



REGULAR MEETING OF COUNCIL

George Fraser Community Room, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet, and
Electronically via Zoom ([Ucluelet.ca/CouncilMeetings](https://ucluelet.ca/CouncilMeetings))
Tuesday, September 3, 2024 @ 4:00 PM

AGENDA

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1322, 2024

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Deputy Mayor, April 1 - June 30, 2024

- 13.2. Councillor Jennifer Hoar
Deputy Mayor, January 1 - March 31, 2024

- 13.3. Councillor Ian Kennington
Deputy Mayor, July 1 - September 30, 2024

- 13.4. Councillor Mark Maffei
Deputy Mayor, October 1 - December 31, 2024

- 13.5. Mayor Marilyn McEwen

14. QUESTION PERIOD

15. CLOSED SESSION

- 15.1. Procedural Motion to Move In-Camera

THAT the September 3, 2024 Regular Council Meeting be closed to the public pursuant to the following sections of the *Community Charter*:

- 90(1)(c) labour relations or other employee relations;
- 90(1)(g) litigation or potential litigation affecting the municipality; and
- 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

16. ADJOURNMENT

From: [Nancy Owen](#)
To: [Nancy Owen](#)
Subject: FW: 2024 BC Summer Games Participants - Ucluelet and Tofino
Date: August 19, 2024 9:31:45 AM
Attachments: [24SM-Ucluelet and Tofino.xlsx](#)

From: mayors@bcgames.org <mayors@bcgames.org>
Sent: Friday, August 9, 2024 11:00 AM
To: mayors@bcgames.org
Subject: 2024 BC Summer Games Participants and Medal Count by City

[External]

Dear Mayor:

(this email sent to Mayors of communities represented at the 2024 BC Summer Games)

The recent Maple Ridge 2024 BC Summer Games were a tremendous success. The dedication and energy of over 1,700 volunteers who gave their time and energy in support of sport and community development deserve enormous credit. Of these, over 80 served in key leadership positions, which began over two years ago.

Over 3,100 participants put their spirit of competition and sport skills on display in 22 sports at various venues throughout the region. These participants were supported with program development, coaching certification, and officials' education managed and provided by the Provincial Sport Organization for their respective sports.

The statistics on the numbers of participants, medalists, and award recipients for your community are noted in the attached document ([or click here to download the document](#)). In all, 189 communities were represented at the Games.

If you wish to write a congratulatory note, we can provide you with the names and addresses or email addresses of the athletes, coaches, and officials from your community. Should you wish to access this information, please contact us at mayors@bcgames.org.

The support the BC Games Society continues to receive from communities around the province is greatly valued. Whether as host of the Games, permitting use of venues, or providing ongoing access to programs and facilities for sport, communities in this province contribute in a significant way to the development of sport and to the BC Games. Municipal support helps to produce international successes for BC athletes while at the same time affirming that the investment in grassroots participation is where sport is grown and nurtured.

The BC Games is proud to provide a sport development opportunity for athletes, coaches, officials, and provincial sport organizations while creating an occasion for members of the hosting community to come together in collaboration and celebration.

Alison Noble

Alison Noble

President and CEO



tel 250.387.1375

mayors@bcgames.org | www.bcgames.org

We respectfully acknowledge the Lekwungen-speaking peoples on whose traditional territory the BC Games Society office stands, and the Songhees, Esquimalt, and WSANEC peoples whose historical relationships with the land continue to this day.

We inspire exceptional experiences by creating a positive, respectful, and inclusive environment regardless of anyone's gender, accessibility, ethnic background, colour, sexual orientation, religion, political belief, or economic status.



DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD ELECTRONICALLY AND IN THE GEORGE FRASER COMMUNITY ROOM
IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, June 11, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, Kennington, and Maftei (via Zoom)
 Staff: Duane Lawrence, Chief Administrative Officer (via Zoom)
 Jeffrey Cadman, Director of Finance
 Bruce Greig, Director of Community Planning
 Joseph Rotenberg, Manager of Corporate Services
 Samantha McCullough, Manager of Human Resources &
 Communications
 Nancy Owen, Executive Assistant

Regrets:

1. CALL TO ORDER

The meeting was called to order at 4:03 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IŁ?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

2. LATE ITEMS

2.1 Public Hearing written submissions for item 6.1 District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024

2.2 Written submission for item 5.1 Development Permit - 1671 Cedar Road (Whiskey Landing Phase 2)

2.3 Written submission for item 8.4 Municipal Visitor Parking Program

**2.4 STR Data Portal Information Sharing Agreement (Verbal Report)
*Joseph Rotenberg, Manager of Corporate Services***

The Mayor noted the late items.

2024.2178.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the the agenda be amended by adding the late items as follows:

- Adding the written submissions related to the Public Hearing on Zoning Amendment Bylaw 1344, 2024 to the agenda under item 6.1;
- Adding the written submissions related to Development Variance Permit DVP24-07 to the agenda under item 5.1;
- Adding the written submissions related to the proposed Municipal Visitor Parking Program under item 8.4; and
- Adding the verbal report titled STR Data Portal Information Sharing Agreement to the agenda as item 8.6.

CARRIED.

3. APPROVAL OF THE AGENDA

3.1 June 11, 2024, Regular Council Meeting Agenda

2024.2179.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the June 11, 2024, Regular Council Meeting agenda be adopted as amended.

CARRIED.

4. PUBLIC INPUT & DELEGATIONS

4.1 Delegations

**Joshua Hunt, CEO, ERIF Sustainable Solutions
Re: Housing Development Project in Ucluelet**

Mr. Hunt provided an overview of his company's activities in the housing space and how they could be implemented to address sustainable housing challenges in Ucluelet.

Mr. Hunt outlined his company's approach to developing and constructing affordable housing and partnering with municipalities. He displayed their Eagle Multiplex Series which provides rapid housing construction delivering market rentals, affordable rentals and affordable sales.

In response to Council's questions, Mr. Hunt noted that it takes approximately 8 weeks to construct a multiplex unit and that affordability rates are set by Canada Mortgage and Housing Corporation (CMHC). He also noted that they can currently construct for \$300 per square foot and the project that they are considering is about 250 units that could be built in 6 months.

Mr. Hunt also noted that ERIF is capable of implementing onsite waste water solutions and is willing to consider solutions for

infrastructure challenges. Mr. Hunt also outlined ERIF's experience working with First Nations.

2024.2180.REGULAR

IT WAS MOVED AND SECONDED:

***THAT** Council authorize Mr. Hunt's delegation regarding ERIF Sustainable Solutions' Housing Development Project in Ucluelet to go beyond the ten-minute time limit established by the Council Procedure Bylaw.*

CARRIED.

Sharon Wu

Re: Seasonal Worker Housing/ Affordable Housing

Ms. Wu outlined challenges for small business owners in Ucluelet and the difficulty finding employee housing. The Delegate noted affordability issues as employees are required to hold one or two jobs to afford to live in Ucluelet and suggested that the District should collaborate with local business owners to address housing issues.

Ms. Griffith-Cochrane of the Ucluelet Aquarium also presented concerns related to employee housing and noted housing insecurity causes employee retention issues. She noted solutions for addressing the housing crisis such as a cap on short-term rental (STR) business licenses until a certain number of long-term rentals (LTR) is reached, incentives for homeowners to apply for grants to convert STRs to LTRs, an empty home tax, a review of bylaw priorities and penalties, and the creation of an affordable housing committee.

Council noted challenges with development, including limited District land holdings and discussed some temporary solutions. Council also noted the ongoing collaboration with the Chamber of Commerce and involvement with the Economic Development Committee. Council further discussed the need for a housing authority and ways to educate long-term renters of their rights.

5. UNFINISHED BUSINESS

5.1 Development Permit - 1671 Cedar Road (Whiskey Landing Phase 2) *Bruce Greig, Director of Community Planning*

Mr. Greig presented the report.

In response to Council questions Staff noted an unresolved question pertaining to the waterfront walkway and public pedestrian access that should be confirmed by the Applicant. Staff confirmed the development

would provide housing for the community, with a maximum of 8 units designated for resort condo use. Staff also confirmed the subject property and neighbouring property are zoned CD4.

The Applicant's Representative, Fawn Ross, presented. The Representative objected to Staff's interpretation of the CD4 zone. The Representative also noted the complications pertaining to the pedestrian waterfront walkway and explained its removal from the developer's application package.

The Representative requested that the Development Permit be issued with the following amendments:

- remove reference to the 15 residential units and 8 resort condo units; and
- remove reference to the foreshore lease and pedestrian walkway as a condition to obtaining a Building Permit.

Council discussed Staff's interpretation of the CD4 zone as it relates to resort condo use.

In response to Council questions the Representative noted they cannot commit to the number of resort condo units they wish to develop.

The Mayor noted correspondence added to the agenda as a late item. The Mayor called for members of the public to provide input on the Development Variance Permit (DVP).

Sophie, Helen Road, asked questions about the zero setback and Staff clarified that the variance would permit the building to extend to the natural boundary of the sea where the private property ends and the crown marine foreshore begins, and where the waterfront walkway would be developed.

Staff read three emails received after the late agenda was published.

- Jessie Croll, Coral Way, questioned the involvement of an architect for this development, noting concerns due to the absence of a seal on the title block.
- Jamie Bray, owner of Jamie's Whaling, Fraser Lane, noted concerns with adding 4 metres of height to the building and the impact it may have to future developments in the area.
- Rino del Zoppo, Cedar Road, wrote in opposition to the development variance permit, noting concerns with the side yard interior setback for the principal building of 0.0m and the setback for the principal building from the natural boundary of the ocean

of 0.0m.

2024.2181.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council defer a decision on DP23-04 for 1671 Cedar Road and indicate to the applicant that they should revise their proposal to address the applicable OCP Development Permit area guidelines, particularly guidelines F2, F8, F1.1, F1.2, F1.3, F1.4, and F1.6.*

CARRIED.

2024.2182.REGULAR *IT WAS MOVED AND SECONDED:
THAT the meeting be recessed for five minutes.*

CARRIED.

The meeting was recessed at 5:55 PM. The meeting resumed at 6:03 PM.

6. PUBLIC HEARINGS

6.1 District of Ucluelet Zoning Amendment Bylaw No.1344, 2024

The Mayor outlined the rules that apply to a public hearing and Staff outlined how members of the public could participate in the hearing in person or electronically. Staff further noted that all related documents were available for review at the place of the meeting and on the District's website.

The Mayor opened the public hearing on District of Ucluelet Zoning Amendment Bylaw No.1344, 2024 at 6:08 PM.

6.2 Proposed Bylaw & Related Information

The Director of Community Planning provided a brief overview of the subject bylaw, in general terms.

6.3 Related Written Correspondence Received during the Notice Period

The following summarizes the written correspondences received about the subject bylaw, including the late agenda item:

- Anthony Persaud and Shayla Williams, wrote in support of the Zoning Amendment Bylaw, expressing a desire to offer a short-term rental (STR) suite in their home but have yet to do so because of the onerous terms of the current bylaw.
- Robyn Mair, Sleepy Bear Guest House, Cedar Grove Place, wrote in support of the Zoning Amendment Bylaw noting the guest house as a main source of income and that the separate entrance and privacy from guests is crucial for the safety of their family.
- Sean and Katie, Athlone Road, wrote in support of the Zoning Amendment Bylaw noting the unlikelihood of STRs converting to

- long-term rentals (LTRs).
- Andreanne Muller, Victoria Road, wrote in opposition to the Zoning Amendment Bylaw due to the housing crisis in Ucluelet. Ms. Muller noted her support for the already existing legal STRs currently operating with no kitchen and noted her opposition for any LTRs to be permitted to convert to STRs or any newly constructed STRs moving forward.
 - Jon Greenglass and Robyn Ross, Barkley House B&B, Barkley Place, wrote in support of the Zoning Amendment Bylaw, noting the importance of B&B licensees in a resort municipality. They also noted the added income from the STRs is required to support the high cost of homeownership in Ucluelet.
 - Julie Zoney and Wolfgang Sterr, Salt & Cedar Guest Suites, Coral Way, wrote in support of the Zoning Amendment Bylaw noting the responsibility to address the housing crisis in Ucluelet should not fall on the current B&B operators.
 - Matt Bowles and Vanessa Ramsden, Norah Street, wrote in support of the Zoning Amendment Bylaw.
 - Charley Ballantyne and Rachel Land, Edwards Place, wrote in support of the Zoning Amendment Bylaw, noting the benefits STRs provide to our community and local business owners. They also noted that many homeowners rely on the additional income received from their STRs to offset living expenses.
 - Molly and CJ Schmidt, Pass of Melfort Place, wrote in support of the Zoning Amendment Bylaw, noting the risks to homeowners should they be forced to shut down their STRs and the unlikelihood that these STRs would be converted to LTRs.
 - Chris Johnston and Carolyn Langhelt, Marine Drive Guest House, wrote in support of the Zoning Amendment Bylaw, noting the benefits their STRs provide to other local business. They also noted that converting their suites to a long-term residency would be cost prohibitive.
 - Keara and Ross Mckenzie, St. Jacques Boulevard, Salal Suite Ukee, wrote in support of the Zoning Amendment Bylaw, noting that shutting down legal non-conforming STRs will not provide the LTRs required to address the housing crisis.
 - Nicole Burtini and Jess Bennett, Pass of Melfort Place, Slack Tide Suite, wrote in support of the Zoning Amendment Bylaw, noting that their suite is not suitable for long-term rental and that shutting down their STR would negatively affect their livelihood.

6.4 Public Input

The Mayor called three times for members of the public to provide input on the subject bylaw. The following summarizes the input from speakers attending in person:

- Charley Ballantyne, Edwards Place, spoke in support of the Zoning Amendment Bylaw and elaborated on the matters noted in his letter. He further noted that Bylaw No. 1310 does not reflect the current guest accommodation experience that travelers are looking for in terms of privacy and also does not address housing shortages for seasonal or long-term residency.
- Robyn Mair, Cedar Grove Place, spoke in support of the Zoning Amendment Bylaw, noting that her STR is her main source of income for her family and she expressed the importance of keeping her main living space private from guests.
- Chris Johnston, Marine Drive Guest House, spoke in support of the Zoning Amendment Bylaw and noted that their extensive renovations, came at a great expense and they would not be able to afford their home if not for the income from the 3 STR units. He further noted that the 49 non-conforming units in question are being blamed for the housing crisis and it should not fall on them to address this issue.
- Sean Gallagher, Athlone Road, spoke in support of the Zoning Amendment Bylaw noting that if the restrictions in Bylaw No. 1310 forced the 49 non-conforming STRs to shut down, most of these units would not easily convert to long-term rental use and the renovations to do so would be cost prohibitive. He further noted that without the income from their STR, they would be forced to sell their home.
- Jon Greenglass, Barkley Place, spoke in support of the Zoning Amendment Bylaw. He noted when Council amended the bylaw in 2022, the 49 non-conforming STR owners were told their properties would be grandfathered in, and that if the purpose of the current bylaw and provincial regulations is to stop the growth of STRs, he recommended controlling this growth in other ways.

The following summarizes the written correspondence received during the public hearing that was not published in the agenda or in the late agenda item, and was read out loud by Staff to Council at the meeting:

- Todd Smith, St. Jacques Boulevard, wrote in opposition to the Zoning Amendment Bylaw. He noted concerns that the amendments to the bylaw would accelerate future STR developments. He recommended finding a standalone solution for the existing non-conforming STR holders.
- Mandi and Tristan Gaudet, Pass of Melfort Place, wrote in support of the Zoning Amendment Bylaw, citing safety concerns and logistical difficulties with the current bylaw.
- Racheal, Gillian and Poppy Montgomery, Cynamocka Rd, wrote in support of the Zoning Amendment Bylaw, stating that their STR was legally conforming prior to adoption of Bylaw No. 1310 and they are pleased that these proposed bylaw amendments would reinstate the conformance of their STR.

- Andrea, Marc, Takaya and Finn, Marine Drive, wrote in support of the Zoning Amendment Bylaw, noting how STRs create affordability for homeowners. They also outlined various ideas to address the long-term housing issues such as using STR tax revenues to support long-term housing initiatives.
- Sabrina and Arnaud Dagenais, Rainforest Drive, wrote in support of the Zoning Amendment Bylaw and noted that their STR suite was built following the bylaws in place at the time of construction. They expressed concerns that the STR unit would not conform to building standards for long-term rental and that without the additional revenue from the suite they could no longer afford their home.
- Dan and Brandi Fraser, Residents, wrote in support of the Zoning Amendment Bylaw, noting their choice to construct an STR suite over a long-term rental, and that the revenue from their STR provides affordability to live in Ucluelet.

The public hearing on District of Ucluelet Zoning Amendment Bylaw No.1344, 2024 was closed at 6:46 PM.

7. BYLAWS

7.1 Zoning Amendment Bylaw No. 1344, 2024, Third Reading and Adoption *Anneliese Neweduk, Planner*

Mr. Greig, Director of Community Planning, presented this report.

2024.2183.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council give third reading of the District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024.*

CARRIED.

2024.2184.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council adopt District of Ucluelet Zoning Amendment Bylaw No. 1344, 2024.*

CARRIED.

7.2 Zoning Amendment Bylaw No. 1341, 2024 *Anneliese Neweduk, Planner*

Mr. Greig, Director of Community Planning, presented this report.

2024.2185.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council give first, second, and third reading of the Ucluelet Zoning Amendment Bylaw No. 1341, 2024*

CARRIED.

2024.2186.REGULAR

*IT WAS MOVED AND SECONDED:
THAT Council adopt Ucluelet Zoning Amendment Bylaw No. 1341, 2024.*
CARRIED.

7.3 Zoning Amendment Bylaw No. 1345, 2024
Anneliese Neweduk, Planner

Mr. Greig, Director of Community Planning, presented this report.

2024.2187.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council give first, second, and third reading of the Ucluelet Zoning
Amendment Bylaw No. 1345, 2024.*
CARRIED.

2024.2188.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council adopt Ucluelet Zoning Amendment Bylaw No. 1345, 2024.*
CARRIED.

7.4 Zoning Amendment Bylaw No. 1346, 2024
Anneliese Neweduk, Planner

Mr. Greig, Director of Community Planning, presented this report.

2024.2189.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council give first, second, and third reading of the Ucluelet Zoning
Amendment Bylaw No. 1346, 2024.*
CARRIED.

2024.2190.REGULAR *IT WAS MOVED AND SECONDED:
THAT Council adopt Ucluelet Zoning Amendment Bylaw No. 1346, 2024.*
CARRIED.

8. REPORTS

8.1 Weyerhaeuser OceanWest Phase 5 Subdivision
Bruce Greig, Director of Community Planning

Mr. Greig presented the report.

Council invited the Applicant to speak. The Applicant did not address Council.

The Mayor called for members of the public to provide input on the Development Variance Permit (DVP).

Matt Harbidge, Peninsula Road, opposed the DVP due to the proximity to wetlands.

2024.2191.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council authorize the Director of Community Planning to execute and issue Development Variance Permit 24-03.

CARRIED.

2024.2192.REGULAR *IT WAS MOVED AND SECONDED:*
THAT Council exempt the proposed lots 81, 82, 87, 90, 91, and 96 of the Weyerhaeuser OceanWest phase 5 subdivision from the minimum 10% highway frontage required under section 512 (1) of the Local Government Act.

CARRIED.

2024.2193.REGULAR *IT WAS MOVED AND SECONDED:*
THAT Council indicate acceptance that the proposed park land dedication shown on the Site Plan 0716-004 drawing 100 revision 02 by Newcastle Engineering Ltd. dated March 18, 2024, for the proposed Weyerhaeuser OceanWest phase 5 subdivision fulfilling the developer's requirements under section 510 of the Local Government Act and as proposed by the developer.

CARRIED.

8.2 Development Permit for 1167 Helen Rd **Anneliese Neweduk, Planner**

Mr. Greig, Director of Community Planning, presented this report.

The Applicant addressed Council and noted that the building was built as a two-story shop and he is looking to repurpose the space to a seven guest room hotel.

2024.2194.REGULAR *IT WAS MOVED AND SECONDED:*
THAT Council authorize the Director of Community Planning to execute and issue Development Permit DP24-02.

CARRIED.

2024.2195.REGULAR *IT WAS MOVED AND SECONDED:*
THAT the Council meeting be extended beyond the 3.5 hour time limit established by the Council Procedure Bylaw.

CARRIED.

This motion was extended beyond 3.5 hours at 7:36 PM.

8.3 Zoning Amendment, Development Permit & Development Variance Permit for 1567 Imperial Lane **Anneliese Neweduk, Planner**

Mr. Greig, Director of Community Planning, presented the report.

The Applicant addressed Council and noted that they plan to replace the deck, and proposed to do a permeable surface driveway.

2024.2196.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council, with regard to the proposed exterior renovations and associated structural works at 1567 Imperial Lane:

a. Direct staff to give notice of first reading to District of Ucluelet Zoning Amendment Bylaw No. 1342, 2024, and;

b. Direct staff to give statutory notice to receive input on the Development Variance Permit DVP 24-02.

CARRIED.

8.4 Municipal Visitor Parking Program
Duane Lawrence, Chief Administrative Officer

Mr. Lawrence presented this report.

Councillor Anderson left the meeting at 7:39 PM and reentered the meeting at 7:42 PM.

Council discussed the parking program.

In response to Council questions, Staff confirmed the program's intent is to only charge visitors and that the Tofino parking program is a significant revenue generator.

2024.2197.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council direct Staff to proceed with the implementation of a visitor parking program.

CARRIED.

8.5 Development Application Procedures - Input
Bruce Greig, Director of Community Planning

Councillor Maftai left the meeting at 8:02 PM.

2024.2198.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council defer item 8.5 to the next Council Meeting.

CARRIED.

8.6 STR Data Portal Information Sharing Agreement (Verbal Report)
Joseph Rotenberg, Manager of Corporate Services

Mr. Rotenberg presented this report.

Councillor Kennington left the meeting at 8:10 PM and reentered the meeting at 8:12 PM.

In response to Council questions, Staff confirmed that the provincial

platform is a free service and could potentially replace software used by Staff to enforce short-term rental related bylaws.

2024.2199.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council defer item 8.6 to a future Council meeting with a written report.
CARRIED.

9. NOTICE OF MOTION

There were no notices of motion.

10. INFORMATION ITEMS

10.1 Deputy Mayor to Represent Kamloops City Council
Kelly Hall, Deputy Mayor, City of Kamloops

10.2 2024 AGM Invitation, May Mix & Mingle Recap and Island Good Days!
Vancouver Island Economic Alliance

Mayor McEwen confirmed availability to attend. Members of Council to confirm attendance to Staff at a later date.

11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

11.1 Councillor Shawn Anderson
Deputy Mayor, April 1 - June 30, 2024

Councillor Anderson:

- met with Julie Nyce of Nyce Nursery to discuss their microgreen farming operation; and
- attended the Chamber of Commerce Economic Development Meeting, on June 11th, where strategic priorities of stakeholders and business owners were discussed.

11.2 Councillor Jennifer Hoar
Deputy Mayor, January 1 - March 31, 2024

Councillor Hoar attended:

- the Committee of the Whole strategic planning session on May 30th;
- the Vancouver Island Regional Library Board Meeting, on June 8th, where ground breaking for the new library in Masset was discussed; and
- the Glee Shows on June 7th and 8th.

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

Councillor Kennington attended:

- the Accessibility Committee Meeting on May 29th, and noted that the next step in developing the accessibility plan is seeking public input through an open house;
- the Chamber of Commerce Economic Development Meeting on June 11th; and
- three separate meetings with ERIF where housing, circular economy and green energy was discussed.

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

11.5 Mayor Marilyn McEwen

Mayor McEwen:

- attended the Tourism Ucluelet meeting on May 29th, where Nick Curry was introduced as the new Tourism Development Specialist;
- met with ERIF on May 30th, and later attended the Committee of the Whole strategic planning session;
- attended an Island Coastal Economic Trust meeting on May 31st, where Redd Fish Restoration Society was awarded \$200,000 for their Stewardship Center.
- attended an Alberni-Clayoquot Regional District (ACRD) West Coast Committee meeting on June 5th, where the transit schedule was discussed, as well as a reduction to the seniors fare;
- was on Tuff City Radio for Talks of the Town interview session on June 6th; and
- attended the ACRD multi-use path ribbon cutting on June 7th, for the new link between the Pacific Rim National Park and the Highway 4 junction.

12. QUESTION PERIOD

There were no public comments.

13. CLOSED SESSION

There was no closed session.

14. ADJOURNMENT

14.1 Procedural Motion to Adjourn

2024.2200.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** the June 11, 2024, Regular Council Meeting be adjourned at 8:28 PM.*

CARRIED.

CERTIFIED CORRECT:

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

Certified Fair and Accurate, Nancy
Owen, Executive Assistant

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD ELECTRONICALLY AND IN THE GEORGE FRASER COMMUNITY ROOM
IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, July 30, 2024 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar (via Zoom), Kennington, and Maffei
 Staff: Duane Lawrence, Chief Administrative Officer
 Jeffrey Cadman, Director of Finance
 Rick Geddes, Fire Chief
 Abby Fortune, Director of Community Services
 James MacIntosh, Director of Engineering Services
 John Towgood, Municipal Planner
 Anneliese Neweduk, Planner
 Nancy Owen, Executive Assistant

Regrets:

1. CALL TO ORDER

The July 30, 2024, Regular Council Meeting was called to order at 4:00 PM.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH

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

1.2 NOTICE OF VIDEO RECORDING

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

1.3 THE DISTRICT OF UCLUELET FIRE RESCUE DEPARTMENT RECOGNITION

The Mayor and Fire Chief recognized Deputy Chief Marc Fortune's 25 years of service on the Ucluelet Fire Rescue Department by presenting him with a Certificate of Appreciation.

2. LATE ITEMS

There were no late items.

3. APPROVAL OF THE AGENDA

3.1 July 30, 2024, Regular Council Meeting

2024.2240.REGULAR *IT WAS MOVED AND SECONDED:*

THAT the July 30, 2024, Regular Council Meeting be adopted as presented.
CARRIED.

4. ADOPTION OF MINUTES

4.1 June 25, 2024 Regular Council Meeting Minutes

2024.2241.REGULAR *IT WAS MOVED AND SECONDED:*
THAT the June 25, 2024, Regular Council Meeting Minutes be adopted as presented.
CARRIED.

4.2 July 4, 2024 Special Committee of the Whole Meeting Minutes

2024.2242.REGULAR *IT WAS MOVED AND SECONDED:*
THAT the July 4, 2024 Special Committee of the Whole Meeting Minutes be adopted as presented.
CARRIED.

4.3 July 9, 2024 Regular Council Meeting Minutes

Council noted an error on page 9 of the July 9, 2024 Regular Council Meeting Minutes, and clarified that no dividend is expected from the Barkley Community Forest Corporation in 2025.

2024.2243.REGULAR *IT WAS MOVED AND SECONDED:*
THAT the July 9, 2024, Regular Council Meeting Minutes be adopted as amended.
CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Delegations

Paul Rosenau, EKISTICS Town Planning Inc.
Re: Lot 543 Helen Road Proposal Update

The delegate provided details about the proposed development at lot 543 Helen Road including information received at the developer's public information meeting held on July 29th.

In response to Council's questions, the delegate confirmed:

- that the secondary suites planned for some of the units would provide affordability to the homeowners and that they are open to suggestions from Staff to ensure that these rental units are used as intended;
- that the development site can support a rental apartment building; and
- that they are working with consultants to resolve the odor

problem in the lagoon.

Samantha Hackett and Carrie Ho, West Coast Multiplex Society

Re: Project Update and Request of Support Letter

The delegate outlined their plans to construct the West Coast Multiplex and the inclusion of a High-Performance Surf Center. The delegate requested a letter of support from Council for this initiative in order to pursue funding.

2024.2244.REGULAR

IT WAS MOVED AND SECONDED:

THAT Council issue a letter of support to the West Coast Multiplex Society in pursuit of funding to realize their vision of the Multiplex and High-Performance Surf Center at Long Beach.

CARRIED.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. BYLAWS

**7.1 Five-Year Financial Plan Amendment Bylaw No. 1349, 2024
Jeffrey Cadman, Director of Finance**

Mr. Cadman presented this report.

2024.2245.REGULAR

IT WAS MOVED AND SECONDED:

THAT Council adopt District of Ucluelet 2024–2028 Financial Plan Amendment Bylaw No. 1349, 2024.

CARRIED.

7.2 District of Ucluelet Development Application Procedure Bylaw No. 1350, 2024

Joseph Rotenberg, Manager of Corporate Services

Mr. Duane Lawrence, Chief Administrative Officer, presented this report.

In response to Council's question, Staff noted they will report back to Council to confirm why Section 4 (1) of Bylaw No. 1350 requires a 'unanimous vote' rather than a 'majority vote'.

2024.2246.REGULAR

IT WAS MOVED AND SECONDED:

THAT Council adopt District of Ucluelet Development Application Procedures Bylaw No. 1350, 2024.

CARRIED.

7.3 Records Management Bylaw Update

Joseph Rotenberg, Manager of Corporate Services

Mr. Lawrence, Chief Administrative Officer, presented this report.

2024.2247.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Records Management Bylaw No. 1353, 2024, be introduced, and given first, second and third reading.*

CARRIED.

7.4 Zoning Amendment for 2102 Peninsula Road
Anneliese Neweduk, Planner

Councillor Kennington declared a conflict of interest with agenda items 7.4 and 8.1, as he is the development consultant working on the project at 2102 Peninsula Road, and recused himself. Councillor Kennington left the meeting at 5:05 PM.

Ms. Neweduk presented this report.

In response to Council's questions, Ms. Neweduk confirmed the protection of trees and environment near the stream is addressed in the Development Permit DP23-09, and that there should be no encroachment onto the neighbouring property.

2024.2248.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council give first, second, and third reading to District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024.*

CARRIED.

2024.2249.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council adopt the District of Ucluelet Zoning Amendment Bylaw No. 1343, 2024.*

CARRIED.

8. REPORTS

8.1 Development Permit for 2102 Peninsula Road
Anneliese Neweduk, Planner

Ms. Neweduk presented this report.

The applicant was provided an opportunity to present. The applicant did not present.

2024.2250.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council authorize the Director of Community Planning to execute and issue Development Permit DP23-09.*

CARRIED.

8.2 Notice of Land Disposition Lease Agreement Wild Pacific Trail

Society

Abby Fortune, Director of Community Services

Councillor Kennington reentered the meeting at 5:14 PM, after Council dealt with items 7.4 and 8.1.

Councillor Maftei declared a conflict of interest arising from his role as Executive Director of the Raincoast Education Society and recused himself. He left the meeting at 5:15 PM.

Ms. Fortune presented this report.

In response to Council questions, Staff confirmed that the low lease rate is due to the staffing support the Society will provide for daily operation of the space from 9am-4pm, and that evening rental of the space will be available and coordinated through the Recreation Department.

2024.2251.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council authorize staff to issue a public Notice of Property Disposition for a portion of the lands having the PID 030104009 and legal description Block B, District Lot 1517, Clayoquot Land District, & District Lot 1507 and more commonly referred to as Amphitrite House, lease area, by way of lease to the Wild Pacific Trail Society, for a term of 4 years, and lease fee for the entire term of \$5,232.17, including tax.*

CARRIED.

2024.2252.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT**, upon completion of the notice of disposition process, Council authorize the Director of Community Services to execute a four-year lease agreement with the Wild Pacific Trail Society for the lease area of the Amphitrite House.*

CARRIED.

9. NOTICE OF MOTION

Councillor Maftei returned to the meeting at 5:21 PM, after Council dealt with item 8.2.

Councillor Maftei requested that Council discuss the Bay Street and Peninsula Road four-way stop, at the next council meeting.

10. CORRESPONDENCE

10.1 Supporting Living Organ Donation by Municipal Employees
Pia Schindler, Executive Director, the Kidney Foundation, BC & Yukon Branch

Council discussed their support of the Kidney Foundation of Canada's

Living Donor Circle of Excellence program.

2024.2253.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council direct Staff to prepare a report outlining the implications of joining the Kidney Foundation of Canada's Living Donor Circle of Excellence program.*

CARRIED.

10.2 Invitation to Meet with the Health Authorities of British Columbia during UBCM Convention

Brigit Schmidt, Director, MUNI UBCM Convention Coordinator

2024.2254.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** Council direct Staff to request a meeting with Island Health at the Union of British Columbia Annual Conference to discuss the following:*

- housing for medical staff,*
- aging in place,*
- long-term care,*
- concerns and priorities related to the new medical center in Ucluelet, and*
- support for mental health services.*

CARRIED.

10.3 First Nations Leadership Council and UBCM Invitation to Province-wide Community-to-Community Forum

Union of British Columbia Municipalities and First Nations Leadership Council

11. INFORMATION ITEMS

11.1 Sanitary Sewer Capacity Limitations

James MacIntosh, Director of Engineering Services

Mr. MacIntosh presented this report.

In response to Councils questions, Staff confirmed that:

- the Hemlock Street Lift Station is above capacity and cannot support new development;*
- future expansion is available within our lagoon for 400-500 doors, once the necessary sanitary upgrades have been realized;*
- the complications causing inflow and infiltration with our current sanitary system can be remediated as part of a long term plan, in conjunction with our future infrastructure upgrades; and*
- the odor caused by the the open air aeration exchange at Hyphocus Island can be remediated but Staff noted that the open air nature of the lagoon may still cause foul odors.*

- 11.2 RCMP Monthly Policing Report June 2024**
Marc Jones, Sergeant, Ucluelet RCMP Detachment
- 11.3 Minister of Environment and Climate Change Strategy Review of the Environmental Assessment Act**
Chris Trumpy, A/Chief Executive Assessment Officer and Associate Deputy Minister

12. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

- 12.1 Councillor Shawn Anderson**
Deputy Mayor, April 1 - June 30, 2024

Councillor Anderson:

- thanked various Staff for their involvement in coordinating a successful Ukee Days event;
- met with community stakeholders and Staff to discuss the Peninsula Road Safety and Revitalization project; and
- expressed his gratitude for the role Ucluelet Fire Rescue Department members undertook in the recent incident at the Long Beach Airport.

- 12.2 Councillor Jennifer Hoar**
Deputy Mayor, January 1 - March 31, 2024

- 12.3 Councillor Mark Maffei**
Deputy Mayor, October 1 - December 31, 2024

Councillor Maffei attended Ukee Days and noted the tremendous job all the volunteers did at the event.

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

- 12.5 Mayor Marilyn McEwen**

The Mayor thanked Staff for a successful Ukee Days and shared some of the competition results.

The Mayor:

- attended a monthly Mayors meeting on July 15th;
- met with Nick Curry, Tourism Development Specialist for Tourism Ucluelet, on July 23rd;
- attended the Alberni-Clayoquot Regional District (ACRD) Board meeting, on July 24th, where Bamfield's sewage system was the main topic of discussion; and
- attended the ACRD Transportation Committee meeting, on July 30th, where a secondary access route for Port Alberni and the

west coast was discussed.

13. QUESTION PERIOD

There were no public comments.

14. CLOSED SESSION

14.1 Procedural Motion to Move In-Camera

2024.2255.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** the July 30, 2024, Regular Council Meeting be closed to the public pursuant to the following sections of the Community Charter:*

90(1)(c) labour relations or other employee relations;

90(1)(d) the security of the property of the municipality;

90(1)(g) litigation or potential litigation affecting the municipality; and

90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED.

The meeting was closed to the public at 6:07 PM.

15. ADJOURNMENT

15.1 Return from Closed Session

Council returned from closed session at 8:21 PM.

2024.2256.REGULAR *IT WAS MOVED AND SECONDED:*

***THAT** the July 30, 2024, Regular Council Meeting be adjourned at 8:21 PM.*

CARRIED.

CERTIFIED CORRECT:

Duane Lawrence, Corporate Officer

Marilyn McEwen, Mayor

COMMUNITY ECONOMIC DEVELOPMENT – CAPACITY BUILDING
Ucluelet Economic Development Strategy (Readiness, Recovery & Resilience)

As presented to District of Ucluelet (Mayor & Council) on Sept 26/2023 and subsequently approved by Council to budget funding in the amount of \$35,000 (Partner Contribution) to the Ucluelet Chamber of Commerce to support the Ucluelet Economic Development – Capacity Building initiative.

PHASE ONE – Scope of Work (Jan 2024 – Mar 2025)

1. Collaborate with local rightsholders & stakeholders and develop an Economic Development Committee (EDC) of local business & workforce representatives from District of Ucluelet, Yuułuʔiłʔatḥ Government - Ucluelet First Nation, and Toquaht First Nations, AlberniClayoquot Regional District (Area C – Long Beach) who will meet regularly to share information and discuss sustainable Economic Development... starting with a SWOT analysis (strengths, weakness, opportunities and threats).
2. Provide administrative services to the Economic Development Committee, schedule and record monthly meetings, establish meeting agendas, follow up on action items and provide for discussion and opportunity for collaboration.
3. Develop a ‘sustainability model’ (KPI - key performance indicators) and collect data to measure & monitor fluctuations, provide a measuring tool to gauge the success of alignment strategies. The sustainability benchmarks/factors will be determined and adjusted annually by the working group. This ‘tool’ will be used by rural & remote communities to measure success how to overcome the challenges and achieve the balance between business/sectoral performance and workforce supply & demand.
4. Work with District of Ucluelet staff to revise current business application form to include KPI’s questionnaire. The information would be collected annually as businesses renew their licences and the data collected would become available to the Ucluelet Chamber of Commerce for further tracking & analysis.
5. Business license questionnaire to align with this initiative, to include data under the 4 pillars (Business, Workforce, Skills/Ed, Leadership) criteria as determined by the Working Group, with socio-economic related issues such as housing, childcare & transportation needs.
6. Reporting regularly on progress of EDC and its work with Ucluelet Chamber of Commerce Board of Directors and its partners.
7. Ucluelet Chamber of Commerce will apply for a REDIP grant to hire a coordinator for the period of 2 years to provide administrative support to the Economic Development Committee, administer data collection/review and report to the project partners.
8. Ucluelet Chamber of Commerce intends to work with its partners to further the goals and objectives, building capacity for sustainable Economic Development for Ucluelet and its neighbouring communities.

Page 1 of 4 (Draft Aug 24/24)

Ucluelet Economic Development – Partnership Agreement
Ucluelet Chamber of Commerce & District of Ucluelet

COMMUNITY ECONOMIC DEVELOPMENT – CAPACITY BUILDING
 Ucluelet Economic Development Strategy (Readiness, Recovery & Resilience)

PROJECT TITLE: COMMUNITY ECONOMIC DEVELOPMENT – CAPACITY BUILDING
 Ucluelet Economic Development Strategy (Readiness, Recovery & Resilience)

PHASE ONE: Ucluelet Economic Development - Partnership Agreement & Workplan

Timeframe: Jan 2024 -Apr 2025

Funding Sources: District of Ucluelet (\$35,000)
 Ucluelet Chamber of Commerce (\$24000)

ECONOMIC DEVELOPMENT PROJECT - PHASE ONE

(Apr 2024-Mar 2025)	Details	# of hrs	Costs	%
Consulting & Professional				
Administrative Costs	Project Management (Chamber)	500	\$20,000	34%
	Project Coordination & Admin (Contractor)	600	\$24,000	41%
	Database design & model (Contractor)	350	\$14,000	24%
	Meetings (facility - in kind)		\$500	1%
	Office (computer software/equip/supplies)		\$500	1%
	EC DEV PROJECT - PHASE ONE	TOTAL ADMIN/PROFESSIONAL		\$59,000

EC DEV PROJECT - REVENUE SOURCES				
	Distict of Ucluelet		\$35,000	59%
	Ucluelet Chamber of Commerce		\$24,000	41%
	TOTAL PROJECT REVENUE SOURCES		\$59,000	100%

2024-2025 EC DEV WORKPLAN

TIMELINE	ACTIVITY	WHO	STATUS	Milestones	Status	
Apr to Jun 2024	Create Community Ec Dev Committee	UCOC	complete	Establish Ec Dev Committee	complete	
	Develop & organize function (roles/responsibilities & terms of reference)	UCOC	complete			
	Engage Ec Dev participation	UCOC	WIP	Key performance indicators (measurable KPIs) database design	WIP	
	Plan, Host & record EDC meetings	UCOC	WIP			
	Community Ec Dev Strategy Framework	UCOC	WIP			
		sectoral business reps		confirmed	REDIP #3 - grant proposal 2 yr Ec Dev project (Jun 2025- Jul 2027)	WIP
		Dist of Ucluelet staff		confirmed		
		Clayoquot Biosphere Trust		confirmed		
		Community Futures		confirmed		
		Yuutu?it?ath Government-Ucluelet First Nation		confirmed		
	Toquaht First Nation		unconfirmed			
	Ucluelet Secondary School		unconfirmed			
	Workforce - AVEC		confirmed			
	Workforce - NETP		unconfirmed			
	Tourism Ucluelet		confirmed			
July to Dec 2024	Hire part time Ec Dev contractor	UCOC	WIP			
	develop a set of indicators					
	develop FN Ec Dev protocols (include grandmother perspective)	EDC	WIP			
	develop protocols & prepare database	EDC	WIP			
Jul 1 to Oct 2024	develop survey for DoU Bus Lic form amend DoU bus lic form	EDC	WIP			
	Apply for REDIP #3 grant 2 yr grant for Ec Dev Capacity	UCOC	WIP			
January to April 2025	EDC Contractor to work with DoU staff	EDC	WIP			
	present draft bus lic form for approval review information exchange protocols test database with new bus lic form					

COMMUNITY ECONOMIC DEVELOPMENT – CAPACITY BUILDING
Ucluelet Economic Development Strategy (Readiness, Recovery & Resilience)

PHASE TWO – Proposed Economic Development Strategy (April 2025 to March 2027)

1. Ec Dev Project - Phase One - April 2024 – March 2025

Status – work in progress

Partnership – District of Ucluelet

Total Project Cost - \$58,000

Funding Sources – District of Ucluelet \$35,000
Ucluelet Chamber \$24,000

2. Ec Dev Project - Phase Two - April 2025 – March 2027

Status – proposed work – hire Ec Dev Coordinator (refer to matrix)

Partnership – District of Ucluelet

Total Project Cost - \$158,000

Funding Sources – District of Ucluelet \$35,000
Ucluelet Chamber \$24,000
Rural Economic Development & Infrastructure Program (REDIP)
\$100,000

Ec Dev Project - Next Steps – Capacity building - long-term planning

The Ucluelet Chamber of Commerce is committed to filling the gap and take on the lead role in economic development planning for Ucluelet and area; collaborating with our neighboring communities to build a strategy that will align with each community with a stronger regional economy. As the Chamber takes on this much-needed role in community based Ec Dev planning, it does not have the resources to do this work alone. To keep our businesses, and our communities diversified and economically healthy, stable & resilient, the Chamber will continue to seek funding & support from municipal, regional, provincial and federal sources to build capacity within the region.

The Ucluelet Chamber of Commerce will be seeking continued financial support from the District of Ucluelet to continue the planning and organizing work of economic development starting with Phase 2 and requesting \$35000 for each year over the two-year period starting April 2025. In addition, the Chamber also will need a Letter of Support to accompany their grant application to the Rural Economic Development & Infrastructure Program (REDIP). The deadline for submitting the letters of support is Oct 10/24.

We are in the process of putting together a long-term work plan and to continue to update Ucluelet’s Economic Development Strategy (April 2027 and beyond). We expect to have that completed soon and will make a formal presentation to Mayor and Council with a request for a partnership agreement plus continued funding to help offset the cost of serving economic development needs within Ucluelet and the area.

COMMUNITY ECONOMIC DEVELOPMENT – CAPACITY BUILDING
 Ucluelet Economic Development Strategy (Readiness, Recovery & Resilience)

Applicant Ucluelet Chamber of Commerce
Project Title Ucluelet Economic Development Strategy - Readiness, Recovery & Resilience

3 Year Workplan		4 Pillars in Capacity Building (Employers, Workforce, Skills/Education, Leadership)			Capacity building for diversified & sustainable economies in rural & remote communities key measurable checkpoints of the project	
GOALS	INPUTS (Activities)	2024-25	2025-26	2026-27	MILESTONES (Key check points)	STATUS
1 To assist & support the revitalization of an economy to increase resiliency & sustained growth in the community of Ucluelet	Establish & maintain an Economic Development Committee of volunteers, a community-based working group of rightsholders & stakeholders - aligning Economic Development Strategies	yr 1	yr 2	yr 3	YR 1 -Ucluelet Economic Development Committee - established as a functioning working group that advises on Economic issues/concerns and reviews on Ec Dev initiatives	complete December 2023
To update Ucluelet Economic Development Strategy annually	Attain a 3 year partnership agreement with the District of Ucluelet to deliver a sustainable Economic Development Program	yr 1			Sustainable EC DEV planning & priorities	complete July 2024
2 To be able to measure and monitor EC Dev performance fluctuations annually & develop mitigation strategies to respond to those impacts	Design, develop, a database with ongoing review of Community based indicators for the purpose of measuring cause & effect of social economic impacts & develop response strategies to mitigate negative impacts	yr 1	yr 2	yr 3	Business Continuity, Resilience Strategies through Economic Diversification	to be completed by March 31 2025
3 Hire EC DEV Coordinator to provide admin & facilitate EC DEV project	To facilitate the work of the Ucluelet Economic Development Committee and facilitate intra community relations		yr 2	yr 3	REDIP grant - Capacity Building 2025-27	REDIP #3
4 To recognise and build capacity in our socio/economic interdependencies and capacities with neighboring FN communities	Collaborate with local First Nation representative and identify their interpretation of the 'Grandmother's Perspective' to determine common goals & objectives and possible partnerships.	yr 1	yr 2	yr 3	Intra & Inter Community Relationship Building - CBT key performance indicators (KPI)	REDIP #3
	Develop with neighboring communities a Communications Protocol to allow for alignment and collaboration on Ec Dev strategies and initiatives		yr 2	yr 3	Communications Protocol,	REDIP #3
5 To understand current values within the 4 Pillars of Ec Development with our rural & remote community	Needs Assessment & Gap Analysis, Action Plan - 4 Pillars (Employers, Workforce, Skills/Ed, Leadership)		yr 2	yr 3	Economic Stabilization - Impact Resilience & Recovery Strategy	REDIP #3
	Align Ec Dev Strategies with neighboring communities & determine partnership possibilities		yr 2	yr 3	Regional Economic Stabilization & Alignment Strategy, KPI Annual Review (CBT)	REDIP #3
	Ec Dev Database performance - review & update	yr 1	yr 2	yr 3		REDIP #3
	Review & Update Ucluelet Economic Development Strategy	yr 1	yr 2	yr 3		REDIP #3

NOTICE OF PUBLIC HEARING

Pursuant to Section 464 and 466 of the *Local Government Act*, notice is hereby given that a Public Hearing will be held to allow Council to receive public input for *Official Community Plan Amendment Bylaw No. 1337, 2024*, and *Zoning Amendment Bylaw No. 1322, 2024* during the **September 3, 2024, Regular Council Meeting, which commences at 4:00 PM**. This Regular Council Meeting will be held both in-person in the **George Fraser Community Room in the Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C.** and electronically via the Zoom platform. Please note, this will be the second Public Hearing on this matter.

Application Number: RZ22.04

Applicant: Haode Investments Ltd.

Location: 1061 Helen Road

Legal Description: Lot B, District Lot 543 Native Island, Clayoquot District, Plan VIP78185

Application: The development proposal is to create six residential dwelling units on the subject property.

Official Community Plan Amendment Bylaw No. 1337, 2024

The purpose of this proposed Bylaw, in general terms, is to amend *District of Ucluelet Official Community Plan No. 1306, 2022*, to change the designation of 1061 Helen Road from Single Family Residential to Multi-Family Residential in Schedule 'A', the Long-Range Land Use Plan map.



Zoning Amendment Bylaw No. 1322, 2024

The purpose of this proposed Bylaw, in general terms, is to amend *District of Ucluelet Zoning Bylaw No. 1160, 2013*, to permit *Multiple Family Residential* as the allowable principal use at 1061 Helen Road in the form of one or multiple buildings, up to six dwelling units and a maximum total combined gross floor area of 1200m².

Anyone who believes this Bylaw will affect their interests may make a written submission and/or will be given an opportunity to be heard at the Public Hearing as follows:

Participate by written submission: All written submissions must include your name and street address. Any submission dropped-off at the District Office or mailed must be received by 4:00 pm on the day of the Public Hearing. Written submissions are considered part of the public record pursuant to the *Freedom of Information and Protection of Privacy Act*.

Drop-off at the District Office
200 Main Street,
Ucluelet B.C.

Drop-off at the Public Hearing
George Fraser Community Room,
Ucluelet Community Centre, 500
Matterson Drive, Ucluelet B.C.

Mail
District of Ucluelet
P.O. Box 999
Ucluelet B.C.
VOR 3A0

Email
communityinput@ucluelet.ca

Participate in-person, by Zoom, or telephone:

Participate in-person
George Fraser Community
Room in the Ucluelet
Community Centre, 500
Matterson Drive, Ucluelet B.C.

Participate by Zoom or telephone
Information about participating electronically, including Zoom login details, is available at Ucluelet.ca/CouncilMeetings and Ucluelet.ca/PublicHearings. Council Meetings are also live streamed on the District of Ucluelet's YouTube Channel.

For more information contact the Corporate Service Department at 250-726-7744.

Review related materials:

Copies of the proposed Bylaws and the public hearing information packages may be inspected at the District of Ucluelet Office, 200 Main St., Ucluelet B.C., during regular business hours (Monday to Friday, 8:30 a.m. - 4:00 p.m., excluding statutory holidays) and online at Ucluelet.ca/PublicHearings.

Questions?

Contact the District of Ucluelet Planning Department at 250-726-7744 or planning@ucluelet.ca

Privacy disclaimer

Public Hearings are webcast live and a recording is available on the District's YouTube channel. Correspondence you submit, including name and address, will form part of the public record, and will be published on the District's website or read into the record. The District considers your name and address relevant to this matter and will disclose this personal information as it informs Council's consideration of your opinion in relation to the subject property. However, your phone number and email address will not be disclosed.

Personal information is collected by the District under the authority of s. 26 (c) of the *Freedom of Information and Protection of Privacy Act* for the purpose of administering the Public Hearing. Please direct any questions about personal information to District's Privacy Officer by telephone: (250) 726-7744, email: rotenberg@ucluelet.ca, or mail: P.O. Box 999, Ucluelet, BC, VOR 3A0.

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1337, 2024

A bylaw to amend the District of Ucluelet Official Community Plan
(1061 Helen Road – Land Use designation change).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Map Amendments:

The “District of Ucluelet Official Community Plan Bylaw No. 1306, 2022, as amended, is hereby further amended as follows:

- A. Schedule ‘A’ Long Range Land Use Plan is hereby further amended by changing the designation of 1061 Helen Road; Lot B, District Lot 543 Native Island, Clayoquot District, Plan VIP78185 (PID 026-159-511), shown shaded on the map attached to this Bylaw as Appendix “A”, from Single Family Residential to Multi-Family Residential.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024”.

