

# AGENDA

## *REGULAR MEETING OF COUNCIL*

**Tuesday, October 22, 2013**

**7:30 p.m.**

**George Fraser Room, Ucluelet Community Centre  
500 Matterson Drive,  
Ucluelet, B.C.**

**Council Members:**

Mayor Bill Irving

Councillor Dario Corlazzoli

Councillor Geoff Lyons

Councillor Sally Mole

Councillor Randy Oliwa



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## REGULAR COUNCIL MEETING AGENDA

October 22, 2013 at 7:30 pm  
 George Fraser Room, Ucluelet Community Centre  
 500 Matterson Drive, Ucluelet, BC

<b>CALL TO ORDER:</b>	
<b>ADOPTION OF MINUTES:</b>  October 08, 2013 Regular Council Minutes	
<b>PUBLIC INPUT, DELEGATIONS &amp; PETITIONS:</b>  <b>D-1 Wyndansea Development Corporation</b> Matt Portmann & Sara Evans	
<b>CORRESPONDENCE:</b>  <b>C-1 Zone Amendment Request</b> Residential Owners, Cedar Rd. & Cypress Rd., Ucluelet  <b>C-2 Bear-proof Garbage Bins &amp; New Zoning Bylaw Request</b> Charles Smith, Weyerhaeuser	
<b>INFORMATION ITEMS:</b>  <b>I-1 Ucluelet Marine Response Centre (Coast Guard)</b> District of Ucluelet Council	
<b>REPORTS:</b>  <b>R-1 Expenditure Voucher G-17/13</b> Jeanette O'Connor, CFO	
<b>LEGISLATION:</b> None	

**COM-1 COUNCIL COMMITTEE REPORTS**

**Councillor Dario Corlazzoli** *Deputy Mayor October-December*

- ◆ Coastal Community Network
- ◆ Fisheries
- ◆ Signage Committee
- ◆ Ucluelet Chamber of Commerce
- ◆ Ucluelet Recreation Committee *(alternate)*
- ◆ Wild Pacific Trail

**Councillor Geoff Lyons** *Deputy Mayor April-June*

- ◆ Central West Coast Forest Society
- ◆ Food Bank on the Edge
- ◆ Local Marine Advisory Committee
- ◆ Ucluelet & Area Historical Society
- ◆ Clayoquot Biosphere Trust Society *(alternate)*
- ◆ West Coast Multiplex Society

**Councillor Sally Mole** *Deputy Mayor July-September*

- ◆ Harbour Advisory Commission
- ◆ School Liaison *(alternate)*
- ◆ Ucluelet & Area Child Care Society
- ◆ Ucluelet Affordable Housing Society
- ◆ Ucluelet Recreation Commission
- ◆ Vancouver Island Regional Library *(alternate)*
- ◆ Westcoast Community Resources Society
- ◆ Coastal Family Resource Coalition

**Councillor Randy Oliwa** *Deputy Mayor January-March*

- ◆ Parent Advisory Committee/Public School Liaison
- ◆ Sea View Senior's Housing Society
- ◆ Ucluelet Volunteer Fire Brigade
- ◆ Ucluelet/Provincial Emergency Program
- ◆ Vancouver Island Regional Library Board

**Mayor Bill Irving**

- ◆ Alberni-Clayoquot Regional District
- ◆ Pacific Rim Harbour Authority
- ◆ Aquarium Board

**NEW BUSINESS:**

**PUBLIC QUESTION PERIOD:**

<b>ADJOURNMENT</b>	
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<b>RESOLVE INTO CLOSED SESSION</b>	
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<p><b><u>Notice:</u></b> <i>This meeting may be closed to the public only where items for consideration meet the requirements of Section 90 of the Community Charter.</i></p>	
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## **DISTRICT OF UCLUELET**

Minutes of the Harbour Authority and Regular Council Meeting  
held in the George Fraser Room, 500 Matterson Drive,  
Ucluelet, BC on October 8, 2013 at 7:30 pm

### **COUNCIL PRESENT:**

Mayor Irving  
Councillor Corlazzoli  
Councillor Mole  
Councillor Oliwa

### **STAFF PRESENT:**

Andrew Yeates, CAO  
Holly McPhail, Recording Secretary  
Jeanette O'Connor, CFO  
Patricia Abdulla, Planning Manager

### **CALL TO ORDER:**

Mayor Irving called the meeting to order at 7:30 pm.

### **APPROVAL OF MINUTES:**

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to adopt the September 10, 2013 Regular Council minutes as presented.*

**CARRIED**

### **BUSINESS OUT OF MINUTES:**

None

### **PUBLIC INPUT, DELEGATIONS & PETITIONS:**

#### **D-1 Increase in Noise Levels from Eber Road Fish Plant**

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to direct staff to contact Ukee Ice Fish Plant and Neptune Ice Fish Plant to discuss their noise levels.*

**CARRIED**

### **CORRESPONDENCE:**

#### **C-1 Scouts Canada Fee Waiver Request for UAC Hall**

*Moved by Councillor Mole, seconded by Councillor Corlazzoli to receive correspondence item C-1 and to allow Scouts Canada to use the UAC Hall free of charge this year.*

**CARRIED**

#### **C-2 Ucluelet Shoreline Water Testing Inquiry**

*Moved by Councillor Oliwa, seconded by Councillor Corlazzoli to receive correspondence item C-2 and to direct staff to send a response letter to Andrea Murray.*

**CARRIED**

#### **C-3 Foster Family Month**

*Moved by Mayor Irving to receive correspondence item C-3 and to proclaim October as Foster Family Month.*

**CARRIED**

**C-4 Noise Complaint-Water Edge Strata VIS 4943**

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to receive correspondence item C-4 and to direct staff to contact the owners of 1970 Harbour Drive to discuss their noise levels.*

