



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, January 28, 2025 @ 4:00 PM

AGENDA

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1. CALL TO ORDER	
1.1. ACKNOWLEDGEMENT OF THE YUULU?I?ATH	
Council would like to acknowledge the Yuulu?i?ath, on whose traditional territories the District of Ucluelet operates.	
1.2. NOTICE OF VIDEO RECORDING	
Audience members and delegates are advised that this proceeding is being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.	
2. LATE ITEMS	
3. APPROVAL OF THE AGENDA	
4. CLOSED SESSION	
4.1. <i>Procedural Motion to Move In-Camera:</i>	
THAT the January 28, 2025 Regular Council Meeting be closed to the public pursuant to the following section of the Community Charter:	
• 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.	
5. UNFINISHED BUSINESS	
6. BYLAWS	
6.1. Adoption of Updated District of Ucluelet Building Bylaw <i>Nicole Morin, Municipal Inspector</i>	5 - 51
RTC - Adoption of Updated District of Ucluelet Building Bylaw	
Appendix A - Building Bylaw No. 1363, 2025	
Appendix B - Fees and Charges Amendment Bylaw No. 1364, 2025	
Appendix C - Municipal Ticket Information Amendment Bylaw No. 1365, 2025	
6.2. 221 Minato Road (ERIF): 3rd Reading of OCP Amendment & Rezoning Bylaws No. 1366, 2024 and 1367, 2024 <i>Bruce Greig, Director of Community Planning</i>	53 - 72

[RTC - 221 Minato Road \(ERIF\): 3rd Reading of OCP Amendment & Rezoning Bylaws No. 1366, 2024 and 1367, 2024](#)
[Appendix A - OCP Amendment Bylaw No. 1366, 2024](#)
[Appendix B - Zoning Amendment Bylaw No. 1367, 2024](#)
[Appendix C - Zoning Amendment Bylaw No. 1367, 2024 \(Changes Tracked\)](#)

7. REPORTS

- 7.1. Resort Development Strategy Projects 73 - 106
Abby Fortune, Director of Community Services
[RTC - Resort Development Strategy Projects](#)
[Appendix A - Open House Presentation](#)
[Appendix B - Community Open House Feedback](#)
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- 7.2. Notice of Land Disposition - Ministry of Citizen's Services Lease 107 - 108
Abby Fortune, Director of Community Services
[RTC - Notice of Land Disposition - Ministry of Citizen's Service Lease](#)
- 7.3. Interim Deputy Corporate Officer and Freedom of Information and Privacy Protection Head 109
Duane Lawrence, Chief Administrative Officer
[RTC - Interim Deputy Corporate Officer and Freedom of Information and Privacy Protection Head](#)

8. NOTICE OF MOTION

9. CORRESPONDENCE

- 9.1. Request for Illumination of the District of Ucluelet Sign in Purple Lights on March 26th, 2025 111
Sonia Velji, BA, MPH, Provincial Manager of Programs and Services, BC Epilepsy Society
[2025-01-17 Request for Illumination of the District of Ucluelet Sign in Purple Lights](#)
- 9.2. Proclamation of Crime Stoppers Month 113 - 114
Brian Cornborough, President Central Vancouver Island Crime Stoppers
[2025-01-16 Proclamation of Crime Stoppers Month](#)

10. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

- 10.1. Councillor Shawn Anderson
Deputy Mayor, April 1 - June 30, 2025
- 10.2. Councillor Jennifer Hoar
Deputy Mayor, January 1 - March 31, 2025
- 10.3. Councillor Ian Kennington
Deputy Mayor, July 1 - September 30, 2025
- 10.4. Councillor Mark Maffei
Deputy Mayor, October 1 - December 31, 2025

10.5. Mayor Marilyn McEwen

11. QUESTION PERIOD

12. CLOSED SESSION

12.1. *Procedural Motion to Move In-Camera:*

THAT the January 28, 2025 Regular Council Meeting be closed to the public pursuant to the following section of the Community Charter:

- 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and
- 90(1)(c) labour relations or other employee relations.

13. ADJOURNMENT



REPORT TO COUNCIL

Council Meeting: January 28, 2025
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: NICOLE MORIN, MUNICIPAL INSPECTOR

FILE NO: 3900-25

SUBJECT: ADOPTION OF UPDATED DISTRICT OF UCLUELET BUILDING BYLAW

REPORT NO: 25-06

ATTACHMENT(S): APPENDIX A - BUILDING BYLAW NO. 1363, 2025
APPENDIX B - FEES AND CHARGES AMENDMENT BYLAW NO. 1364, 2025
APPENDIX C - MUNICIPAL TICKET INFORMATION AMENDMENT BYLAW NO. 1365, 2025

RECOMMENDATION(S):

THAT Council adopt *District of Ucluelet Building Bylaw No. 1363, 2025*.

THAT Council adopt *District of Ucluelet Fees and Charges Amendment Bylaw No. 1364, 2025*.

THAT Council adopt *District of Ucluelet Municipal Ticket Information Amendment Bylaw No. 1365, 2025*.

BACKGROUND:

During the January 14, 2025, regular meeting the *District of Ucluelet Building Bylaw No. 1363, 2025*, *District of Ucluelet Fees and Charges Amendment Bylaw No. 1364, 2025*, and *District of Ucluelet Municipal Ticket Information Amendment Bylaw No. 1365, 2025*, (the "Bylaws") were presented and received first, second and third readings. In accordance with *S. 135 of the Community Charter*, a minimum of one day must occur between third reading and adoption. Council can now therefore consider adoption of the Bylaws.

The Bylaws are attached as **Appendices A, B and C**, and the supporting report is available in the [January 14, 2025](#), Council agenda.

ANALYSIS OF OPTIONS:

A	Adopt Bylaws No. 1363, 1364, & 1365, 2025	<u>Pros</u>	<ul style="list-style-type: none"> Provides a Building Bylaw that is approved by MIABC, the District’s insurer, which accurately reflects current and best practices. Provides alignment between our community and the District of Tofino to better serve the local West Coast building community.
		<u>Cons</u>	<ul style="list-style-type: none"> None of which staff are aware.
		<u>Implications</u>	<ul style="list-style-type: none"> Excluding staff time, there are no financial implications relating to adoption of the Bylaws.
B	Direct staff to prepare and present draft amendments for Bylaws No. 1363, 1364, & 1365, 2025, at a future Council meeting	<u>Pros</u>	<ul style="list-style-type: none"> Could align the Bylaws with Council expectations.
		<u>Cons</u>	<ul style="list-style-type: none"> Significant research went into the development of the Bylaws to ensure their relevance and accuracy.
		<u>Implications</u>	<ul style="list-style-type: none"> This would delay adoption of the Bylaws. Excluding staff time, there are no financial implications should Council wish to provide alternate direction.
		<u>Suggested Motion</u>	<p>THAT Council refer the draft Bylaws back to Staff to amend District of Ucluelet Building Bylaw No. 1363, 2025 (and/or Bylaws 1364 & 1365) by [<i>insert desired changes</i>].</p>
C	Abandon Bylaws No. 1363, 1364, &/or 1365, 2025, [not recommended]	<u>Pros</u>	<ul style="list-style-type: none"> There are no obvious positive impacts to maintaining the 10- year-old Building Bylaw.
		<u>Cons</u>	<ul style="list-style-type: none"> The current bylaw will continue to grow more outdated over time. District of Ucluelet and Tofino Building bylaws will not be aligned to better serve our local building community.
		<u>Implications</u>	<ul style="list-style-type: none"> Not acting on this initiative may impact funding received under HAF Contribution Agreement.
		<u>Suggested Motion</u>	<ul style="list-style-type: none"> No motion is required.

NEXT STEPS:

Staff will update or amend the Bylaws as required, and ensure they are published as applicable on the District of Ucluelet website.

Respectfully submitted: Nicole Morin, Municipal Inspector
 Bruce Greig, Director of Community Planning
 Duane Lawrence, CAO

District of Ucluelet Building Bylaw No. 1363, 2025



DISTRICT OF UCUELET BYLAW NO. 1363, 2025

A Bylaw for Administration of the British Columbia Building Code and Regulation of Construction

WHEREAS the Council of the District of Ucluelet may by bylaw regulate, prohibit and impose requirements in respect to *buildings* and *structures* under sections 8(3)(g) and (l) of the *Community Charter* for the following under section 53(2):

- (a) the provision of access to a *building* or other *structure*, or to part of a *building* or other *structure*, for a person with disabilities;
- (b) the conservation of energy or water;
- (c) the reduction of greenhouse gas emissions;
- (d) the health, safety or protection of persons or property;

AND WHEREAS the Council of the District of Ucluelet is enacting this bylaw to regulate *construction* and administer the British Columbia Building Code in Ucluelet in accordance with the *Community Charter* and the *Building Act*;

AND WHEREAS the District of Ucluelet has employed trained building officials for the purposes of this bylaw;

AND WHEREAS section 137 of the *Community Charter* provides that the power to adopt a bylaw includes the power to amend or repeal it;

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

1. Name

The name of this bylaw for citation purposes is “District of Ucluelet Building Bylaw No. 1363, 2025.”

2. Purpose of Bylaw

2.1. Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part.

2.2. Every *permit* issued under this bylaw is issued expressly subject to the provisions of this Part.

2.3. This bylaw is enacted to regulate, prohibit and impose requirements regarding *construction* in the District in the public interest.

2.4. The purpose of this bylaw does not extend to

- (a) the protection of *owners, designers or constructors* from economic loss;
- (b) the assumption by the District or any *building official* of any responsibility for

ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors* or *designers* retained by the *owner*, with the *building code*, the requirements of this bylaw, or other applicable enactments, codes or standards;

- (c) providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a *building permit* or *occupancy permit* is issued under this bylaw;
- (d) providing any person a warranty or assurance that *construction* undertaken under *building permits* issued by the District is free from latent, or any, defects; or
- (e) providing the protection of adjacent real property from incidental damage or nuisance.

3. Scope and Exemptions

Application

3.1. This bylaw applies to the geographical area of the District and to land, the surface of water, air space, *buildings* or *structures* in the District.

3.2. This bylaw applies to the design, *construction* or *occupancy* of new *buildings* or *structures*, and the *alteration*, *reconstruction*, demolition, removal, relocation or *occupancy* or change of use or *occupancy* of existing *buildings* and *structures*.

3.3. This bylaw does not apply to

- (a) a fence;
- (b) an accessory *building* with a floor area of less than 10 square metres;
- (c) retaining walls 1.2 metres or less in height that do not support a structure;
- (d) a trellis, an arbour, or other similar landscape *structures* on a *parcel* zoned for single-family *residential occupancy* uses under the District's zoning bylaw;
- (e) a *building* or *structure* commonly known as "Canadian Standards Association Z240 MH series, Z241 series or A277 series", except as regulated by the Building Code.

Limited Application to Existing Buildings

3.4. Except as provided in the *building code* or to the extent an *existing building* is under *construction* or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the *building* must be *reconstructed* and *altered*, unless it is expressly so provided by this or another bylaw, regulation or statute.

3.5. This bylaw applies if the whole or any part of an *existing building* is moved either within or into the District, including relocation relative to *parcel* lines created by subdivision or

consolidation. Part 13 applies to *building* moves.

- 3.6. If an *alteration* is made to an *existing building* the *alteration* must comply with this bylaw and the *building code* and the entire *building* must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the *building* because of the *alteration*.
- 3.7. If an *alteration* creates an *addition* to an existing *building*, the *alteration* or *addition* must comply with this bylaw and the *building code* and the entire *building* must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the *building* because of the *alteration* or *addition*.

4. Prohibitions

- 4.1 A person must not commence or continue any *construction, alteration, excavation, reconstruction, demolition, removal, relocation* or change the use or *occupancy* of any *building* or *structure*, including other work related to *construction*
- (a) except in conformity with the requirements of the *building code* and this bylaw; and
 - (b) unless a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 4.2 A person must not occupy or *permit* the *occupancy* of any *building* or *structure* or part of any *building* or *structure*
- (a) unless a subsisting *occupancy permit* has been issued by a *building official* for the *building* or *structure* or the part of the *building* or *structure*; or
 - (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.
- 4.3 A person must not knowingly submit false or misleading information to a *building official* in relation to any *permit* application or *construction* undertaken pursuant to this bylaw.
- 4.4 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *building official*, or plans and supporting documents which have been filed for reference with the *building official* after a *permit* has been issued.
- 4.5. A person must not, unless authorized in writing by a *building official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, *permit* or certificate posted or affixed to a *building* or *structure* pursuant to this bylaw.
- 4.6. A person must not do any work that is substantially at variance with the *accepted* design or plans of a *building, structure* or other works for which a *permit* has been issued, unless such a modification has been authorized in writing by a *building official*.

- 4.7. A person must not interfere with or obstruct the entry of a *building official* or other authorized official of the District on property in the administration of this bylaw.
- 4.8. A person must not construct on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so it may be easily read from the public highway from which it takes its address.
- 4.9. A person must not contravene an administrative requirement of a *building official* made under section 6.6 or any other provision of this bylaw.
- 4.10. A person must not change the use, occupancy or both of a building or structure or a part of a building or structure without first applying for and obtaining a building permit under this bylaw.

5. **Permit Conditions**

- 5.1. A *permit* is required if work regulated under this bylaw is to be undertaken.
- 5.2. Neither the issuance of a *permit* under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the District will in any way
- (a) relieve the *owner* (and if the *owner* is acting through an *agent*, the *agent* of the *owner*) from full and sole responsibility to perform the work in respect of which the *permit* was issued in strict compliance with this bylaw, the *building code*, and all other applicable codes, standards and enactments;
 - (b) constitute a representation, warranty, assurance or statement that the *building code*, this bylaw or any other applicable enactments respecting safety, protection, land use and zoning have been complied with; or
 - (c) constitute a representation or warranty that the *building* or *structure* meets any standard of materials or workmanship.
- 5.3. No person shall rely on any *permit* as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.
- 5.4. Without limiting section 5.2(a), it is the full and sole responsibility of the *owner* (and if the *owner* is acting through a representative, the representative of the *owner*) to carry out the work in respect of which the *permit* was issued in compliance with the *building code*, this bylaw and all other applicable codes, standards and enactments.

6. Powers of a Building Official

Administration

- 6.1 Words defining the authority of a *building official* are to be construed as internal administrative powers and not as creating a duty.
- 6.2 A *building official* may
- (a) administer this bylaw, but owes no public duty to enforce or administer this bylaw;
 - (b) keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
 - (c) create, amend, public and prescribe any forms, notices, policies or other documents to administer this bylaw;
 - (d) establish or require an *owner* to establish whether a method or type of *construction* or material used in the *construction* of a *building* or *structure* complies with the requirements and provisions of this bylaw and the *building code*; and
 - (e) direct that tests of materials, equipment, devices, *construction* methods, structural assemblies or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, *construction* or *foundation* condition complies with this bylaw and the *building code*.

Refusal and Revocation of Permits

- 6.3. A *building official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *building code* or the provisions of this or any other bylaw of the District, and must state the reason in writing.
- 6.4. A *building official* may revoke a *permit* if, in their opinion, the results of tests on materials, devices, *construction* methods, structural assemblies or *foundation* conditions contravene the *building code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

Right of Entry

- 6.5. Subject to section 16 of the *Community Charter*, a *building official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met.

Powers

6.6. Subject to applicable enactments, a *building official* may by notice in writing require

- (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
- (b) an *owner* to stop work on a *building* or *structure*, or any part of a *building* or *structure*, if the work is proceeding in contravention of this bylaw, the *building code*, or any other enactment of the District or other applicable enactments, or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order in the form prescribed by the *building official*;
- (c) an *owner* to remove or prevent any unauthorized encroachment on a public *parcel*, a statutory right of way or easement, or a setback or yard required under an enactment;
- (d) an *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, *constructed* in contravention of a provision of this bylaw;
- (e) an *owner* to have work inspected by a *building official* prior to covering;
- (f) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *building official*;
- (g) a person to cease any *occupancy* in contravention of a provision of this bylaw;
- (h) a person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete and where the *building official* has not issued a *final inspection notice* for the work;
- (i) an *owner* to correct any *unsafe condition*; and
- (j) an *owner* to correct any work that contravenes this bylaw, the *building code*, or any other enactment.

6.7. Every reference to “*owner*” in section 6.6 includes a reference to the *owner’s agent* or *constructor*.

6.8. Every person served with a notice under this Part must comply with that notice

- (a) within the time ordered, or
- (b) if no time is ordered, immediately.

7. Owner’s Responsibilities

Permit Requirements

7.1. Subject to Part 10 of this bylaw, every *owner* must apply for and obtain a *permit*, prior

to

- (a) *constructing*, repairing or *altering* a *building* or *structure*, including a *pool* or *retaining wall*;
- (b) moving a *building* or *structure* into or within the District;
- (c) demolishing a *building* or *structure*;
- (d) *occupying* a new *building* or *structure*;
- (e) *constructing* a masonry fireplace or installing a wood-burning appliance or chimney, whether attached to, part of or detached from a *building*.
- (f) changing the use or *occupancy* of a *building*, unless the works are the subject of another valid and subsisting *building permit*.

7.2. Every *owner* must ensure that plans submitted with a *permit* application bear the name, phone number, address and email address of the *designer* of the *building* or *structure*.

Owner's Obligations

7.3. Every *owner* must

- (a) comply with the *building code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit any work required by the *building code*, this bylaw or the conditions of a *permit*;
- (b) ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all municipal inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *building official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work; and
- (c) prior to the issuance of a *building permit*, execute and submit to the District an *owner's* undertaking in the form prescribed a District of Ucluelet *building official*.

7.4. Every *owner* and every *owner's agent*, must carry out *construction* or have the *construction* carried out in accordance with the requirements of the *building code*, this bylaw and other bylaws of the District and none of the issuance of a *permit* under this bylaw, the review of plans and supporting documents, or inspections made by a *building official* or a *registered professional* shall relieve the *owner*, or his or her *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code* and all other applicable codes, standards and enactments.

7.5. Every *owner* to whom a *permit* is issued must, during *construction*,

- (a) allow a *building official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw,

- (b) post the civic address on the property so that it may be easily read from the public highway from which the property takes its address; and
- (c) post the *permit* on the property so that it may be easily read from the public highway from which the property takes its address.

