

Minutes of the 7:00 pm Monday, October 2, 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
Cam Purdon, Superintendent of Public Works, Parks and Buildings
Darryl Kohse, Fire Chief
Heather Svensen, Corporate Administrator
Haylee Gould, Deputy Corporate Administrator
Rebecca Augustyn, Special Projects Planner

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

Councillor Horner provided a public statement of apology to Don Marshall, the Town's bylaw enforcement officer.

ADOPTION OF THE AGENDA

Council adopted, by unanimous consent, the October 2, 2017 regular Council meeting agenda.

CARRIED

APPROVAL OF THE MINUTES

Council approved, by unanimous consent, the September 11, 2017 regular Council meeting minutes.

CARRIED

BUSINESS ARISING FROM THE MINUTES

Notice of Motions from September 11, 2017 regular Council meeting (Councillor Skipsey)

Councillor Skipsey MOVED and Councillor Luchtmeijer SECONDED, THAT Council ask staff to review and make recommendations for safe crossings for Arbutus Street (near Harlech Road, the railway tracks and trail) and Canyon Crescent at Hoylake Road West.

CARRIED

Councillor Skipsey MOVED and Councillor Horner SECONDED, THAT Council directs staff to provide a report on how and when the School Connector improvements for Arbutus Street and Hoylake Road, 2.1.5 of the Age-Friendly Transportation Plan, could be implemented.

CARRIED

Mayor Westbroek requested staff to bring forward, at an upcoming meeting, the introduction of a bylaw for the Buhler Road property.

PUBLIC INPUT

- (1) **Temporary Use Permit - Medical Marijuana Dispensary at #1-675 Fir Street**
- Anita Roy, 1537 Marina Way, Nanoose Bay, spoke in favour of the application for a medical marijuana dispensary in Qualicum Beach. Ms. Roy is the owner of a medical cannabis dispensary in Errington.
 - Sue Auldos spoke in favour of a medical marijuana dispensary in Qualicum Beach. Ms. Auldos is a medical cannabis user since 1998.
 - Maureen Peltcher spoke in favour of a medical marijuana dispensary at the proposed location noting the benefits of working with trained professionals to assist in managing pain.
 - Bruce Fleming-Smith spoke in favour of a medical marijuana dispensary noting the benefits of the central location.
 - Clayton Brayton, Coombs, president of VanIsle Wellness Centre Ltd., provided some information on his education background and his personal health success after using medical cannabis for the past 5 years. Mr. Brayton noted the importance of education around medical cannabis and further noted that if the dispensary is approved to operate in Qualicum Beach, seminars and classes would be offered.
 - Council requested clarity on who would oversee the products being sold. Mr. Clayton noted that no one specifically oversees the product at this time. Mr. Brayton further noted that the product would be supplied by local growers.
 - Anita Roy, 1537 Marina Way, Nanoose Bay, noted that all edibles are produced in facilities with commercial kitchens and labs. The products are tested for THC and full cannabis components, including pesticides.
- (2) **Town of Qualicum Beach Financial Plan (2018-2022)** – there was no public input.

DELEGATIONS

- (1) **Lois Eaton** spoke regarding the proposed temporary use permit for a medical marijuana dispensary at #1-675 Fir Street.

CORRESPONDENCE

- (1) **Correspondence Log – October 2, 2017 – For Information**
- September 19, 2017 letter from Kirby Lowen regarding the bike path and bicyclist safety down Memorial Avenue – Council requested the matter be discussed with the Town's traffic consultant, Richard Druhd. Bob Weir, Town engineer, noted that the draft report of Richard Druhd. noted a signage change for this linkage of roadway, "bicycles may use full lane".
 - September 11, 2017 letter from Pat Jacobson regarding a notice of motion on uptown core trees was referred to staff for consideration.
 - September 12, 2017 letter from C. Brown regarding drainage concerns at 262 Fern Road East was referred to staff for consideration.

Councillor Skipsey MOVED and Councillor Avis SECONDED, THAT Council refer the September 11, 2017 letter from Pat Jacobson regarding a notice of motion on uptown core trees and the September 12, 2017 letter from C. Brown regarding drainage concerns at 262 Fern Road East to staff for consideration.

