

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE UCLUELET COMMUNITY CENTRE, 500 MATTERSON DRIVE
Tuesday, July 18, 2023 at 4:00 PM

Present: **Chair:** Mayor McEwen
 Council: Councillors Anderson, Hoar, Kennington, and Maffei
 Staff: Bruce Greig, Director of Community Planning
 Abby Fortune, Director of Parks and Recreation
 Joseph Rotenberg, Manager of Corporate Services
 Monica Whitney-Brown, Planning Assistant
 Samantha McCullough, Manager of Human Resources &
 Communications

Regrets:

1. CALL TO ORDER

The meeting was called to order at 4:00 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 the proceeding was being video recorded and broadcast on YouTube and Zoom, which may store data on foreign servers.

2. LATE ITEMS

2.1 Variance Permit 23-06

2.2 Additional Public Feedback on Variance Permit 23-06

2.3 1333 Pine Rd. on Road Parking Concerns

2.4 Late Agenda 3 - Further Public Input on Development Variance Permit 23-06

3. APPROVAL OF THE AGENDA

3.1 July 18, 2023, Regular Council Meeting Agenda

The Mayor noted the late agenda items.

2023.2191.REGULAR *It was moved and seconded **THAT** the July 18, 2023, Regular Council Meeting agenda be amended by adding the late item on the first late*

agenda titled "Variance Permit 23-06", the late item on the second late agenda titled "Additional Public Feedback on Variance Permit 23-06" and the late item on the third late agenda titled "Late Agenda 3 – Further Public Input on Development Variance Permit 23-06" to Appendix C of report item 7.2 "Development Variance Permit Application - 1701 Rainforest Lane".

CARRIED.

2023.2192.REGULAR *It was moved and seconded **THAT** the July 18, 2023, Regular Meeting Agenda be further amended by adding the late agenda item from the second late agenda title "1333 Pine Rd. on Road Parking Concerns" to Item 7.1 "Development Variance Permit for 1333 Pine Road" as appendix C.*

CARRIED.

2023.2193.REGULAR *It was moved and seconded **THAT** the July 18, 2023, Regular Council Meeting agenda be approved as amended.*

CARRIED.

4. ADOPTION OF MINUTES

4.1 June 20, 2023, Committee of the Whole Minutes

Council noted that the minutes should be amended by adding the Executive Director of the Food Bank on the Edge's name and title to the record of her presentation.

2023.2194.REGULAR *It was moved and seconded **THAT** June 20, 2023, Committee of the Whole Minutes be adopted as amended.*

CARRIED.

4.2 June 27, 2023, Regular Council Minutes

2023.2195.REGULAR *It was moved and seconded **THAT** June 27, 2023, Regular Council Minutes be adopted as presented.*

CARRIED.

5. PUBLIC INPUT & DELEGATIONS

5.1 Delegations

Ted Olynyk, Manager of Community Relations, Vancouver Island-Sunshine Coast
Re: BC Hydro Update - Ucluelet

Mr. Olynyk provided a brief overview of BC Hydro operations and projects in the region. The presentation outlined BC Hydro systems including recent local improvements, transmission routes to the west coast, regular vegetation work, causes of local

outages, emergency and storm responses, and recent increases in noteworthy storms.

Chief Geddes, introduced the recently hired Deputy Fire Chief, Markus McRurie. Deputy McRurie, introduced himself and noted that Ucluelet Fire Rescue will be recruiting new members in the fall.

6. UNFINISHED BUSINESS

6.1 Environmental Development Permit/Development Variance Permit for 1656 Bay St.

Monica Whitney-Brown, Assistant Planner

The Mayor relied on section 131(1) of the Community Charter to require Council to reconsider the following motion which was defeated at the June 27, 2023 Council meeting:

- **THAT** Council authorize the Director of Community Planning to execute and issue Development Variance Permit DVP23-10 to allow the construction of an addition to a single-family dwelling 16 metres from the natural boundary of a watercourse.

The Mayor outlined the reasons she was requiring Council to reconsider this matter.

Council discussed the proposed variance and noted the Qualified Environmental Professional's report, the applicant's letter included in the agenda package, and the overall community benefit of the variance. Council also noted the potential impact on species living in the riparian zone and the significant size of the variance requested.

2023.2196.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Development Variance Permit DVP23-10 to allow the construction of an addition to a single-family dwelling 16 metres from the natural boundary of a watercourse.*

CARRIED.

2023.2197.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Environmental Development Permit DP23-03 to allow an addition in an environmental development permit area at 1656 Bay Street.*

CARRIED.

