

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, August 16, 2022 at 4:00 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen
 Staff: Duane Lawrence, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Director of Community Planning
 Rick Geddes, Fire Chief
 Monica Whitney-Brown, Assistant Planner
 Paula Mason, Administration Clerk

Regrets:

1. CALL TO ORDER

The meeting was called to order at 4:00 P.M.

1.1 ACKNOWLEDGEMENT OF THE YUULU?IL?ATH
Council acknowledged the Yuulu?il?ath, on whose traditional territories the District of Ucluelet operates.

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

2. LATE ITEMS

2.1 Replace Bylaw Item 8.2. with the report titled "Fireworks Bylaw No. 1302, 2022" and all attachments thereto.

- RTC - Fireworks Bylaw No, 1302, 2022
- Appendix A - Fireworks Bylaw No. 1302, 2022
- Appendix B - Fireworks Fines & Penalties
- Appendix C - Bylaw No. 967, 2004

2.2 Add the following correspondence items to Regular Agenda Item 7.2 DVP & DP for Residential Address at 272 Main Street - Correspondence Items received.

- 2022-08-14 L. Bird - DVP22-03
- 2022-08-15 Noell, Andrea - Public Comment 272 Main Street

2.3 Add the following correspondence items to Regular Agenda Item 7.8 Temporary Use Permit (Weyerhaeuser Lands) - Correspondence Items received.

- 2022-08-15 Schantz, Bob - TUP 22-07

3. APPROVAL OF THE AGENDA

3.1 August 16, 2022, Regular Council Agenda

2022.2144.REGULAR *It was moved and seconded **THAT** Council approve the August 16, 2022, Regular Council Agenda as amended.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 July 19, 2022, Regular Council Minutes

2022.2145.REGULAR *It was moved and seconded **THAT** Council adopt the July 19, 2022, Regular Council Minutes as presented.*

CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Public Input

There was no public input.

5.2 Delegations

Terry Smith, Barkley Community Forest
Re: Annual Report

Mr. Smith was unable to present.

Samantha Hackett, West Coast Multiplex Society
Re: Community MOU - Ownership, Partnering, Planning, Construction, and Operating the West Coast Multiplex

Ms. Hackett presented a proposed Memorandum of Understanding related the ownership, planning, construction and operation of the West Coast Multiplex.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. REPORTS

7.1 West Coast Multiplex Memorandum of Understanding ***Duane Lawrence, Chief Administrative Officer***

Mr. Lawrence presented this report.

Council discussed the Memorandum of Understanding, expanded proposed project and the need for further community engagement.

2022.2146.REGULAR *It was moved and seconded **THAT** Council direct staff to advise the West Coast Multiplex Society that Ucluelet may consider signing an updated memorandum of understanding upon renewed stakeholder consultation in the determination of regional recreation priorities and affirmation of local and regional support for a multiplex facility.*

CARRIED.

7.2 DVP & DP for Residential Addition at 272 Main Street
John Towgood, Municipal Planner

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

Council invited the applicant to present. The applicant discussed the features of the project and proposed variance. Council sought clarification from the applicant.

Council invited members of the public to comment on the proposed Development Variance Permit 22-03 (the "DVP").

There was no additional public input on the proposed Development Variance Permit.

Council discussed the proposed DVP and in particular concerns related to not providing parking and increasing density.

Council discussed the proposed Development Permit.

2022.2147.REGULAR *It was moved and seconded **THAT** Council, with regard to the proposed residential addition at 272 Main Street (Lot 1, District Lot 282, Clayoquot District, Plan 12287; PID 004-984-251):*

1. *Subject to public comment, approve the issuance of Development Variance Permit 22-03 for:*
 - a. *a minimum side yard setback of 0.15m from the lot line abutting Helen Road, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 1.5m; and,*
 - b. *a minimum rear yard setback of 2.2m from the rear lot line, whereas section CS-1.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 4.0m; and,*
 - c. *a requirement of zero parking spaces, whereas section 505.1 of the Ucluelet Zoning Bylaw No. 1160, 2013 requires the proposed residential dwelling unit to have two parking spaces.*

DEFEATED.

2022.2148.REGULAR *It was moved and seconded **THAT** Council approve the issuance of Development Permit 22-03 for a two-storey residential dwelling unit above a ground-floor storage room addition to an existing mixed commercial/residential building, and associated landscape and hardscape works.*

DEFEATED.

