

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, April 23, 2019 at 4:30 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Hoar, Kemps, and McEwen
 Staff: Mark Boysen, Chief Administrative Officer
 Marlene Lagoa, Manager of Corporate Services
 Abigail Fortune, Manager of Parks and Recreation
 John Towgood, Planner 1
 Warren Cannon, Manager of Public Works/Superintendent
 Bruce Greig, Manager of Community Planning
 Brent Ashton, Bylaw Officer

Regrets: Councillor Cole

1. CALL TO ORDER

1.1 **Mayor Noël called the meeting to order at 4:30 PM.**

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

2.1 **Council acknowledged the Yuułu?it?ath First Nations on whose traditional territories the District of Ucluelet operates.**

3. ADDITIONS TO AGENDA

3.1 **There were no additions to the agenda.**

4. APPROVAL OF AGENDA

4.1 **April 23, 2019 Regular Agenda**

2017-001 **It was moved by Councillor Kemps and seconded by Councillor McEwen**
 THAT Council approve the April 23, 2019 Regular Agenda as presented.

CARRIED.

5. UNFINISHED BUSINESS

5.1 **There was no unfinished business.**

6. MAYOR'S ANNOUNCEMENTS

- 6.1
 - **Meeting with Societies on Friday, April 26, 2019.**
 - **Haida language film viewing tonight at 7:30 PM, hosted by the Ucluelet High School, at the Ucluelet Community Centre.**

7. PUBLIC INPUT, DELEGATIONS & PETITIONS

7.1 Public Input

R. Oliwa, asked about the minutes from the April 9th meeting. CAO Boysen said they will be on the next agenda.

P. Timmermans, speaking to item 11.7, asked whether the signees understood the item they were signing and if the petitioner made it clear what they were signing. Previous Council's have refused VR-2 zoning. Concern with the incremental negative effect it will have on housing. Asked that Council not allow Ucluelet to become a Whistler or Tofino. He supports the staff recommendation and would like to see the removal of VR-2 zoning in our community.

B. Shramm, noted the headline on the petition (item 11.7) says VR-1 zoning in Ucluelet but the application is for VR-2. Sees a problem with what people thought they were agreeing to when signing the petition. Clarified that no one is rejecting VR-1. There are properties coming up on Onni and Weyerhaeuser lands and it will signal to the developers that Vacation Rentals are sought after.

K. Harwood, shared pleas of urgency for some form of action for the housing conditions and availability for our workers this summer. Noted support of the affordable housing initiatives that the District has planned for the long-term but urging Council for short-term action.

N. Bartlet, resident of 748 Odyssey Lane and one of the properties that have applied for rezoning, stated that him and his wife put their names on the petition and have reconsidered their position now that they are more informed. They are opposed to the rezoning. They see the potential for the impact on the character of the street. They moved here two years ago. It is a residential neighbourhood and they don't want it turned into a vacation area. They are opposed to any change.

8. CORRESPONDENCE

8.1 2019 BCCFA Conference & AGM Invite British Columbia Community Forest Association

- Mayor Noël noted he is unable to attend as he is returning from

FCM in Quebec.

- 8.2 Request to Pass a Resolution to be Forwarded to Premier Horgan & the Union of BC Municipalities**
City of Maple Ridge

9. INFORMATION ITEMS

- 9.1 Hwy 4 - Kennedy Hill Safety Improvements Traffic Interruptions Update**
Emil Anderson Construction (EAC) Inc.

- 9.2 2018 in Review and 2019-2020 Strategic Plan**
Wild Pacific Trail Society

- Mayor Noël thanked Barbara Shramm for sharing the annual review and strategic plan with Council.
- Suggested they connect with Tourism Ucluelet to align messaging when implementing the communication strategy.

