



**REGULAR MEETING OF COUNCIL**  
**Tuesday, May 14, 2024 @ 4:00 PM**  
**Electronically (Via Zoom) and in the George Fraser Community Room in the**  
**Ucluelet Community Centre, 500 Matterson Drive, Ucluelet**

**AGENDA**

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This meeting is conducted both in-person in the George Fraser Community Room and electronically through Zoom.

Visit [Ucluelet.ca/CouncilMeetings](https://Ucluelet.ca/CouncilMeetings)

for Zoom login details, links to the livestream on YouTube and other information about Council meetings.

Members of the public may attend the George Fraser Community Room in the Ucluelet Community Centre to hear, or watch and hear, this meeting including any electronic participation.

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	Page
1. CALL TO ORDER	
1.1 ACKNOWLEDGEMENT OF THE YUULU?I?ATH	
Council would like to acknowledge the Yuulu?i?ath, on whose traditional territories the District of Ucluelet operates.	
1.2 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.	
2. LATE ITEMS	
3. APPROVAL OF THE AGENDA	
4. ADOPTION OF MINUTES	
4.1 March 26, 2024, Regular Council Meeting Minutes	5 - 11
<a href="#">2024-03-26 Regular Council Minutes</a>	
4.2 April 16, 2024, Regular Council Meeting Minutes	13 - 21
<a href="#">2024-04-16 Regular Council Minutes</a>	
5. UNFINISHED BUSINESS	
6. BYLAWS	
6.1 Five-Year Financial Plan and Tax Rate Bylaws - Adoption	23 - 36
<i>Jeffrey Cadman, Director of Finance</i>	

[RTC - Five-Year Financial Plan and Tax Rate Bylaws - Adoption](#)  
[Appendix A - Ucluelet 2024-2028 Financial Plan Bylaw No. 1339, 2024](#)  
[Appendix B - Ucluelet Annual Tax Rates Bylaw No. 1340, 2024](#)  
[Appendix C - Report No. 24-35](#)

- |     |  |           |
|-----|--|-----------|
| 6.2 | <p>Zoning and DP Amendments for Weyerhaeuser OceanWest Phase 5<br/> <i>John Towgood, Municipal Planner</i></p> <p><a href="#">RTC - Zoning and DP Amendments for Weyerhaeuser OceanWest Phase 5</a><br/> <a href="#">Appendix A - Application</a><br/> <a href="#">Appendix B - Zoning Amendment Bylaw No. 1341</a><br/> <a href="#">Appendix C - Development Variance Permit 24-03</a><br/> <a href="#">Appendix D - Development Permit 18-07 (Amended)</a><br/> <a href="#">Appendix E - 2018 Site Plan from Development Permit 18-07</a><br/> <a href="#">Appendix F - Wetland Remediation Plan</a></p> | 37 - 112  |
| 6.3 | <p>Zoning Amendments - Small-Scale Multi-unit Housing<br/> <i>Bruce Greig, Director of Community Planning</i></p> <p><a href="#">RTC - Zoning Amendments - Small-Scale Multi-unit Housing</a><br/> <a href="#">Appendix A - Draft Bylaw No. 1346</a><br/> <a href="#">Appendix B - Highlighted Zoning Bylaw Changes in Bylaw No. 1346</a></p>  | 113 - 123 |
| 6.4 | <p>Zoning Amendments - B&amp;B Regulation and new R1-H Zone<br/> <i>Bruce Greig, Director of Community Planning</i></p> <p><a href="#">RTC - Zoning Amendments - B&amp;B Regulations and New R1-H Zone</a><br/> <a href="#">Appendix A - Draft Bylaw No. 1344</a><br/> <a href="#">Appendix B - Draft Bylaw No. 1345</a></p>   | 125 - 135 |
| 7.  | <p>REPORTS</p>   |           |
| 7.1 | <p>Mobile Vending Application - Sub49 Food Truck &amp; Catering<br/> <i>Madeline Haynes, Planning Assistant</i></p> <p><a href="#">RTC - Mobile Vending Application - Sub49 Food Truck &amp; Catering</a><br/> <a href="#">Appendix A - Business License Application</a><br/> <a href="#">Appendix B - Development Permit 22-08</a></p>  | 137 - 149 |
| 7.2 | <p>Notice of Land Disposition Lease Agreement - Cedar &amp; Salt<br/> <i>Abby Fortune, Director of Community Services</i></p> <p><a href="#">RTC - Notice of Land Disposition Lease Agreement - Cedar &amp; Salt</a></p>   | 151 - 155 |
| 7.3 | <p>Ucluelet Economic Development Corporation<br/> <i>Joseph Rotenberg, Manager of Corporate Services</i></p> <p><a href="#">RTC - Ucluelet Economic Development Corporation</a><br/> <a href="#">Appendix A - Shareholder's Resolution</a><br/> <a href="#">Appendix B - Joint Resolution</a><br/> <a href="#">Appendix C - 2023 Annual Report</a><br/> <a href="#">Appendix D - Director Change Form</a></p>  | 157 - 170 |
| 8.  | <p>NOTICE OF MOTION</p>  |           |
| 9.  | <p>CORRESPONDENCE</p>  |           |
| 9.1 | <p>Tennis Courts<br/> <i>Paula Mason, Manager of Corporate Services, School District 70 Pacific Rim</i></p> <p><a href="#">2024-04-29 Tennis Courts</a></p>  | 171       |

- 9.2 District of Tofino and District of Ucluelet Litter Bylaw Letter 173 - 176  
*Robin Jackson, Co-Chair, Surfrider Foundation Canada Pacific Rim Executive Committee*  
[2024-05-04 DoT and DoU Litter Bylaw Letter](#)
10. INFORMATION ITEMS
- 10.1 RCMP Monthly Policing Report - April 2024 177 - 181  
*Marc Jones, Sergeant, Ucluelet RCMP Detachment*  
[Leadership Report April 2024](#)
- 10.2 Save the Date: 2024 Community Safety and Wellbeing Conference 183  
*Marianne Alto, Mayor, City of Victoria, Ləkʷəŋən Territories*  
[2024-05-06 Save The Date: 2024 Community Safety & Wellbeing Conference](#)
11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS
- 11.1 Councillor Shawn Anderson  
*Deputy Mayor, April 1 - June 30, 2024*
- 11.2 Councillor Jennifer Hoar  
*Deputy Mayor, January 1 - March 31, 2024*
- 11.3 Councillor Ian Kennington  
*Deputy Mayor, July 1 - September 30, 2024*
- 11.4 Councillor Mark Maftei  
*Deputy Mayor, October 1 - December 31, 2024*
- 11.5 Mayor Marilyn McEwen
12. QUESTION PERIOD
13. CLOSED SESSION
14. ADJOURNMENT



**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD ELECTRONICALLY AND IN THE GEORGE FRASER COMMUNITY ROOM**  
**IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE**  
**Tuesday, March 26, 2024 at 4:00 PM**

Present:      **Chair:**           Mayor McEwen  
                  **Council:**       Councillors Anderson, Hoar, Kennington, and Maftei (Via Zoom)  
                  **Staff:**           Duane Lawrence, Chief Administrative Officer  
                          Bruce Greig, Director of Community Planning  
                          Joseph Rotenberg, Manager of Corporate Services  
                          Nancy Owen, Executive Assistant

Regrets:

**1. CALL TO ORDER**

The March 26, 2024, Regular Council Meeting was called to order at 4:00 PM.

**1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH**

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

**1.2 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.**

**2. LATE ITEMS**

There were no late items.

**3. APPROVAL OF THE AGENDA**

**3.1 March 26, 2024, Regular Council Meeting Agenda**

2024.2095.REGULAR *IT WAS MOVED AND SECONDED:*

*THAT Council adopt the March 26, 2024, Regular Council Meeting Agenda as presented.*

CARRIED.

**4. ADOPTION OF MINUTES**

**4.1 March 12, 2024, Regular Council Meeting Minutes**

2024.2096.REGULAR *IT WAS MOVED AND SECONDED:*

*THAT Council adopt the March 12, 2024, Regular Council Meeting Minutes as presented.*

CARRIED.

#### 4.2 March 14, 2024, Special Council Meeting Minutes

2024.2097.REGULAR *IT WAS MOVED AND SECONDED:  
THAT Council adopt the March 14, 2024, Special Council Meeting Minutes as presented.*

CARRIED.

### 5. PUBLIC INPUT & DELEGATIONS

#### 5.1 Delegations

**Eddie Kunderman, Operations Manager, Alberni-Clayoquot Regional District**  
**Re: West Coast Transit Service**

The Delegate provided details on the West Coast Transit Service which starts on April 2nd and noted an April 9th launch ceremony at the Pacific Rim Visitor Centre.

In response to Council questions, the Delegate noted the Alberni-Clayoquot Regional District (ACRD) is reviewing options to offer discounted or free tickets to seniors.

### 6. UNFINISHED BUSINESS

There was no unfinished business.

#### 6.1 Procedural Motion to Move into Committee of the Whole

2024.2098.REGULAR *IT WAS MOVED AND SECONDED:  
THAT Council move into a Committee of the Whole.*

CARRIED.

The Committee of the Whole commenced at 4:16 PM.

### 7. COMMITTEE OF THE WHOLE

#### 7.1 Legislative Changes Related to Public Hearings - Order of Operations

**Joseph Rotenberg, Manager of Corporate Services**

2024.2099.REGULAR *IT WAS MOVED AND SECONDED:*

1. **THAT** the Committee of the Whole recommend that Council adopt Approach Number Two, as outlined in Report No. 24-27, when public hearings are prohibited by the Local Government Act for a bylaw; and
2. **THAT** the Committee of the Whole rise and report.

CARRIED.

Council rose from the Committee of the Whole at 4:43 PM.

## 7.2 Council's Consideration of the Committee of the Whole's Recommendation Regarding Report No. 24-27

Council rose from the Committee of the Whole and considered the Committee's recommendation related to Report No. 24-27.

2024.2100.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council adopt Approach Number Two, as outlined in Report No. 24-27, when public hearings are prohibited by the Local Government Act for a bylaw.

CARRIED.

## 8. BYLAWS

### 8.1 District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024 - AAP Complete *Joseph Rotenberg, Manager of Corporate Services*

Council noted Correspondence Item 11.1, which is a letter in opposition to adoption of the Bylaw and the proposed disposition to the Food Bank on the Edge.

2024.2101.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council adopt District of Ucluelet Parkland Disposal Bylaw No. 1334, 2024.

CARRIED.

## 9. REPORTS

### 9.1 UBCM Minister Meetings *Duane Lawrence, Chief Administrative Officer*

Council discussed the recommended meeting requests and noted an additional request related to additional staffing for the Ucluelet RCMP detachment.

2024.2102.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council direct staff to prepare ministerial meeting requests on the following topics for the 2024 Union of British Columbia Municipalities conference:

- a. Fire Hall Grants,
- b. RCMP Additional Members,
- c. Supportive Housing, and
- d. Joint meetings on the:
  - Lifeguard Program,
  - BC Transit, and
  - Cell Service on Highway 4,
  - e. Health Services.

CARRIED.

**10. NOTICE OF MOTION**

There were no notices of motion.

**11. CORRESPONDENCE****11.1 DoU Parkland Disposal Bylaw 1334, 2024 Complaint**  
*Tom and Judy Schmidt***11.2 Concerns Over Provincial Short Term Rental Regulations Effect on Existing Ucluelet Businesses**  
*Charley and Rachel Ballantyne*

The Mayor noted that a Staff report will be presented on Bill 35 at an upcoming Regular Council Meeting.

**11.3 Black Rock Oceanfront Resort Signage Request**  
*Lara Kemps, Assistant General Manager, Black Rock Oceanfront Resort*

Council noted Black Rock's request and Staff outlined the process associated with obtaining a sign permit.

Ms. Kemps addressed Council and noted Black Rock would like the way finding signs to include information about their restaurants.

**11.4 Greek Independence Day Celebration**  
*Tasos Stamadianos, Board Member of the Victoria and Vancouver Island Greek Community Society***11.5 Invitation from BC Non-Profit Housing Association to Attend Event on April 18, 2024**  
*Lynda Dragan, Executive Assistant, BC Non-Profit Housing Association***11.6 April 17 Seniors Luncheon**  
*Patricia Sieber, Chairperson, Sea View Seniors Housing Society***11.7 Invitation to Collaborate - Food Security Emergency Planning Project**  
*John Jack, Chair, Alberni-Clayoquot Regional District*

Council noted that the District should participate in this initiative.

**12. INFORMATION ITEMS****12.1 Council Strategic Priorities Update**  
*Duane Lawrence, Chief Administrative Officer*

Council noted that they would like to review their Strategic Plan through a workshop facilitated by District Staff.

**12.2 Resolution Tracking - March 2024**

*Joseph Rotenberg, Manager of Corporate Services*

**12.3 UBCM Subscription Renewal Letter**

*Councillor Trish Mandewo, UBCM President*

**12.4 Notification National Model Codes Public Review**

*Jun'ichi Jensen, Acting Executive Director, Building and Safety Standards Branch, Ministry of Housing*

**12.5 2024 AVICC Resolution: Fail to Appear Charges in Policing Statistics**

*Mayor Michelle Staples, The City of Duncan*

**13. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS**

**13.1 Councillor Shawn Anderson**

*Deputy Mayor, April 1 - June 30, 2024*

Councillor Anderson attended the Ucluelet Chamber of Commerce Economic Development Committee's inaugural meeting and the Alberni-Clayoquot Health Network's (ACHN) Table of Partners meeting. At the ACHN an integrated healthcare unit for youth ages 12 - 24 called the Foundry was discussed. It is a drop-in centre where youth can access harm reduction services.

**13.2 Councillor Jennifer Hoar**

*Deputy Mayor, January 1 - March 31, 2024*

Councillor Hoar attended the District of Ucluelet Budget Open House on March 14th. Councillor Hoar noted concerns with graffiti at the Canso Plane Crash landmark in Tofino, and also noted an upcoming Easter Egg Hunt at Big Beach.

**13.3 Councillor Ian Kennington**

*Deputy Mayor, July 1 - September 30, 2024*

Councillor Kennington attended the Ucluelet Chamber of Commerce Economic Development Committee's inaugural meeting.

**13.4 Councillor Mark Maffei**

*Deputy Mayor, October 1 - December 31, 2024*

Councillor Maffei attended the District of Ucluelet Budget Open House on March 14th and noted that the Whale Festival events were a success.

### 13.5 Mayor Marilyn McEwen

On March 13th the Mayor attended an Alberni-Clayoquot Regional Hospital District (ACRHD) Special Board of Directors Meeting where the Board of Directors deferred the decision on a funding request from Island Health for the Ucluelet Primary Care Centre, and Tofino Staff Housing and Sobering and Assessment Centre. Later the same day the Mayor attended the ACRD Board of Directors Meeting where the Long Beach Airport Terminal Building Expansion Plan was approved.

On March 14th the Mayor attended the District of Ucluelet Budget Open House and on March 19th the Mayor attended the Toquaht Nation's Official Community Plan public hearing.

The Mayor noted that the Whale Festival was a big success; on March 15th she attended the Art Splash Reception at Black Rock Resort, on the 16th she was at the Chowder Chowdown, on the 17th she attended the annual parade in Tofino and on the 24th she distributed trophies at the Total Fluke Pickleball Tournament.

#### 14. QUESTION PERIOD

There were no questions.

#### 15. CLOSED SESSION

There was no closed session.

#### 16. ADJOURNMENT

##### 16.1 Resolution to Adjourn

2024.2103.REGULAR *IT WAS MOVED AND SECONDED:*

*THAT the March 26, 2024, Regular Council Meeting be adjourned.*

CARRIED.

The meeting was adjourned at 5:39 PM.

#### CERTIFIED CORRECT:

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Duane Lawrence, Corporate Officer

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Marilyn McEwen, Mayor





**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD ELECTRONICALLY AND IN THE GEORGE FRASER COMMUNITY ROOM**  
**IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE**  
**Tuesday, April 16, 2024 at 4:00 PM**

Present:      **Chair:**            Mayor McEwen  
                  **Council:**        Councillors Anderson, Hoar, Kennington, and Maftei  
                  **Staff:**             Duane Lawrence, Chief Administrative Officer  
                                 Jeffrey Cadman, Director of Finance  
                                 Bruce Greig, Director of Community Planning  
                                 Joseph Rotenberg, Manager of Corporate Services  
                                 Nancy Owen, Executive Assistant

Regrets:

**1. CALL TO ORDER**

The April 16, 2024, Regular Council Meeting was called to order at 4:00 PM.

**1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH**

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

**1.2 NOTICE OF VIDEO RECORDING**

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**2. LATE ITEMS**

**2.1 Correspondence Related to Committee of the Whole Item 7.1 "Short-Term Rental Accommodations Act: Loss of Legal Non-conforming Status for Existing B&B's"**

**2.2 Additional Correspondence Related to Committee of the Whole Item 7.1 "Short-Term Rental Accommodations Act: Loss of Legal Non-conforming Status for Existing B&B's"**

2024.2104.REGULAR *IT WAS MOVED AND SECONDED:*

*THAT Council add the late items to the agenda under item 7.1.*

CARRIED.

**3. APPROVAL OF THE AGENDA**

**3.1 April 16, 2024, Regular Council Meeting Agenda**

2024.2105.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council adopt the April 16, 2024, Regular Council Meeting Agenda as amended.  
 CARRIED.

**4. UNFINISHED BUSINESS**

There was no unfinished business.

**5. BYLAWS**

**5.1 Zoning Amendment for a Forbes Road Food Bank**

***John Towgood, Municipal Planner***

2024.2106.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council give third reading to District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024.  
 CARRIED.

2024.2107.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024.  
 CARRIED.

2024.2108.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council exempt the land parcel identified as “Parcel A” in District of Ucluelet Zoning Amendment Bylaw No. 1336, 2024, from the servicing requirements of Village of Ucluelet Subdivision Control Bylaw 1989 No. 521 for the purpose of subdivision.  
 CARRIED.

**6. REPORTS**

**6.1 256 Matterson Drive - Exemption from Section 512 of the Local Government Act**

***Bruce Greig, Director of Community Planning***

2024.2109.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Council exempt the westernmost 9.59m of 256 Matterson Drive (Lot 10, Clayoquot Land District Plan VIP11923; PID:000-510-599) from the minimum 10% highway frontage required under section 512 (1) of the Local Government Act.  
 CARRIED.

**6.2 2024 - 2028 Draft Five Year Financial Plan (Verbal Report With Accompanying Presentation)**

***Jeffrey Cadman, Director of Finance***

Mr. Cadman presented this report which included a summary of the draft five year operating and capital budgets, expenses associated with

planned water and sanitary upgrades, anticipated debt funded projects, and budget feedback. The presentation also compared the tax implications of a \$1,000,000 capital requisition to \$750,000 capital requisition.

Staff recommended that Council direct Staff to prepare the budget as presented, including a \$1,000,000 capital requisition 2024, and a \$500,000 capital requisition in each of the following four years.

Council discussed the \$1,000,000 capital requisition recommended by Staff for 2024. Council also discussed increasing the recommended planned capital requisitions for 2025 through 2028 from \$500,000 to \$1,000,000, for each year.

2024.2110.REGULAR *IT WAS MOVED AND SECONDED:  
THAT Council authorize staff to execute the 2024 budget expenditures as presented at the April 16, 2024 council meeting including a \$1,000,000 capital requisition.*

CARRIED.

2024.2111.REGULAR *IT WAS MOVED AND SECONDED:  
THAT Council direct staff to prepare the 2024-2028 Five-Year Financial Plan bylaw including a \$1,000,000 requisition in 2024 and \$1,000,000 annually for years 2025 through 2028 dedicated for the District's capital program.*

CARRIED.

2024.2112.REGULAR *IT WAS MOVED AND SECONDED:  
THAT Council direct staff to prepare the 2024 Tax Rates bylaw based on the budget outlined at the April 16, 2024 council meeting including a \$1,000,000 requisition dedicated for the District's capital program.*

CARRIED.

2024.2113.REGULAR *IT WAS MOVED AND SECONDED:  
THAT Council move into a Committee of the Whole.*

CARRIED.

The Committee of the Whole commenced at 4:23 PM.

## 7. COMMITTEE OF THE WHOLE

### 7.1 Short-Term Rental Accommodations Act: Loss of Legal Non-conforming Status for Existing B&B's *Bruce Greig, Director of Community Planning*

Mr. Greig presented this report.

The Committee discussed repealing Zoning Amendment Bylaw No. 1310, 2022, which would legalize many legally non-conforming Bed and Breakfasts (B&Bs). The Committee clarified that the principle residence

requirement should remain in place and noted that Bill 35 was intended to address whole home B&Bs, not units in residents' homes. The Committee further discussed Staff time being prioritized for facilitating the development of housing.

A spot zoning approach to legalize legally non-conforming B&Bs was discussed and concerns related to the inequitable impact on property values and tax valuation were raised.

The Committee discussed options for limiting the growth of B&Bs in Ucluelet, including introducing an additional R1 definition that restricts or prohibits nightly rentals in new development.

The Committee also discussed potential for the District to lose its Resort Municipality Status, if there are too few Short-Term Rentals.

Staff provided information from the District's Growth Analysis, and outlined tools that could be used to regulate B&Bs.

The Committee discussed the negative and positive impacts of B&Bs and Short-Term Rentals, on current and future housing market conditions. The Committee discussed incentivizing the conversion of B&Bs to long-term rentals. Advantages and challenges with converting B&B units into long-term rental units were discussed.

The Committee noted the need for long-term solutions intended to address the housing crisis, Council's history of requiring affordable and attainable housing in proposed new development, and challenges with private sector development of affordable housing.

- 2024.2114.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** Staff come back to Council with an amendment that changes the provisions of section 404 of the Zoning Bylaw back to how they were before this section of the Zoning Bylaw was amended in September of 2022.  
 CARRIED.
- 2024.2115.REGULAR *IT WAS MOVED AND SECONDED THAT:*  
***THAT*** Staff come back to Council with an amendment to create a new zoning that would restrict nightly rentals in residential areas for future subdivisions.  
 CARRIED.
- 2024.2116.REGULAR *IT WAS MOVED AND SECONDED:*  
***THAT*** the Committee of the Whole recommend Council direct staff to renew those existing Bed and Breakfast business licences that are legally non-conforming to section 404 of the zoning bylaw as of April 30, 2024, for a period of one year, notwithstanding section 2(2) of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003.

CARRIED.

2024.2117.REGULAR *IT WAS MOVED AND SECONDED:  
**THAT** the Committee of the Whole Rise and Report.*

CARRIED.

The Committee of the Whole rose and reported at 5:18 PM. Council considered the Committees' recommendations at this time.

## **7.2 Council's Consideration of the Committee of the Whole's Recommendations**

2024.2118.REGULAR *IT WAS MOVED AND SECONDED:  
**THAT** Council direct staff to renew those existing Bed and Breakfast business licences that are legally non-conforming to section 404 of the zoning bylaw as of April 30, 2024, for a period of one year, notwithstanding section 2(2) of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003.*

CARRIED.

2024.2119.REGULAR ***THAT** Council direct staff to present zoning amendment bylaws intended to:*

1. *remove amendments to the Zoning Bylaw established by Zoning Amendment Bylaw 1310, 2022;*
2. *create a version of the R1 Zone with no accessory B&B use to apply to future development.*

CARRIED.

## **8. NOTICE OF MOTION**

There were no notices of motion.

## **9. CORRESPONDENCE**

### **9.1 Seaplane use on Harbour *Pieter Timmermans***

In response to Council questions, Staff noted that Harbour Air has applied for a business licence to operate out of the Ucluelet Harbour. Staff are having discussions with Harbour Air related to entering into an agreement for the use of a portion of Whiskey Dock. Harbour Air's flight schedule will be posted on their website.

Council discussed the environmental and economic impact of increased seaplane traffic on the Ucluelet Harbour. Council also discussed the local benefit of Harbour Air's proposed operations.

### **9.2 Funding for: 2024 Ucluelet Economic Readiness Strategy Recovery & Resilience Model for Rural & Remote Communities *Joshua Jenkins, Executive Director, Ucluelet Chamber of Commerce***

Mr. Jenkins was invited to address Council regarding this correspondence item. He noted the project is part of the Chamber's expanded economic development activities and the requested funding would be used to hire a consultant to kickstart the project.

**9.3 Falun Dafa Association of Vancouver - Request for Greeting Letter & Flag Raising**

*Sue Zhang, Falun Dafa Association of Vancouver*

**10. INFORMATION ITEMS**

**10.1 Small Scale Multi-Unit Housing Legislation**

*Ravi Kahlon, Minister of Housing*

**10.2 RTOERO Future of Aging Summit**

*Martha Foster, Board Chair*

2024.2120.REGULAR *IT WAS MOVED AND SECONDED:*

- *THAT Councillor Anderson be authorized to electronically attend and represent the District at the RTOERO Future of Aging Summit; and*
- *THAT Council direct Staff to make appropriate arrangements.*

CARRIED.

**10.3 Support for Resolution**

*Mayor Sue McKortoff, Town of Osoyoos*

**10.4 Alberni-Clayoquot Regional District Adopts 2024-2028 Financial Plan**

*Heather Thomson, ACRD Communications Coordinator*

**11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS**

**11.1 Councillor Shawn Anderson**

*Deputy Mayor, April 1 - June 30, 2024*

Councillor Anderson attended the Association of Vancouver Island and Coastal Communities (AVICC) AGM and Convention from April 12 - 14 and he noted a resolution on the floor to address the needs of seniors in rural areas and further noted the discrepancy between funding for seniors in major cities versus in rural areas.

On April 16th, Councillor Anderson attended an Island Health Meeting in Tofino where the new hospital facility was discussed as well as the Ucluelet Medical Centre. He noted housing for new workers at the improved hospital and new medical facility was raised as a concern.

**11.2 Councillor Jennifer Hoar**

*Deputy Mayor, January 1 - March 31, 2024*

On April 3rd, Councillor Hoar attended the Wild Pacific Trail Society meeting, where a report on the Whale Festival was presented and the Amphitrite House, as well as parking concerns around the coast guard building was discussed.

Councillor Hoar attended the AVICC AGM and Convention from April 12 - 14, where a housing workshop was conducted and noted long-term housing remains an underlying issue for many sectors. Councillor Hoar also made mention of a presentation on Inclusive Governance and Reconciliation and noted a key takeaway from ACRD Chair John Jack that everything is interconnected and to make a commitment to do better overtime. She also attended an Ocean symposium, and recommended visiting the Pacific Salmon Foundation mapping programs on their website.

Councillor Hoar informed that Dinner Theatre is May 3rd and 4th, and tickets are available for purchase.

Lastly, she noted a new program at the Co-op called 'frugal finds' where blemished produce is packaged for customers to purchase at a discount.

### **11.3 Councillor Ian Kennington** ***Deputy Mayor, July 1 - September 30, 2024***

Councillor Kennington attended the AVICC AGM and Convention from April 12 - 14. He noted that Housing, Housing, Housing was one of the more informative housing forums he's attended. Key takeaways from the forum were presentations discussing how affordable rents become affordable over time, a funding initiative for housing units above District owned facilities, and a housing development opportunity page where they facilitate housing partnerships. He also noted that Cortes Island is using 100% of the Municipal and Regional District Tax (MRDT) from their nightly rentals' sector for affordable housing initiatives. Another noteworthy presentation Councillor Kennington attended was regarding boundaries which discussed the challenges for elected officials and the importance of establishing clear boundaries for respectful interactions.

### **11.4 Councillor Mark Maftei** ***Deputy Mayor, October 1 - December 31, 2024***

Councillor Maftei attended the AVICC AGM and Convention from April 12 - 14 and noted an Oceans, Oceans, Oceans presentation where the geoduck and prawn fishing representatives presented; these are highly sustainable and low impact fisheries. He noted opportunities in Ucluelet to raise awareness about these industries.

Councillor Maffei informed that the Raincoast Education Society's annual Shorebird Festival is coming up with a Shorebird Soiree Fundraiser hosted at Roar and Hotel Zed on April 28th.

## **11.5 Mayor Marilyn McEwen**

On March 27th Mayor McEwen attended an Alberni-Clayoquot Regional District (ACRD) Meeting where they adopted their Five-Year Financial Plan. Later that day she and Mr. Lawrence met with Minister Lana Popham and MLA Josie Osborne.

On April 4th, the Mayor attended an ACRD led workshop on Inclusive Regional Governance where discussions related to inclusion of non-treaty nations at the board table was considered.

On April 9th the Mayor attended the West Coast Transit launch and ribbon cutting ceremony.

On April 10th the Mayor attended a Barkley Community Forest Meeting and discussed planning a tour of the Community Forest for Mayor and Council. Later that day, the Mayor attended an ACRD Meeting where BC Transit confirmed that the West Coast Transit will be included in their 2024 - 2025 Budget Service Plan for 7,500 service hours and six expansion buses which hopefully will result in service during the evenings. In the evening, the Mayor attended the Tourism Ucluelet AGM where new members were elected.

The Mayor attended the AVICC AGM and Convention from April 12 - 14. On the 12th, the Mayor attended a joint meeting with Island Health, District of Tofino and ACRD. At the tradeshow, the Mayor met with Rogers representatives and obtained an update on works intended to improve cellular coverage along Highway 4. She was informed the project should be complete within 2 years.

Mayor McEwen noted that April 17th is the Seniors Lunch in the main hall of the Ucluelet Community Centre. April 17th is also the 14th anniversary of the Ucluelet Community Centre.

## **12. QUESTION PERIOD**

### **12.1 Judy Gray**

Ms. Gray outlined housing cost drivers, the importance of Bed & Breakfasts to the local economy, and issues with Bylaw No. 1310. She made recommendations regarding short-term rentals and addressing housing shortages through zoning and development approval reforms.

She further encouraged Council to reconsider Lot 16's application and noted issues with renter eligibility for the First Light Development.

**12.2 Marcel Midlane**

In response to Mr. Midlane's questions, Council confirmed that Accessory Dwelling Units like laneway houses are permitted under some zonings, and noted associated provincial funding for the construction of Accessory Dwelling Units.

**13. CLOSED SESSION**

There was no closed session.

**14. ADJOURNMENT**

**14.1 Procedural Motion to Adjourn**

2024.2121.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** the April 16, 2024, Regular Council Meeting be adjourned.*

CARRIED.

The meeting was adjourned at 6:19 PM.

**CERTIFIED CORRECT:**

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Duane Lawrence, Corporate Officer

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Marilyn McEwen, Mayor





## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JEFFREY CADMAN, DIRECTOR OF FINANCE

**FILE No:** 3900-25

**SUBJECT:** FIVE-YEAR FINANCIAL PLAN AND TAX RATE BYLAWS - ADOPTION

**REPORT No:** 24-40

**ATTACHMENT(s):** APPENDIX A - UCLUELET 2024-2028 FINANCIAL PLAN BYLAW NO. 1339, 2024  
 APPENDIX B – UCLUELET ANNUAL TAX RATES BYLAW NO. 1340, 2024  
 APPENDIX C – REPORT NO. 24-35

### RECOMMENDATION(S):

**THAT** Council adopt *District of Ucluelet 2024–2028 Financial Plan Bylaw No. 1339, 2024.*

**THAT** Council adopt *District of Ucluelet Annual Tax Rates Bylaw No. 1340, 2024.*

### BACKGROUND:

On April 30, 2024, Council gave first, second and third reading to District of Ucluelet 2024–2028 Financial Plan Bylaw No. 1339, 2024 (the “Financial Plan Bylaw”) and District of Ucluelet Annual Tax Rates Bylaw No. 1340, 2024 (the “Tax Rates Bylaw”). For additional information refer to Report No. 24-35 (Appendix C). Since these Bylaws have received first through third readings, Council is now in a position to adopt bylaw 1339 and 1340.

### POLICY OR LEGISLATIVE IMPACTS:

The Financial Plan Bylaw and the Tax Rates Bylaw complete the Financial Plan process for 2024 and enable the District of Ucluelet to meet the obligation of levying and collecting taxes for other bodies.

**Respectfully submitted:**      **Jeffrey Cadman, Director of Finance**  
    **Duane Lawrence, CAO**



**DISTRICT OF UCLUELET**

**Bylaw No. 1339, 2024**

A Bylaw to Adopt the Five-Year Financial Plan  
for the Period 2024 to 2028 Inclusive

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**WHEREAS** Section 165 of the Community Charter requires a Municipality to annually prepare and adopt a financial plan, by bylaw, in each year; and

**WHEREAS** expenditures not provided for in the financial plan or the financial plan as amended, are not lawful except in the event of an emergency;

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

**Citation**

1. This bylaw may be cited for all purposes as the "**District of Ucluelet 2024 - 2028 Financial Plan Bylaw No. 1339, 2024**".

**Objectives and Policies**

2. Schedule "A" attached to and forming part of this bylaw, sets out the objective and polices for the period January 1, 2024 to December 31, 2028.

**Consultation**

3. Pursuant to Section 166 of the Community Charter, public consultation occurred throughout the budget process beginning in December 2023. As well, online feedback took place until March 29, 2024.

**Repeal**

4. The District of Ucluelet 2023 - 2027 Financial Plan Bylaw No. 1329, 2023 is repealed.

**READ A FIRST TIME** this 30<sup>th</sup> day of **April, 2024**.

**READ A SECOND TIME** this 30<sup>th</sup> day of **April, 2024**.

**READ A THIRD TIME** this 30<sup>th</sup> day of **April, 2024**.

**ADOPTED** this \*\* day of \*\*\*, \*\*\*\*.

**CERTIFIED CORRECT;** "District of Ucluelet 2024 – 2028 Financial Plan Bylaw No. 1339, 2024.

---

Marilyn McEwen  
Mayor

---

Duane Lawrence  
Corporate Officer

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

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Duane Lawrence  
Corporate Officer

**Schedule "A"**  
**"District of Ucluelet 2024 - 2028 Financial Plan Bylaw No. 1339, 2024"**

**Statement of Objectives and Policies:**

In accordance with Section 165(3.1) of the Community Charter, municipalities are required to include in the Five-Year Financial Plan, objectives and policies regarding each of the following:

- 1) For each of the funding sources described in Section 165(7) of the Community Charter, the proportion of total revenue that is proposed to come from that funding source;
- 2) The distribution of property value taxes among the property classes that may be subject to taxes; and
- 3) The use of permissive tax exemptions.

