

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, February 19, 2001 at
the Caleb
Pike House, 1589 Millstream Road at 7:30 p.m.

PRESENT: Mayor Karel Roessingh, Chair
Councillor Cardinal
Councillor Faris
Councillor McLellan
Councillor Mendum
Councillor McPherson
Councillor Vogel

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

1. PETITIONS AND DELEGATIONS

a) REVISION OF DEVELOPMENT VARIANCE PERMIT DVP-02-01
OWNER/APPLICANT: Todd and Kathryn Borthwick
LOCATION: 677 Stewart Mountain Road

MOTION 77/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Resolution 36/01 regarding Development Variance Permit DVP-02-01 BE RESCINDED.

CARRIED

MOTION 78/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: That there BE ISSUED Development Variance Permit DVP-02-01
for Lot 26, Section 34, Highland District, Plan VIP66845 that would vary
Zoning Bylaw No. 100:

a) in Section 3.3(1)(c) by reducing the required setback of a building
from
a watercourse from 30.0 metres to those distances (but no less than
20.0 metres), and substantially in those locations for a "garage" as
shown on Site Plan A dated February 6, 2001; AND

b) in Section 6.5.3(8) by increasing the maximum floor area of a single
accessory building on a lot from 100 square metres to 150 square
metres as substantially shown on Site Plan A dated February 6, 2001
as "garage" and in substantial accordance with Floor Plan A.

CARRIED

b) REZONING APPLICATION RZ-03-00
APPLICANT/OWNER: Province of BC
LOCATION: Frontage on Millstream Road in 1900 Block

Mr. George Penfold and Mr. Gary Martin of Westland Resource Group were in attendance as representatives of the applicant, and gave an overview of the Official Community Plan amendment and rezoning applications.

Mr. Penfold answered queries of Council with respect to sensitive areas, roads, water servicing and potential greenways.

There was considerable discussion regarding various aspects of the applications.

MOTION 79/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Rezoning Application RZ-03-00 BE DENIED.

Discussion ensued regarding the application and varying views and opinions were noted.

DEFEATED
(Councillors McLellan and McPherson recorded as in favour)

MOTION 80/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Rezoning Application RZ-03-00 made by BC Assets and Land Corp. pertaining to Lot 1, Section 5, Range 3W, Highland District, Plan VIP70242 and a Planning Report BE REFERRED to relevant advisory committees for consideration and a recommendation to the Advisory Planning Commission with subsequent recommendations from the Advisory Planning Commission submitted to Council at a Regular Meeting.

CARRIED
(Councillors McLellan and McPherson recorded as opposed)

c) REZONING APPLICATION RZ-01-01
APPLICANT/OWNER: Jack and Glenda Bell
LOCATION: 820 Finlayson Arm Road (Thetis Cove Joinery)

Mr. Bell was in attendance in support of his application and gave an overview of his circumstances in this regard.

There was discussion regarding the timelines for the rezoning application process, and varying views and opinions were noted.

MOTION 81/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: "Highlands Zoning Amendment Bylaw No. 155, 2001" BE GRANTED FIRST READING.

CARRIED

MOTION 82/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: "Highlands Zoning Amendment Bylaw No. 155, 2001" BE
GRANTED SECOND READING.

CARRIED

MOTION 83/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: That a Public Hearing for "Highlands Zoning Amendment Bylaw No.
155, 2001" BE SCHEDULED for Monday, March 5, 2001 at the East
Highlands Fire Hall commencing at 7:30 p.m.

There was discussion regarding providing the opportunity for public input
with respect to Mr. Bell's application, and various options were noted.

CARRIED

The unique circumstances of the Bells' situation were discussed, and it
was
noted that no complaints have been received with respect to the Bell's
business, Thetis Cove Joinery.

MOTION 84/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: A public notice with respect to Rezoning Application RZ-01-01 be
sent to the residents of the District of Highlands.

CARRIED

2. ADOPTION OF THE MINUTES

a) Minutes of the Regular Council Meeting held February 5, 2001

MOTION 85/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Regular Council meeting held February 5, 2001
BE ADOPTED as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

a) Bylaw No. 149, "Highlands Official Community Plan Amendment Bylaw, No.
149, 2001"

MOTION 86/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The report from the Administrator entitled Water Service for South
Highlands and dated February 15, 2001 BE RECEIVED FOR
INFORMATION.

CARRIED

MOTION 87/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The report from the Administrator entitled Water Service for South Highlands and dated February 15, 2001 BE DISTRIBUTED to stakeholders in the Southern Highlands Planning Project.

CARRIED

MOTION 88/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Bylaw No. 149, "Highlands Official Community Plan Amendment Bylaw No. 149, 2001" BE GRANTED FIRST READING.

There was discussion regarding Bylaw No. 149, and concerns regarding the attached maps and multiple issues being addressed were noted.

AMENDING MOTION 89/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Bylaw No. 149, "Highlands Official Community Plan Amendment Bylaw No. 149, 2001", Section A. iv. BE AMENDED by deleting the words "will support" and replacing them with the words "will consider".

