

From: [Bruce Fleming-Smith](#)
To: [communications](#)
Cc: [Brian Wiese](#); [Teunis Westbroek](#); [Scott Harrison](#); [Robert Filmer](#)
Subject: comment for Regular Council Meeting Jan 13/21 - Eaglecrest Drive
Date: January 13, 2021 8:49:20 AM

SUBJECT:
Official Community Plan Amendment and Zoning Amendment:
850 Eaglecrest Drive/2075 Island Highway

From:
Bruce Fleming-Smith
564 Berwick Rd. North
Qualicum Beach
B.C. V9K-1L1

Dear Mayor and Council:

I am writing to comment on the agenda item; OCP Amendment and Zoning Amendment for 850 Eaglecrest Drive/2075 Island Highway.

I urge you in the strongest of terms, to defer hearing and consideration of this agenda item and to defer granting of second reading; pending a by-election having been held for Adam Walker's replacement and pending Councillor Filmer's return to Council.

As you know this is an extremely important matter which has garnered significant public attention and clearly a very contentious matter for our community.

In exercising your duty to provide sound representative governance, proceeding without a full Council to consider items of this significance would stand as a profound betrayal of public trust.

The electorate expect that the work of Council is that each and every one of you give full, intelligent, fair-minded consideration of matters before you. This agenda item is particularly important for a number of reasons. I have given all the supporting material for this application (included in the agenda package) a cursory review. The applicant has done a lot of work and the supporting documentation is detailed and warrants full and careful review. Just the sheer amount of background material to be considered, requires that all members of Council have reviewed the material and each is able to bring his own perspective to the matter. In cases such as this it really behooves Council to be at 'it's best' which should obviously call for all members being in attendance and 'all hands on deck'.

I submit that Council cannot possibly be seen to be exercising full and thoughtful judgement on such a issue when it is operating with 60% representation.

Do the responsible thing and defer further consideration of this application until Council has been restored to full representation.

Sincerely
Bruce Flemming-Smith

Anne Skipsey
383 Crescent Road West
Qualicum Beach, BC V9K 1J5

January 15, 2021

Mayor & Council
Town of Qualicum Beach
201 – 660 Primrose St
Qualicum Beach, BC V9K 1J5

Re: January 13th 2021 Comments to Council

OCP Amendment / Zoning Amendment: 850 Eaglecrest Drive

The Official Community Plan is clear: urban development outside of the Urban Containment Boundary **shall not be approved**. Estate Residential zoning discourages additional residential density. This proposal is purely land speculation and should not take precedent over the wishes and vision of the community as stated in our OCP.

This application is **EXACTLY** why citizens expressed their concerns to the RDN about the Town's request to move the Growth Containment Boundary. On January 3, 2019 Mayor Wiese assured:

“Some of the delegations and letters to the RDN board on December 4th, 2018 implied that this amendment will invite more changes to land use designations in Qualicum Beach, which is not the case. As stated in the Town’s 2018 Official Community Plan, “The Town will manage growth through an Urban Containment Boundary that is independent of the Growth Containment Boundary in the Regional Growth Strategy.”

*This same approach of aligning the Growth Containment Boundary with the municipal boundary was taken in 2011 Regional Growth Strategy by the City of Nanaimo. It should be noted there have not been lands removed from the Agricultural Land Reserve in Nanaimo since that time, **nor did the 2011 change result in major land use changes.**”*

Have we been lied to?

1025 Qualicum Road (Pheasant Glen)

The OCP is clear. The Staff Report outlines how this application conflicts with OCP policies including but not limited to:

- Rural Designation
- No permanent residential use
- Commercial development that is auxiliary to tourism activity
- Does not threaten urban containment policies of OCP

“Since 2005, the OCP has clearly supported the development of a destination resort at Pheasant Glen”. I support a destination resort that is much needed in QB.

Blue Community Request

Strange response. Very disappointing.

From: [Tim](#)
To: [communications](#)
Cc: [Haylee Gould](#)
Subject: Council Meeting - Public Comments - January 13, 2021
Date: January 15, 2021 9:43:35 AM

Mayor & Council - the following are my comments regarding the January 13th Council meeting:

- **850 Eaglecrest Drive / 2075 Island Highway** - it is encouraging to see this project advance. It will be a real enhancement to the Eaglecrest community.

