

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Wednesday, April 14, 2021 at 3:30 PM

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

Regrets:

1. CALL TO ORDER

The meeting was called to order at 3:35 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. ADDITIONS TO AGENDA

- 4.1 Add "2021-04-12 WPT - Signature Circle" as Correspondence Item 10.1. after page 74 of the Agenda.**
- 4.2 Add "R - MOTI Letter Re: Florencia Drive" as Appendix C to Report Item 13.2. "Request to Open Florencia Drive and Re-Commissioning Municipal Services to Signature Circle; Onni Group" after page 183 of the Agenda.**
- 4.3 Replace Appendix A to Legislation Item 14.2. "Five Year Financial Plan & Tax Rate Bylaw" with "Appendix A - Bylaw 1289" at page 238 of the Agenda.**
- 4.4 Add "Appendix C - Ucluelet 2021 Budget Public OPEN HOUSE" as Appendix C to Legislation Item 14.2. "Five Year Financial Plan & Tax Rate Bylaw" after page 244 of the Agenda.**

5. APPROVAL OF AGENDA

5.1 April 14, 2021, Regular Council Meeting Agenda

2021.2125.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
THAT Council approve the April 14, 2021, Regular Council Meeting Agenda as amended.

CARRIED.

6. ADOPTION OF MINUTES

6.1 February 9, 2021, Regular Minutes

2021.2126.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**
THAT Council adopt the February 9, 2021, Regular Minutes as presented.

CARRIED.

6.2 February 16, 2021, Special Minutes

2021.2127.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**
THAT Council adopt the February 16, 2021, Special Minutes as presented.

CARRIED.

6.3 February 23, 2021, Regular Minutes

2021.2128.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**
THAT Council adopt the February 23, 2021, Regular Minutes as presented.

CARRIED.

6.4 February 25, 2021 Special Budget Minutes

2021.2129.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**
THAT Council adopt the February 25, 2021, Special Budget Minutes as presented.

CARRIED.

6.5 March 4, 2021, Special Council

2021.2130.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
THAT Council adopt the March 4, 2021, Special Council Minutes as presented.

CARRIED.

6.6 March 9, 2021, Regular Minutes

2021.2131.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
THAT Council adopt the March 9, 2021, Regular Minutes as presented.

CARRIED.

6.7 March 18, 2021, Special Minutes

2021.2132.REGULAR **It was moved by Councillor Kemps and seconded by Councillor Hoar**
THAT Council adopt the March 18, 2021, Special Minutes as presented.

CARRIED.

7. UNFINISHED BUSINESS

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

Mr. Greig noted that Council reviewed this Policy at its previous meeting and deferred the matter to this meeting. Council discussed the policy.

Councillor McEwen entered the meeting at 3:43 PM.

2021.2133.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
THAT Council endorse Bylaw Enforcement Policy No. 9-4000-2.

CARRIED.

8. MAYOR'S ANNOUNCEMENTS

The Mayor thanked Island Health for delivering Vaccine's in the community.

9. PUBLIC INPUT, DELEGATIONS & PETITIONS

9.1 Public Input

Public input via Zoom.

Julian Ling

Mr. Ling is a resident of ACRD Area C and owns a business that operates in Ucluelet. He is also a board member on Tourism Ucluelet and the Wild Pacific Trail Society.

Mr. Ling outlined concerns with the sale of the Signature Circle lots on the Wyndansea property. He noted that the original developer did not fulfil their commitments, and the sale of the Signature Circle lots do not have a community benefit.

Barbara Schramm

Ms. Schramm is a resident of Ucluelet and President of the Wild Pacific Trail Society.

Ms. Schramm noted concerns with the sale of Signature Circle lots before community amenities are delivered. She advocated for Florencia Drive remaining closed and the delivery of community amenities, including the Wild Pacific Trail extension on the Wyndansea lands, before the sale of these lots. She also advocated for a comprehensive development plan which applies

to the Wyndansea lands including the Signature Circle lots and aligns with the Draft 2020 OCP.

Rob Vrooman

Mr. Vrooman represented of the Onni Group. The Onni Group owns the Wyndansea lands.

