



REGULAR MEETING OF COUNCIL
Tuesday, March 15, 2022 @ 4:00 PM
Ucluelet Community Centre,
500 Matterson Drive, Ucluelet

AGENDA

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1.	CALL TO ORDER	
2.	ACKNOWLEDGEMENT OF THE YUULU?I?ATH	
	Council would like to acknowledge the Yuulu?i?ath, on whose traditional territories the District of Ucluelet operates.	
3.	NOTICE OF VIDEO RECORDING	
	Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.	
4.	LATE ITEMS	
5.	APPROVAL OF AGENDA	
6.	ADOPTION OF MINUTES	
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14. MAYOR'S ANNOUNCEMENTS
15. COUNCIL COMMITTEE REPORTS
- 15.1 Councillor Marilyn McEwen
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- 15.3 Councillor Jennifer Hoar
Deputy Mayor June 1 - August 15, 2022
- 15.4 Councillor Rachelle Cole
Deputy Mayor August 16 - October 31, 2022
- 15.5 Mayor Mayco Noël
16. QUESTION PERIOD
17. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, February 22, 2022 at 4:00 PM

Present: **Chair:** Acting Mayor McEwen
 Council: Councillors Cole, Hoar and Kempes
 Staff: Duane Lawrence, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 James MacIntosh, Director of Engineering Services
 Paula Mason, Manager of Corporate Services
 Jenn Horn-Lounsbury, Administration Clerk

Regrets: Mayor Mayco Noel

1 CALL TO ORDER

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

2 ACKNOWLEDGEMENT OF THE YUULU?I?ATH

Council acknowledged the Yuulu?i?ath, on whose traditional territories the District of Ucluelet operates.

3 NOTICE OF VIDEO RECORDING

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

4 LATE ITEMS

5 APPROVAL OF AGENDA

5.1 February 22, 2022 Regular Agenda

2022.2041.REGULAR *It was moved and seconded **THAT** Council adopt the February 22, 2022 Regular Agenda as presented.*

CARRIED.

6 ADOPTION OF MINUTES

6.1 January 25, 2022 Regular Minutes

2022.2042.REGULAR *It was moved and seconded **THAT** Council adopt the January 25, 2022 Regular Minutes as amended.*

CARRIED.

7 PUBLIC INPUT & DELEGATIONS

1 Public Input

In-person: Mr. Arvid Johnson raised concerns about proposed downtown road access changes. Council advised that the topic of the downtown area changes would be addressed at a later point in the meeting.

Email to communityinput@ucluelet.ca : A letter providing input regarding a proposed property development on Peninsula that would be discussed later in the meeting was read into the record.

2 Delegations

Dave McIntosh, Ucluelet Concerned Citizens
Re: Communicating with Council

Mr. McIntosh presented on behalf of the Ucluelet Concerned Citizens group, regarding the process of communication between the District of Ucluelet and members of the public.

8 UNFINISHED BUSINESS

There was no unfinished business.

9 BYLAWS

9.1 Single-Use Item Regulation Amendment Bylaw No. 1298, 2022 *Paula Mason, Manager of Corporate Services*

Ms. Mason provided a brief summary of the proposed bylaw amendment, which includes but is not limited to, the addition of plastic utensils to the list of regulated single-use items.

2022.2043.REGULAR *It was moved and seconded **THAT** Council approve Option A, to give Single-Use Item Regulation Amendment Bylaw No. 1298, 2022 first, second and third readings as presented.*

CARRIED.

10 REPORTS

10.1 Amphitrite House Project Update *Abby Fortune, Director of Parks and Recreation*

Ms. Fortune provided an update on the Amphitrite House project as it relates to the upcoming five-year financial plan.

Councillor Hoar recused herself from the meeting at 4:19pm, returning to the meeting at 4:28pm.

10.2 Development Permit 1536 Peninsula Road
John Towgood, Municipal Planner

Mr. Greig provided a brief summary of this report. He clarified that the property owner is in compliance with their existing zoning and is not seeking to remove the trees at the property line.

2022.2044.REGULAR *It was moved and seconded **THAT** Council approve issuance of Development Permit DP21-06 for a two-motel unit addition to the Francis Boutique Inn, located at 1536 Peninsula Road (Lot B, VIP59620, District Lot 282, Section 21, Clayoquot Land District).*

CARRIED.

10.3 Appointment of Chief and Deputy Election Officers
Paula Mason, Manager of Corporate Services

Ms. Mason provided a brief summary of this report.

2022.2045.REGULAR *It was moved and seconded **THAT** Council approve Option A, to appoint Joseph Rotenberg as Chief Election Officer and Paula Mason and Samantha McCullough as Deputy Chief Election Officers for the purposes of conducting the 2022 Ucluelet Municipal General Election.*

CARRIED.

10.4 Water Treatment System Upgrades
James MacIntosh, Director of Engineering Services

Mr. MacIntosh provided a summary of this report, bringing various elements of the project forward, including recent cost increases.

2022.2046.REGULAR *It was moved and seconded **THAT** Council approve option A: to authorize Staff to complete the Alternative Approval Process for a \$13 million loan as part of the water treatment system project; and, **THAT** Council authorize Staff to issue a Request for Proposal in 2022 for the Design-Bid-Build of the water treatment system project upon a successful Alternative Approval Process; and, **THAT** Council authorize Staff to complete pre-project work for the water treatment system project in an amount not to exceed \$300,000 funded through water reserves and the Investing in Canada Infrastructure Shared Cost Agreement.*

CARRIED.

10.5 Interim Policy for Early Referral of Development Applications to Yuułuʔiłʔatḥ Government for Comment
Bruce Greig, Director of Community Planning

Mr. Greig provided a brief summary of this report, designed to improve communications with Yuułuʔiłʔatḥ, to better consider Indigenous perspectives when making decisions on land use issues, and to streamline the development application process.

2022.2047.REGULAR *It was moved and seconded*

THAT Council approve Option A, to adopt the Referrals Yuułuʔiłʔatḥ Government Interim Policy 13-6830-01 for early referral of development applications to the Yuułuʔiłʔatḥ Government for review and comment; and, **THAT** Council invite discussion with the Yuułuʔiłʔatḥ Government on developing communication and referral protocols for proposed developments and operations within the municipality.

CARRIED.

10.6 Village Green Revitalization project
Bruce Greig, Director of Community Planning

Mr. Greig provided an update on the project, reviewing questions and concerns that were received through the Public Engagement period. Members of the audience were given a chance to make comments and ask questions, prior to the Question Period. Mr. Greig was available to answer questions the audience raised through Council, including the clarification that no roads were being closed within the scope of the current project. Council discussed the possibility of omitting the parking spaces directly in front of the Crow's Nest store from the current project.

Council took a 5 minute recess at 5:43pm, while a resolution was drafted.

2022.2048.REGULAR **THAT** Council direct staff to work with the Village Green consultants to reduce loss of parking in front of the Crow's Nest building, or defer implementation of pedestrian improvements to a future project.

CARRIED.

11 NOTICE OF MOTION

There were no Notices of Motions.

12 CORRESPONDENCE

12.1 Request for a Proclamation from the District Municipality of Ucluelet

Deirdre Syms, Interim Executive Director, BC Epilepsy Society

12.2 Support for Bill C-216: A Health Based Approach to the Substance Use Act

Leslie Baird, Mayor, Village of Cumberland

12.3 Support for the legal challenge of the Government of Quebec - Bill 21

Lisa Helps, Victoria Mayor, City of Victoria

12.4 Seeking your endorsement for Bill C-229

Peter Julian, MP, New Westminster - Burnaby

Councillor Hoar recused herself from the meeting at 6:05pm, returning to the meeting at 6:07pm.

12.5 Ucluelet Children's Centre - Letter of Support request

Kathy deVries, Daycare Manager, Ucluelet Children's Centre

2022.2049.REGULAR ***THAT Council direct Staff to write a letter of support for the Ucluelet Children's Centres application to the Coop Community Spaces Grant, for the playground redesign and pea gravel replacement and that the District will accept the grant funding on behalf of the Ucluelet Children's Centre.***

CARRIED.

12.6 Correspondence received re: Village Green

Ucluelet residents

Additional pages, containing signatures, of the Open Letter to Council sent by Ms. Keith-Ferris were delivered in person at the beginning of the meeting. Each member of Council was given a copy.

13 INFORMATION ITEMS

13.1 Village of Chase - Support for BC Wildfire Petition

Rod Crowe, Mayor, Village of Chase

13.2 C.A.R.E. Network - Letters of Support

Ucluelet/Tofino Residents

13.3 Better at Home 2022

Tarni Jacobsen, Executive Director, Pacific Rim Hospice Society

2022.2050.REGULAR ***THAT Council direct staff to invite Pacific Rim Hospice to attend as a delegate at a future meeting of Council, to provide more information about the Better at Home 2022 program.***

CARRIED.

13.4 New Food Bank Building

Board of Directors, Food Bank on the Edge Society

13.5 January 2022 Cheque Listing
Paula Mason, Manager of Corporate Services

13.6 February 2022 Resolution Tracking
Paula Mason, Manager of Corporate Services

14 MAYOR'S ANNOUNCEMENTS

15 COUNCIL COMMITTEE REPORTS

15.1 Councillor Marilyn McEwen
Deputy Mayor January 1 - March 15, 2022

Attended the following meetings:

- Met with Denise Stys-Norman of Tourism Ucluelet re: MRDT
- Grant In Aid Committee of the Whole - Societies meeting
- Vancouver Island Regional Library AGM

15.2 Councillor Lara Kemp
Deputy Mayor March 16 - May 31, 2022

Attended the following meetings:

- Tourism Master Plan meeting
- MRDT renewal meeting with Tourism Vancouver Island in attendance
- Grant In Aid Committee of the Whole - Societies meeting

15.3 Councillor Jennifer Hoar
Deputy Mayor June 1 - August 15, 2022

Attended the following meetings:

- MRDT renewal meeting with Tourism Vancouver Island in attendance
- Grant In Aid Committee of the Whole - Societies meeting

15.4 Councillor Rachelle Cole
Deputy Mayor August 16 - October 31, 2022

Attended the following meetings:

- Health Network meeting
- Coastal Family Resource Coalition meeting
- Barkley Community Forest meeting
- Alberni-Clayoquot Regional Hospital District meeting
- ACRD Grant In Aid Committee of the Whole meeting
- Ucluelet Grant In Aid Committee of the Whole - Societies meeting

15.5 Mayor Mayco Noël

16 QUESTION PERIOD

17 CLOSED SESSION

The Closed Session was deferred to a future meeting of Council.

18 ADJOURNMENT

The meeting was adjourned at 6:27pm.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, February 22, 2022 at 4:00 pm in the Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Mayco Noël, Mayor

Paula Mason, Deputy Corporate Officer

DISTRICT OF UCLUELET
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Thursday, February 24, 2022 at 4:00 PM

Present:	Chair:	Mayor Noël
	Council:	Councillors Cole, Hoar, Kemps, and McEwen
	Staff:	Duane Lawrence, Chief Administrative Officer Donna Monteith, Chief Financial Officer Bruce Greig, Director of Community Planning Abby Fortune, Director of Parks & Recreation James MacIntosh, Director of Engineering Services Paula Mason, Manager of Corporate Services

Regrets:

1. CALL TO ORDER

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

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

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

3. NOTICE OF VIDEO RECORDING

Audience members and delegates were advised that the proceeding was being video recorded and broadcast on YouTube, which may store data on foreign servers.

4. LATE ITEMS

There were no late items.

5. APPROVAL OF AGENDA

5.1 February 24, 2022 Regular Agenda

It was moved and seconded **THAT** Council adopt the February 24, 2022 Regular Agenda as presented.

6. MAYOR'S ANNOUNCEMENTS

Mayor Noel noted his appreciation for the community's patience during the current Water Flushing program.

7. PUBLIC INPUT, DELEGATIONS & PETITIONS

7.1 Public Input

- There was no public input via Zoom.
- There was no public input via communityinput@ucluelet.ca.

8. REPORTS

8.1 2022 - 2026 Five Year Financial Plan overview (verbal report) Donna Monteith, Chief Financial Officer

Ms. Monteith provided a detailed presentation of the proposed budget plan for the next five years. She answered questions from Council and explained how various projects and ongoing municipal operational needs are funded. Ms. Monteith also discussed how she will be presenting Council with a proposed policy for the establishment, maintenance and use of Reserves and Unallocated Surpluses at a future Council meeting. Due to the potential of the budget not being passed until April, Council passed the following resolutions:

2022.2022.SPECIAL *It was moved and seconded*

THAT Council authorize staff to proceed with the COVID-19 2022 expenditures as presented in the February 24, 2022 draft financial plan; and **THAT** Council authorize staff to proceed with an Equipment Financing Loan in the amount of \$350,000.00.

CARRIED.

8.2 Closing Speech Duane Lawrence, Chief Administrative Officer

Mr. Lawrence thanked Ms. Monteith for all her hard work over the past month and a half. He spoke to the 20 year Capital Plan and the 5 year Operational Plans that are being prepared for Council's future consideration.

9. OTHER BUSINESS

10. QUESTION PERIOD

There was no public input.

11. ADJOURNMENT

The meeting was adjourned at 5:24pm.

CERTIFIED CORRECT: Minutes of the Special Council Meeting held on Thursday, February 24, 2022 at 4:00 pm in the Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.

Mayco Noël, Mayor

Paula Mason, Deputy Corporate Officer



DISTRICT OF UCLUELET

Request to Appear as a Delegation

All delegations requesting permission to appear before Council are required to submit a written request or complete this form and submit all information or documentation by 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.

Requested Council Meeting Date: _____

Organization Name: _____

Name of person(s) to make presentation: _____

Topic: _____

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: _____

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.

BUILDING PROSPERITY IN THE ALBERNI CLAYOQUOT

Poverty Reduction Action Plan



ALBERNI CLAYOQUOT
HEALTH NETWORK

Prepared by the Alberni Clayoquot Health Network / December 2021

POVERTY REDUCTION ACTION PLAN /

ACKNOWLEDGEMENTS

The Alberni-Clayoquot Health Network would like to acknowledge the traditional territories of the Nuu Chah Nulth people in which we work and strive to improve the health outcomes for all people. This includes the territories of the Ditidaht, Huu-ay-aht, Hupacasath, Tseshah, Uchucklesaht, Ahousaht, Hesquiaht, Tla-o-qui-aht, Toquaht and Yuu-cluth-aht Nations. We look forward to our shared work and collaborations to build a healthy region.

Community Engagement

Thank you to the amazing front line organizations who assisted with in person community engagement and access to technology in the Alberni Valley and West Coast communities.

The Port Alberni CAT Team Peer Outreach Workers, Literacy Alberni Alberni Community and Women’s Services Society (ACAWS), Port Alberni Friendship Centre, Alberni Drug and Alcohol Prevention Society (ADAPS), Canadian Mental Health Association, Westcoast Community Resources Society, Food Bank on the Edge

Focus Groups

Thank you to all the Networks, professionals and organizations who reviewed information, collaborated, and provided insights in this project.

District of Tofino, District of Ucluelet, City of Port Alberni, Alberni Clayoquot Region District, Huu-ay-aht First Nation, MLA Josie Osborne, MP Gord Johns Bamfield Community School, Alberni Community and Women’s Services Society Westcoast Community Resources Society, Coastal Family Resource Coalition Alberni Valley Learning Council, Alberni Valley Child and Youth Network Port Alberni Friendship Society, BC Community Response Networks

And many others engaged through these networks for your thoughtful participation.

REPORT PREPARATION

This plan was prepared by Marcie DeWitt, Coordinator for the Alberni Clayoquot Health Network achn@acrd.bc.ca

Thank you to the following creative professionals for their support and expertise on this project.

Community Template

Kelly Foxcroft-Poirier - White Raven Consulting

Plan Editing and Review

Maggie Hodge Kwan – Creative Clarity Consulting

Layout and Design

Sarita Mielke – Wild/Free Creative

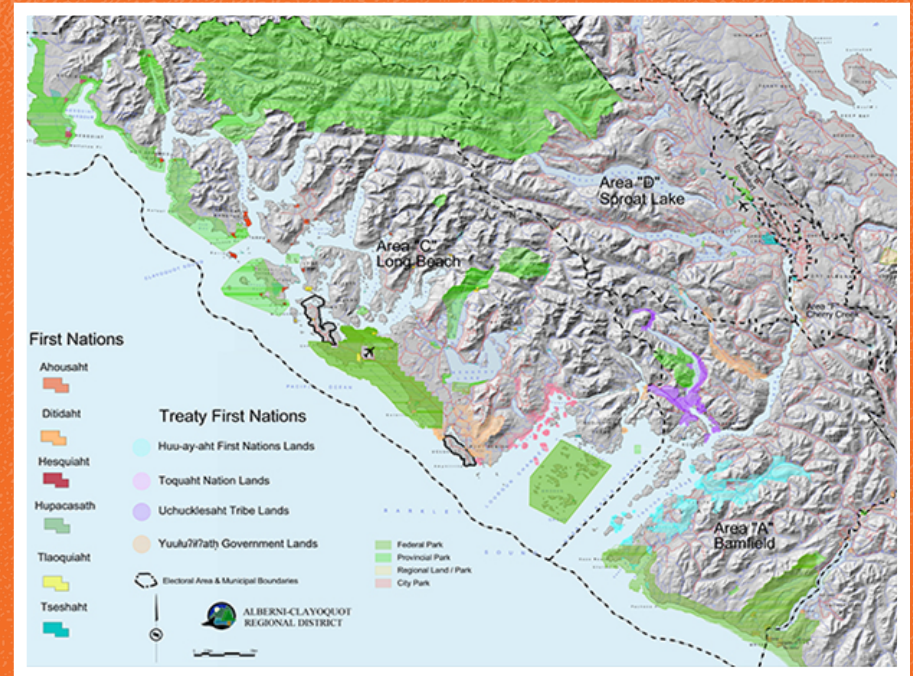
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EXECUTIVE SUMMARY


The Alberni Clayoquot Regional District is a geographically diverse area which spans 6904 km². All together, the ACRD has a population of over 30,000 people. The ACRD is located in the traditional territories of the Nuu-Chah-Nulth speaking peoples, the ten Nations of the Ditidaht, Huu-ay-aht, Hupacasath, Tseshaht, Uchucklesaht, Ahousaht, Hesquiaht, Tla-o-qui-aht, Toquaht, and Yuu-cluth-aht peoples who have territories and communities within this region. The ACRD includes the City of Port Alberni, Municipalities of Ucluelet and Tofino as well as the six electoral areas of Bamfield, Beaufort, Long Beach, Sproat Lake, Cherry Creek, and Beaver Creek.



MAP Alberni Clayoquot region map.

THIS PLAN


Building Prosperity Action Plan outlines poverty reduction strategies and areas of focus for the Alberni Clayoquot communities to direct attention in order to see real meaningful change.



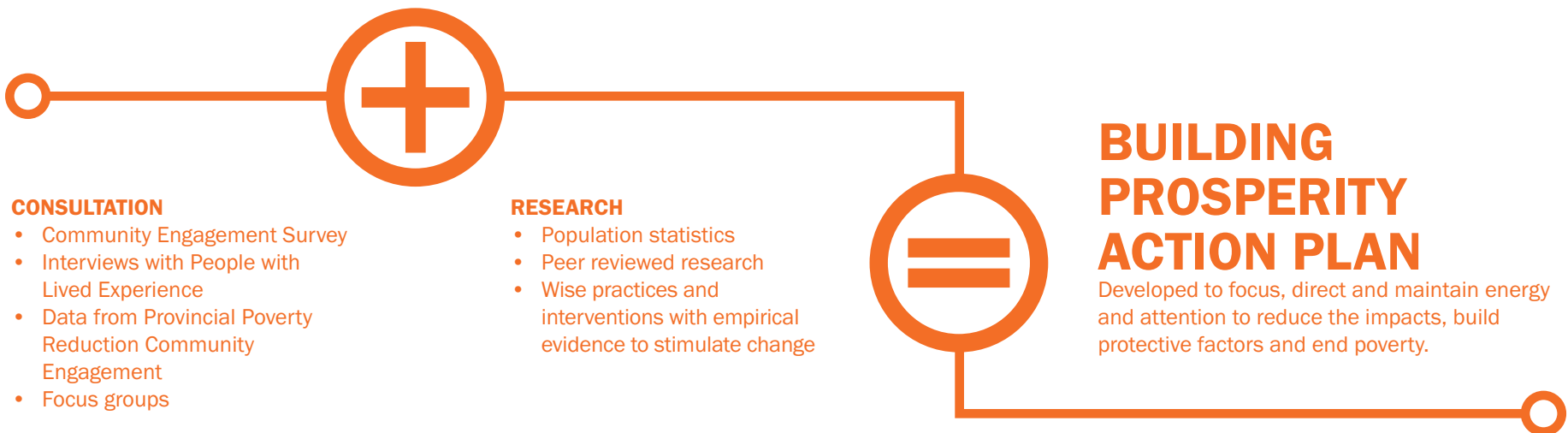
OUR CHALLENGE

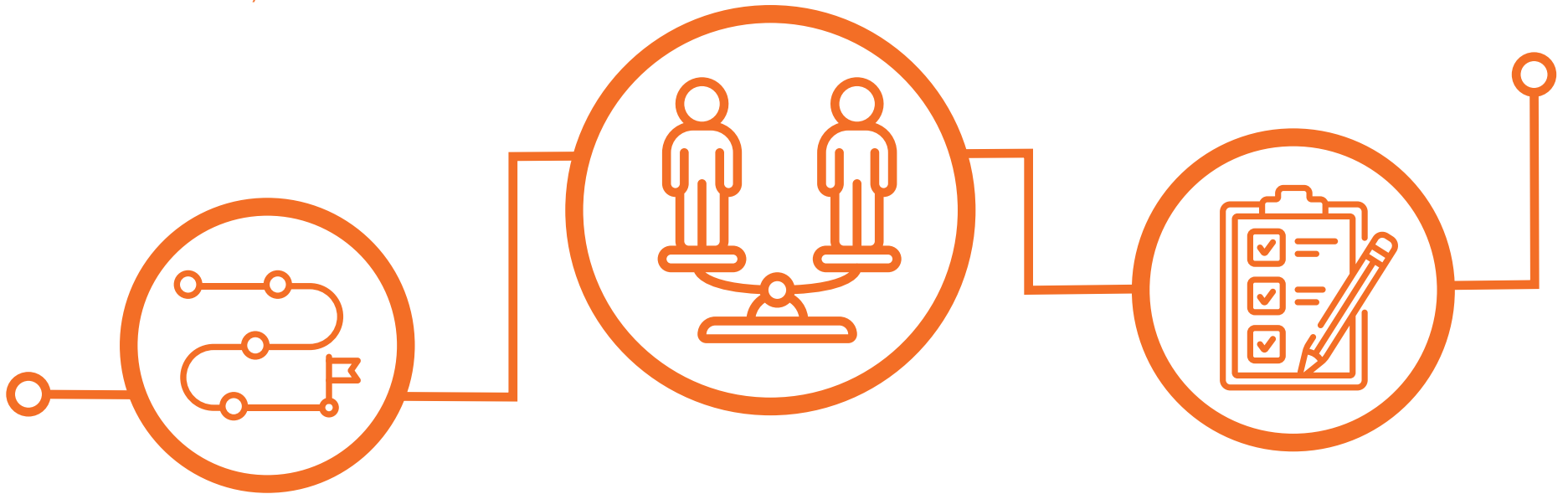
- 21% of all residents live in poverty
- 1880 children experiencing poverty with a 15% poverty rate for children in two parent homes and a 62% poverty rate for children in lone-parent families
- Low median income: \$49,679 in 2015, with a growth rate of 2.3%, compared to the 2015 BC median income of \$61,280, with an 11.5% growth rate
- High cost of living: 47% of renters spending more than 30% on shelter
- Housing crisis: low vacancy rate and hot housing market

PRIORITY POPULATIONS
 Statistics and information in this plan point to specific attention to:



- Youth and young families
- Single parent families
- Individuals earning below a 'living wage'
- Populations which experience higher levels of stigma and racism





• **Two main areas of focus**

- * Build and enhance *PROTECTIVE FACTORS* which support community members in poverty, at risk of poverty or in situations where they are unable to thrive.
- * Creating *CLEAR PATHWAYS OUT OF POVERTY* by addressing systemic inequities which exist for those individuals' experiencing poverty.

• **Centered in Equity Building Principles**

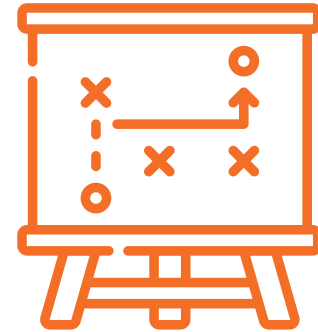
- * Procedural Equity (Inclusion) – representation in the process which includes communities in a fair, transparent, meaningful, and inclusive manner.
- * Distributional Equity (Access) – implementation prioritizes the highest unmet needs in community and takes into consideration distribution of power, benefits, and burdens.
- * Structural Equity – acknowledges historical, cultural, and institutional dynamics to address changes required to impact social and racial inequities.
- * Transgenerational Equity – considers the impact of action or failure to act on future generations while prioritizing present day responsibilities and actionable steps.

• **Utilizing the Sustainable Development Goals as a shared evaluation tool to report progress**

- * Used locally in Alberni Valley and Clayoquot Vital Signs Reports
- * Familiar framework to evaluate progress and document community success

RECOMMENDATIONS

Summary of recommendations for Prosperity Building in the Alberni Clayoquot Regional District:



INCOME	HOUSING	HEALTH, MENTAL HEALTH AND ADDICTIONS	BUILDING EQUITY
<ul style="list-style-type: none"> • Advocate for the adoption and implementation of systemic reforms outlined in the Guaranteed Basic Income Panel findings • Advocate for adoption of Living Wage • Advocate for the continuation and implementation of childcare supporting funds and initiatives • Advocate for Provincial and Federal interventions to decrease the financial burden of advanced education • Increase access to technology • Increase access to basic needs and ensure availability of necessities • Support initiatives which increase access to healthy foods 	<ul style="list-style-type: none"> • Advocate for the creation of a national housing strategy • Implement a regional or sub-regional housing authority • Implement a person-centered approach to support individuals in need of housing supports 	<ul style="list-style-type: none"> • Support local partners such as the Divisions of Family Practice and Community Action Tables to advocate and support patient centered care and harm reduction programs • Advocate and support funding mechanisms which will enhance individuals access to treatment and care 	<ul style="list-style-type: none"> • Adopt an equity lens for planning, engaging and prioritizing the needs of those most effected in decisions • Increase community education and action around the Truth and Reconciliation Calls to Action and United Nations Declaration of Indigenous People • Support training and interventions in health, social and mental health supports which address stigma • Support interventions and solutions which ensure protective factors such as shelter, basic needs, and income are accessible. • Creation of a regional Poverty Reduction Table which promotes education and stigma reduction, advocates for actions outline in the Action Plan

INTRODUCTION

The Building Prosperity in the Alberni Clayoquot Poverty Reduction Action Plan has been informed by community engagement. The plan aims to bring forth the voices of individuals with lived experience to make meaningful change and generate informed dialog around poverty reduction and equity building activities in our region. To embed equity in our work, the plan centres engagement with community and those most directly impacted by poverty as part of the entire process, from planning to evaluation.

The concept of equity can be easily misunderstood or inconsistently applied; thus, the Urban Sustainability Directors Network’s (USDN) definition of equity has been adopted. It has been chosen because it offers the ability to look at multiple dimensions of equity and their relation to planning, policy and action. This plan and the subsequent recommendations will touch on all four aspects of equity building while aiming to build processes to improve structural equity through practices of procedural (inclusion-based) equity.

- Procedural Equity (Inclusion) – representation in the process of developing programs, services and policy which includes impacted communities in a fair, transparent, meaningful, and inclusive manner.
- Distributional Equity (Access) – implementation of program and policies prioritize the highest unmet needs in community and take into consideration distribution of power, benefits, and burdens.
- Structural Equity – acknowledges historical, cultural, and institutional dynamics to address underlying structural and institutional systemic changes required to impact social and racial inequities.
- Transgenerational Equity – considers the impact of action or failure to act on future generations while prioritizing present day responsibilities and actionable steps.¹

With this lens in mind, we began this project by asking community members two questions to help centre our work. How do you define prosperity? And how do you define poverty?

When respondents were asked to provide a definition of poverty, they described an inability to meet a basic standard of living – poverty means a lack of access to safe and secure housing, food, heat, self-care, time, and leisure. Poverty is stress – an individual or household under stress, missed opportunities, an inability to make dollars stretch to deal with the basics and the overall inability to thrive.

When respondents defined prosperity, they described the opposite: an individual’s basic needs being met, opportunities to focus on interests, luxuries, time off and vacation. Community prosperity was further characterized by strong links to organizations, strong transportation and access systems, adequate services and resources and having the ability to keep people we need in community.

This exercise demonstrated that the basic concepts of poverty and prosperity are opposing. It also reaffirms our intent: not to reduce poverty, but to build prosperity in our communities. Building prosperity involves building healthier systems and ensuring equitable access to resources and leads to healthier and more prosperous individuals and communities. Research shows that early interventions and systemic changes make considerable impacts to the load that is felt on the system overall. The cost of poverty and our current approach, which reinforces cycles of poverty, far exceed the cost to implement early interventions and systemic changes.

POVERTY REDUCTION ACTION PLAN / INTRODUCTION

The act of building prosperity in our local communities involves a complex web of systemic changes. The recommendations outlined in this plan are centered in prosperity and equity building activities, recognizing that the health of our communities is tied to the health of our systems. We focus on ensuring that there are clear pathways to prosperity for individuals experiencing poverty as well as ensuring that adequate supports and resources are available to individuals at risk of adversity. While this is a big issue with many moving parts, there are tangible approaches which can be taken in community, work already initiated and led by local community groups and concepts introduced at parliament which can make substantial difference. Frameworks and measurements exist in community to assist. Our local Vital Signs reports have assisted in bringing local communities and leadership to the table to track the health of our communities. Produced by the Alberni Valley Community Foundation and Clayoquot Biosphere Trust these reports utilize the United Nations Social Development goals to communicate local data into an international framework complete with measurable targets. To adopt a common language and take advantage of baseline measurements, these themes will be repeated throughout the plan. Local approaches to increase equity, in combination with advocacy to higher levels of government, strategies to increase impact and activities which increase awareness of the issues in community will be the focus of this report.

SUSTAINABLE DEVELOPMENT GOALS



SDG's Adopted by the United Nations in 2015 as part of the 2030 Agenda for Sustainable Development, the 17 Sustainable Development Goals (SDG's) are a blueprint for all world nations to act. Regardless of economic status, to end poverty and protect the planet while leaving no one behind.²

THE COST OF POVERTY

Work from the Public Health Agency of Canada shows that every \$1 invested in early interventions leads to \$9 savings in the health and criminal justice system. Estimates place the impact of poverty on the health care system at \$7.6 billion alone. In 2011 Canada Without Poverty published a detailed breakdown of government spending, that poverty cost the BC government \$2.2 to \$2.3 billion annually and cost society \$8.1 to \$9.2 billion annually, or between 4.1 percent and 4.7 percent of BC's Gross Domestic Product. The cost to maintain this system far exceeds the \$3 – 4 million investments in a comprehensive poverty action plan.³

BACKGROUND

In 2015 the Alberni Clayoquot Health Network brought local leaders together and began to assist in facilitating and tracking actions to address poverty. Numerous community based networks exist in the Alberni Clayoquot to identify and address aspects of community health related to poverty. These efforts stem from the recognition that poverty is a complex issue which cannot be addressed by any one organization or initiative. Solutions require resources and collaboration to tackle the social inequities we are currently facing.



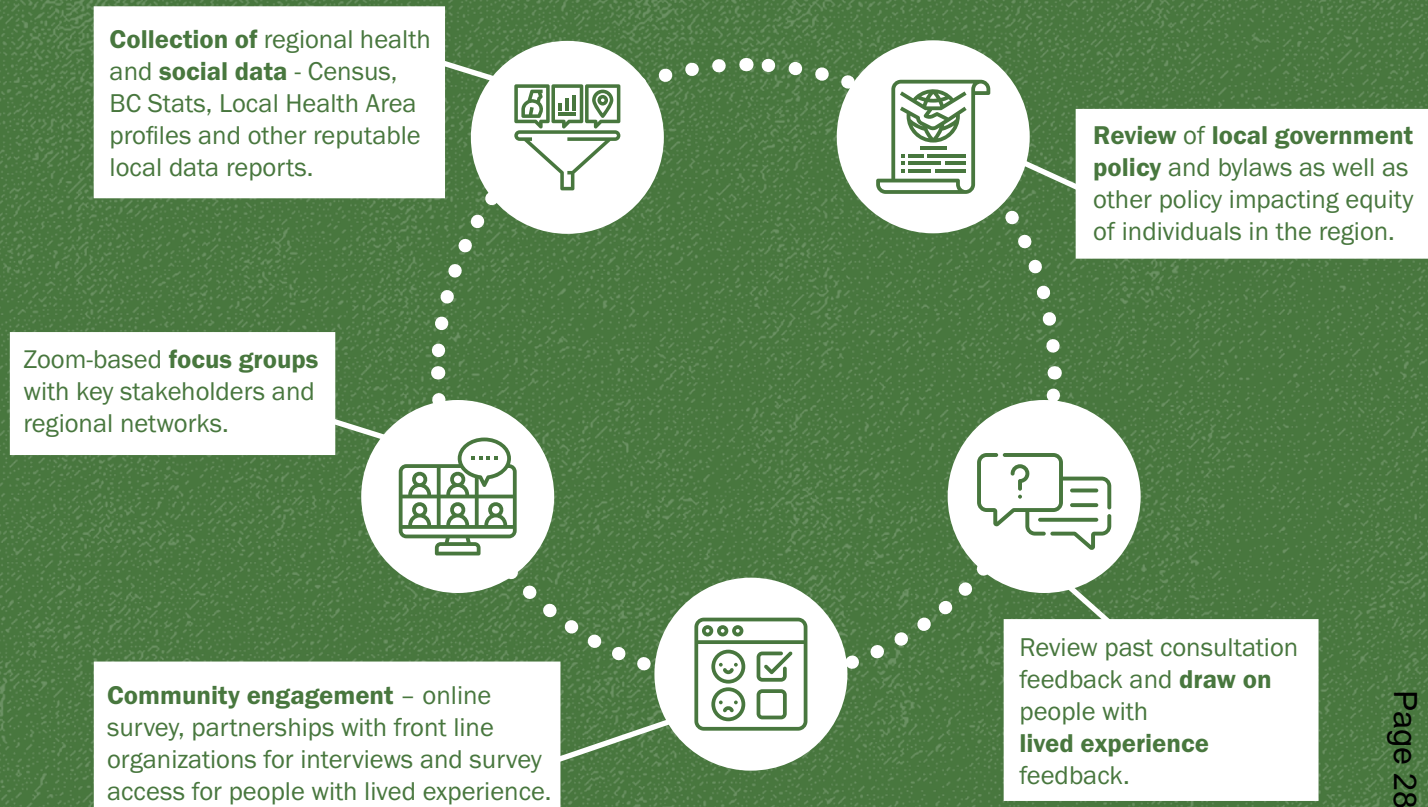
METHODOLOGY

The ACHN received confirmation of funding for the development of the Alberni Clayoquot Poverty Reduction Action Plan in May 2020, during the first wave of the COVID pandemic. At this time there was great uncertainty around what would transpire in the next year. While many of the action plan development activities were low risk the ACHN revised the community engagement plans for action plan development and approved the new activities in June 2020.

DATA COLLECTION

This action plan pulls together regional data, feedback from community engagement and local government policy analysis with research and policy practices around the priority themes identified for the region. In developing community engagement activities, the ACHN was careful to acknowledge the prior contributions of individuals with lived experience. Raw data from past ACHN engagements as well as the 2018-2019 BC Poverty Reduction Consultation was used in the action plan and informed the development of survey questions to reduce duplication and update past findings.

Data collection was conducted through the following activities:



LIMITATIONS

Proposed community engagement for the ACRD Poverty Reduction Action plan included robust in-person focus groups, workshops, and events with communities in the ACRD. Due to the COVID pandemic, activities were altered to minimize contact. This reduced community engagement to online surveys, Zoom-based focus groups and partnerships with local front-line organizations to interview people with lived experience. The development of the online survey was informed by past feedback from the provincial consultation as well as ACHN community engagement prior to 2018. Despite limitations, the survey and interview results confirmed past data collection and provided updated accounts of the current challenges and needs faced by individuals in the Alberni Clayoquot Region. Some additional limitations to note:

- Consultation fatigue from those with lived experience as well as the general public, voiced in previous years’ activities but more prevalent as public and societal health crises continue.
- While the survey was well promoted and open for a considerable amount of time, its completion required access to the internet. Partnerships with front line organizations assisted in providing access to many but internet and device access was a challenge to some.
- The COVID 19 Pandemic challenged engagement with community and there was a concern that this would also skew results to show disproportionate impacts to specific dimensions of the engagement. As such during the community survey each dimension included an inquiry around how long the respondent had experienced challenges relating to the topic area. In most cases COVID was attributed to the challenges respondents faced in 5% or less of the responses. Any dimensions which saw higher rates of impact due to the COVID Pandemic will be noted in the report.
- Given the previously noted limitations around engagement, and timeline of the project, survey response rate and overall engagement was acceptable but could have been improved. As such, engagement information was combined with responses collected during the Provincial Poverty Reduction community engagement to ensure an accurate reflection of the experiences of people experiencing poverty and barriers to prosperity.
- Survey results showed a response rate of 19% indigenous people, on par with the regional population distribution. Despite this, not enough meaningful engagement with indigenous communities was possible during the COVID pandemic or in the timeline and scope of this project. Recommendations will include feedback gathered with an aim to ensure further work is done in an inclusive and collaborative manner. This plan will build upon recommendations from the Truth and Reconciliation Commission when forming recommendations to honor the uniqueness of the ten Nuu-Chah-Nulth Nations and other indigenous peoples within the Alberni Clayoquot region.

“ There is a middle range where many people fall - not living in poverty but not getting anywhere. Prices are too high, income is too low, and no affordable housing exists. I can barely afford to live here by myself and could never afford a family.”

POVERTY REDUCTION ACTION PLAN / METHODOLOGY

WHO WE HEARD FROM

Community engagement efforts for the Action Plan received good representation with over 400 individuals participating in one of the three engagement activities.

INTERVIEWS

Over the course of five months, 53 interviews with people with lived experience were conducted in partnership with local organizations. The majority of responses were from the Alberni Valley due to availability of services. Technological assistance was made available to interested participants through the Port Alberni Friendship Society and West Coast Community Resources Society to increase feedback from those without access to technology.

FOCUS GROUPS

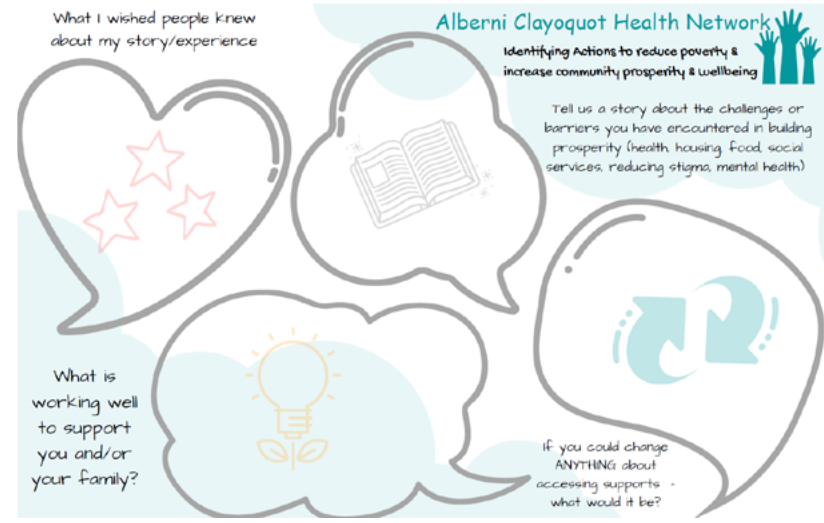
Two dedicated focus groups were hosted via Zoom in March 2021 to engage regional stakeholders, decision makers, and community partners interested in learning more about the responses to the survey and interviews. Twenty representatives were in attendance, including elected local leadership, service providers, and municipal and regional government staff. In addition to dedicated focus groups, the information was presented at three local network tables with a total of forty participants and specific issues were investigated with local networks and task forces with more specific mandates.

COMMUNITY SURVEY

Prosperity in our region is about everyone having equitable access to goods and services. As such, the online survey targeted all residents of the Alberni Clayoquot region and captured respondent demographic information to ensure representation of the region’s population. The online community survey ran from September 2020 to December 2020 and received a total of 317 responses. Regional, identity, and demographic distribution of survey respondents showed reasonable representation of the Alberni Clayoquot region with a good representation of more vulnerable populations.

TOP Active listening interview template for action plan community engagement, designed by Kelly Foxcroft-Poirier, White Raven Consulting.

BOTTOM Poverty reduction community engagement survey announcement.



SURVEY RESPONDENTS

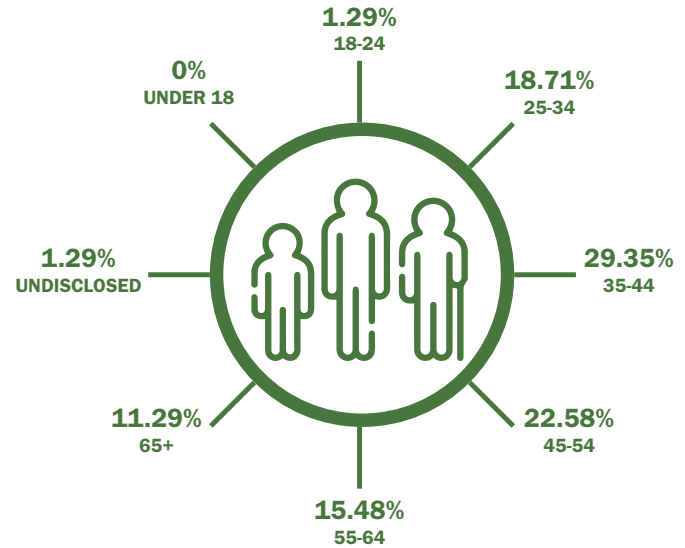
COMMUNITY

Where do you live?



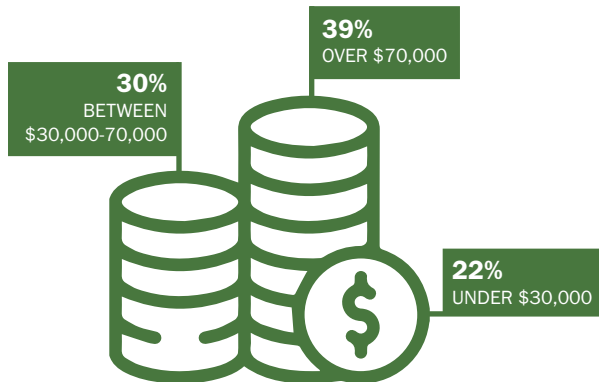
PORT ALBERNI	43.63%
TOFINO	16.24%
UCLUELET	11.78%
SPROAT LAKE (AREA D)	4.78%
BEAVER CREEK (AREA E)	4.78%
BAMFIELD (AREA A)	4.46%
CHERRY CREEK (AREA F)	3.18%
TSESHAHT	2.87%
OTHER	2.87%
HITACU	2.55%
LONG BEACH (AREA C)	1.27%
TYHISTANIS/ESOWISTA	0.64%
ANACLA	0.32%
BEAUFORT (AREA B)	0.32%
AHOUSAHT	0.32%
HUPACASATH	0.00%
MACOAH	0.00%
HOT SPRINGS COVE	0.00%
OPITSAHT	0.00%

AGE

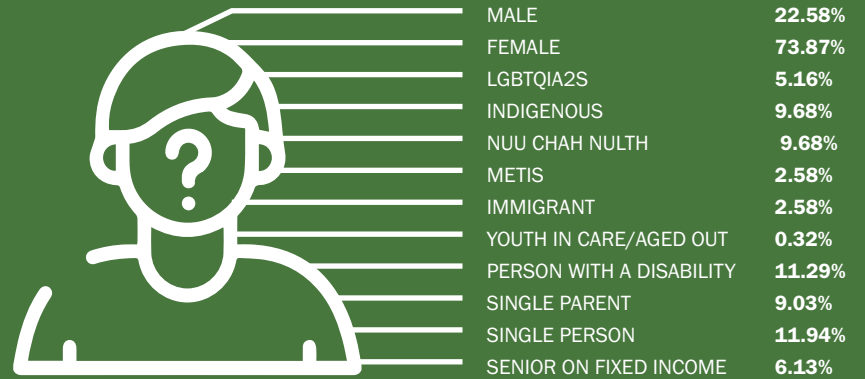


INCOME

Income groupings in the report were chosen to align with census data and be representative of those experiencing poverty (under \$30 000), earning under a living wage (\$30 000-\$70 000) and earning over a living wage (\$70 000+).



IDENTITY



Truth and Reconciliation

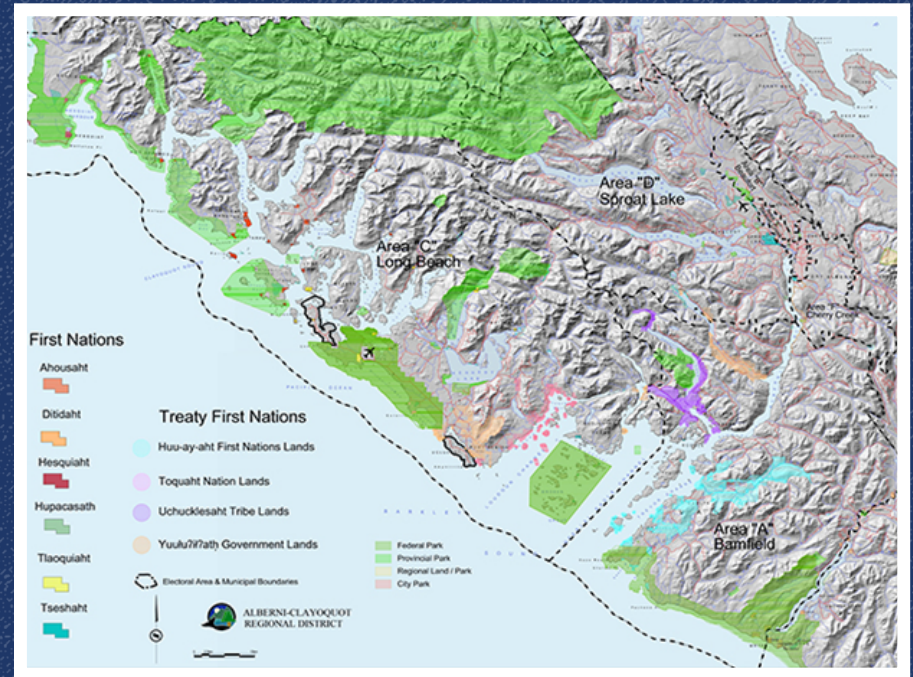
The Alberni Clayoquot Region is situated on the territories of the Nuu-Chah-Nulth peoples. Ten of the fourteen Nuu-Chah-Nulth Nations on Vancouver Island are located within the boundaries of the Alberni Clayoquot.

Of the ten Nuu-Chah-Nulth Nations in the Alberni Clayoquot region, four have signed modern treaties and are part of the Maa-nulth Treaty group with representation on the Alberni Clayoquot Regional District Board.

While the ten Nuu-Chah-Nulth Nations are part of the same family group there is rich diversity between each nation. Language dialects, structure of community leadership, culture, teachings, and relationships to local, provincial, and federal governments differ among the nations. It is important to recognise that time-limited processes such as Action Plan development are not able to capture the richness of these individual nations, nor is it appropriate to assume that sufficient relationship building has been conducted to make recommendations on behalf of these nations.

Recommendations outlined in this Action Plan focus on relationship building and collaborative efforts to address inequity in the region while recognizing that non-indigenous communities and representatives must commit to actively listening, learning and working to implement the Truth and Reconciliation Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples.

The Alberni Clayoquot Health Network will continue to integrate the following commitments directly related to the work of the Network into poverty reduction and equity building work in the ACRD while assisting other organizations and levels of government to do the same.



MAP Alberni Clayoquot region map.

UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

- 1. We support the rights of First Nations, Inuit, and Métis Peoples: UN Declaration and Bill 41 in BC**
- 2. Governments must ensure Indigenous Peoples have resources they require, including Urban Indigenous People.**
- 3. We support the development of Nuu-Chah-Nulth and/or Indigenous specific Poverty Reduction strategies. Indigenous communities have and may evolve services in directions other than those in this Action Plan.**
- 4. We commit to listen and learn in our on-going work to decolonize⁴**

TRUTH AND RECONCILIATION CALLS TO ACTION

- 1. We support Calls to Action #1 – #42, which address the legacy of colonization. We commit to actions that build equity, culturally appropriate response, and learning.**
- 2. We support Calls to Action #42 – #94 which outline steps to reconciliation and learning about the impacts of colonization. We urge community partners to learn more and will support efforts to implement action.**
- 3. We support the full implementation of Call to Action #57, to provide education to public servants on the history of Aboriginal peoples, requiring skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.**
- 4. Further to the TRC Call to Action #57 we support the development and implementation of Education for Reconciliation outlined in Calls to Action #62 to #65**
- 5. We support buy in and implementation of Call to Action #92 which calls for corporate sector partners and institutions to adopt UNDRIP as a framework and to apply its principles, norms and standards to corporate policy and core operational activities which involve indigenous peoples, their lands, and resources.⁵**

REGIONAL CONTEXT

The Alberni Clayoquot Regional District is a geographically diverse area which spans 6904 km² and includes three municipalities, ten Nuu-chah-nulth First Nations and six electoral areas. All together, the ACRD has a population of over 30,000 people. The ACRD is located in the traditional territories of the Nuu-Chah-Nulth speaking peoples, the ten Nations of the Ditidaht, Huu-ay-aht, Hupacasath, Tseshaht, Uchucklesaht, Ahousaht, Hesquiaht, Tla-o-qui-aht, Toquaht, and Yuu-cluth-aht peoples who have territories and communities within this region. The ACRD includes the City of Port Alberni, Municipalities of Ucluelet and Tofino as well as the six electoral areas of Bamfield, Beaufort, Long Beach, Sproat Lake, Cherry Creek, and Beaver Creek.



ACRD SUB-REGION DIVERSITY

WEST COAST COMMUNITIES



- Transit service planned
- 4 communities with logging road, boat or float plane access



- Low median income with high cost of living



- Cost of ownership has risen 82% with a rental market shortage



- Limited health and social supports

ALBERNI VALLEY COMMUNITIES



- Transit system in place
- Limited connection to rural and First Nation communities



- High poverty rates
- Lowest median income in the region



- Increasing pressures on real estate and rental market



- High level of health and social services available

BARKLEY COMMUNITIES



- Logging road or boat access only
- Road paving underway
- No public transport



- Low median income which saw a decrease between last census periods



- Growing need for community planning



- Health outpost only



Transportation



Income



Housing



Services

MEASURING PROSPERITY

Like many coastal regions of BC, the Alberni-Clayoquot region has seen high rates of poverty and inequity. For many years, the ACRD was one of five regional districts across the province reporting the highest rates of poverty. Poverty rates have improved moderately, as illustrated by the child poverty rate, which began to decline in 2016 and has continued to decrease marginally from 32.6% in 2015 to 29.5% in 2021. Currently 21% of all residents live in poverty, with 1880 children experiencing poverty (a 15% poverty rate for children in two-parent homes and a 62% poverty rate for children in lone-parent families.⁶)



GOAL 1. END POVERTY IN ALL ITS FORMS EVERYWHERE

1.2 By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions.

1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.

1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.

1.5 By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters.⁷

LOW INCOME MEASURE



8

*Bamfield and Indigenous Community unavailable due to data suppression for communities with small populations.

“ Poverty rates in Canada are measured through three main measures of low income: the Low-Income Cut-Off (LICO), the Low-Income Measure (LIM), and the Market Basket Measure (MBM). From 1996 to 2009, the poverty rate for all of Canada declined under LICO (and later under MBM). However, the low-income rate under LIM didn’t change much at all.

Looking at the LICO, the current low-income thresholds are based on 1992 consumption patterns, adjusted over time for the rising cost of living. As such they operate as a fixed standard against which to measure change. When we use the LICO to generate poverty statistics, we are comparing the situation of those at the bottom of the income ladder today with those who were at the bottom back in 1992 (a recessionary year). And on this score, progress is being made – notably among seniors and families with children.

By contrast, the LIM thresholds are updated each year; when incomes increase (or decrease), the thresholds shift in lockstep. When we use the LIM, we are comparing the situation of those at the bottom with those who are in the middle in that same year. As said, not much has changed. Poverty levels continue to hover around the 13% mark, reflecting persistent and damaging consequences of income inequality.”⁹

— Making Sense of Poverty Measures | Citizens for Public Justice

POVERTY REDUCTION ACTION PLAN / MEASURING PROSPERITY

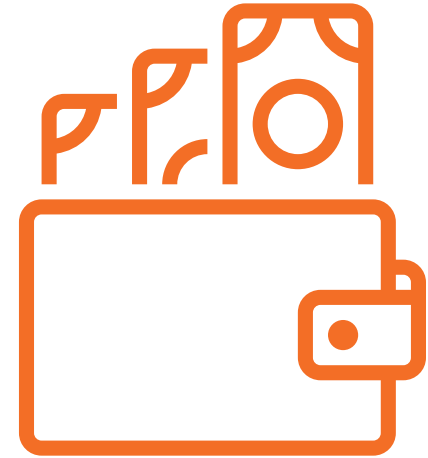
The non-indigenous communities established in the ACRD were built around resource industries including fishing and logging. The decline of these industries has shaped the current economic landscape of the region, resulting in new primary industry in several communities and increased diversity in others. Farming, fishing, and the forestry industry are still prevalent in most of the ACRD, most notably in the Alberni Valley. However, as these industries have declined, sectoral diversification has been embraced as a necessity and for risk mitigation. This has resulted in increased jobs in health and social service industries, aviation, and an ongoing desire to attract new industry to the Alberni Valley. In the more rural communities of Ucluelet and Tofino, tourism has become the dominant industry. One pattern has been observed across the ACRD: as resource industry employment declines, so too do higher wages.

Many communities in the ACRD have a historically lower median income than the province of BC. The after-tax median income in the ACRD was \$49,679 in 2015, with a growth rate of 2.3%. In comparison, the BC median income for the same time period was \$61,280, with an 11.5% growth rate. Lower incomes combined with the higher cost of living associated with rural and remote communities and tourism destinations adds to the financial pressure in the region. The living wage in some areas of the ACRD is on par with major cities in BC and significantly higher than other rural areas in the province. The living wage in 2019 was between \$17 and \$19.60 per hour, depending on the community.

Tourism industry employment and the warming real estate market have led to a steady increase in living costs in the Alberni-Clayoquot region, in turn putting pressure on young people, families, and low-wage workers. Households with two-income earners experience increased stability and ability to meet the living wage in the region, individual incomes highlight the prevalence of lower paying employment. Of the 25,540 income eligible residents in the ACRD, 49% earned below \$30,000 annually, 35% earned between \$30,000 and \$70,000, while only 17% earned over \$70,000. Noting these challenges, it is increasingly important for local communities to plan around young people, families, and individuals at or below the living wage for the region through the implementation of protective community factors. While the challenges vary from community to community in the ACRD, supports and recommendations in this plan will be centered in equity building in support of those directly experiencing vulnerabilities as well as those precariously close.

MEDIAN INCOME
In the ACRD regions

BC	\$61,280
ACRD	\$49,679
Port Alberni	\$45,957
Beaufort	\$63,872
Sproat Lake	\$65,536
Beaver Creek	\$60,749
Cherry Creek	\$56,346
Ucluelet	\$54,336
Tofino	\$58,944
Longbeach	\$46,208



10 *Bamfield and Indigenous Community unavailable due to data suppression for communities with small populations.

BUILDING PROSPERITY

The landscape of social and community services has changed drastically in the last 30 years. Reforms to social programming in BC have shifted responsibilities for health and decreased caseloads for social programming, and the impacts of these shifts have been felt predominantly at the community level. Reforms to Income Assistance in the mid-1990s and early 2000s led to systems of support becoming increasingly complex to access in an effort to reduce caseloads. Changes to the BC Child Benefit in this same timeframe have contributed to the province’s devolution from a leader in family support to the province with some of the highest child poverty rates in the country.¹¹ Federal and provincial supports to communities for housing and social infrastructure have also decreased. The need for communities to support their community members has grown, while resources to achieve this aim have decreased. Municipalities have been tasked with gradually increasing responsibilities without the fiscal and policy level support required to do so. Advocacy in response to this change has led to increased investment to local governments for planning and action, combined with renewed provincial and federal attention to social issues including housing, poverty reduction and mental health and substance abuse. Support for local planning processes has benefited rural communities, taking the pressure off municipal budgets and staff to perform these activities while still generating a plethora of community input and resultant plans and strategies.

Municipalities in the Alberni Clayoquot have been rising to the occasion to complete housing needs assessments, child care needs assessments, and other planning essential to action in support of social determinants of health. The ability to perform these assessments and to increase attention to these issues is a key first step. To build prosperity, there are two primary areas of focus that must be addressed and maintained by communities:

1. Building and enhancing protective factors that support community members in poverty, at risk of poverty, or in situations where they are unable to thrive. Actions to achieve this result are a combination of service level interventions, municipal policy, and advocacy to the provincial and federal governments.

2. Creating clear pathways out of poverty by addressing systemic inequities which exist for individuals experiencing poverty. This involves advocacy and action to implement systemic changes, equity building programs, and actions that increase people’s ability to access services, basic needs, and essentials to thrive.

Data from the 2020 Poverty Reduction Action Plan community engagement pointed out four main areas of intervention for local communities to focus their efforts: housing, income, education, and access. The following sections present community feedback, associated data, wise practices, and recommendations in each of these areas.

HOUSING

The right to adequate housing is recognized internationally as a human right and appears in numerous international declarations including but not limited to the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities. Through these declarations, adequate housing is identified by:

- Housing security – agreements and laws that protect against eviction and intimidation
- Availability of services and infrastructure – access to water, sanitation, food storage, energy, and access to services
- Affordability – the cost of housing should not threaten the ability to attain other rights and needs
- Habitability – housing has sufficient space, offer protection from the elements, and be free of health threats
- Accessibility – accommodates the needs of the elderly, terminally ill, and people with disabilities
- Location – accessibility to healthcare, schools, and employment; built in locations which do not threaten the health of residents
- Cultural adequacy – construction considers cultural identity and diversity¹²

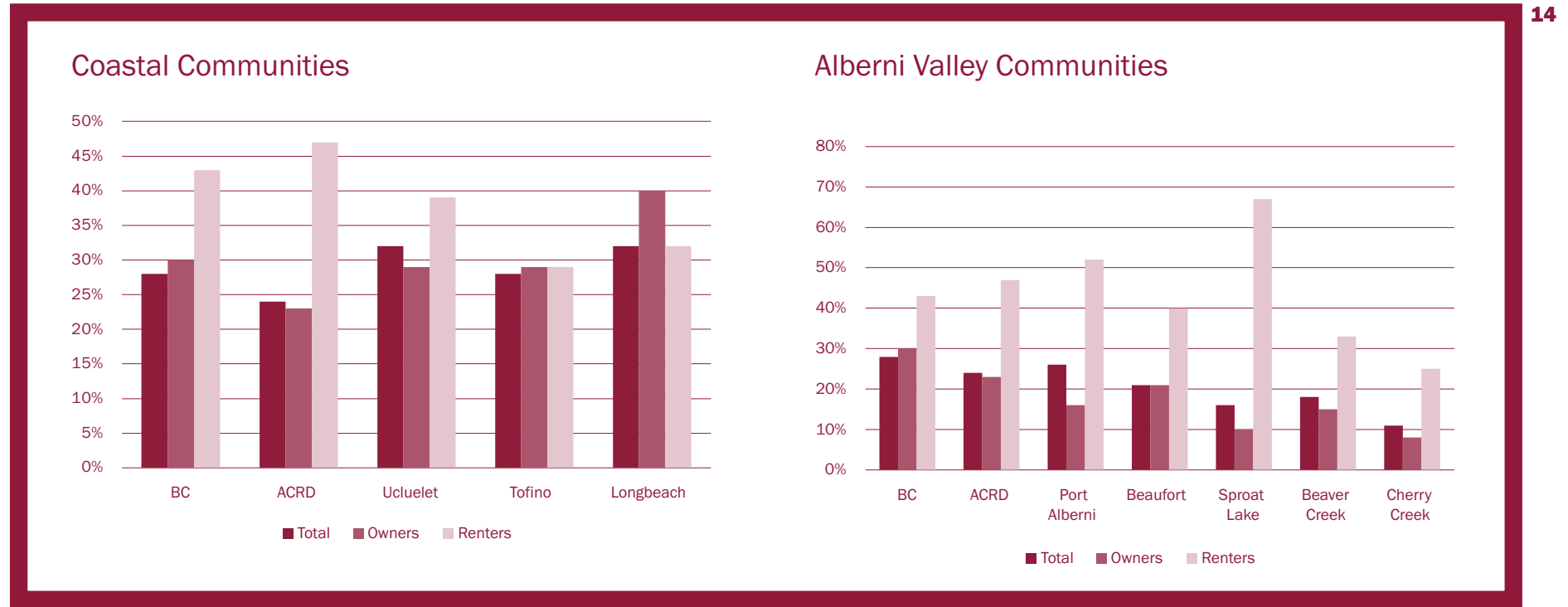
In Canada housing at or below 30% of the cost of an individual’s income is deemed affordable and attainable. Census data from 2016 shows a strong regional trend around renters experiencing the most unaffordable shelter costs in the region. Preliminary data from regional housing needs assessments shows staggering growth in the housing market and an increasing demand for core housing in rental markets across communities. Vancouver Island saw a 31.5% increase to the cost of ownership, west coast communities of the Alberni Clayoquot have seen an 82% increase, and the municipality of Ucluelet experienced the highest increase at 102%.¹³



GOAL 11. MAKE CITIES AND HUMAN SETTLEMENTS INCLUSIVE, SAFE, RESILIENT AND SUSTAINABLE

11.1 By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums

SPENDING 30% OR MORE ON HOUSING



CORE HOUSING DEFINITION

Core housing need is a 2-stage indicator. It helps to identify households living in dwellings considered unsuitable, inadequate or unaffordable. It also considers if income levels are such that they could not afford alternative suitable and adequate housing in their community. Assessing a household for core housing need involves two steps to determine if:

- 1. the household lives in acceptable housing**
- 2. the household's before-tax income is sufficient to access acceptable housing in their community ¹⁵**

— Understanding Core Housing Need | CMHC

POVERTY REDUCTION ACTION PLAN / HOUSING

High core housing needs in the rental market, low rental vacancy rates, and a steady increase in the cost of houses has led to residents living in overcrowded or unsuitable homes, negative health and economic impacts, and an increased risk of homelessness. Research into the cost of health and social supports and the use of the justice system demonstrates that the cost of homelessness for one person is over \$63 000 per year. Further research has shown that costs increase for those experiencing homelessness combined with mental health and addictions.¹⁶ During the 2021 Point in Time Homelessness Count in the Alberni Valley, 125 people were reported to be experiencing homelessness. While this is a decrease from the 147 reported in 2018, the vulnerabilities of those experiencing homelessness saw a sharp increase.

- 65% of the respondents identified as indigenous compared to 48% in 2018;
- 81% reported two or more health concerns as opposed to 58% in 2018;
- Mental health and substance use were the number one reasons for housing loss;
- And no respondents reported sources of income outside of Ministry supports.

Point in Time counts provide a very modest estimate of homelessness in a community, with acknowledged limitations around the duration of the study and coverage of the community. Outside of the Alberni Valley, homelessness is often much harder to capture as rural and remote homelessness manifests as overcrowding, couch surfing, and living in the bush or other unsuitable dwellings. Regardless of measurement challenges, the cost of housing insecurity to communities and the country is staggering. An abundance of affordable housing research points to impacts on both individuals and communities facing housing inequities. These mirror the experience of many communities in Alberni Clayoquot.

Individual

- Health impacts including asthma, low weight in children, and incidents of depression
- Lack of access or delayed access to care, leading to general poor health and increased severity of health issues
- Increased experience of stress which leads to poor health and has impacts on child development

Community

- Increased health care costs and acute patient care
- Decreased economic activity
- Shortage of workers and relocation of young families for affordability¹⁷

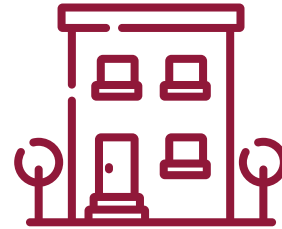
When income is compared, the contrast between higher income earners (\$70 000+) and those earning under the living wage for the region highlighted housing challenges. As income decreased, individuals reported increased barriers and challenges in accessing adequate housing, with lower income people experiencing more housing instability. Those in the lowest income bracket saw a statistically relevant increase in experiences of homelessness and inability to find rental housing while middle income earners reported slightly higher challenges with mortgages or ability to purchase a home. All income brackets saw challenges with rental prices and market housing stock.

Housing was the second-largest barrier to people with lived experience who were interviewed for the Action Plan. In total, 33% of respondents included housing as one of the top three challenges, with an overwhelming majority speaking to the regular decision of paying bills, paying rent, or buying food. The experience of stigma in accessing housing due to race, mental health, substance use or low income was another common experience that arose regularly. Results from the 2019 Provincial Poverty Reduction Community consultation saw similar reports. Housing was the most frequent need for individuals with lived experience. Out of the 2000+ responses to the provincial consultation, 20% mentioned housing as the primary barrier to prosperity, again citing tough decisions related to cost of living as well as stigma in accessing housing.

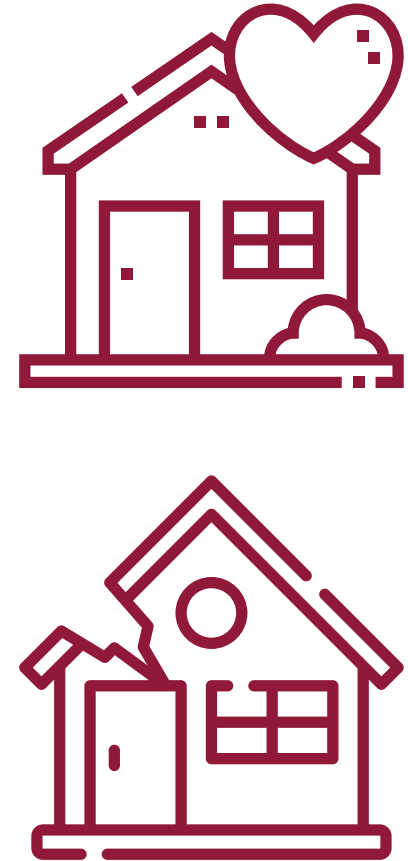
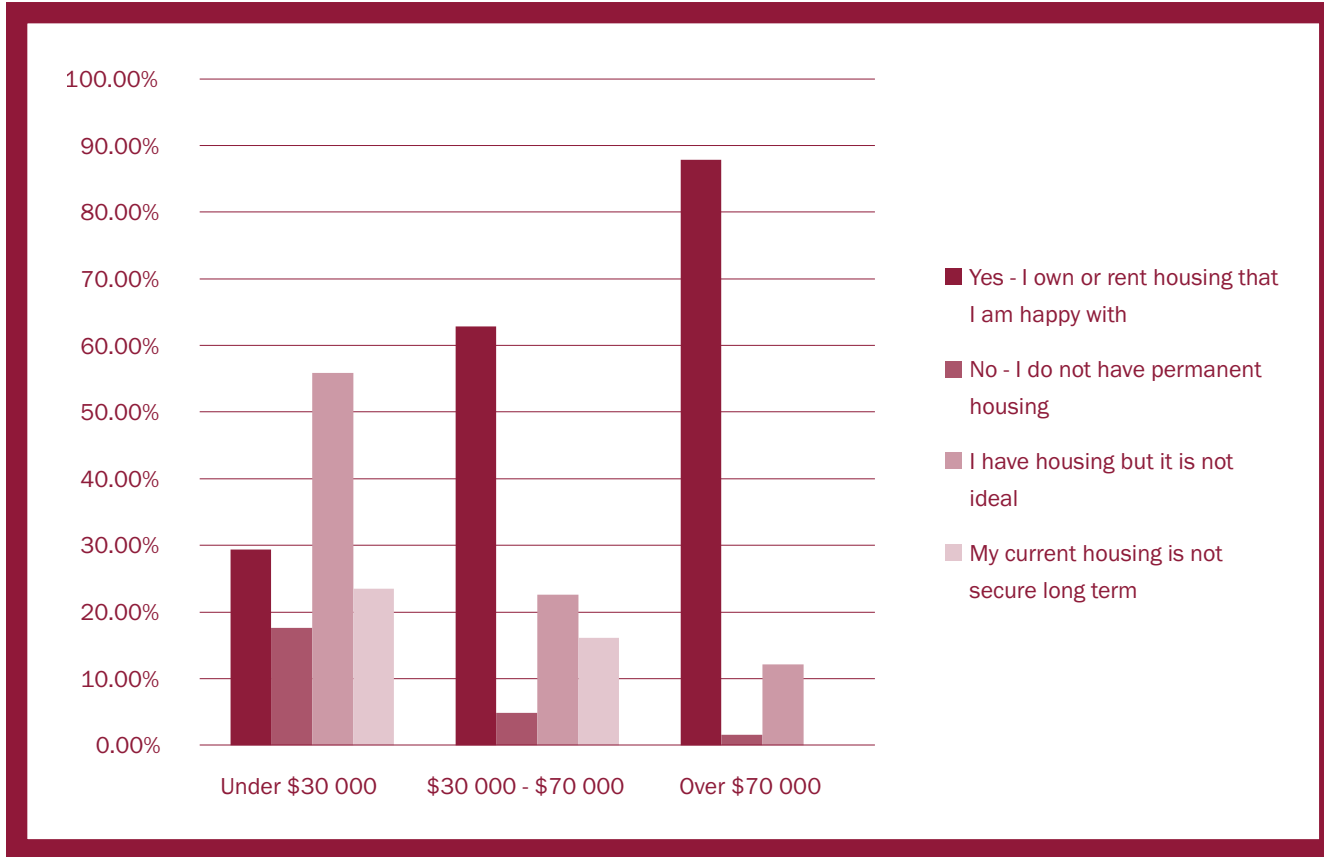
POVERTY REDUCTION ACTION PLAN / HOUSING

LIVING ARRANGEMENT

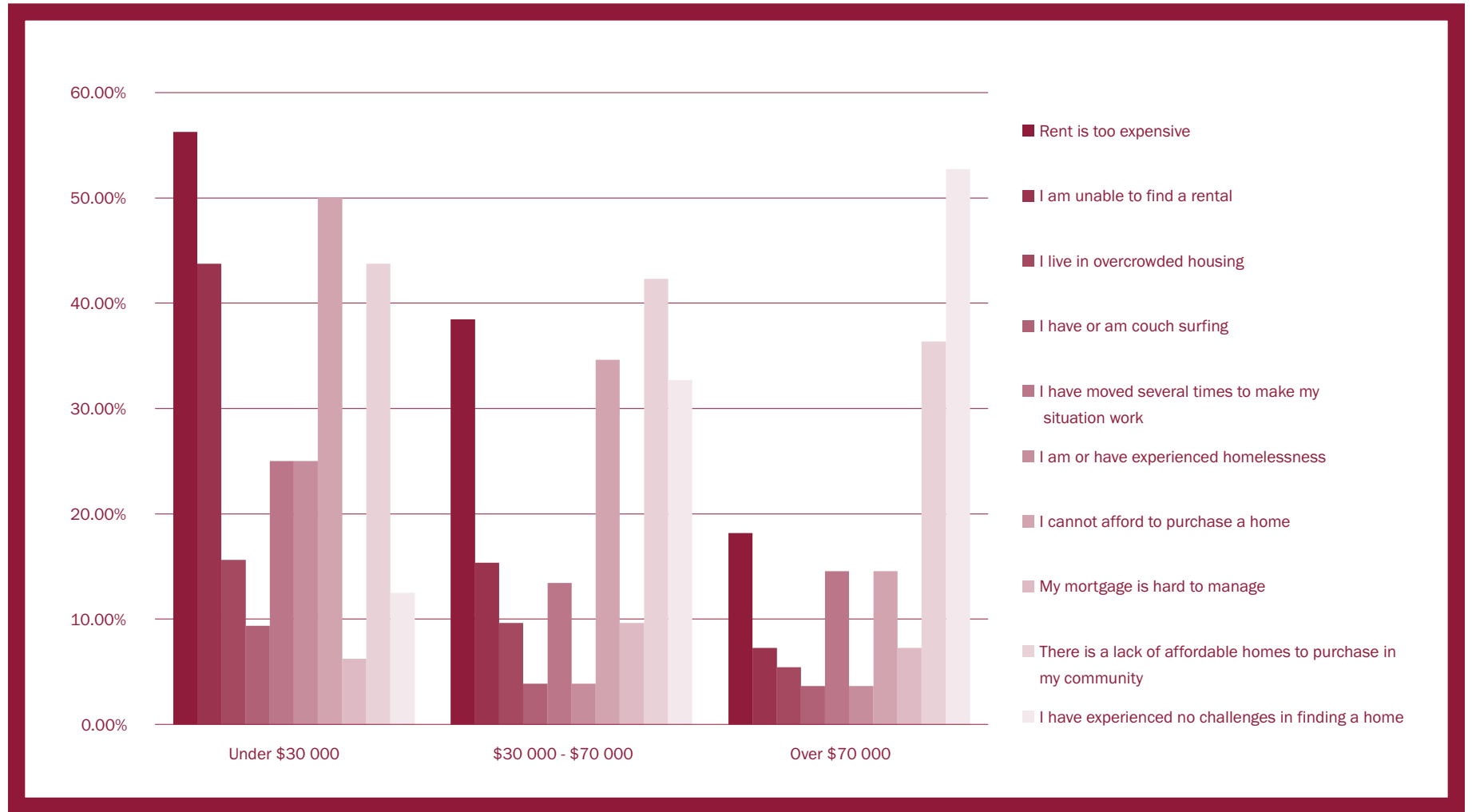
HOUSING STYLE



HOUSING SATISFACTION



HOUSING CHALLENGES



POVERTY REDUCTION ACTION PLAN / HOUSING

RECOMMENDATIONS

There is an immediate need for provincial and federal government interventions and the creation of housing strategies that can generate and secure housing stock across the country. The housing crisis has been building for over a decade and is worsening without intervention. Municipalities have a specific role to play in creating and securing housing for all in their communities.

While it is challenging for local governments in small communities to balance the numerous operational duties assigned to them, those within the ACRD are taking progressive first steps to ensuring solutions in response to the social needs in each community. With the assistance of UBCM funding, every municipality and electoral area in the Alberni Clayoquot will have a completed housing needs assessment to assist in planning. These assessments assist in applications for provincial funding and in projects to increase community housing stock. While each Housing Needs Assessment will have different needs and strategies for ACRD communities, the following recommendations are consistent with feedback from across the region and preliminary data from housing needs assessments:

- Joint regional advocacy to Provincial and Federal governments for the creation of a national housing strategy as well as policy and resources which will benefit communities.
- Increase diversity of housing in planning, OCP and zoning, and where possible reduce barriers to housing projects which meet needs identified in Housing Needs Assessments.
- If not already in place, creation of a housing authority to champion implementation of Housing Needs Assessments. Consider creation of regional or sub-regional authorities to increase ability to access funds and meet community needs.
- Consider and address the impact of tourism and short-term rentals and utilize municipal tools and resources to ensure balance between needs of homeowners and availability of rental stock.
- Consider the implementation of a regional or sub-regional housing first model to support individuals in the most need of housing support. At minimum, work collaboratively with local organizations to increase diversity in support and advocate for increased support from higher levels of government to meet the current need. Recognize that a diversity of housing and program types are required to address housing insecurity and homelessness.

LIVED EXPERIENCES

“I am fortunate to have an affordable rental unit and great landlords. Even with my ‘decent waged job’ if I needed to find a new rental the same size I currently rent I would never be able to afford it.”

“We own a house, but cannot afford to live in it and pay the mortgage payments. We rent it out as a long-term rental, and rent a small suite for ourselves.”

“I am not able to plan for future expenses as 100% of my income goes to current living expenses.”

ACTIONS UNDERWAY

- **50 new, affordable rental homes for families and seniors in Port Alberni, as a result of a partnership between the Province and the Alberni Low Energy Housing Society (ALEHS)**
- **14-unit housing development at 700 Sharp Road through a partnership between the Tofino Housing Corporation and Catalyst Community Developments.**
- **Housing needs assessments in preparation for each community in the ACRD along with opportunities for implementation and support for community members.**

INCOME

As illustrated earlier, communities in Alberni Clayoquot are greatly impacted by lower-than-average wages and high cost of living. Addressing economic disparities in communities includes much more than economic development. It requires government policy, economic diversity, the building up of protective factors in each community, and the reduction or elimination of barriers to access. A recent UBC study of a Guaranteed Basic Income in British Columbia has brought together a wealth of research and recommendations about how to build an equitable approach to income assistance programs in BC. These recommendations are crucial to ending the cycle of poverty perpetuated by the social assistance model currently in place. To address the issue of increasing cost of living and stagnant wages, community engagement participants recommended that in addition to affordable housing, protective factors in the form of childcare, education, access to basic needs and food were a priority to increase income equity for youth, young families, and those with lower incomes. Thus, these community engagement findings and recommendations will be included as economic protective factors and crucial components to develop prosperity in our communities.

Not surprisingly, respondents in the higher income bracket reported a statistically significant experience with income satisfaction and the least adversity with income and stability. Living pay cheque to pay cheque was an experience reported in all income brackets with the highest percentage between \$30000 and \$70000. Unemployment and the utilization of social assistance and disability assistance were experienced most frequently by those in the lowest income demographics. While COVID impacted income stability across demographics, it is worth noting that most individuals experiencing challenges have been for 3 or more years. Respondents earning less than \$70000 that expanded on their responses noted challenges in saving, staying on top of living expenses, an inability to save for the future, lack of housing or childcare and an overall instability due to combinations of the above factors and/or contract work.

When asked about interventions which would assist respondents in creating more stability and prosperity in their lives, notable trends emerged:

- Access to affordable housing and childcare were the most noted protective factors mentioned, followed by access to education and transportation to access education, employment, and basic needs.
- Increasing the minimum wage, adopting a living wage and guaranteed basic income were mentioned throughout comments.
- Increasing the diversification of industries. For the Alberni Valley, this included comments about diversification from resource-based industry and for west coast communities, diversification from tourism was a priority.

POVERTY REDUCTION ACTION PLAN / INCOME

Experiences of people in poverty engaged through the Action Plan as well as the Provincial Consultation mirrored many of these comments - 17% of respondents mentioned income and social assistance as a primary barrier to their prosperity and the experience of being working poor was noted frequently.

- Social assistance and disability system inequities: the low support rates and shelter rates starting at \$375/month are contributing to the cycle of poverty and inequity.
- Assistance is required to withstand cost-of-living increases for housing, food, hydro.
- Assistance for people living pay cheque to pay cheque to ensure housing stability and ability to meet basic needs



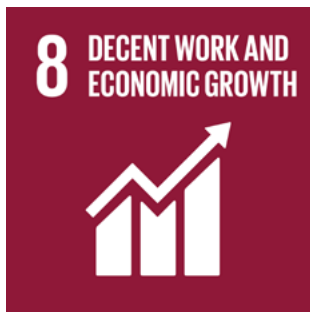
GOAL 1. END POVERTY IN ALL ITS FORMS EVERYWHERE

1.2 By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions.

1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.

1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.

1.5 By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters.



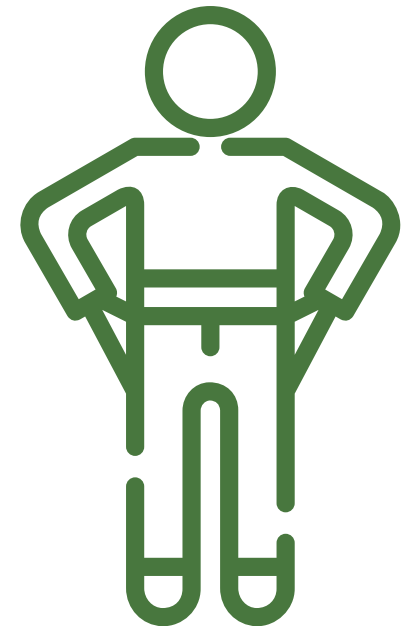
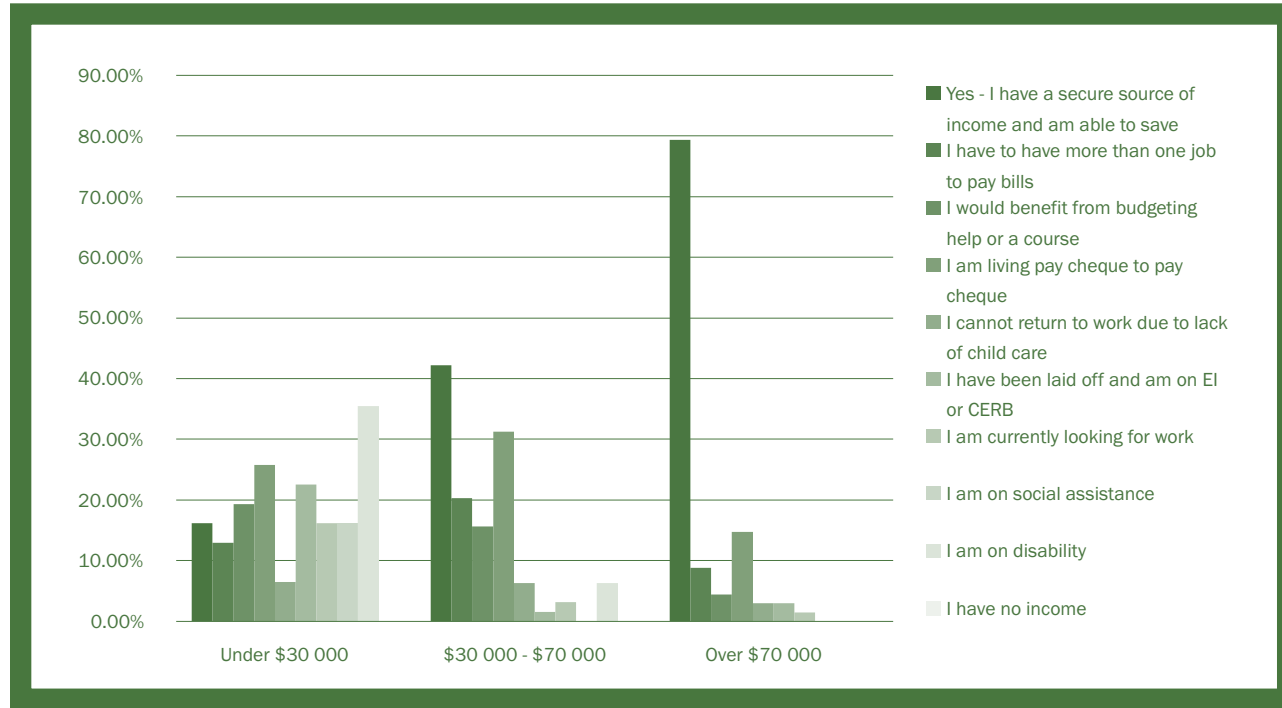
GOAL 8. PROMOTE SUSTAINED, INCLUSIVE AND SUSTAINABLE ECONOMIC GROWTH, FULL AND PRODUCTIVE EMPLOYMENT AND DECENT WORK FOR ALL

8.2 Achieve higher levels of economic productivity through diversification, technological upgrading and innovation, including through a focus on high value added and labour-intensive sectors

8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value

8.9 By 2030, implement policies to promote sustainable tourism that creates jobs and promotes local culture and products

ACCESS TO AN ADEQUATE SOURCE OF INCOME



LIVED EXPERIENCES

“I have several businesses, work hard, and budget very tightly in order to remain in the black. we are only able to live here because we bought a house 19 years ago.”

“My income has never been enough to cover all my living expenses with enough leftover over for saving.”

“I have an income, but lack of child care prevents my partner from getting steady income.”

“being laid off caused grief in my final earning years. It’s difficult to get a decent position when 55 and over.”

POVERTY REDUCTION ACTION PLAN / INCOME

RECOMMENDATIONS

Recommendations to increase income stability in the Alberni Clayoquot communities involve a significant amount of advocacy and intervention from provincial and federal governments and the systems of support which they administer. With a lower-than-average median income in the region and high cost of living in Alberni Clayoquot communities, this should be a priority. In addition to advocacy for systems change, there are tangible steps which can be taken at the local level to build up protective factors (housing, childcare, education, access and access to basic needs) mentioned throughout this report. Additional protective factors directly tied to income equity which can be promoted in ACRD communities include:

- Consult with the most vulnerable in community decisions and support them to be active participants in the creation of a more equitable system.
- Calculate and adopt a Living Wage for subregions, become a living wage employer, work with community partners to actively model and promote living wage employment.
- Encourage economic diversification, ensuring large employers have plans to hire locally and if relevant will provide staff accommodation and contribute amenities to communities.

- Implement local plans to increase protective factors such as housing, child care, and transportation.

To create a more just and equitable system of social support, which assists in building people up from poverty, the support system’s response to cost-of-living increases and other economic hardships must evolve. The Covering All the Basics report on Guaranteed Basic Income, based on a wealth of economic review and research, details the ways in which the support system can be reformed to better deliver services to people in a financially viable and equitable manner. While the report did not suggest the implementation of a guaranteed basic income it did recognise the complexity and shortfalls of the current system and the unique challenges that individuals with income insecurities face. The report included 65 recommendations that were developed with the overarching goals that individuals should be treated with dignity, be empowered to work, and be active participants in the reform process. These recommendations are summarised by the following 11 themes. Local government and community organizations have a strong role to play in order to influence the implementation of recommended reforms and can become familiar with the research and full recommendations through the dedicated GBI Panel website.

GBI PANEL REPORT

- **Reform Disability Assistance into basic income**
- **Reform Temporary Assistance to reduce “welfare well”**
- **Provide extended health-care benefits to all low-income individuals**
- **Provide housing support to all low-income renters**
- **Provide intensive work support to targeted groups**
- **Enhance support for low-income families with children**
- **Enhance support services for young adults**
- **Enhance financial and support services for people fleeing violence**
- **Improve precarious employment through labour regulation reform**
- **Improve the way benefit delivery platform’s function**
- **Make engagement a permanent part of all policies¹⁸**

CHILDCARE

Early childhood education is often deemed the great equalizer, providing children access to early years enrichment which has lasting positive impacts throughout the lifespan, including better education and health outcomes later in life no matter the family’s economic status or situation. Additionally, child care that is accessible and affordable increases participation in the workforce, aiding both families and communities. The 2019 Collaborative Child Care Planning Across the Alberni Clayoquot Child Care Needs Assessment documents the challenges faced by families in the Alberni Clayoquot regarding access to affordable quality care. The report notes a distinct lack of child care spaces in the region (particularly infant/toddler and before and after school spaces), a lack of ability for child care programs to meet family needs, and industry challenges for early childhood education professionals. Impacts of these deficits in the child care system include increased family stress, loss of income or employment for one parent, high monthly cost for child care spaces, lack of quality spaces and challenges for child care centres in recruiting and retaining staff.

Results from community engagement for the Poverty Reduction Action plan saw a low response rate to questions about child care, as many respondents did not require child care services. Interestingly, in both the 2019 Child Care Needs Assessment and the Poverty Reduction community engagement all income groups were affected by lack of childcare, making this an important step for local communities to focus on to increase prosperity for young families and the local economy.



GOAL 4. ENSURE INCLUSIVE AND EQUITABLE QUALITY EDUCATION AND PROMOTE LIFELONG LEARNING OPPORTUNITIES FOR ALL

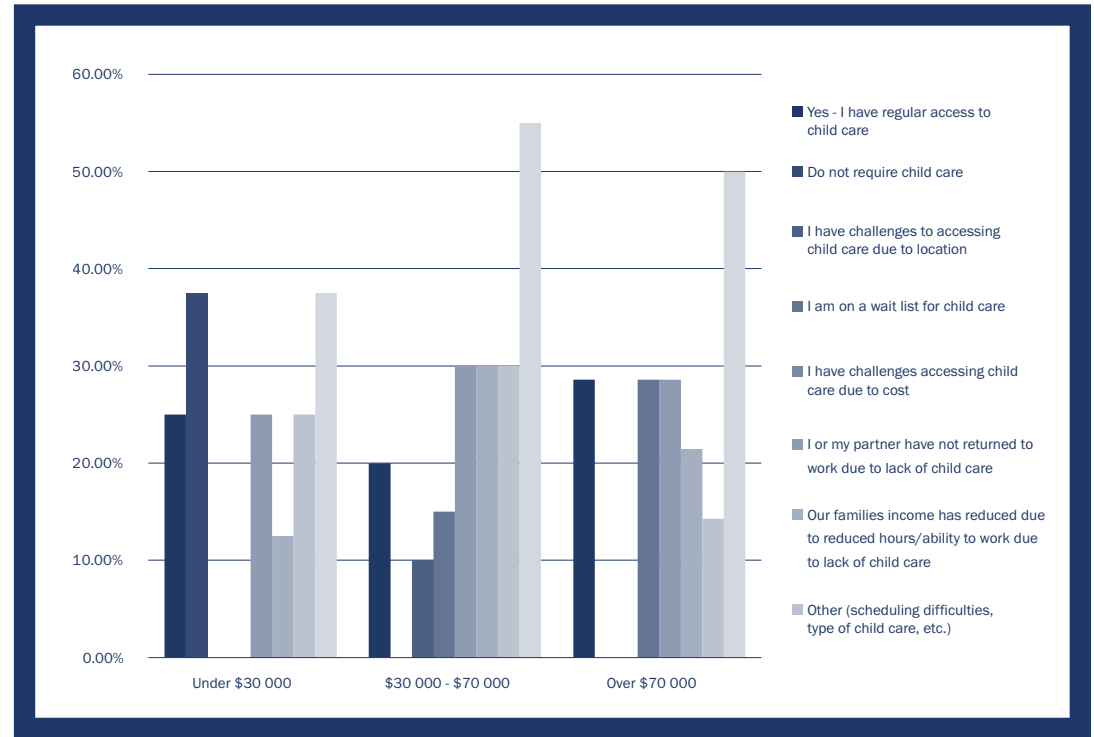
4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education

RECOMMENDATIONS

Child care is an integral component of the protective factors that assist community members to participate in work, education and society. Child care supports the development of young children and has been demonstrated to greatly impact success later in life. Since the completion of the ACRD Child Care Needs Assessment in 2019, over 300 spaces have been confirmed for the Alberni Valley and more are planned for West Coast communities although many more are needed. To summarize the recommendations from the 2019 Child Care Action Plan, local governments and communities can take the following steps to increase resiliency for children and families:

- Aid in the creation of new child care spaces with a goal of at least one space for every two children. This can be accomplished through municipal, school district, or non-profit organization applications to the New Spaces Fund, and through support for at-home child care centres.
- Update or add policies that support child care, including through zoning, accessible business licensing, application assistance, and amenity requests.
- Advocate for the continuation and implementation of child care supporting funds and initiatives. The BC New Spaces Fund has been influential in the creation of much needed spaces in the Alberni Clayoquot but ongoing support is required. Local government and community organizations can assist in advocating for implementation of the \$10/Day plan which includes solutions to family access and affordability as well as Early Childhood Education industry improvements.
- Support partnerships for space creation and training which increase the availability of quality child care spaces and assist in developing the Early Childhood Education industry.

ACCESS TO CHILDCARE



LIVED EXPERIENCES

“We have JUST gotten our son into full time daycare after more than a year without and trying to work full time, with rotating shifts which increases cost of child care needs. Our children have to be in two separate day cares at opposite ends of town, so I spend a lot of time dropping off and picking up after work.”

“Local job wages make affording child care impossible. It would be like working JUST to pay for child care. There would be no extra money for other bills.”

“We work hard to offset childcare - It means I work nights and weekends so that we do not require childcare. If we did, we would have to move as we could not afford childcare in Tofino.”

ACTIONS UNDERWAY

- **Over 300 new child care spaces approved through the BC Childcare New Spaces funding in 2021 for the Alberni Valley.**
- **24 new spaces being developed in conjunction with Ucluelet Secondary School seismic upgrades and more in planning for west coast communities.**
- **Agreement between the BC NDP and Federal government to bring \$10/day care to BC by 2026.**


EDUCATION

While the public school system is open to all students in K-12, access to advanced education is an advantage not available to everyone. Just as early childhood education is a great predictor of health and wellbeing throughout the course of an individual's life, advanced education in any form greatly increases a person's ability to find and sustain employment, develop a career, and increases wellbeing and health outcomes. Unfortunately, costs associated with post secondary, trades, and other training can be prohibitive and, when combined with stresses associated with increased cost of living, advanced education is unattainable for many people.

When survey respondents were asked about access to training, those in higher income brackets unsurprisingly identified less barriers to accessing education, while those in lower income brackets identified higher barriers. Interestingly, time was a major factor for all respondents, who shared that taking time for additional training was a challenge due to work schedules, existing commitments, or an inability to work enough hours to meet living costs while in training. Similarly, respondents from the Provincial Poverty Reduction community engagement identified time, cost, and access to training as primary barriers. Additionally, many respondents identified the lack of training options available in their community, lack of computer and internet access, and lack of transportation as reasons why access to education was challenging.

4

**QUALITY
EDUCATION**

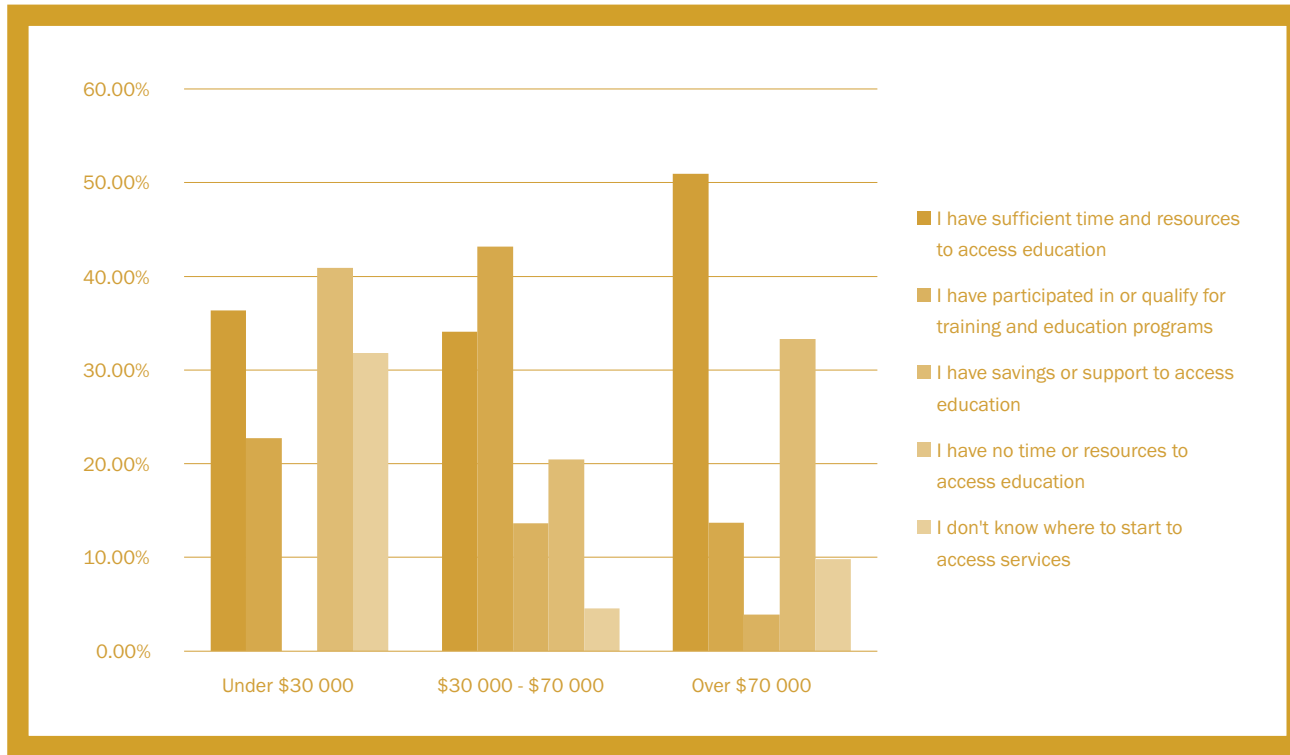


GOAL 4. ENSURE INCLUSIVE AND EQUITABLE QUALITY EDUCATION AND PROMOTE LIFELONG LEARNING OPPORTUNITIES FOR ALL

4.4 By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship

4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations

ACCESS TO EDUCATION



RECOMMENDATIONS

While many interventions to ensure education is more accessible and achievable for community members rely on provincial and federal governments, there are opportunities for local communities to enhance access to educational opportunities.

