

YUULU?IL?ATH FIRST NATION GOVERNMENT
OFFICIAL COMMUNITY PLAN ACT
YFNS 32/2013



OFFICIAL CONSOLIDATION – CURRENT TO FEBRUARY 7, 2017

This is a certified true copy of the consolidated Official Community Plan Act YFNS 32/2013,
Current to February 7, 2017

Date: February 7, 2017.

Signed: 
Law Clerk

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**YUULU?IL?ATH FIRST NATION GOVERNMENT
OFFICIAL COMMUNITY PLAN ACT YFNS 32/2013
OFFICIAL CONSOLIDATION – CURRENT TO FEBRUARY 7, 2017**

PART 1 - GENERAL PROVISIONS

Short title

1.1 This Act may be cited as the Official Community Plan Act.

Executive oversight

1.2 The member of the Executive holding the lands and resources portfolio is responsible for the executive oversight of this Act.

Adoption of official community plan

1.3 As required by section 2.2 of the Planning and Land Use Management Act, the official community plan attached as Schedule 1 is adopted as the official community plan of the Yuulu?il?ath? First Nation for all

- (a) Yuulu?il?ath? lands, and
- (b) Yuulu?il?ath? foreshore.

Commencement

1.4 This Act comes into force on the date it is enacted.

SCHEDULE 1 – OFFICIAL COMMUNITY PLAN

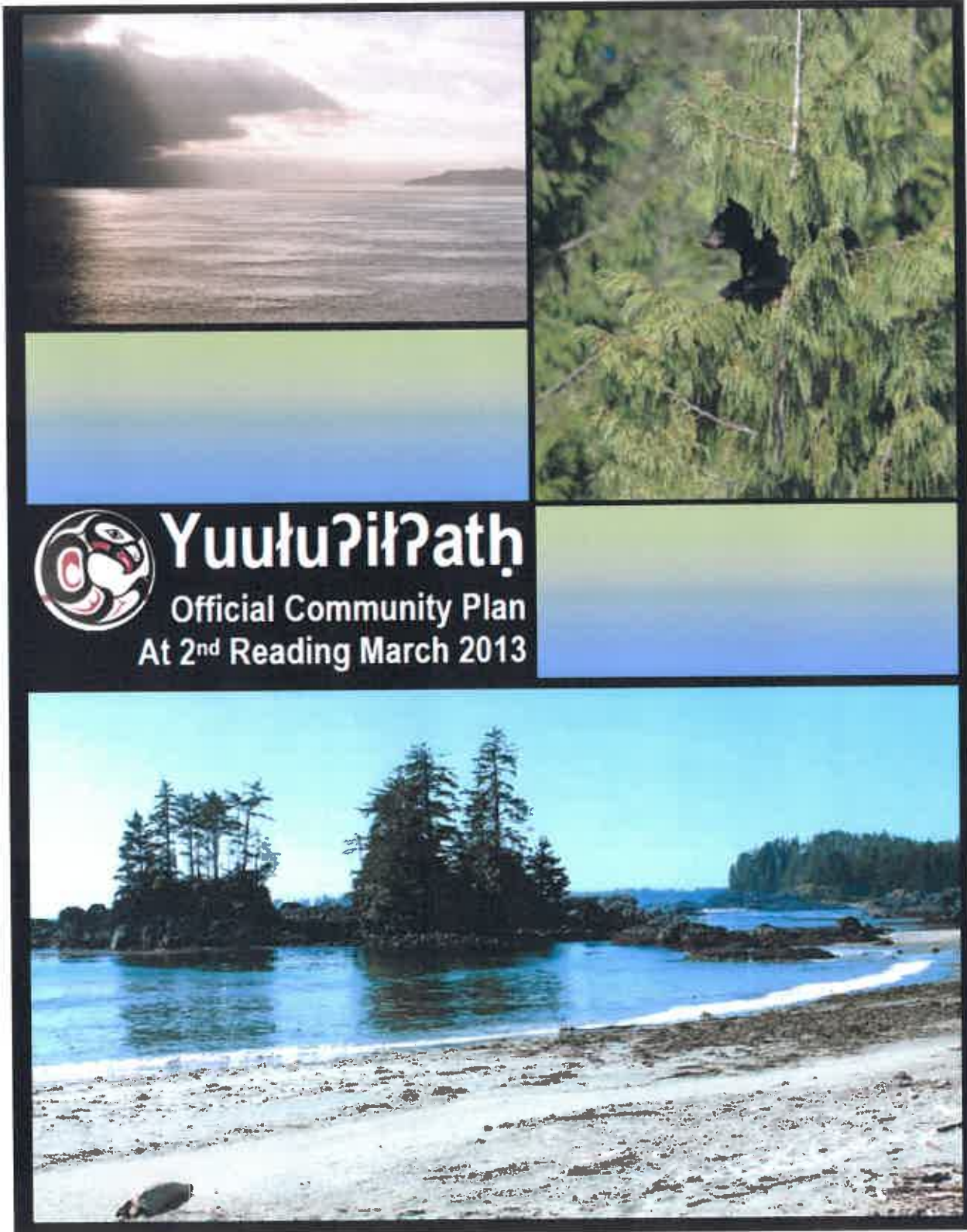


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1. BACKGROUND

1.1 WHY PLAN?

This Official Community Plan develops out of a series of important questions for the consideration of every community member...

- What kind of community will we have in 20 years?
- What will the community look like?
- Who lives here?
- Where are different land uses?
- How are we protecting the environment?
- How are we planning for future generations?

By developing an Official Community Plan, we are agreeing as a community on actions we can take to strengthen and sustain the cultural, social, economic and environmental wellbeing of our people, lands, waters and resources.

This Plan provides an agreed-on statement of how the lands and water of the Yuuiu?il?ath will be cared for, protected, and developed into the future. The Official Community Plan will also be shared with adjacent regional districts, nearby municipalities, the Province, and the Federal government so they understand the land use directions of the Yuuiu?il?ath Government.

The objectives and policies of this Plan comply with Yuuiu?il?ath legislation such as the *Lands Act* and the *Planning and Land Use Management Act*. The objectives of this plan will be achieved through the development of more detailed land use implementation measures such as Zoning, Subdivision and Servicing Bylaws.

We recognize that we have to work together as a Nation. Our children, grandchildren and generations to come are depending on us to help realize a sustainable and healthy environment with opportunities for all Citizens to reach their potential.



When considering the future, Citizens have said:

- We want to create a *Sustainable Community* where the current land uses allow the community to prosper, but do not have a negative impact on future generations
- We would like to see a community which is designed to create the best balance between environmental protection, economic growth, social development and culture
- We would like to see better use of our waterfront lands for Citizens
- We must continue with the harbour clean up so we can eat the cockles, clams, and mussels and harvest the marine plants for food and cultural uses
- We must work with the Town of Udulet to protect the harbour
- We would like to add new uses for children and Elders, such as specially designed housing and playspace for children
- Create an economy with our Treaty Settlement Lands for our citizens to move home
- We would like to see our Citizens prosper.

This Official Community Plan develops out section 13.14.2 of the Maa-nulth Treaty. Yuulu?i?ath was involved in Treaty negotiations with the Province of BC and Government of Canada as a member of the Maa-nulth Treaty Society. The Maa-nulth Governments first entered the treaty process in January 1994 as part of the Nuu-Chah-Nulth Tribal Council's (NTC) treaty table.

Chief negotiators for the NTC, British Columbia and Canada initialed an Agreement in Principle (AIP) on March 10, 2001. Yuulu?i?ath together with four other Nuu-chah-nulth Nations (Ka:'yu:'k't'h'/Chek'tles7et'h', Toquaht, Uchucklesaht and Huu ay aht Governments) approved the AIP.

The Nuu-chah-nulth Tribal Council (NTC), representing 13 of its 14 member bands, entered into the Treaty Process in January 1994 at a common treaty table. The Hupacasath First Nation withdrew from the NTC treaty table in early 2000 to negotiate independently, reducing the number of First Nations to 12. The other NTC member band, Ditidaht First Nation, is negotiating at a common treaty table with the Pacheedaht First Nation. While the Pacheedaht is a Nuu-chah-nulth speaking First Nation, it has never been a member of the NTC.

Chief negotiators for the NTC treaty group, BC, and Canada initialed an agreement in principle on March 10, 2001.

Each of the 12 participating bands undertook a community consultation and approval process. Six bands rejected the agreement and six approved, therefore the parties did not sign the agreement in principle.



Five of the six First Nations that approved the agreement in principle joined to form the Maa-nulth Treaty Society. The Maa-nulth Treaty Society approached British Columbia and Canada about negotiating a final agreement based on the draft 2001 Nuu-chah-nulth agreement in principle and final agreement, which ultimately led to the negotiations of the Maa-nulth Agreement in Principle (AIP).

In 2002, Yuulu?il?ath together with four other Nuu-chah-nulth Nations (Ka'yu:k't'h / Chek'tles7et'h, Toquaht Nation, Uchucklesaht and Huu ay aht Nations) approved the AIP.

This ultimately led to the negotiation of the Maa-nulth Final Agreement. By October 2007 the treaty ratification process was completed with all five Maa-nulth Nations voting in favour of accepting the Maa-Nulth Final Agreement.

As a result of the Treaty, Yuulu?il?ath has control over approximately 200 hectares of former Reserve lands and an additional 5147 hectares of former provincial Crown lands, plus 92 hectares of fee-simple owned lands. There are additional provincial Crown lands identified in the Treaty that Yuulu?il?ath may purchase within 15 years of the Treaty Effective date, so the total land base may grow over time.

This Official Community Plan is intended to be a tool to assist the Government and Citizens to ensure that development takes place in a way that considers all impacts on the lands and community.



1.2 WHAT IS AN OFFICIAL COMMUNITY PLAN?

An Official Community Plan (also referred to as the *OCPlan* or the *Plan* in this document) is defined in the Yuulu?i?ath *Planning and Land Use Management Act* as:

“a statement of objectives and policies to guide decisions on planning and land use management within the area covered by the official community plan respecting the economic development and growth objectives and goals of the Yuulu?i?ath Government.”

An Official Community Plan includes both required content and optional content, as outlined in the *Planning and Land Use Management Act*:

Required content

2.3 (a) An official community plan must include statements and map designations for the area covered by the plan respecting the following:

- (i) the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least five years;
- (ii) the approximate location, amount and type of present and proposed commercial, industrial, institutional, agricultural, recreational and utility land uses;
- (iii) the approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction;
- (iv) restrictions on the use of Yuulu?i?ath lands that are subject to hazardous conditions or that is environmentally sensitive to development;
- (v) the approximate location and phasing of any major road, sewer and water systems;
- (vi) the approximate location and type of present and proposed community facilities, including schools, parks and waste treatment and disposal sites; and
- (vii) other matters that, in relation to the plan, the Legislature considers relevant.

(b) An official community plan must include housing policies respecting affordable housing, rental housing and special needs housing.

(c) An official community plan must include targets for the reduction of greenhouse gas emissions in the area covered by the plan and policies and Objectives proposed in relation to achieving those targets.



