

DISTRICT OF HIGHLANDS  
REGULAR COUNCIL MINUTES

Minutes of the Regular Council meeting held Monday, May 4th, 1998 at the East Fire Hall, 3613 Woodridge Place at 7:35 p.m.

PRESENT: Mayor R.G. (Bob) McMinn, Chair  
Councillor Cardinal  
Councillor Robertson  
Councillor Taylor  
Councillor Vogel  
Councillor Yolland

IN ATTENDANCE: Bruce Woodbury, Administrator  
Dawn M. Scott, Deputy Clerk

AGENDA

MOTION 241/98 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:  
The Agenda BE AMENDED BY THE ADDITION OF THE FOLLOWING ITEM:

Item 4.b) - Greater Victoria Public Library Board Composition; AND,

THE DELETION OF THE FOLLOWING ITEM:

Item 7. e) - Rezoning Application RZ-02-98 - Memorandum that the Application Had Been Withdrawn.

CARRIED

1. PETITIONS AND DELEGATIONS

a) Letter from the Program Director, Community  
Fisheries Development Centre, South Island Streams  
Re: Request for Letters of Support to the Prime Minister  
and the Provincial Minister of Fisheries:

Craig Davidson, Program Director was not in attendance since he had been called to a meeting in Vancouver and was unable to return on time as outlined in the report from the Deputy Clerk dated April 30th, 1998. It was also noted that Mr. Davidson would attend the Regular Council meeting scheduled for May 19th, 1998.

b) Highwest Waste Recyclers Ltd.  
Re: Rezoning Application RZ-03-97:

Bruce Dyck, President, Chew Excavating Ltd. was in attendance and distributed a letter dated May 4th, 1998 which provided an update of the work plan to provide additional information as requested by the Advisory Planning Commission subsequent to the APC meeting held April 22nd, 1998.

Mr. Dyck addressed Council and advised that Danny Carrier of J.E. Anderson and Associates and Irvin Kew of Irvin Kew Architects Inc. who were also in attendance had been retained to assist Highwest Waste Recyclers Ltd. with development of plans and that ideas and plans would be submitted at a future date relative to the following:

- conceptual plan of overall development, including on site roads and servicing;
- approximate location of potential building sites;

- potential property tax revenue generated as a result of the improvements to the lands; and,
- detailed commitment for monetary amenity contribution.

In response to query from a Member of Council, Mr. Dyck advised that the time frame for provision of the information was approximately four to six weeks.

c) Tourism Victoria Re: Request that the District of Highlands Join Tourism Victoria as a Municipal Member for an Annual Fee of \$750.00:

Melissa McLean, Director of Operations, Tourism Victoria was in attendance and noted that Stewart Johnston, President and Lorne Whyte, Chief Executive Officer were unable to attend since they were attending Council meetings at the District of Saanich and District of Metchosin.

Ms. McLean addressed Council noting that tourism was a critical part of the economy and the primary industry in Greater Victoria. Ms. McLean provided an overview of the following information and statistics as outlined in a submission dated May 4th, 1998:

- The Value of Tourism to Greater Victoria;
- What is Tourism Victoria's Role;
- How Are We Funded;
- Destination Marketing Budget;
- Operating Budget; AND,
- Tourism Victoria's Partnership with the District of Highlands.

Ms. McLean requested that the District of Highlands join Tourism Victoria as a municipal member for an annual membership fee of \$750.00 or as another option, payment of \$100.00 to \$200.00 as an indication of support for Tourism Victoria's Visitor Services Department to assist the organization in meeting the needs of Greater Victoria's 3.55 million annual visitors.

Ms. McLean further noted that Tourism Victoria was very aware that the community may not want a lot of visitors to the area but that they could, if the community supported the concept, market parks in the area since Adventure/Eco Tourism was the most rapid growing part of tourism.

Mayor McMinn advised that the request for membership or payment as an indication of support for Tourism Victoria's Visitor Services Department would be considered later during the meeting.

d) Greenways Stewardship and Trails Project Re: Status Report:

Kim Carpenter, Stewardship Project Coordinator and Janet Williams, Trails Project Coordinator were in attendance.

Ms. Williams and Ms. Carpenter addressed Council and provided a status report of the Trails and Stewardship Coordination Projects as outlined in a memo entitled Stewardship and Trails Project 1998 (dated May 4th, 1998).

Ms. Williams noted that a newsletter would be distributed to residents this month outlining the projects and seeking volunteer interest.

