

Minutes of the 7:00 pm Monday, February 1, 2016, Town of Qualicum Beach Regular Council Meeting held in the Council Chamber, Municipal Office, 660 Primrose Street, Qualicum Beach, BC

PRESENT: Council: Mayor Teunis Westbroek
Councillor Barry Avis
Councillor Neil Horner
Councillor Bill Luchtmeijer
Councillor Anne Skipsey

ALSO PRESENT: Staff: Daniel Sailland, CAO
Heather Svensen, Corporate Administrator
Luke Sales, Director of Planning
Karla Duarte, Deputy Corporate Administrator
Rebecca Augustyn, Special Projects Planner

The Mayor called the meeting to order at 7:00 pm

ADOPTION OF THE AGENDA

Council adopted, by unanimous consent, the February 1, 2016 regular Council meeting agenda.

Councillor Avis MOVED and Councillor Luchtmeijer SECONDED, THAT Council amends the agenda to add Wendy Maurer as a late delegation to the agenda.

CARRIED

RECOGNITION

(a) Fire Rescue Department Member Service Recognition

- (1) Mike Hamilton – 15-year service recognition**
- (2) Fire Officer I certificates were awarded to:**
 - Rob Junkala
 - Denyse Kohse
 - Friso Mckenzie
 - Heidi Zabel

APPROVAL OF THE MINUTES

Council approved, by unanimous consent, the:

- January 11, 2016 regular Council meeting minutes as amended recording the reason for Councillor Skipsey's declaration of a conflict pursuant to Section 100 of the *Community Charter*;
 - January 11, 2016 special Council meeting minutes;
 - January 18, 2016 special Council meeting minutes; and
 - January 27, 2016 special Council meeting minutes,
- as corrected for spelling and grammar.

PUBLIC AND STATUTORY HEARINGS

(1) Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (184 First Avenue West) Bylaw No. 580.81, 2015.

At 7:10 pm, the Mayor declared the Public Hearing open, convened pursuant to section 464 of the *Local Government Act*, to allow the public to make representations to Council respecting matters contained in the proposed bylaw:

Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (184 First Avenue West) Bylaw No. 580.81, 2015

The Mayor reviewed the purpose of the hearing, procedures to follow during the hearing, and availability of the binder at the entrance with background information and correspondence received, including a letter from Bruce Fleming-Smith (10 January 2016).

The Director of Planning introduced Bylaw No. 580.81, 2015 related to the rezoning of 184 First Avenue West which, if adopted, would:

- permit the construction of two duplexes on the subject property. Specifically, the change is as follows:
 - (a) “Part 6 – Land Use Regulations” is hereby amended by adding Section 6.4.30.50 Commercial Residential 1 (CR1).
 - (b) “Schedule 6A – Zoning Map” is hereby amended by changing the zoning designation of Lot 19, Plan 1894, District Lot 78, Newcastle District (184 First Avenue West) from Commercial 1 (C1) to Commercial Residential (CR1).

The Director of Planning:

- reviewed consistency with the goals in the Official Community Plan;
- reviewed features and amenities proposed in the development;
- noted that the application was reviewed by the Advisory Planning Commission; and
- confirmed the developer held a Public Information meeting, as required by Policy 3008-3.

The Mayor called for any persons who deemed themselves affected by Bylaws No. 580.81, 2015 who wished to be heard or present written submissions, to come forward.

Michael Jessen, representing the Arrowsmith Parks and Land Use Council, and resident at 1266 Jukes Place, French Creek, expressed concern about the Village Design Guidelines, and:

- proposed plan not supporting the Town Centre plan;
- the need to wait for the Official Community Plan review.

Mary Riches, 171 First Avenue West, expressed concern about the development and expressed the need to have a design plan for the whole Town prior to permitting new development in well-established areas.

Graham Riches, 171 First Avenue West, was seeking clarification on the conditions set out by the Advisory Planning Commission that were met by the developer and the planning department.

Arnold Buttner-Schnirer, 444 Memorial Avenue, spoke on behalf of his daughter who resides at 180 First Avenue West, and expressed their concerns with the elevation as it relates to the drainage system proposed for the development.

The Mayor called three times for any persons who deemed themselves affected by Bylaw No. 580.81, 2015 who wished to be heard or present written submissions to come forward and, hearing no one, declared the public hearing on Bylaw No. 580.81 closed at 7:25 pm.

