

DISTRICT OF HIGHLANDS  
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, November 15, 1999 at the Caleb Pike House, 1589 Millstream Road at 7:30 p.m.

PRESENT: Acting Mayor Bill Vogel, Chair  
Councillor Cardinal  
Councillor Johnson  
Councillor Robertson  
Councillor Taylor  
Councillor Yolland

IN ATTENDANCE: Bruce Woodbury, Administrator  
Loranne Hilton, Deputy Clerk

AGENDA

MOTION 680/99 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED  
THAT: The agenda BE AMENDED as follows:

1. By DELETING the following item:

Item 7. c) - Kingco Developments Ltd.  
Re: Conservation Covenant

AND THAT THE AGENDA AS AMENDED BE APPROVED

CARRIED

1. PETITIONS AND DELEGATIONS

a) BC Transit

Re: District of Highlands Request for Bus/HandyDART Service

Mr. Steve Harvey of BC Transit was in attendance, and provided Council with an overview of possibilities and limitations for future bus service in the Highlands. Mr. Harvey highlighted aspects of the small bus pilot study to take place in East Sooke and North Saanich, noting similar needs of residents in the Highlands for bus and HandyDART service.

There was discussion regarding how to implement a comparable bus "pilot study" in the District of Highlands, and Mr. Harvey suggested making a request in writing to the BC Transit Commission in the new year for a possible start time of Fall, 2000. Mr. Harvey noted that the Commission might want to see the results of the East Sooke and North Saanich pilot studies prior to commencing another study.

Further discussion ensued regarding bus service in the Highlands.

b) Robbie Anderson

Re: Perspective on Life in the Highlands

Ms. Anderson was in attendance and read out her submission to Council.

c) Western Forest Products Highlands South Proposal

Various residents addressed Council with their comments and concerns regarding the Western Forest Products Highlands South proposal. Mr. Bob Flitton, Consultant for Western Forest Products, also addressed Council regarding the proposal.

Discussion arose regarding the purpose of public hearings, and various views and opinions were noted.

Further discussion arose regarding process for development proposals, and varying opinions were expressed.

## 2. ADOPTION OF THE MINUTES

a) Minutes of the Regular Meeting Held November 1, 1999

MOTION 681/99 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED  
THAT: The minutes of the Regular Council meeting held November 1, 1999  
BE ADOPTED as circulated.

CARRIED

b) Minutes of the Special Council Meeting Held November 8, 1999

MOTION 682/99 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED

THAT: The minutes of the Special Council meeting held November 1, 1999,  
BE ADOPTED as circulated.

CARRIED

## 3. BUSINESS ARISING FROM THE MINUTES

a) Development Variance Permit Application DVP-13-99

APPLICANT: Brad and Wendy Hunter

LOCATION: 162 Ross Durrance Road

MOTION 683/99 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: there BE ISSUED Development Variance Permit DVP-13-99  
pertaining to Lot 1, Plan 23520, Section 57, Highland District that varies  
Zoning Bylaw 100 in Section 7.1.3(2) by requiring that the height of an  
accessory building shall not exceed 7 metres for the building shown as  
"proposed accessory building" on Plan A.

CARRIED

b) Development Variance Application DVP-14-99  
APPLICANT: Karl Hazard  
LOCATION: 1225 Millstream Road

MOTION 684/99 MOVED BY COUNCILLOR JOHNSON  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: There BE ISSUED Development Variance Permit DVP-14-99  
pertaining to Lot E, Plan VIP65139, Section 26, Highland District that varies  
Zoning Bylaw 100:

a. in Section 7.2.3(7) by requiring that the total floor area of a dwelling  
unit shall not exceed 441 sq. metres, only over the general area shown  
as "house" on Plan A and in substantial accordance with floor plans B  
and C; AND

b. in Section 7.2.3(8) by decreasing the maximum floor area of all  
accessory buildings on a lot from 275 to 156 sq. metres.

CARRIED

c) 1998 Audited Financial Statements

MOTION 685/99 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED  
THAT: The 1998 Audited Financial Statements BE DEFERRED to a Special  
Council Meeting to be held Monday, November 22, 1999 at Caleb Pike House  
at 7:30 p.m.