**CARRIED**

**INFORMATION ITEMS:**

**I-1 Youth Parliament of British Columbia**

**I-2 Funding Opportunity for Beautification Projects**

**I-3 Community Forest Agreement Update**

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to receive information items I-1 through I-3.*

**CARRIED**

**REPORTS:**

**R-1 Expenditure Voucher G-16/13**

Jeanette O'Connor, CFO

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to receive Expenditure Voucher G-16/13.*

**R-2 Quarterly Motion Report for July-September, 2013**

District of Ucluelet

*Moved by Councillor Mole, seconded by Councillor Corlazzoli to receive "Quarterly Motion Report for July- September, 2013" and to thank staff for a job well done.*

**CARRIED**

**R-3 Quarterly Managers' Report for July-September, 2013**

District of Ucluelet

*Moved by Councillor Mole, seconded by Councillor Oliwa to receive "Quarterly Managers' Report for July-September, 2013" and to thank staff for providing the information to council.*

**CARRIED**

**R-4 Proposed Signage for Historical Canoe Log**

Patricia Abdulla, Planning Manager

*Moved by Councillor Mole, seconded by Councillor Corlazzoli to receive "Proposed Signage for Historical Canoe Log" report and to direct staff to proceed with option 2.*

**CARRIED**

**R-5 RZ#13-01 Proposal to Rezone 1601 Peninsula Rd**

Patricia Abdulla, Planning Manager

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to receive "Proposal to Rezone 1601 Peninsula Road" report and to direct staff to proceed with option 1.*

**CARRIED**

**R-6 RZ#13-02 Proposal to Rezone 286 Main Street**

Patricia Abdulla, Planning Manager

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to receive "Proposal to Rezone 286 Main Street" report.*

**CARRIED**

**BL-1 District of Ucluelet Zoning Amendment Bylaw No.1158, 2013**

Patricia Abdulla, Planning Manager

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to give first and second readings to District of Ucluelet Zoning Amendment Bylaw No.1158, 2013 and to direct staff to move said bylaw to public hearing.*

**CARRIED**

**R-7 Ucluelet Municipal Property Tax Exemption Bylaw 2014**

Jeanette O'Connor, CFO

*Moved by Councillor Mole, seconded by Councillor Oliwa to receive "Ucluelet Municipal Property Tax Exemption Bylaw 2014" report.*

**CARRIED**

**BL-2 District of Ucluelet Zoning Amendment Bylaw No.1158, 2013**

Jeanette O'Connor, CFO

*Moved by Councillor Mole, seconded by Councillor Oliwa to give first, second, and third readings to Ucluelet Municipal Tax Exemption Bylaw No. 1157, 2013.*

**CARRIED**

**R-8 Birth Certificate & Marriage Certificate**

Abby Fortune, Director of Parks & Recreation

*Moved by Councillor Corlazzoli, seconded by Councillor Oliwa to approve recommendation 1 of "Birth Certification & Marriage Certificate" report.*

**CARRIED**

**LEGISLATION:**

None

**COMMITTEE REPORTS:**

***Councillor Dario Corlazzoli***

**Ucluelet Chamber of Commerce**

- Marathon registration open for 2014
- UCOC AGM on October 24, 2013; 2pm lunch at Black Rock
- GALA on November 22, 2013 at Community Centre

**Wild Pacific Trail**

- October 20, 2013 is grand opening of ancient cedar trail; 11am presentation at Community Centre
- Trail head at Big Beach: District will dismantle boardwalk and convert to a gravel path

## UBCM

- Fisheries: issues with Canadian-owned factory ships and policy from Federal to Provincial; long term allowance of ships to be registered and work offshore

### ***Councillor Sally Mole***

#### Harbour Advisory Commission

- 52 Steps being maintained & upgraded
- Coast Guard auxiliary boat to be moved 20-30ft away from shore to allow vessels to pass in and out on the shore side
- Boat launch name to 'Leslie memorial boat launch'

*Motion by Councillor Mole, seconded by Councillor Oliwa to write a letter to the Leslie family requesting permission to denominate the boat launch as "Pat Leslie Memorial Boat Launch".*

#### **CARRIED**

- Complete installation of video surveillance at inner & outer boat basin

*Moved by Councillor Mole, seconded by Councillor Oliwa to direct staff to report back to Council on the installation of video surveillance cameras at Small Craft Harbour boat basin.*

#### **CARRIED**

- Investigate backlog of overflowing recycling at inner boat basin during summer months

*Moved by Councillor Mole, seconded by Councillor Oliwa to direct staff to report to Council any recycling concerns that occurred during this year's summer season at the Small Craft Harbour boat basin.*

#### **CARRIED**

- Received a letter complimenting Small Craft Harbour on their great service

#### Ucluelet Affordable Housing Society

- UBCM: No funding to develop property on land given by Federal government. If no development done by September 20, 2013, UAHS will either purchase the land or return it to the Federal government

#### Westcoast Community Resources Society

- AGM October 24, 2013 in Tofino - are looking for more board members
- Discuss purchasing land from Ucluelet Affordable Housing Society

### ***Councillor Randy Oliwa***

#### Parent Advisory Committee/ Public School Liaison

- USS smooth opening, enrollment at 166 students
- Staffing to remain same for the school year
- Now have a councillor; shared between high school, elementary, and Tofino
- \$500 to new Public Announcement system in gym
- \$750 to healthy snacks program
- \$500 to yearbooks
- \$1400 towards a new sander/planer for woodworking class
- Full board after elections
- Elementary school - Peninsula Rd safety
- Looking for new volunteer parents with children in the primary grades

