

From: ENV Site ID ENV:EX(siteID@gov.bc.ca)
To: Bruce Greig (bgreig@ucluelet.ca); ENV Site ID ENV:EX (siteID@gov.bc.ca)
Subject: RE: 1671 Cedar Road
Sent: 11/24/2023 23:44:03
Attachments: 2002-07-23 Site 4882 CoC.pdf

Hi Bruce,

My apologies for the delayed response. We are currently working through a high volume of enquiries. I looked into this site, and there does appear to be a CoC. I have attached a copy for your reference.

Please note that the ministry does not provide approvals for the use of exemptions under Division 3 of the Contaminated Sites Regulation. It is up to the site owner to provide information/evidence to the municipality or approving officer to support the use of the exemption.

To determine if a certification document (i.e., an Approval in Principle, Certificate of Compliance or Determination) is valid and subsisting for the purpose of removing the restrictions on application approvals, a municipality or approving officer should confirm:

1. The document has not been rescinded by sending an enquiry to sitelD@gov.bc.ca. **I can confirm that the CoC issued on July 23, 2002, has not been rescinded.**
2. The document is relevant to any existing or proposed use based on the details of an application. It appears that this CoC is for commercial use.
3. The applicant has made reasonable inquiries and has no reason to believe that any further contamination occurred at the site after the document was issued.

If the above conditions are confirmed, and the municipality accepts the use of the exemption, then there would be no restriction on the municipality approving the permit.

Kind regards,

Site Identification Team

Environmental Emergencies and Land Remediation Branch | B.C. Ministry of Environment and Climate Change Strategy

The information or advice provided in this email is for guidance only, should not be considered legal advice, and in no way limits a director's exercise of discretion under the Environmental Management Act.

From: Bruce Greig <bgreig@ucluelet.ca>
Sent: Thursday, October 5, 2023 3:35 PM
To: ENV Site ID ENV:EX <siteID@gov.bc.ca>
Subject: 1671 Cedar Road

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello;

We have received the attached site disclosure statement for the property at 1671 Cedar Road in Ucluelet. The site was issued a CoC in 2002 (site ID #4882). We understand the CoC included conditions which may limit uses on site. We look to the Ministry to assist in determining whether the landowner has any additional requirements to meet, and/or whether municipal approvals can proceed.

Please don't hesitate to contact me if you have any questions.

Thank you,

Bruce



Bruce Greig

Director of Community Planning

District of Ucluelet

200 Main Street, Ucluelet, B.C. V0R 3A0

Phone: 778-748-8484

From: Bruce Greig(bgreig@ucluelet.ca)
To: Osorio, Vanessa ENV:EX (Vanessa.Osorio@gov.bc.ca)
Subject: FW: 1671 Cedar Road
Sent: 03/14/2024 16:01:16
Attachments: Associated Environmental 2024Feb02 review.pdf, 1671 Cedar_Azura_letter_2024Jan10.pdf, 1671 Cedar DP excerpts.pdf

You don't often get email from bgreig@ucluelet.ca. [Learn why this is important](#)

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

From: Bruce Greig
Sent: Thursday, February 22, 2024 3:27 PM
To: ENV Site ID ENV:EX <siteID@gov.bc.ca>
Subject: RE: 1671 Cedar Road

Hello again, Site Identification Team;

After my email to you on January 5th I prepared a letter to the developer explaining the status of the Certificate of Compliance and how we came to determine that their proposed use doesn't match the 2002 CoC (see attached letter dated January 10th). The letter also outlines a couple other gaps in their application and suggests next steps.

The developer then engaged Associated Environmental to review the permitting process – their assessment came to a very different conclusion than ours (see attached letter from AE dated February 2nd).

The developer subsequently arranged a meeting with the Mayor and Chief Administrative Officer for the District to present them with the Associated Environmental letter - with the accusation that staff in my department don't know what we're doing and are reaching beyond our authority to stymie their development. Fortunately, we have a pretty level-headed Council and a good CAO. Still, this is awkward.

We have done our best to understand the requirements of the *Contaminated Sites Regulation*, and understand that the Ministry in taking a different approach to the municipal and provincial roles of review and determining compliance with the Regulation. The review presented by the developer to the Mayor and CAO presents three areas where they claim our process was flawed:

1. They conclude that the 2002 CoC for commercial use is valid for the proposed multi-family residential development because the ground level is proposed to be used for parking and a lobby, and therefore the developer would be exempt from submitting a Site Disclosure Statement;
2. They state that if the Ministry froze the site you would communicate directly with the owner's contact person, listing steps to obtain a release of the site; and,
3. They state that the municipality does not have jurisdiction to determine compliance with the different land use standards in the *Contaminated Sites Regulation*.

We could use your help. Neither staff nor Council are environmental or legal experts. I have reached out to the author of the letter at Associated Environmental but have not heard a response. I would like to request that someone on your team provide us with your opinion on whether we have approached the processing and review of the SDS in the correct way. If we got it wrong, we would love to know so that we can improve our process. If we're on the right track it would help to have that confirmed by Ministry staff. Either way,

your opinion would help us answer Council's questions and assure them that we're moving forward in a positive direction.

I would be more than happy to discuss this file if you have any questions.

Thank you!
Bruce



Bruce Greig
Director of Community Planning
District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484

PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC

PROJECT STATISTICS

PROJECT DATA- CONDOS

CIVIC ADDRESS	1671 CEDAR ROAD, UCLUELET, BC
PROPOSED USE	CONDO'S
BASIS OF DESIGN	BCBC 2018
PROPOSED ZONING	CD-4

DEVELOPMENT REPORT

AREA CALCULATION	ALLOWED	PROPOSED
PROPOSED STOREYS	4	4
TOTAL PROPOSED UNITS		23
SITE		1257.78 sqm (13506.41 sqft)
TOTAL GROSS FLOOR AREA		
F.A.R	2.2	1.7
LOT COVERAGE	90%	57.8%
PARKING		
PARKADE REGULAR		10/23
PARKADE SMALL		6/23
PARKADE ACCESSIBLE		1/23
PARKING LOT		6/23
VISITOR PARKING (EXTERIOR)		2/4
OFF SITE PARKING		2/23

GROSS AREA CALCULATION - APARTMENT

LEVEL	AREA (sqm)	AREA (sqft)
PARKADE	725.48	7,809.05
FIRST FLOOR	603.76	6,498.89
SECOND FLOOR	603.76	6,498.89
THIRD FLOOR	603.76	6,498.89
FORTH FLOOR (INCLUDING LOFT UNIT OS-D,3)	326.68	3,505.67
	2,863.44	30,811.39

BUILDING HEIGHT

MEASURED FROM:	AZURA CONDOS (FISHPLANT SIDE)	AZURA CONDOS (WHISKEY LANDINGS SIDE)	WHISKEY LANDINGS
AVE. GRADE 3.16m	16.342m	15.525m	14.489m

CONDO UNIT BREAKDOWN

Unit Types							
Unit	Unit Count	Bedroom Count	Size (SQFT)	Bathroom Count	Den Count	Deck (SQFT)	
PS-A	3	1	617	1	0	69	
PS-B	3	2	733	2	0	81	
PS-C	3	1	618	1	0	71	
OS-A	3	2	715	3	0	51	
OS-B	3	1	718	1	1	60	
OS-C	3	1	997	2	1	76	
OS-D*	3	3	1167	3	0	55	
PH-1	1	1	900	2	1	60	One Bedroom Units 14
PH-2	1	1	1100	2	1	76	Two Bedroom Units 9

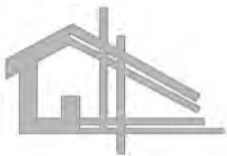
*Loft on 4th Floor 1 Bedroom and 1 Bathroom 820 sqft

Common Area (SQFT)

	Parkade	1st Floor	2nd Floor	3rd Floor	4th Floor
Storage	770.5	-	-	-	-
Stairwell	211	293	293	293	167
Hallway	194	488	488	488	400

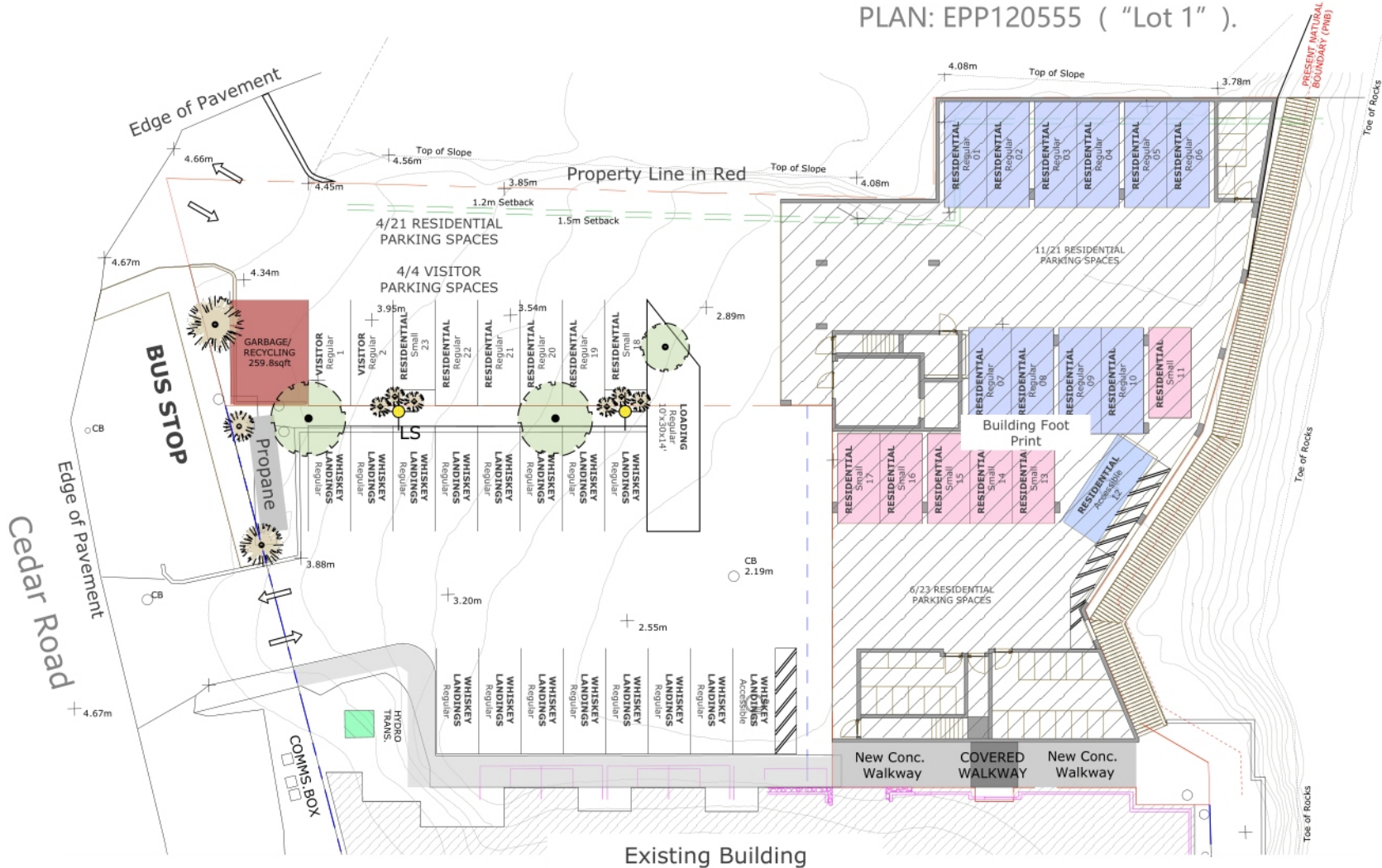
Total Building Area (SQFT)

	Parkade	1st Floor	2nd Floor	3rd Floor	4th Floor
Unit Area	-	5535	5535	5535	2000
Common Area	1125.5	781	781	781	567

