

STAFF REPORT TO COMMITTEE-OF-THE-WHOLE

Committee Meeting: August 10, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

FILE NO: 3360-20-RZ19-02

SUBJECT: LOT 16 MARINE DRIVE – COMMITTEE-OF-THE-WHOLE

REPORT NO: 21-113

ATTACHMENT(S): APPENDIX A – STAFF REPORT TO COUNCIL JULY 17, 2021
APPENDIX B – STAFF REPORT TO COUNCIL MARCH 23, 2021

RECOMMENDATION:

1. **THAT** the Committee-of-the-Whole provide an opportunity for public input on the proposed Lot 16 housing development and rezoning Bylaw No. 1284, 2021;

and:

2. **THAT** the Committee-of-the-Whole consider making recommendations to Council on any changes it wishes to see in the proposed development plan, conditions of final approval or bylaw;

or:

3. **THAT** the Committee-of-the-Whole consider forwarding *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*, to a public hearing as is.

PURPOSE:

The purpose of this report is to provide a suggested structure for the Committee-of-the-Whole (CoW) meeting, including an opportunity for public questions and input.

BACKGROUND:

At its July 17, 2021, regular meeting, Council referred the staff report attached as **Appendix A** to a CoW meeting to be held August 10, 2021. This meeting provides an opportunity for further discussion of the Lot 16 housing development and *District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021*.

Previously, at its June 15th meeting, Council also passed the following:

“THAT Council:

- a. direct Staff to prepare a report providing the information, analysis, and recommendations on how those items will be addressed, with input from the applicant as necessary;*
- b. hold a Committee of the Whole meeting to provide an opportunity for the Applicant and Staff to address the report;*
- c. provide an opportunity for further public input at the Committee of the Whole meeting;*
- d. at that point consider whether Council deems it necessary to make changes to the bylaw or conditions of final approval, prior to considering referral of the bylaw to another public hearing; and,*
- e. direct Staff to publish notice of the Special Committee of the Whole meeting as widely as possible.”*

At the March 23, 2021, meeting Council passed a resolution indicating that final adoption of a rezoning bylaw for the proposed development would be subject to the following:

“THAT Council Indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:

- a. construction and development of the rental apartment building on proposed Lot ‘A’ (the “Apartment site”) be in the first phase of the development;*
- b. dedication of a 10m wide park greenbelt along the eastern (Victoria Road side) boundary of the property, as proposed;*
- c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;*
- d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;*
- e. extension of the proposed new road to connect to Victoria Road in the general location as shown in Figure 7 of the staff report;*
- f. vehicle access to the proposed Lot ‘B’ (“Townhouse site”) be from the new internal road only;*
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;*

- h. the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval;*
- i. registration of the Housing Agreement on the title of proposed Lot A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion; and*
- j. despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans."*

Notice of the CoW meeting has been completed in much the same manner as is done for a public hearing: print ads in the Westerly News, signs posted on the public road near the entrances to the property, mailout and hand delivery to owners and occupants of neighbouring properties within 100m, posted at the Co-op community notice board, and sent out via UkeeMail and District social media.

The District dedicated <https://ucluelet.ca/community/district-of-ucluelet-council/lot-16-housing-development> to providing information about this meeting and the proposal. Background information including the Bylaw, Staff Reports, Minutes, the Applicant's presentation, and community feedback are available on this website.

DISCUSSION AND PROCESS:

The content of the staff report in Appendix A is a starting point for discussion with the community and among Committee (i.e., Council) members themselves. A recommended sequence of proceedings in the CoW meeting are as follows:

- A. Intro: Staff are prepared to provide an overview of the proposed Lot 16 development and bylaws (see also **Appendix "B"**), and the contents of the July 17th staff report. If there are questions from the Committee members at that point staff will provide any clarification as necessary;
- B. Public input: the Chair of the CoW can provide an opportunity for the public to direct comments and questions to the CoW. If there are questions that Committee members would like to direct to staff or the applicant, those can be directed at this point through the Chair;
- C. Committee discussion: when the CoW deems that adequate opportunity has been provided for community members to provide their input, the discussion should return to the Committee table. This is an appropriate time to discuss what has been heard to date, through written and verbal submission at the public hearing and

during this CoW meeting. An appropriate approach would be for Committee members to narrow in on a direction for the following:

- a. whether the CoW deems that there are any further questions which need to be addressed prior to making a decision on the rezoning bylaw for the proposed development of Lot 16; and,
- b. whether there is support for the proposal as it has been presented, or if the Committee would recommend changes to any of the following:
 - i. aspects of the proposed development;
 - ii. conditions of final approval; or,
 - iii. the contents of Zoning Amendment Bylaw No. 1284, 2021,

D. Recommendations to Council: subject to the outcome of the discussion of the above points, the Committee-of-the-Whole should then formulate motions to provide recommendation to Council on any changes desired to move toward sending the application and rezoning bylaw to another public hearing.

NEXT STEPS:

Recommendation from the CoW on whether changes are desired to the development, Bylaw No. 1284 or conditions of final approval would be placed on the agenda of the upcoming Council meeting August 17, 2021. At that point Council could have a further discussion and make resolutions to direct staff on next steps.

If the bylaw, with or without changes, is referred to a public hearing on August 17th, notice could be given for a hearing to be held as early as September 7th, 2021.

Alternatively, the Committee-of-the-Whole could provide other direction to Staff and/or the Applicant.

Respectfully submitted: Bruce Greig, Director of Community Planning



STAFF REPORT TO COUNCIL

Council Meeting: July 13, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

FILE NO: 3360-20-RZ19-02

SUBJECT: LOT 16 MARINE DRIVE

REPORT NO: 21- 109

ATTACHMENT(S): APPENDIX A – NORED DEVELOPMENTS DATED JULY 7, 2021

APPENDIX B - OFF-SITE SERVICING MEMORANDA AND COSTS ESTIMATES BY KOERS & ASSOCIATES ENGINEERING

APPENDIX C – ESTIMATE OF DCC CHARGES FOR LOT 16

RECOMMENDATION:

1. **THAT** Council refer this report to a special Committee-of-the-Whole meeting to be held August 10th, 2021.

PURPOSE:

The purpose of this report is to provide additional information in response to questions from Council and the public regarding the proposed rezoning and development of Lot 16 Marine Drive, raised at the public hearing held June 8, 2021, and subsequent Council meeting held June 15, 2021.

BACKGROUND:

At its June 15, 2021, regular meeting, Council discussed comments received from the public to date on the Lot 16 rezoning proposal, and passed the following motion:

“ THAT Council identifies the following items that it wishes to resolve prior to further consideration of the Bylaw:

- a. Is there an environmental assessment and can we see that report?*
- b. I saw one lot available for affordable housing, how do we figure out that percentage, and how can we work with BC Housing?*
- c. Water runoff onto Victoria Road and Marine Drive.*
- d. What is the width of the roads in the proposed development and will there be sidewalks?*
- e. What are the total DCC's paid for the development?*
- f. What is the buffer (set back) on the Marine Drive side of the development?*

- g. What are the rental caps for the apartment building? What percentage is for affordable housing in the apartment building?*
- h. What do the upgrades look like for Matterson Road?*
- i. Would the developer/owner entertain the idea of focusing on the apartment building first, and then moving over to the rest of the development, to make sure that the apartment is constructed first?*
- j. Who is paying for the sewer upgrades at the corner of Marine Drive and Victoria Road and who is paying for sewer and water upgrades associated with the development in general?*
- k. What is the timeline for this development?*
- l. How does this development help our community?*
- m. Is blasting required at this site? If so, what is the extent of the blasting?*
- n. Is there an archeological study and can we see that study?*
- o. Is this still an archeological site?*
- p. Is a three-storey apartment building an option?*
- q. How are patios addressed in the setback requirements in the zoning?*
- r. Are there alternative access roads other than off of Victoria Road, and the corner of Victoria Road and Marine Drive. What other options are available?*
- s. Requests that a traffic study be conducted."*

The applicant has provided a response (see **Appendix 'A'**) providing answers to each of these questions, with references to how these items have been addressed and where more information is provided in the original application and staff reports. In addition, the following section expands on two threads where staff sense that additional information would be helpful for Council and the public.

DISCUSSION:

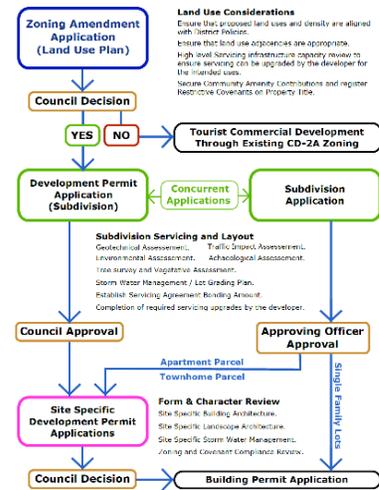
A. Stages of the approval process:

A number of the comments from the public raise questions about details that are often provided at a subsequent stage of the development approvals process. The application before Council at this time is to change the zoning designation of the property. The permitted uses and densities being proposed for different areas of the subject property are the main considerations at this stage.

While quite detailed plans have been submitted with this application, they have been presented as proof-of-concept plans aiming at obtaining rezoning approval. The applicant has acknowledged that more detailed plans and studies would be necessary at the later stages of municipal approval. This is a normal course for this type of development proposal.

Council has indicated a number of critical elements that it wishes to ensure if the development proceeds. These conditions would be secured by a restrictive covenant registered on the title of Lot 16 before Council considers adopting the zoning amendment bylaw.

The applicant has provided a helpful flowchart to illustrate the steps in the approvals process, and the information and studies provided at each stage (see **Appendix ‘A’**). As noted, more detailed studies are typical of the Development Permit and Subdivision stages for a development of this sort.



B. Costs of upgrading and expanding infrastructure:

A number of comments from the public raised concerns about the impact on existing infrastructure (such as the Victoria Road sewer pump station), the cost of installing new infrastructure - and questioned whether Ucluelet taxpayers would be bearing those costs. These are good questions. Briefly, in response to questions “e” and “j” of the Council motion above, consider the following:

- On-site: the cost of constructing new roads, water lines, sewer lines, street lighting, fire hydrants, pathways, etc. to municipal standards within the Lot 16 subdivision is entirely the responsibility of the developer. This is estimated at roughly \$2 million for Lot 16 (see **Figure 1**);
- Off-site: infrastructure upgrades (e.g., larger sewer pipes, or a new water line) required to service the proposed development are also to be constructed by the developer at their cost. The off-site water and sewer upgrades required by Lot 16 are estimated at approximately \$938,000 (see **Figure 1**);
- The need for potential upgrades to the municipal systems were analyzed by the District’s engineers to identify what upgrades would be necessary, and how the new development fits within the anticipated demand already projected in the District’s water and sewer master plans (see **Appendix B**);
- In addition, under the Development Cost Charge (DCC) bylaw, all new developments pay fees to contribute to the incremental cost of expanding infrastructure to service a growing town. A summary showing the preliminary calculation of DCC fees is included in **Appendix C** and is shown in **Figure 1**;
- the total servicing costs borne by the developer – in approximate numbers at this point - amount to \$3.7 million (the orange areas in the chart in **Figure 1**);

- note that there is an overlap identified between off-site infrastructure and works already defined in the municipal DCC program amounting to \$410,000. If the off-site works are constructed as proposed then that portion of the DCC's would not be charged to the developer – because doing otherwise would amount to double-charging (shown as the dashed line in **Figure 1**).
- as noted in the March 23, 2021, staff report:

“Some additional costs, for extra work to provide public improvements already identified by municipal infrastructure master plans, should be budgeted to align with the timing of the developer’s installation of infrastructure. Two notable items are:

- *increasing the pipe size on the Matterson Bypass sewer forcemain (est. cost \$137,000). It would be cost effective for the District to pay for up-sizing the pipe to handle the entire future capacity of this line.*
- *additional design and paving costs to place an asphalt multi-use path atop the new sewer forcemain alignment parallel to Matterson Drive (est. cost \$100,000). This would provide the improved pedestrian and bicycle connection along Matterson envisioned as the “coast-to-coast connector” in the Parks and Opens Space master plan. The most cost-effective installation of the pathway would be if coordinated with the sewer line installation.”*

Staff have looked in closer detail at the pathway and recommend that \$175,000 would be an appropriate preliminary budget figure to consider for the “coast-to-coast connector”, to include a healthy contingency.