The current financial plan provides for \$17,087,609 to be generated for the 2024 year.

**Revenue Objectives**

- a) The District will review fees and charges regularly to maximize recovery of the cost of service delivery;
- b) The District will actively pursue alternative revenue sources to help minimize property taxes;
- c) The District will consider market rates and charges levied by other public and private organizations for similar services in establishing rates, fees and charges;
- d) The District will establish cost recovery policies for fee-supported services, and these policies will consider whether the benefits received from the service are public and/or private;
- e) The District will establish cost recovery policies for the services provided for other levels of government;
- f) General Revenues will not be dedicated for specific purposes, unless required by law or generally accepted accounting practices (GAAP); and
- g) The District will develop and pursue new and creative partnerships with government, community institutions (schools, churches), and community groups as well as private and non-profit organizations to reduce costs and enhance service to the community.

<b>REVENUE</b>	<b>2024</b>	<b>Percent of total</b>
Property Taxes	5,479,952	32.1%
1% Utility Taxes	46,851	0.3%
Federal/Provincial in Place of Taxes	50,000	0.3%
<b>Total Taxes</b>	<b>5,576,803</b>	<b>32.6%</b>
Recreation	577,649	3.4%
Sales & Services	944,475	5.5%
Transfer from Reserves	1,372,558	8.0%
Grants from other levels of government	7,954,559	46.6%
Own sources of Revenue	661,565	3.9%
<b>Total Revenue</b>	<b>17,087,609</b>	<b>100.0%</b>

### Surplus Funds Objective

The Community Charter does not allow municipalities to plan for an operating deficit (i.e. where expenditures exceed revenues). To ensure this situation does not occur, revenue projections are conservative and authorized expenditures will be closely monitored. The combination of conservative revenue projections and controlled expenditures should produce a modest annual operating surplus.

### Debt Objective

- a) One-time capital improvements and unusual equipment purchases;
- b) When the useful life of the capital project will exceed the term of financing;
- c) Major equipment purchases;
- d) The maximum borrowing amount to be limited to what is allowed under the Community Charter; and
- e) Reserves are to be considered as a funding source before debt.

### Reserve Funds Objective

- a) Provide sources of funds for future capital expenditures;
- b) Provide a source of funding for areas of expenditure that fluctuate significantly from year to year ( equipment replacement, special building maintenance, etc.);
- c) Protect the District from uncontrollable or unexpected increases in expenditures or unforeseen reductions in revenues, or a combination of the two;
- d) Provide for working capital to ensure sufficient cash flow to meet the District's needs throughout the year; and
- e) Staff will facilitate Council's review of the amount of reserve funds available on an annual basis.

**Proportion of Taxes Allocated to Classes Objective**

Council's goal is to ensure that there is a fair and equitable apportionment of taxes to each property class. The apportionment to each class is calculated using the multipliers determined by Council prior to preparing the annual tax rate bylaw. The tax multipliers will be reviewed and set by Council annually.

**Permissive Tax Exemptions Objective**

The District of Ucluelet Council reviews and passes a permissive exemption bylaw to exempt certain properties from property tax in accordance with guidelines set out under Sections 220 and 224 of the Community Charter. Although there is no legal obligation, Council may choose to grant exemptions as a method of recognizing organizations within our community which enhance the quality of life for community residents.

The permissive exemptions are evaluated with consideration to minimizing the tax burden to be shifted to the general taxpayer.

**Development Cost Charges Objective**

Development cost charges will be used to help fund capital projects deemed to be required in whole or in part due to development in the community. These charges will be set by a bylaw and reviewed regularly as outlined in the bylaw to ensure that the project estimates remain reasonable and the development costs charged are aligned with the strategic goals of Council.

<b>REVENUE</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Property Taxes	\$5,479,952	\$6,519,100	\$7,699,141	\$8,820,405	\$9,839,759
1% Utility Taxes	46,851	46,851	46,851	46,851	46,851
Federal/Provincial in Place of Taxes	50,000	50,000	50,001	50,002	50,003
<b>Total Taxes</b>	<b>\$5,576,803</b>	<b>\$5,615,951</b>	<b>\$5,795,993</b>	<b>\$5,917,258</b>	<b>\$5,936,613</b>
Recreation	577,649	595,967	605,472	615,166	625,055
Sales & Services	594,475	214,261	393,545	2,722,915	227,373
Debt funding	350,000	2,560,950	1,404,950	300,000	3,080,000
Transfer from Reserves	1,372,558	2,180,000	2,062,143	9,432,143	5,732,143
Grants from other levels of government	7,954,559	5,196,071	4,191,040	1,327,000	802,000
Own sources of Revenue	661,565	603,244	614,228	625,432	636,859
<b>Total Revenue</b>	<b>\$17,087,609</b>	<b>\$17,966,444</b>	<b>\$17,067,371</b>	<b>\$23,939,914</b>	<b>\$21,040,043</b>

<b>Expenses</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
<b>Operational Expenses</b>					
Administration Expenses	\$1,883,557	\$1,902,581	\$1,891,284	\$1,946,590	\$1,977,379
Building Inspection Expense	138,856	141,633	144,466	147,355	150,302
Bylaw Expense	137,338	140,085	142,886	145,744	148,659
Fiscal Services (Debt)	235,258	219,671	193,688	196,110	119,869
Parks Expenses	801,388	817,416	833,764	850,439	867,448
Planning Expenses	572,812	583,468	594,337	605,424	616,732
Protective Services Expenses	508,921	526,152	536,465	546,985	557,714
Public works Expenses	988,777	996,832	1,016,769	1,037,104	1,057,846
Recreation Expenses	1,197,113	1,208,616	1,232,578	1,257,019	1,281,950
<b>Total Operations Expenses</b>	<b>\$6,464,020</b>	<b>\$6,536,454</b>	<b>\$6,586,237</b>	<b>\$6,732,770</b>	<b>\$6,777,899</b>
<b>Capital Expenses</b>					
Affordable Housing	167,000	650,000			
Buildings	155,085		175,000	6,700,000	
General Gov't	252,947	250,000			
Emergency Services	397,464	900,000	600,000		
Fleet	350,000	30,000			80,000
Parks & Recreation	2,242,296	245,000	184,000	60,000	3,530,000
Roads	3,448,327			690,000	
Sanitary	453,550	2,210,000	1,972,144	3,257,144	5,652,144
Water	1,914,919	4,544,990	4,549,990	2,500,000	
Transfer to Capital Program	1,000,000	2,000,000	3,000,000	4,000,000	5,000,000
Harbour	242,001	600,000			
<b>Total Capital Expenses</b>	<b>\$10,623,589</b>	<b>\$11,429,990</b>	<b>\$10,481,134</b>	<b>\$17,207,144</b>	<b>\$14,262,144</b>
<b>Total Expenses</b>	<b>\$17,087,609</b>	<b>\$17,966,444</b>	<b>\$17,067,371</b>	<b>\$23,939,914</b>	<b>\$21,040,043</b>

## DISTRICT OF UCLUELET

### Bylaw No. 1340, 2024

A Bylaw for the Levying of Taxation Rates for Municipal, Debt, Regional Library, Regional Hospital, and Regional District Purposes for the year 2024

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**WHEREAS** Section 197 of the *Community Charter* requires that a Council must adopt a bylaw to impose rates on all taxable land and improvements for the current year;

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

#### Title

1. This bylaw may be cited for all purposes as "**District of Ucluelet Annual Tax Rates Bylaw No. 1340, 2024**".

#### Enactment

2. The following taxes rates are hereby imposed and levied for the year 2024:
  - I. General Municipal Purposes - For all lawful General Municipal purposes of the municipality on the value of land and improvements taxable for general municipal purposes, rates appearing in Column I of Schedule "A" attached hereto and forming a part of this bylaw.
  - II. Regional District Purposes - For purposes of the Alberni-Clayoquot Regional District on the value of land and improvements taxable for regional district purposes, rates appearing in Column II of Schedule "A" attached hereto and forming a part of this bylaw.
  - III. Regional Hospital District - For Hospital purposes on the value of land and improvements taxable for regional hospital district purposes, rates appearing in Column III of Schedule "A" attached hereto and forming a part of this bylaw.
  - IV. Library - For Library purposes on the value of land and improvements taxable for regional library purposes, rates appearing in Column IV of Schedule "A", attached hereto and forming a part of this bylaw.

#### Effective Date

3. The rates and taxes shall be considered to have been imposed on and from the first day of January 2024.

#### Terms of Payment and Penalties

4. The aforementioned rates and taxes shall be due and payable on or before July 2, 2024 at the municipal office of the District of Ucluelet, at Ucluelet in the Province of British Columbia.

4. There shall be added to the unpaid taxes levied for the year 2024, in respect of each parcel of land and improvements thereon on the real property tax roll, ten point two percent (10.2%) of the amount unpaid as of the second day of July 2024.

**READ A FIRST TIME** this 30<sup>th</sup> day of **April, 2024**.

**READ A SECOND TIME** this 30<sup>th</sup> day of **April, 2024**.

**READ A THIRD TIME** this 30<sup>th</sup> day of **April, 2024**.

**ADOPTED** this \*\* day of \*\*\*, \*\*\*\*.

**CERTIFIED CORRECT;** " District of Ucluelet Annual Tax Rates Bylaw No. 1340, 2024".

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Marilyn McEwen  
Mayor

---

Duane Lawrence  
Corporate Officer

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

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Duane Lawrence  
Corporate Officer

**Schedule “A”**  
**“District of Ucluelet Annual Tax Rates Bylaw No. 1340, 2024”**

		<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>
<b>Class</b>	<b>Class Name</b>	<b>General Municipal</b>	<b>Alberni- Clayoquot Regional District</b>	<b>Regional Hospital District</b>	<b>Library</b>
1	Residential	3.00942	0.487055	0.129472	0.113072
2	Utilities	28.36382	1.704693	0.453153	1.065707
3	Supportive Housing	3.45379	0.487055	0.571010	0.113072
4	Major Industry	12.00000	1.655987	0.440206	0.395753
5	Light Industry	15.93560	1.655987	0.440206	0.598745
6	Commercial	11.34553	1.193285	0.317207	0.426283
7	Managed Forest Lands	3.45379	0.487055	0.571010	0.440428
8	Recreational	11.72200	0.487055	0.129472	0.440428





## REPORT TO COUNCIL

Council Meeting: April 30, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JEFFREY CADMAN, DIRECTOR OF FINANCE

**FILE No:** 3900-25 BYLAW 1339

**SUBJECT: FIVE-YEAR FINANCIAL PLAN AND TAX RATE BYLAWS**

**REPORT No:** 24-35

**ATTACHMENT(s):** APPENDIX A - UCLUELET 2024-2028 FINANCIAL PLAN BYLAW No. 1339, 2024  
APPENDIX B – UCLUELET ANNUAL TAX RATES BYLAW No. 1340, 2024

### **RECOMMENDATION(s):**

**THAT** Council give first, second and third reading to *District of Ucluelet 2024–2028 Financial Plan Bylaw No. 1339, 2024.*

**THAT** Council give first, second and third reading to *District of Ucluelet Annual Tax Rates Bylaw No. 1340, 2024.*

### **BACKGROUND:**

#### **Five-Year Financial Plan Bylaw**

Section 165 of the *Community Charter* states:

*165 (1) A municipality must have a financial plan that is adopted annually, by bylaw, before the annual property tax bylaw is adopted.*

The financial planning period is five years and must set out the objectives and policies of the municipality in relation to each of the funding sources, the distribution of property tax values for each of the classes that are subject to tax, and the use of permissive tax exemptions.

The Financial Plan must also set out the proposed expenditures, funding sources, and transfers between funds. The proposed expenditures must have separate amounts for principal and interest on municipal debt, capital additions, and any amounts required for deficiencies from one year to another.

In addition, the Financial Plan must set out separate funding sources for property taxes, parcel taxes, fees, borrowing, and all other sources. Transfers between funds must set out separate amounts for each reserve fund and accumulated surplus.

If actual expenditures and transfers to other funds for a year exceed actual revenues and transfers from other funds for the year, the deficiency must be included in the next year's financial plan as an expenditure in that year.

Further, under Section 166 of the *Community Charter*, a Council must undertake a process of public consultation regarding the proposed Financial Plan before the bylaw can be adopted. Public consultation occurred throughout the budget process beginning in December 2023. This included Council Meetings on January 8, 2024, February 26, 2024, March 14, 2024, and April 16, 2024. All presentations to date are accessible on the District's website. An in person open house was also held March 14, 2024, and online feedback was invited until March 29, 2024. All written feedback was submitted to Council at the April 16, 2024 Council Meeting.

The average 2024 property tax increase for a single-family dwelling is 14.98%. This includes a \$1,000,000 capital requisition to be put towards the District's capital plan.

### **Tax Rates Bylaw**

Section 197 of the *Community Charter* states:

- 197 (1) Each year, after adoption of the financial plan but before May 15, a council must, by bylaw, impose property value taxes for the year by establishing tax rates for*
- a) the municipal revenue proposed to be raised for the year from property value taxes, as provided in the financial plan, and*
  - b) the amounts to be collected for the year by means of rates established by the municipality to meet its taxing obligations in relation to another local government or other public body.*

The required tax levy for the District is established by the Financial Plan Bylaw. The levy amount is applied to the revised assessment roll and determines the levy amount allocated to property owners by property class and assessed value. The revised roll was issued in April 2024 and incorporates any assessment appeals that have been resolved since January 2024.

Property owners should note a variety of factors influence the assessment values on which final tax rates are based and the impact on individual properties will vary.

The same allocation process is used to allocate the dollar values levied by the Regional and Hospital Districts, and the Library. Other jurisdictions levy by issuing the rates directly. These are not included in this bylaw as they have already been established under provincial legislation. They include the School Tax, Policing, Municipal Finance Authority, and BC Assessment.

In accordance with the *Community Charter*, a municipality must annually adopt their financial plan and tax rates bylaw by May 15 of each year.

The proposed 2024-2028 Financial Plan Bylaw No. 1339, 2024 and the Annual Tax Rates Bylaw No. 1340, 2024 would replace the current Financial Plan and Tax Rates bylaws from 2023.

### **POLICY OR LEGISLATIVE IMPACTS:**

The 2024-2028 Financial Plan Bylaw and the Annual Tax Rates Bylaw complete the Financial Plan process for 2024 and enables the District of Ucluelet to meet the obligation of levying and collecting taxes for other bodies.

**Respectfully submitted:      Jeffrey Cadman, Director of Finance**



## REPORT TO COUNCIL

Council Meeting: May 14, 2024  
500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOHN TOWGOOD, MUNICIPAL PLANNER

**FILE NO:** 3360-20 RZ24-05

**SUBJECT:** ZONING AND DP AMENDMENTS FOR WEYERHAEUSER OCEANWEST PHASE 5

**REPORT NO:** 24-43

**ATTACHMENT(S):** APPENDIX A – APPLICATION  
APPENDIX B – ZONING AMENDMENT BYLAW NO. 1341  
APPENDIX C – DEVELOPMENT VARIANCE PERMIT 24-03  
APPENDIX D – DEVELOPMENT PERMIT 18-07 (AMENDED)  
APPENDIX E – 2018 SITE PLAN FROM DEVELOPMENT PERMIT 18-07  
APPENDIX F – WETLAND REMEDIATION PLAN

### RECOMMENDATION(S):

**THAT** Council directs Staff to give notice of first reading of *District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024*.

### BACKGROUND:

In 2018 Weyerhaeuser Co. Ltd. (the “**Applicant**”) started the process to subdivide a 10.3ha (25.5 acre) area of its lands located northeast of the Marine Drive and Cynamocka Road intersection; PID 026-784-297, Lot A, Plan VIP81555, District Lot 283, Clayoquot Land District, Except Plan VIP84686 and portions of PID 025-635-742, Lot 4, District Lots 285, 286 and 473, Clayoquot Land District Except Plan VIP80031 (“**the development area**”) (see **Figure 1**). The proposed subdivision would be phase 5 of the OceanWest development.

The applicant applied for and received a Development Permit (**DP**) and Preliminary Layout Assessment (**PLA**) for their subdivision application. With the DP approval in place, which included an environmental assessment by Environmental Dynamics Inc (**EDI**), the applicant began the clearing of the land, construction of roads and services for the subdivision. The progress of the subdivision was delayed first by the Covid-19 pandemic in 2020 when the development was put on hold by Weyerhaeuser. The applicant restarted the development in early 2022. After this restart, the Ministry of Land, Water and Resource Stewardship (the “**Ministry**”) issued an Engineer’s Order under the *Water Sustainability Act* to cease all works on the property. The Ministry stopped all works in several areas that they deemed to be impacted wetlands (including two wetland areas that were already cleared in the alignment of the Forbes Road extension) and

required that the entire site be reassessed to identify all streams and wetlands according to the *Water Sustainability Act*.

It should be noted that the applicant had originally engaged a biologist to do the environmental assessment of the development and subsequent environmental management plan prior to commencing any works on the site. The works were being carried out under the supervision of that biologist. The provincial order to stop work was the result of differing professional opinions on what defines a wetland under the *Water Sustainability Act*. Staff understand that the Province has begun work on a regionally-specific BC manual for wetland delineation.

The applicant, working with EDI and the Ministry, developed a Wetland Remediation and Offsetting Plan that involved a redesign of the development's lot and road layout, an increase in the park dedication, wetland remediation, and environmental offsets. The proposed offsetting approach was approved by the Ministry in October of 2023 (see **Appendix F**).

The redesign of the subdivision to shift a section of Forbes Road to the west, away from the adjacent wetland, causes the need for a zoning amendment for the lot size allocation within the CD-5C Zone, Development Variances for a number of the lot frontages, and a requirement to exempt some of the lots from the minimum frontage required under the *Local Government Act*. The Applicant submitted and paid for a rezoning amendment, a Development Variance Permit (**DVP**) and updated subdivision PLA on March 4, 2024.



Figure 1. The Development Area

**DISCUSSION:**

This report has multiple elements that will require approvals in the following sequence:

**Zoning:**

The zoning of the development is Comprehensive Development Zone 5C (**CD-5C**), and the proposed zoning changes address three areas (see **Appendix B**); the first being the allowable number of various lot sizes in the development area. The CD-5C zone has the minimum lots size broken into three lot size categories; *CD-5C.2.1(1)(a)* (**Small**), *CD-5C.2.1(1)(b)* – (**Medium**), *CD-5C.2.1(1)(c)* – (**Large**). The zoning is written as follows:

*CD-5C.2.1 Minimum Lot Size:**(1) Single Family Dwelling:*

- (a) 405 m<sup>2</sup> (0.1 acre) but less than 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) for at least 40 lots but not exceeding 50 lots;*
- (b) 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 10 lots but not exceeding 15 lots;*
- (c) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 55 lots but not exceeding 70 lots, but 1,618.75 m<sup>2</sup> (0.4 acre) for any of these lots if accessed off a major road;*

The change proposed in the new subdivision layout does not alter the number of lots created but rearranges the size of the lots (to allow for greater area being set aside as park land). The proposed subdivision, when combined with what has already been built out in previous Weyerhaeuser development areas (the first four phases of OceanWest), would be over the maximum number of Medium sized lots by six. To account for this, the proposed zoning amendment would reduce the maximum large lot allocation from 70 lots to 64 and increase the medium allocation from 15 to 21.

The second change proposed is in regard to the minimum lot size. Section CD-5C2.1(a) stipulates that lots must be less than 650m<sup>2</sup> and provides the imperial conversion for convenience only in brackets (see Section 104.1). However, 650m<sup>2</sup> converts to 6,996.54ft<sup>2</sup>, not the 7,000ft<sup>2</sup> conversion stated in the bylaw. In the proposed subdivision plan the applicant created multiple lots at exactly 650m<sup>2</sup> in area, with the intention that they be considered as small lots. While this is consistent with the imperial conversion (6,996.54ft<sup>2</sup> being less than 7,000ft<sup>2</sup>), the imperial conversions included in the bylaw are for convenience only. Therefore, the proposed lot size doesn't quite meet the metric threshold as the zoning bylaw reads that a small lot must be less than 650m<sup>2</sup>. Therefore, the proposed lots at exactly 650m<sup>2</sup> would have to be considered as medium lots. This would in turn affect the required lot frontage and maximum lot coverage. Staff propose for all instances in the CD-5C zone that 650m<sup>2</sup> be changed to 650.3m<sup>2</sup>. This change would make the small

lot and medium lot threshold constant with the setback threshold and be a more accurate translation to imperial conversion. In staff's opinion this is partly a housekeeping matter to clean up the CD zoning.

The third change proposes to remove an awkward regulation within the CD-5C zoning. CD-5C.2.1 contains a requirement for larger lots on a major road "1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 55 lots but not exceeding 70 lots, but 1,618.75 m<sup>2</sup> (0.4 acre) for any of these lots if accessed off a major road". The original intent of this clause was most likely an attempt to increase forested areas along Marine Drive: put simply, less driveways more trees. Since lot frontage enacted for the large lots and the proposed greenspace covenant are better mechanisms to achieve the reduced driveways, it is proposed to just remove that clause within the CD-5C regulations.

The fourth change proposes to remove an obsolete clause within the CD-5C zoning. CD-5C.1.2 contains a clause that specifically relates to Lot 13, plan VIP84686; this parcel was removed from the CD-5C zone with the adoption of *District of Ucluelet Zoning Amendment Bylaw No. 1269, 2020*, making section CD-5C.1.2 now redundant.

#### Development Variance Permit for Minimum Frontage:

The applicant has worked with Ministry staff to arrive at an accepted wetland remediation and offsetting plan. The result is a proposal to set aside areas of high environmental value (wetlands and their buffer areas) as park. In order to set aside those areas, the applicant has squeezed three lots which therefore do not meet the minimum frontage requirement (Lots 81, 82 and Lot 87 – see **Appendix C**). Varying the minimum frontage for these three lots is reasonable. If/when notice is given for the bylaw amendments, staff would also give the required notice for public comment on the DVP. The Development Variance Permit would then be presented for consideration by Council separately but at the same meeting as the proposed zoning amendment is being considered for adoption.

#### Minimum Highway Frontage - Local Government Act:

Four of the proposed lots do not meet the minimum frontage required under section 512(2) of the *Local Government Act* which states:

*512(1) If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of:*

- (a) 10% of the perimeter of the lot that fronts on the highway, and*
- (b) the minimum frontage that the local government may, by bylaw, provide.*

Lot 81, 82, 87, 90, 91, and 96 appear to not meet this 10% frontage requirement. Staff will provide a resolution for Council to consider exempting those lots from Section 512 of the *LGA* when the application returns on a future agenda.

Acceptance of Parkland:

Parkland dedication offered as part of a subdivision must be accepted by resolution of Council. This subdivision will create 3 areas of parkland for a total of 9,382m<sup>2</sup> total (see **Appendix A**) that correspond to the site’s environmentally sensitive areas. A resolution for Council consideration will be presented if/when the proposed zoning amendment is adopted.

OCP policy 2.63 supports the protection of sensitive ecosystems through park dedication. The subdivision would also provide connecting trail corridors generally consistent with the original DP site plan (see **Appendix E**). One internal pathway has been removed as the lots have shifted with the relocated Forbes Road, but the connectivity of trails with the broader trail network is maintained.

Amendment of Development Permit DP18-07:

The development of this subdivision has been undertaken under DP18-07 which was authorized under Ucluelet’s previous Official Community Plan (**OCP**). It is proposed to amend the existing DP by changing out the civil and landscape plans attached to this report (new plans are contained in **Appendix A**). This change represents the following:

- The lot layout would change to reflect the Wetland Remediation and Offsetting Plan.
- The sidewalk on both sides of Forbes Road will be reduced to one sidewalk located on the southeast side.
- The park sizes and locations are revised.
- There is a rerouting of the trailway system. It should be noted that the trail is to be constructed by the applicant, to District specifications, as part of the subdivision works (see drawing 100 Site Plan in **Appendix A**).

A draft of the amended DP is attached in **Appendix D**.

ANALYSIS OF OPTIONS:

A	Direct Staff to give notice of first reading of District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Would allow District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024, to be considered for first, second, third readings and adoption.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Unknown at this time.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Would allow District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024 to be considered for first, second, third readings and adoption.</li> <li>• DVP and other decisions of Council would be considered at a future meeting once notification has been completed.</li> </ul>

B	Modify the draft zoning bylaw prior to directing staff to give notice of first reading.	<u>Pros</u>	<ul style="list-style-type: none"> <li>A modification to the bylaw amendment that Council deems appropriate may be beneficial to the application.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>The application would be delayed.</li> </ul>
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> <li>“THAT Council directs staff to modify the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024</i>, to <b>(state desired outcome of amendments)</b>, for further consideration at a future meeting.”</li> </ul>
D	Reject the application.  [not recommended]	<u>Pros</u>	<ul style="list-style-type: none"> <li>Unknown at this time</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Wetland remediation and offsetting work may be delayed.</li> <li>Construction and completion of utility connections would be delayed.</li> <li>The availability of new residential lots would be delayed.</li> <li>Would not allow applicant’s proposed subdivision to proceed.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>The application would not proceed.</li> <li>Additional staff time will be required to follow up with applicant and consultants.</li> </ul>
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> <li>“THAT <i>District of Ucluelet Zoning Amendment Bylaw no. 1341, 2024</i> be rejected.”</li> <li>THAT Council indicates to staff and the applicant that in order to proceed with the development the following changes are necessary: <b>[state reasons]</b>.</li> </ul>

**POLICY OR LEGISLATIVE IMPACTS:**

This application impacts the *District of Ucluelet Zoning Bylaw No. 1160, 2013* by adding a text amendment and variance to section CD-5C.

It is important to note that *Bill 44 – 2023 Housing Statutes (Residential Development) Amendment Act, 2023* amended Part 14, Division 3, Section 464 (3) of the *Local Government Act*, which now states that:

- (3) A local government must not hold a public hearing on a proposed zoning bylaw if
- (a) an official community plan is in effect for the area that is the subject of the zoning bylaw,
  - (b) the bylaw is consistent with the official community plan,
  - (c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and
  - (d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development,

Where a public hearing would have previously been held, these legislative changes do not permit a public hearing for *District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024*. For the

proposed development, the District of Ucluelet is permitted to provide the public the opportunity to make verbal submissions on the proposed variance (**DVP**) but is not permitted to hold a public hearing on the zoning bylaw amendment.

In addition, it is important to note, that the applicant is responsible for ensuring that all Provincial and Federal laws, requirements, and best practices are followed as the subdivision servicing proceeds.

**NEXT STEPS:**

If Council directs Staff to give notice of first reading of *District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024*, staff will undertake the necessary notification and schedule the bylaw to be considered by Council for a potential first, second, third reading and adoption at a future Regular Council Meeting.

**Respectfully submitted:**

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



February 16, 2024

0716-004

**District of Ucluelet**  
200 Main Street / PO Box 999  
Ucluelet, BC, V0R 3A0

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

Dear Sir:

**RE: Ocean West Phase 5 – Development Application**

As requested, this letter is being provided with the revised Development Application for Phase 5 of Ocean West to explain the purpose of the revisions to the previously approved Development.

Construction of Phase 5 began in 2019 and, due to disruptions related to the Covid-19 pandemic, was halted in 2020 then restarted in 2022. In October 2022, construction was again halted in response to an order from the Ministry of Forests to avoid impacts to newly designated wetlands. Since that time, the development plan has been under revision to respond to the Ministry's order while still providing a connection of Forbes Road to Marine Drive as required by the District's Community Plan.

The revised Development Application shifts the south end of Forbes Drive approximately 20 meters to the west to avoid the Stream 14 wetland and also changes the locations of the previously dedicated park areas to include the Stream 14 and Raven Haven Creek wetlands to provide permanent protection of wetlands and streams. To maintain the total 33 lots available to the community, several lots have been reduced in size. One of the remaining lots, Lot 97, is designated Multi-Family in the District's Community Plan and we will submit an application to rezone this Lot to multi-family shortly after this revised Development Application is approved.

Weyerhaeuser appreciates the assistance you have provided through the process of revising the development plan. We look forward to District Approval so construction can be completed this summer and additional lots can be provided to meet the needs of current and future residents.

Please feel free to contact the undersigned if you have any questions or require any additional information.

Yours truly,

**Newcastle Engineering Ltd.**

Nathan Trobridge, P.Eng.







