

**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE**  
**Tuesday, May 9, 2023 at 4:00 PM**

Present:     **Chair:**       Mayor McEwen  
              **Council:**   Councillors Anderson, Hoar, Kennington, and Maftai  
              **Staff:**       Duane Lawrence, Chief Administrative Officer  
                          Bruce Greig, Director of Community Planning  
                          Abby Fortune, Director of Parks and Recreation  
                          James MacIntosh, Director of Engineering Services  
                          Joseph Rotenberg, Manager of Corporate Services  
                          John Towgood, Municipal Planner  
                          Monica Whitney-Brown, Planning Assistant

Regrets:

**1. CALL TO ORDER**

The meeting was called to order at 4:01 PM.

**1.1 ACKNOWLEDGEMENT OF THE YUULU?I?ATH**

Council acknowledged the Yuulu?i?ath, on whose traditional territories the District of Ucluelet operates.

**1.2 NOTICE OF VIDEO RECORDING**

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

**2. LATE ITEMS**

**2.1 1. April 25, 2023, Regular Council Minutes**

**2.2 2. Appendix A to Agenda Item 7.6 (Report No: 23-63)**

2023.2135.REGULAR   *It was moved and seconded **THAT** the May 9, 2023, Regular Council Meeting Agenda be amended by adding:*

- 1. late item "1. April 25, 2023, Regular Council Minutes", under item "4. Adoption of Minutes"; and,*
- 2. late item "2. Appendix A to Agenda Item 7.6 (Report No: 23-63)", as an appendix to the report under item 7.6 SD23-02 Strata Conversion of a Previously Occupied Building, 1015 Peninsula Road.*

CARRIED.

**3. APPROVAL OF THE AGENDA**

**3.1 May 9, 2023, Regular Council Meeting Agenda**

2023.2136.REGULAR *It was moved and seconded **THAT** the May 9, 2023, Regular Council Meeting Agenda be approved as amended.*

CARRIED.

#### 4. **ADOPTION OF MINUTES**

##### 4.1 **April 25, 2023, Regular Minutes**

2023.2137.REGULAR *It was moved and seconded that the April 25, 2023, Regular Meeting Minutes be adopted as presented.*

CARRIED.

#### 5. **UNFINISHED BUSINESS**

There was no unfinished business.

#### 6. **BYLAWS**

##### 6.1 **Five-Year Financial Plan and Tax Rates Bylaws - Adoption** *Joseph Rotenberg, Manager of Corporate Services*

Mr. Rotenberg presented this report.

2023.2138.REGULAR *It was moved and seconded **THAT** Council adopt District of Ucluelet 2023 – 2027 Financial Plan Bylaw No. 1329, 2023.*

CARRIED.

2023.2139.REGULAR *It was moved and seconded **THAT** Council adopt District of Ucluelet Annual Tax Rates Bylaw No. 1330, 2023.*

CARRIED.

##### 6.2 **Rezoning Application 828 Odyssey Lane** *John Towgood, Municipal Planner*

This report was presented by Bruce Greig, Director of Community Planning. In addition to reviewing the report Mr. Greig noted that the applicant is seeking a zoning amendment to allow the secondary suite to be used as a staff accommodation for the guest house. This would allow the single family dwelling on the property to be used by the owner.

Mr. Greig responded to Council questions related to the the zoning requirement for a permanent present resident in the Guest House Zone. He clarified that the zoning does not require the resident to be the property or guest house business owner.

Council discussed the original intent of this zone. Council further discussed the overall value of this zoning to the community and the potential for income derived from boutique accommodations like the one at 828 Odyssey Lane to flow out of the community.

The Applicant, Rubin Dias, provided background information related to the construction of the suite, business operations, positive reviews, employees, his residency, employee residency at the property, the property's tax designation and tax liability. Mr. Dias advocated for Council to proceed with the zoning amendment as presented in the staff report.

Mr. Dias further noted that the property has received positive reviews and will draw visitors and influencers to the District of Ucluelet. In response to Council questions, Mr. Dias noted that the secondary suite would not be used if the zoning amendment was not adopted.

Mr. Greig responded to Council questions related to the lack of an amenity contribution offered with the rezoning application. Mr. Greig clarified that the proposed zoning amendment would create a staff housing unit and the guest suites are not permitted to be used as long-term residences.

Council discussed the proposed bylaw and alternative options outlined in the report. They:

- noted the Official Community Plan encourages the creation of Staff housing for commercial operations;
- raised concerns with rezoning properties to bring buildings into compliance after they are built; and
- questioned whether the rezoning would create additional staff housing.

Council made a motion to reject the application and discussed the following:

- the intention of Council when this zoning was adopted, which may have been to create a supplemental income source;
- the subject property is essentially a small hotel, which complies with the Guest House zoning and is a commercial enterprise;
- concerns with rezoning properties to bring buildings into compliance after they are built;
- the precedent this rezoning would set;
- potential for income derived from this commercial enterprise to flow out of the community;
- challenges with meeting the current and additional visitor demands;
- the hope that the residents of the single family dwelling on the property contribute directly to the community; and
- concerns with lands in Ucluelet becoming investment vehicles with limited community benefit.