In response to a query from a Member of Council, Ms. Williams advised that building roadside trails would be commenced as soon as possible after identification of locations and standards.

Ms. Williams also provided an update of information relative to Intermunicipal Trails and commuter routes being proposed through CRD Parks and the Greenways Trail system.

## 2. ADOPTION OF THE MINUTES

a) Minutes of the Regular Council Meeting Held  
Monday, April 20th, 1998:

MOTION 242/98 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:  
The minutes of the Regular Council meeting held Monday, April 20th, 1998, be adopted as circulated.

CARRIED

### 3. BUSINESS ARISING FROM THE MINUTES

a) Accounting Software Upgrade:

MOTION 243/98 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:  
The following software BE PURCHASED from Concord Consultants Ltd:

Progress Database Server - \$400.00  
ODBC Driver - \$150.00

Total \$550.00 + Taxes,

as recommended in a report from the Administrator dated April 28th, 1998.

Discussion ensued and the Administrator responded to queries relative to the purchase of software.

CARRIED

MOTION 244/98 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:  
Item 7. d) - Development Permit No. DP-01-98 AND, Development Variance Permit No. DVP-01-98, BE  
CONSIDERED NEXT ON THE AGENDA.

CARRIED

7. d) Development Permit No. DP-01-98 AND, Development Variance Permit No. DVP-01-98 APPLICANT: Ian  
Campbell LOCATION: 5268 Fork Lake Road:

MOTION 245/98 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

1. That PUBLIC NOTIFICATION BE DISTRIBUTED for the proposed May 19th, 1998 issuance of a Development  
Variance Permit for DVP-01-98 pertaining to Lot 1, Plan VIP64554, Section 36, Highland District that would:

a. vary Zoning By-Law No. 100 in Section 3.3(1)(b) by reducing the required building setback from Fork Lake from  
30.0 metres to 7.5 metres only over the area shown as "proposed residence" on Plan A;

b. vary Zoning by-Law No. 100 in Section 3.8(8) by deleting driveway requirements from emergency vehicles;

c. vary Zoning By-Law No. 100 in Section 6.3.3(3) by reducing the required building setback from a FRONT lot line  
from 7.5 metres to 3.0 metres only or the area shown as "proposed garage/workshop" on Plan A; AND,

d. vary Zoning by-Law No. 100 in Section 6.3.3(6) by reducing the required building setback from a REAR lot line  
from 10.0 metres to 7.5 metres only over that area shown as "proposed residence" on Plan A;

2. That Development Variance Permit DP-01-98 BE REFERRED to the Fire Chief for comment on proposed variances to emergency access requirements of driveways in the Zoning By-Law; AND THAT,

3. Development Permit DP-01-98 BE ISSUED to the owner of Lot 1, Plan VIP64554, Section 36, Highland District with the CONDITION that:

a. no cutting and clearing of trees or removal of vegetation and site disturbances shall be permitted within the Environmental Protection areas for water and riparian areas EXCEPT for the construct of a "proposed residence" as substantially shown on Plan A.

Ian Campbell, applicant was in attendance and advised that he had not prepared a presentation but was prepared to respond to any questions Council might have.

In response to a query, Mr. Campbell advised that the intent was for a drive-through garage but that the vehicle would normally be parked in the yard.

A Member of Council complimented Mr. Campbell on the comprehensive information provided in conjunction with the application, noting that he had no concern with the intent or plans in terms of the environment but did have some concern with varying the standards set since there was no guarantee that the applicant would be living on the subject property in future years. It was further noted that the fire issue would have to be resolved.

A further Member of Council complimented Mr. Campbell on the work he had done on Fizzle Creek.  
CARRIED

#### 4. REPORTS

##### a) Committee Reports

##### i) Administration and Finance

Councillor Robertson advised that the Administration and Finance Advisory Committee had not met last month since the regular meeting was scheduled during the Easter vacation.

Councillor Robertson further noted that the committee had had a problem convening a quorum of members and that she had spoken to the two members who had been unable to attend and ascertained that they are still interested and are making changes to try to accommodate attendance. Councillor Robertson advised that attendance would be monitored with a view to terminating membership in the future should they fail to attend meetings.

Councillor Robertson also advised that the next meeting of the Administration and Finance Advisory Committee was scheduled for Monday, May 11th, 1998 at the Caleb Pike House at 7:30 p.m.