7. REPORTS

7.1 Development Variance Permit for 1333 Pine Road

Monica Whitney-Brown, Planning Assistant

Ms. Whitney-Brown presented this report and responded to Council questions related to when the District requires parking plans to be submitted.

The applicant, Andi Wardrope, noted that the unit would be used by long-term residents, visiting family members, and as a B&B.

- Simone Lalande, 1333 Pine Road, reiterated that the unit would be used for long-term residents and clarified that guest parking would be on the property, and he and Ms. Wardrope plan to sell one of their vehicles which will eliminate the need for the on street parking. Mr. Lalande also addressed Council questions related to transplanting the Laurel bushes on site.

Council invited comment from members of the public.

- Richard Kalchevich, resident of Pine Road, opposed the variance and noted his letter included in the agenda package. He outlined parking issues on Pine Road, recommended all parking occur on private property, and encouraged Council to investigate parking issues in the area.

Mr. Lalande spoke a second time, and noted that the proposed variance will not be used, as they are selling their second vehicle. In response to Council questions, Mr. Lalande noted that if on site parking was required, the Laurel bushes would be removed.

Ms. Wardrope reiterated that since they plan to sell one of their vehicles, the proposed parking variance will not be used.

Council discussed the proposed variance and noted:

- concerns raised by the public related to parking issues on Pine Road;
- parking issues throughout Ucluelet;
- concerns with setting a precedent by waiving the parking requirement;
- the limited impact of this variance due to the proponent's plan to have one vehicle;
- the value of preserving the Laurel bushes and the need to trim them back from the road; and
- the particular circumstances and timing of the applicant's B&B application as it relates to the adoption of Bylaw No. 1310.

2023.2198.REGULAR *It was moved and seconded **THAT** Council authorize the Director of Community Planning to execute and issue Development Variance Permit*

DVP23-08 to waive parking requirements for one B&B room at 1333 Pine Road.

CARRIED.

2023.2199.REGULAR **THAT** Council direct Staff to prioritize presenting a report to Council on boulevard parking, including diagonal parking, on Pine Road and the impact on pedestrian and road safety.

CARRIED.

7.2 Development Variance Permit Application - 1701 Rainforest Lane Monica Whitney-Brown, Planning Assistant

Ms. Whitney-Brown presented this report.

The applicant, Alyne Francis, noted their priority is to preserve privacy, maintain as much vegetation as possible, and provide housing through the accessory dwelling unit. In response to Council questions related to the siting of the accessory dwelling unit, Ms. Francis noted that siting is intended to preserve privacy of the tenant and the applicant.

The Mayor noted written public feedback in opposition to the variance included in the agenda package. Members of the public were invited to comment:

- Emily Mecke, a direct neighbour to the subject property, noted her letter included in the agenda package and the condition she recommended in her letter related to the retention of vegetation in the sideyard setback.

The applicant addressed Council a second time and noted that they intend to maintain vegetation between their property and Ms. Mecke's homes.

Council discussed the proposed variance and noted the:

- importance of promoting construction of accessory dwelling units;
- height variance for the accessory dwelling unit would result in a building that was similar in height to single family dwellings in the area;
- limited impact of the variances for floor area ratio and maximum gross and the maximum gross floor area of the accessory dwelling unit;
- possibility and importance of constructing the home and accessory building within established setbacks; and
- impact of the variance related to setbacks on the privacy of neighbours.

2023.2200.REGULAR *It was moved and seconded THAT Council authorize the Director of Community Planning to execute and issue Development Variance Permit*

DVP23-06 for the construction of a single-family dwelling and accessory dwelling unit at 1701 Rainforest Lane.

DEFEATED.

2023.2201.REGULAR *It was moved and seconded **THAT** the the meeting be recessed for five minutes.*

CARRIED.

The meeting was recessed at 6:05 PM and returned to session at 6:16 PM.

2023.2202.REGULAR *It was moved and seconded **THAT** Council amend Development Variance Permit DVP23-06 to delete variance 4. a. and 4. b. as presented in Report No. 23-106.*

CARRIED.

2023.2203.REGULAR *It was moved and seconded **THAT** Council reconsider the following motion:*

- ***THAT** Council authorize the Director of Community Planning to execute and issue Development Variance Permit DVP23-06 for the reconstruction of a single-family dwelling and accessory dwelling unit at 1701 Rainforest Lane.*

CARRIED.

