



**REGULAR MEETING OF COUNCIL
Tuesday, August 16, 2022 @ 4:00 PM
Ucluelet Community Centre,
500 Matterson Drive, Ucluelet**

AGENDA

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Joseph Rotenberg, Manager of Corporate Services

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- | | | |
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*Shannon Stubbs, M.P., Lakeland, Shadow Minister of Rural Economic
 Development and Rural Broadband
 Damien C. Kurek, M.P., Battle River - Crowfoot, Deputy Shadow Minister for
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[2022-08-08 Rural Townhall Details](#)

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12. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

- 12.1 Councillor Marilyn McEwen
Deputy Mayor January 1 - March 15, 2022
- 12.2 Councillor Lara Kempes
Deputy Mayor March 16 - May 31, 2022
- 12.3 Councillor Jennifer Hoar
Deputy Mayor June 1 - August 15, 2022
- 12.4 Councillor Rachelle Cole
Deputy Mayor August 16 - October 31, 2022

13. QUESTION PERIOD

14. CLOSED SESSION

15. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, July 19, 2022 at 4:00 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen
 Staff: Duane Lawrence, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 James MacIntosh, Director of Engineering Services
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 Joseph Rotenberg, Manager of Corporate Services
 John Towgood, Municipal Planner
 Monica Whitney-Brown, Planning Assistant
 Nicole Morin, Municipal Inspector
 Paula Mason, Administration Clerk
 Samantha McCullough, Executive Assistant

Regrets:

2022.1.REGULAR CALL TO ORDER

The meeting was called to order at 4:00 PM.

2022.1.REGULAR1 ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH
Council acknowledged the Yuulu?ił?ath, on whose
traditional territories the District of Ucluelet operates.

2022.1.REGULAR2 NOTICE OF VIDEO RECORDING
Audience members and delegates were advised that the
proceeding was being video recorded and broadcast on
YouTube and Zoom, which may store data on foreign
servers.

2022.2.REGULAR LATE ITEMS

There were no late items.

2022.3.REGULAR APPROVAL OF THE AGENDA

2022.3.REGULAR1 July 19, 2022, Regular Council Meeting Agenda

2022.2129.REGULAR ***THAT Council approve the July 19, 2022, Regular Council Meeting Agenda as presented.***

CARRIED.

2022.4.REGULAR ADOPTION OF MINUTES

2022.4.REGULAR1 June 29, 2022, Special Council Minutes

2022.2130.REGULAR **THAT** Council adopt the June 29, 2022, Special Council Meeting Minutes as presented.

CARRIED.

2022.5.REGULAR PUBLIC INPUT & DELEGATIONS

2022.5.REGULAR1 Public Input

Jennifer Sheline - 1594 Bay Street

- Spoke in support of District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022 as presented at the June 28, 2022 Public Hearing.

Samantha Hackett, Chair of the West Coast Multiplex Society

- Noted that she is available to address questions regarding Correspondence item 11.1.

2022.5.REGULAR2 Delegations

Gary Marks, Pacific Rim Foundation**Re: Dick Close Scholarship**

Mr. Marks presented the Dick Close Scholarship to Pani Ayoubizadeh. This Scholarship recognizes a west coast student that is involved in the community, volunteers, and is determined to make a difference in the world.

Ms. Ayoubizadeh accepted the scholarship and thanked the community, her family, USS teachers, and the Pacific Rim Foundation for this scholarship.

2022.6.REGULAR UNFINISHED BUSINESS

There was no unfinished business.

2022.6.REGULAR1 Motion to move into Committee of the Whole

2022.2131.REGULAR **THAT** Council move into a Committee of the Whole.

CARRIED.

The Committee of the Whole commenced at 4:19 p.m.

2022.7.REGULAR COMMITTEE OF THE WHOLE

2022.7.REGULAR1 B&B, Short Term Rental and Accessory Residential Dwelling Units
Bruce Greig, Director of Community Planning

Mr. Greig presented this report.

The Committee sought clarification from Mr. Greig on several matters addressed in the report.

The Committee agreed to recommend the following goals and actions outlined in the report which relate to amending Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003 and proposed Ucluelet Zoning Amendment Bylaw No. 1310, 2022:

Goal A: Preserve traditional B&B use in residential areas and consider ways to slow or contain Guest Suite uses in residential areas.

1.differentiate between a “traditional” B&B room (i.e.: connected within the main house with interaction between the host and guests) and short-term rental Guest Suite (i.e.: with separate entrance and self-contained sleeping, eating and bathing facilities, limited or no required guest-host interaction)

3. remove Guest Suite as an outright permitted accessory use in residential zones

4.require that a B&B and/ or Guest Suite may only operate in the principal residence of the business license holder

5.require that a B&B and/ or Guest Suite may only operate in the principal residence of the business license holder, during times that they are present / available to respond in person within 24 hours

Goal B: Establish a balance between residential and tourist commercial accommodation in residential zones to prioritize residential uses and maintain the “Low-ish Growth Scenario”.

1.reduce the number of Guest Suites permitted as an outright secondary use from 3 to 1.

3. allow consideration for additional Guest Suites and/or B&B rooms through a Temporary Use Permit.

5.cap the number of guest suites in residential zones.

Goal C: Stop or slow the loss of existing long-term rental suites.

1.investigate the potential to restrict or prohibit the conversion of long-term rental suites to tourist accommodation uses

2.maintain a low barrier for an owner to start a B&B (e.g., at a time of changing household finances)

3.permit property owners to operate B&B room(s) and long-term secondary suite or ADU rental on the same property

Goal D: Add ADUs as a permitted secondary use in residential zones.

1.allow ADUs to be located in the front, rear or sides of residential properties

2.set greater setbacks for an ADU than for other accessory buildings (such as sheds)

Other

1.limit the impact to public on-street parking from private guest accommodation

2.change the minimum requirement for the number of off-street vehicle parking spaces for tourist accommodation in residential zones

3.require notification of neighbours before a new B&B or Guest Suite is authorized

The Committee also discussed parking issues and noted support for limiting driveway widths.

- 2022.2132.REGULAR **THAT** *the Committee of the Whole recommend that Council direct staff to amend the District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022 and the Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003, to meet the objectives and policy changes identified in the July 19, 2022 Committee of the Whole report No. 22-99.*
- CARRIED.
- 2022.2133.REGULAR **THAT** *the meeting be recessed for five minutes.*
- CARRIED.
- Council recessed at 5:40 PM.
Council returned to the meeting 5:48 PM.
- 2022.2134.REGULAR **THAT** *the Committee of the Whole rise and report their recommendations regarding report No. 22-99.*
- CARRIED.

2022.8.REGULAR BYLAWS

2022.8.REGULAR1 **B&B, Short Term Rental and Accessory Residential Dwelling Units** **Bruce Greig, Director of Community Planning**

Council discussed the Committee of the Whole recommendation regarding report No. 22-99.

Council requested that the amended bylaws be presented for consideration before the October 2022 General Election.

- 2022.2135.REGULAR **THAT** *Council direct staff to amend the District of Ucluelet Zoning Amendment Bylaw No. 1310, 2022 and the Ucluelet Business Regulation and Licensing Bylaw, Bylaw No. 922, 2003 to meet the objectives and policy changes identified by the Committee of the Whole in the July 19, 2022 committee of the whole report No. 22-99.*
- CARRIED.

2022.8.REGULAR2 **Officers and Officials Bylaw** **Duane Lawrence, Chief Administrative Officer**

Mr. Lawrence presented this report.

- 2022.2136.REGULAR **THAT** *Council give first, second and third readings to District of Ucluelet Officers and Officials Bylaw No. 1315, 2022.*

CARRIED.

2022.9.REGULAR REPORTS**2022.9.REGULAR1 Edge to Edge Marathon 2022 - Road Closure
Abby Fortune, Director of Parks & Recreation**

Councillor Kempes recused herself at 5:57 p.m. as she is an organizer of this event.

Ms. Fortune presented this report.

2022.2137.REGULAR **THAT** Council approve Option A, to authorize the closure of roads for the Edge to Edge Marathon on Sunday, October 16, 2022

- Marine Drive from 6:00 am to 5:00 pm from Rainforest Drive and Marine Drive to Matterson Road and Marine Drive including Big Beach parking lot;
and,
- Road closures from 8:30 am to 10:00 am from Matterson Road and Marine Drive to Victoria Road and Marine Drive.

CARRIED.

**2022.9.REGULAR2 3rd Annual Dustin Riley Soap Box Derby
Abby Fortune, Director of Parks & Recreation**

Mayor Noel recused himself at 5:59 PM.

Ms. Fortune presented this report.

2022.2138.REGULAR **THAT** Council approve Option A, to authorize on Saturday September 17, 2022, for the 3rd Annual Dustin Riley Soap Box Derby, the closure of the following roads from 8:00 am to 5:00 pm:

- a. Bay Street, from the intersection of Peninsula Road to the intersection of Cedar Road;
and,
- b. Cedar Road, from the intersection of Bay Street to the intersection of Park Lane.

CARRIED.

**2022.9.REGULAR3 2022 Deputy Corporate Officer Appointment
Joseph Rotenberg, Manager of Corporate Services**

Councillor Kempes and Mayor Noel reentered the meeting at 6:01 PM.

Mr. Rotenberg presented this report.

2022.2139.REGULAR

THAT Council rescind Paula Mason's appointment as District of Ucluelet Deputy Corporate Officer; and,
THAT Council appoint Joseph Rotenberg, as the District of Ucluelet Deputy Corporate Officer.

CARRIED.

2022.9.REGULAR4 Contract Authorization for Storm Drain and Sanitary Sewer Upgrades
James Macintosh, Director of Engineering Services

Mr. Macintosh presented this report.

2022.2140.REGULAR **THAT** Council approve Option A, to authorize the Mayor and Corporate Officer to execute a contract to Vike Construction Ltd. for a total of \$422,000 (plus G.S.T.) for the supply of all materials, labor, and equipment to install Peninsula Road storm and sanitary sewer upgrades between Matterson and Otter Street.

DEFEATED.

2022.2141.REGULAR **THAT** Council approve Option A, to authorize the Mayor and Corporate Officer to execute a contract to Vike Construction Ltd. for a total of \$443,100 (plus G.S.T.) for the supply of all materials, labor, and equipment to install Peninsula Road storm and sanitary sewer upgrades between Matterson and Otter Street.

CARRIED.

2022.9.REGULAR5 Reserves and Surplus Policy No. 5-1860-1
Donna Monteith, Chief Financial Officer

Ms. Monteith presented her report.

2022.2142.REGULAR **THAT** Council approve Option A, to adopt District of Ucluelet Reserves and Surplus Policy No. 5-1860-1 as presented.

CARRIED.

2022.10.REGULAR NOTICE OF MOTION

There were no Notices of Motion.

2022.11.REGULAR CORRESPONDENCE

2022.11.REGULAR1 West Coast Multiplex MOU
Samantha Hackett, Chair, West Coast Multiplex

Ms. Hackett provided clarification regarding the West Coast Multiplex MOU and operating costs.

The CAO recommended that this MOU be referred back to Staff for a report.

2022.2143.REGULAR *THAT Council refer West Coast Multiplex Society's letter to Staff to provide a report on the Memorandum of Understanding request.*

CARRIED.

2022.11.REGULAR2 General goals and productivity regarding town planning
David Smith

2022.12.REGULAR INFORMATION ITEMS

2022.12.REGULAR1 2022-2026 Financial Plan Q1-2 Variance Report
Donna Monteith, Chief Financial Officer

2022.12.REGULAR2 Resolution Tracking - July 2022
Joseph Rotenberg, Manager of Corporate Services

Ms. Fortune noted that Staff are in active discussion with the Ucluelet and Area Historical Society regarding the proposed lease agreement.

2022.12.REGULAR3 Press Release - Community Emergency Preparedness Funding Announcement
Heather Thomson, Communications Coordinator, ACRD

2022.12.REGULAR4 Barkley Community Forest AGM – Report from Mr. T. Smith Terry Smith, Chair, Barkley Community Forest

The Mayor noted the annual dividend payment received in 2022 and the total dividend payments issued to the District since the Corporation was founded.

2022.12.REGULAR5 Petition to School District 70 regarding tennis court closure
Tessa Donald

2022.12.REGULAR6 Clayoquot Biosphere Trust 2021 Annual Report
Rebecca Hurwitz, Executive Director, Clayoquot Biosphere Trust

2022.12.REGULAR7 Follow-up letter regarding May 2022 regional meetings with Minister Nathan Cullen and Minister Katrine Conroy
Tara Faganello, Assistant Deputy Minister, Ministry of Municipal Affairs

2022.13.REGULAR MAYOR'S ANNOUNCEMENTS & COUNCIL COMMITTEE REPORTS

2022.13.REGULAR1 Councillor Marilyn McEwen

Deputy Mayor January 1 - March 15, 2022

2022.13.REGULAR2 Councillor Lara Kemps
Deputy Mayor March 16 - May 31, 2022

2022.13.REGULAR3 Councillor Jennifer Hoar
Deputy Mayor June 1 - August 15, 2022

2022.13.REGULAR4 Councillor Rachelle Cole
Deputy Mayor August 16 - October 31, 2022

2022.13.REGULAR5 Mayor Mayco Noël

Ukee Days days starts on Friday July 22.

2022.14.REGULAR QUESTION PERIOD

2022.15.REGULAR CLOSED SESSION
There was no closed session.

2022.16.REGULAR ADJOURNMENT
The meeting was adjourned at 6:34 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, July 19, 2022 at 4:00 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Mayco Noël, Mayor

Duane Lawrence, Corporate Officer



DISTRICT OF UCLUELET

Request to Appear as a Delegation

All delegations requesting permission to appear before Council are required to submit a written request or complete this form and submit all information or documentation by 12:00 p.m. five clear days before a Council Meeting. Applicants should include the topic of discussion and outline the action they wish Council to undertake.

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

Please arrive 10 minutes early and be prepared for the Council meeting. The Mayor (or Acting Mayor) is the chairperson and all comments are to be directed to the chairperson. It is important to address the chairperson as Your Worship or Mayor Noël.

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

Requested Council Meeting Date: August 16

Organization Name: West Coast Multiplex Society

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

Topic: Community MOU - ownership, partnering, planning, constructing and operating the West Coast Multiplex

Purpose of Presentation:

Information only

Requesting a letter of support

Other (provide details below)

Please describe:

Over the last few months we have been working on the attached documents as the next step of the shovel ready Multiplex project. The first is an MOU as the last signed MOU was in 2012 and we wanted to take this opportunity to outline in more detail how the facility would be owned and managed going forward. We are sending this as an official request of endorsement to all 8 communities' elected officials. The second outlines the model in a visual format. The last is the table of contents in draft form for what will be a master agreement document, we will populate and compile the agreement as decisions are collectively made. The Master Agreement will serve as a legacy document and compendium of all major funding decisions (commitments) and mode of operating for the WCM. While providing the framework for decision making now, we are not supposing or pre-imposing on the decision making process.

Contact person (if different from above): _____

Telephone Number and Email: [REDACTED]

Will you be providing supporting documentation? Yes No

If yes, what are you providing?

Handout(s)

PowerPoint Presentation

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

The personal information you provide on this form is collected under s. 26(c) of the FOIPPA and will be used for the purpose of processing your application to appear as a delegation before the District of Ucluelet Council. The application will form part of the meeting's agenda and will be published on the website. Your personal telephone number and e-mail address will not be released except in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of your personal information may be referred to the Manager of Corporate Services 200 Main Street, PO Box 999, Ucluelet BC, V0R 3A0 or by telephone at 250-726-7744.

From: [Samantha Hackett - Long Beach Lodge Resort](#)
To: [Mayco Noël](#); [Duane Lawrence](#)
Cc: [REDACTED]
Subject: West Coast Multiplex MOU
Date: June 16, 2022 11:16:58 PM
Attachments: [image010.jpg](#)
[MOU Ownership Partnering Planning Constructing and Operating the WCM.pdf](#)
[West Coast Multiplex Owner Partner Operator Model.pdf](#)
[West Coast Multiplex Master Agreement Table of Contents.pdf](#)

[External]

Hi Mayco & Duane

Thank you all for meeting with me back in February, for your initial input, and continued support. Over the last few months we have been working on the attached documents as the next step of the shovel ready Multiplex project. The first is an MOU as the last signed MOU was in 2012 and we wanted to take this opportunity to outline in more detail how the facility would be owned and managed going forward. We are sending this as an official request of endorsement to all 8 communities' elected officials. The second outlines the model in a visual format. The last is the table of contents in draft form for what will be a master agreement document, we will populate and compile the agreement as decisions are collectively made. The Master Agreement will serve as a legacy document and compendium of all major funding decisions (commitments) and mode of operating for the WCM. While providing the framework for decision making now, we are not supposing or pre-imposing on the decision making process.

Please let me know how you would like to proceed, I am happy to present at a council meeting maybe your July 19, 2022 meeting?

Samantha Hackett

Chair

West Coast Multiplex Society

<http://westcoastmultiplex.org>

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wcm-new-logo.jpg





MEMORANDUM OF UNDERSTANDING

RE: OWNERSHIP, PARTNERING, PLANNING, CONSTRUCTING AND OPERATING THE WEST COAST MULTIPLEX

First Nations, Municipal, and community leaders of the West Coast region have come together to facilitate the creation of a new community recreation and wellness facility, the West Coast Multiplex (WCM).

The Tla-o-qui-aht First Nation is acknowledged as the owner of the WCM, given its proposed future location of the WCM on its traditional and ancestral lands, adjacent to the Tofino-Long Beach Airport.

In turn the Tla-o-qui-aht First Nation is committed to partnering with other area First Nations, Municipal and Regional governments, and other community agencies to plan, construct and operate the WCM.

Together, the Tla-o-qui-aht First Nation with the partners identified below will establish a joint committee with a mandate to oversee the planning, construction, and operations of the WCM.

The Partners are comprised of the: Tla-o-qi-aht First Nation, Ahousaht First Nation, Toquaht Nation, Yuułu?ił?ath Government, Hesquiaht First Nation, Alberni-Clayoquot Regional District, Electoral Area C, District of Ucluelet, and District of Tofino). Additional partners may be added to this collective where it is determined that there is a common interest to support the development of the WCM.

The Partners will be represented by the West Coast Multiplex Society. The Partners may also determine an alternative structure to represent its collective interests at some point in the future.

The mandate of the Partners, through the West Coast Multiplex Society is to:

- bring their respective communities together in support of the project;
- encourage and support private sector fundraising activities for the project;
- commit capital and operational funds toward the project;
- determine the appropriate governance and operating model for the new facility and enter into the necessary and appropriate partnership agreements; and
- champion applications for government grants to build the WCM

West Coast Multiplex Society, PO Box 304, Tofino, BC, V0R 2Z0

This statement may be executed by fax or by email and in counterparts, and such counterparts, when executed and delivered, will constitute an original and all such counterparts together will constitute the same document.



The Partners agree that the WCM is the priority recreation project for the West Coast, and as such it will give priority to funding requests (grant, philanthropic or otherwise) being made by the signatories individually and/or collectively for the WCM.

The Partners hereby fully endorses and supports the planning, construction, and operations of the WCM, including all funding requests to public or private sources on behalf of the West Coast Multiplex project.

Tla-o-qui-aht First Nation

Thomas Guye

Chief

Ahousaht First Nation

Chief

Toquaht Nation

Anna Macle

Chief

Yuułuʔiłʔatḥ Government

Charles M...

President

Hesquiaht First Nation

Chief

Alberni-Clayoquot Regional District

Chair

Electoral Area C

Chair

District of Ucluelet

Mayor

District of Tofino

Mayor

Date:

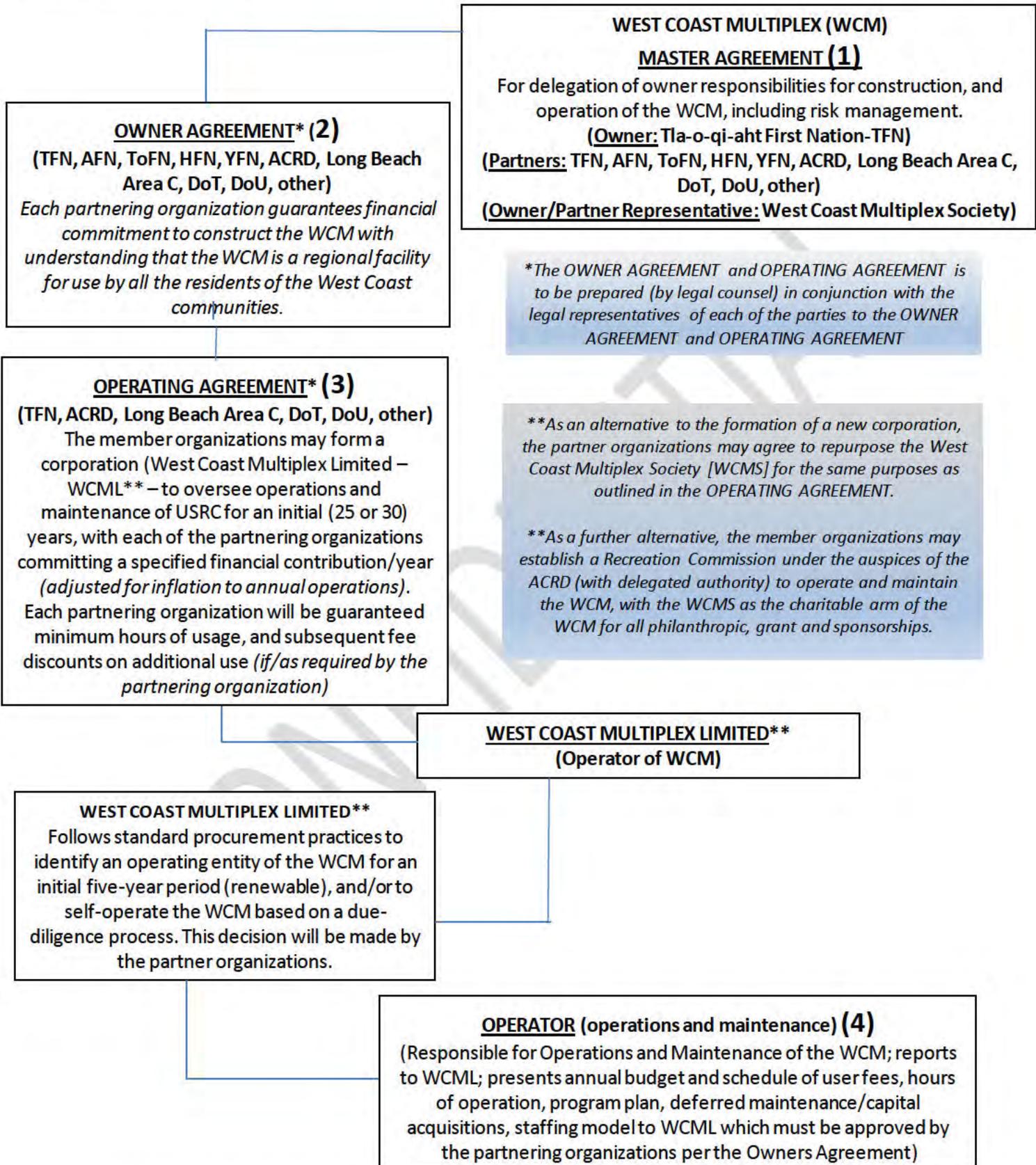
Month, Day, Year

West Coast Multiplex Society, PO Box 304, Tofino, BC, V0R 2Z0

This statement may be executed by fax or by email and in counterparts, and such counterparts, when executed and delivered, will constitute an original and all such counterparts together will constitute the same document.

WESTCOAST MULTIPLEX

– Diagram of owner, partner and operator model, plus associated agreements (1, 2, 3, 4)



WEST COAST MULTIPLEX (WCM)

MASTER AGREEMENT (1)

For delegation of owner responsibilities for construction, and operation of the WCM, including risk management.

(Owner: Tla-o-qi-aht First Nation-TFN)

(Partners: TFN, AFN, ToFN, HFN, YFN, ACRD, Long Beach Area C, DoT, DoU, other)

(Owner/Partner Representative: West Coast Multiplex Society)

**The OWNER AGREEMENT and OPERATING AGREEMENT is to be prepared (by legal counsel) in conjunction with the legal representatives of each of the parties to the OWNER AGREEMENT and OPERATING AGREEMENT*

***As an alternative to the formation of a new corporation, the partner organizations may agree to repurpose the West Coast Multiplex Society [WCMS] for the same purposes as outlined in the OPERATING AGREEMENT.*

***As a further alternative, the member organizations may establish a Recreation Commission under the auspices of the ACRD (with delegated authority) to operate and maintain the WCM, with the WCMS as the charitable arm of the WCM for all philanthropic, grant and sponsorships.*

OWNER AGREEMENT* (2)

(TFN, AFN, ToFN, HFN, YFN, ACRD, Long Beach Area C, DoT, DoU, other)

Each partnering organization guarantees financial commitment to construct the WCM with understanding that the WCM is a regional facility for use by all the residents of the West Coast communities.

OPERATING AGREEMENT* (3)

(TFN, ACRD, Long Beach Area C, DoT, DoU, other)

The member organizations may form a corporation (West Coast Multiplex Limited – WCML** – to oversee operations and maintenance of USRC for an initial (25 or 30) years, with each of the partnering organizations committing a specified financial contribution/year (adjusted for inflation to annual operations). Each partnering organization will be guaranteed minimum hours of usage, and subsequent fee discounts on additional use (if/as required by the partnering organization)

WEST COAST MULTIPLEX LIMITED**

(Operator of WCM)

WEST COAST MULTIPLEX LIMITED**

Follows standard procurement practices to identify an operating entity of the WCM for an initial five-year period (renewable), and/or to self-operate the WCM based on a due-diligence process. This decision will be made by the partner organizations.

OPERATOR (operations and maintenance) (4)

(Responsible for Operations and Maintenance of the WCM; reports to WCML; presents annual budget and schedule of user fees, hours of operation, program plan, deferred maintenance/capital acquisitions, staffing model to WCML which must be approved by the partnering organizations per the Owners Agreement)

Owner/Partner Legend: TFN = Tla-o-qi-aht First Nation, AFN = Ahousaht First Nation, ToFN= Toquaht First Nation, YFN = Yuuulilath First Nation, HFN= Hesquiaht First Nation, ACRD = Alberni-Clayoquot Regional District, Long Beach Area C = Electoral Area C, DoT = District of Tofino, DoU = District of Ucluelet)

DRAFT 1 - Prepared by tpb strategic counsel ltd. for discussion purposes only – February 19, 2022



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CONFIDENTIAL DRAFT 1

Prepared by tpb strategic counsel – CONFIDENTIAL DRAFT 1

West Coast Multiplex Society, PO Box 304, Tofino, BC, V0R 2Z0



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CONFIDENTIAL DRAFT 1

Prepared by tpb strategic counsel – CONFIDENTIAL DRAFT 1

West Coast Multiplex Society, PO Box 304, Tofino, BC, V0R 2Z0



Exhibits may include:

- Location site plan
- Draft use schedule
- Service provider facilities
- USRC plans and specifications
- Repair and maintenance standards
- Performance standards
- Marketing and promotional standards
- Official spokesperson(s)
- Parking
- Philanthropic and sponsorship values of facilities, rooms, spaces, etc.
- Other

CONFIDENTIAL DRAFT 1

Prepared by tpb strategic counsel – CONFIDENTIAL DRAFT 1

West Coast Multiplex Society, PO Box 304, Tofino, BC, V0R 2Z0



REPORT TO COUNCIL

Council Meeting: August 16, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DUANE LAWRENCE; CHIEF ADMINISTRATIVE OFFICER **FILE NO:** 0400-20

SUBJECT: WEST COAST MULTIPLEX MEMORANDUM OF UNDERSTANDING **REPORT NO:** 22- 117

ATTACHMENT(S): Appendix A – WCMS MOU
Appendix B – West Coast Multiplex Survey
Appendix C – West Coast Multiplex MOU 2013

RECOMMENDATION(S):

THAT Council direct staff to advise the West Coast Multiplex Society that Ucluelet may consider signing an updated memorandum of understanding upon renewed stakeholder consultation in the determination of regional recreation priorities and affirmation of local and regional support for a multiplex facility.

BACKGROUND:

The West Coast Multiplex Society (WCMS) has prepared and circulated a Memorandum of Understanding (MOU) with the intent of reaffirming support for the development of a recreation centre to be located at the Tofino airport.

The WCMS met with the west coast CAOs and Tribal Administrators in February of 2021 at which time the latest developments were presented and a brief discussion on the project was undertaken. Although the discussion led to the development of the presented MOU by the WCMS and a draft was circulated to all communities, this is the first time the MOU has been submitted to Council for comment or consideration. As far as Staff are aware no revisions or amendments have occurred to the MOU from the initial draft submitted to communities due in part to a lack of comment from stakeholders.

Although an MOU has no binding basis in law and is not a legal or contractual document it does indicate a level of intent and commitment between parties. Staff have completed a review of the MOU and have noted the following provisions that should be given consideration in the context of financial obligations, staffing commitments, and community priorities.

- Tla-o-qui-aht First Nation is acknowledged as the owner of the multiplex
- Request for the establishment of a joint committee with the mandate to oversee the planning, construction, and operation of the West Coast Multiplex (WCM)
- Ucluelet named as a partner with the WCMS to represent Ucluelet and all partners in the development of the WCM
- Commit capital and operational funds towards the project
- Agreement that the WCM is the priority recreation project for the West Coast

- Agreement to prioritize funding requests, individually or collectively for the WCM
- Re-affirmation of support for the development of the WCM

In contrast to the 2013 WCM MOU, see Appendix C, the presented 2021 MOU presents a fundamental shift from the original MOU which acknowledged the location of the WMC at the airport, the basic components of the facility and that the WCMS was responsible for raising all capital towards the project.

Staff have reviewed past documents related to the WCM, including the 2017 survey conducted by the WCM Society as requested by the ACRD. The report indicated that support throughout the region was evenly split at 49.3% opposed, 41.2% supportive and 9.4% undecided. When considering Ucluelet there were 45% opposed; 9% undecided and 46% supportive. Considering the length of time between the original proposal, referendum, and 2017 survey results, Council may wish to consider if the project, as indicated within the MOU, continues to be the priority project for Ucluelet.

Staff would also note that Council has several key recreation priorities including the replacement of the Rec Hall, development of the small craft harbour pathway, improved active transportation projects and several smaller recreation projects that could be a higher priority of this or future Councils. Although the MOU does not prevent the District from applying to grants for recreation projects in the community it does indicate that if both the WCM and the District were looking at the same grant opportunity that the District would prioritize the WCM over the Districts proposal.

ANALYSIS OF OPTIONS

Although Ucluelet has indicated its general support for the multiplex with respect to entering into a service agreement through the ACRD for the operation of the facility, Council has indicated the limit of that support is with respect to operational costs and letters of support with no indication of support for project development and planning nor capital investment.

A brief discussion was held on August 11, 2022 between the ACRD, Tofino, TFN and Ucluelet administrators with the consensus that the west coast communities need to be brought together to discuss and reaffirm the regional recreation priorities, where a regional facility would be most effective, how the facility could be operated, if a multiplex style facility is supported, when the project would be planned for and how would the capital funding required to construct the facility would be secured. It was also discussed that this conversation would be most effectively led by the ACRD. Lastly, it was confirmed that administrators from all communities, were unable to recommend their respective Councils sign the MOU as presented by the WCMS.

A	Decline to sign the MOU until renewed stakeholder engagement has occurred and regional recreation priorities have been confirmed.	<u>Pros</u>	<ul style="list-style-type: none"> • Provides direction to the WCMS • Leads to reconfirming the recreation priorities of Ucluelet and the region • Indicates a level of support for the initiative, provided local and regional discussions occur • Ensures all stakeholders are fully engaged in the determination of regional recreation priorities and support continued work towards the development of a regional recreation facility.
		<u>Cons</u>	<ul style="list-style-type: none"> • Limits the ability of the WCMS to move the project forward as currently presented.
		<u>Implications</u>	<ul style="list-style-type: none"> • Council and staff time to engage and work with west coast communities in the determination of regional recreation priorities.

B	Decline to sign the WCM MOU	<u>Pros</u>	<ul style="list-style-type: none"> • Affirms Council's position that the support for the project is limited to operational costs as a service agreement with the ACRD • Maintains Ucluelet's internal recreation projects as priority over the WCM
		<u>Cons</u>	<ul style="list-style-type: none"> • Limits the WCM ability to show unified support for the project • May hamper efforts to further the project • May limit the WCM ability to secure grant funding
		<u>Implications</u>	<ul style="list-style-type: none"> • There are no financial or staff implications to declining to sign the MOU
		<u>Suggested Motion</u>	THAT Council direct staff to advise the West Coast Multiplex Society that Council is unable to sign the presented Memorandum of Understanding.
C	Sign the WCM MOU as presented	<u>Pros</u>	<ul style="list-style-type: none"> • Shows support for the development of the WCM and provisions outlined within the MOU
		<u>Cons</u>	<ul style="list-style-type: none"> • Prioritizes WCM grant applications over Ucluelet priorities • Indicates an openness to commit/support capital investments into the WCM
		<u>Implications</u>	<ul style="list-style-type: none"> • Possible loss of grant funding for District recreation priorities • Possible capital investments into the development of the WCM • Council and Staff time to continue to further the project
		<u>Suggested Motion</u>	THAT Council authorize the Mayor to sign the West Coast Multiplex Memorandum of Understanding.

POLICY OR LEGISLATIVE IMPACTS:

None

NEXT STEPS

- Advise the WCMS of Council's decision.

Respectfully submitted: Duane Lawrence, CAO



MEMORANDUM OF UNDERSTANDING

RE: OWNERSHIP, PARTNERING, PLANNING, CONSTRUCTING AND OPERATING THE WEST COAST MULTIPLEX

First Nations, Municipal, and community leaders of the West Coast region have come together to facilitate the creation of a new community recreation and wellness facility, the West Coast Multiplex (WCM).

The Tla-o-qui-aht First Nation is acknowledged as the owner of the WCM, given its proposed future location of the WCM on its traditional and ancestral lands, adjacent to the Tofino-Long Beach Airport.

In turn the Tla-o-qui-aht First Nation is committed to partnering with other area First Nations, Municipal and Regional governments, and other community agencies to plan, construct and operate the WCM.

Together, the Tla-o-qui-aht First Nation with the partners identified below will establish a joint committee with a mandate to oversee the planning, construction, and operations of the WCM.

The Partners are comprised of the: Tla-o-qi-aht First Nation, Ahousaht First Nation, Toquaht Nation, Yuułu?ił?ath Government, Hesquiaht First Nation, Alberni-Clayoquot Regional District, Electoral Area C, District of Ucluelet, and District of Tofino). Additional partners may be added to this collective where it is determined that there is a common interest to support the development of the WCM.

The Partners will be represented by the West Coast Multiplex Society. The Partners may also determine an alternative structure to represent its collective interests at some point in the future.

The mandate of the Partners, through the West Coast Multiplex Society is to:

- bring their respective communities together in support of the project;
- encourage and support private sector fundraising activities for the project;
- commit capital and operational funds toward the project;
- determine the appropriate governance and operating model for the new facility and enter into the necessary and appropriate partnership agreements; and
- champion applications for government grants to build the WCM

West Coast Multiplex Society, PO Box 304, Tofino, BC, V0R 2Z0

This statement may be executed by fax or by email and in counterparts, and such counterparts, when executed and delivered, will constitute an original and all such counterparts together will constitute the same document.



The Partners agree that the WCM is the priority recreation project for the West Coast, and as such it will give priority to funding requests (grant, philanthropic or otherwise) being made by the signatories individually and/or collectively for the WCM.

The Partners hereby fully endorses and supports the planning, construction, and operations of the WCM, including all funding requests to public or private sources on behalf of the West Coast Multiplex project.

Tla-o-qui-aht First Nation

Thomas Guye

Chief

Ahousaht First Nation

Chief

Toquaht Nation

Anna Macle

Chief

Yuułuʔiłʔatḥ Government

Charles M...

President

Hesquiaht First Nation

Chief

Alberni-Clayoquot Regional District

Chair

Electoral Area C

Chair

District of Ucluelet

Mayor

District of Tofino

Mayor

Date:

Month, Day, Year

West Coast Multiplex Society, PO Box 304, Tofino, BC, V0R 2Z0

This statement may be executed by fax or by email and in counterparts, and such counterparts, when executed and delivered, will constitute an original and all such counterparts together will constitute the same document.

West Coast Multiplex Survey



Prepared for: Alberni-Clayoquot Regional District

Prepared By: Vancouver Island University

Date: December 11, 2017



Background

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

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

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

Survey results

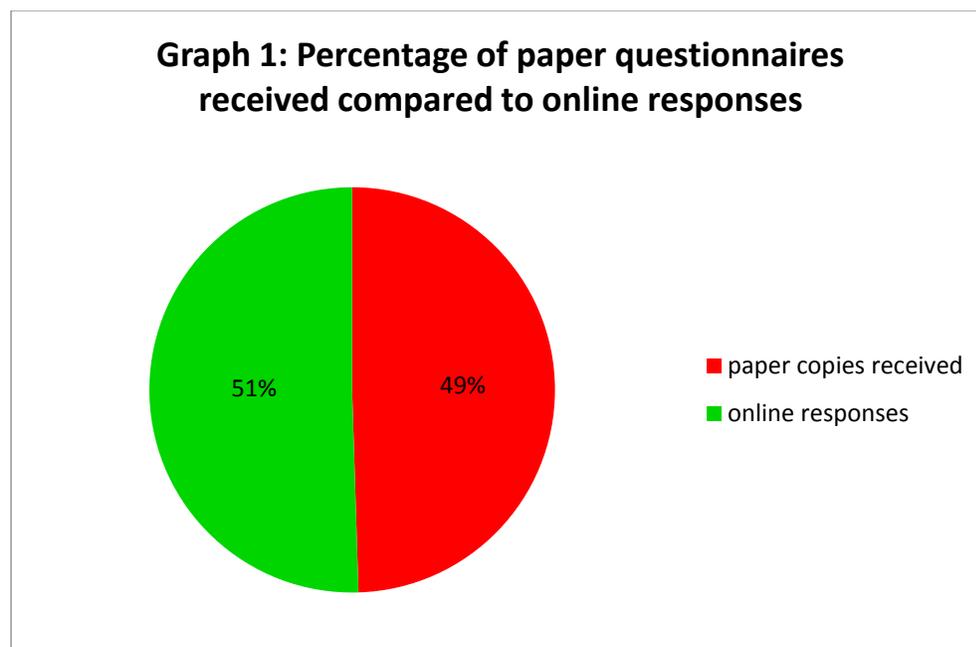
Data was collected in November of 2017 through two methods of collection. The first was a paper survey sent to private residences, with a return pre-paid envelope to encourage the return of the questionnaire. In total, 2,672 paper copies were sent out: 2,222 were mailed to private residences in Tofino,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

Table 1: Distribution of paper copies of the survey

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

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

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



Respondent Profile

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

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

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

Table 2: Respondents' place of residence

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

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

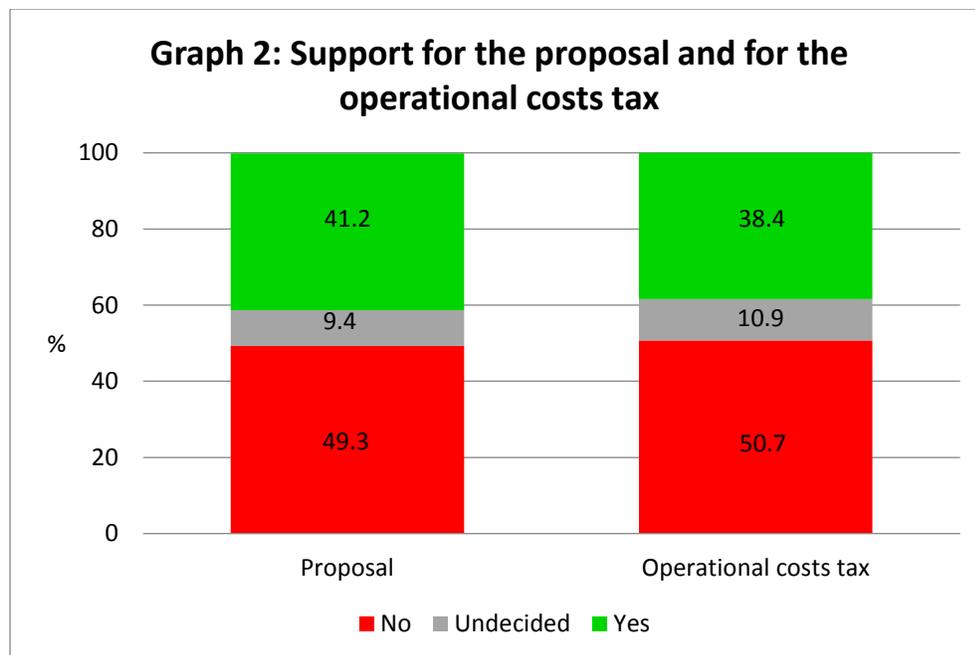
Support for the proposal

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

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

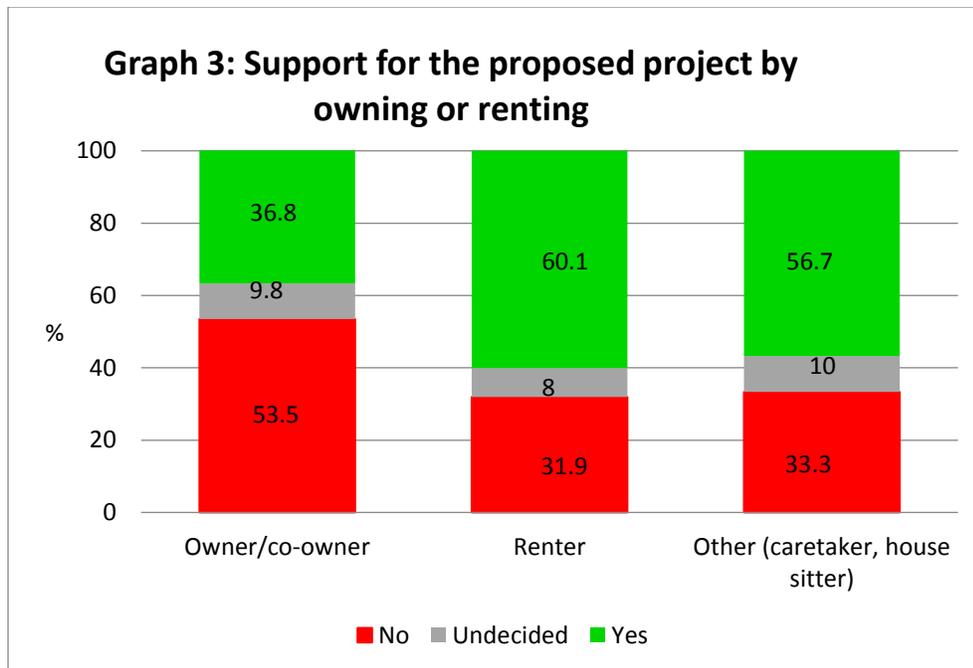
The survey intentionally did not offer a range of response options (such as strongly support/support/oppose/strongly oppose) as the objective was to gain as clear an indication as possible on the respondents support/not support for the multiplex concept as currently envisioned.

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

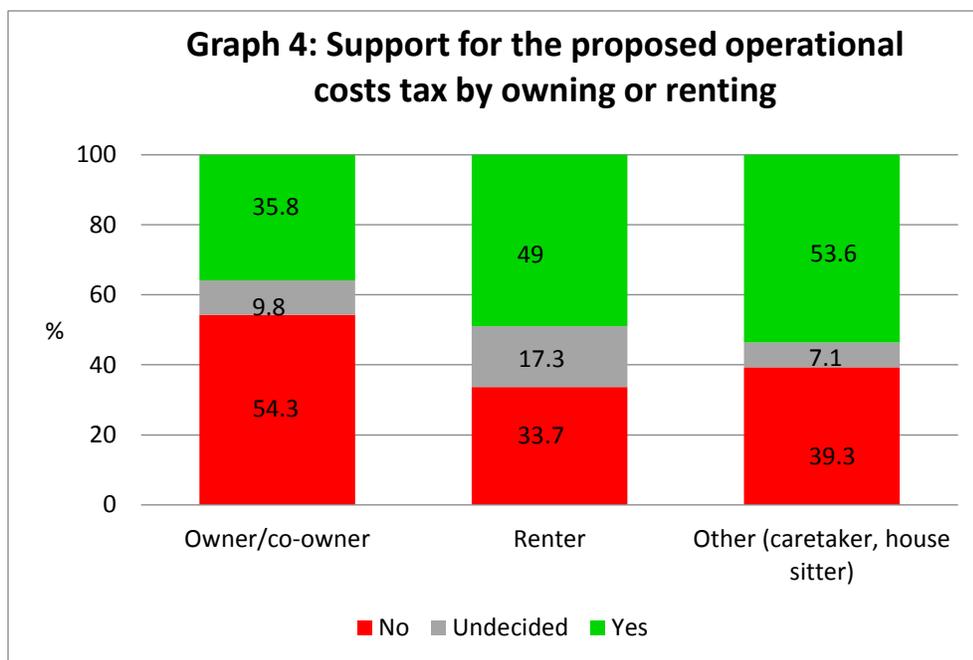


The results indicate that among those who support the concept plan, there is opposition to the operational cost tax – this is illustrated in the differences between the first column (support for the proposal) and the second column (support for the operational costs tax). Those responding “yes” declined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

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

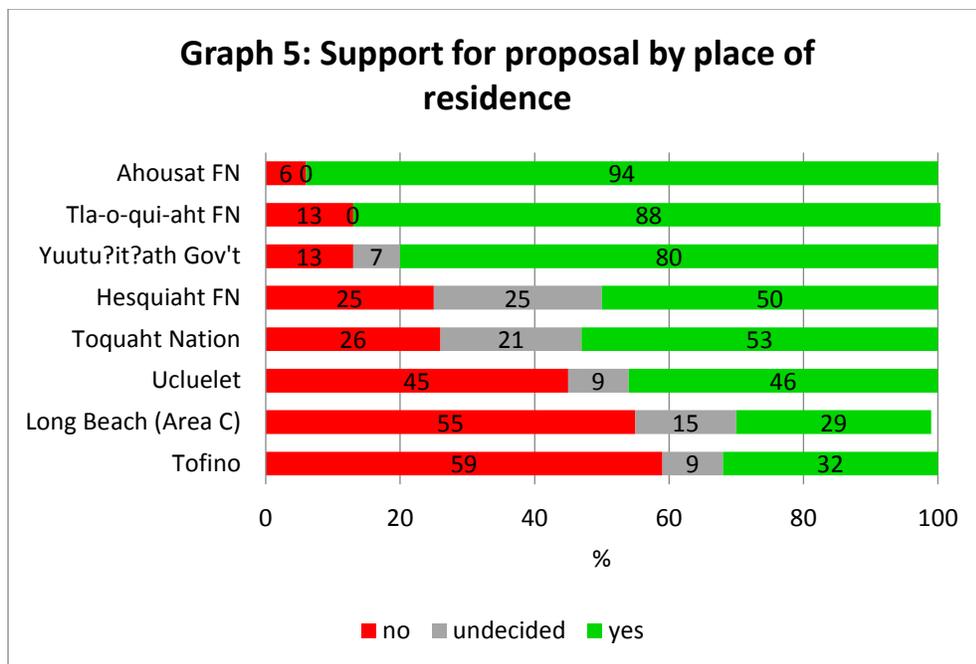


This same pattern is illustrated in the question regarding support for the operational costs tax: once again, property owners show the least amount of support. Fifty-four percent do not support the tax, compared to 34% of the renters and 39% in the “other” category (see Graph 4). This may speak to owner/co-owners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



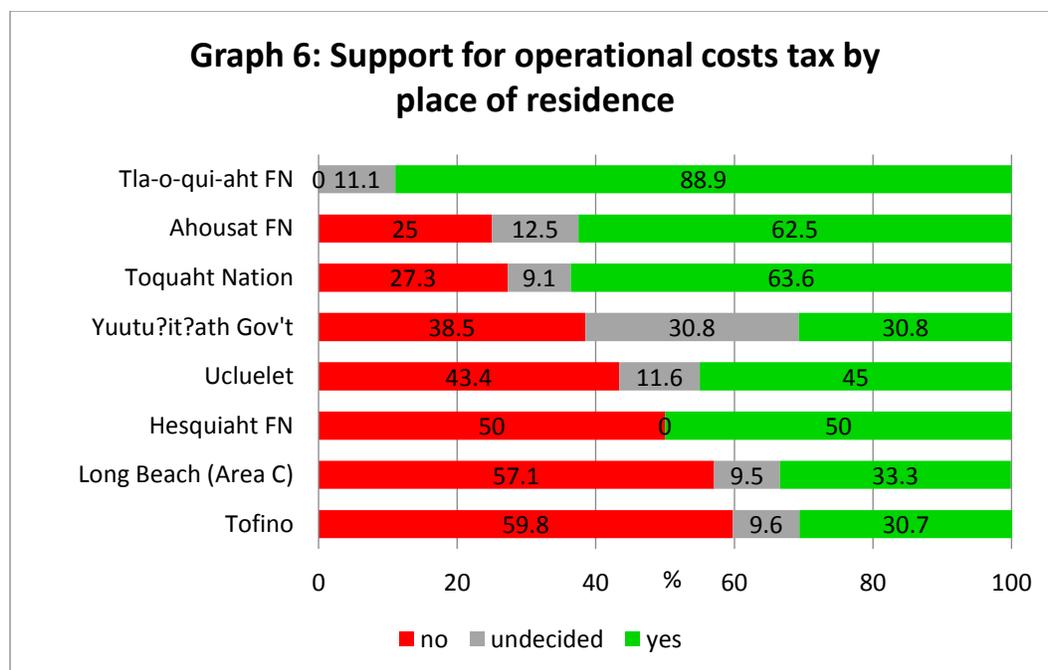
Place of residence

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



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

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



Frequency of use

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

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

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

Comments Included on the Survey

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

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

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

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

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

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

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

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

Table 4: Respondents’ comments

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

Pool

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

Taxes

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

Money or costs (not taxes)

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

Positive comments

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

Not catering to the community

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

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

Priorities

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

Kids and youth

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

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

Location/transportation

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

Too ambitious for the community

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

Hockey

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

Age restrictive

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

Won’t be used

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

Recreation

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

Environmental

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

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

Maintenance

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

Conclusion

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

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

Memorandum of Understanding July 2013



WEST COAST
· MULTIPLEX ·

The Memorandum of Understanding is agreed to by the following parties:

The Alberni-Clayoquot Regional District, Tla-o-qui-aht First Nation, Ahousaht First Nation, Yuułu?il?ath Government, Hesquiaht First Nation, Toquaht First Nation, District of Tofino, and District of Ucluelet.

All parties have agreed to a renewed Memorandum of Understanding (MOU) regarding the West Coast Multiplex. The original MOU was agreed to in 2009.

The West Coast Multiplex will be located at the Long Beach Airport in the Alberni-Clayoquot Regional District. Phase one of the West Coast Multiplex consists of the following:

- NHL size ice surface
- Multipurpose area for fitness and community gathering, with connections to the outside for expanded use
- Informal gathering area with seating for the general public and facility users direct visibility from the lobby into the arena
- Administration/centralized reception and control station to accommodate staff and provide controlled entry
- An opportunity for expansion for future community needs, possibly an aquatic facility

The foregoing parties agree to the following:

- The Westcoast Multiplex Society will fundraise capital costs for Phase one of the Westcoast Multiplex and may, on specific grant applications, request assistance of local governments and First Nations.
- Individual local governments or First Nations may directly participate on committees of the West Coast Multiplex Society to assist with fundraising, programming, and other planning activities subject to their capacity and desire.

Together, with renewed commitment to move forward with capital fundraising, we can achieve the goal of having a Multiplex on the West Coast.

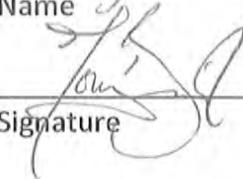
Thank you for your commitment.

Alberni-Clayoquot Regional District

Cindy Solda, Chair
Name

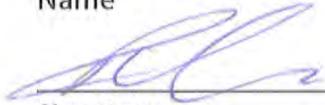

Signature

Tony Bennett
Name


Signature

Tla-o-qui-aht First Nation

Wayne
Name

 
Signature

Bruce Frank
Name




Signature

Ahousaht First Nation

Carrie Dick
Name


Signature

Angus Campbell
Name


Signature

Yuulu?if?ath Government

Charles McCarthy

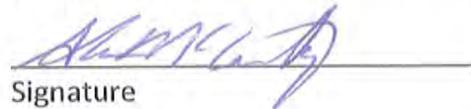
Name



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Alan McCarthy

Name

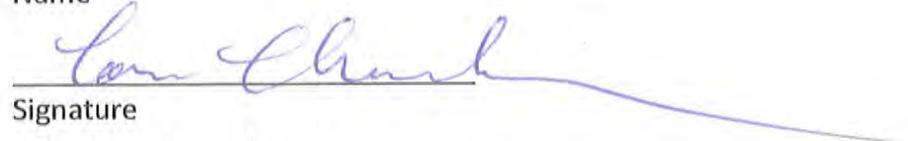


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Hesquiaht First Nation

Constant Claberson

Name



Signature

Felix Jackson

Name

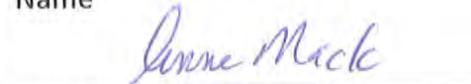


Signature

Toquaht First Nation

Anne Mack

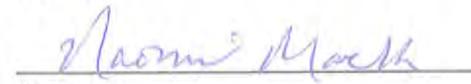
Name



Signature

Naomi Mack

Name



Signature

District of Tofino

Name Jose Osborne

Signature J. Osborne

Name RAY THOROGOOD

Signature R. Thorogood

District of Ucluelet

Name Randy A. Oliver

Signature [Handwritten Signature]

Name G. Lyons

Signature [Handwritten Signature]



REPORT TO COUNCIL

Council Meeting: August 16, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

FILE NO: 3060-20 DP22-03 / 3090-20 DVP22-03

SUBJECT: DVP & DP FOR RESIDENTIAL ADDITION AT 272 MAIN STREET

REPORT NO: 22-118

ATTACHMENT(S): APPENDIX A – APPLICATION
APPENDIX B – DEVELOPMENT PERMIT 22-03
APPENDIX C – DEVELOPMENT VARIANCE PERMIT 22-03

RECOMMENDATION(S):

THAT Council, with regard to the proposed residential addition at 272 Main Street (Lot 1, District Lot 282, Clayoquot District, Plan 12287; PID 004-984-251):

1. Subject to public comment, approve the issuance of Development Variance Permit 22-03 for:
 - a. a minimum side yard setback of 0.15m from the lot line abutting Helen Road, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 1.5m; and,
 - b. a minimum rear yard setback of 2.2m from the rear lot line, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 4.0m; and,
 - c. a requirement of zero parking spaces, whereas section 505.1 of the Ucluelet Zoning Bylaw No. 1160, 2013 requires the proposed residential dwelling unit to have two parking spaces.
2. Approve the issuance of Development Permit 22-03 for a two-storey residential dwelling unit above a ground-floor storage room addition to an existing mixed commercial/residential building, and associated landscape and hardscape works.
3. Direct District Staff to prepare a license of occupation for the proposed garbage storage area and private walkway in the Helen Road right-of-way (30m²) with an annual rate of \$400 and an initial term of 10 years.

BACKGROUND:

This Development Permit application was received April 14, 2022, for a 2-storey residential dwelling unit above a new storage room addition to an existing mixed commercial/residential building and associated landscape and hardscape works at 272 Main Street (the “**subject property**”). The subject property currently contains two commercial units and one dwelling unit located on the ground floor fronting Helen Road.

This landmark building has housed many different uses over the years such as the “Brooks” and “Barry’s” pharmacies, the “Main Spot” general store”, and the “Buenas Olas” restaurant to name a few. The building currently holds the “Gipsy Drifter” shop and a residential unit on the main floor and the Island Health office on the second floor.

The subject property is positioned in the heart of the Village Square; the property is very narrow and slopes steeply up from the Helen Road frontage. The existing building has not been required to supply or create onsite parking or loading. From the information available, the existing building should be considered lawful non-conforming with regard to parking, loading and setbacks.



Figure 1 – Subject Property



Figure 2 – Existing site Orthographic Photo

Development Permit Area I (Village Square)

The subject property falls within the Official Community Plan's "*Development Permit Area I (Village Square)*". This Development Permit Area (DPA I) is established for the following purposes:

- Revitalizing an area in which commercial, multi-family and mixed uses are permitted; and,
- establishing objectives for the form and character of development in the resort region.

Revitalizing an area in which commercial, multi-family and mixed uses are permitted

The objectives which justify this designation include assisting in the revitalization of the Village Square and enhancing and creating form and character that befits the community's core area. The proposed enhancement of the form and character of the subject property and the added residential unit to the Village Square, are supportable revitalization components.

Establishing objectives for the form and character of development in the resort region

DP guidelines are broken down into general guidelines applying to all Form and Character Development Permit Areas and specific DP guidelines that apply to specific DP areas. Key general form and character guidelines for this application are as follows:

F1. Building design, layout, finish and colour should be of a high quality that reflects traditional (e.g., fishing village) or contemporary West Coast architectural styles;

F2. Larger development should be broken up into smaller components. The image of any new larger building should be as a grouping of smaller pieces. Break up building massing by articulated building faces, stepping back whole or partial upper floors, and landscaping to soften the building appearance and present a human-scale presence at the pedestrian level;

F3. Building frontage design (any building elevation facing a public street) and associated public realm enhancement must create an attractive pedestrian environment. Considerations include:

- *Easily identifiable building entrances;*
- *Narrow commercial storefronts; and*
- *Concentrating signage at pedestrian eye level.*

F8. The extensive use of blank walls, regardless of the material used, must be avoided. The visual impact of blank walls should be softened by using one or more of the following:

- *Architectural details and/or articulated façade;*

- *Graphic or artistic illustration;*
- *Placement of doors and/or windows; and*
- *Public seating and/or planters integrated into the façade.*

F11. *The following exterior materials are encouraged:*

- *Wooden posts and beams with visible fastenings;*
- *Wood siding, planks, board-and-batten, shakes or shingles;*
- *Corrugated or standing-seam sheet metal;*
- *Weathering steel (e.g., Core-ten), aluminum, galvanized, zinc, copper or other non-reflective architectural metal elements,*
- *Finished concrete;*
- *Cementitious composite siding (e.g., Hardi-plank) when detailed to avoid large areas of flat panels; and, ☐ Limited use of brick or local stone.*

F12. *As part of the building vernacular, not only of Ucluelet but the BC coast in general, sloped roofs are indicative of the climate and weather of the region. Sloped roofs with an angle no less than 30 degrees (7:12 pitch) are strongly encouraged. Exceptions may be considered for flat or curved roofs for significant sites and landmark buildings displaying exceptional architectural design;*

F22. *Landscape planting schemes must provide definition and clarity within the public realm. Plant material should be used to:*

- *Define the edges of outdoor space such as a café seating area;*
- *Signify a particular spot such as an entrance or gateway;*
- *Highlight pedestrian corridors;*
- *Delineate private and semi-private space from public space;*
- *Beautify a streetscape; and,*
- *Soften the transition of adjacent land uses.*

Key specific Village Square Development Permit Area (DPA I) form and character guidelines for this application are as follows:

F.I.1. *Maintaining views of the harbour from Peninsula Road and Main Street is critical. The height of new buildings in DPA I must be carefully considered, and the building mass designed to avoid blocking views of the water from the public streets.*

F.I.2. *Assessed on a site-by-site basis, general views to the harbour are to be maintained along the shoreline and include those depicted in Figure DPA 1.1 and from the north side of*

Peninsula Road. This may be done through considerations in building massing and height in key locations;



Figure 6 - OCP DPA I.1 Important Views - Inlet.

F.1.5. Properties fronting Peninsula Road and Main Street must be designed to create an eclectic, inviting and pedestrian-friendly streetscape by carefully considering scale, massing and character;

F.1.7. Some variation in the location of the building frontage relative to neighbouring buildings is encouraged, which will preserve the sense of informality and allow for the creation of useful outdoor areas facing the street.

DISCUSSION

This proposal fully utilizes all available land area of the subject property. The applicant has followed the DP guidelines by breaking the building mass into a smaller component to the rear of the existing building rather than increasing the height of the larger existing building: this maintains a reasonable amount of inlet views from the public realm above. The building form is a simple box, with a low slope gable roof with no overhang, and unique window sizes and placement forming a contemporary modern twist to a traditional fishing village form. The applicant is proposing an exterior materials theme consisting of:

- Corrugated metal siding.
- Cedar accents.
- Exposed concrete on the ground floor.
- Metal guard rails.
- Metal standing seam roofing.
- Cable roof supports.

The materials are consistent with the DP guidelines.

Landscape and hardscape

New development is responsible for frontage improvements of the proposal. In cases where the development is just an addition, the frontage improvements are generally limited to the area directly in front of the addition and should be scaled appropriately to the size and scope of the proposal.

The applicant is proposing to fix the broken concrete and pavement area directly in front of the Gypsy Drifter and within the District of Ucluelet road right-of-way with a new paving stone patio space with a large planter box. Note that the applicant's drawing shows an accessible ramp; that ramp is not part of the applicant's proposal and would presumably be completed by the District at a future date. The applicant is also proposing to replant the existing vegetation on the Helen Road bank with new native ground cover. These improvements will require a "Work in the District Roadway Permit", detailed drawings and plant lists, an estimate of works, and a deposit at 125% of that estimate. These items will be required at the building permit stage.

Parking

Like many other properties in Ucluelet's village core, the subject property has never had onsite parking or loading. The existing perpendicular street parking directly adjacent to the lower commercial unit has been signed as private parking for the tenants of the existing building. The tenants or owner have never had a legal right to do so; the applicant has indicated that previous

staff had given permission for this occupation of public lands, but as there was no license of occupation or other legal mechanism supplied, this parking is considered public parking. The applicant has agreed to remove the private parking signage.

Section 500 of Ucluelet’s zoning bylaw requires the proposed building to provide two parking spaces for the new residential unit. Section 506 of the District of Ucluelet zoning bylaw allows an owner or occupier of a property within the Village Square to pay cash in lieu for required parking at \$8,000 a space for up to 50% of the required parking. Under this section the applicant could pay for one space but must locate one space on the property. Because of the significant slope of the subject property the creation of onsite parking would require considerable excavation and the addition of concrete retaining structures to allow parking to the rear and under the building. The development of onsite parking would also require an access lane to that parking, which would displace two to three public parallel parking spaces and remove a section of the native species plants that populate that hillside. Because of existing constraints of the subject property, the displacement of the green hillside and the loss of three public parking spaces for an access lane, and the less than desirable creation of a dark concrete parking structure in what is a key pedestrian area, it is more appropriate and would have the most public benefit for the future tenants of the proposed building to use the public parking within the area.

The applicant is requesting a Development Variance for the two required parking spaces in consideration of the applicant committing to repaving and adding landscape elements to the public parking area off Helen Road and fronting the existing building. These improvements will also require a work in the District Roadway permit, more detailed drawings, plant lists, and estimate of works and a deposit at 125% of that estimate.

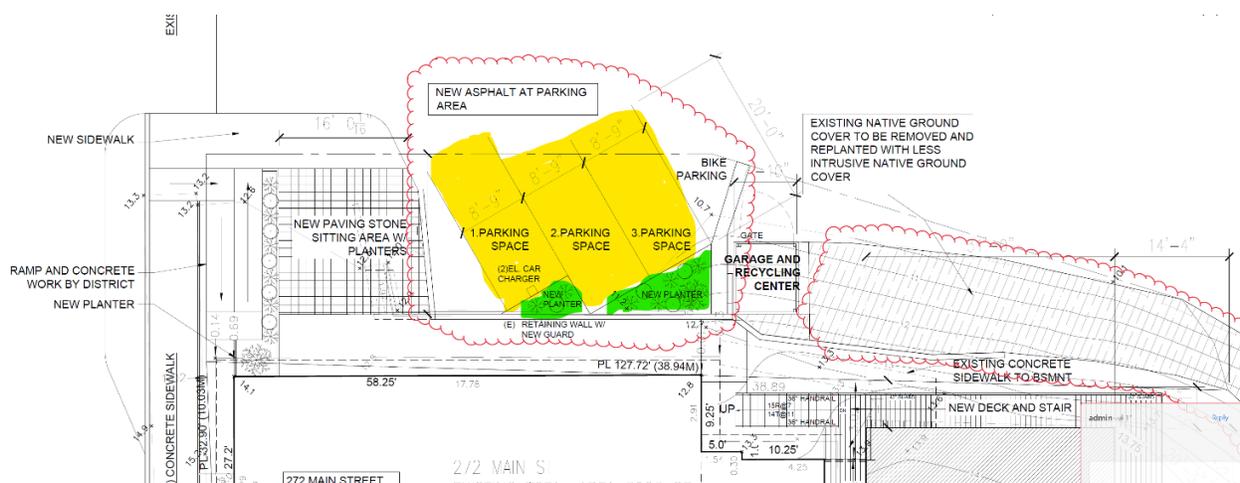


Figure 7 – Proposed parking improvements

Note the on-street parking spaces (shaded in yellow, above) are public parking and are not reserved for occupants of the subject property.

The proposal also includes 11 secure bicycle parking spaces within the new ground-floor storage room. This is a supportable alternative to providing an on-site vehicle parking space in this unique location, and should be a factor for consideration with the requested parking variance.

Dumpster and walkway encroachments

The applicant has shown a garbage and recycling enclosure in the district road right-of-way. The existing sidewalk around the proposed building is also in the District road right-of-way. To allow this infrastructure to be built and privately used, the applicant will require a license of occupation (blue area below). A license of occupation for a private use on public lands must have a fair and equitable return for land used. In another instance where a license of occupation was considered for parking, the district and that landowner agreed to an annual rate of \$800 per space with a license term of 10 years. Since the proposed garbage structure will displace about half a parallel parking space, an annual term of \$400 per year with a 10-year initial term would be an appropriate fee for the license of occupation.

