

Minutes of the 10:00 am Wednesday, August 10, 2022, Town of Qualicum Beach Regular Council Meeting held in the Council Chamber, Municipal Office, 660 Primrose Street, Qualicum Beach, BC

PRESENT: Council: Mayor Brian Wiese
Councillor Robert Filmer
Councillor Scott Harrison
Councillor Anne Skipsey
Councillor Teunis Westbroek

ALSO PRESENT: Staff: Heather Svensen, Corporate Administrator
Bob Weir, P.Eng, Director of Engineering
John Marsh, Director of Finance
Luke Sales, Director of Planning
Weslie Gould, Deputy Corporate Administrator

The Mayor called the meeting to order at 10:00 am acknowledging that the meeting is being held on the traditional lands of the Coast Salish people.

ADOPTION OF THE AGENDA

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT Council adopts the August 10, 2022 Regular Council meeting agenda, as amended by:

- adding a new item, Item 4(2), Business Arising from the Minutes, regarding the St. Andrews Lodge Ballot Question; and
- adding a new item, Item 6(6), Bylaws, Reserve Funds Bylaw No. 744, 2022.

CARRIED UNANIMOUSLY

ADOPTION OF THE CONSENT AGENDA

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT the following items be adopted by general consent:

- (1) **Correspondence Log** – August 10, 2022 – For Information
- (2) **Announcement of Council Meeting Motions**

Pursuant to Section 117 of the *Community Charter*, Council authorized the release to the public the following motions from the July 20, 2022 in camera meeting:

- THAT Council accepts the reports from the St. Andrew's Lodge Historical and Cultural Society as fulfillment of the conditions required to extend the initial 12-month lease term for an additional 48 months.
- THAT staff be directed to prepare a report on washrooms at the St. Andrews Lodge Waterfront Park, including but not limited to the option of constructing public washrooms in the lodge building.

- (3) **Monthly Finance Report** – June 2022 – For Information
- (4) **Monthly Fire Department Report** – July 2022 – For Information
- (5) **Monthly Building Permit Report** – July 2022 – For Information

CARRIED UNANIMOUSLY

APPROVAL OF THE MINUTES

Councillor Skipsey MOVED and Councillor Westbrook SECONDED, THAT Council approves the July 20, 2022 Regular Council meeting minutes.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

(1) **Recommendation from the July 7, 2022 Board of Variance Meeting - For Information**

(2) **LATE ITEM - St. Andrews Lodge Ballot Question**

Councillor Harrison MOVED and Councillor Filmer SECONDED, THAT the question "Should the Town spend the necessary funds, up to a maximum of \$700,000, to refurbish the St. Andrew's Lodge building?" be placed on the ballot.

CARRIED

Opposed: Councillor Skipsey; Councillor Westbrook

In Favour: Mayor Wiese; Councillor Filmer; Councillor Harrison

CORRESPONDENCE

(1) **Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.78, 2022 - letter dated July 14, 2022**

Councillor Westbrook MOVED and Councillor Harrison SECONDED, THAT the Council of the Town of Qualicum Beach consents on behalf of the electors to the adoption of "Regional District of Nanaimo Northern Community Sewer Local Service Amendment Bylaw No. 889.78, 2022"; AND FURTHER THAT the Regional District of Nanaimo be notified accordingly.

CARRIED UNANIMOUSLY

(2) **Friends of Rails to Trails Vancouver Island - July 2022 Newsletter - For Information**

BYLAWS

(1) **850 Eaglecrest Drive/2075 Island Highway West: Zoning and OCP Amendment**

Heather Svensen, Corporate Administrator, noted that the Town received a legal opinion regarding the impact of the recent Supreme Court decision involving the proponents of this application, which indicated that the outcome of the court case is unlikely to affect the validity of the Town's public hearing process.

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT, as described in the August 10, 2022 Planning memo to Council, the bylaw entitled "Town of Qualicum Beach Official Community Plan Bylaw No. 800, 2018 Amendment (850 Eaglecrest Drive/2075 Island Highway W) Bylaw No. 800.03, 2019" be adopted;

AND FURTHER THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (850 Eaglecrest Drive/2075 Island Highway W) Bylaw No. 580.112, 2019" be adopted.

Councillor Skipsey MOVED and Councillor Westbroek SECONDED, THAT the motion on the floor be deferred until a more fulsome legal opinion is obtained.

MOTION FAILED

Opposed: Mayor Wiese; Councillor Filmer; Councillor Harrison

In Favour: Councillor Skipsey; Councillor Westbroek

Mayor Wiese called the question on the Main Motion and it was **CARRIED**.

