

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, March 17, 2020 at 3:30 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps (attending by phone), and McEwen
 Staff: Mark Boysen, Chief Administrative Officer
 Donna Monteith, Chief Financial Officer
 Bruce Greig, Manager of Community Planning
 John Towgood, Planner 1
 Joseph Rotenberg, Manager of Corporate Services
 Nicole Morin, Corporate / Planning Clerk

Regrets:

1. CALL TO ORDER

1.1 Mayor Noël called the meeting to order at 3:30 PM.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

Council acknowledged the Yuułuᑭᐢᑦᑭᐱᑦ First Nation, on whose traditional territories the District of Ucluelet operates.

3. NOTICE OF VIDEO RECORDING

Audience members and delegates were advised that this proceeding is being video recorded and broadcast on YouTube.

4. ADDITIONS TO AGENDA

4.1 Addition of Item No. 14.2, "Water Treatment Loan Authorization".

4.2 Addition of Item No. 13.5, "Council Meeting Scheduling".

4.3 Addition to the Agenda Item 14.1, "Lot 13 - Zoning Bylaw Amendment"

a. Replace recommendations 1 - 12 of Item 14.1 on pages 35 - 37 with recommendations 1 - 13 of "Lot 13 Marine Drive - Updated Recommendations" per Late Agenda 2.

b. Add Appendix F after page 190.

5. APPROVAL OF AGENDA

5.1 March 17, 2020 Regular Agenda

2020.035.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
THAT Council approve the March 17, 2020 Regular Agenda as amended.
CARRIED.

6. ADOPTION OF MINUTES

6.1 February 25, 2020 Regular Minutes

Council noted an error on page 8. Councillors Hoar and Cole did not attend the Mayor's Lunch.

2020.036.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**
THAT Council approve the February 25, 2020 Regular Minutes as amended.
CARRIED.

7. UNFINISHED BUSINESS

7.1 There was no unfinished business.

8. MAYOR'S ANNOUNCEMENTS

8.1 Mayor Noël spoke about COVID-19 and measures taken by the District to ensure the safety of residents and staff. He noted the closures of the District Office and the UCC to the public. He encouraged all citizens to practice social distancing, regular hand washing and safe coughing. He shared a message from Tourism Ucluelet which stated that their paid marketing has been suspended.

9. PUBLIC INPUT

9.1 There were no members of the public who wished to speak.

10. CORRESPONDENCE

10.1 \$10 a Day Child Care Plan - Response from the Minister
Honourable Katrina Chen, Minister of State for Child Care

10.2 UBCM Resolutions Process
Maja Tait, UBCM President & Claire Moglove, Chair, Resolutions Committee

10.3 Proposed Action - COVID 19
Jens Heyduck, Business Owner and Resident

11. INFORMATION ITEMS

11.1 There were no information items.

12. COUNCIL COMMITTEE REPORTS

12.1 Councillor Marilyn McEwen
Deputy Mayor January - March 2020

Councillor McEwen attended the following:

- Feb 25, Ucluelet Chamber AGM
- Feb 27, West Coast Stewardship Corridor Meeting
- Mar 1, Wild Pacific Trail Annual Retreat
- Mar 4, Wild Pacific Trail Meeting
- Mar 12, ~~Wild Pacific Trail~~ District of Ucluelet Special Budget Meeting

12.2 Councillor Lara Kemps
Deputy Mayor April - June 2020

Councillor Kemps attended the following:

- Feb 26, PAC Meeting
- Feb 27, Heartwood School
- Mar 3, Tourism Ucluelet Meeting
- Mar 7-10, BC Economic Development Association Conference

12.3 Councillor Jennifer Hoar
Deputy Mayor July - September 2020

Councillor Hoar attended the following:

- Feb 25, 100 Women Who Care
- Feb 27, West Coast Stewardship Corridor Meeting
- Mar 1, Wild Pacific Trail Annual Retreat
- Mar 4, Wild Pacific Trail Meeting
- Mar 11, Aquarium Board Meeting