Note that both of these items are advisable to take advantage of cost savings during construction of the developer’s works - but are optional and could also be completed by the municipality at another time (though likely at greater cost). It is also worth noting that both of these items could be funded without relying on additional municipal property taxes (see green bars in Figure 1, below).

- with respect to question “j”, the proposed new “Matterson bypass” works would result in the sewer volume from Lot 16 and all existing volume coming from the Big Beach pump station then bypassing the Victoria Road station – reducing the load on the existing Victoria Road infrastructure.

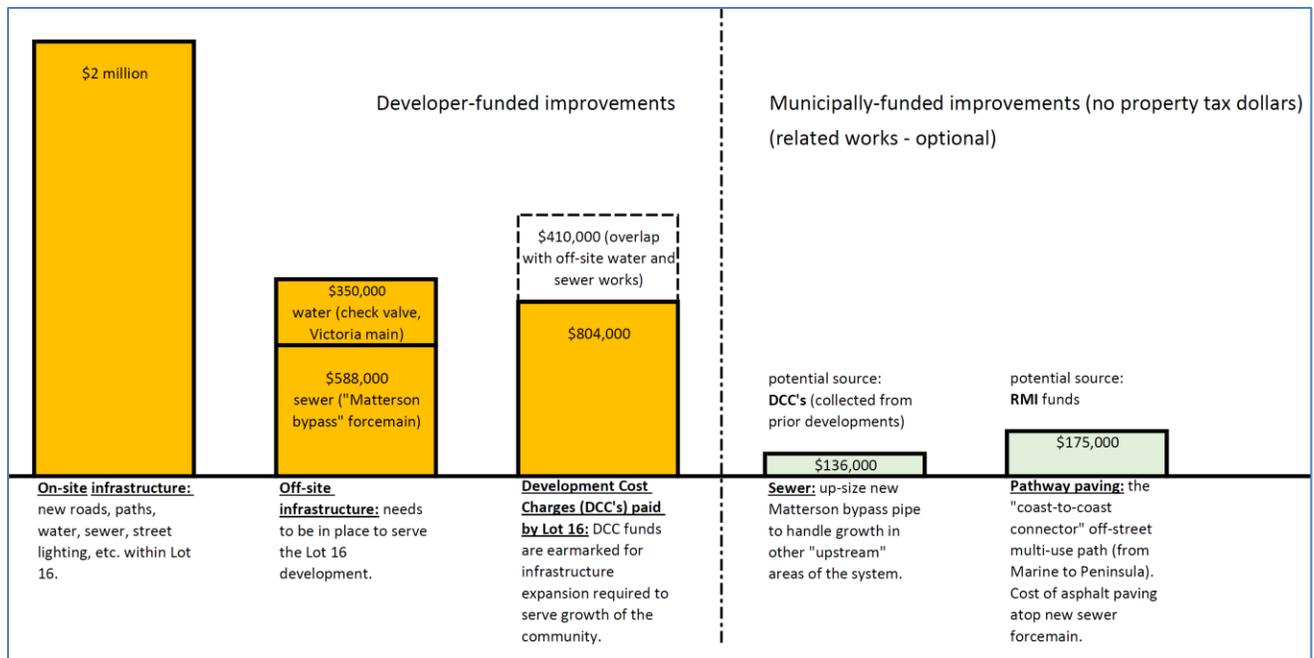


FIGURE 1 – preliminary on- and off-site servicing costs for proposed Lot 16 development

PROCESS AND NEXT STEPS:

At its June 15th meeting, Council also passed the following:

“THAT Council:

- a. direct Staff to prepare a report providing the information, analysis, and recommendations on how those items will be addressed, with input from the applicant as necessary;*
- b. hold a Committee of the Whole meeting to provide an opportunity for the Applicant and Staff to address the report;*
- c. provide an opportunity for further public input at the Committee of the Whole meeting;*
- d. at that point consider whether Council deems it necessary to make changes to the bylaw or conditions of final approval, prior to considering referral of the bylaw to another public hearing; and,*
- e. direct Staff to publish notice of the Special Committee of the Whole meeting as widely as possible.”*

This report and its attachments have now been published and are available to the public on the municipal website. Staff recommend that Council could now refer this report to a

Committee-of-the-Whole (CoW) meeting; a tentative date suggested for this meeting is August 10th.

Staff are prepared to give the public notice of the CoW meeting in much the same manner as is done for a public hearing: print ads in the Westerly News, signs posted on the public road near the entrances to the property, mailout and hand delivery to owners and occupants of neighbouring properties within 100m. Staff suggest that a copy of the CoW notice also be posted at the Co-op community notice board, and that the message be sent out via UkeeMail and District social media.

Alternatively, Council could provide other direction to Staff and/or the Applicant.

Respectfully submitted: Bruce Greig, Director of Community Planning



July 7, 2021

Via Email: Bruce Grief, Director of Planning bgreif@ucluelet.ca

Attention: District of Ucluelet

Re: Email Request for Clarification from District Staff

Council Motion 1:

The Council Motion identifies a list of items and questions that Council wishes to resolve prior to further consideration of the Bylaw. MacDonald Gray Consultants has provided detailed responses to District Staff to be included in their follow up report to Council for that purpose.

Notes on Participation in the Public Hearing

Both the Applicant and Property Owners were present and listening to public comments for the entire length of the Public Hearing. There were several comments made that “we did not speak” at the Public Hearing. It is important that Council and the Community understand that discussion is not intended to occur at a Public Hearing. That said, some discussion did occur at the meeting.

MacDonald Gray Consultants and Nored Developments strive to be open and transparent in all of our development projects and want to assure Council that we were in a difficult position and in no way attempting to hide from the questions raised. In fact, we believe the majority of the questions had been answered prior to the Public Hearing to the satisfaction of Staff and Council.

We do not typically provide a formal presentation at a Public Hearing for the same reasons. A presentation was requested and provided which was our opportunity “to speak” at the hearing. The presentation was pre-recorded due to concerns with the online meeting technology and to avoid any accidental introductions of ‘new information’

As Applicants, we must uphold the integrity of our profession and duty to the public interest of both the property owners and community by not introducing ‘new information’ beyond what was available prior to the hearing.



NORED

DEVELOPMENTS

Why did our team not feel that it was necessary or appropriate to speak at the Public Hearing? Quite simply:

- Because the answers to questions raised at the meeting were addressed and answered within documents available prior to and at the meeting:
 - The District of Ucluelet Planning Department Staff Report provided to Council on March 23, 2021 at the Council Meeting where 1st and 2nd Reading of the Bylaw were passed by Council;
 - The Applicant's Planning Framework Report attached to the Staff Report referenced above.
- Because, a number of questions referenced subsequent application and approval process requirements that were well beyond the level of detail required for a land use discussion at a master planning level.

Suggestions of Withholding Information

There was also a suggestion that comments provided to us from individual members of the public were deliberately omitted from the pre-application Public Information Meeting Summary provided with our Application package.

This is simply not true. All comment sheets submitted to us at the Public Information Meeting on December 7, 2018 and within a specified window of time after the meeting were submitted to the District on December 12, 2021. Some comments were received via email after PIM Summary had already been submitted and were taken into consideration by the project team prior to submitting a formal Application to the District.

Honor and integrity are the key pillars of our approach to land use planning and development. We are both Vancouver Island companies. We love this island and all of the communities that we are so fortunate to work with. We do not bring forward projects that we do not firmly believe are the right land use for the community.



NORED

DEVELOPMENTS

It is understandable that folks can be cautious of developers and development. It is also understandable that adjacent neighbours are not keen on losing the undeveloped private property adjacent to their homes that they have enjoyed for so long.

MacDonald Gray Consultants

Nigel Gray

Nored Developments

Lance McNabb

Zoning Amendment Application (Land Use Plan)

Land Use Considerations
Ensure that proposed land uses and density are aligned with District Policies.
Ensure that land use adjacencies are appropriate.
High level Servicing infrastructure capacity review to ensure servicing can be upgraded by the developer for the intended uses.
Secure Community Amenity Contributions and register Restrictive Covenants on Property Title.

Council Decision

YES NO

Tourist Commercial Development Through Existing CD-2A Zoning

Development Permit Application (Subdivision)

Concurrent Applications

Subdivision Application

Subdivision Servicing and Layout
Geotechnical Assessment. Traffic Impact Assessment.
Environmental Assessment. Archaeological Assessment.
Tree survey and Vegetative Assessment.
Storm Water Management / Lot Grading Plan.
Establish Servicing Agreement Bonding Amount.
Completion of required servicing upgrades by the developer.

Council Approval

Approving Officer Approval

Apartment Parcel
Townhome Parcel

Site Specific Development Permit Applications

Form & Character Review
Site Specific Building Architecture.
Site Specific Landscape Architecture.
Site Specific Storm Water Management.
Zoning and Covenant Compliance Review.

Single Family Lots

Council Decision

Building Permit Application

Question

- a. **Is there an environmental assessment and can we see that report?**

Answer

The lot has been previously disturbed. An environmental report will be prepared at the time of Development Permit / Subdivision Application once the new Zoning is in place.

All provincial and Municipal requirements MUST be met through permitting processes.

Applicable Development Stage(s): Development Permit Application (Subdivision Layout)
Subdivision Application

References:

Official Community Plan Bylaw No. 1140, 2011

Lot 281 - Development Permit Area (DPA) 5 is applicable to areas of the lands as identified on the District of Ucluelet OCP, Schedule 'C' – Map. The DPA is established for the purposes of:

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

Refer to the Applicant's Planning Framework Report

Section 6.2 Development Permit Areas

Section 9.2 Lot 281 DPA #5 - Considerations

(March 23, 2021 [Council Agenda](#), pg. 101, 103)

Landscape and environmental preservation are key components of the DP guidelines. All development proposals will require careful consideration and design responses that seek to protect existing sensitive ecosystems, significant trees and shrubs.

Environmentally significant areas, including watercourses and significant stands of trees, have not been ground-truthed by the project biologist. The location of these features will need to be incorporated into future site planning and subdivision layout where feasible and as required by law during subsequent permitting processes.

Question:

- b. I saw one lot available for affordable housing, how do we figure out that percentage, and how can we work with BC Housing?**

Answer:

Affordable Housing (Social / Subsidized Housing) is not proposed as a part of this application.

One serviced Infill Small Lot (R-6 Zone) is proposed to be dedicated to the District to be used as they see fit. The lot could be used for affordable housing by the District.