Opposed: Councillor Skipsey; Councillor Westbroek

In Favour: Mayor Wiese; Councillor Filmer; Councillor Harrison

- (2) **Zoning Amendment and Development Permit: 201, 207 and 211 First Avenue West**
Councillor Filmer MOVED and Councillor Westbroek SECONDED, THAT "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (201, 207 and 211 First Avenue West) Bylaw 580.124, 2020" be read a third time.

CARRIED UNANIMOUSLY

Councillor Filmer MOVED and Councillor Skipsey SECONDED, THAT "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (201, 207 and 211 First Avenue West) Bylaw 580.124, 2020" be adopted; AND FURTHER THAT Council authorizes staff to issue a Development Permit for 201, 207 and 211 First Avenue West, subject to completion of the following conditions:

- a. Purchase of the Town-owned land at market value;
- b. Reconfiguration of parking entrance to ensure access for fire apparatus;
- c. Update of all plans to show proposed articulation of facades on First Avenue West;
- d. Revised elevation for maximum accessibility and to minimize steps into the building;
- e. Clarification of use of upper floor area uses;
- f. Integration of a place-making feature at the corner of Beach Road and First Avenue;
- g. Interlocking permeable paving surfaces.

Councillor Filmer MOVED and Councillor Skipsey SECONDED, THAT the motion on the floor be amended to add a condition as follows:

- h. The development shall exceed the Step Code requirements of the BC Building Code by one level.

CARRIED UNANIMOUSLY

Councillor Harrison MOVED and Councillor Filmer SECONDED, THAT the motion on the floor be amended to add a condition as follows:

- i. Best efforts to retain, transplant, or replant the arbutus tree on site.

CARRIED UNANIMOUSLY

MAIN MOTION AS AMENDED:

THAT “Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (201, 207 and 211 First Avenue West) Bylaw 580.124, 2020” be adopted; AND FURTHER THAT Council authorizes staff to issue a Development Permit for 201, 207 and 211 First Avenue West, subject to completion of the following conditions:

- a. Purchase of the Town-owned land at market value;
- b. Reconfiguration of parking entrance to ensure access for fire apparatus;
- c. Update of all plans to show proposed articulation of facades on First Avenue West;
- d. Revised elevation for maximum accessibility and to minimize steps into the building;
- e. Clarification of use of upper floor area uses;
- f. Integration of a place-making feature at the corner of Beach Road and First Avenue;
- g. Interlocking permeable paving surfaces.
- h. The development shall exceed the Step Code requirements of the BC Building Code by one level;
- i. Best efforts to retain, transplant, or replant the arbutus tree on site.

CARRIED UNANIMOUSLY

(3) Zoning Amendment: 230/250/270 Rupert Road East

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT the bylaw entitled “Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (230/250/270 Rupert Road East) Bylaw 580.133, 2022” be introduced and read a first time;

AND FURTHER THAT Council directs staff to initiate the Agriculture Land Reserve exclusion application process for 230 Rupert Road, as detailed in the August 10, 2022 Planning memo to Council.

CARRIED UNANIMOUSLY

(4) Zoning Amendment: 126, 130, 134, 144 and 148 Second Avenue East

Councillor Westbroek declared a conflict of interest due to ongoing legal action and left the meeting at 11:16 am.

Council discussed the proposed development and commented on the following:

- Rental rates and affordability;
- Topography of the site and building heights;
- Alignment with the Official Community Plan;
- Density and density bonuses;
- Sustainable building practices, including wiring for solar and electric vehicle charging, rooftop amenities, water catchment;
- Housing agreement and the requirement for a portion of the units to be rentals;
- Urban sprawl vs. density.

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (126, 130 ,134, 144 and 148 Second Avenue East) Bylaw No. 580.134, 2022" be read a third time as amended;

AND FURTHER THAT Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (Housing Agreement: 126, 130, 134, 144 and 148 Second Avenue East) Bylaw No. 773, 2022" be read a third time.

Councillor Filmer MOVED and Mayor Wiese SECONDED, THAT the meeting be recessed for five minutes.

CARRIED UNANIMOUSLY

MEETING RECESSED AT 11:38 am

MEETING RESUMED AT 11:44 am

Councillor Harrison MOVED and Councillor Filmer SECONDED, THAT the motion on the floor be amended by structuring the increased density as an amenity bonus, with the condition that three of the rental (apartment) units be designated as affordable housing, where the rental rates are capped at 20% below the Canadian Mortgage and Housing Corporation (CMHC) rate.

CARRIED UNANIMOUSLY

MAIN MOTION AS AMENDED:

THAT the bylaw entitled "Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (126, 130 ,134, 144 and 148 Second Avenue East) Bylaw No. 580.134, 2022" be read a third time as amended;

AND FURTHER THAT Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999, Amendment (Housing Agreement: 126, 130 ,134, 144 and 148 Second Avenue East) Bylaw No. 773, 2022" be read a third time;

AND FURTHER THAT the increased density be structured as an amenity bonus, with the condition that three of the rental (apartment) units be designated as affordable housing, where the rental rates are capped at 20% below the Canadian Mortgage and Housing Corporation (CMHC) rate.