Damage to Municipal Works

- 7.6. Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the *permit*.
- 7.7. In *addition* to payment of a security deposit under sections 10.9 to 10.13, every *owner* must pay to the District, within 30 days of receiving an invoice for same from the District, the cost to repair any damage to public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

Demolition

- 7.8. Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner* must
 - (a) provide to the District a vacancy date;
 - (b) Pay turn-off fees as set out in District bylaws governing the water and sewer utilities; and
 - (c) ensure that all municipal services and other services are capped and terminated at the property line in a District standard inspection chamber and valve arrangement.
- 7.9. Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared, and the *site* is levelled or graded, or made safe if levelling and grading are not possible.

Notice

- 7.10. Every *owner* must, at least 48 hours prior to commencing work at a *building site*, give written or online notice to a *building official* of the date on which the *owner* intends to begin such work.
- 7.11. Every *owner* must give written or online notice to a *building official* of any change in or termination of engagement of a *registered professional*, including a *coordinating registered professional*, during construction, within 24 hours of when the change or termination occurs.
- 7.12. If an *owner* or a *registered professional* terminates the engagement of a *registered professional*, including a *coordinating registered professional*, the *owner* must terminate all work under a *building permit* until the *owner* has engaged a new *registered professional*, including a *coordinating registered professional*, and has delivered to a *building official* new letters of assurance.

7.13. Without limiting sections 10.29 to 10.44, every *owner* must give at least 48 hours' online or written notice to a *building official*

- (a) of intent to do work that is required or ordered to be corrected during *construction*;
- (b) of intent to cover work that is required under this bylaw to be, or has been ordered to be inspected prior to covering; and
- (c) when work has been completed so that a final inspection can be made.

7.14. Every *owner* must give notice in writing to a *building official* and pay the non-refundable fee set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor immediately upon any change in *ownership* or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.

7.15. Every *owner* must give such other notice to a *building official* as may be required by the *building official* or by a provision of this bylaw.

8. Obligations of Owner's Constructor

8.1. Every *constructor* must ensure that all *construction* is done in compliance with all requirements of the *building code*, this bylaw and all other applicable, codes, standards and enactments.

8.2. Every *constructor* must ensure that no *excavation* or other work is undertaken on public property, and that such property is not disturbed, no *building* or *structure* erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public property.

8.3. For the purposes of the administration and enforcement of this bylaw, every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

9. Registered Professional's Responsibilities

Professional Design and Field Review

9.1. The provision by the *owner* to the District of letters of assurance in accordance with the requirements of the *building code* shall occur prior to

- (a) the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
- (b) a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the District with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*.

- 9.2. If a *registered professional* provides letters of assurance in accordance with the *building code*, they must also provide proof of professional liability insurance to the *building official*.

Requirement for a Registered Professional

- 9.3. The *owner* must retain a *registered professional* to provide a *professional design* and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7, Division C, of the *building code*, in respect of a *permit* application
- (a) prior to the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
 - (b) prior to a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the District with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*;
 - (c) except for single storey garages, carports and garden structures, *foundation* and *excavation* components of new *simple buildings* and *additions* greater than 55 square metres to *simple buildings* in accordance with the *building code*;
 - (d) a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* in accordance with the *building code*;
 - (e) prior to *alterations* to a *building*, or to a structural component of a *building* described in paragraph (b);
 - (f) for a *building* in respect of which the *building official* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property under the *building code*;
 - (g) if the *building* envelope components of the *building* fall under Division B Part 3 of the *building code*, the *building* contains more than two dwellings, or if the *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 of the *building code*; and
 - (h) for a parcel of land on which a *building* or *structure* is proposed if the *building official* believes the parcel is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*
 - i. for a report certified by *professional engineer* with experience in geotechnical engineering that the parcel may be used safely for the use intended, and
 - ii. that the plans submitted with the application comply with the relevant

provisions of the *building code* and applicable bylaws of the District.

- 9.4. The *building official* may require any *registered professional* carrying out the *professional design* and *field review* required under section 9.3 to provide evidence that they have experience and expertise in respect of the *professional design* and *field review* of the context and scope required.

Professional Plan Certification

- 9.5. The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7, Division C, of the *building code* referred to in sections 9.1 and 9.3 are relied upon by the District and *its building officials* as certification that the design and plans to which the letters of assurance refer comply with the *building code*, this bylaw and other applicable enactment.
- 9.6. Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *building code*.
- 9.7. For a *building permit* issued for the construction of a *complex building*, the building official shall provide the *owner* with a notice that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *building code* and other applicable enactments. Any failure on the part of the *building official* to provide the *owner* with the notice will not diminish or invalidate the reliance by the District or its *building officials* on the *registered professionals*.
- 9.8. If a *building permit* is issued for construction of a *complex building*, the *permit fee* is reduced by 5% of the fees payable under Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor, up to a maximum reduction of \$500.00 (five hundred dollars).

10. Building Application Requirements

Requirements before Applying for a Building Permit

- 10.1. Prior to issuance of a building permit, the owner must satisfy the following requirements or conditions:
- (a) the *owner* must apply for and obtain a development permit if the *building* or *structure* is in an area designated by the District's *Official Community Plan* as a development *permit* area;
 - (b) the *owner* must ensure that the proposed *building* or *structure* complies with all bylaws of the District, except to the extent a variance of a bylaw is authorized by a development *permit*, development variance permit or order of the Board of Variance;
 - (c) an approving officer must have approved the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*, and the subdivision plan must have been registered in the

Land Title Office;

- (d) the *owner* must provide evidence to the *building official* showing that the person applying for the *building permit* is either the *owner* of the parcel that is the subject of the proposed *building permit*, or is the *agent* of the *owner*, in which case, the *agent* must provide the name and contact information of the *owner*;
- (e) if the parcel that is the subject of the *building permit* application cannot be connected to the District's sewage disposal system, the *owner* must apply for and obtain approval from the District and other applicable public authorities for an alternate *private sewage disposal system*;
- (f) if the parcel that is the subject of the *building permit* application cannot be connected to the District's waterworks system, the *owner* must apply for and obtain approval from the District and other applicable public authorities for an alternate water supply system;
- (g) if the parcel that is the subject of the *building permit* application is not intended to be connected to The District's storm water drainage system, the *owner* must apply for and obtain approval from the District and other applicable public authorities for the alternate storm water drainage and detention system; and
- (h) if all on site and off site works and services required by a District bylaw or other enactment have not been completed in accordance with the enactments, the *owner* must enter into a completion agreement with the District and deliver to the District letters of credit or cash security for completion of the works and service.

Building Permit Applications for Complex Buildings

- 10.2. An application for a *building permit* with respect to a *complex building* must
- (a) be made in the form prescribed by the *building official* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - (b) be accompanied by the *owner's* acknowledgement of responsibility and undertaking made in the form prescribed by a District of Ucluelet *building official* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
 - (d) include a *building code* compliance summary including the applicable edition of the *building code*, such as without limitation whether the building is designed under Part 3 or Part 9 of the building code, *major occupancy* classification(s) of the *building*, *building area* and *building height*, number of streets the *building* faces, and *accessible* entrances, work areas, washrooms, firewalls and facilities;
 - (e) include a copy of a survey plan prepared by a British Columbia land surveyor;

- (f) include a site plan prepared by a *registered professional* showing
- i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
 - iv. the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - vi. north arrow;
 - vii. if applicable, location of an approved *existing* or proposed private or other alternative sewage disposal system, water supply system or storm water drainage system;
 - viii. zoning compliance summary;
 - ix. the location, dimensions and gradient of parking and parking access;
 - x. proposed and *existing* setbacks to property lines;
 - xi. natural and finished grade at *building* corners and significant breaks in the building plan and proposed grade around the *building* faces in order to ascertain *foundation* height;
 - xii. first storey floor elevation;
 - xiii. location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
 - xiv. line of upper floors;
 - xv. location and elevation of curbs, sidewalks, manholes, and service poles;
 - xvi. location of *existing* and proposed service connections;
 - xvii. location and species of all trees greater than 10 centimetres in diameter;
 - xviii. location of top bank and water courses;
 - xix. access routes for firefighting;
 - xx. *accessible* paths of travel from the street to the *building*;
 - xxi. geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the District's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation, except that the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;
- (g) include floor plans showing the dimensions and uses and *occupancy* classification of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; fire separations; plumbing fixtures; structural elements; and stair dimensions;
- (h) include a cross-section through the *building* or *structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights and constructions systems;
- (i) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished *grade*, spatial separations and

ridge height to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the District's zoning bylaw and development permit;

- (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *building code*;
 - (k) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the *building code*;
 - (l) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal *permits*, highway access *permits* and ministry of health approvals;
 - (m) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7 Division C, of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
 - (n) include letters of assurance in the form of Schedule B referred to in subsection 2.2.7 Division C, of the *building code*, each signed by such *registered professionals* as the *building official* or *building code* may require to prepare the design for and conduct *field reviews* of the construction of the *building*;
 - (o) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (g) to (k) of this section;
 - (p) include illustration of any slopes on the subject parcel that exceed 30%; and
 - (q) define an enclosed area, attached garage, or ancillary building for the purpose of storage for garbage and/or garbage receptacles that prevent access by animals and/or dangerous wildlife. All enclosures and/or buildings used for the purpose of garbage and/or garbage receptacle storage must meet the requirements of the *District of Ucluelet Garbage Collection & Regulation Bylaw No. 960, 2004* or its successor and *District of Ucluelet Zoning Bylaw No. 1160, 2013* or its successor.
- 10.3. In addition to the requirements of section 10.2 of this bylaw, a *building official* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building* or *structure* or siting circumstances warrant
- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the District's subdivision and development servicing bylaw;
 - (b) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways; and
 - (c) any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

Building Permit Applications for Simple Buildings

- 10.4. An application for a *building permit* with respect to a *simple building* must
- (a) be made in the form prescribed by the *building official* and signed by the *owner*, or signing officer if the *owner* is a corporation;
 - (b) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form prescribed by a District of Ucluelet *building official* signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
 - (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
 - (e) include a site plan showing
 - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
 - iv. the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - vi. north arrow;
 - vii. if applicable, location of an approved *existing* or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;
 - viii. the location, dimensions and gradient of parking and parking access;
 - ix. proposed and *existing* setbacks to property lines;
 - x. natural and finished grade at *building* corners and datum determination points;
 - xi. *first storey* floor elevation;
 - xii. location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
 - xiii. line of upper floors;
 - xiv. location and elevation of curbs, sidewalks, manholes and service poles;
 - xv. location of *existing* and proposed service connections;
 - xvi. location and species of all trees greater than 10 centimetres in diameter;
 - xvii. location of top bank and water courses;
 - xviii. access routes for firefighting;
 - xix. *accessible* paths of travel from the street to the *building*;
 - xx. zoning compliance summary; and
 - xxi. the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the District's land use

regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation, except that for a *simple building* the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building*;

- (f) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; stair dimensions; fireplaces and wood burning appliances; location of mechanical ventilation system; and location and type of heat source;
- (g) include a cross-section through the *building* illustrating *foundations*; drainage; ceiling heights; insulation, envelope and air barrier details; and construction systems;
- (h) include elevations of all sides of the *building* showing finish details, roof slopes, windows, doors, the *grade*, the maximum *building height* line, ridge height, spatial separations and natural and finished *grade* to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the District zoning and development permit areas;
- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *building code*;
- (j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal *permits*, highway access *permits* and Ministry of Health approvals;
- (k) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *building official* determines that the site conditions so warrant;
- (l) include two sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section;
- (m) include a *building code* compliance summary including the applicable edition of the *building code*, such as, without limitation, whether the *building* is designed under Part 3 or Part 9 and compliance with article 2.2.2.1(2), Division C of the *building code*;
- (n) include, if required, one set of engineered sealed drawings; and,
- (o) define an enclosed area, attached garage, or ancillary building for the purpose of storage for garbage and/or garbage receptacles that prevent access by animals and/or dangerous wildlife. All enclosures and/or buildings used for the purpose of garbage and/or garbage receptacle storage must meet the requirements of the *District of Ucluelet Garbage Collection & Regulation Bylaw No. 960, 2004* or its successor and *District of Ucluelet Zoning Bylaw No. 1160, 2013* or its successor.

- 10.5. In addition to the requirements of section 10.4 of this Part, if a *project* involves
- (a) two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 square metres;
 - (b) two or more *buildings* that will contain four or more dwelling units; or
 - (c) otherwise if the complexity of the proposed *building* or *structure* or siting circumstances warrant, then a *building official* may require the following be submitted with a *permit* application for the construction of each *simple building* in the *project*:
 - i. a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
 - ii. a roof plan and roof height calculations;
 - iii. structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;
 - iv. letters of assurance in the form of Schedule B referred to in Division C of the *building code*, signed by a *registered professional*; and
 - v. any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

Site and Location Information

- 10.6. Without limiting sections 10.2(f) or 10.4(d) of this Part, the *building official* may in writing require an *owner* to submit an up-to-date plan or survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any *building* to
- (a) establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
 - (b) verify, on completion of the *construction*, that all provisions of this and other applicable bylaw have been complied with;
 - (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
 - (d) in relation to *construction* of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location and elevation, and every person served with a written requirement under this section must comply with the requirement.

Application Fee

- 10.7. A non-refundable application fee shall:
- (a) accompany a building permit application in the amount as prescribed in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor;
 - (b) be credited against the permit fee when the permit is issued.

Building Permit Fee

- 10.8. Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the District
- (a) the building permit fee prescribed in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor; and
 - (b) any fees, charges, levies or taxes imposed by the District and payable under an enactment at the time of issuance of the *building permit*.

Security Deposit

- 10.9. Prior to the issuance of a *building permit*, the *owner* must pay to the District the security deposit prescribed in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor.
- 10.10. The security deposit sum set out in section 10.9 of this Part
- (a) covers the cost born by the District to maintain, restore or replace and public works or public lands which are destroyed, damaged or otherwise impaired in the carrying out of the work referred to in any building permit held by the applicant;
 - (b) covers the cost borne by the District to make the site safe if the *permit* holder abandons or fails to complete the work as designated on the *permit*;
 - (c) serves as the security deposit for provisional *occupancy* when the final inspection notice makes provision for a security deposit; or
 - (d) serves as a security deposit to effect compliance with any condition under which the *permit* was issued.
- 10.11. The security deposit or applicable portion must be returned to the *owner* or the person identified by the *owner*, when:
- (a) the building official is satisfied that no further damage to public works or public lands will occur;
 - (b) the inspections required by this bylaw are complete and acceptable to the

building official;

- (c) the conditions or provisions of a provisional certificate of *occupancy* are completed to the satisfaction of the *building official*;
- (d) an occupancy permit has been issued;

and only if the *owner* or *agent* has requested the return of the security.

10.12. Any credit greater than the amount of the security deposit used by the District for the purposes described in sections 10.9 to 10.10 of this Part will be returned to the *owner* unless otherwise so directed by the *owner*. Any amount in excess of the security deposit required by the District to complete corrective work to public lands, public works, or the site is recoverable by the District from the *owner*, the *agent*, or the *constructor*.

10.13. If the proposed work includes *excavation* or construction on lands within 3 metres of works or services owned by the District, the *owner* must deliver to the *building official* a signed agreement in a form prescribed by the District's Public Works Superintendent under which the *owner* acknowledges and agrees that any damage to municipal works or services arising from the construction associated with the *building permit* will be repaired by the *owner* at its expense and to the satisfaction of the Public Works Superintendent, and the *owner* must deposit with the District security in accordance with sections 10.9 to 10.11 of this Part.

Permit Fee Refunds

10.14. No fee or part of a fee paid to the District may be refunded if construction of the *building* has started.

10.15. A *building permit* or other *permit* fee may be partially refunded as set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor only if

- (a) the *owner* or *agent* has submitted a written request for a refund;
- (b) the *building official* has certified a start has not been made on the construction of the *building* or *structure*; and
- (c) the *permit* has not expired.

10.16. A *building permit* or other *permit* fee is not refundable after the *permit* has been extended under section 10.46 of this Part.

Design Modification

10.17. If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the value of the work does not increase or the value of the work decreases, the *owner* must pay to the District a *building permit* fee as indicated in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor.

Construction Before Permit Issued

- 10.18. The *building permit* or other *permit* fee is doubled for every *permit* application if construction commenced before the *building official* issued a *permit*, to a maximum of \$10,000.00.

Expiration of Application for a Permit

- 10.19. A *building permit* other *permit* application submittal that is not complete or does not comply with the applicable provisions of this bylaw, expires 180 days from the date an application is received under this Part, unless the *permit* is not issued only due to delays caused by the District.

Issuance of a Building Permit

- 10.20. If
- (a) a complete application in compliance with sections 10.2 and 10.3 or sections 10.4 and 10.5 of this Part, including all required supporting documentation, has been submitted; and,
 - (b) the *owner* has paid all applicable fees set out in sections of this Part and Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor; and,
 - (c) the *owner* or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw; and,
 - (d) the *owner* has retained a *professional engineer* or geoscientist if required under this bylaw; and,
 - (e) the *owner* has retained an *architect* if required under this bylaw; and
 - (f) no covenant, agreement, resolution or regulation of the District requires or authorizes the *permit* to be withheld,

the *building official* must issue the *permit*, in the form prescribed by the *building official*, for which the application is made, and the date of issuance is deemed to be the date the District receives payment for the building permit.

- 10.21. Despite section 10.20, the *building official* may refuse to issue a *permit* when the *owner* has been notified of a violation of this bylaw about the construction of another *building* or *structure* by the *owner*.

Compliance with the Homeowner Protection Act

- 10.22. If the application is in respect of a *building* that includes, or will include, a *residential occupancy* governed by the *Homeowner Protection Act*, the *building permit* must not be issued unless the *owner* provides evidence under section 30(1) of the *Homeowner Protection Act*, that the proposed *building*

- (a) is covered by home warranty insurance; and
- (b) the *constructor* is a licensed “residential builder” as defined in that Act.

10.23. Section 10.22 of this Part does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20(1) or 30(1) of the *Homeowner Protection Act*.

10.24. Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act* and negotiations under it during the term of the *permit*.

Partial Construction

10.25. If a site has been *excavated* and a *building permit* is not subsequently issued or a subsisting *building permit* has expired under section 10.46, but without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the District to do so.

10.26. If a *building permit* has expired and partial construction has progressed, with no extension requested of the *building official* under section 10.47, or if any excavation is left exposed without a subsequent Building Permit for a period of 60 days and is deemed to be a hazard, permanent type fencing with privacy screen complying with the District’s zoning bylaw, must be erected around the *building* site for protection to the public.

Conditions of a Building Permit

10.27. A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned until the *owner* has notified the *building official* in writing, the *building official* has authorized the transfer or assignment in writing and the *owner* has paid the non-refundable fee required under Schedule ‘C’ of the *Fees and Charges Bylaw No. 1186, 2016* or its successor. The transfer or assignment of a *building permit* is not an extension of a *building permit*.