NEWCASTLE  
PROJECT NO. 15-317  
DATE: 07/11/2018

CLIENT NAME  
**WEYERHAEUSER COMPANY LIMITED**  
PROJECT NAME  
**WEYERHAEUSER LANDS DEVELOPMENT PHASE 5**

ISSUED FOR PERMIT PURPOSES ONLY

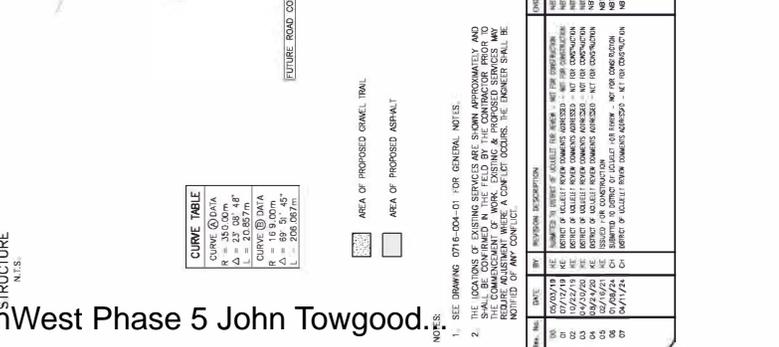
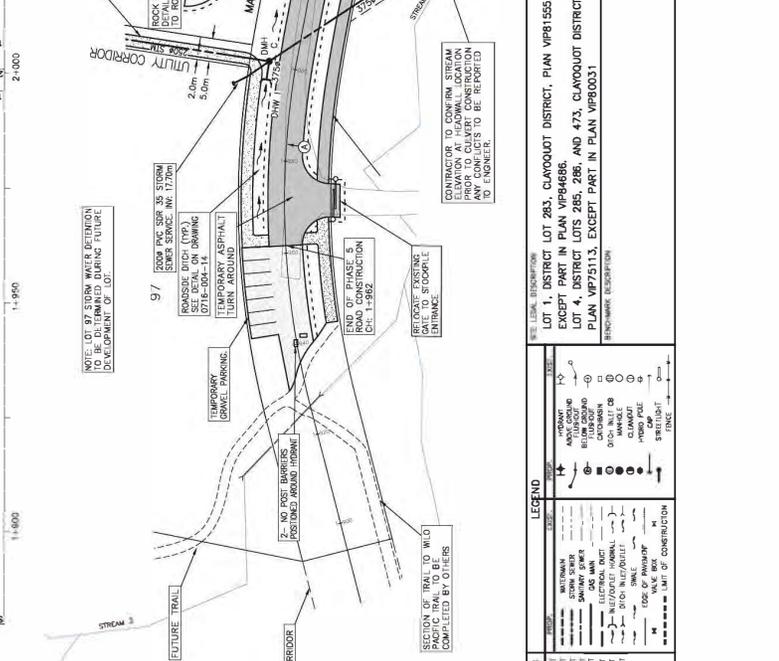
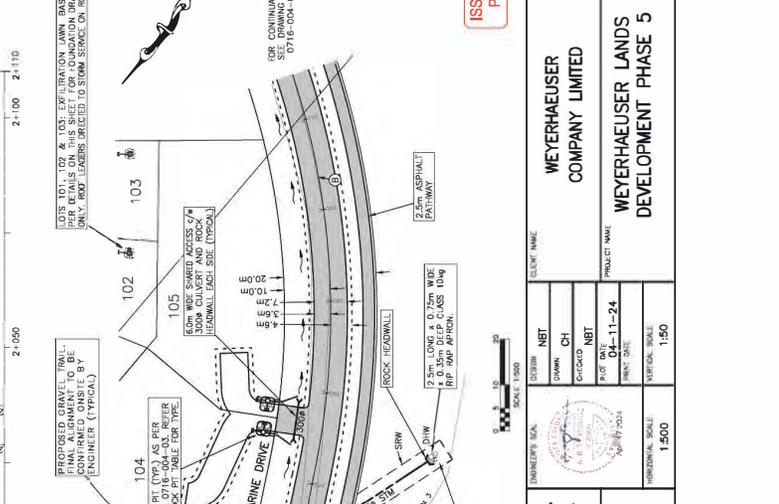
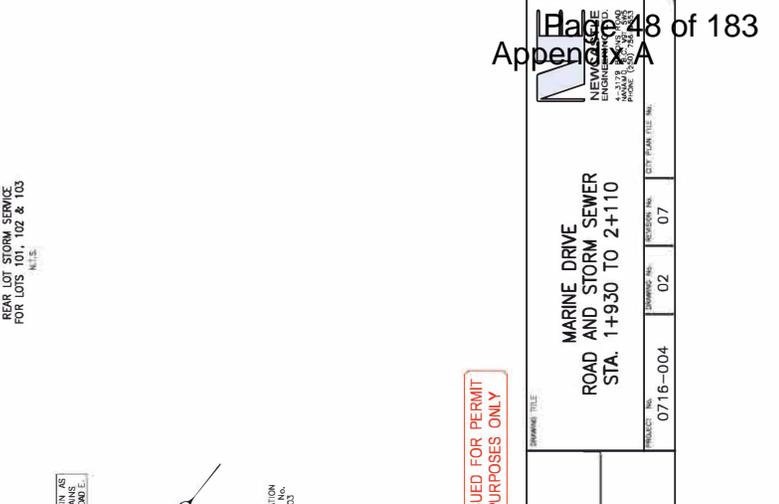
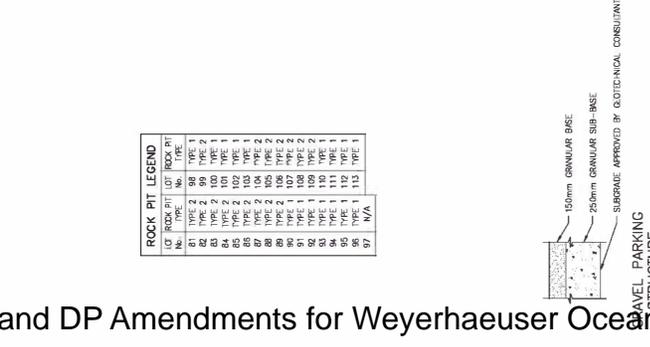
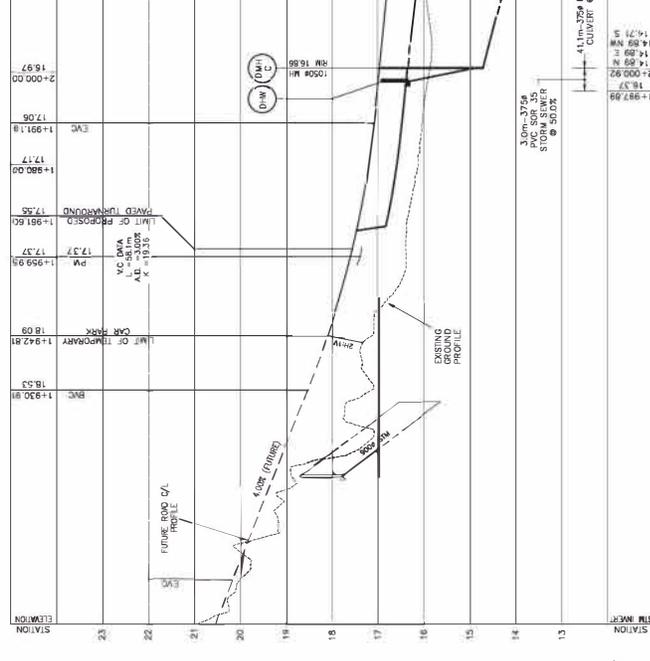
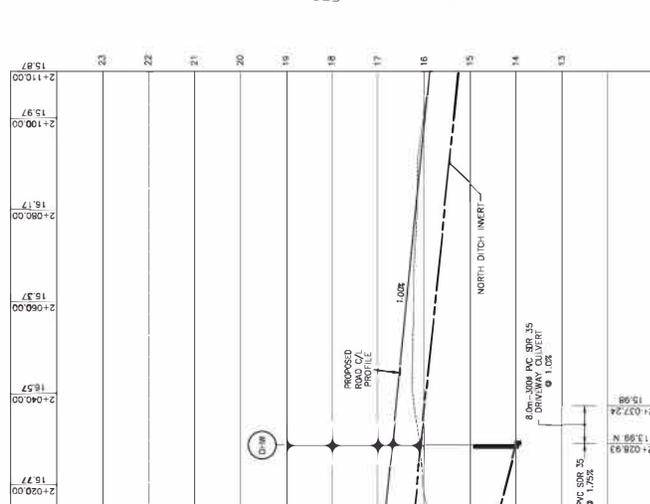
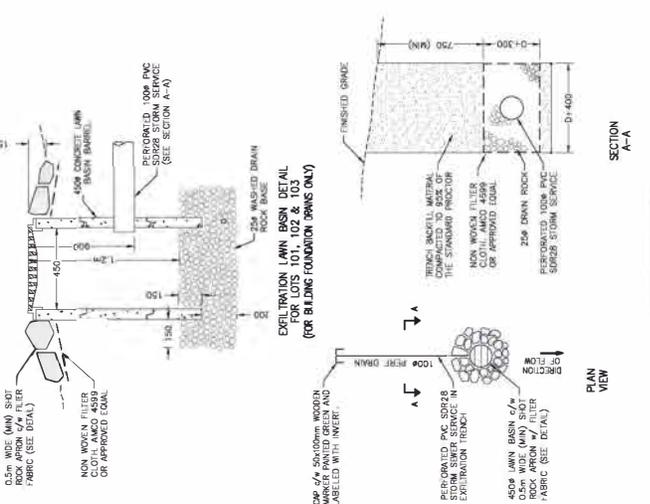
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SECTION NO. 02  
SECTION NO. 07

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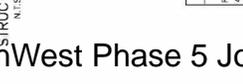
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89	TYPE 2	90	TYPE 1
91	TYPE 2	92	TYPE 1
93	TYPE 1	94	TYPE 1
95	TYPE 1	96	TYPE 1
97	N/A		



LOT	ROCK PIT NO.	LOT	ROCK PIT NO.
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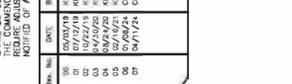
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91	TYPE 2	92	TYPE 1
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95	TYPE 1	96	TYPE 1
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87	TYPE 2	88	TYPE 1
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91	TYPE 2	92	TYPE 1
93	TYPE 1	94	TYPE 1
95	TYPE 1	96	TYPE 1
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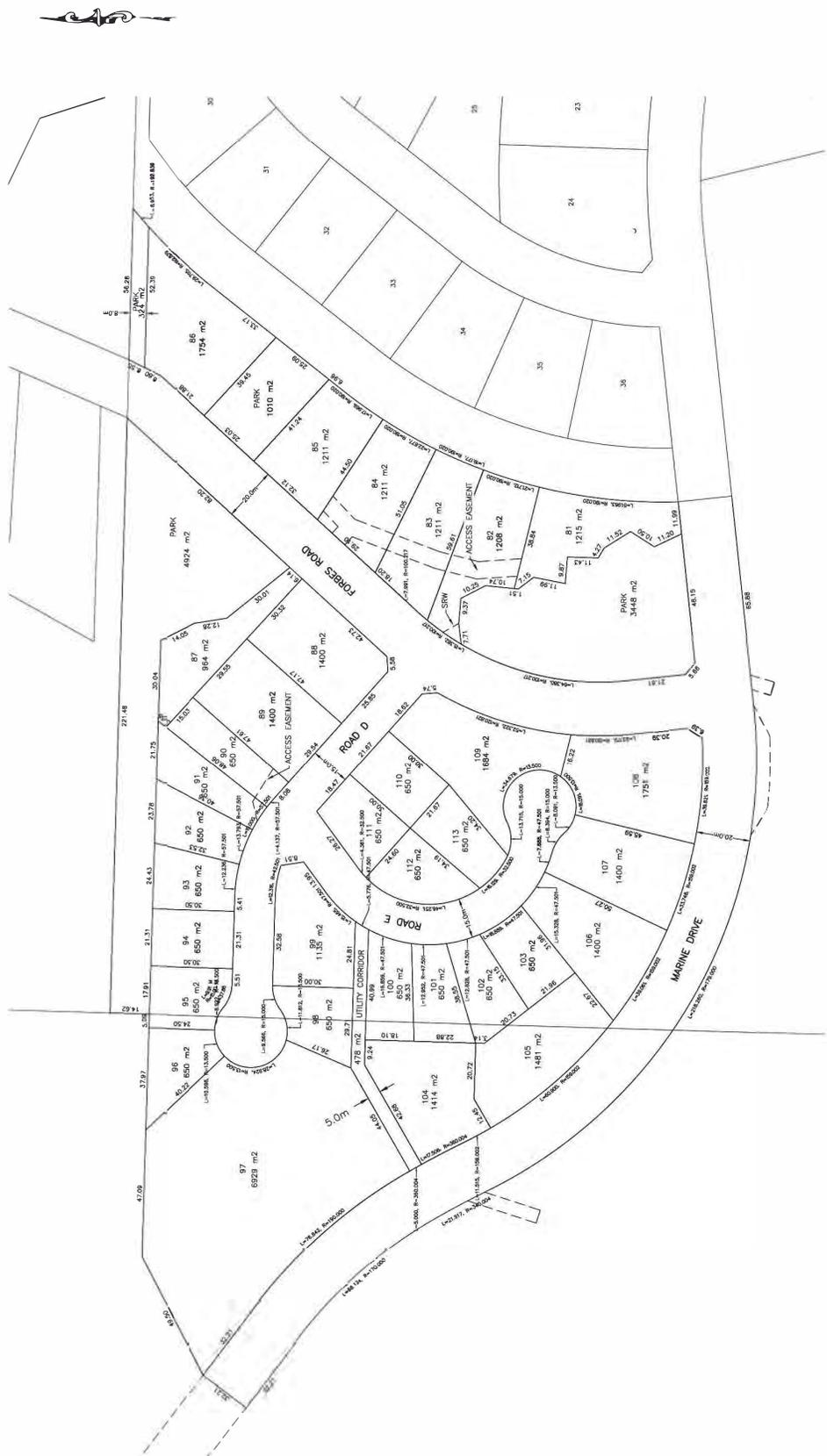












PRELIMINARY  
NOT FOR CONSTRUCTION



<p>DATE: 05/02/19</p> <p>BY: [Signature]</p> <p>CHKD: [Signature]</p> <p>DATE: 05/02/19</p> <p>BY: [Signature]</p> <p>CHKD: [Signature]</p> <p>DATE: 05/02/19</p> <p>BY: [Signature]</p> <p>CHKD: [Signature]</p> <p>DATE: 05/17/24</p> <p>BY: [Signature]</p> <p>CHKD: [Signature]</p>		<p>REVISION DESCRIPTION</p> <p>01</p> <p>02</p> <p>03</p> <p>04</p> <p>05</p> <p>06</p>	<p>DATE</p> <p>05/02/19</p> <p>05/02/19</p> <p>05/02/19</p> <p>05/17/24</p>	<p>BY</p> <p>[Signature]</p> <p>[Signature]</p> <p>[Signature]</p> <p>[Signature]</p>	<p>DESCRIPTION</p> <p>01</p> <p>02</p> <p>03</p> <p>04</p> <p>05</p> <p>06</p>
<p>LEGEND</p> <p>--- BOUNDARY</p> <p>--- EASEMENT</p> <p>--- UTILITY CORRIDOR</p> <p>--- PARK</p> <p>--- ACCESS EASEMENT</p> <p>--- ROAD</p> <p>--- LOT</p> <p>--- LIMIT OF CONSTRUCTION</p>		<p>WYERHAEUSER COMPANY LIMITED WYERHAEUSER LANDS DEVELOPMENT PHASE 5</p>			
<p>CLIENT NAME: WYERHAEUSER COMPANY LIMITED</p> <p>PROJECT NAME: WYERHAEUSER LANDS DEVELOPMENT PHASE 5</p> <p>SCALE: 1:750</p> <p>DATE: 04-11-24</p> <p>PROJECT NO: 0716-004</p> <p>SECTION NO: 12</p> <p>LOT PLAN FILE NO: 06</p>		<p>LOT LAYOUT</p>			







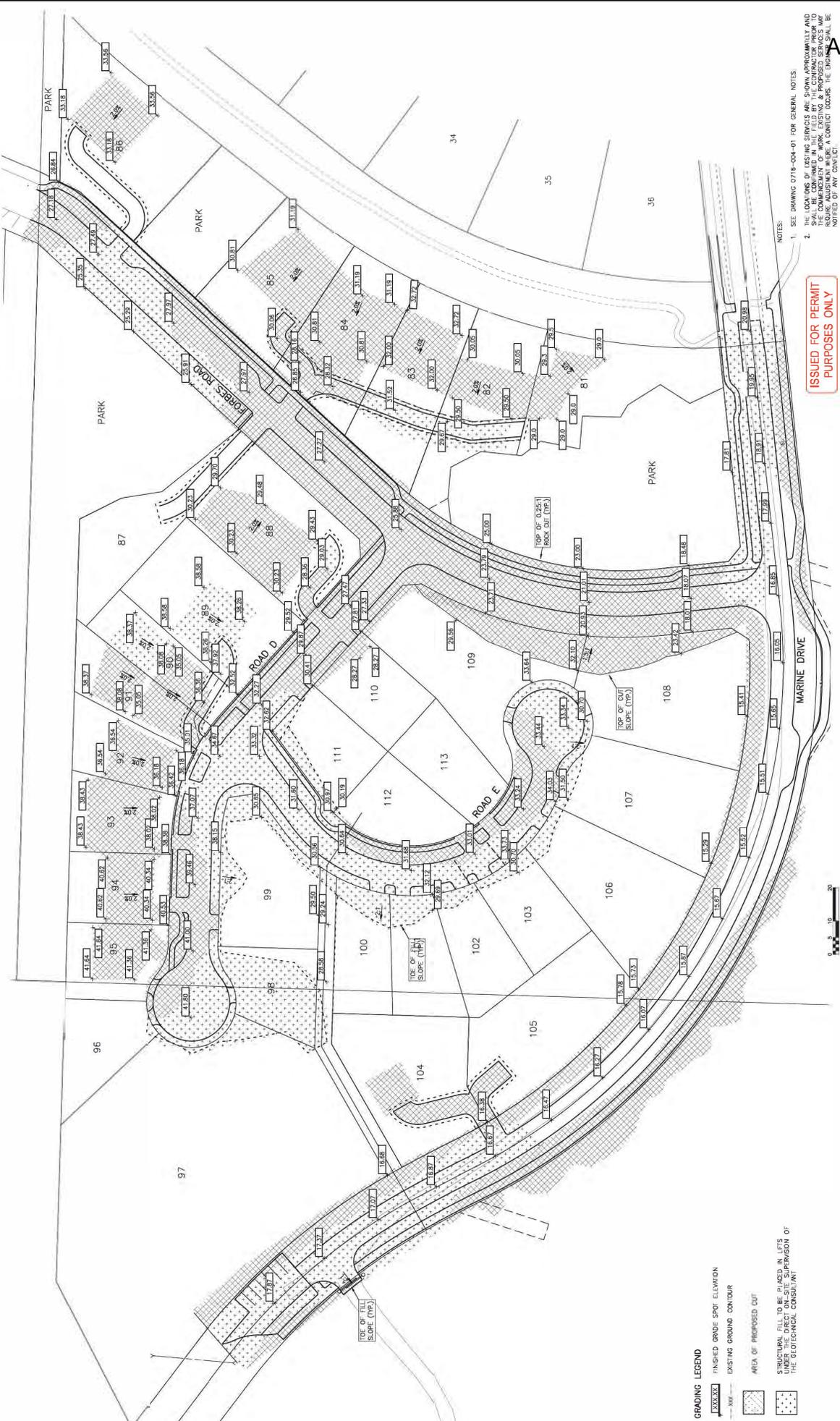


Weyerhaeuser  
 COMPANY LIMITED  
 Weyerhaeuser Lands  
 Development Phase 5

GRADING PLAN  
 PROJECT NAME: Weyerhaeuser Lands Development Phase 5  
 DRAWING NO.: 0716-004  
 SHEET NO.: 15  
 SECTION NO.: 07

ISSUED FOR PERMIT PURPOSES ONLY

NOTES:  
 1. SEE DRAWING 0716-004-01 FOR GENERAL NOTES.  
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE PERMITS AND CONDITIONS OF THE CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL WORK, INCLUDING THE PROVISION OF ALL MATERIALS AND SERVICES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND VEGETATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROADS AND DRIVEWAYS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND VEGETATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROADS AND DRIVEWAYS.



**GRADING LEGEND**  
 FINISHED GRADE SPOT ELEVATION  
 EXISTING GROUND CONTOUR  
 AREA OF PROPOSED CUT  
 STRUCTURAL FILL TO BE PLACED IN LOTS UNDER THE DIRECT ON-SITE SUPERVISION OF THE GEOTECHNICAL CONSULTANT

CLIENT NAME: Weyerhaeuser Company Limited  
 PROJECT NAME: Weyerhaeuser Lands Development Phase 5  
 SHEET NO.: 15  
 SECTION NO.: 07

DATE: 07/12/19  
 BY: [Signature]  
 CHECKED BY: [Signature]  
 SCALE: 1:500

WELL LEGAL DESCRIPTION:  
 LOT 1, DISTRICT LOT 283, CLANDON DISTRICT, PLAN VP81555, EXCEPT PART IN PLAN VP44886, AND 473, CLANDON DISTRICT LOT 4, DISTRICT LOTS 285, 286, AND 473, CLANDON DISTRICT PLAN VP75313, EXCEPT PART IN PLAN VP80031

**LEGEND**  
 FINISHED GRADE SPOT ELEVATION  
 EXISTING GROUND CONTOUR  
 AREA OF PROPOSED CUT  
 STRUCTURAL FILL TO BE PLACED IN LOTS UNDER THE DIRECT ON-SITE SUPERVISION OF THE GEOTECHNICAL CONSULTANT

DATE: 07/12/19  
 BY: [Signature]  
 CHECKED BY: [Signature]  
 SCALE: 1:500



TREE CLEARING PLAN

WEYERHAEUSER COMPANY LIMITED  
WEYERHAEUSER LANDS DEVELOPMENT PHASE 5

PROJECT NO. 0716-004 DRAWING NO. 16 REGION NO. 07

ISSUED FOR PERMIT PURPOSES ONLY

NOTES:

1. SEE DRAWING 0716-004-01 FOR GENERAL NOTES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES.



AREA OF PROPOSED ON-SITE TREE REMOVAL

LEGEND

SYMBOL	DESCRIPTION
(Symbol)	EXISTING LOT
(Symbol)	PROPOSED LOT
(Symbol)	EXISTING DRIVE
(Symbol)	PROPOSED DRIVE
(Symbol)	EXISTING SIDEWALK
(Symbol)	PROPOSED SIDEWALK
(Symbol)	EXISTING CURB
(Symbol)	PROPOSED CURB
(Symbol)	EXISTING UTILITY
(Symbol)	PROPOSED UTILITY
(Symbol)	EXISTING TREE
(Symbol)	PROPOSED TREE
(Symbol)	EXISTING FENCE
(Symbol)	PROPOSED FENCE
(Symbol)	EXISTING CONSTRUCTION LIMIT
(Symbol)	PROPOSED CONSTRUCTION LIMIT

SEE LOCAL JURISDICTION  
LOT 1, DISTRICT LOT 283, CLAYQUOT DISTRICT, PLAN VP81955, EXCEPT PART IN PLAN VP84886, AND 473, CLAYQUOT DISTRICT LOT 4, DISTRICT LOTS 285, 286, AND 473, CLAYQUOT DISTRICT PLAN VP793113, EXCEPT PART IN PLAN VP80031  
BENCHMARK DESCRIPTION

ENGINEER'S SEAL

DESIGNER	NET
CHECKED	NET
DATE	04-02-24
SCALE	VERTICAL SCALE 1:500

CLIENT NAME  
WEYERHAEUSER COMPANY LIMITED  
PROJECT NAME  
WEYERHAEUSER LANDS DEVELOPMENT PHASE 5





## DISTRICT OF UCLUELET

### Zoning Amendment Bylaw No. 1341, 2024

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.  
(Weyerhaeuser – OceanWest phase 5 - lot size changes to CD-5C zone)

---

**WHEREAS** the District of Ucluelet Council by Bylaw No. 1160, 2013, adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

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

#### 1. Text Amendment:

Schedule B of the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, as amended, is hereby further amended by:

- a. deleting Section CD-5C.1.2;
- b. replace the CD-5C Subzone (Development Area 3) – Oceanwest Subzone map with the subzone map attached as **Schedule A** of this bylaw;
- c. replacing Subsection CD-5C.2.1 (1) (a), as follows:
 

“(a) 405 m<sup>2</sup> (4360 ft<sup>2</sup>) but less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) for at least 40 lots but not exceeding 50 *lots*”
- d. replacing Subsection CD-5C.2.1 (1) (b), as follows:
 

“(b) 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 10 lots but not exceeding 21 *lots*”
- e. replacing Subsection CD-5C.2.1 (1) (c), as follows:
 

“(c) 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>) for at least 55 lots but not exceeding 64 *lots*”
- f. replacing Subsection CD-5C.2.2 (1) (a), as follows:
 

“(a) 10 m (33 ft) for *lots* less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”
- g. replacing Subsection CD-5C.2.2 (1) (b), as follows:

“(b) 21.3 m (70 ft) for lots equal to or exceeding 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>) but less than 1,393.5 m<sup>2</sup> (15,000 ft<sup>2</sup>);”

h. replacing Subsection CD-5C.4.1 (1) (a), as follows:

“(a) 40% for lots less than 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”

i. replacing Subsection CD-5C.4.1 (1) (b), as follows:

“(b) 25% for lots equal to or exceeding 650.3 m<sup>2</sup> (7,000 ft<sup>2</sup>)”

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024”.

**FIRST NOTIFICATION OF FIRST READING** published this    day of    , 2024.

**SECOND NOTIFICATION OF FIRST READING** published this    day of    , 2024.

**READ A FIRST TIME** this    day of    , 2024.

**READ A SECOND TIME** this    day of    , 2024.

**READ A THIRD TIME** this    day of    , 2024.

**ADOPTED** this    day of    , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1341, 2024.”

\_\_\_\_\_  
Marilyn McEwen  
Mayor

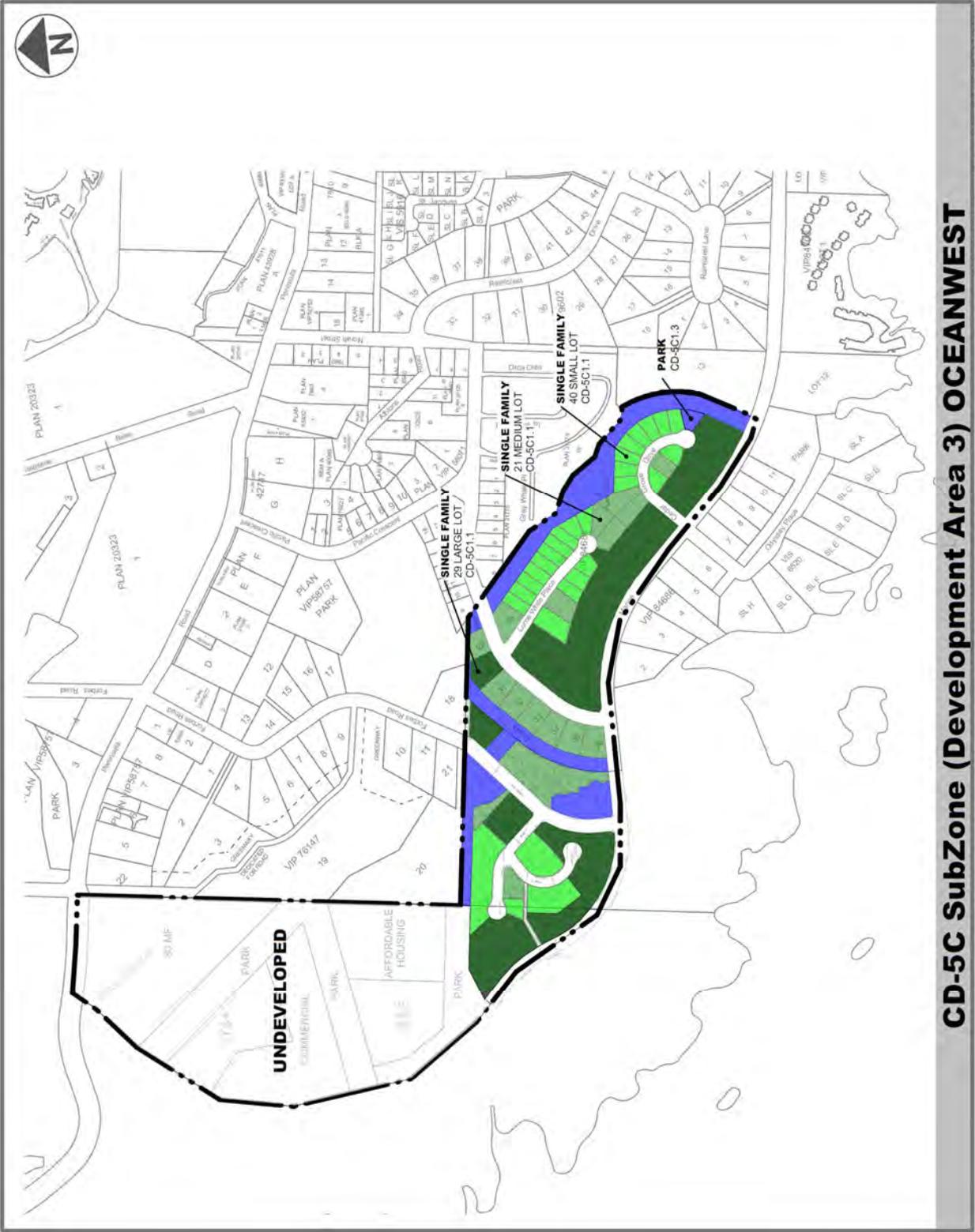
\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

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

---

Duane Lawrence  
Corporate Officer

Schedule "A"



CD-5C SubZone (Development Area 3) OCEANWEST



## DEVELOPMENT VARIANCE PERMIT DVP24-03

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:

**WEYERHAEUSER CO LTD.**  
(the "Owner")

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

**Lot 82 and Lot 87 on the Phase 5 subdivision plan that occurs within the parent parcel of Lot A, Plan VIP81555, District Lot 283, Clayoquot Land District, Except Plan VIP84686; PID 026784297,**

3. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
4. This permit authorizes the following variances to *District of Ucluelet Zoning Bylaw No. 1160, 2013*, specific to the plans and elevations attached as **Schedule A**:
  - A. **Lot 81: a minimum lot frontage of 11.99m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m;**
  - B. **Lot 82: a minimum lot frontage of 15.382m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m; and,**
  - C. **Lot 87: a minimum lot frontage of 6.14m, whereas section CD-5C.2.2 (1)(b) of the zoning bylaw indicates a minimum of 21.3 m.**
5. The above variances are granted for the proposed Weyerhaeuser Phase 5 Subdivision as shown on **Schedule A**.
6. This permit is valid for a period of 24 months from the date of issuance.
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    , 2024.

**ISSUED** the    day of    , 2024.

\_\_\_\_\_  
Bruce Greig  
Director of Community Planning





## DEVELOPMENT PERMIT DP18-07 (Amended 2024)

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

1. This Development Permit is issued to:

WEYERHAEUSER COMPANY LIMITED

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

Lot A, Plan VIP81555, Clayoquot District, except plan VIP84686 and in part of Lot 4, Plan VIP75113, Clayoquot District, District Lot 285, 286 & 473, except Plan VIP80031

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

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

- a. The creation of a subdivision consisting of 33 Single Family Dwelling:
  - i. 16 less than 650.3 m<sup>2</sup>
  - ii. 7 lots greater than 650.3m<sup>2</sup> but less than 1,393.5m<sup>2</sup>
  - iii. 10 Lots greater than 1,393.5 m<sup>2</sup>
- b. The extension of Marine Drive approximately 450m
- c. The extension of Forbes Road and intersection with Marine Drive
- d. The full servicing (underground hydro, potable water, sanitary sewer, storm sewer/French drain) of the subdivision.
- e. Full paved road construction including but not limited to 3.6 lane widths, line painting, traffic signage, parallel parking, cul-de-sac roundabouts as per the Subdivision Services Control Bylaw No. 521, 1989 and the Master Municipal Construction Documents (MMCD). It is acknowledged that an alternative road standard is being used as per Schedule A.
- f. Full Street lighting as per the existing details within the 1<sup>st</sup> phase of the Oceanwest Subdivision but fitted with a LED light source.
- g. Full landscaping of the road boulevard in native species as per the detail of the existing Oceanwest Subdivision.
- h. A paved 2.5m multiuse path on the west side of Marine Drive constructed consistent with the MMCD.
- i. A paved 1.5m pedestrian trail on the south side of Forbes Road consistent with the MMCD.
- j. A paved path on one side of both cul-de-sac's consistent with the MMCD.
- k. Gravel pedestrian trails as per the plans submitted and forming Schedule A.
- l. Crosswalks and crosswalk signage as per the plans submitted and forming Schedule A.
- m. Paved driveway aprons a minimum of 5m from road edge with gravel driveways roughed in.
- n. A gravel parking lot at the terminus of Marine Drive for Wild Pacific Trail parking.

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



5. This permit is issued subject to the following conditions:
  - a. Preparation of a Construction Environmental Management Plan by a Qualified Environmental Professional (QEP), including monitoring and reporting by the QEP throughout construction.
  - b. All development must follow the terms, conditions, prescriptions, monitoring, and evaluation of as described in the OceanWest Phase 5 Works Wetland Remediation and Offsetting Plan prepared by Ecofish for Environmental Dynamics dated February 23, 2024.
6. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
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.
9. **Schedules "A"** attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

**AUTHORIZING RESOLUTION** passed by the Municipal Council on the 26<sup>th</sup> day of March, 2019.

AUTHORIZING RESOLUTION passed by the Municipal Council on the 26<sup>th</sup> day of March, 2019.

**IN WITNESS WHEREOF** this Development Permit is hereby executed and issued by the Municipality the 26<sup>th</sup> day of March, 2019.

**AMENDED BY RESOLUTION** passed by the Municipal Council on the \_\_\_ day of \_\_\_, 2024.

**THE DISTRICT OF UCLUELET**

by its authorized signatories:

---

Bruce Greig  
Director of Community Planning



### Schedule A (May 2024 Amendments)

Newcastle Engineering – Weyerhaeuser Lands Development Phase 5  
Site Plan drawing 0716-004-100 revision 02 Dated March 18, 2024



Newcastle Engineering – civil drawings 0716-004 pages 01-17 revision 07 Dated April 11, 2024



**OCEANWEST**  
Live the Lasting Impression

# Phase V Site & Circulation Plan




- Covenant Protected Greenspace & Right of Ways
- Landscaping/Yard Areas
- Residences
- Driveways & Gravel Paving
- Paved Roads
- Gravel Trails
- Multi-use Paved Trail



# OceanWest Phase 5 Works

## Wetland Remediation and Offsetting Plan



Prepared for:

**EDI Environmental Dynamics Inc.**  
301 George Street  
Prince George, BC, V2L 1R4

February 23, 2024

Prepared by:

**Ecofish Research Ltd.**



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**Certification:** *Certified - stamped version on file.*

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**Disclaimer:**

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**TABLE OF CONTENTS**

**LIST OF FIGURES ..... V**

**LIST OF TABLES ..... V**

**LIST OF MAPS..... V**

**LIST OF APPENDICES ..... V**

**1. INTRODUCTION ..... 1**

**2. BACKGROUND ..... 1**

    2.1. PROJECT OVERVIEW AND REGULATORY CONTEXT ..... 1

    2.2. WETLAND EXTENT AND FUNCTIONS ..... 2

**3. AVOIDANCE, MINIMIZATION, AND COMPENSATION MEASURES..... 2**

    3.1. WETLAND AVOIDANCE ..... 3

    3.2. MINIMIZATION OF WETLAND DISTURBANCE..... 3

    3.3. WETLAND COMPENSATION ..... 4

**4. REMEDIATION SITES AND PRESCRIPTIONS ..... 7**

    4.1. SITE DESCRIPTIONS ..... 7

        4.1.1. *Stream 14 Wetland Restoration Site* ..... 7

        4.1.2. *Stream 14 Wetland Buffer Reclamation Site*..... 7

    4.2. GENERAL PRESCRIPTIONS FOR STREAM 14 WETLAND RESTORATION AND RECLAMATION SITES 8

    4.3. SCHEDULE, DESIGN SUPERVISION, AND REPORTING ..... 9

**5. OFFSETTING SITE AND PRESCRIPTION ..... 10**

    5.1. WETLAND OFFSETTING SITE DESCRIPTION ..... 10

    5.2. GENERAL PRESCRIPTIONS FOR WETLAND OFFSETTING..... 11

    5.3. SCHEDULE, DESIGN SUPERVISION, AND MONITORING ..... 12

**6. EFFECTIVENESS MONITORING AND EVALUATION ..... 13**

    6.1. MONITORING OBJECTIVES AND APPROACH..... 13

    6.2. FIELD METHODS AND STANDARDS..... 14

    6.3. SCHEDULE..... 16

    6.4. SUCCESS CRITERIA AND ADAPTIVE MANAGEMENT ..... 16

    6.5. REPORTING..... 17

**REFERENCES..... 18**

**PROJECT MAP ..... 20**

**APPENDICES ..... 22**

**LIST OF FIGURES**

Figure 1. Permanent plot setup. ....15

**LIST OF TABLES**

Table 1. Estimated total area of wetlands on the Property before Phase 5 construction, and estimated area of intact and disturbed portions of these wetlands. 2

Table 2. Total area of wetland and wetland riparian buffer area loss, and proposed total area of wetland restoration and creation (offsetting), reclamation of wetland riparian buffer, and wetland and stream riparian habitat protection. 6

Table 3. Native Roadside Riparian seed mix. 9

**LIST OF MAPS**

Map 1. Wetland Remediation and Offsetting Plan overview. ....21

**LIST OF APPENDICES**

**Appendix A. Stream 14 Wetland and Buffer Remediation Site Design**

**Appendix B. Wetland Offsetting Site Design**

## 1. INTRODUCTION

This Wetland Remediation and Offsetting Plan (the Plan) describes the recommended works and activities that are to be implemented by Weyerhaeuser Company Limited (Weyerhaeuser) to satisfy a provincial Order issued under Section 92(2) of the *Water Sustainability Act* (WSA). The Plan is intended to remediate impacts to Stream 14 Wetland and to offset impacts to the Raven Haven Creek Wetland (collectively, “the Wetlands”), associated with Phase 5 of Weyerhaeuser’s OceanWest mixed-use development project in Ucluelet, British Columbia (the Project). The Plan is based on a substantially revised Phase 5 layout and, as such, has been prepared by Ecofish Research Ltd. (Ecofish), in collaboration with the Project team, which includes staff from Weyerhaeuser, Newcastle Engineering Ltd. (Newcastle), and EDI Environmental Dynamics Inc. (EDI). Furthermore, the Plan has been prepared in consideration of written correspondence and direction from provincial staff overseeing this file, and in accordance with the BC Environmental Mitigation Policy (BC MOE 2014).

