaw requirements are being met or regulations are being observed.
3. The License Inspector shall grant a license where satisfied that the applicant has complied with the bylaws of the municipality and any other regulations, bylaws or acts as deemed applicable by the License Inspector, and shall suspend any license for the period he decides if it's holder:
 - (a) is convicted on an offence indictable in Canada;
 - (b) is convicted of any offence under any municipal bylaw or statute of the Province in respect of the business for which he is licensed, or with respect to the premises named in the license;
 - (c) has, in the opinion of the License Inspector, been guilty of such gross misconduct in respect of the business or in or with respect to the premises named in his license, that it warrants the suspension of the license;
 - (d) is deemed, under the Local Government Act or the Offence Act, to have pleaded guilty to an offence referred to in paragraph (b)
 - (e) has ceased to comply with a bylaw or has otherwise ceased to meet the lawful requirements to carry on the business for which he is licensed, or with respect to the premises named in the license;
 - (f) if, in the opinion of Council, the holder has engaged in misconduct that warrants the suspension or cancellation of the license
 - i) if the misconduct is in respect of the business,
 - ii) in or with respect to the premises named in the license, or
 - iii) in respect of that business or another business, or in or with respect to the premises of that business or other business, carried on by the holder inside or outside the municipality.

9. LICENSE SUSPENSIONS/REVOCATIONS AND APPEALS:

1. Any person whose license has been suspended or revoked by the License Inspector and who proposes to appeal such suspension to Council shall within ten (10) days from the date of suspension/revocation, give to the Municipal Clerk notice of his intention to appeal the said suspension.
2. The notice of intention to appeal shall state in concise fashion the grounds upon which the appeal is based.
3. The Municipal Clerk shall thereupon refer the matter to Council in order to appoint a time and place for the hearing of the appeal.

1183 Helen Road: Timeline

Exhibit	Date:	Action: (initials)
A	Nov. 3, 2017	Bylaw letter sent to Jeff Swann Re: Unlicensed Businesses, specifically noting 1183 Helen Road. Letter notes "whole home rentals are not permitted". Suggests 14 days to submit a business licence, includes excerpt of B&B regulations in Zoning Bylaw.
B	Nov. 17, 2017	Business licence application received from Naomie Swann for 3 B&B rooms at 1183 Helen Road under the name "Ucluelet Vacations" .
C	Nov. 21, 2017	Complaint received from [REDACTED] regarding numerous short-term rentals, including property later identified by Bylaw staff as 1183 Helen Road
	Mar. 27, 2018	Applicant confirms areas of B&B suites (3 rooms on lower level), states a long-term tenant lives on upper level and oversees the operation; business licence No. 1372 issued.
D	Apr. 3, 2018	Cease and desist letter sent to Jeffery Swann and Naomie Swann Re: short-term rental of entire house.
E	Jan. 15, 2019	VRBO advertising observed for 5 bedroom whole-house short-term rental at 1183 Helen Road
F	Aug. 1, 2020	Noise complaint received 00:30am about a group at 1183 Helen Road; Bylaw Enforcement Officer attended with RCMP, observed 19 people gathering and drinking. No sign of a permanent resident being present to oversee the short-term rental. When asked how many people fit in the house, renter replied that they were renting 4 suites: 2 up and 2 down.
G	Aug. 8, 2020	VRBO advertising observed for 5 bedroom whole-house short-term rental at 1183 Helen Road.
H	Aug. 10, 2020	Bylaw compliance letter sent to Michael and Jennifer Rhodes & Jeff and Naomie Swann re: Ucluelet Guest House, 1183 Helen Road. Stated observation of whole-house rental during noise complaint investigation on August 1 st . Advised of MTI's being issued for Noise complaint and non-compliance with Zoning bylaw. (MTI's 000657 & 000658). Also noted provincial Health Orders for COVID-19 protocols for gatherings at private vacation rentals and owners' responsibility for managing compliance among their guests, and that matter being referred to the Province. Asked for name and contact for the permanent resident overseeing the short-term rental, and to arrange for an inspection within 7 days.
I	Sept. 16, 2020	Bylaw Enforcement Officer emails owners since no response to letter of August 10, 2020. States that BEO and Building Inspector will attend on Thursday, Sept. 17, 2020, to inspect house.
I	Sept. 17, 2020	BEO attends property at 1183 Helen Road (Building Inspector unavailable). Met with Naomie Swann and Jennifer Rhodes on site, did not perform inspection without second staff present. MTI tickets served physically.
I	Sept. 20, 2020	Manager of Planning email to Jeff Swann includes repeat of request for owners to provide name and contact information of the permanent resident of 1183 Helen Road who is responsible for administering the operation of the B&B. House inspection time proposed for 9:00am Saturday, October 10, 2020.
	Oct. 7, 2020	Still no reply from owners.



FRIDAY, NOVEMBER 3, 2017

FOLIO FILE: 4010-20

To: Mr. Jeff Swann
[REDACTED]
Ucluelet, B.C
V0R-3A0

To Jeff Swann:

Re: Unlicensed Businesses:

The District of Ucluelet is currently conducting a review of short term rentals and unlicensed businesses. It has been noted that you currently own and operate two unlicensed short-term rentals that are in violation of the District's Regulatory and Zoning Bylaws. Please note that the District of Ucluelet Business Regulation and Licensing Bylaw #922, section 2(1) states that; "No person shall carry on a business within the municipality unless he or she is the holder of a valid and subsisting license issued to him under this bylaw by the License Inspector". Under the District of Ucluelet Zoning Bylaw 1160, your property at 1183 Helen Road is zoned R1. Under the R1 zoning you must meet the criteria of primary usage of the property first, before secondary uses can be permitted. Please see the attached document, specifically section 404; 404.1 section 1(b) pertaining to Bed & Breakfasts. Please note, whole home rentals are not permitted. Since you are operating four or more rental units, you are also required to collect the Municipal and Regional District Tax, as seen here: <https://www.destinationbc.ca/BC-Tourism-Industry/Municipal-and-Regional-District-Tax-Program.aspx>.

The District of Ucluelet is recommending that you submit a business license application within 14 days to avoid any further action by the District of Ucluelet. The fine amount for operating a business without a business license, is equal to double the license amount, per day of operation. If you have any questions please contact the District of Ucluelet by phone 250-726-7744, by email info@ucluelet.ca.

Starting November 17th, 2017, the District of Ucluelet will commence enforcement action.

Should you have any questions, please contact the Bylaw Department staff at the District of Ucluelet office at (250) 726-4781.

Sincerely,

Brent Ashton
Bylaw Services Officer

(August, 2014)

- (b) 35% of the habitable area of the *single family dwelling* in which it is located.
 - (4) A *Secondary Suite* must comply with all relevant provisions of the BC Building Code.
 - (5) A valid District of Ucluelet Business Licence is required in order to register a *secondary suite*.
 - (6) Off-street parking must be provided in accordance with Division 500.
- 403.2 For greater certainty, notwithstanding other provisions of this Bylaw, *Secondary Suites*:
- (1) must not contain a *home occupation* if the principal dwelling unit contains a *home occupation*;
 - (2) must not be established or operate in a *single family dwelling* that is used as a *Bed & Breakfast* or *Guest House*.

404 BED & BREAKFASTS

- 404.1 One *bed and breakfast* use is permitted within a *single family dwelling* if all the following conditions are satisfied for the establishment and continued use and operation of the *bed and breakfast*:
- (1) *Bed and Breakfasts* are only permitted:
 - (a) in the *Zones* where *single family dwelling* is listed as a *principal permitted use* and *bed and breakfast* is identified as a *secondary permitted use*;
 - (b) *accessory* to a permanent *residential* use and administered and operated by the full-time and present resident;
 - (c) within one *single family dwelling* per lot; and
 - (d) within a *building* and on a *lot* that does not include a *Daycare Centre* or other *Community Care Facility*.
 - (2) A maximum of three (3) guest rooms may be used for the *Bed and Breakfast*.
 - (3) The area designated for *Bed and Breakfast* use (including *guest rooms* and any common room provided outside of the *residential* occupant's personal area) must not contain the following.

(August, 2014)

- (a) Cooking Facilities, with the exception of:
 - (i) Kettle
 - (ii) Coffee maker
 - (iii) Toaster (not including a toaster-oven)
 - (iv) Microwave (excluding convection/microwave combination)
- (b) 220 volt supply which could be used for larger appliances;
- (c) Refrigerators in excess of 6.0 cubic feet capacity
- (4) A valid District of Ucluelet Business Licence is required in order to register a *bed and breakfast*.
- (5) Off-street parking must be provided in accordance with Division 500.

404.2 For greater certainty, notwithstanding other provisions of this Bylaw, *Bed and Breakfasts*:

- (a) must not be combined with *Guest House, Vacation Rentals, Resort Condo* or other *commercial tourist accommodation*;
- (b) must not be combined with *Guest Cottage* use unless *guest cottage* is a specifically permitted use for the *Zone* in which the *Bed & Breakfast* is located; and
- (c) must not be combined with or located, in whole or in part, in a *duplex, multiple family residential building, mixed commercial/residential, mixed industrial/residential, accessory residential dwelling unit, or in a secondary suite or a single family dwelling that has a secondary suite*.