Discussion ensued regarding the proposed amendment to the bylaw and varying views and opinions were noted.

MOTION WITHDRAWN with the permission of the seconder.

AMENDING MOTION 90/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Bylaw No. 149, "Highlands Official Community Plan Amendment Bylaw No. 149, 2001" BE AMENDED by deleting "Appendix A - Greenways" and replacing it with "Map 1 - Greenways and Regional Trails" as attached to "District of Highlands Official Community Plan Bylaw No. 94, 1997" with the changes as shown on Appendix A to Bylaw No. 149.

CARRIED

Further discussion ensued regarding the areas proposed to be designated as commercial/light industrial in Bylaw No. 149, and varying views were expressed.

AMENDING MOTION 91/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Bylaw No. 149, "Highlands Official Community Plan Amendment Bylaw No. 149, 2001" BE AMENDED by DELETING Section A. iv.

There was discussion regarding water servicing, and the comments received from the Advisory Planning Commission in this regard were noted. Further discussion ensued regarding the proposed wording regarding piped water in Bylaw No. 149.

DEFEATED

(Councillor Mendum was recorded as in favour)

The MAIN MOTION was put.

CARRIED

MOTION 92/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: With respect to Bylaw No. 149, "Highlands Official Community Plan Amendment Bylaw No. 149, 2001" the following parties BE CONSULTED at this stage of bylaw creation:

- a. Property Owners within and adjacent to the proposed designation, including those within the District of Langford;
- b. Capital Regional District;
- c. District of Langford and Town of View Royal
- d. Provincial branches of Mines, Water Management and Habitat Protection

CARRIED

MOTION 93/01 MOVED BY COUNCILLOR VOGEL

SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The Work Plan for the Southern Highlands Planning Project, dated February 14, 2001, BE ENDORSED.

CARRIED

There was discussion in response to queries of the Administrator regarding

motions made at the February 5, 2001 Regular Meeting.

MOTION 94/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The Work Plan for the Southern Highlands Planning Project, dated February 14, 2001, BE AMENDED by adding the following item:

? March 2001 - Task Force to address framework for public forum to take place in late April following the Public Hearing for Bylaw No. 149.

CARRIED

(Councillor Mendum recorded as opposed)

MOTION 95/01 MOVED BY COUNCILLOR VOGEL

SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: MOTION 30/01, "THAT: A small task force, not including all Council members, be formed to draw up a framework for South Highlands planning using existing information from previous meetings AND FURTHER that a request for public participation on the task force be made"

BE RESCINDED.

CARRIED

MOTION 96/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: MOTION 32/01, "THAT: A small task force, not including all Council members, be formed to draw up a framework for South Highlands planning using existing information from previous meetings and further that a request for public participation on the task force be made"; AND MOTION 33/01, "THAT: All members of Council may participate in the task force regarding South Highlands Planning" BE RESCINDED.

CARRIED

There was discussion regarding the composition and mandate for a proposed task force and varying views and opinions were noted.

MOTION 97/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: A Committee of the Whole Meeting BE SCHEDULED for Thursday, March 1, 2001 at 7:30 p.m. at the Municipal Office to further discuss South Highlands planning.

CARRIED

4. REPORTS

a) Committee Reports

i) Administration and Finance

- Administration and Finance Advisory Committee
Re: Minutes of the Meeting held February 13, 2001

MOTION 98/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The minutes of the Administration and Finance Advisory Committee meeting held February 13, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

Councillor McPherson advised that the next Administration and Finance Advisory Committee meeting is scheduled for March 13, 2001 at 7:30 p.m. at Pike House.

ii) Environment

Councillor Faris advised that the next meeting of the Environment Advisory Committee is scheduled for March 12, 2001 at 7:30 p.m. at Pike House.

iii) Parks and Recreation

- Parks and Recreation Advisory Committee
Re: Minutes of the Meeting held February 15, 2001

MOTION 99/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Parks and Recreation Advisory
Committee meeting held February 15, 2001 BE RECEIVED
FOR INFORMATION.

CARRIED

Councillor Cardinal noted that more members are needed for the
Parks Master Plan Steering Committee, possibly parents of young
children or resident teenagers. He also noted that the Committee has
looked at the 2001 Master Plan from the Highland Parks and
Recreation Association.

Councillor Cardinal advised that the next meeting of the Parks and
Recreation Advisory Committee is scheduled for March 12, 2001 at
7:30 p.m. at the West Fire Hall.

iv) Protective Services

Councillor McLellan advised that the next Protective Services
Advisory Committee meeting is scheduled for February 27, 2001 at
7:30 p.m. at the East Fire Hall.

v) Transportation and Public Works

Councillor Mendum noted that the next meeting of the Roads
Advisory Committee has not been scheduled at this time.

Councillor Mendum noted that Royal Roads University program she
recently attended was very good, and she expressed gratitude for
Council's support of her registration in the program.

vi) Trails

Councillor Faris advised that the next Trails Advisory Committee
meeting is scheduled for February 27, 2001 at 7:30 p.m. at Pike
House.

vi) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh advised that the Federal Government will be contributing
\$2 million to The Land Conservancy for the purchase of the Sooke Hills
property.