## 2. BACKGROUND

### 2.1. Project Overview and Regulatory Context

OceanWest is a 340-acre comprehensive development approved by the District of Ucluelet in a Master Development Agreement in 2006. Four phases of streets and residential and commercial development have been completed over the past 18 years. Phase 5 is a residential subdivision of 33 lots (the property; Map 1), which included the extensions of Marine Drive and Forbes Road to complete an important roadway link for access and emergency services to Peninsula Road in accordance with the Official Community Plan.

Construction of the Phase 5 subdivision, which began in March of 2021 with a Section 11 Notification in place, included clearing, grubbing, and preliminary earthworks of the right-of-way for the extension of Forbes Road to Marine Drive. This activity disturbed what has now been identified by Ecofish as 1,143 m<sup>2</sup> of the Wetlands.

Due to concerns that wetlands have been disturbed by construction activities between Forbes Road and Marine Drive, the Ministry of Water, Land, and Resource Stewardship (the Ministry) had issued an Order under the WSA, requiring a wetland assessment and remediation plan be prepared by an appropriate Qualified Environmental Professional (QEP). On October 21, 2022, Weyerhaeuser submitted a Wetland Assessment and Remediation Plan prepared by Ecofish (Wright *et al.* 2022) to comply with the Order.

The Ministry reviewed the recommendations within the Wetland Assessment and Remediation Plan and requested a wetland offsetting plan for the Project. In March 2023, Ecofish completed a desktop and field assessment of the property (within Weyerhaeuser owned lands at and near the Phase 5 subdivision) to identify suitable sites to offset wetland function loss through creation of new and/or enhanced wetland areas. The assessment was followed by development of a conceptual design brief for offsetting the loss of 1,143 m<sup>2</sup> of wetland habitat and associated functions at the Property

(Wright *et al.* 2023). The conceptual design was developed to support offsetting a larger area (1,576 m<sup>2</sup>) of wetland disturbance associated with completion of Forbes Road. The conceptual design brief was submitted to the Ministry for review in June 2023. The Plan was developed in consideration of the Ministry's feedback on the conceptual design brief, which included a request to reconsider the alignment of Forbes Road to avoid further disturbance to Stream 14 Wetland and to restore the wetland and its riparian buffer.

## 2.2. Wetland Extent and Functions

Table 1 is a summary of the estimated area of the Wetlands that existed prior to Forbes Road construction activities, and the estimated intact (undisturbed) and impacted (from Phase 5 Project activities) wetland areas, including those areas currently disturbed but that will be remediated as part of this Plan. A third wetland, approximately 302 m<sup>2</sup> in area and located adjacent to Marine Drive, was identified during the original Wetland Assessment (Wright *et al.* 2022) but will not be disturbed by the current Phase 5 development, nor will a fourth wetland, Stream 3 Wetland, which is located outside of the Phase 5 boundary (Map 1).

The Wetlands are classified as coniferous treed swamps, with a mix of slope and flat basin forms (NWWG 1997). The ecological communities of these wetlands most resemble Western redcedar – Western hemlock – Skunk cabbage swamps (*Thuja plicata* – *Tsuga heterophylla* – *Lysichiton americanus*; Ws54; Mackenzie and Moran 2004), though slough sledge (*Carex obnupta*) was more abundant than skunk cabbage at all sites (Wright *et al.* 2022). The Wetlands provide habitat for amphibians, songbirds, and small and large mammals. The Wetlands also maintain streamflow during dry periods and improve water quality by filtering sediment and pollutants; this latter function may be a more important function of the Wetlands as the Property becomes populated.

**Table 1. Estimated total area of wetlands on the Property before Phase 5 construction, and estimated area of intact and disturbed portions of these wetlands.**

Site	Wetland Area Prior to Phase 5 Activities (m <sup>2</sup> )	Intact Wetland Area (m <sup>2</sup> )	Impacted Wetland Area (m <sup>2</sup> )
Raven Haven Creek Wetland	2,330	1,936	394
Stream 14 Wetland	1,921	1,172	749
Marine Drive Wetland	302	302	-
Total Areas	4,553	3,410	1,143

## 3. AVOIDANCE, MINIMIZATION, AND COMPENSATION MEASURES

This section describes the specific measures proposed to avoid, minimize, remediate, and offset the loss of wetland and riparian functions. Map 1 provides a visual of the Plan, with specific areas labelled and referred to in the following mitigation components.

### 3.1. Wetland Avoidance

Wetland avoidance was the highest priority and was achieved by revising the site plan to avoid further disturbance to Stream 14 Wetland and any future disturbance to Stream 3 Wetland. Forbes Road will be constructed to the west of Stream 14 Wetland, and construction of Marine Drive will be terminated 100 m short of the Phase 5 boundary to provide adequate flexibility for the future extension of Marine Drive to avoid Stream 3 Wetland and its 15-m riparian setback (Label 23 and 24 in Map 1).

### 3.2. Minimization of Wetland Disturbance

To minimize potential future disturbance to the Wetlands, riparian setbacks (referred to hereafter as buffers) will be established. Some riparian buffers have been previously disturbed and will be remediated, while others, where remediation is unavoidable, will be offset through wetland construction or riparian protection.

- A 15 m riparian buffer will be established between Raven Haven Wetland and the adjacent lot 87 (Label 6 on Map 1).
- A buffer of between 7 m and 10 m will be established between Stream 14 and the adjacent lots 81 and 82 (Label 16 on Map 1). This buffer is less than the Ministry requested 15-m setback due to the topography of the land. The wetland buffer extends 2 to 3 m vertically up a steep rock slope that will remain intact post-construction, and therefore meets the objective of providing a functional wetland buffer.
- A 3 m to 15 m buffer will be re-established to the north, west, and south of Stream 14 Wetland (Label 10 on Map 1). These buffer areas were previously disturbed during clearing for planned construction of Forbes Road and will be reclaimed. Where it is not feasible to extend the riparian buffer to 15 m on the north and west sides of Stream 14 Wetland, due to road requirements for the Project (Label 15 on Map 1), the loss of function will be offset, in part, by wetland habitat creation at a ratio of 1:1 (described in Section 3.3).
- Phase 5 construction activities caused no disturbance to the riparian areas of Stream 14 Wetland or Marine Drive Wetland beyond the approximate boundaries of what had previously been disturbed during the construction of Marine Drive between 2005 and 2010 (Labels 22 and 11 on Map 1, totaling 1,244 m<sup>2</sup>). Such Marine Drive construction work was conducted prior to the WSA revisions (and before Phase 5 of the Project) and therefore should not require offsetting as part of this Project. Nevertheless, the functions associated with the 2005 to 2010 disturbance will be offset through the Stream 2 riparian protection (Label 18 on Map 1; described in Section 3.3) and riparian buffer protection (Label 2 and 25 on Map 1) of the Offsetting Wetland.

Stream 2 and 14 and all wetlands and their buffers will be designated as Park and are not overlapped by housing lots. Signs will be posted in these areas to notify the public of these ecologically sensitive areas and split cedar fences will be erected to prevent disturbance.

In addition to establishing protective buffers, other measures will be taken to reduce and control construction-related effects on wetland functions, including:

- Adhering to the Project's Environmental Management Plan (EMP; EDI 2020), which includes measures for erosion and sediment control to manage surface water and avoid sedimentation in adjacent vegetation communities during construction.
- Adhering to the Project's Wetland Management Plan (Appendix C in Wright *et al.*, 2022), which includes clearly delineating (flagging) wetland buffers prior to site preparation to keep clearing activities within the designated Project footprint.
- Remediating, through reclamation and/or restoration, any temporarily disturbed riparian areas as soon as practicable. Existing soils and plants that will be removed during construction will be incorporated in reclaimed/restored areas, where appropriate and technically feasible.
- Removing invasive species that have been discovered on site, as soon as possible.

### 3.3. Wetland Compensation

The area of wetland loss associated with the Project is 1,143 m<sup>2</sup>, with a further loss of 2,590 m<sup>2</sup> of wetland riparian buffers. The associated loss of wetland and riparian functions will be compensated for through wetland restoration and creation, wetland riparian buffer reclamation and protection, and stream riparian protection, as summarized in Table 2 and described below.

- Remediation of the disturbance to Stream 14 Wetland and its riparian buffer through approximately 1,721 m<sup>2</sup> of restoration that includes all the disturbed Stream 14 Wetland area (749 m<sup>2</sup>; Label 13 on Map 1) and reclamation of a portion of its riparian buffer (973 m<sup>2</sup>; Label 10 on Map 1).
- Offsetting the loss of approximately 394 m<sup>2</sup> of Raven Haven Wetland (Label 8 on Map 1) and a portion of the reduced riparian buffer of Stream 14 Wetland (Label 15 on Map 1) through the creation of 888 m<sup>2</sup> of wetland (Label 1 on Map 1). The remaining portion of Stream 14 Wetland riparian buffer and the Raven Haven Wetland riparian buffer (Label 5 on Map 1) that will be/has been lost due to construction of Forbes Road will be offset through the establishment of a 15-m riparian buffer around the newly created wetland offsetting site with a total area of 2,630 m<sup>2</sup>. The riparian buffer will surround the Offsetting Site (Label 2 on Map 1), except where the buffer overlaps with, and extends beyond, the 5-m Stream 14 setback (Label 3 and 4 on Map 1). To avoid double counting protection areas, an area between Stream 14 and north of the Offsetting Site (Label 25 on Map 1) has been proposed for protection; this protection area equals the area of overlap between the Stream 14 setback and the Offsetting Site (and includes the area labelled "4" on Map 1).

- Protection of Stream 2 and its riparian area to offset the loss of a portion of Stream 14 Wetland and Marine Drive Wetland riparian buffer caused by the construction of Marine Drive prior to implementation of the Project.
  - Stream 2, located in the northeast section of the property (Map 1), had no previously assigned setback because past investigations by EDI found no surface water connection between Stream 2 on the property and the sections downstream of the property. The riparian area for this headwater provides similar water quality, hydrologic, and habitat functions as the Raven Haven Creek Wetland (Wright *et al.* 2022). Development on the slopes buffering Stream 2 is likely to impact the functions of the riparian area. To maintain riparian functions and protect the stream headwaters and to offset for losses to wetland riparian areas, a 1,010 m<sup>2</sup> area around Stream 2 will be designated as Park for future protection (Label 18 on Map 1).
- Development and implementation of a wetland monitoring program (Section 6) to document the performance of compensatory wetlands and provide adaptive management strategies to improve effectiveness, if required.

This Plan is expected to result in no net loss of wetland functions on the Property. The Plan will result in a net gain of 2,516 m<sup>2</sup> of wetland and riparian habitat area (Table 2)

The following sections provide site descriptions and prescriptions for wetland and wetland riparian buffer remediation (Sections 4) and wetland offsetting (Section 5), and recommended effectiveness monitoring requirements (Section 6).

**Table 2. Total area of wetland and wetland riparian buffer area loss, and proposed total area of wetland restoration and creation (offsetting), reclamation of wetland riparian buffer, and wetland and stream riparian habitat protection.**

Site	Impacted Wetland Area (m <sup>2</sup> )	Reduced Wetland Buffer Area <sup>1</sup> (m <sup>2</sup> )	Wetland Restoration and Creation Area (m <sup>2</sup> )	Reclaimed Wetland Buffer Area (m <sup>2</sup> )	Protection Area (m <sup>2</sup> )	
					Wetland Buffer <sup>2</sup>	Stream 2 Park <sup>3</sup>
Raven Haven Creek Wetland	394	1,578	-	-	-	-
Stream 14 Wetland	749	1,013	749	973	-	-
Marine Drive Wetland	-	-	-	-	-	-
Wetland Offsetting Site	-	-	888	-	2,630	1,010
<b>Total Areas</b>	<b>1,143</b>	<b>2,590</b>	<b>1,636</b>	<b>973</b>	<b>2,630</b>	<b>1,010</b>
Total Losses <sup>4</sup>	-	3,733	-	-	-	-
Total Gains <sup>5</sup>	-	-	-	-	-	6,249

<sup>1</sup> Area of wetland riparian buffer less than the minimum 15 m setback requirement for wetlands on the Property; this area requires offsetting

<sup>2</sup> Protected 15 m riparian buffer around the Wetland Offsetting Site

<sup>3</sup> Protected area around Stream 2, between Lots 85 and 86; includes 204 m<sup>2</sup> of reduced Raven Haven Creek Wetland buffer area

<sup>4</sup> Impacted Wetland Area + Reduced Wetland Buffer Area

<sup>5</sup> Wetland Restoration and Creation Area + Reclaimed Wetland Buffer Area + Protection Areas

#### 4. REMEDIATION SITES AND PRESCRIPTIONS

Remediation of impacts caused by clearing Stream 14 Wetland and its riparian buffer will be completed through approximately 1,721 m<sup>2</sup> of restoration that includes all the disturbed Stream 14 Wetland area (749 m<sup>2</sup>; Label 13 on Map 1) and reclamation of a portion of its riparian buffer (973 m<sup>2</sup>; Label 10 on Map 1). Appendix A provides an overview of Stream 14 Wetland and Buffer remediation design, including a plan view, cross-section profiles, and a summary of the planting prescriptions and standards. Recommended construction timing is discussed in Section 6.3.

##### 4.1. Site Descriptions

###### 4.1.1. Stream 14 Wetland Restoration Site

Stream 14 Wetland is a 749 m<sup>2</sup> area lost through vegetation and soil removal, though some areas of developing soil have remained after clearing. Three general zones, including shallow open water in the northern portion, a shrub and herb dominated swamp in the central portion, and a shrubby swamp in the south portion, comprise the Stream 14 Wetland:

1. The shallow open water is approximately 200 m<sup>2</sup>, with an open water pool and a sparse cover of common horsetail (*Equisetum arvense*), slough sedge (*Carex obnupta*), Pacific soft rush (*Juncus effusus* ssp. *pacificus*), and cattail (*Typha latifolia*).
2. The shrub and herb dominated swamp is approximately 250 m<sup>2</sup>, with a variety of scattered shrubs, herbs, and mosses, such as, evergreen huckleberry (*Vaccinium ovatum*), salmonberry (*Rubus spectabilis*), thimbleberry (*Rubus parviflorus*), deer fern (*Struthiopteris spicant*), slough sedge, and Pacific soft rush.
3. The shrubby swamp is approximately 300 m<sup>2</sup>, located adjacent to Stream 14. The vegetation in this area is dominated by a thick cover of salmonberry with patches of evergreen huckleberry and slough sedge.

###### 4.1.2. Stream 14 Wetland Buffer Reclamation Site

Stream 14 Wetland Buffer is a 973 m<sup>2</sup> area lost through vegetation and soil removal. It is made up of two general zones, including bedrock outcrops in the northern portion and a shrub and herb swamp community in the central and southern portions.

1. The bedrock outcrops are approximately 500 m<sup>2</sup>, with patches of remaining soil and sparsely distributed herbs and mosses, such as deer fern and juniper haircap moss (*Polytrichum juniperinum*).
2. The shrub and herb swamp community is approximately 473 m<sup>2</sup>, with a variety of shrubs, herbs, and mosses, such as: evergreen huckleberry, salmonberry, thimbleberry, deer fern, juniper haircap moss, and crane's-bill moss (*Atrichum selwynii*). The shrub and herb community has areas of adequate soil development remaining.

#### 4.2. General Prescriptions for Stream 14 Wetland Restoration and Reclamation Sites

The steps for site preparation and remediation of Stream 14 Wetland and Buffer are outlined below. Further details, including site design, are provided in Appendix A.

1. Remove all invasive plant species.

The first action for the restoration and reclamation of Stream 14 Wetland and Buffer is to remove any noxious invasive plant species infestations, according to the BC Weed Control Regulation (*Weed Control Act* 2011). Invasive plant species detected at site or along the adjacent roadsides shall be manually removed and disposed of at an approved site. Invasive plant infestations should not be mowed, and plant materials are not to be mixed into the existing soil. Any equipment arriving at site must be clean and free of soil and plant material to prevent the potential for the spread of invasive plant species. The use of chemical herbicides for control or management of invasive species will be avoided due to the proximity to waterbodies.

2. Salvage soil and plant materials, and add soil and woody debris where needed.

When clearing vegetation to the west of Stream 14 Wetland (for the extension of Forbes Road to Marine Drive), retain portions of soil, root mats with small trees, shrubs, herbs, mosses, and seed bank for use in the Stream 14 Wetland Restoration and Buffer Reclamation Sites. Stockpile salvaged soils for later use or simultaneously spread soils, root mats, and vegetation directly to Stream 14 Wetland and Buffer Sites where existing soils are less than 25 cm to save costs from importing purchased soil. However, existing natural vegetation that has already established should not be covered. Where soils are not adequately established, add topsoil to a 200 – 300 mm thickness in a rough or loose finished grade. Careful consideration of topsoil requirements will be made prior to purchase. Topsoil should be weed-free and consist of 'premium mix' or organically enriched soil with approximately 75% organic compost and 25% washed sand. Scatter coarse woody debris from cleared areas throughout the Stream 14 Wetland Restoration and Reclamation Buffer Sites.

3. Plant native species applicable to site conditions.

Plant nursery stock by hand following the General Planting Standards in Appendix A. At the Stream 14 Wetland Restoration Site, plant rushes in the shallow open water zone, and plant sedges, rushes, and skunk cabbage along the edges of the open water and in wet depressions or topographic hollows throughout the rest of the restoration site. At the Stream 14 Wetland Buffer Reclamation Site, plant nursery stock plugs on bedrock outcrops where soils may be thinner. Plant sedges, rushes, and skunk cabbage in wet depressions or hollows throughout the rest of the reclamation site. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the restoration and reclamation sites.

Estimated plant densities and layout are provided in Appendix A. Not all nursery planting material will be required due to patches of existing vegetation present at the sites and the potential use of salvaged plants from construction of Forbes Road. Careful consideration of plant requirements will

be made prior to purchase, which will be completed after plant salvage from the adjacent road clearing site; any surplus nursery plants not used at these sites can be used for the Wetland Offsetting Site.

4. Implement site protection measures.

Prior to any clearing or movement of soils when constructing Forbes Road adjacent to Stream 14 Wetland and Buffer Sites, the contractor must implement erosion and sediment control measures as per the EMP to minimize sediment inputs to the wetland and its reclaimed buffer.

Assess risk of deer browse and identify whether any browse protection should be installed prior to planting. Seek to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on a minimum of 20% of planted conifers if high browse levels are observed at nearby sites.

Low split cedar fencing must be installed at the north and south edges of Stream 14 Wetland Restoration and Buffer Reclamation Sites at intersection points with Marine Drive and Forbes Road to discourage people and pets from entering the wetland remediation area. Installation of signs indicating that the area is a dedicated park for stream and wetland conservation could also help protect the sites from disturbance.

Seed native species by hand or handheld spreader at intersection points with Marine Drive and Forbes Road, following invasive species removal at these locations. Use a native seed mixture, such as 100% Native Roadside Riparian seed mix from Premier Pacific Seeds. The seeding rate must be 40–50 kg per hectare (Table 3). Native Roadside Riparian seed mix mitigates invasive plant growth in disturbed soils, provides erosion and sediment control, and is tolerant to high soil moisture and seasonal flooding (Premier Pacific Seeds 2020).

**Table 3. Native Roadside Riparian seed mix.**

Common Name	Botanical Name	Percentage by Weight (%)
Meadow barley	<i>Hordeum brachyantherum</i>	41
Mountain brome	<i>Bromus marginatus</i>	40
Native red fescue	<i>Festuca rubra</i>	15
Tufted hairgrass	<i>Deschampsia cespitosa</i>	3
Spike bentgrass	<i>Agrostis exarata</i>	1

Seeding Rate: 40-50 kg per hectare (one bag equals 22.7 kg)

4.3. Schedule, Design Supervision, and Reporting

Ideally, the clearing for extension of Forbes Road to Marine Drive will occur in the spring of 2024 from March to May. Replanting activities in the Stream 14 Wetland Restoration and Wetland Buffer Reclamation sites could occur concurrently with this clearing to make use of salvaged

soil and plant materials. To minimize risk to breeding amphibians, remediation activities during the spring will be focused on the placement of salvaged soil and plants in the Wetland Buffer Reclamation site and will avoid the shallow open water and wetted areas of the Stream 14 Wetland Restoration site, which will be planted in late summer, coinciding with planting at the Offsetting Site. Additionally, a General Wildlife Permit for salvage will be obtained prior to the start of works, and exclusion fencing for amphibians will be erected in the wetland remediation site in spring to avoid wetted areas, and around the perimeter of the wetland and/or wetland buffer where road clearing activities are taking place.

A QEP will supervise all stages of remediation habitat design works, including daily search and salvage for amphibians prior to road clearing and remediation activities, invasive plant identification and removal, plant and soil salvage, and implementation of site protection measures during construction activities and post-remediation. A memorandum will be produced by the QEP following remediation that describes the methods and results of the initial restoration and reclamation activities to inform effectiveness monitoring (Section 6).

## 5. OFFSETTING SITE AND PRESCRIPTION

A swamp wetland of approximately 888 m<sup>2</sup> will be created to offset the loss of approximately 394 m<sup>2</sup> of Raven Haven Wetland and a portion of the reduced riparian setback of Stream 14 Wetland. The newly created wetland will be protected by a buffer totalling 2,630 m<sup>2</sup>, which will offset the loss of the Raven Haven Wetland riparian buffer and a portion of the Stream 14 riparian buffer. Appendix B provides an overview of the Wetland Offsetting Site design, including a plan view, longitudinal profiles, and a summary of the planting prescriptions and standards.

### 5.1. Wetland Offsetting Site Description

The wetland offsetting site (Area 3 in the Conceptual Design Brief; Wright *et al.* 2023) was chosen for its large size (888 m<sup>2</sup>), disturbed condition, and its location adjacent to Stream 14 and an intact, blue-listed ecosystem. The wetland offsetting site is a gravel clearing, possibly a previous parking lot, located adjacent to a closed (but utilized) footpath that is on private (Weyerhaeuser) property. The wetland offsetting site is adjacent to and east of Stream 14, and adjacent to and north of an intact, blue-listed terrestrial ecosystem (CWHvh1/15). Only sparse vegetation is growing out of the gravel, mostly non-native grasses and herbs. The edges of the site have regenerated western redcedar (*Thuja plicata*), Sitka spruce (*Picea sitchensis*), salal (*Gaultheria shallon*), salmonberry, evergreen huckleberry, deer fern, common horsetail, and Pacific soft rush. Two soil pits were manually excavated in November 2023 reaching about 30 cm in depth, showing a persistent gravel layer. There is a large pile of wood pulp at the northwest end of the site and a large pile of wood debris and logs at the northeast end of the site. A portion of this material is anticipated to contribute to organic material and large wood for wetland construction.

## 5.2. General Prescriptions for Wetland Offsetting

The steps for site preparation and construction of the Offsetting Wetland are outlined below. Further details, including site design, are provided in Appendix B. Recommended construction timing is discussed in Section 6.3.

1. Remove all invasive plant species and salvage any native plant species.

Manually remove all noxious invasive plant species from the Wetland Offsetting Site, including its buffer and dispose at an approved site, according to the BC Weed Control Regulation (*Weed Control Act* 2011). Invasive plant species detected at site or along adjacent paths shall be manually removed and disposed of at an approved site. Invasive plant infestations should not be mowed, and plant materials are not to be mixed into the existing soil. Any equipment arriving at site must be clean and free of soil and plant material to prevent the potential for the spread of invasive plant species. The use of chemical herbicides for control or management of invasive species will be avoided due to the proximity to waterbodies.

Existing native vegetation at the excavation site will be kept for future planting, if practical.

2. Excavate and grade the Site.

Prior to any excavation or movement of gravel or other materials from the Wetland Offsetting Site, and during wetland construction, the contractor will implement erosion and sediment control measures along the east edge of Stream 14, as per the Project's EMP, to minimize sediment input to the watercourse and riparian area. The existing gravel surface will be excavated to a depth of approximately 1.5 – 2.5 m to match the elevation of the adjacent Stream 14 streambed, which is expected to remove all introduced gravels. Introduced gravel surface materials will be removed from the site and can be used for lot construction elsewhere on the Property.

The surface of the site will be regraded to mimic swamp topography, which consists of a sequence of hummocks (mounds) and hollows (depressions) of varying dimensions (see Appendix B). The resultant topography should direct water drainage towards Stream 14 by sequencing hollows toward the stream. This will be supported by the creation of a subtle berm (approximately 0.3 – 0.5 m high and 40 m long) along the south edge of the wetland, parallel to the existing footpath so that water flows toward Stream 14 and not south across the footpath.

3. Add soil and woody debris.

Where soils are not adequately established, topsoil will be added to a 200 – 300 mm thickness in a rough or loose finished grade lining the hummocks and hollows. Careful consideration of topsoil requirements will be made prior to purchase. Topsoil should be weed-free and consist of 'premium mix' or organically enriched soil with approximately 75% organic compost and 25% washed sand. Wood debris and pulp will be scattered in depressions and hollows to kickstart organic soil development and logs from the existing log pile will be positioned to create microsite habitats adjacent to the open water features.

4. Plant native species applicable to site conditions.

Plant nursery stock by hand following the General Planting Standards in Appendix B. Plant sedges, rushes, and skunk cabbage within shallow open water areas, wet depressions, or hollows throughout the Wetland Offsetting Site. Plant at least half of the salmonberry stock within the riparian area near Stream 14. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the offset site. Estimated plant densities and layout are provided in Appendix B. Upon completion of earthworks, the planting plan may be updated to suit existing conditions before nursery stock is ordered. In addition, any plant or soil material salvaged from the extension of Forbes Road to Marine Drive that was not used in the restoration and reclamation of the Stream 14 Wetland and Buffer Sites can be used at the Wetland Offsetting Site.

5. Implement site protection measures.

Assess risk of deer browse and identify whether any browse protection should be installed prior to planting. Seek to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on a minimum of 20% of planted conifers if high browse levels are observed at nearby sites.

Keep the existing footpath but install a low split cedar fence to discourage people and pets from entering the wetland. Installation of signs indicating that the area is a dedicated park for stream and wetland conservation could also help protect the site from disturbance.

Seed native species by hand or handheld spreader along the south edge of the wetland adjacent to the existing footpath (following invasive species removal) to prevent new introductions of invasive species. Use a native seed mixture, such as 100% Native Roadside Riparian seed mix from Premier Pacific Seeds. The seeding rate must be 40–50 kg per hectare (Table 3).

### 5.3. Schedule, Design Supervision, and Monitoring

Depending on equipment resources, the Wetland Offsetting Site could be excavated, and gravel removed, during clearing activities associated with the extension of Forbes Road to Marine Drive, to make use of any excess salvaged soil and plant materials. Otherwise, the Wetland Offsetting Site should be constructed in late summer of 2024, with initial nursery plugs planted in September to October 2024, followed by planting remaining nursery plugs and container stock in the spring of 2025.

A General Wildlife Permit for salvage will be obtained prior to the start of works, and exclusion fencing for amphibians will be erected between the Offsetting Site and Stream 14 during clearing and wetland construction activities. Daily search and salvage for amphibians will be completed prior to clearing and construction work.

A QEP will supervise all stages of wetland construction design works, including updating the planting plan to suite existing conditions prior to ordering nursery stock, if necessary. A memorandum will be produced by the QEP following wetland construction that describes the methods and results of the initial construction activities to inform effectiveness monitoring (Section 6).

## 6. EFFECTIVENESS MONITORING AND EVALUATION

This section describes effectiveness monitoring for the Plan, which is intended to verify the recovery of the compensation sites based on the objectives outlined in Section 6.1, and to guide corrective actions to promote the long-term effective performance of the compensatory wetland and riparian habitat to provide conditions and functions similar to unimpacted wetland and riparian habitat on the Property.

The following sections describe the monitoring objectives and approach (Section 6.1), field methods and standards for monitoring (Section 6.2), the timing and frequency of monitoring relative to the timing of habitat restoration/reclamation/construction and site conditions upon monitoring (Section 6.3), when and how adaptive management strategies should be implemented (Section 6.4), and reporting schedule (Section 6.5).

### 6.1. Monitoring Objectives and Approach

The effectiveness monitoring program is based on the repeated collection of monitoring data over time and the analysis of these data with the objective of evaluating the effectiveness of wetland remediation and construction, including site contouring (for the Wetland Offsetting Site) and revegetation techniques, and adaptively modifying prescriptions based on monitoring results to achieve no overall loss to wetland and riparian buffer functions.

Monitoring methods will follow a qualitative approach to assess the effectiveness of Stream 14 Wetland restoration, Stream 14 Wetland buffer reclamation, and Wetland Offsetting Site construction based on hydrological, water quality and habitat functions, following these objectives:

1. The objective for the Stream 14 Wetland Site is to restore the site with adequate soil and vegetation cover of similar plant species as the unimpacted (intact) Stream 14 Wetland area. The result of the topsoil replacement and planting plan is intended to set the wetland community on a trajectory toward functions comparable to the adjacent Stream 14 Wetland, such that water flow, water quality, and habitat mirror an early successional stage western redcedar - Sitka spruce/skunk cabbage forested swamp community (CWHvh1/13). This wetland swamp community will be enhanced with an area of shallow open water wetland in the northern portion, and a riparian stream community in the southern portion where Stream 14 flows from the northeast to southwest.
2. The objective for the Stream 14 Wetland Buffer Site is to reclaim the site with adequate soil and vegetation cover of similar plant species as the unimpacted (intact) Stream 14 Wetland Buffer area to the east of the intact Stream 14 Wetland. The result of the topsoil replacement and planting plan is intended to set the buffer community on a trajectory toward functions comparable to the intact Stream 14 Wetland Buffer, such that water flow, water quality, and habitat mirror an early successional stage western redcedar - western hemlock/salal forested community (CWHvh1/01). The vegetation cover will reflect local site conditions. For example, the crest of the bedrock outcrop area will naturally be dryer

than the areas between the outcrops, with vegetation communities differing based on these conditions.

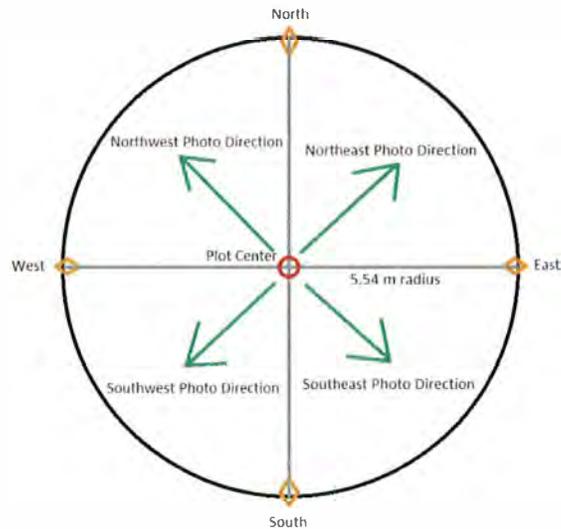
3. The objective for the Wetland Offsetting Site is to excavate the compacted gravel and create a wetland swamp with open water features to compensate for the loss of wetlands and wetland riparian buffers that were impacted by Phase 5 development. Organic topsoil will be added and graded to create a depressional area with hummocks and hollows. Vegetation will be replanted using similar plant species as the unimpacted (intact) Stream 14 Wetland Site, including vegetation adapted to shallow open water. The result of the topsoil replacement and planting plan is intended to set the wetland community on a trajectory toward functions comparable to a forested swamp, such that water flow, water quality, and habitat mirror an early successional stage western redcedar - Sitka spruce/skunk cabbage forested swamp community (CWHvh1/13). This wetland swamp community will be enhanced with areas of shallow open water, hummocks, hollows, and riparian vegetation at the southwestern edge adjacent to Stream 14.

Compensation sites will be monitored by establishing permanent plots to record physical stability and hydraulic function, and revegetation progress over time, and by comparing these to data collected in plots established in adjacent unimpacted (or intact) areas of Stream 14 Wetland and its riparian buffer to the east.

#### 6.2. Field Methods and Standards

Field crews will assess revegetation progress and functions using qualitative assessments according to standards of practice for ecosystem restoration (RIC 1996; Machmer and Steeger 2002; Nelson *et al.* 2023).

Prior to construction and revegetation activities, two permanent plots will be established in each of the three restoration/reclamation/offsetting sites and in reference sites (Intact Stream 14 Wetland and Buffer). Plot data will be recorded prior to and after vegetation planting. Plot locations will be selected to capture the variability of vegetation communities and microsite positions, such as shallow open water, swamp, riparian, and bedrock outcrop. Plots will be 100 m<sup>2</sup> in size with a radius of 5.54 m. Plot centers will be permanently marked with a wooden stake and the perimeter will be marked with temporary bright-coloured flagging tape or pin flags. String will be placed from plot center to the perimeter at each cardinal direction: north, east, south, and west. Within each plot, photos will be taken to capture the vegetation cover and site conditions within each quarter of the plot viewing northeast, southeast, southwest, and northwest (Figure 1).