405 GUEST HOUSES & GUEST COTTAGES

405.1 Where a *Zone* specifically includes *Guest House* as a permitted use, one *guest house* use is permitted within a *single family dwelling* if all the following conditions are satisfied for the establishment and continued use and operation of the *guest house*:

- (1) *Guest Houses* are only permitted:
 - (a) in the GH and CD *Zones* where *Guest House* is listed as a permitted use;



**District of Ucluelet
Business Licence Application**

Businesses operating in the District of Ucluelet are required to have a valid business licence. The information requested in this application is necessary to fully evaluate your request for a business licence. **Completion of this form does not guarantee approval of a business licence, nor should business be commenced prior to a licence being issued.**

Date Nov. 8, 2017 New Licence Reinstate Address Change Change of Owner Business Name Change
 Home Occupation (work conducted within the home) Home Based (community work based from home)

Trade Name of Business <u>Ucluelet Vacations</u>		Type of Business <u>Vacation Accomodation</u>	
Business Address (Civic and Mailing, including postal code) <u>1183 Helen Rd Ucluelet BC - V0R3A0</u>		Name of Owner/Licencee (Person or Corporation) <u>Naomie Swann</u>	
Owner/Licencee No s: Business: _____ Fax: _____ Cell: _____ Home _____ E-mail/Website: _____		Licencee Home Mailing Address (if different from business)	
CCRA # _____	Floor Area - m ² <u>128.5</u>	<input type="checkbox"/> Vendor <input type="checkbox"/> Mobile	Number of employees <u>2</u>
Emergency Contacts - for Fire and Police (two, if possible)			
Name: <u>Naomie Swann</u>		Number: _____	
Name: <u>Jennifer Rhodes</u>		Number: _____	

I, Naomie Swann hereby make application for a licence in accordance with the particulars as stated in this application, and declare the information in this statement to be true and correct and I undertake that if I am granted the licence applied for I will comply with each and every obligation contained in all laws and bylaws now in force or which may hereafter come into force in the District of Ucluelet. I further understand that if this application involves the use of premises for business purposes, they may not be occupied until they have been inspected by the District Department concerned and a licence is issued. I also understand that the payment of the Business Licence fee in advance does not guarantee approval, nor may I commence business until such time as a Business Licence is approved and issued.

Naomie Swann
Signature

Nov 8, 2017
Date
3 x B & B units

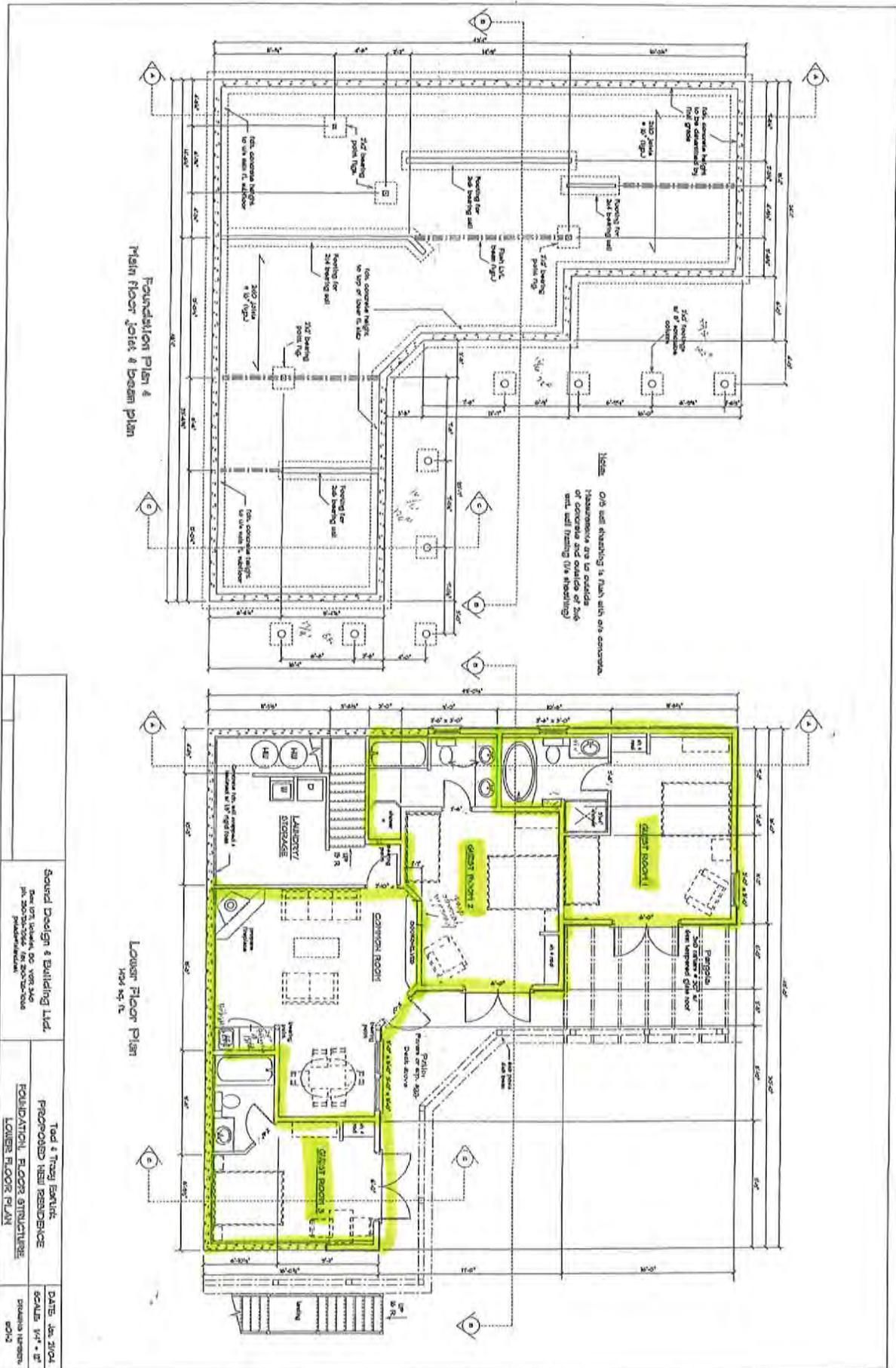
For Office Use Only				
Zoning (if applicable) <u>B-1</u>	Business Class: <u>B & B</u>			
Required Checks	Approved	Declined	Date	Initial
Planning			<u>MAR 26/18</u>	<u>JS</u>
Building	<u>M</u>			
Health				
RCMP				
Other <u>BYLAW</u>	<u>JS</u>		<u>MAR 26/18</u>	<u>BR</u>
ANNUAL FEE: <u>\$ 300.00</u>				
FEE PAID: <u>\$35 #01-59075 Cash 17-11-17</u>				
DATE PAID: _____				
CASH _____ CHEQUE _____				

Approved this 27 day of March, 2018.

District of Ucluelet Approval: Chidwell

Business Licence No. 1372

Personal information you provide on this form is collected under the authority of the Community Charter, Freedom of Information and Protection of Privacy Act (FOIPPA) and the Business Licence Bylaw. Your business name, civic address and business telephone number may be released in accordance with FOIPPA. If you have any questions about the collection and use of this information, please contact the District Municipal Office at (250) 726-7744.



Sound Design & Building Ltd. 1000 University Ave. West Suite 100 Vancouver, BC V6E 2E6	Todd & Tracy Barkin PROPOSED HILL RESIDENCE FOUNDATIONAL FLOOR STRUCTURE LOWER FLOOR PLAN	DATE: Jan. 2004 SCALE: 1/4" = 1'-0" DRAWING NUMBER: 001A
----------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------	----------------------------------------------------------------

Bruce Greig

From: Brent Ashton
Sent: November 27, 2017 12:23 PM
To: Bruce Greig
Subject: RE: Formal Bylaw Infractions Complaint
Attachments: STR complaint email follow up.docx

Please see the amended updated work sheet for the list of 20. I spent some time last week in host compliance and updated some of the "unidentified", active listings, where I could identify them. This was achieved by prior/present knowledge and interactions, or by landmarking etc. This has driven our "successfully identified" units up to 94.7%. We currently have 238 listings, 133 units, with 126 of those units being identified. I met with the owner of 1977 Athlone this morning (the one that the mayor was meeting with), and she picked up a business license application and stated that she was applying and is taking action to achieve compliance and has invited me to the property for an inspection, once she has completed her "due diligence" to ensure compliance. I also received an email from a full time and present resident about his concerns and suggestion on Sunday. I will forward you his email, as I'm pretty sure his intent is to move this "up the chain" and maybe you could consider incorporating this for the next council meeting. Let me know your thoughts and one of us should reply to the email. Thanks, Brent

From: Bruce Greig
Sent: November-21-17 6:16 PM
To: Mark Boysen <mboysen@ucluelet.ca>
Cc: Brent Ashton <bashton@ucluelet.ca>; John Towgood <JTowgood@ucluelet.ca>
Subject: FW: Formal Bylaw Infractions Complaint

Update; I sent the email below to [REDACTED] earlier today – he doesn't intend for his email to be placed on the Council agenda. But he seems happy with the response. I might follow up with him tomorrow just to emphasize that this is going to be a long term effort.

Bruce

From: [REDACTED]
Sent: November-21-17 5:57 PM
To: Bruce Greig <bgreig@ucluelet.ca>
Subject: Re: Formal Bylaw Infractions Complaint

Mr Grieg, thanks for taking the time to respond to the email I sent the district. I'm very happy to hear that bylaw is actively seeking out the non compliant properties and is going to take action if need be. I am also very happy to hear you sympathize with my and many others concerned about the shortage of available long term accommodations here in Ucluelet because of non compliant short term rental suites & homes.

Your email has put my mind at ease and I will relay to other concerned locals that Ucluelet is working through this as we speak and everything should be as it should in the very near future. I and many other fantastic people and families look forward more monthly long term rental inventory in Ucluelet.

As far as adding to council minutes I feel that is not necessary at this time as you seem to be really on the ball based on your return email addressing my concerns and briefing myself that action is in motion.

Sincerely,

Sent from [Outlook](#)

From: Bruce Greig <bgreig@ucluelet.ca>
Sent: Tuesday, November 21, 2017 3:30:58 PM
To: [REDACTED]
Subject: RE: Formal Bylaw Infractions Complaint

Dear [REDACTED]:

First, thank you for submitting your bylaw complaint. I can share some general information on how we are proceeding with investigating short-term rentals and seeking compliance with the municipal bylaws. Of course we are unable to comment on the specific situations of individual property owners, or where their situations sit on a spectrum of investigation, education and legal action.

