



**REGULAR MEETING OF COUNCIL
Tuesday, May 28, 2019 @ 4:30 PM
George Fraser Room, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet**

AGENDA

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1. CALL TO ORDER	
2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY	
2.1. Council would like to acknowledge the Yuułu?i?ath First Nations on whose traditional territories the District of Ucluelet operates.	
3. ADDITIONS TO AGENDA	
4. APPROVAL OF AGENDA	
4.1. May 28, 2019 Regular Agenda	
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11.3	Councillor Lara Kemps <i>Deputy Mayor April - June 2019</i>	
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- 14. OTHER BUSINESS
- 15. QUESTION PERIOD
- 16. CLOSED SESSION

16.1. Procedural Motion to Move In-Camera

THAT the meeting be closed to the public in order to address agenda items under Sections 90(1)(e), (g), and (i), and Section 90(2)(b) of the Community Charter.

- 17. ADJOURNMENT

DISTRICT OF UCLUELET
MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Tuesday, April 23, 2019 at 4:30 PM

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

Regrets: Councillor Cole

1. CALL TO ORDER

1.1 Mayor Noël called the meeting to order at 4:30 PM.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

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

3. ADDITIONS TO AGENDA

3.1 There were no additions to the agenda.

4. APPROVAL OF AGENDA

4.1 April 23, 2019 Regular Agenda

2017-001 **It was moved by Councillor Kemps and seconded by Councillor McEwen**
 THAT Council approve the April 23, 2019 Regular Agenda as presented.
CARRIED.

5. UNFINISHED BUSINESS

5.1 There was no unfinished business.

6. MAYOR'S ANNOUNCEMENTS

- 6.1**
- **Meeting with Societies on Friday, April 26, 2019.**
 - **Haida language film viewing tonight at 7:30 PM, hosted by the Ucluelet High School, at the Ucluelet Community Centre.**

7. PUBLIC INPUT, DELEGATIONS & PETITIONS

7.1 Public Input

R. Oliwa, asked about the minutes from the April 9th meeting. CAO Boysen said they will be on the next agenda.

P. Timmermans, speaking to item 11.7, asked whether the signees understood the item they were signing and if the petitioner made it clear what they were signing. Previous Council's have refused VR-2 zoning. Concern with the incremental negative effect it will have on housing. Asked that Council not allow Ucluelet to become a Whistler or Tofino. He supports the staff recommendation and would like to see the removal of VR-2 zoning in our community.

B. Shramm, noted the headline on the petition (item 11.7) says VR-1 zoning in Ucluelet but the application is for VR-2. Sees a problem with what people thought they were agreeing to when signing the petition. Clarified that no one is rejecting VR-1. There are properties coming up on Onni and Weyerhaeuser lands and it will signal to the developers that Vacation Rentals are sought after.

K. Harwood, shared pleas of urgency for some form of action for the housing conditions and availability for our workers this summer. Noted support of the affordable housing initiatives that the District has planned for the long-term but urging Council for short-term action.

N. Bartlet, resident of 748 Odyssey Lane and one of the properties that have applied for rezoning, stated that he and his wife put their names on the petition and have reconsidered their position now that they are more informed. They are opposed to the rezoning. They see the potential for the impact on the character of the street. They moved here two years ago. It is a residential neighbourhood and they don't want it turned into a vacation area. They are opposed to any change.

8. CORRESPONDENCE

8.1 2019 BCCFA Conference & AGM Invite British Columbia Community Forest Association

- Mayor Noël noted he is unable to attend as he is returning from

the FCM Conference in Quebec.

- 8.2 Request to Pass a Resolution to be Forwarded to Premier Horgan & the Union of BC Municipalities**
City of Maple Ridge

9. INFORMATION ITEMS

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

- 9.2 2018 in Review and 2019-2020 Strategic Plan**
Wild Pacific Trail Society

- Mayor Noël thanked Barbara Shramm for sharing the annual review and strategic plan with Council.
- Suggested they connect with Tourism Ucluelet to align messaging when implementing the communication strategy.

10. COUNCIL COMMITTEE REPORTS

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

- **April 16th attended the Barkley Community Forest Open House and noted it was not as well attended as the previous two years.**
- **April 17th attended the ACRD West Coast Committee Meeting as the Mayor's alternate. Discussed organic waste diversion options coming up in the future.**

- 10.2 Councillor Lara Kemp**
Deputy Mayor April - June 2019

- **April 12-14th attended the AVICC Convention in Powell River. It was valuable to network with other island communities as well as vote on the resolutions that will go forward to UBCM.**
- **April 9th attended the School District Board Meeting. We are still waiting to find out about the seismic upgrades at schools.**
- **April 16th attended the Barkley Community Forest Open House.**
- **April 18th attended the West Coast Job Fair. There were 33 employers that showed up but not as many job seekers.**
- **April 22nd attended Zoe's Bakery's Earth Day Event.**

10.3 Councillor Jennifer Hoar

Deputy Mayor July - September 2019

- **April 10th attended the Aquarium Board Meeting. Currently have two volunteers until June and 3 volunteers for the summer. They are hiring summer staff, but the issue is still staff accommodation. Involved with clean-up projects on the west coast with Surfrider.**

10.4 Mayor Mayco Noël

- **April 23rd attended surf safety meeting with the Parks. They are asking businesses to help educate visitors of dangers. There is still a group hoping to get lifeguards. Topic of tracking incidents in front of the Lighthouse also came up in discussion.**
- **April 12-14th attend AVICC Convention in Powell River. The District's resolution on modernization of utility tax was passed and will go to UBCM in September.**

11. REPORTS

11.1 Resolution Tracking - April 2019

Marlene Lagoa, Manager of Corporate Services

11.2 Information Session on 2019 District Projects

Marlene Lagoa, Manager of Corporate Services

- Mayor Noël noted that Council appreciated seeing the written comments.

11.3 School Zone Safety Review

Warren Cannon, Manager of Public Works

- CAO Boysen presented the report to Council, highlights included:
 - Challenges with how the School District manages their lands which is creating congestion.
 - In the long-term, District staff will work with the School District on improving the drop-off area and looking at the design of the parking area.
 - In the short-term, speed humps could help to reduce speed in the area.
 - These humps would be table-top speed bumps.
 - Staff are cautious that there is the potential to impact the rest of the community when we slow down traffic in this

- area.
 - Cost is \$20,000 for the speed humps and are removable as a new school redesign may change the location of the parking area.
- Council comments and questions included:
 - Will there be public engagement on the speed humps? Councillor McEwen noted there are residents across the street from the school who are very opposed to it. They are worried about the increase in noise from the fish trucks. CAO Boysen, responded that providing public engagement is definitely an option. We can provide some of this information to the public and seek feedback.
 - The 30 km signs in the middle of the road have been broken. Can we put them on a spring so they don't need to be replaced? Warren Cannon, Manager of Public Works/Superintendent, responded that staff are looking at other sign options.
 - Do we have an assigned route for the fish trucks? CAO Boysen noted there is no dedicated route at this time; however, there is activity on Helen Road.
 - Mayor Noël stated that is important to have engagement with the residents in front of the school. CAO Boysen noted that staff will do engagement in June for feedback and bring those results back to Council for a final decision.

2017-002

It was moved by Councillor McEwen and seconded by Councillor Hoar THAT Council approve recommendation 1 & 2 of report item, "School Zone Safety Review" as amended which reads:

1. **THAT** Council direct Staff to engage School District 70 (Alberni) to improve drop-off options on school property.
2. **THAT** Council direct Staff to purchase and install removable rubber speed humps in the school zone in time for the start of 2019/2020 school year utilizing funds from the Gas Tax Reserve Fund estimated at \$20,000 following public consultation.

CARRIED.

11.4 CleanBC Communities Fund Application for EV Charging Stations **Mark Boysen, Chief Administrative Officer**

- CAO Mark Boysen presented the report to Council, highlights included:
 - Opportunity to join other communities in the application to expand EV charging station network.
 - The District already has 8-10 charging stations planned, and funded, this would be an opportunity to leverage those funds or add more EV charging stations to future projects.

- Councillor Hoar noted there has been a large increase in the number of vehicles using the EV fast charging station at the junction over the last six months.

2017-003

It was moved by Councillor Hoar and seconded by Councillor McEwen

THAT Council approve recommendation 1 of report item, "CleanBC Communities Fund Application for EV Charging Stations" which states:

1. **THAT** the District participate in the Mid-Island EV Network project and associated CleanBC Communities Fund application with the Regional District of Nanaimo as the lead applicant and dedicate a total of up to \$10,000 funded from the Resort Municipality Initiative (RMI) reserves for the District's portion of the cost of four public electric vehicle charging stations at District owned sites within the community.

CARRIED.

11.5 Short-Term Rental Program - Update **Brent Ashton, Bylaw Services Officer**

- Bruce Greig, Manager of Community Planning, presented the update on Bylaw's monitoring and enforcement of the short-term rental program, highlights included:
 - Cost of tracking software has increased as it is based on the number of units listed.
 - Enforcement involves a series of steps such as identifying if the unit is eligible for a business license and meets the needs of zoning.

11.6 Short-Term Rentals - Accessory Residential vs. Commercial Use **Bruce Greig, Manager of Community Planning**

- Bruce Greig, Manager of Community Planning, presented the report to Council. Highlights included:
 - Report is meant as a reference for Council.
 - The original zoning of accessory uses in residential areas was meant to be a minor part of the property to act as a mortgage helper.
 - Short-term rentals are recognized as part of the Residential B&B designation.
 - Establishing guidelines for seasonal RV housing and permits for accessory short-term rentals on existing residential properties.
- Councillor Kemps noted she would like to defer to the next Council meeting as there is a public hearing coming up next week.

2017-004

It was moved by Councillor Kemps and seconded by Councillor McEwen

THAT Council approve recommendation 1 of report item, "Short-Term Rentals - Accessory Residential vs. Commercial Use" which states:

1. **THAT** Council receive this report for information and reference in the ongoing process of considering bylaw changes for residential properties, including the upcoming public hearing processes for individual properties seeking rezoning for increased short-term rental uses; and
2. Defer recommendations 2 & 3 to the May 14th Regular Council Meeting following the April 30 Public Hearing.