12.4 Councillor Rachelle Cole
Deputy Mayor October - December 2020

Councillor Cole attended the following:

- Feb 25, 100 Women Who Care Event
- Feb 26, ACRD Meeting
- Feb 27, West Coast Stewardship Corridor Meeting
- ~~Mar 3, Tofino/Ucluelet AGM~~ Tourism Ucluelet Meeting
- Mar 4, West Coast Committee Meeting
- Mar 14, ACRD Meeting

12.5 Mayor Mayco Noël

The Mayor noted that he had attended a meeting with Yuułu?iŋ?ath Government early in the month, and was pleased and honoured to

receive their flag for display in the Council Chamber. He noted that there will be a celebration at an appropriate point in the future.

13. REPORTS

13.1 Five Year Financial Plan 2019 - 2023 Bylaw Variance Report - Q4 Donna Monteith, Chief Financial Officer

Donna Monteith, Chief Financial Officer, spoke to the report. She noted that the draft actuals for 2019 would be presented to the auditors this week, and the audit would be done remotely due to concerns associated with Covid-19.

Council questions & comments:

- In the revenue section, line item "Federal Provincial in Place of Taxes" what is the 54.43% of the budget? Ms. Monteith answered that this was due to Federal properties being reassessed, which resulted in lower actual revenue.
- Is the 277.39% Environmental Health expense variance related to Spring Clean Up? Ms. Monteith confirmed that it was, and that the event cost approximately \$25,000 in 2019.
- Council noted variances associated with cemetery expenses. Ms. Monteith confirmed that spending associated with the cemetery is under budget and explained that Staff has been discussing future projects, areas of focus and staff allocation.
- Council noted that the variance in Water Operations expenses. Ms. Monteith noted that the contingency fund was not accessed due to a lack of large water main breaks. These funds will remain in future reserve fund surplus for next year.

13.2 Quarterly Projects Update - Q4 2019 Mark Boysen, Chief Administrative Officer

Mark Boysen, Chief Administrative Officer, spoke to the report. He noted that this report provides a status update on District projects and the overall completion rate is 83%.

13.3 Cheque Listing - February 2020 Nicole Morin, Corporate / Planning Clerk

13.4 Resolution Tracking - February 2020 Nicole Morin, Corporate / Planning Clerk

13.5 Council Meeting Scheduling Joseph Rotenberg, Manager of Corporate Services

Joseph Rotenberg, Manager of Corporate Services spoke to this report.

He noted that this is an opportunity for Council to discuss how they would like to proceed with Council meetings moving forward considering COVID-19.

Council discussed the options in terms of attending by teleconference and noted that people who are ill should not attend meetings. They noted that quorum for meeting is three members. They discussed possibilities of amending the council procedure bylaw and the required timing and notice provisions that would need to be met.

Council noted that at this time it seems prudent to continue Council meetings while following the latest social distancing measures.

14. LEGISLATION

14.1 Lot 13 - Zoning Bylaw Amendment Bruce Greig, Manager of Community Planning

Bruce Greig, Manager of Community Planning, spoke to the report. He presented slides about the proposed development and associated bylaws and variances. He noted:

- This is a proposal for Lot 13 to be subdivided into 33 fee simple lots.
- The District's contributions of \$320,000 to the project to offset servicing costs.
- District contributions and associated cost savings achieved by the developer will be recognized through mortgages on the subject properties and an agreement with the BC Housing AHOP program.
- Lot 13's road would be District owned and maintained.
- 24 of the units would be for purchase and 9 for rental.
- The units with secondary suites, are located nearer to Marine Drive, and have been provisioned with an extra parking space at the front of the lot.
- Lot sizes range from 1850 square feet to 6500 square feet.
- There are covenants in place that provide for green space buffers.
- The proposed zoning amendment bylaw would create:
 - New R-5 zone, of compact, single-family dwellings.
 - Minimum lot size of 150 square metres.
 - 3 metre setbacks at the front and rear of the lot.
 - Updated definition of gross floor area, removing the exemption for garages. As a result garages will be included in the calculation of gross floor area.