Some short-term rentals are legal in Ucluelet; we need to investigate and understand each individual situation before determining the path for bringing a property into compliance. The District is utilizing a service which gathers information on short-term rentals being advertised on numerous on-line platforms. All 20 of the properties you listed below have already been identified by this system. You have touched on approximately 10% of the listing we are currently aware of, tracking and investigating.

The 20 properties you mention are fairly representative of the range of situations we're seeing with properties listed for short-term rental:

- o 17 can be identified by address. The other three have insufficient information to conclusively locate the unit. Our bylaw compliance officer is fairly certain he has identified one of the three. This is one component of investigation he is tasked with. Of the 17 identified properties:
 - 3 are fully compliant and have current business licences;
 - 2 are likely compliant and have been reminded to renew their business licence;
 - 3 are being investigated for inconsistencies in the information to determine if in fact they are compliant with the bylaws;
 - 9 appear to be non-compliant. Of these:
 - 5 are active files where the owners have been contacted by the bylaw officer and they are various points of the education / actions to achieve voluntary compliance / enforcement spectrum.
 - The other 4 are on the bylaw officer's current list for tracking down and contacting the owners.

With every listing we become aware of, we are working through a process of identifying the zoning, building compliance, business licence compliance and owner occupancy (which can be a factor in whether the rental is permitted, depending on their specific zoning). Through this process, as people are contacted by the bylaw officer,

hopefully word will get out that we are working through each case. I can assure you that our approach is to treat every property owner in a fair and consistent manner, regardless of personality.

Again, thank you for submitting your complaint and the information you've found. I share your concern for the impact of short-term rentals on the community: the effect on the affordability of housing, and the nuisance conflicts which can be experienced by neighbours of not properly managed.

I note that your email was addressed to Council; such correspondence is normally placed on a public Council meeting agenda. Please let me know if this was your intent, and we will see that it goes on an upcoming agenda.

Please don't hesitate to contact me if you have any questions.

Regards,
Bruce



Bruce Greig
Manager of Community Planning
District of Ucluelet
200 Main Street, Ucluelet, B.C. V0N 3A0
Phone: 250-726-7744 ext 227

From: Darcey Bouvier On Behalf Of Info Ucluelet

Sent: November-20-17 9:48 AM

To: Mark Boysen <mboysen@ucluelet.ca>; Brent Ashton <bashton@ucluelet.ca>; Bruce Greig <bgreig@ucluelet.ca>; John Towgood <JTowgood@ucluelet.ca>

Cc: Council <Council@ucluelet.ca>

Subject: Formal Bylaw Infractions Complaint

From: [REDACTED]

Sent: Sunday, November 19, 2017 9:14 PM

To: Info Ucluelet <info@ucluelet.ca>

Subject: Formal Bylaw Infractions Complaint

Dear Council & Bylaw Enforcement,

I'm writing a formal complaint regarding illegal vacation rentals here in Ucluelet. I have been in many conversations wondering why so many illegal rentals are allowed to continue operating. I find it extremely frustrating.

This is a small community with limited long term accommodations and I find it hard to believe that Bylaw is not able to effectively deal with this problem. So my question to the bylaw officer and the district is, what makes it so hard when there is a full time bylaw officer to get this under control 100%? When speaking to other concerned locals and being informed that there is some sort of tracking software so the district knows who's doing what? What is going on?

Below are a few illegal rentals I found that should be long term rental properties for folks that want to live in Ucluelet and be apart of the community.

I have spent the last week or so reading bylaws regarding uses on specific zoning etc. The listings below don't meet Bnb specs of one room the have a bedroom, kitchenette of some sort and a livingroom. That would be or was a long term rental unit no longer and doesn't meet the regulation of a BnB Room specs to be rented nightly. They are Suites in a home and are not permitted and for a reason to protect long term rentals.

Some others are renting out the top floor or there entire home when zoning type doesn't permit that kind of activity.

One shows a business license right in there photos? It's not a nightly rental accommodation license because it's illegal and a smoke screen.

I don't need to go on Bylaw knows this and isn't acting or maybe doesn't know and should sharpen up on the specs for permitted uses with in specific zones.

I have lived in a small community in the interior where there was a insiders club and certain folks received special treatment and I would like to believe Ucluelet is not like this and is in the process of dealing with this long term rental shortage.

I'm going to monitor the listings to see if things start happening and if not myself along with a couple other folks that have been discussing the idea of contacting Chek News to expose the Long Term Rental crisis and point out the illegal rentals and how the District of Ucluelet is not dealing with the problem. No one wants to be singled out in a small community and that's what creates the silence around issues like this that being said I'm offering the consensus among many of the locals who live here and folks that wish to live on the coast but can only visit due to this shortage of long term housing.

https://www.airbnb.ca/rooms/13414327?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUyK

https://www.airbnb.ca/rooms/971306?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/484212?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/16531868?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/5944006?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/19500297?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/7886882?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/18473535?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/6349072?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0

https://www.airbnb.ca/rooms/14335479?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/5282289?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUYK

https://www.airbnb.ca/rooms/21205511?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUyK

https://www.airbnb.ca/rooms/13954520?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUyK

https://www.airbnb.ca/rooms/21784667?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUyK

https://www.airbnb.ca/rooms/14494181?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUyK

https://www.airbnb.ca/rooms/10086184?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUyK

https://www.airbnb.ca/rooms/6970801?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0

https://www.airbnb.ca/rooms/15082535?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0

https://www.airbnb.ca/rooms/17380719?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0&s= QWQMUyK

https://www.airbnb.ca/rooms/2636438?location=Ucluelet%2C%20Canada&checkin=&checkout=&adults=1&children=0&infants=0&tier_override=0

Sincerely,



Host Compliance listing Ads:

- 1) [REDACTED] operating atleast 2 STR properties without business license and a charter business "Salmon Eye Charters" without a valid business license. Was operating more this summer and even approached a person asking to rent their property to turn into an STR for summer
- 2) [REDACTED] VR1 Zoned, and valid business license. Harbour Hideout Vacation Rentals
- 3) [REDACTED] [REDACTED], no business license, reportedly lives at another property in town [REDACTED], also operates a long-term rental suite in the same house on Rupert [REDACTED] [REDACTED] Physically attended at [REDACTED] Spoke with male who stated that he was her son. Gave business card, again, requesting call back. Male was not forthcoming about providing an alternate number, email, or information pertaining to being able to reach [REDACTED] One more attempt will be made later this week, then fines issued commencing next week. B/O ASHTON drove by [REDACTED] principle address and was unable to make contact.
- 4) [REDACTED] [REDACTED], no business license. Site visit Nov. 21, 2017. Provided cell number of [REDACTED] by male who stated he was renting an STR. Updated as identified in Host Compliance. Attempted to contact [REDACTED] via cell at 1607hrs Nov. 22, left voicemail, requesting call back. [REDACTED] called back at 1640hrs on Nov. 22. Ben is CS1 (village square commercial zoned. [REDACTED] is out of town for schooling and will be back in town mid December and will apply for business license then
- 5) Tree top, [REDACTED]. Has not renewed business license, waiting for business license reminders to go out. Needs to be advised of hot plate as zoning violation for B&B definition. [REDACTED] Contacted [REDACTED] at 1611hrs on Nov. 22. Informed of no business license and hot plate contravention. Given 14 days to renew business license and remove hot plate. Stated that he thought it had already been renewed, Bylaw Officer informed no record showing payment.
- 6) Identified as [REDACTED] by B/O site visit on Nov. 21, 2017 @ 1620hrs. Registered to [REDACTED] [REDACTED]. No phone # on file
- 7) "Larch Apartments" Identified as [REDACTED], found in second layer of GIS. [REDACTED] does have a business license, zoning allowed.
- 8) Identified by B/O as [REDACTED]. Site visit, met with host [REDACTED] on Nov. 21, 2017 @ approx. 1500hrs. Given 7 days to come down and apply for business license. Updated as identified in Host Compliance
- 9) Austin's Inn, [REDACTED], has business license, clearly in contravention of business license. CD3 zoned. [REDACTED]

- 10) Raven suite, also advertising Raven House, [REDACTED] no business license and Raven House in contravention of zoning. Suite also in contravention of zoning as offers full kitchen. No business license. This one came on my radar a few weeks ago, and one of my next projects. B/O met with owner, [REDACTED] on 2017-11-20 at approximately 1620hrs. Stated he was unwilling to apply for a business license and would seek litigation if any enforcement action occurred
- 11) Surf n stay, has current business license, but address on the expired license referred to in email shows an address in [REDACTED] which would not meet the "permanent and present resident" of zoning. R1 zoned. [REDACTED]. [REDACTED] property owner. [REDACTED] Contact [REDACTED] [REDACTED]. Made contact with [REDACTED] on Nov. 22 @ 1650hrs. Requested to update new business license pic in ad. [REDACTED] is a full time and present resident who manages the rental and her [REDACTED] owns the house and lives in Port Alberni.
- 12) Identified by B/O upon site visit on Nov. 22, 2017 at approx. 1000hrs. [REDACTED]. [REDACTED]. Called number Nov 22 @ 1600hrs, male answered, stated wrong number when I asked for [REDACTED] and hung up. B/O drove by at approximately 0915hrs on Nov 27 and observed a grey Hyundai in the driveway. B/O ASHTON made contact with the people who stated that they were renting the place for the weekend. B/O ASHTON asked for the hosts contact information and was provided a cell phone # of [REDACTED] B/O will be following up with host/owner re: business licensing. This property is a whole home rental and will not qualify. [REDACTED] contacted B/O @ approximately 1030hrs on Nov 27 and had a conversation about licensing and zoning.
- 13) [REDACTED] non-compliant -no business license, has stove, already on my radar working on this one shortly. Also owns neighbouring property [REDACTED] [REDACTED] Card left at [REDACTED] with male
- 14) La Mer Inn. This was the one inspected on Friday. Was previously licensed and this particular unit is a compliant unit. The owner was asked to remove toaster oven to conform with B&B definitions. Business license application submitted.
- 15) [REDACTED] Has place on [REDACTED] as well, unlicensed. Will go by this residence to see if I can make contact with the owner as she does not reside at Rupert. [REDACTED]
- 16) [REDACTED] non-compliant (stove) and no business license. Already on my radar. Left card, no number on file. Driven by several times, no sign of activity.
- 17) Part of "The cabins resort". Go Cabins is licensed
- 18) Jeff and Naomi Swann's property located at 1183 Helen Rd. No business license. Were given time (14 days) to apply, Bylaw showed up to issue \$1,050 in fines for 2 unlicensed properties. Swanns agreed to come in apply for licenses. Cygnet Cove at [REDACTED] complies. This property on Helen is not allowed. Will need to be LTR or rezoning. Several complaints about

this. Prominent family in town, Jeff is the former 3 time posting (unheard of) Ucluelet RCMP Detachment Commander and several people are getting upset about this and think that he is being favored, not the case as you can see. Business License apps being reviewed

- 19) As mentioned with [REDACTED], on radar already. [REDACTED] doesn't care about rules

- 20) 317 Kimoto, Arbutus Guest house, zoned VR1, owned by the school principal, Michael Rhodes and his wife Jennifer. Also operate the Ucluelet Guest House (1183 Helen) in conjunction with the Swanns, this one is another that people are complaining of "preferential treatment". We are just not there yet, but on my radar to deal with. Met with Jennifer on Nov. 20th at approximately 1400hrs do discuss not renting her whole home upper floor. Will follow up with email.