CARRIED

#### 4. REPORTS

a) Committee Reports

i) Administration and Finance

Nil

ii) Environment

Nil

iii) Parks and Recreation

Nil

iv) Protective Services

Nil

v) Transportation and Public Works

Nil

vi) Planning and Zoning

Nil

b) Mayor's Report

Nil

5. CORRESPONDENCE

a) Letter from Judy Smith

Re: Western Forest Products Highlands South Proposal

MOTION 686/99 MOVED BY COUNCILLOR JOHNSON

SECONDED BY COUNCILLOR TAYLOR AND RESOLVED

THAT: The letter from Judy Smith, dated November 3, 1999, to members of Council regarding Western Forest Products Highlands South proposal, BE RECEIVED FOR INFORMATION.

CARRIED

b) Letter from the Capital Regional District

Re: Draft Composting Bylaw Comments

MOTION 687/99 MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED

THAT: The letter from the Chairman of the Board, Capital Regional District, dated October 27, 1999, regarding comments on the Draft Composting Bylaw, BE RECEIVED FOR INFORMATION.

CARRIED

c) Letter from the Community Policing Advisory Committee

Re: Support for Funding of Youth Outreach Programs

MOTION 688/99 MOVED BY COUNCILLOR

SECONDED BY COUNCILLOR AND RESOLVED

THAT: The letter from the Community Policing Advisory Committee, dated September 27, 1999, in support of funding for Youth Outreach Programs in the Western Communities and encouraging funding consideration for the Youth Centre during 2000 budget deliberations, BE RECEIVED FOR INFORMATION.

CARRIED

d) Letter from School District No. 62

Re: Western Forest Products Highlands South Proposal

It was noted that an information package had been sent to the School District with regards to the Western Forest Products Highlands South Proposal, and that the subject of a proposed school site acquisition agreement has been a topic of ongoing discussion between staff and the School District. Staff indicated that more information from the School District in this regard is expected in the near future.

MOTION 689/99 MOVED BY COUNCILLOR TAYLOR

SECONDED BY COUNCILLOR JOHNSON AND RESOLVED

THAT: The letter from School District No. 62, dated October 12, 1999,

regarding Western Forest Products Highlands South proposal, BE  
RECEIVED FOR INFORMATION.

CARRIED

6. BYLAWS

a) Bylaw No. 124 - Highlands Official Community Plan  
Amendment Bylaw No. 124, 1999  
APPLICANT: Western Forest Products Ltd.

Bylaw No. 125 - Highlands Zoning Amendment Bylaw No. 125, 1999  
APPLICANT: Western Forest Products Ltd.

There was discussion regarding the public hearing process with regards to  
Bylaws No. 124 and 125. Varying views and opinions regarding holding a  
public hearing at this point were heard from members of Council.

Discussion ensued regarding proposed changes to Bylaws No. 124 and 125,  
put forward by J. E. Anderson and Associates on behalf of Western Forest  
Products to accommodate a new concept plan based on input received at a  
public meeting held by the Planning and Land Use Group (P.L.U.G.). It was  
noted that if any substantive changes were made post public hearing, another  
public hearing would likely be required prior to proceeding with third reading  
if that was Council's desire.

Further discussion ensued regarding possible changes to the Bylaws, or the  
placement of restrictive covenants, that would provide specific guidelines for  
Development Permit Areas and operational controls for the proposed golf  
course. The Administrator provided clarification in this regard.

MOTION 690/99 MOVED BY COUNCILLOR JOHNSON  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: The venue for the November 27, 1999 Public Hearing be the Isabelle  
Reader Theatre at 7:30 p.m. and that prior to that there be a public  
information meeting at the same venue starting at 5:30 p.m. if possible.

CARRIED

MOTION 691/99 MOVED BY COUNCILLOR JOHNSON  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: An invitation be extended to Council Elect to attend the November

27,  
1999 Public Information Meeting and Public Hearing at the Isabelle Reader  
Theatre.

CARRIED

There was discussion regarding the parkland offered as an amenity, and  
whether pursuing a cash amenity would be more desirable. The process for

amending the amenity section of Bylaw No. 125 was also discussed.

MOTION 692/99 MOVED BY COUNCILLOR YOLLAND  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED  
THAT: Second reading of Highlands Official Community Plan Amendment  
Bylaw No. 124, 1999 be rescinded.

CARRIED

MOTION 693/99 MOVED BY COUNCILLOR YOLLAND  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: Second reading of Highlands Zoning Amendment Bylaw No. 125, 1999  
be rescinded.