A number of additional mechanisms are available through the Community Amenity Contribution proposal for the District to create affordable housing opportunities as follows:

- A financial contribution to the District is proposed. Beyond the significant land dedication for parks and trails, a financial contribution of \$1,000.00 / per door/unit is proposed. This would equal \$112,000.00 based on proposed density of 112 primary dwelling units (suites are not included);
- The proposed financial contribution (noted above) could also be directed toward other affordable housing initiatives within the District. Funds could be set aside for a DCC Waiver program for eligible developments. The value of this lot has increased and is estimated at approximately \$300,000.00 (2021) by the property owner.
- The District could also close the unused road stubs from Victoria Road to be used for affordable housing projects at the discretion of Staff and Council.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

[Refer to the Applicant's Planning Framework Report](#)
Section 10.2.2 Vehicle Access Concerns
Section 10.3.1 Request for a Community Amenity Contribution
(March 23, 2021 [Council Agenda](#), pg. 105, 106)

Question:

- c. **Water runoff onto Victoria Road and other part of Marine drive.**

Answer:

Surface water run-off from any development or constructed works must be addressed on site and not flow onto adjacent properties. The upland property owner would be liable for any damage caused to downstream properties.

Stormwater management will be undertaken for both the Subdivision Application and site specific Development Permits to the standards set by the Province and District once the Zoning is in place.

Applicable Development Stage(s):

Subdivision Application (Works & Services)
Development Permit Application (Site Specific)
Building Permit Application (Site Specific)

References:

Staff Report – Council Meeting: March 23, 2021:

Section 4.7.1 Onsite Services

(March 23, 2021 Council Agenda, pg. 66)

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities will be required as part of any future subdivision.

Question:

- d. **What is the width of the roads in the proposed development and do they have sidewalks?**

Answer:

14m width Public Roads with detached sidewalks and a greenway connection are shown on the 'proof of concept' drawings, but would require future separate approval by the District Engineer and Council.

The District does not currently have a 14m road standard, although a 12m road standard has been applied to the recent Lot 13 Subdivision.

The specific technical details of a 14m Road Right of Way would require approval by the District Engineer, a variance to the District Engineering Standards and an approved Development Permit.

The other option is to develop the single family housing land uses as a Bare Land Strata with our own reduced internal road standards.

Applicable Development Stage(s): Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
[Section 4.7.1 Onsite Services](#)
(March 23, 2021 [Council Agenda](#), pg. 66)

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities will be required as part of any future subdivision.

Question:

- e. **What are the total DCC's paid for the development?**

Answer:

District Staff to Quantify DCC amounts based on current rates.

It should be noted that:

- The costs of all works and services required at the time of subdivision will be at the cost of the developer and existing DCC project specific funding;
- Some DCC works have already been identified by the District and funded through DCC fees provided by past development;
- This development will also contribute to future DCC projects within the District;
- There is no cost to District ratepayers to service this development.

Applicable Development Stage(s):

Subdivision Application (DCC Payable - Lots)
Building Permit (DCC Payable – Multifamily by Unit)

References:

Staff Report – Council Meeting: March 23, 2021:

Section 6 Financial Impacts

(March 23, 2021 Council Agenda, pg. 68)

The Development Cost Charges for the new development will be collected at the time of building permit issuance on a per unit basis for the multi-family portions, as set out in the municipal DCC bylaw.

DCC's would also be payable for the new single-family lots at the time the final subdivision approval is granted for each new lot.

Off-site servicing costs would be borne by the developer.

Question:

- f. **What is the buffer on the Marine Drive side of the development?**

Answer:

10m Setbacks are provided along Marine Drive built to be secured through a restrictive covenant.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption
- Secured in Zoning Bylaw Regulations

References:

Staff Report – Council Meeting: March 23, 2021:
Section 1, 5, d.:

registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;

Appendix A, 1, R-6.6.2, C. R-3.8 Other Regulations, (2)

(2) on proposed Lot 'A' the minimum setbacks for principal buildings from adjacent lot lines shall be as follows:

b.) from Marine Drive: 10m (33 ft)

Refer to the Applicant's Planning Framework Report
Section 10.2.1 10m Buffer Request
(March 23, 2021 Council Agenda, pg. 104)

Question:

- g. What are the rental caps for the apartment building? What percentage is for affordable housing in the apartment?**

Answer:

Affordable Housing (Social / Subsidized Housing) is not proposed as a part of this application. Refer to the answer to question 'b' above.

A full spectrum of housing options is proposed in a comprehensive package as follows:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Rental Apartment Building

- i) Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
- ii) Registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.
- iii) The maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

Subdivision Application

- Secured by Housing Agreement on Title

References:

Staff Report – Council Meeting: March 23, 2021:

Section 1, 5, i, Recommendations

Section 4 Discussion

Section 4.1 Rental Apartment Building

Appendix A, 1, C. R-3.8 Other Regulations

These apartments would not be permitted for short-term rental for tourist accommodation, nor would they be stratified for individual ownership. These provisions would be included in a Housing Agreement with the District of Ucluelet, registered on the property title.

The addition of 48 rental apartments would be a valuable addition to the housing supply in Ucluelet; the applicant's commitment to developing this portion of the site for rental housing is significant, and should be considered among the amenities or other community benefits presented by this proposal.

Question:

h. What do the upgrades look like for Matterson Road?

Answer:

Frontage improvements will meet the District Engineering Standards for Matterson Road through the Subdivision Application process.

District Staff to identify the specific Engineering Department road standard.

Applicable Development Stage(s): Subdivision Application (Works & Services)

Question:

- i. **Would the developer/owner entertain the idea focusing on the apartment building and then move over to the rest of the development, to make sure that the apartment is constructed first?**

Answer:

This has already been negotiated through conversations with Staff and confirmed as a requirement by Council at the March 23, 2021 Council Meeting.

Rental Apartment Building

- iv) Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
- v) Registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.
- vi) The maximum floor area of an individual multiple family dwelling unit is 77m² (825 ft²);

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

Staff Report – Council Meeting: March 23, 2021:
Section 1, 5, a, Recommendations

Construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;

Section 4.1, Rental Apartment Building

The applicant is proposing that the first phase of developing Lot 16 would be a four-storey, 48-unit Multiple Family Residential apartment building for rental tenancy only.

Question:

- j. **Who is paying for the sewer upgrades at the corner of Marine Drive and Victoria Street and who is paying for sewer and water upgrades in general with the development?**

Question:

This is a common misperception raised during application processes.

The Developer pays the cost outright or in combination with DCC funding provided by past developments. This is always the case with all development.

There will be no cost to the ratepayer for the development to occur beyond District Staff time commitments.

Note that DCC funding must be applied to the specified project and cannot be shifted between projects once formally earmarked.

Beyond the required off site works noted above, the on-site works / internal servicing costs are estimated in the ballpark of \$2,000,000.00 by the project Civil Engineer.

Applicable Development Stage(s): Subdivision Application (Works & Services)

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
Section 6 Financial Impacts

Off-site servicing costs would be borne by the developer.

[Refer to the Applicant’s Planning Framework Report](#)
Section 2.2 Servicing
(March 23, 2021 [Council Agenda](#), pg. 89)

This is a common expectation of municipalities to ensure that the total cost of servicing the proposed land use and density is paid for by the developer. Local area residents will not incur any costs due to the rezoning.

Question:

k. What is the timeline for this development?

Answer:

The project timeline will not be established until the Zoning Amendment is completed.

Market conditions and construction cost constantly fluctuate so it is impossible to determine ahead of the surety of a completed land use change.

Question:

I. How does this development help our community?

Answer:

Staff have outlined their support for the proposed residential land uses and we have provided a strong supporting planning rationale in our application materials.

Applicable Development Stage(s): Zoning Amendment (Rezoning)

References:

Staff Report – Council Meeting: March 23, 2021:
Section 7 Policy and Legislative Impacts
Conclusions and Options

The development of Lot 16 for a mix of residential uses is consistent with Ucluelet’s Official Community Plan. The draft zoning amendment bylaw presented with this report is being recommended for Council to consider to advance this significant proposal to a public hearing.

The zoning amendment that is recommended strives to represent the best interests of the community with a residential focus on this key property while allowing for the densities contemplated in the applicant’s concept plan. It is worth re-stating that this is a significant housing proposal for Ucluelet. The diversity of housing types being proposed for Lot 16 includes all of the following:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Refer to the Applicant’s Planning Framework Report
Covering Letter

(March 23, 2021 Council Agenda, pg. 86)

The property owners and our project team have worked collaboratively with District Staff and local area residents to expand upon the community’s vision as expressed in the Official Community Plan. We heard from neighbouring residents that there was a strong desire to provide a variety of attainable housing forms for local residents, while preserving existing landscape buffer spaces, and mitigating increased vehicular traffic on local roads.

This community vision has been integrated into our natural systems based design process, which is a collaborative approach to site planning. Environmental, physical and architectural considerations have been woven together to create a Land Use Concept, which is the basis for our Zoning Amendment proposal.

Question:

m. Is blasting required for this site? If so, what is the extent of the blasting?

Answer:

Blasting would be required for any development of the site due to the presence of shallow bedrock. The extent of blasting will be determined at the time of subdivision once the zoning is approved.

Applicable Development Stage(s):

Subdivision Application (Works & Services)

Question:

- n. **Is there an archeological study and can we see the study?**

Answer:

The identified architectural site appears to have been removed before this property owner purchased the site.

This was reconfirmed through a survey of the property and will need to be addressed prior to any land altering activities.

Question:

- o. **Is this still an archeological site?**

Answer:

Provincial records indicate a previously recorded archaeological site DfSj-85 on the property. DfSj-85, consisting of two Culturally Modified Trees, is protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch.

The site location has been cleared and subsequently filled in prior to 2005. Air photo evidence and the geotechnical test pit at that location confirm same.

Prior to any land-altering activities, an eligible Consulting Archaeologist should be engaged to determine the steps in managing impacts to the archaeological site. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct archaeological studies.

Applicable Development Stage(s):

Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

References:

[Refer to the Applicant's Planning Framework Report](#)

Section 2.5 Site History / Archaeology

Sheet S4 Opportunities & Constraints

(March 23, 2021 [Council Agenda](#), pg. 79, 89)

Question:

p. Is a three story apartment building an option?

Answer:

Possibly. That will be determined through detail design for a future Development Permit Application.

A restrictive covenant will be placed on title restricting the height to 3 stories, unless Council deems a 4 storey height appropriate at the time of a detailed form and character review through the site specific Development Permit Process.

Applicable Development Stage(s):

Development Permit Application (Site Specific)
Subdivision Application (Works & Services)

References:

Staff Report – Council Meeting: March 23, 2021:

Section Conclusions & Options

“j.) despite the zoning of proposed Lot ‘A’, the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans”;

Section 4.1, Rental Apartment Building

The R-3 zone currently permits a maximum height of 11m which accommodates a 3-storey building. At this point there are no detailed design drawings of the building or site that would form part of this application; this is a rezoning application only and not a request for a DP at this stage.

June 15 Council Motion – 1 Page Summary Responses by Applicant

Question:

- q. **How are patios addressed in the setback requirements in the zoning?**

Answer:

Setbacks are applicable to building and structures (including covered patios).

Patios will not be permitted within the 10m greenspace covenant along Marine Drive.

Applicable Development Stage(s):

Zoning Amendment (Rezoning)

- Secured by Restrictive Covenant as a condition of Bylaw Adoption

References:

[Staff Report – Council Meeting: March 23, 2021:](#)
[Section 1, 5, d, Recommendations](#)

registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;

Question:

- r. **Is there an alternative access road other than Victoria Road or Victoria and Marine Dr. and what other options are available?**

Answer:

Public Road access to Victoria Drive is not proposed by the Applicant.

A driveway stub was shown on the 'Proof of Concept' drawings only from the townhome site to Victoria Drive.

The location and configuration of site access is not a concern for the developer.

Public road and private driveway access to the property will be provided as directed by the Subdivision Approving Officer. This is under the jurisdictional control of the Province.