TUESDAY, APRIL 3, 2018

FOLIO FILE: 4010-20

To: Mr. Jeffery Swann
Mrs. Naomie Swann
[REDACTED]
Ucluelet, B.C.
VOR-3A0

Dear Sir/Madam:

Re: 1183 Helen Rd., Ucluelet, B.C.

I am writing on behalf of the District of Ucluelet to notify you that the District will prosecute any illegal nightly or weekly rental of your entire residence that contravenes the District of Ucluelet Zoning Bylaw No. 1160, 2013. It has been noted that you are renting or permitting your entire residence to be rented on a nightly or weekly basis, and you are hereby ordered to cease and desist such activity immediately.

Please be advised, that the District of Ucluelet's Bylaw Services Officer will be monitoring compliance. It should be noted that the penalty for a first-time offence is \$200, second and subsequent offences is \$400. In order to prevent being issued fines, it is suggested that you cancel all future bookings and cease operation. Further to this you would be operating in contravention of your District of Ucluelet Business License, which you have applied for, and subsequently may be denied.

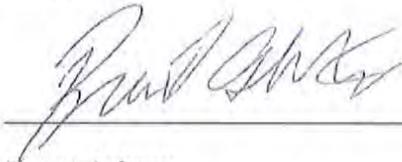
By way of background, your residence falls into the R1 Zoning, which does not include the weekly or nightly rentals of a whole home as a permitted land use. Any rentals must be secondary to the primary usage as a "single family dwelling". The Zoning Bylaw is unambiguous in this regard.

Thank you in advance for your immediate compliance with the Zoning Bylaw. Please note that this letter hereby serves as notice that each and every alleged contravention of the bylaw, including each night that your residence is illegally rented, may be prosecuted by the District of Ucluelet as a separate and distinct contravention of the bylaw. Upon

conviction, the relief sought by the District of Ucluelet from the Court will include fines, costs, prohibitive Orders, and other relief that the Court may deem fit.

Should you have any questions please contact the District of Ucluelet Bylaw Services Officer by phone 250-726-7744, or by email bylaw@ucluelet.ca.

Sincerely,



Brent Ashton
Bylaw Services Officer

cc. Bruce Greig, Manager of Community Planning
Mark Boysen, Chief Administrative Officer
John Towgood, Planner



TUESDAY, APRIL 3, 2018

FOLIO FILE: 4010-20

To: Mr. Jeffery Swann
Mrs. Naomie Swann
[REDACTED]
Ucluelet, B.C.
VOR-3A0

Dear Sir/Madam:

Re: 1260 Sunset Point Rd., Ucluelet, B.C.

I am writing on behalf of the District of Ucluelet to notify you that the District will prosecute any illegal nightly or weekly rental of your entire residence that contravenes the District of Ucluelet Zoning Bylaw No. 1160, 2013. It has been noted that you are renting or permitting your entire residence to be rented on a nightly or weekly basis, and you are hereby ordered to cease and desist such activity immediately.

Please be advised, that the District of Ucluelet's Bylaw Services Officer will be monitoring compliance. It should be noted that the penalty for a first-time offence is \$200, second and subsequent offences is \$400. In order to prevent being issued fines, it is suggested that you cancel all future bookings and cease operation. Further to this you would be operating in contravention of your District of Ucluelet Business License, which carries a fine of \$100, per day of operation, as well it may cause your license to be suspended or revoked.

By way of background, your residence falls into the Comprehensive Development Zone CD2A which does not include the weekly or nightly rentals of a whole home as a permitted land use. Please also note the "offering of use of a full kitchen" for your suites is not a permitted use, as part of a B&B operation. Any rentals must be secondary to the primary usage as a "single family dwelling". The Zoning Bylaw is unambiguous in this regard.

Thank you in advance for your immediate compliance with the Zoning Bylaw. Please note that this letter hereby serves as notice that each and every alleged contravention of the bylaw, including each night that your residence is illegally rented, may be prosecuted by the District of Ucluelet as a separate and distinct contravention of the bylaw. Upon

www.ucluelet.ca
District of Ucluelet

conviction, the relief sought by the District of Ucluelet from the Court will include fines, costs, prohibitive Orders, and other relief that the Court may deem fit.

Should you have any questions please contact the District of Ucluelet Bylaw Services Officer by phone 250-726-7744, or by email bylaw@ucluelet.ca.

Sincerely,



Brent Ashton
Bylaw Services Officer

cc. Bruce Greig, Manager of Community Planning
Mark Boysen, Chief Administrative Officer
John Towgood, Planner

Bruce Greig

From: Brent Ashton
Sent: January 15, 2019 4:03 PM
To: Bruce Greig
Cc: Mark Boysen
Subject: Re: 1183 Helen entire house
Attachments: VRBO price calendar 2.png; ad1.png; ad2.png; ad3.png; review1.png

Swanns have other property booked at \$602/night USD, or \$798.40 CAD plus \$94 USD cleaning fee or \$124.67 CAD. In attachment review 1 you can see after I told them last time they had to make alternate arrangements for their guests. Calendar was last updated Jan 10, 2019 -Brent

5 Bedroom and 4 Bathroom Home with a private Hot Tub situated right on the Ocean

Overview Amenities Reviews Map Rates & Availability

House - 2000 sq. ft.
 Sleeps: 12
 Bedrooms: 5
 Bathrooms: 4
 Min Stay: 3 nights

Hot Tub No Smoking Internet

Our vacation property is situated on the Ocean, facing into the Ucluelet Harbour

Ucluelet Guest Suites is a friendly waterfront home in Ucluelet on the west coast of Vancouver Island, BC. We are near to Tofino, the Wild Pacific Trail, Pacific Rim National Park, the Broken Group Islands, and Long Beach.

As part of the rental, we have three separate Suites on the lower level that are all self-contained giving you and your group lots of privacy. There are two more bedrooms on the main floor, all of which is yours to enjoy in privacy.

Here are some more details about our home and the location for you to consider and to further enjoy the west coast in comfort. Our home is surrounded by old growth cedar trees, with bald eagles flying overhead and the scenic harbour right outside your door.

We are known as a friendly seaside retreat, an enjoyable accommodation for guests of all interests. Ideal lodging for kayakers who can launch their boats right from our doorstep or bird watchers who wish to relax on the patio and observe the many shorebirds in the harbour. Hikers may explore the nearby Wild Pacific Trail, and the beaches and trails of Pacific Rim National Park. Surfers enjoy the popular surf beaches in the National Park and Tofino, only 15- 30 minutes drive from our Bed and Breakfast. Our friendly staff are able to provide guests with information on any of the local sights, activities and festivals.

Our home was built in 2005 on over an acre of waterfront property in Ucluelet Harbour. It is surrounded by old growth cedar trees. Stories are told about Emily Carr visiting this place, rowing her boat across the harbour from the First Nations reserve and walking over to the nearby Amphitrite Lighthouse. The beach in front of our house is a clam garden which is very interesting historically but also a fun thing to watch at low tide with the clams squirting water up through little holes in the sand like fountains. Hours of entertainment, the children love it!

\$603 avg/night
 4 Reviews

Enter dates for accurate pricing

Check In Check Out

Guests

Request to Book

Naomie Swann
 Ask Owner a Question

For booking assistance, call VRBO at 888-640-7927
 Property # 915575

See Deals
 Expedia.ca
 *Terms apply

Prices just for you
 UP TO 50% OFF select hotels*

3:43 PM 15/07/2019

Taskbar icons: Start, Internet Explorer, Google Chrome, Microsoft Word, Microsoft Excel, Outlook, HomeAway VRBO, 5 Bedroom and 4 Bathroom Home with a private Hot Tub situated right on the Ocean, HomeAway.com, Inc. [US] | https://www.vrbo.com/915575

5 Bedroom and 4 Bathroom Home - HomeAway.com, Inc. [US] | https://www.vrbo.com/915575

Overview Amenities Reviews Map Rates & Availability

View less

Bedrooms 5 Bedrooms Sleeps 12

Emily Carr room king - twin/ single	Vickers Room queen
Marla Thirsk Room queen - double	Bedroom 4 queen
Bedroom 5 queen	

Owner **Naomie Swann**
Member Since 2016 [Ask Owner a Question](#)

\$603 avg/night
★★★★★ 4 Reviews

[Enter dates for accurate pricing.](#)

[Check In](#) [Check Out](#)

[Guests](#)

[Request to Book](#)

[Naomie Swann](#)
Ask Owner a Question

For booking assistance, call VRBO at 888-640-7927
Property # 915575

Taskbar: 3:46 PM 15 Oct 2016

\$603 avg/night
★★★★★ 4 Reviews

Enter dates for accurate pricing.