## UBCM

- Thanks to staff for packages
- Jobs/Tourism/Skills - discussed large vessels offshore threatening fish plants and shore workers; potential loss of jobs on land and ability to collect taxes

## Ucluelet Volunteer Fire Brigade

- Honoured the team; 8 members received diplomas, others received certificates

## Ucluelet/Provincial Emergency Program

- Work clean up at UOC - made a list of improvements; Karla Robison working towards implementing the list

## ***Mayor Bill Irving***

### Alberni-Clayoquot Regional District

- Meeting October 10, 2013

### Pacific Rim Harbour Authority

- Meeting in Vancouver October 30, 2013 – 6 individuals sit on board to represent over 90 small craft harbours in BC
- Requesting how to get money from Federal government to go towards small craft harbour

## UBCM

- RCMP: staffing level, partner with District in planning of an emergency services building – Ambulance/RCMP/Fire Hall/Emergency Programs all in one place
- Highways: maintenance of pot holes, brushing, lack of shoulders, replace reflectors, and long term safety plan for highway 4
- Forest: Minister will have plan completed by January
- Community Sports: request to sponsor transfer of Lighthouse to District
- NDP: issue of fiber optics and forestry activity

*Moved by Councillor Corlazzoli, seconded by Councillor Mole to receive all committee reports.*

**CARRIED**

## **NEW BUSINESS:**

### Tyne House Fire

- Extend sympathy to Tyne family and the residents next door due to fire at the Tyne home
- Thanks to Ucluelet Volunteer Fire Brigade for a job well done, 10 Ucluelet members and 2 from Tofino. Thanks to ESS for lodging, food, & supplies. Thanks to Black Rock for providing accommodation to displaced families, Co-op for food, BC Ambulance for services to local residents, Public Works for water, and to Volunteers.

### Tla-o-qui-aht Meeting

- Have requested that meeting be pushed back 2 weeks

### School District 70

- Joint meeting with SD70 set for either November 5 or November 14, 2013

### Public Info Session

- Thanks to staff for hosting public info session on the budget – significant increase in attendees

District of Ucluelet Staff

- Thanks to staff for Ucluelet's presence in the news regarding the Tsunami debris issue. Council and public appreciate District's efforts
- Appreciation for staffs' upkeep of the towns' appearance.

*Moved by Mayor Irving, seconded by Councillor Corlazzoli to write to Emergency Services BC to request status of the recommendations regarding how to improve District of Ucluelet response during an emergency.*

**CARRIED**

PUBLIC QUESTION PERIOD

Council received comments from the public.

ADJOURNMENT:

*Moved by Councillor Mole, seconded by Councillor Corlazzoli that it is in the opinion of Council that the public interest requires that persons other than members of Council and Officers be excluded from the meeting to consider confidential matters related to a personnel and litigation issue, pursuant to section 90(1), subsections (c) and (g) of the Community Charter and that Council continue the meeting in closed session.*

**CARRIED**

Mayor Irving suspended the regular council meeting at 9:15pm.

Mayor Irving resumed the regular council meeting at 10:29pm, and adjourned the regular council meeting at 10:30pm.

**CERTIFIED CORRECT:** Minutes of the Regular Council Meeting held on Tuesday October 8, 2013 at 7:30 pm in the George Fraser Community Room, 500 Matterson Road, Ucluelet, BC.

-----  
Bill Irving  
Mayor

-----  
Andrew Yeates  
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 by 7:20 p.m. and be prepared for 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 Irving.

The District Office will advise you of which Council meeting you will be scheduled for. For more information contact Jeanette O'Connor, CFO at 250-726-4771 or email; [info@ucluelet.ca](mailto:info@ucluelet.ca)

Requested Council Meeting Date: *October 22, 2013*

Organization Name: *Wyndansea Development Corporation*

Name of Presenter: *Matt Portmann, Sara Evans*

Name of Applicant if Other than Above: *Wyndansea Hotel Inc.*

Contact Phone Number & Email: *info@wyndansea.ca; (604) 307-8584*

Mailing Address with Postal Code: *1135 Homer Street, Vancouver V6B 0B1*

Audio/Visual requirements: Laptop **NO** Projector **NO** Screen **NO**

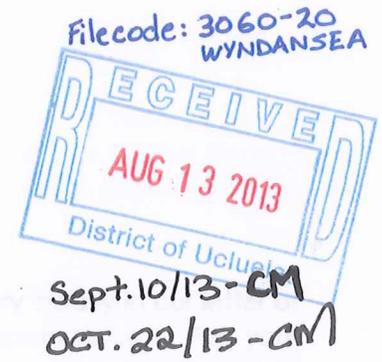
Topic: *Wyndansea Oceanfront Golf Resort Road Covenant FB 148262 and FB 152691*

Action You Wish Council to Take: *Agree to request for modification of covenants as per Wyndansea letter dated August 13, 2013*

**WYNDANSEA**  
OCEANFRONT GOLF RESORT

**D-1 (a)**

August 13, 2013



~~URGENT MATTER FOR DISCUSSION IN CAMERA~~

**TO:** District of Ucluelet, Mayor & Council

**FROM:** Elke Loof-Koehler  
Wyndansea Development Corporation / Wyndansea Hotel Inc.

**SUBJECT:** Wyndansea DL A covenant modifications & DL 5 density bonusing/amenity reserve fund contribution

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Dear Mayor and Council,

Thank you for your letter dated July 13, 2013.

The District seems to be under the impression that development could start on the property "tomorrow" without the requested covenant modifications. This is not the case. The requested modifications are housekeeping items that must be addressed before the project can be built out in accordance with the existing master plan.