Emergency access to Victoria Road will likely be required for public safety in the event of a Tsumami.

Question:

- s. **Request that a traffic study be conducted.**

Answer:

A traffic study will be provided through the Subdivision Application Process by a Professional Transportation Engineer as requested by the Approving Officer.

Applicable Development Stage(s):

Development Permit Application (Subdivision Layout)
Subdivision Application (Works & Services)

Staff Report – Council Meeting: March 23, 2021:

Section 4.5 Access and Circulation

Staff are recommending that a better road pattern would connect the new public road through Lot 16 from the access on Marine Drive through to Victoria Road at another existing section of municipal road right-of-way 63m (200 ft) further north (highlighted in blue in Figure 7, above, and noted in recommendation 5(e) at the outset of this report).

The applicant has expressed that either approach would be acceptable and is not pushing for one option over the other.

Refer to the Applicant's Planning Framework Report

Section 10.2.2 Vehicle Access Concerns

(March 23, 2021 Council Agenda, pg. 86)



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& ASSOCIATES
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TECHNICAL MEMORANDUM No. 1

Issued Date:	October 9, 2019	File No.:	0361-192-TM1
Previous Issue Date:	None		
To:	Warren Cannon		
From:	Mitchell Brook, P.Eng.		
Client:	District of Ucluelet		
Project Name:	Lot 16 Marine Drive		
Subject:	Water System Review		

1. Objective

The objective of this technical memorandum is to review the watermain servicing requirements for the proposed development at the intersection of Marine Drive and Matterson Drive with consideration for water system improvements required to supply the proposed development.

2. Background

The proposed development is located at the intersection of Marine Drive and Matterson Drive. The proposed development will consist of three areas of single family development, one apartment complex and a townhome complex. Based on information provided by District there is a total of 37 single family lots and 86 multi-family units. The proposed lot layouts are shown on the enclosed drawings provided by the District.

It should be noted that a proposed water network, including hydrant spacing was not provided. The proposed water network that was evaluated is shown on the enclosed figure 0361-192 SK1. This schematic shows the proposed pipe locations, as well as node locations throughout the development to provide a representation of the available fire flow and peak hour pressures. For the purposes of this analysis it has been assumed that the proposed piping for the developments will be 200 mm dia.

For the purposes of this analysis the following site servicing options have been reviewed:

- Option 1:
 - o Current water system conditions.
- Option 2
 - o Pressure zone boundary modifications identified in the July 2017 District Water Master Plan.
 - o Watermain loop to Victoria Road through the proposed development.
- Option 3
 - o Fire flow improvements in the area identified in the July 2017 District Water Master Plan including:
 - A check valve installation at the intersection of Matterson Drive and Victoria Road.
 - Watermain upgrades on Victoria Road.

Issued: October 9, 2019
Previous Issue: None

3. Water Demands

3.1 Domestic Demands

Based on the preliminary details provided, the development will consist of 37 single family lots and approximately 86 multi-family units. The District has identified that the single family lots will include secondary suites in accordance with the zoning bylaw.

Based on a population density of 3.5 ppu for single family and 2.0 ppu for multi-family, the projected population for the development is 302 as detailed in **Table 1** below.

Table 1: Projected Population

Land Use	Units	Population
A - Apartments	48	96
B - Single Family w/ secondary suite	7	25
C - Adaptative Small Lot Residential w/ secondary suite	18	63
D - Small Lot Residential w/ secondary suite	12	42
E - Townhomes	38	76
Total		302

Unit water demand rates used for this analysis were taken from the 2014 Master Municipal Contract Documents Design (MMCD) Guideline and are shown in **Table 2** below:

Table 2: Per Capita Demands

Scenario	Demand Rate
Average Day Demand (ADD)	450 lpcd
Maximum Day Demand (MDD)	900 lpcd
Peak Hour Demand (PHD)	1,350 lpcd

Applying the unit rate demands listed above to the project equivalent population for the development the demand rate is calculated as shown in **Table 3** below:

Table 3: Water Demands

Scenario	Demand (lps)
ADD	1.6
MDD	3.1
PHD	4.7

The proposed demands were allocated uniformly to the junctions in the proposed development.

Issued: October 9, 2019
 Previous Issue: None

3.2 Fire Flow Demand

The required fire flows of the development are per the 2014 MMCD Design Guideline and are summarized below in **Table 4**:

Table 4: Fire Flow Demands

Land Use	Required Fire Flow (lps)
Single Family Residential	60
Multi-Family	90

When architectural plans for the development are finalized, the required fire flow should be validated using the Fire Underwriters Survey document Water Supply for Fire Protection (1999).

4. Hydraulic Capacity Performance and Design Criteria

Based on the 2014 MMCD Design Guideline, the criteria outlined below in **Table 5** was used to assess the hydraulic impact of the proposed development on the District's water system.

Table 5: Analysis Criteria

Criteria	Analysis Scenario	Parameter Value
Minimum Residual Pressure	PHD	44 psi
Minimum Residual Pressure	MDD+FF	22 psi

5. Water Model Evaluation

The water model was evaluated under current maximum day plus fire flow and peak hour demand conditions for each of the development piping options noted in Section 2.

A summary of the available fire flows and residual peak hour pressures is summarized in **Table 6, 7 and 8** below.

Table 6: Option 1 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	46	63
Existing Hydrant (554 Marine Dr)	20	90	46	58
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	45	54
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	42	50
Proposed Onsite Hydrant 3 (Area E)	28.8	90	33	38
Existing Hydrant (1309 Victoria Rd)	15.9	90	51	57

Table 7: Option 2 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	45	62
Existing Hydrant (554 Marine Dr)	20	90	45	57
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	45	53
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	42	49
Proposed Onsite Hydrant 3 (Area E)	28.8	90	34	43
Existing Hydrant (1309 Victoria Rd)	15.9	90	45	63

Table 8: Option 3 Results

Location	Elevation (m)	Required Fire Flow (lps)	Available Fire Flow (lps)	Peak Hour Pressure (psi)
Existing Hydrant (Marine Dr/Matterson Dr)	16.5	90	125	62
Existing Hydrant (554 Marine Dr)	20	90	130	57
Proposed Onsite Hydrant 1 (Areas B,C,D)	23	60	123	53
Proposed Onsite Hydrant 2 (Areas B,C,D)	25.8	60	107	49
Proposed Onsite Hydrant 3 (Area E)	28.8	90	75	43
Existing Hydrant (1309 Victoria Rd)	15.9	90	123	63

As shown in the above tables the proposed improvement option 3 is required to provide the required fire flows under and peak hour pressure existing conditions. It should be noted that 90 lps is not available at the proposed onsite hydrant at Area E.

Issued: October 9, 2019
Previous Issue: None

6. Impact of Proposed Development

In order to assess the impact of the development on the rest of the District water distribution system, simulation results from the model were compared between scenarios with and without the development and proposed improvements. The results are summarized below in **Tables 9**:

Table 9: Impact Analysis Summary

Location	Scenario	Without Development	With Development
# of Low Pressure Deficiencies	PHD	26	28
PHD Average Pressure	PHD	60	60
Average Available Fire Flows	MDD	144	155

Overall, the development will have minor hydraulic impact on the City water distribution system in the current scenarios. The peak hour pressure in two locations will drop from 44 psi to 42 psi with the addition of the proposed development.

7. Conclusions

The following conclusions are presented as a result of this technical memorandum:

- 1) The projected population for the proposed development is 302
- 2) The proposed demands for the development are as follows:
 - a. Maximum Day: 3.1 lps
 - b. Peak Hour: 4.7 lps
- 3) Proposed servicing Option 3 can provide the required fire flows and peak hour pressures for the development, with the exception of Area E.
- 4) The design fire flow of 90 lps is not available at the proposed on site hydrant at Area E.
- 5) There are minor impacts to the peak hour pressures in the distribution system with the proposed development. Two locations the pressure drops from 44 psi to 42 psi.

8. Recommendations

Based on the results discussed in this technical memorandum we recommend the following:

- 1) The onsite piping be sized as per the attached figures.
- 2) The required fire flow for the development should be validated using the Fire Underwriters Survey document Water Supply for Fire Protection (1999) when the architectural plans are known.
- 3) Install all works listed in Option 3 to provide the required fire flows and peak hour pressures.
- 4) Review the fire flow requirements for Area E.

Technical Memorandum No. 1
Lot 16 Water Review

Issued: October 9, 2019
Previous Issue: None

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.

Prepared By:



Mitchell Brook, P.Eng
Project Engineer

Reviewed By:



Chris Downey, P.Eng
Project Manager

Enclosures

KOERS & ASSOCIATES ENGINEERING LTD.



Area A - Apartment Concept

SITE AREA: 0.6 HECTARES
PROPOSED USE: MULTI-UNIT RESIDENTIAL
PROPOSED ZONING: NEW ZONE

Area D - Small Lot Residential

NUMBER OF LOTS: 12 LOTS - AVERAGE 420SQ.M.
PROPOSED USE: SMALL LOT RESIDENTIAL
PROPOSED ZONING: R-4 ZONE

Area B - Single Family Residential Lots

NUMBER OF LOTS: 7 LOTS - AVERAGE 967SQ.M.
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING: R-1 ZONE

