

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, March 23, 2021 at 3:30 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen (All via Zoom)
 Staff: Donna Monteith, Chief Financial Officer, Acting CAO (Via Zoom)
 Bruce Greig, Manager of Community Planning (Via Zoom)
 Rick Geddes, Fire Chief (Via Zoom)
 Abby Fortune, Manager of Recreation and Tourism (Via Zoom)
 Joseph Rotenberg, Manager of Corporate Services
 Sharon Evans, Administration Clerk

Regrets:

1. CALL TO ORDER

The meeting was called to order at 3:30 PM.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

Council acknowledged the Yuułu?if?ath First Nation, on whose traditional territories the District of Ucluelet operates.

3. NOTICE OF VIDEO RECORDING

Audience members and delegates were advised that the proceeding was being broadcast on YouTube and Zoom, which may store data on foreign servers.

4. LATE ITEMS

4.1 Add Report Item "Seasonal Worker Housing - TUP for RV's Pilot" as Report Item 13.3.

4.2 Reorder the Agenda

The Mayor requested that the Legislation Items be dealt with after Item 8.2. and the remaining Agenda Items be renumbered accordingly.

5. APPROVAL OF AGENDA

5.1 March 23, 2021, Regular Council Meeting Agenda

2021.2101.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

THAT Council approve the March 23, 2021, Regular Council Meeting Agenda as amended.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. MAYOR'S ANNOUNCEMENTS

7.1 The Mayor reported that the Kennedy Hill construction closure will reopen at 6 PM.

8. PUBLIC INPUT & DELEGATIONS

8.1 Public Input

Public input via Zoom.

There was no public input via Zoom.

Public input via communityinput@ucluelet.ca

There was no public input via email.

8.2 Delegations

**Alex Lazarowich, Anne Francis and David Kerr, Frantic Films
Re: Filming the Ucluelet Episode of CBC's Still Standing**

Ms. Francis and Mr. Kerr presented this delegation which addressed the prospect of filming Still Standing in Ucluelet on April 18, 2021.

The delegates described the show, its impact on profiled communities and the show's COVID-19 protocols. They noted that they will not be shooting in Ucluelet unless they obtain the consent of Council and the health authority.

The delegates noted that there is a 50 person gathering involved in producing the show, but the shoot will not occur unless gatherings are allowed by the provincial authority. They noted that if they are unable to shoot in April, they plan to shoot in Ucluelet in July.

9. LEGISLATION

**9.1 Zoning Amendment: Lot 16 Marine Drive
*Bruce Greig, Manager of Community Planning***

Mr. Greig presented this report. He explained Lot 16's current zoning, the proposed zoning amendment bylaw and associated Section 219 Covenant. The proposed zoning amendment would allow for the development of:

- a 48 unit rental apartment building on the corner of Matterson Drive and Marine Drive;
- 6 R-1 Single Family lots on Marine Drive;
- 30 small Single Family residential lots; and
- 28 townhouse Multi-Family Residential units.

Mr. Greig addressed the recommended conditions to be satisfied as the property is subdivided and developed, which would be enforced through a Section 219 Covenant. He noted that one of those conditions is the connection of the Developer's new internal road to Victoria Drive. This road is not shown on the Developer's drawings.

Mr. Greig noted that water and sewer upgrades would be required for this development. He outlined those upgrades and how the District's Development Cost Charge program relates.

Mr. Greig outlined the community amenities that the Developer is offering. He explained that the proposed rental apartment building could be considered a community amenity given local demand. Mr. Greig also noted the recommendation that the proposed apartment building be subject to a housing agreement intended to limit its use to long-term rental. He also noted the park dedication offered by the Developer, a small residential lot provided by the Developer to the District of Ucluelet, and a \$1,000.00 financial contribution to the District by the developer per unit, times 112 units for a total cash contribution of \$112,000.

Mr. Greig outlined the proposed zoning areas in detail.

Nigel Gray, the applicant's agent, outlined the developers request that the bylaw be amended to:

1. increase the maximum height of the apartment building to 16 meters; and
2. allow Bed and Breakfast use in the R-6 zone (the small residential lots) proposed for this development.

Mr. Gray summarized the input received at a public information session held by the Developer in December of 2018.

Council discussed the importance of introducing various housing options to the market and noted that this development would support that goal.

Council discussed the amendment related to the height of the rental apartment building. Concerns regarding granting the height-related amendment before Council has the opportunity to review architectural plans for the rental apartment building were raised.

Council also noted the water and sewer upgrades required for this development.