CARRIED

Opposed: Councillor Skipsey

In Favour: Mayor Wiese; Councillor Filmer; Councillor Harrison

Councillor Westbroek returned to the meeting at 11:57 am.

(5) **2023 Taxation Exemption Bylaws**

Councillor Westbroek MOVED and Councillor Harrison SECONDED, THAT the bylaw entitled "Town of Qualicum Beach 2023 Taxation Exemption Bylaw No. 775, 2022" be read a second time, as amended by adding the portion of the St Andrews Waterfront Park property leased to the St. Andrews Lodge Historical & Cultural Society, to be exempt from taxation for the taxation year 2023;

AND FURTHER THAT the bylaw entitled "Town of Qualicum Beach 2023 Taxation Exemption (Places of Worship) Bylaw No. 776, 2022" be read a second time.

CARRIED UNANIMOUSLY

(6) **LATE ITEM - Reserve Funds Bylaw No. 744, 2022**

Councillor Westbroek MOVED and Mayor Wiese SECONDED, THAT the bylaw entitled "Town of Qualicum Beach Reserve Funds Bylaw, No. 774, 2022" be read a second time.

CARRIED UNANIMOUSLY

COMMITTEE & LIAISON REPORTS

(1) **General Government** (Mayor Brian Wiese)

Mayor Wiese commented on the following:

- Attending meetings with residents;
- Meeting with MLA Walker regarding family physicians;
- Attending the Central Island Division of Family Practice barbeque.

(2) **Parks & Recreation** (Councillor Robert Filmer)

Councillor Filmer commented on the following:

- Participating in the "PQBeat" podcast interview;
- Completed work on the old Engine #2 after fundraising to purchase the truck, and the truck is now being given to the Town.

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT Council directs staff to draft a policy regarding the control, operation, and usage of old Engine #2.

CARRIED UNANIMOUSLY

(3) **Community Development** (Councillor Scott Harrison)

Councillor Harrison commented on the following:

- Attending the Division of Family Practice dinner;
- Attending a meeting of the Oceanside Health and Wellness Network;
- Working with the Nanaimo Affordable Housing Society for worker housing up by the Qualicum Beach Airport;
- Different funding streams for affordable housing, specifically as it relates to the Railway affordable housing project.

(4) **Arts & Culture** (Councillor Anne Skipsey)

Councillor Skipsey commented on the following:

- Attending the 3rd annual March for the Future on July 22, 2022;
- Attending the July 27, 2022 Committee of the Whole meeting, discussing climate change;
- Attending the Select Committee on Environment and Sustainability meeting on August 8, 2022.

(5) **Protective Services** (Councillor Teunis Westbroek)

Councillor Westbroek MOVED and Councillor Skipsey SECONDED, THAT Council declare a climate emergency;

AND FURTHER THAT staff be directed to provide a report outlining potential actions relating to the climate emergency, including priority goals for greenhouse gas emissions and other sustainability goals.

Councillor Harrison MOVED and Mayor Wiese SECONDED, THAT the motion on the floor be amended to include the words “health care, and housing” after the words “declare a climate”.

CARRIED

Opposed: Councillor Filmer

In Favour: Mayor Wiese; Councillor Harrison; Councillor Skipsey; Councillor Westbroek

MAIN MOTION AS AMENDED:

THAT Council declare a climate, health care, and housing emergency;

AND FURTHER THAT staff be directed to provide a report outlining potential actions relating to the climate emergency, including priority goals for greenhouse gas emissions and other sustainability goals.

CARRIED

Opposed: Councillor Filmer

In Favour: Mayor Wiese; Councillor Harrison; Councillor Skipsey; Councillor Westbroek

Councillor Westbroek commented on the BC Hydro street light upgrades, and requested an update from staff at the next Council meeting.

Councillor Westbroek MOVED and Councillor Skipsey SECONDED, THAT staff be directed to invite the Regional District of Nanaimo to provide a presentation to Council regarding the Regional Growth Strategy Bylaw No. 1615.2011 in fall of this year.

CARRIED UNANIMOUSLY

Notice of Motion (Councillor Harrison)

THAT staff be directed to allocate funds for a third-party report to measure the Town’s emissions in the 2023 budget and strategic planning process.

STAFF REPORTS

(1) Corporate Administrator (Heather Svensen)

(a) Ocean Mile Swim 2022

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT the Town of Qualicum Beach supports the 2022 Qualicum Beach Ocean Mile Swim event to be held on Sunday, August 21, 2022 from 12:00 pm to 5:30 pm.