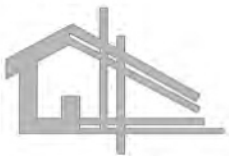


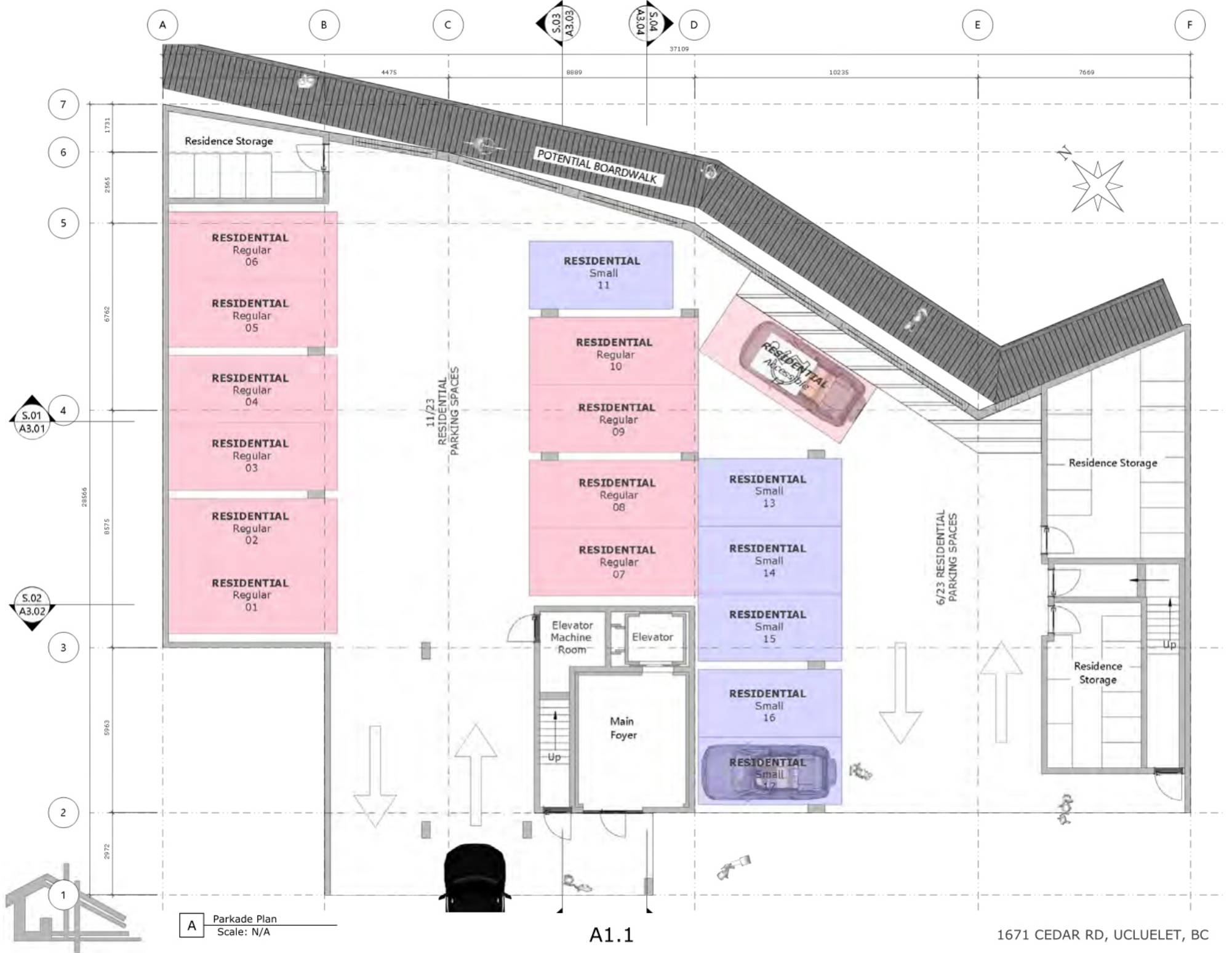
PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC PLAN VIEW OF AZURA DEVELOPMENTS SITE PLAN

Parcel Identifier: 031-694-829
Legal Description: LOT 1 DISTRICT LOTS 2164
AND 282 CLAYOQUOT DISTRICT
PLAN: EPP120555 ("Lot 1").



A Site Plan
Scale: 1:360





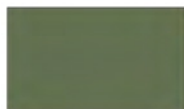








SW 9150 Endless Sea



SW 6439 Greenfield



Corrugated Metal Siding



SW 6685 Trinkiet



SW 7075 Web Gray



SW 7583 Wild Currant

EXTERIOR FINISH KEY

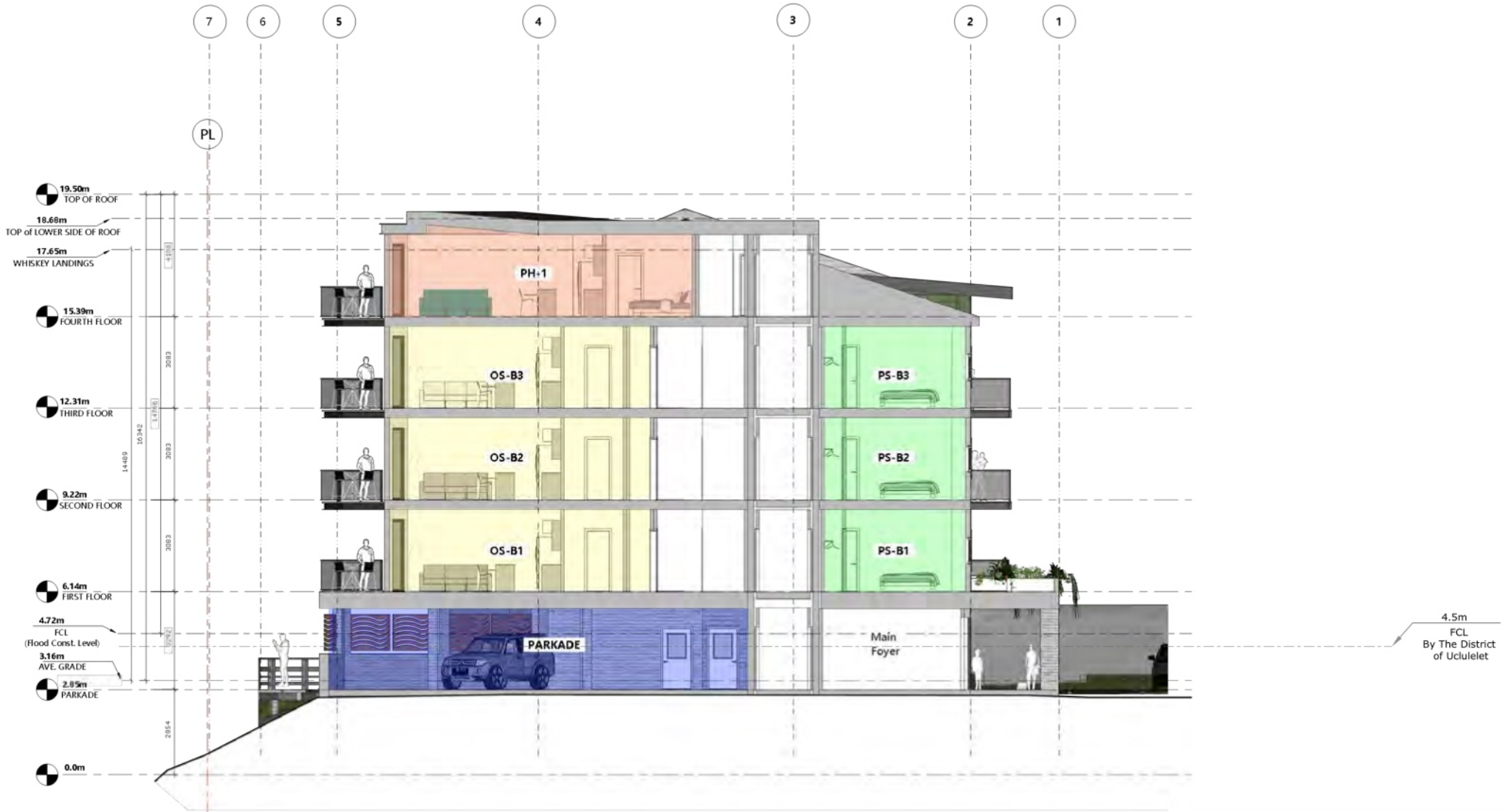
- | | |
|---|--|
| 1 7 1/4" Exposure Siding- Horizontally Oriented | 6 16" Exposure Board and Batt- Vertically Oriented |
| 2 Architectural Concrete | 7 James Hardie Shingles |
| 3 Metal Panel | 8 Face Stone |
| 4 Pre-finished Metal Flashing with Extended Drip Edge | 9 Metal Roofing Black |
| 5 42" Facia Mounted Glass Guardrail | |



N Ocean, Front Elevation
Scale: N/A

A2.1

1671 CEDAR RD, UCLUELET, BC



S.04 Section S.04
Scale: N/A

A3.4

1671 CEDAR RD, UCLUELET, BC

Fawn Ross, Development Manager
Azura Management Corp.
125B – 19055 34A Avenue
Surrey, BC V3Z 0P6

January 10, 2024

via email: fross@azuramanagement.com

Re: 1671 Cedar Road development application review

Dear Fawn;

The following comments are provided from the review of the application package submitted for the proposed development at 1671 Cedar Road. The initial application review has identified some items that will need to be addressed to move the project forward. As discussed previously, your team is proposing an attractive building and taking a creative approach to the site. However additional information is required to address the following items and form a complete picture of the proposed development and its impacts. We will await receipt of your completed application before further review can proceed.

Certificate of Compliance

After some back-and-forth, the Ministry of Environment has confirmed that the Certificate of Compliance (CoC) issued on July 23, 2002, for the property was for **commercial** purposes; the proposed development of a 4-storey 23-unit condominium building qualifies as a "high-density residential land use" under the *Contaminated Sites Regulation*.

For the purposes of the provincial *Environmental Management Act*, the following definitions of land uses apply:

"high density residential land use" means a residential land use in respect of one of the following:

- (a) a multiple-unit dwelling of 3 or more storeys;
- (b) an institutional facility in a building of 3 or more storeys;

"residential land use" means the use of land for the primary purpose of

- (a) a residence by persons on a permanent, temporary or seasonal basis, including, without limitation, single family dwellings, cabins, apartments, condominiums or townhouses, or
- (b) institutional facilities, including, without limitation, schools, hospitals, daycare operations, prisons, correctional centres and community centres;

The high-density residential land use matches your proposal. The regulation differentiates this use from commercial:

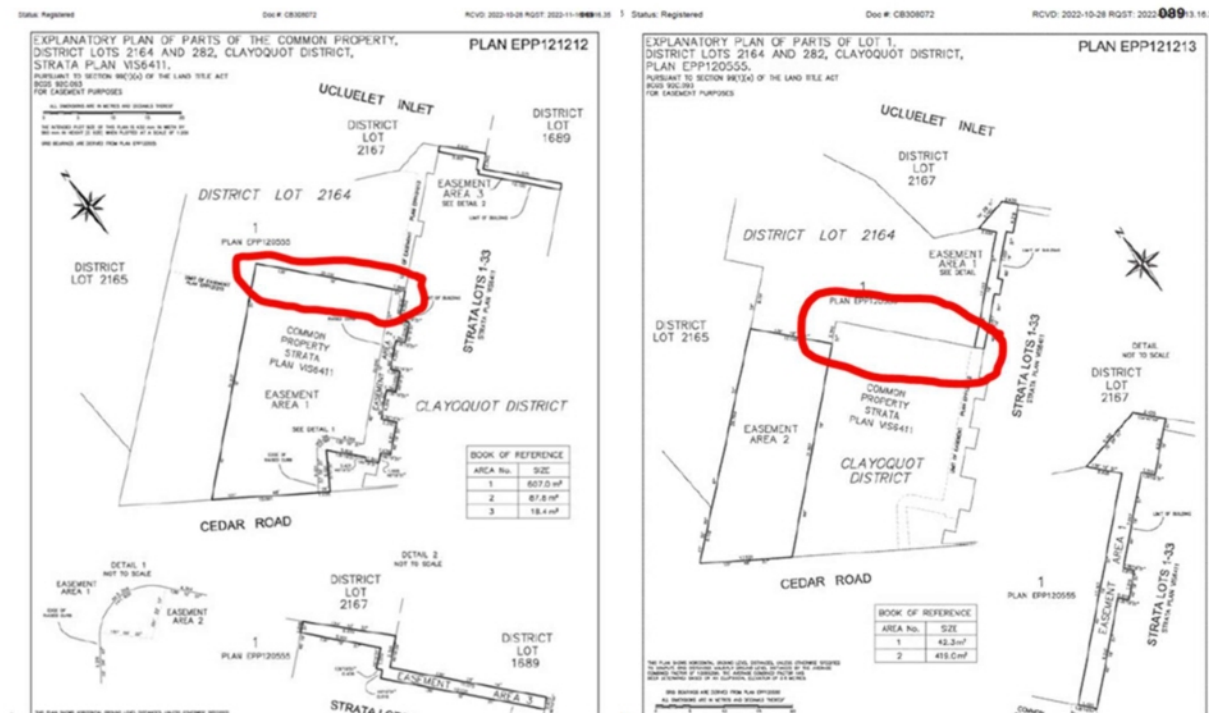
"commercial land use" means the use of land for the primary purpose of buying, selling or trading of merchandise or services including, without limitation, shopping malls, office complexes, restaurants, hotels, motels, grocery stores, automobile service stations, petroleum distribution operations, dry cleaning operations, municipal yards, warehouses, law courts, museums, churches, golf courses, government offices, air and sea terminals, bus and railway stations, and storage associated with these uses.

