



**REGULAR MEETING OF COUNCIL**  
**Tuesday, April 9, 2019 @ 2:30 PM**  
**George Fraser Room, Ucluelet Community Centre,**  
**500 Matterson Drive, Ucluelet**

**AGENDA**

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*Donna Monteith, Director of Finance*

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15. QUESTION PERIOD  
16. ADJOURNMENT



**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE**  
**Tuesday, March 12, 2019 at 2:30 PM**

Present:       **Chair:**           Mayor Noël  
                  **Council:**       Councillors Cole, Hoar, Kemps, and McEwen  
                  **Staff:**           Mark Boysen, Chief Administrative Officer  
                          Marlene Lagoa, Manager of Corporate Services  
                          Bruce Greig, Manager of Community Planning

Regrets:

**1. CALL TO ORDER**

**1.1 Mayor Noël called the meeting to order at 2:30 PM.**

**2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY**

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

**3. ADDITIONS TO AGENDA**

**3.1 Addition of Agenda Item No. 16. Closed Session**

*Procedural Motion to Move In-Camera:*

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

**4. APPROVAL OF AGENDA**

**4.1 March 12, 2019 Regular Agenda**

2017-001           **It was moved by Councillor McEwen and seconded by Councillor Cole**

*THAT Council approve the March 12, 2019 Regular Agenda as amended.*

CARRIED.

**5. ADOPTION OF MINUTES**

**5.1 January 30, 2019 Special Minutes**

2017-002           **It was moved by Councillor Cole and seconded by Councillor Kemps**

*THAT Council approve the January 30, 2019 Special Minutes as presented.*

CARRIED.

**5.2 February 12, 2019 Regular Minutes**

- Under Council Committee Report, add dates of Code Hack event on March 9 & 10.

2017-003

**It was moved by Councillor McEwen and seconded by Councillor Cole**  
*THAT Council approve the February 12, 2019 Regular Minutes as amended.*

CARRIED.

### 5.3 February 26, 2019 Regular Minutes

2017-004

**It was moved by Councillor McEwen and seconded by Councillor Kemps**  
*THAT Council approve the February 26, 2019 Regular Minutes as presented.*

CARRIED.

## 6. UNFINISHED BUSINESS

## 7. MAYOR'S ANNOUNCEMENTS

- 7.1
- Happy Birthday to Councillor Marilyn McEwen.
  - Fire Chief posting closed yesterday and there are 25 applicants.
  - Budget Open House is this Thursday from 5:00 – 7:00 PM.

## 8. PUBLIC INPUT, DELEGATIONS & PETITIONS

### 8.1 Public Input

A. Marshall, resident, respectfully requested that the District consider and address safety concerns with the placement of the new crosswalk on Peninsula Road in front of the old church.

- CAO Mark Boysen responded that the District will monitor the situation and if there are any concerns, we will address them.

### 8.2 Delegations

**James Rodgers, CARE Network**

**Re: Letter of Support Request: Regional Animal Shelter**

- James Rodgers presented on the work that the CARE Network does on the coast.
- CARE Network has started to put together a plan for animal control and improving the level of care needed for the area.
- Next step moving forward is small semi-mobile and modular animal shelter so they can care for animals.
- Asking for letter of support as they move forward with establishing a regional service.

Council questions and comments:

- Will the facility be centrally located? Yes, looking at leasing land

from the ACRD by the Airport; however, there are other locations that have been identified as well.

- What is your timeline for getting a support letter? The ACRD meeting is on March 27th and was hoping for letters of support by then. We will also be putting together applications for grants and in-kind support.

## 9. CORRESPONDENCE

### 9.1 Request for Letter of Support for Tla-o-qui-aht First Nation's Canada's Target 1 Nature Fund Challenge Application Tla-o-qui-aht First Nation

- Council asked for more information including a copy of the map showing the buffer zone.
- Council members expressed concern on whether the buffer zone would impact the future of Kennedy Lake as a regional water source.
- Mayor Noël noted that Tla-o-qui-aht was invited to appear as a delegation but were unavailable.
- Item to be brought back under Unfinished Business at the March 26, 2019 Regular Council Meeting.

### 9.2 Request for Letter of Support - RCMP Appreciation Day RCMP Appreciation - Vernon Committee

2017-005

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

*THAT Council provide a letter of support to the RCMP Day – Vernon Committee for their efforts to move forward with a petition signed by Canadian citizens that will be directed to the Province of British Columbia and the Government of Canada to ultimately acknowledge February 1st as 'Royal Canadian Mounted Police Day'.*

CARRIED.

### 9.3 Municipal Survivor Climate Challenge District of Highlands

- Council will manage their own tracking and reporting to participate in the Climate Challenge.

2017-006

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

*THAT Council participate in the District of Highlands' Municipal Survivor Climate Challenge.*

CARRIED.

### 9.4 BC Council of Forest Industries 2019 Annual Convention Invitation Council of Forest Industries

### 9.5 West Coast Transportation Update

## **Alberni Clayoquot Health Network**

- Council asked that the District help to promote the BC Transit Open House.
- CAO Boysen shared that the District of Ucluelet will be advertising shortly for a public information session that will occur next door to the BC Transit Open House on April 4th at the Ucluelet Community Centre.

### **9.6 Request to Review Parks & Recreation Bursary Karen Smith**

*Councillor Cole left the meeting at 3:11 PM due to her family relationship.*

- CAO Boysen noted that the annual budget for the parks and recreation bursary program increased from \$3000 in 2018 to \$4000 in 2019.
- Council requested that the Manager of Park & Recreation provide additional stats for council's information and they consider it as part of future budgets.
- Council requested that the District send Karen an acknowledgement of receiving the letter and that Council will consider the bursary amount as part of future year's budget.

*Councillor Cole returned to the meeting at 3:13 PM.*

## **10. INFORMATION ITEMS**

### **10.1 Hwy 4 - Kennedy Hill Safety Improvements Traffic Interruptions Update Emil Anderson Construction Inc.**

### **10.2 Passage of Abandoned Vessels Act Boating BC Association**

- Councillor McEwen shared that the new Act came up at HAABC conference and allows fines to be charged.

## **11. COUNCIL COMMITTEE REPORTS**

### **11.1 Councillor Rachelle Cole Deputy Mayor October - December 2019**

- **Seaview Seniors Housing Society met March 4th. They will be submitting a delegation request to appear at the March 26th Regular Council meeting. The next**

seniors lunch is on March 20th.

- Requested the Rotary Club appear as a delegation to advise Council of current projects and ideas they are working on.
- Met with Gord Johns on March 5th.
- Coastal Family Resource Coalition met on March 6th.
- Attended the International Women's Day celebration, which was organized by the West Coast Family Resources Society and was really well done.
- Attended the Island Health Code Hack in Victoria from March 9-10th. Submitted a proposal for greater care levels of housing for long term care, so people can age in place. We need more specialists, and transportation.

#### 11.2 Councillor Marilyn McEwen

*Deputy Mayor November 2018 - March 2019*

- Attended the Mayor's Luncheon at the Gray Whale Deli on February 28th. Doug Cole from Weyerhaeuser attended.
- March 5th met with Gord Johns. Discussed: DFO, trollers, plastics, the new park path, the medical centre they want to build, Kennedy Lake water supply grant, the Coast Guard building and updated him on the BC Transit situation which was news to him.
- March 6th was the Pacific Rim National Park open house for the ʔapsčiiik t'ašii Trail (pronounced 'Ups-cheek ta-shee'). Staff provided handouts and had a map outlining where the trail is going through the park.
- March 8 was International Women's Day. The UCC hosted Professor Leah Shemka from the University of Victoria who spoke at the celebration.
- Whale Festival update - the new Board is meeting weekly and are currently planning a fundraising event March 3th at the Long Beach Lodge.

#### 11.3 Councillor Lara Kemps

*Deputy Mayor April - June 2019*

- Attended the British Columbia Economic Development Association conference last week.
- Although the Whale Festival is not taking place this year, several organizations came together to create a calendar share of activities to do over spring break.

**The calendar was shared with Ucluelet and Tofino Tourism as well as media outlets.**

11.4 Councillor Jennifer Hoar

*Deputy Mayor July - September 2019*

- **Noted that despite the Whale Festival not taking place this year, the Wild Pacific Trail Society is doing a series of events from March 16-24 including trail walks and whale spotting. Watch for the schedule.**

11.5 Mayor Mayco Noël

- **Attended the Island Coastal Economic Trust meeting. They are looking to widen their portfolio. The Province is looking at adding the Indigenous groups and the Gulf Islands, but they are not looking at increasing the amount of funding.**
- **Attended several ACRD meetings. One key point from the Community Action Team was harm reduction and how it lead to the West Coast Emergency Coordination hiring an Emergency Coordinator.**
- **Went to the Hitatsu Assembly. They will be introducing a new funding model for the operations of their community which is going to really benefit them and the region. This is a positive step forward that will give them a lot more independence and opportunities for their lands and resources.**
- **Also met with MP Gord Johns.**
- **Met with Mainroad Contracting about the roads due to the recent icy weather.**
- **Attended the Parks meeting as well which went well.**

## 12. REPORTS

12.1 Cheque Listing - February 2019

*Marlene Lagoa, Manager of Corporate Services*

12.2 Development Variance Permit DVP19-01 for 1465 Helen Road

**\*Public Input Opportunity\***

*John Towgood, Planner 1*

- Bruce Greig, Manager of Community Planning, presented DVP19-01 to permit a variance for a parking spot to allow the operation of a B&B guest room for 1465 Helen Road.
- Reasons given for requesting the on-site parking variance includes slope of the property, removal of all front yard trees, and

- creating the loss of one on-street parking spot.
- Mr. Greig noted that Council should provide an opportunity for the public to be heard at this time.
- The applicant addressed Council, highlights included:
  - there is no on-site parking for their house;
  - received approval from direct neighbours;
  - expect a maximum of two guests travelling in one vehicle;
  - guest will park directly in front of the house; and
  - the short-term rental has been running for two years.

*Councillor Cole left the meeting at 3:38 PM due to the subject property being in her neighbourhood.*

- Council's questions and comments included:
- Will the variance mean more people at this address? There has been a bit of a short-term rental use in the past. They applied for a business licence which triggered this variance request.
- Would the variance be just for these owners or permanent? The variance is tied to the property and not the owners, so the variance would apply as long as the B&B use continues. However, if the B&B use is discontinued, or if the house were demolished and re-built at some point in the future, then the variance would no longer apply and the property would need to meet the zoning requirements in place at the time.
- Parking is always an issue in the summer especially at 52 steps and one parking spot is not going to compound that issue.
- Concern was expressed that the next owners of the property may not be as good as a neighbour as the current owners.

*Councillor Cole returned to the meeting at 4:41 PM.*

2017-007

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

*THAT Council approve recommendation 1 of report item, "Development Variance Permit DVP19-01 for 1465 Helen RD" which states:*

1. *THAT Council approve DVP19-01 to allow a single Bed and Breakfast guest room to occur on Lot 22, Plan VIP1116 Section 21, Clayoquot District (1465 Helen Road) without the parking space required by Section 505.1 of the District of Ucluelet Zoning Bylaw No. 1160, 2013.*

**CARRIED.**

### **12.3 Ucluelet Climate Action Plan Draft**

**Mark Boysen, Chief Administrative Officer**

- CAO Boysen introduced Maya Chorobik from the Community Energy Association.
- Last year the District received FCM funding to put together a

Climate Action Plan.

- The draft plan is being presented to Council today for feedback and to address any questions.
- Public input on the plan will be accepted by email until next Wednesday.
- A final version of the plan will come before Council for adoption on March 26.
- Maya Chorobik presented the draft plan titled 'Clean Energy for the Safe Harbour'.
- Mayor Noël noted the success of the Builder Step Code workshop held last year.

### 13. LEGISLATION

#### 13.1 Sewer Parcel Tax Bylaw 2019-2020 (Adoption)

***Donna Monteith, Director of Finance***

2017-008

**It was moved by Councillor McEwen and seconded by Councillor Cole THAT Council approve recommendation 1 of legislation item, "Sewer Parcel Tax Bylaw 2019-2020 (Adoption)" which states:**

1. *THAT the Sewer Parcel Tax Bylaw No. 1243, 2019 be adopted.*

CARRIED.

### 14. OTHER BUSINESS

#### 14.1 Ucluelet Elementary School Traffic Concerns

***Mark Boysen, Chief Administrative Officer***

- CAO Boysen noted that at the last council meeting, from which he was absent, staff were asked to look for traffic solutions in the school zone areas.
- Staff do not have information ready for today but will for the next meeting.
- Staff have reached out to the School Board; the School Board Trustee has been invited to come speak with Council; RCMP has been contacted about enforcement in the area; in the future staff will be bringing a report on some options being prepared by engineering professionals.

### 15. QUESTION PERIOD

**15.1 N. O'Malley, resident, asked for the date of the Open House. Mayor Noël responded it would be on April 4, 2019.**

**P. Timmermans, resident, suggests there needs to be an education component in the region to avoid the issue of people neglecting their pets.**

**16. CLOSED SESSION**

**16.1 Procedural Motion to Move In-Camera**

2017-009

**It was moved by Councillor McEwen and seconded by Councillor Cole**  
*THAT the meeting be closed to the public in order to address agenda items under Section 90 (1)(g) and 90 (1)(i) of the Community Charter.*

CARRIED.

**16.2 Mayor Noël suspended the regular meeting 4:08 PM and resumed in-camera at 4:18 PM.**

**16.3 Mayor Noël adjourned the in-camera meeting at 4:47 PM and resumed the open meeting.**

**17. ADJOURNMENT**

**17.1 Mayor Noël adjourned the meeting at 4:47 PM.**

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday, March 12, 2019 at 2:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

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Mayco Noël  
Mayor

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Mark Boysen  
CAO



**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE**  
**Tuesday, March 26, 2019 at 4:30 PM**

Present:      **Chair:**           Acting Mayor McEwen  
                  **Council:**       Councillors Cole, Hoar, and Kemp  
                  **Staff:**           Mark Boysen, Chief Administrative Officer  
                          Marlene Lagoa, Manager of Corporate Services  
                          Abigail Fortune, Manager of Parks and Recreation  
                          Warren Cannon, Manager of Public Works  
                          Bruce Greig, Manager of Community Planning  
                          John Towgood, Planner 1  
                          Brent Ashton, Bylaw Officer

Regrets:       Mayor Noël

**1. CALL TO ORDER**

**1.1 Acting Mayor McEwen called the meeting to order at 4:30 PM.**

**2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY**

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

**3. ADDITIONS TO AGENDA**

**4. APPROVAL OF AGENDA**

**4.1 March 26, 2019 Regular Agenda**

2017-001           **It was moved by Councillor Kemp and seconded by Councillor Hoar**  
                          *THAT Council approve the March 26, 2019 Regular Agenda as presented.*  
CARRIED.

**5. ADOPTION OF MINUTES**

**5.1 March 5, 2019 Special Minutes**

2017-002           **It was moved by Councillor Hoar and seconded by Councillor Cole**  
                          *THAT Council approve the March 5, 2019 Special Minutes as presented.*  
CARRIED.

**5.2 March 12, 2019 Special Minutes**

2017-003           **It was moved by Councillor Cole and seconded by Councillor Kemp**  
                          *THAT Council approve the March 12, 2019 Special Minutes as presented.*

CARRIED.

**6. UNFINISHED BUSINESS****6.1 Request for Letter of Support for Tla-o-qui-aht First Nation's Canada's Target 1 Nature Fund Challenge Application Tla-o-qui-aht First Nation**

- Acting Mayor McEwen noted that additional information was provided by way of a map.

2017-004

**It was moved by Councillor Cole and seconded by Councillor Hoar***THAT Council direct staff to prepare a letter of support for Tla-o-qui-aht First Nation's Canada's Target 1 Nature Fund Challenge Application.*

CARRIED.

**7. MAYOR'S ANNOUNCEMENTS**

- 7.1**
- **BC Transit Open House April 4th from 4:00 – 7:00 PM at the Ucluelet Community Centre.**
  - **Lunch with Mayor Noël is this Thursday from 12 – 2 PM at the Gray Whale Deli.**
  - **Pacific Rim Whale Festival is holding a fundraiser March 30th at Long Beach Lodge.**

**8. PUBLIC INPUT, DELEGATIONS & PETITIONS****8.1 Public Input**

**J. Gray**, resident, noted she submitted a letter to Council yesterday in response to the report on classification of short-term rentals. She sent the letter in support of local families who use short-term rentals as a source of revenue in order to afford to live and own a home here. She would like some proof of how the numbers in the report were calculated before going forward with a commercial tax on residential homes looking to make some money.

**V. Miralles Sanchez**, Surfrider Chapter Coordinator, noted that Surfrider would have liked more time to review the draft Climate Action Plan. Surfrider did submit a letter with some preliminary thoughts.

- **CAO Mark Boysen** noted that the plan was updated to reflect Surfrider's input on single-use plastics.

**8.2 Delegations****Jan Draeske & Randy Oliwa, Seaview Seniors Housing**

## **Society - Forest Glen**

### **Re: Update and Future Plans**

- Have an expansion committee exploring the financial feasibility of expanding Forest Glen to accommodate 10 additional one-bedroom units.
- Asked if their feasibility study could be included as part of the District's Housing Needs Assessment study.
- Forest Glen has begun hosting events with the West Coast Community Resource Society and would like to do more with the community.
- Requested that the District prepare a seniors directory, hire a Seniors Coordinator, and keep them informed of any age-friendly plans.
- Concerned with the lack of transportation for seniors and that Wheels for Wellness bus will not take Ucluelet residents to appointments in Tofino.
- CAO Boysen noted that the Manager of Parks and Recreation will follow-up with an update on age-friendly projects.
- Council comments:
  - Include Ucluelet First Nation as part of housing feasibility study to demonstrate need and potential to access more funding.
  - Ucluelet and Tofino does not meet the minimum distance for Wheels for Wellness service.

## **9. CORRESPONDENCE**

### **9.1 Request for Letter of Support Surf Canada**

2017-005

**It was moved by Councillor Kemps and seconded by Councillor Cole THAT Council direct District staff to write a letter supporting Surf Canada's 2019 Nationals and Olympic Team Trial events at Wickaninnish Beach.**

**CARRIED.**

### **9.2 Request for Update on Edna Batchelor Park Faye Missar**

- CAO Boysen noted he spoke with the Manager of Parks and Recreation and there is a budget for improvements at Edna Batchelor Park. Staff will report back to the writer.

## **10. INFORMATION ITEMS**

### **10.1 Service Canada and Canada Revenue Agency Visit to the Coast Service Canada - Government of Canada**

## 10.2 Hwy 4 - Kenndy Hill Safety Improvements Traffic Interruptions Update

Emil Anderson Construction (EAC) Inc.

- Mayor noted he will be asking for a meeting with EAC, Mike Pearson at the Province, and Tofino Mayor Osbourne.

2017-006

**It was moved by Councillor Hoar and seconded by Councillor Cole**

*THAT the Mayor meet with representatives from Emil Anderson Construction, the Ministry of Transportation, and the District of Tofino to discuss delays at the Hwy 4 Kennedy Hill Project.*

CARRIED.

## 11. COUNCIL COMMITTEE REPORTS

### 11.1 Councillor Rachelle Cole

*Deputy Mayor October - December 2019*

- **Attending a first aid and addictions workshop with the West Coast Resource Society.**

### 11.2 Councillor Marilyn McEwen

*Deputy Mayor November 2018 - March 2019*

- **March 13 attended ACRD Meeting as the Mayor's alternate.**
- **March 14 attended Budget Open House.**
- **March 19 attended the third Climate Adaption Workshop**
- **March 23 attended Vancouver Island Regional Library Board Meeting.**

### 11.3 Councillor Lara Kemp

*Deputy Mayor April - June 2019*

- **Working on the orca and salmon issue, which has become very political and does not look good for fishery closures on the coast.**
- **Last week some of the Chamber's met with Minister Wilkinson in Victoria and sat in on a webinar regarding DFO's consultation on recovery measures.**
- **There are 17 Chamber's involved in advocating for fisheries closures and pushing to have the decision science based.**
- **The Chamber has written a letter to Minister Wilkinson requesting another round-table meeting. Hoping to**

hear back by May as to what is going to happen.

- **Tourism Vancouver Island, Tourism Industry Association, and the 17 Chambers have all written to DFO, urging them to engage with the stakeholders.**

#### 11.4 Councillor Jennifer Hoar

*Deputy Mayor July - September 2019*

- **Also sat in on the webinar with Councillor Kemps, echos the sentiment that the decision should be science based.**
- **Attended the Wild Pacific Trail (WPT) meeting. They have been engaged in Whale Week and had a good turn out for the Build-A-Whale event on Sunday.**
- **The WPT will have updates in the Westerly Newspaper on upcoming events.**

#### 11.5 Mayor Mayco Noël

- **Not in attendance.**

## 12. REPORTS

### 12.1 Resolution Tracking - March 2019

***Marlene Lagoa, Manager of Corporate Services***

Council asked for an update on the following items:

- Staff are working with an engineer on designs for the school zone and have involved the school on the discussion of parking on their property.
- The email list for Ucluelet community group will be implemented by the next meeting with societies on April 26.
- Webcasting of council meetings will begin after the budget is completed later this spring.
- CAO Boysen is working with the Mayor on the issue of council committees and engagement.

### 12.2 Ucluelet Climate Action Plan Adoption

***Mark Boysen, Chief Administrative Officer***

2017-007

**It was moved by Councillor Hoar and seconded by Councillor Cole**

*THAT Council approve recommendation 1 of report item, "Ucluelet Climate Action Plan Adoption" as amended which states:*

1. *THAT Council adopt the Ucluelet Climate Action Plan titled "Clean Energy for the Safe Harbour"; with the addition of Goal 12 – The District meets the community's 80% GHG reduction and 100% renewable energy targets for its municipal operations.*

CARRIED.

**12.3 Pacific Rim Visitors Centre Agreement with Parks Canada**  
**Mark Boysen, Chief Administrative Officer**

- CAO Boysen noted there has been no changes to the agreement since it was before Council on February 12.
- There is an opportunity to withdraw from the agreement with 90 days notice.

2017-008

**It was moved by Councillor Kemps and seconded by Councillor Cole**

*THAT Council approve recommendation 1 of report item, "Pacific Rim Visitors Centre Agreement with Parks Canada" which states:*

1. *THAT Council approve the new 2019 agreement between the District of Ucluelet and Parks Canada regarding the Pacific Rim Visitor Centre.*

CARRIED.

**12.4 Development Permit for Proposed Subdivision of OceanWest Phase 5**

**Bruce Greig, Manager of Community Planning**

- Bruce Greig, Manager of Community Planning, presented an overview of the development permit being requested for Phase 5 of the Weyerhaeuser development (Ocean West).
- The development permit is to allow the applicant to create 33 large single-family lots and put in the road infrastructure.
- Staff recommends approval of the DP as it meets the conditions of the OCP.
- Council asked the applicant if Council could have some input into the road names of this new subdivision. The applicant agreed.

2017-009

**It was moved by Councillor Cole and seconded by Councillor Hoar**

*THAT Council approve recommendation 1 of report item, "Development Permit for Proposed Subdivision of OceanWest Phase 5" which states:*

1. *THAT Council approve Development Permit DP18-07 for the "OceanWest phase 5" 33-lot subdivision on Lot A, Plan VIP81555, Clayoquot District, except plan VIP84686 and in part of Lot 4, Plan VIP75113, Clayoquot District, District Lot 285, 286 & 473, except Plan VIP80031.*

CARRIED.

**12.5 CARE Network Proposal for Regional Animal Shelter**  
**Brent Ashton, Bylaw Services Officer**

- Bruce Greig, Manager of Community Planning, noted the report outlines the District's investment to date for animal services.
- Staff recommendation is to have the item discussed at the West Coast Committee meeting.

- Council asked about the CARE Network's original request for a letter of support from Ucluelet and Tofino. Staff noted that Tofino was not asked for a letter of support.

2017-010

**It was moved by Councillor Hoar and seconded by Councillor Cole**

*THAT Council approve recommendation 1 of report item, "CARE Network Proposal Animal Shelter" which states:*

1. *THAT Council refer to the ACRD the request for support of a grant by the CARE Network for an animal shelter serving the west coast, for discussion at the West Coast Committee.*

CARRIED.

**12.6 Residential Tax Classification of Commercial Short-Term Rentals**  
***Bruce Greig, Manager of Community Planning***

- Bruce Greig, Manager of Community Planning, noted that staff is seeking direction from Council on broader housing issues in the community.
- Report is the result of the District seeking legal opinion on how BC Assessment classifies short-term rentals and how that impacts housing affordability and property taxes.
- Question for Council's consideration is whether they wish to lobby the province to change how BC Assessment assesses short-term rentals. The issue is with how the regulation is currently written.
- There are a number of applications coming before Council in the future looking to provide short-term rentals.
- Council comments and questions included:
  - There was concern with supporting the second part of recommendation as there should be more done to tax the resort condominiums as opposed to homes with rooms or suites for short-term rental.
  - Concern that an increase in property taxes for homeowners with nightly rentals will jeopardize a lot of people in the community.
  - There are lots of people with home-based businesses that (for tax purposes) are not portioned as a percentage of commercial which creates a gray area.
- Mr. Greig clarified that the recommendation in this report would not take away people's ability to have short term rentals. The purpose would be to look at assessing those uses on a portion of the property at commercial rates to level the playing field.
- Acting Mayor McEwen noted that Council will accept the report as information and know there is more information coming in the future.

**13. LEGISLATION**

### 13.1 Zoning Bylaw Amendment Application (506 Marine Drive) *John Towgood, Planner 1*

- Bruce Greig, Manager of Community Planning, presented an overview of the process leading up to the amendment of VR-2 in the Zoning Bylaw and the request to rezone the subject property at 506 Marine Drive to VR-2.
- Request for VR-2 zoning will allow property owner to rent out the main house when they travel.
- Council requested that staff bring forward a bylaw to clean up VR-2 zoning that includes an on-site full-time caretaker.
- The house on the subject property has a secondary suite with a long-term tenant.
- Staff noted that rezoning the property to VR-2 will have an incremental effect on housing affordability as it would increase the sales value of the property and transfer the use to the new owner.
- Staff recommendation is to issue a temporary use permit which would achieve the same thing the applicant is looking for, up to three years, without having a negative impact on the Ucluelet housing stock.
- Carl Scott, the applicant, addressed Council with the reasons they are seeking VR-2 rezoning, highlights included:
  - The Council motion from the December 11, 2018 meeting was for staff to amend the VR-2 zone to add the requirement for a full-time resident, with instructions to prepare a zoning amendment blyaw to permit short-term rentals.
  - Applicant is not happy with a temporary use permit as this leaves them open to what may or may not be applied in the future.
  - Seeking a rezoning to help with their future financial planning.
  - Applicant does not believe rezoning will negatively affect the community or the neighbourhood as there are a number of vacation rentals in the area.
  - Approval of the rezoning will add a new use to the neighbourhood and the addition of a large vacation property to accommodate family gatherings.
  - Noted there were two other homes nearby that have permission for nightly rentals under VR-1.
- Council comments and questions included:
  - Clarified there are currently no occupied properties in Ucluelet zoned VR-2.
  - Properties nearby the subject property are zoned VR-1.
  - Staff noted the different uses in the neighbourhood

including resort condo.

- Staff noted the recommendation to issue a temporary use permit is not just based on the private interests of the property owners. There are other applications coming forward to Council in the future requesting rezoning for short-term rentals in residential zones. Rezoning to allow short-term rentals will positively impact the property's resale value.
- The house is not affordable as a long-term rental or to purchase as is and may not be resalable without a VR-2 zoning.
- Hesitation to give a temporary use permit as Staff and Council can change in three years and the applicant is looking for something concrete.
- The OCP has designated the area as a comprehensive development area.
- The houses towards big beach were rezoned for vacation rentals.

2017-011

**It was moved by Councillor Kempes and seconded by Councillor Cole**

*THAT Council approve recommendation 1 of legislation item, "Zoning Bylaw Amendment Application (506 Marine Drive)" which states:*

1. *THAT Council direct staff to prepare a Zoning Amendment Bylaw to remove the standalone Vacation Rental of an entire single-family dwelling from the permitted uses under the Vacation Rental (VR-2) regulations.*

CARRIED.

2017-012

**It was moved by Councillor Kempes and seconded by Councillor Hoar**

*THAT Council approve recommendation 3 of legislation item, "Zoning Bylaw Amendment Application (506 Marine Drive)" which states:*

3. *THAT District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1242, 2019, be given first and second reading and advance to a public hearing.*

CARRIED.

### **13.2 Single-Use Plastics Bylaw - 1st Reading**

***Marlene Lagoa, Manager of Corporate Services***

- Marlene Lagoa, Manager of Corporate Services, gave an overview of the single-use plastics bylaw being presented for first reading.
- The opportunity for community feedback will take place before second and third reading.
- The two-dollar minimum charge on reusable bags follows the minimum charges set in the City of Victoria's bylaw.

2017-013

**It was moved by Councillor Hoar and seconded by Councillor Cole**

*THAT Council approve recommendation 1 of legislation item, "Single-Use Plastics Bylaw - 1st Reading" which states:*

1. *THAT Council give first reading to the "District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019".*

CARRIED.

2017-014

**It was moved by Councillor Hoar and seconded by Councillor Cole**

*THAT Council approve recommendation 2 of legislation item, "Single-Use Plastics Bylaw - 1st Reading" which states:*

1. *THAT Council direct staff to obtain stakeholder feedback prior to second reading and schedule an opportunity for representations to Council prior to third reading.*

CARRIED.

#### 14. OTHER BUSINESS

14.1 There was no other business.

#### 15. QUESTION PERIOD

15.1 **R. Oliwa**, resident, wished to bring to Council's attention that the local Unitarian Club is looking to post a sign near the entrance of Ucluelet. More information will be coming forward at a later date.

#### 16. CLOSED SESSION

##### 16.1 Procedural Motion to Move In-Camera:

2017-015

**It was moved by Councillor Hoar and seconded by Councillor Cole**

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

CARRIED.

16.2 **Acting Mayor McEwen suspended the regular meeting at 6:20 PM and moved in-camera at 6:28 PM.**

**Acting Mayor McEwen adjourned the in-camera meeting at 6:54 PM and resumed the open meeting.**

#### 17. ADJOURNMENT

17.1 **Acting Mayor McEwen adjourned the meeting at 6:54 PM.**

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday, March 26, 2019 at 4:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

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Mayco Noël  
Mayor

---

Mark Boysen  
CAO





## DISTRICT OF UCLUELET

### Request to Appear as a Delegation

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

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

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

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

Requested Council Meeting Date: April 9, 2019

Organization Name: School District #70

Name of person(s) to make presentation: Sandra Leslie

Topic: Discussion of mutual needs between SD70 and Council

Purpose of Presentation:

Information only

Requesting a letter of support

Other (provide details below)

Please describe:

- New schools update.
- Parking issues and traffic in front of the elementary school.

Contact person (if different from above): \_\_\_\_\_

Telephone Number and Email: \_\_\_\_\_

Will you be providing supporting documentation?  Yes  No

If yes, what are you providing?

Handout(s)

PowerPoint Presentation

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



March 25, 2019



**KITIMAT**

District of Kitimat  
270 City Centre  
Kitimat, British Columbia  
Canada V8C 2H7

Phone 250.632.8900  
Fax 250.632.4995

Dear Mayor and Council

VIA EMAIL

On March 3, 2005, a motorcycle accident occurred that would forever change the life of Ms. Denise Lodge. Her 21-year old son Corey bought his first motorcycle, a high speed 1000cc racing sport bike. He wrote his learners license on the same day. In less than 24 hours he was involved in a fatal accident on the Malahat Highway. Unable to navigate the turn, the worst possible outcome was realized.

From this fateful event grew a movement affectionately known as The Coalition of Riders Educating Youth (C.O.R.E.Y). This alliance was organized by a mother who vowed to change an outdated system of motorcycle laws in an effort to advance motorcycle safety initiatives. Over the past 14 years C.O.R.E.Y has been working with the Government asking for them to give New Riders the Skills to have a safe ride.

In 2016, C.O.R.E.Y started working with the RCMP and RoadSafetyBC, presenting to over 7,900 Grade 9 – 12 high school students in Northern and Central BC. The interactive discussion brings full awareness of motorcycles to the new drivers as half of the deaths occur because the driver of the other vehicle does not see the motorcyclist. To further highlight the need of this program a recent statistic from the coroner indicates that there were thirty (30) motorcyclist deaths from January to July 2018. This is a 114% increase over the number of motorcyclist deaths occurring from January to July 2017.

At the 2016 UBCM Conference the following resolution was submitted by the District, and adopted by the North Central Local Government Association at the conference in Dawson Creek. Due to time constraints the resolution was not considered by the UBCM membership; however, it was endorsed post-conference by the UBCM Community Safety Committee:

Graduated Licensing for Motorcycles

DISTRICT OF KITIMAT

**WHEREAS** many changes and improvements have occurred regarding the operation of motorcycles including: increased fines for dangerous behavior while riding, mandatory approved helmet laws, and new seating regulations which require that the passenger's feet must remain on the foot pegs to prevent children who are too small from riding as passengers;

**AND WHEREAS** motorcycles make up three per cent of BC's insured vehicles, yet they are involved in approximately eleven per cent of all road fatalities:

**THEREFORE BE IT RESOLVED** that the Provincial Government implement the final phase of the graduated licensing program for motorcycles including power restrictions and mandatory training.

Request for Letter of Support For Graduated Licensing for Motorcycles Ma...

As the program has not yet been implemented, The District of Kitimat Mayor and Council are requesting letters of support be written to the Province to finalize and implement the Graduated Licensing Program for Motorcycles (GLP-M), including Power Restrictions and Mandatory Training.

We ask that letters of support be forwarded to:

Honourable Mike Farnworth, MLA  
[pssg.minister@gov.bc.ca](mailto:pssg.minister@gov.bc.ca)

CoreySafe Society  
[coreysafe@outlook.com](mailto:coreysafe@outlook.com)

Sincerely,

A handwritten signature in black ink that reads "Phillip Germuth". The signature is written in a cursive style with a large initial "P".

Mayor Phillip Germuth  
District of Kitimat

Excellent health and care, for everyone,  
everywhere, every time.



March 25, 2019

Cliff 20048

Mayor Mayco Noel  
P.O. Box 999  
Ucluelet, BC  
V0R 3A0

Dear Mayor Noel,

On behalf of the Board of Directors and senior leadership of Island Health, we write to extend our sincerest congratulations on your recent election as Mayor of Ucluelet and the swearing-in of your council.

We are pleased to provide you with a copy of our Annual Report 2017/2018. The results and stories shared in our Annual Report showcase the health and care impact on people and communities while highlighting the strength and compassion of Island Health's care teams.

As we move through 2019, we will continue to work in partnership with you and your colleagues to improve the health and care needs of our population.

We will focus on continuous improvement in acute and long-term care service delivery, ensuring our patient and care team experiences are better than they were last year, and we will further build upon the quality and safety successes of the past.

A critical focus for Island Health this year, and in coming years, will be on further development of integrated team-based primary and community care in line with Ministry of Health direction. The evidence is clear this is where we need to go; and other jurisdictions have shown us the way forward. Working together we are confident the residents and communities of Island Health will receive better, more appropriate care through this direction.

We also know that much of what contributes to positive health outcomes arises as a result of the work of organizations outside of Island Health. Social determinants of health have a significant impact on positive health outcomes, and we are excited to be working with many organizations, including yourself in local government, along with the Provincial Government on improving these critical conditions of success.

We would be happy to provide you with an overview of Island Health and ensure that you have the information you need in order to serve your community. If at any time you need assistance or

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**Executive Office**

Located at: 2101 Richmond Road | Victoria, BC V8R 4R7 Canada  
Mailing address: 1952 Bay Street | Victoria, BC V8R 1J8 Canada

Tel: 250-370-8699 | Fax: 250-370-8750  
[islandhealth.ca](http://islandhealth.ca)

information, please feel free to contact Island Health's Executive Director for your area Sheila Leadbetter at [Sheila.Leadbetter@viha.ca](mailto:Sheila.Leadbetter@viha.ca).

Don't hesitate to reach out to us directly through Island Health's corporate office at 250-370-8692 or by email at [leah.hollins@shaw.ca](mailto:leah.hollins@shaw.ca) or [Kathryn.Macneil@viha.ca](mailto:Kathryn.Macneil@viha.ca).

Once again, congratulations on your election. Best wishes for a happy, healthy and prosperous new year.

Sincerely,



Leah Hollins  
Board Chair



Kathy MacNeil  
President & CEO



# EMIL ANDERSON CONSTRUCTION (EAC) INC.

March 28<sup>th</sup>, 2019

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

Dear Highway 4 travelers,

Attached is a copy of the March 29<sup>th</sup>, 2019 to April 23<sup>rd</sup>, 2019 closure schedule. You can find a copy of the schedule on our *EAC Hwy 4 Kennedy Hill Project Updates* Facebook page at [facebook.com/eac.bc.ca.kennedy.hill/](https://facebook.com/eac.bc.ca.kennedy.hill/)

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](https://DriveBC.ca). For your own safety, it is imperative you respect all construction signage, and stay well clear of any 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 [gov.bc.ca/highway4kennedyhill](https://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.**

Erin Pomeroy  
EAC Project Coordinator



29 - March	Friday	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM No 12PM to 1PM, 4PM to 5PM and 10PM to 12AM closures Expect up to 30min delays outside of closure times
30 - March	Saturday	No Closures Single Lane Traffic
31 - March	Sunday	
1 - April	Monday	
2 - April	Tuesday**	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM -12PM to 1PM -4PM to 5PM -10PM to 12AM except on Fridays and Saturday Expect up to 30-minute delays at all other times, day and night. ** Tuesday – No 1AM to 4AM and 5AM to 7AM closure ** Saturday – No 12PM to 1PM and 4PM to 5PM closure
3 - April	Wednesday	
4 - April	Thursday	
5 - April	Friday	
6 - April	Saturday**	
7 - April	Sunday	
8 - April	Monday	
9 - April	Tuesday **	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM -12PM to 1PM -4PM to 5PM -10PM to 12AM except on Fridays Expect up to 30-minute delays at all other times, day and night. ** Tuesday – No 1AM to 4AM and 5AM to 7AM closure
10 - April	Wednesday	
11 - April	Thursday	
12 - April	Friday	
13 - April	Saturday	
14 - April	Sunday	
15 - April	Monday	
16 - April	Tuesday	
17 - April	Wednesday	
18 - April	Thursday	No Closures Single Lane Traffic
19 - April	Friday	
20 - April	Saturday	
21 - April	Sunday	
22 - April	Monday	
23 - April	Tuesday	

Find us on Facebook  
@eac.bc.ca.kennedy.hill

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**From:** Info Ucluelet  
**Subject:** Kwispaa LNG Project Update

**From:** McTavish2, Heather (CEAA/ACEE) <heather.mctavish2@canada.ca>  
**Sent:** March 25, 2019 4:50 PM  
**Subject:** Kwispaa LNG Project Update

Dear Vancouver Island organizations and local governments,

The Canadian Environmental Assessment Agency (the Agency) is aware that Kwispaa LNG (CF) Limited Partnership (the proponent) has indicated that work on the Kwispaa LNG Project (the Project) has been paused. The proponent has confirmed this verbally with the Agency.

On February 27, 2019 the Agency sent an Information Request to the proponent asking for an update on their plans for the Project, including whether or not they intend to proceed with the next steps of the federal environmental assessment. With the issuance of this [Information Request](#), the federal legislated timeline for the environmental assessment remains paused with 76 days elapsed out of 365 as per the *Canadian Environmental Assessment Act, 2012*.

The Agency will not be proceeding with next steps of the federal environmental assessment until written clarification from the proponent outlining their plans for the Project has been received.

Sincerely,  
Heather McTavish

**Heather McTavish**

Environmental Assessment Officer | Agent d'évaluation environnementale  
Canadian Environmental Assessment Agency | Agence canadienne d'évaluation environnementale  
410- 701 West Georgia Street, Vancouver BC V7Y 1C6  
[Heather.mctavish@ceaa-acee.gc.ca](mailto:Heather.mctavish@ceaa-acee.gc.ca) Tel: 604-666-2092

Government of Canada | Gouvernement du Canada





**From:** Info Ucluelet  
**Subject:** Island Health News: South Island measles exposures confirmed

**From:** Bloxham, Cheryl <Cheryl.Bloxham@VIHA.CA>  
**Sent:** March 29, 2019 10:26 AM  
**Subject:** FW: Island Health News: South Island measles exposures confirmed

islandhealth.ca/news



**FOR IMMEDIATE RELEASE**  
**March 29, 2019**

## **South Island measles exposures confirmed**

Victoria, BC - Two cases of measles infection have been reported to Island Health. Both people acquired the infection while traveling abroad. Both people sought care in the South Island.

“Based upon clinical management and prior immunization, we want to assure people that risk of transmission is extremely low,” said Dr. Richard Stanwick, Island Health Chief Medical Health Officer.

People who were at the following locations on the dates and times listed may have been exposed to measles.

Date	Time	Location
<b>March 6, 2019</b>	0500-1230	<b>Royal Jubilee Hospital, Emergency Department</b>
<b>March 8, 2019</b>	0700-1030	<b>Royal Jubilee Hospital, Outpatient clinic</b>
<b>March 9, 2019</b>	2036-2330	<b>Royal Jubilee Hospital, Emergency Department</b>

Island Health is asking people who may have been exposed to measles to monitor for symptoms for 21 days after the exposure date. Symptoms of measles include fever, runny nose, sore throat, cough, diarrhea and red eyes, followed a few days later by a rash that starts on the face and spreads to the chest.

If you develop symptoms, please contact your health care provider before you visit them so they can take precautions to prevent transmission of measles to others. Those who never had the measles infection, or who did not have two doses of vaccine, are at highest risk of measles, and we encourage them to get fully immunized. Measles immunization is free for everyone.

Please also call our measles information line to learn more:

South Island: 250-544-7676 ext. 27545  
 Nanaimo/Ladysmith/Gabriola: 250-755-3388  
 Courtenay/Comox Valley: 250-331-8599  
 Campbell River and area: 250-850-2120  
 Mt. Waddington/Port Hardy: 250-902-6079

People who are at high risk of severe illness for measles infection (pregnant women, immune compromised, and those under one year of age) can also get a medicine called immune globulin that reduces the risk of severe illness if given within six days of exposure. Measles mumps rubella (MMR) vaccine given within three to six days of exposure also provides some protection.

Two doses of measles vaccine are 99 per cent effective at preventing measles. One dose of vaccine is 95 per cent effective. Rarely, those who are fully immunized can get measles but they often have milder illness, and are less infectious to others.

Free vaccine is available is available from your local health unit, family doctor, and many pharmacists. All Health Units in Island Health are currently offering additional booked school age immunization appointments. These clinics are scheduled during regular clinic hours, after hours and Saturdays.

South Island, Duncan, Nanaimo and Salt Spring Public Health Units are unable to immunize clients aged 19 and older, please contact your local pharmacy, family doctor or travel clinic. Pharmacists can immunize adults and children over five years old. Please call ahead to ensure vaccine is available.

In the past 4 weeks Island Health has administered a total of 2,966 measles vaccinations which is more than double than the previous year. In addition to this, Island Health is offering to catch up all vaccines that the client is behind on at the appointment. Public Health continues to offer extra clinics to meet increased requests for immunization appointments.

For general information about measles visit the Island Health website: <https://www.islandhealth.ca>

#### **MEDIA AVAILABILITY:**

**Dr. Stanwick will respond to media inquiries March 29 at 10:45 a.m. at the Fort Royal Medical Building, Room 425, 1900 Richmond Ave, Victoria.**

-30-

**Media Inquiries**  
 Cheryl Bloxham  
 Media Relations

Phone: 250-370-8878

Email: [Cheryl.Bloxham@viha.ca](mailto:Cheryl.Bloxham@viha.ca)

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*This Island Health notice has been sent to media, MPs, MLAs, mayors, Island Health leaders, foundations and regional hospital district chairs on Vancouver Island. View online at [www.islandhealth.ca/news](http://www.islandhealth.ca/news).*

*If you no longer wish to receive Island Health news, please [click here](#) to request you be removed from the distribution list.*



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**From:** Info Ucluelet  
**Subject:** NEW BIKE PATH CONNECTS TOFINO TO PACIFIC RIM NATIONAL PARK

**From:** Island Coastal Economic Trust <info@islandcoastaltrust.ca>  
**Sent:** April 4, 2019 11:30 AM  
**Subject:** NEW BIKE PATH CONNECTS TOFINO TO PACIFIC RIM NATIONAL PARK



### ***NEW BIKE PATH CONNECTS TOFINO TO PACIFIC RIM NATIONAL PARK***

COURTENAY – The Island Coastal Economic Trust is investing \$385,000 into cycling infrastructure that will connect Tofino to the Pacific Rim National Park, completing 40km of uninterrupted pathway for residents and visitors to experience the park in an entirely new way.

A federal investment in the ʔapsčiiik t'ašii Trail established a cycling path through the National Park but stops short of connecting to Tofino's existing multi use path by 2.8km. Led by the District of Tofino, the project will leverage this investment by building a 3m wide, separated asphalt pathway creating a cycling route from Tofino through Pacific Rim National Park.

“Tofino has been steadily developing slow, sustainable forms of tourism that reinforce our commitment to nature, education and culture, and this project aligns perfectly with those values,” said Britt Chalmers, Acting Mayor for the District of Tofino. “This project will provide an alternative, non-motorized way to explore Tofino and the National Park, attracting new markets in the process.”

Mayor Aaron Stone, ICET Vice-Chair, noted that the project also means new business opportunities, for Tofino and the nearby Tla-o-qui-aht communities.

“Recreational cyclists are an under served market in the region, and this project will attract both overnight and daytrip cyclists, creating new opportunities for tour operators, shuttle services, bike shops, coffee houses and other services catering to trail users,” added Stone.

An economic analysis conducted by ICET estimates the project will generate approximately 22 new direct and indirect jobs in the next three to five years. These are expected to result from new business and revenue growth to accommodation, hospitality and other business that will serve the growing cycle tourism market.

“Interconnected, well-built pathways, separated from motor vehicle traffic situated in spectacular settings have proven to be big draws for visitors,” explained Nancy Cameron, Executive Director of Tourism Tofino. “This project will create another year-round attraction that will inspire travel to the Pacific Rim region with the growing number of folks seeking active cycling experiences that connect them with local peoples, unique environments and beautiful scenery.”

The Tla-o-qui-aht communities of Esowista and Ty-Histanis will also benefit from enhanced integration, creating opportunities for collaboration in cycling and cultural tourism, while improving access to basic services and employment in Tofino.

The \$3.7M project is expected to begin construction this spring, with completion in spring 2020.

### **About the Island Coastal Economic Trust**

Created and capitalized by the Province of BC, the Island Coastal Economic Trust (ICET) has been at the forefront of economic diversification, planning and regional revitalization for the past twelve years.

ICET is independently governed by a Board of Directors and two Regional Advisory Committees which include more than 50 locally elected officials, MLAs and appointees from the Island and Coast. This exceptional team of leaders collaborate to set regional priorities and build vital multi-regional networks.

Through a community centered decision-making process, ICET has approved more than \$50 million in funding for over 200 economic infrastructure and economic development readiness projects. These investments have leveraged over \$270 million in new investment into the region creating more than 2500 construction phase jobs and 2600 long term permanent jobs.

A full overview of ICET can be found at [www.islandcoastaltrust.ca](http://www.islandcoastaltrust.ca).

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## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 9, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** MARLENE LAGOA, MANAGER OF CORPORATE SERVICES

**FILE NO:** 1630-01

**SUBJECT:** CHEQUE LISTING – MARCH 2019

**REPORT NO:** 19-35

**ATTACHMENT(S):** APPENDIX A – MARCH 2019 CHEQUE LISTING

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

There is no recommendation. This report is provided for information only.

### **PURPOSE:**

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

### **BACKGROUND:**

Finance staff have provided a detailed list of the cheque run for March 2019 (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. There is no recommendation. This report is provided for information only. **(Recommended)**
2. THAT Council provide alternative direction to staff.

**Respectfully submitted:** Marlene Lagoa, Manager of Corporate Services

Mark Boysen, Chief Administrative Officer

APPENDIX A

District of Ucluelet  
AP Cheque Listing  
March 2019

Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount
028389	8-Mar-19	AGS11	AGS BUSINESS SYSTEMS INC	49454	01/29/19-02/27/19	675.68		675.68
028390	8-Mar-19	ACE07	ALBERNI COMMUNICATIONS & ELECTRONICS LTD	26892	PAGER REPAIRS UVFB	128.66		128.66
028391	8-Mar-19	AG495	ALBERNI GLASS & MIRROR 2003 LTD	35700	BACKHOE-GLASS REPLACEMENT	364.57		364.57
028392	8-Mar-19	AEL78	ALBION ELECTRIC LTD	749096 749115	PARKS LOCKER ROOM REPAIR UCC-EXTERIOR LIGHT FIXTURES	183.93 461.92		645.85
028393	8-Mar-19	B9413	BEELEY PHIL	122630	FEB/19 MILEAGE-JANITORIAL WORK	50.28		50.28
028394	8-Mar-19	BB534	BUIRS BRITTANY	122635	CREATIVE WINTER/19	935.2		935.2
028395	8-Mar-19	BUS01	BUSTON, TONI	122634	YOUTH CONTRACT FEB/19	1140		1140
028396	8-Mar-19	CGISC	CGIS CENTRE	43556	APR1/19-JUN30/19	2187.59		2187.59
028397	8-Mar-19	CIVIN	CIVIC INFO BC	20190290	FIRE CHIEF/FIN SPRVSR-JOB ADS	892.5		892.5
028398	8-Mar-19	COM03	COMMUNITY ENERGY ASSOCIATION	2019-0156	CLIMATE ACTION PLAN	26000		26000
028399	8-Mar-19	45R27	CONNECT ROCKET COMMUNICATIONS INC.	2875	MAR/19 MONTHLY SUBSCRIPTION	134.4		134.4
028400	8-Mar-19	CE004	CORPORATE EXPRESS CANADA INC	49756324 49752622	OFFICE SUPPLIES-LYCHE PENS-LYCHE	139.71 141.1		280.81
028401	8-Mar-19	COU01	COURTENAY MUSEUM					183.75
028402	8-Mar-19	CUPE1	CUPE LOCAL #118	02/2019	CUPE DUES-FEB/19	1235.1		1235.1
028403	8-Mar-19	DW554	DOGWASTE SOLUTIONS	1358	DOG BAGS	736.4		736.4
028404	8-Mar-19	DC001	DOLAN'S CONCRETE LTD.	UP34148	DE-ICING SAND	368.48		368.48
028405	8-Mar-19	DFC01	DUMAS FREIGHT COMPANY	61084 43154 73182	CLEARTECH CLEARTECH CLEARTECH	115.5 486.21 115.5		717.21
028406	8-Mar-19	EB295	E.B. HORSMAN & SON	11905565	LSCA SCADA/HWY RESERVOIR	54.83		54.83
028407	8-Mar-19	EL048	ERIK LARSEN DIESEL CO. LTD.	716680 716679	COOLER/HEATER-LSCA GEN SET HOSE-BACKHOE	591.36 139.82		731.18
028408	8-Mar-19	FW050	FAR WEST DISTRIBUTORS LTD	325281 324985	HAND SANITIZER-PW CUPS/STIR STICKS-UCC	263.96 243.01		506.97
028409	8-Mar-19	GB059	GIBSON BROS. CONTRACTING LTD.	20153 20346	ST.JACQUES PARK-DRAIN ROCK PARKING LOT PROJECT	298.27 28738.48		29036.8
028410	8-Mar-19	GF001	GRAPHICS FACTORY	26033	COROPLAST SIGNS-MUNICIPAL UPGRADES	622.72		622.72
028411	8-Mar-19	GD215	GREGG DISTRIBUTORS LTD	011-703864	PW YARD SUPPLIES	425.56		425.56
028412	8-Mar-19	HWK01	HEARTWOOD KITCHEN LIMITED	4072	STRATEGIC PLANNING-FEB 19-23	664.33		664.33
028413	8-Mar-19	HC279	HUBER CHANTAL	122633	YOGA-FEB/19	126.88		126.88
028414	8-Mar-19	KS042	KARIATSUMARI SHANDY	122636	SWIM-WINTER/19	920		920
028415	8-Mar-19	CK608	KASSLYN CONTRACTING	D658	D658	1478.5		1478.5
028416	8-Mar-19	KL001	KEMPS, LARA	122625	KEMPS-LGLA PARKSVILLE	187.68		187.68
028417	8-Mar-19	KL923	KERDMAN LINDSAY	122638	GYMNASTICS WINTER/19	3648.8		3648.8
028418	8-Mar-19	KA001	KOERS & ASSOCIATES ENGINEERING LTD.	1762-015 1863-003 1764-011	1762 BAY ST SIMPLEX P/S REPLACEMENT 1863 SANITARY MASTER PLAN 1764 WELLFIELD VFD UPGRADES	826.88 1488.38 206.72		2521.98
028419	8-Mar-19	LB002	LB WOODCHOPPERS LTD.	318019	TORCH-PARKS	147.84		147.84
028420	8-Mar-19	MA952	MAXXAM ANALYTICS	VA1217768 VA1215514 VA1216469 VA1215452	SEWER TEST B912577 WATER TEST B911020 WATER TEST B912573 WATER TEST B900355	334.64 263.55 263.55 263.55		1125.29
028421	8-Mar-19	M9277	MCDIARMID JOHN	122628	MCDIARMID-EOCP/BCWWA DUES	172.5		172.5

APPENDIX A

District of Ucluelet  
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Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount
028422	8-Mar-19	M9370	McEWEN MARILYN	122626	MCEWEN-LGLA PARKSVILLE	187.68		187.68
028423	8-Mar-19	MEC01	MEC PROJECTS LTD	1494	LAGOON-CONTROLS PANEL/RTU/VFDS/UPS	81115.74		81115.7
028424	8-Mar-19	BLA01	MICHALENKO, JOE	05JP20	LANDSCAPING	2580		2580
028425	8-Mar-19	MI273	MID-ISLAND FIRE EQUIPMENT LTD	33988	FIRE EXTINGUISHER REFILLS-UVFB	58.8		58.8
028426	8-Mar-19	MISC	GODFREY, RAYMOND	122627	USED 650L TIDY TANK W/ PUMP	500		500
028427	8-Mar-19	NEL01	NELSON, TAMARA	122632	FEB 15-MAR 1/2019 CONTRACT	1837.5		1837.5
028428	8-Mar-19	OCN01	OCN GARDEN CENTRE	009039 009036	PRIMULA SOIL/SEEDS	277.21 455.64		732.85
028429	8-Mar-19	PC336	PETTY CASH FORTUNE ABBY	122629	FEB/19	30.3		30.3
028430	8-Mar-19	PB104	PIONEER BOAT WORKS	77927	#5 TOGGLE SWITCH	23.52		23.52
028431	8-Mar-19	pw280	PITNEYWORKS	1011480733	RATE UPDATE	56		56
028432	8-Mar-19	PSD25	PUBLIC SECTOR DIGEST INC (THE)	11558	CITYWIDE ANNUAL RENEWAL	10432.8		10432.8
028433	8-Mar-19	PI110	PUROLATOR INC	440648705 440583478 440521503	MAXXAM MAXXAM MAXXAM	89.72 86.03 45.27		221.02
028434	8-Mar-19	rg350	RECEIVER GENERAL FOR CANADA	20190006624	RADIO LICENSES RENEWAL 2019	1913		1913
028435	8-Mar-19	MS170	REVENUE SERVICES OF BC	03/19	MAR/19 MSP	1462.5		1462.5
028436	8-Mar-19	SC003	SHARE CANADA	16063	NATRAKLENE DEGREASER	3146.17		3146.17
028437	8-Mar-19	SI604	SHU IAN	122637	PURPLE DRAGON	3726.8		3726.8
028438	8-Mar-19	SUN02	SUN LIFE ASSURANCE COMPANY OF CANADA	55955	MAR/19 EAP PROGRAM	102.9		102.9
028439	8-Mar-19	tsc19	TRANSPARENT SOLUTIONS CORP	10300	CLEARMAIL APR/19	20.95		20.95
028440	8-Mar-19	UC142	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	71155939 71159329 71163247 71156291 71154331 C01049092 C01020970 C01044802 71154432 5756 11516	#24 FUEL #2 PREM FUEL #2 PREM FUEL #2 PREM FUEL #2 PREM FUEL DUSTPANS BUDGET MTG SNACKS AFTERSCHOOL PROGRAM #1 REG FUEL JAN/19 CARDLOCK FIREHALL GEN FUEL EOC #194841	121.91 69.01 81.52 70.7 70.75 6.25 33.37 27.02 128.01 1959.64 265.31		2833.49
028441	8-Mar-19	UC142	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	C01084830 C01097110 C01088018 C01080154 C01091252 C01099105 C01095421	BATTERIES-UCC MILK/CREAM-UCC AFTERSCHOOL PRGRM AFTERSCHOOL PROGRAM YOUTH ROOM-SNACKS YOUTH ROOM-SNACKS XMAS LIGHTS/SUPPLIES	19.58 6.88 29.63 23.62 39.62 39.54 117.54		276.41
028442	8-Mar-19	UP459	UCLUELET PETRO-CANADA	3940 PC0197382 PC0201940 3728	WINDSHIELD WIPERS PROPANE TANK REFILL-UCC ANTIFREEZE-PW MINI-PUMPER REPAIRS	38.93 113.1 26.01 545.81		723.85
028443	8-Mar-19	UR849	UCLUELET RENT-IT CENTER LTD	32351 32395 32645	ROTARY SAW REPAIR-UVFB FEB/19 PORTABLES ST.JACQUES PARK-EXCAVATOR	63.17 1545.6 629.44		2238.21
028444	8-Mar-19	UI923	UKEE INFO TECH	10848	IT SUPPORT FEB/19	2716		2716
028445	8-Mar-19	WP166	WINDSOR PLYWOOD - UCLUELET DIV.	77755A 77837A 78017A 78074A 78101A 78127A	POWER CORD/KEY COPYING SLEDGE HANDLE-PW SHOP TSP CLEANER-PW STAPLES-PW CEDAR PLANKS-BRIDGE REPAIR FIR LUMBER-WHISKEY DOCK	17.34 25.53 15.95 6.07 127.57 1283.61		2496.33