Optional Content

2.4 (a) An official community plan may include the following:

- (i) policies relating to social needs, social well-being and social development;
- (ii) a regional context statement, consistent with the rest of the plan, of how matters dealt with in the plan apply in a regional context;
- (iii) policies respecting the maintenance and enhancement of farming on Yuulu?il?ath lands in a farming area or in an area designated for agricultural use in the plan; and
- (iv) policies relating to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

(b) If the Legislature proposes to include a matter in an official community plan, the regulation of which is not within the jurisdiction of the Legislature, the plan may only state the broad objective of the Legislature in relation to that matter.

An Official Community Plan is developed by the community from their vision of the future, and is a way of turning *ideas into actions* – ideally, the steps to achieving a desired future are clearly identified and agreed on by the community.

Once the Official Community Plan is adopted, all enactments or works undertaken by the Yuulu?il?ath Government must be consistent with the Plan or the Plan must be amended. This is a living document that can be amended to fit changing circumstances as outlined in the *Planning and Land Use Management Act (Part 10-10.1)*.



1.3 PLANNING AND LAND USE MANAGEMENT ACT

As noted in the preamble to the *Planning and Land Use Management Act*:

The Yuulu?i?ath asserts that we have occupied, benefited from and governed our traditional territory, lands, waters and resources since time immemorial.

The traditional territory of the Yuulu?i?ath has in the past provided the resources necessary to sustain the Yuulu?i?ath and we honour its connection to the lands, waters and resources of its traditional territory which provide for our physical and spiritual needs. Through our inherent right to self-government, the Yuulu?i?ath has preserved and protected our traditional territory and we accept the obligations and responsibilities inherent in governing Yuulu?i?ath lands and pledge to protect Yuulu?i?ath lands for future generations of our citizens.

We promote a healthy and prosperous future that ensures the continued existence of the Yuulu?i?ath as a strong political, social and cultural community that aspires to grow as an organized, determined, successful and self-reliant people. The Yuulu?i?ath values the need to respect, protect and promote our heritage, culture and traditions which form the basis of our success and destiny while understanding that these practices may change and require contemporary expression. It is the desire of the Yuulu?i?ath that our Yuulu?i?ath lands continue to provide the resources necessary to sustain us, preserve our traditional ways and culture, encourage self sufficiency and security through economic development and growth and to provide a home for the Yuulu?i?ath people forever.

It is also the desire of the Yuulu?i?ath that economic development and growth on our Yuulu?i?ath lands will be conducted in a way that is transparent and accountable and that will foster a safer, stronger, healthier, more financially secure and more sustainable community. To this end, the Yuulu?i?ath encourages our citizens to participate in the planning process for development and growth in order to create the type of community we want to live in and be a part of and that meets our needs. Economic development and growth on Yuulu?i?ath lands will be carried out in a way that ensures our economic development and growth is socially, economically and environmentally sustainable.

The Yuulu?i?ath adopts this Act based on these values, and applies these values to all the lands. This sets out the scope and applicability of the *Planning and Land Use Management Act* and also of this Official Community Plan.



1.4 ABOUT THE COMMUNITY

The citizens of Yuufu?H?ath have lived here since time immemorial. On lands currently under Yuufu?H?ath jurisdiction, most people live at Hitacu, located on the Ucluelet Inlet, with approximately 2200 metres of water frontage on the north side of the Inlet. Currently, there are 70 homes, the Government House, Community Hall, Health Centre, and a fire hall on these lands.

Hitacu is serviced with community water and sewer services and there is capacity for additional connections. There are two water sources within the Yuufu?H?ath Traditional Territory. Sewage moves through a submarine pipe to the District of Ucluelet's treatment facility and after secondary treatment is disposed of through an ocean outfall. There is also a private dock along the foreshore.

All lands are owned by Yuufu?H?ath, with individual houses financed through Canadian Mortgage and Housing (CMHC), privately financed, or Band owned.

The land base is approximately 5400 hectares. This includes Hitacu and eight other former reserve areas, treaty settlement lands, and all the lands currently owned by Yuufu?H?ath as fee simple lands. Development on these lands includes the Waya Campground, Waya Interpretive Centre, and the Waya Surf Shop.

Population

The current population (provided by Indian and Northern Affairs (INAC) dated July 2012) is shown below:

| Place of Residence | Number of People |
|--|------------------|
| Registered Males on Yuufu?H?ath lands | 118 |
| Registered Females on Yuufu?H?ath lands | 88 |
| Registered Males on other First Nation lands | 7 |
| Registered Females on other First Nation lands | 8 |
| Registered Males Away | 194 |
| Registered Females Away | 218 |
| Total: | 633 |

Depending on the growth rate used, the population could grow by:

| Year | 0.5%/year | 1.0%/year | 1.5%/year | 2.0%/year |
|------|-----------|------------|-----------|-----------|
| 2017 | 649 | 665 | 680 | 696 |
| 2022 | 665 | 696 | 728 | 760 |
| 2027 | 680 | 728 | 775 | 823 |
| 2032 | 696 | 760 | 823 | 886 |
| 2037 | 712 | 791 | 870 | 949 |
| 2042 | 728 | 823 | 918 | 1013 |



Depending on the rate of growth, this will mean population is expected to grow to between 728 and 1013 members by 2042. This means:

- Additional housing will need to be built each year to accommodate this growth. If it is estimated that a new home is needed for 3 additional new people, at a high growth scenario, Yuulu?i?ath would need 127 new homes constructed by 2042.
- Overcrowding could be an issue if housing is not built fast enough to accommodate new growth
- Other forms of housing may be needed than single family dwelling units: housing for Elders or youth just starting out on their own may be needed in the future
- New community facilities will be needed to provide services
- Water and sewer systems will need to be added to and improved
- There will need to be upgrades to the road systems and infrastructure
- Attention will need to be given to issues around climate change and sustainability to carefully accommodate growth.

It is noted that these figures only include population projections for Yuulu?i?ath citizens. If a significant proportion of citizens who live away decide to return to Yuulu?i?ath lands or if non-citizens are allowed to live on the lands, these projections would be considered low.

While approximately one-third of Yuulu?i?ath citizens live at Hitacu, Other family members live in Port Alberni, Ucluelet, Tofino, Nanaimo, Victoria, and Vancouver... and around the world.



2.0 COMMUNITY VISION

This vision was developed as part of the Treaty process and is outlined here to show the vision the community holds of the future:

Yuulu?if?ath are grounded in our history. Our citizens continue to learn from our elders, who share the teachings of our ancestors. We know who we are and where we come from and we will pass this knowledge on to our children. As Yuulu?if?ath we understand and fulfill our traditional and historic roles and responsibilities as a Nation. We know that our language is essential to the practice of our culture and we continue to promote the use of our language and full understanding of our history and our culture.

We value and respect the Ha-houlthee of our Ha'wilh. We manage and protect our resources for future generations. The respectful use of our territories and the practice of our traditional ways contributes to our physical and spiritual health and our cultural well-being.



3.0 MAPS

All maps are contained in Appendix 1. The maps are updated to January 11, 2017.

Map #1 shows the entire Traditional Territory and the outline of the Plan Area (lands under the Yuulu?i?ath jurisdiction).

Map #2 Future Land Uses – Land Use Designation Map and Future Roads/Infrastructure
This map shows Land Use Designations. The purpose of a Land Use Designation is to “match” the lands in the Yuulu?i?ath planning area to the vision, goals and objectives set out in this Plan.

These Land Use Designations provide certainty so all Citizens, current and future government, and other agencies are aware of the plan for the lands. For example, this plan will establish that residential land uses for Citizens will remain focused at Hitacu, and other lands will be identified for commercial, industrial, or tourist-focused uses. Citizens, potential development partners, and other governments will understand the plans of Yuulu?i?ath and may shape their own decision-making around the Official Community Plan. This map will be amended in the future to show existing and planned infrastructure, community services, future areas of housing, the proposed multi-plex, and rec tenures.

Map #3 Hazard Lands and Environmentally Sensitive Lands

Map #3 includes all lands within 30 metres of the natural boundary of any watercourse (with a watercourse defined as: a pond, lake, river, creek, stream, brook or wetland that is connected by surface flow for six months of the year or more to a aquatic system that contains fish habitat). This 30 metre setback complies with the Province of BC’s *Riparian Areas Regulation*. Other Environmentally Sensitive Areas as identified by the BC Conservation Data Centre are identified on this map. This map also shows a 15 metre setback from the high water mark (inland and water bound) for all coastal areas.

This map also includes areas of steep slopes, defined as lands with a slope of more than 30% (as these lands are difficult to develop and may be subject to geotechnical instability). Included as well are tsunami danger areas and areas with other known hazardous conditions.

4.0 GOALS AND OBJECTIVES FOR THE LANDS AND THE PEOPLE

The following goals and objectives are intended to help make the vision expressed by Yuulu?i?ath Citizens a reality. They reflect a wide range of issues identified by Yuulu?i?ath Citizens.

First, the goals and objectives for all Land Use Designations are outlined, and then each land use designation is set out and the goals and objectives are listed (Part A).

The second section outlines the goals and objectives that are not tied to specific land areas (such as governance, communications, and social issues) – these are outlined as goals and objectives for the Lands and People and are presented as Part B.

The last section of the Plan details the actions needed to achieve these goals and objectives.

What are Goals, Objectives, and Actions?

Goals

An ideal future condition to which the community aspires (This is what/where we want to be). Goals are general guidelines that explain what you want to achieve in your community. They are usually long-term and represent a vision such as:

"Protect public health and safety."

Objectives

A tangible, measurable outcome leading to the achievement of a goal (This is what we will do (or should do) to get there; this is how we will approach the goal). Objectives are specific and measurable, and often break Goals into achievable pieces.

"The community will put a priority on planning for emergencies (both natural and human caused events), including storms, earthquakes, or long-term road closures."

Actions

A statement that says who will do what, when, how, and how much it will cost. This is what must be done to achieve the goals and objectives (and this is how we will do it).

"Yuulu?i?ath shall designate the tsunami area shall be marked on the land use designation map and signs shall be posted on roads indicating the extent of the tsunami inundation zone."

(Date/Cost/Responsibility)



PART A: LAND USE DESIGNATIONS



GOALS FOR ALL LAND USE DESIGNATIONS

Our community vision has been translated into several key goals that form the foundation for more detailed land use objectives:

1. Future growth and change will be managed to have the best possible impacts for our Citizens and our lands.
2. We will protect the unique characteristics of our community and promote a strong sense of community pride.
3. The potential impact on our Citizens will be part of the consideration of any new land use or development proposal.
4. The enrichment of our Citizens is critical: Yuufu?il?ath will make decisions on the lands and for the people that build a safe, healthy, and caring community.
5. Through management of our lands and resources, we will shape a thriving economy that provides tax revenues, income, and long term prospects for individuals and Yuufu?il?ath.
6. All decisions made will respect the environment, special features, animal life, and the landscape.
7. All culturally significant lands will be protected now and in the future: no form of development will be permitted that will harm these lands or features.
8. Future transportation and infrastructure improvements will be developed at the highest possible quality, keeping long term objectives for growth and development in mind.

