

**Minutes of the 10:00 am Wednesday, February 8, 2023, Town of Qualicum Beach Regular Council Meeting held in the Council Chamber, Municipal Office, 660 Primrose Street, Qualicum Beach, BC**

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**PRESENT:** Council: Mayor Teunis Westbroek  
Councillor Scott Harrison  
Councillor Anne Skipsey (attended via teleconference)  
Councillor Petronella Vander Valk  
Councillor Jean Young

**ALSO PRESENT:** Staff: Lou Varela, CAO  
Heather Svensen, Corporate Administrator  
Bob Weir, Director of Engineering and Operations  
Luke Sales, Director of Planning  
Peter Cornell, Fire Chief  
Rebecca Augustyn, Planner  
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**

Council adopted, by general consent, the February 8, 2023 Regular Council meeting agenda, as amended to fix typographical errors.

**ADOPTION OF THE CONSENT AGENDA**

Council adopted, by general consent, the following items:

- (1) **Correspondence Log** - February 8, 2023 - For Information
- (2) **Announcement of Council Meeting Motions** - January 18, 2023
- (3) **Monthly Fire Department Report** - January 2023
- (4) **Monthly Building Permit Report** - January 2023
- (5) **Monthly Bylaw Report** - January 2023

**RESOLVE INTO COMMITTEE OF THE WHOLE**

Councillor Young MOVED and Councillor Vander Valk SECONDED, THAT Council resolve into Committee of the Whole.

**CARRIED UNANIMOUSLY**

**BC HYDRO LED LEASE LIGHTS**

- (1) **Notices of Motion from Council**

Councillor Vander Valk MOVED and Councillor Young SECONDED, THAT the Committee of the Whole recommends to Council,

WHEREAS at the October 27, 2021 Regular Meeting, Council previously directed "THAT the Town work with BC Hydro to mitigate the current locations identified by residents as problematic by either reducing the wattage; davit arm orientation/location; shielding or by any other means necessary"; and

WHEREAS Town Staff have requested BC Hydro inspect the problematic streetlights resulting in BC Hydro asserting that each of these streetlights is properly installed;

THEREFORE, BE IT RESOLVED, THAT, without further delay, the Town work with BC Hydro design crews to replace the streetlights identified as problematic by residents to LED streetlights of 3000K and 39W, except those on arterial routes;

AND FURTHER THAT, when replacing the problematic streetlights, BC Hydro design crews be directed to consider additional solutions for each problem light, such as shielding, changes to davit arm length, orientation, and location, or other means necessary, in order to reduce light trespass onto private properties;

AND FURTHER THAT staff be directed to continue accepting streetlight complaints from residents experiencing light trespass until February 28, 2023, and that streetlights identified by the February 28, 2023 deadline, except those on arterial routes, be included for replacement;

AND FURTHER THAT funding to replace the streetlights be included in the 2023 budget.

Mayor Westbroek invited members of the public in the gallery to speak regarding the motion on the floor:

- Doreen Mackay-Dunn, Qualicum Beach, commented on a survey conducted by the Qualicum Beach Residents' Association and the Town's response to resident complaints about streetlights.
- Michael Reeves, Qualicum Beach, commented about light trespass into his property, correspondence to and from the Town on the issue, and gave pictures to Council of the light on his property at night.
- Jane Loney, Qualicum Beach, expressed concerns about health impacts and commented that the streetlight outside her home is invasive and has negatively impacted her sleep.
- Donna Balzer, Qualicum Beach, referenced several goals in the Town's Official Community Plan and how the new LED streetlights are at odds with those goals.
- Donna Balzer read aloud a submission from Kimber Nixon, Qualicum Beach, commenting on the light trespass in her home, requesting a solution to the issue.
- Claire Olivier, Qualicum Beach, commented on the BC Utilities Commission, referencing orders from the Commission to BC Hydro about light trespass and light spill.
- Tim Bird, Qualicum Beach, noted that he was speaking on behalf of himself and four of his neighbours, handed out pictures to Council, and recommended that the wattage be reduced and shades be installed to limit light trespass.