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Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount
				79153A	WPT-AMPHITRITE OUTHOUSE ROOF	164.01		
				79223A	ST.JACQUES PARK-MATERIALS	2015.26		
				79656A	PUMPHOUSE FLOOR-PAINT ROLLERS	92.7		
				79660A	BAY ST DITCH-READY MIX	120.82		
				79514A	ST.JACQUES PARK-MATERIAL RETURN	-1372.53		
028446	8-Mar-19	WP166	WINDSOR PLYWOOD - UCLUELET DIV.	78256A	HEATER-FRASER LN LIFT STATION	42.73		162.99
				78653A	WPT REPAIR MATERIALS	15.67		
				78657A	WPT-SPRING COVE REPAIR	55.45		
				79456A	BAY ST DITCH	15.4		
				79464A	WHISKEY DOCK-SHACKLES	33.74		
028447	8-Mar-19	WC345	WURTH CANADA LTD	23430051	PW SUPPLIES	771.17		771.17
028448	8-Mar-19	CK608	KASSLYN CONTRACTING	D659	D659	1762.75		1762.75
028449	15-Mar-19	MITC1	MITCHELL, CALI	5	FEB19-MAR4/19 CONTRACT SRVCS	1276.72		1276.72
28285027	18-Mar-19	TP002	TELUS COMMUNICATIONS INC.	02/19	FEB/19	5681.84		5681.84
28299873	18-Mar-19	BMC01	BELL MOBILITY INC	02/2019	FEB/19	1051.39		1051.39
028450	25-Mar-19	ACE92	ACE COURIER SERVICES	11205685	TRAN SIGN	111.48		111.48
028451	25-Mar-19	AS311	ACME SUPPLIES	841213	CLEANING SUPPLIES-UCC/LYCHE	527.39		527.39
028452	25-Mar-19	rd205	ACRD	141-1/19	FIRE TRUCK LOAN	32189.13		63844.1
				117-1/19	HUB LOAN INTEREST	31655		
028453	25-Mar-19	AHI01	ALLES HOLDINGS INC	20	FEB 25-MAR 8/19 CONTRACT SRVCS	1008		1008
028454	25-Mar-19	ALS21	ALS CANADA LTD.	E1771434	RAW WATER SAMPLE ANALYSIS	1216.31		1216.31
028455	25-Mar-19	ANAF1	ARMY NAVY & AIR FORCE VETERANS	122649	ANAF 2019 GIA	1650		1650
028456	25-Mar-19	bar02	BARLETT, NANCY	122652	BRIDGE WINTER/19	80		80
028457	25-Mar-19	B9413	BEELEY PHIL	122640	JAN/19 MILEAGE-JANITORIAL WORK	53.15		53.15
028458	25-Mar-19	BP940	BLACK PRESS GROUP LTD.	33632756	FEB/19 ADS	690.24		690.24
028459	25-Mar-19	CFP22	CALEDONIA FIRE PROTECTION LTD	23532-1	UCC SEMI-ANNUAL INSPECTION	183.92		183.92
028460	25-Mar-19	CBT67	CLAYOQUOT BIOSPHERE TRUST	122643	CBT 2019 GIA	1000		1000
028461	25-Mar-19	coo01	COOPER, DAYE	122653	STARGAZING COURSE	285.6		285.6
028462	25-Mar-19	CE004	CORPORATE EXPRESS CANADA INC	49899803	UCC OFFICE SUPPLIES	68.61		576.68
				49912878	UCC OFFICE SUPPLIES	149.44		
				49960197	LYCHE-TELEPHONE/CALCULATOR RIBBON	184.1		
				49756615	COAT TREE-BYLAW OFFICE	111.99		
				49913648	ADHESIVE TABS/BADGE HOLDERS-LYCHE	62.54		
028463	25-Mar-19	DRD01	DRDUL, RICHARD	1118-1	SIDEWALK PLACEMENT CONSULTING	551.25		551.25
028464	25-Mar-19	DFC01	DUMAS FREIGHT COMPANY	57964	TIGER TORCH	37.7		37.7
028465	25-Mar-19	EL048	ERIK LARSEN DIESEL CO. LTD.	716722	HELEN RD GENERATOR COOLANT	591.36		591.36
028466	25-Mar-19	FW050	FAR WEST DISTRIBUTORS LTD	325562	TOILET PAPER-UCC	194.03		442.96
				325394	SCH BATHROOM SUPPLIES	248.93		
028467	25-Mar-19	FBE01	FOOD BANK ON THE EDGE SOCIETY	122644	FOOD BANK 2019 GIA	2000		2000
028468	25-Mar-19	FSC10	FOUR STAR COMMUNICATIONS INC	49643	FEB/19	138.92		138.92
028469	25-Mar-19	FS004	FOUR STAR WATERWORKS LTD.	54179	MARINE DR PATHWAY PROJECT	4403.04		7266.69
				54256	CEDAR RD PARKING LOT	2863.65		
028470	25-Mar-19	GB059	GIBSON BROS. CONTRACTING LTD.	20412	PARKING LOT PROJECT	51035.82		51035.8
028471	25-Mar-19	GW178	GRAY WHALE DELICATESSEN	992674	UEP-UEN MEETING SNACKS	115.5		540.75
				992671	UEP-EOC TRAINING SNACKS	362.25		
				992677	ESS TRAINING-SNACKS	63		
028472	25-Mar-19	H9416	HOAR JENNIFER	122651	HOAR-LGLA EXPENSE	60		60

APPENDIX A

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Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount
028473	25-Mar-19	IC130	INFOSAT COMMUNICATIONS	378933	MAR/19 SAT PHONE	106.7		106.7
028474	25-Mar-19	JR381	J. ROBBINS CONSTRUCTION LTD	3496	MULCH-SUPPLY FOR ROADWORKS	334.69		334.69
028475	25-Mar-19	JCR25	JUNIOR CANADIAN RANGERS	122646	JCR 2019 GIA	500		500
028476	25-Mar-19	CK608	KASSLYN CONTRACTING	D660	D660	386.59		386.59
028477	25-Mar-19	KA001	KOERS & ASSOCIATES ENGINEERING LTD.	1762-016 1863-004	1762 BAY ST SIMPLEX P/S REPLACEMENT 1863 SANITARY MASTER PLAN	8399.28 3200.01		11599.3
028478	25-Mar-19	LB002	LB WOODCHOPPERS LTD.	318866 319701	ROTOTILLER REPAIRS AERATOR RENTAL	78.38 186.59		264.97
028479	25-Mar-19	L9401	LINDSAY, RICHARD	INV000222101	CPA ANNUAL DUES	580		580
028480	25-Mar-19	MA952	MAXXAM ANALYTICS	VA1219344 VA1218257 VA1220928 VA1220508	WATER TESTING B916498 WATER TESTING B914532 WATER TESTING B918455 SEWER TESTING B916446	263.55 263.55 263.55 334.64		1125.29
028481	25-Mar-19	MK001	MCAVOY WANDA	122631 122639	HAABC-FLORAL SUPPLIES MCAVOY-BCRPA SPRING TRAINING LANGLEY	24.69 723.43		748.12
028482	25-Mar-19	MEC01	MEC PROJECTS LTD	1525	LAGOON-CONTROLS PANEL/RTU/VFDS/UPS	28217.65		28217.7
028483	25-Mar-19	MB673	MILLAR, BARB	6304	COFFEE SUPPLIES-LYCHE	81.8		81.8
028484	25-Mar-19	MITC1	MITCHELL, CALI	6	MAR 4-17/19 CONTRACT SRVCS	1814		1814
028485	25-Mar-19	OCN01	OCN GARDEN CENTRE	009389	SOIL HEATING CABLE	83.99		83.99
028486	25-Mar-19	ORC01	ORCA HEALTH & SAFETY CONSULTING INC.	5072	CONFINED SPACE REVISIONS	131.25		131.25
028487	25-Mar-19	PR237	PACIFIC RIM ARTS SOCIETY	122645	PRAS 2019 GIA	4000		4000
028488	25-Mar-19	PRHS1	PACIFIC RIM HOSPICE SOCIETY	122650	PRHS 2019 GIA	4000		4000
028489	25-Mar-19	DP725	PAYNE DAVID	122642	PAYNE-MIERC TRAVEL PARKSVILLE	150.12		150.12
028490	25-Mar-19	PB104	PIONEER BOAT WORKS	77893	WILD PACIFIC TRAIL MATERIALS	50.4		50.4
028491	25-Mar-19	PI110	PUROLATOR INC	440839837 440714719 440777076	MAXXAM/LOCAL GOVT PRGRM SERVICES MAXXAM MAXXAM	119.47 90.17 86		295.64
028492	25-Mar-19	RP126	RAYLEC POWER LP	201911952	CROSSWALKS	41632.5		41632.5
028493	25-Mar-19	RID01	RIDGELINE MECHANICAL LTD	390151908	BAY ST PUMP/LAGOON FLOW MTRS/MATTERSON	76503.83	7650.38	68853.5
028494	25-Mar-19	SBR01	SONBIRD REFUSE & RECYCLING LTD.	34983 34985 34980 34981 34984	FEB/19 GARBAGE SCH FEB/19 GARBAGE PW FEB/19 RECYCLING TRANSFER FEE LYCHE FEB/19 GARBAGE 52 STEPS FEB/19 GARBAGE WHISKEY DOCK	982.74 512.76 44.42 221.41 206.71		1968.04
028495	25-Mar-19	SP010	SUPERIOR PROPANE	24010942 23858117 23858118	PROPANE REFILL-UAC HALL PROPANE REFILL-UCC PROPANE REFILL-REC HALL	1931.08 399.42 1510.09		3840.59
028496	25-Mar-19	TU428	TOURISM UCLUELET	12/18	DEC/18 MRDT	31156.25		31156.3
028497	25-Mar-19	T9345	TOWGOOD JOHN	346314	TOWGOOD-COURSE FEE 50% REIMBURSEMENT	1274.5		1274.5
028498	25-Mar-19	TS002	TRAN SIGN 1999 LTD.	56692	FOLDING TRAFFIC SIGN	423.36		423.36
028499	25-Mar-19	U0148	UBCM	D-4889	2019 ANNUAL DUES	1409.44		1409.44
028500	25-Mar-19	UC142	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	71165456 71165457 71166339 71165727 71167770 71170340 71172786 71167723 71166715	#1 REG FUEL #1 ANTIFREEZE #24 MOTOR OIL #2 PREM FUEL #2 PREM FUEL #2 PREM FUEL #2 PREM FUEL #14 DIESEL PROPANE-WEEDS UCC	115.31 22.77 7.41 76 62.51 65 73.36 81.84 17.69		2656.82

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Cheque #	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount
				71166080	PROPANE-UCC	21.22		
				5800A	FEB/19 CARDLOCK	2113.71		
028501	25-Mar-19	UC142	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	C01042707	CREAMER-UCC CONFERENCE	15.56		407.52
				C01094801	MILK/WATER-UCC	17.91		
				C01023012	WATER JUG LIDS	3.94		
				C01040726	POT SET/TEA/ALMOND MILK-UCC	150.56		
				C01093425	YOUTH PROGRAM-SNACKS	39.34		
				C01094735	AFTERSCHOOL PROGRAM	28.64		
				C01092982	AFTERSCHOOL PROGRAM	20.03		
				C01035356	STRATEGIC PLANNING-SNACKS	31.95		
				C01042988	YOUTH MOVIE & MEAL	38.81		
				C01086754	YOUTH GROUP	39.78		
				C01046607	AFTERSCHOOL PROGRAM SNACKS	21		
028502	25-Mar-19	UC142	UCLUELET CONSUMER'S CO-OPERATIVE ASSN	C01095970	FAMILY DAY 2019	34.53		121.95
				C01097387	AFTERSCHOOL PROGRAM	28.06		
				C01099804	BATTERIES/MILK/CREAM-UCC	19.44		
				C01099834	YOUTH MOVIE & MEAL	39.92		
028503	25-Mar-19	UP459	UCLUELET PETRO-CANADA		VOID			208.6
028504	25-Mar-19	UR849	UCLUELET RENT-IT CENTER LTD	32680	BIG BEACH LIFT STN PUMPOUT	694.4		694.4
028505	25-Mar-19	UKE01	UKEE AUTO SERVICE	134983	#4 WINDOW ROLLER REPAIR	141.12		258.72
				135116	DETHATCHER REPAIR AND MAINTENANCE	117.6		
028506	25-Mar-19	UPM19	UKEE PUBLIC MARKET SOCIETY	122647	PUBLIC MRKT SOCIETY 2019 GIA	2500		2500
028507	25-Mar-19	WCCRS	WESTCOAST COMMUNITY RESOURCES SOCIETY	122648	WCCRS 2019 GIA	4310		4310
028508	25-Mar-19	WCC28	WESTCOAST CONNECT	2223	BREAKERS MARINE	12.18		12.18
028509	25-Mar-19	WM275	WHITE MAGNOLIA RESORT CO LTD	149	FEB/19 POOL RENTAL	1842.75		1842.75
028510	25-Mar-19	WPT01	WILD PACIFIC TRAIL SOCIETY	122641	2019 ANNUAL MAINTENANCE CONTRACT	22950		22950
028511	25-Mar-19	WC345	WURTH CANADA LTD	23443410	PW SHOP SUPPLIES-PLASTIC WELDER	91.1		257.92
				23448546	PW HEALTH & SAFETY SUPPLIES	166.82		
028512	25-Mar-19	XC300	XPLOARNET COMMUNICATIONS INC	INV25814397	MAR/19	61.59		61.59
028513	25-Mar-19	LY001	YOUNG ANDERSON	112177	1190080	381.15		3693.37
				112178	1190134	867.4		
				112179	1190145	287.89		
				112180	1190157	662.93		
				112181	1190158	385.85		
				112182	1190165	177.98		
				112183	1190166	930.17		
028514	25-Mar-19	HJ525	HARKIN JOHN	122167A	REISSUE 2017 HONRARIUM	300		300
028515	26-Mar-19	I0070	ICBC	2019 ICBC-INS	2019 FLEET INSURANCE	21631		21631
028516	26-Mar-19	SBR01	SONBIRD REFUSE & RECYCLING LTD.	34982	FEB/19 GARBAGE UCC	180.54		180.54
028517	26-Mar-19	UP459	UCLUELET PETRO-CANADA	3813-B	WHITE RANGER-BALL JOINTS	182.85		182.85
028518	26-Mar-19	UR849	UCLUELET RENT-IT CENTER LTD	32559	BUILDING REMOVAL/DISPOSAL	468.25		468.25



## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 9, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ABIGAIL FORTUNE, MANAGER OF PARKS & RECREATION

**FILE NO:** 0230-20 WPT

**SUBJECT:** REQUEST TEMPORARY TRAILER FOR WILD PACIFIC TRAIL

**REPORT NO:** 19-36

**ATTACHMENT(S):** APPENDIX A – TRAILER PROTOTYPE

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

1. **THAT** Council allow the Wild Pacific Trail Society to place a temporary trailer on District of Ucluelet park lands near Amphitrite Lighthouse for up to three seasons.

### **PURPOSE:**

The purpose of this report is to provide Council with information regarding the Wild Pacific Trail Society's (WPTS) request to place a temporary shelter on District of Ucluelet park lands over the next few seasons for the purposes of storing teaching materials and displays for the WPTS Naturalist program.

### **BACKGROUND:**

The WPTS has been running a very successful naturalist program at the Amphitrite Point park lands over the last five years. The program has been primarily running out of the Discovery Tent.

The tent has functioned in the summer, but the trail society has expanded the Naturalist position to the shoulder season. It is no longer practical to deliver programs effectively out of a backpack and an open tent with no secure storage.

If the request is granted, the society will purchase or rent an attractive trailer decorated with fun graphics to identify the purpose of the unit. The WPTS will apply the District's logo to the trailer and supply the free programs nearly full-time at the Lighthouse Loop from May to October. The structure is not for public access, will be fully insured, and will be removed during the winter.

The use of the Lightkeeper's House, for storage purposes, is not practical at this point and time due to the current condition of the building and potential re-development of the area over the next few years.

This temporary solution would benefit thousands of visitors and locals with inspirational education on both safety and topics of natural and cultural history.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

Minimal time requirement from staff would be required. Final siting for the trailer would be required.

**FINANCIAL IMPACTS:**

There are no financial implications for the District of Ucluelet, the WPTS would be purchasing the trailer.

**OPTIONS REVIEW:**

1. **THAT** Council allow the Wild Pacific Trail Society to place a temporary trailer on District of Ucluelet park lands near Amphitrite Lighthouse for up to three seasons. **(Recommended)**
2. **THAT** Council provide alternative direction to staff.

**Respectfully submitted:**      Abigail K. Fortune, Manager of Parks & Recreation  
Mark Boysen, Chief Administration Officer

### Trailer Prototype







## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 9, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** WARREN CANNON, MANAGER OF PUBLIC WORKS/SUPERINTENDENT

**FILE NO:** 5600-14

**SUBJECT:** REQUEST FOR INCREASED WATER SUPPLY AT JOHN'S WAY IN THE ACRD

**REPORT NO:** 19-38

**ATTACHMENT(S):** NONE

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

1. **THAT** Council deny providing water supply to the proposed 40-unit employee housing development located at John's Way in Area C of the Alberni-Clayoquot Regional District at this time.

### **PURPOSE:**

The purpose of this report is to provide Council with a response to a request for water service for the proposed Pacific Rim Employee Housing Project, located on John's Way outside of Ucluelet boundaries in Area C of the Alberni-Clayoquot Regional District (ACRD).

### **BACKGROUND:**

On March 26, 2019, Council received a request for additional water supply of up to 18,000 L per day to support a proposed employee housing project to be located at John's Way near Millstream in the ACRD. The proposed project would consist of 40 smaller units to provide employee housing that is currently needed in the Ucluelet area. This project supports efforts identified within the Ucluelet Affordable Housing Plan.

There are some potential concerns with this request regarding: 1) the future availability of water; and 2) the location of the proposed development. The applicant has not yet applied to the ACRD for this development. When an application is made, the District will have an opportunity to provide comment but does not have a vote regarding developments in electoral areas at this time.

### **DISCUSSION:**

The future availability of water has been a topic of concern for the District of Ucluelet for several decades. The District currently has a funding application submitted to the Province to establish a new water supply at Kennedy Lake (\$55 million). The potential addition of a new well (\$2 million) at the District's Lost Shoe groundwater supply has also been considered but is not currently budgeted for.

Under the District's existing water capacity, the following must be considered when assessing proposed development outside of the District boundaries:

- Koers & Associates Engineering Ltd., the District's engineering consultant, provided the following comments regarding this proposal:

- Currently the water system has room for more capacity; however, all this capacity has been accounted for within the Official Community Plan (OCP) build out and future development within the District of Ucluelet.
- Currently statistics indicate that overall the system is showing an increase in demand as well as an increase in rate of loss within the aquifer and a decrease in rainfall data.
- Should the District decide to service areas outside its boundaries this will put further strain on the existing sources.
- The District has been experiencing a gradually increasing population and visits from tourists.
- Climatic changes are increasing the variability of water supply availability for the two water sources that the District currently relies upon.
- Due to these factors, and dryer than normal weather prediction, Staff anticipate water restrictions in 2019.

While the proposed project highlights positive opportunities that would be a benefit to employee housing stock to the Ucluelet community, it is the opinion of Staff that concerns regarding future water demand and infrastructure costs exist and that a commitment of water to the development cannot be made at this time.

#### **TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

The proposed development would better fit the needs of the District if it were located within the District boundaries and the applicant has indicated that this is a potential option. The concept would be well received in the District and Staff are willing to work further with the applicant to identify land opportunities and partnerships that may be appropriate for the development.

#### **FINANCIAL IMPACTS:**

The proposed development is in the Millstream area of Area C of the regional district. ACRD developments do not include the ability to capture infrastructure cost recovery through development cost charges (DCC's) that would normally apply within the District boundaries. For a development of this size with 40 detached units, Staff estimate that the equivalent DCC's would be roughly \$500,000 of which \$178,000 would be collected for water infrastructure. DCC funds are collected to support the sustainable funding of water infrastructure for the Ucluelet District.

#### **OPTIONS REVIEW:**

1. **THAT** Council deny providing water supply to the proposed 40-unit employee housing development located at John's Way in Area C of the Alberni-Clayoquot Regional District at this time. **(Recommended)**
2. **THAT** Council conditionally commits to providing water supply to the proposed 40-unit employee housing development located at John's Way in Area C of the Alberni-Clayoquot Regional District.
3. **THAT** Council provide alternative direction to staff.

**Respectfully submitted:** Warren Cannon, Manager of Public Works/Superintendent  
Mark Boysen, Chief Administrative Officer



## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 9, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, PLANNER 1

FOLIO NO: 136.000 FILE NO: 3060-20-DP18-08

SUBJECT: DEVELOPMENT PERMIT FOR 1920 PENINSULA ROAD

REPORT: 19-39

ATTACHMENT(S): APPENDIX A – DEVELOPMENT PERMIT DP18-08  
 APPENDIX B – APPLICATION  
 APPENDIX C – DEVELOPMENT PERMIT AREA NO. 7 GUIDELINES

### RECOMMENDATION(S):

1. **THAT** Council approve Development Permit DP18-08 for 1920 Peninsula Road.

### PURPOSE:

To provide Council with information on a proposed Development Permit (“DP”) for a new commercial building at 1920 Peninsula Road; Lot: A Block: A Plan: VIP7810, Clayoquot District: 3(DD D18286), PID 005-679-222 (the “Subject Property”).

### BACKGROUND:

The subject property is zoned “CS-2 Service Commercial” and is located within the Official Community Plan (OCP) designated “Development Permit Area No. 7 (Peninsula Road)” (Figure 1).

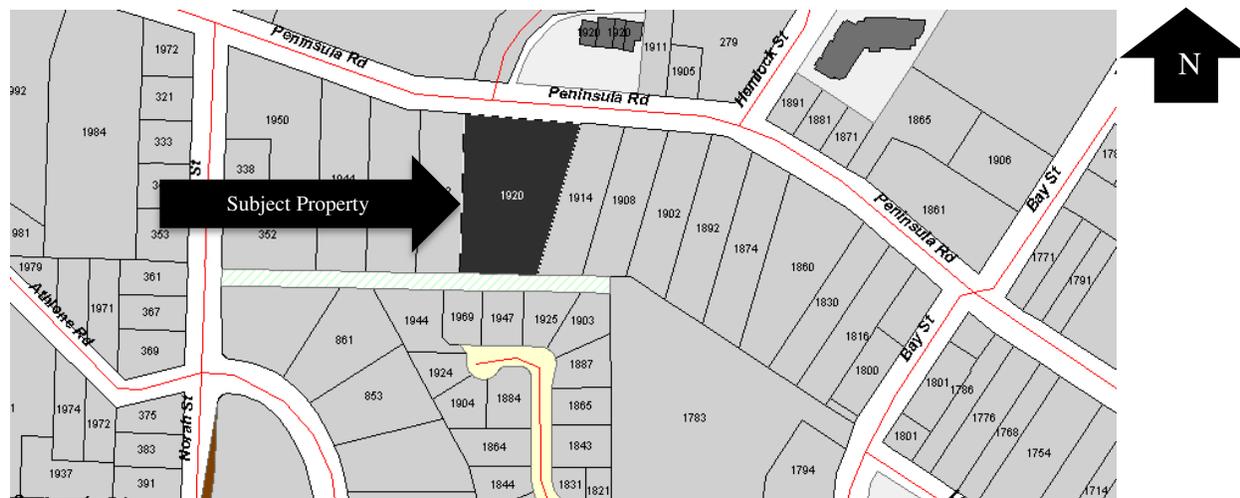


Figure 1 – Site Plan

The property is positioned on the south side of Peninsula Road opposite the Moorage building and between Image West Gallery and Fishfull Thinking Seafood. The site slopes upward from Peninsula Road and upward west to east along the Peninsula Road frontage. The site is currently undeveloped except for a painted concrete wall. The site has a natural water drainage system running diagonally through the site that drains an area extending to the St. Jacques Boulevard area.

The applicant and their architect have worked extensively with Planning Staff to bring this application forward in such a way that it would be supported by Planning Staff and the Ministry of Transportation and Infrastructure (**MoTI**).

### **DISCUSSION:**

The application under consideration is a DP; the approval or denial of this application is to be based on how the proposal meets the applicable OCP guidelines for Development Permit Area No. 7. The permitted uses and zoning regulations such as density, building size, setbacks and height have already been designated under the CS-2 zoning designation of the subject property. Amenities such as staff housing, affordable housing or other public considerations above and beyond the zoning requirements, are not a proper consideration as part of this DP process. Those type of discretionary elements can be considered at the rezoning stage.

Ucluelet's OCP development permit guidelines are established to provide Council and property owners with clear guidance and assurance of development expectations. These guidelines have been reviewed and approved under the public consultation forming part of the process for adopting the OCP. As such this DP application does not require a public hearing or any public notification. The review process for this development is simply a review of the application against the applicable DP guidelines. If an application meets the guidelines Council should then approve the application. If an application does not meet the guidelines Council could deny or defer consideration of the application pending receipt of further information or changes to the plans; in such cases Council is obliged to provide comments specific to which guidelines are not being met.

The following review of this proposed development application is focused on:

1. Official Community Plan (the "**OCP**")
2. Zoning Bylaw requirements; and
3. Fire Department review.

#### **1. Official Community Plan**

The subject property is located within Development Permit Area No. 7 (Peninsula Road) established for the purposes of:

- Protection of the natural environment, its ecosystems and biological diversity;
- Revitalization of an area where commercial use is permitted; and,
- Establishment of objectives for the form and character of development in the resort region.

The objectives of DP Area No. 7 include assisting in the revitalization of Peninsula Road as the gateway and main approach into Ucluelet, minimizing adverse effects on the natural environment, and helping to realize the form and character giving qualities of the street, particularly the quality of the public realm.

Special conditions that warrant these DPA guidelines include the emergence of tourism and its related services alongside the District's established but changing industrial face. Efforts can now be made to beautify Ucluelet's main streets and associated public realm without losing sight of the town's past industrial flavour. In the longer term, with a growing population, and more visitors being drawn to the area each year, this direction becomes increasingly important.

OCP, Protection of the natural environment, its ecosystems and biological diversity;

Planning staff have walked the site and from what was observed the area of the proposed building, landscaping, and parking does not contain any valuable environmental features. The drainage system of the site was also reviewed by D.R. Clough Consulting to assess the potential for fish habitat and environmental value. The following is the report's conclusion; *"The main drainage course through the property is a non-fish channel, conveying stormwater from upstream properties and roads to the ocean. It has no fish values."*

OCP, Revitalization of an area in which a commercial use is permitted;

The revitalization of an area involves the infill, rebuilding and replacement of Ucluelet's existing commercial built environment and vacant lands with the goal of creating a form and character that befits the community's core areas. This proposal would replace a dilapidated concrete wall and infill the gap between Image West Gallery and Fishfull Thinking Seafood. This infill is considered as assisting in the revitalization of Peninsula Road as the gateway and main approach into Ucluelet.

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

The proposed two-storey, wood frame, mixed-use commercial building consists of:

- Seventeen hotel units located on the second storey;
- One staff accommodation unit located on the second storey;
- 532.7m of commercial space located on the ground floor. This commercial area is proposed be used as follows:
  - Three food outlets of venders with a common seating or gathering place area;
  - Five commercial spaces (the use of these spaces could be any of the commercial uses allowed within the CS-2 zone);
  - The lobby for the hotel use; and,
  - A manager's office for the hotel use.

Peninsula Road is within the jurisdiction of MoTI and therefor the proposal must be referred to MoTI for their review. The applicant had originally located the access lane to the east side of the property but MoTI indicated that the preferred access would be to line it up with the Peninsula Road and Lyche Road intersection. In response to the MoTI recommendation, the applicant did an extensive redesign of the proposal. The applicant moved the building to the east side of the property and lined up the access lane to the arc of the Lyche Road centerline.

The proposed building is located off the front property line by 4.9m which is consistent with the zoning requirement of a 4.5m setback from Peninsula Road. The area between the existing sidewalk and the building is to be part of the building's outdoor experience with two terrace areas used for outdoor seating and possible entertainment. These outdoor patio areas are proposed to be well landscaped with paver surfaced walkways and sitting areas and concrete planter boxes. The creation of these outdoor areas between the building and the sidewalk is fully supported, as active streetscapes and pedestrian places are key to a successful pedestrian environment.

The required parking for the project is located to the rear of the building following OCP guidelines. The proposal indicates that the drainage system of the site will be rebuilt and run under the parking lot. The storm water will then be daylighted into a landscaped feature between the access drive and the western property line before going back into the Peninsula Road storm water system. This feature is not only aesthetically beneficial, it also creates a small wetland environment and allows this underground system to oxygenate before it goes back into the roadside storm drainage system. The project's garbage and recycling bins are proposed to be located to the rear of the building in a screened enclosure. The applicant has indicated street improvements that consist of curbed and landscaped traffic calming bump-outs on both sides of the access lane with the existing sidewalk being retained in its current location. The crosswalk and matching bump-out on the north side of Peninsula Road would be the responsibility of the District to construct at a date of its choosing.

The buildings frontage design and associated public realm enhancement creates an attractive pedestrian environment with articulated and identifiable building entrances. The building would have store front glazing, horizontal Hardi-Plank and metal siding materials that vary to break up the front façade. The gaps between the subject property and the east property line are minimized and landscaped with native trees and shrubs. The west side of the frontage would have a landscaped feature area located between the access lane and the west property line. The off-street parking areas and access lane would be paved and bounded by curbs and gutters. The frontage would be fully landscaped with hard space public seating areas. A round outdoor siting area is located next to the access lane that would take advantage of the afternoon and evening sun, and forms an active pedestrian focal point for the proposal.

## 2. Zoning Bylaw Requirements

The subject property is located in the Service Commercial CS-2 zone. This zone is intended to provide convenient shopping opportunities for those travelling in vehicles and those commercial uses which, due to their service nature, may require larger lot areas. Vibrancy is added with mixed uses including residential and tourist commercial accommodation. The applicant is proposing a mixed-use building consisting of Hotel and Residential use on the second storey and any of the commercial uses listed within the CS-2 zone on the ground floor. The applicant is proposing 42 parking spaces and landscaping consistent with the zoning bylaw. From the information provided this application fully meets the requirements of the zoning bylaw, however it should be noted that a more in-depth review will be completed at the building permit review stage.

Services are located along the frontage of the property. Site drainage for the property is of special consideration with the natural drainage flow for the areas passing diagonally from the rear east side of the property to the north west corner. This flow is currently not protected by a Service Right of Way (SRW). Staff have worked with the applicant and they have agreed to allow the District of Ucluelet to review the storm infrastructure, make any improvements needed to handle storm water flow above the anticipated flow of the development proposed, and to secure any infrastructure with an appropriate SRW to enable future maintenance of this public infrastructure.

## 3. Fire Department Review

The Ucluelet Fire department has reviewed this application and indicate support with two comments:

1. The parking lot should restrict oversized vehicles to the end of the parking lot, so that these vehicles do not restrict the movement of a fire apparatus.

2. The department would prefer to see the building include a sprinkler system.

The parking lot does not indicate parking spaces for oversized vehicles, and such use is not anticipated. The applicant will be required to manage the use of the parking lot.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

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

**FINANCIAL IMPACTS:**

Development Cost Charges will be charged for the hotel and residential component on a per unit basis with the commercial space being charged at a per square metre basis. A building permit fee will be charged based on construction value. The value of the property will increase with the proposed improvements, increasing the municipal tax base. Water and sewer fees will be collected based on metered usage. These additional revenues are expected to offset the incremental increase in municipal services and infrastructure.

**POLICY OR LEGISLATIVE IMPACTS:**

Other than the OCP and Zoning requirements there are no other policy or legislative impacts.

**SUMMARY:**

The applicant has worked with Staff to meet the applicable OCP guidelines and recommendations of MoTI. Staff consider this proposal to meet the OCP guidelines in creating a form and character that befits the community's commercial core.

**OPTIONS REVIEW:**

1. **THAT** Council approve Development Permit DP18-08 for 1920 Peninsula Road. **(Recommended)**
2. **THAT** Council defer consideration pending receipt of further information to be identified by Council.
3. **THAT** Council refuse the permit application, citing the specific OCP guidelines Council considers the proposal does not meet.

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



## DEVELOPMENT PERMIT DP18-08

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:

RAHIM MOHAMMADI-SARBAND, SHAHLA ZARAATKAR, 2152 BERKSHIRE CRESCENT COQUITLAM, BC, V3E 3N4

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 A (DD D18286), Block A DL 282, Clayoquot District, Plan 7810, PID 005-679-222 (1920 Peninsula Road)

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

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

- a. A new 2 storey wood frame mixed use building consisting of:
  - i. 17 hotel units on the second storey
  - ii. 1 residential unit on the second storey
  - iii. Lobby for hotel on the main floor
  - iv. 532.7sqm of commercial space on main floor
- b. Paved and curbed parking for 42 spaces
- c. Curbed and landscaped road improvements on both sides of access lane.
- d. Landscaping of the frontage including:
  - i. Concrete, stairs, planters, patio areas.
  - ii. Landscaping elements as per landscaping plan.
  - iii. Landscaped water feature on western side of access
  - iv. Trees and shrubs (retain existing if possible) along eastern property line.
- e. Storm Drainage including Service Right of Way.
- f. Garbage area Screening.

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 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      , 2019.

**IN WITNESS WHEREOF** this Development Permit is hereby executed and issued by the Municipality the      day of      , 2019.

**THE DISTRICT OF UCLUELET**  
by its authorized signatories:

\_\_\_\_\_  
Mayco Noël – Mayor

\_\_\_\_\_  
Mark Boysen – Corporate Officer

**OWNER**  
by its authorized signatory

\_\_\_\_\_  
Owner, by its authorized signatory

**ISSUED** the      day of      , 2019.

\_\_\_\_\_  
Bruce Greig - Manager of Planning



## Schedule A



February 27, 2019

District of Ucluelet  
200 Main Street  
Ucluelet, British Columbia  
V0R 3A0

Attention: Mr. Bruce Greig, Manager of Community Planning  
Mr. John Towgood, Planner

Re: Development Permit Application – 1920 Peninsula Road, Ucluelet, B.C.

Dear Sirs,

We are pleased to submit this development permit application on behalf of our clients, Rahim Sarband and Shahla Zaratkar. The property is located along the District of Ucluelet's main street, Peninsula Road. It is zoned CS-2 Service Commercial and allows for such uses as tourist accommodation, retail, bistros, personal services as well as mobile vending. The lot has a 68.5 metre frontage along Peninsula Road and will be visible as tourists and residents enter Ucluelet. The site consists of 0.52 Ha of land with a grade change of about 10 metres from the street to the back of the property and 4 metres from east to the west along Peninsula Road.

We proposed to develop the front half of the site at this time, with our main focus on addressing Peninsula Road and how the building and driveway interacts with the street. We have aligned Lyche Road with our driveway entrance as per MOTI to allow for better sightlines and traffic flow. The proposed two storey building faces Peninsula Road and a linear plaza is created between the building and Peninsula Road to allow for outdoor seating and entertainment. The plaza is broken up with various surface treatments to create separated areas within the linear plaza. The grade differential along Peninsula Road is softened by two raised plaza levels towards the east and planters along the property line. The east portion of the site has a raised entry plaza that can accommodate chairs and tables, music, or even a dance floor. The plaza is also large enough to allow for a mobile food truck should there be a need. Being the east side of the site, this plaza area will allow the sun to shine on those using the space.

In order to deal with the grade changes, our driveway ramps up to the parking at the rear of the building. We have designed bulbs on the roadway to create safer pedestrian crossing along Peninsula Road. The pedestrian crossing is directly in front of our hotel lobby entrance.

The building face along the street is broken up with various elements that define the building. The northeast corner of the building is a 2 storey corner element that protrudes out from the face of the building, defining the entrance lobby to the hotel rooms on the second floor. The entrance into the main retail/food court space is recessed with westcoast wood entrance columns and roof. The other sections of the Peninsula Road frontage consist of storefront glazing on the lower level and rooms with balconies above. This image flanks the entrance element on both sides. Through the various elements along the front façade, the building is broken up into smaller sections. Different use of materials and colours also help in reducing the mass of the building.

The ground floor will be used for commercial purposes. We intend to have a few retailers on the ground floor as well as 3 food outlets. We are hoping this building could be a gathering place, for people to come and grab a meal, possibly enjoy some entertainment, or listen to some music. The outdoor plaza will be popular in the summer as we hope to attract customers coming into town to enjoy the beauty of what Ucluelet has to offer. We are proposing 17 hotel units on the second floor. We have one unit with a 1 bedroom suite, 15 units with 2 beds and one unit for staff accommodation.

The property is located within Development Permit Area No. 7 ( Peninsula Road ) and is established for the purposes of:

- Protection of the natural environment, its ecosystem and biological diversity;
- Revitalization of an area where commercial use is permitted; and
- Establishment of objectives for the form and character of development in the resort region.

This development permit area is also used to assist in the revitalization of Peninsula Road as the gateway and main approach into Ucluelet. As Ucluelet slowly changes from an industrial town to an evergrowing tourist destination, the image of buildings along this main thoroughfare becomes vitally important to the future of the area.

We feel that our project meets the tourism needs of the community through additional hotel rooms, additional commercial and food outlets, housing for staff as well as meeting form and character objectives of the development permit area. We meet all of the requirements within the CS-2 zone and are not requesting any variances for this project.

We trust that our project meets your requirements within DPA 7 and we look forward to moving ahead with this project. Should you have any questions or concerns, please feel free to contact us at 250-360-2888.

Yours truly,

A handwritten signature in black ink, appearing to read "Alan Lowe". The signature is written in a cursive, flowing style.

Alan Lowe, Architect AIBC  
Alan Lowe Architect Inc.

cc. Rahim Sarband



# PROJECT INFORMATION

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CONSULTANTS:

**LEGAL ADDRESS:** LOT A, BLOCK A, PLAN V/P7810, PID:005-679-222  
SECTION 1, TOWNSHIP: DISTRICT: 09 3(DD D16286)  
UCLUELET, B.C.

**CIVIC ADDRESS:** 1920 PENINSULA ROAD  
UCLUELET, B.C.

## ZONING DATA

**ZONING:** CS-2-SERVICE COMMERCIAL

**SITE AREA:** 56,441.00 sq.ft. [5,243.54 m<sup>2</sup>]

**MAIN FLOOR AREA:** 5734.00 sq.ft. [532.70 m<sup>2</sup>]  
(including lobby area 663.38 sq.ft.)

**SECOND FLOOR AREA:** 5734 sq.ft. [532.70 m<sup>2</sup>]

**SITE COVERAGE:** 10.16 %

**TOTAL AREA OF RETAIL SHOPS:** 1639.40 sq.ft. [152.30 m<sup>2</sup>]

**TOTAL FOOD STORE AREA:** 2710.56 sq.ft. [251.82 m<sup>2</sup>]

**FOOD STALL AREA:** 910.88 sq.ft. [84.60 m<sup>2</sup>]  
**BEVERAGE AREA:** 1808.38 sq.ft. [167.28 m<sup>2</sup>]  
(BETWEEN RETAIL & FOOD STORE)

**TOTAL NUMBER OF GUEST UNITS:** 17 (including one staff room)

SETBACKS:	REQUIRED	PROVIDED
FRONT YARD	4.5M.	4.92M.
SIDE YARD	1.5M.	1.5M.
REAR YARD	3.0M.	68.62M.

## REQUIRED PARKING CALCULATION:

**GUEST ROOM:** 1 SPACE PER GUEST ROOM = 17 SPACE

**RETAIL SHOPS:** 6.5 SPACE PER 100 SQM. = 10 SPACE

**TOTAL RETAIL SHOPS AREA:** 1639.40 SQM. = 10 SPACE

**TAKE OUT FOOD SERVICES:** 1 SPACE PER 40 SQM. = 6 SPACE

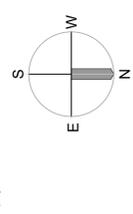
**TOTAL FOOD COURT AREA:** 251.82 SQM. = 6 SPACE

**TOTAL NUMBER OF PARKING REQUIRED:** 33 CAR SPACE

**TOTAL NUMBER OF PARKING PROVIDED:** 42 CAR SPACE  
(including one loading space)

**TOTAL HEIGHT OF THE BUILDING:** 27'10" (8.49 M)

**AVERAGE GRADE:** (6.20M. + 10.35M. + 10.40M. + 7.40M.)/4 = 8.58 M.



project north

Issue / Revisions:	No.	Issued / Revisions	Date
	1	FOR DEVELOPMENT PERMIT	18 MAR. 19

alan lowe architect inc.

#118 - 21 Erie St.  
Victoria, British Columbia  
1 250.360.2888

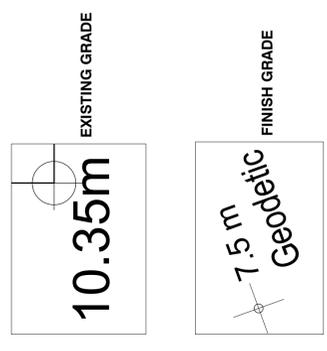
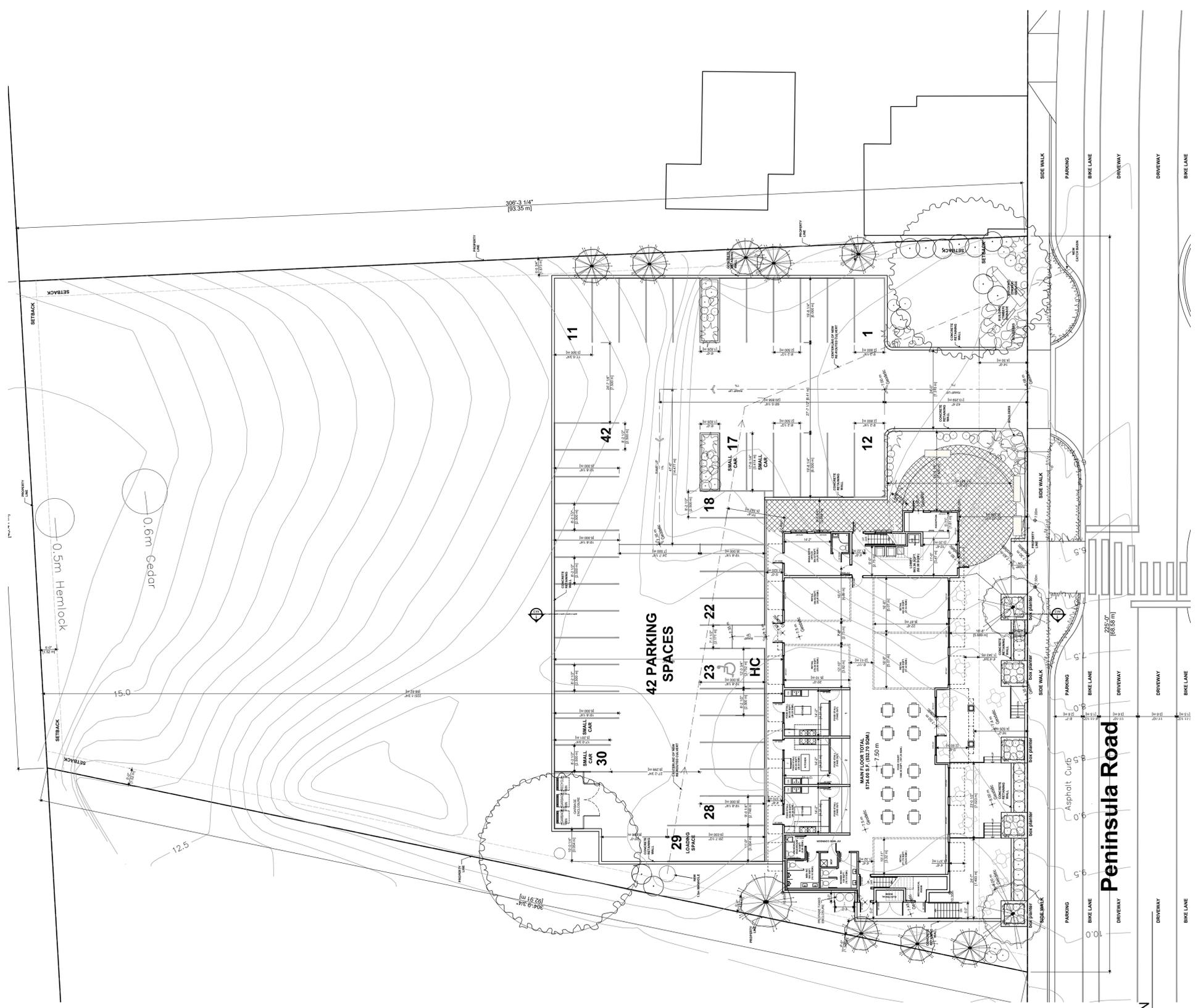


Project title:  
**Ukeke Harbour View Hotel**  
1920 PENINSULA ROAD  
drawing title:  
**SITE PLAN**

project no.: 18-561

date:	30 JAN., 2019	scale:	AS NOTED
checked by:	LOWE	drawn by:	RM
sheet no.:			

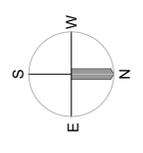
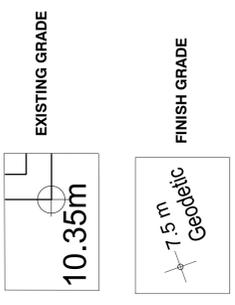
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1 SITE PLAN  
SCALE: 1/16" = 1'-0"

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LEGENDS:



Issue / Revisions	Date
1 FOR DEVELOPMENT PERMIT	18 MAR. 19

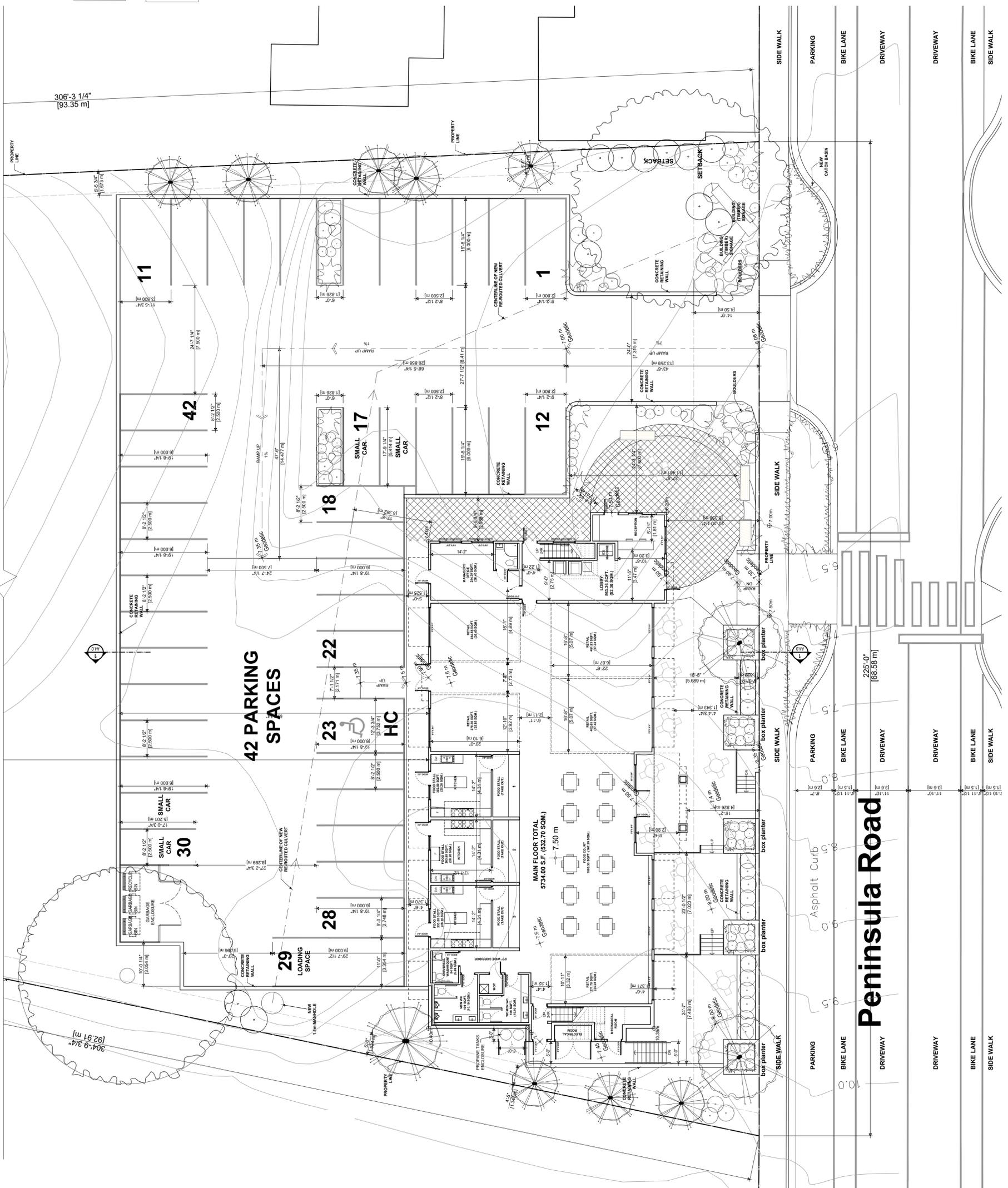
alan lowe architect inc.  
#118 - 21 Erie St.  
Victoria, British Columbia  
1 250.360.2888



Project title:  
**Uke Harbour View Hotel**  
1820 PENINSULA ROAD  
drawing title:  
**INLARGE SITE PLAN**

project no.:	18-561
date:	30 JAN., 2019
scale:	AS NOTED
checked by:	LOWE
drawn by:	RM
sheet no.:	

**A1.1**

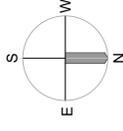


1 INLARGE SITE PLAN  
SCALE: 3/32" = 1'-0"



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CONSULTANTS:



project north

Issue / revisions:

No.	Issue / Revisions	Date
1	FOR DEVELOPMENT PERMIT	18 MAR. 19

alan lowe architect inc.

#118 - 21 Erie St.  
Victoria, British Columbia  
V8H 1T1



Project title:

Ukeke Harbour View Hotel

1820 PENINSULA ROAD

drawing title:

MAIN & SECOND FLOOR PLAN

project no.: 18-561

date: 30 JAN., 2019

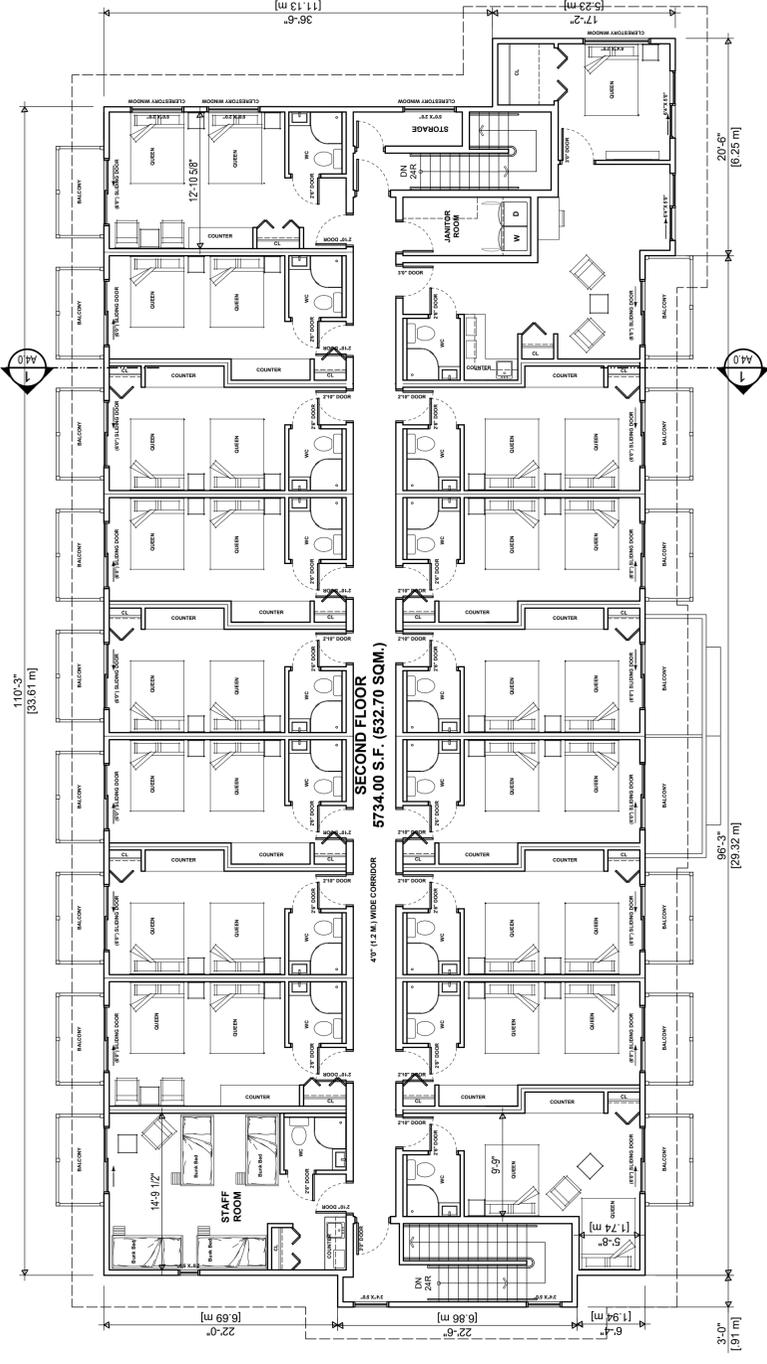
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checked by: LOWE

drawn by: RM

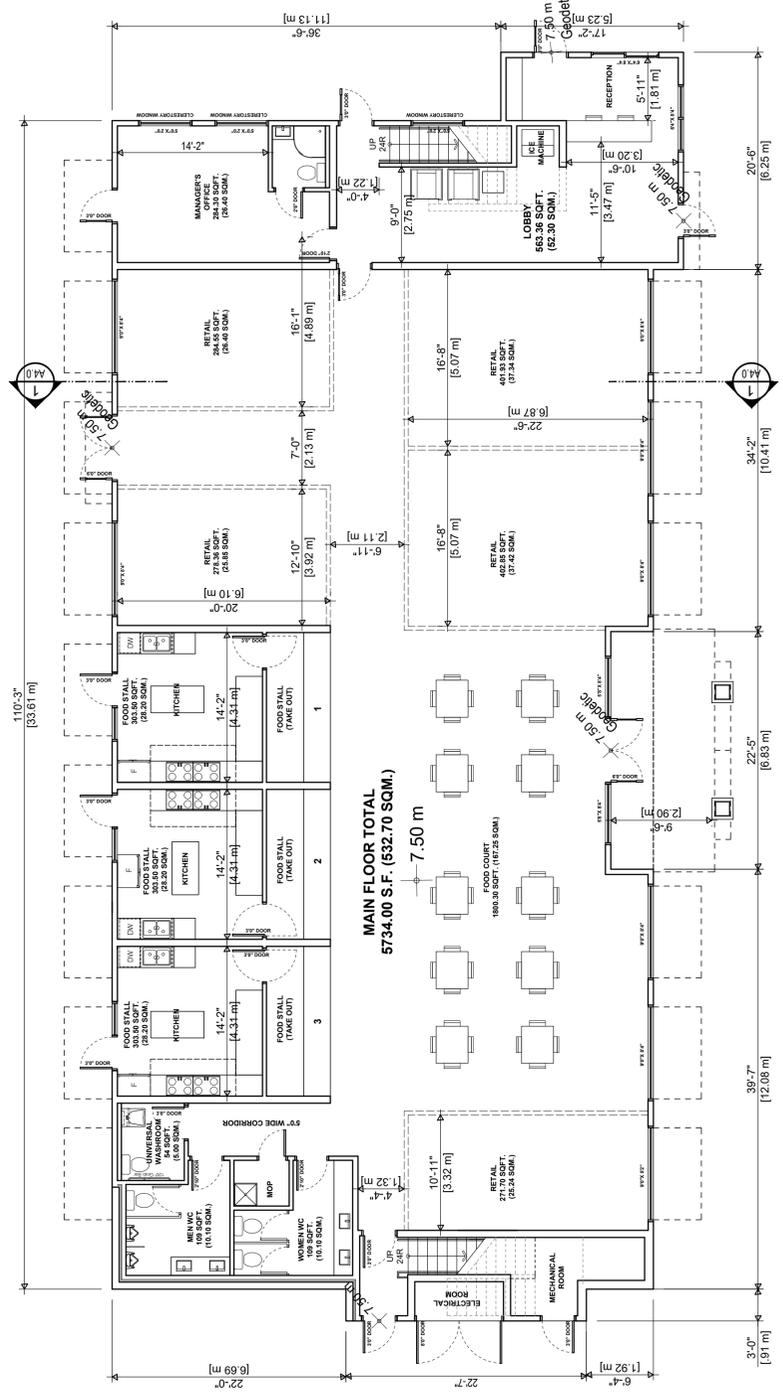
sheet no.

A2.1



2 SECOND FLOOR PLAN

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

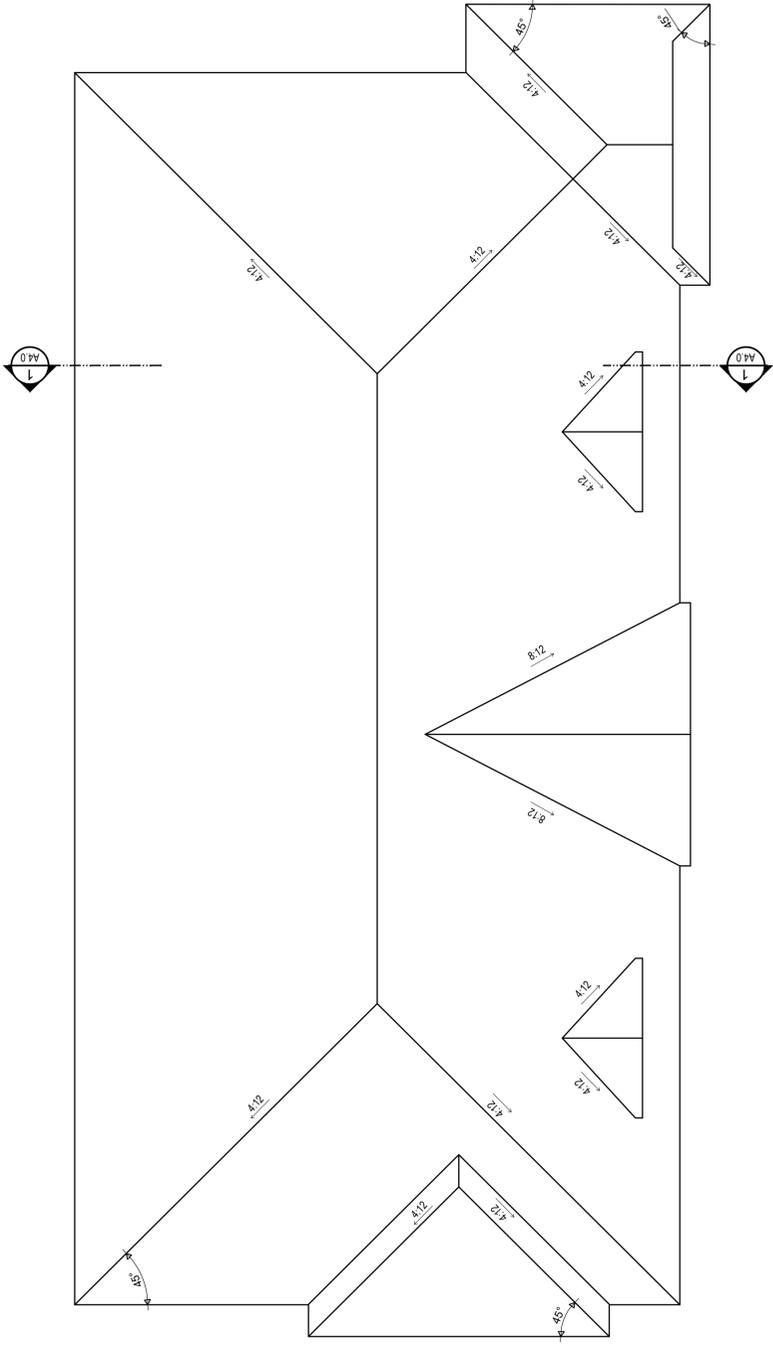


1 MAIN FLOOR PLAN

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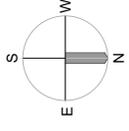
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consultants:



1 ROOF PLAN  
SCALE: 1/8" = 1'-0"

project north



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No.	Issued / Revisions	Date
1	FOR DEVELOPMENT PERMIT	18 MAR. 19

alan lowe architect inc.