CARRIED

- (2) **Major John Coffin, Canadian Forces School of Search and Rescue** (12 Sep 2017) – For Information
- (3) **David James, Chair, Select Committee on Beach Day 2017** – For Information

COMMITTEE & LIAISON REPORTS

- (1) **General Government** (Mayor Teunis Westbroek)

Mayor Westbroek commented on the following:

- Attending the September 13 large-format Official Community Plan (OCP) meeting at the Civic Centre.
 - Next public meeting will be held on October 4 at the Civic Centre at 7pm on the topic of Transportation and Housing.
- Attending the September 15 retirement of Rory Johnson, who retired after 37 years of service with the Qualicum Beach Memorial Golf Course.
- Attending the Battle of the Bags session held at the Civic Centre on September 21.
 - Meeting with Qualicum Foods, who are in support of the elimination of single-use plastic initiative.
- Meeting with Oceanside Health and Wellness – working on the initiative to feed children who go to school hungry.
- Attending the Union of British Columbia Municipalities (UBCM) conference and meeting with the Minister of Health in partnership with the Regional District of Nanaimo and the City of Parksville. Key topic of discussion was the ability for nurse practitioners to have a billing number to work with doctors' offices to provide services to the public.
 - Meeting with the Minister of Transportation providing an update of the progress on Memorial Avenue.
- Attending the 10th anniversary of the Qualicum Beach Lawn Bowling Club.
- Open House – received a request for a garbage can along Arbutus Street.

- (2) **Arts & Culture** (Councillor Barry Avis)

Councillor Avis commented on the following:

- Attending the September 20 event at Vancouver Island University where the announcement of improved education for First Nations and funding from a public company and Ottawa were made.
- Attending the UBCM conference, noting satisfaction that every MLA from the current government was in attendance providing many presentations, and specifically noting the presentation by six MLAs speaking on investing in people, social initiatives, and First Nations initiatives.

- Library budget – speaking at the UBCM conference on the current funding for the Vancouver Island Regional Library (VIRL), which has received the same funding since 1986, and the need for change. Councillor Avis presented a 3-minute video prepared by VIRL.

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

Councillor Horner commented on the following:

- Attending the Oceanside Task Force on Homelessness Health Fair on October 12.
- Attending the coffee patrol with Lissa Alexander and the MANNA Society, and expressing appreciation to Tim Hortons for providing the coffee.
- Attending the UBCM conference and speaking on the marijuana initiative.

Motion from the Heritage Forest Commission – September 7, 2017

Councillor Horner MOVED and Councillor Luchtmeijer SECONDED, THAT Council directs staff to add recycling bins for cans, bottles and paper at all four existing garbage can locations in the Heritage Forest.

CARRIED

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

Councillor Luchtmeijer commented on the following:

- Attending the UBCM conference, providing a compliment to Daniel Sailland, CAO, on the speech outlining the Town's success to attract digital media users.

Motions from the Select Committee on Public Safety, Accessibility and Emergency Preparedness – September 13, 2017

Councillor Luchtmeijer MOVED and Councillor Skipsey SECONDED, THAT Speed Watch and the RCMP be instructed to increase their presence in the Highway 19A area near Milner Gardens; AND FURTHER THAT Speed Watch report their findings to the Select Committee on Public Safety, Accessibility and Emergency Preparedness.

CARRIED

Councillor Luchtmeijer MOVED and Councillor Avis SECONDED, THAT staff be instructed to respond to Robert Filman advising of the traffic design of Jones Street and alternative routes for pedestrians.

CARRIED

Councillor Luchtmeijer MOVED and Mayor Westbroek SECONDED, THAT staff be directed to respond to Patrick Tibando advising that this matter [obstructions on the roadway within Eaglecrest Estates] will be referred to the Eaglecrest Residents' Association for a recommendation to Council.

MOTION FAILED

Council instructed that staff provide response to Patrick Tibando outlining what action has been taken with respect to concerns with encroachments on rights of way.

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

Councillor Skipsey commented on the following:

- Attending the UBCM conference sessions, returning with new ideas and renewed energy. Noting a quote made at two of the sessions: “What if climate change is a hoax and we build a better world for nothing?”