**Figure 1. Permanent plot setup.**

At each plot, the following biophysical conditions will be monitored once during each monitoring year, at the same time each year (within one month and under the same conditions, i.e., considering whether the monitoring year is drier or wetter than in previous years of monitoring), recording:

- Vegetation species composition and structure;
- Mortality percent cover;
- Vegetation species percent cover;
- Exposed soil or erosion percent cover;
- Invasive plant species percent cover;
- Deer browse percent cover or rating (none, low, moderate, high);
- Evidence of bank slumping;
- Notes on bird, mammal, or amphibian observations;
- Notes on water flow and water direction (if applicable);
- Measurements of surface water level and water table depth;
- Notes on water quality – visual assessment of sedimentation/water turbidity (none, low, moderate, high); and
- Water pH – quantitative measurement of water acidity or hydrogen ion ( $H^+$ ) content.

Additional qualitative assessments of the entire site (outside of permanent plots) will also be completed. These assessments will include noting observations of invasive plant species, deer browse, exposed soil or evidence of erosion, areas of significant plant mortality, and incidental observations of birds, small and large mammals, and amphibians.

### 6.3. Schedule

The timing of recovery within and between the compensation (remediation and offsetting) sites is expected to differ due to the initial level of disturbance. For instance, the northern portions of the Stream 14 Wetland Restoration and Buffer Reclamation Sites have areas of little to no soil remaining and only sparse regenerating vegetation cover since it was initially cleared, such as in the shallow open water and bedrock outcrop zones, whereas the central and southern portions have varying amounts of remaining soil and regenerating patches of vegetation. Stream 14 Wetland and Buffer Sites will only have topsoil added to the existing surface grade, whereas the topography of the Wetland Offsetting Site will be created and completely regraded to represent a depressional swamp with shallow open water features. Monitoring for effectiveness will therefore need to be flexible and adaptable, as described below.

Post-construction effectiveness monitoring will occur during the summer (July – September) in year one (if wetland and riparian habitats are remediated/constructed in spring), and in at least years three, five, and seven after remediation/construction at the sites is completed. Depending on the monitoring results from year one, and/or the timing of remediation/construction works, it may be important to monitor again in year two. For instance, if first year monitoring results show poor planting survival, inadequate water flow/depth, or high rates of invasive plant species, then it will be prudent to add year two monitoring and adaptive management solutions to the schedule to avoid escalating issues. The monitoring schedule must also be adaptive to ensure the restored and constructed wetlands and reclaimed riparian buffers meet or exceed the function and habitat quality of existing unimpacted (intact) wetlands and riparian buffers.

### 6.4. Success Criteria and Adaptive Management

Corrective (adaptive) management actions will be implemented immediately if the QEP and/or the Ministry advises it is necessary based on monitoring results, i.e., to address any performance criteria that are not trending towards success to meet the compensation objectives. Field data will be analyzed to evaluate whether success criteria have been met. The recommended success criteria for evaluating the effectiveness of compensation habitats are as follows:

- 85% or more of ponds/pools and wetland habitat shows no sign of bank slumping that negatively affects the functionality of the wetland habitat;
- No more than 5% exposed soil;
- Soil thickness remains a minimum of 200 mm and has established vegetation growth;

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**PROJECT MAP**



OceanWest Phase 5  
**Wetland Remediation and Offsetting**

**Legend**

- Phase 5 Development Boundary
- Property Lines
- Streams
- Culvert
- Intact wetland
- Intact Buffer
- Intact Buffer - to be Relocated
- Intact Buffer - to be Relocated
- Intact Buffer - Proposed Relocation
- Lost Wetland to be Offset
- Wetland to be Restored
- Buffer to be Reclaimed
- Buffer to be Offset
- Buffer to be Offset - Overlaps Park
- Buffer - Proposed not to Offset
- Park
- Offsetting Site
- Buffer - Previously Disturbed (Marine Drive)
- Stream 14 Setback (5 m)

MAP SHOULD NOT BE USED FOR LEGAL OR NAVIGATIONAL PURPOSES

Scale: 1:1,450

I.D.	DATE	REVISION	BY
1	1/23/2024	Final DDP (Wetland/Stream/Offsetting)	WWS

Date Saved: 1/23/2024  
Coordinate System: NAD 1983 UTM Zone 18N

Map Location

Map 1

Path: M:\Projects-Active\1494 ED\MXD\Detailed Plan\1494\_ED\OffsettingPlan\_Overview\_20240124.mxd

**Appendix A. Stream 14 Wetland and Buffer Remediation Design**

**LIST OF FIGURES**

Figure 1. Plan view..... 1  
Figure 2. Surveyed transects ..... 2  
Figure 3. Stream 14 Wetland Restoration site plan..... 3  
Figure 4. Stream 14 Wetland Buffer site plan..... 4



PLAN VIEW  
SCALE AS SHOWN

CONCEPT FOR PERMITTING

**GENERAL NOTES**

1. AERIAL IMAGE CAPTURED ON MARCH 9, 2023.
2. SEE FIGURE 2 FOR THE CROSS SECTION PROFILE OF THE STREAM 14 WETLAND AND BUFFER REMEDIATION SITE.

**LEGEND**

- OPEN WATER
- INTACT BUFFER
- INTACT WETLAND
- BUFFER TO BE OFFSET
- BUFFER TO BE RECLAIMED
- BUFFER - PREVIOUSLY DISTURBED
- BUFFER - PROPOSED NOT TO OFFSET
- INVASIVE SPECIES REMOVAL AND RESEED
- SPLIT CEDAR FENCE
- ROCK OUTCROP
- SALAL / EVERGREEN HUCKLEBERRY
- SALMONBERRY
- SEDGES
- SKUNK CABBAGE
- RED HUCKLEBERRY
- TREES
- PACIFIC RUSH
- STREAM 14
- SURVEYED TRANSECT

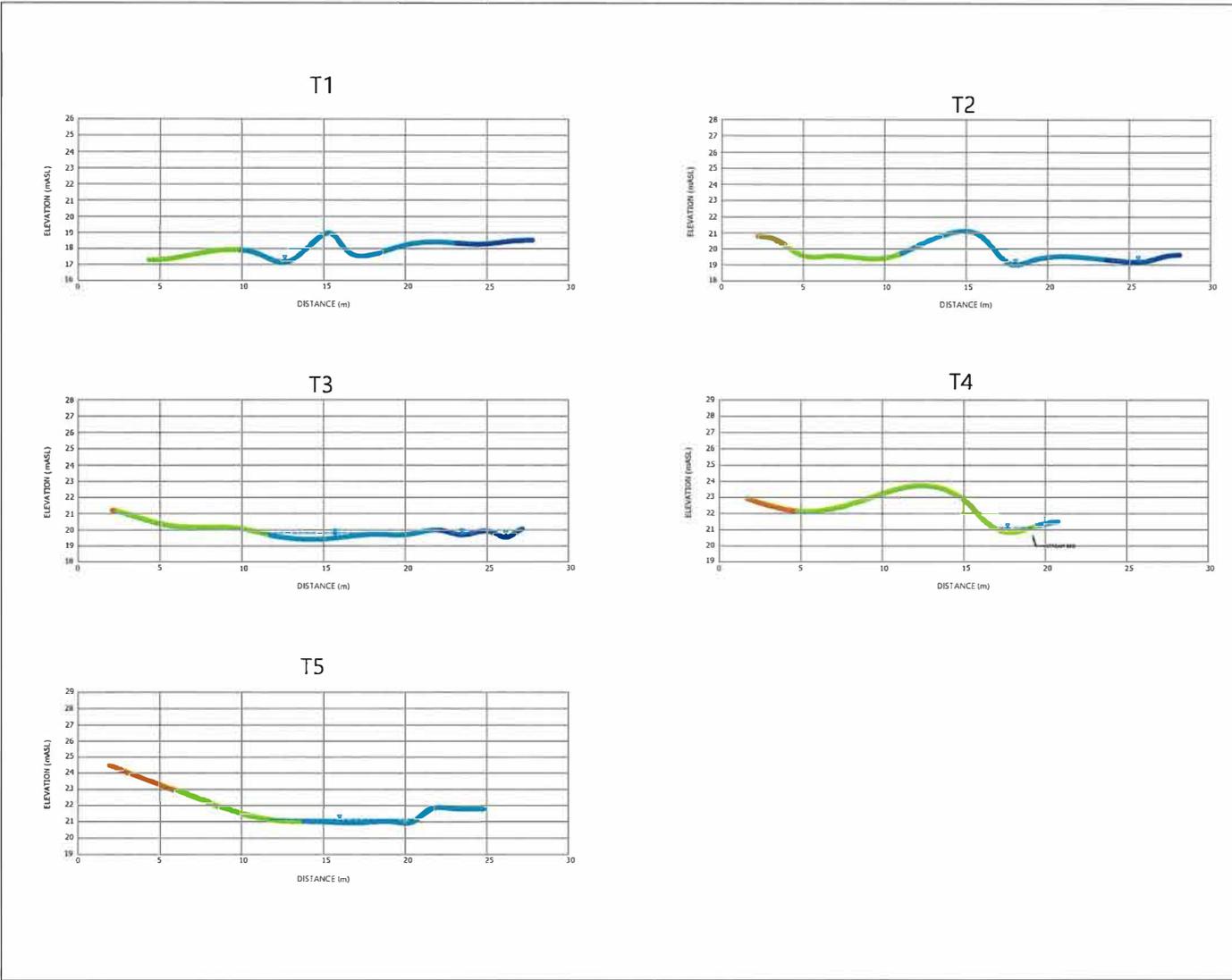
DATE	BY	REVISIONS
DESIGNED BY	N.W./N./T.J.	CHECKED BY
DRAWN BY	P.L.	DATE JANUARY 26, 2024

ECOFISH  
RESEARCH

OCEANWEST PHASE 5 WETLAND OFFSETTING DESIGN

PLAN VIEW

PROJECT No.	1494-02	DRAWING No.	FIGURE 1
SCALE	AS SHOWN	SHEET	1 OF 1



**TRANSVERSE PROFILE VIEW**  
SCALE AS SHOWN

**GENERAL NOTES**

1. DRAWINGS ARE CONCEPTUAL DRAFTS FOR PERMITTING AND MAY BE UPDATED PRIOR TO CONSTRUCTION.
2. SEE THE FOLLOWING SITE PLANS FOR A DESCRIPTION OF THE DESIGN PRESCRIPTIONS, SUITABLE PLANT SPECIES, AND PLANTING STANDARDS FOR STREAM 14 WETLAND RESTORATION AND STREAM 14 WETLAND BUFFER RECLAMATION.

**LEGEND**

- BUFFER TO BE OFFSET
- INTACT WETLAND
- WETLAND TO BE RESTORED
- BUFFER TO BE RECLAIMED
- ▽ WATER ELEVATION  
AS SURVEYED ON NOVEMBER 17, 2023

DATE	BY	REVISIONS
DESIGNED BY:	N.W./N.J./L.	CHECKED BY:
DRAWN BY:	P.L.	DATE: 2024-01-26
		
<b>OCEANWEST PHASE 5 WETLAND OFFSETTING DESIGN</b>		
<b>SURVEYED TRANSECTS</b>		
PROJECT No.	1494.02	DRAWING No. FIGURE 2
SCALE:	AS SHOWN	SHEET 1 OF 1

# Stream 14 Wetland Restoration Site Plan

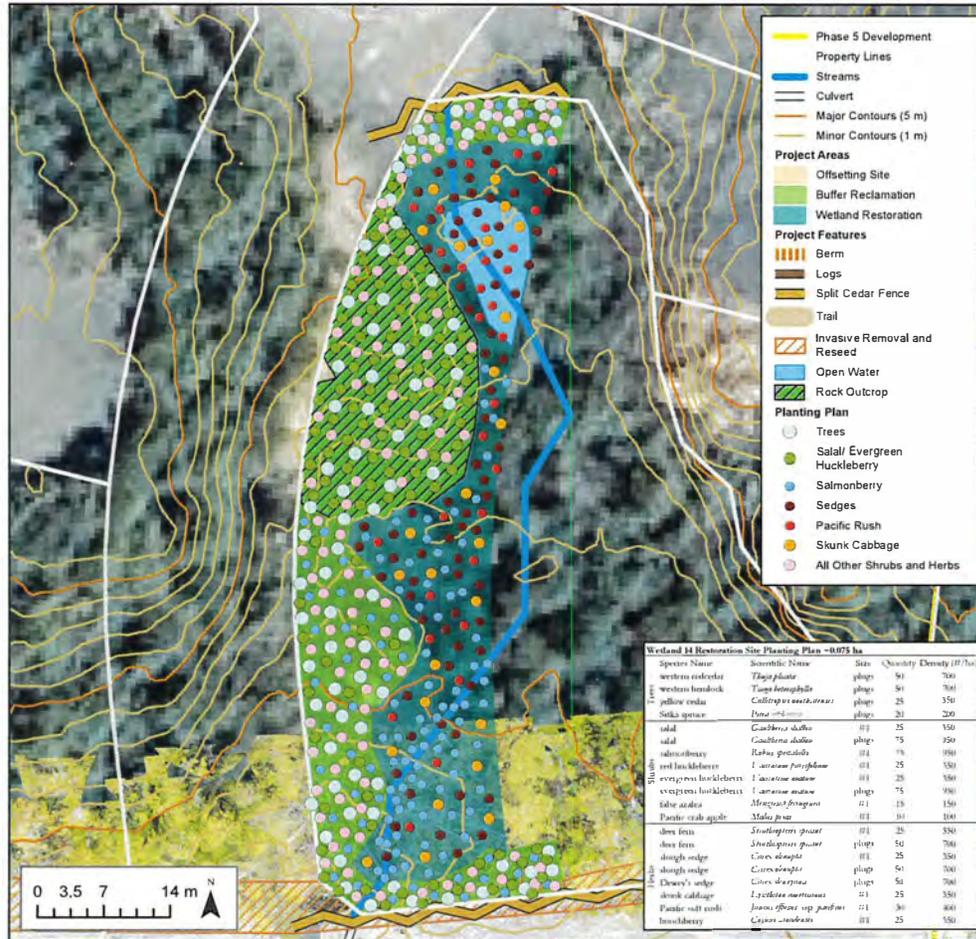
## Stream 14 Wetland Restoration Site Description

Stream 14 Wetland is a 749 m<sup>2</sup> area lost through vegetation and soil removal. Three general zones, including shallow open water in the northern portion, a shrub and herb-dominated swamp in the central portion, and a shrubby riparian area in the south portion, comprise Stream 14 Wetland. The shallow open water is approximately 200 m<sup>2</sup>, with an open water pool and a sparse cover of common reed, slough sedge, Pacific soft rush, and cattail. The shrub and herb-dominated swamp is approximately 250 m<sup>2</sup> with a variety of scattered shrubs, herbs, and mosses, such as evergreen huckleberry, salmonberry, thimbleberry, deer fern, slough sedge, and Pacific soft rush. The shrubby riparian area is approximately 300 m<sup>2</sup>, and the vegetation is dominated by a thick cover of salmonberry with patches of evergreen huckleberry and slough sedge. Stream 14 Wetland has areas of developing soil remaining after clearing.



## Stream 14 Wetland Restoration Site Prescription

- Remove invasive plant species. Per the BC Weed Control Regulation, remove any noxious invasive plant species detected at site and dispose at an approved site. Use caution to avoid mixing invasive plant materials with the existing soil. Avoid using chemical pesticides and herbicides for control or management of invasive species (e.g., noxious weeds).
- Implement erosion and sediment control measures before clearing or moving soil materials along adjacent edges of the wetland restoration site and its buffer to minimize sediment inputs to the restored wetland areas, per the EMP.
- Retain sections of topsoil, root mats with small trees, shrubs, herbs, mosses, and seed bank when clearing vegetation for construction of Forbes Road, for use in the wetland restoration.
- Stockpile and/or spread soils, root mats, and vegetation directly to the restoration site where existing soils are less than 25 cm to save costs from importing purchased topsoil. Do not cover existing natural vegetation that has already been established.
- Establish or verify adequate topsoil depth and restore any eroded/thin-soil areas with a 200 to 300 mm thick layer of topsoil.
- Manually roughen and loosen the finished grade surface to reduce erosion, establish roots of planted stock, and aid in seed capture for additional natural regeneration.
- Scatter coarse woody debris from any newly cleared construction areas throughout the restoration site. Verify that logs are greater than 0.2 m in diameter and 5.0 m in length, and the bole of stumps is greater than 0.2 m in diameter.
- Plant nursery stock by hand with shovels and trowels. See General Planting Standards for further planting guidelines.
- Plant cattails in the shallow open water area, and sedges, rushes, and skunk cabbage along the edge of the shallow water area and in wet depressions or hollows throughout the rest of the restoration site. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the restoration site.
- Seed native species by hand or handheld spreader at a seeding rate of 40-50 kg per hectare (one bag is 22.7 kg). Use a native seed mixture, such as 100% Native Roadside Riparian seed mix from Premier Pacific Seeds.
- Assess the risk of deer browse and identify whether browse protection should be installed before planting. Seek to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on at least 20% of planted conifers if high browse levels are observed at nearby sites.



## General Planting Standards

- Refer to recommendations from the Project's Environmental Management Plan (EMIP 2020).
- Ensure that plants are from a certified nursery stock, free of disease and invasive species, and have provenance records where available.
- Confirm that plants meet and/or exceed British Columbia Nursery and Landscape Association Standards.
- Arrange for planting to be overseen by a qualified professional (QP) who will determine appropriate locations of trees and shrubs based on spacing requirements and onsite conditions.
- Apply native grass seed to the planting areas adjacent to existing road edges or pedestrian pathways by hand or manual spreader.
- Plant during the dormant season in the spring (March to April) or fall (September to October), depending on local conditions during the year of planting.
- Install up to 3 plants per square meter (minimum 1 plant per square meter) using a mix of trees, shrubs, and herbs as directed by planting plans or by the QP.
- Use associative plant groupings, such as planting clusters of two to three of the same plants close together, interspersed with different species.
- Plant on a rainy or overcast day. If it is sunny and dry, ensure the roots are not exposed to sunlight and are always kept moist.
- Dig holes one and a half times larger in diameter than the root ball and several inches deeper. Backfill with enough loose topsoil so that the top of the root ball is even or slightly below ground level. Add a handful of bonemeal and mix into the loose soil.
- Place the nursery stock in the hole, disturbing the roots as little as possible. Backfill with topsoil and water thoroughly. Prune off any damaged branches.
- Apply water to planted areas on an as-needed basis during periods of dry weather to facilitate growth from June to September. Consider if additional watering and/or replanting is required to establish vigorous vegetative cover throughout the first year of growth.
- Maintain planting machinery per the Project's EMIP and any subsequent management plans created for the Project. Check that all equipment arriving at site is clean and free of soil and plant material to prevent the potential for the spread of invasive plant species.

## Monitoring

- Monitor plantings for survival and invasive species presence one growing season following planting, then every two years for five years (e.g., at year 1, year 3, year 5, and year 7 after planting). The schedule may be adapted according to revegetation success.
- Aim to achieve a target survival of 80% of the planted stock. Natural revegetation may compensate for planted stock as long as the total density of native shrub, tree, and fern species is equivalent to at least 80% of their density when planting.
- Monitor plantings for adequate amounts of water during extensive dry periods.
- Monitor water quality (e.g., turbidity and pH) per the EMIP for one growing season following planting, then every two years for five years (e.g., at year 1, year 3, year 5, and year 7) after planting.
- Provide recommendations on the potential removal of invasive species or additional plantings, if necessary, to promote the regeneration of native ecological communities.

Figure 3



# Stream 14 Wetland Buffer Site Plan

### Stream 14 Wetland Buffer Site Description

Stream 14 Wetland Buffer is a 973 m<sup>2</sup> area lost through vegetation and soil removal. Two general zones, including a bedrock outcrop in the northern portion and a shrub and herb community in the central and southern portions, comprise the Stream 14 Wetland Buffer. The bedrock outcrop has patches of remaining soil with sparsely distributed herbs and mosses, such as deer fern and juniper haircap moss. A variety of shrubs, herbs, and mosses, such as evergreen huckleberry, salmonberry, thimbleberry, deer fern, juniper haircap moss, and crane's-bill moss, comprise the shrub and herb community. The shrub and herb community has areas of adequate soil development remaining.



### Stream 14 Wetland Buffer Site Prescription

Remove invasive plant species. Per the BC Weed Control Regulation, remove any noxious invasive plant species detected at site and dispose at an approved site. Use caution to avoid mixing invasive plant materials with the existing soil. Avoid using chemical pesticides and herbicides for control or management of invasive species (e.g., noxious weeds).

Implement erosion and sediment control measures before clearing or moving soil materials along the edge of the riparian buffer reclamation site to minimize sediment inputs, per the EMP.

Retain topsoil, root mats with small trees, shrubs, herbs, mosses, and seed bank for use in reclamation site when clearing vegetation west of Stream 14 Wetland and its riparian buffer.

Stockpile or spread soils directly to the bedrock outcrops and where existing soils are less than 25 cm to save costs from importing purchased topsoil.

Spread a 100 to 300 mm thick layer of topsoil over the bedrock outcrops and wetland buffer where natural vegetation has not been established.

Manually roughen and loosen the finished grade surface to reduce erosion, establish roots of planted stock, and aid in seed capture for additional natural regeneration.

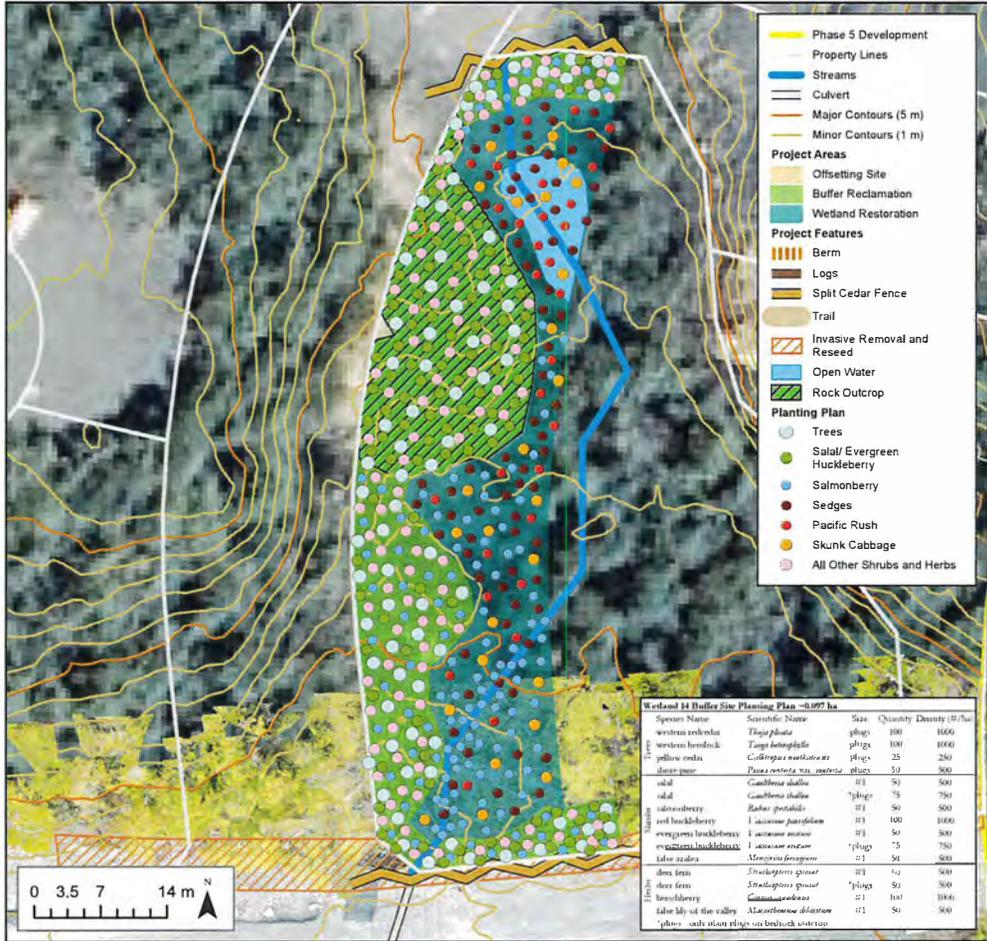
Scatter coarse woody debris from any adjacent cleared areas throughout the Buffer Reclamation Site. Verify that logs are greater than 0.2 m in diameter and 5.0 m in length, and the bole of stumps is greater than 0.2 m in diameter.

Plant nursery stock by hand with shovels and trowels. See General Planting Standards for further planting guidelines.

Plant nursery stock plugs on bedrock outcrops where soils may be thinner. Plant sedges, rushes, and skunk cabbage in wet depressions or hollows throughout the rest of the reclamation site. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the reclamation site.

Seed native species by hand or handheld spreader at a seeding rate of 40-50 kg per hectare (one bag is 22.7 kg), especially at intersection points with Marine Drive and Forbes Road. Use a native seed mixture, such as 100% Native Roadside Riparian seed mix from Premier Pacific Seeds.

11. Assess the risk of deer browse and identify whether any browse protection should be installed before planting. Seek to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on at least 20% of planted conifers if high browse levels are observed at nearby sites.



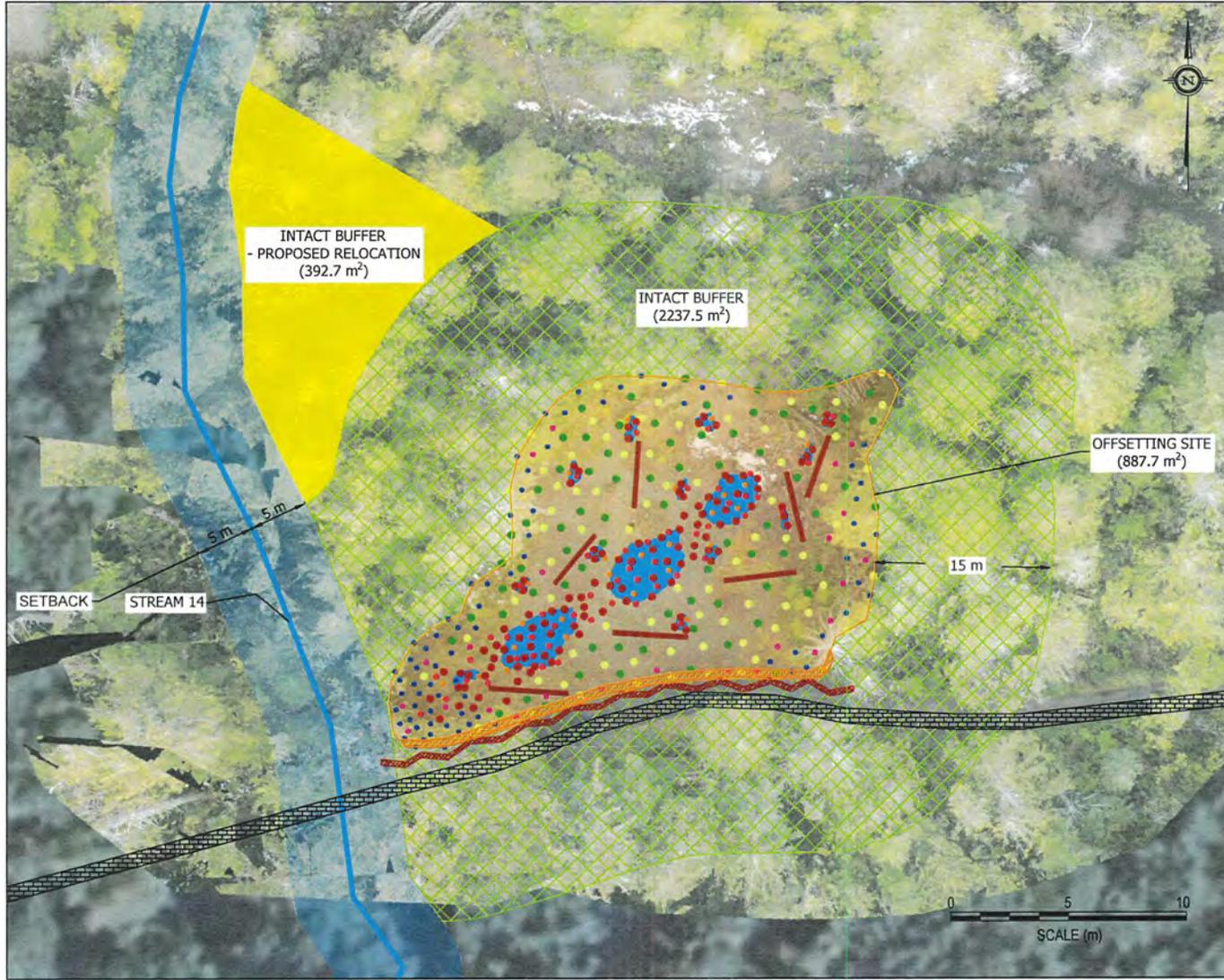
- ### General Planting Standards
1. Refer to recommendations from the Project's Environmental Management Plan (EDM 2020).
  2. Ensure that plants are from a certified nursery stock, free of disease and invasive species, and have provenance records where available.
  3. Confirm that plants meet and/or exceed British Columbia Nursery and Landscape Association Standards.
  4. Arrange for planting to be overseen by a qualified professional (QP) who will determine appropriate locations of trees and shrubs based on spacing requirements and onsite conditions.
  5. Apply native grass seed to the planting areas adjacent to existing road edges or pedestrian pathways by hand or manual spreader.
  6. Plant during the dormant season in the spring (March to April) or fall (September to October), depending on local conditions during the year of planting.
  7. Install up to 3 plants per square meter (minimum 1 plant per square meter) using a mix of trees, shrubs, and herbs as directed by planting plans or by the QP.
  8. Use associative plant groupings, such as planting clusters of two to three of the same plants close together, interspersed with different species.
  9. Plant on a rainy or overcast day. If it is sunny and dry, ensure the roots are not exposed to sunlight and are always kept moist.
  10. Dig holes one and a half times larger in diameter than the root ball and several inches deeper. Backfill with enough loose topsoil so that the top of the root ball is even or slightly below ground level. Add a handful of bonemeal and mix into the loose soil.
  11. Place the nursery stock in the hole, disturbing the roots as little as possible. Backfill with topsoil and water thoroughly. Prune off any damaged branches.
  12. Apply water to planted areas on an as-needed basis during periods of dry weather to facilitate growth from June to September. Consider if additional watering and/or replanting is required to establish vigorous vegetative cover throughout the first year of growth.
  13. Maintain planting machinery per the Project's EMP and any subsequent management plans created for the Project. Check that all equipment arriving at site is clean and free of soil and plant material to prevent the potential for the spread of invasive plant species.

- ### Monitoring
1. Monitor plantings for survival and invasive species presence one growing season following planting, then every two years for five years (e.g., at year 1, year 3, year 5, and year 7) after planting. The schedule may be adapted according to revegetation success.
  2. Aim to achieve a target survival of 80% of the planted stock. Natural revegetation may compensate for planted stock as long as the total density of native shrub, tree, and fern species is equivalent to at least 80% of their density when planting.
  3. Monitor plantings for adequate amounts of water during extensive dry periods.
  4. Monitor water quality (e.g., turbidity and pH) per the EMP for one growing season following planting, then every two years for five years (e.g., at year 1, year 3, year 5, and year 7) after planting.
  5. Provide recommendations on the potential removal of invasive species or additional plantings, if necessary, to promote the regeneration of native ecological communities.

Figure 4

**LIST OF FIGURES**

Figure 1. Plan view..... 1  
Figure 2. Longitudinal profile and details..... 2  
Figure 3. Wetland Offsetting Site plan..... 3



PLAN VIEW  
SCALE AS SHOWN

CONCEPT FOR PERMITTING

**GENERAL NOTES**

1. AERIAL IMAGE CAPTURED ON MARCH 9, 2023.
2. AREA OF OFFSETTING (CONSTRUCTED) WETLAND = -887.7 m<sup>2</sup>.
3. SEE FIGURE 2 FOR THE LONGITUDINAL PROFILE OF THE WETLAND OFFSETTING SITE.

**LEGEND**

- CONSTRUCTED WETLAND
- OPEN WATER
- INTACT BUFFER
- INTACT BUFFER - PROPOSED RELOCATION
- EXISTING SETBACKS
- EXISTING TRAIL
- SPLIT CEDAR FENCE
- BERM
- LOGS
- SALAL / EVERGREEN HUCKLEBERRY
- SALMONBERRY
- SEDGES
- SKUNK CABBAGE
- RED HUCKLEBERRY
- TREES
- PACIFIC RUSH
- STREAM 14

DATE	BY	REVISIONS

DESIGNED BY: N.W./N.N./T.L.	CHECKED BY:
DRAWN BY: P.L.	DATE: JANUARY 26, 2024

ECOFISH  
RESEARCH

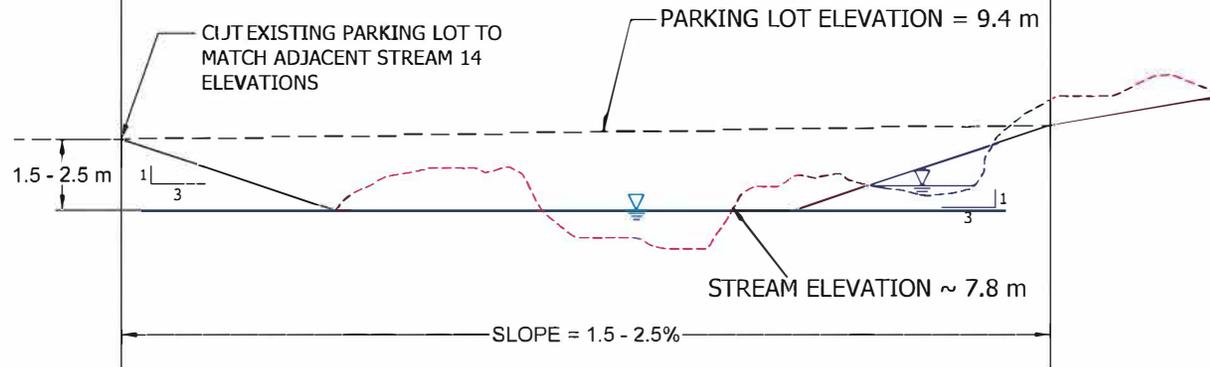
OCEANWEST PHASE 5 WETLAND OFFSETTING DESIGN

PLAN VIEW

PROJECT No. 1494-02	DRAWING No. FIGURE 1
SCALE: AS SHOWN	SHEET 1 OF 1

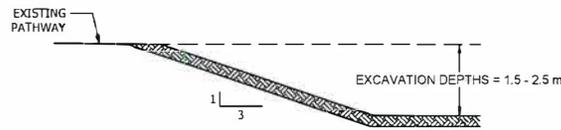
EXISTING PATHWAY

OFFSETTING SITE



LONGITUDINAL PROFILE  
N.T.S.

