

Minutes of the 7:00 pm Monday, November 20, 2017, 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
John Marsh, Director of Finance
Bob Weir, Director of Engineering and Operations
Luke Sales, Director of Planning
Dennis Trudeau, Director of Special Projects
Darryl Kohse, Fire Chief
Cam Purdon, Superintendent of Public Works, Parks and Buildings
Heather Svensen, Corporate Administrator
Haylee Gould, Deputy Corporate Administrator

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

ADOPTION OF THE AGENDA

Council adopted, by unanimous consent, the November 20, 2017 regular Council meeting agenda, as amended with the removal of the delegation by Trevor Wicks, item 5(d), and Bylaw No. 580.89, 206 – Land Use and Subdivision Bylaw Amendment (2751 Island Highway West – Sand Pebbles Inn).

CARRIED

APPROVAL OF THE MINUTES

Council approved, by unanimous consent, the October 23, 2017 regular Council meeting minutes, as amended.

CARRIED

BUSINESS ARISING FROM THE MINUTES

(1) Notice of Motion (Mayor Westbroek)

Mayor Westbroek MOVED and Councillor Avis SECONDED, THAT staff be instructed to work with the Regional District of Nanaimo to disband the Northern Economic Development Committee, as the function is considered redundant as a result of the new grant process and the Island Economic Trust function.

CARRIED

(2) Development Application for 210 First Avenue West

Councillor Horner MOVED and Councillor Avis SECONDED, THAT consideration of the application for 210 First Avenue West be deferred and an updated planning analysis be brought to Council at the December 11, 2017 regular Council meeting.

CARRIED

DELEGATIONS

- (1) **Michael Banks, Qualicum Beach Lawn Bowling Club, and Stephen Forrest, Strobe Turf Management** – requesting that the Qualicum Beach Lawn Bowling Club be included in the Town's pesticide use bylaw to permit pesticide/fungicide spraying of the lawn-bowling greens.

CORRESPONDENCE

- (1) **Correspondence Log** – November 20, 2017 – for information.
Council requested an update on the correspondence relating to the tower being installed on Canyon Crescent.

COMMITTEE & LIAISON REPORTS

- (1) **General Government** (Mayor Teunis Westbroek)
Mayor Westbroek commented on the following:
 - Attended the Regional District of Nanaimo (RDN) meeting and noted that the 2018 tax requisition to the Town of Qualicum Beach from the RDN will be less than the current year
 - Attended the Vancouver Island Economic Alliance conference, which emphasized green energy, and suggested the Town look at applying green energy options to future Town projects
 - Accepted the first poppy with the Legion on October 27, 2017
 - Noted the success of the events for Halloween undertaken by Town staff, Cloudhead Games and the Qualicum Beach Fire Department
 - Attended the November 8, 2017 reception for Emergency Social Services
 - Attended the Oceanside Health and Wellness meeting, with a focus on mental health and lack of food security for school-aged students
 - On November 10 and 11, 2017, on behalf of the Town, placed a candle and wreath and presented a picture of the candlelight ceremony at the Holten Canadian War Cemetery in the Netherlands to the Royal Canadian Legion
 - Attended Moonlight Madness on November 16, 2017, a kickoff to the Christmas season and reminder of the importance of giving to others and shopping locally

Councillor Avis MOVED and Councillor Horner SECONDED, THAT Council instructs staff to provide 50 Town pins to Robert Findley to take to the 2018 Strathcona Cup in Scotland.