10. COUNCIL COMMITTEE REPORTS

- 10.1 Councillor Marilyn McEwen**
Deputy Mayor November 2018 - March 2019

- **April 16th attended the Barkley Community Forest Open House and noted it was not as well attended as the previous two years.**
- **April 17th attended the ACRD West Coast Committee Meeting as the Mayor's alternate. Discussed organic waste diversion options coming up in the future.**

- 10.2 Councillor Lara Kemps**
Deputy Mayor April - June 2019

- **April 12-14th attended the AVICC Convention in Powell River. It was valuable to network with other island communities as well as vote on the resolutions that will go forward to UBCM.**
- **April 9th attended the School District Board Meeting. We are still waiting to find out about the seismic upgrades at schools.**
- **April 16th attended the Barkley Community Forest Open House.**
- **April 18th attended the West Coast Job Fair. There were 33 employers that showed up but not as many job seekers.**
- **April 22nd attended Zoe's Bakery's Earth Day Event.**

10.3 Councillor Jennifer Hoar
Deputy Mayor July - September 2019

- **April 10th attended the Aquarium Board Meeting. Currently have two volunteers until June and 3 volunteers for the summer. They are hiring summer staff, but the issue is still staff accommodation. Involved with clean-up projects on the west coast with Surfrider.**

10.4 Mayor Mayco Noël

- **April 23rd attend surf safety meeting with the Parks. They are asking businesses to help educate visitors of dangers. There is still a group hoping to get lifeguards. Topic of tracking incidents in front of the Lighthouse also came up in discussion.**
- **April 12-14th attend AVICC Convention in Powell River. The District's resolution on modernization of utility tax was passed and will go to UBCM in September.**

11. REPORTS

11.1 **Resolution Tracking - April 2019**
Marlene Lagoa, Manager of Corporate Services

11.2 **Information Session on 2019 District Projects**
Marlene Lagoa, Manager of Corporate Services

- Mayor Noël noted that Council appreciated seeing the written comments.

11.3 **School Zone Safety Review**
Warren Cannon, Manager of Public Works

- CAO Boysen presented the report to Council, highlights included:
 - Challenges with how the School District manages their lands which is creating congestion.
 - In the long-term, District staff will work with the School District on improving the drop-off area and looking at the design of the parking area.
 - In the short-term, speed humps could help to reduce speed in the area.
 - These humps would be table-top speed bumps.
 - Staff are cautious that there is the potential to impact the rest of the community when we slow down traffic in this

- area.
- Cost is \$20,000 for the speed humps and are removable as a new school redesign may change the location of the parking area.
- Council comments and questions included:
 - Will there be public engagement on the speed humps? Councillor McEwen noted there are residents across the street from the school who are very opposed to it. They are worried about the increase in noise from the fish trucks. CAO Boysen, responded that doing public engagement is definitely an option. We can provide some of this information to the public and seek feedback.
 - The 30 km signs in the middle of the road have been broken. Can we put them on a spring so they don't need to be replaced? Warren Cannon, Manager of Public Works/Superintendent, responded that staff are looking at other sign options.
 - Do we have an assigned route for the fish trucks? CAO Boysen noted there is no dedicated route at this time; however, there is activity on Helen Road.
 - Mayor Noël stated that is important to have engagement with the residents in front of the school. CAO Boysen noted that staff will do engagement in June for feedback and bring those results back to Council for a final decision.

2017-002

It was moved by Councillor McEwen and seconded by Councillor Hoar

THAT Council approve recommendation 1 & 2 of report item, "School Zone Safety Review" as amended which reads:

1. **THAT** Council direct Staff to engage School District 70 (Alberni) to improve drop-off options on school property.
2. **THAT** Council direct Staff to purchase and install removable rubber speed humps in the school zone in time for the start of 2019/2020 school year utilizing funds from the Gas Tax Reserve Fund estimated at \$20,000 following public consultation.

CARRIED.

11.4 CleanBC Communities Fund Application for EV Charging Stations Mark Boysen, Chief Administrative Officer

- CAO Mark Boysen presented the report to Council, highlights included:
 - Opportunity to join other communities in the application to expand EV charging station network.
 - The District already has 8-10 charging stations planned, and funded, this would be an opportunity to leverage those funds or add more EV charging stations to future projects.

- Councillor Hoar noted there has been a large increase in the number of vehicles using the EV fast charging station at the junction over the last six months.