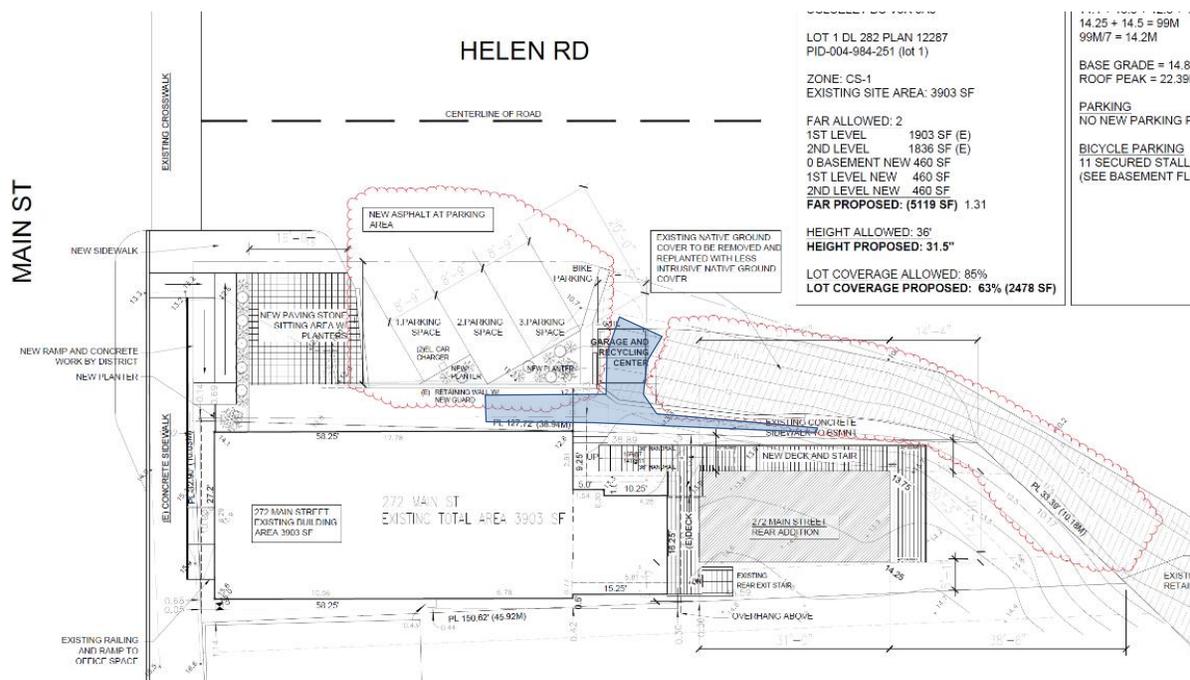


Figure 8 – License of occupation area

ZONING

The subject property falls within the CS-1 zone and from the information provided the proposed development is consistent with the applicable zoning regulations with the exception of the following requested variances:

- a minimum side yard setback of 0.15m from the lot line abutting Helen Road, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 1.5m; and,
- a minimum rear yard setback of 2.2m from the rear lot line, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 4.0m; and,
- a requirement of zero parking spaces, whereas section 505.1 of the Ucluelet Zoning Bylaw No. 1160, 2013, would require the proposed residential dwelling unit to have two parking spaces.

SERVICING

There is general service capacity fronting the property with the service connection being reviewed in detail at the building permit stage.

FIRE SERVICES

The proposed building is accessible from two sides and has two fire hydrants within 50m. A more detailed analysis of fire protection for the building will be done at the building permit stage.



Figure 9 – Fire hydrant location

ANALYSIS OF OPTIONS

A	Approve issuance of DP22-03 and DVP22-03	<u>Pros</u>	<ul style="list-style-type: none"> • Consistent with Village Square DP Guidelines and improves the property's street frontage. • Adds a housing unit in the centre of town. • The proposed design considers the impact on public views and has carefully avoided blocking the view of the harbour from the area at the intersection of Peninsula Road and Main Street.
		<u>Cons</u>	<ul style="list-style-type: none"> • As the application is consistent with the Village Square DP Guidelines; there are no negative aspects to the approval of this application.
		<u>Implications</u>	<ul style="list-style-type: none"> • Approval will allow the application to proceed, • The district will receive a Development Cost Charges contribution for the residential unit at building permit stage. • Staff time will be required to process this application.
B	Reject one or both permits and, if so, state which specific DP guidelines are not adequately met.	<u>Pros</u>	<ul style="list-style-type: none"> • Unknown at this time
		<u>Cons</u>	<ul style="list-style-type: none"> • Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> • The application would not proceed. • The applicant would need to redesign and resubmit their application.
		<u>Suggested Motion</u>	<p style="text-align: center;">THAT Council reject the application for DVP22-03 at this time; and/or,</p> <p style="text-align: center;">THAT Council reject the application for DP22-03 at this time. [and Council should state which specific DP guidelines are not adequately met by the current proposal].</p>

Policy or Legislative Impacts:

- This application is consistent with the Official Community Plan and, with the exception of the noted variances, the Zoning Bylaw.
- Notice was given for the Development Variance Permit in accordance with the *Local Government Act*. Council should provide an opportunity for public comment to be heard prior to making a decision on the requested variance.

NEXT STEPS

- If this application is approved:
 - the attached DP and DVP will be signed by the Director of Community Planning, issued to the applicant, and notice will be filed with the Land Title Office.
 - the applicant or subsequent owners of the subject property will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed development.

Respectfully submitted:

JOHN TOWGOOD, MUNICIPAL PLANNER

BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

DUANE LAWRENCE, CAO

DLP Architecture inc. Architecture ~ BEC

#806 318 Homer St - Vancouver BC – V6B 2V2 - T: 778-889-6849 - www.dlpdesigns.com

April 14, 2022

DESIGN RATIONALE:

272 MAIN ST – PASSIVE HOUSE ADDITION

ATTN: DIRECTOR OF PLANNING

Please accept for review the attached Development Permit drawings for a residential addition to the existing commercial building at 272 main St. Currently, the building contains 2 commercial tenants and 1 residential caretakers suite.

The design proposed is a basement plus 2 level residential addition at the rear of the current building and connected at the existing crawlspace storage room.

Each level of the addition will be approximately 460sf adding to the existing building area of 3739sf for a total of 5119sf or 1.31 FAR. This is below the permitted density of 2.0 FAR.

The addition will have a height of 31.5', below the allowable 35ft max.

The building is within all required setbacks and below the allowable site coverage of 0.85.

This design proposes to enhance the town core by adding density and a high quality contemporary building that will be visible from the waterfront and aquarium promenade. The addition will be certified to the international passive house standard and produce almost its entire required energy.

We see this beautification of an existing building in the town core as a proposal in keeping with the current plan to improve the Village Square also inline with the pending Village Green Revitalization.

The design is evocative of west coast cannery buildings of the past with corrugated metal siding and mid slope vaulted gable roofs and simple forms.

We are proposing 11 secure bike stalls fully within the basement space in lieu of the 1 parking stall required by the addition of a single residential unit. There is no possibility to feasibly add parking on this small site considering the scope of the addition.

Sincerely,
D. Lucio Picciano Architect AIBC AAA CPHD

ARCHITECTURE
dip
 ARCHITECTURE

UNIT A - 3155 E 26th Ave
 Vancouver - BC - V6R 1W2

PROJECT:
**272 MAIN ST
 REAR ADDITION**

PROJECT ADDRESS:
 272 MAIN STREET
 UCLUELET BC

OWNER:
 DLP DESIGNS INC
 3322 ADAMIC ST
 VANCOUVER BC
 V6K 2P3

MARK DATE DESCRIPTION
REVISIONS

A APRIL 2022 DP SUBMISSION
 MARK DATE DESCRIPTION
ISSUE INFORMATION
 PLOT DATE: **APRIL 13 2022**

PROJECT NO.: **07-04**
 DRAWN BY: dip
 CHECKED BY: dip
 PRINCIPAL IN CHARGE: Lucio Piccinini
 OWNER APPROVAL:

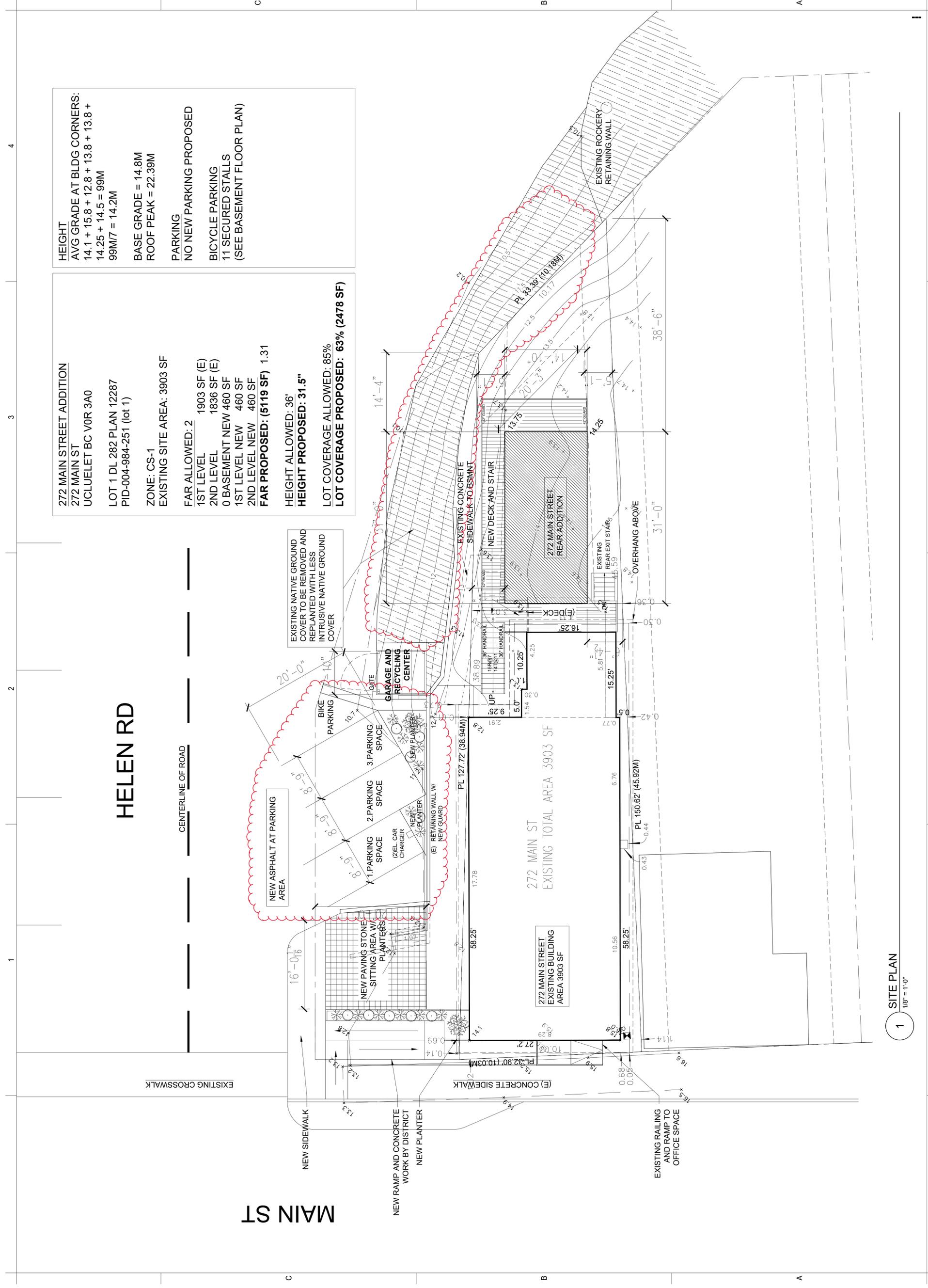
SHEET TITLE

SITE PLAN

SHEET NO.

A1.0

ORIGINAL SHEET SIZE: 22" x 34"



272 MAIN STREET ADDITION
 272 MAIN ST
 UCLUELET BC V0R 3A0
 LOT 1 DL 282 PLAN 12287
 PID-004-984-251 (lot 1)
 ZONE: CS-1
 EXISTING SITE AREA: 3903 SF
 FAR ALLOWED: 2
 1ST LEVEL 1903 SF (E)
 2ND LEVEL 1836 SF (E)
 0 BASEMENT NEW 460 SF
 1ST LEVEL NEW 460 SF
 2ND LEVEL NEW 460 SF
FAR PROPOSED: (5119 SF) 1.31

HEIGHT
 AVG GRADE AT BLDG CORNERS:
 14.1 + 15.8 + 12.8 + 13.8 + 13.8 +
 14.25 + 14.5 = 99M
 99M/7 = 14.2M
 BASE GRADE = 14.8M
 ROOF PEAK = 22.39M

PARKING
 NO NEW PARKING PROPOSED
 BICYCLE PARKING
 11 SECURED STALLS
 (SEE BASEMENT FLOOR PLAN)

272 MAIN STREET ADDITION
 272 MAIN ST
 UCLUELET BC V0R 3A0
 LOT 1 DL 282 PLAN 12287
 PID-004-984-251 (lot 1)
 ZONE: CS-1
 EXISTING SITE AREA: 3903 SF
 FAR ALLOWED: 2
 1ST LEVEL 1903 SF (E)
 2ND LEVEL 1836 SF (E)
 0 BASEMENT NEW 460 SF
 1ST LEVEL NEW 460 SF
 2ND LEVEL NEW 460 SF
FAR PROPOSED: (5119 SF) 1.31

HEIGHT ALLOWED: 36'
HEIGHT PROPOSED: 31.5'
 LOT COVERAGE ALLOWED: 85%
LOT COVERAGE PROPOSED: 63% (2478 SF)

HELEN RD

CENTERLINE OF ROAD

MAIN ST

1 SITE PLAN
 1/8" = 1'-0"



MARK	DATE	DESCRIPTION
△		
△		
△		
△		

REVISIONS

MARK	DATE	DESCRIPTION
A	APRIL 2022	DP SUBMISSION

ISSUE INFORMATION

PLOT DATE: APRIL 13 2022

PROJECT NO.:	07-04
DRAWN BY:	dip
CHECKED BY:	dip
PRINCIPAL IN CHARGE:	Lucio Piccirilli
OWNER APPROVAL:	

SHEET TITLE

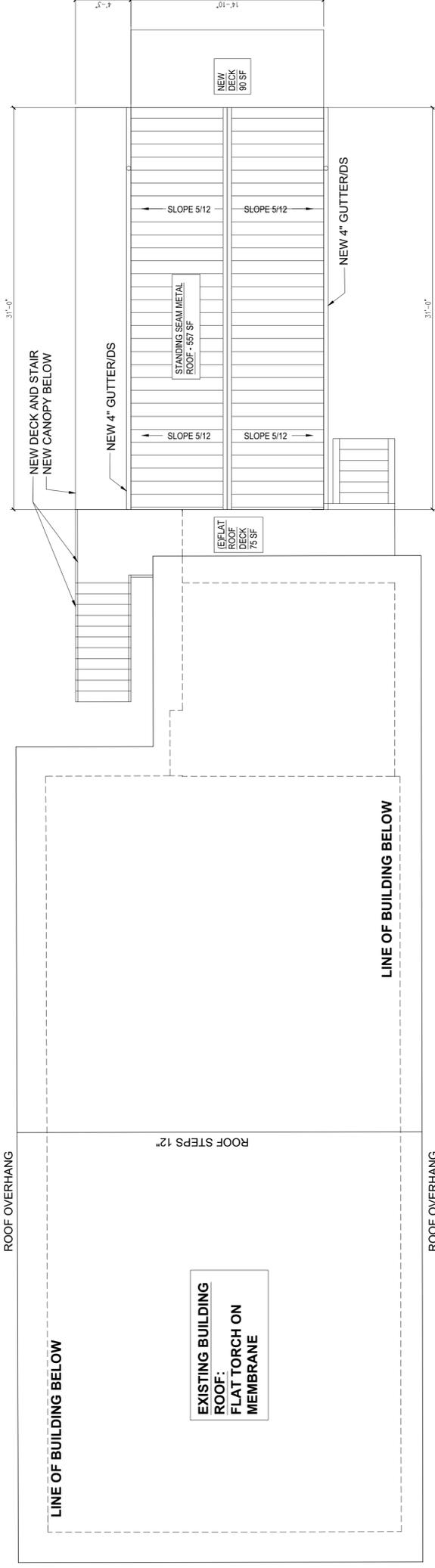
**ROOF &
2ND FLOOR PLAN**

SHEET NO.

A2.3

ORIGINAL SHEET SIZE: 8.5x11.69

1 2 3 4



2B ROOF PLAN - EXISTING

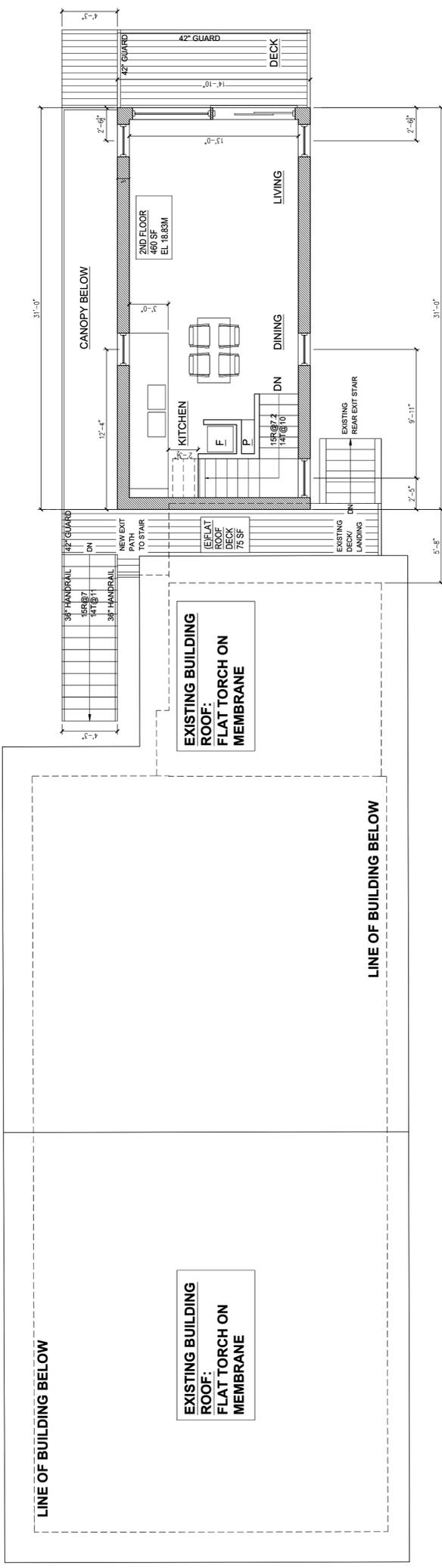
1/4" = 1'-0"

2 ROOF PLAN - NEW ADDITION

1/4" = 1'-0"

C

B



1B ROOF PLAN - EXISTING

1/4" = 1'-0"

1 2ND FLOOR PLAN - NEW ADDITION

1/4" = 1'-0"

A

I



MARK	DATE	DESCRIPTION

REVISIONS

MARK	DATE	DESCRIPTION
A	APRIL 2022	DP SUBMISSION

ISSUE INFORMATION

PLOT DATE: **APRIL 13 2022**

PROJECT NO.: **07-04**

DRAWN BY: dip

CHECKED BY: dip

PRINCIPAL IN CHARGE: Lucio Piccinini

OWNER APPROVAL:

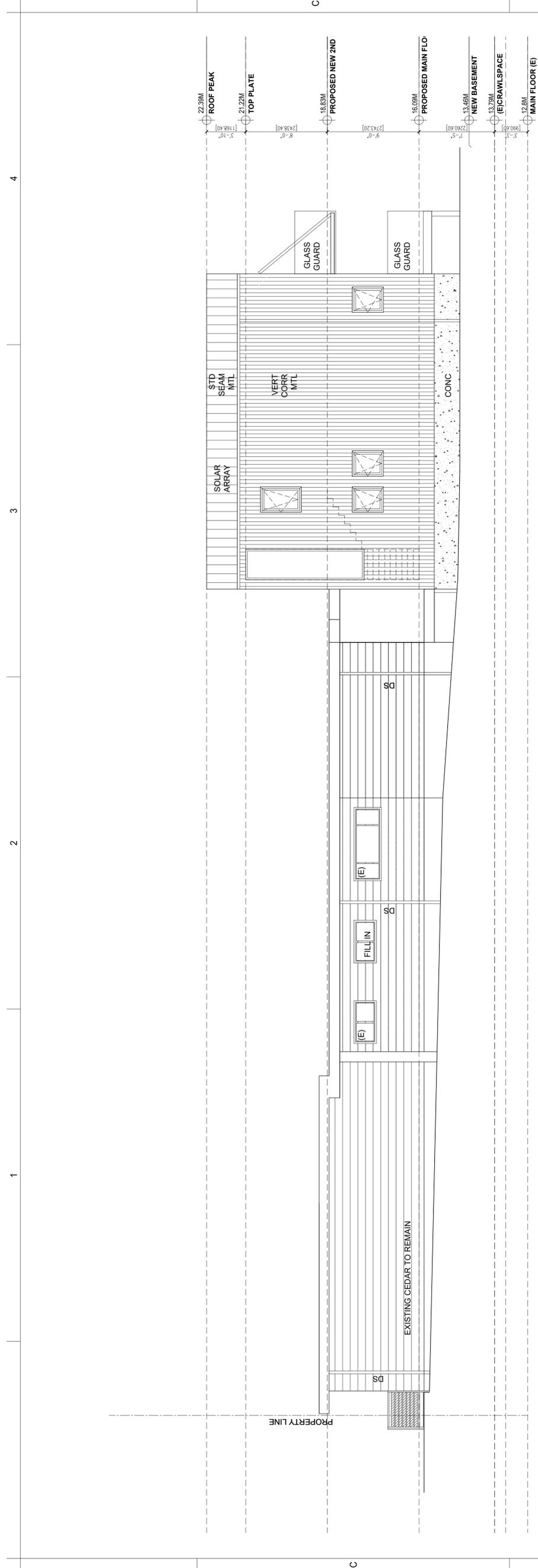
SHEET TITLE

ELEVATIONS

SHEET NO.

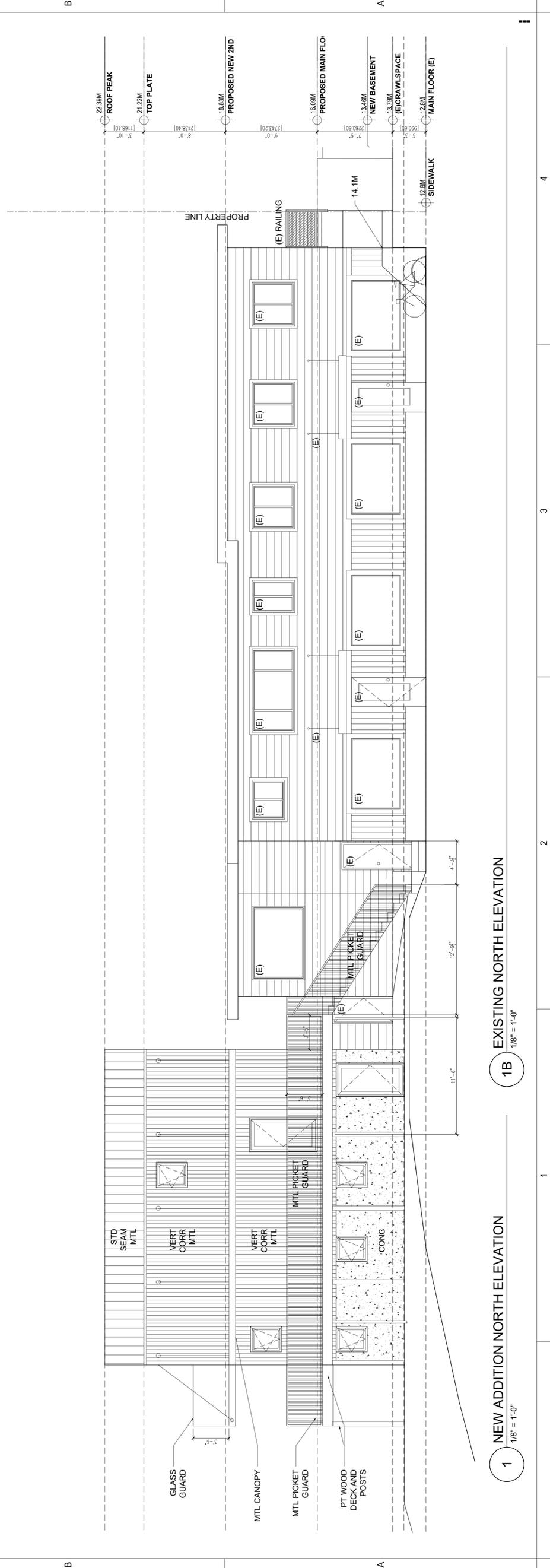
A3.0

ORIGINAL SHEET SIZE: 22"x34"



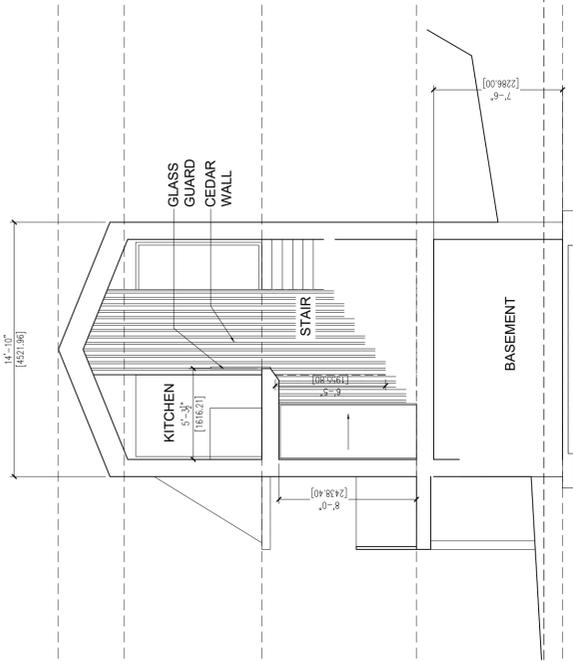
2B EXISTING SOUTH ELEVATION
1/8" = 1'-0"

2 NEW ADDITION SOUTH ELEVATION
1/8" = 1'-0"

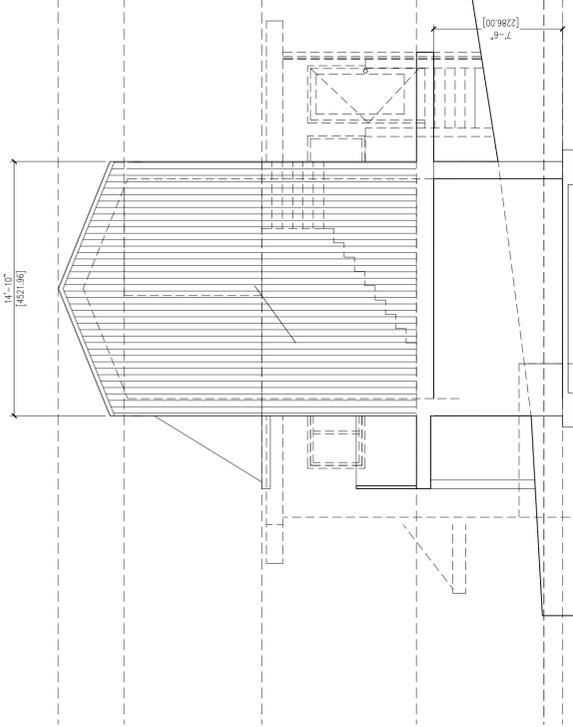


1 NEW ADDITION NORTH ELEVATION
1/8" = 1'-0"

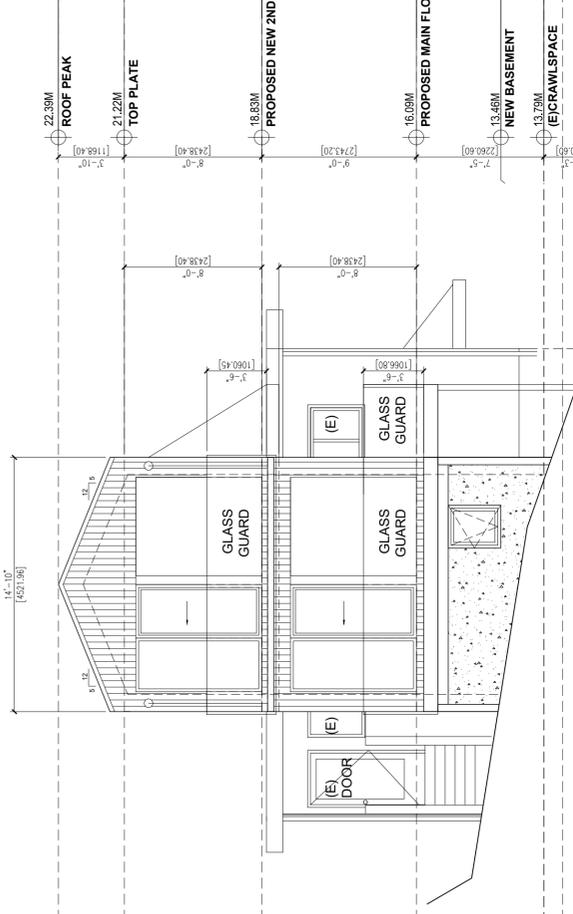
1B EXISTING NORTH ELEVATION
1/8" = 1'-0"



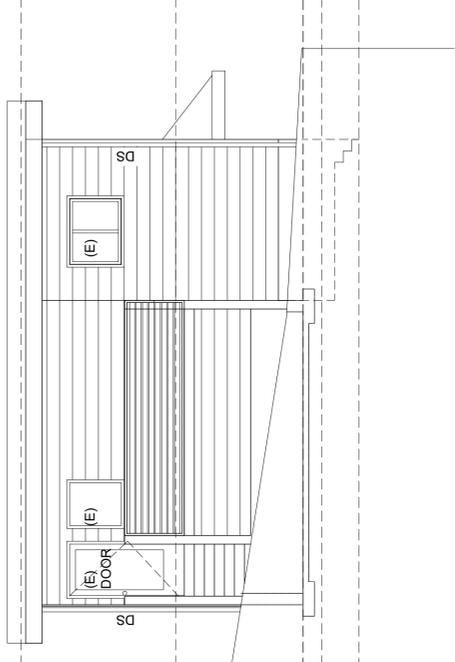
4 NEW ADDITION SECTION EAST
1/8" = 1'-0"



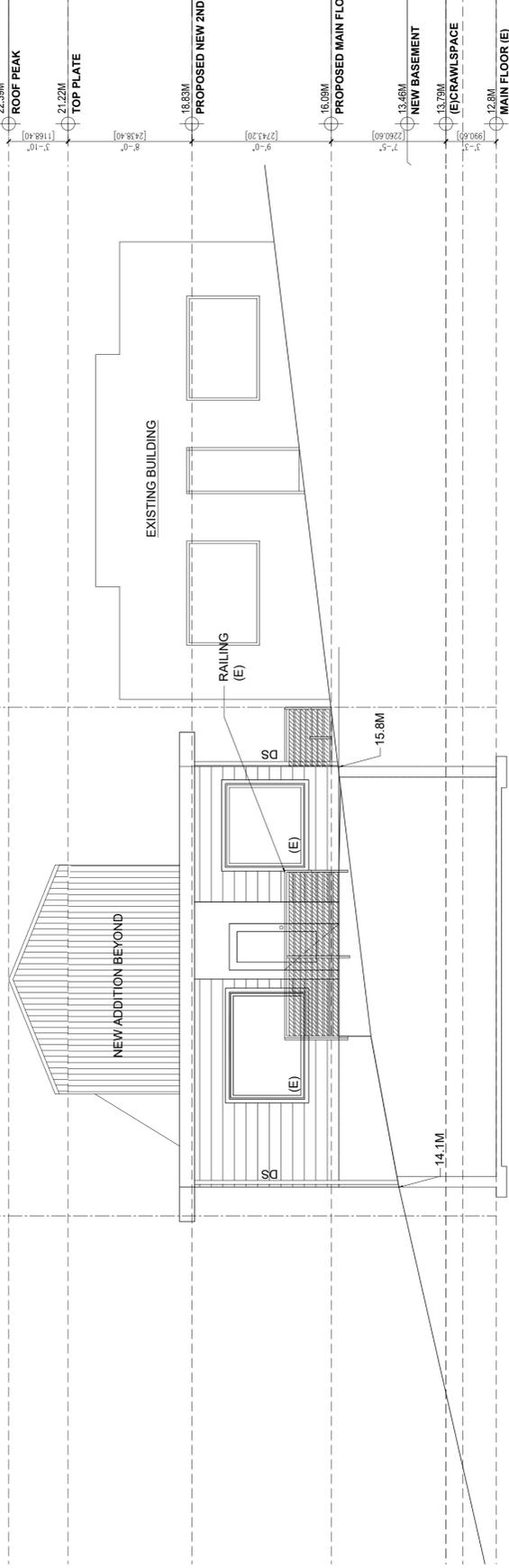
3 NEW ADDITION WEST ELEVATION
1/8" = 1'-0"



2 NEW ADDITION EAST ELEVATION
1/8" = 1'-0"



1B EXISTING EAST ELEVATION
1/8" = 1'-0"



1 EXISTING WEST ELEVATION
1/8" = 1'-0"

DEVELOPMENT PERMIT DP22-03

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:

DLP Designs Inc, No. BC741780, 3139 Wellington Drive, Vancouver, BC, V5R 4X7

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:

272 Main Street; Parcel Identifier 004-984-251, Lot 1, Plan 12287, District Lot 282, Clayoquot Land District

3. This Permit authorizes the following improvements on the Lands:
 - a) Addition of a two storey residential unit to an existing mixed use building.
 - b) Associated landscape and hardscape work including but not limited to:
 - i. A paving stone patio area with planter box
 - ii. The paving of 3 parking spaces and accompanying landscaping.
 - iii. The relandscaping of the Helen Road bank with native species ground cover.
4. 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. This permit will be subject to:
 - a) the receipt of final landscape and street improvements drawings.
 - b) a deposit of 125% of the value of the proposed landscape works and street improvements.
 - c) The receipt of final plans and details for waste/recycle screening and bear proofing.
 - d) A signed license of occupation agreement.
6. 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.
7. 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.
8. The owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
9. This Permit is NOT a Building Permit.
10. Schedule 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 , 2022 .

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning



Schedule A

(See Appendix A)

DEVELOPMENT VARIANCE PERMIT DVP22-03

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:

DLP Designs Inc, No. BC741780, 3139 Wellington Drive, Vancouver, BC, V5R 4X7

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:

272 Main Street; Parcel Identifier 004-984-251, Lot 1, Plan 12287, District Lot 282, Clayoquot Land District

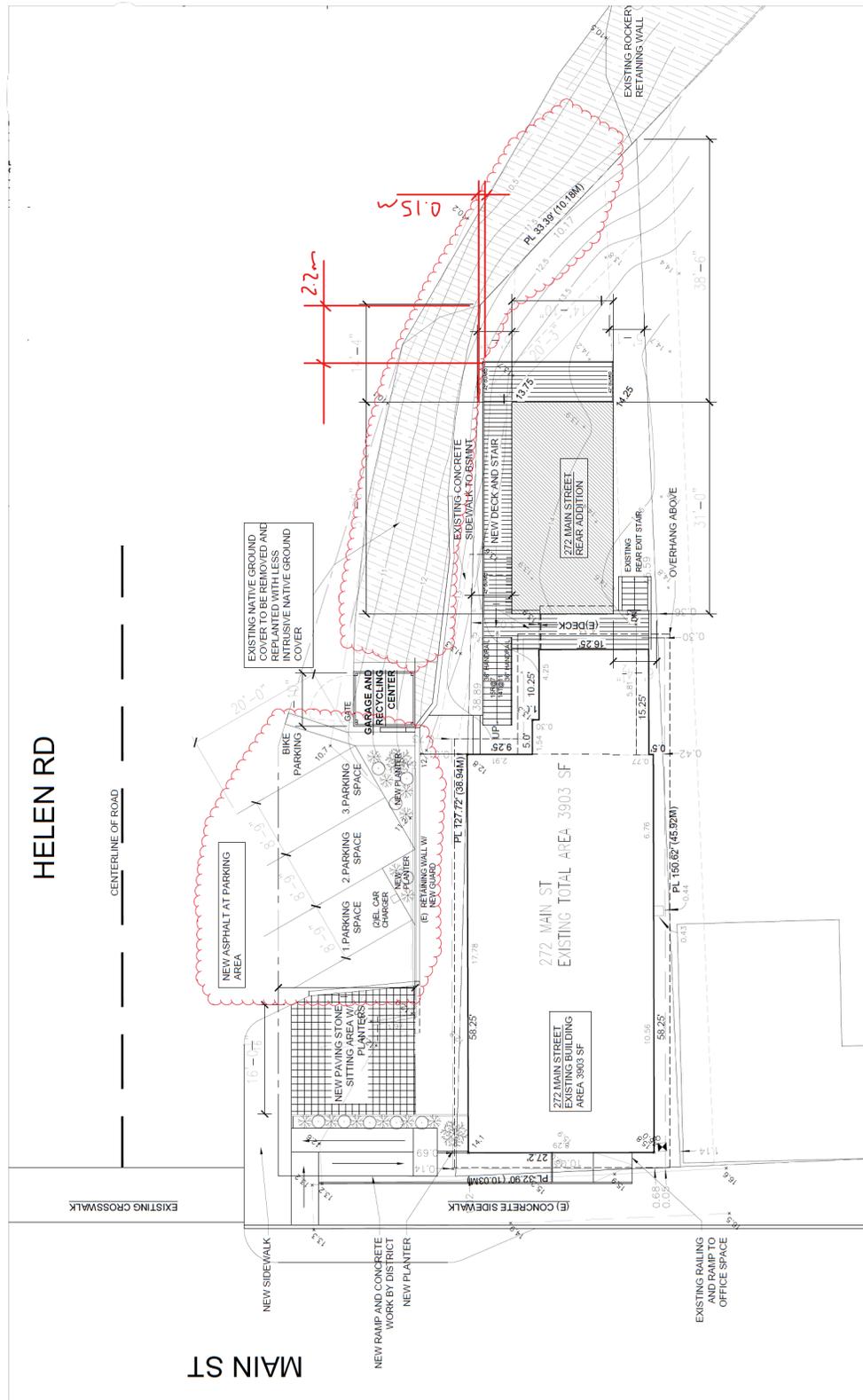
3. The work authorized by this Permit may only be carried out in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013, except where specifically varied or supplemented by this development variance permit and in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This permit authorizes the following variance specific to the plans attached as Schedule "A":
 - a. a minimum side yard setback of 0.15m from the lot line abutting Helen Road, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 1.5m; and,
 - b. a minimum rear yard setback of 2.2m from the rear lot line, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 4.0m; and,
 - c. a requirement of zero parking spaces, whereas section 505.1 of the Ucluelet Zoning Bylaw No. 1160, 2013 requires the proposed residential dwelling unit to have two parking spaces.
5. *The above variance is granted for the proposed structures and use of the land as shown on Schedule A. Should the buildings 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 , 2022 .

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning

Schedule A





REPORT TO COUNCIL

Council Meeting: August 16, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

FILE NO: 3060-20 DP22-02/3090-20 DVP22-04

SUBJECT: DEVELOPMENT PERMIT FOR A RESORT CONDO DEVELOPMENT AT 1015 PENINSULA ROAD **REPORT NO:** 22-121

ATTACHMENT(S): APPENDIX A – APPLICATION
APPENDIX B – DEVELOPMENT PERMIT 22-02
APPENDIX C – DEVELOPMENT VARIANCE PERMIT 22-04

RECOMMENDATION(S):

THAT Council, with regard to the proposed Resort Condo development at 1015 Peninsula Road (Lot 5 Section 21 Clayoquot District Plan VIP67274; PID 024-167-525):

1. Subject to public comment, approve the issuance of Development Variance Permit 22-04 for:
 - a. a minimum front yard setback of 2.59m from the front lot line for an existing yurt type office building, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m; and,
 - b. a minimum front yard setback of 1.5m from the front lot line for a garbage storage enclosure, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m; and,
 - c. two parking spaces with a zero setback, whereas section 503.2 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires that parking spaces must not be located within 3m of the lot line abutting Peninsula Road; and,
2. Approve the issuance of Development Permit 22-02 for an eight-unit cabin-style Resort Condo development and associated landscape and hardscape works; and,
3. Approve the location of the existing office yurt and its deck to within 21.3m of the natural boundary, whereas restrictive covenant EL10359 restricts the construction of buildings within 25m of the Natural Boundary.

BACKGROUND:

This Development Permit application was received May 29, 2022, for a Resort Condo development at 1015 Peninsula Road (the “**subject property**”). The subject property currently contains the “Wild Pacific Camp” RV campground which has been in operation since 2018 and contains 6 serviced RV spaces and a yurt-styled office building. The property is located on Spring Cove and there is a 15m right of way for a public trail and a 25m green space extending back from the natural boundary.

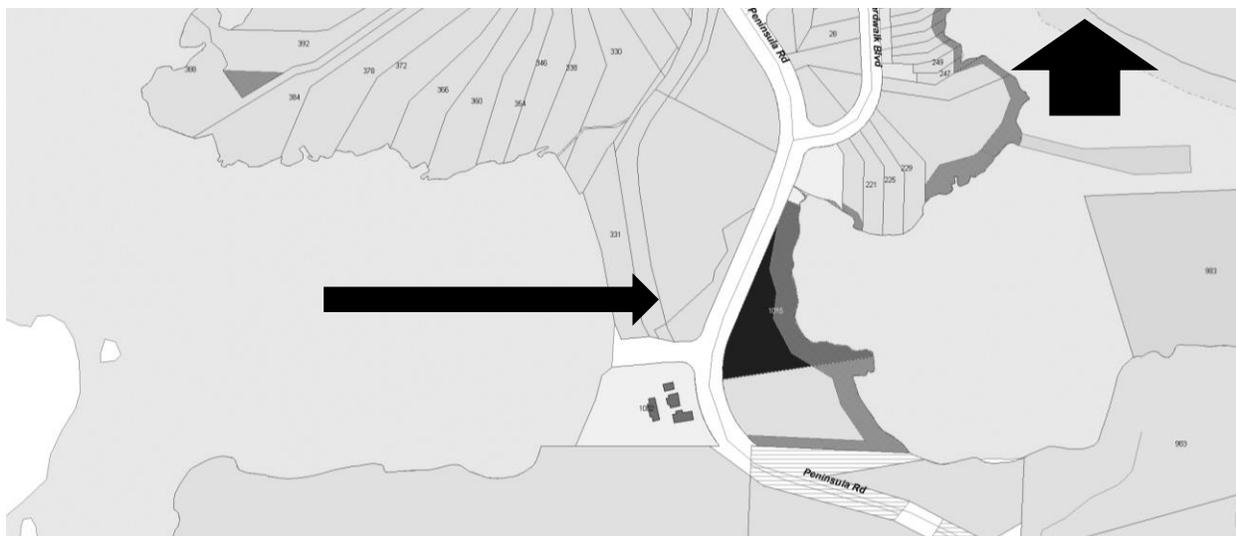


Figure 1 – Subject Property

Establishing objectives for the form and character of development in the resort region

Form and Character Development Permits are required for all commercial development and improvements in the District of Ucluelet. Key general form and character guidelines for this application are as follows:

F1. *Building design, layout, finish and colour should be of a high quality that reflects traditional (e.g., fishing village) or contemporary West Coast architectural styles;*

F2. *Larger development should be broken up into smaller components. The image of any new larger building should be as a grouping of smaller pieces. Break up building massing by articulated building faces, stepping back whole or partial upper floors, and landscaping to soften the building appearance and present a human-scale presence at the pedestrian level;*

F11. *The following exterior materials are encouraged:*

- *Wooden posts and beams with visible fastenings;*
- *Wood siding, planks, board-and-batten, shakes or shingles;*
- *Corrugated or standing-seam sheet metal;*
- *Weathering steel (e.g., Core-ten), aluminum, galvanized, zinc, copper or other non-reflective architectural metal elements,*
- *Finished concrete;*
- *Cementitious composite siding (e.g., Hardi-plank) when detailed to avoid large areas of flat panels; and,*
- *Limited use of brick or local stone.*

Building Form

The proposed development of 6 two storey cabins and a single two-storey duplex follows the footprint of the existing RV campground with limited disturbance to the existing trees and ground cover. The buildings have separation between them giving glimpses of water from between the units similar to the existing RV campground. The buildings have a low-slope roof and are relatively square two-storey cabins with a mix of hardi-panel, corrugated metal exterior siding. The roofs are shown as standing-seam metal, and the trim and guard railings are a mix of cedar and metal. Considering the confined and unique shape of the subject property and the robust natural boundary setback, the buildings' form, spacing and materials are consistent with the OCP guidelines.

Landscape and hardscape

The proposed development is not anticipating a major disturbance to the existing mature trees or ground cover except for the removal of a large dead hemlock located to the southwest corner of the property which will be replaced with six new Western Redcedar trees.

The applicant is proposing to landscape the previous gravelled parking areas not utilized for building or parking, and enhance the existing vegetated areas with native species to the areas between the cabins and Peninsula Road. The applicant will also remove and replant the fire pit and the unused access area within the 25m greenspace and move the existing sign back - to be located on the property and comply with the sign bylaw.

Parking and vehicle access

The applicant is proposing to remove the existing southern access point closest to the corner and access the site from a single point with the parking proposed to be within the existing central gravel area. The single access point will be required to be engineered and constructed to meet best engineering practice. The access point is on a section of Peninsula Road that has a 30km speed limit and the site lines meet Transportation Association of Canada guidelines as per the applicant's engineering study.

It should be noted that a further traffic assessment may be required at the building permit stage if the Director of Engineering Services considers it necessary.

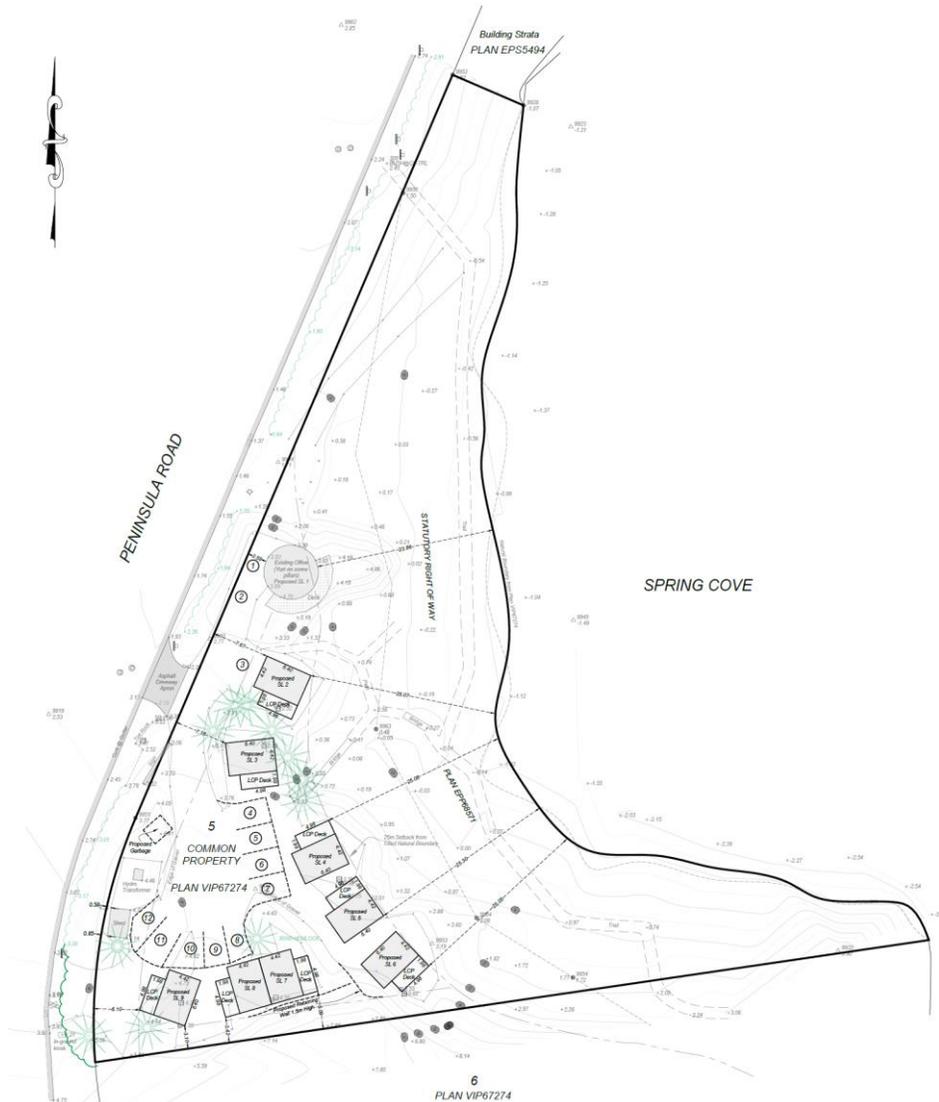


Figure 2 – Proposed site layout

Terrestrial (Mature Forest) (DPA V) and Marine Shorelines (DPA VII)

The subject property falls within the Official Community Plan's Terrestrial and Marine Shorelines Development Permit Areas.

The applicant has engaged Calidris Ecological Services to complete an environmental assessment of the proposed development (see **Appendix "A"**). The attached development permit (see **Appendix "B"**) includes conditions that will require the applicant to follow the recommendations listed in this report. Following are those recommendations:

"The following recommendations are provided to mitigate potential adverse environmental effects as a result of the proposed project.

- *Grubbing and excavation for foundations should aim to minimize disturbance to tree roots. If large structural roots are encountered, they should be retained as much as possible. If they must be removed, they should be cut-off cleanly.*
- *Drainage should aim to move water freely off gravel surfaces and maintain natural hydrological conditions to the extent possible. Avoid creating areas of pooling water that may attract breeding amphibians.*
- *Minimize vegetation clearing and retain all mature, healthy trees on the site.*
- *If coarse woody debris (i.e., nurse logs) need to be moved, it should be done carefully and placed in a similar orientation to make a vegetated buffer between the cabins and public access areas. This will mitigate risks to amphibians.*
- *If the standing dead western hemlock tree is to be removed during the nesting bird season (March 26 to August 9; Env. Canada 2022) a pre-clearing nesting bird survey by a Qualified Environmental Professional (QEP) is required to avoid harm to nesting birds (as required by the Migratory Bird Convention Act and the Provincial Wildlife Act). It's recommended that this tree be felled as soon as possible, or after August 9.*
- *If the tree is to be felled during the spring or summer months when migratory bats are present in the region, an assessment by a QEP of potential bat roosting should also occur before it is felled."*

Archaeological

The subject property is close to overlapping a known archaeological site but the development itself does not overlap that known site. The applicant has been in contact with the Province's Archaeological Branch. See **Appendix "A"** for the applicant's email communications confirming their responsibilities under the provincial *Heritage Conservation Act*.

ZONING

The subject property falls within the CS-5 zone and from the information provided the proposed development is consistent with the applicable zoning regulations with the exception of the following requested variances:

- a minimum front yard setback of 2.59m from the front lot line for an existing circular office building, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m.
- a minimum front yard setback of 1.5m from the front lot line for a garbage storage enclosure, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m.
- two parking spaces with a zero setback, whereas section 503.2 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires that parking spaces must not be located within 3m of the lot line abutting Peninsula Road.

Considering that the variances are requested for existing conditions and a small garbage enclosure, these variances are supported.

COASTAL FLOODING REQUIREMENTS

On existing properties for the purposes of building and development permits for a use that is allowed by zoning, tsunami inundation is not a consideration while coastal flooding is.

The proposed buildings are shown to occupy lands that are approximately 3.5 to 5 meters geodetic. The Flood Construction Level (FCL) for Coastal Flooding, as indicated in the Official Community Plan Map 4, indicates that the property would be subject 5.1m geodetic FCL (0.5% AEP, 1m RSLR, with 0.6m freeboard). Depending on a geotechnical hazard assessment prepared by a professional engineer, the proposed development could be feasible as long as the floor systems of the proposed buildings are above 5.1m geodetic.

The applicant has not supplied a hazard assessment as part of this DP but one will be required as part of the building permit process. It is advised that the applicant pursue this work forthwith to fully understand the building requirements of the site.

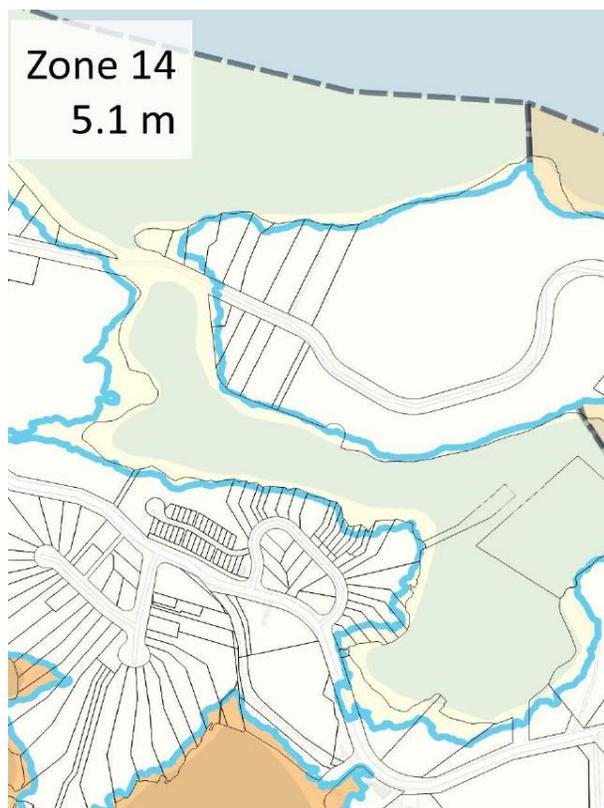


Figure 3 – Coast Flooding Map

COVENANT ENCROACHMENT

The existing office yurt and its deck were built within 21.3m of the natural boundary. The subject property has a restrictive covenant (EL10359) that restricts building to within 25m of the Natural Boundary. Considering that the yurt building is only slightly over the 25m setback and that the deck was shown to be over in the original development permit for the RV campground, the recognition of this encroachment is supported.

SERVICING

There is general service capacity fronting the property with the service connection being reviewed in detail at the building permit stage.

FIRE SERVICES

The proposed development is directly accessible from Peninsula Road and the access road has the width to pull in a fire apparatus and the site has two fire hydrants within 50m. A detailed analysis of the fire protection of each building will be done at the building permit stage.

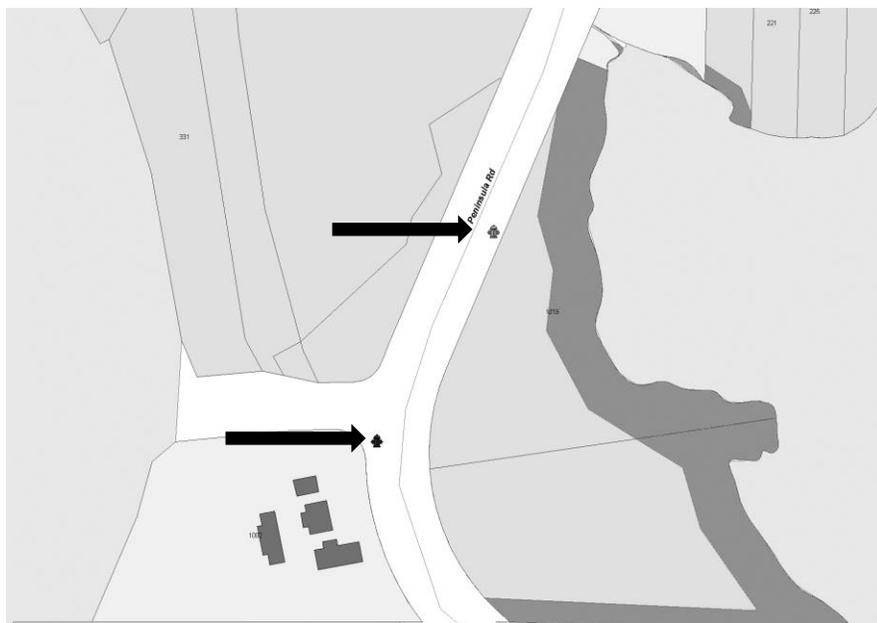


Figure 4 – Fire hydrant location

ANALYSIS OF OPTIONS

A	Approve issuance of DP22-02 and DVP22-04	<u>Pros</u>	<ul style="list-style-type: none"> The proposal is consistent with the DP guidelines and would see the RV campsite use evolve to a preferred, more permanent type of use. Revegetation of the existing fire pit area would improve the forest environment and the experience of trail walkers on the adjacent Spring Cove trail.
		<u>Cons</u>	<ul style="list-style-type: none"> As the application is consistent with the DP Guidelines; there are no negative aspects to the approval of this application.
		<u>Implications</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed, The district will receive a Development Cost Charges contribution for each unit at building permit. Staff time will be required to process this application.

B	Reject the DVP and/or DP application, and if so state which specific DP guidelines are not adequately met.	Pros	<ul style="list-style-type: none"> Unknown at this time
		Cons	<ul style="list-style-type: none"> Unknown at this time
		Implications	<ul style="list-style-type: none"> The application would not proceed. The applicant would need to redesign and resubmit their application.
		Suggested Motion	<p>THAT Council reject the application for DVP22-04 at this time;</p> <p style="text-align: center;">and/or,</p> <p>THAT Council reject the application for DP22-02 [and Council should state which specific DP guidelines are not adequately met by the current proposal].</p>

POLICY OR LEGISLATIVE IMPACTS:

- This application is compliant with the Official Community Plan and the Zoning Bylaw.
- Notice was given for the Development Variance Permit in accordance with the *Local Government Act*. Council should provide an opportunity for public comment to be heard prior to making a decision on the requested variance.

NEXT STEPS

- If this application is approved:
 - the attached DP and DVP will be signed by the Director of Community Planning, issued to the applicant, and then notice of the permits would be filed with the Land Title Office.
 - the applicant or subsequent owners of the subject property will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed development.

Respectfully submitted:

JOHN TOWGOOD, MUNICIPAL PLANNER
 BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
 DUANE LAWRENCE, CAO

To: The District of Ucluelet and Ucluelet council**Re: Proposed Development for Wild Pacific Camp property at 1015 Peninsula Rd. Ucluelet / Letter of Intent****Introduction**

We wish to acknowledge that we are operating on Yuułuʔiłʔatḥ– Ucluelet First Nation traditional territory and we are grateful for the use of this land.

We are pleased to present this development proposal to build 8 additional units (6 individual cabins and 1 duplex, total 8 units) at the current locations of the serviced RV sites.

We are also proposing a Building Strata to be registered for our property.

Careful thought process and a few years of experience running a business on the property has allowed ideas and concepts to mature and we hope you find the included information within our application detailed, informative and sufficient.

Included within our Application

- Application Form
- Site Plan
- Engineering Plans (Site plan, Infrastructures, Retaining Wall, Vehicle Tracking, Flow Rates)
- Cabin Exterior Plans (*with elevations*)
- Cabin Interior Floor Plans
- Archeological Report
- Environmental Assessment (*including Landscaping Plan*)
- Certificate Of Title

Development Goals

-Provide quaint, comfortable and functional accommodation for all guests to enjoy the tip of the beautiful Ucluelet peninsula.

-Minimize environmental impact. Since most of the land work was done in 2018, only small land modifications will be required for this development to be possible (*see Land Mods plan*)

-Complete all work in a timely manner to help mitigate local disturbances from construction noise. We can substantially cut the development timeframe by using pre fabricated structures.

-Provide safer access points to and from Peninsula Rd. (*see parking and access below*)

-Achieve the perfect balance between development functional density and our property's forested environment.

Cabin Description

These units will be 662 sq feet each on a 2 storey, 2 bedroom and one bath floor plan. The style is pure west coast “Industrial & Organic”, with some modern elements of single pitch roof, L- design, and a careful blend of materials such as post and beam, Hardy panels, corrugated galvanized metal, and cedar accents.

Ample windows bring the outside living indoors, with views of spring cove and the mature forest. Decks will be all positioned to maximize sun exposure. As well, all cabin placements and layout are optimized for privacy, views and natural sunlight.

The “upside down” layout, with an upstairs living area, provides a bird’s eye feel of the forest and cove. The bedrooms downstairs provide a cooler sleep if desired.

Our new cabins will be a perfect fit for a family.

Parking and Access

Parking will be ample with a modification of the current layout. The current south end entrance will be blocked and revegetated to provide a green buffer to Peninsula Rd at the south end. This will also have the benefit of eliminating a potentially dangerous access point since this is in a sharp bend in the road.

The main entrance by the existing log sign will be used as an in and out route, providing safer access to and from Peninsula Rd.

The parking will be centralized and offer enough room to allow trucks to drive in, park, back and turn around within the parking lot.

A total of 12 full size parking stalls will be accessed from the main entrance.

The cabins will be a few steps away from each dedicated stalls. It is our hope to maximize landscaping opportunities by limiting driving on the property, therefore bringing more green space back onto the property in comparison with the current RV site layout.

(Please refer to the Vehicle Tracking engineering drawings included with our application)

Infrastructure

We will use the existing infrastructure for hydro, water and sewer, therefore the site modifications underground will be minimal.

Hydro:

Current hydro service is 600 Amps, which is sufficient for the requirements of our proposed development.

We currently have 7 X 100 Amp wires underground. 2 additional 100 Amp wires will need to be brought under the parking lot in a single 1 ft wide X 3 ft deep trench, to bring the required power to all cabins (*see attached Land Modifications plan*)

Water lines:

Currently, we have 7 underground water lines that run from the central manifold in the service shed to all sites. These lines are 200 PSI rated. 2 additional lines will need to also be installed to properly service the cabins. These can be installed in the same trench that the new electrical wires will use.

Sewer:

Our current gravity system has been working flawlessly for the past 4 years and will be functional for the cabins. Small shallow adaptations will be required to optimize placement of the hook ups, and to add the additional 2 line extension to hook up all cabins. (*see attached Land Modifications plan*)

Internet:

Internet wiring will be brought to all cabins in shallow trenches and housed into protective conduits.

Infrastructure Summary

We developed the property originally in 2017/2018 with the intent of eventually building cabins and replacing the RV sites. This initial approach will now allow us to do this development with very minimal disturbance and get it done in a timely manner.

(Please refer to the Vehicle Tracking engineering drawings included with our application for all the details on the needed infrastructure improvements)

Ground Excavation

We are also hoping to keep excavation at a minimum and use the current RV pads as building sites.

The SE corner of the building site will need some excavation work to be done. At this location of our property, there is a hill of overburden that was initially reduced with our first development, which we wish to keep to provide a natural visual buffer in between our property and our neighbour to the south on lot 6. However, we will need to remove an area of 20 ft long X 10 ft wide and build a retaining wall approximately 5 ft tall. (*see included Engineering drawings*)

Drain rocks and crushed gravel will need to be moved in to backfill foundation footings and instal the perimeter drain systems.

Building Strata

We are proposing a Building Strata to be registered at BC Land Titles. Whereas each cabin will be a strata titled unit, and the land will be common shared property for the strata corporation.

This will have many advantages, such as maintaining a consistent visual appearance for the resort. From the exterior maintenance schedule and budget, to all the landscaping in between the cabins and common areas, trail access, parking, driveways, etc.

We are proposing for the recently built (2018) log yurt to be converted into the Building Strata as a strata titled unit SL1 (see *Site Plan*). An occupancy permit was obtained in April of 2018 for this building.

Fire Department Access

There is a fire hydrant located on the property (see *Site Plan*). The maximum length to the furthest cabin in the SE corner will be approximately 175 ft. The driveway is large enough for the fire truck to drive in and park in the centre area, allowing access to all cabins.

(Please refer to the Vehicle Tracking engineering drawings included with our application)

Conclusion

We hope to enhance the Terrace Beach and Spring Cove area by bringing a visually pleasing, naturally fitting and functional development to house local and international guests alike. Our development will be characterized by the organic and authentic feel of the trees and Spring Cove, in which the cabin's aesthetics will be inspired from, to create the "Industrial Organic" west coast look and feel.

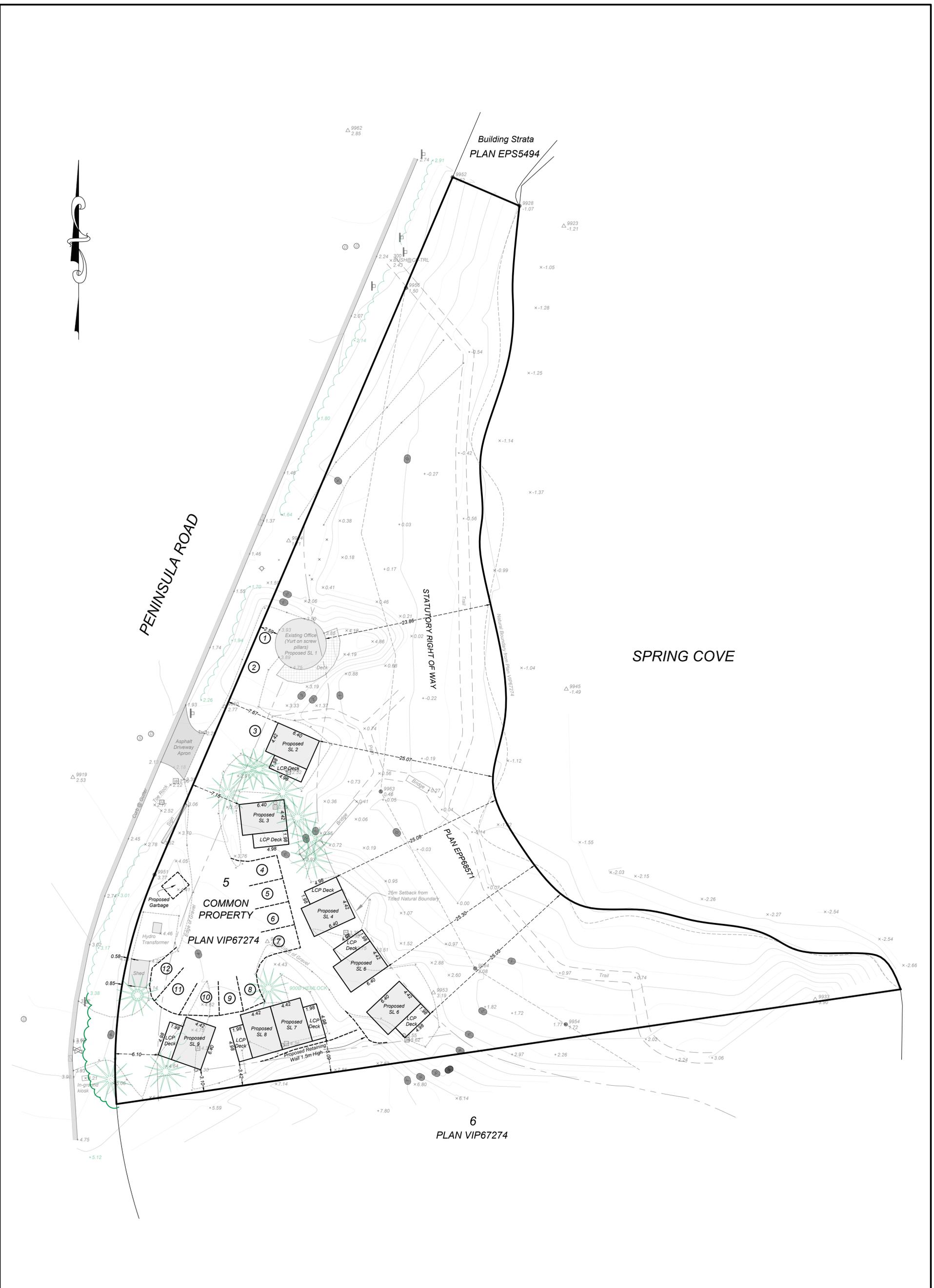
Careful attention to detail will be applied to every aspect of our development, to maintain the highest level of visual appeal for the community and its guests.