The Staff proposal for three pathways leading from the property requires further consideration and clarification. Similarly, the Council proposal that this project should be bareland strata should be given some further thought. Councillor Westbroek says that this offers financial benefits to the Town because fewer services need to be provided. This could be viewed in a different way? This is essentially 'downloading' which Council has been critical of when the Province does it. Maybe all strata's should be given a property tax discount because certain services not provided are being charged and paid for regardless. There is an inconsistency here - the adjoining Cottages development which is of a similar size and is currently under construction was not required to be a strata and will receive full Town services. Where is the fairness and consistency here?

- **1025 Qualicum Road - Pheasant Glen** - it was good to see this 2005 era proposal being revitalized to reflect the 2020 realities of viable tourist accommodation. Councillor Harrison provided a good current comparison to changes needed at the Beach Acres development that he fondly remembers from his childhood, noting that times have changed and the tourist accommodation model needs to change too. It will be good to see the next steps in this applications progress.

Tim Pritchard

663 Windward Way

From: [PAT JACOBSON](#)
To: [communications](#)
Subject: Feedback to Council re January 13th Meeting
Date: January 15, 2021 10:31:14 AM

January 15th, 2021

To Mayor and Council -

I offer my comments on two decisions made at the Council Meeting on January 13th:

Arrowsmith Groundwater Alliance - Request to Become a Blue Community

I would like to express my frustration with the rejection of this request on a number of counts:

- a. This initiative has broad local support including businesses, a wide spectrum of organizations, and School District 69.
- b. Progressive Communities like Nanaimo, Cumberland, Comox, Vancouver, and Victoria have embraced it, and must see it as adding value to their water management frameworks.
- c. At the very least, some public input could have been garnered by the Select Committee on Environment and Sustainability and a decision could have been reserved until we are back to a full Council, thus enabling meaningful debate.
- d. The implication that "activism" and "protest" don't play a role in our civic affairs is a downright undemocratic concept.

Please consider reversing this decision and giving it the broader level of public consideration it deserves.

Roundabout at Village Way and 19A vs. the Artificial Turf Field

I was happy to see the Artificial Turf Field put out to pasture, and the long awaited Roundabout at Village Way and 19A given priority for Canada Infrastructure Funding.

Pat Jacobson
225 Crescent Road West
Qualicum Beach, V9K 1J9

From: [Cathy T](#)
To: [communications](#)
Subject: January 13, 2021 10:00 am Council Meeting
Date: January 15, 2021 11:59:13 AM

To Whom it May Concern,

I wonder what future generations of citizens of Qualicum Beach will think of the history of the town from 2018 to the present day when decisions were made without consideration of Climate Change, the natural habitat, the mental wellbeing of its citizens and citizens concerns were ignored, food security issues were ignored, concerns of bullying were ignored but instead major changes were considered to develop forests and watersheds with a council of 3 instead of 5.

Just a reminder;

"Each municipal council in B.C. consists of a mayor and councillors. All members of council have a number of responsibilities while in office. Through a majority vote, council members make collective decisions in the best interests of their communities."

www2.gov.bc.ca

I would like it to be on record for future generations that there were citizens in Qualicum Beach who were concerned about climate change, food security, bullying at town hall and the lack of a Tree and Vegetation Plan for Qualicum Beach. They continually voiced their concerns but were ignored as if they were part of the community of Qualicum Beach.

Sincerely,

Catherine Taylor, Karen Taylor, Sandra and Peter Taylor
497 Maquinna Pl.
Qualicum Beach

January 15, 2021

Dear Mayor and Council of the Town of Qualicum Beach,

January 13th 2021 Comments to Council

Blue Community Request Response

Sadly, consistent with this council's indifference to nature's support of our town.

OCP Amendment / Zoning Amendment: 850 Eaglecrest Drive

The OCP is the vision of the community, not plasticene to be worked into whatever shape suits the council's support of land speculation. The OCP is unequivocal about urban development outside the Urban Containment Boundary – Not to be approved. I presented to the RDN to stop Qualicum Beach Town's request to move their Growth Containment Boundary to align with town boundaries. Mayor Wiese, in his letter to me dated January 3, 2019, assured the Town will manage growth through the Urban Containment Boundary. Yet we now have this glibly being pushed through with only 3 councillors. No acknowledgment or discussion of all the letters and the petitions reflecting the voices of the majority of Qualicum Beach residents. The letter I received from Mayor Wiese chastising me for going to the RDN rather coming directly to him with my concerns. Now I bring my concerns to the council and Mayor Wiese.

1025 Qualicum Road (Pheasant Glen)

Staff has outlined conflicts with this application and the OCP. It seemed to me; your solution is to have the owner direct staff to make OCP changes. The OCP is clear. Support for a destination tourist project yes, in the OCP since 2005 but not residential.

