

**DISTRICT OF UCLUELET**  
**MINUTES OF THE REGULAR COUNCIL MEETING**  
**HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE**  
**Tuesday, July 9, 2019 at 2:30 PM**

Present:      **Chair:**            Mayor Noël  
                 **Council:**        Councillors Cole, Hoar, Kemps, and McEwen  
                 **Staff:**            Mark Boysen, Chief Administrative Officer  
                            Donna Monteith, Director of Finance  
                            Marlene Lagoa, Manager of Corporate Services  
                            Abigail Fortune, Manager of Parks and Recreation  
                            Bruce Greig, Manager of Community Planning  
                            John Towgood, Planner 1  
                            Warren Cannon, Manager of Public Works  
                            Joseph Rotenberg, Corporate Clerk  
                            Brent Ashton, Bylaw Officer

Regrets:

**1. CALL TO ORDER**

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

**2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY**

Council acknowledged the Yuułu?i?ath First Nations on whose traditional territories the District of Ucluelet operates.

**3. ADDITIONS TO AGENDA**

**3.1 1. Addition to the Agenda Item No.12.6 Zoning Amendment for Cannabis Sales at 1786 Peninsula Road**

- a. **Replace page 231 of the Agenda, which forms part of Appendix A to report no. 19-93, with the following:**
  - o **2018-11-02 Fiona Goudy**
- b. **2019-07-09 Andrew Hanson Correspondence**

**4. APPROVAL OF AGENDA**

**4.1 July 9, 2019 Regular Agenda**

2017-001            **It was moved by Councillor Hoar and seconded by Councillor McEwen**  
*THAT Council approve the July 9, 2019 Regular Agenda as amended.*

**CARRIED.**

## 5. ADOPTION OF MINUTES

### 5.1 June 25, 2019 Special Minutes

2017-002

**It was moved by Councillor McEwen and seconded by Councillor Kemps**  
*THAT Council Approve the June 25, 2019 Special Minutes as amended.*

CARRIED.

### 5.2 June 25, 2019 Regular Minutes

2017-003

**It was moved by Councillor McEwen and seconded by Councillor Hoar**  
*That Council Approve the June 25, 2019 Regular Minutes as amended.*

CARRIED.

## 6. UNFINISHED BUSINESS

### 6.1 Unfinished Business on Temporary Use Permit for Employee Housing - UHS

**Joseph Rotenberg, Corporate Clerk**

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

- Mr. Greig explained that the matter was carried forward from June 25, 2019 Regular Council Meeting and Staff are now seeking direction from Council.

Council comments and questions:

- Noted that representatives from Ucluelet Harbour Seafoods (UHS) were not present. In response, Mr. Boysen explained that Dave Dawson (UHS representative) sent his regrets due to the Highway 4 road closure.
- Noted that Council members, UHS representatives and Waters Edge representative toured the proposed site.
- Noted that the tour resulted in the following findings:
  - Noise from is unlikely to be an issue for the Waters Edge.
  - Ten trailers are already on site.
  - The upper portion of the site is grasslands.
- Pointed out that under the current site plans trailers would be located on the grasslands.
- Noted the desire to protect the grasslands and recommended the site plans be amended to preserve the grasslands.
- Noted that sight lines from Waters Edge are also an issue with the current plans.

2017-004

**It was moved by Mayor Noël and seconded by Councillor McEwen**

*THAT Council suggest that UHS submit a revised site plan for the Temporary Use Permit (TUP) application 19-02 for the property at 1970 Harbour Crescent.*

CARRIED.

## 7. MAYOR'S ANNOUNCEMENTS

### 7.1 Marlene Lagoa, Manager of Corporate Services

- Noted that this is Ms. Lagoa's last Council Meeting.
- Thanked Ms. Lagoa for her hard work.