We look forward to discussing our proposal in person and answer all questions.

Thank you kindly,

Alex Paquin & Shane Korpan

Owners / Wild Pacific Camp
1015 Peninsula Rd.
Ucluelet, BC



**PROPOSED BUILDING STRATA ON
LOT 5, SECTION 21, CLAYOQUOT DISTRICT, PLAN VIP67274.**

1:250

LEGEND

<ul style="list-style-type: none"> ● Standard Iron Post Found △ Standard traverse hub placed +97.97 Spot Elevations ⊕ Fire hydrant ⊖ Hydro connection 	<ul style="list-style-type: none"> ○ Sanitary connection ⊠ Water meter ⊙ Storm manhole ⊕ Sanitary manhole ⊠ Catchbasin ⊠ Water valve ⊠ Tree (coniferous) 	<ul style="list-style-type: none"> ⊠ In-ground klook ⊠ Proposed Retaining Wall 1.9m High ⊠ Proposed Garbage ⊠ Hydro Transformer ⊠ Shed ⊠ Proposed LCP Deck ⊠ Proposed SL 1-9 ⊠ Existing Office (Yurt on screw pillars) ⊠ Proposed SL 1 ⊠ Proposed SL 2 ⊠ Proposed SL 3 ⊠ Proposed SL 4 ⊠ Proposed SL 5 ⊠ Proposed SL 6 ⊠ Proposed SL 7 ⊠ Proposed SL 8 ⊠ Proposed SL 9
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Contour Interval = 0.5m
All distances are in metres and decimals thereof.
Elevations are geotectic and are based on Canadian Vertical Datum 2013.

Dwg Name: 20220413_549ProBldgStrata.dwg
Field Survey: Feb. 7/22



651 Timberlane Rd.
Courtenay, BC
V9N 9K8
250-338-1520

April 25, 2022

Project No. 2022-048

Alex Paquin
5862 Aldergrove Drive
Courtenay, BC
V9J 1W2

RE: ENVIRONMENTAL ASSESSMENT UPDATE FOR DEVELOPMENT OF EIGHT STRATA-MANAGED VACATION CABINS AT 1015 PENINSULA ROAD, UCLUELET, BC

Dear Mr. Paquin,

Introduction

Wild Pacific Yurts and Campground Ltd. (WPC) owns and operates a campground on its property at Lot 5, Section 21 Clayoquot District, Plan VIP67274 along Peninsula Road in Ucluelet, BC. The property is zoned CS-5 (Tourist Commercial) and currently hosts an office and six fully serviced RV sites. It's understood that the owners wish to enhance the development by converting the RV sites into strata-managed, privately owned vacation rental cabins.

Calidris Ecological Services Ltd. (Calidris) has been commissioned to provide a biophysical review of the new proposed development, assess potential adverse environmental effects, provide mitigation for those effects and provide input into the landscape plan.

Proposed Changes to the Property

A total of eight units are proposed consisting of six, 662 ft², pre-fabricated cabins and one 1,324 ft² duplex (two unit) cabin. Seven of the units are to be constructed on poured concrete foundations within the existing gravel RV pads and will utilize existing underground services and one unit will be constructed in the southwest corner of the lot where the garbage facility is currently located (Attachment 1: Site Plan).

A small amount of excavation (approximately 10 m x 5 m area) will be required to provide adequate clearance for the duplex units at the southeastern end of the lot (Attachment 1: Site Plan SL unit #3 and #4). A retaining wall will be constructed at the toe of this slope. This excavation will take place in old fill material that pre-dates previous development.

The south access driveway will be blocked off and re-vegetated (an approximately 20 m x 25 m area). Some minor trenching (approximately 1 m deep x 0.3 m wide) across the existing driveway is required to adjust the existing sewer line and run hydro, water and communication lines to each of the cabins. This trenching is all confined to existing cleared areas within fill material brought in for the initial construction of the camp.

One large stump will need to be removed from parking stall #10 (see Attachment 1: Site Plan), excavation will be required to remove the roots and provide a safe driving/parking surface. One standing dead, previously topped, western hemlock (*Tsuga herophylla*) will need to be felled in the southwest corner of the lot (Attachment 2: Photo 1). No other vegetation clearing is required.

Methods

A detailed Environmental Overview Assessment was conducted by Calidris Ecological Services in support of the initial development permit application in 2018. The new proposal has been reviewed against the previous findings. The following design plans were reviewed to inform this assessment.

- WPC's development proposal
- Site Plan (Grant Land Surveying 2022a)
- Land Modifications (Grant Land Surveying 2022b)

The following publicly available information sources were re-queried for any new relevant information:

- The BC Conservation Data Center Ecosystems Explorer (2022a);
- The BC Conservation Data Center iMap application (2022b).

Results

The project is located within the Coastal Western Hemlock Very Wet Hypermaritime biogeoclimatic zone (CWHvh1). The development area is within the understory of mature Sitka spruce (*Picea sitchensis*) forest with an understory dominated by salal (*Gaultheria shallon*), evergreen huckleberry (*Vaccinium ovatum*), red huckleberry (*Vaccinium parvifolium*), sword fern (*Polystichum munitum*), deer fern (*Blechnum spicant*) and regenerating western hemlock (*Tsuga heterophylla*). There are no watercourses or wetlands within the proposed development area. Topography is gently sloping and surface drainage is eastward into the adjacent marine bay (Spring Cove).

A review of the site plan and land modifications design drawings (Grant Surveying 2022 a, b) and discussions with Mr. Paquin indicates that the majority of the land alterations will be within existing cleared areas and within fill material installed during initial development in 2018.

One mature, standing dead, western hemlock will need to be removed. This tree is in decline and likely poses a safety risk. The tree and stump will be removed to allow for construction of the southwestern-most cabin (Attachment 1).

A review of the BC CDC iMap (2022) and the BC Ecosystems Explorer (2022) showed no changes from the previous assessment in 2018. Wildlife species (excluding invertebrates) assessed to have a 'high' likelihood of occurrence within the project area are provided in Table 1 and are the same as in 2018. Three amphibians, six birds, and two mammals were assessed to have a 'high' likelihood of occurring within the project area based on the criteria above.

The BC CDC maintains occurrence records for species at risk, a map query of marked known occurrence records was conducted to check for any changes in these records since the previous assessment. Known are noted. The nearest marked known occurrence is California wax-myrtle (*Morella californica*), a provincially blue-listed shrub that is relatively common in the region.

Given the relatively minor amount of clearing and current use of the site, the proposed changes are not expected to adversely affect wildlife. The project may result in minor interactions with amphibians, particularly if they are overwintering in the area. Red-legged frog (*Rana aurora*), in particular, are common in the region and have been identified near the project (Figure 1). There is no breeding habitat for red-legged frog or western toad (*Anaxyrus boreas*) within the project area; however, adjacent mature forest habitat may be suitable for overwintering and migration. Wandering salamander (*Aneides vagrans*) may occupy large (>60 cm in diameter) rotten logs (BC CDC 2003), there is trace amounts of this material on

the site. No handling of this material is expected. Interactions with amphibian species can be mitigated by minimizing ground disturbance as well as disturbance to coarse woody debris, which is to be retaining onsite. It should be handled as little as possible.

Birds and bats may use the standing dead hemlock that is to be felled. The project is within the A1 breeding bird nesting zone (Environment Canada 2018) which has a nesting period of March 26 to August 9.

Townsend's big eared bat (*Corynorhinus townsendii*) typically roost in caves and are rarely found in trees (BC CDC 2014). Little brown myotis (*Myotis lucifugus*) may roost in trees during the spring and summer months, but tend to hibernate in caves overwinter (BC CDC 2015).

Table 1. Species with a high likelihood of occurring within the project area.

Group	Scientific Name	English Name	COSEWIC	BC List	MBCA	SARA
amphibian	<i>Aneides vagrans</i>	Wandering Salamander	SC	Blue	-	1-SC
amphibian	<i>Rana aurora</i>	Northern Red-legged Frog	SC	Blue	-	1-SC
amphibian	<i>Anaxyrus boreas</i>	Western Toad	SC	Yellow	-	1-SC
bird	<i>Ardea herodias fannini</i>	Great Blue Heron, <i>fannini</i>	SC	Blue	-	1-SC
bird	<i>Contopus cooperi</i>	Olive-sided Flycatcher	SC	Blue	Y	1-T
bird	<i>Hirundo rustica</i>	Barn Swallow	T	Blue	Y	1-T
bird	<i>Patagioenas fasciata</i>	Band-tailed Pigeon	SC	Blue	Y	1-SC
bird	<i>Coccothraustes vespertinus</i>	Evening Grosbeak	SC	Yellow	Y	-
mammal	<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	-	Blue	-	-
mammal	<i>Myotis lucifugus</i>	Little Brown Myotis	E	Yellow	-	1-E

Notes: BC = British Columbia, MBCA = Migratory Bird Convention Act, SARA = Species at Risk Act, SC = Special Concern, Y – Yes, T = Threatened, E = Endangered



Figure 1: BC Conservation Data Center Marked Known Occurrence Records in the Vicinity of the Project.

Recommendations

The following recommendations are provided to mitigate potential adverse environmental effects as a result of the proposed project.

- Grubbing and excavation for foundations should aim to minimize disturbance to tree roots. If large structural roots are encountered, they should be retained as much as possible. If they must be removed they should be cut-off cleanly.
- Drainage should aim to move water freely off of gravel surfaces and maintain natural hydrological conditions to the extent possible. Avoid creating areas of pooling water that may attract breeding amphibians.
- Minimize vegetation clearing and retain all mature, healthy trees on the site.
- If coarse woody debris (i.e., nurse logs) need to be moved, it should be done carefully and placed in a similar orientation to make a vegetated buffer between the cabins and public access areas. This will mitigate risks to amphibians.
- If the standing dead western hemlock tree is to be removed during the nesting bird season (March 26 to August 9; Env. Canada 2022) a pre-clearing nesting bird survey by a Qualified Environmental Professional (QEP) is required to avoid harm to nesting birds (as required by the *Migratory Bird Convention Act* and the *Provincial Wildlife Act*). It's recommended that this tree be felled as soon as possible, or after August 9.
- If the tree is to be felled during the spring or summer months when migratory bats are present in the region, an assessment by a QEP of potential bat roosting should also occur before it is felled.

Landscape Plan

Landscaping will endeavor to mimic natural vegetation in the area as was done during the previous development. A representative photo of this approach is provided in Attachment 2: Photo 2. See Attachment 4 for the areas described below. Note that the access to Peninsula Road, the driveway and the parking stalls utilize existing infrastructure. Tree clearing is limited to one standing dead western hemlock, as described above and removal of one stump. All other trees on site will be retained. The goal of the landscape plan is to maintain and enhance the natural character of the property.

The existing access on the south side of the property will be removed and replanted (Attachment 4: Area 1). A two meter strip along Peninsula Road will have topsoil applied and will be seeded with a suitable roadside grass seed mix to prevent erosion and prevent encroachment of tall shrubs along the roadside.

For the remainder of the area, the gravel driving surface will be excavated out so that the native soil is exposed and friable. A minimum of 15 cm of topsoil will be placed over the area. This area is approximately 25m² which will require approximately 3.75 m³ (5 yards) of topsoil. Six potted western redcedar (*Thuja plicata*) trees will be planted along the western boundary at a minimum spacing of 2.5 m. This should provide a visual barrier from the Peninsula Road into the property. Native shrubs will be planted between the cedars and along the eastern side of this polygon at an approximately density of one per square meter. This equates to an approximate total of 15 potted shrubs. Salal (*Gaultheria shallon*), evergreen huckleberry (*Vaccinium ovatum*) and red huckleberry (*Vaccinium parvifolium*) will be used, depending on availability.

Where excavation is required, Attachment 4: areas 2 and 3, topsoil will be stripped and stored for reclamation, where applicable. If adequate topsoil is not available, new topsoil will be imported. The cutback at area 2 will be planted with salal and seeded with a fast growing erosion control grass seed mix. A seed

mix that allows for native species encroachment will be used as the intention is for these areas to naturally reestablish native species.

Area 3 is level so erosion is not expected. This area will be planted with native shrub species to provide privacy between the residences. Salal and evergreen huckleberry are preferred choices as they are hedge forming and also produce fruit which can benefit wildlife.

Area 4 is a communal fire pit area with an area of approximately 38m² that will be reclaimed and planted with native shrubs. There are mature trees around this area so understory, shade tolerant shrubs are required (the species provided above are all suitable). Approximately 30 plants are required to cover this area at an approximate spacing of one per square meter. Note that the soil here is native and does not need amelioration.

Area 5 is a small disturbed pull out that once served as construction access to the Wild Pacific Trail. This area is approximately 75 m². A two meter strip along Peninsula Road will be grass seeded as a road shoulder in the same manner as Area 1. The remaining area will be planted with shrubs at one meter spacing. Coarse woody debris will be placed to discourage public access and provide habitat for wildlife. Suitable wood will be salvaged on site.

New walking paths will be constructed to access the cabins at the southeast corner of the lot (Attachment 4: Landscape Plan). These will be gravel paths lined with native species.

Any invasive species detected on the site will be removed, contained and disposed of in a manner that does not result in further propagation. None were noted during the previous assessment.

Conclusion

This project requires a relatively small amount clearing and land alteration. Adverse effects to the environment are expected to be negligible if the provided recommendations are followed. The change of land use from RV camp to permanent structures and subsequent landscaping is expected to result in an overall improvement in the ecological value of the property given the lower risk of spills and more permanent land alterations and landscaping that will be allowed to mature.

Closure

I trust that the above meets your current requirements, should you have any questions or comments, please don't hesitate to contact me.

Yours truly,



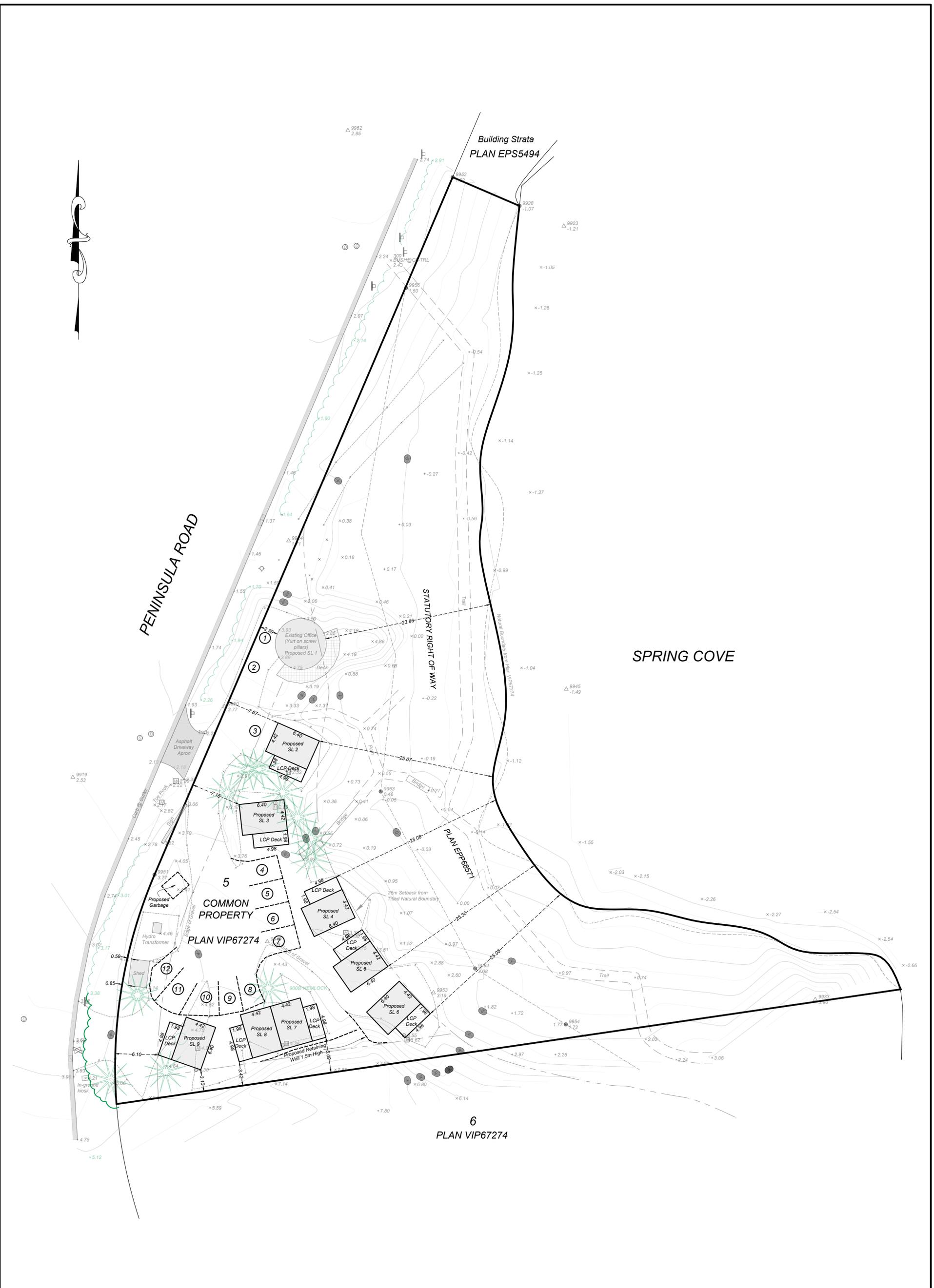
Kim Poupard, R.P.Bio.
Calidris Ecological Services Ltd.

Attachments

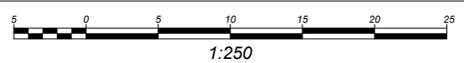
- Attachment 1: Site Plan
- Attachment 2: Photoplates
- Attachment 3: BC CDC Query Results
- Attachment 4: Landscape Plan

References

- BC CDC (Conservation Data Centre). 2003. Species Summary: *Aneides vagrans*. B.C. Minist. of Environment. Available: <http://a100.gov.bc.ca/pub/eswp/> (accessed Nov 26, 2018).
- BC CDC (Conservation Data Centre). 2014. Species Summary: *Corynorhinus townsendii*. B.C. Minist. of Environment. Available: <http://a100.gov.bc.ca/pub/eswp/> (accessed Nov 26, 2018).
- BC CDC (Conservation Data Centre). 2015. Species Summary: *Myotis lucifugus*. B.C. Minist. of Environment. Available: <http://a100.gov.bc.ca/pub/eswp/> (accessed Nov 26, 2018)
- BC CDC (Conservation Data Center). 2022a. BC Ecosystems Explorer. Available online: <http://a100.gov.bc.ca/pub/eswp/> (Accessed November 26, 2018).
- BC CDC (Conservation Data Center). 2022b. BC iMap. Available online: <http://maps.gov.bc.ca/ess/hm/cdc/> (Accessed November 26, 2018).
- Environment Canada. 2018. General Nesting Periods of Migratory Birds. Available online: <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods/nesting-periods.html#toc0> (Accessed January 2022).
- Grant Land Surveying. 2022a. Proposed Building Strata on Log 5, Section 21, Clayoquot District, Plan VIP67274. Proposed Site Plan.
- Grant Land Surveying 2022b. . Proposed Building Strata on Log 5, Section 21, Clayoquot District, Plan VIP67274. Land Modification Design Drawings.



PROPOSED BUILDING STRATA ON LOT 5, SECTION 21, CLAYOQUOT DISTRICT, PLAN VIP67274.



LEGEND

● Standard Iron Post Found	○ Sanitary connection
△ Standard traverse hub placed	⊠ Water meter
+97.97 Spot Elevations	⊙ Storm manhole
⊕ Fire hydrant	⊙ Sanitary manhole
⊖ Hydro connection	⊠ Catchbasin
Contour Interval = 0.5m	⊠ Water valve
All distances are in metres and decimals thereof.	⊠ Tree (coniferous)
Elevations are geotectic and are based on Canadian Vertical Datum 2013.	





Photo 1: Mature, standing dead western hemlock that is to be removed at the southwest end of the lot.



Photo 2: Example of the landscape concept using native species to provide privacy between the cabins and publicly accessible areas. Note that the driveway in the foreground will be blocked off and reclaimed.

ATTACHMENT 3: BC CDC Query Results

Table A1: BC CDC Query Results: Wildlife

Group	Scientific Name	English Name	COSEWIC	BC List	MBCA	SARA	Likelihood of Occurrence
amphibian	<i>Aneides vagrans</i>	Wandering Salamander	SC (May 2014)	Blue	-	1-SC (Feb 2018)	high
amphibian	<i>Rana aurora</i>	Northern Red-legged Frog	SC (May 2015)	Blue	-	1-SC (Jan 2005)	high
amphibian	<i>Anaxyrus boreas</i>	Western Toad	SC (Nov 2012)	Yellow	-	1-SC (Jun 2018)	high
bird	<i>Ardea herodias fannini</i>	Great Blue Heron, <i>fannini</i>	SC (Mar 2008)	Blue	-	1-SC (Feb 2010)	high
bird	<i>Brachyramphus marmoratus</i>	Marbled Murrelet	T (May 2012)	Blue	Y	1-T (Jun 2003)	Moderate
bird	<i>Butorides virescens</i>	Green Heron	-	Blue	Y	-	low
bird	<i>Contopus cooperi</i>	Olive-sided Flycatcher	SC (May 2018)	Blue	Y	1-T (Feb 2010)	high
bird	<i>Cypseloides niger</i>	Black Swift	E (May 2015)	Blue	Y	-	moderate
bird	<i>Falco peregrinus pealei</i>	Peregrine Falcon, <i>pealei</i>	SC (Dec 2017)	Blue	-	1-SC (Jun 2003)	low
bird	<i>Fratercula cirrhata</i>	Tufted Puffin	-	Blue	Y	-	low
bird	<i>Glaucidium gnoma swarathi</i>	Northern Pygmy-owl, <i>swarathi</i>	-	Blue	-	-	low
bird	<i>Hirundo rustica</i>	Barn Swallow	T (May 2011)	Blue	Y	1-T (Nov 2017)	high
bird	<i>Hydroprogne caspia</i>	Caspian Tern	NAR	Blue	Y	-	low
bird	<i>Megascops kennicottii kennicottii</i>	Western Screech-Owl, <i>kennicottii</i>	T (May 2012)	Blue	-	1-T	moderate
bird	<i>Patagioenas fasciata</i>	Band-tailed Pigeon	SC (Nov 2008)	Blue	Y	1-SC (Feb 2011)	high
bird	<i>Falco peregrinus</i>	Peregrine Falcon	SC (Apr 2007)	No Status	-	1-SC	low
bird	<i>Megascops kennicottii</i>	Western Screech-Owl	T (May 2012)	No Status	-	1-T	moderate
bird	<i>Accipiter gentilis laingi</i>	Northern Goshawk, <i>laingi</i>	T (Apr 2013)	Red	-	1-T (Jun 2003)	low
bird	<i>Phalacrocorax penicillatus</i>	Brandt's Cormorant	-	Red	-	-	low
bird	<i>Ptychoramphus aleuticus</i>	Cassin's Auklet	SC (Nov 2014)	Red	Y	-	low
bird	<i>Uria aalge</i>	Common Murre	-	Red	Y	-	low
bird	<i>Chordeiles minor</i>	Common Nighthawk	SC (May 2018)	Yellow	Y	1-T (Feb 2010)	moderate
bird	<i>Coccythraustes vespertinus</i>	Evening Grosbeak	SC (Nov 2016)	Yellow	Y	-	high
Invertebrate	<i>Carychium occidentale</i>	Western Thorn	-	Blue	-	-	Not assessed
Invertebrate	<i>Galba bulimoides</i>	Prairie Fossaria	-	Blue	-	-	Not assessed
Invertebrate	<i>Physella virginea</i>	Sunset Physa	-	Blue	-	-	Not assessed
Invertebrate	<i>Planorbula campestris</i>	Meadow Rams-horn	-	Blue	-	-	Not assessed
Invertebrate	<i>Pristiloma johnsoni</i>	Broadwhorl Tightcoil	-	Blue	-	-	Not assessed
Invertebrate	<i>Halotis kamtschatkana</i>	Northern Abalone	E (Apr 2009)	Red	-	1-E	Not assessed
Invertebrate	<i>Hemphillia dromedarius</i>	Dromedary Jumping-slug	T (May 2014)	Red	-	1-T (Jan 2005)	Moderate
Invertebrate	<i>Hemphillia glandulosa</i>	Warty Jumping-slug	SC (Apr 2013)	Red	-	1-SC (Jan 2005)	Moderate

Invertebrate	<i>Callophrys eryphon sheltonensis</i>	Western Pine Elf, <i>sheltonensis</i>		Blue	-	-	Not assessed
Invertebrate	<i>Danaus plexippus</i>	Monarch	E (Nov 2016)	Blue	-	1-SC (Jun 2003)	Not assessed
Invertebrate	<i>Pachyplax longipennis</i>	Blue Dasher	-	Blue	-	-	Not assessed
Invertebrate	<i>Parnassius clodius claudianus</i>	Clodius Parnassian, <i>claudianus</i>	-	Blue	-	-	Not assessed
Invertebrate	<i>Parnassius smintheus olympianus</i>	Rocky Mountain Parnassian <i>olympiannus</i>	-	Blue	-	-	Not assessed
Invertebrate	<i>Plebejus icarioides blackmorei</i>	Boisduval's Blue, <i>blackmorei</i>	-	Blue	-	-	Not assessed
Invertebrate	<i>Sympetrum vicinum</i>	Autumn Meadowhawk	-	Blue	-	-	Not assessed
Invertebrate	<i>Callophrys johnsoni</i>	Johnson's Hairstreak	-	Red	-	-	Not assessed
Invertebrate	<i>Cercyonis pegala incana</i>	Common Wood-nymph, <i>incana</i>	-	Red	-	-	Not assessed
Invertebrate	<i>Euphyes vestris</i>	Dun Skipper	T (Apr 2013)	Red	-	1-T (Jun 2003)	Not assessed
Invertebrate	<i>Hesperia colorado oregonia</i>	Western Branded Skipper, <i>oregonia</i>	E (Nov 2013)	Red	-	-	Not assessed
Invertebrate	<i>Speyeria zerene bremnerii</i>	Zerene Fritillary, <i>bremnerii</i>	-	Red	-	-	Not assessed
Invertebrate	<i>Anarta edwardsii</i>	Edwards' Beach Moth	E (Apr 2009)	Red	-	1-E (Feb 2011)	Not assessed
Invertebrate	<i>Stygobromus quatsinensis</i>	Quatsino Cave Amphipod	-	Blue	-	-	Not assessed
mammal	<i>Cervus elaphus roosevelti</i>	Roosevelt Elk	-	Blue	-	-	low
mammal	<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	-	Blue	-	-	high
mammal	<i>Eumetopias jubatus</i>	Steller Sea Lion	SC (Nov 2013)	Blue	-	1-SC (Jul 2005)	low
mammal	<i>Mustela erminea anguinae</i>	Ermine, <i>anguinae</i> subspecies	-	Blue	-	-	low
mammal	<i>Myotis keenii</i>	Keen's Myotis	DD (Nov 2003)	Blue	-	3 (Mar 2005)	moderate
mammal	<i>Sorex navigator brooksi</i>	American Water Shrew, <i>brooksi</i>	-	Blue	-	-	low
mammal	<i>Gulo gulo</i>	Wolverine	SC (May 2014)	No Status	-	1-SC (Jun 2018)	low
mammal	<i>Gulo gulo vancouverensis</i>	Wolverine, <i>vancouverensis</i>	SC (May 2014)	Red	-	1-SC (Jun 2018)	low
mammal	<i>Myotis lucifugus</i>	Little Brown Myotis	E (Nov 2013)	Yellow	-	1-E (Dec 2014)	high
fish	<i>Oncorhynchus clarkii clarkii</i>	Cutthroat Trout, <i>clarkii</i>	-	Blue	-	-	nil
turtle	<i>Chrysemys picta pop. 1</i>	Painted Turtle - Pacific Coast Pop.	T (Nov 2016)	Red	-	1-E (Dec 2007)	low
Notes: BC = British Columbia, MBCA = Migratory Bird Convention Act, SARA = Species at Risk Act, SC = Special Concern, Y – Yes, T = Threatened, E = Endangered, NAR = Not at Risk							
Search Criteria: Forest Districts: South Island Forest District (DSI) (Restricted to Red, Blue, and Legally designated species), AND MOE Regions:1- Vancouver Island (Restricted to Red, Blue, and Legally designated species), AND Regional Districts: Alberni-Clayoquot (ACRD), BC Red or Blue and/or SARA Schedule 1, AND Wildlife							

Table A2: BC CDC Query Results: Vegetation

Group	Scientific Name	English Name	BC List	SARA
Fungus	<i>Erioderma sorediatum</i>	vole felt	Blue	
Fungus	<i>Leioderma sorediatum</i>	felted elf	Blue	
Fungus	<i>Parmotrema crinitum</i>	snuff ruffle	Blue	
Fungus	<i>Physcia stellaris</i>	immaculate rosette	Blue	
Nonvascular Plant	<i>Dicranodontium asperulum</i>		Blue	
Nonvascular Plant	<i>Diphyscium foliosum</i>		Blue	
Nonvascular Plant	<i>Ditrichum schimperi</i>		Blue	
Nonvascular Plant	<i>Orthotrichum rivulare</i>		Blue	
Nonvascular Plant	<i>Platyhypnidium riparioides</i>		Blue	
Nonvascular Plant	<i>Sphagnum quinquefarium</i>		Blue	
Nonvascular Plant	<i>Pohlia pacifica</i>		Red	
Vascular Plant	<i>Abronia latifolia</i>	yellow sand-verbena	Blue	
Vascular Plant	<i>Allium amplexens</i>	slimleaf onion	Blue	
Vascular Plant	<i>Anemone drummondii</i> var. <i>drummondii</i>	alpine anemone	Blue	
Vascular Plant	<i>Asplenium aduterinum</i>	corrupt spleenwort	Blue	
Vascular Plant	<i>Bidens amplissima</i>	Vancouver Island beggarticks	Blue	1-SC (Jun 2003)
Vascular Plant	<i>Bolboschoenus fluviatilis</i>	river bulrush	Blue	
Vascular Plant	<i>Calystegia soldanella</i>	beach bindweed	Blue	
Vascular Plant	<i>Castilleja ambigua</i> ssp. <i>ambigua</i>	estuarine paintbrush	Blue	
Vascular Plant	<i>Erythranthe dentata</i>	tooth-leaved monkey-flower	Blue	
Vascular Plant	<i>Festuca rubra</i> ssp. <i>mediana</i>	dwarf red fescue	Blue	
Vascular Plant	<i>Glehnia littoralis</i> ssp. <i>leiocarpa</i>	American glehnia	Blue	
Vascular Plant	<i>Juncus oxymers</i>	pointed rush	Blue	
Vascular Plant	<i>Mitellastris caulescens</i>	leafy mitrewort	Blue	
Vascular Plant	<i>Montia chamissoi</i>	Chamisso's montia	Blue	
Vascular Plant	<i>Morella californica</i>	California wax-myrtle	Blue	
Vascular Plant	<i>Ophioglossum pusillum</i>	northern adder's-tongue	Blue	
Vascular Plant	<i>Oxalis oregana</i>	redwood sorrel	Blue	
Vascular Plant	<i>Polygonum paronychia</i>	black knotweed	Blue	

Vascular Plant	<i>Prosartes smithii</i>	Smith's fairybells	Blue	
Vascular Plant	<i>Rubus lasiococcus</i>	dwarf bramble	Blue	
Vascular Plant	<i>Rupertia physodes</i>	California-tea	Blue	
Vascular Plant	<i>Sericocarpus rigidus</i>	white-top aster	Blue	1-SC (Jun 2003)
Vascular Plant	<i>Sidalcea hendersonii</i>	Henderson's checker-mallow	Blue	
Vascular Plant	<i>Abronia umbellata</i> var. <i>breviflora</i>	pink sand-verbena	Red	1-E (Jul 2005)
Vascular Plant	<i>Erigeron philadelphicus</i> var. <i>glaber</i>	salt marsh Philadelphia daisy	Red	
Vascular Plant	<i>Fraxinus latifolia</i>	Oregon ash	Red	
Vascular Plant	<i>Githopsis speculariooides</i>	common bluecup	Red	
Vascular Plant	<i>Lasthenia maritima</i>	hairy goldfields	Red	
Vascular Plant	<i>Lathyrus littoralis</i>	silky beach pea	Red	
Vascular Plant	<i>Meconella oregana</i>	white meconella	Red	1-E (Aug 2006)
Vascular Plant	<i>Montia diffusa</i>	branching montia	Red	
Vascular Plant	<i>Psilocarphus elatior</i>	tall woolly-heads	Red	1-E (Jun 2003)
Vascular Plant	<i>Viola howellii</i>	Howell's violet	Red	

Notes: BC = British Columbia, COSEWIC = Committee on the Status of Endangered Wildlife in Canada, SARA = Species at Risk Act, SC = Special Concern, Y – Yes, E = Endangered

Search Criteria: Forest Districts: South Island Forest District (DSI) (Restricted to Red, Blue, and Legally designated species), AND MOE Regions:1-Vancouver Island (Restricted to Red, Blue, and Legally designated species), AND Regional Districts: Alberni-Clayoquot (ACRD), BC Red or Blue and/or SARA Schedule 1, AND Plants

Table A3: BC CDC Query Results: Ecosystems

Scientific Name	English Name	BC List
<i>Abies amabilis</i> - <i>Picea sitchensis</i> / <i>Olopanax horridus</i>	amabilis fir - Sitka spruce / devil's club	Blue
<i>Abies amabilis</i> - <i>Thuja plicata</i> / <i>Rubus spectabilis</i> Moist Maritime 1	amabilis fir - western redcedar / salmonberry Moist Maritime 1	Red
<i>Abies amabilis</i> - <i>Thuja plicata</i> / <i>Rubus spectabilis</i> Moist Maritime 2	amabilis fir - western redcedar / salmonberry Moist Maritime 2	Blue
<i>Abies amabilis</i> - <i>Thuja plicata</i> / <i>Tiarella trifoliata</i> Moist Maritime 1	amabilis fir - western redcedar / three-leaved foamflower Moist Maritime 1	Red
<i>Alnus rubra</i> / <i>Rubus spectabilis</i> / <i>Equisetum arvense</i>	red alder / salmonberry / common horsetail	Blue
<i>Carex lasiocarpa</i> - <i>Rhynchospora alba</i>	slender sedge - white beak-rush	Red
<i>Carex lyngbyei</i> Herbaceous Vegetation	Lyngbye's sedge herbaceous vegetation	Red
<i>Carex macrocephala</i> Herbaceous Vegetation	large-headed sedge Herbaceous Vegetation	Red
<i>Carex sitchensis</i> - <i>Oenanthe sarmentosa</i>	Sitka sedge - Pacific water-parsley	Blue
<i>Carex sitchensis</i> / <i>Sphagnum</i> spp.	Sitka sedge / peat-mosses	Red
<i>Deschampsia cespitosa</i> ssp. <i>beringensis</i> - <i>Symphotrichum subspicatum</i>	tufted hairgrass - Douglas' aster	Red
<i>Dulichium arundinaceum</i> Herbaceous Vegetation	three-way sedge	Red
<i>Leymus mollis</i> ssp. <i>mollis</i> - <i>Lathyrus japonicus</i>	dune wildrye - beach pea	Red
<i>Myrica gale</i> / <i>Carex sitchensis</i>	sweet gale / Sitka sedge	Red
<i>Picea sitchensis</i> / <i>Calamagrostis nutkaensis</i>	Sitka spruce / Pacific reedgrass	Blue
<i>Picea sitchensis</i> / <i>Carex obnupta</i>	Sitka spruce / slough sedge	Blue
<i>Picea sitchensis</i> / <i>Eurhynchium oreganum</i>	Sitka spruce / Oregon beaked-moss	Blue
<i>Picea sitchensis</i> / <i>Gaultheria shallon</i>	Sitka spruce / salal	Blue
<i>Picea sitchensis</i> / <i>Maianthemum dilatatum</i> Very Wet Hypermaritime 1	Sitka spruce / false lily-of-the-valley Very Wet Hypermaritime 1	Red
<i>Picea sitchensis</i> / <i>Malus fusca</i>	Sitka spruce / Pacific crab apple	Blue
<i>Picea sitchensis</i> / <i>Polystichum munitum</i>	Sitka spruce / sword fern	Blue
<i>Picea sitchensis</i> / <i>Rubus spectabilis</i> Very Dry Maritime	Sitka spruce / salmonberry Very Dry Maritime	Red
<i>Picea sitchensis</i> / <i>Rubus spectabilis</i> Very Wet Maritime	Sitka spruce / salmonberry Very Wet Maritime	Red
<i>Picea sitchensis</i> / <i>Trisetum canescens</i>	Sitka spruce / tall trisetum	Red
<i>Pinus contorta</i> / <i>Sphagnum</i> spp. Very Dry Maritime	lodgepole pine / peat-mosses Very Dry Maritime	Blue
<i>Poa macrantha</i> Herbaceous Vegetation	dune bluegrass Herbaceous Vegetation	Red
<i>Populus trichocarpa</i> - <i>Alnus rubra</i> / <i>Rubus spectabilis</i>	black cottonwood - red alder / salmonberry	Blue
<i>Populus trichocarpa</i> / <i>Salix sitchensis</i>	black cottonwood / Sitka willow	Blue
<i>Pseudotsuga menziesii</i> - <i>Pinus contorta</i> / <i>Cladina</i> spp.	Douglas-fir - lodgepole pine / reindeer lichens	Red
<i>Pseudotsuga menziesii</i> - <i>Pinus contorta</i> / <i>Racomitrium canescens</i>	Douglas-fir - lodgepole pine / grey rock-moss	Red
<i>Pseudotsuga menziesii</i> - <i>Tsuga heterophylla</i> / <i>Gaultheria shallon</i> Dry Maritime	Douglas-fir - western hemlock / salal Dry Maritime	Blue
<i>Pseudotsuga menziesii</i> - <i>Tsuga heterophylla</i> / <i>Gaultheria shallon</i> Moist Maritime	Douglas-fir - western hemlock / salal Moist Maritime	Blue

<i>Pseudotsuga menziesii</i> / <i>Polystichum munitum</i>	Douglas-fir / sword fern	Blue
<i>Rhododendron groenlandicum</i> / <i>Kalmia microphylla</i> / <i>Sphagnum</i> spp.	Labrador-tea / western bog-laurel / peat-mosses	Blue
<i>Ruppia maritima</i> Herbaceous Vegetation	beaked ditch-grass Herbaceous Vegetation	Red
<i>Salix sitchensis</i> - <i>Salix lasiandra</i> var. <i>lasiandra</i> / <i>Lysichiton americanus</i>	Sitka willow - Pacific willow / skunk cabbage	Red
<i>Salix sitchensis</i> / <i>Carex sitchensis</i>	Sitka willow / Sitka sedge	Blue
<i>Schoenoplectus acutus</i> Deep Marsh	hard-stemmed bulrush Deep Marsh	Blue
<i>Selaginella wallacei</i> / <i>Cladina</i> spp.	Wallace's selaginella / reindeer lichens	Blue
<i>Thuja plicata</i> - <i>Picea sitchensis</i> / <i>Lysichiton americanus</i>	western redcedar - Sitka spruce / skunk cabbage	Blue
<i>Thuja plicata</i> - <i>Picea sitchensis</i> / <i>Oplopanax horridus</i> Very Wet Hypermaritime 1	western redcedar - Sitka spruce / devil's club Very Wet Hypermaritime 1	Blue
<i>Thuja plicata</i> - <i>Picea sitchensis</i> / <i>Polystichum munitum</i>	western redcedar - Sitka spruce / sword fern	Blue
<i>Thuja plicata</i> - <i>Tsuga heterophylla</i> / <i>Polystichum munitum</i>	western redcedar - western hemlock / sword fern	Blue
<i>Thuja plicata</i> - <i>Xanthocyparis nootkatensis</i> / <i>Coptis aspleniifolia</i> Moist Maritime 2	western redcedar - yellow-cedar / spleenwort-leaved goldthread Moist Maritime 2	Blue
<i>Thuja plicata</i> / <i>Carex obnupta</i>	western redcedar / slough sedge	Blue
<i>Thuja plicata</i> / <i>Lonicera involucrata</i>	western redcedar / black twinberry	Red
<i>Thuja plicata</i> / <i>Polystichum munitum</i> - <i>Lysichiton americanus</i>	western redcedar / sword fern - skunk cabbage	Blue
<i>Thuja plicata</i> / <i>Polystichum munitum</i> Very Dry Maritime	western redcedar / sword fern Very Dry Maritime	Blue
<i>Thuja plicata</i> / <i>Rubus spectabilis</i>	western redcedar / salmonberry	Red
<i>Thuja plicata</i> / <i>Tiarella trifoliata</i> Very Dry Maritime	western redcedar / three-leaved foamflower Very Dry Maritime	Blue
<i>Tsuga heterophylla</i> - <i>Abies amabilis</i> / <i>Blechnum spicant</i>	western hemlock - amabilis fir / deer fern	Blue
<i>Tsuga heterophylla</i> - <i>Abies amabilis</i> / <i>Blechnum spicant</i> Moist Maritime	western hemlock - amabilis fir / deer fern Moist Maritime	Red
<i>Tsuga heterophylla</i> - <i>Abies amabilis</i> / <i>Rhytidopsis robusta</i>	western hemlock - amabilis fir / pipecleaner moss	Blue
<i>Tsuga heterophylla</i> - <i>Picea sitchensis</i> / <i>Rhytidadelphus loreus</i>	western hemlock - Sitka spruce / lanky moss	Blue
<i>Tsuga heterophylla</i> - <i>Pseudotsuga menziesii</i> / <i>Eurhynchium oregonum</i>	western hemlock - Douglas-fir / Oregon beaked-moss	Red
<i>Tsuga heterophylla</i> - <i>Thuja plicata</i> / <i>Blechnum spicant</i>	western hemlock - western redcedar / deer fern	Red
<i>Tsuga heterophylla</i> - <i>Thuja plicata</i> / <i>Gaultheria shallon</i> Moist Maritime 1	western hemlock - western redcedar / salal Moist Maritime 1	Red
<i>Tsuga heterophylla</i> - <i>Thuja plicata</i> / <i>Gaultheria shallon</i> Moist Maritime 2	western hemlock - western redcedar / salal Moist Maritime 2	Blue
<i>Tsuga heterophylla</i> - <i>Thuja plicata</i> / <i>Gaultheria shallon</i> Very Wet Maritime	western hemlock - western redcedar / salal Very Wet Maritime	Blue
<i>Typha latifolia</i> Marsh	common cattail Marsh	Blue
Notes: BC = British Columbia		
Search Criteria: Forest Districts: South Island Forest District (DSI) (Restricted to Red, Blue, and Legally designated species), AND MOE Regions:1- Vancouver Island (Restricted to Red, Blue, and Legally designated species), AND Regional Districts: Alberni-Clayoquot (ACRD), BC Red or Blue and/or SARA Schedule 1, AND Ecosystems		



LEGEND

- SUBJECT PROPERTY
- PRESENT NATURAL BOUNDARY
- NEW WALKING TRAIL
- ★ RETAINED TREES

20 0 20 m



CALIDRIS
Ecological
SERVICES
wildlife - ecology - restoration

CLIENT

Project

WILD PACIFIC CAMP

Title

LANDSCAPE PLAN

Drawn: BL 22-04-20

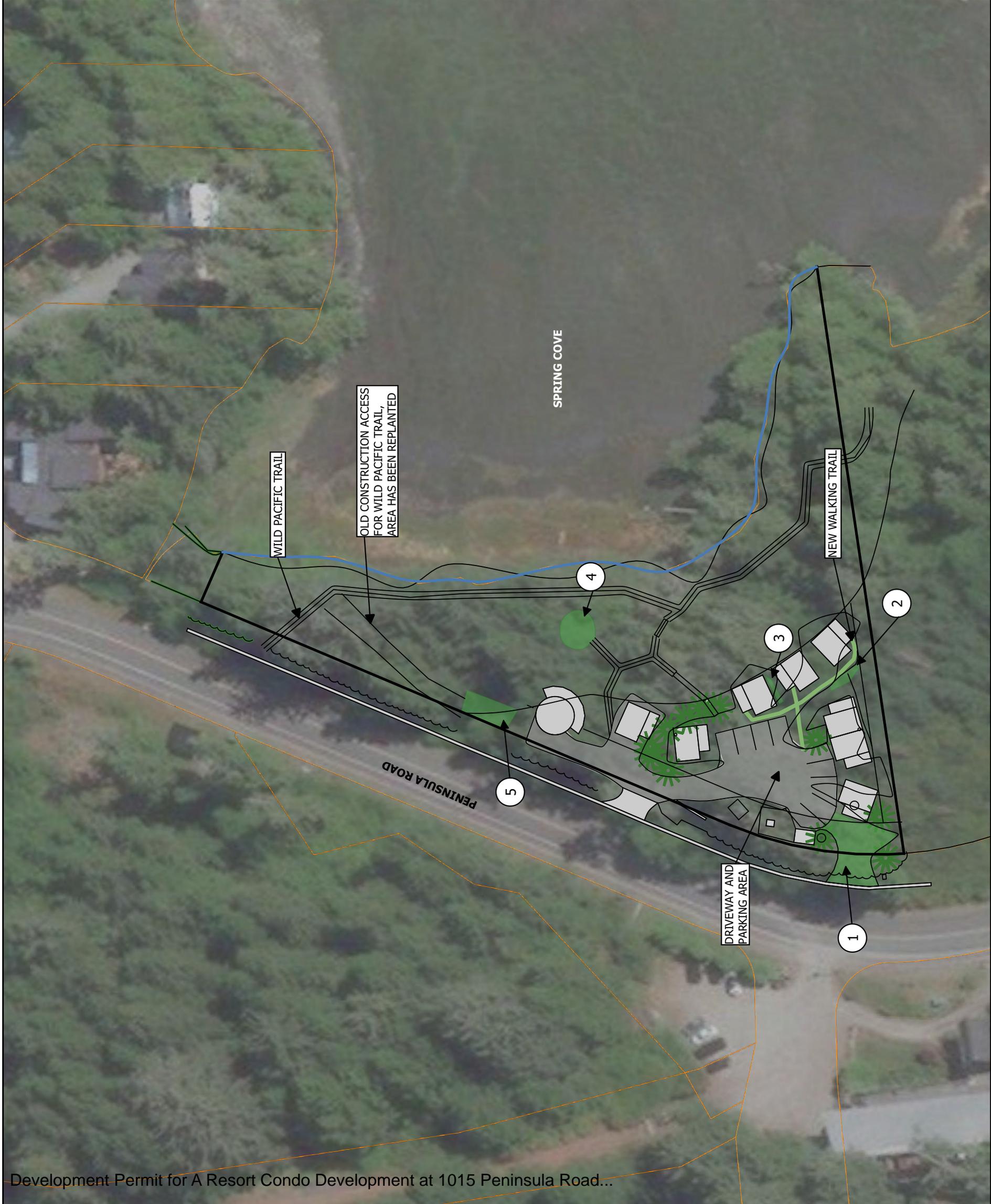
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Checked:

PROJECT: 2022-044

Approved:

FIGURE: 1



Wild Pacific Camp 2022 Development Proposal

Zoning Analysis

Civic Address: 1015 Peninsula Rd. Ucluelet, BC

Zoning: CS-5: Tourist Commercial

Current property use:

“**Campground**” means the use of land for *commercial tourist accommodation* of a recreation nature only, in tents, campers and motorized recreational vehicles, specifically excluding Park Models and other *buildings, structures* and *vehicles* that are or appear permanent or *residential* in nature;

To be changed to:

“**Resort Condo**” means a *building*, or group of *buildings*, providing two or more separate *dwelling units*, for *commercial tourist accommodation* use only, without the *accessory* uses commonly associated with or specifically permitted with *hotels* or *motels*. The building(s) must be on the same *lot* or within the strata plan, except for the parcels within the CS-5 Zone along Peninsula Road, as illustrated below (“Reef Point”), in which case there may be only one unit per lot:

OR:

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

Note: We are proposing 8 new cabin strata units and the conversion of the yurt office into the 9th strata unit.

These 9 units will be used primarily for tourist guest accommodation as nightly rentals, and secondly for owner accommodation and recreational use. We are unsure if these would qualify as “Resort Condo” or “Vacation Rentals”. Please advise.

Parking:

504 OFF-STREET PARKING DESIGN STANDARDS

504.1 All off street *parking spaces* must contain a clear minimum rectangular dimension of:
(1) for standard spaces, 6 m (20 ft) in length by 2.5 m (8 ft) in width,

WPC Proposed Development parking spaces dimensions:

1- 25 feet X 9 feet

2- 25 feet X 9 feet

3- 24 feet X 8'6

4- 20 feet X 10'6

5- 20 feet X 10'6

6- 20 feet X 12'

7- 20 feet X 12'

8- 20 feet X 8'3

9- 20 feet X 8'3

10- 20 feet X 8'4

11- 20 feet X 8'6

12- 20 feet X 8'4

(2) for small spaces, 5.2 m (17 ft) in length by 2.5 m (8 ft) in width,

None proposed

(3) for spaces parallel to a maneuvering aisle, 7 m (23 ft) in length by 2.5 m (8 ft) in width,

Parking stall #3 is the only parallel to the isle, and it is 24' in length

(4) for spaces designated for disabled persons, 6 m (20 ft) in length by 3.7 m (12 ft) in width,

(5) for any of the above spaces that abuts a wall or structure over 0.3 m (1 ft) in *height*, the above widths shall be increased by 0.3 m (1 ft).

None proposed

504.2 A minimum of 70% of required off-street *parking spaces* must be standard spaces.

All of the proposed parking spaces are standard dimensions (or bigger, as designated disabled parking spaces)

504.3 All off-street *parking spaces* must provide for individual access and egress by *vehicles* at all times by means of unobstructed maneuvering aisles, with minimum widths based on parking angle as follows:

Parking spaces 1 and 2 are in front of each other but are both for 1 single unit and do not obstruct the driving isle otherwise.

(1) For 90 degree parking angle, a minimum aisle width of 7.5 m (25 ft);

Parking spaces 4-5-6-7-8-9 are all 90 degrees and all have an isle width exceeding 25 feet, and averaging 30 feet of centre isle corral width.

(2) For 60 degree parking angle, a minimum aisle width of 5.5 m (18 ft);

Parking space #10 is at 60 degrees and has an isle width exceeding 18 feet, and measuring at 30 feet

(3) For 45 degree parking angle, a minimum aisle width of 4.5 m (15 ft);

Parking spaces 11-12 are at 45 degrees to the isle and have an isle width exceeding 15 feet, and measuring at 30 feet of corral width.

503.2 Off-street *parking space(s)* must not be located:

(1) within 3 m (10 ft) of the *lot* line which abuts a *highway*;

Parking spaces 1 and 2 are already existing and serve the Yurt office and are within 10 feet of the lot line (we are unsure if Peninsula road is considered a highway), however they are elevated on a hill above Peninsula road, and have a healthy vegetation buffer that won't be affected by the development. This was approved in DP-17-07 and DVP 17-03

Parking stalls 3-4-5-6-7-8-9-10-11-12 are all well away from the lot line, with the closest being parking space #12 at 11 feet from the lot line. Again, these spaces are already in place and we use this centre corral to get RV's turned around. These parking spaces just need to be organized as the site plan indicates.

(2) within 1.5 m (5 ft) of all other *lot* lines;

(3) so as to require the backing out of *vehicles* onto a *highway*, other than for *residential dwelling units*.

<i>Vacation Rental</i>	1 space per unit
<i>Guest House</i>	1 space per guest room
<i>Guest Cottage</i>	1 space per cottage
<i>Manufactured Home Park</i>	1 space per <i>manufactured home space</i>
<i>Hotel</i> <i>Motel</i> <i>Resort Condo</i>	1 space per guest room or <i>dwelling unit</i> , <i>Plus</i> 1 space per 40 m ² <i>gross floor area</i> of <i>accessory administrative offices</i>

***As Vacation Rentals or Resort Condo;
We will have 12 parking spaces for 9 proposed units***

CS-5 Zone – TOURIST COMMERCIAL

This zone is intended to provide for tourist commercial accommodations and other related recreational and primarily tourist commercial uses outside the District's Village Square and its residential areas, but in proper relationship to major thoroughfares and surrounding uses.

CS-5.1 Permitted Uses:

CS-5.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

(1) Principal:

(a) *Hotel*

(b) *Motel*

(c) *Resort Condo*

“Resort Condo” means a *building*, or group of *buildings*, providing two or more separate *dwelling units*, for *commercial tourist accommodation* use only, without the *accessory* uses commonly associated with or specifically permitted with *hotels* or *motels*. The building(s) must be on the same *lot* or within the strata plan, except for the parcels within the CS-5 Zone along Peninsula Road, as illustrated below (“Reef Point”), in which case there may be only one unit per lot:

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

(d) *Mixed Commercial/Resort Condo*

We are applying for a use change within the CS-5 zoning from “Campground” to “Resort Condo” or “Vacation Rental”

(e) *Campground*

(f) *Restaurant*

(g) *Bistro/Café*

(h) *Commercial Recreation*

(i) *Marina*

(j) *Art Gallery*

(k) *Public Assembly*

(l) *Tourist Information Booth*

(2) Secondary:

(a) *Accessory Residential Dwelling Unit*

CS-5.1.2 On the following properties, *residential* use of existing units is also permitted provided the existing building(s) contain primarily *commercial tourist accommodation* uses:

(1) Strata Plan VIS4943 [Water's Edge – 1971 Harbour Drive].

CS-5.2 Lot Regulations

CS-5.2.1 Minimum Lot Size:

(1) Tourist Information Booth: *N/A*

Unofficial Consolidation of Zoning Bylaw No. 1160, 2013 (August 2015)

Page B-25

(2) All other uses: 1,000 m² (¼ acre)

1015 Peninsula Rd (Lot 5, Section 21, Clayoquot District, Plan VIP 67274)
Land size: 1.25 acres or 54537 Sq. Feet

CS-5.2.2 Minimum Lot Frontage: 15 m (50 ft)

Frontage is 354.53 Feet (108.06 M)

CS-5.2.3 Minimum Lot Width: *N/A*

CS-5.2.4 Minimum Lot Depth: *N/A*

CS-5.3 Density:

CS-5.3.1 Maximum Number

(1) *Accessory Residential Dwelling Unit*: 1 per lot (non-strata only)

CS-5.3.2 Maximum Floor Area Ratio: 0.70

N/A

CS-5.3.3 Maximum Lot Coverage: 40%

Total floor area of 9 units: 3969 Square Feet of lot footprint

Total lot square footage: 54537 Square feet

Floor area ration of the 9 proposed strata cabins: 7% lot coverage

CS-5.4 Maximum Size (Gross Floor Area):

CS-5.4.1 Principal Building: *N/A*

CS-5.4.2 Accessory Buildings: *N/A*

CS-5.5 Maximum Height:

CS-5.5.1 Principal Buildings & Structures: 12 m (39 ft)

Maximum roof height for the cabins will be 27 feet at the highest point of the roof

CS-5.5.2 Accessory Buildings & Structures: 5.5 m (18 ft)

N/A

CS-5.6 Minimum Setbacks:

CS-5.6.1 The following minimum setbacks apply, as measured from the *front lot line*, *rear lot line* and *side lot lines(s)*, respectively:

(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback	
(1) Principal	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)
(2) Accessory	6 m (20 ft)	3 m (10 ft)	3 m (10 ft)	6 m (20 ft)

SL1-

Existing Yurt Office (to be converted into the strata as SL1)

Front Yard: 2.69 M

This was approved in DP 17-07 and DVP 17-03

Side Yard: Estimated 56 M

SL2-

Front Yard: 7.67 M

Side Yard: Estimated 42 M

SL3-

Front Yard: 7.15 M

Side Yard: Estimated 34 M

SL4-

Front Yard: Estimated 22 M

Side Yard: Estimated 18 M

SL5-

Front Yard: Estimated 26 M

Side Yard: Estimated 11M

SL6-

Front Yard: Estimated 30 M

Side Yard: 3.1M

SL7, SL8 (Duplex unit)

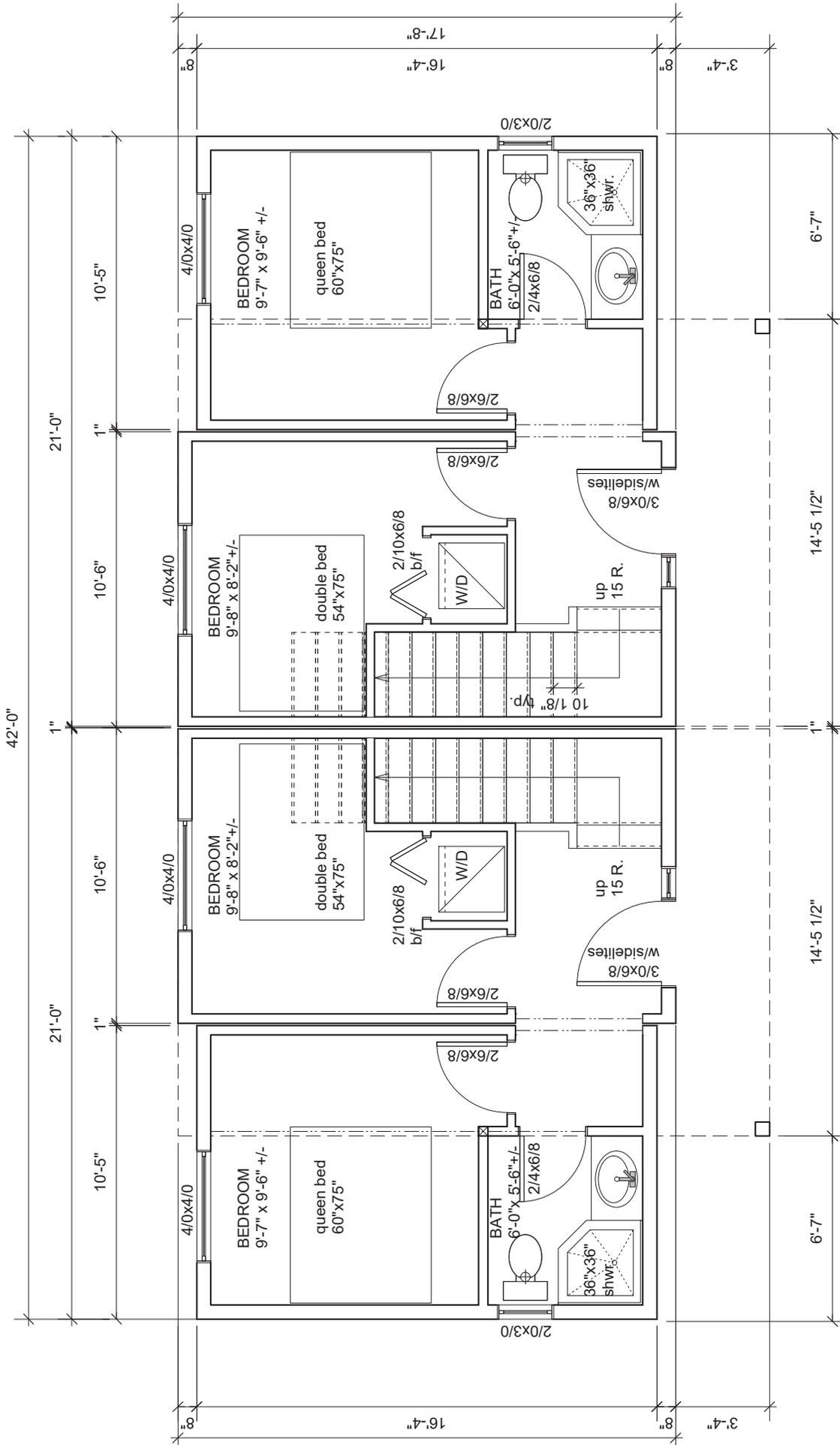
Front Yard: Estimated 18 M

Side Yard: 3.42M

SL9-

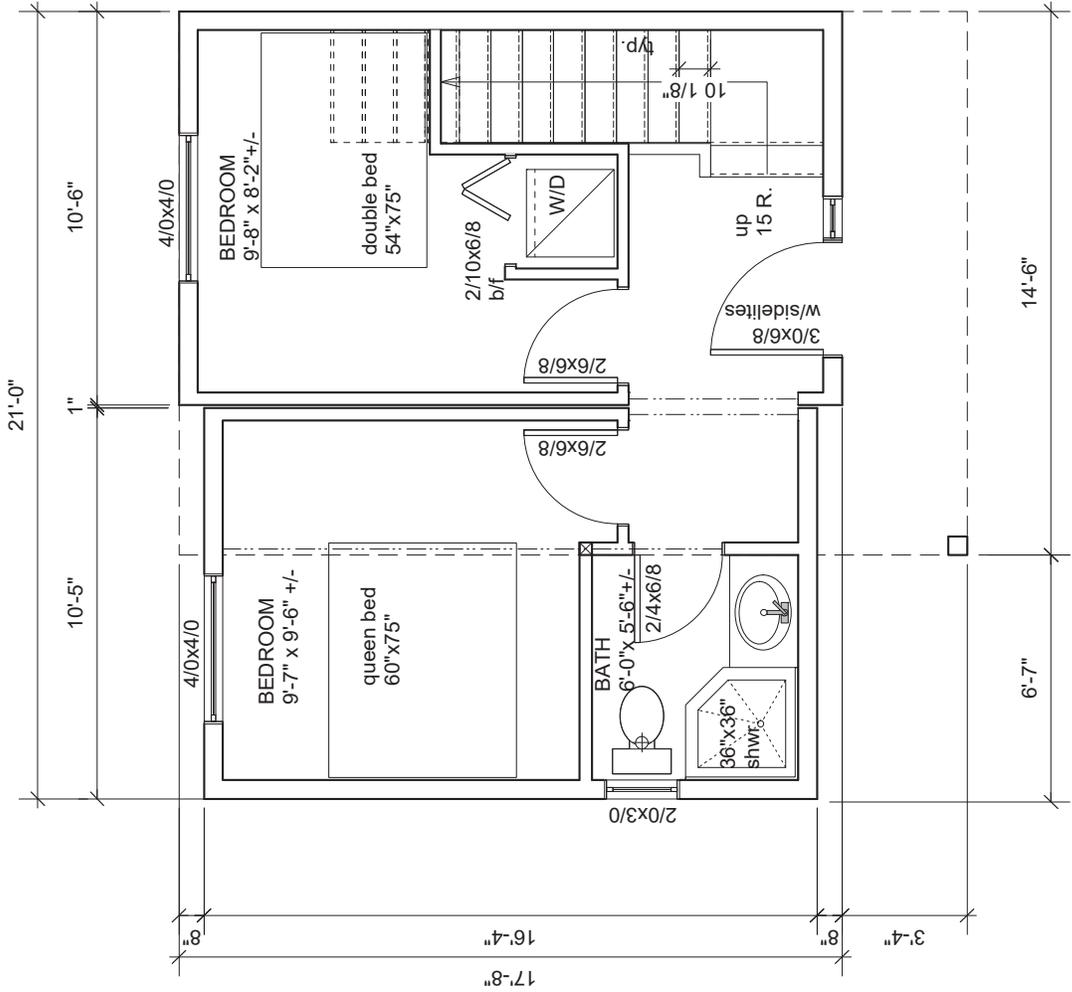
Front Yard: 6.1 M

Side Yard: 3.1M



714 sq.ft.

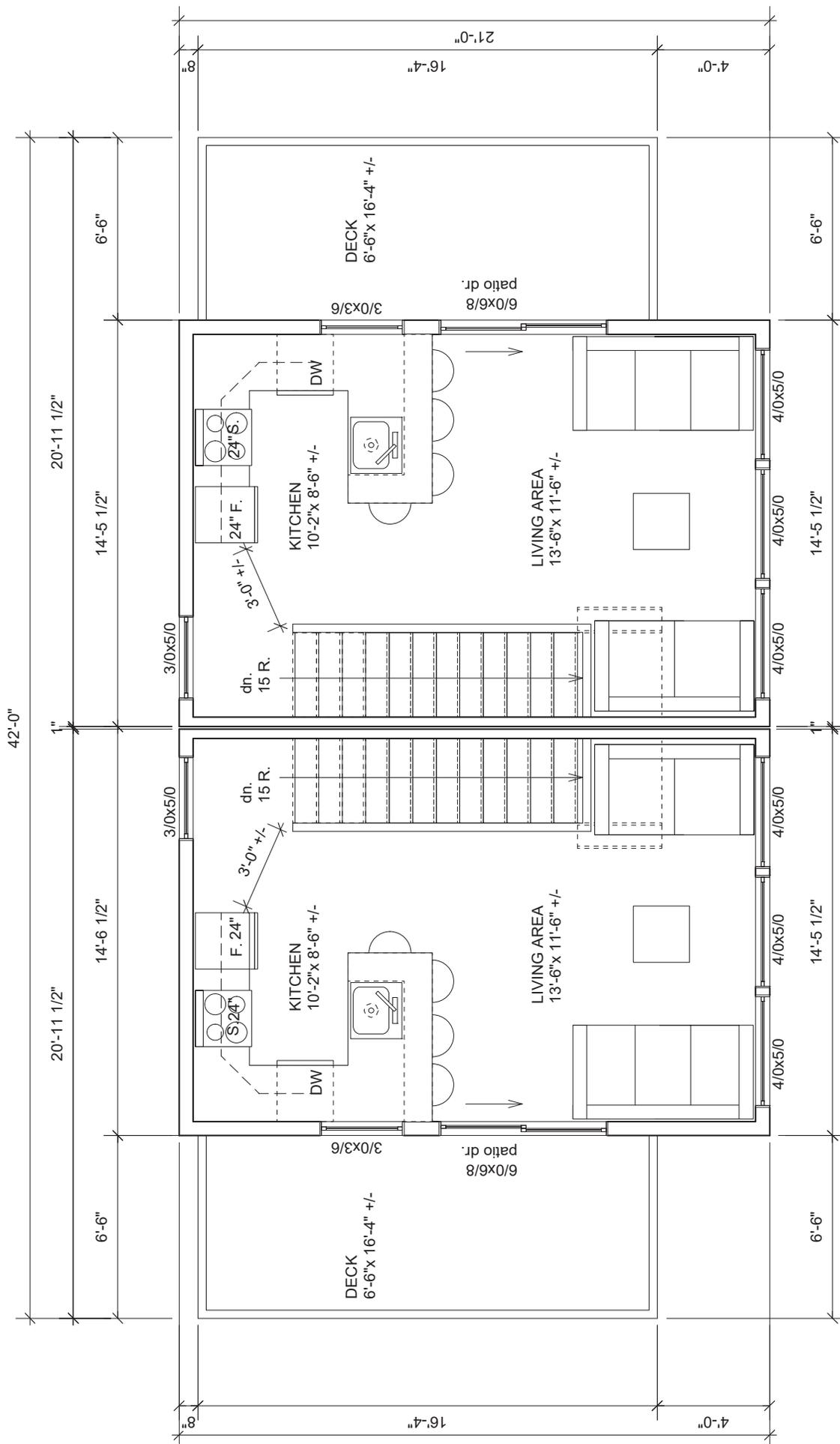
LOWER FLOOR PLAN DUPLEX
1/4" = 1' - 0"



357 sq. ft.