BUSINESS ARISING FROM THE MINUTES

- (1) Notice of Motion from January 11, 2016 regular Council meeting (Councillor Horner)**
Councillor Horner MOVED and Councillor Avis SECONDED, THAT Council instructs staff to request that the Select Committee on Environment and Sustainability investigates ways the Town can work with Broom Busters and other volunteer organizations to make Qualicum Beach the first officially recognized broom-free municipality on Vancouver Island within two years.
CARRIED
- (2) Notice of Motion from January 11, 2016 regular Council meeting (Councillor Horner)**
Councillor Horner MOVED and Councillor Skipsey SECONDED, THAT staff be instructed to provide options to Council for new protocol to memorialize historical buildings in the Town of Qualicum Beach.
CARRIED
- (3) January 11, 2016 regular Council meeting Delegation:** Jenelle Davies, Canadian Federation of Students British Columbia, and Patrick Barbosa, Vancouver Island University Students' Union, requested a formal endorsement from the Town of Qualicum Beach for their campaign, "Don't Close the Doors on Adult Basic Education."

Councillor Horner MOVED and Councillor Avis SECONDED, THAT Council supports the request for formal endorsement of the campaign, "Don't Close the Doors on Adult Basic Education" presented by the Canadian Federation of Students British Columbia.
CARRIED

Councillor Luchtmeijer MOVED and Councillor Avis SECONDED, THAT Council instructs staff to forward the Town's formal endorsement of the campaign "Don't Close the Doors on Adult Basic Education", to the Association of Vancouver Island Coastal Communities for discussion.
CARRIED

Canada 150 Celebration

Councillor Avis MOVED and Councillor Skipsey SECONDED, THAT Council directs staff to provide an initial support payment of \$5,000.00 to the Royal Canadian Legion

Branch 76, to be used for the coordination of a community celebration for Canada's 150th Anniversary to be held in 2017; AND FURTHER THAT, Council requires the Legion to provide a summary report of how the funds were used.

CARRIED

DELEGATIONS

- (1) **S/Sgt. Brian Hunter, Detachment Commander, Oceanside RCMP** - reported on the 2015 year-end crime statistics - For Information
Topics raised by Council were as follows:
 - Provisions for golf carts to be used on Town-owned streets and pathways;
 - Dispute resolution mechanism – could this process be used for neighbourhood disputes?; and
 - Speed limit on Memorial Avenue.
- (2) **John Larson, C.A. Design**, regarding the rezoning application for 444 Country Club Drive (Eaglecrest driving range) for purposed development – Cottages at Eaglecrest – For Information
- (3) **Wendy Maurer**, 215 Elizabeth Avenue, appeared before Council to request:
 - town support to relocate the accessory building located at 184 First Avenue West to the Qualicum Beach Historical and Museum Society should the building be in a suitable condition to be moved; and
 - donation of the Communities in Bloom art panels currently located on the walkway wall between Second Avenue West and The Old School House. Ms. Maurer suggested a display of the art panels could be created on the museum grounds.

CORRESPONDENCE

- (1) **Correspondence Log** – February 1, 2016 – For Information
- (2) **Patricia Anderson, Coldest Night Of the Year (CNOY) Location Director Oceanside/Parksville, Island Crisis Care Society**, regarding the February 20, 2016 CNOY WALK campaign event – For Information

COMMITTEE & LIAISON REPORTS

- (1) **General Government** (Mayor Teunis Westbroek)
Mayor Westbroek reported on attending the following:
 - Refugee Information Meeting on January 25, 2016 at the Qualicum Beach Civic Centre
 - Pacific Salmon Foundation Dinner
 - 20th anniversary of the Tai Chi Club
 - 2016 Vancouver Island Business Excellence Awards held in Nanaimo
- (2) **Arts & Culture** (Councillor Barry Avis)
Select Committee on Parks, Recreation and Culture Recommendations from January 20, 2016 meeting:
 - (i) THAT the Parks, Recreation and Culture Committee recommends to Council THAT Town staff, as soon as the weather permits, prepare the wall located between Second Avenue West and The Old School House for a rotating art display by removing the

art work, frames and plaques currently on display, returning the art work to Town staff for return to the artist, and paint the wall after consultation with the building owner; AND FURTHER, THAT Town staff source options for weather- resistant display units to be installed on the wall.

Councillor Avis MOVED and Councillor Horner SECONDED, THAT Town staff, as soon as the weather permits, prepare the wall located between Second Avenue West and The Old School House for a rotating art display by removing the art work, frames and plaques currently on display; AND FURTHER, THAT the art be delivered to the Qualicum Beach Historical and Museum Society for safe keeping and for future historical reference; AND FURTHER, THAT Town staff source options for weather-resistant display units to be installed on the wall.

CARRIED

(ii) THAT the Select Committee on Parks, Recreation and Culture recommends to Council THAT Council instruct Town staff to investigate options for a new location for a second Community Garden that will accommodate 50 raised garden plots.