CARRIED

MOTION 694/99 MOVED BY COUNCILLOR YOLLAND  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: Highlands Official Community Plan, Amendment Bylaw No. 124,  
1999 BE AMENDED as follows:  
1. In Section 1.A.i. insert the words "within Sections 12 and 16, Highland  
Land District" after the words "except for golf course use".  
2. In Section 1.A.ii. insert the words "within Sections 12 and 16, Highland  
Land District" after the words "except for golf course use".  
3. In Section 1.A.iii. insert the words "within Sections 12 and 16, Highland  
Land District" after the words "exception of golf course use".  
4. By replacing Appendix A with the new Appendix A as attached.  
5. By replacing Appendix B with the new Appendix B as attached.  
CARRIED

MOTION 695/99 MOVED BY COUNCILLOR YOLLAND  
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED  
THAT: Highlands Zoning Amendment Bylaw No. 125, 1999 BE AMENDED  
as follows:  
1. In Section 1.A by deleting the following wording "RR11 Rural Residential  
11".  
2. In Section 1.B. section 6.10.4(2) by changing the wording from "a  
maximum of 26 lots" to "a maximum of 102 lots".  
3. In Section 1.B. by deleting section 6.11 in its entirety.  
  
4. In Section 1.B. section 15.1.2(2) by changing the wording from "the  
maximum density allowed in the Cluster Residential zoning is 54 dwelling  
units" to "the maximum density allowed in the Cluster Residential zoning  
is 48 dwelling units".  
5. In Section 1.B. section 15.1.3(3) by inserting the word "exterior" in front  
of the words "property line".  
6. In Section 1.B. section 15.1.3(9) by inserting the word "exterior" in front  
of the words "property line".  
7. In Section 1.B. section 16.1.6(1) by replacing the words "at least 40  
hectares (100 acres)" with the words "at least 10 hectares (25 acres)".  
8. In Section 1.B. section 16.2.1(1) by replacing the words "(CMR1) zone"  
with the words "(CMR2) zone".  
9. In Section 1.B. section 16.2.6(1) by replacing the words "minimum lot area  
shall be 67 hectares (165 acres)" with the words "minimum lot area shall  
be 57 hectares (140 acres)".

10. In Section 1.B. section 16.3.5(1) by deleting subsection number (d) and inserting a subsection numbered (c) as follows "One parking space for each 20 square metres used for offices".
  11. In Section 1.B. section 12.8.1 by replacing the words "no less than 7 ha" with the words "no less than 41 ha".
  12. In Section 1.B. section 12.8.1(1) by replacing the words "payment of \$2,000.00 per lot to a maximum of \$52,000" with the words "payment of \$3,040.00 per lot to a maximum of \$310,000" and also by inserting the following words at the end of the section "or Municipal Road Improvements".
  13. In Section 1.B. by deleting section 12.9 in its entirety.
  14. In Section 1.B. section 12.10.1(1) by replacing the number "\$20,250.00" with the number "\$27,000.00".
  15. In Section 1.B section 12.12.1(2) by replacing the words "on approximately 38 ha of land" with the words "on approximately 20 ha of land".
  16. In Section 2 by deleting the wording "Rural Residential 11 (RR11)".
  17. By replacing Appendix A with the new Appendix A as attached.
- CARRIED

MOTION 696/99 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED  
THAT: Highlands Official Community Plan, Amendment Bylaw No. 124,  
1999 BE READ A SECOND TIME AS AMENDED.

CARRIED

MOTION 697/99 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: Highlands Zoning Amendment Bylaw No. 125, 1999 BE READ A  
SECOND TIME AS AMENDED

CARRIED

c) Bylaw No. 129 - Loan Authorization Bylaw No. 129, 1999

MOTION 698/99 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: Loan Authorization Bylaw No. 129, 1999 BE DEFERRED to the next  
Regular Council meeting to be held on December 6, 1999.

CARRIED

## 7. NEW BUSINESS

a) Memorandum from the Deputy Clerk  
Re: 2000 Provisional Budget

MOTION 699/99 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR YOLLAND AND RESOLVED  
THAT: Pursuant to Section 327 of the Municipal Act, the Treasurer BE  
DIRECTED to prepare the 2000 Provisional Budget.

CARRIED

b) Letter from the Greater Victoria Film Commission  
Re: Grant Application

MOTION 700/99 MOVED BY COUNCILLOR  
SECONDED BY COUNCILLOR AND RESOLVED  
THAT: The grant request from the Greater Victoria Film Commission, dated  
October 26, 1999, BE DEFERRED FOR CONSIDERATION IN  
CONJUNCTION WITH 2000 BUDGET DELIBERATIONS.

