



REGULAR MEETING OF COUNCIL
Tuesday, June 26, 2018 @ 7:30 PM
George Fraser Room, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet

AGENDA

	Page
1. CALL TO ORDER	
2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY	
2.1. Council would like to acknowledge the Yuułu?i?at̓ First Nations on whose territories the District of Ucluelet operates.	
3. ADDITIONS TO AGENDA	
4. APPROVAL OF AGENDA	
5. ADOPTION OF MINUTES	
5.1. June 12, 2018 Regular Minutes 2018-06-12 Regular Council	5 - 15
6. UNFINISHED BUSINESS	
7. MAYOR'S ANNOUNCEMENTS	
8. PUBLIC INPUT, DELEGATIONS & PETITIONS	
8.1 Public Input	
9. CORRESPONDENCE	
9.1. RCMP Reply to Limited Duration Post Policy Change Royal Canadian Mounted Police C-1 RCMP Reply	17
9.2. Regional District of Alberni-Clayoquot: Notice of Public Hearing Regional District of Alberni-Clayoquot C-2 ACRD Notice	19 - 20
10. INFORMATION ITEMS	
10.1. LNG 101 Information Session Steelhead LNG I-1 LNG 101 Information Session	21
10.2. Cross-country Consultations on Air Passenger Rights and The Aviation Ecosystem National Airlines Council of Canada I-2 National Airlines Council of Canada	23 - 26

- 10.3. Highway 4 - Kennedy Hill Safety Improvements Traffic Interruptions Update 27 - 28
 Emil Anderson Construction (EAC) Inc.
[I-3 Highway 4 - Kennedy Hill Update](#)
- 10.4. Rail Service Vancouver Island 29
 Marilyn and Terry Newsted
[I-4 Rail Service on Vancouver Island](#)
- 10.5. Invitation to Participate in a Survey on Wildfire Prevention and Fuels 31
 Management
 Forest and Conservation Sciences - Faculty of Forestry, UBC
[I-5 Wildfire Prevention and Fuels Management](#)

11. COUNCIL COMMITTEE REPORTS

- 11.1 Councillor Sally Mole
Deputy Mayor January – February
- Ucluelet & Area Child Care Society
 - Westcoast Community Resources Society
 - Coastal Family Resource Coalition
 - Food Bank on the Edge
 - Recreation Commission
 - Ucluelet Health Centre Working Group
- => *Other Reports*
- 11.2 Councillor Marilyn McEwen
Deputy Mayor March – April
- West Coast Multiplex Society
 - Ucluelet & Area Historical Society
 - Wild Pacific Trail Society
 - Vancouver Island Regional Library Board – Trustee
- => *Other Reports*
- 11.3 Councillor Mayco Noel
Deputy Mayor July – October
- Ucluelet Volunteer Fire Brigade
 - Central West Coast Forest Society
 - Ucluelet Chamber of Commerce
 - Tourism Ucluelet
 - Signage Committee
 - Clayoquot Biosphere Trust Society - Alternate
 - Barkley Community Forest Board

- Alberni-Clayoquot Regional District Board – Alternate

=> *Other Reports*

11.4 Councillor Randy Oliwa
Deputy Mayor May – June

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

=> *Other Reports*

11.5 Mayor Dianne St. Jacques

- Alberni-Clayoquot Regional District Board
- West Coast Committee
- Airport Committee
- Coastal Community Network
- Groundfish Development Authority
- DFO Fisheries Committees for Groundfish & Hake
- Regional Fisheries Committees
- Pacific Rim Arts Society
- Pacific Rim Whale Festival Committees
- Ucluelet Health Centre Working Group

=> *Other Reports*

12. REPORTS

- | | | |
|-------|---|---------|
| 12.1. | Ukee Days - Noise Bylaw And Road Closure
<i>Abby Fortune, Director of Parks & Recreation</i>
R- 1 Ukee Days | 33 - 34 |
| 12.2. | Ucluelet Fire Services Agreement with Long Beach Airport
<i>Mark Boysen, Chief Administrative Officer</i>
R-2 Fire Services Agreement | 35 - 44 |
| 12.3. | Cheque Listing - May 2018
<i>Marlene Lagoa, Deputy Municipal Clerk</i>
R-3 Cheque Listing | 45 - 50 |
| 12.4. | Grant to Non-Profits Leasing Office Space at 398 Matterson Drive
<i>Barbara Millar, Manager of Finance</i>
R-4 Grant to Non-Profits | 51 - 52 |
| 12.5. | Short-Term Rental Program Update
<i>Brent Ashton, Bylaw Services Officer</i> | 53 - 55 |

[R-5 Short-Term Rental Program](#)

- 12.6. Ucluelet OCP – Housing Action Plan 57 - 59
Bruce Greg, Manager of Community Planning

[R-6 OCP Housing](#)

- 12.7. Development Permit Amendment For DP17-06 (1672 Cedar Road) 61 - 75
John Towgood, Planner 1

[R-7 1672 Cedar Road](#)

13. LEGISLATION

- 13.1. **REPORT** - Rezoning Application for the Development of Lot 1, PLAN 77 - 110
 VIP85870 (620 Marine Drive) as Black Rock Staff Housing
Bruce Greig, Manager of Community Planning

[L-1 Black Rock staff housing report](#)

- 13.2. **BYLAW** - Zoning Amendment Bylaw No. 1224, 2018 111 - 114

[L-2 Bylaw No. 1224, 2018](#)

- 13.3. **BYLAW** - Ucluelet Housing Agreement Bylaw No. 1227, 2018 115 - 124

[L-3 Bylaw No. 1227, 2018](#)

- 13.4. **REPORT** - Zoning Bylaw Amendment for Temporary Use Permits 125 - 128
Bruce Greig, Manager of Community Planning

[L-4 Temporary Use Permit Report](#)

- 13.5. **BYLAW** - Zoning Bylaw Amendment Bylaw No. 1234, 2018 129 - 130

[L-5 Bylaw No. 1234, 2018](#)

14. OTHER BUSINESS

15. QUESTION PERIOD

16. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, June 12, 2018 at 7:30 PM

Present: **Chair:** Mayor St. Jacques
 Council: Councillors McEwen, Mole, Noel, and Oliwa
 Staff: Mark Boysen, Chief Administrative Officer
 Bruce Greig, Manager of Community Planning
 Barb Millar, Manager of Finance
 Darcey Bouvier, Recording Secretary

Regrets:

1. CALL TO ORDER

1.1 Mayor St. Jacques called the meeting to order at 7:35 PM

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

2.1 Council acknowledged the Yuułu?ił?ath First Nations on whose territories the District of Ucluelet operates.

3. ADDITIONS TO AGENDA

3.1 There were no additions to the agenda.

4. APPROVAL OF AGENDA

4.1 June 12, 2018 Regular Agenda

2017-001 **It was moved by Councillor Noel and seconded by Councillor Oliwa**
 THAT Council approve the June 12, 2018 Regular Agenda as presented.
CARRIED.

5. ADOPTION OF MINUTES

5.1 May 22, 2018 Regular Minutes

2017-002 **It was moved by Councillor McEwen and seconded by Councillor Noel**
 THAT Council approve the May 22, 2018 Regular Minutes as presented.
CARRIED.

5.2 May 22, 2018 Public Hearing Minutes

2017-003 **It was moved by Councillor Mole and seconded by Councillor McEwen**
 THAT Council approve the May 22, 2018 Public Hearing Minutes as presented.
CARRIED.

5.3 May 24, 2018 Special Minutes

2017-004

It was moved by Councillor Oliwa and seconded by Councillor McEwen
THAT Council approve the May 24, 2018 Special Minutes as presented.

CARRIED.

6. UNFINISHED BUSINESS

6.1 There was no unfinished business.

7. MAYOR'S ANNOUNCEMENTS

7.1 There were no announcements.

8. PUBLIC INPUT, DELEGATIONS & PETITIONS

8.1 Public Input

R. Kalcevich - Questioned the status of the pedestrian crosswalk project for Peninsula Road; Mr. Kalcevich also spoke to the lack of affordable housing in Ucluelet.

8.2 Delegations

Lenora Lee, KPMG

Re: Audit of Financial Statements 2017

- Ms Lee advised KPMG completed the audit for the 2017 year and are ready to release the statement upon acceptance from Mayor and Council.

9. CORRESPONDENCE

9.1 **2018 UBCM Convention - BC Hydro Invitation**
BC Hydro

2017-005

It was moved by Councillor Oliwa and seconded by Councillor McEwen
THAT Council direct Staff to arrange a meeting with BC Hydro at the 2018 UBCM Convention in Whistler.

CARRIED.

9.2 **Board of Directors Community Partnership Luncheon Invitation**
Vancouver Island Health Authority

2017-006

It was moved by Councillor McEwen and seconded by Councillor Oliwa
THAT Council support Mayor St. Jacques attending the Island Health Community Luncheon on Thursday, June 28, 2018 and direct Staff to confirm attendance.

CARRIED.

**9.3 Surfguard and Lifeguard Tower Programme
Gord Johns, MP Courtenay-Alberni**

2017-007 **It was moved by Councillor Mole and seconded by Councillor McEwen**
THAT Council receive correspondence item, "Surfguard and Lifeguard Tower Programme" for information.

CARRIED.

**9.4 Plaid for Dad Political Ambassador Request
Prostate Cancer Canada**

2017-008 **It was moved by Councillor Oliwa and seconded by Councillor McEwen**
THAT Council support Prostate Cancer Canada's request and wear plaid on Friday, June 15th and post a photo to social media with the hashtag "PlaidForDad".

CARRIED.

**9.5 Banning Single Use Plastic Bags Letter of Support
Allie Bonner**

2017-009 **It was moved by Councillor McEwen and seconded by Councillor Oliwa**
THAT Council receive correspondence item, "Banning Single Use Plastic Bags Letter of Support" for information.

CARRIED.

**9.6 Banning Single Use Plastic Bags Letter of Support
The Raincoast Education Society Team**

2017-010 **It was moved by Councillor Mole and seconded by Councillor Noel**
THAT Council received correspondence item, "Banning Single Use Plastic Bags Letter of Support" for information.

CARRIED.

**9.7 Banning Single Use Plastic Bags Letter of Support
Pina Styles**

2017-011 **It was moved by Councillor Mole and seconded by Councillor McEwen**
THAT Council receive correspondence item, "Banning Single Use Plastic Bags Letter of Support" for information.

CARRIED.

**9.8 Marine Drive Pathway
Marc Fuller**

2017-012 **It was moved by Councillor Mole and seconded by Councillor McEwen**
THAT Council refer correspondence item, "Marine Drive Pathway" to Staff for response.

CARRIED.

10. INFORMATION ITEMS

- 10.1 **Pacific Rim Interpretive Programs - June 2018**
Pacific Rim National Park Reserve
- 10.2 **Highway 4 - Kennedy Hill Safety Improvements Traffic Interruptions Update**
Emil Anderson Construction (EAC) Inc.
- 10.3 **New Area Code for British Columbia**
Telecommunications Alliance
- 10.4 **Rail Facts 2018**
Island Corridor Foundation
- 10.5 **Island Health Board of Directors Meeting**
Vancouver Island Health Authority

2017-013

It was moved by Councillor McEwen and seconded by Councillor Noel

THAT Council receive information items, 10.1, 10.2, 10.3, 10.4, and 10.5 as a block.

CARRIED.

11. COUNCIL COMMITTEE REPORTS

- 11.1 Councillor Sally Mole
Deputy Mayor January – February

Coastal Family Resource Coalition

- Attended the 2018 Coming Together Forum at the Ucuelet Community Centre on Thursday, May 31. This forum was very informative, a lot of information provided on regional health needs and priorities, and was a great networking opportunity.

Food Bank on the Edge

- AGM, Monday June 18 at 5:00 PM, everyone welcome.

- 11.2 Councillor Marilyn McEwen
Deputy Mayor March – April

West Coast Multiplex Society

- Met June 4th. They awarded a \$12,000 contract to Hambleton and Associates for 2018. This group includes Geoff Lyons, Howie Hambelton and Riley Barns and they are the ones who research, find and apply for grants on behalf of the Society. The Society is looking to apply for a CBT Grant in the fall to cover the costs of hiring

Hambleton and Associates.

- The Society also met with the manager of Global Philanthropic. This organization looks after the capital campaign feasibility assessment. They came up with a list of 100 possible private donors to help cover the cost of building the first phase; they then cut that number to 50 and will be interviewing 30 over the next month.

Wild Pacific Trail Society

- AGM was held on Sunday, June 10th. A new Board of Directors was elected. There are 13 out of 14 seats filled with one vacant seat; 1 seat is also permanently reserved for Ucluelet First Nation, of which Vi Mundy currently holds. One new Director, Danielle Francis who has been doing the maintenance contract since Oyster Jim turned it over to her.
- Because of the new Societies Act, they adopted several motions to amend the new society model set of Bylaws to better suite their needs with respect to the number of people on the Board and what constitutes quorum.

Vancouver Island Regional Library Board – Trustee

- Met on May 26th. Discussion on the employer health tax and how they will manage it. They are proposing a 3% increase to the budget next year to help cover the cost.
- The 2017 Annual report was released in electronic form only and is available on their website.

=> Other Reports

- Committee of the Whole meeting was held on June 6th, which brought together the trucking companies and fish plant managers to discuss parking and truck traffic within the District of Ucluelet.
- Met with Pacific Rim National Park regarding the Coast Smart Project.

11.3 Councillor Mayco Noel *Deputy Mayor July – October*

=> Other Reports

- Reminder the Edge To Edge Marathon is taking place this coming Sunday, June 17th
- High school graduation is also this weekend.

11.4 Councillor Randy Oliwa
Deputy Mayor May – June

=> **Other Reports**

- Ucluelet Housing Think Tank group are currently working on a community based approach to housing. Initial successes and have indicated they will be bringing this forward to the public shortly.
- Attended the Coming Together Forum. Information on regional health, but also had information on the west coast health.

Seaview Seniors Housing Society

- Collaborative venture with West Coast Resources Society to host a seniors luncheon. Thank you to Margaret Morrison for the food.
- "The Strawberry Tea" fundraiser on June 24 from 1:00-3:00pm at Forest Glen. Tickets are \$20 and will include lunch, strawberry shortcake, and tea; Rich Parlee will be playing the piano. People are encouraged to dress to the "nines".

Education Liaison

- Council declared May 20-26, 2018 Local Government Week which coincided with International Public Works week.
- On May 24th Public Works hosted an open house and liaised with the schools; Staff were on hand to explain their roles and responsibilities, and provided a BBQ luncheon.
- On June 6th Council hosted Mr. Duffy's grade 10 students for a mock Council meeting, with an agenda that had relatable topics on it for the students. The students picked two of their classmates to sit with Council. Overall, it was a huge success.

11.5 Mayor Dianne St. Jacques

West Coast Committee

- Met June 6th. Conversation on the landfill and the airport. Point Break Skydiving attended as well as Pacific Coastal airlines. Two flights daily but need more room at the airport.

=> **Other Reports**

- Coming Together Forum - Dr. Paul Hasselback was in attendance, he is the Chief Medical Officer for the Island. His presentation was broken down into West Coast statistics rather than just Alberni-Clayoquot Regional District. His presentation can be found on the VIHA website.
- On June 1st met with Ucluelet surf companies and Pacific Rim National Park. Our surf companies have to get their licensing through Parks Canada in order to operate within the Park. Talk on how to improve the business license process, a lot of talk around safety, and the Coast Smart Program. Surf companies are going to be writing a set of standards on safety and procedures for surf companies within the Park.
- Attended a marine protected areas update on June 4th. Large area off the coast of Ucluelet. Invited the Department of Fisheries and Oceans to come and do a presentation. Lots of interesting facts about our coast, including the hydro-thermal vents, sea mounts and how to protect our coast. 139 square kilometers of protected area. Implemented closures with respects to bottom contact fishing and the fine for any offenses is \$1 million dollars per offence.
- Met with the Pacific Rim National Park specific to the Coast Smart Program. The process for the program started in 2014 and is an educational program for safety on the coast and on the beaches so that people are informed prior to arriving here. The Parks are in the process of putting up their signs and Ucluelet's signs should be going up in July.
- Attended and Island Coast Economic meeting on June 8th. They have an intern who can assist with the grant application process.
- Met Monday, June 11 with a sub-committee for the Tofino Hospital Foundation and their goal is to replace Tofino Hospital with a new hospital. They are meeting and will be hiring a company to put together a document to present to Island Health as to why a new hospital is needed. This committee will meet monthly and will be looking for support from all the communities here on the coast.
- Committee of the Whole meeting - invited the local trucking companies to discuss any issues they might be having, any concerns the community might have and how those can be resolved. They were staging at the high

school and the UAC hall, but have now been re-routed to the Rec hall until a permanent solution can be found. The trucking companies will also be providing their trucking routes through town so that Staff can have that information when it comes to road improvement projects. They are a key component of this community and we need to work collaboratively with them.

2016-14

It was moved by Councillor Noel and seconded by Councillor Oliwa.

THAT Council receive the verbal committee reports.

CARRIED.

12. REPORTS

12.1 Canada Day Road Closure & Community Invite *Abby Fortune, Director of Parks & Recreation*

2017-015

It was moved by Councillor Mole and seconded by Councillor McEwen

THAT Council approve recommendation 1 & 2 of report item, "Canada Day Road Closure & Community Invite" which states:

1. *THAT Council authorizes the closure of Fraser Lane (8:00 a.m. - 4:00 p.m.) in front of the Village Green on Sunday, July 1st, 2018.*
2. *THAT Council attend the Canada Day Festivities, endeavor to wear red and white and invite the community to join them.*

CARRIED.

12.2 Community Movie - Noise By-law Extension *Abby Fortune, Director of Parks & Recreation*

2017-016

It was moved by Councillor Mole and seconded by Councillor Noel

THAT Council approve recommendation 1 of report item, "Community Movie - Noise By-law Extension" which states:

1. *THAT Council grant an extension of the Noise Control Bylaw 915 to the Black Rock Resort, in partnership with the District of Ucluelet Parks & Recreation Department, to present a Community Outdoor Movie Night, Sunday July 8th to 11:30 p.m. at the Seaplane Base Ballfield.*

CARRIED.

12.3 Ucluelet Tourism Association Agreement Extension *Mark Boysen, Chief Administrative Officer*

2017-017

It was moved by Councillor McEwen and seconded by Councillor Noel

THAT Council approve recommendation 1 of report item, "Ucluelet Tourism Association Agreement Extension" which states:

1. *THAT Council approve a 1-year extension of the existing Ucluelet Tourism Association Tourism Promotion Agreement with the District of Ucluelet until May 31, 2019.*

CARRIED.

12.4 Purchase of Carbon Offsets**Mark Boysen, Chief Administrative Officer**

2017-018

It was moved by Councillor McEwen and seconded by Councillor Mole*THAT Council approve recommendation 1 & 2 of report item, "Options for Carbon Neutrality for the District of Ucluelet" which states:*

1. *THAT Council approve the purchase of verified carbon offsets for 2017 to achieve carbon neutrality; and*
2. *THAT Staff work with Tourism Ucluelet and the Chamber of Commerce to highlight the District's commitment to climate action to encourage local businesses and visitors to do the same.*

CARRIED.

12.5 Resolution Tracking - May 2018**Marlene Lagoa, Deputy Municipal Clerk**

2017-019

THAT Council approve recommendation 1 of report item, "Resolution Tracking - May 2018" which states:

1. *THAT Council receive the District of Ucluelet's Resolution Tracking List from May 2018 for information.*

CARRIED.

12.6 Draft 2017 Financial Statements**Marlene Lagoa, Deputy Municipal Clerk**

2017-020

It was moved by Councillor Mole and seconded by Councillor McEwen*THAT Council approves recommendation 1 of report item, "Draft 2017 Financial Statements" which states:*

1. *THAT Council receives and accepts the District of Ucluelet Draft Financial Statements for the year ended December 31, 2017.*

CARRIED.

13. LEGISLATION**13.1 REPORT - Adoption of Bylaw No. 1228 & Bylaw No. 1231****Marlene Lagoa, Deputy Municipal Clerk**

2017-021

It was moved by Councillor McEwen and seconded by Councillor Noel*THAT Council approve recommendation 1 & 2 of legislation item, "Adoption of Bylaw No. 1228 & Bylaw No. 1231" which states:*

1. *THAT Council adopt District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1228, 2018; and*
2. *THAT Council adopt Election and Assent Voting Bylaw No. 1231, 2018.*

CARRIED.

13.2 BYLAW - District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1228, 2018

2017-022

It was moved by Councillor McEwen and seconded by Councillor Oliwa*THAT District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1228, 2018 be*

adopted.

CARRIED.

13.3 BYLAW - Election and Assent Voting Bylaw No. 1231, 2018

2017-023

It was moved by Councillor Mole and seconded by Councillor McEwen
THAT Election and Assent Voting Bylaw No. 1231, 2018 be adopted.

CARRIED.

**13.4 REPORT - Application to Amend Zoning Bylaw No. 1160, 2013
(1068 Helen Road)
John Towgood, Planner 1**

2017-024

It was moved by Councillor Mole and seconded by Councillor Oliwa
THAT Council approve recommendation 1 of legislation item, "Application to Amend Zoning Bylaw No. 1160, 2013 (1068 Helen Road) which states:
1. *THAT District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1233, 2018 be given first and second reading and advance to a public hearing.*

CARRIED.

13.5 BYLAW - District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1233, 2018

2017-025

It was moved by Councillor Noel and seconded by Councillor Mole
THAT District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1233, 2018 be given First reading.

CARRIED.

2017-026

It was moved by Councillor McEwen and seconded by Councillor Mole
THAT District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1233, 2018 be given Second reading.

CARRIED.

14. OTHER BUSINESS

14.1 Councillor Mole

- Thank you to the community for the warm and wonderful welcome her guests from Australia received during their visit here. They were very pleased with how lovely this community is.

15. QUESTION PERIOD

15.1 L. Skene - commented on the Remax yard sale. It was a success and they were able to raise \$2,100 for the Seaview Seniors Centre.

16. ADJOURNMENT

16.1 Mayor St. Jacques adjourned the meeting at 8:23 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, June 12, 2018 at 7:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Dianne St. Jacques
Mayor

Mark Boysen
CAO

Royal Canadian Mounted Police



Gendarmerie royale du Canada

June 08, 2018

Co-Chairpersons, LGCMC,
c/o Mr. Bhar Sihota, UBCM

Dear Messer's Pecknold and Hayne,

I am writing to follow-up on a question asked at our meeting on May 3rd, 2018 regarding the application of the limited duration post (LDP) policy to Ucluelet. In particular, whether there could be a change to its status.

As presented in our meeting, our Limited Duration Post Policy (Career Management Manual) lists several criteria including: established positions; road distance to a community of 5000 or more; travel time to a major centre; population; availability of force housing; educational, medical, entertainment, and recreational facilities; community cohesiveness and family wellness considerations; developmental opportunities; and caseload.

E-Division Staffing undertook a comprehensive review in late 2014 of all 60 LDP's. The review was tasked in part with making recommendations for the inclusion or exclusion of a detachment and the applicable duration (2, 3, or 4 years). No recommendations were made to change Ucluelet from a four-year LDP. Nearby Tofino was raised from a three-year to a four-year LDP due to the similarity and proximity to Ucluelet.

Island District enquired with 'E' Division staffing regarding the current situation. Staffing advised that there have been no significant changes in respect of the criteria that would warrant the removal of Ucluelet from the LDP list at this time.