Mr. Vrooman noted that the Signature Circle Lots have already been rezoned and subdivided and that the community amenities are negotiated at the time of rezoning not after subdivision. He noted that there will be a process moving forward on their other lands, and there will be negotiations regarding the amenities.

Public input via email to communityinput@ucluelet.ca.

There was no public input via email.

9.2 Delegations

Randy Oliwa, Mustafa Kulkhan and Sam Berkun, Pac Rim Home Development Cooperative

Re: Introduction to the Pac Rim Home Development Cooperative

Mr. Oliwa presented on behalf of Pac Rim Home Development Cooperative. He introduced his team and consultants. He noted that the Cooperative's goal is to develop affordable workforce housing. He described the proposed development.

He presented a power point presentation which noted the Cooperative's structure, mission, key partners and goals. Mr. Oliwa also addressed the benefits of the proposed cooperative housing development for businesses and employees. Finally, he finally sought a resolution of Council which directs Staff to consult with the Cooperative regarding their acquisition of District lands to develop Staff housing and the provision of District funding.

Andy Laidlaw, Acting CAO, noted that a meeting could be set up with Staff to review the Cooperative's requests.

10. CORRESPONDENCE

10.1 Wild Pacific Trail Society Letter

Barbara Schramm, President, Wild Pacific Trail Society

- ***2021-04-12 WPT - Signature Circle***

11. INFORMATION ITEMS

11.1 West Coast Older Adult Needs Assessment 2020

Janine Croxall, Pacific Rim Hospice Society, Jeanette Sheehy, Pacific Rim Hospice Society, Tarni Jacobsen, Pacific Rim Hospice Society, Faye Missar, Coastal Family Resource Coalition, Brett Freake, Coastal Family Resource Coalition

Council discussed the West Coast Older Adult Needs Assessment 2020 and asked that Staff request that the writers present the report.

12. COUNCIL COMMITTEE REPORTS

12.1 Councillor Marilyn McEwen

Deputy Mayor January - March 2021

- March 24 - Attended Tourism Ucluelet AGM. There were presentations about sustainable tourism and tourism resiliency.
- March 27 - Attended Vancouver Regional Library Board of Trustee Meeting.
- April 1 - Attended Special Council Budget Meeting.
- April 8 - Attended a District of Ucluelet Public Hearing.

12.2 Councillor Lara Kemps

Deputy Mayor April - June 2021

- April 1 - Attended Special Council Budget Meeting.
- April 8 - Attended a District of Ucluelet Public Hearing.

12.3 Councillor Jennifer Hoar

Deputy Mayor July - September 2021

- April 1 - Attended Special Council Budget Meeting.
- April 8 - Attended a District of Ucluelet Public Hearing.
- April 7 - Attended Wild Pacific Trail Society meeting.

12.4 Councillor Rachelle Cole

Deputy Mayor October - December 2021

12.5 Mayor Mayco Noël

- April 1 - Attended Special Council Budget Meeting.
- April 8 - Attended a District of Ucluelet Public Hearing.
- Attended a Barkley Community Forest Meeting. Reported that a prospective cut is out for tender and the Board is working on their Old Growth Plan.
- Noted that Scotch Broom season is here, and Volunteers will be cutting and throwing it on the roadside.

13. REPORTS

13.1 Request to Erect Real-Estate Development Sign on Florencia Drive at Peninsula Highway

Bruce Greig, Manager of Community Planning

Mr. Greig presented this report. He provided background on Onni Group's request:

- to install a real estate development sign at the corner Florencia Drive and the Tofino/Ucluelet Highway;
- open Florencia Drive; and
- recommission District-owned sewer, water, and street light assets on the Wyndansea property.

Mr. Greig explained the ownership scheme of services on the Wyndansea property and noted the Ministry of Transportation and Infrastructure letter about required improvements before opening Florencia Drive. Mr. Greig outlined some of the work required to recommission District assets on the Wyndansea property, including road works, waterworks, street lighting, and sewer works. Staff will provide costing at a later date.

The Mayor invited Rob Vrooman, a representative of Onni Group, to address Council.

Council discussed recommissioning water and sewer infrastructure on the Wyndansea Property. The following issues were identified:

- The need for a development plan for the entire Wyndansea area, before the sale of any lots;
- Local housing shortages; and
- The failure of the previous owner to deliver amenities.