The 2002 CoC does not cover the proposed land use with the current application. This means that the District is restricted from providing development approvals such as a Development Permit, Development Variance Permit or Building Permit until the owner has provided a valid CoC from the Province for the proposed use. An environmental consultant can advise on the options for obtaining a valid CoC or other form of determination or release from the Ministry.

Building Code and Spatial Separation:

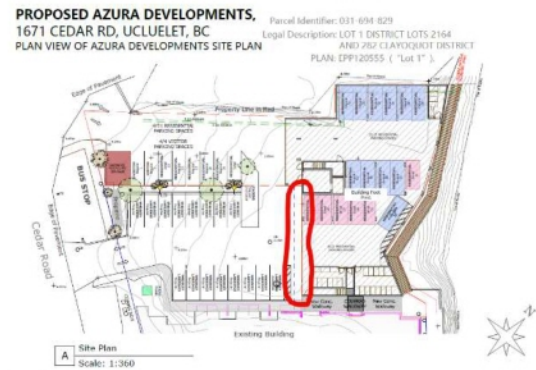
Doug Cole's email of December 12, 2023, was helpful clarifying the non-combustible construction of the southeast wall facing the existing Whiskey Landing building. The question raised by staff last July, however, included the building code compliance for the limiting distance to the southwest face of the building, which is proposed to be constructed at (and over) the property boundary between Lot 1 Plan EPP120555 and the common property of Strata Plan VIS6411.

The easement documents CB308072 to CB308075 provided with the application do not satisfy the requirements of maintaining spatial separation mandated by the BC Building Code.



As it is proposed, prior to issuing a building permit for the building a section 219 restrictive covenant in favour of the District would need to be registered over the common property of Strata Plan VIS6411 restricting the construction of any future building on the neighbouring property within the limiting distance required by Code.

Alternative approaches to meeting the building code requirements could include removing the cantilevered balconies and unprotected openings (windows) on that face of the building, or moving the face of the building back from the property line. Such changes would affect the form and character of the building; a prime consideration for Council when considering issuance of the requested Development Permit.



Not knowing what approach the applicant will take and whether it will affect the form of the proposed building, staff requested that you clarify how you intend to meet the code requirements - prior to the application being presented to Council. If you choose the route of registering a S.219 restrictive covenant over an area of the existing parking lot on the common property of Strata Plan VIS6411, a letter of support from the Strata would be sufficient at the Development Permit stage. Registration of the covenant would just need to be complete prior to issuance of a building permit.

Engineering:

Engineering comments were provided previously and we understand that Herold Engineering is working to address those issues. The current drawing set does not clearly indicate the location of the existing storm drainage main that crosses the property – it would be helpful to add the existing and relocated storm drain to the site plan to enable us to assess whether surface works (parking, landscaping, etc.) might pose any challenges for future maintenance.

The draft plan for the Cedar Road frontage provided by Herold Engineering for discussion, showing the bus stop, is generally supportable with the following comments:

- Need to provide for a pedestrian walkway connecting from the existing sidewalk at the corner of Main Street to the new bus stop location;
- Explore retaining a parallel public parking space on Cedar near the corner with Main;
- The raised bus stop pad provides pedestrian accessibility but in its current location would see the bus stop in the travel lane. This is not a BC Transit stop but serves irregular private service (Island Express and tour bus), therefore there should be space for a bus to pull out of the travel lane to stop for a lengthier load/offload; and,
- Provide a landscape plan for the proposed treatment of the Cedar Road frontage to complete the DP application.



We look forward to working with you as these items are addressed and the application makes its way to Council. Once you have had a chance to review the above with your team, we would be pleased to schedule a meeting to discuss and answer any questions you might have.

Regards,

Bruce Greig,
Director of Community Planning

Cc: Ewen Stewart, Azura Developments
Doug Cole, Architect
Evan Pearce, Herold Engineering
Duane Lawrence, CAO
James MacIntosh, Director of Engineering
Rick Geddes, Fire Chief
Nicole Morin, Municipal Inspector
John Towgood, Municipal Planner



Associated Environmental Consultants Inc.
Suite 200, 2800 29 Street
Vernon, BC V1T 9P9 Canada

February 2, 2024

File: 2024-8584-00

TEL: 250.545.3672

FAX: 250.545.3654

Fawn Ross
Development Manager
Azura Management Corp.
800-15355 24 Avenue, Suite 200
Surrey, BC V4A 2H9

Re: ENVIRONMENTAL REVIEW - UCLUELET COMMERCIAL DEVELOPMENT
1671 CEDAR ROAD, UCLUELET, BC

Dear Ms. Ross:

Azura Management Corp. retained Associated Environmental Consultants Inc. (Associated) in January 2024 to complete a cursory review of historical BC Ministry of Environment and Climate Change Strategy (BC ENV) site registry reports and certificates of compliance (CoCs) related to the property at 1671 Cedar Road, Ucluelet, BC (the Subject Site), and provide an overview of the permitting process for a development permit application for the Subject Site.

Associated understands that the Subject Site is planned for redevelopment into a mixed commercial/residential building, with a ground-level parkade and three levels of dwelling units above it (total of 23 units), which is allowed under the current CD-4 zoning. The lot will consist of the building and a paved parking lot, with limited landscaping along the Cedar Road right-of-way.

The following documents were reviewed to determine the environmental conditions of the Subject Site:

- Certificate of Compliance, Site ID: 4882 (1645 Cedar Road) (dated July 19, 2002) – includes the Subject Site lot at 1671 Cedar Road
- Certificate of Compliance, Site ID: 6493 (1638 Cedar Road) (dated March 14, 2003)
- Site Registry Site Details Report, Site ID: 4882
- Site Registry Site Details Report, Site ID: 6493
- Report entitled Environmental Site Decommissioning Summary Report, Former Chevron Bulk Plant BP8202, 1645 Cedar Road, Ucluelet, BC, prepared by Seacor Environmental Inc. (dated March 13, 2002)
- Report entitled Soils Excavation and Storm Sewerage Replacement Program, Former Chevron Bulk Plant BP820, 1645 Cedar Road, Ucluelet, BC, prepared by Seacor Environmental Inc. (dated May 28, 2002)

Based on the documents reviewed, the Subject Site was part of a larger lot (civic address 1645 Cedar Road) that was previously leased by Chevron Canada Ltd. (Chevron) and formed part of the Chevron bulk plant. Aboveground storage tanks were located on the Chevron-owned property at 1638 Cedar Road, located southwest of the Subject Site (Site ID 6493). Investigation and remediation were completed at the Subject Site in the late 1990s to early 2000s (limited information was provided in the reviewed reports). A CoC was issued for the property at 1638 Cedar Road in March 2003, stating that this site was remediated to meet the Contaminated Sites Regulation (CSR) commercial land use soil standards of the time (no groundwater contamination was identified). A CoC was issued for the larger lot that includes the Subject Site in July 2002, stating that the site was remediated to meet the commercial land use soil standards and aquatic life water use standards of the time.

Based on the information provided by the client, Associated understands that the property was Crown land leased by Chevron, and the land was titled by the Province and the CoC issued in 2002. After the CoC was issued, the larger lot addressed 1645 Cedar Road, which included the Subject Site, was sold to a private developer. The municipality created a new commercial zoning designation specific to the site (CD-4) and approved construction of the Whiskey Landing development on the southeastern half of the lot, which is a standard mixed commercial and residential building that allows dwelling units (only from the second storey up). The units above can function as short-term rentals or as permanent residences. The Subject Site was slated to be Phase II of the Whiskey Landing. The larger lot was subdivided in 2022 into two parcels: the south portion at 1645 Cedar Road and the north portion at 1671 Cedar Road (the Subject Site). It has been vacant since the CoC was issued.

Based on the proposed development of the Subject Site, with a proposed parkade at ground level and residential units above, the applicable CSR standards would be commercial land use. BC ENV does not require that a CoC be updated at redevelopment if the applicable land use standards remain the same. As such, the current CoC would still apply at the Subject Site. *

BC ENV provides guidance on the [municipal permitting process on their website](#). BC ENV requires the submission of a site disclosure statement (SDS) when applying for a municipal permit for sites that had or have Schedule 2 uses (a bulk plant is a Schedule 2 use), unless the site is exempt. Exemptions are listed in the [CSR: Division 3, Section 4](#). This site would be exempt from submitting an SDS as per Section 4(1):

Exemption — other processes apply under the Act

4 (1) A person is exempt from the requirement to provide a site disclosure statement under section 40 (1) or (2) of the Act in relation to a site if

(a) the site is the subject of an approval in principle or certificate of compliance relevant to

(i) the current use of the site, or

(ii) any use of the site proposed by the person, and

(b) the person, after making reasonable inquiries, has no reason to believe that any further contamination occurred at the site after the approval in principle or certificate was issued.

As a result of the SDS exemption, there is no reason for the municipality to submit a SDS following permit application, and thus there would be no freeze on the issuance of the development permit by BC ENV.

Note that if the SDS had been provided to BC ENV and they froze the permit, an email would have been issued to the contact person noted on the SDS and to the municipality. That email would contain standard phrasing, as follows:

If the SDS was submitted in conjunction with a municipal application, the municipality cannot approve the application until the applicant meets at least one of the requirements prescribed in the following local government statutes: Islands Trust Act (section 34.1), Land Title Act (section 85.1), Local Government Act (section 557), and the Vancouver Charter (section 571B), as applicable. For example, restrictions can be lifted when an applicant submits to the approving authority a Determination that the site is not contaminated, an Approval in Principle of a remediation plan, a Certificate of Compliance or a Voluntary Remediation Agreement; or obtains a release notice from the ministry.

Given that the CoC for the Subject Site meets the applicable land use standards for the proposed development, there should be no freeze on municipal permits by BC ENV, and the municipality could issue the permit.

The municipality does not have authority to require additional investigation or compliance with different land use standards (i.e., residential land use standards). That is the jurisdiction of BC ENV.

Based on this review, it appears that the current CoC for the Subject Site would be sufficient to support issuance of a development permit for the land use proposed at the Subject Site.

We trust this completes the assignment to your satisfaction. Please contact the undersigned if you require any further information.

Yours truly,
Associated Environmental Consultants Inc.