OBJECTIVES FOR ALL LAND USE DESIGNATIONS

The following Objectives are supported across our lands:

1. Not all land in any land use designation will be developed; it is anticipated that every land use designation will contain open space and undeveloped areas surrounding development sites.
2. Traditional use areas, culturally sensitive features, environmentally sensitive areas, and hazard lands may occur in any land use designation. We recognize that special care and attention will be required prior to considering proposed uses on or adjacent to these areas and features.
3. Where possible in all Designations, a setback of 30 metres from the natural boundary (the point at which vegetation changes or where the natural flooding of the watercourse has marked high water) of any watercourse shall be required for any buildings, structures, or construction (including roads or any other infrastructure). This setback will be measured from the natural boundary on both sides of a creek or stream. This setback is required to protect both the watercourse and the riparian areas surrounding the watercourse (the vegetation and habitat that adds to the health and life of the watercourse), and to protect life and property from flooding.



4. All lands with a slope of greater than 30% are designated as hazard lands. **No buildings, structures, or construction will be permitted on these lands without the provision of a report prepared by a registered geotechnical engineer that authorizes the proposed development. In addition to this professional report, the ratification of the Legislature for any proposed land use will be required. This designation is required to protect life and property from construction on unstable or dangerous slopes.**
5. In all Designations, a setback of 15 metres from the high water mark (the point at which vegetation changes or where the natural tidal action of the ocean has marked high water) of the ocean will be required. This setback is required to protect life and property from wave action and flooding. An area of 15 metres is also designated into the marine area to ensure that any development or construction mitigates the potential for negative impacts on water quality and marine life.
6. The Legislature will work with appropriate government jurisdictions to address issues with tsunami debris and artefacts from the 2011 earthquake in Japan; further research is required to determine if there are issues with contamination or potential negative impacts on human or environmental health from this debris and artefacts.
7. The Legislature has the authority to vary the setbacks and placement of buildings described in the statements above, following the processes established in the legislation and bylaws.
8. With community input and consultation, a zoning document will be drafted and ratified by the Legislature; this document will specify detailed land uses /sites.
9. The land use plans of surrounding jurisdictions will be considered in decision-making.
10. While not part of these the lands considered in this Plan, the six units located in Ucluelet will be used for market rentals to generate income. This income may be used to generate funds to purchase new units in town.

The following describes the agreed-on uses in each land use designation, and sets out the Goals and Objectives for each Land Use Designation.

4.1 HOME AND COMMUNITY LANDS



These lands will be predominantly for residential use, but may also contain accessory uses such as recreational, educational, gathering spaces, administration, and community services. These uses are intended to primarily provide services to Citizens and not the wider public. These lands will allow for more than one use on a parcel.

Uses permitted for lands designated *Home and Community Lands*

- *Residential – these lands include single dwelling units, duplexes, tri plexes, housing for Elders and youth, and other forms of residential use that are supported by the community*
- *Home based businesses, where the person operating the business lives on the parcel*
- *Local commercial uses that provide services to residents in the area*
- *Multi-plex*
- *Community Centre and/or Cultural Education Centre- spiritual centre, long house, community gathering places, place for language and cultural teachings*
- *Healing/Health Centre*
- *Schools*
- *Administration Uses and Buildings (office, works yard)*
- *Recreation uses-, basketball court, gym, other facilities (Activity Centre)*
- *Emergency services- fire, police, and ambulance*
- *Day care centre*
- *Post office*
- *Cemetery (ancient sites and new sites).*

Goals for the Home and Community Lands

1. Provide a heart for the community: Hitacu will be the centre of health and healing, safe and welcoming for our Citizens.
2. Support a variety of residential types – from single dwelling units to multi-unit housing for Elders and youth, and with a wider range of options for people living on their own or with different generations of family members.
3. Meet residential build out for the next five to ten years on these lands.
4. Support Yuufu?H?ath cultural and spiritual activities intended for members.
5. Respect the natural environment and minimize negative impacts.
6. Focus future Community Uses on Hitacu for uses that will benefit Citizens.
7. Designate lands outside Hitacu for Community Uses that may be available to the wider public.
8. Work to improve existing facilities and keep the uses targeted toward member needs.
9. Respect the history of the lands: not all areas will be developed.



Objectives for the Home and Community Lands

10. Improving the range of housing types is the first action that will be taken on these lands: we will construct new forms of housing that provide options for Elders who are no longer interested in living in a single family home and also investigate options for housing youth who are just starting out (bachelor pads). New housing for persons of any age living on their own shall be investigated.
11. The consideration of new housing shall also consider issues around affordability, the need for rental housing, and special needs housing.
12. New uses shall be evaluated on the compatibility of the use with existing or planned uses.
13. The Government will consider the development of building permits for new development on these lands.
14. Individual households are encouraged to maintain high standards in upgrading and upkeep of housing.
15. Generally, the lots at Hitacu are fairly large in size to protect the privacy of residents and to allow some space for boat sheds, smoke houses, and woodsheds. A lot area of no less than 2000 m² (1/2 an acre) is recommended for future development areas.
16. Acquire funding for a new playground for youth and complete construction by Spring 2014.
17. We will begin construction of the new multi-plex by Spring 2014.
18. Staff, through applications for funding and programming, will seek out new opportunities to encourage outdoor activities for teens and young adults.
19. All Citizens are encouraged to use all facilities as gathering spaces, for hosting cultural events, and for celebrating successes.



4.2 WOODLANDS & OPEN SPACE LANDS



These lands are open spaces that may be preserved as parkland and left undeveloped, or used for low impact developments that do not harm the park and open space uses. This designation includes those areas where activities such as hunting, fishing, trapping, gathering food & medicines have taken place from time immemorial.

Uses permitted for lands designated *Woodlands & Open Space Lands*

- *Trails and Parks designated by the Yuulu?il?ath Government*
- *Selective tree cutting/low impact forestry*
- *Agriculture*
- *Land Based Aquaculture*
- *Energy production – low impact*
- *Resource extraction – low impact (gravel and/or mineral extraction)*
- *Recreation*
- *Hunting and Fishing*
- *Gathering medicinal plants*
- *Areas of historic and cultural importance*
- *Wind farm*
- *Open space and green space.*

Goals for Woodlands & Open Space Lands

1. Preserve critical spaces as open space to limit development.
2. Encourage the development of trails to link open spaces.
3. Support natural resource development in appropriate areas.

Objectives for Woodlands and Open Space Lands

4. The government will work with other agencies to develop a linked system of parks and trails.
5. Support the retention of Crown lands that are not available to Yuulu?il?ath for recreational uses and environmental protection.
6. Implement emergency plans for these lands (for example, complete detailed trail mapping and initiate a search and rescue team).
7. Educational and mentoring opportunities on the lands will be developed and formalized to ensure that future generations have full understanding of the history and traditions of Yuulu?il?ath.
8. Opportunities to educate the public with experiences on the lands and waters shall be developed.



4.3 INDUSTRIAL LANDS



These lands include manufacturing or processing uses, light industrial uses such as storage or warehousing, and heavy industrial uses such as a sawmill or value added wood processing. These are uses that have the potential for higher impacts or conflicts with other land uses.

Uses permitted for lands designated *Industrial Lands*

- *Temporary or permanent sawmills*
- *Fisheries and fish processing*
- *Light industry*
- *Heavy industry*
- *Silviculture*
- *Resource extraction- including gravel.*

Goals for Industrial Lands

1. Maintain these lands for a wide range of potential uses that could benefit the community.
2. Ensure that manufacturing and heavy industrial uses remain a key part of economic development programs.
3. Recognize that the protection of the lands will always take precedence over any proposed land use.

Objectives for Industrial Lands

4. The lands designated as Industrial Lands will be recognized for their potential for higher impact uses that will have economic benefits for our Citizens.
5. The implementation of education and training programs to prepare community Citizens for full and meaningful participation in energy generation and industrial land uses is critically important.
6. Secondary and value added practices will go hand in hand with resource extraction. These processing activities will keep profits and jobs in the hands of the community, and also enable us to build capacity.
7. Fishing is part of our heritage and our future. New opportunities for fishing, fish processing, smoking, and on-land value added activities will be investigated.



4.4 ECONOMIC DEVELOPMENT LANDS



These are lands that are identified as important enterprise sites that will contain a mix of uses that support economic development for Yuufu?i?ath.

Uses permitted for lands designated *Economic Development Lands*

- *Campgrounds*
- *Highway commercial uses (gas stations, convenience stores)*
- *Restaurant*
- *Visitor centre*
- *Retail/Commercial*
- *Cultural tours*
- *Light industrial*
- *Fishing Resorts with wharfs and accessory uses*
- *Sustainable ecotourism*
- *Residential- single and multi unit (non-members)*
- *Rental accommodations*
- *Marina based commercial activities*
- *Museum/Art Gallery*
- *Hotel/Motel*
- *Kayaking/guiding or other tourism oriented uses*
- *Employee lodging.*

Goals for Economic Development Lands

1. Provide opportunities to participate in long term, sustainable economic activities that provide jobs and training opportunities for Citizens.
2. Build capacity in a wide range of activities, from fisheries to tourism to resort accommodation.
3. Respect the rights to privacy and home life at Hitacu and on individual property and do not allow for uses that conflict with these rights.
4. Be open to a wide range of potential uses that could benefit the community.
5. Encourage development that works with the lands and our history.

Objectives for Economic Development Lands

6. The development of any new uses shall first consider the compatibility of the use with existing or other planned uses.
7. Lodging for tourists is a key part of growing our tourism sector. Kayaking, surfing, educational walks on cultural uses and activities, and other tourism related events should be centered on the hotel and other tourism lodging facilities.
8. Only uses that do not harm or negatively impact the quality of life of our Citizens will be considered within these lands.
9. The Yuufu?i?ath Government shall identify educational or training opportunities where capacity can be developed to respond to the new or proposed land uses in the Economic Development Lands. The Yuufu?i?ath Government shall actively seek out community Citizens interested in



exploring educational or training opportunities, and also seek out funding to enable these opportunities.

Comprehensive Development Areas (CDAs)

Three areas within the Economic Development Lands have an additional designation as Comprehensive Development Areas (CDAs). These areas are shown on the Land Use Designation Map (see Appendix 1).

These are lands that require an additional level of consideration when contemplating new development. The three areas are:

- *The Lost Shoe Creek Development Lands*- designated due to the key location of the lands and the need to ensure a comprehensive approach is taken to the development of the lands.
- *The Junction Lands*- designated due to the key location of the lands and the need to protect the community water source.
- *The Waterfront Resort Lands*- designated as this is a key area for the development of a multi-use, multi-market targeted resort development that will be developed in phases to complement the existing development and the landscape. There is also significant interest in maintaining areas for community housing development.

This section provides objectives that respect the unique characteristics of these areas and calls for a comprehensive, planned approach to development.

Objectives for the Comprehensive Development Areas

10. Ensure that all new development proposals balance economic opportunities along with environmental protection and social responsibilities. An approach that looks at each new development application as part of an overall sustainable comprehensive plan is supported.
11. All new development will consider the visual and landscape aesthetics of existing development and will build on this character: this Plan supports the development of design guidelines that will set out the form and character of all new development.
12. Ensure that public access points are provided to the waterfront, where appropriate and where this access will not detract from economic development activities.
13. Identify areas of shoreline with high environmental, fishing, aquaculture, and recreational values and ensure these are protected for the appropriate uses.
14. Ensure any development on the Junction Lands does not have detrimental impacts, either now or in the future, on the community water source (District of Ucluelet wellheads).
15. Ensure that no development proceeds on the Lost Shoe Creek Lands prior to the preparation of a comprehensive area structure plan that considers a phased approach to development, ensures that the lands adjacent to the highway are earmarked for the highest and best uses for this parcel, and that provides a long-term plan for site servicing and access.
16. Ensure that any plans for development of the Waterfront Resort Lands consider the preservation of areas for community member housing: this area has historic value as a gather place and meeting space, and this use must be retained in the future.