## 8. PUBLIC INPUT, DELEGATIONS & PETITIONS

### 8.1 Public Input

**J. Atkinson thanked UHS and Council for allowing him to participate in the site tour.**

**B. Holweg commended Council for the process implemented to assess UHS's application for Temporary Use Permit 19-02.**

### 8.2 Delegations

**Bob Hansen, WildSafeBC Pacific Rim Program  
Re: Overview of WildSafe BC programming**

Bob Hansen, WildSafeBC Pacific Rim Program, led this delegation. Highlights included:

- Noted that his role is to work with residents and the community as a whole to promote coexistence with wildlife.
- Explained his background and the organizations funding model which includes in-kind and financial support from both public and private entities.
- Asked those in attendance to follow the organization's Facebook page and noted resources are available on wildsafefbc.com.
- Explained that he will be conducting the following local campaigns:
  - An information booth at the Ukee Market;
  - A door knocking campaign;
  - The Bin-Tagging Program; and,
  - Bear Aware Camping Workshops.
- Explained that bins will be tagged with a yellow sticker that notify resident that their garbage bin is a bear attractant, if the bin is put out before 5:00 AM.
- Noted that the Bin-Tagging Program has been implemented in Tofino.

- Displayed a wildlife alert map which shows wildlife activity in Ucluelet.
- Noted that he is seeking volunteers.
- Noted that Ucluelet is close to receiving Bear Smart Community status but the hazard assessment and human bear management plan need to be updated.
- Noted that local wildlife related bylaws are also excellent.

Councillor questions:

- Asked what a “chicken social” is? Mr. Hansen explained it is an opportunity for chicken owners to share knowledge about raising chickens and solutions to wildlife issues like chicken coops and electric fencing.
- Asked how bin-tagging will be implemented in Ucluelet? Mr. Hansen explained that he patrols and applies stickers to garbage bins which state that garbage bins must be put out on the morning of the regularly scheduled pickup day. He noted that he is looking for volunteer and bylaw officer assistance.
- Asked if the Thornton Creek Bear video will be distributed through WildSafeBC’s communication channels? Mr. Hansen explained that WildSafeBC will distribute the video and it was shown at a convention he attended.

## 9. CORRESPONDENCE

### 9.1 **Parking in and around 1917 Peninsula Road and 1920 Lyche Road *Ron Janco, Strata President***

Mayor Noël stated that he owns three units in the subject property and therefore has a conflict of interest. He left the meeting at 3:04 PM, before discussion regarding this item began.

Mark Boysen, Chief Administrative Officer, introduced the correspondence and explained the following:

- Staff have addressed concerns raised about sight-lines from the subject property's parking lot entrance on Peninsula Road by prohibiting parking in the sight-line.
- Staff are actively enforcing parking regulations along Lyche Road.
- The request for new signage is a significant step because additional resources and staff time will be required to enforce these parking regulations. There are also concerns about the precedent the signage and parking regulation would set.

Council comments and questions:

- Asked about overnight parking? Mr. Boysen explained that overnight camping is not allowed. Mr. Greig, Manager of Community Planning, clarified that vehicles are permitted to park in a spot for up to 72 hours but camping is prohibited.
- Noted that parking is an issue for only 60 days a year, commended enforcement efforts, and communicated reservations about additional signage.
- Noted that there are new businesses operating at the Canadian Princess Lodge & Marina (the "Princess") and asked whether the Bylaw Officer has approached the Princess about parking associated with the new businesses? Brent Ashton, Bylaw Officer, responded that he contacted the Princess management team and the new businesses are using the Princess' parking lot.
- Noted that the completion of the development across the road may worsen parking issues in the area.
- Asked if any further action is recommended by Staff? Mr. Boysen responded that no action is recommended at this time and Staff have been corresponding with Mr. Janco.

Mayor Noël returned to the meeting at 3:11 PM, after discussion regarding this item concluded.

**9.2 Provincial Heritage Site Designation for Terrace Beach and Hetinkis Park Archaeological Sites**  
***Martina Kapac de Frias, Ministry of Forests, Land and Natural Resource Operations and Rural Development***

Council noted that the enclosed notice must be distributed to all interested parties, and asked if the Staff had distributed the notice? Mr. Greig clarified that the Province is responsible for delivering the notice not the District.