Check In Check Out

Guests

Request to Book

Naomie Swann
Ask Owner a Question

For booking assistance, call VRBO at 888-640-7927
Property # 915575

1 - 4 of 4

Beautiful surroundings, very responsive host

3/5 ★★★★★ Stayed Jun 2018

Terri S.

My experience at the house is somewhat mixed. We had a large group staying for the weekend.

Pros: Naomie was a wonderful hostess, extremely responsive via text and VRBO chat, very nice. She reimbursed us partially for the rooms unexpectedly lost for the stay and brought peddle boards and a high chair to the house upon request. She also let us check in 1 hour early. Nesting eagles and deer in the backyard made the location quite magical. Kayak tours next door and a private access to the beach. New and fantastic BBQ with a beautiful outdoor patio and plenty of space for kids/dogs to run. Rooms were each well equipped with fridge and private TV/bathroom for privacy and comfort.

Com: about 2 months prior to arrival, she informed us that the upstairs living area/kitchen and master bedroom would be lost. We did not have enough time to rebook another house, and as a result, didn't have enough beds for all of our party. Although this was partially compensated, it did color our stay. Additionally, the hot tub seemed a bit under chlorinated/ dirty, and the pull out couch sheets had not been cleaned (likely forgotten)

Overall we had a good stay made possible by a gracious host and beautiful surroundings. The last minute changes were unfortunate because it would otherwise have been absolutely perfect.

Submitted Jul 8, 2018

Great property with beautiful location. Great for a extended family of 17.

4/5 ★★★★★ Stayed Mar 2018

Brent S.

Extended family of 17. Kitchen was perfect size for family get togethers.

Submitted Mar 24, 2018

\$603 avg/night
 ★★★★★ 4 Reviews

Enter dates for accurate pricing

Check In Check Out

Guests

Request to Book


 Naomie Swann
 Ask Owner a Question

For booking assistance, call VRBO at 888-640-7927
 Property # 915575

Overview Amenities Reviews Map Rates & Availability

June 2019

Su	Mo	Tu	We	Th	Fr	Sa
						1 \$602
						2 \$602
						3 \$602
						4 \$602
						5 \$602
						6 \$602
						7 \$602
						8 \$602
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August 2019

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						30 \$602
						31 \$602

Bruce Greig

From: Brent Ashton
Sent: August 1, 2020 3:54 PM
To: Bruce Greig
Subject: Re: bylaw check in/update July 30/31

I don't, but I do have an rcmp file number documenting the situation. I will place the call. Perhaps we should look into suspending the business license or other means on our end.

Sent from my iPhone

On Aug 1, 2020, at 3:50 PM, Bruce Greig <bgreig@ucluelet.ca> wrote:

Hi Brent;

re: Swanns/Rhodes - if they have more than 5 people attending a gathering at a vacation rental it's now an offence under the latest provincial health order.

<https://www2.gov.bc.ca/assets/gov/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/covid-19/covid-19-pho-order-gatherings-events.pdf>

Please contact the province's support line to describe the situation (do you have any photos of the gathering?), pass on the owners' details and ask how we can assist them in following up. It may be something that should involve the RCMP (I think they can break it up and fine the owners under the Public Health Act). I sincerely hope the province takes this seriously, and is ready to set some examples.

Bruce Greig

Manager of Community Planning
 District of Ucluelet

On Aug 1, 2020, at 11:32 AM, Brent Ashton <bashton@ucluelet.ca> wrote:

Thursday:

Not too busy, beaches quiet for the most part. Beach patrol of Big Beach with RCMP at 1230 and nobody down there.

Lots of vehicle campers:

- 1 x Westfalia at lighthouse
- 1 x van on Victoria
- 1 x van on Peninsula
- 1 x motorhome in front of Ron Jancos place
- 1 x motorhome on Peninsula
- 1 x truck at Big Beach
- 1 x van at Tugwell

There were a few others that I just can't recall

Friday:

Was a busy day. Complaints started coming in throughout the day and the night just proved to be busy.

-dealing with abandoned mini van (confirmed abandoned at back of campground)

-dealt with multiple campers
 -1 x Marine Dr.
 -2 x Sea Wall in front of office
 -2 x out front of campground
 -2 x Lefevres vacant lot next to Black Rock
 As well as a few others I can't recall

Big Beach saw...Big gatherings
 Conducted beach patrol with RCMP around midnight.
 -3 x fires
 -1 group had 5 ppl. Everyone highly intoxicated to the point where the RCMP had to read them the "riot act". In fact as we showed up the one couple was getting into a domestic, and were leaving as we arrived. The other 3 guys were rude, obnoxious, had a mess of empties. They didn't extinguish the large fire, so I had to go retrieve the portable water pack and extinguish.

-the other group was multiple families gathering for a Luau. There was a portable fire pit, bbq's and probably 30 ppl as several people had left earlier and some were leaving as we arrived. When we did go down there, there was still approximately 15-20 ppl that we're packing up and 5 vehicles associated. They were celebrating a daughters birthday.

-the last group was on the Black Rock side and there was 20-25 gathering at a large fire. They claimed they were here for a wedding. Not sure where the wedding is at, but definitely some large numbers.

At 1230am attended with RCMP who received a noise complaint about a group at an AirBnb. Attended the Swanns/Rhodes "Ucluelet Guest House" to find 16-20 people gathering and drinking. RCMP spoke to them and asked them to keep it down. When I spoke with the renter and inquired how so many people fit here, he explained they rented 4 suites, 2 up and 2 down. I only have 3 listed down below. So we will have to discuss compliance options.

Residents complaining how busy town is, no restrictions at lodging places on capacities or reduced numbers. I haven't eaten out much, but I also haven't observed restaurants asking for party names/numbers for contact tracing. In fact only one place did in Parksville when I ate out. No physical distancing happening, and nobody seems to care.

<image1.jpeg>

<image2.jpeg>

<image3.jpeg>

Sent from my iPhone

August 8, 2020

5 Bedroom and 4 Bathroom Home with a private Hot Tub situated right on the Ocean

House - 2000 sq. ft.
 Sleeps: 12
 Bedrooms: 5
 Bathrooms

\$598/night
 4.7/5 Excellent (9 Reviews)

Enter dates for accurate pricing

Check In: _____
 Check Out: _____
 Guests: _____

Check Availability

Free cancellation up to 60 days before check-in

Naomie Swann
 Ask owner a question

Property # 515575

Overview Amenities Policies Reviews Map Owner Rates & Availability

Ucluelet, British Columbia, Canada

Check In: _____ Check Out: _____

Check Availability

View all 13 photos

vrbo.com/315575?arrival=2020-08-12&departure=2020-08-22
 3202 2017-02-07, Busine...
 Amenities Policies Reviews Map Owner Rates & Availability
 Overview Amenities Policies Reviews Map Owner Rates & Availability

\$598 per night
 ★★★★★ 9 Reviews
 Excellent 4.7/5

Save Share

Your dates are not available.

Check In Aug-12	Check Out Aug-23
Guests	

Request to Book

Naomie Swann
 Ask owner a question

Property # 315575

Our vacation property is situated on the ocean, facing into the Ucluelet Harbour

Ucluelet Guest Suites is a friendly waterfront home in Ucluelet on the west coast of Vancouver Island, BC. We are near to Tofino, the Wild Pacific Trail, Pacific Rim National Park, the Broken Group islands, and Lone Beach.

As part of the rental, we have three separate Suites on the lower level that are all self-contained giving you and your group lots of privacy. There are two more bedrooms on the main floor, all of which is yours to enjoy in privacy.

Here are some more details about our home and the location for you to consider and to further enjoy the west coast in comfort. Our home is surrounded by old growth cedar trees, with bald eagles flying overhead and the scenic harbour right outside your door.

We are known as a friendly seaside retreat, an enjoyable accommodation for guests of all interests. Ideal lodging for kayakers who can launch their boats right from our doorstep or bird watchers who wish to relax on the patio and observe the many shorebirds in the harbour. Hikers may explore the nearby Wild Pacific Trail, and the beaches and trails of Pacific Rim National Park. Surfers enjoy the popular surf beaches in the National Park and Tofino, only 15-30 minutes drive from our Bed and Breakfast. Our friendly staff are able to provide guests with information on any of the local sights, activities and festivals.

Our home was built in 2005 on over an acre of waterfront property in Ucluelet Harbour. It is surrounded by old growth cedar trees.

Stories are told about Emily Carr visiting this place, rowing her boat across the harbour from the First Nations reserve and walking over to the nearby Amphitrite Lighthouse. The beach in front of our house is a clam garden which is very interesting historically but also a fun thing to watch at low tide with the clams squirting water up through little holes in the sand like fountains. Hours of entertainment, the children love it!

Ucluelet Guest Suites is 100% natural

- * Our in house water filtration system makes the tap water in the rooms clear of chemicals, excess minerals or organics, and delicious to drink straight from the tap. We use a HEPA filtration vacuum when cleaning to ensure clean air in our rooms.
- * Our waterfront hot tub uses a UV light for purification, it is chlorine and bromine free so will not dry your skin. The hot tub features 70 multi-strength jets, a foot massager, four different colour lights and a waterfall.
- * We clean the rooms and wash the laundry with organic products, these are scent-free natural products that are healthier for you. In the rooms we provide Aveda Spa products, nurturing you with natural flower and plant extracts; these are also available in Ucluelet at the Nurture Day Spa.
- * Our home is energy efficient, with an infloor hot water heat system, with heated hardwood floors in the bedrooms and heated tile floors in the bathrooms. This gives the rooms a warm glow and feels very good underfoot.