Please do not hesitate to contact me if you have any questions or comments.

Respectfully,

Dave ATTFIELD, C/Sup't, Criminal Operations, Core Policing
"E" Division RCMP
14200 Green Timbers Way,
Mailstop 306
Surrey, BC
V3T6P3



JUN 18 2018

District of U



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT NOTICE OF PUBLIC HEARING ELECTORAL AREA 'C' – Long Beach

A Public Hearing for residents and property owners within Electoral Area 'C' will be held in the Ucluelet Community Centre, 500 Matterson Drive, Ucluelet BC, at **6:00 pm on Thursday, June 28th, 2018**. The purpose of this hearing is to consider Bylaws P1365, P1366 and P1367 to facilitate an expansion of the Surf Junction Campground to allow for additional camping sites, amenities building, staff accommodation and residential uses.

Bylaw P1365 to amend the South Long Beach Official Community Plan Bylaw P1166 by redesignating BLOCK B OF LOT 483, CLAYOQUOT DISTRICT from "Rural Residential" to "Recreational Commercial".

Bylaw P1366 to amend the Regional District of Alberni-Clayoquot Zoning Bylaw No. 15 by adding section "128B Campground Commercial (C8B) District" and subsections.

Bylaw P1367 to amend the Regional District of Alberni-Clayoquot Zoning Bylaw No. 15 by rezoning BLOCK B OF LOT 483, CLAYOQUOT DISTRICT from Forest Rural (A3) District to Campground Commercial (C8B) District and THAT PART OF BLOCK A DISTRICT LOT 483, CLAYOQUOT DISTRICT, EXCEPT PART LYING NORTH OF A LINE PARALLEL TO AND PERPENDICULARLY DISTANT 200 FEET FROM THE NORTHERLY BOUNDARY OF SAID BLOCK from a mix of Forest Rural (A3) District, Storage Warehouse (SW1) District and Campground Commercial (C8) District to Campground Commercial (C8B) District.

(Surf Junction Campground Ltd (BC1023284) – 2650 Tofino-Ucluelet Highway)

Anyone who feels their interest in property will be affected by the proposed bylaws will be given an opportunity to speak on matters contained in the bylaws.

The Public Hearing will be held by the Director for Electoral Area 'C', the Alternate Director or the Chairperson of the Regional Board, as a delegate of the Regional Board. A copy of the Board resolution making this delegation is available for public review.

If you would like more information on these proposals, the bylaws and relevant background documents are available for public review at the Regional District of Alberni-Clayoquot office during normal office hours, 8:00 am to 4:30 pm, Monday through Friday, from June 11, 2018 to June 28, 2018 inclusive.

Any correspondence submitted prior to the Public Hearing should be addressed to the following:

Mike Irg, Manager of Planning and Development
Regional District of Alberni-Clayoquot
3008 Fifth Avenue
Port Alberni, BC V9Y 2E3
Telephone: (250) 720-2700
Email: mirg@acrd.bc.ca

Date of Notice: June 11, 2018

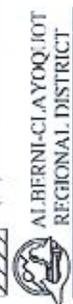
Schedule 'A'

This schedule is attached to and forms part of Bylaw P1367



Legal Description: BLOCK B OF LOT 483, CLAYOQUOT DISTRICT and THAT PART OF BLOCK A OF DISTRICT LOT 483, CLAYOQUOT DISTRICT, EXCEPT PART LYING NORTH OF A LINE PARALLEL TO AND PERPENDICULARLY DISTANT 200 FEET FROM THE NORTHERLY BOUNDARY OF SAID BLOCK

To be rezoned from a mix of Storage Warehouse (SW1) District, Campground Commercial (C8) District and Forest Rural (A3) District to Campground Commercial (C8B) District.



Schedule 'A'

This schedule is attached to and forms part of Bylaw P1365



Legal Description: BLOCK B OF LOT 483, CLAYOQUOT DISTRICT

To be redesignated from Rural Residential to Recreational Commercial



KWISPAA LNG



LNG 101 Information Session

Steelhead LNG is hosting a series of small group sessions to share information and answer questions about liquefied natural gas (LNG) and the LNG industry

Ucluelet • June 26 • Ucluelet Community Centre

Port Alberni • June 27 • Best Western Barclay Hotel

Bamfield • June 28 • Bamfield Marine Sciences Centre

6:30 - 8:30 pm • Light refreshments will be served



Please RSVP by June 25 to reserve a spot, as seating is limited
info@kwispaaLNG.com or call toll free **1 (855) 860 8744**

From: Massimo Bergamini <admin=airlinecouncil.ca@mail20.atl91.mcsv.net> on behalf of
Sent: June-14-18 12:00 PM
To: Info Ucluelet
Subject: Cross-country consultations on air passenger rights



NACC
National Airlines
Council of Canada



CNLA
Conseil national des lignes
aériennes du Canada

To all Mayors and councils:

[Re: Cross-country consultations on air passenger rights and the aviation ecosystem](#)

As a mayor and municipal leader, you understand better than most the importance of safe, efficient and economical transportation to your community and to Canada. With the Canadian Transportation Agency (CTA) holding [public consultations on a new passenger rights regime](#), I want to enlist your support to ensure that these hearings contribute to an improved, more competitive air passenger transportation system.

Every day in Canada, some 350,000 air travellers have safe and uneventful flights. Thousands of people in many organizations including airlines, airports, air traffic control, and government agencies responsible for border control, security, customs and immigration contribute to the success of every flight.

But for those air travellers, most of these interactions occur behind the scenes. Which is why it is not surprising that when something goes awry, responsibility is often assigned to the most visible player—the air carrier. There is little

discussion of the role played by others involved in their flight or the impact of external forces, such as weather or distant ground stops.

Commercial aviation is highly complex anywhere. Canada's operating environment, including climate, geography and population distribution requires an exceedingly high level of coordination and operational sophistication. Adding to the cost and complexity of commercial aviation in this country are federal policies that make it increasingly difficult for our air transport system to remain globally competitive.

Together, these thousands of people, dozens of organizations along with our policy and regulatory environment make up Canada's aviation ecosystem. Attempts to improve passenger air travel through government regulation must look at the ecosystem as whole.

For example, system-wide capacity issues are caused by labour and other shortages in our partner organizations and government agencies. The Canadian Air Transport Security Authority (CATSA) and the Canada Border Services Agency (CBSA) have stagnant budgets with which to manage growing responsibilities.

Airport infrastructure dictates many aspects of airline operations, as do government regulations. For example, de-icing regulations, essential as they are, can lead to tarmac delays because of capacity issues. Canada's climate and challenging weather conditions, which are in no one's control, can disrupt airline scheduling.

Focusing solely on airlines and developing a punitive system to enforce new regulations, while easy, may well fail to deliver the travel experience Canadian air passengers want and deserve. Consider the experience of the United States, where harsh regulations fining airlines for tarmac delays seem to have backfired.

According to [a study by Dartmouth College and the Massachusetts Institute of Technology](#), the regulations have “significantly increased” the number of passenger delays, with each minute of time saved waiting on the tarmac translating into roughly three minutes of total passenger delay.

This is due primarily to increases in flight cancellations, resulting in passengers needing to rebook and often leading to extensive delays in reaching their final destination. Such an unanticipated outcome in Canada would be particularly challenging for northern, remote and Atlantic communities, which are more vulnerable to weather-related events.

This example points to the need for a balanced and holistic approach that recognizes operational and safety realities and encourages system-wide improvements in capacity and operations, including security, border screening, air traffic control and airport infrastructure.

We have created a video (see below) to explain the complexity of the commercial aviation ecosystem and why every policy that affects aviation must recognize that ecosystem and ensure better coordination, greater synergies and more collective accountability among its members.

We encourage you to share the video with your council colleagues, staff and constituents. We also encourage you to advocate to the CTA and the Minister of Transport for an approach to passenger rights that recognizes the complexity of the aviation system and Canada’s unique operating environment.

Our member airlines want to work with you and your communities to make passenger air travel in Canada better for everyone. No one will benefit from a simplistic approach that creates unintended consequences that hurt the people they intended to help.

If you have any questions or concerns, please do not hesitate to contact me directly at mbergamini@aviationcouncil.ca.

Sincerely,

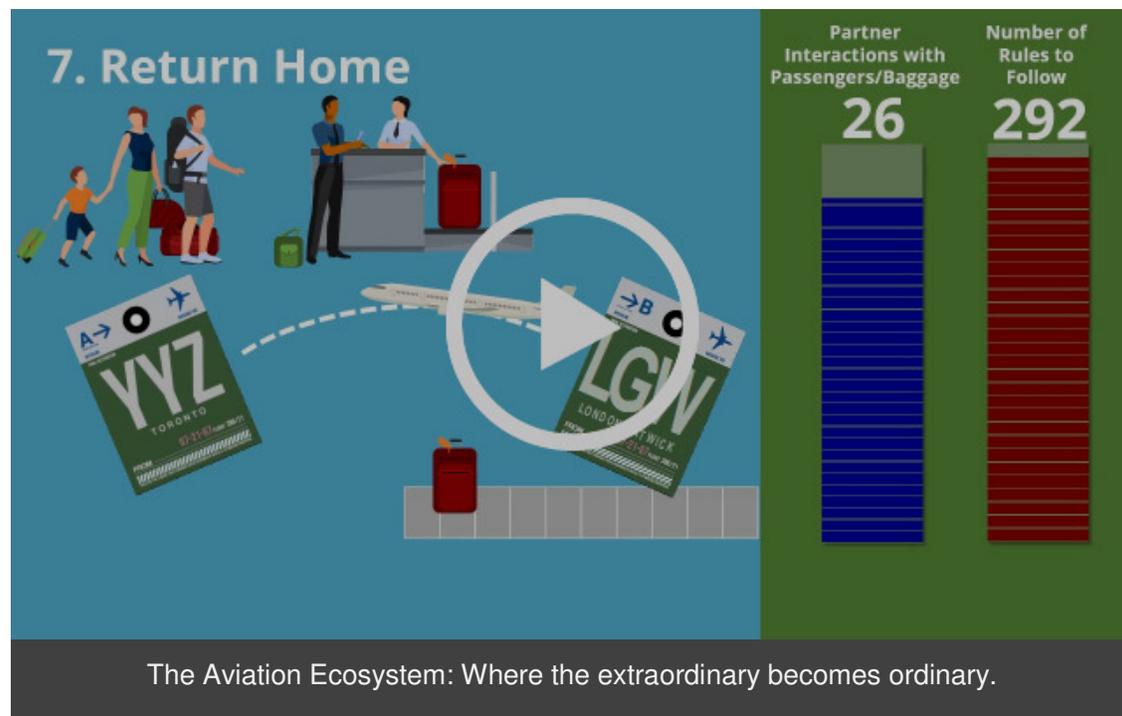


Massimo Bergamini

President & CEO

NATIONAL AIRLINES COUNCIL OF CANADA

The National Airlines Council of Canada is the trade association that represents Canada's largest commercial airlines: Air Canada, WestJet, Jazz Aviation, and Air Transat. Together, our members transport 92 percent of domestic passengers in Canada and employ almost 50,000 Canadians from coast to coast to coast.





EMIL ANDERSON CONSTRUCTION (EAC) INC.

June 12, 2018

**Re: Hwy 4 Kennedy Hill Safety Improvements
Traffic Interruptions Update**

Dear Highway 4 travelers,

Below is a brief update on what to expect over the next few weeks at our jobsite, located 14km east of the Tofino/Ucluelet junction on Highway 4:

Date		Road Status
11-Jun	Monday	Road closures between the following times: -5AM to 7AM -12PM to 1PM Expect up to 30 minute delays at all other times between 7AM and 5PM
12-Jun	Tuesday	
13-Jun	Wednesday	
14-Jun	Thursday	
15-Jun	Friday	No delays
16-Jun	Saturday	
17-Jun	Sunday	
18-Jun	Monday	
19-Jun	Tuesday	Road closures between the following times: -5AM to 7AM Expect up to 30 minute delays at all other times between 5AM and 3PM
20-Jun	Wednesday	
21-Jun	Thursday	
22-Jun	Friday	
23-Jun	Saturday	
24-Jun	Sunday	
25-Jun	Monday	
26-Jun	Tuesday	
27-Jun	Wednesday	
28-Jun	Thursday	
29-Jun	Friday	No delays
30-Jun	Saturday	
01-Jul	Sunday	
02-Jul	Monday	
03-Jul	Tuesday	

Page 1 of 2



EMIL ANDERSON CONSTRUCTION (EAC) INC.

04-Jul	Wednesday	Road closed between the following times: -1AM to 4AM -5AM to 7AM -10PM to 12AM Expect up to 30min delays outside these times (days and nights) *No 10PM to 12AM closure on Fridays
05-Jul	Thursday	
06-Jul	Friday*	
07-Jul	Saturday	
08-Jul	Sunday	
09-Jul	Monday	
10-Jul	Tuesday	
11-Jul	Wednesday	
12-Jul	Thursday	

There is also a traffic advisory hotline which will provide detailed and up-to-date information to help plan your trip. The number is: **1 855 451-7152**.

Information will also be posted on electronic message boards at either ends of the project and along the Hwy 4 corridor between the west coast and Hwy 19 as well as information posted to **DriveBC.ca**.

For your own safety, it is imperative you respect all construction signage, and stay well clear of any heavy equipment.

We apologize for any inconveniences as a result of this project, but hope you understand that we are working towards a safer highway for all of us.

Further project information is available on the Ministry's project website at www.gov.bc.ca/highway4kennedyhill. Should you have any questions or concerns, you can leave a message on the traffic advisory hotline at 1 855 451-7152.

Sincerely,

Emil Anderson Construction (EAC) Inc.

David Gourlay
EAC Project Coordinator

Subject: Rail Service Vancouver Island

From: Marilyn and Terry Newsted

Sent: June-12-18 7:25 PM

Subject: Rail Service Vancouver Island

Dear Mr. Horgan,

Re: Rail Service Vancouver Island

I believe you and your counterparts have done a huge disservice to the residents of Vancouver Island by not encouraging the re-establishment of train service on Vancouver Island. To allow this corridor to sit idle and deteriorate more and more each year is disgusting and short sighted. You and your fellow government officials should have been and need to be working now with the Island Corridor Foundation to ensure we have rail service reestablished now and for future generations.

We are an aging population. Hiking trails and bike paths may be the in thing right now and suit those adults who are fit or do not have a disability and if the weather co-operates. They are grand health/fitness concepts but it is narrow minded thinking if the rail bed is removed to accommodate them. Rails and trails can work together. Not all adults, seniors, those with disabilities and small children are going to hike/bike to Victoria or up Island. We want and need another option for safe travel up and down the Island. Trails and rails can be united and in fact in places have been incorporated into a rail/trail corridor. So it is not something which cannot be done.

We have lived in Qualicum Beach for almost 40 years. We, our family and friends have often used the train and miss it immensely. On our trips there were many different types of passengers - seniors, adults, people going to work, students going to and from school, people just out for a day trip, some going shopping, tourists, others going to events in Nanaimo or Victoria etc.

In the Parksville Qualicum Beach News of Jun 7, 2018, the Kiwanis Club of Parksville Qualicum is promoting a fund raiser *Deluxe Dinner Express*. Participants are bused (ugh) to Port Alberni to ride the train to McLean Saw Mill for a dinner/dance fund raiser. What creative thinking!!! Too bad the train ride did not start in Parksville/Qualicum!

On top of the lessening of congestion on the highway, can you imagine the tourism dollars which could be generated in each and every one of the towns/cities/hamlets a train from Victoria to Courteny stopped at. Especially now with the huge number of visitors coming into Victoria on cruise ships. Train excursions up the Island to visit and see our beautiful Island would be a hot ticket. As well as, travelling up Island to say, Nanaimo, Qualicum/Parksville or Courtenay for holiday stays, to connect with travel to the west coast or Mt. Washington, etc.

With the option of regular daily train service (in both directions) many would leave their cars at home. The tragedies of the last few weeks on our over crowded highways and the complete shut down of the access to Victoria should twig your thinking caps. The rail corridor up the Island was established to move people and goods and should and needs to be revitalized so it can serve that purpose again.

Yes, it will cost many dollars but so does any highway/bridge/ferry. The cost will be more so, as you and your predecessors have allowed this gem to sit idle for so long. Don't punish those who desire the return of rail service for your short shortsightedness. Please give this issue serious and thoughtful consideration and return our rail service. The last NDP government gave us the Inland Highway. The return of Island rail service would be visionary and could be the legacy of the Horgan government for many generations.

Thank you,

Marilynn Newsted

Subject: Invitation to participate in a survey on wildfire prevention and fuels management in the wildland-urban interface

Attachments: CommunityWildfirePreventionReportMay2018.pdf

From: Coy, Valentina <cvalenti@mail.ubc.ca>

Sent: June-13-18 5:13 PM

Subject: Invitation to participate in a survey on wildfire prevention and fuels management in the wildland-urban interface

Mayor Dianne St.Jaques
District of Ucluelet

Dear Mayor Dianne St.Jaques,

Our [2018 report](http://treering.sites.olt.ubc.ca/files/2018/05/Community-Wildfire-Prevention-Summary-Report-May-2018.pdf) (<http://treering.sites.olt.ubc.ca/files/2018/05/Community-Wildfire-Prevention-Summary-Report-May-2018.pdf>) showed wildfire preparedness is amongst the most urgent issues facing BC communities. We are reaching out to all communities, inviting you to participate in our research to ensure representation across BC and to gain insights following the unprecedented fires of 2017.

We are conducting a web-based survey to explore views about fire preparedness and fire preparedness policy alternatives in BC communities. We are interested in the perspectives of municipal-level elected officials or their representatives, officers in charge of public safety and emergency, fire chiefs, community foresters and park managers.

Completing this 26-question survey will take about 20 minutes. Your identity will be kept strictly confidential. We do not ask for your name. The survey uses IP addresses to keep one set of responses separate from another set. At no time will this information be included in the data or in any publication. Only anonymous, aggregate results will be analyzed. We use Qualtrics which is licensed to the University of British Columbia and hosted in Canada. Data will be stored electronically in password-protected files. Potential benefits of participating in this survey include opportunities to reflect on this challenge, as well as the opportunity to provide insights that may lead to increased adaptive capacity to fire risk. Results of this survey will be published and shared widely.

For the survey link go to: https://ubc.ca1.qualtrics.com/jfe/form/SV_0JQAYiEP9i0VqPH

The survey will remain open until July 15, 2018.

If you have any concerns or complaints about your rights as a research participant and/or your experiences while participating in this study, contact the Research Participant Complaint Line in the UBC Office of Research Ethics at 604-822-8598 or if long distance e-mail RSIL@ors.ubc.ca or call toll free 1-877-822-8598.

For more information about this project, please feel free to contact the principal Investigators:

Dr. Lori D. Daniels
Forest and Conservation Sciences
Faculty of Forestry, UBC
604-822-3442
lori.daniels@ubc.ca

Dr. Shannon M. Hagerman
Forest Resources Management
Faculty of Forestry, UBC
604-827-2625
shannon.hagerman@ubc.ca

Thank you for your time!

Sincerely,

Valentina Coy, on behalf of Lori Daniels and Shannon Hagerman



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 26, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF PARKS & RECREATION

FILE NO: 8100-20 UKEE DAYS

SUBJECT: UKEE DAYS: NOISE BYLAW AND ROAD CLOSURE

REPORT NO: 18-60

ATTACHMENT(S): NONE

RECOMMENDATION(S):

1. **THAT** Council allow Ukee Days festivities to act outside of the Noise Control Bylaw No. 915, 2003, Section 3 (g) and grant an extension to midnight at the Ukee Days Fairgrounds (160 Seaplane Base Road) on Saturday, July 28, 2018.
2. **THAT** Council authorizes the closing of Fraser Lane in front of the Village Green from 10:00 a.m. to 10:00 p.m. on Friday, July 27, 2018.
3. **THAT** Council authorize the temporary closure of Peninsula Road, between Matterson Road and Seaplane Base Road, from 10:15 a.m. to 10:45 a.m. for the Ukee Days parade on Saturday, July 28, 2018.
4. **THAT** Council attends the Ukee Days festivities July 27 – 29, 2018 and invites the community to join them.

PURPOSE/DESIRED OUTCOME:

The purpose of this report is to allow the Ukee Days festivities and events to take place in accordance with the bylaws and road closures and to encourage the community to attend.

BACKGROUND:

The Parks & Recreation Department will post the closure and the noise bylaw extension to the appropriate media outlets and to residents or businesses affected by the closures as well as a general information bulletin.

POLICY OR LEGISLATIVE IMPACTS:

To permit the District of Ucluelet Parks & Recreation Department to act outside the Noise Control Bylaw No. 915, 2003, Section 3 (g), which states:

Without in any way limiting the prohibition contained in Section Two (2), the following are specifically prohibited within the Municipal limits of the District:

1 |

- g) The use of any drum, loud speaker or other instrument or any noise-making device between 10:00 p.m. (2200 hrs.) of one day and 7:00 a.m. (0700 hrs.) of the next day, or any device for the production or amplification of sound either in or upon private premises or in any public place without first having obtained the permission of the Council.

Respectfully submitted: Abigail K. Fortune, Director of Parks & Recreation

Mark Boysen, Chief Administrative Officer



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 26, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MARK BOYSEN, CHIEF ADMINISTRATIVE OFFICER

FILE NO: 2240-20 ACRD

SUBJECT: UCLUELET FIRE SERVICES AGREEMENT WITH LONG BEACH AIRPORT

REPORT NO: 18-61

ATTACHMENT(S): FIRE PROTECTION SERVICES AGREEMENT

RECOMMENDATION(S):

1. **THAT** Council approve entering into a Fire Protection Services Agreement for Long Beach Airport with the Alberni-Clayoquot Regional District for a ten year term.

PURPOSE:

The purpose of this report is to request Council's approval to renew the fire services agreement for Long Beach Airport.

BACKGROUND:

The District of Ucluelet signed an agreement in 2014 to provide firefighting services to the Long Beach Airport (CYAZ) for a one-year term, which expired in 2015. The Alberni-Clayoquot Regional District has developed a new 10-year term agreement for Council's consideration (attached).

The ACRD is requesting key changes to the agreement including:

- A 10-year term for the agreement.
- Termination of the agreement by the District requires a 2-year notice to the ACRD.

The ACRD and the District of Tofino have an identical agreement that is in its 3rd year of its 10 year life.

FINANCIAL IMPACTS:

The District will receive payment of \$10.00 to fulfill the agreement for a ten-year period.

Respectfully submitted: Mark Boysen, Chief Administrative Officer

FIRE PROTECTION SERVICES AGREEMENT

THIS AGREEMENT made as of the _____ day of _____, 2018.

BETWEEN:

ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue
Port Alberni, British Columbia, V9Y 2E3

(the "**Regional District**")

OF THE FIRST PART

AND:

DISTRICT OF UCLUELET

200 Main Street
PO Box 999
Ucluelet, British Columbia, V0R 3A0

(the "**District of Ucluelet**")

OF THE SECOND PART

WHEREAS:

- A. The Regional District has requested the District of Ucluelet to provide firefighting services to the Long Beach Airport (CYAZ).
- B. The District of Ucluelet operates the Ucluelet Volunteer Fire Department and is prepared to offer firefighting services, subject to the terms and conditions contained in this Agreement;
- C. The Regional District Board of Directors have approved this Agreement and its resolution is attached as Schedule "A" to this Agreement;
- D. The Mayor and Council of the District of Ucluelet have approved this Agreement by a Council Resolution, attached as Schedule "A" to this Agreement.