In response to questions about the need for fire equipment related to the construction of a four-story apartment building, Chief Geddes, noted that the District might wish to consider purchasing an aerial apparatus fire truck (ladder truck) if the building is constructed.

Council debated the amendment related to allowing short-term rentals (Bed and Breakfast use) in the R-6 Zone.

2021.2102.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

THAT Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 (“Lot 16”) introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020.

CARRIED.

2021.2103.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

THAT Council amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020, by inserting under text amendment C the following into the new text for the site specific Other Regulations under R-3.8.1(1):

"c.) the maximum height is 16m (52 ft);"

CARRIED.

2021.2104.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

THAT Council further amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2020, by inserting under text amendment C the following into the new text for the site specific Other Regulations under R-3.8.1(1):

"c.) the maximum height is 16m (52 ft);" and,

Unless first approved by the District Council upon submission of detailed architectural plans.

Council noted that the first three adopted resolutions moved by Councillor Hoar referenced "...Zoning Amendment Bylaw No. 1284, 2020" when the subject bylaw is actually named "...Zoning Amendment Bylaw No. 1284, 2021."

- 2021.2105.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council, with regard to the proposed development of Lot 16 District Lot 281 Clayoquot District Plan VIP76214 Except part in plans VIP80735, VIP83067 and VIP86140 (“Lot 16”) introduce and give first reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.
 CARRIED.
- 2021.2106.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
*THAT Council amend District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, by inserting under text amendment C the following into the new text for the site specific Other Regulations under R-3.8.1(1):
 "c.) the maximum height is 16m (52 ft);"*
 CARRIED.
- 2021.2107.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council give second reading to District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, as amended.
 CARRIED.
- 2021.2108.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
THAT Council direct Staff to give notice of public hearing for the District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021.
 CARRIED.
- 2021.2109.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT Council Indicate to the applicant and the public that adoption of District of Ucluelet Zoning Amendment Bylaw No. 1284, 2021, would be subject to registration of a Section 219 restrictive covenant on the title of the subject property to ensure, as a matter of public interest, that the following conditions and offers be satisfied as the property is subdivided and developed:
- a. construction and development of the rental apartment building on proposed Lot ‘A’ (the “Apartment site”) be in the first phase of the development;*
 - b. dedication of a 10m wide park greenbelt along the eastern (Victoria Drive side) boundary of the property, as proposed;*
 - c. dedication of a park area of approximately 1,300m² on the western (Marine Drive) side of the property, as proposed;*
 - d. registration of a greenspace covenant on a 10m wide strip along the Marine Drive frontage of the subject property to retain vegetation and preclude driveway access along this road corridor, as proposed;*
 - e. extension of the proposed new road to connect to Victoria Drive in the general location as shown in Figure 7 of the staff report;*

- f. vehicle access to the proposed Lot 'B' ("Townhouse site") be from the new internal road only;
- g. the proposed amenity contributions of \$1,000 per multi-family unit or single-family lot be payable prior to approval of a subdivision plan creating the corresponding development parcels;
- h. the proposed transfer of ownership of one small serviced residential lot to the District at the time of subdivision approval;
- i. registration of the Housing Agreement on the title of proposed Lot 'A' (the "Apartment site") at the time of subdivision approval to ensure that the apartments are rental tenure only and will not be subject to strata conversion; and
- j. despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans.

CARRIED.

It was clarified by Council and Councillor Hoar that when the following motion was adopted:

"THAT Council amend the draft Bylaw No. 1284, 2021, by adding the following restrictive covenant:

j.) despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans."

Council intended to add the following term to a 219 Restrictive Covenant registered against the title of Lot 16 rather than to amend Bylaw No. 1284, 2021 further:

"j.) despite the zoning of proposed Lot 'A', the maximum building height be limited to 11m (3 storeys) unless first approved by the District Council upon submission of detailed architectural plans."

2021.2110.REGULAR **It was moved by Mayor Noël and seconded by Councillor McEwen**

THAT Council amend the draft Bylaw No. 1284, 2021, by inserting (under text amendment B) Bed and Breakfast into the list of permitted secondary uses in the new R-6 zone under R-6.1.(2) specific to the area of Lot 16 Marine Drive as shown in Appendix B to the staff report of March 23, 2021.

DEFEATED.

2021.2111.REGULAR **It was moved by Mayor Noël and seconded by Councillor McEwen**

THAT Council take a five minute break.

CARRIED.

9.2 Public Hearing on Bylaw Nos. 1281, 1282 and DVP20-06 for "The Lodge & Staff Housing" Properties in the Reef Point area and Discussion of Timing for "The Cabins".

