

**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE**  
**Tuesday, October 8, 2019 at 2:30 PM**

Present:       **Chair:**           Mayor Noël  
                  **Council:**       Councillors Cole, Hoar, Kemps, and McEwen  
                  **Staff:**           Mark Boysen, Chief Administrative Officer  
                          Joseph Rotenberg, Manager of Corporate Services  
                          Nicole Morin, Planning / Corporate Clerk  
                          Bruce Greig, Manager of Community Planning  
                          John Towgood, Planner 1  
                          Abigail Fortune, Manager of Parks and Recreation

Regrets:

**1      CALL TO ORDER**

**1.1    Mayor Noël called the meeting to order at 2:30 PM.**

**2      ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY**

Council acknowledged the Yuułuʔiłʔatḥ First Nations on whose traditional territories the District of Ucluelet operates.

**3      VIDEO RECORDING WARNING**

Council advised District of Ucluelet Staff, audience members and delegates that this Council proceeding is being video recorded and the recording will be live streamed or subsequently published on the District of Ucluelet's YouTube channel.

**4      ADDITIONS TO AGENDA**

**4.1    Addition to Agenda Item No. 9.2 Coastal Addendum to the Alberni Agricultural Plan**

- a. Add "Coastal Agriculture Roundtable (CAR)" after page 28.
- b. Add "What Can You Do?" after page 29.

**4.2    Addition to Agenda Item No. 13.6 West Coast Multi-Use Path**

- a. Add Alberni-Clayoquot Regional District Request for Decision "West Coast Request Multi Use Path & Regional Parks Governance" after page 88.

**5      APPROVAL OF AGENDA**

**5.1    October 8, 2019 Regular Agenda**

2019-001           It was moved by Councillor McEwen and seconded by Councillor Cole

*THAT Council approve the October 8, 2019 Regular Agenda as amended.*

CARRIED.

**6 ADOPTION OF MINUTES**

**6.1 September 10, 2019 Regular Minutes**

2019-002

**It was moved by Councillor McEwen and seconded by Councillor Kemps**  
*THAT Council approve the September 10, 2019 Regular Minutes as presented.*

CARRIED.

**6.2 September 18, 2019 Special Minutes**

2019-003

**It was moved by Councillor Kemps and seconded by Councillor McEwen**  
*THAT Council approve the September 18, 2019 Special Minutes as presented.*

CARRIED.

**7 UNFINISHED BUSINESS**

**7.1 There was no unfinished business.**

**8 MAYOR'S ANNOUNCEMENTS**

**8.1 Mayor Noël thanked the community for attending the First Annual Soap Box Derby.**

**9 PUBLIC INPUT, DELEGATIONS & PETITIONS**

**9.1 Public Input**

- Judy Gray, resident, noted that Public Hearings are the opportunity for members of the public to express concerns or support for an issue and if members of the public do not attend a public hearing, they are generally not concerned about the issue. Ms. Gray also expressed concerns with people being heard by Council on the street or on social media, as that these are not the official means of communicating with Council.
- Kerry Harwood, resident, addressed retail cannabis in Ucluelet. He poled his contacts on social media and only one person indicated that his or her family was negatively affected by cannabis use. Mr. Harwood further noted that cannabis has had a positive impact on his life but noted the need for educational materials and increased local mental health support.

## 9.2 Delegations

**John Bowman, President and CEO of North Island College (NIC), presented this report.** Mr. Bowman outlined NIC's strategic plan.

Highlights included:

- 8000 students attended NIC courses last year, which is a 2% increase in enrollment from the previous years.
- The current strategic plan expires in March 2020; the new strategic plan would apply until 2025.
- NIC plans to host a community forum in Port Alberni on November 5th to obtain community input and requested community members to participate in that forum.

Council questions and comments:

- What is NIC's relationship with School District 70? Mr. Bowman responded that an excellent relationship exists. NIC works closely with Ucluelet Secondary School through the Learning Centre and would like to see more dual credit programs offered where students can earn college credits while attending high school.
- Asked if NIC is one of the stakeholders in the Ucluelet Secondary School seismic upgrades? Mr. Boysen responded that he does not know.

**Heather Shobe, Agricultural Support Worker at the Alberni-Clayoquot Regional District, presented this delegation.** Highlights included:

- The Coastal Addendum to the Alberni Agriculture Plan is available on the ACRD website.
- Thanked District of Ucluelet for support and participation in the program to date.
- Asked for Council support via membership on the Coastal Round-table, which is currently scheduled to meet on November 13th at the Ucluelet Community Centre.