CARRIED

- (2) **Arts & Culture** (Councillor Barry Avis)
Councillor Avis commented on the following:
 - Attended the kitchen meetings for the Official Community Plan (OCP) review on the subject of trees and retention, water and watersheds, and how we look after our water
 - Noted that under Governance, we should be looking through our Quality of Life Survey and the OCP to include information on First Nations
 - Attended the Vancouver Island Economic Alliance Conference

- Attended the Climate Leadership Institute Conference in Vancouver – highlights were focused on the future and the management of energy. Requested the sustainability report from staff before putting forward a Notice of Motion to arrange a climate action team
 - **Notices of Motion (Councillor Avis)**
 - THAT Council instructs staff to send a letter to the Provincial Government in support of protection of areas 74A; 76B and 82A of the CDF Moist Maritime (mm) biogeoclimatic (BEC) subzone.
 - THAT Council recognize the First Nations at the opening of all Town Council meetings and Committee of the Whole meetings.
- (3) **Parks & Recreation** (Councillor Neil Horner)
Councillor Horner commented on the following:
- Attended the Homelessness Task Force meeting and the Project Connect Health Fair, which connects those in need with service providers, with the largest attendance to date with 83 guests in attendance. The cold weather shelter was opened November 1, 2017 and has seen an average of 3 people per night attending
- (4) **Protective Services** (Councillor Bill Luchtmeijer) - Nil
- (5) **Community Development** (Councillor Anne Skipsey)
Councillor Skipsey commented on the following:
- Shout out to everyone who contributed to the success of Halloween in Qualicum Beach
 - Attended the November 11, 2017 Remembrance Day ceremony at the Civic Centre
 - Attended Moonlight Madness, noting appreciation for the transit system running late to assist shoppers to attend the event
 - Attended three workshops hosted by the Qualicum Beach Chamber of Commerce
 - Attended the Chamber of Commerce Festival of Trees event to raise funds for the Society of Organized Services
 - Extended deepest sympathy to Bill Adkins and family on the recent passing of his wife Suzanne Adkins and noting Suzanne was a true community builder demonstrating the importance of community and was a tireless volunteer for the community. Service will be held on November 21, 2017 at St. Mark's church

STAFF REPORTS

- (1) **Corporate Administrator** (Heather Svensen)
 - (a) **Rescind Policy 4004-10, Building & Grounds – Use of Facilities and Equipment – Private Use of Town Equipment and Tools**
Councillor Luchtmeijer MOVED and Councillor Horner SECONDED, THAT Town of Qualicum Beach Policy 4004-10, Building & Grounds – Use of Facilities and Equipment – Private Use of Town Equipment and Tools, be rescinded.
CARRIED
- (2) **Financial Administration** (John Marsh, Director of Finance)
 - (a) **Finance Monthly Report** - For Information
- (3) **Fire Department** (Darryl Kohse, Fire Chief)
 - (a) **Finance Fire Department Report** - For Information
- (4) **Planning** (Luke Sales, Director of Planning)
 - (a) **Monthly Construction and Building Permit Report** – For Information
 - (b) **Monthly Bylaw Report** – For Information
 - (c) **2016-2017 Official Community Plan Review Update** – For Information
 - (d) **Remedial Action – 263 Buller Road**
Councillor Avis MOVED and Councillor Horner SECONDED, THAT Council declares, pursuant to section 73 of the *Community Charter*, S.B.C. 2003, Chapter 26, that the building contraventions on the property legally described as Parcel Identifier No. 029-657-326 and municipally known as 263 Buller Road (the “Property”), is a hazard with unsafe conditions as a result of substantial contraventions of the *B.C. Building Code* and Town of Qualicum Beach Building Bylaw No. 643, 2009.
THAT Council requires the registered owner of the Property, Kurt A. Miller (“Owner”), to remediate the declared hazard and bring the Property into compliance with Town of Qualicum Beach Building Bylaw No. 643, 2009 (the Building “Bylaw”) and *B.C. Building Code* by submitting a complete building permit application by January 15, 2018, including proof of BC Home Warranty Insurance from a Registered Builder who will complete the construction pursuant to the current *BC Building Code* and the Town’s Building Bylaw.
THAT in the event that the Owner fails to comply with the remedial action requirements under paragraph 2 by January 15, 2018, the Town orders that:
 - (a) the residential building under construction on the Property be demolished;
 - (b) staff take all necessary action to fulfill the requirements of 3(a) at the expense of the Owner in accordance with section 17 of the *Community Charter*; and the costs of such action shall be treated as a debt owed to the Town, which if unpaid at the end of the 2018 calendar year, will be added to the property taxes pursuant to section 258 of the *Community Charter*; and

- (c) if the Owner opposes the execution of the order under 3(a), legal counsel will obtain an injunction in the Supreme Court of British Columbia compelling the Owner to comply with this remedial action order.