9:47 PM BNS 2020-08-09



AUGUST 10, 2020

FOLIO FILE: 4010-20

To: Michael and Jennifer Rhodes
 Jeff and Naomie Swann
 Ucluelet Guest House dba Ucluelet Vacations
 1183 Helen Rd.
 Ucluelet, B.C.
 V0R-3A0

Dear Mr. & Mrs. Rhodes and Mr & Mrs. Swann:

Re: Non-compliant Bed & Breakfast, Business License #4990 at 1183 Helen Rd., Ucluelet BC (PID 003271595) Lot 4, Plan VIP22495, Section 21, Clayoquot Land District -Ucluelet Guest House

On August 1st, 2020, at approximately 0005hrs, Ucluelet RCMP and Ucluelet Bylaw attended for a noise complaint located on your property at 1183 Helen Rd. Bylaw met with 19 individuals that were staying on the property. Subsequent investigation revealed that the large group had rented four suites; two up, and two down.

After inspecting your property in August of 2019 and reviewing District files it appears that you are contravention of District of Ucluelet Zoning Bylaw #1160, 2013, Section 404.2, a maximum of 3 B&B rooms for short-term rental use. A review of your online advertising shows that you are renting in excess of the allotment under the bylaw, as well including space(s) that was not declared or authorized under your business license. The short-term rental Bed & Breakfast use is permitted as an accessory use only to the principal single-family residential use, and only when it is **administered by the full-time and present resident of the house.**

Please forward the details of the permanent and present resident, and arrange for a re-inspection of your property within 7 days, with the permanent and present resident present for the inspection.

You are required to remove all online advertising of whole-house vacation rentals by 5pm on August 11, 2020, or face suspension of your business license.

You will be issued two Municipal Tickets. One under the District of Ucluelet Zoning Bylaw #1160, 2013, Sec. 404.2 for "Non-Compliant B&B" in the amount of \$100. The second MTI will be under the District of Ucluelet Noise Control Bylaw #915, 2003, Sec. 2(b) "Noise which disturbs" in the amount of \$100. Please be aware that for the second and each subsequent offence, the fine increases to \$200 each for both of these offences.

Under the Provincial Health Orders (attached) for Vacation Rentals in regards to COVID-19, Section 1, states that, "A maximum of five individuals may attend a social gathering or an event in vacation accommodation, in addition to the occupants". Your business license was issued for three B&B rooms which have occupancy for two people per room. This puts your capacity at 6 guests, plus 5 others for a total of 11. This matter has been referred to the Province for follow up. You are responsible for ensuring that moving forward your business and your guests activities are in compliance with COVID-19 protocols, and follow the directions laid out in the Public Health Orders as issued by Dr. Bonnie Henry.

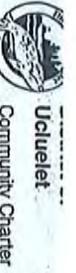
Should you have any questions, please contact the Bylaw Services Officer at the District of Ucluelet office at (250) 726-7744, or by email bylaw@ucluelet.ca

Sincerely,



Brent Ashton
Bylaw Services Officer

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



MUNICIPAL TICKET INFORMATION

000658

ISSUED TO:

SURNAME OR CORPORATE NAME
 Ucluelet Vacations
 GIVEN NAMES (OR CORPORATE NAME CONT'D)
 GENDER M F BIRTHDATE YY MM DD
 YOUNG PERSON

ADDRESS
 1193 Helen
 CITY Ucluelet PROVINCE BC POSTAL CODE V0R 3A0

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED

ON OR ABOUT DATE OF OFFENCE
 20 08 01 AT THE TIME OF 24hr Clock
 HH MM 00 05

AT OR NEAR STREET ADDRESS 1193 Helen Rd. PROVINCE OF BRITISH COLUMBIA
 DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW: DISTRICT OF UCLUELET

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT	FINE AMOUNT IF PAID WITHIN 30 DAYS
Noise which disturbs		2(b)	\$ 100	\$ —

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO GIVE NOTICE OF DISPUTE:

District of Ucluelet
 P.O. Box 999, 200 Main St., Ucluelet, B.C. V0R 3A0
 Tel: (250) 726-7744

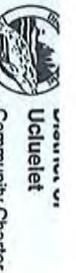
OR DELIVER, HAVE DELIVERED, OR MAIL, A NOTICE OF DISPUTE TO THE ABOVE ADDRESS AS DESCRIBED ON THE REVERSE. THE FINE AMOUNT MAY BE PAID IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

AT HEARING FOR COURT USE IF TICKET DISPUTED
 CONVICTED DISMISSED
 DATE YY MM DD

BYLAW ENFORCEMENT OFFICER NAME OR NUMBER
 R. ASHTON YY 20 MM 08 DD
 BYLAW ENFORCEMENT OFFICER SIGNATURE

AREAS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED.

IF THE FINE IS NOT PAID OR THE ALLEGATION CONTAINED IN THIS TICKET IS NOT DISPUTED (SEE REVERSE) WITHIN 14 DAYS FROM THE DATE OF SERVICE OF THIS TICKET, YOU WILL BE DEEMED TO HAVE PLEADED GUILTY TO THE OFFENCE CHARGED AND THE FINE AMOUNT WILL BE IMMEDIATELY PAYABLE.
ALLEGED OFFENDER'S COPY



MUNICIPAL TICKET INFORMATION

000657

ISSUED TO:

SURNAME OR CORPORATE NAME
 Ucluelet Vacations
 GIVEN NAMES (OR CORPORATE NAME CONT'D)
 GENDER M F BIRTHDATE YY MM DD
 YOUNG PERSON

ADDRESS
 1193 Helen Rd.
 CITY Ucluelet PROVINCE BC POSTAL CODE V0R 3A0

THE BYLAW ENFORCEMENT OFFICER SAYS THAT HE OR SHE HAS REASONABLE AND PROBABLE GROUNDS TO BELIEVE, AND DOES BELIEVE, THAT THE ABOVE NAMED

ON OR ABOUT DATE OF OFFENCE
 20 08 01 AT THE TIME OF 24hr Clock
 HH MM 00 05

AT OR NEAR STREET ADDRESS 1193 Helen Rd. PROVINCE OF BRITISH COLUMBIA
 DID COMMIT THE OFFENCE INDICATED, UNDER THE FOLLOWING BYLAW: DISTRICT OF UCLUELET

DESCRIPTION OF OFFENCE	USE FOR ONE OFFENCE ONLY	SECTION	FINE AMOUNT	FINE AMOUNT IF PAID WITHIN 30 DAYS
No. - Compliant B&B		4042	\$ 100	\$ —

IF YOU WISH TO DISPUTE THE ALLEGATION CONTAINED IN THIS TICKET, YOU MAY APPEAR AT THE FOLLOWING LOCATION TO GIVE NOTICE OF DISPUTE:

District of Ucluelet
 P.O. Box 999, 200 Main St., Ucluelet, B.C. V0R 3A0
 Tel: (250) 726-7744

OR DELIVER, HAVE DELIVERED, OR MAIL, A NOTICE OF DISPUTE TO THE ABOVE ADDRESS AS DESCRIBED ON THE REVERSE. THE FINE AMOUNT MAY BE PAID IN ACCORDANCE WITH THE PRESCRIBED INSTRUCTIONS (SEE REVERSE).

AT HEARING FOR COURT USE IF TICKET DISPUTED
 CONVICTED DISMISSED
 DATE YY MM DD

BYLAW ENFORCEMENT OFFICER NAME OR NUMBER
 R. ASHTON YY 20 MM 08 DD
 BYLAW ENFORCEMENT OFFICER SIGNATURE

AREAS OF THIS TICKET OUTLINED IN BOLD BLACK ARE NOT PART OF THE OFFENCE CHARGED.

IF THE FINE IS NOT PAID OR THE ALLEGATION CONTAINED IN THIS TICKET IS NOT DISPUTED (SEE REVERSE) WITHIN 14 DAYS FROM THE DATE OF SERVICE OF THIS TICKET, YOU WILL BE DEEMED TO HAVE PLEADED GUILTY TO THE OFFENCE CHARGED AND THE FINE AMOUNT WILL BE IMMEDIATELY PAYABLE.
ALLEGED OFFENDER'S COPY



ORDER OF THE PROVINCIAL HEALTH OFFICER

GATHERINGS AND EVENTS

(Pursuant to Sections 30, 31, 32 and 39 (3) *Public Health Act*, S.B.C. 2008)

The *Public Health Act* is at:

<http://www.bclaws.ca/civix/content/complete/statreg/08028/?xsl=/templates/browse.xsl>

(excerpts enclosed)

TO: OWNERS AND OPERATORS OF PLACES AND PERSONS WHO ORGANIZE OR ATTEND EVENTS AT VACATION ACCOMODATION OR OTHER PLACES

WHEREAS:

1. On March 17, 2020 I provided notice under section 52 (2) of the *Public Health Act* that the transmission of the infectious agent SARS-CoV-2, which has caused cases and outbreaks of a serious communicable disease known as COVID-19 among the population of the Province of British Columbia, constitutes a regional event as defined in section 51 of the *Public Health Act*;
2. The SARS-CoV-2 virus, an infectious agent, can cause outbreaks of COVID-19;
3. A person infected with SARS-CoV-2 can infect other people with whom the infected person is in direct contact, through droplets in the air, or from fluid containing SARS-CoV-2 left on surfaces;
4. The gathering together of people indoors or outdoors for the purpose of attending an event can promote the transmission of SARS-CoV-2 and increase the number of people who develop COVID-19;
5. For certainty, this Order does not apply to workers at a worksite when engaged in their work activities, workers living at a work camp; students, teachers or instructors at a school or post-secondary educational institution when engaged in educational activities; customers in a mall or retail establishment when engaged in shopping activities or seeking services; individuals attending an episodic vending market; individuals in a recreation centre, campground or any other place when not attending an event or to premises subject to the

Restaurants, Coffee Shops, Cafes, Cafeterias and Licensed Premises, including Pubs, Bars, Lounges, Nightclubs and Tasting Rooms Order.