- Advocate for and support provincial and federal interventions to decrease the financial burden of advanced education.
- Promote, support, and partner to increase access to technology for education and access to services to address inequities due to lack of computer and internet access.
- Engage educators and students in community transit planning to ensure transit systems meet the needs of learners throughout the lifespan.
- Engage in and support partnerships with local education, employment services, and business community to increase synergies around economic development, training, and industry gaps

LIVED EXPERIENCES

“Working full time and raising a family does not afford time or money for education opportunities.”

“The cost of education is too high and travel is required.”

“I am post graduate educated however the costs associated with education and the debt I continue to pay is overwhelming and creates a cascade of other financial challenges.”

ACTIONS UNDERWAY

- **Alberni Valley Learning Council meets quarterly to merge community, industry and training needs with stakeholders from business, community leadership and community stakeholders**
- **Strong partnerships and training initiatives exist with local training providers such as North Island College to increase access to post secondary education in rural and remote communities through technology and on-site programs.**
- **The Bamfield Marine Sciences Centre hosts learning and research experiences in the remote communities of Bamfield and Anacla in the Barkley Sound.**

BASIC NEEDS

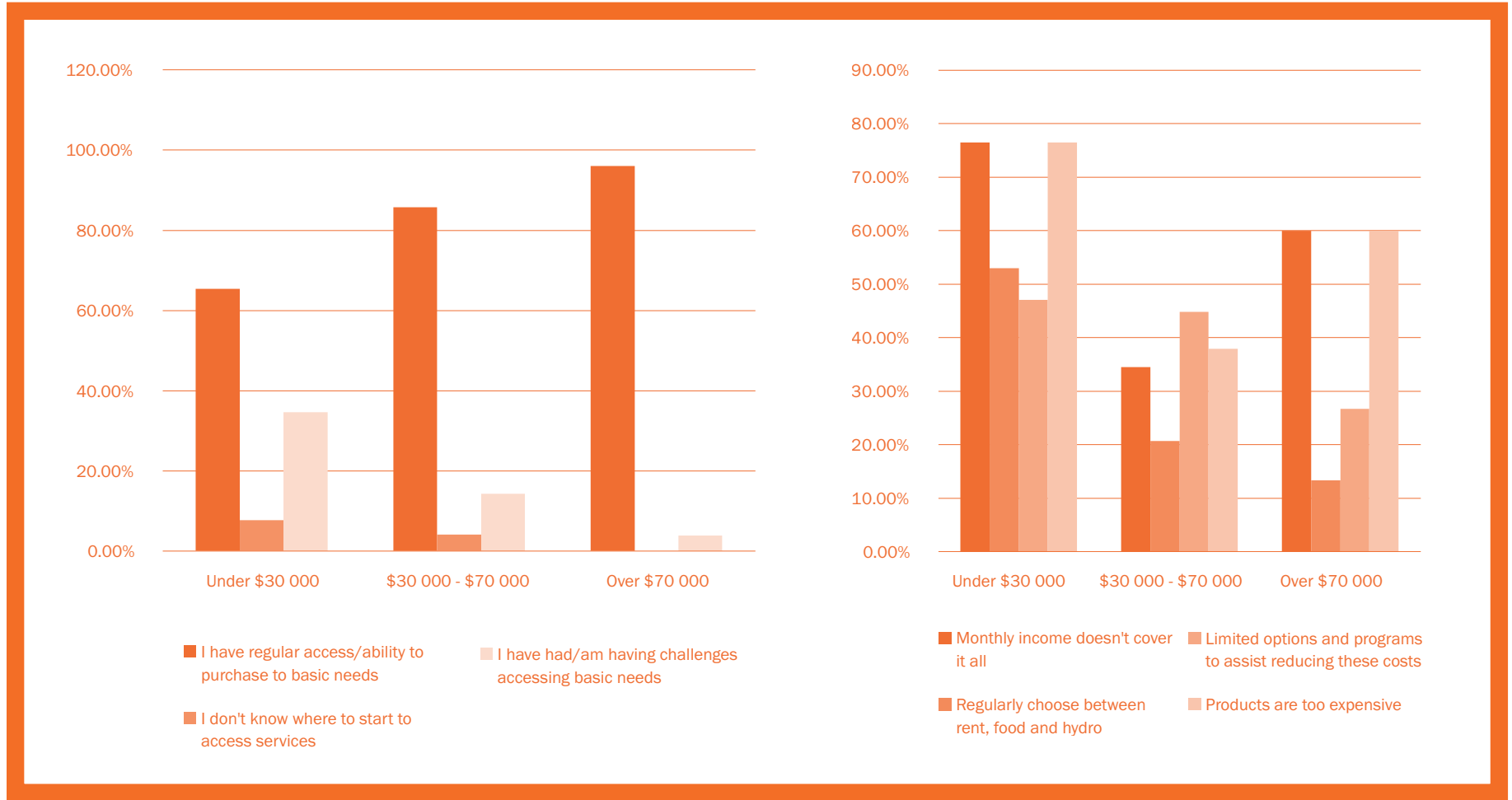
Basic needs are defined as the products and services necessary to survive in the community considering climate, and necessities to maintain wellness. This includes products such as cleaning supplies, personal hygiene supplies, and services to maintain comfort in the home such as hydro. In the Provincial Poverty Reduction Consultation, 24% of respondents mentioned access to basic needs as a barrier to prosperity. Choosing between paying hydro or rent was a common experience, as was an inability to purchase personal hygiene items, particularly feminine hygiene products. Community engagement for the ACRD Poverty Reduction action plan saw fewer responses but showed similar trends regarding access to basic needs. Respondents in higher income brackets reported less challenges around access to basic needs but an overall acknowledgment of expense, while lower income bracket respondents reported increased experiences of barriers, noting that their monthly income is not enough to cover expenses and that they regularly choose between rent, food and, hydro and that overall products are too expensive.



GOAL 11. MAKE CITIES AND HUMAN SETTLEMENTS INCLUSIVE, SAFE, RESILIENT AND SUSTAINABLE

- 11.1** By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums
- 11.2** By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons
- 11.7** By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities
- 11.a** Support positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development planning

ACCESS TO BASIC NEEDS



RECOMMENDATIONS

Affordability and cost of living increases are challenging problems for communities to tackle as increases to goods and services are tied to market demands, shipping, and manufacturing - all of which are outside the scope of local governments. To ensure individuals have and can maintain access to basic needs, communities can focus on interventions around housing (supporting a housing market in which the cost of home rental or ownership is 30% or less of an individual's monthly income), affordable childcare for families, and accessibility of services in community.

- Support interventions and solutions which ensure shelter, child care, and other large monthly expenses are affordable, so wages go further.
- Explore partnerships with local organizations and/or support initiatives which provide free or affordable products for cleaning and personal hygiene.
- Include transit users in community transit planning to ensure transit systems provide physical access to basic needs.

LIVED EXPERIENCES

“Sometimes there's not enough in the grocery budget for tampons or pads. We go through extra TP those weeks.”

“Choosing between bills and food is sad.”

“I don't live where there is a good public transport system. I problems getting everything from groceries to going to work.”

ACTIONS UNDERWAY

- **Salvation Army, the Community Action Table, and other community partners distributed cleaning products to people in the Alberni Valley experiencing housing vulnerabilities during the height of the pandemic.**
- **Free menstrual products have been available in BC public schools since 2019, provincial statements suggest this program could be piloted for people outside of the school system experiencing challenges too.**

ACCESS TO NUTRIOUS FOOD

Like other basic needs, the cost of food is often dictated by forces outside of the local community. Despite this, there are many ways to increase spending ability and access to affordable, nutritious food. A common sentiment expressed during the Provincial Poverty Reduction community engagement was about the need to choose between rent, hydro, and food; participants also discussed the challenges of accessing and transporting healthy food as well as the stigma associated with food programs, which was reiterated in the community engagement for this plan. Survey results show a significant trend in the ability to afford food: respondents earning under \$70000 reported experiencing some barriers, those under \$30000 reported significant barriers, and individuals earning over \$70000 reported seeing very few barriers to access but an overall acknowledgement that the cost of healthy food is high.



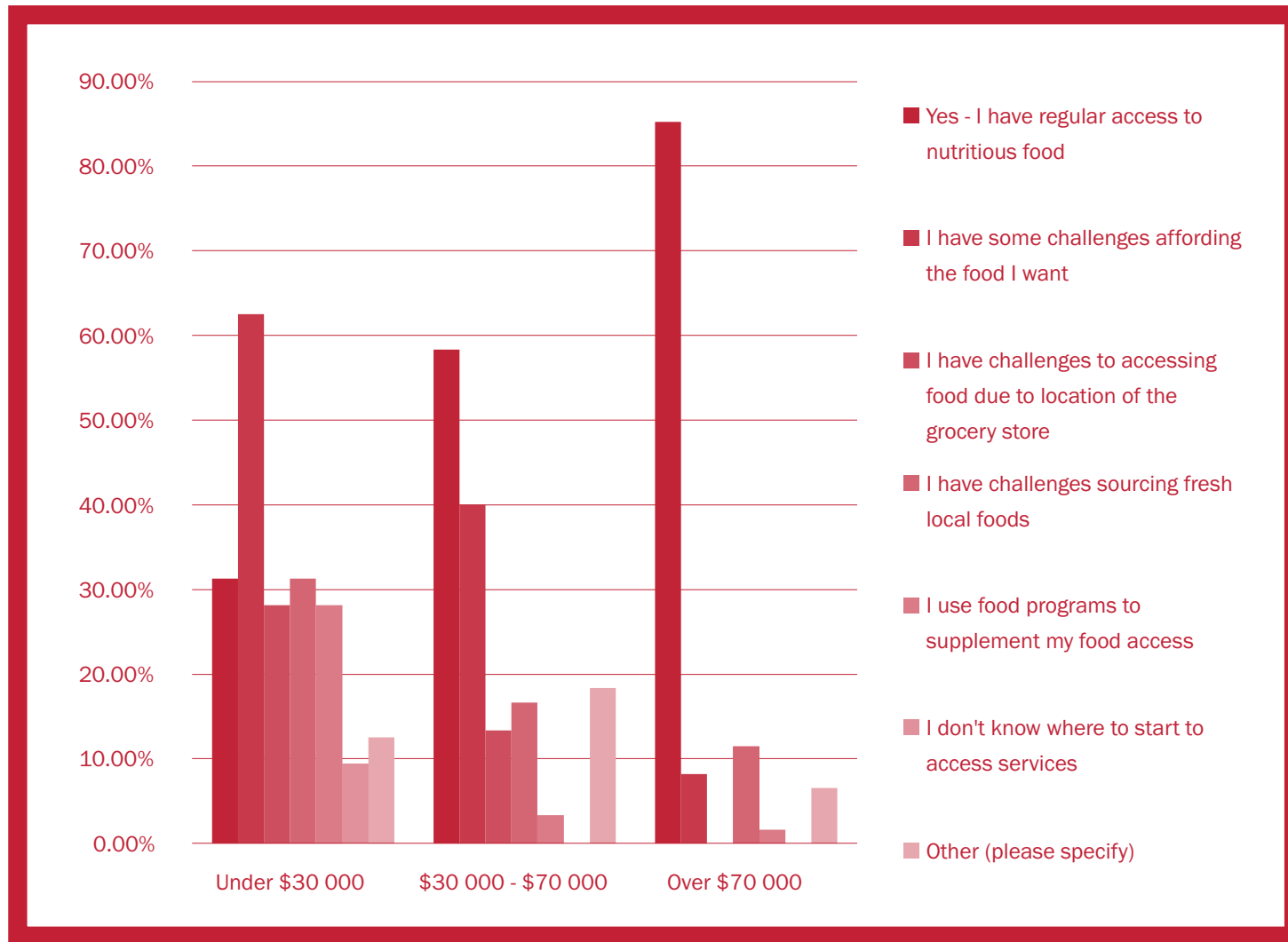
GOAL 2. END HUNGER, ACHIEVE FOOD SECURITY AND IMPROVED NUTRITION AND PROMOTE SUSTAINABLE AGRICULTURE

2.1 By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round

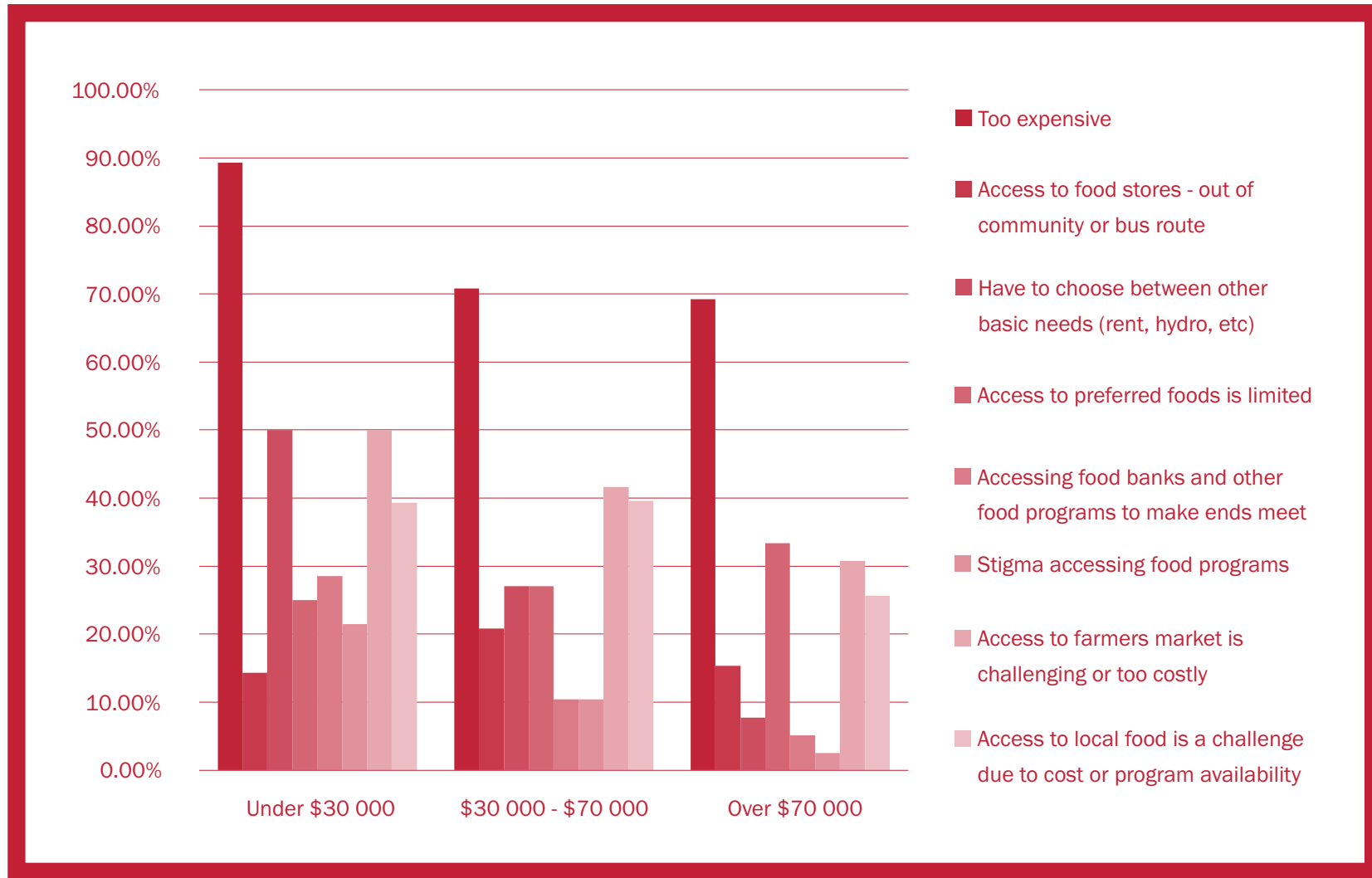
2.4 By 2030, ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, which strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality

2.c Adopt measures to ensure the proper functioning of food commodity markets and their derivatives and facilitate timely access to market information, including on food reserves, to help limit extreme food price volatility

ACCESS TO NUTRIOUS FOOD



BARRIERS TO ACCESSING NUTRIOUS FOOD



RECOMMENDATIONS

Access to food is a basic human right recognised by the United Nations and many international charters. In the Alberni Clayoquot there are many communities without access to grocery stores and healthy, affordable food. Transportation networks could be utilized as mechanisms to meet income equity and food distribution goals for the region.

- Support interventions and solutions that ensure shelter, childcare and other large monthly expenses are affordable, so wages go further.

- Explore partnerships, and support and promote initiatives that increase access to healthy foods including hub models, food redistribution, community kitchens, meal preparation services, and food education programs that decrease stigma for food program access.
- Support planning that facilitates increased access to basic needs and food services, prioritizing rural and remote communities. This includes accessible transit programs, food distribution programs, and educational programming within a community.
- Include community members who's access to food is limited, in community transit planning to ensure transit systems support food access.

LIVED EXPERIENCES

“Living in a small community, food is very expensive with limited access. I drive to a larger town every month to stock up.”

“Gaining access to nutritional food is a big challenge on a low budget. Not eating healthy food affects everything else (illness from poor diet, pain from inflammation) and prices are only increasing.”

“Use of the Food Bank and Community Kitchens is a necessity, regularly eating food that is past expiry dates.”

“For people with diabetes or other health conditions requiring a special diet, a stipend is too small to get type of food you need (25\$) per month. It is renewed annually, and you also have to ask.”

ACTIONS UNDERWAY

- **Salvation Army and the Bread of Life in the Alberni Valley consolidated to provide more effective programming to residents in 2019. In 2020, they responded to provide food distribution to Alberni Valley residents.**
- **The 2018 Coastal Agricultural Plan focuses on aquaculture and terrestrial opportunities in the coastal communities to increase food production opportunities in the coastal communities.**
- **The Port Alberni Port Authority opened The Dock+ at the Fishermen’s Harbour in 2021. It offers start-ups and small businesses a space for growth, development, and collaboration in a shared 17,000 sq ft. space with a commercial kitchen.**

ACCESS TO HEALTH SERVICES

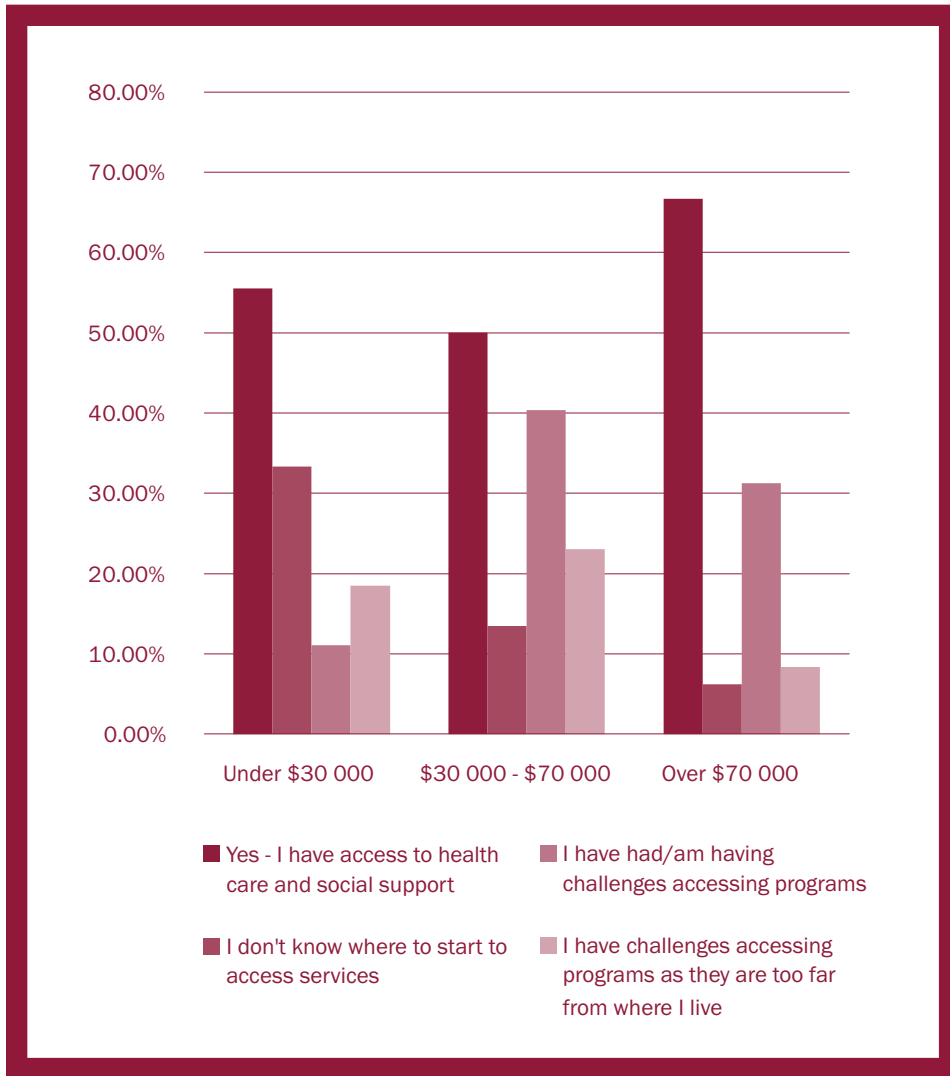
The impacts of poverty and systemic inequity are highly correlated with increased costs to the health care system. Research shows that experiences of inequity have impacts throughout the lifespan. Most notably, impacts can be seen in individuals who faced poverty as young children and did not have access to protective supports such as quality early childhood education, leading to high costs to health care and other social systems later in life.¹⁹ Preventative programming and protective societal factors are integral components of the health system. Increased funding to protective supports is a large upfront investment that has been proven to decrease the need, severity, and expense of more acute health care concerns. To decrease the costs of healthcare, protective factors and “upstream” or preventative programming that is universally available is our most sustainable long-term option.

Community engagement participants reported that experiences in accessing health and social supports, including those for mental health and addictions, was related to income demographics as well as the geography in which they lived. Many rural communities in Alberni Clayoquot have limited services, with most First Nation communities and remote communities having a Nurse Practitioner or visiting GP as the highest level of care available. Further, many specialized services are not available anywhere within Alberni Clayoquot, requiring residents to travel outside of the region for care. Respondents reported challenges accessing out of town supports to manage pain or give birth, as well as challenges paying for medications, with some noting that they were unable to access treatment that they needed to maintain a chronic condition.

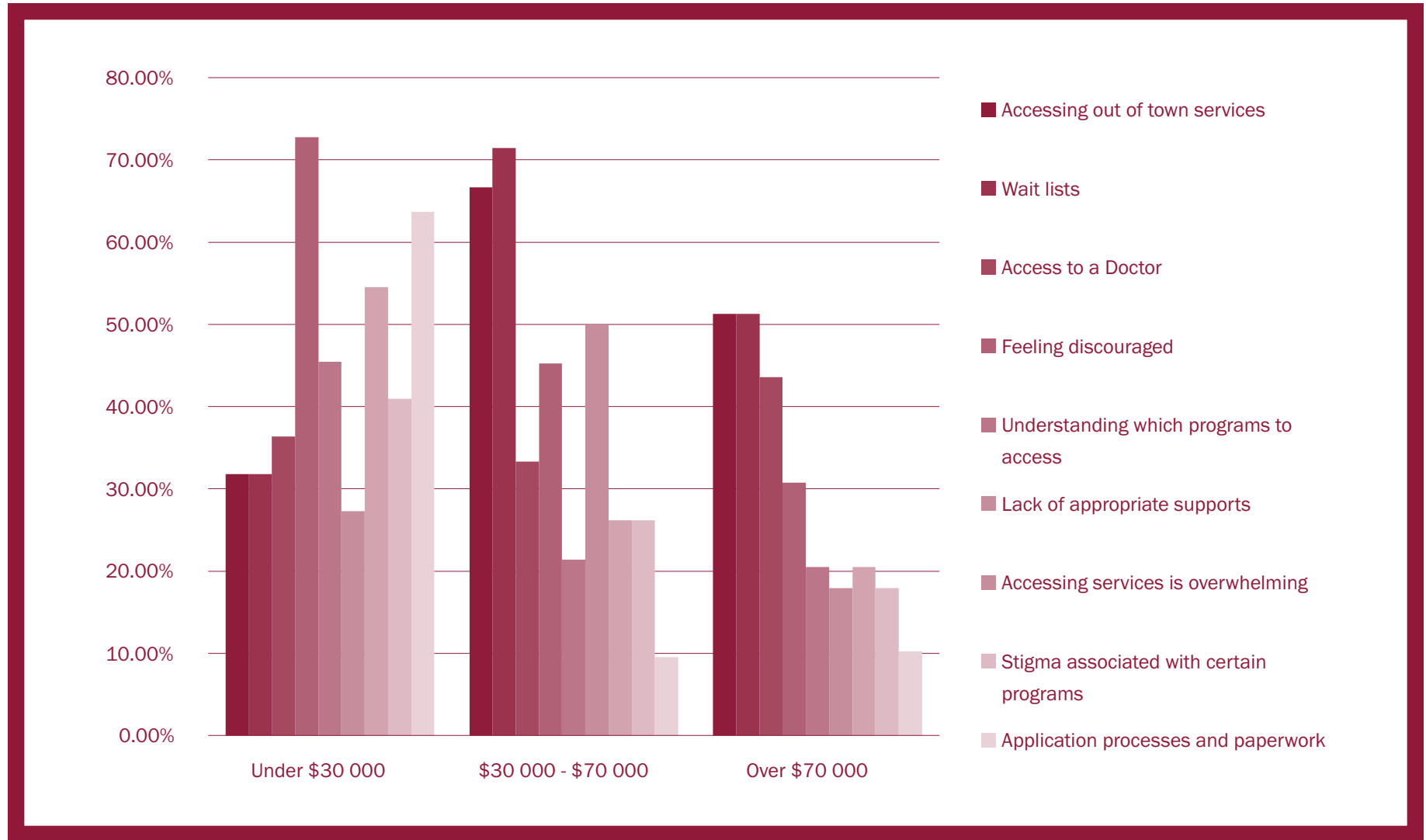
All income levels experienced challenges in accessing services, although reasons for challenges differed depending on income bracket. Those in the lowest income bracket reported the highest incidence of uncertainty around where to

start to access services, stigma in accessing services, and feeling overwhelmed or challenged with processes and paperwork. Middle income earners reported the highest challenges accessing out of town services, waitlists and finding services appropriate to their needs. Those in the higher income bracket reported the highest satisfaction with services available but also noted challenges in finding doctors, being waitlisted, and accessing out of town services. Interviews with people with lived experience and results from the Provincial Consultation community engagement showed similar trends: respondents reported high levels of challenge accessing services due to paperwork, confusion regarding which services are available, and high levels of stigma when accessing services due to economic situation race.

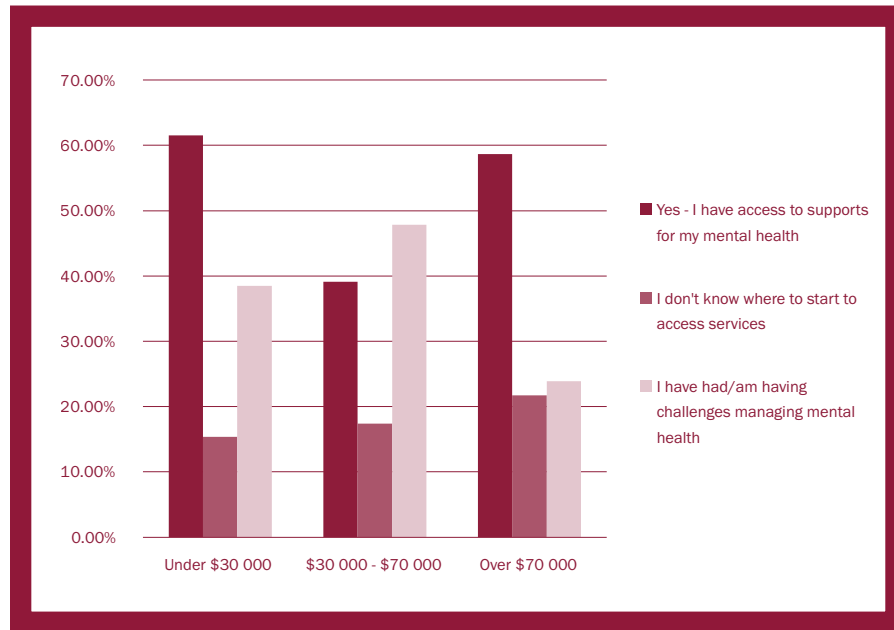
ACCESS TO HEALTH AND SOCIAL PROGRAMS



BARRIERS TO ACCESSING HEALTH AND SOCIAL PROGRAMS



ACCESS TO MENTAL HEALTH SUPPORT



The COVID pandemic has brought mental health services to the forefront. Many people have required increased support during this time, which has demonstrated that our system requires significant changes to meet the current need. Although increases to mental health care capacity are needed to accommodate for the impacts of isolation and stress experienced during the pandemic, it is important to note that 42% of survey respondents indicated that they have been challenged in accessing mental health support for over 5 years. Mental health needs and challenges were identified at similar rates between income levels although middle income earners reported more challenges overall. Most respondents reported challenges with waitlists, understanding and accessing programs, lack of supports and overwhelm, or stigma in accessing supports. Interview respondents and responses from the Provincial Consultation community engagement shared high levels of overwhelm and significant reports of lack of appropriate services, stigma, and judgement in accessing services. The acute need to support individual's mental health is evident and well illustrated by the increasing challenge of our country's ongoing opioid overdose public health crisis, which began in 2010 – 2013 and continues to worsen. Trauma and unaddressed mental health concerns are one of the driving factors of drug usage and dependence. Immediate action is required to decrease impacts of adverse mental health experiences, increase resilience of communities, and tackle ongoing challenges related to mental health and addictions.



GOAL 3. ENSURE HEALTHY LIVES AND PROMOTE WELL-BEING FOR ALL AT ALL AGES

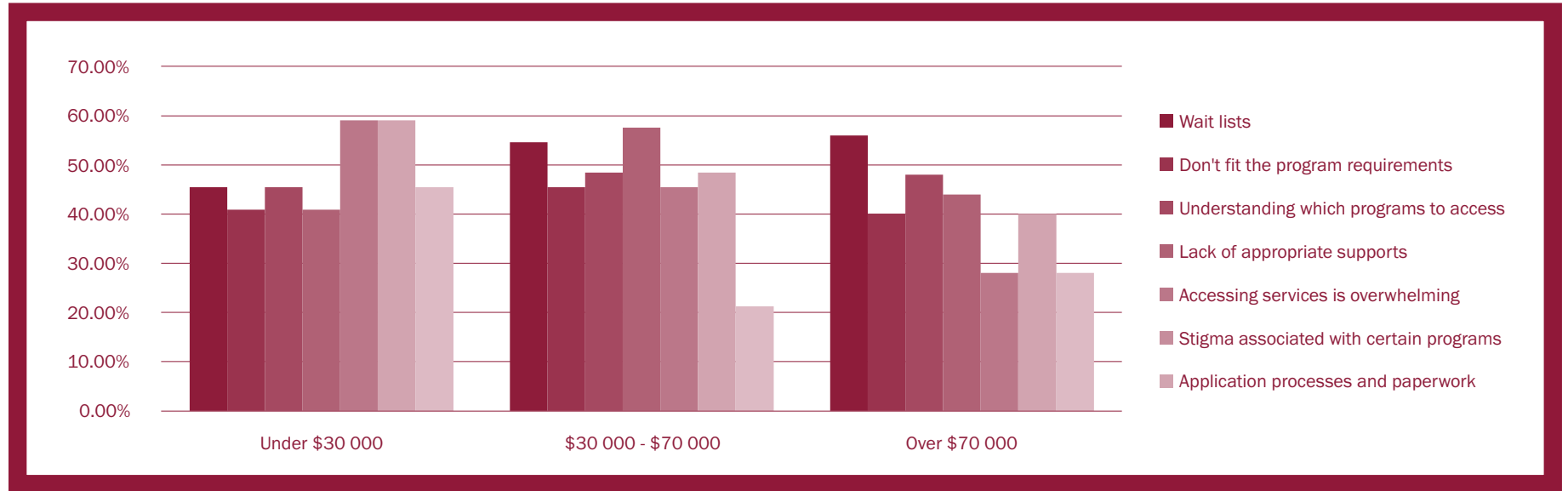
3.4 By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being

3.5 Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol

3.7 By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes

3.8 Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all

BARRIERS TO ACCESSING MENTAL HEALTH PROGRAMMING



RECOMMENDATIONS

Ability to access services is often tied to an individual's ability to advocate for themselves. Those that face stigma due to mental health, addictions, income or race are often disenfranchised and unable to access services they require. Additionally, due to the complexity of the health, social, mental health, and addictions system, many individuals experience frustration and barriers to access services because of cost, location, and time required to access services. While health care is primarily a responsibility of the provincial and federal governments, there are many actions that can be taken by local governments to decrease barriers to health, including:

- Support interventions and solutions that ensure protective factors including shelter, basic needs, and income are accessible.
- Advocate for and support training and interventions in health, social services, and mental health care that address stigma for individuals experiencing mental health and addictions, or stigma associated with race, gender, or income.
- Advocate for or engage service users in planning community health, social, mental health and addictions programs.
- Include service users in community transit planning to ensure transit systems provide access.
- Work with local partners including the Divisions of Family Practice and Community Action Tables to advocate for patient centered care and harm reduction including but not limited to:
 - » Advocate for and support the funding and creation of preventative services which increase resiliency and decrease acute care needs.
 - » Advocate for and support navigational programs that assist people to access health, social, and mental health supports with ease and dignity. Supports include general advocacy, forms and referral assistance, knowledge of supports available, and connection to appropriate supports.
 - » Advocate for and support the increase in availability of specialized services through telehealth and ensure increased access to telehealth sites.
 - » Support the development of localized services and supports required for a healthy population, including but not limited to preventative programs, detox and rehab supports, therapy, psychiatry, and other services.
- Advocate and support funding mechanisms that enhance individual's access to treatment and care such as fair PharmaCare, transportation assistance, and access to out-of-town services.

LIVED EXPERIENCES

“Once I had to phone 9 different places for addiction and suicide assistance; passing the buck seems to be normal; ‘phone another place’ is what I was told eight different times!”

“Its all over whelming and I find if you dont know what to ask or you dont know where to go you just get the run around. by that time the stigma has set in and you just give up.”

“There are not enough resources. Time is crucial. In a crisis, patients can’t wait 2 weeks for an appointment.”

‘We currently have a 6 month wait for my child to see someone. Mental health is part of overall health. The fact that it is separate from our medical system & not funded by MSP is a tragic joke.’

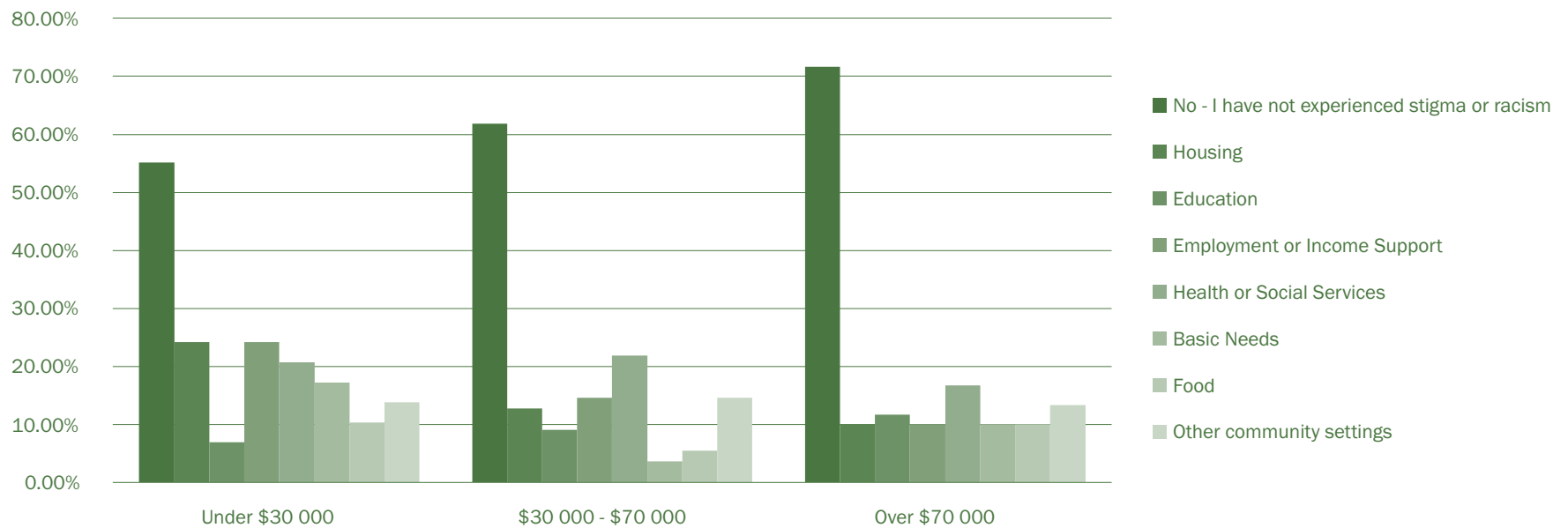
ACTIONS UNDERWAY

- **The Long Beach Chapter of the Rural and Remote Divisions of Family Practice has been successful in advocating for and receiving funding for sobering and assessment beds in Tofino and Ucluelet. They continue to work towards increased support which meets the needs in coastal communities of the Alberni Clayoquot with other health partners through an integrated primary care model.**
- **The Port Alberni Community Action Team works toward harm reduction, education, and stigma reduction around the opioid overdose crisis. They have piloted powerful peer support teams that have developed into independent programs providing support to individuals who are at higher risk of opioid overdose and toxic drug supply impacts.**

BUILDING AN EQUITABLE SYSTEM

Building prosperity is building equity. The most common themes throughout the community engagement, reflected in this report, have been access, involvement, and dignity. An equitable system is one that affords the same opportunities to all people participating. Building an equitable system requires shifts to the way we make decisions, engage community, and provide support, ensuring that equal opportunities are granted to individuals no matter what race, gender, or economic status they are born into. Many of our current systems position those in most need as recipients rather than participants in the healing process and thus fail to engage these individuals in decisions and fail to accommodate for basic needs.

EXPERIENCE OF RACISM AND STIGMA



POVERTY REDUCTION ACTION PLAN / BUILDING AN EQUITABLE SYSTEM

Stigma was the predominant theme in interviews with people with lived experience in the poverty reduction community engagement. All respondents noted stigma in accessing services, housing, and other basic needs due to race, ability, age, mental health or addictions. This trend was also observed in the Provincial

Consultation results. Survey respondents that reported experiencing stigma or racism validated these accounts, with stigma and racism being reported in the highest percentages when accessing health and social services, attaining housing, employment, or income support.



GOAL 10. REDUCE INEQUALITY WITHIN AND AMONG COUNTRIES

10.1 By 2030, progressively achieve and sustain income growth of the bottom 40 per cent of the population at a rate higher than the national average

10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status

10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard

10.4 Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality



GOAL 11. MAKE CITIES AND HUMAN SETTLEMENTS INCLUSIVE, SAFE, RESILIENT AND SUSTAINABLE

GOAL 16. PROMOTE PEACEFUL AND INCLUSIVE SOCIETIES FOR SUSTAINABLE DEVELOPMENT, PROVIDE ACCESS TO JUSTICE FOR ALL AND BUILD EFFECTIVE, ACCOUNTABLE AND INCLUSIVE INSTITUTIONS AT ALL LEVELS

16.6 Develop effective, accountable and transparent institutions at all levels

16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels

16.b Promote and enforce non-discriminatory laws and policies for sustainable development



Recommendations

This Action Plan has been built around the four dimensions of equity: procedural equity (inclusion), distributional equity (access), structural equity, and transgenerational equity. To build prosperity in our communities we must begin to shift our systems and planning to encompass a more equitable lens that includes the people most affected by decisions, benefits those most disenfranchised by the status quo, ensures no one segment of society carries an undue burden due to actions or failure to act, and finally, consider future generations.

- Adopt an equity framework in community and organizational decision making.
- Familiarize staff, leadership and community members with the Truth and Reconciliation Calls to Action and United Nations Declaration of Indigenous People, work alongside community stakeholders to move from discussion to collaborative action.

- Encourage and implement diversity and anti-racism training and ongoing professional development. Local communities can lead by example.
- Incorporate service user engagement into decision making processes, minimizing tokenism, and maximizing responsiveness to feedback.
- Work in partnership with local organizations to advocate for and ensure dignity for all residents of the Alberni Clayoquot regardless of identity.

Create a regional Poverty Reduction table to promote education and stigma reduction, advocate for actions outlined in the Action Plan, move forward and/or track actions taken and evaluate progress

LIVED EXPERIENCES

“There is a lack of understanding about the homeless community and due to that misunderstanding people tend to stereotype the homeless and group them all as the same type of people.”

“People think because I am FN that I drink and party all the time. Hard to find housing because of racism. Even though I have a full time job.”

“No escape, no holiday from poverty, no special outings, holidays or movies, no extras.”

ACTIONS UNDERWAY

- **Truth and Reconciliation Calls to Action and the United Nations Declaration on the Rights of Indigenous People are more widely known and have assisted to increase education around the impacts of colonialization and the realities of residential schools.**
- **Indigenous, anti-racism and diversity education are becoming common place in many large institutions.**
- **Acknowledgement of systemic harms faced by indigenous people and subsequent renaming of community structures.**

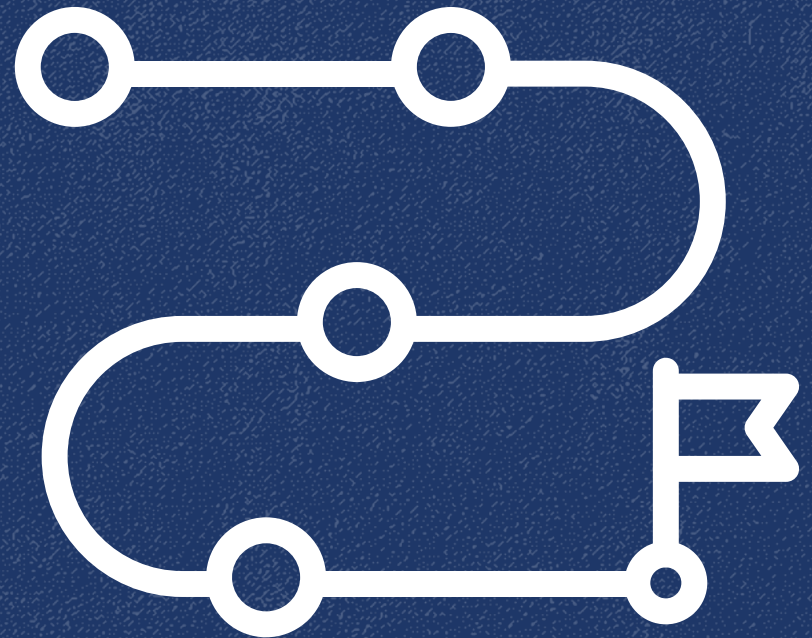
CONCLUSION

The cost of inaction is greater than the cost of action.

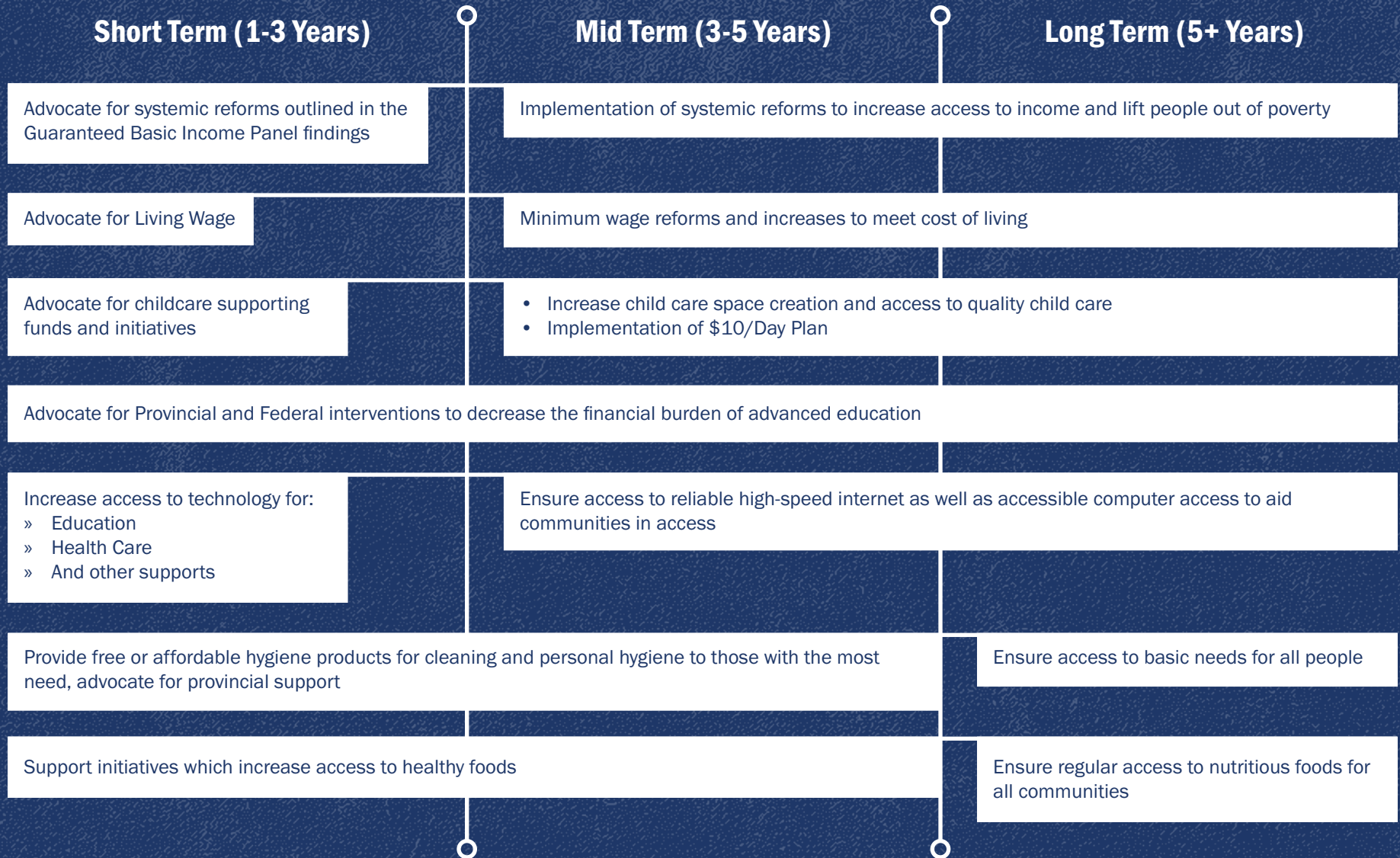
Our communities currently face a multitude of public health crises, most of which have been building momentum over the past decade. The cost to maintain status quo has always been a future expense, largely downloaded on to health care, justice and societal systems. After 10 years or more, these costs continue to grow significantly greater than the cost to intervene. The COVID 19 pandemic illuminated the inequities of our system exposing the extreme vulnerabilities of those already impacted by housing shortages, income stagnation, lack of childcare, and lack of access to resources. The opioid overdose crisis, mental health, and health care access have worsened in this time, but when asked about how long survey respondents had experienced challenges, the most common answer was over 5 years across dimensions.

The COVID pandemic demonstrated that our system is capable of rapid change to address challenges. While ending poverty involves interventions to many systems, there are concise actions that can be applied in combination with an equity framework to implement systemic change impacting health, social systems, and individual dignity.