NOW THEREFORE in consideration of the covenants herein contained and for other valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Regional District and the District of Ucluelet, do hereby covenant and agree each with the other as follows:

1.0 DEFINITIONS

1.1 For the purposes of this Agreement, the following definitions shall apply:

"Fire Chief" means the person who is the head of the Ucluelet Volunteer Fire Department or that person's lawfully appointed designate;

"Airport" means the Long Beach Airport (CYAZ)

"Senior Officer" means the highest-ranking Officer after the Fire Chief, or the most senior firefighter to arrive on the scene.

"Aircraft Accident" means any occurrence associated with the operation of an aircraft that takes place between the time a person boards the aircraft with the intention of flight and the time such person has disembarked, in which a person suffer death or serious injury as a result of the occurrence or in which the aircraft receives substantial damage.

"Aircraft Incident" means any occurrence associated with the operation of an aircraft that is not considered an "aircraft accident"

"Airport Emergency" means any occasion or instance, natural or man-made that warrants action to save lives and protects property and public health.

"Airport Emergency Response Plan" The Emergency Response Plan (ERP) contains roles and responsibilities for a multi jurisdiction response to occurrences on airport property. The procedures contained in the ERP are published to provide guidance before, during and after any emergency involving aircraft, structures and other events affecting the operations of the airport.

2.0 WATER SUPPLY

2.1 The District of Ucluelet, its elected officials and appointed officers, employees and volunteers shall not be responsible for any loss occurring as a result of the inability to fight any fire emergency on the Airport due to insufficient supply of water, insufficient water pressure or any other reason outside the Regional District's control.

3.0 EXTENT OF SERVICE

3.1 The District of Ucluelet, through the Ucluelet Volunteer Fire Department, agrees to provide structural firefighting services to the Airport as of the date of this Agreement. A fire service area map is attached as Schedule "B"

- 3.2 This Agreement shall not be interpreted to create any greater standard of care or liability on the part of the District of Ucluelet in respect of the supply of fire protection services to the Airport than that which applies to the supply of such services to inhabitants of District of Ucluelet. Nothing in this Agreement shall require the District of Ucluelet to provide a fire service under this Agreement higher than the level of fire protection service provided to the District of Ucluelet. The Airport Emergency Response Plan (ERP) shall be used as a guide in operations.
- 3.3 Notwithstanding any other provision in this Agreement, the parties acknowledge and agree that the distance between the Airport and the Ucluelet Fire Hall will result in longer response times. The parties acknowledge and agree that the Ucluelet Volunteer Fire Department has limited resources for fighting fires including limited personnel, training and equipment. Accordingly, it is acknowledged that a reduced level of services in respect of response time and overall fire protection services will be provided to the Airport.
- 3.4 Notwithstanding any other provision in this Agreement, the parties acknowledge and agree that the Ucluelet Volunteer Fire Department has limited resources to fight aircraft fires. The department will fight fires using equipment and apparatus designed for use for combating Structural Firefighting.
- 3.5 Nothing in this Agreement requires the Fire Chief of the Ucluelet Volunteer Fire Department to deploy firefighting personnel, apparatus, and equipment to the Airport, where the Fire Chief or his/her designate has determined that they are either unavailable or are required to provide fire protection within the District of Ucluelet fire service area.

4.0 NATURE OF SERVICE

- 4.1 The District of Ucluelet shall provide the firefighting service on a twenty-four hour on call basis from the Ucluelet Fire Hall, utilizing the manpower and equipment available at the time of notification of a fire.

5.0 INDEMNITY

- 5.1 The Regional District shall indemnify and save harmless the District of Ucluelet, its elected officials and appointed officers, employees and volunteers from any and all actions, causes of action, suits or other liability whatsoever which may arise as a consequence of the District of Ucluelet entering into or carrying out the provisions of this Agreement.

6.0 FEES

- 6.1 The annual fee for fire protection services provided by the District of Ucluelet under this Agreement shall be \$10.00.

7.0 COST OF ADDITIONAL AID

- 7.1 The Regional District agrees to pay the full cost of any additional firefighting manpower or equipment from another jurisdiction outside the Regional District that the Regional District considers necessary to assist with an emergency situation on the Airport.

8.0 RIGHTS RESERVED

- 8.1 Nothing contained or implied herein shall prejudice or affect the rights and powers of the District of Ucluelet in the exercise of its functions under any public or private statutes, bylaws, orders or regulations, all of which may be fully and effectively exercised in relation to the Ucluelet Volunteer Fire Department and the fire protection services provided hereunder and any other function of the District of Ucluelet as if this Agreement had not been executed and delivered by the parties and the interpretation of this Agreement shall be subject to and consistent with statutory restrictions imposed on the District of Ucluelet under the *Local Government Act* and the *Community Charter*.

9.0 TERM OF AGREEMENT

- 9.1 This Agreement shall come into force as of the date of its execution by all parties and shall continue in force for (10) years or until earlier terminated as provided for in this Agreement.

10.0 ASSIGNMENT

- 10.1 This Agreement shall not be assigned by any of the parties hereto except with the prior written consent of the others, which consent shall not be unreasonably withheld.

11.0 TIME

- 11.1 Time shall be of the essence of this Agreement.

12.0 INTERPRETATION

12.1 No provision of this Agreement shall be construed to create a partnership or joint venture relationship, an employer-employee relationship a landlord-tenant, or a principal-agent relationship.

13.0 HEADINGS

13.1 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

14.0 WAIVER

14.1 The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

15.0 LANGUAGE

15.1 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

16.0 BINDING EFFECT

16.1 This Agreement will ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assignees.

17.0 TERMINATION BY THE DISTRICT of UCLUELET

17.1 The District of Ucluelet may terminate this Agreement at any time upon giving two (2) years' notice in writing to the Regional District.

18.0 TERMINATION BY THE REGIONAL DISTRICT

18.1 The Regional District may terminate this Agreement at any time upon giving two (2) years' notice in writing to the District of Ucluelet.

19.0 NOTICE

19.1 It is hereby mutually agreed that:

any notice required to be given under this Agreement will be deemed to be sufficiently given:

- (i) if delivered, at the time of delivery; and
- (ii) if mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

if to the Regional District:

3008 Fifth Avenue
Port Alberni BC V9Y 2E3

if to the District of Ucluelet:

200 Main Street
PO Box 999
Ucluelet, British Columbia, V0R 3A0

Unless otherwise specified herein, any notice required to be given under this Agreement by any party will be deemed to have been given if mailed by prepaid registered mail, or sent by facsimile transmission, or delivered to the address of the other party set forth on the first page of this Agreement or at such other address as the other party may from time to time direct in writing, and any such notice will be deemed to have been received if mailed or faxed, 72 hours after the time of mailing or faxing and, if delivered, upon the date of delivery. If normal mail service or facsimile service is interrupted by strike, slow down, force majeure or other cause, then a notice sent by the impaired means of communication will not be deemed to be received until actually received, and the party sending the notice must utilize any other such services which have not been so interrupted or must deliver such notice in order to ensure prompt receipt thereof.

20.0 DISPUTE RESOLUTION

20.1 If a dispute relating to this Agreement should arise, and the Parties cannot settle the dispute through negotiation, then the Parties must attempt in good faith to resolve the dispute through mediation. If mediation is unsuccessful, the parties may submit the dispute to binding arbitration pursuant to the *Commercial Arbitration Act* (British Columbia).

20.2 If any dispute is referred to mediation or to an arbitrator appointed under the *Commercial Arbitration Act*, the costs of the mediation or arbitration shall be borne

SCHEDULE "A"
COUNCIL RESOLUTIONS

Alberni-Clayoquot Regional District

Regular Board of Directors Meeting – _____

"That the Alberni-Clayoquot Regional District Board of Directors enters into a Fire Protection Services Agreement with the District of Ucluelet for the Ucluelet Volunteer Fire Department to provide structural firefighting to the Long Beach Airport for a fee of \$__ 10.00__ for a ten year term"

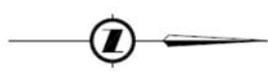
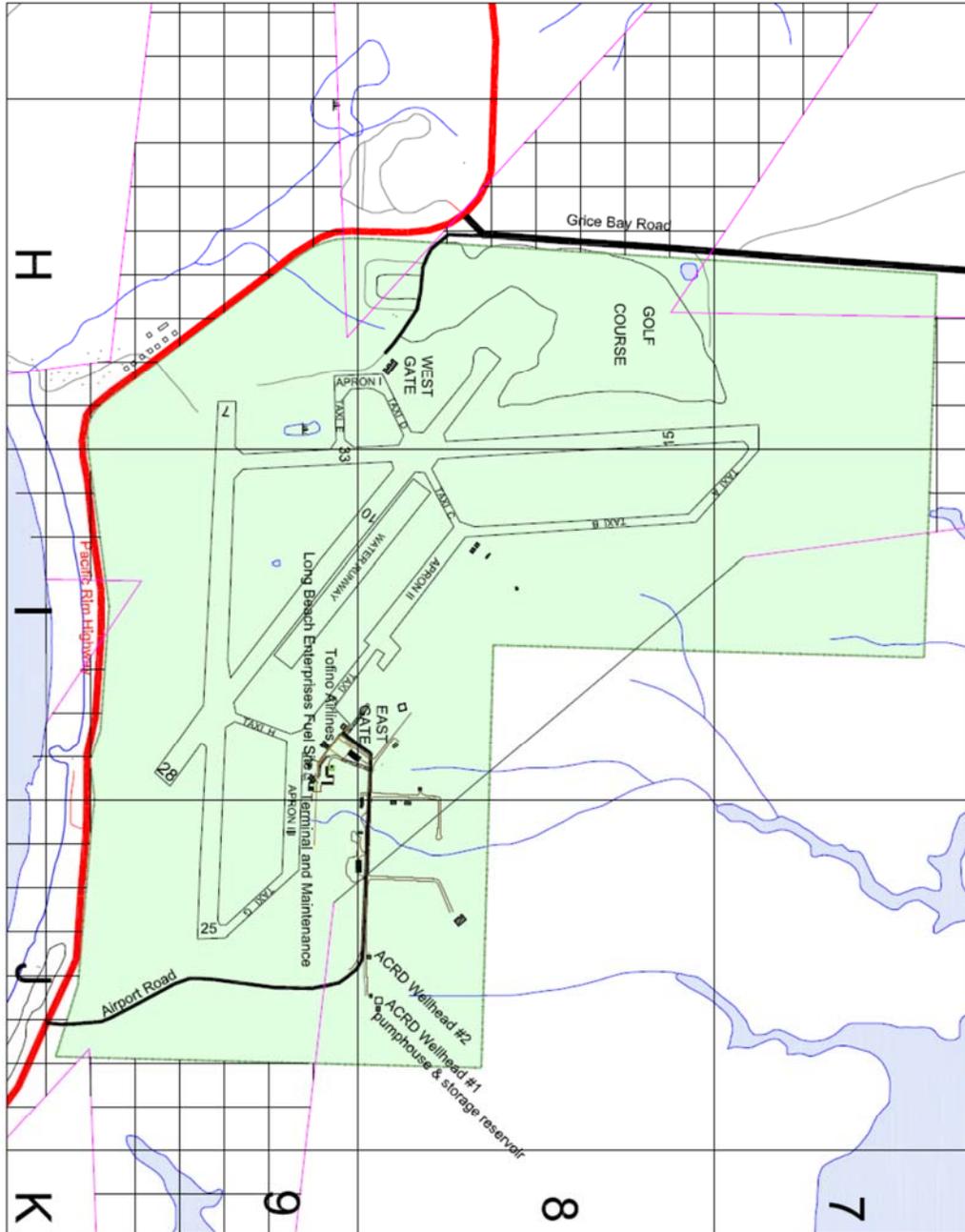
District of Ucluelet

Regular Council Meeting – _____

"That the Mayor and Council for the District of Ucluelet enters into a Fire Protection Services Agreement with the Alberni-Clayoquot Regional District to provide structural firefighting to the Long Beach Airport for a fee of \$10.00 for a ten year term"

SCHEDULE "B"

Long Beach Airport (CYAZ) Fire Protection Area





STAFF REPORT TO COUNCIL

Council Meeting: JUNE 26, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MARLENE LAGOA, DEPUTY MUNICIPAL CLERK

FILE NO: 1630-01

SUBJECT: CHEQUE LISTING – MAY 2018

REPORT NO: 18-62

ATTACHMENT(S): APPENDIX A – MAY 2018 CHEQUE LISTING

RECOMMENDATION(S):

1. **THAT** Council receive the District of Ucluelet's May 2018 Cheque Listings for information.

PURPOSE:

The purpose of this report is to provide Council with a monthly listing of all cheques disbursed.

BACKGROUND:

At the February 27, 2018 Regular Meeting of Council, the following resolution was adopted:

"THAT Council direct the Chief Financial Officer to report back to Council with some options and recommendations for moving forward with providing a cheque run."

Finance staff have provided a detailed list of the cheque run for May 2018 (Appendix A).

POLICY OR LEGISLATIVE IMPACTS:

The cheque listing has been reviewed to ensure compliance with the *Freedom of Information and Protection of Privacy Act*. The names of individual's shown on the cheque listing are either employed with the District or contracted for the delivery of goods and services.

OPTIONS REVIEW:

1. THAT Council receive the District of Ucluelet's May 2018 Cheque Listing for information.
2. THAT Council provide alternative direction to staff.

Respectfully submitted:

Marlene Lagoa, Deputy Municipal Clerk

Mark Boysen, Chief Administrative Officer

APPENDIX A

District of Ucluelet
Cheque Listing
May 2018

Cheque #	Pay Date	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
01052018	2018-05-01	SUN LIFE ASSURANCE COMPANY OF CANADA	05/18	MAY/18 PREMIUMS	8752.73	8752.73
027149	2018-05-03	COOK ROBERTS LLP IN TRUST	00119-0102	00119-0102	41624.17	41624.17
027150	2018-05-03	CPPL ROBERTS LLP	00119-0102	00119-0102	2500	2500
027151	2018-05-11	CONNECT ROCKET COMMUNICATIONS INC.	2092 2254	QRTLRY USAGE NOV/17-JAN/18 QRTLRY USAGE FEB/18-APR/18	63.57 2.93	66.5
027152	2018-05-11	ALBERNI COMMUNICATIONS & ELECTRONICS LTD	25272 25273	UVFB-PAGER/RADIO REPAIR UVFB-PAGER/RADIO REPAIR	49.28 212.44	261.72
027153	2018-05-11	TYCO INTEGRATED FIRE & SECURITY CANADA I	Z4328040	BATTERY REPLACEMENT/UCC	105	105
027154	2018-05-11	AGS BUSINESS SYSTEMS INC	36909	03/29/18-04/28/18	937.83	937.83
027155	2018-05-11	ALS CANADA LTD.	E1645121	KENNEDY LAKE WATER SAMPLES	885.72	885.72
027156	2018-05-11	AVICC	201850	2018 AVICC ANNUAL DUES	245.7	245.7
027157	2018-05-11	BLACK PRESS GROUP LTD.	33425682	APR/18 ADS	96.65	96.65
027158	2018-05-11	CORPORATE EXPRESS CANADA INC	47098709	ANDERSON-UVFB PRINTER TONER	196.81	196.81
027159	2018-05-11	CGIS CENTRE	43207	GIS TECH SERVICE/RE:2018-0021	399	399
027160	2018-05-11	KASSLYN CONTRACTING	D617	D617	3439.06	3439.06
027161	2018-05-11	CITY OF NANAIMO	122269 122268 122267	UVFB-FR COURSE/2 RECERTS UVFB-FR RECERTS UVFB FR CONTRACT 2018	498.75 525 131.25	1155
027162	2018-05-11	CRITERION PICTURES	779292A 789410	FREIGHT FEES/MOVIES/OUTSTANDING ANNUAL LICENSE FEE 18/19	47.31 1212.75	1260.06
027163	2018-05-11	CLEARTECH INDUSTRIES INC	744374	SODIUM HYPOCHLORITE	856.3	856.3
027164	2018-05-11	DOLAN'S CONCRETE LTD.	UK44936	CONCRETE-FOR MANHOLE	188.02	188.02
027165	2018-05-11	DUMAS FREIGHT COMPANY	57832 59094	CLEARTECH-HYPOCHLORITE FOURSTAR-PUMP	483.24 43.96	527.2
027166	2018-05-11	DRAESEKE JAN	122279	DRAESEKE-CHI GONG	149.56	149.56
027167	2018-05-11	FOUR STAR WATERWORKS LTD.	52097	LAKE PUMP	673.75	673.75
027168	2018-05-11	FOUR STAR COMMUNICATIONS INC	45841	APR/18	143.33	143.33
027169	2018-05-11	GIBSON BROS. CONTRACTING LTD.	18904	GRAVEL-PARKS&REC	558.88	558.88
027170	2018-05-11	GREATPACIFIC CONSULTING LTD	673	PROJECT REM2018	2600.45	2600.45
027171	2018-05-11	GREY WHALE DELICATESSEN	142850 282478	UVFB FR TRAINING SNACKS UVFB-FR COURSE LUNCH&SNACKS APR7-:	36.7 337.58	374.28
027172	2018-05-11	HUBER CHANTAL	122283	HUBER-YOGA APRIL/18	154.86	154.86
027173	2018-05-11	HETHERINGTON INDUSTRIES	78563	SCH INNER BASIN-OIL PICKUP	350.6	350.6
027174	2018-05-11	HART CIERRA	122286	HART-SWIMMING/SPRING/18	760	760
027175	2018-05-11	HOGAN, SARAH	122282	HOGAN-DANCE FIT/APRIL 18	117.05	117.05
027176	2018-05-11	ISLAND BUSINESS PRINT GROUP LTD	165275 165621	ENVELOPES #10 2018 TAX NOTICES	245.28 1002.4	1247.68
027177	2018-05-11	KOERS & ASSOCIATES ENGINEERING LTD.	1403-017	1403 CEDAR RD PRV	452.03	452.03
027178	2018-05-11	KERDMAN LINDSAY	122285	KERDMAN-GYMNASTICS	1812.8	1812.8

APPENDIX A

District of Ucluelet
Cheque Listing
May 2018

Cheque #	Pay Date	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
027179	2018-05-11	KPMG LLP	8002001726	1ST PYMNT-2017 AUDIT	15750	15750
027180	2018-05-11	L'HOMME SOPHIE	122284	L'HOMME-CHOIR-WINTER/18	4328	4328
027181	2018-05-11	McEWEN MARILYN	122271	MCEWEN-COMMUNITY ACHIEVEMENT A\	551.92	551.92
027182	2018-05-11	MAXXAM ANALYTICS	VA1138180	SEWER TESTING B826814	168	420
			VA1139535	WATER TESTING B828963	126	
			VA1141369	WATER TESTING B831020	126	
027183	2018-05-11	NIXON, KEVIN	122278	NIXON-UVFB SNACKS/TRAINING	92.15	92.15
027184	2018-05-11	NADEAU RENEE	122280	NADEAU-YOGA/APRIL 18	90.2	90.2
027185	2018-05-11	OLIWA RANDY	122272	OLIWA-AVICC/VICTORIA	959.71	959.71
027186	2018-05-11	ACRD	6842	WPT DEEP GARBAGE	31.2	31.2
027187	2018-05-11	RIVERA LYVIER	122281	RIVERA-LINE DANCE	63.26	63.26
027188	2018-05-11	ST JACQUES DIANNE	122266	ST.JACQUES-AVICC VICTORIA	1036.58	1036.58
027189	2018-05-11	SAMUEL GIROUX	287738	SERVICE UCC PIANO	140	140
027190	2018-05-11	SONBIRD REFUSE & RECYCLING LTD.	32024	APR/18 GARBAGE LYCHE	61.11	2299.41
			32026	APR/18 GARBAGE 52 STEPS	169.89	
			32025	APR/18 GARBAGE SCH	947.94	
			32027	APR/18 GARBAGE WD	306.92	
			32029	APR/18 GARBAGE UCC	201.29	
			32030	APR/18 GARBAGE UAC/FH	45.15	
			32028	APR/18 GARBAGE PW	567.11	
027191	2018-05-11	SHU IAN	122287	SHU-PURPLE DRAGON	1434.8	1434.8
027192	2018-05-11	STEWART MCDANNOLD STUART	78627	261 075	252	252
027193	2018-05-11	SIMON MAXWELL-NANAIMO	SVI030921	GENERATOR REPAIR	1625.97	1625.97
027194	2018-05-11	TOURISM UCLUELET	02/18	FEB/18 MRDT	12439.61	12439.61
027195	2018-05-11	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	71034755	KENNEDY	110.8	1085.9
			71033313	#24	169.07	
			71033490	#3	84.1	
			1348	R1	54.08	
			1329	R1	49.75	
			1331	E1	30.89	
			71033411	#23	84.23	
			71033415	#24	201.21	
			71032856	#3	180.31	
			71032448	#4	60.05	
			71032669	KENNEDY	61.41	
027196	2018-05-11	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	71035336	#1	141.41	1048.24
			71035390	KENNEDY	29.67	
			71034803	KENNEDY	165.26	
			71034825	#13	27.59	
			71036437	KENNEDY	48.42	
			71036439	KENNEDY	59.53	
			71036403	#10	133.8	
			71035578	#3	143.33	
			71035594	#3	93.82	
			71035718	KENNEDY	151.56	
			71035168	BYLAW	53.85	
027197	2018-05-11	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	71040986	#3	139.62	1366.38
			71040722	#12	91.86	
			71040563	KENNEDY	167.87	
			71039504	#4	62.22	
			71038572	#18-KENNEDY LAKE	229.92	
			71038484	#2	80.33	