4.5 RESOURCE LANDS



This land use designation recognizes the biological diversity, the soil and water, the fish and wildlife, and the scenic diversity of Yuutu?ih?ath's traditional territories. The use of lands for agriculture, aquaculture, forestry, aggregate and mineral extraction reflect the desire of Citizens to create a diverse and sustainable economic base. At the same time, Citizens recognize their role as stewards or caretakers of the natural environment and so ensuring all development is undertaken in an environmentally sensitive manner.

Uses permitted for lands designated *Resource Lands*

- *Micro-hydro projects (including run of the river)*
- *Wind farms and other alternative energy sources*
- *Forestry*
- *Range*
- *Mining*
- *Agriculture*
- *Green space*
- *Recreation and rural campgrounds*
- *Culturally significant sites*
- *Aquaculture*
- *Fisheries*
- *Commercial recreational tenures*
- *Industry*
- *Energy Production*
- *Gravel and mineral extraction*
- *Major trails – similar to the West Coast Trail.*

Goals

1. Support opportunities to create our own power, be it solar, wind, or other new forms of technology.
2. Ensure forestry is managed from a sustainable, long term perspective.
3. Consider opportunities for revenue sharing of profits from the lands for all Citizens.
4. Maintain control over permits for hunting, trapping, and fishing within all our Lands.
5. Yuutu?ih?ath Government will generate long-term economic benefits from the Yuutu?ih?ath lands through careful and sustainable economic practices.
6. Gravel extraction is supported in this land use designation.



Objectives

7. A creative, long range approach will be taken to considering potential energy generators. Large scale dams and major hydro generation projects are the kind of projects that were created in the past; in the future, smaller scale activities such as run of the river projects and wind generation will provide a stable source of power for our land uses as well as generate income for our Citizens.
8. Forest development areas will meet or exceed provincial standards regulating silviculture, harvesting, and the protection of cultural and environmentally sensitive sites.
9. Citizens are encouraged to work with Yuulu?ih?ath in harvesting planning to ensure the use of our own timber to build homes.
10. Monitoring and enforcement by our own Citizens will be implemented to ensure the proper use of our resources.
11. The development of new employment opportunities in the Resource Lands will be viewed as an important way to bring our Citizens home.
12. We are firm in our position that Yuulu?ih?ath Territory (particularly our watersheds) which has been damaged or destroyed through past resource exploitation be restored. Yuulu?ih?ath Government is prepared and expects to restore our Territory, and will fully participate in management and decision-making activities.
13. Yuulu?ih?ath Government will have delegated law-making authority over foreshore areas fronting Yuulu?ih?ath lands.
14. Yuulu?ih?ath will have the right to sell any fur bearing land mammals or any traditional crafts and artistic objects that have been made from harvesting in Pacific Rim National Park.
15. Yuulu?ih?ath will allow "reasonable access" on certain Yuulu?ih?ath treaty lands to the public for recreational purposes, rights of way, navigable waters and other reasonable access requirements, and Yuulu?ih?ath may require that permits be obtained for such access.
16. The Yuulu?ih?ath Government will take over the issuing of the tenures including receiving the tenure fees.
17. We will look for new opportunities to expand agricultural activities on our lands, with high value crop production as an economic generator and food crop production to provide resources to our Citizens.



4.6 MARINE DESIGNATION

Ucluelet Inlet shores are home to Yuulu?i?ath's main village-Hitacu, the District of Ucluelet and other small rural residential areas. The harbour is important for many marine sectors including commercial fishing, tourism and recreation, and to a lesser extent, forestry. The harbour falls within many jurisdictions including Yuulu?i?ath and The District of Ucluelet and ACRD, as well as the Province of BC and Government of Canada. The region is an important location for home-use harvest, including Dungeness crab, clams, and oysters and historically important for sea grass harvesting. Efforts are underway to clean up the harbour and increase local access to this seafood.

Effingham Inlet is an area that offers economic development opportunity, and also has important ecological features. There are a number of estuaries within the Inlet, critical marine habitats and important harvesting species like crab and prawn. Major sectors and activities in this area include shellfish and finfish aquaculture, forestry marine tenures and some adjacent terrestrial forestry activity. There are also some unauthorized float cabins within the Inlet as of October 2012. Marine plans in this area require a thoughtful balance to maximize human uses and activities and conserve the ecological features and habitats that offer a return on ecosystem services.

The Nahmint River area within the Alberni Canal has an important estuary and a unique run of large-sized Chinook. It is a sensitive area requiring protection in late August and September to protect returning adult salmon. Major sectors and activities in this area include commercial, recreational and home use fishing, and tourism and recreation activities.

Most recently, the Barkley Wild Salmon Round Table process has brought different jurisdictions, user



groups and salmon-interest groups to the same table to better plan for salmon harvest and processing, including restoration. The Nahmint River is a focal point for discussions about salmon stocks and restoration.

The fresh water and marine spaces are highly ecologically productive for birds, whales, seals and sea lions. There are reefs which provide productive areas for many species. All

species of salmon migrate through these waters. The fresh water and marine areas are especially valuable to the Yuulu?i?ath for its cultural significance and access to seafood harvesting areas. Considerable tourism and recreation activities occur in the marine and freshwater environments, and

more is anticipated in the future.

The fresh water and marine spaces are highly ecologically productive for birds, whales, seals and sea lions. There are reefs which provide productive areas for many species. All species of salmon migrate through these waters. The fresh water and marine areas are especially valuable to the Yuulu?il?ath for its cultural significance and access to seafood harvesting areas. Considerable tourism and recreation activities occur in the marine and freshwater environments, and more is anticipated in the future.

Our overall goals for the Marine Designation (the areas designated on the map below) are to conserve and preserve what we currently have and restore these areas back to their most productive state for our future generations. The health of our community, both physically and culturally, depends on our connection to the lands and waters included in the Marine Designation.

This section also contains goals and policies relating to eelgrass protection. Eelgrass is recognized as a keystone species, and healthy eelgrass is a good indicator of a healthy marine ecosystem.

We intend to work together with other organizations and government bodies in a positive manner to establish new jurisdictional opportunities and creative new problem-solving protocols.

Goals for the Marine Designation

1. We will continue to respect and encourage the use of traditional ways of harvesting our marine resources.
2. We will work to preserve and restore our clam beds and formerly productive habitats for future harvesting.
3. We will ensure areas that have been compromised or damaged by industrial, forestry, or urban development will be fully restored.
4. We will support tourism and recreation activities that are appropriate and that do not conflict with cultural or ecosystem values.
5. We will work with appropriate agencies to protect and restore sensitive eelgrass habitat in aquatic environments where eelgrass existed in the past or where conditions would support the development of eelgrass beds.

Objectives for the Marine Designation

6. The harbour has critical values for tourism and recreation, but any plans for new uses must carefully consider the potential impacts on the environment and carefully balance economic development with our culture and ways of living around the harbour.
7. This Plan does not support the development of water-based housing developments (float homes or live a boards) unless all environmental considerations have been mitigated and only would support this form of development in areas where cultural impacts are negligible. All infrastructure



must be in place before the consideration of any water-based development due to the high potential for negative environmental impacts.

8. The restoration of ecosystem features and functions remains a high priority: the responsibility for this restoration rests with the levels of government and industries that were involved in permitting or creating the impacts. Yuulu?il?ath will ensure that these individuals, businesses, or organizations will be held responsible.
9. The harbour is an important location for industrial uses and this use is supported by this Plan.
10. The lands and waters included in this designation are capable and suitable for shellfish aquaculture, therefore water quality must be maintained to support the activity.
11. Investigate grants and/or partnerships to work with other agencies on eelgrass restoration and planting.



PART B: FOR THE LANDS & PEOPLE



4.7 INFRASTRUCTURE

Currently, Hitacu is serviced by community water and sewer services from the District of Ucluelet. Other facilities (such as the Way Surf Shop and Welcome Centre at the Junction) are serviced with on-site septic and wells.

Yuulu?if?ath also has an existing water licence on Mercantile Creek. This is one of two water source that is used by the District of Ucluelet to provide community water to Yuulu?if?ath.

Access to Hitacu is currently provided by the Port Albion Road. This road runs from the highway to Yuulu?if?ath lands and connects to the north boundary of Hitacu. Having only one access to the lands is less than desirable in the event of an emergency: if this road is blocked or washed away, citizens would not have access to any other road that could lead to safety.

Current Situation...

- Water and sewer services are provided by the District of Ucluelet
- There is one access road to Hitacu
- Power is supplied by BC Hydro – there are no gas lines or alternative energy sources
- Hitacu is serviced by 4-phase hydro

In the Future...

- A new water treatment plant will be constructed to service new development
- A secondary-level sewage treatment facility will be constructed at Hitacu
- This facility would be gravity fed and drain into an outfall
- A new road will be constructed to the north of Hitacu and will connect to the Barkley Main Road
- Alternative energy will provide the majority of services
- Yuulu?if?ath will provide community water to citizens and potentially surrounding residential areas

Goals

1. Support opportunities to create our own power, be it solar, wind, or other new forms of technology.
2. New infrastructure development will carefully consider emergency planning issues and future development of water, sewer, and road works will consider the impacts of tsunamis or earthquakes on the infrastructure and on the safety of community members.
3. We will own our own water and sewer treatment facilities.

Objectives

4. Infrastructure and facilities to provide for the wellbeing and economic benefit of Yuufu?il?ath will be allowed in all Designations. These may include but are not limited to infrastructure for roads, docks, water, sewer, communications, and emergency preparedness and response facilities or structures.
5. A new road from the water tower to the Barclay Main Road is supported.
6. Servicing on these lands will focus first on providing the greatest benefit to the greatest number of Citizens: road access, hydro services, communications services, sewage services, and improved storm water management are priorities for all areas on these Lands.
7. Planning for emergencies and disaster resiliency shall be part of the review of any development proposal.
8. A helipad will be developed to provide emergency access for air ambulance or search and rescue services immediately adjacent to the fire hall.
9. Stormwater will continue to be managed with ditches and overland flow to the ocean; piping of stormwater will not be permitted. All development will contain their own stormwater flows on the development site to eliminate impacts on surrounding or downhill properties.



4.8 ENVIRONMENT & SUSTAINABILITY

Environmental concerns differ for Hitacu, the Junction area, and the Treaty Settlement lands. However, for all areas, citizens have indicated that they are concerned with:

- protecting fresh water creeks and streams and the habitat around watercourses
- protecting coastal areas and all marine resources
- protecting wildlife – on land, sea, and air
- rehabilitating areas that have been damaged by development
- protecting culturally significant and sensitive areas
- the impact of climate change and planning for community resiliency.