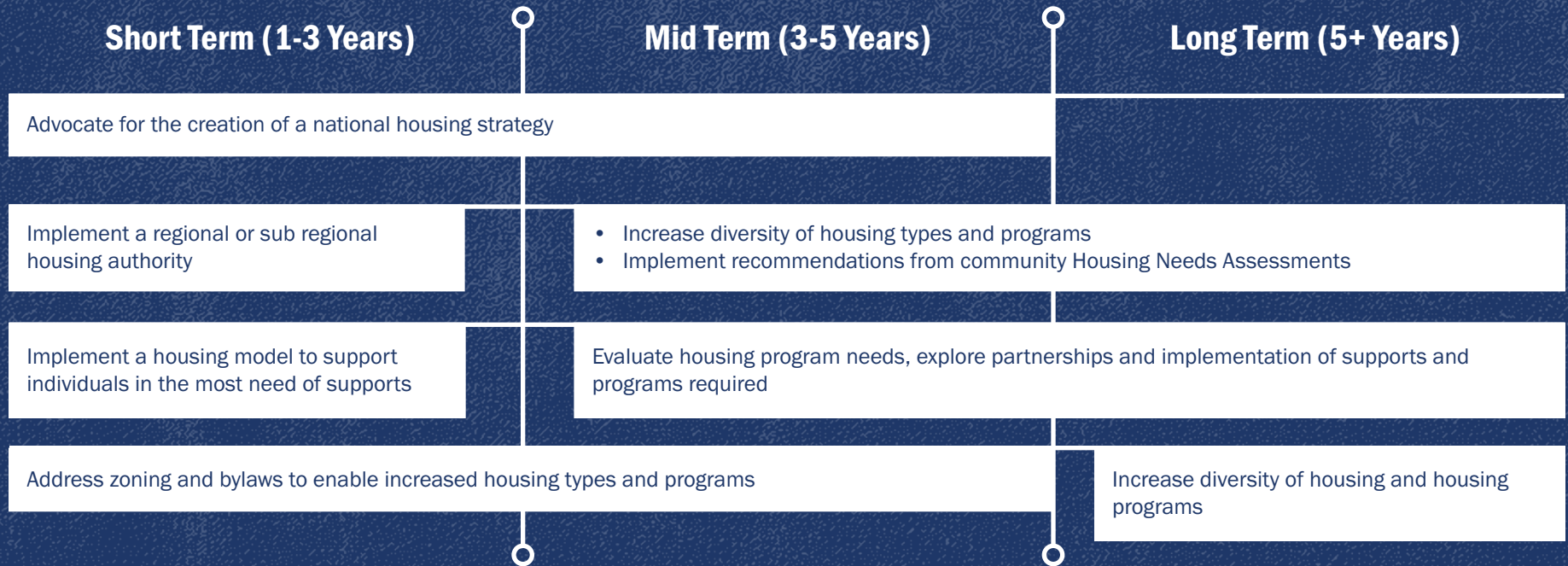
The following pages summarize a timeline of action on recommendations to build prosperity in the Alberni Clayoquot communities.



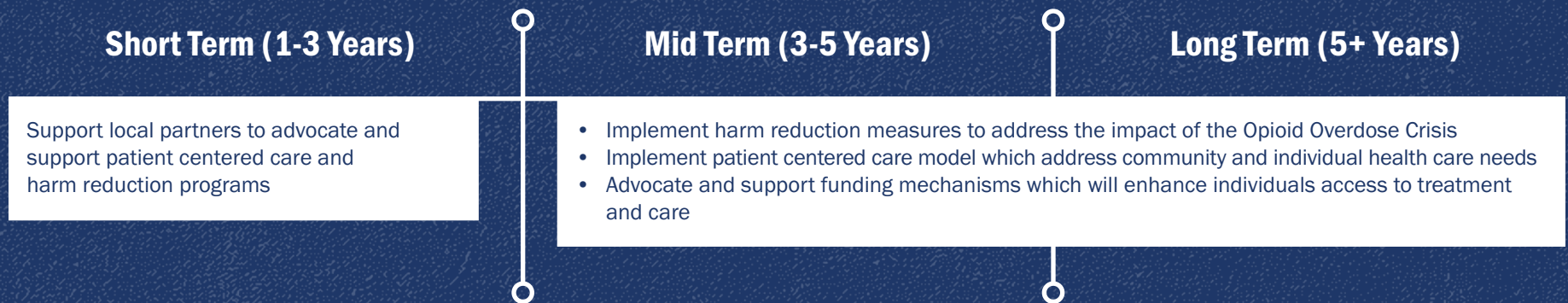
INCOME



HOUSING



HEALTH, MENTAL HEALTH AND ADDICTIONS



BUILDING EQUITY

Short Term (1-3 Years)

Mid Term (3-5 Years)

Long Term (5+ Years)

Adopt an equity lens for planning, engaging and prioritizing the needs of those most effected in decisions

A human rights-based equity framework to impact:

- » Housing supports and affordability
- » Income supports
- » Community transit
- » Access to goods, services and resources
- » Community health, social, mental health and addictions programs

Increase community education and action around the Truth and Reconciliation Calls to Action and United Nations Declaration of Indigenous People

Work along side community stakeholders to move from discussion of reconciliation to meaningful action in the implementation of the 94 recommendations

Training and interventions in health, social and mental health supports which address stigma associated with mental health, race, gender or income

Training and interventions in health, social and mental health supports which address stigma for individuals experiencing mental health and addictions, or stigma associated with race, gender or income

Ensure protective factors such as shelter, basic needs, and income are accessible

Increase access to basic needs and food services with a priority around those most in need including rural and remote communities

Regional Poverty Reduction Table which promotes education and stigma reduction, advocates for actions outline in the Action Plan

Conduct further action planning for dimensions outlined in the Action Plan, move forward and/or track actions taken and evaluate progress

POVERTY REDUCTION ACTION PLAN / CONCLUSION

Political and community buy in are powerful tools in advocacy and action associated with ending poverty, but community commitment and education are required in tandem. In order to see lasting change and attention the creation of a regional Poverty Reduction Table is advised. This table will be tasked with:

1. Providing education and resources for advocacy to local leadership
2. Education and stigma reduction
3. Developing and promoting an equity framework. Ensuring relationships between communities and with those with lived experience are developed and maintained in meaningful ways to provide an avenue for ongoing consultation and input from community to leadership.
4. Support existing and future tables in the implementation of actions associated with ending poverty including but not limited to:
 - » Housing
 - » Transportation
 - » Child care
 - » Health, mental health and addictions access and care
5. Where appropriate, develop more granular action plans to move forward actions associated with ending poverty

Through collaboration, advocacy, and the development of frameworks to privilege the voices most affected and at risk of poverty we can progress genuine change to address inequity in our systems. Change can be as simple as shifting attitudes or increasing understanding of the people impacted or as complex as adjusting social support systems in order to stop the cycle of poverty. No one organization has the mandate to move this forward alone, but everyone has a role to play.



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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.

Requested Council Meeting Date: _____

Organization Name: _____

Name of person(s) to make presentation: _____

Topic: _____

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: _____

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.



REPORT TO COUNCIL

Council Meeting: March 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ17-04

SUBJECT: ZONING AMENDMENT APPLICATION **REPORT NO:** 22-29
PACIFIC RIM CHARTERS & GUEST LODGE (354 FORBES ROAD)

Attachment(s): APPENDIX A – UCLUELET ZONING AMENDMENT BYLAW NO. 1303, 2022
APPENDIX B – UCLUELET HOUSING AGREEMENT BYLAW NO. 1249, 2019
APPENDIX C – S.219 COVENANT
APPENDIX D – STAFF REPORT OCTOBER 9, 2018
APPENDIX E – STAFF REPORT APRIL 9, 2019
APPENDIX F – NOTES ON LANDSCAPE PLAN

RECOMMENDATION(S):

Staff are not making a recommendation in this case. Council may consider options A and B as presented below.

BACKGROUND:

Council received a report on the past uses and request to rezone the property at 354 Forbes Road at its October 9, 2018, meeting. The background on the application is found in the staff report presented at that meeting (see **Appendix D**). 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, subsequently submitted the necessary plans prepared under the guidance of their architect. Accordingly, staff drafted *Ucluelet Zoning Amendment Bylaw No. 1248, 2019* (“Bylaw No. 1248”) and *Ucluelet Housing Agreement Bylaw No. 1249, 2019* (“Bylaw No. 1249”) for Council consideration (see **Appendix E**). On April 9, 2019, Council then passed the following:

“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.”*

Notification was given and a public hearing was held on April 30, 2019. At its regular meeting held May 14, 2019, Council gave third reading to Bylaw No. 1248 and Bylaw No. 1249. At that meeting Council also authorized issuance of Development Variance Permit 3090-20-DVP19-03.

In June of 2019 the owners applied for a building permit to undertake the renovations identified by their architect as necessary to bring the building into compliance - meeting the minimum health and safety standards of the building code for the intended use.

On December 21, 2021, the owners obtained a provisional occupancy permit for the building, conditional on the following:

1. Fire department access must be maintained to the building at all times to the satisfaction of the Fire Inspector.
2. All areas on the Architectural drawing dated December 18, 2021, noted as having no occupancy and not permitted to be used for storage are to remain empty and clear from all combustible materials.
3. The building is to be used only in accordance with the phasing plan approved by the Professional of Record.

DISCUSSION:

A few items are outstanding which, back in 2018, were expected to be completed prior to the rezoning bylaw being adopted. These items are discussed below.

RESTRICTIVE COVENANT:

The Owners have signed the restrictive covenant (see **Appendix C**), but the covenant has not been registered on the title of the subject property. The Owners have indicated that their bank is not willing or able to assent to having the covenant registered in priority on the property title. In effect, the covenant is a binding agreement between the Owners and the District, but without being registered it would not transfer with the land if the property were sold.

The salient sections of the restrictive covenant are shown in the excerpt below:

The effect of the covenant is threefold: to connect the Commercial Tourist Accommodation to the ongoing operation of the existing Guide and Charter business, to ensure that the staff housing proposed by the Owners would be constructed according to their proposed timeline, and to ensure it would only be used for the proposed staff accommodation purpose.

<p>Restriction on Commercial Tourist Accommodation</p> <p>3. The Grantor will not use the Land for the purpose of providing Commercial Tourist Accommodation unless such use is operated as an integral component to provide accommodation for guests of a commercial fish guiding business also operating from the Land;</p>	Page 6
<p>Provision of Staff Housing</p> <p>4. The Grantor will not use the Land for Commercial Tourist Accommodation unless:</p> <p>(a) the Grantor applies for and obtains a building permit from the District for the construction of a minimum of six (6) staff housing units on the Land by May 1, 2022;</p> <p>(b) the Grantor obtains an occupancy permit for a minimum of six (6) staff housing units on the Land by May 1, 2024; and</p> <p>(c) upon completion of (a) and (b), a minimum of six (6) staff housing units built in conformance with (a) are made available to local workers and operated according to the terms of a Housing Agreement between the Grantor and the District authorized by <i>Ucluelet Housing Agreement Bylaw No. 1249, 2019</i>.</p>	

The Owners have now asked that the zoning amendment be adjusted to achieve much of the same assurances that the restrictive covenant provides, with the hope that Council would adopt the zoning amendment without the restrictive covenant being registered on title. Staff have therefore drafted a new *Ucluelet Zoning Amendment Bylaw No. 1303, 2022* ("Bylaw No. 1303"), which is presented for Council's consideration in **Appendix A**. This new zoning amendment bylaw more closely defines the site-specific uses and defines areas within the property where the *tourist accommodation* and *staff housing* uses can occur. The effect is that the area where 6 staff accommodation units had been proposed could only be put to that use, or left vacant. Note this approach would not guarantee or compel the owners to construct staff accommodation units. Should the property change ownership, the zoning limitations would still apply.

Council should consider whether the new Bylaw No. 1303 satisfies the public interest; i.e., whether it meets the intent of condition b(iii) from the Council motion of October 19, 2018.

FIRE ACCESS:

An item which arose from the code review of the building is that fire access is required over a portion of the neighbouring lot, which is under the same ownership. A typical way to address this type of deficiency would be for the Owner to register an access easement on the title of their neighbouring property. As with the restrictive covenant, the Owners indicate they are not willing or able to register such an easement on title at this time.

The occupancy permit for the building would remain provisional until such time as the access easement were registered. In addition, should the zoning be adopted to authorize the *Commercial Tourist Accommodation* use, then any business licence issued for such use could contain a condition explicitly noting that the fire access be maintained and kept clear. In that case, should the ownership of the adjacent lot change and block that access, the business licence could be suspended – providing a mechanism if necessary to ensure the accommodation units are not occupied without the necessary fire access. To avoid putting the municipality in a position where it is responsible for monitoring the fire access, staff recommend a condition on the business licence stipulating that it would not be renewed without the easement in place. This would give the Owners one year to arrange to either consolidate their lots or register the appropriate easement.

LANDSCAPING:

With their original application, the Owners had proposed to install landscape screening along Forbes Road and new trees along the edge of the adjacent park. Back in 2019 staff provided notes on what planting might be acceptable on the public boulevard and within the park (see **Appendix F**). While the restrictive covenant (unregistered) commits the Owners to construct the development according to the plans they submitted for the rezoning – including the landscape improvements - staff suggest that this be treated as a desirable but not crucial addition. Staff support moving forward with the zoning amendment and focus on bringing all aspects of the building and its uses into compliance for health and safety purposes, and leave the landscape treatment for another phase.

HOUSING AGREEMENT BYLAW:

The Housing Agreement attached to Bylaw No 1249 has been amended to include a new section 3. This section provides that if at some future date the current for future owners of the property wished to discontinue the *Commercial Tourist Accommodation* use, then the dwelling units could be used as additional *Staff Accommodation* under the same terms as the previous draft of the Housing Agreement.

ANALYSIS OF OPTIONS

With respect to the addition of *Commercial Tourist Accommodation* to the uses permitted by the zoning of the property at 354 Forbes Road, Council can consider the following:

		<u>Pros</u>	<ul style="list-style-type: none"> • For the Owners, allows them to move forward toward obtaining a business licence for their guest lodge. • Would enable a degree of closure on a longstanding bylaw infraction with the subject property.
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A	That Council abandon the previous Zoning Amendment Bylaw No, 1248, 2019, and proceed with first readings of Zoning Amendment Bylaw No. 1303, 2022, and amendment of the Housing Agreement.		<ul style="list-style-type: none"> The narrowly-defines uses in the zoning would create a high likelihood of staff housing being eventually developed on the site as proposed.
		<u>Cons</u>	<ul style="list-style-type: none"> Would not guarantee a timeline for constructing a minimum of 6 employee housing units. Would not necessarily see the landscape improvements previously proposed for the public boulevard and neighbouring park.
		<u>Implications</u>	<ul style="list-style-type: none"> This appears to be the best option at this point for moving forward and addressing the minimum health and safety issues with the use of the building, while enabling the fishing charter business to proceed with providing accommodation for its clients. The zoning amendment, as drafted, would leave the door open for staff accommodation units and would create a situation where the use of the building for accommodating staff is likely.
		<u>Suggested Motion</u>	<ol style="list-style-type: none"> THAT Council give first and second readings to <i>Ucluelet Zoning Amendment Bylaw No. 1303, 2022</i>; THAT Council refer <i>Ucluelet Zoning Amendment Bylaw No. 1303, 2022</i>, to a public hearing; THAT Council rescind third reading of <i>Ucluelet Housing Agreement Bylaw No. 1249, 2019</i>; THAT Council amend <i>Ucluelet Housing Agreement Bylaw No. 1249, 2019</i>, to include the new section 3 in Schedule A and to replace Schedule B as shown in Appendix B to the staff report dated March 15, 2022; THAT Council give <i>Ucluelet Housing Agreement Bylaw No. 1249, 2019</i>, third reading as amended; and, THAT Council direct that any business licence issued for <i>Commercial Tourist Accommodation</i> use on the property at 354 Forbes Road contain the condition that the business licence would not be renewed unless an appropriate fire access easement is first registered on the title of the neighbouring vacant lot.
B	That Council indicate to the Owners its expectation that the conditions for adopting the requested zoning amendment remain unchanged.	<u>Pros</u>	<ul style="list-style-type: none"> May result in the covenant being registered and, by extension, could ensure the provision of 6 staff accommodation units. May result in the landscape improvements being installed sooner.
		<u>Cons</u>	<ul style="list-style-type: none"> More likely would result in a bylaw enforcement issue demanding District resources to resolve.
		<u>Implications</u>	<ul style="list-style-type: none"> A business licence could not be issued for the operation of the guest lodge at this time. If the owners were to proceed with accommodating guests, it would then become a matter of bylaw enforcement.

	<p><u>Suggested Motion</u></p>	<p>THAT Council direct staff to advise the applicant to arrange for the registration of the section 219 restrictive covenant and access easement on the title of the property at 354 Forbes Road, and defer further consideration of amending the zoning designation of the property until such time as the conditions stated by Council in October 2018 are met.</p>
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POLICY OR LEGISLATIVE IMPACTS:

If Council gives first and second readings to the zoning amendment Bylaw No. 1303, a public hearing would be scheduled and the statutory notification would be completed.

If Council directs that the original conditions be met, then once the Owners have completed the outstanding items the original Zoning Amendment Bylaw No. 1248, 2019, would be brought back to Council for adoption.

RESPECTFULLY SUBMITTED:

BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

DUANE LAWRENCE, CAO

DISTRICT OF UCLUELET**Zoning Bylaw Amendment Bylaw No. 1303, 2022**

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 alphanumerical order, as follows:

“(3) On Lot 17 District Lot 284 Clayoquot District Plan VIP76147 (PID: 025-926-811, 354 Forbes Road) the following uses are permitted:

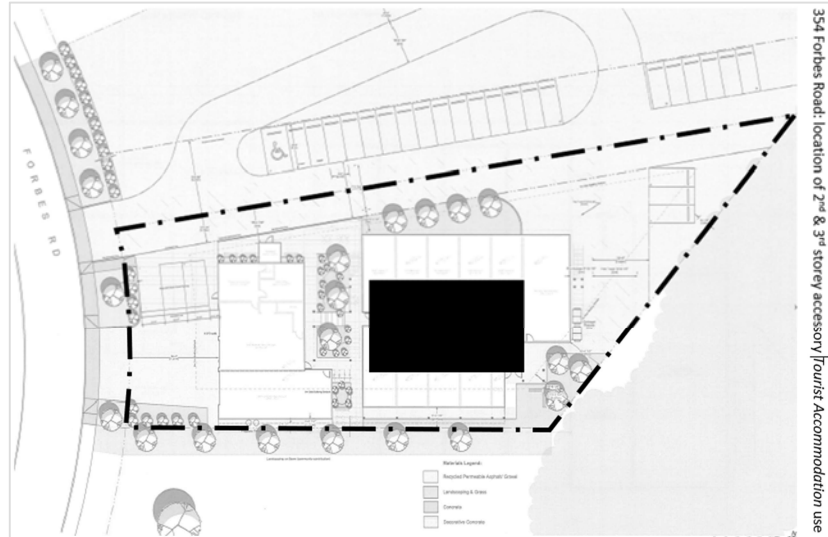
Principal Uses:

- (a) *Recreational Services* limited to marine-related guiding, tours or charters;
- (b) *Light Industry*;
- (c) *Staff Housing*, subject to the terms of a Housing Agreement with the District pursuant to section 483 of the *Local Government Act*;

Accessory Uses:

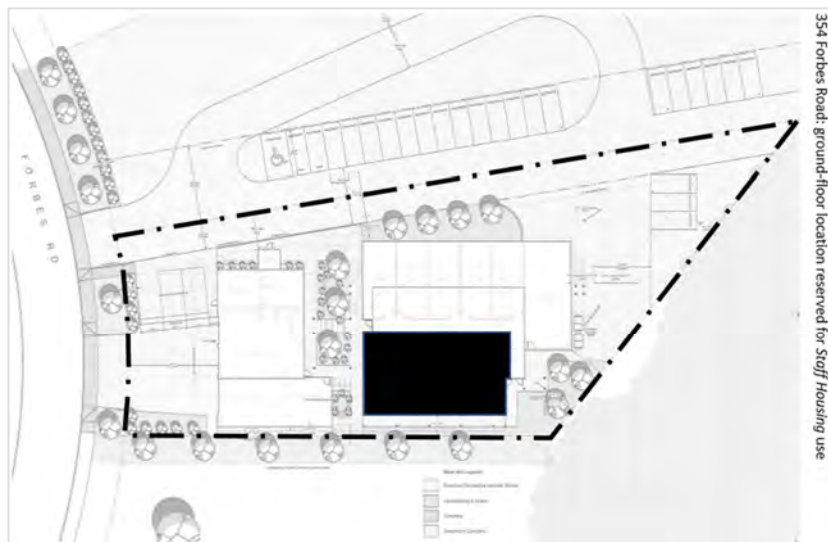
- (a) *Single-Family Residential*;

(b) *Commercial Tourist Accommodation* is permitted as an accessory use on the second and third levels of a mixed-use building on the area of the Lot shaded in black on the site plan below, so long as marine-related *Recreational Services* is active as the principal use of the property:



Limitation on ground-floor use of the rear of the property, adjacent to park:

(a) The ground-floor area of the Lot shaded in black on the site plan below may only be used for *Staff Housing*, or left vacant:



2. Citation

This bylaw may be cited as “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1303, 2022”.

READ A FIRST TIME this day of , 2022.

READ A SECOND TIME this day of , 2022.

PUBLIC HEARING held this day of , 2022.

READ A THIRD TIME this day of , 2022.

ADOPTED this day of , 2022.

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Amendment Bylaw No. 1248, 2019.”

Mayco Noël
Mayor

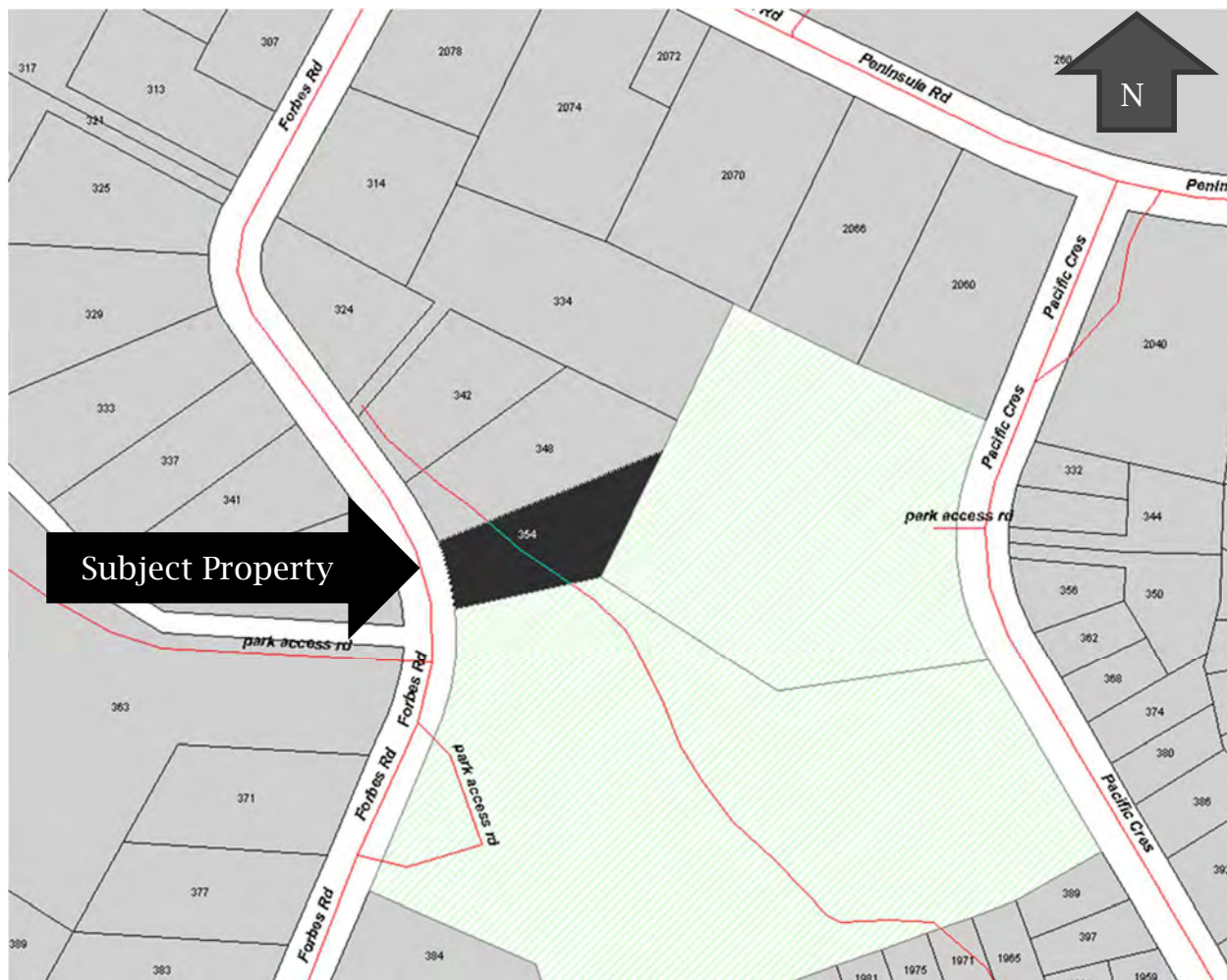
Paula Mason
Deputy Corporate Officer

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

Paula Mason
Deputy Corporate Officer

SCHEDULE 'A'
Bylaw No. 1303, 2022

Subject property:
Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road)



DISTRICT OF UCLUELET**Bylaw No. 1249, 2019**

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 9th day of **April**, 2019.

READ A SECOND TIME this 9th day of **April**, 2019.

PUBLIC HEARING held this 30th day of **April**, 2019.

READ A THIRD TIME this 14th day of **May**, 2019.

THIRD READING RESCINDED this day of , 2022.

AMENDED this day of , 2022.

READ A THIRD TIME AS AMENDED this day of , 2022.

ADOPTED this day of , 2019.

CERTIFIED CORRECT: "Ucluelet Housing Agreement Bylaw No. 1249, 2019"

Mayco Noël
Mayor

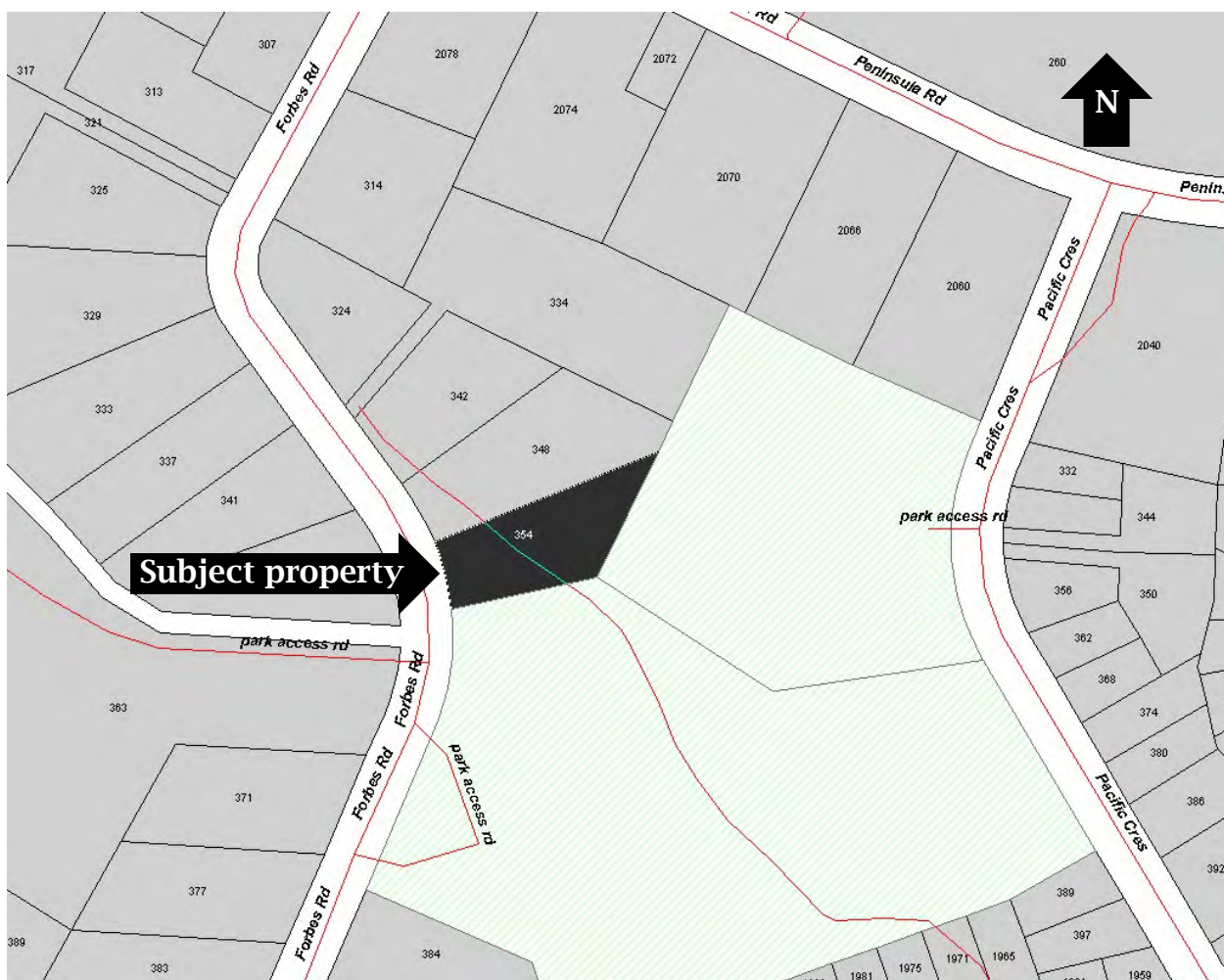
Paula Mason
Deputy Corporate Officer

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

Paula Mason
Deputy 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 _____, 2022 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. 1249, 2019, 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 2023 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 employee housing unit on the Land complies with section 1, above.
3. **Conversion of Tourist Accommodation.** At any time, the Owner has the option to convert Tourist Accommodation units on the upper levels of the mixed-use building located on the Land into additional Staff Housing, in which case the Owner agrees that any such housing units would follow the same occupancy restrictions and annual verification as set out in sections 1 and 2 above.

DEFAULT AND REMEDIES

4. 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.
5. 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

6. **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.
7. **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.
8. **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.
9. **Survival.** The obligations of the Owner set out in sections 10 and 11 shall survive any termination of this Agreement.
10. **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.
11. **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.
12. **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.
13. **Enuring Effect.** This Agreement is binding upon, and enures to the benefit of the parties and their respective successors and permitted assigns.
14. **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.
15. **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.

16. **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.

17. **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.

18. **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.

19. **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

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

TO WIT:

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

1. I am the owner or authorized signatory of the owner of land located at 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)



**LAND TITLE ACT
FORM C (Section 233) CHARGE**

GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 2 PAGES

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.



1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Kurt Meyer, Notary Public
Kurt Meyer Notary Corporation
4201 Johnston Rd.
Port Alberni

BC V9Y 5M8

Phone No. (778) 421-2526
File No. 20-297

Deduct LTSA Fees? Yes

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

025-926-811 LOT 17 DISTRICT LOT 284 CLAYOQUOT DISTRICT PLAN VIP76147

STC? YES

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

s. 219 Land Title Act Covenant

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms D.F. No.

(b) Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

**WILLIAM GLEN KACZMAR AND DIANNA KACZMAR AS TO COVENANT
ROYAL BANK OF CANADA AS TO PRIORITY AGREEMENT**

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

DISTRICT OF UCLUELET

BOX 999, 200 MAIN STREET
UCLUELET

V0R 3A0

BRITISH COLUMBIA
CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

KURT WILLIAM MEYER

Notary Public

4201 Johnston Rd.
Port Alberni, BC V9Y 5M8
Ph. (778) 421-2526

Execution Date

Y	M	D
20	11	05

Transferor(s) Signature(s)

WILLIAM GLEN KACZMAR

DIANNA KACZMAR

OFFICER CERTIFICATION:

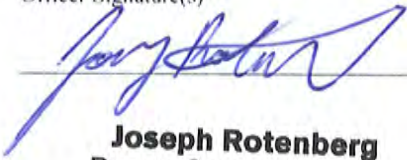
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

PAGE 2 of 2 PAGES

Officer Signature(s)



Joseph Rotenberg
Deputy Corporate Officer
District of Ucluelet
200 Main St., PO Box 999
Ucluelet, B.C. V0R 3A0

A Commissioner for
taking affidavits in the
Province of British Columbia

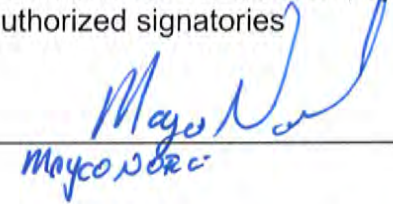
(AS to both signatures)

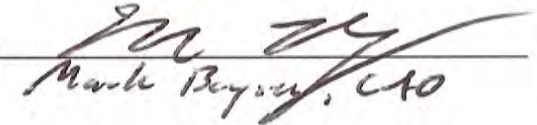
Execution Date

Y	M	D
20	11	24

Transferor / Borrower / Party Signature(s)

DISTRICT OF UCLUELET, by its
authorized signatories





ROYAL BANK OF CANADA, by its
authorized signatories:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

TERMS OF INSTRUMENT – PART 2

COVENANT (Section 219 *Land Title Act*)

THIS COVENANT dated for reference the 5 day of November, 2020 is

BETWEEN:

William Glen Kaczmar and Dianna Kaczmar
P.O. Box 1346
Ucluelet, BC
V0R 3A0

(the "Grantor")

AND:

DISTRICT OF UCLUELET
Box 999
200 Main Street
Ucluelet BC V0R 3A0

(the "District")

WHEREAS:

- A. The Grantor is the registered owner of land located at 354 Forbes Road in Ucluelet, British Columbia and more particularly described as:

PID: 025-926-811
Lot 17 District Lot 284 Clayoquot District Plan VIP76147

(the "Land");

- B. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the District, in respect of the use of land or buildings, or the building on land;
- C. The Grantor has applied to the District for a rezoning of the Land to permit the development of non-residential, daily or short-term accommodation for paying guests ("Commercial Tourist Accommodation") on the Land, and in connection with the

Grantor's application for rezoning the Grantor has offered grant this Covenant to the District;

- D. The Grantor wishes to grant this Covenant to the District to confirm it will not develop the Land except in accordance with the development plan prepared in conjunction with the Grantor's rezoning application and presented to the District Council and the public in connection with the application, and in particular that it will provide the landscaping and screening presented with the rezoning application;
- E. The Grantor wishes to grant this Covenant to the District to confirm that the Commercial Tourist Accommodation will not operate except as an integrated component of a fish guiding business operating from the same property; and,
- F. The Grantor wishes to grant this Covenant to the District to confirm that the Commercial Tourist Accommodation will only operate if the staff housing is provided as proposed.

THIS COVENANT is evidence that in consideration of the payment of TWO DOLLARS (\$2.00) by the District to the Grantor, and other good and valuable consideration (the receipt and sufficiency of which are acknowledged by the parties), the Grantor covenants and agrees with the District, in accordance with section 219 of the *Land Title Act*, as follows:

Restriction on Development of the Land

- 1. The Grantor will not alter the Land, or construct or place any building or structure on the Land, nor apply for any building permit from the District in relation to the Land, except to the extent that the alteration, construction or placement is in accordance with, or is to facilitate the implementation of, the plan(s) for the development of the Land attached to this Covenant as Schedule A (the "Development Plan(s)").

Amendments to Development Plans

- 2. The Grantor may request, and the District's Manager of Planning may, in his or her sole discretion, approve minor deviations from the Development Plan(s), provided that any such requests or approvals must be made in writing.

Restriction on Commercial Tourist Accommodation

- 3. The Grantor will not use the Land for the purpose of providing Commercial Tourist Accommodation unless such use is operated as an integral component to provide accommodation for guests of a commercial fish guiding business also operating from the Land;

Provision of Staff Housing

4. The Grantor will not use the Land for Commercial Tourist Accommodation unless:
 - (a) the Grantor applies for and obtains a building permit from the District for the construction of a minimum of six (6) staff housing units on the Land by May 1, 2022;
 - (b) the Grantor obtains an occupancy permit for a minimum of six (6) staff housing units on the Land by May 1, 2024; and
 - (c) **upon completion of (a) and (b)**, a minimum of six (6) staff housing units built in conformance with **(a)** are made available to local workers and operated according to the terms of a Housing Agreement between the Grantor and the District authorized by *Ucluelet Housing Agreement Bylaw No. 1249, 2019*.

Subject to Bylaws

5. This Covenant does not relieve the Grantor in any way from complying with all applicable bylaws of the District or other enactments applicable to the Land.

Inspections

6. The District and any of its officers and employees may enter on the Land at all reasonable times, to inspect the Land for the purpose of ascertaining compliance with this Covenant.

Amendment

7. This Covenant may be altered or amended only by an agreement in writing signed by the parties.

No Public Law Duty

8. Whenever in this Covenant the District is required or entitled to exercise any discretion in the granting of consent or approval, or is entitled to make any determination, take any action or exercise any contractual right or remedy, the District may do so in accordance with the contractual provisions of this Covenant only and will not be bound by any public law duty, whether arising from the principles of procedural fairness or the rules of natural justice or otherwise.

No Obligations on District

9. The rights given to the District by this Covenant are permissive only and nothing in this Covenant:

- (a) imposes any duty of care or other legal duty of any kind on the District to the Grantor or to anyone else;
- (b) obliges the District to enforce this Covenant, which is a policy matter within the sole discretion of the District; or
- (c) obliges the District to perform any act, or to incur any expense for any of the purposes set out in this Covenant.

No Effect on Laws or Powers

10. This Covenant does not,
- (a) affect or limit the discretion, rights or powers of the District under any enactment or at common law, including in relation to the use or subdivision of the Land;
 - (b) affect or limit any law or enactment relating to the use or subdivision of the Land; or
 - (c) relieve the Grantor from complying with any law or enactment, including in relation to the use or subdivision of the Land.

District's Right to Equitable Relief

11. The Grantor agree that the District is entitled to obtain an order for specific performance or a prohibitory or mandatory injunction in respect of any breach by the Grantor of this Covenant.

Covenant Runs With the Land

12. Every obligation and covenant of the Grantor in this Covenant constitutes both a contractual obligation and a covenant granted under section 219 of the *Land Title Act* in respect of the Land and this Covenant burdens the Land and runs with it and binds the successors in title to the Land. For certainty, unless expressly stated otherwise, the term "Grantor" refers to the current and each future owner of the Land. This Covenant burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which the Land is consolidated.

Registration

13. The Grantor agrees to do everything necessary, at the Grantor's expense, to ensure that this Covenant is registered against title to the Land with priority over all financial charges,

liens and encumbrances registered, or the registration of which is pending, at the time of application for registration of this Covenant.

Waiver

14. An alleged waiver by the District of any breach of this Covenant by the Grantor is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver by the District of a breach by the Grantor of this Covenant does not operate as a waiver of any other breach of this Covenant.

Notice

15. Any notice to be given pursuant to this Covenant must be in writing and must be delivered personally or sent by prepaid mail. The addresses of the parties for the purpose of notice are the addresses on the first page of this Covenant and in the case of any subsequent owner, the address will be the address shown on the title to the Land in the Land Title Office.

If notice is delivered personally, it may be left at the relevant address in the same manner as ordinary mail is left by Canada Post and is to be deemed given when delivered. If notice is sent by mail, it is to be deemed given 3 days after mailing by deposit at a Canada Post mailing point or office. In the case of any strike or other event causing disruption of ordinary Canada Post operations, a party giving notice for the purposes of this Covenant must do so by delivery as provided in this section.

Either party may at any time give notice in writing to the other of any change of address and from and after the receipt of notice the new address is deemed to be the address of such party for giving notice.

Enurement

16. This Covenant binds the parties to it and their respective corporate successors, heirs, executors, administrators and personal representatives.

Joint and Several

17. If at any time more than one person (as defined in the *Interpretation Act* (British Columbia) owns the Land, each of those persons will be jointly and severally liable for all of the obligations of the Grantor under this Covenant.

Further Acts

18. The Grantor must do everything reasonably necessary to give effect to the intent of this Covenant, including execution of further instruments.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C which is attached hereto and forms part of this Covenant.

PRIORITY AGREEMENT

This Priority Agreement is between ROYAL BANK OF CANADA (the "Prior Chargeholder"), being the registered owner and holder of Mortgage No. FB423654 (the "Prior Charge"), and the District of Ucluelet, being the registered owner and holder of the covenant under section 219 of the *Land Title Act* (British Columbia) to which this Priority Agreement is attached (the "Subsequent Charge").

In consideration of the sum of ten dollars (\$10.00) now paid to the Prior Chargeholder and other good and valuable consideration, the receipt and sufficiency of which the Prior Chargeholder acknowledges, the Prior Chargeholder hereby approves of and consents to the granting of the Subsequent Charge and hereby postpones all of the Prior Chargeholder's rights under the Prior Charge to the rights of the Municipality under the Subsequent Charge in the same manner and to the same extent as if the Prior Charge had been registered immediately after the Subsequent Charge.

As evidence of its agreement to be bound by this Priority Agreement, the Prior Chargeholder has executed the General Instrument – Part 1 (*Land Title Act* - Form C) attached to and forming part of this Priority Agreement dated for reference November 5, 2020.

END OF DOCUMENT

Schedule A - Development Plans

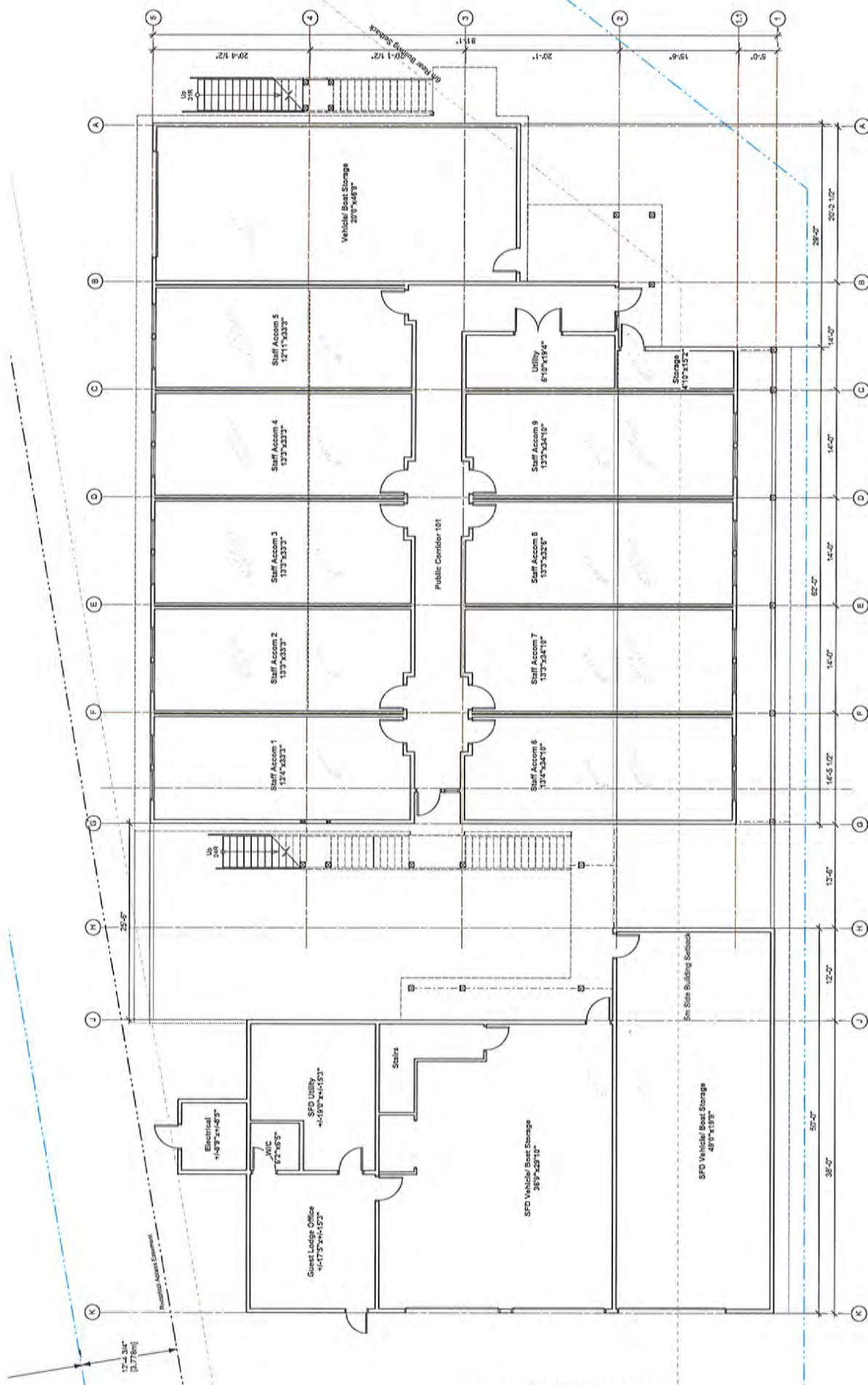
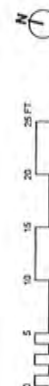


Site Plan

354 Forbes Rd, Ucluelet, BC

Pacific Rim Fishing Charters







A2.2



April 1, 2019

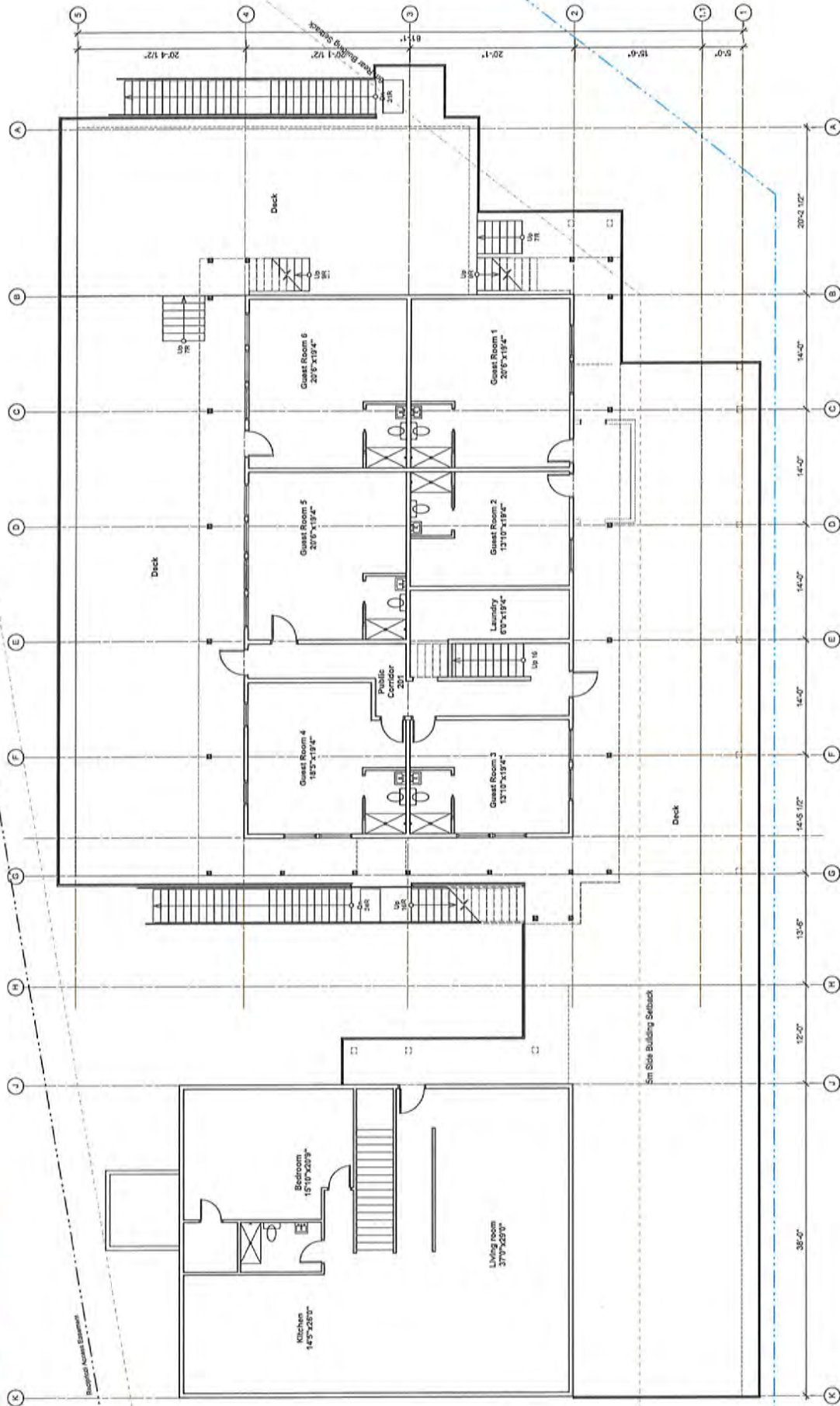
L2 Plan

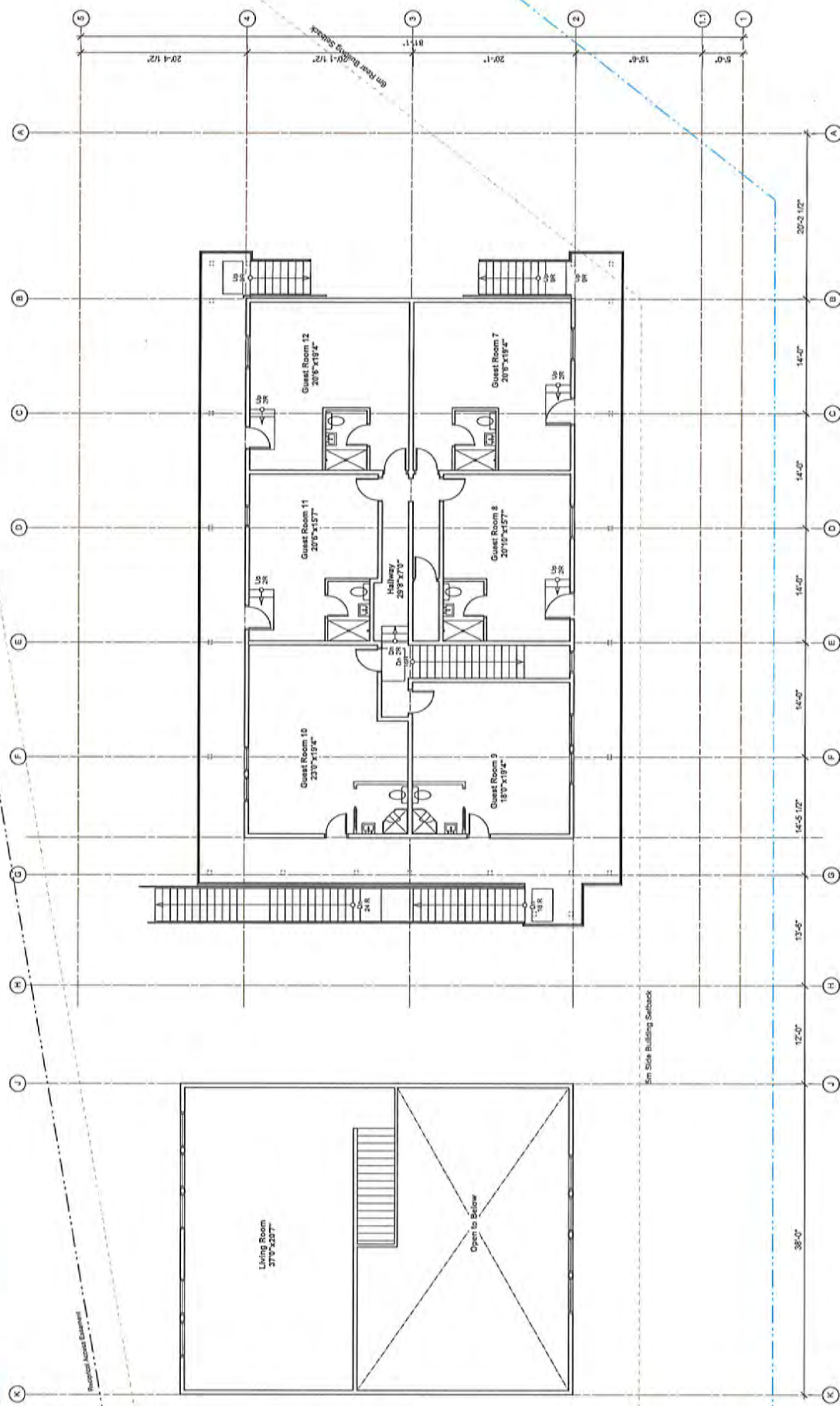
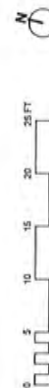
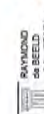
354 Forbes Rd, Ucluelet, BC

Pacific Rim Fishing Charters



RAYMOND & BELD ARCHITECT INC.