Area C - Adaptive Small Lot Residential

NUMBER OF LOTS: 18 LOTS - AVERAGE 420SQ.M.
PROPOSED USE: SMALL LOT RESIDENTIAL
PROPOSED ZONING: NEW ZONE

Area E - Townhome Concept

SITE AREA: 1.5 HECTARES
PROPOSED USE: GROUND ORIENTED MULTI-UNIT
PROPOSED ZONING: NEW ZONE

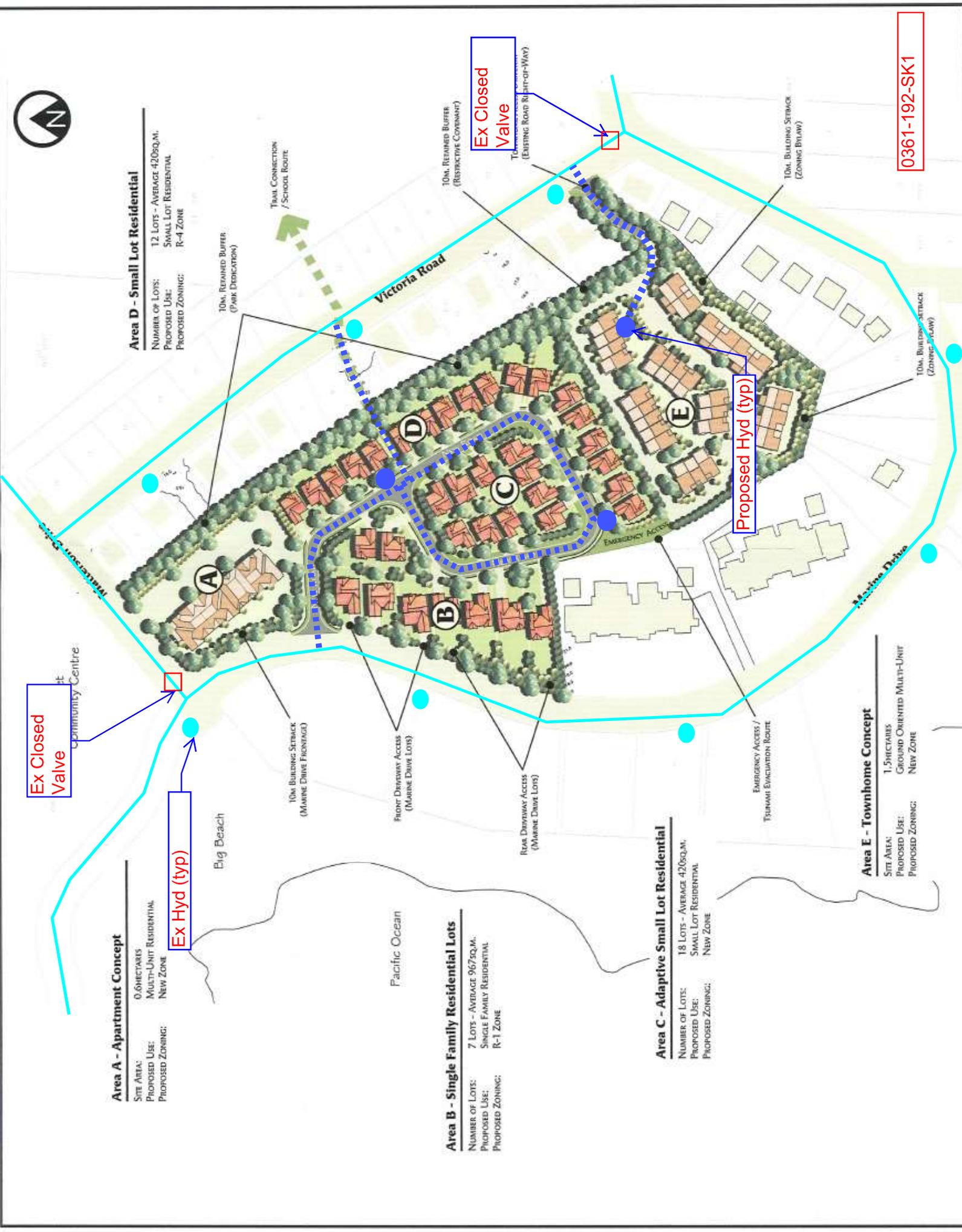
Ex Closed Valve

Ex Hyd (typ)

Ex Closed Valve

Proposed Hyd (typ)

0361-192-SK1





TECHNICAL MEMORANDUM No. 2

Issued Date:	October 17, 2019	File No.:	0361-192-TM2
Previous Issue Date:	None		
To:	Warren Cannon		
From:	Chris Downey, P.Eng.		
Client:	District of Ucluelet		
Project Name:	Lot 16 Marine Drive		
Subject:	Sanitary Sewer System Review		

1. Objective

The objective of this technical memorandum is to review the sanitary sewer servicing requirements for the proposed development at the intersection of Marine Drive and Matterson Drive with consideration for sanitary sewer improvements required to service the proposed development.

2. Background

The proposed development is located at the intersection of Marine Drive and Matterson Drive. The proposed development will consist of three areas of single family development, one apartment complex and a townhome complex. Based on information provided by the District there is a total of 37 single family lots and 76 multi-family units. The proposed lot layouts are shown on the enclosed drawings provided by the District.

It should be noted that a proposed sanitary sewer network was not provided. The proposed sanitary sewer network that was evaluated is shown on the enclosed drawing 0361-192-01. This drawing shows the proposed connections from the development to the existing sanitary sewer on Marine Drive.

3. Sanitary Sewer Demands

3.1 Domestic Demands

Based on the preliminary details provided, the development will consist of 37 single family lots and approximately 76 multi-family units. The District has identified that the single family lots will include secondary suites in accordance with the zoning bylaw.

Based on a population density of 2.28 ppu for single family and multi-family, the projected population for the development is 258 as detailed in **Table 1** below.

Table 1: Projected Population

	Units	Population
Connection 1 (Area A) 48 Multi-Family units	48	110
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	65	148
Total		258

Issued: October 17, 2019
 Previous Issue: None

Peak dry domestic sanitary sewer flows for the development were based on the District of Ucluelet Engineering Standards and Specifications and are shown in **Table 2** below:

Table 2: Per Capita Demands

Population	Per Capita Flow (m ³ /cap/day)
0 – 100 people	3.0
101 – 200 people	2.63
200 – 500 people	2.18
500 – 1000 people	1.91
1,000 – 2,000 people	1.67

Applying the per capita flow rate listed above to the project equivalent population for the development the peak domestic sewage demand rate is calculated as **289.3 m³/day** for connection 1 and **389.2 m³/day** for connection 2.

3.2 Infiltration and Inflow Allowance

The required Infiltration and Inflow (I&I) allowance for the proposed development are per the DOU Engineering Standards and Specifications at 11.2 m³/Ha/day and are summarized below in **Table 3**:

Table 3: Infiltration and Inflow Allowance

	Area (Ha)	(m ³ /day)
Connection 1 (Area A) 48 Multi-Family units	0.7	7.8
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	4.4	49.3
Total	5.1	57.1

3.3 Peak Wet Weather Flow

The peak wet weather flow for the proposed development are the combination of the Peak sewage flow and I&I allowance which are summarized below in **Table 4**:

Table 4: Peak Wet Weather Flows

	Peak Sewage (m ³ /day)	I&I (m ³ /day)	Peak Wet Weather Flow (m ³ /day)
Connection 1 (Area A) 48 Multi-Family units	289.3	7.8	297.1
Connection 2 (Area B, C, D, and E) 28 Multi-Family units and 37 Single Family lots	389.2	49.3	438.5
Total	678.5	57.1	735.6

Issued: October 17, 2019
 Previous Issue: None

4. Results

We have assumed the following conditions during our review of the proposed sanitary sewer model:

1. All the serviced lots/units in the Forbes Road Subdivision including the Multi-Family lot are contributing.
2. Bay Street diversion has been completed.
3. All single family lots that have been serviced.
4. We have not allowed for additional units due to re-zoning (There is potential for Multi-Family lots on Larch Road and Matterson).
5. Hotel units are treated the same as residential units.
6. Commercial and Institutional areas are an assumed area around the building. We have used diurnal patterns; one for residential and one for commercial/Institutional. The loading for commercial/Institutional is between 8am and 6 pm, with a steady flow between those hours. Residential follows a pattern based on flow monitoring from a residential neighbourhood in a Vancouver Island municipality.

The impact of the proposed development on the sanitary sewer was modelled based on the above assumptions for peak flows in the District owned sewer pipes between the proposed development and the Sewage Lagoon. The results are shown in the table below.

The results show that the capacity of the gravity sanitary sewer and pump station on Victoria Road is not sufficient as the pipe would be at 145% capacity and the pump station at 148% capacity. In order to service the proposed development, the forcemain from Big Beach pump station should be extended and connect into the sanitary sewer gravity system on Otter Street.

Up MH	Dn MH	Area (ha)		Residential		Pop	Comm/Inst	Peak Flow L/s	Size mm	Slope m/m	Capacity L/s	% Full
		Trib	Total	Trib	Total	ha						
Forbes PS MD Pressure	Big Beach PS	18.30	18.3	121	121	276	0	5.6	28.3 20%			
	Big Beach PS	9.40	9.4	60	60	137	0		(not applicable)			
Bay Street Big Beach PS	Big Beach PS	16.70	16.7	166	166	378	0	6.6	(not applicable)			
	SMH-101	22.00	66.4	223	570	1300	1.3		24.0			34.0
SMH-101	SMH-102	3.50	69.9	56	626	1427	1.3	27.2	200	0.007	27.4	99%
SMH-102	Victoria Rd PS	9.00	97.2	13	639	1457	1.3	30.4	200	0.004	21.0	145%
Victoria Rd PS	SMH-304	13.40	110.6	73	712	1623	1.9	34.0			23.0	148%

Issued: October 17, 2019
Previous Issue: None

5. Conclusions

The following conclusions are presented as a result of this technical memorandum:

- 1) The projected population for the proposed development is 258
- 2) The proposed peak flows for the development are as follows:
 - a. Peak Domestic Flows 678.5 m³/day
 - b. I&I Allowance 57.1 m³/day
 - c. Peak Flows 735.6 m³/day
- 3) The 200 PVC gravity sanitary sewer pipe on Victoria Road is at 145% capacity.
- 4) The Victoria Road pump station is at 148% capacity

6. Recommendations

Based on the results discussed in this technical memorandum we recommend the following:

- 1) The existing 150 PVC forcemain from Big Beach pump station is extended to Otter Street.
- 2) The forcemain from Big Beach pump station is isolated from Victoria Road.

Yours truly,

KOERS & ASSOCIATES ENGINEERING LTD.

Prepared By:



Richard Cave, ASCT
Senior Technologist

Enclosures

Reviewed By:



Chris Downey, P.Eng
Project Manager



DISTRICT OF
UCLUELET

**Matterson Drive Forcemain Victoria to Otter
Cost Estimate (Class 'D')**

November 30, 2020
Koers File: 2047

Item	Description	Unit	Quantity	Unit Price	Extension
Division 1					
1.1	General Requirements	LS	1	\$75,000	\$75,000
1.2	Submittals	LS	1	\$5,000	\$5,000
Division 2					
2.1	Location of Existing Structures	LS	1	\$6,000	\$6,000
2.2 Gravel Surface Restoration					
0.1	Crushed Shoulder Gravel	m ²	75	\$20	\$1,500
2.3 Temporary Trench restoration					
0.1	Coldmix (50 mm thick)	m ²	75	\$50	\$3,750
0.2	Rap (50 mm thick)	m ²	50	\$25	\$1,250
2.4	Reinstate Ditching	m	550	\$20	\$11,000
2.5	Hydraulic Seeding	LS	1	\$4,000	\$4,000
2.6 Sanitary Sewer Forcemain					
0.1	150 HDPE DR 26	m	550	\$190	\$104,500
2.7 Tie-Ins					
0.1	Victoria	LS	1	\$5,000	\$5,000
0.2	Otter	LS	1	\$25,000	\$25,000
2.8 Asphalt Restoration					
0.1	50 mm thick (100mm crush base)	m ²	50	\$100	\$5,000
0.2	Asphalt Pathway	m ²	1,000	\$100	\$100,000
2.9	Rock Excavation	m ³	100	\$300	\$30,000
				Subtotal:	\$377,000
				20% Engineering Design & Construction Services	\$75,400
				30% Contingency	\$136,000
				ESTIMATED TOTAL CONSTRUCTION COST (excluding GST) :	\$588,400



DISTRICT OF
UCLUELET

Matterson Drive Forcemain Victoria to Otter
Cost Estimate (Class 'D')

September 24, 2020

Koers File: 2047

Item	Description	Unit	Quantity	Unit Price	Extension
	Division 1				
1.1	General Requirements	LS	1	\$75,000	\$75,000
1.2	Submittals	LS	1	\$5,000	\$5,000
	Division 2				
2.1	Location of Existing Structures	LS	1	\$6,000	\$6,000
2.2	Gravel Surface Restoration				
0.1	Crushed Shoulder Gravel	m ²	75	\$20	\$1,500
2.3	Temporary Trench restoration				
0.1	Coldmix (50 mm thick)	m ²	75	\$50	\$3,750
0.2	Rap (50 mm thick)	m ²	50	\$25	\$1,250
2.4	Reinstate Ditching	m	550	\$20	\$11,000
2.5	Hydraulic Seeding	LS	1	\$4,000	\$4,000
2.6	Sanitary Sewer Forcemain				
0.1	300 HDPE DR 26	m	550	\$350	\$192,500
2.7	Tie-Ins				
0.1	Victoria	LS	1	\$5,000	\$5,000
0.2	Otter	LS	1	\$25,000	\$25,000
2.8	Asphalt Restoration				
0.1	50 mm thick (100mm crush base)	m ²	50	\$100	\$5,000
0.2	Asphalt Pathway	m ²	1,000	\$100	\$100,000
2.9	Rock Excavation	m ³	100	\$300	\$30,000

Subtotal: \$465,000

20% Engineering Design & Construction Services \$93,000

30% Contingency \$167,000

ESTIMATED TOTAL CONSTRUCTION COST (excluding Engineering & GST) : \$725,000



STAFF REPORT TO COUNCIL

Council Meeting: March 23, 2021
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING **FILE NO:** 3360-20-RZ19-02

SUBJECT: **ZONING AMENDMENT: LOT 16 MARINE DRIVE** **REPORT NO:** 21-

ATTACHMENT(S): APPENDIX A – ZONING AMENDMENT BYLAW NO. 1284, 2021
APPENDIX B – OPTIONAL AMENDMENT TO BYLAW NO. 1284 (TO ADD B&B'S)
APPENDIX C – APPLICATION MATERIALS
APPENDIX D – ADDITIONAL BACKGROUND

1. Recommendations:

THAT Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 ("**Lot 16**"):

1. introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
2. give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
3. direct staff to give notice for a public hearing to be held on District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021;
4. indicate to the applicant that a variance to allow the requested 16m height for a fourth storey on the proposed apartment building would best be considered under a Development Variance Permit once architectural plans have been submitted;
5. indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:
 - a. construction and development of the rental apartment building on proposed Lot 'A' (the "Apartment site") be in the first phase of the development;
 - b. dedication of a 10m wide park greenbelt along the eastern (Victoria Drive side) boundary of the property, as proposed;
 - c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;

- d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;
- e. extension of the proposed new road to connect to Victoria Drive in the general location as shown in Figure 7 of the staff report;
- f. vehicle access to the proposed Lot 'B' ("Townhouse site") be from the new internal road only;
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;
- h. the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval; and,
- i. registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion.