2023.2204.REGULAR *It was moved and seconded **THAT** Council amend the motion to add the words "as amended" after the words Development Variance Permit DVP23-06.*

CARRIED.

2023.2205.REGULAR *It was moved and seconded **THAT** Council authorize the Director of the Community Planning to execute and issue Development Variance Permit DVP23-06 as amended for the construction of a single-family dwelling and accessory dwelling unit at 1701 Rainforest Lane.*

CARRIED.

7.3 Temporary Use Permit Lot 12 - Black Rock Oceanfront Resort Bruce Greig, Director of Community Planning

Mr. Greig presented this report.

Council invited the applicant to present. The applicant's agents, David Ehrhart, Lara Kemps and Adele Larkin, addressed Council. The agents:

- objected to the Staff recommendation;
- explained the temporary use permit (TUP) is necessary to create a staging area for a comprehensive renovation of hotel facilities which is critical for business viability;
- explained that current on site parking is insufficient for staging the renovation;
- noted the impact of COVID 19, staffing shortages, and the recent road closure on Black Rock operations;

- noted the TUP would result in the removal of a limited number of trees and would be located at least 55 feet from the Wild Pacific Trail;
- outlined the contributions Black Rock makes to the community including its positive economic impacts;
- outlined long-term plans to develop staff housing on the subject site; and,
- explained that it is not reasonable to require a proposal and timeline for providing a Statutory Right of Way for public pedestrian trail along the water front of the Black Rock properties at this time due to the Black Rock strata ownership decision making structure.

2023.2206.REGULAR *It was moved and seconded **THAT** Council direct staff to give notice of its intent to issue TUP 22-12 subject to the applicant providing:*

- *A detailed arborist's assessment of trees #325, 326, 331, 370, 371 & 375 – 378 with recommendations for their preservation;*
- *A detailed landscape plan and security deposit for the preservation and, if necessary, restoration of the trees and understorey along the Marine Drive frontage; and*
- *A security deposit in the amount of \$10,000 for the restoration and stabilization of the proposed drainage works.*

CARRIED.

2023.2207.REGULAR *It was moved and seconded **THAT** Council direct staff to refer the application to the Wild Pacific Trail Society for comment.*

CARRIED.

7.4 Contract Authorization - Village Green Playground Install Abby Fortune, Director of Parks & Recreation

Ms. Fortune presented this report. She noted playground construction would start in February 2024 with anticipated completion in mid-March.

2023.2208.REGULAR *It was moved and seconded **THAT** Council authorize the Mayor and Corporate Officer to execute a \$290,000, plus GST, contract between the District of Ucluelet and Kinsol Timber Systems Ltd. (KinsolPlay) for the Village Green Playground Project.*

CARRIED.

7.5 Notice of Land Disposition - Strawberry Isle Marine Research Society Abby Fortune, Director of Parks & Recreation

Ms. Fortune presented this report.

2023.2209.REGULAR *It was moved and seconded **THAT** Council authorize staff to issue a public Notice of Property Disposition for a portion of the lands having the PID 025926691 and legal description Lot 12, Plan VIP76147, District Lot 284,*

Clayoquot Land District, and more commonly referred to as 334 Forbes Road, by way of lease, for a term of five years with an annual fee of \$10.00 plus gst.

CARRIED.

7.6 2022 Annual Report
Joseph Rotenberg, Manager of Corporate Services

Mr. Rotenberg presented this report.

Council provided an opportunity for the public to ask question and comment on the 2022 Annual Report. There was no public input.

2023.2210.REGULAR *It was moved and seconded **THAT** Council adopt the District of Ucluelet 2022 Annual Report as attached.*

CARRIED.

7.7 2022 Statement of Financial Information Report
Duane Lawrence, CAO/Finance Officer

Sam Parent, Manager of Finance, presented this report.

2023.2211.REGULAR *It was moved and seconded **THAT** Council approve the District of Ucluelet 2022 Statement of Financial Information as attached to the July 18, 2023 Staff Report Number 23-100.*

CARRIED.

8. NOTICE OF MOTION

There were no notices of motion.

9. CORRESPONDENCE

9.1 Letter for Reconsideration - 1656 Bay Street - DPA VI
Mason Hampel

9.2 Lot 12 Report
Lara Kemps, Assistant General Manager, Black Rock Oceanfront Resort

9.3 Proclamation Request - National Drowning Prevention Week
Kaelan D'Sena, Communications, Lifesaving Society - BC & Yukon Branch

The Mayor noted frequent receipt of requests like this.