1 North West Perspective

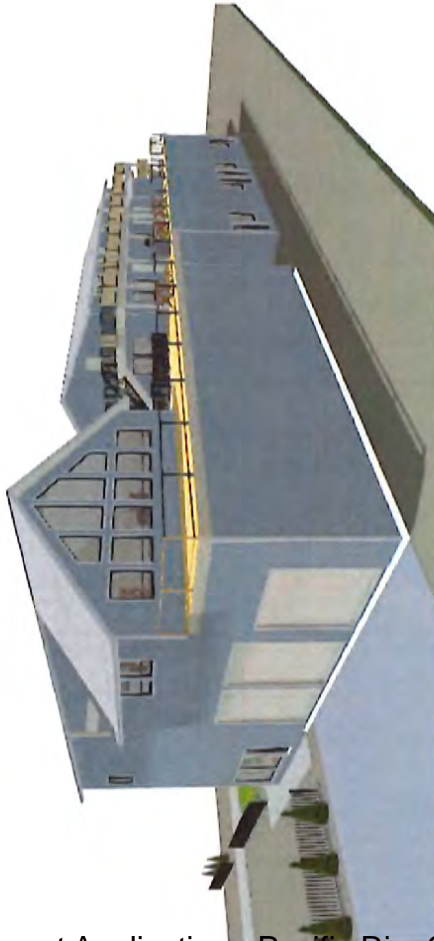


2 South Deck Perspective

3 Project Data

Project Information		Site Information		Financial Summary	
Item	Value	Item	Value	Item	Value
Project Name	354 Forbes Rd, Ucluelet, BC	Site Area	10,000 sq ft	Estimated Cost	\$1,500,000
Client	Pacific Rim Fishing Charters & Guest Lodge	Proposed FSR	100%	Estimated Revenue	\$2,000,000
Location	354 Forbes Rd, Ucluelet, BC	Proposed Units	100	Estimated Profit	\$500,000
Project Status	Pre-Construction	Proposed Parking	20	Estimated Net Income	\$250,000
Project Manager	John Doe	Proposed Amenities	10	Estimated Return on Investment	15%
Project Start Date	2023-01-01	Proposed Amenities	10	Estimated Break-Even Point	18 Months
Project End Date	2023-12-31	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Budget	\$1,500,000	Proposed Amenities	10	Estimated IRR	12%
Project Revenue	\$2,000,000	Proposed Amenities	10	Estimated NPV	\$100,000
Project Profit	\$500,000	Proposed Amenities	10	Estimated PV	\$80,000
Project Net Income	\$250,000	Proposed Amenities	10	Estimated ROI	10%
Project Return on Investment	15%	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Break-Even Point	18 Months	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Payback Period	24 Months	Proposed Amenities	10	Estimated Payback Period	24 Months
Project IRR	12%	Proposed Amenities	10	Estimated Payback Period	24 Months
Project NPV	\$100,000	Proposed Amenities	10	Estimated Payback Period	24 Months
Project PV	\$80,000	Proposed Amenities	10	Estimated Payback Period	24 Months
Project ROI	10%	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Payback Period	24 Months	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated Revenue	\$2,000,000	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated Profit	\$500,000	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated Net Income	\$250,000	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated Return on Investment	15%	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated Break-Even Point	18 Months	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated Payback Period	24 Months	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated IRR	12%	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated NPV	\$100,000	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated PV	\$80,000	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated ROI	10%	Proposed Amenities	10	Estimated Payback Period	24 Months
Project Estimated Payback Period	24 Months	Proposed Amenities	10	Estimated Payback Period	24 Months

<p>Client: Pacific Rim Fishing Charters & Guest Lodge 354 Forbes Rd, Ucluelet, BC Tel: 250-754-2400 Email: info@pacificrim.com</p>	<p>General Contractor / Designer: North & Associates Inc. 1000 Blenheim Street Ucluelet, BC V8R 1A7 Tel: 250-754-2400 Email: info@northand.com</p>	<p>Architect: North & Associates Inc. 1000 Blenheim Street Ucluelet, BC V8R 1A7 Tel: 250-754-2400 Email: info@northand.com</p>	<p>Structural Engineer: North & Associates Inc. 1000 Blenheim Street Ucluelet, BC V8R 1A7 Tel: 250-754-2400 Email: info@northand.com</p>	<p>Electrical Engineer: North & Associates Inc. 1000 Blenheim Street Ucluelet, BC V8R 1A7 Tel: 250-754-2400 Email: info@northand.com</p>	<p>Mechanical Engineer: North & Associates Inc. 1000 Blenheim Street Ucluelet, BC V8R 1A7 Tel: 250-754-2400 Email: info@northand.com</p>	<p>Civil Engineer: North & Associates Inc. 1000 Blenheim Street Ucluelet, BC V8R 1A7 Tel: 250-754-2400 Email: info@northand.com</p>	<p>Surveyor: North & Associates Inc. 1000 Blenheim Street Ucluelet, BC V8R 1A7 Tel: 250-754-2400 Email: info@northand.com</p>
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1 South Perspective



2 South East Perspective



3 North Perspective



4 South West Perspective



STAFF REPORT TO COUNCIL

Council Meeting: OCTOBER 9TH, 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 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.

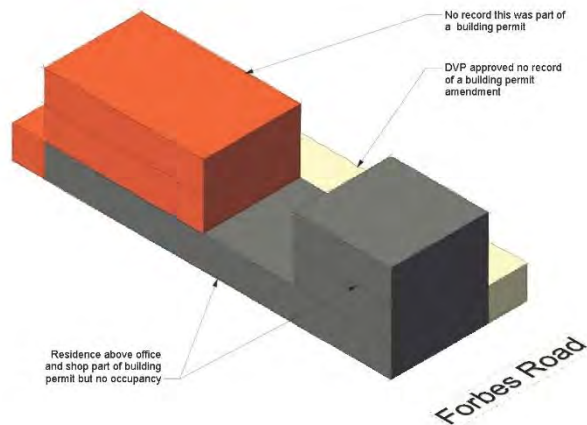
BACKGROUND:

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 license 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



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:

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.”*

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.

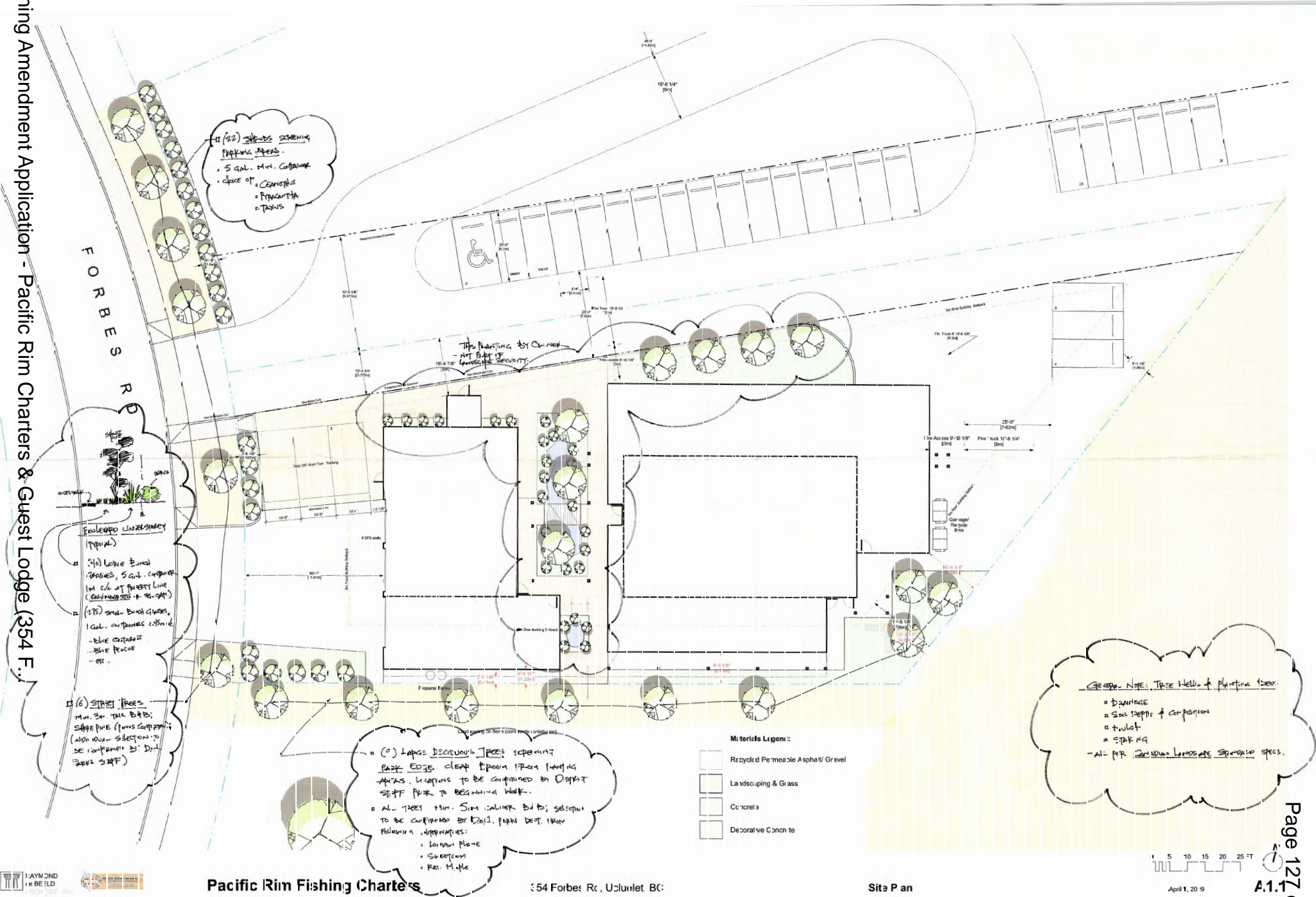
The Forbes Road light industrial area currently enjoys an exemption from the collection of Development Cost Charges.

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



11 (22) SPACES SCREENING
PARKING AREAS.
• 5 GAL. MINI-CONTAINER
• CHOICE OF:
• CORYMPUS
• PIPERAITHA
• TAXUS

THIS PLANTING BY CHARTER
NOT PART OF
LANDSCAPE SECURITY

FOULWEED CRESTLINE
(TYPICAL)
• 1/4" LAURE BURN
• VIBURNUM, S. GUL. (CONIFER)
• IN A/C AT FOREST LINE
(CORYMPUS OR TAXUS)
• (15) small bush clones,
1 gal. - containers 1/2" dia.
- BLUE CHERRY
- BLUE PRUNO
- etc.

6) SITTING TREES
MIN. 3" DIA. BARS;
SHADE PINE (P. S. SPECIES);
(WITH 100% SUCCESSION TO
BE CONFIRMED BY DIST.
TREK STAFF)

6) LARGE DECIDUOUS TREES SCREENING
PARK EDGES CLEAR 10' FROM FURNING
AREAS. HEIGHTS TO BE CONFIRMED BY DISTRICT
STAFF PRIOR TO BEGINNING WORK.
• ALL TREES MIN. 1.5" DIA. @ 4.5' TO; SELECTION
TO BE CONFIRMED BY DIST. PARKS DEPT. TRK
FOLLOWING ALTERNATIVES:
• LARIX PLANE
• SWEETGUM
• RED MAPLE

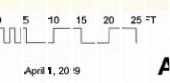
- Materials Legend:
- Recycled Permeable Asphalt/Gravel
 - Landscaping & Glass
 - Concrete
 - Decorative Concrete

GENERAL NOTE: THESE HELD AS PLANTING TREES:
• DRAINAGE
• SOIL DEPTH & COMPOSITION
• TOLERANT
• SPACING
- ALL PER. SCREENING LANDSCAPE SPECIFICATIONS

Pacific Rim Fishing Charters

354 Forbes Rd, Uclulet BC

Site Plan



April 1, 2019



REPORT TO COUNCIL

Council Meeting: March 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, COMMUNITY PLANNER

FILE NO: 3090-20 DVP21-03

SUBJECT: DEVELOPMENT VARIANCE PERMIT AND COVENANT MODIFICATION - 848 MARINE DRIVE

REPORT NO: 21-33

ATTACHMENT(S): APPENDIX A – APPLICATION
APPENDIX B – DEVELOPMENT VARIANCE PERMIT 21-03
APPENDIX C – COVENANT FB154853

RECOMMENDATION(S):

THAT Council, in regard to; lot 3, District Lot 282, Clayoquot District Plan VIP84686(848 Marine Drive), approve the following:

- a) Issuance of Development Variance Permit DVP21-03; and
- b) The modification of Covenant FB154853 to allow a building to be built within 10 meters of the front lot line and authorize the District of Ucluelet Corporate Officer to execute the covenant modification documents for registration at the Land Title Office.

BACKGROUND:

This Development Variance Permit (DVP) and Covenant modification application was received September 28, 2021, for 848 Marine Drive (the “subject property”).



Figure 1 – Subject Property

The subject property is currently vacant with a flat rocky area close to Marine Drive that quickly slopes down. At the formation of the 2008 subdivision, a covenant was put on the property to protect the green space in; front yard (15m), side yard (7.5m), and rear yard (7.5m). In April of 2020, the applicant hired a geotechnical consultant to review the stability of the sloped site.

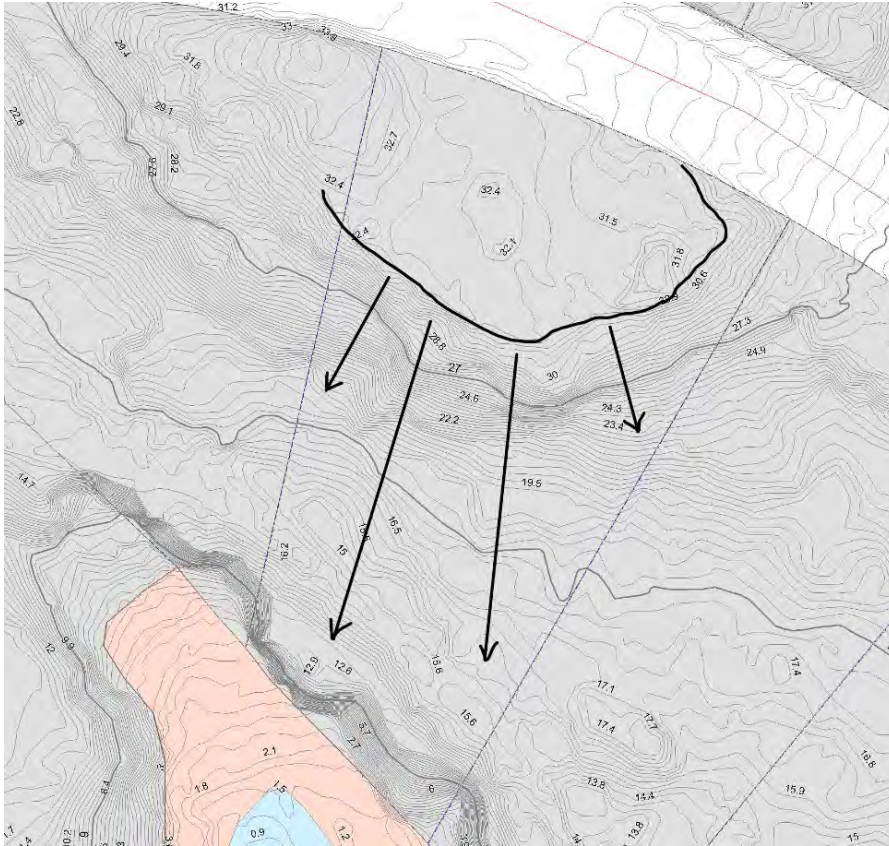


Figure 2 – Site Slope

DISCUSSION

Development Variance Permit

The subject property is within the CD-5E Zone and is zoned for Single Family Dwelling, Guest House, and Guest Cabin use. The front yard setback is specified by section CD-5E.6.1(3)(iv) of the zoning bylaw to be a minimum of 15m for properties abutting a major road (Marine Drive). The applicant is requesting this be reduced to 10m because of the 5m setback from the top of slope (**Figure 3**) set by the applicant's Geotechnical consultant in their report (attached as **Appendix A**).

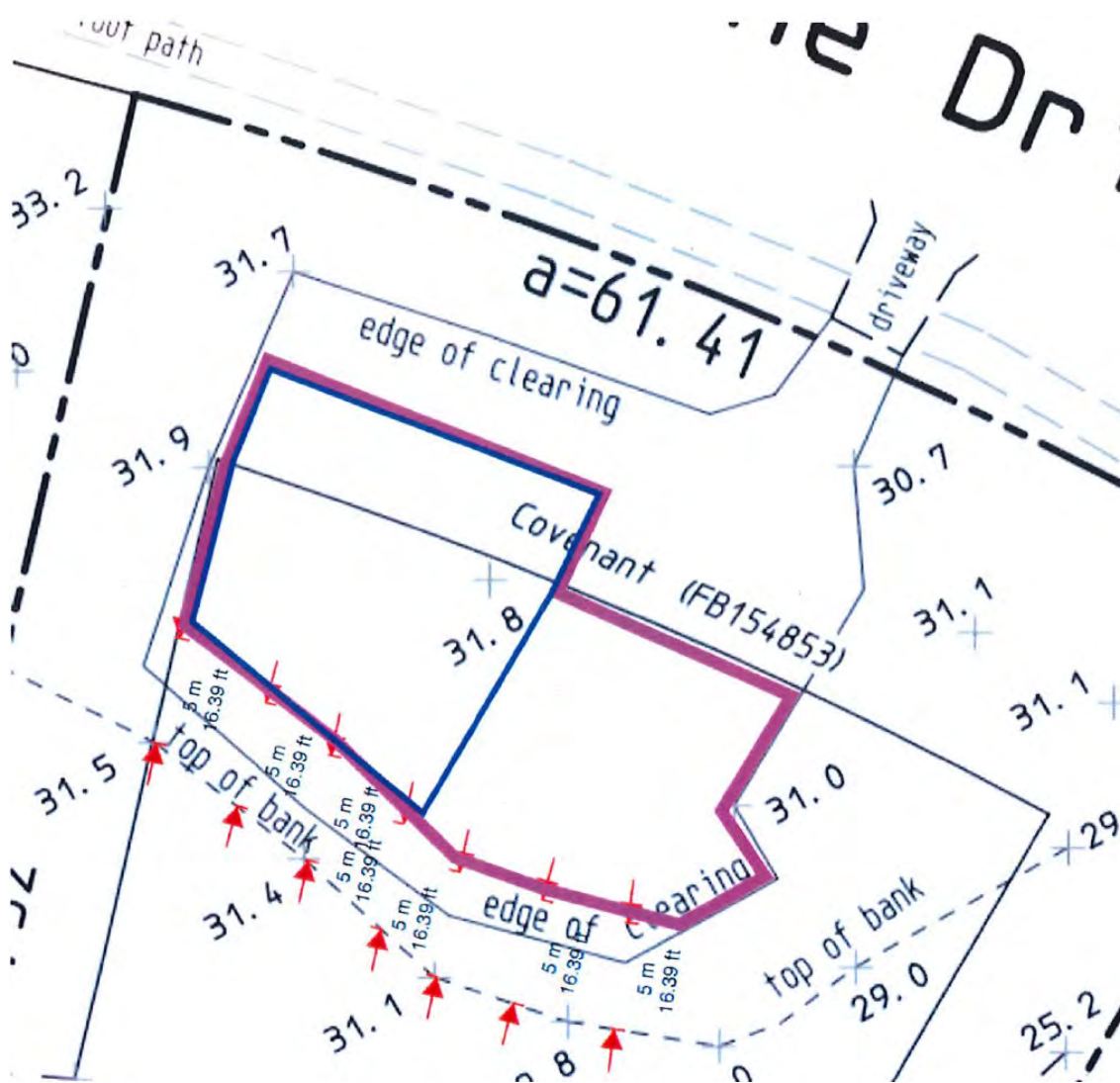


Figure 3 – Geotechnical Setback (Red Arrows above)

Subject to public comment, staff recommend support for the requested variance on the condition that the property owner maintains a 5m buffer of vegetation between the cleared house site and the Marine Drive public right of way.

Covenant Modification

Covenant FB154853 would also need to be modified or replaced to allow the applicants request. This covenant was put in place to protect a green space around the properties building envelope. The subject property's front green space protected by the covenant was cleared prior to 2008 (as seen from a 2008 orthographic photo - **Figure 4**).



Figure 4 – 2008 Orthographic Photo



Figure 5 - Frontage Image

ANALYSIS OF OPTIONS

Subject to public feedback, the applicants request is reasonable considering both the 5m setback imposed by the geotechnical review and that the area of impact has already been cleared.

A	Approve issuance of DVP21-03 and modification of FB154583	<u>Pros</u>	<ul style="list-style-type: none"> Allows applicant to build their desired home
		<u>Cons</u>	<ul style="list-style-type: none"> Home will be built 5m closer to Marine Drive.
		<u>Implications</u>	<ul style="list-style-type: none"> Approval will allow applicant to build their desired home 5m closer to Marine Drive than neighbouring properties.
B	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> Home will not be built 5m closer to Marine Drive.
		<u>Cons</u>	<ul style="list-style-type: none"> Applicant will not be able to build their home as desired.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed.
		<u>Suggested Motion</u>	THAT Council reject or modify DVP21-03. (If modified please clearly amend DVO21-03 and then approve DVP21-03 as amended).

POLICY OR LEGISLATIVE IMPACTS:

- None.

NEXT STEPS

- If this application is approved:
 - The attached DVP will be signed by the Director of Community Planning, issued to the applicant, and then filed with the Land Title Office. The applicant will be required to meet all conditions of the permit and any other conditions set out by Council for the proposed.
 - The applicant would, at their costs, prepare a covenant modification to be signed by our Corporate Officer and the property owner, then they would submit this document to land titles.

Respectfully submitted:

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

District of Ucluelet Planning Department
200 Main Street, Ucluelet, BC V0R 3A0, PO. Box 999

Zoning Variance Request For:

Whitney Touserkani

848 Marine Drive, Lot 3, District Lot 283, Plan VIP84686, Parcel ID: 027-473-431

I am requesting a variance for the above address to reduce the required street setback from the front lot line of 15 metres to 10 metres for the reasons outlined below. The main reason being that the geotechnical hazard assessment for the site determined an additional setback on the upper terrace ocean facing side to be 5 metres beyond the crest of the slope. This is due to an excessively steep slope. 5 metres was determined for a safe and suitable building area for the single family residence; therefore, I am asking that the building be allowed to move forward by this 5 metre offset.

Otherwise, this increased setback would cause the building area to be limited - particularly in the southwest corner of the upper terrace. I am building the main home in stages and am hoping to utilize the cleared space in this southwest corner to allow for a first stage single story build. Moving the front line setback would allow for this. The shape and narrowness of the clearing combined with the required rear and front line setbacks makes it difficult to plan. Minimal impact is expected to the neighbourhood as the idea is to build part of the house closer to the road on the west side of the lot where it is most narrow, while building the remaining home during a second build stage closer to the ocean side without building closer to the road. The half of the home which would be nearer the road is nestled behind the trees and hedges along Marine Drive - whereas the second stage of the build where the home can be seen from the driveway will stay within the original 15 metre setback as this area of the lot is not as impacted by the additional steep slope setback (i.e. there is more buildable space). The granting of the variance should have no effect on any adjoining properties. In fact allowing for more buildable ground space would equate to a reduced height in the build in the section nearer the road as a second story would be necessary in order to add livable space without the variance.

Please see the attached photo of the site plan with a general idea of the overall house outline on the upper terrace. The first stage proposed build is outlined in blue where the overall outline of both stages is in purple. In other words, the outline of the initial main home is in blue while an expansion to the main home down the line is estimated in purple. Also please note the red arrows showing the 5 metres of space lost due to the geotechnical report recommendations.

Thank you for your consideration,



Whitney Touserkani

setback also discussed below.

3.2.2 Steep Slope Setback Review

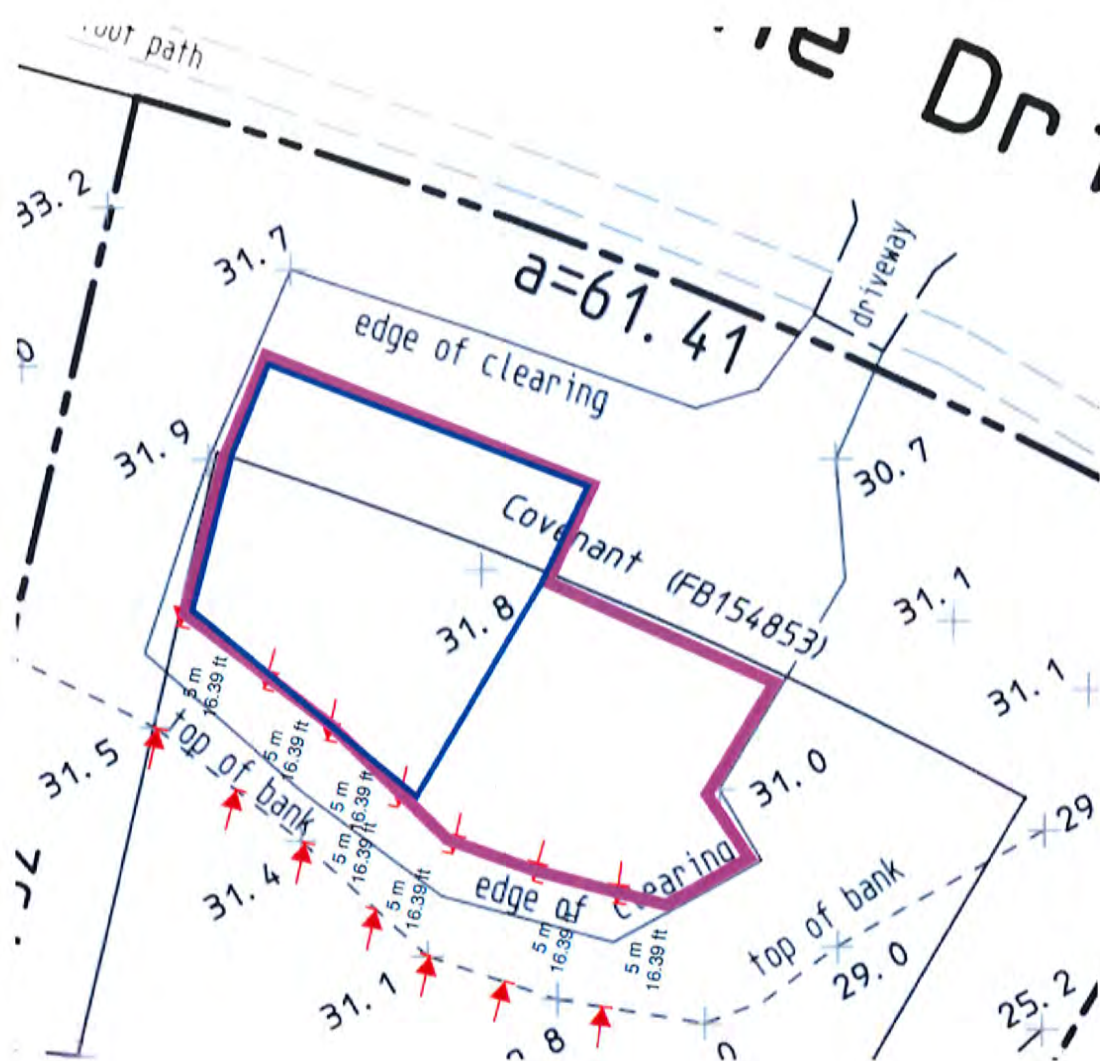
- a. During our assessment, field observations of the steep slopes within the Property were carried out. LEA also reviewed the topographic survey prepared by AG Surveys, LIDAR information provided by the District of Ucluelet, and our findings of previous assessments in the general area of the subject Property.
- b. Based on the findings of our field investigation, and previous assessments in the area we expect the majority of the subject slope to be comprised of bedrock, and/or glacially-consolidated till, overlain by minimal soil deposits. Due to the homogenous composition of bedrock LEA considers the global stability of the underlying bedrock to be stable. However, further investigation at the time of construction will be required to confirm there are no fractures, joints and fissures within the proposed building areas.
- c. To determine a safe and suitable building area for the recreational cabins within the lower terrace, LEA reviewed the surveyed site plan prepared by AG Surveys. A conservative method of determining a safe setback from crests of bedrock slopes is to propagate a 1 Horizontal to 1 Vertical (1H:1V) line from the toe of the slope into the slope, and ensure footings of the building do not extend past this slope stability setback line. In this case, we have established the 1(H):1(V) line from the toe of bedrock cliff, ranging from 1.2m to 3.1m GD along the front face of the slope.
- d. Generally, this setback line would be located within the existing Wild Pacific Trail and Sanitary Force Main right-of-ways. Therefore, we recommend the geotechnical setback to be established along the northern extent of the Sanitary SRW. Footings for the proposed cabins must be founded directly on bedrock, north of the SRW, at or below the invert elevation of the force main.
- e. To determine a safe and suitable building area for the single-family residence within the upper terrace, LEA reviewed the surveyed site plan prepared by AG Surveys. A conservative method of determining a safe setback from crests of soil slopes is to propagate a 2 Horizontal to 1 Vertical (2H:1V) line from the toe of the slope into the slope and ensure footings of the building do not extend past this slope stability setback line. In this case, we have established the 2H:1V line from the toe of slope, ranging from 19.5m to 20.5m GD along the front face of the slope. Generally, the slope varies in height from approximately 4.5m along the east side to 11.5m towards the west. The resulting 2H:1V slope stability line is estimated to be approximately 5.0m from the top of bank defined by AG Surveys on the attached topographic site plan.
- f. Footings for the proposed single-family residence should be founded behind this line on suitable bearing soil or bedrock as approved by the Geotechnical Engineer. During construction, LEA can review bearing conditions for the single-family residence, relating to a possible reduction of the required slope stability

setback for the upper terrace.

- g. Any isolated deck pad footings for the proposed single-family residence located beyond the minimum setback line should be reviewed by the Geotechnical Engineer. Please note deck pad footings for the cabins are not permitted within the SRW.
- h. Safe setback lines shall be established in detail utilizing a BC Land Surveyor (BCLS) and confirmed by the Geotechnical Engineer prior to construction. Setbacks or other restrictions imposed by local ordinances or environmental/riparian requirements may supersede geotechnical requirements (excluding setbacks and elevations stated in Covenant FB154804 and Covenant FB154877).
- i. Prior to construction, the Geotechnical Engineer should review the desired building locations to provide recommendations based on site conditions.

3.3 Tsunami Hazard Discussion and Recommendations

- a. Tsunami waves may be created by earthquakes or landslides that rapidly displace a large body of water. While the severity and frequency of tsunamis are impossible to predict, there is geological evidence to indicate large tsunamis originating from both distant and nearby earthquakes have impacted the West Coast of Vancouver Island in the past. Coastal communities along BC's west coast are therefore at high risk of flood hazard caused by tsunamis due to the tectonically unstable Pacific Rim.
- b. Tsunami wave heights and inundation can vary significantly due to location, the shape of the coastline and offshore bathymetry, topography, and tides. At present, there is insufficient historical information to formulate a magnitude-frequency relation for locations on the BC coast.
- c. The Institute of Ocean Sciences has conducted detailed modelling of large tsunamis generated by Cascadia subduction zone earthquakes west of Vancouver Island. However, interpretation of the model results is required for use in coastal floodplain mapping⁷. Current to the date of this report, to our knowledge there is no published tsunami inundation mapping available for the subject area.
- d. As such, Tsunami design elevations for emergency planning and determining evacuation areas have been established by Emergency Management BC (EMBC). For the West Coast region of Vancouver Island the referenced KWL report provides a recommended tsunami planning level of 10.0m above the highest normal tide. This planning level is calculated by an estimated wave height of 3.0m, a wave run-up of 6.0m and an estimated subsidence of 1.0m during a large seismic event⁷.
- e. The "Design Tsunami" of a 3.0m high wave with 6.0m of run-up is an estimate of the probable height of the wave and its run-up. It is entirely possible for a Tsunami associated with the Design Seismic Event



Site Plan of:

**Lot 3, District Lot 283,
Clayoquot District, Plan VIP84686**

Parcel Identifier: 027-473-431

Civic address: 848 Marine Drive

SCALE - 1 : 750

All distances are in metres and decimals thereof

(plot on 8.5" x 11" sheet)

LEGEND

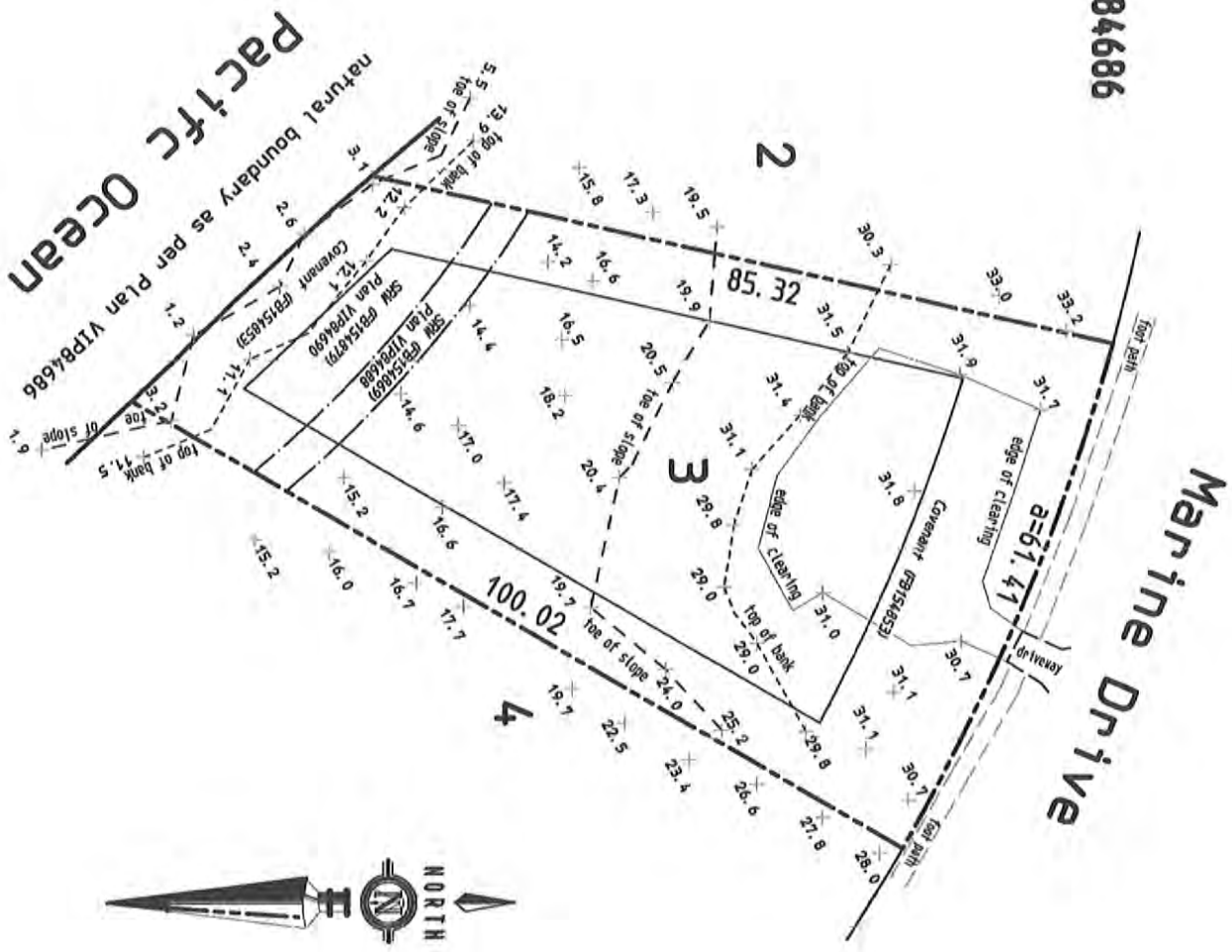
Elevations are Geodetic.

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

- FB154804 - Covenant
- FB154853 - Covenant
- FB154877 - Covenant
- FB154869 - Statutory Right of Way
- FB154870 - Statutory Right of Way
- FB154879 - Statutory Right of Way
- FB154882 - Statutory Building Scheme

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

FILE : Key-Lot 3
DATE: 2019-05-04
AG Surveys
545 - 110 Marine Drive Ucluelet, BC V0R 3A0 phone (250) 266-1538



LAND TITLE OFFICE
STATE OF TITLE CERTIFICATE

Certificate Number: STSR3143279

File Reference: TOUSERKANI.KM

CLARKSTONE AND DEARIN
NOTARY CORP.
4679 ELIZABETH STREET
PORT ALBERNI BC V9Y 6L8

A copy of this State of Title Certificate held by the land title office can be viewed for a period of one year at <https://apps.ltsa.ca/cert> (access code 331102).

I certify this to be an accurate reproduction of title number **CA8541766** at 12:18 this 4th day of November, 2020.


REGISTRAR OF LAND TITLES



Land Title District Land Title Office	VICTORIA VICTORIA
Title Number From Title Number	CA8541766 CA7575731
Application Received	2020-11-02
Application Entered	2020-11-04
Registered Owner in Fee Simple Registered Owner/Mailing Address:	WHITNEY KATHLEEN TOUSERKANI, PROPERTY MANAGER PO BOX 482 UCLUELET, BC V0R 3A0
Taxation Authority	Ucluelet, District of
Description of Land Parcel Identifier: Legal Description:	027-473-431 LOT 3 DISTRICT LOT 283 CLAYOQUOT DISTRICT PLAN VIP84686

STATE OF TITLE CERTIFICATE

Certificate Number: STSR3143279

Legal Notations

NONE

Charges, Liens and Interests

Nature: COVENANT *3m ABOVE N.B*
 Registration Number: FB154804
 Registration Date and Time: 2008-03-14 13:09
 Registered Owner: DISTRICT OF UCLUELET
 THE CROWN IN RIGHT OF BRITISH COLUMBIA
 Remarks: INTER ALIA

Nature: COVENANT *G/S 15m / 7.5m / 7.5*
 Registration Number: FB154853 *FY SY RY*
 Registration Date and Time: 2008-03-14 13:12
 Registered Owner: DISTRICT OF UCLUELET
 Remarks: INTER ALIA

Nature: STATUTORY RIGHT OF WAY *SEWERAGE*
 Registration Number: FB154869
 Registration Date and Time: 2008-03-14 13:16
 Registered Owner: DISTRICT OF UCLUELET
 Remarks: INTER ALIA
 PART IN PLAN VIP84688

Nature: STATUTORY RIGHT OF WAY *SEWERAGE ?*
 Registration Number: FB154870
 Registration Date and Time: 2008-03-14 13:16
 Registered Owner: DISTRICT OF UCLUELET
 Remarks: INTER ALIA

Nature: COVENANT *RIPARIAN - N.A.*
 Registration Number: FB154877
 Registration Date and Time: 2008-03-14 13:17
 Registered Owner: DISTRICT OF UCLUELET
 Remarks: INTER ALIA

Nature: STATUTORY RIGHT OF WAY *TRAIL*
 Registration Number: FB154879
 Registration Date and Time: 2008-03-14 13:18
 Registered Owner: DISTRICT OF UCLUELET
 Remarks: INTER ALIA
 PART IN PLAN VIP84690

Nature: STATUTORY BUILDING SCHEME
 Registration Number: FB154882
 Registration Date and Time: 2008-03-14 13:19
 Remarks: INTER ALIA

Duplicate Indefeasible Title

NONE OUTSTANDING

LAND TITLE OFFICE
STATE OF TITLE CERTIFICATE

Certificate Number: STSR3143279

File Reference: TOUSERKANI.KM

CLARKSTONE AND DEARIN
NOTARY CORP.
4679 ELIZABETH STREET
PORT ALBERNI BC V9Y 6L8

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Taxation Authority	Ucluelet, District of
Description of Land Parcel Identifier: Legal Description:	027-473-431 LOT 3 DISTRICT LOT 283 CLAYOQUOT DISTRICT PLAN VIP84686



DEVELOPMENT VARIANCE PERMIT DVP21-03

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

1. This Development Variance Permit is issued to:

Whitney Kathleen Touserkani, Property Manager

PO Box 482, Ucluelet, BC, V0R 3A0

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

PID	Legal Description
027-473-431	Lot 3 District Lot 283, Clayoquot District Plan Vip84686

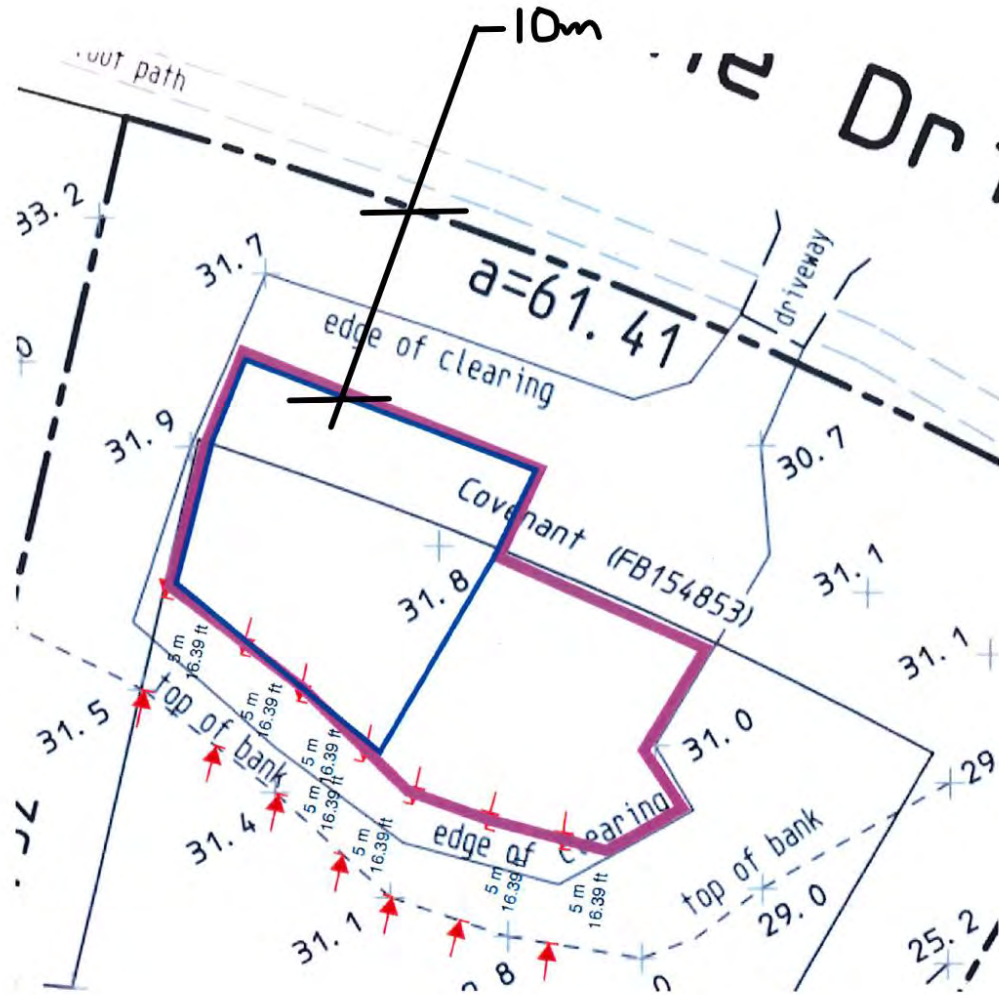
3. The work authorized by this Permit may only be carried out in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013, except where specifically varied or supplemented by this development variance permit and in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This Permit authorizes the following variances specific to the plans and details attached as Schedule "A":
 - a. The building of a SFD or a Guest House (as already allowed by zoning) to within 10m of the front lot line, whereas section CD-5.6.1 (1) (d) of Ucluelet Zoning Bylaw No. 1160, 2013, specifies a 15m minimum yard setback to the front lot line abutting a major road (Marine Drive).
5. The above variance is granted for the proposed structures and use of the land as shown on Schedule A. Should the buildings be later removed or destroyed, this Development Variance Permit shall cease to apply and the zoning requirements in effect at the time shall apply.
6. The above variance is granted subject to the owners maintaining a 5m wide vegetation buffer next to the front property line, with the exception of the driveway entrance.
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.

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

ISSUED the day of , 2022.

