

**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE**  
**Thursday, December 7, 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  
                             Rick Geddes, Fire Chief  
                             Markus McRurie, Deputy Fire Chief

Regrets:

**1. CALL TO ORDER**

The meeting was called to order at 4:00 PM.

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

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

**1.2 NOTICE OF VIDEO RECORDING**

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

**1.3 DEPUTY CHIEF McRURIE, APPOINTMENT AS LOCAL ASSISTANT TO THE FIRE COMMISSIONER**

Fire Chief Geddes outlined the Assistant to the Fire Commissioner's responsibilities. The Mayor and Fire Chief Geddes presented the Assistant Fire Commissioner badge to Deputy Chief McRurie.

**2. LATE ITEMS**

**2.1 Consultant Contract Authorization for Development Cost Charges Program Review and Update**

*James MacIntosh, Director of Engineering Services*

**2.2 October and November 2023 Monthly Ucluelet Detachment Policing Reports**

The Mayor noted the late items.

### 3. APPROVAL OF THE AGENDA

#### 3.1 December 7, 2023, Regular Meeting Agenda

- 2023.2304.REGULAR *It was moved and seconded **THAT** the late item titled "October and November 2023 Monthly Ucluelet Detachment Policing Reports" be added to the agenda under the delegation by Sergeant Jones and the staff report titled "Consultant Contract Authorization for Development Cost Charges Program Review and Update" be added to the agenda as report Item "6.2".*  
CARRIED.
- 2023.2305.REGULAR *It was moved and seconded **THAT** the agenda be reordered to move the report item titled "221 Minato Road - Park Dedication, Licence of Occupation and Covenant Amendment" to report item 6.6 and renumber the agenda accordingly.*  
CARRIED.
- 2023.2306.REGULAR *It was moved and seconded **THAT** the December 7, 2023, Regular Council meeting agenda be approved as amended.*  
CARRIED.
- 2023.2307.REGULAR *It was moved and seconded **THAT** section 8.3 of the Council Procedure Bylaw be temporarily suspended to allow three delegation at this meeting.*  
CARRIED.

### 4. PUBLIC INPUT & DELEGATIONS

#### 4.1 Delegations

**Sgt. Marc Jones, Ucluelet RCMP Detachment**  
**Re: Quarterly Update**

Sergeant Jones provided an update on Ucluelet RCMP activities. He noted that the overall number of RCMP files at the local detachment is down but there have been an increase in mental health related files.

**Paul Rosenau, EKISTICS Town Planning Inc.**  
**Re: LT543 Helen Road - Introduction to Project**

EKISTICS presented their concept for a development on Hyphocus Island.

The presentation addressed the topography, history, and ecology of the development site as well as archeological work conducted to date. It also outlined implications of the Zoning and Official Community Plan Bylaws on the site and introduced the conceptual design for the site which includes diverse housing types (including attainable and affordable housing), an integrated

trail system, and a boutique hotel. The delegate also noted proposed infrastructure upgrades including upgrades to the sewage treatment facility intended to address odor issues.

In response to Council questions, the delegate noted that the conceptual plan includes approximately 300-350 units. Approximately 150 of these units would be apartments, approximately 100 units would be townhouses, and the remainder would be single family homes which vary in size. The delegate also outlined strategies being considered to meet the 75% affordability index set by the Official Community Plan.

**Denise Stys-Norman, Tourism Ucluelet**  
**RE: 2024 Tactical Plan Overview**

Tourism Ucluelet (TU) presented their 2024 Tactical Plan. The delegate outlined TU's governance model, the organizations mandate/purpose statement, challenges and achievements from 2023, next steps for the organization including their five focus areas, and TU's 2024 goals. The delegate noted that TU's Executive Director is stepping down so, 4VI will be supporting TU on an interim basis.

**5. UNFINISHED BUSINESS**

There was no unfinished business.

**6. REPORTS**

**6.1 Peninsula Road Construction Contract Authorization**  
***James MacIntosh, Director of Engineering Services***

Mr. MacIntosh presented this report.