2023.2212.REGULAR *It was moved and seconded **THAT** Council direct staff to develop a recognition, awareness and proclamation policy for Councils consideration.*

CARRIED.

9.4 Light up in Blue for Prostate Cancer Awareness Month

Shelley Werk, Donor Relations, Prostate Cancer Foundation BC

2023.2213.REGULAR *It was moved and seconded THAT Council direct staff to light up the District of Ucluelet sign at the Junction in blue in September to participate in Prostate Cancer Awareness Month and broadcast it across our social media.*

CARRIED.

10. INFORMATION ITEMS

10.1 Release of In-Camera Resolutions from June 8 & 27, 2023
Joseph Rotenberg, Manager of Corporate Services

10.2 Resolution Tracking - July 2023
Joseph Rotenberg, Manager of Corporate Services

10.3 UPDATES: 2024 Convention & Accommodations, Open-Net Pen Transition Plan, Modernized Emergency Management Legislation, UBCM Grant Webinars
Association of Vancouver Island and Coastal Communities

2023.2214.REGULAR *It was moved and seconded THAT the meeting be extended beyond three and a half hours.*

CARRIED.

2023.2215.REGULAR *It was moved and seconded THAT Council authorize Mayor and Council (all five members) to attend the AVICC conference in Victoria, April 12 to 14, 2024, and registration and accommodations be arranged for Mayor and Council by Staff.*

CARRIED.

10.4 Correspondence from the Office of the Mayor - City of Surrey
Brenda Locke, City of Surrey, Mayor

10.5 CBT Prepares 2023 Vital Signs Report
Rebecca Hurwitz, Executive Director, Clayoquot Biosphere Trust

10.6 City of Prince George Resolution - Reimbursing Local Governments for Medical Services
Leslie Kellett, Deputy Corporate Officer, City of Prince George

10.7 ACRD Advisory Committee Recruitment: Solid Waste Management Plan
Jodie Frank, Alberni-Clayoquot Regional District

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 attended the Canada Day Celebrations and Mary Kimoto's belated birthday celebration on July 1st. On July 5th, Councillor Hoar attended a Wild Pacific Trail Society Board meeting where information about the impact of the recent road closure on Society programming attendance was presented.

Councillor Hoar noted Ukee Days planned for July 28th to 30th and encouraged residents to volunteer.

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

On July 13, Councillor Kennington chaired the Accessibility Committee's first meeting where a framework was discussed and a meeting schedule was adopted.

11.4 Councillor Mark Maftei
Deputy Mayor, October 1 - December 31, 2023

Councillor Maftei attended the Ucluelet Secondary School Graduation ceremony on June 24th and the Canada Day celebrations on July 1st.

11.5 Mayor Marilyn McEwen

The Mayor noted the recent community update on water which encourages residents to practice mindful water usage. The Mayor also noted the recent Huu-ay-aht First Nation election, congratulated the elected candidates, and will be writing a letter of congratulation.

The Mayor attended Alberni-Clayoquot Regional District meetings on June 28th where waste composition audit services contracts were awarded. On June 29th the Mayor attended the Barkley Community Forest (BCF) Annual General Meeting. BCF plans to issue dividends in the amount of \$1,000,000 in September and has published a map of the community forest which is available at the District Office and Community Centre. BCF is working to develop trails on the forest lands. On July 12th the Mayor attended a SortnGo ribbon cutting event at the West Coast Landfill.

The Mayor plans to attend a meeting coordinated by the Mayor of Port Alberni to discuss the establishment of a permanent secondary service road to circumvent the areas affected by the Cameron Lake Bluff fire.

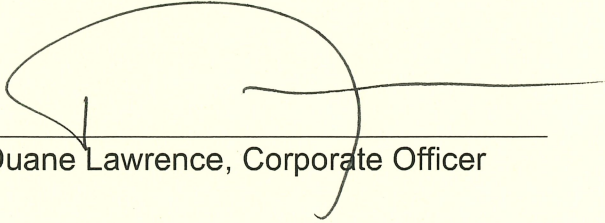
12. QUESTION PERIOD

The Mayor called for questions from the public. There were no questions.

13. ADJOURNMENT

The meeting was adjourned at 7:42 PM.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, July 18, 2023 at 4:00 pm in the Ucluelet Community Centre 500 Matterson Road, Ucluelet, BC.



A handwritten signature in black ink, consisting of a large, sweeping loop followed by a horizontal line extending to the right.

Duane Lawrence, Corporate Officer



A handwritten signature in blue ink, appearing as a series of connected, fluid loops.

Marilyn McEwen, Mayor