With respect to Capital Regional District Board business, the Mayor noted
that the CRD will be continuing with its rezoning application for the
Millstream Meadows site.

5. CORRESPONDENCE

a) Letter from the Mayor, City of Victoria
Re: Multi-Purpose Facility

MOTION 100/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: The letter from the Mayor, City of Victoria, dated February 5,
2001
regarding the location of a multi-purpose facility BE RECEIVED FOR
INFORMATION.

MOTION WITHDRAWN with the permission of the seconder.

MOTION 101/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: A letter from Mayor Roessingh BE SENT to Mayor Allan Lowe of
the City of Victoria supporting locating a multi-purpose facility in
downtown
Victoria.

CARRIED

6. BYLAWS

a) Bylaw No. 156, "Revenue Anticipation Borrowing Bylaw No. 156, 2001"

MOTION 102/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Bylaw No. 156, "Revenue Anticipation Borrowing Bylaw No. 156,
2001" BE GRANTED FIRST READING.

CARRIED

MOTION 103/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Bylaw No. 156, "Revenue Anticipation Borrowing Bylaw No. 156,
2001" BE GRANTED SECOND READING.

CARRIED

MOTION 104/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Bylaw No. 156, "Revenue Anticipation Borrowing Bylaw No. 156,
2001" BE GRANTED THIRD READING.

CARRIED

b) Draft Bylaw No. 155, "Highlands Zoning Amendment Bylaw No. 155, 2001"

See item 1 c) above.

7. NEW BUSINESS

a) Correspondence from Donna Palamarek
Re: Roads Advisory Committee

MOTION 105/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The correspondence from Donna Palamarek dated February 4, 2001,
regarding her resignation from the roads Advisory Committee BE
RECEIVED WITH REGRET.

CARRIED

b) Letter from the Administrator, Juan de Fuca Parks and Recreation
Re: Employee Criminal Record Checks

MOTION 106/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: Council support the waiving of fees for the Royal Canadian Mounted
Police to conduct annual criminal record checks for Juan de Fuca Parks
and
Recreation employees; AND FURTHER, if the foregoing is not possible, that
Council accept the cost of the annual employee criminal record checks as
a
budget item within the Juan de Fuca Parks and Recreation Commission's
annual budget.

CARRIED

c) Revenue and Expense Report for the Month of January 2001

MOTION 107/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The Revenue and Expense Summary Report for the month of
January 2001 BE RECEIVED FOR INFORMATION.

CARRIED

d) Memorandum from the Administrator
Re: Fire Department Code 3 Test Run - February 20, 2001

MOTION 108/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MARK AND RESOLVED
THAT: The Fire Department BE AUTHORIZED to conduct a Code 3 test
run on Ross-Durrance Road and Millstream Lake Road on the afternoon of
Tuesday, February 20, 2001.

CARRIED

8. OTHER BUSINESS

a) Letter from John Phillips, Ministry of Health

Re: Funding for the Treatment of Autism Spectrum Disorder

MOTION 109/01 MOVED BY COUNCILLOR FARIS

SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The letter from John Phillips, Executive Director, Prevention and Health Promotion Division, Regional Programs Policy and Strategic Initiatives, Ministry of Health and Ministry Responsible for Seniors, dated

January 8, 2001, regarding funding for the treatment of Autism Spectrum Disorder BE RECEIVED FOR INFORMATION.

CARRIED

b) Memorandum from the Administrator

Re: 1245 Millstream Road - Certificate of Occupancy

MOTION 110/01 MOVED BY COUNCILLOR VOGEL

SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT:

1. The memorandum from CRD Bylaw Enforcement recommending filing a Section 700 Notice Against Title for Lot A, Section 27, Highland District, Plan VIP60905, Except Plan VIP65317 (1245 Millstream Road) BE RECEIVED FOR INFORMATION;

2. That the memorandum from CRD Bylaw Enforcement dated February 13, 2001 regarding the issuance of a Certificate of Occupancy for 1245 Millstream Road BE RECEIVED FOR INFORMATION; AND

3. That the memorandum from the Building Inspector dated February 15, 2001 regarding the issuance of a Certificate of Occupancy for 1245 Millstream Road BE RECEIVED FOR INFORMATION.

CARRIED

c) Memorandum from the Planning Technician

Re: Selection of Consultant - Parks Master Plan

MOTION 111/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: Staff BE DIRECTED to enter into a contract not to exceed \$16,288.80 with Judith Cullington & Associates to undertake to research local park issues, facilitate a parks steering committee, solicit public involvement and to prepare a Parks Master Plan with written and visual materials.

CARRIED

9. ADJOURNMENT

MOTION 112/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: The Regular Council meeting BE ADJOURNED at 10:20 p.m. AND THAT,

pursuant to Section 242.2 of the Local Government Act a meeting in camera
be
convened to discuss:

? Labour relations or employee negotiations

CARRIED

Karel Roessingh, Mayor
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Bruce Woodbury, Administrator

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