Bruce Greig - Director of Community Planning

Schedule A



LAND TITLE ACT
FORM C
(Section 219.81)

14 MAR 2008 13 12

FB154853

Province of
British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

PAGE 1 of 8 pages

1. APPLICATION: (name, address, phone number and signature of Applicant, Applicant's solicitor or agent)

Mark S. Thompson, Singleton Urquhart LLP, Barristers & Solicitors, 1200 -
925 West Georgia Street, Vancouver, B.C., V6C 3L2, (604) 682-7474

DYE & DURHAM

Mark S. Thompson

Greenspace Covenant 2-36

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

SEE SCHEDULE

lot 2 to 36
VIP 84686

3. NATURE OF INTEREST:*

SEE SCHEDULE

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

4. TERMS: Part 2 of this instrument consists of (select one only)

- (a) Filed Standard Charge Terms
- (b) Express Charge Terms
- (c) Release

D.F. Number:

Annexed as Part 2

There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

Weyerhaeuser Company Limited Incorporation No. 51955A 925 West Georgia Street, Vancouver, B.C. V6C 3L2

6. TRANSFEREE(S): (including occupation(s), postal address(es) and postal code(s))*

District of Ucluelet, PO Box 999, 200 Main Street, Ucluelet, B.C. V0R 3A0

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

GM 08/03/14 13:12:22 01 VI 796348
CHARGE \$65.65

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

EXECUTION DATE

Officer Signature(s)

Anne Giardini
Barrister & Solicitor
Weyerhaeuser Company Limited
925 West Georgia Street
Vancouver, BC, V6C 3L2

AS TO BOTH SIGNATURES

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

- * If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.
- ** If space insufficient, continue executions on additional page(s) in Form D.

Y	M	D
08	02	28

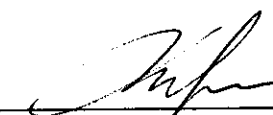
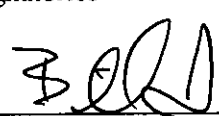
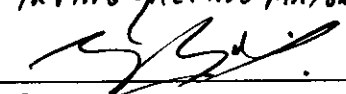
WEYERHAEUSER COMPANY LIMITED by
its authorized signatories:

Name: Patrick M. Lane

Name: Unjoo Burlic

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

Officer Signature(s)	EXECUTION DATE			Transferor/Borrower/Party Signature(s)
	Y	M	D	
 H. GEE DEPUTY CORPORATE OFFICER DISTRICT OF UCLUELET BOX 999, 200 MAIN ST UCLUELET, B.C. V0R 3A0	08	03	06	DISTRICT OF UCLUELET by its authorized signatories  Name: BILL IRVING - ACTING MAYOR  Name: G. LYONS - CAO

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM.

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

- TBA Lots 2, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 3, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 4, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 5, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 6, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 7, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 8, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 9, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 10, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 11, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 12, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 13, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 14, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 15, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 16, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 17, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 18, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 19, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 20, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 21, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 22, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 23, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 24, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 25, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 26, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 27, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 28, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 29, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 30, District Lot 283, Clayoquot District, Plan VIP 84686
- TBA Lots 31, District Lot 283, Clayoquot District, Plan VIP 84686

LAND TITLE ACT
FORM E

10
PAGE 4 of 8 pages

SCHEDULE

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM OR GENERAL DOCUMENT FORM.

TBA	Lots 32, District Lot 283, Clayoquot District, Plan VIP	<u>84686</u>
TBA	Lots 33, District Lot 283, Clayoquot District, Plan VIP	
TBA	Lots 34, District Lot 283, Clayoquot District, Plan VIP	
TBA	Lots 35, District Lot 283, Clayoquot District, Plan VIP	
TBA	Lots 36, District Lot 283, Clayoquot District, Plan VIP	

3. NATURE OF INTEREST:
DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

S219 Land Title Act Covenant

Entire Document

The Grantee

211

Set Back Area/Greenspace Covenant

TERMS OF INSTRUMENT – PART 2

WHEREAS:

- A. The Grantor is the registered owner in fee simple of certain lands in the District of Ucluelet (hereinafter referred to as the “Parent Lands”);
- B. The Grantee is the District of Ucluelet;
- C. The Grantor has applied to the Grantee’s Approving Officer for subdivision of the Parent Lands in accordance with the MDA as hereinafter defined, to create numerous diverse separate lots, including those 35 lots more particularly described in Item 2 of the Form C General Instrument Part I to which this is attached (the “Lands”, and separately, the “Lots”);
- D. In accordance with the Master Development Covenant (“MDA”) executed and registered in 2005, the Grantor agreed to restrict the development and use of the Lands and preserve certain amenities in their natural state in accordance with the terms of this Covenant, and wishes to grant this Covenant and indemnity to the Grantee;
- E. Section 219 of the *Land Title Act* provides, inter alia, that a covenant, whether negative or positive, in respect of the use of the Lands or the use of a building on or to be erected on land, may be given to provide that the Lands are to be built on or used in accordance with the covenant or are not to be used or built on except in accordance with the covenant or that a specified amenity is to be protected, preserved, maintained, enhanced, restored or kept in its natural state, and that the covenant in favour of a municipality or the Crown may be registered as a charge against the title to that land.

NOW THEREFORE in consideration of the payment of the sum of ONE (\$1.00) dollars by the Grantee to the Grantor and the premises and covenants herein contained and for other valuable consideration, receipt and sufficiency of which is hereby acknowledged by the parties, the parties hereto covenant and agree each with the other as follows:

- 1. For the purposes of this Covenant.

“Set Back Area” means the area of the Lands inward from each of the respective lot lines to the boundary of the area marked building envelope as set out on the surveyor sketch plan appended hereto as Schedule “A” as determined in accordance with the terms of the District of Ucluelet CD5 zoning Bylaw in force at the date of this agreement and in accordance with the following uses that the portion of the Lands as noted below is assigned and restricted to:

Lot 2	Vacation rental (VR-1)
Lots 3-4	Guest house

accepted with sketch in this instance

Lots 5-11	Vacation rental (VR-1)
Lot 12	Resort Condominium
Lot 13	Affordable Housing
Lots 14-36	Single Family Residential

“Trees” means any living, erect, woody plant which is:

- (a) 5 metres (16.3 feet) or more in height, or
 - (b) 10 centimetres (3.9) inches or more in diameter measured 1.5 metres above the ground.
2. The Grantor covenants and agrees, notwithstanding broader or greater uses and regulations in the Grantee’s Zoning Bylaw as amended from time to time, not to (nor apply for a building permit to) construct, erect or place any building or structure in the Set Back Area, and to comply with the terms of paragraph 4 hereof.
3. The Grantor covenants and agrees that it shall not use (nor permit the use of) the Set Back Area for any use other than green space and a driveway.
4. The Grantor further covenants and agrees to preserve the Set Back Area substantially in its natural state and, without limiting the foregoing, not to cut, trim, damage, defoliate or remove Trees or vegetation or excavate or remove soil or place fill on the Set Back Area unless such action is necessary to:
 - (a) provide a single driveway for ingress and egress from the highway fronting the Lands to the non-Set Back Area;
 - (b) build, construct, install, erect, maintain, repair or upgrade a building or structure on the non-Set Back Area of the Lands, subject however to the prior approval of the Grantee, whether such approval would or would not normally be required but for this Covenant; and
 - (c) prevent or remove an immediate hazard to the safety of persons or property, including without limitation hazards caused by blow down subject however to the provision of written notice, in advance if possible, to the Grantee.
5. Notwithstanding section 4, the Grantor may:
 - (a) as long as Trees are not harmed or removed, alter or remove vegetation or place or remove fill in the Set Back Area in order to provide ocean views or additional high quality landscaping, subject to the provision of additional high quality landscaping; and

- (b) on the initial development of the Lands and one time only (except for the ongoing maintenance of views created by this section), remove or alter up to fifty (50%) percent of the Trees located between the residence to be placed on the Lands and the one or two lot line(s) closest to the ocean from which ocean views may be obtained, in order to obtain ocean water views from the residence, provided that all the following requirements are first satisfied:
- (i) a report is prepared by a qualified professional arborist identifying all the Trees between the residence and the ocean and highlighting the Trees that are to be altered or removed;
 - (ii) the report is submitted to the Grantee for review and approval in its sole discretion acting reasonably;
 - (iii) any changes reasonably required by the Grantee with respect to the significant species or individual Trees are incorporated into the report;
 - (iv) replacement trees are planted elsewhere on the Lands at a rate of one new tree for every Tree removed if recommended by the arborist; and
 - (v) such tree alteration, removal or planting is conducted in compliance with the report and by or under the supervision of a qualified professional arborist.
6. The Grantor and Grantee agree that, with respect to single family residential properties less than seven thousand square feet (7,000 sq. ft.) in gross area, this Agreement shall only apply to the rear lot line Set Back Area.
7. Nothing herein contained or implied shall prejudice or affect the rights and powers of the Grantee and the exercise of its functions under any public and private statutes, bylaws, order and regulations, all of which maybe fully and effectively exercised in relation to the Lands as if this Covenant had not been executed and delivered by the Grantors.
8. The Grantor and the Grantee agree that the enforcement of this Covenant shall be entirely within the discretion of the Grantee and that the execution and registration of this covenant against the title to the Lands shall not be interpreted as creating any duty on the part of the Grantee to the Grantor or to any other person to enforce any provision or the breach of any provision of this Covenant.
9. The Grantor hereby releases and forever discharges the Grantee of and from any claim, cause of action, suit, demand, expenses, costs and legal fees whatsoever which the Grantor can or may have against the said Grantee for any loss or damage or injury that the Grantor may sustain or suffer arising out of this Covenant, except to the extent caused by the negligence of the Grantee.

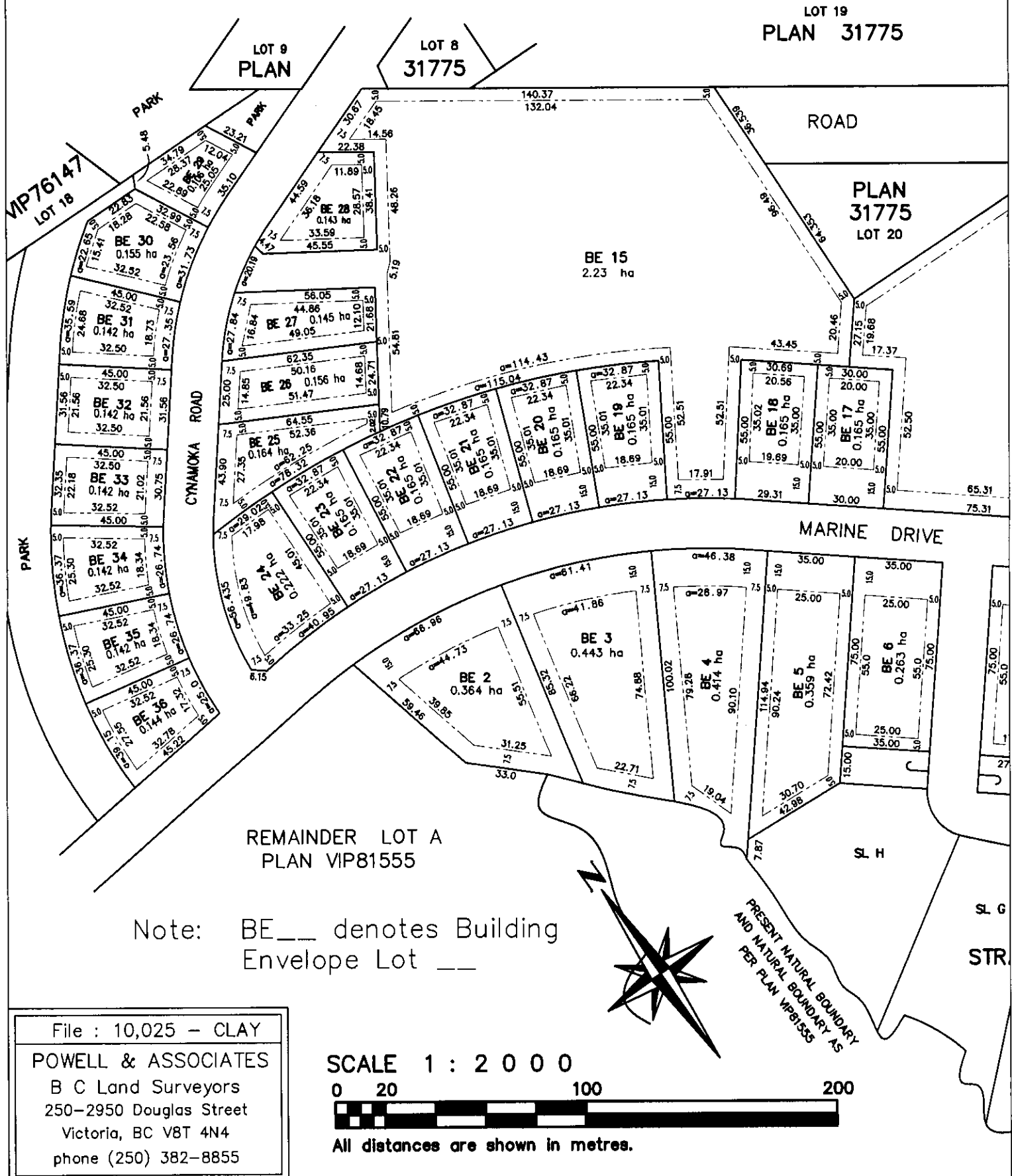
10. The Grantor covenants and agrees to indemnify and save harmless the Grantee from any and all claims, causes of action, suits, demands, expenses, costs and legal fees whatsoever that anyone might have as owner, occupier or user of the Lands or by a person who has an interest in or comes onto the Lands or by anyone who suffers loss of life or injury to his person or property, that arises out of the terms and restrictions of this Covenant or a breach of this Covenant by the Grantor, except to the extent caused by the negligence of the Grantee.
11. It is mutually understood, acknowledged and agreed by the parties hereto that the Grantee has made no representations, covenants, warranties, guarantees, promises or Covenants (oral or otherwise) with the Grantor other than those contained in this Covenant.
12. The Grantor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Covenant.
13. The Grantor shall pay the registration costs of the Grantee in connection with the registration of this Covenant. This is a personal covenant only.
14. The Grantor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions hereinbefore set out and they shall be binding upon the Grantor as personal covenants only during the period of its respective ownership of any interest in the Lands.
15. The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the Land Title Act as covenants in favour of the Grantee as a charge against the Lands in priority to all non-Grantee encumbrances.
16. This Covenant shall enure to the benefit of the Grantee and shall be binding upon the parties hereto and their respective heirs, executors, successors and assigns.
17. Wherever the expressions "Grantor" and "Grantee" are used herein, they shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

IN WITNESS WHEREOF the parties hereto hereby acknowledge that this Covenant has been duly executed and delivered by the parties executing Form C (pages 1 and 2) attached hereto.

SCHEDULE A

SKETCH PLAN TO ACCOMPANY BUILDING SETBACK COVENANT FOR
LOTS 1 to 36, DISTRICT LOT 283,
CLAYOQUOT DISTRICT, PLAN VIP 84686

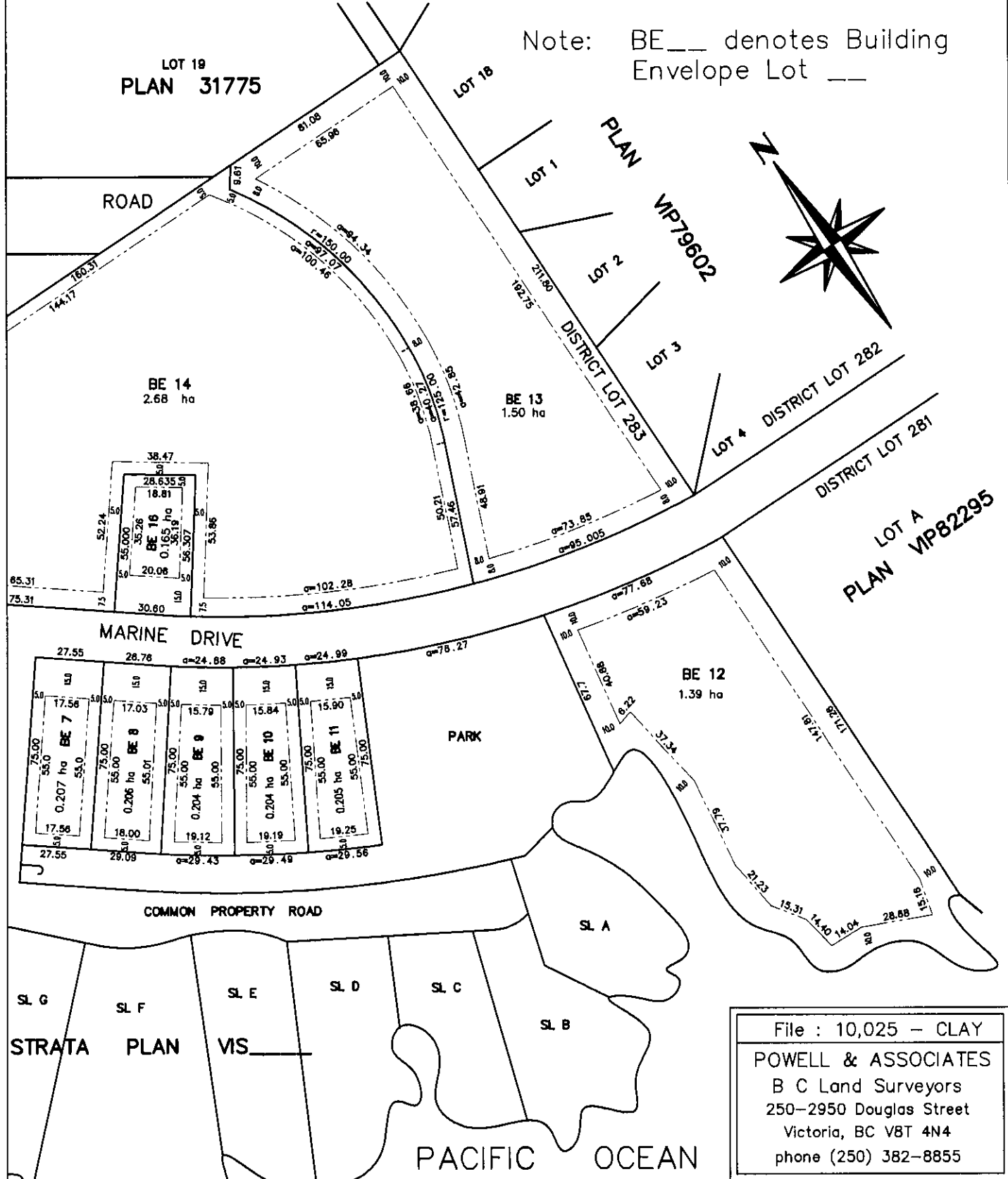
PAGE 1 OF 2



SKETCH PLAN TO ACCOMPANY BUILDING SETBACK COVENANT FOR
 LOTS 1 to 36, DISTRICT LOT 283,
 CLAYOQUOT DISTRICT, PLAN VIP _____

PAGE 2 OF 2

Note: BE__ denotes Building Envelope Lot __



END OF DOCUMENT



REPORT TO COUNCIL

Council Meeting: March 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DONNA MONTEITH, CHIEF FINANCIAL OFFICER **FILE NO:** 1760-10
SUBJECT: LOAN AUTHORIZATION BYLAW No. 1304, 2022 **REPORT NO:** 22-35
 WATER SYSTEM AND FILTRATION IMPROVEMENTS PROJECT
ATTACHMENT(S): LIABILITY SERVICING LIMIT CERTIFICATE
 LOAN AUTHORIZATION BYLAW No. 1304, 2022

RECOMMENDATION(S):

THAT Council abandon District of Ucluelet Loan Authorization Bylaw No. 1268, 2020.

THAT Council approve Option A, to give first, second and third reading of Loan Authorization Bylaw No. 1304, 2022.

THAT Council direct staff to submit District of Ucluelet Loan Authorization Bylaw No. 1304, 2022 to the Inspector of Municipalities for approval.

ADDITIONAL RECOMMENDATION FOR CONSIDERATION

THAT Council direct staff to revise the District of Ucluelet's five-year financial plan to include a 3% property tax increase to be placed into the Water Capital Reserve fund for future debt servicing of the water system and filtration improvements project.

BACKGROUND:

At the February 22, 2022 meeting of Council, Council directed staff to undertake an Alternative Approval Process (AAP) for the borrowing of up to \$13,000,000 to be utilized for the completion of the District Water System and Filtration Improvements project.

The purpose of this report is to begin the process for borrowing the required funds for the project. At the time of this report the cost of borrowing the maximum \$13M over a (30) thirty-year period would exceed \$729,290 annually based on a current 10-year interest rate of 3.24%. Add this to our current and pending loans, our yearly debt servicing could exceed \$991,000. The BC Government mitigates borrowing risk by capping annual liability servicing costs for each municipality. A municipality may not incur a liability if the total annual servicing cost of the aggregate liabilities is greater than 25 percent of annual revenues. Based on 2021 information our limit yearly limit is \$1,461,612. Borrowing the maximum \$13M could put the District in a position where we are using 67% or more of our borrowing capacity. Ultimately borrowing the maximum amount will impede our ability to complete future projects. Since we know the District will

require a large yearly payment regardless of the loan amount, it is suggested we collect extra taxes now, in order to meet the payments later on.

In order to proceed with the borrowing process the following steps must be undertaken, as per [Section 179 and 180](#) of the *Community Charter*, long term borrowing:

1. Give first three readings to the loan authorization borrowing bylaw;
2. Submit the loan authorization bylaw to the Inspector of Municipalities for statutory approval; and,
3. Seek approval of the electors.

Upon confirmation of approval of the electors, Council may then proceed to consider for final reading and adoption the loan authorization borrowing bylaw.

Alternate Approval Process - Undertaking an alternative approval process takes approximately eight (8) weeks, including a 30-day period where the electors may show their objection to the borrowing bylaw. An objection is demonstrated if 10% or more of the total number of electors indicate their dissent for the proposed borrowing bylaw through submission of a signed form. If this occurs, Council may not proceed with adoption of the bylaw unless approval of the electors is subsequently obtained through a referendum.

Referendum - The referendum process requires a minimum of 80-days to complete and that a majority of voters be in support of the question posed by Council. If the AAP is unsuccessful, it is possible that a referendum could be incorporated into the fall municipal election.

ANALYSIS OF OPTIONS

A	Give first three readings to new loan authorization bylaw, and approve tax increase	<u>Pros</u>	<ul style="list-style-type: none"> • Establishes the needed funding to undertake the water treatment system project in its entirety. • Most expeditious means of gaining approval of the electorate. • Confirms the project and borrowing prior to the fall election.
		<u>Cons</u>	<ul style="list-style-type: none"> • AAP’s generally see lower levels of electorate participation. • Reduces the borrowing capacity of the District for future projects. • Substantial increase to utilities and/or property taxes
		<u>Implications</u>	<ul style="list-style-type: none"> • Commits the District to \$13M in long term borrowing • Commitment to increase utilities and/or property taxes
B	Revise the project plan to fit existing budget, and approve tax increase	<u>Pros</u>	<ul style="list-style-type: none"> • Maintains the current project at existing costs. • Reduced debt servicing costs
		<u>Cons</u>	<ul style="list-style-type: none"> • Grant funder may withdraw the grant funds in their entirety. • High probability that the project will remain substantially over budget.
		<u>Implications</u>	<ul style="list-style-type: none"> • Commits the District to \$7.9M in long term borrowing • Commitment to increase utilities and/or property taxes
		<u>Suggested Motion</u>	<p>THAT Council approve option B, to direct staff to revise the water treatment project scope to fit within the existing \$15 million-dollar budget;</p> <p>THAT Council amend the water treatment system loan authorization bylaw 1304, 2022 to reflect a maximum loan of \$7.9 million; and,</p>

		<p>THAT Council give first, second and third reading of the water treatment loan authorization bylaw 1304, 2022 as amended.</p> <p>THAT Council direct staff to submit District of Ucluelet Loan Authorization Bylaw No. 1304, 2022 to the Inspector of Municipalities for approval.</p> <p><u>Additional Recommendation for Consideration</u></p> <p>THAT Council direct staff to revise the District of Ucluelet’s five-year financial plan to include a 3% property tax increase to be placed into the Water Capital Reserve fund for future debt servicing of the water system and filtration improvements project.</p>
C	Do not proceed with the water treatment project.	<p><u>Pros</u></p> <ul style="list-style-type: none"> • District is not required to borrow funds for the project.
		<p><u>Cons</u></p> <ul style="list-style-type: none"> • Grant funding will be withdrawn by the grant funder. • District unlikely to receive grant funding for a future water treatment system project. • Water quality remains unaddressed. • Continued community impacts related to ‘brown’ water.
		<p><u>Implications</u></p> <ul style="list-style-type: none"> • An increase in operational costs to maintain a higher level of water system maintenance and flushing program will be required.
		<p><u>Suggested Motion</u></p> <p>No motion is required.</p>

POLICY OR LEGISLATIVE IMPACTS:

[Community Charter, S. 86](#) outlines the alternative approval process which must be followed to gain approval of the electors required to adopt a loan authorization bylaw.

[Community Charter, S. 94](#) provides details on the requirements for public notice that must be adhered to.

[Community Charter, S. 179](#) provides direction on the process and allowances for long term borrowing.

[Community Charter, S. 180](#) provide details on the requirements for loan authorization bylaws.

NEXT STEPS

- Submission of borrowing bylaw for Inspector of Municipalities’ review
- Development of AAP forms and notifications
- Advertising of AAP, pending Inspector’s approval
- RTC to consider adoption of the borrowing bylaw
- One month Quashing Period
- Issuance of Certificate of approval
- Proceed with Security Issuing Process

Respectfully submitted:

DONNA MONTEITH, CHIEF FINANCIAL OFFICER

DUANE LAWRENCE, CAO

LIABILITY SERVICING LIMIT CERTIFICATE

The District of Ucluelet (the "Municipality")
 In relation to Loan Authorization Bylaw No. 1304, 2022

The undersigned Financial Officer assigned responsibility for financial administration under section 149 of the Community Charter, SBC 2003, Chapter 26 (the "Charter") or Auditor appointed for the Municipality under section 169 of the Charter hereby certifies as follows:

Calculation revenue for the previous year <i>(section 4 & 5, BC Reg 254/2004)</i>	<u>\$5,846,450.00</u> a
Liability Servicing Limit (a x 25%) <i>(section 2, BC Reg 254/2004)</i>	<u>\$1,461,612.50</u> b
Annual Servicing cost for previous year	<u>\$190,494.00</u> c

Plus: New liabilities incurred, other than current request

Liability Type and reference	Annual servicing cost	
<u>2022 Equipment Loan in progress</u>	<u>\$71,613.00</u>	d
_____	_____	e
_____	_____	f
_____	_____	g
_____	_____	h
_____	_____	i
_____	_____	j
_____	_____	k
_____	_____	l
Total of lines d through l	<u>\$71,613.00</u>	m

Less: Liabilities which have matured

Liability type and reference	Annual servicing cost	
_____	_____	n
_____	_____	o
_____	_____	p
_____	_____	q
_____	_____	r
Total of lines n through r	<u>\$0.00</u>	s

Amount of new liability <i>(section 3, BC Reg 254/2004)</i>	<u>\$13,000,000.00</u>	t
Annual servicing cost of new liability <i>(section 3, BC Reg 254/2004)</i>	<u>\$729,291.00</u>	u
Total liability servicing cost including current request (lines c+m-s+u)	<u>\$991,398.00</u>	v

which is less than the annual liability servicing limit stated on line b.

OR

which exceeds the annual liability servicing limit stated on line b, and the undersigned hereby requests approval of the Inspector of Municipalities under section 174 of the Charter to exceed the limit established under the section.

In accordance with section 179(5) or section 175(1)(b) of the Charter, as applicable, the debt to be contracted under the loan authorization bylaw, or other liability for which certification is being made, referred to above will not exceed the lesser of 30 years and the reasonable life expectancy of the capital asset, activity, work or service, or the remaining term of the applicable agreement, as the case may be, for which the debt is to be contracted.

The undersigned Financial Officer or Auditor also hereby authorizes Legal Counsel of the Municipal Finance Authority of British Columbia to rely on this Certificate in giving any opinion in connection with any borrowing by the Municipal Finance Authority of British Columbia ("MFA") and the issuance of bonds, debentures, and other securities by the MFA in respect of the loan authorization bylaw, or other liability for which certification is being made, referred to above.

DATED this 8 day of March, 2022

Donna J Monteith OR
 Financial Officer

 Auditor

Donna J Monteith
 (Please print full name)

 (Please print full name & company)

DISTRICT OF UCLUELET
Loan Authorization Bylaw 1304, 2022

A bylaw to authorize the borrowing to complete a water treatment project.

WHEREAS it is deemed desirable and expedient to construct a water treatment system for the District's well fields, surface water supply and increase water storage capacity;

AND WHEREAS the estimated cost of the water treatment project including expenses incidental thereto is the sum of twenty million dollars (\$20,000,000) of which the sum of thirteen million dollars (\$13,000,000) is the maximum amount of debt intended to be borrowed by this bylaw;

1. **NOW THEREFORE** the Council of the District of Ucluelet in open meeting assembled enacts as follows: This bylaw may be cited as the "Loan Authorization Bylaw No. 1304, 2022".
2. The District of Ucluelet is hereby authorized to borrow upon the credit of the Municipality a sum not to exceed thirteen million (\$13,000,000).
3. The entire amount authorized to be borrowed pursuant to this bylaw is for the purpose of carrying out the development of a water treatment system for the District well fields, surface water supply and increased water storage capacity and to acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the development of a water treatment system for the Districts well fields, surface water supply and increasing of the Districts water storage capacity.
4. The maximum term of which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.

Read a first time this ** day of ***, 20**.

Read a second time this ** day of ***, 20**.

Read a third time this ** day of ***, 20**.

Received the approval of the Inspector of Municipalities this _____ day of _____ 2022.

Received the Assent of the Electors of the District of Ucluelet this ___ day of _____ 2022.

Reconsidered and ADOPTED this ** day of ***, 20**.

Mayor

Deputy Corporate Officer

CERTIFIED CORRECT; "District of Ucluelet Loan Authorization Bylaw No. 1304, 2022".

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

Deputy Corporate Officer



REPORT TO COUNCIL

Council Meeting: March 15, 2022
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: PAULA MASON, MANAGER OF CORPORATE SERVICES **FILE NO:** 3900-20
SUBJECT: SINGLE-USE ITEM REGULATION BYLAW AMENDMENT NO. 1298, 2022 **REPORT NO:** 22- 28
ATTACHMENT(S): SINGLE-USE ITEM REGULATION AMENDMENT BYLAW NO. 1298, 2022

RECOMMENDATION(S):

THAT Council approve Option A, to adopt the Single-Use Item Regulation Amendment Bylaw No. 1298, 2022 as presented.

BACKGROUND:

The purpose of this report is to present for Council’s consideration the adoption of the District of Ucluelet Single-Use Item Regulation Amendment Bylaw No. 1298, 2022 (the “Bylaw”).

On October 12, 2021, Council directed Staff to present amendments to the Bylaw, to include the addition of plastic utensils. On February 22, 2022, Staff presented Council with an amended bylaw that included, but was not limited to, the addition of plastic utensils. Council gave the amended bylaw first, second and third reading. As a result, Council is now in a position to adopt the Bylaw.

ANALYSIS OF OPTIONS:

In 2021 the *Community Charter* was amended, providing municipalities the authority to make a bylaw to regulate, prohibit and impose requirements in relation to the protection of the natural environment, specifically the following single-use items:

- a) Checkout bags;
- b) Polystyrene foam service ware containers;
- c) Plastic utensils; and
- d) Plastic Drinking Straws

Adopting the amended bylaw as presented ensures the municipality’s compliance with recent legislation and is a pro-active approach to moving our community forward in environmental and sustainable practices.

A	Adopt the bylaw amendment as presented.	<p><u>Pros</u></p> <ul style="list-style-type: none"> • Promotion of more widely used sustainable resources • Participation in the province-wide approach to reduce the use of plastic utensils in municipalities • Update our existing single-use regulations in accordance with recently updated legislation • Set a leading example for other BC communities to follow
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		<ul style="list-style-type: none"> • Reduce even further the waste stream currently going to our regional landfill • Adhere to Objective 2D of our OCP which states “to work with and support other agencies who share the community’s goal of protecting our environment” • To avail of resources <i>currently</i> being offered by Surfrider Pacific Rim to help educate our community • Bringing the same information to all our West Coast communities at the same time, will ensure the conveyance of consistent campaigning and education, which means a higher chance of success 	
	<u>Cons</u>	<ul style="list-style-type: none"> • It will take time to educate staff, residents, and businesses • Potential resistance from businesses who do not prioritize environmental best practices 	
	<u>Implications</u>	<ul style="list-style-type: none"> • Print materials used for the education of the public have already been funded • Staff time to update our website with new regulation 	
B	Do not proceed with the bylaw amendment at this time.	<u>Pros</u>	<ul style="list-style-type: none"> • No further work would be required at this time • Existing bylaw restricting single use plastics would remain in place
		<u>Cons</u>	<ul style="list-style-type: none"> • The local proactive approach to increased environmental awareness and community sustainability would be decreased • Will be out of synch with other west coast communities • Would not be able to utilize SPR to educate the public on the initiative • Communities throughout BC would continue to advance their single-use item regulations and Ucluelet would no longer retain its name as a leader in sustainability
		<u>Implications</u>	<ul style="list-style-type: none"> • Increased staff time to conduct community education on any future bylaw updates.
		<u>Suggested Motion</u>	That Council direct staff to abandon the amendment of Single-use Item Regulation Bylaw No. 1298, 2020

POLICY OR LEGISLATIVE IMPACTS:

As shown on the Government of BC’s [Environmental Protection and Sustainability](#) website page, the District of Ucluelet will be one of the first municipalities to regulate *every* single-use item suggested in Ministerial Order M309. The continued regulation of these items (and future items) by our Council, supports the ongoing efforts of CleanBC’s [Plastics Action Plan](#) as well as initiatives brought forth in Ucluelet’s recently adopted [Climate Change Adaptation Plan](#) and [Official Community Plan](#).

NEXT STEPS

- Notify the Ministry of Environment and Climate Change Strategy of the implementation date.
- Implement a business and community awareness campaign
- Advise bylaw enforcement and implement awareness and enforcement

Respectfully submitted:

PAULA MASON, MANAGER OF CORPORATE SERVICES
DUANE LAWRENCE, CAO

DISTRICT OF UCLUELET

Bylaw No. 1298, 2022

A bylaw to amend District of Ucluelet Single-Use Item Regulation Bylaw No. 1266, 2020

WHEREAS the *Community Charter* authorizes a council to regulate in relation to protection of the natural environment with approval from the minister responsible;

AND WHEREAS the Council of the District of Ucluelet wishes to establish a bylaw to reduce the creation of waste from single-use items and the associated municipal costs to better steward municipal property, including sewers, streets, parks, beaches and waterways;

AND WHEREAS the Council of the District of Ucluelet wishes to promote responsible and sustainable environmental practices that are consistent with the values of the community;

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

1. CITATION

This Bylaw may be cited for all purposes as the “District of Ucluelet Single-Use Item Regulation Amendment Bylaw No. 1298, 2022”.

2. PURPOSE

This bylaw amends the parent bylaw entitled “District of Ucluelet Single-Use Item Regulation Bylaw No. 1266, 2020” and all its amending bylaws.

3. AMENDMENTS

Bylaw No. 1266, 2020 is hereby amended by inserting, striking and inserting, or deleting words in the sections and subsections stated below:

Definitions

Insert

- (i) “Bylaw Enforcement Officer” means, for the purpose of this bylaw, any of the following:
 - (a) Chief Administrative Officer or his designate;
 - (b) Bylaw Enforcement Officer or his designate;
 - (c) Manager/Director of Community Planning or his designate.
- (ii) “Item” means the applicable of the following:
 - (a) a bag;
 - (b) a service ware container;
 - (c) a utensil;
 - (d) (d) a drinking straw;
- (iii) “Plastic” includes all compostable and biodegradable plastic(s)
- (iv) “Reusable bag” means a bag that is used for the purpose of transporting items by the customer from a Business, and is designed and manufactured to be used at least 100 times;

- (v) “Single-use”, when used in reference to an item, means the item is provided for a single use or a short-term purpose;
- (vi) “Small Paper Bag” means any bag made out of paper that is less than 15 centimeters by 20 centimeters when flat;
- (vii) “Small Plastic Bag” means any bag made out of plastic that is less than 15 centimeters by 20 centimeters when flat;
- (viii) “Utensil” includes a spoon, fork, knife, chopstick or stir stick

Strike

- (i) “Reusable Bag” means a bag with handles that is for the purpose of transporting items by the customer from a Business and is designed and manufactured to be capable of at least 100 uses;
- (ii) “Small Paper Bag” means any bag made out of paper that is less than 15 centimeters by 30 centimeters when flat;
- (iii) “Small Plastic Bag” means any bag made out of plastic that is less than 15 centimeters by 30 centimeters when flat;

Regulation

Insert

- (i) (1)(d) Plastic Utensil
- (ii) (4) No Business shall deny or discourage a customer from using their own drinking straw, plastic utensil or reusable checkout bag.

Strike

- (i) (4) No Business shall deny or discourage a customer from using their own Checkout Bag or drinking straw.

Exemptions

Insert

- (i) (3) Section 3 does not apply to Plastic Drinking Straws or Plastic Utensils provided on request by customers with disabilities or due to medical reasons.
- (ii) (4) This bylaw does not apply to the sale of single-use items that are sold as a product, ordinarily in sets of multiple items.
- (iii) (5) This bylaw does not apply to
 - (a) a hospital or any facility licensed as a community care facility under the *Community Care and Assisted Living Act*, or
 - (b) people experiencing financial hardship,

Strike

- (i) (3) Section 3 does not apply to Plastic Drinking Straws provided by request to customers with an accessibility need, and customers shall not be required to provide any medical information to prove their need.
- (ii) (4) The Bylaw does not apply to the sale of Plastic Bags intended for use at the customer’s home or business, provided they are prepackaged and sold in packages of multiple bags.
- (iii) (5) The Bylaw does not apply to the sale of Plastic Drinking Straws intended for use in the customer’s home or business, provided they are sold in packages of multiple straws.

- (iv) (6) Notwithstanding section 3(2) and 3 (3), a Business may provide a Checkout Bag without asking and free of charge if the bag has been donated to the Business for the purpose of being reused by other customers, and:
 - (a) the bag has already been used by a customer; or
 - (b) in the case of a Reusable Bag, the bag is made from 100% recycled materials.

Offence

Insert

- (i) (1) Every person who contravenes any provision of the Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out, or perform a duty or obligation imposed by this Bylaw, shall be deemed to have committed an offence against this Bylaw and:
 - (a) Shall be liable to a penalty as set out in the “Municipal Ticket Information System Bylaw No. 949, 2004” as amended from time to time;
 - (b) Shall be liable, upon summary conviction, to the penalties provided under the “Offense Act” and amendments thereto; or
 - (c) Any combination of (a) and (b).
- (ii) (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

Strike

- (i) (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, and the Offence Act if that person;
 - (a) Contravenes a provision of this Bylaw;
 - (b) Consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
 - (c) Neglects or refrains from doing anything required by a provision of this Bylaw.
- (i) (2) Each day that a contravention of a provisions of this Bylaw occurs or continues shall constitute a separate offence

Enforcement

Strike

- (i) (4) Every person who contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, omits, or neglects to fulfil, observe, carry out, or perform a duty or obligation imposed by this Bylaw, shall be deemed to have committed an offence against this Bylaw and:
 - a. shall be liable to a fine set out in “Schedule A” attached hereto and forming part of this Bylaw, as amended from time to time;
 - b. shall be liable to a penalty set out in the “Municipal Ticket Information System Bylaw No. 949, 2004” as amended from time to time;
 - c. shall be liable, upon summary conviction, to the penalties provided under the “Offence Act” and amendments thereto; or
 - d. any combination of 6 (4) (a), (b), and (c).
- (ii) (5) This section will now be numbered as section (4).

Schedules

Strike

Schedule "A" Fines and Penalties

Severability

Insert

- (i) If any part, section, sub-section, clause of this bylaw for any reason is held to be invalid by the decisions of a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this bylaw.

Strike

- (i) If any provision of the Bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed, and its severance shall not affect the validity of the remainder of the Bylaw.

4. EFFECTIVE DATE

This bylaw shall come into force and effect upon the date of adoption, excepting that which pertains to plastic utensils, which shall come into force and effect six (6) months from the date of adoption.

READ A FIRST TIME this 22nd day of February, 2022.

READ A SECOND TIME this 22nd day of February, 2022.

READ A THIRD TIME this 22nd day of February, 2022.

ADOPTED this ____ day of _____, _____.

CERTIFIED TRUE AND CORRECT COPY of "District of Ucluelet Single-Use Item Regulation Amendment Bylaw No. 1298, 2022".

 Mayco Noël
 Mayor

 Paula Mason
 Deputy Corporate Officer

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

 Paula Mason
 Deputy Corporate Officer



REPORT TO COUNCIL

Council Meeting: March 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM:	ABBY FORTUNE, DIRECTOR OF PARKS & RECREATION	FILE NO: 6240-20
SUBJECT:	AMPHITRITE POINT HOUSE FUNDING	REPORT NO: 22- 31
ATTACHMENT(S):	AMPHITRITE HOUSE COST ANALYSIS	

RECOMMENDATION(S):

THAT Council direct staff to amend the 2022-2026 capital budget to include an additional allocation of \$139,200 from the Resort Municipality Initiative funds and up to \$400,000 of Barkley Community Forest Reserve funds to the Amphitrite House Project; and,

THAT Council direct staff to proceed with the final design work and authorize the issuance of a request for proposal for the completion of the Amphitrite House project.

BACKGROUND:

The District of Ucluelet has been working on the redevelopment of the former Lightkeeper's Residence. The intent is to maintain the iconic look and feel of the Lighthouses of the past, with an updated functional space for the future. The renovation/rebuild of the existing structure is a key component of the proposed upgrades, which includes exterior improvements such as a wrap-around deck, outdoor amphitheater, accessible pathways, and upgraded water and sanitary services.

The initial project was funded at \$1,360,800 through the Investing in Canada Infrastructure Program – Recreation Stream and RMI fund. In the Five-Year Financial Plan (2022-2026), presented to Council on February 24, 2022, a total cost estimate of \$1.9M was proposed. Although the recently received Class B estimate for construction costs and professional services now reflects a total cost of \$2.1M, staff feel confident that we can still refine the amount to meet the budgeted \$1.9M. The estimate was based on retaining the existing foundation and constructing a new main floor with no basement improvements as presented in the July 2021 options report. Staying within the \$1.9M will only require an additional allocation of \$539,200.

ANALYSIS OF OPTIONS

In order to move forward, the District will need to fund the shortfall of \$539,200. Staff is recommending a combination of RMI funds and Barkly Community Forest Reserve Funds be used. The maximum amount suggested for Barkley Community Forest fund is \$400,000 with the remaining \$139,200 funded through the 2022/23 RMI. Staff have contacted the Province regarding the RMI fund and are confirming that the additional allocation to the project will be supported.

A	Approve RMI Funds & Barkley Community Forest and proceed with the project.	<u>Pros</u>	<ul style="list-style-type: none"> • Funds are currently available within both the RMI (tbc) and Barkley Community Forest (BCF) funds. • Will meet the need of the shortfall. • Upon confirmation of funding an RFP can be issued to move into the construction phase of the project.
		<u>Cons</u>	<ul style="list-style-type: none"> • BCF and RMI funds will be reduced and will not be available to be used for other projects.
		<u>Implications</u>	<ul style="list-style-type: none"> • The project, as currently designed, is able to move forward.
B	Proceed with no additional funding	<u>Pros</u>	<ul style="list-style-type: none"> • BCF and RMI funds will be available for alternate projects.
		<u>Cons</u>	<ul style="list-style-type: none"> • The project would need to be reduced in scope, phased, or deferred.
		<u>Implications</u>	<ul style="list-style-type: none"> • The project is abandoned or does not meet the criteria that was originally laid out in the grant.
		<u>Suggested Motion</u>	<p>THAT Council direct staff to</p> <p>a) reduce the scope of the Amphitrite House project in order to maintain the existing \$1,360,800 project budget.</p> <p>OR</p> <p>b) significantly reduce or defer the landscaping portion of the Amphitrite House project and maintain a total maximum budget of \$1,360,800.</p>

NEXT STEPS

- Amend the 2022-2026 budget to include the allocation of RMI and BCF funds.
- Post the designs on the District website for final comments from the community.
- Develop and issue RFP
- Present RFP results to Council for consideration

Respectfully submitted: **ABBY FORTUNE, DIRECTOR OF PARKS & RECREATION**

DONNA MONTEITH, CFO

DUANE LAWRENCE, CAO



Amphitrite House Cost Analysis
Cost Analysis
03-Mar-22

Item	Description	Feasibility Study	Budget to Council July 2021	Class C Cost Estimate August 8 2021	Heatherbrae (Class C) September 23, 2021	Heatherbrae (Class B) February 28, 2022	Value Engineering Items March 1, 2022	Value Engineering Descriptions March 3, 2022	Value Engineering Total Adjustment March 3, 2022
1	Site Preparation and Hazardous Material Remediation	\$18,000	\$20,000	\$20,000	\$20,000	\$21,600			\$21,600
2	Building Demolition	-	\$30,000	\$60,000	\$46,700	\$34,900			\$34,900
	Building Misc Detailed Excavation and Backfill					\$14,400			\$14,400
3	Building Renovations Total	\$571,000	\$741,000	\$1,342,400	\$614,300	\$436,700			\$436,700
3.1	Substructure			\$13,600	included in 3.0	included in 3.0			
3.2	Structure- Lower Floor			\$1,900	included in 3.0	included in 3.0			
3.3	Structure- Upper Floor			\$134,600	included in 3.0	included in 3.0			
3.4	Structure- Stairs			\$2,500	included in 3.0	included in 3.0			
3.5	Structure- Roof			\$53,600	included in 3.0	included in 3.0			
3.6	Exterior Enclosure			\$393,400	\$94,200	included in 3.0			
3.7	Partitions & Doors			\$69,500	\$72,000	included in 3.0			
3.8	Finishes			\$98,000	\$48,100	included in 3.0			
3.9	Fittings and Equipment			\$36,600	\$16,900	included in 3.0			
3.10	Mechanical			\$162,500	\$115,600	\$122,300			\$122,300
3.11	Electrical			\$145,500	\$62,400	\$62,600	\$12,000	Remove exterior lower path lights	\$50,600
3.12	General Requirements			\$230,700	included in 3.0	below			
4	Civil Servicing	\$30,000	\$43,000	\$43,000	\$43,000	\$145,530	\$27,500	Remove manhole and reduce civil and landscape repairs	\$118,030
	Civil- Remove Existing Septic tank and Field					\$16,500			\$16,500
	BC Hydro Service	\$0	\$0	\$0	\$0	\$96,930			\$96,930
5	Landscape	\$293,550	\$316,000	\$300,800	\$492,300	\$276,500	\$20,200	Change to seed and reduce planting	\$256,300
6	Wraparound Deck	\$49,450	\$95,000	included in building	\$46,700	\$51,000	\$16,500	Change railing	\$34,500
7	General Requirement and GC Fee			\$79,000	\$264,900	\$275,900			\$275,900
	Subtotal construction costs	\$962,000	\$1,245,000	\$1,845,200	\$1,527,900	\$1,554,860			\$1,478,660
7	10% Contingency	\$226,800	\$249,000	\$184,520		\$155,486			\$147,866
8	3% Escalation Contingency			\$59,500					
9	Drawing Development and Escalation Contingency (15%)				\$229,185				
	Total Construction Costs	\$1,188,800	\$1,494,000	\$2,089,220	\$1,757,085	\$1,710,346			\$1,626,526
10	Professional Fees	\$157,000	\$337,000	\$337,000	\$337,000	\$337,000			\$337,000
11	Pre Construction Services and Construction Management				\$173,464	\$176,035			\$176,035
12	Grand Opening/Other	\$15,000							
	Total with Contingency and Soft Costs	\$1,360,800	\$1,831,000	\$2,426,220	\$2,267,549	\$2,223,381			\$2,139,561
	Percent Increase from Previous Milestone		35%	33%	-7%	-2%			-4%
	Price Variance from Previous Milestone		\$470,200.00	\$595,220.00	-\$158,671.00	-\$44,168.00			-\$83,820.00
	Price Variance from Grant Application		\$470,200.00	\$1,065,420.00	\$906,749.00	\$862,581.00			\$778,761.00
	Costs per sf (Based on total floor area of top floor 1235sf)		\$600.00	\$1,086.00	\$497.41	\$353.60			\$353.60
	District Max Budget = \$1,900,000.00 as of February 2022								
	Value Engineering Required as of February 2022					-\$323,381.00			-\$239,561.00



STAFF REPORT TO COUNCIL

Council Meeting: March 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DONNA MONTEITH, CHIEF FINANCIAL OFFICER **FILE NO:** 1760-15
SUBJECT: 2022-2027 MFA EQUIPMENT FINANCING LOAN AUTHORIZATION **REPORT NO:** 22-34
ATTACHMENT(S): LIABILITY SERVICING LIMIT CERTIFICATE

RECOMMENDATION(S):

THAT Council of the District of Ucluelet authorize up to \$350,000 be borrowed, under section 175 of the *Community Charter*, from the Municipal Finance Authority, for the purpose of purchasing fleet vehicles and equipment; and

THAT the loan be repaid within 5 years, with no rights to renew.