CARRIED.

11.7 Zoning Bylaw Amendment Odyssey Lane (Lots A Through G, Plan VIS6520)

Bruce Greig, Manager of Community Planning

- Bruce Greig, Manager of Community Planning, presented an overview of the application brought forward by the property owners on Odyssey Lane, highlights included:
 - Currently the properties are part of a Comprehensive Development Zone with VR-1 as a secondary use.
 - VR-1 use allows them to have one or two suites in the main house that can be used for short-term rental.
 - What is being requested is the VR-2 as amended. This would allow the main house to be rented.
 - They are asking for one of the secondary suites, minimum 15% of house, to be used by the permanent resident or caretaker overseeing the whole house.
 - There are over 50 signatures of support from businesses and individuals.
 - Staff can't indicate support for the application as presented.
 - It may be moved forward as a temporary use permit.
- Adam Glen, applicant, addressed Council and noted the following:
 - Seven of the eight lots are already zoned for guest house.
 - We are vacation rental properties zoned as VR-1.
 - At the time they submitted application they wanted a text amendment to the zoning to allow them to rent out the full house.
 - The rezoning would mean they continue to rent out two rooms, one being the main house, and keeping the requirement of a full-time resident on site.
 - There are two groups of owners, those that live here full-time and those that do not.
 - The VR-1 on top of the petition was due to the initial request to make an amendment to the zoning. There was no intention to mislead people.
 - Odyssey Lane is a bare land strata so they have the opportunity to monitor themselves to ensure that strata

bylaws are followed.

- Council comments and questions included:
 - Would rezoning increase the density of the lots? Mr. Greig responded that the number of units being rented on a nightly basis would stay the same but the nature and intensity would change.
 - Whether to put it off until after the public hearing on VR-2.
 - Concern with properties being purchased for revenue income which is changing communities very rapidly.
 - VR-2 zoning encouraging absentee homeowners.
 - We need to protect what we do have instead of encouraging more nightly rentals.
 - Temporary use permits are an administrative drain for Planning staff.

2017-005

It was moved by Councillor Kemps and seconded by Councillor Hoar

THAT Council approve recommendation 1 of report item, "Zoning Bylaw Amendment Odyssey lane (Lots A Through G, Plan VIS6520) which states:

1. **THAT** Council reject the requested zoning amendment to add Vacation Rental (VR-2) use to Lots A through G on Odyssey Lane.

CARRIED.

11.8 Zoning Bylaw Amendment for 796 Marine Drive John Towgood, Planner 1

- *Bruce Greig, Manager of Community Planning, presented an overview of the application, highlights included:*
 - *The application is to take a property that is zoned for residential use and vacation rental as a secondary use and changing it to guest house.*
 - *The guest house zoning would allow a three-fold increase in density on the property.*
 - *Staff recommend the two guest cottages.*
- *Council members were concerned about the increase in density a guest house would provide.*
- *Sandy Rantz, applicant's representative, asked if Council would consider two B&B rooms in the house, or a suite that can be rented out full-time to an employee? Can they come back with another proposal? Mr. Greig said yes and outlined the process moving forward based on the current application before Council.*

2017-006

It was moved by Councillor Hoar and seconded by Councillor McEwen

THAT Council approve recommendation 1 of report item, "Zoning Bylaw Amendment for 796 Marine Drive" which states:

1. **THAT** Council indicate support for a modified version of the requested site-specific zoning amendment for 796 Marine Drive to permit two

Guest Cabins on the property, but with no additional Guest House use at this time.

CARRIED.

12. LEGISLATION

12.1 Five Year Financial Plan and Tax Rates Bylaws (Adoption)

Marlene Lagoa, Manager of Corporate Services

2017-007

It was moved by Councillor McEwen and seconded by Councillor Hoar THAT Council approve recommendation 1 & 2 of legislation item, "Five Year Financial Plan and Tax Rates Bylaws (Adoption) which states:

1. **THAT Council adopt the "District of Ucluelet 2019–2023 Financial Plan Bylaw No. 1245, 2019"; and**
2. **THAT Council adopt the "District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019".**

CARRIED.

12.2 Single-Use Plastics Bylaw - 2nd Reading

Marlene Lagoa, Manager of Corporate Services

- Marlene Lagoa, Manager of Corporate Services, presented an overview of the bylaw, highlights included:
 - Tofino and Ucluelet will be the first municipalities in BC to ban plastic straws.
 - Updated the bylaw to exempt Surfrider's reusable bags that are donated and made from reusable material.
 - Public comments on the bylaw will be received until early May.

2017-008

It was moved by Councillor Hoar and seconded by Councillor McEwen THAT Council approve recommendation 1 of legislation item, "Single-Use Plastics Bylaw - 2nd Reading" which states:

1. **THAT Council give second reading to the "District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019".**

CARRIED.

13. OTHER BUSINESS

13.1 There was no other business.

14. QUESTION PERIOD

14.1 **J. Gray, resident, wished to provide comments on the short-term rental report.**

- In regard to the Ridge development, originally the DP was issued for 6 buildings each having 12 units. One of those buildings was for residential only and the remaining 5

- buildings had the option of nightly rentals or residential.
- Has income statements for nightly rentals at the Ridge which she will forward to Planning staff. The highest gross annual income was \$60,000, with the average between \$20,000 - \$40,000 per unit.
 - Also has income information on some units at the Black Rock Resort which she will forward to staff.
 - Ucluelet currently has 30 lots in Onni lands which are zoned VR-2 with no requirement to have an on-site full-time resident. Without the VR-2 bylaw amendment passing, those Onni properties will not require a full-time resident.

15. ADJOURNMENT

15.1 Mayor Noël adjourned the meeting at 5:53 pm.

CERTIFIED CORRECT: Minutes of the Regular Council Meeting held on Tuesday, April 23, 2019 at 4:30 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.

Mayco Noël
Mayor

Mark Boysen
CAO



DISTRICT OF UCLUELET

Request to Appear as a Delegation

All delegations requesting permission to appear before Council are required to submit a written request or complete this form and submit all information or documentation by 11:00 a.m. the Wednesday preceding the subsequent Council meeting. Applicants should include the topic of discussion and outline the action they wish Council to undertake.

All correspondence submitted to the District of Ucluelet in response to this notice will form part of the public record and will be published in a meeting agenda. Delegations shall limit their presentation to ten minutes, except by prior arrangement or resolution of Council.

Please arrive 10 minutes early and be prepared for the Council meeting. The Mayor (or Acting Mayor) is the chairperson and all comments are to be directed to the chairperson. It is important to address the chairperson as Your Worship or Mayor Noël.

The District Office will advise you of which Council meeting you will be scheduled for if you cannot be accommodated on your requested date. For more information contact the District Office at 250-726-7744 or email info@ucluelet.ca.

Requested Council Meeting Date: May 28, 2019

Organization Name: BC AdventureSmart

Name of person(s) to make presentation: Sandra Riches or PJ Richards

Topic: Search and Rescue Prevention / BC AdventureSmart

Purpose of Presentation:

Information only

Requesting a letter of support

Other (provide details below)

Please describe:

Description provided on second page.

Contact person (if different from above): Sandra Riches, Executive Director & BC Coord.

Telephone Number and Email: 604-671-2241 / bccordinator@adventuresmart.ca

Will you be providing supporting documentation? Yes No

If yes, what are you providing?

Handout(s)

PowerPoint Presentation

Note: Any presentations requiring a computer and projector/screen must be provided prior to your appearance date. The District cannot accommodate personal laptops.



DISTRICT OF UCLUELET

Request to Appear as a Delegation

Description:

BC has over 1,700 search and rescue (SAR) incidents annually, with 80 SAR groups, consisting of 2,500 volunteers responding to those incidents.

BC AdventureSmart increases awareness to help reduce the number and severity of incidents by delivering outdoor recreation safety programs to outdoor enthusiasts, to students at schools, to outdoor clubs, communities and at workplaces to upwards of 25,000 face-to-face annually. Additionally, BC AdventureSmart hosts special events in provincial and national parks, at trail heads and on ski-hills with season and sport specific messaging.

Subject: Invitation: regional education tourism program update and mingle

From: Nicole Gerbrandt

Sent: May 17, 2019 3:05 PM

Subject: Invitation: regional education tourism program update and mingle

Good afternoon Mayor and Council,

You are invited to join West Coast NEST (Nature. Education. Sustainability. Transformation.) for a presentation of our 2018 annual report, including education program highlights and marketing metrics, followed by a regional education tourism partner mix + mingle. The event details are:

Monday, June 17th 2019

2:00 – 4:00 pm

Long Beach Golf Course

Please RSVP by May 31st to nicole@westcoastnest.org.

Cheers,

Nicole Gerbrandt

Education Coordinator

T 250-725-2219

C 250-726-6508

nicole@westcoastnest.org

We acknowledge the traditional territories of Hesquiaht First Nation, Tla-o-qui-aht First Nations, Toquaht Nation, Ahousaht, and Yuułuʔiłʔatḥ in the spirit of truth, healing, and reconciliation.

From: Info Ucluelet
Subject: From Ucluelet Bottle Depot: Regarding the Ocean Legacy Foundation Report

From: Ann C.A. Kim [REDACTED]
Sent: May 9, 2019 1:31 PM
Subject: From Ucluelet Bottle Depot: Regarding the Ocean Legacy Foundation Report

Dear Mayor and Council Members

More than 1 million beverage containers go missing each day in BC. More than 2.3 million beverage container caps go missing EVERY DAY. Please support BC depot operators rally for policy changes to the province's deposit refund system, and call on the government of British Columbia to take action on OLF's recommendations.

Please go to <http://www.bcdepot.info> for further information as well as links to downloadable email templates to the Minister of Environment and Climate Change Strategy, as well as MLAs and the Minister's Special Advisor on Ocean Debris Protection.

As owner and operator of Ucluelet Bottle Depot, I am grateful for the opportunity to have served our west coast communities since 2006. By supporting our call for policy changes, you can help in making a more effective deposit refund system that will ultimately contribute to a healthier environment.