- Paul Kyba, Qualicum Beach, provided an overview of correspondence between himself, the Town, and BC Hydro, noting that his first complaint to the Town was sent February 1, 2021. Mr. Kyba noted that the light affecting his property was identified as an exception that needed to be changed, and that the light was fixed last week by changing the davit arm, changing the colour temperature from 4000K to 3000K, and reducing wattage to 39-watts. Mr. Kyba requested that the deadline to accept complaints be extended, and that the impact of streetlighting be included in the next quality of life survey.
- David Kelsey, Qualicum Beach, commented on liability, noting other municipalities with 39-watt, 3000K lights.
- Kelly Olson, Qualicum Beach, commented on the light trespass on her property, expressed concern about light impacts to wildlife and plants, and requested that the Town consult with citizens prior to undertaking changes to lighting.
- David Mitchell, Qualicum Beach, commented on the light trespass in his neighbourhood and the 'detrimental veiling' (glare) effect causing there to be bright and dark patches on roadways.
- Laurie Sieber, Qualicum Beach, spoke in favour of the motion and commented on the Type II light distribution offered by BC Hydro, stating that it is inappropriate for use on corners or hills due to the elongated light throw.
- Laurie Sieber read aloud a submission from Collen McGovern, Qualicum Beach, commenting on light trespass on her property and expressing frustration at the lack of response from the Town or BC Hydro.
- Richard Chamberlayne, Qualicum Beach, commented on a number of streetlights in his neighbourhood and recommending that one of the unnecessary lights be removed.
- Linda De Paoli, Qualicum Beach, commented on the impacts the new lights made to her sleep and wellbeing, noting that she had installed blackout curtains and planted trees in her yard to mitigate the issue.
- Angie Price, Qualicum Beach, stated that she had lived on her property for over 50 years, that owls frequented her yard every year, and that she had not seen any owls since the streetlights were changed to LED.
- Melissa Vanry, Qualicum Beach, commented on the light trespass inside her home, the loss of night sky, and expressed frustration at the response from the Town to concerned citizens.
- John Wood, Qualicum Beach, commented on public safety and liability, and expressed concern about the recommendations of the illumination consultant and the Town's engineer being ignored.
- Jan Mac Naughton, Qualicum Beach, commented on light spill into private properties, noting a specific light in her neighbourhood that was not functional in 2019 and not needed. Ms. Mac Naughton further suggested amendments to the motion to include the direction to remove unnecessary lights.

- Laurie Sieber read aloud a submission from Susan Sigurdson, Qualicum Beach, commenting on a study in the Science Journal about the night sky and light pollution, and commented on energy savings by reducing wattage.
- Bing Jensen, Qualicum Beach, spoke in favour of the motion and noted that car headlights provide illumination on streets.
- Doreen Mackay-Dunn read aloud a submission from Yvonne Bailey, Qualicum Beach, commenting on her experience with a streetlight by her house and the impacts of light trespass in her home, and the broader environmental impacts to migratory birds and light pollution.
- Laurie Sieber read aloud a submission from Laura Brown, Qualicum Beach, noting that there is a streetlight in her back laneway that throws light past four homes, and that the streetlight is not needed.
- Laurie Sieber, Qualicum Beach, referenced other municipalities that have used 39-watt and 3000K LED streetlights with no insurance issues; commented on the price of energy and return on investment for replacing lights in town with 39-watt lights; and expressed concerns about glare, environmental and human health impacts, loss of the dark sky, and loss of the enjoyment of her property.

Council discussion on the motion ensued, with clarifying comments provided by the Director of Engineering.

Councillor Harrison MOVED and Councillor Young SECONDED, THAT the motion be amended by adding the words “and the addition of lights to ensure minimum light safety levels are maintained” after the words “3000K and 39-watt”.

**MOTION FAILED**

Opposed: Mayor Westbroek, Councillor Skipsey, Councillor Vander Valk

In Favour: Councillor Harrison, Councillor Young

Councillor Vander Valk MOVED and Councillor Harrison SECONDED, THAT the meeting be recessed for five minutes.

**CARRIED UNANIMOUSLY**

Meeting recessed at 11:35 am

Meeting resumed at 11:50 am

Hearing no further comments, Mayor Westbroek called the question on the Main Motion and it was **CARRIED**.

Opposed: Councillor Harrison

In Favour: Mayor Westbroek; Councillor Skipsey; Councillor Vander Valk; Councillor Young

### **RISE FROM COMMITTEE OF THE WHOLE**

Councillor Vander Valk MOVED and Councillor Harrison SECONDED, THAT the Committee of the Whole rise and report.

