



REGULAR MEETING OF COUNCIL
Tuesday, June 13, 2017 @ 7:30 PM
George Fraser Room, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet

AGENDA

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1. CALL TO ORDER	
2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY	
Council would like to acknowledge the Yuułu?it?ath First Nations on whose traditional territories the District of Ucluelet operates.	
3. ADDITIONS TO AGENDA	
4. ADOPTION OF MINUTES	
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6. MAYOR'S ANNOUNCEMENTS	
7. PUBLIC INPUT, DELEGATIONS & PETITIONS	
7.1 Public Input	
7.2 Delegations	
• Faye Missar, Clayoquot Biosphere Trust	19
Re: 2017 Living Wage for the Clayoquot Sound Biosphere Region	
CBT Delegation	
8. CORRESPONDENCE	
9. INFORMATION ITEMS	
10. COUNCIL COMMITTEE REPORTS	
10.1 Councillor Sally Mole	
<i>Deputy Mayor April – June</i>	
• Ucluelet & Area Child Care Society	
• Westcoast Community Resources Society	

- Coastal Family Resource Coalition
- Food Bank on the Edge
- Recreation Commission
- Ucluelet Health Centre Working Group

=> *Other Reports*

10.2 Councillor Marilyn McEwen
Deputy Mayor July – September

- West Coast Multiplex Society
- Ucluelet & Area Historical Society
- Wild Pacific Trail Society
- Vancouver Island Regional Library Board – Trustee
- Alberni-Clayoquot Regional District Board – Alternate

=> *Other Reports*

10.3 Councillor Mayco Noel
Deputy Mayor October – December

- Ucluelet Volunteer Fire Brigade
- Central West Coast Forest Society
- Ucluelet Chamber of Commerce
- Tourism Ucluelet
- Signage Committee
- Clayoquot Biosphere Trust Society - Alternate
- Barkley Community Forest Board

=> *Other Reports*

10.4 Councillor Randy Oliwa
Deputy Mayor January – March

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

=> *Other Reports*

10.5 Mayor Dianne St. Jacques

- Alberni-Clayoquot Regional District Board
- West Coast Committee

- Airport Committee
 - Coastal Community Network
 - Groundfish Development Authority
 - DFO Fisheries Committees for Groundfish & Hake
 - Regional Fisheries Committees
 - Pacific Rim Arts Society
 - Whale Fest Committees
 - Ucluelet Health Centre Working Group
- => *Other Reports*

11. REPORTS

- | | | |
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| 11.1. | Request for Noise By-Law Exemption
<i>Abby Fortune, Director of Parks & Recreation</i>
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| 11.2. | Request for Canada Day Road Closure
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| 11.3. | Request for a Development Permit for the Spring Cove Trail - Phase 1
<i>John Towgood, Planner 1</i>
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| 11.4. | Host Compliance Short-Term Rental Program
<i>Karla Robison, Environmental & Emergency Services Manager</i>
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12. LEGISLATION

13. LATE ITEMS

- Late items will be addressed here as addenda items

14. NEW BUSINESS

15. QUESTION PERIOD

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) of the *Community Charter*.

17. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, May 23, 2017 at 7:30 PM

Present: **Chair:** Mayor St. Jacques
 Council: Councillors McEwen, Oliwa, and Mole
 Staff: Don Schaffer, Interim Chief Administrative Officer / Corporate Officer
 Carolyn Bidwell, Chief Financial Officer
 Darcey Bouvier, Recording Secretary

Regrets:

1. CALL TO ORDER

1.1 Mayor St. Jacques called the regular meeting to order at 7:30 pm.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

2.1 Council would acknowledged the Yuulu?i?ath First Nations on whose traditional territories the District of Ucluelet operates.

3. ADDITIONS TO AGENDA

4. ADOPTION OF MINUTES

4.1 May 9, 2017 Regular Minutes

- Correction - the Regular Council meeting was held at 7:30 pm not 6:30pm as indicated.

It was moved by Councillor McEwen and seconded by Councillor Oliwa

THAT Council approve the May 9, 2017 Regular Minutes as amended.

CARRIED.

4.2 May 9, 2017 Late Items Minutes

- Correction - The Late Items were addressed at the Regular Council meeting that was held at 7:30 pm not 6:30pm as indicated.

THAT Council approve the May 9, 2017 Late Minutes as amended.

CARRIED.

5. UNFINISHED BUSINESS

6. MAYOR'S ANNOUNCEMENTS

- 6.1 **Mayor St. Jacques introduced the District's temporary Chief Administrative Officer and Corporate Officer, Don Schaffer who comes to us from Metchosin, and will work with us for the next 8 weeks. The new CAO arrives June 19, 2017.**
- 6.2 **Mayor St. Jacques introduced Darcey Bouvier, who has stepped in for Morgan Dodsall and is acting temporarily as our minute taker.**

7. PUBLIC INPUT, DELEGATIONS & PETITIONS

7.1 Public Input

T. Bailey spoke on behalf of the Black Rock Oceanfront Resort. Advised the issue with staff parking has been addressed. They held a staff meeting and identified 11 cars that would be displaced. The resort will be offering their staff a \$100 health allowance if they walked to work, leaving their cars at home. Staff voted unanimously for this incentive, which would leave 2 cars instead of 11. Management will also be working diligently to monitor staff housing. Management also spoke to OCN Garden Centre with respects to beautifying the area with trees and shrubs, to ensure it blends into the Resort as much as possible. The Resort is also favourable for the one year request, with no extensions as it is their goal to prove to the community they can manage the staff accommodations properly. Management also offered to keep the staff housing after the one year timeline, should other businesses wish to house their staff. Management would then look at moving the accommodations to a suitable location and run it as a business.

E. Ross owns Whispering Pines and requested to meet with Mayor and Council to provide an update on the property.

7.2 Delegations

**Marcie DeWitt, Alberni Clayoquot Health Network
Re: Alberni Clayoquot Working Together To Reduce Poverty Protocol Agreement**

- Provided two handouts for Mayor and Council; Workshop Report - Theory of Change Draft #1, and the Alberni Clayoquot Working Together to Reduce Poverty Protocol Agreement.
- Ms. DeWitt went over the background information on the Protocol Agreement; defined Theory of Change; advised

this is in partnership with local communities, organizations and leaders; discussed outcomes that were identified to reduce poverty; and explained their goals, commitment and protocol agreement.

8. CORRESPONDENCE

8.1 Pacific Seafoods - UHS Plant Complaint *Caitlyn Woodbury*

- Mayor St. Jacques spoke with the Manager of Ucluelet Harbour Seafoods, who acknowledged the problem and is currently working with the neighbours to mitigate the issues.

It was moved by Councillor McEwen and seconded by Councillor Oliwa

THAT Council receive correspondence item, "Pacific Seafoods - UHS Plant Complaint" for information.

CARRIED.

8.2 Welcome Wagon *Megan Warrender*

It was moved by Councillor McEwen and seconded by Councillor Mole

THAT Council move to refer the Welcome Wagon letter to the Chamber of Commerce.

CARRIED.

8.3 SPARC BC *Lorraine Copas, Executive Director*

It was moved by Councillor McEwen and seconded by Councillor Mole

THAT Council proclaim June 3, 2017 as Access Awareness Day - Accessible Communities are Inclusive Communities.

CARRIED.

8.4 Ucluelet Chamber of Commerce *Ursula Banke, Director*

It was moved by Councillor Oliwa and seconded by Councillor McEwen *THAT Council write a letter of support for the Ucluelet Chamber of Commerce's application to the BC Rural Dividend Fund for \$100,000.*

CARRIED.

9. INFORMATION ITEMS

9.1 Celebrating 30 Years of Engineering on Vancouver Island Koers & Associates Engineering Ltd.

It was moved by Councillor McEwen and seconded by Councillor Oliwa

THAT Council receive information item, 9.1 "Koers & Associates Engineering

Ltd., Celebrating 30 Years of Engineering on Vancouver Island" for information.

CARRIED.

10. COUNCIL COMMITTEE REPORTS

10.1 Councillor Sally Mole *Deputy Mayor April – June*

Ucluelet & Area Child Care Society

- AGM was held on May 15th; great turn out; started off with a social event and salmon BBQ; children did a presentation; then moved on to the Board meeting; Kristi Udell stepped down from her position and Sara Hagar stepped up to fill it; the Society reported a \$200 surplus for the year.

Recreation Commission

- Meeting held on May 10, 2017; taking a hiatus through June, July and August. The Commission will resume in September with involvement with Parks and Recreation Staff and the budget process.

=> Other Reports

- Pacific Rim Hospice Society is holding a workshop on June 17, 2017 in Ucluelet for their Friendly Visitor Program. Also, hosting an Advanced Care Planning session in Tofino on June 17, 2017.

10.2 Councillor Marilyn McEwen *Deputy Mayor July – September*

West Coast Multiplex Society

- Held a meeting on May 19, 2017 at the District of Tofino office with VDA Architects, West Coast Committee, representatives from the Districts of Tofino and Ucluelet, Ahousaht, Tla-o-qui-aht, Toquaht and Yuu-cluth-aht. VDA will come back with two construction options: a pre-engineered and Sprung. VDA attended Shawnigan Lake to tour their new Sprung construction arena; concerns about leakage and tearing of the skin itself; will do more research but would like to steer the Society away from this option. Next meeting will be June 26, 2017.

=> Other Reports

- Meeting on May 11, 2017 with Pam Shaw from Vancouver Island University regarding Ucluelet's OCP. Has some summer students to assist with cleaning up the data and work in the 2016 Census data, then present it back.

10.3 Councillor Randy Oliwa
Deputy Mayor January – March

Harbour Advisory Committee

- Attending the Harbour Authority Association of BC's Mid Island Zone Meeting in Nanaimo on May 25, 2017 with the District's Harbour Manager, Kevin Cortes.

Education Liaison

- District Parent Advisory Council meeting in Port Alberni on May 31, 2017 at 8th Avenue School. Opportunity for Parent Advisory Committees to come together to meet and discuss with the Board. There is also the ability to participate via telephone or by SKYPE.

=> ***Other Reports***

- Thank you to Abby Fortune, Director of Parks and Recreation, for putting together a free workshop on Residential Tenancy Law in BC. This workshop is for tenants and landlords. It is being held on May 24, 2017 at the Ucluelet Community Centre from 6-8pm. Cost shared with Tofino on this venture, they are holding their workshop tonight in Tofino.

10.4 Mayor Dianne St. Jacques

Alberni-Clayoquot Regional District Board

- Attended May 10, 2017. McLean Mill's Executive Director, Deanna Beaudoin was in attendance. There are 32 acres at the Mill; they have a lot going on, tried a B&B, focusing on events; lots of potential and great for regional tourism.
- Agreed on a 2 year term for a Building Inspector for Ucluelet until a permanent solution can be found.

Ucluelet Health Centre Working Group

- Met today with Marie Duperreault from Island Health along with Cheryl Hoskins in regards to the possible Health Centre here in Ucluelet. We are waiting on Island Health to put together information from all their various departments before they put out a Request For Proposals (RFP) to build this type of building.
- Cheryl Hoskins has been doing work here at the Community Centre with the West Coast Resources Society in order for the Society to be able to change dressings for people here in Ucluelet so they don't have to travel to Tofino.

=> Other Reports

- Met with Pam Shaw from Vancouver Island University regarding our Official Community Plan. Hired 2 students for the summer to work with VIU and our Planner, John Towgood. Students will be hosting community consultation events in July and again at Ukee Days for housing research and taking in comments, ideas and input from our community members. They are also going to work on "sense of place" for Ucluelet in terms of building design. Looking for a rewrite of our OCP to be ready for April 2018.
- Attended a meeting at the Regional District with the Western Coastal Marine Response people who are working toward having a presence here in Ucluelet, with a main base in Port Alberni. There would be 2 or 3 rapid response vessels here in Ucluelet. Fully certified group by Transport Canada to do this type of work. It would create 17 jobs between Port Alberni and Ucluelet. Hope to know by mid-June if this investment will be made, pending what happens with the pipe lines.
- Had a meeting with the ACRD regarding banning corrugated cardboard from the landfill as of July 1, 2017. Three options for businesses. Sunbird has three yard bins,

but these are not waterproof; businesses can store cardboard at their locations and for a fee, Sunbird will pick it up; or bring it to Sunbird directly; all options will have a disposal fee. We are the last landfill on the island to ban cardboard. ACRD will look into options for recycling cardboard, and may utilize grants for this research. Main goal is to extend the life of our landfill.

2016-8

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

THAT Council accept all committee reports.

CARRIED.

11. REPORTS

11.1 Expenditure Voucher G-10/17

Carolyn Bidwell, CFO

It was moved by Councillor Oliwa and seconded by Councillor Mole

THAT Council receive Expenditure Voucher G-10/17.

CARRIED.

11.2 Request for Approval of Consulting Services for the District of Ucluelet Capital Project Work 2017-2019.

Warren Cannon, Superintendent of Public Works

It was moved by Councillor McEwen and seconded by Councillor Mole

THAT Council approve recommendation 1 of report item "Request for Approval of Consulting Services for the District of Ucluelet Capital Project Work 2017-2019" which states:

1. *THAT Council approve Koers & Associates Engineers Ltd. for a Two Year Standing Offer Agreement.*

CARRIED.