2017-003

It was moved by Councillor Hoar and seconded by Councillor McEwen

THAT Council approve recommendation 1 of report item, "CleanBC Communities Fund Application for EV Charging Stations" which states:

1. **THAT** the District participate in the Mid-Island EV Network project and associated CleanBC Communities Fund application with the Regional District of Nanaimo as the lead applicant and dedicate a total of up to \$10,000 funded from the Resort Municipality Initiative (RMI) reserves for the District's portion of the cost of four public electric vehicle charging stations at District owned sites within the community.

CARRIED.

11.5 Short-Term Rental Program - Update Brent Ashton, Bylaw Services Officer

- Bruce Greig, Manager of Community Planning, presented the update on Bylaw's monitoring and enforcement of the short-term rental program, highlights included:
 - Cost of tracking software has increased as it is based on the number of units listed.
 - Enforcement involves a series of steps such as identifying if the unit is eligible for a business license and meets the needs of zoning.

11.6 Short-Term Rentals - Accessory Residential vs. Commercial Use Bruce Greig, Manager of Community Planning

- Bruce Greig, Manager of Community Planning, presented the report to Council. Highlights included:
 - Report is meant as a reference for Council.
 - The original zoning of accessory uses in residential areas was meant to be a minor part of the property to act as a mortgage helper.
 - Short-term rentals are recognized as part of the Residential B&B designation.
 - Establishing guidelines for seasonal RV housing and permits for accessory short-term rentals on existing residential properties.
- Councillor Kemp noted she would like to defer to the next Council meeting as there is a public hearing coming up next week.

2017-004

It was moved by Councillor Kemp and seconded by Councillor McEwen

THAT Council approve recommendation 1 of report item, "Short-Term Rentals - Accessory Residential vs. Commercial Use" which states:

1. *THAT Council receive this report for information and reference in the ongoing process of considering bylaw changes for residential properties, including the upcoming public hearing processes for individual properties seeking rezoning for increased short-term rental uses; and*
2. *Defer recommendations 2 & 3 to the May 14th Regular Council Meeting following the April 30 Public Hearing.*

CARRIED.

11.7 Zoning Bylaw Amendment Odyssey Lane (Lots A Through G, Plan VIS6520)

Bruce Greig, Manager of Community Planning

- Bruce Greig, Manager of Community Planning, presented an overview of the application brought forward by the property owners on Odyssey Lane, highlights included:
 - Currently the properties are part of a Comprehensive Development Zone with VR-1 as a secondary use.
 - VR-1 use allows them to have one or two suites in the main house that can be used for short-term rental.
 - What is being requested is the VR-2 as amended. This would allow the main house to be rented.
 - They are asking for one of the secondary suites, minimum 15% of house, to be used by the permanent resident or caretaker overseeing the whole house.
 - There are over 50 signatures of support from businesses and individuals.
 - Staff can't indicate support for the application as presented.
 - It may be moved forward as a temporary use permit.
- Adam Glen, applicant, addressed Council and noted the following:
 - Seven of the eight lots are already zoned for guest house.
 - We are vacation rental properties zoned as VR-1.
 - At the time they submitted application they wanted a text amendment to the zoning to allow them to rent out the full house.
 - The rezoning would mean they continue to rent out two rooms, one being the main house, and keeping the requirement of a full-time resident on site.
 - There are two groups of owners, those that live here full-time and those that do not.
 - The VR-1 on top of the petition was due to the initial request to make an amendment to the zoning. There was no intention to mislead people.
 - Odyssey Lane is a bare land strata so they have the opportunity to monitor themselves to ensure that strata

bylaws are followed.

- Council comments and questions included:
 - Would rezoning increase the density of the lots? Mr. Greig responded that the number of units being rented on a nightly basis would stay the same but the nature and intensity would change.
 - Whether to put it off until after the public hearing on VR-2.
 - Concern with properties being purchased for revenue income which is changing communities very rapidly.
 - VR-2 zoning encouraging absentee homeowners.
 - We need to protect what we do have instead of encouraging more nightly rentals.
 - Temporary use permits are an administrative drain for Planning staff.

2017-005

It was moved by Councillor Kemps and seconded by Councillor Hoar

THAT Council approve recommendation 1 of report item, "Zoning Bylaw Amendment Odyssey lane (Lots A Through G, Plan VIS6520) which states:

1. **THAT Council reject the requested zoning amendment to add Vacation Rental (VR-2) use to Lots A through G on Odyssey Lane.**

CARRIED.