**CARRIED UNANIMOUSLY**

### **COMMITTEE OF THE WHOLE RECOMMENDATIONS**

Councillor Vander Valk MOVED and Councillor Skipsey SECONDED,

WHEREAS at the October 27, 2021 Regular Meeting, Council previously directed "THAT the Town work with BC Hydro to mitigate the current locations identified by residents as problematic by either reducing the wattage; davit arm orientation/location; shielding or by any other means necessary"; and

WHEREAS Town Staff have requested BC Hydro inspect the problematic streetlights resulting in BC Hydro asserting that each of these streetlights is properly installed;

THEREFORE, BE IT RESOLVED, THAT, without further delay, the Town work with BC Hydro design crews to replace the streetlights identified as problematic by residents to LED streetlights of 3000K and 39W, except those on arterial routes;

AND FURTHER THAT, when replacing the problematic streetlights, BC Hydro design crews be directed to consider additional solutions for each problem light, such as shielding, changes to davit arm length, orientation, and location, or other means necessary, in order to reduce light trespass onto private properties;

AND FURTHER THAT staff be directed to continue accepting streetlight complaints from residents experiencing light trespass until February 28, 2023, and that streetlights identified by the February 28, 2023 deadline, except those on arterial routes, be included for replacement;

AND FURTHER THAT funding to replace the streetlights be included in the 2023 budget.

Councillor Young MOVED and Mayor Westbroek SECONDED, THAT the motion be amended by adding "AND FURTHER THAT a second final intake of complaints be accepted until August 31, 2023."

**CARRIED UNANIMOUSLY**

Councillor Harrison MOVED, THAT the motion be deferred until a legal opinion is obtained. Motion **FAILED** due to lack of seconder.

### **MAIN MOTION AS AMENDED:**

WHEREAS at the October 27, 2021 Regular Meeting, Council previously directed "THAT the Town work with BC Hydro to mitigate the current locations identified by residents as problematic by either reducing the wattage; davit arm orientation/location; shielding or by any other means necessary"; and

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AND FURTHER THAT funding to replace the streetlights be included in the 2023 budget;

AND FURTHER THAT a second final intake of complaints be accepted until August 31, 2023.

**CARRIED**

Opposed: Councillor Harrison

In Favour: Mayor Westbroek; Councillor Skipsey; Councillor Vander Valk; Councillor Young

**APPROVAL OF THE MINUTES**

Councillor Harrison MOVED and Councillor Young SECONDED, THAT Council approves the minutes of the following meetings:

- January 11, 2023 special Council meeting;
- January 18, 2023 regular Council meeting, as amended to include additional details from the Communities in Bloom delegation and to correct the recorded vote for the Waterfront Ditch Infill Project.

**CARRIED UNANIMOUSLY**

**BUSINESS ARISING FROM THE MINUTES**

- (1) **Request from Brant Wildlife Festival from their January 18, 2023 Delegation to Council**

Councillor Skipsey MOVED and Councillor Harrison SECONDED, THAT Council provide a financial contribution in the amount of \$5,000 for promotion of the 2023 Brant Festival to The Nature Trust of British Columbia.

**CARRIED UNANIMOUSLY**

(2) **Request from BroomBusters Invasive Plant Society from their January 18, 2023 Delegation to Council**

Councillor Skipsey MOVED and Councillor Harrison SECONDED, THAT Council endorse the following resolution to be sent to the Association of Vancouver Island and Coastal Communities (AVICC) for their annual conference on April 14 to 16, 2023:

WHEREAS Climate Change brings us longer periods of drought and hotter temperatures in which Scotch broom, a highly flammable invasive species with high oil content and dry branches, will thrive and act as a volatile flash fuel, increasing the risk of wildfires and specifically urban interface fires; and

WHEREAS Scotch broom spreads densely and rapidly inhibiting forest re-growth and negatively impacting agricultural production and native species, with a 2021 study for the Invasive Species Council of B.C. (ISCBC) designating Scotch broom as the top worst offender – the invasive species doing the greatest harm to species at risk in B.C.;

THEREFORE, be it resolved that, AVICC and UBCM work with the Province to establish and implement actionable steps to control the aggressive spread of Scotch broom all across B.C. including implementing broom-free fire breaks along long stretches of broom while local governments are encouraged to use bylaws and policies to control and manage Scotch broom near and within urban boundaries.

**CARRIED UNANIMOUSLY**

Councillor Skipsey left the meeting at 12:08 pm.