Bruce Greig, Manager of Community Planning

Council recessed at 5:00 PM and returned to the session at 5:08 PM.

Mr. Greig presented this report and noted the responses to District inquiries from the British Columbia Archeology Branch and the Yuułu?if?ath Government shown in the report.

Mr. Greig explained that Development Variance Permit DVP 20-06 has been updated to only include variances related to the Lodge Property (330 Reef Point Rd). He noted that the Public Hearing scheduled for April 8th would focus on Official Community Plan Bylaw No. 1281, 2020, and Ucluelet Zoning Amendment Bylaw No. 1282, 2020, which apply to the properties at 316 and 330 Reef Point Rd. He also noted that this public hearing would be an opportunity to receive public input on the modified version of Development Variance Permit DVP20-06, which applies to 330 Reef Point Rd. Staff will bring forward the variances and Development Permit for the Cabins Property at a later date.

Council discussed the importance of having in-person attendance at public hearings.

Staff noted that due to COVID-19, the Province does not currently permit public in-person attendance at Council meetings. Staff also outlined the reasons for not allowing public in-person attendance at public hearings at this time.

9.3 Covenant Modification - 858 Barkley Place ***John Towgood, Planner 1***

Bruce Greig, Manager of Community Planning, presented this report and noted that the property owner requested this covenant.

2021.2112.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

THAT Council authorize the discharge of the Section 219 Restrictive Covenant EJ96930 registered on Lot 30, Section 1, Barclay District (situated in Clayoquot District), Plan VIP61995 (858 Barkley Place) and replace it with a new Section 219 covenant based on the January 22, 2021, Geotechnical Report by Lewkowich Engineering and Associates Ltd.

CARRIED.

9.4 Water and Sewer Parcel Tax - Adoption ***Joseph Rotenberg, Manager of Corporate Services***

2021.2113.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**

THAT Council adopt Sewer Parcel Tax Bylaw No. 1285, 2021.

CARRIED.

2021.2114.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemp**

THAT Council adopt Water Parcel Tax Bylaw No. 1286, 2021.

CARRIED.

10. CORRESPONDENCE

10.1 Request for Support for Delivering Community Power
Jan Simpson, National President, Canadian Union of Postal Workers

10.2 Letter of Support Request
Pac Rim Home Development Cooperative

Council discussed providing a letter of support. They noted the importance of developing staff housing in the community but concerns were raised about not fully understanding Pacific Rim Home Development Cooperative's grant application.

Randy Oliwa, President of Pac Rim Home Development Cooperative, spoke to the letter of support request.

2021.2115.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar**
THAT Council Direct Staff to draft a letter of support for the concept of affordable Staff housing in the District of Ucluelet.

2021.2116.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar**
THAT the motion be amended for the letter to reference the grant funder.

CARRIED.

2021.2117.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar**
THAT Council direct Staff to draft a letter of support for the concept of affordable staff housing in the District of Ucluelet and Pac Rim Home Development Cooperative's application to the Federation of Canadian Municipalities' (FCM) Green Fund (GMF) grant - the Sustainable Affordable Housing Planning Grant.

CARRIED.

11. INFORMATION ITEMS

11.1 Support for 988 Crisis Line
Christine Fraser, Mayor, Township of Spallumcheen

2021.2118.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**
THAT Council direct Staff to write a letter of support for the Township of Spallumcheen's resolution regarding the 988 Crisis Line.

CARRIED.

11.2 Raise Disability and Income Assistance to a Livable Rate
Kelly Kenney, Corporate Officer, City of Langley

2021.2119.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
THAT Council direct Staff to write a letter of support for the City of Langley's resolution regarding raising disability and income assistance to a livable rate.

CARRIED.

12. COUNCIL COMMITTEE REPORTS

12.1 Councillor Marilyn McEwen
Deputy Mayor January - March 2021

- March 18 - Attended the District of Ucluelet Special Council Budget Meeting.
- March 24 - Attended the Tourism Ucluelet Annual General Meeting.
- March 27 - Will attend the Vancouver Island Regional Library Board Meeting.

12.2 Councillor Lara Kemps
Deputy Mayor April - June 2021

- March 18 - Attended the District of Ucluelet Special Council Budget Meeting.
- March 22 and 23 - Attended a Crisis Communication Workshop hosted by Tourism Ucluelet.

12.3 Councillor Jennifer Hoar
Deputy Mayor July - September 2021

- March 18 - Attended the District of Ucluelet Special Council Budget Meeting.