STAFF REPORTS

- (1) **Daniel Sailland, CAO** – noted his meeting with Qualicum Foods working towards options to eliminate the use of plastic bags in Qualicum Beach.

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

(a) **Policy 5002-10 – Personnel – Benefits – Exempt Staff Overtime During an Emergency Operations Centre (EOC) Activation**

Councillor Luchtmeijer MOVED and Councillor Avis SECONDED, THAT Council adopt policy 5002-10 that allows exempt staff to be paid for time preceding regular business hours as per the BC Labour Code in the event of an Emergency Operations Centre activation where exempt staff are required to support an emergency event that exceeds regular office hours.

CARRIED

(b) **Walter Sweet, 1st Vice President, Royal Canadian Legion, Qualicum Beach Branch 76 (19 Sep 2017)**

Councillor Luchtmeijer MOVED and Councillor Skipsey SECONDED, THAT Council grants permission to the Royal Canadian Legion, Qualicum Beach Branch 76, to host the 2017 Remembrance Day commemorations at the Civic Centre on November 11, 2017;

AND FURTHER THAT Council authorizes staff to waive the Civic Centre rental fee for this event, and to provide in-kind support services for setup and take down.

CARRIED

(c) **Ruth Fraser, Poppy Chairman, Royal Canadian Legion, Qualicum Beach Branch 76 (4 Sep 2017)**

Councillor Avis MOVED and Councillor Horner SECONDED, THAT Council endorses the Poppy Canvassers’ request to solicit donations from the community on October 27, October 28, November 3, and November 4, 2017;

AND FURTHER THAT based on the parade route identified, Council instructs staff to proceed with the appropriate temporary road closures for the Remembrance Day Parade. The parade will be from the Legion to the Civic Centre parking lot and returning from the Civic Centre parking lot. The parade route will include Jones Street, Second Avenue to Memorial Avenue, Memorial Avenue to Veterans’ Way, and then Veterans’ Way to Berwick Road. The parade will take place on Saturday,

November 11, 2017, and road closures in effect for the parade will be from approximately 10:00 am to 10:35 am and, for the procession returning to the Legion on Veterans' Way, road closures in effect from approximately 12:00 pm to 12:45 pm; staging for the parade from the parking lot at Primrose Street and Fern Road West, subject to owner permission, proceeding from downtown Qualicum Beach to the Civic Centre and returning from the Civic Centre to the Legion;

AND FURTHER THAT Council authorizes the Town to provide support for the provision of barricades and waste management services, subject to the applicant, Royal Canadian Legion Branch 76, working with Town staff to ensure Town requirements are met, including emergency services notification.

CARRIED

- (2) **Financial Administration** (John Marsh)
 - (a) **Monthly Finance Report** - For Information
- (3) **Fire Department** (Darryl Kohse)
 - (a) **Monthly Fire Department Report** – For Information
- (4) **Planning** (Luke Sales)
 - (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) **Development Variance Permit: 583 Beach Road** -
Motion MOVED by Councillor Luchtmeijer: THAT Council directs staff to fulfill statutory notification requirements so that Council can consider issuance of a Development Variance Permit for 583 Beach Road at their meeting on October 23, 2017.
Motion not Seconded: **MOTION FAILED**
 - (e) **Temporary Use Permit Application** – VanIsle Wellness Centre Ltd.
Councillor Horner MOVED and Councillor Luchtmeijer SECONDED, THAT Council authorizes the location of a medical marijuana dispensary at #1-675 Fir Street subject to the conditions identified in the October 2, 2017 Planning memo to Council.
MOTION FAILED

- (f) **College Heights Development and Construction Impact Mitigation Strategy**
Councillor Avis MOVED and Councillor Luchtmeijer SECONDED, THAT Council receives the Guidelines for the Development of Construction Impact Mitigation Strategies as attached to the October 2, 2017 Planning memo to Council.
CARRIED

BYLAWS

- (1) **Bylaw 457.10, 2017 - Airport Lease Rates**

Councillor Luchtmeijer MOVED and Councillor Avis SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Airport Establishment and Operations Bylaw No. 457.05, 1998 Amendment (Fees) Bylaw No. 457.10, 2017" be adopted.