2023.2140.REGULAR *It was moved and seconded **THAT** Council reject the application.*  
CARRIED.

2023.2141.REGULAR *It was moved and seconded **THAT** Council direct Staff to prepare a zoning amendment bylaw to reduce the commercial tourist accommodation accessory uses permitted in the Guest House zone to a level more appropriate for residential properties, for further discussion and consideration.*  
DEFEATED.

2023.2142.REGULAR *It was moved and seconded **THAT** Council direct Staff to provide a follow-up report on:*  

- *allowed uses in the Guest House Zone;*
- *allowed number of units; and*
- *the residency requirement.*

CARRIED.

2023.2143.REGULAR *It was moved and seconded **THAT** this meeting be recessed for five minutes.*  
CARRIED.

The meeting was recessed at 4:57 PM and reconvened at 5:05 PM.

## 7. REPORTS

### 7.1 **Parking Concerns at 1624 Bay Street** **James MacIntosh, Director of Engineering Services**

Mr. MacIntosh presented this report and provided background on the resolution adopted on December 14, 2021, referenced in the report.

Council discussed potential alternate speed mitigation methods at the proposed crosswalk location.

2023.2144.REGULAR *It was moved and seconded **THAT** Council rescind the Council resolution adopted on December 14, 2021 "That Council direct staff to relocate the pedestrian pathway and cross walk currently located on the west side of Bay Street to the east side of Bay Street".*  
CARRIED.

2023.2145.REGULAR *It was moved and seconded **THAT** Council authorize the installation of a speed-reducing raised crosswalk on Bay Street at the entrance of the Edna Bachelor Park.*  
CARRIED.

### 7.2 **Sanitary Lift Station Bypass Contract** **James MacIntosh, Director of Engineering Services**

Mr. MacIntosh presented this report and provided background on the District's sanitary lift stations and the state of the station on Victoria Road.

Mr. MacIntosh responded to Council questions related to:

- the steps required to bring the Victoria Road lift station back online;
- elements of the proposed bypass that could be repurposed in the future; and
- other lift stations in need of improvement.

2023.2146.REGULAR *It was moved and seconded **THAT** Council authorize the Mayor and Corporate Officer to execute a contract for \$156,809 plus G.S.T. between the District of Ucluelet and Ridgeline Mechanical Ltd. to complete the Victoria Road Lift Station bypass installation.*

CARRIED.

### **7.3 Responsible Conduct Policy**

***Duane Lawrence, Chief Administrative Officer***

Mr. Lawrence presented this report and noted changes made to the Responsible Conduct Policy since it was last presented at a Committee-of-the-Whole Meeting.

2023.2147.REGULAR *It was moved and seconded **THAT** Council adopt the Responsible Conduct Policy (Policy No. 1-0530-1) as presented in Staff Report No. 23-64.*

CARRIED.

### **7.4 Food Bank on the Edge Support Request**

***Duane Lawrence, Chief Administrative Officer***

Mr. Lawrence presented this report.

Council discussed the options presented in the report and concerns with providing funding to organizations upon request outside the budget process. Council noted the projects like this are of significant community benefit as they fill a critical need.

Mayco Noël, Food Bank on the Edge Society representative, requested that Council adopt a motion to expedite and prioritize the building permit review process for this project.

2023.2148.REGULAR *It was moved and seconded **THAT** Council authorize the development of a lease agreement for a portion of the lands commonly referred to as Tugwell Fields between the District of Ucluelet and the Food Bank on the Edge Society for the future location of the Food Bank building.*

CARRIED.

2023.2149.REGULAR *It was moved and seconded **THAT** Council authorize the allocation of \$150,000 to the Food Bank on the Edge Society for the Food Bank building project.*

CARRIED.

2023.2150.REGULAR *It was moved and seconded **THAT** Council direct staff to amend the 2023 to 2027 Five-Year Financial Plan to reflect an allocation of \$150,000 to the Food Bank on the Edge Society*

CARRIED.

**7.5 Options for Mobile Vending Regulations**  
**Monica Whitney-Brown, Planning Assistant**

Ms. Whitney-Brown presented this report. She outlined challenges with the current licensing requirements for mobile vending.

In response to Council questions, Bruce Greig, Director of Community Planning, clarified that the proposed report, draft policies and bylaws would be presented in the fall or winter.

2023.2151.REGULAR *It was moved and seconded **THAT** Council direct staff to prioritize developing a Mobile Vending Policy and reviewing the zoning options for future mobile vending uses ahead of processing individual mobile vendor applications.*

CARRIED.

2023.2152.REGULAR *It was moved and seconded **THAT** Council direct staff to draft bylaw and policy changes for improving the regulation and permitting of mobile vendors in the District of Ucluelet, for discussion at a Committee-of-the-Whole meeting (in Fall of 2023 or later).*

CARRIED.