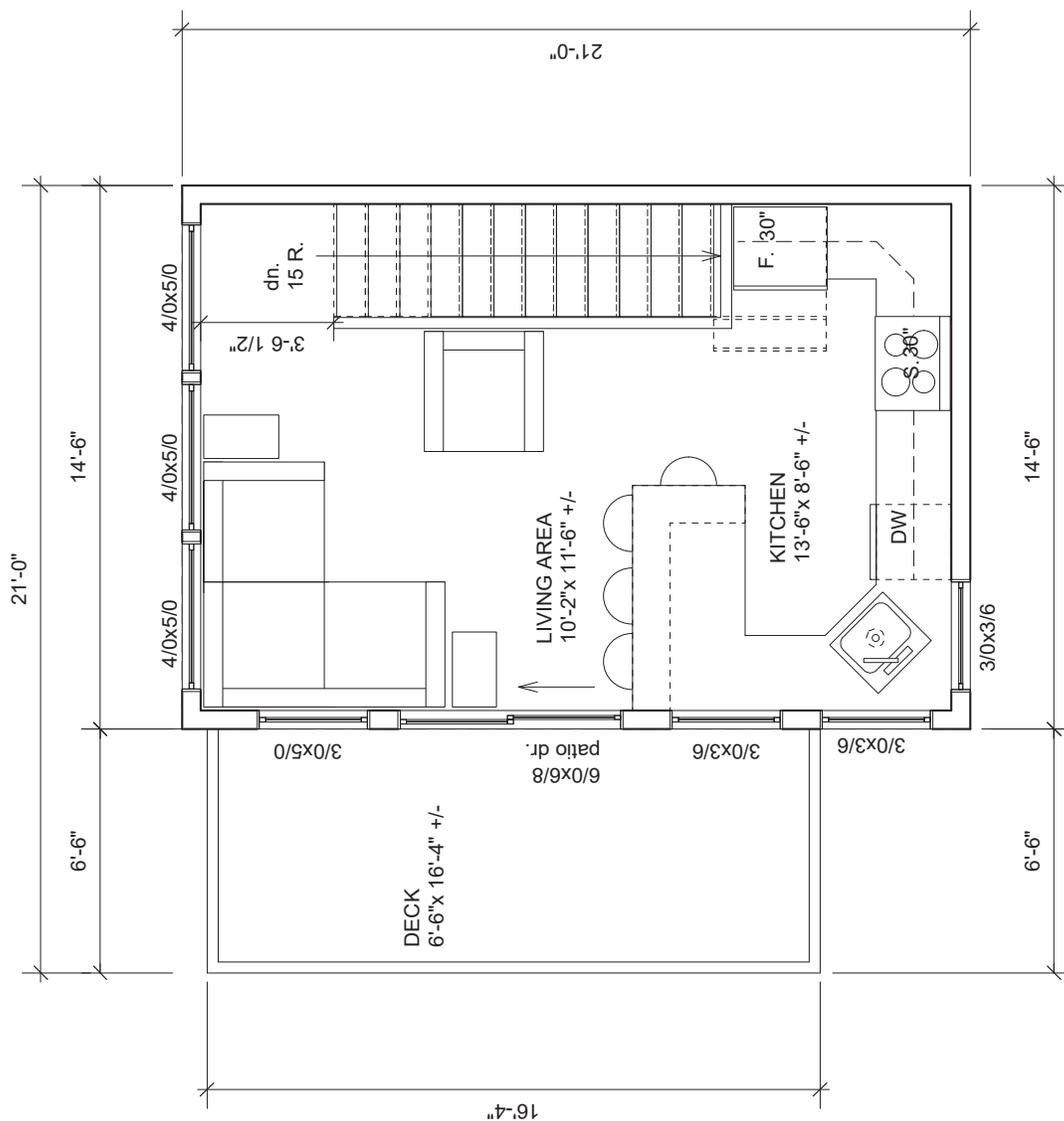
LOWER FLOOR PLAN reverse

1/4" = 1' - 0"

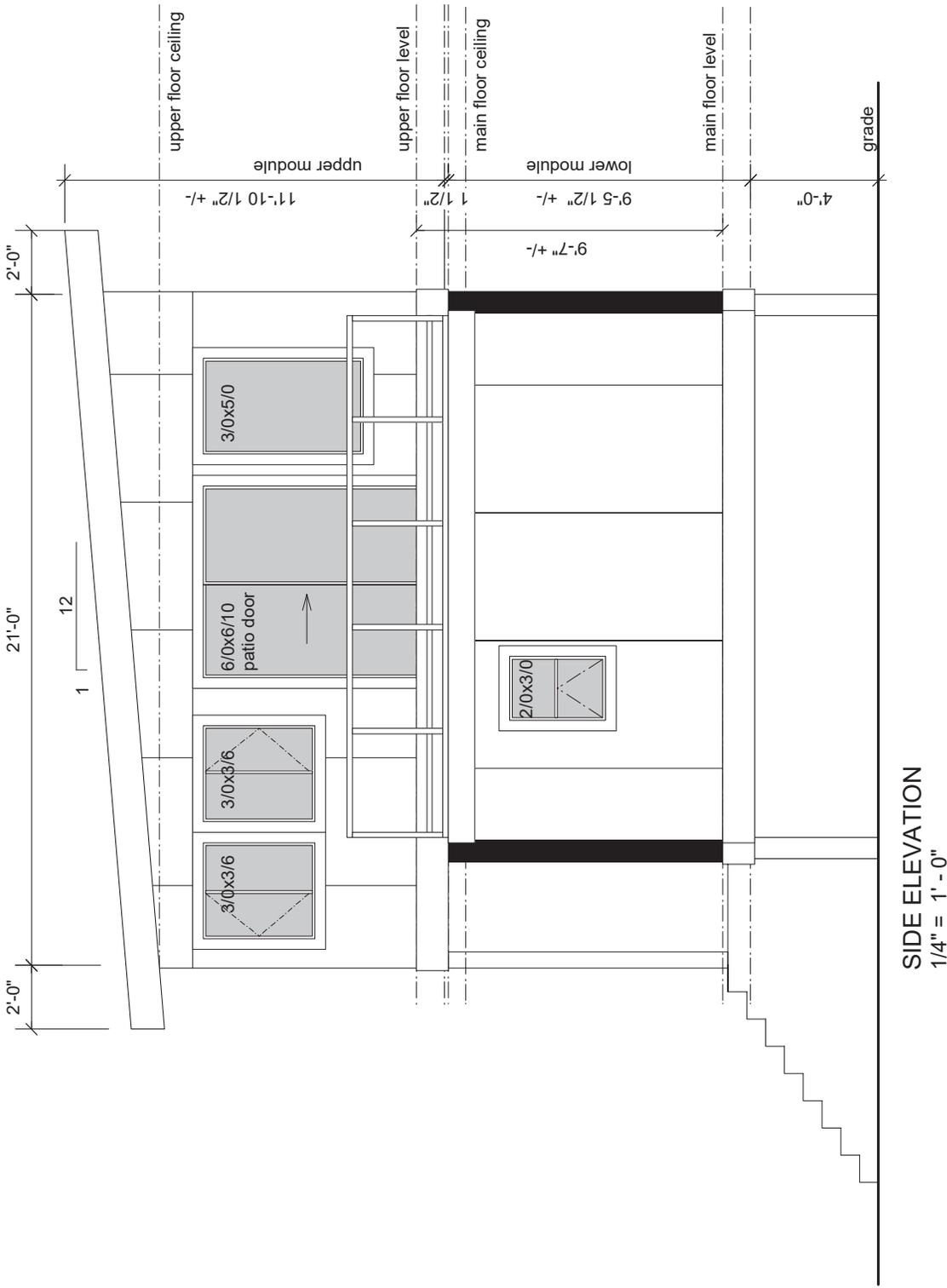


609 sq.ft.

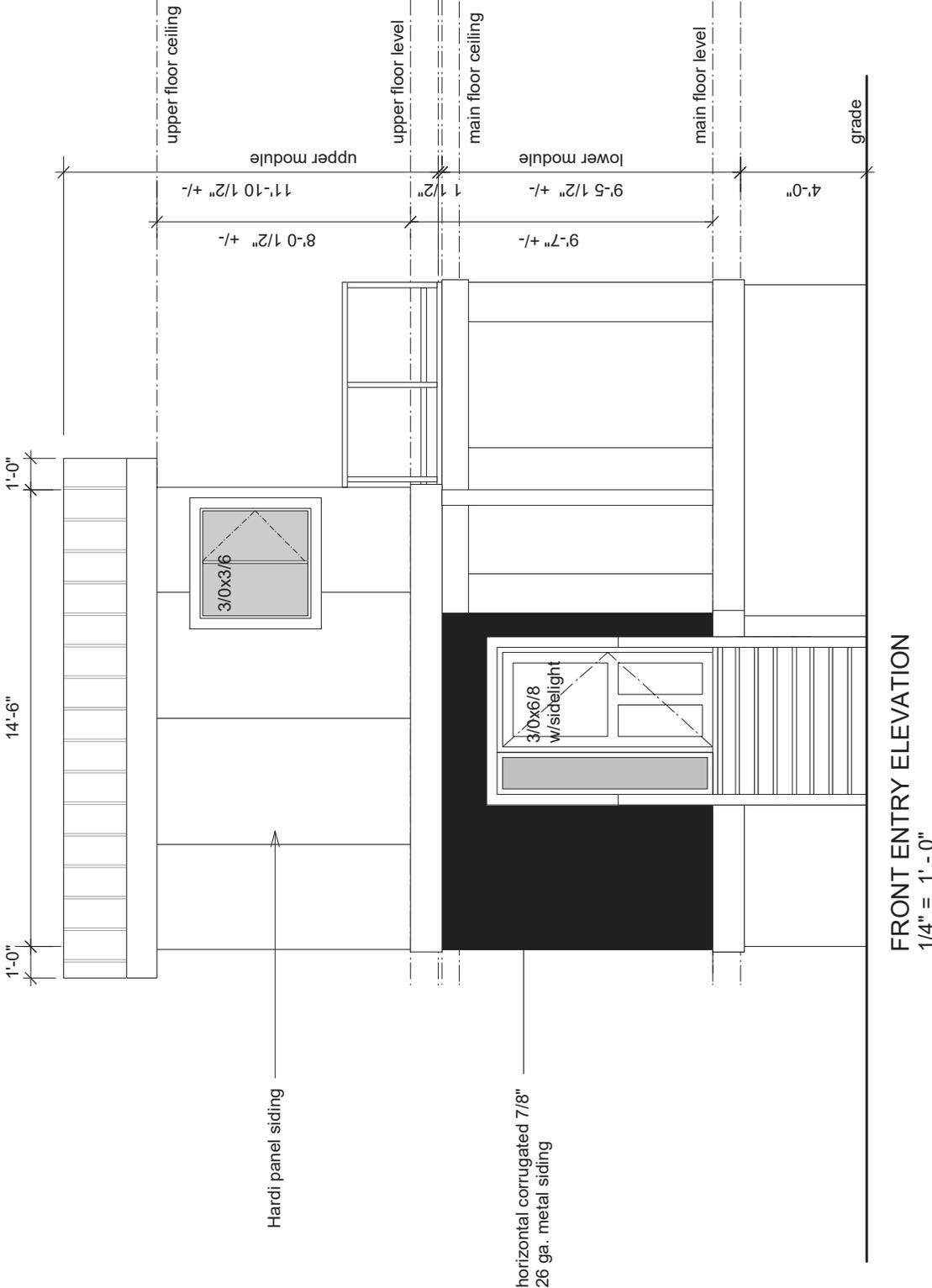
UPPER FLOOR PLAN DUPLEX reverse kitchen
1/4" = 1' - 0"

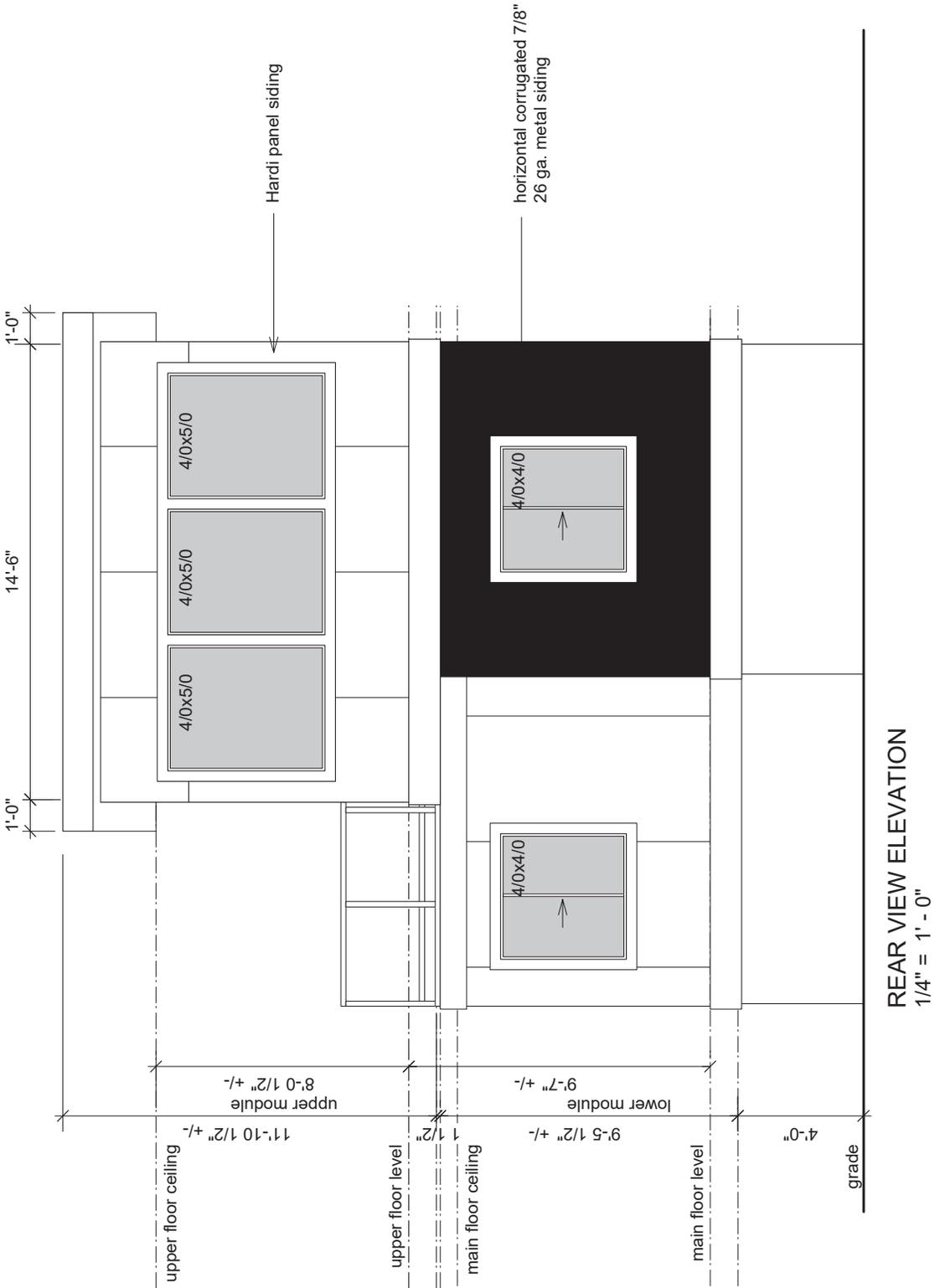


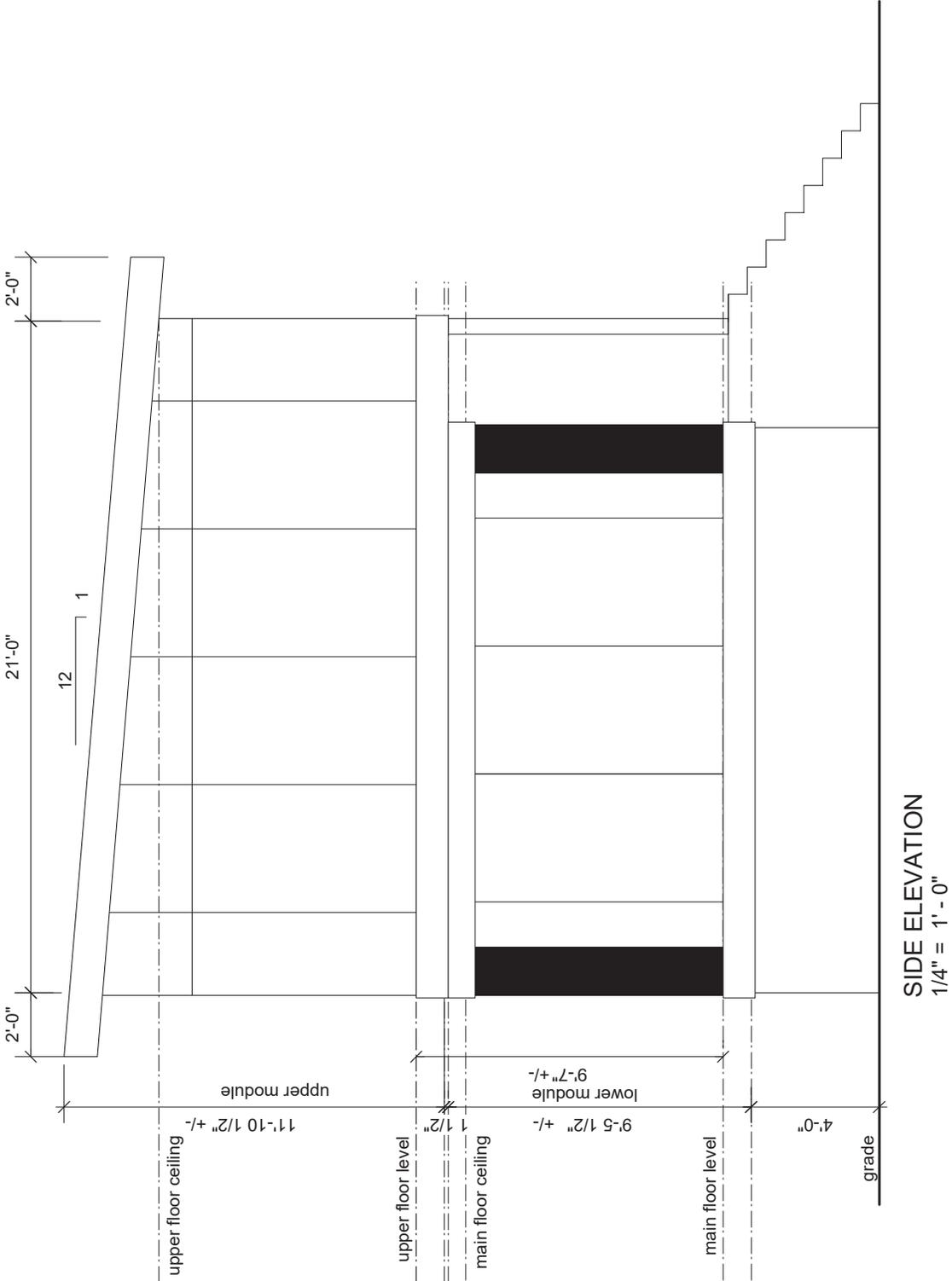
UPPER FLOOR PLAN reverse 304.5 sq.ft.
1/4" = 1' - 0"



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







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



DEVELOPMENT PERMIT DP22-02

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:

Wild Pacific Yurts & Campground LTD INC No BC1102815; 5862 Aldergrove Drive, Courtenay BC V9J 1W2
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:

1015 Peninsula Road; PID 024-167-525, Lot 5 Section 21 Clayoquot District Plan VIP67274
3. This Permit authorizes the following improvements on the Lands:
 - a) Addition of 6 cabin-style single-unit resort condo buildings and one duplex resort condo building.
 - b) Associated landscape and hardscape work including but not limited to:
 - i. Gravel parking lot with a single access point.
 - ii. Internal landscape features and 6 western redcedar trees.
 - iii. Revegetation of fire pit and unused parking areas.
 - iv. The retention and augmentation natural element within the property.
4. 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. This permit will be subject to:
 - a) provision of a detailed cost estimate of landscape, site replanting and streetscape works.
 - b) deposit of 125% of the value of the proposed landscape works and street improvements.
 - c) detailed review and approval of the vehicle access points by Fire and Engineering & Public Works departments.
6. Replanting and relocation of the existing sign to remove the current encroachment within the public right-of-way shall be completed prior to any further municipal approvals (e.g., subdivision, building occupancy).
7. Note that any works within the Peninsula Road right-of-way require a permit from Engineering and Public Works.
8. 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.
9. 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.
10. The owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.



11. This Permit is NOT a Building Permit.

12. Schedule 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 , 2022 .

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning



Schedule A

(See Appendix A)

DEVELOPMENT VARIANCE PERMIT DVP22-04

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:

Wild Pacific Yurts & Campground LTD INC No BC1102815;5862 Aldergrove Drive, Courtenay BC V9J 1W2

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:

1015 Peninsula Road; PID 024-167-525, Lot 5 Section 21 Clayoquot District Plan VIP67274

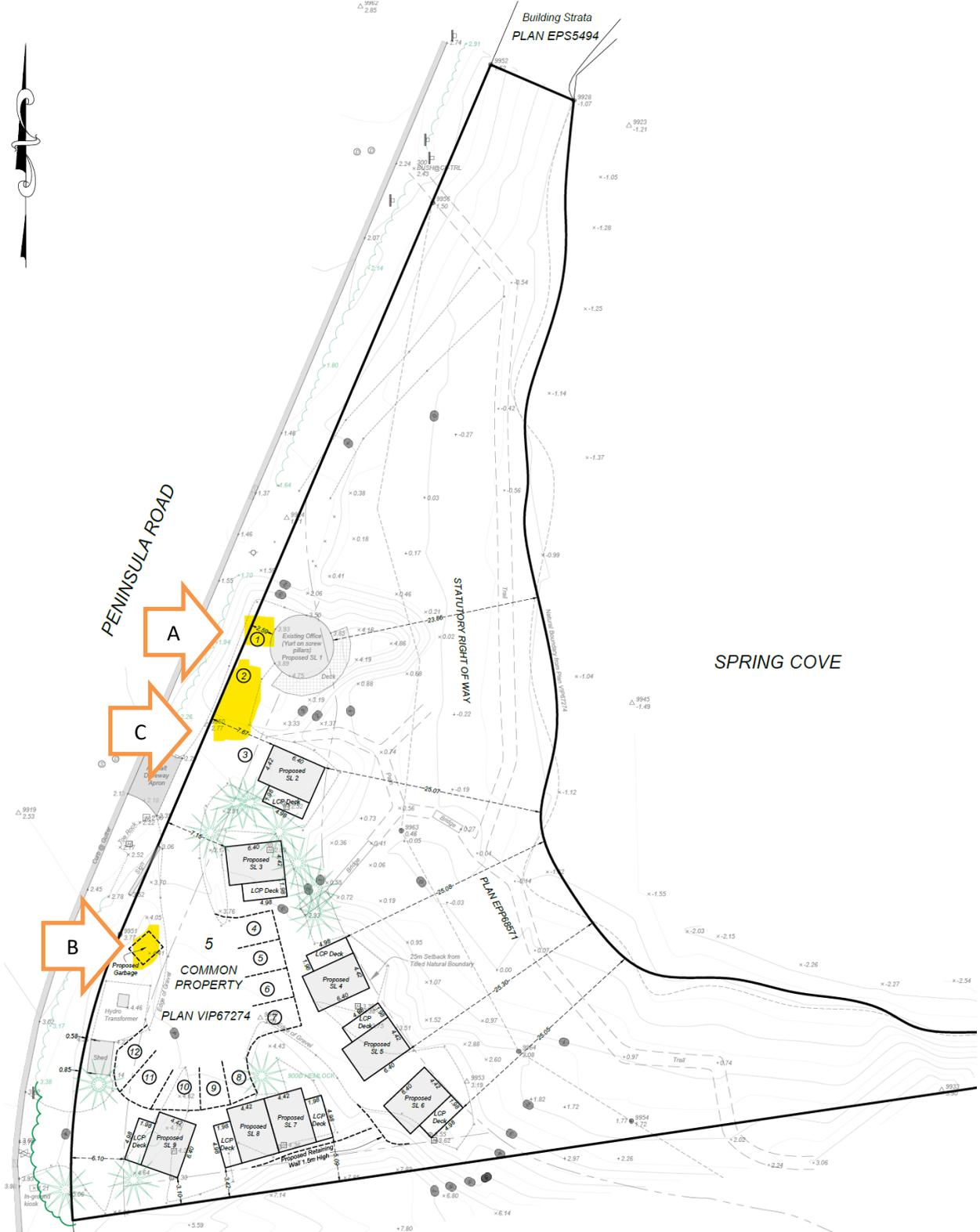
3. The work authorized by this Permit may only be carried out in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013, except where specifically varied or supplemented by this development variance permit and in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This permit authorizes the following variance specific to the plans attached as Schedule "A":
 - a. a minimum front yard setback of 2.59m from the front lot line for an existing yurt type office building, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m; and,
 - b. a minimum front yard setback of 1.5m from the front lot line for a garbage storage enclosure, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m; and,
 - c. two parking spaces with a zero setback, whereas section 503.2 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires that parking spaces must not be located within 3m of the lot line abutting Peninsula Road.
5. *The above variance is granted for the proposed structures and use of the land as shown on Schedule A. Should the buildings 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 , 2022 .

ISSUED the day of , 2022.

Bruce Greig
Director of Community Planning

Schedule A



Joseph Rotenberg

From: Linda Edwards [REDACTED]
Sent: August 11, 2022 10:46 AM
To: Community Input Mailbox
Subject: Re: development various permit

[External]

My apologies, I sent this before editing it or finishing it.

If the Yurtz is closer to the road, sound WOULD likely affect guests of the Terrace more?

Anything to alleviate the garbage container concerns that are done are welcomed.

Linda and Lloyd Edwards
491 Pym Street
Parksville, V9P 1B9

On Thu, Aug 11, 2022 at 10:42 AM Linda Edwards <edwardos680@gmail.com> wrote:
Application DVP22-04

Thank you for giving the community time to ask questions prior to this application being completed.

We have no problem with the yurtz building would be granted to move within 2.59m of the front yard, unless this yurtz is used for a community celebration function. The closer to the road, the less likely our guests in The Terrace might be affected?

Secondly, bringing the garbage container within 1.5m of the front yard is of a deeper concern. If this is closer to the road, my suspicion is that the tourists frequenting that road walk to lighthouse park as well as our guests at the Terrace, may well be subjected to heated, unpleasant garbage odours. Would this place the garbage bin in the sun, or in an unsightly position and if it increases the risk of odour as a result of the heat we are not in favour. Please take this into account before granting the permit.

Kind regards
Linda and Lloyd Edwards
Unit Orca
The Terrace, Peninsula Road.

Mailing address
491 Pym Street
Parksville,



REPORT TO COUNCIL

Council Meeting: August 16th, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM:	MONICA WHITNEY-BROWN, PLANNING ASSISTANT	FILE No: 3070-DVP22-02
SUBJECT:	DEVELOPMENT VARIANCE PERMIT 22-02	REPORT NO: 22-119
ATTACHMENT(S):	APPENDIX A – APPLICATION APPENDIX B – DEVELOPMENT VARIANCE PERMIT 22-02	

RECOMMENDATION(S):

THAT Council, subject to public comment, authorize the Director of Community Planning to execute and issue Development Variance Permit DVP22-02 for a storage facility (shed) of up to 46.14 m³ (cubic meters) with a height of up to 3.1 meters, whereas section 4.16 of the Ucluelet Mobile Home Parks Bylaw No. 513, 1988 allows a shed to be constructed to 17 - 25 m³ (cubic meters) in volume; and 2.4 meters in height.

BACKGROUND:

This Development Variance Permit (DVP) application was received on June 27th, 2022 for the property located at 460 Orca Crescent, Whispering Pines Mobile Home Park, PID 027782093, Lot A, District Lot 283, Plan VIP 86121, Clayoquot Land District (the “subject property”).



Figure 1 – Subject Property

This DVP application seeks to vary the current bylaw constraints on storage facility (shed) size to allow the applicant to construct a shed of adequate size to safely and securely store equipment relating to outdoor

pursuits such as cycling, surfing, and kayaking, as well as safe storage for garbage and recycling bins and other wildlife attractants.

This property is subject to zoning requirements in the MH zone under the District of *Ucluelet Zoning Bylaw No. 1160*. The establishment, extension, design, and servicing of mobile home parks is additionally regulated through *Ucluelet Mobile Home Parks Bylaw No. 513, 1988*. Bylaw 513, section 14.05 requires tenants in the residential mobile home park to obtain a letter of permission from the park operator before construction of separate buildings. This has been obtained by the applicant and is included in **Appendix "A"**.

A building permit is required before commencement of construction of the proposed shed. The proposed shed would have a peaked roof and would be similar in appearance to the manufactured home on site. The proposed location of the shed is not visible from the street, and the applicant intends to construct a fence between the neighboring property (462 Orca Crescent) and the subject property after the construction of the proposed shed. There is no development immediately behind the site.

Development Variance Permit:

A Development Variance Permit (DVP) alters the provisions of certain bylaws to allow a development that would not otherwise comply with the bylaw. Development Variance Permits are commonly used to vary bylaws that regulate parking, building setbacks, building height and building size. Council has broad discretion to approve or deny applications to vary the provisions of the Sign Bylaw, the Zoning Bylaw and the Subdivision Bylaw provided that the alteration does not regulate use, density, residential rental tenure or flood plain specifications.

Public Notice

Pursuant to section 499 of the *Local Government Act*, notification has been given for this application as follows:

- This application was advertised in the August 10th, 2022, edition of the *Westerly News*.
- The property owners (registered on the title with BC Land Title and Survey) within 100m of the subject property have been notified by a mailout.
- Tenants in properties within 100m of the subject property have been notified by hand delivery.

Prior to making a decision on the requested permit, Council should give members of the public an opportunity to make submissions on the application.

Existing Zoning

The subject property falls within the MH (Manufactured Home) zone in *Ucluelet Zoning Bylaw No. 1160*. The following are the allowed uses permitted in the zone:

MH.1.1 The following uses are permitted, but secondary permitted uses are only permitted in conjunction with a principal permitted use:

(1) Principal:

Manufactured home park

(2) Secondary:

Home Occupation

The establishment, extension, design, and servicing of mobile home parks is regulated through Ucluelet Mobile Home Parks Bylaw No. 513, 1988.

Proposed Development Variance

The applicant is proposing to build a storage shed with the following dimensions:

- 3.05 m by 4.88 m, with a height of up to 3.1 metres. This proposed shed would have a volume of up to 46.14 m³.

The applicant is requesting to vary the following aspect of Ucluelet Mobile Home Parks Bylaw No. 513, 1988.

Tenant Storage 4.16

(1) One storage facility (shed) may be constructed on each mobile home space, provided that:

- (ii) it is 17 - 25m³ (600 - 900 cubic feet) in volume; and,
- (iii) it does not exceed 2.4m (8 -feet) in height.

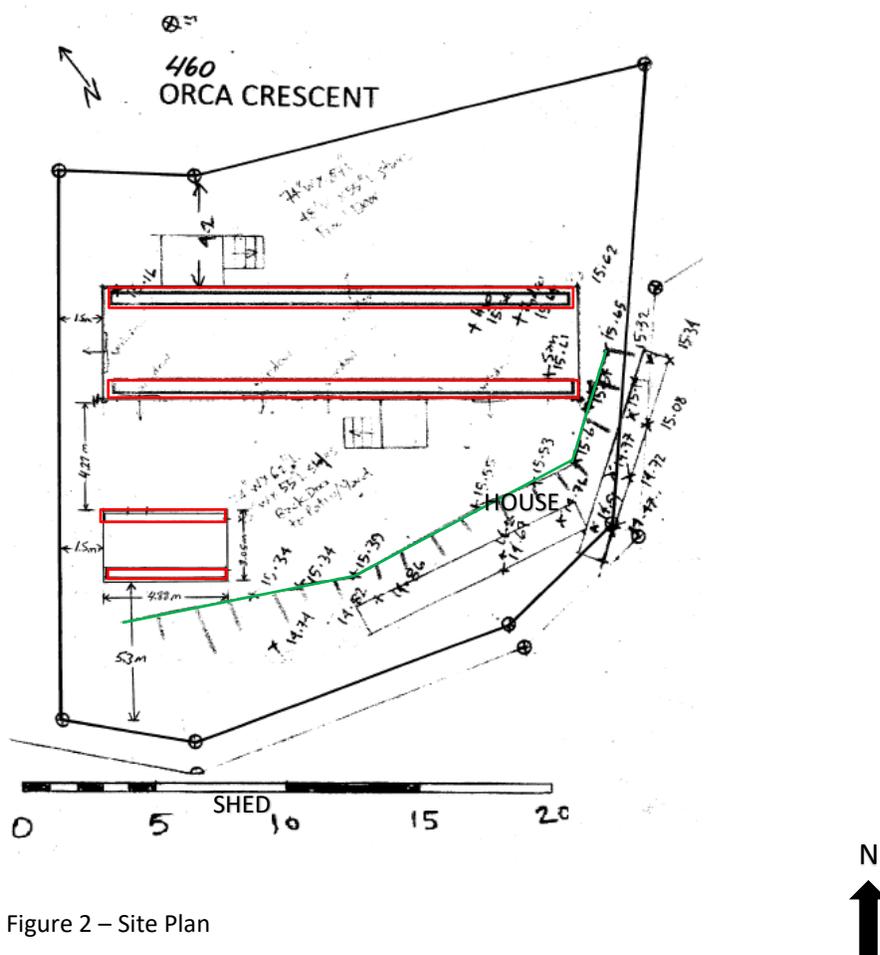


Figure 2 – Site Plan

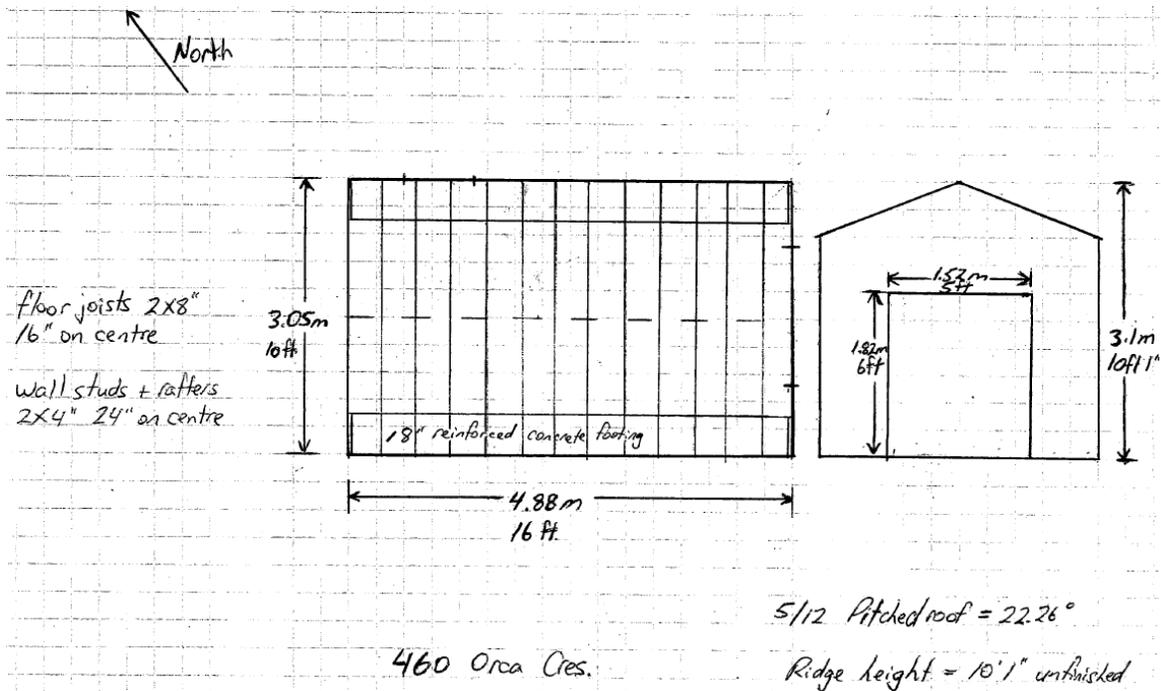


Figure 3 – Side view of proposed shed

ANALYSIS OF OPTIONS

A	Authorize the issuance of Development Variance Permit 22-02	<u>Pros</u>	<ul style="list-style-type: none"> Allows the applicant to construct their desired size of shed.
		<u>Cons</u>	<ul style="list-style-type: none"> Shed will be built to a larger size than allowed in Bylaw No. 513
		<u>Implications</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed.
B	Provide alternative direction	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> THAT Council, in regards to Temporary Use Permit 22-02, (provide alternative direction here)
C	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> Shed will not be built to a bigger size than allowed in Bylaw No. 513.
		<u>Cons</u>	<ul style="list-style-type: none"> Applicant will not be able to construct their desired size of shed.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed.
		<u>Suggested Motion</u>	THAT Council reject the application for Development Variance Permit 22-02.

POLICY OR LEGISLATIVE IMPACTS:

This application is compliant with the Local Government Act.

NEXT STEPS

If this application is approved:

- The attached DVP will be signed by the Director of Community Planning, issued to the applicant, and then filed notice with the Land Title Office.
- The applicant of the subject property will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed permit.

Respectfully submitted:

MONICA WHITNEY-BROWN, PLANNING ASSISTANT
BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
DUANE LAWRENCE, CAO

JUN 27 2022

Development Application

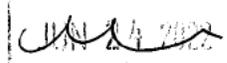
District of Ucluelet
Planning Department
200 Main Street, Ucluelet, BC
V0R 3A0, P.O. Box 999
tel 250-726-4770 fax 250 726 7335

Type of Application

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

- | | |
|--|---|
| <input type="checkbox"/> Official Community Plan Amendment | <input checked="" type="checkbox"/> Development Variance Permit |
| <input type="checkbox"/> Zoning Bylaw Amendment | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Development Permit (no variances) | <input type="checkbox"/> Board of Variance |
| <input type="checkbox"/> Development Permit (with variances) | <input type="checkbox"/> Strata Conversion |
| <input type="checkbox"/> Development Permit Amendment | <input type="checkbox"/> Subdivision |

JUN 27 2022



Description of Property

Civic Address (es): 460 Orca Crescent
Legal Description: Lot A Plan VIP86121 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: Rick Geddes Company name: N/A
Mailing address: PO Box [redacted] Ucluelet BC Postal Code: V0R 3A0
Tel : _____ Cell : _____
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: *Rick Geddes* Date: 2022-04-25

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: _Hyland Homes Ltd.
Mailing address: 3140 Graham Rd. Ladysmith, B.C. Postal Code: _V9G 1C9 Tel : _250-722-2510
Cell : 250-741-4886 Email : _caseytimmermans@shaw.ca 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]* Date: April 27, 2022

Office Use Only:

Folio No.: <u>To Come</u>	File No.: <u>DVP22.02</u>	Date: <u>JUNE 23/22</u>	Receipt No.:	Fee: <u>\$1,100</u>
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#600 DVP FEE
#500 N.F.

2022-05-29

Subject: Development Variance for 460 Orca Crescent

Rick Geddes
 460 Orca Crescent
 Ucluelet, BC V0R 3A0

To the Board of Variance / District of Ucluelet Council:

I am requesting a variance to construct a storage shed to be located on the site of our newly purchased manufactured home, at 460 Orca Crescent (Whispering Pines Mobile Home Park).

I moved to Ucluelet three years ago for work. A big part of my attraction to Ucluelet was the numerous opportunities for outdoor adventure and recreational activities in the area. Although the real estate market has escalated during my short time here, I have been able to purchase an 800 square ft. manufactured home. However, the downside of manufactured homes is the general lack of storage.

District of Ucluelet Development Variance Permit #DVP17-04 states that, "A maximum of one accessory building to be used as a storage shed may be constructed on each space provided that it:

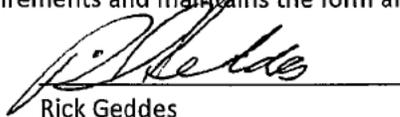
- I. Is compatible in appearance with the manufactured unit;
- II. Is no larger than 100 square feet;
- III. Does not exceed 9 feet in height for a flat roof;
- IV. Does not exceed 10 feet 6 inches to the ridge board in height for a pitched roof".

In order for my partner and I to enjoy a healthy work / life balance, which includes such activities as bicycling, surfing, and kayaking, I am requesting to build a storage shed that is big enough to safely and securely store the appropriate equipment for these activities. This shed would also provide a safe storage area for garbage and recycling bins and other potential wildlife attractants.

With this in mind, my request is to be permitted to construct a shed that is 10 feet wide, by 16 feet long, with a peaked roof that would be within the tolerance allowed in DVP17-04. The finished shed would be aesthetically pleasing and similar in appearance to the manufactured home which is on site.

Given the fact that this site is one of the larger ones in Whispering Pines, the proposed shed would be proportionate to the site. Because the home on this site is oriented parallel to Orca Crescent (unlike all other units in Whispering Pines), the shed would not be visible from the street (see accompanying photos). Once completed, a fence would then be constructed between this site and the neighbouring one at 462 Orca Crescent. There is no development immediately behind this site and therefore a storage shed of this size would have little to no impact on present or future sightlines.

Recently, there have been several shipping containers installed within Whispering Pines. These containers are mostly unregulated in the BC Building Code and District of Ucluelet Bylaws. My hope is to acquire a variance and a building permit that will allow the construction of a shed that meets all code requirements and maintains the form and fit of the area. Thank you for considering this request.



Rick Geddes
 PO Box [REDACTED]
 460 Orca Crescent
 Ucluelet BC V0R 3A0

Hyland Homes Ltd.
 3140 Graham Rd.
 Ladysmith, B.C.
 V9G 1C9



Email:
 caseytimmermans@shaw.ca
 Ph. 1-250-722-2510
 Fax. 1-250-722-2509
 Cel 1-250-741-4886

LETTER OF PERMISSION – BYLAW 513; SECTION 14-05

To: DISTRICT OF UCLUELET

Section 3.08 of Bylaw 513 states "All mobile homes shall meet or exceed the Canadian Standards Association Standard Z-240 or A-277 as the case may be". Section 3.10 of Bylaw 513 states "Any mobile home located on a space shall be supported by "double blocking" and tied down in accordance with Section 9.236.4 of the National Building Code".

Section 4.13 Clause 2 of Bylaw 513, states "All attached or accessory structures such as porches, sun room, additions, **storage facilities** shall be factory pre-fabricated units or of an equivalent quality and shall be painted or pre-finished so that the design and construction shall conform with the appearance of the main structure".

It is my interpretation, as the MH Park Owner, that a storage facility that is larger than 3m x 3m is intended to be a structure that will be susceptible to damage from foundation settlement, therefore, the structure is to be designed and constructed to allow the structure to be readily re-levelled and re-blocked should foundation settlements occur. For the proposed storage facility, the proposed storage shed is to be constructed with a similar foundation support system, that is, double-blocked, tied-down to footings and capable of meeting CSA Z-240 Standards.

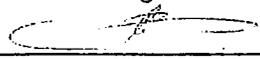
This letter will confirm:

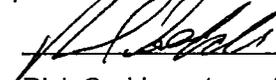
Tenant: Rick Geddes MH Park Address: 460 Orca Crescent

has contacted Hyland Homes Ltd. and has been granted permission to apply to the District of Ucluelet for a Building Permit and a Variance. Specifically, where the proposed structure is to be located (see attached Shed Plan (Figure 1) and Location Plan (Figure 2) , permission is retracted if the new structure will not be supported on blocking and tied-down to footings. This is a risk management decision and Hyland Homes Ltd. accepts no responsibility for claims of damage should the new structure, once constructed, sustain damage from differential settlement of the gravel pad provided for the structure.

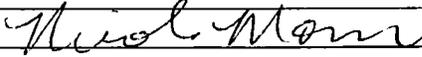
Scope of Work: A crude rendering of the scope to construct a storage facility, which was provided by Mr. Geddes (via Dan Lehr), is attached as Figure 1.

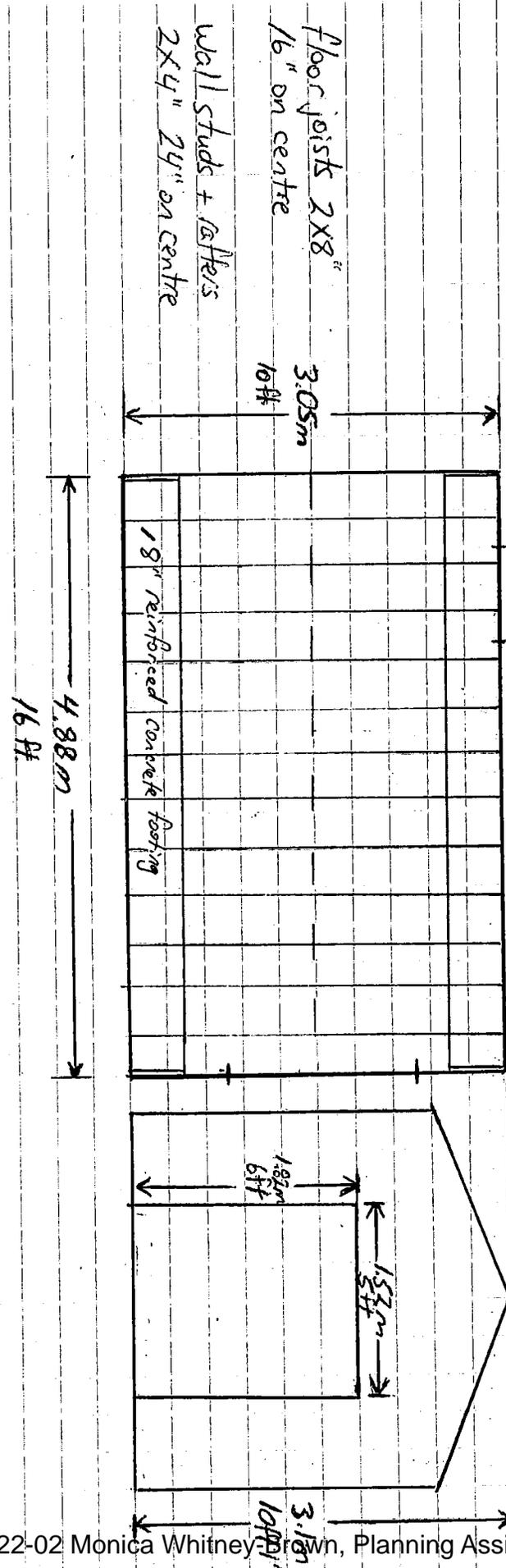
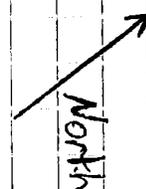
It is also understood that if a building permit is not required that the front, rear, side yard setback and site coverage must meet the requirements of DVP-17-04 and Bylaw 513


 Casey Timmermans – owner


 Rick Geddes – tenant

Date 2022-05-27

TO BE COMPLETED BY DISTRICT OF UCLUELET Building Permit Required <input checked="" type="checkbox"/> _____ Building Permit Not Required <input type="checkbox"/> _____	 District of Ucluelet Building Inspector Date <u>May 27/22</u>
--	--



460 Orca Res.

5/12 Attached roof = 22.26°
 Ridge height = 10'1" unfinished
 Scale 1/4" = 1 foot

Site Photographs



Street View of 460 Orca Crescent



View from the North



View from the West

DEVELOPMENT VARIANCE PERMIT DVP22-02

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:

Rick Geddes, PO Box [REDACTED], Ucluelet BC, V0R 3A0

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:

460 Orca Crescent; PID 027782093, Lot A, Plan VIP86121, District Lot 283, Clayoquot Land District

3. The work authorized by this Permit may only be carried out in compliance with the requirements of the District of Ucluelet Mobile Home Park Bylaw No. 513, 1988, 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 variance specific to the plans and details attached as Schedule "A":

A storage facility (shed) of up to 46.14 m³ with a height of up to 3.1 metres, whereas section 4.16 of the Ucluelet Mobile Home Parks Bylaw No. 513 allows a shed to be constructed to 17 - 25 m³ in volume; and 2.4m in height.

5. The above variance is granted for the proposed structures and use of the land as shown on Schedule A. Should the buildings be later removed or destroyed, this Development Variance Permit shall cease to apply and the zoning and mobile home parks 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 of , 2022.

IN WITNESS WHEREOF this Temporary Use Permit is hereby executed and issued by the Municipality the of , 2022.

THIS PERMIT SHALL EXPIRE on the day of **the** of , 2025 (3 years).

OWNER

by its authorized signatory

Permittee's Signature

ISSUED the day of , 2022.

Bruce Greig - Director of Community Planning

Joseph Rotenberg

From: Annie [REDACTED]
Sent: August 8, 2022 10:27 AM
To: Community Input Mailbox
Subject: Application #: DVP22-02

Follow Up Flag: Follow up
Flag Status: Flagged

[External]

Dear Council,

My name is Annie Tsay and I live at 447 Orca Crescent, across the street from the applicant Rick Geddes of 460 Orca Crescent.

I am writing to say that I support Rick's application for a development variance permit. The proposed storage facility (shed) will have no impact on me.

Sincerely,
Annie Tsay
447 Orca Crescent

Temporary Use Permit:

A Temporary Use Permit allows a use of land, on a temporary basis, not otherwise permitted in the District of Ucluelet's Zoning Bylaw. Temporary use permits may be issued for a period up to three years from the date the permit was approved by Council. Temporary use permits may be renewed once for a further three-year period, subject to Council approval. Conditions under which a temporary use may be allowed are established in the permit, including the site design and layout, and length of time the temporary use can occur. Security deposits and letters of undertaking may also be required to ensure conditions are met.

Some of the considerations of a temporary use permit are:

- if the temporary use will operate at an intensity of use suitable to the surrounding area;
- if the temporary use will be compatible with regard to use, design, and operation with other surrounding land uses; and
- that the temporary use will operate on a temporary basis only and includes plans, or a letter of undertaking to terminate the use and restore the site by the expiry date of the permit.

Public Notice

Pursuant to section 494 of the *Local Government Act*, notification has been given for this application as follows:

- This application was advertised in the August 10th, 2022, edition of the Westerly News.
- The property owners (registered on the title with BC Land Title and Survey) within 100m of the subject property have been notified by a mailout.
- Tenants in properties within 100m of the subject property have been notified by hand delivery.

Council should provide an opportunity for anyone wishing to speak to the application an opportunity to be heard prior to making a decision on the requested permit.

Existing Zoning

The subject property falls within the CD-3 zone. The following are the allowed uses permitted in the zone:

CD-3A.1.1 The following uses are permitted, but secondary permitted uses are only permitted in conjunction with a principal permitted use:

(1) Principal:

Single Family Dwelling

(2) Secondary:

Bed and Breakfast, Home Occupation, Secondary Suite

Proposed Temporary Use

The applicant is requesting the renewal of one seasonal RV camping space for local workers to the rear of the site's existing single-family dwelling for a period of 3 years.

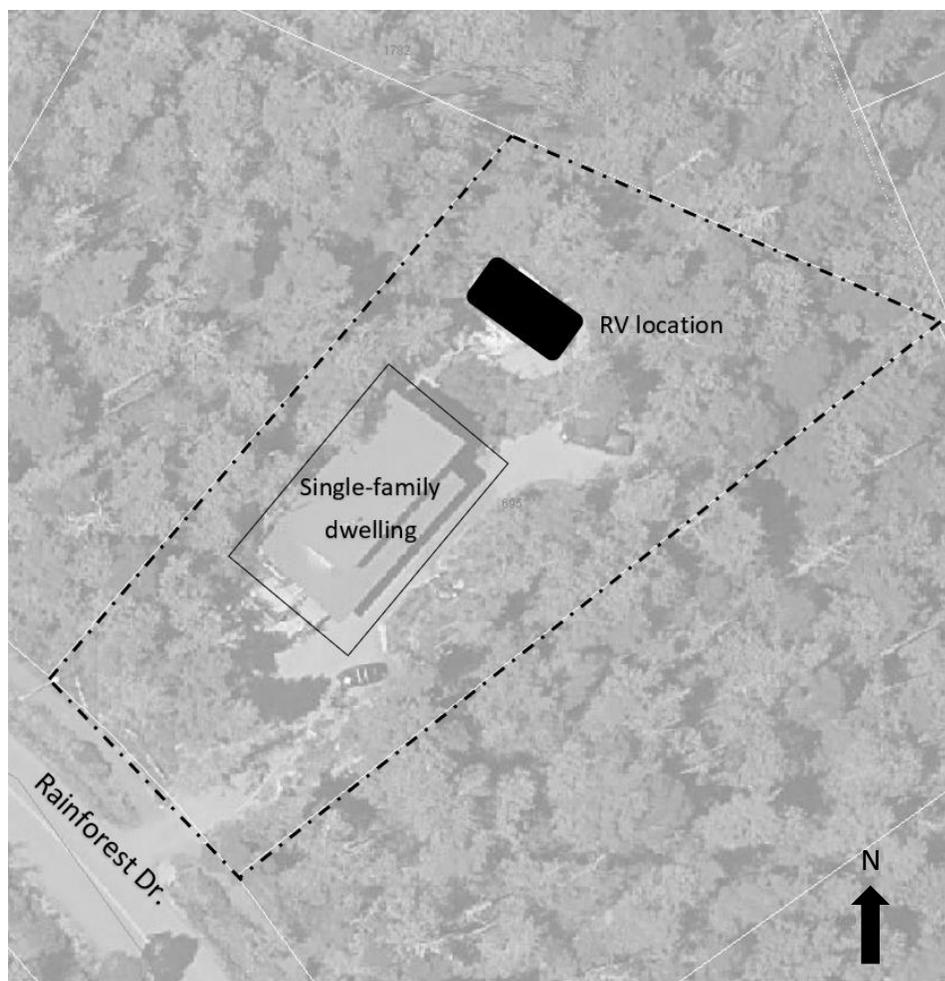


Figure 2 – Site Plan

Servicing

Full services (sewer, water, and hydro services) were brought to the area in anticipation of an eventual garage, and have been connected for use by the RV.

Fire Services

Prior to re-issuance of the temporary-use permit, the Fire Department will require that the RV be re-inspected, and that the RV is equipped with the following fire safety items:

- One portable extinguisher having a 2-A rating.
- A working smoke alarm.
- A working carbon monoxide alarm.

Security

As a condition of the issuance of the permit, the District of Ucluelet would hold a \$1,000 security deposit per unit to ensure that the development is carried out and operated in accordance with the terms and

conditions of the permit. There have been no complaints or issues with the seasonal RV use on this property over the past three years.

TUP Terms and Conditions

1. No other temporary uses other than the above-mentioned uses shall be permitted.
2. The recreational vehicle/trailer camping space(s) is to be located as indicated on the site plan.
3. An on-site parking space shall be provided for the unit, in addition to the required parking for all other uses on site.
4. Access aisles and vehicle turnarounds are to be kept free at all times, for emergency access, and
5. The Permittee or a manager/caretaker must oversee the use of the Lands and their telephone and email contact shall be provided to the District and updated as required.
6. The RV/trailer unit must be licensed and in good condition.
7. The proposed seasonal trailer space is for staff accommodation to be inhabited by a maximum of two people, with a minimum of one person being a seasonal worker employed in the community. For clarity, this permit does not authorize short-term commercial tourist accommodation use of the proposed trailer space. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
8. At the end of each seasonal stay, or within 6 months (whichever is less), the Permittee shall notify the Bylaw Enforcement Officer in writing that the RV/trailer unit has been vacated.
9. No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the seasonal camping area which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighbourhood between the hours of 10 pm of one day and 7 am of the next day.
10. The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
11. Areas around the RV/trailer unit will be kept clean and tidy at all times.
12. If the permittee is to provide hydro electricity to the RV/trailer unit, it must be done in a safe manner inspected by a registered electrician.
13. Prior to anyone occupying the unit, contact the Fire Department to arrange an inspection by emailing rgeddes@ucluelet.ca or calling (250) 726-7744. The permittee is responsible for maintaining the following for each unit;
 - a. A working multipurpose fire extinguisher,
 - b. A working smoke alarm,
 - c. A working carbon monoxide alarm,
 - d. No portable heating or cooking appliances within the unit.
14. The municipal Bylaw Enforcement Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.
15. Failure of the Permittee to meet and maintain any of the terms listed above may result in suspension of the permit and forfeiture of the security deposit.

ANALYSIS OF OPTIONS

A	Authorize the issuance of Temporary Use Permit 22-03	<u>Pros</u>	<ul style="list-style-type: none"> Will allow temporary seasonal accommodation for an employee on the subject property.
		<u>Cons</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed. Staff time will be required to process this application.
		<u>Implications</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed. Staff time will be required to process this application.
B	Provide alternative direction	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> THAT Council, in regards to Temporary Use Permit 22-05, (<i>provide alternative direction here</i>)
C	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> The neighbourhood would not have this added use.
		<u>Cons</u>	<ul style="list-style-type: none"> The seasonal RV camping space would not be available for a local worker.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed.
		<u>Suggested Motion</u>	THAT Council reject the application for Temporary Use Permit 22-05.

POLICY OR LEGISLATIVE IMPACTS:

This application is compliant with the Local Government Act.

NEXT STEPS

If this application is approved:

- The attached TUP will be signed by the Director of Community Planning, issued to the applicant, and notice will be filed with the Land Title Office.
- The applicant of the subject property will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed permit.

Respectfully submitted:

MONICA WHITNEY-BROWN, PLANNING ASSISTANT
 BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
 DUANE LAWRENCE, CAO

District of Ucluelet

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

Development Application

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

JUN 17 2022

Description of Property

Civic Address (es): 695 Rainforest Drive, Ucluelet, BC
 Legal Description: Lot 47 Plan VIP79602 Block _____ Section _____ DL 282

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: Shanti Davis Company name: N/A
 Mailing address: PO Box [redacted] Postal Code: VOR3A0
 Tel: _____ Cell: _____
 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: June 16/2022

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: Shanti Davis
 Mailing address: PO Box [redacted] Postal Code: VOR 3A0
 Tel: _____ 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] Date: June 16/2022

Office Use Only:

Folio No.: <u>127.096</u>	File No.: <u>TUP19.05</u>	Date: <u>JUNE 15/22</u>	Receipt No.: <u>7121.8</u>	Fee: <u>\$850</u>
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350 P204
500 NOTICE

Temporary Use Permit (695 Rainforest Drive) – Renewal Application

16 June, 2022

Statement of Intent

I am requesting a renewal of the Temporary Use Permit (TUP19-05) currently in place on my property (695 Rainforest Drive) for a second period of up to three years. I would like to continue to provide a fully serviced space for one Recreational Vehicle / Trailer to house 1-2 locally employed people.

Over the past year, I have been happy to provide a safe and private space for 2 women working in Ucluelet, one was part of the construction team at UES last fall/winter, and the other was working as a cleaner for a local business this spring.

The property is an ideal layout for this kind of use, with the RV parking space tucked at the back of the lot out of sight from the road. There are fully forested setbacks on all sides, enough space for a vehicle to park and turn around, and currently the properties on either side are undeveloped. The proposed RV parking space has full services available (water, power, sewer) and does not require additional clearing.

I still intend to develop the proposed site in the future with a permitted accessory building (ideally a greenhouse or garage), but would love to be able to provide someone with an affordable housing option in the meantime. I am happy to consult and/or discuss the use with neighbours and the community if there are any concerns.

Sincerely,



Shanti Davis



Site Disclosure Statement

JUN 17 2002

Has the site been used for any Industrial or commercial uses described in SCHEDULE 2 of the Contaminated Sites Regulation? *

- Yes
 No

If you answered NO to the question above, the form is not submitted to the ministry. As per Section 3.5 of the Contaminated Sites Regulation, a municipality or approving officer may still request a person to complete a site disclosure statement for their records.

^ Section I - CONTACT INFORMATION

A: SITE OWNER(s) or OPERATOR(s)

Last Name *

Davis

First Name *

Shanti



Company, if applicable

Address *

695 Rainforest Drive

City *

Ucluelet

Province *

BC

Country *

Canada

Postal Code *

V0R3A0

Phone Number *

[REDACTED]

Email *

[REDACTED]

+ Add Another

B: PERSON COMPLETING SITE DISCLOSURE STATEMENT (leave blank if same as above)

Agent authorized to complete form on behalf of the owner or operator

Last Name

First Name

Company, if applicable

C: PERSON TO CONTACT REGARDING THE SITE DISCLOSURE STATEMENT

Last Name *

Davis

First Name *

Shanti

Company, if applicable

Address *

695 Rainforest Drive

City *

Ucluelet

Example Schedule 2 references and descriptions

E1. appliance, equipment, or engine maintenance, repair, reconditioning, cleaning or salvage

F10. solvent manufacturing, bulk storage, shipping and handling

Schedule 2 Reference and Description *

None Select all that apply

Select "none" if no Schedule 2 uses apply

^ Section IV - ADDITIONAL INFORMATION

1. Provide a brief summary of the planned activity and proposed land use at the site. *

Temporary use of a gravel parking space at the back of my property for a Recreational Vehicle / Trailer to hook up.

If not applicable, type N/A

2. Indicate the information used to complete this site disclosure statement including a list of record searches completed. *

NA

3. List any past or present government orders, permits, approvals, certificates or notifications pertaining to the environmental condition of the site: *

NA

If not applicable, type N/A

^ Section V - DECLARATIONS

Where a municipal approval is not required, you must indicate the reason for submission directly to the registrar:

- Under Order
- Foreclosure
- CCAA Proceedings
- BIA Proceedings
- Decommissioning
- Ceasing Operations

By signing below, I confirm that the information in this form is complete and accurate to the best of my knowledge:

SIGNATURE



First and Last Name

Shanti Davis

- Owner
- Operator

Date Signed

2022-06-17

Sign above

For agents completing the SDS, save to PDF then forward the form to the owner/operator to complete this section

APPROVING AUTHORITY CONTACT INFORMATION

All fields in this section must be completed by the municipality (including Regional Districts) or approving officer prior to forwarding the form to the Site Registrar.

Name

Agency



TEMPORARY USE PERMIT TUP19-05

JUN 17 2019

General Terms

1. This Temporary Use Permit is issued to:

SHANTI DAVIS
 P.O. Box [REDACTED]
 Ucluelet, BC V0R 3A0

(the "Permittee")

as the registered owner of, and shall apply only to, the lands and premises situate in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

Lot 47, Plan VIP79602, District Lot 282, Clayoquot Land District, PID 026432510 (695 Rainforest Drive)

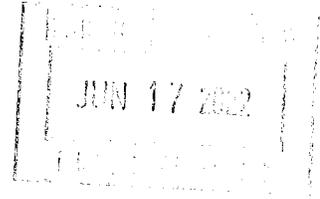
(the "Lands").

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This Temporary Use Permit authorizes the following uses on the Lands:
One long-term seasonal recreational vehicle / trailer camping space.
5. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
6. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-4**, which are attached hereto and form part of this permit.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
8. If the Permittee or its successor(s) in title does not substantially commence any construction with respect to which this permit was issued within six months after the date it was issued, the Permit shall lapse.
9. 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.
10. This Permit is NOT a Building Permit.
11. This Permit is NOT a Development Permit.
12. Provisions of sections 495, 496 and 502 of the *Local Government Act* requiring security applies to this permit as set forth in **Schedule 2**.



Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:



I, Shanti Davis, representing the Lands hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
b) Abide by all conditions of the Temporary Use Permit.

We understand that should we not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon the Lands and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of the Lands as herein set out.

We further understand that in the event of a default of the conditions contained within the Temporary Use Permit, we shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

DATE: 29 June 2021

OWNER: [Signature]

WITNESS: Nicole Morin



Schedule 3 Terms of Temporary Use Permit Conditions

JUL 17 2002

- a) The permitted temporary use shall be limited to the following uses;
- One long-term seasonal recreational vehicle / trailer camping space.*
- b) The trailer space is to be located as indicated on the site plan (**Schedule 4**)
- c) The Permittee or a manager / caretaker must oversee the use of the Lands and their telephone and email contact shall be provided to the District and updated as required.
- d) The proposed seasonal trailer space is for staff accommodation to be inhabited by employees working within the community. For clarity, this permit does not authorize short-term commercial tourist accommodation use of the proposed trailer space. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
- e) At the end of each seasonal stay, or within 6 months (whichever is less), the Permittee shall notify the Bylaw Services Officer in writing that the unit has been vacated.
- f) No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the seasonal camping area which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.
- g) The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
- h) The Trailer is to be full serviced or on-site washroom facilities are to be provided by the Permittee for use of the seasonal camping space, to the satisfaction of the District.
- i) An on-site parking space shall be provided for the seasonal trailer space, in addition to the required parking for all other uses on site.
- j) No other temporary uses other than the above-mentioned uses shall be permitted.
- k) The municipal Bylaw Services Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.



Temporary Use Permit (TUP) / Development Permit (DP) / Rezoning Checklist

Property Address: 695 Rainforest Drive
 Type of Application: Renewal
 Date: 16 June, 2022
 Submitted By: Shanti Davis

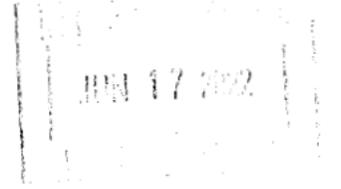
JUN 17 2022

- Application Form; A signed application form by the registered owners - or written authorization for an agent to act on behalf of the owner and/or written Strata Council approval (if applicable).
- Application Fee; See Bylaw 1186, Schedule D (see below) *will pay in-person*.
- Title Search; A title search within 15 days of the date of application, along with copies of all non-financial encumbrances (e.g. covenants, statutory rights of ways, easements, etc).
- Site Profile; this is a screening tool required by the province to identify potentially contaminated sites. This is required for any previously occupied property with past commercial activity. Completed by the property owner when a property is subject to local government development applications and/or permits. See https://www2.gov.bc.ca/assets/gov/environment/air-land-water/site-remediation/docs/forms/site_profile.pdf
- Written Statement of Intent; A written statement of intent outlines the proposal in full including a description of:
 - the purpose of this application;
 - how the proposal complies with the applicable Development Permit guidelines;
 - any divergence from the applicable Development Permit guidelines and why the divergence could be supported;
 - the existing and proposed use(s) of the land, buildings, and structures;
 - the existing and proposed works and services; and
 - any consultations the applicant has undertaken or proposes to undertake with neighbours and the community.
- Application drawings; including three full sized copies (for larger applications), two clearly legible 8.5 x 11" reductions, and one digital copy (in PDF form). Drawing sets shall contain the following information:
 - Site plan, drawn to scale, showing:
 - site context.
 - topographical and geographical features on the site.
 - all property lines, setbacks, existing and proposed buildings and structures including roof lines, utilities, fire hydrant locations, north arrow, waste and recycling storage areas, and open/green space.
 - zoning analysis indicating legal identification, address, lot area, density, floor area ratio, lot coverage, height calculations, setbacks, and other applicable zoning regulations.