Waiving Public Hearing

Council discussed the option to waive the public hearing for Lot 13 in light of the current COVID-19 situation and social distancing for public health & safety.

Council questions & comments:

- Can we take only written submissions? Mr. Greig noted it is not possible, as legislation requires the public to be able to speak at a public hearing, but that Council has the option to waive the public hearing.
- Can we waive the public hearing due to COVID-19, provide proper notice to the public and give public all the available information and time to give feedback? Mr. Greig confirmed that this is what staff is recommending.
- Can we hold an outdoor public hearing? Mr. Greig answered that given the COVID-19 social distancing recommendations residents may argue that they were too afraid to attend.

Residency Requirements/Employment Requirements for Potential Buyers in Affordable Home Ownership Agreement per proposed Bylaw No. 1270

Council discussed the terms of the affordable home ownership housing agreement which applies to the lots for sale under the Affordable Home Ownership Program (AHOP). The agreement requires the potential buyer:

- to have lived in the ACRD for a minimum of 24 months;
- to work full time for a minimum of 1 year on the west coast or be retired after living on the west coast for 5 of the the last 10 years;
- not to own other property; and
- to meet BC Housing AHOP income requirements.

The developer, Andrew McClane, requested that the residency requirement be shortened from 24 months to 6 months. Council noted that the catchment area is the entire west coast and they support the 24 month residency requirement.

Council questions & comments:

- Will the units be sold on a first come first serve basis and how many units does BC Housing require to be pre-sold? Mr. McClane, confirmed that they will be sold on a first come first serve basis and answered that BC Housing requires 10 units to be pre-sold.

Income Levels Per Rental Category in the Rental Housing Agreement per proposed Bylaw No. 1270

Council discussed the rental housing agreement which would apply to the affordable housing rental units. Mr. Grieg noted that to qualify renters must meet the residency, work/retirement and no other property ownership requirements outlined above and their gross family income may not exceed the following:

- \$35,000 to qualify for a 1-bedroom;
- \$45,000 to qualify for a 2-bedroom;
- \$62,000 to qualify for a 3-bedroom or larger unit.

He explained the rental housing agreement provides the three levels of income qualification as stepped approach and it is based on median income levels of which rent paid would total no more than 30 percent.

Mr. McClane requested that the rental housing agreement be changed so the maximum gross family income to qualify for a 2-bedroom unit is \$62,000 rather than \$45,000.

Council discussed this request and resolved to change the rental housing agreement so the maximum gross family income to qualify for a 2-bedroom unit is \$62,000 rather than \$45,000 (see resolution below).

Council recessed at 5:13 PM.

Council returned to session at 5:22 PM.

Number of Rental Units v. the Number of AHOP Housing Units

Mr. McClane requested that the number of rental units be increased from 9 to 11 and the number of AHOP housing ownership units for sale be decreased from 24 to 22.

Council discussed this request and resolved to increase the number of rental units to 11 and decrease the number of AHOP housing ownership units to 22 (see resolution below).

Location and Availability of Parking

Council discussed the location and availability of parking.

Council questions & comments:

- Council noted that the amount of parking might not be sufficient to deter on street parking. Mr. McClane, the developer/applicant, noted that in maximizing the size of the unit, the trade off was no space for on street parking.
- Council asked if the road would be paved? Mr. Greig answered that it would be paved.
- Council asked if there would be sidewalks? Mr. Greig answered that there would not be sidewalks.

Buffer Area to Marine Drive

Council discussed the area buffering Lot 13 to Marine Drive.

Council questions & comments:

- Council noted that they would like to see a fence and landscaping done on the buffer area to Marine Drive at the beginning of the project.
- Can we add a clause in terms of financial assurance? Mr. Greig noted that as part of the development permit process Council can require a landscape deposit to guarantee the developer completes the landscaping.