LEGEND	
	WATER
	EXISTING GROUND
	FINISH GROUND
	HUMMOCKS/HOLLOW



OFFSETTING SITE: EXISTING PATHWAY EXCAVATION DETAIL  
N.T.S.

CONCEPT FOR PERMITTING

GENERAL NOTES

- DRAWINGS ARE CONCEPTUAL DRAFTS FOR PERMITTING AND MAY BE UPDATED PRIOR TO CONSTRUCTION.
- SEE THE FOLLOWING SITE PLAN FOR A DESCRIPTION OF THE DESIGN PRESCRIPTIONS, SUITABLE PLANT SPECIES, AND PLANTING STANDARDS FOR THE WETLAND OFFSETTING SITE.

DATE	BY	REVISIONS
DESIGNED BY	N.W./A.M.	CHECKED BY A.M.
DRAWN BY	S.D./J.P.L.	DATE APRIL 11, 2023



OCEANWEST PHASE 5 WETLAND OFFSETTING DESIGN

LONGITUDINAL PROFILE AND DETAILS

PROJECT No.	1494-02	DRAWING No.	FIGURE 2
SCALE	AS SHOWN	SHEET	1 OF 1

# Wetland Offsetting Site Plan

## Wetland Offsetting Site Description

The Offsetting Site is an 888 m<sup>2</sup> disturbed area that will be used to offset the loss of wetland and wetland riparian functions through the creation of a swamp wetland. The Offsetting Site is currently a gravel clearing, possibly a previous parking lot, located adjacent to and east of Stream 14, and adjacent to and north of a closed (but utilized) footpath that is on private (Meyerhaeuser) property that borders an intact, blue-listed terrestrial ecosystem (CW11ch1/15) to the south. The Wetland Offsetting Site has sparse vegetation, mostly grasses and weeds growing out of the gravel. The edges of the gravel area had generated western redcedar, Sitka spruce, salal, salmonberry, evergreen huckleberry, deer fern, common horsetail, and Pacific stink rush. Two soil pits were manually excavated in November 2023, reaching about 30 cm in depth and showing a persistent gravel layer. There is a large pile of wood pulp at the northwest end of the site and a large pile of wood debris and logs at the northeast end of the site. A portion of this material is anticipated to contribute to the organic content and large wood for wetland construction.



## Wetland Offsetting Site Prescription

Remove invasive plant species. Per the BC Weed Control Regulation, remove any noxious invasive plant species detected at site and dispose at an approved site. Use caution to avoid mixing invasive plant materials with the existing soil. Avoid using chemical pesticides and herbicides for control or management of invasive species (e.g., noxious weeds).

Excavate the existing gravel parking lot surface to match the elevation of the adjacent stream bed. Verify that excavation depths are approximately 1.5 to 2.5 m. Remove excess surface material from site.

Regrade areas to mimic swamp topography, which is a sequence of hummocks (mounds) and hollows (depressions) of varying dimensions the resultant topography should direct water drainage towards Stream 14 by sequencing hollows toward the creek. Keep existing natural vegetation, if practical. Create a subtle berm (approximately 0.3 to 0.5 m) along the south edge of the wetland, parallel to the existing path so that water flows toward Stream 14 and not south across the path. Keep the existing path and install a low split cedar fence to discourage people and pets from entering the wetland. Use existing swamps (intact portions of Stream 14 Wetland) as a reference site.

Spread a 100 to 300 mm thick layer of topsoil over the Wetland Offsetting Site where natural vegetation has not been established.

Manually roughen and loosen the finished grade surface to reduce erosion, establish roots of planted stock, and aid in seed capture for additional natural regeneration.

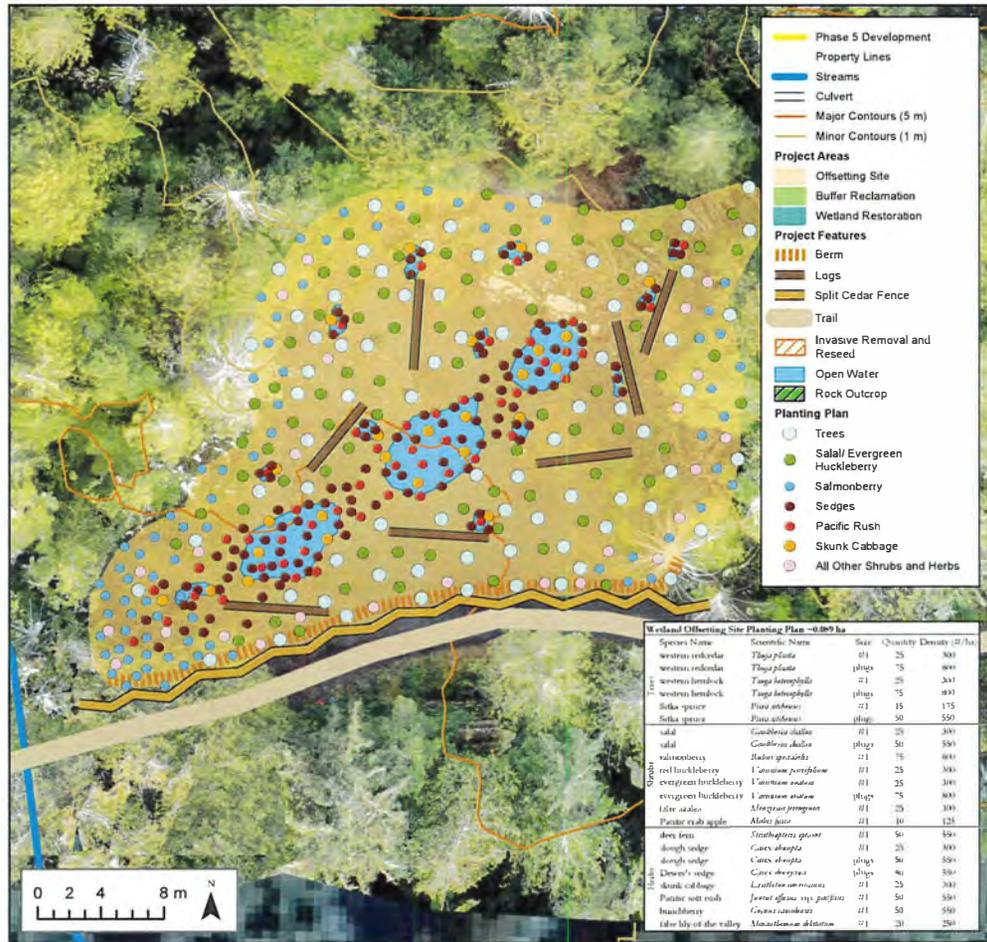
Scatter coarse woody debris throughout the site. Verify that logs are greater than 0.2 m in diameter and 5.0 m in length, and the bole of stumps is greater than 0.2 m in diameter. The stockpiled logs in the northeastern corner of the site may be used.

Plant nursery stock by hand with shovels and trowels. See General Planting Standards for further planting guidelines.

Plant sedges, rushes, and skunk cabbage within shallow open water areas, wet depressions, or hollows throughout the Wetland Offsetting Site. Plant at least half of the salmonberry stock within the riparian area near Stream 14. Distribute and plant all other tree, shrub, and herb stock throughout the rest of the site.

Seed native species by hand or handheld spreader at a seeding rate of 40-50 kg per hectare (one bag is 22.7 kg), especially at intersection points with the pedestrian pathway. Use a native seed mixture, such as 100% Native Roadside Riparian seed mix from Premier Pacific Seeds.

Assess the risk of deer browse and identify whether any browse protection should be installed before planting. Seek to provide adequate browse protection to achieve 80% conifer survival. Provide browse protection on at least 20% of planted conifers if high browse levels are observed at nearby sites.



## General Planting Standards

1. Refer to recommendations from the Project's Environmental Management Plan (EIMP 2020).
2. Ensure that plants are from a certified nursery stock, free of disease and invasive species, and have provenance records where available.
3. Confirm that plants meet and/or exceed British Columbia Nursery and Landscape Association Standards.
4. Arrange for planting to be overseen by a qualified professional (QP) who will determine appropriate locations of trees and shrubs based on spacing requirements and onsite conditions.
5. Apply native grass seed to the planting areas adjacent to existing road edges or pedestrian pathways by hand or manual spreader.
6. Plant during the dormant season in the spring (March to April) or fall (September to October), depending on local conditions during the year of planting.
7. Install up to 3 plants per square meter (minimum 1 plant per square meter) using a mix of trees, shrubs, and herbs as directed by planting plans or by the QP.
8. Use associative plant groupings, such as planting clusters of two to three of the same plants close together, interspersed with different species.
9. Plant on a rainy or overcast day. If it is sunny and dry, ensure the roots are not exposed to sunlight and are always kept moist.
10. Dig holes one and a half times larger in diameter than the root ball, and several inches deeper. Backfill with enough loose topsoil so that the top of the root ball is even or slightly below ground level. Add a handful of bonemeal and mix into the loose soil.
11. Place the nursery stock at the hole, disturbing the roots as little as possible. Backfill with topsoil and water thoroughly. Prune off any damaged branches.
12. Apply water to planted areas on an as-needed basis during periods of dry weather to facilitate growth from June to September. Consider if additional watering and/or replanting is required to establish vigorous vegetative cover throughout the first year of growth.
13. Maintain planting machinery per the Project's EIMP and any subsequent management plans created for the Project. Check that all equipment arriving at site is clean and free of soil and plant material to prevent the potential for the spread of invasive plant species.

## Monitoring

1. Monitor plantings for survival and invasive species presence one growing season following planting, then every two years for five years (e.g., at year 1, year 3, year 5, and year 7 after planting). The schedule may be adapted according to revegetation success.
2. Aim to achieve a target survival of 80% of the planted stock. Natural revegetation may compensate for planted stock as long as the total density of native shrub, tree, and fern species is equivalent to at least 80% of their density when planting.
3. Monitor plantings for adequate amounts of water during extensive dry periods.
4. Monitor water quality (e.g., turbidity and pH) per the EIMP for one growing season following planting, then every two years for five years (e.g., at year 1, year 3, year 5, and year 7) after planting.
5. Provide recommendations on the potential removal of invasive species or additional plantings, if necessary, to promote the regeneration of native ecological communities.

Figure 3





## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

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

**FILE NO:** 3360-20-RZ24-07 / 6630-27

**SUBJECT:** ZONING AMENDMENTS – SMALL-SCALE MULTI-UNIT HOUSING

**REPORT NO:** 24-45

**ATTACHMENT(S):** APPENDIX A – DRAFT BYLAW NO. 1346

APPENDIX B – HIGHLIGHTED ZONING BYLAW CHANGES IN BYLAW NO. 1346

### RECOMMENDATION(S):

**THAT** Council directs staff to give notice of first reading of *Ucluelet Zoning Amendment Bylaw No. 1346, 2024*.

### BACKGROUND:

The *Local Government Act* was amended on December 7, 2023, to require local governments to update their zoning bylaws to allow secondary suites or accessory dwelling units (ADUs) in all single-family zones and - where applicable - permit a minimum of 3-6 units of small-scale, multi-unit housing (SSMUH) in zones otherwise restricted to single-family dwellings or duplexes. Zones restricted to single-family dwellings or duplexes as of December 7, 2023, are referred to as “*Restricted Zones*” in the legislation.

Through the SSMUH legislation, the Province aims to increase housing supply, create more diverse housing choices, and over time, contribute to more affordable housing across the province. Local governments are required to update their zoning bylaws before June 30, 2024 to comply with SSMUH legislation.

#### All BC communities:

A minimum of one secondary suite or one detached ADU must be permitted on lots zoned for single-family use. Local governments may decide to permit either a secondary suite or ADU, or both a secondary suite and an ADU on a lot.

This requirement applies to Ucluelet.

#### Larger BC communities:

Unless an exemption applies, three to six dwelling units must be allowed on each parcel of land zoned for single-family or duplex use that is:

- a) wholly or partly within an urban containment boundary established by a regional growth strategy, or
- b) if (a) does not apply, wholly or partly within an urban containment boundary established by an official community plan within a municipality with a population greater than 5,000 or
- c) if neither (a) or (b) apply, in a municipality with a population greater than 5,000.

Ucluelet has a population less than 5,000 and is not within an urban containment boundary in a regional growth strategy; therefore the requirement to allow three to six dwelling units on all single-family or duplex lots does not apply.

The District is required to update its zoning bylaw to ensure that a minimum of one secondary suite or one detached ADU is permitted on all lots zoned for single-family use; bylaws to enact such zoning amendments must be adopted by municipalities no later than June 30, 2024. When doing so, local governments are required to consider the applicable guidelines for Small-Scale Multi-Unit Housing provided by the Province.

#### DISCUSSION:

To create opportunities for more supply and diversity of housing in Ucluelet, Council may wish to amend the zoning bylaw to go beyond the new minimum standards required by the *Local Government Act*. Another requirement of the recent provincial legislation is that amendments to the *Official Community Plan Bylaw* and *Zoning Bylaw* will be required prior to December 31, 2025, to designate sufficient lands to accommodate 20 years of housing growth. Additional forms of small-scale multi-unit housing may well be part of satisfying that requirement and furthering community housing goals in Ucluelet. The specific locations and densities of additional housing capacity need to be informed by an updated analysis of municipal infrastructure, however, to ensure that the services are available to match the housing capacity adopted in updated zoning. That work is progressing and will be part of forthcoming community consultation on total growth and housing opportunities. Staff anticipate identifying locations where multiple units are appropriate in Ucluelet (and have the services to support pre-zoning for densification), as a starting point for community discussion.

For now, this report discusses changes needed to bring the current Ucluelet zoning bylaw into alignment with the new provincial legislation. The province has published a [Provincial Policy Manual & Site Standards for Small-Scale Multi-Unit Housing](#). The amendments to the Ucluelet zoning bylaw discussed below have been prepared following the direction of the provincial policy manual.

#### Draft Bylaw Amendments:

A draft of *District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024*, is attached to this report (see **Appendix "A"**). This amendment bylaw would make changes to the zoning bylaw to achieve the following:

- ensure all restricted zones allow a *secondary suite* or an *accessory residential dwelling unit*. This poses little change, since the Ucluelet zoning bylaw already allows both types of accessory dwellings in almost all single-family zones. The R-6 zoning designation currently restricts the accessory dwelling uses to lots greater than 480m<sup>2</sup> in size: the draft *Bylaw No. 1346* would remove that restriction.
- generally match minimum setbacks to the provincial site standards;
- increase the maximum height of *single-family dwellings* and *accessory residential dwelling units* to match the provincial site standards. This is probably the most noticeable change being driven by the province which would affect the current zoning regulations. The maximum height of single-family homes in most residential zones is currently 8.5m or 2-1/2 storeys, which would be increased to 11m or 3 storeys. The new 8m maximum height for *accessory residential dwelling units* would enable 2-storey ADU's on most lots.
- reduce the parking requirement for single-family or duplex properties containing multiple units to a minimum requirement of 1 parking space per dwelling unit.

A few of the existing residential zones (and in particular CD sub-zones) have minimum side setbacks larger than the provincial recommended minimum of 1.2m for accessory dwelling units; these zones also have larger lot sizes and the existing setbacks would not unreasonably restrict the development of additional accessory housing units.

If Council wished to keep the maximum height of a principal building lower than the suggested 11m, consideration should be given to whether this could restrict the development of housing on some lots.

Excerpts of the zoning bylaw containing the affected sections with the changes highlighted is attached as **Appendix "B"**.

Because the residential zones in Ucluelet generally already allow a secondary suite and/or accessory dwelling unit, the changes driven by this policy direction of the province are minor.

#### ANALYSIS OF OPTIONS:

A	Proceed with Bylaw No. 1346.	<u>Pros</u>	<ul style="list-style-type: none"> <li>• Would align zoning regulations with the changes to the <i>Local Government Act</i> enacted with the adoption of Bill 44.</li> <li>• Would make the development regulations for single-family dwellings and accessory housing units consistent with most (if not all) other local governments in BC.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>• Would enact changes that may differ from some Ucluelet residents' expectations.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>• Staff would give the required notice that Council will be considering first reading and potential adoption of the bylaw at a future meeting.</li> <li>• Because the bylaw amendments are for compliance with the new provincial housing legislation, Council may not hold a public hearing on the bylaw.</li> <li>• Bylaws to comply with the new requirements of the Province must be adopted by June 30<sup>th</sup> of this year.</li> </ul>

<b>B</b>	Amend the draft Bylaw No. 1346 before proceeding.	<u>Pros</u>	<ul style="list-style-type: none"> <li>Would ensure the bylaw amendments match Council’s expectations.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Additional time would be required to ensure that bylaw changes stay aligned with the provincial policy guidance.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Suggested Motion</u>	<ol style="list-style-type: none"> <li><b>THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024</i>, to: <i>[ specify desired changes ]</i></li> <li><b>THAT</b> Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1346, 2024</i>, as amended.</li> </ol>
<b>C</b>	Not proceed with Bylaw No. 1346 at this time.	<u>Pros</u>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Would leave the municipal zoning bylaw non-compliant with provincial legislation.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Could result in regulatory changes being imposed by the provincial cabinet.</li> <li>Would result in additional staff and Council time.</li> <li>Could have other implications for the municipal relationship with the Province.</li> </ul>
		<u>Suggested Motion</u>	No motion is required.

#### Policy and Legislative Impacts:

Amending the zoning bylaw to comply with the updates to the *Local Government Act* would appear to be a rare non-optional course of action for Council to consider. Staff have reviewed the provincial policy manual and the details of the Ucluelet zoning bylaw and recommend that adopting the draft Bylaw No. 1346 would align our zoning regulations with provincial policy.

Staff will report out to the Province prior to June 30<sup>th</sup> on steps Ucluelet has taken to meet the new requirements in the *Local Government Act*.

Respectfully submitted:            Bruce Greig, Director of Community Planning  
    Duane Lawrence, CAO

## DISTRICT OF UCLUELET

### Zoning Amendment Bylaw No. 1346, 2024

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

(Zoning amendments to bring the Ucluelet Zoning Bylaw into alignment with sections 481.3 and 582.1 of the *Local Government Act* relating to the provision of Small-Scale Multi-Unit Housing).

---

**WHEREAS** Section 479 and other parts of the *Local Government Act* authorize zoning and other development regulations; and,

**WHEREAS** Sections 481.3 and 582.1 of the *Local Government Act* require municipalities to align their zoning regulations with the *Provincial Policy Manual and Site Standards* for the provision of Small-Scale Multi-Unit Housing;

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

#### 1. Text Amendment:

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

A. within Division 400 Supplemental Regulations section 408 Accessory Residential Dwelling Unit (ADU), make the following changes:

i. replace subsection 408.1(10) with the following:

“(10) An *Accessory Residential Dwelling Unit* must be located a minimum of 4m from the principal dwelling.”

ii. replace subsection 408.2 with the following:

“408.2 Notwithstanding the maximum height specified in other sections of this bylaw, the maximum height for an *accessory building* containing an *Accessory Residential Dwelling Unit* is 8.0m.”

B. within Division 500 Off-Street Parking and Off-Street Loading section 505 Off-Street Parking Requirements, make the following changes within the table in Section 505.1:

- i. after the row including the requirement for *Secondary Suite*, add the following:

<i>Single-Family Dwelling plus Secondary Suite and/or Accessory Residential Dwelling Unit</i>	1 space per <i>dwelling unit</i>
---	----------------------------------

- ii. replace the row with the requirement for Duplex Dwelling with the following:

<i>Duplex Dwelling</i>	1 space per <i>dwelling unit</i>
------------------------	----------------------------------

C. within Schedule B – The Zones, make the following changes:

- i. under the regulations for the R-6 Zone – Infill Single-Family Residential, section R-6.1 Permitted Uses, replace subsection R-6.1.1(2) with the following:

“(2) Secondary:

- (a) either a *Secondary Suite* or an *Accessory Residential Dwelling Unit*
- (b) *Home Occupation*”

- ii. by amending the table of minimum setbacks within the following subsections within the Zones:

- a. R-1.6.1 [R-1 Single Family Residential]
- b. R-2.5.1 [R-2 Medium Density Residential]
- c. R-4.6.1 [R-4 Small Lot Single Family Residential]
- d. GH-6.1 [GH Guest House]

to add the following row defining minimum setbacks for accessory buildings containing an *Accessory Residential Dwelling Unit*, at the end of each table:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback
<b><i>Accessory Residential Dwelling Unit</i></b>	<b>6m</b>	<b>1.5m</b>	<b>1.2m</b>

**2. Citation:**

This bylaw may be cited as “*District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024*”.

**FIRST NOTIFICATION OF FIRST READING** published this day of , 2024.

**SECOND NOTIFICATION OF FIRST READING** published this day of , 2024.

**READ A FIRST TIME** this day of , 2024.

**READ A SECOND TIME** this day of , 2024.

**READ A THIRD TIME** this ay of , 2024.

**ADOPTED** this day of , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1346, 2024.”

---

Marilyn McEwen  
Mayor

---

Duane Lawrence  
Corporate Officer

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

---

Duane Lawrence  
Corporate Officer



#### 408 ACCESSORY RESIDENTIAL DWELLING UNIT (ADU)

408.1 Where a Zone specifically includes an *Accessory Residential Dwelling Unit* as a permitted secondary use, one *Accessory Residential Dwelling Unit* use is permitted if all the following conditions are satisfied for the establishment and continued use of the *Accessory Residential Dwelling Unit*.

- (1) *Accessory Residential Dwelling Units* are only permitted in the Zones where *single family dwelling* is listed as a *principal permitted use* and *Accessory Residential Dwelling Unit* is identified as a *secondary permitted use*.
- (2) The *gross floor area* of the *Accessory Residential Dwelling Unit* must not exceed 7% of the lot area to a maximum of 90 m<sup>2</sup>.
- (3) The *gross floor area* of the *Accessory Residential Dwelling Unit* can be excluded from the calculation of maximum size for accessory buildings in the regulations specific to each zone.
- (4) A minimum outdoor space equal to the gross floor area of the *Accessory Residential Dwelling Unit* shall be provided as a dedicated space for the use by residents of the *Accessory Residential Dwelling Unit*.
- (5) An *Accessory Residential Dwelling Unit* must not have more than 2 bedrooms.
- (6) A clear pathway with a minimum width of 1.0m shall be provided from the sidewalk or street to the front door of the *Accessory Residential Dwelling Unit*.
- (7) Cantilevered balconies are not permitted on the interior side or rear faces of an *Accessory Residential Dwelling Unit*.
- (8) An *Accessory Residential Dwelling Unit* is only permitted where the owner of the lot has registered a covenant under section 219 of the *Land Title Act* against the title of the lot, in favour of the District of Ucluelet and satisfactory in its form and priority of registration, providing that the *Accessory Residential Dwelling Unit* must not be subdivided from the lot containing the principal building, whether pursuant to the *Strata Property Act*, the *Land Title Act*, or otherwise.
- (9) Off-street parking must be provided in accordance with Division 500.
- (10) An *Accessory Residential Dwelling Unit* must be located a minimum of ~~3m from any lot line and a minimum~~ 4m from the principal dwelling.
- (11) Despite subsection (1) *Accessory Residential Dwelling Units* are also permitted in some Industrial and Commercial zones according to the regulations of those zones.

408.2 ~~In addition to minimum height requirements of other parts of this bylaw:~~

- ~~(1) For an *Accessory Residential Dwelling Unit* whose roof pitch is equal to or greater than 3:12, the maximum height shall not exceed 4.2m.~~
- ~~(2) For an *Accessory Residential Dwelling Unit* with flat roofs or roofs with a pitch less than 3:12, the maximum height shall not exceed 3.75m.~~

- ~~(3) The height of the Accessory Residential Dwelling Unit may be increased by 0.3m vertical distance for every 0.6m increase in excess of the minimum setbacks established by this bylaw, to a maximum height of 6.5m~~
- ~~(4) For an Accessory Residential Dwelling Unit with flat roofs or roofs with a pitch less than 3:12, the area of a second floor shall be no greater than 60% of the total floor area beneath it.~~

**Notwithstanding the maximum height specified in other sections of this bylaw, the maximum height for an accessory building containing an Accessory Residential Dwelling Unit is 8.0m.**

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### 505 OFF-STREET PARKING REQUIREMENTS

505.1 Off-street parking spaces must be provided for each use, building and structure on each lot, calculated in accordance with the following requirements:

Use, Building or Structure	Off-Street Parking Spaces Required
<i>Single Family Dwelling</i>	2 spaces for use of principal <i>dwelling unit</i>
<i>Duplex Dwelling</i>	<del>3 spaces for use of both <i>dwelling units</i></del> <b>1 space per dwelling unit</b>
<i>Multiple Family Residential (including Affordable Housing)</i>	1.5 spaces per <i>dwelling unit</i> , Plus 1 Visitor Parking Space per 5 <i>dwelling units</i>
<i>Staff Housing</i>	1 space per staff housing unit
<i>Residential above Commercial</i>	1 space per <i>dwelling unit</i>
<i>Accessory Residential Dwelling Unit</i>	1 space per <i>dwelling unit</i>
<i>Secondary Suite</i>	1 space per suite
<b><i>Single-Family Dwelling plus Secondary Suite and/or Accessory Residential Dwelling Unit</i></b>	<b>1 space per <i>dwelling unit</i></b>
<i>Home Occupation</i>	1 space per non-resident
<i>Bed &amp; Breakfast</i>	1 space per <i>bedroom</i> or guest room for B&B use
<i>Vacation Rental</i>	1 space per unit
<i>Guest House</i>	1 space per guest room

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## R-6 Zone - INFILL SINGLE-FAMILY RESIDENTIAL

### R-6.1 Permitted Uses

R-6.1.1 The following uses are permitted, but secondary permitted uses are only permitted in conjunction with a principal permitted use:

(1) Principal:

(a) Single Family Dwelling

(2) Secondary:

~~(a) Home Occupation~~

~~(b) The following additional secondary permitted uses are only permitted on lots of 480m<sup>2</sup> area or greater:~~

~~(i) Secondary Suite; or,~~

~~(ii) Accessory Residential Dwelling Unit~~

**(a) either a Secondary Suite or an Accessory Residential Dwelling Unit**

**(b) Home Occupation**





## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

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

**FILE NO:** 3360-20-RZ24-06 / 6630-27

**SUBJECT:** ZONING AMENDMENTS – B&B REGULATIONS AND NEW R1-H ZONE

**REPORT NO:** 24-44

**ATTACHMENT(S):** APPENDIX A - DRAFT BYLAW NO. 1344  
APPENDIX B – DRAFT BYLAW NO. 1345

### RECOMMENDATION:

Staff seek direction on where Council would like to go with the options for the zoning amendments in draft Bylaws No. 1344 and 1345. The table provided at the end of this report includes options for Council to consider.

### BACKGROUND:

In 2022, Council considered various options to amend the Ucluelet zoning regulations that apply to Bed and Breakfast (B&B) accessory uses in single-family residential areas. Initially, this included exploring a B&B overlay to distinguish those properties permitted to operate a B&B as a secondary use from other single-family residential properties. Following much community discussion, Council at the time provided direction to staff to draft bylaw amendments that would forgo a B&B overlay but instead distinguish between the “traditional B&B” use (as a room or rooms within a home rented out to a vacationing guest and utilizing the main entrance to the home with a high interaction level between the guest and the owner) and a “Guest Suite” (as a vacation rental suite with a private entrance and requiring limited interaction between the owner and guest).

At its [August 2, 2022](#), meeting Council confirmed the following goals:

- Preserve traditional B&B use in residential areas and consider ways to slow or contain “Guest Suite” type uses in residential areas.
- Establish a balance between residential and tourist commercial accommodation in residential zones to prioritize residential uses and maintain the “Low-ish Growth Scenario”.
- Stop or slow the loss of existing long-term rental suites.
- Add ADUs as a permitted secondary use in residential zones.
- Limit the impact of B&Bs and/or accessory residential units on the public streetscape and the supply of public on-street parking.
- Provide a method of notifying neighbours when a business licence is being issued for commercial tourist accommodation in residential areas.

Council discussed and provided direction on a number of specific actions to the above goals. Changes were adopted to both the *Business Regulation and Licensing* bylaw and *Zoning* bylaw. The [Ucluelet Zoning Amendment Bylaw No. 1310, 2022](#), adopted September 6th of that year, contained a number of amendments including:

1. Added new definitions to clarify what constitutes a “principal residence”.
2. Updated the definition of *accessory residential dwelling unit* (ADU).
3. Replaced the regulations for *B&B* uses with a new section containing the following changes:
  - a. Clarify that the bed and breakfast must be located in the *principal residence* of the B&B operator.
  - b. Clarify a maximum of 3 bedrooms and maximum 2 guest per room.
  - c. Limit the area devoted to the *B&B* use to a maximum of 35% of the home.
  - d. Remove the ability for *B&B* rooms to have a kitchenette.
  - e. Require that a *B&B* use must not displace a *secondary suite*.
4. Allowed that an ADU may be built in the front, rear or side yards of a property containing a single family dwelling.
5. Allowed that an ADU may coexist on a property with a *secondary suite* or a B&B.
6. Allowed that a *secondary suite* may coexist on a property with an ADU or a B&B.
7. Added a maximum width for new driveways connecting to the public road right-of-way, to maintain the potential for areas of uninterrupted public boulevard and on-street parking.

Specific to the desire to limit new B&B’s to the “traditional B&B” model, Bylaw No. 1310 inserted the following regulations in section 404.1 of the zoning bylaw:

- “(7) *Consistent with a traditional bed and breakfast use a bed and breakfast use must include a minimum service of a continental breakfast.*
- (8) *A bed and breakfast use must be accessed from the main entry of the home in which it operates, and cannot operate remotely utilizing coded entry locks and/or key lock boxes.*
- (9) *Any exterior door to rooms used for bed and breakfast uses must not be utilized as the principal entrance and exit to the bed and breakfast use.*
- (10) *A bed and breakfast use is an integral part of the home and must not have a separated or locked-off common area.”*

In the fall of 2023, the Province adopted Bill 35 - 2023 [Short-Term Rental Accommodations Act](#) (the “*STRA Act*”). The stated goals of the *STRA Act* are “to strengthen tools to support local government enforcement of short-term rental bylaws, return short-term rentals to the long-term housing market, and establish a provincial role in the regulation of short-term rentals”. With the enactment of the *STRA Act*, the Province removed legally non-conforming protection specifically for *short term rental* uses effective May 1<sup>st</sup>, 2024. At its [April 16, 2024](#), meeting Council received a report addressing these changes and identifying that half of the currently licenced B&B operations in Ucluelet were legally non-conforming with respect to section 404.1 of the zoning bylaw – particularly subsections (8) and (9). At the April 16<sup>th</sup> meeting, Council addressed the immediate conflict created by this non-conformity by resolving:

*“THAT Council direct staff to renew those existing Bed and Breakfast business licences that are legally non-conforming to section 404 of the zoning bylaw as of April 30, 2024, for a period of one year, notwithstanding section 2(2) of Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003.”*

Business licence renewals have therefore proceeded, otherwise as normal.

At its April 16<sup>th</sup> meeting Council also resolved as follows:

“THAT Council direct Staff to present zoning amendment bylaws intended to:

- remove amendments to the Zoning Bylaw established by *Zoning Amendment Bylaw 1310*;
- create a version of the R1 Zone with no accessory B&B use to apply to future development.”

### **Draft Bylaw Amendments:**

#### Section 404 B&B regulations:

A draft of *District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024*, is attached to this report (see **Appendix “A”**). This amendment bylaw would remove four sections of the B&B regulations currently found in the zoning bylaw that result in the majority of non-conformities in existing B&B operations. Specifically, three of the subsections (404.1(8), (9) and (10)) require that B&B rooms be accessed through the host’s main entrance – as in a “traditional” B&B. These parts of the regulations, along with subsection 404.1(7) (a.k.a. “the muffin clause”) – would be removed by adopting Bylaw No. 1344.

The overarching intent of adopting these regulations in 2022 was to slow down the proliferation of “guest suites” attached to single-family homes in residential areas (either as part of new construction or through the conversion of secondary suites).

There is an unresolved question of the total sustainable amount of tourist accommodation growth in Ucluelet, and its impact on the balance of secure housing opportunities accessible to locals. In alignment with the strategic priorities of Council, that broader question will be the focus of further work and community discussion this year.

#### New R-1H Zone:

According to the second part of the April 16<sup>th</sup> Council motion, a draft of *District of Ucluelet Zoning*

Prior to the adoption of Bylaw No. 1310, section 404.2(c) of the zoning bylaw clarified that B&B’s, “must not be combined with or located, in whole or in part, in a *duplex, multiple family residential building, mixed commercial/ residential, mixed industrial/residential, accessory residential dwelling unit, or in a secondary suite or a single family dwelling that has a secondary suite.*” Bylaw No. 1310 changed the requirements so that section 404.2(4) of the zoning bylaw now requires that B&B’s, “must not be located in an *accessory residential dwelling unit, in a secondary suite or in the area of a single family dwelling* which was formerly a *secondary suite.*” The changes adopted with Bylaw No. 1310 enable a B&B to coexist with a secondary suite, so that a homeowner does not have to choose one over the other, and also provides some protection for existing long-term rental units. The last part of the regulation – precluding a B&B use in an area formerly used as a secondary suite - has been key for stopping the conversion of secondary suites into short-term rental B&B guest suites. Bylaw No. 1344 as drafted would not change this regulation in section 404.2.