Citizens also noted concerns with the protection of undeveloped lands – while future growth, resource extraction, and development will happen, not all lands need to be developed. Those lands that are most sensitive to development should be protected in perpetuity.

This section also includes objectives and policies around planning for climate change. The *Land Use and Planning Act* requires that the Official Community Plan must contain targets and actions for reducing greenhouse gas emissions. For Yuulu?ih?ath, the majority of emissions relate to on-road transportation. Given the location of Hitacu and the distance to other urban centres, it is unlikely that vehicle dependency will be reduced substantially in the coming years. However, action can be taken to be more conscious of greenhouse gas emissions, and individuals can look for ways to reduce their emissions through combining vehicle trips, car pooling, or other ways to reduce each person's footprint on the earth.

Our target is to reduce greenhouse gas emissions by careful attention to the capital purchases made by the Yuulu?ih?ath Government (including vehicles), analysis of the technologies used for heating and power (with an emphasis on alternative power sources), and practices employed by the Yuulu?ih?ath Government, including those that reduce energy consumption and encourage sustainable community growth. We will set a target following the completion of a baseline inventory on greenhouse gas emissions, to be completed before 2015.

Current Situation...

- Hitacu has beach frontage that offers views and access to the ocean
- Hitacu still has room for future growth
- Water supplies are of excellent quality
- There is a sewer system that can be expanded
- Areas around creeks have been damaged

In the Future...

- Damage created by development in the past to sensitive ecosystems, like the estuary surrounding the log sort, will be fully remediated
- Plans will be in place and actions will be taken to protect citizens from negative impacts from climate change



- and need to be rehabilitated
 - There are large areas of land that are largely untouched by human activities and not all lands are intended for development.
- Sensitive areas will be identified and protected: these will include watercourse areas and larger-scale habitat areas, but also micro-sites that provide unique habitat or contain special features
 - Where possible, trees will be protected in areas of new development
 - We will encourage the development of our own building sustainability standards (similar to LEEDS).

Goals

1. To reduce greenhouse gas emissions, both for Yuulu?il?ath? as a government through the adoption of carbon reducing practices for buildings and vehicles, and for each individual for their own homes and vehicle use.
2. Support ways of alternative energy production that makes sense for Yuulu?il?ath?, given its coastal and remote location.
3. Protect environmentally sensitive features and areas in recognition of their importance to environmental quality and benefits they provide to the local economy.
4. Protect surface water and riparian areas for fish habitat and other wildlife values.
5. Recognize the impacts associated with the moorage of vessels within the harbour that are used as residential and commercial accommodation (social, environmental and economic impacts).
6. Protect the foreshore areas as important habitat for fish and wildlife and for the future prosperity of citizens.
7. Plan and regulate new development so all environmentally sensitive areas are preserved and protected.
8. Identify and limit development on lands that are susceptible to flooding or tsunami hazard.
9. Areas known to have hazardous conditions, such as steep slopes, slide tendencies, or instability, shall be identified.
10. We will meet the needs of the present without compromising the ability of future generations to meet their own needs.

Objectives

11. We will implement new regulations that keep the foreshore area natural and establish a buffer area with no or limited development.



12. The accurate mapping of environmentally sensitive areas is supported, including watercourses, plant or animal habitat areas, and special features such as ancient trees.
13. This Plan sets out a 30 metre buffer along all watercourses and a 15 metre buffer along the foreshore area (inland from the natural boundary for both watercourses and the coast) to protect these sensitive habitat areas.
14. The construction of private docks is discouraged.
15. The construction of boat houses is discouraged.
16. Yuulu?ii?ath will work with environmental organizations and other government agencies on habitat restoration and repair in the Inlet and in the Nahmint areas as well as on the lands.
17. The cost and feasibility of a harbour walkway will be investigated by 2015 and ties to the existing network of pedestrian and cycling routes shall be considered in route development options.
18. The development of known hazard lands shall not be permitted without the provision of documentation such as a geotechnical report or other report prepared by a qualified professional that examines the feasibility of the proposed project and supports the development.
19. We will increase emergency preparedness to be ready for increased storm events or other weather and natural phenomena relating to climate change.
20. We will support ways of alternative energy production that makes sense given our coastal location and land holdings.
21. We will reduce greenhouse gas emissions whenever possible through renovations to existing buildings, careful design of new buildings, and the review of economic development opportunities.
22. The consideration of sustainability initiatives in every potential partnership with outside agencies or developers is required.
23. We encourage the use of green infrastructure and technologies in residential, commercial, and industrial uses when appropriate.
24. This Plan the protection of any eagle, heron, osprey nesting trees on any lands within the Plan Area; these lands are subject to protection under the *Wildlife Act/Regulations* (Section 35).



4.9 EDUCATION

The citizens of Yuulu?il?ath recognize the importance of education and support strategies to improve life-long learning for everyone. This does not only include recognized education programs accredited by government agencies, but learning relating to language retention, culture, and protecting the ways of living of Yuulu?il?ath.

Current Situation...

| Education characteristics | 2006 | | |
|---|-------|------|--------|
| | Total | Male | Female |
| Highest Degree or Certificate | | | |
| Population 15 years and over | 160 | 85 | 70 |
| No degree, certificate or diploma | 105 | 65 | 35 |
| High school diploma or equivalent only | 30 | 15 | 15 |
| Trades/apprenticeship or other non-university certificate | 20 | 0 | 10 |
| University certificate below bachelor level | 0 | 0 | 0 |
| University degree (bachelor level or higher) | 10 | 0 | 0 |

Provided by INAC July 2012

In the Future...

- Education plans will be integrated with the official community plan, tying educational opportunities to growth opportunities in the community
- Community members will have a clear understanding of the programs and options available to them
- We will take a long view of what is needed in the future: as development initiatives proceed, attention will be given to looking into the future to see what kind of training members should have to be well positioned for success.

Goals

1. Education is fundamental to personal and community success- we believe in life-long learning and pursuing knowledge.
2. Cultural education is as important and critical as other forms of education.
3. Education has a broad definition, and includes learning from each other as well as learning from academic programs: we will integrate learning into every member's every day activities.
4. Education is cross generational and we value the learning that can be shared between our Elders and our youth.

Objectives

5. An study will be completed to identify academic and personal education needs in the community.
6. Increased efforts will be made to access external funding through partnerships, endowments, and sponsorships.
7. New relationships will be pursued with post-secondary institutions on Vancouver Island to assist with community member access, including North Island College, Vancouver Island University, and the University of Victoria.
8. A wide range of educational opportunities is supported for community members, from high school completion to trade and professional accreditations.



4.10 EMPLOYMENT AND CAPACITY DEVELOPMENT

Employment and training, along with education, is critical for the success of our citizens. There are good opportunities to develop cross-training positions with government agencies and businesses in the area, and future employment prospects look favourable on the West Coast as tourism and industrial development continues to grow.

Current Situation...

- Citizens are employed in a range of Nation businesses, such as the campground, interpretive centre, and surf shop
- Other citizens are part of the government organization
- Many citizens have their own businesses or work outside of Hitacu
- There are still opportunities to grow in employment and capacity development
- There is a high level of unemployment among community members at Hitacu
- Given the businesses in the area and the focus on tourism, many citizens are involved in seasonal employment
- Generational issues can shape employment and capacity development

In the Future...

- There will be new opportunities for citizens to work with the government and in Nation and citizen-owned businesses
- The SEEDS Program will be promoted to all citizens interested in completing this training
- There will be a new focus on targeted education programs that address capacity development
- New progress will be made in enhancing trade and professional relationships with educational institutions and employers

Goals

1. Ideally, all key employment positions within Yuulu?H?ath will be available to our citizens who are fully trained and experienced in that career area.
2. Improve job coaching and career planning services.

Objectives

3. Develop new partnerships with surrounding government agencies and private businesses to create cross-training positions for our citizens.
4. Develop an employment opportunity tracking system that dovetails with citizen education and interests.
5. Implement new training programs on language and culture.



4.11 COMMUNITY HEALTH

Improving the health and wellness of our citizens is an important part of what we are working toward as a government and community. We are focusing on preventative health programs and targeting other programs to the needs that have been identified by community members. Our Elders are a priority and we will work with our Elders to meet their health and wellness needs.

Social programming, which supports our citizens through the provision of support services, is closely tied to educational planning, employment, training, and recreational programming. As with our goals and objectives for Culture we support a holistic approach that looks at a range of perspectives and issues. We are making good progress on addressing social issues in our community and see the expansion of recreational activities at Hitacu as critical to encouraging this success.

Current Situation...

- Yuulu?ih?ath is part of the First Nations Health Council
- A range of health services are offered at Hitacu for citizens

In the Future...

- We will explore the development of a Health Authority
- We will expand the use of traditional healing practices and make sure this knowledge is shared among our citizens
- The services offered will be community driven and targeted to the needs of citizens
- We will offer additional services directed toward Elders
- A larger health facility will be developed for community members
- New programs will be in place to assist Elders in staying in their own homes for as long as they are able and interested.

Goals

1. We will strive to meet the needs of our members through a holistic approach to health and wellness that looks at more than just a reaction to illness.
2. Our focus is on prevention of health issues and healing.
3. We believe in self-sufficiency and healing, with individuals feeling successful in their independence and personal well-being.



- 4. The expansion of opportunities for sport and play at Hitacu is critical to social well-being; the development of new facilities and the provision of a range of facilities and programs are critical to our success.
- 5. New programs for language and culture are supported; these are viewed as critically important to community health.

Objectives

- 6. We will consider the expansion of home-based programs of support for citizens in need.
- 7. We will work together as a community to support members in crisis.
- 8. We will work with other levels of government and government agencies to ensure we have access to a wide range of support structures and programs.
- 9. Funding to complete the ball fields and multi-plex will be pursued immediately; these facilities could be operational by Spring 2014.
- 10. Expand the range of preventative health programs that meet the needs identified by our citizens.
- 11. Provide programs to encourage health from birth all the way through to Elder years.
- 12. Coordinate our services with all levels of health provision and agencies in the province and in the local area.



4.12 CULTURE

The preservation of culture is critically important to citizens of Yuulu?il?ath?, and many are involved in a variety of projects, programs, and life choices to ensure that traditional teachings passed from generation to generation. Culture is our greatest strength and is what sustains us and identifies us as a Nation. To continue our traditions, we need to support each other. We need to look for new ways to integrate culture and language into regular everyday activities. We also need to ensure that people who are not from our community understand the protocols and ways of being for Yuulu?il?ath?.

Current Situation...

- There are concerns about the declining number of speakers of our language
- There are concerns with the loss of cultural knowledge among our youth
- We know we need to take additional action to protect our culture.

In the Future...

The Vision Statement for this Official Community Plan describes this future:

- Yuulu?il?ath? are grounded in our history. Our citizens continue to learn from our elders, who share the teachings of our ancestors. We know who we are and where we come from and we will pass this knowledge on to our children. As Yuulu?il?ath? we understand and fulfill our traditional and historic roles and responsibilities as a Nation. We know that our language is essential to the practice of our culture and we continue to promote the use of our language and full understanding of our history and our culture.

We value and respect the Ha-houlthee of our Ha'wiih. We manage and protect our resources for future generations. The respectful use of our territories and the practice of our traditional ways contributes to our physical and spiritual health and our cultural well-being.