APPENDIX A

District of Ucluelet
Cheque Listing
May 2018

Cheque #	Pay Date	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
			71038674	#22	82.35	
			71038473	WHITE RANGER	53.53	
			71038065	#4-KENNEDY LAKE	230.2	
			71037615	#4	60.16	
			71037616	#24	168.32	
027198	2018-05-11	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	71041453	WHITE RANGER	8	987.28
			71041650	#20	29.42	
			71041150	KENNEDY	209.05	
			71041167	#1	141.59	
			CO1042418	APR 4 AFTERSCHOOL	21.81	
			71042400	KENNEDY	132.51	
			71043543	KENNEDY	147.58	
			71042415	WHITE RANGER	60.3	
			71041449	#23	82.48	
			71042404	#2	95.78	
			71043544	#5	58.76	
027199	2018-05-11	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	CO1091166	APR 9 AFTERSCHOOL	38.01	311.23
			CO1042658	ZIPLOCKS/PACKING TAPE	37.01	
			CO1128618	OHS TRAINING-SNACKS	46.61	
			CO1128588	MILK/CREAM/COFFEE	49.48	
			CO1088676	SNACKS-YOUTH MOVIE NIGHT	32.51	
			CO1089748	SNACKS-AFTERSCHOOL PROGRAM	14.87	
			CO1091157	TEEN MOVIE & MEAL NIGHT	31.33	
			CO1045938	TEEN MOVIE NIGHT	33.27	
			CO1093447	AFTERSCHOOL CLUB SNACKS	22.76	
			CO1108161	AFTERSCHOOL SNACKS	5.38	
027200	2018-05-11	UKEE INFO TECH	10665	IT SUPPORT APR/18	1134	1134
027201	2018-05-11	UCLUELET PETRO-CANADA	704	BOBCAT TIRE REPAIR	155.32	155.32
027202	2018-05-11	UCLUELET RENT-IT CENTER LTD	29402	PUMP-OUT KENNEDY LK	260.41	1849.69
			29336	APR/18 PORTABLES	1589.28	
027203	2018-05-11	WINDSOR PLYWOOD - UCLUELET DIV.	48645A	LAGOON-MATERIALS/SUPPLIES	1448.68	6149.23
			48959A	PLUMBING MATERIALS	31.58	
			49131A	PAINT SUPPLIES	15.49	
			49235A	PAINT	53.43	
			49914A	SAW BLADES	95.4	
			49999A	CULVERT/MANHOLE BRICKS	67.06	
			50000A	HARDI PLANK-LAGOON	3686.09	
			50093A	STAPLE GUN/STAPLES	48.92	
			50455A	LAGOON-BUILDING MATERIALS	541.85	
			48533A	UCC-LUMBER/HINGES/SCREWS	160.73	
027204	2018-05-11	ACKLANDS - GRAINGER INC.	9776326382	DISPOSAL CONTAINER	118.81	118.81
027205	2018-05-11	CORPORATE EXPRESS CANADA INC	47376263	PENS/PADS/PAPER/ENVELOPES	256.42	256.42
027206	2018-05-11	DOLAN'S CONCRETE LTD.	82274	ROAD MULCH/DRAINAGE PROJ.	528.51	528.51
027207	2018-05-11	FORTUNE, ABBY	122277	FORTUNE-BCRPA/VANCOUVER	265.32	554.4
			122276	FORTUNE-MIA/VANCOUVER	289.08	
027208	2018-05-11	FORTUNE, MARK	122273	FORTUNE REIMBURSED EXPENSES	50.93	50.93
027209	2018-05-11	FAR WEST DISTRIBUTORS LTD	319048	UCC BATHROOM SUPPLIES	196.76	622.95
			319119	SCH-W/R SUPPLIES	426.19	
027210	2018-05-11	GUDBRANSON, BARB	122274	GUDBRANSON-LEISURE DEVELOPMENT	1219.88	1219.88
027211	2018-05-11	[REDACTED]	2000870-002	REFUND ON GARDEN PLOT	71.25	71.25
027212	2018-05-11	LONG BEACH GUTTERS LTD	887171	ANNUAL CLEANUP-REC HALL	252	378
			887170	GUTTERS-UCC	126	
027213	2018-05-11	REVENUE SERVICES OF BC	05/18	MAY/18	2775	2775

APPENDIX A

District of Ucluelet
Cheque Listing
May 2018

Cheque #	Pay Date	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
027214	2018-05-11	UCLUELET LOCAL FOOD SOCIETY	122275	COMMUNITY GARDEN	660	660
027215	2018-05-11	UCLUELET PETRO-CANADA	774	KEYS/TAGS FOR LIFTSTATIONS	26.88	26.88
027216	2018-05-14	CUPE LOCAL #118	03/18	CUPE DUES-MAR/18	1225.05	1225.05
027217	2018-05-14	FISHERIES AND OCEANS	PRHQ-5940-P-13	JAN /17-JAN/22	5.25	5.25
W0002599	2018-05-18	MUNICIPAL PENSION PLAN	PP10/18	PP10/18	9987.02	9987.02
027219	2018-05-28	ASHTON BRENT	122292	ANIMAL CONTROL COURSE-VANCOUVER	953.56	953.56
027220	2018-05-28	AUJLA DENISE	122289	SPRING FRENCH CLUB/WINTER RETRO PA	700	700
027221	2018-05-28	ASSOCIATED ENGINEERING (B.C.) (LTD)	267476 266690	KENNEDY LK PROJ# 2017-2163.000 KENNEDY LK PROJ# 2017-2163.000	24997.19 10808.9	35806.09
027222	2018-05-28	ACKLANDS - GRAINGER INC.	9790380431 9790477245	HAND SANITIZER CAPSCREWS	54.17 10.04	64.21
027223	2018-05-28	ALS CANADA LTD.	E1648604	KENNEDY LAKE WATER SAMPLES	995.72	995.72
027224	2018-05-28	BOWERMAN EXCAVATING LTD	11852	PROGRESS CLAIM #5	6399.75	5444.75
027225	2018-05-28	BC MUNICIPAL SAFETY ASSOCIATION	180234	EMRGNCY SCENE TRAFFIC CONTROL	73.5	73.5
027226	2018-05-28	CORPORATE EXPRESS CANADA INC	47221943 47280269 46958618	UCC-LAMINATING/BATTERIES/COUNTER DESKTOP RISER/BATTERY BACKUP/POST-I FILE DRAWER-RETURN	241.86 405.03 -45	601.89
027227	2018-05-28	KASSLYN CONTRACTING	D618 D620 D619	D618 D620 D619	6241.23 3211.84 2995.65	12448.72
027228	2018-05-28	CITY OF NANAIMO	122293	UVFB-EXAM#2 REWRITES	183.75	183.75
027229	2018-05-28	DOLAN'S CONCRETE LTD.	UP82275	ROAD MULCH	549.64	549.64
027230	2018-05-28	DUMAS FREIGHT COMPANY	60402	SHIP TO CLEARTECH-CONTAINERS	110.25	110.25
027231	2018-05-28	ERIK LARSEN DIESEL CO. LTD.	715855	STRAPS FOR BACKHOE	112	112
027232	2018-05-28	ENGINEERED PUMP SYSTEMS LTD.	59734	SERVICE LIFT STATIONS/PARTS	3072.69	3072.69
027233	2018-05-28	JOHNSON COURTNEY	122290	GLEE WINTER 2018	4932	4932
027234	2018-05-28	FAR WEST DISTRIBUTORS LTD	319342 319267 319266	UCC-DISTILLED WATER/DISH SOAP PW-CLEAN SWEEP SUPPLIES HAND SANITIZER	17.36 275.69 165.22	458.27
027235	2018-05-28	HETHERINGTON INDUSTRIES	60849	WASTE ABSORBANTS SCH	173.25	173.25
027236	2018-05-28	HACH SALES & SERVICE CANADA LTD	165732	ANNUAL CALIBRATION-TEST EQUIPMENT	3328.64	3328.64
027237	2018-05-28	INFOSAT COMMUNICATIONS	341637	MAY/18	65.12	65.12
027238	2018-05-28	KOERS & ASSOCIATES ENGINEERING LTD.	9601-147 9601-148 1763-004 1762-006 1811-002 1764-005 1756-006	9601 MISC-181 SERVICE MAP 9601 MISC: 175 MARINE DR WALKWAY 1763 MATTERSON ALTITUDE VALVE CHAN 1762 BAY ST SIMPLEX P/S REPLACEMENT 1811 BC HYDRO SERVICE CONNECTION 1764 WELLFIELD VFD UPGRADES 1756 KENNEDY LAKE WATER SUPPLY	1653.75 3092.25 429.98 7088.03 468.56 1560.04 545.74	14838.35
027239	2018-05-28	UCLUELET CONSUMERS CO-OPERATIVE ASSN	06/18	JUN/18 LEASE	250	250
027240	2018-05-28	YOUNG ANDERSON	106977 106975 106976 106978	1190102 1190080 1190095 1190128	2655.8 1159.77 370.74 780.48	5161.34

APPENDIX A

District of Ucluelet
Cheque Listing
May 2018

Cheque #	Pay Date	Vendor Name	Invoice #	Description	Invoice Amount	Paid Amount
			106979	1190134	88.43	
			106980	1190151	106.12	
027241	2018-05-28	McEWEN MARILYN	122288	MCEWEN-HARBOUR AIR CELEBRATION	45.36	45.36
027242	2018-05-28	MAXXAM ANALYTICS	VA1143540	WATER TESTING B833278	252	252
027243	2018-05-28	MINISTER OF FINANCE	WSI296261	2017 WATER LATE PAYMENT PENALTY	8.4	250.4
			WSI294214	2017 WATERWORKS LOCAL PROVIDER FEI	200	
			WSI304762	C024206 PCL/PERMIT 2018	21	
			WSI304764	C026923 PCL/PERMIT 2018	21	
027244	2018-05-28	MINISTER OF FINANCE	EMI333565	14515 PERMIT FEE 2018	1633.3	1633.3
027245	2018-05-28	MacKINNON TAMMI	122291	DOG OBEDIENCE-SPRING 2018	400	400
027246	2018-05-28	PUROLATOR INC	437957500	MAXXAM	117.71	262.42
			438020905	MAXXAM/HEATHER MCKENZIE/COOK ROI	144.71	
027247	2018-05-28	RECEIVER GENERAL OF CANADA	1800046744	ROW LOT 469 2018 1ST INSTALMNT	262.5	525
			1800046745	ROW LOT 462 2018 1ST INSTALMNT	262.5	
027248	2018-05-28	SUEZ WATER TECHNOLOGIES AND SOLUTIONS	99271000	PRJCT#504365 PILOT STUDY	12600	12600
027249	2018-05-28	SUN LIFE ASSURANCE COMPANY OF CANADA	41767	EAP PROGRAM-SUN LIFE	99.23	99.23
027250	2018-05-28	UCLUELET CHAMBER OF COMMERCE	101	SUPERHOST TRAINING	330.75	330.75
027251	2018-05-28	UCLUELET PETRO-CANADA	777	12V BATTERIES	741.73	1113.22
			805	FORD RANGER-LUBE/OIL/FILTER	99.66	
			871	GMC CANYON-LUBE/OIL/FILTER	166.5	
			860	VAN CHECK-UP	105.33	
027252	2018-05-28	WHITE MAGNOLIA RESORT CO LTD	105	APR/18 POOL RENTAL	1228.5	2457
			108	MAY/18 POOL RENTAL	1228.5	
027253	2018-05-28	XPLORNET COMMUNICATIONS INC	INV21982132	MAY/18	78.39	78.39



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 26, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BARBARA MILLAR, MANAGER OF FINANCE

FILE NO: 1970-03

SUBJECT: GRANT TO NON-PROFITS LEASING OFFICE SPACE AT 398 MATTERSON DRIVE

REPORT NO: 18-63

ATTACHMENT(S): NONE

RECOMMENDATION(S):

1. **THAT** Council approve grants totaling \$8,091.03 to the following non-profit organizations leasing office space at 398 Matterson Drive: Westcoast Community Resources Centre - \$2,995.89; Nuu-Chah-Nulth Tribal Council - \$861.50; and Ucluelet Daycare Society - \$4,233.64.

PURPOSE/DESIRED OUTCOME:

The purpose of this report is to request Council provide grants to non-profit organizations leasing office space.

BACKGROUND:

On October 24, 2017, Council adopted Permissive Tax Exemption Bylaw No. 1221, 2017, exempting properties listed in the bylaw from municipal property taxes. In accordance with Section 224 of the *Community Charter*, non-profit organizations using municipal property may be exempted from taxation, however each must be listed in the municipality's permissive tax exemption bylaw.

The following properties, previously exempted in the permissive tax bylaw, were not included in Bylaw No. 1221, 2017:

- a) Westcoast Community Resources Centre, 398 Matterson Drive Folio 42000010 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Westcoast Community Resources Centre;
- b) Nuu-Chah-Nulth Tribal Council – 398 Matterson Drive Folio 42000020 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Nuu-Chah-Nulth Tribal Council;
- c) Ucluelet Daycare Society – 398 Matterson Drive Folio 42000050 being that portion of Lot A, Plan VIP56963, District Lot 281, Clayoquot Land District that is used by the Ucluelet Daycare Society

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

A decision must be made at the June 26th regular meeting in order to apply the grant funding to each account prior to July 3, 2018.



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 26, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRENT ASHTON, BYLAW SERVICES OFFICER

FILE NO: 4020-20 STR

SUBJECT: SHORT-TERM RENTAL PROGRAM – UPDATE

REPORT NO: 18-64

ATTACHMENT(S): NONE

RECOMMENDATION(S):

1. **THAT** Council receive this Short-Term Rental Program update report for information.

PURPOSE:

The purpose of this report is to provide an update on Ucluelet's Short-Term Rental (STR) bylaw outreach, investigation and enforcement program.

BACKGROUND:

At its December 12, 2017, meeting Council received a report on the initial results and staff observations from the STR program. This report provides an updated snapshot of STR compliance and results over the past six months.

UPDATE ON HOST COMPLIANCE DATA AND STAFF ACTIVITIES:

Currently, Staff have identified 129 STR properties in Ucluelet with active listings. Note this number changes week to week as properties are added or removed from the short-term rental market, but for the purposes of this report that number can be considered reasonably accurate and current.

A total of 78 units hold a valid business licence for short term rentals and 7 are in progress. Property management companies hold a total of 24 licenses.

The remaining 16 properties identified by *Host Compliance LLC* and advertising their STR unit do not have a business licence. Of those, 10 are resort condominium units with no barriers to obtaining a business licence (i.e., the owners need to apply and issuing the business licence would be routine).

Another remaining 6 properties require inspection to determine zoning compliance. So far, Bylaw Services Staff have been in contact with most of these owners.

Of the properties identified and contacted, 3 have been unable to obtain a business licence because the operation was found to not comply with one or more of the following:

- Not a **permitted use in the zoning** bylaw;

- Construction or change of use without the required **building permit**; and/or,
- **Owner not a present, full-time resident** in cases where required by the zoning.

The owners of these properties (coloured red in **Figure 1**, below) have the option of seeking compliance (i.e. ceasing the STR use, obtaining a building permit, applying to amend their zoning to allow the use, etc. as the case may be). Those who do not comply voluntarily will be subject to progressive steps of bylaw enforcement.

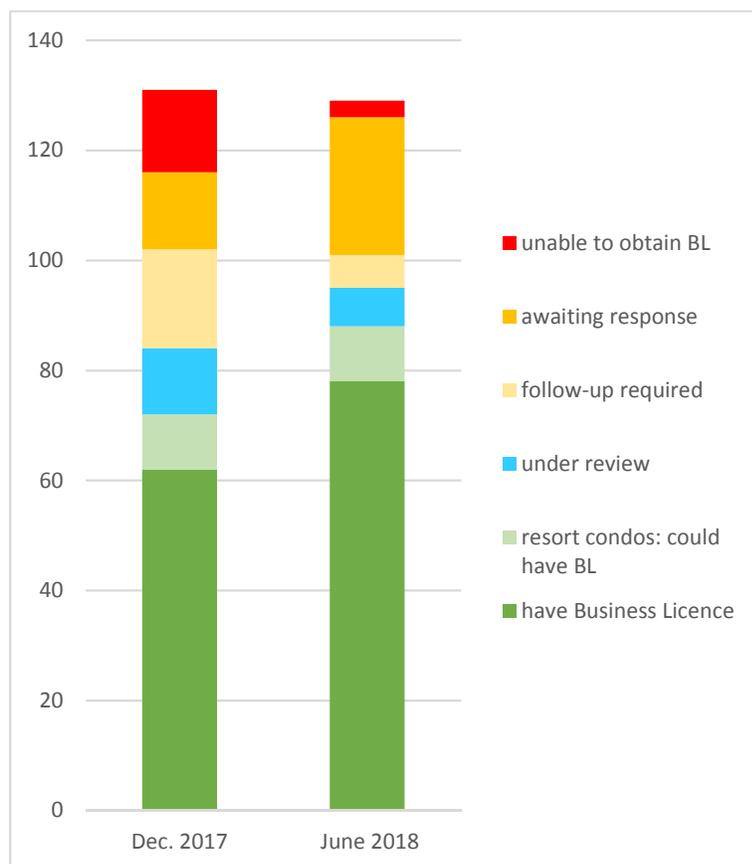


Figure 1: Active Short Term Rentals – comparing last six months

Most people have complied with bylaws willingly, or at least have been cooperative with coming into compliance. Obtaining compliance can take time, particularly in cases where an owner needs to complete work to obtain occupancy on a building permit. In most cases the bylaw infractions are eventually resolved. Recent activities in enforcement among the current STR listings:

- one stopped advertising;
- two have been given warnings to stop operating and are being monitored;
- one property was issued \$1,800 in fines for repeated non-compliance;
- one was requested to stop operating, and has fully cooperated; and,
- one found a long-term tenant/manager for their property, bringing it into compliance with the requirement to have a resident manager on site.

LESSONS LEARNED:

The Bylaw Services Officer continues to contact property owners to educate them about the bylaw requirements and the need to apply for a business licence. Staff continue to get inquiries about the STR application process and continue to receive new applications as communication about monitoring and compliance measures spreads. As seen in Figure 1, above, the proportion of active short-term rentals which are not compliant with District bylaws has been reduced over the past six months. Note the total number of listings remains relatively constant but the individual properties involved changes over time as new listing appear and others are shut down.

Staff are working on updated business licence forms and have created a STR tracking tool to enable the efficient tracking of all known STR properties and their status. This will enable the District to better track both individual properties and trends in compliance over time. Host Compliance reports that they are able to positively identify the individual property in 98% of the online rental listings; this is a very high identification rate compared to many municipalities.

POLICY OR LEGISLATIVE IMPACTS:

Staff recommend that the current STR bylaw outreach, investigation and enforcement program continue. The proportion of non-compliant listed STR units appears to have been reduced as a result of the efforts to date. As noted previously, potential changes to the zoning and business licence bylaws may be warranted in response to the challenges STR's pose to the community housing supply, and may follow the update of OCP housing policies currently under review. Such changes are expected to be brought forward for Council consideration in the coming months.

OPTIONS REVIEW:

1. **THAT** Council receives this Short-Term Rental Program report for information.
(Recommended)
2. **THAT** Council provide alternative direction to staff.

Respectfully submitted: Brent Ashton, Bylaw Services Officer

Bruce Greig, Manager of Community Planning

Mark Boysen, Chief Administrative Officer



STAFF REPORT TO COUNCIL

Council Meeting: June 26, 2018

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: 6480-20-2018-OCF

SUBJECT: UCLUELET OCP – HOUSING ACTION PLAN

REPORT NO: 18-65

RECOMMENDATIONS:

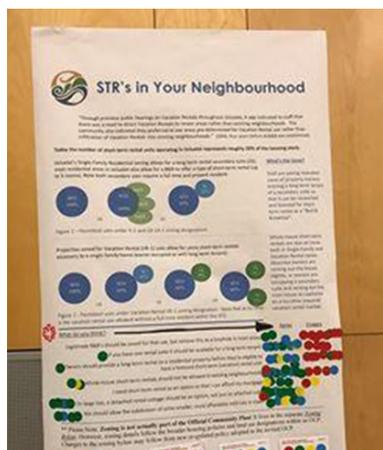
1. **THAT** Council provide feedback on the actions listed in the draft 2018 Housing Action Plan; and,
2. **THAT** the District proceed with commissioning a Community Housing Needs Assessment to analyze the current and emerging housing needs, identify gaps in the spectrum of existing and planned housing supply, and assist in identifying housing priorities in Ucluelet.

PURPOSE:

To provide Council with a brief background and preview of OCP housing discussions - plus a draft of potential short-term housing actions - and to seek direction on the immediate task of commissioning a Housing Needs Assessment.

Background:

Throughout the engagement of the Ucluelet Official Community Plan Update, initiated in 2016, a primary area of concern recognized by community members, staff and Council has been a suite of issues surrounding the supply and affordability of housing. During community consultation in March, housing was a key topic area and generated excellent discussion and feedback. Staff consider it timely to prompt further discussion focused on housing as the draft OCP takes shape. At the same time, other current community discussions could be informed by a clear picture of what the municipality is doing in this area. It is also timely to consider a series of short-term tasks to move forward on addressing these issues.



The 2016 Census counted a resident population of 1,717 people in Ucluelet, and a total of 735 occupied private dwellings. Gathered from the census data over the past ten years, Ucluelet has experienced 1.36% annual population growth, or 23 new residents per year; this could be considered strong, positive growth.

Over the same period, visitor growth and non-resident home ownership has also expanded considerably (though the numbers are not captured by the census). The advent of on-line advertising and bookings for short-term vacation rentals is depleting the supply of rental housing available to long-term residents in Ucluelet (and many other communities in BC). This is having a negative effect on both business viability and community well-being.

Over the past year the District has actively monitored and enforced its bylaws on short-term vacation rentals. Approximately 130 short-term rental units are active in the municipality, many in existing residential neighbourhoods. A number of long-term rental units, including secondary suites, have been converted to short-term rentals, displacing this supply of vital housing stock.

In April of 2018, the provincial government introduced two new pieces of legislation affecting how local governments address housing issues. Bill 18 will require local governments to commission a housing needs assessment within 3 years, and update the report every 5 years thereafter. It is expected that a completed needs assessment report will be a pre-requisite to provincial grant funding for affordable housing projects. Bill 23 will enable local governments to designate properties in their zoning bylaws exclusively for rental housing. This spring the federal government has announced new funding for affordable housing, including making land available to municipalities for the development of new affordable housing units. The details of these new regulations and funding have yet to be announced.

DISCUSSION: In response to the current housing situation, staff propose that the District pursue the following short-term housing action plan. Subject to Council approval of 2019 and 2020 budgets, the following actions are expected over the next two years:

2018 Short-Term Housing Action Plan:

1. Continue the program to actively monitor and enforce short-term rentals;
2. Commission a community Housing Needs Assessment report;
3. Explore the feasibility of creating temporary seasonal employee housing on municipally-owned property;
4. Look for opportunities to update the District's inclusionary zoning and density bonusing, particularly on lands previously designated as Comprehensive Development under a Master Development Agreement, to ensure a mix of affordable housing types are delivered with each phase of new development in the community;
5. Explore and seek community input on zoning amendments to:
 - a. ensure that the first rental unit on single-family residential lots is for long-term tenancy, with any additional short-term rental uses to depend on the continued existence of the long-term rental;
 - b. remove standalone short-term rental of single-family homes from the VR-2 zoning designation;
 - c. add options for infill of compact, more affordable units in existing and new neighbourhoods (e.g., small lots, rental cottages, etc.);
6. A number of federally-owned former Parks Canada and RCMP employee housing lots are now designated *Institutional* on the Schedule A Land Use Plan; create a new institutional Community Residential zoning designation for these properties, clarifying the community expectation for the future conversion of these lands to a possible variety of community care, shelter, supportive and affordable housing uses;
7. Explore the use of the new rental zoning powers proposed in Bill 23;
8. Explore the use of Development Cost Charges for affordable housing;
9. As a follow-up to the needs assessment, develop a municipal Affordable Housing Strategy – identifying the best focus of municipal resources when addressing housing issues; and,
10. Develop a District land and development strategy and explore the options for an ongoing affordable housing program.

It is expected that these actions would be revisited in a 2020 amendment to fine-tune the OCP. Meanwhile, these actions would enable the District to better understand the dynamics of the housing market and supply in Ucluelet, and also allow the municipality to be proactive on balancing the community housing needs as new development occurs.

Process, Timeline and Financial Implications:

A. Housing Needs Assessment:

Staff are presently working on the draft updated OCP chapters and maps. Engaging a consultant to get started on a Housing Needs Assessment does not need to wait to follow adoption of an updated OCP bylaw. Staff consider this a clear next step and recommend pursuing the assessment as soon as possible. The needs assessment will be a pre-requisite to upcoming provincial grant opportunities, and is expected to become a legislated requirement in the near future. The results of the needs assessment will also provide a solid background to help in the analysis of future rezoning proposals which may affect the amount and diversity of housing supply in the community.