None of these issues pertinent to the town and our OCP were discussed by council on January 13th. This was an attempt to irresponsibly hide the larger context of these properties from residents. Shame on you for attempting to dupe your citizens.

Lois Eaton

591 Tamarack Drive, Qualicum Beach

From: [DEBMCKINLEY](#)
To: [Teunis Westbroek](#); [Brian Wiese](#); [Scott Harrison](#); [Robert Filmer](#)
Cc: [Heather Svensen](#); [Luke Sales](#); [communications](#)
Subject: Official Community Plan amendment bylaw 800.03, 2019 (850 Eaglecrest Drive/2075 Island Highway
Date: January 13, 2021 10:31:19 AM

From: Deborah McKinley

Sent: Wednesday January 13, 2021, 10:30 a.m.

To the Mayor, Council and Staff of the Town of Qualicum Beach. (Kindly submit this to the Correspondence log.)

Re: Official Community Plan amendment bylaw 800.03, 2019 (850 Eaglecrest Drive/2075 Island Highway

The amendment bylaw you are considering today, proposes to move the Urban Containment Boundary, which is an issue of great interest to many of the Town's residents, and which also proposes to remove wording from the OCP which establishes that *"In order to promote and encourage the retention of large rural holdings the Town shall not support the subdivision of land designated by the Regional Growth Strategy as Resource Lands and Open Space and Rural Residential, into parcel sizes that are smaller than specified by the applicable OCP..."*

To proceed with this development application (and that of Pheasant Glen Golf Resort application), without any public consultation of the issues (and when Council is reduced to only three members), would be a violation of Section 475 of the Local Government Act, a violation of the public trust, and an abuse of process, any or all of which may expose Council to significant legal liability.

This is not a minor amendment that can be easily dismissed. It demands the involvement of the public and a full, open and transparent discussion with the community. Please do not schedule a public hearing for this subject until after consultations with the public have been completed. Better still, do not give it second reading.

Sincerely,

Deborah McKinley

From: [Jay Smith](#)
To: [Brian Wiese](#); [Teunis Westbroek](#); [Robert Filmer](#); [Scott Harrison](#); [communications](#)
Subject: Official Community Plan amendment bylaw 800.03, 2019 (850 Eaglecrest outside the scope of Council authority
Date: January 13, 2021 9:21:37 AM

To the Mayor and Council of the Town of Qualicum Beach.

Re: Official Community Plan amendment bylaw 800.03, 2019 (850 Eaglecrest Drive/2075 Island Highway W)

I am in opposition to the above amendment because it is *ultra vires*, that is, beyond the scope of the authority of council. Provincial law, that is Section 475 of the Local Government Act states as follows:

(1) During the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.

(3) Consultation under this section is in addition to the public hearing required under section 477 (3) (c).

To this date there have been no such consultations with the public with regard to this amendment.

Any action taken today to amend the OCP today is legally contestable and could be rendered null and void. I would urge that Council suspend any action on this item until the law is followed completely and in its entirety with the public being given their legal right to be consulted.

Yours,

Jay Smith, Phd.

587 Spruce St

Qualicum Beach V9K 1J1

From: fox.mckinley
To: [Teunis Westbroek](#); [Scott Harrison](#); [Brian Wiese](#); [Robert Filmer](#)
Cc: [Heather Svensen](#); [Luke Sales](#); [communications](#)
Subject: Official Community Plan Amendment Bylaw Readings of 800.03, qualicumbeach2019 (850 Eaglecrest Drive/2075 Island Highway & Bylaw No. 800.05, 2021 (1025 Qualicum Road)
Date: January 13, 2021 11:40:00 AM

From: Harold (Fox) McKinley

Sent: Wednesday January 13, 2021, 11:30 a.m.

To the Mayor, Council and Staff of the Town of Qualicum Beach. (Kindly submit this to the Correspondence log.)

Re: Official Community Plan Amendment Bylaw Readings of 800.03, 2019 (850 Eaglecrest Drive/2075 Island Highway & Bylaw No. 800.05, 2021 (1025 Qualicum Road)

The amending bylaws you are considering today, propose to move the Urban Containment Boundary, which is an issue of great interest to a majority of the Town's residents, and which also proposes to remove wording from the OCP which establishes that "*In order to promote and encourage the retention of large rural holdings the Town shall not support the subdivision of land designated by the Regional Growth Strategy as Resource Lands and Open Space and Rural Residential, into parcel sizes that are smaller than specified by the applicable OCP...*"

The Subdividing of said properties will invariably result in a windfall for the landowners, but have no benefit to the surrounding area residents, or more importantly to the Town. Dense developments like these are needed closer to town centre for those wanting to walk to the shops and depending less or not at all on their cars. These properties are a 1 hour, and a 45 minutes walk respectively, and if you don't believe me, I invite you to walk it yourself.