BACKGROUND:

This report is to seek a special resolution from Council for an equipment financing loan from the Municipal Finance Authority in the amount of up to \$350,000 for the purposes of purchasing fleet equipment and vehicles.

At the February 24, 2022, Special Budget meeting a revised vehicle fleet slide was presented by staff outlining the suggested purchases in 2022. Along with a new small tractor and car, the Districts' loader, Kubota tractor, and janitorial truck are in very poor condition. Council passed a motion at the meeting to direct staff to proceed with the equipment loan process.

ANALYSIS OF OPTIONS

An equipment financing loan, with a five-year term, from the Municipal Finance Authority (MFA) is recommended to finance these purchases. [Section 175](#) of the *Community Charter* authorizes municipalities to incur such a liability. MFA sets interest rates for equipment financing loans each month. Council was presented with a five-year loan option using the posted rate of 1.04% at the Special Budget meeting February 24, 2022. The rate in March is .9%. The fixed monthly payment is estimated to be \$5,968.

A	Authorize up to \$350,000 be borrowed from MFA	<u>Pros</u>	<ul style="list-style-type: none"> Fixed low interest rate, no other fees, and a fixed monthly payment schedule
		<u>Cons</u>	<ul style="list-style-type: none"> Should the District borrow funds from MFA, there will be interest on the loan. The rate March 3/22 was 0.9%
		<u>Implications</u>	<ul style="list-style-type: none"> The monthly payment is estimated at \$5,968/mo Nominal staff time would be required to obtain a loan, as well as to administer the payments back to MFA.
B		<u>Pros</u>	<ul style="list-style-type: none"> No interest will be incurred if the District does not obtain a loan.

Do not proceed with equipment financing.	<u>Cons</u>	<ul style="list-style-type: none"> The District will need to find alternative funds to purchase equipment and vehicles Increased maintenance costs on aging vehicles that are retained in service Replacement and purchase of needed vehicles and equipment may be deferred
	<u>Implications</u>	<ul style="list-style-type: none"> If there are no available funds, the Districts fleet will be inadequate to meet staff needs
	<u>Suggested Motion</u>	THAT Council direct staff to re-evaluate requirements for District fleet and report back to Council with alternative funding options.

POLICY OR LEGISLATIVE IMPACTS:

An equipment financing loan is not subject to electoral approval and does not require approval by the Inspector of Municipalities, provided the term is five years or less.

NEXT STEPS:

- A copy of the Council resolution and loan documents will be provided to MFA.
- Equipment and vehicle purchases will proceed within Council’s Procurement and disposal policy #3-1200-5.

Respectfully submitted:

DONNA MONTEITH, CHIEF FINANCIAL OFFICER

DUANE LAWRENCE, CAO

LIABILITY SERVICING LIMIT CERTIFICATE

The District of Ucluelet (the "Municipality")
 In relation to MFA Equipment and Financing Loan - Council Resolution March 15/22

The undersigned Financial Officer assigned responsibility for financial administration under section 149 of the Community Charter, SBC 2003, Chapter 26 (the "Charter") or Auditor appointed for the Municipality under section 169 of the Charter hereby certifies as follows:

Calculation revenue for the previous year (section 4 & 5, BC Reg 254/2004)	<u>\$5,846,450.00</u> a
Liability Servicing Limit (a x 25%) (section 2, BC Reg 254/2004)	<u>\$1,461,612.50</u> b
Annual Servicing cost for previous year	<u>\$190,494.00</u> c

Plus: New liabilities incurred, other than current request

Liability Type and reference	Annual servicing cost	
_____	_____	d
_____	_____	e
_____	_____	f
_____	_____	g
_____	_____	h
_____	_____	i
_____	_____	j
_____	_____	k
_____	_____	l
Total of lines d through l	<u>\$0.00</u>	m

Less: Liabilities which have matured

Liability type and reference	Annual servicing cost	
_____	_____	n
_____	_____	o
_____	_____	p
_____	_____	q
_____	_____	r
Total of lines n through r	<u>\$0.00</u>	s

Amount of new liability (section 3, BC Reg 254/2004)	<u>\$350,000.00</u> t	
Annual servicing cost of new liability (section 3, BC Reg 254/2004)	<u>\$71,613.00</u> u	
Total liability servicing cost including current request (lines c+m-s+u)	<u>\$262,107.00</u> v	

which is less than the annual liability servicing limit stated on line b.

OR

which exceeds the annual liability servicing limit stated on line b, and the undersigned hereby requests approval of the Inspector of Municipalities under section 174 of the Charter to exceed the limit established under the section.

In accordance with section 179(5) or section 175(1)(b) of the Charter, as applicable, the debt to be contracted under the loan authorization bylaw, or other liability for which certification is being made, referred to above will not exceed the lesser of 30 years and the reasonable life expectancy of the capital asset, activity, work or service, or the remaining term of the applicable agreement, as the case may be, for which the debt is to be contracted.

The undersigned Financial Officer or Auditor also hereby authorizes Legal Counsel of the Municipal Finance Authority of British Columbia to rely on this Certificate in giving any opinion in connection with any borrowing by the Municipal Finance Authority of British Columbia ("MFA") and the issuance of bonds, debentures, and other securities by the MFA in respect of the loan authorization bylaw, or other liability for which certification is being made, referred to above.

DATED this 6 day of March, 2022

Donna J Monteith OR
 Financial Officer

 Auditor

Donna J Monteith
 (Please print full name)

 (Please print full name & company)



REPORT TO COUNCIL

Council Meeting: March 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JAMES MACINTOSH, DIRECTOR, ENGINEERING SERVICES

FILE NO: 1290-04

SUBJECT: CONTRACT AUTHORIZATION FOR PENINSULA ROAD SAFETY AND REVITALIZATION PROJECT

REPORT NO: 21-36

ATTACHMENT(S): N/A

RECOMMENDATION(S):

THAT Council approve Option A, to the Mayor and Corporate Officer to execute a contract between McElhanney and the District of Ucluelet for the design and construction management services of the Peninsula Road Safety and Revitalization Project in an amount of \$330,000 plus tax.

BACKGROUND:

The District of Ucluelet is preparing to begin the Peninsula Road Safety and Revitalization Project.

Driven by public input, the revitalization of the project area has become a priority for the District of Ucluelet. The project's deliverables are identified in the District's 2019 to 2022 Strategic Plan and Official Community Plan. The District hosted a public open house on December 11, 2019, to showcase and seek input on the preliminary analysis and design ideas. The open house presentation boards remain on the District's website and can be viewed at the following link: <https://ucluelet.ca/community/planning-building-bylaw/public-realm-projects>

The project proposes to add bike lanes, improve accessibility, enhance pedestrian, and traffic safety, and to beautify 1.6 km's of Ucluelet's key commercial area from Forbes Road to Main Street. The vision includes:

- Accessible crosswalks and improve the accessibility of existing crosswalks;
- Protected bicycle lane one-way track in both directions;
- Traffic calming curbing extensions to all intersections and crosswalks;
- Travel lane roll curbing (600m in both directions) to clearly define the travel lanes;
- Sidewalks or pathways on the north side of Peninsula where possible;
- Defined intersections that consider, pedestrian and cycling facilities, and crosswalks;
- A relocation of the road centerline in the project area allowing the proposed future accessible and active transportation improvements;
- Landscaping, hardscaping, furnishings, public art, and historical item spaces where appropriate.

The planned improvements are intended to embrace and build on Ucluelet's distinct identity and character through the design approach, furnishings, and materials.

To finance the project, The District was awarded a grant (the funder has not been disclosed publicly at this time). The grant will fund \$750,000 of the \$1,888,000 project, and the remaining \$1,138,000 will be funded through Gas Tax and the Resort Municipality Initiative fund. The constraints of the grant include a short timeline with final deliverables to be completed by March 31, 2023.

There have been concerns raised about the performance of the underground utilities. It has been reported by the District's consulting engineer firm that much of the sewer line under Peninsula Road is undersized and requires upsizing, additionally the storm system has several areas which have deteriorated well beyond its useful life. District Staff have received estimates on the design and installation of new utilities which is roughly \$300,000 and \$13,000,000, respectively. The construction of the utilities is not feasible due to a lack of funding and the time required to undertake the design work and to tender the project while continuing to meet the grant deadline.

To move the project forward, District Staff have issued a Request for Proposals in February 2022 for qualified professionals to plan, design, tender and manage construction of the Peninsula Road Safety and Revitalization Concept. The Request for Proposals has returned two submissions from professional engineering firms located on Vancouver Island: Binnie & Associates Ltd. and McElhanney.

Both firms have submitted highly competitive proposals which have been compared using a scoring matrix to determine their overall best value. McElhanney had a 10% higher fee; however, scored the highest overall by providing a thorough proposal which is excellent in project team and commitment, advanced community engagement, social and environmental responsibility, past performance on similar projects, project understanding, methodology and deliverables.

ANALYSIS OF OPTIONS

In **Option A**, District Staff would award the project contract to McElhanney who would complete the design and construction management of the project earmarked for completion in the Spring of 2023. This option meets the needs of the Strategic Plan, The Official Community Plan, and community input by using one of Canada's most competent engineering firms to complete the project on time and within budget in anticipation for the repaving of Peninsula Road in 2024 (to be confirmed) currently planned to be undertaken by the Ministry of Transportation and Infrastructure.

Like Option A, in **Option B**, District Staff would award the project contract to McElhanney who would complete the design and construction management of the project; however, Council would direct Staff to modify the Concept to focus the Preliminary Design on high priority needs within the project area determined by Council. The Preliminary Design could be slightly altered to redistribute/reallocate the available budget, design and construction works towards specific areas or elements within the project Concept area such as bike lanes only, sidewalks only, intersections, or the addition of a multiuse path on Larch.

In **Option C**, District Staff would cancel and/or defer the project. This option would default the requirements of the grant. Canceling the project allows an opportunity for District Staff to rethink and approach the community's long-term needs from an interdisciplinary perspective to include all needs such as underground utilities and infrastructure, active transportation, land-use, safety, and aesthetics.

A	<p>Authorize the approval of a contract between McElhanney and the District of Ucluelet</p>	<p><u>Pros</u></p>	<ul style="list-style-type: none"> • Best overall value proposal • McElhanney has an excellent reputation and is the oldest engineering firm in the country and one of the top 4 independently owned firms in Canada • The engineering firm has already successfully completed for this project the Concept Design, preliminary public engagement, and the site survey • McElhanney has proposed to hire a subconsultant which provides a dedicated communications professional for the project • The District reports having positive historical results with McElhanney and their proposed subconsultants • Maintaining project schedule provides synergies with construction contractors expected to be working on other District projects in the Autumn • Meets the requirements of the grant • Project completion would be coordinated with the Ministry of Transportation Infrastructure’s (MoTI) paving plan for Peninsula Road • MoTi has agreed in principle to pave the bike lanes and parking areas in addition to the road surface if the curbs are constructed in time for MoTI’s paving project, therefore, creating savings for the District.
	<p><u>Cons</u></p>	<ul style="list-style-type: none"> • McElhanney is in Nanaimo and managing the project semi-remotely • 10% higher fee than next proponent • Underground utilities are not incorporated into this project • Larch Road area and other works are not currently part of this Concept 	
	<p><u>Implications</u></p>	<ul style="list-style-type: none"> • District approved budget for the project is \$1,138,000 which is funded through Gas Tax and the Resort Municipality Investment fund 	
B	<p>Authorize the approval of a contract between McElhanney and the District of Ucluelet and alter the scope of work to reallocate budget to meet Council’s high-priority needs</p>	<p><u>Pros</u></p>	<ul style="list-style-type: none"> • Different needs could be used to direct the Preliminary Design and construction to upgrade areas not yet incorporated into the Concept such as Larch Road • McElhanney would be awarded the project based on their best value proposal and asked to incorporate the modifications into their Preliminary Design • Grant is satisfied and spent in the community • Grant is flexible to some modifications of scope
	<p><u>Cons</u></p>	<ul style="list-style-type: none"> • Cost overruns and scope creep are more likely in this scenario • The grant’s aggressive timeline could be jeopardized with changes which affect the schedule • The grants funding could be jeopardized with serious changes to scope 	
	<p><u>Implications</u></p>	<ul style="list-style-type: none"> • \$750,000 of grant funding is at risk 	
	<p><u>Suggested Motion</u></p>	<p>That Council approve Option B, to direct Staff to alter the scope of the Peninsula Road Safety and Revitalization Project to redistribute/reallocate portions of the project budget to meet Council’s high priority needs such as _____; and,</p> <p>That Council approve Option A, to the Mayor and Corporate Officer to execute a contract between McElhanney and the District of Ucluelet for the</p>	

			design and construction management services of the Peninsula Road Safety and Revitalization Project in an amount of \$330,000 plus tax.
C	Defer and/or cancel the project	<u>Pros</u>	<ul style="list-style-type: none"> Savings found by not investing in the capital improvement Cancelling the project allows Staff to reset and approach the community's long-term needs from an interdisciplinary perspective
		<u>Cons</u>	<ul style="list-style-type: none"> The high priority safety and beautification project would be deferred or cancelled Grant would be defaulted and \$750,000 forfeited Cancelling or deferring the project begins to create challenges for MoTI's paving schedule on Peninsula Road Safety concerns for pedestrians and vehicles continue Accessing future grants for this project work may be substantially harder to secure.
		<u>Implications</u>	<ul style="list-style-type: none"> Lost time for District Staff which pursued grants and project design work 1,138,000 of Gas Tax and Resort Municipality Investment funds would be saved \$750,000 returned to the funder
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> That Council approve Option C, Defer and/or cancel the project

POLICY OR LEGISLATIVE IMPACTS:

- Procurement and Disposal Policy 3-1200-5 which requires Council's authorization on projects over \$100,000.

NEXT STEPS

- District Staff to execute the contract.
- Initiate the public engagement process.
- Complete detailed design work.
- Issue RFP for work to be undertaken in the winter of 2022 and Spring 2023.

Respectfully submitted:

JAMES MACINTOSH, DIRECTOR, ENGINEERING SERVICES

DUANE LAWRENCE, CAO



REPORT TO COUNCIL

Council Meeting: March 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING **FILE NO:** 0450-20

SUBJECT: YG REFERRAL – AMENDMENTS TO ZONING AND STRUCTURES ACT AND OFFICIAL COMMUNITY PLAN

ATTACHMENT(S): APPENDIX A – DRAFT RESPONSE **REPORT NO:** 22-37
APPENDIX B – LETTER REFERRAL FROM Yuułuʔiłʔatḥ GOVERNMENT WITH DRAFT ZONING AND STRUCTURES ACT AMENDMENT ACT NO. 3

RECOMMENDATION(S):

THAT Council direct staff to issue a response to the Yuułuʔiłʔatḥ Government request for comment on the proposed amendments to the *Yuułuʔiłʔatḥ Government Zoning and Structures Act Amendment Act No. 3* and *Official Community Plan Act* as presented in the attached letter to staff Report No. 22-37.

BACKGROUND:

The District received the attached referral from the Yuułuʔiłʔatḥ Government (YG) on February 16, 2022 (see **Appendix “B”**). The intent and impact of the amendments to the *YG Zoning and Structures Act Amendment Act No. 3* and *YG Official Community Plan Act* (OCP) are outlined in the attached referral letter. Overall, the clarification of uses and intent of the Resource Lands and Industrial lands does not appear to impact the District and is certainly within the jurisdiction of YG.

A range of land uses are designated in the YG OCP and Zoning; the proposed amendments are specific to resource and industrial lands and their designations for sustainable forest and non-timber resource harvesting and processing. While focussed on land use designations, this is an opportunity to invite further conversation at the government-to-government level on shared opportunities for providing infrastructure to sustain our communities.

One change of note is the removal of the Mercantile Creek Watershed overlay on the OCP land use map. Whether this change is intentional or not, it would be appropriate to note the change and the community interest - for both Ucluelet and YG – to protect all sources of community drinking water.

Staff have prepared a draft response for Council to consider, attached as **Appendix “A”**.

ANALYSIS OF OPTIONS:

A	That Council provide response on	<p><u>Pros</u></p> <ul style="list-style-type: none"> • respects the District’s role in the referral process. • acknowledges the jurisdictional authorities but also the desire to respect Indigenous perspectives within the Yuułuʔiłʔatḥ traditional territory.
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	the referral from YG as drafted.		<ul style="list-style-type: none"> notes the shared interest in protecting one of the drinking water sources for the communities of both Ucluelet and Yuułuʔiłʔatḥ.
		<u>Cons</u>	<ul style="list-style-type: none"> None
		<u>Implications</u>	<ul style="list-style-type: none"> It is important to note that the District has no authority over the adoption of laws by the Yuułuʔiłʔatḥ Government (YG); rather this is an opportunity to respectfully engage with the YG to share perspectives and work collaboratively with our neighbours on shared interests.
B	That Council provide an alternative response on the referral from YG.	<u>Pros</u>	<ul style="list-style-type: none"> Council may wish to provide alternative comments to reflect community interests and the views of Council
		<u>Cons</u>	<ul style="list-style-type: none"> Dependent on response provided.
		<u>Implications</u>	<ul style="list-style-type: none"> Dependent on response provided.
		<u>Suggested Motion</u>	THAT Council approve option B, to authorize the Mayor and staff to draft a response to the Yuułuʔiłʔatḥ Government request for comment on the proposed amendments to the Yuułuʔiłʔatḥ Government Zoning and Structures Act Amendment Act No. 3 and Official Community.
C	That Council not provide a response to the referral from YG.	<u>Pros</u>	<ul style="list-style-type: none"> None
		<u>Cons</u>	<ul style="list-style-type: none"> Remains silent on watershed protection;
		<u>Implications</u>	<ul style="list-style-type: none"> Some risk that the Mercantile Creek watershed is overlooked and the amended OCP removes indication of the drinking water source
		<u>Suggested Motion</u>	No motion is required.

POLICY OR LEGISLATIVE IMPACTS:

Providing respectful feedback to the current referral and inviting ongoing discussion with the Yuułuʔiłʔatḥ Government is consistent with the following Ucluelet OCP policies:

“Policy 1.2 Make every effort to build on the history of respect and mutual assistance which characterises the relationship between the municipality and the Yuułuʔiłʔatḥ and Toquaht Nation.

Policy 1.4 Seek opportunities for mutual benefit when exploring topics of housing, economic development, transportation, utilities, tourism, emergency services and other matters which affect the wellbeing of our communities.

Policy 1.5 Use the protocol agreement between the District of Ucluelet and Yuułuʔiłʔatḥ Government as an avenue for dialogue and action on matters of mutual interest, where we come to the table as equal parties.”

Respectfully submitted:

BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING
DUANE LAWRENCE, CAO



DRAFT

March 15, 2022

Zoltan Schafer, RFP
 Director of Lands and Resources
 Yuułuʔiłʔatḥ Government – Ucluelet First Nation
 P.O. Box 699, Ucluelet, BC
 V0R 3A0

Via Email: zoltan.schafer@ufn.ca

Dear Mr. Schafer:

Re: Amendments to *Zoning and Structures Act* and *Official Community Plan*

At the March 15, 2022, Regular Council Meeting, District of Ucluelet Council considered the referral dated February 16, 2022, on proposed amendments to the *Yuułuʔiłʔatḥ Government Zoning and Structures Act Amendment Act No. 3* and *Official Community Plan Act* amendments. The District of Ucluelet Council appreciates the opportunity to comment, and offers the following:

1. The District of Ucluelet defers to the Yuułuʔiłʔatḥ and their representative legislature on plans for economic development, social, cultural and environmental sustainability on Yuułuʔiłʔatḥ lands.
2. As a follow up to the recommendations of the 2021 West Coast Land Use Demand Study undertaken by a partnership of communities including the District of Ucluelet and Yuułuʔiłʔatḥ Government, we invite discussion with the Yuułuʔiłʔatḥ Government on steps to plan together for a sustainable pattern of managed growth - and for coordinated services and infrastructure to support all communities' aspirations - while maintaining our individual roles and responsibilities toward stewardship of the land within the traditional territory of the Yuułuʔiłʔatḥ.
3. The District notes that the proposed amendment to the Official Community Plan map of Land Use Designations would no longer indicate the Mercantile Creek Watershed as an overlay within the Woodlands and Open Space land use designation and comments that, regardless of the land use designation chosen as appropriate by the Yuułuʔiłʔatḥ Government, protection of water quality within the watershed remains a vital interest for all community members and users of our shared drinking water system.

Thank you for your consideration,

Mayco Noël
 Mayor, District of Ucluelet

District of Ucluelet. *Life on the Edge*®

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

(250) 726-7744 • Fax (250) 726-7335 • info@ucluelet.ca • www.ucluelet.ca



February 16, 2022

VIA EMAIL

District of Ucluelet
Po Box 999
Ucluelet, BC V0R 3A0

Attention: Bruce Greig, Director of Community Planning (bgreig@ucluelet.ca)

Dear Mr. Greig:

Re: Amendments to *Zoning and Structures Act* and Official Community Plan

Amendments to the Yuutu?it?ath Government's *Zoning and Structures Act* and Official Community Plan, which is Schedule 1 to the *Official Community Plan Act*, are being proposed. Through this letter, and in accordance with Section 2.5 of the Planning and Land Use Management Act, the Yuutu?it?ath Government is initiating consultation with your organization regarding these proposed amendments.

The attached Zoning and Structures Amendment Act No. 3 (the "Amendment Act") outlines the proposed amendments in full.

The Amendment Act is intended to:

- **With respect to the *Zoning and Structures Act*:**

- *Resource Lands or RL1 changes*

- **Update objectives** – Generally speaking, the amendments to zoning district RL1 clarify the intent for establishing the district as an area for long-term and sustainable resource harvesting and extraction.
 - **Update use** – The primary use of RL1 removes references to "low impact harvesting" so that lands identified as RL1 can be used for "sustainable long term forest harvesting and salvage operations" and "ground excavation and extraction activities". Residential use was kept as a primary use in the event a structure, such as an elders' cabin, becomes a desirable project within RL1 in the future. In this regard, secondary uses for bed and breakfast, childcare, home occupation and caretaker are expected to be removed as those would be inappropriate in relation to the updated primary purposes.

- *Heavy Industrial or IN2 changes*

- **Update use** – removes reference to high impact forestry operations within IN2 and replaces that permitted use with the "processing of timber harvested on zoning district RL1 or any other lands". The change is intended to clarify that harvesting operations are to be located in RL1 while processing operations are to be located in IN2.

- **With respect to the Official Community Plan:**

Lands designed as Resource Lands

Update Goals

- in addition to forestry, “non-timber resources” are added as activities to be managed sustainably and with a long-term perspective;
- removes goal to consider revenue sharing opportunities; and
- includes sustainable resource extraction (as opposed to only gravel extraction) in lands designated as resource lands.

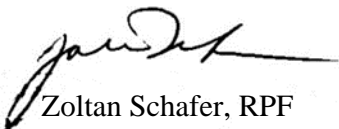
Update Objectives

- removes reference to past activities for energy generation and the focus is left unchanged for future generation through smaller scale hydro and wind projects;
- includes reference to commercial uses as it relates to the use of timber harvested from Yuułuʔiłʔatḥ lands;
- clarifies that enforcement of resource use activities and laws rests on Yuułuʔiłʔatḥ Government;
- removes reference to restoration from previous activities; and
- removes certain selling rights as the Official Community Plan is not considered the appropriate location for this objective and can be reflected in other Yuułuʔiłʔatḥ legislation.

Maps

The Official Community Plan includes maps for the identification of land use designations. The Amendment Act will update these maps to align the designations with the zoning district maps attached to the Zoning and Structure Act. The changes mainly update previously designated areas from “Woodlands and Open Space” to “Resource Lands”.

If you have any comments on these proposed amendments, please advise in writing to zoltan.schafer@ufn.ca by **4:00pm on March 18, 2022**.



Zoltan Schafer, RPF
 Director of Lands and Resources
 Yuułuʔiłʔatḥ Government – Ucluelet First Nation
zoltan.schafer@ufn.ca
 250-720-1177

cc: Charles McCarthy, President, Yuułuʔiłʔatḥ Government – Ucluelet First Nation

Zoning and Structures Act Amendment Act No. 3

Proposed Changes

To facilitate a review of the proposed changes to the Zoning and Structures Act and the Community Plan under the Amendment Act, attached is a lined copy of the relevant pages and sections to the Zoning and Structures Act and Community Plan showing those changes.

PART 22 - RESOURCE LANDS (RL1)

Purpose of zoning district

- 22.1** (a) Zoning district RL1 is established to assist the Yuułu?iŋ?ath government to achieve certain goals and objectives identified for
- (i) home and community lands under section 4.1 of Schedule 1 to the Official Community Plan Act, and
 - (ii) ~~resource lands~~ gravel and mineral extraction under section 4.5 of Schedule 1 to the Official Community Plan Act; ~~and~~
- (b) The Legislature's intent in establishing zoning district RL1 is to provide a zoning district for forest harvesting of timber resources and gravel and mineral extraction that is performed in a sustainable manner ~~for low density residential use combined with low impact forestry to retain undeveloped forest lands as rural holdings while allowing low impact harvesting of timber resources in a sustainable manner which allows the forest to naturally regenerate.~~
- (c) A lot in zoning district RL1 may be occupied for a primary use referred to in section 22.2 and a permitted secondary use referred to in section 22.3 in accordance with the requirements of this Part.

Primary use

- 22.2** (a) The primary use of a lot in zoning district RL1 must be ~~a~~
- (i) residential use, ~~or~~
 - (ii) sustainable long term forest harvesting and salvage operations, excluding processing of timber, in accordance with applicable law, or small, low-impact timber resources harvesting, excluding primary processing of timber, in accordance with all applicable laws;
 - ~~(ii)~~ (iii) ground excavation or extraction activities with respect to stone, rock, construction aggregate, riprap, sand, gravel, slate or other similar formation or mineral.
- (b) A lot in zoning district RL1 may have only
- (i) one single unit dwelling, or
 - (ii) if the lot is at least eight hectares, two single unit dwellings.

Secondary uses

22.3 The following uses are permitted as a secondary use on a lot in zoning district RL1:

- (a) a secondary building and its related use which, for certainty, includes a dock, wharf or berth facility on a lot fronting the ocean, in accordance with sections 2.9 and 2.10;
- ~~(b) a bed and breakfast operation in accordance with section 2.13;~~
- ~~(c) a child day care;~~
- ~~(d) a home occupation in accordance with section 2.14;~~
- ~~(e) one of either a caretaker dwelling in accordance with section 2.15 or a secondary suite in accordance with section 2.16.~~

Minimum lot area

22.4 Each lot in zoning district RL1 must have a lot area of at least four hectares.

Minimum lot width and lot depth

22.5 Each lot in zoning district RL1 must have a lot width of at least 100 metres and a lot depth of at least 60 metres.

Maximum lot coverage

22.6 The maximum lot coverage in zoning district RL1 is 20% of the lot area.

Maximum building height

22.7 The building height of a primary building in zoning district RL1 must be no more than 10.4 metres or two floors, whichever is less.

Minimum yard requirements

22.8 A lot in zoning district RL1 must have

- (a) a front yard of at least 15.2 metres in depth,
- (b) a side yard of at least 4.5 metres in width on each side of the lot, and
- (c) a back yard of at least nine metres in depth.

PART 11 - HEAVY INDUSTRIAL (IN2)

Purpose of zoning district

- 11.1** (a) Zoning district IN2 is established to assist the Yuułu?ił?ath government to achieve certain goals and objectives identified for
- (i) industrial lands under section 4.3 of Schedule 1 to the Official Community Plan Act, and
 - (ii) resource lands under section 4.5 of Schedule 1 to the Official Community Plan Act.
- (b) The Legislature's intent in establishing zoning district IN2 is to provide a zoning district for commercial use and industrial use that may have a higher impact on the natural environment and a higher intensity use.
- (c) A lot in zoning district IN2 may be occupied for a primary use referred to in section 11.2 and a permitted secondary use referred to in section 11.3 in accordance with the requirements of this Part.

Primary use

- 11.2** (a) The primary use of a lot in zoning district IN2 must be a commercial use or an industrial use listed in subsection (b).
- (b) The following commercial uses and industrial uses are permitted in zoning district IN2:
- (i) a junk yard or jump shop;
 - (ii) a packaging plant;
 - (iii) a service station;
 - (iv) a waste disposal facility;
 - (v) heavy manufacturing;
 - (vi) ~~large, high impact forestry operations, including primary processing of timber harvested, in accordance with all applicable laws~~ processing of timber harvested on zoning district RL1 or any other lands; and
 - (vii) high impact subsurface resources extraction, including aggregate, and processing those subsurface resources, in accordance with all applicable laws.

4.5 RESOURCE LANDS



This land use designation recognizes the biological diversity, the soil and water, the fish and wildlife, and the scenic diversity of Yuułu?if?ath's traditional territories. The use of lands for agriculture, aquaculture, forestry, aggregate and mineral extraction reflect the desire of Citizens to create a diverse and sustainable economic base. At the same time, Citizens recognize their role as stewards or caretakers of the natural environment and so ensuring all development is undertaken in an environmentally sensitive manner.

Uses permitted in the Resource Lands

- *Micro-hydro projects (including run of the river)*
- *Wind farms and other alternative energy sources*
- *Forestry*
- *Range*
- *Mining*
- *Agriculture*
- *Green space*
- *Recreation and rural campgrounds*
- *Culturally significant sites*
- *Aquaculture*
- *Fisheries*
- *Commercial recreational tenures*
- *Industry*
- *Energy Production*
- *Gravel and mineral extraction*
- *Major trails – similar to the West Coast Trail.*

Goals

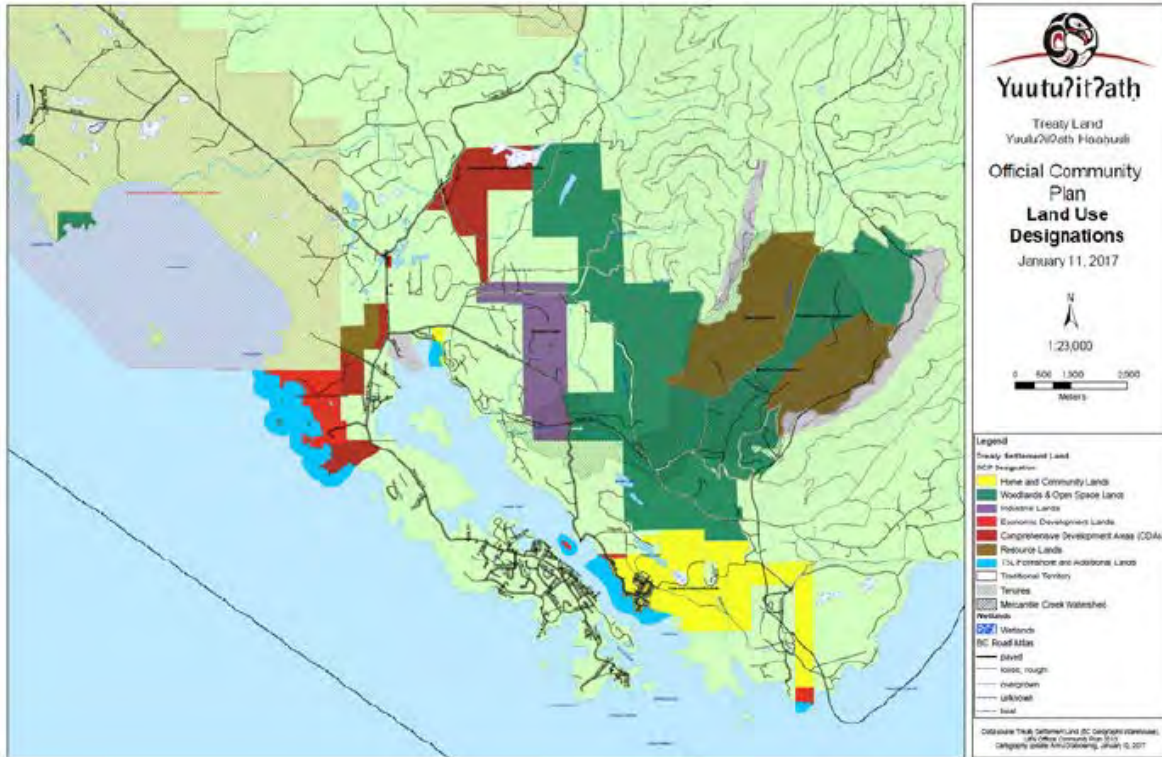
1. Support opportunities to create our own power, be it solar, wind, or other new forms of technology.
2. Ensure forestry [and non-timber resources](#) is managed from a sustainable, long term perspective.
3. ~~Consider opportunities for revenue sharing of profits from the lands for all Citizens.~~ [\[deleted\]](#)
4. Maintain control over permits for hunting, trapping, and fishing within all our Lands.
5. Yuułu?if?ath Government will generate long-term economic benefits from the Yuułu?if?ath lands through careful and sustainable economic practices.

6. ~~Gravel~~ [Sustainable resource](#) extraction is supported in this land use designation.

Objectives

7. A creative, long range approach will be taken to considering potential energy generators. ~~Large scale dams and major hydro generation projects are the kind of projects that were created in the past: in-~~ [In](#) the future, smaller scale activities such as run of the river projects and wind generation will provide a stable source of power for our land uses as well as generate income for our Citizens.
8. Forest development areas will meet or exceed provincial standards regulating silviculture, harvesting, and the protection of cultural and environmentally sensitive sites.
9. Citizens are encouraged to work with Yuułu?it?ath̄ in harvesting planning to ensure the use of our own timber to build homes [and other commercial uses](#).
10. Monitoring and enforcement by [Yuułu?it?ath̄](#) ~~our own Citizens~~ will be implemented to ensure the proper use of our resources.
11. The development of new employment opportunities in the Resource Lands will be viewed as an important way to bring our Citizens home.
12. ~~We are firm in our position that Yuułu?it?ath̄ Territory (particularly our watersheds) which has been damaged or destroyed through past resource exploitation be restored. Yuułu?it?ath̄ Government is prepared and expects to restore our Territory, and will fully participate in management and decision making activities.~~ [\[deleted\]](#)
13. Yuułu?it?ath̄ Government will have delegated law-making authority over foreshore areas fronting Yuułu?it?ath̄ lands.
14. ~~Yuułu?it?ath̄ will have the right to sell any fur bearing land mammals or any traditional crafts and artistic objects that have been made from harvesting in Pacific Rim National Park.~~ [\[deleted\]](#)
15. Yuułu?it?ath̄ will allow “reasonable access” on certain Yuułu?it?ath̄ treaty lands to the public for recreational purposes, rights of way, navigable waters and other reasonable access requirements, and Yuułu?it?ath̄ may require that permits be obtained for such access.
16. The Yuułu?it?ath̄ Government will take over the issuing of the tenures including getting the tenure fees.
17. We will look for new opportunities to expand agricultural activities on our lands, with high value crop production as an economic generator and food crop production to provide resources to our Citizens.

OCP Land Use Designation Maps BEFORE:

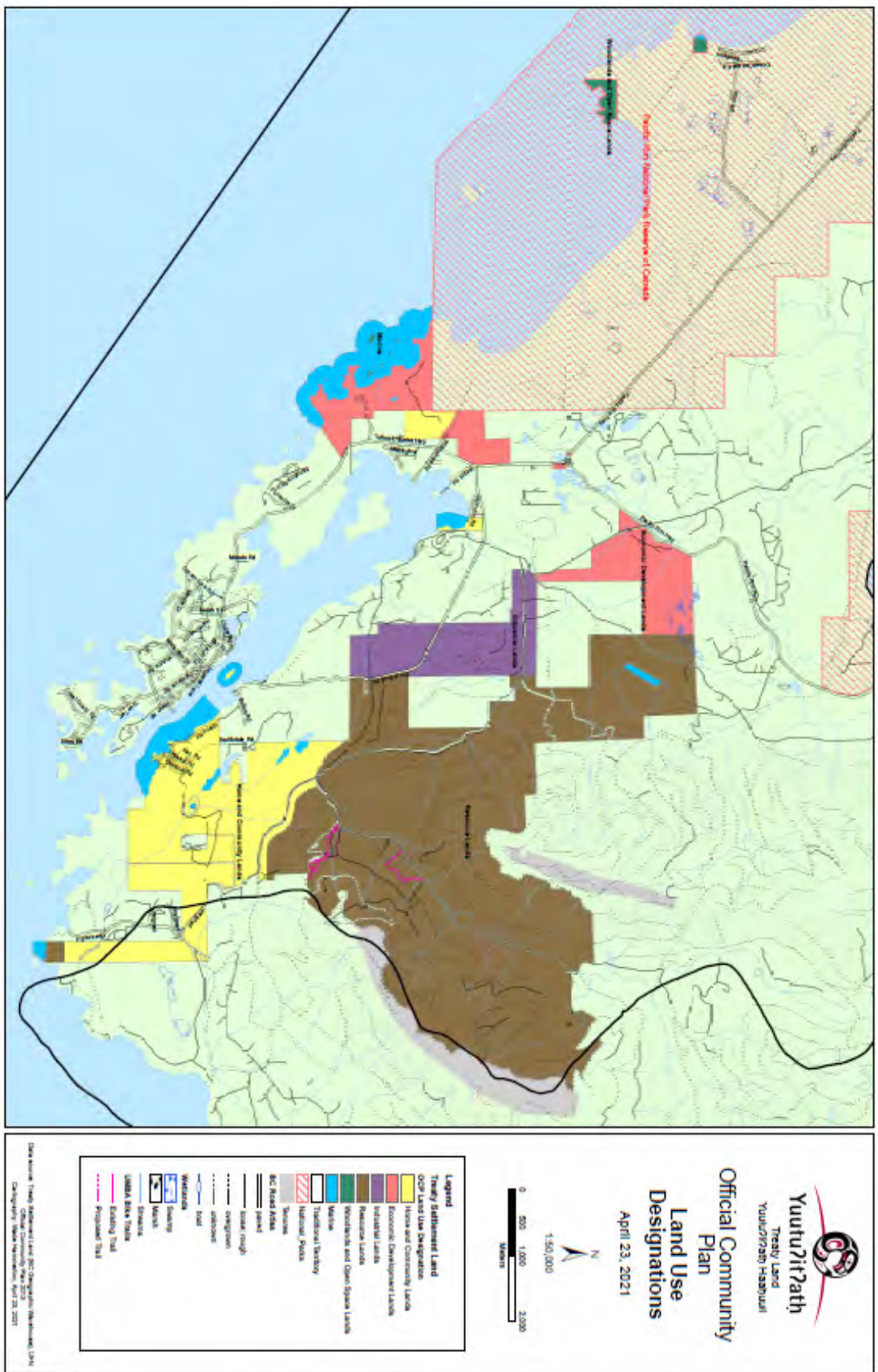


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Official Community Plan March 2013





YUULU?IL?ATH GOVERNMENT

**ZONING AND STRUCTURES ACT
AMENDMENT ACT NO. 3**

YFNS ◆/2022



This law enacted on _____, 2022

Signed _____
Charles McCarthy, President of the
Yuulu?il?ath First Nation

DEPOSITED IN THE
REGISTRY OF LAWS

ON ____/____/____

Signature of Law Clerk

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SCHEDULE 111

PART 1 - INTRODUCTORY PROVISIONS

Short title

1.1 This Act may be cited as the Zoning and Structures Act Amendment Act No. 3.

Executive oversight

1.2 The member of the Executive holding the lands and resources portfolio is responsible for the executive oversight of this Act.

Definitions

1.3 In this Act,

“ZS Act” means the Zoning and Structures Act, and

“OCP Act” means the Official Community Plan Act.

PART 2 - ZSA AMENDMENTS

Amendments to zoning district RL1

- 2.1** (a) The numbering in section 22.1 of the ZS Act is corrected so that the three lettered subsections therein refer to sections 22.1(a), 22.1(b) and 22.1(c).
- (b) With reference to the numbering correction under subsection (a), section 22.1(a)(i) is repealed and the following substituted:
- “gravel and mineral extraction under section 4.5 of Schedule 1 to the Official Community Plan Act, and”.
- (c) With reference to the numbering correction under subsection (a), section 22.1(b) is repealed and the following substituted:
- “The Legislature’s intent in establishing zoning district RL1 is to provide a zoning district for forest harvesting of timber resources and gravel and mineral extraction that is performed in a sustainable manner.”.
- (d) Section 22.2(a) of the ZS Act is repealed and the following substituted:
- “22.2 (a) The primary use of a lot in zoning district RL1 must be
- (i) a residential use,
 - (ii) sustainable long term forest harvesting and salvage operations, excluding processing of timber, in accordance with applicable law, or
 - (iii) ground excavation or extraction activities with respect to stone, rock, construction aggregate, riprap, sand, gravel, slate or other similar formation or mineral.”.
- (e) Section 22.3(a) of the ZS Act is amended by replacing the “;” at the end of section 22.3(a) with a “.”.
- (f) Sections 22.3(b) to (e) of the ZS Act are repealed.

Amendment to zoning district IN2

- 2.2** Section 11.2(b)(vi) of the ZS Act is repealed and the following substituted:
- “processing of timber harvested on zoning district RL1 or any other lands; and”.

PART 3 - OCP AMENDMENTS

Amendments to Schedule 1

- 3.1** Part A, 4.5 of the official community plan attached as Schedule 1 to the OCP Act is amended as follows:
- (a) Under the heading of “Goals”,
 - (i) in paragraph 2, “and non-timber resources” is added immediately after the word “forestry”,
 - (ii) paragraph 3 is deleted, and
 - (iii) in paragraph 6, “Sustainable resource” replaces the word “Gravel”.
 - (b) Under the heading of “Objectives”,
 - (i) in paragraph 7, the sentence “Large scale dams and major hydro generation projects are the kind of projects that were created in the past: in” is deleted and replaced by the word “In”,
 - (ii) in paragraph 9, the words “and other commercial uses” are inserted immediately after “homes”,
 - (iii) in paragraph 10, the words “our own Citizens” are deleted and replaced with the word “Yuulu?il?ath”,
 - (iv) paragraph 12 is deleted, and
 - (v) paragraph 14 is deleted.

Land use maps

- 3.2**
- (a) The maps included in Appendix 1 of the official community plan attached as Schedule 1 to the OCP Act labelled “Land Use” or “Land Use Designations” are deleted and the pages attached as Schedule 1 are substituted.
 - (b) For certainty, Schedule 1 includes three maps that will replace two maps in the Appendix 1 referred to in subsection (a).

PART 4 - GENERAL PROVISIONS

Commencement

4.1 This Act comes into force on the date it is enacted.



STAFF REPORT TO COUNCIL

Council Meeting: March 15, 2022

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DONNA MONTEITH, CHIEF FINANCIAL OFFICER

FILE NO: 1880-20

SUBJECT: 2022 GRANTS IN AID AND IN-KIND CONTRIBUTIONS

REPORT NO: 22-30

ATTACHMENT(S): APPENDIX A – GRANTS IN AID & IN-KIND CONTRIBUTIONS POLICY 5-1805-2
APPENDIX B – SCHEDULE OF 2022 GRANTS IN AID AND COUNCIL CONTRIBUTION REQUESTS

RECOMMENDATION(S):

THAT Council authorize the Grants in Aid and In-Kind contributions for 2022 as presented in the approved Schedule of 2022 Grants in Aid and Council Contribution Requests.

BACKGROUND:

The District of Ucluelet provides grants in aid to financially assist community groups, not-for-profit societies, and organizations specific projects. Council also provides in-kind contributions towards rentals and leases of facilities owned/operated by the District. Grants and In-Kind Contributions are considered on a year-to-year basis.

Applicants must meet the following eligibility requirements for grants in aid and in-kind contributions:

- a) Not-for-profit community organizations operating within the District of Ucluelet or which provide a social service to Ucluelet residents. Preference will be given to organizations based in Ucluelet or those that provide a social service to Ucluelet residents and where there is no overlapping service already existing;
- b) The signature on the application must be an authorized signatory and representative of the organization;
- c) Project must be completed within 12 months of receipt of the grant;
- d) It should be a goal of each organization to reduce the amount of financial support requested from the District of Ucluelet in each subsequent fiscal year.

The following types of proposals are ineligible and will not be considered by Council:

- a) Proposals requesting funding for sports organizations for competition/travel expense;
- b) Monies to subsidize a commercial organization;
- c) Projects that duplicate projects, programs, services or events already provided within the District of Ucluelet;
- d) Assistance for the payment of property taxes or various programs or services legislated by other levels of government;
- e) Proposals for support of research activities, staff training or professional activities;
- f) Proposals from individuals;

- g) Proposals from groups that did not submit the required final report from grants received in previous years.

The requests for funds from grants in aid and council in-kind contributions is attached as Appendix B. Applicants were invited to speak about their requests at a Committee of the Whole meeting February 15, 2022.

ANALYSIS OF OPTIONS

Staff recommend that Council approve Grants in Aid to a maximum combined total of \$20,808 and In-Kind Contributions to a maximum combined total of \$46,000 based on the evaluation criteria in the policy, and the amount approved by Council in the 5 year financial plan.

The combined value of 2022 grant in aid requests totaled \$41,410; however, the current annual budget is only \$20,808.

The combined value of 2022 in-kind contribution requests totaled \$58,146; however, the current annual budget is only \$46,000.

A	Approval of Grants in Aid and In-Kind contributions to the maximum budgeted amount	<u>Pros</u>	<ul style="list-style-type: none"> No new taxes required if approvals remain within the budgeted amount. Provides supports to local non-profit organizations. Increases the number of services and events hosted in Ucluelet by non-profit organizations
		<u>Cons</u>	<ul style="list-style-type: none"> Some societies may not receive the funding hoped for. Some organizations may be required to seek additional funding from alternate sources. In-kind contributions of District spaces reduce rentable space availability and increases the reliance on subsidization.
		<u>Implications</u>	<ul style="list-style-type: none"> Rental revenues are reduced by the value of the in-kind contributions.
B	Approval of Grants in Aid and In-Kind contributions beyond the annual budgeted amount	<u>Pros</u>	<ul style="list-style-type: none"> Council funds all the programs they wish. Organizations would not be required to seek additional funding to support their initiatives.
		<u>Cons</u>	<ul style="list-style-type: none"> Increased taxes will need to be added to the 2022 financial plan.
		<u>Implications</u>	<ul style="list-style-type: none"> The five-year financial plan will need to be updated prior to first reading of the bylaw. Rental revenues are reduced by the value of the in-kind contributions.
		<u>Suggested Motion</u>	<p>THAT Council authorize the Grants in Aid and In-Kind contributions for 2022 as presented in the approved Schedule of 2022 Grants in Aid and Council Contribution Requests; and,</p> <p>THAT Council direct staff to amend the draft Five Year Financial Plan by increasing the property tax requisition by an amount equal to the increase in grant in aid contributions as approved in the Schedule of 2022 Grants in Aid and Council Contribution Requests.</p>

NEXT STEPS:

- Grant in aid payments will be made by March 31 each year.
- In-kind contributions will be communicated to the appropriate department.

Respectfully submitted: DONNA MONTEITH, CHIEF FINANCIAL OFFICER
DUANE LAWRENCE, CAO



The Corporation of the District of Ucluelet
MUNICIPAL POLICY MANUAL

POLICY NUMBER: 5-1850-2

REFERENCE:

Grants In Aid & In-Kind Contributions

ADOPTED BY:

Council
 November 12, 2019

AMENDED DATE:

N/A

SUPERSEDES:

5-1850-1

DEPARTMENT:

Finance

EFFECTIVE DATE:

November 12, 2019

Policy Statement:

Page 1 of 3

The District of Ucluelet provides grants in aid to financially assist community groups, not-for-profit societies and organizations for a specific project. Council also provides in kind contributions towards rentals and leases of facilities owned/operated by the District. It is recognized these organizations are valuable in helping the District provide a community focus. Funding decisions will be made on a year to year basis and continuing support should not be anticipated.

1. Criteria:

Criteria for evaluating proposals for grants in aid and in-kind contributions will be as follows:

- a) Not-for-profit community organizations operating within the District of Ucluelet or which provide a social service to Ucluelet residents.
- b) It should be a goal of each organization to reduce the amount of financial support requested from the District of Ucluelet in each subsequent fiscal year.
- c) The signature on the application must be an authorized signatory and representative of the organization.
- d) Project must be completed within 12 months of receipt of the grant.
- e) Preference will be given to organizations based in Ucluelet or those that provide a social service to Ucluelet residents and where there is no overlapping service already existing.