#118 - 21 Erie St.  
Victoria, British Columbia  
1 250.360.2888

sheet



project title:

**Ukee Harbour View Hotel**  
1920 PENINSULA ROAD

drawing title:

**ROOF PLAN**

project no.: 18-561

date: 30 JAN., 2019 scale: AS NOTED

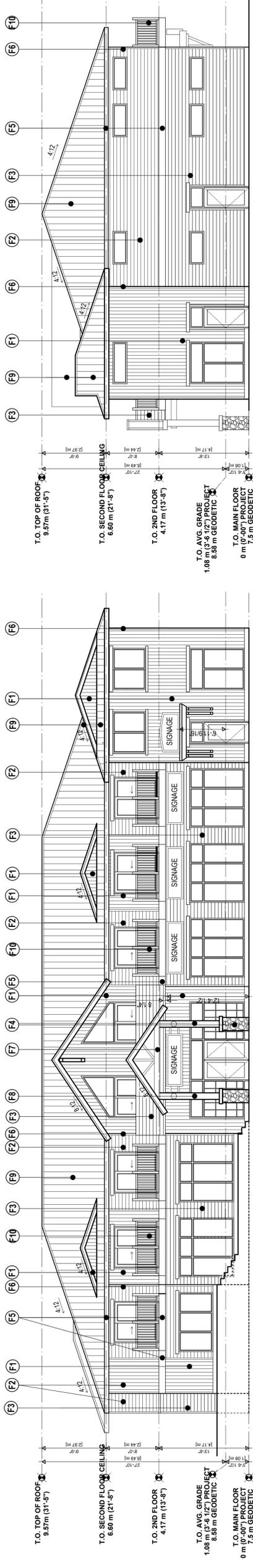
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**A2.2**

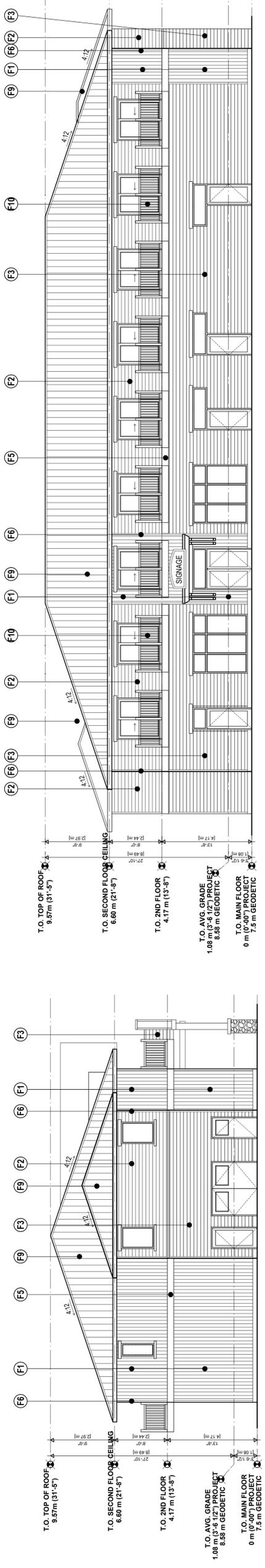
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1 North Elevation  
A3.1 SCALE: 1/8" = 1'-0"

2 West Elevation  
A3.1 SCALE: 1/8" = 1'-0"



3 East Elevation  
A3.1 SCALE: 1/8" = 1'-0"

4 South Elevation  
A3.1 SCALE: 1/8" = 1'-0"

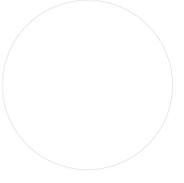
**EXTERIOR FINISHES & NOTES :**

- F1 METAL SIDING (VERTICAL SIDING)- HERON BLUE (CC 330)
- F2 HARDIE PLANKS (HORIZONTAL)- KHAKI BROWN
- F3 CORRUGATED METAL SIDING (HORIZONTAL)- PLAIN GALVANIZED
- F4 STONE CLADDING
- F5 WOOD FASCIA
- F6 VERTICAL BATTEN- WHITE
- F7 HORIZONTAL WOOD BAND
- F8 WOODEN COLUMN
- F9 METAL STANDING SEAM ROOF- GREY
- F10 WOOD RAILING

Issue / revisions:

1	FOR DEVELOPMENT PERMIT - 18 MAR. 19	Date
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project title:  
**Ukeke Harbour View Hotel**  
1920 PENINSULA ROAD

drawing title:  
**ELEVATIONS**

project no.: 18-561

date:	30 JAN., 2019	scale:	AS NOTED
checked by:	LOWE	drawn by:	RM
sheet no.:			

**A3.1**

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Victoria, British Columbia

tel: 250.360.2888



Project title:

Uke Harbour View Hotel

1920 PENINSULA ROAD

drawing title:

SECTION

Project no.: 18-581

date: 30 JAN., 2019

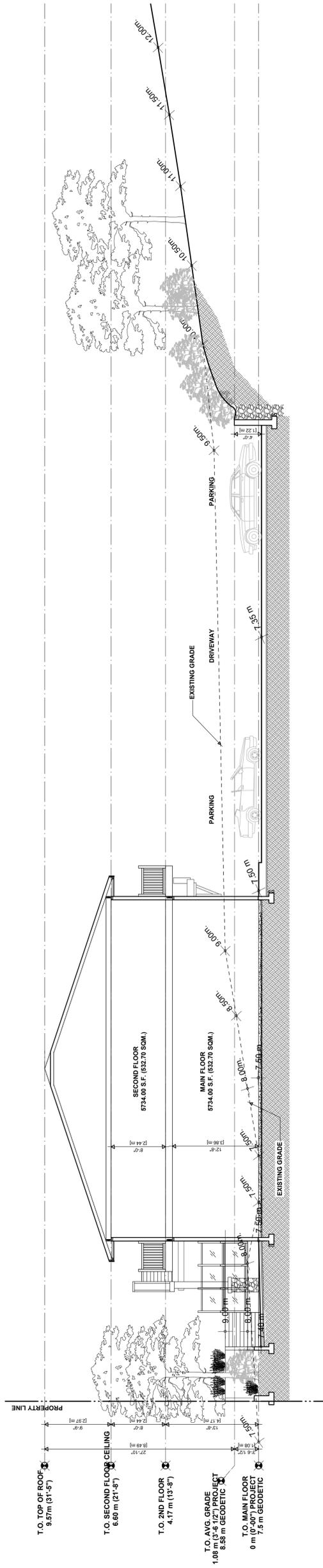
scale: AS NOTED

checked by: LOWE

drawn by: RM

sheet no.:

A4.0



1 SECTION  
A-4 SCALE: 1/8" = 1'-0"

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consultants.

project north

issue / revisions:

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Victoria, British Columbia  
1 250.360.2888

sheet

project title:

Ukeke Harbour View Hotel

1920 PENINSULA ROAD

drawing title:

COLOURED ELEVATIONS

project no.: 18-561

date: 30 JAN., 2019

scale:

AS NOTED

checked by: LOWE

drawn by:

RM

sheet no.

A5.1



2 West Elevation  
A5.1 SCALE: NTS.



4 East Elevation  
A5.1 SCALE: NTS.



1 North Elevation  
A5.1 SCALE: NTS.



3 South Elevation  
A5.1 SCALE: NTS.

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CONSULTANTS:



Issue / Revisions:

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1	FOR DEVELOPMENT PERMIT	18 MAR. 19

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Victoria, British Columbia  
1 250.360.2888



project title:  
**Ukee Harbour View Hotel**  
1920 PENINSULA ROAD

drawing title:  
**PERSPECTIVE VIEWS**

project no.: 18-561

date:	30 JAN., 2019	scale:	AS NOTED
checked by:	LOWE	drawn by:	RM
sheet no.:			

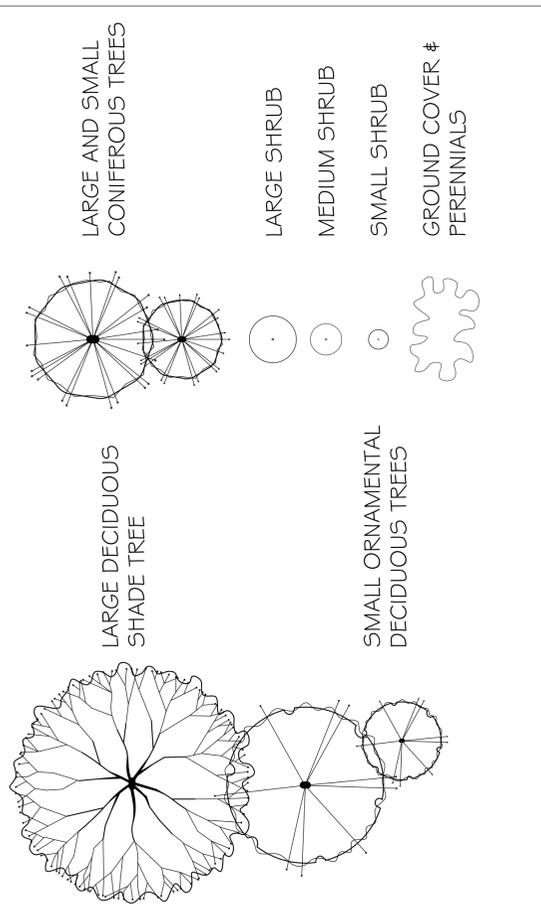
**A5.2**

**1 BUILDING PERSPECTIVE VIEWS**

SCALE: NTS.

A5.2

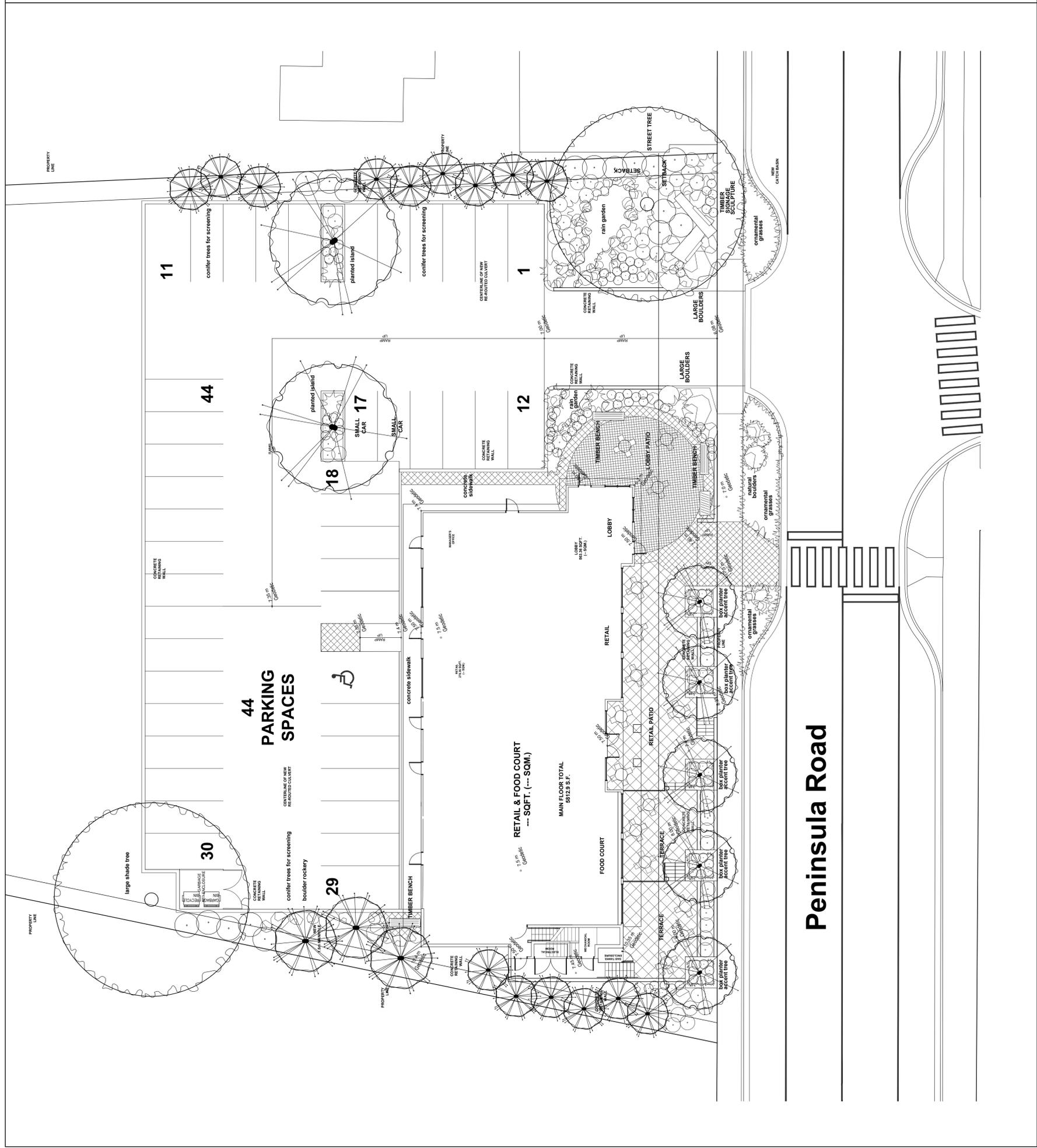
# SOFTSCAPE LEGEND



## SUGGESTED PLANT LIST

Key	Common Name	Latin Name	Size
Trees	Vine Maple	Acer circinatum	5cm Cal.
	Pacific Flowering Dogwood	Cornus nuttallii var. 'Eddie's White Wonder'	7cm Cal.
	Western Red Cedar	Thuja plicata var. 'Excelsa'	2m Ht.
	Nootka Cedar	Chamaecyparis nootkatensis	2m Ht.
Large Shrubs	Lily of the Valley Shrub	Plenis japonica var. 'Forest Flame'	#5 Pot
	Oregon Grape	Mahonia aquifolium	#7 Pot
Medium Shrubs	Rhododendron	Rhododendron var. 'Unique'	#5 Pot
	Evergreen Huckleberry	Vaccinium ovatum var. 'Thunderbird'	#5 Pot
Small Shrubs	Dwarf Lily of the Valley Shrub	Plenis japonica var. 'Debutante'	#1 Pot
	Creeping Euonymus	Euonymus fortunei var. 'Emerald & Gold'	#1 Pot
	Evergreen Azalea	Azalea japonica var. 'Gumpo Pink'	#2 Pot
Ground Covers	Bearberry	Arctostaphylos uva-ursi var. 'Vancouver Jade'	SF4
	Heartleaf Bergenia	Bergenia cordifolia var. 'Bressingham Ruby'	SF5
	Penwinkle	Vinca minor var. 'Double Blue' & 'Alba'	SF4
Grasses	Vaneagated sedge	Carex monrowii var. 'Ice Dance'	#1 Pot
	Flame Sedge	Carex testacea	#1 Pot
	Feather Reed Grass	Calamagrostis var. 'Karl Forester'	#1 Pot
	Blue Fescue	Festuca glauca 'Elijah Blue'	#1 Pot
Perennials	Coral Bells	Heuchera mycrantha var. 'Bressingham Ruby'	SF7
Vines	Montana Clematis	Clematis montana var. 'Jackmanii' & 'Elizabeth'	#5 Pot
	Wistena	Wistena sinensis var. 'Royal Purple'	#5 Pot

Notes: - All landscape work to conform with B.C.S.L.A. / B.C.N.T.A. standard specification.  
 - All areas to be irrigated with an automatic underground system.



NOTES

DRAWN BY  
BF/RF

SCALE  
1:150  
DATE  
FEBRUARY 2019

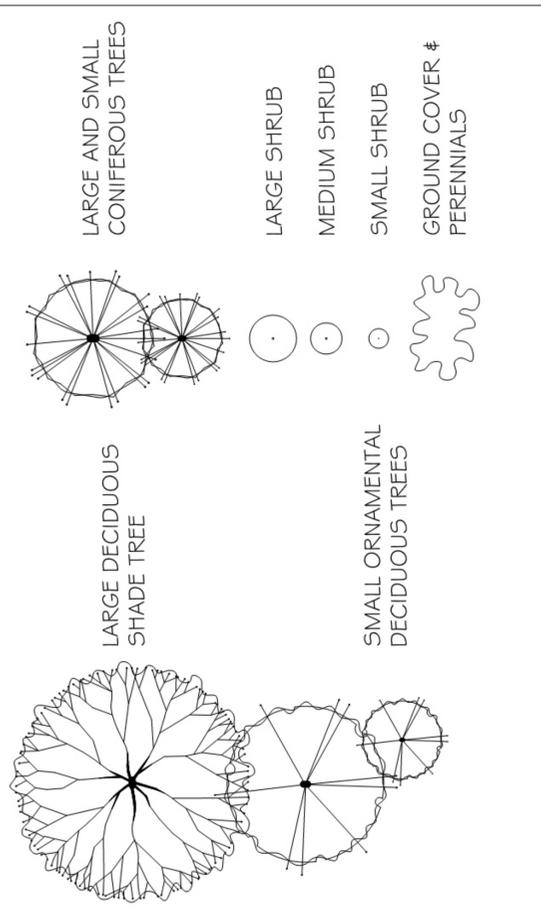
# 1920 PENINSULA- UCLUELET

## Landscape Concept Plan

# 4★SITE

LANDSCAPE ARCHITECTURE  
AND SITE PLANNING 250.508.7865

# SOFTSCAPE LEGEND



### SUGGESTED PLANT LIST

Key	Common Name	Latin Name	Size
Trees			
VMAP	Vine Maple	Acer circinatum	5cm Cal.
PDOG	Pacific Flowering Dogwood	Cornus nuttallii var. 'Eddie's White Wonder'	7cm Cal.
WRC	Western Red Cedar	Thuja plicata var. 'Excelsa'	2m Ht.
NOOT	Nootka Cedar	Chamaecyparis nootkatensis	2m Ht.
PIER	Lily of the Valley Shrub	Plenis japonica var. 'Forest Flame'	#5 Pot
MAHC	Oregon Grape	Mahonia aquifolium	#7 Pot
MRHA	Rhododendron	Rhododendron var. 'Unique'	#5 Pot
VACC	Evergreen Huckleberry	Vaccinium ovatum var. 'Thunderbird'	#5 Pot
Small Shrubs			
DWFJ	Dwarf Lily of the Valley Shrub	Plenis japonica var. 'Debutante'	#1 Pot
EUOF	Creeping Euonymus	Euonymus fortunei var. 'Emerald & Gold'	#1 Pot
AZAP	Evergreen Azalea	Azalea japonica var. 'Gumpo Pink'	#2 Pot
Ground Covers			
BEAR	Bearberry	Arctostaphylos uva-ursi var. 'Vancouver Jade'	SP4
BERG	Heartleaf Bergenia	Bergenia cordifolia var. 'Bressingham Ruby'	SP5
VINC	Periwinkle	Vinca minor var. 'Double Blue' & 'Alba'	SP4
Grasses			
CAREX	Vanegeted sedge	Carex monrowii var. 'Ice Dance'	#1 Pot
TEST	Flame Sedge	Carex testacea	#1 Pot
KARL	Feather Reed Grass	Calamagrostis var. 'Karl Forester'	#1 Pot
FESC	Blue Fescue	Festuca glauca 'Elijah Blue'	#1 Pot
Perennials			
HEUC	Coral Bells	Heuchera mycrantha var. 'Bressingham Ruby'	SP7
Vines			
GLEM	Montana Clematis	Clematis montana var. 'Jackmani' & 'Elizabeth'	#5 Pot
WIST	Wistaria	Wistaria sinensis var. 'Royal Purple'	#5 Pot

Notes: - All landscape work to conform with B.C.S.I.A. / B.C.M.T.A. standard specification.  
 - All areas to be irrigated with an automatic underground system.



## Peninsula Road

# 1920 PENINSULA- UCLUELET

## Landscape Concept Plan

SCALE  
1:150  
DATE  
FEBRUARY 2019

NOTES  
DRAWN BY  
BF/RF

# 4★SITE

LANDSCAPE ARCHITECTURE  
AND SITE PLANNING 250.508.7885

## Appendix C

**Development Permit Area No. 7 (Peninsula Road)**

**Figure DPA7.1: Location of Development Permit Area No. 7**

The Peninsula Road Development Permit Area (DPA No. 7), as shown on Schedule C, is established for the purposes of:

- Protection of the natural environment, its ecosystems and biological diversity;
- Revitalization of an area where commercial use is permitted; and,
- Establishment of objectives for the form and character of development in the resort region.

The objectives of this Development Permit Area include: assisting in the revitalization of Peninsula Road as the gateway and main approach into Ucluelet; minimizing adverse effects on the natural environment; and, helping to realize the form and character giving qualities of the street, particularly the quality of the public realm.

Special conditions that warrant these DPA guidelines include the emergence of tourism and its related services alongside the district's established but changing industrial face. Efforts can now be made to beautify Ucluelet's main streets and associated public realm without losing sight of the town's past industrial flavour. In the longer term, with a growing population, and more visitors being drawn to the area each year, this initiative becomes increasingly important.

Development Permit Area guidelines exist to promote and manage these community led aspirations in order to achieve developments of



high quality and unified character.

Several guidelines are illustrated with images in this DPA.

### Guidelines

1. All development applications should include a comprehensive design package and a letter of intent that demonstrates how the proposed development meets the requirements outlined in these design guidelines. The demonstrated underlying principles need to be understood in the context of building design, landscape design, streetscape integration and a concept plan for signage if applicable;
2. Buildings and associated landscapes should be designed to reflect the west-coast fishing village character and cultural heritage of Ucluelet. Building designs should be contextual and compatible with the character, scale and form of those buildings on adjacent sites. 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;
3. Views to the harbour, generally shown on Figure DPA7.2, must be retained through considerations in building massing and height in key locations including the north side of Peninsula Road;
4. Building frontage design (any building elevation facing a public street) and associated public realm enhancement must create an attractive pedestrian environment. Considerations include:
  - Easily identifiable building entrances;
  - Narrow commercial storefronts;
  - Concentrating signage at pedestrian eye level.
5. It is highly encouraged that awnings, deep roof overhangs or colonnades be incorporated into buildings in order to provide weather protection along sidewalks and at building entrances. These devices must be an integral part of the overall design;



6. On corner sites, buildings must be designed with consideration for their visual prominence, potential use as reference points and their ability to contain and define streets. Additionally, developments occurring at corner lots must consider their prominence within the streetscape hierarchy and include architectural detailing or massing which reflects this. All developments located at a corner must occupy that corner on both sides. Setbacks of more than a few feet will not be considered;
7. Gaps between buildings are to be minimized in order to maintain a consistent and uniform streetscape. Therefore, try to minimize placing buildings in the middle of open cleared sites. Where possible use native trees and shrubs to beautify each site;
8. Buildings, structures and roads should be located so as to minimize alterations to treed areas and other environmentally sensitive areas;
9. Parking should be located at the rear of lots if possible and screened from street view with either a structure or landscaping, or where feasible, below grade;
10. All off-street parking areas must be paved and bounded by curbs and gutters;
11. Continuous curbs and pedestrian only sidewalks should be provided along the entire length of Peninsula Road, on both sides, beginning at Forbes Road in front of the gas station;
12. Street trees should be used along the entire length of Peninsula Road, on both sides, thereby creating a sense of enclosure and cohesion to the street;
13. The extensive use of blank walls (defined as any linear run of wall without fenestration or variation in its vertical plane for a given length), regardless of the material used, must be avoided. The visual impact of blank walls should be softened through the use of:
  - Architectural detailing or facade articulation;
  - Graphic or artistic illustration;
  - The inclusion of doors and or windows; or,
  - The design of integrated public seating and or planters integrated into the façade.
14. As signage contributes to the character and feel of the area, it should reflect the artistic, cultural and historical traditions of Ucluelet. Signage must complement the architecture of the development and be sized appropriately;



15. All exterior mechanical units or equipment, including roof top units, must be enclosed in a manner that is attractive and integrated with the overall design;

16. The massing, scale, form and character of the project should be compatible and lend continuity to the surrounding neighbourhood; and
17. Landscape planting schemes must provide definition and clarity within the public realm. Plant material should be used, as example, to:
  - i. Imply space such as a café seating area;
  - ii. Signify a particular spot such as an entrance or gateway
  - iii. Define pedestrian corridors;
  - iv. Delineate private and semi-private space from public space;
  - v. Beautify a streetscape; and,
  - vi. Soften the transition of adjacent land uses.



Planting should also be designed so that driver's sight lines are maintained at intersections, maneuvering aisles and parking lots;



Figure DPA 7.2 Development Permit Area No. 7 Conceptual Diagram



## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 9, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

**FILE NO:** 3060-20-DP19-01  
3360-20-RZ18-08  
3090-20-DVP19-02  
3070-20-TUP19-01

**REPORT NO:** 19-40

**SUBJECT: PROPOSED REZONING, SUBDIVISION AND DEVELOPMENT PERMITS FOR 221 MINATO ROAD LOT B, PLAN VIP79908 CLAYOQUOT DISTRICT, DISTRICT LOT 286.**

**ATTACHMENT(S):** APPENDIX A – APPLICATION  
APPENDIX B – ENVIRONMENTAL IMPACT ASSESSMENT REPORT (AQUAPARIAN)  
APPENDIX C – VEGETATION MANAGEMENT PLAN  
APPENDIX D – TIMELINE  
APPENDIX E – DEVELOPMENT PERMIT DP19-01

### RECOMMENDATIONS:

1. **THAT** Council authorize issuance of Development Permit DP19-01 for the restoration of the previously damaged riparian and marine shoreline areas of the property at 221 Minato Road.
2. **THAT** Council indicate support for the concept of rezoning the property at 221 Minato Road for a 2-lot subdivision to create a Guest House parcel and a Campground parcel, and indicate that adoption of a zoning amendment bylaw for the requested uses would be subject to the following:
  - a. completion of the site restoration work under Development Permit DP19-01 including monitoring and sign-off by the Qualified Environmental Professional;
  - b. including, as part of the subdivision to create the two parcels, dedication for park purposes of a 30m corridor upland from the natural boundary along the marine shoreline adjacent to the proposed Campground parcel, plus the entire stream setback area surrounding Stream 1;
  - c. the owners providing a restrictive covenant on the proposed Guest House parcel which would restrict any further subdivision of that lot unless at that future date the following are provided by the property owner:
    - i. dedication for park purposes a 30m corridor upland from the natural boundary along the marine shoreline adjacent to the property; and,

- ii. appropriate funds to construct a trail system and viewing platform to municipal standards in the shoreline park dedicated in (i) above;
  - d. the owners providing a contribution for half the cost of constructing the stream section of trail and viewing platform, prior to commencing construction of the Long-Term Camping spaces in the proposed Phase 1;
  - e. the owners providing a restrictive covenant on the proposed Campground parcel ensuring that construction of the Short-Term Camping shown as Phase 3 will not commence before the adjacent section of Olsen Bay trail has been constructed.
- 3. **THAT** Council indicate support for the concept of issuing a Temporary Use Permit to permit long-term camping in the proposed designated area of the campground, subject to conditions including:
  - a. Seasonal camping stays are not to exceed six months;
  - b. No additions, accessory buildings, structures or outdoor storage is permitted in long-term camping spaces;
  - c. A resident campground manager is required on-site; and,
  - d. The campground manager is to maintain a register of campers, contact information and vehicle registration, and make the register available at all times if requested by the District.
- 4. **THAT** Council indicate support for the concept of issuing a Development Permit for the subdivision of the property into the proposed Guest House and Campground parcels, subject to the following conditions:
  - a. that the owners provide a detailed landscape plan showing replanting of native tree and understory species in the undeveloped portions of the Minato Road 10m road right-of-way dedication areas:
    - i. at the future public access trail to Olsen Bay at the end of Minato Road; and,
    - ii. screening of the proposed long-term camping spaces adjacent to Minato Road including appropriate fencing;
  - b. that prior to subdivision approval, the owners providing:
    - i. a civil engineering assessment and design for all required services including road, water, sewer, on- and off-site stormwater management and the location of private power and data utilities; and,
    - ii. a traffic engineering safety assessment of vehicle and pedestrian movements resulting from the proposed development and upgrades, if necessary, at the intersection of Peninsula Road and Minato Road and at the future trail crossing of Peninsula Road to the Ancient Cedars loop, for review and approval by the municipality and the Ministry of Transportation and Infrastructure.
- 5. **THAT**, subject to public comment, Council indicate support for considering a variance to increase the maximum permitted height of the main house on the proposed Guest House parcel from 8.5m (28 ft.) to 10.9m (36 ft.); and,
- 6. **THAT** Council indicate that issuance of a future Development Permit for construction of the proposed Short-Term Campground (phase 3) would be subject to protecting the full 30m forested buffer along the Peninsula Road frontage, unless the owners can demonstrate that the proposed tent sites within this area would not be visible from the road.

## PURPOSE

The purpose of this report is to give Council information on the background of clearing activity on the property, restoration plans and a development proposal submitted by Rick and Rebekka Lim of Pirates Bay Holding Company Ltd., for their property at 221 Minato Road (see **Figure 1**), Lot B, Plan VIP79908 Clayoquot District, District Lot 286 (the “**Subject Property**”).



Figure 1 – The Subject Property

## BACKGROUND AND SITE CONTEXT:

The subject property is a 10 ha (25-acre) lot located on the north side of Peninsula Road and on the west side of Minato Road, adjacent to Olsen Bay and the Ucluelet Inlet to the north. The current zoning designation of the property is Rural Residential (RU).

This property was considered to have considerable environmental value prior to extensive logging and clearing in late 2016. The site contained a full forest of mature trees (some old growth) at 20m to 30m with pockets of trees at 30m to 40m height, and included the understory vegetation and habitat values which come with mature coastal forests. Two fish bearing streams and associated riparian areas cross the site, one of which has been impacted by the site clearing. A more detailed timeline is attached to this report (see **Appendix D**).

The owners were issued a formal letter dated December 13, 2017, notifying the owner to cease all land altering activities and advising that they would be required to obtain a Development Permit (DP) for any further site work including restoration of the disturbed areas. The owners subsequently stopped all works and have engaged a Qualified Environmental Professional (QEP) to prepare a *Vegetation Environmental Management Plan* (see **Appendix C**) to form part of their required site restoration DP. They have also worked with staff to understand what is required to bring a development application forward. This current application proposes to:

- address the Development Permit required for the restoration of damaged ecological areas on the subject property; and,

- present development plans for the rezoning, DP, and subdivision processes required for the proposed development of the property.

In brief, staff recommend that three elements are necessary for the owners to move forward with the development of their land in an appropriate manner:

- First and foremost, the site restoration work must be completed as recommended and under the supervision of the consulting biologists (the QEP).
- Second, development of the site must include adequate measures to protect the remaining forest elements and the marine shoreline and stream riparian ecosystems. This should include adequate areas of park land set aside for conservation purposes. It also must include proper facilities to enable public access in the proper (and limited) locations to ensure that future use does not trample the ecological values of the site.
- Finally, the proposal for this site, as with any new development, must include adequate measures to mitigate the impacts on public spaces and infrastructure and bear the costs for servicing these land uses.

Subject to the conditions outlined in the list of staff recommendations, the proposed development of the site contains uses which can be supported in this location and, if managed properly, would result in a net benefit to the community.

#### **DISCUSSION:**

This application includes multiple related development approval processes. Individually these are as follows:

- DP19-01 - Development Permit for the restoration of damaged ecological areas
- RZ19-01 - Rezoning from Rural Residential to Guest House & Campground uses
- DP19-02 - Development Permit for Subdivision into two lots (Guest House & Campground)
- SD19-02 - Subdivision of the subject property into two lots
- DVP19-02 – Development Variance Permit to increase height for proposed house

These processes are guided by Ucluelet’s Official Community Plan Bylaw No. 1140, 2011 (**OCP**), and Zoning Bylaw 1160, 2013 (**Zoning Bylaw**). The subject lands fall into Development Permit Area No. 8 (Former Forest Reserves Lands). The following are pertinent DP guidelines found within the OCP bylaw, to consider for this development:

*“The coastal environment within this DPA is characterized by rocky bluffs and headlands along the exposed western shoreline, while a gentler rocky coast - along with sensitive marine wetlands, predominates along the protected eastern shoreline of Ucluelet inlet. This rugged and wild coast, along with the extensive forest that carpets the rolling and often steep terrain contribute immeasurably to the character of the site. There is therefore a demonstrated need to ensure that development within this area should be protected from hazardous conditions and makes adequate provision for fitting itself harmoniously into the existing natural environment while maintaining a balance between the need for such protection and development of this land. All development should provide for the Wild Pacific Trail that makes its way through the area.*”

*In addition to development being sensitive to significant natural features worthy of protection, this area is designated for mixed use development which requires a high standard of design cohesion which reflects the natural heritage of the area.”*

### Guidelines

1. All developments must preserve and maintain 100% of the Wild Pacific Trail along the coast where feasible on properties located along the waterfront;
2. No development can approach within 30m of the high-water mark around the sensitive marine wetlands indicated on the map below;
3. A 30-metre-wide tree buffer with no development must be provided along both sides of the Pacific Rim Highway;
4. The layout of the proposed collector through DPA No. 8 that runs parallel to the Pacific Rim Highway, must respond to the natural conditions and topography of the land. Adequate buffering along the frontage of the road should also be retained to provide an attractive entrance into the community. A tree preservation plan should be a major priority in order to preserve this spectacular natural environment.
5. All developments should respect archaeological resources and comply with all relevant statutes and regulations for the protection thereof. The District may require, at their discretion, that the applicant provide at their own cost an archaeological assessment report;
6. All development, including campsites with no individual water supply or no individual sewage disposal facilities, must be connected to the municipal sanitary sewer system;
7. Developments shall strive to create openness, connections, or views to the waterfront areas through open spaces or pathways
8. No development shall impede public access to the foreshore beyond private property boundaries;
9. A landscape preservation plan for all developments must be included as part of the development application process in order to ensure protection of existing significant trees and shrubs. This will include plans showing pre and post-development conditions in order to prevent over-cutting;
10. The removal of any native tree species that is 30cm Dbh or greater (Diameter at Breast Height = 1.3m) measured with a proper tree caliper is prohibited.
11. Any landscaping maintenance program must meet all applicable governmental regulations involving the use of fertilizers, herbicides and pesticides and the owners must ensure that no harmful pesticides or chemicals enter the ocean, either directly or by way of groundwater infiltration;
12. All sitka spruce must be identified by a qualified arborist and, where they are determined to be healthy, preserved;

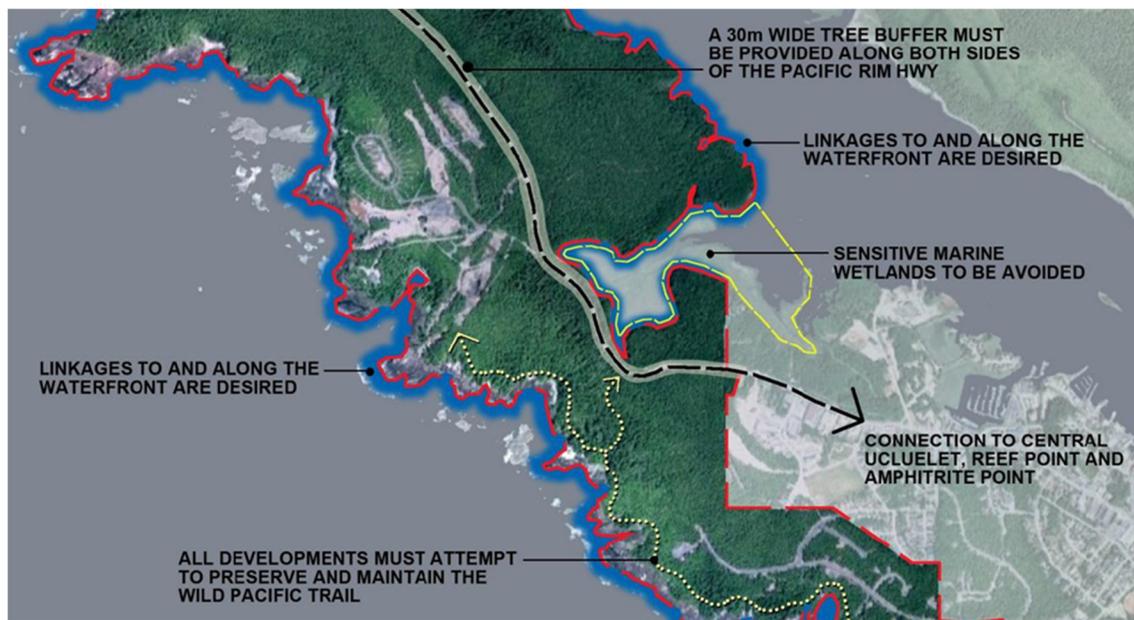


Figure 2 - DPA 8.2 Development Permit Area No. 8 Conceptual Diagram

The following are relevant OCP Environment Policies:

*“To encourage the maintenance of natural green space and forest cover and eliminate large clear cuts to accommodate development”*

*“To identify natural corridors for public and wildlife use or as natural landscapes”*

*“Properties greater than 0.8 hectare in size will require an Environmental Impact Assessment to evaluate the impacts of a proposed development on the natural environment and for the protection of developments from hazardous conditions.”*

A compressive review of the regulatory requirements is listed in section “1.2 Regulatory Review” of the Environmental Impact Assessment Report (see **Appendix B**).

### **DP19-01 – Development Permit for the restoration of damaged ecological areas**

The purpose of this DP area designation is the protection of the natural environment, its ecosystems and biological diversity. The applicant is applying to reinstate the impacted vegetation within the riparian setback of ‘Stream No.1 and the area between the natural boundary of the Ucluelet Inlet and 30m back from that boundary (the “**Marine Shoreline Area**”). This replanting will strictly follow the Vegetation Environmental Management Plan (see **Appendix C**) and its recommendations. This permit will be complete only after all recommended restoration work is done and inspected by the authors of the attached management plan. Staff recommend that final adoption of a rezoning bylaw should only be considered after the restoration work is completed, inspected and signed off by the QEP. (see **Figure 3**).

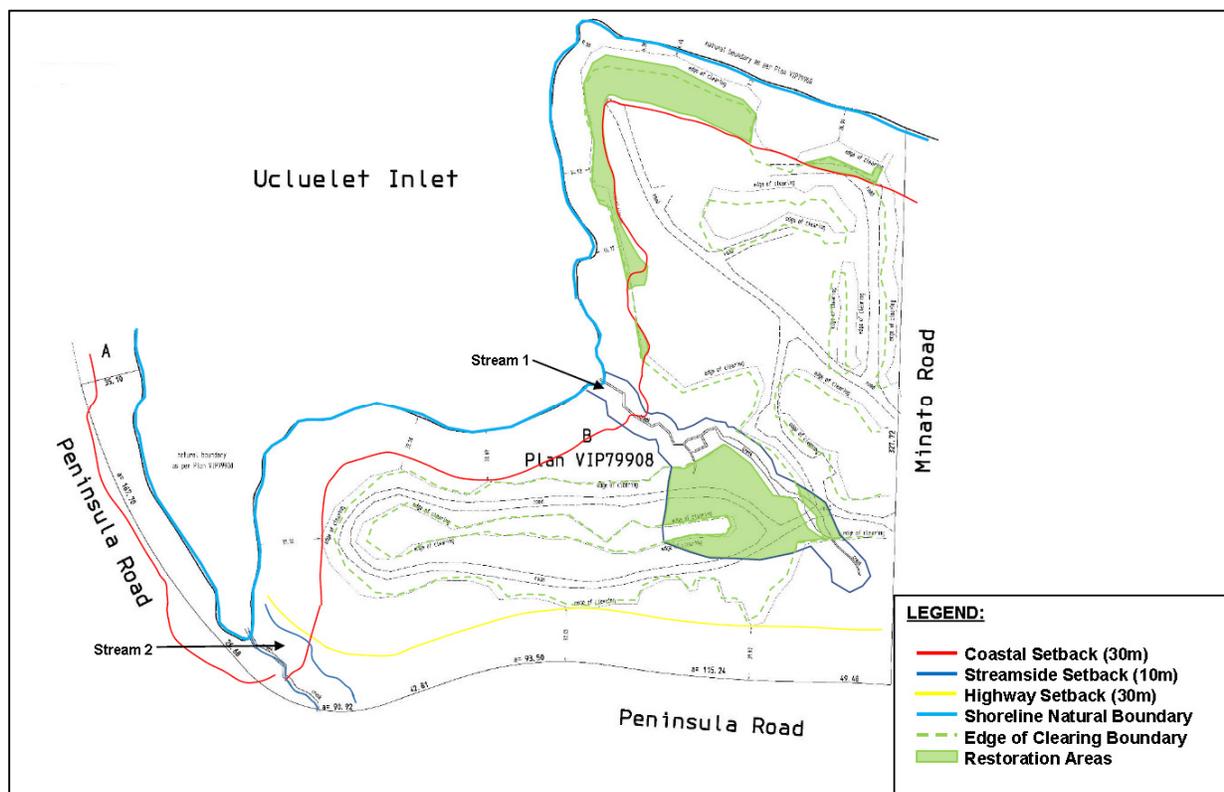


Figure 3 – Vegetation Management Plan – Restoration Areas

**RZ19-01 - Rezoning from Rural Residential to Guest House / Campground**

The proposed rezoning and subdivision of the land is being approached so that the appropriate permitted uses would be associated with the respective new lot areas. The applicant is proposing two lots: one to include their family home with Guest House zoning, and the other to include a Campground which is proposed to include areas for both short-term and long-term camping use.

Guest House zoned parcel

The owners are proposing to create an (approx.) 3.4 ha (8.5-acre) lot with a permitted use of *Guest House (GH)*. This permitted use is intended for commercial tourist accommodation mixed with residential in the form and appearance of a traditional single-family dwelling (**SFD**), with or without small scale guest cottages. The relevant zoning regulations to this application are:

- *The Minimum Lot Size: 2,000 m2 (½ acre).*

This is significant as the proposed GH lot is over 8 acres in size. Therefore, the property would have potential for further subdivision in the future.

- *The commercial Short-Term Rental (STR) elements of the Guest House zone for the large lot are regulated as follows:*
  - *6 guest rooms if the lot area exceeds 4,000 m2 (1 acre); plus*
  - *4 guest cottages per lot if the lot area exceeds 4,000 m2 (1 acre).*

This indicates the scale of the commercial use on the proposed GH lot. The applicant has provided the following sketch to indicate their guest house, guest cottages, private driveways and garage location (see **Figure 4**):



Figure 4 – Guest House parcel

The size and location of this lot may lend itself to greater density, use and community benefit than what is currently being proposed. The creation of 8-acre rural acreages is not considered the ideal long-term pattern for Ucluelet's limited land base. With this large GH acreage the applicant has stated that they do not want a public trail to pass in front of their home and guest cottages. While this is understandable, the balance of private interest and the community benefit must also be considered. The proposed GH use does have a high commercial STR use associated to it and a continuous trail around the entire coastline would benefit both the owners' guests and beyond. If a higher density development were being proposed at this time, staff would be recommending the inclusion of a full 30m park dedication complete with a constructed public trail. With this application the owners are offering a 30m greenspace protection covenant along the shoreline, which does somewhat protect the marine shoreline area from further impacts but would not provide public access at this time.

If the proposed single large Guest House lot is looked at as an interim step from the current rural residential zoning, it is possible that that the full public benefit could be realized at a future date if/when further subdivision and/or changes in land use were being considered. A covenant could be placed on the title of the proposed GH lot, to restrict further subdivision until the marine shoreline area of the GH lot were dedicated as park and a public trail built to the Wild Pacific Trail standards. This compromise would allow the applicant to use the land for their private home at this time, and retain the potential for further public access, tied to future development of the site. At the same time, full public access is proposed adjacent to the proposed campground portion of the site. This compromise approach to public access is supportable in light of the short- and long-term context.

Currently, the public right-of-way containing Minato Road is currently 10m wide; half the regular 20m right-of-way width. Therefore, roadway dedication along the length of the property will be required as a condition of subdivision to achieve the standard 20m corridor for public access and utilities. The owner has cleared part of this future expansion area next to the proposed Guest House parcel, in a location likely to be used for a public water access trail from the end of Minato Road to Olsen Bay. As part of the development of this property, replanting of this area in native species trees and underbrush should be secured prior to approval of the subdivision plan.

#### Campground Property

The applicant is proposing a campground with both tent camping spaces and two types of recreational vehicle (RV) camping:

- short-term camping normally associated with RV camping and tourist use; and,
- longer-term RV camping.

The longer-term RV camping is proposed to benefit Ucluelet's housing spectrum with a form of housing that is more transient in nature. Also proposed are three auxiliary buildings, internal circulation roads and dedicated park lands (see **Figure 5**).

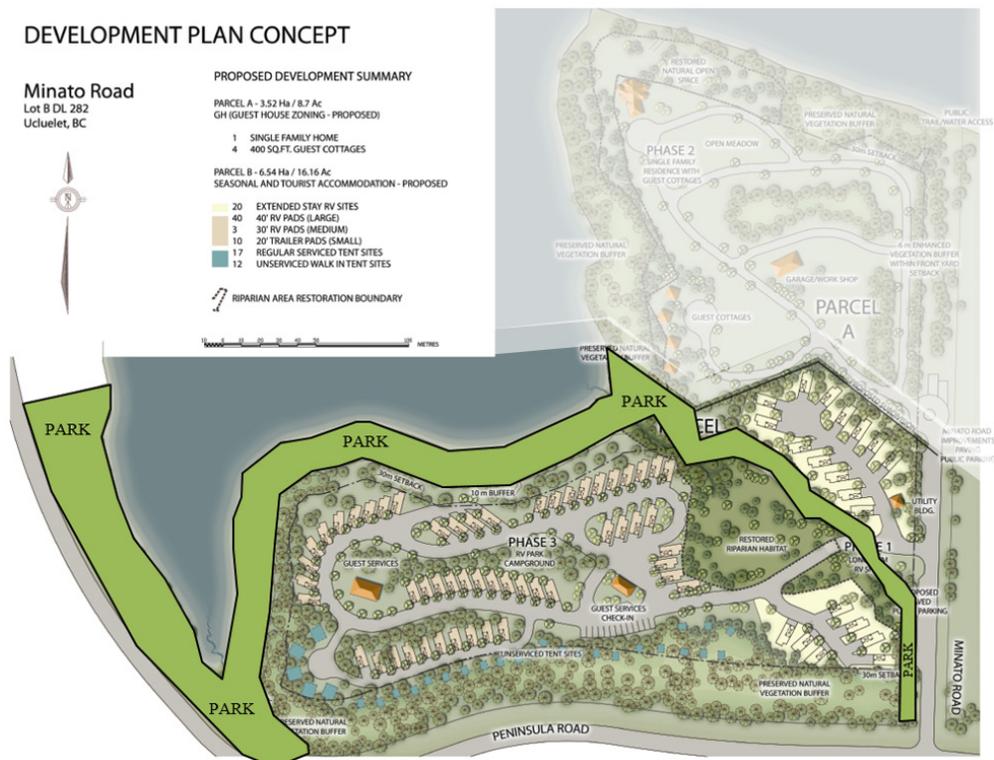


Figure 5 – Campground Parcel

The above sketch highlights the basic elements and layout of 3.85-acre (approx.) proposed campground lot. Indicated are the areas proposed for park (in green), the tent spaces (in turquoise), and differentiates the short term and long-term RV spaces (in light green). The proposed campsite development consists of:

- 20 Long-Term RV spaces
  - 52 Short-Term RV spaces
  - 14 tent spaces
  - 15 tent spaces (within the Peninsula Road 30m green space covenanted area)
- 
- 101 total camping spaces**

At capacity this development would present a significant change to this area of town. Movement of cars and RV's to and from the subject property, camp fires and other impacts naturally follow 200 to 400 people and their pets. For comparison the Ucluelet Campground is of similar area and advertises 125 spaces within 13 acres. Staff are recommending that, as a condition of a DP for the subdivision which would create the campground parcel, the owner be required to provide a traffic safety analysis for the District and Ministry of Transportation and Infrastructure review of the expected impact and any improvements required for Peninsula Road as a result of this development.

The applicant has indicated that the first phase of the development is to be a form of seasonal housing with RV spaces that would allow camping for a term of six months minus a day. Done right the proposed long-Term camping could add an element of flexible housing for seasonal workers. If it were not managed properly, this use could become unsightly and present a burden to municipal building and bylaw enforcement staff.

The applicant has offered a 20m park dedication plus a 10m greenspace covenant along the marine shoreline area and a 10m park dedication for a trail in the riparian area of *Stream No.1*. This dedication is less than what Staff consider appropriate, taking into account the direct benefit to the guests of the proposed campground, and the area reasonably necessary to protect the marine shoreline and riparian areas from further impact. Staff recommend a full 30m marine shoreline park dedication, plus dedication of the entire *Stream No.1* riparian area.

Considering that campgrounds have minimal infrastructure and could be converted to a higher density at some point in the future, campground use is supportable. A new campground in close proximity to the village core may also have a positive economic effect as its guests patronize the community's commercial businesses.

If this proposal is to move forward, staff will recommend creating a new zone specifically for campgrounds. This will allow the clear distinction of density limits and appropriate setbacks for campsites. This zoning designation could be applied to future and existing campgrounds. The bylaw would need to update the current definition for "*Campground*" to specifically allow short-term camping, and then create a new definition for "*Long-Term Camping*". To differentiate the long- and short-term uses for the proposed lot, Staff consider the best approach would be to zone the entire campground lot for camping use (i.e., short-term) and then issue a Temporary Use Permit (TUP) for long-term camping in the proposed designated area. This initial approach would allow Council and the community an ability to assess the success of this long-term camping / seasonal housing approach and modify conditions for this new land use, if necessary.

### Park lands

The addition of the proposed campground use represents a significant up-zoning of the property. To be consistent with the OCP policy and guidelines, and offer the community a clear public benefit, the applicant has offered dedicated park areas as indicated in green above (see **Figure 5**). This park, as described, is to preserve this pristine marine shoreline area, provide access for the general public, and serve as access for the guests of the proposed campground to the broader District trail system. It will be important that the trails and viewing platforms within this park be constructed prior to the campground opening. The trail would be a significant amenity for guests of the proposed campground. Properly defined trail facilities and access points will be important to provide safe access, views of Olsen Bay and beyond, and to protect the marine shoreline ecosystem. (see **Figure 6**).



Figure 6 – Suggested Trails and viewing platform

Without a defined trail system and viewing platforms, it can be expected that increased use brought about by the campground development would result in environmental damage to the shoreline, the marine environment, and to the riparian areas.

This section of trail would be approximately 840m long; total approximate cost of the trail and viewing platforms would be approximately \$100,000. Staff recommend that dedication of the park corridor be a condition of the rezoning and be completed as part of the initial subdivision. The owners have not offered to contribute at this time to the cost of constructing this section of trail. If development of the short-term campground (shown as phase 3) does not occur for some time, the District could proceed with trail construction independent of the property owners (i.e., seeking funding from other sources). Staff recommend that completion of the trail construction – with or without the owners' financial contribution – be a pre-condition to development of the short-term campground. In other words, if the trail has not yet been constructed, and the owners wish to develop the campground, they could accelerate its construction by partnering with the District to help with construction costs. Either way, it is important that the trail infrastructure be completed before campers are on site seeking access to Olsen Bay.

Staff suggest that the entire riparian area of *Stream No.1* (shown in blue below) and a full 30m marine shoreline area be dedicated as park lands (see **Figure 7**).



Figure 7 – Extended Park Area

The applicant is also requesting to locate tent sites within an area that is covenanted in the name of the District of Ucluelet for a 30m green space buffer (EV124432) running along the Peninsula Road frontage. Staff do not support this request; a fully green and treed Peninsula Road Corridor is an important feature to the overall experience of the entrance to town for both visitors and residents alike. Construction new commercial use within this green buffer is contrary to the OCP guidelines.

### **DP19-02 - Development Permit for Subdivision**

Pending an indication of support for the concept of rezoning the property for the proposed uses, Staff have not requested that the owners provide the full studies and documentation required for this DP at this time. Some elements of the development could be reasonably defined in more detail and approved at the subdivision stage. The following is a cursory review of DP requirements.

The Former Forest Reserve Lands Development Permit Area (DPA No.8), is established for the purposes of:

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

For the relevant guidelines see the analysis section above and in section “1.2 Regulatory Review” of the Environmental Impact Assessment Report (**Appendix B**).

#### *Protection of the natural environment, its ecosystems and biological diversity*

As discussed above, the site’s marine shoreline and riparian areas will be replanted under DP19-01. This DP will focus on the subdivision and the proposed campground and GH property. The combination of a 30m Marine Shoreline area park dedication and 30m greenspace protection covenant area back from the natural boundary meets the OCP Guidelines which state:

*“No development can approach within 30m of the highwater mark around the sensitive marine wetlands indicated on the map below”*

If developed as described, this would be consistent with the above guideline. The built elements of the development would be set back from the natural boundary and the riparian areas, and these setbacks areas are also specified under a recent environmental management plan. Staff consider that the management plan (**Appendix C**) is consistent with the OCP if all recommendations from that plan are implemented and monitored by the QEP.

#### *Protection of development from hazardous conditions*

The majority of the built form of this development is above 7m from the natural boundary. This proposal does not appear to be subject to hazardous conditions as presented. The Building Inspector will have the opportunity to review site specific conditions at the time of building permit and can require geotechnical reviews to specific conditions, if required.

#### *Establishment of objectives for the form and character of development in the resort region*

The Former Forest Reserve Lands is the largest of Ucluelet’s Development Permit Areas. Special conditions of this landscape include some of the district’s richest forested habitat and the potential for spectacular residential and commercial development. Covering roughly half of Ucluelet’s land

base, the area is largely untouched by development - offering an excellent opportunity to carefully build on the sense of place as development progresses. Objectives of this DPA include protecting the natural qualities that make this place so special. The following are considered key DP guidelines for this development:

- *The layout of the proposed collector through DPA No. 8 that runs parallel to the Pacific Rim Highway, must respond to the natural conditions and topography of the land. Adequate vegetative buffering along the frontage of the road should also be retained to provide an attractive entrance into the community. A tree preservation plan should be a major priority in order to preserve this spectacular natural environment.*
- *All developments should respect archaeological resources and comply with all relevant statutes and regulations for the protection thereof. The District may require, at their discretion, that the applicant provide at their own cost an archaeological assessment report;*
- *Developments shall strive to create openness, connections, or views to the waterfront areas through open spaces or pathways. No development shall impede public access to the foreshore beyond private property boundaries;*
- *A landscape preservation plan for all developments must be included as part of the development application process in order to ensure protection of existing significant trees and shrubs. This will include plans showing pre and post-development conditions in order to prevent over-cutting;*
- *All sitka spruce must be identified by a qualified arborist and, where they are determined to be healthy, preserved;*

#### Proposed Subdivision

The proposed lot layout is straightforward, splitting the property roughly in line with the area of the stream corridor. The proposed layout would enable both lots to have access from Minato Road, and is supportable.

#### Vehicle Access and Traffic Safety

As mentioned above, full civil drawings have not been supplied for this proposal. Road dedication to widen the Minato Road right-of-way from 10m to the standard 20m road allowance will be required as part of the subdivision. The applicant has indicated 3.6m paved road lanes, parallel parking, a standard turnaround and parking areas at the end of the paved turnaround. The proposed development will also likely require a pedestrian crossing of Peninsula Road at Minato Road which would need to be constructed to Ministry of Transportation and Infrastructure Standards. Staff recommend that a traffic safety analysis be required prior to subdivision. With the density of visitor use proposed in the campground, providing safe and enjoyable pedestrian circulation, including connections to the multi-use path on Peninsula Road, will be key.

#### Public Pedestrian Access

The owners' proposal falls short of providing the full access and connections directed in the OCP, but subject to the conditions recommended in this report the development is supportable considering both the short- and long-term development potential of this site. The park dedication and trail connection following the stream corridor and shoreline would provide an excellent addition to the community trail network, as part of the long-term Safe Harbor Trail extending from the small craft harbor to the Onni lands and connecting to the Ancient Cedars Loop of the Wild Pacific Trail.

#### Landscaping, Tree Retention and Removal

All remaining mature trees are to be retained. Full detailed civil and landscape plans of the campground – including tree retention measures - will be required as part of a future DP application for the campground development.

#### Storm Water Management

At this time the applicants have not submitted civil engineering design including storm drainage. The detailed design will be required as part of the future campground DP and subdivision approvals. It could be expected that Minato Road will be developed to the alternative standard used in both the Rainforest and OceanWest subdivisions. On-site features for retention and filtering of sediment to ensure water quality in Olsen Bay will be expected as part of the runoff control design.

#### Sewage Disposal

The applicant will be required to run a sewer main to municipal standards down Minato Road at their expense to serve the proposed lots. The civil engineering design may involve a pump station at the north end of Minato Road to push wastewater to the Peninsula Road sewer main. Any proposed works by the owners' civil engineer will be reviewed by the District of Ucluelet's engineering consultants prior to subdivision approval.

#### Water Supply

The proposed lots created will need to be fully serviced and water meters installed as part of the subdivision. The owners' engineer will be required to review the adequacy of the existing municipal infrastructure in this location for water service, including fire protection, and make upgrades at their expense if necessary.

#### **OCP Designation:**

The 2011 OCP designates the site as Comprehensive Development, and includes policy 3.9.ii(4):

*"The area on Minoto Road [sic] north of Peninsula Road is designated for Comprehensive Development. This area is envisioned primarily as a residential community with significant tree retention. The shoreline is recognized as having important ecosystem values. A greenbelt should be maintained along the shoreline."*

With awareness of the clearing which has subsequently occurred on the site, the Land Use Map in the draft 2019 OCP indicates a portion of the property designated as Tourist Commercial, consistent with the potential campground uses in this location.

Staff consider the campground uses as a potentially positive addition to town, and the long-term camping aspect for seasonal workers is worth pursuing as a pilot for addressing a current affordable housing need.

#### **DVP19-02 Development Variance Permit**

The owners are requesting a variance to permit an 8' increase to the maximum building height for their proposed home. Given the location of the house and size of the property, the added height would have no impact on neighbouring properties. Subject to public comment, the requested variance is supportable.

**SD19-02 - Subdivision review**

Once a DP is issued by Council for the proposed layout, review of the subdivision of this property is the responsibility of the municipal Approving Officer. This step is a technical review for conformity with all policies and regulations of the OCP, Zoning Bylaw, Subdivision Services Control Bylaw and all applicable federal and provincial laws and regulations. Prior to final subdivision approval, the applicant will be required to produce full civil engineering drawings for water, sewer, storm drainage, electrical service and roads. The applicant may also need geotechnical and environmental studies and to complete an archeological assessment.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

If this application is approved, Staff time will be required to prepare the necessary bylaw and permits for Council consideration, and coordinate the process for the rezoning, DP and the subsequent subdivision. A public hearing would need to be scheduled to gather community input on the rezoning bylaw, Temporary Use Permit and Development Variance Permit. As part of the subdivision process the municipal Approving Officer will be required to create a Preliminary Layout Assessment (PLA) and staff will be required to assist and monitor that process as well.

**FINANCIAL IMPACTS:**

Each of the 2 lots in this subdivision will incur a Development Cost Charge (DCC) of \$12,882. It should be noted that under the current DCC bylaw, campground development does not currently trigger DCC's - even though there would be an expected incremental impact to the District's infrastructure as a result of the proposed uses.