- Letter from Lynda Middlestead Re: Request for  
Appointment to the Administration and  
Finance Advisory Committee:

MOTION 246/98 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT: Lynda Middlestead BE APPOINTED to the Administration and Finance Advisory Committee for the balance of a two year term expiring December, 1999, as recommended in a report from the Deputy Clerk dated April 29th, 1998.

CARRIED

##### ii) Environment

Councillor Vogel advised that he had nothing to report.

iii) Parks and Recreation

Councillor Cardinal advised that the next meeting of the Parks and Recreation Advisory Committee was scheduled for Monday, May 11th, 1998 at the West Fire Hall at 7:30 p.m.

Councillor Cardinal advised that he had received a copy of the reference plans/survey elevations for the proposed play field from J.E. Anderson and Associates. He further noted that he hoped to meet with staff to discuss the plans and that the matter would be discussed at the Parks and Recreation Advisory Committee meeting and referred to other advisory committees for comment.

Councillor Cardinal further noted that a huge amount of fill would be coming out of a construction project nearby which could be used for the a full sized play field if someone could provide a play field site (five acres).

iv) Protective Services

- Protective Services Advisory Committee Re: Minutes of the Meeting Held April 15th, 1998:

MOTION 247/98 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT: The minutes of the Protective Services Advisory Committee meeting held April 15th, 1998, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated April 29th, 1998.

CARRIED

- Protective Services Advisory Committee Re: Roadside Mowing and Brushing Standards:

MOTION 248/98 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT: The recommendation contained in the report from the Protective Services Advisory Committee dated April 28th, 1998 regarding proposed changes to the Road Maintenance Contract Standards for roadside mowing and brushing, BE REFERRED TO STAFF FOR CONSIDERATION IN CONJUNCTION WITH THE RECOMMENDATION FROM THE ROADS ADVISORY COMMITTEE DATED APRIL 23RD, 1998, as recommended in a report from the Deputy Clerk dated April 30th, 1998.

CARRIED

v) Transportation and Public Works

- Roads Advisory Committee Re: Minutes of the Meeting Held April 23rd, 1998:

MOTION 249/98 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT: The minutes of the Roads Advisory Committee meeting held April 23rd, 1998, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated April 30th, 1998.

CARRIED

- Roads Advisory Committee  
Re: Roadside Mowing and Brushing:

MOTION 250/98 MOVED BY COUNCILLOR TAYLOR

SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT: The recommendation from the Roads Advisory Committee dated April 23rd, 1998 that specific sections of roads other than Millstream and Munn Roads BE SELECTED for treatment of roadside vegetation by manual means with the objective of preserving upcoming native vegetation, AND THAT Millstream and Munn Roads be mowed in the traditional way, BE REFERRED TO STAFF FOR A REPORT AND RECOMMENDATION FOR CONSIDERATION AT THE REGULAR COUNCIL MEETING SCHEDULED FOR MAY 19TH, 1998, as recommended in a report from the Deputy Clerk dated April 30th, 1998.

Councillor Taylor provided an overview of discussions relative to the roadside mowing and brushing standards at the Roads Advisory Committee meeting which ended in a split vote on whether just to mow for safety reasons.

In response to a query from a Member of Council, the Administrator advised that Section V of the current Roads Maintenance Agreement included mowing and brushing of all roads within the District including the costs for same.

The Administrator further advised that the contractor had been instructed to cease all mowing and brushing with the exception of Millstream and Munn Roads since the matter had been referred to the Roads Advisory Committee for recommendations relative to the roadside mowing and brushing standards subsequent to referral of the matter to them in September, 1994, and had been the subject of discussions since then.

The Administrator provided an overview of the rationale for the current standards and the options for changes which would cause the least complications for the municipality and contractor.

Concern was noted due to the monies paid for the service which was not being provided and the safety issue.

CARRIED

Councillor Robertson recorded as opposed.

vi) Planning and Zoning

- Advisory Planning Commission

Re: Minutes of the Meeting Held April 22nd, 1998:

MOTION 251/98 MOVED BY COUNCILLOR YOLLAND

SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT: The minutes of the Advisory Planning Commission meeting held April 22nd, 1998, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Planning Technician dated April 27th, 1998.