11.3 Request for Road Closure for the Porsche Club's Show and Shine Event

Karla Robison, Manager of Environmental & Emergency Services

It was moved by Councillor Mole and seconded by Councillor McEwen

THAT Council approve recommendation 1 of report item "Road Closure Request for the Porsche Club 'Show and Shine' Event" which states:

1. *THAT Council authorizes the closure of a short section of Main Street (in front of Whiskey Landing) and Cedar Road (in front of the Village Green), and the Main Street Dock (Whiskey Dock) from 9:00 am to 4:00 pm on Saturday, May 27th, 2017 for the Porsche Club 'Show and Shine' event.*

CARRIED.

11.4 Request for Temporary Use Permit and Associated Development Variance Permit

John Towgood, Planner 1

- Councillor Oliwa stepped out of the room at 8:32 pm due to a conflict of interest and returned after the motion at 8:34 pm

It was moved by Councillor McEwen and seconded by Councillor Mole

THAT Council approve recommendation 1 of report item, "Request for Temporary Use Permit and Associated Development Variance Permit" which states:

1. *THAT the temporary use permit, TUP 17-01, for the "Common Area" of Plan: VIS6690, District: 09 (596 Marine Drive) be approved as detailed within the permit ("Appendix B") for one year.*

CARRIED.

12. LEGISLATION

13. LATE ITEMS

- Late items will be addressed here as addenda items

14. NEW BUSINESS

14.1 Councillor Oliwa

- Commented on concerns from a local resident regarding the need for Bylaw enforcement and Host Compliance, especially in the residential neighbourhood's.
- Councillor McEwen advised the two seasonal Bylaw Enforcement officers were on duty for the May Long weekend and noted it would be good to see a report from them summarizing the weekend.
- Mayor St. Jacques noted the job posting for the permanent Bylaw Enforcement Officer has closed. Acting CAO Don Schaffer will follow up.

It was moved by Councillor Oliwa and seconded by Councillor McEwen

THAT Council move as a resolution the Alberni Clayoquot Working Together to Reduce Poverty Protocol Agreement.

CARRIED.

14.2 Councillor Mole

- In regards to an email from one of the Councillor's for consideration of a washroom and a drinking fountain at the skate park.

- Another concern in the email addressed the overgrowth of bushes at intersections which is a safety concern.

It was moved by Councillor Mole and seconded by Councillor Oliwa

THAT Council refer the recommendation for a public washroom and a drinking fountain to the 2018 budget process.

CARRIED.

It was moved by Councillor Mole and seconded by Councillor Oliwa

THAT Council direct Public Works Staff to cut back the brushes at intersections to remove any visual obstructions.

CARRIED.

15. QUESTION PERIOD

16. CLOSED SESSION

16.1 Procedural Motion to Move In-Camera

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

CARRIED.

16.2 Mayor St. Jacques suspended the regular meeting at 8:42 pm and moved in-camera at 8:45 pm.

17. ADJOURNMENT

17.1 Mayor St. Jacques adjourned the in-camera meeting at 9:26 pm and resumed the regular meeting.

17.2 Mayor St. Jacques adjourned the regular meeting at 9:26 pm.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, May 23, 2017 at 7:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Dianne St. Jacques
Mayor

Don Schaffer
Interim CAO / CO

**DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, May 23, 2017 at 7:30 PM**

Present: **Chair:** Mayor St. Jacques
Council: Councillors McEwen, Oliwa, and Mole
Staff: Carolyn Bidwell, Chief Financial Officer; Don Schaffer
(Acting CAO/CO); Darcey Bouvier, Recording Secretary

Regrets:

1. LATE ITEMS

**1.1 Support Letter Request for a Funding Application for the Gas Tax Strategic Priorities Fund.
*Alberni-Clayoquot Regional District***

It was moved by Councillor Oliwa and seconded by Councillor McEwen

THAT Council write a letter of support to the Alberni-Clayoquot Regional District for their funding application for the Gas Tax Strategic Priorities Fund
CARRIED.

1.2 Special Council Meeting Minutes

- Correction: Councillor Mole was not in attendance for this meeting.

It was moved by Councillor McEwen and seconded by Councillor Noel

THAT Council motion to adopt the Special Council Meeting Minutes as amended.
CARRIED.

CERTIFIED CORRECT: Minutes of the Late Items Meeting held on Tuesday, May 23, 2017 at 7:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Dianne St. Jacques
Mayor

Don Schaffer
Acting CAO/CO

DISTRICT OF UCLUELET
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN ACTIVITY ROOM 2, 500 MATTERSON DRIVE
Monday, June 5, 2017 at 4:00 PM

Present: **Chair:** Mayor St. Jacques
 Council: Councillors McEwen, Oliwa, Mole, and Noel
 Staff: Don Schaffer, Interim Chief Administrative Officer / Corporate Officer
 Carolyn Bidwell, Chief Financial Officer;
 Darcey Bouvier, Recording Secretary

Regrets:

1. CALL TO ORDER

1.1 Mayor St. Jacques called the Special Meeting of Council to order at 4:00 pm.

2. ADOPTION OF MINUTES

3. CORRESPONDENCE

4. INFORMATION ITEMS

5. REPORTS

5.1 Harbour Authority Association of British Columbia Conference
Don Schaffer, Interim CAO/Corporate Officer

- Write a letter of intent.
- Factor costs into 2018 budget.

2017-001

It was moved by Councillor Mole and seconded by Councillor Oliwa

THAT Council approve recommendation 1 of report item, "HAABC Conference" which states:

1. *THAT Council direct Staff to apply for the 2018 Harbour Authority Association of BC annual seminar in 2018.*

CARRIED.

5.2 Council Remuneration

Don Schaffer, Interim CAO/Corporate Officer

- Bylaw hasn't really changed since 2007.
- Direction from previous Mayor to be paid for any and all meetings outside of regularly scheduled Council meetings and Special Council meetings.
- Important to be transparent; Staff is vigilant in reviewing claims.
- Additional compensation is appreciated as Mayor and Council

often have to take time off from their regular jobs to attend meetings.

- Consensus to continue with the status quo.
- That pay be retro-active with no gaps.

2017-002

It was moved by Councillor Mole and seconded by Councillor McEwen

THAT Council direct Staff to review Bylaw 1042, 2007, while maintaining status quo, and that Staff come back with changes and recommendations.

CARRIED.

6. LEGISLATION

7. NEW BUSINESS

8. QUESTION PERIOD

9. CLOSED SESSION

9.1 Procedural Motion to Move In-Camera

2017-003

It was moved by Councillor McEwen and seconded by Councillor Oliwa

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

CARRIED.

9.2 Mayor St. Jacques suspended the special meeting at 4:25 pm and moved in-camera.

10. ADJOURNMENT

10.1 Mayor St. Jacques adjourned the in-camera meeting at 5:05 pm and resumed the open meeting.

10.2 Mayor St. Jacques adjourned the special meeting at 5:05 pm

CERTIFIED CORRECT: Minutes of the Special Council Meeting held on Monday, June 5, 2017 at 4:00 pm in the Activity Room 2, Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Dianne St. Jacques
Mayor

Don Schaffer
Interim CAO/CO



DISTRICT OF UCLUELET

Request to Appear as a Delegation

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

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

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

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

Requested Council Meeting Date: June Meeting

Organization Name: Clayoquot Biosphere Trust

Name of person(s) to make presentation: Faye Missar

Topic: 2017 Living Wage for the Clayoquot Sound Biosphere Region

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

Please describe:

Contact person (if different from above): _____

Telephone Number and Email: 250-725-2219 or 250-266-2434 faye@clayoquotbiosphere.org

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.



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 13, 2017
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF PARKS & RECREATION

FILE NO: 4520 – 20 NOISE

SUBJECT: COMMUNITY MOVIE – NOISE BY-LAW EXEMPTION

RECOMMENDATION(S):

1. **THAT** Council grant an extension of the Noise Control Bylaw 915 to the Black Rock Resort, in partnership with the District of Ucluelet Parks & Recreation Department, to present a Community Outdoor Movie Night, Sunday July 9th to 11:00 p.m. at the Seaplane Base Ballfield; **or**
2. **THAT** Council deny an extension of the Noise Control Bylaw 915 for the Community Outdoor Movie Night.

PURPOSE/DESIRED OUTCOME:

The purpose of this report is to allow the Black Rock, in partnership with the District of Ucluelet Parks & Recreation Department, to operate a Community Outdoor Movie Night in accordance with the by-law.

BACKGROUND:

Last year Black Rock Resort and the Ucluelet Parks & Recreation Department co-ran a very successful outdoor movie night for the community last summer. There were, however, some complaints about the noise of the movie up track at Tugwell Fields. This year Black Rock suggested relocating the outdoor movie to Seaplane Base Fields.

Moving the outdoor movie to the Seaplane Base Recreation instead of keeping it at Tugwell does address the concerns of the residents and allows a fun well attended event to carry on.

The movie that will be showing is the Princess Bride (1 hour and 38 minutes). The movie will start at 9:00 p.m. (sunset is 8:24 pm) Partial proceeds from this event will be going to Cops for Cancer.

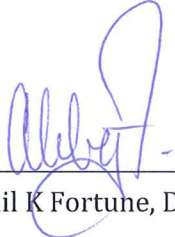
POLICY OR LEGISLATIVE IMPACTS:

To permit the Black Rock Resort and the Ucluelet Parks & Recreation Department to act outside the Noise Control Bylaw 915, Section 3, Article (g), which states:

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

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

Respectfully submitted:



 Abigail K Fortune, Director of Parks & Recreation



 Don Schaffer, Interim Chief Administrative Officer



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 13, 2017
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ABBY FORTUNE, DIRECTOR OF PARKS & RECREATION

FILE NO: 8100-20 CANADA DAY

SUBJECT: CANADA DAY ROAD CLOSURE & COMMUNITY INVITE

ATTACHMENT(S): N/A

RECOMMENDATION(S):

1. **THAT** Council authorizes the closure of Fraser Lane (8:00 a.m. – 4:00 p.m.) in front of the Village Green on Saturday, July 1st, 2017
2. **THAT** Council attend the Canada Day Festivities, endeavor to wear red and white and invite the community to join them.

PURPOSE:

The purpose of this report is to allow the use of Fraser Lane for the Canada Day festivities on Saturday, July 1st and to encourage the community to attend.

BACKGROUND:

The Ucluelet Parks & Recreation Department will post this information in the appropriate media outlets as well as inform the businesses near the event of the road closure.

FINANCIAL IMPACTS:

We have received two grant from the Federal government for this event. We have received \$1,300 from Minister of Canadian Heritage for the general expenses for the day. We also received an additional grant through the Federal Government and CBT for \$2000 to be specifically working jointly with our First Nations Neighbors from Yuułuꞵifꞵatꞵ for festivities on July 1st.

Respectfully submitted:



Abby Fortune, Director of Parks & Recreation



Don Schaffer, Interim Chief Administrative Officer



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 13TH, 2017

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, ABBY FORTUNE

FILE NO: 3060-20

REF. NO: DP17-05

SUBJECT: APPROVAL OF A DEVELOPMENT PERMIT FOR THE SPRING COVE TRAIL – PHASE 1

ATTACHMENT(S): APPENDIX A – ENVIRONMENTAL IMPACT STUDY
APPENDIX B – LOT 5 AGREEMENT OF WORKS
APPENDIX C – DEVELOPMENT PERMIT DP17-05

RECOMMENDATION(S):

That Council considers approval of one of the following options:

1. **THAT** the Development Permit DP17-05 ("**Appendix C**") for the Spring Cove Trail – Phase 1 be approved; **AND**
2. **THAT** the attached "Agreement of Works" ("**Appendix B**") be approved; **OR**
3. **THAT** this application be considered and denied.

BACKGROUND

Planning Staff have initiated a Development Permit ("**DP**") for Lot: 5 and 6, Plan: VIP67274 (**Figure 1**) to facilitate and communicate the District of Ucluelet's intention to rebuild Phase 1 of the Spring Cove Trail.

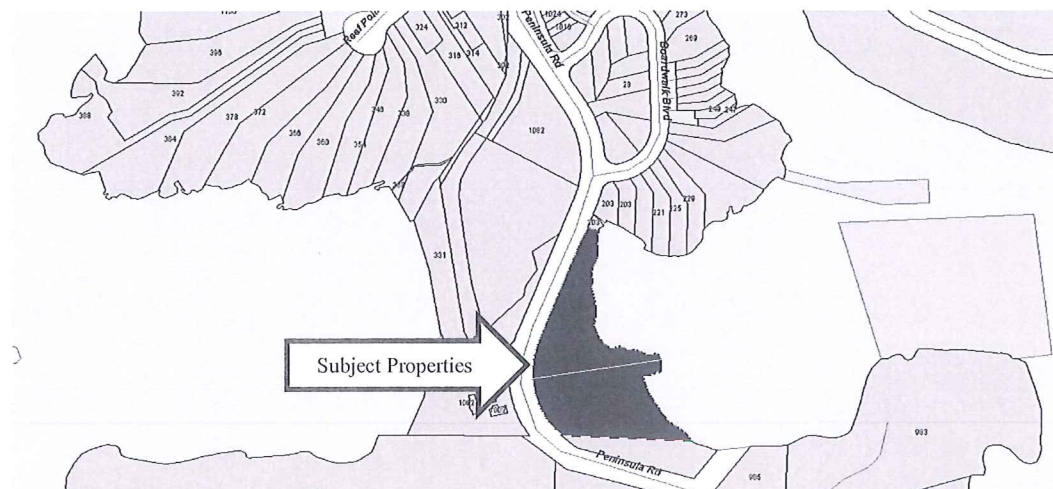


Figure 1 – Site Context Plan

The Spring Cove Trail was originally conceived in 2000 when the area was first developed. The DP for this development specifically identified the trail routing (**Figure 2**), and as the Development progressed, Covenants were put in place on every affected lot for the community's right of way for this public pedestrian trail and boardwalk.