**POLICY OR LEGISLATIVE IMPACTS:**

Subject to the conditions recommended in this report, the restoration of the property and proposed development of the site would be aligned with the OCP.

**SUMMARY:**

The previous environmental damage to the property has been done, and the owners have taken steps to begin rectifying that damage. The campground and guest house development proposal is supportable subject to the conditions described in the recommendation of this report. Alternatively, the most sensitive areas of the site could be restored according to the QEP recommendations and left as a large rural property with some potential for further development at a future date.

**OPTIONS REVIEW:**

The six recommended motions at the outset of this report would authorize the site work to complete the restoration of the site and set in motion the process of further Council consideration – with public input – of the various elements required for development of the property according to the owner’s submitted plans. Alternatively, Council could consider the following options:

7. **THAT** Council issue Development Permit DP19-01 for the restoration of the previously damaged riparian and marine shoreline areas of the property at 221 Minato Road, and direct the following:
  - a. That the site restoration work be completed to the satisfaction of the QEP and the District within 12 months;
  - b. That no other permits for site works or development on the property be considered until the site restoration work under DP19-01 has been completed to bring the property into compliance with municipal bylaws; and,
  - c. That the municipal solicitors be instructed, if the site restoration has not been completed within 12 months, to initiate legal proceedings to compel the owners to restore the site and compensate the District for costs and damages as a result of site clearing activities contrary to the Official Community Plan Bylaw No. 1140, 2011.

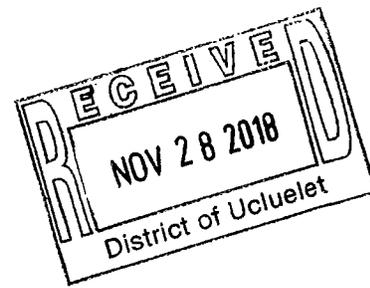
**Or,**

8. **THAT** Council defer consideration pending receipt of further information requested of the applicant.

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

Appendix A

District of Ucluelet Planning Department  
 200 Main Street,  
 POBox 999,  
 Ucluelet, BC,  
 V0R3A0



November 27, 2018

Attn: Bruce Creig

Re: Development Permit with Variance, Lot B DL 282, Clayoquot District, Plan VIP79908  
 The Former Forest Reserve Lands Development Permit Area (DPA No.8)

This letter of intent is to inform the District of Ucluelet our intent to sub-divide and rezone the property described as (Lot B DL 282, Clayoquot District, Plan VIP79908), The Former Forest Reserve Lands Development Permit Area (DPA No.8) in order to phase development of a single family residence with accessory building and guest cottages on one parcel (see Parcel A on the development plan) and a Campground/RV Park on the other (see Parcel B on the development plan).

**Phase 1** is the development of 20 Extended Stay RV pads with full servicing in response to a shortage of seasonal worker accommodation and longer term temporary housing. Phase 1 will be developed in conjunction with fulfilling the riparian area restorations as outlined in the report prepared by Aquaparian Environmental Consulting Ltd.

**Phase 2** of the plan is to build a single family home with accessory building as well as 4 Guest Cottages (400 sq.ft.) under a requested GH zoning. The single family residence as designed would require a variance to the height restriction which is proposed to be 36 ft max height of roofline and architectural features.

**Phase 3** consists of a Campground/RV Park. We are proposing as a component of the development a public trail easement through the property along/through the restored riparian area to link the intersection of Minato Rd and Peninsula Rd to the waterfront which would then connect back to Peninsula Rd and along the waterfront to the North boundary of the property within a 20 meter wide 1 Ha Public Park Dedication with a 10 meter preserved natural buffer between the Park Dedication area and the campground development. In order to preserve the visual screening along Peninsula Road small tent sites would be located in existing pockets of natural clearing. Where necessary, enhanced vegetative buffers will be installed using native plant material between individual tent sites and Peninsula Road.

Sincerely

Rick and Rebekka Lim

Date:

Nov 28 2018

# DEVELOPMENT PLAN CONCEPT

**Minato Road**  
 Lot B DL 282  
 Ucluelet, BC

## PROPOSED DEVELOPMENT SUMMARY

PARCEL A - 3.52 Ha / 8.7 Ac  
 GH (GUEST HOUSE ZONING - PROPOSED)

- 1 SINGLE FAMILY HOME
- 4 400 SQ.FT. GUEST COTTAGES

PARCEL B - 6.54 Ha / 16.16 Ac  
 LONG TERM AND TOURIST ACCOMMODATION - PROPOSED

- 20 EXTENDED STAY RV SITES
- 40 40' RV PADS (LARGE)
- 3 30' RV PADS (MEDIUM)
- 10 20' TRAILER PADS (SMALL)
- 17 REGULAR SERVICED TENT SITES
- 12 UNSERVICED WALK IN TENT SITES

 RIPARIAN AREA RESTORATION BOUNDARY

 PUBLIC TRAIL ALIGNMENT



PREPARED BY:

**The Design Centre**  
 RESIDENTIAL & RESORT  
 PLANNING & DESIGN

7-1920 Lyche Rd.  
 Ucluelet, BC  
 250.726.3973

PREPARED FOR:

**BNEE Enterprises Ltd**  
**Pirates Bay Holdings Ltd**  
 2040 Peninsula Rd  
 Ucluelet, BC

MINATO ROAD  
 IMPROVEMENTS  
 PAVING  
 PUBLIC PARKING  
 WATERFRONT ACCESS  
 TRAIL



PROPOSED  
 PUBLIC ACCESS  
 TRAIL EASEMENT

PROPOSED  
 PUBLIC ACCESS  
 TRAIL EASEMENT

# PHASING PLAN

Minato Road  
Lot B DL 282  
Ucluelet, BC

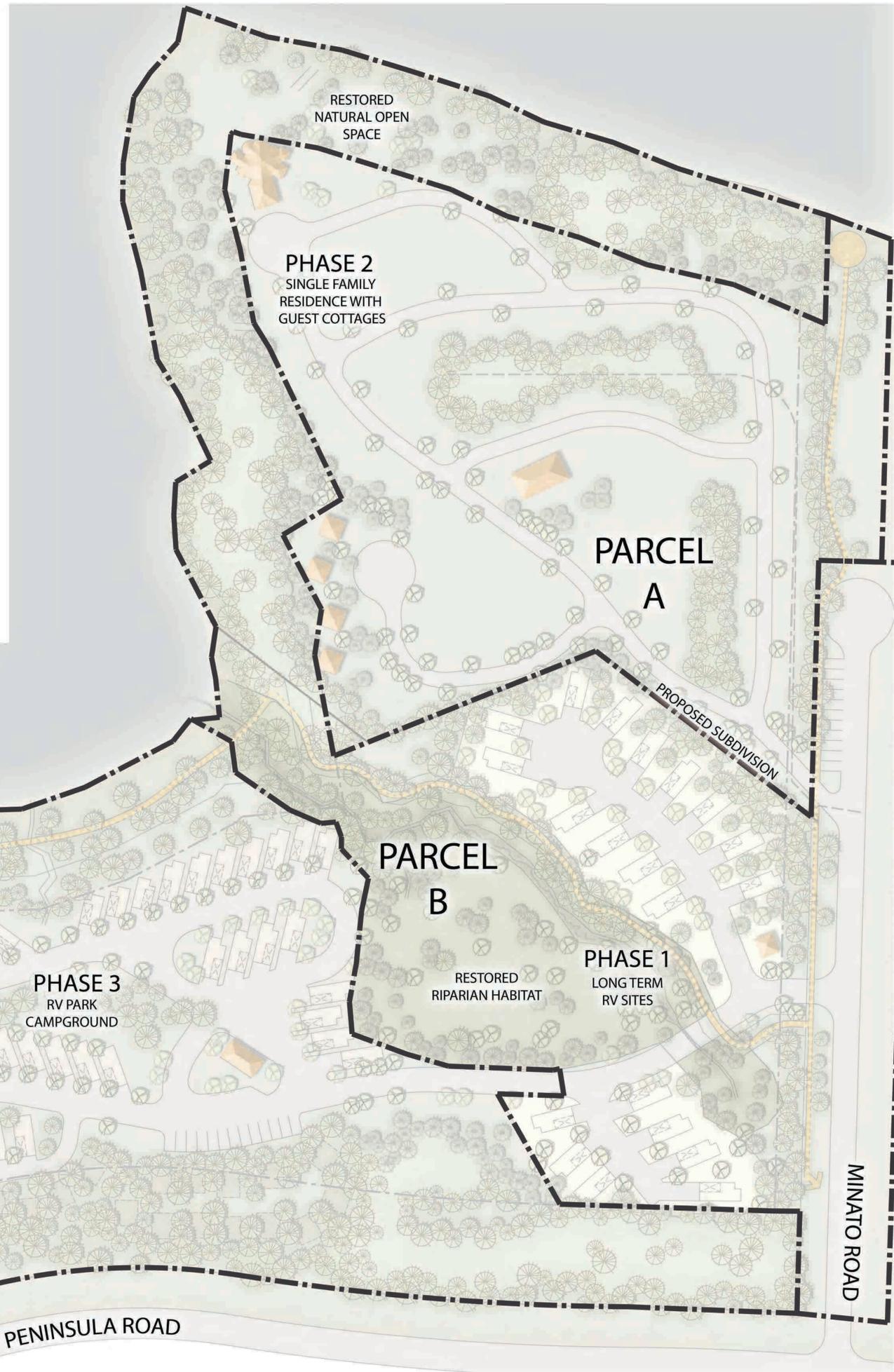
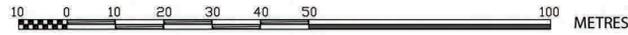


## PHASING PLAN SUMMARY

PHASE 1  
RIPARIAN HABITAT RESTORATION  
LONG TERM RV SITES  
MINATO ROAD IMPROVEMENTS

PHASE 2  
SINGLE FAMILY RESIDENCE  
4 GUEST COTTAGES  
MINATO ROAD WATERFRONT VIEWPOINT ACCESS TRAIL

PHASE 3  
RV PARK/CAMPGROUND  
PUBLIC PARK DEDICATION  
PUBLIC TRAIL EASEMENT



PREPARED BY:

The  
Design  
Centre

RESIDENTIAL & RESORT  
PLANNING & DESIGN

7-1920 Lyche Rd.  
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PREPARED FOR:

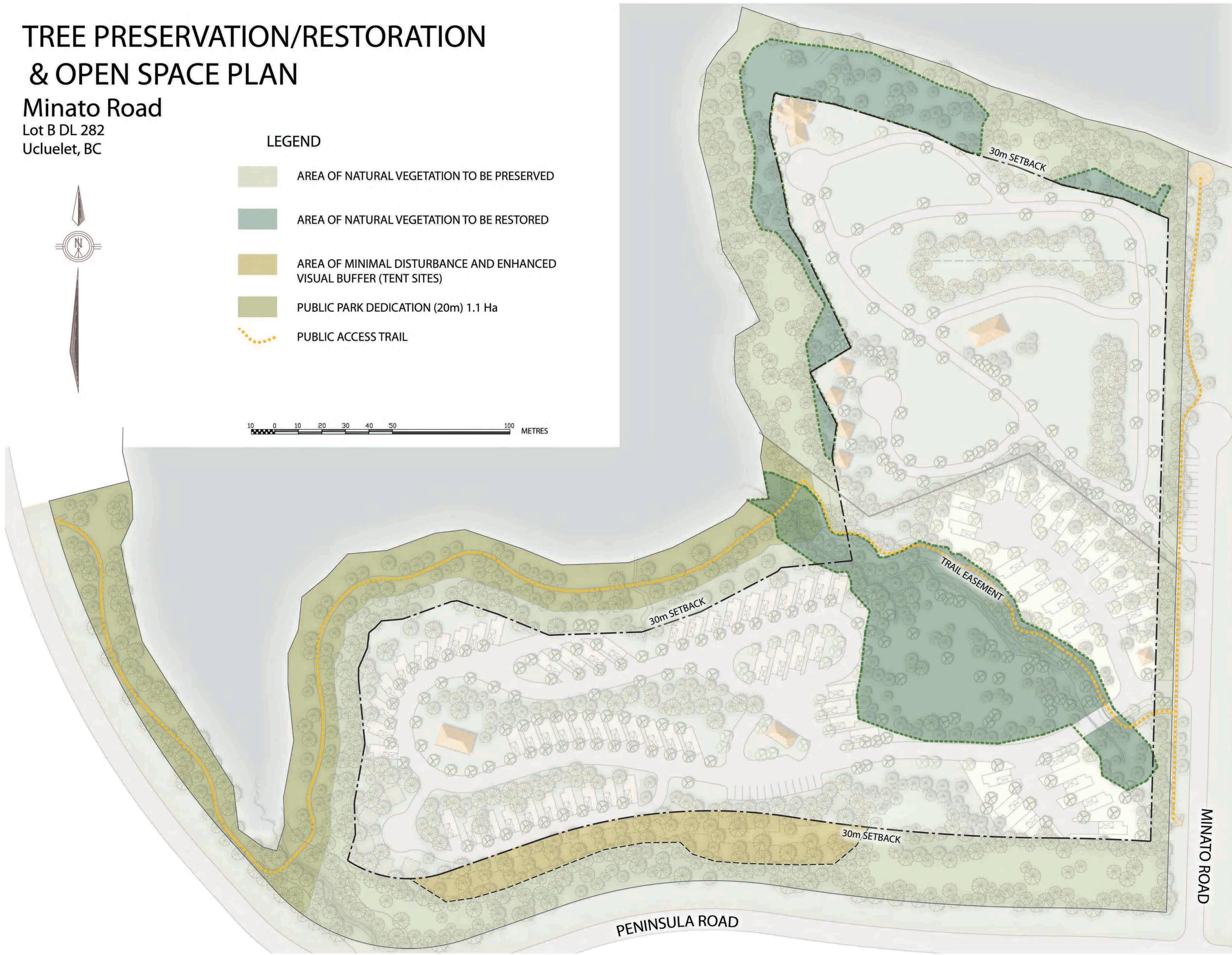
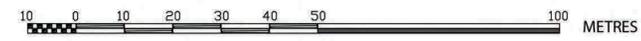
BNEE Enterprises Ltd  
Pirates Bay Holdings Ltd  
2040 Peninsula Rd  
Ucluelet, BC

# TREE PRESERVATION/RESTORATION & OPEN SPACE PLAN

Minato Road  
Lot B DL 282  
Ucluelet, BC

## LEGEND

-  AREA OF NATURAL VEGETATION TO BE PRESERVED
-  AREA OF NATURAL VEGETATION TO BE RESTORED
-  AREA OF MINIMAL DISTURBANCE AND ENHANCED VISUAL BUFFER (TENT SITES)
-  PUBLIC PARK DEDICATION (20m) 1.1 Ha
-  PUBLIC ACCESS TRAIL



PREPARED BY:

*The Design Centre*

RESIDENTIAL & RESORT  
PLANNING & DESIGN

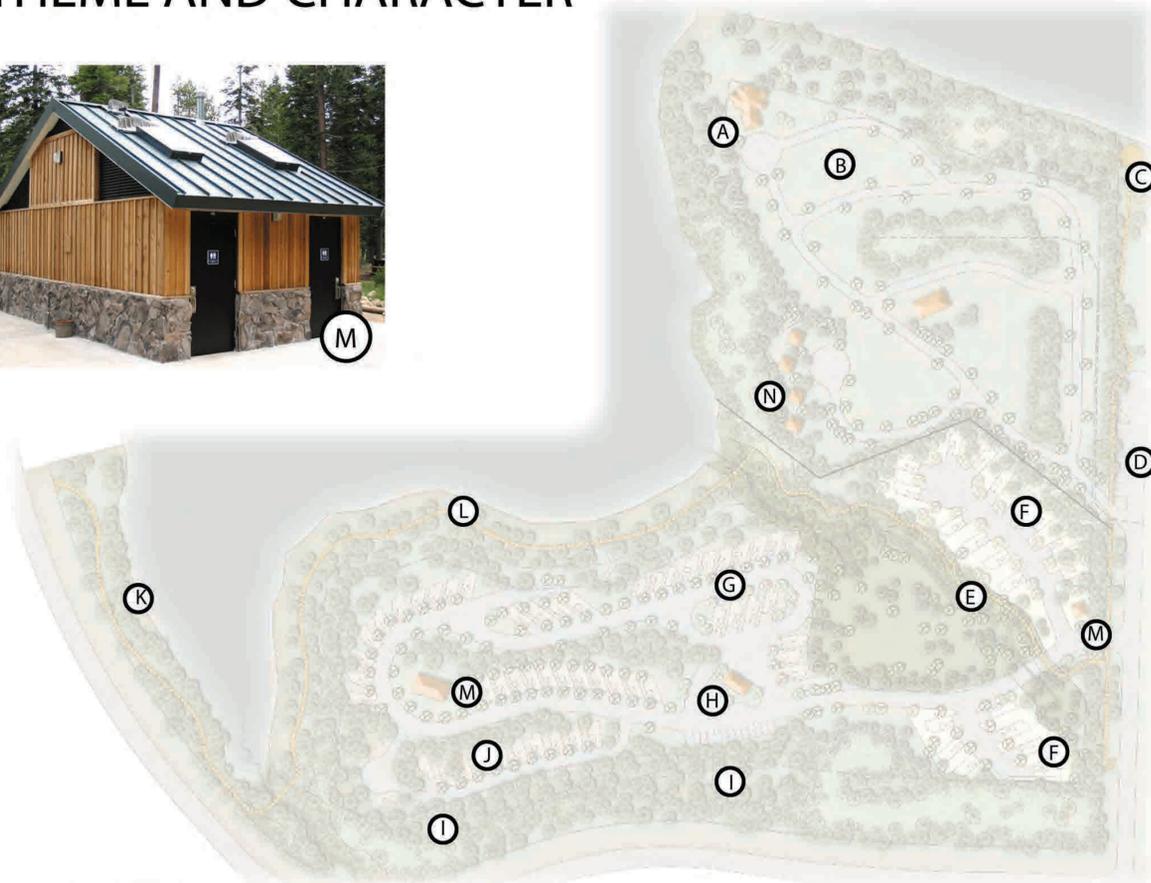
7-1920 Lyche Rd.  
Ucluelet, BC  
250.726.3973

PREPARED FOR:

**BNEE Enterprises Ltd**  
**Pirates Bay Holdings Ltd**  
2040 Peninsula Rd  
Ucluelet, BC



# THEME AND CHARACTER



PREPARED BY:



7-1920 Lyche Rd.  
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PREPARED FOR:

**BNEE Enterprises Ltd**  
**Pirates Bay Holdings Ltd**  
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ASTTBC ASTTBCBD  
TECHNOLOGY BUILDING DESIGNER  
PROFESSIONALS

DESIGNER SEAL

ENGINEER SEAL

CLIENT

FOR INFORMATION ONLY

7	Planning - SF Totals	2018.11.08
6	Planning Review 1	2017.11.02
5	Client Review 1	2017.10.31
4	Concept Approved	2017.10.10
3	Concept Review 3	2017.09.06
2	Concept Review 2	2017.08.30
1	Concept Review 1	2017.08.02

ISSUED FOR

- BUILDING PERMIT
- PRICING REVIEW
- CLIENT APPROVAL
- CLIENT REVIEW

ISSUED DATE: 2018.11.08

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DATUM POINT STUDIOS, INC. A PROFESSIONAL CORPORATION

PROJECT NO 17.03 DRAWN: AW

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

PROJECT

## Residential Project

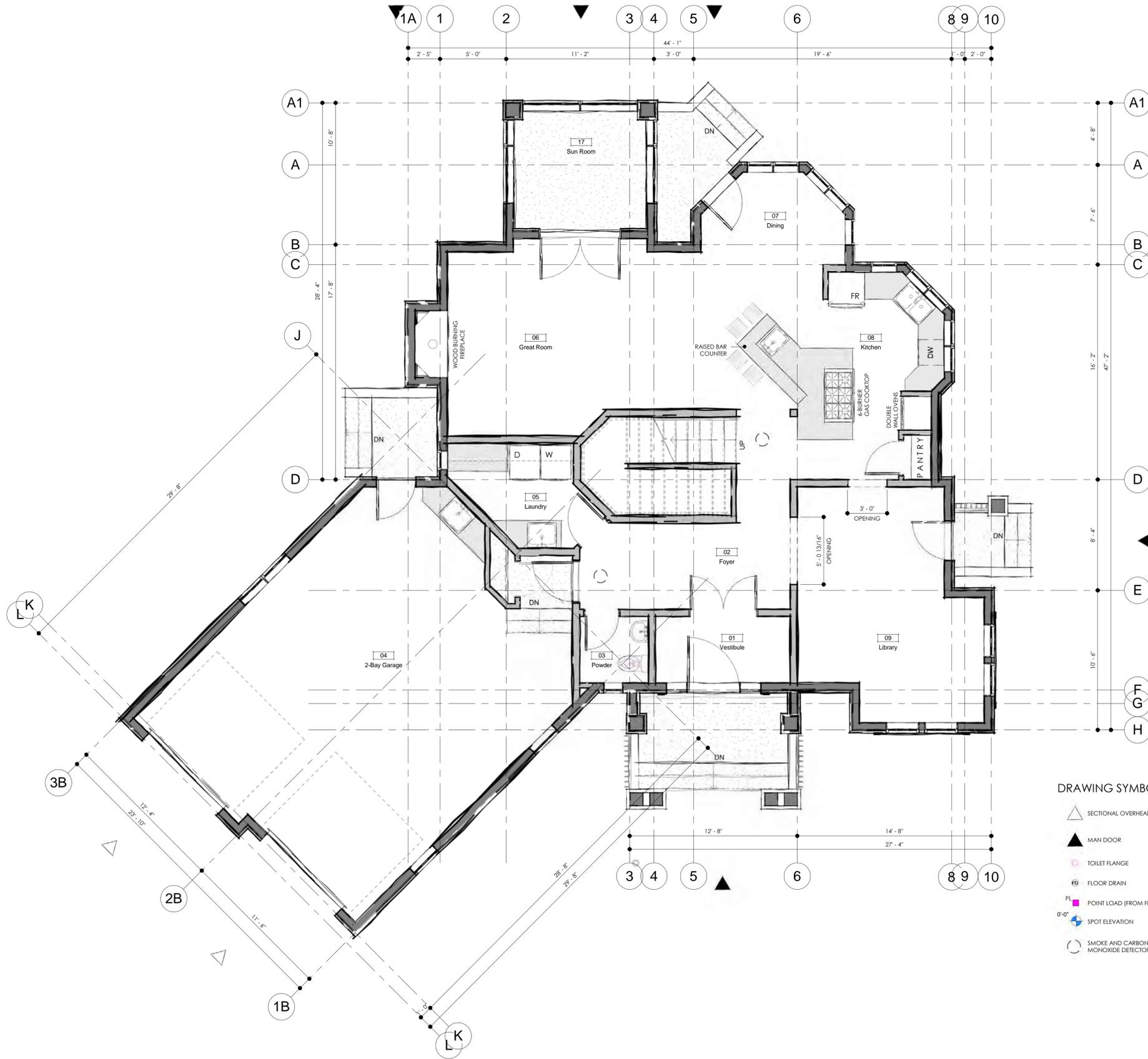
Lot B, 286 Minto Road, Ucluelet, BC

SHEET TITLE

## First Floor Plan

SHEET NUMBER

# A2.1



### DRAWING SYMBOL LEGEND

- SECTIONAL OVERHEAD GARAGE DOOR
- MAN DOOR
- TOILET FLANGE
- FLOOR DRAIN
- POINT LOAD (FROM FLOOR ABOVE)
- SPOT ELEVATION
- SMOKE AND CARBON MONOXIDE DETECTOR

### FIRST FLOOR AREA

TOTAL	1 300 SF (FINISHED AREA)
TOTAL	638 SF (GARAGE AREA)

### TOTAL FLOOR AREAS

TOTAL	3 102 SF (FINISHED AREA)
-------	--------------------------



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6	Planning Review 1	2017.11.02
5	Client Review 1	2017.10.31
4	Concept Approved	2017.10.10
3	Concept Review 3	2017.09.06
2	Concept Review 2	2017.08.30
1	Concept Review 1	2017.08.02

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PROJECT NO 17.03 DRAWN: AW

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

PROJECT

### Residential Project

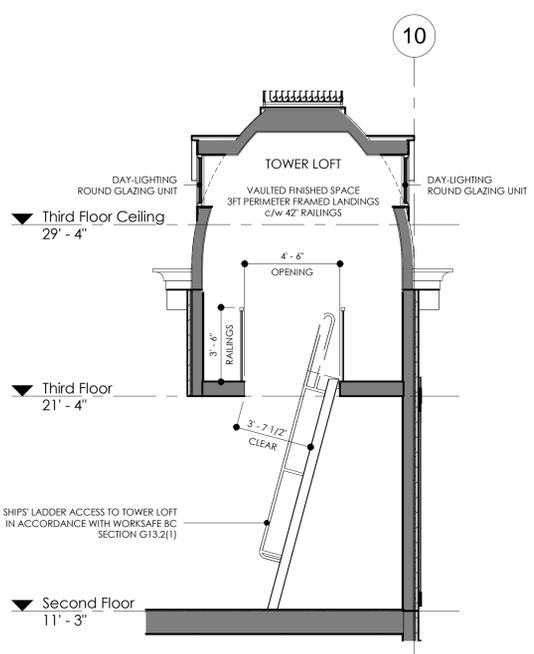
Lot B, 286 Minto Road, Uclulet, BC

SHEET TITLE

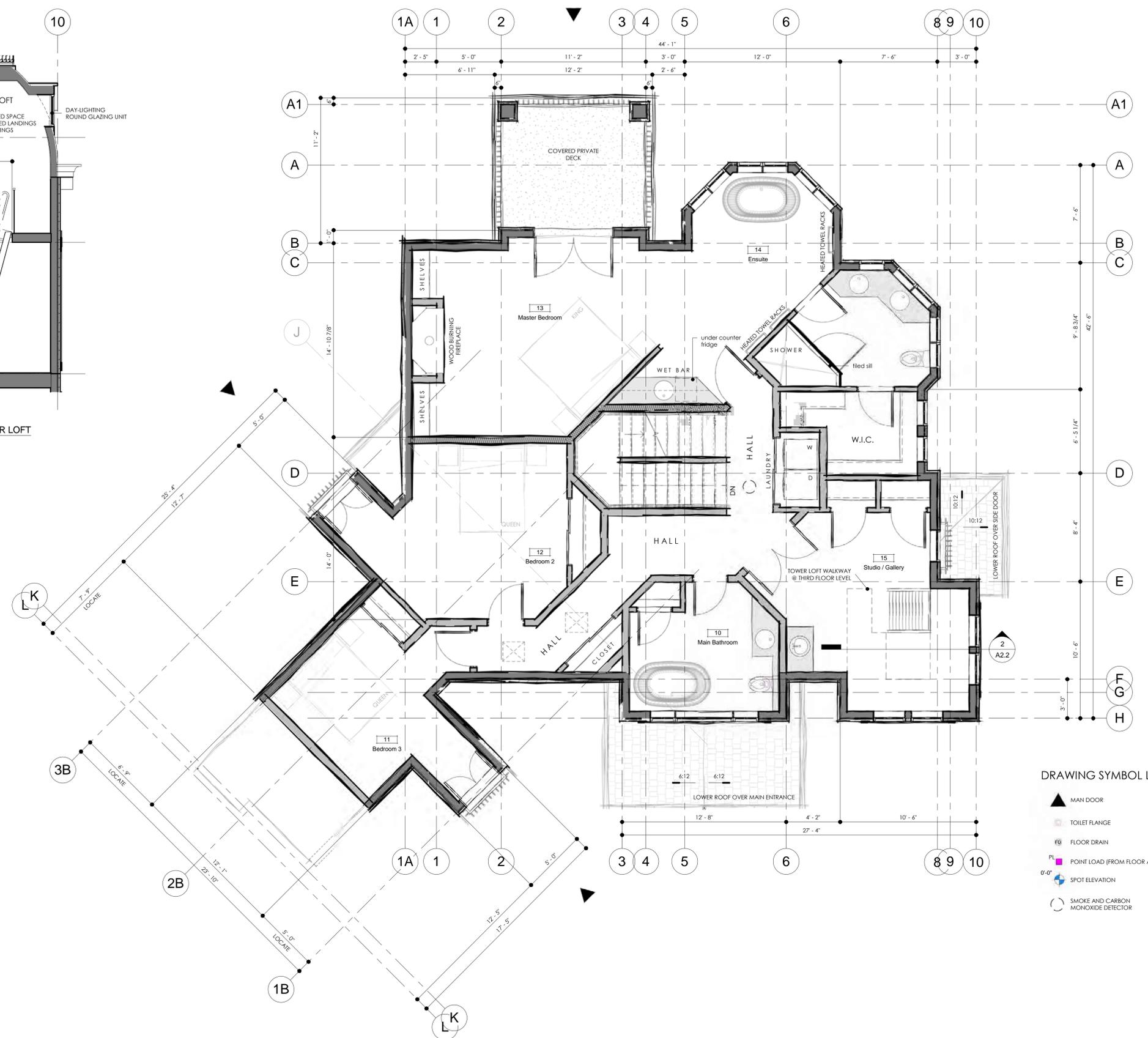
## Second Floor Plan

SHEET NUMBER

# A2.2



2 SECTION @ TOWER LOFT  
A2.2 1/4" = 1'-0"



#### DRAWING SYMBOL LEGEND SECOND FLOOR AREA

- MAN DOOR
  - TOILET FLANGE
  - FLOOR DRAIN
  - POINT LOAD (FROM FLOOR ABOVE)
  - SPOT ELEVATION
  - SMOKE AND CARBON MONOXIDE DETECTOR
- TOTAL 1 590 SF (FINISHED AREA)



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PROJECT NO 17.03 DRAWN: AW

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

PROJECT

### Residential Project

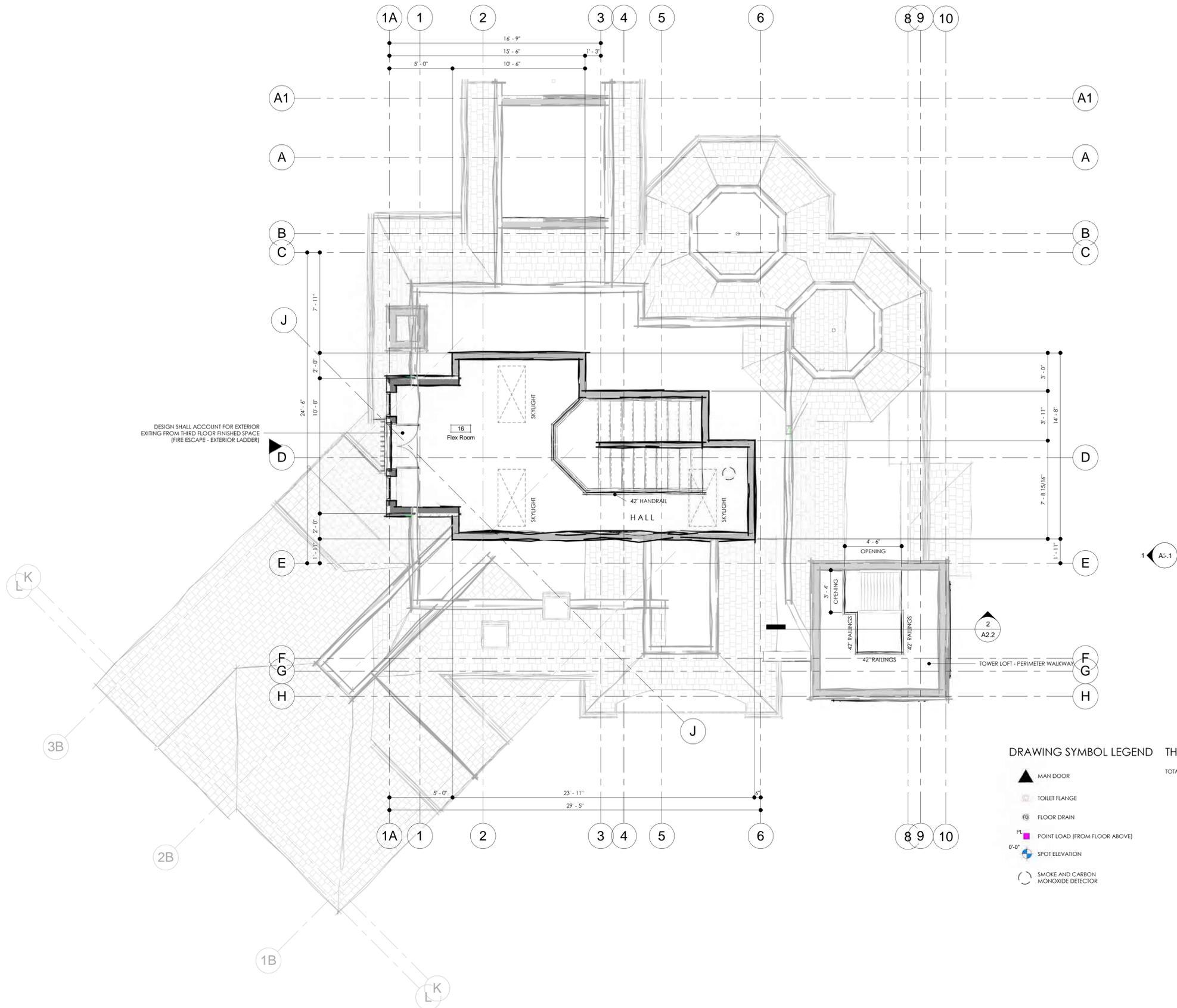
Lot B, 286 Minto Road, Ucluelet, BC

SHEET TITLE

### Third Floor Plan

SHEET NUMBER

# A2.3



#### DRAWING SYMBOL LEGEND THIRD FLOOR AREA

- MAN DOOR
- TOILET FLANGE
- FLOOR DRAIN
- POINT LOAD (FROM FLOOR ABOVE)
- SPOT ELEVATION
- SMOKE AND CARBON MONOXIDE DETECTOR

TOTAL 212 SF (FINISHED AREA)





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1 PERSPECTIVE - FRONT  
A3.3



2 PERSPECTIVE 1  
A3.3



3 PERSPECTIVE 2  
A3.3



4 PERSPECTIVE 3  
A3.3



5 PERSPECTIVE 4  
A3.3

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PROJECT NO 17.03 DRAWN: AW

SCALE: CHECKED: -

PROJECT

### Residential Project

Lot B, 286 Minto Road, Ucluelet, BC

SHEET TITLE

### Perspective Views

SHEET NUMBER

# A3.3



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PROJECT NO 17.03 DRAWN: AW

SCALE: As Indicated CHECKED: -

PROJECT

## Residential Project

Lot B, 286 Minato Road, Ucluelet, BC

SHEET TITLE

## Site Plan and Zoning Data

SHEET NUMBER

# C1.2

**PROPERTY INFORMATION**

SITE ADDRESS (CIVIC)	221 MINATO ROAD, UCLUELET, BC		
PARCEL (LEGAL)	PLAN OF SUBDIVISION OF PART OF LOT 5, DISTRICT LOT 286, CLAYOQUOT DISTRICT, PLAN V1P75113		
ZONING	RU - RURAL RESIDENTIAL ZONE District of Ucluelet Zoning Bylaw No. 1160, 2013, Schedule B - The Zones		
LOT AREA	MINIMUM AREA PERMITTED:	10 HECTARES [24.7 ACRES]	
	PROPOSED:	9.9 HECTARES [24.46 ACRES]	
LOT COVERAGE	MAXIMUM AREA PERMITTED:	3 %	
	PROPOSED:	0.002 %	
SETBACKS	FRONT	REQUIRED: 33.00 FT [10.0M]	
		PROPOSED: 574.00 FT [175.0M] *ACCESS ROAD	
	SIDE	REQUIRED: 33.00 FT [10.0M]	
		PROPOSED: 186.00 FT [56.7M] *FORESHORE	
	REAR	REQUIRED: 33.00 FT [10.0M]	
		PROPOSED: 164.00 FT [49.9M] *FORESHORE	

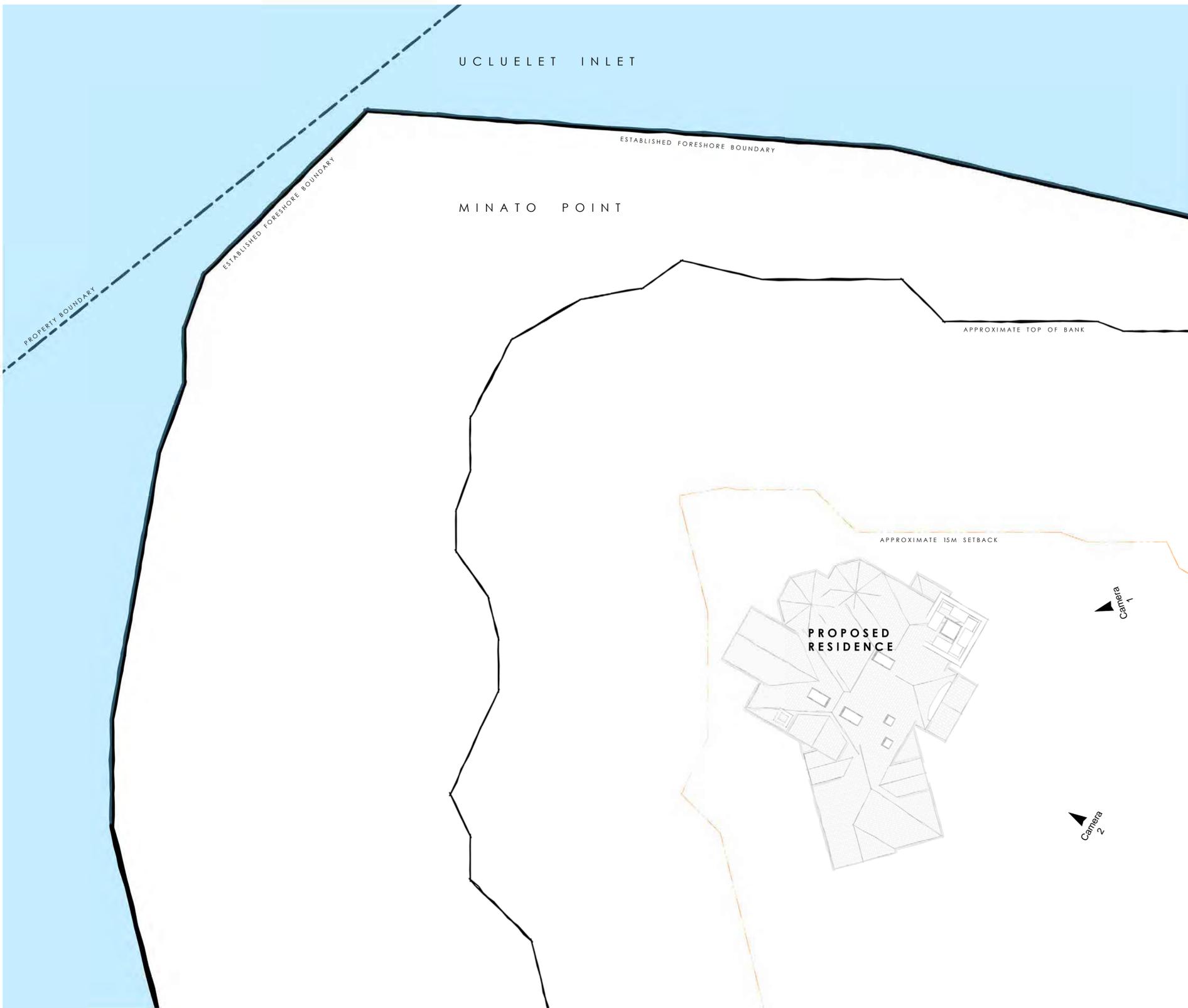
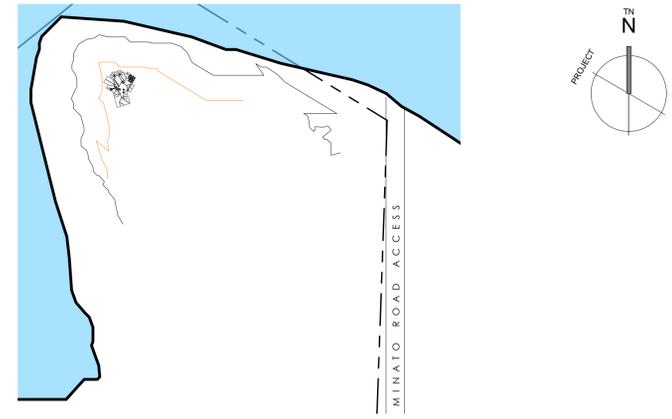
**BUILDING INFORMATION**

MAXIMUM HEIGHT:	ALLOWED:	28.0 FT [8.53M]	
	PROPOSED:	36.0 FT [10.9M]	THEREFORE 7.77 FT [2.37M] HEIGHT RELAXATION REQUIRED
PARKING:	MINIMUM REQUIRED:	1.66 SPACES FOR EACH DWELLING UNIT	
	PROPOSED:	= 2 SPACES PROVIDED	

- GENERAL NOTES**
- DIMENSIONS SHOWN TO FACE OF CONCRETE FOUNDATION WALL.
  - GEOTECHNICAL ENGINEER TO VERIFY SOIL BEARING CAPACITY FOR FOUNDATION WITH STRUCTURAL CONSULTANT. CONTRACTOR TO COORDINATE ON SITE.
  - SURVEY INFORMATION BASED ON LEGAL SURVEY PREPARED BY REGISTERED PROFESSIONAL ENGAGED BY THE OWNER.
  - HOSEBIB AND EXTERIOR RECEPTACLE LOCATIONS ARE TO BE CONFIRMED BY THE OWNER PRIOR TO ROUGH-IN OR INSTALLATION.
  - METRIC GEODETIC ELEVATION (SITE PLAN) = IMPERIAL ELEVATION (BUILDING PLANS)
  - FOR ACCURATE SITING OF THIS RESIDENTIAL BUILDING, REFER TO THE LEGAL SITE SURVEY AS PREPARED AND PROVIDED BY THE CLIENT ENGAGED REGISTERED BC/LS LAND SURVEYOR.

**MATRIX**

	CALCULATION	BYLAW REQUIREMENT	PROPOSED
LOT AREA	10.0 Hg / 24.7 ACRES 1065627.4 SF [99000.0 M2]	9.9 Hg / 24.4 ACRES 1062865.9 SF [98743.4 M2]	
LOT FRONTAGE	196' [60.0 M] MINIMUM	000.0' [000.0 M]	
BUILDING FOOTPRINT	31968.8 SF [2970.0 M2] @ 3% LOT MAX.	2131.2 SF [198.0 M2]	
LOT COVERAGE	3 % MAXIMUM	0.002 % PROPOSED	
FLOOR AREA	MAIN FLOOR	N/A	1300 SF [120.7 M2]
	SECOND FLOOR	N/A	1590 SF [147.7 M2]
	THIRD FLOOR	N/A	212 SF [19.7 M2]
	TOTAL	0000 SF [000.0 M2]	3102 SF [288.2 M2]
FLOOR AREA RATIO	N/A	N/A	
BUILDING HEIGHT	28.0' [8.53 M] MAXIMUM	36.0' [10.9M] PROPOSED	



1 Site Plan  
C1.2 1:150

2 Site Key Plan  
C1.2 1:2000





## ENVIRONMENTAL IMPACT ASSESSMENT REPORT MINATO ROAD, UCLUELET BC

---



Rick & Rebekka Lim  
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Pirate Bay Holdings Ltd  
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rickandrebekka@hotmail.com

May 18, 2017

Suite 203-321 Wallace Street, Nanaimo, BC V9R 5B6  
Office 250-591-2258; Cell **CHRIS ZAMORA** 250-714-8864

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## 1.0 INTRODUCTION

Aquaparian Environmental Consulting Ltd (Aquaparian) was retained by BNEE Enterprises owner of Lot B Minato Road to complete a Biophysical Assessment (BA) of a undeveloped 27 acre land parcel located in Ucluelet BC. The owner of the property, Mr. Rick Lim (BNEE Enterprises Ltd is proposing to develop the site for a public campground and RV use and for the development of a single-family residence and one out building. The purpose of the BA is to identify environmental features of the parcel and to determine environmental constraints and opportunities for it development following Municipal and Provincial land development regulations.

The subject parcel is legally identified as follows:

**Lot B, District Lot 286 & 471 & 472 & 473, Clayoquot District, Plan VIP79908.**

Aquaparian completed an assessment of the property on April 25, 2017 and discovered that a large portion of the property had just been cleared of trees and that development of roads was already underway making a biophysical investigation of the property redundant. The purpose of the site assessment was then altered to complete an Environmental Impact Assessment (EIA) with identification of general environmental site characteristics for the remaining intact habitat such as topography and drainage, forest cover species and composition, wildlife trees, streams, wetlands, environmentally sensitive or rare habitat types and evidence of wildlife use. The report will also identify land development regulations with the District and contravention of those regulations

A detailed inventory of species was outside the scope of the study due to the level of forest clearing of the property, however comments have been provided for potential wildlife use of the parcel based on the previous forest cover shown on Google Earth images and other available reports on government databases.

A site location map of the study area has been included in this report as Figure 1 and a Google image of the property has been included as Figure 2. A preliminary site development plan of the subject parcel has been included in this report as Figures 3. A selection of photographs taken during Aquaparian's site assessment has been included in this report as Appendix A. In addition to the site visit Aquaparian completed a review of relevant background information for the subject lands which included various government databases.

### 1.1 PROJECT DESCRIPTION

The subject parcel is currently zoned as Rural Residential (RU). The property owner intends to develop a public campground (including RV use) and a single-family residence. The residents



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would be located at the northern tip of the property and include a shop, and a circular driveway between the house and the shop with access from Minato Road. The proposed campground for recreational vehicles and tenting is located within the southwest portion of the property with a circular access road (approximately 687m in length) connecting the sites and access from Minato Road. Additional requirements to develop the property include installation of at least one culvert under the entrance road leading into the campground. The subject parcel is currently designated for Comprehensive Development (CD) under the District of Ucluelet Official Community Plan (OCP) and falls within Development Permit Area (DPA) No. 8: Former Forest Reserve Lands. The parcel will require re-zoning to Tourism Commercial (CS-5) in order to accommodate the development of the proposed campground.

## 1.2 REGULATORY REVIEW

The following is a review of regulations that may apply to the development of the property:

- District of Ucluelet Official Community Plan - Development Permit Area (DPA No.8 Former Forest Reserve Lands; starting page 118).

The Official Community Plan (OCP) for the District of Ucluelet identifies that the natural environment and protection from hazard guidelines of Appendix B – Riparian Areas Regulation are applicable in this development permit area designation, except as varied and supplemented with the following environmental guidelines that are applicable to the subject parcel:

- No development can approach within 30m of the high water mark around the sensitive marine wetlands (indicated in Figure 5 DPA No. 8 Conceptual Diagram);
- A 30m wide tree buffer with no development must be provided along both sides of the Pacific Rim Highway;
- A landscape preservation plan for all developments must be included as part of the development application process in order to ensure protection of existing significant trees and shrubs. This will include plans showing pre and post-development conditions in order to prevent over-cutting;
- The removal of any native tree species that is 30cm DBH or greater (Diameter at Breast Height = 1.3m) measured with a proper tree caliper is prohibited.
- Any landscaping maintenance program must meet all applicable governmental regulations involving the use of fertilizers, herbicides and pesticides and the owners must ensure that no harmful pesticides or chemicals enter the ocean, either directly or by way of groundwater infiltration;
- All Sitka spruce must be identified by a qualified arborist and, where they are determined to be healthy, preserved; and,
- The siting of new buildings, extensions to existing buildings as well as campsites and roads etc. must work sensitively around established existing vegetation and



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must be located so as to minimize alterations to the foreshore and other environmentally sensitive areas. As part of the efforts to maintain and enhance the landscape character of the area, all efforts must be made to retain landscape and ecological integrity.

- District of Ucluelet Official Community Plan – Comprehensive Development (CD) policies (See page 44; OCP);

The area on Minato Road north of Peninsula Road is designated for Comprehensive Development. This area is envisioned primarily as a residential community with significant tree retention. The shoreline is recognized as having important ecosystem values. A greenbelt should be maintained along the shoreline. Specific policies for environmental protection for the lands included within the Comprehensive Development designation that are or may be subject to Master Development Agreements are as follows:

- Clear-cutting tracts of land greater than 0.5 hectare is prohibited; tree retention is to guide and form development character; and,
- Riparian Areas Regulation (RAR) of the Provincial Fish Protection Act.

The provincial Riparian Areas Regulation (RAR) was enacted under Section 12 of the Fish Protection Act in July 2004. It calls on local governments to protect riparian areas during residential, commercial and industrial development. The purpose of the RAR is to protect the features, functions and conditions vital for maintaining stream health and productivity. The RAR applies to all municipal regions along the east side of Vancouver Island from Victoria to Campbell River and inland to Port Alberni. The West Coast communities of Tofino and Ucluelet have also recognize the RAR and the policy guideline in protecting watercourses including all streams, rivers, lakes, ponds, and wetlands. These watercourses are considered protected if they support fish or flow into fish bearing waters and are to be considered as Development Permit Areas (DPA) requiring protective riparian buffers.

- Section 34 of the Provincial Wildlife Act

Section 34 of the Provincial Wildlife Act states that a person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys:

- (a) a bird or its egg,
- (b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl; or



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(c) the nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg.

In areas with no local government tree protection bylaws, outside of the nesting season, a landowner has the right to cut down any trees right up to and beside a tree containing the nest. During the nesting season, such an activity may 'molest' the nesting birds, and could result in an offense. Provincial guidelines indicate the songbird nesting season is from April 1st to July 31st of a given year.

\*Eagle, Osprey and Great Blue Heron nests are provincially protected year-round, whether or not the nest is in use (as per the Provincial Wildlife Act). Bald eagles, ospreys and herons typically nest in forest stands near the ocean (including near protected coves). Bald eagle nesting season generally starts in January and extends until the end of August of a given year. Nesting activity can occur outside these dates depending on the weather.

- Provincial Water Sustainability Act (WSA), Section 11 (2016)

Prohibits any changes in or about a stream without submitting a provincial Section 11 Notification or Approval of proposed works or receiving an Approval from the BC Ministry of Environment. Changes in and about a stream is defined in the WSA as:

- Any modification to the nature of a stream, including any modification to the land, vegetation and natural environment of a stream or the flow of water in a stream or,
- Any activity or construction within a stream channel that has or may have an impact on a stream or a stream channel; includes culvert and bridge installations.

No works such as Culvert or Bridge Installation are to be completed without Notification or Approval by the crown.

- Heritage Conservation Act.

All archaeological sites, recorded or not, are protected under the Heritage Conservation Act and must not be altered or damaged without a site alteration permit from the Archaeology Branch. Culturally Modified Trees (CMT) are protected under the BC Heritage Act and require a permit before removal. Old growth trees may also be protected under the BC Heritage Act depending on species, size and significance.

- Fisheries Act, 2012.

Recent changes to the federal fisheries act in 2012 have re-focused efforts on protecting the productivity of commercial, recreational and Aboriginal fisheries. Changes to the



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Fisheries Act include the prohibition against causing serious harm to fish that are part of or support a commercial, recreational and Aboriginal fishery (as per Section 35), and includes the prohibiting the altering the passage for fish and modifying the flow of watercourses.

- Federal Migratory Birds Convention Act, 1994.

Most species of birds in Canada are protected under this act. "Migratory birds" are defined by Article I of the Convention which names the families and sub-families of birds protected, and provides some clarification of the species included. In general, birds not falling under federal jurisdiction within Canada include grouse, quail, pheasants, ptarmigan, hawks, owls, eagles, falcons, cormorants, pelicans, crows, jays, kingfishers, and some species of blackbirds.

Vegetation clearing in the nesting season may result in an impact to birds protected under this Act and are required to undertake a bird nest presence survey prior to any clearing works.

## 2.0 SITE DESCRIPTION

The subject parcel is located within mostly undeveloped lands northwest of the Village of Ucluelet. The property is irregularly-shaped with a total area of 24.7 acres. The subject property is bounded to the north and west within a sheltered bay of the Ucluelet Inlet, to the south by Peninsula Road and to the east by Minato Road. The western portion of the parcel is a narrow forested strip that follows a curve along Peninsula Road around the bay for approximately 175m. The property supports the lower reaches of two watercourses that flow into Ucluelet Inlet. Both watercourse are understood to be fish bearing near their confluence with the ocean. Stream 1 (eastern watercourse) bisects the middle of the site and Stream 2 is located in the western portion of the site near Peninsula Road.

The property is gently sloping towards the ocean with the higher land being along Peninsula Road. A section of intact forest consists of mature second-growth coastal western hemlock forest with some veteran Western cedar trees. The northern edge of the property primarily consists of salt marsh habitat influenced by upland drainage and tidal mudflat.

## 3.0 ENVIRONMENTAL SETTING

The following section provides an overview of biophysical attributes and land use of the site.



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### 3.1 Physical Resources

The physical resources of the region are interrelated and are influenced by the surficial geology, topography, climate and drainages of the surrounding environment. These physical attributes are described as follows:

#### 3.1.1 *Topography*

The property slopes moderately down from Peninsula Road which forms the southern boundary of the property into a gentle slope north towards the ocean. Much of the property is greater than 7-10m above sea level. The western portion of the site between Peninsula Road and the sheltered bay is a low-lying depression with pockets of wet soils and ponded water with a high water table. Surface flows drain north towards the shoreline. The area of the treeline down to the upper marsh along the northern property boundary is a steep slope.

#### 3.1.2 *Climate*

The property is found within the Coastal Western Hemlock Submontaine Very Wet Maritime CWHvh1 subzone variant. The CWHvh1 is restricted to the southwest coast at low elevations between sea level and approximately 200m. The CWHvh1 is restricted to a narrow coastal fringe on the outer coast of southwest Vancouver Island near Port Renfrew to Quatsino Sound (Green and Klinka, 1994). The proximity of the site to the Pacific Ocean moderates temperatures and results in a common occurrence of fog, cloud and drizzle throughout the year. Precipitation varies widely in this sub-region, with lowest values occurring in the local rain shadow on the north eastern part of Vancouver Island at Bull Harbour (Green R.N. and Klinka, K, 1994).

The mean annual precipitation in the area ranges between 2009 to 3943 mm. The mean annual temperature is 9.1 °C.

#### 3.1.3 *Land/soil*

A review of the Ministry of Environment Technical Report 17, Soils of Southern Vancouver Island identified the most common soils within the subject property are comprised of the Hankin Soil Association, with the taxonomic classification of Duric Ferro-Humic Podzol (Jungen, Technical Report 17).

Hankin soils occur in the Western redcedar subzone of the Coastal Western Hemlock – Pacific Silver fir (*Amabilis fir*) within the Estevan Coastal Plan. The



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soils have developed in cobble, gravelly fine and/or gravelly sand colluvial morainal deposits, less than 1m thick overlaying argillite bedrock. (Jungen, Technical Report 17). Slopes typically vary between 1 to 30% with elevation from sea level to 600m.

#### 3.1.4 Surface Water

The subject property contains two streams (Stream #1 and Stream #2) that support fish use within their lower reaches below Peninsula Road and close to their confluence with the ocean. The streams are fed by upland groundwater sources and stormwater run-off coming from ditching along Peninsula Road and Minato Road. A series of small perched skunk cabbage dominated swamps (wetlands) help in seasonally attenuating run-off from the property. The two streams flow into Ucluelet Inlet and through a salt marsh that encompasses much of the shoreline within the bay.

#### 3.1.5 Groundwater

The low-lying seepages in the western portion of the site have a high water table that appears to be directly influenced by surface run-off and seasonal perched groundwater conditions. Saturated soils and ponded water throughout the property indicate water to be at or close to the surface forming small creeks and forested wetlands. The smaller creeks and drainages on the property are expected to be dry during the summer months.

### 3.2 BIOLOGICAL RESOURCES

#### 3.2.1 Flora

The CWHvh1 zonal forests (Coastal Western Hemlock Submontaine Very Wet Maritime CWHvh1 subzone variant) are dominated by Western hemlock (*Tsuga heterophylla*), Sitka spruce (*Picea sitchensis*), western redcedar (*Thuja plicata*) and minor amounts of amabilis fir (*Abies amabilis*). Major under story vegetation commonly includes salal (*Gaultheria shallon*), Alaskan blueberry (*Vaccinium alaskaense*), red huckleberry (*Vaccinium parvifolium*), deer fern (*Blechnum spicant*), step moss (*Hylocomium splendens*) and lanky moss (*Rhytidiadelphus loreus*). Evergreen huckleberry (*Vaccinium ovatum*) is a minor species on zonal sites, but more common on drier sites (Green and Klinka, 1994).

The site survey was completed on April 25, 2017 after the forest stand of the property had been mostly cleared (including the area of proposed campground



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and single family residence and out building) which prevented a proper and completed survey of the forest stand and it's biological attributes. The survey was also completed before the typical growing season for flowering plants. A wildflower and/or rare plant survey should be completed during the spring/summer or between May and June to document any rare plants.

Observation of the remaining forest stand noted the property to be represented by the vegetation Site Series 01 (CwHw –Salal) and Site Series 13 (CwSs – Skunk Cabbage) (Green, R.N and K. Klinka, 1994). Trees and shrubs were observed to be associated with wet and poor nutrient environments. Western red cedar represented the dominant tree species. Subdominant tree species included Western Hemlock, Sitka spruce and red alder (*Ulnus rubra*). Minor amounts of Amabilis fir were present. The shrub layer within Site Series 01 is dominated by salal, red huckleberry, false azalea (*Menziesia ferruginea*), evergreen huckleberry, deer fern and Alaskan blueberry. The shrub layer within Site Series 13 also includes salal, red huckleberry, false azalea, and evergreen huckleberry. The coastal western hemlock zone is characterized by a forest floor composed of a dense litter of needles and small branches. Cool, damp and acidic conditions favour a moss layer build up over time that may have been present prior to clearing (Green, R.N and K. Klinka, 1994).

### 3.2.2 Fauna

The coastal rainforest of western Vancouver Island supports a broad diversity of wildlife including large and small mammals, bats, songbirds and amphibians. Large terrestrial mammals expected to be found within the forests within and adjacent to the parcel include black bear (*Ursus americanus*), black tailed deer (*Odocoileus hemionus*), cougar (*Puma concolor*) and wolf (*Canis lupus*). Smaller mammals commonly associated with the CWHvh1 zone include American mink (*Mustela vison*), ermine (*Mustela erminea*), river otter (*Lontra canadensis*) and several species of mice and voles. The wetter areas likely support several amphibians including Northwestern Salamander (*Ambystoma gracile*), Pacific tree frog (*Hyla regilla*) and red-legged frog (*Rana aurora*). The salt marsh habitat provides habitat for many species of mammals including shrews, mice, voles, racoons and river otters. Some of the fish species that are likely to use the marsh area tidal channels for food, shelter and breeding include herring, salmon, cutthroat trout, stickleback, sole flounder and surf perch.

Wildlife observations during the site visit included deer scat and tracks and pileated woodpecker (*Dryocopus pileatus*) holes. A number of songbirds were also noted and northwestern crow (*Corvus caurinus*). Banana slugs (*Ariolimax*



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*columbianus*) were observed in the study area. Harbour seal (*Phoca vitulina*) vocalizations were noted from within the sheltered bay. Wildlife paths were observed throughout the subject parcel.