READ A FIRST TIME this 27th day of **February, 2024.**

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this 27th day of **February, 2024**

READ A SECOND TIME this 27th day of **February, 2024.**

PUBLIC HEARING held this 25th day of **June, 2024.**

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

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

ADOPTED this day of , **2024.**

CERTIFIED A TRUE AND CORRECT COPY of “Official Community Plan Amendment Bylaw No. 1337, 2024”

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

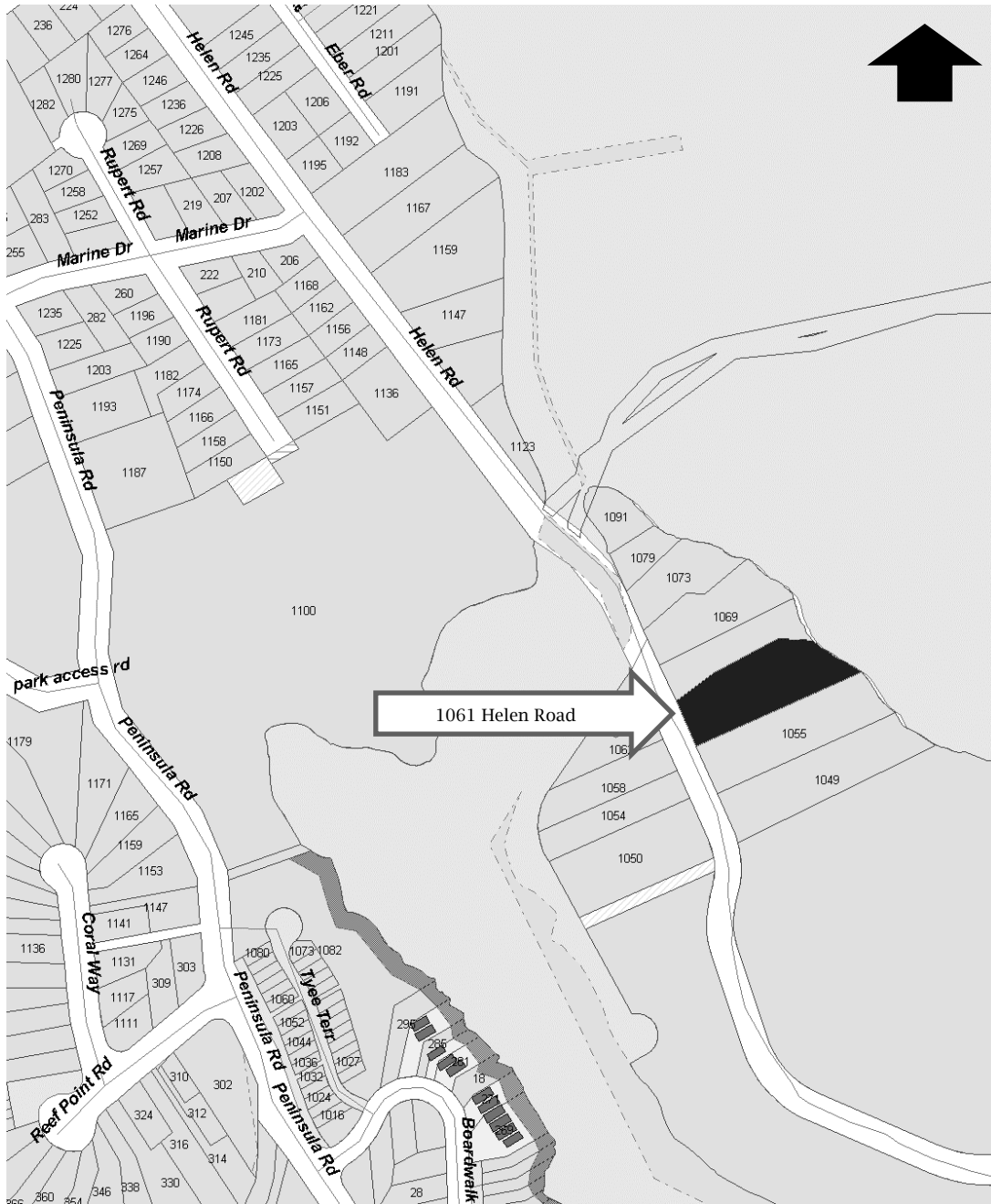
Appendix 'A'

Official Community Plan Amendment Bylaw No. 1337, 2024

OCP Schedule 'A' Long Range Land Use Plan

From: "Single Family Residential"

To: "Multi-Family Residential"



DISTRICT OF UCLUELET

Zoning Amendment Bylaw No. 1322, 2024

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(1061 Helen Road)

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

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

1. Text Amendment:

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

A. Replacing section R-2.1.2(1)(b)(i), as follows:

“(i) Despite the above, Multiple Family Residential is not permitted on Lot 3, Plan VIP76238, District Lot 543, Clayoquot Land District, Native Island [PID 025-815-059] and Lot A, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511]”

B. Adding section R-2.1.2(1)(b)(ii) in alphanumeric order, as follows:

“(ii) Despite other sections of this bylaw, Lot B, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511; 1061 Helen Road] Multiple Family Residential use is the only allowable principle use and the Multiple Family Residential use may be in a building or group of buildings containing one or more dwelling units, limited to a maximum of six units with a maximum total combined gross floor area of 1200m².”

2. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024”.

READ A FIRST TIME this 27th day of **February, 2024**

READ A SECOND TIME this 27th day of **February, 2024**

PUBLIC HEARING held this 25th day of **June, 2024.**

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

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

ADOPTED this day of , **2024.**

CERTIFIED CORRECT: “District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024.”

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer



REPORT TO COUNCIL

Council Meeting: June 25, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ANNELIESE NEWEDUK, PLANNER

FILE NO: 3360-20 RZ22-04

SUBJECT: REZONING AND OCP AMENDMENT FOR 1061 HELEN ROAD

REPORT NO: 24-61

ATTACHMENT(S): APPENDIX A - OCP AMENDMENT BYLAW NO.1337, 2024
APPENDIX B - ZONING AMENDMENT BYLAW NO.1322, 2024
APPENDIX C - DEVELOPMENT PERMIT 22-13

RECOMMENDATION(S):

1. **THAT** Council give third reading to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024*.
2. **THAT** Council adopt *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024*.
3. **THAT** Council give third reading to the *District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024*.
4. **THAT** Council adopt *District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024*.
5. **THAT** Council authorize the Director of Community Planning to execute and issue Development Permit DP22-13.

BACKGROUND:

During the [February 27, 2024, Regular Council Meeting](#), the *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024 (Appendix "A")*, and *District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024 (Appendix "B")*:

- received first and second readings;
- were considered in conjunction with the District of Ucluelet five-year Financial Plan, and the Alberni-Clayoquot Regional District Waste Management Plan;
- were advanced to a Public Hearing; and,
- the *OCP Amendment Bylaw No. 1337* was referred to the Yuuʷiʷitʷatʷ Government.

Notification was completed and a public hearing on the Bylaws was held prior to this report as part of this Council Meeting. Having conducted a Public Hearing, Council is now in a position to consider third reading and adoption of *Bylaw No. 1337* and *Bylaw No. 1322*. If the Bylaws are adopted, Council would be in a position to approve the issuance of Development Permit 22-13 (**Appendix "C"**). Background information can be found in the [February 27, 2024 Regular Council Meeting](#)

[Agenda](#) (item 6.1) and in the Public Hearing Information package for these Bylaws found in the Agenda for this Regular Council Meeting (item 5.1).

ANALYSIS OF OPTIONS:

A	Give third reading to and adopt <i>Bylaw No. 1337</i> and <i>Bylaw No. 1322</i>	<u>Pros</u>	<ul style="list-style-type: none"> The current zoning and designated long term use of the subject property would align. Would allow for increased diversity of housing options in Ucluelet.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> If adopted, would allow for the application to proceed.
B	Amend <i>Bylaw No. 1337</i> and/or <i>Bylaw No. 1322</i>	<u>Pros</u>	<ul style="list-style-type: none"> Would ensure Council’s expectations are met.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Further work to address the priorities of Council, If the Bylaw is amended, Council will have to direct staff to give notice for another public hearing.
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> THAT Council direct staff to bring back <i>Official Community Plan Amendment Bylaw No. 1337, 2024</i>, with the following amendments: <i>[specify desired changes]</i> for readings and public hearing at a future council date. <p>And/or</p> <ul style="list-style-type: none"> THAT Council direct staff to bring back <i>District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024</i>, with the following amendments: <i>[specify desired changes]</i> for readings and public hearing at a future council date.
C	Abandon <i>Bylaw No. 1337</i> and/or <i>Bylaw No. 1322</i>	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> Would not allow applicant’s development to proceed.
		<u>Implications</u>	<ul style="list-style-type: none"> Subject property’s current zoning and long-range designation would remain the same.
		<u>Suggested Motion</u>	No Motion Required.
If <i>Bylaw 1337</i> and <i>Bylaw 1322</i> are approved, Council would be in a position to consider the issuance of DP22-13.			
D	Authorize issuance of DP22-13	<u>Pros</u>	<ul style="list-style-type: none"> Allows applicant’s development to proceed.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed.
E	Provide Alternative	<u>Pros</u>	<ul style="list-style-type: none"> Would allow Council to meet their objective.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.

F	Direction on DP22-13	<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Suggested Motion</u>	THAT Council, with regard to Development Permit 22-13, <i>[provide alternative direction here]</i>
	Reject DP22-13	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> Does not allow applicant's development to proceed.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed. Additional staff time will be required to follow up with applicant and consultants.
		<u>Suggested Motion</u>	THAT Council reject the application for Development Permit 22-13 <i>[noting which specific DP guidelines are not being adequately met]</i> .

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with the *Local Government Act*. This application would amend the *District of Ucluelet Official Community Plan Bylaw No. 1306, 2022*, and the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, if adopted.

NEXT STEPS:

This would be the last step in the Bylaw adoption process. If approved, the attached DP would be signed by the Director of Community Planning, issued to the applicant, and notice will be filed with the Land Title Office.

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

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1337, 2024

A bylaw to amend the District of Ucluelet Official Community Plan
(1061 Helen Road – Land Use designation change).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Map Amendments:

The “District of Ucluelet Official Community Plan Bylaw No. 1306, 2022, as amended, is hereby further amended as follows:

- A. Schedule ‘A’ Long Range Land Use Plan is hereby further amended by changing the designation of 1061 Helen Road; Lot B, District Lot 543 Native Island, Clayoquot District, Plan VIP78185 (PID 026-159-511), shown shaded on the map attached to this Bylaw as Appendix “A”, from Single Family Residential to Multi-Family Residential.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024”.

READ A FIRST TIME this 27th day of **February, 2024**.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this 27th day of **February, 2024**

READ A SECOND TIME this 27th day of **February, 2024**.

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

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

ADOPTED this day of , **2024**.

CERTIFIED A TRUE AND CORRECT COPY of “Official Community Plan Amendment Bylaw No. 1337, 2024”

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

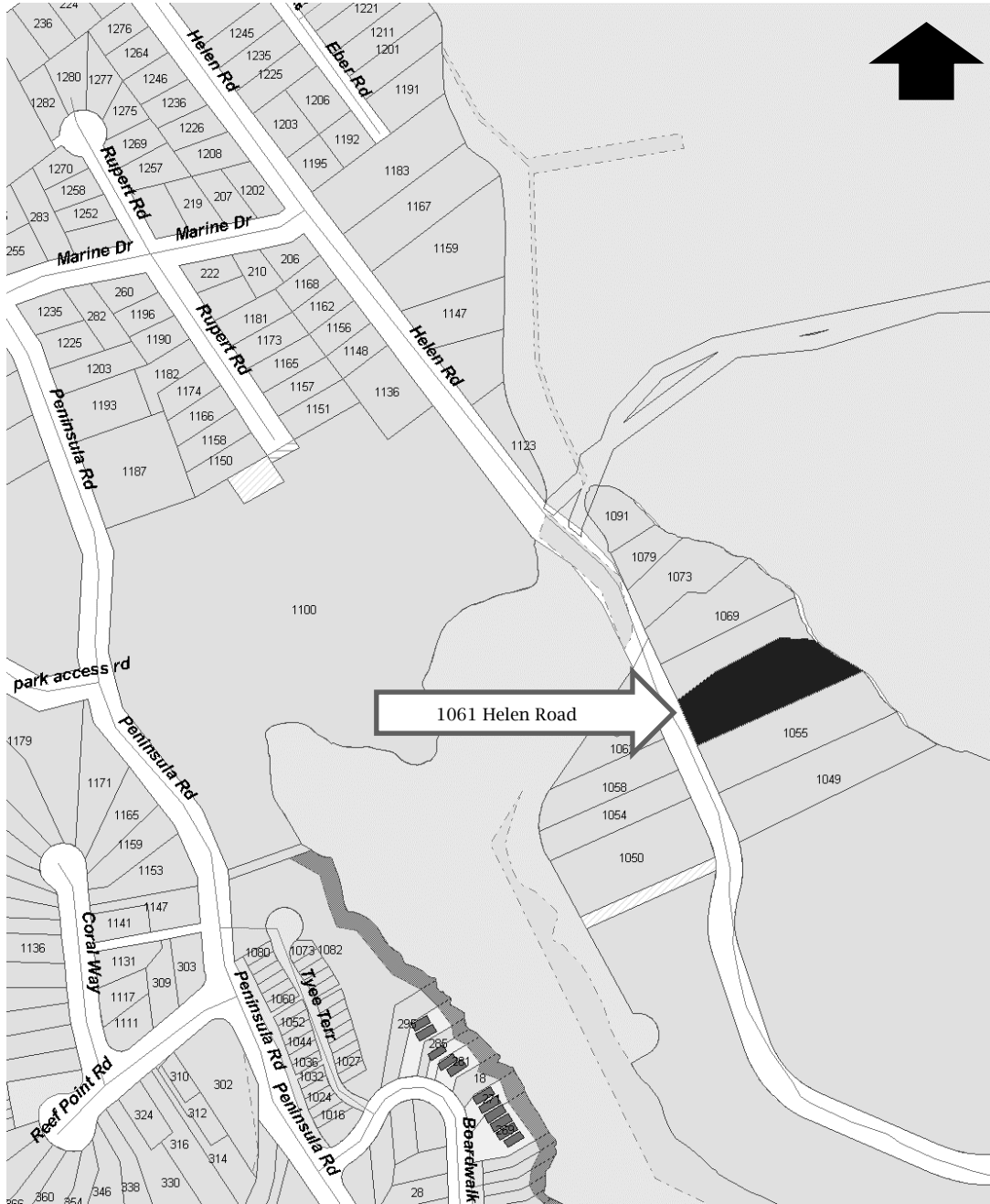
Appendix 'A'

Official Community Plan Amendment Bylaw No. 1337, 2024

OCP Schedule 'A' Long Range Land Use Plan

From: "Single Family Residential"

To: "Multi-Family Residential"



DISTRICT OF UCLUELET**Zoning Amendment Bylaw No. 1322, 2024**

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(1061 Helen Road)

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

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

1. Text Amendment:

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

A. Replacing section R-2.1.2(1)(b)(i), as follows:

“(i) Despite the above, Multiple Family Residential is not permitted on Lot 3, Plan VIP76238, District Lot 543, Clayoquot Land District, Native Island [PID 025-815-059] and Lot A, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511]”

B. Adding section R-2.1.2(1)(b)(ii) in alphanumeric order, as follows:

“(ii) Despite other sections of this bylaw, Lot B, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511; 1061 Helen Road] Multiple Family Residential use is the only allowable principle use and the Multiple Family Residential use may be in a building or group of buildings containing one or more dwelling units, limited to a maximum of six units with a maximum total combined gross floor area of 1200m².”

2. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024”.

DEVELOPMENT PERMIT DP22-13

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

1. This Development Permit is issued to:

Haode Investments Ltd (The "Permittee")

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

1061 Helen Road; Lot B, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511] (The "Lands")

3. This Permit authorizes the following improvements on the Lands:
 - Six Multiple Family Residential Dwelling Units and associated driveway and landscape works (**Schedule 1**).
4. The permit holder, as a condition of issuance of this Permit, agrees to comply with the terms and conditions of **Schedule 2** which is attached hereto and forms part of this permit.
5. In addition to compliance with the terms and conditions listed in Schedule 2, the permit holder must adhere to all conditions of the Qualified Environmental Professional report in **Schedule 3** which is attached hereto and forms part of this permit.
6. Prior to any site disturbance or contractor mobilization, the permit holder must erect fencing or otherwise demarcate the no-disturbance area beyond the 20m shoreline setback and contact the District of Ucluelet to arrange a pre-construction inspection.
7. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The Owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
8. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. The Owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
10. Upon completion of all proposed works, the Owner shall provide a letter from a QEP to the District of Ucluelet confirming that the work done under permit was completed meeting the conditions listed below.
11. This Permit is NOT a Building Permit.
12. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2024.

ISSUED the day of , 2024.

Bruce Greig
Director of Community Planning

Schedule 1
(see Appendix A)

Schedule 2

Terms and Conditions

As a condition of the issuance of this Permit, the Permittee representing the Lands hereby to comply with all following Impact Reductions and Mitigation Measures, determined by Qualified Environmental Professional (QEP) as necessary to avoid negative impacts to environmental habitats within and adjacent to the Property. Prior to any site disturbance or contractor mobilization, the permit holder must erect fencing or otherwise demarcate the no-disturbance area beyond the 20m shoreline setback, and contact the District of Ucluelet to arrange a pre-construction inspection.

1. A shoreline setback width of 20 m is being prescribed for the subject property, which is to be measured from the Present Natural Boundary of the shoreline (Figure 3). This vegetated setback encompasses the steeper portions of the backshore in which signs of slope instability were noted (Figures 3 and 4) and will ensure that they remain stable. Additionally, this setback will ensure that all the functions listed in Section 4.1 remain intact. Although no eelgrass was found in the intertidal zone, the mouth of the Ucluelet inlet shown as “Medium” importance for herring spawn in the Department of Fisheries and Oceans’ (DFO) Pacific herring (*Clupea pallasii*) spawn data for Barkley Sound. Populations of herring have not been assigned a conservation status provincially¹³; however, population health of the West Coast Vancouver Island herring stock is currently rebuilding after historically low population numbers in the early 2000’s, and biomass has not been sufficient for the DFO to permit a commercial fishery since 2005¹⁴.
2. Due to the known importance of the mouth of Ucluelet Inlet to a commercially important species that is undergoing a population recovery, no disturbance must take place within the 20m shoreline setback. As designed, the proposed development does not encroach into the recommended 20 m setback.
3. Due to the signs of slope instability noted within the backshore habitat as described in Section 3.2.3 above, it is important that drainage from the proposed construction of impermeable surfaces outside of the 20 m shoreline setback be designed in such a way so as not to exacerbate any potential instabilities. Rain runoff must not be channelized and must be allowed to infiltrate into soil prior to entering the 20 m shoreline setback. It is recommended that the developer work with an appropriately qualified engineer to design a site-specific drainage plan prior to construction designed to prevent any erosion of slopes within the 20 m shoreline setback.
4. The entire 20 m recommended shoreline setback is well vegetated with a native plant community. No enhancements are necessary to improve the slope stability or ecosystem functions provided by this setback, and therefore a landscaping plan is not recommended as part of this assessment. Invasive species consisting primarily of Scotch broom were noted on the subject property adjacent to Helen Road outside of the MSDPA. This portion of the property will be highly disturbed during construction. It is recommended that during the site clearing phase, any vegetation or soils containing invasive plants be bagged and disposed of at a landfill to prevent further spread.

5. It will be important to implement mitigation measures during the construction on the subject property to protect the sensitive backshore vegetation adjacent to the site.
6. The accidental release of petroleum, oils, hydraulic fluids, lubricants, concrete additives, anti-freeze or other hazardous materials onto land surfaces or into waterbodies is an offence under the Federal Fisheries Act and may result in degradation of habitat quality and could be a threat to human health. Machinery required for the proposed development will likely be limited to a generator to power hand tools, and trucks delivering materials to the site. Environmental protection procedures for handling and storage of fuels and hazardous materials shall include the following items:
 - a. A spill kit of appropriate capacity will be on hand at all times heavy machinery or gas-powered tools are in use during construction.
 - b. All identified spills will be cleaned up immediately, and contaminated soils and vegetation will be removed for appropriate disposal.
 - c. Refueling of equipment is to occur only at designated fuelling stations and located at least 20 m from the shoreline.
 - d. All fuel, chemicals, and hazardous materials will be clearly marked.
 - e. Pumps and jerry cans are to be placed on poly sheeting and sorbent pads to contain spills.
 - f. All equipment maintenance with the potential for accidental spills (e.g., oil changes, lubrications) will be done on a designated area at least 20 m from the shoreline. Tarps should be laid down prior to commencement of work to facilitate clean up.
 - g. In the event of a spill, the following guidelines should be followed:
 - i. Spills to the receiving environment are to be reported to Emergency Management BC (1-800-663-3456) if they exceed the reportable limits (e.g., 100 liters of fuel or oil).
 - ii. Apply sorbent pads and booms as necessary.
 - iii. Dispose of all contaminated debris, cleaning materials, and absorbent material by placing in an approved disposal site.
7. Specific measures to control sediment during construction will include:
 - a. Maintain/do not disturb vegetation within the prescribed 20 m shoreline setback.
 - b. Where there is a potential for silt runoff in the proximity of existing waterbodies, control devices will be installed prior to construction activities commencing.
 - c. Filter fabric dams, rock check dams, and silt fencing will be used as needed on a site-specific basis to control erosion. Filtration should be accomplished using filter fabric keyed into substrates and banks and elevated.
 - d. using stakes or straw bales. Silt fencing is not an acceptable mitigation technique to control erosion in flowing ditches; however, it is useful for containing slumping areas and for use as baffles to slow water velocities.
 - e. Excavation will be stopped during intense rainfall events or whenever surface erosion occurs affecting nearby waterbodies.

- f. Soil stockpiles will be placed a minimum of 20 m from any waterbody and in a location where erosion back into the marine environment cannot occur and will not impede any drainage.
 - g. Soil stockpiles with the potential to erode into waterbodies are to be covered with poly sheeting. Other techniques, such as terracing or surface roughening can greatly reduce surface erosion on steeper slopes.
 - h. Permanent exposed soil areas and erosion-prone slopes that may potentially erode into waterbodies are to be seeded or covered with geotextile.
 - i. Clearing will take place immediately prior to excavation and earthworks to minimize the length of time that soils are exposed. Vegetation in adjoining areas will not be disturbed.
8. All trees and native vegetation within the 20 m shoreline setback will need to be retained and protected, unless a tree is deemed hazardous by a certified arborist. Trees provide critical functions in backshore areas by providing shade, nutrient and leaf litter drop, large woody debris recruitment in both the foreshore and marine environments, and bank stability through their complex root networks. They also help retain soil and provide more favourable growing conditions for other understory shrubs and ground cover plants in the backshore area. As previously described, there will be significant clearing of existing vegetation from portions of the subject property; however, there are no plans for any vegetation removal within the 20 m shoreline buffer zone. Specific measures to protect trees during development will include:
- a. A root protection zone for all trees in the 20 m shoreline setback will be established prior to construction commencing. The root protection zone should be established at the edge of the drip line of trees within the 20 m shoreline setback. The root protection zone should be physically delineated and should be off-limits to machinery.
 - b. Machine access will be from the southwest side of the property.
 - c. Tree protection plans will be communicated to everyone on site prior to commencing construction.
 - d. If roots are encountered during construction, they should be first avoided if possible, and if they must be cut, they should be cut cleanly with a saw as opposed to shattered with machinery.
 - e. Care should be taken not to break any limbs of trees within the 20 m shoreline setback during construction. If any limbs are accidentally broken, they should be cleanly cut with a saw.
 - f. Should any issues arise with regards to potential changes to the impact on trees during development, it is recommended that an arborist be retained to provide guidance on the least impact approach to development around trees.

Schedule 3

(See Appendix F for environmental reports)



REPORT TO COUNCIL

Council Meeting: February 27, 2024
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: JOHN TOWGOOD, MUNICIPAL PLANNER

FILE NO: 3360-20-RZ22-04

SUBJECT: REZONING AND OCP AMENDMENT FOR 1061 HELEN ROAD

REPORT NO: 24- 16

ATTACHMENT(S): APPENDIX A - APPLICATION
APPENDIX B - OCP BYLAW No.1337
APPENDIX C - ZONING BYLAW No.1322
APPENDIX D - DEVELOPMENT PERMIT 22-13
APPENDIX E - GEOTECHNICAL ASSESSMENT
APPENDIX F - ENVIRONMENTAL ASSESSMENT
APPENDIX G - INTERIM FLOOD RISK POLICY-DRAFT UPDATE

RECOMMENDATION(S):

It is recommended that Council consider the following resolutions regarding the proposed development at 1061 Helen Road:

1. **THAT** *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024*, be introduced and be given first and second reading.
2. **THAT** Council considers the *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024*, in conjunction with the [District of Ucluelet 2023 – 2027 Financial Plan Bylaw No. 1329, 2023](#) and the Alberni-Clayoquot Regional District [Waste Management Plan](#).
3. **THAT** *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024*, be referred to the Yuułuʔiłʔatḥ Government and that, given the narrow focus of Bylaw No. 1337, 2024, Council is satisfied that no further consultation is required with other persons, organizations, and authorities identified in sections 475(2)(a) and (b) of the *Local Government Act*.
4. **THAT** *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024*, be referred to a public hearing.
5. **THAT** *District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024* be introduced, given first and second reading, and advanced to a public hearing.
6. **THAT** *District of Ucluelet Tsunami Risk Tolerance Interim Policy 8-5280-2*, which supersedes *District of Ucluelet Tsunami Risk Tolerance Interim Policy 8-5280-1*, be adopted.

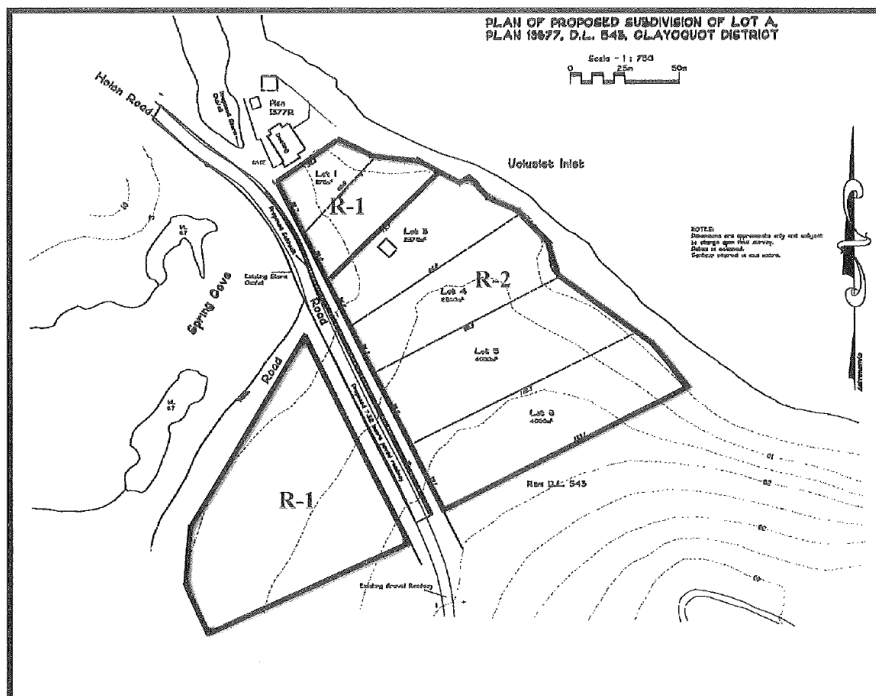
BACKGROUND:

The development proposed is for six multiple family residential dwelling units at 1061 Helen Road; Lot B, District Lot 543 Native Island, Clayoquot District, Plan VIP78185 (the “subject property”).



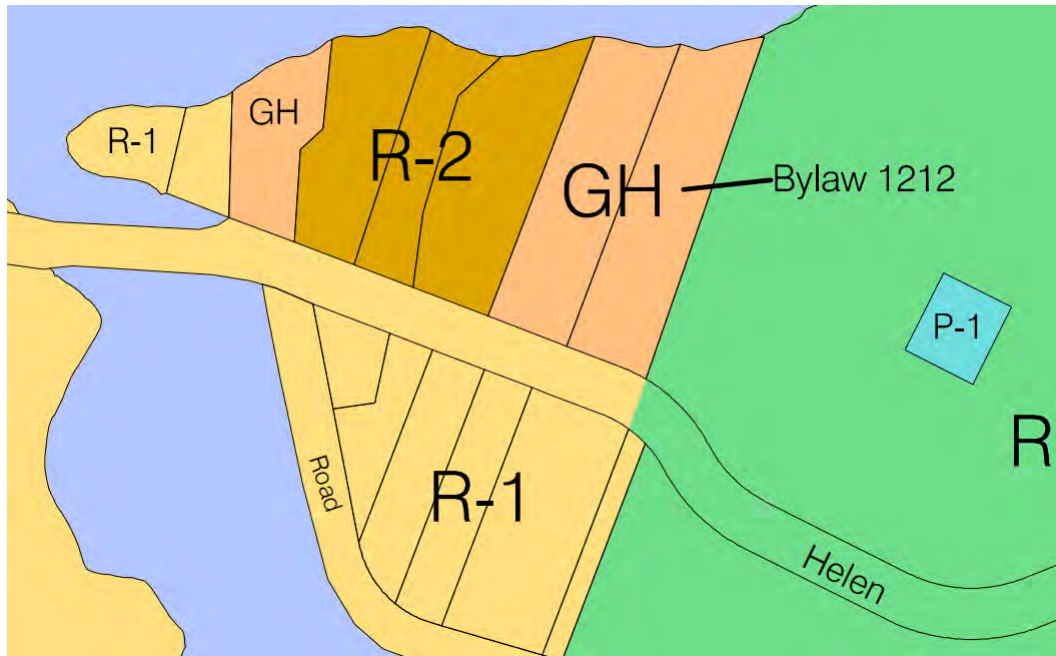
(Figure 1 – Subject Property)

The subject property is located on Hyphocus Island, it is currently vacant and well vegetated. In 2002 the northern end of Hyphocus Island was rezoned from a mix of Rural and Single-Family properties to a mix of Single-Family Residential (R-1) and Medium Density (R-2) properties (Figure 2) with a specific prohibition of Multiple Family Residential (MFR) uses on all the R-2 properties.



(Figure 2 – 2002 Zoning)

Since that time, three properties have been rezoned from R-2 to the Guest House (GH) zone.



(Figure 3 – Current zoning of the area)

DISCUSSION:

OFFICIAL COMMUNITY PLAN

The subject property is currently designated as Single Family residential. The Official Community Plan (OCP) Describes the Single-Family Residential land use as follows:

Single-Family Residential

This designation includes detached single-family homes and duplexes. Single-family properties may include secondary suites, accessory dwelling units, home occupations and guest accommodation. Some small-scale multi-family land uses exist within single-family neighbourhoods. Further small-scale development of multifamily uses - which demonstrate how they fit within the neighbourhood context specific to their location - may also be approved within these areas without amendment of this OCP.

The policy statement above clearly contemplates that small-scale multi-family zoning amendment proposals which demonstrate that they fit within the neighbourhood context may be approved without an OCP amendment. This is a new statement that was adopted in 2022 and it was understood at that time that while a OCP amendment may not be required for small scale residential proposals, a public hearing would still be held for the required zoning amendment. A scan of Ucluelet's [Future Land Use Plan](#) show that all multi-family uses (3 units or more) have a separate colour designation in the plan. If this application were to be approved without an OCP amendment it would be the only property shown designated as single family but then zoned for multi-family residential. In consideration that approving zoning amendments for small-scale

multifamily uses without amendment of this OCP is a relatively new idea and that recent Provincial legislation around the prohibition of public hearings for residential development; it may be more transparent and consistent with past practices to require an OCP bylaw amendment to change the land use designation to MFR for this proposal. To those ends, an OCP amendment bylaw was drafted and forms part of the recommendation.

Alternatively, Council could process this application without an OCP amendment if it determines that the proposal is consistent with the OCP. In that case, it should be noted that Council would be prohibited from holding a public hearing on the zoning amendment bylaw.

The following OCP policies and statements are specifically relevant to this application:

Guiding Principles

7. Broaden the spectrum of housing options to improve the availability of appropriate, affordable housing for all

Residential – Multi Family

Smaller units in higher density, multifamily areas are an important component of the District’s affordable housing strategy. Residential uses within and in close proximity to the Village Square help create a more vibrant and compact community where residents can walk to services and amenities.

Multi Family Residential Policies:

Policy 3.147 *Encourage the development of multi-family residential units within an approximate five-minute walk of the Village Square;*

(Note: a 5 minute walk is a distance of 400m; the subject property is 1200m from the Village Square but should still be considered within a walkable distance.)

Short-term Housing Action Plan:

Policy 3.131 G. *explore zoning opportunities for infill of compact, more affordable units in existing and new neighbourhoods (e.g., small lots, rental cottages, etc.)*

Policy 3.143 *Rezoning applications involving more than five dwelling units shall provide a statement describing the affordable housing components achieved by the proposal.*

Regarding ***Policy 3.143***, a statement describing the affordable housing components is not formally being required because:

1. There is a theoretical (and subjective) equivalent number of potential units allowed in the current zone.
2. The proposal removes the tourist accommodation elements of the zoning.
3. The number of units is at the threshold of this policy.

ZONING

The application in front of Council is for a change of use on the subject property from a low-density single-family dwelling or a duplex form to a medium density MFR form. It should be noted that Ucluelet’s current low density land use form of single-family dwellings has extensive secondary use potential that can result in these properties having a substantial level of density. The following

looks at the relevant principle and secondary uses allowed under the existing zone in comparison to what would be allowable under the bylaw changes proposed in Bylaw No. 1322:

From:

- *Single Family Dwelling (1 Dwelling unit) with the following secondary uses:*
 - *Secondary Suite (1 Rental Dwelling Unit)*
 - *Accessory Residential Dwelling Unit (1 Rental Dwelling Unit)*
 - *Bed and Breakfast (3 Tourist accommodation “Guest Room” Units)*
 - *Total of 6 Units of a mix of residential and tourist accommodation use*
 - *Total Floor Area Ratio allowed = 15,112sqft*

or

- *Duplex Dwelling*
 - *½ Duplex (1 Dwelling Units)*
 - *½ Duplex (1 Dwelling Units)*
 - *Total of 2 Units of a residential use*
 - *Total Floor Area Ratio allowed = 15,112sqft*

To:

- *Multiple Family Residential (6 Dwelling Units)*
 - *½ Duplex (1 Dwelling Units)*
 - *½ Duplex (1 Dwelling Units)*
 - *4 Single MFR Unit (4 Dwelling Units)*
 - *Total of 6 units of a residential use*
 - *Total Floor Area Ratio allowed = 15,070sqft (1200sqm)*

The change of use proposed has the following advantages:

- Every unit would be for residential purposes only - with no option for tourist accommodation, creating more housing.
- The 6-unit building strata would have six owners and would result in a lower price point per unit when compared to a single owner in the case of a SFD, or two owners in the case of a duplex dwelling.
- The interior yard setback for the proposed under MFR is 20' rather than 5'.
- The total maximum floor area would be the same as under the existing zoning.

The change of use proposed has the following disadvantages:

- The original intent of the zoning is modified.
- The units could be used as second homes and not provide housing for people living and working in Ucluelet and area (this could also be true in the case of any SFD or a Duplex dwelling).
- The multi-family use is different than the surrounding uses. It should be noted that this application can also be seen as creating a diversity of uses within a neighbourhood which could be seen as an advantage.

Bylaw No. 1322 proposes to remove and replace Section R-2.1.2(1)(b)(i) of Zoning Bylaw 1160, 2013 which read as follows:

“(i) Despite the above, Multiple Family Residential is not permitted on Lots 3, 4, 5 and 6 of Plan VIP76238.”

This section restricts MFR use from the subject property and the two neighbouring properties. It is proposed to amend section R-2.1.2(1)(b)(i) to remove the subject property from the clause and to update the lot number of one of the neighbouring properties as follows:

“(i) Despite the above, Multiple Family Residential is not permitted on Lot 3, Plan VIP76238, District Lot 543, Clayoquot Land District, Native Island [PID 025-815-059] and Lot A, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511]”

To allow the building configurations as proposed but restrict the allowable floor area ratio to be limited to the approximate floor area ratio currently allowed, it is proposed to replace section R-2.1.2(1)(b) as follows:

“(ii) Despite other sections of this bylaw, Lot B, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511] Multiple Family Residential use is the only allowable principal use and the Multiple Family Residential use may be in a building or group of buildings containing one or more dwelling units, and be limited to a maximum of six units with a maximum total combined gross floor area of 1200m².”

The proposed amendments have been designed to accommodate the proposed development but also confine the allowable floor area so that it does not allow for more than what is currently allowed under the SFD or Duplex use.

Based on the preliminary information provided, this development meets the applicable zoning regulations if the zoning amendment were to proceed. It should be noted that a more detailed planning and building review would be required at the building permit stage.

TSUNAMI RISK

Ucluelet is subject to both tsunami and coastal flooding risks. On March 29, 2022, Council adopted a [“Tsunami Risk Tolerance”](#) interim policy. This policy applies to decisions on locating critical municipal assets, investments in infrastructure, rezonings, and the subdivision of land.

This application involves rezoning, but it does not involve the direct creation of new lots or the potential for new lots to be created. Both the interim District of Ucluelet policy and the relevant provincial legislation have the underlying implication that land use decisions be made based on keeping the risk due to tsunami inundation as low as reasonably practicable.

The policy is clear on the creation or the potential to create new lots through a zoning amendment or subdivision. It is less clear on the increase of density by rezoning on existing lots. Regarding this application, the density is arguably equal in the context of what is the existing zones potential density of people and infrastructure and the proposed MFR development. Staff consider that a reasonable approach would be to consider coastal storm Flood Construction Levels (**FCL**) in this case and not require the additional measures to address potential tsunami flood risk. It should be

noted that the FCL of the proposed development is above the tsunami flood reference plane as assessed by the applicant’s consultants.

The review of this application identified an area where the interim policy could be clarified. Currently the policy is silent on existing lots where an applicant proposes a zoning amendment to change the use and/or density (similar to this application), this could be clarified by adding the following two lines in the policy chart after the “New residential and commercial buildings on new lots” :

A change in use that would increase density and/or infrastructure on existing lots	Tsunami Flood Reference Plane	Site-specific analysis by suitably qualified Professional Engineer experienced in coastal engineering
A change in use that would not increase density and or infrastructure on existing lots	Coastal Storm FCL	OCP Map 4

This change would clarify the application of the interim policy both for staff and potential applicants. Staff are recommending that this change be instituted by adopting District of Ucluelet Tsunami Risk Tolerance Interim Policy 8-5280-2 (**Appendix G**) which would supersede its predecessor Policy 8-5280-1.

SERVICING

Public services of sufficient size and capacity to serve the proposed development are available at Helen Road.

FIRE PROTECTION

The proposed access dimensions are good but will require markings designating no parking and fire lane in the turnaround area (other than in the designated spots).

BUILDING SERVICES

A comprehensive code review of this application will occur during the building permit process, however, we note at this time, that this project falls under Building Bylaw 1165, 2014, Section 10.3, and where a project involves a) two or more buildings, which in aggregate total more than 1,000 square meters; or b) two or more buildings that will contain four or more dwelling units; or c) where the complexity of the proposed building or structure or siting circumstances warrant, then the Building Official may also require the involvement of registered professionals. We anticipate asking for the following: geotechnical engineering and structural engineering, mechanical engineer for building plumbing, a plumbing engineer/ civil engineer to undertake the design and review of all the building plumbing and site servicing ie: sizing the main waterline/ proposing the meter, sizing and layout of the sewer system, storm and site drainage, fire-fighting access and provisions, as well as any proposed works, construction staging or parking on District property that may require a separate permit.

The district Building Official will require a geotechnical hazard assessment in accordance with Section 56 of the *Community Charter*. The assessment will likely contain conditions for the safe use of the land and will need to be registered on title attached to a covenant pursuant to Section 219 of the Land Titles Act. Covenant registration must be complete before the District can issue this building permit.

ARCHAEOLOGICAL

The applicant has contacted the Archaeological Branch and the branch stated to the applicant that there are no known sites located on the subject property. They note that if archaeological materials are exposed or impacted all activities must be halted and an archaeological investigation must be conducted, and permit requirements must be established.

GEOTECHNICAL

The applicant completed a geotechnical hazard assessment for the subject property by Lewkowich Engineering and associates (**Appendix E**). This assessment reviewed the property in the context of soil stabilization and flood construction level. The report establishes a 30m horizontal building setback from the natural boundary and a flood construction level of 10.5m geodetic (above high tide).

DEVELOPMENT PERMITS

This application falls within the Shorelines Development Permit area and is also subject to a Multi-Family, Form and Character Development Permit. It should be noted that the approval of the development permit would occur at adoption of Bylaw No. 1322 if it were to proceed to adoption.

FORM AND CHARACTER - MULTI-FAMILY, COMMERCIAL & MIXED-USE (DPA IV)

Form and Character Development Permit Areas are established to guide development and land use to ensure a pedestrian-oriented, compact, and vibrant community which maintains its coastal village character.

Building Design

The applicant is proposing four single MFR buildings and one duplex building, these buildings are similar in look with the single buildings having same basic design. The roofs are a mix of low slope gable and hip styles and clad in asphalt shingle roofing. The buildings are clad in Hardie-board with Vinyl trim. The materials are consistent with the OCP guidelines.

While the repetitive nature of the building design of the units is not ideal, this repetition can represent a savings in construction costs and in turn represent a cost savings to ultimate owner and subsequent owners. The design and siting of the buildings could be closer to the naturally inspired form and sensitively sited buildings as indicated in the OCP guidelines but there is a cost associated to that rigor and as the project is residential and is to retain the majority of the shoreline and road frontage vegetation, the totality of the application is supportable.

Landscaping

The applicant is proposing to repair and retain existing landscape with focused landscaping elements occurring in front and between the proposed units (see Landscape Plan within **Appendix A**).

Parking and pedestrian movement

The applicant is proposing a modest sized development similar in potential scale to what is currently allowed; consequently, larger off-site and frontage improvements like sidewalks are not being required. That is not to signal that a full pedestrian connection is not to be required or desired for larger developments where density is increased.

ENVIRONMENTAL - MARINE SHORELINE (DPA VII)

Environmental Development Permit Areas are established to guide development and land use to ensure the most sensitive environmental features of a site are protected and ecological functions are not needlessly disturbed by development activities. For all land lying within an Environmental DP area, an assessment of the site, its natural features and the development must be undertaken, and the applicant must submit a report prepared by a Qualified Environmental Professional (QEP) establishing conditions for development. Staff draft the associated development permit terms and conditions from the recommendations in the QEP’s report. The subject property falls within the Marine Shoreline Development Permit Areas, which includes lands within 30m above and below the natural boundary of the sea.

The applicant has submitted an environmental assessment by Current Environmental (**Appendix F**). This report prescribes a 20m setback area from the natural boundary, for the preservation of the backshore habitat as listed in section 4.1 of the report. This proposal does not contemplate works within the 20m setback area.

ANALYSIS OF OPTIONS:

A	Give OCP Amendment Bylaw No. 1337 and Zoning Bylaw No. 1322 first and second reading and advance to a public hearing	<u>Pros</u>	<ul style="list-style-type: none">• Allows the application to proceed to public hearing.• Allows the public the opportunity provide input on the merits or drawbacks of the applications.
		<u>Cons</u>	<ul style="list-style-type: none">• Unknown at this time
		<u>Implications</u>	<ul style="list-style-type: none">• District Staff will give notice of a public hearing.

B	That Council considers the application consistent with the OCP and proceed with only a zoning amendment	<u>Pros</u>	<ul style="list-style-type: none"> Allows applicant’s zoning amendment to proceed without the need for an OCP amendment or a public hearing.
		<u>Cons</u>	<ul style="list-style-type: none"> Allows the applications to proceed with less public input
		<u>Implications</u>	<ul style="list-style-type: none"> Less staff time will be required to process the application. Staff suggest that amending the interim policy still be included as part of the resolutions.
		<u>Suggested Motion</u>	<ol style="list-style-type: none"> THAT Council direct Staff to give notice of first reading and that a public hearing will not be held for Ucluelet Zoning Amendment Bylaw No. 1322, 2024; and, THAT District of Ucluelet Tsunami Risk Tolerance Interim Policy 8-5280-2, which supersedes District of Ucluelet Tsunami Risk Tolerance Interim Policy 8-5280-1, be adopted.
C	Reject the application	<u>Pros</u>	<ul style="list-style-type: none"> Time would not be spent on a public hearing, and the applicant would be saved the cost of the notification of a public hearing.
		<u>Cons</u>	<ul style="list-style-type: none"> Does not allow applicant’s development to proceed.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed. Additional staff time will be required to follow up with applicant and consultants.
		<u>Suggested Motion</u>	No motion required.

POLICY OR LEGISLATIVE IMPACTS:

Approval of this application would amend the Official Community Plan bylaw, the Zoning bylaw and the interim Tsunami Flood Risk Tolerance Policy. As with any OCP bylaw amendment, Council must consider the impact of the amendment in the context of the regional waste management plan and the municipal five-year financial plan – given the narrow focus of this OCP amendment the impact on municipal services and finances would be negligible.

NEXT STEPS

If this application is approved District Staff will set up a public hearing and complete the required notification.

Respectfully submitted:

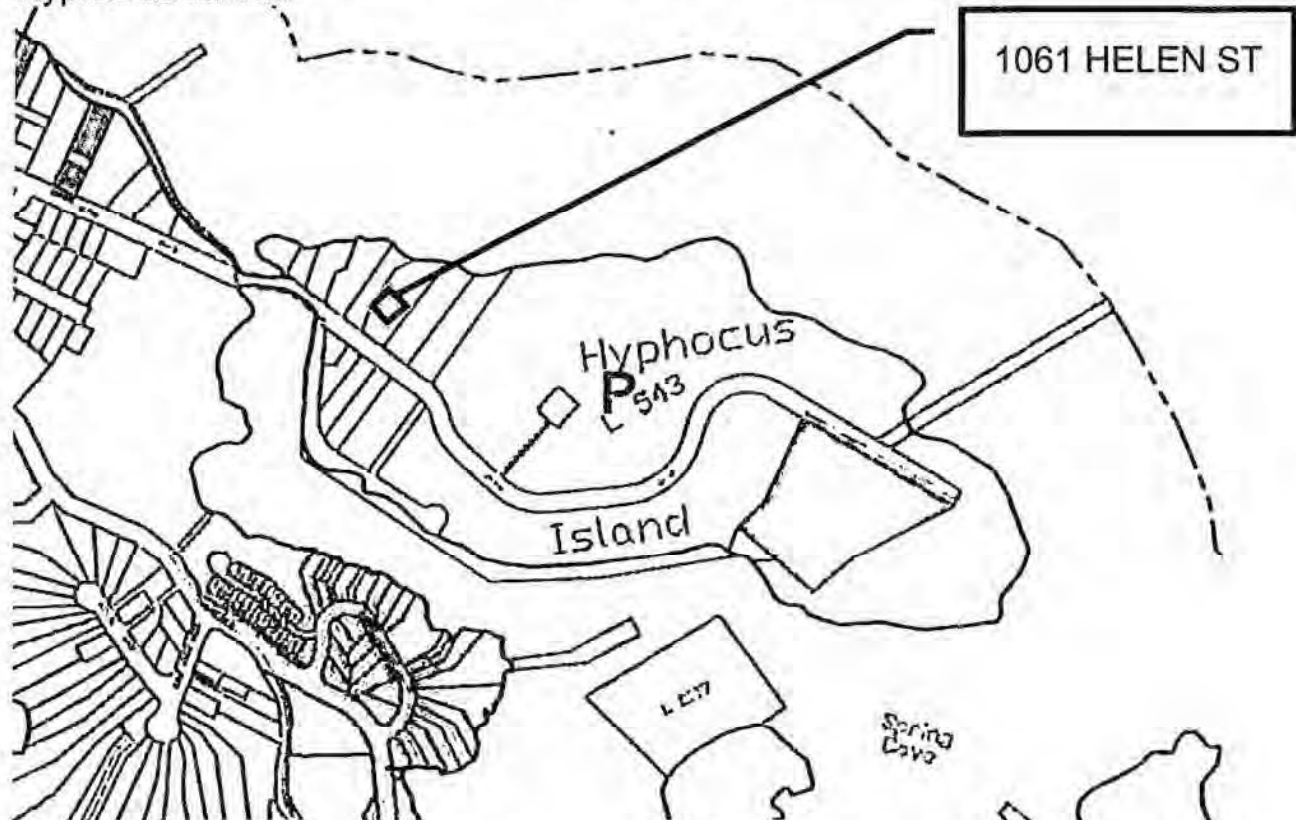
JOHN TOWGOOD, MUNICIPAL PLANNER

BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

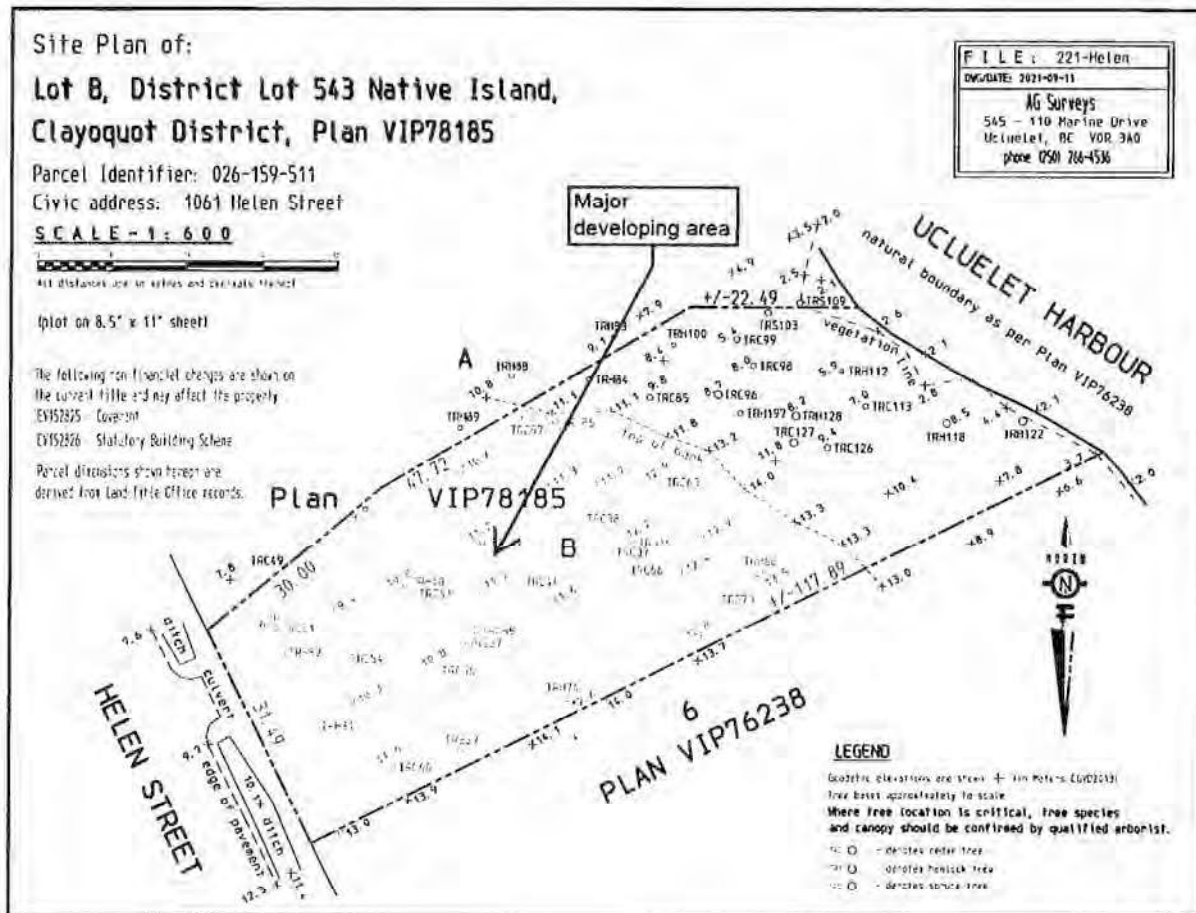
DUANE LAWRENCE, CAO

April 03, 2022
 1061 HELEN ST
 To District of Ucluelet Planning Department:

At present time 1061 HELEN ST is zoned R2 which bylaws state that for using multiple family residential the side setbacks at 20' and rear setbacks be set at 20' and the front setbacks be set at 20'. The lot is located in Hyphocus Island.