Our company, Wyndansea Hotel Inc., is the registered owner on title of Wyndansea, and we are the original developer of the project. The Master Development Agreements (the "MDAs") on title have been created specifically for the Wyndansea master plan. This master plan will be of no use to another group.

We have gone to great efforts to attract new capital for the project. The resort real estate industry is still ailing, and investors for master planned golf resort projects like Wyndansea are few and far between. Our current lenders have tried to recoup their investment in Wyndansea by selling the property through international real estate brokers like Sotheby's for several years without success.

Without question, the fastest way to receive any Density Bonusing related payments is to work with us and help facilitate the development process at Wyndansea. The requested covenant modifications need to be addressed before the development can proceed.

1135 Homer Street, Vancouver, BC, V6B 0B1  
Direct: (604) 362-6136

26 August 2013

To: Wyndansea Development Corporation  
1135 Homer Street  
Vancouver, B.C.

From: District of Ucluelet  
200 Main Street, Box 999  
Ucluelet, BC V0R 3A0  
info@ucluelet.ca

Attn: Ms. Loof-Koehler

Re: Wyndansea – Letter to Mayor and Council dated August 13, 2013

This correspondence is in reply to your August 13<sup>th</sup> letter to Mayor and Council. Your correspondence was hand delivered the day of the Council Meeting and marked “In-Camera”. We would like to clarify two issues that, in the future will expedite discussions. First, ‘in-camera’ is defined in the Community Charter and Council may deem a matter ‘in camera’ on review and recommendation of staff. As we have already, with your knowledge, addressed your documents in a public forum, your marking documents ‘in-camera’ only delays our response. Secondly, in consideration of meeting schedules and respect for Council’s interest in this land, it would expedite our review of documents of this nature if they were available 3 to 5 days before a Council meeting. In the interim, we respond as follows.

Wyndansea currently has approval for development under an existing MDA with covenants and amenity contributions which were provided and proposed by the developer. These approvals are still in place and the project can be built today as approved. Any hindrances to the project moving forward would be changes to covenants, amenity payments or the MDA which you as the developer are proposing. Council and staff have made it clear in all their correspondence that they are willing to assist you through a process by which these changes may be considered by following requisite legislated and public procedures.

### Modifications

1. Road Covenant (s)- FB148262 & FB152791

Extension of Time – Date of Construction – October 2013.

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Upon receipt of documentation clarifying reasons for this request, endorsement by the receiver or those parties determined to have authority in this matter, and providing a means of security for completion of this extension date if it is not met, a submission will be reviewed by staff and the District lawyer. Staff would then move this forward to Council through a staff report in an open meeting of Council. Please submit a proposal as soon as possible to expedite this matter.

We are not in agreement with your claim of *force majeure*. Paragraph 1.1 in its' entirety clearly states: "financial incapacity, insolvency and general economic conditions shall not constitute force majeure". Your lawyers may provide a legal argument and rationale to support your claim if you are so inclined.

2. Road Covenant Discharge – Section 2

District Council is not prepared to remove the right-of-way obligation on Section 2. Council has provided you with a compromise that would consider an alternate location and possible deferral of building but only if a financial security (i.e. bond or land) is provided. Further proposals from Wyndansea on this matter must address Council's requirements.

3. Request to amend the Amenity Reserve Covenant

We have copied your lender on this correspondence. At your request we have spoken with Cranson Capital twice to assist you in coming forward with reasonable and equitable alternatives for Council to consider should you wish to modify the existing amenity covenant. We appreciate the added up front contribution of \$500,000 but your letter does not address those items communicated to your lender regarding security. In that teleconference it was made clear that Council will not consider any proposal which did not take into account the outstanding interest. Bearing in mind the District's statement regarding interest, your future correspondence or proposals to Council will have to consider a contribution that will address the cost of carrying the loan on the monies owed, and its impact on the public taxes. There has not been, to date, any mention of securities or assurances on any of the variations of the proposals which you have presented. In fact, the current proposal would appear to be a decrease in security from the original offer. This proposal does not reflect the conversations with you or your lender. There are no assurances securities offered in this proposal and lastly there are no overall public benefits in any of the amenity amendments which Council can readily turn their mind to.

A suggested solution was the combination of an upfront payment of cash with the balance of capital and interest secured by land. Council is looking for a proposal that addresses amenity and interest based on a combination of payment up front and security to move forward on the amenity issue. This proposal does not address our request.

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4. Master Development Agreement (MDA) Covenant on Signature Circle

This is a relatively straightforward process and we are happy to assist you in this. We would require that your lawyer prepare the legal documents, provide a submission with evidence that each of the clauses of the MDA have been satisfied, and forward the package to the District lawyer and Planner for review. If it is all acceptable the District can execute it and return it to your lawyer. (Weyco provided this documentation to release their covenant.)

5. Setback Covenant on Signature Circle

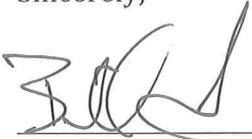
Should you desire to modify your covenant and the zoning regulations for setbacks in the Signature Circle Development please make an application with staff and provide them a new plan and layout for consideration.

**Additional Items**

1. In your letter you indicate that your investors have requested some additional items to be confirmed. You indicated that you are in the process of reviewing the proposed new zoning bylaw as well as the 2011 Official Community Plan (OCP). We remind you that the OCP was adopted in 2011 and is not under review. The Zoning Bylaw has received First Reading and staff are currently receiving comments from the community and would be happy to receive your comments as well. These will be compiled, reviewed and addressed in a staff report prior to 2<sup>nd</sup> Reading.
2. We are not sure about the purpose of #2 noted in your letter. You may certainly hire and fund whomever you wish to handle development activities for Wyndansea. The District staff will review any proposal you submit and report to Council but Council's decision powers are not predetermined either by the proponent or a staff report.
3. Thank you for your site visit offer. Council will review any proposed date.