2022.2149.REGULAR *It was moved and seconded **THAT** Council direct District Staff to prepare a license of occupation for the proposed garbage storage area and private walkway in the Helen Road right-of-way (30m²) with an annual rate of \$400 and an initial term of 10 years.*

DEFEATED.

7.3 Development Permit for A Resort Condo Development at 1015 Peninsula Road
John Towgood, Municipal Planner

Bruce Greig, Director of Community Planning, presented this report. Mr. Greig fielded Council questions.

Council invited the applicant to present. The applicant, Alex Paquin of 1015 Peninsula Road, discussed the features of the project and proposed variance. The applicant fielded Council questions.

Council invited members of the public to comment on the proposed Development Variance Permit 22-04 (the "DVP").

Judy Grey, 506 Marine Drive, spoke in support of the application generally and raised concerns about the storage of garbage.

2022.2150.REGULAR *It was moved and seconded **THAT** Council, with regard to the proposed Resort Condo development at 1015 Peninsula Road (Lot 5 Section 21 Clayoquot District Plan VIP67274; PID 024-167-525):*

1. *Subject to public comment, approve the issuance of Development Variance Permit 22-04 for:*
 - a. *a minimum front yard setback of 2.59m from the front lot line for an existing yurt type office building, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m; and,*
 - b. *a minimum front yard setback of 1.5m from the front lot line for a garbage storage enclosure, whereas section CS-5.6.1 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013 requires 6m; and,*
 - c. *two parking spaces with a zero setback, whereas section 503.2 (1) of the Ucluelet Zoning Bylaw No. 1160, 2013*

requires that parking spaces must not be located within 3m of the lot line abutting Peninsula Road

CARRIED.

2022.2151.REGULAR 2. *It was moved and seconded **THAT** Council approve the issuance of Development Permit 22-02 for an eight-unit cabin-style Resort Condo development and associated landscape and hardscape works.*

CARRIED.

2022.2152.REGULAR 3. *It was moved and seconded **THAT** Council approve the location of the existing office yurt and its deck to within 21.3m of the natural boundary, whereas restrictive covenant EL10359 restricts the construction of buildings within 25m of the Natural Boundary.*

CARRIED.

7.4 Development Variance Permit 22-02
Monica Whitney-Brown, Planning Assistant

Ms. Whitney-Brown presented this report.

Council invited the applicant to present. The Applicant, Rick Geddes of 460 Orca Crescent, outlined the proposed project.

Council invited members of the public to comment on the proposed Development Variance Permit 22-02 (the "DVP").

There was no additional public input on the proposed DVP.

2022.2153.REGULAR *It was moved and seconded **THAT** Council, subject to public comment, authorize the Director of Community Planning to execute and issue Development Variance Permit DVP22-02 for a storage facility (shed) of up to 46.14 m³ (cubic meters) with a height of up to 3.1 meters, whereas section 4.16 of the Ucluelet Mobile Home Parks Bylaw No. 513, 1988 allows a shed to be constructed to 17 - 25 m³ (cubic meters) in volume; and 2.4 meters in height.*

CARRIED.

7.5 Temporary Use Permit - 695 Rainforest Drive
Monica Whitney-Brown, Planning Assistant

Ms. Whitney-Brown presented this report.

Council invited the applicant to present. The applicant, Shanti Davis of 695 Rainforest Drive, addressed her application.

Council invited members of the public to comment on the proposed renewal of the Temporary Use Permit 19-05.

There was no public input on the proposed renewal of the TUP.

2022.2154.REGULAR *It was moved and seconded **THAT** Council, subject to public comment, authorize the Director of Community Planning to execute and renew Temporary Use Permit 19-05, to allow seasonal accommodation for one Recreational Vehicle/ Camping space for local workers for a period of 3 Years.*

CARRIED.

7.6 Temporary Use Permit - 1187 Peninsula Road
Monica Whitney-Brown, Assistant Planner

Ms. Whitney-Brown presented this report.

Council invited the applicant to present. The applicant, Catherine Oliwa, was available to answer any questions.

Council invited members of the public to comment on the proposed renewal of the Temporary Use Permit 22-08 (the "TUP").

There was no public input on the proposed TUP.

2022.2155.REGULAR *It was moved and seconded **THAT** Council, subject to public comment, authorize the Director of Community Planning to execute and issue Temporary Use Permit 22-08 to allow one seasonal Recreational Vehicle for an employee of Little Beach Resort at 1187 Peninsula Road for a period of three years.*

CARRIED.