The north side of the site is facing UCLUELET HARBOUR and has sloped area. We will avoid to put the buildings over the top of bank, the major developing area will limit to the top of sloped area. (see the yellow area)



R-2.1 Permitted Uses:

R-2.1.2 (1) (b) Multiple Family Residential

(i) Despite the above, Multiple Family Residential is not permitted on Lots 3, 4, 5 and 6 of Plan VIP76238.

Our lot is on B of VIP78185. The lot area is 0.3979 Hectares and we only propose 31.3% FSR with 2 storey townhouse buildings. Please see the following site plan, density, driveway and parking space analysis and let the lot to propose multiple family residential.

R-2.1 lot Regulations:

R-2.1.1 Minimum Lot Size:

(3) Multiple Family Residential: 1,000 m² (¼ acre),

The lot area is 42,835.84 SF (3,979.58 m²)=0.3979 Hectares >1,000 m² (¼ acre)

R-2.1.2 Minimum Lot Frontage:

(3) Multiple Family Residential: 23m(75ft)

The lot frontage is 31.49m > 23m

R-2.2 Density:

(3) Multiple Family Residential:

(a) Base Density: 30 units/hectare per lot

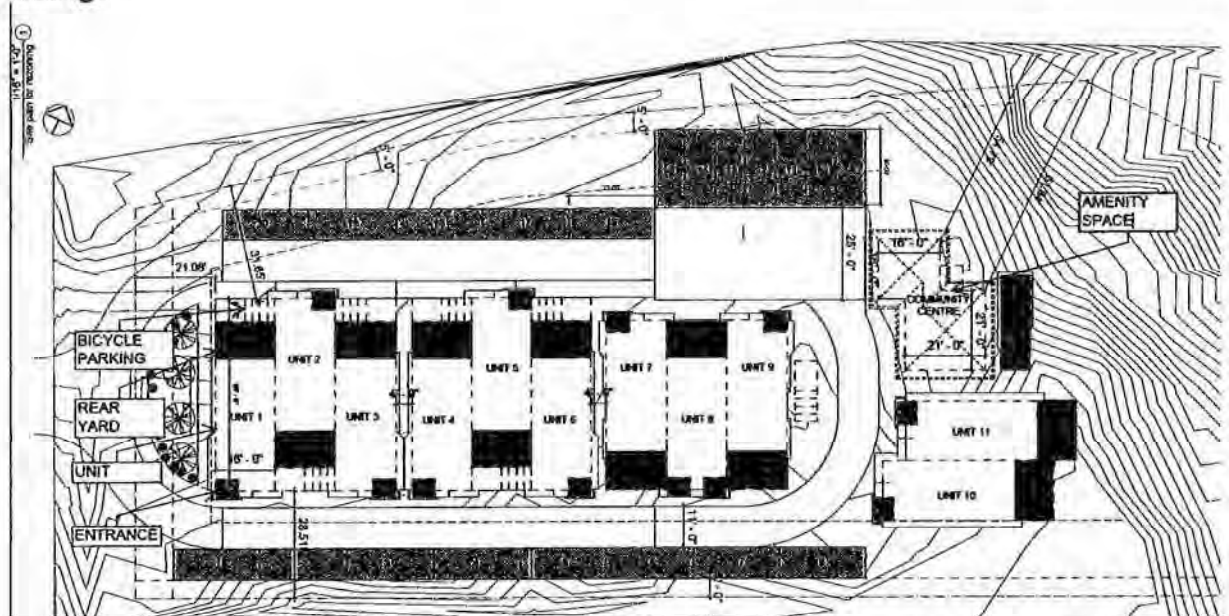
In R2 zoning bylaw Density R-2.2 (3) Multiple Family Residential (a) Base Density is 30 units/hectare per lot.

The lot we purchased to build 11 units multiple family townhouse.

The lot area is 42,835.84 SF (3,979.58 SM)=0.3979 Hectares

The units=30*0.3979=11.937 units. We will provide 11units.

The unit size measures 16' in width x 35' in length. Each unit has 10' rear yard and 6' depth bicycle parking area. There are three groups townhouse which combined with 3 units (unit 1 to unit 9), and one group combined with 2 units (unit 10 to unit 11). We also provide one community centre with outdoor swimming pool for amenity using.



R-2.2.2 Maximum Floor Area Ratio:

(3) Multiple Family Residential: 0.70

The lot area is 42835.84 SF.

The allowable floor area= $42835.84 \times 0.7 = 29985$ SF.

We only propose 13413 SF (31.3%), it's more less than 29985 SF(70%).

R-2.2.3 Maximum Lot Coverage:

(3) Multiple Family Residential: 40%

The lot area is 42835.84 SF .

Proposed covered porch area is 269.43 SF, main floor area is 6674.70 SF. Total proposed site coverage area is 6944.13 SF =16.21%. < 40%

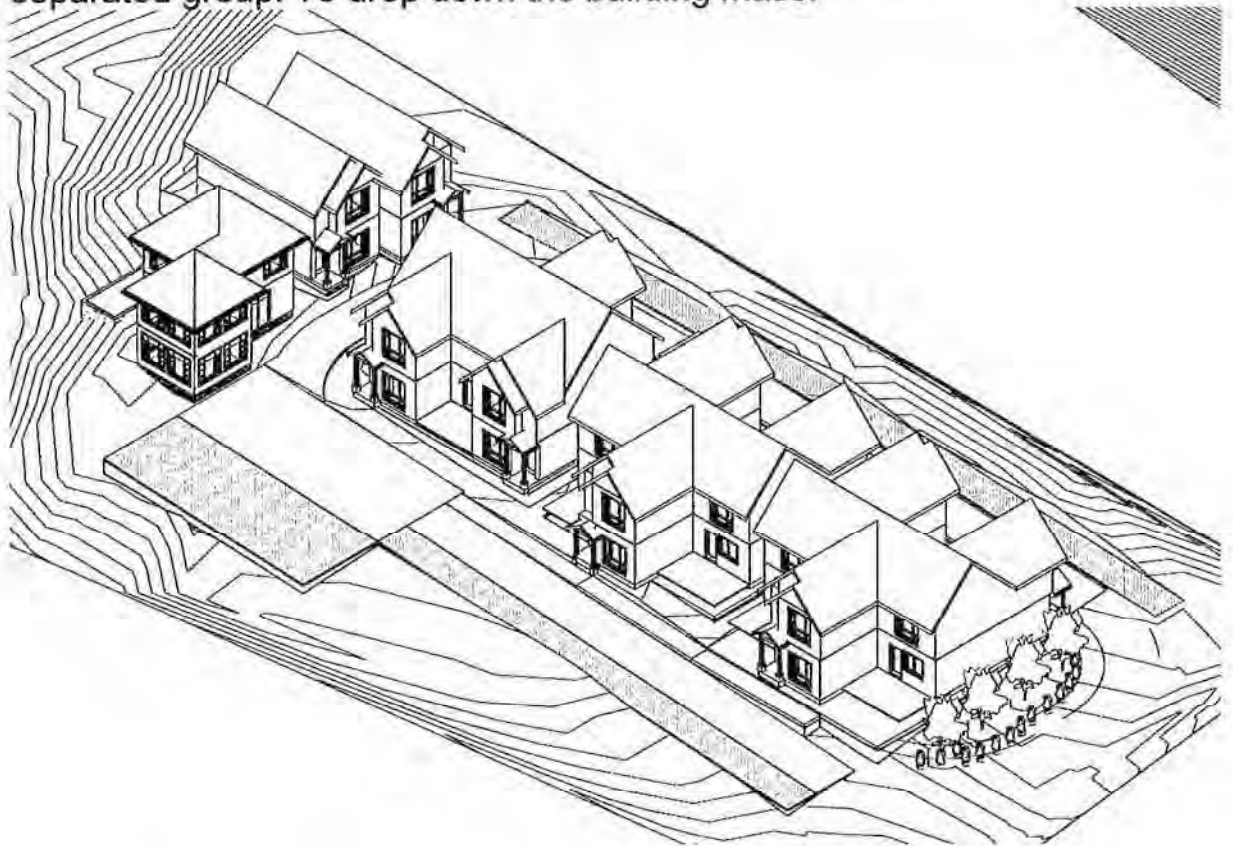
Please consider this small site coverage and let this lot can build multiple family residential.

R-2.4 Maximum Height

R-2.4.1 Principal Buildings & Structures:

(3) Multiple Family Residential: 11m(36ft) or 3 storey

Proposed only 2 storey townhouse building. And make several separated group. To drop down the building mass.



R-2.5 Minimum Setbacks:

Front Yard Setback 6m(20ft)

Rear Yard Setback 6m(20ft)

Side Yard Setback 6m(20ft)

The lot setbacks all equal or large then minimum setbacks.

Proposed front yard setback 21.08ft

Proposed rear yard setback 54.79ft

Proposed side yard setback 20ft

Proposed side yard setback 31.65ft

Proposed Building floor area:

Proposed main floor area is 6,674.70 SF, upper floor area is 6,738.07 SF.

Total proposed floor area is 13,412.77 SF.

Proposed Parking space number:

The required parking space number is:

$1.5/\text{per unit} = 1.5 * 11 \text{unit} = 16.5 = 17.$

Visitor parking is $1/\text{per } 5 \text{ units} = 2.$

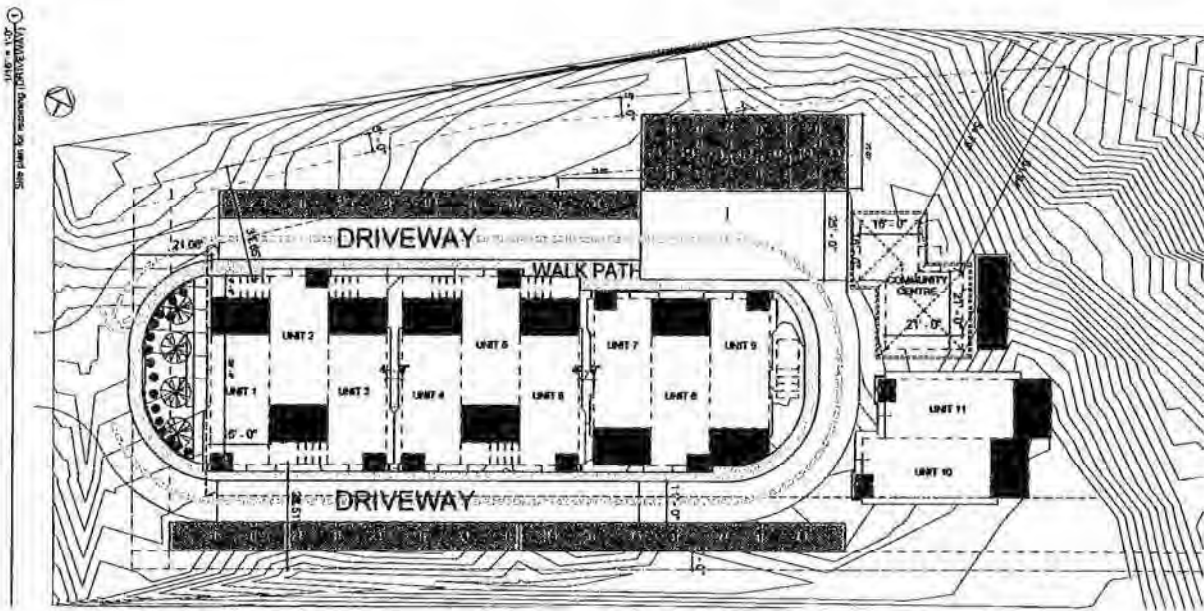
H/C required is 1% of parking space, 1% of 19 parking space ($17+2=19$) is 1.

Total parking space = $17+2+1=20$

Proposed parking space is 20.

Proposed Driveway and walk path:

The driveway is around the buildings and parking space is next to the driveway. The walk path is in another side of the driveway.



Thank you for your consideration,

HAODE INVESTMENTS LTD
 #5200-4000 NO.3 Rd, Richmond, BC
 778.881.0388

=====

1061 HELEN ST UCLUELET BC
 LOT B, District Lot 543 Native Island, Clayoquot District, Plan VIP78185
 Parcel Identifier 026-159-511
 Zoned R2
 Lot area: 42835.84 SF
 Front 6 meters (20')
 Sides 20'
 Rear 20'
 Height restrictions 36' or 3 storey
 Lot coverage 40%
 Max Floor Ratio - 70%

Contacts John Towgood-Ucluelet Planning Department 250-726-4770

1061 HELEN ST UCLUULET BC

SHEET LIST:

R1 SHEET PLAN
R2 3D VIEW

PROJECT CONTACTS:

SUBCONTRACTORS:
AG SURVEYS
105-110 MARINE DRIVE
VANCOUVER, BC V6V 1P4
TEL: 779-242-8308
Email: agsurveys@ag.com

DESIGNER:
ELITE DESIGN
105-110 MARINE DRIVE
VANCOUVER, BC V6V 1P4
TEL: 779-242-8308
Email: projects@elitedesign.com

STRUCTURAL ENGINEER:
COS ENGINEERING GROUP LTD,
4325 PARKVIEW DR.,
VANCOUVER, BC V6V 1P4
TEL: 604-269-8800
Email: projects@cegroup.com

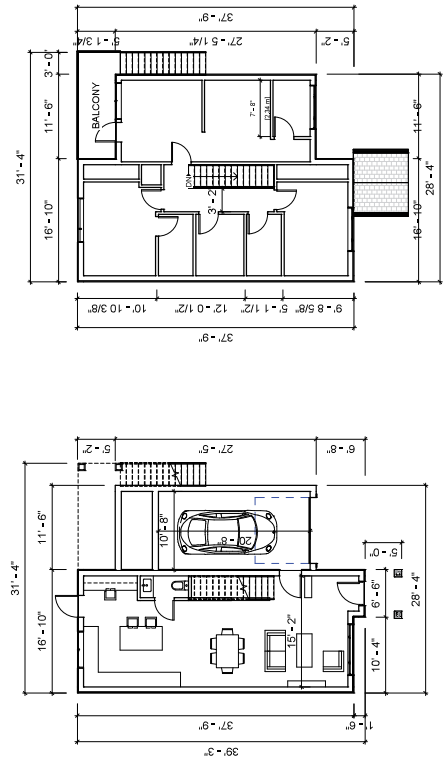
PROJECT SUMMARY:

SITE COVERAGE SUMMARY:	
LOT AREA:	4935.84 SF
PERMITTED SITE COVERAGE:	4935.84 SF
PROPOSED SITE COVERAGE:	4935.84 SF
COVERED AREA:	922.89 SF 2.15%
MAIN HOUSE AREA:	6953.50 SF 14.13%
PROPOSED SITE COVERAGE:	6976.39 SF 16.29%

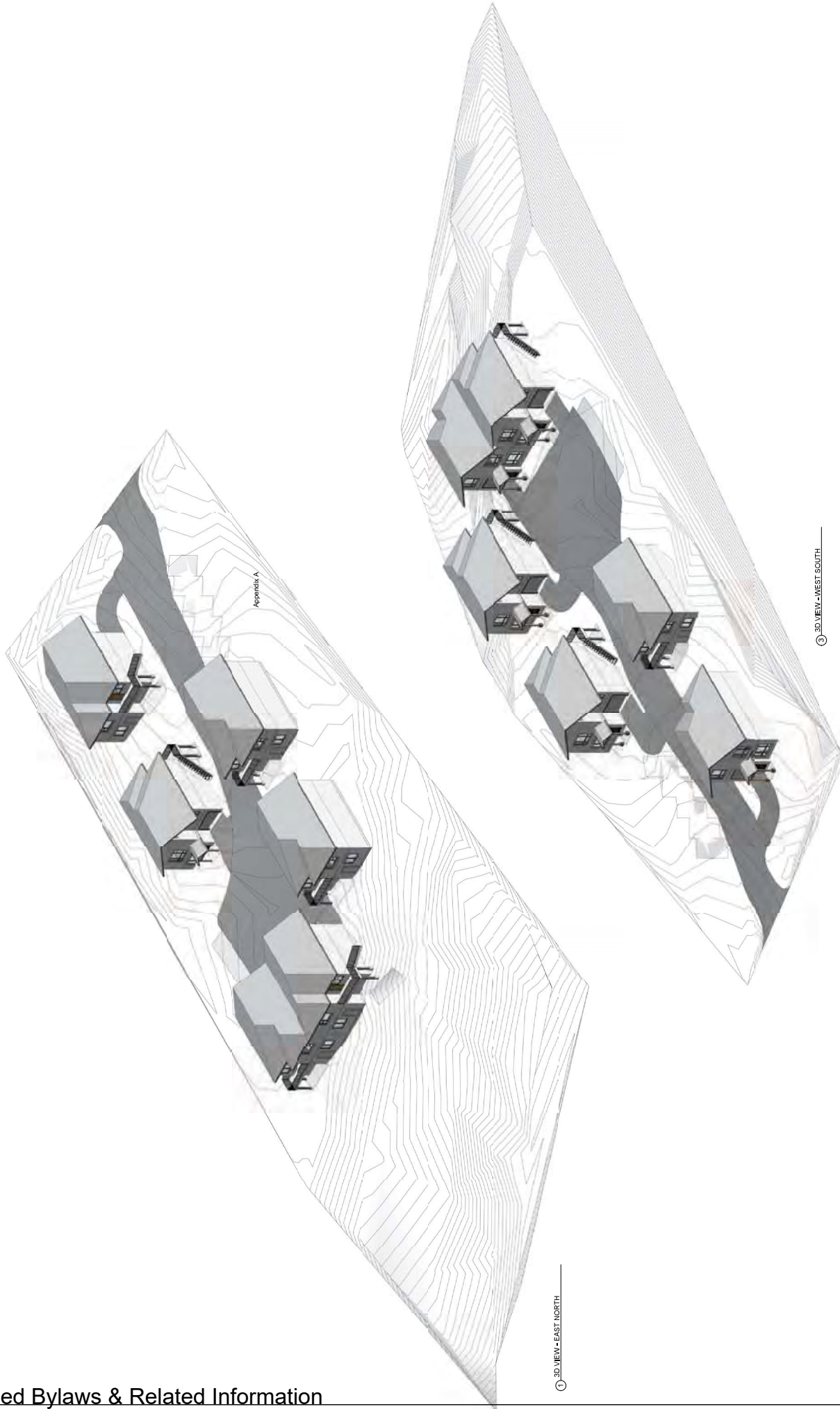
ZONING DISTRICT: R2
PROPOSAL: SINGLE FAMILY
Civic ADDRESS: 1061 HELEN ST UCLUULET BC
LEGAL DESCRIPTION: LOT B District Lot 543 Heave Blanc, Clayouque District, Plan Vp78165
LOT AREA: 4935.84 SF

FLOOR	PERMITTED	PROPOSED
UPPER FLOOR	2447.92 SF	31.3% 1148.81 SF
MAIN FLOOR	2447.92 SF	47.0% 5705.81 SF
BASEMENT	0.00 SF	16.7% 5783.00 SF
TOTAL	4895.84 SF	16.29% 6976.39 SF

Appendix A



PROJECT NO: 2023.02.20		DATE: 2023.02.20		Author	
AS NOTE		AS NOTE		Author	
1061 HELEN ST UCLUULET BC		1061 HELEN ST UCLUULET BC		1061 HELEN ST UCLUULET BC	
SHEET PLAN		SHEET PLAN		SHEET PLAN	
ELITE DESIGN		ELITE DESIGN		ELITE DESIGN	
PREMIUM HOMES		PREMIUM HOMES		PREMIUM HOMES	
R1		R1		R1	



DATE	2023.02.20
BY	Author
DESCRIPTION	AS NOTE
DATE	2023.02.20
BY	Author
DESCRIPTION	AS NOTE

3D VIEWS

**1061 HELEN ST
UCLUELET BC**

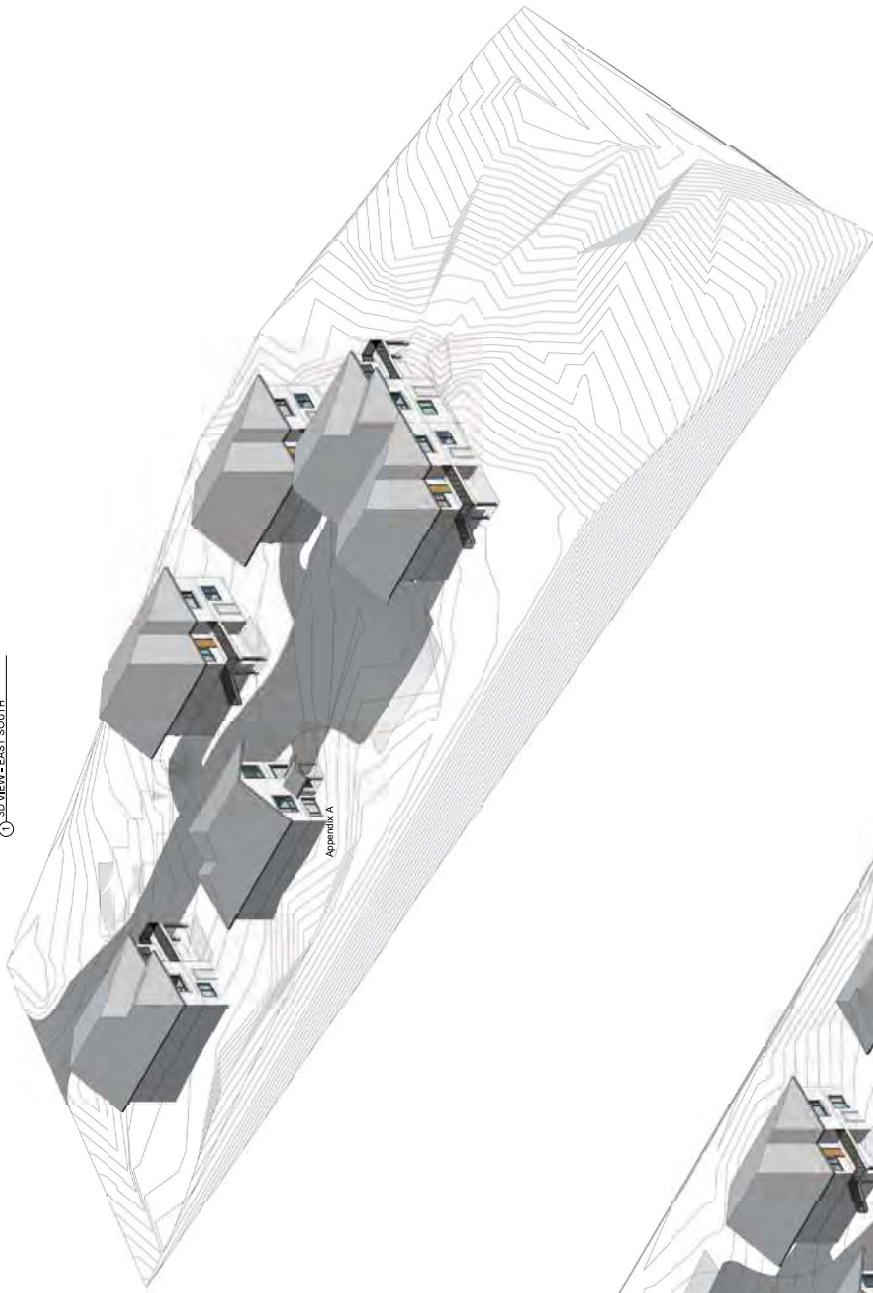
PROJECT NORTH

DATE	2023.02.20
DESCRIPTION	1. RESUBMIT FOR REZONING
DATE	2023.02.20
DESCRIPTION	2. REVISED FOR REZONING

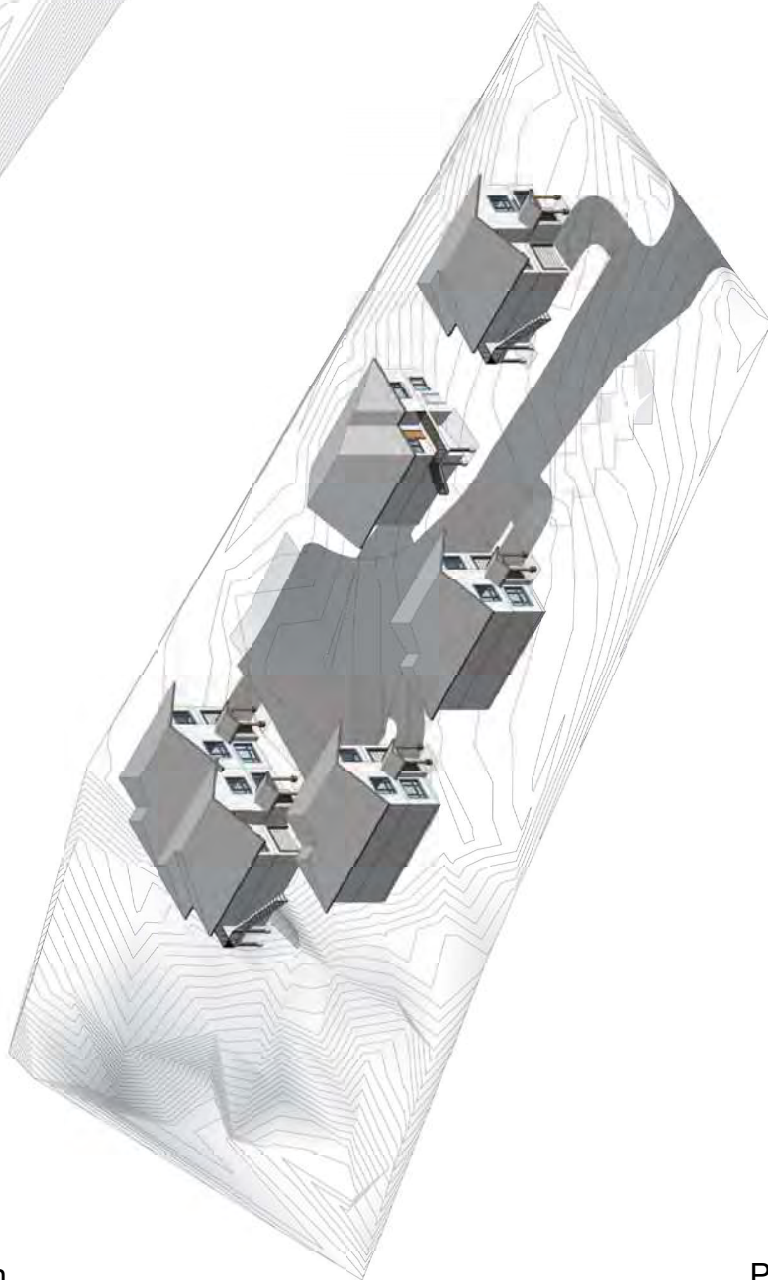
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ELITE DESIGN & ARCHITECTURE INC.
1,000 WEST 40TH ST. #100
VANCOUVER, BC V6P 4C4
TEL: 604.273.8888
WWW.ELITEDESIGNARCHITECTURE.COM

① 3D VIEW - EAST SOUTH



② 3D VIEW - WEST NORTH



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NO.	REVISIONS	DATE
1	ISSUE FOR REZONING	2023.04.08
2	REVISION FOR REZONING	2023.02.20

PROJECT NORTH

1061 HELEN ST
 UCLUELET BC

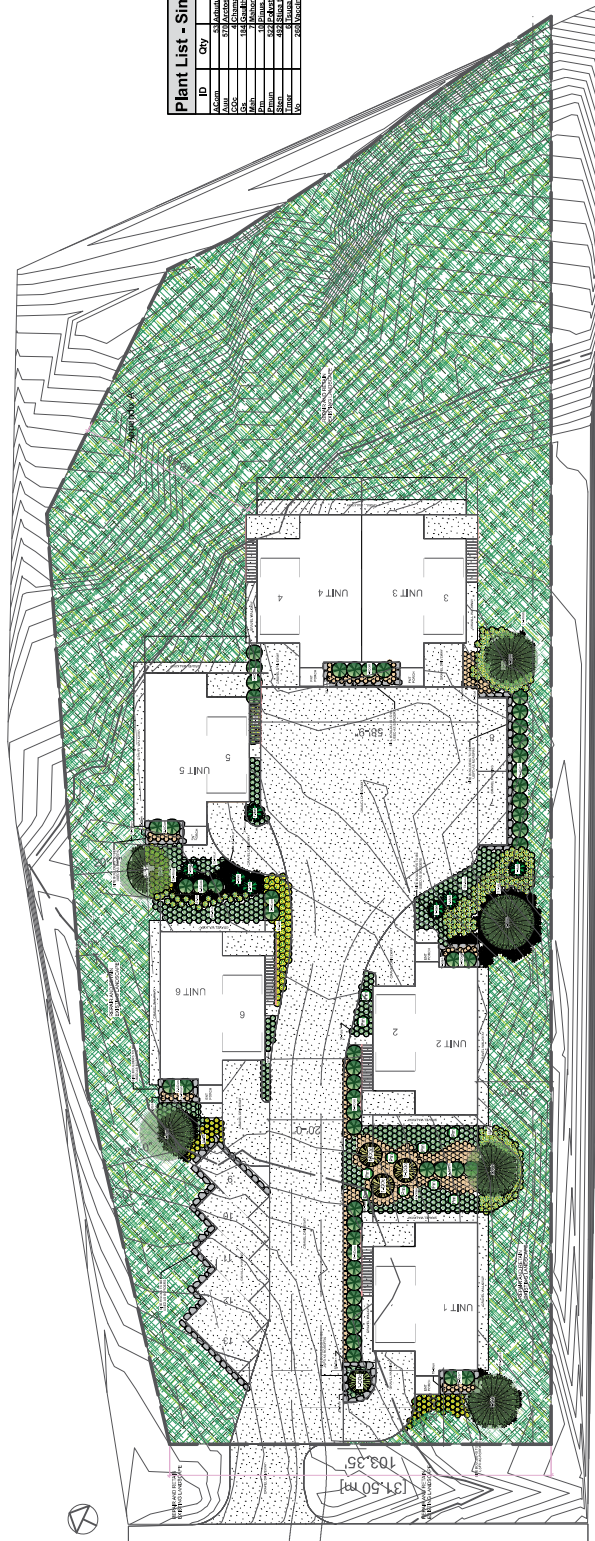
3D VIEWS

NO.	AS NOTE	DATE	BY

ELITE DESIGN
 PREMIUM HOMES
 4500 WILSON BLVD. #100 VANCOUVER, BC V6M 1S7
 TEL: 604.273.8888
 WWW.ELITEDESIGN.COM

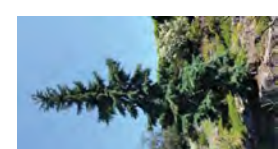
R3

2023.02.20 2:26:13 PM



1 LANDSCAPE PLAN
Scale: 1/16" = 1'-0"

Plant List - Simple			
ID	Qty	Botanical Name	Common Name
1	1	Thuja occidentalis	Green Garden Spire
2	1	Thuja occidentalis	Green Garden Spire
3	1	Thuja occidentalis	Green Garden Spire
4	1	Thuja occidentalis	Green Garden Spire
5	1	Thuja occidentalis	Green Garden Spire
6	1	Thuja occidentalis	Green Garden Spire
7	1	Thuja occidentalis	Green Garden Spire
8	1	Thuja occidentalis	Green Garden Spire
9	1	Thuja occidentalis	Green Garden Spire
10	1	Thuja occidentalis	Green Garden Spire
11	1	Thuja occidentalis	Green Garden Spire
12	1	Thuja occidentalis	Green Garden Spire
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Tree - Mountain Hemlock



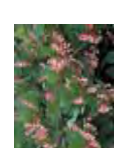
Tree - Dwarf Ficus, Opuntia



Plant - Sword Fern



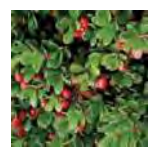
Shrub - Fluffy Grass



Gr - SBA



Tree - Magnolia



Shrub - Kalmia



Shrub - Compact Strawberry Bush



Shrub - Evergreen Huckleberry



No.	Date	Issue Notes
GREENROOMGARDEN		
PROJECT: PROPOSED LANDSCAPE LAYOUT 1061 HELEN STREET UCLUELET		
PLAN No: LANDSCAPE PLAN		
Plan No	Issue No	Issue Notes
2023-01-25-23		
Scale:	Sheet No:	AS NOTED
L1		
0		

PROPOSED TREES AND PLANTS

1061 Helen Street UCLUELET - Landscape 02.dwg

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1337, 2024

A bylaw to amend the District of Ucluelet Official Community Plan
(1061 Helen Road – Land Use designation change).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Map Amendments:

The “District of Ucluelet Official Community Plan Bylaw No. 1306, 2022, as amended, is hereby further amended as follows:

- A. Schedule ‘A’ Long Range Land Use Plan is hereby further amended by changing the designation of 1061 Helen Road; Lot B, District Lot 543 Native Island, Clayoquot District, Plan VIP78185 (PID 026-159-511), shown shaded on the map attached to this Bylaw as Appendix “A”, from Single Family Residential to Multi-Family Residential.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024”.

READ A FIRST TIME this day of , 2024.

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this day of , 2024.

READ A SECOND TIME this day of , 2024.

PUBLIC HEARING held this day of , 2024.

READ A THIRD TIME this day of , 2024.

ADOPTED this day of , 2024.

CERTIFIED A TRUE AND CORRECT COPY of “Official Community Plan Amendment Bylaw No. 1337, 2024”

Marilyn McEwen
Mayor

Joseph Rotenberg
Corporate Officer

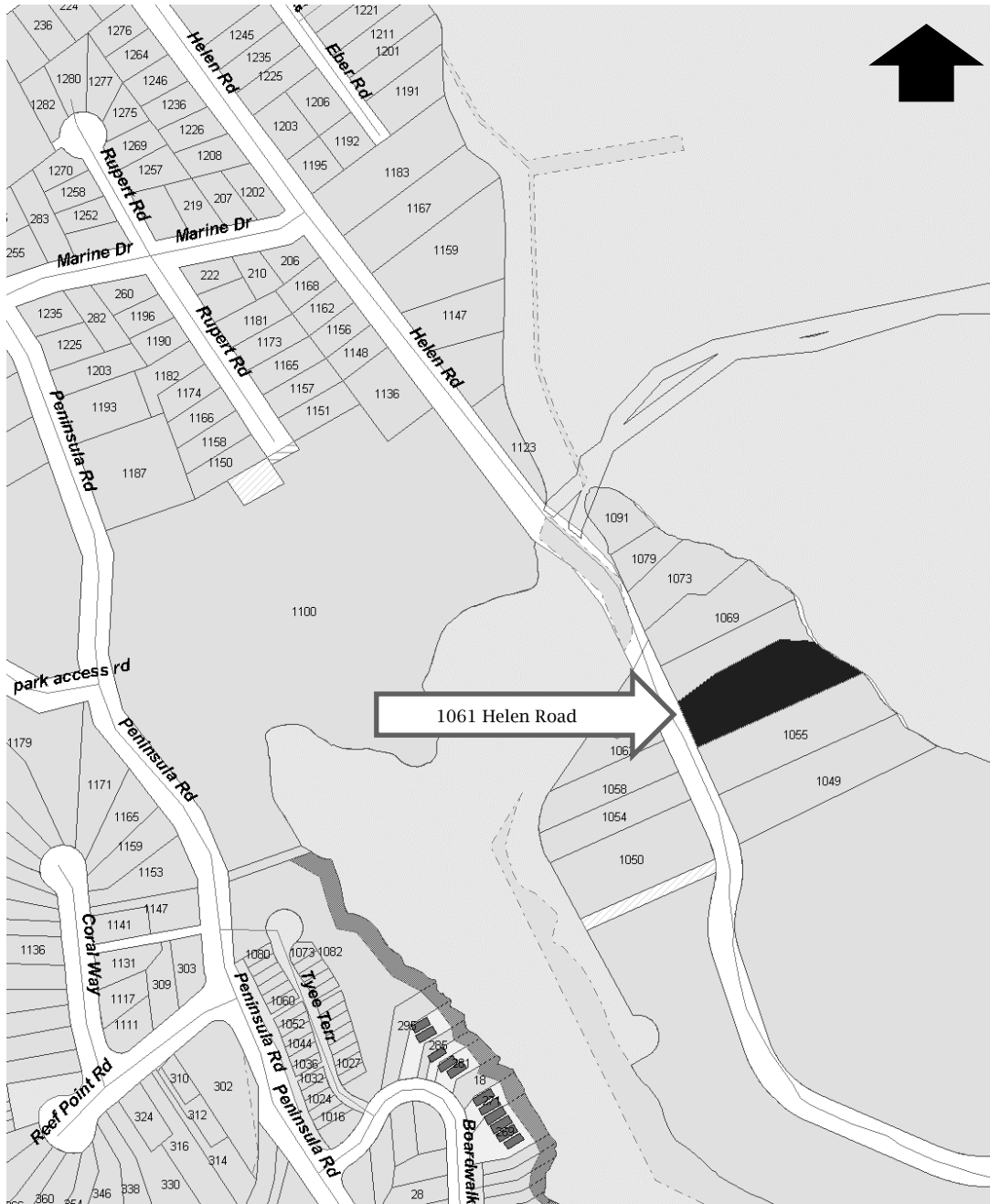
THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:

Joseph Rotenberg
Corporate Officer

Appendix 'A'

Official Community Plan Amendment Bylaw No. 1337, 2024

OCP Schedule 'A' Long Range Land Use Plan
From: "Single Family Residential"
To: "Multi-Family Residential"



DISTRICT OF UCLUELET**Zoning Amendment Bylaw No. 1322, 2024**

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

(1061 Helen Road)

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

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

1. Text Amendment:

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

A. Replacing section R-2.1.2(1)(b)(i), as follows:

“(i) Despite the above, Multiple Family Residential is not permitted on Lot 3, Plan VIP76238, District Lot 543, Clayoquot Land District, Native Island [PID 025-815-059] and Lot A, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511]”

B. Adding section R-2.1.2(1)(b)(ii) in alphanumeric order, as follows:

“(ii) Despite other sections of this bylaw, Lot B, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511; 1061 Helen Road] Multiple Family Residential use is the only allowable principle use and the Multiple Family Residential use may be in a building or group of buildings containing one or more dwelling units, limited to a maximum of six units with a maximum total combined gross floor area of 1200m².”

2. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024”.

DEVELOPMENT PERMIT DP22-13

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

1. This Development Permit is issued to:

Haode Investments Ltd (The “**Permittee**”)

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

1061 Helen Road; Lot B, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511] (The “**Lands**”)

3. This Permit authorizes the following improvements on the Lands:
 - Six Multiple Family Residential Dwelling Units and associated driveway and landscape works (**Schedule 1**).
4. The permit holder, as a condition of issuance of this Permit, agrees to comply with the terms and conditions of **Schedule 2** which is attached hereto and forms part of this permit.
5. In addition to compliance with the terms and conditions listed in Schedule 2, the permit holder must adhere to all conditions of the Qualified Environmental Professional report in **Schedule 3** which is attached hereto and forms part of this permit.
6. Prior to any site disturbance or contractor mobilization, the permit holder must erect fencing or otherwise demarcate the no-disturbance area beyond the 20m shoreline setback and contact the District of Ucluelet to arrange a pre-construction inspection.
7. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The Owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
8. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. The Owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
10. Upon completion of all proposed works, the Owner shall provide a letter from a QEP to the District of Ucluelet confirming that the work done under permit was completed meeting the conditions listed below.
11. This Permit is NOT a Building Permit.
12. The Municipality’s Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2024.

ISSUED the day of , 2024.

Bruce Greig
Director of Community Planning

Schedule 1
(see Appendix A)

Schedule 2

Terms and Conditions

As a condition of the issuance of this Permit, the Permittee representing the Lands hereby to comply with all following Impact Reductions and Mitigation Measures, determined by Qualified Environmental Professional (QEP) as necessary to avoid negative impacts to environmental habitats within and adjacent to the Property. Prior to any site disturbance or contractor mobilization, the permit holder must erect fencing or otherwise demarcate the no-disturbance area beyond the 20m shoreline setback, and contact the District of Ucluelet to arrange a pre-construction inspection.

1. A shoreline setback width of 20 m is being prescribed for the subject property, which is to be measured from the Present Natural Boundary of the shoreline (Figure 3). This vegetated setback encompasses the steeper portions of the backshore in which signs of slope instability were noted (Figures 3 and 4) and will ensure that they remain stable. Additionally, this setback will ensure that all the functions listed in Section 4.1 remain intact. Although no eelgrass was found in the intertidal zone, the mouth of the Ucluelet inlet shown as “Medium” importance for herring spawn in the Department of Fisheries and Oceans’ (DFO) Pacific herring (*Clupea pallasii*) spawn data for Barkley Sound. Populations of herring have not been assigned a conservation status provincially¹³; however, population health of the West Coast Vancouver Island herring stock is currently rebuilding after historically low population numbers in the early 2000’s, and biomass has not been sufficient for the DFO to permit a commercial fishery since 2005¹⁴.
2. Due to the known importance of the mouth of Ucluelet Inlet to a commercially important species that is undergoing a population recovery, no disturbance must take place within the 20m shoreline setback. As designed, the proposed development does not encroach into the recommended 20 m setback.
3. Due to the signs of slope instability noted within the backshore habitat as described in Section 3.2.3 above, it is important that drainage from the proposed construction of impermeable surfaces outside of the 20 m shoreline setback be designed in such a way so as not to exacerbate any potential instabilities. Rain runoff must not be channelized and must be allowed to infiltrate into soil prior to entering the 20 m shoreline setback. It is recommended that the developer work with an appropriately qualified engineer to design a site-specific drainage plan prior to construction designed to prevent any erosion of slopes within the 20 m shoreline setback.
4. The entire 20 m recommended shoreline setback is well vegetated with a native plant community. No enhancements are necessary to improve the slope stability or ecosystem functions provided by this setback, and therefore a landscaping plan is not recommended as part of this assessment. Invasive species consisting primarily of Scotch broom were noted on the subject property adjacent to Helen Road outside of the MSDPA. This portion of the property will be highly disturbed during construction. It is recommended that during the site clearing phase, any vegetation or soils containing invasive plants be bagged and disposed of at a landfill to prevent further spread.

5. It will be important to implement mitigation measures during the construction on the subject property to protect the sensitive backshore vegetation adjacent to the site.
6. The accidental release of petroleum, oils, hydraulic fluids, lubricants, concrete additives, anti-freeze or other hazardous materials onto land surfaces or into waterbodies is an offence under the Federal Fisheries Act and may result in degradation of habitat quality and could be a threat to human health. Machinery required for the proposed development will likely be limited to a generator to power hand tools, and trucks delivering materials to the site. Environmental protection procedures for handling and storage of fuels and hazardous materials shall include the following items:
 - a. A spill kit of appropriate capacity will be on hand at all times heavy machinery or gas-powered tools are in use during construction.
 - b. All identified spills will be cleaned up immediately, and contaminated soils and vegetation will be removed for appropriate disposal.
 - c. Refueling of equipment is to occur only at designated fuelling stations and located at least 20 m from the shoreline.
 - d. All fuel, chemicals, and hazardous materials will be clearly marked.
 - e. Pumps and jerry cans are to be placed on poly sheeting and sorbent pads to contain spills.
 - f. All equipment maintenance with the potential for accidental spills (e.g., oil changes, lubrications) will be done on a designated area at least 20 m from the shoreline. Tarps should be laid down prior to commencement of work to facilitate clean up.
 - g. In the event of a spill, the following guidelines should be followed:
 - i. Spills to the receiving environment are to be reported to Emergency Management BC (1-800-663-3456) if they exceed the reportable limits (e.g., 100 liters of fuel or oil).
 - ii. Apply sorbent pads and booms as necessary.
 - iii. Dispose of all contaminated debris, cleaning materials, and absorbent material by placing in an approved disposal site.
7. Specific measures to control sediment during construction will include:
 - a. Maintain/do not disturb vegetation within the prescribed 20 m shoreline setback.
 - b. Where there is a potential for silt runoff in the proximity of existing waterbodies, control devices will be installed prior to construction activities commencing.
 - c. Filter fabric dams, rock check dams, and silt fencing will be used as needed on a site-specific basis to control erosion. Filtration should be accomplished using filter fabric keyed into substrates and banks and elevated.
 - d. using stakes or straw bales. Silt fencing is not an acceptable mitigation technique to control erosion in flowing ditches; however, it is useful for containing slumping areas and for use as baffles to slow water velocities.
 - e. Excavation will be stopped during intense rainfall events or whenever surface erosion occurs affecting nearby waterbodies.

- f. Soil stockpiles will be placed a minimum of 20 m from any waterbody and in a location where erosion back into the marine environment cannot occur and will not impede any drainage.
 - g. Soil stockpiles with the potential to erode into waterbodies are to be covered with poly sheeting. Other techniques, such as terracing or surface roughening can greatly reduce surface erosion on steeper slopes.
 - h. Permanent exposed soil areas and erosion-prone slopes that may potentially erode into waterbodies are to be seeded or covered with geotextile.
 - i. Clearing will take place immediately prior to excavation and earthworks to minimize the length of time that soils are exposed. Vegetation in adjoining areas will not be disturbed.
8. All trees and native vegetation within the 20 m shoreline setback will need to be retained and protected, unless a tree is deemed hazardous by a certified arborist. Trees provide critical functions in backshore areas by providing shade, nutrient and leaf litter drop, large woody debris recruitment in both the foreshore and marine environments, and bank stability through their complex root networks. They also help retain soil and provide more favourable growing conditions for other understory shrubs and ground cover plants in the backshore area. As previously described, there will be significant clearing of existing vegetation from portions of the subject property; however, there are no plans for any vegetation removal within the 20 m shoreline buffer zone. Specific measures to protect trees during development will include:
- a. A root protection zone for all trees in the 20 m shoreline setback will be established prior to construction commencing. The root protection zone should be established at the edge of the drip line of trees within the 20 m shoreline setback. The root protection zone should be physically delineated and should be off-limits to machinery.
 - b. Machine access will be from the southwest side of the property.
 - c. Tree protection plans will be communicated to everyone on site prior to commencing construction.
 - d. If roots are encountered during construction, they should be first avoided if possible, and if they must be cut, they should be cut cleanly with a saw as opposed to shattered with machinery.
 - e. Care should be taken not to break any limbs of trees within the 20 m shoreline setback during construction. If any limbs are accidentally broken, they should be cleanly cut with a saw.
 - f. Should any issues arise with regards to potential changes to the impact on trees during development, it is recommended that an arborist be retained to provide guidance on the least impact approach to development around trees.

Schedule 3

(See Appendix F for environmental reports)

GEOTECHNICAL HAZARD ASSESSMENT

**1061 Helen Road, Ucluelet, BC
Proposed Residential Development**

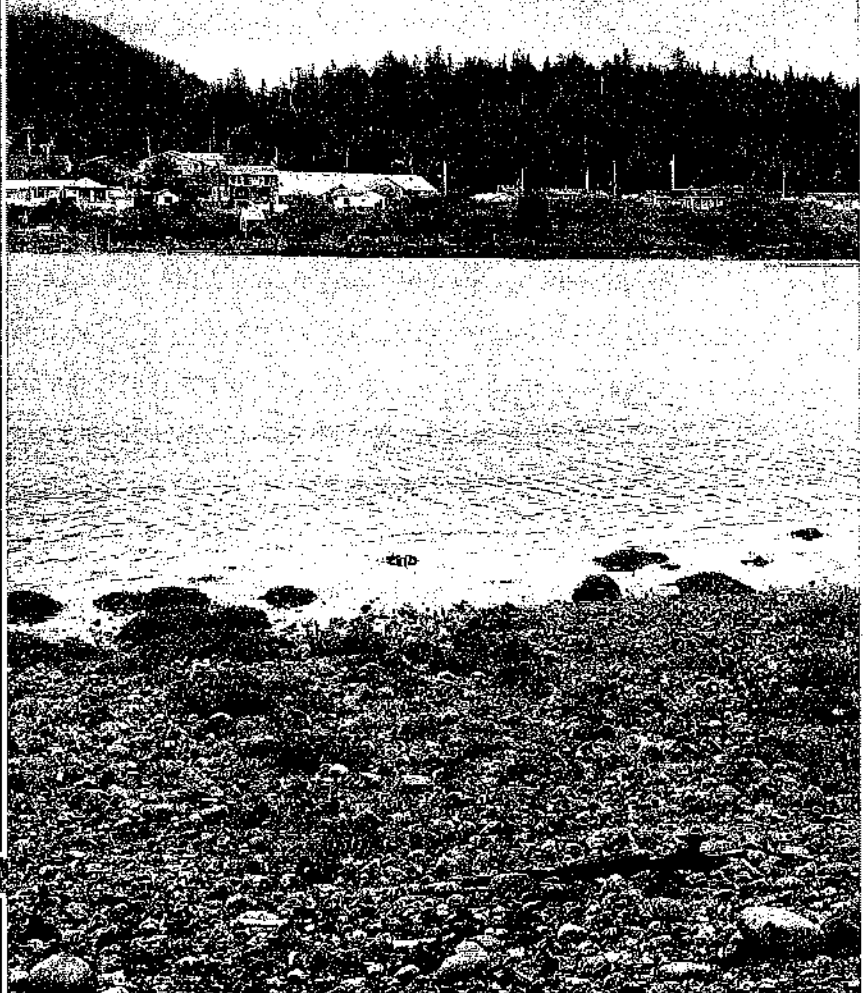
Legal Address:
Lot B District Lot 543, Native Island,
Clayoquot District, Plan VIP78185

PID: 026-159-511

Prepared For:
Haode Investments Ltd.
c/o Elite Premium Home Design Ltd.
#5200-4000 No. 3 Rd.
Richmond, BC
V6X 0J8

Attention:
Ms. Lynn Lee
lynnlee@elitedesignfirm.com

January 8, 2024



File No.: E1445.01r1
Revision No.: 01
Prepared by:
Paul Fraser, B.A., CTech.
Chris Hudec, M.A.Sc., P.Eng.

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geotech@lewkowich.com

Permit to Practice Number: 1001802

LEA Lewkowich
Engineering
Associates Ltd.