In summary, your letter of August 13<sup>th</sup> has been forwarded to staff to place as an item of correspondence on the next open meeting of Council. This letter is to provide you with clarity on Council's interests that need to be addressed so we can move this proposal forward as soon as possible. Staff are ready and able to assist you with a development proposals through an application or covenant modifications.

Sincerely,



---

Bill Irving  
Mayor, District of Ucluelet

cc: District of Ucluelet Council Members  
Jeffrey Mandell, Manager of Corporate Financing

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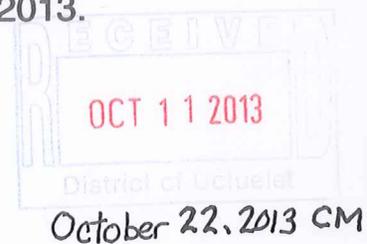
[Ucluelet.ca](http://Ucluelet.ca)

[info@Ucluelet.ca](mailto:info@Ucluelet.ca)



Dear Ucluelet Council,

October 10, 2013.



We are writing this letter to request that you consider an amendment to the zone CS-1. The amendment we would like to see concerns the clause on residential use. In this zone residential use is restricted in that if the home were to be destroyed (more than 75%) it could not be rebuilt solely as a residence, but only in conjunction with a commercial space. We would ask that this clause be changed so that in the event a home was destroyed it could be rebuilt with just a residence and not be required to include a commercial component. Also if the home was destroyed, the lot could be sold for residential use if the homeowners were unable to rebuild.

We are residents of the CS-1 zone and face difficulties because of the requirements of this zone.

These difficulties are:

1) While the value of the lot as commercial land may be similar to a residential lot it is not as saleable. ( There are currently two commercial lots on our streets that are empty or vacant.)

2) Buyers have difficulty getting mortgages for homes in this area as some institutions won't lend money for a residence in this type of zoning.

3) As well buyers are reluctant to buy a home that has these restrictions placed on it.

In all, we the owners of residences in the CS-1 zone are in a precarious position if we ever had to re-build our homes or as we try to sell our homes.

Thank-you for your time,

- |                         |                       |
|-------------------------|-----------------------|
| Arlene & Steve Winpenny | 1746 Cedar Rd.        |
| Stephanie Deering       | 1656 Cedar Rd.        |
| Benj Youngson           | 1762 Cedar Rd.        |
| Dave Taron              | 1774 & 1786 Cedar Rd. |
| Caitlin Woodbury        | 1761 Cypress Rd.      |
| Thelma McMillan         | 1769 Cypress Rd.      |
| Robert Zurowski         | 1752 Cypress Rd.      |
| Sandra Leslie           | 1785 Cypress Rd.      |

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**From:** Smith, Charles(Independent) <Charles.Smith2@weyerhaeuser.com>  
**Sent:** October-01-13 4:30 PM  
**To:** Info Ucluelet  
**Cc:** Andrew Yeates; Patricia Abdulla  
**Subject:** Letter to Mayor and Council

**C-2**

Mayor and Council, Re: Communal garbage collection system and new zoning bylaws

As at least three of you will know, back in 2005/6/7 the District of Ucluelet was supporting the local Bear Aware Society in their efforts to have Ucluelet named a Bear Smart Community. As part of that effort Weyerhaeuser was requested by the District Planner to consider having the garbage removal requirements of some of the proposed roads in the Oceanwest development done on a communal basis rather than by individual house pick up. After numerous discussions with the District and the Society Weyerhaeuser agreed to allow both Cedar Grove and Lorne White Place to be used as tests for this concept.

The Bear Aware Society said they could provide the actual bear proof containers for each road and Weyerhaeuser spent the time and money to create the specific areas where the containers would sit, which included survey and legal work related to the Statutory Rights of Way that would be registered in favour of the District. These SRW's were registered against Lots 37 and 68 as part of the subdivision process.

Either just before or after registration was completed I had a meeting with the then Director of Planning, the Bear Aware folks, and one or two other staff about the final details of the actual implementation of the project. At that time it seemed as if the only impediment was the issue of how the garbage collection would be paid for and charged to the individual homeowners. There are now houses on these streets and the communal garbage scheme has not been implemented so I assume the issues related to the payment for the service have not been solved, or maybe the District has just lost interest in the scheme? The SRW's are an impediment to the title of the two lots.

It would appear the program is not going to be implemented and the SRW's are no longer required. I have been in contact with staff for over a year now, requesting that they be released. I would respectfully request that Council direct staff that the charges may be released from the title of the two lots. I would be pleased to provide the necessary release forms for your signature and arrange for their registration.

On another topic, I understand that staff has been requested to provide a black lined version of the new zoning by-law showing the changes from the prior version. (Some of us had requested this already and been told that it was not available.) If this is correct and one is produced I would ask that once it is completed it be made available to the public. I have been through the new bylaws four or five times to see what impact they have on the CD-5 zone and each time have found new items that I had missed the previous times. I submitted a lengthy 7 page response to the by-law approximately two months ago listing many issues that I think need amendment but am worried that I have missed some others that have an equally detrimental impact on the current permitted uses of these lands. In many cases what initially appears to be a very small change can have a significant impact on the possible land use on a particular lot. These changes mostly can not be described as being required for clarity, consistency or due to changes in law (the main reasons given in the staff report for the new by-laws being needed), so they are either done by mistake, which would be worrying due to the number of them, or they have been done on purpose and their true impact has not been disclosed to council or the public, which would be even more worrying.

