



**OMBUDSPERSON**  
BRITISH COLUMBIA

July 13, 2021  
File: 20-183497

Carol Dowe  
512 Hawthorne Drive  
QUALICUM BEACH BC V9A 1A5

Dear Ms. Dowe:

Thank you for bringing your complaint about the Town of Qualicum Beach (the “Town”) to our Office’s attention. I am writing to confirm that my investigation is complete and our file is closed. This letter is intended to outline my investigation, what I found, and the resolution to the identified fairness issues.

Complaint Summary

I understand that Telus Communications Inc. (“Telus”) has proposed to build a wireless communications tower (the “Tower”) on land owned by the Town. Telus reportedly conducted public consultation in accordance with Innovation, Science and Economic Development Canada (“ISED”)’s Default Public Consultation Process earlier in 2020. Following the completion of their public consultation process, ISED required Telus to formally seek a motion or letter of land use concurrence from the Town.

I understand that at least as early as July 30, 2020, you asked the Town’s corporate administrator to appear as a delegation at the Town’s August 19, 2020 regular council meeting to speak to the matter of the proposed Tower. On August 4, 2020, Ms. Svensen notified you that the Town had not yet received Telus’ formal application for land use concurrence, and so there was nothing in front of Council to speak to. She advised that if the Town received such an application from Telus, staff would request direction from Council on if and how they would like to consult with the public. She also advised you that the Town would therefore not be advancing individual requests for delegations relating to the Tower at that time.

Telus submitted their formal land use concurrence application to the Town on August 5, 2020. On August 7, 2020, you wrote back to Ms. Svensen, again asking to appear as a delegation at the August 19<sup>th</sup> meeting to speak to the matter of Telus’ application. Ms. Svensen replied to confirm that the Town had received Telus’ application, but declined your delegation request a second time on the basis that Town staff still had to seek direction from Council on public consultation. You sent Ms. Svensen an email on August 11, 2020, requesting for the third time the opportunity to appear as a delegation at the August 19<sup>th</sup> meeting. You expressed concern that Council would receive and approve Telus’ application without you being given the opportunity to make submissions on Council’s decision. Ms. Svensen replied to indicate that staff recommended against proceeding with any delegation requests for the August 19<sup>th</sup> meeting before they sought Council’s direction on next steps for public consultation.

On August 19, 2020 the regular council meeting took place over Zoom. Council discussed Telus’ application and ultimately directed staff to execute a satisfactory lease agreement with Telus and to provide Telus with the requested Land Use Concurrence for one of the Proposed Tower sites.