### 3.2.3 Birds

A detailed bird survey was outside the scope of this study. No obvious bird nests were observed at the time of the site visit (April 25, 2017). The area is suitable habitat for eagle, osprey and heron nesting use due to the ocean front location and presence of mature trees. Many species of songbirds were observed at the time of the assessment and the area is likely used as nesting habitat for songbirds. Many wildlife trees were observed with pileated woodpecker holes in the trunk that may be later utilized by secondary cavity nesting species. A number of bird species are expected to utilize the area throughout the year such as various song birds, humming birds, woodpeckers, northwestern crow, American robin (*Turdus migratorius*), common raven (*Corvus corax*), hawks and owls; as well many marine birds will use the area such as Great Blue Heron (*Ardea herodias*), Brant geese (*Branta bernicla*), Canada geese (*Branta canadensis*), mallards (*Anas platyrhynchos*), greater yellowlegs (*Tringa melanoleuca*), sandpipers, kingfishers, mergansers, green-winged teals (*Anas carolinensis*), gadwalls, plovers, snipe, bald eagles (*Haliaeetus leucocephalus*) and ospreys (*Pandion haliaetus*).

Review of the Wildlife Tree Stewardship (WITS) nest inventory database did not identify the presence of any recorded bald eagle nests within the property. The closest eagle nest identified was located 4km northwest of Amphitrite Point (Nest BAEA-108-307). It should be noted that the WITS database has not been updated for several years. A search of the existing forest stand did not result in the observations of feathers, guano splashes, pellets, or prey remains at the base of trees or within open area's. The nesting period for bald eagles on Vancouver Island is typically mid-February to the end of June. Osprey are typically active between mid-April to the beginning of July, while Great blue-herons nest between March and August.

While still early in the breeding season, the property and its large old growth trees and snags are expected to support suitable nesting platforms and cavity nesting opportunities for various hawks and owls including Northern Goshawk (*Accipiter gentilis*), Barred Owls (*Strix varia*), and Western screech owl (*Otus kennicottii*). The property is well positioned close to the ocean and to open forest patches where mice and song birds can be hunted.



### 3.2.4 Fisheries

Two streams are located within the Minato Road property. The far western watercourse identified as Stream 1 is classified as an S3 stream (1.5-5m wide fish-bearing). The watercourse has a channel length of approximately 110m within the property. Reach 1 of this stream is tidally influenced. The stream is approximately 2m in width, 20cm deep near the estuary with a gravel streambed. The watercourse is flat, braided in sections with undercuts from streamside roots and flows are highly tannin in colour. Stream #1 flows through the undisturbed forested area of the site within the southwestern portion and is identified under the BC CDC as fish-bearing with a coho salmon (*Oncorhynchus kitsutch*). A copy of the provincial Habitat Wizard search results has been included as Appendix B.

The eastern watercourse identified as Stream 2 is classified as an S4 stream (<1.5m fish bearing) and drains the lower slope area and is ephemeral with some braiding of the stream channel. The stream has a length of more than 160m within the property and has an average channel width of 1.2m with a gravel and silt streambed substrate. The total stream corridor including riparian vegetation remaining is 20-30m wide with a thinner riparian buffer remaining on the west side of the watercourse. This stream is also tidally influenced and likely support habitat at its confluence for rearing coho salmon parr.

All watercourses, rivers, ponds, wetlands, lakes and rivers within the District of Ucluelet are protected and are considered as DPAs. Protective riparian setbacks are to be determined by the Provincial Riparian Area Regulation (RAR). The sensitive marine wetland comprising the shoreline of the property is protected in DPA 8. No development can approach within 30m of the high water mark around the sensitive marine wetlands. It should be noted that a section of the riparian setback within the upper reach of Stream #2 has been encroached upon during the forest clearing works.

The installation of any culverts within the two watercourses will require the completion of a provincial Water Sustainability Act Notification with the Ministry of Forest Land, Natural Resource Operations (FLNRO).

### 3.2.5 Species-at-Risk

The Species-at-Risk Act (SARA) is designed to prevent or reduce the likelihood of wildlife species becoming extinct or extirpated and to provide for the recovery and management of endangered, threatened and species of special concern as a



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result from harm by human activity. Provisions of SARA include prohibiting the taking or possession of listed species and the damaging or destruction of their residents and critical habitat.

**Red-Listed** species includes any ecological community, and indigenous species and subspecies that is extirpated, endangered, or threatened in British Columbia. Red-listed species and sub-species may be legally designated as, or may be considered candidates for legal designation as Extirpated, Endangered or Threatened under the Wildlife Act.

**Blue-Listed** species includes any ecological community, and indigenous species and subspecies considered to be of special concern (formerly vulnerable) in British Columbia.

A search of the BC Species and Ecosystem Explorer Database for red and blue-listed vertebrates, invertebrates, vascular, non-vascular plants and lichens within the Vancouver Island region, South Island, Alberni-Clayoquot Regional District, Coastal Western Hemlock BGC Zone for habitats including: Forest, Ocean, Riparian, Stream/River and Wetland resulted in 18 red-listed species and 48 blue-listed species. The BC CDC species search results have been included as Appendix C.

The BC Species and Ecosystems Explorer Database identified two rare species within the study area: the Seaside Centipede Lichen (*Heterodermia stchensis*) and the Marbeled Murrelet (*Brachyramphus marmoratus*).

The following includes a description of sensitive wildlife species that are likely to be found either within the subject property or within the adjacent lands immediately surrounding the subject lands:

**Seaside Centipede Lichen (*Heterodermia stchensis*): Red-listed (COSEWIC Status Endangered)**

This lichen is a pale greyish, leafy, basally attached lichen. It can be recognized by the presence of marginal cilia and tiny urn-like structures near the lobe tips. In Canada, it occurs only in coastal British Columbia, where it ranges 210km from northern Vancouver Island south to Pacific Rim National Park. Within this region, it is known exclusively from the Very Wet Hypermaritime subzone of the Coastal Western Hemlock Zone. Throughout its range, this lichen occurs exclusively at seaside on nitrogen-enriched twigs in the lower canopy of old Sitka spruce trees (BC CDC).



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This rare species of lichen was identified in the provincial HabitatWizard database as occurring in only two locations in the area including the northern tip of the subject property on old Sitka spruce trees near the shoreline. A narrow buffer of approximately ~8m was left intact along the shoreline at the northern tip of the property where the rare lichen had been recorded. The only other known location of the species was identified at the end of Seaplane Base Road approximately 0.6km east of the subject parcel.

**Marbeled Murrelet (*Brachyramphus marmoratus*): Blue-listed**

A chunky seabird with a black bill and an entirely dark tail. The nesting season is late March to late September. In coastal areas, the bird is mainly in salt water within 2 km of shore, including bays and sounds; not uncommon up to 5 km offshore; occasionally also on rivers and lakes usually within 20 km of ocean. Nesting is found in old growth forest, especially stands of large Sitka spruce and western hemlock. In British Columbia, the adult diet during the breeding season is mostly fishes, primarily Pacific Sandlance and Pacific Herring (BC CDC).

This species was identified in the provincial Habitat Wizard database as occurring within the study area along Peninsula Road and along Minato Road as well as identified in surrounding areas adjacent to the site. It is believed that calm waters of Ucluelet Inlet likely provide foraging opportunities for murrelets.

**Townsend's Big-eared Bat (*Corynorhinus townsendii*): Blue-listed**

In Canada, it is restricted to British Columbia. On the coast, it inhabits Vancouver Island, the Gulf Islands and the Vancouver area. In British Columbia this species is associated with a variety of habitats from coastal forests to arid grasslands of the interior. Its elevational range in the province is from sea level to 1070 metres, although most occurrences are from low elevations. Although it is widespread across most of southern British Columbia, this bat is particularly vulnerable to human activity. The only nursery colony found in British Columbia was in the attic of a house on Vancouver Island; it consisted of about 60 females and their young. A late flyer, Townsend's Big-eared Bat emerges an hour or so after dark. It is an agile bat that is capable of flying at slow speeds. Food habits have not been studied in British Columbia (BC CDC). The area surrounding the subject parcel may provide foraging and perching habitat for these bats.

**Keen's Myotis (*Myotis keenii*): Blue-listed**



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These bats frequently use moist to wet coniferous forest habitats. The distributional range suggests an association with coastal forest habitat. Apparently this bat is associated with mature forests. Across its range it has been found roosting in southwest-facing rock crevices, among geothermally heated rocks, in tree cavities, in bark crevices, and in buildings. Tree cavities and loose bark are important natural roost sites and may be limiting in some parts of the range. Known maternity roosts and summer feeding areas in British Columbia are at elevations below 240 meters; known hibernation sites occur above 400 meters in caves over 100 meters long. These bats have been observed foraging over hot spring pools and clearings above scrubby salal (BC CDC). Surrounding forests and estuary may provide foraging opportunities for these bats.

#### **Northern Red-legged Frog (*Rana aurora*): Blue-listed**

Range extends from southwestern British Columbia, including Vancouver Island in Canada, south along the coast of the United States. Red-legged frogs have been observed in a variety of aquatic and terrestrial habitats. They breed in shallow, littoral zones of lakes, temporary and permanent pools, wetlands, bogs and fens in close proximity to forests. Lotic habitats with little to no flow may be utilized by red-legged frogs, and riparian areas are important for newly metamorphosed froglets. Outside of the breeding season, red-legged frogs primarily utilize all forest and woodland types, but individuals are occasionally found in more open and rural areas such as shrubland/chaparral, cropland/hedgerow, old fields, and suburban/orchard. Red-legged frogs are most common at elevations below 500m with low slopes and containing moist, mature/old forest in some areas (BC CDC). Moist forest conditions within the property likely support the red-legged frog.

A northern red-legged frog occurrence is identified within the provincial Habitat Wizard database approximately 1.3km southeast of the subject property and extending approximately 1km in a southeast direction. The small wet forested swamps likely support red-legged frogs.

#### **Western Toad (*Anaxyrus boreas*): Blue-listed**

Western toads have been observed in a variety of aquatic and terrestrial habitats. They breed in shallow, littoral zones of lakes, temporary and permanent pools and wetlands, bogs and fens, and roadside ditches. Toads utilize a variety of terrestrial habitats in BC, including all forest and woodland types, shrubland/chaparral, savanna, cropland/hedgerow, grassland/herbaceous cover, old fields, and suburban/orchard. Hibernacula are located in areas with loose



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soils and burrows. Toads have been observed using downed wood for cover in recent clearcuts (BC DCD). Wet areas within the property may provide suitable habitat for this species.

**Ermine (*Mustela erminea anguinae*): Blue-listed**

Ermine are endemic to Vancouver Island and they inhabit a variety of forest and woodland habitats. Ermine are highly adaptable predators, easily invading small burrows to feed on voles, mice, and young rabbits. They also eat earthworms, frogs, and squirrels, climbing trees and swimming if necessary. In the summer, the Ermine's coat is brown, but in the winter it is pure white except for the tip of the tail, which stays black. Ermine population density tends to fluctuate as rodent populations fluctuate. Ermine prefer coniferous or mixed forests and streamside woodlands (BC CDC). The forest habitat within and adjacent to the parcel may support this species. The two riparian corridors are likely provide suitable habitat for ermine to utilize.

**Wandering Salamander (*Aneides vagrans*): Blue-listed**

This salamander is widespread on Vancouver Island and neighboring islands in British Columbia, and also has been found on the mainland. Habitat ranges from moist coniferous forests; in forest edge, forest clearings, talus, and burned over areas. The salamander is usually found under bark, in rotten logs, or in rock crevices. It may aggregate in decayed logs in summer. Logs are the primary microhabitat in spring, summer, and fall on Vancouver Island. It lays eggs in cavities in rotten logs, in rock crevices, under bark, or among vegetation. The wandering salamander feeds on small arthropods and is inactive in cold temperatures and hot, dry weather (BC CDC). The subject parcel contains damp and wet areas with downed logs that may support this species.

**Cutthroat Trout (*Oncorhynchus clarkia clarkia*): Blue-listed**

Cutthroat trout (*clarkii* subspecies) are anadromous meaning this cutthroat trout subspecies spawns and rears in freshwater (small streams and large rivers) but can also forage in tidal waters as an adult. Some resident fish spend their entire life in freshwater. Cutthroat will forage in tidal estuaries but are typically found up freshwater systems utilizing all inflowing systems including stream mainstems, tributaries, lakes and forested swamps (BC CDC). The streams within the subject property provide suitable habitat for cutthroat trout.

**Western Screech Owl *kennicottii* subspecies (*Megascops kennicottii kennicottii*): Blue-listed**



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The range of this small owl extends from south-coastal and southeastern Alaska, south through coastal British Columbia to coastal Oregon. In Canada, the species occurs only in British Columbia in two regions: along the coast of BC including Vancouver Island, but excluding the Queen Charlotte Islands, and in the southern interior part of the province, with most of the interior birds being found in the Okanagan Valley. This subspecies has a very low population in Canada where it depends on lower elevation mature riparian woodlands for nesting and roosting. This owl prefers open forest for foraging and requires cavities in old, large trees for nesting and roosting. Populations have apparently declined in southern Vancouver Island and the Lower Mainland concurrently with the recent arrival of the Barred Owl, which is likely a predator of this species. The Western Screech-owl is a nocturnal, non-migratory species that is territorial year-round (BC CDC). The western screech owl may use the mature riparian forest habitat of the study area and adjacent lands.

**Brandt's Cormorant (*Phalacrocorax penicillatus*): Red-listed**

This species of marine bird is a resident throughout the year near nesting areas, but ranges more widely when not breeding. Post-breeding dispersal from colonies on the west coast of the United States occurs in July and August as thousands move north to the waters of southern British Columbia and Puget Sound; a gradual movement southward begins in September and October, but at least 10,000 to 15,000 overwinter in Puget Sound, the Strait of Georgia, and Juan de Fuca Strait. The range is mainly the inshore coastal zone, especially in areas having kelp beds; also around some offshore islands; less commonly, inshore on brackish bays; in winter, mostly around sheltered inlets and other quiet waters. Typically they nest on flat or gently sloping surfaces on the tops of rocky islands along the coast, favoring protected leeward sides of islands; they frequently nest with other sea birds and may sometimes use wider ledges of mainland cliffs. The nest is built on the ground by both sexes and may be re-used in the subsequent year. Egg laying occurs mainly in June in British Columbia. The cormorant gathers in flocks in feeding areas. Gulls commonly prey on eggs and chicks. Ucluelet Inlet likely provides suitable foraging habitat for Brandt's Cormorant.

3.2.6 *Sensitive Ecosystem Inventory*

The Sensitive Ecosystems Inventory of East Vancouver Island and the Gulf Islands (SEI) systematically identified and mapped specific rare and fragile ecosystems. The purpose of the SEI project was to identify remnants of rare and



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fragile terrestrial ecosystems and to encourage land-use decisions that will ensure the continued integrity of these ecosystems.

Seven sensitive ecosystem types were mapped in the east coast of Vancouver Island study area as follows: Wetland, Woodland, Riparian, Older Forest (>100yrs), Terrestrial Herbaceous, Sparsely Vegetated and Coastal Bluff. Two other important ecosystems were mapped for their general biodiversity and wildlife habitat values: Older Second Growth Forest (60-100yrs) and Seasonally Flooded Agricultural Fields.

Within the study area, an SEI pilot project to map SEI attributes on Weyerhaeuser West Island Timberlands lands was conducted. The model and objectives for SEI mapping on the West Island Timberlands are somewhat different than previous SEI projects because there is a single tenure holder, an existing GIS with Terrestrial Ecosystem Mapping (TEM), forest cover and other relevant data, and regulations requiring reserves for some of the ecosystem types identified in previous SEI inventories (e.g., riparian, wetland, old forest). A combination of previous SEI project categories and those rare natural plant communities on the BC Conservation Data Centre tracking lists (Red and Blue) were used to define a single GIS map layer.

In addition to the Provincial Red- and Blue-listed plant communities, a local “landscape rarity” sub-category was created within the Rare Community (RC) category. Landscape rarity was defined as site series or other ecosystems that collectively represent 2% of the Defined Forest Area (DFA). These ecosystems were subdivided into three rarity classes based on their total area as follows:

- la 1 – less than 10 ha (51 units)
- la 2 – 10 ha to 50 ha (30 units)
- la 3 – 51 ha to 210 ha (39 units).

The subject parcel is located within Mapsheet 092C093 and mapped SEI habitat units include the shoreline salt marsh ecosystem that is identified as la1: Landscape Rarity Class 1: less than 10ha.

The property was observed to support four habitat units including a mature second-growth forest with some old growth conifers spread throughout the property; riparian stream habitat found along the two identified streams dominated by skunk cabbage, salal and deer fern pockets, small vernal pocket wetlands dominated by skunk cabbage and slough sedge, and salt marsh shoreline habitat dominated by salt tolerant sedge and unique shrub habitat.



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A description of the four vegetation communities are as follows:

*Second-growth Older Forest (OSG:CWH)*

The forest is identified as an Older Second Growth Forest dominated by conifers within the Coastal Western Hemlock (CWH) bio-geoclimatic zone. Trees within the stand average 100 years or greater. The forest floor is composed of a dense litter of needles and small branches and favouring a cool moist moss ground layer built up over time.

The majority of the site appeared to have consisted of a second growth forest stand with much of the canopy cover dominated by Western redcedar, Western hemlock and Sitka spruce. Minor tree species also included red alder and amabilis fir. Western redcedar dominated the canopy of the property near Peninsula Road with western redcedar and western hemlock dominating the eastern portion of the lot and older western redcedar with mature Sitka spruce dominating the western portion of the property. Several large mature red cedars were identified within the intact tree stand with tree diameters ranging from 76 to 123cm (DBH). A number of large spruce with a DBH of 112 and 118 were also documented.

Understory vegetation predominantly consisted of salal, salmonberry (*Rubus spectabilis*), evergreen huckleberry, deer fern, licorice fern (*Polypodium glycyrrhiza*), red huckleberry, and sword fern (*Polystichum munitum*). Other species present include bracken fern (*Pteridium aquilinum*), Scotch broom (*Cytisus scoparius*) and reindeer lichen (*Cladonia rangiferina*). Mosses and lichens noted included Oregon-beaked moss (*Eurhynchium oregonum*).

Down and dead logs, fallen wood debris and the trunks of old growth cedars were commonly covered with several moss species, liverworts, hanging lichens and ferns. Mosses included Oregon beaked moss, lanky moss, tree moss, step moss and cat-tail moss (*Isothecium myosuroides*). Thick hanging lichens including witches hair (*Alecteria sarmentosa*) were common amongst old-growth trees.

*Riparian Mature Forest (RI:5) – mature forest*

Mature riparian forests generally have a dominant canopy cover with the understory more developed where the canopy opens up. Forest stands are generally 80 to 200 years in age. The riparian vegetation along the identified streams are dominated by skunk cabbage, salal, common horsetail (*Equisetum arvense*), deer fern, red huckleberry, Solomon's seal (*Polygonatum multiflorum*),



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Oregon beaked moss and witches hair. Canopy cover species includes western hemlock, western redcedar and sitka spruce. The riparian areas of the subject parcel include streamside riparian zones along both sides of the two identified streams and the riparian zone of the ocean shoreline.

#### *Vernal Pocket Marsh (WN:sp)*

These forested pocket marshes (Swamps – sp) typically have a fluctuating water table, often with shallow surface water and are nutrient rich on mineral soils dominated by rushes, sedges or grasses. Wet forest pockets located in the low-lying western portion of the parcel supported both aquatic and saturated soil tolerant species such as skunk cabbage (CwSs – Skunk Cabbage) and slough sedge.

#### *Salt Marsh Habitat (WN:ms)*

These wetlands area characterized by permanent, seasonal or diurnal flooding of nutrient rich waters and include salt marsh estuary. The two small streams within the property were found to be connected at confluence with salt marsh habitat dominated by Lyngby's sedge (*Carex lyngbyei*), Pacific silverweed (*Argentina pacifica*) and sweet gale (*Myrica gale*) and reed canary grass (*Phalaris arundinacea*) thickets near the tide line. Other salt tolerant species included common rush (*Juncus effusus*), slough sedge, sea watch (*Angelica lucida*), common horsetail, cinquefoil (*Potentilla palustris*) and bracken fern. Sweet gale along the upper marsh was also associated with large western redcedar and sitka spruce, minor amounts of amabilis fir and Pacific crabapple (*Malus fusca*). The lower reach (Reach 1) of both streams were as also associate skunk cabbage, salmonberry, willow *sps*, dwarf dogwood (*Cornus canadensis*), wild strawberry (*Fragaria virginiana*) and salmonberry.

Vegetation that could be identified within the cleared portions of the site include western redcedar, western hemlock, sitka spruce, salal, evergreen huckleberry and deer fern. It is expected that the cleared section of forest resembled the forest stand previously identified along the southern boundary of the property.

### 3.3 LAND USE

#### 3.3.1 Present Land Use

The subject parcel is bounded by the shoreline to the north and west with Minato Road to the east and Peninsula Road to the west. The subject parcel is currently



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in the beginning stages of development with logging having occurred on the majority of the property. A floating wooden dock is located within the property in the bay. The land is intended to be cleared for the development of a single family residence with a shop out building and a campground and RV parking. Portions of forest have been left intact along Peninsula Road, a narrow strip along the shoreline, a narrow strip along the eastern watercourse and along Minato Road.

### 3.3.2 *Special Places*

The study area falls within the lands traditionally occupied by the Ucluelet First Nation which are part of the collective Nuuchahnulth First Nation. A review of cultural and historical information for the subject parcel was conducted through the BC Archaeological Branch of the Ministry of Forests, Land and Natural Resource Operations (MFLNRO). Provincial records indicate that there are no known archaeological sites known within the property.

However, the property and the shoreline estuary was likely used as a food source and gathering place for local first nation groups. As such, prior to any further land alterations, the owner should be prepared to retain a Professional Archaeologist to review the activities, and where warranted, have the archaeologist conduct a site walk of the property to identify any potential unknown or unprotected archaeological material. Obligations for land clearing as per the BC Archaeological e-mail response have been included in Appendix D.

## 4.0 SUMMARY

The subject parcel is located northwestern the Village of Ucluelet in an area of mostly undeveloped lands north of Peninsula Road. The subject parcel is presently zoned Rural Residential (RU) with the owners intent to re-zone approximately 8-10 acres to allow for the development of a campground and RV use and the northern portion for development of a single family residence and outbuilding. At the time of the environmental site visit, a large portion of the property was found to have been cleared with forest fragments remaining in the western portion of the property and along the highway, Minato Road and buffer sections along the shoreline and the watercourses. The site is characterized by a mature second growth coastal western hemlock forest with some veteran western redcedar trees and two streams (one fish-bearing and the other potentially fish-bearing) running through the property and draining into a sheltered bay salt marsh shoreline habitat. The subject property also contains wildlife trees and habitat for various birds and small mammals.



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#### 4.1 Non-compliance Regulatory Development Measures

The following environmental concerns were identified during completion of this EIA and as requested s by the District of Ucluelet prior to the allowance of site disturbance as part of the Development Permit Area requirements to meet re-zoning approval for the campground (Tourism Commercial – CS-5). The subject property is within the Former Forest Reserve Lands Development Permit Area (DPA No.8). Within general requirements for DPA Section 6 (vii) requires an Environmental Impact Assessment (EIA) to be completed for all property's greater than 2 ha (6 acres) in size (as per Appendix III) in order to evaluate the impacts of a proposed development (Bylaw Amendment 1039, 2006).

Pre-EIA clearing works have resulted in several DPA requirements being breached, including:

- That No development can approach within 30m of the high water mark around the sensitive marine wetlands (indicated in Figure 5 DPA No. 8 Conceptual Diagram);
- Following provincial Riparian Area Regulation (as identified on bottom of page 119 of OCP) for the two streams.
- A Landscape Preservation Plan for all developments must be prepared as part of the development application process in order to ensure protection of existing significant trees and shrubs. This will include plans showing pre and post-development conditions in order to prevent over-cutting;
- The removal of any native tree species that is 30cm DBH or greater (Diameter at Breast Height = 1.3m) measured with a proper tree caliper is prohibited;
- All sitka spruce must be identified by a qualified arborist and, where they are determined to be healthy, preserved; and,
- The siting of new buildings, extensions to existing buildings as well as campsites and roads etc. must work sensitively around established existing vegetation and must be located so as to minimize alterations to the foreshore and other environmentally sensitive areas. As part of the efforts to maintain and enhance the landscape character of the area, all efforts must be made to retain landscape and ecological integrity.

Breach of provincial regulations may also have occurred including Section 34 of the Provincial Wildlife Act for the protection of migratory birds nesting with special emphasis on the protection of any Eagle, Osprey or heron nests / nest trees which are protected all year round. Due to the pre-assessment site clearing, nests could not be identified. The clearing works also resulted in the loss of a federally listed and endangered species of plant (Seaside Centipede Lichen) that is considered rare with only two known occurrences on the west coast of British Columbia.



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## 5.0 ENVIRONMENTAL PROTECTION MEASURES (POST-CLEARING)

The follow are environmental protection measures incorporating regulatory measures identified in the District of Ucluelet' s Official Community Plan (OCP) and for lands within DPA No. 8.

Timing:

- Clearing of vegetation should occur outside the songbird nesting season of April 15 – August 15;
- If vegetation is to be removed during the active bird nesting season (April 15 – August 15) a QEP should be retained to conduct bird nest clearing surveys to prevent committing an offense as defined by the Provincial Wildlife Act section 34;
- The completion of a proper Archaeological Assessment to determine the presence of cultural use including CMT's;
- Further earthworks are to be completed during the dry season to prevent sediment migration. If earthworks cannot be completed during the dry months, sediment and erosion measures should be implemented (i.e. silt fence) to prevent migrating sediments from the site.
- That further development within the property include a Landscape Management Plan (LMP) which includes the protection of remaining native coastal vegetation, and watercourse features, including sensitive shoreline salt marsh habitat and restoration of impacted / over cleared areas;
- That no recreational campsite development be within 15m of the high water mark (HWM) of stream or 30m from the coastal shoreline as measured from the high tide mark on the beach;
- No road crossing, culvert installations or bridge installation are to be completed without the completion of a Section 11 Notification / Approval as per the Provincial *Water Sustainably Act*;
- Complete a Danger Tree assessment by a certified Danger Tree assessor in and immediately adjacent to the campsite,
- That further land clearing consider the preservation of mature Sitka spruce as identified within the District's OCP and regulation's within DPA No. 8
- That Stream #1 and Stream #2 and any associated tributaries (including ditches) and wetlands be incorporated into a Stormwater Management Plan (SMP) for the



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development. All road, buildings or infrastructure run-off should be directed to naturally vegetated ditches/swales before being directed to native streams or shoreline.

#### Further Site Construction:

- No deleterious substances such as sediment, fuel, oil, paint, concrete wash water or uncured concrete are to enter streams, or ditches adjacent to the site;
- That earth works be carried out in the dry summer months;
- That further site preparation works may require having a professional archaeologist retained in case of chance finds;
- All heavy equipment is to be clean and free of leaks and inspected daily. Full spill kits are to be present on all machinery;
- All fill brought to the site is to be clean i.e. free of hazardous contaminants;
- A spill response plan is to be in place with emergency contact numbers in case of accidental spill;
- Excavated topsoil piles, if left on site for any length of time, are to be either covered by tarps or surrounded by silt fencing to prevent migration of fines if a heavy rain event occurs;
- Bare soils should be covered by straw and seeded as soon as possible following construction;
- The natural site surface flow drainage pattern throughout the property be used as natural stormwater drainage features for future developments (subject to engineering design); and,
- Identified sensitive ecosystem attributes (i.e riparian watercourse, venal swamps, saltmarsh habitat) be protected and demarcated as no construction zones.

## 6.0 CONCLUSION

Aquaparian Environmental Consulting Ltd (Aquaparian) was retained by the property owners of Lot B Minato Road in Ucluelet to complete a Biophysical Assessment to determine constraints and opportunities for development of the subject parcel based on development requirements by the District of Ucluelet as identified in the Official Community Plan for the area. Due to pre-assessment clearing, the scope was revised as an Environmental Impact Assessment.



203-321 Wallace Street, Nanaimo, BC V9R 5B6  
SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

Remaining habitat values within the property were found to be moderate and extremely impacted by logging. Sensitive watercourses are present within the site as well as the potential for rare species identified in the area of the site. No obvious nest trees (bald eagle or great blue heron) were observed, but the habitat would potentially support such species. The site provides habitat for various bird species, mammals and amphibians throughout the seasons. The subject property is within District of Ucluelet DPA 8 which identifies the sensitive wetland area (salt marsh) as an area with a 30m tree buffer zone from the high water mark where no development can approach and as an area where all sitka spruce must be identified by a qualified arborist and, where they are determined to be healthy, preserved.

## 7.0 CLOSURE

This report has been completed in accordance with generally accepted biological practices. No other warranty is made, either expressed or implied. Aquaparian trusts that the information provided in this report meets your requirements. Any questions regarding information provided in this document, please contact the undersigned at (250) 591-2258.

Respectfully submitted,

### **AQUAPARIAN ENVIRONMENTAL CONSULTING LTD.**

Prepared by:

Prepared and Reviewed by:

---

Crystal Campbell  
Environmental Technician

---

Chris Zamora R.P.Bio, B.Sc.  
Biologist/Principal



203-321 Wallace Street, Nanaimo, BC V9R 5B6  
**SARAH BONAR** 250-714-8446 **CHRIS ZAMORA** 250-714-8864

## 8.0 REFERENCES

British Columbia Breeding Bird Atlas. 2008. Data accessed from NatureCounts, a node of the Avian Knowledge Network, Bird Studies Canada. Available: <http://www.naturecounts.ca/>. Accessed: April 20, 2017.

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B.C. Conservation Data Centre. [www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/species-ecosystems-at-risk/conservation-data-centre](http://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/species-ecosystems-at-risk/conservation-data-centre) Web. (April 20, 2017).

BC Ministry of Environment. Habitat Wizard Database Internet Website: [http://webmaps.gov.bc.ca/imf5/imf.jsp?site=moe\\_habwiz](http://webmaps.gov.bc.ca/imf5/imf.jsp?site=moe_habwiz)

BC Ministry of Environment. Soils of British Columbia. <http://www.env.gov.bc.ca/soils/landscape/3.5columbia.html>

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Green R.N. and K. Klinka. 1994. A field Guide to Site Identification and Interpretation for the Vancouver Forest Region. Province of British Columbia, Ministry of Forests Research Branch.

Matsuda, Brent M, David M. Green and Patrick T. Gregory. 2006 Amphibians and Reptiles of British Columbia. Royal BC Museum Handbook.



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**FIGURE 1**  
**SITE LOCATION MAP**  
**UCLUELET, BC**



203-321 Wallace Street, Nanaimo, BC V9R 5B6  
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# Lot B Minato Road, Ucluelet, BC - Site Location Map

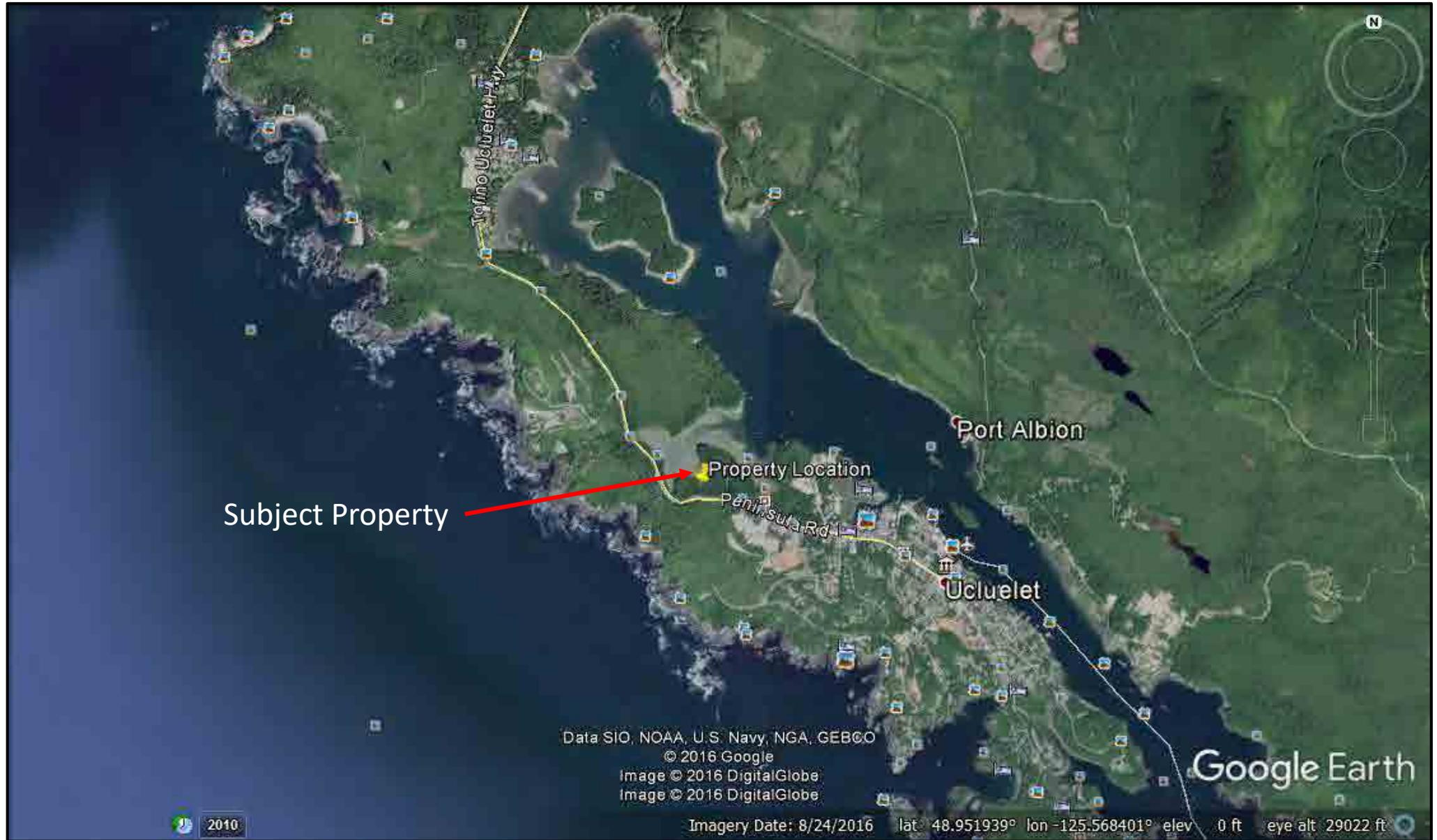


Figure 1

**FIGURE 2**  
**GOOGLE EARTH IMAGE OF LOT B MINATO ROAD PROPERTY**



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# Lot B Minato Road – Environmental Impact Assessment



Figure 2

**FIGURE 3**  
**LOT B MINATO ROAD – LAND DEVELOPMENT MAP**



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# Lot B Minato Road – Site Development Plan

Proposed Rezoning, Subdivision and Development Permits for 221 Minato Ro...

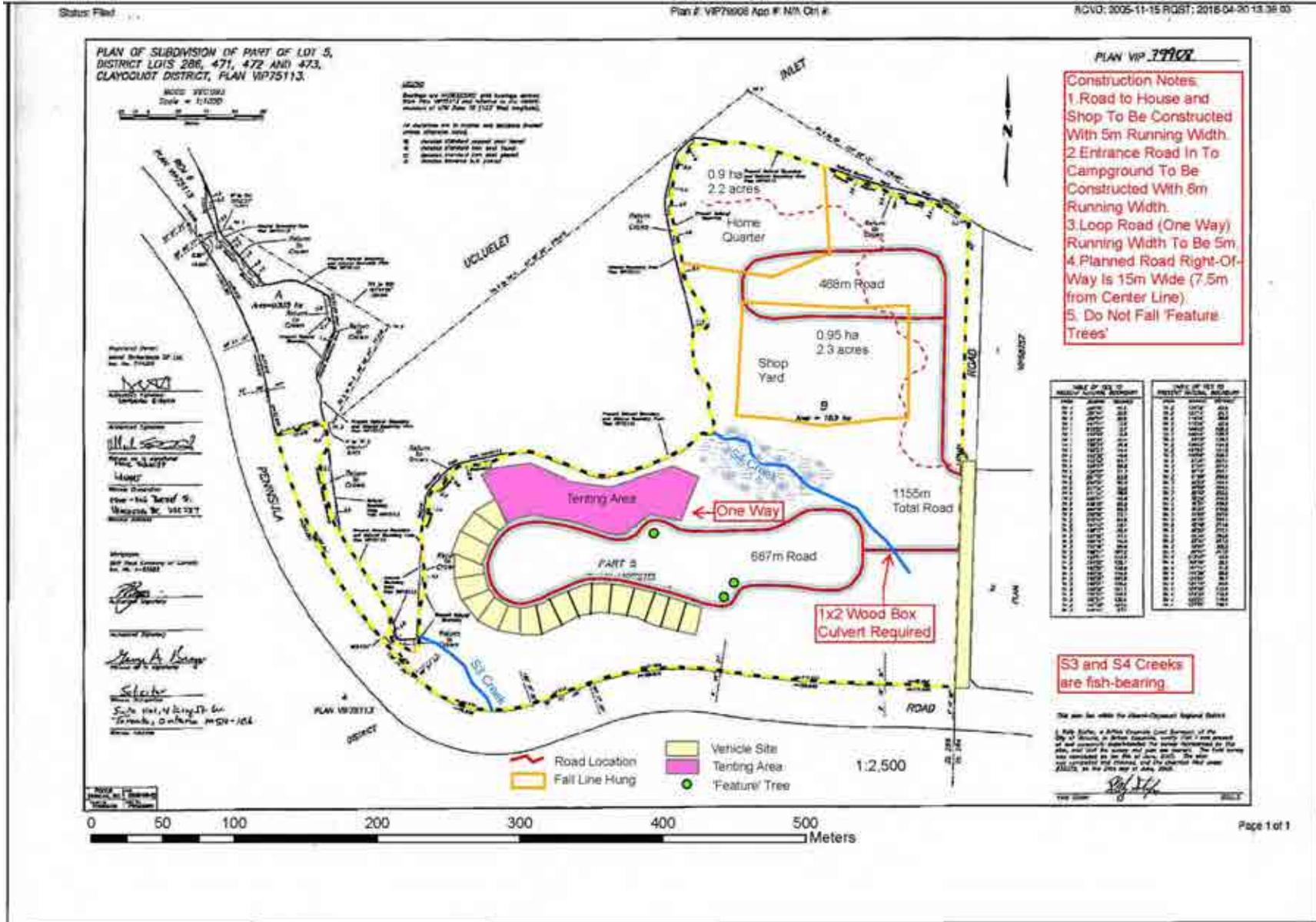


Figure 3

## **APPENDIX A**

### **SITE PHOTOGRPAHS**



203-321 Wallace Street, Nanaimo, BC V9R 5B6  
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## Lot B, Minato Road, Ucluelet BC

### Appendix A EIA Photographs



Photo 1: View looking south along Minato Road; the eastern boundary of the property.



Photo 2: View of entrance to Lim property off of Minato Road and cleared forest section; area of proposed campsite.



Photo 3: View looking east along south forest boundary and along Peninsula Road.

Photo 4 (right): View of old growth cedar left standing along Minato Road ~30m vegetation buffer.

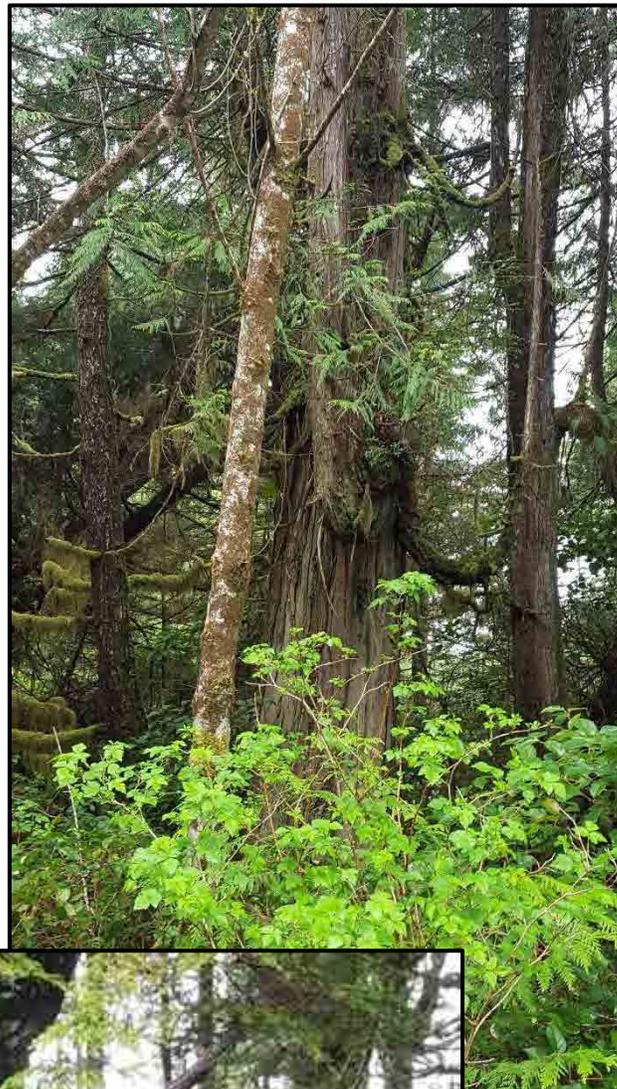


Photo 5 (below): View CWHvh1 second growth forest community. A vegetation buffer of ~60m has been left between property and Peninsula Road.



Photo 6: CWHvh1 forest community dominated by red cedar, and salal. Includes hemlock and Sitka spruce.

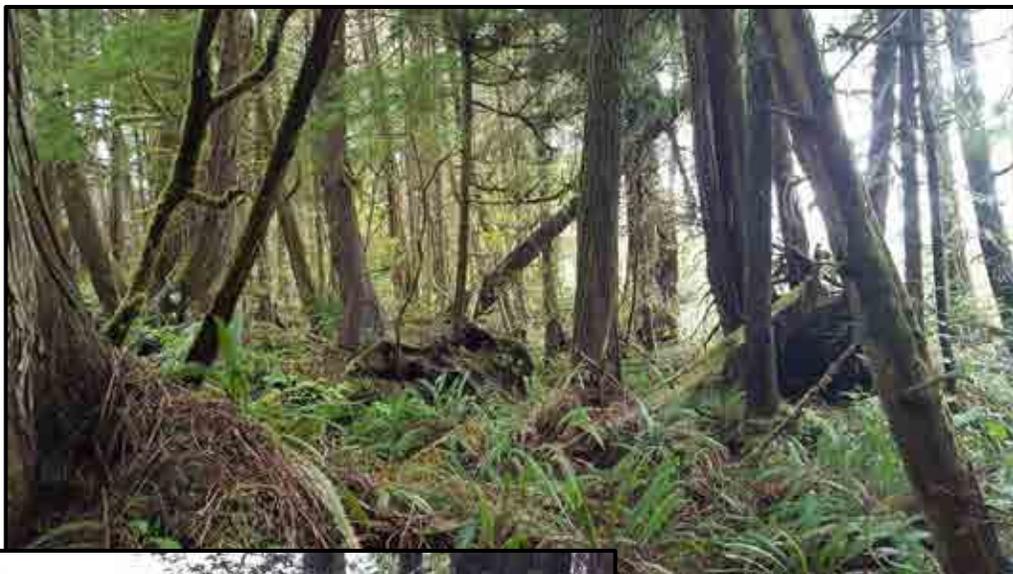


Photo 7: View of cleared forest from Peninsula Road vegetation buffer.



Photo 8: One of several small vernal forested wet area dominated by skunk cabbage and sedges within the property.

Photo 9: Photo looking down Stream 1 (S3 creek); Stream 1 is supports coho salmon in its lower reach.

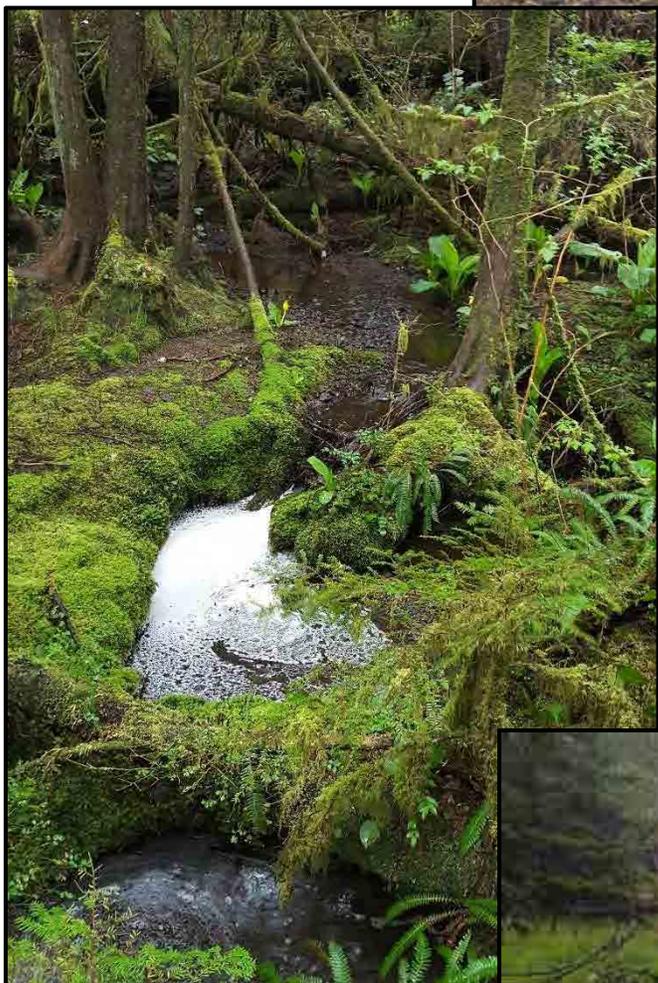


Photo 10: View looking upstream along Stream 1. The steam has a length of about 110m within the property.

Photo 11: Stream 1 and its confluence with the ocean dominated by salt marsh.





Photo 12: The northern boundary of property bounded by sensitive saltmarsh habitat within Ucluelet Inlet.

Photo 13: View looking east towards main section of the property and area proposed for single family development.



Photo 14: Unique stand of sweetgale shrubs within saltmarsh.



Photo 15: Old growth Sitka spruce (112 dbh) located near shoreline northwest end of property.



Photo 16: View of northern section of Minato Rd property recently cleared of forest stand.



Photo 17: Stream 2 (S4) upstream of its confluence with ocean. Stream bisects through the central and southwest corner of the property and is formed from perched groundwater and ditch run-off.



Photo 18: Riparian section of stream channel cleared from logging.

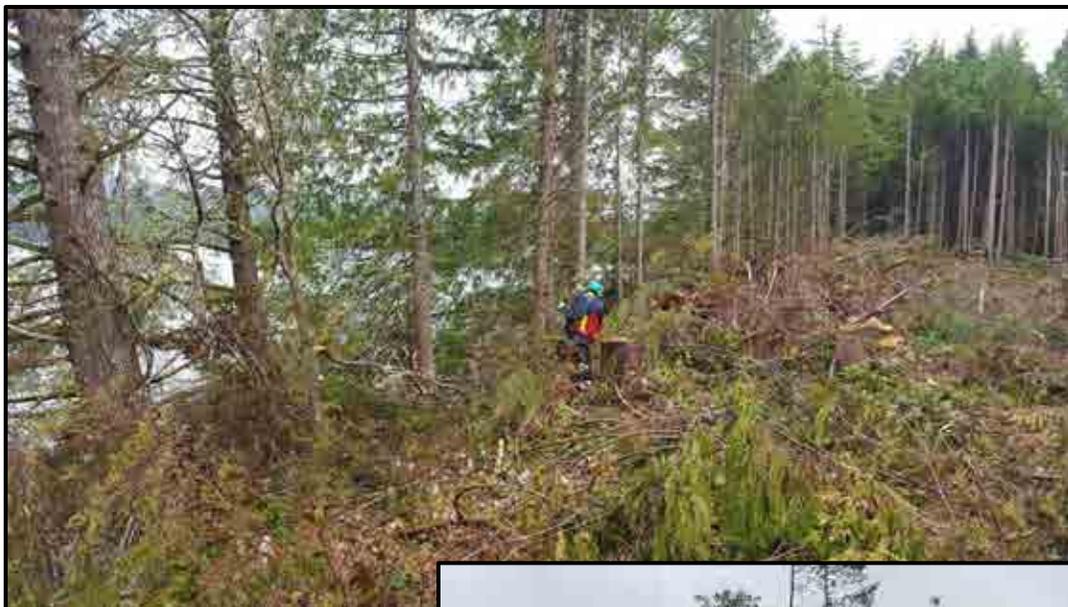


Photo 19: Northern buffer of property with Ucluelet inlet reduced to ~5-8m.



Photo 20: View looking east through cleared section of property.



Photo 21: View looking east within central section of property.

Photo 22: View looking west within southern section of property and within area of proposed campground and RV site.

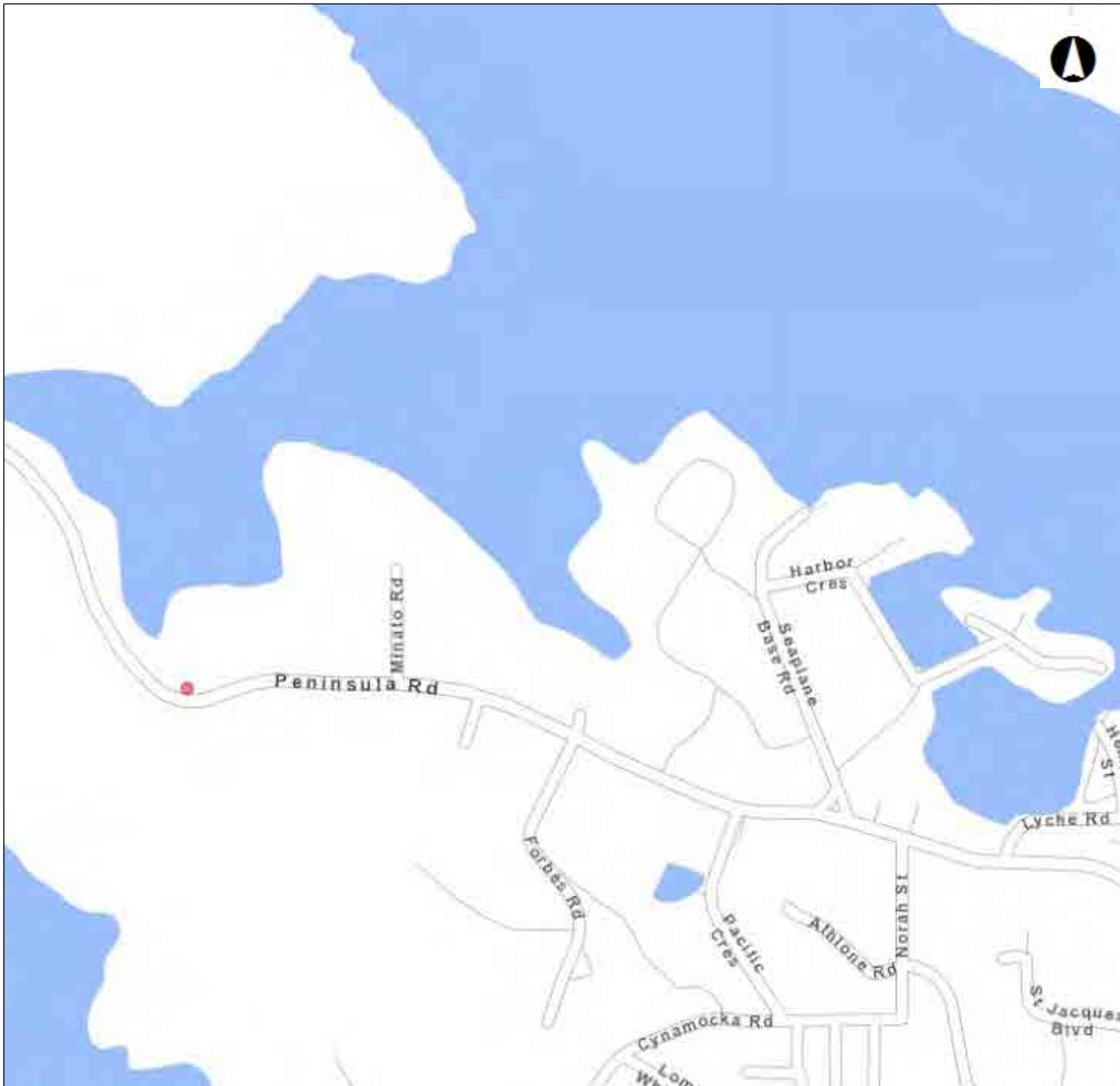


## **APPENDIX B**

### **BC HABITAT WIZARD SITE SEARCH RESULTS**



203-321 Wallace Street, Nanaimo, BC V9R 5B6  
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habwiz Mapping

**Legend**

All Fish points

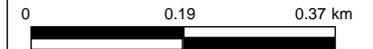
POINT\_TYPE\_CODE

- Observation
- Summary

Stream Centre Line Network

WDIC\_SPFTP\_CODE

- 100 - Coastline
- 1000 - Single-line blue line, main
- 1050 - Single-line blue line, thro
- 1100 - Single-line blue line, seco
- 1150 - Single-line blue line, seco
- - - 1200 - Construction line, main fl
- - - 1250 - Construction line, double
- - - 1300 - Construction line, secon



1: 9,227

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CAUTION: Maps obtained using this site are not designed to assist in navigation. These maps may be generalized and may not reflect current conditions. Uncharted hazards may exist. DO NOT USE THESE MAPS FOR NAVIGATIONAL PURPOSES.

Datum: NAD83

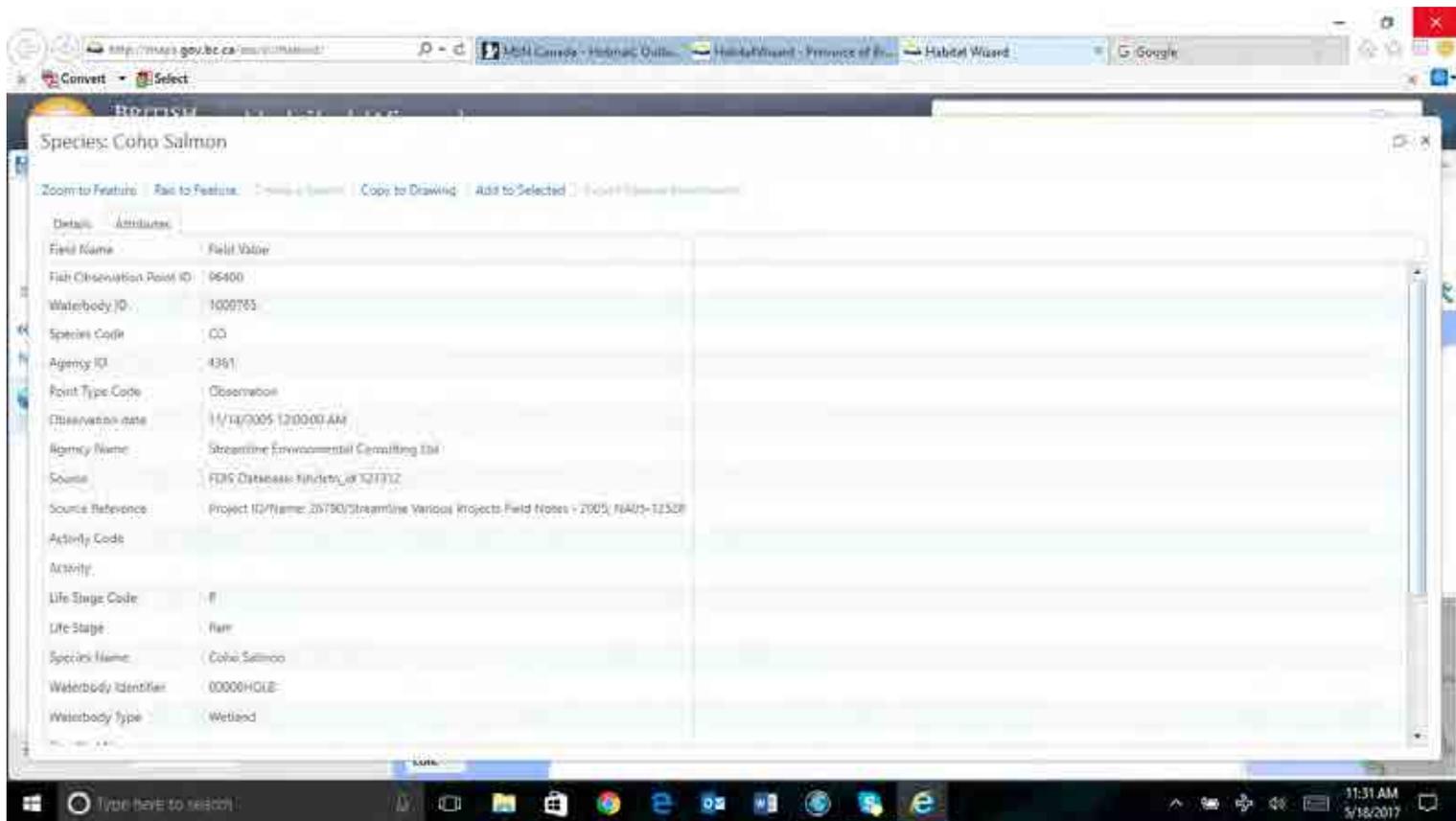
Projection: NAD\_1983\_BC\_Environment\_Albers

**Key Map of British Columbia**



# BC Habitat Wizard Stream Report

## Stream #1 Lot B - Minato Rd



**APPENDIX C**

**BC CONSERVATION DATA CENTRE SYSTEM EXPLORER**

**SEARCH RESULTS**



203-321 Wallace Street, Nanaimo, BC V9R 5B6  
SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

## BC Species and Ecosystems Explorer Search Results

Scientific Name	English Name	Status					CF Priority
		Provincial	BC List	COSEWIC	SARA	Global	
<i>Accipiter gentilis laingi</i>	Northern Goshawk, <i>laingi</i> subspecies	S2B (2010)	Red	T (2013)	1-T (2003)	G5T2 (2008)	1
<i>Anaxyrus boreas</i>	Western Toad	S3S4 (2010)	Blue	SC (2012)	1-SC (2005)	G4 (2008)	2
<i>Aneides vagrans</i>	Wandering Salamander	S3S4 (2010)	Blue	SC (2014)		G4 (2005)	2
<i>Ardea herodias fannini</i>	Great Blue Heron, <i>fannini</i> subspecies	S2S3B,S4N (2009)	Blue	SC (2008)	1-SC (2010)	G5T4 (1997)	1
<i>Brachyramphus marmoratus</i>	Marbled Murrelet	S3B,S3N (2015)	Blue	T (2012)	1-T (2003)	G3 (2013)	1
<i>Callophrys johnsoni</i>	Johnson's Hairstreak	S1S2 (2013)	Red			G3G4 (2004)	2
<i>Cervus elaphus roosevelti</i>	Roosevelt Elk	S3S4 (2010)	Blue			G5T4 (2016)	2
<i>Contopus cooperi</i>	Olive-sided Flycatcher	S3S4B (2015)	Blue	T (2007)	1-T (2010)	G4 (2008)	2
<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	S3S4 (2015)	Blue			G4 (2015)	2
<i>Glaucidium gnoma swarthi</i>	Northern Pygmy-Owl, <i>swarthi</i> subspecies	S3 (2009)	Blue			G4G5T3Q (2016)	1
<i>Gulo gulo vancouverensis</i>	Wolverine, <i>vancouverensis</i> subspecies	SH (2010)	Red	SC (2014)		G4TH (2010)	2
<i>Hemphillia dromedarius</i>	Dromedary Jumping-slug	S2 (2015)	Red	T (2014)	1-T (2005)	G3G4 (2005)	2
<i>Hemphillia glandulosa</i>	Warty Jumping-slug	S2? (2015)	Red	SC (2013)	1-SC (2005)	G3G4 (2005)	2
<i>Hirundo rustica</i>	Barn Swallow	S3S4B (2015)	Blue	T (2011)		G5 (2014)	2
<i>Megascops kennicottii kennicottii</i>	Western Screech-Owl, <i>kennicottii</i> subspecies	S3 (2009)	Blue	T (2012)	1-SC (2005)	G5T4 (2003)	1
<i>Mitellastra caulescens</i>	leafy mitrewort	S2S3 (2001)	Blue			G5 (1990)	2
<i>Mustela erminea anguinae</i>	Ermine, <i>anguinae</i> subspecies	S3 (2010)	Blue			G5T3 (2015)	2
<i>Myotis keenii</i>	Keen's Myotis	S3? (2015)	Blue	DD (2003)	3 (2005)	G3 (2014)	1
<i>Oxalis oregana</i>	redwood sorrel	S2S3 (2015)	Blue			G5 (1990)	3
<i>Patagioenas fasciata</i>	Band-tailed Pigeon	S3S4B (2015)	Blue	SC (2008)	1-SC (2011)	G4 (2000)	2
<i>Pristiloma johnsoni</i>	Broadwhorl Tightcoil	S3 (2015)	Blue			G3 (2013)	2
<i>Prosartes smithii</i>	Smith's fairybells	S2S3 (2015)	Blue			G5 (1990)	2
<i>Rubus lasiococcus</i>	dwarf bramble	S3 (2015)	Blue			G5 (1990)	2
<i>Rubus nivalis</i>	snow bramble	S3? (2015)	Blue			G4? (1990)	2
<i>Viola howellii</i>	Howell's violet	S2 (2015)	Red			G4 (1988)	2

### Search Summary

**Time Performed** Thu May 18 18:13:31 PDT 2017

<b>Results</b>	25 records.
<b>Search Criteria</b>	Search Type: Plants & Animals AND BC Conservation Status: Red (Extirpated, Endangered, or Threatened) OR Blue (Special Concern) AND Forest Districts: South Island Forest District (DSI) ( Restricted to Red, Blue, and Legally designated species ) AND MOE Regions: 1- Vancouver Island ( Restricted to Red, Blue, and Legally designated species ) AND Regional Districts: Alberni-Clayoquot (ACRD) ( Restricted to Red, Blue, and Legally designated species ) AND Habitat Subtypes: Conifer Forest - Moist/wet ( Restricted to Red, Blue, and Legally designated species ) AND BGC Zone: CWH Sort Order: Scientific Name Ascending
<b>Notes</b>	<ol style="list-style-type: none"><li>1. Citation: B.C. Conservation Data Centre. 2017. BC Species and Ecosystems Explorer. B.C. Minist. of Environ. Victoria, B.C. Available: <a href="http://a100.gov.bc.ca/pub/eswp/">http://a100.gov.bc.ca/pub/eswp/</a> (accessed May 18, 2017).</li><li>2. Forest District, MoE Region, Regional District and habitat lists are restricted to species that breed in the Forest District, MoE Region, Regional District or habitat (i.e., species will not be placed on lists where they occur only as migrants).</li><li>3. The data contained in the Results Export in BCSEE are provided under the <a href="#">Open Government License - BC</a>.</li></ol>

[Modify Search](#) | [New Search](#) | [Results](#)

**APPENDIX D**  
**BC ARCHAEOLOGY BRANCH SITE SEARCH RESULTS**



203-321 Wallace Street, Nanaimo, BC V9R 5B6  
SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

**From:** [Rohdin, Stephanie FLNR:EX](#)  
**To:** ["czamora@aquaparian.com"](mailto:czamora@aquaparian.com)  
**Subject:** RE: Data Request: chris John Zamora - Aquaparian Environmental Consulting Ltd  
**Date:** Monday, April 24, 2017 4:17:48 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

Hi Chris,

Thank you for your archaeological data request regarding PID: 026487764 (L B DL 286 CLAYOQUOT DISTRICT PL VIP79908). According to Provincial records there are no known archaeological sites recorded on the subject property. However, given the lot's waterfront location there is the possibility that unknown/unrecorded archaeological sites may exist on the property.

Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the *Heritage Conservation Act* and must not be altered or damaged without a permit from the Archaeology Branch.

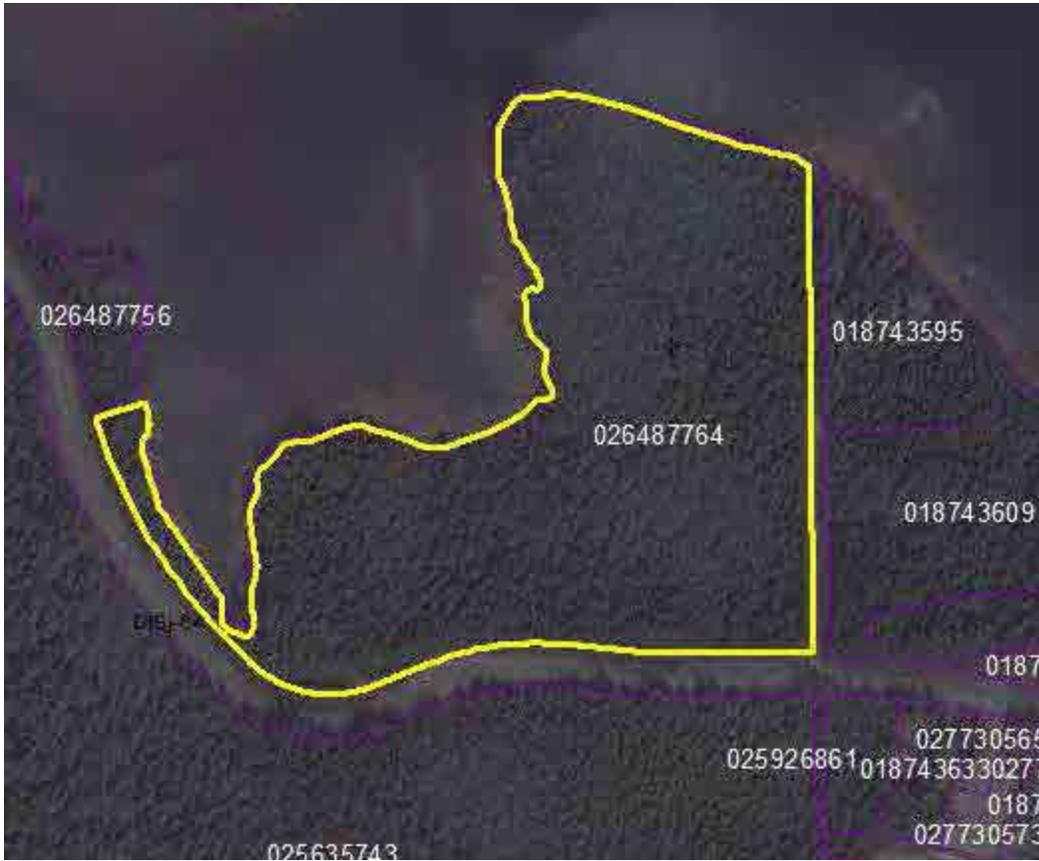
Prior to any land alterations (*e.g.*, addition to home, property redevelopment, extensive landscaping, service installation), an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists ([www.bcapa.ca](http://www.bcapa.ca)) or through local directories.

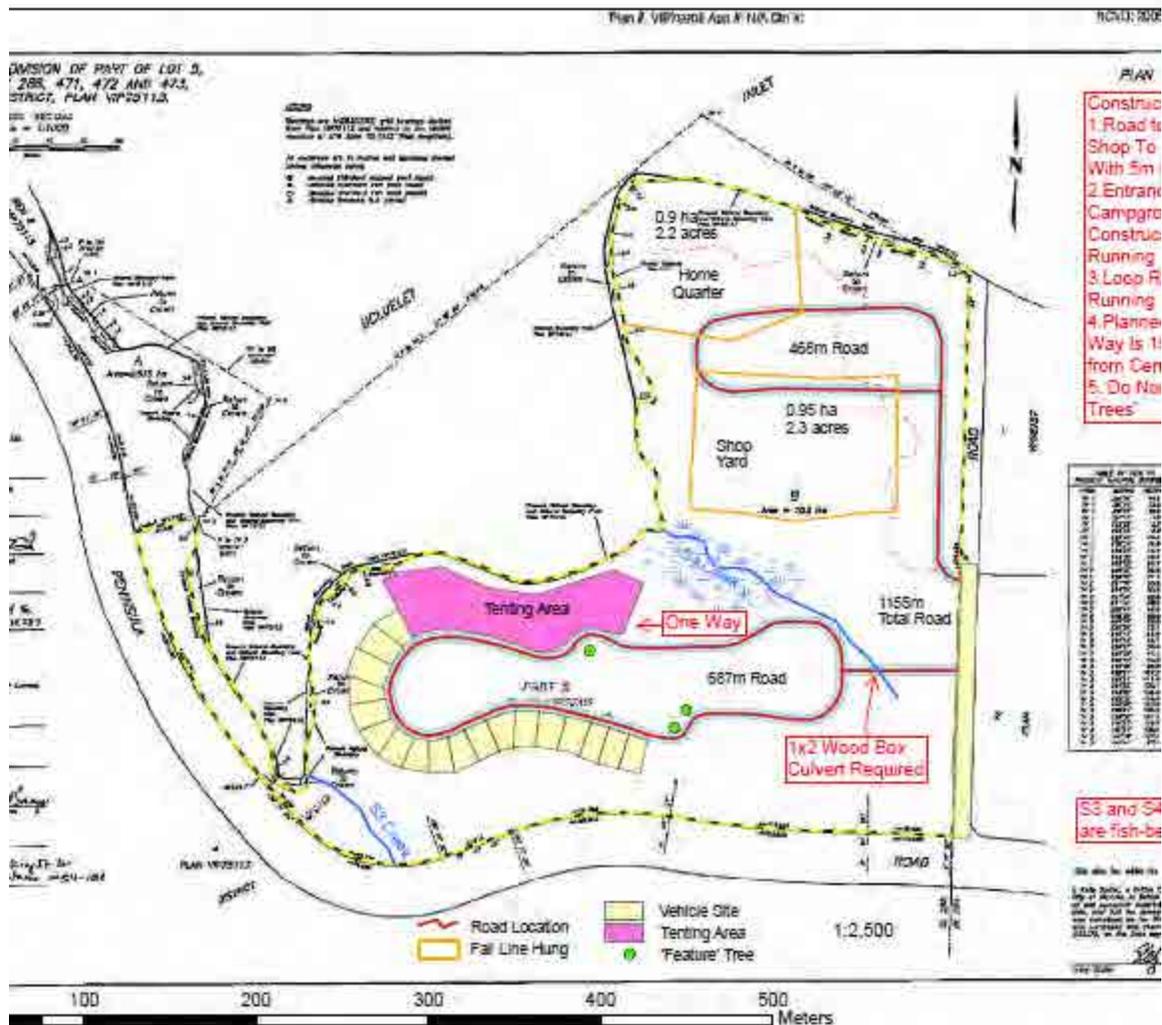
If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.

In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.

If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities **must** be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the *Heritage Conservation Act* and likely experience development delays while the appropriate permits are obtained.

Please review the screenshot of the property below (outlined in yellow). If this does not represent the property listed in the data request please contact me.





Thank you,

Stephanie



**Stephanie Rohdin**  
Archaeological Inventory Officer

**Archaeology Branch | Ministry of Forests, Lands and Natural Resource Operations**  
3-1250 Quadra St. Victoria BC V8W 2K7 | PO Box 9816 Stn Prov Govt, Victoria BC V8W 9W3  
Visit our website at: <http://www.for.gov.bc.ca/archaeology/>

 Please consider the environment before printing this e-mail

**From:** czamora@aquaparian.com [mailto:czamora@aquaparian.com]  
**Sent:** Monday, April 24, 2017 4:05 PM  
**To:** Arch Data Request FLNR:EX  
**Subject:** Data Request: chris John Zamora - Aquaparian Environmental Consulting Ltd

Terms and Conditions Accepted	Yes
Name	chris John Zamora
Affiliation	Aquaparian Environmental Consulting Ltd
Address	102 Milton Street
City	Nanaimo
Province	British Columbia
Postal Code	V9R 5B6
Phone Number	250-591-2258
Fax Number	
Email	<a href="mailto:czamora@aquaparian.com">czamora@aquaparian.com</a>
Why Site Information is Required	I am completing a biophysical investigation of a property in Ucluelet for a Campsite and single family residents development just east of the Ucluelet town centre.
Third Party Access	Owner of the property Richard Lim. The property is located at Lot B Minato Road. Legal property description is Part of Lot 5, District Lots 286, 471 and 473, Clayoquot District, Plan, VIP 75113
Information Requested	Part of Lot 5, District Lots 286, 471 and 473, Clayoquot District, Plan, VIP 75113. Property bounded to the north by Ucluelet Inlet, to the south by Peninsula Road and to the East by Minato Road.
File Attachment#1	Figure 1 Pennisula Road.jpg
File Attachment#2	Lot B Minato Rd Ucluelet.msg
File Attachment#3	Fig 4.jpg
File Attachment#4	
File Attachment#5	
Format for Requested Text Data	PDF
GIS Data	No



March 8, 2018

Rick and Rebekka Lim  
 BNEE Enterprises Ltd.  
 Pirates Bay Holdings Ltd.  
 2040 Peninsula Road  
 Ucluelet, BC

**Via Email:** rickandrebekka@hotmail.com

**RE: 221 MINATO ROAD, UCLUELET BC  
 VEGETATION MANAGEMENT PLAN**

## **1.0 INTRODUCTION**

Aquaparian Environmental Consulting Ltd (Aquaparian) has been retained by you to complete a Vegetation Management Plan (VMP) to support a land development proposal for your property at 221 Minato Road in Ucluelet BC which includes the development of a single-family home, supporting outbuilding and a public tent and RV campground. The subject parcel is legally identified as:

- **Lot B, District Lot 286 & 471 & 472 & 473, Clayoquot District, Plan VIP 79908.**

The VMP is a District of Ucluelet (DoU) requirement under the Development Approvals Procedures Bylaw 1164. A site location map has been included as Figure 1 and a property map has been included as Figure 2. Site photographs taken on January 31, 2018 have been included in this document as Appendix A.

Aquaparian completed an Environmental Impact Assessment (EIA) report of the subject property dated May 18, 2017 after the completion of significant land clearing works and a post-clearing report dated February 6, 2018 in response to a compliance letter produced for the property by the DoU dated December 13, 2018. Requirements for vegetation restoration works are based on the EIA report and the District of Ucluelet Rezoning and Land Clearing evaluation. The following are requirements as per page 2 of the district letter:

- “Under the Development Approvals Procedures Bylaw 1164, you are required to provide a written statement outlining the land development proposal for your property in full; provide a complete site plan and landscape plan (see section 5.3 of bylaw No. 1164). The site plan and landscape plan is to demonstrate how the environmental and

**203-321 WALLACE ST. NANAIMO, BC V9R 5B6, 250-591-2258**

**CELL SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864**

community values identified for this property in the Official Community Plan (OCP) will be achieved and protected; specifically,

- A. Protection of a 30m buffer along the shoreline to preserve sensitive marine wetlands (estuary) and mitigation measures for any clearing or disturbance within this area;
- B. Protection of fish bearing streams and mitigation measures for disturbance already within 30m of watercourses;
- C. Extension of the **Wild Pacific Trail** along the shoreline;
- D. Protection of a 30m treed buffer along the Pacific Rim Highway;
- E. Identification and preservation of Sitka Spruce trees.

The subject parcel is subject to the following DoU Development Permit Area (DPA):

- DPA No. 8 - Former Forest Reserve Lands applying to protection of a 30m buffer along the shoreline to preserve sensitive marine wetlands (estuary) and protection of a 30m treed buffer along the Pacific Rim Highway.

The DOU recognizes the provincial Riparian Areas Regulation (RAR) and the policy guideline in protecting watercourses including all streams, rivers, lakes, ponds, and wetlands. These watercourses are considered protected if they support fish or flow into fish bearing waters and are considered as DPAs requiring protective riparian buffers. The DoU OCP states:

- “There will be a minimum setback of 5 meters on all streams in the DPA regardless of whether they are fish bearing or not, as they are corridors for animals. The QEP will use their own discretion to determine further setbacks or default to the “riparian assessment area” distances, as stated on page 2, in the Riparian Areas Regulation, July 27 2004.”

The subject property contains two watercourses and a protective riparian buffer of 10m was determined (based on RAR guidelines) for both streams including side channels. The setback is measured from the High Water Mark (HWM) on both sides of the stream. As understood, a Stormwater Management Plan for the property and design of stream crossings is required and will be completed by Cascara Consulting Engineers Ltd (Cascara). The shoreline HWM, extent of land clearing, roads and location of watercourses have been surveyed and mapped by AG Surveys.

Results from the survey indicate the following:

- The edge of clearing near the Pacific Rim Highway was found to be outside the 30m Highway setback;
- Land clearing along the shoreline extends into the 30m setback in certain areas up to 4.5m from the HWM; and,



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- Vegetation within a portion of the headwater section of “Stream 1” had been removed and encroached into the 10m riparian setback (refer to Figure 4: Development Permit Areas Map).

This Vegetation Management Plan (VMP) report has been prepared to provide a re-vegetation and environmental protection plan for submission to the DoU with the land development proposal for the project. The intent is to re-instate impacted vegetation within the riparian setbacks of the stream and the marine shoreline. **Aquaparian recommends that the owner of the property should retain a Certified / Professional Landscape Architect to assist the owner in completing a proper site layout for the single family home, outbuilding and layout of the campground after vegetation setbacks have been reinstated within the property that would meet DoU “Design Requirements”. The Landscape Architect is to also aid in defining a suitable alignment location for the Wild Pacific Trail within the property.**

Final site plans are to be approved by a QEP prior to the start of construction activities.

## 2.0 SITE DESCRIPTION

The subject parcel is located within mostly undeveloped lands northwest of the Village of Ucluelet. The property is irregularly-shaped with a total area of 24.7 acres. The subject property is bounded to the north and west within a sheltered bay of the Ucluelet Inlet, to the south by Peninsula Road and to the east by Minato Road. The western portion of the parcel is a narrow forested strip that follows a curve along Peninsula Road around the bay for approximately 175m. The property supports the lower reaches of two watercourses that flow into Ucluelet Inlet. Both watercourses are understood to be fish bearing near their confluence with the ocean. “Stream 1” (eastern watercourse) bisects the middle of the site and “Stream 2” is located in the western portion of the site near Peninsula Road. Stream 1 contains side channel drainages that connect to the main channel and were pooling at the time of the site assessment.

The property is gently sloping towards the ocean with the higher land being along Peninsula Road. A section of intact forest consists of mature second-growth coastal western hemlock forest with some veteran Western cedar trees. The northern edge of the property primarily consists of salt marsh habitat influenced by upland drainage and tidal mudflat.

Approximately half of the southern portion of the parcel has been mostly cleared of trees. A narrow ground vegetation strip with scattered trees still exists in the centre and a circular road with roadside ditching has been constructed and surfaced with gravel. The vegetation within the west side of the property and in and around Stream 2 has been left intact. The intact 10m riparian setback for Stream 2 is 1400m<sup>2</sup>. The northern portion of the parcel is almost entirely cleared with exception to a strip of vegetation along the shoreline that varies in width from 4.5m to approximately 30m and a couple of small retained tree stands (refer to Figure 3 site plan).



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Constructed gravel roads with access to Minato Road bisect the cleared area. Stream 1 bisects the middle of the lot and the riparian habitat has been damaged with clearing up to the HWM in some areas. A log bridge (non-compliant) has been constructed across Stream 1 that presently allows for only 15cm of free board from the bottom of the creek.

### 3.0 VEGETATION MANAGEMENT PLAN

The following remediation measures are to be completed within the streamside setback and the shoreline DPA before any further site preparation / development works in the property are completed. A completed plan which is intended to re-vegetate the impacted habitat within the property is provided in Figure 5. The total estimated vegetated treatment areas are summarized in Table 1.

#### Vegetation remediation of the site is to include the following:

- Along the impacted 10m riparian buffer strip of Stream 1 headwaters including inflowing side channels, Aquaparian recommends re-instating with native trees and shrubs (see Table 2) interspersed with existing remaining riparian vegetation. Some natural regeneration is expected to occur from the existing seed bank in the soils;
- Upon removal and replacement of the Stream 1 bridge crossing, re-instate graded streambanks using native trees and shrubs; and,
- In order to remediate the impacted coastal foreshore area, Aquaparian recommends protection of intact shoreline habitat and re-instating the impacted coastal foreshore area with native tree and shrub species to the 30m setback mark from the present natural boundary or High Tide Line. Native plant species were selected based on existing native shrub species and suitability to the site conditions (see Table 3).
- As per discussion with DOU planning staff, the layout of camping pads and alignment of the Wild Pacific Trail within the property will require DOU approval.

As per AG Surveys, the total area of restoration is approximately **6,650m<sup>2</sup>** to be planted with native trees and shrubs including a **2850m<sup>2</sup>** riparian area along Stream 1 and 3800m<sup>2</sup> along the coastal riparian buffer in the northeastern portion of the property.

**Table 1. Estimated Treatment Area Within the DPA for Restoration Requirement:**

<b>Riparian Streamside Protection Area:</b>	
Stream 1 streamside protection area within the parcel (10m setback)	~5750m <sup>2</sup>
Stream 2 streamside protection area within the parcel (10m setback)	~1400m <sup>2</sup>
Total cleared area within Stream 1 streamside protection area	<b>~3800m<sup>2</sup></b>
Total cleared area within Stream 2 streamside protection area	0m <sup>2</sup>
Estimated streamside restoration area	<b>~3800m<sup>2</sup></b>



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Coastal Protection DPA Area:	Area Estimate (m <sup>2</sup> )
Total DPA area within the parcel (30m setback)	~25800m <sup>2</sup>
Total cleared area within the DPA	~2850m <sup>2</sup>
Estimated coastal restoration area	~2850m <sup>2</sup>
<b>Total estimated planting restoration area: Stream 1 and Coastal</b>	<b>6650m<sup>2</sup></b>

Where possible, use stockpiled organic soil on site as a growing medium for planting areas and salvage native plants, logs and stumps to transplant within the site and incorporate into the planting plan for landscaping surrounding the house and campground. This will assist in reducing costs, incorporate potential salvage of native plant seed banks, provide delineated boundaries between camping pads and add natural local form and character to the development

### 3.1 PLANTING PLAN

The following species have been selected for the re-vegetation areas (see Table 2 &3). Overall planting density to be achieved is a minimum of one plant per square meter with the goal of 100% cover within 2-3 years.

The re-instatement of natural trees and shrub vegetation will help to stabilize the soils and improve natural habitat in the riparian zones. Riparian setbacks and restoration areas are to be considered a No-Go zones and left to naturally infill after planting with native riparian species (either transplanted or purchased). The cost has been based on all plant materials being purchased rather than transplanted from within the site.

**Table 2. Streamside Planting Plan (Stream 1)**

Common Name	Species	Spacing	Size	Quantity	Cost Per	Total
<b>Trees</b>						
Western redcedar	<i>Thuja plicata</i>	5m <sup>2</sup>	1 Gal	100	\$4.75	\$475.00
Coastal western hemlock	<i>Tsuga heterophylla</i>	5m <sup>2</sup>	1 Gal	65	\$4.75	\$308.75
Sitka spruce	<i>Picea sitchensis</i>	5m <sup>2</sup>	1 Gal	45	\$4.75	\$213.75
Red alder	<i>Alnus rubra</i>	5m <sup>2</sup>	1 Gal	30	\$4.75	\$142.50
<b>Sub-total</b>				<b>240</b>		<b>\$1140</b>
<b>Shrubs</b>						
Salal	<i>Gaultheria shallon</i>	0.5m <sup>2</sup>	9cm	900	\$2.25	\$2025.00
Salmonberry	<i>Rubus spectabilis</i>	1m <sup>2</sup>	1 Gal	400	\$4.75	\$1900.00
Red huckleberry	<i>Vaccinium parvifolium</i>	1m <sup>2</sup>	1 Gal	300	\$4.75	\$1425.00
Sword fern	<i>Polystichum munitum</i>	1m <sup>2</sup>	1 Gal	550	\$4.75	\$2612.50
Deer fern	<i>Blechnum spicant</i>	0.5m <sup>2</sup>	1 Gal	1800	\$4.75	\$8550.00
<b>Sub-total</b>				<b>3950</b>		<b>\$16,512.50</b>
<b>TOTAL</b>				<b>4190</b>		<b>\$17,652.50</b>



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Table 3. Shoreline Planting Plan

Common Name	Species	Spacing	Size	Quantity	Cost Per	Total
<b>Trees</b>						
Western redcedar	<i>Thuja plicata</i>	5m <sup>2</sup>	1 Gal	75	\$4.75	\$365.25
Sitka spruce	<i>Picea sitchensis</i>	5m <sup>2</sup>	1 Gal	50	\$4.75	\$237.50
Coastal western hemlock	<i>Tsuga heterophylla</i>	5m <sup>2</sup>	1 Gal	35	\$4.75	\$166.25
<b>Sub-total</b>				<b>160</b>		<b>\$769</b>
<b>Shrubs</b>						
Salal	<i>Gaultheria shallon</i>	0.5m <sup>2</sup>	9cm	1200	\$2.25	\$2700.00
Salmonberry	<i>Rubus spectabilis</i>	1m <sup>2</sup>	1 Gal	300	\$4.75	\$1425.00
Evergreen huckleberry	<i>Vaccinium ovatum</i>	1m <sup>2</sup>	1 Gal	350	\$4.75	\$1662.50
Sword fern	<i>Polystichum munitum</i>	1m <sup>2</sup>	1 Gal	500	\$4.75	\$2375.00
Bracken fern	<i>Pteridium aquilinum</i>	1m <sup>2</sup>	1 Gal	200	\$4.75	\$950.00
Deer fern	<i>Blechnum spicant</i>	0.5m <sup>2</sup>	1 Gal	250	\$4.75	\$1187.50
<b>Sub-total</b>				<b>2800</b>		<b>\$10,300</b>
<b>TOTAL</b>				<b>2960</b>		<b>\$11,069</b>

\*Note: cost estimates are based on the Streamside Native Plants Wholesale Price Guide

\*Note: cost estimates may be reduced where existing native plants can be salvaged and transplanted from within the site.

### 3.2 PLANT SOURCE

#### Streamside Native Plants

7455 Island Highway West, Bowser, British Columbia V0R 1G0

Phone/Fax: 250-757-9999 / Toll Free: 877-570-3138

[http://members.shaw.ca/nativeplants/streamside\\_home.html](http://members.shaw.ca/nativeplants/streamside_home.html)

E-mail: [Richard@streamsidenativeplants.com](mailto:Richard@streamsidenativeplants.com)

The nursery is located at 7455 Island Highway West (Highway 19A) Bowser B.C.

#### Green Thumb Nurseries

6261 Hammond Bay Road

Nanaimo BC V9T 5M4

250-758-0808

E-mail: [grnthumb@shaw.ca](mailto:grnthumb@shaw.ca)

### 3.3 LANDSCAPE COMPANY

#### Stick In the Mud Landscaping

1079 Pacific Rim Highway

Tofino BC V0R 2Z0



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SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

250-725-2606

E-mail: stickmud@telus.net

Landscape Architects.  
 Victoria Drakeford Landscape Architects  
 Nanaimo, BC,  
 250-754-4335

#### **4.0 INSTALLATION RECOMMENDATIONS**

The following recommendations are provided to maximize success of the project:

- Retain the services of a recognized landscaping company familiar with local planting conditions to complete the planting/landscaping works.
- Installation of vegetation will be completed either in the fall or early spring and must be maintained and irrigated as necessary through at least two summer seasons to optimize survival. Planting in cool wet weather will reduce transplant shock and allow plants to establish root systems without drought stress. Overall shrub density should be a minimum of one plant per m<sup>2</sup> and plant placement should mimic a natural growth pattern i.e. clusters of same species. Planting works to achieve a 70-80% survival rate or replacement of plants required.
- Any existing riparian vegetation along the streambanks should be left intact with plantings interspersed among intact vegetation.
- Install a silt fence at the extent of the planting area at the high water mark on both sides of the stream and at the extent of clearing along the coastline prior to the start of landscaping works. Anchor the silt fence in a 0.3m trench and check fencing for disrepair periodically over the course of the riparian work area. Silt fences should remain during and after plantings until the site is stable and mulch is applied but should be removed before the fall rainy season to prevent inundation.
- Native topsoil from the site should be used in the planting areas where possible to increase the likelihood of natural infilling from the soil seed bank. Imported topsoil can be added if necessary for a planting medium. Add a handful of bone meal (reduces transplant shock) to each planting. A minimum 3" deep layer of composted bark mulch is recommended for the planting areas to prevent moisture loss and soil erosion. Small downed logs and branches from the site clearing can be chipped to provide mulch. Place the mulch after the plants are installed leaving a gap around each plant.



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- Every year the site will need to be inspected for invasive species growth and dead plants. Invasive plants (i.e. broom, blackberry, ivy) are to be removed as often as necessary and dead plants are to be replaced. Infill is expected to occur from the selected species.
- The restoration works are to be inspected by Aquaparian following installation to ensure the environmental protection measures are followed and to provide a completion report.
- Retain as many tree stumps with remaining live vegetation (i.e. deer fern) and logs as boundary and visual barriers when delineating camping pads.

## **5.0 ENVIRONMENTAL PROTECTION MEASURES**

Environmental protection measures are to be in place prior to excavation, construction and landscaping activities. Recommendations contained in this report should be reviewed with the construction crew prior to the start of the project.

Aquaparian recommends the following Environmental Protection Measures for this project based on the information provided:

- Environmental monitoring on a part-time basis is recommended for the restoration plan completion and construction activities.
- As per the DOU, retain all remaining vegetation (including trees, understory vegetation, remaining stumps and natural large woody debris) still standing within the property.
- Complete excavation and construction activities during periods of dry weather or minimal rain forecast if possible. No sedimentation of the streams or the marine environment is to be allowed.
- As required, a Certified Engineer should be retained to complete an engineering plan for the installation of a bridge across Stream 1. The existing log stringer culvert should be removed and a properly engineered crossing installed. The stream crossing bridge replacement works should be completed in the reduced risk window for fish on Vancouver Island of June 15<sup>th</sup> to September 15<sup>th</sup>. A Section 11 Notification Application will be required to the Ministry of Forest Lands and Natural Resource Operations prior to any physical installation works.
- The riparian protection areas should be clearly defined with a visual boundary and should be considered a no-go zone after restoration works are completed.



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- No encroachment or removal of vegetation should occur in the 30m Pacific Rim Highway buffer.
- Do not stockpile waste materials on site – remove as soon as possible.
- All heavy equipment should be clean and free of leaks and to have a fully stocked spill kit on board.
- Control of site drainage and runoff is necessary during or following excavation, construction, and landscaping activities to prevent migration of fines. Drainage channels that have been trenched and are directing ponded water into the marine foreshore may result in sedimentation to the marine environment. Block and re-direct drainage channels to prevent runoff from entering the marine environment. Aquaparian understands that a site drainage management plan is to be completed by Cascara Consulting Engineers Ltd.
- No soil piles should be allowed within 30m of the streams on site and the near foreshore. Temporarily soil stockpiles will require protection from heavy rain. Either temporarily put soils in a dump truck, or cover with a tarp or sheet of poly, or take off site.
- Stockpiling of soil adjacent to vegetated areas has resulted in the burial of tree trunks and the root systems of several retained trees. Remove soil piles from the base of mature trees and cease stockpiling near naturally vegetated areas.
- If evidence of an archaeological site is encountered during development, activities must be halted immediately and the Archaeological Branch contacted at 250-953-3334 for guidance. No further clearing or excavation should occur until an Archaeological Assessment is completed by a Professional Archaeologist.
- A danger tree assessment should be completed by a Certified Arborist before any construction works commence on the residence or the campground. If standing trees are identified as unstable, retain the stump in place and the surrounding vegetation.
- Extension of the Wild Pacific Trail is required along the shoreline and is to be included in the site plan. Trail alignment is to be approved by the QEP and the DOU. The width of the trail can vary as little as 1.5m and can be partially aligned off the highway corridor within the property, but must still provide some access and viewing location of Ucluelet Inlet.

## 6.0 SUMMARY

The subject parcel has been partially cleared with the intent of constructing a single-family residence and a campground with RV use. The land clearing was completed



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without a permit and is subject to the Former Forest Reserve DPA and the provincial Riparian Areas Regulation. A 30m coastal protection setback, a 10m streamside protection setback and a 30m Pacific Rim Highway setback have been identified within the subject parcel. The District of Ucluelet has provided the property owner with a Rezoning and Land Clearing evaluation letter requiring the submission of a vegetation management plan. This report has been completed to fulfill this requirement and to demonstrate how the environmental and community values identified for this property in the Official Community Plan (OCP) will be achieved and protected.

Re-vegetation of the identified disturbed areas within the coastal setback and the streamside setback is recommended to restore fish habitat, and to minimize erosion and sediment release into fish habitat. **The total restoration area recommended is 6650m<sup>2</sup> (2850m<sup>2</sup> within the coastal setback and 3800m<sup>2</sup> within the streamside setback).**

If all mitigation measures are implemented as recommended in this report, the risk of further negative impacts to foreshore and stream habitat will be minimized and impacted riparian conditions will be improved over existing conditions with the intent of restoring a naturally functioning buffer in the long term.

## 7.0 CLOSURE

This report is based on a site assessment, past project experience and in accordance with generally accepted biological practices. No other warranty is made, either expressed or implied.



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**MINATO ROAD VEGETATION RESTORATION PLAN**

**MARCH 2018**

**11**

Aquaparian trusts that the information provided in this report meets your requirements. Any questions regarding information provided in this document, please contact the undersigned at (250) 591-2258.

Sincerely,

**AQUAPARIAN ENVIRONMENTAL CONSULTING LTD**

Prepared by:

Review & Prepared by:



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Crystal Campbell, Environmental Tech.

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Chris Zamora B.Sc, R.P.Bio  
Senior Biologist/Principal

\\AQUAPARIAN-NAS\Documents\Projects\Projects\N358 Minato Road Ucluelet\MP\221 Minato Road Vegetation Restoration Plan.docx



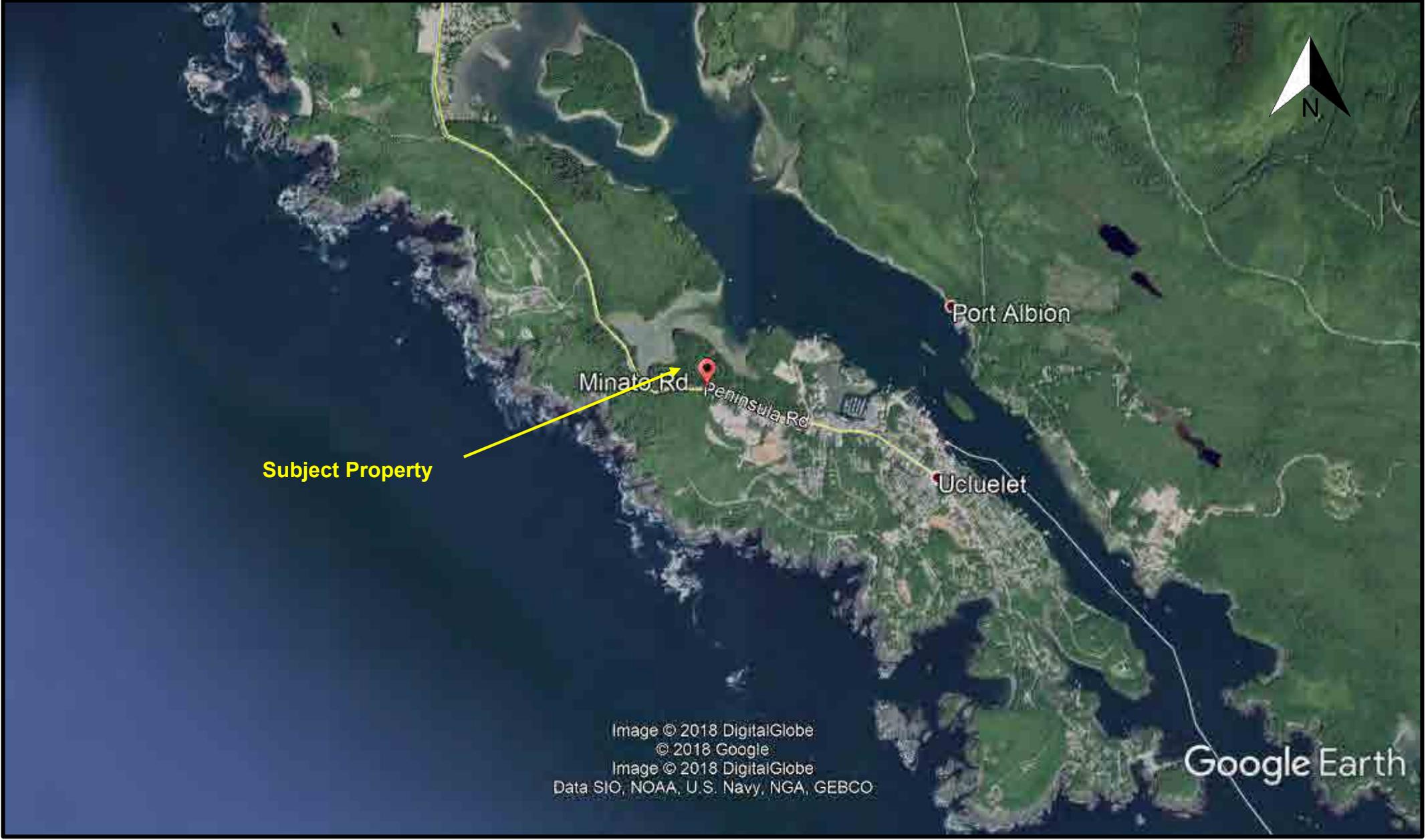
203-321 WALLACE ST, NANAIMO, BC V9R 5B6  
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**FIGURE 1**  
**SITE LOCATION MAP**



203-321 WALLACE ST, NANAIMO, BC V9R 5B6  
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**FIGURE 1. SITE LOCATION MAP  
221 MINATO ROAD, UCLUELET, BC**



**FIGURE 2**  
**PROPERTY MAP**



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**FIGURE 2. PROPERTY MAP  
221 MINATO ROAD, UCLUELET, BC**



**FIGURE 3**  
**AG SURVEYS SITE PLAN**



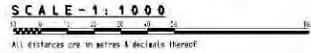
203-321 WALLACE ST, NANAIMO, BC V9R 5B6  
SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

# FIGURE 3. MINATO ROAD "AG SURVEYS" PROPERTY SITE SURVEY

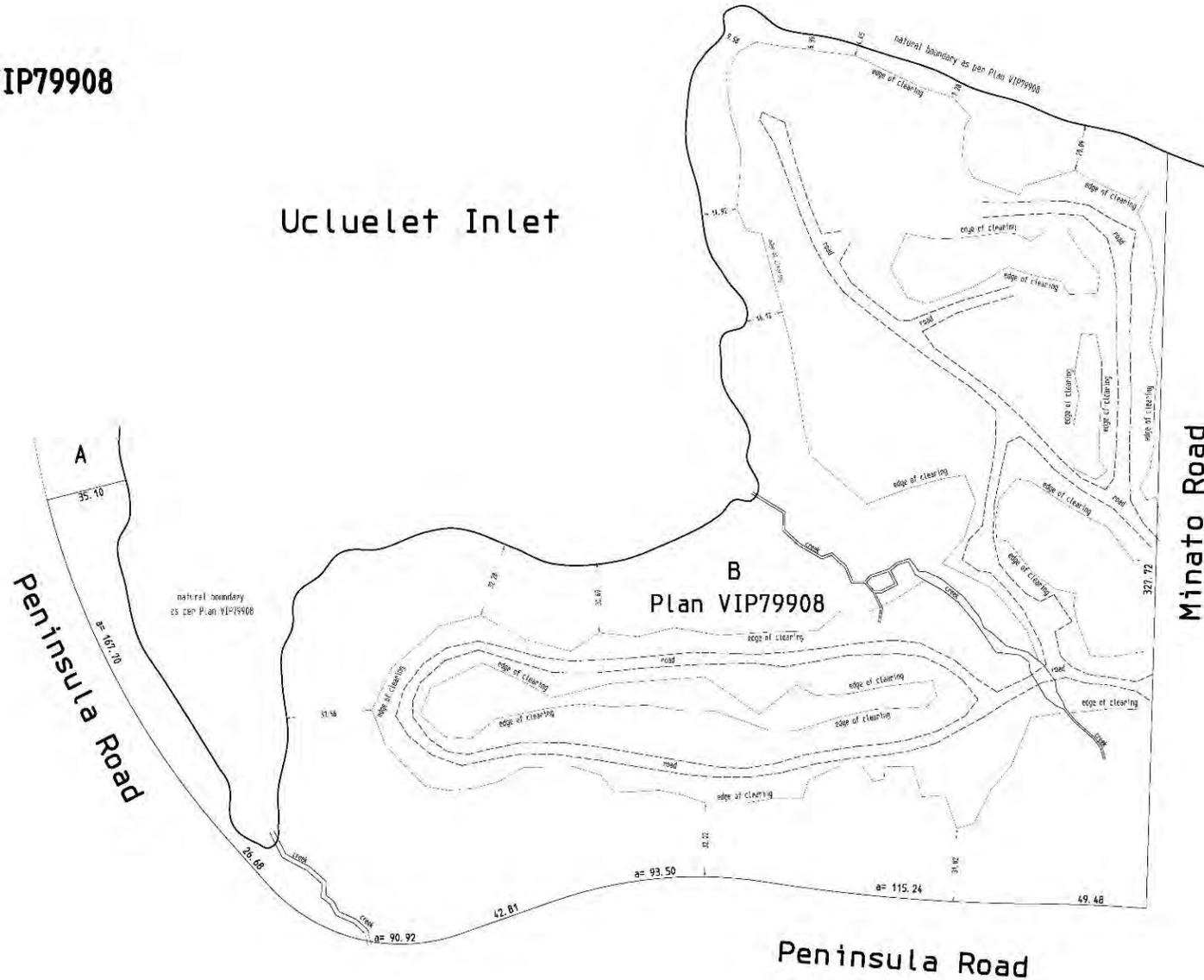
Site Plan of:

**Lot B, District Lot 282,  
Clayoquot District, Plan VIP79908**

Parcel Identifier: 026-487-764



(plot on Arch D sheet)



The following non-financial charges are shown on the current title and may affect the property:

EV124432 - Covenant

Parcel dimensions shown hereon are derived from Land Title Office records.

<b>FILE:</b> 160-Minato
<b>DWG/DATE:</b> 2018-02-10
<b>AG Surveys</b>
545 - 110 Marine Drive
Ucluelet, BC V0R 3A0
phone (250) 266-4536

Survey date: February 2018

**FIGURE 4**  
**DEVELOPMENT PERMIT AREAS SETBACK MAP**



203-321 WALLACE ST, NANAIMO, BC V9R 5B6  
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**FIGURE 4. DEVELOPMENT PERMIT AREAS SETBACKS**

Site Plan of:

**Lot B, District Lot 282,  
Clayoquot District, Plan VIP79908**

Parcel Identifier: 026-487-764

SCALE - 1 : 1000

All dimensions are to centre & cornerback 'corner'

(plot on Arch D sheet)



The following non-financial charges are shown on the current title and may affect the property:

EV124432 - Covenant

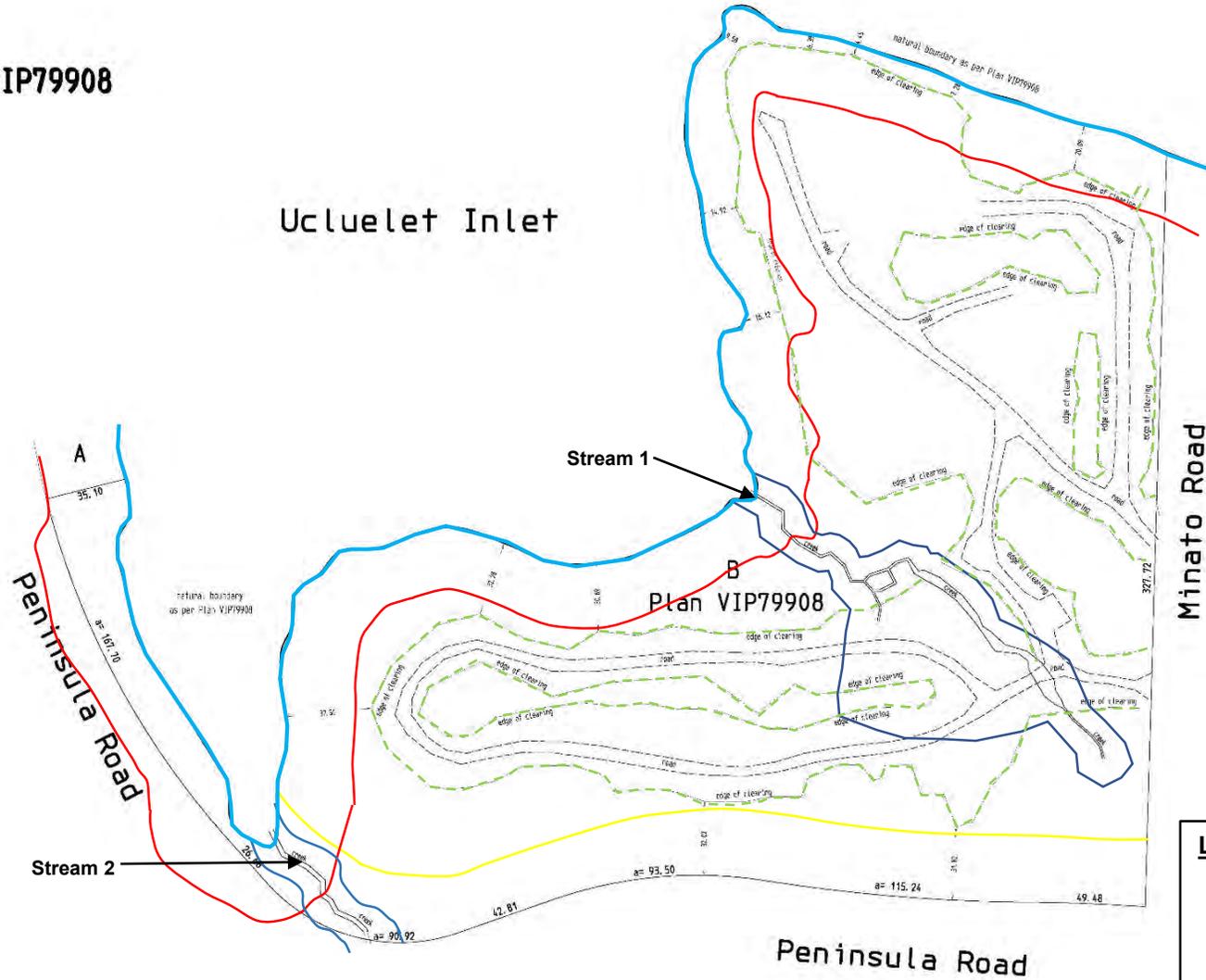
Parcel dimensions shown hereon are derived from Land Title Office records.

**FILE :** 160-Minato

**DWG/DATE:** 2018-02-10

**AG Surveys**

545 - 110 Marine Drive  
Ucluelet, BC V0R 3A0  
phone (250) 266-4536



**LEGEND:**

- Coastal Setback (30m)
- Streamside Setback (10m)
- Highway Setback (30m)
- Shoreline Natural Boundary
- - - Edge of clearing boundary

**FIGURE 5**  
**RESTORATION AREAS WITHIN DPAS MAP**



203-321 WALLACE ST, NANAIMO, BC V9R 5B6  
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**FIGURE 5. RESTORATION AREAS WITHIN DEVELOPMENT PERMIT AREAS**

Site Plan of:

**Lot B, District Lot 282,  
Clayoquot District, Plan VIP79908**

Parcel Identifier: 026-487-764

SCALE - 1 : 1000

All distances are in metres & decimals thereof.

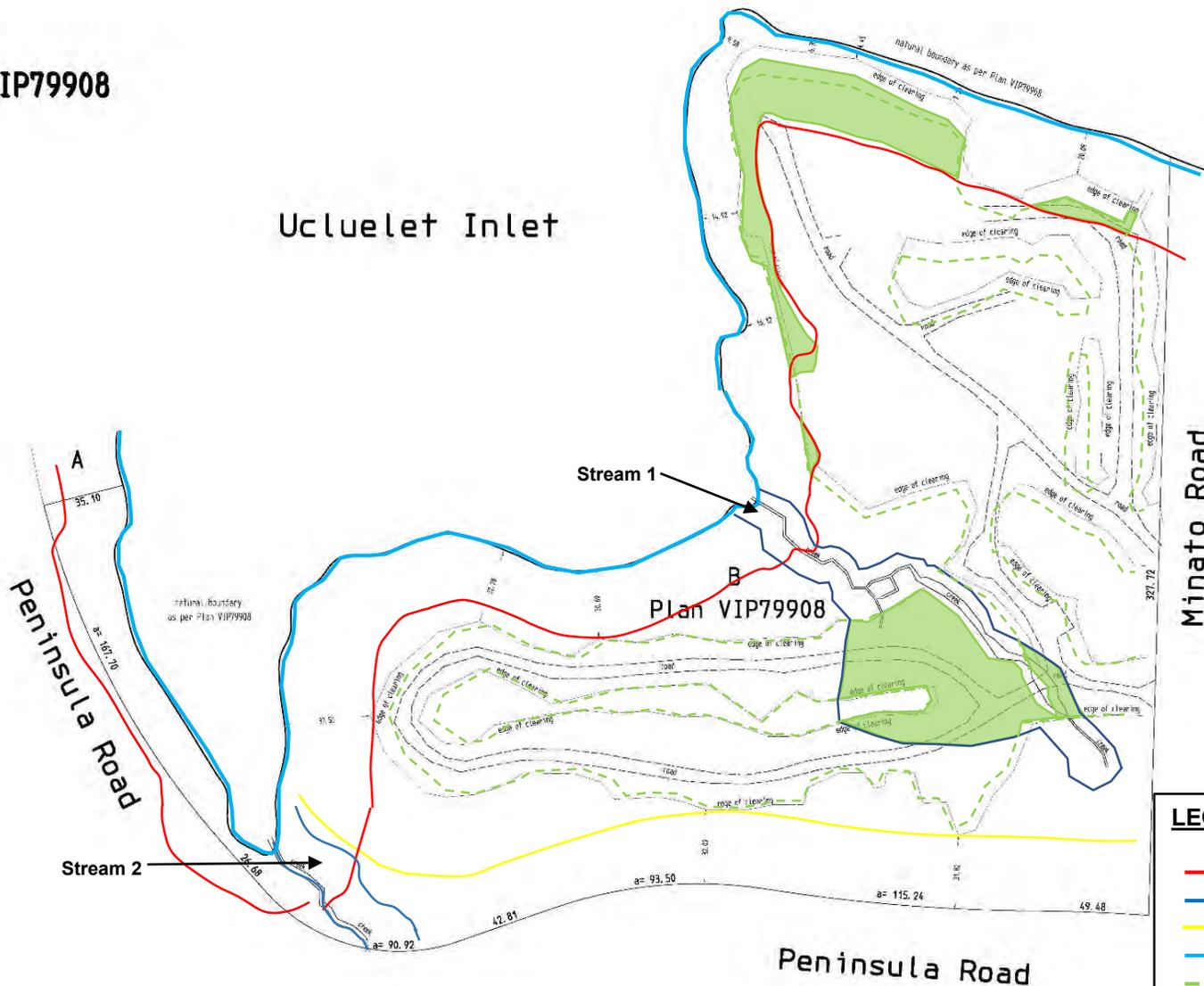
(plot on Arch D sheet)



The following non-financial changes are shown on the current title and may affect the property:  
EY124432 - Covenant

Parcel dimensions shown hereon are derived from Land Title Office records.

**FILE:** 160-Minato  
**DWG/DATE:** 2018-02-10  
**AG Surveys**  
545 - 110 Marine Drive  
Ucluelet, BC V0R 3A0  
phone (250) 266-4536



**LEGEND:**

- Coastal Setback (30m)
- Streamside Setback (10m)
- Highway Setback (30m)
- Shoreline Natural Boundary
- - - Edge of Clearing Boundary
- Restoration Areas

**APPENDIX A**  
**SITE PHOTOGRAPHS**



203-321 WALLACE ST, NANAIMO, BC V9R 5B6  
**SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864**

### Appendix A: Site Photographs



Photo 1: View of entrance leading into Minato Rd property

Photo 2: View of logs and stumps stockpiled to side of road



Photo 3: View of Stream 1 and stringer log bridge. Bridge to be removed and replaced. 6" flow clearance

Photo 4: View of Stream 1 and stringer log bridge. Riparian vegetation to be re-established.



Photo 5: View of Stream 1 where it crosses bridge. Riparian area cleared to left side of bridge.

Photo 6: View along main access road in proposed campground. Road clearer to edge of 30m highway setback.





Photo 7: View on opposite side of road alignment in campground area. Clearing went through lower part of drainage.



Photo 8: Impacted drainage. Engineer to complete Stormwater management plan for site.

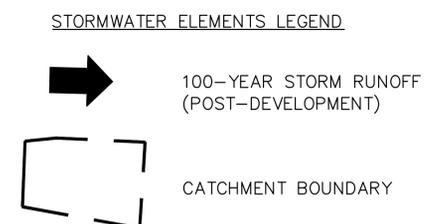
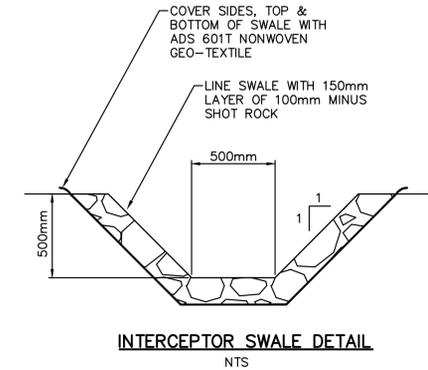
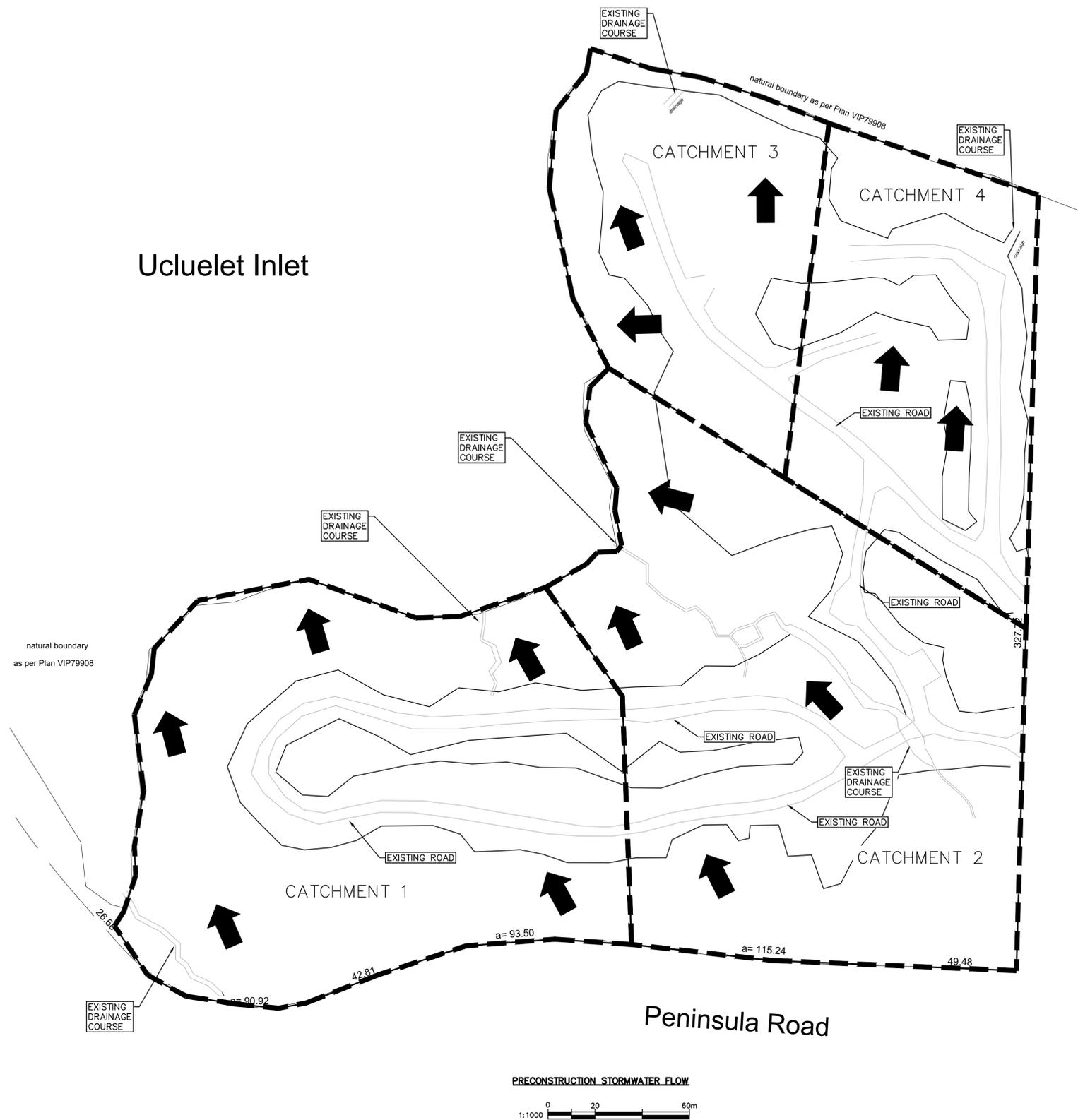


Photo 9: Clearer section of site near location proposed for house. Foreshore buffer area cleared during tree removal.

Photo 10: Clearer section of site within 30m foreshore buffer. Riparian buffer to be re-established.



Photo 11: Stockpiled soil burying the base of some trees in 30m foreshore DPA needs to be removed.