Marion Reid, ASCT
Manager, Geoscience

From: Bruce Greig(bgreig@ucluelet.ca)
To: ENV Site ID ENV:EX (siteID@gov.bc.ca)
To: Osorio, Vanessa ENV:EX (Vanessa.Osorio@gov.bc.ca)
Subject: RE: 1671 Cedar Road
Sent: 03/14/2024 16:44:22

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Hi Vanessa;

Thanks for your call this morning and for following up. If you would like more background on the proposed development at 1671 Cedar Road, a staff report was presented to Council at its regular meeting on Tuesday; the report on that agenda provides a fairly complete picture and is available here:

<https://ucluelet.ca/community/district-of-ucluelet-council/city-council-agendas-minutes/category/37-2024-agendas?download=1087:2024-03-12-regular-council-agenda>

Please don't hesitate to contact me if you have any questions.
Thank you,
Bruce

From: Bruce Greig
Sent: Thursday, March 14, 2024 8:58 AM
To: ENV Site ID ENV:EX <siteID@gov.bc.ca>
Cc: vanessa.osorio@gov.bc.ca
Subject: RE: 1671 Cedar Road

As discussed.
Thanks!



Bruce Greig
Director of Community Planning

District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484

From: Bruce Greig(bgreig@ucluelet.ca)
To: ENV Site ID ENV:EX (siteID@gov.bc.ca)
To: Osorio, Vanessa ENV:EX (Vanessa.Osorio@gov.bc.ca)
Subject: RE: 1671 Cedar Road
Sent: 03/14/2024 15:57:44
Attachments: 1671 Cedar_Ucluelet_sitedisclosure_siteID4882.pdf

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As discussed.
Thanks!



Bruce Greig
Director of Community Planning

District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484



Site Disclosure Statement

All fields marked with an asterisk (*) are mandatory.

Has the site been used for any industrial or commercial uses described in [Schedule 2](#) of the Contaminated Sites Regulation? *

- ☒ Yes
☐ No

If you answered yes to the question above, you must complete this form if no exemptions apply.

Exemptions

Do any of the exemptions from submitting a site disclosure statement apply? (see the [Contaminated Sites Regulation](#), Part 2, Division 3) *

- ☒ Yes
☐ No

If yes, indicate which exemption applies. As per Section 3.5 of the Contaminated Sites Regulation, a municipality or approving officer may still request a person to complete a site disclosure statement for their records. *

CSR section 4.7 - previous submission of site profile



Select one

Description

The Subject Property (1671 Cedar Road) is a recently subdivided remainder of a parent parcel (1645 Cedar Road), for which a Certificate of Compliance has been issued (Site Identification Number 4882). No industrial or commercial uses described in the Contaminated Sites Regulation Schedule 2 have occurred on the Property since that Certificate of Compliance was issued.

The parent parcel (1645 Cedar Road) was once owned by the Province and leased to Chevron for use as a Bulk Fuel Storage facility. Reclamation of the site began in 1996 and was completed in 2002. A Certificate of Compliance was issued in that same year and is documented under Site Identification Number 4882. Later in 2002 the province sold the parent parcel to a private developer, who immediately developed Phase I Property with a mixed commercial residential building, which is still in operation today. The Phase I development contains tourist shops and dwelling units that are used for permanent residents and tourist accommodations.

The Phase I development included a small marina in an adjacent water lease (DL 2167). It operated from 2004 to 2019 and contained about six active slips, which were primarily used for overnight moorage of guests staying in the Phase I accommodations. Infrastructure for the marina was limited to the dock approach and the floating ramps. There were no supporting outbuildings, storage facilities, or work areas of any type on the upland property. Phase II of the development was never built, therefore the Phase II lands remained vacant save for six parking stalls and a propane supply tank used by Phase I guests.

In 2022, the land slated for Phase II of the development were subdivided into a stand-alone lot. The newly created lot (1671 Cedar Road) is the Subject Property for this application (See Provided Map). As the Subject Property is primarily vacant and has been since the issuance of the Certificate of Compliance no known specified industrial or commercial uses have

Last name *

Stewart

First name *

Ewen

Company, if applicable

Whiskey Landing Developments Ltd

Address *

800-15355 24 Ave

City *

Surrey

Province *

BC

Country *

Canada

Postal code *

V4A2H9

Phone number *

604-309-4154

Email *

estewart@azuramanagement.com

[+ Add Another](#)**B: Person completing site disclosure statement (leave blank if same as above)**

Last name

First name

Company, if applicable

C: Person to contact regarding the site disclosure statement

Last name *

First name *

^ Section II - Site information**Coordinates for the centre of the site:****Latitude**

Degrees *

48

Minutes *

56

Seconds *

37.4

Longitude

Degrees *

125

Minutes *

32

Seconds *

46.2

Attention:

A separate map with appropriate scale showing the location and boundaries of the site must be included.

☒ I will include a map with my submission *

Land ownership *

☒ Legally titled, registered property

☐ Untitled Crown land

For legally titled, registered property

Site address *

1671 Cedar Road

City *

Ucluelet

Postal code *

V0R3A0

PID *

031-694-829

Land description *

LOT 1, DISTRICT LOTS 2164 AND 282, CLAYOQUOT DISTRICT, PLAN EPP120555.

[+ Add Another](#)

^ Section III - Specified industrial or commercial uses

Indicate all the industrial or commercial uses described in the Contaminated Sites Regulation [Schedule 2](#) which have occurred or are occurring on this site.

Example Schedule 2 references and descriptions

E1. appliance, equipment, or engine maintenance, repair, reconditioning, cleaning or salvage

F10. solvent manufacturing, bulk storage, shipping and handling

Schedule 2 reference and description *

F8. petroleum product, other than compressed gas, bulk storage or distribution | None |

Select all that apply, choose "none" if no Schedule 2 uses apply.

^ Section IV - Additional information

1. Provide a brief summary of the planned activity and proposed land use at the site. *

The Subject Property is zoned for mixed commercial residential use. Phase I is already built and contains tourist storefronts and dwelling units that are used as both permanent residents and short-term nightly rentals. The planned activity for the Subject Property is the construction of Phase II, which will consist of a parkade with 23 similar dwelling units above it.

If not applicable, type N/A

2. Indicate the information used to complete this site disclosure statement including a list of record searches completed. *

1. SEACOR Environmental Engineering Inc, Nanaimo. (2000). Environmental Site Decommissioning Summary Report.
2. SEACOR Environmental Engineering Inc, Nanaimo. (2002). Chevron Canada Limited (Vancouver) Storm Soils Excavation and Sewage Replacement program for Former Chevron Bulk Plant BP820, 1645 cedar Road, Ucluelet.
3. Province of British Columbia. K. O'Leary. (2002). Certificate of Compliance issued under Waste Management Act (WMA 27.6 (2)), site identification number 4882.
4. District of Ucluelet. (2003) Council Report: Development of Chevron Property.
5. Province of British Columbia, Purchase Sale Agreement for DL 2164, Ucluelet BC. (2004). Project No.VI00012; File No. 1409182.
6. Aerial imagery of 1645 Cedar Road Ucluelet. (2013).
7. Site Photographs of 1671 Cedar Road (2011, 2012, 2021, 2022).
8. Province of British Columbia, Ministry of Sustainable Resource Management. (2015) Lease No. 11340; File No. 0152552.

June 15, 2015.

9. BC iMAP data system. Access date: September 9, 2021, and September 13, 2023.
(<https://maps.gov.bc.ca/ess/hm/imap4m/>).

3. List any past or present government orders, permits, approvals, certificates or notifications pertaining to the environmental condition of the site: *

Province of British Columbia. K. O'Leary. (2002). Certificate of Compliance issued under Waste Management Act (WMA 27.6 (2)), site identification number 4882.

Province of British Columbia, Purchase Sale Agreement for DL 2164, Ucluelet BC. (2004). Project No.VI00012; File No. 1409182.

Province of British Columbia, Ministry of Sustainable Resource Management. (2015) Lease No. 11340; File No. 0152552.
June 15, 2015.

If not applicable, type N/A

^ Section V - Declarations

Where a municipal approval is not required, you must indicate the reason for submission directly to the registrar:

- | | | |
|--|--|---|
| <input type="checkbox"/> Under order | <input type="checkbox"/> Foreclosure | <input type="checkbox"/> CCAA proceedings |
| <input type="checkbox"/> BIA proceedings | <input type="checkbox"/> Decommissioning | <input type="checkbox"/> Ceasing operations |

By signing below, I confirm that the information in this form is complete and accurate to the best of my knowledge:

SIGNATURE



Ewen Stewart

Sign above

For agents completing this form, save to PDF then forward the form to the owner/operator to complete this section.

First and last name

Ewen Stewart

- ☐ Owner
☐ Operator

Date signed

2023-09-19



Approving authority contact information

All fields in this section must be completed by the municipality (including regional districts) or approving officer prior to forwarding the form to the site registrar.

First and last name

BRUCE GREIG

Agency

DISTRICT OF UCLUELET

Address

200 MAIN ST. P.O. BOX 999, UCLUELET, BC V0R 3A0

Phone number

250 726 1744

Email

bgreig@ucluelet.ca

Reason for submission (Please check one or more of the following):

☒ Building permitfor an activity that will likely disturb
soil☐ Subdivision☐ Zoning☒ Development permitfor an activity that will likely disturb
soil

Date received by approving authority

SEPT. 22, 2023



Date submitted to registrar

OCT. 5, 2023



Version: 18



All Dimensions are in Metres and decimals thereof
The intended Scale of this Plan is 1:500
when plotted on a 559 mm x 432 mm (22"x17") Sheet



JEA JE ANDERSON
& ASSOCIATES
SURVEYORS AND ENGINEERS
203 - 177 WELD ST., PO BOX 247
PARKSVILLE, B.C. V9P 2G4
250-246-5755 parks@jeanderson.com

SITE PLAN

LOT 1, DISTRICT LOTS 2164 AND 282,
CLAYOQUOT DISTRICT, PLAN EPP120555,
PID 031-694-828

PREPARED FOR
Azura Management Corp.

OUR FILE : 88600-11 DATE : FEB 3, 2023.

From: Bruce Greig(bgreig@ucluelet.ca)
To: ENV Site ID ENV:EX (siteID@gov.bc.ca)
Subject: RE: 1671 Cedar Road
Sent: 02/22/2024 23:26:31
Attachments: Associated Environmental 2024Feb02 review.pdf, 1671 Cedar_Azura_letter_2024Jan10.pdf, 1671 Cedar DP excerpts.pdf

You don't often get email from bgreig@ucluelet.ca. [Learn why this is important](#)

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello again, Site Identification Team;

After my email to you on January 5th I prepared a letter to the developer explaining the status of the Certificate of Compliance and how we came to determine that their proposed use doesn't match the 2002 CoC (see attached letter dated January 10th). The letter also outlines a couple other gaps in their application and suggests next steps.

The developer then engaged Associated Environmental to review the permitting process – their assessment came to a very different conclusion than ours (see attached letter from AE dated February 2nd).

The developer subsequently arranged a meeting with the Mayor and Chief Administrative Officer for the District to present them with the Associated Environmental letter - with the accusation that staff in my department don't know what we're doing and are reaching beyond our authority to stymie their development. Fortunately, we have a pretty level-headed Council and a good CAO. Still, this is awkward.

We have done our best to understand the requirements of the *Contaminated Sites Regulation*, and understand that the Ministry in taking a different approach to the municipal and provincial roles of review and determining compliance with the Regulation. The review presented by the developer to the Mayor and CAO presents three areas where they claim our process was flawed:

1. They conclude that the 2002 CoC for commercial use is valid for the proposed multi-family residential development because the ground level is proposed to be used for parking and a lobby, and therefore the developer would be exempt from submitting a Site Disclosure Statement;
2. They state that if the Ministry froze the site you would communicate directly with the owner's contact person, listing steps to obtain a release of the site; and,
3. They state that the municipality does not have jurisdiction to determine compliance with the different land use standards in the *Contaminated Sites Regulation*.

We could use your help. Neither staff nor Council are environmental or legal experts. I have reached out to the author of the letter at Associated Environmental but have not heard a response. I would like to request that someone on your team provide us with your opinion on whether we have approached the processing and review of the SDS in the correct way. If we got it wrong, we would love to know so that we can improve our process. If we're on the right track it would help to have that confirmed by Ministry staff. Either way, your opinion would help us answer Council's questions and assure them that we're moving forward in a positive direction.