Included with original TUP 19-05.



TEMPORARY USE PERMIT TUP19-05



General Terms

1. This Temporary Use Permit is issued to:

SHANTI DAVIS
 P.O. Box [REDACTED]
 Ucluelet, BC V0R 3A0

(the "**Permittee**")

as the registered owner of, and shall apply only to, the lands and premises situate in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

Lot 47, Plan VIP79602, District Lot 282, Clayoquot Land District, PID 026432510 (695 Rainforest Drive)

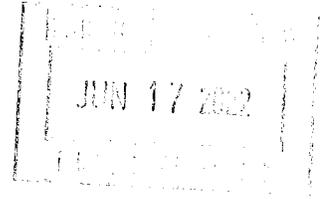
(the "**Lands**").

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This Temporary Use Permit authorizes the following uses on the Lands:
One long-term seasonal recreational vehicle / trailer camping space.
5. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
6. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-4**, which are attached hereto and form part of this permit.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
8. If the Permittee or its successor(s) in title does not substantially commence any construction with respect to which this permit was issued within six months after the date it was issued, the Permit shall lapse.
9. 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.
10. This Permit is NOT a Building Permit.
11. This Permit is NOT a Development Permit.
12. Provisions of sections 495, 496 and 502 of the *Local Government Act* requiring security applies to this permit as set forth in **Schedule 2**.



Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:



I, Shanti Davis, representing the Lands hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
b) Abide by all conditions of the Temporary Use Permit.

We understand that should we not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon the Lands and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of the Lands as herein set out.

We further understand that in the event of a default of the conditions contained within the Temporary Use Permit, we shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

DATE: 29 June 2021
OWNER: [Signature]
WITNESS: Nicole Morin



Schedule 3 Terms of Temporary Use Permit Conditions

JUL 17 2002

- a) The permitted temporary use shall be limited to the following uses;
- One long-term seasonal recreational vehicle / trailer camping space.*
- b) The trailer space is to be located as indicated on the site plan (**Schedule 4**)
- c) The Permittee or a manager / caretaker must oversee the use of the Lands and their telephone and email contact shall be provided to the District and updated as required.
- d) The proposed seasonal trailer space is for staff accommodation to be inhabited by employees working within the community. For clarity, this permit does not authorize short-term commercial tourist accommodation use of the proposed trailer space. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
- e) At the end of each seasonal stay, or within 6 months (whichever is less), the Permittee shall notify the Bylaw Services Officer in writing that the unit has been vacated.
- f) No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the seasonal camping area which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.
- g) The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
- h) The Trailer is to be full serviced or on-site washroom facilities are to be provided by the Permittee for use of the seasonal camping space, to the satisfaction of the District.
- i) An on-site parking space shall be provided for the seasonal trailer space, in addition to the required parking for all other uses on site.
- j) No other temporary uses other than the above-mentioned uses shall be permitted.
- k) The municipal Bylaw Services Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.



Temporary Use Permit (TUP) / Development Permit (DP) / Rezoning Checklist

Property Address: *695 Rainforest Drive*
 Type of Application: *Renewal*
 Date: *16 June, 2022*
 Submitted By: *Shanti Davis*

JUN 17 2022

- Application Form; A signed application form by the registered owners - or written authorization for an agent to act on behalf of the owner and/or written Strata Council approval (if applicable).
- Application Fee; See Bylaw 1186, Schedule D (see below) *will pay in-person*.
- Title Search; A title search within 15 days of the date of application, along with copies of all non-financial encumbrances (e.g. covenants, statutory rights of ways, easements, etc).
- Site Profile; this is a screening tool required by the province to identify potentially contaminated sites. This is required for any previously occupied property with past commercial activity. Completed by the property owner when a property is subject to local government development applications and/or permits. See https://www2.gov.bc.ca/assets/gov/environment/air-land-water/site-remediation/docs/forms/site_profile.pdf
- Written Statement of Intent; A written statement of intent outlines the proposal in full including a description of:
 - the purpose of this application;
 - how the proposal complies with the applicable Development Permit guidelines;
 - any divergence from the applicable Development Permit guidelines and why the divergence could be supported;
 - the existing and proposed use(s) of the land, buildings, and structures;
 - the existing and proposed works and services; and
 - any consultations the applicant has undertaken or proposes to undertake with neighbours and the community.
- Application drawings; including three full sized copies (for larger applications), two clearly legible 8.5 x 11" reductions, and one digital copy (in PDF form). Drawing sets shall contain the following information:
 - Site plan, drawn to scale, showing:
 - site context.
 - topographical and geographical features on the site.
 - all property lines, setbacks, existing and proposed buildings and structures including roof lines, utilities, fire hydrant locations, north arrow, waste and recycling storage areas, and open/green space.
 - zoning analysis indicating legal identification, address, lot area, density, floor area ratio, lot coverage, height calculations, setbacks, and other applicable zoning regulations.

Included with original TUP 19-05.

TEMPORARY USE PERMIT 19-05 as amended (TUP22-05)

General Terms

1. This Temporary Use Permit is issued to:

SHANTI DAVIS.; PO BOX [REDACTED], UCLUELET BC V0R 3A0
(the “**Permittee**”)

as the registered owner of, and shall apply only to, the lands and premises situate in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

695 RAINFOREST DRIVE, PID 026432510, LOT 47, PLAN VIP79602, DISTRICT LOT 282,
CLAYOQUOT LAND DISTRICT
(the “**Lands**”).

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This Temporary Use Permit renewal authorizes the following uses on the Lands:

One seasonal RV camping space for local workers in the rear yard of 695 Rainforest Drive

5. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
6. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-4**, which are attached hereto and form part of this permit.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
8. 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.
9. This Permit is NOT a Building Permit.
10. This Permit is NOT a Development Permit.
11. Provisions of sections 495, 496 and 502 of the *Local Government Act* requiring security applies to this permit as set forth in **Schedule 2**.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

AUTHORIZING RESOLUTION passed by the Municipal Council on the **of** , **2022**.

IN WITNESS WHEREOF this Temporary Use Permit is hereby executed and issued by the Municipality the
of , **2022**.

THIS PERMIT SHALL EXPIRE on the day of the **of** , **2025 (3 years)**.

OWNER

by its authorized signatory

Permittee's Signature

ISSUED the day of , **2022**.

Bruce Greig - Manager of Community Planning

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:

I (We), representing *the Lands* hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
- b) Abide by all conditions of the Temporary Use Permit.
- c) Provide the occupant’s contact information to the District of Ucluelet.

I(We) understand that should we not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon *the Lands* and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of *the Lands* as herein set out.

We further understand that in the event of a default of the conditions contained within the Temporary Use Permit, we shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

Contact Information for the Owner/Manager

Cell: _____ Email: _____

Date: _____

Owner: _____

Signature: _____

Owner: _____

Signature: _____

Witness: _____

Signature: _____

Schedule 2 Security

As a condition of the issuance of this Permit, the District of Ucluelet is holding a security set out below to ensure that development is carried out and operated in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to use the land as authorized according to the terms and conditions of the Permit and within the time provided, the District of Ucluelet may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee; or should the Permittee carry out the development permitted by this Permit within the set time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- a) A Letter of Credit or cash to be deposited into a specified bank account, to be held for the term of the permit in the amount of \$1,000 (\$1000 per unit). The purpose of the security is to cover any associated costs to the District of Ucluelet with respect to the removal of recreational vehicle units and associated structures or services.

Schedule 3 Temporary Use Permit Conditions

General Conditions:

- a) The permitted temporary use shall be limited to the following uses;
- One seasonal RV camping space for local workers.***
- b) No other temporary uses other than the above-mentioned uses shall be permitted.
- c) The recreational vehicle/trailer camping space is to be located as indicated on the site plan **(Schedule 4)**
- d) An on-site parking space shall be provided for the unit, in addition to the required parking for all other uses on site.
- e) Access aisles and vehicle turnarounds are to be kept free at all times, for emergency access, and
- f) The Permittee or a manager/caretaker must oversee the use of the Lands and their telephone and email contact shall be provided to the District and updated as required.
- g) The RV/trailer unit must be licensed and in good condition.
- h) The proposed seasonal trailer space is for staff accommodation to be inhabited by a maximum of two people, with a minimum of one person being a seasonal worker employed in the community. For clarity, this permit does not authorize short-term commercial tourist accommodation use of the proposed trailer space. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
- i) At the end of each seasonal stay, or within 6 months (whichever is less), the Permittee shall notify the Bylaw Enforcement Officer in writing that the RV/trailer unit has been vacated.
- j) No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the seasonal camping area which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.
- k) The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
- l) Areas around the RV/trailer unit will be kept clean and tidy at all times.
- m) If the permittee is to provide hydro electricity to the RV/trailer unit, it must be done in a safe manner inspected by a registered electrician.
- n) Prior to anyone occupying the unit, contact the Fire Department to arrange an inspection by emailing rgeddes@ucluelet.ca or calling (250) 726-7744. The permittee is responsible for maintaining the following for each unit;
- i. A working multipurpose fire extinguisher,
 - ii. A working smoke alarm,
 - iii. A working carbon monoxide alarm,
 - iv. Two means of egress in case of emergency,
 - v. A label on the inside of the door that displays the property address.
 - vi. The unit number (i.e. A, B, C, D etc) must be prominently displayed on the exterior of the unit facing the access.
 - vii. No portable heating or cooking appliances within the unit.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

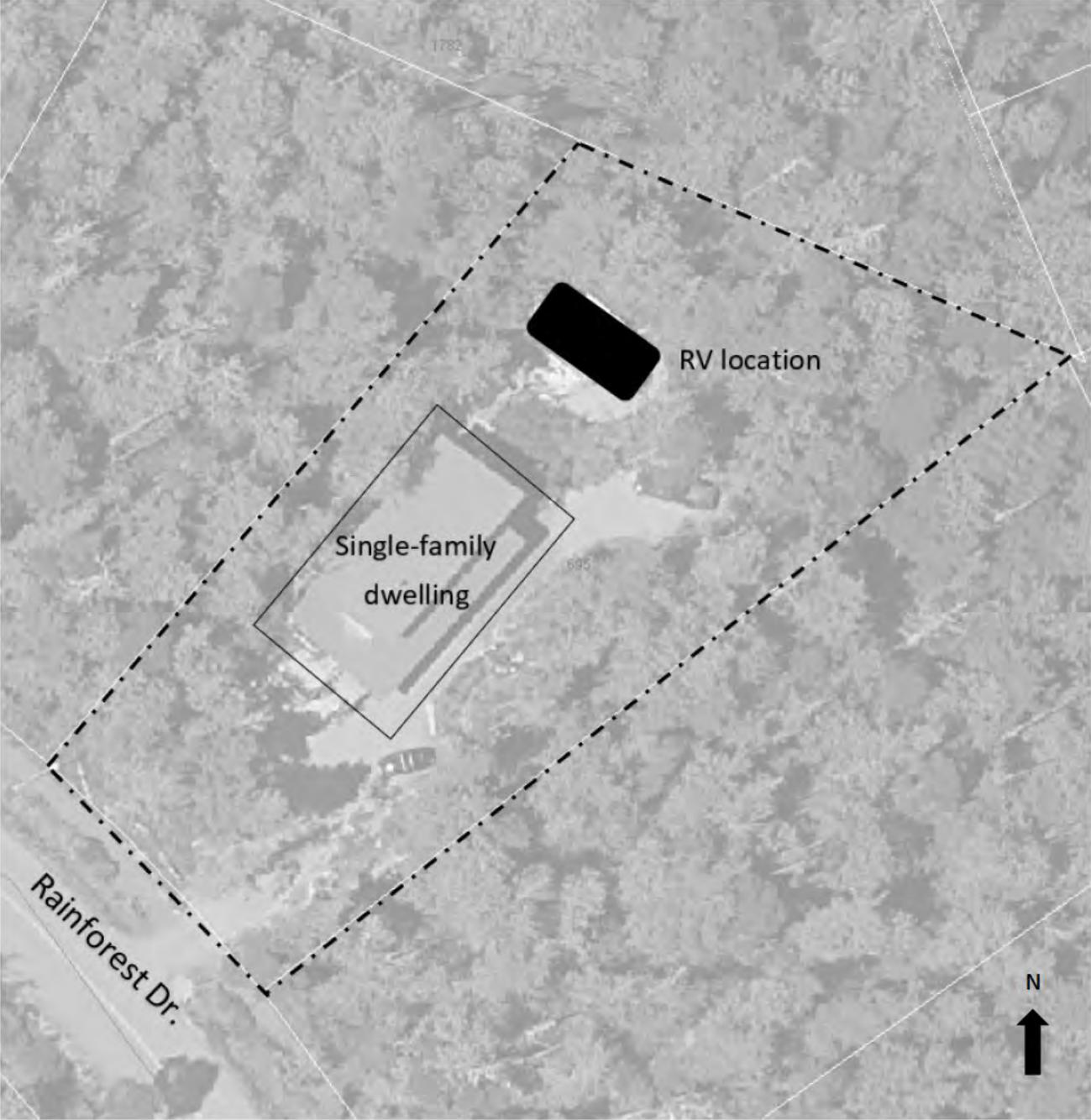
- o) The municipal Bylaw Enforcement Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.
- p) Failure of the Permittee to meet and maintain any of the terms listed above may result in suspension of the permit and forfeiture of the security deposit.

Servicing Conditions

- a) **Potable Water:**
The permittee is responsible for providing sufficient potable water for the needs of the tenants.
- b) **Sewer Service:**
The permittee is responsible to contain all sewage and gray water in holding tanks and to pump those tanks out prior to any overflow or spillage. It should be noted that any sewage or graywater contamination in the area of the RV space will be considered a breach in the conditions of this permit.
- c) **Access to Washrooms:**
The permittee is responsible for providing access to a washroom.
- d) **Hydro:**
The permittee is responsible for providing a hydro connection by way of appropriately sized exterior outlet and extension cord.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 4 Site Plan



Temporary Use Permit:

A Temporary Use Permit allows a use of land, on a temporary basis, not otherwise permitted in the District of Ucluelet's Zoning Bylaw. Temporary use permits may be issued for a period up to three years from the date the permit was approved by Council. Temporary use permits may be renewed once, subject to Council approval. Conditions under which a temporary use may be allowed are established in the permit, including the site design and layout, and length of time the temporary use can occur. Security deposits and letters of undertaking may also be required to ensure conditions are met. Some of the considerations of a temporary use permit are:

- if the temporary use will operate at an intensity of use suitable to the surrounding area;
- if the temporary use will be compatible with regard to use, design, and operation with other surrounding land uses; and
- that the temporary use will operate on a temporary basis only and includes plans, or a letter of undertaking to terminate the use and restore the site by the expiry date of the permit.

Public Notice

Pursuant to section 494 of the *Local Government Act*, notification has been given for this application as follows:

- This application was advertised in the August 10th addition of the Westerly News.
- The property owners (registered on the title with BC Land Title and Survey) within 100m of the subject property have been notified by a mailout.
- Tenants in properties within 100m of the subject property have been notified by hand delivery.

Council should provide an opportunity for anyone wishing to speak to the application to be heard prior to making a decision on the requested permit.

Existing Zoning

The subject property falls within the CS-5 zone. The following are the allowed uses permitted in the zone:

CS-5.1.1 The following uses are permitted, but secondary permitted uses are only permitted in conjunction with a principal permitted use:

1) *Principal:*

- (a) *Hotel*
- (b) *Motel*
- (c) *Resort Condo*
- (d) *Mixed Commercial/Resort Condo*
- (e) *Campground*
- (f) *Restaurant*
- (g) *Bistro/Café*
- (h) *Commercial Recreation*
- (i) *Marina*
- (j) *Art Gallery*
- (k) *Public Assembly*
- (l) *Tourist Information Booth*

- 2) Secondary:
 - (a) Accessory Residential Dwelling Unit

Proposed Temporary Use

The applicant is requesting the issuance of one seasonal RV camping space for a local worker to the rear of the site's existing tourist-commercial cabins for a period of three years.

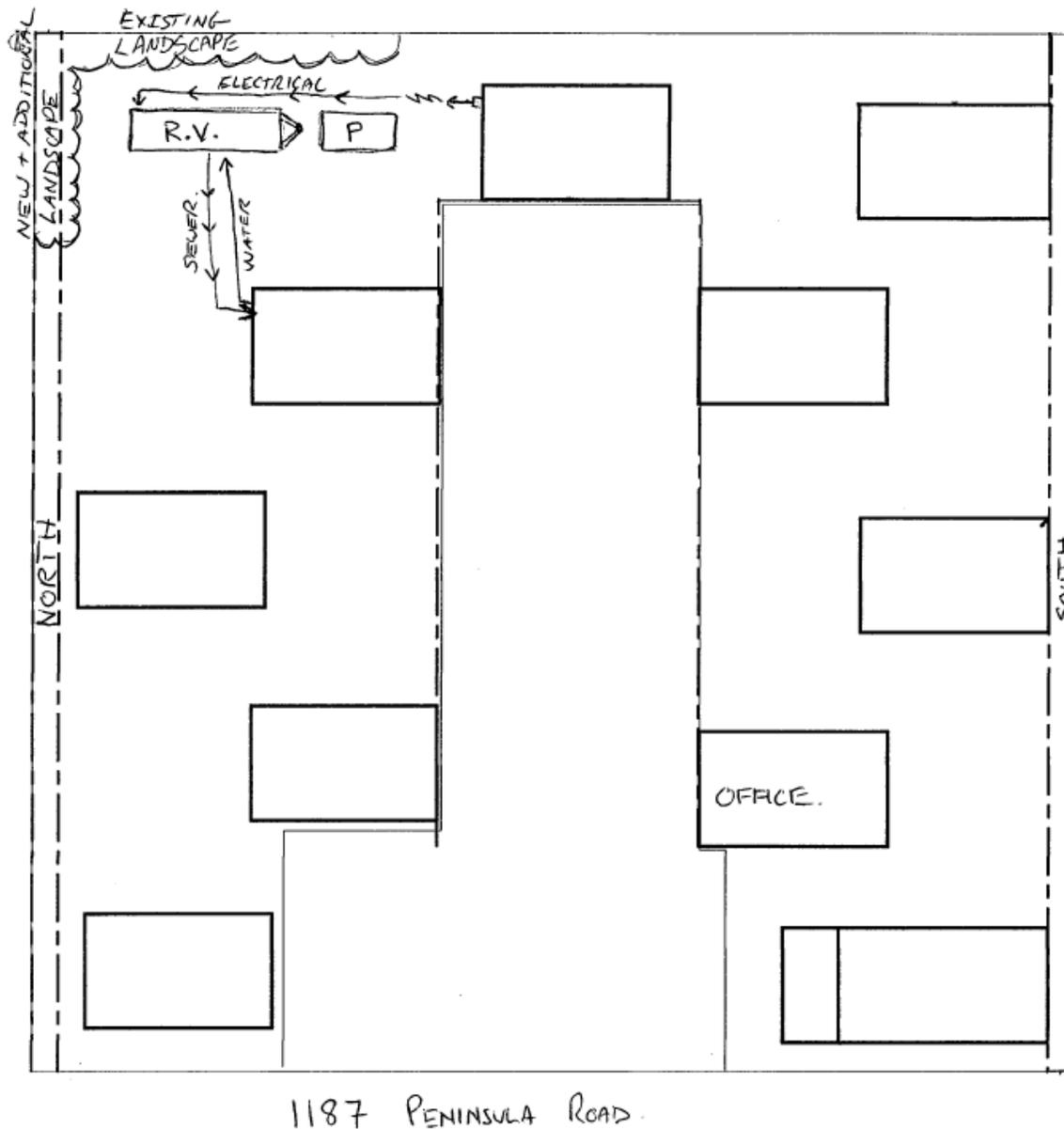


Figure 2 – Site Plan

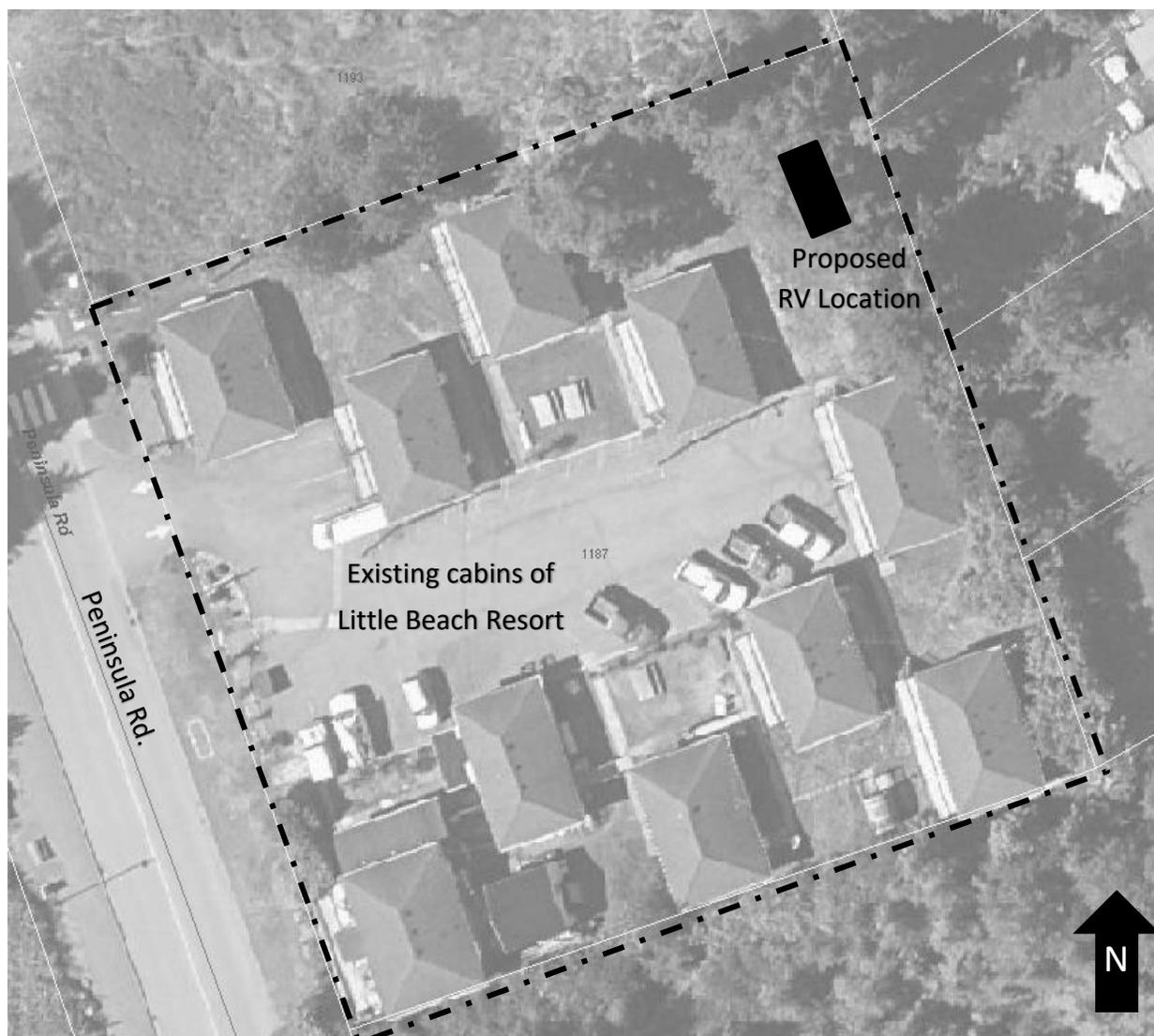


Figure 3 – Aerial view

Servicing

The RV site is fully serviced with water supply and frost-free outside tap from the nearby cabins, as well as a sewer intake pipe and power from cabin 10. There is an existing RV pad where a former building was destroyed in a fire several decades ago. The area is cleared and level, and was previously used for a seasonal RV by the property's previous owner.

Fire Services

Prior to issuance of the temporary-use permit, the Fire Department will require that the RV be inspected, and that the RV is equipped with the following fire safety items:

- One portable extinguisher having a 2-A rating.
- A working smoke alarm.
- A working carbon monoxide alarm.

The permit will not be released to the applicant until successful completion of a fire inspection.

Security

As a condition of the issuance of the permit, the District of Ucluelet would hold a \$1,000 security deposit to ensure that the development is carried out and operated in accordance with the terms and conditions of the permit.

TUP Terms and Conditions

Refer to full Terms and Conditions in Temporary Use Permit 22-08 attached as Appendix B.

ANALYSIS OF OPTIONS

A	Authorize the issuance of Temporary Use Permit 22-03	<u>Pros</u>	<ul style="list-style-type: none"> Will allow temporary seasonal accommodation for an employee on the subject property.
		<u>Cons</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed.
		<u>Implications</u>	<ul style="list-style-type: none"> Staff time will be required to process this application.
B	Provide alternative direction	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> THAT Council, in regards to Temporary Use Permit 22-0, (<i>provide alternative direction here</i>)
C	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> The neighbourhood would not have this added use.
		<u>Cons</u>	<ul style="list-style-type: none"> The seasonal RV camping space would not be available for a local worker.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed.
		<u>Suggested Motion</u>	THAT Council reject the application for Temporary Use Permit 22-08.

NEXT STEPS

If this application is approved:

- The attached TUP will be signed by the Director of Community Planning, issued to the applicant, and then notice will be filed with the Land Title Office.
- The applicant of the subject property will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed permit.

Respectfully submitted: MONICA WHITNEY-BROWN, PLANNING ASSISTANT
 BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
 DUANE LAWRENCE, CAO

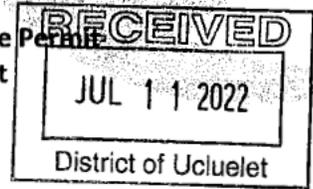
Planning Department
 200 Main Street, Ucluelet, BC
 VOR 3A0, P.O. Box 999
 tel 250-726-4770 fax 250 726 7335

Development Application

Type of Application

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

- | | |
|--|--|
| <input type="checkbox"/> Official Community Plan Amendment | <input type="checkbox"/> Development Variance Permit |
| <input type="checkbox"/> Zoning Bylaw Amendment | <input checked="" type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Development Permit (no variances) | <input type="checkbox"/> Board of Variance |
| <input type="checkbox"/> Development Permit (with variances) | <input type="checkbox"/> Strata Conversion |
| <input type="checkbox"/> Development Permit Amendment | <input type="checkbox"/> Subdivision |



Description of Property

Civic Address (es): 1187 PENINSULA ROAD UCLUELET BC
 Legal Description: Lot 2 Plan VIP 14558 Block _____ Section 21 DL _____

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: RANDY OLIWA Company name: LITTLE BEACH RESORT LTD
 Mailing address: PO BOX 376 UCLUELET BC Postal Code: VOR 3A0
 Tel: _____ Cell: N/A
 Email: _____ Fax: N/A

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 8/2022

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: RANDY & CATHERINE OLIWA
 Mailing address: SAME AS ABOVE Postal Code: _____
 Tel: _____ 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] Date: JULY 8/2022

Office Use Only:

Folio No.: <u>062-112</u>	File No.: <u>TUR 22-08</u>	Date: <u>JULY 11/22</u>	Receipt No.: <u>71532</u>	Fee: <u>\$ 850.00</u>
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Hello,

July 8, 2022

As the owners of Little Beach Resort Ltd, we are seeking a TUP for 3 years with the specific purpose of seasonal staff accommodation.

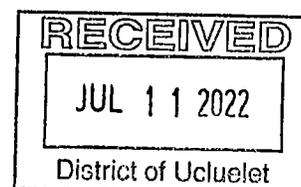
Earlier this year we had a long-time staff member retire. We plan on filling that position AND providing our own much needed staff accommodation.

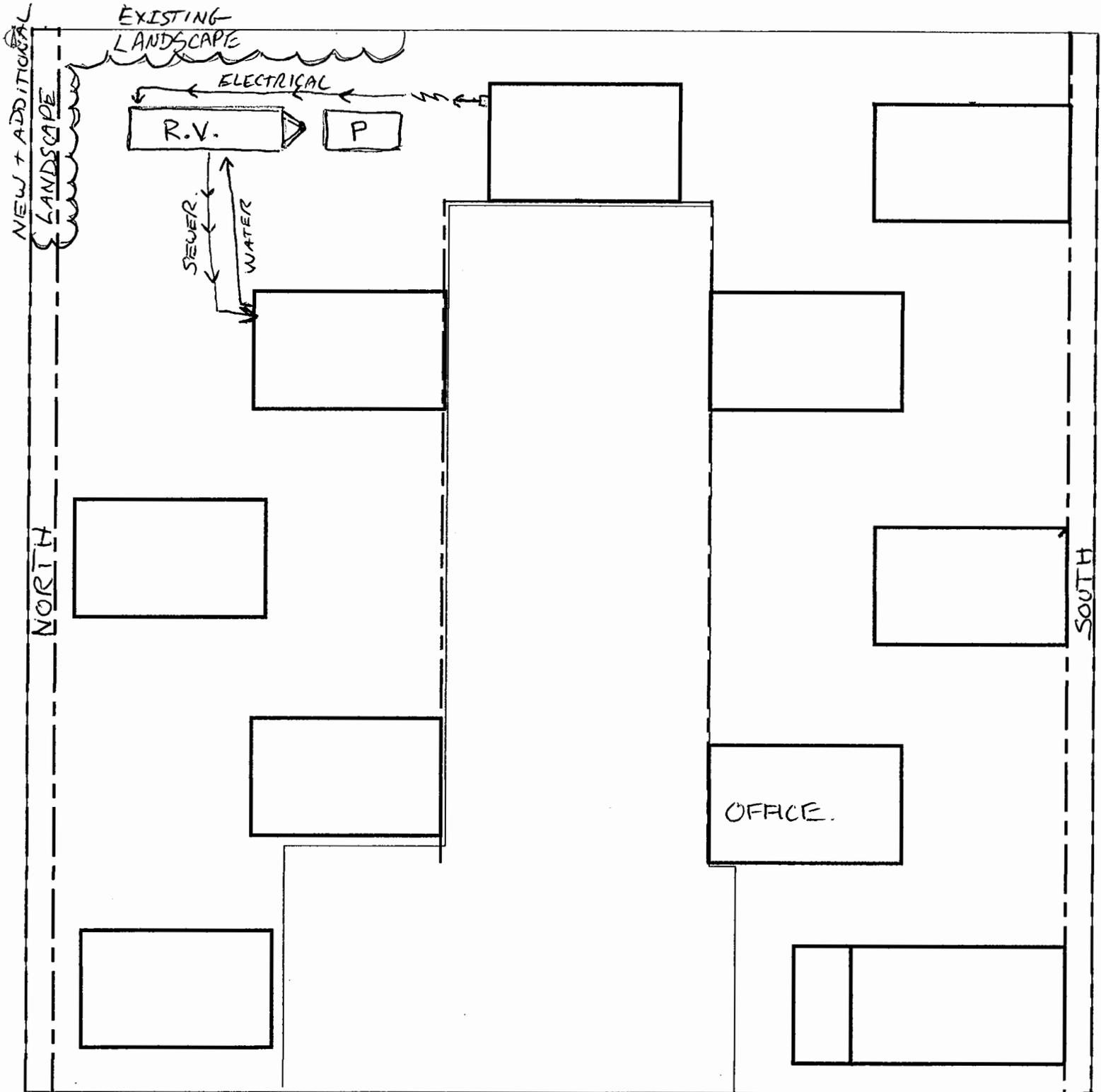
We have a classic Airstream and feel it also adds to the timeless charm of our little resort property.

Lastly, although the property is CS5 commercial and has large, beautiful rhododendrons on the east property line, we plan on adding ornamental cedar trees to the north and additional landscaping for privacy.

Thank you for your time.

Randy & Catherine Oliwa





1187 PENINSULA ROAD

TEMPORARY USE PERMIT TUP22-08

General Terms

1. This Temporary Use Permit is issued to:

Randy Oliwa
1187 Peninsula Road,
Ucluelet, British Columbia, [REDACTED]

(the “**Permittee**”)

as the registered owner of, and shall apply only to, the lands and premises situate in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

PID 000057169, Lot 2, Plan VIP14558, District Lot 282, Clayoquot Land District
(the “**Lands**”).

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This Temporary Use Permit authorizes the following uses on the Lands:
One seasonal recreational vehicle (RV)/trailer camping space for period of three years.
5. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
6. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-4**, which are attached hereto and form part of this permit.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
8. 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.
9. This Permit is NOT a Building Permit.
10. This Permit is NOT a Development Permit.
11. Provisions of sections 495, 496 and 502 of the *Local Government Act* requiring security applies to this permit as set forth in **Schedule 2**.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

AUTHORIZING RESOLUTION passed by the Municipal Council on the of , 2022.

IN WITNESS WHEREOF this Temporary Use Permit is hereby executed and issued by the Municipality the of , 2022.

THIS PERMIT SHALL EXPIRE on the day of the of , 2025 (3 years).

OWNER

by its authorized signatory

Permittee's Signature

ISSUED the day of , 2022.

Bruce Greig - Manager of Community Planning

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:

I (We), Randy Oliwa, representing *the Lands* hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
- b) Abide by all conditions of the Temporary Use Permit.
- c) Provide the occupant’s contact information to the District of Ucluelet.

I(We) understand that should we not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon *the Lands* and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of *the Lands* as herein set out.

We further understand that in the event of a default of the conditions contained within the Temporary Use Permit, we shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

Contact Information for the Owner/Manager

Cell: _____

Email: _____

DATE: _____

OWNERS: _____

WITNESS: _____

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 2 Security

As a condition of the issuance of this Permit, the District of Ucluelet is holding a security set out below to ensure that development is carried out and operated in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to use the land as authorized according to the terms and conditions of the Permit and within the time provided, the District of Ucluelet may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee; or should the Permittee carry out the development permitted by this Permit within the set time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- a) A Letter of Credit or cash to be deposited into a specified bank account, to be held for the term of the permit in the amount of \$1000. The purpose of the security is to cover any associated costs to the District of Ucluelet with respect to the removal of recreational vehicle units and associated structures or services.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 3 Terms of Temporary Use Permit Conditions

- a) The permitted temporary use shall be limited to the following uses;
- One long-term seasonal recreational vehicle (RV)/trailer camping space.***
- b) No other temporary uses other than the above-mentioned uses shall be permitted.
- c) The recreational vehicle/trailer camping space is to be located as indicated on the site plan **(Schedule 4)**
- d) The Permittee will abide by the following conditions specific to Residential properties if the site is zoned as a Residential property;
- i. RV/trailer units must respect all property setbacks with the exception of the front yard setback which may be reduced to 3m,
 - ii. It is preferred that the RV/trailer unit is located to the rear of the Single-Family Dwelling but may be located to the front if deemed appropriate by Council,
 - iii. No more than one RV/trailer unit per property, and
 - iv. An on-site parking space shall be provided for the unit, in addition to the required parking for all other uses on site.
- e) The Permittee will abide by the following conditions specific to Commercial/Industrial Properties if the site is zoned as a commercial or industrial property;
- i. RV/trailer units must be located to the rear of any existing building such that the RV is not a prominent feature when viewed from the public street,
 - ii. If there are multiple RV/trailer units on site, the units must be connected to the municipal sewer system with the connection completed by a register plumber,
 - iii. RV/trailer units are not to be occupied until the access drive aisles, parking spaces, trailer pads and/or fire lanes are delineated to the satisfaction of the District. Access aisles and vehicle turnarounds are to be kept free at all times, for emergency access, and
 - iv. An on-site parking space shall be provided for each seasonal RV/trailer unit, in addition to the required parking for all other uses on site. Exceptions may be considered by Council but the applicant should be prepared to justify how the parking will work.
- f) The Permittee or a manager/caretaker must oversee the use of the Lands and their telephone and email contact shall be provided to the District and updated as required.
- g) The RV/trailer unit must be licensed and in good condition.
- h) The proposed seasonal trailer space is for staff accommodation to be inhabited by a maximum of two people, with a minimum of one person being a seasonal worker employed in the community. For clarity, this permit does not authorize short-term commercial tourist accommodation use of the proposed trailer space. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
- i) At the end of each seasonal stay, or within 6 months (whichever is less), the Permittee shall notify the Bylaw Enforcement Officer in writing that the RV/trailer unit has been vacated.
- j) No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the seasonal camping area which may disturb the peace, quiet, rest,

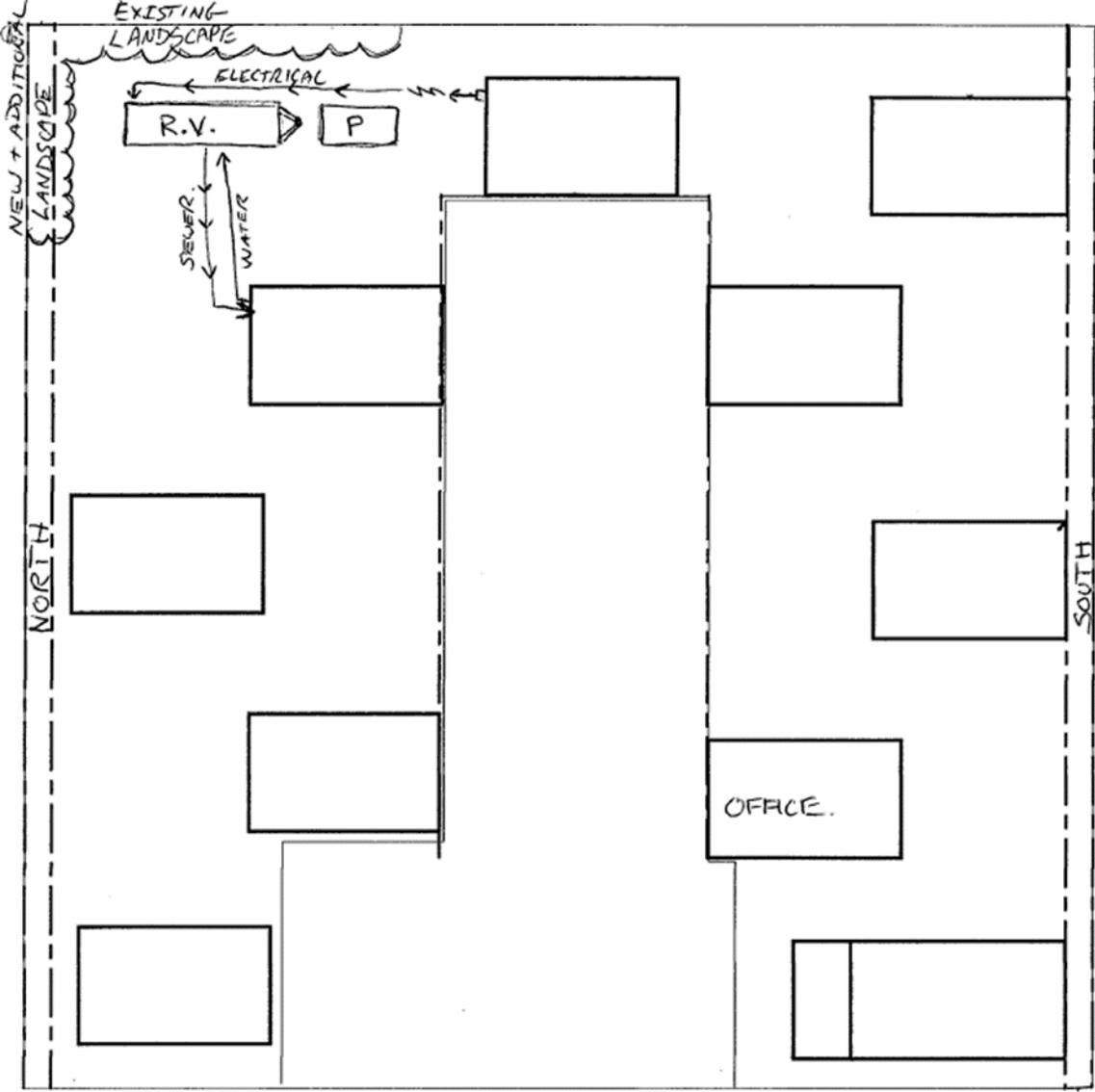
TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.

- k) The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
- l) Areas around the RV/trailer unit will be kept clean and tidy at all times.
- m) The Permittee will provide a potable water connection to the RV/trailer unit that is approved by a registered plumber.
- n) The RV/trailer unit is to be full serviced or on-site washroom facilities are to be provided by the Permittee for use of the seasonal camping space, to the satisfaction of the District.
- o) The Permittee shall provide hydro electricity to the RV/trailer unit in a safe manner inspected by a registered electrician.
- p) The Permittee shall maintain clear access to the RV/trailer unit sufficient to allow fire service operations.
- q) Prior to any occupation of the unit, the applicant must arrange and successfully pass a fire inspection. To complete this requirement, contact the Fire Department to arrange an inspection by emailing rgeddes@ucluelet.ca or calling (250) 726-7744. The permittee is responsible for maintaining the following for each unit;
 - i. A working multipurpose fire extinguisher,
 - ii. A working smoke alarm,
 - iii. A working carbon monoxide alarm,
 - iv. Two means of egress in case of emergency,
 - v. A label on the inside of the door that displays the property address.
 - vi. The unit number (i.e. A, B, C, D etc) must be prominently displayed on the exterior of the unit facing the access.
 - vii. No portable heating or cooking appliances within the unit.
- r) The municipal Bylaw Enforcement Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.
- s) Failure of the Permittee to meet and maintain any of the terms listed above may result in suspension of the permit and forfeiture of the security deposit.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 4 Site Plans



1187 PENINSULA ROAD

Joseph Rotenberg

From: JF Marleau SKILS [REDACTED]
Sent: August 9, 2022 2:42 PM
To: Community Input Mailbox
Subject: Temporary Use Permit Application Number TUP22-08

Follow Up Flag: Follow up
Flag Status: Flagged

[External]

Dear District of Ucluelet,

I am the owner at 1173 Rupert Road and I would like to express my support for the Application Number TUP22-08.

I don't see any issue. I rather see some benefits.

-Staff accommodation is in high demand in Ukee. This will help to mitigate this situation.

-It will help support a long time local business in these tough times of critical staff shortage.

-It will not increase traffic or noise

-The visual impact will be minimal.

Furthermore, Little Beach Resort is surrounded by vacant /forested lots on the south, west and north sides. On the east side, one of the immediate neighbours is the applicant. There are also only 2 other properties on the east side and these owners can voice their own opinion. The impact of this addition is not intrusive or a threat to neighbours.

JF Marleau
1173 Rupert Road,
Ucluelet, BC
V0R 3A0
[REDACTED]

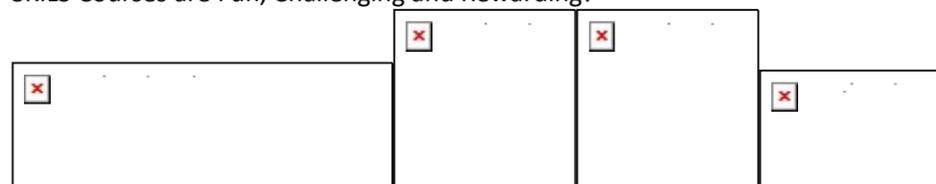
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Jean-Francois(JF) Marleau
Certified SKGABC Lead Guide Level 4, Guide Trainer and Examiner
Certified Paddle Canada Level 4 Instructor, Level 3 Instructor Trainer
Sea Kayak Instruction and Leadership Systems Ltd (SKILS)

www.skils.ca

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REPORT TO COUNCIL

Council Meeting: August 16th, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM:	MONICA WHITNEY-BROWN, PLANNING ASSISTANT	FILE No: 3070-TUP22-09
SUBJECT:	TEMPORARY USE PERMIT - 1604 PENINSULA ROAD	REPORT No: 22-123
ATTACHMENT(S):	APPENDIX A – APPLICATION APPENDIX B – TEMPORARY USE PERMIT 22-09	

RECOMMENDATION(S):

1. **THAT** Council, with regard to the proposed change of use at 1604 Peninsula Road, subject to public comment, authorize the Director of Community Planning to execute and issue Temporary Use Permit 22-09 to allow the operation of a Daycare Facility at 1604 Peninsula Road for a period of three years; and,
2. **THAT** Council direct staff to prepare a letter for the Mayor’s signature, requesting guidance from the Yuułuʔiłʔatḥ Government on their preference for the long-term location of the canoe log which is currently on loan to the District of Ucluelet and located at 1604 Peninsula Road, and expressing the District’s support for working together on its appropriate care and relocation.

BACKGROUND:

This Temporary Use Permit (**TUP**) application was received on July 19, 2022 for the property located at 1604 Peninsula Rd, PID 006202179, Lot 2, Plan VIP3486, District Lot 282, Clayoquot Land District (the “subject property”).



Figure 1 – Subject Property

Temporary Use Permit:

A Temporary Use Permit allows a use of land, on a temporary basis, not otherwise permitted in the District of Ucluelet's Zoning Bylaw. Temporary use permits may be issued for a period up to three years from the date the permit was approved by Council. Temporary use permits may be renewed once, subject to Council approval. Conditions under which a temporary use may be allowed are established in the permit, including the site design and layout, and length of time the temporary use can occur. Security deposits and letters of undertaking may also be required to ensure conditions are met. Some of the considerations of a temporary use permit are:

- if the temporary use will operate at an intensity of use suitable to the surrounding area;
- if the temporary use will be compatible with regard to use, design, and operation with other surrounding land uses; and
- that the temporary use will operate on a temporary basis only and includes plans, or a letter of undertaking to terminate the use and restore the site by the expiry date of the permit.

Public Notice

Pursuant to section 494 of the *Local Government Act*, notification has been given for this application as follows:

- This application was advertised in the August 10th, 2022 addition of the Westerly News.
- The property owners (registered on the title with BC Land Title and Survey) within 100m of the subject property have been notified by a mailout.
- Tenants in properties within 100m of the subject property have been notified by hand delivery.

Council should provide an opportunity for anyone wishing to speak to the application an opportunity to be heard prior to making a decision on the requested permit.

Existing Zoning

The subject property falls within the CS-2 zone. The following are the allowed uses permitted in the zone:

CS-2.1.1 The following uses are permitted, but secondary permitted uses are only permitted in conjunction with a principal permitted use:

1) *Principal:*

- (a) *Hotel*
- (b) *Motel*
- (c) *Mixed Commercial/ Residential*
- (d) *Mixed Commercial/ Resort Condo*
- (e) *Office*
- (f) *Tourist Information Booth*
- (g) *Retail, including supermarket*
- (h) *Convenience Store*
- (i) *Restaurant*
- (j) *Bistro/Café*
- (k) *Take Out Food Services*
- (l) *Personal Services*
- (m) *Commercial Recreation*

- (n) Studio
- (o) Community Use

2) Secondary:

- (a) Accessory Residential Dwelling Unit

Proposed Temporary Use

The applicant is requesting to convert the property and establish a new daycare facility on site for a period of three years.

The property owner (The Ucluelet Consumers Cooperative Association) is currently underway with the initial design of a new mixed-use building which will include a new daycare facility. Given the multi-year timeline of such a development and the established need for daycare within Ucluelet, the applicant (the Ucluelet & Area Childcare Society) has arranged to lease the former Chamber of Commerce office building as a temporary home for an infant and toddler daycare facility until the new building is completed.

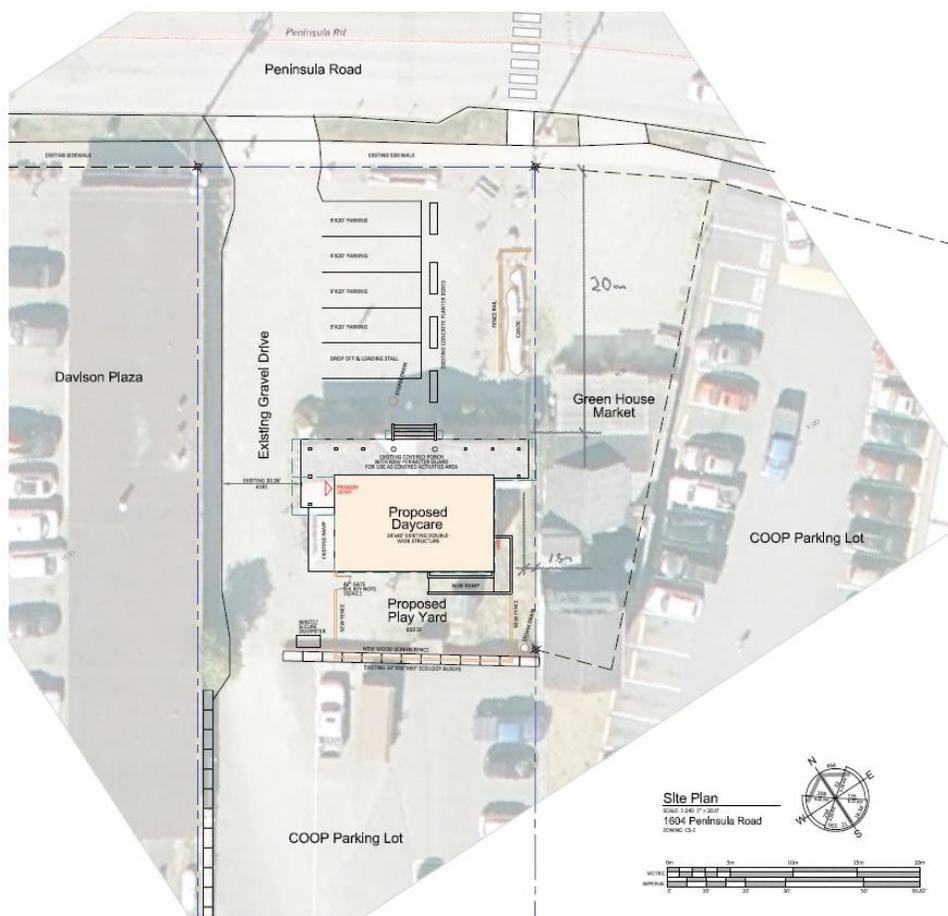


Figure 2 – Site Plan



Figure 3 – Street View

Proposed Modifications

In addition to a Temporary Use Permit, the applicant will be applying for a building permit to make necessary changes to the existing structure. The proposed modifications are limited, but include a new interior partition system creating a nap room, new doors with vision panels and interior windows to provide visibility for child-safety purposes. Additional upgrades which will be completed at building permit-stage include electrical systems, connected fire and carbon monoxide alarm systems, and plumbing modifications for change-rooms and laundry.

A new outdoor fenced play area is proposed to the rear of the building with an access ramp. The existing deck fronting onto Peninsula Road would be upgraded with the addition of a wooden railing. According to the Architect, the site will comply fully with the British Columbia Building Code and regulations regarding licensure of daycare facilities. In the proposed configuration, this building could potentially be licensed for up to 11 children.

Public Frontage

The property is designated within the Village Square Development Permit (DP) Area. A separate DP is not required when a Temporary Use Permit is being issued, however the DP guidelines should be considered.

With the proposed temporary use, the building alterations are minor and are focussed on the interior. The major form and character impact of the use on the public streetscape is the continued use of the parking area, which is not screened from the sidewalk. General DP guideline F4 states, "Parking shall be located at the rear of lots, if possible, and screened from street view with either a structure or landscaping...".

It would be appropriate, with the proposed change of use even on a temporary basis, for the property owner to install landscaping parallel to the sidewalk to improve the streetscape in this location. The draft TUP includes a condition requiring landscaping to be completed within 9 months.

Servicing

All site -servicing for this property is in place based on the building's previous uses. The building is heated by an existing propane forced-air ducted furnace. Engineering services have been retained to ensure the electrical systems, heating, and structure itself are compliant and suitable for operating a daycare facility. The architect for this project has performed a visual inspection of the structure and noted one area of the roof in need of repair, but no other elements of urgent concern. This Temporary Use Permit application has been reviewed by the District of Ucluelet's Director of Engineering Services.

Parking

The on-site, existing parking spaces would be used for staff parking and parental drop-off and loading. District of Ucluelet Bylaw 1160 indicates that a daycare centre should have 1 off-street parking space per 5 children. This application shows 5 total off-street parking spaces on-site. One of these spaces would be dedicated for parental loading, with the rest available to staff and additional parent needs. Signage would be updated in the existing parking lot to prevent general parking.

Fire Services

Fire service improvements will be completed as part of the update of this building to prepare it for use. A fire inspection will be required prior to the applicant receiving a business license to operate. This Temporary Use Permit application has been reviewed by the District of Ucluelet Fire Chief.

TUP Terms and Conditions

Refer to full Terms and Conditions in Temporary Use Permit 22-09, attached as Appendix B.

Former District Lease and Public Use of the Site

Up until recently, the District leased the subject property and the Chamber of Commerce operated its office and visitor centre in the building. We have been advised that the Co-op is ending the District's lease of the site. A number of elements which have been publicly accessible will need to be relocated or replaced elsewhere:

1. Canoe Log: this is an archaeological resource and culturally significant feature, on loan to Ucluelet from the Yuułuʔiłʔatḥ Government. The Co-op has indicated that there is no rush to move the canoe log from its present location, however its long-term proper location should be considered. Staff recommend that Council send a letter to the Yuułuʔiłʔatḥ Government asking their preference and opening a conversation about the proper steps to preserve and potentially relocate the log to a more appropriate setting.
2. Public Washrooms: the washrooms at the former Chamber building will no longer be available for public use. New washrooms are slated to be opened in the Cedar Parking hub later this year, however consideration should be given to creating new public washrooms on Peninsula Road or creating improved access to the Cedar Hub washrooms from Peninsula Road. This could be an item for discussion in future strategic planning and budgeting.
3. Picnic Tables and Community Map: the Co-op has indicated that there is no rush to remove these from their current location, however the District should plan to relocate these to an appropriate long-term location for continued public use.

ANALYSIS OF OPTIONS

A	Authorize the issuance of Temporary Use Permit 22-02; reach out to Yuufu?if?ath Government to discuss long-term solution to appropriately house the canoe log	<u>Pros</u>	<ul style="list-style-type: none"> Allows the applicant to begin offering additional childcare spots to the community in the near future rather than waiting for the new building to be complete Makes use of an existing vacant building in the center of Ucluelet
		<u>Cons</u>	<ul style="list-style-type: none"> Potential increase in noise and traffic associated with this use
		<u>Implications</u>	<ul style="list-style-type: none"> The temporary use will be permitted on this site The previous public uses of the site will change, regardless of whether the requested permit is issued
B	Provide alternative direction	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> THAT Council, in regards to Temporary Use Permit 22-09, (<i>provide alternative direction here</i>)
C	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> The area would not experience potential increase in noise or traffic associated with this use No change to available parking
		<u>Cons</u>	<ul style="list-style-type: none"> The community would not have additional childcare spots The building would remain vacant
		<u>Implications</u>	<ul style="list-style-type: none"> The temporary use will not be permitted on this site
		<u>Suggested Motion</u>	THAT Council reject the application for Temporary Use Permit 22-02.

POLICY OR LEGISLATIVE IMPACTS:

This application is compliant with the *Local Government Act*.

NEXT STEPS

If this application is approved:

- The attached TUP will be signed by the Director of Community Planning, issued to the applicant, and then filed with the Land Title Office.
- The applicant of the subject property will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed permit.

Respectfully submitted:

MONICA WHITNEY-BROWN
 BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
 DUANE LAWRENCE, CAO

Development Application

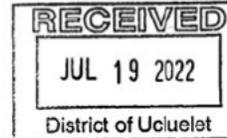
District of Ucluelet
Planning Department
200 Main Street, Ucluelet, BC
V0R 3A0, PO. Box 999
tel 250-726-4770 fax 250 726 7335

Appendix A

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): 1604 Peninsula Road
Legal Description: Lot 2 Plan VIP 3486 Block _____ Section _____ DL 282

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: Doug Cole, AIBC Company name: Doug Cole, Architect
Mailing address: 16802 Third Ave, La Conner, WA USA Postal Code: 98257
Tel : 360-466-2555 office Cell : [REDACTED]
Email : doug@dougcolearchitect.com 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: Douglas Allan Cole Digitally signed by Douglas Allan Cole
Date: 2022.07.09 14:06:57 -0700 Date: July 9, 2022

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: Ucluelet Consumers Co-operative Association (c/o Laurie Gehrke)
Mailing address: 1580 Peninsula Road, Ucluelet, BC Postal Code: V0R 3A0
Tel : [REDACTED] Cell : _____
Email : gm@uclueletcoop.com 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: Douglas Allan Cole Digitally signed by Douglas Allan Cole
Date: 2022.07.14 16:17:25 -0700 Date: July 14, 2022

Office Use Only:

Folio No.: <u>160-000</u>	File No.: <u>TUP 22-09</u>	Date: <u>July 19/22</u>	Receipt No.: <u>71567</u>	Fee: <u>\$ 850.00</u>
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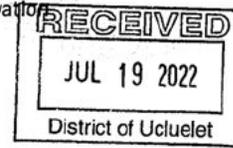
Owners Authorization Form

District of Ucluelet

Planning Department
200 Main Street, Ucluelet, BC
V0R 3A0, P.O. Box 999
tel 250-726-4770 fax 250 726 7335

Type of Permit

- Single Family Dwelling
- Duplex
- Accessory Building
- Multi-Family Residential, No. of Units _____
- Commercial, No. of Units _____
- Industrial, No. of Units _____
- Public Buildings
- Mobile/Manufactured Home
- Occupant Load
- Addition
- Alteration/Renovation
- Secondary Suite
- Demolition
- Excavation
- Occupant Load
- Other _____



Description of Property

Civic Address (es): 1604 Peninsula Road (prior Chamber building) Zoning: CS-2
 Legal Description: Lot 2 Plan VIP 3486 Block _____ Section DL 282

This document shall serve to notify the District of Ucluelet that I am/we are the legal owner(s) of the property described above and do authorize the person indicated below ("Authorized Agent") to act on my/our behalf on all matters pertaining to any of the Permit Application(s) indicated below for the property described above, including the authority to endorse on my/our behalf application documents.

Property Owner Information

Owner (s) name: Ucluelet Consumers Co-operative Association (c/o Laurie Gehrke)
 Mailing address: Box 100 (1580 Peninsula Road) Ucluelet, BC Postal Code: V0R 3A0
 Tel: _____ Cell: _____ Email: gm@uclueletcoop.com
 Owner Signature: [Signature] Date: July 19, 2022
 Owner Signature: _____ Date: _____

Authorized Agent

Agent's name: Doug Cole, AIBC Company Name: Doug Cole, Architect
 Mailing address: 16802 Third Ave, La Conner, WA USA Postal Code: 98257
 Tel: 360-466-2555 Cell: _____ Email: doug@dougcolearchitect.com
 Agent Signature: Douglas Allan Cole Digitally signed by Douglas Allan Cole
Date: 2022.07.09 10:45:05 -0700 Date: July 9, 2022

Note: All registered owners of the property shall sign this Authorization Form. Use additional sheets if necessary. New Authorization Forms shall be submitted to the District of Ucluelet if the ownership of the property changes prior to issuance of the Permit applied for or before final approval is granted. It is understood that, until the District of Ucluelet is advised in writing that the agent no longer acts on behalf, the District of Ucluelet will deal exclusively with my agent with respect to all matters pertaining to the proposed building permit and are under no obligation to communicate with me or any other person other than my agent with regard to these permits. This authorization supersedes all previous appointments

Office Use Only

Folio No.:	Permit No.:	Date:
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Doug Cole Architect, AIBC
16802 Third Avenue
La Conner, WA 98257
360-466-2555

July 9, 2022

District of Ucluelet Planning Department
PO Box 999
Ucluelet, BC V0R 3A0

Re: Application for Temporary Use Permit at 1604 Peninsula Road
Ucluelet & Area Childcare Society - Statement of Intent

Dear Planning Staff & Council:

On behalf of the Ucluelet & Area Childcare Society (US&CS) and the Ucluelet Consumers Cooperative Association (CCOP) I am providing this Statement of Intent supporting the application for a Temporary Use Permit for the conversion of the prior Chamber of Commerce offices to become an Infant and Toddler's Daycare Facility. We are requesting that the approval be granted for the maximum three-year period for reasons noted below.

As you may know, the COOP is currently underway with the initial design of a new mixed-use building which would include commercial, residential, and a new daycare facility as part of its uses. This process will likely take several years until the facility can be opened. In the meantime, the need for daycare remains at critical levels within the community and the COOP has generously offered to lease the prior Chamber building to the UA&CS for one dollar, as a temporary home for an infant and toddler daycare, until such time a new facility can be brought on line.

The proposed modifications to the existing building are modest, in keeping with a limited budget, and include a new interior partition to create a nap room, new doors with vision panels and interior windows to provide cross-facility visibility for child-safety purposes. Additional improvements include upgrading of electrical systems with tamper proof outlets, the addition of connected fire and carbon monoxide alarm systems, installation of emergency/battery backup lighting, and plumbing modifications to provide for a changing room and laundry facilities. An outdoor fenced play area is proposed for the south side of the building with a new ramp for access. A wood railing would be added to the existing deck facing Peninsula Road to provide for a covered and secure outdoor classroom space. The building itself would not undergo any noticeable changes from an architectural perspective and would remain in its natural wood and timber style. Primary access for parents would include a drop off/loading parking stall close to the existing covered porch, with stroller-friendly ramp access to the main front door using the existing ramp.

The zoning designation for this property is CS-2, which does not identify day care facilities as an outright allowed use. However, the location for the facility could not be better. The building is set back from Peninsula Road a safe distance from vehicular traffic and is elevated above grade to provide an overview

District of Ucluelet
July 9, 2022
Page 2 of 2

of street activities from the proposed covered porch classroom. The existing ecology blocks to the south provide a massive barrier against any possible vehicular incursion into the proposed outdoor play area, and the sounds of children will mix well with the hustle and bustle of town activities. The location is and completely walkable and in the centre of town activities.

From a construction standpoint, this building started its life as a double-wide portable used by the Ucluelet School District for classrooms. It was subsequently sold and moved to its current site where it was repurposed for use as the local Chamber of Commerce offices. With the decision to move Chamber activities to a web-based platform, the structure and property became available and was recently purchased by the COOP. All site servicing for the parcel is already in place and the existing parking area is adequate for the intended use - in terms of number of required parking stalls and drop off area.

A detailed analysis of compliance with the British Columbia Building Code and BC regulations related to the licensure of daycares is included in the architectural plans submitted with this application (refer to sheet A2.2). Based on the requirements specifically related to daycare licensing and capacity, this building, in the proposed configuration, would be allowed licensing for up to 11 children.

The Architect has coordinated with Les Brown, PE, of RB Electrical Engineering on requirements related to the electrical systems to ensure compliance for daycare use, and those items are noted on the architects' building permit drawings. The building is heated by an existing propane forced air ducted furnace and a report prepared by Rocky Point Engineering will be provided when received, noting any upgrades or repairs which may be required. Additionally, a report on the structure itself will be prepared by Jeff Duncan, PE of Herold Engineering to confirm suitability of the existing structure for the intended use. The Architect has performed a visual inspection of the structure and other than one area of roofing that needs leak repair, no other elements of the structure appeared to be of concern or in a state of urgent repair.

One additional area of improvement will be the addition of a rear exit deck and ramp leading to the fenced outdoor play area to the south side of the property. While the building technically only requires one exit based on occupant load and construction type, three means of exit will be provided, and children will have a secure and safe path from the open play area back into the building without having to enter onto the gravel pass-thru driveway that exists between the building and the backside of Davison Plaza.

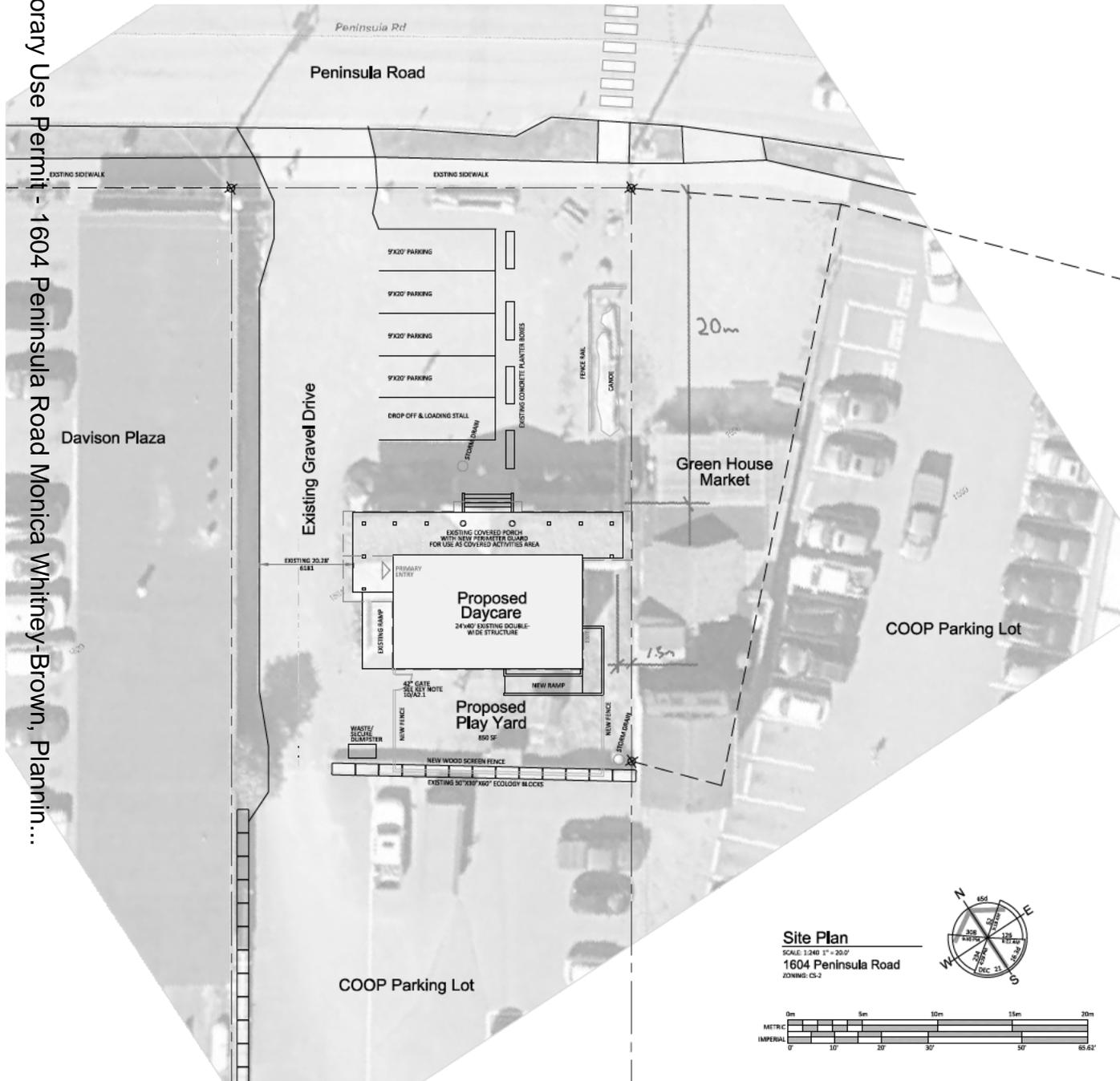
Given the urgent need for community daycare facilities, we hope that Staff and Council support our application and that we can move as quickly as possible through the approval process.