24-HR STORMWATER RUNOFF TABLE					
CATCHMENT	AREA (ha)	PREDEV RUNOFF FLOW (l/s)		POSTDEVELOPMENT RUNOFF FLOW (l/s)	
		5 yr	100 yr	2 yr	5 yr
A1	3.170	17.700	24.600	33.900	55.000
A2	3.430	19.100	26.600	36.700	59.500
A3	1.460	8.200	11.400	15.600	25.400
A4	1.650	9.200	12.800	17.600	28.600

10-MINUTE STORMWATER RUNOFF TABLE					
CATCHMENT	AREA (ha)	PREDEV RUNOFF FLOW (l/s)		POSTDEVELOPMENT RUNOFF FLOW (l/s)	
		5 yr	100 yr	2 yr	5 yr
A1	3.170	121.700	197.400	209.000	529.100
A2	3.430	131.700	213.700	226.200	572.600
A3	1.460	56.200	91.100	96.500	275.000
A4	1.650	63.200	102.600	108.600	244.200

ONSITE DETENTION TABLE				
CATCHMENT	6 MONTH 24-HR VOLUME (m³)	PROVIDED BY SWALE (m³)	PROVIDED BY INFILTRATION BASINS (m³)	TOTAL (m³)
A1				
A2				
A3				
A4				

LEGEND							
	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	
LAMP STANDARD	LS	LS	CLEANOUT	○	●	DITCH	—
UTILITY POLE	UP	UP	CATCHBASIN	⊗	⊗	WATER METER	⊗
U/G WIRING	H	H	ROUND CATCHBASIN	⊗	⊗	FLUSHOUT	⊗
GAS	G	G	MANHOLE	○	●	VALVE	⊗
WATER	W	W	INSPECTION CHAMBER	○	●	REDUCER	▷
SANITARY	S	S	MOUNTABLE CURB	MC	MC	FIRE HYDRANT	⊗
STORM	D	D	CONC. CURB & GUTTER	CCG	CCG	AIR RELEASE VALVE	⊗
ELEVATION	113.78	109.28	EDGE ASPHALT	—	—		

No.	Date	By	Revisions	Eng.
A	2018 04 04	JK	PRELIMINARY STORMWATER PLAN	CDR

DESIGNED BY: CDR  
 DRAWN BY: JK  
 CHECKED BY: CDR  
 APPROVED BY:

CLIENT: RICK LIM

**CASCARA**  
 CONSULTING ENGINEERS LIMITED  
 #206-335 Wesley Street Nanaimo, BC V9R 2T5  
 TEL: 250.591.7364 Email: info@cascara.ca

SCALE: HOR: 1:1000 VERT: NA  
 DATE: 04APR2018 SHEET: 1 OF 1  
 ENG. FILE NUMBER:  
 PROJECT NUMBER: 1046-001

Project: SITE DEVELOPMENT  
 221 MINATO ROAD  
 Title: STORMWATER PLAN  
 DRAWING NUMBER: SWMP  
 REV: A

## Appendix D – Timeline and Background on site clearing activities at 221 Minato Road

As noted in the staff report, the property at 221 Minato Road was considered to have considerable environmental value prior to extensive logging and clearing in 2016 and 2017. The following are some of the noted environmental features of the property prior to that clearing activity:

- a full forest of mature trees (including some old growth) at 20m to 30m with pockets of trees at 30m to 40m;
- an identified red-listed flora, Seaside Centipede (*Heterodermia sitchensis*) identified under the *Species at Risk Act*, located on the large Sitka Spruces located near the northwest point of property (these trees may now be gone);
- identified potential habitat for blue-listed fauna, Marbled Murrelet (*Brachtramphus marmoratus*);
- two fish bearing streams and associated riparian areas;
- bird habitat and nesting areas; and,
- sensitive marine shoreline areas of Olsen Bay.

The current owners took possession of the property on May 5, 2016. Initially, the owners had asked District staff if they could clear a portion of the site in preparation for the construction of their proposed home. There is an exemption from Development Permit (**DP**) requirements in the Official Community Plan (OCP) bylaw for single-family dwellings and staff relayed that they could clear for their home under that exemption.

Later in May of 2016 the owners applied for a private timber stamp. At no time was the District informed of the owners' intent to extensively clear and harvest the timber from the property, or that this logging would include coastal and stream riparian areas - areas protected by federal, provincial, and municipal laws and regulations. Only after the tree felling was substantially complete did District staff become aware of the full extent of the logging on the site, and that it might have taken place within riparian and coastal areas. At that time the owners were instructed to stop all activities and produce an environmental assessment. (see **Appendix B**).

Logs were later trucked off the property between November 30 and December 9, 2016. According to provincial records a total of 1,500 cubic meters of raw timber (41 truckloads) were removed from the property - an amount considered to have a substantial monetary value.

The owners commissioned the environmental assessment and applied for an excavation permit, for a driveway and limited selective clearing for a single-family dwelling. Considering the extent of clearing that had already taken place, the Environmental Impact Assessment report, and that the proposed clearing would be inside previously cleared areas, Staff issued an excavation permit on May 29, 2017 for a house and driveway. Later in 2017 staff were made aware that further clearing of the property may have been well outside what was approved and was within coastal and stream riparian areas. Staff visited the site with the owner and noted that:

- the clearing was beyond what had been permitted;
- environmental damage had been done;
- the advice by the Qualified Environment Professional (**QEP**) from the Environmental Impact Assessment report dated May 18, 2017, was not being followed;
- stumps and debris had been piled into large piles in preparation for burning;
- large berms of debris had been created without environmental or drainage considerations;

- the southern section of *Stream No.1*'s riparian area had ongoing works not supported by the environmental assessment;
- that the roads, driveways and circulation routes had been placed without geotechnical or civil engineering and seemed to consist of an extremely soft mixture of clay and gravel; and,
- that a driveway was cleared close to the area that was expected for future road right-of-way widening for Minato Road, leaving what was to be a future water access exposed and unvegetated.

The site meeting was followed up with a formal letter dated December 13, 2017, notifying the owner to cease all land altering activities and advising that they would be required to obtain a Development Permit (DP) for any further site work including restoration of the disturbed areas.

The applicant has since stopped all works and has engaged a Qualified Environmental Professional to prepare a *Vegetation Environmental Management Plan* (see **Appendix C**) to form part of their Development Permit for the required site restoration.



## DEVELOPMENT PERMIT DP19-01

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:

PIRATES BAY HOLDING COMPANY LTD, PO BOX 286, 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 B, DISTRICT LOT 286, CLAYOQUOT DISTRICT, PLAN VIP79908 (221 MINATO ROAD)  
PID: 026-487-764

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

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

- a. The complete restoration of the coastal and riparian areas as indicated by the Vegetation Management Plan completed by Aquaparian Environmental Consulting Ltd on March 8, 2018. This restoration work must be monitored by the Qualified Environmental Professional and their written confirmation of completion according to the Vegetation Management Plan must be provided for acceptance by the District of Ucluelet.

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

5. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
6. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
7. This Permit is NOT a Building Permit.
8. **Schedules "A"** attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.



**AUTHORIZING RESOLUTION** passed by the Municipal Council on the      day of      , 2019.

**IN WITNESS WHEREOF** this Development Permit is hereby executed and issued by the Municipality  
the      day of      , 2019.

**THE DISTRICT OF UCLUELET**  
by its authorized signatories:

\_\_\_\_\_  
Mayco Noël – Mayor

\_\_\_\_\_  
Mark Boysen – Corporate Officer

**OWNER**  
by its authorized signatory

\_\_\_\_\_  
Owner, by its authorized signatory

**ISSUED** the      day of      , 2019.

\_\_\_\_\_  
Bruce Greig - Manager of Planning



## Schedule A

221 Minato Road, Ucluelet, BC

Vegetation Management Plan

Prepared by Aquaparian Environmental Consulting Ltd.

March 8, 2018





## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 9, 2019  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** DONNA MONTEITH, DIRECTOR OF FINANCE

**FILE NO:** 1700-02

**SUBJECT:** FIVE YEAR FINANCIAL PLAN AND TAX RATES BYLAWS

**REPORT NO:** 18-41

**ATTACHMENT(S):** APPENDIX A – PUBLIC FEEDBACK

APPENDIX B – UCLUELET 2019-2023 FINANCIAL PLAN BYLAW NO. 1245, 2019

APPENDIX C – UCLUELET ANNUAL TAX RATES BYLAW NO. 1246, 2019

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

1. **THAT** the “District of Ucluelet 2019–2023 Financial Plan Bylaw No. 1245, 2019” be given first, second and third reading.
2. **THAT** the “District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019” be given first, second and third reading.

### **PURPOSE/DESIRED OUTCOME:**

The staff recommend Council give first, second, and third readings; firstly, for the 2019-2023 Financial Plan Bylaw No. 1245, 2019, and subsequently the Annual Tax Rate Bylaw No. 1246, 2019.

### **STRATEGIC GOAL:**

This report is in response to the corporate objective of continually improving processes, and fiscal responsibility.

### **BACKGROUND:**

#### **Five Year Financial Plan Bylaw:**

In accordance with Section 165 of the *Community Charter*, a municipality must have a financial plan that is adopted annually, by bylaw, before the annual property tax bylaw is adopted. The financial planning period is five years and must set out the objectives and policies of the municipality in relation to each of the funding sources and the distribution of property tax values for each of the classes that are subject to tax.

The Financial plan must also set out the proposed expenditures, funding sources and transfers between funds. The proposed expenditures must have separate amounts for principal and interest on municipal debt, capital purchase, and any deficiencies from one year to another.

The Financial plan must set out separate funding sources for; property taxes, parcel taxes, fees, borrowing, and all other sources.

Transfers between funds must set out separate amounts for each reserve fund and accumulated surplus.

If actual expenditures and transfers to other funds for a year exceed actual revenues and transfers from other funds for the year, the deficiency must be included in the next year's financial plan as an expenditure in that year.

Further, under Section 166 of the *Community Charter*, a council must undertake a process of public consultation regarding the proposed financial plan before the bylaw can be adopted. A public open house was held March 14, 2019. The presentation was accessible on the District's website and written feedback on the plan was invited until March 26, 2019. The written feedback submissions are attached as Appendix A.

**Tax Rates Bylaw:**

The required tax levy for the District is established by the Financial Plan Bylaw. The levy amount is applied to the revised assessment roll to determine how the levy will be allocated to property owners by property class and assessed value. The revised roll was issued in March and incorporates any assessment appeals that have been resolved since January.

Property owners should note a variety of factors influence the assessment values on which final tax rates are based and the impact on individual properties will vary.

The same allocation process and calculation is used to allocate the dollar values levied by the Regional and Hospital Districts, and the Library. Other jurisdictions levy by issuing the rates directly. These are not included in this bylaw as they have already been established under provincial legislation. They include the School Tax, Policing, Municipal Finance Authority, and BC Assessment.

**TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:**

In accordance with the *Community Charter*, a municipality must annually adopt their financial plan and tax rates bylaw by May 15. Staff presented the proposed 2019-2023 Financial Plan to Council at the following Special Meetings: December 19, 2018; January 16 & 30, 2019; and February 20, 2019.

**FINANCIAL IMPACTS:**

The proposed 2019-2023 Financial Plan Bylaw No. 1245, 2019 and Annual Tax Rates Bylaw No. 1246, 2019 would replace the current Financial Plan and Tax Rates bylaws from 2018.

**POLICY OR LEGISLATIVE IMPACTS:**

The 2019-2023 Financial Plan Bylaw and the Annual Tax Rates Bylaw complete the Financial Plan process for 2019 and enable the District of Ucluelet to meet the obligation of levying and collecting taxes for other bodies.

**Respectfully submitted:** Donna Monteith, Director of Finance  
Mark Boysen, Chief Administrative Officer

# COMMENT FORM

## 2019 Budget

Please use the space below to share your thoughts and ideas. Need time to think it over? Feel free to drop this sheet off at the District Office or Ucluelet Community Centre **by Tuesday, March 19, 2019**. Or email your comments to [info@ucluelet.ca](mailto:info@ucluelet.ca) with "Budget" in the subject. **Thank you!**

CLIMATE ACTION PLAN: full support for what the community wants. One thing the District can do is replace street lighting that is inefficient and wasteful. There are many lights that beam out 60/70% of their illumination sideways, instead of downwards. This results in a ~~ex~~ consumption of energy far in excess of what is required. It also risks losing one of Ucluelet's most precious assets - its dark skies and view of the heavens. The more homes are built with more street lighting, the greater the risk becomes. I recommend that the District join the International Dark Skies Association and move rapidly to decommission old street lighting and replace it by suitable downward-facing lights (the black ones with curved tops are good).

Just What

Personal information you provide on this comment form is collected pursuant to the Community Charter and will be used to assist Council members in decision making. Please note that your comments will form part of the District's public record and may be included in a public agenda or minutes and posted on our website. Questions about the collection of your personal information may be referred to the Deputy Municipal Clerk, 200 Main Street, Ucluelet, BC, 250-726-4772, [mlaqa@ucluelet.ca](mailto:mlaqa@ucluelet.ca).

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**From:** Info Ucluelet  
**Subject:** 2019 Budget

**From:** Courtney Fick [REDACTED]  
**Sent:** March 25, 2019 11:57 AM  
**Subject:** 2019 Budget

Dear Council,

I am writing in regard to the 2019 budget. I have a few suggestions that I am hoping will be considered.

First, I am happy that tsunami sirens are going to be added in Ucluelet. I would like it to be noted that we could not hear the sirens during the testing survey and when our community was evacuated last January. I was actually awakened by friends calling and texting, and not the alarms. Once I woke, I could only hear them slightly at my location (1932 Peninsula Road). I realize there may be knowledge of this from our recent survey testing results, but I believe it is important to mention.

Secondly, I am very pleased that there will be improvements to our sidewalk, but I would like to make a suggestion. Cyclists constantly use the sidewalks in front of our store (Image West Gallery at 1932 Peninsula Road). I understand when young children are riding their bikes slowly for safety reasons, but more often than not, it's a cyclist riding on the sidewalk at high speeds, especially down the hill. On more than one occasion I've been nearly hit by a cyclist, and was actually hit on one occasion. I have also witnessed other pedestrians be hit or nearly hit, including mothers with strollers and the elderly. I know that there is not necessarily an easy answer to this, other than a bike path, but I am hoping that a pedestrian gate of sorts that would slow cyclists but still allow ease for citizens to walk or pass through with strollers/wheel chairs could be considered in this project. I am quite worried that someone will be hurt. (I have included a photo of a pedestrian gate. Perhaps this or a variation of sorts could be helpful as this is such a busy area).

Finally, I would like to point out that the same hill on peninsula road is subject to speeders, including large delivery trucks, especially in the summer. I have witnessed more than one fender bender and several road rage incidents, especially during the high tourist season. I would suggest a second light-up crosswalk, or possibly temporary speed bumps to tackle this issue. I'm uncertain whether this area is the responsibility of BC highways or up to our municipality, but I would like council to be aware of this issue.

Thank you for hearing me and for all you do.

Kind regards,

Courtney Johnson  
[REDACTED]  
[REDACTED]  
[REDACTED]



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Sent from my iPhone

**From:** [Pat Neumann](#)  
**To:** [Info Ucluelet](#)  
**Subject:** 2019 Budget  
**Date:** March 15, 2019 7:09:57 PM

---

I have just briefly scanned the budget details on the website website and think you are doing a great job on keeping things “within reason”. I was especially excited to see that the Wild Pacific Trail – final section (Spring Cove) - \$75,000 is scheduled to go ahead in 2019! As an older person who lives just around the corner on Reef Point Road, I’m looking forward to that being my fitness walking destination!!

Thanks,

Pat Neumann  
Sent from [Mail](#) for Windows 10

**From:** [Laurie Gehrke](#)  
**To:** [Info Ucluelet](#)  
**Subject:** Budget  
**Date:** March 18, 2019 5:13:47 PM

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Good afternoon:

In review of the budget and programs in your email, can you advise where the funds from the community forest project are going, or in reserve?

Sent from [Mail](#) for Windows 10

**From:** [Reef Point Oceanfront B&B](#)  
**To:** [Info Ucluelet](#)  
**Cc:** [Reef Point Oceanfront B&B](#)  
**Subject:** Proposed 2019 Budget and Draft Climate Action Plan  
**Date:** March 19, 2019 7:10:06 AM

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Congratulations to the District for the detailed Proposed Budget and the Draft Climate Action Plan.

I attended the open house last week and I am now reading through these documents. There is much to absorb and I am sure any questions I have will be answered.

Thank you for the hard work which has gone into these plans.

***DIAN MCCREARY***

---

**From:** Info Ucluelet  
**Subject:** Budget

**From:** marnel saunders [REDACTED]  
**Sent:** March 20, 2019 6:43 PM  
**Subject:** Budget

Hi;

My years as a not-for-profit transfer agency - 85% of budgets were staffing the rest operational. How did Ucluelet get to 95% in some departments? I think this is one reason that we are so highly taxed for sidewalks that trip you up and street pavement that is alligatored.

A small 'town' like this should not be in the top ten for high taxes.

Marny Saunders  
[REDACTED]  
[REDACTED]

---

**From:** Info Ucluelet  
**Subject:** Proposed Budget - reaction

**From:** David White [REDACTED]  
**Sent:** March 19, 2019 5:55 PM  
**Subject:** Proposed Budget - reaction

Thank you for this exercise in transparency - really good. It is something of a model for local authorities in communicating to those who pay the taxes what they envision doing with them and attempting to achieve a certain consensus.

Two comments: one of a general nature, and one specific.

First, it is clear that the **tax base is growing** appreciably in Ucluelet as more new properties are built, many if not most of them at an average to high position on the tax scale. On the one hand, this promises more resources for Council spending, provided of course that the development permit fees fairly provide for new builders to pay their share of access to infrastructure. But let's make sure there is no "yippee" reaction to increased tax base of trying to spend whatever is freshly available. The Council also has to bear in mind a balancing need: taxes are high and the prospect of increasing tax base should encourage some thought as to how this can help contain (reduce?) demand in the future. This may not be a key issue for next year expenditure, but it needs to figure into and take root in the thought process going forward.

This said, I suggest one area where the Council could be more adventurous in its spending. I refer to **measures against global warming**. We have seen that this fight cannot just be borne (and sometimes hardly at all) by national governments. Local Communities can drive an agenda in their own backyard.

There is much that can be done within a local Council's remit.

Why not think around reduced development fees, or some form of tax rebate for a certain period, for new homes that invest in sustainable energy of a high level ( geothermal, solar, heat exchangers....)....? Same goes for business premises. Maybe a tax recognition for installation of electric vehicle chargers? You'd need to carefully fix the parameters, and see what grants might be out there from other sources, but much could be achieved.

Right in the Council's direct responsibility is Street lighting. There are examples all over the district of appalling energy waste and inefficiency - street lights that send out 70% or more of their light sideways, instead of focused downwards where it is needed.

There needs to be a program to eradicate these spoiler lights, which not only represent a contribution to global warming but also threaten one of Ucluelet's most beautiful heritage

beauties, it's dark skies at night and the chance to see the heavens. Look at the newer parts of Marine Drive, or Reef Point - lights completely out of context with the environment.

I would suggest that the Council adhere to the codes of the International Dark Sky Association (of which the Royal Astronomical Society of Canada is member). They can offer a high level of expertise in measures to adopt. Apart from direct action to reduce light nuisance through removing and replacing unsuitable street lighting, there may be questions of a lighting code to be introduced into best planning practice, advice or bylaws relating to desirable, safe but low impact lighting outside both business and household premises.

It would be a surprise to know just how much a small community like Ucluelet could achieve. These are just a few ideas, scratching the surface.

David White



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**From:** Info Ucluelet  
**Subject:** Budget ?

**From:** John Harkin [REDACTED]  
**Sent:** March 23, 2019 10:17 AM  
**Subject:** Budget ?

Dear Ucluelet,

I would like something added to the budget please .

I am a neighbour that lives within earshot of the community center. I think it is wonderful that we are using geothermal energy to keep the building.

I would like to address the noise made by the Condenser fan/ heating system or whatever you call it .

I have spoken to other neighbours who live in the area and they are also quite aware of the noise that this machine makes.

It seems that some efforts were made to quiet things but a fence and some plywood are not quite engineered to do the job.

I spent a large part of my working career in the film industry and we travelled with large towable diesel generators which were more quiet than an electric car. The technology is available to make these sort of machines much more quiet.

I have done some research and will provide some links to companies which offer sound dampening technologies.

I am unable to provide you with a price for such technologies because I do not have access to the building where the fan/condenser is to take measurements and better understand the size of the surrounding required to make the fan quieter.

Please get in touch with these companies and add it to your budget I'm sure the birds in the neighbourhood would be happier also.

<https://www.soniflex.com/en/testimonials/heat-pumps/>

<http://www.heatpumpnoise.com/>

<http://www.acousticssciences.net/soundfence/heatpump.htm>

John Harkin  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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**From:** Info Ucluelet  
**Subject:** Deadline Extended for Public Feedback on the 2019 Proposed Budget.

**From:** Geoff Lyons  
**Sent:** March 22, 2019 5:09 PM  
**Subject:** FW: Deadline Extended for Public Feedback on the 2019 Proposed Budget.

Thanks for the budget details.

Just one question:-

- On page 4 Revenues and expenditures, it shows where the revenue comes from, yet the \$2,000,000 contribution from the Community Forest, doesn't even generate 0.1% of the \$8,000,000 forecast? Whereas one would expect it to be some 25%?

Am I to assume that none of the \$2,000,000 is being spent in 2019?

Otherwise things look good.

Regards,  
Geoff Lyons



**DISTRICT OF UCLUELET****Bylaw No. 1245, 2019**

A Bylaw to Adopt the Five-Year Financial Plan  
For the Period 2019 to 2023 inclusive

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**WHEREAS** Section 165 of the *Community Charter* requires a Municipality to annually prepare and adopt a financial plan, by bylaw, in each year; and

**WHEREAS** expenditures not provided for in the financial plan or the financial plan as amended, are not lawful except in the event of an emergency;

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

**1. Citation**

This bylaw may be cited for all purposes as the “**District of Ucluelet 2019 – 2023 Financial Plan Bylaw No. 1245, 2019**”.

**2. Objectives and Policies**

Schedule “A” attached to and forming part of this bylaw, sets out the objective and polices for the period January 1, 2019 to December 31, 2023.

**3. Consultation**

Pursuant Section 166 of the *Community Charter*, a public consultation meeting was held on the 14<sup>th</sup> day of March, 2019.

**4. Repeal**

The District of Ucluelet 2018 – 2022 Financial Plan Bylaw No. 1229, 2018 is repealed.

**READ A FIRST TIME** this      <sup>th</sup> day of                   , **2019**.

**READ A SECOND TIME** this      <sup>th</sup> day of                   , **2019**.

**READ A THIRD TIME** this      <sup>th</sup> day of                   , **2019**.

**ADOPTED** this this      <sup>th</sup> day of                   , **2019**.

**CERTIFIED CORRECT:** “District of Ucluelet 2019 – 2023 Financial Plan Bylaw No. 1245, 2019”

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Mayco Noël  
Mayor

---

Mark Boysen  
Corporate Officer

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

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Mark Boysen  
Corporate Officer

**Schedule "A"**  
**"District of Ucluelet 2019 - 2023 Financial Plan Bylaw No. 1245, 2019"**

**Statement of Objectives and Policies:**

In accordance with Section 165(3.1) of the *Community Charter*, municipalities are required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

- 1) For each of the funding sources described in Section 165(7) of the *Community Charter*, the proportion of total revenue that is proposed to come from that funding source;
- 2) The distribution of property value taxes among the property classes that may be subject to taxes; and
- 3) The use of permissive tax exemptions.

Over the five-year period of the financial plan, the taxation requirement is estimated to increase annually by a growth factor of 3% for 2019 and 3% for each of the subsequent years. This estimate includes an increase in cost of living and an increase to reserves.

The current financial plan provides for \$8,576,024 to be generated from the District of Ucluelet property tax base for General Government and Reserves purposes.

**Revenue Objectives**

- a) The District will review fees/charges annually to ensure that they keep pace with changes in method or levels of service delivery;
- b) The District will actively pursue alternative revenue sources to help minimize property taxes;
- c) The District will consider market rates and charges levied by other public and private organizations for similar services in establishing rates, fees and charges;
- d) The District will establish cost recovery policies for fee-supported services, and these policies will consider whether the benefits received from the service are public and/or private;
- e) The District will establish cost recovery policies for the services provided for other levels of government;
- f) General Revenues will not be dedicated for specific purposes, unless required by law or generally accepted accounting practices (GAAP); and
- g) The District will develop and pursue new and creative partnerships with government, community institutions (schools, churches), and community groups as well as private and non-profit organizations to reduce costs and enhance service to the community.

	<b>2019</b>	<b>Percent of Total</b>
<b>REVENUE</b>		
Property Taxes	\$2,893,002	32.84%
1% Utility Taxes	48,085	0.48%
Federal/Provincial in place of taxes	73,000	0.62%
<b>Taxes</b>	<b>3,014,087</b>	<b>33.94%</b>
Sale of services	853,238	9.48%
Penalties and Interest earned	85,360	0.97%
Grants and donations	1,455,136	12.48%
Deferred revenues recognized (DCC, Other)	590,889	8.73%
Water sale of services	775,650	8.86%
Sewer sale of services	630,350	6.81%
Transfers	1,171,314	18.72%
<b>Total Revenue</b>	<b>8,576,024</b>	<b>100.00%</b>

### Surplus Funds Objective

The *Community Charter* does not allow municipalities to plan for an operating deficit (i.e. where expenditures exceed revenues). To ensure this situation does not occur, revenue projections are conservative and authorized expenditures will be closely monitored. The combination of conservative revenue projections and controlled expenditures should produce a modest annual operating surplus.

### Use of Surplus Funds

- a) Council will review options and provide direction regarding the allocation of any operating surplus prior to completion of the budget process for the following year.
- b) To ensure that Accumulated Surplus is not excessive, the balance in the accumulated surplus account should not exceed a specific amount or guideline. The recommended guideline is that Accumulated Surplus should not exceed 10% of the net operating budget.
- c) Accumulated Surplus funds above the 10% guideline shall be used to:
  - i. Fund capital expenditures or to increase reserves;
  - ii. Pay off capital debt, including internal borrowings;
  - iii. Stabilize District property tax and utility rate increases;
  - iv. Fund other items as Council deems appropriate.
- d) Staff will facilitate Council's review of the amount of Accumulated Surplus funds available on an annual basis.

### Debt Objective

- a) One-time capital improvements and unusual equipment purchases;
- b) When the useful life of the capital project will exceed the term of financing;
- c) Major equipment purchases;

- d) The maximum borrowing amount to be limited to what is allowed under the *Community Charter*; and
- e) Reserves are to be considered as a funding source before debt.

### **Reserve Funds Objective**

- a) Provide sources of funds for future capital expenditures;
- b) Provide a source of funding for areas of expenditure that fluctuate significantly from year to year (equipment replacement, special building maintenance, etc.);
- c) Protect the District from uncontrollable or unexpected increases in expenditures or unforeseen reductions in revenues, or a combination of the two;
- d) Provide for working capital to ensure sufficient cash flow to meet the District's needs throughout the year; and
- e) Staff will facilitate Council's review of the amount of reserve funds available on an annual basis.

### **Proportion of Taxes Allocated to Classes Objective**

Council's goal is to ensure that there is a fair and equitable apportionment of taxes to each property class. The apportionment to each class is calculated using the multipliers determined by Council prior to preparing the annual tax rate bylaw. The tax multipliers will be reviewed and set by Council annually.

### **Permissive Tax Exemptions Objective**

The District of Ucluelet Council reviews and passes a permissive exemption bylaw to exempt certain properties from property tax in accordance with guidelines set out under Sections 220 and 224 of the *Community Charter*. Although there is no legal obligation, Council may choose to grant exemptions as a method of recognizing organizations within our community which enhance the quality of life for community residents.

The permissive exemptions are evaluated with consideration to minimizing the tax burden to be shifted to the general taxpayer.

### **Development Cost Charges Objective**

Development cost charges will be used to help fund capital projects deemed to be required in whole or in part due to development in the community. These charges will be set by a bylaw and reviewed regularly as outlined in the bylaw to ensure that the project estimates remain reasonable and the development costs charged are aligned with the strategic goals of Council.

 <b>DISTRICT OF UCLUELET</b> <b>FINANCIAL PLAN 2019</b> <b>BYLAW NO.</b> <b>SCHEDULE A - DRAFT</b>					
	2019	2020	2021	2022	2023
<b>REVENUE</b>					
Property Taxes	\$2,893,002	\$3,097,737	\$3,190,669	\$3,286,389	\$3,384,981
1% Utility Taxes	48,085	48,085	48,085	48,085	48,085
Federal/Provincial in place of taxes	73,000	73,000	73,000	73,000	73,000
<b>Taxes</b>	<b>3,014,087</b>	<b>3,218,822</b>	<b>3,311,754</b>	<b>3,407,474</b>	<b>3,506,066</b>
Sale of services	853,238	857,208	865,568	872,263	885,524
Penalties and Interest earned	85,360	85,360	85,360	85,360	85,360
Grants and donations	1,455,136	810,281	810,311	810,341	810,341
Deferred revenues recognized (DCC, Other)	590,889	105,765	670,050	50	50
Water sale of services	775,650	761,644	747,655	742,300	744,940
Sewer sale of services	630,350	636,359	642,518	648,831	654,007
Transfers	1,171,314	725,909	1,965,150	552,951	-
<b>Total Revenue</b>	<b>8,576,024</b>	<b>7,201,348</b>	<b>9,098,366</b>	<b>7,119,570</b>	<b>6,686,288</b>
<b>EXPENSE</b>					
Interest payments	94,783	94,783	94,783	94,783	94,783
Amortization expenses	1,116,000	1,116,000	1,116,000	1,116,000	1,116,000
General Government	1,452,739	1,429,058	1,449,402	1,481,602	1,494,383
Protective services	326,271	289,975	283,809	282,130	285,579
Planning & Development	584,075	539,065	546,133	550,181	561,781
Transportation services	863,994	841,072	913,324	931,970	918,651
Environmental health (Garbage/recycling))	10,000	10,000	10,000	10,000	10,000
Cemetery	8,855	8,454	14,497	9,336	9,580
Recreation and cultural services	1,276,835	1,324,201	1,336,857	1,364,716	1,389,781
Water operations	743,217	615,087	594,165	810,291	641,497
Sewer operations	515,680	491,896	433,269	439,790	448,586
<b>Total Expense</b>	<b>6,992,449</b>	<b>6,759,592</b>	<b>6,792,240</b>	<b>7,090,800</b>	<b>6,970,622</b>
<b>ADD</b>					
Amortization	1,116,000	1,116,000	1,116,000	1,116,000	1,116,000
Long term debt (and lease recognition) proceeds	30,000	30,000	30,000	30,000	30,000
<b>Total Additions</b>	<b>1,146,000</b>	<b>1,146,000</b>	<b>1,146,000</b>	<b>1,146,000</b>	<b>1,146,000</b>
<b>DEDUCT</b>					
Principal payments debt	72,314	72,314	72,314	72,314	72,314
Transfers to Reserves	65,000	289,041	454,011	549,755	671,552
Acquisitions of tangible capital assets	2,592,261	1,226,400	2,925,800	552,700	117,800
<b>Total Deductions</b>	<b>2,729,575</b>	<b>1,587,755</b>	<b>3,452,125</b>	<b>1,174,769</b>	<b>861,666</b>
<b>Financial Plan Balance: Surplus (Deficit)</b>	<b>(\$0)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$0)</b>

**DISTRICT OF UCLUELET**

**Bylaw No. 1246, 2019**

A Bylaw for the Levying of Taxation Rates for Municipal, Debt, Regional Library,  
Regional Hospital, and Regional District Purposes for the year 2019

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**WHEREAS** Section 197 of the *Community Charter* requires that a Council must adopt a bylaw to impose rates on all taxable land and improvements for the current year;

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

**Title**

1. This bylaw may be cited for all purposes as "**District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019**".

**Enactment**

2. The following taxes rates are hereby imposed and levied for the year 2019:
  - I. General Municipal Purposes - For all lawful General Municipal purposes of the municipality on the value of land and improvements taxable for general municipal purposes, rates appearing in Column I of Schedule "A" attached hereto and forming a part of this bylaw.
  - II. Regional District Purposes - For purposes of the Regional District of Alberni-Clayoquot on the value of land and improvements taxable for regional district purposes, rates appearing in Column II of Schedule "A" attached hereto and forming a part of this bylaw.
  - III. Regional Hospital District - For Hospital purposes on the value of land and improvements taxable for regional hospital district purposes, rates appearing in Column III of Schedule "A" attached hereto and forming a part of this bylaw.
  - IV. Library - For Library purposes on the value of land and improvements taxable for regional library purposes, rates appearing in Column IV of Schedule "A", attached hereto and forming a part of this bylaw.

**Effective Date**

- 3. The aforementioned rates and taxes shall be considered to have been imposed on and from the first day of January 2019.

**Terms of Payment and Penalties**

- 4. The aforementioned rates and taxes shall be due and payable at the municipal office of the District of Ucluelet, at Ucluelet in the Province of British Columbia.
- 5. There shall be added to the unpaid taxes levied for the year 2019, in respect of each parcel of land and improvements thereon on the real property tax roll, five percent (5%) of the amount unpaid as of the second day of July 2019, and an additional five percent (5%) on the first day of October 2019.

**READ A FIRST TIME** this    <sup>th</sup> day of           , **2019**.

**READ A SECOND TIME** this    <sup>th</sup> day of           , **2019**.

**READ A THIRD TIME** this    <sup>th</sup> day of           , **2019**.

**ADOPTED** this    <sup>th</sup> day of           , **2019**.

**CERTIFIED CORRECT;** " District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019".

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Mayco Noël  
Mayor

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Mark Boysen  
Corporate Officer

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

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Mark Boysen  
Corporate Officer

**Schedule "A"**  
**"District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019"**

		<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>
<b>Class</b>	<b>Class Name</b>	<b>General Municipal</b>	<b>Regional District of Alberni Clayquot</b>	<b>Regional Hospital District</b>	<b>Library</b>
1	Residential	3.5239	0.4252	0.2210	0.1341
2	Utilities	40.00000	1.4882	0.7735	1.5222
3	Supportive Housing	3.5239	0.4245	0.2201	0.1341
4	Major Industry	0.0000	1.4457	0.7514	0.0000
5	Light Industry	11.8574	1.4457	0.7514	0.4512
6	Commercial	11.8574	1.0417	0.5415	0.4512
7	Managed Forest Lands	0.0000	1.2756	0.6630	0.0000
8	Recreational	12.0204	0.4252	0.2210	0.4574
9	Farm	3.5239	0.4252	0.2210	0.0000





## STAFF REPORT TO COUNCIL

Council Meeting: APRIL 9, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

**FILE NO:** 3360-20-RZ17-04

**SUBJECT:** ZONING AMENDMENT APPLICATION –  
PACIFIC RIM CHARTERS & GUEST LODGE (354 FORBES ROAD)

**REPORT NO:** 19-42

**ATTACHMENT(S):** APPENDIX A – ADDITIONAL APPLICATION MATERIALS  
APPENDIX B – STAFF REPORT FROM OCTOBER 9, 2018  
APPENDIX C – UCLUELET ZONING AMENDMENT BYLAW No. 1248, 2019  
APPENDIX D – UCLUELET HOUSING AGREEMENT BYLAW No. 1249, 2019

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

1. **THAT** Council, with regard to the proposal to renovate the building on Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road) and request for zoning amendments to permit *commercial tourist accommodation* on the property:
  - a. give first and second readings to Ucluelet Zoning Amendment Bylaw No. 1248, 2019;
  - b. give first and second readings to Ucluelet Housing Agreement Bylaw No. 1249, 2019;
  - c. indicate support, subject to public comment, to issue a Development Variance Permit to vary the following aspects of the Eco-Industrial Park (CD-1) zoning regulations for the existing building:
    - i. reduce the side yard setback per CD-1.6.1(3) on the south side from a minimum of 5m to 1.22m;
    - ii. reduce the rear yard setback per CD-1.6.1(3) from a minimum of 6m to 4.05m;
    - iii. reduce the parking setback per 503.2(1) from a minimum of 3m to 1.5m, subject to the owner installing the proposed landscaped screening within the reduced setback area;
    - iv. increase the permitted building height per CD-1.5.1(4) from a maximum of 12m to 12.95m; and,
    - v. waive the requirement per 602.1(1) for screening of waste and recycling bins, located at the rear of the building;
  - d. direct staff to give notice of a public hearing to receive comment on the requested bylaws and Development Variance Permit.

### **BACKGROUND:**

Council received a report on the past uses and current request to rezone the property at 354 Forbes Road at its October 9, 2018, meeting. The full background on this application is attached in the staff report presented at that meeting (see **Appendix B**). Following discussion, Council passed the following motion:

***“THAT Council indicate support for the concept of adding 12 commercial tourist accommodation rooms and a minimum of 6 staff housing units as permitted uses on the property at 354 Forbes Road and:***

- a. *indicate to the applicant that detailed building, site, and landscape plans are required to show the impact of the proposal on the surrounding industrial lands, public streetscape and park land;*
- b. *indicate that adoption of a zoning amendment bylaw would be subject to the following:*
  - i. *the owners first obtaining a building permit, then completing the necessary building renovations to bring the building up to code and finally obtaining an occupancy permit to clarify that the building is safe for its intended use;*
  - ii. *the owners entering into a Housing Agreement to ensure that the employee housing units are occupied by seasonal or long-term resident workers;*
  - iii. *to owners providing a restrictive covenant to ensure the provision of staff housing and that occupancy of the guest accommodation units is tied to the ongoing operation of a fishing guide business from the property; and,*
- c. *once a complete set of rezoning plans has been submitted by the owners, direct staff to prepare the zoning amendment and housing agreement bylaws for consideration by Council at a future meeting.”*

The owners of Pacific Rim Charters, Glenn and Dianna Kaczmar, have now submitted the necessary plans prepared under the guidance of their architect (see **Appendix A**). Accordingly, staff have drafted Zoning Amendment Bylaw No. 1248 and Housing Agreement Bylaw No. 1249 for Council consideration.

#### **DISCUSSION:**

##### **A. Building Plans and Proposed Uses:**

The October 2018 staff report discussed the pros and cons of locating tourist accommodation within a light industrial area, and noted the context of this particular site and the integration of accommodation with the existing fishing charter business:

*“... the use of the property for the storage and maintenance of boats for the fishing charter business is a permitted and valid use of this industrial property. The tourist accommodation is proposed to be co-located on property as an integrated part of the business. This lends support for the proposal that a standalone motel, for example, would not enjoy. Generally the community value of having adequate land designated for industrial uses comes from the support it provides for businesses and the jobs they create. The proposed tourist accommodation use would see the continued use of the property to support the fishing guide business. Staff are recommending that if approved on this basis, a restrictive covenant would be appropriate to ensure that the tourist accommodation remains as an integrated component of a fish guiding business, and is also only operated if the staff housing is provided as proposed.”*

The plans now submitted show a section of the building being removed to create a courtyard separating the existing house / office portion from the building which contained workshop space, storage and guest suites. The plans show new stairs built to service the guest rooms (providing multiple points of egress) and the ground level is now shown with 9 potential future staff accommodation residential units. A vehicle / boat storage space is still shown located at the rear of the building, but overall the majority of the floor area is proposed to be used for accommodation purposes of one sort or another. Adding staff accommodation could be a positive step in providing

needed housing in the community; at the same time, staff note that this proposal essentially removes light industrial uses from the property. The owner notes that the staff accommodation could serve to support other local businesses including light industrial use on nearby properties – including the neighbouring lots which are under the same ownership. On balance, the addition of staff accommodation units could be a positive and pragmatic addition if this building is to be renovated for the purpose of the requested tourist accommodation use. Staff consider that other compatible light industrial uses of the lower floor of the building are also possible and would in the long term be the preferred pattern of land use for the diversity of the local economy.

Staff note that the applicant has submitted letters of support from neighbouring residents (see **Appendix A**).

A number of variances are being requested to reflect the size and location of the existing building. Staff note that the encroachments within zoning setbacks are primarily at the side and rear of the building, and given the location next to Tugwell Field will not likely impact neighbouring properties. The parking setback variance is reasonable if the proposed landscaping is installed in the reduced setback area. Subject to public comment, staff can recommend support for the requested variances for this proposal.

#### B. Housing Agreement Bylaw:

Ucluelet Housing Agreement Bylaw No. 1249, 2019, would authorize the District to enter into a housing agreement with the property owner. This would be registered on title and govern the use and occupancy of the staff accommodation units (i.e. to ensure that these units can not be used for short-term rentals). The owners are proposing that constructing the staff accommodation units would be started within three years, with all units available for occupancy within 5 years. If this commitment is part of the consideration for adopting the requested zoning bylaw, it can be ensured by covenant as indicated in the October 9, 2018, Council motion.

#### C. Process:

As noted previously, approval of the requested zoning amendment is the first step toward bringing the building and property uses in compliance with the municipal bylaws and provincial code. The owner has now provided zoning-level drawings showing the location of all intended uses within the building, access, parking and landscaping. Improved landscaping and screening along the Tugwell Field and Forbes Road edges of the property are shown at a conceptual level. Security to ensure completion of the proposed landscaping can be included with the covenant which will be brought forward to Council prior to adoption of the rezoning bylaw.

Should the rezoning bylaw proceed through the steps of a public hearing and receive third reading (often considered approval in principle), the owners could then obtain a building permit and complete the necessary building alterations. Once the building was renovated, certified as safe for its intended use and an Occupancy Certificate were issued, then the bylaw would return to Council for final adoption. At that point, the District could issue a business licence for the tourist accommodation component of the Pacific Rim Fishing Charters and Guest Lodge business.

The existing guest accommodation suites are to remain unoccupied until the municipality issues a Certificate of Occupancy. Therefore, staff again recommend that the owners make alternative arrangements for accommodating their guests for the 2019 season.

Should the requested rezoning not proceed, the building will remain posted with “do not occupy” notices. The owners would then need to decide whether to re-purpose the building for a different use (with the necessary building permits, of course), demolish the building, or leave it vacant.

**FINANCIAL IMPACTS:**

A building permit fee would be charged based on the construction value. The value of the property would be expected to increase with the proposed improvements, and additional commercial tax assessment would result. Water and sewer fees would be collected based on metered usage. These additional revenues are expected to offset the incremental increase in municipal services and infrastructure.

The Forbes Road light industrial area currently enjoys an exemption from the collection of Development Cost Charges.

**OPTIONS REVIEW:**

Per the recommended motions listed at the start of this report, staff suggest that Council give initial readings to the attached bylaws and advance the application to a public hearing to gather views on the requested change of use proposed by this application. Alternatively, Council could consider the following options:

2. **THAT** Council defer consideration of the rezoning application for the property at 354 Forbes Road at this time.
3. **THAT** Council reject the rezoning application for the property at 354 Forbes Road at this time, and indicate to the owners that obtaining a certificate of occupancy is required before the unauthorized guest suite addition area of the building can be occupied for any use.

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



**RAYMOND  
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March 31, 2019

**354 Forbes Road – Rezoning/ Development Permit Rationale**

**Project Deficiency Upgrade Phasing**

- As outlined in our July 19, 2018, 2012 BC Building Code Draft Review summary, the following work is proposed to deal with various building code deficiencies.
  - Phase 1:
    - Demolition of +/-2,100 ft<sup>2</sup> building area on L1 (former marine shop F2 occupancy), and +/-2,700 ft<sup>2</sup> non code compliant mezzanine (height and storey exemption).
    - Divide building into two buildings which resolves building code building classification and area limits. The building is permitted to be connected by up to a 9.0m elevated walkway (deck):
      - Building 1: single family residence (SFD), 3 vehicle/ boat garage, and fishing charter office.
      - Building 2: 12 unit guest house, 9 unit staff housing, and boat/ vehicle garage.
    - Building 2: add exterior walkways and egress stairs to provide 2 means of egress from L2 and L3.
    - Building 2: correction of guardrails/ handrails.
    - Building 2: correction of various interior deficiencies on L2 and L3
    - Building 2: removal of boat repair/ maintenance (F2 occupancy).
    - Building 2: building shell only of L1 (no occupancy)
    - Building 2: completion of fire rated gypsum wallboard on L1 to loadbearing walls and ceilings.
    - Building 2: addition of interconnected smoke alarms on L1 to hallways on L2 and L3.
    - Building 1 & 2: bridge/ deck connection and non combustible cladding between buildings, including fire rated gypsum wall board of Building L1 east exterior wall.
    - Intended completion of Phase 1 mid June 2019.
  - Phase 2:
    - Building 2: Completion of 'Tenant Improvement' for 9 staff housing units including occupancy of L1.
    - Building 2: exterior cladding of south wall for spatial separation to property line (no parkland structures anticipated in short term or future).
    - Building 2: Full enclosure of L1 east end vehicle/ boat storage with overhead door.
    - Building 1: Upgrade existing fishing charter/ guest house admin washroom to accessible standards.
    - Landscaping and on site works including courtyard, street landscape buffer, decorative concrete works/ curbing, precast wheel stops, etc.
    - Landscaping off site works (beautification of berm on adjacent park property, as part of an amenity contribution).
    - Intended completion of Phase 2 as per Owner memo to City as mutually agreed.

**Permitted Uses Variance:**

- **Requirement:** Single family dwelling.
- **Provided:** Single family dwelling, fishing charter tourist operations (including admin office and boat/trailer storage), tourist accommodation, and staff housing (for fishing charter business and potentially rental to other tourist operators).
- **Variance:**
  - existing tourist accommodation on upper floors.
  - future staff housing .
- **Rationale:**
  - immediately next to Tugwell Field park.
  - No industrial noises, sights, and smells anticipated from property operations.
  - Upgrade in landscaping and recreational/ social outdoor areas for benefit of guests and staff.
  - Large south facing decks for guests away from activity of industrial uses/ parking below.
  - Raised deck and suites overlooking industrial area for 'eyes on the street' of adjoining properties providing neighbourhood security.
  - Owner/ operator on lives onsite for management/ security of facility.
  - Housing agreement to be provided for staff housing

**Side Yard (South) Building Setback Variance:**

- **Requirement:** min. 5.0m.
- **Provided:** 1.22m building; 0.61m L2 deck.
- **Variance:** 3.78m. Area of building encroachment = 239.0m<sup>2</sup> (2,573 ft<sup>2</sup>).
- **Rationale:**
  - Existing construction.
  - Variance previously approved June 26, 2007 but no record of building permit.
  - No visual impact from park due to existing vegetation and berm.
  - Accessory SFD setback permits 1.5m bldg setback.
  - Preference would be for a 0.59m no building encroachment on parkland to permit combustible construction of existing wood frame deck that provides weather protection for the building.

**Rear Yard (East) Building Setback Variance:**

- **Requirement:** min. 6.0m.
- **Provided:** 4.98m building; 4.05m deck.
- **Variance:** 1.02m. Area of bldg area encroachment = 1.07m<sup>2</sup>. Area of L2 deck 4.05m<sup>2</sup>
- **Rationale:**
  - Existing construction.
  - No visual impact from park due to existing vegetation.
  - Irregular lot shape.
  - Area of encroachment 1.07m<sup>2</sup>.

**Building Height Variance:**

- **Requirement:** max. 12.0m.
- **Provided:** +/- 12.95m building ridge. Yet to be confirmed by survey.
- **Variance:** +/- 0.95m.

- **Rationale:**
  - Existing construction.
  - Building 2 floor slab/ gravel at north and south ends to be raised +/-1'10.5" upon completion of Phase 2 work.
  - Building mass broken into two roof forms.
  - No visual impact from park due to existing vegetation and berm.
  - Additional vegetation provided to reduce scale of building.

**Reciprocal Driveway/ Parking Easement**

- As per site plan, driveway, fire truck access, and parking shared with adjacent 2<sup>nd</sup> lot of 3 owned by Owner. Required due to existing structures.

Raymond de Beeld, Architect AIBC

Civic Address:	354 Forbes Road, Ucuelet, B.C. V0R 3A0			
Legal Address:	Lot 17, Plan VIP76147, District Lot 284, Land District 09			
Zoning:	CD-1 Eco-Industrial Park (CD-1.1.3)			
	<b>acre</b>	<b>ft2</b>	<b>m2</b>	<b>Notes</b>
Property Area:	6.5	25,880.70	2,404.39	
<b>Floor Area: Single Family Dwelling</b>				
		<b>Proposed (ft2)</b>	<b>Proposed (m2)</b>	
L1		2,936	272.76	
L2		1,826	169.64	
L3		<u>821</u>	<u>76.27</u>	
Total:		5,583	518.68	
<b>Floor Area: Guest Lodge</b>				
L1		6,197	575.72	2,100 ft2 demolished
L2		2,651	246.29	+/-2,700 mezz demolished
L3		<u>2,651</u>	<u>246.29</u>	
Total:		11,499	1,068.29	
<b>Zoning Requirements</b>				
	<b>Required</b>	<b>Proposed</b>		
Site Coverage:	60%	66%		Excluding Decks
FAR Allowable Area:	1.00	0.66		Previously +/-0.85
Front setback	9m (30 ft)	11.91m (39'1")		
Side setback (north)	5m (16 ft)	5.0m		
Side setback (south)	5m (16 ft)	1.22m (4'0") south		1,077 ft2 of Bldg Encroachment
Bldg Rear setback	6m (19 ft)	4.98m (16'4")		Deck 4.05m (13'3")
Parking Setback Highway	3m (10 ft)	1.5m		Landscaped plaza
Parking Setback Other Lot Lines	1.5m (5 ft)	1.5m		
Building Height:	12m (39 ft)	12.95m (+/-42'6")		T.O. Ridge
Number of Storeys	≤ 3	3		Previously 4 storeys; 'mezz' removed
Landscaping abutting residential	1.5m (5 ft) + 1.5m ht fence	N/A		
Landscaping abutting highway	1.5m (5 ft)	1.8m		
Outdoor storage/ garbage bins	1.8m x1.8m ht	0m		Out of view from street & park
<b>Total Number of Parking:</b>				
	<b>Required</b>	<b>Proposed</b>		
SFD Accessory: 1/ dwelling unit	1	6		
Guest Lodge: 1/ room	12	12		
Staff Housing: 1.5/ dwelling unit	13.5	14		
Staff Housing Visitor: 1/ 5 dwelling units	<u>1.8</u>	<u>2</u>		
Total:	28.3	34		
<b>Type:</b>				
Regular Car: 2.5m x 6m (8'x20')		32		
Small car: 2.5m x 5.2m (8' x17'): 30% max.		1		
Designated Visitor: see above		2		
Accessible: 3.7m x 6m (12'X20'): 1% of total where >10		1		
Parallel: 2.5m x 7m (8'x23')		0		
Drive Aisles: 7.5m (25')				
Electrical Charge Station: no requirement	0	0		
Bicycle: no requirement	0	4		
<b>Notes:</b>				
Variances in red				
Reciprocal Easement for Driveway and Parking				

03/31/2019 23:29:13



1 North West Perspective



2 South Deck Perspective

4 Consultants List

<b>Owner:</b> Glenn Kaczmar Pacific Rim Fishing Charters 354 Forbes Rd, Ucluelet, BC V0R 3A0 Tel: 1-877-871-8771 info@pacificrimfishingcharters.ca	<b>Architect:</b> Raymond de Beeld Raymond de Beeld Architect Inc. 755 Terminal Ave. N Nanaimo, B.C. V9S 4K1 Tel: 1-855-754-2108 Email: raymond@rdbarchitect.ca rasil@rdbarchitect.ca	<b>General Contractor / Designer</b> Jason Ward Realm Structures Inc. 4410 Glenwood Drive Port Alberni, B.C. V9Y 4P8 Tel: 1-855-731-6700 Email: design@realmstructures.com	<b>Structural:</b> Brad West McGill & Associates Eng. Ltd. 4610 Elizabeth Street Port Alberni, B.C. V9Y 6L7 Tel: 250-724-3400 Email: office@mcgilleng.com	<b>Civil:</b>	<b>Landscape:</b>	<b>Mechanical:</b>	<b>Geotechnical:</b>	<b>Surveyor: (Construction)</b> Brad West McGill & Associates Eng. Ltd. 4610 Elizabeth Street Port Alberni, B.C. V9Y 6L7 Tel: 250-724-3400 Email: office@mcgilleng.com	<b>Environmental:</b>	<b>Interior Designer:</b>	<b>Building Envelope (BEP)</b>	<b>Code Consultant:</b>	<b>Building Consultant:</b>	<b>Electrical:</b>
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3 Project Data

Civic Address:	354 Forbes Road, Ucluelet, B.C. V0R 3A0		
Legal Address:	Lot 17, Plan VIP78147, District Lot 284, Land District 09		
Zoning:	CD-1 Eco-Industrial Park (CD-1.1.3)		
	acre	ft <sup>2</sup>	m <sup>2</sup>
Property Area:	6.5	25,880.70	2,404.39
			Notes
<b>Floor Area: Single Family Dwelling</b>	<b>Proposed (ft<sup>2</sup>)</b>	<b>Proposed (m<sup>2</sup>)</b>	
L1	2,936	272.76	
L2	1,826	169.64	
L3	821	76.27	
Total:	5,583	518.68	
<b>Floor Area: Guest Lodge</b>			
L1	6,197	575.72	2,100 ft <sup>2</sup> demolished
L2	2,651	246.29	+/-2,700 mezz demolished
L3	2,651	246.29	
Total:	11,499	1,068.29	
<b>Zoning Requirements</b>	<b>Required</b>	<b>Proposed</b>	
Site Coverage:	60%	66%	Excluding Decks
FAR Allowable Area:	1.00	0.66	Previously +/-0.85
Front setback:	9m (30 ft)	11.91m (39'1")	
Side setback (north):	5m (16 ft)	5.0m	
Side setback (south):	5m (16 ft)	1.22m (4'0") south	1,077 ft <sup>2</sup> of Bldg Encroachment
Bldg Rear setback:	6m (19 ft)	4.95m (16'4")	Deck 4.05m (13'3")
Parking Setback Highway:	5m (10 ft)	1.5m	Landscaped plaza
Parking Setback Other Lot Lines:	1.5m (5 ft)	1.5m	
Building Height:	12m (39 ft)	12.95m (+142'6")	T.O. Ridge
Number of Storeys:	≤ 3	3	Previously 4 storeys, 'mezz' removed
Landscaping abutting residential:	1.5m (5 ft) + 1.5m ht fence	N/A	
Landscaping abutting highway:	1.5m (5 ft)	1.8m	
Outdoor storage/garbage bins:	1.8m x 1.8m ht	0m	Out of view from street & park
<b>Total Number of Parking:</b>	<b>Required</b>	<b>Proposed</b>	
SFD Accessory: 1/ dwelling unit	1	0	
Guest Lodge: 1/ room	12	12	
Staff Housing: 1.5/ dwelling unit	13.5	14	
Staff Housing Visitor: 1/ 5 dwelling units	1.8	2	
Total:	28.3	34	
<b>Type:</b>			
Regular Car: 2.5m x 6m (8'x20')		32	
Small car: 2.5m x 5.2m (8' x17'); 30% max.		1	
Designated Visitor: see above		2	
Accessible: 3.7m x 6m (12'x20'); 1% of total where >10		1	
Parallel: 2.5m x 7m (8'x23')		0	
Drive Aisles: 7.5m (25')			
Electrical Charge Station: no requirement	0	0	
Bicycle: no requirement	0	4	
<b>Notes:</b>			
Variances in red			
Reciprocal Easement for Driveway and Parking			



1 South Perspective



2 South East Perspective



3 North Perspective



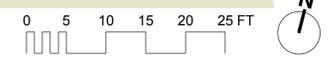
4 South West Perspective

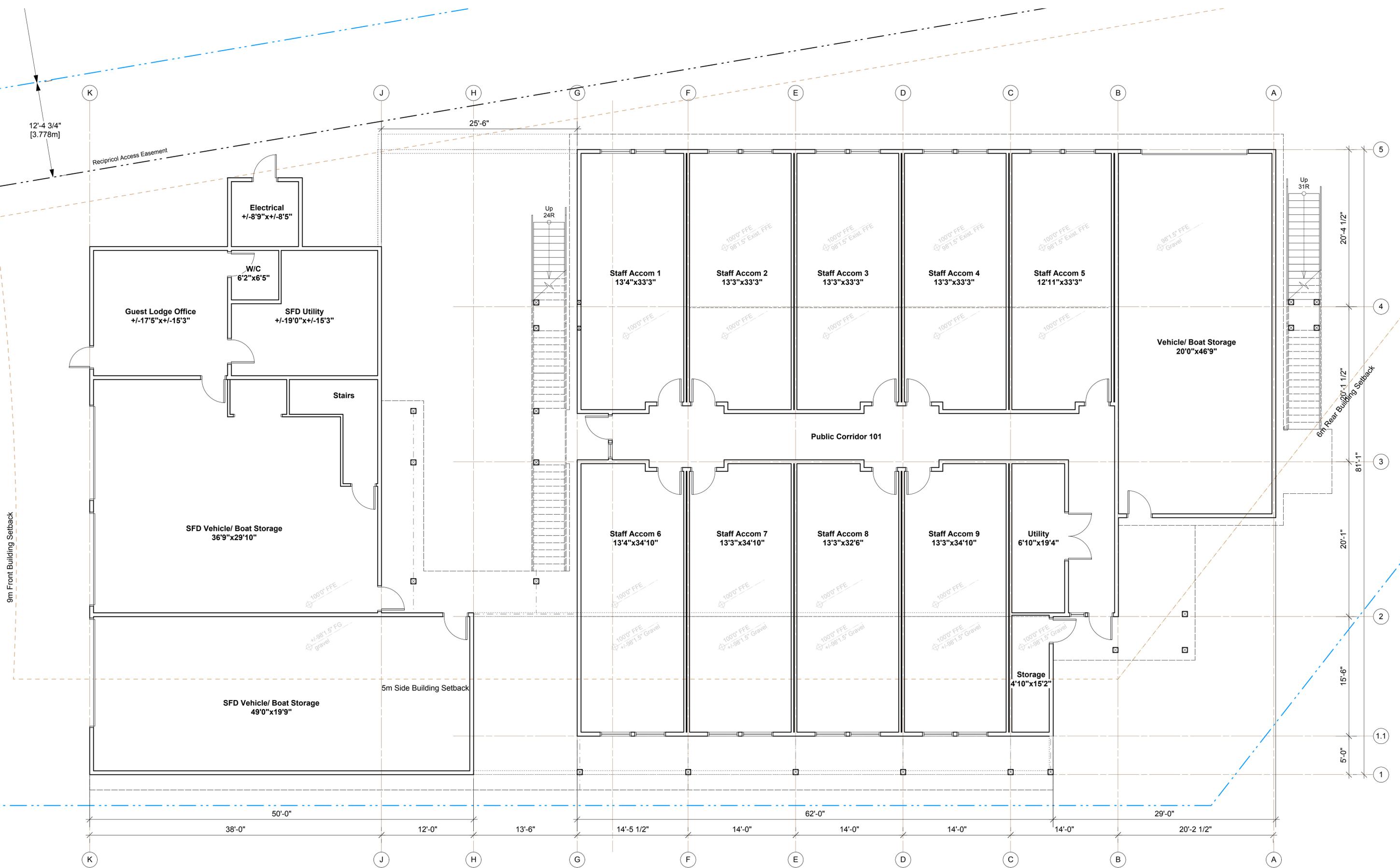
FORBES RD

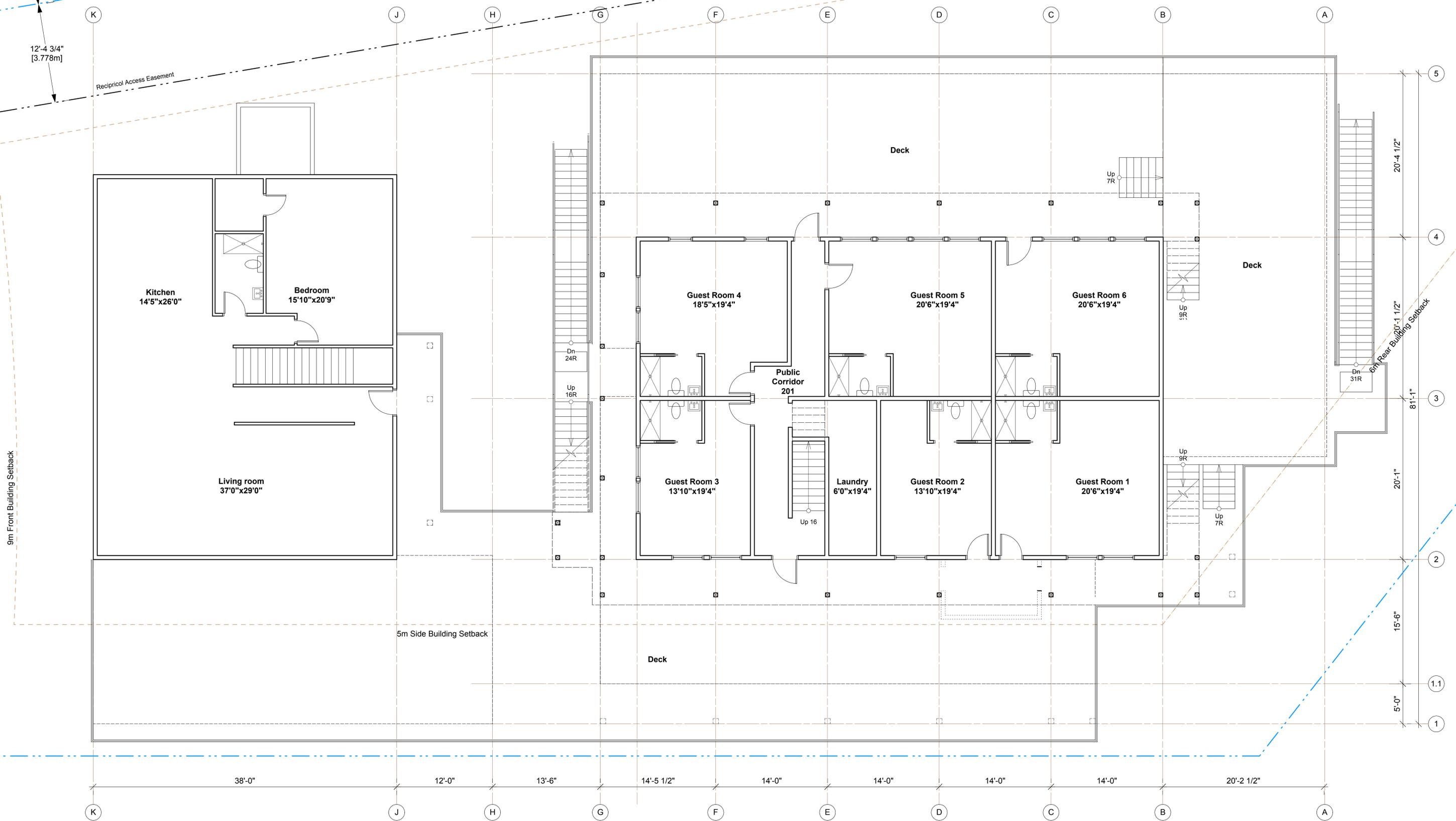


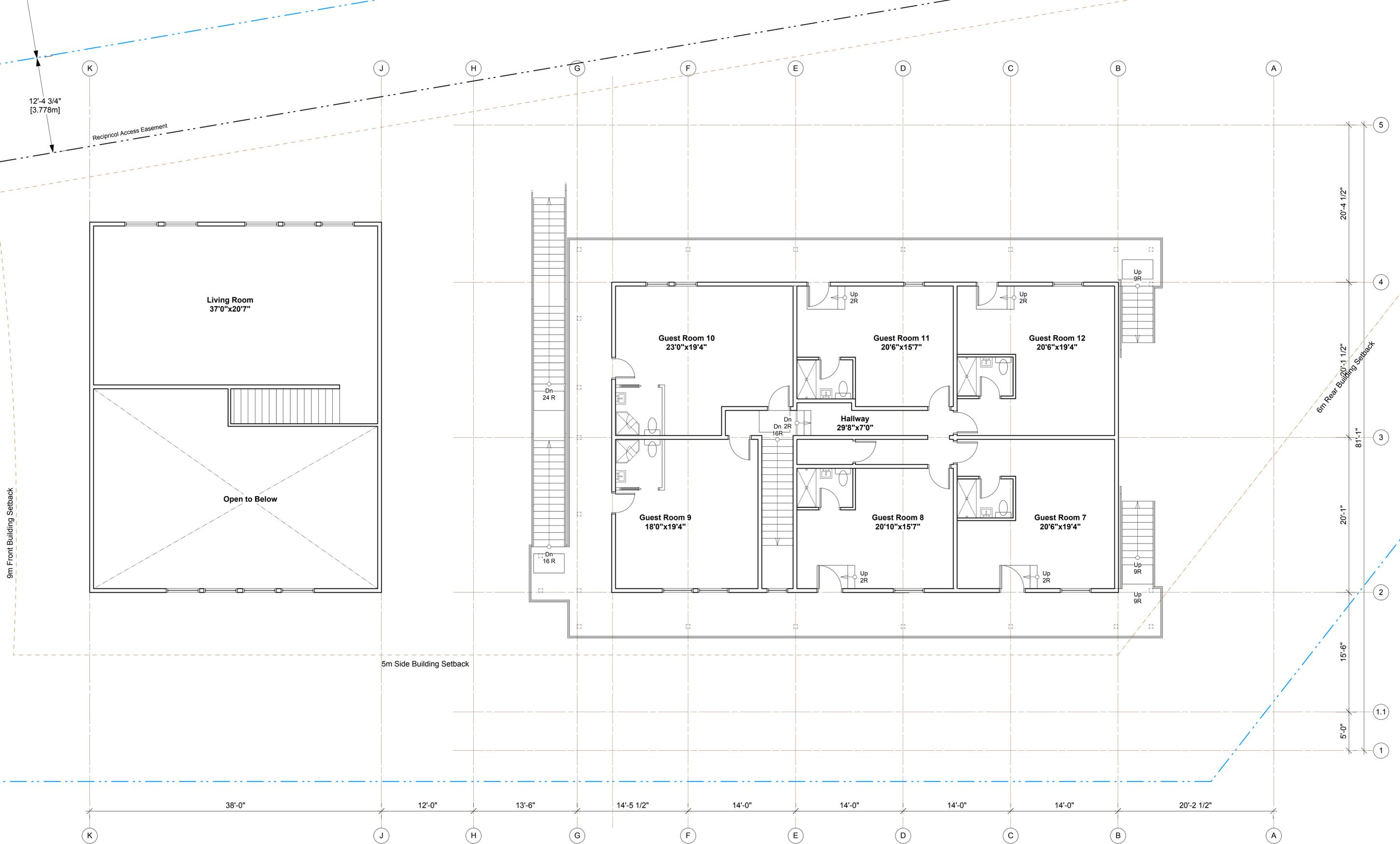
**Materials Legend:**

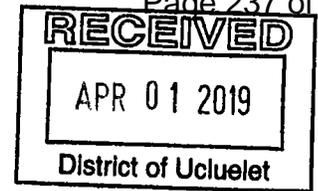
- Recycled Permeable Asphalt/ Gravel
- Landscaping & Grass
- Concrete
- Decorative Concrete











**WEST COAST SALMON & TRAVEL FISHING EXPERTS**

**Pacific Rim Fishing Charters & Guest Lodge**

Re file :3360-20-RZ17-04

2019/03/31

Hello Bruce  
 Manager of Community Planning  
 District of Ucluelet  
 250-726-7744 local 227

Re; Pacific Rim Fishing Charters - Letter of Intent

We Glenn & Dianna Kaczmar of Pacific Rim Fishing Charters & Guest Lodge located at 354 Forbes Road hereby propose our intent after successful zoning is completed.