(3) **Resolution from the January 18, 2023 Regular Council Meeting**

Councillor Harrison MOVED and Councillor Young SECONDED, THAT staff modify the Berwick Road Storage Building, within the current budgets of the Fire Department and the Department of Operations, to a maximum of \$5,000, to temporarily store Engine 2 until such time as Council can gather feedback from the community on possible donations to offset the cost of ongoing display and repairs required for the apparatus.

**CARRIED UNANIMOUSLY**

(4) **Recommendation from the January 10, 2023 Advisory Planning Commission Meeting**

Mayor Westbroek MOVED and Councillor Harrison SECONDED, THAT future Development Permit applications contain contextual overviews containing a site plan showing the surrounding area and uses to help inform Advisory Planning Commission (APC) decision making.

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE**

- (1) **Crosswalk Location** – January 20, 2023 – email from Linda & Bill Ruks  
Councillor Harrison MOVED and Mayor Westbroek SECONDED, THAT the correspondence from Linda and Bill Ruks, dated January 20, 2023, requesting crosswalk and pathway improvements at the intersection of Hollywood Road and Village Way, be referred to the Age-Friendly Transportation Plan review process currently underway.  
**CARRIED UNANIMOUSLY**

## **BYLAWS**

- (1) **Zoning Amendment and Development Permit: 365 First Avenue West**  
CAO Varela noted that two residences were missed in the notification process for the public hearing held on January 18, 2023 for the subject property, and further, that the applicant has submitted a revised proposal which requires an amendment to the draft bylaw. As such, staff recommend a second public hearing be held. Ms. Varela apologized for the notification error, and noted that staff are reviewing internal processes to ensure similar issues do not arise again.

Councillor Harrison MOVED and Councillor Young SECONDED, THAT Council rescinds second reading of “Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (365 First Avenue West) Bylaw No. 580.135, 2022”.

**CARRIED UNANIMOUSLY**

Councillor Vander Valk MOVED and Mayor Westbroek SECONDED, THAT second reading of the “Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (365 First Avenue West) Bylaw No. 580.135, 2022”, as amended as described in the February 8, 2023 Planning memo to Council, be denied.

**MOTION FAILED**

In favour: Councillor Vander Valk

Opposed: Mayor Westbroek; Councillor Harrison; Councillor Young

Councillor Harrison MOVED and Councillor Young SECONDED, THAT “Town of Qualicum Beach Land Use and Subdivision Bylaw No. 580, 1999 Amendment (365 First Avenue West) Bylaw No. 580.135, 2022” be read a second time as amended, as described in the February 8, 2023 Planning memo to Council.

**CARRIED**

In favour: Mayor Westbroek; Councillor Harrison; Councillor Young

Opposed: Councillor Vander Valk

Councillor Harrison MOVED and Councillor Young SECONDED, THAT Council hold a Public Hearing on March 1, 2023 at 10:00 am 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 (365 First Avenue West) Bylaw No. 580.135, 2022”.

**CARRIED UNANIMOUSLY**



## **COMMITTEE & LIAISON REPORTS**

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

Mayor Westbroek commented on the following:

- Attending the Regional District of Nanaimo Board meeting on February 7, 2023, noting expected tax increase to be approximately \$77 per home for the average home.
- Opening the "One Act Play" for Echo Players.
- Attending the Heritage Forest Commission meeting, expressing appreciation to Fire Chief Peter Cornell for his tour with Commission members to address fire concerns.

### **(2) Public Safety (Councillor Scott Harrison)**

Councillor Harrison commented on the following:

- Attending the Select Committee on Public Safety meeting, discussing streetlights and traffic concerns.
- Noting that he missed the last Council Strategic Planning session due to injury.

Mayor Westbroek MOVED and Councillor Harrison SECONDED, THAT the following Notice of Motion be deferred to the March 22, 2023 regular Council meeting:

THAT Council allocate a Committee of the Whole meeting in the 2nd quarter of 2023, inviting local governments in the region, relevant non-profits and provincial organizations to discuss the requirements for cold weather shelters, and what similar services are of greatest need in the region.

**CARRIED UNANIMOUSLY**

Councillor Harrison MOVED and Mayor Westbroek SECONDED,

WHEREAS the cost of rental housing impacts recruitment and retention of Paid-on-Call Fire Fighters who are required to reside in the Fire Protection Area as a condition of their membership in the Department;

WHEREAS the Town's ability to maintain the existing level of Fire Protection Service with a Paid-on-Call Fire Department represents tremendous cost savings to the community when compared to other service provision models;

THEREFORE, BE IT RESOLVED, THAT Council directs staff to explore opportunities for inclusion of firefighter housing in future affordable housing developments on Town-owned land.