The cost to complete a needs assessment is estimated to be approximately \$20,000. The funding of the needs assessment could be accommodated within the current allotment for the OCP project and other consulting in the 2018 budget. As an alternative, Council could wait to see if provincial grant funding is announced in September (as rumoured) to assist municipalities in undertaking these housing needs assessment reports.

Any additional costs for other tasks which fall outside the regular Planning operating budget would be brought forward to Council for consideration in its budgeting process.

B. Other Tasks:

The other tasks listed are either already underway or could be tackled in the work program over the next two years. As the draft OCP is coming together, staff see the document as a complete and current plan but with a number of areas to be expanded in the short term. Staff anticipate a near-term revision to the OCP to enable the District to adopt a comprehensive “2020 vision” looking at a 30-year horizon to 2050. The proposed housing action plan would provide a number of elements to build toward this.

OPTIONS REVIEW:

1. **THAT** Council provide feedback on the actions listed in the draft 2018 Housing Action Plan; **(Recommended)** and,
2. **THAT** the District proceed with commissioning a Community Housing Needs Assessment to analyze the current and emerging housing needs, identify gaps in the spectrum of existing and planned supply, and assist in identifying housing priorities in Ucluelet. **(Recommended);** or,
3. **That** Council defer action on a Housing Needs Assessment until the province has clarified what funding will be available, if any, to assist municipalities with this work.

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



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 26, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, PLANNER 1

FOLIO NO: 174.000 **REF NO:** 3060-20-DP 17-06

SUBJECT: DEVELOPMENT PERMIT AMENDMENT FOR DP17-06 (1672 CEDAR ROAD).

REPORT NO: 18-66

ATTACHMENT(S): APPENDIX A – APPLICATION

APPENDIX B – JULY 11TH, 2017, STAFF REPORT

RECOMMENDATION(S):

1. **THAT** Council approve the amendment of Development Permit DP17-06 to allow the changes to the building form as described in the staff report dated June 26, 2018.

PURPOSE:

To present Council with information on a request to amend DP17-06 for 1672 Cedar Road (**Figure 1**).



Figure 1 – Site Context

BACKGROUND:

On July 11th, 2017 Council approved a development permit (DP) and development variance permit (DVP) for 1672 Cedar Road for a Mixed-use building consisting of 9 Multiple Family Residential (MFR) Units and 640sf of ground floor commercial space. The applicant, after completing the full design and engineering for the building, determined that the building needs to be scaled down to make it a viable project.

DESIGN ANALYSIS:

The applicant is proposing to reduce the residential component from 9 suites at a total of 3,770sf to 8 suites at a total of 2,960. There is also a slight increase to the commercial component with the total area increased from 640sf to 670sf. The reorganization of the residential suites creates a more compact building form and a substantial reduction of the hallway component of the building. Architecturally, the roof form will be very similar but the upper storey has been moved 18' forward and the second (middle) storey has been moved 6' towards the rear of the property. This was done to create a more compact building form. (see Appendix 'A') The overall impact of this change is that the building will have a more dominant presence on the street.

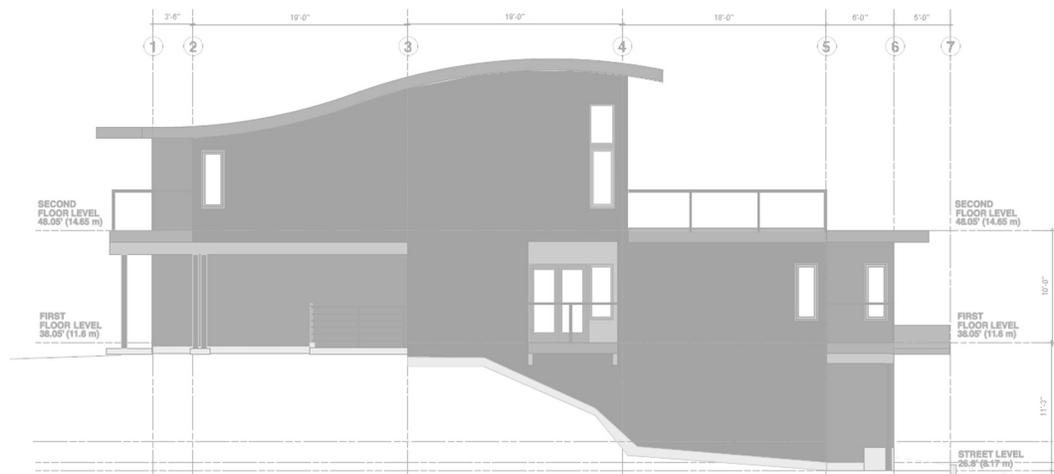


Figure 2. Original Building – Side View

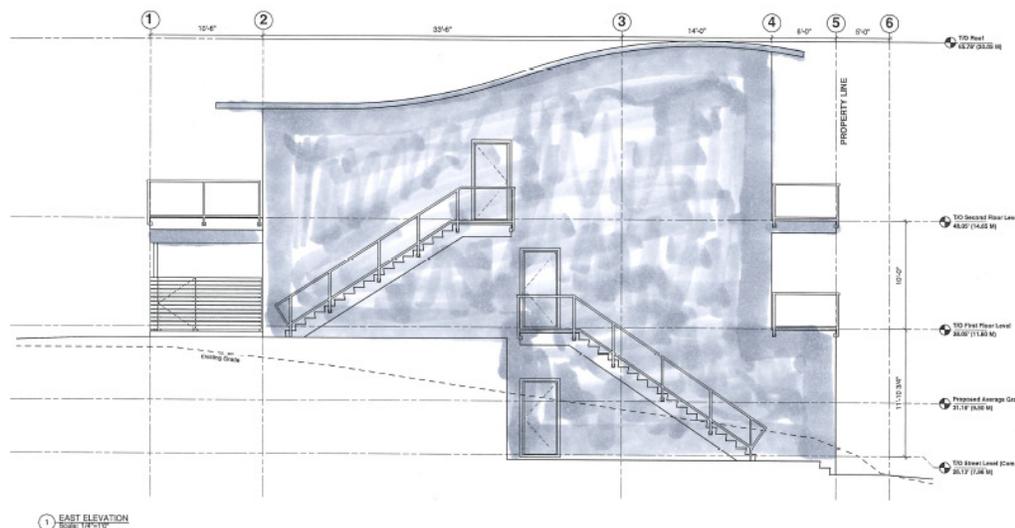


Figure 3. Proposed Building – Side View

The exterior materials have not changed from the original DP application.

ZONING:

The proposed changes to the building do not affect the project's compliance to zoning. Please refer to the July 11th, 2017, staff report for zoning analysis (**see Appendix 'B'**).

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Staff will be required to amend the documentation of DP17-06.

FINANCIAL IMPACTS:

This DP amendment application has no financial impacts.

POLICY OR LEGISLATIVE IMPACTS:

The applicant would receive an amended Development Permit (DP 17-06).

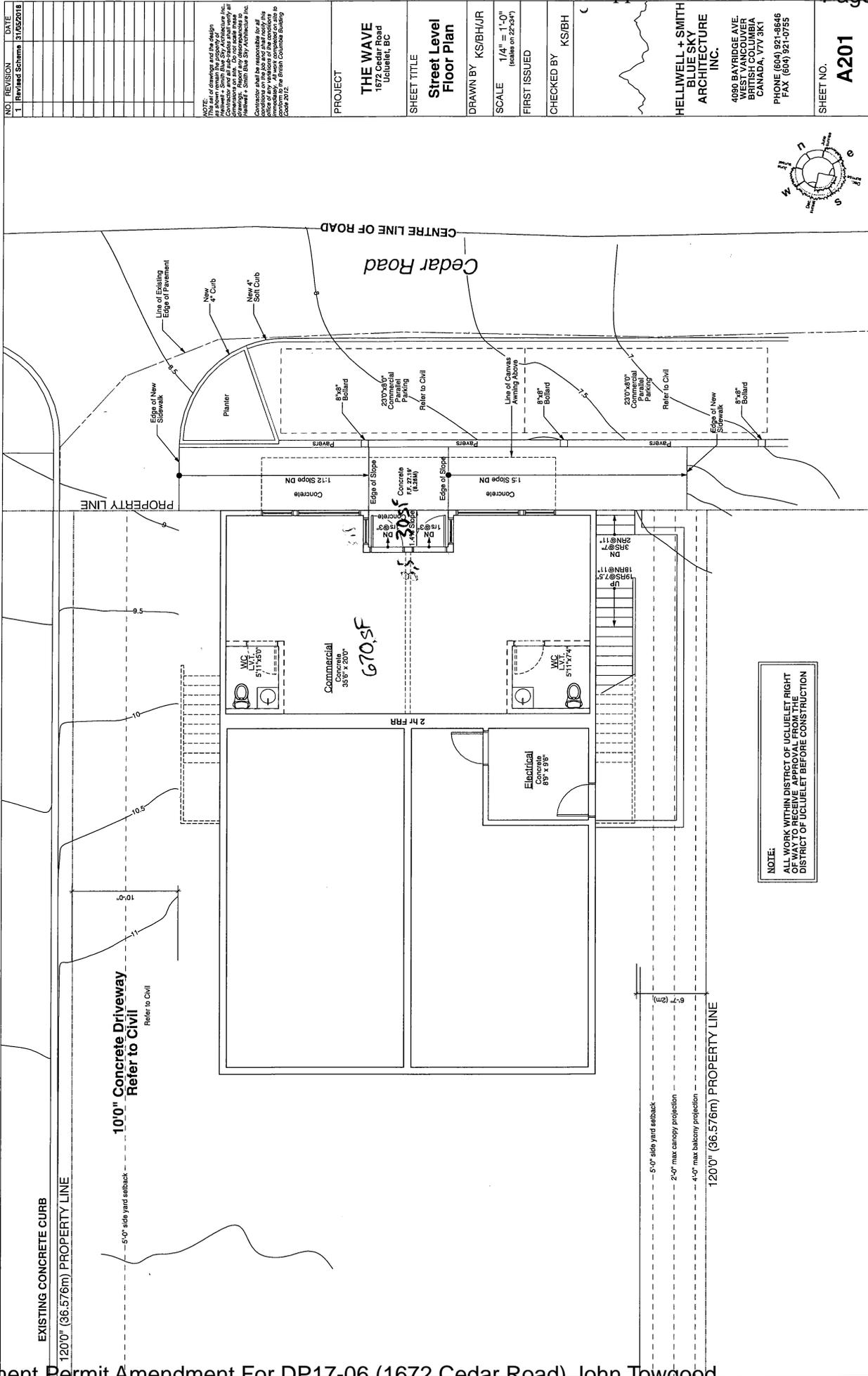
SUMMARY:

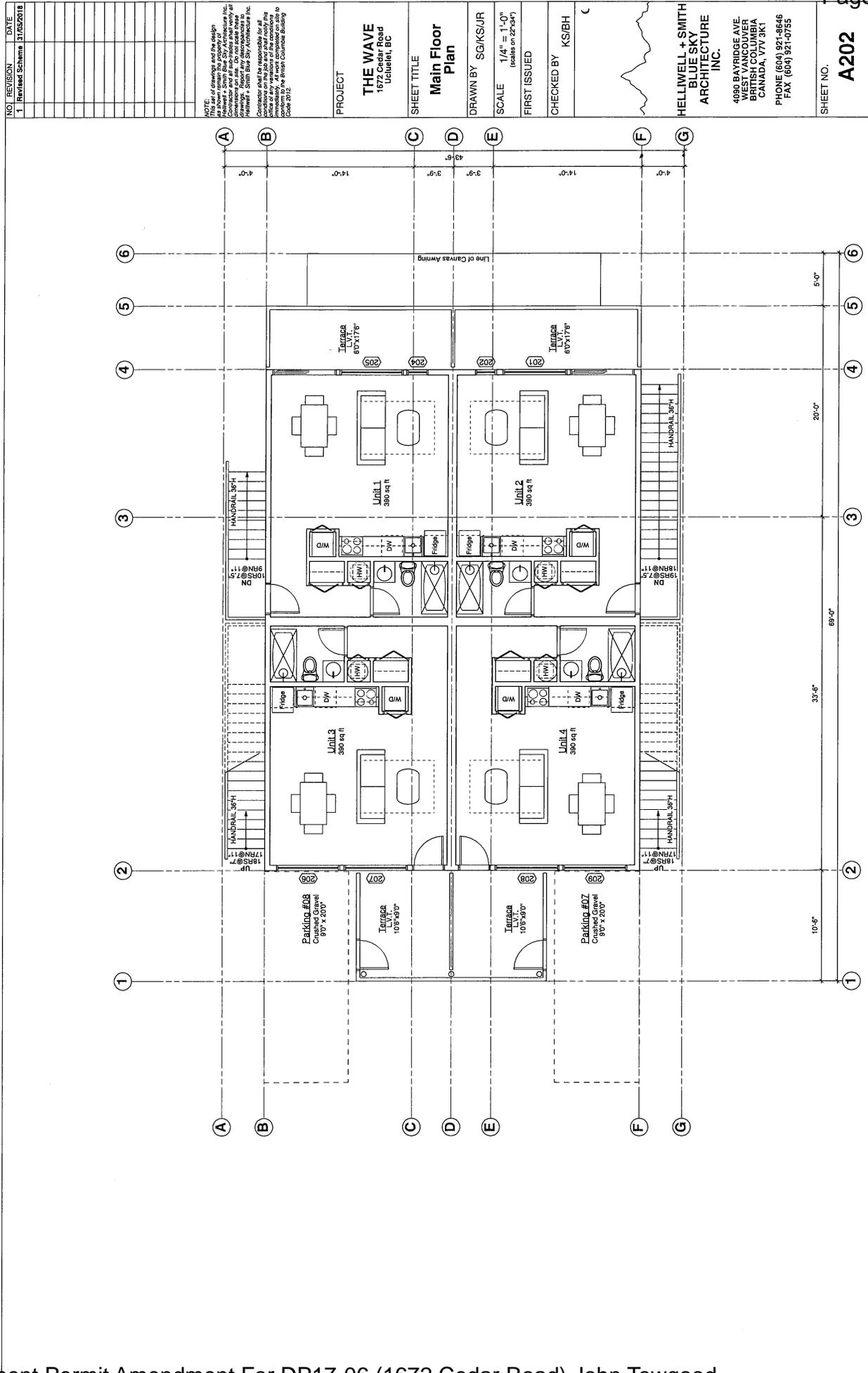
The proposed changes to the subject building at 1672 Cedar Road, while being more dominant to the street environment, will still fit within Village Square DP Guidelines. As mentioned in the previous report, the architectural form of this building will set the tone for future development of this commercially focused area as indicated by Ucluelet's Official Community Plan.

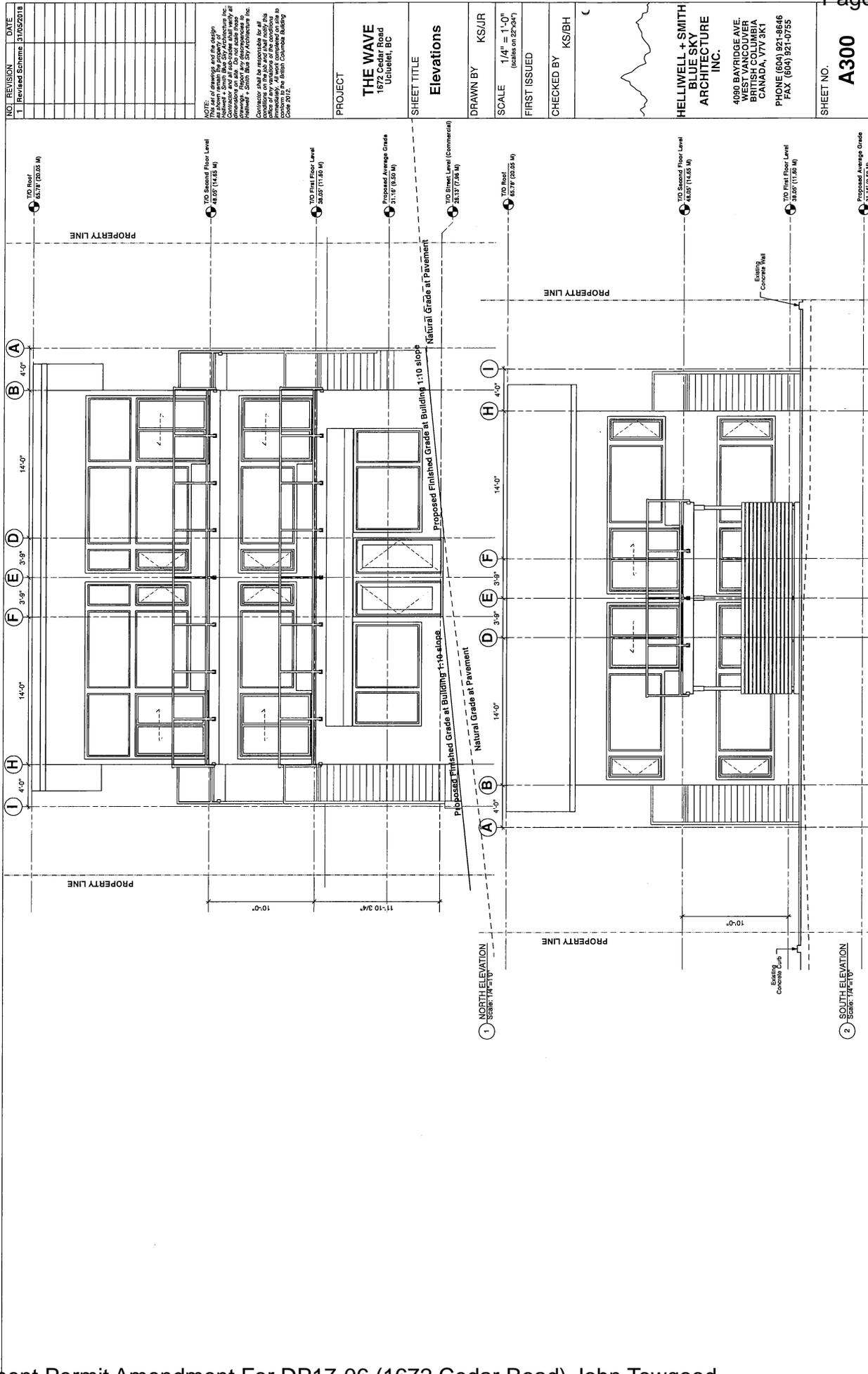
OPTIONS REVIEW:

1. **THAT** Council approve the amendment of Development Permit DP17-06 to allow the changes to the building form as described in the staff report dated June 26, 2018.
(RECOMMENDED)
2. That Council defer the request to amend DP17-06 at this time and indicate to the applicant which specific elements of the proposed building changes do not meet the intent of the Village Square DP guidelines.

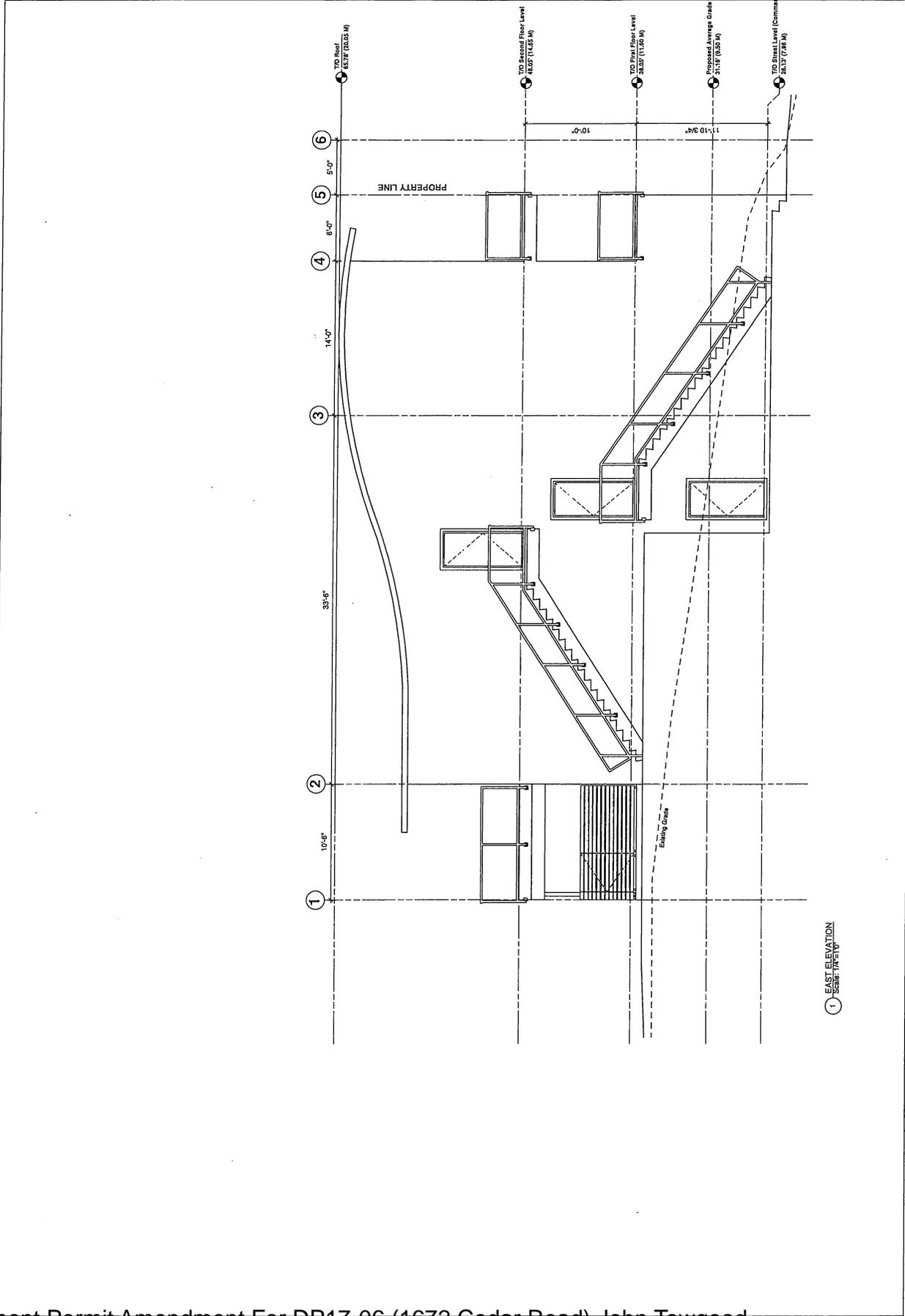
Respectfully submitted: John Towgood, Planner 1
Bruce Greig, Manager of Community Planning
Mark Boysen, Chief Administrative Officer







NO. REVISION DATE	1 Revised Schema 31.05.2018
<p>PROJECT THE WAVE 1672 Cedar Road Ucluelet, BC</p>	
<p>SHEET TITLE Elevations</p>	
<p>DRAWN BY KS/IR SCALE 1/4" = 1'-0" (scale on 22-24)</p>	
<p>FIRST ISSUED</p>	
<p>CHECKED BY KS/BH</p>	
<p>HELLWELL + SMITH BLUE SKY ARCHITECTURE INC. 4090 BAYBRIDGE AVE. WEST VANCOUVER BRITISH COLUMBIA CANADA, V7V 3K1 PHONE (604) 921-8646 FAX (604) 921-0755</p>	
<p>SHEET NO. A301</p>	



NOTE:
 This set of drawings and the design are the property of Hellwell + Smith Architecture Inc. All rights reserved. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Hellwell + Smith Architecture Inc. The architect and its representatives shall be responsible for all conditions on the job and shall notify the contractor immediately. All work shall conform to the applicable provisions of the British Columbia Building Code 2012.