Thank you,

Sincerely,

Ann C.A. Kim
Owner/Operator
Ucluelet Bottle Depot



CONTACT

Email: chamberoffice@uclueletinfo.com
 PO Box 428, Ucluelet BC V0R 3A0
 Phone: 250-726-4641
www.ucluelet.ca

Our Mission: "To promote trade interest and community welfare of Ucluelet."

District of Ucluelet

P.O. Box 999

Ucluelet, B.C. V0R3A0

Dear Mayor and Council:

On behalf of the Ucluelet Chamber of Commerce, we thank the District for their on going support for the work the Chamber is doing.

We thank you for the Grant of \$35,000 toward our Economic Development and Youth Entrepreneur Program.

And also \$10,000 for our Edge to Edge Marathon to be held in October this year.

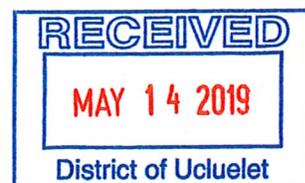
Respectfully,

Dian McCreary – President

Ucluelet Chamber of Commerce



Honourable Lisa Beare
Ministry of Tourism, Arts and Culture



DEAR MAYCO

THANK YOU SO MUCH FOR TAKING
THE TIME TO TOUR WITH ME IN YOUR
BEAUTIFUL COMMUNITY. I ENJOYED
HEARING FROM YOU AND YOUR LOCAL
BUSINESSES HOW IMPORTANT TOURISM
IS TO YOUR REGION. Sincerely
AND A HUGE THANK

TO YOUR STAFF!

A handwritten signature in black ink, appearing to read "Lisa Beare".



EMIL ANDERSON CONSTRUCTION (EAC) INC.

May 16th, 2019

**Re: Hwy 4 Kennedy Hill Safety Improvements
Traffic Interruptions Update**

Dear Highway 4 travelers,

Attached is a copy of the May 17th, 2019 to June 14th, 2019 closure schedule. You can find a copy of the schedule on our *EAC Hwy 4 Kennedy Hill Project Updates* Facebook page at facebook.com/eac.bc.ca.kennedy.hill/

There is also a traffic advisory hotline which will provide detailed and up-to-date information to help plan your trip. The number is: **1-855-451-7152**.

Information will also be posted on electronic message boards at either ends of the project and along the Hwy 4 corridor between the west coast and Hwy 19 as well as information posted to DriveBC.ca. For your own safety, it is imperative you respect all construction signage, and stay well clear of any equipment.

We apologize for any inconveniences as a result of this project, but hope you understand that we are working towards a safer highway for all of us.

Further project information is available on the Ministry's project website at gov.bc.ca/highway4kennedyhill. Should you have any questions or concerns, you can leave a message on the traffic advisory hotline at 1 855 451-7152.

Sincerely,

EMIL ANDERSON CONSTRUCTION (EAC) INC.

Erin Pomeroy
EAC Project Coordinator



17 – May	Friday	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM
18 – May	Saturday	No Closures
19 - May	Sunday	
20 – May	Monday	
21 - May	Tuesday	Road CLOSED between the following times: -10PM to 12AM
22 – May	Wednesday	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM -12PM to 1PM -4PM to 5PM -10PM to 12AM except on Fridays Expect up to 30-minute delays at all other times, day and night. ** Friday – No 12PM to 1PM and 4PM to 5PM closure
23 - May	Thursday	
24 - May	Friday	
25 – May	Saturday	
26 – May	Sunday	
27 – May	Monday	
28 – May	Tuesday	
29 – May	Wednesday	
30 – May	Thursday	
31-May	Friday**	
1– June	Saturday	
2 – June	Sunday	
3 - June	Monday	
4- June	Tuesday**	Road CLOSED between the following times: -1AM to 4AM -5AM to 7AM -12PM to 1PM -4PM to 5PM -10PM to 12AM except on Fridays Expect up to 30-minute delays at all other times, day and night. ** Tuesday – No 1AM to 4AM and 5AM to 7AM closure ** Friday – No 12PM to 1PM and 4PM to 5PM closure
5 - June	Wednesday	
6 - June	Thursday	
7 - June	Friday	
8 - June	Saturday	
9 - June	Sunday	
10 - June	Monday	
11 - June	Tuesday	
12 - June	Wednesday	
13 - June	Thursday	
14 - June	Friday**	

 Find us on Facebook
[@eac.bc.ca.kennedy.hill](https://www.facebook.com/eac.bc.ca.kennedy.hill)



STAFF REPORT TO COUNCIL

Council Meeting: MAY 28, 2019
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MARLENE LAGOA, MANAGER OF CORPORATE SERVICES

FILE NO: 0550-20

SUBJECT: RESOLUTION TRACKING – MAY 2019

REPORT NO: 19-63

ATTACHMENT(S): APPENDIX A – RESOLUTION TRACKING (May 2019)

RECOMMENDATION(S):

There is no recommendation. This report is provided for information only.

PURPOSE:

The purpose of this report is to provide Council with a monthly status update on resolutions that have been adopted by Council.

BACKGROUND:

The resolution follow-up status categories are:

- Assigned – action has not yet commenced;
- In Progress – action has been taken by staff; and
- Complete – action has been completed.

Items will be removed from the list after actions are shown once as being completed.

OPTIONS REVIEW:

1. There is no recommendation. This report is provided for information only. **(Recommended)**
2. **THAT** Council provide alternative direction to staff.

Respectfully submitted: Marlene Lagoa, Manager of Corporate Services
Mark Boysen, Chief Administrative Officer

Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 25 Sep 2018	11.3.	Lease with Ucluelet & Area Historical Society Abigail Fortune, Director of Parks & Recreation	THAT Council approve recommendation 1 of report item, "Lease With Ucluelet & Area Historical Society", which states: THAT Council enter into a lease agreement with the Ucluelet and Area Historical Society that is similar to their original Provincial Lease #111228 – Block A District Lot 1507, Clayoquot Land District for approximately 2.4 hectares.	Prepare lease agreement for signature.	Parks & Recreation	In Progress - Reviewing legal opinion
Regular Council - 25 Sep 2018	11.5.	Ucluelet Economic Development Strategy Progress Report Mark Boysen, Chief Administrative Officer	THAT Council approve the use of allocated Economic Development funds to support the following projects: a. Ucluelet Economic Development Web Tools Project (\$10,000).	Work with Chamber on Web Tools development project.	Corporate Services	In Progress
Regular Council - 27 Nov 2018	9.7.	Disc Golf Request Myles Morrison	THAT Council refer the letter from Myles Morrison regarding the disc golf request to the Recreation Commission.	Refer letter to Recreation Commission.	Parks & Recreation	Assigned
Regular Council - 11 Dec 2018	12.2.	2019 Council Meeting Schedule Marlene Lagoa, Deputy Municipal Clerk	THAT Council direct staff to update the District of Ucluelet Council Procedures Bylaw No. 1166, 2014 to reflect the new meeting schedule.	Update Council Procedures Bylaw.	Corporate Services	In Progress
Regular Council - 11 Dec 2018	12.4.	Development Permit & Development Variance Permit; 1714 Peninsula Road John Towgood, Planner 1	THAT Council approve Development Variance Permit DVP18-05 and Development Permit DP18-13 for the renovation and addition to a one-storey accessory building to create a two-storey, four-unit motel building located at 1714 Peninsula Road.	Issue DVP18-05 and DP 18-13.	Planning	Complete
Regular Council - 22 Jan 2019	12.2.	Resolution Tracking - January 2019 Marlene Lagoa, Manager of Corporate Services	THAT Council approve recommendation 1 of report item, "Resolution Tracking - January 2019" which states: THAT Council direct staff to schedule a meeting with Minister Adrian Dix and MLA Scott Fraser to discuss the proposed health centre.	Schedule a meeting with Minister Dix and MLA Fraser.	Corporate Services	Withdrawn - by CAO & Mayor as RFP for Health Centre Design & Engagement is underway

Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 22 Jan 2019	12.3.	2019 Council Appointments Update Mayco Noël, Mayor	THAT Council direct staff to setup an email list that includes Ucluelet community groups and Council.	Set up email list that includes Ucluelet community groups and Council.	Corporate Services	Complete
Regular Council - 12 Feb 2019	12.6.	Video Recording of Council Meetings Marlene Lagoa, Manager of Corporate Services	THAT Council approve recommendation 1 of report item, "Video Recording of Council Meetings" which states: THAT Council approve \$2000 in the 2019 budget for a camera to record and stream council meetings on YouTube.	Implement webcasting of council meetings.	Corporate Services	In Progress
Regular Council - 26 Feb 2019	5.1.	Terms of Reference for Advisory Committees of Council Mark Boysen, Chief Administrative Officer	THAT Council schedule a special Committee of the Whole meeting, with date to be determined, to meet with members of the Harbour and Recreation Commissions.	Schedule COW meeting.	Corporate Services	In Progress - Report coming to Council on June 11
Regular Council - 26 Feb 2019	7.2.	Joseph Rotenberg, Ucluelet Chamber of Commerce Re: UBERE Year One Report	THAT Council direct staff to increase the economic development budget for 2019 to \$35,000 to fund the Ucluelet Chamber of Commerce's Ucluelet Business and Employment Retention and Expansion program and the Youth Entrepreneurship program.	Distribute funds to Chamber.	Finance	Complete - Cheque sent in April.
Regular Council - 26 Feb 2019	8.2.	Parking, Sidewalk and Crosswalk Concerns Ucluelet Elementary School Parents	THAT Council direct staff to bring back a report on the implementation of speed bumps in the school zone on Peninsula Road to the next meeting.	Prepare report on engineered traffic calming measured for the school zone.	Public Works	Complete
Regular Council - 12 Mar 2019	5.1.	January 30, 2019 Special Minutes	THAT Council approve the January 30, 2019 Special Minutes as presented.	Print, sign, file, post to website.	Corporate Services	In Progress
Regular Council - 12 Mar 2019	5.2.	February 12, 2019 Regular Minutes	THAT Council approve the February 12, 2019 Regular Minutes as amended.	Print, sign, file, post to website.	Corporate Services	In Progress
Regular Council - 12 Mar 2019	5.3.	February 26, 2019 Regular Minutes	THAT Council approve the February 26, 2019 Regular Minutes as presented.	Print, sign, file, post to website.	Corporate Services	In Progress

Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 12 Mar 2019	9.3.	Municipal Survivor Climate Challenge District of Highlands	THAT Council participate in the District of Highlands' Municipal Survivor Climate Challenge.	Council report and track results individually.	Council	Complete - <i>Council to report and track results individually.</i>
Regular Council - 26 Mar 2019	5.1.	March 5, 2019 Special Minutes	THAT Council approve the March 5, 2019 Special Minutes as presented.	Print, sign, file, post to website.	Corporate Services	In Progress
Regular Council - 26 Mar 2019	5.2.	March 12, 2019 Special Minutes	THAT Council approve the March 12, 2019 Special Minutes as presented.	Print, sign, file, post to website.	Corporate Services	In Progress
Regular Council - 12 Mar 2019	13.1.	Sewer Parcel Tax Bylaw 2019-2020 (Adoption) Donna Monteith, Director of Finance	THAT Council approve recommendation 1 of legislation item, "Sewer Parcel Tax Bylaw 2019-2020 (Adoption)" which states: THAT the Sewer Parcel Tax Bylaw No. 1243, 2019 be adopted.	Print, sign, scan, file.	Corporate Services	Complete
Regular Council - 26 Mar 2019	10.2.	Hwy 4 - Kenndy Hill Safety Improvements Traffic Interruptions Update Emil Anderson Construction (EAC) Inc.	THAT the Mayor meet with representatives from Emil Anderson Construction, the Ministry of Transportation, and the District of Tofino to discuss delays at the Hwy 4 Kennedy Hill Project.	Book meeting.	Corporate Services	In Progress - <i>scheduled for June 14</i>
Regular Council - 26 Mar 2019	12.4.	Development Permit for Proposed Subdivision of OceanWest Phase 5 Bruce Greig, Manager of Community Planning	THAT Council approve recommendation 1 of report item, " Development Permit for Proposed Subdivision of OceanWest Phase 5 " which states: THAT Council approve Development Permit DP18-07 for the "OceanWest phase 5" 33-lot subdivision on Lot A, Plan VIP81555, Clayoquot District, except plan VIP84686 and in part of Lot 4, Plan VIP75113, Clayoquot District, District Lot 285, 286 & 473, except Plan VIP80031.	Issue DP18-07	Planning	Complete

Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 26 Mar 2019	12.5.	CARE Network Proposal for Regional Animal Shelter Brent Ashton, Bylaw Services Officer	THAT Council approve recommendation 1 of report item, "CARE Network Proposal Animal Shelter" which states: THAT Council refer to the ACRD the request for support of a grant by the CARE Network for an animal shelter serving the west coast, for discussion at the West Coast Committee.	Follow-up with CARE Network	Corporate Services	Complete
Regular Council - 26 Mar 2019	13.2.	Single-Use Plastics Bylaw - 1st Reading Marlene Lagoa, Manager of Corporate Services	THAT Council approve recommendation 2 of legislation item, "Single-Use Plastics Bylaw - 1st Reading" which states: THAT Council direct staff to obtain stakeholder feedback prior to second reading and schedule an opportunity for representations to Council prior to third reading.	Schedule representations at May 14 Council.	Corporate Services	Complete
Regular Council - 26 Mar 2019	13.2.	Single-Use Plastics Bylaw - 1st Reading Marlene Lagoa, Manager of Corporate Services	THAT Council approve recommendation 1 of legislation item, "Single-Use Plastics Bylaw - 1st Reading" which states: THAT Council give first reading to the "District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019".	Scheduled 2nd Reading on April 23	Corporate Services	Complete
Regular Council - 09 Apr 2019	5.1.	March 12, 2019 Regular Minutes	THAT Council approve the March 12, 2019 Regular Minutes as amended.	Amend Minutes, print, sign, post, file.	Corporate Services	In Progress
Regular Council - 09 Apr 2019	5.2.	March 26, 2019 Regular Minutes	THAT Council approve the March 26, 2019 Regular Minutes as amended.	Amend Minutes, print, sign, post, file.	Corporate Services	In Progress
Regular Council - 09 Apr 2019	9.1.	Request for Letter of Support For Graduated Licensing for Motorcycles Mayor Phillip Germuth, District of Kitimat	THAT Council direct staff to write a letter of support for the District of Kitimat's resolution to finalize and implement the Graduated Licensing Program for Motorcycles, including Power Restrictions and Mandatory Training.	Draft Letter for Mayor's Signature.	Corporate Services	Complete

Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 09 Apr 2019	9.2.	Congratulations to Mayor and Council Island Health		Send Island Health's Annual Report to Mayor and Council.	Corporate Services	Complete
Regular Council - 09 Apr 2019	12.4.	Development Permit for 1920 Peninsula Road John Towgood, Planner 1	THAT Council approve recommendation 1 of report item, "Development Permit for 1920 Peninsula Road" which states: THAT Council approve Development Permit DP18-08 for 1920 Peninsula Road.	Issue DP18-08 for 1920 Peninsula Road.	Corporate Services	Complete
Regular Council - 09 Apr 2019	13.1.	Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286 Bruce Greig, Manager of Community Planning	THAT Council approve recommendation 1 of legislation item, "Proposed Rezoning, Subdivision and Development Permits for 221 Minato Road Lot B, Plan VIP79908 Clayoquot District, District Lot 286" which states: THAT Council authorize issuance of Development Permit DP19-01 for the restoration of the previously damaged riparian and marine shoreline areas of the property at 221 Minato Road.	Issue DP19-01 for 221 Minato Road.	Corporate Services	Complete
Regular Council - 09 Apr 2019	13.2.	Five Year Financial Plan and Tax Rates Bylaws Donna Monteith, Director of Finance	THAT Council approve recommendation 2 of legislation item, " Five Year Financial Plan and Tax Rates Bylaws" which states: 2. THAT the "District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019" be given first, second and third reading.	Bring back to Council for adoption.	Corporate Services	Complete
Regular Council - 09 Apr 2019	13.2.	Five Year Financial Plan and Tax Rates Bylaws Donna Monteith, Director of Finance	THAT Council approve recommendation 1 of legislation item, " Five Year Financial Plan and Tax Rates Bylaws" which states: THAT the "District of Ucluelet 2019–2023 Financial Plan Bylaw No. 1245, 2019" be given first, second and third reading.	Bring back to Council for adoption.	Corporate Services	Complete

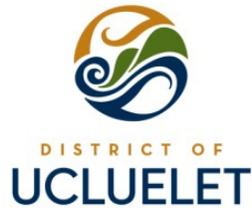
Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 09 Apr 2019	13.3.	Zoning Amendment Application - Pacific Rim Charters & Guest Lodge (354 Forbes Road) Bruce Greig, Manager of Community Planning	THAT Council approve recommendation 1 or legislation item, "Zoning Amendment Application - Pacific Rim Charters & Guest Lodge (354 Forbes Road)" which states: THAT Council, with regard to the proposal to renovate the building on Lot 17, District Lot 281, Clayoquot District, Plan VIP76147 (354 Forbes Road) and request for zoning amendments to permit commercial tourist accommodation on the property: give first and second readings to Ucluelet Zoning Amendment Bylaw No. 1248, 2019; give first and second readings to Ucluelet Housing Agreement Bylaw No. 1249, 2019; indicate support, subject to public comment, to issue a Development Variance Permit to vary the following aspects of the Eco-Industrial Park (CD-1) zoning regulations for the existing building: reduce the side yard setback per CD-1.6.1(3) on the south side from a minimum of 5m to 1.22m; reduce the rear yard setback per CD-1.6.1(3) from a minimum of 6m to 4.05m; reduce the parking setback per 503.2(1) from a minimum of 3m to 1.5m, subject to the owner installing the proposed landscaped screening within the reduced	Bring back to May 14 Regular Council.	Corporate Services	Complete

Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 23 Apr 2019	11.3.	School Zone Safety Review Warren Cannon, Manager of Public Works	THAT Council approve recommendation 1 & 2 of report item, "School Zone Safety Report" as amended which reads: THAT Council direct Staff to engage School District 70 (Alberni) to improve drop-off options on school property. THAT Council direct Staff to purchase and install removable rubber speed humps in the school zone in time for the start of 2019/2020 school year utilizing funds from the Gas Tax Reserve Fund estimated at \$20,000 following public consultation.	Seek community feedback and report back to Council.	Public Works	Assigned
Regular Council - 23 Apr 2019	11.4.	CleanBC Communities Fund Application for EV Charging Stations Mark Boysen, Chief Administrative Officer	THAT Council approve recommendation 1 of report item, "CleanBC Communities Fund Application for EV Charging Stations" which states: THAT the District participate in the Mid-Island EV Network project and associated CleanBC Communities Fund application with the Regional District of Nanaimo as the lead applicant and dedicate a total of up to \$10,000 funded from the Resort Municipality Initiative (RMI) reserves for the District's portion of the cost of four public electric vehicle charging stations at District owned sites within the community.	Install 4 public EV Charging Stations.	Management Group	Assigned

Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 23 Apr 2019	11.6.	Short-Term Rentals - Accessory Residential vs. Commercial Use Bruce Greig, Manager of Community Planning	THAT Council approve recommendation 1 of report item, "Short-Term Rentals - Accessory Residential vs. Commercial Use" which states: THAT Council receive this report for information and reference in the ongoing process of considering bylaw changes for residential properties, including the upcoming public hearing processes for individual properties seeking rezoning for increased short-term rental uses; And defer recommendations 2 & 3 to the May 14th Regular Council Meeting following the April 30 Public Hearing.	Bring back report with Recommendations 2 & 3 to June 11 Regular Council.	Corporate Services	Assigned
Regular Council - 23 Apr 2019	11.8.	Zoning Bylaw Amendment for 796 Marine Drive John Towgood, Planner 1	THAT Council approve recommendation 1 of report item, "Zoning Bylaw Amendment for 796 Marine Drive" which states: THAT Council indicate support for a modified version of the requested site-specific zoning amendment for 796 Marine Drive to permit two Guest Cabins on the property, but with no additional Guest House use at this time.	Draft Zoning Bylaw Amendment for 796 Marine Dr.	Planning	Complete - Applicant has withdrawn.
Regular Council - 23 Apr 2019	12.1.	Five Year Financial Plan and Tax Rates Bylaws (Adoption) Marlene Lagoa, Manager of Corporate Services	THAT Council approve recommendation 1 & 2 of legislation item, "Five Year Financial Plan and Tax Rates Bylaws (Adoption) which states: THAT Council adopt the "District of Ucluelet 2019–2023 Financial Plan Bylaw No. 1245, 2019"; and THAT Council adopt the "District of Ucluelet Annual Tax Rates Bylaw No. 1246, 2019".	Print, sign, file.	Corporate Services	Complete