Councillor Avis MOVED and Councillor Skipsey SECONDED, THAT Council instructs Town staff to investigate options for a new location for a second Community Garden that will accommodate 50 garden plots, some of which could be raised.

CARRIED

Select Committee on Beach Day Recommendations from January 18, 2016 meeting:

THAT The Select Committee on Beach Day Celebration recommends to Council THAT Council authorizes the Town of Qualicum Beach to hold the 5th annual "Beach Day" on the waterfront of Qualicum Beach between Bay Street and the Qualicum Beach Visitor Centre on July 17, 2016 from 10 am to 4pm, AND FURTHER endorses Town staff to work with the Select Committee on Beach Day Celebration to prepare for Beach Day 2016, subject to the Select Committee Terms of Reference and the Financial Plan.

Councillor Avis MOVED and Councillor Horner SECONDED, THAT Council authorizes the Town of Qualicum Beach to hold the 5th annual "Beach Day" on the waterfront of Qualicum Beach between Bay Street and the Qualicum Beach Visitor Centre on July 17, 2016 from 10 am to 4 pm, AND FURTHER endorses Town staff to work with the Select Committee on Beach Day Celebration to prepare for Beach Day 2016, subject to the Select Committee Terms of Reference and the Financial Plan.

CARRIED

Councillor Avis reported on the following:

- Appointment to the executive committee for the Vancouver Island Regional Library
- Totem pole relocation from the Qualicum Beach Historical and Museum Society
- The Old School House accessibility ramp
- Attending the Refugee Information Meeting on January 25, 2016 at the Qualicum Beach Civic Centre

(3) **Parks & Recreation** (Councillor Neil Horner)

Councillor Horner reported on the following:

- Attending the Refugee Information Meeting on January 25, 2016 at the Qualicum Beach Civic Centre
- Attending the Health and Wellness Network meeting - coordinator a good fit for the space in the Leigh House
- Attending the Access Oceanside meeting – discussion on the need for upright handicap signage
- Task Force on Homelessness - 3 gentlemen receiving their eviction notices to leave the bush

(4) **Protective Services** (Councillor Bill Luchtmeijer)

Councillor Luchtmeijer reported on attending the following:

- Public Safety Committee Meeting, noting the added responsibility of accessibility and emergency planning for the Committee.

(5) **Community Development** (Councillor Anne Skipsey)

Councillor Skipsey reported on the following:

- Attending the January monthly meeting of the Qualicum Beach Chamber of Commerce
- Fire and Ice competition and the idea to put a Town team in the event

STAFF REPORTS

(1) **Chief Administrative Officer** (Daniel Sailland)

(a) **Community Special Events and Sports Investment Support Program**

Councillor Skipsey MOVED and Councillor Horner SECONDED, THAT Policy 3000-17 Community Special Events and Sports Investment Support Program be referred to the Committee of the Whole meeting on February 17, 2016 for discussion.
CARRIED

(b) **Committee of the Whole Resolutions – January 27, 2016**

Councillor Skipsey MOVED and Councillor Horner SECONDED, THAT staff undertake all the technical work required to produce, collect and assemble the data used in establishing Development Cost Charges and provide to Council the full range of issues that need to be considered.
CARRIED

Councillor Luchtmeijer MOVED and Councillor Avis SECONDED, THAT the Town of Qualicum Beach Bylaw No. 698 “A Bylaw to Regulate Fire Protection and Life Safety and to Provide Emergency Services” be introduced and read a first time.
CARRIED

Councillor Luchtmeijer MOVED and Councillor Horner SECONDED, THAT Council directs staff to prepare a new noise control bylaw that includes:

- clear definitions and regulations for construction work;
- clear definitions and permitted use of power equipment for home use;
- time periods when the playing of radios and stereophonic equipment or any

apparatus used for the amplification of sound is prohibited;

- a permit system to accommodate exceptions to the established regulation.

CARRIED

(2) **Corporate Administrator** (Heather Svensen)

(a) **Announcement of Council Meeting Motions**

January 27, 2016 Special Council Meeting authorization to release to the public:

THAT management staff be compensated for extra hours worked relating to the labour dispute based on straight time hours worked at the \$57.64 average management rate of pay.

THAT Councillor Avis be appointed as the Town liaison on the St. Mark's Fair 2016 organizing committee.

THAT Council appoints Tom Whitfield to the Heritage Forest Commission, representing the Brown Property Preservation Society, for a term ending December 31, 2017.