6. For further certainty, this Order applies to meetings or conferences held in hotels or anywhere else.
7. I have reason to believe and do believe that
 - (i) the risk of an outbreak of COVID-19 among the public constitutes a health hazard under the *Public Health Act*;
 - (ii) because the risk of outbreaks resulting from the gathering of people and attendance at events extends beyond the authority of one or more medical health officers and coordinated action is needed to protect the public from contracting COVID-19, it is in the public interest for me to exercise the powers in sections 30, 31, 32 and 39(3) of the *Public Health Act* **TO ORDER** as follows:

THIS ORDER REPEALS AND REPLACES MY ORDER OF JULY 27, 2020 WITH RESPECT TO GATHERINGS AND EVENTS

Definitions in this Order:

“**event**” refers to anything which gathers people together whether on a one-time, regular or irregular basis, including a party, worship service, ceremony or celebration of any type, reception, wedding, funeral, celebration of life, musical, theatrical or dance entertainment or performance, live band performance, disc jockey performance, strip dancing, comedic act, art show, magic show, puppet show, fashion show, book signing, reading, recitation, display, movie, film; meeting, conference, lecture, talk, educational presentation (except in a school or post-secondary educational institution); auction, fund raising benefit, contest, quiz, game, rally, festival, presentation, demonstration, or sporting or other physical activity, exhibition and fair;

“**organizer**” means the person responsible for organizing an event and the person who acts as host at an event;

“**owner**” includes an occupier or operator or person otherwise responsible for a place;

“**patron**” means an individual who attends an event but does not include staff;

“**physical barrier**” means a barrier which is designed, installed and maintained in accordance with WorksafeBC guidelines;

“**a place**” may be inside or outside, and does not include vacation accommodation;

“**vacation accommodation**” means a house, townhouse, cottage, cabin, apartment, condominium, mobile home, recreational vehicle, hotel suite, tent, yurt, houseboat or any other type of living accommodation and associated deck, garden or yard, when used for vacation purposes by the owner, tenant, guest or any other person;

1. A maximum of five individuals may attend a social gathering or an event in vacation accommodation, in addition to the occupants.
2. The owner of vacation accommodation must require any tenant, guest or other person using or occupying the vacation accommodation to comply with the requirement in section 1.
3. Subject to section 8, the gathering of more than fifty patrons at a place for the purpose of an event is prohibited.
4. An owner or operator of a place may permit up to fifty patrons to attend an event in a place if the following conditions are met:
 - a. there is an organizer of the event;
 - b. if the organizer is not the owner or operator of the place the organizer must provide the owner or operator with the first and last names and telephone number, or email address, of the patrons who attend the event;
 - c. access to the event is controlled;
 - d. the number of patrons is closely monitored;
 - e. there is sufficient space available to permit the patrons to maintain a distance of two metres from one another;
 - f. the patrons maintain a distance of two metres from one another when standing or sitting, unless they belong to the same party;
 - g. if there are tables provided for the use of patrons, no more than six patrons sit at a table, even if they belong to the same party, and there are at least two metres between the backs of the chairs at one table and the backs of the chairs at another table, unless the chairs are separated by a physical barrier;
 - h. if live performance is provided, or there is a presenter or a presider, a physical barrier must be installed between the performer, presenter or presider and the patrons which blocks the transmission of droplets from the performer, presenter or presider, or there must be at least a three metre separation between the performer, presenter or the presider and the patrons.

- i. hand sanitation supplies are readily available to patrons;
 - j. there are washroom facilities available with running water, soap and a sanitary means for drying hands for hand washing purposes or hand sanitation supplies.
5. The organizer must ensure that the conditions in section 4 are met.
6. The organizer must
- a. collect the first and last names and telephone number, or email address, of every patron who attends an event or of every driver of a vehicle present at a drive-in event; and
 - b. retain this information for thirty days, in case there is a need for contact tracing on the part of the medical health officer, in which case the information must be provided to the medical health officer.
7. If the organizer is not the owner or operator, the owner or operator must
- a. satisfy themselves that the organizer is aware of the requirements in sections 4, 5 and 6 and, if applicable, section 8, and has the capacity to fulfill them, and
 - b. retain the names of and contact information for the patrons provided by the organizer for thirty days, in case there is a need for contact tracing on the part of the medical health officer, in which case the information must be provided to the medical health officer.
8. If the event is a drive in, the owner or operator may permit more than fifty patrons to be present, if the following conditions, as well as the conditions in section 4, are met:
- a. patrons only attend in a vehicle;
 - b. no more than fifty vehicles are present at the drive in;
 - c. patrons are informed that they must stay in their vehicles except to use washroom facilities, and when outside their vehicles they must maintain a distance of two metres from other patrons, and this is monitored;
 - d. no food or drink is sold.

This Order does not have an expiration date.

You are required under section 42 of the *Public Health Act* to comply with this Order. Failure to comply with this Order is an offence under section 99 (1) (k) of the *Public Health Act*.

Under section 43 of the *Public Health Act*, you may request me to reconsider this Order if you:

1. Have additional relevant information that was not reasonably available to me when this Order was issued,
2. Have a proposal that was not presented to me when this Order was issued but, if implemented, would
 - (a) meet the objective of the order, and
 - (b) be suitable as the basis of a written agreement under section 38 [may make written agreements]
3. Require more time to comply with the order.

Under section 43 (6) an Order is not suspended during the period of reconsideration unless the health officer agrees, in writing, to suspend it.

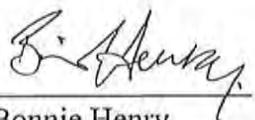
If you fail to comply with this Order, I have the authority to take enforcement action against you under Part 4, Division 6 of the *Public Health Act*.

You may contact me at:

Dr. Bonnie Henry, Provincial Health Officer
 4th Floor, 1515 Blanshard Street
 PO Box 9648 STN PROV GOVT, Victoria BC V8W 9P4
 Fax: (250) 952-1570

DATED THIS: 7 day of August 2020

SIGNED:


 Bonnie Henry
 MD, MPH, FRCPC
 Provincial Health Officer

DELIVERY BY: Posting to the BC Government website, the BC Centre for Disease Control website and by email.

Enclosure: Excerpts of *Public Health Act*

ENCLOSUREExcerpts of the *PUBLIC HEALTH ACT*Public Health Act [SBC 2008] c. 28**Definitions**

1 In this Act:

"health hazard" means

- (a) a condition, a thing or an activity that
 - (i) endangers, or is likely to endanger, public health, or
 - (ii) interferes, or is likely to interfere, with the suppression of infectious agents or hazardous agents, or
- (b) a prescribed condition, thing or activity, including a prescribed condition, thing or activity that
 - (i) is associated with injury or illness, or
 - (ii) fails to meet a prescribed standard in relation to health, injury or illness;

When orders respecting health hazards and contraventions may be made

30 (1) A health officer may issue an order under this Division only if the health officer reasonably believes that

- (a) a health hazard exists,
- (b) a condition, a thing or an activity presents a significant risk of causing a health hazard,
- (c) a person has contravened a provision of the Act or a regulation made under it, or

(d) a person has contravened a term or condition of a licence or permit held by the person under this Act.

(2) For greater certainty, subsection (1) (a) to (c) applies even if the person subject to the order is complying with all terms and conditions of a licence, a permit, an approval or another authorization issued under this or any other enactment.

General powers respecting health hazards and contraventions

31 (1) If the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, a health officer may order a person to do anything that the health officer reasonably believes is necessary for any of the following purposes:

- (a) to determine whether a health hazard exists;
- (b) to prevent or stop a health hazard, or mitigate the harm or prevent further harm from a health hazard;
- (c) to bring the person into compliance with the Act or a regulation made under it;
- (d) to bring the person into compliance with a term or condition of a licence or permit held by that person under this Act.

(2) A health officer may issue an order under subsection (1) to any of the following persons:

- (a) a person whose action or omission
 - (i) is causing or has caused a health hazard, or
 - (ii) is not in compliance with the Act or a regulation made under it, or a term or condition of the person's licence or permit;
- (b) a person who has custody or control of a thing, or control of a condition, that
 - (i) is a health hazard or is causing or has caused a health hazard, or

(ii) is not in compliance with the Act or a regulation made under it, or a term or condition of the person's licence or permit;

(c) the owner or occupier of a place where

(i) a health hazard is located, or

(ii) an activity is occurring that is not in compliance with the Act or a regulation made under it, or a term or condition of the licence or permit of the person doing the activity.

Specific powers respecting health hazards and contraventions

32 (1) An order may be made under this section only

(a) if the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, and

(b) for the purposes set out in section 31 (1) [*general powers respecting health hazards and contraventions*].

(2) Without limiting section 31, a health officer may order a person to do one or more of the following:

(a) have a thing examined, disinfected, decontaminated, altered or destroyed, including

(i) by a specified person, or under the supervision or instructions of a specified person,

(ii) moving the thing to a specified place, and

(iii) taking samples of the thing, or permitting samples of the thing to be taken;

(b) in respect of a place,

(i) leave the place,

(ii) not enter the place,

- (iii) do specific work, including removing or altering things found in the place, and altering or locking the place to restrict or prevent entry to the place,
 - (iv) neither deal with a thing in or on the place nor dispose of a thing from the place, or deal with or dispose of the thing only in accordance with a specified procedure, and
 - (v) if the person has control of the place, assist in evacuating the place or examining persons found in the place, or taking preventive measures in respect of the place or persons found in the place;
- (c) stop operating, or not operate, a thing;
- (d) keep a thing in a specified place or in accordance with a specified procedure;
- (e) prevent persons from accessing a thing;
- (f) not dispose of, alter or destroy a thing, or dispose of, alter or destroy a thing only in accordance with a specified procedure;
- (g) provide to the health officer or a specified person information, records, samples or other matters relevant to a thing's possible infection with an infectious agent or contamination with a hazardous agent, including information respecting persons who may have been exposed to an infectious agent or hazardous agent by the thing;
- (h) wear a type of clothing or personal protective equipment, or change, remove or alter clothing or personal protective equipment, to protect the health and safety of persons;
- (i) use a type of equipment or implement a process, or remove equipment or alter equipment or processes, to protect the health and safety of persons;
- (j) provide evidence of complying with the order, including

(i) getting a certificate of compliance from a medical practitioner, nurse practitioner or specified person, and

(ii) providing to a health officer any relevant record;

(k) take a prescribed action.