Please do not hesitate to reach out to myself, or Kathy de Vries, Daycare Manager, with any questions or additional supporting information that may be needed.

Sincerely,



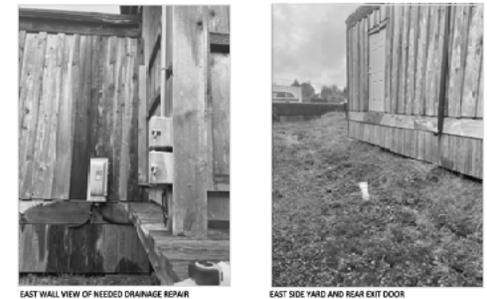
Doug Cole, AIBC
British Columbia Architect 2075



General Notes

NOTE THAT THIS SITE PLAN IS NOT A TRUE LEGAL SURVEY OF THE PROPERTY. THE BUILDING (S) WAS FIELD MEASURED BY THE ARCHITECT ON 4/28/2022 USING A HAND-HELD TAPE WHICH IS THE BASIS FOR THE AUTOCAD FLOOR PLAN BACKGROUND. THE SITE PLAN AND PROPERTY LINES ARE TAKEN FROM THE UCLUELET PARCEL DATABASE, AND AN AERIAL IMAGE WAS USED AS A REFERENCE FROM THE UCLUELET PARCEL DATABASE, AND AN AERIAL IMAGE WAS USED AS A REFERENCE. THIS SCALED TO MATCH THE PROPERTY LINE LENGTHS ALONG PENINSULA ROAD. AS THIS IS NOT A PROPER LEGAL SURVEY, ALL DIMENSIONS AND FEATURES ARE APPROXIMATIONS AND MUST BE FIELD VERIFIED AGAINST EXISTING CONDITIONS.

Building Images



UNLESS NOTED OTHERWISE, THE DIMENSIONS AND FEATURES ARE APPROXIMATIONS AND MUST BE FIELD VERIFIED AGAINST EXISTING CONDITIONS. THIS SCALED TO MATCH THE PROPERTY LINE LENGTHS ALONG PENINSULA ROAD. AS THIS IS NOT A PROPER LEGAL SURVEY, ALL DIMENSIONS AND FEATURES ARE APPROXIMATIONS AND MUST BE FIELD VERIFIED AGAINST EXISTING CONDITIONS.

- DATE: 05/03/2022
- PROJECT: 1604 PENINSULA ROAD UCLUELET, BC V0R 3A0
- CLIENT: MONICA WHITNEY-BROWN
- SCALE: 1:240
- PROJECT: 1604 PENINSULA ROAD UCLUELET, BC V0R 3A0



Doug Cole Architect

Architecture
Interior Design
Landscape Architecture
Project Management

UCLUELET & AREA CHILD CARE SOCIETY

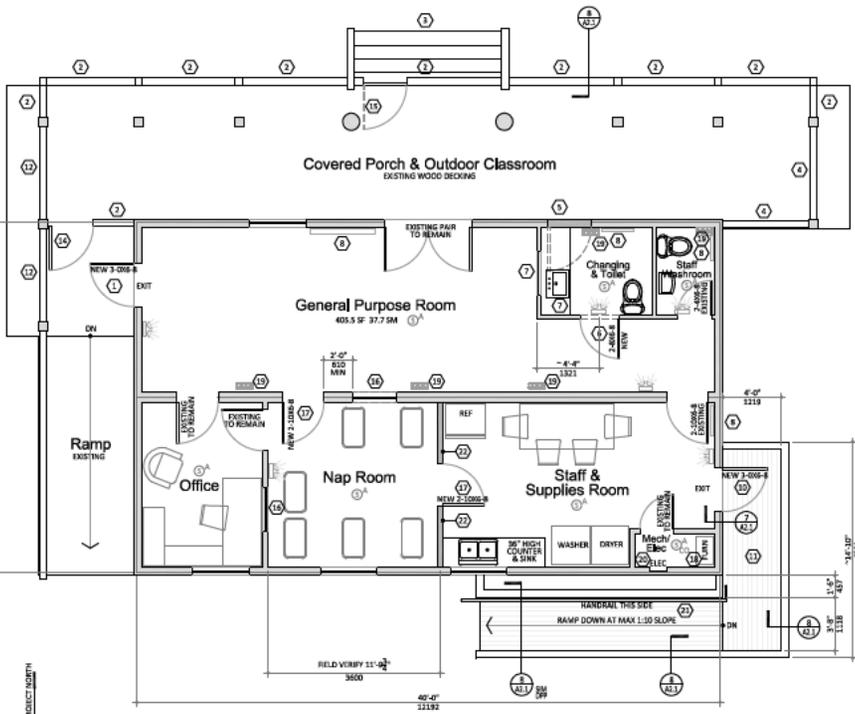
INFANT & TODDLER TEMPORARY USE DAY CARE FACILITY

1604 PENINSULA ROAD UCLUELET, BC V0R 3A0

Permit Submittal Drawings

DATE:	DAC	CREATED BY:	DAC
SCALE:			
PROJECT:	PROPOSED SITE PLAN & EXISTING BUILDING IMAGES		

Sheet: 201 of 356



Floor Plan
SCALE: 1/8" = 1'-0"

Wall Type Legend

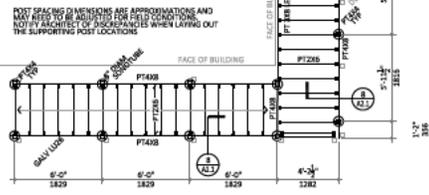
- EXISTING CONSTRUCTION
- NEW CONSTRUCTION
- EXISTING TO BE DEMOLISHED

Electrical Notes & Symbols

1. CHANGE ALL DUPLEX RECEPTACLES TO TAMPER PROOF MODELS. MFR: HUBBELL, LEVITON OR SIMLAR
2. INTERCONNECT ALL SMOKE AND CO ALARMS
3. 2-HEAD EMERGENCY LIGHTING WITH 30-MINUTE BATTERY BACKUP
4. 120V SMOKE ALARM
5. 120V COMBINATION SMOKE & CO ALARM

Door Notes

1. DOOR CALCULATIONS ARE IN FEET AND INCHES (W X H)
2. PROVIDE NEW PAINTED STEEL DOORS WITH VISION PANELS AT EAST AND WEST ENTRIES
3. PROVIDE PAINTED WOOD DOOR WITH VISION PANEL AT DOOR FROM GENERAL PURPOSE AND STAFF ROOM INTO NAP ROOM.



Ramp & Deck Framing Plan
SCALE: 1/4" = 1'-0"

Scope of Work Description

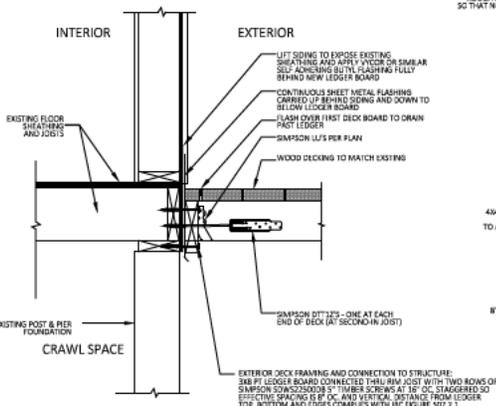
- THE PROJECT CONSISTS OF THE FOLLOWING KNOWN AREAS OF WORK:
1. PATCH AND REPAIR EXISTING ROOF AT ANY AREAS OF LEAKS WHICH MAY BE DISCOVERED UPON OPENING UP THE CEILING. ONE (1) EXISTING LEAK LOCATED AT THE EAST WALL OVERSIDE OF THE STAFF WASHROOM/END AREA. THIS IS DEMARCATABLE AT THE EXTERIOR EQUIPMENT BOXES ON THE OUTSIDE WALL.
 2. CONSTRUCT NEW DECK/RAMP TO PROVIDE ACCESS TO ENCLOSED PLAY AREA.
 3. CONSTRUCT NEW 42" HIGH WOOD SCREEN TO ENCLOSE NEW PLAY AREA AND PROVIDE ACCESS GATE FROM WEST AND INTO NEW PLAYWAY. GRADE UP WEST PLAYWAY TO MATCH EXISTING SURFACE. COORDINATE WITH DAYCARE OPERATOR FOR SELECTION OF PLAYGROUND SURFACE MATERIAL (BARK CHIPS, SAND, ETC.). ENCLOSE AREA UNDER PLAYWAY WITH 4" X 4" WOOD FRAMING AND 1/2" PLYWOOD SHEATHING AND INTO THE SPACE BETWEEN THE TWO BUILDINGS.
 4. CONSTRUCT NEW 42" HIGH GUARDRAIL NORTH WEST AND EAST SIDES OF THE EXISTING COVERED PORCH AND PROVIDE 10' X 4" LATCHING GATE TO ALLOW ACCESS FROM PORCH TO NORTH RAMP AND BUILDING ENTRY AREA.
 5. REMOVE EXISTING OUTSIDE KEY LOCK DOOR INTO "PUBLIC" RESTROOM AND INFILL WITH CONSTRUCTION TO MATCH EXISTING SIDING AND TRIM.
 6. INSTALL NEW DOORS AND VISION UTILS IN VARIOUS AREAS AS NOTED ON PLANS
 7. INSTALL NEW PARTITION TO PROVIDE SEPARATION FOR NAP AND STAFF ROOMS
 8. REMOVE ALL EXISTING BASEBOARD HEATERS AND MODIFY EXISTING DUCTWORK FROM FORCED AIR FURNACE TO PROVIDE TO NEW FLOOR REGISTER LOCATIONS
 9. REPLACE ALL DUPLEX RECEPTACLES WITH TAMPER PROOF STYLE RECEPTACLES.
 10. INSTALL EMERGENCY LIGHTING AT LOCATIONS NOTED ON PLANS
 11. INSTALL CONNECTED SMOKE AND CO DETECTORS AT LOCATIONS NOTED ON PLANS
 12. INSTALL SINK AND COUNTERTOP AT STAFF AREA AND PREP PLUMBING AND ELECTRICAL FOR WASHER/DRYER
 13. RECONFIGURE EXISTING PUBLIC RESTROOM FOR USE AS CHANGING ROOM AND TOILET.

Floor Plan Key Notes

1. EXISTING SOLID PANEL METAL DOOR IN METAL FRAME TO BE REPLACED WITH METAL DOOR WITH UPPER PANEL 1/2"X24" LITE
2. NEW 42" TALL GUARDRAIL OF SIMILAR CONSTRUCTION TO EXISTING BUT ENSURE THAT VERTICAL STILES LEAVE A GAP OF NO GREATER THAN 200MM BETWEEN EACH. REFER TO DETAILS
3. EXISTING STAIRS TO REMAIN IN PLACE. CONFER WITH ARCHITECT WHETHER AN OPERABLE GATE WILL BE PROVIDED AT THE TOP OF THE STAIRS FOR EMERGENCY USE ONLY.
4. EXISTING FULL HEIGHT SOLID PANEL WOOD SCREENING TO REMAIN.
5. REMOVE EXISTING METAL DOOR AND FRAME AND INFILL WITH WOOD FRAME CONSTRUCTION & INSULATION TO MATCH EXISTING ADJACENT WALL SURFACES
6. REMOVE WALL PANEL HERE TO FIND PREOR FRAME DOOR OPENING. VERIFY OPENING IS THIS LOCATION SHOWN FOR A NEW OPENING INTO THE CHANGING ROOM IS POSSIBLE AT THIS LOCATION.
7. 6" HIGH COUNTER/CHANGE TABLE WITH SINK. PROVIDE TEMPERED GLASS FIXED WINDOW OF APPROXIMATELY 36" WIDE X 36" HIGH WITH SILL AT 3" ABOVE FF. VERIFY COUNTER HEIGHT WITH CLIENT AND SUBSEQUENT SILL HEIGHT OF WINDOW.
8. REMOVE ALL BASEBOARD HEATERS AND EXTEND EXISTING FORCED AIR DUCTWORK TO PROVIDE HEATING CAPABILITY FOR THESE SPACES WHERE BASEBOARDS ARE NOTED (WITH EXCEPTION OF STAFF ROOM).
9. PLUMB AND WIRE FOR NEW FULL SIZE WASHER DRYER.
10. PROVIDE NEW STEEL DOOR WITH UPPER GLASS VISION PANEL LEADING TO NEW EXIT DECK/STAIR
11. NEW 42" WIDE EXIT DECK AND STAIR CONSTRUCTION OF PRESSURE TREATED WOOD CONNECTED TO CONCRETE PIER FOOTINGS WITH GALVANIZED SIMPSON CONNECTORS.
12. EXISTING 42" HIGH GUARDRAIL WITH WOOD STILES MEETING CURRENT CODE BARK SPACING
13. NEW 42" HIGH WOODEN GATE OF SIMILAR CONSTRUCTION TO GUARDRAIL. PROVIDE HEAVY DUTY GATE HARDWARE, LATCH, AND AUTO-CLOSING SPRING.
14. NEW 42" HIGH WOODEN GATE OF SIMILAR CONSTRUCTION TO GUARDRAIL. PROVIDE HEAVY DUTY GATE HARDWARE AND LATCH. LATCH THIS GATE TO BE LEFT LATCHED IN THE CLOSED POSITION OTHER THAN FOR USE AS A RAMP.
15. PROVIDE NEW FIXED GLAZING OF 36"X36" AT 42" ABOVE FLOOR LEVEL TO PROVIDE VISUAL OBSERVATION OF NAP AREA FROM OFFICE AND GENERAL PURPOSE ROOM.
16. NOTE THAT IF ANY OF THE GLAZING IS CLOSED TO A DOOR (W/ANS THAN 24") IT MUST BE SAFETY GLAZING.
17. NEW SCHED SOLID CORE WOOD DOOR WITH UPPER GLAZING PANEL TO PROVIDE VISUAL OBSERVATION TO NAP ROOM.
18. EXISTING PROGRAM-FIBER FORCED AIR FURNACE TO BE EVALUATED BY MECHANICAL ENGINEER. MAKE ANY SERVICE REPAIRS NECESSARY FOR PROPER FUNCTIONING AND EXTEND DUCTWORK TO NEW REGISTERS IN NORTH HALF OF BUILDING CURRENTLY SERVED BY ELECTRIC BASEBOARD HEAT.
19. NOTE: THERE ARE SEVERAL EXISTING REGISTERS ALONG THE SOUTH WALL OF THE STAFF ROOM AND NAP ROOM WHICH MAY BE CONSIDERED AVAILABLE TO THIS AREA. VERIFY WITH MECHANICAL ENGINEER IF CARRYING SUCH REGISTERS IS ALLOWABLE AND DIRECT THE ALLOW TO NEW REGISTERS.
20. NEW FLOOR REGISTER IN LIEU OF BASEBOARD HEATERS. EXTEND DUCTWORK FROM EXISTING SYSTEM TO NAP ROOM.
21. EXISTING ELECTRICAL PANEL AND SERVICE WIRING TO BE EVALUATED BY ELECTRICAL ENGINEER. MAKE ANY SERVICE REPAIRS NECESSARY FOR PROPER FUNCTIONING AND REMOVE ALL 220V WIRING FROM BASEBOARD HEATERS BACK TO NAP ROOM.
22. NEW WOODEN RAMP WITH MAX SLOPE OF 1:10 PER SDC. PROVIDE GUARDRAIL CONSTRUCTION SIMILAR TO EXISTING RAMP AND PROVIDE 1 1/2" DIAMETER CONTINUOUS HANDRAIL ON BUILDING SIDE OF RAMP AT A HEIGHT OF 36" (914mm) ABOVE WALKING SURFACE. CONTINUE HANDRAIL A MINIMUM OF 300mm BEYOND RAMP ENDS.
23. NEW PARTITION FROM FLOOR TO UNDERSIDE OF EXISTING SUSPENDED CEILING. 2x4'S AT 16" OC WITH 1/2" PAINTED OSB/PLY 1/8" THICK ON SIDE. BRACE TOP PLATE TO CEILING GRID AND ALSO WITH DIAGONAL WOOD STRUTS AT 24" ALTERNATING SIDES OF TOP PLATE TO STRUCTURE ABOVE.

Deck-to-Structure Connection

SCALE: 1-1/2" = 1'-0"



General Notes

1. BUILDING WAS MEASURED ON 6/28/2022 USING A HAND HELD TAPE. THIS DRAWING DOES NOT REPRESENT A LEGAL SURVEY OF THE STRUCTURE.
2. FIELD VERIFY ALL KEY DIMENSIONS AND NOTIFY THE ARCHITECT OF DISCREPANCIES

Occupancy & Loading

OCCUPANT LOADS	USABLE (SF)	USEABLE (SM)	OCC LOAD FACTOR	OCCUPANTS
GENERAL PURPOSE ROOM (ASSEMBLY)	307.1 SF	28.5	0.75	21.4
NAP ROOM (SLEEPING)	131.8 SF	12.2	0.0	1.2
CHANGING ROOM	45.5 SF	4.2	Incidental	-
OFFICE	94.4 SF	8.8	0.5	1.0
STAFF ROOM (KITCHEN)	190.0 SF	18.2	0.5	2.0
MECHANICAL ROOM	24.0 SF	2.2	Incidental	-
STAFF WASHROOM	24.0 SF	-	-	-
TOTAL AREA	811.8 SF			25.6

- EXITS REQUIRED: 1 SLEES THAN 100 SM FLOOR AREA
EXITS PROVIDED: 3
MAXIMUM ALLOWABLE TRAVEL DISTANCE: 15M
MAX DISTANCE TO NEAREST EXIT FROM ANY POINT IN BUILDING: 8M
EXIT SIGNAGE: NOT REQUIRED AS OCCUPANT LOAD IS LESS THAN 50

Building Area

THE BUILDING AREAS NOTED ARE MEASURED USING BOMA STANDARDS
OVERALL GROSS AREA: 986.8 SF

USE	BOMA	USEABLE
GENERAL PURPOSE ROOM	408.1 SF	307.1 SF
NAP ROOM	148.3 SF	131.8 SF
CHANGING ROOM	45.5 SF	42.0 SF
OFFICE	118.4 SF	94.4 SF
STAFF ROOM	218.0 SF	190.0 SF
MECHANICAL ROOM	24.0 SF	12.8 SF
STAFF WASHROOM	31.4 SF	24.0 SF
TOTAL AREA	986.8 SF	811.8 SF

Daycare Certification Size

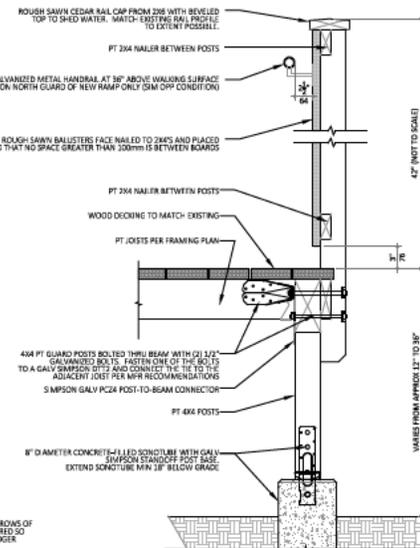
- PER BC REG. 332/2007 ARTICLE 14(2) A DAYCARE MUST PROVIDE 3.7 SM OF USEABLE FLOOR AREA PER CHILD EXCLUDING HALLWAYS, BATHROOMS, STORAGE, STAFF AREAS, OFFICES AND THE LIKE.
USEABLE FLOOR AREA: 811.8 SF
GENERAL PURPOSE ROOM: 307.1 SF
NAP ROOM: 131.8 SF
TOTAL USEABLE AREA: 438.9 SF (60.8 CM)
MAXIMUM CHILDREN AT 3.7 SM PER CHILD: 40.8/3.7 = 11 CHILDREN
MAXIMUM DAYCARE CERTIFICATE: 11 CHILDREN

Toilets Required

- PER BC REG. 332/2007 ARTICLE 14(2) A DAYCARE MUST PROVIDE 1 TOILET AND 1 WASH BASIN PER 30 CHILDREN 2 TOILETS AND 2 WASHBASINS ARE AVAILABLE ON THE MAIN FLOOR.
NOTE THAT THE STAFF WASHROOM ADJACENT TO THE CHANGING ROOM IS INCLUDED IN THIS CALCULATION.

Outdoor Play Area Required

- PER BC REG. 332/2007 ARTICLE 13(2)(a) A DAYCARE MUST PROVIDE 6 SM OF OUTDOOR PLAY AREA PER CHILD. 11 CHILDREN X 6 SM PER CHILD = 66 SM (770.2') REQUIRED.
66 SF PROVIDED IN THE SOUTH PLAY AREA
490 SF PROVIDED AT THE COVERED NORTH PLAY AREA
1,330 SF TOTAL PLAY AREA PROVIDED

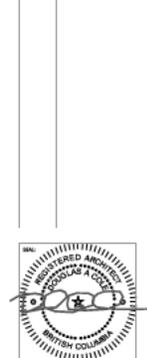


Deck Edge & Railing Detail

SCALE: 1-1/2" = 1'-0"

UNLESS NOTED OTHERWISE, THE DIMENSIONS OF THIS DRAWING SHALL BE TO FACE UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE APPROXIMATE TO LOCAL METRIC MEASUREMENT UNLESS OTHERWISE NOTED.

DATE: 05/03/2023
PROJECT: 1604 PENINSULA ROAD, UCLUELET, BC V8R 3A0
DRAWING NO: 2023-01-01
SCALE: 1/8" = 1'-0"



Doug Cole Architect
Architect
1604 PENINSULA ROAD
UCLUELET, BC V8R 3A0
PHONE: 250-781-1234
WWW.DCOLEARCHITECT.COM

UCLUELET & AREA CHILD CARE SOCIETY

INFANT & TODDLER TEMPORARY USE DAY CARE FACILITY
1604 PENINSULA ROAD
UCLUELET, BC V8R 3A0

Permit Submittal Drawings

DATE: 05/03/2023
DRAWN BY: DAC
CHECKED BY: DAC
SCALE: AS NOTED
SHEET NO: OCCUPANCY CODE ANALYSIS FLOOR PLAN SECTION DETAILS

2023-01-01
A201
of 356

TEMPORARY USE PERMIT TUP22-09

General Terms

1. This Temporary Use Permit is issued to:

Ucluelet Consumers Cooperative Association
1604 Peninsula Road,
Ucluelet, British Columbia

(the “**Permittee**”)

as the registered owner of, and shall apply only to, the lands and premises situated in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

1604 Peninsula Rd, PID 006202179, Lot 2, Plan VIP3486, District Lot 282, Clayoquot Land District (the “**Lands**”).

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This Temporary Use Permit authorizes the following uses on the Lands:
One infant and toddler’s daycare facility for period of three years.
5. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
6. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-4**, which are attached hereto and form part of this permit.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
8. 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.
9. This Permit is NOT a Building Permit.
10. This Permit is NOT a Development Permit.

TEMPORARY USE PERMIT – DAYCARE FACILITY

AUTHORIZING RESOLUTION passed by the Municipal Council on the of , 2022.

IN WITNESS WHEREOF this Temporary Use Permit is hereby executed and issued by the Municipality the
of , 2022.

THIS PERMIT SHALL EXPIRE on the day of the of , 2025 (3 years).

OWNER

by its authorized signatory

Permittee's Signature

ISSUED the day of , 2022.

Bruce Greig - Manager of Community Planning

TEMPORARY USE PERMIT – DAYCARE FACILITY

Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:

I (We), Ucluelet Consumers Cooperative Association, representing *the Lands* hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
- b) Abide by all conditions of the Temporary Use Permit.
- c) Provide the occupant’s contact information to the District of Ucluelet.

I(We) understand that should we not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon *the Lands* and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of *the Lands* as herein set out.

We further understand that in the event of a default of the conditions contained within the Temporary Use Permit, we shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

Contact Information for the Owner/Manager

Cell: _____

Email: _____

DATE: _____

OWNERS: _____

WITNESS: _____

Schedule 2 Terms of Temporary Use Permit Conditions

- a) The permitted temporary use shall be limited to the following uses;
One infant and toddler's daycare facility for period of three years.
- b) No other temporary uses other than the above-mentioned uses shall be permitted.
- c) The new daycare facility and associated play yard, porch, parking and all other site modifications are to be located as indicated on the site plan (**Schedule 3**)
- d) The Permittee will abide by the following conditions;
 - i. The Permittee must comply with all BC regulations related to the licensure of daycares, and provide professional engineering reports indicating that the electrical systems, heating system and building structure are suitable for a daycare use;
 - ii. The Permittee must comply with the BC building code and obtain a building permit to make all necessary upgrades to the site prior to commencing a daycare use;
 - iii. The Permittee must obtain a business license and successfully complete a fire inspection with the District of Ucluelet Fire Chief prior to commencing a daycare use;
 - iv. Access drive aisles, parking spaces, trailer pads and/or fire lanes are delineated to the satisfaction of the District. Access aisles and vehicle turnarounds are to be kept free at all times, for emergency access; and
 - v. A minimum of one on-site parking space shall be provided per 5 children.
- e) The Permittee or a manager/caretaker must oversee the use of the Lands and their telephone and email contact shall be provided to the District and updated as required.
- f) No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the Temporary Use Permit area which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.
- g) The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
- h) Areas around the proposed daycare will be kept clean and tidy at all times.
- i) The Owner shall provide a landscape plan showing proposed screening of the parking area, adjacent to the public sidewalk on Peninsula Road, for review and approval. Planting along the street frontage is to be completed by the Owner within 9 months of the date of issuance of this permit.
- j) The municipal Bylaw Enforcement Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.
- k) Failure of the Permittee to meet and maintain any of the terms listed above may result in suspension of the permit.

TEMPORARY USE PERMIT – DAYCARE FACILITY

DATE: 07/11/2017
 PROJECT: UCLEULET & AREA CHILD-CARE SOCIETY
 DRAWING NO: 17-054-07-00
 SHEET NO: 1 OF 1

DATE: 07/11/2017
 PROJECT: UCLEULET & AREA CHILD-CARE SOCIETY
 DRAWING NO: 17-054-07-00
 SHEET NO: 1 OF 1



Douglas Architects
 17-054-07-00
 UCLEULET & AREA CHILD-CARE SOCIETY

Ucleulet & Area Child-Care Society
 1604 Peninsula Road
 Ucleulet, BC V0R 3A0

Permit Submittal Drawings
 17-054-07-00
 UCLEULET & AREA CHILD-CARE SOCIETY
 1604 PENINSULA ROAD
 UCLEULET, BC V0R 3A0

General Notes
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BC BUILDING CODE AND THE BC FIRE CODE.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.

Occupancy & Egress

ROOM	AREA (SQ. FT.)	USE	EXIT
General Purpose Room	1000	General Purpose	1
Nap Room	1000	Napping	1
Staff & Supplies Room	1000	Staff	1
Office	1000	Office	1
Covered Porch & Outdoor Classroom	1000	Outdoor Classroom	1
Ramp	1000	Ramp	1

Building Area
 TOTAL AREA: 1000 SQ. FT.
 TOTAL FLOOR AREA: 1000 SQ. FT.
 TOTAL EXTERIOR AREA: 1000 SQ. FT.

Daycare Certification Size
 TOTAL AREA: 1000 SQ. FT.
 TOTAL FLOOR AREA: 1000 SQ. FT.
 TOTAL EXTERIOR AREA: 1000 SQ. FT.

Toilets
 1. TOILETS SHALL BE PROVIDED FOR EACH SEX AND AGE GROUP.
 2. TOILETS SHALL BE PROVIDED FOR EACH SEX AND AGE GROUP.

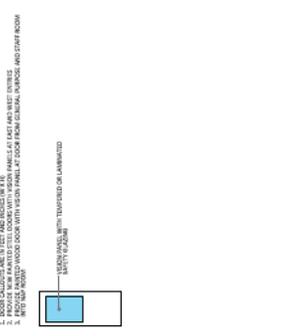
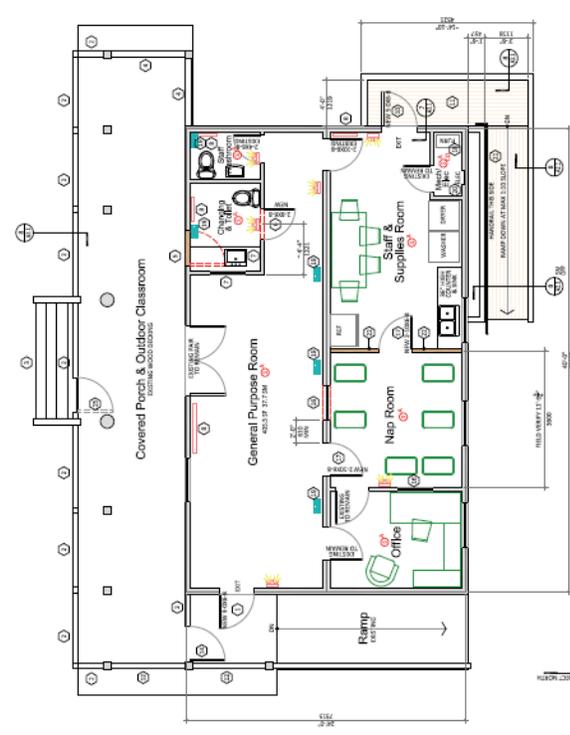
Outdoor Play Area Required
 1. AN OUTDOOR PLAY AREA SHALL BE PROVIDED FOR EACH AGE GROUP.
 2. AN OUTDOOR PLAY AREA SHALL BE PROVIDED FOR EACH AGE GROUP.

Scope of Work Description
 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.

Floor Plan Key Notes
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BC BUILDING CODE AND THE BC FIRE CODE.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.

Deck-Structure Connection
 1. THE DECK SHALL BE CONNECTED TO THE BUILDING STRUCTURE AS SHOWN.
 2. THE DECK SHALL BE CONNECTED TO THE BUILDING STRUCTURE AS SHOWN.

Deck Edge & Railing Detail
 1. THE DECK EDGE AND RAILING SHALL BE AS SHOWN.
 2. THE DECK EDGE AND RAILING SHALL BE AS SHOWN.



TEMPORARY USE PERMIT – DAYCARE FACILITY





REPORT TO COUNCIL

Council Meeting: August 16, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MONICA WHITNEY-BROWN, PLANNING ASSISTANT

FILE NO: 3070-TUP22-07

SUBJECT: TEMPORARY USE PERMIT (WEYERHAEUSER LANDS)

REPORT NO: 22-124

ATTACHMENT(S): APPENDIX A – APPLICATION
APPENDIX B – TEMPORARY USE PERMIT 22-07

RECOMMENDATION(S):

THAT Council, subject to public comment, authorize the Director of Community Planning to execute and issue Temporary Use Permit 22-07 to allow eight seasonal Recreational Vehicle (RV) camping spaces for local workers at the Weyerhaeuser “Phase 5 Ocean West” development for a period of six months.

BACKGROUND:

This Temporary Use Permit (TUP) application was received on July 7th, 2022, for the property located on the Weyerhaeuser Lands on the north end of Marine Drive, PID 026784297, Lot A, Plan VIP81555, District Lot 283, Clayoquot Land District (the “subject property”).



Figure 1 – Subject Property

Temporary Use Permit:

A Temporary Use Permit allows a use of land, on a temporary basis, not otherwise permitted in the District of Ucluelet's Zoning Bylaw. Temporary use permits may be issued for a period up to three years from the date the permit was approved by Council. Temporary use permits may be renewed once, subject to Council approval. Conditions under which a temporary use may be allowed are established in the permit, including the site design and layout, and length of time the temporary use can occur. Security deposits and letters of undertaking may also be required to ensure conditions are met. Some of the considerations of a temporary use permit are:

- if the temporary use will operate at an intensity of use suitable to the surrounding area;
- if the temporary use will be compatible with regard to use, design, and operation with other surrounding land uses; and
- that the temporary use will operate on a temporary basis only and includes plans, or a letter of undertaking to terminate the use and restore the site by the expiry date of the permit.

Public Notice

Pursuant to section 494 of the *Local Government Act*, notification has been given for this application as follows:

- This application was advertised in the August 10th addition of the Westerly News.
- The property owners (registered on the title with BC Land Title and Survey) within 100m of the subject property have been notified by a mailout.
- Tenants in properties within 100m of the subject property have been notified by hand delivery.

Council should provide an opportunity for anyone wishing to speak to the application an opportunity to be heard prior to making a decision on the requested permit.

Existing Zoning

The area of the proposed temporary use on the subject property falls within the CD-5D subzone. (Note the area of the property where the "Ocean West Phase 5" single-family subdivision is under construction falls within a different subzone, the CD-5C). The following are the uses permitted in the area of the proposed temporary use:

CD-5D.1.1 The following uses are permitted, but secondary permitted uses are only permitted in conjunction with a principal permitted use:

(1) Principal:

(a) Staff Housing

(2) Secondary:

(b) Hotel

Proposed Temporary Use

The applicant is proposing to use the subject property for eight seasonal recreational vehicles (RVs) to provide accommodations for workers building the adjacent "Phase 5" subdivision, currently under construction. The Temporary Use Permit would be for a period of six months.

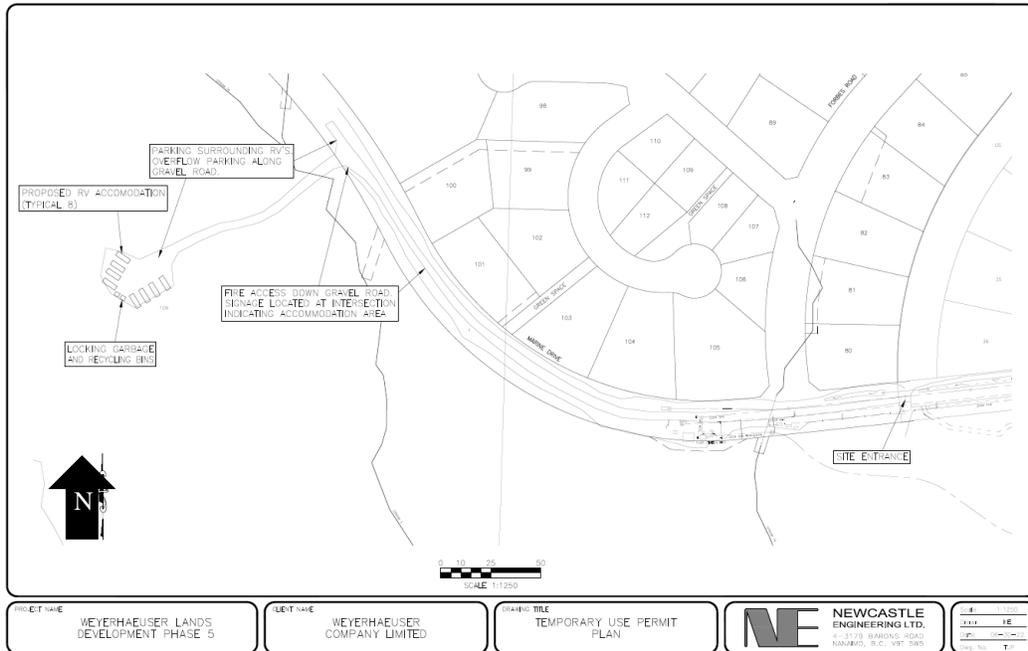


Figure 2 – Detailed Site Plan

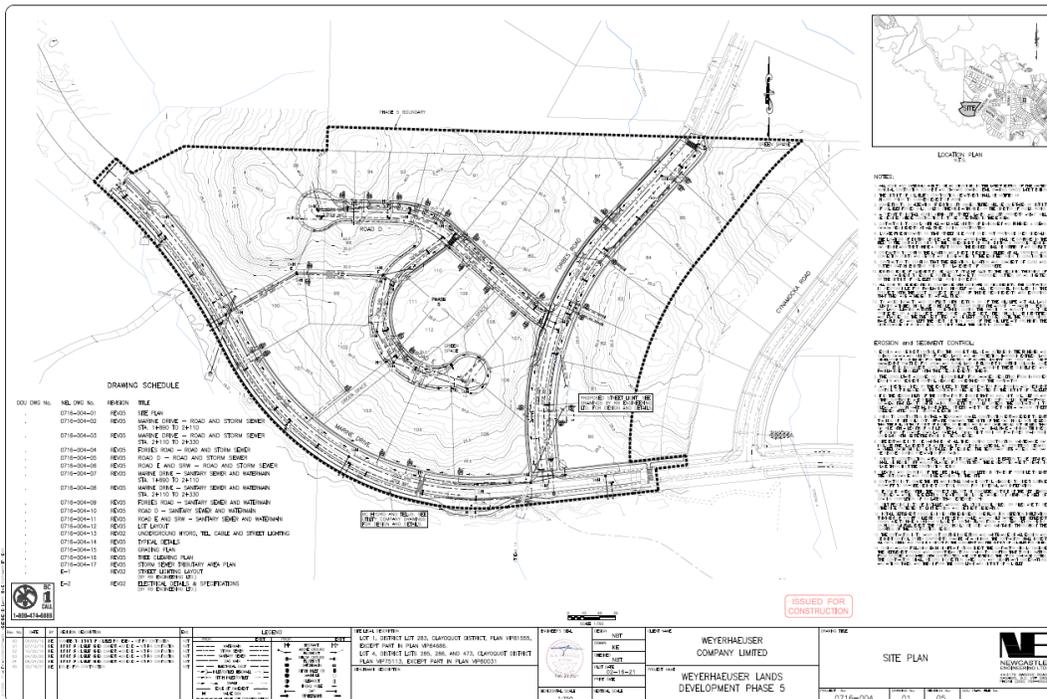


Figure 3 – General site plan

Servicing

Potable water will be trucked in for all units. A sanitary sewer tank will be installed and will be pumped out weekly (or as required). For power, generators and battery power will be required for the trailers. For garbage and recycling, a locking steel garbage and recycling bin will be dropped off near the trailers. Garbage will be picked up weekly, and recycling picked up as required. The proposed locations for these containers are indicated on the site plans above. The site will be managed by an on-site construction superintendent.

Fire Services

Fire access will be from Marine Drive through a gate into the site. There is vehicle access to the proposed RV locations. The permit will not be released to the applicant until successful completion of a fire inspection. This proposal has been reviewed by the District of Ucluelet Fire Chief.

Parking

As shown on site plan, parking will be located surrounding the RVs, with overflow parking available along the gravel access road.

Security

As a condition of the issuance of the permit, the District of Ucluelet would hold a \$1,000 security deposit per unit to ensure that the development is carried out and operated in accordance with the terms and conditions of the permit.

TUP Terms and Conditions

Refer to full Terms and Conditions in Temporary Use Permit 22-07, attached as Appendix B.

ANALYSIS OF OPTIONS

A	Authorize the issuance of Temporary Use Permit 22-02	<u>Pros</u>	<ul style="list-style-type: none"> Will allow temporary accommodation for eight employees, allowing the applicant to have workers for the next phase of their development
		<u>Cons</u>	<ul style="list-style-type: none"> Potential for increased noise and traffic in this area
		<u>Implications</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed
B	Provide alternative direction	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> THAT Council, with regard to Temporary Use Permit 22-07, <i>(provide alternative direction here)</i>
C		<u>Pros</u>	<ul style="list-style-type: none"> This site would not have additional noise and traffic in the area

Reject the application	<u>Cons</u>	<ul style="list-style-type: none"> The applicant would need to find alternate housing for their workers
	<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed
	<u>Suggested Motion</u>	THAT Council reject the application for Temporary Use Permit 22-02.

POLICY OR LEGISLATIVE IMPACTS:

This application is compliant with the *Local Government Act*.

NEXT STEPS

If this application is approved:

- The attached TUP will be signed by the Director of Community Planning, issued to the applicant, and then a notice would be filed with the Land Title Office.
- The applicant of the subject property will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed permit.

Respectfully submitted:

MONICA WHITNEY-BROWN, PLANNING ASSISTANT
 BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
 DUANE LAWRENCE, CAO

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

Development Application

Type of Application

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

- | | |
|--|--|
| <input type="checkbox"/> Official Community Plan Amendment | <input type="checkbox"/> Development Variance Permit |
| <input type="checkbox"/> Zoning Bylaw Amendment | <input checked="" type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Development Permit (no variances) | <input type="checkbox"/> Board of Variance |
| <input type="checkbox"/> Development Permit (with variances) | <input type="checkbox"/> Strata Conversion |
| <input type="checkbox"/> Development Permit Amendment | <input type="checkbox"/> Subdivision |

Description of Property

Civic Address (es): _____
 Legal Description: Lot 1 Plan VIP81555 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: Nathan Trobridge Company name: Newcastle Engineering Ltd.
 Mailing address: 4-3179 Barons Road, Nanaimo, BC Postal Code: V9T 5W5
 Tel : 250-756-9553 Cell : _____
 Email : nathan.trobridge@newcastleengineerin 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: _____ Date: June 16, 2022

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: 440-1140 Pender Street W, Vancouver, BC Postal Code: V6E 4G1
 Tel : 604-661-8000 Cell : _____
 Email : tim.jackson@weyerhaeuser.com Fax : 604-685-1115

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: Timothy Jackson Digitally signed by Timothy Jackson
Date: 2022.06.17 12:44:25 -0400' Date: June 16, 2022

Office Use Only:

Folio No.:	File No.:	Date:	Receipt No.:	Fee:
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**NEWCASTLE
ENGINEERING LTD.**

#4-3179 BARONS ROAD, NANAIMO, B.C. V9T 5W5

PHONE: (250) 756-9553 FAX: (250) 756-9503

June 30, 2022

0716-004

District of Ucluelet
Attn.: John Towgood, Municipal Planner
 Ucluelet Municipal Hall
 200 Main Street, P.O. Box 999
 Ucluelet, BC, V0R 3A0

Dear John:

Re: Temporary Use Permit

Weyerhaeuser Lands Development – Phase 5
Lot 1, District Lot 283, Clayoquot District, Plan VIP81555, Except Part in
Plan VIP84686.
Lot 4, District Lots 285, 286, and 473, Clayoquot District, Plan VIP75113,
Except Part in Plan VIP80031.

In response to your email dated June 20th 2022, please see below a response to your questions:

1. **Length of TUP term:** We expect to be utilizing the temporary use permit until mid January 2023
2. **What type of work accommodation will be used:** Recreational travel trailers.
3. **How many units and how many people per unit:** 8 units expected with one person per unit
4. **Proposed servicing for the units:**
 - a. **Water:** potable water will be trucked in.
 - b. **Sanitary:** A sanitary sewer tank will be implemented and will be pumped out weekly (or as required)
 - c. **Electricity:** Generators and battery power to trailers.
5. **Site items such as parking, recycling, and garbage pick up:**
 - a. **Parking:** As shown on the attached plan
 - b. **Garbage/Recycling:** A locking steel garbage and recycling bin will be dropped off near trailers. Garbage to be picked up weekly. Recycling to be picked up as required. Proposed locations are shown in the attached plan.
6. **How is it managed:** By on-site construction superintendent.

7. **Fire access:** Fire access from Marine Drive through gate into site. There is vehicular access to the proposed trailer location.

A detailed site plan has been attached indicating the items above.

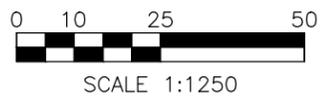
A cheque in the amount of \$850.00 will be delivered to your office next week.

Please contact the undersigned if you require any additional information.

Yours truly,
Newcastle Engineering Ltd.



Kailen Elander, P.Eng.



PROJECT NAME
WEYERHAEUSER LANDS
DEVELOPMENT PHASE 5

CLIENT NAME
WEYERHAEUSER
COMPANY LIMITED

DRAWING TITLE
TEMPORARY USE PERMIT
PLAN

NE **NEWCASTLE
ENGINEERING LTD.**
4-3179 BARONS ROAD
NANAIMO, B.C. V9T 5W5

Scale 1:1250
Drawn KE
Date: 06-30-22
Dwg. No. TUP

TEMPORARY USE PERMIT TUP22-07

General Terms

1. This Temporary Use Permit is issued to:

Nathan Trobridge (Newcastle Engineering Ltd.)
4-3179 Barons Rd., Nanaimo, BC
Nanaimo, British Columbia, 250756-9553

(the “**Permittee**”)

as the registered owner of, and shall apply only to, the lands and premises situate in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

PID 026784297, Lot A, Plan VIP81555, District Lot 283, Clayoquot Land District
(the “**Lands**”).

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This Temporary Use Permit authorizes the following uses on the Lands:
Eight seasonal recreational vehicle (RV)/trailer camping spaces for period of six months.
5. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
6. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-4**, which are attached hereto and form part of this permit.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
8. 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.
9. This Permit is NOT a Building Permit.
10. This Permit is NOT a Development Permit.
11. Provisions of sections 495, 496 and 502 of the *Local Government Act* requiring security applies to this permit as set forth in **Schedule 2**.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

AUTHORIZING RESOLUTION passed by the Municipal Council on the **of** , **2022.**

IN WITNESS WHEREOF this Temporary Use Permit is hereby executed and issued by the Municipality the
of , **2022.**

THIS PERMIT SHALL EXPIRE on the day of the **of** , **2023 (6 months).**

OWNER
by its authorized signatory

Permittee's Signature

ISSUED the day of , **2022.**

Bruce Greig - Manager of Community Planning

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:

I (We), Nathan Trobridge (Newcastle Engineering) representing *the Lands* hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
- b) Abide by all conditions of the Temporary Use Permit.
- c) Provide the occupant's contact information to the District of Ucluelet.

I(We) understand that should we not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon *the Lands* and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of *the Lands* as herein set out.

We further understand that in the event of a default of the conditions contained within the Temporary Use Permit, we shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

Contact Information for the Owner/Manager

Cell: _____

Email: _____

DATE: _____

OWNERS: _____

WITNESS: _____

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 2 Security

As a condition of the issuance of this Permit, the District of Ucluelet is holding a security set out below to ensure that development is carried out and operated in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to use the land as authorized according to the terms and conditions of the Permit and within the time provided, the District of Ucluelet may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee; or should the Permittee carry out the development permitted by this Permit within the set time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- a) A Letter of Credit or cash to be deposited into a specified bank account, to be held for the term of the permit in the amount of \$8000. The purpose of the security is to cover any associated costs to the District of Ucluelet with respect to the removal of recreational vehicle units and associated structures or services.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 3 Terms of Temporary Use Permit Conditions

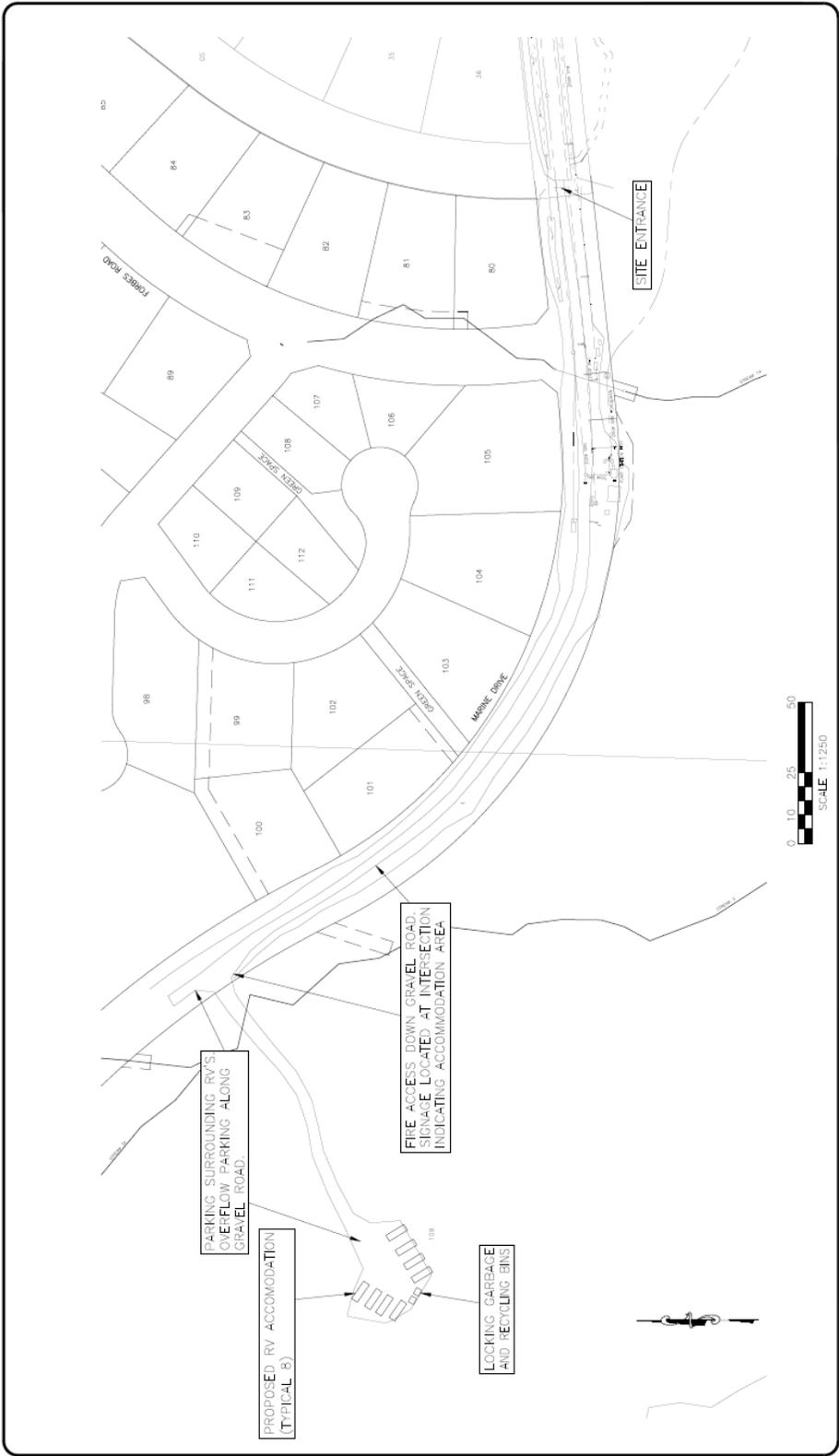
- a) The permitted temporary use shall be limited to the following uses;
- Eight long-term seasonal recreational vehicle(RV)/trailer camping spaces.***
- b) No other temporary uses other than the above-mentioned uses shall be permitted.
- c) The recreational vehicle/trailer camping space is to be located as indicated on the site plan **(Schedule 4)**
- d) The Permittee will abide by the following conditions specific to Residential properties if the site is zoned as a Residential property;
- i. RV/trailer units must respect all property setbacks with the exception of the front yard setback which may be reduced to 3m,
 - ii. It is preferred that the RV/trailer unit is located to the rear of the Single-Family Dwelling but may be located to the front if deemed appropriate by Council,
 - iii. No more than one RV/trailer unit per property, and
 - iv. An on-site parking space shall be provided for each unit, in addition to the required parking for all other uses on site.
- e) The Permittee will abide by the following conditions specific to Commercial/Industrial Properties if the site is zoned as a commercial or industrial property;
- i. RV/trailer units must be located to the rear of any existing building such that the RV is not a prominent feature when viewed from the public street,
 - ii. If there are multiple RV/trailer units on site, the units must be connected to the municipal sewer system with the connection completed by a register plumber; or a sanitary sewer tank must be implemented and pumped out weekly.
 - iii. RV/trailer units are not to be occupied until the access drive aisles, parking spaces, trailer pads and/or fire lanes are delineated to the satisfaction of the District. Access aisles and vehicle turnarounds are to be kept free at all times, for emergency access, and
 - iv. An on-site parking space shall be provided for each seasonal RV/trailer unit, in addition to the required parking for all other uses on site. Exceptions may be considered by Council but the applicant should be prepared to justify how the parking will work.
- f) The Permittee or a manager/caretaker must oversee the use of the Lands and their telephone and email contact shall be provided to the District and updated as required.
- g) The RV/trailer unit must be licensed and in good condition.
- h) The proposed seasonal trailer space is for staff accommodation to be inhabited by a maximum of two people, with a minimum of one person being a seasonal worker employed in the community. For clarity, this permit does not authorize short-term commercial tourist accommodation use of the proposed trailer space. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
- i) At the end of each seasonal stay, or within 6 months (whichever is less), the Permittee shall notify the Bylaw Enforcement Officer in writing that the RV/trailer unit has been vacated.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

- j) No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the seasonal camping area which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.
- k) The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
- l) Areas around the RV/trailer unit will be kept clean and tidy at all times.
- m) The Permittee will provide a potable water connection to the RV/trailer unit that is approved by a registered plumber.
- n) The RV/trailer unit is to be full serviced or on-site washroom facilities are to be provided by the Permittee for use of the seasonal camping space, to the satisfaction of the District.
- o) The Permittee shall provide power to the RV/trailer unit in a safe manner inspected by a registered electrician.
- p) Generators should be located so as to minimize associated impact and noise pollution to the Wild Pacific Trail.
- q) Prior to any occupation of the unit, the applicant must arrange and successfully pass a fire inspection. To complete this requirement, contact the Fire Department to arrange an inspection by emailing rgeddes@ucluelet.ca or calling (250) 726-7744. The permittee is responsible for maintaining the following for each unit;
 - i. A working multipurpose fire extinguisher,
 - ii. A working smoke alarm,
 - iii. A working carbon monoxide alarm,
 - iv. Two means of egress in case of emergency,
 - v. A label on the inside of the door that displays the property address.
 - vi. The unit number (i.e. A, B, C, D etc) must be prominently displayed on the exterior of the unit facing the access.
 - vii. No portable heating or cooking appliances within the unit.
- r) The Permittee shall provide to the District of Ucluelet Fire Chief a key to any gate or obstruction to a fire access road needed to access the proposed site.
- s) The municipal Bylaw Enforcement Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.
- t) Failure of the Permittee to meet and maintain any of the terms listed above may result in suspension of the permit and forfeiture of the security deposit.

TEMPORARY USE PERMIT – RV/TRAILER CAMPING SPACE

Schedule 4 Site Plans



DATE: 05/03/22
 DRAWN BY: JIE
 CHECKED BY: JIE
 DATE: 05/03/22
 DRAWING NO.: T-10

NEWCASTLE ENGINEERING LTD.
 4-3179 BARONS ROAD
 NANAIMO, B.C., V8T 5M5

NE

PROJECT TITLE: TEMPORARY USE PERMIT PLAN

CLIENT NAME: WEYERHAEUSER COMPANY LIMITED

PROJECT NAME: WEYERHAEUSER LANDS DEVELOPMENT PHASE 5



REPORT TO COUNCIL

Council Meeting: August 16, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES **FILE NO:** 4200-20

SUBJECT: RESULTS FROM THE ALTERNATIVE APPROVAL PROCESS FOR LOAN AUTHORIZATION BYLAW NO. 1304, 2022 **REPORT NO:** 22- 111

ATTACHMENT(S): APPENDIX A - LOAN AUTHORIZATION BYLAW NO. 1304, 2022
APPENDIX B - CERTIFICATION OF RESULTS OF ALTERNATIVE APPROVAL PROCESS FOR LOAN AUTHORIZATION BYLAW NO. 1304, 2022

RECOMMENDATION(S):

THAT Report No. 22-111 by the Manager of Corporate Services which provides the results of the Alternative Approval Process for Loan Authorization Bylaw No. 1304, 2022 be received for information; and

THAT Council direct the Corporate Officer to report the results by publishing the Certification of Results of the Alternative Approval Process for Loan Authorization Bylaw No. 1304, 2022 on Ucluelet.ca.

BACKGROUND

On March 15, 2022, Council gave three readings to Loan Authorization Bylaw No. 1304, 2022 (the “Bylaw”). If adopted, this Bylaw authorizes the District of Ucluelet (the “District”) to borrow up to thirteen million dollars (the “Loan”) to finance the costs of the development of a water treatment system for the District’s well fields, surface water supply and increasing of the District’s water storage capacity (the “Project”). The Bylaw requires the Loan to be repaid over a period not to exceed thirty years. This Project is anticipated to improve District water quality and supply.

On June 14, 2022, Council passed a resolution to seek approval of the electorate through the Alternative Approval Process (the “AAP”) in relation to the Bylaw.

The AAP was conducted in accordance with Section 86 of the *Community Charter*. In addition to the statutory notice requirements, the AAP was advertised through all District communication channels (Ucluelet.ca, Ukee Mail, Facebook, and Instagram) as well as a poster at the Co-op Grocery Store. Information packages and response forms were available at the District Office and on Ucluelet.ca.

The AAP response period closed on August 8, 2022 at 4:00 PM. The results of the AAP are as follows:

2060	Estimated number of eligible electors
2	Number of Elector Response Forms submitted by the deadline
0	Number of Elector Response Forms rejected
2	Number of Elector Response Forms accepted
0.1%	Percentage of estimated number of electors who validly submitted elector response forms opposing Loan Authorization Bylaw No. 1304, 2022

Appendix "A"

DISTRICT OF UCLUELET**Loan Authorization Bylaw 1304, 2022**

A bylaw to authorize the borrowing to complete a water treatment project.

WHEREAS it is deemed desirable and expedient to construct a water treatment system for the District's well fields, surface water supply and increase water storage capacity;

AND WHEREAS the estimated cost of the water treatment project including expenses incidental thereto is the sum of twenty million dollars (\$20,000,000) of which the sum of thirteen million dollars (\$13,000,000) is the maximum amount of debt intended to be borrowed by this bylaw;

1. **NOW THEREFORE** the Council of the District of Ucluelet in open meeting assembled enacts as follows: This bylaw may be cited as the "Loan Authorization Bylaw No. 1304, 2022".
2. The District of Ucluelet is hereby authorized to borrow upon the credit of the Municipality a sum not to exceed thirteen million (\$13,000,000).
3. The entire amount authorized to be borrowed pursuant to this bylaw is for the purpose of carrying out the development of a water treatment system for the District well fields, surface water supply and increased water storage capacity and to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the development of a water treatment system for the Districts well fields, surface water supply and increasing of the Districts water storage capacity.
4. The maximum term of which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.

READ A FIRST TIME this 15th day of **March, 2022**.

READ A SECOND TIME this 15th day of **March, 2022**.

READ A THIRD TIME this 15th day of **March, 2022**.

Received the approval of the Inspector of Municipalities this 31st day of **May, 2022**.

Received the Assent of the Electors of the District of Ucluelet this 8th day of **August, 2022**.

Reconsidered and ADOPTED this ** day of ***, 20**.

Mayco Noël
Mayor

Duane Lawrence
Corporate Officer

CERTIFIED CORRECT; "District of Ucluelet Loan Authorization Bylaw No. 1304, 2022".

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

Duane Lawrence
Corporate Officer



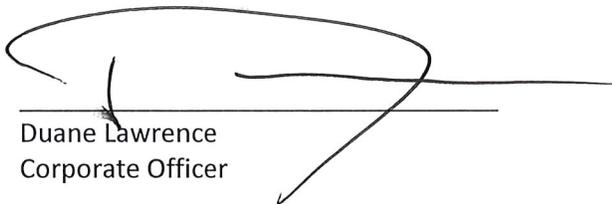
Certification of Results for Alternative Approval Process for Loan Authorization Bylaw No. 1304, 2022

I, the undersigned Corporate Officer, as the person assigned responsibility for corporate administration under section 148 of the *Community Charter*, certify the results of the Alternative Approval Process that was conducted to obtain the approval of the electors for Loan Authorization Bylaw No. 1304, 2022, as follows:

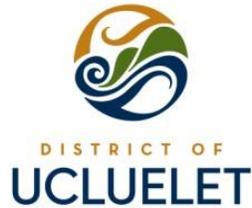
2060 Estimated number of eligible electors
2 Number of elector response forms submitted by the deadline
0 Number of electors response forms rejected
2 Number of elector response forms accepted
0.1 Percentage of estimated electors who validly submitted elector response forms

and in accordance with Section 86 of the *Community Charter*, the approval of the electors was obtained.

DATED this 9th day of August, 2022.



Duane Lawrence
Corporate Officer



REPORT TO COUNCIL

Council Meeting: August 16, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES **FILE NO:** 1760-10
SUBJECT: LOAN AUTHORIZATION BYLAW No. 1304, 2022 – ADOPTION - **REPORT NO:** 22-114
 WATER SYSTEM AND FILTRATION IMPROVEMENTS PROJECT
ATTACHMENT(S): APPENDIX A - LOAN AUTHORIZATION BYLAW No. 1304, 2022

RECOMMENDATION(S):

THAT Council adopt Loan Authorization Bylaw No. 1304, 2022.

BACKGROUND:

On March 15, 2022, Council gave three readings to Loan Authorization Bylaw No. 1304, 2022 (the “Bylaw”). This Bylaw authorizes the District of Ucluelet (the “District”) to borrow up to thirteen million dollars (the “Loan”) to finance the costs of the development of a water treatment system for the District’s well fields, surface water supply and increasing of the District’s water storage capacity (the “Project”). The Bylaw requires the Loan to be repaid over a period not to exceed thirty years.

The current estimated cost of the Project is \$20,745,400. The District has received a grant of \$7,039,680 from the Canada Infrastructure Program’s Green Infrastructure Stream for the Project, which is anticipated to improve the District’s water supply and quality.

On May 31, 2022, the Bylaw received required approval from the Inspector of Municipalities and on June 14, 2022 Council passed a resolution to seek approval of the electorate through the Alternative Approval Process (the “AAP”).

As noted in Report No. 22-111 dated August 16, 2022, the AAP response period closed on August 8, 2022, at 4:00 pm, and approval of the electors to adopt the Bylaw was obtained.

Council is now in a position to adopt the Bylaw.

ANALYSIS OF OPTIONS

A	Adopt the Bylaw	<u>Pros</u>	<ul style="list-style-type: none"> The District would be authorized to borrow funds required to undertake the Project
		<u>Cons</u>	<ul style="list-style-type: none"> Reduces the borrowing capacity of the District for future projects Increases to utilities and/or property taxes
		<u>Implications</u>	<ul style="list-style-type: none"> Significant Staff time will be required to manage the Project and obtain the Loan Commits the District to borrow up to \$13M over 30 years

B	Direct Staff to prepare a report about conducting an assent voting opportunity.	<u>Pros</u>	<ul style="list-style-type: none"> Assent voting can offer citizens a sense of greater certainty around a local government's decision Council may receive greater certainty regarding citizen opinion of the Bylaw
		<u>Cons</u>	<ul style="list-style-type: none"> The Assent voting opportunity may have to be conducted at a different time than the 2022 general local election due to timing issues. This could cause confusion among the electors The Bylaw may not be approved by the electorate at an assent voting opportunity
		<u>Implications</u>	<ul style="list-style-type: none"> Significant additional Staff time would be required to conduct an assent voting opportunity Additional costs would be associated with conducting an assent voting opportunity
		<u>Suggested Motion</u>	THAT Council direct Staff to present a report regarding conducting an assent voting opportunity for Loan Authorization Bylaw No. 1304, 2022 at the next Council meeting.
C	Abandon the Bylaw	<u>Pros</u>	<ul style="list-style-type: none"> The District's borrowing capacity would not be impacted
		<u>Cons</u>	<ul style="list-style-type: none"> The project may be jeopardized as the District would not be authorized to borrow the funds The grant funding may be withdrawn
		<u>Implications</u>	<ul style="list-style-type: none"> No additional staff time would be required
		<u>Suggested Motion</u>	THAT Council abandon Loan Authorization Bylaw No. 1304, 2022.

POLICY OR LEGISLATIVE IMPACTS:

[Community Charter, S. 179](#) provides direction on the process and allowances for long term borrowing.

[Community Charter, S. 180](#) provide details on the requirements for loan authorization bylaws.

NEXT STEPS

- Update Ucluelet.ca and prepare press release to report the AAP results to the public.
- One-month Quashing Period
- Apply to and obtain a Certificate of Approval from the Municipal Inspector.
- Issuance of Certificate of approval
- Proceed with Security Issuing Process as appropriate given short-term borrowing options

Respectfully submitted:

JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

DUANE LAWRENCE, CAO

Appendix "A"
DISTRICT OF UCLUELET
Loan Authorization Bylaw 1304, 2022

A bylaw to authorize the borrowing to complete a water treatment project.

WHEREAS it is deemed desirable and expedient to construct a water treatment system for the District's well fields, surface water supply and increase water storage capacity;

AND WHEREAS the estimated cost of the water treatment project including expenses incidental thereto is the sum of twenty million dollars (\$20,000,000) of which the sum of thirteen million dollars (\$13,000,000) is the maximum amount of debt intended to be borrowed by this bylaw;

1. **NOW THEREFORE** the Council of the District of Ucluelet in open meeting assembled enacts as follows: This bylaw may be cited as the "Loan Authorization Bylaw No. 1304, 2022".
2. The District of Ucluelet is hereby authorized to borrow upon the credit of the Municipality a sum not to exceed thirteen million (\$13,000,000).
3. The entire amount authorized to be borrowed pursuant to this bylaw is for the purpose of carrying out the development of a water treatment system for the District well fields, surface water supply and increased water storage capacity and to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the development of a water treatment system for the Districts well fields, surface water supply and increasing of the Districts water storage capacity.
4. The maximum term of which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.

READ A FIRST TIME this 15th day of **March, 2022**.

READ A SECOND TIME this 15th day of **March, 2022**.

READ A THIRD TIME this 15th day of **March, 2022**.

Received the approval of the Inspector of Municipalities this 31st day of **May, 2022**.

Received the Assent of the Electors of the District of Ucluelet this 8th day of **August, 2022**.

Reconsidered and **ADOPTED** this ** day of ***, 20**.

Mayco Noël
Mayor

Duane Lawrence
Corporate Officer

CERTIFIED CORRECT; "District of Ucluelet Loan Authorization Bylaw No. 1304, 2022".

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

Duane Lawrence
Corporate Officer



REPORT TO COUNCIL

Council Meeting: August 16, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: RICK GEDDES, FIRE CHIEF

FILE NO: 3900-25

SUBJECT: FIREWORKS REGULATION BYLAW 1302, 2022

REPORT NO: 22- 113

ATTACHMENT(S): APPENDIX A – FIREWORKS REGULATION BYLAW NO. 1302, 2022
 APPENDIX B – FIREWORKS FINES & PENALTIES
 APPENDIX C – FIREWORKS REGULATION BYLAW NO. 967, 2004

RECOMMENDATION(S):

THAT Council gives first, second, and third reading to District of Ucluelet Fireworks Regulation Bylaw No. 1302, 2022; and,

THAT Council approves the Fireworks Fines & Penalties as presented in staff report No. 22-113 and directs staff to amend Bylaw No. 979, 2005 by inserting the Fireworks Fines & Penalties as Schedule “Q”.