DISCLAIMER, ACKNOWLEDGMENTS AND LIMITATIONS

1. Lewkowich Engineering Associates Ltd. (LEA) acknowledges that this report, from this point forward referred to as “the Report,” may be used by the District of Ucluelet (DoU) as a precondition to the issuance of a development and/or building permit. It is acknowledged that Approving Officers and/or building Officials of the DoU may rely on this Report when making a decision on application for development of the land. It is also acknowledged that this Report and any conditions contained herein may be included in a restrictive covenant under Section 56 of the Community Charter and registered against the title of the property at the discretion of the DoU.
2. This Report has been prepared in accordance with standard geotechnical engineering practice solely for and at the request of Haode Investments Ltd. c/o Ms. Lynn Lee of Elite Premium Home Design Ltd (EPHD). We have not acted for or as an agent of the DoU in the preparation of this Report.
3. The conclusions and recommendations submitted in this Report are based upon information from relevant publications, a visual site-assessment of the property, anticipated and encountered subsurface soil conditions, current construction techniques, and generally accepted engineering practices. No other warrantee, expressed or implied, is made. If unanticipated conditions become known during construction or other information pertinent to the structure becomes available, the recommendations may be altered or modified in writing by the undersigned.
4. This Report was authored, to the best of our knowledge at the time of issuance, with considerations for local requirements specific to the Authority Having Jurisdiction (AHJ) and their standards for the preparation of such reports, the 2018 British Columbia Building Code (BCBC), and current engineering standards. Updates to municipal bylaws, policies, or requirements of the AHJ, or updates to the BCBC and/or professional practice guidelines may impact the validity of this Report.
5. This Report has been prepared by Mr. Paul Fraser, B.A., CTech, and Mr. Chris Hudec, M.A.Sc., P.Eng. Messrs. Fraser and Hudec are both adequately experienced in geotechnical engineering and hazard assessments and are also members in good standing with their respective associations, Mr. Fraser with the Applied Science Technologists & Technicians of British Columbia (ASTTBC), and Mr. Hudec with the Engineers and Geoscientists of British Columbia (EGBC).



EXECUTIVE SUMMARY

1. The following is a brief synopsis of the property, assessment methods, and findings presented in the Report. The reader must read the Report in its entirety; the reader shall not rely solely on the information provided in this summary.
2. The property, 1061 Helen Road, from this point forward referred to as “the Property,” is located on the west coast of Vancouver Island within the jurisdictional boundaries of the DoJ, in the southeastern region of Ucluelet, BC. The proposed development for the Property at the time of this Report includes rezoning to allow four (4) Single-Family Residential buildings and one (1) Multiple Family Residential building (duplex), for a total of 6 units, including associated surface parking and driveway areas.
3. A site-specific hazard assessment was conducted to identify potential geotechnical hazards for the subject Property and determine the safe and suitable conditions for the proposed development. The primary geotechnical hazards identified relate to steep slopes, the Property boundary with the Pacific Ocean/Ucluelet Inlet and the associated oceanic flooding due in part to future relative sea level rise (RSLR), as well as consideration for the risk of tsunami inundation.
4. Current EGBC and provincial guidelines relating to rezoning to increase density do not trigger a requirement to build above the Tsunami Flood Reference Plane (TFRP) for the Property. Therefore, the buildable area would be defined by conditions outlined herein, the required Flood Construction Level (FCL) for habitable areas, and a combination of the safe slope setback and applicable foreshore setback from the Future Natural Boundary (FNB).
5. The findings confirm the development is considered safe as proposed, provided the recommendations in this Report are followed.



List of Abbreviations Used in the Report

Abbreviation	Title
AGS	AG Surveys
AHJ	Authority Having Jurisdiction
ASTTBC	Applied Science Technologists & Technicians of British Columbia
BCBC	British Columbia Building Code (2018)
CCRL	Cascadia Coastal Research Ltd.
CSZ	Cascadia Subduction Zone
DoU	District of Ucluelet
DPA	Development Permit Area
ECI	Ebbwater Consulting Inc.
EGBC	Engineers and Geoscientists of British Columbia
EPHD	Elie Premium Home Design Ltd.
FCL	Flood Construction Level
FNB	Future Natural Boundary
GD	Geodetic Datum (CGVD2013)
LEA	Lewkowich Engineering Associates Ltd.
MNFLNRO	Ministry of Forests, Lands, and Natural Resource Operations
OCP	Official Community Plan
PNB	Present Natural Boundary
RA	Regional Adjustment
RSLR	Relative Sea Level Rise
SLS	Service Limit State
TFRP	Tsunami Flood Reference Plane
ULS	Ultimate Limit State

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1.0 INTRODUCTION

1.1 General

- a. As requested, LEA has carried out a geotechnical assessment of the subject Property with respect to the proposed residential development. This Report provides a summary of our findings and recommendations.

1.2 Background

- a. LEA understands the purpose of this assessment is to determine the safe and suitable conditions for rezoning of the Property to support the proposed residential development, including a review of geotechnical hazards that may impact building design and the buildable area of the Property.
- b. At the time of this Report, the proposed development consists of constructing five residential buildings (6 units total), and associated parking and driveway areas.
- c. The Property is located on the west coast of Vancouver Island, within the southern region of the DoU. See Figure 1.2 below.

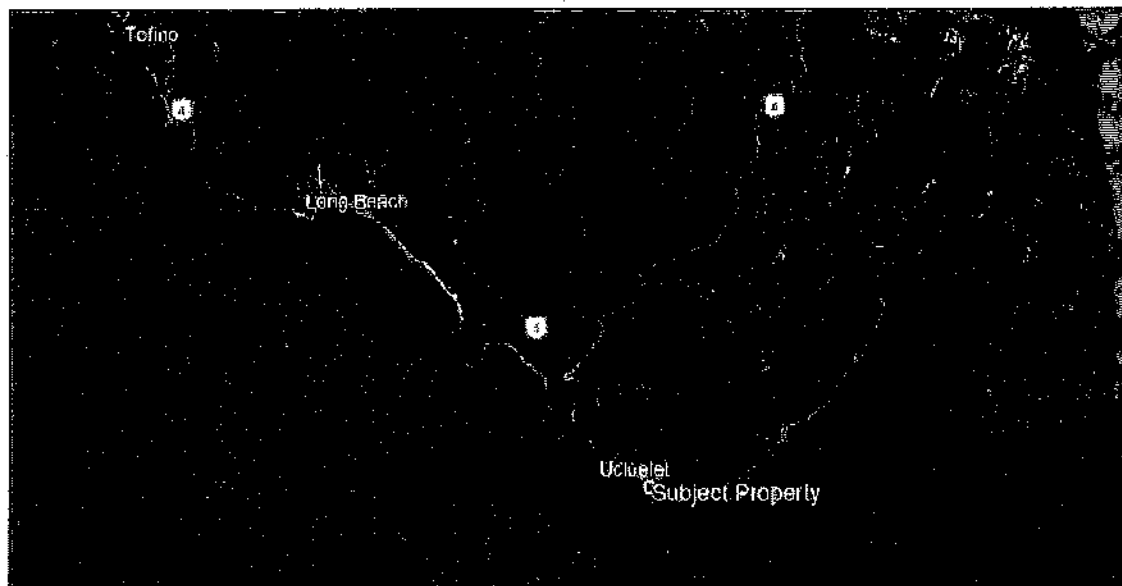


Figure 1.2 – Large Scale Location Plan (Satellite Imaging from Google Earth^{®1})

- d. A review of the 2022 OCP² indicates the Property is located within three DPA's:
 - i. DPA VII – Marine Shoreline (shown on the Schedule 'E' map³), specifically applied to all lands within 30m, measured horizontally both landward and seaward from the natural boundary of the ocean;
 - ii. DPA VIII – Natural Hazard Areas Protection (shown on the Schedule 'G' map⁴), specifically for steep slopes greater than 30°.



- e. An assessment report addressing DPA VII shall be prepared by a qualified environmental professional and is not included as part of this assessment.
- f. Following EGBC's Professional Practice Guidelines for Legislated Flood Assessments⁵, this Report would be categorized as a Class 0 assessment, applicable for Developments and/or Building Permits.

1.3 Assessment Methodology

- a. A visual reconnaissance and follow up review of the Property were carried out on July 22, 2022, and January 5, 2024, which included observations of the current site conditions, the foreshore, general topography and drainage features, and future building areas.
- b. A desktop review of relevant background information, including available aerial photographs, published geology, topography and floodplain mapping was undertaken, with consideration of the applicable EGBC practice guidelines and the most current and relevant technical documents provided by ECI⁶, CCRL⁷, and MFLNRO⁸. Please refer to the list of references at the end of this Report.
- c. We have also included a review of the Tsunami Risk Tolerance – Interim Policy prepared by the DoU, dated March 29, 2022⁹.
- d. Our assessment included a review of the attached topographic site plan prepared by AGS, dated September 11, 2021.
- e. We have also reviewed the preliminary concept and layout plan prepared by EPHD, dated February 20, 2023.

1.4 Covenant Review

- a. As part of our assessment, we have reviewed the documents registered on the legal title of the Property, specifically, any restrictive covenants registered against the Property that may relate to the conclusions and recommendations provided in this Report.
- b. Current to the date of this Report there is one relevant covenant under Section 215 of the Land Title Act registered against the Property that relates to the comments, conclusions and recommendations in this Report: reference covenant document EV152825 (2003).
- c. Covenant EV152825 states:

"...no building shall be constructed, nor mobile home located within thirty (30.0) metres of the natural boundary of the sea. This distance may be reduced provided that buildings are located on natural ground that is four (4.0) metres or more above the natural boundary of the sea. In no case shall this distance be less than fifteen (15.0) metres from the natural boundary of the sea."

and;

"Hereafter, no area used for habitation, business or storage of goods damageable by floodwaters shall be

located within any buildings at an elevation such that the underside of the floor system thereof is less than four (4.0) metres above the natural boundary of the sea."

This covenant is based on limited information from the 1964 tsunami event in Alaska.

2.0 SITE CONDITIONS

2.1 Physical Setting

- a. The Property is identified with the following civic and legal address:
 - i. 1061 Helen Road, Ucluelet, BC.
 - ii. Lot B District Lot 543, Native Island, Clayoquot District, Plan VIP78185
 - i. PID: 026-159-511
- b. The Property is located within the southeastern region of Ucluelet on Hyphocus Island, east of Peninsula Road on the east side of Helen Road, immediately adjacent to the Pacific Ocean/Ucluelet Inlet to the east. The Property location is shown in Figure 2.1.

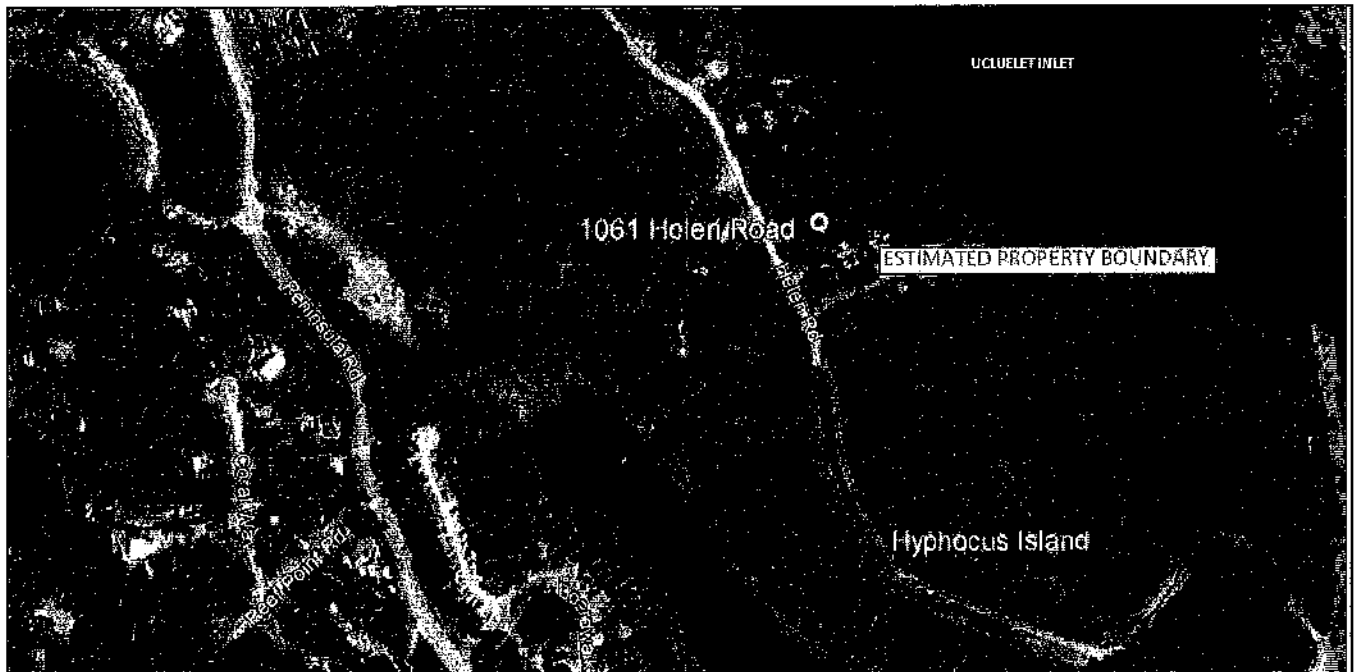


Figure 2.1 – Small Scale Location Plan (Satellite Imaging from Google Earth^{®1})

- c. The Property is currently designated as a 'Medium Density Residential (R-2) zone and is bound to the north by other R-2 properties; to the south by 'Guest House' properties; to the west by Helen Road; and to the east by the Pacific Ocean/Ucluelet Inlet¹⁰.

2.2 Terrain and Features

- a. The subject parcel is currently undeveloped and covered with moderate to dense west coast vegetation consisting of typical brush and undergrowth, with mature and immature trees. Based on the undulating terrain and presence of pistol-butt trees indicating slow surficial creep, the site, or portions thereof, may have previously been logged and/or used as a dump site.
- b. In general, the terrain consists of minor undulations from the road frontage to a moderate slope above the foreshore of the Ucluelet Inlet, with an overall inclination of less than 2 Horizontal to 1 Vertical (2H:1V or 27°). We expect isolated or localized steep slopes >30° may be present below existing vegetation throughout the east-facing slope. Total relief is estimated to be 7.0m±, with a high point up to 12.0m± GD. The majority of existing grades through the parcel center and proposed building areas are above 10.0m± GD. Typical terrain conditions are shown below in Figures 2.2.1 and 2.2.2.



Figure 2.2.1 – Typical Terrain Conditions (View Looking South)

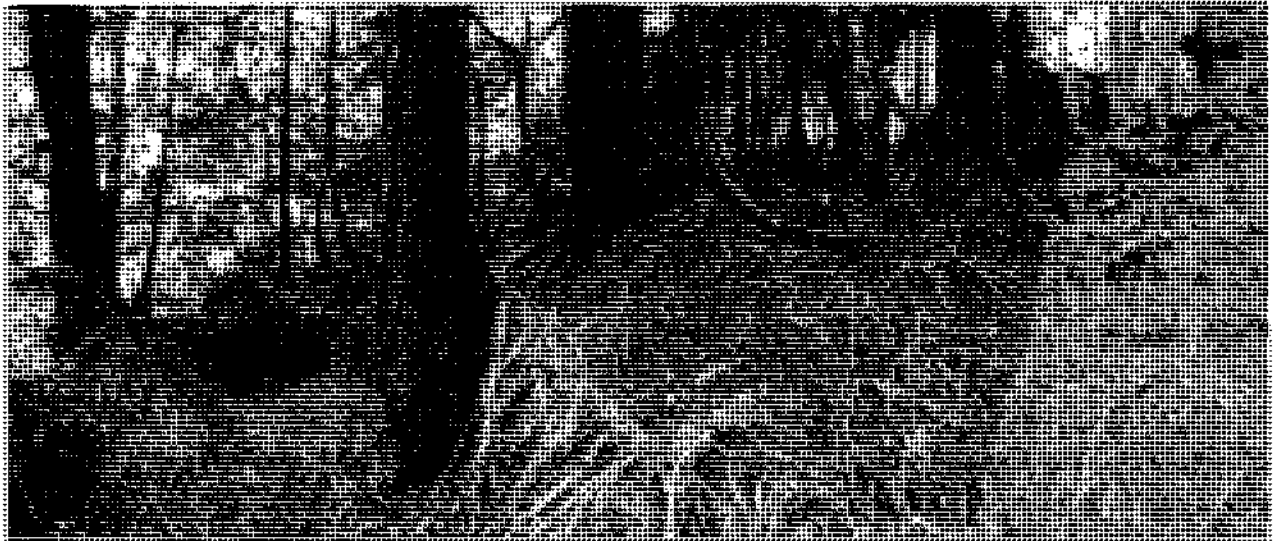


Figure 2.2.2 – Typical Terrain Conditions (View Looking North)

2.3 Regional Geology

- a. Surficial geology for the area is noted as three main classifications¹¹:
 - i. Hankin Formation (60%) – typically colluvium, generally comprised of gravelly, sandy loam. The soils are characterized as being well drained.
 - ii. Kennedy Lake Formation (20%) – typically marine deposits of clays and gleyed soils with significantly impeded drainage.
 - iii. Ucluelet Formation (20%) – typically fluvial deposits consisting of very gravelly sandy loam soils that are moderately well drained.
 - iv. Terrain is defined as gently to strongly rolling (5%-30%).
- b. Bedrock geology for the area is classified as undivided volcanic rocks part of the Pacific Rim Complex, and date back to the Triassic to Cretaceous period¹².

2.4 Soil Conditions

- a. LEA inspected the soil conditions at various locations across the subject parcel by way of hand probing using a T-bar.
- b. In general, the soils are expected to consist of approximately 450mm to 600mm of organic silt and forest debris (roots, wood, brush) overlying dense sand, silt, gravel (glacial till or similar), and/or shallow bedrock.
- c. LEA noted bedrock exposures at various locations throughout the subject parcel. We expect bedrock to be shallow (<1.0m±) throughout the Property; however, areas of previous import fill materials may also be present.

- d. Depths are referenced to the existing ground surface at the time of our field investigation. Soil classification terminology is based on the Modified Unified classification system. The relative proportions of the major and minor soil constituents are indicated by the use of appropriate Group Names as provided in ASTM D2487 Figures 1a, 1b, and 2. Other descriptive terms generally follow conventions of the Canadian Foundation Engineering Manual.

2.5 Surface and Groundwater Conditions

- a. No surface, ponded water, or evidence of abnormal groundwater conditions was observed during our review of the Property.
- b. Groundwater flows may fluctuate seasonally with cycles of precipitation. Groundwater conditions at other times and locations may differ from those observed during our assessment. It is expected groundwater levels will be close to the ground surface during the height of the rainy season.

2.6 Slope Review

- a. As part of our assessment, LEA made observations of the foreshore slope along the east extent of the Property.
- b. Based on our review of the attached topographic site plan prepared by AGS, the overall slope is inclined at less than 2H:1V or 27°. We expect isolated steep slope areas may be present below the existing vegetation that may not become apparent until the construction phase. The general slope conditions are shown below in Figure 2.6.1.



Figure 2.6.1 – Typical Slope Conditions (Aerial Satellite Photo)

- c. We expect the slope is comprised of shallow, surficial soils overlying homogenous, volcanic bedrock with minor to moderate fracturing and jointing (see foreshore review below).

2.7 Foreshore Conditions

- a. The foreshore can be characterized as a low-lying tidal zone consisting of cobbles and gravelly sand deposits through the upper tidal zone with irregular bedrock exposures along the natural boundary. Vegetation along the upper foreshore consists of overhanging mature trees, and typical dense brush. LEA noted several large trees that have been undermined and sloughed down to the upper foreshore (see Figures 2.7.1 to 2.7.3 below).
- b. Based on our review of the AGS topographic site plan, the PNB location is defined as per Plan VIP76238, with elevations varying from 2.0m GD to 2.6m GD with an average estimated elevation of 2.2m GD.



Figure 2.7.1 – Typical Foreshore Conditions (View Looking South)



Figure 2.7.2 – Typical Foreshore Conditions (View Looking Southeast)



Figure 2.7.2 – Typical Foreshore Conditions (View Looking Southeast)

2.8 District of Ucluelet Tsunami Risk Tolerance Review

- a. LEA understands the DoU has established a new policy to manage flood risk while considering community interests within the jurisdictional boundaries of the DoU. The purpose of the policy is to guide decisions on the following:
 - i. amendments to the Zoning bylaw or OCP;
 - ii. applications for subdivision of the land; and,
 - iii. location of critical community infrastructure and facilities.
- b. In recent years, most coastal jurisdictions on Vancouver Island have commissioned flood risk assessments, and on the west coast they have included tsunami risk assessments. While west coast communities have implemented Tsunami Warning systems to alert residents of approaching tsunamis, current EGBC and Provincial guidelines do not require the construction of new buildings on existing lots to meet the TFRP. Further, rezoning of a property to increase density does not trigger this requirement.



3.0 DISCUSSIONS AND RECOMMENDATIONS

3.1 Natural Hazards

- a. Based on the field reconnaissance and a desktop review of available information, it is the opinion of LEA that steep slopes, oceanic flooding due in part to future SLR, as well as tsunami inundation are the potential geotechnical hazards for the Property.

3.2 Covenant Discussions

- a. The information provided in covenant document EV152825 (2003) relates to coastal setbacks and FCLs for the Property based on limited information from the 1964 tsunami event in Alaska. The language in these documents is outdated and does not align with current best practices.
- b. It is the opinion of LEA that the buildable area for the Property should be defined by the required FCL for habitable areas, and a combination of the safe slope setback and applicable coastal setback recommended in this Report as per EBGC guidelines. Therefore, at the discretion of the DoU, this Report may be appended to the land title to replace the existing covenant (Document No. EV152825).

3.3 Tsunami Hazard

- a. Tsunami waves may be created by earthquakes or landslides that rapidly displace a large mass of water. While the severity and frequency of tsunamis are difficult to predict, there is geological evidence to indicate large tsunamis originating from both distant and nearby sources have historically impacted the west coast of Vancouver Island. Therefore, coastal communities along BC's west coast are considered at high risk of flood hazard and inundation caused by tsunamis due to the tectonically unstable Pacific Rim.
- b. Tsunami wave heights and inundation can vary significantly due to source location, alignment and shape of the coastline, offshore bathymetry and inland topography, as well as weather and water levels at the time of the event. At present, there is insufficient historical information to formulate a magnitude-frequency relation for locations on the BC coast.
- c. The Property is directly bordering the Pacific Ocean/Ucluelet Inlet and in the designated "Open Coast" coastal region of BC, therefore the associated flood risk due to tsunami inundation would be considered high. However, current provincial guidelines state that tsunami setbacks and FCL elevations are only required for new lots created through the subdivision approval process. Therefore, there are no design or mitigation measures provided in this Report relative to potential tsunami impacts at the subject Property. Best-practices for construction within a defined tsunami zone are to follow procedures outlined by the provincial and local authorities.
- d. We understand the DoU has implemented a Tsunami Warning System and evacuation plan for the

community. If a Tsunami Warning is issued for the area, evacuation procedures provided by local and provincial government agencies should be followed.

3.4 Flood Construction Level & Tsunami Flood Reference Plane

- a. As per the 2022 DoU OCP “Coastal Storm Flood Planning Support Map 4”, the recommended Coastal FCL for the Zone 14 area of Ucluelet is 5.1m GD¹³. This FCL relates to the design storm event and would be easily achievable on the subject Property.
- b. Detailed modelling of tsunami flood hazard in the region was conducted by ECI and CCRL and included simulated tsunami run-up elevations for 24 flood hazard scenarios resulting from a CSZ megathrust earthquake¹⁴. The study included interpolation of results between representative transects across 48 characteristic shoreline reaches in the region. The transects run perpendicular to the shore and are used to simulate the effect of an event for each reach. Transect 7, located immediately east of the Property was determined to be the nearest representation of the subject Property shoreline with a resulting TFRP of 10.5m GD (Table 7, Pg 49/95)⁷. Based on our review of the regional flood hazard study the TFRP for the subject Property is 10.5m GD.
- c. As per our review of the AGS topographic survey, we acknowledge the TFRP is generally congruent with (or lower than) the proposed building locations on the Property. LEA considers this FCL to be reasonable and practicable for the subject Property, considering the proposal to rezone for higher density. This FCL, in conjunction with the associated coastal setback detailed below, defines the allowable buildable area on the site. Please refer to Sections 3.5 and 3.7 for further details outlining the buildable area of the Property.
- d. The recommended FCL is based on the best available information provided at a regional scale, prepared by ECI and CCRL, that has been applied to the Property within the interpreted limitations of this Class 0 flood hazard assessment.

3.5 Coastal Setback

- a. As per provincial guidelines, for areas outside the Strait of Georgia and subject to significant tsunami hazard, building setbacks must be a minimum of 30.0m from the estimated FNB of the sea at year 2100⁸.
- b. The FNB can be reasonably estimated by summing the associated coastal flood components, namely PNB + SLR + Regional Adjustment (RA) for Isostatic Rebound. The FNB in 100 years is estimated to have an elevation equal to PNB + 0.74m (i.e. PNB + 1.00m SLR - 0.26m RA) by this methodology.
- c. We therefore recommend a 30.0m setback from the FNB of the ocean. This coastal setback shall be established and confirmed on-site by a qualified land surveyor.
- d. Based on our field observations and review of the topographic site plan prepared by AGS, we estimate the

FNB elevation will vary from approximately 2.74m to 3.34m GD, generally consistent with the exposed bedrock foreshore slope. Figure 3.5.1 illustrates the estimated FNB and setback locations.

- e. Due to the non-erodible nature of the bedrock foreshore, we do not foresee potential for regression of the natural boundary.

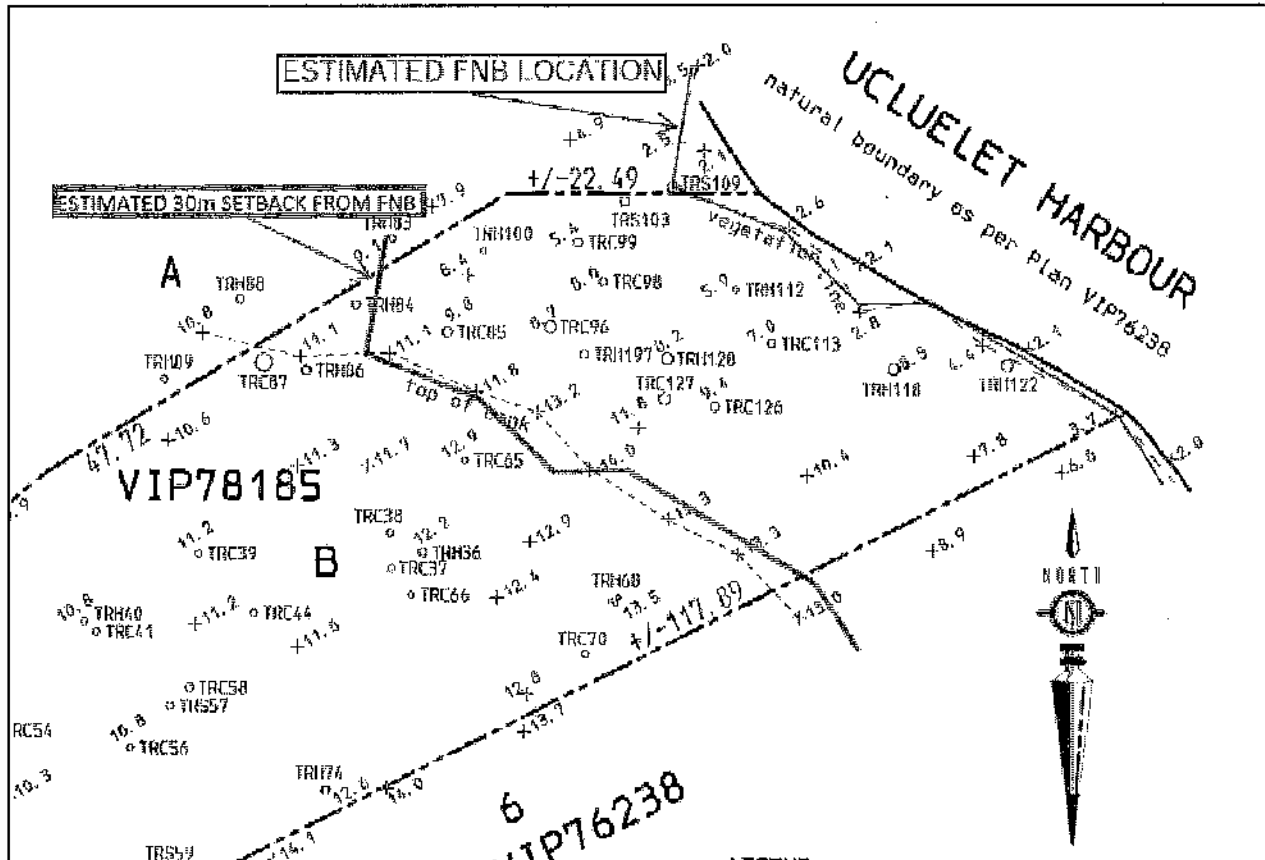


Figure 3.5.1 – Estimated FNB and Setback Locations (LEA Mark-up of AGS Survey)

3.6 Floodwater and Inundation

- a. The recommended TFRP/FCL and setback applies to any Habitable Area; defined as any room or space within a building or structure which can be used for human occupancy, commercial sales, or storage of goods, possessions, or equipment (including furnaces) which would be subject to damage if flooded.
- b. The TFRP/FCL establishes the minimum elevation of the underside of a wooden floor system or top of concrete slab for any Habitable Area. Provided any construction within the Property satisfies the minimum recommended FCL and design recommendations provided in this Report, we do not anticipate any damage to structural components of the buildings as a result of floodwater. Following best construction practices, areas below the FCL should not be used for the installation of furnaces, major electrical switchgear, or other fixed equipment susceptible to damage by floodwater. Ductwork is permissible because it can be



cleaned and dried. Areas below the FCL should not be “finished” with anything that can be damaged by water.

- c. During construction, all footing and floor elevations shall be confirmed by qualified survey personnel to ensure the finished floor grade is at or above the recommended TFRP elevation of 10.5m GD.

3.7 Slope Setback Discussions

- a. Based on our review of the attached topographic survey and observations made in the field, the overall slope is estimated to be 2H:1V and may include isolated steep sections $>30^\circ$ that may not become apparent until construction. Exposed bedrock was observed at several locations throughout the slope. We expect the slope would be comprised of shallow bedrock and/or glacially consolidated till deposits; therefore, LEA considers the global stability of the slope to be stable.
- b. Once final building locations are determined, LEA should be consulted to review slope conditions in proximity to the buildings; specifically, the proposed duplex building (Units 3 & 4). Recommendations may include relocating the building, stepped foundations, anchoring to bedrock, or manipulation of the bearing materials as based on site conditions.

3.8 Foundation Design and Construction

- a. Prior to construction, the building areas should be stripped to remove all unsuitable materials to provide an undisturbed natural soil subgrade for the footing support. Unsuitable materials include any non-mineral material such as vegetation, topsoil, peat, fill, or other materials containing organic matter, as well as any soft, loose, or disturbed soils.
- b. The Geotechnical Engineer is to confirm the removal of unsuitable materials and approve the exposed competent inorganic subgrade. Recommendations for the placement and compaction of structural fill may be provided depending on bearing conditions.
- c. Foundation loads should be supported on natural undisturbed material approved for use as a bearing stratum by our office or structural fill and may be designed using the following values:
 - i. For foundations constructed on structural fill, as outlined in Section 4.2 of this Report an SLS bearing pressure of 150 kPa, and a ULS bearing pressure of 225 kPa may be used for design purposes.
 - ii. For foundations constructed on competent bedrock or glacial till, an SLS bearing pressure of 250 kPa, and a ULS bearing pressure of 335 kPa may be used for design purposes.
- c. Exterior footings should be provided with a minimum 0.45m depth of ground cover for frost protection purposes.



- d. LEA may provide further recommendations for founding directly on bedrock (i.e. installation of rock anchors), based on the conditions encountered during construction and any requirements provided by the Structural Engineer. Generally, where bedrock can be levelled by way of rock-breaking, anchors are not required unless there are specific uplift requirements from the Structural Engineer.
- e. Prior to placement of concrete footings, any bearing soils that have been softened, loosened, or otherwise disturbed during construction should be removed, or else compacted following our recommendations for structural fill. Compaction will only be feasible if the soil has suitable moisture content and if there is access to heavy compaction equipment.
- f. Settlements should be within the ranges considered "Normal and Tolerable" for typical wood frame residential housing. These ranges are usually taken as being 20mm to 25mm total, and 10mm to 15mm differential between typical column spacing.
- g. The Geotechnical Engineer should evaluate the bearing soils at the time of construction to confirm that footings are based on appropriate and properly prepared founding material.

3.9 Seismic Criteria

- a. No compressible or liquefiable soils were encountered during the limited field review conducted for this Report.
- b. Based on the 2018 BCBC, Division B, Part 4, Table 4.1.8.4.A, "Site Classification for Seismic Site Response," the expected soils and strata would be "Site Class B" (Rock).

3.10 Foundation Drainage - Future Residential Structures

- a. Conventional requirements of the 2018 BCBC pertaining to building drainage are considered suitable at this site. Once final plans and tentative elevations are determined, the Geotechnical Engineer should be consulted to provide further dewatering data.

3.11 On-Site Infiltration and Stormwater Disposal

- a. As part of the geotechnical investigation, field observations of the subgrade soil conditions with respect to the on-site infiltration and disposal of stormwater were carried out.
- b. Subgrade soil conditions are expected to consist of shallow bedrock and/or glacially consolidated till.
- c. Based on the expected subgrade conditions, it is the opinion of LEA that site conditions are not conducive to the installation of an on-site stormwater infiltration medium. Collected water may be conveyed via solid pipe down to the foreshore. A stabilized outlet would be required to prevent scour erosion at the outfall.

4.0 DESIGN AND CONSTRUCTION PHASE

4.1 General Excavation – Future Building Sites

- a. Based on the encountered conditions we expect rock breaking by way of an excavator-mounted rock hammer, or blasting, may be required to create a level or terraced building area more conducive to footing construction. If blasting is required to manipulate the existing terrain, measures are required to ensure that any “over-blast” materials are removed from areas of structural support. Over-blast materials are defined as any rock that is disturbed because of blasting. Any over-blast materials from blasting should be removed to intact, homogenous bedrock and assessed by the Geotechnical Engineer.
- b. To promote a suitable bond with concrete, all bedrock should be pressure-washed and cleaned to remove loose debris from within footing areas.
- c. Groundwater ingressing into any excavations should be controlled with a perimeter ditch located just outside of the building areas, connected to positive drainage.
- d. The Geotechnical Engineer is to confirm the removal of unsuitable materials and approve the exposed competent inorganic subgrade prior to fill placement and/or foundation construction.

4.2 Structural Fill

- a. Where fill is required to raise areas that will support buildings, slabs, or pavements, structural fill should be used. The Geotechnical Engineer should first approve the exposed subgrade in fill areas, to confirm the removal of all unsuitable materials.
- b. Structural fill should be inorganic sand and gravel. If structural fill placement is to be carried out in the wet season, material with a fines content limited to 5% passing the 75µm sieve should be used, as such a material will not be overly sensitive to moisture, allowing compaction during rainy periods of weather.
- c. Structural fill should be compacted to a minimum of 95% of Modified Proctor maximum dry density (ASTM D1557) in foundation and floor slab areas, as well as in paved roadway and parking areas.
- d. Structural fills under foundations, roadways, and pavements should include the zone defined by a plane extending down and outward a minimum 0.5m from the outer edge of the foundation at an angle of 45 degrees from horizontal to ensure adequate subjacent support. This support zone is shown below in Figure 4.2.

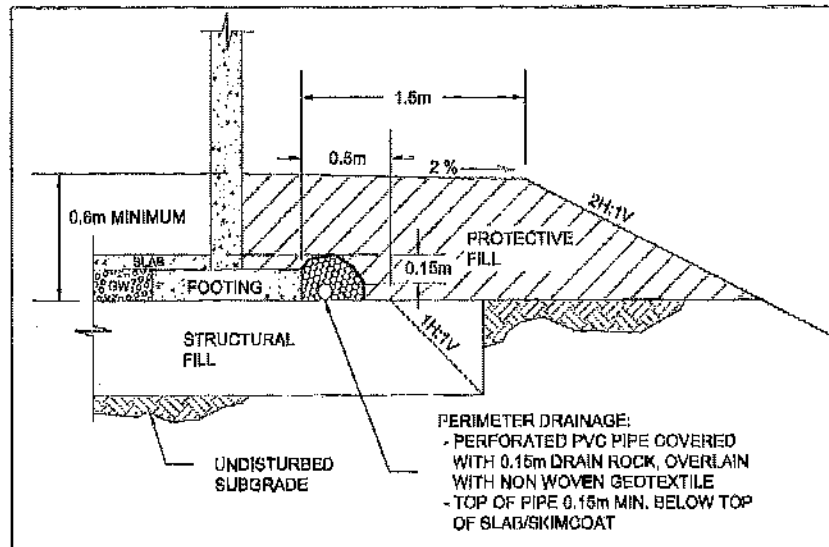


Figure 4.2 – Typical Section, Structural Fill

- e. Compaction of fill should include moisture conditioning as needed to bring the soils to the optimum moisture content and compacted using vibratory compaction equipment in lift thicknesses appropriate for the size and type of compaction equipment used.
- f. A general guideline for maximum lift thickness is no more than 100mm for light hand equipment such as a “jumping-jack,” 200mm for a small roller and 300mm for a large roller or heavy (>500 kg) vibratory plate compactor or a backhoe mounted hoe-pac or a large excavator mounted hoe-pac, as measured loose.
- g. It should be emphasized that the long-term performance of buildings, slabs, and pavements is highly dependent on the correct placement and compaction of underlying structural fills. Consequently, we recommend that structural fills be observed and approved by the Geotechnical Engineer. This would include approval of the proposed fill materials and performing a suitable program of compaction testing or visual monitoring during construction.

4.3 Pavement Design – Private Works

- a. Any organic or deleterious material should be removed from beneath designated roadway, driveway, or parking areas prior to subgrade preparation. If fill is required to bring the subgrade up to the desired elevation, structural fill should be used.
- b. The subgrade should be proof rolled after final compaction and any areas showing visible deflections should be inspected and repaired. The Geotechnical Engineer shall review the parking and driveway subgrade conditions during excavation.
- c. The parking area subgrade and pavement should be sloped to provide adequate drainage as per the design and direction of the Civil Consultant.

- d. An estimated soaked California Bearing Ratio of 30% and a 20-year design life have been used in the calculating pavement designs. See Tables 4.3.1 and 4.3.2 below.

Table 3.6.1 – Pavement Design Recommendations for Light Traffic/Low Volume Areas

Areas Subject to Cars and Small Trucks	
Estimated Equivalent Single-Axle Load: 2×10^4	
Asphaltic Concrete Pavement	50mm
19mm Well-Graded Granular Base Course	100mm
75mm Select Granular Subbase (SGSB)	250mm

Table 3.6.2 – Pavement Design Recommendations for Heavy Traffic/High Volume Areas

Areas Subject to Large Trucks	
Estimated Equivalent Single-Axle Load: 2×10^5	
Asphaltic Concrete Pavement	75mm
19mm Well-Graded Granular Base Course	150mm
75mm Select Granular Subbase (SGSB)	300mm

- e. It is recommended that a reinforced concrete slab be utilized where garbage dumpsters are located. The slab should be large enough to contain the disposal unit and front tires of the garbage truck during disposal operations.
- f. The above recommendations for general stripping, granular and pavement structure are in accordance with current best-practices. If the recommendations provided here prove cost-prohibitive or restrictive, alternative options may be considered through a balance of reduced preparation efforts, with a corresponding reduction in pavement design life.

5.0 CONCLUSIONS

5.1 Local Government Conformance Statement

- a. LEA confirms that the recommendations made in this Report conform to the guidelines and objectives expressed under DoU OCP 2022², as well as applicable guidelines and best practices current to the date of this Report.
- b. All construction/development shall be carried out in conformance with the requirements of any jurisdictional limitations. Any jurisdictional limitations applicable to the Property and proposed development shall supersede the geotechnical recommendations made in this Report.



- c. Based on our review of the relevant publications and site-specific field assessment, it is the opinion of LEA that steep slopes, oceanic flooding due in part to future SLR, as well as tsunami inundation, are the potential geotechnical hazards for the Property.
- d. Provided the recommendations in this Report are followed, we confirm that from a geotechnical point of view the site is considered safe and suitable for the proposed residential development, with the probability of a geotechnical failure resulting in property damage of less than:
 - i. 2% in 50 year for geotechnical hazards due to seismic events, including slope stability;
 - ii. 1 in 200-year return for flooding of marine areas while accounting for 100-years of SLR, excluding tsunami hazards, and
 - iii. 10% in 50 years for all other geotechnical hazards.
- e. Due to the Property location adjacent to the Pacific Ocean, the associated tsunami risk is considered to be high. As the magnitude-frequency relation for tsunami-related flooding is unknown, we recommend following evacuation procedures provided by local and provincial government agencies for the area.
- f. Please refer to the attached EGBC - Appendix I: Flood Assurance Statement and EGBC Appendix D: Landslide Assessment Assurance Statement for additional information.

5.2 Geotechnical and Quality Assurance Statement

- a. The DoU may request a Geotechnical Engineer to provide professional assurance services during the course of construction. Geotechnical Assurance services include review of the geotechnical components of the plans and supporting documents, and responsibility for field reviews of these components during construction.

6.0 CLOSURE

- a. Lewkowich Engineering Associates Ltd. appreciates the opportunity to be of service on this project. If you have any comments, or additional requirements at this time, please contact the undersigned at your convenience.

Respectfully Submitted,
Lewkowich Engineering Associates Ltd.



Paul Fraser, B.A., CTech
Senior Technician



Chris Hudec, M.A.Sc., P.Eng.
Senior Project Engineer



7.0 ATTACHMENTS

1. AG Surveys, Site Plan, dated July 4, 2022.
2. Elite Premium Home Design Ltd., Concept Plans, dated February 20, 2023.
3. EGBC Appendix I: Flood Assurance Statement.
4. EGBC Appendix D: Landslide Assessment Assurance Statement.

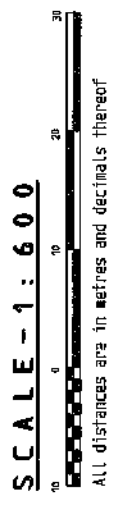
8.0 REFERENCES

1. Google Earth Pro, Accessed January 2024, Image date May 12, 2023.
2. District of Ucluelet, "Official Community Plan Bylaw No. 1306", dated 2022.
3. District of Ucluelet map titled "Official Community Plan, Schedule E, Environmental Development Permit Areas" Dated February 17, 2021.
4. District of Ucluelet map titled "Official Community Plan, Schedule G, Development Permit Areas for Hazardous Conditions," Dated February 2, 2021.
5. Engineers and Geoscientists of British Columbia report titled "Professional Practice Guidelines – Legislated Flood Assessments in a Changing Climate in BC," version 2.1, dated August 28, 2018.
6. Ebbwater Consulting Inc. report titled "District of Ucluelet Coastal Flood Mapping – Final Report", Project Number P154, dated June 26, 2020.
7. Ebbwater Consulting Inc. report Appendix A - "Coastal Flood Hazard Analysis: The District of Ucluelet, BC", report prepared by Cascadia Coast Research Ltd., Revision 2, dated June 19, 2020.
8. BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development report titled "Flood Hazard Area Land Use Management Guidelines," Amended January 1, 2018
9. District of Ucluelet document titled "Tsunami Risk Tolerance – Interim Policy", Policy Number 8-5280-1, dated March 29, 2022.
10. District of Ucluelet map titled "Zoning Bylaw No.1160, 2013 – Consolidated Schedule A – Zoning Map of the District of Ucluelet," revised April 8, 2021.
11. Soils of South Vancouver Island, British Columbia, Soil Survey Report No. 44, Sheet 2.
12. Province of British Columbia, iMapBC, Accessed January 2024, <https://maps.gov.bc.ca/ess/hm/imap4m/>
13. District of Ucluelet, "Official Community Plan Map 4 – Coastal Storm Flood Planning Support Map 3/5," Dated June 26, 2020.
14. Ebbwater Consulting Inc. document titled "District of Ucluelet Coastal Flood Mapping – Appendix C: Coastal Flood Hazard Map Atlas – Map Series 4/4: Tsunami Flood Planning Support", dated June 26, 2020.

FILE: 221-Helen
DATE: 2021-09-11
AG Surveys
 545 - 110 Marine Drive
 Ucluelet, BC V0R 3A0
 phone (250) 266-4536

Site Plan of:
Lot B, District Lot 543 Native Island,
Clayoquot District, Plan VIP78185

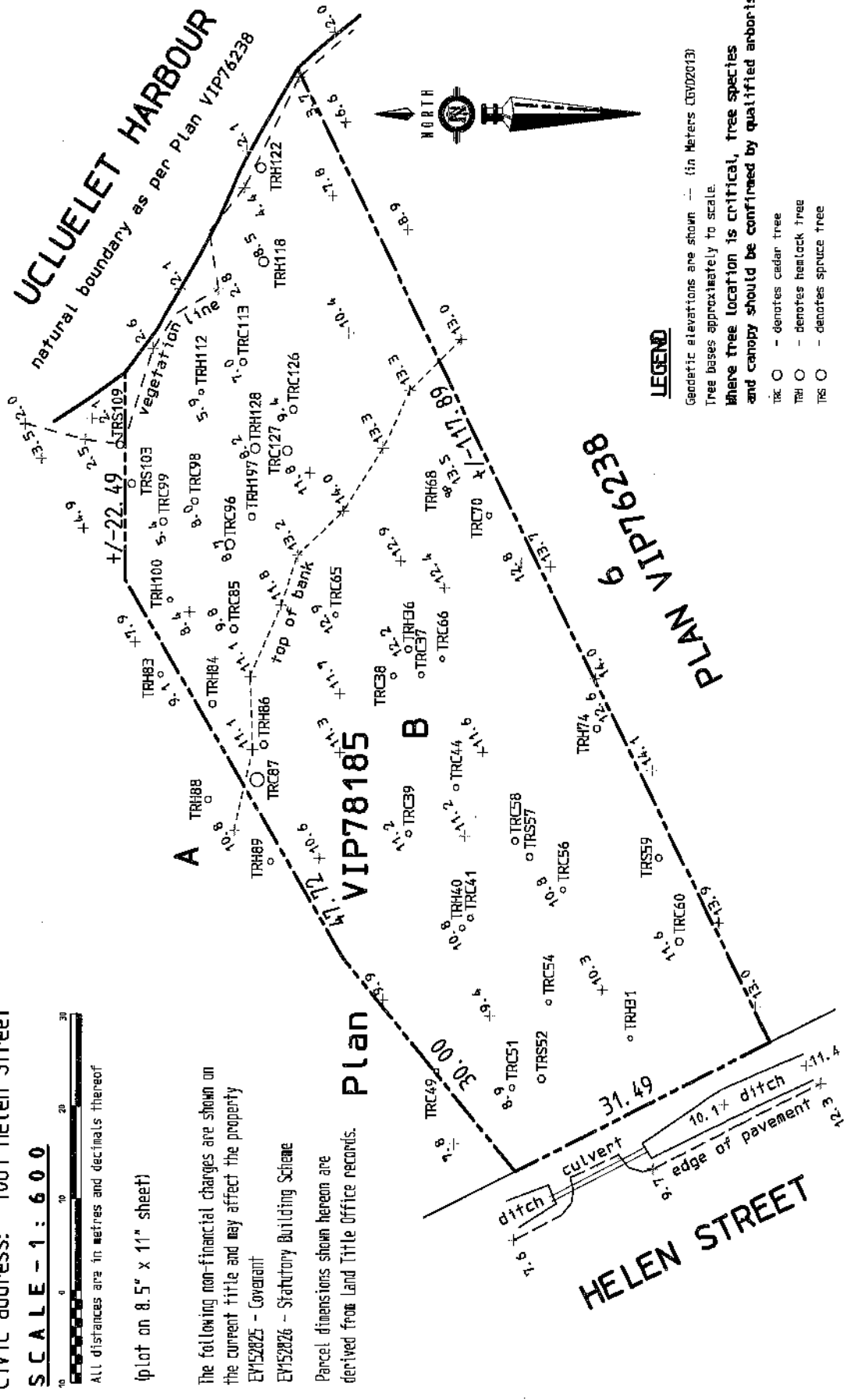
Parcel Identifier: 026-159-511
 Civic address: 1061 Helen Street



(plot on 8.5" x 11" sheet)

The following non-financial changes are shown on the current title and may affect the property
 EY152825 - Covenant
 EY152826 - Statutory Building Scheme

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



1061 HELEN ST UCLUELET BC

SHEET LIST:

- RF SITE PLAN
- RE EXTERIOR
- RR EXTERIOR

PROJECT CONTACTS:

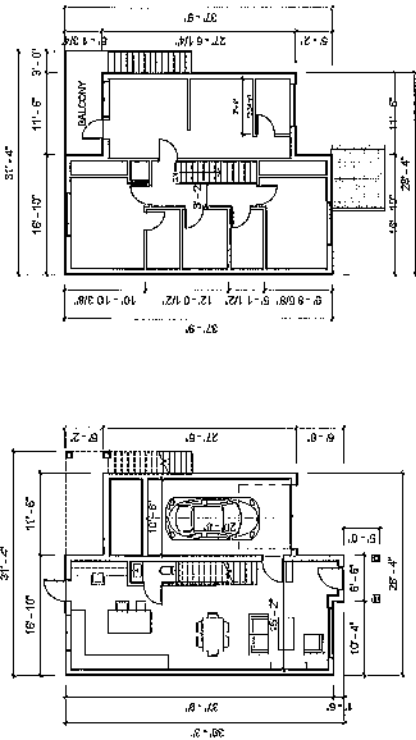
SUBJECT: 1061 HELEN ST UCLUELET BC
 ADDRESS: 1061 HELEN ST UCLUELET BC
 OWNER: [Name Redacted]
 ARCHITECT: [Name Redacted]
 ENGINEER: [Name Redacted]

PROJECT SUMMARY:

ZONING DISTRICT: R2
 PROPOSAL: SINGLE FAMILY
 CIVIC ADDRESS: 1061 HELEN ST UCLUELET BC
 LEGAL DESCRIPTION: LOT 10, DISTRICT UCLUELET BC
 LOT AREA: 4886.04 SF

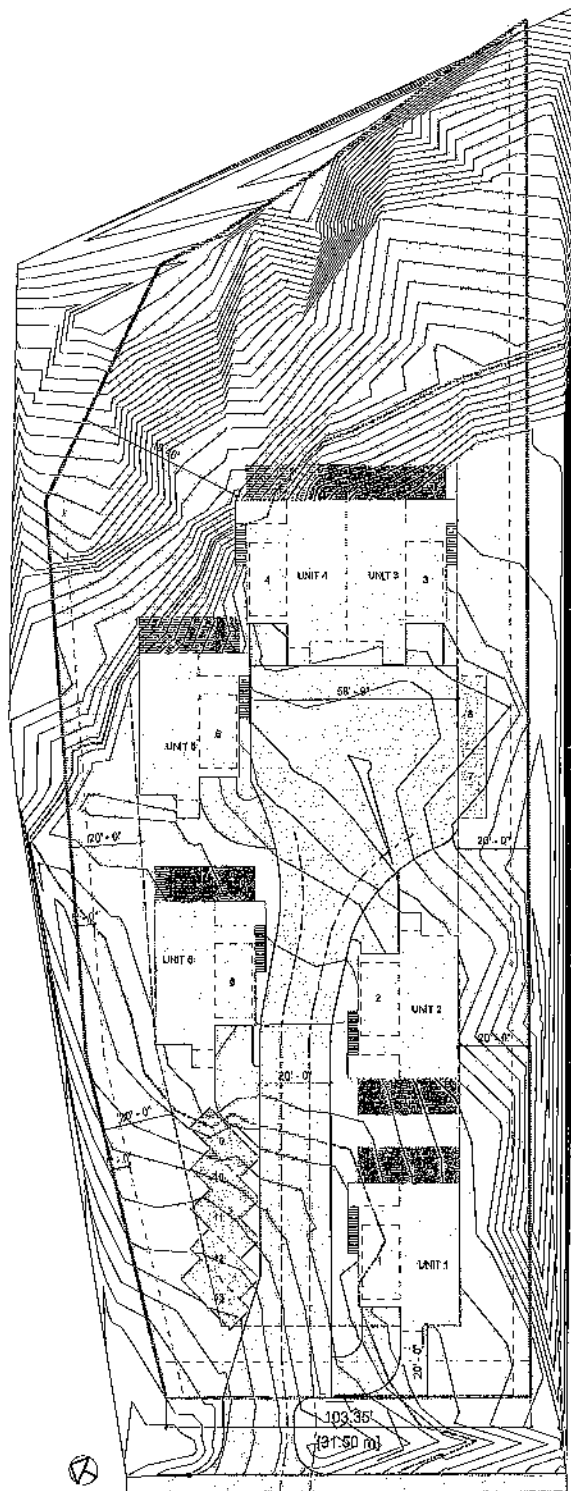
ITEM	DESCRIPTION	AREA
1	COVERED AREA	122.35 SF
2	PERMITTED SITE COVERAGE	817.35 SF
3	ALLOWABLE SITE COVERAGE	1637.54 SF