*Amendment Bylaw No. 1345, 2024*, is also attached to this report (see **Appendix “B”**). This amendment bylaw would add a new single-family residential zone, patterned on the existing R-1 zone but with no *Bed and Breakfast* accessory use. Bylaw No. 1345 would not apply this new zoning designation to any properties at this time; if adopted the new R-1H zone would be “on the books” for potential designation of lands that were subject to development proposals and rezoning applications in the future.

The draft Bylaw No. 1345 in Appendix B includes a number of sections that are highlighted in yellow: these sections differ from the existing R-1 zoning regulations to align with the recommended provisions that the Province has published for local governments to comply with the site standards for Small-Scale Multi-Unit Housing.

The highlighted provisions of the draft Bylaw No. 1345, and the corresponding regulations in the current R-1 zone, are as follows:

	current R-1 Zone	draft R-1H zone
max. height - main house	8.5m (28ft) or 2-1//2 storeys	11m (36ft) or 3 storeys
max. height – accessory dwelling	3.75m (12ft) to 6.5m (21ft) (depending on roof slope and location).	8m (26ft) or 2 storeys
min. front setback – principal	7.5m (25ft)	6m (20ft)
min. front setback – accessory	7.5m (25ft)	6m (20ft)
side yard setback - accessory dwelling	1.5m (5ft)	1.2m (4ft)

A separate report will be presented to Council on changes to align the municipal bylaws with the recent changes made by the Province to the *Local Government Act*; Council could move forward with the amendments in Bylaw No. 1345 at this time, or determine the best timing for this piece of the zoning puzzle within the broader context of regulatory changes to help address the housing challenges in the community.

**ANALYSIS OF OPTIONS:**

<b>A</b>	Proceed with Bylaw No. 1344.	<b>Pros</b>	<ul style="list-style-type: none"> <li>• Would align the zoning regulations with the direction provided by Council on April 16<sup>th</sup>.</li> <li>• Would remove non-conformity for many existing B&amp;B operations.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>• On its own, adopting Bylaw No. 1344 may accelerate the construction of purpose-built B&amp;B units and result in a growing number of short-term rentals rather than additional housing units in residential areas.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>• Because the sole purpose of the bylaw is not for permitting a housing development, the prohibition in section 464(3) of the <i>Local Government Act</i></li> </ul>

		<p>would not apply; Council therefore must either hold a public hearing or by resolution waive the holding of a public hearing.</p> <ul style="list-style-type: none"> <li>Should Council give first readings to the bylaw, Staff would give the required notice for a public hearing at a date to be determined.</li> </ul>	
	<b>Suggested Motion</b>	<ul style="list-style-type: none"> <li><b>1. THAT</b> Council give first reading to <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>;</li> <li><b>2. THAT</b> Council give second reading to <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>;</li> <li><b>3. THAT</b> Council refer <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>, to a public hearing.</li> </ul>	
<b>B</b>	Amend the draft Bylaw No. 1344 before proceeding.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Would ensure the bylaw amendments match Council’s expectations.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Unknown at this time.</li> </ul>
		<b>Suggested Motion</b>	<ol style="list-style-type: none"> <li><b>1. THAT</b> Council directs staff to amend the draft <i>District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024</i>, to: <i>[specify desired changes]</i></li> </ol>
<b>C</b>	Not proceed with Bylaw No. 1344 at this time.	<b>Pros</b>	<ul style="list-style-type: none"> <li>May allow for bylaw amendments to align with other upcoming zoning changes.</li> <li>May continue to slow the growth of B&amp;B short-term rentals, until such time as Ucluelet adopts a mechanism for balancing the number of tourist beds with the need for more housing to serve residents.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Would not remove the non-conformity for many existing B&amp;B operations; other bylaw amendments would be necessary to achieve that objective.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Further work to address the priorities of Council.</li> </ul>
		<b>Suggested Motion</b>	No motion is required.
<b>D</b>	Proceed with Bylaw No. 1345.	<b>Pros</b>	<ul style="list-style-type: none"> <li>Would create a new R-1H zone that includes single-family residential and accessory residential uses with no accessory short-term rentals.</li> </ul>
		<b>Cons</b>	<ul style="list-style-type: none"> <li>Further community conversations on housing may result in other amendments that would see the R-1H zone amended in the near future; the question is one of best timing.</li> </ul>
		<b>Implications</b>	<ul style="list-style-type: none"> <li>Staff would give the required notice that Council will be considering first reading and potential adoption of the bylaw at a future meeting.</li> <li>Because the bylaw creates a zone that is solely for the purpose of developing housing, Council should not hold a public hearing on the bylaw.</li> </ul>
		<b>Suggested Motion</b>	<b>THAT</b> Council directs staff to give notice of first reading of <i>Ucluelet Zoning Amendment Bylaw No. 1345, 2024</i> .

Respectfully submitted: **Bruce Greig, Director of Community Planning**  
**Duane Lawrence, CAO**



**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1344, 2024**

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

(Amendments to the regulation of *Bed and Breakfast* uses).

---

**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 Amendment:**

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

- A. by deleting subsection 404.1(7);
- B. by deleting subsection 404.1(8);
- C. by deleting subsection 404.1(9); and,
- D. by deleting subsection 404.1(10).

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024”.

**READ A FIRST TIME** this    day of    , 2024.

**READ A SECOND TIME** this    day of    , 2024.

**PUBLIC HEARING** held this    day of    , 2024.

**READ A THIRD TIME** this    day of    , 2024.

**ADOPTED** this    day of    , 2024.

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024.”

\_\_\_\_\_  
Marilyn McEwen  
Mayor

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

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

\_\_\_\_\_  
Duane Lawrence  
Corporate Officer

**DISTRICT OF UCLUELET****Zoning Amendment Bylaw No. 1345, 2024**

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.  
(Amendments to create a new R-1H Single-Family Residential Housing zone).

---

**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 Amendment:**

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended by adding a new Residential zone, to Schedule B – The Zones that directly follows R-1 Zone – Single Family Residential such that the new section reads as follows:

**“R-1H Zone - SINGLE FAMILY RESIDENTIAL HOUSING**

*This Zone is intended for traditional low-density single-family residential development, with accessory residential uses and no short-term vacation rentals.*

**R-1H.1 Permitted Uses**

R-1H.1.1 The following uses are permitted, but *secondary permitted uses* are only permitted in conjunction with a *principal permitted use*:

- (1) Principal:
  - (a) *Single Family Dwelling*
- (2) Secondary:
  - (a) *Secondary Suite*
  - (b) *Accessory Residential Dwelling Unit*
  - (c) *Home Occupation*

**R-1H.2 Lot Regulations**

R-1H.2.1 Minimum Lot Size: 650 m<sup>2</sup> (7,000 ft<sup>2</sup>)

R-1H.2.2 Minimum Lot Frontage: 18 m (60 ft)

R-1H.2.3 Minimum Lot Width: N/A

R-1H.2.4 Minimum Lot Depth: N/A

**R-1H.3 Density:**

R-1H.3.1 Maximum Density: 1 single family dwelling per lot

R-1H.3.2 Maximum Floor Area Ratio: 0.35

(d) Notwithstanding the Density Regulations in Section 304.2, on lots within the R-1H zone, up to 56m<sup>2</sup> (600 ft<sup>2</sup>) of building area designated and used solely for the parking or temporary storage of private vehicles may be excluded from the *gross floor area* used in the calculation of *floor area ratio*.

R-1H.3.3 Maximum Lot Coverage: 35%

**R-1H.4 Maximum Size (Gross Floor Area):**

R-1H.4.1 Principal Building: N/A

R-1H.4.2 Accessory Buildings: 60 m<sup>2</sup> (645 ft<sup>2</sup>) combined total

**R-1H.5 Maximum Height:**

R-1H.5.1 Principal Buildings & Structures: 11 m (36 ft) or 3 storeys

R-1H.5.2 Accessory Residential Dwelling: 8.0m (26 ft) or 2 storeys

R-1H.5.3 Accessory Buildings & Structures: 5.5 m (18 ft)

**R-1H.6 Minimum Setbacks:**

R-1.6.1 The following minimum setbacks apply, as measured from the *front lot line, rear lot line and side lot lines(s)*, respectively:

	(a) Front Yard Setback	(b) Rear Yard Setback	(c) Side Yard – Interior Setback	(d) Side Yard – Exterior Setback
(1) Principal	6 m (20 ft)	6 m (20 ft)	1.5 m (5 ft)	5 m (16.5 ft)
(2) ADU	6 m (20 ft)	1.5m (5 ft)	1.2m (4 ft)	5 m (16.5 ft)
(3) Accessory	6 m (20 ft)	1.5 m (5 ft)	1.5 m (5 ft)	5 m (16.5 ft)

R-1.6.2 In addition, the *side yards* combined must not be less than 20% of the *lot width*."

**2. Citation:**

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1345, 2024”.

**FIRST NOTIFICATION OF FIRST READING published this day of , 2024.**

**SECOND NOTIFICATION OF FIRST READING published this day of , 2024.**

**READ A FIRST TIME this day of , 2024.**

**READ A SECOND TIME this day of , 2024.**

**READ A THIRD TIME this day of , 2024.**

**ADOPTED this day of , 2024.**

**CERTIFIED A TRUE AND CORRECT COPY** of “District of Ucluelet Zoning Amendment Bylaw No. 1345, 2024.”

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Marilyn McEwen  
Mayor

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Duane Lawrence  
Corporate Officer

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

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Duane Lawrence  
Corporate Officer





## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MADELEINE HAYNES, PLANNING ASSISTANT

FILE No: 4320-20-2024

SUBJECT: MOBILE VENDING APPLICATION – SUB49 FOOD TRUCK & CATERING

REPORT NO: 24-46

ATTACHMENT(S): APPENDIX A – BUSINESS LICENSE APPLICATION  
APPENDIX B – DEVELOPMENT PERMIT 22-08

### RECOMMENDATION:

THAT Council approve the issuance of a mobile vending business license for the “Sub49 Food Truck & Catering” food truck located at 1708 Peninsula Road, Lot 1, Plan VIP5190, Clayoquot District.

### PURPOSE:

To provide Council with information on a proposed mobile vending business license for a food truck located at 1708 Peninsula Road, Lot 1, Plan VIP5190, Clayoquot District (the “subject property”).



Figure 1 – Subject property

**BACKGROUND**

An application was received April 15<sup>th</sup>, 2024, for change of ownership of a mobile vending truck located at the subject property, also known as the Army, Navy and Air Force (ANAF) property (see **Appendix A**).

The mobile vending truck currently operates under the business name “Cheesus”. Upon approval of the business license, the applicant intends to take ownership and rebrand under the business name “Sub49 Food Truck & Catering”.

**DISCUSSION:**

According to Section 6.1 of *Ucluelet’s Business Regulation and Licensing Bylaw No. 922*, a business license is considered a personal license specific to the licensee and is non-transferable during a change of ownership. This bylaw also stipulates that all licenses for mobile vendors must receive approval from Council prior to issuance.

In October 2022, Council granted approval for a development permit (**Appendix B**) that allows up to three licensed mobile vending units to operate on the ANAF property. This existing development permit allows the applicant to seek Council approval for their license without the additional requirements related to landscaping and form and character elements already addressed within the development permit. The application does not involve any proposed changes to the conditions of the development permit, and the food truck would continue to operate as previously approved.

**ANALYSIS OF OPTIONS:**

<b>A</b>	Authorize issuance of Business License for “Sub49 Food Truck & Catering”	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>• Maintain the number of available food options within the village core</li> <li>• Continue to provide revenue for the DP holder</li> <li>• Consistent with the existing DP</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>• None identified at this time</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>• Approval will allow the application to proceed</li> <li>• Staff time will be required to process the business license application</li> </ul>
<b>B</b>	Reject application	<b><u>Pros</u></b>	<ul style="list-style-type: none"> <li>• None identified at this time</li> </ul>
		<b><u>Cons</u></b>	<ul style="list-style-type: none"> <li>• Loss of available food options within the village core</li> <li>• Mobile vending space underutilized as per the existing DP</li> </ul>
		<b><u>Implications</u></b>	<ul style="list-style-type: none"> <li>• The business application would not proceed</li> </ul>
		<b><u>Suggested Motion</u></b>	<ul style="list-style-type: none"> <li>• <b>THAT</b> Council reject the business license application for “Sub49 Food Truck &amp; Catering”.</li> </ul>

**POLICY OR LEGISLATIVE IMPACTS:**

This application is consistent with the *Business Regulation and Licensing Bylaw No. 922* and the conditions of the existing *Development Permit (DP22-08)*.

**NEXT STEPS:**

If this application is approved the mobile vending license will be issued to the applicant.

Respectfully submitted:      Madeleine Haynes, Planning Assistant  
Bruce Greig, Director of Community Planning  
Duane Lawrence, CAO





District of Ucluelet  
200 Main Street, Ucluelet, BC  
V0R 3A0, P.O. Box 999  
Phone 250-726-7744

# Business Licence Application

Businesses operating in the District of Ucluelet are required to have a valid business licence. Completion of this form does not guarantee approval of a business licence, nor should business be commenced prior to a licence being issued. Please fill out both pages of the application and submit with your \$25 application fee to District of Ucluelet.

35.

## Type of Application

- New Licence
- Change of Owner

All other changes to business, please use the "Change In Business Application" Form – available at ucluelet.ca

## Applicant & Property Owner Information

### APPLICANT

Name: Damien lee kenyon  
 Address: [REDACTED]  
 Postal Code: [REDACTED]  
 Email: [REDACTED]  
 Phone: [REDACTED]

### PROPERTY OWNER

Name: Army @ Army Airforce veterans unit 293  
 Address: 1708 Peninsula Rd, ucluelet  
 Postal Code: [REDACTED]  
 Email: [REDACTED]  
 Phone: [REDACTED]

Business Name: cheesus (looking to re-brand as "Sub49 Food Truck + catering"  
 Business Location Address: 1708 Peninsula Rd, ucluelet, V0R 3A0  
 Business Mailing Address: [REDACTED]  
 Business Email Address: [REDACTED] Business Phone: [REDACTED]  
 Business Website Address: \_\_\_\_\_

**Notice of Personal Information Collection:** The personal information on this form is being collected for the purpose of processing your application in accordance with section 26(c) of the Freedom of Information and Protection of Privacy Act. For more information about how this information will be used, please contact the Manager of Corporate Services at 250-726-7744.

**Notice of Disclosure to Applicant(s):** Your name, business name and contact information will be available to the public and may be posted on the District of Ucluelet website to allow interested parties to contact you about this application.

The undersigned owner(s) make an application as specified herein, and declares that the information submitted in support of the application is true and correct in all respects.

Applicant's Signature: [REDACTED] Date: 11 April 2024  
 Property Owner's Signature OR [REDACTED] Date: 11 April 2024

Property Owner's Authorization Letter attached to application.

For Office Use Only					
Folio No.:	Zoning:	Business Class/Nature of Business:			Number of Units:
Department	Check/Site Inspection Required?	Approved	Date	Initial	Finance Section
Planning	Yes No	Yes No			Utility Bill Change?  Yes No Comments:
Building	Yes No	Yes No			
Fire	Yes No	Yes No			
Bylaw	Yes No	Yes No			
Other: _____	Yes No	Yes No			

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

District of Ucluelet Approval: \_\_\_\_\_ Business Licence No: \_\_\_\_\_

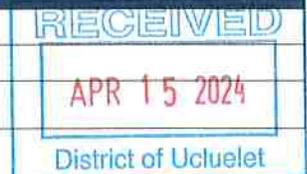
Business Information	
Type of business	Catering or food/Beverage prep.
Brief description of business (Staff will use to verify type of business listed above)	custom sandwiches/coffee + catering.
Uses currently contained on the property:	As above: NO changes.
To the best of your knowledge is the property subject to a Development Permit?	Yes.
Will there be any discharge into the District sewers other than domestic sewage? i.e. mash from breweries, commercial kitchen etc Please describe.	mutual agreement with ucluelet campground for semi dump use.

ACCOMODATION PROVIDERS, INCLUDING BED & BREAKFASTS (B&B) FILL OUT THIS SECTION		
Indicate the number of sleeping units		
Indicate number of off-street parking spots provided		
Bed & Breakfast – Provide site plan that clearly shows parking for residence and B&B	Yes, I have provided	Not Applicable
Bed & Breakfast – Provide a to-scale floor plan that shows the residence and the B&B rooms (max of 3 rooms)	Yes, I have provided	Not Applicable
Bed & Breakfast - Acknowledgement and Agreement to Bylaw No. 1160, 2013	I have read and understood Section 404 of Bylaw No. 1160, 2013 and agree to abide, by the terms set therein.	Not Applicable
Bed & Breakfast – Is the applicant the permanent and present resident living at the location of the Bed & Breakfast?	No, I have provided the permanent and present resident's contact information below: Name: Phone:                      Email:	Yes, I am the permanent and present resident

RESTAURANTS, CAFES AND LICENCED ESTABLISHMENTS FILL OUT THIS SECTION		
Number of seats available	0	
Number of off-street parking spots provided	10	
Are you a licenced establishment? If "Yes" provide copy of Liquor Licence	Yes, I will provide a copy of liquor licence	Not Applicable N/A
VIHA Health Certificate	Yes I will provide a copy of the health certificate <i>Awaiting VIHA is currently licenced/application for overchange</i>	

FOR MARINE BASED BUSINESSES, INCLUDING KAYAKS (attach separate page if the space below is insufficient)	
Number of vessels and total capacity	
Names, licence or registration numbers of the vehicles, boats, and aircraft described above	
The passenger capacity of each vehicle, boat, and aircraft described above	
All locations where passengers disembark or embark from each vehicle, boat or aircraft described above	
All locations where each vehicle, boat, aircraft described above are stored, moored or parked when not in operations	
Proof of \$2,000,000 liability, wreck removal and sudden and accidental pollution coverage	Yes, I have supplied proof of insurance

FOR RETAIL BUSINESSES	
Square footage of business	
Number of off street parking spots	
Staff washroom facilities available on site	Yes, staff washrooms are available on site.





11 April 2024

To Whom it May concern:

Please see enclosed Business licence application for Change of ownership.

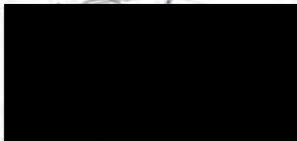
Damien L Kenyon: Trading as SUB49 FOOD TRUCK & CATERING is working along side Zane Nilson / Ashlin Ramsey in a transitional take over of the "Cheesus" food truck at 1708 Peninsula Road, V0R 3A0, with the intention to take over full ownership in the coming months upon approval of business licence and change of owner with VIHA.

The only current anticipated changes to the business being a rebrand with a name change from "Cheesus" to "SUB49" Food truck & catering, all other aspects to remain the same.

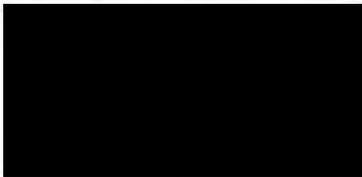
A Mutual agreement is in place with "Ucluelet Campground" for daily disposal of Grey waste using their onsite Sani dump facility, previously approved grease trap and waste management system in place will not be changed.

If you have any further questions, please do not hesitate to contact me at your earliest convenience

Regards



Damien Kenyon







## DEVELOPMENT PERMIT DP22-08

Pursuant to section 488 of the Local Government Act, R.S.B.C 2015 C.1 as amended:

1. This Development Permit is issued to:

THE ARMY, NAVY & VETERANS IN CANADA UNIT 293  
1708 PENINSULA ROAD, UCLUELET, BC, CA, V0R 3A0

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

Lot: 1, Plan: VIP5190, Clayoquot District (1708 Peninsula Road).

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

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

- a. Three Food Trailer spaces;
- b. Servicing of the above units;
- c. Parking improvements including space delineations and wheel stops;
- d. Addition of a screened portable toilet and handwashing station;
- e. Landscaping and buffering planters.

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

5. The applicant shall ensure any mobile vending operators operating on their property adhere to the Mobile Food Premises Guidelines attached to this Permit as **Schedule B**, and forming part of this Permit.

6. The applicant shall, within six months of the date of issuance, complete the landscaping as shown in **Schedule A**, including screening the portable toilet from view of the public road, and landscaping along the parking to screen from the public road – plans to be reviewed and approved by the Director of Planning;

7. This permit is issued on the condition that the permit holder shall, within five years from the date of issuance, replace the portable toilet(s) with permanent public washroom facilities and comprehensive, permanent landscaping improvements – plans to be reviewed and approved by the Director of Planning.

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

- a. in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013.
- b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
- c. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.



- 9. This Permit is NOT a Building Permit.
- 10. Schedules "A" and "B" attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

AUTHORIZING RESOLUTION passed by the Municipal Council on the 6<sup>th</sup> day of October, 2022.

ISSUED the 6<sup>th</sup> day of October, 2022.

OWNER  
by its authorized signatory

A handwritten signature in cursive script, appearing to read "B. J. Kelleher", written over a horizontal line.

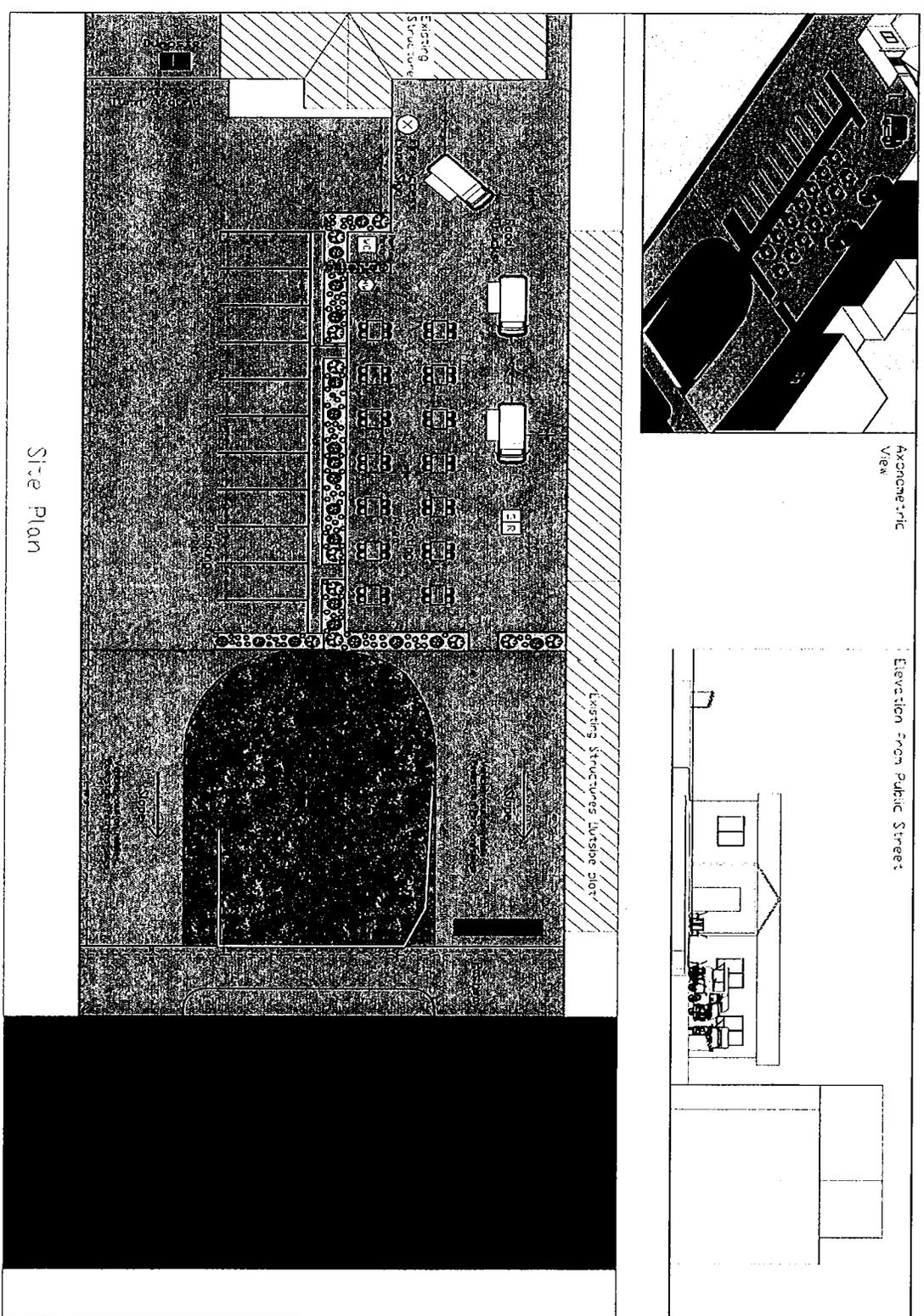
Permittee's Signature

A handwritten signature in cursive script, appearing to read "Bruce Greig", written over a horizontal line.

Bruce Greig - Director of Community Planning



SCHEDULE A





SCHEDULE B



**Mobile Food Premises Guidelines DoU 2022**

**Purpose**

Concerning the utilities of mobile food premises: To provide direction to operators for the design, construction and operation of mobile food premises.

As outlined in the *BC Food Premises Regulation*, "a person must not construct or make alterations to food premises (including mobile units) unless plans and specifications for the construction or alteration have been approved by a health officer."

The onsite management of electricity, fresh water, disposal of greywater, black water and solids waste material must be design, installed, maintained in accordance with the District of Ucluelet's Water and Sanitary Sewer Bylaws and approved by the Engineering and Public Works Department prior to implementation.

**Utilities Guidelines for Mobile Food Premises in the District of Ucluelet**

**Gas, Propane and Electrical**

1. Gas, propane and electrical connections must be certified or reviewed by the BC Safety Authority or other appropriate agency.

**Greywater Disposal**

1. There must be a drain in the tank suitably located to allow for easy draining into a sanitary sewer or other approved wastewater collection point.
2. Installation of a standard grease trap is required on a mobile food premises
3. The wastewater holding tank must be enclosed and be 25% larger than the capacity of the potable water tank.
4. Wastewater shall be disposed into an approved location.
5. When mobile food premises units are connected directly to an approved water system, instead of potable water holding tanks, the unit must also be connected directly to a sanitary sewer or have other means of preventing backup or overflow of wastewater.



#### **Fresh Water Connections**

1. Appropriate back flow prevention shall be in place whenever the mobile is connected to a potable water supply.

#### **Blackwater Disposal**

1. There must be a drain in the tank suitably located to allow for easy draining into a sanitary sewer or other approved wastewater collection point.
2. The operator may implement a 'pump and haul' routine and should demonstrate an awareness in their application of available resources, potential schedule and associated costs.

#### **Solids Waste Disposal**

1. Every mobile food premises unit must have adequately sized bear safe garbage containers.
2. Garbage must be managed properly by keeping it in suitable containers and removing it often to prevent foul odours and conditions that attract insects or other pests. Wherever possible, the containers should be covered.
3. All waste must be disposed of in an approved manner.
4. Garbage containers are to be cleaned and sanitized on a regular basis.





## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** ABBY FORTUNE, DIRECTOR OF COMMUNITY SERVICES

**FILE NO:** 2380-20

**SUBJECT:** NOTICE OF LAND DISPOSITION LEASE AGREEMENT - CEDAR & SALT

**REPORT NO:** 24-41

**ATTACHMENT(S):** N/A

### RECOMMENDATION:

**THAT** Council authorize staff to issue a public Notice of Property Disposition for a portion of the lands having the PID 030104009 and legal description Block B, District Lot 1517, Clayoquot Land District, & DL 1507 and more commonly referred to as Amphitrite House, café section, by way of lease to Salt & Cedar, for an initial term of 2 years with an annual fee of \$24,000 plus \$1,200 gst for a total of \$25,200 , with an option to renew annually for an additional three years.

**THAT**, upon completion of the notice of disposition process, Council authorize the Director of Community Services to execute a two-year lease with option to renew annually for an additional three years, with Cedar & Salt, for the purpose of providing café services and oversight of the Amphitrite House building during regular business hours.

### BACKGROUND:

On March 27, 2024, a Request For Proposals (RFP) was issued seeking proposals for operation and facility oversight at the newly rebuilt Amphitrite House to be open early Summer 2024. The District was looking for proposals that best met the objectives of this RFP. Specifically, the District was looking for proponents to provide a dedicated retail, food service or other visitor orientated opportunity in addition to general oversight services of the venue during their proposed operational hours, support the maintenance of the washroom and general washroom facilities, and open and close the venue when required. Proposals were to address the following:

- **Operations**, detailed description of the type of services to be provided within the lease area.
- **Facility Oversight**, proposal must include a description of the facility oversight commitment proposed including opening and closing of the facility, washroom facility checks, clearing of any refuse within the venue, including the deck space, any oversight of guest usage within the venue.
- **Proposed operational hours**, the District was only considering proposals for year-round operations at this time.

- **Waste management**, the District will consider proposals limiting the amount of waste created through the proposed operations as an added value proposal.
- **Noise management**, proposals should demonstrate how their operations will support or have limited impact to the regular programming within the public portion of the facility when used for activities, programs, and events.
- **Lease**, proposals must include a proposed monthly or annual lease rate.

#### ANALYSIS OF OPTIONS:

Two groups submitted proposals, Wild Pacific Trail Society and Cedar & Salt.

#### WILD PACIFIC TRAIL SOCIETY:

Although keen to propose a collaboration with another proponent, the Wild Pacific Trail Society did not meet the minimum requirement of being able to operate and provide oversight year-round; proposal was May 1 – October 31 up to 5 days per week. The Society is interested in the programming space as opposed to the “leased” space. In their proposal, another proponent would operate the leased space. Suggested lease rate was \$7,000/annually. Waste management and noise management were not addressed.

As previously noted, the Recreation Department will work with non-profit organizations to ensure access is available for programming during the regular hours of operation.

#### CEDAR & SALT:

Cedar & Salt addressed all components of the RFP and were able to meet the minimum requirement of year-round operation. Their vision is to create a warm and inviting space where customers can enjoy delicious food and beverages in a cosy atmosphere overlooking the stunning landscape of the coast. Cedar & Salt has extensive experience in providing these types of meal operations.

The menu will be carefully curated to cater to a diverse range of tastes and dietary preferences. All food will be prepared offsite (At Cedar & Salt) and will be transported each day following FOODSAFE guidelines.

It will include:

- Specialty coffee and espresso-based drinks made with locally roasted beans in partnership with a Vancouver Island coffee company.
- Freshly baked pastries, muffins, and cookies.
- Light lunch fare including sandwiches and soups.
- A selection of teas, hot chocolates, and refreshing beverages.

The food will be primarily prepared “to go” with some high-top indoor bar seating (approximately 6 – 8 tables) situated by the view windows indoor for those wet or windy days.

The following matters were addressed in Cedar & Salt’s RFP.

Noise Management:

Cedar & Salt operations will be conducted in a manner that minimizes disruption to the regular programming within the public portion of the facility. Cedar & Salt are committed to limiting noise for those enjoying the peaceful environment of the Wild Pacific Trail, on site programming and will work closely with the District to address any noise concerns promptly.

Waste Management:

Cedar & Salt identified reducing waste as a priority. Here are several strategies that they will implement to minimize waste:

- Source Reduction
- Composting and Recycling
- Reusable and Eco-Friendly Alternatives

Facility Oversight:

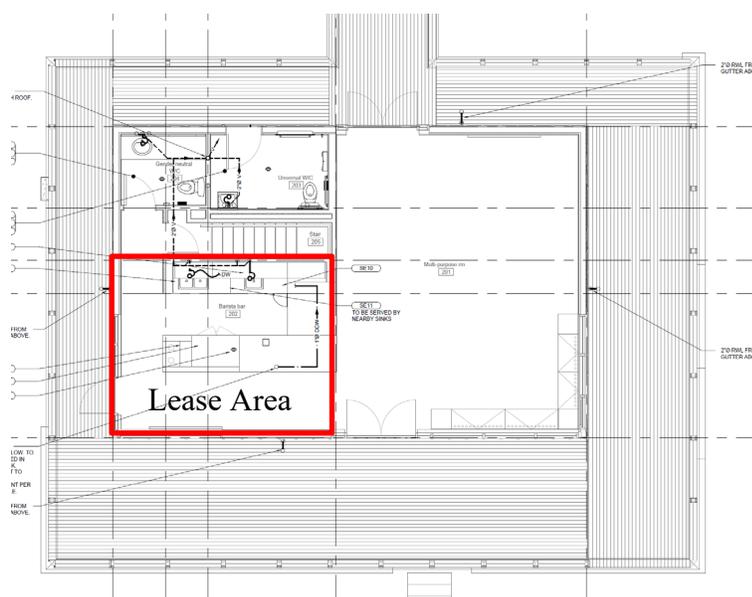
Cedar & Salt are committed to maintaining the highest standards of facility oversight. This includes regular opening and closing procedures of the café and washroom, frequent washroom facility checks for supplies and cleanliness, prompt clearing of any refuse within the venue and deck space, and oversight of guest usage to ensure a safe and enjoyable environment for all patrons.

Proposed Operational Hours:

Year-round operations to cater to the needs of the community and tourists visiting Ucluelet. Proposed operational hours are 9am to 6pm (June- September) and 9am to 4pm (October – May).

Lease:

Cedar & Salt proposed a flat rate lease of \$2,000/month plus gst for the first two years before renegotiation.



After reviewing the two proponents, Cedar & Salt is able to meet the requirements of the RFP and has addressed the various components of the RFP. Therefore, if Council wishes to lease Cedar & Salt a portion of the Amphitrite House, a Notice of Proposed Property Disposition is required pursuant to Section 26 of the Community Charter before a lease can be issued.