BACKGROUND:

District of Ucluelet Bylaw 967, 2004 governs the sale, use, and possession of fireworks. This Bylaw is outdated, easily misinterpreted, and does not represent best practice for public safety. Multiple inconsistencies make this Bylaw particularly difficult to decipher and leave it open to interpretation. These inconsistencies lead to challenges regarding public education and enforcement.

At the regular meeting of Council on October 26, 2021, Council passed the motion, “THAT Council directs staff to update Bylaw No. 967, 2004 in the form of a new bylaw to regulate the sale, use, and possession of fireworks within the municipality by:

- a) prohibiting the sale, use, or possession of consumer fireworks; and,
- b) permitting the use of display fireworks and special effect pyrotechnics through a permitting process.”

Bylaw 1302, 2022 addresses the challenges of Bylaw 967, 2004 and creates clear direction based on current acts, regulations, and public safety best practice by not allowing the sale, possession, or use of consumer fireworks and firecrackers within the District.

Bylaw 1302, 2022 will still allow the use of display fireworks and special effect pyrotechnics through a permit system (except when open burning restrictions are in place).

Bylaw 1302, 2022 is based on information compiled by comparing fireworks bylaws from several municipalities including District of Ucluelet Bylaw 967, 2004; District of Tofino Bylaw 1219, 2016; Town of Qualicum Beach Bylaw 611, 2007; City of Parksville Bylaw 1427, 2007, and City of Port Alberni Bylaw 4819.

The formulation of Bylaw 1302, 2022 also included direct communication with Fire Chiefs and Fire Prevention Officers of those same communities.

DISTRICT OF UCLUELET**Bylaw No. 1302, 2022**

A bylaw to regulate, prohibit, and impose requirements in relation to the purchase, sale, possession, and discharge of fireworks and firecrackers in the District of Ucluelet.

WHEREAS the District of Ucluelet Council has the authority under the *Community Charter* to, by bylaw, regulate, prohibit, and impose requirements in relation to fireworks, and firecrackers within the District of Ucluelet;

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

1. Definitions:

1.1 In this Bylaw:

"Bylaw Enforcement Officer" means any of the following:

- a) Bylaw Enforcement Officer employed by the District of Ucluelet;
- b) Fire Chief of the District of Ucluelet;
- c) Chief Administrative Officer of the District of Ucluelet; or
- d) Any member of the Royal Canadian Mounted Police;

"Consumer Fireworks" means firework articles designed for recreational use by the public and classified by the Explosives Regulations as Class F.1 explosives, and includes items such as firework showers, golden rain, lawn lights, pin wheels, roman candles, fountains, wheels, volcanoes, mines, and snakes but excludes Christmas crackers, sparklers, and caps for toy guns.

"Display Fireworks" means high-hazard firework articles designed for use by professionals holding a Fireworks Operator Certificate for recreation and public display and classified by the Explosives Regulations as Class F.2 explosives. These articles include items such as rockets, serpents, shells, bombshells, tourbillons, maroons, bouquets, bombardos, fountains, batteries, aerial shells, cakes, roman candles, waterfalls, lances, and wheels, but excludes firecrackers.

"District" means the District of Ucluelet.

"Fire Chief" means the person appointed by the Chief Administrative Officer, as head of the fire department, and includes any other person authorized to act on behalf of the Fire Chief.

"Firecracker" means a small pyrotechnic device, used primarily as a noisemaker, that explodes when ignited and does not make any subsequent display or visible effect after the explosion.

“Fireworks” means Consumer Fireworks, Display Fireworks, and Special Effect Pyrotechnics.

"Fireworks Event" means the observance of a special event or festival where a Fireworks Event Permit has been issued to allow the discharge of Display Fireworks or Pyrotechnic Special Effects.

“Fireworks Event Permit” means a current and valid permit issued under section 5 of this Bylaw which authorizes the discharge of Display Fireworks or Pyrotechnic Special Effects.

"Fireworks Supervisor" means a person who is an approved purchaser of Display Fireworks or Special Effect Pyrotechnics and is in possession of a current Fireworks Operator Certificate from Natural Resources Canada applicable to the classification of Fireworks being discharged under the Fireworks Event Permit; and

“Special Effect Pyrotechnics” means high-hazard pyrotechnic articles designed for use by professionals holding a Fireworks Operator Certificate and classified by the Explosives Regulations as Class F.3 explosives. These articles include items such as gerbs, mines, comets and crossettes. This class also includes special purpose pyrotechnics manufactured live on stage or for the film and television industry.

2. Use of Fireworks

- 2.1 No person may buy, hold, possess, store, sell, offer to sell, give away, trade, fire, set off, discharge, explode, use, or otherwise dispose of Fireworks or Firecrackers to any other person within the District except in strict accordance with this Bylaw.

3. Exemptions

- 3.1 This Bylaw does not prohibit or regulate the use of flares, torpedoes, fuzzes, or similar pyrotechnic devices that may be used by motorists, boat operators, police, emergency services, or other agencies for signalling or illumination purposes.

4. Fireworks Event Permits

- 4.1 Every person must obtain a valid Fireworks Event Permit issued by the Fire Chief to do any of the following:
- a) sell, give, possess, light, explode, activate, or dispose of any Display Fireworks; and
 - b) sell, give, possess, light, explode, activate, or dispose of any Special Effect Pyrotechnics.

5. **Fireworks Event Permit Application Requirements**

- 5.1 A Fireworks Supervisor aged 18 years or older may apply for a Fireworks Event Permit by submitting to the Fire Chief, at least thirty (30) days prior to the date of the Fireworks Event, the following:
- a) A completed Fireworks Event Permit Application form (available from the District Municipal Office;
 - b) A copy of the Fireworks Supervisor's valid Fireworks Operator Certificate from the Explosives Regulatory Division of Natural Resources Canada;
 - c) A Fire Safety Plan in a form acceptable to the Fire Chief which details the following:
 - i. A site plan, drawn to scale, indicating the location at which the applicant intends to light, explode, or activate the Display Fireworks or Pyrotechnic Special Effects, the direction of firing, separation distances, position of ramps and mortars, any significant ground features, rights of way, buildings or structures, overhead obstructions, parking areas or spectator viewing areas, fallout zone, north arrow, traffic control plans and location of emergency vehicles;
 - ii. A complete list and description of all Display Fireworks or Pyrotechnic Special Effects to be used, including charge size, effects, and manufacturer's name;
 - iii. A description of the firing system and procedures to be used;
 - iv. Details regarding where, and in what fashion, the Display Fireworks or Pyrotechnic Special Effects shall be stored within the District;
 - v. Emergency response procedures, attendance, list of crew members, and clean up procedures; and
 - vi. Procedures for the safe retrieval and disposal of undetonated articles.
 - d) A description of the Fireworks Event, including a time schedule and attendance estimates;
 - e) Proof of valid liability insurance in accordance with the insurance requirements set out in Schedule "A" to this Bylaw;
 - f) The Fireworks Event Permit application fee as listed in the District of Ucluelet Fees and Charges Bylaw No. 1186, 2016 as amended from time to time;

- g) Completed copies of the following District agreements, copies of which are attached as Schedules to this Bylaw:
 - i. Schedule “B” - “Applicant Indemnity Agreement;”
 - ii. Where applicable, Schedule “C” - “Property Owner Agreement” and/or
 - iii. “Schedule “D” - “Sponsoring Organization Agreement.”

6. Fireworks Permit Conditions

- 6.1 The Fire Chief may impose terms and conditions with respect to a Fireworks Event Permit, including:
- a) The manner in which Display Fireworks or Pyrotechnic Special Effects may be lit, exploded, or activated;
 - b) The hours during which Display Fireworks or Pyrotechnic Special Effects may be lit, exploded, or activated;
 - c) The level of required fire protection to be provided at the site when the Display Fireworks or Pyrotechnic Special Effects are lit, exploded, or activated; and
 - d) Requiring the applicant, property owner, and sponsoring organization, if applicable, to indemnify the District from all claims and losses in relation to the Fireworks Event, in the forms specified in Section 5.1(g) and set out in Schedule “B” of this Bylaw.

7. Regulation of Fireworks Events

- 7.1 Every holder of a Fireworks Event Permit required under section 4 shall:
- a) Only sell, give, possess, light, explode, activate, or dispose of those Display Fireworks or Pyrotechnic Special Effects specified in, and in accordance with the conditions of, the Fireworks Event Permit;
 - b) Present the Fireworks Event Permit to any seller from whom the Fireworks Event Permit holder is purchasing Display Fireworks or Pyrotechnic Special Effects;
 - c) Ensure that sufficient fire protection is provided at any site on which the Display Fireworks or Pyrotechnic Special Effects are to be ignited and only light, explode or activate in accordance with the Fire Safety Plan submitted in accordance with Section 5.1;

- d) Ensure that the Display Fireworks or Pyrotechnic Special Effects are lit, exploded, or activated only under the direct supervision of the Fireworks Event Permit holder;
 - e) Ensure that sufficient fire protection is provided at any site on which the Display Fireworks or Pyrotechnic Special Effects are lit, exploded, or activated, at the Fireworks Event Permit holder's own cost and expense. If Ucluelet Fire Rescue is utilized, fees for service will be charged at the "All Found Rate" for Type 1 Structure Engines as stated in the BC Office of the Fire Commissioner Inter-Agency Agreement as amended from time to time, for the duration of the Fireworks Event; and;
 - f) Ensure that all resulting debris from the site of a Fireworks Event shall be removed and safely disposed of as soon as practical after the Fireworks Event is completed and before the expiry of the Fireworks Event Permit.
- 7.2 In the case that the Fireworks Event takes place on property owned by the District, prior permission from the District is required, at least 30 days in advance of the Fireworks Event.
- 7.3 All Fireworks Events shall end prior to 11:00 pm (2300 hours) on the Fireworks Event Permit date except as authorized by the Fire Chief.
- 7.4 A Fireworks Event Permit is not transferrable.
- 7.5 Fireworks Events may be subject to an inspection by a Bylaw Enforcement Officer to assess compliance with a Fireworks Event Permit and any other applicable bylaws, public safety laws or codes, or regulations.
- 7.6 The Fire Chief may request a demonstration by the holder of the Fireworks Event Permit of the product(s) to be discharged.
- 7.7 The Fire Chief may, at his sole discretion:
- a) Issue Fireworks Event Permits to eligible applicants;
 - b) Refuse to issue a Fireworks Event Permit where the applicant has failed to meet the requirements of section 5; and
 - c) Revoke, cancel or suspend a Fireworks Event Permit issued under this Bylaw at any time, including, but not limited to, where:
 - i. The holder of a Fireworks Event Permit has violated the terms and conditions of the permit or the provisions of this Bylaw;
 - ii. The holder of a permit has acted in a manner as to endanger persons or property; or

- iii. Weather conditions on the day of the Fireworks Event may endanger persons or property. This includes periods when open burning restrictions are in place within the District.

8. Enforcement

- 8.1 No person shall prevent or obstruct or attempt to prevent or obstruct a Bylaw Enforcement Officer who is enforcing the provisions of this Bylaw.
- 8.2 A Bylaw Enforcement Officer may seize Firecrackers or Fireworks pursuant to this Bylaw.
- 8.3 Every person who violates a provision of this Bylaw is guilty of an offense against this Bylaw and is liable on summary conviction, to the penalties provided for in the *Offence Act*, and each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.
- 8.4 Fines for tickets issued under this Bylaw shall be in accordance with Municipal Ticket Information System Bylaw No. 979, 2005, as amended from time to time.

9. Severability

- 9.1 If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

10. Administrative Provisions

- 10.1 This Bylaw may be cited as the “District of Ucluelet Fireworks Regulation Bylaw No. 1302, 2022”.
- 10.2 This bylaw hereby repeals and replaces the “District of Ucluelet Fireworks Regulation Bylaw No. 967, 2004 and amendments thereto”.

READ A FIRST TIME this ** day of ***, 2022.

READ A SECOND TIME this ** day of ***, 2022.

READ A THIRD TIME this ** day of ***, 2022.

ADOPTED this ** day of ***, 2022.

CERTIFIED A TRUE AND CORRECT COPY; "District of Ucluelet Fireworks Regulation Bylaw No. 1302, 2022".

Mayco Noël
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

Schedule "A" – Insurance Requirements

- 1.1 A Fireworks Event Permit applicant shall procure and maintain, at its own expense, an insurance policy which shall be maintained continuously from the commencement date of the Fireworks Event Permit until the expiry of the Fireworks Event Permit, or such longer period as may be specified by the District.

- 1.2 As a minimum, the Fireworks Event Permit applicant shall, without limiting its obligations or liabilities under any other contract with the District, procure and maintain, at its own expense and cost, the following insurance policies:
 - a) Workers Compensation Insurance covering all employees of the applicant engaged in the works and services related to the Fireworks Event, in accordance with the statutory requirements of the Province of British Columbia;

 - b) Comprehensive General Liability Insurance:
 - i. Providing for an inclusive limit of not less than Five Million Dollars (\$5,000,000.00) for each occurrence or accident.

 - ii. Providing for all sums which the applicant shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting therefrom) sustained by any person or persons or because of damage to or destruction of property caused by an occurrence or accident arising out or related to the Fireworks Event Permit or any operations executed in connection with the Fireworks Event Permit.

 - iii. Including coverage for products/completed operations, blanket contractual, contractor's protective, personal injury, contingent employer's liability, broad form property damage, and non-owned automobile liability.

 - iv. Including a cross liability clause providing that the inclusion of more than one Insured shall not in any way affect the rights of any other Insured hereunder, in respect to any claim, demand, suit or judgement made against any other Insured.

- 1.3 The insurance policy shall name the District, its elected officials, officers, agents and employees, and contractors acting on behalf of the District, as additional insureds thereunder and that said policy is primary without any right of contribution from any insurance otherwise maintained by the District.

- 1.4 The applicant shall submit a Certificate of Insurance to the Fire Chief, in a form satisfactory to the District, prior to the commencement date of the Fireworks Event.

- 1.5 The Certificate shall state that thirty (30) days written notice shall be given to the Fire Chief prior to any material changes or cancellation of such policy or policies.
- 1.6 The applicant may take out such additional insurance, as it may consider necessary and desirable. All such additional insurance shall be at no expense to the District.
- 1.7 All insurance, which the applicant is required to obtain with respect to the Fireworks Event Permit, shall be with insurance companies registered in and licensed to underwrite such insurance in the Province of British Columbia

Schedule "B" - Applicant Indemnity Agreement

IN CONSIDERATION of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which the Applicant acknowledges), the Applicant covenants that he or she will indemnify, defend, and save harmless the District and its elected and appointed officials, employees, officers, agents and contractors from and against any and all manner of losses, claims, actions, damages, suits, demands, liability, costs (including legal costs on a solicitor and own client basis) and expenses in connection with loss of life, personal injury, loss of property, damage to property or other loss or damage which the District or its elected or appointed officials, employees, officers, agents or contractors may sustain, incur, or be put to by reason of or arising out of:

- (a) the issuance of this Fireworks Event permit;
- (b) the Fireworks Event, including, without limitation, the handling, storage, firing, setting off, exploding or other use of fireworks in connection therewith;
- (c) the Applicant's use or occupation of the location upon which the Fireworks Event is to occur; or
- (d) any act or omission of the Applicant or any person for whom the Applicant is at law, responsible, including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

Printed Name of Applicant

Signature of Applicant

Date

Schedule "C" - Property Owner Agreement

Name of Applicant: _____

Name of Organizer or Sponsor of Fireworks Event (if applicable):

Location of Fireworks Event:

Date: _____ Time: _____

Name of Property Owner(s):

Mailing Address: _____

Phone: _____ Contact Name (if any): _____

The Property Owner has agreed and consented to the Organizer/Sponsor holding and the Applicant performing a Fireworks Event on the date and at the location and time described above. The Applicant has applied to the District for a permit to perform the Fireworks Event.

IN CONSIDERATION of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which the Property Owner acknowledges), the Property Owner covenants that he or she will indemnify, defend, and save harmless the District and its elected and appointed officials, employees, officers, agents and contractors from and against any and all manner of losses, claims, actions, damages, suits, demands, liability, costs (including legal costs on a solicitor and own client basis) and expenses in connection with loss of life, personal injury, loss of property, damage to property or other loss or damage which the Property Owner may at any time have against the District or its elected or appointed officials, employees, officers, agents or contractors arising out of any cause, matter or thing in respect of:

- (a) the issuance of the permit to the Applicant;
- (b) the Fireworks Event, including, without limitation, the handling, storage, firing, setting off, exploding or other use of fireworks in connection therewith;
- (c) the use or occupation of the location upon which the Fireworks Event is to occur;
or
- (d) any act or omission of the Applicant or Organizer/Sponsor or any persons for whom either is, at law, responsible, including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Property Owner acknowledges that he or she has had the opportunity to seek independent legal advice as to the contents of this Agreement and that he or she is not under any legal disability.

Signature of Applicant

Date

Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement of Fireworks Bylaw No. 1302, 2022. The information is collected under the authority of Freedom of Information and Protection of Privacy Act (1996) and the *Community Charter*. If you have any questions about this collection, please contact the Manager of Corporate Services for the District of Ucluelet at (250) 726-7744

Schedule "D" - Sponsoring Organization Agreement

Name of Applicant: _____

Location of Fireworks Event:

Date: _____ Time: _____

Name of Organizer or Sponsor of Fireworks Event: _____

Mailing Address: _____

Phone: _____ Contact Name (if any): _____

The Organizer/Sponsor has engaged the Applicant to perform a Fireworks Event on the date and at the location and time described above. The Applicant has applied to the District for a permit to perform the Fireworks Event.

IN CONSIDERATION of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged by the Organizer/Sponsor), the Organizer/Sponsor hereby covenants that he or she will indemnify, and save harmless the District and its elected and appointed officials, employees, officers, agents and contractors from and against any and all manner of losses, claims, actions or causes of action, damages, suits, demands, liability, costs (including legal costs on a solicitor and own client basis) and expenses in connection with loss of life, personal injury, loss of property, damage to property or other loss or damage which the District or its elected or appointed officials, employees, officers, agents or contractors may sustain. Incur, or be put to by reason of or arising out of:

- (a) the issuance of the permit to the Applicant;
- (b) the Fireworks Event, including, without limitation, the handling, storage, firing, setting off, exploding or other use of fireworks in connection therewith;
- (c) the use or occupation of the location upon which the Fireworks Event is to occur;
- or
- (d) any act or omission of the Applicant or Organizer/Sponsor or any persons for whom either is, at law, responsible, including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Organizer/Sponsor acknowledges that he or she has had the opportunity to seek independent legal advice as to the contents of this Agreement and that he or she is not under any legal disability.

IN CONNECTION WITH:

Name of Special Event or Festival

HELD AT OR NEAR _____, Ucluelet, BC
ON _____, 2022 pursuant to the District of Ucluelet Fireworks Bylaw No.
1302, 2022.

Name

Signature of Sponsoring Organization

Date

**District of Ucluelet Fireworks
Fines & Penalties**

Description of Offence	Section	Fine – 1st Offense	Fine – 2nd and Subsequent Offenses
Purchase or possession of Consumer Fireworks or Firecrackers	2.1	\$150.00	\$300.00
Sale of Consumer Fireworks or Firecrackers	2.1	\$300.00	\$600.00
Discharge of Consumer Fireworks or Firecrackers	2.1	\$250.00	\$500.00
Purchase of Display Fireworks or Special Effect Pyrotechnics	2.1	\$250.00	\$500.00
Sale of Display Fireworks or Special Effect Pyrotechnics	2.1	\$500.00	\$1,000.00
Possession of Display Fireworks or Special Effect Pyrotechnics without a valid Fireworks Event Permit	4.1	\$150.00	\$300.00
Discharge of Display Fireworks or Special Effect Pyrotechnics without a valid Fireworks Event Permit	4.1	\$250.00	\$500.00
Failure to abide by terms and conditions of a Fireworks Event Permit	6.1 (a) to (f)	250.00	\$500.00
Failure to abide by the regulations of Fireworks Events	7.1 (a) to (f)	\$250.00	\$500.00
Operating a Fireworks Event on District property without consent	7.2	\$250.00	\$500.00
Obstruction of a Bylaw Enforcement Officer	8.1	\$250.00	\$500.00

DISTRICT OF UCLUELET**Bylaw No. 967, 2004**

A bylaw to regulate the sale, use, and possession of fireworks.

WHEREAS the Council may, by bylaw, pursuant to the *Fireworks Act*, declare that Act applicable to the municipality;

AND WHEREAS the Council may, by bylaw, and subject to the *Fireworks Act*, regulate or prohibit the sale or disposal to any person of firecrackers and fireworks of every nature and kind;

AND WHEREAS the Council may, by bylaw, regulate or prohibit the discharging or exploding of firecrackers or fireworks;

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

1. Title

This Bylaw may be cited as "Fireworks Regulation Bylaw No. 967, 2004."

2. Definitions

"**Firecracker**" means small fireworks with entwined fuses used solely as noisemakers, and not for pyrotechnic effect.

"**Fireworks**" means manufactured goods intended to be used for pyrotechnic effect that are classified by the Canada Explosives Regulations as low hazard fireworks for recreation, including, but not limited to, fireworks showers, fountains, golden rain, lawn lights, pinwheels, roman candles and volcanoes, but excluding sparklers, Christmas Crackers and caps for toy guns.

"**Bylaw Enforcement Officer**" means a person employed or appointed by the District of Ucluelet to enforce the provisions of this bylaw.

3. Wholesale and Retail Sales

a) It shall be unlawful for any person to offer for sale, expose for sale, advertise or display or sell at wholesale or retail;

- i) any fireworks, with the exception of sparklers, Christmas Crackers and caps for toy guns, to any person or organization except between October 24th and October 31st inclusive, in any year.
- ii) any fireworks, to a person who is under the age of eighteen (18) years of age or to a person who appears to be under the age of eighteen (18) years and does not produce evidence that he/she is eighteen (18) years of age or older.
- iii) any fireworks, unless such person is in possession of a valid District of Ucluelet Business Licence.

- b) It shall be unlawful for any person to supply any person, directly or indirectly, any firecracker, whether for his own use or not.

4. Possessions and Discharge of Fireworks and Firecrackers

- a) It shall be unlawful for any person to possess, sell, use, detonate or explode any firecrackers at any time of the year within the District of Ucluelet.
- b) It shall be unlawful for any person under the age of eighteen (18) years to possess, use, detonate or explode any fireworks.
- c) It shall be unlawful for any person to set off, discharge or explode any fireworks on any street, land, square or public place unless such person or persons shall first have obtained a permit from the District of Ucluelet, and it shall be the responsibility of the permit holder to ensure compliance with the provisions contained therein, or for any damages that may arise therefrom by reason of the issuance of any such permit.
- d) It shall be unlawful for any person to set off, discharge or explode any fireworks except between October 24th and October 31st inclusive, in any year unless such person(s) shall have first obtained a permit from the District of Ucluelet. It shall be the responsibility of the permit holder to ensure compliance with the provisions contained therein, or for any damages that may arise therefrom by any reason of the issuance of any such permit.
- e) It shall be unlawful for any person to point or direct or throw fireworks at any person, animal, building, motor vehicle, tree or bush, where such fireworks are in the process of exploding or detonating.

5. Vendors Permit

- a) It shall be unlawful for any person to offer for sale, expose for sale, advertise or display, or sell at wholesale or retail, any fireworks, unless such person is in possession of a valid Business License from the District of Ucluelet and a valid and subsisting Fireworks Vendors Permit issued by the District of Ucluelet.
- b) An application for a Fireworks Vendor Permit shall be made to the District of Ucluelet and shall be accompanied by a fee of \$50.00.
- c) The District of Ucluelet may refuse to issue a Fireworks Vendor Permit where:
 - i) The Vendor does not hold a valid and subsisting Business License issued by the District of Ucluelet;
 - ii) The Vendor, or an employee or agent of the Vendor, has been convicted of an offence against any of the provisions of this Bylaw or its predecessors, the Explosives Act (Federal) or the Fireworks Act (Provincial) within the twenty-four (24) months preceding the date of application.
 - iii) The District of Ucluelet may revoke a Fireworks Vendor Permit where the Vendor, or an employee or agent of the Vendor, violates any of the provisions of the Bylaw, the Explosives Act or the Fireworks Act.

6. Storage of Fireworks

- a) No person shall store, cause to be stored or have in his/her possession or on his/her premises, more than 23 kg (50.703 lbs) aggregate weight of fireworks at any time.
- b) No person shall store or cause to be stored any fireworks adjacent to any heat, flame or other source of ignition.
- c) No vendor shall store or cause to be stored, fireworks in a position or area that is readily accessible to customers or prospective customers. The storage area must be screened off from customers by a solid physical barrier and an attendant must always be on duty.
- d) An owner or occupier of premises in which fireworks are stored or kept for sale to any person must maintain a ULC approved, minimum 2A 10BC rating, multipurpose dry chemical portable fire extinguisher which is readily available on the premises at all times.
- e) Any owner or occupier of premises in which fireworks are stored, sold or disposed of to any person shall display or cause to display, a "NO SMOKING" sign with letters of a minimum height of 7.5 cm (2.95 inches) and of a contrasting colour to the background on the entrance door to the said premises and in a prominent position to the place where the fireworks are stored or sold.
- f) If the District of Ucluelet determines that a fire hazard exists on the premises of the holder of a Fireworks Vendor Permit and the holder does not eliminate such hazard forthwith upon notice thereof, the District of Ucluelet may order the removal of all fireworks from the premises and no person shall refuse or fail to comply with such order.

7. Seizure:

The Bylaw Enforcement Officer may seize firecrackers or fireworks being held in violation of this bylaw and may dispose of them without compensation.

8. Designation of Bylaw Enforcement Officer

For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following;

- a) Bylaw Enforcement Officer for the District of Ucluelet
- b) Fire Chief for the District of Ucluelet
- c) Chief Administrative Officer for the District of Ucluelet
- d) R.C.M.P. Officers and auxiliary members

9. Fines & Penalties:

Every person who violates any of the provisions of his bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw is liable on summary conviction to a fine of not more than two thousand dollars (\$2,000.00) and costs (including the costs of the committal and conveyance to the place of imprisonment) for each offense, and in default of payment therefore, to imprisonment of a term not exceeding six months in jail. Each day that such violation is permitted to continue shall be a separate offence.

10. Ticketing:

Fines and penalties for tickets issued for offences against this bylaw shall be in accordance with Schedule "A", attached hereto and forming part of this Bylaw.

11. Liability for Damages and Costs

In addition to all other penalties herein provided, any person causing damage to any public property shall be responsible for the cost of repairing such damage.

12. Severability

If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

13. Administrative Provisions:

- a) This bylaw hereby repeals "Fireworks Regulation Bylaw No. 747, 1997" and any amendment thereto.
- b) This bylaw may be cited for all purposes as the "District of Ucluelet Fireworks Regulation Bylaw No. 967, 2004."

READ A FIRST TIME this 10th day of **August, 2004**

READ A SECOND TIME this 10th day of **August, 2004**

READ A THIRD TIME this 10th day of **August, 2004**

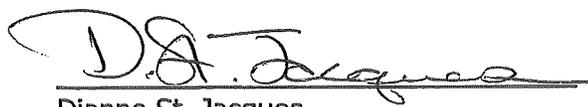
ADOPTED this 24th day of **August, 2004**

CERTIFIED A TRUE AND CORRECT COPY of "Fireworks Regulation Bylaw No. 967, 2004."



 Gale Shier
 Municipal Clerk

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



 Dianne St. Jacques
 Mayor



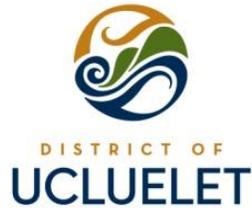
 Gale Shier
 Municipal Clerk

Fireworks Regulation Bylaw No. 967, 2004

Schedule "A"

Fines and Penalties

Description	Section	Fine – 1st Offense	Fine – 2nd and Subsequent Offenses
Offer fireworks for sale prior to October 24 th or after October 31 st of any year	3 (a)(i)	150.00	300.00
Offer to sell, or sale of fireworks to a person under 18 years of age	3(a)(ii)	250.00	500.00
Offer for sale, expose, advertise, display or sell fireworks without valid District of Ucluelet Business License	3(a)(iii)	250.00	500.00
Offer, sell, give any person a firecracker	3(b)	100.00	200.00
Possess, sell, detonate, explode any firecrackers	4(a)	100.00	200.00
Persons under 18 years of age possessing, detonating, exploding fireworks	4(b)	100.00	200.00
Discharge, explode fireworks on road, street, park, public place without a permit	4(c)	250.00	500.00
Discharge, explode fireworks prior to October 24 th or after October 31 st of any year	4(d)	150.00	300.00
Point, direct, throw firecrackers at any person, animal, building, motor vehicle, bush or tree	4(e)	250.00	500.00
Offer for sale, expose, advertise, display or sell fireworks without valid Vendors Permit	5(a)	250.00	500.00
Possession or storage of more than 23kg aggregate weight of fireworks	6(a)	250.00	500.00
Illegal storage of fireworks	6(b)(c)(d)(e)	250.00	500.00
Obstruct a Bylaw Enforcement Officer	7	250.00	500.00



REPORT TO COUNCIL

Council Meeting: August 16, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DUANE LAWRENCE, CAO **FILE NO:** 3900-25

SUBJECT: MUNICIPAL AND REGIONAL DISTRICT TAX BYLAW NO. 1314, 2022 – A
BYLAW TO REQUEST AN INCREASE TO THE MUNICIPAL AND REGIONAL
DISTRICT TAX RATE FROM 2% TO 3 % UNDER PROVISIONS OF THE
PROVINCIAL SALES TAX **REPORT NO:** 22- 115

ATTACHMENT(S): APPENDIX A – DISTRICT OF UCLUELET BYLAW NO. 1314, 2022
APPENDIX B - Municipal Regional District Tax Bylaw No. 1223, 2017

RECOMMENDATION(S):

THAT Council abandon District of District of Ucluelet Municipal and Regional District Tax Bylaw No. 1315, 2022.

THAT Council give first, second and third reading to District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022.

BACKGROUND:

This report has been brought forward due to the original bylaw utilizing the same reference number as an existing bylaw. It is best practice to utilize unique bylaw reference numbers for all bylaws and therefor staff is requesting Council abandon bylaw 1315 and give first three readings to bylaw 1314. No other changes have been made to the proposed MRDT bylaw.

In 2007 Ucluelet requested and received authorization to be the recipient of the hotel room accommodation tax now referred to as the Municipal Resort Development Tax (MRDT). During the preceding years the Ucluelet Tourism Association ("Tourism Ucluelet") was formed and undertook the oversight of the Municipal Resort Development Strategy program. In 2021, Tourism Ucluelet started the process of moving from a 2% collection rate to 3%. Council supported this move and authorized, by resolution, that Tourism Ucluelet be approved as the Districts designated recipient which permits Tourism Ucluelet to directly receive funds collected under the [Provincial Sales Tax Act, Part 14, Section 240](#).

To increase the tax rate collected, Tourism Ucluelet is required to gain support from 51% of the eligible voting accommodation providers, those with four or greater rooms. This level of support was confirmed by Tourism Ucluelet in July 2022.

ANALYSIS OF OPTIONS

For Tourism Ucluelet to increase the room accommodation tax from 2% to 3% and be authorized as the designated recipient the District must repeal Municipal Regional District Tax Bylaw No. 1223, 2017 and

adopt a new bylaw that authorizes the collection of 3% hotel tax and designates Tourism Ucluelet as the designated recipient. The bylaw before Council provides this authorization.

A	Give first three readings to the updated MRDT bylaw	<u>Pros</u>	<ul style="list-style-type: none"> • Allows for increasing the hotel room tax rate from 2% to 3% • Increased revenues directed to tourism marketing, programs, projects, and sustainability
		<u>Cons</u>	<ul style="list-style-type: none"> • Increased tax rate visitors pay when booking a room in Ucluelet by 1%
		<u>Implications</u>	<ul style="list-style-type: none"> • There are no staffing or financial implications for the District. • Tourism Ucluelet will have increased revenues to allocate to tourism related projects and initiatives.
B	Do not proceed with the bylaw	<u>Pros</u>	<ul style="list-style-type: none"> • Status quo is maintained.
		<u>Cons</u>	<ul style="list-style-type: none"> • Tourism Ucluelet initiatives will be restricted to the current funding levels
		<u>Implications</u>	<ul style="list-style-type: none"> • Less revenue is collected through the hotel room tax. • There are no staffing or impacts the municipal finances
		<u>Suggested Motion</u>	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

Under this bylaw, Tourism Ucluelet will receive the MRDT funding directly and remit the Online Authorized Provider (OAP) back to the municipality which will continue to be designated for affordable housing initiatives.

NEXT STEPS

- The proposed bylaw will be returned to Council for adoption at the next meeting of Council.

Respectfully submitted: Duane Lawrence, CAO

**DISTRICT OF UCLUELET
BYLAW NO. 1314, 2022**

A bylaw to request an increase to the Municipal and Regional District Tax rate from 2% to 3% under provisions of the Provincial Sales Tax Act

WHEREAS the Council of the District of Ucluelet wishes to raise revenues for the purpose of financing tourism marketing, programs and projects;

AND WHEREAS the municipality, under section 240 of the Provincial Sales Tax Act, provides for two (2) percent tax on the purchase price of accommodation within the District of Ucluelet as requested by the District of Ucluelet under the Municipal Regional District Tax Bylaw No. 1223, 2017;

AND WHEREAS a municipality may request, that the Lieutenant Governor in Council make a regulation, under section 240 of the Provincial Sales Tax Act, imposing, on behalf of the municipality, an additional tax levy not exceeding three (3) percent of the purchase price of accommodations sold within the municipality;

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

1. That the Lieutenant Governor in Council is hereby requested to make a regulation under Section 240 of the Provincial Sales Tax Act declaring that effective June 1, 2023, section 123(1) of the Act applies in respect of accommodation purchased within the District of Ucluelet.
2. That the tax to be imposed under the provisions of the regulation is requested to be three (3) percent of the purchase price of the accommodation.
3. That the funds paid to the Ucluelet Tourism Association as the designated recipient under the provisions of the regulation shall be applied to tourism marketing, programs and projects.
4. That this bylaw may be cited for all purposes as "District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022".
5. That the "Municipal Regional District Tax Bylaw No. 1223, 2017" is hereby repealed.

READ A FIRST TIME this ____ day of _____, 2022

READ A SECOND TIME this ____ day of _____, 2022

READ A THIRD TIME this ____ day of _____, 2022

ADOPTED this ____ day of _____, 2022

CERTIFIED CORRECT: "District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022"

Mayco Noël
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

**DISTRICT OF UCLUELET
BYLAW NO. 1223**

A bylaw for the imposition of a tax on accommodations under provisions of the
Provincial Sales Tax Act

WHEREAS the Council of the District of Ucluelet wishes to raise revenues for the purpose of financing tourism marketing, programs and projects;

AND WHEREAS a municipality may request, that the Lieutenant Governor in Council make a regulation, under section 240 of the Provincial Sales Tax Act, imposing, on behalf of the municipality, an additional tax not exceeding two (2) percent of purchase price of accommodations sold within the municipality;

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

1. The Lieutenant Governor in Council is hereby requested to make a regulation under Section 240 of the Provincial Sales Tax Act declaring that effective January 1, 2018, section 123 (1) of the Act applies in respect of accommodation purchased within the District of Ucluelet.
2. The tax to be imposed under the provisions of the regulation is requested to be two (2) percent of the purchase price of the accommodation.
3. The funds paid to the District of Ucluelet under the provisions of the regulation shall be applied to tourism marketing, programs and projects.
4. This bylaw may be cited for all purposes as “Municipal Regional District Tax Bylaw No. 1223, 2017.
5. Bylaw “Additional Hotel Room Tax Levy Bylaw 1067, 2007” is hereby repealed.
6. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

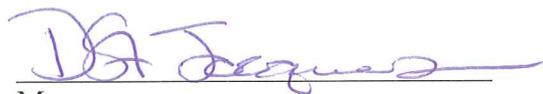
READ A FIRST TIME this 24th day of **October, 2017**

READ A SECOND TIME this 24th day of **October, 2017**

READ A THIRD TIME this 24th day of **October, 2017**

ADOPTED this 14th day of **November, 2017**

CERTIFIED CORRECT: District of Ucluelet Municipal Regional District Tax Bylaw No. 1223, 2017.



Mayor
Dianne St. Jacques



Chief Financial Officer
Carolyn Bidwell

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



Chief Administrative Officer/ Corporate Officer
Mark Boysen



REPORT TO COUNCIL

Council Meeting: August 16, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DUANE LAWRENCE, CHIEF ADMINISTRATIVE OFFICER **FILE NO:** 2560-01
SUBJECT: OFFICERS AND OFFICIALS BYLAW - ADOPTION **REPORT NO:** 22- 112
ATTACHMENT(S): Appendix A - Officers and Officials Bylaw No. 1315, 2022

RECOMMENDATION(S):

THAT Council adopt the Officers and Officials Bylaw No. 1315, 2022.

BACKGROUND:

Staff presented an updated Officers and Officials bylaw for Council's consideration at the July 19, 2022 regular meeting. The bylaw, in general terms, outlines the District's policies with respect to the appointment, benefits, leave, compensation, probationary periods, suspension, termination, responsibilities, and hours of work of exempt staff.

Currently, the District has no policy or bylaw that covers these matters for exempt staff. This has led to inconsistencies within employment agreements and in some instances no employment agreements on record. By clearly outlining the terms, conditions, powers, duties, and responsibilities along with benefits, training, and disciplinary systems, the District will be creating a fair and equitable work environment that reduces the chance of bias in decision making.

ANALYSIS OF OPTIONS

Council has given the first three readings of the proposed Officers and Officials bylaw and is now in a position to adopt the bylaw.

A	Adopt the Officers and Officials Bylaw as presented	<u>Pros</u>	<ul style="list-style-type: none"> • Provides clear procedural direction for the appointment of District officers, officials and exempt employees. • Confirms powers, duties and responsibilities of the Districts officers and officials. • The new bylaw will ensure equity and fairness in the application of the District exempt staff benefits program.
		<u>Implications</u>	<ul style="list-style-type: none"> • The proposed bylaw has no immediate cost implications to the District.
B		<u>Pros</u>	<ul style="list-style-type: none"> • Ensures any requirements of council are included within the bylaw.

	Amend the bylaw and direct staff to bring back the bylaw for further consideration.		<ul style="list-style-type: none"> The existing policies and bylaws that govern District exempt employees will remain in effect until such time as an updated bylaw has been adopted.
		<u>Cons</u>	<ul style="list-style-type: none"> n/a
		<u>Implications</u>	<ul style="list-style-type: none"> Amendments to the bylaw may have future cost implications or affect the current or future recruitment/retention abilities of the District depending on the amendment(s).
		<u>Suggested Motion</u>	<p>That Council direct staff to amend the Officers and Officials bylaw No. 1315, 2022 by adding/removing _____; and,</p> <p>That Council direct staff to bring the Officers and Officials Bylaw No. 1315, 2022 back to Council for further consideration at the next meeting of Council.</p>
C	Do not proceed with the updated bylaw	<u>Pros</u>	<ul style="list-style-type: none"> The existing bylaw and policies will remain in effect until such time as a new bylaw has been adopted.
		<u>Cons</u>	<ul style="list-style-type: none"> n/a
		<u>Implications</u>	<ul style="list-style-type: none"> Depending on the required revisions there may be future costs, recruitment and retention impacts.
		<u>Suggested Motion</u>	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

[Part 5 Division 5 of the Community Charter, S. 146 – 153](#) provide for the minimum requirements of a Council in the establishment of Officers and their corresponding powers, duties and functions.

[Part 5 Division 6 of the CC S. 154](#) provides for the authority of Council to delegate its powers, duties and functions, by bylaw, to an officer or employee of the municipality.

NEXT STEPS

- Implementation of the bylaw.
- Development of training and performance evaluation policies.

Respectfully submitted: Duane Lawrence, CAO

DISTRICT OF UCLUELET

Officers and Officials Bylaw No. 1315, 2022

A Bylaw to provide for the appointment, indemnification, duties, dismissal, and compensation of Officers and Officials of the District of Ucluelet.

The Council of the District of Ucluelet in open meeting assembled enacts as follows:

PART 1 CITATION

1.1. This bylaw may be cited as the “District of Ucluelet Officers and Officials Bylaw No. 1315, 2022.”

PART 2 INTERPRETATION

2.1. General

2.1.1. The headings used in this bylaw are for convenience only and do not form part of this bylaw and are not to be used in the interpretation of this bylaw.

2.1.2. Any enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time, and any bylaw referred to herein as a reference to a bylaw of the District of Ucluelet, as amended, revised, consolidated, or replaced from time to time.

2.1.3. Unless otherwise defined in this bylaw, terms used herein shall have the meanings as set forth in the *Community Charter* or the *Local Government Act*, as applicable.

2.2. Definitions

2.2.1. In this bylaw:

“CAO” or “Chief Administrative Officer” means the person appointed by Council as the Chief Administrative Officer for the District, their lawful deputy or designate as appointed by the CAO.

“Charter” means the *Community Charter* of the Province of British Columbia.

“Council” means the elected Council of the District of Ucluelet.

“District” means the District of Ucluelet.

“Deputy Official” means a person appointed by the CAO to one of the following positions:

- Deputy Fire Chief

“Exempt Employee” means a person who is or has been employed in a full-time, part-time, temporary or casual capacity by the District, and who is not governed under a collective agreement.

“Flex Time” is an arrangement that allows an Exempt Employee to alter the start and end times of their workday. In such instances, any lieu time that may otherwise apply is foregone for equivalent time off elsewhere during the pay period, which results in the same number of scheduled hours worked per pay period.

“Flex Week” is an arrangement that allows an Exempt Employee to increase the length of the standard workday to accrue one day off in lieu of time worked every two or three weeks provided the total scheduled hours worked remain the same.

“Lieu Time” means replacement time off with pay, of equivalent hours to those worked beyond a regularly scheduled workday or regularly scheduled day off.

“Mayor” means the Mayor of the District of Ucluelet.

“Officer” means a person appointed by Council to one of the following positions:

- Chief Administrative Officer
- Corporate Officer
- Finance Officer
- Municipal Approving Officer

“Official” means a person appointed by the CAO to one of the following positions:

- Fire Chief
- Manager of Corporate Services
- Manager of Finance
- Operations Manager

“Remote Work” means to conduct work remotely from a location that is not, as defined by the employer, a designated work site or office space.

“Senior Official” means a person appointed by the CAO to one of the following positions:

- Director of Community Planning
- Director of Engineering Services
- Director of Finance
- Director of Parks and Recreation

PART 3 APPOINTMENTS, PROBATION, AND TERMINATION**3.1. Appointments**

- 3.1.1. On the recommendation of the CAO, Council shall appoint all Officers of the District by resolution. All other positions are hired by the CAO and administered in accordance with the provisions of this bylaw.
- 3.1.2. All Exempt Employees shall be given a copy of this bylaw prior to an offer of employment being made by the District and shall confirm in writing their acceptance of these terms prior to an acceptance of an offer of employment from the District.
- 3.1.3. Nothing in this bylaw shall prevent the appointment of the same person to two or more positions within this bylaw.
- 3.1.4. Nothing within this bylaw shall be interpreted as restricting the right of Council or CAO to defer an appointment to any position, other than a position appointed by Council as required by statute.

3.2. Financial Disclosure Act

- 3.2.1. The persons holding Officer, Senior Official, and Official positions are designated municipal employees for the purpose of the Financial Disclosure Act.

3.3. Probation

- 3.3.1. All Exempt Employees shall be appointed initially for a probationary period of 6-months in duration, with the period being specified in the appointment letter or agreement. The probationary period may be extended at any time prior to expiration of the initial term, for a term not to exceed a total probationary period of 12-months.
- 3.3.2. All Exempt Employees shall be continuously evaluated and receive a formal preliminary performance evaluation at 6-weeks or 12-weeks of their initial probationary period and two-weeks prior to the conclusion of their probationary period.

3.4. Termination

- 3.4.1. The permanent appointment of an Officer of the District may be terminated only in accordance with the provisions of the *Charter* (Section 151 and 152). In cases without cause, reasonable notice shall consist of 6-months' salary in lieu of notice, or as determined in their employment agreement.

3.4.2. Unless otherwise provided in a contract of employment, any Exempt Employee may be dismissed for just cause without notice or payment in lieu thereof. In cases without cause, reasonable notice shall consist of 6-months' salary in lieu of notice, or as determined in their employment agreement.

3.4.3. Where prior to the expiry of the probationary period the Employer decides to terminate employment of Exempt Employees, such termination shall be one month's notice or salary in lieu of notice, unless otherwise provided for under a contract of employment.

3.5. **Suspension**

3.5.1. The suspension of employment of any Officer shall be in accordance with the *Charter (Section 151 and 152)*.

3.5.2. The suspension of employment of any Exempt Employee shall be in accordance with the District's disciplinary policy and code of conduct and as determined by the CAO.

PART 4 POWERS, DUTIES, AND RESPONSIBILITIES

4.1. The powers, duties, and responsibilities of the CAO are set out in Schedule 'A.'

4.2. The powers, duties, and responsibilities of the Finance Officer are set out in Schedule 'B.'

4.3. The powers, duties, and responsibilities of the Corporate Officer are set out in Schedule 'C.'

PART 5 OATH OF OFFICE

5.1. The oath of office, as set out in Schedule "D" to this bylaw, is hereby adopted as the oath of office for Exempt Employees of the District. This oath of office is to be taken by all Exempt Employees prior to the assumption of their duties.

PART 6 BENEFITS

6.1. **Employment health and wellness benefits**

6.1.1. Employment health and wellness benefits including paid and unpaid leaves of absence, sick leave, life insurance, long-term disability and accidental death and dismemberment coverage, and statutory holiday leave shall be provided to Exempt Employees under the same terms and conditions as those provided to District staff under the Collective Agreement with CUPE, excepting paramedical practitioners limit, long term disability monthly earnings monthly maximum earnings, and those items outlined hereafter within Section 6 of this bylaw.

6.2. Pension and Retirement

6.2.1. Superannuation shall be provided in accordance with [Public Sector Pension Plans Act, SBC1999, c. 44, s. 124](#) and amendments thereto together with the Canada Pension Plan.

6.3. Vacation Entitlement

6.3.1. Subject to any special arrangement at the time of appointment based on years of relevant experience, annual vacation with pay shall be granted as follows, as of January 1 of each calendar year:

During the first to second year	15 days
During the third to sixth year	20 days
During the seventh to tenth year	25 days
During the eleventh to fifteenth year	30 days
During the sixteenth year or greater	35 days

6.3.2 All new Employees' vacation allotments shall be prorated to the employment start date.

6.3.3. All new Employees shall accrue but shall not be entitled to take vacation time until the completion of the first three (3) months of continuous employment.

6.3.4. Vacation entitlements shall be used within the calendar year in which they are accrued and as mutually agreed to with the Employer.

6.3.4. Employees may, upon receiving written approval from the CAO, carry forward a maximum of 10-days' vacation entitlement into a subsequent calendar year. Any unused vacation, not approved to be carried forward, shall be paid out in cash within the first two pay periods of the calendar year. Additional time may be carried forward with the agreement of the employer provided no more than a total of three weeks may be carried forward.

6.3.5. In the event an Exempt Employee leaves their employment, or is terminated, subsequent to taking annual vacation during the calendar year that the vacation entitlement is accrued, then in such an event, the monetary value of the vacation taken, pro-rated to the date of termination, shall be deducted from any final payment for salary or other benefits that may be due and payable on termination. Any amounts not recovered from any final payment will be paid back to the District by the Exempt Employee within 30-days of their last day worked.

6.3.6. Upon leaving their employment or in the event of a termination, any unused vacation time accrued, pro-rated to the date of termination, shall be paid out in lieu of such vacation.

6.4. Sick Leave

6.4.1. Exempt Employees are eligible to accrue up to a maximum of 120 days of sick leave at a rate of 1.5 days per month. In addition to regular illness, sick leave may be used for medical and dental appointments, caring for a dependent child, spouse, and parental care that cannot be scheduled outside of normal working hours to a maximum of 10-days per year. The CAO, or Mayor in the case of the CAO, may grant use of sick leave for other illness and medical related circumstances when deemed appropriate.

6.5. Extended Sick Leave

6.5.1. In instances of sick leave greater than two consecutive weeks Exempt Employees shall be required to provide a medical certificate identifying the nature of the sick leave and estimated date of return to work in accordance with the District's *Short-Term Extended Sick Leave Policy*. Use of sick leave for extended periods shall be limited to a maximum of 120 consecutive calendar days at which time the Exempt Employee shall be required to transition to long-term disability; medical employment insurance or return to work. Exempt Employees on extended sick leave shall be required to provide bi-weekly status updates and work with the employer, in concert with their medical practitioner, to develop a return-to-work program. Benefits based on active service will be suspended during the extended sick leave.

6.6. Leave of Absence

6.6.1. Leave of absence without pay may be granted to Exempt Employees for reasonable periods, with the prior approval of the CAO, or Mayor in the case of the CAO, provided all vacation and lieu time have been utilized. Requests for periods greater than twenty-five working days must be ratified by Council.

6.6.2. Premium payments for all benefits for Exempt Employees on approved leave of absence without pay shall be the sole responsibility of the Employee. Benefits based on active service will be suspended during the leave of absence.

6.7. Training & Conferences

6.7.1. Subsequent to an approved budget, the District promotes and encourages Exempt Employee continued professional development and participation in applicable conferences and workshops. With the approval of the CAO, Exempt Employees shall be eligible to attend an annual conference or workshop and/or undertake professional development courses in accordance with the District's training policies.

- 6.7.2. In the event an Exempt Employee leaves their employment or is terminated within 2-years of the subsequent registration in or completing of a professional development program or course, exclusive of training required for the maintaining of a position within the organization and basic continuing education courses, then in such an event, the monetary value of the course or program taken, pro-rated to the date of termination, shall be deducted from any final payment for salary or other benefits that may be due and payable on termination. Any amounts not recovered from any final payment will be paid back to the District by the Exempt Employee within 30-days of their last day worked.

PART 7 HOURS OF WORK, LIEU TIME, FLEX TIME AND REMOTE WORK

7.1. Hours of Work

- 7.1.1. Regular Hours of Work for Exempt Employees shall be Monday to Friday (excluding statutory holidays) 7.5 hours per day, exclusive of a 1-hour lunch break, between 8:00 a.m. and 4:30 p.m. unless otherwise specified with an employment agreement or as determined by the CAO.
- 7.1.2. Exempt Employees are expected to be in the office (or official workplace approved by the employer) during Regular Hours of Work, excepting when Remote Work is approved in accordance with Section 7.2.

7.2. Remote Work

- 7.2.1. Remote work may be utilized under special circumstances, on an ad hoc basis, with prior approval from the CAO.
- 7.2.2. No permanent file storage shall be allowed within a home. All documents brought home must be brought back to the office on the first day returning to work in the office.
- 7.2.3. Exempt Employees must have an assigned District device that allows for remote work to be performed and access to a phone.
- 7.2.4. No in-person meetings shall be held by an Exempt Employee at a home office.
- 7.2.5. All costs and financial implications of utilizing remote work, such as power, internet, office supplies, furniture, or other expenses, apart from the District assigned device and cell phone are the responsibility of the individual Exempt Employee.

7.3. Lieu and Flex Time

- 7.3.1. It is understood that Exempt Employees are ineligible for overtime and have management responsibilities, workloads, projects, emergency response duties, and reporting deadlines, including facility checks, meetings and events, and attendance of Council and Committee meetings that occur outside the Regular Hours of Work. In addition, there are departments that deliver some of their regular services to the public outside of the Regular Hours of Work.
- 7.3.2. Subject to specific arrangements approved by the CAO for positions that inherently provide services outside of the regular work schedule, i.e., fire services, to compensate Exempt Employees for these responsibilities and corresponding over-time, the following may, as approved by the CAO, be permitted:
- 7.3.2..1. With approval of the CAO to use Flex Time to alter the start and end of a specific workday to mitigate the accrual of lieu time provided the regular daily hours of work are maintained.
 - 7.3.2..2. To bank up to a maximum of 100-hours of lieu time based on their regular hours of work in a calendar year at straight time. Lieu time shall be taken off as straight time in lieu and must be used by the 31st day of December in the calendar year it was accrued. Unused lieu time shall not be eligible to be carried forward nor will be considered for or eligible to be paid out.
 - 7.3.2..3. Subject to the demonstrated regular accrual of lieu time, ongoing satisfactory performance reviews, demonstrated ability to manage department and individual work requirements, and with the approval of the CAO, or the Mayor in the case of the CAO, to use a Flex Week schedule, increasing the length of the standard workday to accrue one day off in lieu of time worked every two or three weeks. Any Exempt Employee approved for a Flex Week Schedule may be called in or required to work on their Flex day as required by the CAO, their department or needs of the District.
- 7.3.3. Exempt Employees shall record all hours worked, with Flex Time and Lieu Time approved by the CAO, or Mayor with respect to the CAO.
- 7.3.4. Exempt Employees, as determined by the CAO and in conjunction with a performance review, who are unable to satisfactorily manage work requirements may, as determined by the CAO, lose access to benefits outlined in Sections 7.3 and 6.7. of this bylaw.
- 7.3.5. Exempt Employees are encouraged to undertake personal development through conferences, workshops, and other professional development opportunities. It is understood that these opportunities are not subject to the accrual of flex or lieu time.

7.3.6. It is understood that Exempt Employees can be called in by Council or the CAO to work during exceptional circumstances, such as those associated with facility closures, threats to the lives and safety of residents and property, threats to essential service delivery, during natural disasters or provincial and/or municipal emergencies, and during similar instances as approved by the CAO. In such instances, Exempt Employees will be paid for any resulting approved overtime at time and one half. Any overtime accrued during these events shall be paid out with no provision to bank overtime.

PART 8 SALARIES

8.1. The salary band structure consists of seven steps, within which an Exempt Employee may be placed based on education, experience, and performance. Placement and movement within the salary bands may occur on these steps as determined by the CAO. The minimum rate will be 80% of Step 4 with exceptional performance capped at 110% of the salary band. Steps and salary bands are meant as a guide and movement within a specific step or band may be incremental and shall be based on an annual performance review, qualifications, experience, and any combination thereof as determined by the CAO, or the Mayor in the case of the CAO.

Step 1 relates to **new hires** during their probationary period who do not possess the required education AND position experience as per the job posting and will be developed into the position over time through mentoring and/or training.

Step 2 relates to **new hires** during their probationary period who **do not possess ALL** the required education OR position experience as per the job posting and relates to Step 1 employees following a favorable probationary performance evaluation.

Step 3 relates to **new hires** during their probationary period **who possess ALL** the required education and position experience as per the job posting and relates to Step 2 employees following a favorable probationary performance evaluation.

Step 4 relates to step 3 employees following a favorable post probationary performance appraisal and is representative of the **base salary** for all positions and those employees' **meeting expectations**.

Step 5 relates to employees **exceeding expectations** in **some areas** based on their performance appraisal.

Step 6 relates to employees **exceeding expectations** in **most areas** based on their performance appraisal.

Step 7 relates to employees delivering **exceptional** performance based on their performance appraisal and is set at a maximum of 110% of the salary band.

- 8.2. The salary band structure, contained herein as Schedule 'E,' shall apply to Exempt Employees excluding the Approving Officer and is determined using the following parameters.

Band 1: The initial CAO salary band shall be established by Council. In subsequent years, the CAO salary band shall be increased by an amount equal to the negotiated annual cost of living increase within the collective agreement. Any additional increase to the Band 1 shall be at the discretion of Council and may be considered without impact to pay bands.

Band 2: Senior Officials that have all the required professional designations, certifications, knowledge, and experience at the time of hire, or those Senior Officials in Band 3 who have, through performance development achieved a professional designation or equivalent knowledge, certification, may have their salary band set at up to 80% of Band 1.

Band 3: Senior Officials, except those in Band 2, may have their salary band set at up to 75% of Band 1. Officials that have all the required professional designations, certifications, knowledge, and experience at the time of hire, or those Officials in Band 4 who have, through performance development achieved a professional designation or equivalent knowledge, certification, and experience may have their salary band set at up to 75% of the Band 1.

Band 4: Officials, except those in Band 3, may have their salary set at up to 85% of Band 3. Deputy Officials that have all the required professional designations, certifications, knowledge, and experience at the time of hire, or those Deputy Officials in Band 5 who have, through performance development achieved a professional designation or equivalent knowledge, certification, and experience, may have their salary set at up to 85% of the Band 3.

Band 5: Deputy Officials, except those in Band 4, shall have their salary set at up to 70% of Band 3. Exempt Employees who have not been appointed to a position addressed in Bands 1 through 4, shall have their salary set at up to 70% of Salary Band 3.

8.3. Acting Pay

8.3.1. In the event an Exempt Employee is required to perform all or a significant portion of the duties of a higher-level Exempt Employee or undertake or oversee the roles and responsibilities of another Exempt Employee within the organization for a period of three (3) consecutive weeks or greater the Exempt Employee shall be eligible for Acting Pay.

8.3.2. Acting Pay shall be 10% above the acting Exempt Employee's current salary. This amount may be modified in situations involving appointments for terms greater than 4-months. Acting Pay shall be determined by the CAO, and Council in the temporary appointment of an Acting CAO.

PART 9 PERFORMANCE APPRAISALS

9.1. All Exempt Employees shall be required to facilitate and actively participate in an annual performance review with their direct supervisor. Exempt Employees who choose not to participate in a performance appraisal or have an unsatisfactory performance appraisal shall lose their entitlement to access lieu and flex programs, undertake or access professional development training and/or conferences.

PART 10 SEVERABILITY

10.1. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed, and the remainder of this bylaw is deemed to have been adopted without the severed section, subsequent, paragraph, subparagraph, or phrase.

PART 11 REPEAL

11.1. District of Ucluelet Officers and Employees Bylaw No. 992, 2005 and all amendments thereto are hereby repealed.

11.2. District of Ucluelet Officers and Employees Bylaw No. 807, 1999 and all amendments thereto are hereby repealed.

11.3. Compensatory Lieu Time and Flex Time (Exempt Staff) Policy 5-1920-4 and all amendments thereto are hereby repealed.

PART 12 SCHEDULES

12.1. The following schedules shall form part of this bylaw:

12.1.1. Schedule 'A' - Powers, Duties, and Functions of the CAO

12.1.2. Schedule 'B' - Powers, Duties, and Responsibilities – Finance Officer

12.1.3. Schedule 'C' - Powers, Duties, and Functions of the Corporate Officer

12.1.4. Schedule 'D' - Oath of Office

12.1.5. Schedule 'E' - Salary Bands

READ A FIRST TIME this 19th day of **July, 2022**.

READ A SECOND TIME this 19th day of **July, 2022**.

READ A THIRD TIME this 19th day of **July, 2022**.

ADOPTED this

CERTIFIED A TRUE AND CORRECT COPY of ""District of Ucluelet Officers and Officials Bylaw No. 1315, 2022.""

Mayco Noël
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

Schedule A
Powers, Duties, and Functions of the CAO

Council hereby assigns to the CAO responsibility for the District and the statutory powers, duties, and functions specified in Section 147 of the *Charter*.

The Chief Administrative Officer is hereby delegated the authority to:

1. Human Resources

- Appoint, promote, discipline, and suspend the other Officials of the District, being those employees who are designated Officials within this bylaw;
- Recommend to Council the demotion or termination of Officers of the District, being those employees who are designated as Officers within this bylaw;
- In consultation with the appropriate Officers and Officials, appoint, promote, discipline, suspend and terminate all other employees of the District, subject to any contract of the employment or collective agreement in force;
- Supervise contract negotiations, in conjunction with Council direction, with employee unions of the District and to recommend contract settlements with the unions to Council;
- Appoint acting Officers and Officials to fulfil the responsibilities of these positions in case of illness, absence, or vacancy; and
- Administer all policies, bylaws, and agreements related to all Employees as adopted, and amended from time to time, by Council.

2. General Administration

- Perform the duties and functions of the other Officers or Officials of the District in their absence;
- Ensure the satisfactory operation of the departments of the District;
- Ensure the implementation of Council directives;
- Act as the principal intermediary between the District and the administration of other government bodies dealing with the District;
- In consultation with Council, from time to time, re-organize the administrative structure to improve the efficient and effective operation of the District;
- Review legal advice and proceedings;
- Authorize lawyers to defend, or conduct any action or proceeding in any court of law or before any tribunal, arbitrator, board, or any person for or on behalf of the District;
- Authorize settlements of claims against the District within the CAO's signing authority;
- Supervise preparation of Council agendas;
- Attend, or ensure an alternate attends meetings of Council, Committees of Council, and other entities created by Council;

- Provide advice and recommendations to Council on any matter within Council's jurisdiction; and
- Report to Council on any matter of importance to the District;

3. Contracts

- Authorize the use, budgeted purchase, or sale of District facilities, equipment and services and authorize the awarding of contracts for budgeted items within the CAO's signing authority as identified in the District Purchasing Policy;
- Supervise the calling and awarding of tenders, contracts, and proposals for the supply of materials, equipment, services, or construction approved by Council;
- Carry out any required additional powers, duties and responsibilities as assigned by Council;
- Accepting, modifying, and discharging, in whole or in part, on behalf of the District, encumbrances registered in the Land Title Office which are deemed to be satisfied, expired, concluded or no longer in effect;
- Exercise whatever additional powers and discharge for whatever additional duties and responsibilities Council from time to time may assign; and
- Under Council's direction, ensure the preparation of the Five-Year Financial Plan is undertaken as required under the *Charter*.

Schedule B'
Powers, Duties and Responsibilities – Finance Officer

Council hereby assigns to the Finance Officer responsibility for financial administration for the District of Ucluelet, including the statutory powers, duties, and functions specified in Section 149 of the *Charter*.

The Director of Finance is hereby delegated the authority to:

1. Municipal Finances

- Receive all money paid to the District;
- Ensure the keeping of all funds and securities of the District;
- Expend and disperse money in the manner authorized by Council;
- Invest revenue funds, until required, in investments as permitted under the *Charter*;
- Ensure that accurate records and full accounts of the financial affairs of the District are prepared, maintained, and kept safe; and
- Compile and supply information on the financial affairs of the District required by the Inspector of Municipalities.

2. Human Resources

- Recommend to the CAO, the appointment, promotion, discipline, and dismissal of employees within the finance department; and
- Supervise all employees within the finance department.

3. General Administration

- Supervise the operation of the finance department for the District;
- Supervise implementation of Council directives and directives of the CAO;
- Act as a contact between the finance department and other departments under the supervision of the CAO;
- Review legal advice and proceedings;
- Supervise the obtaining of insurance as deemed necessary;
- Supervise the provision of or management of insurance matters;
- Prepare and arrange for filing of any documentation necessary under the *Financial Information Act* or otherwise;
- Attend, or ensure an alternate attends meetings of Council and Committees, as required by the CAO or Council;
- Provide advice to the CAO and Council regarding any matter of a financial nature;
- Prepare the five-year financial plan, as required under the Charter;
- Maintain a 20-year tangible capital asset and financial plan; and
- Oversee and ensure the completion of the District's annual financial audit in consultation with the District's Auditors.

Schedule 'C'
Powers, Duties, and Functions of the Corporate Officer

Council hereby assigns to the Corporate Officer the responsibility for the corporate administration for the District, including the statutory powers, duties, and functions specified in Section 148 of the *Charter*.

The Corporate Officer is hereby delegated the authority to:

1. General Administration

- Ensure that accurate minutes of the meetings of the District and its committees are prepared and the minutes, bylaws, and other records of the business of the District and its committees are maintained and kept safe;
- Ensure that access is provided to records of the District and its committees, as required by law, or authorized by Council;
- Certify copies of bylaws and other documents, as required, or requested;
- Consolidate all bylaws of the District in accordance with Section 139 of the *Charter*;
- Administer oaths and taking affidavits, declarations and affidavits required to be taken under the *Charter* in relation municipal matters;
- Accept, on behalf of the District, notices and documents that are required or permitted to be given, served on, filed with, or otherwise provided to the District;
- Keep the corporate seal and having it affixed to documents as required;
- Supervise the operation of the Corporate Services department;
- Supervise implementation of Council directives and directives of the CAO; and
- Act as a contact between the Corporate Services Department and other departments, under the supervision of the CAO.

2. Human Resources

- Recommend to the CAO, the appointment, promotion, discipline, and dismissal of employees within the Corporate Services department;
- Train, mentor, and supervise all employees in the Corporate Services department;
- Attend, or ensure an alternate attend, all meetings of council and its committees for the purposes of minute taking and providing oversight of information technology systems, except where otherwise directed by the CAO or Council;
- Organize efficient and effective record-keeping for all corporate documents;
- Provide copies of any documents served on the District to the CAO and to any insurers, as appropriate; and,
- Prepare the Annual Report, as required under the *Charter* and by Council.

Schedule 'D'
Oath of Office

____ [Insert Name] _____, having been duly appointed to the Office of _____ for the District of Ucluelet, do hereby promise and swear:

I will faithfully, honestly, and impartially, to the best of my knowledge and ability, execute the powers, duties, and function of my Office;

I will treat all matters and information that comes to my attention, as a result of my Office, in confidence; I have not received, nor will I receive or accept any payment or reward, or promise of either, in return for the exercise of my powers, duties, and functions other than as permitted by the District of Ucluelet;

I will not allow my personal interests to conflict with the duties of my Office; and,

I will comply with all policies and directives of the District and comply with all laws in the execution of my duties.

Sworn before me at Ucluelet, British Columbia

This _____ day of _____, 20____.

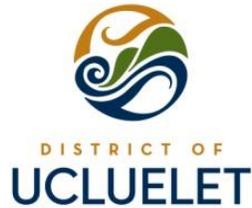
Officer/Official

Commissioner for Taking Affidavits
In the Province of British Columbia

Schedule 'E'
Salary Bands

Council hereby sets Band 1, at the time of adoption of this bylaw, at \$140,000.

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
	80%			to			110%
Band 1	100%						
Band 2	Up to 80% of Band 1						
Band 3	Up to 75% of Band 1						
Band 4	Up to 85% of Band 3						
Band 5	Up to 70% of Band 3						



REPORT TO COUNCIL

Council Meeting: Aug 16, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DONNA MONTEITH, CHIEF FINANCIAL OFFICER **FILE NO:** 3900-25

SUBJECT: RESERVES ESTABLISHMENT BYLAW NO. 1317, 2022 **REPORT NO:** 22- 116

ATTACHMENT(S): APPENDIX A - RESERVES ESTABLISHMENT BYLAW NO. 1317, 2022
APPENDIX B - RESERVES AND SURPLUS POLICY 5-1860-1

RECOMMENDATION(S):

THAT Council approve Option A, to give District of Ucluelet Reserves Establishment Bylaw No. 1317, 2022 first, second and third reading as presented.