RESOLUTION TRACKING -
May 2019

Meeting	Agenda Item #	Meeting Item Description	Resolution Text	Description	Department Responsible	Follow-Up Status
Regular Council - 23 Apr 2019	12.2.	Single-Use Plastics Bylaw - 2nd Reading Marlene Lagoa, Manager of Corporate Services	THAT Council approve recommendation 1 of legislation item, "Single-Use Plastics Bylaw - 2nd Reading" which states: THAT Council give second reading to the "District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019".	Return for 3rd Reading on May 14th.	Corporate Services	Complete



STAFF REPORT TO COUNCIL

Council Meeting: May 28, 2019
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MARK BOYSEN, CHIEF ADMINISTRATIVE OFFICER

FILE NO: 1855-03

SUBJECT: OPTIONS FOR CARBON NEUTRALITY FOR THE DISTRICT OF UCLUELET

REPORT NO: 19-64

ATTACHMENT(S): NONE

RECOMMENDATION(S):

1. **THAT** Council approve the purchase of verified carbon offsets from Offsetters for 2018 to achieve carbon neutrality.

PURPOSE:

The purpose of this report is to confirm Council's support for the the purchase of carbon offsets to achieve carbon neutrality for the 2018 reporting year.

BACKGROUND:

Each year the District of Ucluelet submits a Climate Action Revune Incentive Program (CARIP) report to the Province to:

- 1) Meet the District's commitment to the BC Climate Action Charter goals which include:
 - a. Carbon neutrality in respect of corporate operations;
 - b. Measuring and reporting on their community GHG emissions; and
 - c. Creating complete, compact and energy-efficient rural and urban communities.
- 2) Summarize emissions from municipal operations;
- 3) Calculate the carbon tax funds that will be returned to the District; and
- 4) To report on related projects and actions in municipal operations and the community.

To address the carbon neutrality goal of the Climate Action Charter, the District has previously purchased offsets and Staff are again recommending the purchase of carbon offsets to achieve carbon neutrality.

DISCUSSION:

For the 2018 year, staff are proposing two options to Council:

1. Purchasing offsets for the 2018 reporting year, or
2. Allocating offset funds to a reserve account to fund climate action projects.

Municipalities must take into account a range of considerations when it comes to deciding on their commitment to carbon neutrality including, 1) what level of commitment to make within the BC

Climate Action Framework, and 2) of the choices available, which of those are in the best interest of the community.

To meet the requirements of the BC Climate Action Charter, the Province provides different levels within their framework for municipalities to either achieve or work towards carbon neutrality.

Level 1: Demonstrating Progress on Charter Commitments

Demonstrate progress on fulfilling one or more of their Charter commitments.

Level 2: Measuring GHG Emissions

Local governments that achieve level 1 and have completed a corporate carbon inventory for the reporting year.

Level 3: Accelerating Progress on Charter Commitments

Local governments that achieve levels 1 and 2 and demonstrate significant climate action (corporately or community wide) to reduce GHG emissions.

Level 4: Achievement of Carbon Neutrality

Local governments that achieve carbon neutrality in the reporting year will receive a letter from the GCC acknowledging their accomplishments and a ‘**Climate Action Community – Carbon Neutral 2018**’ logo, for use on websites and letter head.

To determine what is in the best interest of the community, staff reviewed carbon offsetting options based on the following criteria:

- Type, location and quality of carbon offset projects;
- Cost of the offset per tonne of greenhouse gas;
- Ability to lead by example in the community (residents and businesses); and
- Alignment with tourism promotion and branding.

Based on this criteria, Staff is recommending the purchase of carbon offsets from Offsetters, specifically their Synergy Portfolio option. These offsets provide thoroughly verified projects and has been utilized by both local governments and businesses. There is a strong brand recognition as well which could encourage other local businesses to consider this option for their organization.

Continuing the District’s commitment to carbon neutrality aligns with Ucluelet’s newly adopted Climate Action Plan, which committed the District to an 80% reduction in greenhouse gas emissions and a shift to 100% renewable energy by 2050. These goals will be also included in the final drafts of the Ucluelet Official Community Plan that is nearing completion.

While the Carbon Fund option provides the municipality the opportunity to lead by example by funding its own climate action projects, the funds available are not enough to be impactful.

A summary of these options is provided on the following page in Table 1.

Table 1: Options for Use of Carbon Offset Funds

Option	Offset Description	Status Achieved
Offset Option 1A: Offsetters	<p>The General Portfolio: Mix of high-quality projects (with a minimum 25% Canadian mix). Cost of \$20/tonne of GHG.</p> <p>The Synergy Portfolio: Projects from British Columbia and Uganda that have been completed to various high quality standards. Cost of \$25/tonne of GHG. (Recommended)</p> <p>The Gold Standard Portfolio: A premium collection of international projects that have a strong focus on added social and environmental benefits. Cost of \$30/tonne of GHG.</p> <p>The Quadra Island Forestland Conservation Project: our newest project is a stand-alone project (rather than being included in a portfolio) on Quadra Island that has protected 418 hectares of forestland into BC Parkland. Cost of \$25/tonne of GHG.</p>	<p>Carbon Neutrality</p> <p>Climate Action Charter Requirements Level 4</p>
Offset Option 1B: Community Carbon Marketplace	<p>Net Zero Waste: A company that implemented a food, green and agricultural waste commercial composting facility to serve the residents and businesses of the Abbotsford Area. Cost of \$20/tonne of GHG.</p> <p>West Coast Railway Museum: The project involves using a 58-foot-deep ground source, electricity-driven heat pump, powered heating system. Cost of \$30/tonne of GHG.</p> <p>Sea to Sky Soils: Organic waste diversion in the Squamish region. Cost of \$30/tonne of GHG.</p>	<p>Carbon Neutrality</p> <p>Climate Action Charter Requirements Level 4</p>
Reserve Option 2: Ucluelet Carbon Fund	<p>The District can set aside funds in a separate reserve fund that would support climate action projects within municipal operations or in the community.</p>	<p>Accelerating Progress on Charter</p> <p>Climate Action Charter Requirements Level 3</p>

FINANCIAL IMPLICATIONS:

Based on an estimated carbon footprint of 100 tonnes for the District municipal operations, the proposed options vary in cost from \$2,000 to \$3,000 (\$20-\$30 per tonne of GHG) to achieve carbon neutrality.

The 2019 Budget allocated \$2,000 to the purchase of carbon offsets and the 2018 CARIP reporting grant will also provide the District with an additional \$1,000 carbon tax rebate. This results in total funds of \$3,000 being available to cover the costs of the offsets.

OPTION(S):

1. **THAT** Council approve the purchase of verified carbon offsets from Offsetters for 2018 to achieve carbon neutrality. **(Recommended)**
2. **THAT** Council allocate offset funds to a reserve account to fund climate action projects.
3. **THAT** Council provide alternative direction to staff.

Respectfully submitted: Mark Boysen, Chief Administrative Officer



STAFF REPORT TO COUNCIL

Council Meeting: MAY 28, 2019
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: TUP19-03 127.099

SUBJECT: TEMPORARY USE PERMIT - 651 Rainforest DRIVE

REPORT NO: 19-65

ATTACHMENT(S): Appendix A – Draft TUP19-03

RECOMMENDATION:

1. **THAT**, subject to public comment, Council authorize issuance of Temporary Use Permit 19-03 for a period of up to three years, to allow seasonal accommodation for two Recreational Vehicle / Trailer spaces on the property at 651 Rainforest Drive.

BACKGROUND:

At its May 14, 2019, meeting Council considered a staff report on the Temporary Use Permit (TUP) application 19-03 and passed the following motion:

“THAT Council direct staff to give notice of Council’s intent to consider issuing a Temporary Use Permit for seasonal accommodation for up to 2 RV / Trailers spaces on the property at 651 Rainforest Drive.”

SUMMARY:

The draft TUP19-03 is attached to this report; note the permit is subject to the owner’s undertaking, security deposit and conditions as listed in Schedule 3 (see Appendix A). The required statutory notification has been completed. Council should now provide an opportunity to receive public comment on this application, and thereafter consider whether to issue the requested TUP.

OPTIONS:

Subject to public comment, staff recommend that Council issue TUP19-03. Alternatively, Council has the following options:

2. **THAT** Council add, remove or otherwise change the permit conditions and then issue the permit as amended; or,
3. **THAT** Council reject the TUP application.

Respectfully submitted: Bruce Greig, Manager of Community Planning
Mark Boysen, Chief Administrative Officer



TEMPORARY USE PERMIT TUP19-03

General Terms

1. This Temporary Use Permit is issued to:

John Harkin
 P.O. Box 131
 Ucluelet, BC V0R 3A0

(the "**Permittee**")

as the registered owner of, and shall apply only to, the lands and premises situate in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

Lot 50, District Lot 282 Clayoquot District, Plan VIP79602
 PID 026-432-544 (651 Rainforest Drive)

(the "**Lands**").

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
5. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-4**, which are attached hereto and form part of this permit.
6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
7. If the Permittee or its successor(s) in title does not substantially commence any construction with respect to which this permit was issued within six months after the date it was issued, the Permit shall lapse.
8. Notice shall be filed in the Land Title Office under section 503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. This Permit is NOT a Building Permit.
10. This Permit is NOT a Development Permit.
11. Provisions of sections 495, 496 and 502 of the *Local Government Act* requiring security applies to this permit as set forth in **Schedule 2**.