Council questions and comments:

- Would the initiative involve kelp farming or other ocean oriented farming operations? Ms. Shobe responded that the ACRD is very interested in supporting all types of agriculture. Kelp farming is already supported.
- Councillor Kemp's noted that she may be a good fit for serving on the round-table as she sits on the local culinary board.

2019-004

**It was moved by Councillor Kemps and seconded by Councillor Hoar  
THAT Councillor Kemps represent the District of Ucluelet by participating in the  
ACRD Coastal Agricultural Community Roundtable.**

CARRIED.

## 10 CORRESPONDENCE

- 10.1 **MOECCS Joint Letter Signatories Press Release**  
*Keely Kidner, Outreach Sustainability Coordinator, District of Squamish*
- 10.2 **Request to recognize Fair Employment Week in support of Fairness for Contract Faculty**  
*Terri Van Steinburg, President, Federation of Post-Secondary Educators of BC*
- 10.3 **Tourism Vancouver Island: Notice of AGM**  
*Ian MacPhee, Chair, Tourism Vancouver Island*
- 10.4 **COFI Releases Plan to Secure a Strong, Competitive Forestry Future**  
*Diamond Isinger, Manger, Public Affairs, BC Council of Forest Industries*

## 11 INFORMATION ITEMS

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

Mayor Noël expressed the importance of communication regarding closures.

- 11.2 **BC Hydro Streetlight Replacement**  
*BC Hydro*

Mayor Noël noted that the District will bear the cost of the L.E.D. lighting upgrades which includes hiring a lighting specialist, upgrading District owned street lights and upgrading BC Hydro owned street lights.

Mr. Boysen noted streetlight replacement will be addressed in the upcoming budget talks.

## 12 COUNCIL COMMITTEE REPORTS

- 12.1 **Councillor Rachelle Cole**

*Deputy Mayor October - December 2019*  
Councillor Cole attended the following:

- Sep 17, Child Care Planning Open House with the Health Network
- Sep 17, Harbour Authority Meeting
- Sep 18, Special Council Meeting and Ucluelet Emergency Network Meeting
- Sep 20, Healthcare Stakeholder Meeting
- Sep 21, Soap Box Derby
- Sep 22 - 27, UBCM and noted senior's initiative will be coming soon to Ucluelet
- Sep 28, Cops for Cancer, Tour de Rock
- Sep 30, Senior's Forum and noted great attendance and dialogue
- Oct 2, Coastal Family Resource Coalition Meeting

## **12.2 Councillor Marilyn McEwen**

*Deputy Mayor November 2018 - December 2019*

Councillor McEwen attended the following:

- Sep 17, Child Care Planning Open House
- Sep 18, Ribbon cutting at St. Jacques Park and park bench dedication to Pam McIntosh
- Sep 21, Vancouver Island Library Meeting in Nanaimo –adopted 2020 -2024 financial plan
- Sep 22 - 27, UCBM where she toured Vancouver's modular housing prototype
- Sep 28, Wild Pacific Trail 20th Anniversary; noted that it was sold out and a great tribute to Oyster Jim
- Sep 30, Senior's Forum

## **12.3 Councillor Lara Kemps**

*Deputy Mayor April - June 2019*

Councillor Kemps noted that she attended many of the same meetings as the other Councillors and spoke about the following:

- Sep 21, Soap Box Derby
- Sep 28, Wild Pacific Trail 20th Anniversary
- Oct 7, Culinary Group where an employee exchange with other municipalities was discussed
- Oct 7, PAC meeting at Ucluelet Secondary School
- Oct 8, School Board Meeting

## **12.4 Councillor Jennifer Hoar**

*Deputy Mayor July - September 2019*

Councillor Hoar noted that she attended many of the same meetings as the other Councillors and spoke about the following:

- Sep 22 - 27, UBCM, workshop on how libraries support resilient

communities and the Hydrogen 101 workshop about hydrogen fuel cell vehicles

## 12.5 Councillor Mayco Noël

## 13 REPORTS

### 13.1 Development Variance Permit for 389 Marine Drive *John Towgood, Planner 1*

Bruce Greig, Manager of Community Planning, presented the report. Highlights included:

- That this is a variance request to reduce the minimum front yard setback for a house located on a corner lot.
- The lot is on the corner of Marine Drive and Edwards Place.
- On a corner property the front line is defined as the shortest lot line facing one of the streets.
- The house is currently located outside of the setback along Marine Drive.
- After subdivision the shortest lot line will shift from Marine Drive to Edwards Place, resulting in the house falling within Edwards Drive front setback.
- The variance sought will resolve this issue. The house will not move or shift, the setback will accommodate the existing situation.