10.28. The review of plans and supporting documents and issuance of a *building permit* do not prevent the *building official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building* construction or *occupancy* being carried on when in violation of this or another bylaw.

Inspections

10.29. If a *registered professional* provides letters of assurance in accordance with this Part, the District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw and the *building code* as assurance that the construction substantially conforms to the design, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.

- 10.30. Despite section 10.29 of this Part, a *building official* may attend the site from time to time during construction to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.
- 10.31. A *building official* may attend periodically at the site of the construction of *simple buildings* or *structures* to ascertain whether the work is being carried out in substantial conformance with the *building code*, this bylaw and any other applicable enactments concerning safety.
- 10.32. For all work in respect of *simple buildings* the *owner* must give at least 48 hours' notice by email to the *building official* to the District when requesting an inspection and must obtain an inspection and receive a *building official's* written acceptance of the following aspects of the work prior to concealing them;
- (a) after demolition, the grading and removal of debris from the site;
 - (b) *excavation*, within 24 hours of the start of *excavation*;
 - (c) siting, footing and foundation forms, before concrete is poured;
 - (d) installation of perimeter drainage, damp proofing or water proofing and roof drainage system prior to backfilling
 - (e) subfloor depressurization layer and subfloor radon pipe before it is covered;
 - (f) prior to inspection under section 10.31(g), plumbing located below the finished slab level;
 - (g) the preparation of ground, including ground seal and air barrier when required, subgrade and under slab insulation
 - (h) after inspection under section 10.31(g) hydronic heating pipes and under slab insulation;
 - (i) installation of rough-in plumbing and radon pipe before it is covered;
 - (j) installation of *building* services before being covered;
 - (k) rough in of factory built chimneys and fireplaces and solid fuel burning appliances;
 - (l) sheathing, framing, fire blocking and fire stopping (including drywall in fire separations), bracing, chimney and ductwork, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;
 - (m) insulation and vapour barrier prior to the installation of any finishes that could conceal such work;
 - (n) *construction* of an exterior deck;

- (o) on-site *constructed* tubs or showers and tub or shower trap tests;
 - (p) the installation of wall sheathing membrane, externally applied vapour or air barrier, rainscreen and flashings, but prior to the installation of exterior finishes which could conceal such work; and
 - (q) the *health and safety aspects of the work* and the energy conservation, GHG emission reduction and accessibility aspects of the work when the *building* or *structure* is substantially complete, ready for *occupancy* but prior to *occupancy*.
- 10.33. A *building official* will only carry out an inspection under section 10.32 if the *owner* or the *owner's agent* has requested the inspection by email in accordance with this bylaw.
- 10.34. Despite the requirement for the *building official's* acceptance of the work outlined in section 10.32, if a *registered professional* provides letters of assurance, the District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the aspects of the construction referenced by those letters of assurance substantially conform to the *design*, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.
- 10.35. For work in respect of *complex buildings*, the *owner* must
- (a) give at least 48 hours' notice by email to the *building official* when requesting a preconstruction meeting with the *building official* prior to the start of construction, and the *owner* or his or her representative must ensure that the *coordinating registered professional*, the *constructor*, as well as representatives of major trades, are in attendance;
 - (b) give at least 5 business days by email to the *building official* or written notice to the District when requesting a preoccupancy coordinated by the *coordinating registered professional* or other *registered professional* to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *building official* and Fire Services the compliance with *the health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable District requirements and other enactments respecting safety, energy conservation, GHG emission and accessibility aspects of the work; and
 - (c) cause the *coordinating registered professional*, at least 48 hours prior to the preoccupancy coordinated site review coordinated by the *coordinating registered professional*, to deliver to the *building official* the Confirmation of Required Documentation described in this bylaw, complete with all documentation in the form as prescribed by the *Building Official*.

Stop Work Order

- 10.36. The *building official* may direct the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by the attachment of a stop

work order notice in the form prescribed by the *building official* on the premises whenever it is found that the work is not being performed in accordance with the requirements of the *building code*, any applicable bylaw of the District or the applicable provisions of the *Homeowner Protection Act*.

- 10.37. The *coordinating registered professional* may request, in writing, that the *building official* order the immediate suspension or correction of all or a portion of the construction on a *building or structure* by attaching a stop work order notice on the premises. The *building official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.
- 10.38. If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to his or her *design or field review* and the *building official* is deemed to have issued a stop work order under section 10.36
- 10.39. The *owner* must immediately, after the posting of a notice under section 10.36, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the District.
- 10.40. Subject to section 10.36, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.36 until the stop work order notice has been removed by the *building official*.
- 10.41. The notice referred to in section 9.36 must remain posted on the premises until that which is contrary to the enactments has been remedied.

Do Not Occupy Notice

- 10.42. If a person occupies a *building or structure* or part of a *building or structure* in contravention of this bylaw, a *building official* may post a Do Not Occupy Notice in the form prescribed by the *building official* on the affected part of the *building or structure*.
- 10.43. If a notice is posted under section 10.42, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building or structure* immediately and refrain from further *occupancy* until all applicable provisions of the *building code* and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a *building official*.

Inspection and Other Fees

- 10.44. In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor for
- (a) a second and each subsequent re-inspection where it has been determined by the *building official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than one site visit is required for any required inspection;

- (b) a special inspection during the District's normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location or construction techniques; and
- (c) inspection required under this bylaw which cannot be carried out during the District's normal business hours.

Permit Expiration

10.45. Every *permit* is issued on the condition that the *permit* expires and the rights of the *owner* under the *permit* terminate if

- (a) the work authorized by the *permit* is not commenced within 180 days from the date of issuance of the *permit*;
- (b) work is discontinued for a period of 180 days; or
- (c) the work is not completed within two years of the date of issuance of the *permit*.

Permit Extension

10.46. A *building official* may extend the period set out under section 10.45 for only one period, not to exceed twelve months, if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the *owner's* control, or if the size and complexity of the construction warrants, if

- (a) application for the extension is made at least 30 days prior to the date of *permit* expiration; and
- (b) the non-refundable fee set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor has been paid.

Building Permit Revocation

10.47. The *building official* may revoke a *building permit* if there is a violation of

- (a) a condition under which the *permit* was issued; or
- (b) a requirement of the *building code* or of this or another bylaw of the District, such *permit* revocation must be in writing and sent to the *permit* holder by signature mail to, or personal service on, the *permit* holder.

Building Permit Cancellation

10.48. A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *building official*.

- 10.49. On receipt of the written cancellation notice, the *building official* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".
- 10.50. If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *building official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *building official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".
- 10.51. If a *building permit* application or *permit* is cancelled, and construction has not commenced under the *permit*, the *building official* must return to the *owner* any fees deposited under Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor,
- (a) less any non-refundable portion of the fee; and
 - (b) 15% of the refundable portion of the fee.

Occupancy

- 10.52. No person may occupy a *building* or *structure* or part of a *building* or *structure* until a final occupancy permit has been issued by a *building official*.
- 10.53. A final occupancy permit will not be issued unless
- (a) all letters of assurance have been submitted when required in accordance with the bylaw;
 - (b) all aspects of the work requiring inspection and acceptance pursuant to sections Part 9 and section 10.29 to 10.35 of this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;
 - (c) the *owner* has delivered to the District as-built drawings of the *building* or *structure* in paper and digital format as required by the District;
 - (d) the *owner* has delivered to the District as-built plans of works and *services* in digital format as required by the District; and
 - (e) all other documentation required under applicable enactments has been delivered to the District.
- 10.54. When a *registered professional* provides letters of assurance in accordance with this bylaw, the District will rely solely on the letters of assurance when issuing a final occupancy permit authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *design*, the *building code*, this bylaw and other applicable enactments respecting safety.
- 10.55. A *building official* may issue a final occupancy permit for partial *occupancy* of a

portion of a *building or structure* under construction when

- (a) that portion of the building or structure is self-contained and provided with essential services respecting health and safety aspects of the work, and if applicable, accessibility, GHG emissions and conservation; and
- (b) the requirements set out in section 10.53 have been met with respect to it.

10.56. A final occupancy permit may not be issued unless

- (a) all letters of assurance and the Confirmation of Required Documentation as prescribed by the *building official* have been submitted when required in accordance with the requirements of this bylaw;
- (b) all aspects of the work requiring inspection and review pursuant to Part 9 and sections 10.29 through 10.35 of this bylaw have both been inspected and *accepted*;
- (c) the *owner* has executed and delivered to the District every agreement, instrument or form required by the District in relation to the work or the site; and
- (d) all required offsite works respecting safety have been completed.

Temporary Buildings

10.57. Subject to the bylaws of the District and orders of Council, the *building official* may issue a *building permit* for the erection or placement of a *temporary building or structure for occupancy* if

- (a) the *permit* is for a period not exceeding one year; and
- (b) the *building or structure* is located in compliance with the District's zoning bylaw, built in compliance with the *building code* and this bylaw, and connected, as required by enactments, to District utility services.

10.58. An application for a *building permit* for the erection or placement of a *temporary building or structure* must be made in the form of a temporary *permit* application in the form prescribed by the *building official*, signed by the *owner or agent*, and must include

- (a) plans and supporting documents showing the location and building height of the *building or structure* on the parcel;
- (b) plans and supporting documents showing construction details of the *building or structure*;
- (c) a statement by the *owner* indicating the intended use and duration of the use;
- (d) plans and supporting documents showing the proposed parking and loading space;

- (e) a written description of the *project* explaining why the *building* is temporary;
- (f) a copy of an issued development *permit*, if required;
- (g) in the case of a manufactured *building*, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel *building* must be certified in accordance with CSA Standard A660;
- (h) a report or drawing by an *engineer, architect* or designer confirming compliance with the *building code*, this bylaw, the District's zoning bylaw and other applicable bylaws; security in the form of cash or a letter of credit for 10% of the value of the *temporary building*, which security
 - i. may be used by the District to remove the *building* after one year of the date of the final inspection required under this bylaw; or
 - ii. must be returned to the *owner* if the *owner* removes the *temporary building* within one year of the date of the final inspection of the *temporary building* required under this bylaw; and
 - iii. in the case of a *temporary building*, information to comply with article 1.1.1.1(2)(f), Division C of the *Building Code*.

10.59. Before receiving a *building permit* for a *temporary building* or *structure* for *occupancy*, the *owner* must pay to the District the applicable *building permit* fee set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor.

10.60. A *permit fee* for a *temporary building* or *structure* is not refundable.

11. Temporary Shelter During Construction

11.1. The *building official* may issue a *building permit* authorizing the use of a recreational vehicle, trailer or camper as a temporary shelter on a parcel of land on which a principal *building* is being constructed for a single family dwelling unit or a duplex dwelling.

11.2. A temporary shelter authorized under section 11.1, is subject to the following conditions:

(a) use shall not exceed the lesser of

- i. 2 years from the date of issuance of the *building permit*; or
- ii. 15 days following issuance of an occupancy permit for the dwelling unit

upon which time authorization to use the temporary shelter shall expire and shall not be extended or renewed unless the extension or renewal is granted in accordance with section 10.46;

(b) the *owner* must pay to the District the security deposit sum set out in Schedule 'C' of the

Fees and Charges Bylaw No. 1186, 2016 or its successor, as security for removal of the temporary shelter when required; and

- (c) the *owner* shall actively proceed with the construction of the principal *building* for which the permit is issued.

11.3. If authorization to use the temporary shelter expires and it continues to be used for a residential purpose, the District may cause the temporary shelter to be removed at the expense of the *owner* and may deduct the cost of removal from the security deposit provided by the *owner* from the deposit plus a fixed fee as set out in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor for District costs.

11.4. Without limiting section 11.3, the District must return the security deposit to the *owner* upon cessation of use of the temporary construction shelter, and the *owner* shall not recommence or permit another person to commence use of the temporary construction shelter, unless otherwise authorized under this bylaw.

12. Retaining Walls And Grades

12.1. No person may construct, or structurally repair, a *retaining wall* without a permit.

12.2. Except as certified by a *professional engineer* with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a parcel, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.

12.3. Without limiting section 11.2, no person may occupy a *building* unless the finished *grade* complies with all applicable enactments.

13. Building Move

13.1. No person may move a *building* or *structure* into or within the District

- (a) except where certified by a registered professional that the building, including its foundation, will substantially comply with the current version of the building code; and
- (b) a *building permit* has been issued for the *building* or *structure*.

14. Numbering of Buildings

14.1. Immediately upon issuance of a *building permit* governing the *construction*, *alteration* or repair of a *building*, or prior to and during the *occupancy* of a *building*, the *owner* or occupant must display the address number assigned to it by the District; on or over the entrance to the *building* or where landscaping or *structures* obscure the visibility of a *building* entrance from the adjacent highway, on the *building* property within sight of the adjacent highway; and

- (a) until such time as the *building* is removed from the site or has been demolished.

- 14.2. Despite section 14.1, the District may renumber or alter the assigned numbers in respect of any *building* on any parcel, including those already in existence or numbered.
- 14.3. Without limiting sections 14.1 or 14.2, the *building official* must, *on the issuance of a building permit and in accordance with the Civic Address Numbering Bylaw No. 1108, 2009* or its successor, designate or cause to be designated a house number or set of house numbers related to the *building* authorized by the *permit*. The *owner* or occupier must post the number or numbers on the site immediately after obtaining the *building permit* and keep the numbers always posted in a conspicuous location during construction.
- 14.4. Without limiting sections 14.1 through 14.3, on issuance of an *occupancy permit*, the *owner* or occupier of the parcel must affix the numbers permanently in accordance with the *Civic Address Numbering Bylaw No. 1108, 2009* or its successor.

15. Pools

Swimming Pool Permit and Fencing

- 15.1. Without limiting section 5.1 of this bylaw, a person must not construct, or structurally repair, a swimming *pool* without a valid *building permit*.
- 15.2. A swimming *pool*, including a spa or hot tub must be enclosed within a fence constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.22 metres and no openings greater than 100 mm at their greatest dimension.

Pool Gate

- 15.3. Access through a fence enclosing a swimming *pool*, spa or hot tub must be only through a self-closing and self-latching gate designed and constructed or installed to cause the gate to return to a closed position when not in use and secured by a latch located on the swimming *pool*, spa or hot tub side of the gate.

Spa or Hot Tub Lid

- 15.4. In lieu of a fence, a spa or hot tub may be covered with a locking cover, which would prevent unauthorized access to the water.

Maintenance

- 15.5. A person may not use or *occupy* a swimming *pool*, including a spa or hot tub unless the *owner* or *occupier* of property on or in which a *pool*, spa or hot tub is located maintains every fence or cover required under sections 14.2 to 14.4 in good order, and without limitation maintains and repairs in good order at all times all sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members.

Leaks or Other Failures

- 15.6. A person may not obtain a valid and subsisting *building permit* for or use or occupy a swimming *pool* without first delivering to the *building official* at the time of the *building permit* application an opinion of a *registered professional* that the *design* of the *pool* will not cause or result in leaks or other failures of the *pool*.

16. Access Route for Fire Vehicle

- 16.1. Prior to the issuance of a *building permit* for a *building* under Part 9 of the *building code*, the *owner* must satisfy the *building official* that the *building* or *structure* for which the *permit* is issued will be served by a fire access route that complies with the minimum BC Building Code requirements and satisfies the requirements of the District of Ucluelet Fire Services Development Guidelines, as amended from time to time.

17. Offences

Violations

- 17.1. Without limiting Part 4 of this bylaw, every person who

- (a) violates a provision of this bylaw;
- (b) permits, suffers or allows any act to be done in violation of any provision of this bylaw; and
- (c) neglects to do anything required to be done under any provision of this bylaw,

commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000, or a term of imprisonment not exceeding three months, or both, in addition the costs of prosecution. Each day during which a violation, contravention or break of this bylaw continues is deemed to be separate offence.

- 17.2 Every person who fails to comply with any administrative requirement issued by a *building official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.

- 17.3 Every person who commences work requiring a *building permit* without first obtaining such a *permit* must, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional charge as outlined in Schedule 'C' of the *Fees and Charges Bylaw No. 1186, 2016* or its successor.

Deemed Offence

- 17.4 An *owner* is deemed to have knowledge of and be liable under this bylaw in respect of any construction on the parcel the *owner* owns and any change in the use, *occupancy* or both of a *building* or *structure* or part of a *building* or *structure* on that parcel.

- 17.5 No person is deemed liable under section 17.4 who establishes, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.

- 17.6 Nothing in section 17.5 affects
- (a) the District's right to require and the owner's obligation to obtain a permit; and
 - (b) the obligation of the owner to comply with this bylaw.

Ticketing

- 17.7 The offences noted in *Municipal Ticket Information Bylaw No. 949* Schedule 'C' or its successor are designated for enforcement under section 264 of the *Community Charter*.
- 17.8 The following persons designated as bylaw enforcement officers under section 264(1)(b) of the *Community Charter* for enforcing the offences in the *Municipal Ticket Information Bylaw No. 949* Schedule 'C' or its successor: building inspector, bylaw enforcement officer, chief administrative officer are designated by Council as bylaw enforcement officers.
- 17.9 The words or expressions set forth in Column 1 of *Municipal Ticket Information Bylaw No. 949* Schedule 'C' or its successor are authorized pursuant to section 264 (1)(c) of the *Community Charter* to designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or phrases.
- 17.10 The amounts appearing in Column 3 and Column 4 of *Municipal Ticket Information Bylaw No. 949* Schedule 'C' or its successor are the fines established pursuant to section 265(1)(a) of the *Community Charter* for the corresponding offence designated in Column 1.