Respectfully submitted

Charles Smith

c.c. CAO,  
Director of Planning



**STAFF MEMO TO COUNCIL**

Council Meeting: OCTOBER 22, 2013  
500 Matterson Drive, Ucluelet, BC V0R 3A0

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**FROM:** PATRICIA ABDULLA, MANAGER OF PLANNING

**FILE NO:**

**SUBJECT:** - COMMUNAL GARBAGE SRW(S)/COVENANTS IN OCEANWEST  
- ZONING BYLAW #1150 REVIEW

**ATTACHMENT(S):** ITEM OF CORRESPONDENCE C-2

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**COMMUNAL GARBAGE:**

Mr. Smith has made a request (see preceding letter of correspondence) to remove the SRW for communal garbage on two properties in the Ocean West Development/Subdivisions. These communal garbage systems were jointly agreed upon as part of the overall development plans for these residential lots. Removal of the SRW and covenant(s) would be through a resolution of Council. Staff will provide a report to provide Council with contextual background to the provision of these Communal Garbage locations and options for Council to consider.

**ZONING BYLAW #1160:**

Planning staff and their consultant met with Mr. Smith on October 9<sup>th</sup> to review his comments and concerns. Staff will **make** any appropriate edits to the next version of the Bylaw as necessary with explanations in a Staff Report.

**Respectfully submitted:**

A handwritten signature in blue ink, appearing to read "Patricia Abdulla", is written over a horizontal line.

Patricia Abdulla, Manager of Planning

15 October 2013

To: Honourable Gail Shea, Minister of Fisheries and Oceans  
Confederation Building, Parliament Hill  
Room 556  
Ottawa, O.N. K1A 0A6

From: District of Ucluelet  
200 Main Street, Box 999  
Ucluelet, BC V0R 3A0  
info@ucluelet.ca

Re: **Canadian Coast Guard Facility – District of Ucluelet**

Dear Minister Shea,

The District of Ucluelet is located on the outer coast of Vancouver Island. The Canadian Coast Guard Facility in our community is to be closed in 2014. This facility houses the Vessel Traffic Control Centre, the Marine Radio Operations, and a crew of support technicians. There are 25 persons in this facility and these jobs represent over 60 residents in our community.

We have expressed our concern with the loss of this first class facility on the outer coast, particularly in the light of Federal and Provincial initiative to increase container, coal, cruise ship, and tanker traffic in this region. You may also be aware that even during this transition, disruption of services has already created some very unsafe shipping conditions - the most recent being: "Westerly News reports Coast Guard operation shutdown for 7 hours waiting for technician to drive 180 km from Comox – proposed location of technical support for the west coast".

The District of Ucluelet is very interested in the future development of marine transport on the South Coast. We believe world class and reliable marine infrastructure is essential to support a healthy economic marine sector. To this end, and to provide reassurance to people on the British Columbia coast, we feel that not only should the Federal government maintain key marine navigation services on the outer coast but also that this facility should become the centre for tanker services and spill response. You may be aware that the District of Ucluelet has been asked to be a presenter at a Marine Debris symposium in Hawai'i and has recently hosted U.S. and Japanese scientists interested in our effort to track and monitor debris from the 2011 Japanese Tsunami. You can see that these partnerships and related debris response plans could be relevant to mitigating or responding to possible oil spills.

District of Ucluelet . *Life on the Edge*®

200 Main Street

PO.Box 999

Ucluelet . BC . V0R 3A0

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info@Ucluelet.ca

We believe that communities and citizens from British Columbia would look very favourably on an increase in marine traffic if it is demonstrated that a key goal is protection of the coast from possible marine incidents, and that senior governments are already investing in this world class infrastructure. The Ucluelet facility has for many decades been the gatekeeper for marine traffic into Juan de Fuca Straits, Vancouver, Victoria, and Seattle. We would ask the Minister to consider the long term benefit of a marine response centre located minutes from where the "action is".