ITEM	DESCRIPTION	AREA
1	UPPER FLOOR	1158.81 SF
2	DOWN FLOOR	804.81 SF
3	PERMITTED	897.63 SF



(1) TYPICAL MAIN FLOOR PLAN

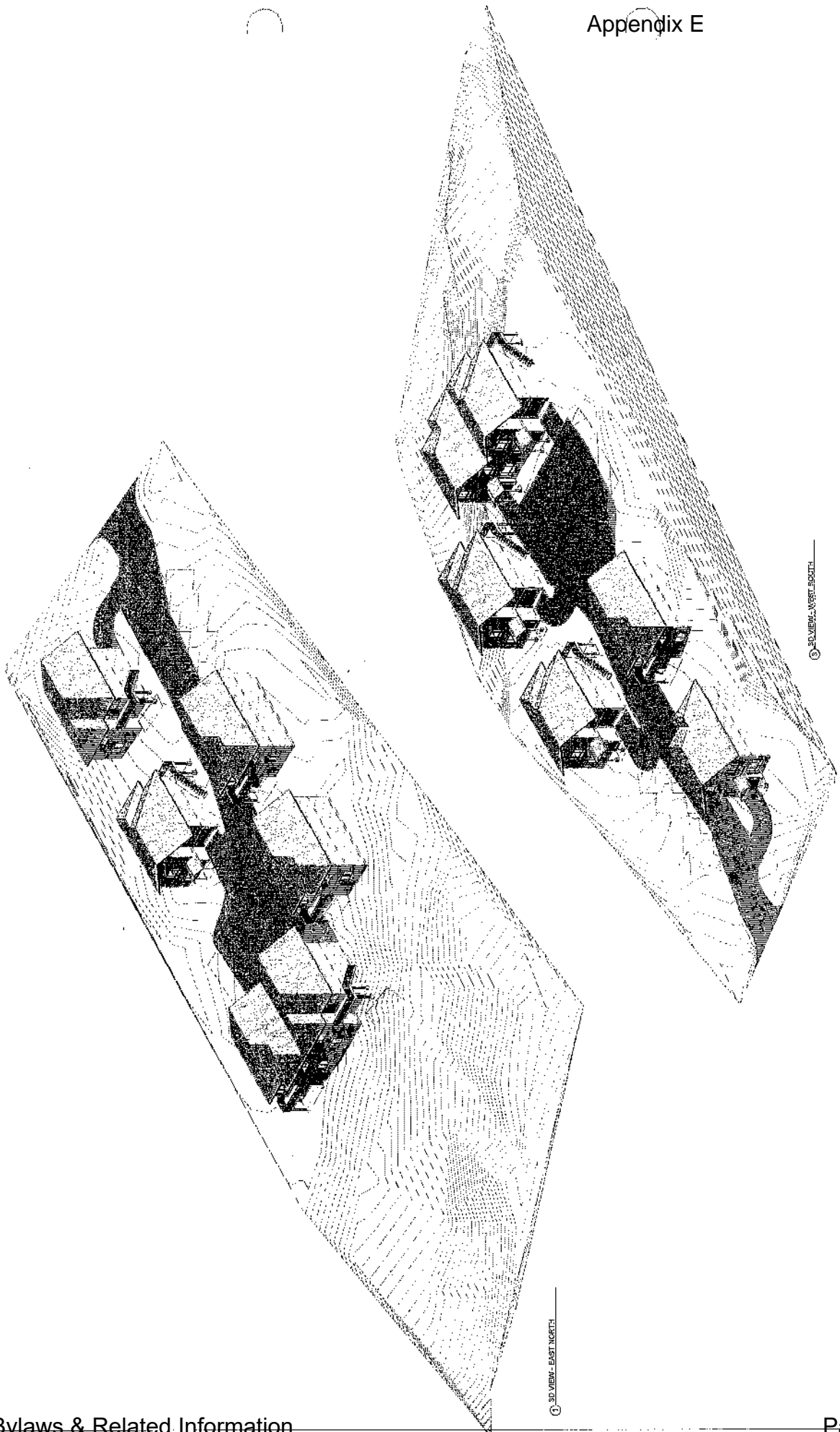
(2) TYPICAL UPPER FLOOR PLAN



Appendix E

<p>1061 HELEN ST UCLUELET BC</p>	<p>SITE PLAN</p>	<p>ELITE DESIGN PREMIUM HOMES</p>
<p>PROJECT NORTH</p>		
<p>PROPOSED SCALE: 1/8" = 1'-0"</p>		

Appendix E



R2

ELITE DESIGN
 PROFESSIONALS
 1000 WEST 10TH AVENUE, SUITE 100
 VANCOUVER, BC V6H 2G6
 TEL: 604-278-8888
 WWW.ELITEDESIGNPROF.COM

DATE	2023.02.28
PROJECT	1061 HELEN ST UCLUELET BC
CLIENT	PROJECT NORTH
SCALE	AS SHOWN
DESIGNER	ARCHITECT

3D VIEWS

1061 HELEN ST
 UCLUELET BC

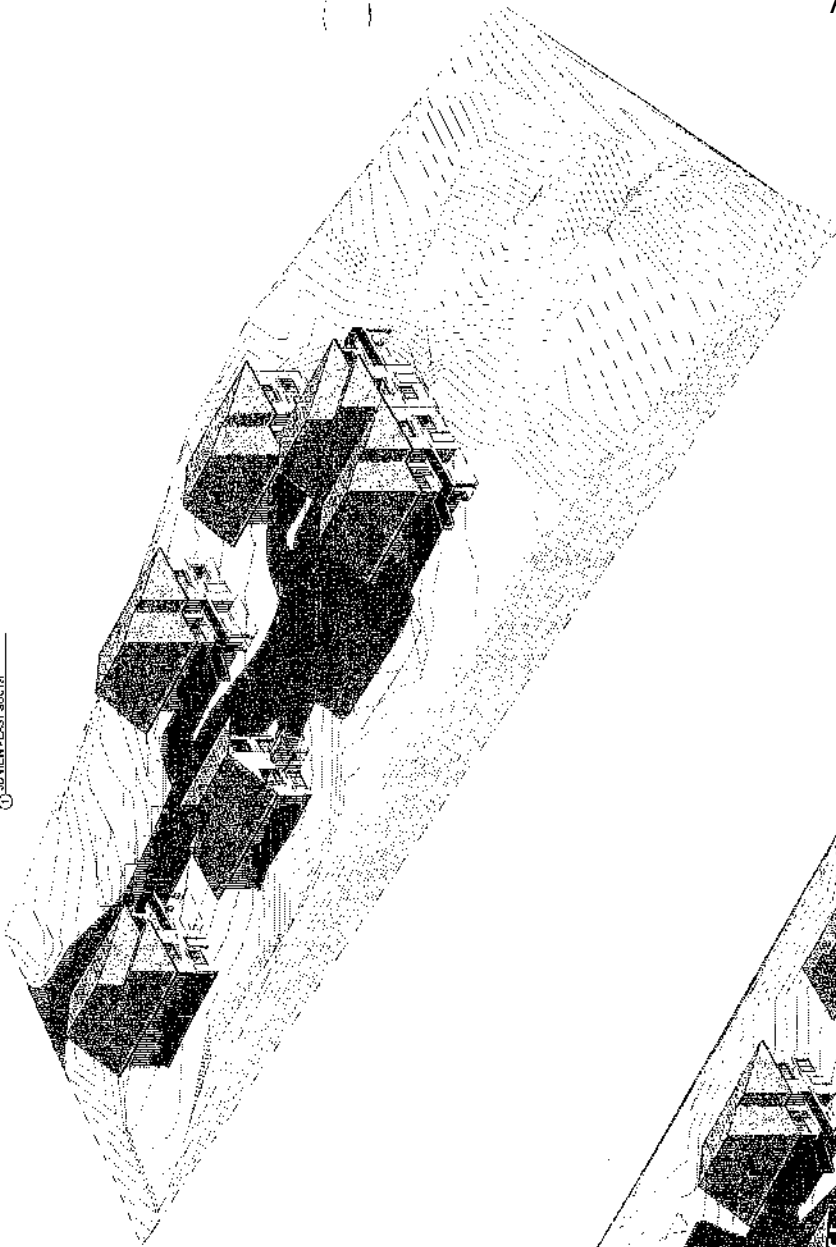
PROJECT NORTH

DATE	2023.02.28
PROJECT	1061 HELEN ST UCLUELET BC
CLIENT	PROJECT NORTH
SCALE	AS SHOWN
DESIGNER	ARCHITECT

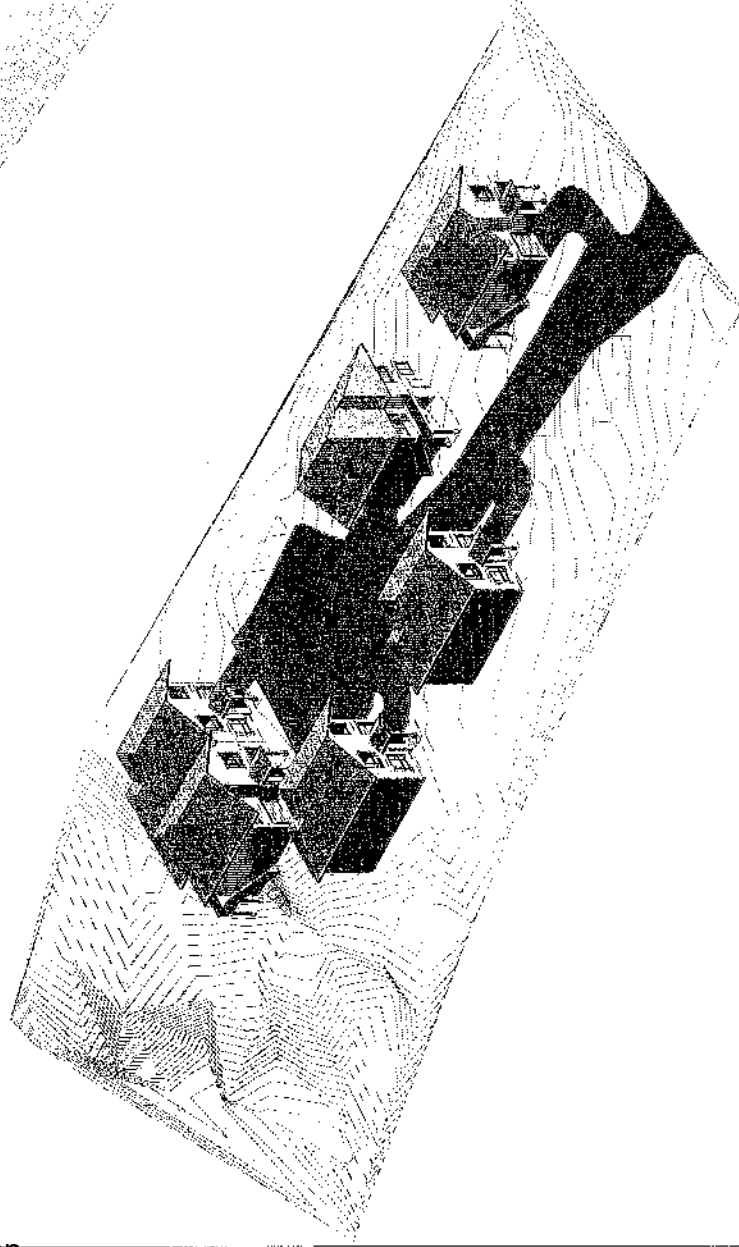
SOFTWARE OBSERVED
 1. ALL INFORMATION ON THIS PLAN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSES.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.

2023.02.28

① 3D VIEW - EAST SOUTH



② 3D VIEW - WEST NORTH



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NO. 1	1061 HELEN ST	2012.02.27
NO. 2	UCLUELET BC	2012.02.27
NO. 3		
NO. 4		
NO. 5		

PROJECT NORTH

1061 HELEN ST
 UCLUELET BC

3D VIEWS

DATE: 2012.02.27
 DRAWN BY: RBYK

ELITE DESIGN
 Y R E M I D I O N E S
 1570 202 ST. UCLUELET BC V3R 1S6
 TEL: 250.782.2822 FAX: 250.782.2823
 WWW.ELITEDESIGNBC.COM

R3

2008-2012 ELITE DESIGN

FLOOD ASSURANCE STATEMENT

Note: This statement is to be read and completed in conjunction with the current Engineers and Geoscientists BC *Professional Practice Guidelines – Legislated Flood Assessments in a Changing Climate in BC* ("the guidelines") and is to be provided for flood assessments for the purposes of the *Land Title Act*, *Community Charter*, or the *Local Government Act*. Defined terms are capitalized; see the Defined Terms section of the guidelines for definitions.

To: The Approving Authority

Date: September 26, 2022 LEA File# E1445

District of Ucluelet

200 Main Street, Ucluelet, BC V0R 3A0

Jurisdiction and address

With reference to (CHECK ONE):

- Land Title Act* (Section 86) – Subdivision Approval
- Local Government Act* (Part 14, Division 7) -- Development Permit
- Community Charter* (Section 56) – Building Permit
- Local Government Act* (Section 524) – Flood Plain Bylaw Variance
- Local Government Act* (Section 524) – Flood Plain Bylaw Exemption

For the following property ("the Property"):

Lot B District Lot 543, Native Island, Clayoquot District, Plan VIP78185; 1061 Helen Road

Legal description and civic address of the Property

The undersigned hereby gives assurance that he/she is a Qualified Professional and is a Professional Engineer or Professional Geoscientist who fulfils the education, training, and experience requirements as outlined in the guidelines.

I have signed, sealed, and dated, and thereby certified, the attached Flood Assessment Report on the Property in accordance with the guidelines. That report and this statement must be read in conjunction with each other. In preparing that Flood Assessment Report I have:

[CHECK TO THE LEFT OF APPLICABLE ITEMS]

___ 1. Consulted with representatives of the following government organizations:

- 2. Collected and reviewed appropriate background information
- 3. Reviewed the Proposed Development on the Property
- 4. Investigated the presence of Covenants on the Property, and reported any relevant information
- 5. Conducted field work on and, if required, beyond the Property
- 6. Reported on the results of the field work on and, if required, beyond the Property
- 7. Considered any changed conditions on and, if required, beyond the Property
- 8. For a Flood Hazard analysis I have:
 - 8.1 Reviewed and characterized, if appropriate, Flood Hazard that may affect the Property
 - 8.2 Estimated the Flood Hazard on the Property
 - 8.3 Considered (if appropriate) the effects of climate change and land use change
 - 8.4 Relied on a previous Flood Hazard Assessment (FHA) by others
 - ___ 8.5 Identified any potential hazards that are not addressed by the Flood Assessment Report
- 9. For a Flood Risk analysis I have:
 - ___ 9.1 Estimated the Flood Risk on the Property
 - ___ 9.2 Identified existing and anticipated future Elements at Risk on and, if required, beyond the Property
 - ___ 9.3 Estimated the Consequences to those Elements at Risk

PROFESSIONAL PRACTICE GUIDELINES
LEGISLATED FLOOD ASSESSMENTS IN A CHANGING CLIMATE IN BC

FLOOD ASSURANCE STATEMENT

- 10. In order to mitigate the estimated Flood Hazard for the Property, the following approach is taken:
 - 10.1 A standard-based approach
 - 10.2 A Risk-based approach
 - 10.3 The approach outlined in the guidelines, Appendix F: Flood Assessment Considerations for Development Approvals
 - 10.4 No mitigation is required because the completed flood assessment determined that the site is not subject to a Flood Hazard
- 11. Where the Approving Authority has adopted a specific level of Flood Hazard or Flood Risk tolerance, I have:
 - 11.1 Made a finding on the level of Flood Hazard or Flood Risk on the Property
 - 11.2 Compared the level of Flood Hazard or Flood Risk tolerance adopted by the Approving Authority with my findings
 - 11.3 Made recommendations to reduce the Flood Hazard or Flood Risk on the Property
- 12. Where the Approving Authority has not adopted a level of Flood Hazard or Flood Risk tolerance, I have:
 - 12.1 Described the method of Flood Hazard analysis or Flood Risk analysis used
 - 12.2 Referred to an appropriate and identified provincial or national guideline for level of Flood Hazard or Flood Risk
 - 12.3 Made a finding on the level of Flood Hazard or Flood Risk tolerance on the Property
 - 12.4 Compared the guidelines with the findings of my flood assessment
 - 12.5 Made recommendations to reduce the Flood Hazard or Flood Risk
- 13. Considered the potential for transfer of Flood Risk and the potential impacts to adjacent properties
- 14. Reported on the requirements for implementation of the mitigation recommendations, including the need for subsequent professional certifications and future inspections.

Based on my comparison between:

[CHECK ONE]

- The findings from the flood assessment and the adopted level of Flood Hazard or Flood Risk tolerance (item 11.2 above)
- The findings from the flood assessment and the appropriate and identified provincial or national guideline for level of Flood Hazard or Flood Risk tolerance (item 12.4 above)

I hereby give my assurance that, based on the conditions contained in the attached Flood Assessment Report:

~~XXXXXXXXXX~~

- For subdivision approval, as required by the *Land Title Act* (Section 86), "that the land may be used safely for the use intended":

[CHECK ONE]

- With one or more recommended registered Covenants.
- Without any registered Covenant.

- For a development permit, as required by the *Local Government Act* (Part 14, Division 7), my Flood Assessment Report will "assist the local government in determining what conditions or requirements it will impose under subsection (2) of this section [Section 491 (4)]".

- For a building permit, as required by the *Community Charter* (Section 56), "the land may be used safely for the use intended":

[CHECK ONE]

- With one or more recommended registered Covenants.
- Without any registered Covenant.
- For flood plain bylaw variance, as required by the *Flood Hazard Area Land Use Management Guidelines* and the *Amendment Section 3.5 and 3.6* associated with the *Local Government Act* (Section 524), "the development may occur safely".
- For flood plain bylaw exemption, as required by the *Local Government Act* (Section 524), "the land may be used safely for the use intended".

FLOOD ASSURANCE STATEMENT

I certify that I am a Qualified Professional as defined below.

September 26, 2022

Date

Chris Hudec

Prepared by

Reviewed by

Chris Hudec

Name (print)

Name (print)

Chris Hudec

Signature

Signature

1900 Boxwood Road

Address

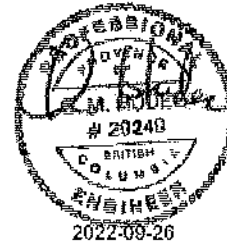
Nanaimo, BC, V9S 5Y2

(250) 756 0355

Telephone

chudec@lewkowich.com

Email



(Affix PROFESSIONAL SEAL here)

If the Qualified Professional is a member of a firm, complete the following:

I am a member of the firm **Lewkowich Engineering Associates Ltd.**

and I sign this letter on behalf of the firm.

(Name of firm)

LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

Notes: This statement is to be read and completed in conjunction with the Engineers and Geoscientists BC *Professional Practice Guidelines – Landslide Assessments in British Columbia* (“the guidelines”) and the current *BC Building Code (BCBC)*, and is to be provided for Landslide Assessments (not floods or flood controls), particularly those produced for the purposes of the *Land Title Act*, *Community Charter*, or *Local Government Act*. Some jurisdictions (e.g., the Fraser Valley Regional District or the Cowichan Valley Regional District) have developed more comprehensive assurance statements in collaboration with Engineers and Geoscientists BC. Where those exist, the Qualified Professional is to fill out the local version only. Defined terms are capitalized; see the Defined Terms section of the guidelines for definitions.

To: The Approving Authority (or Client)
District of Ucluelet

Date: January 10, 202 File# E1445

200 Main Street, Ucluelet, BC V0R 3A0

Jurisdiction/name and address

With reference to (CHECK ONE):

- A. *Land Title Act* (Section 86) – Subdivision Approval
 B. *Local Government Act* (Sections 919.1 and 920) – Development Permit
 C. *Community Charter* (Section 56) – Building Permit
 D. Non-legislated assessment

For the following property (the “Property”):

Lot B District Lot 543, Native Island, Clayoquot District, Plan VIP78185; 1061 Helen Road

Civic address of the Property

The undersigned hereby gives assurance that they are a Qualified Professional and a professional engineer or professional geoscientist who fulfils the education, training, and experience requirements as outlined in the guidelines.

I have signed, authenticated, and dated, and thereby certified, the attached Landslide Assessment Report on the Property in accordance with the guidelines. That report must be read in conjunction this statement.

In preparing that report I have:

[CHECK TO THE LEFT OF APPLICABLE ITEMS]

1. Collected and reviewed appropriate background information
 2. Reviewed the proposed Residential Development or other development on the Property
 3. Conducted field work on and, if required, beyond the Property
 4. Reported on the results of the field work on and, if required, beyond the Property
 5. Considered any changed conditions on and, if required, beyond the Property
 6. For a Landslide Hazard analysis or Landslide Risk analysis, I have:
 6.1 reviewed and characterized, if appropriate, any Landslide that may affect the Property
 6.2 estimated the Landslide Hazard
 6.3 identified existing and anticipated future Elements at Risk on and, if required, beyond the Property
 6.4 estimated the potential Consequences to those Elements at Risk
 7. Where the Approving Authority has adopted a Level of Landslide Safety, I have:
 ___ 7.1 compared the Level of Landslide Safety adopted by the Approving Authority with the findings of my investigation
 ___ 7.2 made a finding on the Level of Landslide Safety on the Property based on the comparison
 ___ 7.3 made recommendations to reduce Landslide Hazards and/or Landslide Risks

PROFESSIONAL PRACTICE GUIDELINES
LANDSLIDE ASSESSMENTS IN BRITISH COLUMBIA

LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

8. Where the Approving Authority has **not** adopted a Level of Landslide Safety, or where the Landslide Assessment is not produced in response to a legislated requirement, I have:

- 8.1 described the method of Landslide Hazard analysis or Landslide Risk analysis used
 - 8.2 referred to an appropriate and identified provincial, national, or international guideline for Level of Landslide Safety
 - 8.3 compared those guidelines (per item 8.2) with the findings of my investigation
 - 8.4 made a finding on the Level of Landslide Safety on the Property based on the comparison
 - 8.5 made recommendations to reduce Landslide Hazards and/or Landslide Risks
9. Reported on the requirements for future inspections of the Property and recommended who should conduct those inspections

Based on my comparison between:

[CHECK ONE]

- the findings from the investigation and the adopted Level of Landslide Safety (item 7.2 above)
- the appropriate and identified provincial, national, or international guideline for Level of Landslide Safety (item 8.4 above)

Where the Landslide Assessment is not produced in response to a legislated requirement, I hereby give my assurance that, based on the conditions¹ contained in the attached Landslide Assessment Report:

A. SUBDIVISION APPROVAL

- For subdivision approval, as required by the *Land Title Act* (Section 86), "the land may be used safely for the use intended"
[CHECK ONE]
 - with one or more recommended additional registered Covenants
 - without an additional registered Covenant(s)

B. DEVELOPMENT PERMIT

- For a development permit, as required by the *Local Government Act* (Sections 488 and 491), my report will "assist the local government in determining what conditions or requirements it will impose under subsection (2) of [Section 491]"
[CHECK ONE]
 - with one or more recommended additional registered Covenants
 - without an additional registered Covenant(s)

C. BUILDING PERMIT

- For a building permit, as required by the *Community Charter* (Section 56), "the land may be used safely for the use intended"
[CHECK ONE]
 - with one or more recommended additional registered Covenants
 - without any additional registered Covenant(s)

¹ When seismic slope stability assessments are involved, Level of Landslide Safety is considered to be a "life safety" criteria, as described in Commentary JJJ of the *National Building Code of Canada (NBC) 2015, Structural Commentaries (User's Guide – NBC 2015: part 4 of division B)*. This states:

"The primary objective of seismic design is to provide an acceptable level of safety for building occupants and the general public as the building responds to strong ground motion; in other words, to minimize loss of life. This implies that, although there will likely be extensive structural and non-structural damage, during the DGM (design ground motion), there is a reasonable degree of confidence that the building will not collapse, nor will its attachments break off and fall on people near the building. This performance level is termed 'extensive damage' because, although the structure may be heavily damaged and may have lost a substantial amount of its initial strength and stiffness, it retains some margin of resistance against collapse."

LANDSLIDE ASSESSMENT ASSURANCE STATEMENT

Chris Hudec

Name (print)

January 10, 2024

Date

1900 Boxwood Road

Address

Nanaimo, BC V9S 5Y2

(250) 756-0355

Telephone

chudec@lewkowich.com

Email

(Affix PROFESSIONAL SEAL and signature here)

The Qualified Professional, as a registrant on the roster of a registrant firm, must complete the following:

I am a member of the firm **Lewkowich Engineering Associates Ltd.**

(Print name of firm)

with Permit to Practice Number **1001802**

(Print permit to practice number)

and I sign this letter on behalf of the firm.

To:	Lynn Lee, Property Developer	Date:	January 22, 2024
From:	Jamie Godfrey, Technologist Rupert Wong, R.P. Bio.	Pages:	26
Cc:	District of Ucluelet Planning	Project:	1529 (Revision 1)

RE: REVISED ASSESSMENT REPORT – 1061 Helen Road, Ucluelet, BC.

This letter report is intended to provide the District of Ucluelet (DOU) a revised project scope for a proposed multi-family home development on the subject property at 1061 Helen Road. In addition, this report summarizes the biophysical state of the subject property. There is a Marine Shoreline Development Permit Area (MSDPA) on the subject property relating to the marine shoreline of Ucluelet Inlet (Figure 1). The DOU Bylaw No. 1306¹ requires that an assessment report be prepared by a Qualified Environmental Professional (QEP) prior to development occurring within the 30 m MSDPA. The property owners will be undertaking the construction of a new resort condominium within the 30 m MSDPA on their property. As such, this report satisfies the requirements of the DOU Bylaw 1306 for an assessment report.

This report is divided into the following categories:

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¹ District Of Ucluelet. (2022). *Bylaw No. 1306, 2022: A bylaw to adopt "District of Ucluelet Official Community Plan 2022."*
<https://ucluelet.ca/community/planning-building-bylaw/community-planning-and-zoning/official-community-plan>

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1 INTRODUCTION

The subject property is a 0.4-hectare property located on the northeastern shore of Hyphocus Island and affronts the marine environment of Ucluelet Inlet. The civic address of the property is 1061 Helen Road, and the PID is 026-159-511. The subject property is zoned R-2 – Medium Density Residential, which is “intended for low to medium density residential uses in a variety of housing types”; however, it is surrounded by properties under a variety of different zoning designations including R – 1 (Single Family Residential), RU (Rural Residential), and GH (Guest House). The subject property is currently undeveloped and well vegetated, while the neighboring lots to the north and south have been partially developed for home construction. As the eastern edge of the subject property is defined by the marine shoreline of Ucluelet Inlet, Ucluelet’s Marine Shoreline DPA (MSDPA) covers the eastern 30 m of the subject property. The property does not fall within Ucluelet’s Terrestrial Ecosystems DPA (TEDPA).

The objectives of this assessment report are to:

1. Delineate and describe the shoreline habitat on the subject property;
2. Provide advice and recommendations on appropriate siting of development on the subject property;
3. Identify sensitive habitats and species on the subject property that require protection;
4. Provide mitigation measures to protect the shoreline and any other sensitive habitats and species during development; and
5. Prescribe habitat enhancements and invasive species removals where applicable.

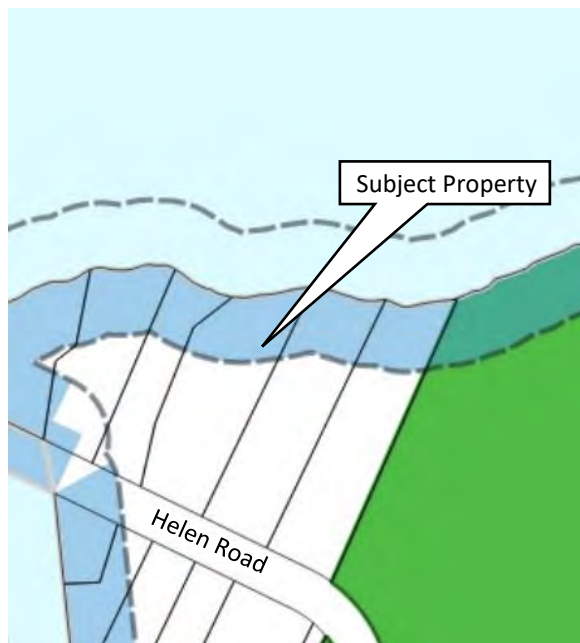


Figure 1. Location of the subject property and the 30 m Marine Shoreline Development Permit Area (Grey dashed lines).

1.1 PROPOSED DEVELOPMENT

The subject property is currently undeveloped and completely vegetated (Photo 1). Proposed work on the subject property includes the construction of a townhouse complex (Figures 2 and 3). The proposed development will have six units with associated driveway access and parking, stormwater infrastructure, and landscaping (Figures 2 and 3). Lot coverage for the proposed development will be 6976.39 square feet which represents approximately 16.29% of an allowable 40%. These calculations include the proposed condominium and exterior “covered areas,” but do not include other hardened surfaces such as driveways or walkways on the property. Development of the subject property will require tree removals, grubbing, and grading of land within the development footprint prior to construction.



558 England Ave
 Courtenay, BC V9N 2N3
 p: 250.871.1944
 w: currentenvironmental.ca

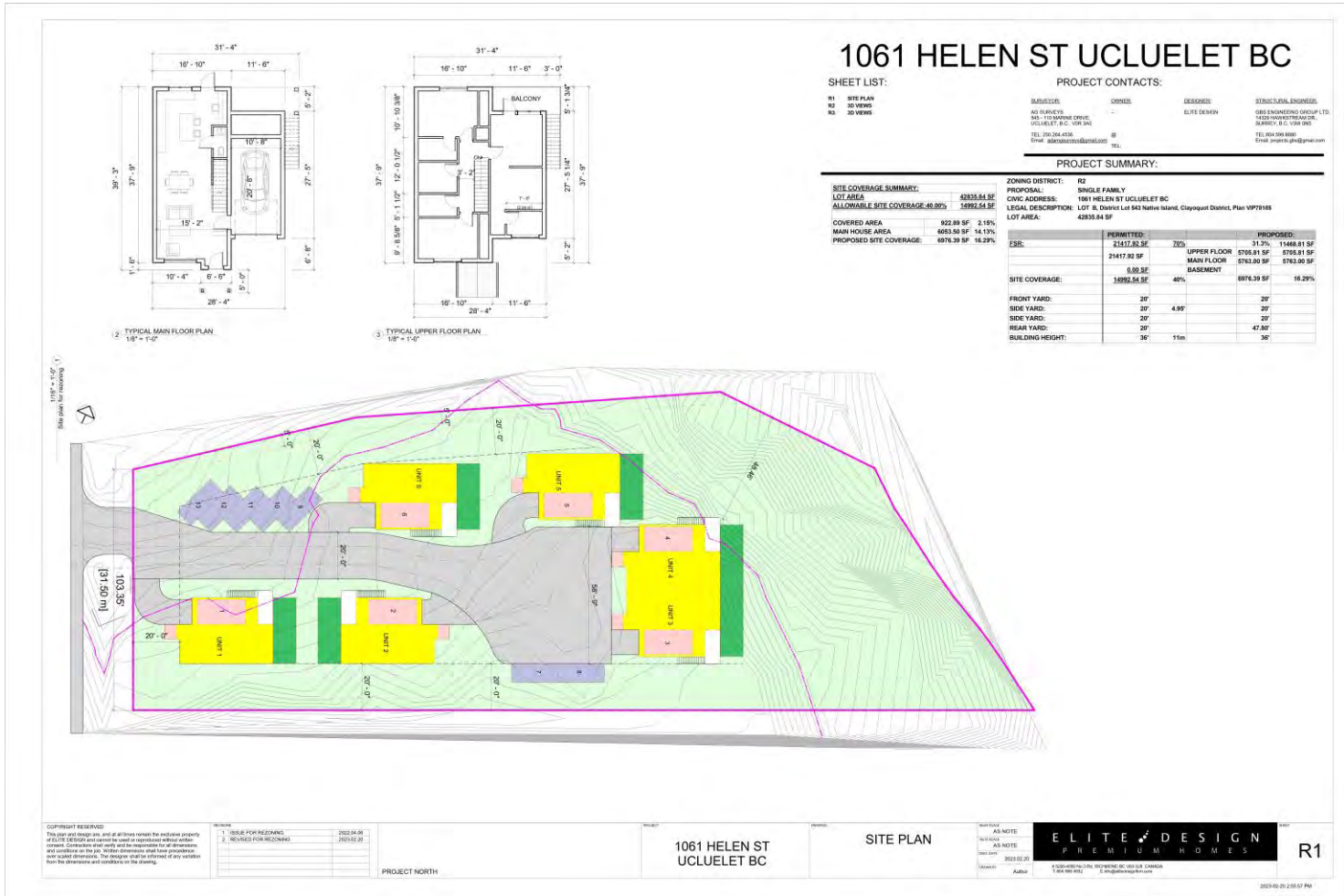


Figure 2. Revised site plan (Jan. 2024) for the proposed construction at 1061 Helen Road. The pink dashed line approximates top-of-bank.



Figure 3: 3D model of the proposed townhouse development at 1061 Helen Road.

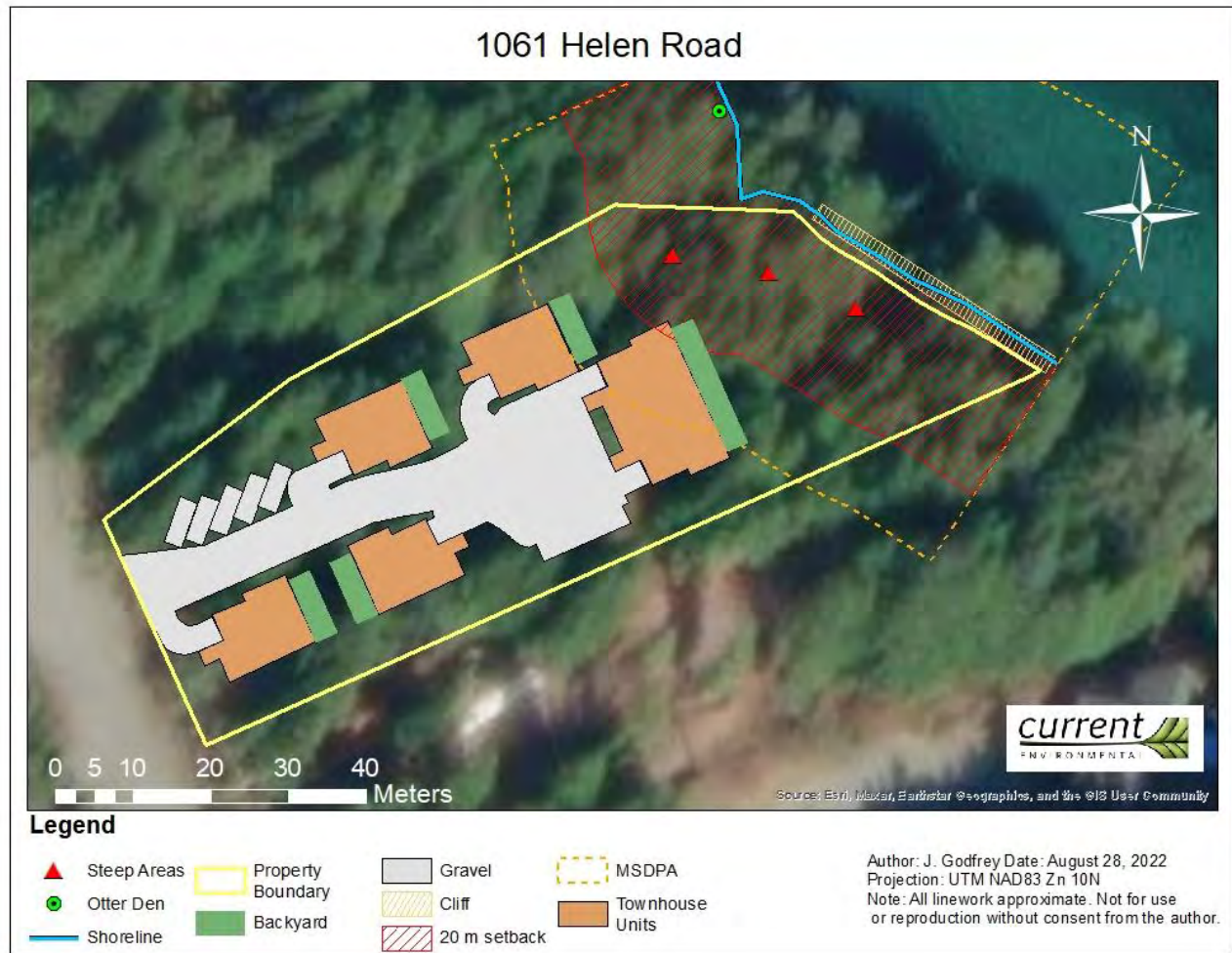


Figure 4: Location of the proposed development in relation to the 30 m MSDPA and 20 m Shoreline setback

2 METHODOLOGY

2.1 BACKGROUND REVIEW

Background information on Environmentally Sensitive Areas (ESAs) located within or in proximity to the subject property was obtained using the following sources:

- 1) Conservation Data Center (CDC)
- 2) District of Ucluelet Mapping (UkeeMap)
- 3) Wildlife Tree Stewardship atlas (WiTS)
- 4) Great Blue Heron Atlas
- 5) Species at Risk Act (SARA) database
- 6) Aerial photographs

2.2 FIELD ASSESSMENT

A ground-level assessment of aquatic/terrestrial habitats and species was conducted on July 28, 2022. The entire property was walked to ensure that all Environmentally Sensitive Areas (ESAs) were mapped; however, the assessment focused on the marine shoreline and the proposed development in the 30 m MSDPA. The following sections provide additional detail on specific inventory methods.

2.2.1 Marine Shoreline

The site survey was timed to coincide with a mid to low tide, to observe the intertidal areas adjacent to the subject property. Backshore vegetation was documented, and observations were made on the current functions of the backshore habitat on the marine shoreline. Sampling for fish/egg presence was not completed as part of this assessment. Methodologies to complete the marine shoreline assessment were based primarily on those outlined in *Develop with Care – Environmental Guidelines for Urban and Rural Land Development in British Columbia*².

For the purposes of this assessment, the habitat inventory affecting the subject property has been limited to the upper intertidal zone (from the mid-tide range to the high-water mark), the supralittoral zone (otherwise known as the splash zone which would only receive water/sediment during storm events), and the backshore zone (extending from the supralittoral zone to outer edge of the 30 m wide MSDPA for the marine shoreline).

2.2.2 Watercourses and Wetlands

The subject property was walked to ensure there were no other watercourses or wetlands on or near the property requiring protection from development. Criteria for delineating watercourses was based on the *BC Riparian Areas Protection Regulation (RAPR)*³. Under the RAPR, the Stream Boundary is defined as the "visible high water mark of a stream where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain." Vegetation indicators were used as guidance to determine the presence or absence of wetlands on the subject property, as described in *Wetlands of British Columbia*⁴.

2.2.3 Terrestrial Habitats and Species

Survey methods for terrestrial elements or ESAs were directed in part by those outlined in *Develop with Care – Environmental Guidelines for Urban and Rural Land Development in British Columbia*² and the *Field Manual for Describing*

² BC Ministry of Environment. (2014). *Develop With Care: Environmental Guidelines for Urban and Rural Land Development*. <<https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/develop-with-care/dwc-section-4.pdf>>

³ BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development. (2019). *Riparian Areas Protection Regulation: Technical Assessment Manual*. <https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/fish-fish-habitat/riparian-areas-regulations/rapr_assessment_methods_manual_for_web_11.pdf>

⁴ MacKenzie, W.H, and J. R. Moran. (2014). *Wetlands of British Columbia, A Guide to Identification*. BC Ministry of Forests.

*Terrestrial Ecosystems*⁵. Vegetation on the subject property was identified with the assistance of *Plants of Coastal British Columbia and E-Flora BC: Electronic Atlas of the Flora of BC*.⁶

2.2.4 Species and Ecosystems at Risk

An office-based assessment of Species at Risk occurrences on the subject property was completed using the *CDC BC Species and Ecosystems Explorer*⁷, the *Federal Species at Risk Public Registry*⁸, the *Wildlife Tree Stewardship Atlas*⁹ and the *Great Blue Heron Atlas*¹⁰. The on-site assessment of Species at Risk was completed concurrent with the other inventory efforts mentioned above and was based primarily on methods outlined in *Develop with Care – Environmental Guidelines for Urban and Rural Land Development in British Columbia*².

3 RESULTS

The following sub-sections describe the findings of the background review and site visit conducted on July 28th, 2022. Discussion on how these findings influence the proposed development are provided in the Discussion/Recommendations section of the report (Section 4).

3.1 GENERAL DESCRIPTION OF THE SUBJECT PROPERTY

The subject property is a 0.4-hectare property located on the northeast portion of Hyphocus Island. The property affronts the marine shoreline near the mouth of the Ucluelet Inlet on its southwest shore. The civic address of the property is 1061 Helen Road (PID: 026-159-511) and it lies southeast of the town center in a neighborhood of mixed residential zoning. The property itself is one of three on Hyphocus Island zoned R-2 - Medium Density Residential. The lot is roughly rectangular with the long edges running approximately northeast – southwest. The property widens slightly toward the northeast where it meets the shoreline, which angles to the southeast (Figures 2 and 4). The topography of the lot is roughly flat in the 2/3 closest to Helen Road, and slopes steeply towards the ocean within the 30 m MSDPA (Figure 3).

The property is currently vegetated with second growth forest and has no existing development. Tree cover on the property is dominated by western redcedar (*Thuja plicata*) and western hemlock (*Tsuga heterophylla*), with Sitka spruce (*Picea sitchensis*) present in small amounts. Shrubs on the subject property are sparse and consist of a mix of salal (*Gaultheria shallon*), red huckleberry (*Vaccinium parvifolium*), evergreen huckleberry (*Vaccinium ovatum*), false azalea (*Rhododendron menziesii*) and salmonberry (*Rubus spectabilis*). The herb layer is also sparse and includes deer fern (*Blechnum spicant*), sword fern (*Polystichum munitum*), and 3-leaved foamflower (*Tiarella trifoliata*) (Photos 1 and 2). The plants of the subject property closely match the CWHvh1 05 – CwSs-Sword fern site series which is a common plant community on Vancouver Island’s west coast.

There were no significant populations of invasive species found on the subject property other than in full sun immediately adjacent to Helen Road where a population of Scotch broom (*Cytisus scoparius*) was noted (Photo 3).

⁵ BC Ministry of Environment. (2010). *Field Manual for Describing Terrestrial Ecosystems, 2nd Edition*. <https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/conservation-data-centre/field_manual_describing_terrestrial_ecosystems_2nd.pdf>

⁶ University of British Columbia. (2020). *E-Flora BC: Electronic Atlas of the Flora of BC*. <<https://ibis.geog.ubc.ca/biodiversity/eflora/index.shtml>>

⁷ BC Ministry of Environment. (2020). *CDC imap and Ecosystems Explorer*. <<http://maps.gov.bc.ca/ess/hm/cdc/>>

⁸ Government of Canada. (2020). *Species at Risk Public Registry*. <<https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry.html>>

⁹ Community Mapping Network. (2020). *Wildlife Tree Stewardship Atlas (WiTS)*. <<https://cmnmaps.ca/wits/>>

¹⁰ Community Mapping Network. (2020). *Great Blue Heron Atlas*. <<https://cmnmaps.ca/GBHE/>>

3.2 MARINE SHORELINE

3.2.1 Physical Shoreline Characteristics

The shoreline of the subject property is oriented to the northeast and protected from the dominant winds in Ucluelet, as well as from the large swells that affect the western coasts of the area. No artificial armouring was seen during the July 28 site visit at the subject property; however, a natural rock cliff delineates the intertidal zone from much of the backshore habitat (Figure 4, Photo 4). At the north end of this rock wall the backshore is much more gently sloped and forms a small beach, from which a footpath leads away from the ocean (Photo 5). General beach characteristics are quite homogenous along the shoreline in both directions and will be described in detail in Section 3.2.2 (Photos 6 and 7).

3.2.2 Subtidal Habitat

The marine habitat immediately offshore of the subject property is within the main marine traffic route in and out of the harbor of Ucluelet – Ucluelet Inlet. It has a “hard-flat” benthic class; a low tidal speed (0.046-0.111m/s); and an average depth of approximately 15m¹¹. There are no mapped eelgrass or kelp beds offshore of the subject property.

3.2.3 Supralittoral and Intertidal Habitat

As mentioned in Section 3.2.1 above, much of the backshore habitat of the subject property is delineated from the intertidal zone by a rock cliff. The cliff is approximately 1.2 m tall, with the uppermost portions being covered in moss, and the bottom 0.6 m colonized by acorn barnacles (*Belanus glandula*) (Photo 8).

Beyond the cliff, the 30 m MSDPA of the intertidal habitat is relatively homogenous. Limbs from the trees growing at the edge of the backshore habitat grow over the beach and shade the first 5.5 m (Photo 9). The slope of the beach is uniform throughout the entire 30 m MSDPA at approximately 5°. Two distinct zones were noted with a break at approximately 22.6 m from the high tide line (Photo 10) Sediments in the upper intertidal zone from 0 to 22.6 m consisted of poorly sorted mineral sediments ranging in size from medium sands to boulders, with the dominant size classes being medium sands to pebbles (Photo 11). Between 22.6 and 30 m sediments were noticeably more well sorted, and grain sizes were concentrated more between pebbles and cobbles (Photo 12). The proportion of shell fragments also increased below 22 m.

Rockweed (*Fucus distichus*) is common from 0 to 22.6 m while sea lettuce (*Ulva lactuca*) occurs in lesser amounts from 22.6 to 30 m. Molluscs including butter clam (*Saxidomus gigantea*), Pacific oyster (*Crassostrea gigas*), acorn barnacle, and periwinkle snails (*Littorina sp.*) are common throughout the intertidal zone (Photo 12).

¹¹BC Marine Conservation Atlas. 2024. *BCMCA: Marine Atlas of Pacific Canada*. <https://www.cmNBC.ca/atlasgallery/bc-marine-conservation-analysis-atlas/>

3.2.4 Backshore Habitat

Topography of the backshore is sloped towards the ocean (Figure 2, Photo 2) with an average overall slope of approximately 27° in the 30 m MSDPA. The slope is currently well vegetated with a stand of second growth coastal forest similar to that described in Section 3.1; however, the sparse herb layer described there becomes well developed and dominated by sword ferns in steeper areas (Photo 2). Trees on the slope range in size from 0.1 m to 0.8 m DBH and grow in soils up to 70 cm deep.

No specific evidence of wildlife use or presence in the backshore of the subject property was noted on the July 28th site visit; however, a river otter den was found on the backshore of the adjacent property to the north (Photo 13, Figure 4). Backshore on the subject property has moderate habitat value in the form of large trees for perching and feeding habitat for birds and arboreal mammals, hollows in fallen or rotting trees that offer denning sites for a range of species, and thick, well shaded cover adjacent to a marine shoreline rich in food resources (Photos 9).

Some signs of slope instability were noted on backshore slopes including “J” shaped trees indicative of soil creep, and soil slumping in some localized steep areas (Photo 14). Due to the presence of large tree stumps indicating a history of logging on the property, it is possible that a loss of soil cohesion resulting from historic logging activities may be the cause of the instability (Photo 15). In any case, it is important that vegetation be retained on the slope to ensure that the structural benefits of an intact root system within the soil are maintained.

3.3 WATERCOURSES AND WETLANDS

There are no ditches, streams, or wetlands on the subject property. Although the property slopes steeply towards the ocean, no distinct watercourse channels were observed. This is likely due to the small elevation of the slope resulting in relatively low catchment of rain; thick soils allowing for significant infiltration; and the thick vegetation coverage absorbing large amounts of rainfall.

3.4 TERRESTRIAL HABITATS AND SPECIES

As previously described, the lot is well vegetated with a plant community common on near shore habitats of Vancouver Island’s west coast. The presence of large stumps on the property indicates a history of logging, and the regenerating forest contains trees with a range of sizes up to a diameter at breast height (DBH) of approximately 0.8 m. Second growth forests retain less value than old growth forests for wildlife; however, evidence of valuable habitat characteristics were seen on the subject property. Deer were seen on the property outside of the 30 m MSDPA, and a river otter den was found near the shoreline on the adjacent property to the north. Additionally, potential nesting sites for cavity nesting or denning species were seen including rotten stumps and cover formed by fallen trees.

No bird nests or nesting trees were observed on the subject property during the July 28th survey.

Overall, the wildlife value of the subject property is considered moderate, and the recommended 15 m MSDPA will preserve a shoreline wildlife corridor on the property.

3.5 SPECIES AND ECOSYSTEMS AT RISK

The nearest recorded bald eagle nest (BAEA-108-320) is approximately 850 m from the subject property (Figure 5), and there are no great blue heron nests within one kilometer of the subject property. The proposed development will not pose a risk to any known bald eagle or blue heron nests.

According to the Department of Fisheries and Oceans mapping data, there is critical habitat within 1km of the subject property for both northern and southern resident killer whales; however, this is associated with the waters on the offshore side of the Ucluelet peninsula. There are 13 other species at risk that may be found in the marine waters adjacent to the property¹². Four are highly mobile marine mammal species that may occasionally enter Ucluelet Inlet but would be unlikely to remain for any length of time; and four are species that inhabit depths below 100m. Of the remaining five, both basking shark and leatherback turtle are extremely rare in British Columbia waters. Based on preferred habitat characteristics, northern abalone, tope, and yelloweye rockfish may inhabit subtidal waters offshore of the subject property.

The subject property is within 500 m of known populations of the California wax-myrtle (*Morella californica*) and site conditions are within the habitable range for the species; however, no individuals were found on the property during the site visit on July 28, 2022. The California wax-myrtle is a provincially blue-listed plant but due to its physical separation from the subject property, the proposed construction does not pose a risk to nearby populations of this species.



Figure 5. The nearest known bald eagle nest showing a 300 m buffer in relation to the subject property.

¹² Department of Fisheries and Oceans Canada. 2024. *Aquatic Species at Risk Map*. DFO. <https://www.dfo-mpo.gc.ca/species-especies/sara-lep/map-carte/index-eng.html>



Figure 6: Nearby populations of the California wax-myrtle (Green) in relation to the subject property.