A. To operated our 12 room guest lodge for nightly rental on floors two and three for nightly re upon completion of the proposed fire life and safety by our Architect, Engineer and contractor. Landscaping and final parking spots to be completed no later then opening season on May 1/2020

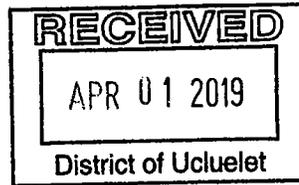
B. We have intentions of adding 9 staff accommodations on the main floor to reduce the demand on the village rentals for staff. However due to financial impact this entire process has cost us we plan to start on the construction of the staff accommodations by the year 2022 and have all 9 units in full operation by the year 2024.

Thank you for your valuable time.

Sincerely  
 Glenn & Dianna Kaczmar  
 Pacific Rim Fishing Charters & Guest Lodge  
 1-250-726-5032  
 Pacific Rim Fishing Charters & Guest Lodge



March 13 2019



To whom it may concern,

Being one of the closest neighbours to Glenn and Dianna Kaczmar of Forbes Rd. we have no problem with their business or rezoning. In 2010 when we moved here Glenn and Dianna were already here and running their business. It has not caused us any concern or hardship. When people chose to purchase and live in an industrial zone they must expect that there will be more activity there. That is what industrial parks are all about. I also know that if anyone on the block had a problem they would be there to help. Due to the changing economic times in Ucluelet, we feel it is important for the community to support and help small business to evolve and grow. It can only add to the economy of the town.

Tom and Judy Schmidt  
371 Forbes Rd.  
Ucluelet  
726-4698

A handwritten signature in cursive script that reads "Judy Schmidt". The signature is written in dark ink and is positioned below the typed name and address.



## STAFF REPORT TO COUNCIL

Council Meeting: OCTOBER 9, 2018

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

**FILE NO:** 3360-20-RZ17-04

**SUBJECT:** ZONING AMENDMENT APPLICATION –  
PACIFIC RIM CHARTERS & GUEST LODGE (354 FORBES ROAD)

**REPORT NO:** 18-103

**ATTACHMENT(S):** APPENDIX A – APPLICATION MATERIALS  
APPENDIX B – BUILDING ASSESSMENT BY RAYMOND DE BEELD ARCHITECT INC.

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

1. **THAT** Council indicate support for the concept of adding 12 *commercial tourist accommodation* rooms and a minimum of 6 *staff housing* units as permitted uses on the property at 354 Forbes Road and:
  - a. indicate to the applicant that detailed building, site, and landscape plans are required to show the impact of the proposal on the surrounding industrial lands, public streetscape and park land;
  - b. indicate that adoption of a zoning amendment bylaw would be subject to the following:
    - i. the owners first obtaining a building permit, then completing the necessary building renovations to bring the building up to code and finally obtaining an occupancy permit to clarify that the building is safe for its intended use;
    - ii. the owners entering into a Housing Agreement to ensure that the employee housing units are occupied by seasonal or long-term resident workers;
    - iii. to owners providing a restrictive covenant to ensure the provision of staff housing and that occupancy of the guest accommodation units is tied to the ongoing operation of a fishing guide business from the property; and,
  - c. once a complete set of rezoning plans has been submitted by the owners, direct staff to prepare the zoning amendment and housing agreement bylaws for consideration by Council at a future meeting.

### **PROPOSAL:**

The purpose of this report is to advise Council of the current proposal for amending the zoning of the property at 354 Forbes Road and to seek direction on next steps. Glenn and Dianna Kaczmar, owners of Pacific Rim Fishing Charters and Guest Lodge, have applied to amend the permitted uses in section CD-1.1.3 of the CD-1 Eco-Industrial Park zoning to enable the addition of up to 12 *commercial tourist accommodation* units and a minimum of 6 *staff housing* units in the existing building on the subject property (see Appendix 'A'). The single-family residence, office and storage uses would continue on the property as well. There are a number of elements to consider with this application including the history of the building and bylaw compliance, how the requested uses are

proposed to support the existing fishing charter business, and how the proposed uses would fit in this location.

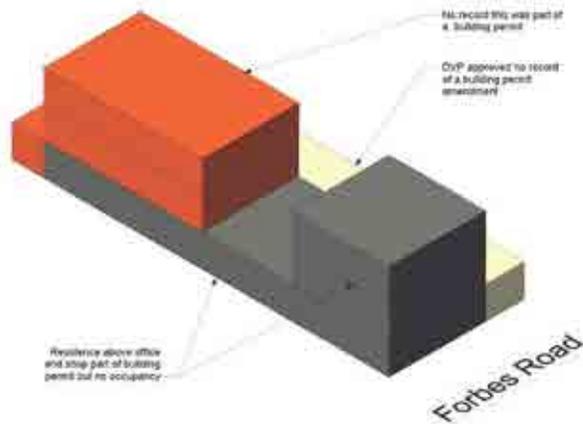
**BACKGROUND:**

The following provides a brief outline of the steps leading to the current zoning amendment application:

- A Building Permit (permit U-06-41) was issued in 2006 for a grade-level storage building plus a single-family dwelling over an office space on the west end, in the areas indicated in red below:



- There is record that some building inspections were done during construction but there is no record of final inspection and no Occupancy Permit issued for Building Permit U-06-41;
- A Development Variance Permit application was considered by Council in June of 2007 to reduce the side and rear setbacks, to allow for an additional 2,500 sq.ft. of additional storage space to be added to the building (which was then under construction). The variances were granted by Council at its June 26, 2007, meeting but there is no record that the building permit was subsequently amended to include the additional building area;
- There is no record of a building permit for the eastern addition of a second and third storey over the storage garage containing tourist accommodation units;
- BC assessment, business licence and servicing records do not reflect multiple guest suites being located on the property.
- In June of 2016 the District received a bylaw complaint that an unauthorized guest lodge was operating on the property. Staff follow-up revealed that a business licence was valid for the fishing charter business, but not guest accommodation. The owners were forthcoming that the guest lodge had been in operation since 2010 and inquired about steps to obtain an updated business licence reflecting the intended use.



- Since the CD-1 zoning does not permit *tourist accommodation* as a permitted use, the owners were advised that a zoning amendment would be necessary before a business licence could be issued for the guest lodge use.
- The owners submitted a rezoning application in late 2016 / early 2017 requesting that the guest lodge use be added to the uses permitted on the property at 354 Forbes Road.
- A file review revealed the incomplete building permit status of the building; this information was communicated to the owners along with the request to provide record of an occupancy permit if

they in fact received one.

- A site visit and walk-through of the building was arranged with staff from the planning and building departments in November of 2017.
- In December, 2017, staff notified the owner of concerns that the building does not meet the minimum health and safety standards of the BC Building Code, and the guest suite addition of the building was posted with No Occupancy notices. At the time (the off-season) there was no indication that the guest suites were being occupied. In the letter to the owners, staff suggested that the following steps would be necessary to seek approval for operating a tourist accommodation business in the building:
  - a. Have the building assessed by a qualified coordinating professional;
  - b. Show how the building could be brought up to code by providing detailed plans for the upgrades;
  - c. Complete the rezoning of the property;
  - d. Obtain a Building Permit to authorize the previous construction and all necessary upgrades;
  - e. Complete the building upgrades;
  - f. Obtain an Occupancy Certificate for the building and its intended use; and,
  - g. Obtain an updated Business Licence.

The letter also suggested that alternative arrangements be made for accommodating guests for the 2018 season while the above steps were completed.

- In mid-June, 2018, staff became aware that the building is being used for guest accommodation. After investigating, the owners were subsequently issued tickets for non-compliance with the zoning bylaw and for ignoring the “do not occupy” notices. The owners immediately paid the fines.
- In August, 2018, the owners submitted a building assessment completed by Raymond de Beeld, Architect (see Appendix ‘B’). The assessment identifies a number of areas which require upgrade to meet the minimum standards of the BC Building Code. Some of the options are significant, such as demolishing a portion of the building to separate the single-family residence from the portion of the building now proposed to contain the tourist accommodation and staff housing suites.
- Planning and building staff met with the owner and architect on August 20, 2018, to discuss the findings of the building assessment and the path forward. It was agreed that the owner would clarify the intended use of the building(s) and on that basis a report on the requested

rezoning would be prepared for consideration by Council. At that time, a set of revised drawings was anticipated to accompany the application.

The owners face significant costs to bring the building up to code for its intended use. The owners have been clear that they will not invest further to upgrade the building unless, at the end of the process, they are able to legally rent out tourist accommodation units as part of a package with their fishing charter business. At this point, the owners are seeking an indication of whether their requested zoning amendment will find support, before they commission more detailed architectural and engineering plans to define the building upgrades.

## **DISCUSSION:**

### **A. Proposed Uses:**

Tourist accommodation is not generally considered the most compatible land use in an industrial area. That said, there are a couple aspects to this proposal which set it apart. First, the location of the building on the edge of the Forbes Road industrial area, immediately next to the Tugwell Field park, is a different and better context for the proposed use compared to other locations. A site in the middle of the industrial park would not be supported by staff, where the tourist accommodation use would be expected to be surrounded by active businesses generating noises, sights and smells which could be found objectionable to guests and become a point of conflict.

A second consideration is that the use of the property for the storage and maintenance of boats for the fishing charter business is a permitted and valid use of this industrial property. The tourist accommodation is proposed to be co-located on property as an integrated part of the business. This lends support for the proposal that a standalone motel, for example, would not enjoy. Generally the community value of having adequate land designated for industrial uses comes from the support it provides for businesses and the jobs they create. The proposed tourist accommodation use would see the continued use of the property to support the fishing guide business. Staff are recommending that if approved on this basis, a restrictive covenant would be appropriate to ensure that the tourist accommodation remains as an integrated component of a fish guiding business, and is also only operated if the staff housing is provided as proposed.

Staff support the inclusion of six staff housing units as a part of this proposal. The CD-1 zoning currently permits "*mixed industrial / residential*" uses, but the definition limits the residential component to the second storey or higher. The proposal in this case is to re-purpose a portion of the large ground floor of the building to create six staff accommodation units. Including staff housing on site would benefit both the business and the community. Providing this additional housing would be a positive step and staff suggest that, if this forms part of Council's support for the rezoning, a Housing Agreement would be an appropriate instrument to ensure the terms and availability of the staff housing as intended.

### **B. Process:**

As noted above, approval of the requested zoning amendment would be just one step toward bringing the building and property uses in compliance with the municipal bylaws and provincial code. Fundamentally, this is about confirming that the building meets the minimum health and safety standards for its intended use.

Should the zoning amendment be supported in concept, the owner should then provide zoning-level drawings showing the location of all intended uses within the building, access, parking and

landscaping. Improved landscaping and screening along the Tugwell Field and Forbes Road edges of the property would be appropriate elements to include with the overall building upgrades.

Once a full set of drawings is received, the application along with draft bylaws would be brought back to a future meeting of Council for further consideration. Should a rezoning bylaw proceed through the steps of a public hearing and receive third reading (often considered approval in principle), the owners would then need to apply for the appropriate building permits and complete the necessary building alterations. Once the building was renovated, certified as safe for its intended use and an Occupancy Certificate were issued, then the bylaw would return to Council for final adoption. At that point, the District could issue a business licence for the tourist accommodation component of the Pacific Rim Fishing Charters and Guest Lodge business.

The guest accommodation suites are to remain unoccupied until the municipality issues a Certificate of Occupancy. Even if the rezoning is supported and proceeds quickly, given the amount of work required to bring the building up to code it is extremely unlikely that the building would be ready for occupancy in time for the 2019 summer fishing season. Therefore, staff recommend that the owners make alternative arrangements for accommodating their guests for the 2019 season.

Should the requested rezoning not proceed, the building will remain posted with “do not occupy” notices. The owners would then need to decide whether to re-purpose the building for a different use (with the necessary building permits, of course), demolish the building, or leave it vacant.

#### **FINANCIAL IMPACTS:**

A building permit fee would be charged based on the construction value. The value of the property would be expected to increase with the proposed improvements, and additional commercial tax assessment would result. Water and sewer fees would be collected based on metered usage. These additional revenues are expected to offset the incremental increase in municipal services and infrastructure.

#### **OPTIONS REVIEW:**

1. **THAT** Council indicate support for the concept of adding 12 *commercial tourist accommodation* rooms and a minimum of 6 *staff housing* units as permitted uses on the property at 354 Forbes Road and:
  - a. indicate to the applicant that detailed building, site, and landscape plans are required to show the impact of the proposal on the surrounding industrial lands, public streetscape and park land;
  - b. indicate that adoption of a zoning amendment bylaw would be subject to the following:
    - i. the owners first obtaining a building permit, then completing the necessary building renovations to bring the building up to code and finally obtaining an occupancy permit to clarify that the building is safe for its intended use;
    - ii. the owners entering into a Housing Agreement to ensure that the employee housing units are occupied by seasonal or long-term resident workers;
    - iii. to owners providing a restrictive covenant to ensure the provision of staff housing and that occupancy of the guest accommodation units is tied to the ongoing operation of a fishing guide business from the property; and,

- c. once a full set of plans has been submitted by the owners, direct staff to prepare the necessary zoning amendment and housing agreement bylaws for consideration by Council at a future meeting.

**(Recommended)**

**or;**

2. **THAT** Council defer consideration of the rezoning application for the property at 354 Forbes Road at this time;

**or;**

3. **THAT** Council reject the rezoning application for the property at 354 Forbes Road at this time, and indicate to the owners that obtaining a certificate of occupancy is required before the unauthorized guest suite addition area of the building can be occupied for any use.

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

2018-09-28

Re File:3360-20-RZ17-04

Hello Bruce  
 Manager of Community Planning  
 District of Ucluelet  
 250.726.4784



#### RE: PACIFIC RIM FISHING CHARTERS - LETTER OF INTENT

Pursuant to your inspection of the above noted property and subsequent letter of 2017-12-04 and in follow up to our meeting today in which you suggested on behalf of the Village and Authority Having Jurisdiction to submit a Letter of Intent to initiate the Zoning Amendment, which was applied on 2016-09-16 and paid for on 2017-01-30 in accordance with the District Bylaws and Fees.

Please accept the following documents as support for a new Comprehensive Development Zone as applied for to allow the existing structures and intended uses and a Code Compliance Report for Fire and Life Safety of the Accommodation Units (Guest Rooms) pursuant to BCBC 2012 (although the building in question was constructed under BCBC 2006) as requested in your letter.

We, Glenn & Dianna Kaczmar, of Pacific Rim Fishing Charters & Guest house hereby intend to do the following, after successful Zoning is completed:

- a. We have intentions for the Ground Floor to create 4-5 Commercial Rental Units in the North side and minimum of 6 Transient Accommodations on the South to reduce the demand on other Village rentals for my staff. We are willing to provide drawings for the Future use of the ground floor at that time. However, due to the financial impact incurred through this whole process, we will be unable to build out the ground floor until the Code issues are resolved, we are operational, and our Zoning is in alignment.
- b. Commence with a Final report for Raymond DeBeeld, AIBC & plans to be revised/created to comply and then submit for a building permit for those alterations at that time. We will make all necessary alterations, updates, repairs and the like in order to be operational for the next season.

#### 1.0 Property History:

- 1.1 REALM Structures Inc. (formerly Alberni Design Associates Company Inc.) were commissioned by ourselves for the design of a 3 Story – Residential in nature building with an office and an attached 1 storey Storage bays and 2 storey transient/worker accommodation suites, guest games room and a laundry facility.
- 1.2 At the time of permitting on or about Oct 15/2007, the Zoning was in a state of evolution and the original Building Permit was issued for construction of the 3 storey Residence and the story of Storage Bays with a caveat that the transient/worker accommodations were to be constructed once the District finalized its revision of the Zoning Bylaw. The additional units were suspended from permitting to allow for the construction of the remainder as drawn on the plans as issued for construction dated on or about 2006-10-26 for construction in the prime building season of that year.
- 1.3 Once the permitted structures were constructed, the Zoning Bylaw had not yet been officially completed but the Authority Having Jurisdiction and Manager of Planning of the day permitted the remainder of the construction to allow the owner to satisfy building envelope conditions without unjust expenses dictated by the delay in process. Again, this was to assist in construction during the concurrent building cycle.

**2.0 Zoning Data:****2.1.1 Current Zoning Permissible uses:**

CD-1.1.3 The following uses are permitted in the areas of the CD-1 Zone

Plan labeled "Industrial", but secondary permitted uses are only permitted

In conjunction with a principal permitted use:

(1) Principal:

- (a) Single Family Dwelling
- (b) Mixed Industrial/Residential
- (c) Light Industry
- (d) Medium Industry
- (e) Service Industry
- (f) Service Station, with accessory car wash
- (g) Auto Repair Shop
- (h) Bistro/Café
- (i) Outdoor Sales
- (j) Heavy Equipment Display
- (k) Wood Processing

(2) Secondary:

- (a) Accessory Residential Dwelling Unit
- (b) Accessory Retail Sales and Administration Office

**2.1.2 Proposed Amended Permissible uses:**

CD-1.1.3 with the addition of:

(2) *Secondary:*

- (a) Accessory Residential Dwelling Unit
- (b) Accessory Retail Sales and Administration Office

(c) Guest Room(s)

**2.2 Code Compliance:**

- 2.2.1 Attached herein is a Preliminary Report from Raymond DeBeld, AIBC indicating potential Building Code issues under the CURRENT BC Building Code 2012. Keep in mind our building was constructed under BCBC 1998 Code.

Thank you for your valuable time

Sincerely

Glenn & Dianna Kaczmar

Pacific Rim Fishing Charters & Guest Lodge

info@pacificrimfishingcharters.ca

1-250-726-5032

1-250-726-5053

1-877-871-8771

**District of Ucluelet**

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

# Development Application

## Type of Application

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

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

## Description of Property

Civic Address (es): 354 Feebe's Rd  
 Legal Description: Lot 17 Plan VIP26147 Block \_\_\_\_\_ Section \_\_\_\_\_ DL 09

## Applicant Information

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

Applicant name: Glen Kaczmarek Company name: Pacific Rim Fishing charters  
 Mailing address: Box 1346 Postal Code: V0R3A0  
 Tel: 1 877 871 8771 Cell: 250 726 5032  
 Email: glen.kaczmarek@yahoo.ca Fax: \_\_\_\_\_

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

Applicant Signature: [Signature] Date: JAN 31  
~~Oct 10/16~~

## Registered Owner(s)

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

Registered Owner (s) name: Same as above  
 Mailing address: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Tel: \_\_\_\_\_ Cell: \_\_\_\_\_  
 Email: \_\_\_\_\_ Fax: \_\_\_\_\_

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

Owner Signature: [Signature] Date: JAN 31  
~~Oct 10/16~~

## Office Use Only:

Folio No.: <u>18117</u>	File No.: <u>18117</u>	Date: <u>31 JAN 2017</u>	Receipt No.: <u>56410</u>	Fee: <u>3830.00</u>
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January 28, Ucluelet (2017)

**RE: Application for re-zoning – Pacific Rim Guest Lodge**  
**Owners Glenn & Dianna Kaczmar**  
**354 Forbes Road**  
**Ucluelet, B.C. V0R3A0**

Dear Mayor Dianne St. Jacques & Councillors

It has been brought to our attention that Pacific Rim Guest Lodge does not have appropriate zoning. We have been asked by district staff to apply for the proper zoning to continue operations of Pacific Rim Guest Lodge. As part of this process, we have been asked to provide the history surrounding our building.

In 2006, our proposed building plans were approved (after minor delays to verify zoning) and we were provided with a building permit starting in the fall of 2006. Construction commenced in 2006. Throughout the three years of active construction, our building was inspected by the village's building inspector numerous times. Pacific Rim Fishing Charters & Guest Lodge opened for business in 2010. We offer accommodations to tourists and travelers, and as part of our fishing packages. In recent years, when vacancy rates for tourism are frequently at 0%, we've been proud to offer clean, large, bright, and reasonable priced rooms with easy access to many of Ucluelet's "gems" such as the Wild Pacific Trail. Our building also includes our personal residence on the second floor and self storage on the main floor.

It was a shock to us to hear that our Guest Lodge does not have the appropriate zoning, as we assumed this was taken care of during the building plan approval process and subsequent building inspections. I was unaware that a building plan including accommodations could be approved when the land was not zoned for this purpose. As we are currently paying commercial property taxes for 90% of our property, we assumed that our zoning was correct. Pacific Rim Fishing Charters and Guest Lodge has invested over three million dollars into the building of Pacific Rim Guest Lodge and currently employs up to eleven employees with the majority of staff being permanent residents of Ucluelet.

In 2010 we changed our name from Pacific Rim Fishing Charters to Pacific Rim Fishing Charters & Guest Lodge. In regard to the business license for the Guest Lodge, we currently have a business licence for Pacific Rim Fishing Charters and also for Pacific Rim Self Storage. We were unaware that we required a separate business licence for the guest lodge as we changed our name to include the guest lodge and assumed the business licence cover both aspects.

Pacific Rim Fishing Charters & Guest Lodge was unaware we did not have the proper zoning. My wife and I are committed and involved residents of Ucluelet, and I have been working in Ucluelet since I was a teenager. We sincerely hope we can continue this involvement and support the community and tourism industry as a quality provider of accommodations, fishing adventures, and self-storage. Please consider our request for rezoning as without rezoning approval, our business of 35 years would be subject to closure with a significant financial loss to us personally, and many people losing their employment, not to mention the loss of much needed accommodations to support tourism in Ucluelet.

Thank you for your valuable time and consideration,

Please feel free to call us toll free at 1-877-871-8771 if you have any questions or concerns or email us at [info@pacificrimfishingcharters.ca](mailto:info@pacificrimfishingcharters.ca)

Sincerely

Glenn & Dianna Kaczmar

Pacific Rim Fishing Charters & Guest Lodge  
877-871-8771



755 Terminal Avenue, Nanaimo, BC V9S 4K1  
Tel: (250) 754-2108 Fax: (250) 754-2118  
Email: [info@rdbarchitect.ca](mailto:info@rdbarchitect.ca)  
Web: [www.rdbarchitect.ca](http://www.rdbarchitect.ca)



July 19, 2018

354 Forbes Road

### **2012 BC Building Code *Draft* Review Summary**

In summary, the building does not comply with many requirements of the building code and the as built conditions vary from existing drawings received. Some portions of the building are incomplete or lack any drywall cover (or other means) to provide fire resistance, and in particular the support and underside of the proposed guest suites.

Summary below of key building code deficiencies. Not all minor deficiencies noted. As currently constructed, the building is classified as Part 3 of the building code and not Part 9 due to the number of storeys, F2 occupancy, and building area (greatest horizontal footprint) is greater than 600m<sup>2</sup>.

Comments added in *blue italics* included as suggestions/ further work/ discussion towards achieving **substantial compliance**. Much like strata conversions, existing buildings are reviewed for zoning and code compliance. Under the strata act, "substantial compliance" is not defined, presumably each situation is unique. The building code is written for new construction and conversion/ upgrades of existing buildings requires a judgement call between the designer and authorities as to the cost/ benefit (such as life safety) of achieving building code and zoning objectives.

**Major Occupancy** (excludes occupancies other than F1 & F2, if they are <10% of building area [greatest horizontal extent of all storeys superimposed]):

- Group C Residential (residents/ guest suites/ staff suites)
- Group F2 Medium Hazard Industrial (workshop/ storage room/ repair garage)
- Group F3 Low Hazard Industrial (workshop/ storage room/ storage garage)
- F3 is defined as combustible content being not more than 50kg/m<sup>2</sup> or 1 200MJ/m<sup>2</sup> of floor area. Typically needs to be signed and proven, otherwise assumed as F2. Difficult to limit users from exceeding the limits over time.
- Garages typically considered F3, provided they are not used as storage other than vehicles.
- Repair garage or storage rooms (outside of dwelling unit) considered F2.
  - An F2 occupancy only allows a single dwelling unit for the whole building (BCBC).
- Group D Business & Personal Services (office) was not included as no such occupancy currently exists, is not finished, though appears to be designed as such.
- If occupancies are less than 10% of the building area, then they are not classified as Major Occupancies.

### **Building Classification**

- BCBC 3.2.2.50
  - Group C (residential); sprinklered; up to 6 storeys; max 1,800 m<sup>2</sup> @ 4 storeys; floors 1 Hr FRR fire separations; mezzanines 1 Hr FRR; loadbearing elements FRR to match supporting assembly; FRR and fire separation waived for floor assemblies within dwelling unit, if no dwelling unit above.
- BCBC 3.2.2.75

- Group F2 (repair garage/ workshop); sprinklered; up to 4 storeys; max 2,400m<sup>2</sup> @ 4 storeys; floors 1 Hr FRR fire separations; mezzanines 1 Hr FRR or non combustible construction; loadbearing elements FRR to match supporting assembly.
- BCBC 3.2.2.81
  - Group F3 (storage garage); unsprinklered; up to 4 storeys; max 1,200m<sup>2</sup> @ 4 storeys facing 1 street; floors fire separations, and 3/4 Hr FRR or non combustible construction; mezzanines 3/4 Hr FRR or non combustible; loadbearing elements FRR to match supporting assembly or non combustible.
- *Intermediate floors would need to be partially removed to create mezzanines, such that the building is only 3 storeys to avoid fire sprinklers for the whole building.*
  - *Fire sprinklers would require upgrades to utility connections and be designed by a Mechanical engineer.*
  - *Mezzanines max 40% of room open to below and max 10% enclosed of room below.*
  - *Use L1 plus mezzanine as staff accommodation. Need to check if F3 storage garages can be retained if greater than 10% of the floor area, otherwise another building classification (F3 series) needs to be reviewed as well.*
- *Possibly use BCBC 3.2.2.51*
  - *3 storeys; max 1,200m<sup>2</sup> facing 3 streets; floors 1 Hr fire separations; mezzanines & roofs 1 Hr FRR; FRR and fire separation waived for floor assemblies within dwelling unit, if no dwelling unit above.*
- *Initial thought is to demolish the portion of L1 & L2 that connect the original single family dwelling from the addition to create two separate buildings. Do the guest suite building as Part 3 (around 649m<sup>2</sup>) or remove a portion of one of the garages attached such that the footprint is less than 600m<sup>2</sup> then it could be Part 9 too which is more lenient for some, but not all building code aspects.*

#### **Fire Truck Access (BCBC 3.2.5.4)**

- Fire truck access route required for unsprinklered building greater than 3 storeys or 600m<sup>2</sup> building area.
- For 3 streets, fire truck access required to reach 75% of building perimeter. Perimeter of building face to be within 3m and 15m from access route. Access route to be 6m wide. Window or access panel required for every 15m of required building face for each storey above grade for unsprinklered buildings.
- *Two lots may need to be consolidated or require an easement on the adjoining lot to provide fire truck access.*

#### **Protection of Exits (BCBC 3.2.3.13)**

- Existing exterior exit stair from Level 3 to grade is unprotected from adjoining unprotected openings (windows) where less than 3m horizontally and, 5m above the stairway, or 10m below the stairway. Unprotected openings would need to be removed; replaced with wired glass in steel frames, or fixed glass metal frames via a fire sprinkler equivalency; add fire shutters; enclose exit with a fire separation; or relocate stairway.
- No unprotected openings permitted within 3m of a stairway from another fire compartment that is at an angle 135 degrees or less.
- Room under mid landing of exterior stair would need to be removed or room to have a 1 hr fire separation, including rated door with closer. Repair garage/ workshop exterior door would need to be fire rated with a closer due to exposure with the exterior stairway.
- *See comments under Exterior Exit Passageways and possible resolution that exempts exit stairs from having a fire separation from the remainder of the building.*

#### **Integrity of Exits (BCBC 3.4.4.4 & 3.3.1.4)**

- L4 exit stair to be fire separated from L3 public corridor, with a rated exit door from the L3 public corridor. This will also prevent the non conforming laundry room opening directly into an exit.
- Public corridors require a 3/4 Hr fire separation from the remainder of the building.
- *Provide wall around existing L4 stairway. L3 public corridor can exit into the L4 stairway which in turn empties onto the L3 deck. The doorway into the stair from the public corridor would swing in the direction of egress without impeding travel from the stair.*

#### **Exterior Passageway Fire Separation Exemption (BCBC 3.4.1.5 & 3.4.4.3)**

- Fire separation of exits from the remainder of the building are waived if not less than 50% of the exterior side is open to the outdoors, and an exit stair is provided at each end of the passageway.

- Only 1 exit (exterior stairway) is provided on L3. Likewise it is not possible to go in two separate directions to an exit stair at each end of the passage way. *The proposed exterior exit passage way on L3 would require a walkway all the way around the L3 guest suites (ie east side) in order to avoid, but would still require a fire separation on the underside of the deck due to occupancies below.*

#### L4 Exiting (BCBC 3.4.2.1)

- Two exit stairs required as the unsprinklered residential floor area is >100m<sup>2</sup> and travel distance >15m.
- *Provide two exit stair at each end with a public corridor between.*

#### Location of Exits (BCBC 3.4.2.5)

- Travel distance to exit max 30m.
- Some locations exceed the value as currently laid out such as the south garage.
- *Add additional exit doors where required.*

#### Exit Width (BCBC 3.4.3.2)

- L4 exit stair width should be min. 3'8" (1100mm), not 3'0" as it is above 2 storeys.
- L3 public corridor should be min. 3'8", but appears to be as narrow as 3'1" according to the drawings.
- *Not resolvable without complete rebuilding and impact on existing suites. Seek an equivalency or forgiveness given the low occupant load for this part of the Means of Egress.*

#### Stairways (BCBC 3.3.1.14 & 3.4)

- Stair rise max 7.1" each. Exterior stair rise 7.75". L3 & L4 rise and run not measured, but given the number of risers and floor to floor heights on the drawings, they appear to be around 7.75" high as well, and the run compliant being 11" or greater.
- Tactile treads required at top of stairways (except within dwelling unit). Exterior and interior stairs.
- L4 has a split level for some reason with 2 risers between the main stairway and corridor. Min. is 3 risers (BCBC 3.4.6.2.(1)).
- L3 to L4 interior stairway needs to be 3'8" wide, drawings show 3'0" wide, actual dimension not confirmed.
- Handrails required on both sides where stairs wider than 3'8" (1100mm). One and/ or two handrails missing on some stairs.
- Stairways to have slip resistance (ie exterior stairs) and since they are public, they require a colour contrast or distinctive pattern to demarcate the leading edge of risers and landings (BCBC 3.4.6.1).
- Note that stairways within dwelling units only need to comply with BCBC Part 9 requirements (BCBC 3.3.4.7).
- *Seek an equivalency or forgiveness for the existing L4 stairway that can't be upgraded without significant rebuilding and make the new L4 stairway compliant.*

#### Residential Fire Separations (BCBC 3.3.4.2)

- Residential Suites to have 1 Hr fire separations from the remainder of the building. Information of wall and floor assemblies incomplete. As built conditions not confirmed and require destructive testing to confirm.
- *Upon test results, upgrade if required.*

#### Repair Garage Fire Separation (BCBC 3.3.5.5)

- Requires 2 hr FRR fire separation from other occupancies.
- *Provide at another location/ separate building, or incorporate informally as a separate Part 9 single family dwelling by disconnecting addition into a separate building.*

#### Storage Garage Fire Separation (BCBC 3.3.5.6)

- Requires 1.5 hr FRR fire separation (2 layers 5/8" Type X drywall) from other occupancies, except where serving a dwelling unit as per BCBC 3.3.4.2(5).
  - Storage garage for dwelling unit to be fire separated from remainder of building.
- *Create 2 separate buildings as previously described.*

#### Fire Separations General

- Finished as built wall assemblies not verified but 5/8" Type X drywall noted on drawing sections for floor assemblies not within dwelling units. Rating incorrect on drawings for storage garage. Unfinished drywall on L1 & L2 walls/ ceilings installed with 5/8" Type X drywall.
- Many areas of L1 & L2 are incomplete and with no required drywall and form support for guest suites above.
- Existing single family dwelling former exterior walls joined to subsequent addition, should be confirmed for 5/8" Type X drywall and existing drawings note 1/2" drywall.
- *Complete as per building code requirements.*

#### Continuity of Fire Separations (BCBC 3.1.8.3)

- Vertical fire separations to terminate with smoke tight joints where it abuts or intersects floor or roof deck or roof sheathing.
  - L4 roof not reviewed and requires rated ceiling if suite vertical fire separations do not terminate at underside of roof sheathing. No combustible wood elements allowed to penetrate vertical fire separations (such as trusses and their bracing), thus the ceiling of the suite is typically a fire separation.
  - L1 to L2 stair stringers fastened to wall studs. No allowance for fitting drywall between required for fire separation.
  - *Upon test results, upgrade if required. L1/L2 stairways likely to be removed.*

#### Fire Blocking (BCBC 3.1.11)

- Concealed wall cavities: fire blocking required at every floor level, ceiling level (where forming part of a fire separation) and where horizontal dimension exceeds 20m and vertical dimension exceed 3m. This is not required where cavity is filled with insulation, cavity is non combustible, or only one air space not greater than 1").
- Interconnections between concealed vertical and horizontal cavities: required at interior coved ceilings/ drop ceilings/ soffits/ at each run and floor level with stair stringers, where the flame spread rating is greater than 25.
- Concealed cornice, mansard roof, balcony, or canopy; where the flame spread rating is greater than 25 at locations where the cavity extends over fire separations and where the maximum dimension of the concealed space is more than 20m.
- Penetrations such as plumbing/ wiring thru fire blocking to be fire caulked. No evidence of such where framing is exposed. Note this is not a requirement for a Part 9 building.
- Not reviewed in detail. Many conditions concealed. Areas such as L1 & L2 which are exposed and incomplete (not covered with drywall), wood blocking appears incomplete such as stair stringers and no evidence wiring being fire caulked.
  - *Further review/ discussion with Authorities where concealed. Upgrade where exposed. Separating main dwelling unit into Part 9 avoids issue for that portion of the building.*

#### Spatial Separation (BCBC 3.2.3)

- Some portions of L1 & L2 floor areas are non compliant for allowable openings and/ or non combustible construction. Some exterior walls not finished with drywall yet.
- No detailed calculations, interpolations, or additional min. 3/4 fire separation fire compartments to reduce wall area calculations, were done.
- Generally north and east facades are allowed around 12% unprotected openings; require 1 hr fire resistant ratings (5/8" Type X drywall), combustible construction ok, and non combustible construction required.
- North facade likely has too many actual unprotected openings, particularly near the workshop. Some options may include fire rated doors with closures, additional fire compartments, and/ or no build easement on a portion of the adjacent property or realignment of the property line.
- If an F2 workshop was considered on the north facade, allowable unprotected openings would be 6%, and thus would require non combustible construction (unprotected openings  $\leq 10\%$ ) and a 2 hr fire resistance rating. However F2 occupancy is problematic with more than one dwelling unit within the building.
- The south facade, depending on on actual limiting distance (distance between facade and property line) is around 8% to 9%. This would require non combustible construction and cladding, and a 1 hr fire resistance rating. This could likely be resolved by creating a smaller garage fire compartment.

- West facade (facing street), likely not problematic.
- Generally exterior walls finished in non combustible fiber cement cladding, but vertical trims need to be non combustible.
- Combustibility of projecting L3 floor assembly above the walls below, are not required in the spatial separation calculations. However, what appears to be a partially completed projecting stair landing on the east facade, is very close to the property line and needs to be at least 1.2m away, otherwise it needs to be non combustible.
- *Do detailed calculations with interpolations and add additional min. 3/4 fire separation fire compartments to reduce wall areas. Separate the two buildings will correct much of the north facade. Replace combustible trims. Add required drywall (which is also required for other building code requirements).*

#### **Janitor and Common Laundry Rooms (BCBC 3.3.1.21 & 3.3.1.22)**

- Require 1 Hr fire separation from the remainder of the building. Wall assemblies and fire stopping not confirmed, nor noted on existing drawings and assumed not compliant without destructive testing.
- *Upon test results, upgrade if required.*

#### **Guards (BCBC 3.3.1.18)**

- Guards to be non climbable between 140mm and 900mm. Guards on exterior stairway climbable at the due to lower horizontal wood member.
- *Replace or modify such as opaque or clear panels on the inside face if pickets not low enough.*

#### **Sound Transmission (BCBC 3.3.4.6)**

- Residential suites to have a min. actual 50 STC rating. Wall/ floor assemblies not confirmed and existing drawings have incomplete floor assembly information and assumed not compliant without destructive testing.
- *Upon test results, upgrade if required.*

#### **Occupancy on Roof (BCBC 3.2.2.13).**

- L3 roof deck requires a 1 hr FRR fire separation under, including a 1 hr FRR rating of supporting structure.
- *Complete as per building code requirements.*

#### **Repair and Storage Garage Ventilation (BCBC 3.3.5.4)**

- Requires natural or mechanical ventilation.
- *Complete as per building code requirements.*

#### **Storage Garage Vestibules (BCBC 3.3.5.7)**

- Access thru a fire separation to an assembly or residential occupancy shall be thru a vestibule.
- *Omit access or complete as per building code requirements. Not applicable to a garage serving a detached single family dwelling provide air barrier, door with closer and gasket is provided.*

#### **Protection of Openable Windows (BCBC 3.3.4.8)**

- Openable windows in residential suites shall be protected by a 42" ht guard or window limiter to restrict opening to 4" where other dimension is >15", for window openings lower than 42" above the finished floor; or the floor or ground is lower than 5'11" on the other side of the window.
- *Complete as per building code requirements for L4. Part 9 detached single family dwelling exempt.*

#### **Ceiling Heights (BCBC 3.3.1.8 & 3.4.3.4)**

- Floors and 'access to exits' require min. 6'8.75" (2050mm) clear height. Level 2 has ceiling heights at 6'4" and 6'8" (before addition of drywall).
- Doorways require a min. 6'8" (2030mm) clear height. Wall openings on some L1 warehouse areas are 6'6" rough-in height.
- *Complete as per building code requirements which likely means removal of 6'4" height floor.*
- *Ask forgiveness on the 6'8" heights if areas used as mezzanines, perhaps as individual sleeping lofts, for staff accommodations.*

#### **Accessibility (handicapped) (BCBC 3.8 & 3.8.2.31)**

- Require access from the street to at least one main entrance.
- Require at least one accessible washroom.
- Require access to every type of public facility, including those located outside.
- Require access to all storeys to which the public is admitted.
- Require access to one sleeping unit for every 40 sleeping units or part thereof.
- Every floor area that is not sprinklered and is required to be accessible, shall be served by an elevator or be divided into at least 2 zones by fire separations that do not exceed the required travel distance.
- A proposed guest check-in office off the house on L3 would need to be accessible or relocated.
- *Complete as per building code requirements. Need to confirm that public facility and accessibility does not include registered guest accommodation rooms, including access too, otherwise a lift is required*
- *Provide guest check-in office at grade, including accessible washroom*

#### **Building envelope**

- Not reviewed as many details concealed from view. Original drawings lacking building envelope details and specifications. No vapour barrier and/ or insulation installed in some rooms on L1 & L2 that may be intentionally unconditioned or incomplete construction.
- *Complete as per building code requirements.*

#### **Electrical and Plumbing**

- Not reviewed.
- Hot water tanks require seismic bracing.
- Any penetrations of elec/ mech services thru fire separations to be fire stopped.
- *Complete review by electrical engineer or licensed commercial electrician as required by City.*

#### **3<sup>rd</sup> Party Home Warranty Insurance**

- Not reviewed, status unknown. Likely required.

#### **Zoning**

- Compliance to zone CD-1.1.3 not reviewed.
- Guest or staff accomodation not a permitted use.
- Potentially review of items required such as density, lot coverage, setbacks, height, parking, etc.
- *Review with City and include any variances as part of the rezoning process.*

--- End ---

**DISTRICT OF UCLUELET****Zoning Bylaw Amendment Bylaw No. 1248, 2019**

A bylaw to amend the District of Ucluelet Zoning Bylaw (354 Forbes Road).

---

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

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

**1. Text and Map Amendment:**

Schedule B of the District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding the following subsection (3) to section CD-1.1.3 in alphanumeric order, as follows:

“(3) On Lot 17 District Lot 284 Clayoquot District Plan VIP76147 (PID: 025-926-811, 354 Forbes Road) the following additional uses are permitted:  
 (a) *Commercial Tourist Accommodation* is permitted as a secondary use on the second and third levels of a mixed-use building  
 (b) *Staff Housing* is permitted on any floor subject to the terms of a Housing Agreement with the District pursuant to section 483 of the *Local Government Act*”

**2.** This bylaw may be cited as “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1248, 2019”.

**READ A FIRST TIME** this     day of     , 2019.

**READ A SECOND TIME** this     day of     , 2019.

**PUBLIC HEARING WAIVED** this     day of     , 2019.

**READ A THIRD TIME** this     day of     , 2019.

**ADOPTED** this     day of     , 2019.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1248, 2019.”

---

Mayco Noël  
Mayor

---

Mark Boysen  
Corporate Officer

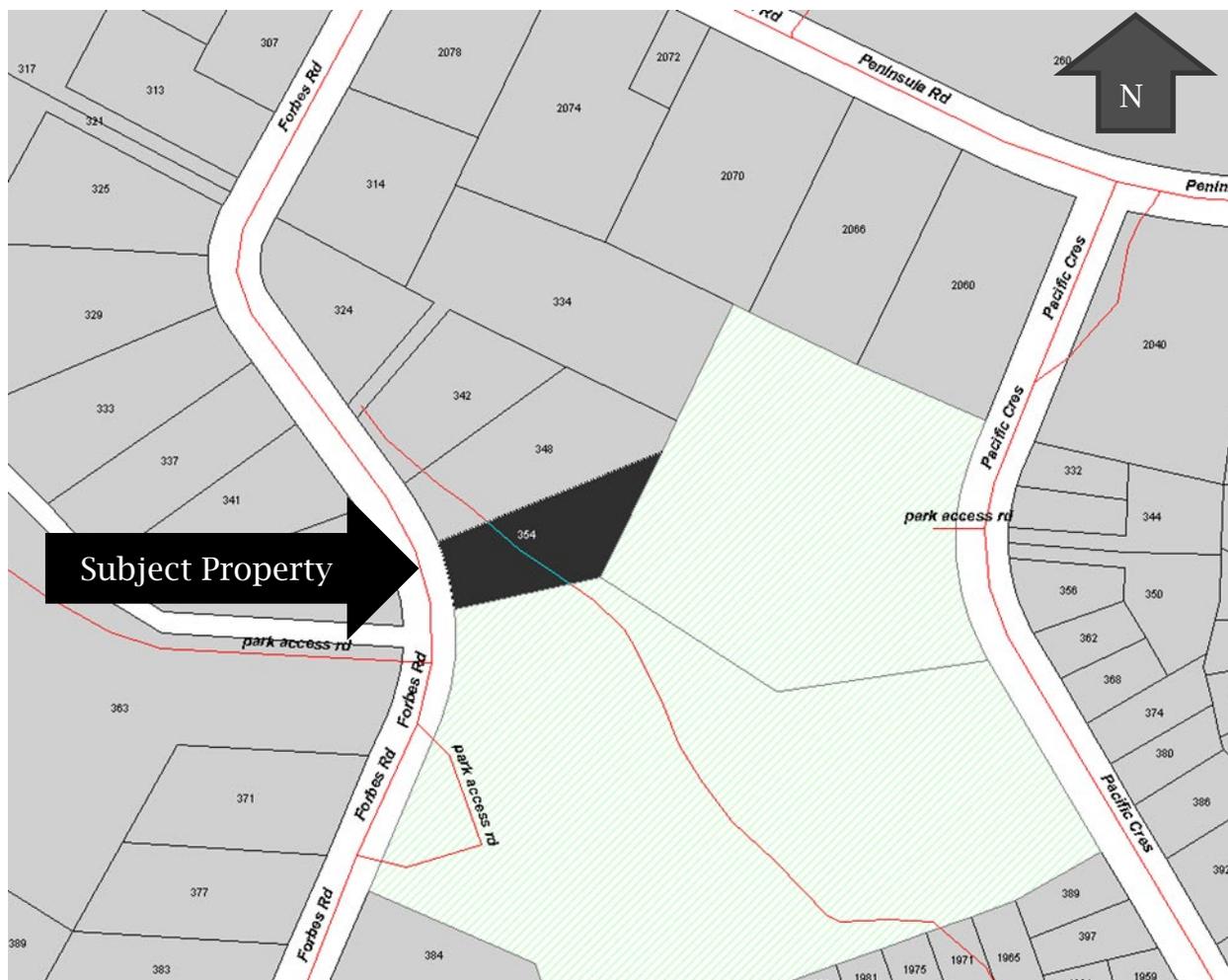
**THE CORPORATE SEAL** of the District of Ucluelet was hereto affixed in the presence of:

---

Mark Boysen  
Corporate Officer

**SCHEDULE 'A'**  
**Bylaw No. 1248, 2019**

Subject property:  
Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road)





**DISTRICT OF UCLUELET****Bylaw No. 1249, 2018**

A Bylaw to Authorize the District of Ucluelet to Enter into a Housing Agreement.  
(the 354 Forbes Road 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 property at 354 Forbes Road to enable the Owner to rectify building construction issues and add new tourist accommodation units on upper floors, and as a part of that rezoning the owner has proposed that the lower level of the building be used for employee housing with a proposed timeline for constructing and making the employee housing available to Ucluelet workers;

**AND WHEREAS** the Owner has offered to register a Housing Agreement to ensure that staff housing units are maintained on the Lands described in this Bylaw, and the Municipality has deemed it expedient to require the Owner 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 354 Forbes Road and being more particularly known and described as:

**Lot 17, District Lot 281, Clayoquot District, Plan VIP76147**

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. 1249, 2019**".

**READ A FIRST TIME** this day of       , 2019.

**READ A SECOND TIME** this    day of       , 2019.

**READ A THIRD TIME** this    day of       , 2019.

**ADOPTED** this    day of       , 2019.

**CERTIFIED CORRECT:** "Ucluelet Housing Agreement Bylaw No. 1249, 2019"

---

Mayco Noel  
Mayor

---

Mark Boysen  
Corporate Officer

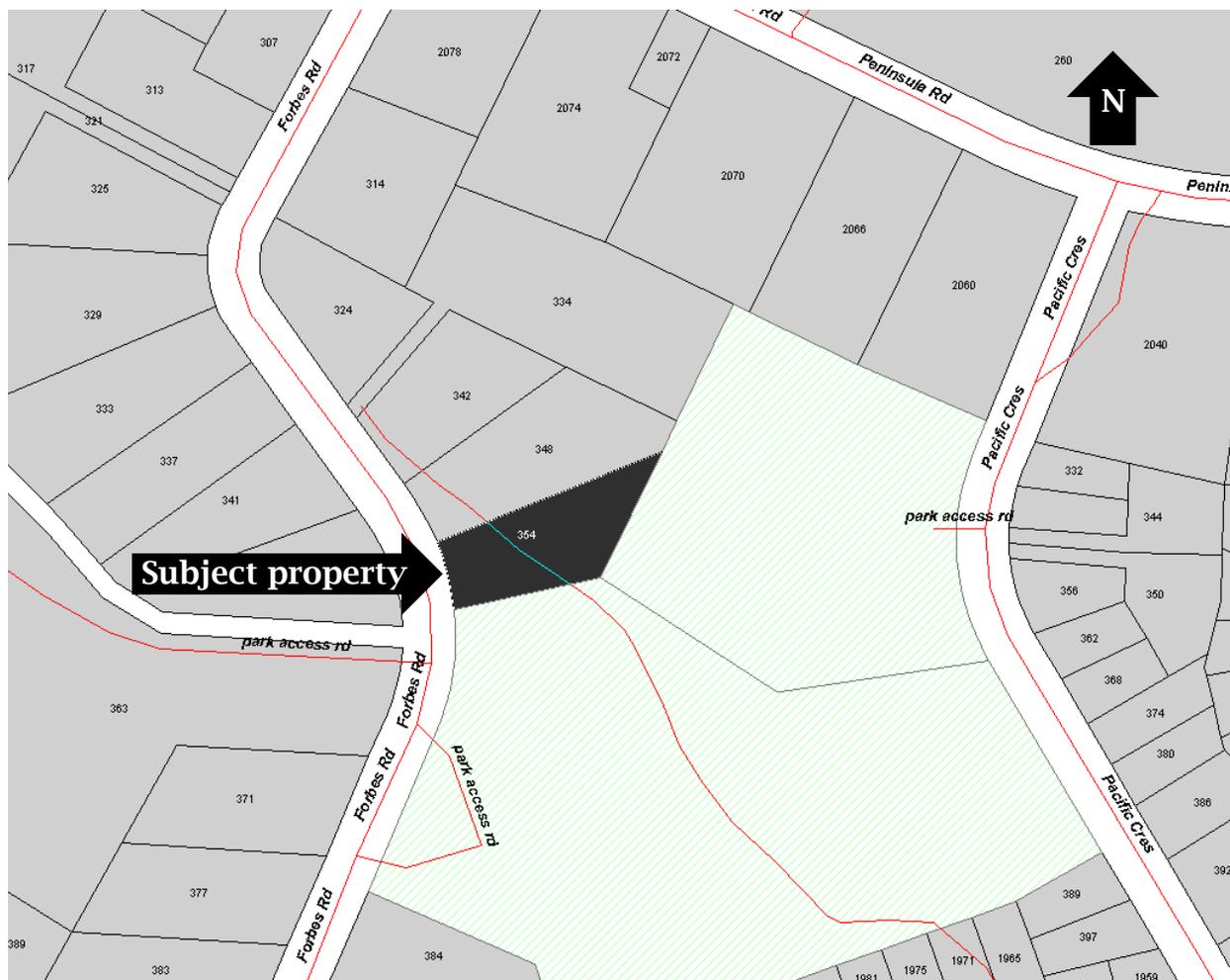
**THE CORPORATE SEAL** of the  
District of Ucluelet was hereto  
affixed in the presence of:

---

Mark Boysen  
Corporate Officer

Appendix "A" to Ucluelet Housing Agreement Bylaw No. 1249, 2019

Subject property: Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road)



**Schedule "A" to Bylaw No. 1249**

**HOUSING AGREEMENT**

**(Section 483, *Local Government Act*)**

This Agreement, dated for reference the \_\_\_ day of \_\_\_\_\_, 2019 is

BETWEEN:

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

(the "District")

and:

William Glenn Kaczmar and Dianna Kacsmar  
P.O. Box 1143  
Ucluelet, BC  
V0R 3A0

(the "Owner")

**WHEREAS:**

- A. The Owner is the registered owner of land located at 354 Forbes Road in the District of Ucluelet, which land is within the CD-1 Zone under the District's Zoning Bylaw 1160, and is more particularly described as:

PID: 025-926-811

Lot 17 District Lot 284 Clayoquot District Plan VIP76147

(the "Land");

- B. The Owner has offered to enter into this agreement restricting the occupancy of the proposed staff housing unit to employees of "Pacific Rim Fishing Charters" business operating on the Land, or other employees of light industrial, tourist accommodation, commercial or service businesses 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; and,

- D. The Council of the District has, by Housing Agreement Bylaw No. 1235, 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 any housing units located on the lower floor of the mixed-use building located on the Land, as indicated in Schedule B to this Agreement, will be occupied only by the employees of the Owner or employees of light industrial, tourist accommodation, commercial or service businesses 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 2020 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.

**Owners:**

\_\_\_\_\_  
William Glenn Kaczmar  
Dianna Kacsmar

\_\_\_\_\_  
Date:

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

\_\_\_\_\_  
Mayor:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Corporate Officer:

\_\_\_\_\_  
Date:

Schedule A to Housing Agreement

**STATUTORY DECLARATION**

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

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 354 Forbes Road 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 the Pacific Rim Fishing Charters or employees of other light industrial, tourist accommodation, commercial or service businesses 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 )  
 Province of British Columbia )

\_\_\_\_\_  
 DECLARANT



# Schedule "B" to Housing Agreement

## EMPLOYEE HOUSING UNITS

(354 Forbes Road – Pacific Rim Fishing Charters)



Pacific Rim Fishing Charters

354 Forbes Rd, Ucluel, BC

Site Plan