**CARRIED UNANIMOUSLY**

Councillor Harrison MOVED and Mayor Westbroek SECONDED, THAT the Mayor respectfully inquire to Chief Recalma to ascertain Qualicum First Nation's (QFN) interest in working with the Town to identify a small number of streets for signage in English and Pentlach;

AND FURTHER THAT if the response from QFN is positive, that staff be directed to allocate \$5,000 in the Town's 2023 budget for this initiative.

**CARRIED UNANIMOUSLY**

(3) **Parks & Recreation** (Councillor Anne Skipsey)

Mayor Westbroek MOVED and Councillor Harrison SECONDED, THAT Council allocates up to \$5,000 from the Town's Tree Replacement Reserve Account to the Qualicum Beach Memorial Golf Course for the purpose of tree planting, subject to staff approval of species, number of trees, caliper/size, and location.

**CARRIED UNANIMOUSLY**

(4) **Community Development** (Councillor Petronella Vander Valk)

Councillor Vander Valk commented on the following:

- Attending the January 19, 2023 Oceanside Health and Wellness Network meeting.
- Attending the Council Strategic Planning sessions, extending appreciation to staff and residents for their involvement.
- Attending a meeting with Councillor Young and a representative from the Chamber of Commerce, meeting with representatives from Pacific Economic Development Canada (PacifiCan) and Provincial Ministry staff, discussing housing for workers, agriculture and food security, tourism, climate mitigation and adaptation.

(5) **Arts & Culture** (Councillor Jean Young)

Councillor Young commented on the following:

- Meeting with the Qualicum Beach Cinema Society, noting that the society is seeking land for their proposed cinema.
- Attending the Qualicum Beach Historical and Museum Society board meeting, noting that the society is working on strategic planning.
- Expressing appreciation to the community's non-profit and volunteer boards for all the work they do for the town.
- Noting that Family Day is scheduled for the last Sunday in May, May 28, 2023, and that the Select Committee on Family Day Celebration is looking for volunteers.
- Expressing appreciation to Marlys Diamond for her work with Communities in Bloom, noting that the Communities in Bloom colour for 2023 is purple, encouraging residents to plant purple flowers to celebrate.

## **STAFF REPORTS**

(1) **Chief Administrative Officer**

(a) **Adoption of 2022 – 2026 Strategic Plan Content**

Councillor Vander Valk MOVED and Councillor Harrison SECONDED, THAT the content of the 2022 – 2026 Strategic Plan, as attached to the February 8, 2023 regular council agenda, be adopted.

**CARRIED UNANIMOUSLY**

Mayor Westbroek MOVED and Councillor Vander Valk SECONDED, THAT staff be directed to invite Mr. Graham Riches, as per his offer during Council's Strategic Planning Sessions, to the next available Committee of the Whole meeting to present to Council on the topic of food security.

**CARRIED UNANIMOUSLY**

(b) **Town of Qualicum Beach Website – Accessibility Update**

Councillor Harrison MOVED and Mayor Westbroek SECONDED, THAT Council directs staff to collect feedback on the Town’s website accessibility tool for testing of functionality from groups, including, but not necessarily limited to, the Committee on Public Safety & Emergency Preparedness; Access Oceanside and Universal Access.

**CARRIED UNANIMOUSLY**

(2) **Planning**

(a) **Development Variance Permit: 2119 Island Highway West**

Mayor Westbroek MOVED and Councillor Harrison SECONDED, THAT Council directs staff to fulfill statutory notification requirements so that Council can consider issuance of a development Variance Permit for 2119 Island Highway West at a future meeting of Council.

**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 (February 10, 2023). Submissions were distributed to all Council, and a brief summary of the comments are as follows:*

- John Wood, Qualicum Beach, provided a written copy of the comments he provided during the discussion about LED streetlights.
- Laurie Sieber, Qualicum Beach, regarding LED streetlights.
- Susan Lloyd, Qualicum Beach, regarding LED streetlights.

**ADJOURNMENT**

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

**CARRIED UNANIMOUSLY**

**MEETING ADJOURNED: 12:54 pm**

Certified Correct:

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Heather Svensen  
Corporate Administrator

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Teunis Westbroek  
Mayor