Goals

1. We encourage the integration of language and culture into everyday activities for every citizen.
2. We look for every opportunity to celebrate our culture and share knowledge, stories, and songs among our citizens.
3. We support sharing our protocols and ways of doing business and living with other people and government agencies so they can further their understanding of Yuulu?il?ath.

Objectives

4. Develop a new cultural centre that serves as a natural gathering space and meeting space for community members in a new hall or multi-use facility.
5. Encourage new opportunities to develop connections between youth and Elders through programming at the new multi plex and through community gatherings and meetings.
6. Continue to work with Elders and those who speak our language to ensure this knowledge is passed along to other citizens and future citizens.
7. Continue to complete research and archival work (collections, genealogies).
8. Develop a language strategy to ensure language retention and training.



4.13 GOVERNANCE

Yuulu?i?ath? is managed by a very different form of governance than we had in the past before the resolution of the Treaty. Yuulu?i?ath? is a government that is responsive to our citizens, with much improved networking and collaboration among departments and functions.

Current Situation...

- Our new form of government values the integration of all our planning efforts, melding our overall strategic plan with economic, social, environmental, housing, cultural, and land use plans.

In the Future...

- Citizens will be fully involved in committees and other volunteer opportunities
- We will maintain the practice of open and transparent government.

Goals

1. We will strive to ensure our government remains open and responsive to our citizens.
2. We support maintaining a governance structure that is highly efficient and effective, open to opportunities for improvement but never losing sight of the fact that the government is for the people.
3. Ensure Yuulu?i?ath? requirements and interests are recognized on lands outside of Yuulu?i?ath?'s jurisdiction.
4. Respect and preserve the environment through responsible governance that balances economic growth with sustainability.

Objectives

5. All plans, including this Official Community Plan, Yuulu?i?ath?'s strategic plan, economic development plans, land use plans, education plans, servicing plans, and all other planning documents will be reconciled against Yuulu?i?ath?'s financial plans for the next five years. This review will enable the establishment of priorities and targets for each fiscal year and show how all plans are working together.
6. Existing policies and procedures will be reviewed on an agreed-on basis to ensure they remain effective and responsive.



4.14 COMMUNICATIONS

Communications between the government and citizens, between citizens and staff, within the community, and to external agencies and people is an ever-evolving issue. Yuulu?if?ath has worked to be increasingly responsive to the communication needs of citizens through improvements to the web site and newspaper, but it is recognized that the value of face to face communication cannot be underestimated.

Current Situation...

- *Umacuk* (the community newspaper) is well read and copies are sent or delivered to all citizens
- The website is also well used for sharing information
- Regular bulletins are provided to citizens.

In the Future...

- A broader range of content in *Umacuk* will be sent in by citizens with news to share with other members
- Other forms of social media, such as Twitter and Facebook may be used by Yuulu?if?ath along with other researched social networking techniques
- Community gatherings and meetings will still be important and scheduled regularly, both for home and away citizens
- An annual survey of citizens will be completed to gather input on a wide range of issues and topics.

Goals

1. Our primary goals are openness and transparency: we will work every day to improve communication with our citizens.
2. We are open, as well, to communicating to surrounding governments and agencies and people: we will ensure that they are aware of the progress and success of Yuulu?if?ath.

Objectives

3. We will constantly look for new ways to share information with our citizens: the use of social media methods such as Twitter and Facebook will be investigated to see if these platforms address the needs identified by citizens.
4. We will maintain the Annual General Meeting as a key opportunity for drawing the community together.



5.0 IMPLEMENTATION

The Plan is intended to provide direction for land use and servicing over a five year period. This Plan will then form the foundation of the Phase 2 Plan, which considers a time frame up to approximately 20 years.

While the Government has the final say in the implementation of this Plan, this document represents the ideas and visions of all Citizens who participated in the meetings and provided input to the Plan.

This Plan is a guiding document for any other level of government, private interest, or third party with questions on the future land use of our treaty lands. The implementation of this plan will be through decisions made by the Government, following discussion and involvement of the Citizenship. Where needed, other parties will be involved in the implementation of this Plan.

5.1 Authority for the Plan

Yuulu?il?ath? Government is the owner and authority over all air, lands, water and resources as shown in this Plan.

5.2 Ratification

This Plan becomes official when it is ratified by the Yuulu?il?ath? Government as directed by the legislation and bylaws of Yuulu?il?ath? . Once that has taken place all future land use decisions made by the Government must be consistent with the objectives of this Plan.



5.3 Amendments

This plan is intended to respond to the changing needs and circumstances of Yuulu?il?ath Government Citizens, economic and social trends, and impacts on the environment. As such the plan may need amending from time to time. Following careful consideration by the Legislature, policies and Land Use Designations in this plan may be revised by an amending bylaw.

5.4 Implementation Activities

Yuulu?il?ath Government has developed the following Objectives for the Plan, as outlined in the Implementation Chart. Timing of the implementation is broken down into four categories:

1. Immediate (to be completed within a year)
2. Short term (to be completed within 5 years)
3. Long term (to be completed over 10-20 years); and
4. Ongoing (to be started in the short term with no planned date for finishing- these are activities that are part of the ongoing operations or ways of doing business).

The following outlines the implementation strategy for this Plan:

| | Implementation Actions or Activities | Milestones | Responsibility of... | | | Timing/ Check in Date |
|----|---|---|----------------------|-------|----------|--------------------------|
| | | | Gov't | Staff | Citizens | |
| 1. | The Government ratifies the Official Community Plan | Adopted Plan | ✓ | ✓ | ✓ | Immediate |
| 2. | Watercourse Mapping – develop accurate watercourse mapping with a 30 metre setback from the natural boundary on each side of the watercourse, and designate this as a development protection area | Part of the Adopted Plan | ✓ | ✓ | ✓ | Immediate |
| 3. | Hazard Mapping – develop accurate slope mapping establishing areas of greater than 30% slope, and designate this as a development protection area | Part of the Adopted Plan | ✓ | ✓ | ✓ | Immediate |
| 4. | Foreshore Mapping – develop a 15 metre setback area from the natural boundary of the foreshore and designate this as a development protection area | Part of the Adopted Plan | ✓ | ✓ | ✓ | Immediate |
| 5. | Put Official Community Plan on website – section for the Implementation Strategy | On website immediately following Plan Adoption – up to date and accurate, including all future amendments | | ✓ | | Immediate |



| | | | | | | |
|-----|---|---|---|---|---|------------------|
| 6. | Official Community Plan Video- put on website as background to the Plan | On website immediately following Plan Adoption | | ✓ | | Immediate |
| 7. | Put mapping on website | On website – up to date and accurate, including all future amendments | | ✓ | | Immediate |
| 8. | Interactive Mapping – complete web enabled mapping so layers can be turned off/on by people accessing the mapping on the Yuulu?il?ath website | Initiate project | | ✓ | | Short |
| 9. | Develop a Zoning Bylaw – Detailed Land Use Zones While an Official Community Plan gives general or broad Designations of future land uses, a zoning bylaw details land uses on a specific site or parcel of land. A new Zoning Bylaw for Yuulu?il?ath will be developed following the adoption of the Phase 2 Plan. The Zoning Bylaw will be consistent with this Plan. The Zoning Bylaw will set out setbacks and placement of buildings and permitted land uses for all sites | Implement following the adoption of the OCP | | ✓ | ✓ | Short |
| 10. | Yuulu?il?ath will examine the development of new market housing in Ucluelet as an economic generator with profits used to build member housing or to support other economic development projects | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Short |
| 11. | Establish new housing at Hitacu intended for Elders | Pre design/ Design/Construction | ✓ | ✓ | ✓ | Short |
| 12. | Establish new housing at Hitacu for youth/persons living on their own | Pre design/ Design/Construction | ✓ | ✓ | ✓ | Short |
| 13. | Develop a new housing plan that includes the consideration of affordable housing and special needs housing | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Short |
| 14. | Investigate the feasibility of implementing building permits for housing and development on all the lands | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Immediate |
| 15. | Acquire funding for a new playground for youth and complete construction by Spring 2014 | Applications for funding immediate | ✓ | ✓ | ✓ | Immediate/ Short |



**YUUTU?IH?ATH FIRST NATION GOVERNMENT
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| | | | | | | |
|-----|---|--|---|---|---|---------------------|
| 16. | Begin construction of the new Community Centre/Gymnasium by Spring 2014 | Applications for funding immediate – construction begins after acquiring funding | ✓ | ✓ | ✓ | Immediate/Short |
| 17. | Work on identifying culturally significant lands and areas and develop mapping that is only available to the Citizens/ Yuutu?ih?ath | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Short |
| 18. | Work with surrounding jurisdictions on a system of linked parks and trails | Implement following the adoption of the OCP | ✓ | ✓ | | Short |
| 19. | Work with other jurisdictions on detailed emergency plans for the lands | Implement following the adoption of the OCP | ✓ | ✓ | | Short |
| 20. | For all extraction and resource development activities, seek out secondary and value added processing to keep greater profits in the hands of the community | Implement following the adoption of the OCP | ✓ | ✓ | | Ongoing |
| 21. | Ensure the development of new opportunities for fishing and aquaculture remains a priority | Implement following the adoption of the OCP | ✓ | ✓ | | Ongoing |
| 22. | Develop new educational materials for the public seeking to access the lands or services | Implement following the adoption of the OCP | ✓ | ✓ | | Ongoing |
| 23. | The Yuutu?ih?ath Government shall identify educational or training opportunities where capacity can be developed to respond to the new or proposed land uses in the Economic Development Lands. The Yuutu?ih?ath Government shall actively seek out community Citizens interested in exploring educational or training opportunities, and also seek out funding to enable these opportunities | Implement following the adoption of the OCP | ✓ | ✓ | | Ongoing |
| 24. | Set a target for greenhouse gas reductions following the completion of a baseline inventory on greenhouse gas emissions, to be completed before 2015. | Implement following the adoption of the OCP | ✓ | ✓ | | Intermediate |
| 25. | Take a long range approach to considering potential energy generators, and consider a range of projects from river based to wind generation | Implement following the adoption of the OCP | ✓ | ✓ | | Short and long term |



| | | | | | | |
|-----|--|---|---|---|---|-----------|
| 26. | Encourage citizens to use Yuulu?il?ath timber to build their homes and businesses | Implement following the adoption of the OCP | ✓ | ✓ | | Ongoing |
| 27. | Obtain compensation for damage that has been done in our watersheds and on Yuulu?il?ath Territory | Implement following the adoption of the OCP | ✓ | ✓ | | Immediate |
| 28. | Obtain the right to issue permits/tenures for all uses in Yuulu?il?ath Territory | Implement following the adoption of the OCP | ✓ | ✓ | | Immediate |
| 29. | Build a new road from the water tower to the Berkeley Main Road | Pre design/Design Construction | ✓ | ✓ | | Short |
| 30. | Construct a helipad at Hitacu to provide access for air ambulance or search and rescue services | Pre design/Design Construction | ✓ | ✓ | | Short |
| 31. | The cost and feasibility of a harbour walkway will be investigated by 2014 and ties to the existing network of pedestrian and cycling routes shall be considered | Pre design/Design Obtain funding Construction | ✓ | ✓ | | Short |
| 32. | An educational study will be completed to identify academic and personal education needs in the community | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Immediate |
| 33. | Increased efforts will be made to access external funding through partnerships, endowments, and sponsorships | Implement following the adoption of the OCP | ✓ | ✓ | | Immediate |
| 34. | New relationships will be pursued with post-secondary institutions on Vancouver Island to assist with community member access, including North Island College, Vancouver Island University, and the University of Victoria | Implement following the adoption of the OCP | ✓ | ✓ | | Immediate |
| 35. | Funding to complete the ball fields and gymnasium will be pursued immediately; these facilities will be operational by Spring 2014 | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Immediate |
| 36. | Develop a new cultural centre that serves as a natural gathering space and meeting space for community members | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Immediate |
| 37. | Continue to work with Elders and those who speak our language to ensure this knowledge is passed along to other citizens | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Ongoing |
| 38. | Continue to complete research and archival work (collections, genealogies) | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Ongoing |