AUTHORIZING RESOLUTION passed by the Municipal Council on the ____ day of **May, 2019**.

IN WITNESS WHEREOF this Temporary Use Permit is hereby executed and issued by the Municipality the ____ day of ___, 2019.

THIS PERMIT SHALL EXPIRE on the ____ day of **May, 2022**.

THE DISTRICT OF UCLUELET

by its authorized signatories:

Mayco Noël – Mayor

Mark Boysen – Corporate Officer

OWNER

by its authorized signatory

JOHN HARKIN

ISSUED the ____ day of ___, 2019.

Bruce Greig - Manager of Planning



Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:

I, John Harkin, representing *the Lands* hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
- b) Abide by all conditions of the Temporary Use Permit.

I understand that should I not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon *the Lands* and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of *the Lands* as herein set out.

I further understand that in the event of a default of the conditions contained within the Temporary Use Permit, I shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

DATE: _____

OWNERS: _____

WITNESS: _____



Schedule 2 Security

As a condition of the issuance of this Permit, the District of Ucluelet is holding a security set out below to ensure that development is carried out and operated in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to use the land as authorized according to the terms and conditions of the Permit and within the time provided, the District of Ucluelet may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee; or should the Permittee carry out the development permitted by this Permit within the set time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- a) A Letter of Credit or cash to be deposited into a specified bank account, to be held for the term of the permit in the amount of \$1000. The purpose of the security is to cover any associated costs to the District of Ucluelet with respect to the removal of recreational vehicle units and associated structures or services.



Schedule 3 Terms of Temporary Use Permit Conditions

- a) The permitted temporary use shall be limited to the following:

Two long-term seasonal recreational vehicle / trailer camping spaces.

- b) The two spaces are to be located as indicated in the site plan (**Schedule 4**)
- c) The owner or a manager / caretaker must reside on the Lands and their telephone and email contact shall be provided to the District and updated as required.
- d) The proposed seasonal RV spaces are for staff accommodation to be inhabited by employees working in the District of Ucluelet or surrounding region. For clarity, this permit does not authorize short-term commercial tourist accommodation use of the proposed RV spaces. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
- e) At the end of each seasonal stay, or within 6 months (whichever is less), the owner shall notify the Bylaw Services Officer in writing that the unit has been vacated.
- f) No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the seasonal camping area which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.
- g) The owner shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
- h) All spaces are to be serviced with water and sewer hookups to the satisfaction of the District of Ucluelet.
- i) An on-site parking space shall be provided for each seasonal RV space, in addition to the required parking for the residence and all other uses on site.
- j) No other temporary uses other than the above-mentioned uses shall be permitted.
- k) The municipal Bylaw Services Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.



Schedule 4 Site Plan

Site Plan of:

Lot 50, District Lot 282,
Clayoquot District, Plan VIP79602

Civic Address: 651 Rainforest Drive

Parcel Identifier: 026-432-544

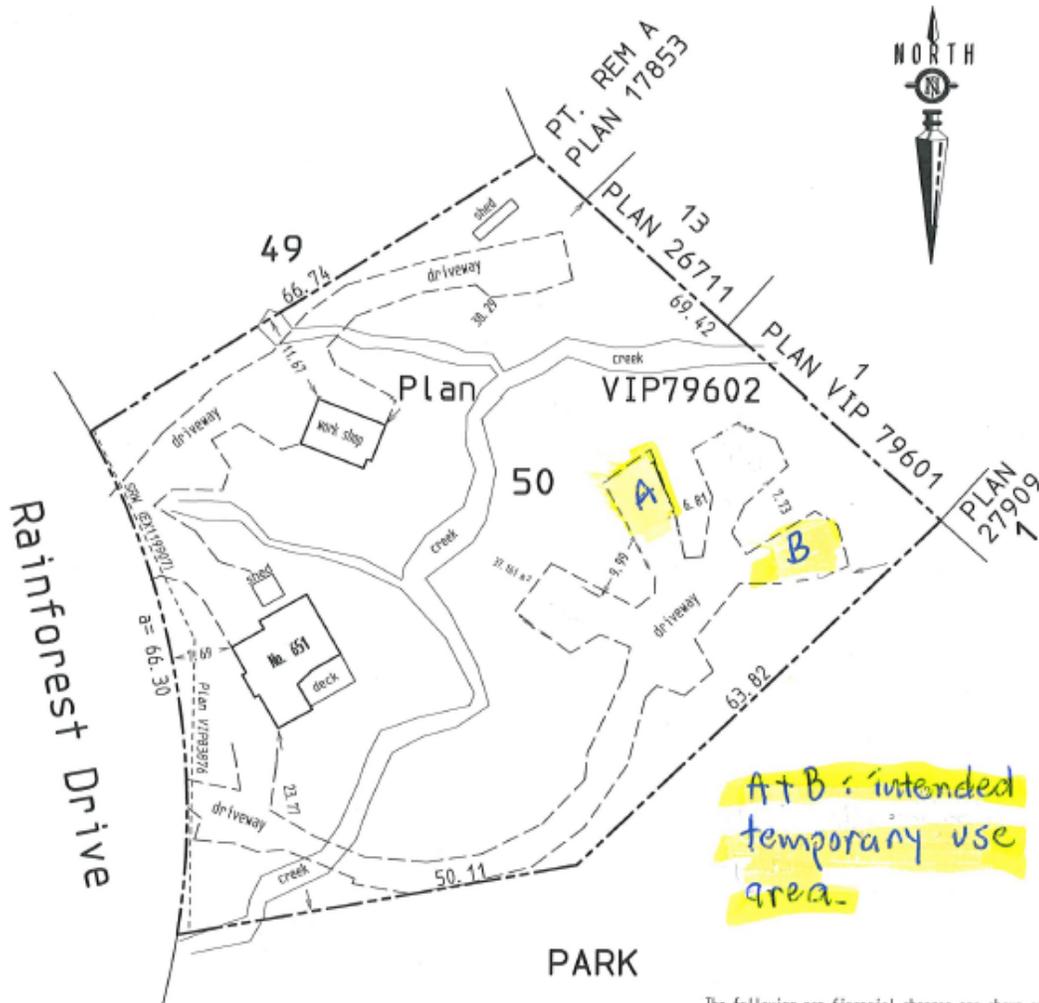
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All distances are in metres and decimals thereof

(plot on 8.5" x 11" sheet)

FILE: Rain-50
DMG/DATE: 2019-02-10
AG Surveys
545 - 110 Marine Drive
Ucluelet, BC V0R 3A0
phone (250) 266-4536



A+B: intended temporary use area.

The following non-financial charges are shown on the current title and may affect the property.
EX119907 - Statutory Right of Way
Setbacks are derived from field survey.
Parcel dimensions shown hereon are derived from Land Title Office records.



STAFF REPORT TO COUNCIL

Council Meeting: MAY 28, 2019
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: BRUCE GREIG, MANAGER OF COMMUNITY PLANNING

FILE NO: TUP19-04 127.099

SUBJECT: TEMPORARY USE PERMIT – 1992 Peninsula Road

REPORT NO: 19-66

ATTACHMENT(S): Appendix A – Draft TUP19-04

RECOMMENDATION:

1. **THAT**, subject to public comment, Council authorize issuance of Temporary Use Permit 19-04 for a period of up to three years, to allow seasonal accommodation for one Recreational Vehicle / Trailer space on the property at 1992 Peninsula Road.

BACKGROUND:

At its May 14, 2019, meeting Council considered a staff report on the Temporary Use Permit (TUP) application 19-04 and passed the following motion:

“THAT Council direct staff to give notice of Council’s intent to consider issuing a Temporary Use Permit for seasonal accommodation for up to 1 Trailer space on the property at 1992 Peninsula Road.”

SUMMARY:

The draft TUP19-04 is attached to this report; note the permit is subject to the owner’s undertaking, security deposit and conditions as listed in Schedule 3 (see Appendix A). The required statutory notification has been completed. Council can now receive public comment on this application and thereafter consider whether to issue the requested TUP.

OPTIONS:

Subject to public comment, staff recommend that Council issue TUP19-04. Alternatively, Council has the following options:

2. **THAT** Council add, remove or otherwise change the permit conditions and then issue the permit as amended; or,
3. **THAT** Council reject the TUP application.

Respectfully submitted: Bruce Greig, Manager of Community Planning
Mark Boysen, Chief Administrative Officer



TEMPORARY USE PERMIT TUP19-04

General Terms

1. This Temporary Use Permit is issued to:

Khan West Kitchen Inc. No. BC1026445
 P.O. Box 1274
 Ucluelet, BC V0R 3A0

(the "**Permittee**")

as the registered owner of, and shall apply only to, the lands and premises situate in the District of Ucluelet, in the Province of British Columbia, and more particularly described as:

Lot 1, District Lot 284 Clayoquot District, Plan VIP65432
 PID 023-782-251 (1992 Peninsula Road)

(the "**Lands**").

2. This Temporary Use Permit is issued pursuant to section 492 to 497 of the *Local Government Act*.
3. This Temporary Use Permit is issued subject to compliance with all applicable District of Ucluelet Bylaws.
4. This permit does not relieve an owner or occupier from obtaining any other approvals required by any other jurisdiction, or from meeting any other applicable regulations.
5. The permit holder, as a condition of issuance of this Permit, agrees to comply with the requirements and conditions of **Schedules 1-4**, which are attached hereto and form part of this permit.
6. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
7. If the Permittee or its successor(s) in title does not substantially commence any construction with respect to which this permit was issued within six months after the date it was issued, the Permit shall lapse.
8. Notice shall be filed in the Land Title Office under section 503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. This Permit is NOT a Building Permit.
10. This Permit is NOT a Development Permit.
11. Provisions of sections 495, 496 and 502 of the *Local Government Act* requiring security applies to this permit as set forth in **Schedule 2**.



AUTHORIZING RESOLUTION passed by the Municipal Council on the ____ day of **May, 2019**.