CARRIED UNANIMOUSLY

It was noted that there has been an offer from a resident to donate a trophy for the Ocean Mile Swim event, for the first woman finisher in the senior's category.

(b) Grand Opening of the Arrowsmith Search and Rescue Operations Centre

Councillor Filmer MOVED and Councillor Skipsey SECONDED, THAT Council grants permission to the Arrowsmith Search and Rescue Society to hold a grand opening event for their new Operations Centre at the Qualicum Beach Airport on Saturday, October 1, 2022 from 10:00 am to 3:00 pm, subject to the applicant working with staff to finalize arrangements;

AND FURTHER THAT Council authorizes support for the Arrowsmith Search and Rescue grand opening on October 1, 2022 through Town provision of garbage and recycling cans, bags, and collection; and provision of barricades and delineators, including drop off and pickup.

CARRIED UNANIMOUSLY

(c) 2022 Cross on the Commons Race

Councillor Westbroek MOVED and Councillor Skipsey SECONDED, THAT Council grants permission to the Arrowsmith Cycling Club to hold the 2022 Qualicum Beach Cross on the Commons bike race around the Civic Centre on Sunday, September 11, 2022 from 7:00 am to 5:00 pm.;

AND FURTHER THAT Council authorizes in kind support for Arrowsmith Cycling Club's 2022 Cross on the Commons bike race through Town provision of barricades, waste services, and access to water, subject to working with Town staff to finalize event details, and to ensure Town requirements are met;

AND FURTHER THAT Council grants permission to the Arrowsmith Cycling Club to use the grounds around the Civic Centre for their annual Cross on the Commons bike race, subject to working with Town staff to ensure any damage to the grounds is prevented or repaired as required.

CARRIED UNANIMOUSLY

(d) **St. Andrews Lodge Twilight Music Series**

Councillor Skipsey MOVED and Councillor Harrison SECONDED, THAT Council grants approval to the St. Andrews Lodge Historical and Cultural Society to host their 'St. Andrews Lodge Twilight Music Series' featuring live acoustic music on Saturday, September 10, 2022 from 6:00 pm to 8:00 pm at the St Andrews Waterfront Park.

CARRIED UNANIMOUSLY

(e) **Council Meeting Schedule Amendment**

Councillor Harrison MOVED and Councillor Filmer SECONDED, THAT the 2022 Council Meeting Schedule be amended by:

- Adding a Special Council meeting to be held on August 24, 2022 at 10:00 am in the Council Chamber, Town Hall, 660 Primrose Street, Qualicum Beach, BC;
- Cancelling the September 28, 2022 Regular Council meeting; and
- Cancelling the September 12, 2022 Public Open House meeting.

CARRIED UNANIMOUSLY

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

(a) **Development Permit: 3022 Island Highway West**

Councillor Harrison MOVED and Councillor Westbroek SECONDED, THAT the Development Permit application for 3022 Island Highway West be referred to the Advisory Planning Commission for comment.

CARRIED UNANIMOUSLY

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT the meeting proceed beyond the three-hour time limit, as per the Council Procedure Bylaw.

CARRIED UNANIMOUSLY

(b) **Development Permit: 1000 Ravensbourne Lane**

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT Council authorizes staff to issue a Development Permit for 1000 Ravensbourne Lane, as detailed in the August 10, 2022 Planning memo to Council.

CARRIED UNANIMOUSLY

(c) **Development Permit: 164 Second Avenue West**

Councillor Skipsey MOVED and Councillor Filmer SECONDED, THAT Council authorizes staff to issue a Development Permit for 164 Second Avenue West, as attached to the August 10, 2022 Planning memo to Council, subject to the provision of \$11,000 cash-in-lieu of the addition parking space required.

CARRIED UNANIMOUSLY

REVIEW OF COMMENTS FROM THE PUBLIC

Comments for this regular Council meeting were received by 12:00 pm two business days following the meeting (August 12, 2022). Submissions were distributed to all Council, and a brief summary of the comments are as follows:

- Susan Lloyd, Qualicum Beach, regarding the development for 850 Eaglecrest Drive/2075 Island Highway West, specifically as it relates to public discourse.
- Anne Beach, Qualicum Beach, regarding the development permit for 3022 Island Highway West, expressing concerns about traffic and impacts to the waterfront.

MOTION TO CLOSE

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

- a. personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- b. personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- c. 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;
- d. the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

ADJOURNMENT

Councillor Filmer MOVED and Councillor Harrison SECONDED, THAT Council adjourns the meeting.

CARRIED

MEETING ADJOURNED: 2:36 pm

Certified Correct:

Heather Svensen
Corporate Administrator

Brian Wiese
Mayor