I would be more than happy to discuss this file if you have any questions.

Thank you!
Bruce



Bruce Greig
Director of Community Planning

District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484

PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC

PROJECT STATISTICS

PROJECT DATA- CONDOS

CIVIC ADDRESS	1671 CEDAR ROAD, UCLUELET, BC
PROPOSED USE	CONDO'S
BASIS OF DESIGN	BCBC 2018
PROPOSED ZONING	CD-4

DEVELOPMENT REPORT

AREA CALCULATION	ALLOWED	PROPOSED
PROPOSED STOREYS	4	4

TOTAL PROPOSED UNITS	23
----------------------	----

SITE	1257.78 sqm (13506.41 sqft)
------	-----------------------------

TOTAL GROSS FLOOR AREA	
F.A.R	2.2 1.7
LOT COVERAGE	90% 57.8%

PARKING	
PARKADE REGULAR	10/23
PARKADE SMALL	6/23
PARKADE ACCESSIBLE	1/23
PARKING LOT	6/23
VISITOR PARKING (EXTERIOR)	2/4
OFF SITE PARKING	2/23

GROSS AREA CALCULATION - APARTMENT

LEVEL	AREA (sqm)	AREA (sqft)
PARKADE	725.48	7,809.05
FIRST FLOOR	603.76	6,498.89
SECOND FLOOR	603.76	6,498.89
THIRD FLOOR	603.76	6,498.89
FORTH FLOOR (INCLUDING LOFT UNIT OS-D,3)	326.68	3,505.67
	2,863.44	30,811.39

BUILDING HEIGHT

MEASURED FROM:	AZURA CONDOS (FISHPLANT SIDE)	AZURA CONDOS (WHISKEY LANDINGS SIDE)	WHISKEY LANDINGS
AVE. GRADE 3.16m	16.342m	15.525m	14.489m

CONDO UNIT BREAKDOWN

Unit Types							
Unit	Unit Count	Bedroom Count	Size (SQFT)	Bathroom Count	Den Count	Deck (SQFT)	
PS-A	3	1	617	1	0	69	
PS-B	3	2	733	2	0	81	
PS-C	3	1	618	1	0	71	
OS-A	3	2	715	3	0	51	
OS-B	3	1	718	1	1	60	
OS-C	3	1	997	2	1	76	
OS-D*	3	3	1167	3	0	55	
PH-1	1	1	900	2	1	60	One Bedroom Units 14
PH-2	1	1	1100	2	1	76	Two Bedroom Units 9

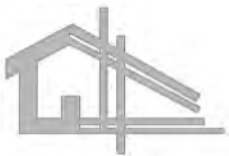
*Loft on 4th Floor 1 Bedroom and 1 Bathroom 820 sqft

Common Area (SQFT)

	Parkade	1st Floor	2nd Floor	3rd Floor	4th Floor
Storage	770.5	-	-	-	-
Stairwell	211	293	293	293	167
Hallway	194	488	488	488	400

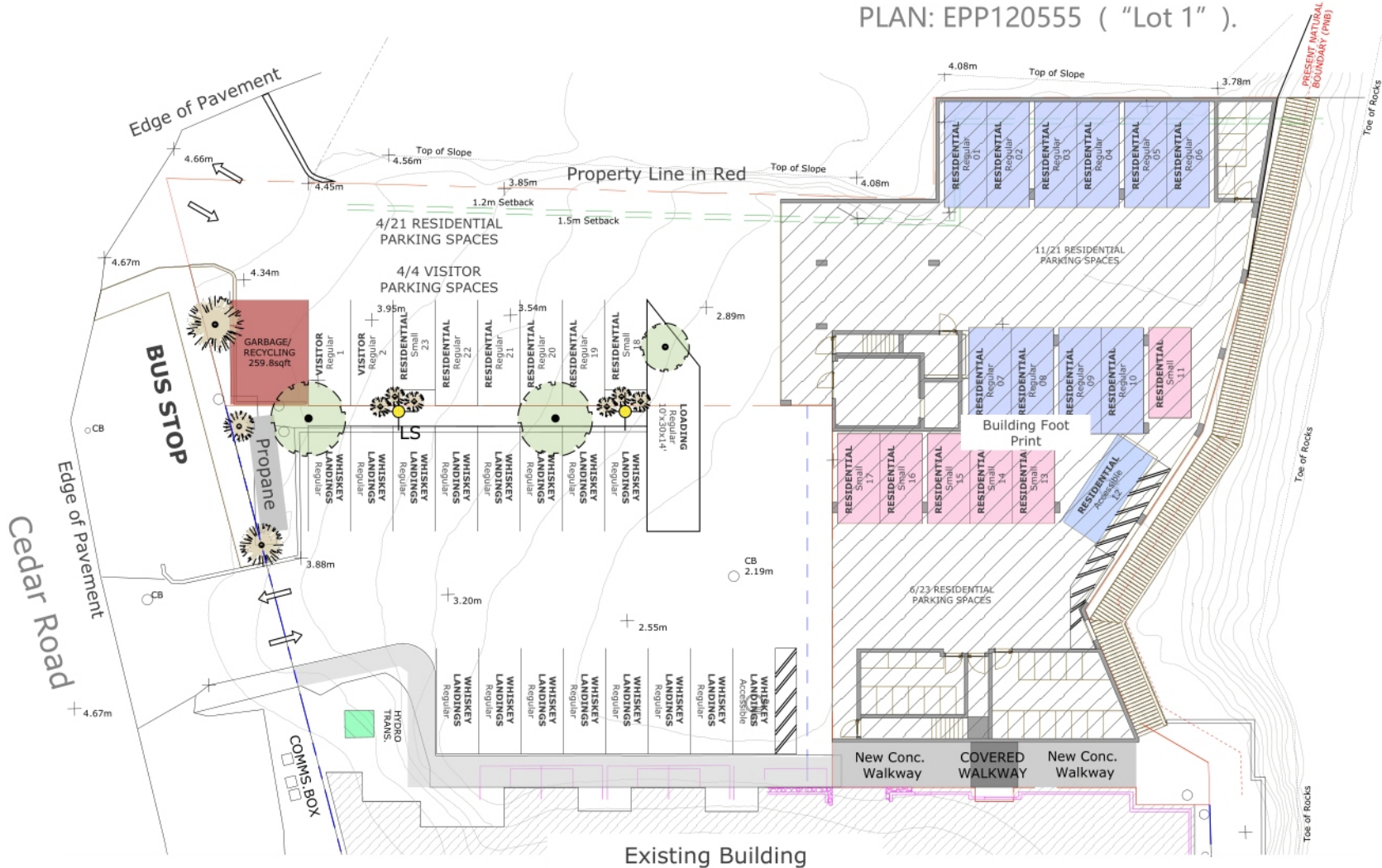
Total Building Area (SQFT)

	Parkade	1st Floor	2nd Floor	3rd Floor	4th Floor
Unit Area	-	5535	5535	5535	2000
Common Area	1125.5	781	781	781	567

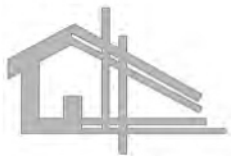


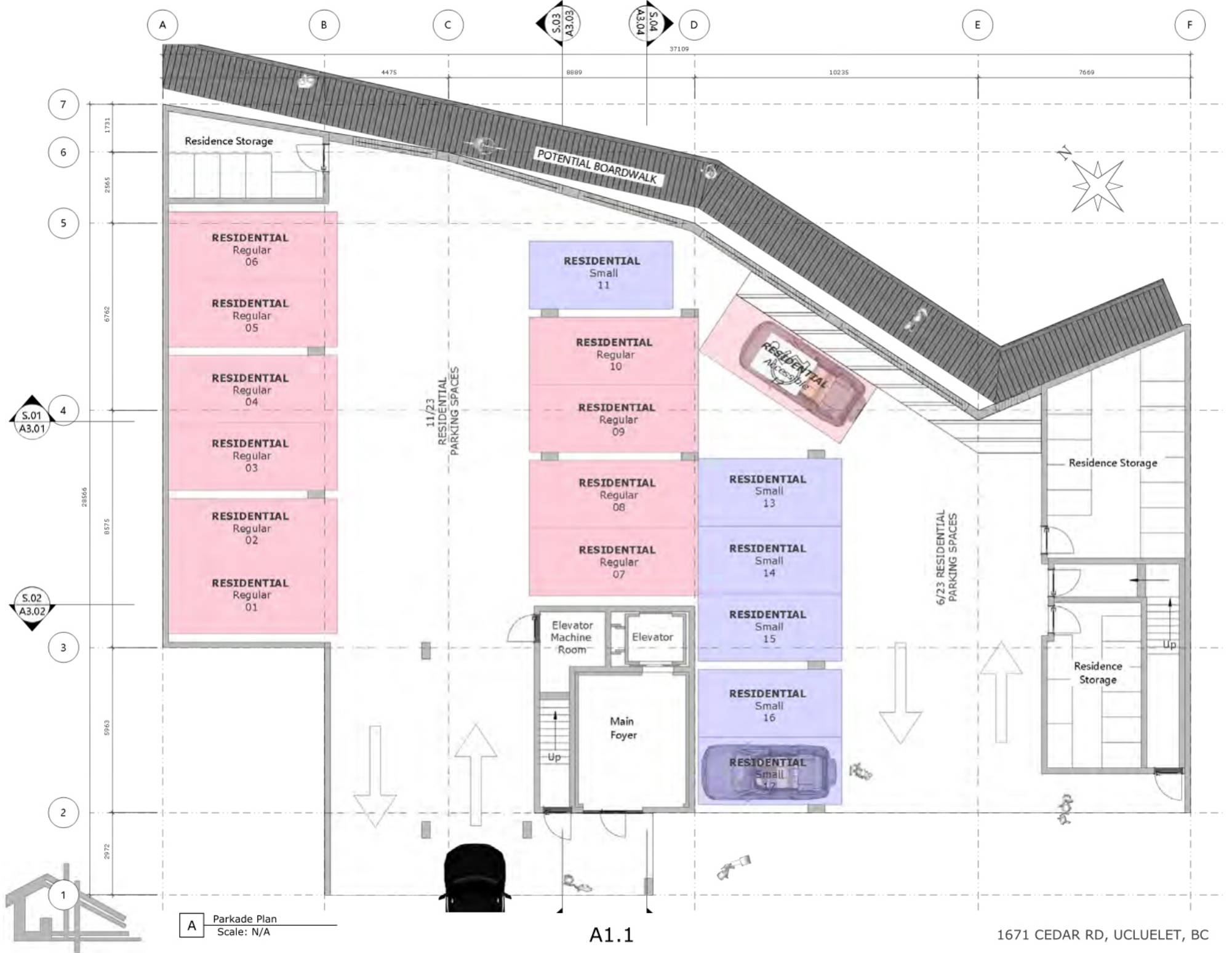
PROPOSED AZURA DEVELOPMENTS, 1671 CEDAR RD, UCLUELET, BC PLAN VIEW OF AZURA DEVELOPMENTS SITE PLAN

Parcel Identifier: 031-694-829
Legal Description: LOT 1 DISTRICT LOTS 2164
AND 282 CLAYOQUOT DISTRICT
PLAN: EPP120555 ("Lot 1").