(b) **Revised Local Government Act - For Information**

(3) **Planning** (Luke Sales, Director of Planning)

(a) **Tree Preservation Area: 2075 Island Highway West - For Information**

(b) **Waterfront Master Plan Update - For Information**

BYLAWS

(1) **Bylaw 580.81 - 184 First Avenue West**

Councillor Luchtmeijer MOVED and Councillor Horner SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (184 First Avenue West) Bylaw No. 580.81, 2015" be given third reading, as amended.

CARRIED

Councillor Luchtmeijer MOVED and Mayor Westbroek SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (184 First Avenue West) Bylaw No. 580.81, 2015" be adopted.

MOTION FAILED

(2) **Bylaw 580.82 - Qualicum Commons**

Councillor Avis MOVED and Councillor Horner SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (Qualicum Commons) Bylaw No. 580.82, 2016" be read a second time.

CARRIED

Councillor Skipsey MOVED and Councillor Avis SECONDED, THAT Council hold a public hearing on Monday, February 22, 2016 at 7:00 pm at the Qualicum Beach Town Hall, 660 Primrose Street, Qualicum Beach in regard to "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (Qualicum Commons) Bylaw No. 580.82, 2016".

CARRIED

- (3) **Bylaw 580.80 and 700.12- OCP and Zoning Amendment: 444 Country Club Drive**
Councillor Avis MOVED and Councillor Horner SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (444 Country Club Drive) Bylaw No. 580.80, 2016" be introduced and given first reading.
CARRIED

Councillor Skipsey MOVED and Councillor Luchtmeijer SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 700, 2011, Amendment (444 Country Club Drive) Bylaw No. 700.12, 2016" be introduced and given first reading.
CARRIED

Councillor Horner MOVED and Councillor Avis SECONDED, THAT the owner of 444 Country Club Drive, prior to second reading of the zoning amendment bylaw, provide a more detailed landscape plan, including the clubhouse area, that addresses the circulation of pedestrians, golf carts and vehicles through and between the proposed development and the Eaglecrest Golf Course.
CARRIED

Councillor Luchtmeijer MOVED and Councillor Avis SECONDED, THAT the owner of 444 Country Club Drive, prior to adoption of the zoning amendment bylaw, enter into a S. 219 Covenant with the Town committing to the development plans as presented to Council, and also to the undergrounding of remaining overhead utilities, as detailed in the February 1, 2016 Planning memo to Council.
CARRIED

Councillor Horner MOVED and Councillor Avis SECONDED, THAT staff work with the applicant on a maintenance agreement to ensure that landscaping in the boulevard along the subject property is maintained in the future by the Eaglecrest Golf Club.
CARRIED

COMMENTS FROM THE GALLERY

- Lance Nater, 996 Royal Dornoch Drive, commented on the compensation for management during the labour dispute, suggesting that Council consider releasing the number of hours worked and the number of employees who contributed to the work during the labour dispute.
- Marlys Diamond, 550 Yambury Road, expressed appreciation to Council for the recommendation to move the Communities in Bloom artwork currently located on the walkway between Second Avenue and The Old School House to the Qualicum Beach Historical and Museum Society.
- Barbara Van Hove, 465 College Road, conveyed appreciation to Council for putting forward a request to review the Town's noise bylaw. Ms. Van Hove also commented on remarks made by Councillor Horner at a previous meeting.

MOTION TO CLOSE

Councillor Luchtmeijer MOVED and Councillor Skipsey SECONDED, THAT the meeting be closed to the public for the purposes of considering:

- Whether dealing in public with a matter relating to the acquisition and disposition of land or improvements might reasonably be expected to harm the interest of the municipality; and if Council determines that such harm might reasonably be expected, the meeting be closed to the public for the purpose of considering the disposition of land or improvements of Litigation or potential litigation affecting the municipality.

CARRIED

MEETING CLOSED TO THE PUBLIC: 9:23 pm

MEETING REOPENED TO THE PUBLIC: 9:45 pm

Councillor Avis MOVED and Councillor Luchtmeijer SECONDED, THAT staff be instructed to review the building condition and relocation costs to move the accessory building located at 184 First Avenue West to the Qualicum Beach Historical and Museum Society site.

CARRIED

Councillor Avis MOVED and Councillor Horner SECONDED, THAT subject to the relocation cost and condition of the accessory building, staff be instructed to proceed with the relocation of the accessory building located at 184 First Avenue West to the Qualicum Beach Historical and Museum Society site.

CARRIED

ADJOURNMENT

Councillor Avis MOVED and Councillor Horner SECONDED, THAT Council adjourns the meeting.

CARRIED

MEETING ADJOURNED: 9:45 pm

Certified Correct:

Heather Svensen
Corporate Administrator

Teunis Westbroek
Mayor