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| | | | | | | |
|-----|---|---|---|---|---|---------|
| 39. | All plans, including this Official Community Plan, Yuu?u?il?ath's strategic plan, economic development plans, land use plans, education plans, servicing plans, and all other planning documents will be reconciled against Yuu?u?il?ath's financial plans for the next five years. This review will enable the establishment of priorities and targets for each fiscal year and show how all plans are working together. | Implement following the adoption of the OCP | ✓ | ✓ | | Ongoing |
| 40. | Existing policies and procedures will be reviewed on an agreed-on basis to ensure they remain effective and responsive. | Implement following the adoption of the OCP | ✓ | ✓ | | Ongoing |
| 41. | We will constantly look for new ways to share information with our citizens; the use of social media methods such as Twitter and Facebook will be investigated to see if these platforms address the needs identified by citizens. | Implement following the adoption of the OCP | ✓ | ✓ | ✓ | Ongoing |
| 42. | We will maintain the Annual General Meeting as a key opportunity for drawing the community together. | Ongoing | ✓ | ✓ | ✓ | Ongoing |
| 43. | Seek community input on implementation actions and priorities. | Ongoing | ✓ | ✓ | ✓ | Ongoing |
| 44. | Develop actions to reduce greenhouse gas emissions. | Ongoing | ✓ | ✓ | ✓ | Ongoing |



6.0 DEVELOPMENT PERMIT AREAS

A Development Permit Area is a specific, defined area of land on which a government has designated special guidelines or regulations. Generally, the lands are designated as Development Permit Areas because there is a unique feature that needs to be promoted, because the lands have high value as multi-unit, commercial, or industrial areas, or the lands have special environmental features that need to be protected.

Section 5.1, Part 5 of the *Planning and Land Use Management Act* allows Yuufu?il?ath to designate Development Permit Areas for one or more of the following purposes:

1. protection of the natural environment, its ecosystems and biological diversity;
2. protection of development from hazardous conditions;
3. protection of farming;
4. revitalization of an area in which a commercial use is permitted;
5. establishment of objectives for the form and character of intensive residential development;
6. establishment of objectives for the form and character of commercial, industrial or multi-family residential development;
7. establishment of objectives to promote energy conservation;
8. establishment of objectives to promote water conservation; or
9. establishment of objectives to promote the reduction of greenhouse gas emissions.

If Development Permit Areas are established, the Official Community Plan must:

- describe the special conditions or objectives that justify the designation, and
- specify guidelines respecting the manner by which the special conditions or objectives will be addressed.

By requiring a development permit for a project, the Yuufu?il?ath Government can require a greater level of detail and analysis for a development proposed for lands that are considered to have unique, hazardous or sensitive conditions.

No development can proceed on lands designated as Development Permit Areas without the approval of the proposed development by the Legislature.

The DPAs are identified on the maps in the OCP:

| | |
|---------|--|
| DPA I | Riparian Areas Protection (see Map 3) |
| DPA II | Natural Hazard Areas Protection (see Map 3) |
| DPA III | Comprehensive Development Areas for Form and Character (see Map 2) |
| DPA IV | Coastal Protection (see Map 3) |

6.1 Development Permit Area General Guidelines

The following *General Guidelines* apply to all lands and proposed development within DPAs:

1. Where land is subject to more than one DPA designation, only a single development permit application is required; however, the proposal must consider the requirements of all applicable DPAs.
2. A development permit is required for the following development activities except where such activities are specifically exempt:
 - a) Removal, alteration, disruption, or destruction of vegetation;
 - b) Disturbance of soils;
 - c) Construction or erection of buildings and structures;
 - d) Creation of non-structural impervious or semi-impervious surfaces;
 - e) Flood protection works;
 - f) Construction of roads, trails, docks, wharves, and bridges;
 - g) Provision and maintenance of sewer and water services;
 - h) Development of drainage systems;
 - i) Development of utility corridors; and
 - j) Subdivision as permitted by the Legislature.
3. The following activities are exempt from requiring a development permit:
 - a) Interior or structural exterior alterations, renovations or repair to a permanent building or structure on an existing foundation to an extent that does not alter, extend or increase the building's footprint or height.
 - b) Planting or replanting of trees, shrubs or ground cover for slope stabilization, habitat improvement or soil stabilization or erosion control.
 - c) Routine maintenance of existing landscaping, lawn, paths or developed areas.
 - d) The removal of invasive plants or noxious weeds listed on the Coastal Invasive Plant Committee's website <http://coastalinvasiveplants.com/invasive-plants/priority-plants>.
 - e) The removal of trees determined by a Certified Arborist or Registered Professional Forester, or another professional certified to do tree-risk assessments, to represent an imminent safety risk.
 - f) Stream enhancement and fish and wildlife habitat restoration works carried out under provincial or federal approvals and authorized by the Legislature.
 - g) Public works and services.
 - h) Emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - a) emergency actions for flood protection and erosion protection;
 - b) removal of hazard trees;
 - c) clearing of an obstruction from bridge, culvert or drainage flow;
 - d) bridge and safety fence repairs;
 - e) limbing, pruning and topping of trees where a minimum of 60% of the original crown of any tree is retained to maintain tree health and vigour as prescribed by a professional arborist.



6.2 DPA I – Riparian Areas Protection

Category

The Yuulu?il?ath? Official Community Plan designates all riparian areas as DPA I: Riparian Areas Protection to ensure sufficient water for fish, to protect and restore fish habitat, and to improve riparian protection and enhancement.

DPA I areas include all of the lands within 30 metres of watercourses, measured from both sides of the watercourse from the high water mark. These Areas are shown on Map No. 3.

Justification

Riparian areas, along with aquatic habitats, are critical for the survival of fish and other species that reside in and around watercourses. They are also important travel corridors for land-based species. Harming these areas can have impacts on fish habitat and decrease the vitality of these areas.

Healthy aquatic ecosystems have retain stormwater runoff, maintain water quality by reducing levels of sediment, nutrients and contaminants in outflow water, to slow water flow and to prevent erosion.

A development permit is required for any proposed residential, commercial or industrial development within DPA I to ensure that the ecological values of sensitive riparian and wetland habitats have been considered prior to development, and that measures will be taken to limit or avoid damage to these ecosystems.

Guidelines

- i. Development or alteration should be planned to avoid intrusion into DPA I areas and to minimize the impact of any activity on these areas.
- ii. Development permit applications that encroach on areas designated as DPA I should include a report prepared by a qualified environmental professional outlining the following information:
 - detailed site plan (1:250 or larger) identifying the natural boundary and a line 30 metres from the natural boundary;
 - identification of an area to be covenanted as a “no-build area”
 - an impact statement describing effects of proposed development on the natural conditions;
 - measures deemed necessary to protect the integrity of streamside protection and enhancement areas from the effects of development;
 - guidelines and procedures for mitigating habitat degradation including limits of proposed leave areas; and,
 - habitat compensation alternatives, where compensation is approved.
- iii. Development permit applications should include a vegetation management plan indicating the extent of proposed buffer areas and the proposed management of vegetation in these areas.
- iv. Based on the biophysical assessment of the site within an area designated DPA I, works or protective measures such as the planting or retention of trees or vegetation may be required to preserve, protect, restore or enhance stream, watercourses, fish habitat or riparian areas.
- v. In the absence of a report from a qualified environmental professional that indicates that the 30 metre buffer can be reduced without harm to fish species or other values in the riparian area, a minimum buffer of 30 metres must be preserved between the high water mark of the watercourse and any building or structure.



6.3 DPA II – Natural Hazard Areas Protection

Category

Areas that are or may be subject to flooding, erosion, slides or subsidence, areas within the tsunami-hazard zone and steep slopes with an incline of 30% or more are designated as DPA II, as shown on Map No. 3.

Justification

Lands in the vicinity of watercourses can be susceptible to flood hazard and, in certain areas, to erosion or sloughing. Lands that are or may be flooded represent a hazardous condition for permanent structures.

One of the effects of climate change is a rise in sea level. It is estimated that sea level on the west coast of Vancouver Island will rise somewhere in the vicinity of one metre by the year 2100. Any development along the coastline must take this into consideration in an attempt to anticipate and minimize any negative impacts that rising sea levels may have on the built environment and the safety of residents.

The west coast of Vancouver Island is also at risk as a seismic zone, known to be vulnerable to flooding in the event of a tsunami.

Steep slopes also tend to constitute high-risk areas for erosion and slippage if the tree cover is substantially altered. Potentially hazardous conditions on steep slopes may be avoided if adequate tree cover is retained and surface water runoff is minimized.

In order to protect development from these hazardous conditions, development permits are required for areas designated as DPA II.

Guidelines

1. The development or alteration of land, buildings and structures should be planned to avoid intrusion into DPA II areas and to minimize the impact of any activity on these areas.
2. Development permits related to tsunami hazard areas are required in upland areas located between the high tide line and a horizontal distance of 30 metres from the natural boundary of the sea or the furthest extent of the tsunami zone, whichever is greater.
3. Prior to any development or alteration of land within DPA II areas, a development permit application must be filed that includes an assessment or report by a qualified, licensed professional engineer or other qualified professional addressing the following:
 - a) Identify any hazards which may affect the safe development of the land including, but not limited to:
 - a. tsunami inundation;
 - b. riparian flooding;
 - c. slopes with an incline of 30 percent or more;
 - d. subsidence; and
 - e. ground water flows.
 - b) Identify the location of all proposed buildings or development sites by specifying setback distances from a natural boundary, property boundary or feature or hazard area. Areas depicted on maps must be delineated with sufficient accuracy and detail to allow the preparation of a legal reference plan for attachment to a restrictive covenant.
4. Where applicable, flood construction levels should be provided by prescribing an elevation above the natural boundary of a watercourse or natural ground elevation at the building site, or by specifying a



geodetic elevation, or by a combination of both.

5. An application should identify the location of all proposed buildings and structures on the development site and specify the setback distances from the natural boundary, property boundary, land features, and hazard areas.
6. Plans should establish a safe setback line from any watercourses and shorelines to protect the land, buildings and inhabitants from the risk of injury or damage that may, in the opinion of an engineer or qualified professional, be caused by the hazards of flooding, erosion, subsidence earthquake, mud flows or any combination thereof.
7. The report prepared by a qualified professional must certify that the land is safe for the use intended. This may include a description of the works prescribed by the qualified professional to ensure that the design or development land, buildings, structures and infrastructure can be safely completed for the use intended.
8. Where mitigation works and actions designed to reduce hazards or impacts are contemplated, the applicant's professional engineer should confirm that the works and actions will be acceptable to local government, and that they would meet regulatory requirements, prior to completing the report and a detailed design.