**10. INFORMATION ITEMS**

- 10.1 Hwy 4 Kennedy Hill Safety Improvements Traffic Interruptions Update**  
***Emil Anderson Construction (EAC) Inc.***
- 10.2 Wild Pacific Trail Interpretative Walks Calendar**  
***Wild Pacific Trail Society***

**11. COUNCIL COMMITTEE REPORTS**

- 11.1 Councillor Rachelle Cole**  
***Deputy Mayor October - December 2019***

- June 28 attended Barkley Community Forest Annual General Meeting.
- July 1 attended the Canada Day festivities.
- July 4 attended the TRAPPA site tour related to Temporary Use Permit 19-02.
- July 9 attended the Harm Reduction Work Group which is working on an alcohol harm reduction plan.

11.2 Councillor Marilyn McEwen  
*Deputy Mayor November 2018 - March 2019*

- June 28 attended Barkley Community Forest Annual General Meeting.
- July 4 attended the TRAPPA site tour related to Temporary Use Permit 19-02.

11.3 Councillor Lara Kemps  
*Deputy Mayor April - June 2019*

- Stated that she had nothing to report that is different from preceding Councillors.

11.4 Councillor Jennifer Hoar  
*Deputy Mayor July - September 2019*

- June 28 attended Barkley Community Forest Annual General Meeting.
- July 4 attended the TRAPPA site tour related to Temporary Use Permit 19-02.
- Noted two Wild Pacific Trail events of interest scheduled for July 13th and 14th.

11.5 Mayor Mayco Noël

- June 28 attended Barkley Community Forest Annual General Meeting.
- July 4 attended the TRAPPA site tour related to Temporary Use Permit 19-02.
- July 5 met with MLA Heyman, Minister of Environment and Climate Change, to discuss marine debris and making changes to recycling deposit requirements. Minister Heyman noted that his department will be issuing a report that outlines their key initiatives.

## 12. REPORTS

### 12.1 Cheque Listing - June 2019

**Joseph Rotenberg, Corporate Clerk**

Council questions:

- Asked what the expenditure related to Canadian Electric Vehicles was? Abigail Fortune, Director of Parks and Recreation, explained that the expense was associated with repairing two Electric Vehicles.
- Asked about the expenditures associated with a Perfect Mind? Ms. Fortune explained that a Perfect Mind is software used by Parks and Recreation to manage bookings and registration. The expense related to training staff received about the program.

**12.2 2018 Annual Report**

**Mark Boysen, Chief Administrative Officer**

Mark Boysen, Chief Administrative Officer, presented the Annual Report. He noted that the report is a statutory requirement and its format will be improved next year.

2017-005

**It was moved by Councillor Kemps and seconded by Councillor Cole THAT Council approve recommendation 1 of the report item, "2018 Annual Report" which states:**

1. *THAT Council adopt the District of Ucluelet 2018 Annual Report as attached.*

CARRIED.

**12.3 2018 Statement of Financial Information Report**

**Donna Monteith, Director of Finance**

2017-006

**It was moved by Councillor Cole and seconded by Councillor McEwen THAT Council approve recommendation 1 of the report item, "2018 Statement of Financial Information Report" which states:**

1. *THAT Council approve the District of Ucluelet 2018 Statement of Financial Information as attached.*

CARRIED.

**12.4 Cannabis Retail Sales - General Context**

**John Towgood, Planner 1**

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

- Explained that the Provincial licensing authority will only approve applicants that are approved by local governments.
- Noted that unlike liquor stores, the Provincial licensing authority will not limit the number of cannabis outlets in each municipality.

- Explained that all retail cannabis outlets in Ucluelet must apply for rezoning because of an amendment to local zoning bylaws passed last year.

**12.5 Zoning Amendment for Cannabis Sales at 1972 Peninsula Road**  
**John Towgood, Planner 1**

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

- Corrected figure two and noted that the red box which identifies the proposed retail unit should be over the unit immediately to the West of where it is shown.
- Noted that the unit's current parking is on the Ministry of Transportation and Infrastructure right of way.
- Noted that figure 4 is a conceptual drawing that shows a improved parking. Any implemented parking plan will not block the loading zone behind Abbondanza.
- Noted that this is an opportunity for Council to direct Staff draft the zoning amendment bylaw.
- Noted that the Applicant was not present.