18. Interpretation

Definitions

- 18.1. In this bylaw

accepted means reviewed by the *building official* under the applicable provisions of the *building code* and this bylaw;

addition means an *alteration* to any building which will increase the total aggregate floor area or the *building height* (in storeys), and includes the provision of two or more separate *buildings* with openings between each other for intercommunication;

administration document means a document described in the "*Building and Development Procedures*" as amended from time to time.

agent includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence;

alternative solution means an alternative solution authorized under the *building code*;

alteration means a change, repair or modification of the *construction* or arrangement of or use of any *building* or *structure*, or to an *occupancy* regulated by this bylaw;

architect means an architect within the meaning of the *Professional Governance Act*, SBC 2018, c47

building code means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

building official means the person designated in or appointed to that position by the District, and includes a building inspector, plan checker, plumbing inspector, gas inspector, or electrical inspector designated or appointed by the District, and for certainty the *building official* is the “building official” referred to in the *Community Charter* and *Local Government Act*;

complex building means:

- (a) a *building* used for a *major occupancy* classified as:
 - i. *assembly occupancy*
 - ii. *care occupancy*
 - iii. *detention occupancy*
 - iv. *high hazard industrial occupancy*;
 - v. *treatment occupancy*; or
 - vi. *post-disaster building*,
- (b) a *building* exceeding 600 square metres in *building area* or exceeding three storeys in *building height* used for a *major occupancy* classified as:
 - i. residential occupancy
 - ii. *business and personal services occupancy*;
 - iii. *mercantile occupancy*; or
 - iv. *medium and low hazard industrial occupancy*,

coordinating registered professional means a *registered professional* retained pursuant to the *building code* to coordinate all design work and field reviews of the *registered professionals* required for a development;

construct includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, *excavate* or shore;

constructor means a person who *constructs*;

existing, in respect of a *building*, means that portion of a *building constructed* prior to the

submission of a *permit* application required under this bylaw;

foundation means a system or arrangement of *foundation* units through which the loads from a *building* are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building that lie below the finished grade immediately adjacent to the building;

GHG means greenhouse gas;

health and safety aspects of the work means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9 and 10, Division B, of the *building code*; and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B;

owner means the registered *owner* in fee simple, or an *agent* duly authorized by the *owner* in writing in the “Letter of Authorization” *administration document* found in the “Building and Development Procedures”

permit means permission or authorization in writing by the *building official* to perform work regulated by this bylaw and, in the case of a final inspection notice, to occupy a *building* or part of a *building*;

pool means a *structure* or *constructed* depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a depth, at any point, exceeding 0.6 m, including an in-ground *pool* and hot tub;

professional design means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*;

professional engineer means an individual who is registered with the regulatory body as a professional engineer under the *Professional Governance Act*, SBC 2018, c 47;

professional geoscientist means an individual who is registered with the regulatory body as a professional geoscientist under the *Professional Governance Act*, SBC 2018, c 47;

professional design means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*;

project means any construction operation;

retaining wall means a *structure* that holds or retains *soil* or other material behind it;

simple building means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square metres and used for a *major occupancy* classified as

- (a) *residential occupancy*;
- (b) *business and personal services occupancy*;
- (c) *mercantile occupancy*;

(d) *medium hazard industrial occupancy*; or

(e) *low hazard industrial occupancy*,

structure means a *construction* or portion of *construction*, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving

temporary building includes a sales office, construction office, shipping or intermodal container, or a *structure* in which tools are stored during construction of a *building* or other *structure*;

value of the work means that amount that is calculated as indicated in Schedule 'C' of the *District of Ucluelet Fees and Charges Bylaw No. 1186, 2016*

18.2. In this bylaw the following words and terms have the meanings

- (a) set out in section 1.4.1.2 of the building code as of the date of the adoption of this bylaw: *accessible, assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, dwelling unit, excavation, field review, firewall, first storey, foundation, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, post disaster occupancy, private sewage disposal system, registered professional, residential occupancy, storey, suite, treatment occupancy, unsafe condition*
- (b) subject to this bylaw, set out in the Schedule to the *Community Charter*: *assessed value, highway, land, occupier, parcel, public authority, service and soil*; and
- (c) subject to this bylaw, set out in section 29 of the *Interpretation Act*: *may, must, obligation, person, property, writing, written and year*.

18.3. Every reference to this bylaw in this or another bylaw of the District is a reference to this bylaw as amended to the date of the reference.

18.4. Every reference to

- (a) the *building code* is a reference to the current edition as of the date of issuance of the *building permit*; and
- (b) a section of the *building code* is a reference to the applicable successor sections, as the code or section may be amended or re-enacted from time to time.

18.5. Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

19. Severability

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

20. Repeal

“District of Ucluelet Building Bylaw No. 1165, 2014” is hereby repealed.

READ A FIRST TIME this 14th day of January, 2025.

READ A SECOND TIME this 14th day of January, 2025.

READ A THIRD TIME this 14th day of January, 2025.

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

CERTIFIED CORRECT; “District of Ucluelet Building Bylaw No. 1363, 2025”.

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

Bylaw No. 1364, 2025

A bylaw to amend District of Ucluelet Fees and Charges Bylaw No. 1186, 2016

WHEREAS the Council of the District of Ucluelet wishes to amend “District of District of Ucluelet Fees and Charges Bylaw No. 1186, 2016” under the provisions of the *Community Charter*;

NOW THEREFORE 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 “District of Ucluelet Fees and Charges Amendment Bylaw No. 1364, 2025”.

Amendments

2. District of Ucluelet Fees and Charges Bylaw No. 1186, 2016 is hereby amended by deleting “Schedule ‘C’ Building Inspection – 2022” in its entirety and replacing it with “Schedule ‘C’ Building Permits” attached to and forming part of this bylaw.

Severability

3. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

READ A FIRST TIME this 14th day of January, 2025.

READ A SECOND TIME this 14th day of January, 2025.

READ A THIRD TIME this 14th day of January, 2025.

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

CERTIFIED CORRECT; " District of Ucluelet Fees and Charges Amendment Bylaw No. 1364, 2025".

Marilyn McEwen
Mayor

Duane Lawrence
Corporate Officer

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

Duane Lawrence
Corporate Officer

Schedule C – Building Permits

Part A - Fees

Section	Category	Description	Fee	Plus GST
10.7	Application Fee	Non-refundable Due when the building permit application is submitted and credited against building permit fee	\$120.00	No
Building Permit Fees				
10.8	New construction or addition	Constructing a building, addition, structure, pool, retaining wall	Minimum Fee \$120.00 Refer to Part B – Construction Value	No
	Renovation, alteration, repair of existing structures	Renovating, altering, change of use, repairing	Minimum Fee \$120.00 Refer to Part B – Construction Value	No
	Building Move	Moving a building or structure into or within the District	Minimum Fee \$120.00 Based on value of work onsite as provided by owner	No
	Wood Burning Appliance	Constructing a masonry fireplace or installing a wood-burning appliance or chimney	\$120.00	No
	Demolition	Demolishing a building or structure	\$120.00 if less than 50 square metres \$150.00 if equal to or greater than 50 square metres	No
	Excavation	Excavation and site preparation of building site	\$120.00	No
10.60	Temporary Building	Review of applications for erection or placement of temporary building or structure	Minimum Fee \$120.00 Hourly charge at rate described under “Part C”. One hour minimum charge.	No
Building Permit Discounts				
9.8	Professional Reliance Discount	Reduction of building permit fee for Complex Buildings	5% of fee to maximum of \$500.00	No
Security Deposits				
10.10		Single family dwelling or Simple building	\$2500.00	No
		Addition, alteration, and renovations to Single family dwelling and Simple buildings, construction of pool, retaining wall, or accessory building, demolition	\$1000.00	No
		Complex building	\$10,000.00	No
		Addition, alteration, renovation, demolition to Complex building	\$5000.00	No
11.2	Temporary Shelter	Temporary shelter during construction of Single family dwelling or Duplex	\$2500.00	No
10.59	Temporary Building	Security in the form of cash or a letter of credit for 10% of the value of the <i>temporary building</i>	10% of declared value of the building as provided by owner	No
Miscellaneous Fees				
7.14	Change Notice	Change in ownership or change in address of owner prior to issuance of permit	\$75.00	No
10.17	Design Modification	Modification to the building design whereby the construction value remains same or decreases	Hourly charge at rate described under “Part C”. One hour minimum charge.	No

Schedule C – Building Permits

10.27	Transfer of Permit	Transfer or assignment of a building permit or application	\$75.00	No
10.45 (a)	Re-inspection	Second and subsequent inspections	\$75.00	No
10.45 (b)	Special inspection	Special inspection during District's normal business hours	Hourly charge at rate described under "Part C". One hour minimum	No
10.45 (c)	After hours inspection	Required inspections that can't be carried out during the District's normal business hours	Hourly charge at two times the rate described under "Part C". Two hours minimum	No
10.47	Permit extension	Extension of a building permit	\$100.00	No
10.18	Construction before Permit	Work started before building permit issued	Building permit fee is doubled to a maximum of \$10,000.00	No
10.20	Title charge	For providing property title search from Land Title Office (per title)	\$30.00	No
	Alternate Solutions	Review of alternate solutions by District building officials and third party - engineer/code consultant	Hourly charge at rate described under "Part C", plus actual cost for third party review	No
	Complex Part 9 and Part 3 Building Permit Review	Third-party engineer and code consultant review of building permit application	Actual cost of third-party review	No

Part B – Construction Value

Building Type	Construction Value
Small Multi-family (up to 3 dwellings), Single family, Accessory Dwelling Unit – <i>New construction, including additions</i>	\$9.00 for each \$1000.00, or portion thereof, of construction value based on estimated value of the construction as determined in accordance with the "Marshall & Swift Valuation Service" or "Residential Cost Handbook" using "average" quality of construction
Accessory buildings, Temporary buildings, and other structures	\$9.00 for each \$1000.00, or portion thereof, of construction value based on estimated value of the construction value based on a declaration from an owner, agent of owner, or constructor
Large Multifamily (4 or more units), Commercial, Industrial, Institutional, Part 3 and Complex Part 9 Buildings	\$9.00 for each \$1000.00, or portion thereof, of construction value based on estimated value of the construction value based on a declaration from an owner, owner's agent, project manager, or Architect

Part C – Hourly Rate

Position	Fee
Building Official, Planner	Current hourly wage plus 25% for benefits; plus 10% for administration

DISTRICT OF UCLUELET

Bylaw No. 1365, 2025

A bylaw to amend Municipal Ticket Information Bylaw No. 949, 2004.

WHEREAS the Council of the District of Ucluelet wishes to amend “Municipal Ticket Information Bylaw No. 949, 2004” under the provisions of the *Community Charter*;

NOW THEREFORE 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 “Municipal Ticket Information Amendment Bylaw No. 1365, 2025”.

Amendments

2. Municipal Ticket Information Bylaw No. 949, 2004 is hereby amended by deleting Schedule ‘C’ in its entirety and replacing it with Schedule ‘C’ attached to and forming part of this bylaw.

Severability

3. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

READ A FIRST TIME this 14th day of January, 2025.

READ A SECOND TIME this 14th day of January, 2025.

READ A THIRD TIME this 14th day of January, 2025.

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

CERTIFIED CORRECT; "Municipal Ticket Information Amendment Bylaw No. 1365, 2025".

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

**Bylaw No. 949, 2004
Schedule "C"**

Building Bylaw No. 1363, 2025

Column 1	Column 2	Column 3	Column 4
Offence	Section	Fine – 1st Offence	Fine – 2nd and Subsequent Offences
Building without a Permit – i.e. building, plumbing, excavation, demolition, moving a building	4.1	\$1000.00	\$1000.00
Occupy contrary to permit	4.2	\$1000.00	\$1000.00
Submission of false or misleading information	4.3	\$1000.00	\$1000.00
Alteration of building permit documents post issuance	4.4	1000.00	\$1000.00
Tamper with notice, permit, certificate	4.5	\$1000.00	\$1000.00
Work contrary to permit	4.6	\$1000.00	\$1000.00
Obstruction of building official	4.7	\$1000.00	\$1000.00
Failure to post civic address during construction	4.8	\$500.00	\$500.00
Contravention of an administrative requirement or order	4.9	\$1000.00	\$1000.00
Change in use or occupancy with a building permit	4.10	\$1000.00	\$1000.00



REPORT TO COUNCIL

Council Meeting: January 28, 2025
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, DIRECTOR OF COMMUNITY PLANNING

FILE NO: 3360-20RZ24-13

SUBJECT: 221 MINATO ROAD (ERIF): 3RD READING OF OCP AMENDMENT &
REZONING BYLAWS No. 1366, 2024 AND 1367, 2024

REPORT NO: 25-07

ATTACHMENT(S): APPENDIX A - OCP AMENDMENT BYLAW No. 1366, 2024
APPENDIX B - ZONING AMENDMENT BYLAW No. 1367, 2024
APPENDIX C - ZONING AMENDMENT BYLAW No. 1367, 2024 (CHANGES TRACKED)

RECOMMENDATION(S):

1. **THAT** Council give third reading to *District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024*.
2. **THAT** Council amend *District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024*, to correct three typos in sections CD-6.4 and CD-6.9 of the bylaw.
3. **THAT** Council give third reading to *District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024*, as amended.
4. **THAT** Council indicate that approval of *District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024*, and *District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024*, would be subject to the owners of the property at 221 Minato Road registering a restrictive covenant on the title of the property, to ensure the development proceeds as proposed - to the satisfaction of Council - and direct staff to work with the municipal solicitors and the applicant to bring amended housing agreements and an amended restrictive covenant back for Council consideration at the earliest opportunity.

BACKGROUND:

At its January 21, 2025, special meeting Council held a public hearing on the *District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024*, *District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024*, and *District of Ucluelet Housing Agreement Bylaw No. 1368, 2024*. (the "Bylaws"). Council is now in a position to consider third reading of the Official Community Plan (OCP) and Zoning amendment bylaws.

DISCUSSION:

The bylaws to consider for third reading are attached as **Appendices A and B**. A copy of *District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024*, is attached in **Appendix C** with changes tracked showing three typos corrected (in sections CD-6.4 and CD-6.9 of the bylaw). These typos were noted during the staff overview of the bylaws at the January 21st public hearing. The corrections do not affect the substance of the bylaw amendments and would not trigger the need to hold another public hearing. Staff recommend that Council amend Bylaw No. 1367 before considering third reading.

The draft housing agreements that form schedules A and B of the *District of Ucluelet Housing Agreement Bylaw No. 1368, 2024*, and the draft restrictive covenant advanced by Council at its December 19, 2024, meeting, are versions drafted by the applicant. The municipal solicitors will be providing advice to Council on these draft agreements. If Council decides that changes are necessary to any of the agreements to ensure the public interest, then staff would coordinate making those changes with the municipal solicitors. After circulation to the applicant for review and discussion, updated versions of the agreements would be brought back to Council for acceptance prior to registration.

At the point the restrictive covenant is signed by both parties and registered on title, Council could consider adopting the OCP amendment, rezoning and housing agreement bylaws, and then issue the environmental Development Permit for the proposed subdivision.

ANALYSIS OF OPTIONS:

A	Give 3 rd reading to Bylaw No. 1366, amend and give 3 rd reading to Bylaw No. 1367, direct changes to restrictive covenant and housing agreements.	<u>Pros</u>	<ul style="list-style-type: none"> Moves the project forward Ensures the restrictive covenant and housing agreements meet Council's expectation for the development to proceed in alignment with the public interest
		<u>Cons</u>	<ul style="list-style-type: none"> Would take additional time
		<u>Implications</u>	<ul style="list-style-type: none"> Staff would coordinate revision and review of the agreements with the municipal solicitors and applicant, to be brought back to Council at the earliest opportunity.
B	Give 3 rd reading to Bylaw No. 1366, amend and give 3 rd reading to Bylaw No. 1367, proceed with restrictive covenant and housing agreement drafts as proposed by the applicant.	<u>Pros</u>	<ul style="list-style-type: none"> Moves the project forward
		<u>Cons</u>	<ul style="list-style-type: none"> May not ensure that the restrictive covenant and housing agreements meet Council's expectation for the development to proceed in alignment with the public interest
		<u>Implications</u>	<ul style="list-style-type: none"> To be determined, following advice to Council from the municipal solicitors
		<u>Suggested Motion</u>	<p>THAT Council give third reading to <i>District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024</i>.</p> <p>THAT Council amend <i>District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024</i>, to correct three typos in sections CD-6.4 and CD-6.9 of the bylaw.</p> <p>THAT Council give third reading to <i>District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024</i>, as amended.</p>

C	Direct changes to the proposed development that Council would need to see before granting approval for the proposed development.	<u>Pros</u>	<ul style="list-style-type: none"> • Would provide an opportunity for the applicant to amend their application to address any concerns of Council, having heard from the community at the public hearing.
		<u>Cons</u>	<ul style="list-style-type: none"> • Would add time to the process • Applicant may choose not to proceed
		<u>Implications</u>	<ul style="list-style-type: none"> • Amending the application could trigger amendments to the bylaws and/or agreements to suit the new proposal • Would trigger another public hearing on the OCP and zoning amendment bylaws. • Additional staff time
		<u>Suggested Motion</u>	<p>THAT Council indicate to the applicant that Council would like to see the following changes to the application to better meet the community’s needs: <i>[insert desired changes]</i></p>
D	Do not proceed with approvals for the development of the property as proposed.	<u>Pros</u>	
		<u>Cons</u>	<ul style="list-style-type: none"> • Delays the project.
		<u>Implications</u>	<ul style="list-style-type: none"> • Current application would not proceed • Applicant could submit new application • Applicant may choose not to proceed with alternative application • Staff time would focus on other priorities of Council
		<u>Suggested Motion</u>	<p>[Council would move and defeat the first resolution at the outset of this report – in that case, those voting to defeat should state their concerns with the current proposal which would need to be changed to consider approval in the future]</p>

NEXT STEPS:

Materials for a preliminary application for subdivision have been submitted by ERIF. At the time of the writing of this report the application fee is outstanding, but staff have been advised that it is on its way. The application materials are being circulated for internal and external review, in parallel with the ongoing consideration of the bylaws, to expedite the Preliminary Layout Assessment process for the subdivision.

The next stages of the approval process include the following steps authorized by Council:

- a. Register restrictive covenant on the property title
- b. Adopt bylaws
- c. Issue environmental DP to enable subdivision and site works
- d. Authorize municipal off-site infrastructure works

Subsequent steps (some may progress concurrently with the above - timing dependent on the developer’s decisions and their consultants’ timing to provide the required plans and analyses):

- e. Subdivision - Preliminary Layout Assessment
- f. Site clearing, grading and civil works
- g. Final Subdivision
- h. Application for Development Permit(s) for multi-family and commercial sites
- i. Building Permit applications for each structure

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

DISTRICT OF UCLUELET

Official Community Plan Amendment Bylaw No. 1366, 2024

A bylaw to amend the District of Ucluelet Official Community Plan
(221 Minato Road - Lot B District Lot 286 Clayoquot District Plan VIP79908
Comprehensive Development).