CARRIED

BYLAWS

(1) Bylaw No. 580.91, 2017 – Land Use and Subdivision Bylaw Amendment (First Avenue and Beach Road Redevelopment)

Councillor Luchtmeijer declared a conflict of interest due to the close proximity of the proposed development at First Avenue and Beach Road in relation to his business and personal residence. Councillor Luchtmeijer left the meeting at 7:28 pm.

Councillor Horner MOVED and Councillor Avis SECONDED, THAT the bylaw entitled “Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (First Avenue and Beach Road Redevelopment) Bylaw No. 580.91, 2017” be adopted; AND FURTHER THAT staff be authorized to issue Development Permit No. 1333 for 201 First Avenue West, 207 First Avenue West, 211 First Avenue West, 629 Beach Road and 637 Beach Road.

CARRIED

Councillor Luchtmeijer returned to the meeting at 7:33 pm

(2) Bylaw No. 580.96, 2017 – Land Use and Subdivision Bylaw Amendment (Unrestricted Residential)

Councillor Horner MOVED and Councillor Luchtmeijer SECONDED, THAT the bylaw entitled “Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (Unrestricted Residential) Bylaw No. 580.96, 2017” be referred back to staff for further changes and a report be brought back to be considered at a future Council meeting.

CARRIED

(3) Bylaw No. 650.01, 2017 – Pesticide Use Bylaw Amendment (Lawn Bowling Club) - Reconsideration

Councillor Luchtmeijer MOVED and Councillor Avis SECONDED, THAT the bylaw entitled “Town of Qualicum Beach Pesticide Use Bylaw No. 650, 2010, Amendment (Lawn Bowling Club) Bylaw No. 650.01, 2017” be introduced and read a first time.

CARRIED

Councillor Luchtmeijer MOVED and Councillor Horner SECONDED, THAT the bylaw entitled “Town of Qualicum Beach Pesticide Use Bylaw No. 650, 2010, Amendment (Lawn Bowling Club) Bylaw No. 650.01, 2017” be read a second time.

CARRIED

Councillor Luchtmeijer MOVED and Councillor Horner SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Pesticide Use Bylaw No. 650, 2010, Amendment (Lawn Bowling Club) Bylaw No. 650.01, 2017" be read a third time.

CARRIED

(4) Bylaw No. 715, 2017 - Outdoor Burning

Councillor Avis MOVED and Councillor Horner SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Outdoor Burning Bylaw No. 715, 2017" be referred to staff for further changes, including disallowing garden refuse fires on Estate Properties, and a report be brought back to be considered at a future Council meeting.

CARRIED

(5) Bylaw No. 718, 2017 - Financial Plan 2018-2022

Councillor Luchtmeijer MOVED and Councillor Horner SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Financial Plan (2018-2022) Bylaw No. 718, 2017" be adopted.

CARRIED

RECORDED VOTE REQUESTED:

IN FAVOUR: Mayor Westbroek; Councillors Avis; Horner; Luchtmeijer

IN OPPOSITION: Councillor Skipsey

COMMENTS FROM THE GALLERY

- Kurt Miller, Victoria, owner of 263 Buller Road, requested clarification on what the hazard and unsafe conditions of his property were and further requested that an extension for the remedial action to take place be granted to March 15, 2018.
- Robert Filmer, 501 Tyee Crescent, spoke on the condition of the Qualicum Beach Lawn Bowling Club green.

ADJOURNMENT

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

CARRIED

MEETING ADJOURNED: 8:22 pm

Certified Correct:

Heather Svensen
Corporate Administrator

Teunis Westbroek
Mayor