(3) If a health officer orders a thing to be destroyed, the health officer must give the person having custody or control of the thing reasonable time to request reconsideration and review of the order under sections 43 and 44 unless

(a) the person consents in writing to the destruction of the thing, or

(b) Part 5 [*Emergency Powers*] applies.

May make written agreements

38 (1) If the health officer reasonably believes that it would be sufficient for the protection of public health and, if applicable, would bring a person into compliance with this Act or the regulations made under it, or a term or condition of a licence or permit held by the person under this Act, a health officer may do one or both of the following:

(a) instead of making an order under Division 1, 3 or 4, enter into a written agreement with a person, under which the person agrees to do one or more things;

(b) order a person to do one or more things that a person has agreed under paragraph (a) to do, regardless of whether those things could otherwise have been the subject of an order under Division 1, 3 or 4.

(2) If, under the terms of an agreement under subsection (1), a health officer conducts one or more inspections, the health officer may use information resulting from the inspection as the basis of an order under this Act, but must not use the information as the basis on which to

(a) levy an administrative penalty under this Act, or

(b) charge a person with an offence under this Act.

Contents of orders

39 (3) An order may be made in respect of a class of persons.

Duty to comply with orders

42 (1) A person named or described in an order made under this Part must comply with the order.

(2) Subsection (1) applies regardless of whether the person leaves the geographic area for which the health officer who made the order is designated.

Reconsideration of orders

43 (1) A person affected by an order, or the variance of an order, may request the health officer who issued the order or made the variance to reconsider the order or variance if the person

(a) has additional relevant information that was not reasonably available to the health officer when the order was issued or varied,

(b) has a proposal that was not presented to the health officer when the order was issued or varied but, if implemented, would

(i) meet the objective of the order, and

(ii) be suitable as the basis of a written agreement under section 38 [*may make written agreements*], or

(c) requires more time to comply with the order.

(2) A request for reconsideration must be made in the form required by the health officer.

(3) After considering a request for reconsideration, a health officer may do one or more of the following:

(a) reject the request on the basis that the information submitted in support of the request

(i) is not relevant, or

(ii) was reasonably available at the time the order was issued;

(b) delay the date the order is to take effect or suspend the order, if satisfied that doing so would not be detrimental to public health;

(c) confirm, rescind or vary the order.

(4) A health officer must provide written reasons for a decision to reject the request under subsection (3) (a) or to confirm or vary the order under subsection (3) (c).

(5) Following a decision made under subsection (3) (a) or (c), no further request for reconsideration may be made.

(6) An order is not suspended during the period of reconsideration unless the health officer agrees, in writing, to suspend it.

(7) For the purposes of this section,

(a) if an order is made that affects a class of persons, a request for reconsideration may be made by one person on behalf of the class, and

(b) if multiple orders are made that affect a class of persons, or address related matters or issues, a health officer may reconsider the orders separately or together.

(8) If a health officer is unable or unavailable to reconsider an order he or she made, a similarly designated health officer may act under this section in respect of the order as if the similarly designated health officer were reconsidering an order that he or she made.

Review of orders

44 (1) A person affected by an order may request a review of the order under this section only after a reconsideration has been made under section 43 [*reconsideration of orders*].

- (2) A request for a review may be made,
- (a) in the case of an order made by a medical health officer, to the provincial health officer, or
 - (b) in the case of an order made by an environmental health officer, to a medical health officer having authority in the geographic area for which the environmental health officer is designated.
- (3) If a review is requested, the review is to be based on the record.
- (4) If a review is requested, the reviewer may do one or more of the following:
- (a) delay the date the order is to take effect or suspend the order, if satisfied that doing so would not be detrimental to public health;
 - (b) confirm, vary or rescind the order;
 - (c) refer the matter back to the person who made the order, with or without directions.
- (5) A reviewer must provide written reasons for an action taken under subsection (4) (b) or (c), and a person may not request further review of an order.

Offences

99 (1) A person who contravenes any of the following provisions commits an offence:

...

(k) section 42 [*failure to comply with an order of a health officer*], except in respect of an order made under section 29 (2) (e) to (g) [*orders respecting examinations, diagnostic examinations or preventive measures*];

Bruce Greig

From: Bruce Greig
Sent: September 21, 2020 11:54 AM
To: Naomie Swann
Cc: info@uclueletguesthouse.ca; Arbutus Guest Suite Information; Nicholas Henderson; John Towgood; Mark Boysen; Brent Ashton
Subject: RE: Ucluelet Guest House dba Ucluelet Vacations

Hi Jeff;

I can confirm that the last-minute cancellation on Friday was due to an unforeseen situation.

I appreciate the desire to have the house free of guests when we meet on site; please confirm that you are suggesting a meeting on Saturday, October 10th. It is a bit surprising to hear that none of your rooms are booked for the Saturday of a long weekend. Please also confirm your availability to meet at 9:00am – if you would prefer to meet later that morning, please let us know what time will work for you.

Please provide the name and contact information for the permanent resident of 1183 Helen Road who is responsible for administering the operation of the B&B business. As stated in the letter from the Bylaw Officer dated August 10, 2020, it is important that the permanent resident administrator of the business be available for the site inspection as well.

The business licence and zoning bylaw permit up to 3 Bed and Breakfast rooms. You have been advertising four rental suites, contrary to your licence and the zoning regulations. The purpose of the inspection is to confirm the number of suites in the house, conformance with the approved building plans, and the current use of the building.

Please don't hesitate to contact me if you have any questions.

Bruce



Bruce Greig
 Manager of Community Planning
District of Ucluelet
 200 Main Street, Ucluelet, B.C. V0R 3A0
 Phone: 250-726-7744

From: Naomie Swann <swanns@telus.net>
Sent: September 19, 2020 3:29 PM
To: Brent Ashton <bashton@ucluelet.ca>
Cc: info@uclueletguesthouse.ca; Arbutus Guest Suite Information <contact@arbutusguestsuite.com>; Bruce Greig <bgreig@ucluelet.ca>; Nicholas Henderson <nhenderson@ucluelet.ca>; John Towgood <JTowgood@ucluelet.ca>; Mark Boysen <mboysen@ucluelet.ca>
Subject: Re: Ucluelet Guest House dba Ucluelet Vacations

Brent.

Naomie and Jennifer took time out of their hectic day as instructed by you to meet with you and the Building Inspector. When you arrived late, you told them that you could not do the meeting then as the inspector was not available.

I am sure it was not a last minute thing. At any point during the day, you had to have known that the inspection was not going to happen and could have given any one of ya a courtesy call or email. That would have been more than appropriate to do.

The two ladies discussed moving it to a new date. They told you that Monday would not work yet, late Friday afternoon, we get a message saying that's when the meeting is.

Given our schedules, holidays, guests, and with COVID, we are able to make October 10th or 31st work.

It will be Mike Rhodes and I attending this next meeting. Given the current COVID pandemic, we want to ensure that no one enters the property when we have guests present. Those two dates are now blocked off in our calendar to ensure they remain vacant for your inspection.

Our lawyer has asked us to ask a couple questions. We have asked and have yet to receive a response to this question:

Please advise what the purpose is of bringing a Building Inspector by the house?

Thanks.

Jeff Swann.


On Sep 18, 2020, at 4:02 PM, Brent Ashton <bashton@ucluelet.ca> wrote:

Sorry, I missed the day. Please let me clarify, Monday Sept 21, at 11:30am. Thanks, Brent

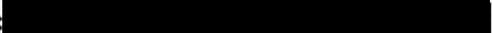
Sent from my iPhone

On Sep 18, 2020, at 3:34 PM, Brent Ashton <bashton@ucluelet.ca> wrote:

Good afternoon, be advised that we have rescheduled the inspection for 1130am as discussed yesterday. Sorry our building inspector was unavailable yesterday and it was short notice. We will need access to the upper and lower portions of the residence. Please inform your tenant(s) of this. Please confirm receipt of this email, as I did not receive one last time. Thanks, Brent

From: Brent Ashton

Sent: September 16, 2020 9:28 AM

To:  <info@uclueletguesthouse.ca>

<info@uclueletguesthouse.ca>; 'Arbutus Guest Suite Information'

<contact@arbutusguestsuite.com>

Cc: Bruce Greig <bgreig@ucluelet.ca>; Mark Boysen <mboysen@ucluelet.ca>; John Towgood <JTowgood@ucluelet.ca>; Nicholas Henderson <nhenderson@ucluelet.ca>

Subject: FW: Re: Ucluelet Guest House dba Ucluelet Vacations

Further to my email dated August 10, 2020, I have not had a reply. Please arrange to meet myself and our building inspector for an inspection of your place located at 1183 Helen Rd, at 2:30pm, this Thursday, Sept. 17, at 2:30pm. Failure to comply will result in

enforcement action, up to and including suspension of your business license. It is the expectation that businesses comply with District Bylaws. I thank you in advance for your cooperation in this matter. -Brent

<image001.png>

Brent Ashton
Bylaw Officer
District of Ucluelet
Box 999, 200 Main Street,
Ucluelet, B.C., V0R 3A0
Phone: (250) 266-2159

From: Brent Ashton

Sent: August 10, 2020 5:48 PM

To: [REDACTED] info@uclueletguesthouse.ca; Arbutus Guest Suite Information
<contact@arbutusguestsuite.com>

Cc: Bruce Greig <bgreig@ucluelet.ca>; Mark Boysen <mboysen@ucluelet.ca>

Subject: Re: Ucluelet Guest House dba Ucluelet Vacations

Hello Jeff, Naomie, Mike and Jennifer;

Please see the attached letter regarding your property at 1183 Helen Road.
If you have any questions, please don't hesitate to contact me.

Regards,
Brent

<image001.png>

Brent Ashton
Bylaw Officer
District of Ucluelet
Box 999, 200 Main Street,
Ucluelet, B.C., V0R 3A0
Phone: (250) 266-2159

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