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. Text Amendments:

The “District of Ucluelet Official Community Plan Bylaw No. 1306, 2022”, as amended, is hereby further amended by inserting the following policy in alphanumerical order:

“Policy 3.171b - 221 Minato Road

In consideration of the community housing benefit provided by the proposed development of the property at 221 Minato Road, site clearing and construction is supported notwithstanding the following objectives and policies adopted in this plan:

- Policy 1.8
- Objective 2A
- Policy 2.1
- Policy 2.2
- Policy 3.163
- General environmental Development Permit Area guidelines E1, E4, E7 and guidelines within environmental Development Permit Areas V, VI and VII.”

2. 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 areas of Lot B District Lot 286 Clayoquot District Plan VIP79908 (PID 026-487-764), shown shaded on the map attached to this Bylaw as Appendix “A”, to Multi-Family Residential, Service Commercial, Tourist Commercial / Residential, and Parks & Open Space.

3. **Citation:**

This bylaw may be cited as “District of Ucluelet Official Community Plan Amendment Bylaw No. 1366, 2024”.

READ A FIRST TIME this **10th** day of **December, 2024.**

READ A SECOND TIME this **10th** day of **December, 2024.**

SECOND READING RESCINDED this **19th** day of **December, 2024.**

AMENDED this **19th** day of **December, 2024.**

Considered in conjunction with the District of Ucluelet Financial Plan and Waste Management Plan under Section 477 of the *Local Government Act* this **19th** day of **December, 2024.**

READ A SECOND TIME AS AMENDED this **19th** day of **December, 2024.**

PUBLIC HEARING held this **21st** day of **January, 2025.**

READ A THIRD TIME this day of , **2025.**

ADOPTED this day of , **2025.**

CERTIFIED CORRECT: “Official Community Plan Amendment Bylaw No. 1360, 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

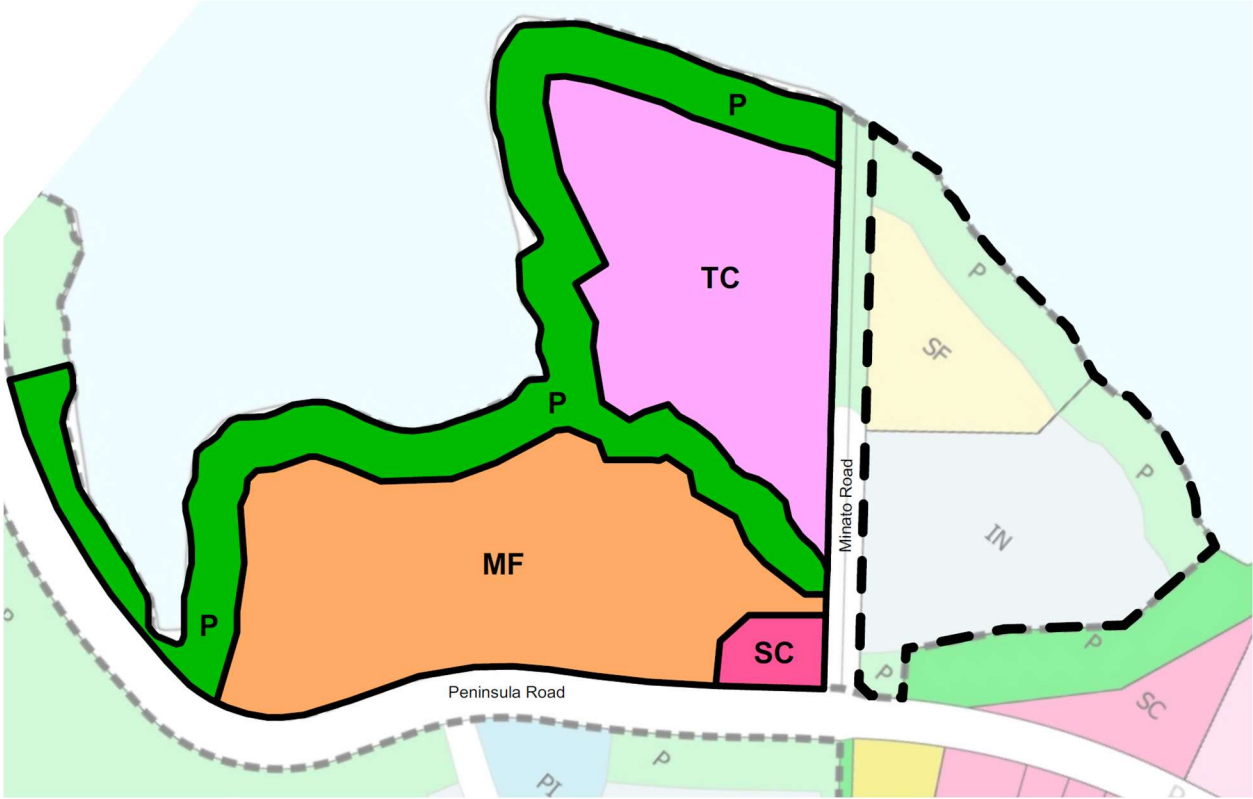
Appendix 'A'

Official Community Plan Amendment Bylaw No. 1366, 2024

OCP Schedule 'A' Long Range Land Use Plan

Amendments in the area of Lot B District Lot 286 Clayoquot District Plan VIP79908
- 221 Minato Road:

- MF = Multi-Family Residential
- SC = Service Commercial
- TC = Tourist Commercial / Residential
- P = Parks & Open Space



DISTRICT OF UCLUELET

Zoning Amendment Bylaw No. 1367, 2024

A bylaw to amend the "District of Ucluelet Zoning Bylaw No. 1160, 2013 (221 Minato Road – Comprehensive Development)

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

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

1. Text Amendments:

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

- A. By deleting the existing section CD-6 Zone – MINATO ROAD.
B. By adding a new Comprehensive Development zone, to Schedule B – The Zones that directly follows CD-5 Zone – FORMER WEYCO FOREST LANDS such that the new section reads as follows:

"CD-6 Zone – MINATO ROAD

This Zone is intended for the development of a mix of multi-family and single-family residential development including affordable rental, market rental, attainable ownership (under a housing agreement covenant) and market ownership homes, some with accessory vacation rental uses.

CD-6 Zone Plan (Development Areas):



CD-6.1 Definitions:

Despite definitions defined elsewhere in this bylaw, the following definitions shall apply to uses within the CD-6 zone:

“**Height**” means the shortest vertical distance from the average elevation of the finished grade, if homes are required to be sited above the Flood Construction Level (FCL) or above the Tsunami Risk Level (TRL), then the height is to be taken from the higher of the existing grade or the FCL or TRL.

“**Single Family Waterfront**”, means a detached *building* consisting of at least one dwelling that may be used for both *residential* and *vacation rental* use in a principal dwelling and/or secondary suite. While designed for single family occupation, the inclusion of at least one secondary suite permits *residential rental tenures* and *vacation rental* use.

“**Vacation Rental**”, means the use of an otherwise *residential* dwelling unit for *commercial tourist accommodation*.

CD-6.2 Permitted Uses:

The following uses are permitted within the corresponding Development Areas shown in the CD-6 Zone Plan, but *secondary permitted* uses are only permitted in conjunction with a *principal permitted use*:

Development Area	Principal Use	Building Form	Secondary Uses
Lot 1	Multiple Family	Apartment	Home Occupation Secondary Suite
Lot 2	Rental Multiple Family	Apartment	Home Occupation
Lot 3	Single Family Waterfront Vacation Rental	House	Home Occupation Secondary Suite Vacation Rental
Lot 4	Principal uses permitted within the CS-2 Zone – SERVICE COMMERCIAL	Commercial/Retail	CS-2 Zone – SERVICE COMMERCIAL permitted uses
Lot 5	Multiple Family Vacation Rental*	Apartment	Home Occupation Secondary Suite Vacation Rental

* On Lot 5, a maximum of 29 dwelling units may be used for vacation rental use.

CD-6.3 Lot Regulations:

CD-6.3.1 Minimum Lot Frontage is 10.0m.

CD-6.3.2 Minimum Lot Size:

Development Area	Principal Use	Minimum Lot Size
Lot 1	Multiple Family	300m2
Lot 2	Rental Multiple Family	16,000m2
Lot 3	Single Family Waterfront / VR	500m2
Lot 4	Retail Trade & Services	2000m2
Lot 5	Rental Multiple Family / VR	300m2
TOTAL		

CD-6.4 Density

CD-6.4.1 Maximum Density:

Development Area	Principal Use	Density (max # of buildings)	Density (max. # principal dwelling units)	Density (per unit/ha)
Lot 1	Multiple Family Residential	18	75	39.5 unit / ha
Lot 2	Rental Multiple Family	16	107	60.1 unit / ha
Lot 3	Single Family Waterfront	11	11	7.5 unit / ha
Lot 4	Retail Trade & Services	2	-	-
Lot 5	Rental Multiple Family	10	58	44.3 unit / ha
TOTAL		55	251	37.4 units / ha

CD-6.5 Maximum Size (Gross Floor Area):

Development Area	Principal Use	Building Footprint	Total Gross Floor Area (m2)	Proposed Lot Coverage – 5 lot subdivision	Maximum Lot Coverage – on individual strata lots
Lot 1	Multiple Family – Part 1	1,321 m2	6795	18 %	65%
	Multiple Family – Part 2	2,077 m2			
Lot 2	Rental Multiple – Part 1	1,166 m2	6238	18 %	25%
	Rental Multiple – Part 2	1,952 m2			
Lot 3	Single Family Waterfront	2,475 m2	3,850	17 %	45%
Lot 4	Retail Trade & Services	600 m2	1120	25 %	50%
Lot 5	Rental Multiple Family	1,928 m2	3855	15%	65%
TOTAL		11,519 m2	21,858		

CD-6.6 Maximum Size of Accessory Buildings

CD-6.6.1 on lots containing a *Single Family*: 30 m2 (323 ft2) combined total.

CD-6.6.2 on lots containing a *Multiple Family or Rental Multiple Family*: 50 m2 (538 ft2) combined total.

CD-6.6.3 on lots containing a *Commercial*: 100 m2 (1077 ft2) combined total.

CD-6.7 Maximum Height

Development Area	Principal Use	Principal	Accessory
Lot 1	Multiple Family	9.5 m	5.5 m
Lot 2	Rental Multiple Family	9.5 m	5.5 m
Lot 3	Single Family Waterfront	12.6 m	5.5 m
Lot 4	Retail Trade & Services	11.5 m	5.5 m
Lot 5	Rental Multiple Family	9.5 m	5.5 m

CD-6.8 Minimum Setbacks:

For all buildings there is a lot line setback of 0.0m between strata phases.

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

Development Area	Principal Use	Front	Rear	Side Interior	Side Exterior	Phased Strata Lot Line
Minimum Setbacks						
Lots 1/2/5	Multiple Family	3.0 m	1.0 m	0.5 m	1.0 m	0.0 m
Lot 3	Single Family Waterfront	2.0 m	0.8 m	3.0 m	3.0 m	0.0 m
Lot 4	Retail Trade & Services	3.0 m	3.0 m	1.5 m	2.0 m	0.0 m

CD-6.9 Parking Requirements:

Despite the regulations in section 505.1 Minimum Parking Requirements, the following shall apply within the CD-6 zone:

For *Multiple Family* in Lots 1, 2 and 5: one space per *dwelling unit* plus one visitor space per multi-family *building*.

For Lot 3 Single Family Waterfront: 3 spaces per lot.

For Lot 4 Commercial: 15 spaces per lot.”

2. Citation:

This bylaw may be cited as the “*District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024*”.

READ A FIRST TIME this **19th** day of **December, 2024**.

READ A SECOND TIME this **19th** day of **December, 2024**.

PUBLIC HEARING held this **21st** day of **January, 2025**

READ A THIRD TIME this day of , 2025.

ADOPTED this day of , 2025.

CERTIFIED CORRECT; "District of Ucluelet Zoning Amendment Bylaw No. 1367, 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. 1367, 2024

A bylaw to amend the "District of Ucluelet Zoning Bylaw No. 1160, 2013 (221 Minato Road – Comprehensive Development)

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

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

1. Text Amendments:

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

- A. By deleting the existing section CD-6 Zone – MINATO ROAD.
B. By adding a new Comprehensive Development zone, to Schedule B – The Zones that directly follows CD-5 Zone – FORMER WEYCO FOREST LANDS such that the new section reads as follows:

"CD-6 Zone – MINATO ROAD

This Zone is intended for the development of a mix of multi-family and single-family residential development including affordable rental, market rental, attainable ownership (under a housing agreement covenant) and market ownership homes, some with accessory vacation rental uses.

CD-6 Zone Plan (Development Areas):



CD-6.1 Definitions:

Despite definitions defined elsewhere in this bylaw, the following definitions shall apply to uses within the CD-6 zone:

“**Height**” means the shortest vertical distance from the average elevation of the finished grade, if homes are required to be sited above the Flood Construction Level (FCL) or above the Tsunami Risk Level (TRL), then the height is to be taken from the higher of the existing grade or the FCL or TRL.

“**Single Family Waterfront**”, means a detached *building* consisting of at least one dwelling that may be used for both *residential* and *vacation rental* use in a principal dwelling and/or secondary suite. While designed for single family occupation, the inclusion of at least one secondary suite permits *residential rental tenures* and *vacation rental* use.

“**Vacation Rental**”, means the use of an otherwise *residential* dwelling unit for *commercial tourist accommodation*.

CD-6.2 Permitted Uses:

The following uses are permitted within the corresponding Development Areas shown in the CD-6 Zone Plan, but *secondary permitted* uses are only permitted in conjunction with a *principal permitted use*:

Development Area	Principal Use	Building Form	Secondary Uses
Lot 1	Multiple Family	Apartment	Home Occupation Secondary Suite
Lot 2	Rental Multiple Family	Apartment	Home Occupation
Lot 3	Single Family Waterfront Vacation Rental	House	Home Occupation Secondary Suite Vacation Rental
Lot 4	Principal uses permitted within the CS-2 Zone – SERVICE COMMERCIAL	Commercial/Retail	CS-2 Zone – SERVICE COMMERCIAL permitted uses
Lot 5	Multiple Family Vacation Rental*	Apartment	Home Occupation Secondary Suite Vacation Rental

* On Lot 5, a maximum of 29 dwelling units may be used for vacation rental use.

CD-6.3 Lot Regulations:

CD-6.3.1 Minimum Lot Frontage is 10.0m.

CD-6.3.2 Minimum Lot Size:

Development Area	Principal Use	Minimum Lot Size
Lot 1	Multiple Family	300m2
Lot 2	Rental Multiple Family	16,000m2
Lot 3	Single Family Waterfront / VR	500m2
Lot 4	Retail Trade & Services	2000m2
Lot 5	Rental Multiple Family / VR	300m2
TOTAL		

CD-6.4 Density

CD-6.4.1 Maximum Density:

Development Area	Principal Use	Density (max # of buildings)	Density (max. # principal dwelling units)	Density (per unit/ha)
Lot 1	Multiple Family Residential	18	75	39.5 unit / ha
Lot 2	Rental Multiple Family	16	107	60.1 unit / ha
Lot 3	Single Family Waterfront	11	11	7.5 unit / ha
Lot 4	Retail Trade & Services	2	-	-
Lot 5	Rental Multiple Family	10	58	44.3 unit / ha
TOTAL		55	250 251	37.4 units / ha

CD-6.5 Maximum Size (Gross Floor Area):

Development Area	Principal Use	Building Footprint	Total Gross Floor Area (m2)	Proposed Lot Coverage – 5 lot subdivision	Maximum Lot Coverage – on individual strata lots
Lot 1	Multiple Family – Part 1	1,321 m2	6795	18 %	65%
	Multiple Family – Part 2	2,077 m2			
Lot 2	Rental Multiple – Part 1	1,166 m2	6238	18 %	25%
	Rental Multiple – Part 2	1,952 m2			
Lot 3	Single Family Waterfront	2,475 m2	3,850	17 %	45%
Lot 4	Retail Trade & Services	600 m2	1120	25 %	50%
Lot 5	Rental Multiple Family	1,928 m2	3855	15%	65%
TOTAL		11,519 m2	21,858		

CD-6.6 Maximum Size of Accessory Buildings

CD-6.6.1 on lots containing a *Single Family*: 30 m2 (323 ft2) combined total.

CD-6.6.2 on lots containing a *Multiple Family or Rental Multiple Family*: 50 m2 (538 ft2) combined total.

CD-6.6.3 on lots containing a *Commercial*: 100 m2 (1077 ft2) combined total.

CD-6.7 Maximum Height

Development Area	Principal Use	Principal	Accessory
Lot 1	Multiple Family	9.5 m	5.5 m
Lot 2	Rental Multiple Family	9.5 m	5.5 m
Lot 3	Single Family Waterfront	12.6 m	5.5 m
Lot 4	Retail Trade & Services	11.5 m	5.5 m
Lot 5	Rental Multiple Family	9.5 m	5.5 m

CD-6.8 Minimum Setbacks:

For all buildings there is a lot line setback of 0.0m between strata phases.

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

Development Area	Principal Use	Front	Rear	Side Interior	Side Exterior	Phased Strata Lot Line
Minimum Setbacks						
Lots 1/2/5	Multiple Family	3.0 m	1.0 m	0.5 m	1.0 m	0.0 m
Lot 3	Single Family Waterfront	2.0 m	0.8 m	3.0 m	3.0 m	0.0 m
Lot 4	Retail Trade & Services	3.0 m	3.0 m	1.5 m	2.0 m	0.0 m

CD-6.8-9 Parking Requirements:

Despite the regulations in section 505.1 Minimum Parking Requirements, the following shall apply within the CD-6 zone:

For *Multiple Family* in Lots 1, 2 and 5: one space per *dwelling unit* plus one visitor space per multi-family *building*.

For Lot 3 Single Family Waterfront: 3 spaces per lot.

For Lot 4 Commercial: 15 spaces per lot.”

2. Citation:

This bylaw may be cited as the “*District of Ucluelet Zoning Amendment Bylaw No. 1367, 2024*”.

READ A FIRST TIME this **19th** day of **December, 2024**.

READ A SECOND TIME this **19th** day of **December, 2024**.

PUBLIC HEARING held this day of , **2025**

READ A THIRD TIME this day of , 2025.

ADOPTED this day of , 2025.

CERTIFIED CORRECT; "District of Ucluelet Zoning Amendment Bylaw No. 1367, 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

FROM: ABBY FORTUNE, DIRECTOR OF COMMUNITY SERVICES

FILE No: 1855-03

SUBJECT: RESORT DEVELOPMENT STRATEGY PROJECTS

REPORT No: 25-08

ATTACHMENT(S): APPENDIX A – OPEN HOUSE PRESENTATION
APPENDIX B – COMMUNITY OPEN HOUSE FEEDBACK
APPENDIX C – ONLINE FEEDBACK

RECOMMENDATION(S):

THAT Council direct staff to include the following projects within the 2025 to 2027 Resort Development Strategy.