STAFF REPORT TO COUNCIL

Council Meeting: JULY 11TH, 2017

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, PLANNER 1 **FOLIO NO:** 174.000 **REF NO:** 3060-20, 3090-20 **FILE NO:** DP 17-06

SUBJECT: DEVELOPMENT PERMIT AND ASSOCIATED VARIANCE FOR LOT: D, PLAN: VIP 4011, DISTRICT: 09.

ATTACHMENT(S): APPENDIX A – APPLICATION

APPENDIX B – DEVELOPMENT PERMIT 17-06

APPENDIX C – DEVELOPMENT VARIANCE PERMIT 17-02

RECOMMENDATION(S):

That Council consider approval of one of the following options:

1. **THAT** Development Permit 17-06 and Development Variance Permit 17-02 be approved.

OR

2. **THAT** Development Permit 17-06 and Development Variance Permit 17-02 be considered and determined not to proceed further.

BACKGROUND:

1672 Cedar Road (**Figure 1**) is a 18.3m x 36.6m (60' x 120') lot located in the CS-1 Village Square Commercial zone of Ucluelet. There is currently no usable structure on the property, but the foundation of the previous building and a driveway (**Figure 2**) along the west side of the property remain.

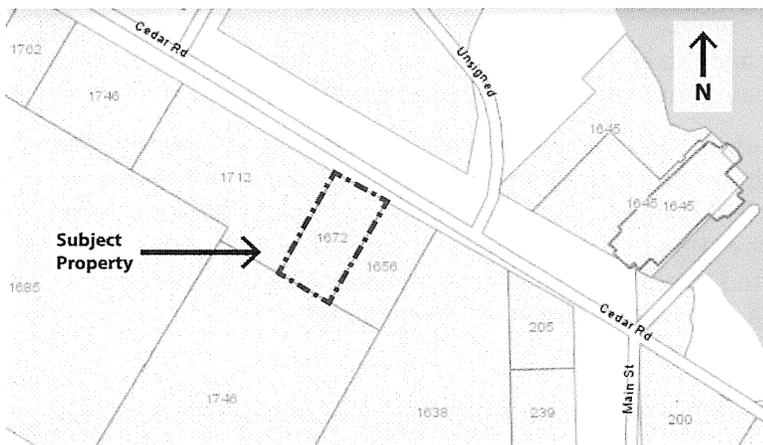


Figure 1. Site Context

An application has been received for the construction of a multifamily, mixed-use building on 1672 Cedar Road (the “**Subject Property**”). This building would contain 9 residential units varying in size from approximately 30.7 sqm (330 sqft) to 55.7 sqm (600 sqft) and one commercial unit of 59.5 sqm (640 sqft).



Figure 2. Existing Lot

OCP:

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

Building designs should be contextual and compatible with the character, scale and form of those buildings on adjacent sites which meet these same guidelines, while maintaining elements of individuality and character. Features such as roof line and slope, maximum height, massing, form and articulation should be considered. Developments should also include the use of natural materials such as wood and stone, and landscaping which utilizes species native to the region. Contemporary designs which make these character references are encouraged.

DESIGN ANALYSIS:

The applicant is proposing a mixed-use building featuring a small commercial storefront at street level with nine studio apartments above in a two and half storey wood frame building (**Figure 3 and 4**). There are nine off-street parking spaces for the residential units to the rear of the building

and the two parking spaces required for the commercial units will be paid as cash in lieu as per section 506 of the zoning bylaw. The applicant will rework the road frontage to create two parallel on-street parking spaces and concrete sidewalk along Cedar Road. The commercial unit and two of the residences will have entrances directly off Cedar Road, with the remaining seven residences accessed from the rear of the building. The front entrances to the building are recessed.



Figure 3. Proposed Building – Street View

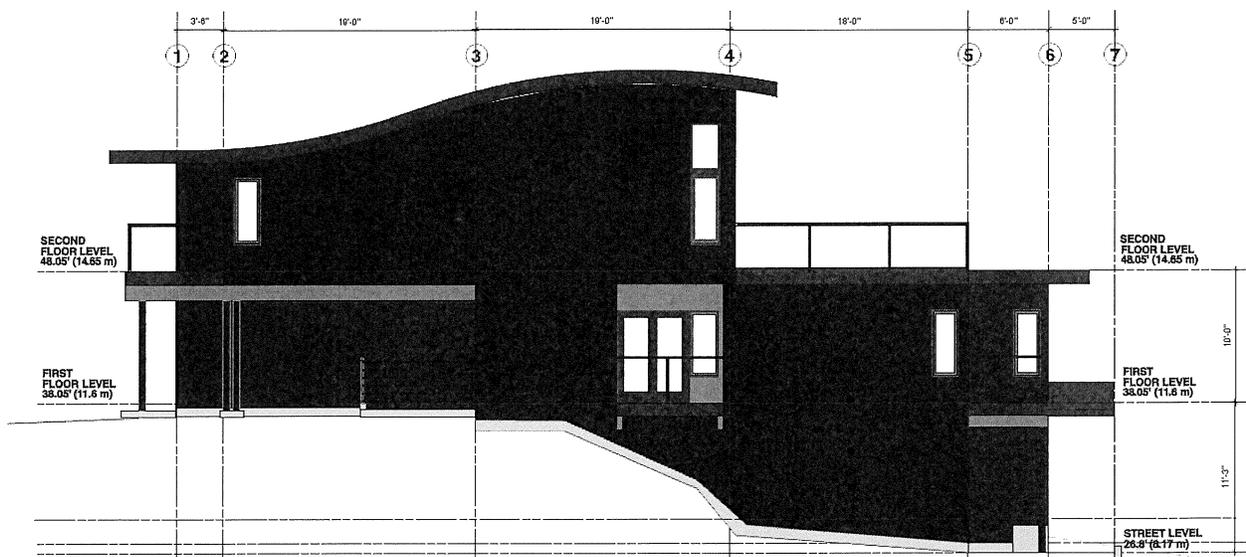


Figure 4. Proposed Building – Side View

The exterior of the building will be clad in a mixture of metal and cedar siding. Balconies are associated with each of the apartments, and the roof of the building has a curved, wave-like form covered in asphalt torch on bitumen. Railings around the balconies are composed of aluminum frame and glass.

The building is compliant with the guidelines outlined in the OCP. The Village Square Development Permit Area envisions an area of higher density and commercial activity. Currently, the area along

Cedar road is primarily residential, though the site is near the Whiskey Landing development, the Ucluelet Aquarium, and other larger buildings and commercial areas. Although the proposed building at 1672 Cedar Road does not fit the current street context of its immediate surroundings, it does comply with the future vision for the area described in the OCP.

Section 3.5.i of the OCP discusses affordable housing, and includes a policy supporting development of multi-family housing above retail in the Village Square. Section 3.5.ii of the OCP pertains to multi-family residential developments and includes policy that supports residential development above the ground floor in the Village Square area. The proposed building would provide needed housing options for the area as envisioned in the OCP.

In Section 7, Appendix B of the Ucluelet OCP, guidelines for the Village Square Development Permit Area indicate that awnings and other weather protection elements should be incorporated into all buildings and must be an integral part of the overall design. The reference plan indicates a canvas awning that extends over the storefront, projecting over the proposed sidewalk on District land. This will need to be addressed through an encroachment agreement at a later stage as part of the building permit.

ZONING:

The subject lot is currently zoned CS-1 – Service Commercial and the proposal complies with the zoning regulations except for the requested variances. Pursuant to Section 498 of the Local Government Act, the indicated parking would require the following variances:

1. **Section 503.2.2** of the District of Ucluelet Zoning Bylaw No. 1160, 2013, indicates that off-street parking spaces must not be located within 1.5m (5ft) of all lot lines not abutting a highway, where the reference plan indicates parking setbacks on the west side, south side, and east side would be 0m (0ft) from the property line.
2. **Section 508.1** of the District of Ucluelet Zoning Bylaw No. 1160, 2013, indicates that every lot containing at least one use, building or structure of a commercial nature must provide one off-street loading space for each 1900 sq. m. of gross floor area. The reference plan does not indicate the presence of the required off-street loading space.

The applicant is requesting a variance to reduce the setback for parking from 5' to 0'. The applicant is requiring this reduction to fit the required 9 parking spaces for the residential units. Since the applicant is also proposing a fence to screen the parking. The fencing will help to mitigate the effect of this variance.

The applicant is also requesting a relaxation on the requirement for off street loading. The Zoning Bylaw requires a 10' x 30' off street load space. This requirement would make building on this lot problematic with a large portion of the lot being used for both a lane and loading.

The application is compliant with Zoning Bylaw for the required parking for the residential component of this application but will not be providing the required two spaces of off-street parking for the commercial space as required in Section 505.1 of the Zoning Bylaw. Instead, they will be providing \$16,000 (\$8,000 per space) cash-in-lieu as per Section 506.1 of the Zoning Bylaw:

506.1 An owner or occupier of a lot within the OCP designation of Village Square may pay cash-in-lieu in the amount of \$8,000 per space, of up to fifty percent (50%) of the required off-street parking spaces.

The following is a brief chart indicating zoning requirements and compliance for this proposal:

Zoning Requirement	Required	Proposed	Compliant
Setback – Front	0.0m	0.0m	Yes
Setback – Rear	4m (13ft)	9.1m	Yes
Setback – West side	1.5m (5ft)	3.4m	Yes
Setback – East side	1.5m (5ft)	1.7m	Yes
Setback – West side parking	1.5m (5ft)	0.0m	No
Setback – East side parking	1.5m (5ft)	0.0m	No
Setback – South side parking	1.5m (5ft)	0.0m	No
Maximum height	11m (36ft)	9.4m (31ft)	Yes
Maximum FAR	2.0	0.61	Yes
Maximum lot coverage	85%	55%	Yes
Off-street parking – Residential	9 spaces	9 spaces	Yes
Off-street parking – Commercial	2 spaces	0 spaces	No
Off-street loading	1 space	0 spaces	No

Figure 5. Zoning requirements and development proposal comparison table

CEDAR STREET:

In 2017, District of Ucluelet Public Works has plans to place a storm water culvert and fill in the existing open ditch along the North side of Cedar Road. This project provides an opportunity for the District of Ucluelet to make road improvements and increase parking in an organized manner along this section of the road. District staff have sketched a potential option for how the streetscape can be changed to accommodate more parking and offset the impact of the cash-in-lieu spaces that are part of this development proposal (**Figure 5**). Portions of this streetscape could be realized simultaneously with the placement of the culvert through this Public Works project.

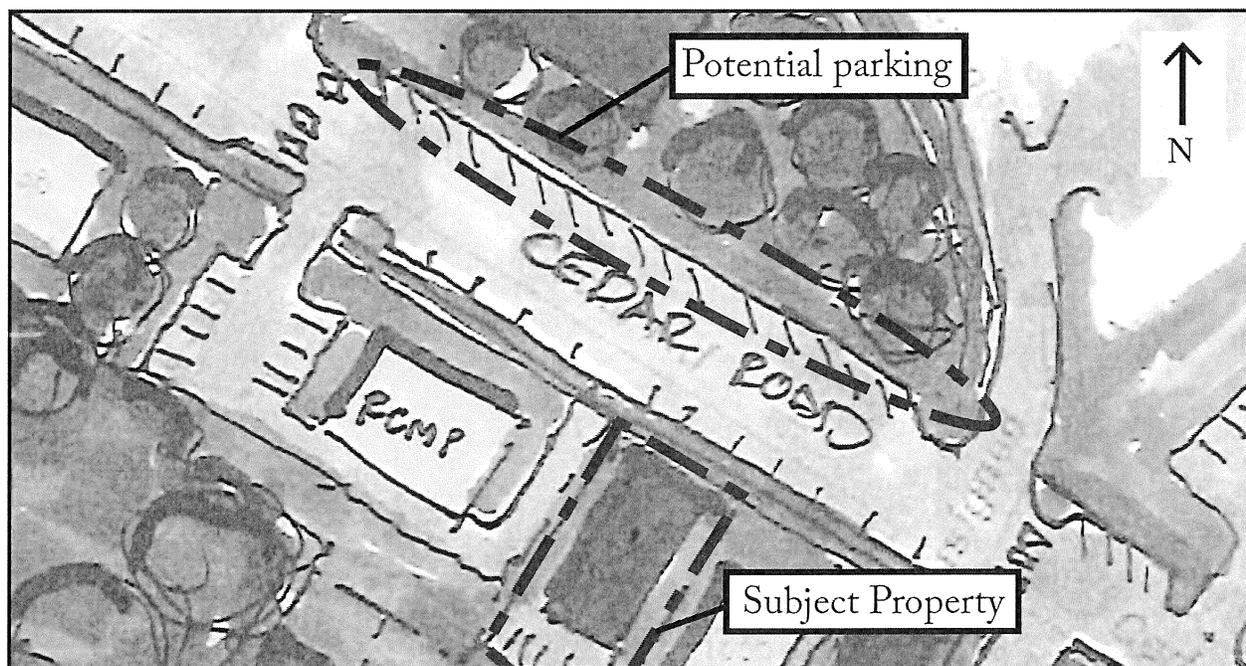


Figure 5. Potential parking configuration for Cedar Road.

There is a longstanding encroachment of the property on the west side of the lot where the established driveway and concrete retaining wall extends approximately 16” onto the neighbouring property, though the applicant has not relied on this encroachment for this proposal.

The developer will bear the cost of the construction of the sidewalk indicated on the reference plan, and will connect the paved section on the driveway with the road. The two on-street parking spots will not be paved but the applicant has offered to gravel and clean up the spaces.

Garbage will be stored in bear proof rolling bins and will be moved to the top of the driveway at the appropriate time for pickup by a building manager, as SonBird Refuse and Recycling has stated that they are unable to reach the garbage in its location on the reference plan. The existing driveway provides an accessible route that can be easily backed down, however, and will allow SonBird to access the bins once they are placed by the building manager.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

The fees associated to this DVP attempt to recover the costs associated to review and inspect this proposal.

FINANCIAL IMPACTS:

This proposal is subject to Development Cost Charge in accordance with the Development Cost Charge Bylaw #1056. Staff will review this requirement at the building permit stage.

POLICY OR LEGISLATIVE IMPACTS:

The applicant would receive a Development Permit (DP 17-06) and Development Variance Permit (DVP 17-06) that are tied to the drawings and conditions outlined within the body of this report.

SUMMARY:

The proposed building at 1672 Cedar Road fits within Village Square DP Guidelines. The unique building form and creative housing option will set the tone for future development of this commercially focused area. The lack of parking for the commercial units, although not optimal, is a right of the applicant under the zoning bylaw.

Respectfully submitted:

John Towgood, Planning 1

Mark Boysen, CAO



STAFF REPORT TO COUNCIL

Council Meeting: June 26, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG
MANAGER OF COMMUNITY PLANNING

FOLIO NO: 115.035 **FILE NO:** 3360-20-RZ17-06

SUBJECT: REZONING APPLICATION FOR THE DEVELOPMENT OF LOT 1, PLAN VIP85870 **REPORT NO:** 18 – 67
(620 MARINE DRIVE) AS BLACK ROCK STAFF HOUSING.

ATTACHMENTS: APPENDIX A – REPORT DATED JANUARY 23RD, 2018
APPENDIX B – DEVELOPMENT PERMIT DP18-01
APPENDIX C – ZONING AMENDMENT BYLAW No. 1224, 2018
APPENDIX D - HOUSING AGREEMENT BYLAW No. 1227, 2018

RECOMMENDATION(S):

1. **THAT** Council adopt Zoning Amendment Bylaw No. 1224, 2018;
2. **THAT** Council adopt Housing Agreement Bylaw No. 1227, 2018;
3. **THAT** Council approve Development Permit DP18-01 for issuance;
4. **THAT** Council approve the discharge of restrictive covenant FB224322 from the title of Lot 1, District Lot 281, Clayoquot District, Plan VIP85870; and,
5. **THAT** the District provide its executed copy of form C to enable registration of the easements, covenants and Section 219 restrictive covenant agreement on the title of the common property of Strata Plan VIS6690 in favour of Lot 1 (to enable access, parking and the installation of utilities), which are to be registered immediately following adoption of the rezoning bylaw.

PURPOSE:

To present Zoning Amendment Bylaw No. 1224, 2018, and Housing Agreement Bylaw No. 1227, 2018, to Council for adoption, along with Development Permit DP18-01 for issuance and to seek authorization for the appropriate discharge and registration of new charges against the title of the property, all to facilitate the construction of proposed staff housing to serve the Black Rock Resort.

BACKGROUND:

Zoning Amendment Bylaw No. 1224 (**Appendix 'C'**) has received first and second reading at an open meeting of Council on January 23rd, 2018 (see **Appendix 'A'**). The zoning amendment bylaw received a Public Hearing and third reading on February 27th, 2018. The applicant was required to secure a cross-access easement and covenant to provide 5 off-street parking spaces prior to adoption of Bylaw No. 1224 (see discussion in staff report in **Appendix 'A'**). This covenant has been reviewed and Staff have received the covenant signed by the ownership. Council is now in a position to consider the adoption of the bylaw.

As noted in the January 23rd, 2018, staff report (see **Appendix 'A'**), an existing restrictive covenant # FB224322 is registered on the title of Lot 1. Approval of the rezoning and housing agreement bylaws and issuance of the Development Permit renders covenant FB224322 obsolete on the title of this property; it is therefore appropriate for Council to authorize that the covenant be discharged.

Housing Agreement Bylaw No. 1227 (**Appendix 'D'**) received first, second and third reading at an open meeting of Council on February 27th, 2018. The applicant's lawyer has provided a letter of undertaking to register the easements and covenants, and see to the execution of the Housing Agreement once the bylaws are adopted. Council is now in a position to consider the adoption of the bylaws and issuance of Development Permit DP18-01 (**Appendix 'B'**) for the construction of the Black Rock staff housing.

OPTIONS REVIEW:

1. **THAT** Council adopt Zoning Amendment Bylaw No. 1224, 2018. (**Recommended**)
2. **THAT** Council adopt Housing Agreement Bylaw No. 1227, 2018. (**Recommended**)
3. **THAT** Council approve Development Permit DP18-01 for issuance. (**Recommended**)
4. **THAT** Council approve the discharge of restrictive covenant FB224322 from the title of Lot 1, District Lot 281, Clayoquot District, Plan VIP85870. (**Recommended**)
5. **THAT** the District provide its executed copy of form C to enable registration of the easements, covenants and Section 219 restrictive covenant agreement on the title of the common property of Strata Plan VIS6690 in favour of Lot 1 (to enable access, parking and the installation of utilities), which are to be registered immediately following adoption of the rezoning bylaw. (**Recommended**)
6. That Council defer the reading of these bylaws and approval of DP18-01 to a future date to be identified.

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



STAFF REPORT TO COUNCIL

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

FROM: JOHN TOWGOOD, PLANNER 1

FOLIO No: 115.035 **REF No:** RZ17-06 **FILE No:** 3360-20

SUBJECT: TO AMEND ZONING BYLAW NO.1160, 2013 FOR THE DEVELOPMENT OF LOT 1, PLAN VIP85870 AS BLACK ROCK STAFF HOUSING.

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

RECOMMENDATION(S):

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

PURPOSE:

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

BACKGROUND:

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

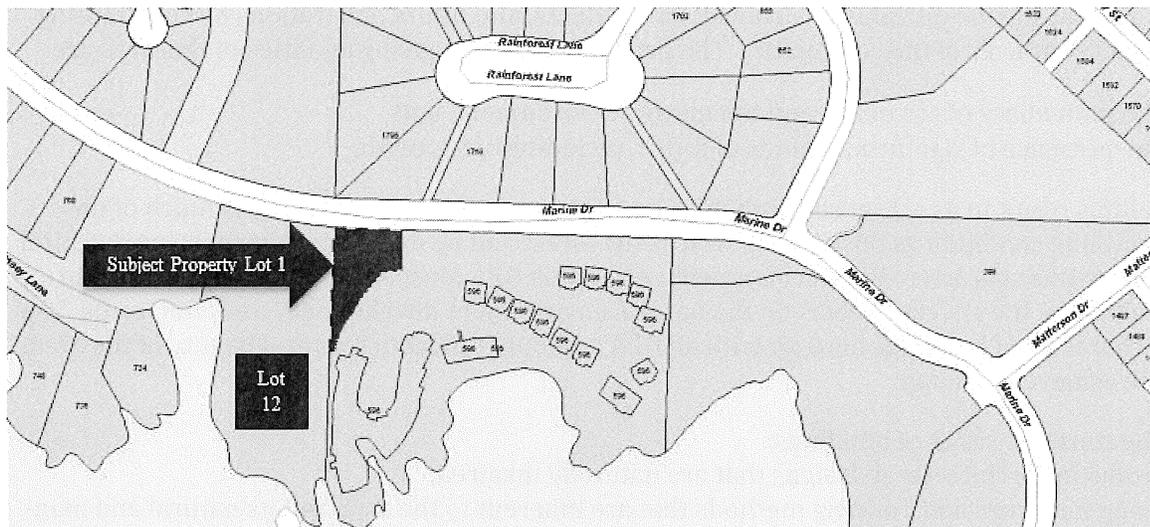


Figure 1 – Site Plan

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

DEVELOPMENT PERMIT:

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

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

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

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

OCP, Protection of development from hazardous conditions;

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

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

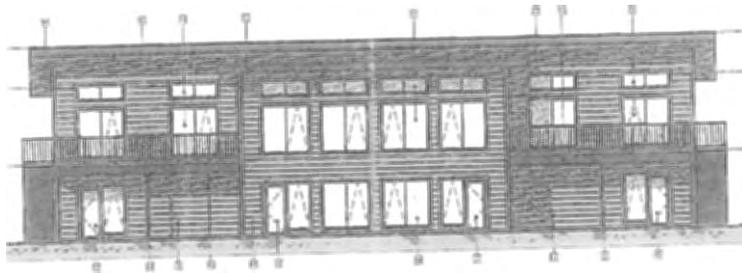
The "*Former Forest Reserve Lands*" are recognized for their natural beauty and rich ecological qualities and add significant value to Ucluelet, its residents, and future generations by contributing to the distinct character of the community. The primary character-giving qualities of this area are:

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

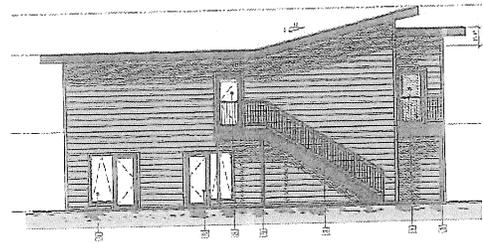
These qualities result in a real sense of inhabiting a coastal rainforest. Preserving as much of the natural shoreline condition as possible, as well as the forest and its underlying shrub layer is critical in maintaining this character. Any development within this DPA must recognize these values and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

1. The sensitive siting of buildings;
2. Producing architectural designs that are naturally inspired;
3. Using materials and building methods that are inherent to the area and its natural and man-made history

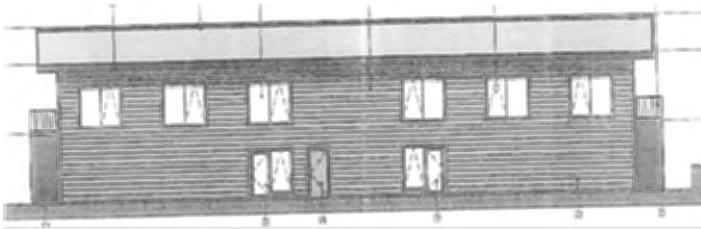
This application is proposing cedar clapboard siding with a black 2 ply SBS roofing torch-on roofing membrane. The property will be fully landscaped in keeping with the surrounding native species. This proposal is attempting to match with the existing Black Rock Resort buildings. **(Figure 2)**. Planning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



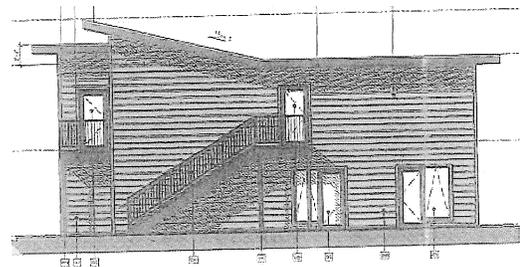
North Elevation



East Elevation



South Elevation



West Elevation

Figure 2 – Building Elevations

REZONINGCURRENT ZONING:

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

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

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

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

Proposed Zoning

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

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

Parking and Access:

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

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



Figure 4 – Parking and access sketch

Housing Agreement:

The Zoning Bylaw defines Staff Housing as:

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

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

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

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

Existing covenant FB22432:

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

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

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

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

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

FINANCIAL IMPACTS:

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

POLICY OR LEGISLATIVE IMPACTS:

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

SUMMARY:

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

OPTIONS REVIEW:

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

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



DEVELOPMENT PERMIT DP18-01

Pursuant to Part 14, Division 7 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:

David Ehrhardt, Blackrock Management at 596 Marine Drive Ucluelet, BC, V0R 3A0

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

Lot: 1, Plan: VIP85870, District: 09 P.I.D 027-696-901 (the "**Lands**").