Council invited the Applicant to speak.

- The Applicant, Rebecca Hurwitz, resident, noted that she is going through this process in order to bring the property into compliance, and she does not plan to make any changes to existing home.

Council invited members of the public to speak to the variance.

- No members of the public spoke.

2019-005

**It was moved by Councillor Cole and seconded by Councillor McEwen**  
*THAT Council approve recommendation 1 of the report item, "Development Variance Permit for 389 Marine Drive" which states:*

1. *THAT Council approve Development Variance Permit DVP19-04 to reduce the minimum front yard setback required by section R-1.6.1 (1) (a) of the District of Ucluelet Zoning Bylaw No. 1160, 2013, from 7.5m (25') to 3.51m (11.5') for the existing house on Lot 1, Plan VIP17976, Section 21, Clayoquot Land District (389 Marine Drive).*

CARRIED.

### 13.2 Development Permit for Proposed Subdivision of 2066 Peninsula Rd.

*John Towgood, Planner 1*

Councillor Hoar recused herself at 3:18 PM and left Council Chambers due to a conflict of interest arising from her partner's employment at Far West Distributors Ltd.

Bruce Greig, Manager of Community Planning, presented this report. Highlights included:

- The development permit concerns the form and character of a subdivision application, wherein the applicant is proposing to create an additional lot on 2066 Peninsula Road.
- The applicant is proposing a shared access easement for the two resulting properties. Consequently, the subdivision will not result in an additional driveway that crosses the multi-use path located on Peninsula Road.
- Building designs will be reviewed during the development permit application process which is not underway.

Council invited the Applicant to speak.

- The Applicant, Scott Johnson, noted the following:
  - The subject part of the property is used as a turn around and does not presently add value to the town.
  - The proposed subdivision and associated landscaping would have the effect of beautifying Peninsula Road and align with the Official Community Plan.

2019-006

**It was moved by Councillor McEwen and seconded by Councillor Cole**  
*THAT Council approve recommendation 1 of the report item, "Development Permit for Proposed Subdivision of 2066 Peninsula Rd." which states:*

1. *THAT Council approve Development Permit DP19-03 for the proposed subdivision of Lot E, District Lot 284, Clayoquot District, Plan42747 (2066 Peninsula Road) to create one new lot.*

CARRIED.

### 13.3 External Audit Services - Contract Award *Donna Monteith, Chief Financial Officer*

Councillor Hoar returned to the Regular Council Meeting at 3:24 PM after Council dealt with item 13.2 "Development Permit for Proposed Subdivision of 2066 Peninsula Rd."

Mark Boysen, Chief Administrative Office, noted that Donna Monteith,

Chief Financial Officer, was not in attendance but has completed the audit procurement process.

2019-007

**It was moved by Councillor Kemps and seconded by Councillor Hoar THAT Council approve recommendation 1 of the report item, "External Audit Services - Contract Award" which states:**

1. *THAT Council award a contract and appoint the accounting firm MNP, as the external financial auditors for the District of Ucluelet for period of 2019 – 2023 inclusive under 169 of the Community Charter.*

CARRIED.

**13.4 Cheque Listing - September 2019**  
**Joseph Rotenberg, Manager of Corporate Services**

**13.5 Council Rescheduling - October 22, 2019**  
**Joseph Rotenberg, Manager of Corporate Services**

2019-008

**It was moved by Councillor Cole and seconded by Councillor McEwen THAT Council approve recommendation 1 of the report item, "Council Rescheduling - October 22, 2019" which states:**

1. *THAT Council reschedule the October 22, 2019 Regular Council Meeting from 4:30 PM to 2:30 PM.*

CARRIED.

**13.6 West Coast Multi-Use Path**  
**Mark Boysen, Chief Administrative Officer**

Mark Boysen, Chief Administrative Officer, presented this report.