2. Ineligible Proposals:

The following types of proposals are ineligible to receive grants in aid or in-kind contributions and will not be considered by Council:

- a) Proposals requesting funding for sports organizations for competition/travel expense.
- b) Monies to subsidize a commercial organization.



- c) Projects that duplicate projects, programs, services or events already provided within the District of Ucluelet.
- d) Assistance for the payment of property taxes or various programs or services legislated by other levels of government.
- e) Proposals for support of research activities, staff training or professional activities.
- f) Proposals from individuals.
- g) Proposals from groups that did not submit the required final report from grants received in previous years.

3. Application Procedure:

- a) Application forms are available online at www.ucluelet.ca or by emailing a request to finance@ucluelet.ca. Completed forms and all supporting documentation may be delivered to 200 Main Street, mailed to Box 999 Ucluelet BC, V0R 3A0 or submitted by email to finance@ucluelet.ca.
- b) All applications must be received by December 15 each year.
- c) Each application should include the following details:
 - the nature, goals and objectives;
 - the names of those involved and if applicable a list of the Board of Directors;
 - projected statement of revenue and expenses;
 - additional support the organization currently receives from the District of Ucluelet: permissive tax exemption; in-kind donations; waiving of rental fees; and
 - any additional funding sources;
 - amount of funding requested.

4. Grant & In-Kind Contribution Review Process:

- a) Applications will first be reviewed by the Finance Department to ensure each application is eligible and complete; no application will be considered if it is incomplete or if a previous grant was provided and the conditions of funding specified in this policy or by resolution of Council were not fully satisfied.
- b) Council will meet to review the applications prior to February 28 each year.
- c) At that meeting, applicants will be permitted 5 minutes to make a presentation to Council supporting their application.
- d) At a subsequent meeting, Council will make the final decision on the applications.
- e) The financial plan will be updated to reflect the total amount of grants and in-kind support to be provided by Grants in Aid and Council Contributions.
- f) Grant financial payments will be made prior to March 31 each year.
- g) Any in-kind support contribution will be communicated to the appropriate departments.




The Corporation of the District of Ucluelet
MUNICIPAL POLICY MANUAL

- h) Communication will be sent to all applicants by the Finance department advising them of Council's decision.
- i) A list of grant recipients will be posted in the annual statement of financial position (SOFI).

5. Conditions of Support:

- a) Funding must be used for the purpose requested. Any funds not used for the requested purpose must be returned to the District of Ucluelet.
- b) District of Ucluelet financial support must be acknowledged at the event or in all printed publicity material relating to the funded activity.
- c) A final report must be submitted to Council by February 28 of the following year including a financial summary of the project.



Mayor Mayco Noël
District of Ucluelet

District of Ucluelet
Council Grants-in-Aid Requests
2022

	2022 Requests	2022 Actual	2021 Requests	2021 Actual
Army Navy & Air Force Veterans				
BC Association of Surf Instructors	1,000			
CARE Network	7,000			
Clayoquot Biosphere Trust			1,000	1,000
Central Westcoast Forest Society	3,500		2,500	2,500
Food Bank on the Edge	2,000		2,000	2,000
Pacific Rim Arts Society				
Pacific Rim Hospice Society	4,000		3,000	3,000
Pacific Rim Whale festival	1,500		1,500	1,500
Raincoast Education Society	9,000			
Seaview Seniors' Housing Society	250			
Surf Rider - Pacific Rim	3,910		2,500	-
Ucluelet Aquarium Society	250			
Ucluelet Chamber of Commerce				
Ucluelet Junior Canadian Rangers				
Ukee Public Market Society				
USS \$500 scholarship	500		500	500
West Coast Community Resources Society			2,500	2,500
West Coast Mutlplex Society	5,000			
Wild Pacific Trail Society	3,500			
TOTAL GRANTS REQUESTED/APPROVED	41,410	-	15,500	13,000
Maximum Approved Grant Budget	20,808		20,400	20,400
Over/(Under) Budget	20,602	-	(4,900)	(7,400)

Note:
The USS Scholarship request comes via letter in January. It does not denote an amount but Council usually approves \$500

District of Ucluelet
In Kind Contributions
2022

	2022 Requests	2022 Actual	2021 Requests	2021 Actual
Ucluelet Chamber of Commerce	1,325			
Ucluelet Chamber of Commerce - Parking <u>Facility Fees Waived or (in-kind)</u>	3,000		3,000	3,000
1st Ucluelet Scouts				
Girl Guides of Canada	975		725	725
Food Bank on the Edge	270		350	350
Central Westcoast Forest Society				
Pacific Rim Arts Society				
Pacific Rim Whale Festival Society	1,500		2,000	500
Pacific Toastmasters	850		700	700
Paula Ross Dance Society			1,375	1,375
Raincoast Education Society				
Rotary Club	250			
Ucluelet & Area Childcare Society	43,466		43,000	35,080
Ucluelet & Area Historical Society	385		1,410	1,410
Ucluelet Chamber of Commerce				
Ucluelet Junior Canadian Rangers	975		725	725
Ucluelet Sunday Market Society	150			
Westcoast Community Resources Society	5,000		5,700	5,700
TOTALS	58,146	-	58,985	49,565
Maximum Approved Contributions Budget	46,000		46,100	
Over/(Under) Budget	12,146	-	12,885	49,565

Note:
Includes Chamber of Commerce contribution \$3000 for Co-op Parking Lot Lease

From: Art Skoda
To: Community Input Mailbox; corporateservices@tofino.ca
Subject: Housing Needs Report
Date: February 24, 2022 3:28:09 PM
Attachments: Housing Needs presentation.odt

Attached please find the comments I made at the community input opportunity that I attended this afternoon. I would be grateful if these comments would be passed on to the Mayors and Councils of our communities. I did not notice them in attendance at today's ZOOM meeting.

Speaking Notes – Affordable Housing

I see an Official Community Plan and now a Housing Needs report that I must assume came with a significant cost to taxpayers. These are very good starting points to solving some of the housing problems we are seeing in the community. What I am not seeing is a reconciliation between what is happening in the community and the visioning that is inherent in these reports.

I am still seeing what appears to me to be a disconnect between talking the talk and walking the talk. It is very easy to author valuable reports that tell us what we should be doing; to enumerate visions and values of a complete community; a community that has a place for everyone. The difficult part is demonstrating that we are actually following the recommendations, visions and values described in these reports. The reports are supposedly a distillation of the values and expectations of the community. These values and expectation should therefore be reflected in the actions of our local government when it comes to actual developments in the community.

Do development plans actually reflect the stated values of the OCP? Do they reflect the Housing Needs expressed in West Coast Housing Need and Demand Study? Do approved development plans reconcile with the values and needs stated in these documents or are approvals singularly focused on monetary value? Monetary value is not a stated goal of either of these reports.

When a project, such as the proposed development at Little Beach is proposed, how is this development plan reconciled with the OCP and Housing Needs reports? The OCP purports to value environment and the Housing Needs report strongly suggests that the community does not have housing for the people who will be needed to service this new housing. The plan proposes to destroy a forested area and replace it with high priced housing and vacation accommodations. Does the plan reconcile with the provision of affordable housing for the people who will provide the support services for these homes?

We cannot continue to grow the community without providing reasonable accommodation for the people who will provide the support services for that growth. Support services are our medical staff, teachers, housekeeping, home care, retail, restaurant service staff, etc. They provide the necessary, valuable services that enable us to live here and to welcome guests to our community. Lets make sure that they can afford to live here too.

I use the housing community of Alliance Holdings Limited as another example:

Within the Housing Needs report there is a recommendation to protect existing affordable housing, particularly housing suitable for seniors. The newly approved OCP also purports to: value existing housing, protect green space, value the ability to walk to community services, etc. Many admirable values and yet, over the strenuous objections of this community within the community, the OCP

continues to promote a road extension between Cedar Street and Lyche Road. This road connection may have some nebulous monetary value but it does not meet any of the visions, goals and values of either the OCP or the Housing Needs report:

This proposed road connection would require the destruction of at least three, and possibly four existing affordable homes that are appropriate to seniors or small families. It requires the destruction of a section of an urban forest that is a green backdrop to sight lines around the inner harbour as well as from the area of the government dock. This forested area is also a refuge to wildlife within the community. The homes are a part of the history of the community.

- How does destroying 3-4 existing homes, not to mention dozens of trees and a refuge to wildlife within the community, equate with the goals of the visioning documents?

I'd like to thank Council and the Planning Department for the enormous amount of effort that went into these studies and planning documents. They could be excellent guides to the future of our community if we follow them.

The report we now need to see is the one that reconciles all development decisions that come before Council with the values stated in the OCP and the community Housing Needs Report. This should be a continuing formal process for all development decisions and transparent to members of the community.

From: [Patricia Sieber](#)
To: [Info Ucluelet](#)
Cc: [Community Input Mailbox](#)
Subject: Village Green Proposal
Date: March 7, 2022 3:33:46 PM

[External]

To the Mayor and Council District of Ucluelet:

This correspondence is a follow up to previous e-mails I have sent regarding the Village Green Proposal. I observed, by Zoom, the Council meeting on February 15, when you received the delegation of Concerned Citizens expressing concerns with the Village Green Project as it was proposed.

I am left with many questions. It was stated that the time frame for public input had passed. Looking back over past references to this project and after hearing Council and staff responses, I see that there was a public meeting in late 2019 that first introduced the idea of the project and sought initial suggestions. Like many people that meeting seemed to slip past my awareness. Then I discover that in June of 2021 the District posted a call for bids to design the project. Then in December of 2021 the public survey was posted. As stated earlier access and use of that survey was difficult. Sadly many people were unaware of the survey until past the deadline of December 30.

My first question is what actions in planning took place during 2020?

Next question: After the contract for planning was awarded in the summer of 2021, did the planners meet with citizen groups in Ucluelet (Business owners, service providers, average citizens) prior to drawing up the plans. Did the planners visit Ucluelet to observe in person the life of the village in the summer? By the time the contracts were awarded, winter visitation was obviously not possible.

The delegation of Concerned citizens requested, on Feb. 15, that more public meetings be scheduled to provide input given the results of the survey. While the problem of parking in front of the Crow's Nest is being addressed that was only one of the problems presented. What actions are being taken to address the following:

Questions: Will public washrooms be provided near the new playground ?

Will crosswalks be given greater planning (the question about the safety of proposed crosswalks was raised. The one on Peninsula at the top of the hill can be dangerous because after turning right from Main street and cresting the hill the steepness of the grade and the confusing traffic often means if someone is in the crosswalk a driver can be surprised and be forced to stop quickly. Potentially the same problem may present itself in the new crosswalk by the Crow's Nest. The stop there is also on a grade (though not as steep) and after turning right drivers from Cedar Street may find themselves forced to stop shortly after accelerating out of Cedar Street. Is it not far better to have a cross walk that crosses at the stop sign and directs pedestrians toward Whiskey Dock rather than across to Fraser Lane?

Will consideration be given to a covered bus stop on the corner of Fraser Lane and Main Street in front of the Aquarium? Many locals and tourist use the bus to come and go from Ucluelet and this simple addition would add to the comfort of travellers.

Will the question of parking be explored further? Staff have stated publicly at the council meeting and were quoted in the press saying that only 9 parking spots will be lost. Will further clarification be provided on this question? Even with the changes to those spots in front of the Crow's Nest and a few other added angled spots along Main street, I still count 17 lost spaces and possibly more if we look at the entire area including Helen Road, Fraser Lane and near the Municipal offices.

During his radio interview Mayor Noel, seemed to dismiss the concerns as coming from "the Crow's Nest Gang". Be assured our concerns go beyond the parking in front of the Crow's Nest. How can we have meaningful dialogue if our Mayor is so dismissive of our concerns?

I anticipate answers to these questions. I continue to believe that your creation of the survey to seek input does not indicate that the discussion is now over.

Respectfully submitted,
Patricia Sieber
1058 Helen Road
phone 250-726-7202



mapleridge.ca

February 28, 2022

Honourable Minister Adrian Dix
 Minister of Health
 PO Box 9050 Stn Prov Govt
 Victoria, BC V8W 9E2
 Sent via email: HLTH.Minister@gov.bc.ca

Dear Minister Dix,

At their February 22, 2022 regular meeting, Maple Ridge Council considered the impact that restricted access to health and fitness facilities can have on a person's mental health and sense of well-being, and passed the following resolution:

WHEREAS the City of Maple Ridge recognizes the negative impact on mental health caused by social isolation during the Covid-19 pandemic and the mental and physical benefits of recreation for our citizens;

THEREFORE BE IT RESOLVED that the Mayor request the provincial Minister of Health allow all individuals access to civic recreation facilities paid for and maintained by their tax dollars without restrictions in order to minimize social isolation and promote positive mental health, with a carbon copy to the UBCM and other BC Municipalities.

In April-May 2021 the Province conducted a survey asking British Columbians about the impact COVID- 19 has had on their lives. Of the 394,382 respondents, nearly 47% said they had seen their mental health worsen due to the pandemic.

The programs delivered at our public facilities reduce isolation, promote community pride, increase self-esteem, build connected communities and strengthen family bonds.

Since the onset of COVID-19, the City has supported and followed all public health orders and WorkSafe BC requirements to ensure our civic facilities remain safe. With the recent lifting of many capacity restrictions and the acknowledgement that recreation contributes to ones mental and physical health we ask that public facilities be open to all citizens to allow equal opportunity to recreate.

Sincerely,


 Mike Morden
 Mayor

cc: MLA Lisa Beare, Maple Ridge – Pitt Meadows
 MLA Bob D'Eith, Maple Ridge – Mission
 Union of BC Municipalities
 Maple Ridge City Council

OFFICE OF THE MAYOR

11995 Haney Place, Maple Ridge, BC V2X 6A9, Canada | Tel: 604-463-5221 | Fax: 604-467-7329 | mapleridge.ca
enquiries@mapleridge.ca

Doc #3019420

Jenn Lounsbury

From: Carol Atkinson <cjatkinson@telus.net>
Sent: February 18, 2022 11:56 AM
To: Info Ucluelet
Subject: Care Network

[External]

Dear Mayor & Council,

Please accept this letter as my support for the Mayor and Council to properly fund animal related services in our community, now. CARE Network has established essential, regional animal care & control related resources and services and our community should be paying for our share of the associated costs.

This Non-Profit Society has been providing community health and safety related services for the past ten years with no core financial support from the district/communities of Tofino or Ucluelet.

While the communities of Tofino and Ucluelet seem happy to utilize the resources and services provided by the CARE Network, such as the animal shelter and after-hour animal emergency services, our Indigenous neighbours are the only communities that financially support the operating costs of these services, along with a team of hardworking volunteers.

It is well-known within our communities to call CARE with animal incidents, not Bylaw. The usual experience when calling Bylaw is that it's extremely rare to actually reach a person during business hours, and if you do happen to speak with someone, the response is either:

- We will look into it when/if we have time, or*
- We don't have the capacity to pick up stray, injured or unwanted animals, or*
- Call the CARE Network*

Bylaw has many other situations to deal with, but animals have always been the number one priority of CARE Network. Because of the non-response from bylaw, CARE Network gets all the animal related calls. This is part of the reason why the District has a skewed perception of the amount of animal incidents that actually occur annually in this region. It is my understanding that the actual statistics have been provided to the District by CARE Network, but those numbers were not properly represented during the recent council meeting.

The suggestion by the Mayor and Council to drive stray animals to the BC SPCA in Port Alberni is not only an inefficient and expensive solution to this issue, but one that is not at all sustainable.

Proposed Solutions:

- 1. Please revisit your decision to not properly fund animal related services as per CARE Network's proposal and either,**
 - a. Accept CARE's 2022 proposal to provide comprehensive animal service support, or**
 - b. Work with CARE Network in the coming months to establish their services at a regional level, perhaps via the ACRD, and fund our share of the services that way.**

- 2. Direct Staff to redesign how bylaw related calls are managed and accounted for. CARE Network has provided District Staff with detailed instructions on how to use Telus to track what types, and the number of calls that come in, even if Bylaw doesn't answer the phone and the caller doesn't leave a message.**

Animal situations happen all the time in our community and at all hours. There are stray dog situations that put people and other animals at risk, unwanted cat situations that attract wild predators into the community that increase human/wildlife conflict potential, injured birds and sea mammals that are often catalysts for dog and human safety concerns. CARE Network volunteers have spent ten years helping to manage these situations to keep our community safe and healthy. Other volunteers did this before CARE Network. The problems are clear and we now have the statistics to verify them.

It is time for our community to pay its share of the regional cost to manage these situations, and sharing these services and their costs with the other communities in the region is the way to go. It isn't right that our neighbouring communities pay for the services that we take advantage of at no cost.

I would like to add further that I am a supporter and a volunteer at the Care Network and I have seen first hand the number of domestic and wild animals that have been displaced, injured, distressed and in need of assistance. The Care Network provides aid to the best of their ability and funding would go a long way to ensure that these animals are not left to fend for themselves or to suffer due to illness or injury. I am appealing to the mayor and council to reconsider their decisions regarding the funding and support of the vitally important Care Network.

Regards,

Carol Atkinson

105, 1971 Harbour Cr

Ucluelet

VOR 3A0

Jenn Lounsbury

From: Kelsey Smith <misssmith1954@gmail.com>
Sent: February 21, 2022 4:50 PM
To: corporateservices@tofino.ca; Info Ucluelet
Subject: Funding for CARE Network - URGENT

[External]

***** NO ONE calls Tofino or Uke By Law for animals in distress, they call CARE NETWORK!!!*****

Dear Mayor & Council,

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- Kelsey (Resident of Tofino)

--

"People will forget what you said, people will forget what you did, but people will never forget how you made them feel." -Maya Angelou



February 18, 2022

Ref: 269578

Mayors and Regional District Chairs of British Columbia
Attendees of the February 2022 Regional Meetings with Minister Josie Osborne

Dear Mayors and RD Chairs:

Thank you for taking the time to join Minister Josie Osborne for the February 2022 regional meetings. As Minister Osborne said, these meetings continue to be a great opportunity to hear from you about key issues and initiatives in your communities and for you to hear from each other and share your experiences.

Minister Osborne addressed a number of topics during the meetings, including updates on flood response/recovery, COVID-19, local government finance review, and a few funding opportunities. This email provides links and resources to the topics addressed.

Flood Response/Recovery

As you all well know, the atmospheric river weather events in November caused floods and landslides crippling critical transportation infrastructure, causing extensive losses to the agricultural sector; prompting the evacuation of over 17,000 people; and the tragic loss of five lives.

Local, provincial, and federal governments and our partners, including First Nations and NGOs, are working with affected communities. While some communities have moved into flood recovery, we heard during the meetings how others are still struggling with flood response issues.

Through all of this we have all been keeping in mind the human aspect of this emergency and the toll it has taken on the physical and mental wellbeing of you and your staff. I continue to be humbled and impressed by the flexibility and resilience of local government officials and staff during this difficult time, recognizing the incredible hard work you are doing, dealing with so many “on the ground” issues. Across the Ministry, we also were impressed by the inter-community support across BC that is happening, communities offering support to their colleagues whether in the EOCs or in the field with repairs.

This event has challenged all of us, but we are leveraging the relationships and learnings gained from this experience, recognizing that climate related events like the ones we experienced in 2021 will most likely happen again.

Mayors and Regional District Chairs
Page 2

2022 Spring Freshet and Snow Survey

The February 1st snow survey is now complete and the full report is [available online](#) and a map of the current snow basin indices can be found [here](#).

Generally, the province has above normal snowpack for this time of the year, with the average of all snow measurements across the province at 110%. Seasonal weather forecasts from late January by Environment and Climate Change Canada indicate an increased likelihood of colder than normal temperatures from February through April for the entire province. There is an increased likelihood of greater than normal precipitation in the Northeast, Peace and Upper Fraser East for February to April, whereas there is a greater probability of below normal precipitation for Vancouver Island and the South Coast.

The River Forecast Centre will continue to monitor snowpack conditions and will provide an updated seasonal flood risk forecast in the March 1st, 2022, bulletin, which is scheduled for release on March 8th, 2022.

COVID-19 Update

[Easing Restrictions](#)

Provincial Health Officer Dr. Bonnie Henry announced earlier this week that starting on February 17, 2022, many province-wide restrictions will be eased. With proof of vaccination and masks as well as COVID-19 safety plans in place where applicable, these activities can return to normal.

This includes no restrictions on indoor and outdoor personal gatherings, full capacity allowed for indoor and outdoor organized events, indoor events at venues, exercise and fitness, adult sports activities, tournaments and swimming pools, full capacity and fewer restrictions in restaurants, bars, pubs, and nightclubs, including no limits on table size, normal liquor service hours, customers don't have to remain seated, and dancing is allowed when wearing a mask indoors.

Restrictions and safety measures that remain in place will be reviewed in March and April 2022. [Masks](#) continue to be mandatory for all indoor public spaces. The requirement to [show proof of vaccination](#) to access many businesses, events, and services also remains in place.

Local Government Meetings and Public Hearings

The easing of restrictions does not significantly impact local government business (including meetings and public hearings) as these essential functions have already been exempt from the restrictions under the Gatherings and Events Order, including in-person attendance at open meetings.

Local governments' decisions around electronic or in-person public attendance will depend on the unique circumstances in each community. Based on individual community needs, this could include a hybrid of virtual and in-person attendance at meetings. Local governments are encouraged to review their meeting rules and update them accordingly.

Mayors and Regional District Chairs
Page 3

I would encourage local governments to continue considering enhanced safety measures where in-person attendance is required to support the health and safety of staff and the public. Note that proof of vaccination still does not apply to public attendance at local government meetings.

COVID-19 Safety Plans

On January 7, 2022 Dr. Bonnie Henry announced an order requiring employers (which includes local governments) to re-activate their COVID-19 Safety Plans to reduce the spread of the highly transmissible Omicron variant of the COVID-19 virus and the [Workplace Safety Order](#) has been posted on the government website. Note that this order does not have an expiry date and remains in force until repealed.

WorkSafe BC has provided guidance on reactivation or development of these plans and further information can be found on the [WorkSafe BC website](#). As a reminder, COVID-19 Safety Plans are formal, written plans with more rigorous controls than communicable disease prevention plans and are more appropriate for periods of elevated risk.

I recognize that many of you had COVID-19 Safety Plans earlier in the pandemic, and you may have maintained all or many of the measures from your COVID-19 Safety Plans. WorkSafe BC strongly recommends reviewing your COVID-19 Safety Plans to ensure that they are current and aligned with all guidance and orders from the Provincial Health Officer.

[COVID-19 Vaccine Booster Doses](#)

People 12 years and older will get a booking invitation 6 months after the date of their second dose for a booster dose of the COVID-19 vaccine. Please encourage your residents to get a booster dose as this is helping to protect your communities from COVID-19 and vaccination continues to be our primary protective measure.

Keep watching [BC's Response to COVID-19](#) website for updates, and please encourage your residents to do the same.

[Local Government Finance Review](#)

In January 2022, Municipal Affairs Minister Josie Osborne, Finance Minister Selina Robinson, and UBCM President Laurey-Anne Roodenburg signed a [Memorandum of Understanding](#) (MOU) on local government financial resiliency.

Over the past several years, local governments have been faced with multiple new financial challenges around the costs of attainable housing, community safety, and climate change. The Province and UBCM will work together to review the local government finance system in BC to ensure that local governments remain resilient in the face of economic changes. This will include discussions about cost pressures local governments may be experiencing around attainable housing, community safety and climate change, and the impact of the new economy. These issues were identified in a UBCM membership-endorsed [report](#) and published in August 2021. The report included 20 recommendations that focused on strengthening the municipal and regional district finance system.

Mayors and Regional District Chairs
Page 4

Progress under the MOU will be made through the creation of a Local Government Financial Review Working Group made up of staff from the Province and UBCM. The working group will review the recommendations and develop a work plan for short, medium, and long-term consideration.

Investing in Canada Infrastructure Program (ICIP) Update

Environmental Quality Program

The final intake for the **ICIP Environmental Quality Program** has been **extended to February 23, 2022, at 4 pm PST**. Program information can be found at: www.gov.bc.ca/Investing-in-Canada-Infrastructure-Program

As a reminder, the Environmental Quality Program is focused on infrastructure that will support quality and management improvements for drinking water, wastewater, and stormwater. It will also support projects that remediate contaminated sites and divert solid waste from landfill.

Applicants are encouraged to consider projects that add value around environmental protection, resource recovery and reuse, climate change adaptation and mitigation and energy efficiency, generation, and recovery. A water conservation plan is a requirement for any drinking water and wastewater projects.

CleanBC Communities Fund

The third intake for the **ICIP CleanBC Communities Fund** is now open for applications **until May 25, 2022, at 3:00 pm PST**. This intake supports projects starting in 2023 and must be completed by March 2027. Program information can be found [here](#).

The CleanBC Communities Fund is a foundational component of the province's CleanBC plan, which puts BC on the path to a cleaner, better future with a low-carbon economy that creates opportunities for all while protecting our clean air, land, and water.

It funds infrastructure projects that reduce Canada's net greenhouse gas emissions and provide "public use for benefit". The four project outcomes are energy efficiency of buildings, generation of clean energy, management of renewable energy, and access to clean energy transportation.

The CleanBC Communities Fund is a collaboration between the BC Ministry of Environment and Climate Change Strategy and the Ministry of Municipal Affairs in close partnership with Infrastructure Canada.

Please email infra@gov.bc.ca to get connected to a program team member who can respond to your questions.

Strengthening Communities' Services Program

The second intake for the **Strengthening Communities' Services Program** opened on February 8, 2022 and **will accept applications until April 22, 2022**. This means that communities can continue to respond to peoples' unique needs, especially those who are most vulnerable.

Mayors and Regional District Chairs
Page 5

The fund is open to all local governments and modern Treaty Nations to support unsheltered homeless populations and address community impacts caused by COVID-19. For the second intake, the program guidelines have been updated to clarify that supports to address extreme weather events, such as temporary warming and cooling centres, are eligible for funding. Although these services were eligible during the program's first intake, the guidelines did not specifically mention them.

UBCM is administering the program on behalf of the province. For more information visit the [UBCM website](#).

The next round of regional meetings will take place during the first week of March. Minister Osborne will be joined by Minister Beare to provide an update on connectivity. Minister's Office staff will have been in touch this afternoon with invitations to the next meetings.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Faganello', with a stylized flourish at the end.

Tara Faganello
Assistant Deputy Minister

pc: Chief Administrative Officers
Laurey-Anne Roodenburg, President, UBCM
Gary MacIsaac, Executive Director, UBCM
Candace Witkowskyj, Executive Director, LGMA
Todd Pugh, Executive Director, CivicInfo BC



City of Victoria

2022 AGM & Convention

April 1 - 3

WELCOME FROM AVICC PRESIDENT MORRISON



The Association of Vancouver Island and Coastal Communities is excited to be back to meeting in-person for our 2022 AGM and Convention in Victoria. The convention's business and social sessions will be held in the Victoria Conference Centre (VCC) in downtown Victoria. The VCC is a spacious and comfortable facility that suits our convention well.

The City of Victoria is hosting our convention, and as President of AVICC I would like to thank the Mayor, Council and City staff for all their support in welcoming our members to the Capital. We appreciate the City's support in making the conference centre available to us, as well as the tours, sessions and entertainment they have worked hard to set up for the delegates.

This brochure focuses on the tours and sessions that will be offered on Friday morning before the official convention begins. During the convention delegates will be able to choose from the plenary and concurrent sessions on offer. We'll be sending out information on the convention sessions in the next few weeks, and updates to the program will be posted on the website at www.avicc.ca. In the meantime the program highlights are listed on page 4 of this brochure.

Registration is now open online at <https://www.civicinfo.bc.ca/event/2022/AVICC>

KEYNOTE SPEAKER: RYAN WAINWRIGHT, EMERGENCY MANAGEMENT BC



Ryan Wainwright is EMBC's Senior Regional Manager for the Vancouver Island Coastal region. Since graduating with an Applied Bachelors of Emergency Management from Brandon University, Ryan has had the opportunity to work at local, provincial, and federal levels developing his skills as an emergency management practitioner. Prior to joining EMBC in 2019, Ryan enjoyed almost 10 years at the Squamish-Lillooet Regional District as the Emergency Program Coordinator.

Ryan's address will focus on the current state of emergency management in BC with a focus on how decisions are made, and on how information flows between the Province and local government elected officials and staff. What can elected officials do to support their organizations and communities to be more resilient? How do they let their communities know what is happening when an emergency happens and an EOC is set up? Ryan is perfectly positioned to speak to AVICC members as he was busy in the summer and fall of 2021 leading the EMBC response efforts to the heat, wildfires, and atmospheric river events on Vancouver Island and the Central Coast. There will be time for questions to Ryan from our members.
AVICC 2022 Convention brochure AVICC President Morrison

PROGRAM IN BRIEF

FRIDAY, APRIL 1, 2022

- 8:30 am** Tours – Zero Waste in Action
- 9:00 am** Tours - Lekwungen Walking; Placemaking Bike or Walk
- 9:00 am** Workshop on Legislative Reform Initiative
- 11:30 am** Mayors & Chairs Forum and Lunch
- 11:30 am** Electoral Area Forum and Lunch
- 2:00 pm** Official Opening Keynote Address
- 4:00 pm** Provincial Address Plenary
- 5:30 pm** Welcome Reception

SATURDAY, APRIL 2, 2022

- 7:30 am** Breakfast Presentation
- 8:30 am** AGM & Resolutions UBCM President's Address UBCM Resolutions Process Review
- Noon** Delegates Lunch
- 1:30 pm** 1st Concurrent Workshop Sessions
- 3:00 pm** 2nd Concurrent Workshop Sessions
- 6:30 pm** Pre-Banquet Reception
- 7:30 pm** Empress Banquet with Timebenders Band

SUNDAY, APRIL 3, 2022

- 7:30 am** Networking Breakfast
- 8:30 am** Resolutions & Late Resolutions Address by Provincial Reps Installation of New Executive Grand Prize Award
- Noon** Adjourn



City of Victoria

2022 AGM & Convention

April 1 - 3

FRIDAY MORNING PRE-CONVENTION PROGRAM

Study Tour: 'Placemaking - Downtown Walking Option or Bike Tour Option'

9:00-11:30, Friday, April 1, 2022

Cost: \$40



Let the Neighbourhood Team and friends either cycle you comfortably through the City's brand-new bike lanes or walk you through downtown on a placemaking tour that showcases projects completed by both residents, staff and artists collaboratively through the City's My Great Neighbourhood grant program and beyond. This 2.5 hour tour will include everything from parklets to innovative gathering spaces, emergency hubs, community gardens, community art, little free libraries, and interactive musical experiences. The tours will start at 9 am.

Please select either the Downtown Walking option or the Bike Tour option. Bicycles and helmets will be provided for the bike tour as well as light refreshments. Because there is limited space on the tour, we ask that no more than two people from a single local government register for each tour option.

Study Tour: 'Lekwungen Walking Tour with Mark Albany'

9:00-11:30, Friday, April 1, 2022

Cost: \$40



Image Courtesy of Greater Victoria Harbour Authority

Join Mark Albany, a member of the Songhees Nation, to understand downtown Victoria from a Lekwungen point of view. This is an opportunity to learn about important Lekwungen sites and cultural practices and of the history of displacement of Indigenous peoples that made space for the creation of the City of Victoria. The tour is 2.5 hours starting at 9 am. Because there is limited space on the tour, we ask that no more than two people from a single local government register for the tour.

Study Tour: 'Zero Waste in Action'

8:30-11:30, Friday, April 1, 2022

Cost: \$40



Join the City's zero waste team on a guided bus tour showcasing Victoria's momentum towards a circular economy. Learn how clever bin design, labelling and new sensor technology is helping to divert waste from the City's streets and parks. Visit a local deconstruction site, where experts in salvage and reuse are taking apart a building piece-by-piece to preserve old growth lumber. Finally, tour the Food Rescue Distribution Centre, to see how fresh food is being rescued and re-distributed throughout the region, feeding over 35,000 food insecure households. Because there is limited space on the tour, we ask that no more than two people from a single local government register for the tour.



FRIDAY PRE-CONVENTION PROGRAM CONT'D

Legislative Reform Initiative: Continuing the Discussion

Time Runs from 9 am to 11 am
Cost \$40

In June 2021 the Regional District of Nanaimo, with Don Lidstone, Q.C., hosted a session with regional district Chairs and CAOs to explore the possibility of mobilizing a collaborative effort to modernize the Local Government Act. Participants expressed an interest in proceeding with the initiative, pending approval of their respective Boards (the responses are positive!). The purpose of this workshop is to continue the conversation and confirm support for this important initiative, hear from local government partners about aspects of the legislation in need of reform, and focus forward momentum and interjurisdictional collaboration.

Regional districts face complex challenges within the current legislative framework. Changes in demographics and population growth have resulted in increasing demands on electoral areas. While some rural areas are experiencing higher population densities and increased development, others have unique challenges that require more adaptable legislation to assist with service provision in sparsely populated areas.

These changes highlight the limitations on the powers of regional districts in comparison with municipalities in several areas, such as business licensing authority, authority to approve subdivisions, regulation of fireworks discharge, parking enforcement, tree management, and taxation and funding models for services. The extraordinary circumstances of the pandemic have underscored problematic areas in the legislative scheme as it relates to regional district authority, including revenue generation models. Social, political and economic values that regional districts operate within continue to evolve in key respects, such as a recognition of the importance of First Nations' participation in local governance, and the growing emphasis on climate change and environmental stewardship. This session is also of interest to municipal officials (as many aspects of municipal operations are contained in the LGA) including to those who look to 'level the playing field' with their rural neighbours.

Mayors & Chairs Forum and Lunch

Time Lunch at 11:30 am | session 12:00 pm - 1:30 pm
Cost \$45

The focus of this year's Mayors and Chairs Forum will be a discussion and sharing of pandemic survival stories. This forum is open to Mayors, Regional District Chairs and First Nations leaders. Lunch will be provided from 11:30 am.

Electoral Area Forum and Lunch

Time Lunch at 11:30 am | session 12:00 pm - 1:30 pm
Cost \$45

The EA Forum became a regular session at the AVICC Convention in 2016. The Forum provides an excellent opportunity to discuss issues that are common to many electoral areas. As an EA Director we may often feel that we are unique in the challenges we might have in our area, but by attending the Forum soon realize that there are many shared issues. What is most important from the Forum is that we can identify paths to advocate to senior governments to effect change and turn our collaboration into action. A louder voice is better heard. This forum is designed for EA Directors and RD staff. Lunch will be provided from 11:30 am.

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CONVENTION PROGRAM

The Program Format

The 2022 program will integrate the regular business of the annual general meeting, debate on resolutions and holding of elections with a variety of presentations and workshops on topical issues, addresses by key political speakers and opportunities for networking.

Invitations have been extended to the following to address our delegates: BC Premier, John Horgan; Minister of Municipal Affairs, Josie Osborne; Leader of the Official Opposition, Kevin Falcon; Leader of the BC Green Party, Sonia Furstenau; and UBCM President, Laurey-Anne Roodenburg.

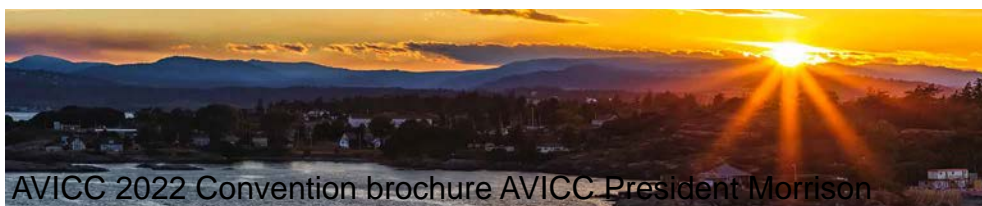
A draft of the detailed program will be posted on the AVICC website later in February. In order to accommodate emergent issues, the program does not become final until just prior to the AGM & Convention.

Highlights

Some program highlights that have been confirmed include:

- First Nations and Local Governments: the Future of Collaborative Governance
- It's Easy to Think Big When You're Small (small, rural or remote communities forming coalitions to get their voices heard)
- Saving Salmon One Metre of Shoreline at a Time, a community-based approach to shoreline habitat restoration (Cowichan Shoreline Stewardship Project, BC Conservation Foundation)
- Big Moves in the Decade of Climate Action - BC Municipal Climate Leadership Council and the Community Energy Association
- Vancouver Island and Coastal Communities – Climate Leadership Plan Update
- UBCM Resolutions Process Review
- Affordable Housing as Essential Community Infrastructure
- Procurement for Community Wellbeing – BC Social Procurement Initiative Update

More workshops are under development and will be detailed when the program is published.



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RESOLUTIONS

DEADLINE

UBCM urges members to submit resolutions first to Area Associations for consideration. Resolutions received prior to the **January 28, 2022** deadline will be processed and included in the Annual Report and Resolutions Package that will be emailed to members in mid-March.

LATE RESOLUTIONS

Resolutions received after the deadline are considered “late” but will be accepted by the AVICC Executive up until noon on **Wednesday, March 30, 2022**.

Members are reminded that, to be admitted for debate, a late resolution should be deemed to be of an urgent or emergent nature and should address an issue that has arisen after the January 28th deadline date.

The Resolutions Committee will review all late resolutions and prepare a report to the delegates including a recommendation as to whether the resolution meets the criteria and should be admitted for debate.

Members can also propose a resolution from the floor of the Convention on Sunday, April 3rd and members will vote on whether to admit the resolution for debate. The convention rules for resolutions will be set out in the Annual Report and Resolutions Book. The rules include requirements for advising members of off-the-floor resolutions.

Reminder

Late Resolutions Deadline
March 30, 2022
Noon

See www.avicc.ca for details



City of Victoria

2022 AGM & Convention

April 1 - 3

NETWORKING & SOCIAL EVENTS

A key objective of the AVICC Convention is providing delegates with the opportunity to connect with colleagues and develop new relationships. Members can share experiences and learnings to take back to their communities. There will be several opportunities to break bread with each other at the breakfasts on Saturday and Sunday morning, the morning and afternoon refreshment breaks, Saturday's Delegates Lunch, the Friday evening Welcome Reception and the Saturday evening Annual Banquet.

2022 Welcome Reception

The Welcome Reception will be held from 5:30-7:30 pm Friday evening in the Victoria Conference Centre just outside the main ballroom. The Trade Show will be open for delegates to peruse while enjoying refreshments. Admission for delegates is already included in the delegate registration fee. Additional tickets may be purchased for guests of members through the on-line registration form on CivicInfo.



Annual Banquet

The Banquet will be held in the Palm Court and Crystal Ballroom of the Fairmont Empress on Saturday, April 2nd. There will be a plated meal and entertainment from AVICC's favourite band "The Timebenders".

The Timebenders Experience is a musical romp through the ages featuring the best dance music and outrageous impersonations of the greatest stars over the last 60 years. A very fast-paced and high-energy presentation with amazing costume changes and up-beat choreography! Delegates will be able to get up and dance again under the latest provincial health orders so we're all looking forward to seeing some dance floor moves.

Trade Show

As in past years, AVICC will host a Trade Show adjacent to the main meeting room. Many of our sponsors will be staffing information booths – please thank them for supporting our Convention and allowing us to keep our registration fees low.

The Trade Show will be open Friday afternoon and during the Welcome Reception, and then from breakfast on Saturday through to a 3:00 pm close after the Saturday afternoon networking break.





VACCINE

Please be advised that to protect the health and safety of staff and attendees, AVICC will adhere to the orders of the Provincial Health Officer that currently require all attendees to be fully vaccinated to attend this event. Delegates will be asked to show proof of vaccination (photo identification and vaccine card) at the registration desk on site. Masking requirements will be based on the Provincial Health Officer's orders in place at the time of the convention.

ANNUAL REPORT AND RESOLUTIONS PACKAGE

The Annual Report and Resolutions Package will be available on the AVICC website as well as being emailed out to all delegates and all AVICC member local governments. AVICC will not be printing hard copies of the package to provide at registration.

REGISTRATION

Online registration is available through CivicInfo at:
<https://www.civicinfo.bc.ca/event/2022/AVICC>

Fees

Register early to take advantage of the early bird discounted rates. Please note the cancellation deadline of March 18th.

	Early Bird (by Mar 9 th)	Late (after Mar 9 th)
Member	\$ 350	\$ 420
Non-Member	\$ 420	\$ 480
Welcome Reception	\$ 40	\$ 48
Annual Banquet	\$ 75	\$ 90

The Welcome Reception is included with delegate registration. Tickets are available for guests and must be purchased ahead of time to ensure availability.

Cancellation Policy

Full Refund: cancellations by March 18th 4:30 pm
 No Refunds: cancellations after March 18th 4:30 pm

Cancellations must be emailed to avicc@ubcm.ca.

Delegates who need to cancel due to illness (including experiencing symptoms consistent with COVID) immediately prior to the Convention (March 31st and April 1st) will receive a refund for registration fees less a \$75 administration fee to help
 AVICC 2022 Convention brochure AVICC President Morrison

TOURISM

The Greater Victoria Tourism group will have a booth on-site to provide information to delegates. The booth will be staffed by locals who can make recommendations on places to visit, shop and eat in the region.

There is also a great deal of information on their website at [Destination Greater Victoria](#) if you'd like to do some planning before you arrive. Take a look and you may decide to extend your visit to Victoria to see all that the region has to offer.

LOGISTICS

Hotels

Several hotels have been identified as accommodation providers for Convention delegates including the Fairmont Empress. Visit [AVICC hotels](#) for rates and booking information.

Convention Venue

All business sessions will be held at the Victoria Conference Centre at 720 Douglas Street, Victoria.

Parking

Parking is available for a fee at the Victoria Conference Centre.

Internet

The Victoria Conference Centre has complimentary WiFi for delegates.

MORE INFORMATION

The most current information will be posted on the AVICC website. Please check back regularly for updates.

For specific questions, please contact:

Liz Cookson, Executive Director

Email: avicc@ubcm.ca

Telephone: 250-356-5122



CODE OF CONDUCT

In keeping with practice at the UBCM Convention, AVICC will again have a Code of Conduct for this year's AVICC Convention. The online registration form is linked to a form outlining the Code. By registering, delegates are acknowledging that they are aware that they are expected to adhere to the 2022 Code of Conduct.

ASSOCIATION OF VANCOUVER ISLAND AND COASTAL COMMUNITIES CONVENTION CODE OF CONDUCT

2022 Convention

The AVICC Executive has implemented a code of conduct for convention participants based on the following principles.

1. The AVICC Executive has implemented a code of conduct for convention participants based on the following principles.
2. The primary purpose of the annual AVICC Convention is to provide the membership with an opportunity to set the Association's policy direction for the year ahead.
3. The Convention also provides delegates with an opportunity to learn, share and meet with other local, provincial and federal government officials in addition to other associations that are interested in engaging with local governments.
4. All delegates and convention participants have the right to a safe, fun and enjoyable experience. AVICC will not tolerate any communication or behaviour that demeans, threatens, or harasses anyone at its events.
5. All participants at the Convention, regardless of their employer, their position, their perspectives or priorities will treat others, and be treated, in a respectful, understanding and cooperative manner and behave in a manner that is respectful to other participants and their guests, and will not do anything that threatens the health, safety, security, or dignity of other participants or their guests.
6. Only local elected officials who are AVICC members are entitled to speak and vote on matters put forward to the membership. However, the annual Convention is open to the public, and anyone may attend the Convention so long as they register.
7. All AVICC members are viewed as equal regardless of their population, location, or their ability to attend the annual convention.
8. Participants are expected to adhere to this Code of Conduct at AVICC and other non-AVICC organized events associated with the Convention; and will be required to sign a confirmation that they have read, understood, and agree to this Code of Conduct at time of registration.
9. Breaches of the code of conduct will be addressed by the AVICC Executive.

From: ca.peters@telus.net
To: [Info Ucluelet](#)
Subject: My script presentation to Federal Justice Committee re prostitution in Canada
Date: March 9, 2022 8:14:02 AM
Attachments: [JUST COMMITTEE presentation.pdf](#)

[External]

Dear Mayor Mayco J. Noel and District Council,
Yesterday was **International Women's Day** and I envision a future where women and girls can dream.
And accomplish all that they want without fear of exploitation.
And a future where their lives are valued and protected.

Attached is my presentation script to the **Federal Justice Committee on February 11, 2022.**

ASK: to present to your Council or stakeholders.

I am available for presentations in May 2022, and October-November 2022.

ASK: that you write the Federal Justice Minister to strengthen and enforce the "Protection of Communities and Exploited Persons Act".

Sincerely, Cathy Peters
BC anti-human trafficking educator, speaker, advocate
Be Amazing; Stop Sexual Exploitation
beamazingcampaign.org
1101-2785 Library Lane, North Vancouver, BC
V7J 0C3
604-828-2689

**JUST COMMITTEE presentation- 5 minutes
February 11, 2022.**

By: Mrs. Cathy Peters

BC anti-human trafficking educator, speaker, advocate

1101-2785 Library Lane, North Vancouver, BC

Canada

V7J 0C3

604-828-2789

email: Cathy@telus.net

Thank you Mr. Chair.

I am a former inner city high school teacher raising awareness about Human Sex Trafficking and Sexual Exploitation for the purpose of prostitution, which is **modern day slavery**.

Stats:

13 years is the average age of recruitment, much younger for Indigenous girls. In the Vancouver area, the **target age has dropped** to 10-12 years old. CoVid has made this worse; traffickers are organized and sophisticated. 90% of the luring, grooming, buying and selling is **ONLINE** on social media platforms.

-54% of the sex trade are Indigenous, 70-90% in urban centers-they are **severely** over-represented in the sex industry. I told the BC Indigenous Chiefs in front of Justice Minister David Lametti- this is the **most egregious form of systemic racism** in Canada.

-82% involved in prostitution had **childhood sexual abuse/incest**

-72% live with **complex PTSD**

-95% in prostitution want to leave-it is NOT a choice or a job

-84% of prostituted persons are pimped or trafficked so organized crime and International crime syndicates are typically involved. Crime follows the money and traffickers make hundreds of thousands of dollars per victim per year.

My **GOAL** is to **traffick proof** every community in British Columbia **AND** to stop the full decriminalization of prostitution in Canada, by supporting the Federal Law **“The Protection of Communities and Exploited Persons Act”**.

I have been involved with sexual exploitation **prevention** for over 40 years and began raising awareness **fulltime**, for the last 8 years, since PCEPA, **became Federal Law**.

In 2014 I began presenting to politicians (all 3 levels of government), the police and the public. I explain PCEPA so that police would enforce it, the public would understand it and be able to report it.

The Law has 4 parts:

- 1. Targets the DEMAND by targeting the buyer of sex. The traffickers, facilitator, buyer of sex are criminalized**
- 2. Recognizes the seller of sex as a victim; usually female and is immune from prosecution**
- 3. Exit strategies are in place to assist the victim out of the sex trade.**
- 4. There is robust prevention education so youth, children and the vulnerable are not pulled into the sex industry.**

This Law focuses on the **source of harm**; the buyers of sex and the profiteers. The clear statement from Parliament was that girls and women in Canada are **NOT FOR SALE**; that they are full human beings, with dignity and human rights.

In 8 years I have made over 500 presentations to over 20,000 people, not including the presentations that can be viewed online.

The turning point was last March when the **Kamloops Mass grave** was reported. Since then I have made over 200 presentations to City Councils, Regional Districts, School Boards, Police Boards, schools, frontline service providers, Indigenous groups including MMIWG gatherings in British Columbia.

3 points:

1. PCEPA is not known or enforced in BC. Therefore, BC is the best Province in Canada to buy sex. Organized crime and International crime syndicates are typically involved.
2. PCEPA has not had a **National rollout campaign**- so Canadians have not heard of the Law and police are not getting the funding or training to enforce the Law.
3. The sex industry wants to repeal PCEPA to normalize, commercialize and institutionalize the sex industry in Canada-if this happens, Canada will become a global sex tourism destination and America's brothel. Indigenous women and girls will be first casualties. Canadians would **NEVER** support this.

Consistent enforcement and the strengthening of PCEPA combined with a robust **Educational campaign** is needed. Without the enforcement of the Law, the sex industry will continue to **rapidly grow**.

The REVIEW of PCEPA puts Canada at a **Tipping Point**; repealing or weakening the LAW will have a **catastrophic impact** on Canada.

Conclusion: I do not want anyone on this Committee to be under the **illusion** that the sex industry is **SAFE**. It can **never** be made SAFE. It is a **deadly industry**. I have presented with the forensics RCMP officer who picked up and identified the body pieces on the Robert Pickton farm. Trisha Baptie is presenting next hour, is a survivor and was a journalist for 2 years at the Pickton trial. Please read and understand the **Robert Pickton case thoroughly**; that describes the **REALITY** of the sex industry and how it works.