CARRIED

Councillor Yolland advised that the next meeting of the Advisory Planning Commission was scheduled for Wednesday, June 3rd, 1998 and noted that the information requested from Highest Waste Recyclers Ltd. may not be ready on time to facilitate discussion of the matter at the meeting.

b) Mayor's Report

- Draft Library Operating Agreement:

Mayor McMinn requested Council's approval and support to address the issue of Governance and floor coverings in a letter to the Greater Victoria Public Library Board, noting that approval had been granted at the April 20th, 1998 Council meeting to address issues of concern in the agreement contained in the "Termination and Withdrawal" section.

MOTION 252/98 MOVED BY COUNCILLOR YOLLAND

SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT:

The Mayor BE AUTHORIZED to include the following in a letter to the Greater Victoria Public Library Board in response to their request for feedback on the proposed 1999 Library Operating Agreement (contained in a letter dated April 2nd, 1998 from the Chairman):

- the District of Highlands concurs that floor coverings can be considered part of the building and, therefore, provided by the municipality; AND THAT,

- the District of Highlands believes that the issue of representation on the Board should be resolved before a new Operating Agreement is signed, noting that the District finds acceptable the proposal by the Langford Councillor Board Member, Councillor John Goudy for a 13 member Board. This formula allows for some additional jurisdictions (e.g. Sidney, North Saanich, Central Saanich and Sooke), and some population increase during the ten year term of the Agreement without the number of Board members exceeding 20. On the other hand, a large Board, with each jurisdiction having two members, and Victoria and Saanich having additional members because of their size, is not considered unworkable because much of the Board's business is considered by Committees which can be small enough to function easily. It seems appropriate for the committee seeking a solution to the governance issue to reconvene at an early date to provide recommendations for the Board to consider and relay to member Councils.

CARRIED

## 5. CORRESPONDENCE

- a) Letter from the President, Ecological Health Alliance,  
BC Branch of the Allergy and Environmental Health Association  
Re: Implementation of a Responsible Ground Based  
Program for Gypsy Moth Eradication:

MOTION 253/98 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:

The letter from the President, Ecological Health Alliance, BC Branch of the Allergy and Environmental Health Association received April 24th, 1998, requesting support for implementation of the recent BC Environmental Appeal Board decision 98PES-03 which stopped the proposed aerial spraying of parts of Greater Victoria with the pesticide Foray 48B, and ordered instead limited ground spraying, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated April 29th, 1998.

CARRIED

- b) Letter from the Chair, Healthy Saanich Advisory  
Committee Re: Fourth Annual Clean Air Commute Challenge:

MOTION 254/98 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT:

The letter dated April 22nd, 1998 from the Chair, Healthy Saanich Advisory Committee regarding the Fourth Annual Clean Air Commute Challenge, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated April 29th, 1998.

CARRIED

- c) Letter from the Registrar, The Heritage Tree Society  
Re: Annual List of Heritage Trees in the District of Highlands:

MOTION 255/98 MOVED BY COUNCILLOR VOGEL  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

The letter dated April 9th, 1998 from the Registrar, Heritage Tree Society including a list of heritage trees in the District of Highlands, BE RECEIVED FOR INFORMATIONAL PURPOSES, as recommended in a report from the Deputy Clerk dated April 29th, 1998, AND REFERRED TO THE ENVIRONMENT ADVISORY COMMITTEE FOR INFORMATIONAL PURPOSES.

CARRIED

6. BY-LAWS

- a) By-Law No. 86 - District of Highlands Fire Specified Area Merger By-Law No. 86, 1997:

MOTION 256/98 MOVED BY COUNCILLOR YOLLAND  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:  
District of Highlands Fire Specified Area Merger By-Law No. 86, 1997, BE ADOPTED as recommended in a report from the Deputy Clerk dated April 29th, 1998.

CARRIED

- b) By-Law No. 96 - District of Highlands Land Use Procedures By-Law No. 96, 1998:

At the Regular Council meeting held April 6th, 1998 By-Law No. 96 was referred to staff to draft an amendment to require placement of notification signs on properties that are the subject of an application to amend the Official Community Plan By-Law or the Zoning By-Law.

Discussion ensued relative to the recommendation contained in a report from the Planning Technician dated May 1st, 1998 and the Administrator clarified that the requirement for signage, pursuant to the proposed policy, would be at Council's discretion. Concern was expressed since different standards could be applied with some proposals not required to provide signage.

Further discussion ensued regarding the costs for signage and decision making costs. It was noted that the information to be included on signage had not been discussed.