IN WITNESS WHEREOF this Temporary Use Permit is hereby executed and issued by the Municipality the ____ day of __, 2019.

THIS PERMIT SHALL EXPIRE on the ____ day of **May, 2022**.

THE DISTRICT OF UCLUELET
by its authorized signatories:

Mayco Noël – Mayor

Mark Boysen – Corporate Officer

OWNER
by its authorized signatory

AMIE SHIMIZU / KENT FUREY
KHAN WEST KITCHEN INC. No. BC1026445

ISSUED the ____ day of __, 2019.

Bruce Greig - Manager of Planning



Schedule 1 Required Undertaking

TO THE DISTRICT OF UCLUELET:

I, Amie Shimiziu, representing *the Lands* hereby undertake as a condition of issuance of this Temporary Use Permit to:

- a) Cease use and remove any structures built to support the temporary use from the subject property not later than 1 month after the termination date set out on the Temporary Use Permit.
- b) Abide by all conditions of the Temporary Use Permit.

I understand that should I not fulfill the undertakings described herein, the District of Ucluelet or its agents may enter upon *the Lands* and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the property into compliance with the District of Ucluelet bylaws, and that any securities submitted to the District pursuant to the Temporary Use Permit shall be forfeited and applied to the cost of restoration of *the Lands* as herein set out.

I further understand that in the event of a default of the conditions contained within the Temporary Use Permit, I shall forfeit the securities submitted to the District of Ucluelet.

This undertaking is attached hereto and forms part of the Temporary Use Permit.

DATE: _____

OWNERS: _____

WITNESS: _____



Schedule 2 Security

As a condition of the issuance of this Permit, the District of Ucluelet is holding a security set out below to ensure that development is carried out and operated in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to use the land as authorized according to the terms and conditions of the Permit and within the time provided, the District of Ucluelet may use the security to carry out the work by its servants, agents, or contractors, and any surplus shall be paid over to the Permittee; or should the Permittee carry out the development permitted by this Permit within the set time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- a) A Letter of Credit or cash to be deposited into a specified bank account, to be held for the term of the permit in the amount of \$1000. The purpose of the security is to cover any associated costs to the District of Ucluelet with respect to the removal of recreational vehicle units and associated structures or services.

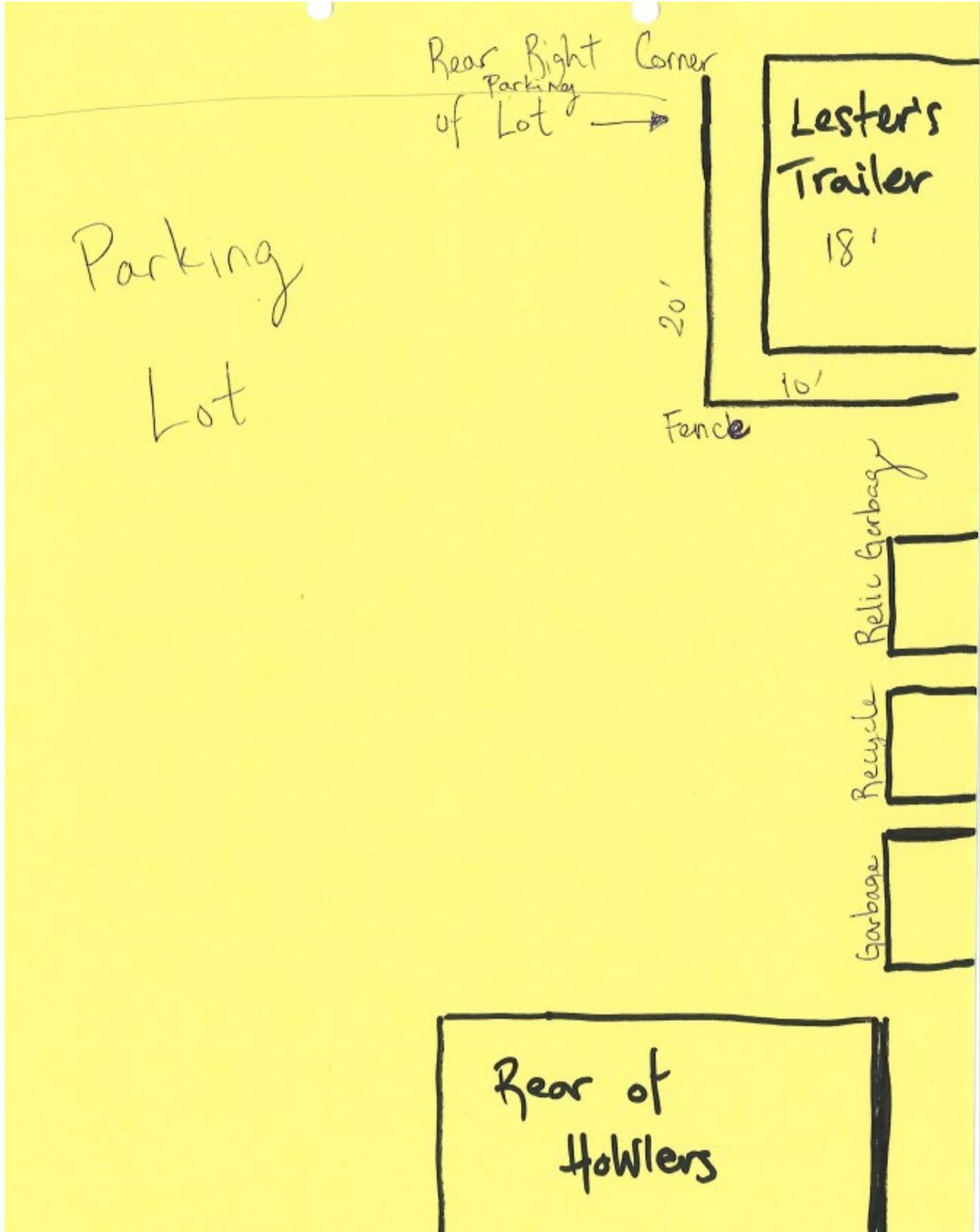


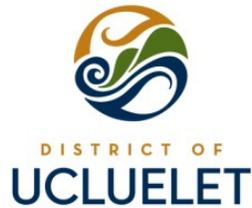
Schedule 3 Terms of Temporary Use Permit Conditions

- a) The permitted temporary commercial use shall be limited to the following uses;
- One long-term seasonal recreational vehicle / trailer camping space.***
- b) The RV space is to be located as indicated on the site plan (**Schedule 4**)
- c) The Permittee or a manager / caretaker must oversee the use of the Lands and their telephone and email contact shall be provided to the District and updated as required.
- d) The proposed seasonal RV space is for staff accommodation to be inhabited by employees working for the Permittee. For clarity, this permit does not authorize short-term commercial tourist accommodation use of the proposed RV space. The minimum length of stay is 30 consecutive days. The maximum length of stay is 6 months.
- e) At the end of each seasonal stay, or within 6 months (whichever is less), the Permittee shall notify the Bylaw Services Officer in writing that the unit has been vacated.
- f) No person shall make, allow, or cause to be made any loud, objectionable, or unnecessary noise anywhere within the seasonal camping area which may disturb the peace, quiet, rest, enjoyment, comfort, and/or convenience of the neighborhood between the hours of 10 pm of one day and 7 am of the next day.
- g) The Permittee shall provide for collection and pickup of garbage and recycling in appropriate wildlife-proof containers.
- h) On-site washroom facilities are to be provided by the Permittee for use of the employee, to the satisfaction of the District.
- i) An on-site parking space shall be provided for the seasonal RV space, in addition to the required parking for all other uses on site.
- j) No other temporary uses other than the above-mentioned uses shall be permitted.
- k) The municipal Bylaw Services Officer may arrange for site inspection at any time, in a reasonable manner, to monitor compliance with the terms of the Temporary Use Permit.



Schedule 4 Site Plan





STAFF REPORT TO COUNCIL

Council Meeting: MAY 28, 2019
500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MARLENE LAGOVA, MANAGER OF CORPORATE SERVICES

FILE NO: 3360-20-RZ18-04

SUBJECT: ZONING BYLAW AMENDMENT (VR-2) – ADOPTION

REPORT NO: 19-67

ATTACHMENT(S): APPENDIX A – UCLUELET ZONING BYLAW AMENDMENT BYLAW No. 1241, 2019

MOTION:

1. **THAT** the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019” be adopted.

PURPOSE:

The purpose of this report is to adopt Bylaw No. 1241, 2019, a bylaw to amend Vacation Rental VR-2 in the District of Ucluelet Zoning Bylaw No. 1160.

BACKGROUND:

The Bylaw received first and second reading at the March 26, 2019 Regular Council Meeting and was the subject of a Public Hearing on April 30, 2019. Council provided third reading at the May 14, 2019 Regular Council Meeting.

OPTIONS REVIEW:

Alternatively, Council has the following options:

2. **THAT** Council repeal third reading, make amendments to Bylaw No. 1241, and give third reading to the amended “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019”.
3. **THAT** Council provide alternative direction to staff.

Respectfully submitted: Marlene Lagoa, Manager of Corporate Services
Bruce Greig, Manager of Community Planning
Mark Boysen, Chief Administrative Officer

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1241, 2019

A bylaw to amend the District of Ucluelet Zoning Bylaw (Vacation Rental VR-2).