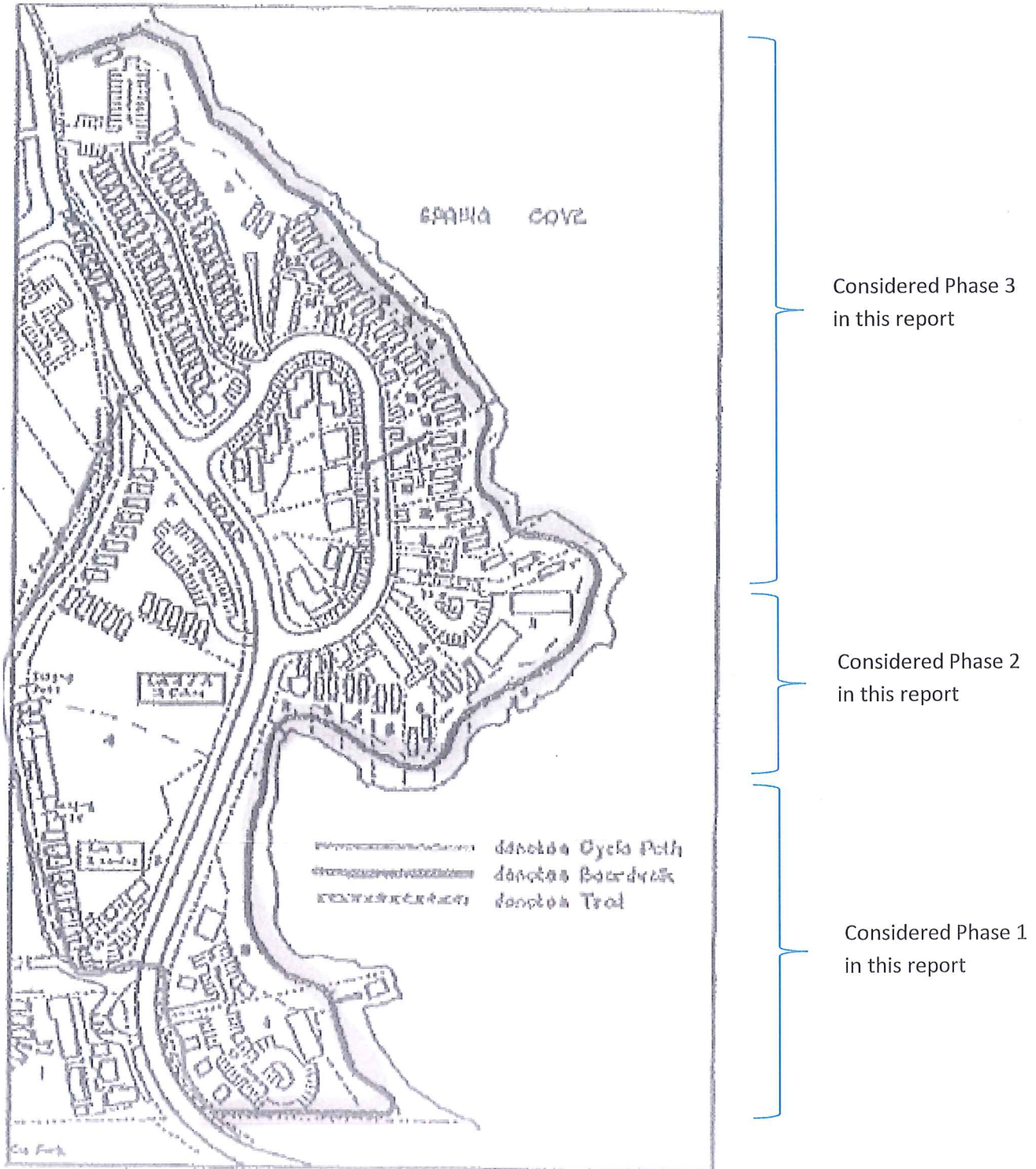


Figure 2 - Trail Sketch from the 2000 DP Report

A greenspace covenant was also placed on each of these properties to create a setback from the natural boundary of the ocean with the trail being an exception to the no build clause within this covenant. The road within the development was named Boardwalk Boulevard to celebrate and highlight this great community amenity. The developer constructed approximately a quarter of the trail before financial difficulties were encountered by the developer and the trail building was stopped.

The Trail requirement was again recognized and contemplated in 2003 and 2007 in various development applications that were, in the end, not completed. In 2008 a six unit Resort Condo building was constructed on the corner of Peninsula and Boardwalk Boulevard. As part of the DP for this project a section of the Spring Cove Trail was required and constructed.

RECENT DEVELOPMENTS

In 2015 in response to possible funding opportunities through various grants, Planning and Parks and Recreation Staff looked at various connectors and pedestrian links that would have the ability to be successful in the grant application process. Marine Drive and the Peninsula Corridor between He Tin Kis Park and Coast Guard Road were identified as safety and connective priorities. The rebuilding and completing of the Spring Cove section was considered a natural and important linkage to these two sections and this complete North - South linkage would make for a strong grant application.

Before the grant application was made, Staff and the Wild Pacific Trail Society (“WPTS”) reviewed the trail route and feasibility. The outcome of this review was that Spring Cove Trail would be both feasible, it would create an important community pedestrian link and would be an important addition to the Wild Pacific Trail. The District of Ucluelet was successful in its grant application. Staff gave notice to all affected land owners that we were to be taking a closer look at the trail routing to understand the construction of the Trail.

It was after this preliminary review that one owner, of the 26 properties effected, and submitted a legal challenge to the District’s rights under the trail covenant. With this challenge in place Staff had to reevaluate how to proceed. While the District of Ucluelet is confident that the community would be successful in this legal challenge, Staff considered it best to break the project up in Phases leaving the lot with the legal challenge to a later phase.

TRAIL DEVELOPMENT PHASE 1

The focus of trail development in this report is on Phase 1 (**Figure3**) starting on the south end opposite He Tin Kis Park and going through two lots, Lot 5 and 6, Plan VIP6724, and ending at the intersection of Boardwalk Boulevard and Peninsula Road.

As part of the process to develop this trail section, both affected owners were consulted and worked with Staff to develop the trails features, routing and have helped design the trails interface with their lands. Both Owners, at the writing of this report, are very supportive of the Spring Cove Trail and its integration in the community’s Wild Pacific Trail experience.

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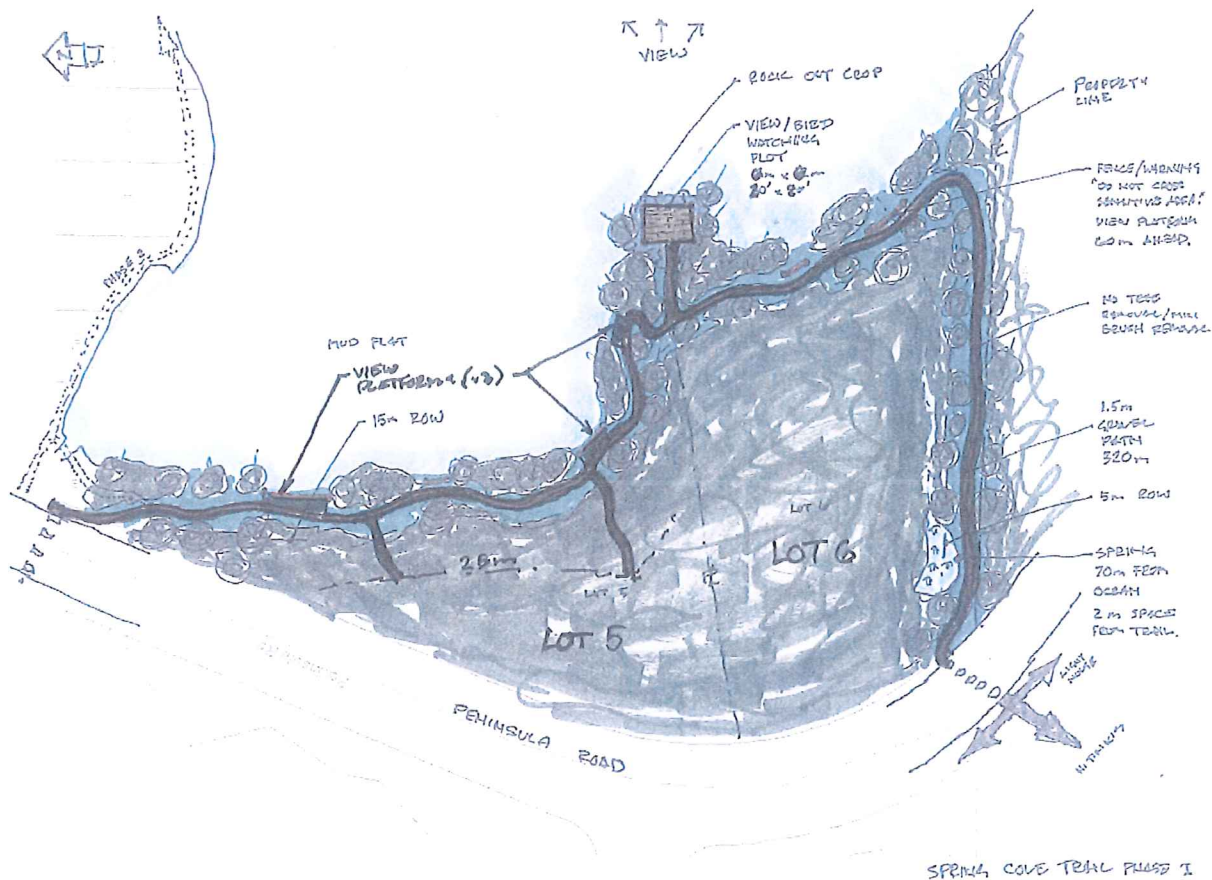


Figure 3 - Phase 1

It should be noted that the majority of affected land owners that were contacted, were very supportive of the proposed trail and recognized the benefit that being connected to the WPT would have on their commercial property.

To facilitate the development of Phase 1 of the trail, Staff prepared a new Right of Way plan and Covenant that further defined the trail routing and modernized the writing of the original covenant. The two owners that are subject to Phase 1 have signed this covenant, or agreed to sign subject to the issuance of this DP and attachments.

Sketches of Phase 2 and 3 are included in this report (**Figure 4 and 5**). It should be noted that the planning and consultations for Phase 2 and 3 is still in the very early stages with the bulk of the review still to be done. Upon Completion of Phase 1, Staff will develop a strategy to move these phases forward in a collaborative manner with the affected land owners and the community at large.

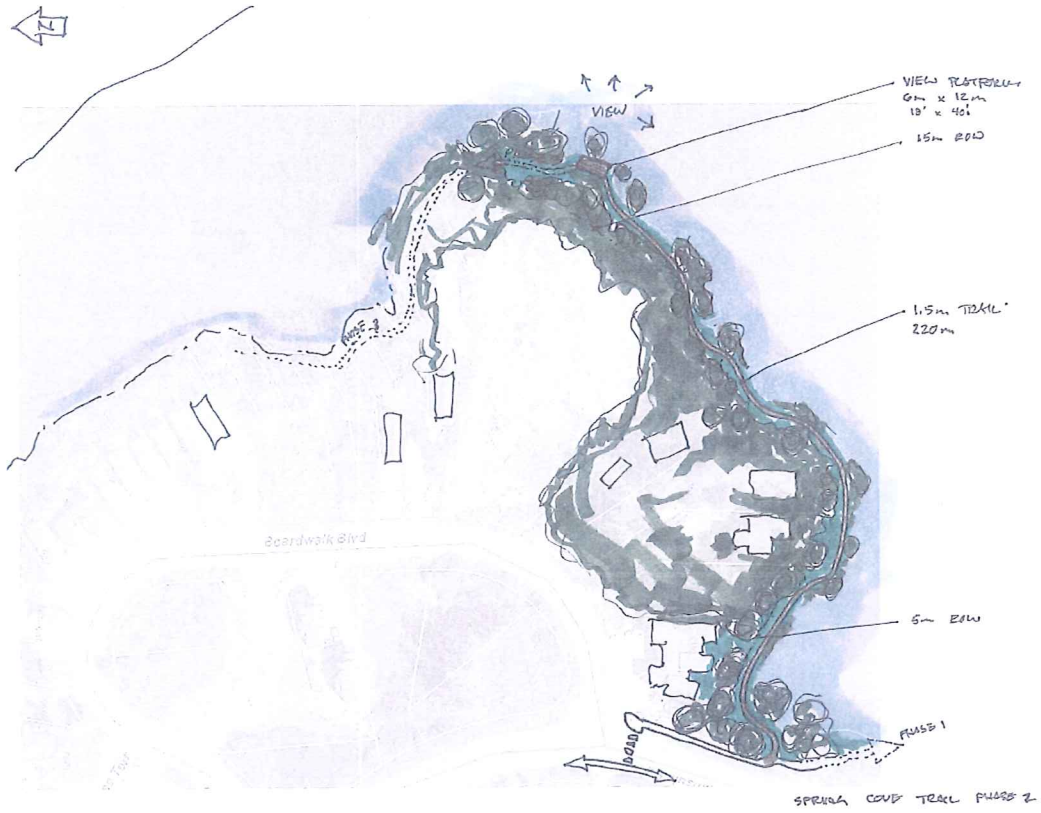


Figure 4 - Phase 2



Figure 5 - Phase 3

OVERVIEW OF DEVELOPMENT PROPOSAL:

The Development Permit for Phase One of the Spring Cove trail consists of removing the existing 360m of trail/boardwalk (**Figure 6**) and replacing it with the WPTS current trail building standards. There is also 15' x 10' lookout/ view point to be rebuilt (**Figure 3 – Phase 1**). The owner of lot 5 (the north lot) has requested the ability to, at the owners expense, connect to the trail in two places and to augment the trail with up to 3 lookouts with benches (**Figure 3**).