11.8 Zoning Bylaw Amendment for 796 Marine Drive John Towgood, Planner 1

- Bruce Greig, Manager of Community Planning, presented an overview of the application, highlights included:
 - The application is to take a property that is zoned for residential use and vacation rental as a secondary use and changing it to guest house.
 - The guest house zoning would allow a three-fold increase in density on the property.
 - Staff recommend the two guest cottages.
- Council members were concerned about the increase in density a guest house would provide.
- Sandy Rantz, applicant's representative, asked if Council would consider two B&B rooms in the house, or a suite that can be rented out full-time to an employee? Can they come back with another proposal? Mr. Greig said yes and outlined the process moving forward based on the current application before Council.

2017-006

It was moved by Councillor Hoar and seconded by Councillor McEwen

THAT Council approve recommendation 1 of report item, "Zoning Bylaw Amendment for 796 Marine Drive" which states:

1. **THAT Council indicate support for a modified version of the requested site-specific zoning amendment for 796 Marine Drive to permit two**

Guest Cabins on the property, but with no additional Guest House use at this time.

CARRIED.

12. LEGISLATION

12.1 Five Year Financial Plan and Tax Rates Bylaws (Adoption)

Marlene Lagoa, Manager of Corporate Services

2017-007

It was moved by Councillor McEwen and seconded by Councillor Hoar THAT Council approve recommendation 1 & 2 of legislation item, "Five Year Financial Plan and Tax Rates Bylaws (Adoption) which states:

1. **THAT Council adopt the "District of Ucluelet 2019–2023 Financial Plan Bylaw No. 1245, 2019"; and**
2. **THAT Council adopt the "District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019".**

CARRIED.

12.2 Single-Use Plastics Bylaw - 2nd Reading

Marlene Lagoa, Manager of Corporate Services

- Marlene Lagoa, Manager of Corporate Services, presented an overview of the bylaw, highlights included:
 - Tofino and Ucluelet will be the first municipalities in BC to ban plastic straws.
 - Updated the bylaw to exempt Surfrider's reusable bags that are donated and made from reusable material.
 - Public comments on the bylaw will be received until early May.

2017-008

It was moved by Councillor Hoar and seconded by Councillor McEwen THAT Council approve recommendation 1 of legislation item, "Single-Use Plastics Bylaw - 2nd Reading" which states:

1. **THAT Council give second reading to the "District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019".**

CARRIED.

13. OTHER BUSINESS

13.1 There was no other business.

14. QUESTION PERIOD

14.1 **J. Gray, resident, wished to provide comments on the short-term rental report.**

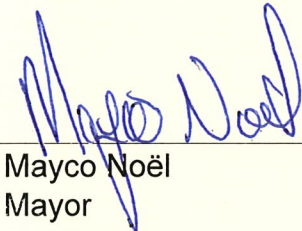
- **In regard to the Ridge development, originally the DP was issued for 6 buildings each having 12 units. One of those buildings was for residential only and the remaining 5**

- buildings had the option of nightly rentals or residential.
- Has income statements for nightly rentals at the Ridge which she will forward to Planning staff. The highest gross annual income was \$60,000, with the average between \$20,000 - \$40,000 per unit.
 - Also has income information on some units at the Black Rock Resort which she will forward to staff.
 - Ucluelet currently has 30 lots in Onni lands which are zoned VR-2 with no requirement to have an on-site full-time resident. Without the VR-2 bylaw amendment passing, those Onni properties will not require a full-time resident.

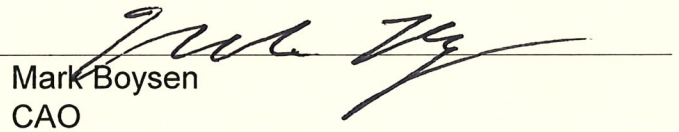
15. ADJOURNMENT

15.1 Mayor Noël adjourned the meeting at 5:53 pm.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, April 23, 2019 at 4:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.



Mayco Noël
Mayor



Mark Boysen
CAO