WHEREAS the District of Ucluelet Council by Bylaw No. 1160 adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

NOW THEREFORE the Council of the District of Ucluelet, in open meeting assembled, enacts as follows:

1. Text Amendment:

The District of Ucluelet Zoning Bylaw No. 1160, 2013, as amended, is hereby further amended as follows:

a. By deleting and replacing Section 406.1 (2), such that the section reads as follows:

(2) The “VR-2” designation permits the *commercial tourist accommodation* as:

- (a) *accessory* to a permanent *residential* use and administered by the full-time and present resident.
- (b) occupying the principle *dwelling* or a maximum of two (2) *secondary suites* or a combination of those dwelling units as long as one of the dwelling units within the principle building is occupied by a permanent and present *residential* use.
- (c) in no case shall the *secondary suite* component of the principle building occupy less than fifteen percent (15%) of the principle building on the lot, and in no part of an accessory building.
- (d) in no case shall the principle *dwelling* component of the principle building occupy less than sixty (60%) of the principle building on the lot, and in no part of an *accessory building*.

b. By deleting and replacing subsection (b) within the Section 103 Definition for secondary suite, such that the section reads as follows:

(b) in a building with a *Vacation Rental (VR-1)* or a *Vacation Rental (VR-2)* designation, means one or two separate *accessory dwelling units* used for either *residential* use or *commercial tourist accommodation* in accordance with Section 406 of this Bylaw;

2. This bylaw may be cited for all purposes as the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019.

APPENDIX A

READ A FIRST TIME this 26th day of **March, 2019.**

READ A SECOND TIME this 26th day of **March, 2019.**

PUBLIC HEARING held this 30th day of **April, 2019.**

READ A THIRD TIME this 14th day of **May, 2019.**

ADOPTED this day of , **2019.**

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1241, 2019.”

Mayco Noël
Mayor

Mark Boysen
Corporate Officer

THE CORPORATE SEAL of the
District of Ucluelet was hereto
affixed in the presence of:

Mark Boysen
Corporate Officer



STAFF REPORT TO COUNCIL

Council Meeting: MAY 28, 2019

500 Matterson Drive, Ucluelet, BC V0R 3A0

FROM: MARLENE LAGO, MANAGER OF CORPORATE SERVICES

FILE NO: 3900-25

SUBJECT: SINGLE-USE PLASTICS BYLAW – ADOPTION

REPORT NO: 19-68

ATTACHMENT(S): APPENDIX A – *Single-use Plastic Regulation Bylaw No. 1247, 2019*

RECOMMENDATION(S):

1. **THAT** the “District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019” be adopted.

PURPOSE:

The purpose of this report is for Council to adopt the “District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1247, 2019”.

BACKGROUND:

At the March 26, 2019 Regular Meeting of Council, a draft of the “the “District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1247, 2019” was considered by Council. Council adopted the following resolutions:

1. *THAT Council give first reading to the “District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019”.*
2. *THAT Council direct staff to obtain stakeholder feedback prior to second reading and schedule an opportunity for representations to Council prior to third reading.*

At the April 23, 2019 Regular Council Meeting, an amended draft of the bylaw was considered by Council and received second reading.

Prior to receiving third reading, Council provided an opportunity for affected parties to be heard at the May 14, 2019 Regular Council Meeting.

OPTIONS REVIEW:

Alternatively, Council has the following options:

2. **THAT** Council repeal third reading, make amendments to Bylaw No. 1247, and give third reading to the amended “District of Ucluelet Single-use Plastic Regulation Bylaw No. 1247, 2019”.
3. **THAT** Council provide alternative direction to staff.

Respectfully submitted:

Marlene Lagoa, Manager of Corporate Services
Mark Boysen, Chief Administrative Officer

DISTRICT OF UCLUELET
BYLAW NO. 1247, 2019

A bylaw to regulate distribution of single-use plastic items by businesses.

WHEREAS the *Community Charter* authorizes a council to regulate in relation to business;

AND WHEREAS the District of Ucluelet Council wishes to promote responsible and sustainable business practices that are consistent with the values of the community;

NOW THEREFORE the Council of the District of Ucluelet, in open meeting assembled, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as the “District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1247, 2019.”

2. Definitions

In this bylaw:

“Checkout Bag” means:

- (a) any bag that is intended for the purpose of transporting items received by a customer from a Business;
- (b) and includes Paper Bags, Plastic Bags, or Reusable Bags;

“Business” means any person, organization, or group engaged in a trade, business, profession, occupation, calling, employment or purpose that is regulated under the Business Licence Regulation Bylaw and, for the purposes of section 3, includes a person employed by, or operating on behalf of, a Business;

“Drinking Straw” means a tube used to transfer a beverage from a container to the mouth of the individual drinking the beverage by suction;

“Reusable Bag” means a bag with handles that is for the purpose of transporting items purchased by the customer from a Business and is designed and manufactured to be capable of at least 100 uses;

“Small Paper Bag” means any bag made out of paper that is less than 15 centimetres by 20 centimetres when flat;

“Paper Bag” means a bag made out of paper, but does not include a Small Paper Bag;

“Plastic Bag” means any bag made with plastic, including biodegradable plastic or compostable plastic, but does not include a Reusable Bag;

“Plastic Drinking Straw” means a straw made primarily of plastic, including biodegradable or compostable plastic.

APPENDIX A

3. Regulation

- (1) Except as provided in this Bylaw, no Business may provide a customer with any of the following items:
- (a) Checkout Bag;
 - (b) Plastic Drinking Straw.
- (2) A Business may provide a Checkout Bag to a customer only if:
- (a) the customer is first asked whether they need a bag;
 - (b) the bag provided is a Paper Bag or a Reusable Bag; and
 - (c) the customer is charged a fee not less than:
 - (i) \$0.25 per Paper Bag; and
 - (ii) \$2.00 per Reusable Bag.
- (3) For certainty, no Business may:
- (a) sell or provide to a customer any of the items listed in section (1) except as provided by this Bylaw; or
 - (b) provide a Checkout Bag to a customer free of charge.
- (4) No Business shall deny or discourage a customer from using their own Checkout Bag or drinking straw.

4. Exemptions

- (1) Section 3 does not apply to Small Paper Bags or Plastic Bags used to:
- (a) package loose bulk items such as fruit, vegetables, nuts, grains, and candy;
 - (b) package loose small hardware items such as nails and bolts;
 - (c) contain or wrap frozen foods, meat, poultry, or fish, whether pre-packaged or not;
 - (d) wrap flowers or potted plants;
 - (e) protect prepared foods or bakery goods that are not pre-packaged;
 - (f) contain prescription drugs received from a pharmacy;
 - (g) protect linens, bedding, or other similar large items that cannot easily fit in a Reusable Bag;
- (2) This bylaw does not apply to the sale of Plastic Bags intended for use at the customer's home or business, provided that they are prepackaged and sold in packages of multiple bags.
- (3) This bylaw does not apply to the sale of Plastic Drinking Straws intended for use in the customer's home, provided they are sold in packages of multiple straws.
- (4) Notwithstanding section 3(2) and 3(3), a Business may provide a Checkout Bag without asking and free of charge if the bag has been donated to the Business for the purpose of being reused by other customers, and:
- (a) the bag has already been used by a customer, or
 - (b) in the case of a Reusable Bag, the bag is made from 100% recycled materials.

APPENDIX A

5. Offence

- (1) A person commits an offence and is subject to the penalties imposed by this bylaw, and the Offence Act if that person:
- (a) contravenes a provision of this bylaw;
 - (b) consents to, allows, or permits an act or thing to be done contrary to this bylaw; or
 - (c) neglects or refrains from doing anything required by a provision of this bylaw.
- (2) Each day that a contravention of a provision of this bylaw occurs or continues shall constitute a separate offence.

6. Enforcement

- (1) Bylaw Enforcement Officers of the District of Ucluelet are responsible for the enforcement and administration of this Bylaw.
- (2) For the purposes of this bylaw, the designated Bylaw Enforcement Officer means any of the following:
- (a) Chief Administrative Officer or his designate;
 - (b) Bylaw Enforcement Officer or his designate or
 - (c) Manager of Community Planning or his designate.
- (3) No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out his or her duties as prescribed in this bylaw. The Bylaw Enforcement Officer is authorized and empowered to inspect, compel and require that all the regulations and provisions in this bylaw are carried out.
- (4) Every person who contravenes any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfil, observe, carry out, or perform a duty or obligation imposed by this bylaw, shall be deemed to have committed an offence against this bylaw and:
- (a) shall be liable to a fine set out in "Schedule A" attached hereto and forming part of this bylaw, as amended from time to time; or
 - (b) shall be liable to a penalty set out in the "Municipal Ticket Information System Bylaw No. 949, 2004" as amended from time to time; or
 - (c) shall be liable, upon summary conviction, to the penalties provided under the "Offence Act" and amendments thereto; or
 - (d) any combination of subsection (4) (a), (b), and (c).
- (4) The intent of this Bylaw is to set standards of general public interest, and not to impose a duty on the District of Ucluelet or its employees to enforce its provisions and:
- (a) A failure to administer or enforce its provisions or the incomplete or inadequate administration or enforcement of its provisions is not to give rise to a cause of action in favour of any person; and
 - (b) The grant of any approval or permission or issuance of any permit is not a representation, warranty or statement of compliance with the Bylaw and the

APPENDIX A

issuance thereof in error is not to give rise to a cause of action.

7. Severability

If any provision of this Bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed and its severance shall not affect the validity of the remainder of the Bylaw.

8. Effective Date

This Bylaw shall come into force and effect on June 8, 2019, except section 5 which comes into force January 1, 2020.

READ A FIRST TIME this 26th day of **March, 2019.**

READ A SECOND TIME this 23rd day of **April, 2019.**

OPPORTUNITY TO MAKE REPRESENTATION TO COUNCIL PROVIDED this 14th day of **May, 2019.**

READ A THIRD TIME this 14th day of **May, 2019.**

ADOPTED this this day of , **2019.**

CERTIFIED A TRUE AND CORRECT COPY of the “District of Ucluelet Single-Use Plastic Regulation Bylaw No. 1247, 2019.”

Mayco Noël
Mayor

Mark Boysen
Corporate Officer

THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:

Mark Boysen
Corporate Officer

APPENDIX A

SCHEDULE "A"
Fines and Penalties

Fines for tickets issued pursuant to this Bylaw shall be as follows:

Description of Offence	Section #	Fine - 1st Offence	Fine - if paid within 7 days	Fine - 2nd and Each Subsequent Offence
Providing a Checkout Bag to a customer except as provided in the bylaw	3(1)(a)	\$100	\$75	\$200
Providing a Plastic Drinking Straw to a customer except as provided in the bylaw	3(1)(b)	\$100	\$75	\$200
Denying or discouraging customer's own Checkout Bag or Drinking Straw.	3(4)	\$100	\$75	\$200