Yours truly,



---

Bill Irving  
Mayor, District of Ucluelet



Cheque #	Bank	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount	Void
019772	002	04/10/2013	AD004	TYCO INTEGRATED SE	80146573	UCC-OCT1-DEC31/13	137.66		137.66	
019773	002	04/10/2013	BC700	BC LIFE	OCT/13	OCT/13	2,604.28		2,604.28	
019774	002	04/10/2013	BCL16	BRUNNELL CONSTRUCT	1058A	PROGRESS PYMT #2 A	11,636.15	1,163.62	10,472.53	
019775	002	04/10/2013	CAGBC	CAGBC	120669	LEED FEE CERT	4,200.00		4,200.00	
019776	002	04/10/2013	CE004	CORPORATE EXPRESS	33795292	ENVELOPES/PINS/POS	247.26		247.26	
019777	002	04/10/2013	CF265	CLIVE FREUNDLICH,	9107	FREUNDLICH-SEP20-2	1,057.88		1,057.88	
019778	002	04/10/2013	CIVIN	CIVIC INFO BC	PAYROLL/GFOA	MILLAR-GFOA-PAYROL	336.00		336.00	
019779	002	04/10/2013	CK608	CORTES KEVIN	D393	D393	1,381.61		1,381.61	
019780	002	04/10/2013	COOP	UCLUELET CONSUMER'	OCT/13	OCT/13	250.00		250.00	
019781	002	04/10/2013	DB052	DIGITAL BLOOM INTE	2961	WEB DEV. PROJECT	2,221.42		2,221.42	
019782	002	04/10/2013	DC001	DOLAN'S CONCRETE L	UP70736 UP37816 UP70741 UP70740	SIDEWALKS-PAVING WINDSOR-BIKE PATH WINDSOR-BIKE PATH WINDSOR-BIKE PATH	411.30 360.86 162.06 182.04		1,116.26	
019783	002	04/10/2013	ES520	EZRA'S SOCCER WORL	018	SOCCER CAMP	2,061.68		2,061.68	
019784	002	04/10/2013	FW050	FAR WEST FOODS GRO	275616 276476 276651 276650 276649 276501 276502	UKEE DAYS-CUPS RTR CHIPS GARBAGE BAGS GARBAGE BAGS CLEAN SWEEP SUPPLI CLEAN SWEEP SUPPLI CLEAN SWEEP SUPPLI	210.47- 12.39 20.45 20.91 5.08 160.35 84.75		93.46	
019785	002	04/10/2013	GFO11	GFOA OF BC	120784	GFOA-FALL-PD	672.00		672.00	
019786	002	04/10/2013	HS512	HOLLAND. STEPHEN	120756A	HOLLAND	1,450.30		1,450.30	
019787	002	04/10/2013	L0483	LAND TITLE & SURVE	120789	TAX SALE LTO FEES	33.30		33.30	
019788	002	04/10/2013	MS170	REVENUE SERVICES O	OCT/13	OCT/13	2,535.00		2,535.00	
019789	002	04/10/2013	ND001	VING VI NEWSPAPER	1993	TAX SALE/INFO SESS	431.22		431.22	
019790	002	04/10/2013	NI005	NORTH ISLAND LABOR	88032	BAY ST/HWY RES/HEL	183.75		183.75	
019791	002	04/10/2013	OCN01	OCN GARDEN CENTRE	111144	COMPOST BAGS/SEEDS	47.87		47.87	
019792	002	04/10/2013	PB002	PACIFIC BLUE CROSS	OCT/13 053617 OCT/13 081897	OCT/13 053617 OCT/13 081897	2,121.98 1,605.64		3,727.62	
019793	002	04/10/2013	RL068	RIVERA LYVIER	120787	DANCE	523.44		523.44	
019794	002	04/10/2013	S9326	SMULDERS MANDALA	120788	YOUTH	1,433.60		1,433.60	
019795	002	04/10/2013	SF061	STEVENS FLICKERINE	120785	YOGA	489.34		489.34	
019796	002	04/10/2013	SI604	SHU IAN	120786	KICK BOXING	1,566.30		1,566.30	
019797	002	04/10/2013	TEL10	TELUS COMMUNICATIO	2000357	MOVE PW MNGR PHONE	396.48		396.48	
019798	002	04/10/2013	TU428	TOURISM UCLUELET	JUL/13	JULY/13	23,587.83		23,587.83	
019799	002	04/10/2013	UC141	UCLUELET CHAMBER O	OCT1/13	VOLUNTEER OF THE Y	44.72		44.72	
019800	002	04/10/2013	UC142	UCLUELET CONSUMER'	C01123393 C01048360	UCC-MILK/TEA/SPONG BUDGET-OPEN HOUSE	19.42 42.58		62.00	
019801	002	04/10/2013	UR849	UCLUELET RENT-IT C	16722 16912	PORTA PUMP PARKS PORTA	291.20 179.20		470.40	
019802	002	04/10/2013	UV146	UCLUELET VOLUNTEER	Q2-3/13	Q2-3/13	4,200.00		4,200.00	

Cheque #	Bank	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount	Void
019803	002	04/10/2013	WI219	WALCO INDUSTRIES L	22051 22039	CLEAN SEWER LINE/L PORTABLE TOILET RE	1,890.79 262.50		2,153.29	
019804	002	04/10/2013	WP166	WINDSOR PLYWOOD -	10501A 10499A 10502A 10500A 10498A	BIKE PATH WINDSOR PATH PAVIN DOG KENNEL WATER REPAIR-PENIN SHOP YARD/TOOLS	138.18 25.41 126.83 29.73 245.77		565.92	
019808	002	15/10/2013	AD004	TYCO INTEGRATED SE	80146572	FIREHALL/LYCHE OCT	228.91		228.91	
019809	002	15/10/2013	AGS11	AGS BUSINESS SYSTE	719618 719619 814982	SEP/13 COPY COUNT SEP/13 COPY COUNT- TONER CARTRIDGE	187.30 80.53 215.06		482.89	
019810	002	15/10/2013	AL001	ACKLANDS - GRAINGE	43540513108	GLOVES/SAFETY GLAS	128.35		128.35	
019811	002	15/10/2013	AR444	ABLE RECOGNITION	14779	LEADERSHIP DAY-WC	580.64		580.64	
019812	002	15/10/2013	BC025	BUCKERFIELD'S PARK	1429	LAWN SEED	510.25		510.25	
019813	002	15/10/2013	BCL16	BRUNNELL CONSTRUCT	BAY ST AUG/13	HOLDBACK INVOICE B	19,230.14		19,230.14	
019814	002	15/10/2013	BR330	BLACK ROCK MANAGEM	RBR0BE77-1	UCLUELET VOLUNTEER	3,127.50		3,127.50	
019815	002	15/10/2013	CH192	CIBC - VISA CENTRE	JUL25-AUG24/1 AUG25-SEP24/1	JUL25/13-AUG24/13 SEP/13	44.37- 3,153.12		3,108.75	
019816	002	15/10/2013	CK608	CORTES KEVIN	D394 47598	D394 CORTES-SHOWER ASSE	2,117.26 148.67		2,265.93	
019817	002	15/10/2013	CLC12	CARVELLO LAW CORPO	688 693 692 691 689 690 687	101020 10110A 101042 101037 101027 101033 101009	421.40 1,171.51 1,173.33 1,097.87 586.67 449.65 1,144.41		6,044.84	
019818	002	15/10/2013	CRACM	CRANNOCH CONSULTIN	DOU007-13	BAY STREET	1,743.00		1,743.00	
019819	002	15/10/2013	CUPE1	CUPE LOCAL #118	SEP/13	SEP/13	1,234.68		1,234.68	
019820	002	15/10/2013	D9356	DOSDALL, MORGAN	120790	DOSDALL - LGMA	634.18		634.18	
019821	002	15/10/2013	DC001	DOLAN'S CONCRETE L	70746	GRAVEL/ROCK	513.17		513.17	
019822	002	15/10/2013	DT002	TOFINO DISTRICT OF	20130377	OCT29/13-ACCIDENT	866.25		866.25	
019823	002	15/10/2013	FS004	FOUR STAR WATERWOR	42071 42061	WINDSOR PATH DRAIN PENINSULA SEWER EM	352.47 2,940.98		3,293.45	
019824	002	15/10/2013	FW050	FAR WEST FOODS GRO	276852	GARBAGE BAGS/TISSU	76.85		76.85	
019825	002	15/10/2013	IH042	INNER HARMONY SERV	2411	SEP/13	2,443.88		2,443.88	
019826	002	15/10/2013	IVC25	IMPACT VISUAL COMM	87384	ROBISON-BUSINESS C	122.08		122.08	
019827	002	15/10/2013	JWS12	JAMIES WHALING STA	475	SEP26/13-TSUNAMI D	157.50		157.50	
019828	002	15/10/2013	KPF16	KENT PICTURE FRAMI	591	MAYORS OFFICE/ORTH	1,226.63		1,226.63	
019829	002	15/10/2013	KS073	TOTAL DELIVERY SYS	157605	NI LABS/VMR/	137.70		137.70	
019830	002	15/10/2013	LBG73	LONG BEACH GUTTERS	979812	UCC-ROOF/GUTTER MA	167.75		167.75	
019831	002	15/10/2013	LC077	LOOMIS EXPRESS	CX7107022	LEGAL DOCUMENTS	34.66		34.66	
019832	002	15/10/2013	LY001	YOUNG, ANDERSON	76323 76324	1190122 1190123	652.51 896.62		1,549.13	
019833	002	15/10/2013	MB673	MILLAR, BARB	120791	REIMBURSEMENTS	96.80		96.80	