A	Provide Public Notice of disposition and execute lease agreement for Cedar & Salt	<u>Pros</u>	<ul style="list-style-type: none"> <li>The project would move forward with oversight and a café.</li> <li>Other organizations can utilize the space through the Recreation Department.</li> <li>Legislative requirements are met for a two-year lease.</li> <li>Lessee will provide direct, year-round, oversight of the facility during their operational hours saving the district operation expenditures.</li> <li>Washrooms will be overseen by lessee during busiest parts of the day.</li> <li>Facility will be maintained as an open venue for visitors and non-profit organization activities.</li> <li>Programing will still be available in the mornings and evenings through the Recreation Department.</li> <li>New job(s) created in the community.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>The leased space is locked-in for two years.</li> <li>The leased space cannot be utilized for other District uses.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>A Notice of Disposition would be posted.</li> <li>A lease would be finalized.</li> <li>The District receives \$24,000 annually which will offset most if not all operational expenditures of the facility.</li> <li>Lease agreement saves approximately 2900 hours (~\$70,00) of staff time if the municipality provided direct oversight of the facility.</li> </ul>
B	Do not go forward with the Lease for the current proponent suggested.	<u>Pros</u>	<ul style="list-style-type: none"> <li>The District could explore other businesses or options through issuing a new RFP.</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>The use of the facility would not be available or very limited until a lessee is found.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>Staff would reissue the RFP</li> <li>If District were to operate the facility an estimated \$100,000 would need to be include in the budget for operations and staffing.</li> </ul>
		<u>Suggested Motions</u>	THAT Council direct staff to reissue the RFP for Amphitrite House Facility.

**POLICY OR LEGISLATIVE IMPACTS:**

Pursuant to Section 26 of the Community Charter notice is required to be given in accordance with section 94 of the *Community Charter*, that the District of Ucluelet intends to lease a portion of the District of Ucluelet's Amphitrite house for a term of two years for the purpose of providing cafe services.







## REPORT TO COUNCIL

Council Meeting: May 14, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

**FROM:** JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES

**FILE NO:** 8800-20

**SUBJECT:** UCLUELET ECONOMIC DEVELOPMENT CORPORATION

**REPORT NO:** 24-42

**ATTACHMENT(S):** APPENDIX A – SHAREHOLDER’S RESOLUTION  
 APPENDIX B – JOINT RESOLUTION  
 APPENDIX C – 2023 ANNUAL REPORT  
 APPENDIX D – DIRECTOR CHANGE FORM

### RECOMMENDATION(S):

**THAT** Council approve, and authorize the Mayor and Corporate Officer to execute, the following resolutions:

1. “Shareholder’s Resolution of Ucluelet Economic Development Corporation”, attached as Appendix A to Report No. 24-42; and
2. “Joint Resolutions of all of the Directors and all of the Voting and Non-Voting Shareholders of Ucluelet Economic Development Corporation”, attached as Appendix B to Report No. 24-42.

**THAT** the Directors of the Ucluelet Economic Development Corporation approve “Joint Resolutions of all of the Directors and all of the Voting and Non-Voting Shareholders of Ucluelet Economic Development Corporation”, attached as Appendix B to Report No. 24-42.

**THAT** the Directors of the Ucluelet Economic Development Corporation authorize Staff to update and file the following forms:

1. “2023 Annual Report”, attached to Report No. 24-42 as Appendix C; and
2. “Director Change” form, attached to Report No. 24-42 as Appendix D.

**THAT** Council direct Staff to present the documents required to dissolve the Ucluelet Economic Development Corporation for Council consideration at a future meeting.

### BACKGROUND:

The Ucluelet Economic Development Corporation (UEDC) was established in 2000 as a District-owned corporation to be used as a vehicle for economic development. The District is the sole UEDC shareholder. As an external corporation, it was viewed as a vehicle to enter partnerships

and joint ventures aimed at diversifying the economy after downturns in fishing and forestry in the 1990s.

In general, the expenses related to supporting economic development were modest over the last twenty plus years. Recent budget allocations have been made only to maintain the UEDC as a legal corporation. The average annual budgets for the corporation since 2000 have ranged from \$0-\$50,000. The 2024 District budget does not allocate any funds to the UEDC.

From 2019 to date, the UEDC has been inactive. The UEDC currently holds less than \$5,000 in an account with CIBC. Staff are not aware of any other assets or any outstanding UEDC liabilities.

The UEDC is not currently in good standing under the Business Corporations Act as its 2023 Annual Report is outstanding. Also, the UEDC's Board of Directors should be updated as previous Council members are still on this inactive corporation's board. The recommended resolution would update the Board's membership, so the Board is made up of Mayor and Council. This aligns with UEDC Board past practices.

Since the UEDC has been inactive and has no current purpose, Staff are recommending that Council direct Staff to present the documents and resolutions required to dissolve the company at a future meeting. Dissolution would be considered by Council and the Board at this meeting. If Council decides it requires a separate entity to conduct specific activities or ventures, Council could consider establishing a corporation for that purpose. Alternatively, the UEDC could be maintained for potential future use.

#### ANALYSIS OF OPTIONS:

<b>A</b>	Update members, bring UEDC into good standing, and direct Staff to bring forward documents required for dissolution	<u>Pros</u>	<ul style="list-style-type: none"> <li>UEDC's Board would be updated to reflect current Council membership</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>If Council decided to dissolve the UEDC at a future meeting, it would not be available for future use.</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>UEDC would be brought into good standing and the Board would reflect current Council membership</li> <li>Some fees are associated with the required filings</li> <li>Some additional Staff time to present the dissolution documents for Council to consider at a future meeting</li> <li>After dissolution the UEDC would cease to exist</li> </ul>
<b>B</b>	Update members and bring UEDC into good standing	<u>Pros</u>	<ul style="list-style-type: none"> <li>UEDC's Board would be updated to reflect current Council membership</li> <li>UEDC could be used in the future</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Ongoing legal fees would be required for annual filings and resolutions</li> <li>The UEDC is inactive and does not currently serve any particular purpose</li> <li>Staff and Council time would be required for annual filing, meetings and associated accounting work</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>UEDC's Board would be updated to reflect current Council membership</li> <li>UEDC would be brought into good standing</li> <li>No additional staff time would be immediately required</li> </ul>

		<ul style="list-style-type: none"> <li>Legal fees would be limited to annual report filing requirements and annual resolutions</li> </ul>	
	<u>Suggested Motion</u>	<p><b>THAT</b> Council approve, and authorize the Mayor and Corporate Officer to execute, the following resolutions:</p> <ol style="list-style-type: none"> <li>“Shareholder’s Resolution of Ucluelet Economic Development Corporation”, attached as Appendix A to Report No. 24-42; and</li> <li>“Joint Resolutions of all of the Directors and all of the Voting and Non-Voting Shareholders of Ucluelet Economic Development Corporation”, attached as Appendix B to Report No. 24-42.</li> </ol> <p><b>THAT</b> the Directors of the Ucluelet Economic Development Corporation approve “Joint Resolutions of all of the Directors and all of the Voting and Non-Voting Shareholders of Ucluelet Economic Development Corporation”, attached to Report No. 24-42 as Appendix B.</p> <p><b>THAT</b> the Directors of the Ucluelet Economic Development Corporation authorize Staff to update and file the following forms:</p> <ol style="list-style-type: none"> <li>“2023 Annual Report”, attached to Report No. 24-42 as Appendix C; and</li> <li>“Director Change” form, attached to Report No. 24-42 as Appendix D.</li> </ol>	
C	Take no Action at this time	<u>Pros</u>	<ul style="list-style-type: none"> <li>No further legal fees would be required</li> <li>No further Staff time would be required</li> </ul>
		<u>Cons</u>	<ul style="list-style-type: none"> <li>Former Council Members would continue to be listed as UEDC Directors</li> </ul>
		<u>Implications</u>	<ul style="list-style-type: none"> <li>UEDC would not be in a good standing</li> <li>If sufficient time passes without the filing of Annual Reports, the Corporate Registrar will dissolve the UEDC. This could cause tax complications.</li> </ul>
		<u>Suggested Motion</u>	No motion is required.

**POLICY OR LEGISLATIVE IMPACTS:**

The recommendation would bring the UEDC into good standing under the Business Corporations Act and update the Board of Directors enrolment to align with Council. The recommendation would also direct Staff to lay the groundwork for dissolving the UEDC.

**NEXT STEPS:**

- File Annual Report and Change of Directors Forms
- Review the UEDC’s finances in preparation for dissolution
- Present the dissolution documents to Council for consideration at a future meeting

Respectfully submitted:      **Joseph Rotenberg, Manager of Corporate Services**  
**Duane Lawerence, CAO**



**SHAREHOLDER'S RESOLUTIONS**  
**OF**  
**UCLUELET ECONOMIC DEVELOPMENT CORPORATION**  
**(the "Company")**

**WHEREAS:**

A. The directors of the Company are the council members for the District of Ucluelet (the "**District**").

B. When the following directors ceased to be council members for the District, they were inadvertently left as directors of the Company and not removed:

Mayco Noel  
Rachelle Cole  
Lara Kempes

C. It is in best interests of the Company to rectify this error and remove the directors listed Recital B.

D. The following persons have consented in writing to act as directors of the Company:

Shawn Anderson  
Ian Kennington  
Mark Maftei

**RESOLVED, AS A SPECIAL RESOLUTION, THAT:**

1. The following persons be removed as directors of the Company effective immediately:

Mayco Noel  
Rachelle Cole  
Lara Kempes

**RESOLVED, AS AN ORDINARY RESOLUTION, THAT:**

2. The number of directors of the Company be determined at 5.

3. The following persons, having consented to act, be appointed as directors of the Company to hold office until the next annual reference date or until such persons cease to hold office if sooner:

Shawn Anderson  
Ian Kennington  
Mark Maftei

4. These Resolutions may be executed in counter-parts and such signed counter-parts may be communicated electronically or by facsimile transmission, in which case such signed counter-parts and electronic or facsimile copies thereof shall together constitute one and the same document.

Effective date: May \_\_\_\_\_, 2024.

**DISTRICT OF UCLUELET**

**Per:**

\_\_\_\_\_

\_\_\_\_\_  
**Authorized Signatories**

**JOINT RESOLUTIONS OF ALL OF THE DIRECTORS  
AND ALL OF THE VOTING AND NON-VOTING SHAREHOLDERS OF  
UCLUELET ECONOMIC DEVELOPMENT CORPORATION  
(the “Company”)**

**WHEREAS:**

The Company’s record book has not been kept current and it is in the best interests of the Company to have all of the directors and shareholders (both voting and non-voting) confirm in writing the status of the Company.

**RESOLVED THAT:**

The undersigned hereby confirms and approves all transactions and acts since incorporation.

**SHARE CERTIFICATES**

Each share certificate issued by the Company representing shares in the Company will be in a form that complies with the *Business Corporations Act* (British Columbia) and be signed by any one of the officers or directors of the Company whose signature thereon shall constitute adoption by the Company of such form of certificate with respect to the shares represented thereby.

**CURRENT SHARE STRUCTURE**

The authorized capital of the Company consists of 10,000 Common shares without par value.

The issued and outstanding shares are held as follows:

<b><u>Registered Holder</u></b>	<b><u>Number and Class of Shares</u></b>
District of Ucluelet	1 Common

**SHARE CERTIFICATES:**

The following Share Certificates previously issued are hereby confirmed:

<b><u>Name of Shareholder</u></b>	<b><u>Number and Class of shares</u></b>	<b><u>Cert. No.</u></b>
District of Ucluelet	1 Common	2

**OFFICERS**

There are no officers appointed to the Company.

**FINANCIAL YEAR END**

The financial year end of the Company is December 31.

**QUORUM**

The quorum for meetings of directors be fixed at a majority of the Board.

**DIRECTORS**

The following persons are hereby confirmed to be the directors of the Company as at the date hereof:

Marilyn McEwen  
Jennifer Hoar  
Shawn Anderson  
Ian Kennington  
Mark Maftei

**APPOINTMENT OF AUDITOR**

The appointment of an auditor has been waived each year since incorporation.

The appointment of an auditor for the Company for the ensuing fiscal year has been waived as provided in section 203 (2) of the *Business Corporations Act*.

**SIGNING AUTHORITY****(1) General**

- (i) That all documents required to be executed on behalf of the Company be signed by any director, or as determined by separate resolution of the directors from time to time.

**(2) Seal**

- (ii) That the corporate seal of the Company, if any, be properly affixed when so affixed in the presence of any director, or as determined by separate resolution of the directors from time to time.

**SEAL**

The Company does not have a common seal as of the date hereof.

**COUNTERPARTS**

These Resolutions may be executed in counter-parts and such signed counter-parts may be communicated electronically or by facsimile transmission, in which case such signed counter-parts and electronic or facsimile copies thereof shall together constitute one and the same document.

Effective date: May \_\_\_\_\_, 2024.

\_\_\_\_\_  
**MARILYN MCEWEN**

\_\_\_\_\_  
**JENNIFER HOAR**

\_\_\_\_\_  
**SHAWN ANDERSON**

\_\_\_\_\_  
**IAN KENNINGTON**

\_\_\_\_\_  
**MARK MAFTEI**

**DISTRICT OF UCLUELET**  
**Per:**

\_\_\_\_\_

\_\_\_\_\_  
**Authorized Signatories**





ANNUAL REPORT

BUSINESS CORPORATIONS ACT, section 51

Telephone: 1 877 526-1526 www.bcreg.ca

Mailing Address: PO Box 9431 Stn Prov Govt Victoria BC V8W 9V3

Courier Address: 200 - 940 Blanshard Street Victoria BC V8W 3E6

DO NOT MAIL THIS FORM to BC Registry Services unless you are instructed to do so by registry staff. The Regulation under the Business Corporations Act requires the electronic version of this form to be filed on the Internet at www.corporateonline.gov.bc.ca

Filing Fee for paper filing: \$43.39

If you are instructed by registry staff to mail this form to the Corporate Registry, submit this form with a cheque or money order made payable to the Minister of Finance, or provide the registry with authorization to debit the fee from your BC OnLine Deposit Account. Please pay in Canadian dollars or in the equivalent amount of US funds.

Freedom of Information and Protection of Privacy Act (FOIPPA): Personal information provided on this form is collected, used and disclosed under the authority of the FOIPPA and the Business Corporations Act for the purposes of assessment. Questions regarding the collection, use and disclosure of personal information can be directed to the Manager of Registries Operations at 1 877 526-1526, PO Box 9431 Stn Prov Govt, Victoria BC V8W 9V3

A INCORPORATION NUMBER OF COMPANY

BC0609897

B NAME OF COMPANY

Ucluelet Economic Development Corporation

C DATE OF RECOGNITION

YYYY/MM/DD

2000/06/29

D DATE OF ANNUAL REPORT

YYYY/MM/DD

2023/06/29

E PERSONS WHO HAVE BEEN APPOINTED AS OFFICERS

OFFICER NAME(S) AND ADDRESS(ES) - Enter the full name, delivery address, mailing address (if different) and office held of each of the company's officers, if any. The officer may select to provide either (a) the delivery address and, if different, the mailing address for the office at which the individual can usually be served with records between 9 a.m. and 4 p.m. on business days or (b) the delivery address and, if different, the mailing address of the individual's residence. The delivery address must not be a post office box. Attach an additional sheet if more space is required.

Note: Listing officer appointments on the annual report is optional. If you choose to include officer information, you cannot file any change to this information until you file the annual report for next year.

Form for officer information including fields for First Name, Middle Name, Last Name, Delivery Address, Mailing Address, City, Prov/State, Country, and Postal Code/Zip Code.

Form for officer information including fields for First Name, Middle Name, Last Name, Delivery Address, Mailing Address, City, Prov/State, Country, and Postal Code/Zip Code.

F COMPANY CHANGES

A company must file with the registrar a notice of any change to the information shown in the Corporate Register. Please visit our website at www.bcreg.ca or phone 1 877 526-1526 for information on how to file these notices.

G CERTIFIED CORRECT - I have read this form and found it to be correct.

Note: It is an offence to make a false or misleading statement in respect of a material fact in a record submitted to the Corporate Registry for filing. See section 427 of the Business Corporations Act.

NAME OF APPLICANT

SIGNATURE OF APPLICANT

DATE SIGNED YYYY / MM / DD

X





**DIRECTOR CHANGE**

*Business Corporations Act, section 127*

Telephone: 1 877 526-1526  
www.bcreg.ca

Mailing Address: PO Box 9431 Stn Prov Govt  
Victoria BC V8W 9V3

Courier Address: 200 – 940 Blanshard Street  
Victoria BC V8W 3E6

**DO NOT MAIL THIS FORM** to BC Registry Services unless you are instructed to do so by registry staff. The Regulation under the *Business Corporations Act* requires the electronic version of this form to be filed on the Internet at [www.corporateonline.gov.bc.ca](http://www.corporateonline.gov.bc.ca).

**Filing Fee for paper filing: \$20.00**

If you are instructed by registry staff to mail this form to the Corporate Registry, submit this form with a cheque or money order made payable to the Minister of Finance, or provide the registry with authorization to debit the fee from your BC OnLine Deposit Account. Please pay in Canadian dollars or in the equivalent amount of US funds.

**Freedom of Information and Protection of Privacy Act (FOIPPA):** Personal information provided on this form is collected, used and disclosed under the authority of the FOIPPA and the *Business Corporations Act* for the purposes of assessment. Questions regarding the collection, use and disclosure of personal information can be directed to the Manager of Registries Operations at 1 877 526-1526, PO Box 9431 Stn Prov Govt, Victoria BC V8W 9V3

**A INCORPORATION NUMBER OF COMPANY**

BC0609897

**B NAME OF COMPANY**

Ucluelet Economic Development Corporation

**C DATE OF CHANGE DIRECTORS**

YYYY/MM/DD

2024/05/\_\_\_\_

**D FULL NAMES OF NEW DIRECTORS**

**E FULL NAMES OF PERSONS WHO HAVE CEASED TO BE DIRECTORS**

**F DIRECTOR NAME(S) AND ADDRESS(ES)** – Enter the full name, delivery address and mailing address (if different) of ALL of the company’s directors as at the date of change noted in Box C. The director may select to provide either (a) the delivery address and, if different, the mailing address for the office at which the individual can usually be served with records between 9 a.m. and 4 p.m. on business days or (b) the delivery address and, if different, the mailing address of the individual’s residence. The delivery address must not be a post office box. Attach an additional sheet if more space is required. A Community Contribution Company must have at least three directors.

FIRST NAME	MIDDLE NAME	LAST NAME			
Jennifer		Hoar			
DELIVERY ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	
[REDACTED]					
MAILING ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	
[REDACTED]					

FIRST NAME	MIDDLE NAME	LAST NAME			
Shawn		Anderson			
DELIVERY ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	
MAILING ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	

FIRST NAME	MIDDLE NAME	LAST NAME			
Ian		Kennington			
DELIVERY ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	
MAILING ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	

FIRST NAME	MIDDLE NAME	LAST NAME			
Mark		Maftei			
DELIVERY ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	
MAILING ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	

FIRST NAME	MIDDLE NAME	LAST NAME			
DELIVERY ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	
MAILING ADDRESS	CITY	PROV/STATE	COUNTRY	POSTAL CODE/ZIP CODE	

**G CERTIFICATION** - I certify that I have relevant knowledge of the company, and that I am authorized to make this filing.

NAME	SIGNATURE	DATE SIGNED (YYYY MM DD)
Marilyn McEwen	X	



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

April 29, 2024

Dear Mayor and Council,

**Re: Tennis courts**

I am writing on behalf of the Pacific Rim School District to keep you informed of efforts to secure funding for the reinstatement of a tennis court on the Ucluelet Secondary School (USS) grounds.

While we recognize the significance of providing our students with access to quality athletic resources that contribute to their overall growth and development, it is important to clarify that funding allocated to the School District is intended to support student achievement and educational initiatives. Funding is not provided for community interest groups or sports clubs. That said, we remain committed to enhancing the athletic opportunities available to our students wherever possible.

In June 2023, we forwarded an application for funding to the Ministry of Education and Child Care that included design plans, an opinion of probable costs and expressions of support from community members, however the application was not approved.

In September 2023, the Board of Education met to discuss next steps and directed school district staff to continue to explore alternative avenues to secure the necessary funding, with the belief that a collaborative approach with potential community partners may be a viable solution. In January 2024 school district staff met with representatives of the Ucluelet Racquet Sports Club, the District of Ucluelet, and the Pacific Rim Rotary Club to discuss the initiative.

At this time, our contribution is limited to staffing resources and commitment of the land. If you are interested in pursuing a partnership regarding the use of this land for a tennis court, please contact me to arrange a meeting with Senior Staff to discuss the matter further.

Should we not receive any interest from the municipality, the land will be returned to the school district's inventory for consideration in any future projects that may arise.

Sincerely,

Paula Mason | Manager of Corporate Services | School District 70 Pacific Rim  
Direct 250.720.2770 | Office 250.723.3565  
4690 Roger Street, Port Alberni, BC V9Y 3Z4 | [www.sd70.bc.ca](http://www.sd70.bc.ca)





Hello Mayor and Council,

We hope this letter finds your team well. As you may know, Surfrider Pacific Rim's mission is the protection and enjoyment of the ocean, beaches and waves, for all people, through a powerful volunteer activist network. For the last 19 years in Canada, we have made significant strides to create cleaner waterways, address the sources of plastic pollution, restore local and remote shorelines from litter and marine debris, as well as support the shift to a circular economy for all plastic materials and products. In Tofino and Ucluelet, we have a track record of success with addressing the plastics crisis, including working collaboratively with the District of Tofino and District of Ucluelet to ban single-use plastic bags, straws, cutlery, polystyrene containers - and hopefully soon, plastic bottles. For numerous of these items, our Pacific Rim communities have become the first jurisdictions in Canada to ban these items, which has enabled us to leverage regulatory change at the provincial and national levels.

Now - we come to you with a new, and hopefully easier campaign! The current littering bylaws have been in place in the District of Ucluelet since 2004 and the District of Tofino since 2009. While there has been an increase in public waste management receptacles, installation of cigarette butt recycling canisters, and beach clean signage, we continue to collect litter in Ucluelet and Tofino during our monthly cleanups. This trend also increases in the summer months with higher tourist traffic. Of course, litter can be made up of a variety of materials from items we use and consume, including glass, metal, paper, and plastic. Some of these materials will eventually break down in the environment (paper) or will act inert (glass), however, not capturing these items in the recycling stream is a loss of value and results in extra emissions through the manufacturing of virgin replacement materials. The most common form of litter we collect across the Pacific Rim is plastic, and as we know, this material does not break down in the terrestrial or marine environment, it persists as a toxic material that can both leach and absorb toxic chemicals. There are 16,000 chemicals used in plastics, and among these, there are 4200 chemicals of concern that are not regulated.<sup>1</sup> So, plastics negatively impact the health of ecosystems and wildlife, as well as exacerbate the climate crisis.

Litter materials tend to be found in high-traffic public areas with a lack of disposal access and/or any perceived consequences for littering. Although Surfrider Pacific Rim's "Hold on to Your Butt" program (cigarette butt collection) is one example of a successful implementation strategy addressing the disposal issue using designated cigarette butt collection canisters strategically located in both Tofino and Ucluelet, cigarette butts are still one of the most common items found when we collect litter on our monthly cleans. To date, we have collected over 1.7 million cigarette butts between both towns since the program's inception in 2018 and yet we still see cigarette butts on the ground in both towns.

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1



Based on years of doing public cleanups and working to implement upstream solutions, specifically for plastic waste, we understand that a holistic set of measures is required to continue addressing litter. This is why we're launching the "Get Trashed" campaign to support the amendment of the littering bylaws in Ucluelet and Tofino, including increasing the current littering fees in both towns to a minimum of \$300. Ideally, both Districts can work together to establish harmonized littering fees with the same or similar language, so that communications are consistent across the Pacific Rim. Residents and visitors are spending more time in both towns. Greater synchronicity, as we have seen with the Single-Use Plastic Regulation bylaws, will lead to greater efficacy in regard to our desired result to continue to decrease litter.

Currently, both the District of Tofino and District of Ucluelet littering fees are also much lower compared to other BC municipalities. The littering fine in Ucluelet is \$50 for the 1st offence and \$100 for the second offence. The District of Tofino littering fee is a flat rate of \$100. Based on inflation alone, these fees should at least be \$137.89.<sup>2</sup> However, we can also scan nearby jurisdictions to observe much higher littering fees. Vancouver's bylaw No.2849's littering fines range from \$250 - 10,000.<sup>3</sup> The City of Victoria's littering fee ranges from \$385 - \$769 for an infraction by an individual, or \$1923 - \$3846 for a business or corporation.<sup>4</sup> In Port Alberni, littering fines range from \$200 to \$500.<sup>5</sup>

Amending the littering bylaws to increase the fees will prove to be another line of defence in stopping littering in both towns, as individuals and businesses are more likely to follow litter laws when there are more serious legal or financial consequences associated with the bylaw.<sup>6</sup> As part of this campaign, we would love to support the installation of 1 new industrial bear-proof waste/recycling receptacle in each town. We're applying for funding to help with these costs, and hope to secure some capital by the end of the second quarter. As we've seen, with the presence of waste bins, we find less litter, and there are current "gaps" in high-traffic areas in both towns where receptacles can be placed. Additionally, we would love to support the installation of littering signage in both towns - if people are aware of a higher fee and the adverse impacts, they will be less likely to litter.<sup>7</sup> We can help with the design of the signage if desired, though these designs may follow a more stricter protocol since they are communicating a bylaw. Finally, as part of this campaign under our Rise Above Plastics

<sup>2</sup> <https://www.bankofcanada.ca/rates/related/inflation-calculator/>

<sup>3</sup> <https://vancouver.ca/green-vancouver/cigarette-litter-reduction.aspx>

<sup>4</sup> [https://www.epa.vic.gov.au/report-pollution/report-litter-from-vehicles#:~:text=Fines%20for%20littering%20\(l%20less%20than,cigarette%20or%20other%20dangerous%20litter.](https://www.epa.vic.gov.au/report-pollution/report-litter-from-vehicles#:~:text=Fines%20for%20littering%20(l%20less%20than,cigarette%20or%20other%20dangerous%20litter.)

<sup>5</sup> <https://www.portalberni.ca/tickets-and-fines-litter-and-illegal-dumping>

<sup>6</sup> [https://divertns.ca/sites/default/files/researchreportsfiles/2022-03/Report\\_DivertNS\\_LitterBehaviourResearch\\_March2022.pdf](https://divertns.ca/sites/default/files/researchreportsfiles/2022-03/Report_DivertNS_LitterBehaviourResearch_March2022.pdf)

<sup>7</sup> <https://csusm-dspace.calstate.edu/bitstream/handle/10211.3/199446/Schultz201335.pdf;jsessionid=A2E5413A40F35DACBD06B84B186A99F.server1?sequence=1>



Program, we will create educational materials to bring awareness to environmental stewardship and end littering on the West Coast! We're also launching an anti-littering video contest for West Coast residents to take part in, getting folks to get creative in their pursuit to end littering!

Like the rest of our initiatives, we hope to work collaboratively with the Districts, and once again demonstrate environmental leadership for the rest of the province and country to look to. With our efforts, we continue to be solutions focused, positive, and inclusive - and work to make our initiatives fun and accessible for the business community, residents, and visitors to be a part of. We hope that you can direct staff to work on this initiative with us. We're dedicated to putting resources towards this initiative to make this initiative an easier lift for the districts, including:

- If we can acquire funding, purchasing waste receptacles;
- Public education and engagement;
- Educational materials to roll out across the coast (and this could play into existing District communications like "[Show Your Love for the West Coast](#)");
- Traditional and digital communications/media;
- Monthly beach cleans, where we can share campaign information;
- If desired, signage design;
- If desired, research for amending the litter bylaws and new suggested language;
- If desired, work with both District staff to amend the bylaws.

We hope you can add this initiative to the next public agenda to discuss!

As always, thank you for your consideration and collaboration with our volunteer team. We're motivated to continue making waves of change together, and creating an example of environmental stewardship that the rest of the world can experience and glean inspiration from.

Sincerely,

Surfrider Foundation Canada Pacific Rim Executive Committee:

Robin Jackson: Co-Chair

Eliza Worrada: Co-Chair

Calley Wasser: Vice Chair

Susan Jackson: Treasurer

Genevieve Kang: Volunteer Coordinator

Mel Coutts: Beach Clean Co-Lead

Mackenzie Laing: Media Lead

Emily Macedo: Youth Environmental Stewardship Lead





**MONTHLY  
Mayor's / Chief's / President's  
POLICING REPORT  
April, 2024  
Ucluelet Detachment  
"E" Division  
British Columbia**



Royal Canadian Mounted Police  
Gendarmerie royale du Canada

1

Canada

Calls for Service: 124

**Annual Performance Plan (A.P.P.'S) Community Priorities**

- (1) Crime Reduction
  - a) Speed Enforcement / Awareness
  
- (2) Build and Maintain Relations with the Community
  - a) Community Involvement
  - b) Reconciliation
  
- (3) Vulnerable Persons
  - a) Community Referrals

**High Risk Charges**

Domestic Violence Charges: 0

Sexual Assault Charges: 0

**Crime Reduction**

**Road Safety**

Check stops: 2

Impaired Driving: 2 files

Traffic Tickets: 2

Written Warning: 2

**Build and Maintain Relations with the Community**

**Community Involvement**

- Members attended and played pickle ball in the community
- Members joined a local soft ball team
- Members attended the West Coast Community resources meetings

## Reconciliation

- Cst. HARRY continues to dedicate a considerable amount of his personal time by participating in the following:
  - a) Took out elders, visited with elders locally and outside of Ucluelet, had tea and meals with elders
  - b) Attended youth basketball practice.
  - c) Attended Macoah for Hike to high ground and emergency preparedness, discussed the auxiliary program to interested members and participated emergency extraction exercises by helicopter.
  - d) Attended the Hitacu elders meeting regarding a cultural burial at Wya point. Ceremonial procedures discussed
  - e) Had tea with Chief Mack in Mocoah
  - f) Attended the Hitacu Daycare to further plan for the upcoming bike rodeo with barbeque but the Rodeo was unfortunately postponed.
  - g) Sgt. JONES and Cst. HARRY had meetings with president and executives at YFN and participated in meetings with the IPS management to update the province.
  
- Detachment members have continued to do proactive visits to the communities to open positive interactions with community members.

## Vulnerable Persons

### Community Referrals

1 for the month of April

## Other Police Services

### Criminal Record Checks

Criminal record / Vulnerable Sector checks: 25

<b>OCCURRENCES</b>	<b>Current Month</b>	<b>Year to Date</b>	<b>Current Month of previous year</b>	<b>Previous Year Total</b>
Assaults (Not including sexual assaults)	7	12	3	50
Sexual Offences	0	4	4	13
Break and Enters (Residence & Business)	1	2	4	18
Theft of Motor Vehicle	1	5	1	6
Theft Under \$ 5000.00	5	17	2	22
Theft Over \$ 5000.00	0	2	1	8
Drugs ( Possession )	2	3	0	3
Drugs ( Trafficking )	0	1	0	3
Causing a Disturbance	1	15	1	45
Liquor Act	8	14	3	34
Mischief - damage to property	4	16	2	24
Mischief - obstruct enjoyment	3	9	2	31
Impaired Driving	2	6	6	44
IRP / 24 hr suspension	7	8	4	16
Utter threats	4	8	1	13
Bylaw	3	9	2	52
Mental Health	3	22	1	57
<b>Total Calls for service</b>	124	398	100	1199

<b>JUSTICE REPORTS</b>	<b>Current Month</b>	<b>Year to Date</b>	<b>Current Month of previous year</b>	<b>Previous Year Total</b>
Victim Services Referral - Accepted	3	6	0	17
Victim Services Referral - Declined	3	6	0	17
Victim Services - Proactive Referral	0	0	0	1
Restorative Justice Referrals	0	1	0	0
<b>Prisoners Held</b>	1	9	0	38
<b>Prisoners escorted</b>	0	0	0	11
<b>Liquor Destroyed Immediately</b>	0	3	0	8

Should you have any questions or concerns regarding this report, please feel free to contact me to discuss.

Prepared by: Sgt. Marc JONES

Telephone: 250 726-7773

Email: marc.jones@rcmp-grc.gc.ca

Extended Distribution List:

District Advisory NCO



**From:** [Marianne Alto \(Mayor\)](#)  
**To:** [Laura Parent](#)  
**Subject:** Save The Date: 2024 Community Safety and Wellbeing Conference  
**Date:** May 6, 2024 11:36:33 AM

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**[External]**

Colleagues,

I want to take a moment to invite you to the 2024 Community Safety and Wellbeing conference, which I am pleased to be hosting on Lekwungen territory, in Victoria. The conference will run from Monday, Oct. 28 to Wednesday, Oct. 30. On Sunday, Oct. 27, pre-conference programming will include study tours and an optional dinner. I'd be honoured for you or members of your team to attend, and encourage you to direct this notice to staff or officials who may be interested.

My team is finalizing the conference registration and program, and we will update you when it comes available, expected later this month. Early bird registration will be open until mid-August.

It's my goal to ensure that this conference challenges our ideas and understanding of community safety and wellbeing, and how it practically manifests in communities. The conference days will be filled with thought provoking panels, insightful keynote speakers, experiential and networking opportunities, and much more.

Please do let me know if you have any questions, or want to share anything you would like to see at the conference. My staff team can be contacted at [lparent@victoria.ca](mailto:lparent@victoria.ca). I look forward to our productive, collective learning. Take care.

***Marianne***

*Marianne Alto*

*Mayor, City of Victoria, Lək̓ʷəŋən Territories*

*Pronouns: she, her/s, they*