By permitting one or both of the two developments, it will open the door to future developments that will chip away at our greenbelt, which I was under the impression you all believed to be an integral part of our community, environment, and our commitment to the protection of our trees, wildlife and rural areas.

A pandemic is not the time for serious OCP changes. These changes need to be part of a long range renewed OCP that takes time and revisioning, that includes greenbelt, green city goals in consultation with the entire community.

Sincerely,

Harold (Fox) McKinley

From: [Todd and Joanne](#)
To: [Haylee Gould](#)
Cc: [communications](#); [Teunis Westbroek](#); [QWRA Email](#)
Subject: Age Friendly Transportation Plan recommended crosswalks Hwy 19a nr. Hemsworth and Milner Gardens
Date: January 15, 2021 2:26:11 PM

Councillor Westbroek and Council,

During the recent Council meeting, you discussed crosswalks as per the Age Friendly Transportation Plan suggestions along Hwy 19a.

You did not agree to go with crosswalks as recommended in the AFTP. We do comprehend the reason stated that 19a is classified an arterial roadway, with crosswalks not recommended for arterial roads.

The report recommended traffic calming medians on 19a at Hemsworth and flashing lights on cars during events for Milner. Council approved a motion supporting the three recommendations in the report.

The staff report picture indicates a road painted crosswalk at Hemsworth.

Council did not discuss this style of crosswalk during the meeting, so we are not clear if the traffic calming measures for Hemsworth will include a marking only crosswalk or not?

We would appreciate your clarification.

There was also Council discussion on the possibly of a, “this is your speed,” sign for Milner Gardens.

It was stated during the meeting you are awaiting analysis of the efficacy of a trial sign located near Arrowview school before deciding to place this type of speed sign at any other locations.

Although the temporary flashing lights on cars will hopefully calm speeds during Milner Gardens events, this proposed solution does not address speeding during the vast majority of the year when the lights are not in use.

We want Council to be aware that the Qualicum Woods Residents Association has discussed and supports this type of speed warning sign

for its speed calming impact, and also recall that the wider population represented at the Town's Public Safety Committee supported the concept of speed warning signs as well.

Please keep us updated on the analysis of the sign's efficacy, and when Council will be in a position to support the placement of such a sign near Milner Gardens.

Todd Provost
Vice-President and Chair
Qualicum Woods Residents Association

Section 22, FOIPPA

Haylee Gould

From: communications
To: Charna Macfie; communications
Subject: RE: Jan 23 Council meeting "gallery comments"

From: Charna Macfie Section 22, FOIPPA
Sent: January 15, 2021 2:48 PM
To: communications <communications@qualicumbeach.com>
Subject: Jan 23 Council meeting "gallery comments"

January 13, 2021 "Gallery Comments"

OCP and zoning Amendments for 1025 Qualicum Road

1. Conflict of interest. I feel the Mayor's relationship with the applicant prevents objectivity on this development proposal.
2. An OCP amendment involving changes to UCB must include public consultation.
3. Council avoided recognizing the significance of this OCP amendment being that it is outside the UCB.
4. The public has been misled by applicant and by Council about intentions for this development and last year's subdivision amendment.
5. It is impossible to have a mixed use resort development. The Town would not be able to monitor the use and tenure of the people staying there.
6. I think Council should cut their losses and not go further down the rabbit hole with this applicant. How likely will these re-zoning and OCP amendments get the project started? Infrastructure for developing Pheasant Glen will be at the taxpayers expense.
7. Without knowing what was being proposed for this development except a general plan, Council voted first reading which is reckless and irresponsible.

OCP and zoning Amendment 850 Eaglecrest Drive

1. An OCP amendment involving changes to UCB must include public consultation.
2. Council failed to discuss the most relevant issue of the OCP amendment which is a redrawing of the Urban Containment Boundary.
3. Councillor Harrison's comment that there has been sufficient debate on these amendments is not correct.
4. The redrawing of the UCB contradicts what the Town and Council promised the public when the Town amended the Regional Growth Strategy.

Charna Macfie

578 Maple Street
Qualicum Beach, BC, V9K 1J3