CARRIED

c) Kingco Developments Ltd.  
Re: Conservation Covenant

Removed. See the first item of business above.

d) Request for Frontage Exemption  
APPLICANTS: Dale Cotton and Sarah Flemming  
LOCATION: Lot B, Section 74, Plan VIP52572

MOTION 701/99 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR YOLLAND AND RESOLVED  
THAT: Lot B in a proposed subdivision of Lots 1 and 3, VIP52572, Section 74,  
Highland District, as substantially shown on the subdivision plan by Michael  
Manson, B.C.L.S. dated October 28, 1999, BE EXEMPTED from the 10%  
frontage requirement in the proposed subdivision involving these lands.

CARRIED

e) Highland Parks and Recreation Association  
Re: Annual Master Plan for 2000

MOTION 702/99 MOVED BY COUNCILLOR JOHNSON  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED  
THAT: The Highlands Parks and Recreation Association Annual Master Plan  
for 2000, received November 12, 1999, BE RECEIVED FOR INFORMATION.

CARRIED

f) Highland Heritage Parks Society  
Re: Annual Master Plan for 2000

MOTION 703/99 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED  
THAT: The Highland Heritage Park Society Master Plan 2000, received  
November 12, 1999, BE RECEIVED FOR INFORMATION.

CARRIED

8. OTHER BUSINESS

a) Report from the Capital Regional District, Building Inspection Division  
Re: Permits Issued for the District of Highlands for October, 1999.

MOTION 704/99 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR ROBERTSON AND RESOLVED  
THAT: The report received November 5, 1999 from the Capital Regional District, Building Inspection Division, regarding permits issued for the District of Highlands in October, 1999, BE RECEIVED FOR INFORMATION.

CARRIED

b) Report from the Capital Regional District, Bylaw Enforcement Division  
Re: Bylaw Enforcement Activity in the District of Highlands for the First Three Quarters of 1999.

MOTION 705/99 MOVED BY COUNCILLOR ROBERTSON  
SECONDED BY COUNCILLOR JOHNSON AND RESOLVED  
THAT: The staff report received October 29, 1999, from the Capital Regional District, Bylaw Enforcement Division regarding bylaw enforcement activity in the District of Highlands for the first three quarters of 1999, BE RECEIVED FOR INFORMATION.

CARRIED

c) Newly Incorporated Territories Program - 2000/2001  
Re: Grant Application for Finlayson Arm Road

MOTION 706/99 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED  
THAT: The grant application under the Newly Incorporated Territories Program Fiscal Year 2000/2001, for \$83,200.00 for Finlayson Arm Road, BE AUTHORIZED.

CARRIED

d) Letter from the Ratepayers Association  
Re: Pending Lawsuits Filed Against the District of Highlands

MOTION /99 MOVED BY COUNCILLOR TAYLOR  
THAT: The letter from the Highlands Ratepayers Association dated November 5, 1999, regarding lawsuits filed against the District of Highlands BE RECEIVED FOR INFORMATION

MOTION failed due to the lack of a seconder.

MOTION 707/99 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR YOLLAND AND RESOLVED  
THAT: The Administrator send a letter of response to the Highlands Ratepayers Association letter of November 5, 1999, regarding pending lawsuits filed against the District of Highlands.

CARRIED

e) Municipal Insurance Association of BC  
McTavish Insurance Agencies Ltd.  
Re: Municipal Liability Coverage

There was discussion regarding Municipal liability coverage.

MOTION 708/99 MOVED BY COUNCILLOR JOHNSON  
SECONDED BY COUNCILLOR TAYLOR AND RESOLVED  
THAT:

1. The letter from the Municipal Insurance Association of BC, dated November 5, 1999, regarding municipal liability insurance, BE RECEIVED FOR INFORMATION; AND

2. That the letter from McTavish Insurance Agencies, dated November 5, 1999, regarding municipal liability insurance, BE RECEIVED FOR INFORMATION.

CARRIED

9. ADJOURNMENT

MOTION 709/99 MOVED BY COUNCILLOR TAYLOR  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED  
THAT: The Regular Council meeting held Monday, November 15, 1999, BE ADJOURNED at 11:15 p.m.

CARRIED

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Bill Vogel, Acting Mayor  
District of Highlands - Regular Council Meeting  
Monday, November 15, 1999

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Bruce Woodbury, Administrator