Mr. Vrooman noted the history of this property and noted that the previous owner might have failed to fulfill their commitments to the District. He also explained that Onni Group typically builds out properties rather than flipping them and intends to negotiate in good faith with the District.

Councillor Kemps noted the size of the project and that she cannot support it without a comprehensive plan. Mayor Noel echoed the need for a comprehensive plan and indicated that the OCP represents the community's interest. He also pointed out concerns with the intersection at Florencia Drive and the Tofino/Ucluelet Highway.

Mr. Vrooman noted that Onni Group intends to improve the intersection but has a report that says improvements are unnecessary.

Councillor McEwen, noted that the requests are premature because there is no comprehensive development plan. She also noted the letter from the Ministry of Transportation and Infrastructure regarding the Florencia Drive intersection.

Councillor Hoar noted the need for a comprehensive development plan and echoed concerns regarding the Florencia Drive intersection.

2021.2134.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemp**

THAT Council defer consideration pending receipt of new information, to be identified.

CARRIED.

**13.2 Request to Open Florencia Drive and Re-Commissioning Municipal Services to Signature Circle; Onni Group
Bruce Greig, Manager of Community Planning**

Mr. Greig outlined the recommendations provided in this report and their implications. He also outlined Restrictive Covenant FB148264. He noted that improvements to the intersection of Florencia Drive and Peninsula Road were to have been completed by 2008 and the restrictive covenant appears to provide the District the ability to restrict access to Florencia Drive until improvements to the intersection are completed.

The Mayor argued that Council should consider rezoning the entire property. He noted that there should be a comprehensive development plan in place and community amenities should be provided before any of the Signature Circle lots are sold. Councillor Kemp concurred.

2021.2135.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

THAT Council direct staff to work with the District Engineers to prepare a report on the cost and timing of providing the requested flushing, testing and re-commissioning of water, hydrant and sewer services for the Signature Circle subdivision, and any changes necessary to current work plans or budget necessary to accommodate the request.

CARRIED.

2021.2136.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

THAT Council direct staff to seek advice from the Municipal Solicitors on the status of the restriction of opening Florencia Drive provided under covenant FB148264.

CARRIED.

2021.2137.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

THAT Council direct staff to continue discussions with the Ministry of Transportation and Infrastructure to understand the Ministry's requirements for ensuring traffic safety at the intersection of Florencia Drive and Peninsula Road.

CARRIED.

2021.2138.REGULAR **It was moved by Mayor Noël and seconded by Councillor McEwen**

THAT Council direct staff to prepare a zoning amendment bylaw to return the zoning of the CD5A and CD-6 lands, north of Ancient Cedars and the current end of the Wild Pacific Trail, to a Rural zoning designation like they held previously – to, for now, allow a single residential use on large rural lots.

CARRIED.

13.3 Options for Outdoor Burning Regulation

Rick Geddes, Fire Chief

Chief Geddes outlined the District of Ucluelet Outdoor Burning Bylaw No. 978, 2005. He plans to introduce an Outdoor Burning Bylaw that prohibits land clearing fires, burning yard waste and limits the size of campfires to half a metre in height and width at an upcoming Regular Meeting.

Council noted community concerns with land clearing fires.

2021.2139.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**

THAT Council direct Staff to update Bylaw No. 978, 2005 in the form of a new Outdoor Burning Bylaw.

CARRIED.

13.4 Resolution Tracking - March 2021

Sharon Evans, Administration Clerk

13.5 Cheque Listing - March 2021

Joseph Rotenberg, Manager of Corporate Services

13.6 Five Year Financial Plan 2020-2024 Bylaw Variance Report Q4

Donna Monteith, Chief Financial Officer

2021.2140.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Cole**

THAT Council receive the Five Year Financial Plan 2020-2024 Variance Report for the fourth quarter ending December 31, 2020.

CARRIED.

2021.2141.REGULAR **It was moved by Mayor Noël and seconded by Councillor Kemps**

THAT the meeting be recessed for five minutes.

CARRIED.

14. LEGISLATION

14.1 316 and 330 Reef Point Road: OCP Amendment Bylaw No. 1281 & Zoning Amendment Bylaw No. 1282 - 3rd Reading. Housing Agreement Bylaw No. 1283 - Adoption. Development Variance Permit DVP 20-06 - Issuance.