3. This Development Permit is issued subject to compliance with all of the bylaws of the District of Ucluelet.
4. This Permit authorizes the construction of the following improvements on the Lands:
 - a. One two storey staff housing building consisting of fifteen staff housing units.
 - b. One 600sf storage building
 - c. Servicing of the above unit.
 - d. Ten paved parking spaces with access from 596 Marine Drive.
 - e. Site to be landscaped with native species ground cover.
 - f. Garbage receptacle fully enclosed by a 6' cedar lattice.

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

5. The work authorized by this Permit may only be carried out:
 - a. in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013.
 - b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
6. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
7. This Permit is NOT a Building Permit.
8. **Schedules "A"** attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.



AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2018.

IN WITNESS WHEREOF this Development Permit is hereby executed and issued by the Municipality
the day of , 2018.

THE DISTRICT OF UCLUELET

by its authorized signatories:

Dianne St. Jacques – Mayor

Mark Boysen – Corporate Officer

OWNER

by its authorized signatory

Owner, by its authorized signatory

ISSUED the day of , 2018.

Bruce Greig - Manager of Planning

November 20 2017

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

Attention: Bruce Greig
Director of Planning

Dear Sir

Re: Development Overview
Lots 1 and Lot 12

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

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

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

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

Best regards,



David Ehrhardt
Black Rock Management Inc.

OVERVIEW

Identification of the Lands

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

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

Activities – 2008

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

Current Considerations

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

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

Proposal

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

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

PLANT LIST ID	QTY	LATIN NAME	COMMON NAME	SPACING	SCHEDULED SIZE	NOTES
TREES						
Pc	4	Pinus contorta	Lodgepole pine	as shown	3m H/B&B	
Pse	3	Pseudotsuga menziesii	Douglas Fir	as shown	3.5m H/B&B	full/ bushy canopies
Tc	2	Tsuga ciliosa	Western Red Cedar	as shown	3.5m H/B&B	
Tsh	3	Tsuga heterophylla	Western Hemlock	as shown	4.5m H/ WB	
	0			as shown		
SHRUBS						
Gs	171	Gaultheria shallon	salal	as shown	#2 cont.	full/ bushy plants
Pm	171	Polystichum muricatum	Sword Fern	as shown	#3 cont.	full/ bushy plants
Ps	171	Polystichum aculeatum	Alaska fern	as shown	#2 cont.	full/ bushy plants
Rn	171	Rosa nutkana	Nootka rose	as shown	#2 cont.	full/ bushy plants
Rus	171	Rubus spectabilis	salmonberry	as shown	#3 cont.	full/ bushy plants
	0			as shown		
NOTES:						
1. ALL LANDSCAPE TO CONFORM TO THE CURRENT EDITION OF THE BC LANDSCAPE STANDARDS FOR LEVEL 2 "GROOMED" LANDSCAPE TREATMENT IN THE EVENT OF A DISCREPANCY BETWEEN THE PLANT LIST AND THE PLANTING PLAN, THE PLANTING PLAN TAKES PRECEDENCE.						
2. SEARCH AREA TO INCLUDE BRITISH COLUMBIA, WASHINGTON, AND OREGON.						

ALL PLANTS TO BE NURSERY GROWN
ALL PLANT MATERIAL AND LABOR TO CONFORM TO THE CURRENT EDITION OF THE BCLNA/BCLNA STANDARDS.

ALL PLANT MATERIAL TO BE INSPECTED PRIOR TO DELIVERY ON SITE. CONTRACTOR TO ARRANGE FOR INSPECTION AND MATERIAL TO ASSEMBLED IN ONE LOCATION FOR REVIEW.

IMPORTED GROWING MEDIA SHALL BE A SANDY LOAM OR LOAMY SAND TEXTURE AND LESS THAN 50% SAND BY WEIGHT) CONTAINING 4 AND 15% ORGANIC MATTER DRY WEIGHT BASIS.

GROWING MEDIA SHALL VIRTUALLY FREE FROM RUBBISH, WOOD INCLUDING WOODY PLANT PARTS, INVASIVE AND NOXIOUS PLANT AND THEIR REPRODUCIBLE PARTS, PLANT PATHOGENS, ORGANIC OR INORGANIC MATERIALS, TOXINS, STONES OVER 30mm (1.2"), ANY DEBRIS AND FOREIGN OBJECTS.

IMPORTED GROWING MEDIA SHALL CONFORM TO AND BE TREATED AS PER SECTION 6.2.3 TO 6.2.7 INCLUSIVE OF THE CURRENT EDITION BCLNA STANDARDS.

GROWING MEDIUM SHALL CONFORM TO LEVEL 1 "WELL-GROOMED" AREAS, LOW TRAFFIC LAWN AREAS, TREES AND LARGE SHRUBS (L IN TABLE 4.3.3.5) OF THE CURRENT EDITION OF THE BCLNA/BCLNA STANDARDS.

IT SHALL POSSESS THE FOLLOWING QUALITIES:

- TEXTURE-**
 *COARSE GRAVEL (LARGER THAN 19mm AND SMALLER THAN 40mm): 0-1%
 *ALL GRAVEL (LARGER THAN 7mm AND SMALLER THAN 40mm): 0-5%
 *SAND (LARGER THAN 0.25mm AND SMALLER THAN 2mm): 50-70%
 *SILT (LARGER THAN 0.002mm AND SMALLER THAN 0.025mm): 10-25%
 *CLAY (SMALLER THAN 0.002mm): 0-20%
 *CLAY AND SILT COMBINED: MAXIMUM 25%

ORGANIC CONTENT: 3-10%

Acidity (pH): 6.5-7.0

DRAINAGE: PERCOLATION SHALL BE SUCH THAT NO STANDING WATER IS VISIBLE 60 MINUTES AFTER AT LEAST 10 MINUTES OF MODERATE TO HEAVY RAIN OR IRRIGATION.

MINIMUM SOIL DEPTH TO BE AS PER TABLE 6.3.3.5 OF THE CURRENT EDITION BCLNA STANDARDS:

	Over prepared subgrade where the subsoil drains rapidly	Over structures or where the subsoil drains poorly
TREES (10m ² PER TREE)	24"	30"
LARGE SHRUBS	24"	24"
GROUNDCOVERS	12"	8"
LAWN-IRRIGATED	8"	8"
LAWN-NOT IRRIGATED	6"	6"

SOIL DEPTHS WILL BE CHECKED AT TIME OF SUBSTANTIAL COMPLETION REVIEW

SOIL FOR URBAN AGRICULTURE PLOTS IS TO BE URBAN GRD PROVIDED BY VERATEC, OR APPROVED ALTERNATIVE. SOIL FOR URBAN AGRICULTURE AREAS IS TO MEET OR EXCEED THE GUIDELINES FOR COMPOST QUALITY UNDER CANADIAN COUNCIL OF MINISTERS OF THE ENVIRONMENT (CCME).

COMPOST IS TO BE TESTED AND RESULTS SUBMITTED TO CONSULTANT PRIOR TO DELIVERY TO SITE.

BEDS TO HAVE 2" MULCH LAYER (after setting) CONSISTING OF ORGANIC COMPOSTED BARK APPLIED.

PLANTED AREAS TO HAVE PERMANENT HIGH EFFICIENCY IRRIGATION SYSTEM - SHOP DRAWINGS ARE TO BE PREPARED BY AN ABC CERTIFIED DESIGNER AND APPROVED BY LANDSCAPE ARCHITECT.

CONTRACTOR TO PROVIDE MAINTENANCE FOR 1 YEAR FOLLOWING SUBSTANTIAL COMPLETION.

CONTRACTOR TO PROVIDE WRITTEN 1 YEAR WARRANTY ON PLANT MATERIAL

CONTRACTOR TO PROVIDE COPY OF SOIL TEST TO LANDSCAPE CONSULTANT 3 WEEKS PRIOR TO DELIVERY ON-SITE. TEST TO BE PERFORMED BY AN INDEPENDENT LAB AND IS TO INCLUDE RECOMMENDATIONS FOR BOTH LAWN AND PLANTING BEDS.

CONSULTANT TO APPROVE SOIL BEFORE INSTALLATION. THIS DOES NOT PRECLUDE THE CONSULTANT FROM PERFORMING AN INDEPENDENT SOIL ANALYSIS AT TIME OF SUBSTANTIAL COMPLETION. CONTRACTOR WILL BE RESPONSIBLE FOR REMOVAL AND REPLACEMENT OF SOIL THAT DOES NOT MEET SPECIFICATIONS AT NO EXTRA COST TO CLIENT.

CONTRACTOR TO PROVIDE WRITTEN 1 YEAR WARRANTY ON SOIL SPECIFICATIONS.

AN INDEPENDENT SOIL TEST TO BE PROVIDED 1 WEEK PRIOR TO END OF 1 YEAR WARRANTY PERIOD. CONTRACTOR TO PROVIDE SOIL AMENDMENTS TO BRING SOIL UP TO QUALITY RECOMMENDED IN SOILS REPORT.

SITE INSPECTION EXAMINE EXISTING SUBGRADE CONDITIONS AND SIGNIFY ACCEPTANCE IN WRITING TO THE CONSULTANT.

ASCERTAIN THE SIZE AND LOCATION OF ALL EXISTING SERVICES AND SUBGRADES PRIOR TO THE WORK.

IMMEDIATELY REPAIR DAMAGE RESULTING FROM FAILURE TO EXERCISE SUCH PRECAUTIONS AT NO COST TO THE OWNER.

ALL PRUNING TO BE IN ACCORDANCE WITH THE BCLNA/BCLNA STANDARDS CURRENT EDITION.

PLANT COUNTS IN THE CASE OF ANY DISCREPANCY BETWEEN PLANT COUNTS ON PLANT LIST AND PLANT SYMBOLS ON DRAWING, THE DRAWINGS TAKES PRECEDENCE. THE CONTRACTOR IS TO VERIFY ALL PLANT COUNTS AND NOTIFY CONSULTANT OF ANY DISCREPANCY.

Black Rock Staff Housing

for Black Rock Ocean Front Resort

Civic Address: 596 MARINE DRIVE, UCLUELET, BC V0R3A0

Legal Address: LOT 1, DISTRICT LOT 281, CLAYOQUOT DISTRICT PLAN VIP85870



1690 West 2nd Avenue

Vancouver . BC . Canada . V6J 1H4

t | 604.683.1456 f | 604.683.1459 w | www.etalala.ca

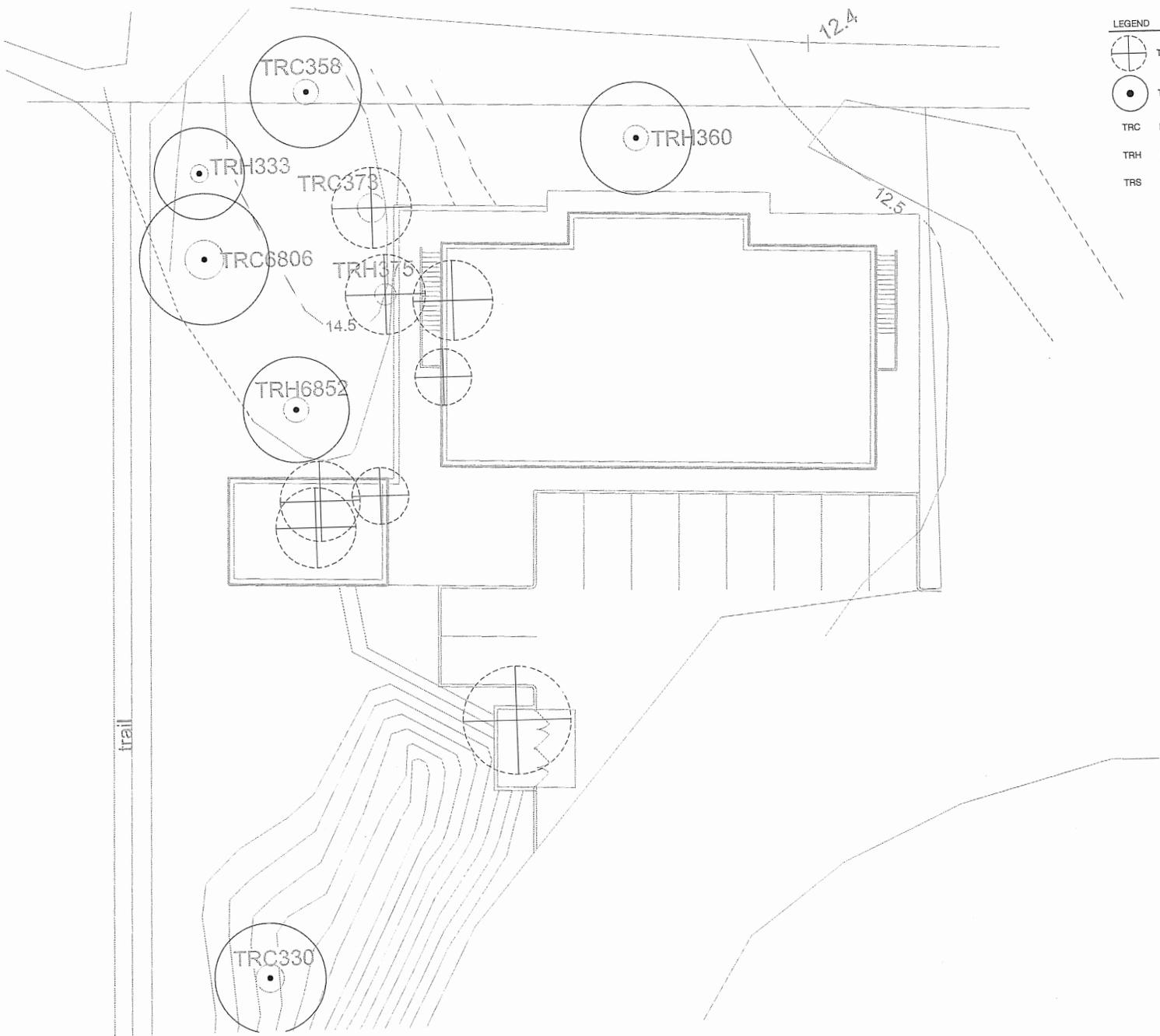
CONSULTANT TEAM

ARCHITECT: Igel Architecture
 LANDSCAPE: eta Landscape Architecture

ISSUED FOR DEVELOPMENT PERMIT January 25, 2017

DRAWING LIST

- L1.0 Tree Management Plan
- L2.0 Landscape Site Plan
- L3.0 Landscape Details



LEGEND

	Tree to be Removed
	Tree to be Retained
TRC	Existing Cedar Tree
TRH	Existing Hemlock Tree
TRS	Existing Spruce Tree

Revision No.	Date	Revision Notes
A	2018.01.25	Issued for DP

Issue No.	Date	Issue Notes
A	2018.01.25	Issued for DP

Professional Seal

eta landscape architecture

1855 West 2nd Avenue
Vancouver, BC, Canada V6J 1Y4

T 604.683.1456
F 604.683.1459
W www.eta.ca

All Rights Reserved. This plan, including all drawings and specifications, is the property of eta landscape architecture and shall remain the property of eta. No part of this plan may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of eta. eta is not responsible for any errors or omissions in this plan. eta is not responsible for any damage or injury to persons or property resulting from the use of this plan. eta is not responsible for any damage or injury to persons or property resulting from the use of this plan.

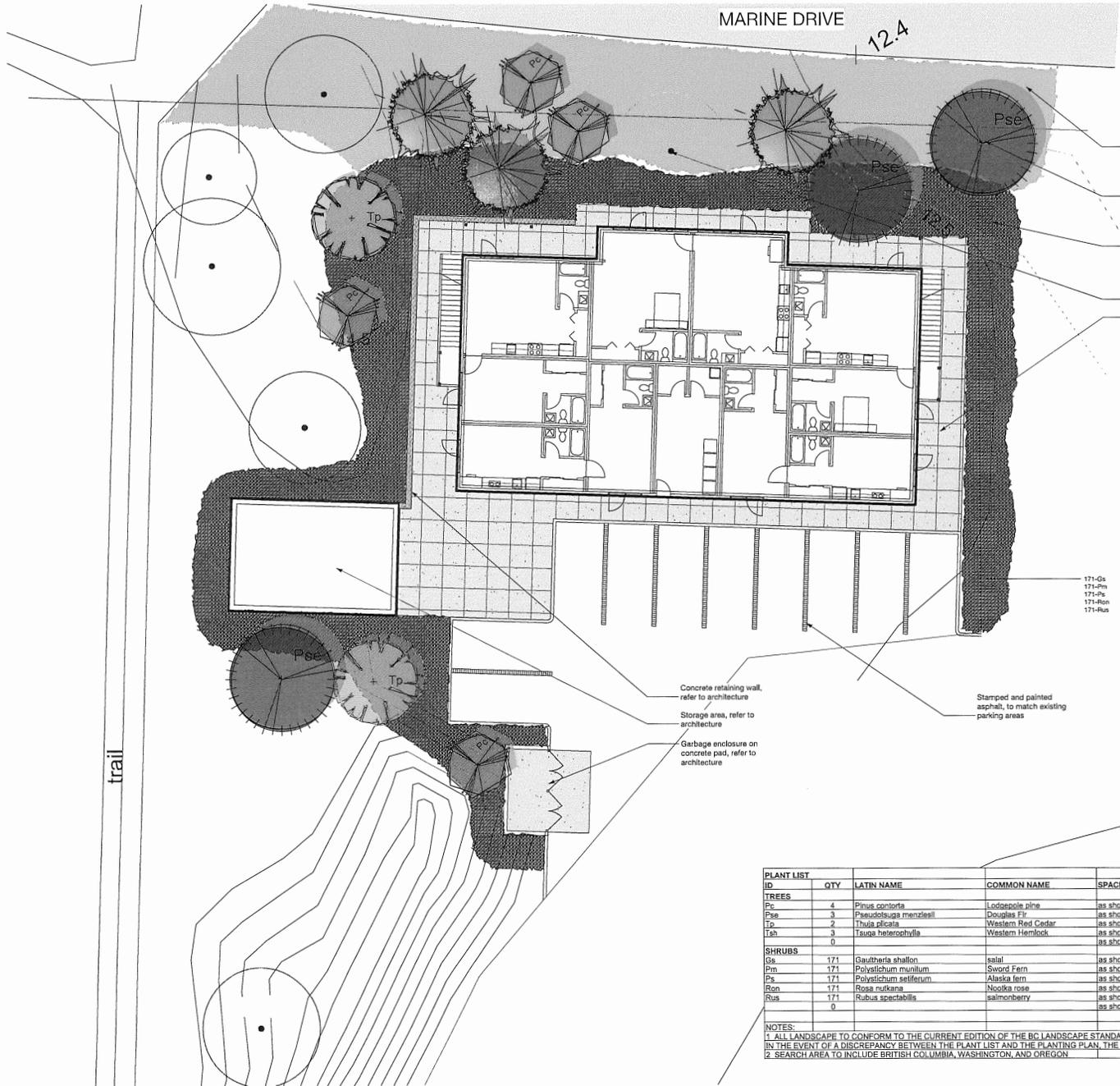
Project
**Black Rock
 Staff Housing**
 596 Marine Drive
 Uckelei, BC V0R 3A0

Drawing Title
**TREE MANAGEMENT
 PLAN**

Legal

Project Manager MG	Project ID 21802
Drawn By MG	Scale 1:100
Reviewed By DT	Drawn Date 2018.01.25
Issue No. A	Issue Date 2018.01.25

Page No.
28 of 38
21802 BlackRock.wdw



Revision No.	Date	Revision Notes

Issue No.	Date	Issue Notes
A	2018.01.26	Issued for DP

Professional Seal

eta landscape architecture
 1520 West 2nd Avenue
 Vancouver, BC, Canada V6J 1K4
 | 604.683.1406
 | 604.683.1409
 | www.eta.ca

All Rights Reserved by eta landscape architecture Inc.
 No portion contained on this document is part of the Client's Intellectual Property Rights, and the Client shall retain ownership. Any reproduction or use of this document without the Client's written consent shall be at the Client's sole risk and without liability to eta landscape architecture.

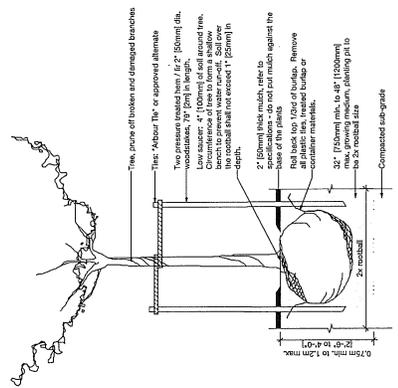
Project
Black Rock Staff Housing
 595 Marine Drive
 Uclulet, BC V0R 3A0

Drawing Title
LANDSCAPE SITE PLAN

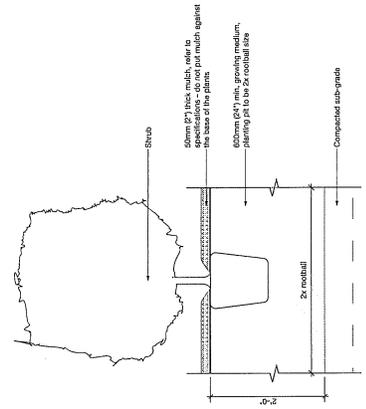
Project Manager	Project #
MG	21802
Client	Scale
MG	1:100
Prepared By	Drawn By
DT	
Date	Sheet No.
2018.01.26	3
Plot Date:	Plot Scale:
2018.01.26	1:100

PLANT LIST						
ID	QTY	LATIN NAME	COMMON NAME	SPACING	SCHEDULED SIZE	NOTES
TREES						
Pc	4	Pinus contorta	Lodgepole pine	as shown	3m ht/B&B	
Pse	3	Pseudotsuga menziesii	Douglas Fir	as shown	3.5m ht/B&B	full bushy canopies
Tp	2	Thuja plicata	Western Red Cedar	as shown	3.5m ht/B&B	
Tah	3	Tsuga heterophylla	Western Hemlock	as shown	4.5m ht/ WB	
	0					
SHRUBS						
Gs	171	Gaultheria shallon	santal	as shown	#2 cont.	full bushy plants
Pm	171	Polystichum munilium	Sword Fern	as shown	#3 cont.	full bushy plants
Pa	171	Polystichum setiferum	Alaska fern	as shown	#2 cont.	full bushy plants
Ron	171	Rosa nutkana	Nootka rose	as shown	#2 cont.	full bushy plants
Rus	171	Rubus spectabilis	salmonberry	as shown	#3 cont.	full bushy plants
	0			as shown		

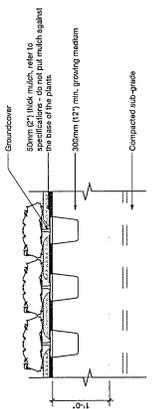
NOTES:
 1. ALL LANDSCAPE TO CONFORM TO THE CURRENT EDITION OF THE BC LANDSCAPE STANDARDS FOR LEVEL 2 "GROOMED" LANDSCAPE TREATMENT IN THE EVENT OF A DISCREPANCY BETWEEN THE PLANT LIST AND THE PLANTING PLAN, THE PLANTING PLAN TAKES PRECEDENCE.
 2. SEARCH AREA TO INCLUDE BRITISH COLUMBIA, WASHINGTON, AND OREGON.