In response to Council questions Staff:

- clarified that phase one of the project includes above ground and below ground improvements along Peninsula Road between Bay Street and Seaplane Base Road and grant funding is only available for the above ground improvements;
- noted the below ground improvements are necessary because the storm water system in this area has failed;
- outlined strategies for decreasing the cost of disposing of contaminated soils in the project area which presents an unanticipated liability with a value that could be as high as \$800,000; and
- and funding sources for addressing this risk.

Staff further noted that the grant funding cannot be transferred to the below ground works or be used to dispose of the contaminated soils. Staff also outlined challenges associated with differing the contract reward.

Council discussed the risk of awarding the contract given uncertainty associated with the cost of disposing of the contaminated soil.

2023.2308.REGULAR *It was moved and seconded **THAT** Council authorize the Mayor and Corporate Officer to execute a \$2,698,533, plus G.S.T. contract to Hazelwood Construction Services for the construction of the Peninsula Road Safety and Revitalization Project.*

CARRIED.

## **6.2 Consultant Contract Authorization for Development Cost Charges Program Review and Update** **James MacIntosh, Director of Engineering Services**

Mr. MacIntosh presented this report.

2023.2309.REGULAR *It is was moved and seconded **THAT** Council authorize the Corporate Officer to execute an up to \$90,000 plus G.S.T. contract to Urban Systems Ltd. to review and update the Development Cost Charges program and bylaw.*

CARRIED.

2023.2310.REGULAR *It was moved and seconded **THAT** Council direct staff to allocate up to \$90,000 plus G.S.T. in the 2024 budget for the review and update of the Development Cost Charges program and bylaw funded through Development Cost Charge Reserves.*

CARRIED.

## **6.3 Lot 13 - BC Housing Partnering Agreement** **Bruce Greig, Director of Community Planning**

Mr. Greig presented this report.

2023.2311.REGULAR *It was moved and seconded **THAT** Council authorize execution of the Affordable Home Ownership Program Partnering Agreement between the District and the British Columbia Housing Management Commission for funding contribution in conjunction with the BC Housing Affordable Home Ownership Program.*

CARRIED.

2023.2312.REGULAR *It was moved and seconded **THAT** Council authorize execution of the Project Partnering Agreement for the 33-unit development at Lot 13 Marine Drive between the District, the British Columbia Housing Management Commission, APMC Holdings Ltd. and Andrew Charles McLane.*

CARRIED.

## **6.4 The Cabins at Terrace Beach - License of Occupation for Trail /**

**Occupancy and S. 219 Covenant**  
**Bruce Greig, Director of Community Planning**

Mr. Greig presented this report.

2023.2313.REGULAR *It was moved and seconded **THAT** Council authorize the District of Ucluelet's Corporate Officer to execute a Licence of Occupation with the Province of British Columbia for that portion of the Terrace Beach trail overlapping the area of Crown Land which intersects the trail Statutory Right-of-Way EPP117266.*

CARRIED.

**6.5 Retail Cannabis Sales License Application for Unit #5-250 Main Street**  
**John Towgood, Municipal Planner**

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

2023.2314.REGULAR *It was moved and seconded **THAT** Council, having given notice to gather the views of nearby residents and in consideration of the general impact of the proposed store on the community and nearby residents and businesses, recommend that the Liquor and Cannabis Regulation Branch issue a Cannabis Retail Store License for Unit #5 - 250 Main Street, Ucluelet BC, to 1181569 B.C. LTD.*

CARRIED.

**6.6 221 Minato Road - Park Dedication, Licence of Occupation and Covenant Amendment**  
**Bruce Greig, Director of Community Planning**

Mr. Greig presented this report.

In response to Council questions, Staff clarified the term in the License - Bridge Use Agreement which permits the District to designate or approve the consultant used to ensure environmental compliance is standard language introduced by the District's solicitor. Staff further explained that the bridge location is unlikely to change but if it does, Council approval would be required.

2023.2315.REGULAR *It was moved and seconded **THAT** the meeting be closed to the public in order to address agenda items under Section 90(1)(e) of the Community Charter:*

- 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.

The meeting was closed immediately after item 6.6 was introduced at 5:54 PM and reopened to the public at 6:26 PM. Discussion related to item 6.6.

commenced after the meeting was reopened to the public.