2. Purpose:

To provide Council with information on a request to amend the *District of Ucluelet Zoning Bylaw No.1160, 2013* (the "**Zoning Bylaw**"), that is reflective of the applicant's proposed "proof-of-concept" plans (the "**Concept Plans**") over Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 (**Lot 16**).



Figure 1 – Subject Property

3. The Proposal:

Lot 16 is a 12.7 acre property centrally located within walking distance to the schools, the Ucluelet Community Center, Big Beach Park, and the Village Square. The subject property currently holds the CD-2A.1.6 Big Beach Estates zoning designation. For background on the CD-2A zoning, see **Appendix D**.

The proposal submitted by MacDonald Gray on behalf of Nored Developments is to rezone Lot 16 to enable the development of several forms of housing:

- a 48-unit rental apartment building on the corner of Matterson Drive and Marine Drive (label **A** in Figure 2 below);
- 6 R-1 Single Family Residential lots on Marine Drive (label **B** in Figure 2);
- 30 smaller Single Family Residential lots in a new zone (labels **C** and **D** in Figure 2); and,
- 28 townhouse Multi-Family units (label **E** in Figure 2).

The development would include new internal roads and pathways, a 10m dedicated park buffer between the new development and properties on Victoria Road, and an area of park dedication (label **F** in Figure 2) between “The Ridge” development and the new single-family lots (see **Figures 2 & 3** and detailed plans in **Appendix C**).



Figure 2 – illustrative Site Plan (from application)

The applicant held a public information meeting on the 7th of December, 2018, and a summary of that meeting has been submitted by the applicant (see **Appendix C**). The current application and Concept Plans reflect a number of changes made after receiving public comment.

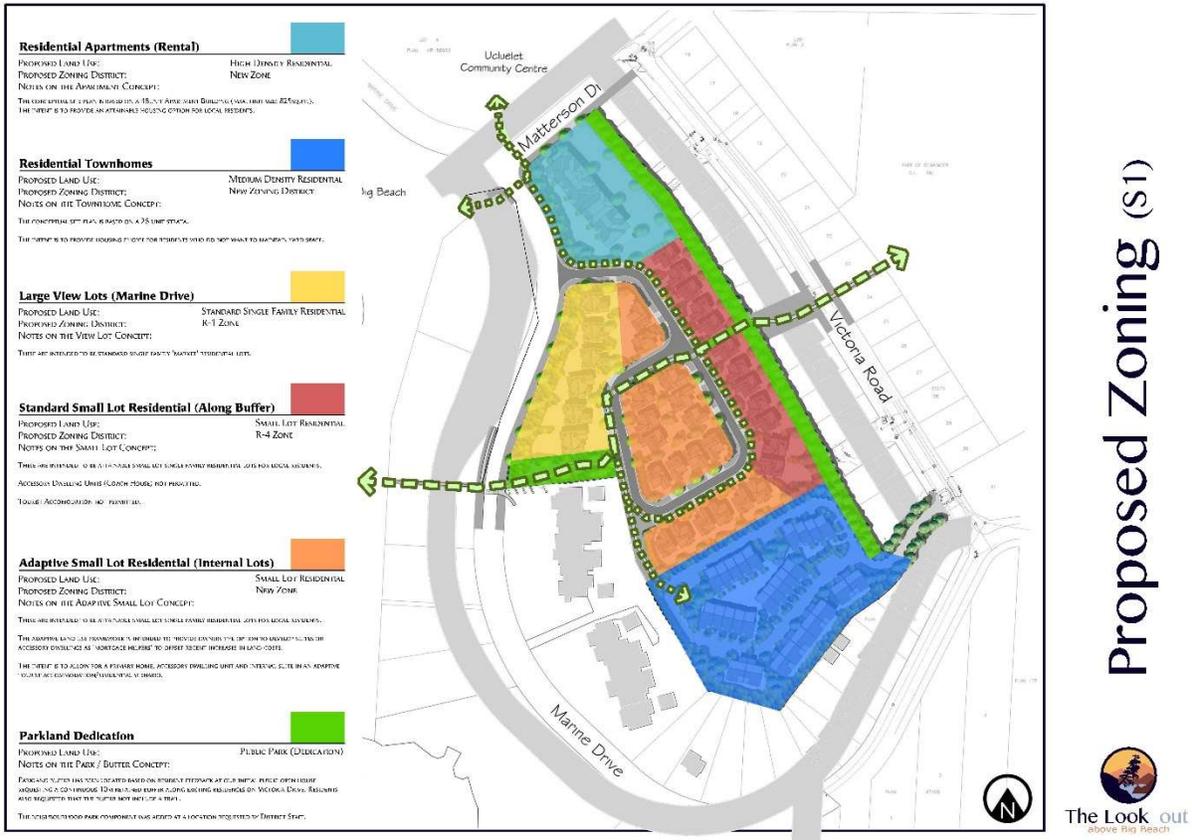


Figure 3 – Site Plan showing land use areas, access and pedestrian circulation (from application)

The Concept Plans submitted are not being presented as finalized plans – this application is not for a Development Permit (DP) at this time, rather it is for rezoning to permit the proposed uses and densities. The plans submitted with the application have been thought through in detail as “proof of concept” drawings, with the expectation that adjustments will be made as the property develops through the future stages of subdivision and DP approvals. Staff have worked with the applicant to mutually understand the developer’s goals as well as the public benefits which could come from this development. As a result some adjustments to the plans are recommended by staff and are discussed below. The zoning amendment bylaw which has been drafted (see **Appendix ‘A’**) accommodates the proposed uses and densities shown; the applicant is asking for two changes which, if supported by Council, could be inserted into the bylaw before proceeding to a public hearing (see **Appendix ‘B’** and options discussed below).

4. Discussion:

This application proposes a positive change from the current CD zoning for resort condo use. This is a good, central location for additional new housing in Ucluelet. The proposal would result in a mix of housing; with different sizes, types and costs resulting from the proposed mix.

Given the central location within walking distance to the village core, community center, schools and parks, this presents a great opportunity to add diverse residential density and create a walkable neighbourhood in this location. The proposed development mix is commended for including large lots, small lots, rental apartments, and townhomes offering housing in different

forms and affordability. The positioning of these uses with the apartment on the corner, the townhouses to the south and residential lots in between creates a clean development pattern and locates uses suitable to the adjacent lands and their context. The densities proposed are higher than found in existing single-family neighbourhoods in Ucluelet (befitting the point in time this is being proposed, and the current land values), but the proposed development also presents transitions and greenspace thoughtfully placed to minimize impact on existing adjacent uses and people's homes.

This report looks at the proposed zoning for uses and densities, issues of access, servicing and proposed amenities; zoning boundaries follow the general location of future road centerlines and boundaries between different uses. The details of the multiple-family development blocks would be subject to future DP applications which would be required as each of those sites develops.

4.1. Rental Apartment Building:

The applicant is proposing that the first phase of developing Lot 16 would be a four-storey, 48-unit Multiple Family Residential apartment building for rental tenancy only. The apartment building would be located at the corner of Marine Drive and Matterson Drive, with access from both Matterson and the new internal road. The proposed 10m park dedication of a treed buffer would separate the apartment parking lot from the adjacent homes on Victoria Road.

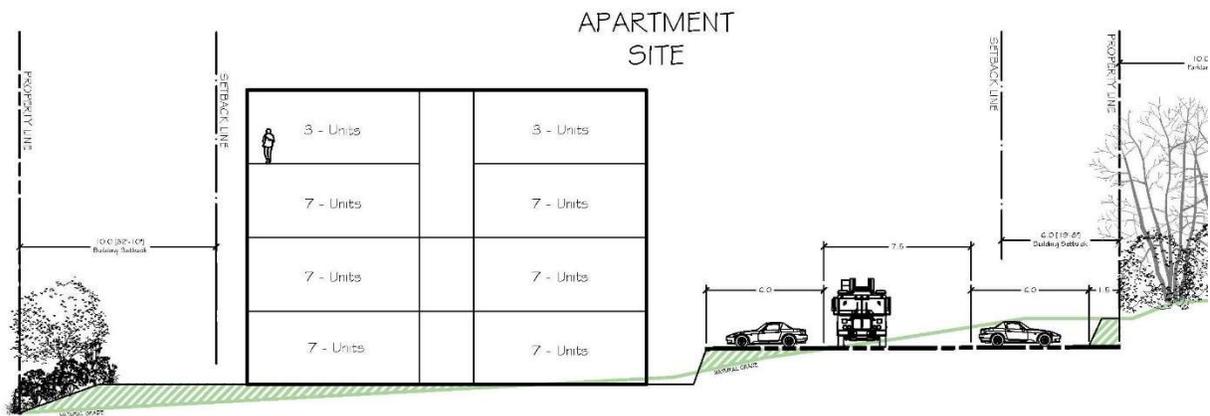
The draft Bylaw No. 1284 would designate this portion of the site as R-3 High Density Residential to accommodate proposed apartment use. The proposed new site-specific regulations in section R-3.8.1(1), (2) and (3) are tailored to this proposal (see **Appendix 'A'**).

These apartments would not be permitted for short-term rental for tourist accommodation, nor would they be stratified for individual ownership. These provisions would be included in a Housing Agreement with the District of Ucluelet, registered on the property title (see recommendation **5(i)** above).

The addition of 48 rental apartments would be a valuable addition to the housing supply in Ucluelet; the applicant's commitment to developing this portion of the site for rental housing is significant, and should be considered among the amenities or other community benefits presented by this proposal.

Building Height:

The R-3 zone currently permits a maximum height of 11m which accommodates a 3-storey building. At this point there are no detailed design drawings of the building or site that would form part of this application; this is a rezoning application only and not a request for a DP at this stage.



Apartment / Multi-Unit Residential Concept
 (Subject to a future Development Permit Application process)

Figure 4 – preliminary section through Apartment site

The applicant has requested that the R-3 zoning include a site-specific provision to allow the maximum height of the building to be increased from 11m to 16m to accommodate a 4-storey building. Staff recommend that this would best be reviewed in connection with a more detailed preliminary design for the actual building being proposed. The applicant could apply for a Development Permit Variance (**DVP**) during the DP process for the apartment building, with the required public notification and opportunity to comment, once the development proceeds to that point and building plans have been prepared. Viewing plans for how the building would be articulated, for example by stepping back portions of upper storeys, would help Council and the community visualize the impact of the development on this corner.