- 2020.037.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**
THAT Council directs staff to amend the rental housing agreement so the maximum gross family income to qualify to rent a 2-bedroom unit is \$62,000.
CARRIED.
- 2020.038.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
That Council directs staff to change the ratio of affordable housing ownership program and rentals to 22 units in the affordable housing ownership program and 11 rental units.
CARRIED.
- 2020.039.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
THAT Council approve recommendation 1 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:
1. THAT Council give first and second reading to Ucluelet Zoning Bylaw Amendment Bylaw No. 1269, 2020.
CARRIED.
- 2020.040.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council approve recommendation 2 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:
2. THAT Council give notice of its decision, under Section 464(2) of the Local Government Act, to waive the holding of a public hearing on Zoning Amendment Bylaw No. 1269, 2020, in response to community health concerns over the potential spread of the COVID-19 virus.
CARRIED.
- 2020.041.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council approve recommendation 3 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:
3. THAT staff be directed to:

- a. advertise, in conjunction with the notice of waiving a public hearing, a mechanism and a time period for community members to provide written comment to Council on this application; and,
- b. organize an online public information portal to provide all of the background material and details of the proposed affordable housing development, so that community members can access the information and inform themselves of the proposal during the advertised public comment period;

CARRIED.

2020.042.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**

THAT Council approve recommendation 4 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

- 4. *THAT Council give first, second and third reading to Ucluelet Housing Agreement Bylaw No. 1270, 2020.*

CARRIED.

2020.043.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

THAT Council approve recommendation 5 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

- 5. *THAT, subject to public input, Council indicate support for Development Variance Permit No. 3090-20-DVP20-02 which would vary the following:*

- a. *vary the Ucluelet Subdivision Control Bylaw No. 521, 1989, to allow development of a compact residential road and services within a 10m dedicated road right-of-way (instead of a 15m minimum road dedication) as proposed in the cross section by Park City Engineering Ltd. dated February 14, 2020; and,*
- b. *for proposed Lots 1, 2 and 5, vary section R-5.6.2 of District of Ucluelet Zoning Bylaw No. 1160, 2013, to permit access to a parking space to be located between the front face of the principal building and the adjacent road*

CARRIED.

2020.044.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

THAT Council approve recommendation 6 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

- 6. *THAT Council defer further consideration and giving notice for public input on the requested Development Variance Permit until a later date.*

CARRIED.

2020.045.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**

That Council approve recommendation 7 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

- 7. *THAT Council indicate that final approval of the Zoning Amendment Bylaw would be subject to the applicant providing a registerable copy of*

the "No Subdivision" Covenant executed by all owners and charge holders.

CARRIED.

2020.046.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**

That Council approve recommendation 8 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

8.THAT Council indicate that it is prepared to authorize the following, once the "No Subdivision Covenant" has been registered on the title of Lot 13:

- a.discharge of "No Build" covenant FB154873 currently registered on the title of Lot 13; and,*
- b.approval for the future modification of Master Development Agreement and Covenant EX125879, at the time the subdivision of Lot 13 is registered, to document that 33 affordable units have been created for future consideration and calculation of the development potential on other lands currently owned by Weyerhaeuser Company Ltd.*

CARRIED.

2020.047.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar**

That Council approve recommendation 9 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

9.THAT Council indicate support to consider the following at the time that more detailed plans and studies are provided by the developer when applying for a Development Permit for the proposed 33-lot subdivision:

- a.approval for the proposed greenspace buffer setback of 8m from the east property line of Lot 13 as it would apply to proposed lots 5 through 19, despite the terms of Restrictive Covenant FB154853 currently registered on title which stipulate a 10m greenspace buffer on that side, subject to submission of an acceptable replacement greenspace covenant with buffer specifications and maintenance restrictions for the future owners of the proposed lots; and,*
- b.approval to discharge Restrictive Covenant FB154877 from the title of Lot 13 which restricts development on site within the riparian areas defined next to streams "AB" and "AC", subject to submission of an acceptable rain water management plan for the quantity and quality of runoff discharged to the adjacent stream "1" from the proposed development on Lot 13.*

CARRIED.