Council questions and comments:

- Noted that is a good opportunity to address parking issues.
- Noted that they are keen to hear feedback at the public hearing.
- Noted that this is only the start of the process.

2017-007

**It was moved by Councillor Kemp and seconded by Councillor Cole**  
*THAT Council approve recommendation 1 of the report item, "Zoning Amendment for Cannabis Sales at 1972 Peninsula Road" which states:*

*1. THAT Council, with regard to the requested zoning amendment to add Cannabis Sales as a permitted use on a portion of the property at 1972 Peninsula Road:*

*a. direct Staff to prepare a zoning amendment bylaw for further consideration;*

*b. indicate to the applicant that the following should be submitted before a public hearing would be scheduled for the bylaw:*

*i. an application for a Development Variance Permit to reduce the number of on-site parking spaces, in conjunction with improvements to create safer on-street parking on the Peninsula Road and Norah Street frontages;*



ii. detailed plans and application for a Development Permit for the form and character of changes to the front of the property; and,

iii. written confirmation of the applicant's commitment to funding new curb, gutter, sidewalk and landscaped boulevard works to improve pedestrian safety along the length of the property frontage.

CARRIED.

2017-008

**It was moved by Councillor Kemp and seconded by Councillor McEwen THAT Council approve recommendation 2 of the report item, "Zoning Amendment for Cannabis Sales at 1972 Peninsula Road" which states:**

*2. THAT Council indicate that final adoption of a zoning amendment bylaw to authorize Cannabis Sales would be subject to receiving confirmation that the proponent has received licensing approval from the provincial Liquor and Cannabis Regulation Branch.*

CARRIED.

## **12.6 Zoning Amendment for Cannabis Sales at 1786 Peninsula Road John Towgood, Planner 1**

- Late items received by Council:
  - a. Replace page 231 of the Agenda, which forms part of Appendix A to report No. 19-93, with the following:
    - 2018-11-02 Fiona Goudy
  - b. 2019-07-09 Andrew Hanson Correspondence

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

- Corrected figure 2, and explained that the box labelled subject property should be over property 1786 not 1728.
- Noted that the subject property has Larch Road and Peninsula Road frontage.
- Noted that the proposed retail site is in need of repair.
- Noted that the proposed retail site is located on Larch Road which is in need of improvements.
- Noted that the draft OCP, which is at first reading, recommends transitioning properties along Larch Road., to Multi-Family Residential.
- Noted that the owner plans to redevelop the entire property.
- Noted that the key question for Council to consider is whether Larch Road is the best place for an active retail location?

Council questions and comments:

- Noted that vulnerable populations reside near the site at the West Coast Resource Society house and Forest Glenn retirement community.
- Noted the applicant has received preliminary approval from the Liquor and Cannabis Regulation Branch.
- Noted that this is the only applicant who has received letters of support.
- Acknowledged Staff's reservations about the Larch Road location.
- Noted that the Larch Road entrance will continue to be used for offloading regardless of the success of this rezoning application.

Mr. Henry, the Applicant's representative, directed Council to the drawings of the property on pages 246 - 249 of the Agenda package and noted that the Applicant has experience retailing a controlled substance (alcohol).

2017-009

**It was moved by Councillor McEwen and seconded by Councillor Kemps THAT Council approve recommendation 1 of the report item, "Zoning Amendment for Cannabis Sales at 1786 Peninsula Road" which states:**

*1. THAT Council, with regard to the requested zoning amendment to add Cannabis Sales as a permitted use on a portion of the property at 1786 Peninsula Road:*

*a. encourage the applicant to amend their application to utilize a more appropriate location for an active retail store, rather than the Larch Road frontage;*

*b. encourage the applicant to provide detailed plans suitable for a Development Permit to show the resulting form and character of the proposal; and,*

*c. direct staff to prepare a zoning amendment bylaw for further consideration.*

CARRIED.

**12.7 Zoning Amendment for Cannabis Sales at 1685 Peninsula Road  
John Towgood, Planner 1**

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

- Noted that the proposed site is at the lower level of a large property which is accessible from Peninsula Road and backs onto the Cedar Road Parking Lot.
- Explained that the building was relocated to the site, needs

upgrades and a building permit was never issued for it's foundation.