- 2023.2316.REGULAR *It was moved and seconded **THAT**, with regard to the development of the property at 221 Minato Road, Council authorize the following:*
- a. acceptance of the Park Land and Road dedication as shown on Plan EPP129243; and,*
  - b. issuance of a Licence of Occupation for the existing bridge.*
- CARRIED.

- 2023.2317.REGULAR *It was moved and seconded **THAT** with regard to the development of the property at 221 Minato Road, Council refer issuance of a License of Occupation to enable studies and surveys to assess the feasibility of creating a dock access viewpoint or other pedestrian water access to Staff for further investigation and a report.*
- CARRIED.

- 2023.2318.REGULAR *It is moved and seconded **THAT** Council indicate that approval of the above is subject to the owners agreeing to amend the restrictive covenant CB365207 currently registered on the title of the land at 221 Minato Road to ensure that, prior to subdivision or development of the land, the property owners will remove objects and structures from the park area and leave the land in a clean state, including but not limited to:*
- a. greenhouse;*
  - b. wood sheds;*
  - c. deck platform and stairs; and,*
  - d. any other manmade objects or materials.*
- CARRIED.

## 7. NOTICE OF MOTION

There were no notices of motion.

## 8. CORRESPONDENCE

### 8.1 **Amphitrite Coffee Shop** ***Wild Pacific Trail Society***

Council noted this correspondence item.

### 8.2 **BC - Private Member's Bill C-273** ***Peter Julian, MP - New Westminster-Burnaby***

## 9. INFORMATION ITEMS

### 9.1 **Council Strategic Priorities Update** ***Duane Lawrence, CAO***

Mr. Lawrence presented this report.

### 9.2 **Clayoquot Biosphere Trust 2023 Vital Signs Report**

*Rebecca Hurwitz, Executive Director, Clayoquot Biosphere Trust Society*

**9.3 Wild Pacific Trail 2023 Season Summary**  
*Wild Pacific Trail Society*

**9.4 Registration Open - Climate Change & Healthy Community Gathering**  
*Association of Vancouver Island and Coastal Communities*

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

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

Councillor Anderson attended the final Decolonize First Workshop and a Alberni Clayoquot Health Network meeting.

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

Councillor Hoar attended the Wild Pacific Trail Society meeting on December 6th.

Councillor Hoar encouraged residents to attend Glee Club's performance of Scrooge on December 8th and to participate in the Reverse Advent Calendar as well as the Food Bank on the Edge Christmas Hampers.

**10.3 Councillor Ian Kennington**  
*Deputy Mayor, July 1 - September 30, 2023*

**10.4 Councillor Mark Maftai**  
*Deputy Mayor, October 1 - December 31, 2023*

**10.5 Mayor Marilyn McEwen**

The Mayor wished residents a happy, healthy and safe holiday season.

The Mayor attended:

- the Alberni-Clayoquot Regional District Board Meeting on November 22nd, where funding was approved to procure a for the Long Beach Airport;
- the Decolonize First Workshops on November 23rd, 30th and December 7th;
- Midnight Madness on November 24th;
- the pre-budget workshop on November 28th;
- ay 4VI event on November 30th;
- a West Coast Committee meeting on December 6th. A

presentation on the West Coast Transit was provided. Transit will commence in mid-April and there will be 42 bus stops on the route with six stops in Ucluelet. A ten year lease agreement with the Long Beach Golf Course was also approved.

- a meeting with the Resort Community Mayors on December 7th.

## 11. QUESTION PERIOD

### 11.1 Patricia Sieber, 1058 Helen Road

Ms. Sieber noted a letter she submitted which raises questions about the development proposed for Hyphocus Island. She asked whether development fees will cover all expenses associated with the development including the expanded road access? She further noted concerns with the development's proximity to the sewage lagoon.

Councillor Hoar left the meeting at 7:00 PM.

## 12. CLOSED SESSION

### 12.1 Procedural Motion to Move In-Camera

2023.2319.REGULAR *It was moved and seconded **THAT** the meeting be closed to the public in order to address agenda items under Section 90(1)(c) of the Community Charter:*

- *(c) labour relations or other employee relations.*

CARRIED.

The meeting was closed to the public at 7:02 PM and reopened to the public at 7:26 PM.

## 13. ADJOURNMENT

The Regular Council meeting was adjourned at 7:27 PM.

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Thursday, December 7, 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