A Site Plan
Scale: 1:360





A1.1





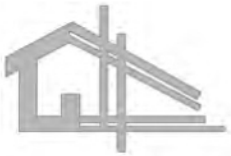
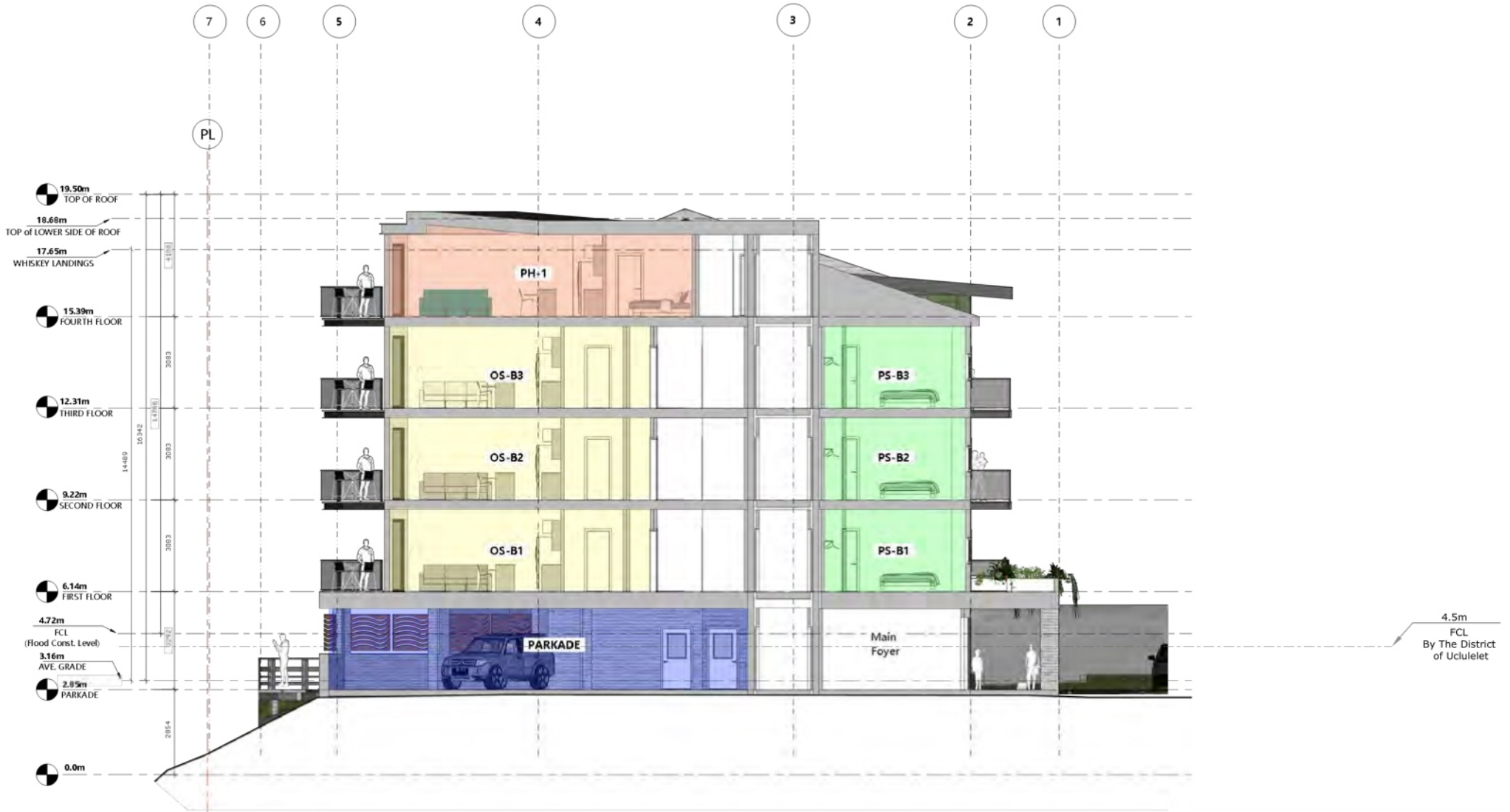




N Ocean, Front Elevation
Scale: N/A

A2.1

1671 CEDAR RD, UCLULET, BC



A3.4

1671 CEDAR RD, UCLUELET, BC

Fawn Ross, Development Manager
Azura Management Corp.
125B – 19055 34A Avenue
Surrey, BC V3Z 0P6

January 10, 2024

via email: fross@azuramanagement.com

Re: 1671 Cedar Road development application review

Dear Fawn;

The following comments are provided from the review of the application package submitted for the proposed development at 1671 Cedar Road. The initial application review has identified some items that will need to be addressed to move the project forward. As discussed previously, your team is proposing an attractive building and taking a creative approach to the site. However additional information is required to address the following items and form a complete picture of the proposed development and its impacts. We will await receipt of your completed application before further review can proceed.

Certificate of Compliance

After some back-and-forth, the Ministry of Environment has confirmed that the Certificate of Compliance (CoC) issued on July 23, 2002, for the property was for **commercial** purposes; the proposed development of a 4-storey 23-unit condominium building qualifies as a "high-density residential land use" under the *Contaminated Sites Regulation*.

For the purposes of the provincial *Environmental Management Act*, the following definitions of land uses apply:

"high density residential land use" means a residential land use in respect of one of the following:

- (a) a multiple-unit dwelling of 3 or more storeys;
- (b) an institutional facility in a building of 3 or more storeys;

"residential land use" means the use of land for the primary purpose of

- (a) a residence by persons on a permanent, temporary or seasonal basis, including, without limitation, single family dwellings, cabins, apartments, condominiums or townhouses, or
- (b) institutional facilities, including, without limitation, schools, hospitals, daycare operations, prisons, correctional centres and community centres;

The high-density residential land use matches your proposal. The regulation differentiates this use from commercial:

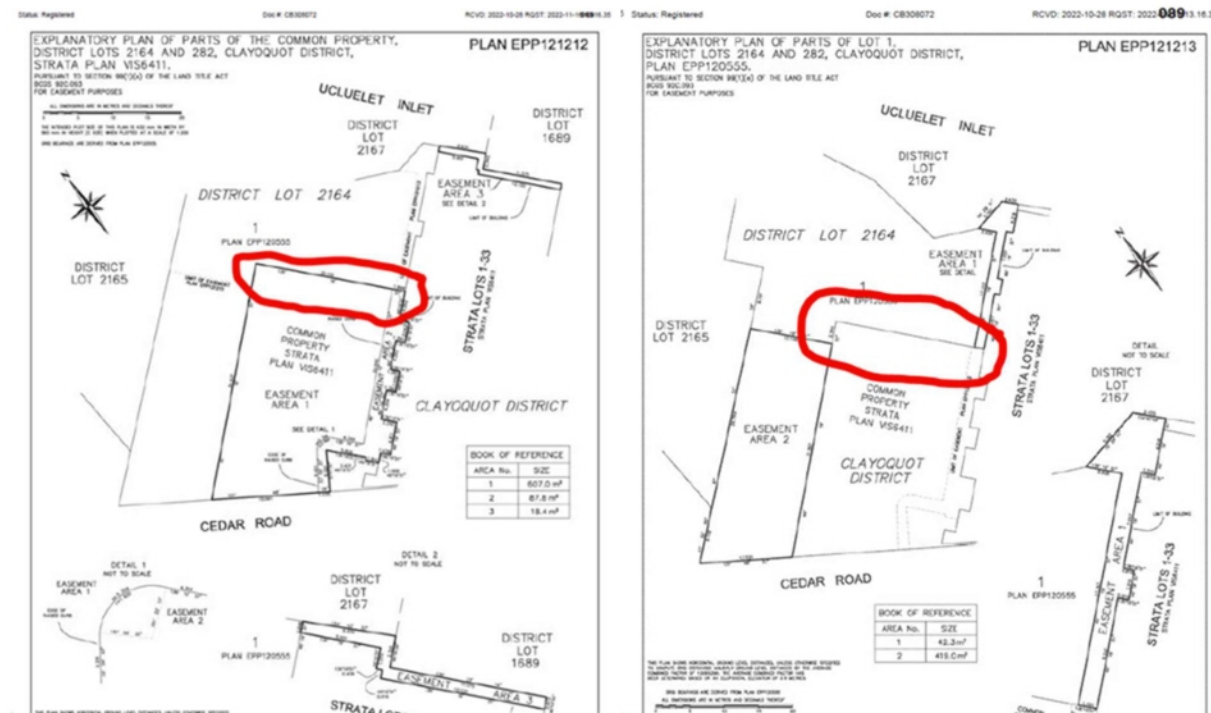
"commercial land use" means the use of land for the primary purpose of buying, selling or trading of merchandise or services including, without limitation, shopping malls, office complexes, restaurants, hotels, motels, grocery stores, automobile service stations, petroleum distribution operations, dry cleaning operations, municipal yards, warehouses, law courts, museums, churches, golf courses, government offices, air and sea terminals, bus and railway stations, and storage associated with these uses.

The 2002 CoC does not cover the proposed land use with the current application. This means that the District is restricted from providing development approvals such as a Development Permit, Development Variance Permit or Building Permit until the owner has provided a valid CoC from the Province for the proposed use. An environmental consultant can advise on the options for obtaining a valid CoC or other form of determination or release from the Ministry.

Building Code and Spatial Separation:

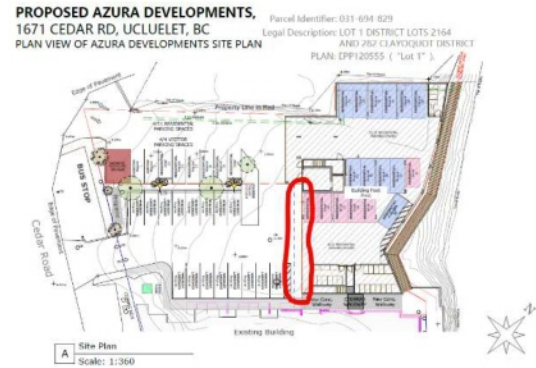
Doug Cole's email of December 12, 2023, was helpful clarifying the non-combustible construction of the southeast wall facing the existing Whiskey Landing building. The question raised by staff last July, however, included the building code compliance for the limiting distance to the southwest face of the building, which is proposed to be constructed at (and over) the property boundary between Lot 1 Plan EPP120555 and the common property of Strata Plan VIS6411.

The easement documents CB308072 to CB308075 provided with the application do not satisfy the requirements of maintaining spatial separation mandated by the BC Building Code.



As it is proposed, prior to issuing a building permit for the building a section 219 restrictive covenant in favour of the District would need to be registered over the common property of Strata Plan VIS6411 restricting the construction of any future building on the neighbouring property within the limiting distance required by Code.

Alternative approaches to meeting the building code requirements could include removing the cantilevered balconies and unprotected openings (windows) on that face of the building, or moving the face of the building back from the property line. Such changes would affect the form and character of the building; a prime consideration for Council when considering issuance of the requested Development Permit.



Not knowing what approach the applicant will take and whether it will affect the form of the proposed building, staff requested that you clarify how you intend to meet the code requirements - prior to the application being presented to Council. If you choose the route of registering a S.219 restrictive covenant over an area of the existing parking lot on the common property of Strata Plan VIS6411, a letter of support from the Strata would be sufficient at the Development Permit stage. Registration of the covenant would just need to be complete prior to issuance of a building permit.

Engineering:

Engineering comments were provided previously and we understand that Herold Engineering is working to address those issues. The current drawing set does not clearly indicate the location of the existing storm drainage main that crosses the property – it would be helpful to add the existing and relocated storm drain to the site plan to enable us to assess whether surface works (parking, landscaping, etc.) might pose any challenges for future maintenance.

The draft plan for the Cedar Road frontage provided by Herold Engineering for discussion, showing the bus stop, is generally supportable with the following comments:

- Need to provide for a pedestrian walkway connecting from the existing sidewalk at the corner of Main Street to the new bus stop location;
- Explore retaining a parallel public parking space on Cedar near the corner with Main;
- The raised bus stop pad provides pedestrian accessibility but in its current location would see the bus stop in the travel lane. This is not a BC Transit stop but serves irregular private service (Island Express and tour bus), therefore there should be space for a bus to pull out of the travel lane to stop for a lengthier load/offload; and,
- Provide a landscape plan for the proposed treatment of the Cedar Road frontage to complete the DP application.



We look forward to working with you as these items are addressed and the application makes its way to Council. Once you have had a chance to review the above with your team, we would be pleased to schedule a meeting to discuss and answer any questions you might have.