MOTION 257/98 MOVED BY COUNCILLOR YOLLAND  
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:  
The proposed policy for on-site notification signs for proposed development contained in a report from the Planning Technician dated May 1st, 1998, BE REFERRED TO THE ADVISORY PLANNING COMMISSION FOR INPUT.

CARRIED

MOTION 258/98 MOVED BY COUNCILLOR VOGEL  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:  
District of Highlands Land Use Procedures By-Law No. 96, 1998, BE GRANTED SECOND READING.

CARRIED

MOTION 259/98 MOVED BY COUNCILLOR VOGEL  
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:  
District of Highlands Land Use Procedures By-Law No. 96, 1998, BE GRANTED THIRD READING.

CARRIED

Councillor Robertson recorded as opposed.

7. NEW BUSINESS

- a) CRD By-Law Enforcement Department  
Re: Notice on Title Pursuant to Section 700 of the  
Municipal Act LOCATION: 3380 Woodridge Place:

MOTION 260/98 MOVED BY COUNCILLOR YOLLAND  
SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT:

The Clerk-Administrator FILE A NOTICE in the Victoria Land Title Office stating that a resolution had been ratified pursuant to Section 700 of the Municipal Act by Council relating to land legally described as: 3380 Woodridge Place (Daniel E. and Diane J. Barcello), Lot A, Section 39, Highland District, Plan 36978 (PID 001-075-411), AND THAT, further information respecting the resolution may be inspected at the office of the District of Highlands Building Inspector located at 210 - 771 Vernon Avenue, Victoria, BC, during office hours from 8:30 a.m. to 4:30 p.m., as recommended in a report from the By-Law Enforcement Officer and Senior Building Inspector dated May 4th, 1998.

CARRIED

b) Letter from the Executive Director, Capital Regional District Re: Feasibility Study for the Consolidation of All Emergency Services' 9-1-1 Call Answering Dispatch Functions into One Consolidated Emergency Call Answering and Dispatch Service:

MOTION 261/98 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

The letter dated April 22nd, 1998 from the Executive Director, Capital Regional District requesting comments relative to the feasibility study for the consolidation of all emergency services' 9-1-1 call answering and dispatch functions into one consolidated emergency call answering and dispatch service, BE REFERRED TO THE PROTECTIVE SERVICES ADVISORY COMMITTEE AND THE FIRE CHIEF for input for consideration at the Regular Council meeting scheduled for May 19th, 1998 as recommended in a report from the Deputy Clerk dated April 30th, 1998.

In response to a query, it was noted that the information had been provided to the Chair of the Protective Services Advisory Committee who agreed to arrange a meeting to accommodate input within the time lines.

CARRIED

MOTION 262/98 MOVED BY COUNCILLOR VOGEL  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:

The request for comment by May 26th, 1998 contained in a letter dated April 22nd, 1998 from the Executive Director, Capital Regional District regarding the feasibility study for the consolidation of all emergency services' 9-1-1 call answering and dispatch functions into one consolidated emergency call answering and dispatch service, BE DEFERRED for consideration at the Regular Council meeting scheduled for May 19th, 1998 in conjunction with comments from the Protective Services Advisory Committee and the Fire Chief, as recommended in a report from the Deputy Clerk dated April 30th, 1998.

CARRIED

c) Victoria Natural History Society  
Re: Update on Greenways Inventory:

MOTION 263/98 MOVED BY COUNCILLOR VOGEL  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

The update on the Greenways Inventory regarding work by the Victoria Natural History Society prepared by the Planning Technician and dated April 30th, 1998, BE RECEIVED FOR INFORMATIONAL PURPOSES, AND REFERRED TO THE ENVIRONMENT ADVISORY COMMITTEE FOR INFORMATIONAL PURPOSES.

CARRIED

d) Development Permit No. DP-01-98 AND, Development Variance Permit No. DVP-01-98 APPLICANT: Ian Campbell  
LOCATION: 5268 Fork Lake Road:

See recording of Development Permit No. DP-01-98 AND, Development Variance Permit No. DVP-01-98 above.

e) Rezoning Application RZ-02-98

APPLICANT: Society for the Enhancement of Quality  
of Life (SEQL) LOCATION: Section 38 - 405 Hazlitt Creek Road:

Rezoning Application RZ-02-98 was withdrawn from the Agenda at the request of the applicant.

Evelyn Samuel and Michael Bocking were in attendance and requested the opportunity to address Council regarding rezoning application RZ-02-98.