3 Detail: Tree at Grade
 Scale: 1/2" = 1'-0"



2 Detail: Slurb at Grade
 Scale: 1" = 1'-0"



1 Detail: Groundcover at Grade
 Scale: 1" = 1'-0"

Professional Seal

eta landscape architecture
 1650 West 2nd Avenue
 Vancouver, BC, Canada, V6L 1H4
 | 604.683.1306
 | 604.683.1498
 | info@eta.ca
 | www.eta.ca

ALL RIGHTS RESERVED BY eta landscape architecture. This drawing is the property of eta landscape architecture and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of eta landscape architecture.

Project
Black Rock
Staff Housing
 585 Mainline Drive
 UG/JAHL, BC V6R 3A0

Drawing Title
LANDSCAPE
DETAILS

Layer

Project Number	2018.01.28
Issue No.	1
Scale	1/2" = 1'-0"
Author	MD
Check	MD
Issue Date	2018.01.28
Scale	L2.0
Sheet No.	3
Total Sheets	3

Plot Date:
 2018.01.28

DISTRICT OF UCLUELET**Bylaw No. 1224, 2018**

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

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

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

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

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

- (1) Principal:
 - (a) Hotel
- (2) Secondary:
 - (a) Accessory Residential Dwelling Unit
 - (b) Staff Housing

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

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

- (1) Principal:
 - (a) Staff Housing

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

CD-2B.2.1 Minimum Lot Size:

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

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

CD-2B.3 Density:

CD-2B.3.1 Maximum Number:

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

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

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

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

READ A FIRST TIME this **23rd** day of **January**, 2018.

READ A SECOND TIME this **23rd** day of **January**, 2018.

PUBLIC HEARING held this **27th** day of **February**, 2018.

READ A THIRD TIME this **27th** day of **February**,

ADOPTED this day of , 2018.

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

Mayor
Dianne St. Jacques

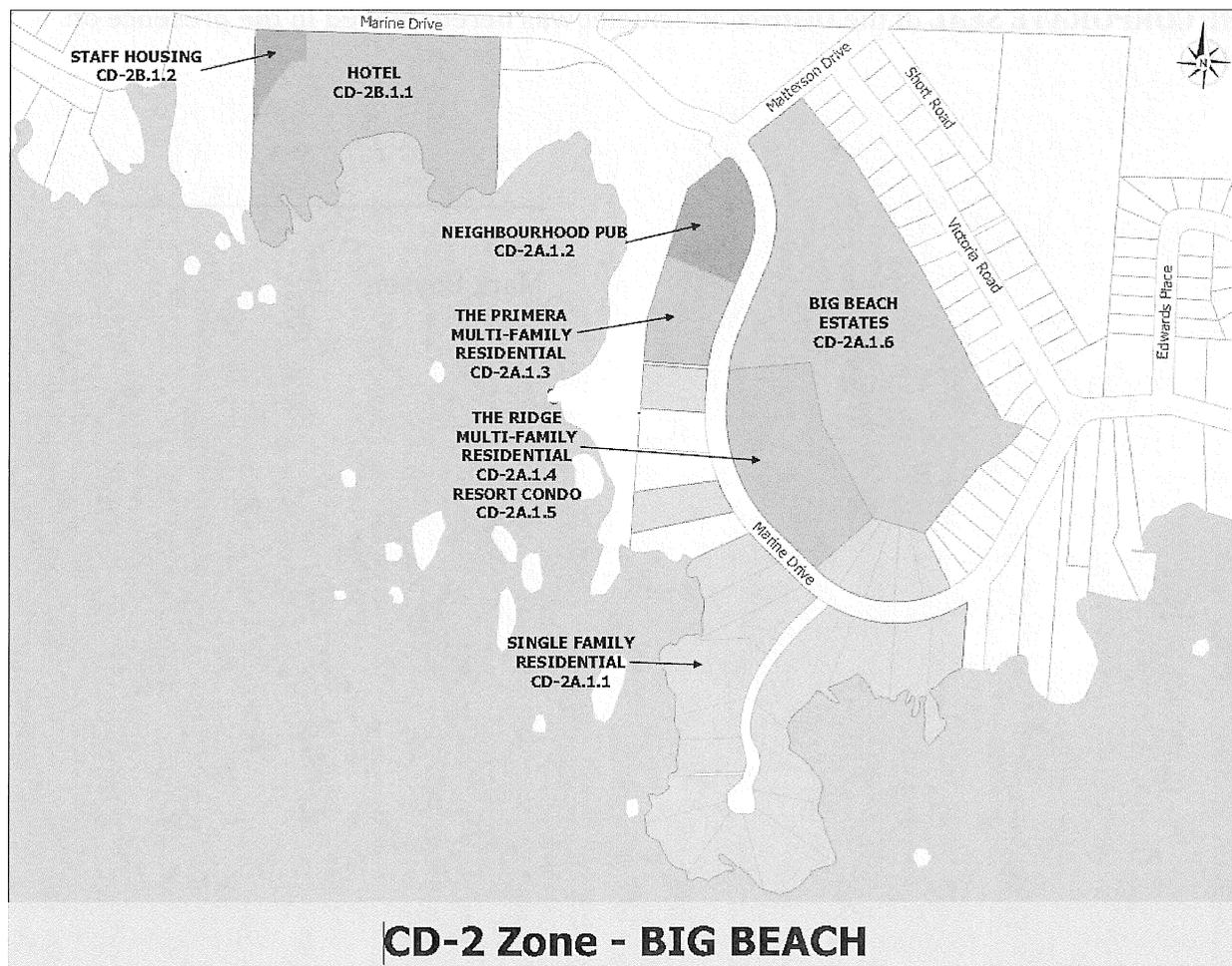
CAO
Mark Boysen

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

CAO
Mark Boysen

Schedule "A"

Bylaw No.1224, 2018



DISTRICT OF UCLUELET**Bylaw No. 1227, 2018**

A Bylaw to Authorize the District of Ucluelet to Enter into a Housing Agreement.

(Black Rock Resort Staff Housing)

WHEREAS the Municipality may, by Bylaw, under Section 483 of the *Local Government Act* enter into a Housing Agreement which may include terms and conditions agreed to by the Municipality and the Owner regarding the occupancy of the housing units identified in the Agreement;

AND WHEREAS the Municipality has rezoned the lands described in this Bylaw to enable the Owner to construct and maintain a Staff Housing complex on the Lands and the Municipality has deemed it expedient to require the Owner, as a condition of rezoning, to enter into a Housing Agreement with the Municipality pursuant to Section 483 of the *Local Government Act*;

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

1. The Municipality is authorized to enter into a Housing Agreement pursuant to Section 483 of the *Local Government Act*, in substantially the form attached to this Bylaw as Schedule "A", with respect to the land located in the District of Ucluelet having a civic address of 620 Marine Drive and being more particularly known and described as:

Lot 1, District Lot 281, Clayoquot District, Plan VIP85870

as shown shaded on the map attached to this bylaw as Appendix "A".

2. The Mayor and the Chief Administrative Officer of the Municipality are authorized to execute the Housing Agreement on behalf of the Municipality.

CITATION

3. This bylaw may be known and cited for all purposes as the "**Ucluelet Housing Agreement Bylaw No. 1227, 2018**".

READ A FIRST TIME this 27th day of February, 2018.

READ A SECOND TIME this 27th day of February, 2018.

READ A THIRD TIME this 27th day of February, 2018.

ADOPTED this day of , 2018.

Mayor
Diane St. Jacques

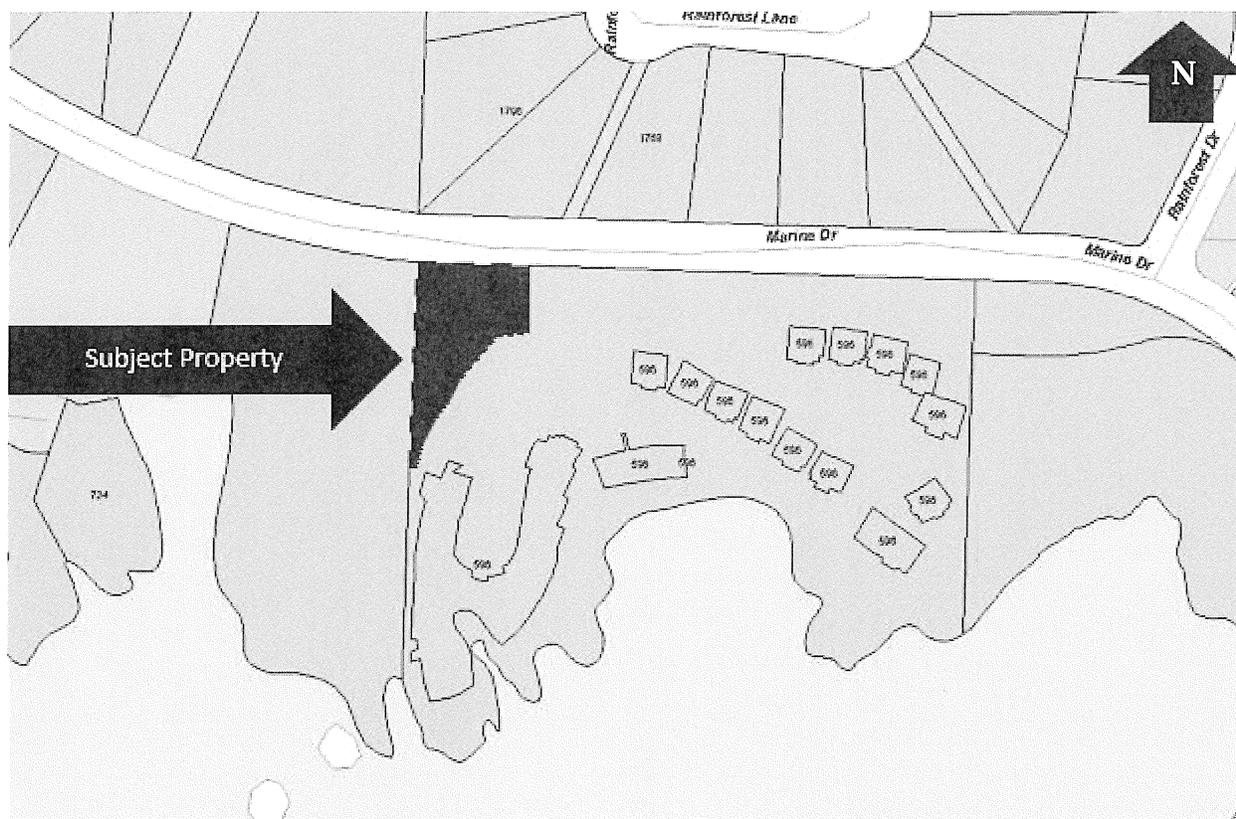
CAO
Mark Boysen

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

CAO
Mark Boysen

Appendix "A" to Ucluelet Housing Agreement Bylaw No. 1227, 2018

Subject property: Lot 1, Lot 1, District Lot 281, Clayoquot District, Plan VIP85870
(620 Marine Drive)



Schedule "A" to Bylaw No. 1227

HOUSING AGREEMENT

(Section 483, *Local Government Act*)

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

BETWEEN:

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

(the "District")

and:

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

(the "Owner")

WHEREAS:

- A. The Owner is the registered owner of land located at 620 Marine Drive in the District of Ucluelet, which land is within the CD-2B Zone under the District's Zoning Bylaw 1160, and is more particularly described as:

PID: 027-696-901

Lot 1 District Lot 281 Clayoquot District Plan VIP85870

(the "Land");

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

subject to the agreement.

- D. The Council of the District has, by Housing Agreement Bylaw No. 1227, 2018, authorized the District to enter into this Agreement with the Owner.

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

STAFF HOUSING UNITS

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

DEFAULT AND REMEDIES

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

GENERAL PROVISIONS

5. **Housing Agreement.** The Owner acknowledges that this Agreement constitutes a housing agreement under s.483 of the *Local Government Act* and that the District will register a notice of this housing agreement against title to the Land.
6. **Indemnity.** The Owner shall indemnify and save harmless the District and each of its elected officials, officers, directors, employees and agents from and against all claims, demands,

actions, loss, damage, costs and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is at law responsible, that constitutes a breach of this Agreement.

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

- 16. **Further Assurance.** The Owner must forthwith do all acts and execute such instruments as may be reasonably necessary in the opinion of the District to give effect to this Agreement.
- 17. **Runs with the Land.** This Agreement runs with the Land, including any part into which the land may be subdivided, and is binding on the Owner and all persons who acquire an interest in the Land.
- 18. **No Joint Venture.** Nothing in this Agreement will constitute the District as the joint venturer, agent or partner of the Owner or give the Owner any authority to bind the District in any way.

Blackrock Oceanfront Resort Inc., by its authorized signatories:

Name:

Date:

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

Mayor:

Date:

Corporate Officer:

Date:

Schedule A to Housing Agreement

STATUTORY DECLARATION

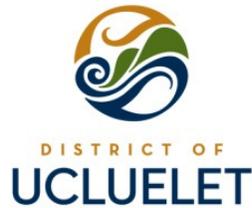
CANADA)	IN THE MATTER OF A HOUSING
)	AGREEMENT WITH THE DISTRICT OF
)	UCLUELET
PROVINCE OF BRITISH COLUMBIA)	("Housing Agreement")
)	

TO WIT:

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

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

DECLARED BEFORE ME at the District of)	
Ucluelet, in the Province of British Columbia,)	
this _____ day of _____, 20____.)	
)	
)	
_____)	_____
A Commissioner for Taking Affidavits in the)	DECLARANT
Province of British Columbia)	



STAFF REPORT TO COUNCIL

Council Meeting: June 26, 2018
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING **REF NO:** RZ18-03 **FILE NO:** 3360-20
SUBJECT: ZONING BYLAW AMENDMENT FOR TEMPORARY USE PERMITS **REPORT NO:** 18-68
APPENDICES: APPENDIX A – ZONING BYLAW AMENDMENT BYLAW NO. 1234, 2018

RECOMMENDATION:

1. **THAT** District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1234, 2018 be given first and second reading and advanced to a public hearing.

PURPOSE:

As part of Planning Staff's internal review of its policies and procedures it was identified that the process and guidelines around temporary use permits (**TUP**) should be amended.

BACKGROUND:

Section 492 of the Local Government Act enables the issuance of a TUP for a use which is not otherwise permitted to occur on a property according to the zoning bylaw. The legislation enabling TUP's is as follows:

"492 Designation of temporary use permit areas

For the purposes of section 493, an official community plan or a zoning bylaw may

- (a) designate areas where temporary uses may be allowed, and*
- (b) specify general conditions regarding the issue of temporary use permits in those areas. Temporary use permits for designated areas and other areas*

493 Temporary use permits for designated areas and other areas

(1) On application by an owner of land, a local government may issue a temporary use permit as follows:

- (a) by resolution, in relation to land within an area designated under section 492;*
- (b) by bylaw, in relation to land within an area outside a municipality, if there is no official community plan in effect for the area.*

(2) A temporary use permit may do one or more of the following:

- (a) allow a use not permitted by a zoning bylaw;*
- (b) specify conditions under which the temporary use may be carried on;*
- (c) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.*

(3) If a local government delegates the power to issue a temporary use permit under this section, the owner of land that is subject to the decision of the delegate is entitled to have the local government reconsider the matter.

494 Public notice and hearing requirements

(1) If a local government proposes to pass a resolution under section 493 (1) (a), it must give notice in accordance with subsections (2) to (4) of this section.

(2) The notice must state

(a) in general terms, the purpose of the proposed permit,

(b) the land or lands that are the subject of the proposed permit,

(c) the place where and the times and dates when copies of the proposed permit may be inspected, and

(d) the place where and the time and date when the resolution will be considered.

(3) The notice must be published in a newspaper at least 3 days and not more than 14 days before the adoption of the resolution to issue the permit.

(4) Section 466 (4) to (8) [specific requirements in relation to notice of public hearing] applies to the notice as if the resolution were a bylaw.

(5) If a local government proposes to adopt a bylaw under section 493 (1) (b), the following sections apply:

(a) section 464 [requirement for public hearing];

(b) section 465 [public hearing procedures];

(c) section 466 [notice of public hearing];

(d) section 469 [delegating the holding of public hearings];

(e) section 470 [procedure after public hearing].

495 Permit conditions: undertakings respecting land

(1) As a condition of issuing a temporary use permit, a local government may require the owner of the land to give an undertaking to

(a) demolish or remove a building or other structure, and

(b) restore land described in the permit to a condition specified in the permit by a date specified in the permit.

(2) An undertaking under subsection (1) must be attached to and forms part of the permit.

(3) If the owner of the land fails to comply with all of the undertakings given under subsection (1), the local government may enter on the land and carry out the demolition, removal or restoration at the expense of the owner.

496 Permit conditions: additional security requirements

(1) In addition to any security required under section 502, a local government may require, as a condition of issuing a temporary use permit, that the owner of the land give to the local government security to guarantee the performance of the terms of the permit.

(2) If there is a requirement for security under subsection (1), the permit may provide for

(a) the form of the security, and

(b) the means for determining

(i) when there is default under the permit, and

(ii) the amount of the security that forfeits to the local government in the event of default.

497 Term of permit and renewal of permit

(1) The owner of land in respect of which a temporary use permit has been

issued has the right to put the land to the use described in the permit until the earlier of the following:

(a) the date that the permit expires;

(b) 3 years after the permit was issued.

(2) A person to whom a temporary use permit has been issued may apply to have the permit renewed, subject to the restriction that a temporary use permit may be renewed only once.

(3) Subsection (1) and sections 495 [permit conditions: undertaking respecting land] and 496 [permit conditions: additional security requirements] apply in relation to a renewal under subsection (2)."

Currently neither the Official Community Plan (OCP) or the Zoning Bylaw No.1160 (Zoning Bylaw) address TUP's.

DISCUSSION:

Staff have drafted a zoning amendment which would designate the area where temporary uses may be allowed, and that specifies general guidelines.

Designated Temporary Use Areas

Temporary use permit applications can be unique, with each application and specific location having its own merits and considerations. Although Staff did consider the creation of specific TUP areas and specialized conditions for those specific areas, it was deemed that this approach was not appropriate for Ucluelet at this time. Staff encounter a number of situations where a TUP may be warranted – be it for staff housing, social housing, to increase the scale of a home-based business, or allow a novel land use not anticipated in the zoning, etc. – these circumstances could come up anywhere in Ucluelet. That being the case, Staff consider the best approach would be to enable property owners to apply for a temporary use permit anywhere in the District. This would provide the flexibility for an owner to apply to Council for a TUP based on the merits of that specific application. Public notification is required for each application, so that any potential impacts can be identified and considered prior to making a decision on whether to issue or place conditions on a TUP.

Temporary Use Conditions

Considering the potential uniqueness of every application Planning Staff considered the less rigid approach of providing objectives and guidelines to be more appropriate than pre-defining conditions for any class of uses. The following are the guidelines proposed:

Objectives

1. Provide flexibility to achieve short-term economic and social goals.
2. Ensure long-term public policy for the area is not changed.
3. Balance public and private interests.
4. Maintain a reasonable level of compatibility with surrounding development.

Permit Guidelines

1. Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
2. No public health and safety problems or environmental degradation shall be created.

3. Where warranted, environmental protection, post-development site restoration and nuisance abatement measures, including noise abatement, duration of operation hours and season, duration of permitted use, traffic management, parking, performance security, and establishing buffers and screens, may be required.

FINANCIAL IMPACTS AND FUTURE WORK:

The adoption of this bylaw should have no significant financial impact. The volume of permit applications and demand on staff resources would be monitored and brought to Council's attention if warranted.

POLICY OR LEGISLATIVE IMPACT:

The adoption of this bylaw should have no direct policy or legislative impact. The use of TUP's can be a tool for testing out new land uses where a "permanent" rezoning might not be supported.

SUMMARY:

This proposed bylaw is intended to solidify our process around temporary use permits and to add objectives and guidelines to help direct future applications.

OPTIONS:

1. That District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1234, 2018 be given first and second reading and advanced to a public hearing. **(Recommended)**
2. That Council defer the readings and advancement of Bylaw No. 1234, 2018 to seek further information from Staff.

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

DISTRICT OF UCLUELET

Bylaw No. 1234, 2018

A bylaw to amend the District of Ucluelet Zoning Bylaw (Temporary Use Permits).

WHEREAS the District of Ucluelet Council by Bylaw No. 1160 adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

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

1. Text Amendment:

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended as follows:

- a) by adding a new subsection 204 Temporary Use Permits to Division 200 – Creation of Zoning Districts in appropriate numerical order:

“204 Temporary Use Permits

204.1 In accordance with Section 492 of the *Local Government Act*, all properties within the District of Ucluelet are designated as an area where Temporary Use Permits may be issued to allow for short-term land uses and development opportunities.

204.2 Objectives

- (1) Provide flexibility to achieve short-term economic and social goals.
- (2) Ensure long-term public policy for the area is not changed.
- (3) Balance public and private interests.
- (4) Maintain a reasonable level of compatibility with surrounding development.

204.3 Permit Guidelines

- (1) Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- (2) No public health and safety problems or environmental degradation shall be created.
- (3) Where warranted, environmental protection, post-development site restoration and nuisance abatement measures, including noise abatement, duration of operation hours and season, duration of permitted use, traffic management, parking, performance security, and establishing buffers and screens, may be required.”; and,

b) by adding the words “unless authorized by a Temporary Use Permit approved by the District Council” to the end of section 303.1(3).

2. Citation:

This bylaw may be cited for all purposes as the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1234, 2018”.

READ A FIRST TIME this day of , 2018.

READ A SECOND TIME this day of , 2018.

PUBLIC HEARING held this day of , 2018.

READ A THIRD TIME this day of , 2018.

ADOPTED this day of , 2018.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1234, 2018.”

Dianne St. Jacques
Mayor

Mark Boysen
Corporate Officer

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

Mark Boysen
Corporate Officer