Highlights included:

- The proposed trail links the current bike path to the federal park's multi-use path (which is currently under construction).
- The proposed trails is located on Alberni-Clayoquot Regional District (ACRD) land.
- The ACRD has completed a cost estimate.
- The ACRD is seeking a letter of support from Council to apply for funding.

Mayor Noël noted that the ACRD's financial ask is not accounted for the District of Ucluelet's Strategic Plan and the expectation is that the ACRD will secure funding for this project.

2019-009

**It was moved by Councillor Cole and seconded by Councillor McEwen THAT Council approve recommendation 1 of the report item, "West Coast Multi-Use Path", which states:**

1. *THAT Council provides a letter of support to the ACRD West Coast*



## 14 LEGISLATION

### 14.1 Proposed Rezoning, Subdivision, and Development Permits for 221 Minato Road (Lot B, District Lot 286, Clayoquot District, Plan VIP79908)

#### ***Bruce Greig, Manager of Community Planning***

Councillor Kemps recused herself and left Council Chambers at 3:29 PM due to a conflict arising from the Applicant serving on her employer's (The Ucluelet Chamber of Commerce) Board of Directors.

Bruce Greig, Manager of Planning, presented this report. Highlights included:

- Two bylaws are presented for first and second reading.
  - One regulates campgrounds in general.
  - The other relates to the subject property.
- It would be ideal for campground regulations in place before this and other properties are zoned for campground use.
- The Applicant's have offered the following:
  - 30m park dedication in front of the campground.
  - 10m protected area on either side of the stream corridor which could be used for public trail.
  - A covenant, registered along the shoreline.
  - \$10,000 for trail features and signage intended to protect the shoreline, which is in addition to the \$50,000 dollars already offered for trail development.
- The Applicant's Biologist clarified that one area, previously thought to be wetland, is not wetland.

Council questions and comments:

- Asked if the fire department had conducted a tour of the property to determine emergency access issues? Mr. Greig answered that the fire department has not visited the property recently but the subdivision review will trigger inspections including hydrant locations and a traffic study.
- Any trail that is developed will be done in partnership with the Wild Pacific Trail Society.

Councillor Hoar's comments:

- Expressed concerns about the proposed development's impact on sensitive shoreline areas and noted that parkland covenant is the best way to protect it.
- \$10,000 offered for signage and protective barriers is not

sufficient and \$25,000 is more appropriate

Proposed amendment to recommended motion 2:

- Councillor Hoar moved to amend recommendation 2 of the report item, "Proposed Rezoning, Subdivision, and Development Permits for 221 Minato Road (Lot B, District Lot 286, Clayoquot District, Plan VIP79908)" as follows:

2. THAT Council:

- a. indicate support for the updated proposal including an offer of a ~~\$10,000~~ **\$25,000** contribution to the District of Ucluelet for adding fencing, interpretive signs and protective barriers at trail ends to protect adjacent marine shoreline habitat;
  - b. give the District of Ucluelet Zoning Amendment Bylaw No. 1244, 2019 First and Second reading; and,
  - c. direct staff to prepare the necessary permits, covenants and agreements and present them to Council prior to Bylaw No. 1244 proceeding to a public hearing.
- Councillor Hoar's motion was not seconded.

2019-010

**It was moved by Councillor McEwen and seconded by Councillor Hoar**

*THAT Council approve recommendation 1 of the report item, "Proposed Rezoning, Subdivision, and Development Permits for 221 Minato Road (Lot B, District Lot 286, Clayoquot District, Plan VIP79908)" which states:*

1. *THAT District of Ucluelet Zoning Amendment Bylaw No. 1256, 2019, be given First and Second readings and be referred for legal review.*

CARRIED.

2019-011

**It was moved by Councillor McEwen and seconded by Councillor Cole**

*THAT Council approve recommendation 2 of the report item, "Proposed Rezoning, Subdivision, and Development Permits for 221 Minato Road (Lot B, District Lot 286, Clayoquot District, Plan VIP79908)" which states:*

2. *THAT Council:*

- a. *indicate support for the updated proposal including an offer of a \$10,000 contribution to the District of Ucluelet for adding fencing, interpretive signs and protective barriers at trail ends to protect adjacent marine shoreline habitat;*
- b. *give the District of Ucluelet Zoning Amendment Bylaw No. 1244, 2019 First and Second reading; and,*

- c. *direct staff to prepare the necessary permits, covenants and agreements and present them to Council prior to Bylaw No. 1244 proceeding to a public hearing.*

CARRIED.