Regards,

Bruce Greig,
Director of Community Planning

Cc: Ewen Stewart, Azura Developments
Doug Cole, Architect
Evan Pearce, Herold Engineering
Duane Lawrence, CAO
James MacIntosh, Director of Engineering
Rick Geddes, Fire Chief
Nicole Morin, Municipal Inspector
John Towgood, Municipal Planner



Associated Environmental Consultants Inc.
Suite 200, 2800 29 Street
Vernon, BC V1T 9P9 Canada

February 2, 2024

File: 2024-8584-00

TEL: 250.545.3672

FAX: 250.545.3654

Fawn Ross
Development Manager
Azura Management Corp.
800-15355 24 Avenue, Suite 200
Surrey, BC V4A 2H9

Re: ENVIRONMENTAL REVIEW - UCLUELET COMMERCIAL DEVELOPMENT
1671 CEDAR ROAD, UCLUELET, BC

Dear Ms. Ross:

Azura Management Corp. retained Associated Environmental Consultants Inc. (Associated) in January 2024 to complete a cursory review of historical BC Ministry of Environment and Climate Change Strategy (BC ENV) site registry reports and certificates of compliance (CoCs) related to the property at 1671 Cedar Road, Ucluelet, BC (the Subject Site), and provide an overview of the permitting process for a development permit application for the Subject Site.

Associated understands that the Subject Site is planned for redevelopment into a mixed commercial/residential building, with a ground-level parkade and three levels of dwelling units above it (total of 23 units), which is allowed under the current CD-4 zoning. The lot will consist of the building and a paved parking lot, with limited landscaping along the Cedar Road right-of-way.

The following documents were reviewed to determine the environmental conditions of the Subject Site:

- Certificate of Compliance, Site ID: 4882 (1645 Cedar Road) (dated July 19, 2002) – includes the Subject Site lot at 1671 Cedar Road
- Certificate of Compliance, Site ID: 6493 (1638 Cedar Road) (dated March 14, 2003)
- Site Registry Site Details Report, Site ID: 4882
- Site Registry Site Details Report, Site ID: 6493
- Report entitled Environmental Site Decommissioning Summary Report, Former Chevron Bulk Plant BP8202, 1645 Cedar Road, Ucluelet, BC, prepared by Seacor Environmental Inc. (dated March 13, 2002)
- Report entitled Soils Excavation and Storm Sewerage Replacement Program, Former Chevron Bulk Plant BP820, 1645 Cedar Road, Ucluelet, BC, prepared by Seacor Environmental Inc. (dated May 28, 2002)

Based on the documents reviewed, the Subject Site was part of a larger lot (civic address 1645 Cedar Road) that was previously leased by Chevron Canada Ltd. (Chevron) and formed part of the Chevron bulk plant. Aboveground storage tanks were located on the Chevron-owned property at 1638 Cedar Road, located southwest of the Subject Site (Site ID 6493). Investigation and remediation were completed at the Subject Site in the late 1990s to early 2000s (limited information was provided in the reviewed reports). A CoC was issued for the property at 1638 Cedar Road in March 2003, stating that this site was remediated to meet the Contaminated Sites Regulation (CSR) commercial land use soil standards of the time (no groundwater contamination was identified). A CoC was issued for the larger lot that includes the Subject Site in July 2002, stating that the site was remediated to meet the commercial land use soil standards and aquatic life water use standards of the time.

Based on the information provided by the client, Associated understands that the property was Crown land leased by Chevron, and the land was titled by the Province and the CoC issued in 2002. After the CoC was issued, the larger lot addressed 1645 Cedar Road, which included the Subject Site, was sold to a private developer. The municipality created a new commercial zoning designation specific to the site (CD-4) and approved construction of the Whiskey Landing development on the southeastern half of the lot, which is a standard mixed commercial and residential building that allows dwelling units (only from the second storey up). The units above can function as short-term rentals or as permanent residences. The Subject Site was slated to be Phase II of the Whiskey Landing. The larger lot was subdivided in 2022 into two parcels: the south portion at 1645 Cedar Road and the north portion at 1671 Cedar Road (the Subject Site). It has been vacant since the CoC was issued.

Based on the proposed development of the Subject Site, with a proposed parkade at ground level and residential units above, the applicable CSR standards would be commercial land use. BC ENV does not require that a CoC be updated at redevelopment if the applicable land use standards remain the same. As such, the current CoC would still apply at the Subject Site. *

BC ENV provides guidance on the [municipal permitting process on their website](#). BC ENV requires the submission of a site disclosure statement (SDS) when applying for a municipal permit for sites that had or have Schedule 2 uses (a bulk plant is a Schedule 2 use), unless the site is exempt. Exemptions are listed in the [CSR: Division 3, Section 4](#). This site would be exempt from submitting an SDS as per Section 4(1):

Exemption — other processes apply under the Act

4 (1) A person is exempt from the requirement to provide a site disclosure statement under section 40 (1) or (2) of the Act in relation to a site if

(a) the site is the subject of an approval in principle or certificate of compliance relevant to

(i) the current use of the site, or

(ii) any use of the site proposed by the person, and

(b) the person, after making reasonable inquiries, has no reason to believe that any further contamination occurred at the site after the approval in principle or certificate was issued.

As a result of the SDS exemption, there is no reason for the municipality to submit a SDS following permit application, and thus there would be no freeze on the issuance of the development permit by BC ENV.

Note that if the SDS had been provided to BC ENV and they froze the permit, an email would have been issued to the contact person noted on the SDS and to the municipality. That email would contain standard phrasing, as follows:

If the SDS was submitted in conjunction with a municipal application, the municipality cannot approve the application until the applicant meets at least one of the requirements prescribed in the following local government statutes: Islands Trust Act (section 34.1), Land Title Act (section 85.1), Local Government Act (section 557), and the Vancouver Charter (section 571B), as applicable. For example, restrictions can be lifted when an applicant submits to the approving authority a Determination that the site is not contaminated, an Approval in Principle of a remediation plan, a Certificate of Compliance or a Voluntary Remediation Agreement; or obtains a release notice from the ministry.

Given that the CoC for the Subject Site meets the applicable land use standards for the proposed development, there should be no freeze on municipal permits by BC ENV, and the municipality could issue the permit.

The municipality does not have authority to require additional investigation or compliance with different land use standards (i.e., residential land use standards). That is the jurisdiction of BC ENV.

Based on this review, it appears that the current CoC for the Subject Site would be sufficient to support issuance of a development permit for the land use proposed at the Subject Site.

We trust this completes the assignment to your satisfaction. Please contact the undersigned if you require any further information.

Yours truly,
Associated Environmental Consultants Inc.


Marion Reid, ASCT
Manager, Geoscience

From: Bruce Greig(bgreig@ucluelet.ca)
To: ENV Site ID ENV:EX (siteID@gov.bc.ca)
Subject: RE: 1671 Cedar Road
Sent: 01/05/2024 17:48:50

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello;

Thank you for the clarification. The owner of the property is proposing to develop a 23-unit, 4-storey condo building (see below) – qualifying as a “high-density residential” land use per the definitions in the *Contaminated Sites Regulation*. The July 23, 2002, Certificate of Compliance for commercial use of the property is therefore not relevant for the current proposal. We will advise the owner that the municipality would not be able to issue permits for the proposed development until they can provide a CoC matching the proposed use.

Thank you.
Bruce



Bruce Greig
Director of Community Planning

District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484

From: ENV Site ID ENV:EX(SiteID@gov.bc.ca)
To: Bruce Greig (bgreig@ucluelet.ca)
Subject: RE: 1671 Cedar Road
Sent: 12/22/2023 00:33:16

Hello Bruce,

Thank you for following up. To clarify, the ministry can only confirm that the Certificate of Compliance (CoC) has not been rescinded (Step 1 as listed in the email below). The municipality or approving officer must determine:

2. Whether the CoC is relevant to the proposed development (for example, if the CoC is only valid for commercial use of the site but the proposed development is residential)
3. Whether the applicant has made reasonable inquiries and has no reason to believe that any further contamination occurred at the site after the CoC was issued.

This is because the municipality is privy to the details of the application and the proposed development and will ultimately be responsible for agreeing whether an exemption to the SDS requirement applies. The municipality should compare the details of the application to the terms and conditions laid out in the CoC and determine whether the document is relevant to the proposed development. The municipality may request additional information from the applicant if needed. All three conditions listed above must be met in order for the exemption to apply.

Kind regards,

Site Identification Team

Environmental Emergencies and Land Remediation Branch | B.C. Ministry of Environment and Climate Change Strategy

The information or advice provided in this email is for guidance only, should not be considered legal advice, and in no way limits a director's exercise of discretion under the Environmental Management Act.

From: Bruce Greig <bgreig@ucluelet.ca>
Sent: Friday, December 1, 2023 4:32 PM
To: ENV Site ID ENV:EX <siteID@gov.bc.ca>
Subject: RE: 1671 Cedar Road

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello Site Identification Team;

The proposed use of the site would be **multi-family residential**, not commercial. The municipality relies on the Ministry determining whether the CoC is valid and subsisting for the proposed use.

Please advise whether there would be a restriction on the municipality issuing permits for the proposed development and/or whether the property owner needs to take any additional action prior to municipal approvals.

Thank you.

Bruce



Bruce Greig
Director of Community Planning
District of Ucluelet



200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484

From: Bruce Greig(bgreig@ucluelet.ca)
To: ENV Site ID ENV:EX (siteID@gov.bc.ca)
Subject: RE: 1671 Cedar Road
Sent: 12/02/2023 00:31:57

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello Site Identification Team;

The proposed use of the site would be **multi-family residential**, not commercial. The municipality relies on the Ministry determining whether the CoC is valid and subsisting for the proposed use.

Please advise whether there would be a restriction on the municipality issuing permits for the proposed development and/or whether the property owner needs to take any additional action prior to municipal approvals.

Thank you.
Bruce



Bruce Greig
Director of Community Planning

District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484

From: ENV Site ID ENV:EX(siteID@gov.bc.ca)
To: Bruce Greig (bgreig@ucluelet.ca); ENV Site ID ENV:EX (siteID@gov.bc.ca)
Subject: RE: 1671 Cedar Road
Sent: 11/24/2023 23:44:03
Attachments: 2002-07-23 Site 4882 CoC.pdf

Hi Bruce,

My apologies for the delayed response. We are currently working through a high volume of enquiries. I looked into this site, and there does appear to be a CoC. I have attached a copy for your reference.

Please note that the ministry does not provide approvals for the use of exemptions under Division 3 of the Contaminated Sites Regulation. It is up to the site owner to provide information/evidence to the municipality or approving officer to support the use of the exemption.

To determine if a certification document (i.e., an Approval in Principle, Certificate of Compliance or Determination) is valid and subsisting for the purpose of removing the restrictions on application approvals, a municipality or approving officer should confirm:

1. The document has not been rescinded by sending an enquiry to sitelD@gov.bc.ca. **I can confirm that the CoC issued on July 23, 2002, has not been rescinded.**
2. The document is relevant to any existing or proposed use based on the details of an application. It appears that this CoC is for commercial use.
3. The applicant has made reasonable inquiries and has no reason to believe that any further contamination occurred at the site after the document was issued.

If the above conditions are confirmed, and the municipality accepts the use of the exemption, then there would be no restriction on the municipality approving the permit.

Kind regards,

Site Identification Team

Environmental Emergencies and Land Remediation Branch | B.C. Ministry of Environment and Climate Change Strategy

The information or advice provided in this email is for guidance only, should not be considered legal advice, and in no way limits a director's exercise of discretion under the Environmental Management Act.

From: Bruce Greig <bgreig@ucluelet.ca>
Sent: Thursday, October 5, 2023 3:35 PM
To: ENV Site ID ENV:EX <siteID@gov.bc.ca>
Subject: 1671 Cedar Road

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello;

We have received the attached site disclosure statement for the property at 1671 Cedar Road in Ucluelet. The site was issued a CoC in 2002 (site ID #4882). We understand the CoC included conditions which may limit uses on site. We look to the Ministry to assist in determining whether the landowner has any additional requirements to meet, and/or whether municipal approvals can proceed.

Please don't hesitate to contact me if you have any questions.