AGREEMENT OF WORKS:

Staff considers this trail is not only important from a community wide perspective, but also that it should have direct benefit to the impacted commercial land owners. To this end Planning Staff and the owner have created an agreement of works that clarify rights and responsibilities for the above mentioned works (**Appendix B**). Staff are also in conversations with ICBC to fund the two crosswalks located on each end of this trail section.



Figure 6 – Existing trail

ZONING:

The subject properties are zoned CS-5 Tourist Commercial. This trail section, like other trails, sidewalks and roads, is not a specific use relegated to a specific zone.

OCP:

The subject properties fall under the Official Community Plan (the "OCP") Development Permit area No.3 (Reef Point). The Reef Point Development Permit Area 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.

The OCP considers the Spring Cove Trail linkage in Figure DPA 3.2, Development Permit Area No. 3 Conceptual Diagram indicated by the blue shaded area labeled "Linkages to and along the waterfront are desired" (Figure 7)

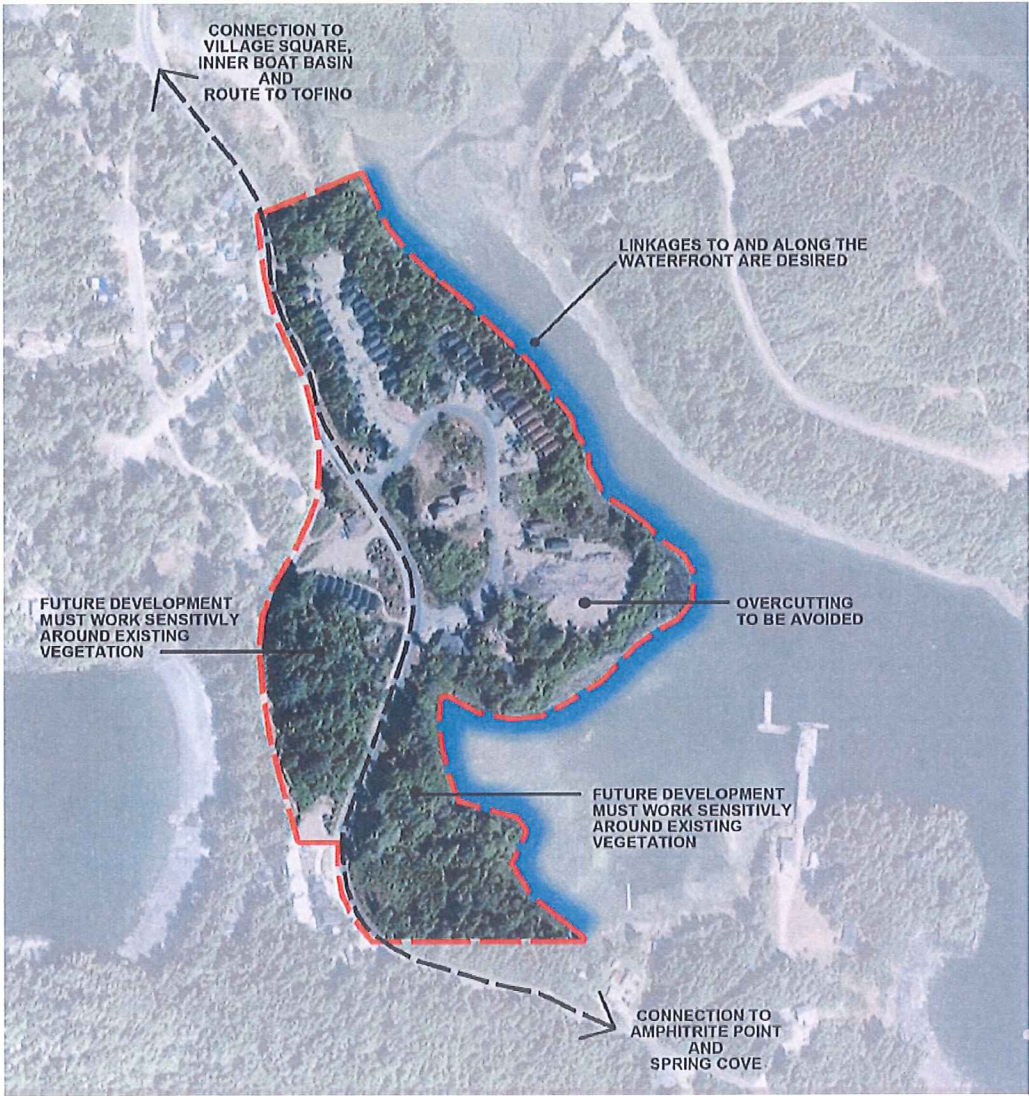


Figure DPA 3.2 Development Permit Area No. 3 Conceptual Diagram
Figure 7 - DP Area No.3 Conceptual Diagram

The OCP also supports the development of the Spring Cove trail in the following sections:

Parks, Trails and Open Space Policies:

The parks, trails and open spaces in the District of Ucluelet contribute to a unique character and sense of place within the community. The popular Wild Pacific Trail is the primary hiking trail in the District that runs through the south western edge of the peninsula. Ucluelet's green space network is recognized as a valuable community asset where residents and visitors can enjoy the outdoors and beautiful scenery on foot or bicycle, and as part of an active, healthy way of life close to nature.

Establishing a connected and defined parks and trails network further achieves other community environmental objectives by supporting the District's targets, policies, and actions to address climate change and reduce green house gas emissions. Reducing GHGs may be positively affected by providing trails or multiuse pathways to accommodate active transportation (walking and cycling) throughout the community.

2. Existing parks and trails are to be maintained and protected, taking guidance from the District's Parks and Recreation Master Plan. Mechanisms to help protect parks and trails that can be explored may include, but not be limited to, OCP designation, zoning, or acquisition and dedication of land by the District;

3. The District will work with property owners and developers to:

- i. Further support existing green spaces (e.g. trails and playgrounds);*
- ii. Increase green space; and*
- iii. Create linkages between green spaces within the District (e.g. retain treed areas and securing mid-block pedestrian connections in the Village Square) and to the outer side of the peninsula, including connections to the Wild Pacific Trail.*

8. Protect and create viewpoints along the Wild Pacific Trail (WPT). The Wild Pacific Trail should follow the coastline as much as possible. All new developments will provide for a WPT route that is deemed acceptable to the District;

Economic Development

To improve tourist visits to Ucluelet, the District can work with the Chamber of Commerce to further promote the unique attributes of Ucluelet, while differentiating the visitor experience between these two west coast communities. Ucluelet has a significant opportunity to improve its image and appeal to visitors. This may be achieved through promoting the community as a working harbour and drawing attention to the Wild Pacific Trail, the area's heritage and cultural values and access to the Broken Group Islands.

2.2 Guiding Principles

The policy directions contained within the OCP aim to help achieve this vision of Ucluelet as a prosperous, natural and active community. The following guiding principles reflect components of the vision and will be used to guide decision making.

3. Develop and maintain quality parks, trails, recreation and community services for residents and visitors;

Heritage and Culture Policies:

9. Identify and connect places of historical significance on the proposed Ucluelet walking trail tour;

Transportation:

2. Expand the Wild Pacific Trail network as opportunities arise;

General Requirements for Development Permit Areas:

Maintain and create 100% of the Wild Pacific Trail along the coastline, where feasible on properties located along the waterfront.

Development Permit Area No. 3 (Reef Point), Guidelines:

3. 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;

Protection of development from hazardous conditions

The protection of development from hazardous conditions and establishment of objectives for the form and character of development is concerned mainly with the built form or with buildings. In response to the DP requirements for the protection of the natural environment, its ecosystems and biological diversity, the District of Ucluelet has commissioned an environmental assessment report (**Appendix A**) by a Qualified Environmental Professional (“**QEP**”) for the trail that considers both the DP guidelines and the Riparian Area Regulation (“**RAR**”), and the District of Ucluelet will follow all recommendations from this report. The RAR specifically considers trails:

1.0 MANAGEMENT AND METHODS

The Riparian Area Regulation (RAR) assessment methods are to be followed with additional consideration of cumulative impacts of development along the entire length of the stream or wetland. Trails can be located inside or outside the protective buffer zone; sections within or through sensitive habitats need to be constructed with high standards and are acceptable where:

- (a) The ground is stable or will not be detrimentally impacted by the constructed trail;
- (b) The sensitive habitat will not be impacted by the presence of the trail (some bird nest sites and sensitive ecosystems may be adversely affected);
- (c) The habitat features are identified by interpretative signs including statements about their sensitivity to uncontrolled access; and
- (d) Access is limited to the designated trail, through fencing, planting and designated people areas.

With effective planning and design, land use managers can utilize some sensitive habitats as features in greenways, linear walkways, and park trail networks and as green space amenities.

To address these guidelines Staff will develop a signage program to both identify habitat features through interpretive signs and provide signage to keep people on the trail and direct them to the viewpoints.

It should be again noted that Phases 2 and 3 have only had a preliminary routing established and there will be further review and analysis required on the trail routing, environmental impact, archeological impact and construction technique before these sections can proceed. After this analysis is completed Staff will bring that information to the affected land owners and the public, and complete a referral to the appropriate agencies. Staff will also be looking at the trails and parks networks in general as part of the current OCP review.

REFERRALS

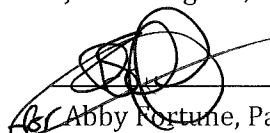
The trail routing is located completely above high tide and on private property. Staff have contacted both the Ministry of Forests, Lands and Natural Resource Operations, South Island Natural Resource District and the Department Fisheries and Oceans Canada. Both of these regulatory bodies did not consider the building of this trail to be problematic or require processes above and beyond what is being proposed in this report. Staff have reviewed available archeological information and the trail routing does not cross any known archeological sites.

SUMMARY:

The Spring Cove Trail represents a very important connecting element of Ucluelet's world famous Wild Pacific Trail system. This critical pedestrian link adds connectivity to trails and parks within Ucluelet and will enhance the tourist and local resident experience community wide. This trail adds a historical harbour perspective to Ucluelet's public realm. It creates the dynamic experience of seeing the wild and raw outer west coast to the juxtaposition of the calm and historical inner harbor. There is currently no public access to Spring Cove's waterfront and the economic impact of the addition of this trail on our community as a whole cannot be understated.

Respectfully submitted:


John Towgood, Planning 1


Abby Fortune, Parks and Recreation

**Spring Cove Trail Phase 1
Environmental Assessment**

May 2017

For

District of Ucluelet

200 Main Street
Ucluelet, BC
V0R 3A0
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May 2017

By

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Introduction:

This is a report of the environmental values along the proposed Spring Cove Trail adjacent to Peninsula Road in the District of Ucluelet. An environmental assessment of the property containing the proposed trail was requested by John Towgood, community planner for the District of Ucluelet. The property is owned by the District of Ucluelet and the proposed trail runs approximately 410m on the western bank of Peninsula Road. Currently there are historic portions of walkways where a city trail used to be, however it is in poor condition and is non-connective in many areas. The project objective is to reclaim the existing trail components and construct a wooden boardwalk, viewpoint and interpretive center.

The trailhead is proposed to start across the street from the Hetinkis Park parking lot, and ends just before the Peninsula Road and Boardwalk Boulevard intersection. The proposed trail path runs adjacent to and crosses several wetlands and drainages that offer habitat to amphibians, birds, fish and plants.

With respect to DPA III, an environmental assessment of the project area is necessary as trail construction is within 30m of the high water mark on the foreshore. Coastal riparian habitat is both sensitive and valuable and construction needs to be conscious of preserving adjacent habitat quality.

This report objective was to determine the environmental values and conditions of the proposed trail route. The objectives of the assessment are listed below;

- 1.) Waterbody identification: to identify all the property drainages by numbering and flagging in the field as well as mapping their location with handheld GPS, to provide a map of sensitive areas.
- 2.) Fish Habitat classification; the streams will be classified as to fish presence or absence based on a fish habitat assessment.
- 3.) Field Identification of Red/Blue listed flora and fauna as ecological communities.
- 4.) Assessment of the foreshore critical habitat areas potentially impacted by the walk way.