Bruce Greig, Manager of Community Planning

The meeting was recessed at 5:09 PM and returned to session at 5:14 PM.

Mr. Greig presented this report. He noted on Council held a public hearing on April 8th regarding Bylaw Nos. 1281 and 1282. He further noted that this hearing was also an opportunity to receive public input on DVP 20-06.

Council discussed public input received at the public hearing as well as solutions for Bylaw enforcement issues in and around the Lodge. Council also discussed the Building Scheme that was brought up at the Public Hearing. Staff noted that the District is not a party to that Building Scheme. Council recognized concerns associated with development on the First Nation's Archeological site which neighbours this property.

2021.2142.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Kemp**

THAT District of Ucluelet Official Community Plan Amendment Bylaw No. 1281, 2020, be given third reading.

CARRIED.

2021.2143.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

THAT District of Ucluelet Zoning Amendment Bylaw No. 1282, 2020, be given third reading.

CARRIED.

2021.2144.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

THAT District of Ucluelet Housing Agreement Bylaw No. 1283, 2020, be adopted.

CARRIED.

2021.2145.REGULAR **It was moved by Councillor McEwen and seconded by Councillor Hoar**

THAT Council authorize issuance of Development Variance Permit 20-06.

CARRIED.

14.2 Five Year Financial Plan and Tax Rates Bylaws
Donna Monteith, Chief Financial Officer

Ms. Monteith provided this report. She noted that the proposed bylaws must be adopted before May 15, 2021. Slideshows and zoom meetings are posted on our website. Written feedback is encouraged and will form part of the agenda package for the April 27th meeting.

2021.2146.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Cole**
THAT District of Ucluelet 2021–2025 Financial Plan Bylaw No. 1289, 2021 be given first and second reading.

CARRIED.

2021.2147.REGULAR **It was moved by Councillor Hoar and seconded by Councillor Kemps**
THAT District of Ucluelet Annual Tax Rates Bylaw No. 1290, 2021 be given first and second reading.

CARRIED.

14.3 District of Ucluelet Zoning Amendment Bylaw No. 1287, 2021
(Garage FAR Exemption) - 3rd Reading
Joseph Rotenberg, Manager of Corporate Services

Councillor Cole recommended amending the Bylaw to remove the 600 square foot cap on the exemption of garage floor area from the calculation of Floor Area Ratio in the R-1 Zone (the "Cap"). She noted the bylaw that preceded Bylaw 1269, 2020, did not include a Cap, the Cap could undermine development plans and lot coverage regulations already prevent home owners from building extremely large garages.

Council discussed amending the Bylaw to remove the Cap and noted the ability of property owners to apply for variances that address their particular situations.

2021.2148.REGULAR **It was moved by Councillor Hoar and seconded by Councillor McEwen**
THAT District of Ucluelet Zoning Amendment Bylaw No. 1287, 2021, be given third reading.

CARRIED.

15. OTHER BUSINESS

There was no other business.

16. QUESTION PERIOD

16.1 Questions via Zoom.

There were no questions via Zoom.

16.2 Questions via email to communityinput@ucluelet.ca.

There were no questions via email.

17. CLOSED SESSION

17.1 Procedural Motion to Move In-Camera

2021.2149.REGULAR **It was moved by Mayor Noël and seconded by Councillor Hoar**

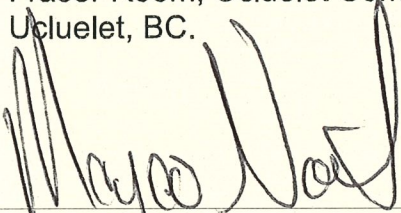
THAT the meeting be closed to the public in order to address agenda items under Section 90(1)(i) of the Community Charter related to the receipt of advice that is subject to solicitor-client privilege, including communications that are necessary for that purpose.

CARRIED.

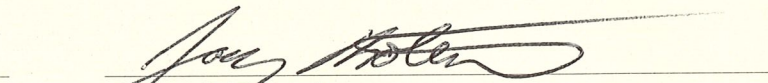
18. ADJOURNMENT

The meeting was adjourned at 5:59 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Wednesday, April 14, 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