## 14.2 NOTICE OF MOTION

*Mayco Noël, Mayor*

Councillor Kemps returned to the Regular Council Meeting at 3:55 PM after Council dealt with item 14.1 "Proposed Rezoning, Subdivision, and Development Permits for 221 Minato Road (Lot B, District Lot 286, Clayoquot District, Plan VIP79908)."

Mayor Noël presented this Notice of Motion. Highlights included:

- A further public hearing is required to better engage the community.
- The motions would result in the all three applications being at the same point in the rezoning process.
- Asked that the public hearing to be held in the evening to maximize engagement.

- 2019-012      **It was moved by Councillor Cole and seconded by Councillor McEwen**  
*THAT Council reconsider the September 18, 2019, defeated motion to give 3rd reading of District of Ucluelet Zoning Amendment Bylaw No. 1254, 2019.*  
CARRIED.
- 2019-013      **It was moved by Councillor Cole and seconded by Councillor McEwen**  
*THAT the District of Ucluelet Zoning Amendment Bylaw No. 1254, 2019, be given third reading.*  
CARRIED.
- 2019-014      **It was moved by Councillor Cole and seconded by Councillor McEwen**  
*THAT third reading of District of Ucluelet Zoning Amendment Bylaw No. 1254, 2019, be rescinded.*  
CARRIED.
- 2019-015      **It was moved by Councillor Cole and seconded by Councillor McEwen**  
*THAT District of Ucluelet Zoning Amendment Bylaw No. 1254, 2019, be referred to a Public Hearing to gather community input on the cannabis sales application at 1786 Peninsula Road.*  
CARRIED.
- 2019-016      **It was moved by Councillor Cole and seconded by Councillor McEwen**  
*THAT Staff provide notice and prepare for a Cannabis Open House for the public, prior to the Public Hearing.*  
CARRIED.

## 14.3 Zoning Amendment for Cannabis Sales at 1685 Peninsula Road John Towgood, Planner 1

Bruce Greig, Manager of Community Planning, presented this report.  
Highlights included:

- Council reviewed this application for the first time on July 9th, and made several requests, which have now been met.
- The applicant previously offered a public pedestrian and vehicle Statuary Right-of-Way (SRW) in the name of the District of Ucluelet over the south-east lane.
- In place of the SRW the applicant has now offered a five-year lease to the District of Ucluelet for public pedestrian and vehicle access along the south-east lane of the subject property.
- The Applicant has confirmed their offer to contribute \$20,000 to add a gravel path from Peninsula Road to the District owned Cedar Road Parking Lot which could be paved at the time that the lower parking lot is paved.
- The Applicant has offered to contribute \$23,500 toward frontage upgrades.

2019-017

**It was moved by Councillor Cole and seconded by Councillor McEwen**  
*THAT Council approve recommendation 1 of the report item, "Zoning Amendment for Cannabis Sales at 1685 Peninsula Road" which states:*

1. *THAT District of Ucluelet Zoning Amendment Bylaw No. 1257, 2019, be given First and Second Reading and advanced to a public hearing.*  
CARRIED.

## 15 OTHER BUSINESS

15.1 Mayor Noël noted that we should discuss brown water quality issues during budget discussions, and emphasized that we need to come up local solutions.

## 16 QUESTION PERIOD

16.1 There were no questions from the public.

## 17 CLOSED SESSION

### 17.1 Procedural Motion to Move In-Camera

2019-018

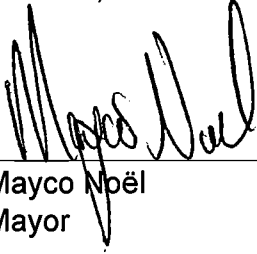
**It was moved by Mayor Noël and seconded by Councillor McEwen**  
*THAT the meeting be closed to the public in order to address agenda items under Section 90(1)(c) of the Community Charter.*

CARRIED.

## 18 ADJOURNMENT

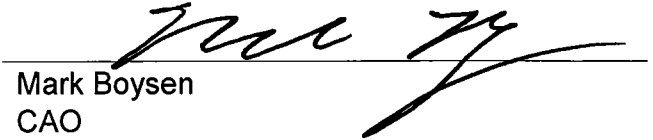
**18.1 Mayor Noël adjourned the meeting at 5:34 PM.**

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday, October 8, 2019 at 2:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.



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Mayco Noël  
Mayor



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Mark Boysen  
CAO