Cheque #	Bank	Pay Date	Vendor #	Vendor Name	Invoice #	Description	Invoice Amount	Hold Amount	Paid Amount	Void
019834	002	15/10/2013	ND001	VING VI NEWSPAPER	2014 2041	TAX/PUB INFO SESSI TAX EXEMPTION	595.55 262.91		858.46	
019835	002	15/10/2013	NI005	NORTH ISLAND LABOR	88092	LAGOON/HELEN RD	152.25		152.25	
019836	002	15/10/2013	NV785	NOVUS CONSULTING I	5160	PROACTIVE/MONITORI	52.50		52.50	
019837	002	15/10/2013	OTC25	OUT OF OUR TREE CU	746060	SEAPLANE BASE ASBE	210.00		210.00	
019838	002	15/10/2013	PR099	PACIFIC READY MIX	8425	CONCRETE	143.36		143.36	
019839	002	15/10/2013	PS351	PINA STUDIO & BOUT	98	LONGBOARD COMP-PRI	399.84		399.84	
019840	002	15/10/2013	RD205	ALBERNI-CLAYOQUOT	2541	MUSIC FEST/REG GAR	28.90		28.90	
019841	002	15/10/2013	ROGER	ROGERS WIRELESS	1299022563	SEP/13	84.34		84.34	
019842	002	15/10/2013	SB304	SCHANTZ BOB	SEP/13	SEP/13	1,176.00		1,176.00	
019843	002	15/10/2013	SBR01	SONBIRD REFUSE & R	17028	SEP/13	2,887.50		2,887.50	
019844	002	15/10/2013	SD199	SCHRAMM DESIGN	2635	DESIGN CONCEPT CAN	134.40		134.40	
019845	002	15/10/2013	SJ004	S & J SERVICES	280975 280979 280976 280977 280978	SEP/13 SEPT/13 SEPT/13 SEPT/13 SEPT/13	1,386.00 651.00 383.25 315.00 138.60		2,873.85	
019846	002	15/10/2013	ST497	SURVEYOR OF TAXES	SEPT/13	SEPT/13	23,842.11		23,842.11	
019847	002	15/10/2013	TE541	TECH ELECTRICAL CO	1895 1892 1894 1893 1896 1900	SCADA-TELUS GROUND CUBE VAN-INVERTER MARINE-LIFT STATIO WELLFIELD-LIMIT SW STREET LIGHT REPAI WELLHEAD#4-ELECTRI	457.54 187.43 187.43 93.71 2,666.18 2,066.10		5,658.39	
019848	002	15/10/2013	TM005	TELUS MOBILITY	SEP25/13	SEP/13	1,222.48		1,222.48	
019849	002	15/10/2013	TSC19	TRANSPARENT SOLUTI	6716	NOV/13 CLEARMAIL	20.95		20.95	
019850	002	15/10/2013	UV145	UCLUELET VIDEO SER	OCT/13	OCT/13-948	41.33		41.33	
019851	002	15/10/2013	VMR33	VICTORIA MOBILE RA	84461	SCADA	4,542.72		4,542.72	
019852	002	15/10/2013	WC168	WORKSAFE BC	Q3/13	Q3/13	7,136.02		7,136.02	
019853	002	15/10/2013	WEDOH	WE DO HOSTING.COM	5275-4	OCT1-DEC31/13 ACCT 5275	145.79		145.79	
019854	002	15/10/2013	WP166	WINDSOR PLYWOOD -	10835A	PADLOCKS	21.54		21.54	
Total:							173,556.68	1,163.62	172,393.06	

\*\*\* End of Report \*\*\*