Alternatively, Council could grant the requested additional height outright in the zoning and rely on the form and character DP guidelines to ensure an acceptable building results from the DP process (see **Option #6** at the end of this report). To provide more assurance to Council, the applicant has suggested willingness to include a provision about the height within the restrictive covenant (see also **Option #7** at the end of this report). Both options 6 and 7 would involve review and approval of detailed plans by Council at a later point, but would not result in notification and public input to Council prior to making a decision on approving the building design.

These options 6 and 7 are presented to enable the applicant to make a case for Council to consider and, at Council’s direction, could be easily incorporated as the application moves forward without delay in proceeding to a public hearing.

Outdoor Space and Setbacks:

The applicant is requesting an exemption for the proposed apartment on Lot 16 from the Outdoor Recreation/ Amenity Space required in the Definition of “Multiple Family Residential”. This should be viewed in context with the amenities being offered and the proximity to the Ucluelet Community Centre, Big Beach Park and the schools. If Council were to earmark a portion of the amenity contribution for upgrades to recreation facilities (e.g., additional play equipment in an appropriate nearby public location), it could arguably satisfy the intent of the outdoor recreation space in a way that is accessible to the whole community.

The proposed addition of 10m and 8m setbacks along the property lines of the lot should be achieved by way a green space covenant (S.219 restrictive covenant, as noted in the recommended

motion #5 above). The 10m dedicated greenspace buffer on the east side would also increase the open space and vegetation surrounding the apartment building.

The proposed new rental apartment building would be a very positive addition to the housing supply in the community. At the same time, the location at the corner of Marine and Matterson opposite the UCC is a significant crossroads location at the approach to Big Beach. The building will become a landmark in the community and the overall height - and how the massing of the building is handled in the final design - will have a significant influence on the character of this corner of the community. Balancing these elements is critical when deciding on the appropriate degree and timing of community input, and the degree of control in Council's decision making on this key aspect of the development proposal.

4.2. Single Family Residential:

Along Marine Drive, an area of R-1 zoned single family lots is proposed, north of "the Ridge" and proposed new park, extending north to the new road entrance. These lots would not be accessed from Marine Drive; the proposed 10m greenspace covenant would ensure driveway access would be from the new internal road (see recommendation **5(d)** above).

These proposed larger lots would have the permitted uses currently allowed in the R-1 zone: Single-Family Residential as the principal use and either secondary suite or bed and breakfast as secondary uses, along with home occupation. As proposed, these half-dozen lots could therefore include the ability to provide short-term rental (B&B) accommodation. Recent sales and development on single-family lots in Ucluelet have shown that new construction is leaning more and more toward developing the short-term rental units as a key part of the house. This is placing upward pressure on property values.

B&B units being built in new homes are no longer a bedroom down the hallway within a home; they are generally being constructed as self-contained units with separate external entrances, more akin to motel suites. It is highly likely that most if not all of the proposed R-1 lots would contain one to three B&B units, and this potential impact should be considered when considering the development's overall density.

As a small portion of the overall development, and in this particular location on Marine Drive (with other short-term rental accommodation nearby and with proximity and views to Big Beach), staff recommend that the proposed R-1 lots are a supportable component in the mix of other housing types being proposed.

4.3. Infill Single Family Residential:

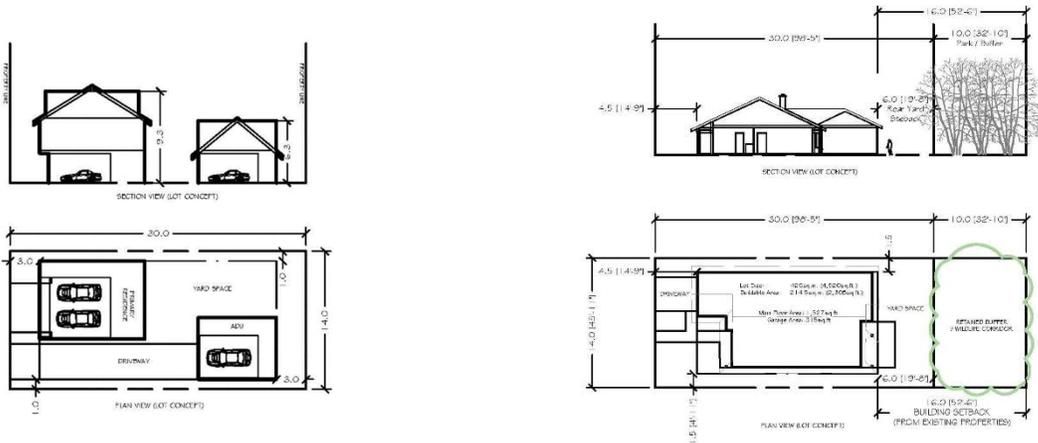
In the centre of Lot 16, approximately 30 compact new single-family lots are being proposed. A new R-6 Infill Single Family Residential zoning designation would be created by Bylaw No. 1284. The new R-6 zoning provisions would accommodate the lots shown in the Concept Plans, while providing flexibility to adjust the specific layout of individual lots as the development proceeds further through the subdivision process.

A 10m park dedication is proposed to maintain a treed greenspace buffer between the new single-family lots on Lot 16 and the adjacent homes on Victoria Road. This aligns with the original commitment to provide a 10m buffer which was part of the density bonusing framework for the CD-2 zone (please see **Appendix 'D'** for more detail on the somewhat confusing history of the prior zoning).

Some key components of the new draft R-6 zone:

- the list of permitted uses, as drafted, are purely residential with no short-term accommodation;
- minimum, maximum and maximum average lot sizes are defined, which would result in a mix of lot areas within a range between 360m² and 600m²;
- accessory uses include *secondary suite* or a detached *accessory residential dwelling unit* (a.k.a., cottage) on lots larger than 480m². Combined with the maximum lot average regulation this will ensure some mix among the housing units developed within this new neighbourhood;
- the Floor Area Ratio of 0.35 is equal to the current R-1 zoning regulations which apply in adjacent existing neighbourhoods, but if additional accessory housing units are included the F.A.R. is increased under the R-6 zoning to 0.5 – creating an incentive to develop more housing rather than larger houses;
- front setbacks are reduced along the new internal roads, but a greater setback is maintained in front of portions of a building with a garage door (so that a parking space is maintained on the driveway without overhanging the property line and sidewalk); and,
- maximum height for the main house would be 8.5m and for an accessory building would be 5.5m (same as in the R-1 zone), but for an *accessory residential dwelling unit* would be 7.5m. The 7.5m height is intended to allow for a small dwelling above a garage, but still be somewhat secondary in appearance to the slightly higher main house.

The new R-6 zone, and this proposed new neighbourhood of lots, would be the first area in Ucluelet where accessory cottages are widely permitted. As noted above, the lot area regulations would ensure that not every lot could have a cottage – at least one or two would be too small to permit that additional use, ensuring that the mix includes some modest homes on compact lots without the addition of a rental unit.



excerpt: Internal Lot

excerpt: showing Park Buffer along Victoria Road

Figure 5 – excerpts from application site plan showing possible infill single family lot options

A new neighbourhood of compact yet livable residential houses, with the ability to include an attached or detached extra long-term rental unit as a mortgage helper, would be a positive addition to the community. The detached cottage is similar to a secondary suite in size and use, but provides a different form with a bit of separation, privacy and often more outdoor private space.

Inclusion of short term rentals:

The applicant is requesting that the zoning also include the ability to have some short-term rentals within the permitted uses, for those internal lots which do not back onto the green buffer adjacent to Victoria Road. The draft Bylaw No. 1284 has not been written to accommodate this use, and staff are not recommending that including this portion of commercial accommodation is a benefit to the affordability or livability of the community. As noted above, a limited amount of short-term rentals within the half-dozen R-1 Lots along Marine Drive does provide for some of that commercial accommodation and added real estate value.

As part of ongoing work to develop a housing strategy for Ucluelet, Council has indicated a priority in looking at opportunities to increase housing choices and supply. Adjusting regulations to allow new forms of accessory dwelling units in existing residential areas is a policy area staff are working on. The work to develop the new R-6 zoning regulations starts to give shape to how such regulations could unfold. The draft regulations are aimed at providing an opportunity, and incentive, to create additional and more diverse housing supply within town - while also maintaining a density, character and adequate separation to maximize quality of life for residents.

As part of the broader housing discussion, tools such as an Intensive Residential Development DP area will be explored. This could include guidelines to improve privacy between adjacent properties when adding accessory units, and to ensure that adequate off-street parking is located in ways that also maintain a pedestrian-friendly streetscape and protect the supply of on-street public parking.

If Council wishes to include short term rentals as an option within the central portion of the R-6 zoned land, draft Bylaw No. 1284 could be amended as noted at the end of this report (see **Option #8** and **Appendix 'B'**), prior to the bylaw moving forward to a public hearing.

4.4. Townhomes:

The applicant is proposing that the south end of Lot 16 be designated for 28 townhomes. This presents yet another housing type and would add diversity to the community housing supply. Townhomes provide ground-oriented housing at a different price point than detached single-family homes. The draft Bylaw No, 1284 would designate this portion of the site as R-3 High Density Residential, with site-specific regulations R-3.8.1(4) and (5) to define the maximum density and setbacks as proposed.

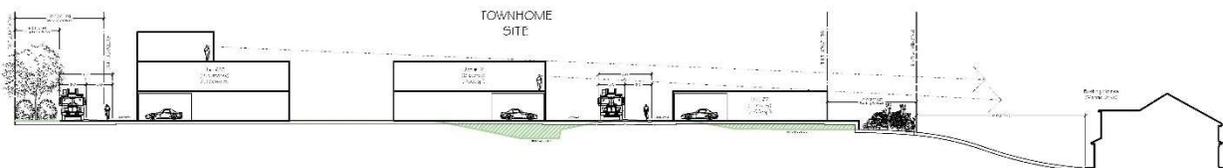


Figure 6 – preliminary section through Townhome site

The Concept Plans presented with the application show the access to the townhome site from Victoria Road near the intersection with Marine Drive. As noted in the discussion of access and circulation, below, staff recommend that the road access would be more appropriate from the new internal road. This change can be made as the development moves forward through subsequent stages of subdivision and DP approval (see recommendation 5(f) above).

4.5. Access and Circulation:

The Concept Plans show two closed, dead-end road loops. The first would provide access to the new single-family lots from a single connection to the existing road network at Marine Drive (highlighted in red in **Figure 7**, below). The second loop would provide access to the townhouse strata from a connection on Victoria Road through an existing municipal road right-of-way approximately 17m (55 ft) from the corner of Marine Drive.



Figure 7 – Road access and circulation.

Staff are recommending that a better road pattern would connect the new public road through Lot 16 from the access on Marine Drive through to Victoria Road at another existing section of municipal road right-of-way 63m (200 ft) further north (highlighted in blue in **Figure 7**, above, and noted in recommendation 5(e) at the outset of this report). The connection to the townhouse strata would be from this new section of public road. This pattern of connecting the street through the site, rather than creating a pair of closed loops, has advantages for traffic flow, neighbourhood connectivity and emergency access. By moving the new intersection with Victoria Road further north away from Marine Drive, it would also avoid potential conflicts at the existing intersection.

The applicant has expressed that either approach would be acceptable and is not pushing for one option over the other.