2023.2153.REGULAR *It was moved and seconded **THAT** Council direct staff to explore options for locating food trucks on public lands in Ucluelet for discussion at a Committee-of-the-Whole meeting (in Fall of 2023 or later).*

CARRIED.

**7.6 SD 23-02 Strata Conversion of a Previously Occupied Building, 1015 Peninsula Road**  
**Monica Whitney-Brown, Planning Assistant**

Ms. Whitney-Brown presented this report.

The Applicant, Alex Paquin of 1015 Peninsula Road, advocated for the conversion.

2023.2154.REGULAR *It was moved and seconded **THAT** Council approve the strata conversion of the previously occupied office building located at 1015 Peninsula Road.*

CARRIED.

**8. NOTICE OF MOTION**

There were no notices of motion.

**9. CORRESPONDENCE**

**9.1 Village Green and Fraser Lane**  
*Patricia Sieber, Resident*

Duane Lawrence, Chief Administrative Officer, responded to Council questions related to the width of Imperial Lane in front of the Village Green. Each lane is three and a half meters wide, which meets the road specifications. Phase two of this project will be to connect the Village Green Park to the water front. This phase is unfunded and has not been discussed recently by Council. Mr. Lawrence also responded to Council questions related to truck traffic in the area.

**9.2 Simple Language Update to Boost Climate Awareness & Drive Immediate Action**  
*Edgar Dearden, GNAR Sustainable Home Design*

**10. INFORMATION ITEMS**

**10.1 Stronger BC: Future Ready Action Plan**  
*Honourable Selina Robison, Minister of Post-Secondary Education and Future Skills*

**10.2 Cathy Peters update - Child Sex Trafficking in BC and How to Stop it**  
*Cathy Peters, BC Anti Human Trafficking Educator, Speaker, advocate*

**10.3 2023 AVICC AGM & Convention Update - Resolutions Disposition Available**  
*Theresa Dennison, Association of Vancouver Island and Coastal Communities*

**11. MAYOR'S ANNOUNCEMENTS AND COUNCIL COMMITTEE REPORTS**

**11.1 Councillor Shawn Anderson**  
*Deputy Mayor, April 1 - June 30, 2023*

**11.2 Councillor Jennifer Hoar**  
*Deputy Mayor, January 1 - March 31, 2023*

Councillor Hoar noted the following upcoming events:

- May 13 - Ucluelet and Area Historical Society annual plant sale at the Ucluelet Recreation Hall; and,
- May 13 - Jennifer Clark's memorial service at the Ucluelet Community Centre.

**11.3 Councillor Ian Kennington**

***Deputy Mayor, July 1 - September 30, 2023***

**11.4 Councillor Mark Maftei**

***Deputy Mayor, October 1 - December 31, 2023***

**11.5 Mayor Marilyn McEwen**

Mayor McEwen attended the following events:

- April 26 - Tourism Ucluelet Board Meeting where Grants in Aid were awarded to the Pacific Rim Whale Festival Society, Redd Fish Restoration Society, and the Pacific Rim Trail Society. The Board also decided to fund a documentary about wolves on a nearby island.
- April 26 - Alberni-Clayoquot Regional District Board Meeting where the Ministry of Transportation and Infrastructure provided a presentation about the Kennedy Hill Safety Improvements construction project, the contract for construction of the Bike Path Connector project was awarded, and the South Longbeach OCP was adopted.
- April 27 - Met with representatives from Weyerhaeuser about the Forbes Road connector.
- April 27 - Met with representatives from the Yuułu?if?ath Government regarding future growth plans and associated water needs.
- May 2 and 3 - Attended the Alberni-Clayoquot Regional District Board strategic planning sessions.
- May 8 - Met with the Mayor of Rossland, Andy Morel, to discuss resort municipality issues.

The Mayor plans to attend the Barkley Community Forest and Alberni-Clayoquot Regional District Board meetings on May 10th.

**12. QUESTION PERIOD**

There were no questions,.

**13. CLOSED SESSION**

**13.1 Procedural Motion to Move In-Camera**

2023.2155.REGULAR *It was moved and seconded **THAT** the meeting be closed to the public in order to address agenda items under Section 90(1)(a) of the Community Charter related:*

- *personal information about an identifiable individual who is being considered for a position appointed by the municipality.*

**CARRIED.**

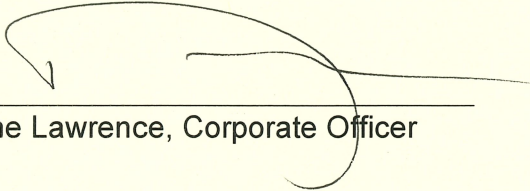
The meeting was closed to the public at 6:24 PM and returned to open session at 6:35 PM.



**14. ADJOURNMENT**

The meeting returned to open session and was adjourned at 6:35 PM.

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday, May 9, 2023 at 4:00 pm in the Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.



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Duane Lawrence, Corporate Officer



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Marilyn McEwen, Mayor