MOTION 264/98 MOVED BY COUNCILLOR TAYLOR

SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED THAT:

Evelyn Samuel and Michael Bocking BE PROVIDED THE OPPORTUNITY TO ADDRESS COUNCIL regarding Rezoning Application RZ-02-98.

CARRIED

Evelyn Samuel addressed Council and advised that they were the owners of Section 38. She advised that they had been surprised to hear that an advertisement regarding rezoning of their property (rezoning application RZ-02-98) had been included in the Times-Colonist Newspaper on Sunday, May 3rd, 1998.

Ms. Samuel further noted that they had no idea that a third party could apply for rezoning without the knowledge or consent of the property owner.

Michael Bocking advised that, in his opinion, the application seemed very premature since the closing date for the sale of the property was May 1st, 1998, that the advertisement had been embarrassing and Ms. Samuel noted that the property deal had not closed due to financial problems.

Ms. Samuel and Mr. Bocking expressed concern that the proposal for rezoning might be used as evidence in the legal action commenced against the municipality regarding their rejected subdivision application.

In response to queries of Council the Administrator provided information regarding the requirements for rezoning applications and advised that in future staff would ensure that the owner's permission is received prior to Council's consideration.

f) 1998 Budget:

MOTION 265/98 MOVED BY COUNCILLOR ROBERTSON

SECONDED BY COUNCILLOR VOGEL AND RESOLVED THAT:

1. the 1998 Budget information BE RECEIVED FOR INFORMATIONAL PURPOSES;
2. the 1998 Budget BE DEFERRED FOR DISCUSSION AND FIRST THREE READINGS OF THE ANNUAL BUDGET, TAX RATE AND FIVE YEAR CAPITAL EXPENDITURE PROGRAM BY-LAWS AT A SPECIAL COUNCIL MEETING AT THE CALEB PIKE HOUSE ON Wednesday, May 6th, 1998 at 7:30 p.m.; AND THAT,
3. a SPECIAL COUNCIL MEETING BE HELD ON THURSDAY, MAY 14TH, 1998, (Caleb Pike House at 7:30 pm.), to facilitate ADOPTION OF THE ANNUAL BUDGET, TAX RATE AND FIVE YEAR CAPITAL EXPENDITURE PROGRAM BY-LAWS by May 15th, 1998, pursuant to the terms of Sections 328(2), 329(1) and 331(1) of the Municipal Act.

as recommended in a report from the Administrator dated April 30th, 1998.

Councillor Cardinal advised that he would be unable to attend the meeting scheduled for May 6th, 1998.

CARRIED

g) Letter from the Chairperson, Friends of Fork Lake  
Re: University Project on the Stewardship of Small  
Lakes in the Highlands:

MOTION 266/98 MOVED BY COUNCILLOR VOGEL  
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED THAT:

The letter dated April 30th, 1998 from the Chairperson, Friends of Fork Lake extending an invitation to attend a meeting on Friday, May 8th, 1998 to facilitate a discussion of the Royal Roads University Project on the stewardship of small lakes in the Highlands, BE REFERRED TO THE STEWARDSHIP PROJECT COORDINATOR for cooperation and liaison AND, REFERRED TO MEMBERS OF COUNCIL FOR INDIVIDUAL RESPONSES TO THE INVITATION, as recommended in a report from the Deputy Clerk dated May 1st, 1998, AND, REFERRED TO THE ENVIRONMENT ADVISORY COMMITTEE FOR INFORMATIONAL PURPOSES.

CARRIED

Councillor Cardinal Re: Conflict of Interest:

Councillor Cardinal noted that the last time Highwest Waste Recyclers Ltd. (Chew Excavating Ltd.) had attended a Council meeting he had excused himself from the Council Chamber due to a perceived conflict of interest, since as a businessman he deals with other businesses including Highwest. Since that time he has consulted his Solicitor who has assured him that, in his opinion, there was no conflict.

Councillor Cardinal advised that in future, unless he is doing business with any firm attending Council, he will excuse himself but if not he will not leave the Council Chamber.

#### 8. OTHER BUSINESS

Nil

#### 9. ADJOURNMENT

MOTION 267/98 MOVED BY COUNCILLOR VOGEL  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED THAT:  
The Regular Council meeting held Monday, May 4th, 1998, BE ADJOURNED at 9:45 p.m.

CARRIED

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R.G. (Bob) McMinn, Mayor    Bruce Woodbury, Administrator