BACKGROUND:

At the July 19, 2022 regular council meeting, Council approved Reserves and Surplus Policy No. 5-1860-1. The policy provides a framework to support and add structure to the District's financial planning activities. Formalizing reserve funds and accounts will guide the District to ensure appropriate funds are set aside to provide for grant opportunities and respond to emergencies, that district assets are maintained and replaced, and funding is available to direct towards Council's strategic objectives. In addition, the Policy will help direct the allocation of any surplus funds into various reserves based on prioritization within the pool of reserves.

[Community Charter, section 188](#) allows for the establishment of reserves by bylaw. Currently, the District has a selection of older reserves bylaws that were written under old legislation, or the purposes were not well defined. There are opportunities to combine similar reserves together and close others that are no longer required. This is also an opportunity to create official reserve accounts for those which are commonly referred to as working reserves.

The proposed Reserves Establishment Bylaw No. 1317, 2022 stipulates that the contributions to the reserve funds will be approved as part of the annual financial planning process. Recommendations will be made during the next budget process on how to gradually build up the reserve funds to their minimum levels.

ANALYSIS OF OPTIONS

A	Council give District of Ucluelet Reserves Establishment Bylaw No 1317 first, second, and third reading	<u>Pros</u>	<ul style="list-style-type: none"> Establishes and re-establishes reserve funds and accounts Aligns reserves with Council Reserves and Surplus policy 5-1860-1
		<u>Cons</u>	<ul style="list-style-type: none"> None
		<u>Implications</u>	<ul style="list-style-type: none"> Provides guidance for financial plan
B	Amend District of Ucluelet Reserves Establishment Bylaw No. 1317	<u>Pros</u>	<ul style="list-style-type: none"> Amending the bylaw ensures Council objectives are reflected Establishes and re-establishes reserve funds and accounts
		<u>Cons</u>	<ul style="list-style-type: none"> Policy 5-1860-1 may need amending
		<u>Implications</u>	<ul style="list-style-type: none"> Staff time will be required to amend the bylaw and bring it back to council for consideration.
		<u>Suggested Motion</u>	THAT Council direct staff to amend District of Ucluelet Reserves Establishment Bylaw No. 1317 by adding/removing _____, and to bring the amended District of Ucluelet Reserves Establishment Bylaw No. 1317, 2022 back to council for consideration at a future meeting.

POLICY OR LEGISLATIVE IMPACTS:

Establishment of reserve funds are within [Community Charter, section 188](#)

NEXT STEPS

- Bylaw adoption
- Recommend initial contributions to reserves from Unappropriated Surpluses
- Incorporate reserve contribution recommendations into the next budget cycle

Respectfully submitted: Donna Monteith, Chief Financial Officer
Duane Lawrence, CAO

DISTRICT OF UCLUELET
Bylaw No. 1317, 2022

A bylaw to establish and re-establish District of Ucluelet Reserve Funds and Accounts

WHEREAS the Council of the District of Ucluelet wishes to establish “District of Ucluelet Reserves Establishment Bylaw No. 1317, 2022” under the provisions of the *Community Charter section 188*.

AND WHEREAS the District of Ucluelet has a number of reserve funds established by bylaws under the authority of previous provincial legislation;

AND WHEREAS it is considered desirable to re-establish these reserve funds under the current provincial legislation;

AND WHEREAS the District of Ucluelet requires the establishment of new reserve funds and accounts;

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

PART 1 RESERVE FUNDS

1. Development Cost Charge (DCC) Reserve Funds

- 1.1. The following Development Cost Charge (DCC) Reserve funds are hereby established:
 - a) Roads DCC Reserve
 - b) Storm Water DCC Reserve
 - c) Parks DCC Reserve
 - d) Water DCC Reserve
 - e) Sewer DCC Reserve
- 1.2. Money in these funds and interest earned on them shall only be used in accordance with section 566 [use of development cost charges] of the Local Government Act.
- 1.3. The opening balances of these funds shall be the audited December 31, 2021 balances of the corresponding development cost charge funds.

2. Parkland Acquisition Reserve Fund

- 2.1. The Parkland Acquisition Reserve Fund is hereby established.
- 2.2. Monies in this fund and interest earned on it shall be used exclusively to purchase parkland.

- 2.3. The opening balance of this fund shall be the audited December 31, 2021 balance of the Park Dedication Reserve.

3. Parking Spaces and Alternative Transportation Infrastructure Reserve Fund

- 3.1. The Parking Spaces and Alternative Transportation Infrastructure Reserve Fund is hereby established.
- 3.2. Money in this fund and interest earned on it shall only be used for the purpose of providing off-street parking spaces, or transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.
- 3.3. The opening balance of this fund shall be the audited December 31, 2021 balance of the Parking Reserve Fund.

4. Land Sale Reserve Fund

- 4.1. The Land Sale Reserve Fund is hereby established.
- 4.2. Money in this fund, received from the sale of land and improvements, and interest earned on it, shall only be used for paying any debt remaining in relation to the property and for acquiring land, improvements, and other assets of a capital nature.
- 4.3. The opening balance of this fund shall be the audited December 31, 2021 balance of the Land Sale Reserve Fund.

5. Affordable Housing Reserve Fund

- 5.1. The Affordable Housing Reserve Fund is hereby established.
- 5.2. Money in this fund and interest earned on it shall only be used for, or in respect of:
 - a) capacity building, land acquisition, servicing, construction and renovation for the development and provision of affordable housing;
 - b) costs associated with the management for the provision of affordable housing units.
- 5.3. The opening balance of this fund shall be the audited December 31, 2021 balance of the Affordable Housing Reserve.

6. Barkley Community Forest Reserve Fund

- 6.1. The Barkley Community Forest Reserve Fund is hereby established.
- 6.2. Money in this fund and interest earned on it shall only be used for the purpose of funding projects or initiatives Council has determined would provide the most benefit to the community.
- 6.3. The opening balance of this fund shall be the audited December 31, 2021 balance of the Barkley Community Forest Reserve.

7. Barkley Community Forest Legacy Reserve Fund

- 7.1. The Barkley Community Forest Legacy Reserve Fund is hereby established.
- 7.2. Money in this fund and interest earned on it shall only be used for the purpose of funding community grant in aid initiatives in accordance with the District of Ucluelet Grants in Aid policy.

8. Recreation Infrastructure and Facilities Reserve Fund

- 8.1. The Recreation Infrastructure and Facilities Reserve Fund is hereby established.
- 8.2. Money in this fund and interest earned on it shall only be used for expenditures for, or in respect of, the building and furnishing of indoor or outdoor parks, trails and recreation infrastructure, facilities and amenities.
- 8.3. The opening balance of this fund shall be the audited December 31, 2021 combined balance of the Community Social Reserve Fund, and the Recreation Facilities Reserve Fund.

9. Equipment Reserve Fund

- 9.1. The Equipment Reserve Fund is hereby established.
- 9.2. Money in this fund and interest earned on it shall only be used for, or in respect of;
- a) new capital project equipment and land machinery;
 - b) equipment necessary for the extension or renewal of existing capital works;
 - c) purchase of machinery and equipment for the operation and maintenance of municipal property and for the protection of persons and property.
- 9.3. The opening balance of this fund shall be the audited December 31, 2021 balance of the Capital Works, Machinery and Equipment Reserve Fund.

10. Fire Facilities, Vehicle and Equipment Reserve Fund

- 10.1. The Fire Facilities, Vehicle and Equipment Reserve Fund is hereby established.
- 10.2. Money in this fund and interest earned on it shall only be used for the provision of fire vehicles, equipment, and facilities.
- 10.3. The opening balance of this fund shall be \$28,970.

PART 2 RESERVE ACCOUNTS

11. Financial Stabilization Reserve Account

- 11.1. The Financial Stabilization Reserve Account is hereby established.
- 11.2. Money in this account and interest earned on it shall only be used for the following purposes:
- a) For Major Emergent Operating Expenditures;

- b) For One-Time and Intermittent Projects;
- c) To Offset Unrealized Revenues.

12. Canada Community-Building Fund Reserve Account

- 12.1. The Canada Community-Building Fund Reserve Account is hereby established.
- 12.2. Money in this account and interest earned on it shall only be used for expenditures allowed for under the Community Works Fund Program guide, as amended or replaced from time to time.
- 12.3. The opening balance of this reserve account shall be the audited December 31, 2021, balance of the Community Works Fund.

13. Legal and Insurance Reserve Account

- 13.1. The Legal and Insurance Reserve Account is hereby established.
- 13.2. Money in this account and interest earned on it shall only be used to provide a source of funds for liability claims not covered under District of Ucluelet insurance policies and to offset the cost of major legal expenses or claims.

14. Information Systems Reserve Account

- 14.1. The Information Systems Reserve Account is hereby established.
- 14.2. Money in this account and interest earned on it shall only be used for information system, communication and technology projects.

15. Small Craft Harbour Reserve Account

- 15.1. The Small Craft Harbour Reserve Account is hereby established.
- 15.2. Money in this account and interest earned on it shall only be used to fund special and capital projects specifically related to District of Ucluelet owned or operated harbour infrastructure and appurtenances.
- 15.3. The opening balance of this reserve account shall be the audited December 31, 2021, balance of the Small Craft Harbour reserve account.

16. General Capital Reserve Account

- 16.1. The General Capital Reserve Account is hereby established.
- 16.2. Money in this account and interest earned on it shall only be used for:
 - a) general capital projects that are not specifically funded from other established Reserves;
 - b) early retirement of general debt, as funds permit.

17. Sewer Capital Reserve Account

- 17.1. The Sewer Capital Reserve Account is hereby established.
- 17.2. Money in this account and interest earned on it shall only be used for:

- a) sewer utility capital projects including any capital equipment and systems required for sewer operations;
 - b) early retirement of sewer debt, as funds permit.
- 17.3. The audited balance of \$56,283 from the Sewer Debt Retirement reserve at December 31, 2021 will be transferred into this account.

18. Water Capital Reserve Account

- 18.1. The Water Capital Reserve Account is hereby established.
- 18.2. Money in this account and interest earned on it shall only be used for:
- a) water utility capital projects including any capital equipment and systems required for water operations;
 - b) early retirement of water debt, as funds permit.

PART 3 GENERAL

19. Money in the reserve funds shall be accounted for separately and until required to be used may be invested in accordance with Section 183 of the *Community Charter*.
20. All expenditures of money from reserve funds shall be provided for in the annual Financial Plan, or annual Financial Plan as amended.
21. Subject to the provisions of the *Community Charter*, money in one reserve fund may, by bylaw, be transferred to another reserve fund.
22. **Administrative Provisions**

- 22.1. The following bylaws and any amendments thereto are hereby repealed:
- a) Bylaw No. 584, 1992, cited as the “Village of Ucluelet Recreation Facilities Reserve Fund Bylaw No. 584, 1992”;
 - b) Bylaw No. 1015, 2005, cited as the “Community Social Reserve Fund Bylaw No. 1015, 2005”;
 - c) Bylaw No. 1093, 2008, cited as the “Affordable Housing Reserve Fund Bylaw No. 1093, 2008”;
 - d) Bylaw No. 696, 1996, cited as “The Village of Ucluelet Capital Works, Machinery and Equipment Reserve Fund Establishment By-law No. 696, 1996”;
 - e) Bylaw No. 394, 1980, cited as “Land Sale Reserve Fund Establishing By-law No. 394, 1980”;
 - f) Bylaw No. 692, 1995, cited as “The Village of Ucluelet Park Land Reserve Fund By-law No 692, 1995”;
 - g) Bylaw No. 624, 1993, cited as “The Village of Ucluelet Parking Spaces Reserve Fund By-law No. 624, 1993”;

- h) Bylaw No. 555, 1990 cited as “Village of Ucluelet Sewer Debt Retirement Fund Establishment Bylaw”;
- i) Bylaw No. 1010, 2005, cited as “District of Ucluelet Density Bonusing Amenity Reserve Fund Bylaw No. 1010, 2005”;
- j) Bylaw No. 187, 1967, cited as “Local Improvement Fund Establishment Bylaw No. 187”;
- k) Bylaw No. 1153, 2013, cited as “Marine Debris Reserve Fund Bylaw No. 1153, 2013”.

22.2. This bylaw may be known and cited for all purposes as the “District of Ucluelet Reserves Establishment Bylaw No. 1317, 2022”.

22.3. Where there is a discrepancy between this Bylaw and any or all amendment bylaws enacted prior to this bylaw and affecting the District of Ucluelet Reserves Establishment Bylaw No. 1317, 2022, then this Bylaw shall be deemed to supersede the prior bylaw(s) in the matter of the discrepancy.

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

READ A FIRST TIME this ____ day of _____, 2022.

READ A SECOND TIME this ____ day of _____, 2022.

READ A THIRD TIME this ____ day of _____, 2022.

ADOPTED this ____ day of _____, 2022.

CERTIFIED CORRECT; "District of Ucluelet Reserves Establishment Bylaw No. 1317, 2022".

 Mayco Noël
 Mayor

 Duane Lawrence
 Corporate Officer

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

 Duane Lawrence
 Corporate Officer



POLICY NUMBER: 5-1860-1

REFERENCE:
 Reserves and Surplus Policy

ADOPTED BY:
 Council

AMENDED DATE:
 N/A

SUPERSEDES:
 New

DEPARTMENT:
 Finance

EFFECTIVE DATE:
 July 19, 2022

POLICY STATEMENT

This Reserve and Surplus Policy has been developed to provide a guideline and direction for the establishment and maintenance of Reserves, Unappropriated Surplus and Appropriations of Surplus, and the use of Reserves and Appropriations of Surplus in meeting the short-term and long-term financial goals of the District. Its aim is to maintain a level of financial resources sufficient to protect against reducing service levels or raising taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures.

SECTION 1 - OBJECTIVES AND GUIDING PRINCIPLES

Objectives

The District's objectives in terms of its various reserves and surpluses are set out in this Reserve and Surplus Policy (Policy). By reaching a clear understanding of its reserve and surplus objectives, and by continually measuring progress towards achieving those objectives, the District can attain greater fiscal stability and prosperity.

Guiding Principles

The following principles form the basis for this Policy:

- Healthy reserve/surplus levels are important in achieving community goals including financial health and stability;
- The District will be proactive in terms of financial health and stability;
- Reserve/surplus goals need to be consistent with and supportive of realistic longer-term financial plans;



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- Reserve/surplus goals need to be in alignment with the long term capital asset plan;
- To ensure the municipality has the ability to leverage funding against grant opportunities to meet the capital and operation goals of the municipality;
- To limit borrowing for infrastructure replacement;
- Actual reserve/surplus balances can be benchmarked with other jurisdictions and with pre-determined targets on an ongoing basis to gauge whether financial health is being achieved;
- Reserve/surplus appropriations need to conform to the statutory/legal requirements of the *Local Government Act* and the *Community Charter*, generally accepted accounting principles (GAAP) and public sector accounting board (PSAB) recommendations.

SECTION 2 - STATUTORY RESERVE FUNDS

Pursuant to subsection 188 (2) of the *Community Charter*, Council must establish certain Reserve Funds, if funds are received from specific sources. These Reserve Funds are termed by the District to be Statutory Reserve Funds and are as indicated below.

Development Cost Charge (DCC) Reserve Funds

Per subsection 188 (2) (a) of the *Community Charter*, separate Reserves need to be established for DCC collections and use, under section 566 of the *Local Government Act*. The following DCC Reserves have been established for the purpose so identified in the associated DCC bylaws and are as follows:

- Roads DCC Reserve
- Storm Water DCC Reserve
- Parks DCC Reserve
- Water DCC Reserve
- Sewer DCC Reserve

Parkland Acquisition Reserve Fund

Per subsection 188 (2) (b) of the *Community Charter*, funds received from the sale or disposal of parkland as well as funds received pursuant to section 510 (14) of the *Local Government Act* (parkland funds received upon subdivision) must be set aside in a Reserve and be used exclusively to purchase parkland. The Parkland Acquisition Reserve has been established for accumulating and expending monies as per this requirement.

Parking Spaces and Alternative Transportation Infrastructure Reserve Fund

Per subsection 188 (2) (d) of the *Community Charter*, money received under section 525 (2) [parking space requirements] of the *Local Government Act*, must be placed to the credit of a reserve fund for the purpose of providing off-street parking spaces, or transportation



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infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.

Land Sale Reserve Fund

Per subsection 188 (2) (e) of the *Community Charter*, except for tax sale proceeds, funds received from the sale of land and improvements must be set aside for paying any debt remaining in relation to the property and for acquiring land, improvements and other assets of a capital nature. The Land Sale Reserve has been established for accumulating and expending monies as per this requirement.

SECTION 3 - NON-STATUTORY RESERVE FUNDS

Pursuant to subsection 188 (1) of the *Community Charter*, Council may, by bylaw, establish a reserve fund for a specified purpose and direct that money be placed to the credit of the reserve fund. The following reserve funds will be established under this legislation for the purpose(s) indicated:

Affordable Housing Reserve Fund

The Affordable Housing Reserve has been established to accumulate funds for capacity building, land acquisition, construction, renovation, and operational expenses required for the provision of affordable housing.

Barkley Community Forest Reserve Fund

The Barkley Community Forest Reserve has been established for the purpose of funding projects or initiatives Council has determined would provide the most benefit to the community.

Barkley Community Forest Legacy Reserve Fund

The Barkley Community Forest Legacy Reserve has been established to fund community grant in aid initiatives in accordance with the District of Ucluelet Grants in Aid policy. Expenditures shall be limited to the total annual interest received resulting from the investment of the Barkley Community Forest Funds. Any interest not expended through grants in aid shall be reinvested within the fund.

Recreation Infrastructure and Facilities Reserve Fund

The Recreation Infrastructure and Facilities Reserve Fund has been established and shall only be used for expenditures for, or in respect of, the building and furnishing recreation infrastructure, facilities and amenities.

Equipment Reserve Fund

The Equipment Reserve Fund has been established for, or in respect of, capital projects and land machinery, or equipment necessary including the extension or renewal of existing capital works. Further allowable purchases include the purchase of machinery and equipment for the maintenance of municipal property and for the protection of persons and property.



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Fire Facilities, Vehicle and Equipment Reserve Fund

The Fire Facilities, Vehicle and Equipment Reserve Fund has been established for the provision of fire vehicles, equipment, facilities.

SECTION 4 - OPERATING AND CAPITAL RESERVE ACCOUNTS

The following reserve accounts will be established for the purpose(s) indicated below by resolution or bylaw, as applicable:

Financial Stabilization Reserve Account

The Financial Stabilization Reserve has been established for the following purposes:

For Major Emergent Operating Issues - the District is exposed to major non- reoccurring costs related to various emergency events or situations, e.g. severe weather, environmental hazards, etc. These emergent situations cannot be anticipated and budgeted for and it is not feasible to absorb the cost of such events in other budget areas in any given year.

For One-Time and Intermittent Projects - the District undertakes certain one- time and/or intermittent projects that are larger in terms of costs. If these projects were funded from property taxation, annual spikes and subsequent declines in taxation would result; therefore, it is not prudent to fund these projects from on- going property taxation revenue.

To Offset Unrealized Revenues - some of the District's revenue sources, e.g. development fees, building permits, and subdivision inspection fees, are cyclical in nature and thus are subject to downturns in the economy. The District tries to anticipate economic downturns by budgeting for a base dollar amount of these revenues in its general operations. Despite its best efforts, the District is exposed to the possibility of unrealized revenues and/or declines in base revenues from year to year. One cannot always count on budgetary savings or other revenues to always offset these shortfalls.

Canada Community-Building Works Gas Tax Reserve Account

The Canada Community-Building Fund Reserve has been established to account for funds received and used pursuant to the Community Works Fund Program. Funds in this reserve will be used for expenditures allowed for under the Community Works Fund Program guide.

Legal and Insurance Reserve Account

The Legal and Insurance Reserve Fund has been established to provide a source of funds for liability claims not covered under our insurance policies and to offset the cost of major legal expenses or claims, of which the magnitude and timing is often indeterminable.

**Information Systems Reserve Account**

The Information Systems Reserve has been established for information system and technology projects including communications systems, which are capital in nature. Technology can change rapidly within the information systems area and often comes at a large cost. This reserve is needed to keep pace with technology and to take advantage of technological improvement/efficiency opportunities.

Small Craft Harbour Reserve Account

The Small Craft Harbour Reserve has been established to fund special and capital projects specifically related to District owned or operated harbour infrastructure and appurtenances.

General Capital Reserve Account

The General Capital Reserve has been established to fund general capital projects that are not specifically funded from other established Reserves. Capital projects that will be funded from this reserve are budgeted within the District's long-term capital plan. This reserve may be used for early retirement of general debt, as funds permit.

Sewer Capital Reserve Account

The Sewer Capital Reserve has been established for sewer utility capital projects including any capital equipment/systems required for sewer operations. This reserve may be used for early retirement of sewer debt, as funds permit.

Water Capital Reserve Account

The Water Capital Reserve Fund has been established for water utility capital projects including any capital equipment/systems required for water operations. This reserve may be used for early retirement of water debt, as funds permit.

SECTION 5 - UNAPPROPRIATED SURPLUSES

The District needs to maintain Unappropriated Surplus balances in its three operating funds (the General Operating Fund, the Sewer Operating Fund, and the Water Operating Fund), for working capital purposes, i.e. to provide for operating expenditures before property taxes and/or user fees are collected. Maintaining minimum working capital levels eliminates or reduces the need to borrow externally and/or internally for operations.

The District may also require emergency funds from time to time, from any one of its Unappropriated Surplus balances, for unforeseen costs. When this occurs the District needs to rely upon sufficient balances being available in the applicable Unappropriated Surplus area (general operating, water or sewer).

**SECTION 6 - ADMINISTRATION****Reserve Contributions**

Annual and/or periodic contributions to Reserve Funds shall be specific to each Reserve, as approved by Council through the District's annual financial planning/budgeting process.

Minimum Reserve Balances

Minimum fund balance guidelines have been set for some of the District's Operating and Capital Reserves Funds, Unappropriated Surpluses and Statutory Reserve Funds as shown in attached Appendix "A". The source(s) of funding applicable to each Fund are also shown in this Appendix. The minimum balances ensure that the respective balances are not depleted to the degree that those balances are no longer able to serve their intended purpose(s). A review of actual, minimum fund balances shall be undertaken annually within the financial plan process, thus allowing the District to work within the guiding principles of this policy.

Internal Borrowing

Internal borrowing from specific Reserve Funds, Unappropriated Surplus and Statutory Reserve Fund balances shall be permissible as allowed for by legislation, if a clearly defined and attainable payback plan, including payment of foregone interest, is in place, as internal borrowing allows for more flexibility in terms of payback amounts and loan duration than that of external borrowing. Paybacks shall be executed according to plan.

Responsibilities

The District's Financial Officer shall be responsible for:

- Recommending the necessary contributions and transfers so that the District's Operating/Capital Reserve Funds, Unappropriated Surpluses and Statutory Reserve Funds are maintained in accordance with this Policy;
- Conducting an annual review of all Operating/Capital Reserve Funds, Unappropriated Surplus and Statutory Reserve Fund balances and reporting the results of such a review to Council;
- Recommending changes to the minimum balance guidelines shown in this Policy; and,
- Recommending any revisions or amendments to this Policy, as may be required from time to time, as a result of changes in applicable statutes, accounting standards, economic conditions, etc.

Interest

Reserves Funds, Accounts and Statutory Reserve Funds shall be paid and allocated interest based on average annual balances and the District's average rate of return on investments.

Departmental Surpluses



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The District will not generally set aside specific departmental surpluses achieved in a particular year by a department for the use of the department that generated the surplus, as the District operates as an overall corporate body whereby the overall operating surplus is allocated on the basis of the greatest need(s) within the organization. Departmental surpluses in any year may also be needed to offset other departmental deficits, so that the overall organization remains in a surplus position. However, funds may be set aside as Restricted Surplus to complete certain priority departmental projects in the following year (see Section 5 above). Exceptions to departmental surpluses are water, sewer, small craft harbour, and the Alberni-Clayoquot Regional District's portion of the fire department contribution.

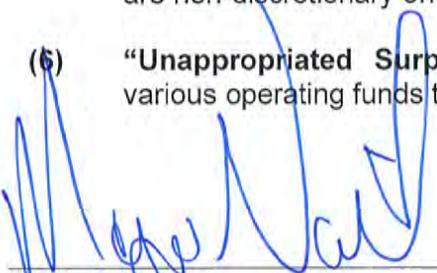
Guide and Transition

The minimum fund balance guidelines shown in this Policy serve as a guide in moving the District towards the goals or targets it wishes to attain, in terms of individual fund balances. It is recognized that most of the District's fund balances are not at the minimum levels at the time of enacting this Policy, however, the District is transitioning towards its targets.

DEFINITIONS:

The following terms used in this Policy and are defined as follows:

- (1) **"Accumulated Surplus"** means the accumulated excess of revenues over expenditures from prior years which has not been set aside for specific purposes.
- (2) **"Annual Surplus"** means the accumulated excess of revenues over expenditures for the current year.
- (3) **"Reserve Funds"** means funds that are set aside for a specified purpose by Council pursuant to subsection 188 (1) of the *Community Charter*. These reserves are established via District bylaws and are discretionary on the part of Council.
- (4) **"Reserves"** means all the District's Reserve Funds and Statutory Reserve Funds.
- (5) **"Statutory Reserve Funds"** means funds set aside for specified purposes as required by and pursuant to specific legislation. These Reserves are established via District bylaws and are non-discretionary on the part of Council.
- (6) **"Unappropriated Surplus"** means the accumulated surplus built up in the District's various operating funds that has not been designated for specific uses.



 Mayor Noël
 District of Ucluelet

**District of Ucluelet – Reserve and Surplus Policy
Appendix “A” – Reserve/Surplus Summary**

Fund(s)	Funding Source(s)	Minimum \$ Level
STATUTORY RESERVE FUNDS		
Development Cost Charge (DCC) Reserves	<ul style="list-style-type: none"> ▪ DCC collections and credits. ▪ Interest earned on existing funds 	N/A
Parkland Acquisition Reserve	<ul style="list-style-type: none"> ▪ Funds received from the sale of park lands ▪ Developer cash contributions ▪ Interest earned on existing funds 	N/A
Parking Spaces and Alternative Transportation Infrastructure Reserve	<ul style="list-style-type: none"> ▪ As an alternative to complying with a requirement to provide off street parking, an owner/occupier may make payment to the Municipality. LGA section 525 (1) (d) ▪ Interest earned on existing funds 	N/A
Land Sale Reserve	<ul style="list-style-type: none"> ▪ Funds received from the sale of land and improvements. ▪ Interest earned on existing funds 	N/A

**District of Ucluelet – Reserve and Surplus Policy
Appendix “A” – Reserve/Surplus Summary (cont'd)**

Fund(s)	Funding Source(s)	Minimum \$ Level
NON-STATUTORY RESERVE FUNDS		
Affordable Housing Reserve	<ul style="list-style-type: none"> ▪ Online Accommodation Platform (OAP) funds received through the Municipal and Regional District Tax program ▪ Annual budgeted allocations from general operating fund (property taxation) ▪ Interest earned on existing funds 	\$50,000
Barkley Community Forest Reserve	<ul style="list-style-type: none"> ▪ Dividends received from the Barkley Community Forest Corporation ▪ Interest earned on existing funds 	N/A
Barkley Community Forest Legacy Reserve	<ul style="list-style-type: none"> ▪ Interest earned on Barkley Community Forest Legacy investment 	<i>Minimum principal amount required in order to earn enough interest to coincide with the Grant in Aid annual budget</i>
Recreation and Community Facilities Reserve	<ul style="list-style-type: none"> ▪ Annual budgeted allocations from general operating fund (property taxation) ▪ Interest earned on existing funds 	<i>(To be determined during Long Term Financial Planning & Capital Planning process) Fully funded capital infrastructure program, based on projected replacement costs for all recreation assets</i>

Fund(s)	Funding Source(s)	Minimum \$ Level
NON-STATUTORY RESERVE FUNDS (cont)		
Equipment Reserve	<ul style="list-style-type: none"> ▪ Annual budgeted allocations from general operating fund (property taxation) ▪ Interest earned on existing funds 	<p><i>(To be determined during Long Term Financial Planning & Capital Planning process)</i></p> <p><i>Fully funded capital infrastructure program, based on projected replacement costs for all fleet, machinery, and equipment assets</i></p>
Fire Facilities, Vehicle, and Equipment Reserve	<ul style="list-style-type: none"> ▪ Annual budgeted allocations from general operating fund (property taxation) ▪ Interest earned on existing funds 	<p><i>(To be determined during Long Term Financial Planning & Capital Planning process)</i></p> <p><i>Fully funded capital infrastructure program, based on projected replacement costs for fire related facilities, vehicles, and equipment assets</i></p>

District of Ucluelet - Reserve and Surplus Policy Appendix "A" – Reserve/Surplus Summary (cont'd)

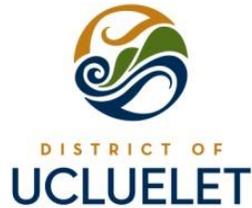
Account(s)	Funding Source(s)	Minimum \$ Level
OPERATING AND CAPITAL RESERVE ACCOUNTS		
Financial Stabilization Reserve	<ul style="list-style-type: none"> ▪ Annual allocation from general operating budget as provided for in financial plan 	1%-2.5% of General Operating Fund revenues
Canada Community-Building Reserve Account	<ul style="list-style-type: none"> ▪ Canada Community-Building Fund distributed by the Union of BC Municipalities (UBCM) 	N/A
General Litigation Reserve	<ul style="list-style-type: none"> ▪ All claim settlements received by the District ▪ Additional budgeted allocations from general operating fund (property taxation), sewer operating fund, water operating fund, if required 	\$50,000-\$200,000
Information Systems Reserve	<ul style="list-style-type: none"> ▪ Annual budgeted allocations from general operating fund (property taxation). 	\$50,000- \$100,000

Page 310 of 356
District of Ucluelet - Reserve and Surplus Policy Appendix "A" – Reserve/Surplus Summary (cont'd)

Account(s)	Funding Source(s)	Minimum \$ Level
OPERATING AND CAPITAL RESERVE ACCOUNTS (cont'd)		
Small Craft Harbour Reserve	<ul style="list-style-type: none"> ▪ Excess Small Craft Harbour revenues over expenditures and transfers at the end of each fiscal year. ▪ Interest earned on existing funds 	\$50,000-\$100,000
General Capital Reserve	<ul style="list-style-type: none"> ▪ Annual budgeted allocation from General Operating Fund (property taxation). ▪ Interest earned on existing funds 	<p><i>(To be determined during Long Term Financial Planning & Capital Planning process)</i></p> <p>Fully funded capital infrastructure replacement program, based on projected costs for all assets.</p>
Sewer Capital Reserve	<ul style="list-style-type: none"> ▪ Net revenue/expense transfer available from sewer operations less any budgeted amounts transferred to sewer operating surplus and/or other reserves. ▪ Interest earned on existing funds 	<p><i>(To be determined during Long Term Financial Planning & Capital Planning process)</i></p> <p>Fully funded sewer capital program, based on capital plan.</p>
Water Capital Reserve	<ul style="list-style-type: none"> ▪ Net revenue/expense transfer available from water operations less any budgeted amounts transferred to water operating surplus and/or other reserves. ▪ Interest earned on existing funds 	<p><i>(To be determined during Long Term Financial Planning & Capital Planning process)</i></p> <p>Fully funded water capital program, based on existing capital plan.</p>

**District of Ucluelet - Reserve and Surplus Policy
Appendix "A" – Reserve/Surplus Summary (cont'd)**

UNAPPROPRIATED SURPLUSES		
Fund(s)	Funding Source(s)	Minimum \$Level
General Operating	<ul style="list-style-type: none"> ▪ Any excess general operating fund revenues over expenditures and transfers at the end of each fiscal year. 	Minimum: two to four months of general fund operating expenditures.
Sewer Operating	<ul style="list-style-type: none"> ▪ Any excess sewer operating fund over expenditures and transfers at the end of each fiscal year. 	Minimum: two to four months of sewer fund operating expenditures.
Water Operating	<ul style="list-style-type: none"> ▪ Any excess water operating fund revenues over expenditures and transfers at the end of each fiscal year. 	Minimum: two to four months of water fund operating expenditures.



REPORT TO COUNCIL

Council Meeting: August 16, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DONNA MONTEITH, CHIEF FINANCIAL OFFICER **FILE NO:** 3900-25
SUBJECT: FEES AND CHARGES AMENDMENT BYLAW NO. 1316, 2022 **REPORT NO:** 22- 125
ATTACHMENT(S): APPENDIX A - FEES AND CHARGES AMENDMENT BYLAW NO. 1316, 2022

RECOMMENDATION(S):

THAT Council approve Option A, to give District of Ucluelet Fees and Charges Amendment Bylaw No 1316, 2022 first, second, and third reading; and,

THAT Council direct staff to publish notice on the District website and in 2 issues of the Westerly news of the proposed District of Ucluelet Fees and Charges Amendment Bylaw No 1316, 2022, and provide an opportunity for the public to make written representations or verbal comments to Council prior to adoption of the bylaw.

BACKGROUND:

Each year in accordance with [Community Charter S. 165](#), Municipalities are required to adopt a Five-Year Financial Plan complete with objectives and policies regarding funding sources. The District adopted the District of Ucluelet 2021 – 2025 Financial Plan Bylaw No. 1289, 2021 on April 27, 2021, using the following objectives in relation to Sales of Services:

- a) The District will review fees and charges regularly to maximize recovery of the cost of service delivery;
- b) The District will actively pursue alternative revenue sources to help minimize property taxes;
- c) The District will consider market rates and charges levied by other public and private organizations for similar services in establishing rates, fees and charges;

Staff have undertaken a review of Building Inspection, Fireworks and Business Licence fees. Some language has been modernized throughout.

Building Inspection – Schedule C

The recommended changes to the Building Inspection fees include the addition of:

- Non-refundable processing fee, to be deducted from the total fees of an approved application;
- After hours inspection fee;
- Solid fuel burning appliance permit fee; and
- A \$1 increase for the proposed value of work for each \$1,000 or fraction thereof over \$1,000.

Further, the re-inspection fee will be increased to \$75, and demolition permits will be set at \$120.

Fireworks Fees – Schedule G

The recommended changes to the Fireworks fees include adding a fireworks event permit application fee of \$150 and deleting the rest. The changes are in alignment with the proposed District of Ucluelet Fireworks Regulation Bylaw No. 1302, 2022.

Business Licencing Fees – Schedule P

A Committee of the Whole was held in relation to reviewing Business Licence fees during the August 2, 2022 Special Council Meeting. Staff explained that the cost of administering and providing oversight in business licenses has increased without a corresponding increase in the licence fee since 2016. The Committee directed staff to introduce an amendment bylaw to Council that:

- Increase business licence fees, excluding B&B's., guesthouses, and vacation rentals, by 18% effective May 1, 2023
- Include an 2% annual increase to business licence fees effective May 1, 2024

Further, staff and the Committee discussed the impacts of short-term tourist accommodation such as B&B's, guesthouses, and vacation rentals occurring largely in residential areas. The Committee directed staff to introduce an amendment bylaw to Council that:

- Increase the short-term tourist accommodation business licence fees for these types of businesses to \$450/yr plus \$125 for each additional room, effective 2023.

The Committee then directed staff to prepare the amendments to the Business Licence fees prior to the election.

ANALYSIS OF OPTIONS

A	Council give Fees & Charges Amendment Bylaw No 1316, 2022 1-3 reading	<u>Pros</u>	<ul style="list-style-type: none"> • Increased fees address the rate of inflation accumulated since 2016 • Amended bylaw provides a built-in inflationary rate effective 2024 • Addresses some of the extra costs of administering, oversight, enforcement for certain tourist accommodations
		<u>Cons</u>	<ul style="list-style-type: none"> • Potential for negative feedback from business owners
		<u>Implications</u>	<ul style="list-style-type: none"> • The majority of licence holders will see a \$27 increase in 2023 • Short term rentals in category B-1 will see an increase in the base rate from \$150 to \$450/yr, plus \$125/unit for each additional room
B	Council give Fees & Charges Bylaw Amendment No 1316, 2022 1-3	<u>Pros</u>	<ul style="list-style-type: none"> • Amending the Bylaw ensures Council objectives are reflected
		<u>Cons</u>	<ul style="list-style-type: none"> • If there are substantial changes to the Bylaw which require a delay to giving first three readings, amending the bylaw may require a delay until after the election.
		<u>Implications</u>	<ul style="list-style-type: none"> • Staff time to amend the bylaw and bring it back to council for consideration, if required.

	reading as amended	<u>Suggested Motion</u>	<p>THAT Council direct staff to amend District of Ucluelet Fees and Charges Amendment Bylaw No. 1316 by adding/removing _____ to schedule ____; and,</p> <p>THAT Council give first, second and third reading to District of Ucluelet Fees and Charges Amendment Bylaw No. 1316, as amended.</p>
C	Council does not make a motion	<u>Pros</u>	<ul style="list-style-type: none"> n/a
		<u>Cons</u>	<ul style="list-style-type: none"> Costs will continue to out pace business licence revenues
		<u>Implications</u>	<ul style="list-style-type: none"> District may lose the full capacity to provide oversight and enforcement of business licensing
		<u>Suggested Motion</u>	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

- [Community Charter S. 194](#)
- Amended Schedules “C” Building Inspection, and “G” Fireworks, will become effective upon adoption of this bylaw. Schedule “P” Business Licences will be effective May 1, 2023.

NEXT STEPS

- Notice to the public prior to adoption
- Council to consider adoption at the September 6, 2022, Special Council Meeting.

Respectfully submitted: Donna Monteith, Chief Financial Officer
 Duane Lawrence, CAO

DISTRICT OF UCLUELET**Bylaw No. 1316, 2022**

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

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

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

Citation

1. This bylaw may be known and cited for all purposes as the “District of Ucluelet Fees and Charges Amendment Bylaw No. 1316, 2022”.

Application

2. Where there is a discrepancy between this Bylaw and any or all amendment bylaws enacted prior to this bylaw and affecting the District of Ucluelet Fees and Charges Bylaw No. 1186, 2016, then this Bylaw shall be deemed to supersede the prior bylaw(s) in the matter of the discrepancy.

Amendments

3. District of Ucluelet Fees and Charges Bylaw No. 1186, 2016 is hereby amended by:
 - a. Deleting “Schedule ‘C’ Building Inspection” in its entirety and replacing it with “Schedule ‘C’ Building Inspection – 2022” as attached to and forming part of this Bylaw.
 - b. Deleting “Schedule ‘G’ Fireworks” in its entirety and replacing it with “Schedule ‘G’ Fireworks – 2022” as attached to and forming part of this Bylaw.
 - c. Deleting “Schedule ‘P’ Business Licences” in its entirety and replacing it with “Schedule ‘P’ Business Licences – 2022” as attached to and forming part of this Bylaw.

Severability

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

READ A FIRST TIME this ____ day of _____, 2022

READ A SECOND TIME this ____ day of _____, 2022

READ A THIRD TIME this ____ day of _____, 2022

ADOPTED this ____ day of _____, 2022

CERTIFIED CORRECT; "District of Ucluelet Fees and Charges Amendment Bylaw No. 1316, 2022".

Mayco Noël
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

Schedule 'C' Building Inspection – 2022

BUILDING PERMIT FEES	Fees	Plus GST
Processing Fee	\$120.00	No
Non-refundable, due at the time of application. To be deducted from the total fees of an approved application.		
Damage Deposit (held for damage of District property)	\$1,000.00	No
A damage deposit fee is required in accordance with Section 18.2 of Bylaw 1165, 2014 and payment must be provided at the time the Building Permit fee is paid.		
The fees payable for a permit for construction, addition, extension, alteration and repair of any building or any other work requiring a permit and not specifically listed here shall be as follows:		
Proposed Value of Work: Up to a value of \$1,000	\$100.00	No
Plus For each \$1,000 or fraction thereof	\$9.00	No
Where the District relies under Section 11 of Bylaw No. 1165, 2014 on Professional Plan Certification in issuing a Building Permit, the fees payable for a Building Permit shall be reduced in accordance with Section 11.4 of Bylaw No. 1165, 2014.		
When a permit is issued pursuant to this bylaw, but construction has not commenced, 75% of the permit fee may be refunded to the applicant upon application for the cancellation of the permit, provided no refund in the amount of less than \$25.00 shall be made.		
Plus fee for total value of works to rehabilitate the structure in accordance with "Valuation" section of this Schedule.		
Re-inspection fee	\$75.00	No
After hours inspection fee	\$75.00 / hour or portion thereof	No
Excavation permit only	\$50.00	No
Demolition Permit	\$120.00	No
Building moving fee	\$200.00	No
Plus fee for total value of works to rehabilitate the structure in accordance with "Building Permit Fees"		
Extension of permits with a construction value of \$50,000.00 or less	\$50.00	No
Extension of building permits with a construction value greater than \$50,000.00.	\$100.00	No
Plan checking fee	\$130.00 for the first hour, \$65.00 per hour after	No
Solid fuel burning appliance permit fee	\$120.00	No

Schedule 'C' Building Inspection – 2022 (Continued)**VALUATION**

Single Family Dwelling, duplexes, town homes, and low-rise multi family buildings.

The estimated value of the proposed work is the estimated value of construction as determined in accordance with the Marshall & Swift, “Marshall & Swift Valuation Service” or “Residential Cost Handbook”, as applicable and as amended from time to time, using “average” quality of construction.	
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Other Construction

Commercial Buildings (owner built) – the estimated value of the proposed work is the estimated value of construction as determined in accordance with the Marshall & Swift, “Marshall & Swift Valuation Service” or “Residential Cost Handbook”, as applicable and as amended from time to time, using “average” quality of construction.	
Commercial Buildings, renovations, additions and all other construction	Contract Value No
Pools (including required fencing)	Contract Value No

Schedule 'G' Fireworks - 2022

FIREWORKS FEES	Fees	Plus GST
Fireworks Event Permit Fee	\$150.00	No

Schedule 'P' Business Licences - 2022

New Application Fee \$35 (non refundable)

Business Licensing Fees shall increase by 2% annually on the 1st of May, effective 2024.

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

A-1	Apartment Houses	From any person carrying on the business of renting dwellings on a monthly or lease basis <i>Dwelling means a set of rooms in a building used for a residential purpose occupied exclusively, unless other use expressly permitted in the designated zone, as a permanent domicile by one or more persons.</i>	\$177.00 Plus \$5.90 per available dwelling
A-1	Condominiums	From any person carrying on the business of renting dwellings on a monthly or lease basis <i>Dwelling means a set of rooms in a building used for a residential purpose occupied exclusively, unless other use expressly permitted in the designated zone, as a permanent domicile by one or more persons.</i>	\$177.00 Plus \$5.90 per available dwelling
A-1	Trailer/Mobile Home Parks	From any person carrying on the business of renting permanent spaces for trailers or mobile homes	\$177.00 Plus \$5.90 per available pad

B TOURIST COMMERCIAL - Accommodation

B-1	Bed & Breakfast	From any person carrying on the business of offering bed & breakfast accommodation <i>This means the accessory use of a single-family dwelling where up to a maximum of three (3) bedrooms are used or designated for use as guest rooms, provided in accordance with Section 404 of the District of Ucluelet Zoning Bylaw No 1160, 2013, as amended from time to time.</i>	\$450.00 For one (1) room, plus \$125 per each additional available room
B-1	Guesthouse	From any person carrying on the business of offering Guesthouse Accommodations	\$450.00 For one (1) room or cabin, plus \$125.00 per each additional available room or cabin

Schedule 'P' Business Licences - 2022 (Continued)**B TOURIST COMMERCIAL - Accommodation (Continued)**

B-1	Vacation Rentals	From any person carrying on the business of offering vacation rentals to transient travellers or vacationers	\$450.00 For first unit, plus \$125.00 each additional available unit
B-1c	Resort Condominium	From any person carrying on the business of offering Resort Condominium rentals to transient travellers and/or vacationers	\$177.00 For first unit, plus \$88.50 each additional available unit
B-1d	Hotel	From any person carrying on the business of offering hotel accommodation	\$177.00 Plus \$11.80 per available room
B-1e	Motel	From any person carrying on the business of offering motel accommodation	\$177.00 Plus \$11.80 per available room
B-1f	Hostel	From any person carrying on the business of offering Hostel accommodations	\$177.00 Plus \$11.80 per available bed
B-1g	Campground	From any person carrying on the business of renting campground spaces to transient travellers or vacationers <i>Can include tents, campers and motorized recreational vehicles</i>	\$177.00 Plus \$5.90 per available site

B TOURIST COMMERCIAL - Charter Operations

B-2	Charter Operations	From any person carrying on the business of marine, air or land charters, scenic tours, fishing charters, whale watching, diving, back road adventures whether by boat or other form of transportation, and all like businesses not hereinbefore listed.	\$177.00 Plus \$88.50 per boat or vehicle
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Schedule 'P' Business Licences – 2022 (Continued)**B TOURIST COMMERCIAL - Ticket/Booking Agents**

B-3	Travel Agency or Booking Agency	From any person carrying on the business of a travel agency or booking or ticket agency	\$177.00 For first agent, plus \$88.50 for each additional agent
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C PROFESSIONAL/CONTRACTOR SERVICES - Professional Services

C-1	Professional Services	From any person carrying on, maintaining, owning or operating any business, trade, occupation, profession, calling, undertaking or things and all like classifications not listed below: <i>Appraiser, Architect, Art & Crafts Teacher, Dental Mechanic/Technician, Chiropractor, Chartered Accountant, Barrister & Solicitor, Dentist/Dental Surgeon, Engineer, General Accountant, General Finance, Insurance Agent/Salesperson, Land Surveyor, Medical Specialist, Mortgage Broker, Notary Public, Pharmacist, Physician or Surgeon, Physiotherapist, Real Estate Agent, Veterinarian, Forest Engineer/Consultant, Laboratory, Registered Massage Therapist, Consultant Service, Barbers/Hairdressers, Bookkeeping Services, Chimney Sweep, Diving Service, Family Day-care, Graphic Arts, Janitorial Services, Commercial Kennel, Laundromat, Music/Dance/Language Teachers, Laundry/Dry Cleaning, Office Services, Pest Control, Photographic Development, TV/Small Electrical Repairs, Business Offices, Storage Service/Warehouse, Property Management, Exercise/Fitness Instructor, General Contractor, Garbage Collection & Sanitary Service, Radio Broadcasting, Day-care Provider, Other Professional Services not listed in this section.</i>	\$177.00 For first professional / consultant, plus \$88.50 for each additional professional / consultant
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C PROFESSIONAL/CONTRACTOR SERVICES - Financial Services

C-2	Bank or Financial Institution	From any person carrying on the business of a banker	\$354.00
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Schedule 'P' Business Licences – 2022 (Continued)**C PROFESSIONAL/CONTRACTOR SERVICES - Sub Contractors**

C-3	Sub Contractors	From any person carrying on, maintaining, owning or operating any business, trade, occupation, profession, calling, undertaking or things and all like classifications not listed below: <i>Concrete/Paving/Asphalt, Drywall, Electrical, Excavations/Land Fill, Floor/Wall, Coverings, Trucking, Framing/Roofing, Glazing, Heating/Ventilation, Landscaper, Other Sub Contractor not listed in this section</i>	\$177.00
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D TRANSPORTATION - Miscellaneous

D-1	Transportation Services	From any business carrying on the business of providing the transportation services listed below. <i>Air Carrier, Bus Service, Car Rental, Freight company, Taxi, Vehicle Towing, Vehicle Commercial Parking, Bicycle Rental, Scooter Rental, Other Transportation businesses not listed in this section</i>	\$177.00
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D TRANSPORTATION - Marine

D-2	Marine Transportation Services	From any business carrying on the business of providing the marine transportation services listed below. <i>Boat Marina, Marine Equipment Sales/Service, Boat Ramp, Boat Rentals, Kayak Rentals, Boat Sales & Service, Divers, Mobile Marine Repairs, Marine Towing, Marine Fuel Sales, Tug & Barge Transportation, Other Marine Transportation businesses not listed in this section</i>	\$177.00 Marina - Plus \$5.90 per available slip
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D TRANSPORTATION - Motor Vehicle/Equipment/Machinery Related Businesses

D-3	Motor Vehicle / Equipment / Machinery Related Businesses	From any person carrying on motor vehicle/equipment/machinery related businesses <i>Motor Vehicle Repair, Fuel Service Station, Small Machinery & Equipment Dealer, Mobile Welding, Auto Body & Painting, Car Wash, Other Motor Vehicle/Equipment/Machinery Related Businesses not listed in this section</i>	\$212.40
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Schedule 'P' Business Licences – 2022 (Continued)**E FOOD/BEVERAGE SERVICES**

E-1	Licensed Full Service Establishment	From any person carrying on the business of a restaurant, bistro, café, or other establishment where food and beverages are served to the public for consumption on the premises and licensed under the <i>Provincial Liquor Control and Licensing Act</i>	\$354.00
E-2	Non-Licensed Full Service Establishment	From any person carrying on the business of a restaurant, bistro, café, or other establishment where food and/or beverages are served to the public primarily for consumption on the premises, and the business is not licensed under the <i>Provincial Liquor Control and Licensing Act</i>	\$177.00
E-3	Liquor Outlet	From any person carrying on the business of a dance hall, cabaret, brew pub, marine pub, neighbourhood pub, lounge, or other establishment, where providing and serving primarily alcohol to the public for consumption on the premises and is licensed under the <i>Provincial Liquor Control and Licensing Act</i>	\$424.80
E-4	Catering or Food and/or Beverage Preparation Services	From any person carrying on the business of Catering or Food or Beverage Preparation Services where food and/or beverages are not served to the public primarily for consumption on the premises.	\$177.00
E-5	U-Brew, U-Vin, Licensed Liquor Store	From any person carrying on the business of a U-Brew, U-Vin or licensed private or public liquor store.	\$212.40

F COMMERCIAL RETAIL AND/OR WHOLESALE

	Retail / Wholesale	From any business that sells, rents, or offers for sale, whether as a retailer or wholesaler, any goods, wares, merchandise or service not otherwise specifically provided for herein.	
F-1	Utilizing floor space $\leq 139 \text{ m}^2$	<i>Art Gallery/Framing, Books, Bakery, Convenience Store, Clothing, Drugstore/Pharmacy, Delicatessen,</i>	\$212.40
F-2	Utilizing floor space $> 139 \text{ m}^2$ but $< 325 \text{ m}^2$	<i>Small Appliances, Dry Goods, Florist, Greenhouse, Flooring, Gift Shop, Groceries, Hardware, Jewelry, Meat/Fish Store, Photographic Supplies, Stationary,</i>	\$354.00
F-3	Utilizing floor space $\geq 325 \text{ m}^2$	<i>Other retail or wholesale uses not listed in this section</i>	\$495.60

Schedule 'P' Business Licences (Continued)**G INDUSTRIAL/MANUFACTURING USE**

	Industrial / Manufacturing	From any person carrying on the business of an industrial or manufacturing nature	
G-1	Utilizing floor space ≤ 464 m ²	<i>Machine Shop, Fish Processing, Re-Manufactured Electrical Motors, Pulp & Paper Mill, Fish Buyer, Ice Plant, Boat Building, Sawmill, Industrial Storage, Other Industrial/Manufacturing uses not listed in this section</i>	\$424.80
G-2	Utilizing floor space > 464 m ²		\$826.00

H VENDORS

H-1	Vendors	From any business or person selling a product or operating a vendor market.	\$177.00
H-2	Itinerants	From any non-resident business or person carrying on, maintaining, owning or operating within the District any of the following: <i>Auctioneers, Carnival, Circus, Concert Hall, Dog &/or Cat Show, Exhibitions, Horse or Pony Show, Theatrical Shows (when held in other than a duly licensed theatre) and all other forms of itinerant shows, entertainment, amusement or exhibition not hereinbefore enumerated</i>	\$236.00 Per Day

M OTHER FEES

M-1	Transfer of an existing Business License	Whereby a person relocates his existing business to a new location within the municipality.	\$35.00
M-2	Inspection	Inspection fee, if required, due to a transfer to a new location within the municipality.	\$35.00

Note: New owners of an existing business must apply for a new business licence and pay the applicable fee.
Note: All business fees are non-refundable
Note: Business Licence fees for all businesses are subject to \$100.00 penalty, if payment is not made on or before June 01 in the year for which the license is valid.

From: [MUNI UBCM Meeting Requests MUNI:EX](#)
Subject: Invitation to Meet with Office of Seniors Advocate and Land Title and Survey Authority of British Columbia During UBCM Convention
Date: August 3, 2022 2:45:36 PM
Attachments: [2022 UBCM Provincial Appointment Book Updated.pdf](#)
Importance: High

[External]

This message is being sent to all UBCM Member Municipalities, Regional Districts and First Nations on behalf of the Ministry of Municipal Affairs.

Subject: Invitation to Meet with the Office of the Seniors Advocate and the Land Title and Survey Authority of British Columbia During UBCM Convention

Intended Recipient(s): Mayors/Regional District Chairs/Islands Trust Chair/CAOs
 and cc: General Email and Secretaries
 Chiefs and Chief Councillors
 and cc: Secretaries and Alternates

Attachments: One (1) Updated Provincial Appointment Book, and message below

If you have received this message in error, we ask that you please forward it to the appropriate person in your office.

-

MESSAGE:**2022 UBCM Convention – Ministries, Agencies, Commissions and Corporations (MACC) Staff Meetings**

Senior staff from the Office of the Seniors Advocate (OSA) and the Land Title and Survey Authority of British Columbia (LTSA) are pleased to offer UBCM Delegates an opportunity to meet to discuss matters related to the following: (See page 44 of the attachment for more details)

- Office of the Seniors Advocate (OSA) - OSA monitors and analyzes seniors services and issues in B.C., and makes recommendations to government and service providers to address systemic issues. OSA also provides information and referrals for individuals who are navigating seniors services and tracks their concerns, which helps inform future work.
- Land Title and Survey Authority of British Columbia (LTSA) - LTSA is a statutory corporation responsible for operating B.C.'s land title and survey systems and the Land Owner Transparency Registry (LOTR). LTSA provides land information and datasets to the province, local governments and other public agencies. The services include mapped databases such as ParcelMap BC and AUTOPROP.

As a reminder, meetings will be held at the Hilton Whistler Hotel, Cheakamus Room - 8:30 am – 4:00 pm on Tuesday, September 13, 2022 - Thursday, September 15, 2022.

To request a meeting with OSA or LTSA staff, please complete the form located at: <https://www.civicinfo.bc.ca/UBCMMeetingRequest/Staff>.

The deadline to submit online meeting requests is **Tuesday, August 23, 2022**. Meeting confirmation details will be sent to the contact(s) identified on your meeting request form.

If you have any questions, please contact the MACC Staff Meeting Coordinator, Eri Moriya, by phone at: 778 698-1686, or the Assistant MACC Staff Meeting Coordinator, Sarah Staszkiel, by phone at: 778 405-1784. You may also reach out via email at: MUNI.UBCM.MeetingRequests@gov.bc.ca.

Regards,

Birgit Schmidt, Director
MUNI UBCM Convention Coordinator
Local Government Division | Ministry of Municipal Affairs
Phone: 778 698-3260 | Email: Birgit.Schmidt@gov.bc.ca



July 12, 2022

Mayor and Council
 Ucluelet
 200 Main Street, P.O. Box 999
 Ucluelet, BC, V0R 3A0

Dear Mayor and Council,

Re: Invitation to Attend the 9th Annual Resource Breakfast Series – September 2022

It is my pleasure to invite you to register for the 9th Annual *Resource Breakfast Series*. The annual event returns for the 9th year in person, hosted on three consecutive mornings from 7:00 – 8:30 am on September 13, 14, and 15, 2022, at the Caramba restaurant in Whistler, BC.

Over the past eight years, the *Breakfast Series* has remained an unparalleled opportunity to bring together Mayors, Councillors, the Resource Sector and Provincial Government together to discuss the latest news and developments related to BC's natural resource sectors. The Series is not affiliated with the Union of BC Municipalities, but the event is conveniently hosted during the Annual Convention and offers a friendly and relaxed environment to discuss BC's natural resource sector and its importance to the communities and economy of the province.

Event Details:

Date: September 13-15, 2022
Time: 7:00 am - 8:30 am
Style: Buffet Breakfast
Location: Caramba Restaurant (4314 Main Street #12 Town Plaza, Whistler, BC V0N 1B4)
Price: \$27.00 + tax per breakfast
Dress: Business Casual
Registration: <https://www.eventbrite.ca/e/301503333587>

We are pleased to announce the following Ministers have confirmed to speak:

Tuesday, September 13

Hon. Bruce Ralston, Minister of Energy, Mines and Low Carbon Innovation

Wednesday, September 14

Hon. Josie Osborne, Minister of Land, Water and Resource Stewardship and Minister Responsible for Fisheries



Thursday, September 15

Hon. Katrine Conroy, Minister of Forests

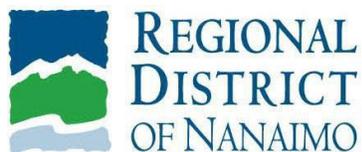
To support and encourage a broad spectrum of participation from leaders from across the province, we are suggesting local government limit themselves to two tickets per Municipal Council or Regional District at each of the breakfasts. If you have any questions, please email events@c3alliancecorp.ca.

Sincerely,



Sarah Weber, P.Geo., MBA
President & CEO
C3 Alliance Corp.





July 22, 2022

Dear B.C. Chairs and Mayors:

I write to seek your support for the Regional District of Nanaimo's UBCM resolution urging UBCM to work with the Ministry of Municipal Affairs and local governments in a collective endeavour to modernize the *Local Government Act*.

Regional districts are limited in their legislative authority in comparison with municipalities in several key areas such as business licensing authority, subdivision approval, regulation of fireworks discharge, parking enforcement, tree management, and taxation and funding models.

Further, social, political and economic environments that local governments operate within continue to evolve in areas such as climate change, environmental stewardship and a recognition of the importance of First Nations' meaningful participation in regional governance. These realities should be reflected in updated legislation. Inclusive governance, a goal identified in the Province's Action Plan under the *Declaration of the Rights of Indigenous Peoples Act*, is an important aspect of legislative reform and will inform any re-envisioning of the *Local Government Act*.

This initiative is also of interest to municipal officials, including to those who look to level the playing field with their rural neighbours, as many aspects of municipal operations are contained in the *Local Government Act*. The planning framework, shared by regional districts and municipalities, is within the *Local Government Act* and needs updating.

In June 2021, the Regional District of Nanaimo, with Don Lidstone, Q.C., hosted a virtual half-day session with regional district Chairs and CAOs across BC to explore the possibility of mobilizing a collaborative effort to modernize the legislation. Participants expressed an interest in proceeding with the initiative, pending approval of their Boards.

On April 1, 2022, the Chairs of the Regional District of Nanaimo and Alberni-Clayoquot Regional District, together with Don Lidstone, hosted a workshop on this topic at the AVICC Convention which was attended by elected officials from regional districts and municipalities and generated robust discussion. The slide presentation used at that session is attached for reference.

6300 Hammond Bay Road, Nanaimo, BC V9T 6N2
www.rdn.bc.ca

The Regional District of Nanaimo resolution, endorsed at the April AVICC Convention and included in the 2022 UBCM resolutions book, proposes action on this matter as follows:

WHEREAS regional districts are limited in their legislative authority in comparison with municipalities in several key areas such as business licensing authority, subdivision approval, regulation of fireworks discharge, parking enforcement, tree management, and taxation and funding models;

AND WHEREAS the social, political and economic environments that local governments operate within continue to evolve in areas such as climate change, environmental stewardship and a recognition of the importance of First Nations' participation in regional governance, and these realities should be reflected in updated legislation;

THEREFORE BE IT RESOLVED THAT UBCM be urged to work with the Ministry of Municipal Affairs and regional districts to further a legislative reform initiative for the purpose of comprehensively reviewing and modernizing the Local Government Act.

In addition, the RDN has requested a meeting with Minister Cullen, to be arranged jointly with Chair John Jack of the Alberni-Clayoquot Regional District, to discuss this initiative further at the upcoming UBCM Convention.

We welcome your support of the UBCM resolution and look forward to achieving forward momentum and interjurisdictional collaboration for this important initiative.

Sincerely,



Tyler Brown, Chair
Regional District of Nanaimo

Legislative Reform Initiative: Continuing the Discussion

2022 AVICC Annual Convention

April 1, 2022

9:00 -11:00

Agenda

- | | |
|-------------|---|
| 9:00-9:10 | Welcome and Introductions |
| 9:10-9:30 | Legislative Reform Initiative: Context and Background |
| 9:30-10:25 | Discussion: Ideas for Legislative Change |
| 10:25-10:45 | Discussion: Process to Achieve this Objective |
| 10:45-10:55 | Discussion: Next Steps to Continue Momentum |
| 10:55-11:00 | Conclusion/Wrap Up |

Panel

- **Tyler Brown**, Chair, Regional District of Nanaimo; Member of Council, City of Nanaimo
- **John Jack**, Chair, Alberni-Clayoquot Regional District; Member of Council, Huu-ay-aht First Nation
- **Douglas Holmes**, Chief Administrative Officer, Regional District of Nanaimo
- **Don Lidstone**, Q.C., Managing Partner, Lidstone & Company

The Challenge

- Limits on legislative authority no longer supported by policy rationales
- Demographics/population growth/increased development/sparsely populated areas
- Business licensing, subdivisions, fireworks, parking, tree management
- Is such a distinction between authority of regional districts and municipalities still supportable?
- Revenue generation, models of taxation, funding for services – lack of flexibility in current paradigm

The Challenge (continued)

- Establishing services to optimize scale, cost distribution, fair participation
- Urban/rural friction
- Social, political, economic values have shifted significantly since legislation was drafted.

Purpose of Today's Workshop

- Continue the conversation
- Hear from local government partners about aspects of the legislation in need of reform
- Confirm support for this important initiative
- Focus forward momentum and collaboration

Summary of Issues

- *Community Charter* replaced *Municipal Act* in 2003; excellent example of municipal legislation in Canada
- *Local Government Act* created 1966, based on 1849 legislation. Not overhauled in early 2000s as planned.

Summary of Issues Continued

- Challenges with *LGA*:
 - a) convoluted language
 - b) anachronistic provisions
 - c) inflexible
 - d) restrictions on taxation/revenue generation
 - e) complexities in service establishment
 - f) lacks provisions to allow RDs to regulate, prohibit and impose requirements by bylaw without provincial approval
- Social/environmental values have changed since *LGA* was drafted, including:
 - a) First Nations inclusive governance/reconciliation
 - b) climate change
 - c) environmental stewardship

Some Themes from Session with Regional District Chairs and CAOs on June 25, 2021

- First Nations must be invited to be part of this modernizing exercise
- UBCM involvement in this initiative is of great value
- A new legislative scheme should contemplate seven generations into the future; establish a framework responsive to future societal changes

Themes from Discussion June 25, 2021, continued

- “Be careful what you wish for”: More authority requires more resources
- Ensure core task of modernizing RD legislation is not sidetracked by other issues
- RDs need more flexibility with revenue sources.
Municipalities have authority to use fees to shape behaviour.

Themes from Discussion June 25, 2021, continued

- Community amenity contributions should be addressed as part of this initiative
- Consultation with Boards, First Nations, stakeholders, developers, owners, citizens, and the Province is key
- MFA could be part of “blue ribbon panel” or a separate technical advisory group

Legislative Reform Ideas Roundtable Discussion

- What kind of legislative reform do you envision?
- How would things improve?

Outline of Process Proposed at June 25, 2021, Session

- 1) Establish a Committee of Board Chairs/CAOs to oversee legislation review process
- 2) Develop “blue ribbon panel”: 3 - 4 experts to identify problems, solutions, consequences. Provide an economic, social, environmental analysis for proposed solutions.
 - a) Panel comprised of elected officials, administrators, and a consultant
 - b) Panel reports to a “parliament” of elected officials/CAOs for guidance
 - c) Process subject to a non-disclosure agreement

Outline of Proposed Process Continued

- 3) Conduct thorough consultation with affected RDs and municipalities
- 4) Invite treaty and non-treaty First Nations as partners in the process
- 5) Based on outcomes from “blue ribbon panel,” Board Chairs produce detailed draft Regional District Charter with accompanying commentary of approximately 15 pages

Outline of Proposed Process Continued

- 6) Identify and consult stakeholder groups including elected officials, administration, LGMA, and MFA. Symposiums could also be conducted for stakeholders to submit ideas and establish a consensus.
- 7) Develop plan to identify milestones of the process to reform legislation.

Outline of Proposed Process Continued

- 8) Establish buy-in from the Premier and Minister of Municipal Affairs
- 9) Engage in the legislative drafting process. Provincial legislative counsel would ultimately present a draft bill to the Legislative Assembly.
- 10) Aim for spring of 2024

Continuing the Momentum

- Where do we go from here?
- Ideas for next steps

August 8th, 2022

Good day,

Thank you for responding to our earlier letter sent to representatives of rural communities across Canada, and for sharing the challenges you face. Your feedback is incredibly valuable to identify top priorities and as we work towards recommendations and solutions to meet the needs of rural residents across the country.

As promised, we will host a townhall on these issues, and invite you to participate. Please join us over Zoom on **August 31st at 12:00 pm PT/1:00 pm MT/2:00 pm CT/3:00 pm ET/4:00 pm AT**. We are scheduled to meet for one hour. Please note that the townhall will be in English only.

Mayors, Reeves, Councilors, Administrators, and others from your municipality/town government are welcome to attend, however we do ask that each municipality only have **one** dedicated person to speak during the open forum portion of the townhall.

The zoom login details, and an agenda, will be distributed in the days prior to the townhall.

Thank you for expressing interest in this event and we hope to see you there. Please feel free to reach out with any further questions.

Sincerely,



Shannon Stubbs, M.P., Lakeland
Shadow Minister for Rural Economic Development and Rural Broadband



Damien C. Kurek, M.P., Battle River—Crowfoot
Deputy Shadow Minister for Rural Economic Development and Rural Broadband Strategy

Admin Support

From: BC Honours and Awards HAS:EX <bchonoursandawards@gov.bc.ca>
Sent: August 9, 2022 9:35 AM
To: Mayco Noël
Cc: Info Ucluelet
Subject: Medal of Good Citizenship 2022 - Nominations due by Sept 6th

[External]

HONOURS & AWARDS



Do you know a deserving citizen in your community? Nominate them today!

The call for nominations is open for the Province's **Medal of Good Citizenship** for 2022. This prestigious medal recognizes people who have made outstanding contributions to their communities without expectation of remuneration or reward. The medal reflects people's generosity, service, acts of selflessness and contributions to community life.

Please nominate people you feel meet the criteria and forward this information to others in your organization and/or community. You can also download or share a promotional poster by clicking [here](#).

Nominations are due by **Tuesday, September 6, 2022**. Submissions received after this date will be considered for 2023.

For nomination forms and additional information on this honour, [please visit our website](#).

Thank you in advance for your time and support in nominating exceptional citizens in your community.