2020.048.REGULAR **It was moved by Councillor Cole and seconded by Councillor McEwen**

That Council approve recommendation 10 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

10. THAT Council indicate the following additional information should be provided with a future Development Permit application for the proposed 33-lot subdivision:

- a. grading plans showing the existing and proposed site grades, limits of disturbance and proposed erosion protection measures during construction;
- b. runoff calculations and detailed drainage design, with review and recommendation by a Qualified Environmental Professional on measures for protection water quality and habitat downstream;
- c. servicing plans based on the site grading; and,
- d. detailed landscape plans for road frontages, pathways and park spaces, including tree protection measures and proposed relocation measures for the existing gazebo adjacent to Marine Drive in the vicinity of proposed lots 4 and 5.

CARRIED.

2020.049.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**

That Council approve recommendation 11 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

11. THAT Council indicate that it considers it to be in the public interest for the fencing and landscape screening along the Marine Drive frontage to be installed at the outset of the site servicing works for the proposed subdivision.

CARRIED.

2020.050.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

That Council approve recommendation 12 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

12. THAT Council approve funding in the amount of \$320,000.00 to support the servicing and infrastructure of the development to reduce the cost of units to qualifying households, subject to the following:

- a. the funds being released to the developer once the 33-lot subdivision has been registered; and,
- b. a mortgage charge being registered in favour of the District equal to \$14,545.45 in priority on the title of the 22 ownership lots, with the understanding that those mortgage charges will be discharged from each lot once an Occupancy Permit has been obtained for a dwelling unit on the lot.

CARRIED.

2020.051.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**

That Council approve recommendation 13 of report item, "Lot 13 - Zoning Bylaw Amendment" which states:

13. THAT Council authorize the District to enter into a Master Partnering Memorandum of Understanding for the development of Affordable Home

Ownership Program (AHOP) units in the District of Ucluelet with the British Columbia Housing Management Commission (BC Housing).

CARRIED.

14.2 Water Treatment Loan Authorization
Donna Monteith, Chief Financial Officer

Donna Monteith, Chief Financial Officer, spoke to this report, noting:

- that the water treatment upgrade project had been introduced at earlier Council meetings,
- staff have applied for grant funding from the Investing in Canadian Infrastructure Program (ICIP) for this project, and
- ICIP requires a Loan Authorization Bylaw (read three times) for at least the cost of the District's share of the project (\$2,560,320).

Council questions & comments

- When can we expect to find out if the grant is successful? Mr. Boysen, Chief Administrative Officer noted that 8-9 months is typical, but considering the COVID-19 situation the timeline is uncertain.

2020.052.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
THAT Council approve recommendation 1 of report item, "Water Treatment Loan Authorization" which states:
1. THAT District of Ucluelet Loan Authorization Bylaw No. 1268, 2020 be given first reading.

CARRIED.

2020.053.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
That Council approve recommendation 2 of report item, "Water Treatment Loan Authorization" which states:
2. THAT District of Ucluelet Loan Authorization Bylaw No. 1268, 2020 be given second reading.

CARRIED.

2020.054.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
That Council approve recommendation 3 of report item, "Water Treatment Loan Authorization" which states:
3. THAT District of Ucluelet Loan Authorization Bylaw No. 1268, 2020 be given third reading and referred to the Inspector of Municipalities for approval.

CARRIED.

15. OTHER BUSINESS

15.1 There was no other business.

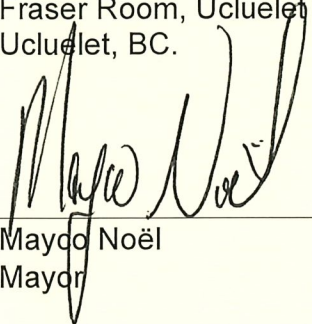
16. QUESTION PERIOD

16.1 There were no questions.


17. ADJOURNMENT

17.1 The meeting was adjourned at 6:20 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, March 17, 2020 at 3:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.



Mayo Noël
Mayor



Mark Boysen
CAO