12.4 Councillor Rachelle Cole
Deputy Mayor October - December 2021

- March 10 - Attended ACRD Committee of the Whole.
- March 11 - Attended the Healthy Communities Forum.
- March 15 and 19 - Participated in the poverty reduction working group.
- March 17 - Attended Ucluelet Emergency Network meeting.
- March 22 and 23 - Attended a Crisis Communication Workshop hosted by Tourism Ucluelet.

12.5 Mayor Mayco Noël

- March 22 and 23 - Attended a Crisis Communication Workshop hosted by Tourism Ucluelet.

13. REPORTS

13.1 Update - Bylaw Enforcement Policy & Priorities *Bruce Greig, Manager of Community Planning*

Mr. Greig presented this report about the proposed Bylaw Enforcement Policy. He noted the policy sets enforcement priorities and identifies matters that are actively monitored.

Mr. Greig, presented a graph that shows the breakdown of bylaw complaints over the summer of 2020. He noted the top four most frequently reported complaints were related to illegal camping, public drinking, COVID-19 issues, and beach related issues such as noise.

Council noted a number of differences between the current policy and the proposed proposed.

2021.2120.REGULAR **It was moved by Mayor Noël and seconded by Councillor Cole**

THAT the Bylaw Enforcement Policy be brought back to for Council to consider as unfinished business at the next Regular Council Meeting.

CARRIED.

13.2 Short-Term Rental Monitoring Program - Update *Bruce Greig, Manager of Community Planning*

Mr. Greig provided an update on the District's short-term rental monitoring program. He noted that there are currently 185 active short-term accommodation listings but, due to COVID-19, this number may underrepresent the total number of short-term accommodations in Ucluelet.

The report shows that there were some businesses that were unable to comply with the business license provisions and therefore will not receive a business license.

Mr. Greig noted that Staff have had difficulty ensuring that a permanent resident is in attendance at the short-term rental properties.

2021.2121.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar**

THAT Council receives this Short-Term Rental Program update report for information.

CARRIED.

13.3 Seasonal Worker Housing - TUP for RV's Pilot *Bruce Greig, Manager of Community Planning*

Mr. Greig explained the proposed Seasonal Worker Housing Temporary Use Permit (TUP) Pilot Project, associated timelines and procedural requirements. This Project responds to the lack of seasonal housing for workers which was identified as an issue by the COVID-19 Task Force.

The proposed Pilot Project allows for a streamlined application process for Temporary Use Permits for RVs on private property to be used for staff housing. Application deadlines and requirements will be enforced strictly and the Chamber of Commerce will assist with communicating this Project.

Council discussed the need for temporary seasonal housing for workers and the importance, in this situation, of waiving the TUP notification fees.

2021.2122.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

1. THAT Council indicate that there is support for staff to focus time on a pilot project for a batch TUP intake for businesses and/or property owners looking to house a seasonal worker for this summer; and

2. THAT Council waive collection of the notification portion of the individual TUP application fee, since any applications moving forward through the batch pilot project would be advertised in a single joint notice.

CARRIED.

13.4 Filming the Ucluelet Episode of CBC's Still Standing (Verbal Report)

Abby Fortune, Manager of Recreation & Tourism

Ms. Fortune outlined the regulations related to filming in Ucluelet and noted that the District would require local health authority approval before issuing a filming permit.

Council noted Still Standing's COVID-19 protocols and discussed the show's casting procedures.

2021.2123.REGULAR **It was moved by Councillor Cole and seconded by Councillor Hoar**

THAT when the public health orders allow, the District of Ucluelet supports the shooting of Still Standing in Ucluelet.

CARRIED.

14. OTHER BUSINESS

There was no other business.

15. QUESTION PERIOD

15.1 Questions via Zoom.

There were no questions via Zoom.

15.2 Questions via communityinput@ucluelet.ca.

There were no questions via email.

16. CLOSED SESSION

16.1 Procedural motion go move in-camera.

2021.2124.REGULAR **It was moved by Mayor Noël and seconded by Councillor McEwen**
THAT the meeting be closed to the public pursuant to sections 90(1)(c) and (e) of the Community Charter to discuss matters relating to:

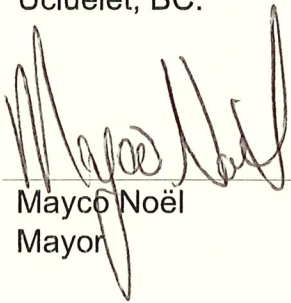
1. *labour relations or other employee relations; and,*
2. *the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.*

CARRIED.

17. ADJOURNMENT

The meeting was adjourned at 7:50 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, March 23, 2021 at 3:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.



Mayco Noël
Mayor



Joseph Rotenberg
Corporate Officer