The layout of new roads and underground utilities is engineered and reviewed as part of the subdivision process, and must fit with existing infrastructure and meet acceptable safety standards. Staff raise this issue because the location of new roads connecting to existing neighbourhoods tends to be a point of great interest, and any potential changes in traffic patterns can become a point of concern. Being transparent about the options at the outset, and the recommended approach to how this new neighbourhood could fit within the network of Ucluelet's streets, will allow the public to comment as part of the public process as this proposal moves forward.

4.6. Public amenities:

The applicant is proposing to contribute the following amenities with the proposed development:

4.6.1. *Park Space:*

The applicant is proposing to dedicate a 1,300m² park space with an ocean view. The proposed park is valuable real estate; the offer to create the park in this position for the public to be able to enjoy the views, and connect a pathway through the site allowing easy access to Big Beach, is of great community benefit. The park space would also act as a green break between "the Ridge" development and the proposed new single-family lots along Marine Drive.

Also proposed is a 10m treed buffer park space behind the existing Victoria Road residential properties (see Concept Plans). This greenbelt would provide separation between the back yards of existing residential properties and the back yards of the proposed new lots. The 10m vegetation buffer meets the intent of the 2006 amenity framework for the existing CD-2 zoning of Lot 16.

4.6.2. *Financial Contribution*

The applicant is proposing a financial contribution to the District of Ucluelet of \$1,000 per multi-family unit or single-family lot, which for the proposal presented would total \$112,000. As noted above, this contribution (or a portion), could be earmarked for outdoor recreation facilities. It could also be used to accelerate paydown of the municipal debt on the UCC, be put toward creating pedestrian improvements, etc.; this is a discretionary decision of Council on what would most benefit the community.

Proposed amenity contributions are difficult to compare between developments. One of the amenities promised in the original Big Beach Estates development was a new public swimming pool and fitness facility, which was to be privately owned and maintained. The details of how that would be viable were not worked out at the time. This is a new development and should be viewed in its current context.

It is a reasonable expectation that a development proposal should present a net benefit to the community. The provision of needed housing and desired green spaces are part of that equation.

The expense of the constructing the development should be covered by the developer. As the development process proceeds, confirmation of the extent to which the developer will cover the following costs should be confirmed:

- pathways, trails and landscaping not specifically mentioned in Ucluelet's subdivision servicing bylaw;

- park furniture or equipment (benches, play or recreation equipment, waste receptacles, signage, etc.);
- landscaping of boulevard and park spaces, and degree of finish (i.e, natural spaces vs. manicured).

These items also clearly benefit the development itself, but confirmation of the level of development of these public facilities would benefit the public review of the proposal.

4.6.3. *One Single-Family Residential Lot*

The applicant is proposing to transfer ownership to the District of Ucluelet one small serviced residential lot. The applicant estimates the value of this contribution at \$90,000 to \$100,000.

4.6.4. *Rental Housing Agreement*

Although not claimed as an amenity by the applicant, the creation of a rental tenure apartment building is clearly a sizeable benefit to the community. The applicant has stated that they will guarantee by covenant a rental-only tenure of the apartment property and that it will be the first phase of the development. Rental housing is one of the most critical needs in the Ucluelet housing spectrum.

The balance of all aspects of the development proposal should be weighed as a whole when considering whether the development presents a net public benefit to the community.

4.7. Services

The applicant has been in discussion with planning and public works staff, and the municipality's consulting engineering firm, to understand the servicing requirements. The developer needs to understand the connection between four things to have a clear picture of the viability of the project:

- i. the cost of off-site utility works (water and sewer) which would be necessary to serve the proposed development;
- ii. what portion (if any) of those works would overlap with charges due under the Development Cost Charge bylaw (and therefore reduce the total DCC's payable);
- iii. the total land and cash amenity contributions offered and accepted by Council as part of the rezoning; and,
- iv. the uses and densities which might be approved by the rezoning.

Based on a DCC Summary from the applicant's engineer, the applicant confirmed on January 13, 2021, that the amenity contribution being offered with the current application is as described above.

4.7.1. *Onsite Services*

Onsite services such as roads, storm drainage, pedestrian walkways and boulevards, water, sewer, hydro, and phone/data utilities will be required as part of any future subdivision.

4.7.2. *Offsite Services*

The offsite service considerations for this property are complex. The property currently does not have adequate water pressure to allow for appropriate fire protection. The current

downstream sewer system capacity could not accept the proposed densities. For this discussion we will break down the two main issues of water and sewer:

4.7.3. Water

The proposed development will not have the required fire flows and peak hour pressure with the existing in-ground infrastructure. A check valve installation at the intersection of Matterson Drive and Victoria Road and a watermain upgrade on Victoria Road are required to provide adequate water service for the proposed development.

4.7.4. Sewer

The Victoria Road pump station and the forcemain beyond are currently close to, if not at capacity. In order for the further development to proceed in this area, this station would need to be bypassed and the sewage volume from the Marine Drive pump station must be diverted and picked up at the newly installed gravity piping located on Otter Street, just off Peninsula Road. This project is called the Matterson Bypass, and is identified as a future project within the Sewer Master Plan.

Servicing costs:

To help facilitate this development the District's engineering consultant reviewed the Matterson Bypass project and created a Class 'D' estimate (with 30% contingency). On September 24, 2020, Koers Engineering submitted this Class 'D' estimate with an estimated total construction cost (excluding Engineering & GST) of \$725,000. This bypass would also leave a gravel path parallel to Matterson Drive that could be a safer pedestrian route if it were to be paved (rather than the current route that runs on the road shoulder).

As these the water and sewer servicing costs affect the viability of the proposed development, Planning Staff have worked with the developer to review whether or not these expenditures overlap projects within the Development Cost Charges (DCC) program and if so, how that affects the DCC's charged as the development builds out.

The District's engineering consultant was asked to review the Ucluelet DCC program, to confirm whether these projects align with the DCC project list. The following statement was submitted by Koers & Associates Engineering Ltd on November 16, 2020

"Water

If the Check Valve was installed at Matterson and Victoria, then the Matterson Pressure Zone Requirement would be satisfied and it could be removed from the DCC list. However the watermain improvement on Victoria is directly due to the development and shouldn't be considered a DCC.

Sanitary

The development requires the existing 150mm PVC forcemain to be extended to Otter Street. However this forcemain if constructed should be a 300mm via main to suit future growth in the District. The DCC noted funding for local station improvements and forcemains are essential to pump stations so we could loosely consider the forcemain as part of this project. It should be noted that the Matterson Road forcemain has been identified in the Sanitary Master Plan (300mm dia) with a Draft Report scheduled for the first week of December. An option for the District would be to consider funding the increase in cost of the pipe material between 300mm and 150mm dia. for the forcemain

as the excavation and surface restoration costs are similar for both pipe diameters. Alternately if the developer proceeds with a 150 mm dia. forcemain, the District should plan to install a duplicate main at a later date to meet future demands.”

The municipal solicitors were asked to confirm the legal framework by which DCC projects completed by a developer could be “credited” toward a development. Discussion with the applicant and the developer’s engineering consultant in December, 2020, confirmed that the following costs would advance the DCC program and would not be charged toward the development:

- *Watermain check valve estimated maximum water DCC credit available \$100,000.00*
- *Sanitary sewer extension estimated maximum sanitary DCC credit available \$489,000.00*

The above cost estimates can be confirmed by the District’s engineers as the project design is developed in more detail and class ‘A’ cost estimates are provided. The mechanism for tracking and ensuring the water and sewer servicing costs are “credited” when charging DCC’s on the various areas of the Lot 16 development will need to be clarified as the project proceeds, and prior to subdivision.

5. Time Requirements – Staff & Elected Officials:

Should this application proceed, staff time will be required to process the bylaw amendments (including giving notice of a Public Hearing), a Housing Agreement bylaw and covenant. Future DP and possibly DVP application(s) would also be seen by Council. Subsequent applications would be expected for subdivision and, ultimately, individual building permits.

Coordination and review of on- and off-site infrastructure would also involve both staff and the District’s consulting engineers as the development proceeds.

6. Financial Impacts:

The Development Cost Charges for the new development will be collected at the time of building permit issuance on a per unit basis for the multi-family portions, as set out in the municipal DCC bylaw. DCC’s would also be payable for the new single-family lots at the time the final subdivision approval is granted for each new lot.

Amenity contributions are discussed above. Off-site servicing costs would be borne by the developer. Some additional costs, for extra work to provide public improvements already identified by municipal infrastructure master plans, should be budgeted to align with the timing of the developer’s installation of infrastructure. Two notable items are:

- increasing the pipe size on the Matterson Bypass sewer forcemain (est. cost \$137,000). It would be cost effective for the District to pay for up-sizing the pipe to handle the entire future capacity of this line.
- additional design and paving costs to place an asphalt multi-use path atop the new sewer forcemain alignment parallel to Matterson Drive (est. cost \$100,000). This would provide the improved pedestrian and bicycle connection along Matterson envisioned as the “coast-to-coast connector” in the Parks and Open Space master plan. The most cost-effective installation of the pathway would be if coordinated with the sewer line installation.

7. Policy or Legislative Impacts:

The development of Lot 16 for a mix of residential uses is consistent with Ucluelet's Official Community Plan. The draft zoning amendment bylaw presented with this report is being recommended for Council to consider to advance this significant proposal to a public hearing.

As discussed above, and noted in the options below, the applicant wishes to request additional height for the proposed apartment building and inclusion of additional short-term rental uses within the central portion of the new single-family lots. The options 6, 7 and 8 below have been crafted so that, should Council choose to support either of those requests by the applicant, the bylaw could be amended before being sent to a public hearing to gather public comment.

Should the application proceed, staff would also prepare a Housing Agreement bylaw for Council to consider to enable the rental apartment commitments to be secured prior to the apartment lot being finally approved.

Conclusion and OPTIONS:

The zoning amendment that is recommended strives to represent the best interests of the community with a residential focus on this key property while allowing for the densities contemplated in the applicant's concept plan. It is worth re-stating that this is a significant housing proposal for Ucluelet. The diversity of housing types being proposed for Lot 16 includes all of the following:

- rental apartments;
- ground-oriented townhomes;
- single-family homes on large lots;
- medium single-family homes on compact lots;
- small homes on small lots;
- secondary suites, and,
- detached accessory residential cottages.

Staff recommend that the zoning amendment bylaw prepared in response to this proposal receive first and second reading and be advanced to a public hearing to allow for community input, as laid out in the recommendations 1 through 5 at the outset of this report.

Alternatively, Council could consider the following:

6. prior to second reading (and in place of recommended motion #4, above), amend the draft Bylaw No. 1284, 2021, by inserting under text amendment C the following into the new text for site specific Other Regulations under R-3.8.1(1):
"c.) the maximum height is 16m (52 ft)";

or,

7. alternatively (also in place of recommended motion #4, above), amend the draft Bylaw No. 1284, 2021, as in recommendation #6 but also add the following to the restrictive covenant at the end of recommended motion #5:

“j.) despite the zoning of proposed Lot ‘A’, the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans”;

and/or,

8. prior to second reading, amend the draft Bylaw No. 1284, 2021, by inserting (under text amendment B) *Bed and Breakfast* into the list of permitted secondary uses in the new R-6 zone under R-6.1.1(2) specific to the area of Lot 16 Marine Drive as shown in Appendix B to the staff report of March 23, 2021;

or,

9. Council could provide alternative direction to the applicant and/or staff.

Respectfully submitted: Bruce Greig, Manager of Community Planning
John Towgood, Planner
Rick Geddes, Fire Chief
Warren Cannon, Superintendent of Public Works
Donna Monteith, Acting Chief Administrative Officer