7.7 Temporary Use Permit - 1604 Peninsula Road
Monica Whitney-Brown, Planning Assistant

Councillor Hoar recused herself and left the meeting at 5:29 PM because her employer owns the subject property.

Ms. Whitney-Brown presented this report.

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

Council invited members of the public to comment on the proposed Temporary Use Permit (the "TUP").

There was no public input on the proposed renewal of the TUP.

2022.2156.REGULAR *It was moved and seconded:*

1. **THAT** Council, with regard to the proposed change of use at 1604 Peninsula Road, subject to public comment, authorize the Director of Community Planning to execute and issue Temporary Use Permit 22-09 to allow the operation of a Daycare Facility at 1604 Peninsula Road for a period of three years;

2. **THAT** Council direct staff to prepare a letter for the Mayor's signature, requesting guidance from the Yuułu?it?ath Government on their preference for the long-term location of the canoe log which is currently on loan to the District of Ucluelet and located at 1604 Peninsula Road, and expressing the District's support for working together on its appropriate care and relocation.

CARRIED.

7.8 Temporary Use Permit (Weyerhaeuser Lands)
Monica Whitney-Brown, Planning Assistant

Councillor Hoar returned to the meeting at 5:35 P.M.

Ms. Whitney-Brown presented this report. Ms. Whitney-Brown addressed questions from Council.

Council invited the applicant to present. The applicant, Steve Wibi of 555 Big Bear Ridge, Nanaimo, addressed Council questions related to generator use.

Council invited members of the public to comment on the proposed Temporary Use Permit (the "TUP").

Judy Grey, 506 Marine Drive, spoke in support of the TUP. She noted that noise is unlikely to be an issue given the location of the generators.

2022.2157.REGULAR *It was moved and seconded THAT Council, subject to public comment, authorize the Director of Community Planning to execute and issue Temporary Use Permit 22-07 to allow eight seasonal Recreational Vehicle (RV) camping spaces for local workers at the Weyerhaeuser "Phase 5 Ocean West" development for a period of six months.*

CARRIED.

7.9 Results From the Alternative Approval Process for Loan Authorization Bylaw No. 1304, 2022
Joseph Rotenberg, Manager of Corporate Services

Duane Lawrence, Chief Administrative Officer, presented this report.

2022.2158.REGULAR *It was moved and seconded:*

- **THAT** Report No. 22-111 by the Manager of Corporate Services which provides the results of the Alternative Approval Process for Loan Authorization Bylaw No. 1304, 2022 be received for information; and
- **THAT** Council direct the Corporate Officer to report the results by publishing the Certification of Results of the Alternative Approval Process for Loan Authorization Bylaw No. 1304, 2022 on Ucluelet.ca.

CARRIED.

2022.2159.REGULAR *It was moved and seconded THAT Council recess for five minutes.*

CARRIED.

Council recessed at 5:43 PM and returned to session at 5:50 PM.

8. BYLAWS

8.1 Loan Authorization Bylaw No. 1304, 2022 - Adoption - Water System and Filtration Improvement Project *Joseph Rotenberg, Manager of Corporate Services*

Duane Lawrence, Chief Administrative Officer, presented this report.

2022.2160.REGULAR *It was moved and seconded THAT Council adopt Loan Authorization Bylaw No. 1304, 2022.*

CARRIED.

8.2 Fireworks Regulation Bylaw 1302, 2022 *Rick Geddes, Fire Chief*

Mr. Geddes presented this report. Mr. Geddes answered a number of Council's questions.

2022.2161.REGULAR *It was moved and seconded THAT Council gives first, second, and third reading to District of Ucluelet Fireworks Regulation Bylaw No. 1302, 2022.*

CARRIED.

2022.2162.REGULAR *It was moved and seconded THAT Council approves the Fireworks Fines & Penalties as presented in staff report No. 22-113 and directs staff to present an amendment to Municipal Ticket Information System Bylaw No. 949, 2004 to include these fines and penalties.*

CARRIED.

8.3 Municipal and Regional District Tax Bylaw No. 1314, 2022 - A bylaw to request an increase to the Municipal and Regional District Tax Rate from 2% to 3% under provisions of the Provincial Sales Tax *Duane Lawrence, Chief Administrative Officer*

Mr. Lawrence presented this report.