4 DISCUSSION/RECOMMENDATIONS

ESAs that require protection during the design and construction of the new dwelling are the marine shoreline and its associated backshore habitat including the trees on the steep slope. The following sections provide guidance on protecting these ESAs

4.1 IMPORTANCE OF BACKSHORE HABITAT

Backshore vegetation plays several critical roles in maintaining ecological function along the subject shoreline:

- 1) **Shoreline stabilization:** Vegetation stabilizes and traps shoreline substrates and helps dissipate wave energy to maintain natural process functions along marine shorelines.
- 2) **Pollutant removal:** Backshore vegetation filters pollutants from surface flows originating on terrestrial lands. In the case of residential developments, this typically relates to driveway and roof runoff.
- 3) **Perching sites for birds of prey:** Although there are no old growth trees on the subject property, the lack of continuous forest coverage on surrounding lots means that even smaller trees may provide important perching sites. Furthermore, retention of existing trees will allow for forest succession and future provision of potential nesting sites.

- 4) **Shade and microclimate:** Backshore vegetation plays a key role in moderating temperatures and maintaining moisture of substrates in the high intertidal zone. This role is particularly evident in the upper 5.5 m of the intertidal zone shaded by tree limbs.
- 5) **Food production:** Shoreline vegetation provides habitat for a wide variety of invertebrate species that form a significant portion of the prey base for marine wildlife – particularly forage fish and salmonids.
- 6) **Organic matter and large woody debris recruitment:** Properly functioning backshore vegetation provides a continuous supply of organic matter to the shoreline system in the form of logs, smaller wood, and leaf litter. This material drives primary food production, provides microhabitats for numerous invertebrate species, helps maintain and regulate moist microhabitats, and dissipates wave energy.

4.2 SHORELINE SETBACK AREA

A shoreline setback width of 15 m is being prescribed for the subject property, which is to be measured horizontally from the Present Natural Boundary of the shoreline (Figure 3). This vegetated setback encompasses the steeper portions of the backshore in which signs of slope instability were noted (Figures 3 and 4) and will ensure that they remain stable. Additionally, this setback will ensure that all the functions listed in Section 4.1 remain intact.

No disturbance can take place within the 15 m shoreline setback. It is recommended that shoreline access through the 15m shoreline setback not be developed.

As designed, the proposed development does not encroach into the recommended 15 m setback (Figure 4).

4.3 STEEP SLOPES

The property has undergone a geotechnical hazard assessment by Lewkowich Engineering Associates Ltd.¹³, which paid particular attention to the sloped portion of the property between the proposed development and the marine shoreline, including the 15m shoreline setback. The overall gradient of the sloped eastern portion of the property was measured at 27°, with isolated sections at 30°. The geotechnical report recommends a 30.0 m setback from the Future Natural Boundary (FNB), which approximates the current top of bank on the subject property (Figure 2).

The proposed location of units 3 and 4 as shown in Figures 2-4 is immediately adjacent to the top of bank setback as proposed in the geotechnical assessment of the property, and final location must be confirmed by a qualified land surveyor prior to construction.

4.4 DRAINAGE

The geotechnical assessment completed by LEA for the subject property has concluded that the soil coverage on the eastern sloped portion of the property is insufficiently stable for stormwater infiltration¹⁴. Instead of infiltration, it has been recommended that stormwater outflow be conveyed via solid pipe to the intertidal zone. This conveyance method will ensure that flashy flow originating from stormwater runoff of newly constructed impermeable surfaces will not erode soils from the slope; however, it comes with an increased risk of erosion and sedimentation at the outlet of the pipe (Figure 7). It is therefore recommended that all stormwater outflow from the property be outlet to an exfiltration gallery or rock apron. An exfiltration gallery consists of a rectangular or circular excavation lined with geotextile fabric and filled

¹³ Paul Fraser, and Chris Hudec. 2024. *Geotechnical Hazard Assessment: 1061 Helen Road , Ucluelet B.C., Proposed Residential Development. File No. E1445.01r1.* Lewkowich Engineering Associates Ltd.

with clean, granular stone or other void forming material (Appendix A). Construction of such a feature requires sufficient soil depth and low enough slope gradient for machine access. A potential candidate location is at the northeast corner of the subject property. A rock apron consists of a prism of riprap positioned immediately downstream of the stormwater outflow (Figure 8). It serves to spread flow and reduce velocity, thereby reducing scour of parent materials.

Either an exfiltration gallery or a rock apron would be suitable stormwater outflow solutions to reduce beach erosion and sedimentation of the marine environment; however, they must be designed by a qualified hydrotechnical engineer.

Another potential risk posed to the marine environment by the proposed development is conveyance of deleterious substances roadways and parking areas. To reduce this risk it is recommended that all stormwater catch basins be furnished with Armtec SDD3 Oil Grit Separators (or equivalent).

Solid pipe conveyance of stormwater to the intertidal environment as proposed in the geotechnical assessment is acceptable if appropriate hydrocarbon containment measures are installed at stormwater intakes; and that the stormwater outflow has measures in place to eliminate erosion of the intertidal zone and sedimentation of subtidal marine habitats.



Figure 7. Uncontrolled stormwater outflow causing beach erosion.

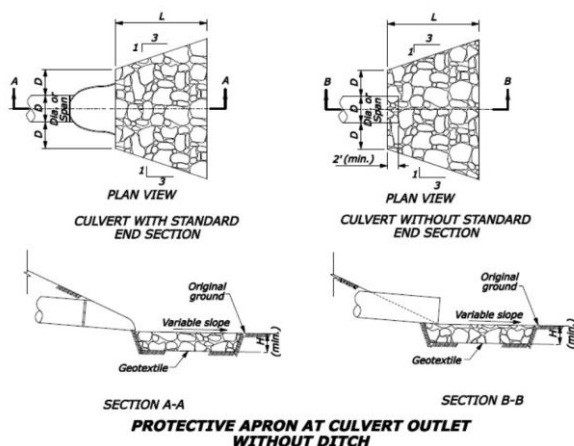


Figure 8. Example design of a rock apron at a stormwater outflow.

4.5 VEGETATION RESTORATION AND INVASIVE SPECIES REMOVALS

The entire 20 m recommended shoreline setback is well vegetated with a native plant community. No enhancements are necessary to improve the slope stability or ecosystem functions provided by this setback, and therefore a landscaping plan is not recommended as part of this assessment.

Invasive species consisting primarily of Scotch broom were noted on the subject property adjacent to Helen Road outside of the MSDPA. This portion of the property will be highly disturbed during construction. It is recommended that during the site clearing phase, any vegetation or soils containing invasive plants be bagged and disposed of at a landfill to prevent further spread.

4.6 MITIGATION MEASURES DURING CONSTRUCTION

It will be important to implement mitigation measures during the construction on the subject property to protect the sensitive backshore vegetation adjacent to the site. Mitigation measures during construction are provided in Appendix B.

5 CONCLUSION

Based on the results on this assessment, proposed development on the subject property can proceed without causing a net impact to the adjacent shoreline habitat for the following reasons:

- 1) There will be no construction, ground disturbance, or removal of trees or vegetation within the 15 m shoreline setback area on the subject property.
- 2) No disturbance will occur to the 15m shoreline setback area.
- 3) A drainage plan is designed to prevent:
 - a. Introduction of hydrocarbons to the marine environment;
 - b. Erosion of the intertidal zone;
 - c. Sedimentation of the marine environment.
- 4) As per Section 4.6 and Appendix B, any potential adverse effects during construction can be mitigated to result in no, negligible or minor harmful effects on aquatic resources. If mitigation measures are not implemented as intended harmful alterations may result.

6 CLOSURE

We trust this assessment has satisfied the requirement to determine the potential effects of the proposed development on the adjacent marine habitat at 1061 Helen Road.

Please contact the undersigned with any questions or concerns.

Sincerely,



Jamie Godfrey, Technologist

and



Rupert Wong, R.P. Bio.

Current Environmental Ltd.

PHOTOS



Photo 1. Representative photo of vegetation found in the western, flatter portions of the subject property.



Photo 2. Representative photo of vegetation seen within the sloped 30 m MSDPA in the eastern portion of the subject property.



Photo 3. Western property boundary where the subject property meets Helen Road. Populations of Scotch broom were found in sun exposed areas of this property boundary.



Photo 4: Rock cliff delineating the intertidal zone from the backshore habitat at 1061 Helen Road.



Photo 5: Backshore of the northern edge of the subject property north of the rock cliff. Photo shows the edge of the backshore habitat and a beach access trail from the forested portion of the subject property.



Photo 6. Representative photograph of the shoreline of adjacent properties to the northwest.



Photo 7. Representative photograph of the shoreline of adjacent properties to the southeast.



Photo 8. Representative photograph of the cliff separating the backshore of 1061 Helen Road from the intertidal zone.



Photo 9. Backshore habitat of 1061 Helen Road as seen from the intertidal zone. Note the tree branches overhanging the uppermost intertidal zone.



Photo 10: Transition between poorly sorted beach sediments and more well sorted sediments seen at approximately 22.6 m from the high tide line in front of 1061 Helen Road.

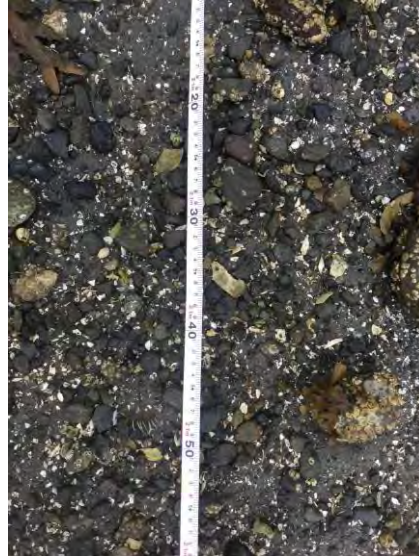


Photo 11. Representative photograph of sediments in the 0 – 22 m range of the intertidal zone adjacent to 1061 Helen Road. Grain sizes in this portion of the intertidal zone were poorly sorted with a wide range of sizes.



Photo 12. Representative photograph of sediments in the 22 - 30 m range of the intertidal zone adjacent to 1061 Helen Road. Grain sizes in this portion of the intertidal zone were more well sorted with less fine material and more shell fragments.



Photo 13: Entrance to otter den and scat found in the backshore of the neighboring property to the northwest of 1061 Helen Road.



Photo 14: "J" shaped tree growth found in steep areas of the backshore of 1061 Helen Road that can be indicative of soil creep.



Photo 15: An example of a large stump found above a steep area in the backshore of 1061 Helen Road.

APPENDIX A: ROCK EXFILTRATION GALLERY EXAMPLE

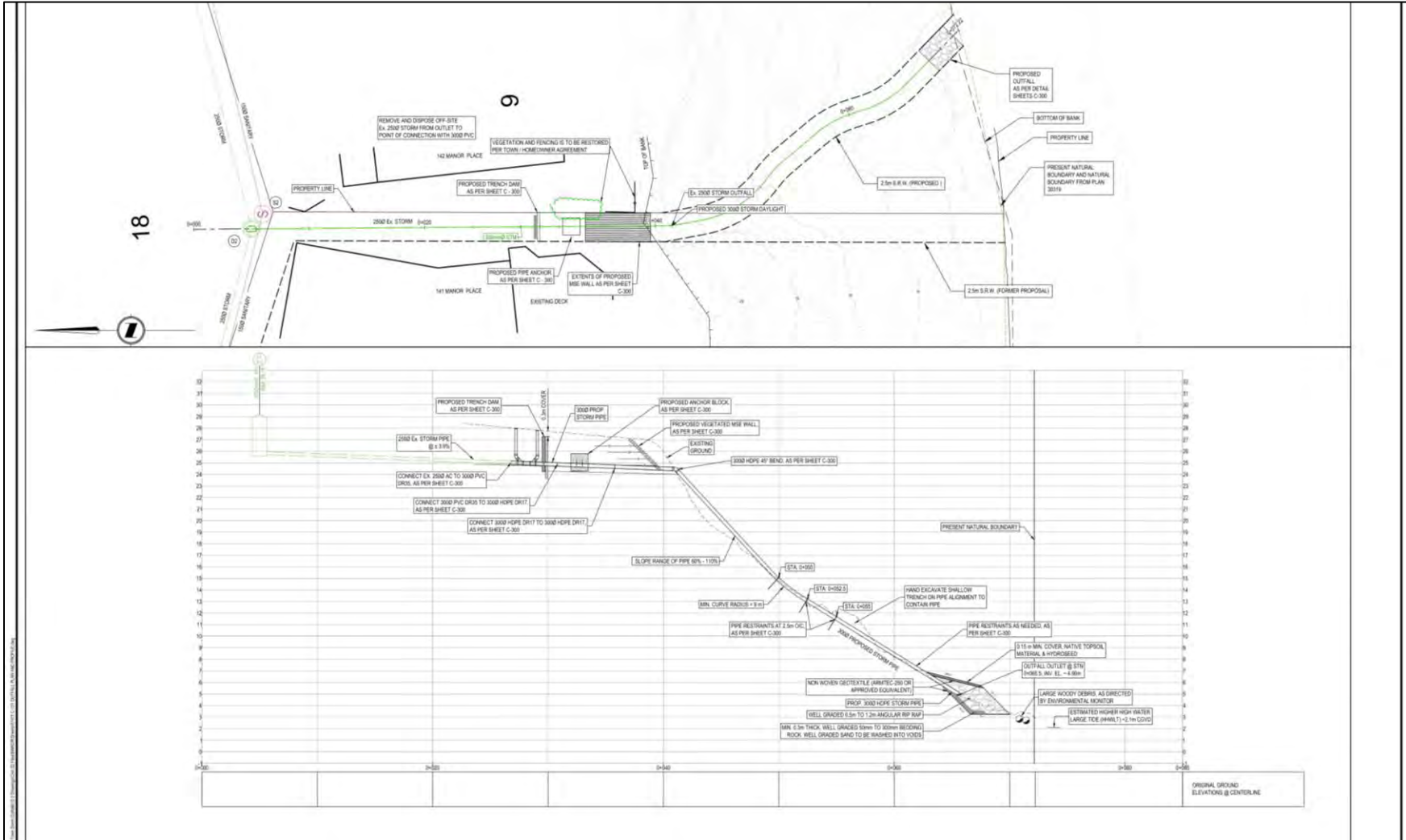


Figure 9. Typical design of stormwater pipe running down a steep slope and discharging through a rock exfiltration gallery.

APPENDIX B: MITIGATION MEASURES DURING CONSTRUCTION

Fuels and Hazardous Materials:

The accidental release of petroleum, oils, hydraulic fluids, lubricants, concrete additives, anti-freeze, or other hazardous materials onto land surfaces or into waterbodies is an offence under the Federal *Fisheries Act* and may result in degradation of habitat quality and could be a threat to human health. Machinery required for the proposed development will include heavy equipment and truck traffic.

Environmental protection procedures for handling and storage of fuels and hazardous materials shall include the following items:

- 1) A spill kit of appropriate capacity will be on hand at all times heavy machinery or gas-powered tools are in use during construction.
- 2) All identified spills will be cleaned up immediately, and contaminated soils and vegetation will be removed for appropriate disposal.
- 3) Refueling of equipment is to occur only at designated fuelling stations and located at least 20 m from the shoreline.
- 4) All fuel, chemicals, and hazardous materials will be clearly marked.
- 5) Pumps and jerry cans are to be placed on poly sheeting and sorbent pads to contain spills.
- 6) All equipment maintenance with the potential for accidental spills (e.g., oil changes, lubrications) will be done on a designated area at least 20 m from the shoreline. Tarps should be laid down prior to commencement of work to facilitate clean up.
- 7) In the event of a spill, the following guidelines should be followed:
 - a. Spills to the receiving environment are to be reported to Emergency Management BC (1-800-663-3456) if they exceed the reportable limits (e.g., 100 liters of fuel or oil).
 - b. Apply sorbent pads and booms as necessary.
 - c. Dispose of all contaminated debris, cleaning materials, and absorbent material by placing in an approved disposal site.

Sediment and Erosion Control:

Specific measures to control sediment during construction will include:

- 1) Maintain/do not disturb vegetation within the prescribed 20 m shoreline setback.

- 2) Where there is a potential for silt runoff in the proximity of existing waterbodies, control devices will be installed prior to construction activities commencing.
- 3) Filter fabric dams, rock check dams, and silt fencing will be used as needed on a site-specific basis to control erosion. Filtration should be accomplished using filter fabric keyed into substrates and banks and elevated using stakes or straw bales. Silt fencing is not an acceptable mitigation technique to control erosion in flowing ditches; however, it is useful for containing slumping areas and for use as baffles to slow water velocities.
- 4) Excavation will be stopped during intense rainfall events or whenever surface erosion occurs affecting nearby waterbodies.
- 5) Soil stockpiles will be placed a minimum of 20 m from any waterbody and in a location where erosion back into the marine environment cannot occur and will not impede any drainage.
- 6) Soil stockpiles with the potential to erode into waterbodies are to be covered with poly sheeting. Other techniques, such as terracing or surface roughening can greatly reduce surface erosion on steeper slopes.
- 7) Permanent exposed soil areas and erosion-prone slopes that may potentially erode into waterbodies are to be seeded or covered with geotextile.
- 8) Clearing will take place immediately prior to excavation and earthworks to minimize the length of time that soils are exposed. Vegetation in adjoining areas will not be disturbed.

Tree Protection:

All trees and native vegetation within the 20 m shoreline setback will need to be retained and protected unless a tree is deemed hazardous by a certified arborist. Trees provide critical functions in backshore areas by providing shade, nutrient and leaf litter drop, large woody debris recruitment in both the foreshore and marine environments, and bank stability through their complex root networks. They also help retain soil and provide more favourable growing conditions for other understory shrubs and ground cover plants in the backshore area.

As previously described, there will be significant clearing of existing vegetation from portions of the subject property; however, there are no plans for any vegetation removal within the 20 m shoreline buffer zone. Specific measures to protect trees during development will include:

- 1) A root protection zone for all trees in the 20 m shoreline setback will be established prior to construction commencing. The root protection zone should be established at the edge of the drip line of trees within the 20 m shoreline setback. The root protection zone should be physically delineated and should be off-limits to machinery.
- 2) Machine access will be from the southwest side of the property.
- 3) Tree protection plans will be communicated to everyone on site prior to commencing construction.
- 4) If roots are encountered during construction, they should be first avoided if possible, and if they must be cut, they should be cut cleanly with a saw as opposed to shattered with machinery.
- 5) Care should be taken not to break any limbs of trees within the 20 m shoreline setback during construction. If any limbs are accidentally broken, they should be cleanly cut with a saw.

- 6) Should any issues arise with regards to potential changes to the impact on trees during development, it is recommended that an arborist be retained to provide guidance on the least impact approach to development around trees.



POLICY NUMBER: 8-5280-2

REFERENCE:

Tsunami Risk Tolerance - Interim Policy

ADOPTED BY:

Council

CROSS-REFERENCE:

OCP Policies 2.34, 2.50

SUPERSEDES:

8-5280-1

AMENDED DATE:

N/A

DEPARTMENT:

Planning / Engineering / Emergency Services

EFFECTIVE DATE:

March 1, 2024

Policy Statement

The purpose of this interim policy is to clarify the District's tolerance for risk when making decisions that may affect persons, property, environments and cultural features, considering the remote but potentially catastrophic consequences of flooding caused by Tsunami – at a time when our understanding of risks is expanding, climate change is altering oceans and Provincial policy and guidelines are evolving.

Scope

This policy applies to decisions on locating critical municipal assets, investments in infrastructure, rezonings, and the subdivision of land.

Justification

A. Current policy adopted in the municipal Official Community Plan (OCP) bylaw:

"It is District policy that it is in the public interest for new subdivisions and developments to be planned to avoid areas of potential flood risk."

Policy 2.34 establish and undertake the work, as necessary, to refine Flood Construction Levels (FCLs) to ensure new development and infrastructure avoids the impacts of rising sea levels.

Policy 2.50 conduct flood risk mapping for sea level rise and use the results to communicate and manage risks.

Policy 3.9 Improve tsunami evacuation route signage for prone areas, directing people to the closest high ground area.



B. Current Provincial guidance:

The west coast of Vancouver Island, identified as Zone C by the provincial Ministry of Public Safety and Solicitor General, is a high-risk seismic zone, known to be vulnerable to flooding in the event of a tsunami.

The amended *Flood Hazard Area Land Use Management Guidelines* state that a subdivision application in a tsunami prone area must include a report by a suitably qualified Professional Engineer, experienced in coastal engineering who must formulate safe building conditions for each proposed lot. The guidelines go on to state that flood construction level (FCL) requirements should be established on a site-specific basis and take into account tsunami hazards, and that reductions to these requirements should only be considered where the building can be built to the Tsunami FCL on bedrock.

The Province's brief on modernizing BC's emergency management legislation notes that risk reduction starts with making sound decisions about where and how to build. The Province proposes to require local authorities to give greater consideration of current and future risk for new development approvals in hazardous areas.

C. Justification for new policy:

This area of local policy for flood risk management hinges on the District's tolerance for risk, weighed against the balance of community interests. The destructive nature of tsunamis as well as their relative infrequency means that they do not naturally fit within the definition of FCL provided in the Provincial Guidelines. Following the "as low as reasonably practicable" (ALARP) approach to managing risks requires that decisions be made based on Ucluelet's tolerance for risk and consideration of what is reasonable and practicable in the community context.

Policy:

This policy is to guide decisions on:

- amendments to the Zoning bylaw or Official Community Plan bylaw;
- applications for subdivision of land; and
- location of critical community infrastructure and facilities.

The following table and diagram indicate acceptable minimum vertical elevations for specified uses, structures and/or infrastructure relative to identified flood hazards.



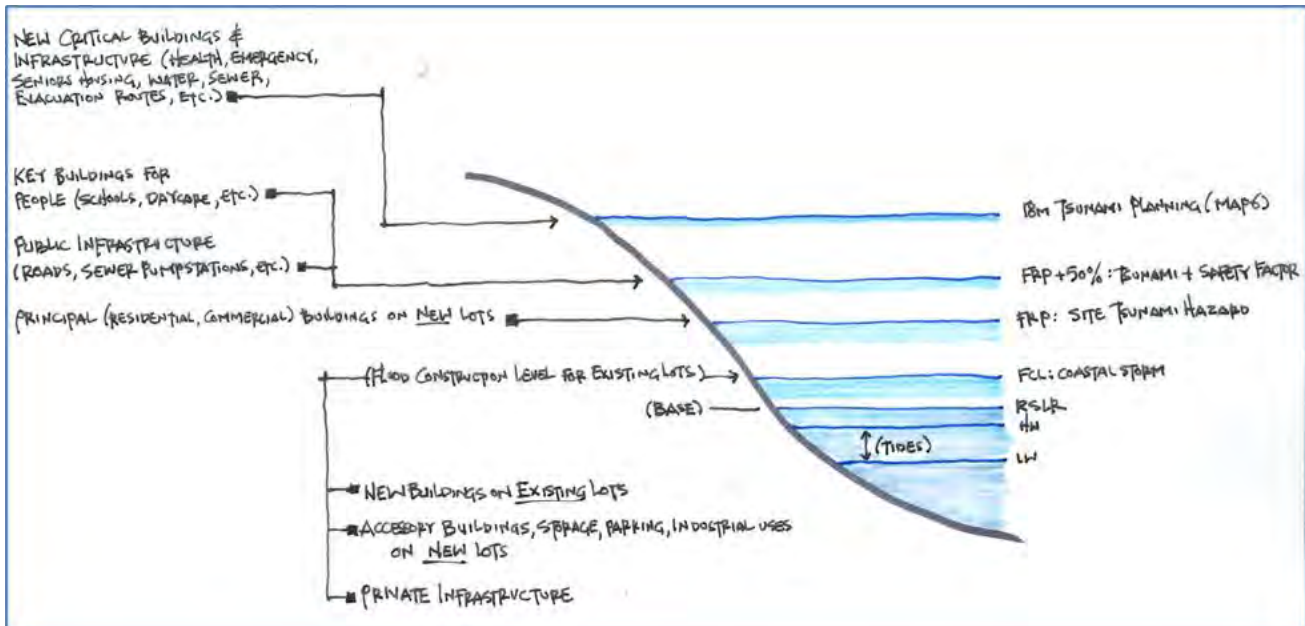
Table 1: minimum acceptable elevations for different uses relative to modelled flood levels.

Proposed facility or use	Minimum elevation	Reference
New critical infrastructure (e.g. health care, emergency, seniors' housing, core water infrastructure, core sewage treatment infrastructure, evacuation routes, etc.)	18m tsunami planning elevation	OCP Map 6
Key buildings for assemblies of people (schools, daycare facilities, etc.)	Tsunami Flood Reference Plane + 50%	Site-specific analysis by suitably qualified Professional Engineer experienced in coastal engineering
Public Infrastructure (e.g., roads, sewer pump stations, etc.)	Tsunami Flood Reference Plane +50%	Site-specific analysis by suitably qualified Professional Engineer experienced in coastal engineering
New residential and commercial buildings on <u>new</u> lots	Tsunami Flood Reference Plane	Site-specific analysis by suitably qualified Professional Engineer experienced in coastal engineering
A change in use that would increase density and/or infrastructure on existing lots	Tsunami Flood Reference Plane	Site-specific analysis by suitably qualified Professional Engineer experienced in coastal engineering
A change in use that would not increase density and or infrastructure on existing lots	Coastal Storm FCL	OCP Map 4
New buildings on <u>existing</u> lots	Coastal Storm FCL	OCP Map 4
Accessory buildings, storage, parking, industrial uses on <u>new</u> lots	Coastal Storm FCL	OCP Map 4
Private infrastructure	Coastal Storm FCL	OCP Map 4

(Added March 2024)



Figure 1: minimum elevations for different uses relative to modelled flood levels.



Approval of Building Sites or Structures within areas identified as being subject to Tsunami hazard

Any subdivision approval of new lots where building sites would overlap areas identified as being subject to potential tsunami hazard will be subject to the following:

- a report by a qualified professional engineer experienced in coastal engineering who must determine the tsunami flood reference plane for the site and formulate safe building conditions for each lot, per the current *BC Flood Hazard Area Land Use Management Guidelines*;
- certification by a qualified professional engineer that the building site can be safely constructed for the intended use with habitable spaces and electrical / mechanical systems located above the applicable minimum elevations set out in Table 1;
- the report by the qualified professional engineer must reference current structural standards for tsunami loads and effects including, as a minimum, ASCE/SEI 7-16, *Minimum Design Loads and Associated Criteria for Buildings and Other Structures* or subsequent best practices and standards;
- the report by the qualified professional engineer must address the anchoring of foundations to bedrock; and,
- a restrictive covenant registered on title of the property:
 - restricting the use of the land to meet the conditions specified in the professional's report enabling the land to be used safely for its intended use;
 - containing conditions respecting reimbursement by the owner for any expenses that may be incurred by the municipality as a result of a breach of a covenant; and,
 - indemnifying the District of Ucluelet and the Province of British Columbia from any liability or claim for property damages, injury or loss of life resulting from flooding.



Limit of authority

Nothing in this policy supersedes Provincial or Federal enactments or regulations, or professional standards and the duty of care performed by Professional Engineers in exercising their professional judgement.

Review and update

This policy shall be reviewed and considered for update or repeal when any of the following occur:

- new flood hazard mapping for Ucluelet is completed and adopted; or,
- the Province of British Columbia adopts new acts, regulations or guidelines for mitigating community risks from tsunami flood hazards.

Marilyn McEwen

Mayor

Duane Lawrence

Chief Administrative Officer



**Minute Excerpts from the
July 9, 2024, Regular Council Meeting**

10. CORRESPONDENCE

10.1 Request for Reconsider - 1061 Helen Road

Paul Zhan, Principal, Elite-Design

The Mayor noted that third reading of the subject bylaw, Official Community Plan Amendment Bylaw No. 1337, 2024, was defeated on June 25, 2024. The Mayor required that Council reconsider and vote again on this motion pursuant to section 131 of the *Community Charter*.

The Mayor noted that another public hearing should be held on the Official Community Plan Amendment Bylaw and the related District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024, before Council reconsiders third reading of Official Community Plan Amendment Bylaw.

2024.2237.REGULAR

IT WAS MOVED AND SECONDED:

THAT Council postpone reconsideration of the motion to give District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024, third reading until the September 3rd, Regular Council Meeting.

CARRIED.

2024.2238.REGULAR

IT WAS MOVED AND SECONDED:

THAT Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024 and District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024, be referred to a public hearing.

CARRIED.



**Minute Excerpts from the
June 25, 2024, Regular Council Meeting**

2. LATE ITEMS

2.1 Additional Public Hearing Written Submissions Related to Bylaw Nos. 1337, 2024 and 1322, 2024

5. PUBLIC HEARINGS

5.1 District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024, and District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024

The Mayor outlined the rules of the public hearing. Staff provided information about participating in the hearing in-person or electronically.

The Mayor opened the public hearing at 4:06 PM.

5.2 Proposed Bylaws & Related Information

The Director of Community Planning outlined the purpose of the subject bylaws in general terms.

5.3 Related Written Correspondence Received During the Notice Period

The Mayor noted the written correspondence about the subject bylaws on the agenda, including the late item. The following summarizes that correspondence:

- Patricia Sieber, Carl Sieber, and Silva Johnson (Helen Road) wrote in opposition to the development. They raised concerns with increased density, Helen Road's capacity for increased traffic, the Causeway's narrow road width, and the potential precedent approving this development could set. They further outlined difficulties associated with widening the road but acknowledged the need for housing in Ucluelet.
- Lindsey Black (Helen Road), wrote in opposition to the subject bylaws and noted the development would not be consistent with Policy 3.155 of the Official Community Plan. Ms. Black further noted concerns with pedestrian safety, increased density, and the development's impact on the area's natural state.

- Shirley and Keith Martin (Helen Road), wrote in opposition to the development. They cited concerns with the density of the development and increased traffic.
- Benoît Sandjian (Helen Road), outlined a number of questions related to the development. The questions relate to parking, the housing capacity of each dwelling unit, affordability, vegetation retention, and impact on land values.
- Jennifer Yakimishyn and Darren Salisbury (Helen Road), wrote in opposition to the development. They raised concerns related to density, traffic, and the narrow width of the Causeway.
- Leanne Pelosi (Helen Road), wrote in opposition to the development and noted concerns related to density, ecological impact, and pedestrian safety.
- Kristen O'Keefe (Rupert Road), wrote in opposition to the development and noted concerns related to density, ecological impact, pedestrian safety, and issues with emergency vehicle access to Helen Road.
- Tracy Eeftink (Helen Road), wrote in opposition to the development. She cited concerns related to density and setting a precedent for future development approvals in the neighbourhood.
- Christine Skucas (Helen Road), wrote in opposition to the development and cited concerns related to density, traffic, road widths, and community impact.

5.4 Applicant Presentation

The Mayor invited the applicant to present. The applicant did not present.

5.5 Public Input

The Mayor called three times for public input.

Patricia Sieber (Helen Road), spoke in opposition to the development. She noted her letter and concerns related to setting a precedent for future development on Hyphocus, road capacity/infrastructure, and increased traffic.

Christine Skucas (Helen Road), spoke in opposition to the development. She noted concerns with the roads capacity for increased traffic, the density of the development, and setting a precedent for future growth.

The public hearing was closed at 4:16 PM.

7. BYLAWS

7.2 Rezoning and OCP Amendment for 1061 Helen Road

Anneliese Neweduk, Planner

Bruce Greig, Director of Community Planning, presented this report.

Mr. Greig, addressed Council questions related to parking requirements, floor area ratio, and setbacks.

Council discussed the development and noted public input in opposition.

2024.2209.REGULAR

IT WAS MOVED AND SECONDED:

THAT Council give third reading to District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024.

DEFEATED.



**Minute Excerpts from the
February 27, 2024, Regular Council Meeting**

6. BYLAWS

**6.1 Rezoning and OCP Amendment for 1061 Helen Road
*John Towgood, Municipal Planner***

Bruce Greig, Director of Community Planning, clarified that the subject application is for a six unit multi-family development in five buildings not the 11 units presented in the initial application package.

The applicant was invited to present. The applicant did not present.

2024.2064.REGULAR *IT WAS MOVED AND SECONDED:*

THAT District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024, be introduced and be given first and second reading.

CARRIED.

2024.2065.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council considers the District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024, in conjunction with the District of Ucluelet 2023 - 2027 Financial Plan Bylaw No. 1329, 2023 and the Alberni-Clayoquot Regional District Waste Management Plan.

CARRIED.

2024.2066.REGULAR *IT WAS MOVED AND SECONDED:*

THAT Council considers the District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024, be referred to the Yuułuʔiłʔatḥ Government and that, given the narrow focus of Bylaw No. 1337, 2024, Council is satisfied that no further consultation is required with other persons, organizations, and authorities identified in sections 475(2)(a) and (b) of the Local Government Act.

CARRIED.

2024.2067.REGULAR *IT WAS MOVED AND SECONDED:*

THAT District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024, be referred to a public hearing.

CARRIED.

2024.2068.REGULAR *IT WAS MOVED AND SECONDED:*

THAT District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024 be introduced, given first and second reading, and advanced to a public hearing.

CARRIED.

2024.2069.REGULAR *IT WAS MOVED AND SECONDED:*

THAT District of Ucluelet Tsunami Risk Tolerance Interim Policy 8-5280-2, which supersedes District of Ucluelet Tsunami Risk Tolerance Interim Policy 8-5280-1, be adopted.

CARRIED.

From: [Patricia Sieber](#)
To: [Community Input Mailbox](#)
Subject: Public Hearing rezoning 1061 Helen Road
Date: June 17, 2024 9:51:09 PM
Attachments: [clip_image002.png](#)
[clip_image004.png](#)

[External]

To the Mayor and Council:

This is regarding the request to change the zoning of 1061 Helen Road from Single Family Residential to Multiple Family Residential. We, of 1058 Helen Road, oppose application #RZ22.04 by Haode Investments Ltd.

We understand the need for affordable housing for Ucluelet Residents.

We understand the pressures that the current council is facing to speed up and facilitate development of affordable housing.

We understand the positive aspects of high density.

We also recognize that in recent years, Ucluelet has been discovered as a place to make high monetary returns on investment in vacant land. We have also noticed a trend that one of the first steps non-local investors ask for, is rezoning of land they purchased. Land that they knew was zoned for specific uses. These requests often come with the promise of providing housing. At what cost, and just who the targeted purchasers or renters are and what purpose these proposed houses will serve is often vague.

So, let us consider the pros and cons of this request.

Pros, (in the words of the developer) – More houses.

Pros for Ucluelet: – Possible increase in housing for locals, Increase in tax base.

Cons: Uncertainty of just who will purchase these houses. Will they be affordable to buy or rent? Will they become second or vacation homes.? Will they become short term rentals? Will they be resold for profit?

Increase in density and traffic (possibly tourist or local) in an area that in its present state cannot support more density

Drastically change the character of Hyphocus set out in the official Community Plan.

Open the door for future requests for rezoning on Hyphocus. You allow this and others may demand the same changes to zoning for Multiple Family Dwellings.

Money flows out of the community.

Let us consider why density in this area is not a good idea. The road between the causeway and Marine Drive is the only access onto or off Hyphocus. This narrow road is only 6 meters wide where it flows onto the causeway. That is not standard width under B.C. standards for a feeder city street. Adding the potential of more vehicles using this road on a regular basis will

only increase pressure to widen it. No doubt the District Public Works Department has specifications as to what would be needed to upgrade this road. Once an upgrade is proposed and approved, existing standards would have to be met. The present residents are not asking for this road to be widened. We bought or built here knowing the limitations of this road, but we also did not anticipate that others would propose higher density than allowed under the zoning of the time.

For those who do not walk or drive this road on a regular basis, we have included two photos. The first shows the restrictions faced in widening. On the left is a bank with trees and shrubs, backed by a rock slope. To widen on this side would require blasting of rock and a retaining wall. Further up toward Marine Drive, many driveways would be affected, even some property setbacks. On the right, to widen would require fill and more retaining walls to hold the fill in place. People who have lived here for decades would see their property severely affected. The character of the road with its trees and flowering shrubs would be altered forever. Too often in developments, people have sought to bend the natural world to suit perceived human needs. Council must ask themselves just who would benefit from such drastic alteration to what now exists in this unique part of Ucluelet.

Who will ultimately pay the costs? Who will benefit?

Patricia Sieber

Carl Sieber

Silva Johansson

1058 Helen Road





From: [Lindsey Black](#)
To: [Community Input Mailbox](#)
Subject: Concerns Regarding Proposed Development at 1061 Helen Road (Application RZ22.04)
Date: June 21, 2024 1:41:36 PM

[External]

Dear Mayor McEwen and Council,

I am writing to express my concerns regarding the proposed development at 1061 Helen Road by Haode Investments Ltd., as outlined in the upcoming public hearing notice. While I understand the need for development to accommodate growth, there are several issues with this proposal that I believe warrant careful consideration by Council.

Firstly, Policy 3.155 of the Official Community Plan designates Hyphocus Island as a low-density rural reserve. This policy mandates that the island should remain in its natural state until a comprehensive proposal that includes cluster residential development, significant tree retention, and public access is received. The current proposal for 1061 Helen Road, which includes six residential dwelling units with a maximum combined gross floor area of 1200m², appears to contradict the intent of this policy. In order to build what is being proposed, significant clearing of the lot will be required. The policy emphasizes preservation and minimal impact, while the current proposal suggests a far more intensive use of the land which does not align with the spirit of maintaining the area's natural state.

Moreover, I have concerns about the safety and infrastructure surrounding this development. Helen Road currently lacks adequate sidewalks, which poses a safety risk for pedestrians. With the addition of new residential units, there will undoubtedly be an increase in both vehicular and foot traffic with only one way of ingress and egress. This raises serious safety concerns, particularly for children and elderly residents who may be more vulnerable. It is imperative that any development plan includes measures to improve pedestrian safety, such as the installation of sidewalks and proper lighting.

In summary, while I support responsible and sustainable development, I urge the Council to reconsider or request revisions to a lower density to the proposed development at 1061 Helen Road. It is essential that we adhere to the policies set forth in the Official Community Plan, to ensure that development is both sustainable and in keeping with the character of our community. Additionally, addressing the existing infrastructure deficiencies, such as the lack of sidewalks, is crucial to ensuring the safety and well-being of all Ucluelet residents.

Thank you for your attention to these important matters. I look forward to your response and to a thoughtful discussion at the public hearing.

Sincerely,

Lindsey Black



1049 Helen Road

June 21st, 2024.

Dear Mayor and Council:

Thank you for the opportunity to give input on the proposed land-use change for 1061 Helen Road. We are of the opinion that Haode Investments' plan to put six residential dwelling units there is excessive. Helen Road at this end of town is narrow, runs through an existing residential neighbourhood, and is a dead-end road across a causeway. Increased traffic is a major concern.

We are concerned that by agreeing to this zoning change, the District would be setting a precedent, leading to overdevelopment of this small island with only one route in and out.

We regret being unable to attend the meeting, and hope for consideration of the concerns from the residents of this neighbourhood.

Sincerely,

Shirley and Keith Martin

1147 Helen Rd.

From: [Benoit Sandjian](#)
To: [Community Input Mailbox](#)
Subject: RZ22.04 - Written Submission
Date: June 22, 2024 9:16:13 AM

[External]

Hello,

As a homeowner, resident and business owner on Hyphocus Island, I believe that the Official Community Plan Amendment Bylaw No. 1337, 2024, and Zoning Amendment Bylaw No. 1322, is likely to affect my interest and wanted to submit a written submission as offered by the District of Ucluelet.

Whilst it is undeniable that there is a need of affordable housing in Ucluelet and that the town needs to develop, I am concerned with:

- the applicant: Hoade Investments is a Hong Kong registered company whose primary objective is likely not to be a positive contribution to Ucluelet real needs but rather solely financial profit.
- the final product delivered:
 - According to the District of Ucluelet, Multiple Family Residential means « *a building, or a group of buildings on the same lot, each containing three or more dwelling units, for residential use only and specifically excluding commercial tourist accommodation, on a lot which includes a minimum useable outdoor recreation / amenity space of (...)* » and Dwelling Unit means « *a self contained set of contiguous habitable rooms consisting of at least kitchen, sanitary (bathroom), living and sleeping rooms and facilities, in the same building* ». In other words, because this application is for 6 dwelling units, the final product should be a minimum of one building with 6 dwelling units and a maximum of 2 buildings with each 3 dwelling units, with in either case each dwelling unit being composed of one or more bedrooms a kitchen, bathroom, etc. So what will be the total housing capacity of each and all 6 dwelling units?
 - How many parking spaces will be planned for each dwelling unit? Are those included in the 1200 m² limit of the combined gross floor area?
 - There is no mention that the final product is required to actually offer affordable housing. What is the targetted selling cost of each dwelling unit?
 - Are there any restriction as to protecting some of the vegetation on the lot and the general aspect of the area? In other words, I am concerned that the final building(s) will be detrimental to the esthetical value of Hyphocus Island.
 - How is this development likely to affect the land value on Hyphocus Island?
- the construction:
 - how long is the development likely to take?
 - what will be the extent of the transformation of the lot in term of topography and vegetation?

These are more questions than actual comments but they do express some of my most immediate concerns regarding this application. Thank you for addressing those and taking them into account for this application process.

Benoît Sandjian
1062 Helen Rd, Ucluelet

From: [Jenn](#)
To: [Community Input Mailbox](#)
Subject: Re-zoning of 1061 Helen road
Date: June 24, 2024 9:22:00 PM

[External]

Council of Ucluelet,

I am writing regarding the re-zoning of 1061 Helen Road to a multi family six resident from a rural single family dwelling by the investor Haode investments.

If council allows this rezoning they are opening the door to further rezoning requests such as the larger Hyphocus development plan which would result in much higher density. My concern is that the access road from Marine Drive to the causeway is far too narrow to sustain the added traffic. Widening it to current standards would have severe impacts on the residents of that stretch of road, which would directly impact my residency at 1141 Helen Road.

I do not believe it is fair to people who built or purchased houses with full understanding of the road and its limitations, to have their properties affected so that some investment company can realize a profit on their land purchased mainly as an investment. The official community plan was created and approved by the community of Ucluelet to ensure we support a healthy and sustainable community and rezoning 1061 Helen Road to higher capacity does not support the plan or the vision for the community.

Sincerely,
Jennifer Yakimishyn and Darren Salisbury
1141 Helen Road

June 24, 2024
To the Mayor and Council,

I am writing to oppose the zoning amendment application (Application Number Rz22.04) submitted for the property located at 1061 Helen Road, within the protected area of Hyphocus Island.

As a neighboring resident concerned for the need of affordable housing and the protection of our environment, I urge the municipality to prioritize alternative solutions that balance these essential priorities.

The proposed increase in square footage is excessive for the buildable land available, with plans for six 2150 square foot homes, totaling almost 13,000 square feet on a lot currently zoned as duplex. This approach is unsuitable, especially considering the narrow sloping land to the water and the need for extensive clearing to accommodate all 6 homes on the front half of the lot. Furthermore, this proposal conflicts with the environmental development plan established for Hyphocus Island (Area No.4).

I firmly believe that any development must be approached with careful consideration for environmental sustainability and adherent to the OCP plan.

Key concerns:

Unsustainable Density

This proposal by Haode Investment firm seeks to maximize profit on a non-multifamily zoned lot, by avoiding higher priced, appropriately zoned lots in town. Their proposal disregards Hyphocus Island's Official Community Plan.

The firm initially proposed 11 units, then adjusted to 6. This reflects their profit driven motives. This lot does not meet the criteria typically associated with higher-density developments that prioritize locations within or near town centers, which generally have higher walk scores. This highlights our concern about the development's alignment with the local planning and community infrastructure.

A more respectful approach would be reducing this density to better align with the other lots throughout the island.

Irreversible Loss of Green Space & Wildlife Corridors

As per the application, the highlighted area of development would mean a massive loss of green space which is contrary to the measures put in place to protect Hyphocus Island in the Ucluelet official community plan and ecological guidelines. Specifically the concern here is the aim to maximize profit without consideration of ecological impact and have irreversible consequences for surrounding wildlife.

Pedestrian Safety Risk

The big risk here is safety, particularly for families with children on Helen Rd which lacks proper infrastructure for pedestrians. Helen road is one of the narrowest roads in Ucluelet, and it would be devastating to have an accident as there is NO pedestrian walkways or lighting at night on that portion of road leading back towards schools and amenities. Safety of our neighbouring residents should be a top priority when considering densification. We are re-iterating what other neighbours feel with regards to the road (re: Patricia & Carl Seiber, and Siliva Johansson letter to muni June 17, 2024)

In conclusion, we do need density in Ucluelet; however, we urge rejection of the proposed zoning amendment in pursuit of a smaller footprint for our neighbours. We respectfully suggest increasing the zoning from duplex to 3 units instead of 6, which is similar to what's currently on Hyphocus in this area. Let's prioritize thoughtful planning and community engagement to protect Hyphocus Island's natural beauty and ecological qualities. As stated in the OCP, an effort must be made to preserve and enhance the natural state of Hyphocus Island.

Sincerely
Leanne Pelosi
1055 Helen Rd

From: [Kristen O'Keefe](#)
To: [Community Input Mailbox](#)
Subject: Opposition for 1061 Helen Road Application
Date: June 24, 2024 4:11:26 PM

[External]

June 24, 2024

To the Mayor and Council,

I am writing to express my opposition to the zoning amendment application (Application Number Rz22.04) for the property at 1061 Helen Road, situated within the protected area of Hyphocus Island.

As a nearby resident with a strong commitment to affordable housing and environmental preservation, I urge the municipality to explore alternative solutions that effectively balance these crucial priorities.

The proposed increase in square footage is excessive given the available buildable land and proximity to the shoreline. Plans for six 2,150-square-foot homes, totaling nearly 13,000 square feet, on a lot currently zoned for duplex use are inappropriate. This is particularly concerning given the narrow, sloping land towards the water and the extensive clearing required to fit all six homes on the front half of the lot. Moreover, this proposal conflicts with the established environmental development plan for Hyphocus Island (Area No. 4).

I firmly believe that any development should be carefully considered to ensure environmental sustainability and adherence to the Official Community Plan (OCP).

Key Concerns:

Unsustainable Density Haode Investment Firm's proposal seeks to maximize profit on a lot not zoned for multifamily use, avoiding higher-cost, appropriately zoned lots in town. Their plan disregards Hyphocus Island's Official Community Plan. Initially proposing 11 units, they then reduced this to 6, indicating profit-driven motives. This lot does not meet the criteria typically associated with higher-density developments located in or near town centers with higher walk scores. This raises concerns about the alignment of the development with local planning and community infrastructure. A more respectful approach would be reducing this density to align better with other lots throughout the island.

Irreversible Loss of Green Space & Wildlife Corridors The proposed development would lead to a significant loss of green space, contrary to the Ucluelet Official Community Plan and ecological guidelines designed to protect Hyphocus Island. The focus on profit without regard for ecological impact could have lasting negative consequences for local wildlife.

Pedestrian Safety Risks There are considerable safety risks, particularly for families with children, on Helen Road, which lacks adequate pedestrian infrastructure. As one of the narrowest roads in Ucluelet, Helen Road's lack of walkways or night-time lighting presents a danger. The safety of residents should be paramount when considering increased density. We echo the concerns of neighbors like Patricia and Carl Seiber, and Silvia Johansson, as stated in their letter to the municipality dated June 17, 2024.

Emergency Vehicle Access The narrowness of Helen Road raises serious concerns about access for emergency vehicles in the event of a fire or other emergencies. The increased density would exacerbate these issues, potentially hindering emergency response and putting residents at greater risk.

In conclusion, while we recognize the need for increased density in Ucluelet, we urge the rejection of the proposed zoning amendment in favor of a smaller, more suitable footprint for our neighborhood. We suggest increasing the zoning from duplex to three units instead of six, aligning with current zoning in this part of Hyphocus Island. Let's prioritize thoughtful planning and community engagement to protect Hyphocus Island's natural beauty and ecological qualities. As the OCP states, efforts must be made to preserve and enhance the natural state of Hyphocus Island.

Thank you for your time & consideration.

Kindly,

Kristen O'Keefe

1151 Rupert rd

Tracy Eeftink
1091 Helen Road
Ucluelet, BC
V0R 3A0



To: Mayor and Council, and the District of Ucluelet

Re: Application number RZ22.04
1061 Helen Road, Ucluelet, BC
Lot B, DL 543 Native Island, Clayoquot District, Plan VIP78185


Development proposal from Single Family Residential to Multi Family Residential.

I believe that this development will affect my interests as a landowner living near to the subject property. The proposed 6 dwellings and the floor area of the dwellings is over and above what should reasonably be allowed on a lot this size in this neighbourhood.

High density housing at this address will set a precedent affecting the type of development to be permitted in this neighbourhood for future applications.

Thank you for the opportunity to give my input.

All the best


Tracy Eeftink

Joseph Rotenberg

From: Christine Skucas [REDACTED]
Sent: June 25, 2024 10:26 AM
To: Community Input Mailbox
Subject: rezoning 1061 Helen Road

[External]

To whom it may concern,

I am writing to speak against the proposed rezoning of 1061 Helen Road. This push for higher density is a detriment to living close to the site. The increase of traffic, the likelihood that the road would need to be widened and the probability of others seeking the same are all reasons to say no. While I understand the need for more housing this is not the way to solve that problem. I feel this is a slippery slope that will see no end if allowed. There are restrictions in place and they need to be adhered to. Please respect both the current zoning and the people who live in the area!

I want to continue to live in a safe, beautiful area without being concerned about it becoming overpopulated which is what this rezoning would cause. I have owned my home for 40 years, pay high taxes and expect current zoning to remain the same. Living in the last home before the causeway is a concern!

I am admittedly not adept at writing these letters but I do know I want to see the integrity of my community preserved and to me that means no high density on Hyphocus! I do not feel our town has the capacity in our schools, stores and medical system to warrant this rezoning.

I say NO!

Christine Skucas
1123 Helen Road
[REDACTED]

From: [Thomas Burley](#)
To: [Community Input Mailbox](#)
Subject: 1061 Helen Road, proposed OCP and Zoning Amendment Bylaws
Date: June 26, 2024 1:48:27 PM

[External]

Hello Mayor and Council Members

My name is Thomas Burley, and I am the President of Shack Enterprises Ltd. which owns property on Helen Road, described as Lot A, Plan VIP78185, DL 543, immediately adjacent to the subject property at 1061 Helen Road. My family also owns Lot 3 of the same Plan (1069 Helen Road), which is 2 lots south of the subject property.

I am writing to register our objection to the above referenced OCP Amendment and Zoning Amendment Bylaws that would change designation from Single Family Residential to Multi-Family Residential in the OCP and allow up to six dwelling units. We feel this use and density is totally at odds with the nature of the surrounding properties and the development that has taken place on them since the subdivision was created by Shack Enterprises Ltd. and its related company Habu Land Corp. That development, supported by the District, envisaged larger (one acre plus) waterfront properties that would be used for upscale single family homes, or potentially lodge and 2 guesthouses. To plunk a multi-family use on one of the lots in the center of the subdivision flies in the face of those intentions and will degrade the value of the surrounding properties. As an immediately adjacent property owner, we know we will face trespass and abuse of our property issues. We hope to move ahead with construction of a family retreat on our property at some point and being immediately adjacent to a six-plex of some sort as opposed to a SFR dwelling is a serious detraction in our view.

We understand the need for additional housing and density in the District, but disagree that allowing it on one lot of an otherwise SFR, large lot neighbourhood is the appropriate way to foster expansion of the housing stock in the District.

Thank you for receiving our input.