- 1.
- 2.
- 3.

BACKGROUND:

On November 13, 2024, the District of Ucluelet held an Open House to glean community feedback regarding potential projects for the next cycle of the Resort Development Strategy 2025-2027. Over 25 people attended the event and submitted 17 feedback forms. Additionally, an online survey was executed to gather feedback from 95 community members and professionals in the tourism field.

The Resort Municipality Initiative (RMI) supports resort communities in proactively planning for Tourism Development and long-term resiliency to ensure they are equipped with the necessary tools to meet the unique demands they face. RMI supports sustainable growth practices that respect the environment, honour community members, and showcase BC's rich cultural history. Communities must ensure all RMI funded projects meet the following criteria:

- The project must have a direct connection to tourism;
- The program or project must be predominantly targeted to or used by visitors, not residents;
- The program or project must be supported by the community;
- The project must be within the program's spending limits; and,
- The program or project should not be a general municipal expense.

Every three years, RMI communities are required to submit a Resort Development Strategy (RDS) in order to receive funding from the province. The District of Ucluelet receives approximately \$515,000 annually for tourism-supporting projects, events, and administration. Projects can span multiple years and access funding from more than one year within a three-year funding cycle. For RDS 2023-2025 funding cycle provincial-approved projects are still being completed, such as wayfinding, First Nations projects, and Inner Boat Basin Walkway, and will be carried forward. Other RDS projects have been completed such as the Village Green playground, winter lights, and Peninsula Road.

The following projects with approximate cost estimates were presented to the community for feedback at the Open House and online:

- | | |
|------------------------------------|----------------------------------|
| 1. Annual Special Events | \$40,000 |
| a. Ukee Days | |
| b. Edge to Edge Marathon | |
| c. Pacific Rim Whale Festival | |
| 2. First Nations Projects | \$95,202 (already accounted for) |
| a. additional funds? | |
| 3. Skatepark expansion | \$320,000 |
| 4. Trail Projects | \$630,000 (some current funding) |
| 5. Village Green Event Space | \$100,000 |
| 6. Peninsula Road Entrance to town | \$160,000 |

Please note that WildSafeBC has requested \$20,000 annually through RMI funding for staffing.

DISCUSSION:

The following information is based on the Community Open House feedback forms. The community was asked to rank the importance of the projects. The following lists are the results.

Projects rank:

1. First Nations Projects
2. Trail Projects
3. Annual Special Events
4. Inner Boat Basin & Walkway
5. Village Green Event Space & Village Green Revitalization (tied)
6. Peninsula Road Phase II & III
7. Skatepark Expansion

The survey asked the question of what other Projects the District should consider in the RDS.

- Additional trail parking
- Several results mentioned signage which the District is currently building out.
- Walking trails
- Bike racks
- Bus shelters
- Junction information centre
- Museum

Additionally, the form asked the question of existing infrastructure, where should the District provide additional funding? This was again ranked in order of importance.

1. Wild Pacific Trail & Inner Harbour
2. Downtown Walkways
3. Village Green & Amphitrite House
4. Washrooms

Lastly, an online survey was conducted asking that projects be ranked in order of importance. These are the results.

1. Skatepark Expansion
2. First Nations Projects
3. Annual Special Events
4. Trail Projects
5. Peninsula Road Phase II & III
6. Village Green Event Space
7. Village Green Revitalization

ANALYSIS OF OPTIONS:

Over 25 people attended the Open House in November. There was significant support to further First Nations projects. Trail projects and connectors to the Wild Pacific Trail were also a hot topic for ongoing development. Annual Special Event funding was strongly supported both at the Open House and online. The online survey saw 95 submissions strongly supporting the skatepark expansion project. Lastly, the local WildSafeBC organization made a request to Council to support the program through RMI funding at \$20,000 Annually over the next three years.

Based on the Community Feedback, previous RDS projects, the Tourism Master Plan, the Harbour Master Plan, and the OCP as guidelines, staff would recommend the following prioritization of projects and associated funding for Council's consideration.

RECOMMENDED PROJECTS

1. Additional First Nations projects	\$100,000
2. Trail Projects	\$195,000
3. Annual Special Events	\$ 40,000
4. Skatepark expansion	\$320,000
5. WildSafeBC – staffing request	\$ 60,000
6. Administration (event admin/conference)	\$ 50,000
7. Village Green Event Space	\$100,000
8. Peninsula Road Entrance to town	\$160,000
9. Furnishings	\$100,000
10. Amphitrite Park	\$ 75,000
11. Village Green Revitalization	\$300,000

A	Provide staff with feedback regarding priorities of projects for RDS Strategy based on recommendations	<u>Pros</u>	<ul style="list-style-type: none"> Provides direction and focus for staff when putting together the new RDS document Meets one of the requirements for the RDS for community input.
		<u>Cons</u>	<ul style="list-style-type: none"> None apparent
		<u>Implications</u>	<ul style="list-style-type: none"> Staff will be required to create the next RDS for Council’s final approval once the template is available from the Province
B	Direct staff to gather additional information regarding other potential projects	<u>Pros</u>	<ul style="list-style-type: none"> Other projects could be explored for RMI funding
		<u>Cons</u>	<ul style="list-style-type: none"> Additional work for further feedback would be required Feedback has already been received from the community
		<u>Implications</u>	<ul style="list-style-type: none"> Staff will be required to provide a mechanism to glean further community feedback regarding potential tourism projects.
		<u>Suggested Motion</u>	THAT Council direct Staff to investigate and bring forward alternate tourism projects for the 2025-2027 Resort Development Strategy for consideration.

NEXT STEPS:

- Compile further information and confirm costing for potential RDS projects
- Create RDS report for Council approval once template is available from the province
- Submit Resort Development Strategy 2025-2027 to the province for approval

Respectfully Submitted: Abby Fortune, Director of Community Services
Duane Lawrence, CAO

Appendix A

District of Ucluelet Resort Development Strategy 2025 – 2027 Open House



First Nations Tourism Development



The District of Ucluelet acknowledges that we are located on the traditional territory of the Yuuṭuṭiṭṭath (Ucluelet First Nation). We are neighbouring communities who share interests in the Ucluth Peninsula and surrounding area. Our long-standing relationship is built upon mutual respect, individuals and personal ties.

The Province is committed to support Indigenous tourism development as a vehicle for Indigenous community and Provincial development in the spirit of reconciliation.

Each RMI community must clearly demonstrate how they are supporting reconciliation through the projects and goals outlined in their Resort Development Strategy.



Resort Municipality Initiative

The Resort Municipality Initiative (RMI) supports resort communities in proactively planning for tourism development and long-term resiliency to ensure they are equipped with the necessary tools to meet the unique demands they face. The RMI supports sustainable growth practices that respect the environment, honour community members and showcase B.C.'s rich cultural history.

The objectives of the RMI are to:

- support small tourism-based resort communities build and diversify their tourism infrastructure;
- deliver exceptional visitor experiences; and
- incorporate sustainable tourism practices and products.



RMI Goals for Ucluelet

Goal 1: To increase visitor satisfaction through the development, upgrade and installation or enhancement of infrastructure;

Goal 2: To increase the number of accessible/barrier free amenities through the design of accessible infrastructure;

Goal 3: To increase sustainable tourism practices by working with partners to ensure sustainability through programming;

Goal 4: To support economic strategies that attract more visitors and extend stays through more visitor services, activities and accommodation resulting in a more vibrant economy;

Goal 5: To extend tourism season by providing infrastructure and amenities that support year-round enjoyment and access to the West Coast; and

Goal 6: To increase repeat visitor visitation through education amenities, and quality events.



RMI Funding

Every three-year cycle RMI communities are required to submit a Resort Development Strategy (RDS) In order to receive funding from the province

A community's RDS must identify the long-term vision for the community and what they plan to do to achieve the intended outcomes of the program:

- Extend or diversify communities' tourism season;
- Increase visitation;
- Improve the sustainability of the tourism sector; and
- Enhance the visitor experience.

The District of Ucluelet receives approximately \$515,000 annually for projects and events.



Eligible use of RMI Funds

Communities must ensure all RMI funded projects meet the following criteria:

- The project must have a direct connection to tourism;
- The program or project must be predominantly targeted to or used by visitors, not resident;
- The program or project must be supported by the community;
- The project must be within the program's spending limits; and,
- The program or project should not be a general municipal expense.

Core projects are:

1. Tourism amenities, infrastructure, or capital purchases
2. Beautification and streetscape improvements
3. Visitor signage
4. Visitor-related accessibility improvements
5. Climate mitigation projects
6. Emergency preparedness capital projects
7. Visitor impact mitigation or restoration projects



Annual Special Events

Edge To Edge Marathon
\$10,000



Pacific Rim Whale Festival
\$10,000



Ukee Days
\$20,000



First Nation Potential Projects



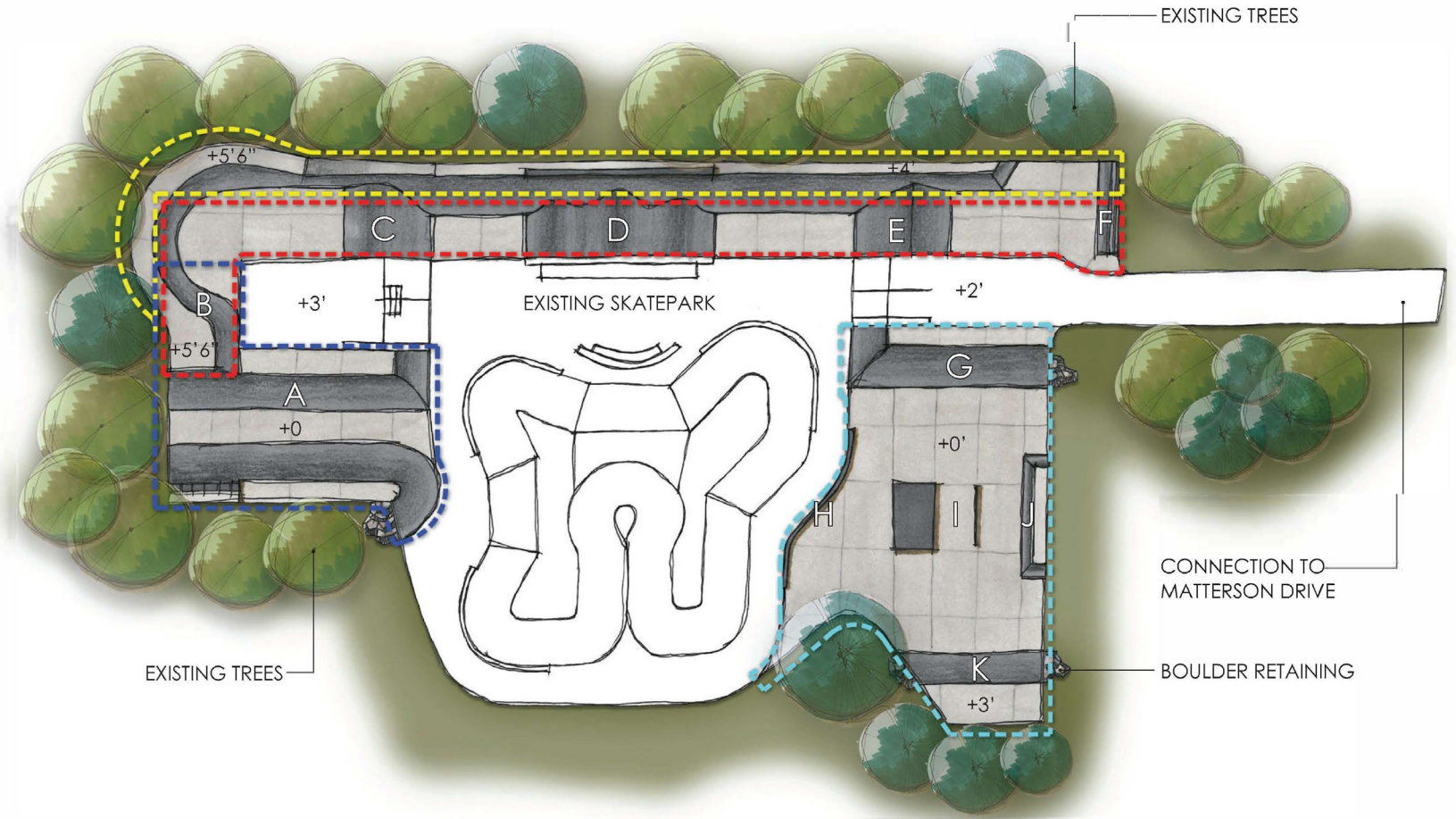
- Ucluelet Stop Signs
 - To include Nuu-chah-nulth word for STOP - wiinapuᑦi.
 - Suggest word above STOP.
- Place Name signage – various locations.
 - Suggest Yuułʔiᑦᑭᑦᑭᑦ branding – or collaboration with District of Ucluelet/ Yuułʔiᑦᑭᑦᑭᑦ Government branding.
- Story Board at Amphitrite
 - Agreed to general history of Yuułʔiᑦᑭᑦᑭᑦ.
- Mural on bottom of Light Keepers House
 - District of Ucluelet to contract.
- Totem at Village Green
 - Suggest funding is allocated to Yuułʔiᑦᑭᑦᑭᑦ Government to collaborate with local carvers.
 - Suggest second Totem at Amphitrite?
- Plaque Program
 - Historical business locations.

Projected Budget
\$95,000



Skatepark Expansion

Phased improvements and expansion of the Ucluelet Skate park to diversify park features and provide increased diversity of skill features.



EXPANSION OPTION 1: ROLLER/WEDGE LINE
APPROXIMATE COST: \$157,500 (\$2,100sqft. x \$75)

EXPANSION OPTION 2: MINIRAMP
APPROXIMATE COST: \$127,500 (\$1,700sqft. x \$75)

EXPANSION OPTION 3: FLATGROUND STREET AREA
APPROXIMATE COST: \$232,500 (\$3,100sqft. x \$75) Note:
 cost per square foot is lower due to a lesser amount of
 shotcrete and ease of build.

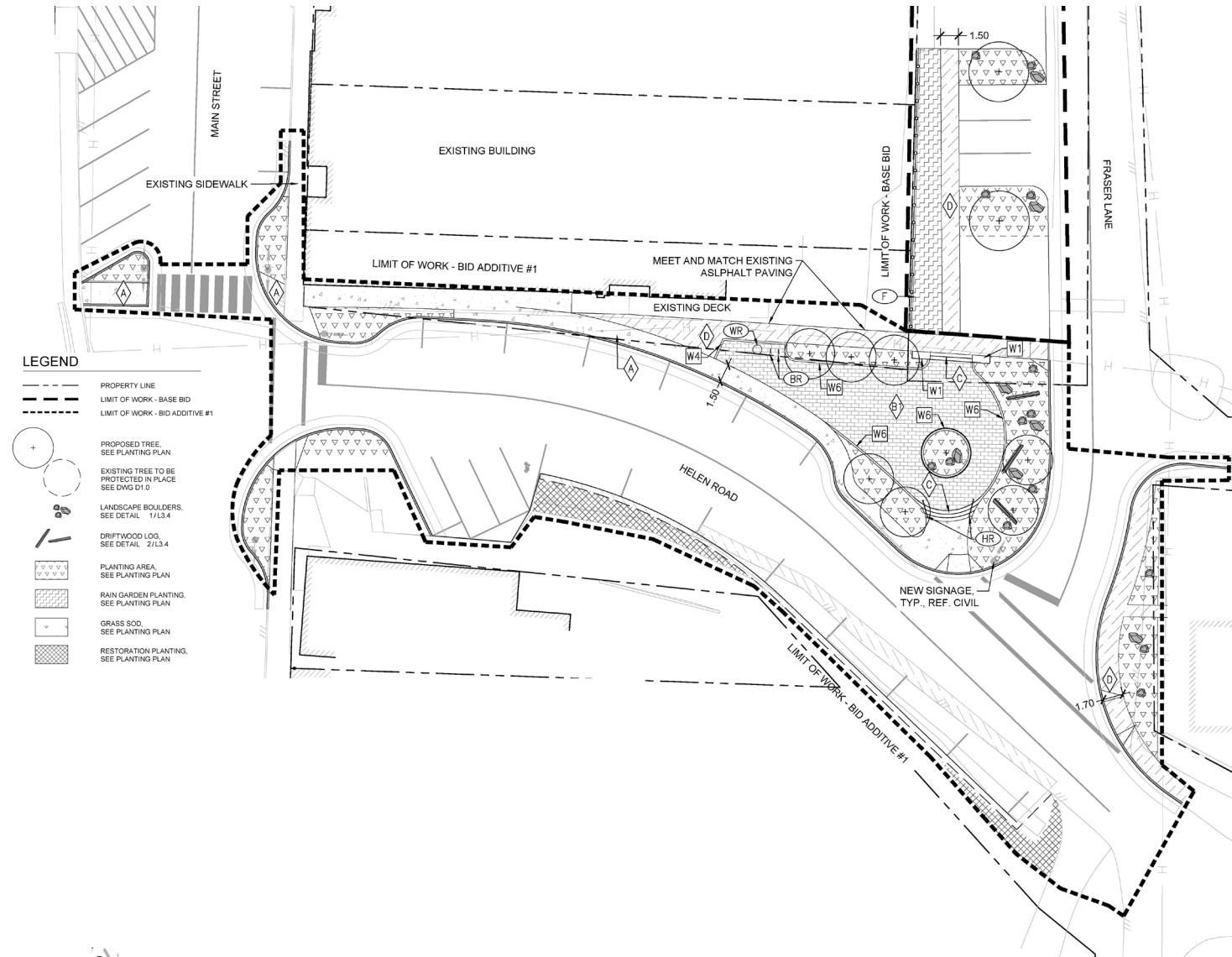
AREA 4: APPROXIMATE COST: \$127,500 (\$1,700sqft. x \$75)
 Note: Area 4 can only be implemented if expansion option 1
 is constructed.