CARRIED

- (2) **Bylaw No. 580.90, 2017 - 174 & 180 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 (174 & 180 First Avenue West) Bylaw No. 580.90, 2017" be adopted.

CARRIED

Councillor Luchtmeijer MOVED and Councillor Horner SECONDED, THAT a Development Permit No. 1332 for 174 & 180 First Avenue West be issued as attached to the October 2, 2017 Planning memo to Council.

CARRIED

Councillor Skipsey declared a conflict of interest noting her family relationship with the applicant. Councillor Skipsey left the meeting at 9:00 pm.

- (3) **Bylaw No. 580.97, 2016 - 577 Rye Road**

Councillor Horner MOVED and Councillor Luchtmeijer SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (577 Rye Road) Bylaw No. 580.97, 2017" be introduced and given first reading.

CARRIED

Councillor Horner MOVED and Councillor Luchtmeijer SECONDED, THAT Council refers the development application for 577 Rye Road to the Advisory Planning Commission for comment, subject to the provision of additional information:

- A landscape plan that includes proposed drainage;
- Tree management plan;
- Elevations;
- Shadow impact study;
- Colours, materials and architectural detail; and,
- Parking plan.

CARRIED

Councillor Horner MOVED and Councillor Luchtmeijer SECONDED, THAT prior to adoption of a zoning amendment bylaw for 577 Rye Road, the following be completed:

- Execution of a Works and Services Agreement to ensure completion of the adjacent works and services;
- Execution of a Section 219 Form and Character covenant to ensure that the development is constructed in conformance with the presentation to Council.

CARRIED

Councillor Skipsey returned to the meeting at 9:10 pm

- (4) **Bylaw No. 650.01, 2017 - Lawn Bowling Club Pesticide Use - Council took no action on the proposed bylaw:**

Town of Qualicum Beach Pesticide Use Bylaw No. 650,2010, Amendment (Lawn Bowling Club) Bylaw No. 650.01, 2017.

- (5) **Bylaw No. 674.01, 2017 - Council Procedure Bylaw**

Councillor Avis MOVED and Councillor Horner SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Council Procedure Bylaw No. 674, 2017, Amendment (Inaugural Meeting) Bylaw No. 674.01, 2017" be adopted.

CARRIED

- (6) **Bylaw No. 715, 2017 - Outdoor Burning**

Councillor Horner MOVED and Councillor Skipsey SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Outdoor Burning Bylaw No. 715, 2017" be introduced and given first reading.

CARRIED

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

Councillor Skipsey MOVED and Mayor Westbroek SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Financial Plan (2018-2022) Bylaw No. 718, 2017" be given second reading.

CARRIED

Councillor Luchtmeijer declared a conflict of interest noting the close proximity of the proposed development in relation to his business and personal residence. Councillor Luchtmeijer left the meeting at 9:21 pm.

- (8) **Bylaw No. 719, 2017 - Laneway adjacent to Beach Road**

Councillor Avis MOVED and Councillor Skipsey SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Road Closure Bylaw (Laneway adjacent to Beach Rd) Bylaw No. 719, 2017" be introduced and given first reading.

CARRIED

Councillor Avis MOVED and Councillor Skipsey SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Road Closure Bylaw (Laneway adjacent to Beach Rd) Bylaw No. 719, 2017" be given second reading.

CARRIED

Councillor Avis MOVED and Councillor Skipsey SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Road Closure Bylaw (Laneway adjacent to Beach Rd) Bylaw No. 719, 2017" be given third reading.

CARRIED

Councillor Luchtmeijer returned to the meeting at 9:25 pm

COMMENTS FROM THE GALLERY

- **Deborah, 432 College Road**, spoke on the College Heights Development and Construction Impact Mitigation Strategy

MOTION TO CLOSE

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

- (a) Labour relations or other employee relations;
- (b) The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

CARRIED

MEETING CLOSED TO THE PUBLIC AT: 9:29 pm

MEETING REOPENED TO THE PUBLIC AT: 10:41 pm

ADJOURNMENT

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

CARRIED

MEETING ADJOURNED: 10:41 pm

Certified Correct:

Heather Svensen
Corporate Administrator

Teunis Westbroek
Mayor