6.4 DPA III – Form and Character

Category

This Development Permit Area is established to regulate the form and character of multi-unit residential, industrial, and commercial developments. These areas are designated as DPA III, as shown on Map No.2.

Justification

The purpose of this Development Permit Area is to protect the visual aesthetic of the lands. Development will proceed comprehensively, building on the successes and visual characteristics of current economic development projects. The community has high expectations for future development: this section sets out guidelines that must be followed for any new buildings or structures within designated Development Permit Area III lands.

Guidelines

1. The use of wood, wood shingles or shakes, board and batten as external cladding, where appropriate, is encouraged.
2. Building siting, form and massing must be responsive to:
 - a) the overall development context and scale of the Plan Area;
 - b) adjacent development;
 - c) pedestrian and vehicular access and circulation;
 - d) topography;
 - e) geology/soils conditions;
 - f) hydrology, drainage and flood plain considerations;
 - g) vegetation; and
 - h) views and view corridors.
3. The siting of proposed developments should ensure that a harmony of character with adjacent developments is maintained and, where located adjacent to residential uses, that the residential aesthetic is reflected in the intensive residential, commercial or industrial development.
4. All signage should be unobtrusive and the use of wood-faced signage is encouraged.
5. A landscape plan for the development, including the parking area, is to be prepared as an integral part of design and layout. The landscape plan should describe plant species to be used, as well as ground cover specifications.



6.5 DPA IV – Coastal Protection

Category

This Development Permit Area establishes objectives for the protection of the natural environment, its ecosystems and biological diversity. These areas are designated as DPA IV, as shown on Map 8.

Justification

This Development Permit Area includes shoreline waters and natural fish and wildlife habitat that could be subject to degradation due to development or harmful uses. Shoreline areas and beaches may contain unstable slopes and soils subject to erosion, land slip and rock falls. In addition, the tidal waters are habitat to a wide range of fish, wildlife, and plant species: eelgrass, in particular, is highly sensitive to negative impacts from intensive uses or development. There are also high aesthetic values along shoreline areas.

Guidelines

1. This DPA applies to all lands within 15 metres, measured horizontally in both landward and seaward directions, from the natural boundary of the ocean.
2. Prior to undertaking any development on the lands within this DPA, the owner of the lands must apply for a Development Permit, and must include the following information with the application:
 - a) An assessment report prepared by a Qualified Professional that identifies how the proposed development will affect aquatic resources, and recommends measures to reduce or mitigate any negative impacts, such as the:
 - i. Appropriate siting of buildings, structures, roads, driveways, parking areas, trails, paths, and utilities;
 - ii. Retention or restoration of native vegetation and soils;
 - iii. Removal of invasive species;
 - iv. Designation of buffer areas to protect environmentally sensitive features or habitat;
 - v. Specification of any activities that may occur within the buffer areas; and
 - vi. The report must state that the proposal is suitable for the area intended for development.
3. Sites shall be retained in their natural state where possible, preserving indigenous vegetation and trees. If an adequate suitable building envelope exists on a parcel outside of the DPA, the proposed development should be directed to that site or area. Encroachment into the DPA shall only be permitted where the applicant can demonstrate that the encroachment is necessary to protect environmentally sensitive features, due to hazardous conditions or topographical considerations, or to relate the development to surrounding buildings and structures.
4. The removal of trees and vegetation within the DPA is discouraged and must be limited to only those areas that must be cleared to support the development. Any clearing required to accommodate roads, buildings, structures, and utilities, with the exception of necessary hydraulic, percolation, or geotechnical testing, shall only occur until after the issuance of a Development Permit to minimize the potential for soil erosion, runoff and spread of invasive species.
5. Shoreline stabilization devices are not supported on parcels that are not subject to active erosion nor are they supported on parcels that erode more rapidly as a result of vegetation removal that is not recommended or supervised by a Qualified Coastal Professional.
6. Shoreline stabilization devices are supported where a Qualified Coastal Professional, with experience to advise on such matters, has determined that a greenshores approach to shoreline stabilization such

as vegetation enhancement, upland drainage control, biotechnical measures, beach enhancement, tree anchoring or gravel placement are not appropriate given site specific conditions.

7. Where a shoreline stabilization device is recommended by a Qualified Coastal Professional as a result of an assessment completed, it must be located entirely within the property boundary.
8. The assessment for siting a shoreline stabilization device prepared by a Qualified Coastal Professional must include:
 - a) Assesses the risk of erosion on the subject property and the suitability of the subject property for a shoreline stabilization device;
 - b) Analyses the potential impacts on coastal geomorphologic processes as a result of installing or not installing the device;
 - c) Analyses the potential impacts on adjacent properties as a result of installing and not installing the device;
 - d) Recommends measures to ensure that the subject property is protected while mitigating potential negative impacts on marine riparian areas, coastal geomorphologic processes or neighbouring properties.
9. Shoreline stabilization measures, pilings, floats, wharves and other structures which disrupt light penetration to the water column or obstruct public access to the foreshore are discouraged.
10. Impervious surfaces, including materials to construct docks and wharves, shall be kept to a minimum.
11. New piers, docks and ramps shall be allowed only for water-dependent uses or for public access, and only permitted when the applicant has demonstrated that a specific need exists to support the intended water-dependent use.
12. Boat launch ramps are discouraged and will only be considered if they can be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary.
13. Preference is given to the placement of mooring buoys and floats instead of docks.

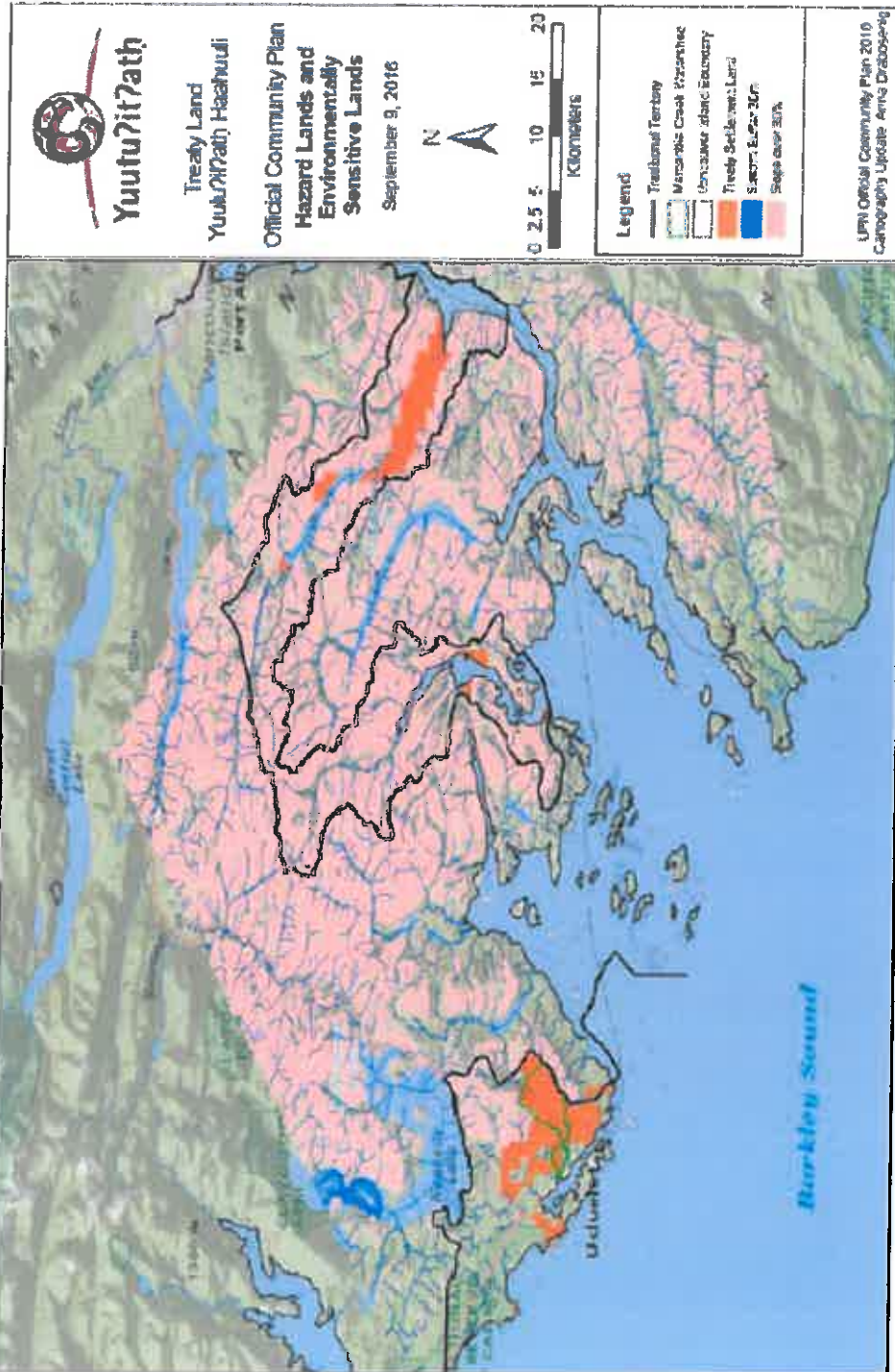


APPENDIX 1: MAPS

1. Traditional Territory and Plan Area
2. Land Use (showing Land Use Designations)
3. Hazard Lands and Environmentally Sensitive Lands

Note: The maps as shown in this Appendix 1 are presented at reduced scale for ease of reference only. The authoritative version of the maps shown in this Appendix 1 are set out at the official scale in the records of the Department of Lands and Resources, which form part of this Appendix 1, and are dated for reference September 9, 2016 or January 11, 2017, as applicable, and are signed by the President on the date this Appendix 1 is enacted.





LEGISLATIVE HISTORY

Official Community Plan Act YFNS 32/2013 enacted October 28, 2013

Amendments

| Section | Amendment | In Force |
|---|------------------------|-------------------|
| Page 11 of Schedule 1 | YFNS 52/2016, s.2.1 | September 9, 2016 |
| Appendix 1: Maps on page 55 of Schedule 1 | YFNS 52/2016, s.2.2 | September 9, 2016 |
| Page 11 of Schedule 1 | YFNS 54/2017, s.2.1(a) | January 11, 2017 |
| Page 55 of Schedule 1 | YFNS 54/2017, s.2.1(b) | January 11, 2017 |
| Page 57 of Schedule 1 | YFNS 54/2017, s.2.1(c) | January 11, 2017 |
| 2.1(a) | YFNO 11/2017, s.2 | February 7, 2017 |
| 2.1(b) | YFNO 11/2017, s.3 | February 7, 2017 |

Amending Acts:

YFNS 52/2016 Official Community Plan Amendment Act No. 1

YFNS 54/2017 Official Community Plan Act and Zoning and Structuring Act Amendment Act

Regulations enacted under this Act:

Orders:

YFNO 11/2017 Law Clerk Order