Methods

Survey Area

The project site is located near the end of the Ucluth Peninsula, an approximately 7.0 km long and 1.5 km wide peninsula with the Pacific Ocean on the west and a narrow (500-900m wide) inlet on the east. The community District of Ucluelet is located on the peninsula with residences served by Peninsula Road on both sides. The project area is located on the east side of Peninsula Road where Spring Cove narrows the isthmus to only 150m width. The survey area is illustrated below in Figure 1. Drainages and wetlands within the trail area drain into Spring Cove.

Mapping

Brad Remillard, RP Bio and Braden Judson, Field Technician conducted a habitat inventory assessment on May 17th, 2017. During the survey it was raining lightly and overcast, and approximately 10^oC. Pink flagging ribbon was hung in banners at eye level and labelled with `DRC` at significant habitat units and regular intervals along stream channels. All habitat units and walkways were recorded as waypoints and tracks with an Apple iPad equipped with Avenza™ PDF Maps and a .pdf topographic map of British Columbia.

Aquatic Habitat

Each aquatic feature was measured for fish habitat using standard methods borrowed from the Fish Stream identification Guidebook (Forest Practice Code 1998). The survey recorded all confined stream channels and wetlands and were classified with respect to fish access, habitat and flow regimes. Wetlands were classified according to their habitat value, water table and plant community.

Rare and Endangered Species of the area were identified using the B.C. Species and Ecosystems Explorer which uses the archived and updated information available at the Ministry of Environment and the Conservation Data Centre (www.env.gov.bc/cdc/). The CDC systematically collects and disseminates information on plants, animals and ecosystems (ecological communities) at risk in British Columbia.

Results

Study Area Description:

The Phase 1 of the proposed trail runs for approximately 410m between Peninsula Road and the shoreline of Spring Cove. The trail objective is to provide a recreational and interpretive outdoor experience that highlights local biodiversity of both the foreshore and rainforest communities. The trail crosses several drainages that are confined and flow into Spring Cove, however there are some perennial wetlands that collect water adjacent to trail markers. At its highest, the trail begins at 13m elevation on Peninsula Road and at drops to sea level at the foreshore interpretive and picnic area.

Trail Site Description:

At the time of the survey the old trail was in poor condition and consisted of pieces of rotted wooden board walk and brushed stretches along the foreshore. Most of the existing board walk is soft and fragmented whereas other stretches of the trail are over dirt paths that have been cleared of brush. The trail head begins across the street from the Hetinkis Park parking space. The northernmost portion of the trail runs between residential properties and the foreshore area of Spring Cove.

Site Environmental Features;

The proposed trail location is situated within the Coastal Western Hemlock (CWHvh1) biogeoclimatic zonation. An environmental zone known for its rain dominated vegetation types. The site is inhabited primarily by old growth Western Red Cedars (*Thuja plicata*), Sitka Spruce (*Picea sitchensis*) and Western Hemlock (*Tsuga heterophylla*). Adjacent to the trail path there is thick underbrush vegetation consisting mostly of Salmonberry (*Rubus spectabilis*), Salal (*Gaultheria shallon*) and Huckleberries (*Vaccinium sp.*). Wetland regions of the property provide habitat for Skunk Cabbage (*Lysichiton americanum*), Bracken Ferns (*Pteridium sp*) and numerous other wetland specific plant species. Several old growth Red Cedar and Sitka Spruce trees near the proposed trail path offer valuable bird habitat and understory shading. These are recommended to be left standing if no safety issues. The northern region of the trail runs adjacent to several cleared residential properties that are adjacent some remaining vegetation and shrubbery.

Drainages:

The survey is described from the south trail head across from the Hetinkis Park going north to its outlet on Peninsula Road, a distance of approximately 410m. Our habitat survey identified six small drainages along the proposed trail border (See Figure 2). No additional wetlands, streams or drainages were identified on any online data source (Mapster/Ecocat). The drainages collect runoff from the road to supply small bogs that then drain across/under the old trail into Spring Cove. Above the trail boundary the terrain is relatively flat (5% gradient). The drainages were found to have confined channels that cut down through vegetated mats of sphagnum or clays. There was no alluvium (gravels) usable as spawning materials for fish. Fish are able to access these waterways, there were no conclusive barriers, however the seasonal lack of flow and spawning substrates likely limit fish utilization to potential forage use by species such as Searun Cutthroat.

Trailhead

At the trailhead there is a 2m wetted seepage populated by Skunk Cabbage. It appears from the plans that it will be infilled to maintain a passable trail width. This is an ephemeral seepage that offers no fish habitat or act as a supply to other drainages. It has very limited amphibian habitat that is compensated by much larger nearby habitats.

Waterway 1

This is the largest drainage and it flows under the old boardwalk approximately 119m down trail of the south entrance. Waterway 1 was walked from its headwaters nearly 100m before draining into the ocean. This wetland drainage begins at our Placemark 60 and originates approximately 5m away from the trail edge. Above the trail the wetland has a wetted width of approximately 5m that becomes confined to approximately 3m at the trail crossing. Throughout the property this wetland maintains a depth of

approximately 20cm over organic and fine substrates through thick underbrush. At DRC Station 4 the channel becomes a -12% unconfined swale that drains over organic debris and skunk cabbages before entering the ocean at Station 7. This channel is dominated by Salmonberry, Salal, and Skunk Cabbage.

Waterway 2

Approximately 140m along the old trail this drainage flows under some of the remaining old boardwalk. Installing a culvert is recommended to maintain drainage and upstream habitat quality. It is a small, poorly confined channel that drains subterranean headwaters into the ocean.

Waterway 3

At approximately 152m it crosses the old boardwalk trail. The channel drains south of the viewpoint ridge and into the ocean. At this location the trail runs approximately 4m adjacent from the high water mark. The viewpoint ridge has steep slopes that pour water into this channel. The channel is mostly inhabited with Salmonberry, Salal, Huckleberry, Black Currant (*Ribes nigrum*) and young wild Cherry Trees (*Prunus sp.*).

Waterway 4

Approximately 238m along the trail (from the southern entrance) this drainage flows across the proposed trail location. This short channel originates from a high gradient stretch littered with woody debris. The channel fans out approximately 2m above the ocean high water mark over bedrock and boulders.

Waterway 5

Located at the trail crossing, 296m down from the southern entrance. This drainage flows by the proposed picnic area, then through a sedge grass bed on the foreshore mudflat. A small culvert is recommended to maintain drainage.

Waterway 6

Approximately 322m along the proposed trail path, this wetland drains from an adjacent residential property across the trail and terminates near the high water mark. This channel has an average width of 1.1m over a 10% slope from the ocean into the trail area.

Foreshore

The foreshore perimeter of the proposed trail property is primarily a large, low-gradient mudflat. This type of mudflat is essential habitat for maintaining bivalve and other invertebrate populations. The mudflat is lined with a rocky slope that supports numerous riparian trees such as Sitka Spruce, Western Hemlock and Western Red Cedar (*Thuja plicata*). The bedrock and boulder fingers that reach into the mudflat collect beach wrack and woody debris that enhance the quality of the upper intertidal area. These intertidal rock outcroppings were covered with Rock Weed (*Fucus sp.*) during the survey. The uppermost reaches of the mudflat supported numerous species of sedges and reeds.

Endangered Species/Terrestrial and Aquatic Habitats

A check with the BC Species and Ecosystems Explorer yielded potential habitat for 147 rare and endangered plant or animal species within the proposed trail area (Appendix 1). The CDC list covers a wide range of area, elevation and many types of habitats not represented by the low elevation wet area\

The proposed trail location is particularly valuable for threatened amphibian species such as the Northern Red Legged Frog (*Rana aurora*) for example. Proposed project activities are less threatening for some listed species, such as the Stellar Sea Lion (*Eumetopias jubatus*). It is important to note that using Ecosystem Explorer for British Columbian species does not include any fish species that could be present within the project area and up to 110 endangered and rare ecological communities are potentially present within the project boundaries, however during the survey onsite biologists did not observe any of these.

Discussion

Ecological Values

The assessment of the area was made to determine environmental aspects for the proposed trail. The survey did not reveal any high quality fish habitat within the work area. Although this project takes place within the 30m buffer zone for coastal riparian areas, construction impacts can be minimized as it is a previously developed site for most of the length.

The wetland area encompassed by the trail outline provides habitat for a diverse population of amphibious and aquatic organisms. Within the Alberni-Clayoquot Regional District there are several endangered species, such as the Red-legged Frog (*Rana aurora*) or the Western Toad (*Anaxyrus boreas*) that potentially reside within this wetland ecosystem. There are abundant old growth trees within the project boundaries that are ecologically valuable to tree-nesting bird species as well as the invertebrate and amphibian communities in the understory.

Fish are able to access these waterways, there were no conclusive barriers, however the seasonal lack of flow and spawning substrates likely limit fish utilization to potential forage use by species such as Searun Cutthroat. Past assessments by the author in adjacent waterways in the Ucluelet harbour prove that fish are in the area and readily colonize wetted areas for occupation, feeding and foraging.

Development Plans

The proposed trail will consist of compacted soils and gravels in dry areas, and an elevated wooden boardwalk over wet and uneven terrain. The boardwalk and trail system will include several culverts and elevated bridges to maintain aquatic habitat and drainage.

The development of an environmental management plan should include protection of the environmental features indicated in the survey and the listed endangered species. Once the exact route and construction specifications are developed the finer points of the environmental protection plan can be addressed. The expected management actions:

- Beach: Within this first installment of the Spring Cove trail there are no plans to develop the trail onto the foreshore area.
- Foreshore Riparian Area: The foreshore riparian is the vegetated lining between the high water mark and the trail. This vegetation has significant ecological value for nesting birds, wetland habitat and foreshore protection. Removal of any riparian vegetation is strongly recommended against. The proposed picnic site is within a historically cleared portion of the riparian brush.
- Wetland Areas: The wetlands and drainages within the trail boundaries offer valuable habitat for invertebrates, amphibians and fish. By installing elevated bridge or culvert trail crossings these aquatic ecosystems will not be impaired and drainage will be maintained. Current trail areas did not encroach on wetland habitat.
- Stream Habitat: Confined channels within the trail boundaries have potential fish access from the ocean at high water, fish passable culverts or small bridges are recommended for all the crossings. These structures will result in benefits to amphibian passage as well as ensure peak flow is managed with no washouts to the trail.
- Forested Area: A bird nesting habitat survey is recommended.
- The trees on the property are part of the ecology and features of the trail area; prioritize on protection of trees rather than removal. At the viewpoint wood stand, there is a young Sitka Spruce that penetrates the floor boards that is non-structural, however it is a visual feature that shows the beautiful setting this trail will offer the public.