Village Green Revitalization & Beautification

Projected Cost
\$1,100,000

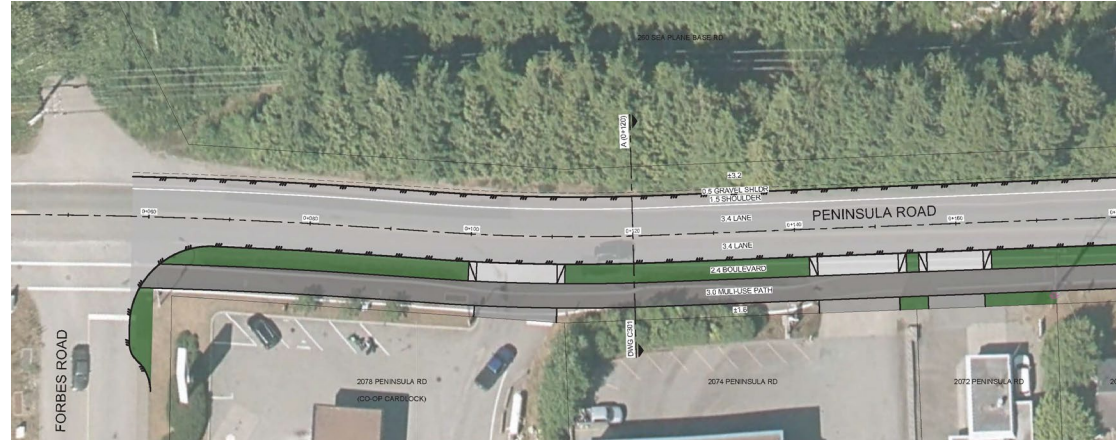
Continuation of the Village Green Revitalization. The next phase will include a gathering space at Helen and Fraser and additional sidewalk and parking improvements along Helen and Main.



Peninsula Road Phase II & III

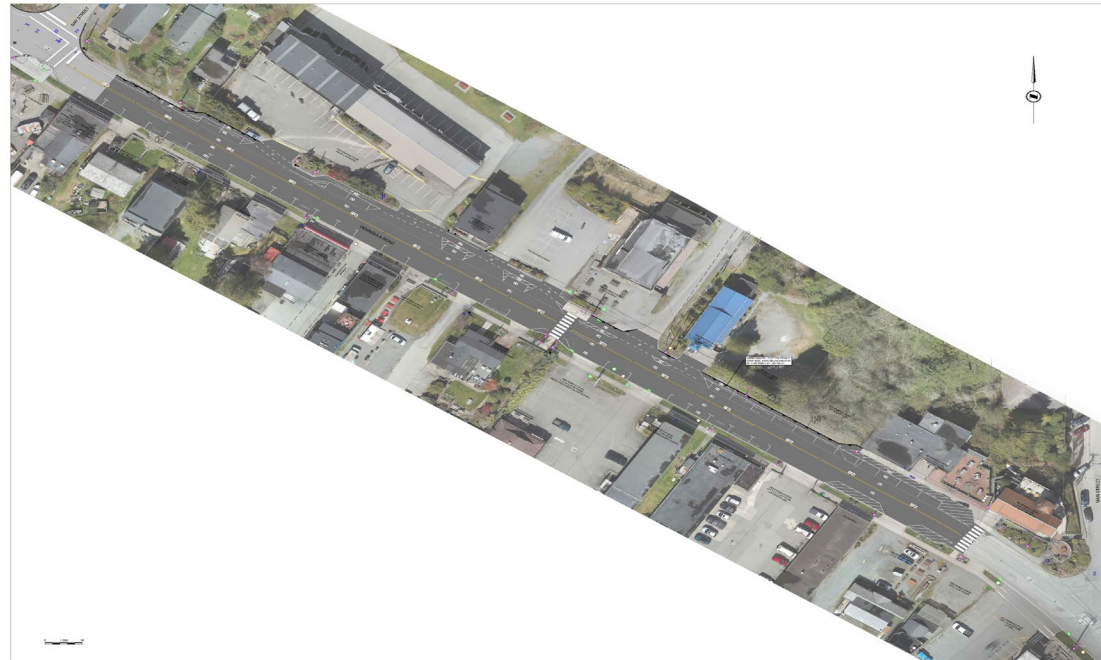
Projected Cost \$160,000

Phase II of the Peninsula Road improvement project includes finishing landscaping and pedestrian areas between Forbes Rd. and Seaplane Rd.



Project Cost \$600,000

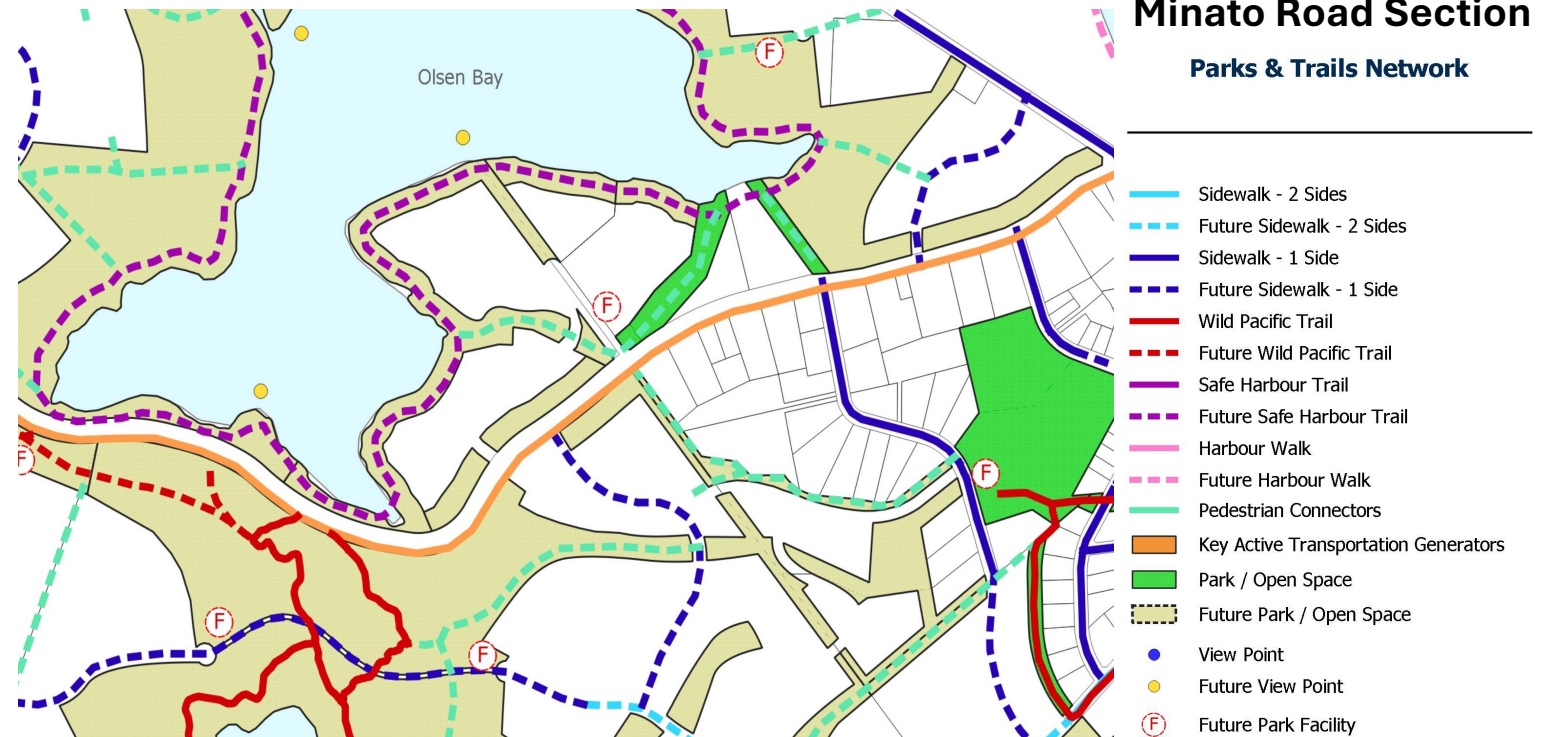
Phase III includes development of increased pedestrian gathering space near Main Street and enhancements to sidewalks and parking between Main and Bay Streets.



Trail Project Example

Projected Cost
\$630,000

Continued investment in trail projects including the development of the safe harbour trail along Olsen Bay from Ancient Cedars to Minato Bay Rd.



Inner Boat Basin Pathway



Construction of a safe and accessible pathway along the inner boat basin creating safe connection between popular visitor sites in the Harbour

Projected Budget

\$735,000

Funded by:

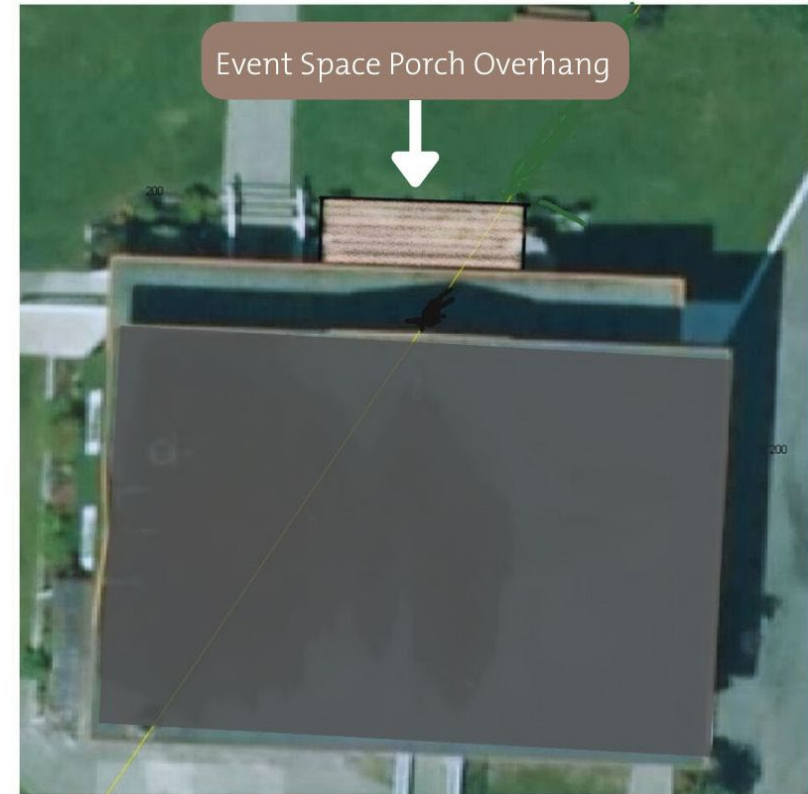
\$435,000 RMI current

\$300,000 Small Craft Harbour reserve



Village Green Event Space

Projected Cost
\$100,000



Past RMI Projects

- Alder Park Kayak Launch
- Amphitrite House
- Village Green Playground

- Cedar Road Washrooms
- EV Charging Station
- Winter Lights Beautification

- Bi-lingual Street Signs
- Heritage Signs
- Safety Kiosks



Our Tourism Vision

FOCUS AREA 1

ENVIRONMENTAL STEWARDSHIP

Goal: Our visitors embrace our natural areas and are educated on how to be stewards of the environment and minimize their impact.

FOCUS AREA 3

DIVERSE, QUALITY AND GENUINE OFFERINGS YEAR- ROUND

Goal: We provide unique West Coast experiences that attract those wanting to visit us in any season.

FOCUS AREA 5

ROBUST TOURISM FOUNDATIONS + RELATIONSHIPS

Goal: We have strong partnerships and ensure the vital infrastructure and resources to support a thriving and resilient tourism economy.

FOCUS AREA 2

VIBRANT BUSINESSES & COMMUNITIES

Goal: Visitors embrace our strong sense of community and history, our local and Indigenous businesses thrive, and our employees are healthy and secure.

FOCUS AREA 4

MANAGED GROWTH

Goal: Tourism visitation and new growth is spread more evenly year-round, and tourism is managed within our natural and human capacities.

Tourism in Ucluelet welcomes visitors year-round for genuine, immersive, and restorative West Coast experiences that are respectful of our environment, cultures, and people.

-Tourism Master Plan 2022



Appendix B

Resort Development Strategy 2025- 2027 Community Open House Feedback

Rank Projects in order of importance to you from 1 - 8

Survey #	Trail Projects	Village Green Event Space	Village Green Revitalization	First Nation Projects	Skatepark Expansion	Peninsula Rd. Phase II & III	Annual Special Events - E2E Etc.	Inner Boat Basin Pathway
1	4	2	3	1	8	6	7	5
2	8	6	1	2	7	3	4	5
3	5	6	8	2	3	7	1	4
4	4	5	6	1	7	2	8	3
5	1	4	7	3	4	5	2	6
6	2	8	3	6	5	1	7	4
7	8	6	5	1	2	4	3	7
8	1	7	4	3	8	2	6	5
9	3	4	6	5	2	7	1	8
10	8	5	6	1	2	3	4	7
11	2	1	6	3	4	8	5	7
12	4	1	2	3	8	7	6	5
13								
14	1	4	8	3	7	6	5	2
15	1	4	6	3	5	7	4	2
16	1	7	3	6	8	4	5	2
17	1	8	4	2	5	7	6	3
Total	54	78	78	45	85	79	74	75
	Second	Fifth	Fifth	First	Seventh	Sixth	Third	Fourth

13 1 2 2 3 4 3 1 1

This survey not answered properly, but did not change survey results when included

COMMUNITY FEEDBACK RESULTS - Project Importance Rank

- 1 First Nation Projects
- 2 Trail Projects
- 3 Annual Special Events
- 4 Inner Boat Basin & Walkway
- 5 Village Green Event Space + Village Green Revitalization & Beautification - tie for fifth
- 6 Peninsula Road Phase II & III
- 7 Skatepark Expansion

Resort Development Strategy 2025- 2027 Community Open House Feedback

Are there any other projects the District of Ucluelet should consider in the Resort Development Strategy?

Survey #

- 1 Areas to promote local artists & crafts persons - workshops & retail (perhaps pop up) - great for winter tourism
- 2 Projects that facilitate more retreats - either rental space or public space that is covered & accessible in winter
- 3 blank
- 4 Bike rack all over the place!
- 5 Accessibility/signage
- 6 Wayfinding signage, public art, outside area in front of Foggy Bean/Ukee pub
- 7 blank
- 8 Overall better signage for visitors walking & cycling around town, garbage cans (everywhere), places to sit throughout town
- 9 Any eligible infrastructure projects vis a vis sewer, water, buried power etc.
- 10 A numbered walking trail through the town centre highlighting various sites, both historical and picturesque that allows people to understand more about the village, this could also include businesses
- 11 A museum, this historical society has a huge wealth of great material for a museum, this would be a massive experience boost for visitors
- 12 blank
- 13 additional trail parking as possible
- 14 First nation potential development, commission 3 totems, one for each nation we live among, Toquaht, Uclueath, Tla-o-quoht. Public art, sculpture, carvings
- 15 Junction info centre building exterior & interior brand for interpretation & orientation, should become an attraction of it's own
- 16 Improve trail maintenance, maintain/repair what we have
- 17 Bus shelter stop Main/Cedar, trails year round use, can be done in conjunction with First Nation Projects, Inner Boat Basin Pathway, benefits: increase & extend visitation, Arts & Culture experiences, Tofino's Art installations along pathways, we have talented artists in the area to highlight!

Resort Development Strategy 2025- 2027 Community Open House Feedback Form

For existing infrastructure, where should the district of Ucluelet look at providing additional funding support?

Survey #

- 1 Inner Harbour - beautify waterfront
- 2 **1. Downtown walkways, 2. Inner Harbour, 3. Village Green, 4. Amphitrite, 5. Wild Pacific Trail, 6. Washrooms**
- 3 Inner Harbour
- 4 **ranked 1. Downtown walkways, 2. Washrooms, 3. Inner Harbour, 4. Village Green, 5. Amphitrite, 6. Wild Pacific Trail**
- 5 Wild Pacific Trail yes, Downtown Walkways - Yes, Inner Harbour - Yes, Washrooms - Yes
- 6 Downtown Walkways, Inner Harbour
- 7 Wild Pacific Trail, Downtown walkways
- 8 **ranked 1. Wild Pacific Trail, 2. Village Green, 3. Downtown Walkways, 4. Washrooms, 5. Inner Harbour, 6. Amphitrite**
- 9 Village Green (as per second question, eligible infrastructure sewer, water, buried power etc) Inner Harbour - add a couple of fingers, Washrooms - yes, more public washrooms
- 10 Downtown Walkways, Washrooms
- 11 Wild Pacific Trail, Village Green, Downtown Walkways
- 12 Village Green, Downtown Walkways
- 13 Wild Pacific Trail, Amphitrite, Village Green, Washrooms
- 14 Amphitrite, lower mural, Inner Harbour
- 15 **ranked 1. Amphitrite, need interp. 2. Wild Pacific Trail, need especially upgrades & interp., 3. Inner Harbour, signage, 4. Washrooms, 5. Village Green**
- 16 **ranked 1. Wild Pacific Trail, 2 Inner Harbour, 3. Amphitrite, 4. Washrooms, 5. Village Green, 6. Downtown walkways**
- 17 Village Green, Downtown Walkways, Inner Harbour

Survey # 2	Survey # 4	Survey # 8	Survey # 15	Survey # 16
1. Downtown walkways	1. Downtown walkways	1. Wild Pacific Trail	1. Amphitrite	1. Wild Pacific Trail
2. Inner Harbour	2. Washrooms	2. Village Green	2. Wild Pacific Trail	2. Inner Harbour
3. Village Green	3. Inner Harbour	3. Downtown Walkways	3. Inner Harbour	3. Amphitrite
4. Amphitrite	4. Village Green	4. Washrooms,	4. Washrooms	4. Washrooms
5. Wild Pacific Trail,	5. Amphitrite	5. Inner Harbour	5. Village Green	5. Village Green
6. Washrooms	6. Wild Pacific Trail	6. Amphitrite	6. Downtown walkways	6. Downtown walkways

Survey #	Downtown Walkways	Inner Harbour	Village Green	Amphitrite	Wild Pacific Trail	Washrooms	
2	1	2	3	4	5	6	Wild Pacific Trail + Inner Harbour - tie for most important
4	1	3	4	5	6	2	Downtown Walkways - for second important

Village Green + Amphitrite - tie for third important
Washrooms - least important

8	3	5	2	6	1	4
15	6	3	5	1	2	4
16	6	2	5	3	1	4
	17	15	19	19	15	20

Resort Development Strategy 2025- 2027 Community Open House Feedback Form

Other comments relevant to the Resort Development Strategy 2025 - 2027:

Survey

- 1 blank
- 2 What can we improve or create that will create more to do when it rains?
- 3 blank
- 4 blank
- 5 Sidewalk/pathway connecting Pacific Cr. To Cynamoka Dr; Sidewalk/pathway connecting Cynamoka Rd. to Norah Rd. + Cynamoka Rd. to Cynamoka Rd pathway by Marine Dr; outdoor obstacle course, outdoor exercise equipment (covered), bike pump track (paved)
- 6 blank
- 7 Great job Abby & Team!
- 8 blank
- 9 We need to divert any RMI funds we can towards capital infrastructure improvements to lessen the burden on the taxpayers & shift it to visitors
- 10 blank
- 11 Work with T.U and the Chamber to help determine and enact visitor infrastructure & expenditure projects
- 12 blank
- 13 blank
- 14 Historical signage, more covered walkways, create dry areas for when it rains
- 15 Totem at Amphitrite House! Purchase parking lot opposite Ukee Days
- 16 Keep up the good work
- 17 Lighting on trails/walkways, makes more year round accessible in winter, prioritize transit in shoulder seasons, Rain - Bus shelter @ Main & Cedar

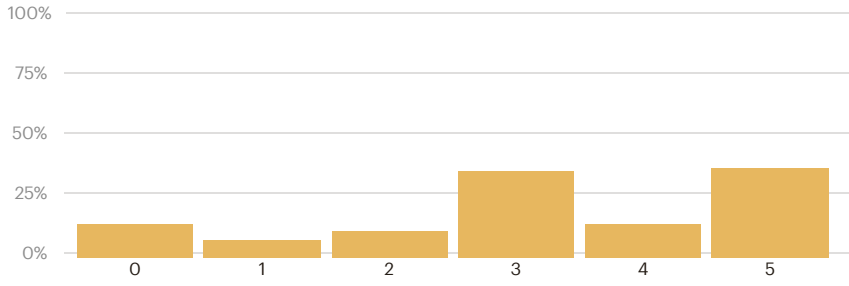
Resort Development Strategy 2025 – 2027

Feedback Survey has collected 96 responses

All responses Question 1: Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance: Trail Projects

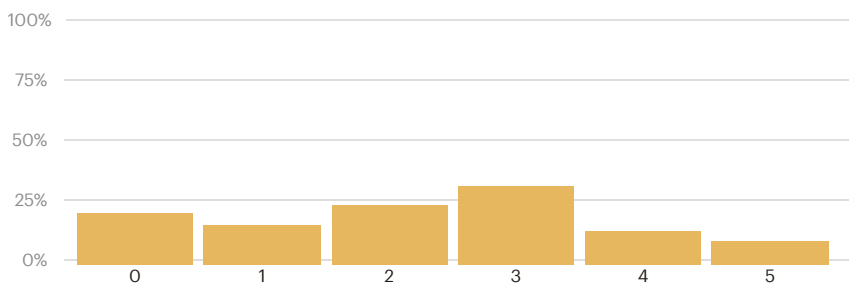
Question 1 has 96 answers (Range) Average rating: 3.2

"Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance: Trail Projects"



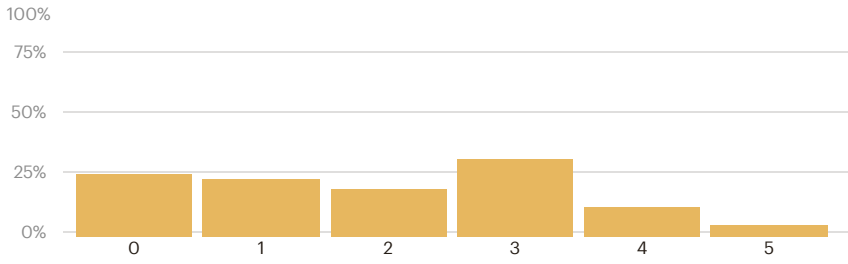
Question 2 has 95 answers (Range) Average rating: 2.3

"Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance: Village Green Event Space"



Question 3 has 96 answers (Range) Average rating: 2.0

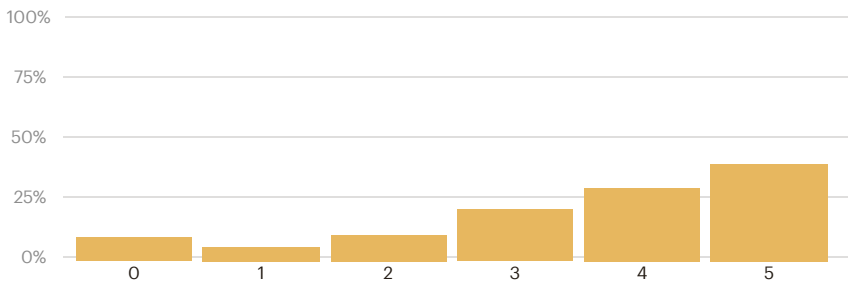
"Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance: Village Green Revitalization Study, Beachfront..."



Question 4 has 95 answers (Range) Average rating: 3.5 

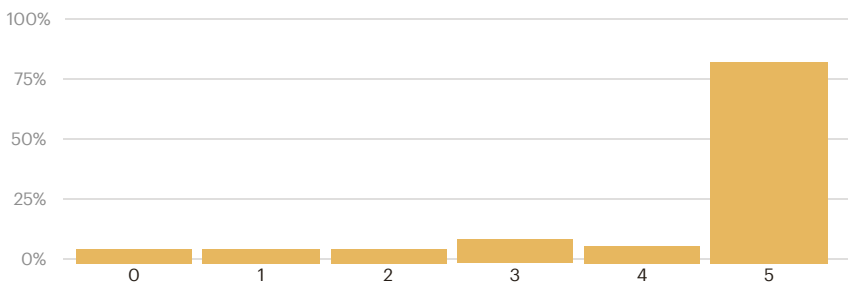



"Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance: First Nation Potential Projects"



Question 5 has 96 answers (Range) Average rating: 4.1  

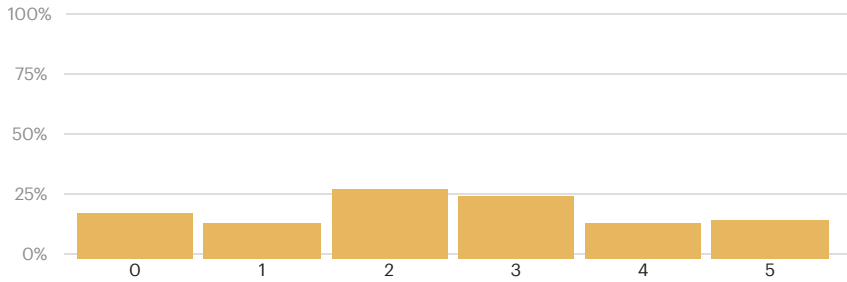
"Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance: Skatepark Expansion"



Question 6 has 96 answers (Range) Average rating: 2.4 



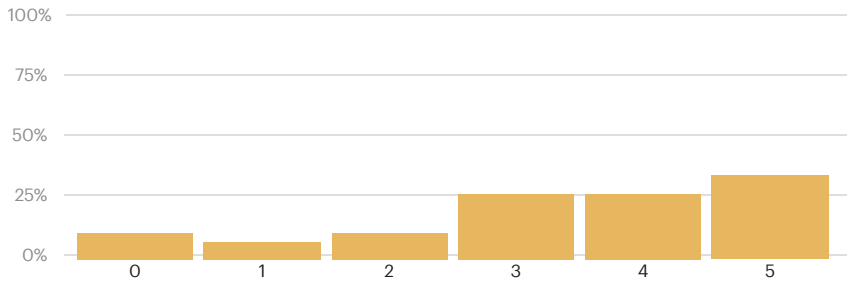
**"Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance:
Peninsula Road Phase II & III"**



Question 7 has 96 answers (Range) Average rating: 3.3



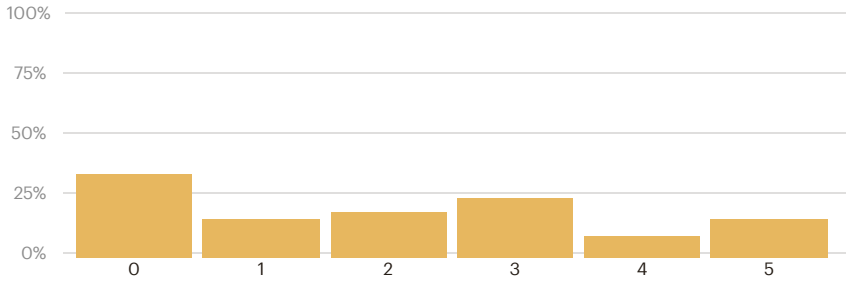
"Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance: Annual Special Events – Ukee Days etc."



Question 8 has 96 answers (Range) Average rating: 2.0



"Please rank the following project in order of importance to you on a scale from 0 to 5, where 5 indicates the highest importance and 0 the least importance: Inner Boat Basin Pathway"



Question 9 has 63 answers (Radio buttons)



"Are there any other projects the District of Ucluelet should consider in the Resort Development Strategy?"



Question 10 has 35 answers (Open text)

"Other comments relevant to the Resort Development Strategy 2025 - 2027:"

Unknown contact said:

"we need outdoor pickleball and tennis courts "

Unknown contact said:

"The state of the wooden boardwalk near Shoreside Suites has been a disgrace for the many tourists that visit there. "

Unknown contact said:

"Please involve Ucluelet First Nations in all waterfront projects. Please offer them a seat on all boards and anything pertaining to development. Current admin and mayor and council do not include them enough. Their ancestors stewarded these shorelines from the southern tip to Kwisis, that settlers enjoy today. There is evidence of middens and encampments everywhere. Educate admin staff on this history PLEASE. And stand up for them by organizing a National Day of Truth & Reconciliation gathering. This should be done with honour and respect just like Remembrance Day. These lands were and are theirs and we are merely visitors, even myself born and raised here. The lack of inclusion is embarrassing. Yes street signs are a start but we need voices to be heard. District should offer visitor tax similar to Tla-o-qui-aht ally program to UFN. We are benefiting and profiting from their generations of stewardship. We must do more."

Unknown contact said:

"An expansion of the wild pacific trail and potentially the placement of additional washrooms along the trail (could be similar to the washroom installed on the Middle Beach trail)"

Unknown contact said:

"The Multiplex would be a good project to support as a significant tourism opportunity "

Unknown contact said:

"I don't live in Ukee, however, I visit tofino twice a year with my family. We never used to go to Ukee, until the MTB trails were put in on Ozard. Now we bring our bikes every trip, ride the trails and bike park in Ukee, and grab lunch/dinner/supplies while we are there! Great initiative, keep it up! More trails=more visitors=economic impact. Thanks!"

Unknown contact said:

"Skatepark extension/re surfacing.
Mountain bike trail building on Ozard."

Unknown contact said:

"Continue development of Ozzard Mountain Bike Trail Network, bike park, etc. Another tourism draw that has huge participation and complements overall outdoor recreation draw of Ucluelet. "

Unknown contact said:

"Incorporate climate resilience planning and leverage climate funding for this work"

FROM: ABBY FORTUNE, DIRECTOR OF COMMUNITY SERVICES

FILE No: 2380-20

SUBJECT: NOTICE OF LAND DISPOSITION – MINISTRY OF CITIZEN’S SERVICE LEASE

REPORT No: 25-09

ATTACHMENT(S): N/A

RECOMMENDATION(S):

THAT Council authorize staff to issue a public Notice of Property Disposition for a portion of Lot A, Plan VIP569363, District Lot 281, Clayoquot Land District, Except Plan VIP81535 and more commonly referred to as 500 Matterson Drive, office 144, to the Ministry of Citizen’s Service (MCS), by way of lease, for a term of three years from April 1, 2025, to March 31, 2028 with an annual 2% increase in the amount of:

- \$ 383.24 per month between April 1, 2025, to March 31, 2026,
- \$ 390.90 per month between April 1, 2026, to March 31, 2027, and
- \$ 398.72 per month between April 1, 2027, to March 31, 2028, plus GST.

BACKGROUND:

The Ministry of Citizen’s Service has been operating out of office 144 at the Ucluelet Community Centre. As their lease is about to expire on March 31, 2025, a disposition of the space is required in order to renew the lease.

The MCS has been providing children’s services to the community for many years and would like to continue to do so through this space. Under the current and proposed lease agreement, the Province would lease the space at market rates.

ANALYSIS OF OPTIONS

If Council wishes to continue to lease the MCS office portion (264 square feet) of the Ucluelet Community Centre property at 500 Matterson Drive, a Notice of Proposed Property Disposition is required pursuant to Section 26 of the Community Charter.

A	Provide Public Notice of disposition of land	<u>Pros</u>	<ul style="list-style-type: none"> • A much-needed service is available to the community. • Legislative requirements are being met.
		<u>Cons</u>	<ul style="list-style-type: none"> • The space is locked in for single use • The space cannot be utilized for other user groups nor District programs or uses.



REPORT TO COUNCIL

Council Meeting: January 28, 2025
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: DUANE LAWRENCE, CAO

FILE No: 2600-20

SUBJECT: INTERIM DEPUTY CORPORATE OFFICER AND
FREEDOM OF INFORMATION AND PRIVACY PROTECTION HEAD

REPORT No: 25-10

ATTACHMENT(S): n/a

RECOMMENDATION(S):

THAT Council appoint Ms. Nancy Owen as Interim Deputy Corporate Officer; and,

THAT Council appoint Mr. Duane Lawrence as the Freedom of Information and Privacy Protection Head; and further,

THAT Council rescind the appoint of Joeseoph Rotenberg as Deputy Corporate Officer and Freedom of Information and Privacy Protection Head.

BACKGROUND:

Section 148 of the Community Charter requires the appointment of a Corporate Officer which is currently assigned to the CAO. The Deputy Corporate Officer (Manager of Corporate Services), under the direction of the Corporate Officer, supports the administrative duties and responsibilities outline under this section of the Community Charter.

In the absence of a Manager of Corporate Services, it is prudent to assign Ms. Owen as the Acting Deputy Corporate Officer which would authorize Ms. Owen to witness the signing of documents and undertake some of the responsibilities typically assigned to the Manager of Corporate Services.

The Manager of Corporate Services is also assigned under Bylaw 1279, 2020 and Bylaw 1353, 2024 as the person responsible for Privacy Protection and Freedom of Information and Privacy Protection Head. In the absence of the Manager of Corporate Services the CAO is recommended to fulfill these duties until such time as the Manager of Corporate Services position has been filled.

Respectfully submitted: Duane Lawrence, CAO

From: [Sonia Velji](#)
To: [Info Ucluelet](#)
Subject: Request for Illumination of the District of Ucluelet Sign in Purple Lights on March 26th, 2025
Date: January 17, 2025 4:12:12 PM

[External]

To Whom It May Concern,

As you may already be aware, epilepsy is one of the most common neurological conditions, however, it currently has the least recognition in society.

March is Epilepsy Awareness Month and March 26th is International PURPLE DAY® for Epilepsy Awareness. In honour of this, the BC Epilepsy Society and the Center For Epilepsy & Seizure Education British Columbia would like to request that the District of Ucluelet Sign be lit with purple lights on March 26th, 2025, in honour of epilepsy awareness.

International PURPLE DAY® for Epilepsy Awareness is a time when people in countries around the world wear purple and take part in events and activities to raise much-needed awareness of epilepsy and is also a time when many buildings and landmarks in countries around the world are lit with purple lights to raise awareness of epilepsy.

Through your participation in International PURPLE DAY® for Epilepsy Awareness on March 26th, 2025, you will not only be able to show people living with epilepsy that they are not alone but will also get people talking about epilepsy in an effort to raise awareness of epilepsy in the community.

We look forward to working with you on International PURPLE DAY® for Epilepsy Awareness on March 26th, 2025, and in the future. Please feel free to contact me via email at sonia@bcepilepsy.com or via telephone at 236-334-7087 should you have any questions or require any additional information. Thank you!

Kind regards,
Sonia Velji, BA, MPH
Provincial Manager of Programs and Services
BC Epilepsy Society

Mailing Address: PO Box 30521, Burnaby RPO Madison, BC V5C 6J5
Office Phone: 604-875-6704
Cell Phone: 236-334-7087
Email: sonia@bcepilepsy.com
Website: www.bcepilepsy.com

Social Media:

Instagram: [BCEpilepsySociety](#)
Facebook: [BC Epilepsy Society](#)
Twitter: [BCEpilepsy](#)

The BC Epilepsy Society empowers, educates, and supports British Columbians living with epilepsy.



2025.01.07

District of Ucluelet
200 Main Street
Ucluelet, BC V0R 3A0

Mayor and Council:

It is time again to write to you about our involvement in your community. As you may remember, last year was our first year under our new name of Central Vancouver Island Crime Stoppers to include your community. I can report that in some areas, we have increased our presence while in others, we have not and will continue to do so over the next year with your assistance.

As you may be aware, January is Crime Stoppers Month across Canada and we are seeking your participation in informing your community residents of that fact. I am asking each municipality to proclaim the month as "Crime Stoppers Month January 2025" signed by the Mayor on behalf of Council and further that it be included on your website and other social media devices as allowed. For your information, the theme across Canada this year is "**Human Trafficking – It's Happening Right Now**" as the issue requiring our attention.

As I stated last year, I am hoping this to be annual request and look forward to seeing the proclamation. I have attached wording that you could use for this proclamation.

As I stated earlier, we are working hard to better inform your residents about initiatives in reducing crime by being involved in your community. In attending such events such a parades and other celebrations, we can fulfill that goal together.

I am available for any questions that you have. Thank you.

Brian Cornborough | President
Central Vancouver Island Crime Stoppers
president@cvicrimestoppers.com
250.755.5770
BC:2025.01.07

Stay safe, keep your family safe, keep your community safe.

Your logo

PROCLAMATION

**CRIME STOPPERS MONTH
January 2025**

WHEREAS: Crime Stoppers was first established in Albuquerque, New Mexico in 1976, with our local program, known as "Nanaimo & District Crime Stoppers," initiated in 1990 and renamed to "Central Vancouver Island Crime Stoppers in 2022;and

WHEREAS: The Central Vancouver Island Crime Stoppers, made up of community members, media, and the RCMP, have been an unqualified success since inception, totalling 12,945 tips; 552 arrests; rewards approved by the Board of \$115,670; 37 weapons recovered; \$1.465 million of property recovered; \$19,600 in cash recovered; and \$9.242 million in seized drugs; and

WHEREAS: Central Vancouver Island Crime Stoppers has received local, provincial, national and international awards of recognition for its accomplishments.

NOW, THEREFORE, I,, do hereby proclaim January 2025 as:

“CRIME STOPPERS MONTH”

in the City of, British Columbia.

Signed



Mayor

Dated this ...day of January 2025