- Noted that upgrades to the site will be required to create safe vehicle flow.
- Noted some parking on the site results in vehicles backing-out on to Peninsula Road.
- Noted that the site is central to town and is likely to be an area of future development.
- Explained that the applicant has agreed to the following:
  - Provide a statutory right of way registered in the name of the District of Ucluelet which would allow access to the Cedar Road Parking Lot through the site.
  - Provide \$20,000 for a gravel path from Peninsula Road to the Cedar Road Parking Lot.
  - Contribute \$23,500 for frontage upgrades along Peninsula Road.
  - Remove parking that backs onto Peninsula Road.
  - Allow the District to register a right of way plan on title for the District of Ucluelet's storm water pipe located on the Applicant's property.

Council comments and questions:

- Noted the benefit of accessing the Cedar Road Parking Lot through the Applicant's property.
- Noted the Applicant's proposed contributions are substantial.
- Noted that this may be one of many retail outlets on the property.

2017-010

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

*THAT Council approve recommendation 1 of the report item, "Zoning Amendment for Cannabis Sales at 1685 Peninsula Road" which states:*

*1. THAT Council, with regard to the requested zoning amendment to add Cannabis Sales as a permitted use on a portion of the property at 1685 Peninsula Road:*

*a. direct Staff to prepare a zoning amending bylaw for further consideration;*

*b. indicate to the applicant that the following should be submitted before a public hearing would be scheduled for the bylaw:*

*i. detailed plans and application for a Development Permit for the form and character of changes to the property; and,*

*ii. written confirmation of the applicant's commitment to contributing to the funding of new curb, gutter, sidewalk and*

*landscaped boulevard works to improve pedestrian safety along the length of the property frontage.*

CARRIED.

2017-011

**It was moved by Councillor Kemp 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:**

*2. THAT Council indicate that final adoption of a zoning amendment bylaw to authorize Cannabis Sales would be subject to receiving confirmation that the proponent has received licensing approval from the provincial Liquor and Cannabis Regulation Branch.*

CARRIED.

### 13. LEGISLATION

#### 13.1 Bylaw to Repeal Commissions *Joseph Rotenberg, Corporate Clerk*

Council comments and questions:

- Noted that Council's community engagement strategy recommends Recreation Commission Members, Harbour Advisory Commission Members and other interested residents engage directly with Council. Direct engagement will allow Council to make resolutions and hold District Staff accountable.

2017-012

**It was moved by Councillor McEwen and seconded by Councillor Hoar THAT Council approve recommendation 1 of the report item, "Bylaw to Repeal Commissions" which states:**

1. *THAT Council give First, Second, and Third Reading to the "Recreation Commission and Harbour Advisory Commission Repeal Bylaw No. 1250, 2019".*

CARRIED.

### 14. OTHER BUSINESS

- There was no other business.

### 15. QUESTION PERIOD

15.1 **P. Timmermans** noted that rezoning application for 1786 Peninsula Rd. had not been referred to public hearing. Counsel clarified that their resolution is for the application to be reworked. Mr. Greigs, further explained that a public hearing would not occur until after first and second reading of the zoning amendment bylaw.

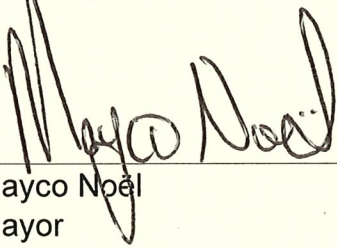
15.2 **Unidentified individual** asked if the Fire Engine siren has a volume control? Councillor Cole explained there is no volume control on the siren.

15.3 A. Fortune announced that Ukee Days is seeking volunteers.

16. ADJOURNMENT

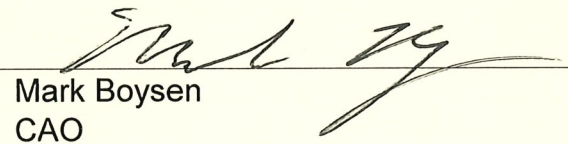
16.1 Mayor Noël adjourned this meeting at 4:07 PM.

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday, July 9, 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