Yours truly,

R. Thomas Burley FCPA FCA
President
Shack Enterprises Ltd.
1281 Centauri Drive
Langford, BC, V9B 3R6



From: [Nancy Owen](#)
To: [Nancy Owen](#)
Subject: FW: To Mayor and City Councils, regarding proposal for rezoning of 1061 Helen Rd to 6 units town home
Date: August 16, 2024 11:14:19 AM

From: Paul Zhan <PaulZhan@EliteDesignFirm.com>
Sent: Tuesday, August 13, 2024 12:25 AM
To: Info Ucluelet <info@ucluelet.ca>
Cc: Bruce Greig <bgreig@ucluelet.ca>; John Towgood <JTowgood@ucluelet.ca>; [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Subject: Re: To Mayor and City Councils, regarding proposal for rezoning of 1061 Helen Rd to 6 units town home

[External]

Dear Mayor and City Council Members,

We sincerely appreciate your decision during the July 9th council meeting to reconsider the approval of the 1061 Helen Rd project. As the date for the next discussion on this project approaches, we would like to take this opportunity to further explain the contributions this project will bring to the community and the necessity of its approval.

We attended the July 9th meeting, during which council members repeatedly mentioned the severe housing shortage in the city of Ucluelet, leading to poor housing affordability. Increasing housing supply is clearly an urgent matter. Therefore, the municipal development department has been working on increasing the density of land use. We have observed that while the department is considering the potential municipal issues and the impact on local residents that could arise from increased density, they have exercised restraint in the extent of the increase. As a result, the 1061 Helen Rd project was reduced from the initial 11 townhouse units to 6 units. This level of housing density is already common in nearby lots, so the 1061 Helen Rd project will not place an excessive burden on community facilities.

The design of the 1061 Helen Rd project emphasizes flexibility. Each townhouse has an area of approximately 1,500 square feet. This size is not tailored to a specific type of housing supply; it can be used by local residents for homeownership or for long-term rentals, actively contributing to improved housing affordability.

Therefore, we see no reason for the 1061 Helen Rd project not to be supported. Some neighbors' opposition is driven by self-interest, without consideration for the overall benefit of the community. We hope the City Council will revisit and approve this project at the September 5th meeting.

Best regards,

Paul Zhan

Principal

E L I T E - D E S I G N

#5200-4000 No.3 Rd Richmond BC V6X 0J8

www.elitedesignfirm.com

T. 604.998.4932

From: Paul Zhan

Sent: Tuesday, July 2, 2024 10:11

To: info@ucluelet.ca <info@ucluelet.ca>

Cc: bgreig@ucluelet.ca <bgreig@ucluelet.ca>; jtowgood@ucluelet.ca <jtowgood@ucluelet.ca>; [REDACTED]

Subject: To Mayor and City Councils, regarding proposal for rezoning of 1061 Helen Rd to 6 units town home

Dear Mayor and Members of the Ucluelet City Council,

I hope this message finds you well. I am writing to advocate for the rezoning of the property at 1061 Helen Rd from a single family home designation to a residential cluster consisting of six individual units.

This proposal is in line with the broader policy direction in British Columbia aimed at increasing residential density. It is crucial that we do not allow the opposition of a few selfish neighbors to derail this proposal, which holds significant benefits for our community.

Numerous cities across the province have already implemented or are in the process of implementing policies allowing for the conversion of single family homes into multiple units. Councils in these cities have faced opposition from neighbors too, yet they have not let this hinder progress towards policies that serve the greater good.

Our proposal has already been scaled down from 11 townhouse units to 6 individual units, demonstrating substantial compromise. Similar projects with comparable residential density have been approved in adjacent community areas. If this proposal does not go through, our developer may withdraw from the project, causing Ucluelet to miss out on a valuable opportunity to address housing shortages.

I urge you to reconsider and uphold the correct policy direction that supports sustainable urban

development and meets our community's housing needs. I am eager to discuss this further and provide any additional information that may be helpful in your decision-making process.

Thank you for your attention to this matter. I look forward to your positive response.

Best regards,

Paul Zhan
Principal

E L I T E - D E S I G N
#5200-4000 No.3 Rd Richmond BC V6X 0J8
www.elitedesignfirm.com
T. 604.998.4932



From: [Patricia Sieber](#)
To: [Community Input Mailbox](#)
Subject: Public Hearing Sept. 3, rezoning of 1061 Helen Road
Date: August 27, 2024 3:46:55 PM

[External]

To the Mayor and Council, District of Ucluelet:

Re: Rezoning of 1061 Helen Road.

Those of us who oppose rezoning of 1061 Helen Road, have been accused being selfish and speaking from NIMBYism. We believe NIMBYism depends upon how we define our backyards.

Even an upgraded Helen Road would be too great a pinch point to support the density being proposed for Hyphocus. Granting this rezoning will set a precedent and will affect future decisions on the development of Hyphocus. For reasons of limited access, increased density is not desirable for Hyphocus. This decision to rezone and its impact do not exist in isolation. Actions in one part of this community have ripple effects.

The promise of affordable housing is given as the main reason that we should welcome this density. We question the assertion that this rezoning will address that need. Ucluelet is now a resort municipality. The usual rules of supply and demand driving house prices, does not apply in resort towns. Please consider what has happened in Whistler, Revelstoke and Tofino.

In the late 1990's I witnessed Revelstoke's little ski hill 's conversion into a world-famous destination. House prices began to soar. Those who saw Revelstoke as a place to increase their wealth began to buy up property. Land prices soared. The price of houses, both new and old, continued to soar. For at least two decades those who made decisions about community development tried all the usual routes to get more affordable housing built. However, as long as the housing market was driven by the desire of some to maximize return on their investment, increased supply only led to ever higher house prices. A look at both Whistler and Tofino shows the same trend.

Our little bit of paradise has turned into a place for people to visit briefly and then go back to their homes. Yes, these guests fuel our local economy. But we need to take a wide-eyed look at the effects upon our community. To provide the guests with an experience that makes them want to return, requires a local workforce. Guides for whale watching, kayaking, surfing and fishing, those who work in the stores and other businesses, those who work in the restaurants, in the aquarium, and so many more that you know of, need a place to live. If they wish to raise a family here, they need a home. It is these people who make a community, not the guests who come and go. It is also not the investors who do not really care what happens here once they have increased their wealth.

Given the urgency of the lack of housing may make you quick to grab any solution that is offered to you. Please take a closer look. If there are not strict rules about who will own the new dwellings, there is no guarantee that they will become affordable to locals. Even if they are rented to locals, if ownership is non-local the income from that rent leaves the community. If they are sold, then again there is no assurance they will be purchased by locals that wish to live in them. Again, profit from the sale leaves the community. The non-local owner can then

use the dwelling as a vacation home or rent it at competitive rates, either long or short term. Again, money leaves the community. The wealth generated from these transactions is not reinvested in Ucluelet. I ask, who benefits, who loses?

If there are no guarantees that changing the zoning for Hyphocus to allow increased density will solve the problem of affordable housing, is it wise to encourage this level of density in the least safely accessible part of town?

If we are labeled as speaking from a platform of NIMBYism, please know that we consider all Ucluelet to be our backyard.

Patricia Sieber

Carl Sieber

Silva Johansson

1058 Helen Road



REPORT TO COUNCIL

Council Meeting: June 25, 2024

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: ANNELIESE NEWEDUK, PLANNER

FILE NO: 3360-20 RZ22-04

SUBJECT: REZONING AND OCP AMENDMENT FOR 1061 HELEN ROAD

REPORT NO: 24-61

ATTACHMENT(S): APPENDIX A - OCP AMENDMENT BYLAW NO.1337, 2024
APPENDIX B - ZONING AMENDMENT BYLAW NO.1322, 2024
APPENDIX C - DEVELOPMENT PERMIT 22-13

RECOMMENDATION(S):

1. **THAT** Council give third reading to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024*.
2. **THAT** Council adopt *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024*.
3. **THAT** Council give third reading to the *District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024*.
4. **THAT** Council adopt *District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024*.
5. **THAT** Council authorize the Director of Community Planning to execute and issue Development Permit DP22-13.

BACKGROUND:

During the [February 27, 2024, Regular Council Meeting](#), the *District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024 (Appendix "A")*, and *District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024 (Appendix "B")*:

- received first and second readings;
- were considered in conjunction with the District of Ucluelet five-year Financial Plan, and the Alberni-Clayoquot Regional District Waste Management Plan;
- were advanced to a Public Hearing; and,
- the *OCP Amendment Bylaw No. 1337* was referred to the Yuuʷiʷitʷatʷ Government.

Notification was completed and a public hearing on the Bylaws was held prior to this report as part of this Council Meeting. Having conducted a Public Hearing, Council is now in a position to consider third reading and adoption of *Bylaw No. 1337* and *Bylaw No. 1322*. If the Bylaws are adopted, Council would be in a position to approve the issuance of Development Permit 22-13 (**Appendix "C"**). Background information can be found in the [February 27, 2024 Regular Council Meeting](#)

[Agenda](#) (item 6.1) and in the Public Hearing Information package for these Bylaws found in the Agenda for this Regular Council Meeting (item 5.1).

ANALYSIS OF OPTIONS:

A	Give third reading to and adopt <i>Bylaw No. 1337</i> and <i>Bylaw No. 1322</i>	<u>Pros</u>	<ul style="list-style-type: none"> The current zoning and designated long term use of the subject property would align. Would allow for increased diversity of housing options in Ucluelet.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> If adopted, would allow for the application to proceed.
B	Amend <i>Bylaw No. 1337</i> and/or <i>Bylaw No. 1322</i>	<u>Pros</u>	<ul style="list-style-type: none"> Would ensure Council’s expectations are met.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Further work to address the priorities of Council, If the Bylaw is amended, Council will have to direct staff to give notice for another public hearing.
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> THAT Council direct staff to bring back <i>Official Community Plan Amendment Bylaw No. 1337, 2024</i>, with the following amendments: <i>[specify desired changes]</i> for readings and public hearing at a future council date. <p>And/or</p> <ul style="list-style-type: none"> THAT Council direct staff to bring back <i>District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024</i>, with the following amendments: <i>[specify desired changes]</i> for readings and public hearing at a future council date.
C	Abandon <i>Bylaw No. 1337</i> and/or <i>Bylaw No. 1322</i>	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> Would not allow applicant’s development to proceed.
		<u>Implications</u>	<ul style="list-style-type: none"> Subject property’s current zoning and long-range designation would remain the same.
		<u>Suggested Motion</u>	No Motion Required.
If <i>Bylaw 1337</i> and <i>Bylaw 1322</i> are approved, Council would be in a position to consider the issuance of DP22-13.			
D	Authorize issuance of DP22-13	<u>Pros</u>	<ul style="list-style-type: none"> Allows applicant’s development to proceed.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Implications</u>	<ul style="list-style-type: none"> Approval will allow the application to proceed.
E	Provide Alternative	<u>Pros</u>	<ul style="list-style-type: none"> Would allow Council to meet their objective.
		<u>Cons</u>	<ul style="list-style-type: none"> Unknown at this time.

F	Direction on DP22-13	<u>Implications</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Suggested Motion</u>	THAT Council, with regard to Development Permit 22-13, <i>[provide alternative direction here]</i>
	Reject DP22-13	<u>Pros</u>	<ul style="list-style-type: none"> Unknown at this time.
		<u>Cons</u>	<ul style="list-style-type: none"> Does not allow applicant's development to proceed.
		<u>Implications</u>	<ul style="list-style-type: none"> The application would not proceed. Additional staff time will be required to follow up with applicant and consultants.
		<u>Suggested Motion</u>	THAT Council reject the application for Development Permit 22-13 <i>[noting which specific DP guidelines are not being adequately met]</i> .

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with the *Local Government Act*. This application would amend the *District of Ucluelet Official Community Plan Bylaw No. 1306, 2022*, and the *District of Ucluelet Zoning Bylaw No. 1160, 2013*, if adopted.

NEXT STEPS:

This would be the last step in the Bylaw adoption process. If approved, the attached DP would be signed by the Director of Community Planning, issued to the applicant, and notice will be filed with the Land Title Office.

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

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1337, 2024

A bylaw to amend the District of Ucluelet Official Community Plan
(1061 Helen Road – Land Use designation change).

WHEREAS Section 471 of the Local Government Act identifies the purposes of an Official Community Plan as “a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government”, and the District has adopted an Official Community Plan;

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

1. Map Amendments:

The “District of Ucluelet Official Community Plan Bylaw No. 1306, 2022, as amended, is hereby further amended as follows:

- A. Schedule ‘A’ Long Range Land Use Plan is hereby further amended by changing the designation of 1061 Helen Road; Lot B, District Lot 543 Native Island, Clayoquot District, Plan VIP78185 (PID 026-159-511), shown shaded on the map attached to this Bylaw as Appendix “A”, from Single Family Residential to Multi-Family Residential.

2. Citation:

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1337, 2024”.

READ A FIRST TIME this 27th day of **February, 2024.**

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this 27th day of **February, 2024**

READ A SECOND TIME this 27th day of **February, 2024.**

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

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

ADOPTED this day of , **2024.**

CERTIFIED A TRUE AND CORRECT COPY of “Official Community Plan Amendment Bylaw No. 1337, 2024”

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

DISTRICT OF UCLUELET**Zoning Amendment Bylaw No. 1322, 2024**

A bylaw to amend the “District of Ucluelet Zoning Bylaw No. 1160, 2013”.
(1061 Helen Road)

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

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

1. Text Amendment:

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

A. Replacing section R-2.1.2(1)(b)(i), as follows:

“(i) Despite the above, Multiple Family Residential is not permitted on Lot 3, Plan VIP76238, District Lot 543, Clayoquot Land District, Native Island [PID 025-815-059] and Lot A, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511]”

B. Adding section R-2.1.2(1)(b)(ii) in alphanumeric order, as follows:

“(ii) Despite other sections of this bylaw, Lot B, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511; 1061 Helen Road] Multiple Family Residential use is the only allowable principle use and the Multiple Family Residential use may be in a building or group of buildings containing one or more dwelling units, limited to a maximum of six units with a maximum total combined gross floor area of 1200m².”

2. Citation:

This bylaw may be cited as “District of Ucluelet Zoning Amendment Bylaw No. 1322, 2024”.

DEVELOPMENT PERMIT DP22-13

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

1. This Development Permit is issued to:

Haode Investments Ltd (The “**Permittee**”)

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

1061 Helen Road; Lot B, District Lot 543, Native Island, Clayoquot Land District, Plan VIP78185, [PID 026-159-511] (The “**Lands**”)

3. This Permit authorizes the following improvements on the Lands:
 - Six Multiple Family Residential Dwelling Units and associated driveway and landscape works (**Schedule 1**).
4. The permit holder, as a condition of issuance of this Permit, agrees to comply with the terms and conditions of **Schedule 2** which is attached hereto and forms part of this permit.
5. In addition to compliance with the terms and conditions listed in Schedule 2, the permit holder must adhere to all conditions of the Qualified Environmental Professional report in **Schedule 3** which is attached hereto and forms part of this permit.
6. Prior to any site disturbance or contractor mobilization, the permit holder must erect fencing or otherwise demarcate the no-disturbance area beyond the 20m shoreline setback and contact the District of Ucluelet to arrange a pre-construction inspection.
7. The work authorized by this Permit may only be carried out in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws. The Owner is responsible for ensuring that the timing of the work and any required permits or notifications by other agencies are obtained as required to comply with all applicable regulations.
8. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. The Owner shall substantially commence the development within 24 months of the date of issuance, after which this permit shall be null and void.
10. Upon completion of all proposed works, the Owner shall provide a letter from a QEP to the District of Ucluelet confirming that the work done under permit was completed meeting the conditions listed below.
11. This Permit is NOT a Building Permit.
12. The Municipality’s Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

AUTHORIZING RESOLUTION passed by the Municipal Council on the day of , 2024.

ISSUED the day of , 2024.

Bruce Greig
Director of Community Planning

Schedule 1
(see Appendix A)

Schedule 2

Terms and Conditions

As a condition of the issuance of this Permit, the Permittee representing the Lands hereby to comply with all following Impact Reductions and Mitigation Measures, determined by Qualified Environmental Professional (QEP) as necessary to avoid negative impacts to environmental habitats within and adjacent to the Property. Prior to any site disturbance or contractor mobilization, the permit holder must erect fencing or otherwise demarcate the no-disturbance area beyond the 20m shoreline setback, and contact the District of Ucluelet to arrange a pre-construction inspection.

1. A shoreline setback width of 20 m is being prescribed for the subject property, which is to be measured from the Present Natural Boundary of the shoreline (Figure 3). This vegetated setback encompasses the steeper portions of the backshore in which signs of slope instability were noted (Figures 3 and 4) and will ensure that they remain stable. Additionally, this setback will ensure that all the functions listed in Section 4.1 remain intact. Although no eelgrass was found in the intertidal zone, the mouth of the Ucluelet inlet shown as “Medium” importance for herring spawn in the Department of Fisheries and Oceans’ (DFO) Pacific herring (*Clupea pallasii*) spawn data for Barkley Sound. Populations of herring have not been assigned a conservation status provincially¹³; however, population health of the West Coast Vancouver Island herring stock is currently rebuilding after historically low population numbers in the early 2000’s, and biomass has not been sufficient for the DFO to permit a commercial fishery since 2005¹⁴.
2. Due to the known importance of the mouth of Ucluelet Inlet to a commercially important species that is undergoing a population recovery, no disturbance must take place within the 20m shoreline setback. As designed, the proposed development does not encroach into the recommended 20 m setback.
3. Due to the signs of slope instability noted within the backshore habitat as described in Section 3.2.3 above, it is important that drainage from the proposed construction of impermeable surfaces outside of the 20 m shoreline setback be designed in such a way so as not to exacerbate any potential instabilities. Rain runoff must not be channelized and must be allowed to infiltrate into soil prior to entering the 20 m shoreline setback. It is recommended that the developer work with an appropriately qualified engineer to design a site-specific drainage plan prior to construction designed to prevent any erosion of slopes within the 20 m shoreline setback.
4. The entire 20 m recommended shoreline setback is well vegetated with a native plant community. No enhancements are necessary to improve the slope stability or ecosystem functions provided by this setback, and therefore a landscaping plan is not recommended as part of this assessment. Invasive species consisting primarily of Scotch broom were noted on the subject property adjacent to Helen Road outside of the MSDPA. This portion of the property will be highly disturbed during construction. It is recommended that during the site clearing phase, any vegetation or soils containing invasive plants be bagged and disposed of at a landfill to prevent further spread.

5. It will be important to implement mitigation measures during the construction on the subject property to protect the sensitive backshore vegetation adjacent to the site.
6. The accidental release of petroleum, oils, hydraulic fluids, lubricants, concrete additives, anti-freeze or other hazardous materials onto land surfaces or into waterbodies is an offence under the Federal Fisheries Act and may result in degradation of habitat quality and could be a threat to human health. Machinery required for the proposed development will likely be limited to a generator to power hand tools, and trucks delivering materials to the site. Environmental protection procedures for handling and storage of fuels and hazardous materials shall include the following items:
 - a. A spill kit of appropriate capacity will be on hand at all times heavy machinery or gas-powered tools are in use during construction.
 - b. All identified spills will be cleaned up immediately, and contaminated soils and vegetation will be removed for appropriate disposal.
 - c. Refueling of equipment is to occur only at designated fuelling stations and located at least 20 m from the shoreline.
 - d. All fuel, chemicals, and hazardous materials will be clearly marked.
 - e. Pumps and jerry cans are to be placed on poly sheeting and sorbent pads to contain spills.
 - f. All equipment maintenance with the potential for accidental spills (e.g., oil changes, lubrications) will be done on a designated area at least 20 m from the shoreline. Tarps should be laid down prior to commencement of work to facilitate clean up.
 - g. In the event of a spill, the following guidelines should be followed:
 - i. Spills to the receiving environment are to be reported to Emergency Management BC (1-800-663-3456) if they exceed the reportable limits (e.g., 100 liters of fuel or oil).
 - ii. Apply sorbent pads and booms as necessary.
 - iii. Dispose of all contaminated debris, cleaning materials, and absorbent material by placing in an approved disposal site.
7. Specific measures to control sediment during construction will include:
 - a. Maintain/do not disturb vegetation within the prescribed 20 m shoreline setback.
 - b. Where there is a potential for silt runoff in the proximity of existing waterbodies, control devices will be installed prior to construction activities commencing.
 - c. Filter fabric dams, rock check dams, and silt fencing will be used as needed on a site-specific basis to control erosion. Filtration should be accomplished using filter fabric keyed into substrates and banks and elevated.
 - d. using stakes or straw bales. Silt fencing is not an acceptable mitigation technique to control erosion in flowing ditches; however, it is useful for containing slumping areas and for use as baffles to slow water velocities.
 - e. Excavation will be stopped during intense rainfall events or whenever surface erosion occurs affecting nearby waterbodies.

- f. Soil stockpiles will be placed a minimum of 20 m from any waterbody and in a location where erosion back into the marine environment cannot occur and will not impede any drainage.
 - g. Soil stockpiles with the potential to erode into waterbodies are to be covered with poly sheeting. Other techniques, such as terracing or surface roughening can greatly reduce surface erosion on steeper slopes.
 - h. Permanent exposed soil areas and erosion-prone slopes that may potentially erode into waterbodies are to be seeded or covered with geotextile.
 - i. Clearing will take place immediately prior to excavation and earthworks to minimize the length of time that soils are exposed. Vegetation in adjoining areas will not be disturbed.
8. All trees and native vegetation within the 20 m shoreline setback will need to be retained and protected, unless a tree is deemed hazardous by a certified arborist. Trees provide critical functions in backshore areas by providing shade, nutrient and leaf litter drop, large woody debris recruitment in both the foreshore and marine environments, and bank stability through their complex root networks. They also help retain soil and provide more favourable growing conditions for other understory shrubs and ground cover plants in the backshore area. As previously described, there will be significant clearing of existing vegetation from portions of the subject property; however, there are no plans for any vegetation removal within the 20 m shoreline buffer zone. Specific measures to protect trees during development will include:
- a. A root protection zone for all trees in the 20 m shoreline setback will be established prior to construction commencing. The root protection zone should be established at the edge of the drip line of trees within the 20 m shoreline setback. The root protection zone should be physically delineated and should be off-limits to machinery.
 - b. Machine access will be from the southwest side of the property.
 - c. Tree protection plans will be communicated to everyone on site prior to commencing construction.
 - d. If roots are encountered during construction, they should be first avoided if possible, and if they must be cut, they should be cut cleanly with a saw as opposed to shattered with machinery.
 - e. Care should be taken not to break any limbs of trees within the 20 m shoreline setback during construction. If any limbs are accidentally broken, they should be cleanly cut with a saw.
 - f. Should any issues arise with regards to potential changes to the impact on trees during development, it is recommended that an arborist be retained to provide guidance on the least impact approach to development around trees.

Schedule 3

(See Appendix F for environmental reports)



REPORT TO COUNCIL

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

FROM: JOSEPH ROTENBERG, MANAGER OF CORPORATE SERVICES **FILE NO:** 3900-25
SUBJECT: RECORDS MANAGEMENT BYLAW UPDATE - ADOPTION **REPORT NO:** 24-88
ATTACHMENT(S): APPENDIX A - RECORDS MANAGEMENT BYLAW NO. 1353, 2024

RECOMMENDATION(S):

THAT Council adopt Records Management Bylaw No. 1353, 2024.

BACKGROUND:

On July 30, 2024, Council gave Records Management Bylaw No. 1353, 2024 (the “Bylaw”) three readings. If adopted, the Bylaw would:

- replace the District’s outdated records management bylaw (Village of Ucluelet Retention and Destruction of Records Policy By-Law No. 648, 1994);
- formally authorize the District’s current records management system; and
- designate and authorize the District’s Manager of Corporate Services to manage and maintain the District’s records management system including the classification and retention schedules.

Since the Bylaw has received three readings, Council can now adopt it.

ANALYSIS OF OPTIONS:

A	Adopt Bylaw No. 1353, 2024	<u>Pros</u>	<ul style="list-style-type: none"> • Formal adoption of the District’s current record management system
		<u>Cons</u>	<ul style="list-style-type: none"> • None that Staff are aware of
		<u>Implications</u>	<ul style="list-style-type: none"> • Bylaw 1353 achieves compliance with records related legislation
B	Take no action at this time	<u>Pros</u>	<ul style="list-style-type: none"> • None that Staff are aware of
		<u>Cons</u>	<ul style="list-style-type: none"> • The District’s current record management system would not be adopted by Council.
		<u>Implications</u>	<ul style="list-style-type: none"> • No further Staff time would be required
		<u>Suggested Motion</u>	No motion is required.

NEXT STEPS:

- Staff will continue to develop and build out the District's record management manual, including related administrative policies and practices.

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

DISTRICT OF UCLUELET

Bylaw No. 1353, 2024

A bylaw to provide for records and information management

The Council of the District of Ucluelet, in open meeting assembled, enacts as follows:

Citation

1. This bylaw may be known and cited for all purposes as the “Records Management Bylaw No. 1353, 2024”.

Interpretation

2. In this Bylaw:

“**Chief Administrative Officer**” means the municipal officer appointed under section 147 [*chief administrative officer*] of the *Community Charter*, as amended or re-enacted from time to time;

“**District**” means the District of Ucluelet;

“**Manager of Corporate Services**” means the person so appointed by the Chief Administrative Officer;

“**record**” includes books, documents, maps, drawings, photographs, letters, vouchers, papers, and any other thing on which information is recorded or stored by graphic, electronic, mechanical, or other means, but does not include a computer program or any other mechanism that produces records;

“**records management system**” includes a system used by the District to manage the records of the District from record creation through to records disposal.

Records Management System Authorized

3. The records management system currently used by the District is authorized.

Compliance With Records Management System

4. All records in the custody and control of the employees of the District are the property of the District. All records of the District must comply with the records management system and this Bylaw. All employees, management, service providers, and volunteers of the District must comply with this bylaw.

Manager of Corporate Services

5. The Manager of Corporate Services is responsible for the management and maintenance of the records management system. The Manager of Corporate Services is authorized to manage and maintain the records management system.

Manual of Procedures and Policy

6. The Manager of Corporate Services is authorized to create and maintain a manual of procedures and policy (the “Manual”). Records of the District are created, accessed, maintained, and disposed of only as provided by the Manual.

Integrity and Authenticity Maintained

7. The records management system must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.

Authorization to Amend Manual

8. The Manager of Corporate Services is authorized to amend the Manual.

Compliance with Law

9. The records management system must comply with the Manual, applicable laws, and any provincial, national, or international standards adopted for use and contained in the Manual.

Repeal

10. Village of Ucluelet Retention and Destruction of Records Policy By-Law No. 648, 1994 and its amendments are repealed.

READ A FIRST TIME this 30th day of **July, 2024**.

READ A SECOND TIME this 30th day of **July, 2024**.

READ A THIRD TIME this 30th day of **July, 2024**.

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

CERTIFIED CORRECT; "Records management Bylaw No. 1353, 2024".

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer



REPORT TO COUNCIL

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

FROM: JAMES MACINTOSH, DIRECTOR OF ENGINEERING SERVICES

FILE NO: 1290-04

SUBJECT: PENINSULA ROAD PAVING UPDATE AND LINE PAINT OPTIONS

REPORT NO: 24-89

ATTACHMENT(S): APPENDIX A – PROPOSED AND EXISTING LINE PAINTING OPTIONS

RECOMMENDATION(S):

THAT Council authorize Option A of the highway line painting configuration to be completed as presented in Report No. 24-89.

BACKGROUND:

In April 2024, Council approved the rehabilitation and repaving of a prioritized section of Peninsula Road through a \$2,400,000 funding agreement with the Ministry of Transportation and Infrastructure (MoTI). The agreement stipulates that funds must be used solely for Peninsula Road, as far as the budget will stretch, and must be spent within the current year without exceeding the allocated budget. This project included a change order to the Hazelwood Construction Services contract for the same amount and an amendment to the five-year financial plan.

Project Overview

- **Section 1:** The original plan focused on repaving the section between Seaplane Base Road and Bay Street, aligning with Phase 1 of the boulevard project.
- **Section 2:** With remaining funds, the scope was expanded to include the area beyond Seaplane Base Road toward Forbes Road.

Both sections were successfully completed in mid-July, just in time for the Ukee Days parade.

Budget and Scope Management

The project team has carefully managed scope expansions due to limited funds from MoTI. After completing Sections 1 and 2, \$471,000 remains available for additional highway paving.

Next Section

- **Section 3:** The next identified section for paving is between Bay Street and Main Street. Initially deprioritized due to budget constraints and the need for future utility upgrades, this section is now reprioritized due to the remaining funds available, the necessity to utilize MoTI's funding, and the need to repair the deteriorated section. The District will address utility replacements in the future as capital becomes available.

Schedule and Impact

The work is tentatively planned to begin late September, with detailed coordination to follow Council's approval. Section 3 will require approximately three weeks of work, including milling the asphalt surface and laying down two layers of asphalt, similar to the previous sections. Unlike the previous sections, Section 3 will not include concrete works (sidewalks, curbs, gutters, driveway aprons), reducing disruption to businesses and occupants along the corridor.

Traffic and Communication Plan

Access to businesses will remain open, with intermittent interruptions over the three-week period. Single lane alternating traffic patterns will be used. Project communications will follow the same approach as previous paving works, with the schedule shared with the community via Ukee Mail and social media. Localized handouts will be provided to businesses and occupants along the corridor, detailing key dates, expectations, traffic management plans, and contact information for further inquiries.

Highway Pavement Design and Permit

Paving designs for Section 3 have been completed and received a high-level cost estimate. The design can be executed within the remaining funds. The designs have been submitted to MoTI for feedback, with initial responses being positive. The Ministry has confirmed that our permit will be amended and fast-tracked to accommodate the additional section of paving.

Line Painting Configuration

The design includes two configuration options for line painting, impacting pedestrian safety and parking. Both line painting configurations are provided in Council's agenda for consideration and direction. The first option includes modifications to improve parking and pedestrian safety by formalizing parking spots and adding a pedestrian path on the eastern side of the highway between Main Street and Bay Street. The second option retains the existing layout without improvements. Both options cost the same and can be completed with the available funds.

ANALYSIS OF OPTIONS:

Option A: Improve the existing configuration by installing a painted pedestrian path along the eastern side of Peninsula Road and formalizing parking stalls. The eastern side of Peninsula Road lacks a sidewalk or pedestrian path, forcing people to walk along the highway shoulder or in the travel lane with vehicles. The lack of safe pedestrian infrastructure is a significant safety concern, having led to near-misses, minor incidents, and ongoing concerns over the years. The goal is to proactively address these issues to prevent a serious accident. Despite several sidewalk installation designs developed over the past decade, insufficient funding has prevented their implementation. The original Peninsula Road Safety and Revitalization project planned to include a sidewalk in this location, but it was cut due to budget limitations.

Option A would paint in a sidewalk, offering an economical and easy-to-install solution. A concrete sidewalk could be installed on top of the paint in future years as funds become available. The configuration provides a standard travel lane, parking lane, and dedicated walking path, consistent with streetscape standards throughout BC and already in place on Peninsula Road. The road right-of-way is adequate to install two travel lanes, two parallel parking lanes, and two sidewalks or pedestrian paths on both sides without issue.

Option B: Repave the highway and reinstate the existing line paint without modifications.

Option C: Direct staff to cancel the repaving of the highway.

A	Install a painted pedestrian path along the eastern side of Peninsula Road.	<u>Pros</u>	<ul style="list-style-type: none"> • Enhances pedestrian safety by providing a dedicated space, reducing the risk of accidents. • Provides a low-cost solution that sets the stage for future installation of a concrete sidewalk when funds become available. • Improves the overall streetscape, contributing to a more organized and attractive downtown area. • Encourages foot traffic, which can benefit local businesses. • Aligns with long-term planning goals for pedestrian infrastructure improvements. • Demonstrates proactive action to address long-standing safety concerns.
		<u>Cons</u>	<ul style="list-style-type: none"> • The painted path is a temporary solution and may require maintenance until a permanent sidewalk is installed. • Potentially gives the initial feeling of a narrower road width of the roadway.
		<u>Implications</u>	<ul style="list-style-type: none"> • This option is cost-effective and fits within the current budget, allowing for timely completion within the scheduled three weeks. It provides an economical solution with the potential for future upgrades to a concrete sidewalk as funds become available.
B	Repave the highway and reinstate the existing line	<u>Pros</u>	<ul style="list-style-type: none"> • Maintains the current traffic flow and road layout, which is familiar to drivers and residents.
		<u>Cons</u>	<ul style="list-style-type: none"> • Does not address the long-standing safety concerns for pedestrians, leaving them vulnerable.

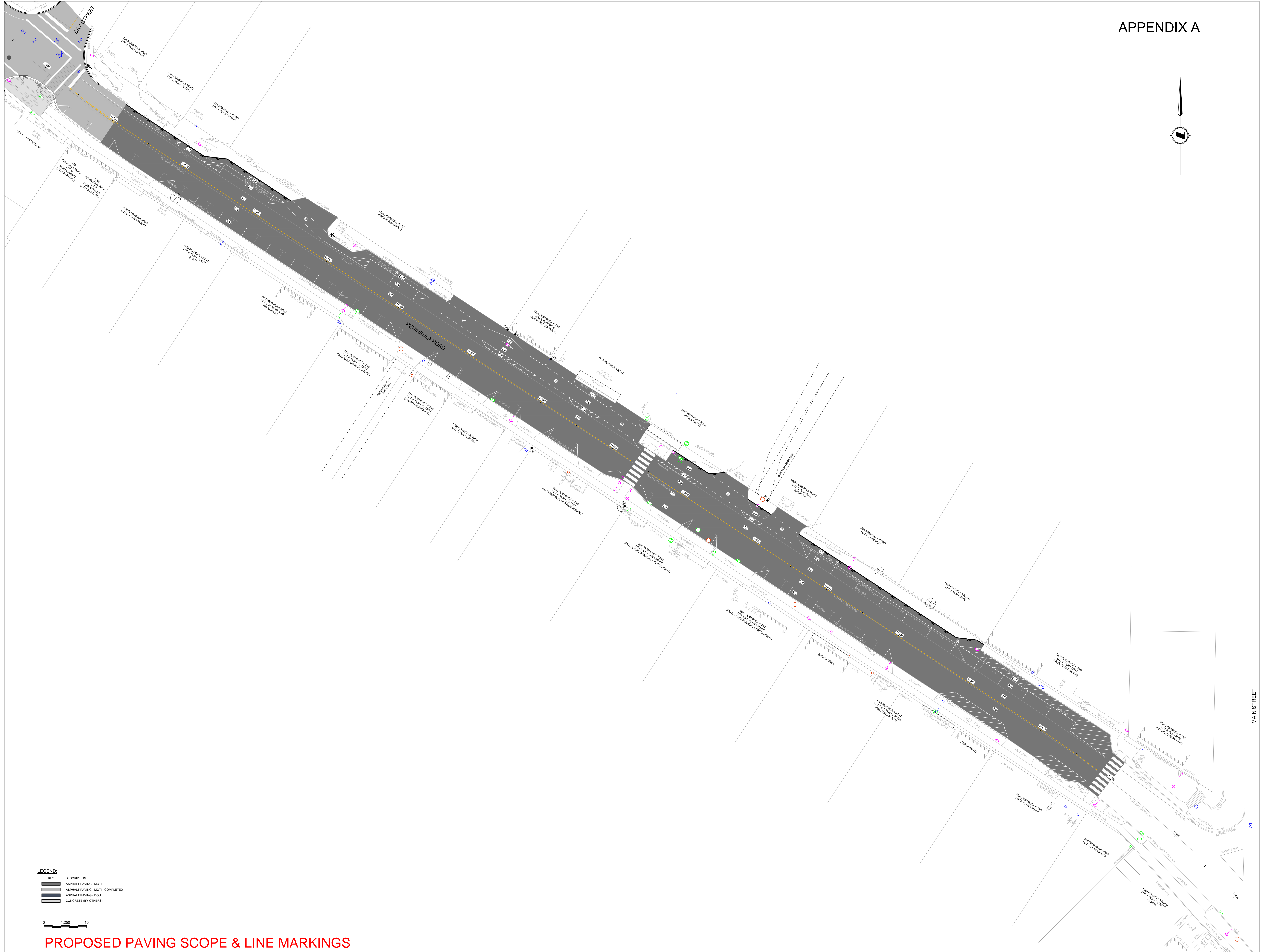
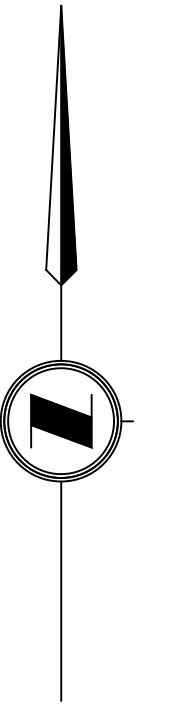
	paint without modifications.		<ul style="list-style-type: none"> Missed opportunity to improve the streetscape and prepare for future enhancements.
		<u>Implications</u>	<ul style="list-style-type: none"> This option keeps costs within the existing budget and completes within the planned timeline. However, it does not address safety concerns or enhance the streetscape, missing an opportunity for immediate improvement.
		<u>Suggested Motion</u>	THAT Council direct staff to reinstate the existing line paint configuration.
C	Direct staff to cancel the repaving of the highway.	<u>Pros</u>	<ul style="list-style-type: none"> Avoids any short-term disruptions to businesses and traffic in the downtown area.
		<u>Cons</u>	<ul style="list-style-type: none"> The current degraded road condition would persist, potentially leading to higher repair costs in the future. Loss of an opportunity to enhance the safety and appearance of a key downtown corridor. MoTIs funds would be returned to the Ministry.
		<u>Implications</u>	<ul style="list-style-type: none"> Cancelling the repaving results in returning the capital to MotI. This option eliminates short-term disruptions but delays improvements and could result in longer-term delays.
		<u>Suggested Motion</u>	No motion is required.

NEXT STEPS:

Following Council's direction, the next steps will include:

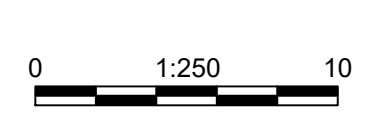
- Completing detailed planning for Section 3, including final design, updated cost estimates from the contractor, scheduling, and traffic management planning.
- Continuing communication with MoTI to finalize the design and permit amendment.
- Once complete, staff will provide a comprehensive report to Council summarizing the entire project, including financial updates, lessons learned, successes and challenges, and potential next steps.
- Initiating discussions with MoTI regarding future phases, including potential safety upgrades to the intersection of Main and Peninsula Road, and completing paving down Main Street to the dock.
- Developing a maintenance management plan, to be completed in the new year, which will formalize maintenance responsibilities and ensure the highway remains in a safe and functional condition for years to come.

Respectfully submitted: James MacIntosh, Director of Engineering Services
Duane Lawrence, CAO

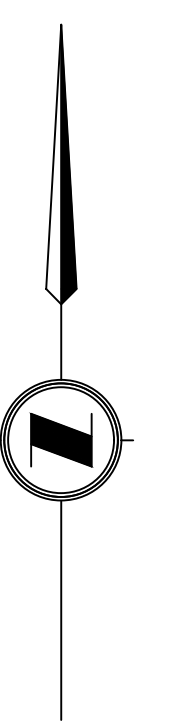


LEGEND:

KEY	DESCRIPTION
	ASPHALT PAVING - MOTI
	ASPHALT PAVING - MOTI - COMPLETED
	ASPHALT PAVING - DOU
	CONCRETE (BY OTHERS)

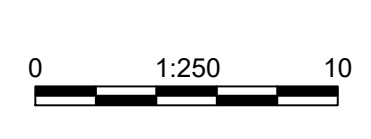


PROPOSED PAVING SCOPE & LINE MARKINGS

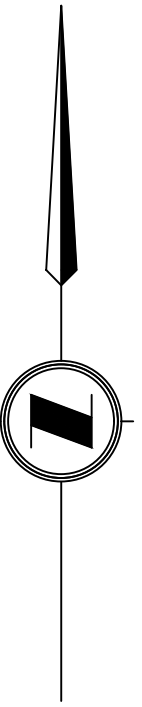


LEGEND:

KEY	DESCRIPTION
	ASPHALT PAVING - MOTI
	ASPHALT PAVING - MOTI - COMPLETED
	ASPHALT PAVING - DOU
	CONCRETE (BY OTHERS)



PROPOSED PAVING SCOPE & LINE MARKINGS c/w ORTHO



0 1 250 10

EXISTING CONDITIONS (ORTHO)

FROM: MADELEINE HAYNES, PLANNING ASSISTANT

FILE No: 4320-20-2024

SUBJECT: MOBILE VENDING APPLICATION – KIKAN

REPORT NO: 24-90

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

RECOMMENDATION:

THAT Council approve the issuance of a mobile vending business license for the “KIKAN” food truck proposed to be located at 1708 Peninsula Road, Lot 1, Plan VIP5190, Clayoquot District.

PURPOSE:

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



Figure 1 – Subject property

BACKGROUND

An application was received August 2nd, 2024, to operate a new food truck, KIKAN, on the ANAF property (see **Appendix “A”**). The applicant currently operates the KIKAN food truck at the Junction Campground. Upon approval of the business license, the applicant intends to replace one of the existing vendors currently located on the ANAF property by next spring.

DISCUSSION:

According to Section 6.1 of *Ucluelet’s Business Regulation and Licensing Bylaw No. 922, 2003*, all licenses for mobile vendors must receive approval from Council prior to issuance.

In October 2022, Council granted approval for a development permit (see **Appendix “B”**) that allows up to three licensed mobile vending units to operate on the ANAF property. This existing development permit allows the applicant to seek Council approval for their license without the additional requirements related to landscaping and form and character elements already addressed in the development permit.



Figure 2 – Trailer photo

The application does not involve any proposed changes to the conditions of the development permit, and the new food truck would operate similarly to the other vendors on site.

ANALYSIS OF OPTIONS:

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

POLICY OR LEGISLATIVE IMPACTS:

This application is consistent with the *Business Regulation and Licensing Bylaw No. 922, 2003*, and the conditions of the existing Development Permit DP22-08.

NEXT STEPS:

If this application is approved by Council the mobile vending business license can be processed and, subject to meeting all other bylaw requirements, issued to the applicant.

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



Business Licence Application

Businesses operating in the District of Ucluelet are required to have a valid business licence. Completion of this form does not guarantee approval of a business licence, nor should business be commenced prior to a licence being issued. Please fill out both pages of the application and submit with your \$35 application fee to District of Ucluelet.


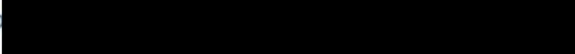
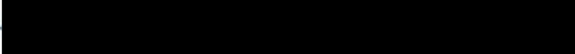

Type of Application

- New Licence Change of Owner


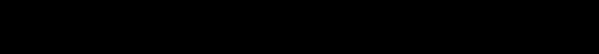
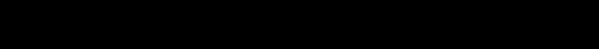
All other changes to business, please use the "Change In Business Application" Form – available at ucluelet.ca

Applicant & Property Owner Information

APPLICANT

Name: Genevieve Kang
 Address: 
 Postal Code: 
 Email: 
 Phone: 

PROPERTY OWNER

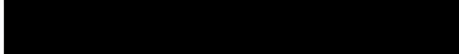

Name: Bronwyn Kelleher
 Address: 1708 Peninsula Road
 Postal Code: 
 Email: 
 Phone: 

Business Contact Information

Business Name: KIKAN
 Business Location Address: 2695 Tofino Ucluelet Hwy.
 Business Mailing Address: 
 Business Email Address: hello@kikanco.co Business Phone: _____
 Business Website Address: ~~www.kikan.com~~ www.kikanco.co

Notice of Personal Information Collection: The personal information on this form is being collected for the purpose of processing your application in accordance with section 26(c) of the Freedom of Information and Protection of Privacy Act. For more information about how this information will be used, please contact the Manager of Corporate Services at 250-726-7744. NOTE: The contact information provided in the Business Contact Information section of this form is not considered personal information and will be released upon request.

The undersigned makes an application as specified herein, and declares that the information submitted in support of the application is true and correct in all respects and consents to business contact information being made available to the public and posted on the District of Ucluelet website.

Applicant's Signature:  Date: August 21/24
 Property Owner's Signature OR  Date: August 21/24

Property Owner's Authorization Letter attached to application.

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

Approved this _____ day of _____, 20_____.

District of Ucluelet Approval: _____ Business Licence No: _____

Business Information	
Type of business	Food Truck / Restaurant
Brief description of business (Staff will use to verify type of business listed above)	modern eatery serving Asian soul food, prioritizing seasonality and supporting local agriculture; nutritionist-designed
Uses currently contained on the property:	private club + food trucks
To the best of your knowledge is the property subject to a Development Permit?	Active Development permit 22-08
Will there be any discharge into the District sewers other than domestic sewage? i.e. mash from breweries, commercial kitchen etc Please describe.	

ALL ACCOMODATION PROVIDERS (INCLUDING BED AND BREAKFASTS) FILL OUT THIS SECTION		FOR STAFF USE
Indicate the number of bedrooms	Provide a to-scale floor plan that shows the accommodation use (identify max 3 B&B rooms if applicable).	
Indicate number of off-street parking spots provided	Provide site plan that clearly shows parking (including residence and B&B spots if applicable).	

BED & BREAKFAST PROVIDERS		FOR STAFF USE
For Owner- Operators: I authorize District of Ucluelet staff to search the District of Ucluelet Home Owner Grant records which include owner name, address, roll number and other tax information to verify my residency at the Bed and Breakfast premises in order to establish compliance with the Ucluelet Business Regulation and Licensing Bylaw No. 922, 2003 (as amended). Applicant Signature: _____ Date: _____	Home Owner's Grant proof confirmed	
For Non-Owner Operators: Provide (IN PERSON) one of the following to establish proof of residency: Bills with name and address; Identification with name and address; Tax notices with name and address; Insurance documents; Vehicle Registration; OR Other proof of residency	Non-owner resident proof confirmed	
Phone number where the B&B operator is available to respond to business-related matters		
Bed & Breakfast - Acknowledgement and Agreement to Bylaw No. 1160, 2013 I have read and understood Section 404 of Bylaw No. 1160, 2013 and agree to abide by the terms set therein		Applicant Initial _____

RESTAURANTS, CAFES AND LICENCED ESTABLISHMENTS FILL OUT THIS SECTION		
Number of seats available		
Number of off-street parking spots provided		
Are you a licenced establishment? If "Yes" provide copy of Liquor Licence	Yes, I will provide a copy of liquor licence	<input checked="" type="checkbox"/> Not Applicable
VIHA Health Certificate	Yes, I will provide a copy of the health certificate	

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

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

August 16, 2024

To Whom It May Concern:

In addition to my previously submitted business license application, please see the following statement providing more details about my business, including plans for grease/waste water management.

—

Genevieve Kang, owner of KIKAN food truck, currently located at JX Relic, 2695 Tofino Ucluelet Highway, V0R 3A0, is applying for a business license for mobile with the intention of replacing one of the current vendors at 1708 Peninsula Road, V0R 3A0 by spring 2025—pending approval of this business licence and VIHA. Currently, KIKAN is permitted by FNHA.

There are no anticipated changes to the business other than location, all other aspects shall remain the same.

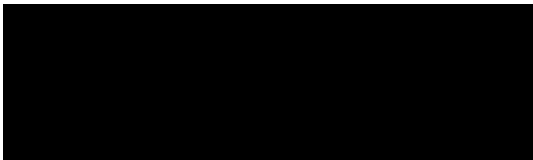
Regarding grease/waste and water management, the business will be using a grease trap like the 2 other food trucks positioned at the ANAF, as well as employing the pump and haul method of grey water until the permanent plumbing is complete. There is an agreement with the Ucluelet Campground for daily disposal of grey waste using their onsite dump facility.

For any further questions, please contact me directly.

Thank you,



Genevieve Kang





DEVELOPMENT PERMIT DP22-08

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

1. This Development Permit is issued to:

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

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

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

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

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

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

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

5. The applicant shall ensure any mobile vending operators operating on their property adhere to the Mobile Food Premises Guidelines attached to this Permit as **Schedule B**, and forming part of this Permit.
6. The applicant shall, within six months of the date of issuance, complete the landscaping as shown in **Schedule A**, including screening the portable toilet from view of the public road, and landscaping along the parking to screen from the public road – plans to be reviewed and approved by the Director of Planning;
7. This permit is issued on the condition that the permit holder shall, within five years from the date of issuance, replace the portable toilet(s) with permanent public washroom facilities and comprehensive, permanent landscaping improvements – plans to be reviewed and approved by the Director of Planning.
8. The work authorized by this Permit may only be carried out:
 - a. in compliance with the requirements of the District of Ucluelet Zoning Bylaw No. 1160, 2013.
 - b. in compliance with all federal, provincial, and municipal statutes, regulations, and bylaws.
 - c. Notice shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.



9. This Permit is NOT a Building Permit.

10. Schedules "A" and "B" attached hereto shall form part of this Permit. The Municipality's Chief Administrative Officer is hereby authorized to approve minor amendments to the plans provided that such amendments are consistent with the overall character and intent of the original plans.

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

ISSUED the 6th day of October, 2022.