Yours Truly,



Dave Clough, R.P.Bio

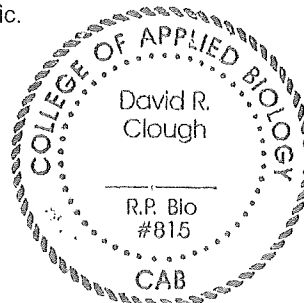


Figure 1.) Project site location

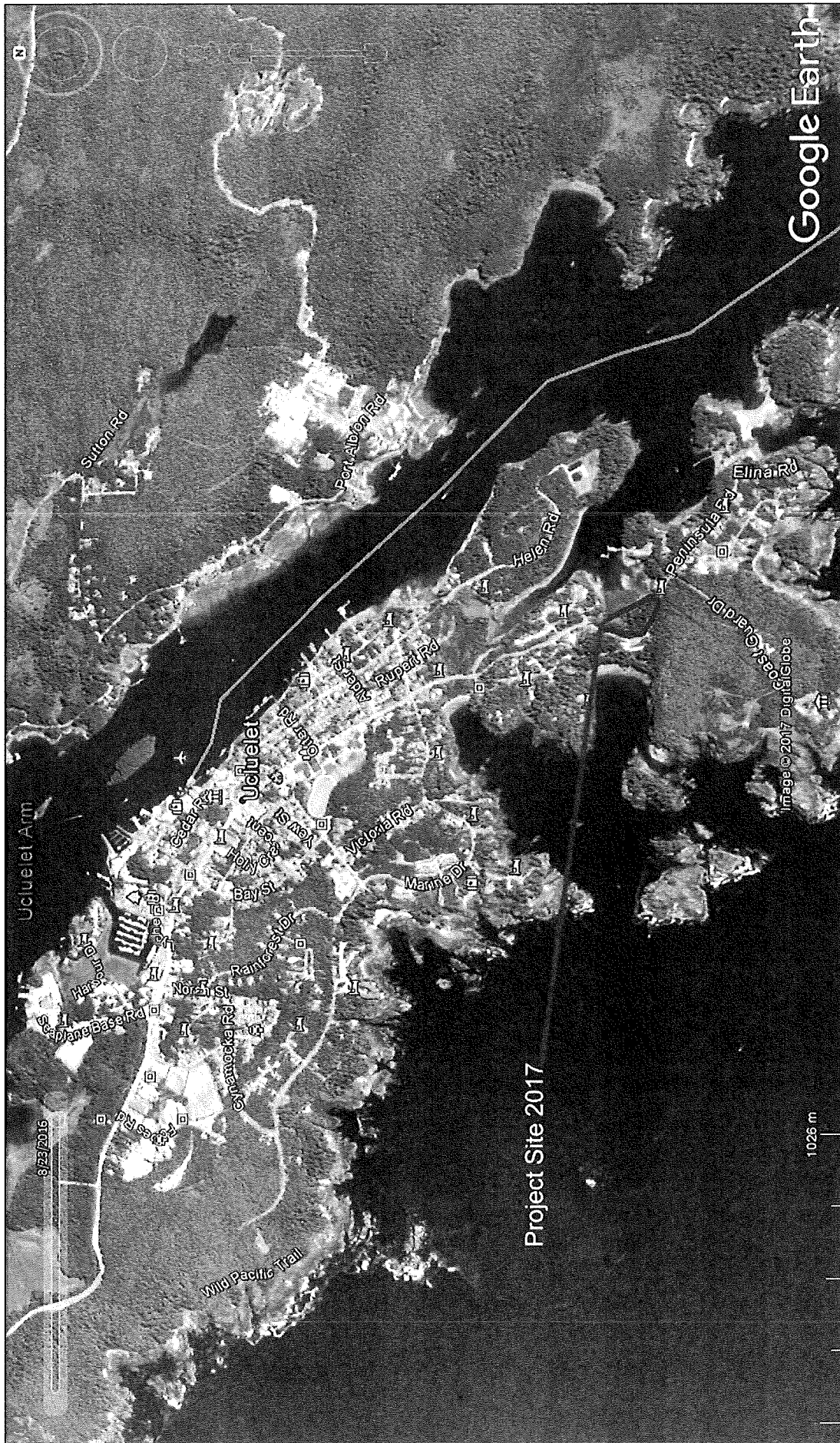


Figure 2.) Project trail path and waterway/wetland numbered drainages

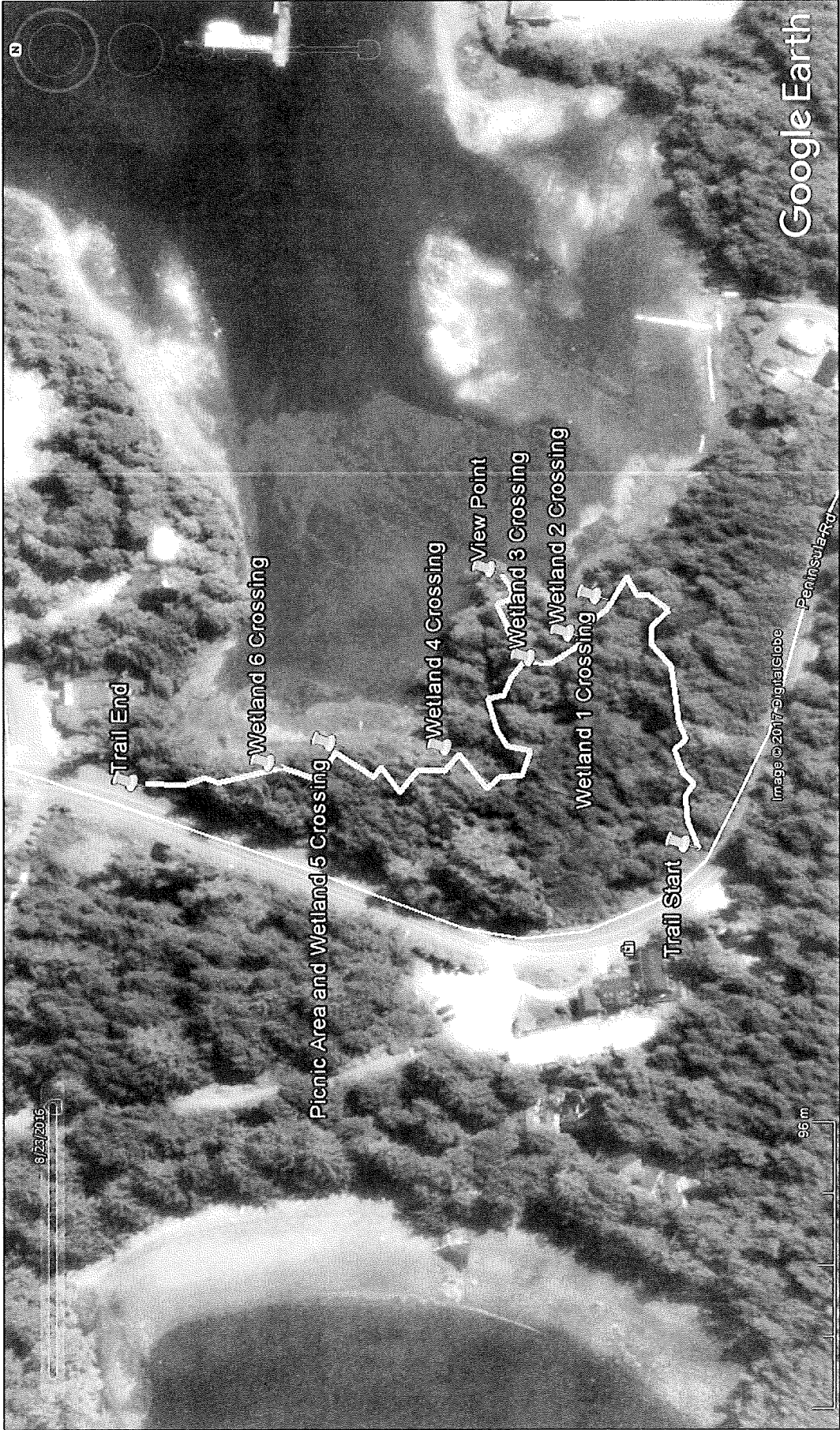


Figure 3.) Boardwalk removal outline

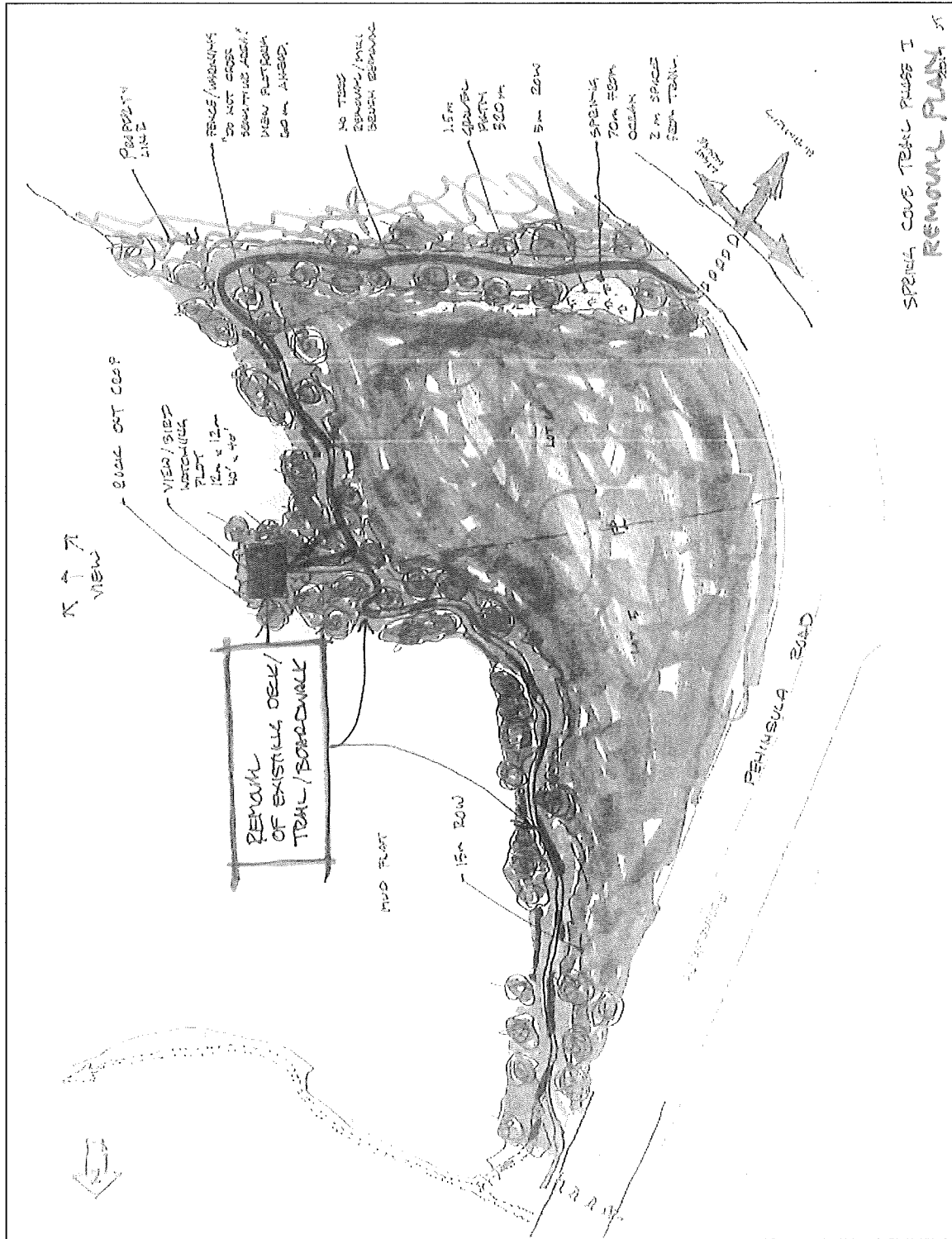


Figure 4) Proposed trail outline

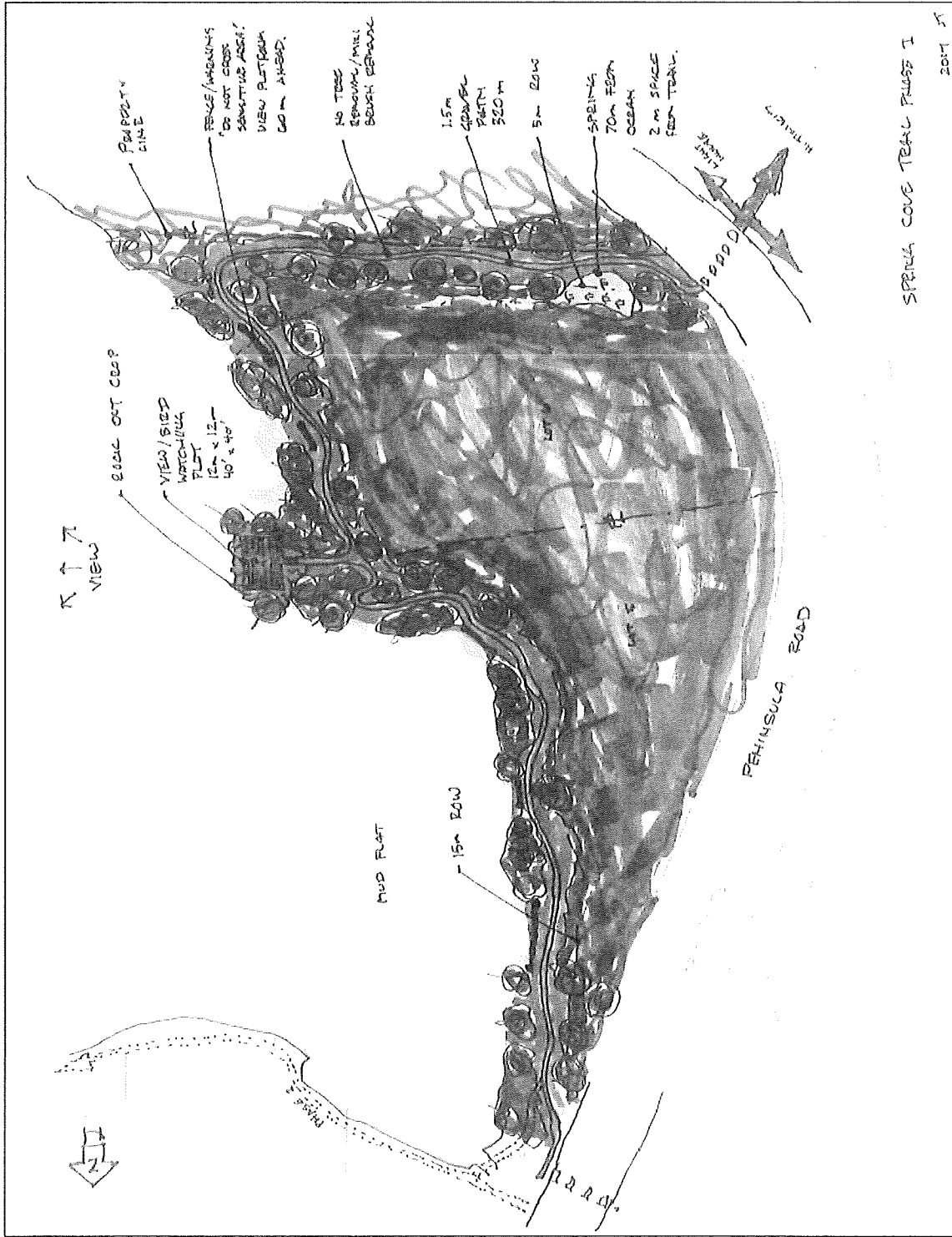


Figure 5.) Wetland Photos



Figure 6.) Riparian and Vegetation Photos

D.R. Clough Consulting – Spring Cove Trail Assessment



Photo 1) Sedge bed at Wetland 5 outlet

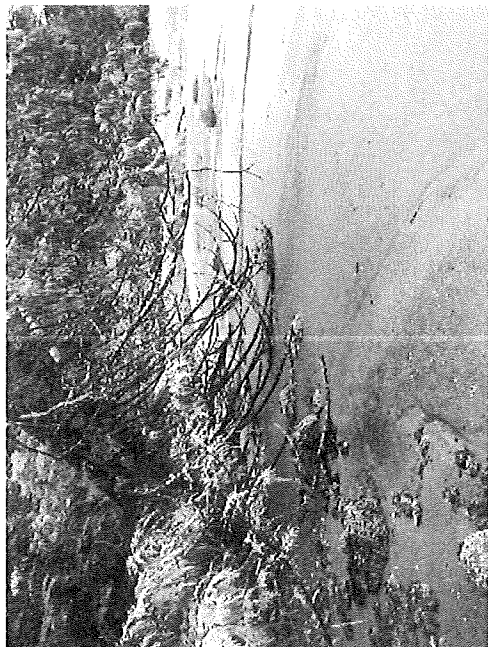


Photo 2) Cedar riparian over mudflat habitat

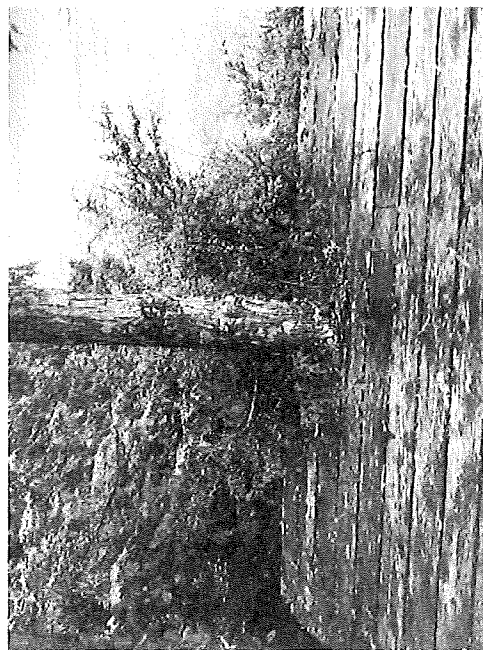


Photo 3) Spruce vegetation at viewing platform



Photo 4) Old cedar adjacent to Wetland 3 ridge

Figure 7.) Trail Photos



Photo 1) Wetland 4 at trail crossing, needs culvert



Photo 2) Brush cleared for proposed picnic site

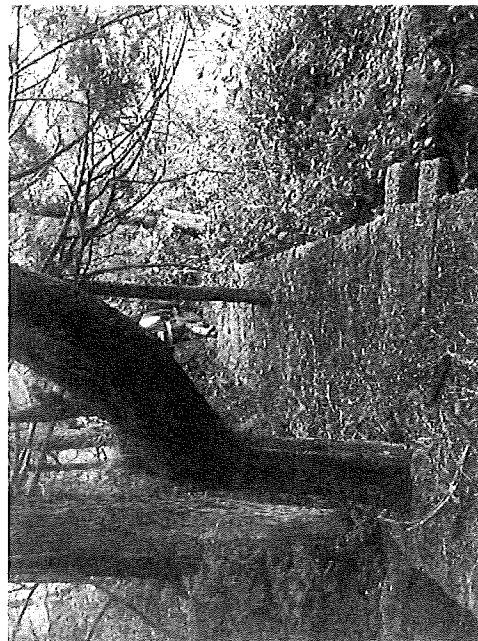


Photo 3) Cedars growing through old boardwalk



Photo 4) View from proposed viewing site

Appendix 1.) Potential Species at Risk Potentially Located in Project Area

English Name	Scientific Name	Scientific Name Synonyms	COSEWIC	BC List	SARA
Northern Goshawk, <i>laingi</i> subspecies	<i>Accipiter gentilis laingi</i>		T (Apr 2013)	Red	1-T (Jun 2003)
Western Toad	<i>Anaxyrus boreas</i>	<i>Bufo boreas</i>	SC (Nov 2012)	Blue	1-SC (Jan 2005)
Great Blue Heron, <i>fannini</i> subspecies	<i>Ardea herodias fannini</i>		SC (Mar 2008)	Blue	1-SC (Feb 2010)
Vancouver Island beggarticks	<i>Bidens amplissima</i>		SC (Nov 2001)	Blue	1-SC (Jun 2003)
Marbled Murrelet	<i>Brachyramphus marmoratus</i>		T (May 2012)	Blue	1-T (Jun 2003)
Green Heron	<i>Butorides virescens</i>			Blue	
Painted Turtle - Pacific Coast Population	<i>Chrysemys picta</i> pop. 1		T (Nov 2016)	Red	1-E (Dec 2007)
Olive-sided Flycatcher	<i>Contopus cooperi</i>		T (Nov 2007)	Blue	1-T (Feb 2010)
Black Swift	<i>Cypseloides niger</i>		E (May 2015)	Blue	
Peregrine Falcon, <i>pealei</i> subspecies	<i>Falco peregrinus pealei</i>		SC (Apr 2007)	Blue	1-SC (Jun 2003)
Warty Jumping-slug	<i>Hemphillia glandulosa</i>		SC (Apr 2013)	Red	1-SC (Jan 2005)
Barn Swallow	<i>Hirundo rustica</i>		T (May 2011)	Blue	
Caspian Tern	<i>Hydroprogne caspia</i>	<i>Sterna caspia</i>	NAR (May 1999)	Blue	
Western Screech-Owl, <i>kennicottii</i> subspecies	<i>Megascops kennicottii kennicottii</i>	<i>Otus kennicottii</i>	T (May 2012)	Blue	1-SC (Jan 2005)
Band-tailed Pigeon	<i>Patagioenas fasciata</i>	<i>Columba fasciata</i>	SC (Nov 2008)	Blue	1-SC (Feb 2011)
Northern Red-legged Frog	<i>Rana aurora</i>		SC (May 2015)	Blue	1-SC (Jan 2005)
Search Criteria					

Search Type: Plants & Animals; AND BC Conservation Status:Red (Extirpated, Endangered, or Threatened) OR Blue (Special Concern); AND SARA Schedule 1 Status:True OR Provincial Wildlife Act Status:True OR Migratory Bird Conventions Act:True; 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 Types: Riparian,Stream/River,Wetland (Restricted to Red, Blue, and Legally designated species);

Appendix 2.) Potential Rare and Endangered Ecological Communities

Scientific Name	English Name	BC List
<i>Picea sitchensis / Carex obnupta</i>	Sitka spruce / slough sedge	Blue
<i>Picea sitchensis / Malus fusca</i>	Sitka spruce / Pacific crab apple	Blue
<i>Picea sitchensis / Polystichum munitum</i>	Sitka spruce / sword fern	Blue
<i>Picea sitchensis / Trisetum canescens</i>	Sitka spruce / tall trisetum	Red
<i>Thuja plicata - Picea sitchensis / Lysichiton americanus</i>	western redcedar - Sitka spruce / skunk cabbage	Blue
<i>Thuja plicata - Picea sitchensis / Oplopanax horridus</i> Very Wet Hypermaritime 1	western redcedar - Sitka spruce / devil's club Very Wet Hypermaritime 1	Blue
Search Criteria		
Search Type: Ecological Communities		
AND Ecosystem Classes: Coniferous - moist/wet		
AND BC Conservation Status:Red (Extirpated, Endangered, or Threatened) OR Blue (Special Concern)		
AND Forest Districts:South Island Forest District (DSI)		
AND MOE Regions:1- Vancouver Island		
AND Municipalities: Ucluelet		
AND BGC Zone:CWH		
Sort Order:Scientific Name Ascending		
Open Government License— BC		

AGREEMENT - LOT 5 VIP67274 – WORKS BY OWNER

THIS AGREEMENT dated for reference the 23rd day of May, 2017 is

BETWEEN:

[REDACTED]

(the "Owner")

AND:

DISTRICT OF UCLUELET, Box 999, Ucluelet, BC V0R 3A0

(the "District")

RECITALS:

- A. The Owner is the registered owner in fee simple of those lands and premises located in Ucluelet, British Columbia legally described as Parcel Identifier: [REDACTED];
- B. The District wishes to reconstruct and/or construct an oceanfront pathway on the Land, which will connect to similar pathways on adjacent lands and beyond, in the form of a ground-level pathway of gravel, along with a raised wooden boardwalk with railings, bridges, view platforms and other similar structures, facilities and appurtenances necessary or convenient for passage of the public and use of the area as a public pathway (the "Boardwalk");
- C. The Owner has granted or intends to grant to the District a statutory right of way under section 218 of the *Land Title Act*, R.S.B.C. 1996, c.250, to enable the District to construct the Boardwalk and to permit passage of the public on the Boardwalk (the "New Statutory Right of Way");
- D. The Owner wishes to construct certain improvements on the Land in connection with the Boardwalk, namely three raised wooden viewing platforms, benches, and two access trails of either gravel or raised wooden boardwalk, generally in the locations shown in red on Schedule "A" (the "Lot 5 Works"); and
- E. As a condition of construction of the Lot 5 Works, the District will receive or has received a development permit for the Lot 5 Works.

THIS AGREEMENT is evidence that, in consideration of ONE DOLLAR (\$1.00) paid by the Owner to the District, and other good and valuable consideration (the receipt and sufficiency of which the District hereby acknowledges), the Owner and the District agree as follows:

1. PERMISSION TO CONSTRUCT AND INSTALL

1.1 Pursuant to section 3.1 of the New Statutory Right of Way, the District hereby consents to the Owner constructing and/or installing the Lot 5 Works.

2 CONSTRUCTION AND INSTALL OF LOT 5 WORKS

2.1 Prior to commencing construction of the Lot 5 Works, the Owner shall provide such plans and specifications as required by the District, acting reasonably, for written approval by the District;

2.2 The Owner agrees to carry out the construction and/or installation of the Lot 5 Works in a good and workmanlike manner in order to cause no unnecessary damage or disturbance to the Boardwalk or to that part of the Land over which the New Statutory Right of Way is or will be registered;

2.3 The Owner agrees that all costs of construction or installation of the Lot 5 Works shall be borne by the Owner;

2.4 Following completion of the Lot 5 Works, to the written satisfaction of the District, the District shall acquire ownership of all of the Lot 5 Works located on that part of the Land over which the New Statutory Right Way is or will be registered, and further that the District shall be responsible for ongoing maintenance of those works, to a standard consistent with maintenance of the Boardwalk;

3 GENERAL

3.1 The parties agree that this Agreement does not constitute a development permit, development variance permit, or building permit;

3.2 The parties further agree that nothing contained or implied in this Agreement shall:

a) prejudice or affect the rights and powers of the District in the exercise of its functions under any public and private statutes, bylaws, orders, and regulations, all of which may be fully and effectively exercised in relation to the Land as if this Agreement had not been executed and delivered by the Owner;

b) exempt the Owner from any duty to comply with any enactment of or agreement with the federal, provincial or regional government or to obtain any approval or consent required by any of them or their respective agencies;

3.3 This Agreement and each and every provision hereof shall enure to the benefit and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns, as the case may be.

3.4 This Agreement is the entire agreement between the parties regarding its subject.

IN WITNESS WHEREOF this Agreement has been executed by the Owner and the District.

WILD PACIFIC YURTS & CAMPGROUND LTD.,)

by its authorized signatory/ies:)

)

)

)

Name:)

)

)

Date:)

)

DISTRICT OF UCLUELET)

by its authorized signatories:)

)

)

)

)

Mayor)

)

)

)

Corporate Officer)

)

)

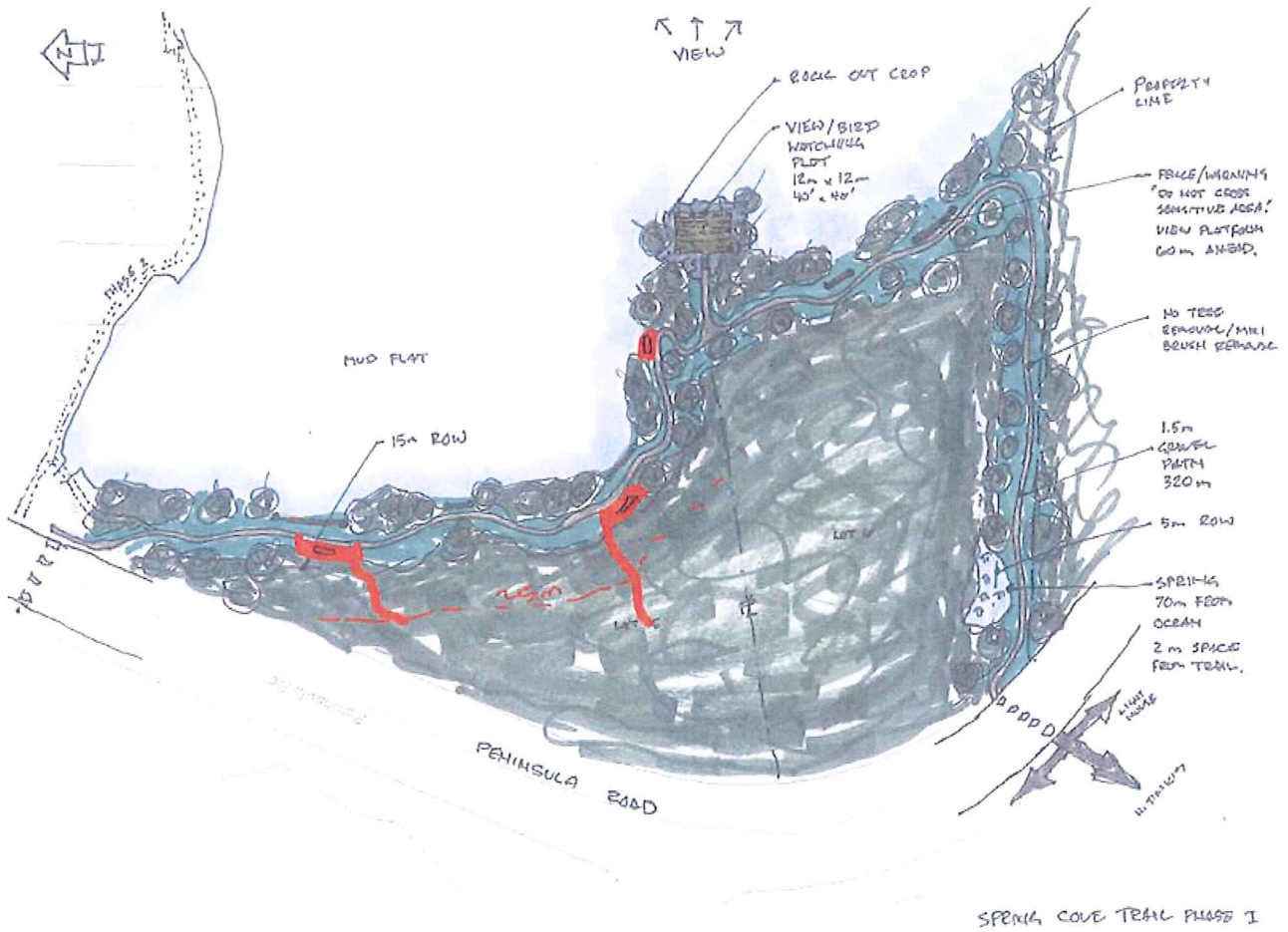
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)