Thank you,

Bruce



Bruce Greig

Director of Community Planning

District of Ucluelet

200 Main Street, Ucluelet, B.C. V0R 3A0

Phone: 778-748-8484

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Bruce



Bruce Greig

Director of Community Planning

District of Ucluelet

200 Main Street, Ucluelet, B.C. V0R 3A0

Phone: 778-748-8484

From: Bruce Greig(bgreig@ucluelet.ca)
To: ENV Site ID ENV:EX (siteID@gov.bc.ca)
Subject: 1671 Cedar Road
Sent: 10/05/2023 22:35:16
Attachments: 1671 Cedar_Ucluelet_sitedisclosure_siteID4882.pdf

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Thank you,

Bruce



Bruce Greig
Director of Community Planning

District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484



Site Disclosure Statement

All fields marked with an asterisk (*) are mandatory.

Has the site been used for any industrial or commercial uses described in [Schedule 2](#) of the Contaminated Sites Regulation? *

- ☒ Yes
☐ No

If you answered yes to the question above, you must complete this form if no exemptions apply.

Exemptions

Do any of the exemptions from submitting a site disclosure statement apply? (see the [Contaminated Sites Regulation](#), Part 2, Division 3) *

- ☒ Yes
☐ No

If yes, indicate which exemption applies. As per Section 3.5 of the Contaminated Sites Regulation, a municipality or approving officer may still request a person to complete a site disclosure statement for their records. *

CSR section 4.7 - previous submission of site profile

Select one

Description

The Subject Property (1671 Cedar Road) is a recently subdivided remainder of a parent parcel (1645 Cedar Road), for which a Certificate of Compliance has been issued (Site Identification Number 4882). No industrial or commercial uses described in the Contaminated Sites Regulation Schedule 2 have occurred on the Property since that Certificate of Compliance was issued.

The parent parcel (1645 Cedar Road) was once owned by the Province and leased to Chevron for use as a Bulk Fuel Storage facility. Reclamation of the site began in 1996 and was completed in 2002. A Certificate of Compliance was issued in that same year and is documented under Site Identification Number 4882. Later in 2002 the province sold the parent parcel to a private developer, who immediately developed Phase I Property with a mixed commercial residential building, which is still in operation today. The Phase I development contains tourist shops and dwelling units that are used for permanent residents and tourist accommodations.

The Phase I development included a small marina in an adjacent water lease (DL 2167). It operated from 2004 to 2019 and contained about six active slips, which were primarily used for overnight moorage of guests staying in the Phase I accommodations. Infrastructure for the marina was limited to the dock approach and the floating ramps. There were no supporting outbuildings, storage facilities, or work areas of any type on the upland property. Phase II of the development was never built, therefore the Phase II lands remained vacant save for six parking stalls and a propane supply tank used by Phase I guests.

In 2022, the land slated for Phase II of the development were subdivided into a stand-alone lot. The newly created lot (1671 Cedar Road) is the Subject Property for this application (See Provided Map). As the Subject Property is primarily vacant and has been since the issuance of the Certificate of Compliance no known specified industrial or commercial uses have

Last name *

Stewart

First name *

Ewen

Company, if applicable

Whiskey Landing Developments Ltd

Address *

800-15355 24 Ave

City *

Surrey

Province *

BC

Country *

Canada

Postal code *

V4A2H9

Phone number *

604-309-4154

Email *

estewart@azuramanagement.com

[+ Add Another](#)**B: Person completing site disclosure statement (leave blank if same as above)**

Last name

First name

Company, if applicable

C: Person to contact regarding the site disclosure statement

Last name *

First name *

^ Section II - Site information**Coordinates for the centre of the site:****Latitude**

Degrees *

48

Minutes *

56

Seconds *

37.4

Longitude

Degrees *

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Minutes *

32

Seconds *

46.2

Attention:

A separate map with appropriate scale showing the location and boundaries of the site must be included.

☒ I will include a map with my submission *

Land ownership *

☒ Legally titled, registered property

☐ Untitled Crown land

For legally titled, registered property

Site address *

1671 Cedar Road

City *

Ucluelet

Postal code *

V0R3A0

PID *

031-694-829

Land description *

LOT 1, DISTRICT LOTS 2164 AND 282, CLAYOQUOT DISTRICT, PLAN EPP120555.

[+ Add Another](#)

^ Section III - Specified industrial or commercial uses

Indicate all the industrial or commercial uses described in the Contaminated Sites Regulation [Schedule 2](#) which have occurred or are occurring on this site.

Example Schedule 2 references and descriptions

E1. appliance, equipment, or engine maintenance, repair, reconditioning, cleaning or salvage

F10. solvent manufacturing, bulk storage, shipping and handling

Schedule 2 reference and description *

F8. petroleum product, other than compressed gas, bulk storage or distribution | None |

Select all that apply, choose "none" if no Schedule 2 uses apply.

^ Section IV - Additional information

1. Provide a brief summary of the planned activity and proposed land use at the site. *

The Subject Property is zoned for mixed commercial residential use. Phase I is already built and contains tourist storefronts and dwelling units that are used as both permanent residents and short-term nightly rentals. The planned activity for the Subject Property is the construction of Phase II, which will consist of a parkade with 23 similar dwelling units above it.

If not applicable, type N/A

2. Indicate the information used to complete this site disclosure statement including a list of record searches completed. *

1. SEACOR Environmental Engineering Inc, Nanaimo. (2000). Environmental Site Decommissioning Summary Report.
2. SEACOR Environmental Engineering Inc, Nanaimo. (2002). Chevron Canada Limited (Vancouver) Storm Soils Excavation and Sewage Replacement program for Former Chevron Bulk Plant BP820, 1645 cedar Road, Ucluelet.
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June 15, 2015.

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(<https://maps.gov.bc.ca/ess/hm/imap4m/>).

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June 15, 2015.

If not applicable, type N/A

^ Section V - Declarations

Where a municipal approval is not required, you must indicate the reason for submission directly to the registrar:

- | | | |
|--|--|---|
| <input type="checkbox"/> Under order | <input type="checkbox"/> Foreclosure | <input type="checkbox"/> CCAA proceedings |
| <input type="checkbox"/> BIA proceedings | <input type="checkbox"/> Decommissioning | <input type="checkbox"/> Ceasing operations |

By signing below, I confirm that the information in this form is complete and accurate to the best of my knowledge:

SIGNATURE



Sign above

For agents completing this form, save to PDF then forward the form to the owner/operator to complete this section.

First and last name

Ewen Stewart

- ☐ Owner
☐ Operator

Date signed

2023-09-19



Approving authority contact information

All fields in this section must be completed by the municipality (including regional districts) or approving officer prior to forwarding the form to the site registrar.

First and last name

BRUCE GREIG

Agency

DISTRICT OF UCLUELET

Address

200 MAIN ST. P.O. BOX 999, UCLUELET, BC V0R 3A0

Phone number

250 726 1744

Email

bgreig@ucluelet.ca

Reason for submission (Please check one or more of the following):

☒ Building permitfor an activity that will likely disturb
soil☐ Subdivision☐ Zoning☒ Development permitfor an activity that will likely disturb
soil

Date received by approving authority

SEPT. 22, 2023



Date submitted to registrar

OCT. 5, 2023



Version: 18



UCLUELET INLET

DISTRICT LOT 2167

DISTRICT LOT 2165

LOT 1

BUILDING STRATA VIS6411

CEDAR ROAD

All Dimensions are in Metres and decimals thereof
The intended Scale of this Plan is 1:500
when plotted on a 559 mm x 432 mm (22"x17") Sheet



JEA JE ANDERSON
& ASSOCIATES
SURVEYORS AND ENGINEERS
203 - 177 WELD ST., PO BOX 247
PARKSVILLE, B.C. V9P 2G4
250-246-5755 parkville@jeanderson.com

SITE PLAN

LOT 1, DISTRICT LOTS 2164 AND 282,
CLAYOQUOT DISTRICT, PLAN EPP120555,
PID 031-694-828

PREPARED FOR
Azura Management Corp.

OUR FILE : 88600-11 DATE : FEB 3, 2023.

4882 - Ucluelet

March 8, 2024

2:22 PM

- Contact Ucluelet to let them know we are supposed to receive and SDS for this site
- We do not have a record of receiving it, are you able to re-send it?
- If this becomes an issue, we could make a call and get involved in the dispute resolution on whether the CoC applies to proposed development
- Proposing multi-family development
- On Jan 5, 2024, sent to Site ID - doing a 23 unit condo building
- Associated Engineering (Feb 22) said the COC applies
- In Feb 22, Bruce sent the background as well, including the review from Associated Engineering - Sent to SiteID.
- Client is reasoning zoning, that land use

Spoke to Bruce on March 14th

Underground parkade - does that change the COC applicability?

- Before they bought the property, the realtor asked if the site was clear to go?
- Municipality said no, they need to do due diligence

Discussion with Liliana:

- They could compare their results to the current residential standards and see if they meet the standards.
- If yes, they could apply for a request for the director to amend the certificate
- If nothing has happened at the site, then the result would be it would need to meet current high density residential standards
- No parkade standards for soil, lobby is considered residential, because the building is residential.

-Ask owner to request a director's decision for the applicable land use, based on future development plans with parkade at grade. Describe their project.

From: Bruce Greig(bgreig@ucluelet.ca)
To: ENV Site ID ENV:EX (siteID@gov.bc.ca)
To: Osorio, Vanessa ENV:EX (Vanessa.Osorio@gov.bc.ca)
Subject: RE: 1671 Cedar Road
Sent: 03/14/2024 15:57:44
Attachments: 1671 Cedar_Ucluelet_sitedisclosure_siteID4882.pdf

You don't often get email from bgreig@ucluelet.ca. [Learn why this is important](#)

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

As discussed.
Thanks!



Bruce Greig
Director of Community Planning

District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484



Site Disclosure Statement

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First name *

Ewen

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First and last name

Ewen Stewart

- ☐ Owner
☐ Operator

Date signed

2023-09-19



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First and last name

BRUCE GREIG

Agency

DISTRICT OF UCLUELET

Address

200 MAIN ST. P.O. BOX 999, UCLUELET, BC V0R 3A0

Phone number

250 726 7744

Email

bgreig@ucluelet.ca

Reason for submission (Please check one or more of the following):

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soil☐ Subdivision☐ Zoning☒ Development permitfor an activity that will likely disturb
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Date received by approving authority

SEPT. 22, 2023



Date submitted to registrar

OCT. 5, 2023



Version: 18



JEA
JE ANDERSON
& ASSOCIATES
SURVEYORS AND ENGINEERS
203 - 177 WELD ST., PO BOX 247
PARKSVILLE, B.C. V9P 2G4
250-248-5755 portville@jeanderson.com

SITE PLAN

LOT 1, DISTRICT LOTS 2164 AND 282,
CLAYOQUOT DISTRICT, PLAN EPP120555.
PID 031-694-829

PREPARED FOR
Azura Management Corp.

OUR FILE :	89600-11	DATE : FEB 3, 2023.
------------	----------	---------------------

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To: ENV Site ID ENV:EX (siteID@gov.bc.ca)
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Subject: RE: 1671 Cedar Road
Sent: 03/14/2024 16:44:22

You don't often get email from bgreig@ucluelet.ca. [Learn why this is important](#)

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Vanessa;

Thanks for your call this morning and for following up. If you would like more background on the proposed development at 1671 Cedar Road, a staff report was presented to Council at its regular meeting on Tuesday; the report on that agenda provides a fairly complete picture and is available here:

<https://ucluelet.ca/community/district-of-ucluelet-council/city-council-agendas-minutes/category/37-2024-agendas?download=1087:2024-03-12-regular-council-agenda>

Please don't hesitate to contact me if you have any questions.
Thank you,
Bruce

From: Bruce Greig
Sent: Thursday, March 14, 2024 8:58 AM
To: ENV Site ID ENV:EX <siteID@gov.bc.ca>
Cc: vanessa.osorio@gov.bc.ca
Subject: RE: 1671 Cedar Road

As discussed.
Thanks!



Bruce Greig
Director of Community Planning

District of Ucluelet
200 Main Street, Ucluelet, B.C. V0R 3A0
Phone: 778-748-8484