OWNER
by its authorized signatory



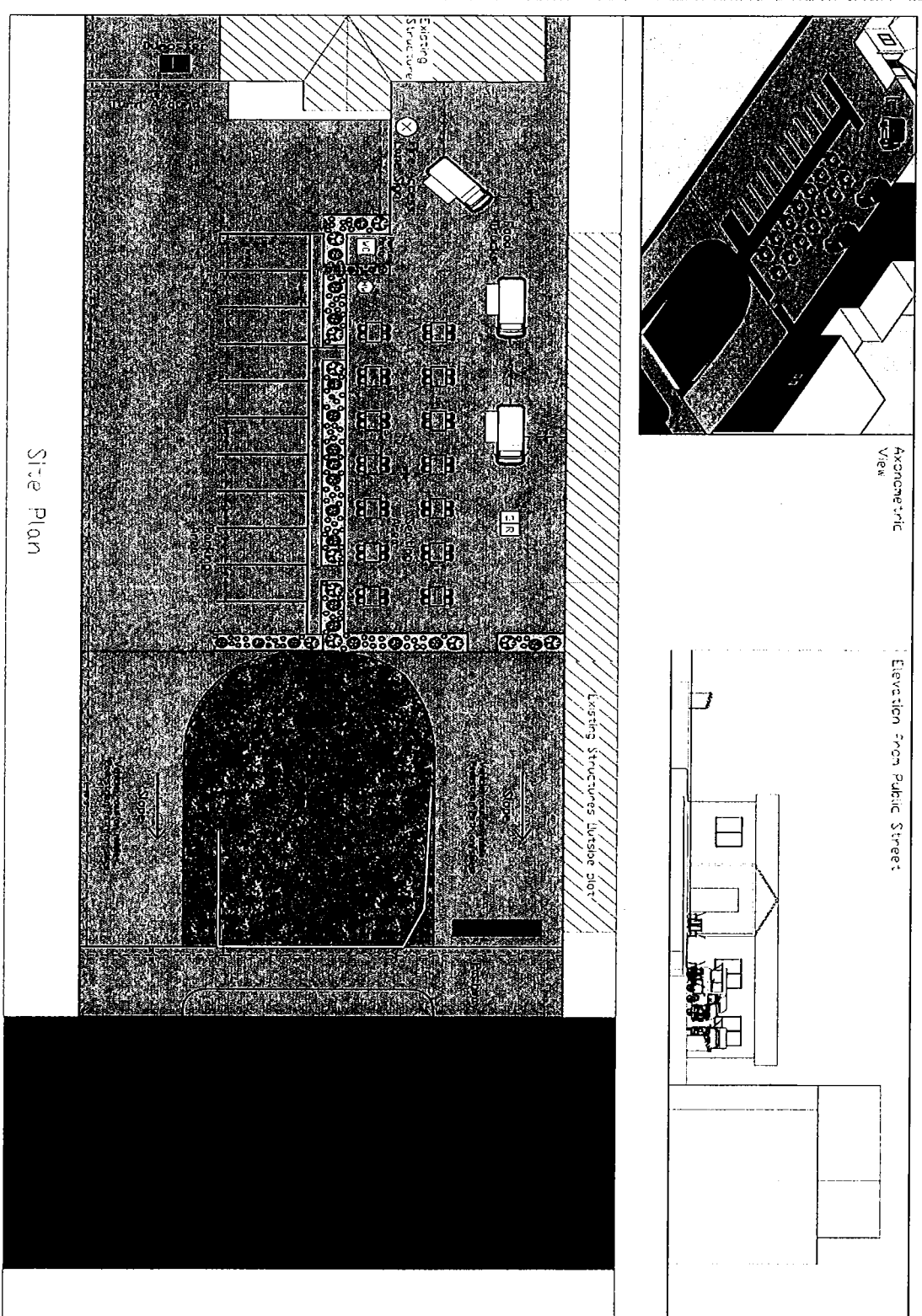
Permittee's Signature



Bruce Greig - Director of Community Planning



SCHEDULE A





SCHEDULE B



Mobile Food Premises Guidelines DoU 2022

Purpose

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

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

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

Utilities Guidelines for Mobile Food Premises in the District of Ucluelet

Gas, Propane and Electrical

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

Greywater Disposal

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



Fresh Water Connections

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

Blackwater Disposal

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

Solids Waste Disposal

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

From: [REDACTED]
To: [Community Input Mailbox](#)
Cc: [REDACTED]
Subject: submission to Mayor and Council - support for new stop signs
Date: August 27, 2024 1:54:06 PM

[External]

Dear Mayor and Council

I am writing to express my strong support for the new stop signs on Peninsula at Bay St. As a 50 year resident of Holly Crescent, I often use Bay St to exit onto Peninsula and have noted how dangerous this has become in recent years, with people speeding down Peninsula and the overall high level of traffic, particularly during the summer months. The new stop signs on Peninsula, creating a four way stop intersection, have been a very welcome and appreciated change. I recognize that there has been criticism of these new stop signs, so wanted to indicate my support. For anyone who regularly uses Bay St, the ability to safely enter into and exit off of Peninsula is a relief. The new stop signs also have the added benefit of slowing down traffic on Peninsula, where speeding down the street is all too common and very dangerous, particularly given pedestrians crossing at the cross walks and people exiting parking spaces. The one request I would make would be that this intersection be more clearly marked as a 'four way', with the addition of 'four way' signs added to the stop sign poles under the stop signs, as is the case with the four way stops in Tofino.

Regards,
Dan Edwards
1652 Holly Crescent, Ucluelet

From: [Jaime](#)
To: [Community Input Mailbox](#)
Subject: For Council - 4 way stop
Date: August 16, 2024 1:45:52 PM

[External]

Your Honourable Mayor and Council,

I recently read an article in the Westerly News reporting on Council's conflicting views of the new four-way stop sign at Bay Street and Peninsula Road, and want to add my two cents for Council's consideration.

As a west coast resident and mother of two young children, I am greatly in favour of this new traffic calming addition. The improvements to Peninsula Road, as well as the new MUP on Larch Road not only look wonderful but have increased pedestrian and driver safety.

Ucluelet is seeing increasingly busy summer seasons and with that more vehicle traffic. It was often dangerous to cross traffic on Peninsula Road from Bay Street as visibility is low and traffic was fast.

As my children are learning to walk, run, and ride bikes I thank you so much for prioritizing pedestrian safety. I urge Council to retain the new traffic calming 4-way stop sign.

Kindly,
Jaime Larsen

Sent from my iPhone

From: [Patricia Sieber](#)
To: [Community Input Mailbox](#)
Subject: 4 way stop at Bay and Peninsula
Date: July 31, 2024 2:53:59 PM

[External]

I see that council will discuss the new 4 way stop at Peninsula and Bay Street. I recognize that it has come as a surprise and like so many other changes, has rattled some. Frankly, I am in favour and was one of the ones suggesting it at the open house exploring the Peninsula Road improvements. For years I have hated driving around Ucluelet in tourist season because once off Peninsula it takes a very long time to return to Peninsula. There is often non stop traffic both ways. The stop at Bay at least gives drivers a fair chance to merge onto Peninsula. Certainly it can use better marking, so that all realize it follows the rules of 4way stops and is not just a stop sign.

Patricia Sieber
1058 Helen Road

From: [Michelle Hall \(CBT\)](#)
To: [Community Input Mailbox](#)
Subject: Request for a letter of Support - CBT - Clayoquot Sound Biosphere Centre
Date: August 1, 2024 2:37:52 PM

[External]


Dear Mayor & Council,

The CBT would like to request a letter of support for REDIP funding for the soon to be built [Biosphere Centre](#).

REDIP - [Rural Economic Diversification and Infrastructure Program \(REDIP\) - Province of British Columbia \(gov.bc.ca\)](#)

We will be submitting an application in October and have begun collecting updated letters of support. I can provide a template to make it easier

Thank you for helping to coordinate,
Michelle

Michelle Hall
Donor Relations & [Biosphere Centre Campaign](#)
Clayoquot Biosphere Trust

316 Main Street, PO Box 67
Tofino, BC, V0R 2Z0

We acknowledge the territories of hiškʷiiʔath̓ (Hesquiaht First Nation), ʕaaḥuusʔath̓ (Ahousaht), ʕaʔuukʷiʔath̓ (Tla-o-qui-aht First Nations), Yuuʕuʔiʔath̓ Government (Ucluelet First Nation), and tukʷaaʔath̓ (Toquaht Nation) in the spirit of truth, healing, and reconciliation.

From: [Lara Kemps \(Black Rock Resort\)](#)
To: [Community Input Mailbox](#)
Cc: [Adele Larkin \(Black Rock Resort\)](#)
Subject: FW: Water situation
Date: August 5, 2024 9:49:35 AM

[External]

Dear Mayor and Council,

I hope this letter finds you well. I am writing to bring to your attention a critical issue that Black Rock Oceanfront Resort has been repeatedly facing concerning the water, which has significantly impacted our operations and guest experience.

Over the past year and beyond, we have been experiencing persistent problems with the water supply at the resort. This situation has not only inconvenienced our guests but has also resulted in substantial financial losses for our establishment. Specifically, we have incurred losses exceeding \$20,000 in damaged linens due to the poor water quality. Additionally, in our efforts to ensure guest satisfaction and safety, we have distributed hundreds of dollars' worth of bottled water and the purchase of extra cleaning supplies.

The quality and reliability of the water supply are fundamental to the operation of any hospitality business. The ongoing issues have not only strained our resources but have also put us at risk of receiving negative reviews, please see below, and losing future business, which could have long-term repercussions for the resort and, by extension, the local economy.

We have brought this issue to your attention before, yet the problem persists. We would also like to inquire about the status of the grant funding for the water filtration system. When is this system expected to be implemented? Additionally, we would like to understand the plans for business support in the meantime. Is there financial assistance available for businesses that have been adversely affected by the current water situation?

We kindly request the District of Ucluelet's immediate attention to this matter. It is imperative that we find a prompt and effective solution to the water issues to prevent further damage and financial loss. We are committed to working closely with the district to address and resolve this situation as quickly as possible.

Your understanding and cooperation in this matter are greatly appreciated. We look forward to your prompt response and assistance in rectifying this pressing issue.

Sincerely,

Lara Kemps
Assistant General Manager
Black Rock Oceanfront Resort
PO Box 310, [596 Marine Drive, Ucluelet, BC V0R 3A0](#)
250-726-4807

Set in Nature. Designed for Comfort
Black Rock Oceanfront Resort resides within the Yuulu?il?at? -



Ucluelet First Nation traditional territory, of whose ancestral lands we work and play

We arrived late in the day, enjoyed our dinner at the Big Beach, and lounged around for a bit in our room. We drank water at our unit during the evening unaware until we began filling the bathtub the water was polluted. With the tub half full, the water was a medium to dark brown with a heavy layer of oily looking stuff on the surface. There were amoebic looking globs floating throughout the water and it smelled a bit “off.” We drained the tub, then refilled it with the same result. We went to bed, as we had an early day ahead. During the night my wife began vomiting, which continued for some time, and I experienced stomach pain that lasted much of the night. By mid morning, we both felt okay. That morning before leaving the hotel, I reported the incident to the desk clerk. He told me the problem was related to cleaning the water system, which happens once a week during summer. I asked him if the tap water is safe to drink. He said “no” then handed me two bottles of water. At some point the following evening, I cleaned the brown, oily mess from the tub, which took awhile, ran all the faucets in the unit for about fifteen minutes, then refilled the tub. When full the water still had an amber hue and a slight oily sheen on the surface. The next morning at checkout, we mentioned the water issues to the person at the front desk, got kind of a blank stare and a meek “sorry,” and then we left. Our impression is that this is an ongoing situation at your hotel. If it is, I’m surprised you haven’t been shut down by health authorities. I cannot recommend your hotel. (And I’m out of writing space.)”

**MONTHLY
Mayor's / Chief's / President's
POLICING REPORT
July, 2024
Ucluelet Detachment
"E" Division
British Columbia**



Calls for Service: 184

Annual Performance Plan (A.P.P.'S) Community Priorities

- (1) Crime Reduction
 - a) Speed Enforcement / Awareness
- (2) Build and Maintain Relations with the Community
 - a) Community Involvement
 - b) Reconciliation
- (3) Vulnerable Persons
 - a) Community Referrals

High Risk Charges

Domestic Violence Charges: 0

Sexual Assault Charges: 0

Crime Reduction

Road Safety

Check stops: 0

Impaired Driving: 5 files

Traffic Tickets: 14

Written Warning: 1

Build and Maintain Relations with the Community

Community Involvement

- Members joined a local soft ball team and continue to play.
- Members attended the West Coast Community resources meetings
- Members attended the Ucluelet Community Center daycare and participated in a walk to the playground.
- Members attended the Ucluelet community lunch.
- Members have been making foot patrols in the whiskey dock and business area.
- Members have begun extra patrols focusing on impaired driving within the communities.
- Members have begun extra speed enforcement within the playground zone in front of the schools.
- Members participated in the Canada Parade.
- Members participated in the Ukee days parade with a police float.

Reconciliation

- Cst. HARRY continues to dedicate a considerable amount of his personal time by participating in the following:
 - a) Took out elders, visited with elders locally and outside of Ucluelet, had tea and meals with elders.
 - b) Attended to the Macoah community lunch.
 - c) Attended a cultural dinner in Hitacu.
 - d) Attended Hitacu fire hall to speak to elders on recent community deaths.
 - e) Attended Hitacu daycare for a visit.
 - f) Attended Hitacudock while on foot patrol and visited with youth who were fishin.
 - g) Attended the youth summer camp to visit with youth.
 - h) Attended the bike rodeo in Hitacu then held a barbeque when finished.
 - i) Attended a community funeral in Hitacu.
 - j) Helped conduct a harbor patrol.

- Detachment members have continued to do proactive visits to the communities to open positive interactions with community members.

Vulnerable Persons

Community Referrals

3 for the month of July

Other Police Services

Criminal Record Checks

Criminal record / Vulnerable Sector checks: 10

OCCURRENCES	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Assaults (Not including sexual assaults)	5	23	4	50
Sexual Offences	3	7	1	13
Break and Enters (Residence & Business)	3	8	1	18
Theft of Motor Vehicle	0	5	1	6
Theft Under \$ 5000.00	3	24	2	22
Theft Over \$ 5000.00	1	3	2	8
Drugs (Possession)	0	3	0	3
Drugs (Trafficking)	0	3	0	3
Causing a Disturbance	9	37	6	45
Liquor Act	21	39	6	34
Mischief - damage to property	5	24	2	24
Mischief - obstruct enjoyment	2	13	10	31
Impaired Driving	5	21	6	44
IRP / 24 hr suspension	7	29	4	16
Utter threats	1	13	0	13
Bylaw	4	20	4	52
Mental Health	10	42	5	57
Total Calls for service	184	825	159	1199

JUSTICE REPORTS	Current Month	Year to Date	Current Month of previous year	Previous Year Total
Victim Services Referral - Accepted	1	14	0	17
Victim Services Referral - Declined	1	11	2	17
Victim Services - Proactive Referral	1	1	0	1
Restorative Justice Referrals	0	1	0	0
Prisoners Held	10	28	4	38
Prisoners escorted	1	1	2	11
Liquor Destroyed Immediately	13	27	0	8

Should you have any questions or concerns regarding this report, please feel free to contact me to discuss.

Prepared by: Sgt. Marc JONES

Telephone: 250 726-7773

Email: marc.jones@rcmp-grc.gc.ca

Extended Distribution List:

District Advisory NCO

From: [Lisbeth Edwards](#)
To: [Info Ucluelet](#)
Subject: Development
Date: July 30, 2024 1:13:48 PM

[External]

Greetings. I went to the open house regarding the development of Hyphocus Island last night. I did not attend the first meeting. It was pointed out to me, that they had cut back on their original proposal. Creating more green spaces. I see that there are 73 lots. Most of them will be built with secondary long-term housing. I believe that the figure of \$700,000 was a starting price. A friend of mine did some quick math on her phone and said the monthly mortgage payments will be at least \$3500 per month.

I did a little math in my head and 73 lots will bring 146 newcomers at the least. If each has extra housing that could bring in another 146 people. Many will have children. Perhaps as many as 500 people live there. I spoke to someone there regarding Helen Rd, where I live. The traffic along Helen is terrible. In part from the people dropping off their children at school. Then they race along Helen to avoid any more stops! Then perhaps another 500 vehicles will race along Helen.

I understand that there is a plan to put a sidewalk from there to Marine Drive. That should be interesting.

What about the schools and their capacity? Has the question of medical services has been discussed? [REDACTED] lab appointment was again canceled today due to a staff shortage. I tried to re-book and there was nothing for another month having already waited a month I booked in Tofino, We have slim to no doctors.

Has there been any discussion on the impacts on the sewage lagoon itself? They stated that are planning to do something to eliminate the smell. Who knows the impact that could have on the environment?

I am not opposed to development but am worried about the infrastructure of this town as there is yet another large development at Minato Drive. This will also impact our only grocery store. Even more incentive for chain stores to come in. They will come and keep their prices lower than the co-op for as long as it takes to drive the coop under.

Having lived here since 1973 I have seen the changes. A strong logging fishing town. To just a tourist town. There is no industry here now. Jobs are in retail and restaurants. I wonder how the mortgages will be afforded.

This project cannot be seen in isolation, as it has implications beyond just the immediate area. Changes to the zoning for Hyphocus could open the door for this and larger developments.

I feel like we are going the way like Tofino where the "paving of paradise and putting up the parking lot" has become a reality.

I do appreciate your dedication to Ucluelet.

Kind regards
Lisbeth Edwards
1367 Helen Rd



From: [Dennis Morgan](#)
To: [Community Input Mailbox](#)
Subject: Lot 543 Comments
Date: August 23, 2024 1:05:28 PM

[External]

To Mayor and Councillors -

I attended the first Open House that Ekistics/Maywind held for the Property referred to as Lot 543 on Hyphocus Island and wrote down several comments that I never sent in as the proposal for that area seemed so ludicrous, based on density, access, emergency services issues, necessary road works, OCP amendments etc that I couldn't believe it could go forward in that way.

And I guess I was right, and so the representative from Ekistics/Maywind was back at the July 30 Regular Meeting of Council to bring forward a new plan. I attended that, and as I listened to the new proposal, which largely centred on a density reduction, it dawned on me that all of the concerns I had noted about the first proposal were equally valid for this one. Such as:

1) an OCP Amendment would be required - for me that is a big red flag. If the Community of Ucluelet said - via the OCP - that that area should be low density housing then that's what it should be. OCP Amendments should be few and far between and should benefit the community not a developer. There already is a 6-unit development on Hyphocus that looks like it will go forward so already Helen Rd will feel additional traffic in an area not designed for it.

2). Project density - the project would offer 29 lots and 44 homes. Each home would have at least one suite for a minimum of 140 units. Are these suites LTRs or STRs? If STR then that will be even more traffic. How to "police" whether they are LTR or STR? Are there design constraints on the building lots given that they are waterfront? Even with the reduction in the number of units we are still talking over a couple hundred people out there with only one way in and out. The Ekistics representative said 4 lots may be taken for a multi-family building but no real details were provided. They were also unable to provide details as to how "affordable" is defined for some of the suites.

3). Road works required. To turn Helen Rd into an appropriate access and egress for this development major changes will have to be made to it - and not just the area near the pumping plant. Who pays for that? Helen is a pretty narrow road all along its length - how far back would works be proposed? There are 2 places on that road where you cannot see over the hump as you drive, these would have to be addressed if we added that much more traffic. AND after all is said and done there would be a ridiculous number of vehicles driving back and forth every day.

4). Emergency services access/egress. With the proposed road design an emergency event right inside the middle of the proposed development would have great potential to "trap" the innermost emergency service vehicles if the emergency was to spread, or if an evacuation was necessary. I think the design puts people at risk.

I think this project is too big for that area. Maywind only paid \$4.5 million for it so they can go way smaller and still make lots of money. Developments must be done for community benefit. I understand the need for more housing (and fewer new STRs!!!) as I am a small business owner and have suffered due to the lack of housing. But I don't believe the proposal for Lot 543 will do much for the housing situation (ie LTRs and affordable units).

Those are my major concerns - apologies for being a bit rambly.

thank you for your time -

Dennis Morgan





THE CORPORATION OF THE CITY OF VERNON

3400 - 30TH STREET VERNON, BRITISH COLUMBIA V1T 5E6

TELEPHONE (250) 545-1361 FAX (250) 545-4048

File: 0360-20-27

OFFICE OF THE MAYOR

July 30, 2024

To British Columbia Municipalities

via email

Dear Mayor and Members of Council:

Re: Eliminate Fossil Fuel Funding of SILGA and UBCM

At it's Regular Meeting held on February 26, 2024, City of Vernon Council passed the following motion:

"THAT the City of Vernon request that SILGA and UBCM no longer accept funding from the fossil-fuel industry and its lobby groups at meetings and conventions;

AND FURTHER, that the City of Vernon submit the following resolution to the 2024 SILGA and UBCM conventions:

'WHEREAS burning carbon-based fuel causes climate warming with harmful socio-economic and environmental consequences; and in response Canada and B.C. have developed legislation, targets and incentive programs to rapidly decarbonize the economy; and local governments must assist in achieving these goals, and have developed Climate Action Plans and decarbonization programs to do so;

AND WHEREAS the fossil-fuel industry funds conventions and meetings of local government associations, which benefits the industry while the rising costs of delay are borne by governments and society;

THEREFORE BE IT RESOLVED THAT the Southern Interior Local Government Association (SILGA) and the Union of B.C. Municipalities (UBCM) will no longer accept funding from the fossil-fuel industry and its lobby groups in support of conventions and meetings.'

This resolution has been submitted to UBCM for consideration at the 2024 UBCM Convention. You will find background information enclosed.

Sincerely,

Victor I. Cumming
Mayor

Copy: City of Vernon Council

Enclosure

Vernon background for resolution submission to UBCM:

Throughout our province we are all living with the devastating impacts of fires and floods, which are made worse by climate change. Burning fossil fuels is the major cause of climate change. Today we are all reliant on gasoline, diesel, and natural gas. However, the transition to a low or zero-carbon future is underway, led by higher levels of government in Canada and around the world. This transition will take several years, and there will be challenges to overcome along the way. The transition will be costly, but less costly than the ongoing and worsening impacts of climate change, and it will require sustained leadership from all levels of government.

In B.C. we have a better alternative to burning fossil fuels. BC Hydro produces much cleaner renewable electricity and has plans to accommodate the additional demand that will result from broad-based electrification. The fossil fuel industry is competing against electrification. Their best efforts to become “sustainable” will not substantially reduce their greenhouse gas emissions. Their primary objective is self-preservation, rather than helping us prepare for the future. Their messaging at our conventions promotes complacency among us. This messaging is not helpful – instead we need to be acting boldly and doing more to prepare for the electrified future. The City of Vernon respectfully requests SILGA and UBCM members’ consideration of this resolution.

From: [Nancy Owen](#)
To: [Nancy Owen](#)
Subject: FW: UBCM Resolution - Fail to Appear Charges in Policing Statistics
Date: August 26, 2024 2:12:57 PM
Attachments: [2024-08-21 Request for Support - UBCM Resolution - Fail to Appear Charges.pdf](#)
[Backgrounder - UBCM Resolution - Fail to Appear Charges.pdf](#)

From: Jessica Hodgins <jessica@duncan.ca>
Sent: Thursday, August 22, 2024 1:24 PM
Subject: UBCM Resolution - Fail to Appear Charges in Policing Statistics

[External]

Good afternoon Councils and Boards,

Attached please find correspondence from Mayor Michelle Staples of the City of Duncan regarding a resolution that will be presented at the upcoming 2024 Union of BC Municipalities Convention.

Best regards,

Jessica Hodgins

Corporate Services Coordinator



200 Craig St., Duncan, BC, V9L 1W3
P: 250-746-6126 | www.duncan.ca



August 21, 2024

Councils and Boards

UBCM Member Organizations

Dear Councils and Boards:

RE: 2024 UBCM Resolution - Fail to Appear Charges in Policing Statistics

I am writing to bring to your attention a resolution that will be considered at the 2024 Union of BC Municipalities Convention, and to respectfully request your support when the resolution is presented.

As described in the attached backgrounder, Fail to Appear is a *Criminal Code* charge brought against an individual who fails to attend a scheduled court appearance. These charges do not impact police resources because they are simply an additional charge against the individual.

Despite having extremely minimal impact on police workload, these charges are counted alongside all other *Criminal Code* charges attributed to municipalities with courthouses, regardless of where the original offence occurred. Particularly in smaller jurisdictions, this practice significantly inflates the policing statistics for communities with courthouses. In the case of the City of Duncan, 80% of the Fail to Appear charges attributed to our community originated from outside of our jurisdiction, and causes a 23% increase in the City's total 2023 *Criminal Code* cases. This inflated number has a significant and corresponding impact on the requests for the number of officers, particularly when a community is transitioning past the 5,000 and 15,000 population thresholds.

The City of Duncan recognizes that the impact of the Fail to Appear charges is felt differently across BC communities. We appreciate your consideration of the disproportionate impact of including Fail to Appear charges in policing statistics for jurisdictions in which courthouses are located, and respectfully request your support for our resolution to remove these charges from policing statistics, similar to traffic related *Criminal Code* offences.

Sincerely,

Michelle Staples
Mayor

Encl. Backgrounder: Fail to Appear Charges

cc: Duncan City Council

DISCUSSION

In the City of Duncan context, the inclusion of the Fail to Appear charges equates to two additional officers to address these charges. In 2023, the City is allocated 100% of the 325 Fail to Appear charges, whereas only approximately 65 of these cases (20%) originated from within the City of Duncan, versus 260 of these cases (80%) originated from other jurisdictions. These Criminal Code cases originating from other jurisdictions inflated the City's 2023 Criminal Code cases from 1,152 to 1,412; this was an increase of 23%. This inflated number has a significant and corresponding impact on the number of required officers.

Our secondary concern, confirmed by multiple senior RCMP officials, is that Fail to Appear cases have no effect on the workload of the local detachment; they are simply an additional charge against the individual.

If Fail to Appear charges are not excluded from the policing statistics of municipalities with courthouses, they should at least be tracked separately like Criminal Code traffic offences, so that their impacts on local policing can be appropriately considered.

KEY BENEFIT

Our hope is that delegates will recognize the disproportionate impact of including Fail to Appear charges in policing statistics for jurisdictions in which courthouses are located, particularly on small municipalities that serve a much larger population outside of their boundaries. If these charges are eliminated from the policing statistics used to calculate the number of officers, the jurisdiction in which courthouses are located could see dramatic impact on the cost of policing. By supporting this resolution, delegates can ask Province to remove Fail to Appear charges from the policing workload calculations of jurisdictions with courthouses for a fairer distribution of costs.

Contact: Mayor Michelle Staples | Phone: 250-466-9412 | Email: mayorstaples@duncan.ca

From: [Nancy Owen](#)
To: [Nancy Owen](#)
Subject: FW: UBCM related correspondence from Pitt Meadows City Council
Date: August 26, 2024 2:13:23 PM
Attachments: [Pitt Meadows UBCM Resolutions - Farm Property Tax System.pdf](#)

From: Kate Barchard <kbarchard@pittmeadows.ca>
Sent: Thursday, August 22, 2024 2:01 PM
Subject: UBCM related correspondence from Pitt Meadows City Council

[External]

Good afternoon – please see attached correspondence from the City of Pitt Meadows regarding UBCM resolutions to reform the farm property tax system.

If you could please forward this correspondence to your elected officials through your usual process.

Thank you for your assistance.

Sincerely,

Kate Barchard (*she/her*)
Manager, Administrative Services | Corporate Officer | Privacy Head
City of Pitt Meadows
12007 Harris Road, Pitt Meadows, BC V3Y 2B5
Phone: 604.465.2462 | kbarchard@pittmeadows.ca

We acknowledge with respect and gratitude that the City of Pitt Meadows is located on the traditional, unceded territory of q̓ícəy' (Katzie) First Nation who were stewards of this land since time immemorial. The City stands with Indigenous Peoples, committed to learning and evolving, as we acknowledge this historical truth and take meaningful steps towards reconciliation.

CONFIDENTIALITY NOTICE: If you choose to respond to this email, any emails received by the City are subject to the Freedom of Information and Protection of Privacy Act and may be released or shared in accordance with the law. This electronic transmission, and any documents attached to it, may contain confidential information belonging to the City of Pitt Meadows. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance upon the contents of this information is prohibited. If you have received this transmission in error, please notify the sender immediately and delete the message and all documents.



City of Pitt Meadows
OFFICE OF THE MAYOR

August 22, 2024

File No: 01-0400-50/24

To: Members of Council attending the 2024 UBCM Convention

Re: City of Pitt Meadows Resolutions to Reform the Farm Property Tax System

On behalf of the City of Pitt Meadows' Council, our attending City Councillors and I are looking forward to the upcoming 2024 UBCM Convention with you in September.

Aligned with the [City of Pitt Meadows' Strategic Plan](#) and with this year's conference theme, "Ride the Wave, illuminating innovative approaches to persistent issues", I am writing you to raise awareness of the three resolutions we are asking for your endorsement. Please help us in calling on the Province of British Columbia to reform the farm property tax system.

The City's [Agricultural Viability Strategy](#) identifies farm property tax reform - including updates to income thresholds, changes to the school tax exemption, and targeted land tax on unfarmed land - as a key action for stimulating a productive agricultural land base.

Our aim is to protect farmland for farming and improve the viability of the agriculture sector. Our resolutions will ensure farmland across the province is not used for real estate speculation and that farm tax benefits encourage farming.

We are asking that you please endorse the following resolutions:

NR76 – School Tax Exemption

NR77 – Unfarmed Land Tax

NR92 – Minimum Income Requirements for Farm Classification

.../2

In Pitt Meadows, we are committed to a thriving and resilient agricultural sector where farmers are valued, productive lands are supported, and producers are equipped to adapt to changing social, economic and environmental conditions.

Please visit pittmeadows.ca/agriculture for more information about our resolutions and a list of those who have already endorsed them, including the Lower Mainland Local Government Association.

Thank you in advance for your support.

Yours Truly,

A handwritten signature in blue ink, appearing to read 'NM', is placed over a faint, light-colored rectangular stamp or watermark.

Nicole MacDonald
Mayor

cc: UBCM Municipalities

From: [Nancy Owen](#)
To: [Nancy Owen](#)
Subject: FW: 2025 Consultation on Shellfish Conditions of Licence Reissuance
Date: August 26, 2024 2:52:11 PM
Attachments: [2024-08-15 - Shellfish Aquaculture Licence Review Consultation Letter - Stakeholders.pdf](#)

From: AVICC Info <info@avicc.ca>
Sent: Wednesday, August 21, 2024 10:29 AM
Cc: DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca
Subject: FW: 2025 Consultation on Shellfish Conditions of Licence Reissuance

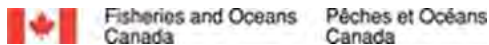
[External]

Please forward to elected officials, the CAO and Corporate Officer

Hello AVICC Members,

Please see attached information from DFO on the 2025 Shellfish Aquaculture license review. Written feedback and questions relating to this consultation can be directed to DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca.

From: "AQ Consult / AQ Consultez (DFO/MPO)" <DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca>
Date: Thursday, August 15, 2024 at 4:15 PM
Cc: "AQ Consult / AQ Consultez (DFO/MPO)" <DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca>
Subject: 2025 Consultation on Shellfish Conditions of Licence Reissuance



Canada

Attn : Aquaculture Management Division
de l'aquaculture
Pacific Region
1965 Island Diesel Way
Diesel
Nanaimo, British Columbia
V9S 5W8

Division de la gestion
Région du Pacifique
1965, voie Island
Nanaimo, C.-B.
V9S 5W8

Dear Aquaculture Advisory Group Members, Stakeholders and Regulatory Partners,

Please find attached information on the 2025 Shellfish Aquaculture licence review, including opportunities for engagement on this initiative. There is

one attachment to this email. If you have any problems receiving or opening the attachment, please let us know.

Thank you,

Aquaculture Management Division | Division de la gestion de l'aquaculture
Fisheries and Oceans Canada | Pêches et Océans Canada
Government of Canada | Gouvernement du Canada
Telephone | Téléphone 250-754-0399
Facsimile | Télécopieur 250-754-0391
<http://www.pac.dfo-mpo.gc.ca/aquaculture/index-eng.htm>



Aquaculture Management Division
Pacific Region
1965 Island Diesel Way
Nanaimo, British Columbia
V9S 5W8

Division de la gestion de l'aquaculture
Région du Pacifique
1965, voie Island Diesel
Nanaimo, C.-B.
V9S 5W8

August 15, 2024

Dear Aquaculture Advisory Group Members, Stakeholders & Regulatory Partners,

Re: Consultation on Marine Shellfish Licence Reissuance and Conditions of Licence

This is to notify you that existing shellfish aquaculture licences expire on April 30, 2025, and licences with updated conditions will be considered for licence reissuance effective May 1, 2025.

DFO is contemplating proposed licence condition changes for this renewal related to: control of harvest for the Canadian Shellfish Sanitation Program; transfer of fish and aquatic invasive species; and protection of fish and fish habitat; and is also contemplating some administrative improvements. We invite your feedback on DFO's proposed licence changes, and any changes you propose. For your reference, attached is the "*2025 Shellfish Aquaculture Licence Review & Reissuance Timeline*", which includes an overview of engagement opportunities and key milestones.

Information received through consultations will be used to inform any potential changes to conditions with the goal of continued improvement in the management and regulation of the aquaculture industry in BC.

To support your review and feedback, please find attached to this letter a document entitled "*Summary of Contemplated Changes to 2025 Shellfish Conditions of Licence*". This document provides an overview of the contemplated changes to conditions of licence. In addition, please find linked a detailed [list](#) and a [map](#) of all currently licensed shellfish aquaculture facilities in BC, and current [shellfish aquaculture conditions of licence](#). Note that DFO conditions of licence are designed to ensure the proper management and control of the fishery and the conservation and protection of fish.

If you wish to discuss the shellfish licence review, please contact Amber Neuman, Senior Aquaculture Coordinator, at 250-618-1022 or amber.neuman@dfo-mpo.gc.ca.

Written feedback for this consultation may be directed to DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca by **October 31, 2024**.



Sincerely,

Reagan, Newcomb
A/Operations Director, Aquaculture Management Division

Attachments (2):

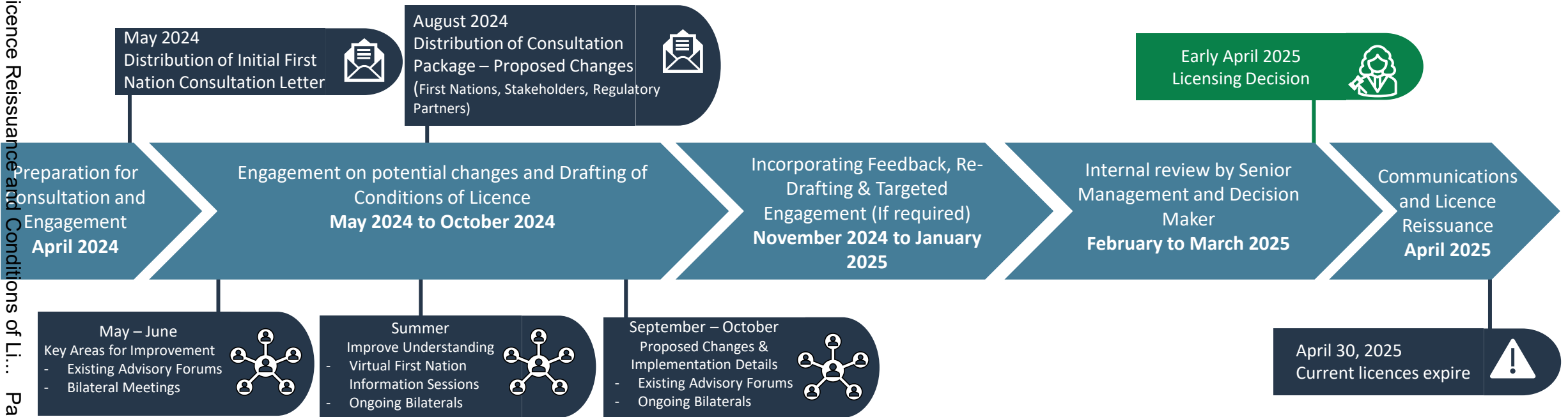
- *2025 Shellfish Aquaculture Licence Review & Reissuance Timeline*
- *Summary of Contemplated Changes to 2025 Shellfish Conditions of Licence*

Shellfish Aquaculture 2025 Licence Issuance

Process to Meet April 1, 2025, Decision Timeline

Background

This document outlines the key milestones to reach a decision on shellfish aquaculture licences by April 1, 2025.



Summary of Contemplated Changes to 2025 Shellfish Conditions of Licence

Fisheries and Oceans Canada (DFO) has started consultation and engagement in advance of the reissuance of 2025 Shellfish Conditions of Licence. The planned issuance for new conditions of licence is May 1, 2025. DFO may implement licence conditions for the proper management and control of fisheries, or for the conservation and protection of wild fish.

Current [marine shellfish aquaculture conditions of licence](#), expiring on April 30, 2025, are accessible on the DFO website.

Please direct any questions, comments, suggestions, or requests for follow-up conversations to: DFO.AQConsult-AQConsultez.MPO@dfo-mpo.gc.ca.

Summary of Contemplated Changes to General Conditions

Item #	Identified Gap or Concern	Contemplated Change
1.	There are terms not previously used or defined in the conditions of licence.	Add new definitions for: <ul style="list-style-type: none"> • acoustic deterrent • floating surface culture gear • gear identification tag • growing waters • intertidal stream channel • oyster setting tubes • pinniped • salmonid bearing stream
2.	Some current definitions require updates for consistency with other regulations, clarity, and improved language.	Review and update definitions for: <ul style="list-style-type: none"> • approved area • DFO • important and sensitive habitat • introduction • marine mammal • refuse • transfer • transport water
3.	Some current definitions are no longer relevant or are being replaced by other definitions.	Remove definitions for <ul style="list-style-type: none"> • biofouling • fishery tag • salt marsh

Summary of Contemplated Changes to 2025 Shellfish Conditions of Licence

4.	Current conditions do not specify a date when payment of annual access to resource fees is required.	Require Licence Holders to pay access to resource fees annually no later than the anniversary date of the licence.
5.	Current conditions exclude reference to seals.	Update conditions that refer to individual species of pinnipeds (e.g., seal lions) to “all pinnipeds.”
6.	The implementation dates for multiple conditions in Part B. Section 9 have passed.	Remove reference to implementation dates in 2021 and 2023, and instead identify these conditions as required.
7.	The Canadian Food Inspection Agency has identified biotoxin monitoring constraints with Geoduck Clam and Giant Rock Scallop.	Remove Geoduck Clam and Giant Rock Scallop from select licensed facilities.
8.	Horse Clam, a bycatch species of Geoduck Clam, requires the same reporting and notification requirements. These requirements are not adequately captured under the current conditions.	Apply licence conditions applicable to Geoduck Clam (i.e. Part B. Section 3. Transfer of Fish, Part C. Section 3. General culture of geoduck, Appendix IX) to Horse Clam.
9.	Licence Holders have increased or moved infrastructure without applying through the harmonized application process, to those agencies with authority (Province of BC and Transport Canada).	Removal of Appendix II for standard equipment or infrastructure. Additionally, update Part B, Section 1.2 of the licence conditions to clarify when a harmonized application is required to amend the DFO facility management plan.

Summary of Contemplated Changes for the Control of Harvest

Item #	Identified Gap or Concern	Contemplated Change
10.	Harvested product has been discovered without harvest tags, which contributes to gaps in product traceability/control of harvest.	Require tags not be removed from any container until the harvested product has landed at a facility licensed by the Canadian Food Inspection Agency (CFIA).
11.	Current conditions do not specify that records and reports must be complete and accurate	Reports relating to aquaculture activities must be complete and accurate. This aligns with language used in the 2024 Freshwater/Land-based conditions of licence
12.	Current conditions do not include certain authorized product movement activities.	Add product movement activity codes to Part B. Section 15.3.
13.	Product movement records did not require recording of source culture type, which is needed to discern between culture types, where more than one exists on a single facility.	Add requirement for recording product movements to document culture type for source shellfish. This will result in an additional column for "source" in electronic recording of product movement records.
14.	There is no ongoing need to identify the CFIA facility licence number in product movement records, as this is extraneous data for DFO.	Remove requirement for this data.
15.	Industry has shared that the application and review process for addition of site-specific condition of licence for floating surface culture gear is administratively burdensome.	<ul style="list-style-type: none"> • Create a new condition for floating surface culture gear which would prohibit harvest or transfer of product from floating surface culture gear unless in possession of a valid <i>Management of Contaminated Fisheries Regulations</i> licence. • Consider other management approaches during engagement.

Summary of Contemplated Changes to Fish Transfer and Aquatic Invasive Species (AIS) Conditions

Item #	Identified Gap or Concern	Contemplated Change
16.	Industry has identified the need for clarity on requirements for shellfish transfers, including but not limited to Horse Clam and Pacific Oyster.	Update language in transfer conditions to better articulate requirements around transfers of adult bivalves, including those intended for broodstock purposes only.
17.	It was identified that Section 3 of the shellfish conditions of licence should be updated to align with the updated 2024 Freshwater/Land-based conditions on authorized movements between zones.	Update language in Part B. Section 3(c) conditions to clarify authorized movement of Pacific Oyster and Manila Clams between zones and permit additional movements with DFO approval through an Introduction and Transfer licence.
18.	It was identified that Section 3 of the shellfish conditions of licence does not include a condition identifying who should hold a valid Introduction and Transfer licence	Add a new condition outlining that the receiving facility shall possess a valid Introduction and Transfer licence, for any transfers requiring a licence. This would be consistent with the 2024 Freshwater/Land-based conditions of licence.
19.	It was identified that Section 3 of the shellfish conditions of licence, does not include a condition clarifying when a Licence Holder must possess a valid Introduction and Transfer licence a	Add a new condition confirming that Licence Holders must possess a valid Introductions and Transfers Licence unless otherwise authorized by these conditions of licence. This would be consistent with the 2024 Freshwater/Land-based conditions of licence.
20.	It was identified that Section 3.1 (e) of the shellfish conditions of licence should be updated to align with the updated 2024 Freshwater/Land-based condition regarding symptoms of disease or infections.	Update condition of licence in Section 3.1 (e) to clarify that Licence Holders must ensure that, prior to transfer, fish or shellfish do not display any observable symptoms of diseases or infections that are of concern to the BC Introductions and Transfer Committee.

Summary of Contemplated Changes to Fish and Fish Habitat Protection Conditions

Sorted by General Theme

<i>Facility Inspections and Gear Storage</i>		
Item #	Identified Gap or Concern	Contemplated Change
21.	Lack of maintenance and proper use and securing of gear continues to be an issue.	Strengthen requirements around inspections, i.e., frequency by culture type, maintenance of records, etc.
22.	Current conditions do not specify a date by which facility inspections are to be completed or differentiate by culture method.	Update Part B. Section 2. to clarify when facility inspections are required based on culture method or infrastructure type.
23.	Monitoring has shown that rafts used to store gear are more likely to generate debris on the seafloor.	Restrict the manner and location in which gear may be stored within both deepwater and intertidal licensed facilities.
<i>Gear Interactions with Wild Fish and Sensitive Habitat</i>		
Item #	Identified Gap or Concern	Contemplated Change
24.	Overlapping infrastructure makes the maintenance of predator netting difficult and poses a risk of fish entrapment, which is particularly problematic in important and sensitive habitat including salmon bearing streams.	Phase in two new conditions by September 2025: <ul style="list-style-type: none"> No aquaculture infrastructure shall be installed within 75m of salmon bearing streams, including braided and seasonal flowing stream channels. Licence Holder shall not install overlapping intertidal infrastructure.
25.	Predator netting is consistently found to be improperly secured.	Require that predator netting be secured tightly to the substrate around the netting perimeter.
26.	There is redundancy with a current condition requiring equipment to function as intended.	In condition 7.2, remove the need for regular cleaning of predator netting to minimize "biofouling".

<i>Equipment Types, Identification, and Marine Mammals</i>		
Item #	Identified Gap or Concern	Contemplated Change
27.	French tubes are highly prone to becoming marine plastic debris.	Restricting the use of “French Tubes” or permit them to only under an approved management plan.
28.	Current condition outlining actions the Licence Holder must take upon discovery of an entangled marine mammal does not fully align with current marine mammal, shark, and sea turtle reporting guidelines.	Update condition to align with the <i>Species at Risk Act</i> and current DFO <i>Marine Mammal Regulations</i> guidance including incident reporting and mention of sharks and sea-turtles of concern.
29.	Current conditions do not clearly outline that new types of gear identification tags, besides existing commercial fishing ones, may be considered for approval.	Amend condition for equipment identification allowing innovation and ability for industry associations to submit additional tag types for DFO approval.
<i>Seafloor Surveys</i>		
Item #	Identified Gap or Concern	Contemplated Change
30.	Current condition does not specify a completion date for seafloor cleanups.	Require the annual sea floor clean-up be completed annually by April 1, unless otherwise authorized by DFO.
31.	Current conditions require gear and equipment found on seafloor be removed, potentially leading to confusion that gear actively being used must also be removed.	Update conditions to clarify the intent that only gear on the seafloor that is lost, not being actively used in the location it is found, and/or not serving a function be removed.
32.	Licence Holders have identified that Appendix VI provides limited options for survey technology to conduct seafloor surveys.	Update Appendix VI language to clarify that Licence Holders may use innovative survey methods and equipment to conduct seafloor surveys and clean-ups provided they are using scientifically defensible methods and equipment.
33.	DFO is unable to adequately audit seafloor survey and clean-up records without a detailed map being provided.	Create a new reporting criterion in Appendix VI which will require a facility area map which clearly shows the location of all completed survey transects.

From: [Nancy Owen](#)
To: [Nancy Owen](#)
Subject: FW: PCO: UBCM Resolution NR14
Date: August 27, 2024 2:28:30 PM
Attachments: [UBCM Resolution NR14.pdf](#)

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From: Vanessa Washington <washingtonv@portcoquitlam.ca>
Sent: Tuesday, August 27, 2024 10:29:10 AM
Subject: PCO: UBCM Resolution NR14

[External]

Good morning,

The City of Port Coquitlam Council is seeking support regarding UBCM resolution **NR14 - Gender Equity: Provisions for Menstrual Supplies**, co-sponsored by City of Port Moody Council (see resolution and background information attached).

Please share this correspondence with your elected officials through your usual process.

Best regards,

Vanessa Washington | City of Port Coquitlam
Manager of Legislative Services
T: 604.927.5413 | E: washingtonv@portcoquitlam.ca
2580 Shaughnessy Street | Port Coquitlam, BC | V3C 2A8
www.portcoquitlam.ca | [X](#) | [Facebook](#)

CERTIFIED RESOLUTION

This letter is to certify that at its' April 9, 2024, Council meeting, the City of Port Coquitlam Council adopted the following resolution:

RESOLUTION

Port Coquitlam Resolution for 2024 UBCM Convention

Gender Equity: Provisions for Menstrual Supplies

WHEREAS the 2024 British Columbia Building Code contains updated accessibility features for universal washrooms and that they must contain full-sized adult changing tables; and no new updates were made to the provincial Building Code and Occupational Health and Safety Regulations to include accessibility features for free menstrual supplies or sanitary disposal bins for those who menstruate;

AND WHEREAS equity-based policies around access to menstrual products as a health and human rights imperative will support inclusion, accessibility, mobility, reduce stigma, and promote gender equality for all people;

AND WHEREAS in December 2023, the Canada Occupational Health and Safety Regulations were revised to include free menstrual products in all federally regulated workplace restrooms;

THEREFORE, BE IT RESOLVED that the Union of British Columbia Municipalities (UBCM) call upon the Province of British Columbia to update the Occupational Health and Safety Regulations, and the British Columbia Building Code to include provisions for sanitary disposal bins, and courtesy menstrual supplies as is currently required for toilet paper in restrooms outside the home, thus supporting accessibility and gender equity for people who menstruate.

Background

* The Minister of Education for British Columbia, recognizing lack of access to menstrual supplies in schools as a barrier to education and an issue of equity in 2019 required all schools to provide free menstrual products in schools, <https://news.gov.bc.ca/releases/2019SDPR0033-000587>

* The UN and World Health Organization 2022 have positioned their official statement on menstrual health to be recognized as a health and human rights issue relating to gender equality/equity, not a hygiene issue <https://www.who.int/news/item/22-06-2022-who-statement-on-menstrual-health-and-rights>

* December 2023 the Canadian Occupational Health and Safety Regulations were revised to include free menstrual products in all federally regulated workplace restrooms. <https://www.canada.ca/en/employment-social-development/news/2023/12/menstrual-products-now-available-at-no-cost-to-employees-in-federally-regulated-workplaces.html>

* The Union of British Columbia Municipalities (UBCM) would be able to add more pressure to enact legislation by the British Columbia Government to address this specific gender equity issue. The precedent has already been set in globally, with Scotland now legally requiring free access to menstrual products <https://www.gov.scot/publications/period-products-free-provision-scotland-act-2021-equality-impact-assessment/>

* Province Adopts Changes to BC Building Code March 8/2024 with full size adult changing tables in universal washrooms. “2) A universal washroom required to have an accessible change space as stipulated in Sentence 3.8.2.8.(15) shall a) be equipped with an adult-sized change table that is.....” https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/construction-industry/building-codes-and-standards/revisions-and-mo/bcbc_2024.pdf



City of Campbell River
From the Office of the Mayor

August 26, 2024

The Honourable David Eby
Premier of the Province of British Columbia
Via email: Premier@gov.bc.ca

Dear Premier Eby,

Re: Urgent Request for Provincial Support in Addressing Homelessness in Campbell River

I am writing to you on behalf of the City of Campbell River to express our deep concern regarding the challenges our community is facing in providing adequate temporary shelter for individuals experiencing homelessness. Provincial case law establishes the obligation of local governments to provide an adequate location for overnight camping (temporary shelter) for unhoused persons. However, the sites currently available on City land are limited and do not fully meet the needs of the community or the individuals who require these services.

For a location for overnight temporary shelter to be adequate, it must be relatively close to services and supports typically accessed by individual experiencing mental health, substance use and other health conditions who are also homeless. The location of these services in Campbell River is primarily in the downtown core. The provincial decision to place these services in proximity of residential, commercial, cultural and recreational assets means the City has very limited options in terms of land availability outside of parking lots, and high value Parks and green spaces enjoyed by our residents and visitors.

Considering these challenges, we respectfully request that the Province of British Columbia take immediate action by making provincially regulated land available for temporary overnight camping in Campbell River. We understand the provincial position on use of sites such as off season use of the Quinsam campground given that the aim is to have such assets available for the recreating public and not set precedent for their use as alternative housing. However, the City would respond that these camp sites are not used during the off season and are typically closed; moreover, the City faces the very same challenge when it comes to use of our Parks and green spaces but is nonetheless forced to move forward with this under the circumstances. The availability of provincial land would greatly enhance our ability to provide safe and appropriate spaces for those in need. In that instance, the City would agree to provide all necessary services including fencing, portable washrooms, garbage bins and removal, contract security, bylaw enforcement and ongoing monitoring.

Furthermore, we ask that the province provide additional funding to expand our winter shelter program. By doing so, we can reduce the demand for temporary overnight shelter, especially during colder

months, and ensure that those without permanent housing have access to safe, warm, and secure environments. We would also like to explore funding availability to establish a Homeless Encampment Action Response Team (HEART) to better integrate the response of the City, RCMP and service providers to homelessness and complement our partnership on the HEARTH rapid housing initiative.

The City of Campbell River is committed to working collaboratively with the provincial government to address the pressing issue of homelessness in our community. We believe that with the province's support, we can make significant progress in providing the necessary resources and spaces to meet the needs of our most vulnerable residents.

We appreciate your attention to this matter and look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Dahl', with a stylized flourish at the end.

Kermit Dahl
Mayor

August 1, 2024

Dear Mayor and Council, Chair and Board, Chief Administrative Officers, Fire Chiefs and Fire Protection Managers,

Re: Fire Safety Act

I am pleased to share that on August 1, 2024, the Fire Safety Act (FSA) was brought into force, replacing the Fire Services Act.

The FSA, and the associated regulations, will be essential to protecting people and communities through regular fire safety inspections and effective enforcement that will help prevent fire-related tragedies, preserve human life, and reduce property and economic loss due to fires.

The FSA addresses significant advancements in fire protection technology and a deeper understanding of fire behavior since 1979. It was developed and implemented in response to recommendations from BC Coroner's reports and stakeholder feedback to enhance fire safety standards and enforcement.

This legislation is also being implemented after close collaboration with Union of British Columbia Municipalities (UBCM), the Fire Chiefs' Association of BC, regional districts and other key fire service partners. My sincere gratitude to all those who collaborated with the Office of the Fire Commissioner (OFC) to get us to this point.

It is important to note that the FSA meets the B.C. government's commitment to achieve a single standard of fire safety in the province and will:

- enable local authorities to designate personnel to carry out fire inspections and fire investigations and enable local fire services to perform tactical evacuations.
- establish an administrative penalty enforcement model to address non-compliance issues in a more direct, timely and effective manner.
- implement a risk-based approach for fire safety compliance monitoring in municipalities.

During fall 2024 and winter 2025, the OFC will work closely with all partners to ensure a measured implementation of the FSA requirements. In the meantime, please visit [here](#) to review the Q&A on the FSA and other reference documents.

If you have any questions to add to the Q&A, or any other inquiries, please contact the OFC at: OFC@gov.bc.ca or your fire service advisor. Contact information for fire service advisors can be located [here](#).

Respectfully,



Brian Godlonton
Fire Commissioner
Office of the Fire Commissioner