2022.2163.REGULAR *It was moved and seconded:*

- **THAT** Council abandon District of District of Ucluelet Municipal and Regional District Tax Bylaw No. 1315, 2022.
- **THAT** Council give first, second and third reading to District of Ucluelet Municipal and Regional District Tax Bylaw No. 1314, 2022.

CARRIED.

8.4 Officers and Officials Bylaw - Adoption
Duane Lawrence, Chief Administrative Officer

Mr. Lawrence presented this report.

2022.2164.REGULAR *It was moved and seconded THAT Council adopt the Officers and Officials Bylaw No. 1315, 2022.*

CARRIED.

8.5 Reserves Establishment Bylaw No. 1317, 2022
Donna Monteith, Chief Financial Officer

Ms. Monteith presented this report.

2022.2165.REGULAR *It was moved and seconded THAT Council approve Option A, to give District of Ucluelet Reserves Establishment Bylaw No. 1317, 2022 first, second and third reading as presented.*

CARRIED.

8.6 Fees and Charges Amendment Bylaw No. 1316, 2022
Donna Monteith, Chief Financial Officer

Ms. Monteith presented this report.

2022.2166.REGULAR *It was moved and seconded THAT Council approve Option A, to give District of Ucluelet Fees and Charges Amendment Bylaw No 1316, 2022 first, second, and third reading.*

CARRIED.

2022.2167.REGULAR *It was moved and seconded THAT Council direct staff to publish notice on the District website and in 2 issues of the Westerly news of the proposed District of Ucluelet Fees and Charges Amendment Bylaw No 1316, 2022, and provide an opportunity for the public to make written representations or verbal comments to Council prior to adoption of the bylaw.*

CARRIED.

9. NOTICE OF MOTION

There were no notices of motion.

10. CORRESPONDENCE

10.1 Invitation to Meet with Office of Seniors Advocate and Land Title and Survey Authority of British Columbia During UBCM Convention

***Birgit Schmidt, Director, MUNI UBCM Convention Coordinator,
Local Government Division, Ministry of Municipal Affairs***

Council noted that they would like to meet with the Seniors Advocate to discuss medical services in Ucluelet.

10.2 Invitation to Attend the 9th Annual *Resource Breakfast Series - September 2022*

Sarah Weber, President, & CEO, C3 Alliance Corp

10.3 UBCM Resolution to Modernize the *Local Government Act*

Tyler Brown, Chair, Regional District of Nanaimo

11. INFORMATION ITEMS

11.1 Rural Townhall Details

Shannon Stubbs, M.P., Lakeland, Shadow Minister of Rural Economic Development and Rural Broadband

Damien C. Kurek, M.P., Battle River - Crowfoot, Deputy Shadow Minister for Rural Economic Development and Rural Broadband Strategy

11.2 Medal of Good Citizenship 2022 - Nominations due by Sept 6th

Council requested that this matter be distributed through Ukee Mail.

12. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS

12.1 Councillor Marilyn McEwen

Deputy Mayor January 1 - March 15, 2022

12.2 Councillor Lara Kemps

Deputy Mayor March 16 - May 31, 2022

- Edge to Edge Marathon will occur on October 16, 2022.
- Soap Box Derby is on September 17, 2022.

12.3 Councillor Jennifer Hoar

Deputy Mayor June 1 - August 15, 2022

12.4 Councillor Rachelle Cole

Deputy Mayor August 16 - October 31, 2022

- Attended Barkley Community Forest Board Meeting.

12.5 Mayor Noël

13. QUESTION PERIOD

There were no questions.

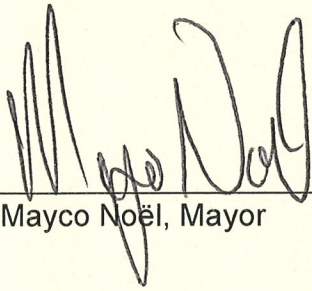
14. CLOSED SESSION

There was no closed session.

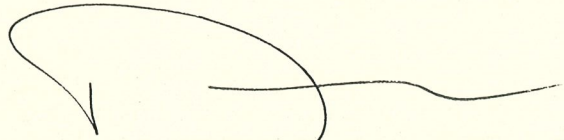
15. ADJOURNMENT

The meeting was adjourned at 6:13 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, August 16, 2022 at 4:00 pm in the Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.



Mayco Noël, Mayor



Duane Lawrence, Corporate Officer