Date:)

SCHEDULE A

Sketch Plan of Lot 5 Works



END OF DOCUMENT

June 8th, 2017

DEVELOPMENT PERMIT DP17-05

1. This Development Permit is issued to:

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

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

Lot 5 (PID 024-167-525) and Lot 6 (PID 024-167-533), Plan VIP67274, Section 21, District 09

(the "**Lands**").

3. This Development Permit is issued subject to compliance with all of the bylaws of the District of Ucluelet, except as specifically varied or supplemented by this Permit.

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

- a. the Spring Cove Trail
- b. two access trails
- c. three "View Platforms"
- d. one "View / Bird Watching Plot", and
- e. fencing and signage,

but only in the locations indicated, and otherwise in accordance with, the drawing attached to this Permit as Schedule 1.

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

- a. in accordance with the Qualified Environmental Professional's recommendations identified in the May 2017, Spring Cove Trail Phase 1, Environmental Assessment Report completed by D. R. Clough Consulting, 6966 Leland Road, Lantzville, B.C. and attached to this Permit as Schedule 2, and
- b. in an environmentally sensitive manner consistent with the normal trail building techniques used by the Wild Pacific Trail Society.

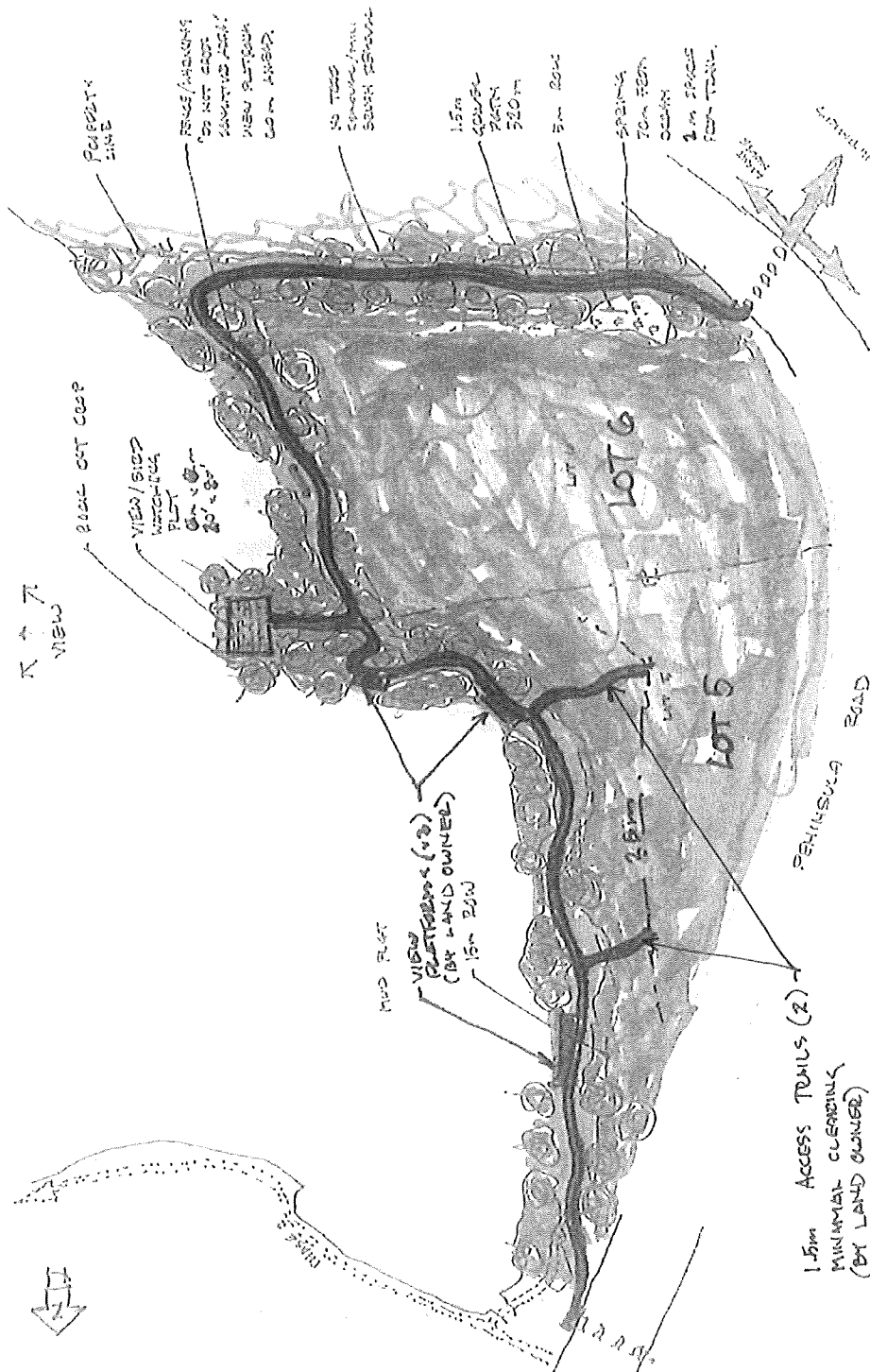
7. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

8. This Permit is NOT a Building Permit.

ISSUED this day of June, 2017

John Towgood
Planner 1 Ucluelet

Schedule 1 – Site and Trail Route Plan



SIDEWALK COVS TRAIL ROUTE 1

June 8th, 2017



Schedule 2 – Environmental Assessment Report

Spring Cove Trail Phase 1 Environmental Assessment

May 2017

For

District of Ucluelet

200 Main Street
Ucluelet, BC
V0R 3A0
PO BOX 999

May 2017

By

D. R. Clough Consulting
Fisheries Resource Consultants
6966 Leland Road Lantzville B.C. V0R 2H0
Ph/fax: 1-250-390-2901, email: drclough@shaw.ca



STAFF REPORT TO COUNCIL

Council Meeting: JUNE 13, 2017
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: KARLA ROBISON, ENVIRONMENTAL & EMERGENCY SERVICE MANAGER

FILE NO: {0420-01}

SUBJECT: HOST COMPLIANCE SHORT-TERM RENTAL (STR) PROGRAM

ATTACHMENT(S): NONE

RECOMMENDATION(S):

1. **THAT** Council direct Staff to fund the 2017 Host Compliance Limited Liability Company (LLC) contract in January 2018; or
2. **THAT** Council direct Staff to reallocate funds to the 2017 Host Compliance LLC contract from other projects; or
3. **THAT** Council direct Staff to reallocate funds to the 2017 Host Compliance LLC contract from General Operating Surpluses; or
4. **THAT** Council direct Staff to advise Host Compliance LLC that the District does not wish to continue with the contract.

PURPOSE/DESIRED OUTCOME:

The purpose of this report is to clarify for Council the cost of the *Host Compliance Service Agreement* for \$7,965 USD (approximately \$10,700 CDN) with Host Compliance LLC for Short Term Rentals (STR) compliance monitoring and associated services.

SUMMARY:

Substantial changes in senior staff at the District office over the past three months have resulted in some continuity being lost with respect to processes; staff are now working toward resolving these issues and, where appropriate, working toward establishing new processes.

With this in mind, staff requires clarification for the payment of a *Host Compliance Service Agreement* for \$7,965 USD with Host Compliance LLC.

BACKGROUND:

Host Compliance LCC provides solutions, by means of research, software, data, enforcement, and consulting services, for local governments to address challenges associated with STRs.

On February 22, 2017, staff signed a contract with Host Compliance LLC for STR compliance monitoring and associated services for \$7,965 USD. These funds are currently not in the 2017-2021 Five Year Financial Plan.

It would be helpful if Council would provide direction to staff in this regard, preferably by a direction to the following options:

- Fund the 2017 Host Compliance LLC contract in January 2018. Host Compliance LLC has agreed to extend a special payment term based on the following terms outlined below:
 - The contract date remains as a February 22, 2017 start and February 22, 2018 for renewal.
 - Payment can be made for the 2017 year services in January 2018 with no interest or other penalties.
 - The District of Ucluelet commits to a 2018 renewal of the same services at similar pricing regime (based on the average monthly listings over the first 11 months, which is the same arrangement made with all renewals); or
- Reallocate funds from other projects to pay for the contract with Host Compliance LLC; or
- Obtain funds through General Operating Surpluses; or
- Discontinue the contract with Host Compliance LLC after the 6-month trial period (August 22, 2017) as per the contract.

During a meeting with Host Compliance LLC on June 7, 2017, staff learned that Host Compliance LLC will likely not enter a future contract with the District of Ucluelet if the preferred option is to discontinue the contract after the 6-month trial period. The company considers their involvement thus far with the District of Ucluelet as a considerable investment.

Ucluelet District staff also met with Tofino District staff on June 8, 2017, and learned that the Bylaw Department is obtaining success with Host Compliance LCC. The software tool has demonstrated to be a consistent, efficient, and comprehensive with supporting the STR Program in Tofino.

It remains unclear to what extent STRs impact the rental housing market. The Host Compliance software tool is recognized as an innovative and progressive strategy to learn about this impact, while providing considerations and solutions for the affordable housing issue.

TIME REQUIREMENTS – STAFF (EXAMPLE FROM TOFINO):

In April 2016, the community of Tofino became Host Compliance LLC's first client. District staff utilized the 2016 year as period to educate themselves about the Host Compliance software's capabilities, provide a voluntary compliance stage to residents and visitors through public outreach, and to establish a framework and strategy for future compliance and enforcement. Tofino's goal for 2017 and future years is to obtain compliance with the current bylaws while providing solutions for affordable housing. Tofino recognizes the short-term rental issue as a long-term problem, and is therefore willing to enter annual contracts over a long-term basis. The portion of current annual tax rate for this contract in Tofino is between 0.5-0.75%.

For reference, the current bylaw department model and associated resources at the District of Tofino are as follows:

- Two full-time bylaw officers responsible for business licence inspection and enforcement;
- Two seasonal full-time enforcement officers, one of which is an RCMP reservist; and
- One bylaw officer dedicated specifically to host compliance; hired on a seven-month term.

FINANCIAL IMPACTS:

Option 1: No financial impact in 2017; in 2018, a 0.9% tax rate increase, with an overall impact on the remainder of the Five Year Financial Plan of a 0.5% tax rate increase per year.

Option 2: No financial impact as there would be a shift of project funds within the 2017 Operating Budget

Option 3: Financial impact would be a reduction in General Operating Surpluses for the amount of the 2017 contract,

Option 4: No financial impact.

Contract renewal rate increases are the larger of the 12 month Consumer Price Index (not seasonally adjusted) as published by the Bank of Canada or five (5.0) percent of the contract cost. Therefore the annual Tax Rate increase is only an approximation.

POLICY OR LEGISLATIVE IMPACTS:

The policy considerations for Ucluelet's STR Program are as follows:

- Ensure safe accommodation facilities for visitors and residents,
- Support housing needs of long-term renters and affordable housing, and
- Establish a common approach and symmetry for accommodators.

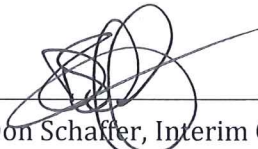
Council recognized in 2011, in its Official Community Plan, that affordable housing is a priority for the community, and it is widely recognized that short-term rentals have a negative impact on affordable housing.

Respectfully submitted:



Karla Robison, Environmental & Emergency Service Manager

Reviewed by:



Don Schaffer, Interim CAO/Corporate Officer

Reviewed by:



Carolyn Bidwell, Chief Financial Officer