

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, March 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

AGENDA

MOTION 143/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The Agenda BE AMENDED as follows:

1. By ADDING the following items:

Item 4 a) i) Administration and Finance Advisory Committee
Re: Minutes of the Meeting held March 13, 2001

Item 8 c) Memorandum from Councillor Vogel

Re: Greater Victoria Intermunicipal Committee - Funding for Consulting Project

AND THAT THE AGENDA AS AMENDED BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

a) Goldstream Region Museum
Re: Request for Grant-in-aid

Lillian Szpak, Vice Chair, Goldstream Region Museum Society was in attendance and provided information regarding the Goldstream Region Museum, and its move to a new location in the near future. Ms. Szpak noted that the Goldstream Region Museum Society requires funding and asked that Council consider providing financial assistance to the Society.

The Mayor responded to Ms. Szpak, noting that the District of Highlands has a small grants-in-aid budget, and that the Administration and Finance Advisory Committee makes recommendations to Council regarding the disbursement of funds.

MOTION 144/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The Grant-in-aid request from the Goldstream Region Museum
Society BE REFERRED to the Administration and Finance Advisory
Committee for consideration in conjunction with 2001 budget deliberations.

CARRIED

There was discussion regarding the possibility of providing "in kind" or
volunteer assistance rather than financial assistance.

b) Letter from Beverly Swanwick
Re: Zoning Amendment Bylaw No. 155, 2001

Beverly and Mark Swanwick of 812 Finlayson Arm Road were in attendance
for this item. Ms. Swanwick requested that Council take the necessary
measures to address her concerns regarding Zoning Amendment Bylaw No.
155, 2001, as outlined in her letter dated March 14, 2001.

The Mayor noted that some members of Council have indicated an interest
in determining what controls the District could put in place with respect to
Bylaw No. 155.

Further discussion ensued regarding Ms. Swanwick's concerns. It was noted
by the Administrator that concerns in relation to an access driveway on her
property used by the adjoining property owner would be a civil matter and
could not be addressed by the District of Highlands.

MOTION 145/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The letter from Beverly Swanwick, dated March 14, 2001,
requesting amendments to Highlands Zoning Amendment Bylaw No. 155,
2001 BE REFERRED to staff for a report regarding the options and
implications of the requested amendments.

CARRIED

c) DEVELOPMENT PERMIT APPLICATION DP-03-01
OWNER/APPLICANT: Paul King
LOCATION: 861 Finlayson Arm Road

Paul and Rebecca King were in attendance in support of the application.

MOTION 146/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: Development Permit DP-03-01 BE ISSUED for Lot 3, Plan 20576,
Sections 74 and 75, Highland District that permits the deposit of clean soil
as substantially shown on site Plan A attached to the Permit with the
following conditions:

a) no cutting and clearing of trees or removal of vegetation and site
disturbances shall be permitted within the Environmental Protection

area for water and riparian as shown as "to be retained" as substantially shown on Site Plan A; and that

b) no part of the rock wall for the field shall be located within 4 metres of the subject property's western lot line.

CARRIED

- d) DEVELOPMENT VARIANCE PERMIT APPLICATION DVP-03-01
DEVELOPMENT PERMIT APPLICATION DP-04-01
OWNER/APPLICANT: Jack and Glenda Bell
LOCATION: 820 Finlayson Arm Road

MOTION 147/01 MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: Public notification BE DISTRIBUTED for the proposed issuance of Development Variance Permit DVP-03-01 relating to Lot 2, Plan 40852, Sections 74 and 75, Highland District that would vary Zoning Bylaw No. 100 in Section 3.3(1)(c) by reducing the required setback of a building for a pond from 30.0 metres to those distances (but no less than 14.0 metres), and by reducing the required setback of a sewage field from a pond from 30.0

metres to those distances (but no less than 25.0 metres), and substantially in those locations for a proposed workshop as shown on Site Plan A.

CARRIED

MOTION 148/01 MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: Consideration of the issuance of Development Permit DP-04-01 relating to Lot 2, Plan 40852, Sections 74 and 75, Highland District for the reconstruction of a workshop BE DEFERRED until Development Variance Permit DVP-02-01 is considered.

CARRIED

2. ADOPTION OF THE MINUTES

a) Minutes of the Committee of the Whole Meeting held March 1, 2001

MOTION 149/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: The minutes of the Committee of the Whole meeting held March 1, 2001 BE ADOPTED as circulated.

CARRIED

b) Minutes of the Public Hearing held March 5, 2001

MOTION 150/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Public Hearing held March 5, 2001 BE
ADOPTED as circulated.

CARRIED

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

MOTION 151/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Regular Council meeting held March 5, 2001 BE
ADOPTED as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

a) Memorandum from the Administrator
Re: Request from the Highland Heritage Park Society for Interim Financing
- Old Schoolhouse Restoration Project

MOTION 152/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: A loan of \$20,000.00 to the Highland Heritage Park Society, for
interim financing of the Old Schoolhouse Restoration Project, BE
AUTHORIZED, AND FURTHER, that the Highland Heritage Park Society
be required to pay interest on the loan at the current rate available to the
District of Highlands, with anticipation of the repayment of the loan by June
1, 2001.

CARRIED

b) Letter from Robert Justice
Re: Highlands Zoning Amendment Bylaw No. 155, 2001

Councillor Mendum stated a potential conflict of interest, as she is a relative
of Robert Justice, and left the meeting at 7:50 p.m.

There was discussion regarding issues raised in Mr. Justice's letter, and
varying views and opinions were noted.

MOTION 153/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: Staff BE DIRECTED to write a letter in response to Robert Justice's
letter dated March 7, 2001 regarding the adoption of Highlands Zoning
Amendment Bylaw No. 155, 2001.

CARRIED

Councillor Mendum returned to the meeting at 8:00 p.m.

4. REPORTS

a) Committee Reports

i) Administration and Finance

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

MOTION 154/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The minutes of the Administration and Finance
Advisory Committee meeting held March 13, 2001 BE
RECEIVED FOR INFORMATION.

There was discussion regarding the contents of the
Administration and Finance Advisory Committee's submission
to the Advisory Planning Commission, and varying views and
opinions were noted. The Administrator noted that he would
clarify with the Advisory Planning Commission its role in
considering recommendations from Advisory Committees.

CARRIED

Councillor McPherson noted that the Tetra Group, of which the Chair
to the Intermunicipal Committee on Disability Issues is a member,
recently received an award for its work in providing people with
disabilities products to enable them to function more effectively.

Councillor McPherson advised that she had recently attended the
Urban Sustainability Conference in Vancouver, and will provide a
report to Council in this regard.

ii) Environment

- Environment Advisory Committee
Re: Minutes of the Meeting held March 12, 2001

MOTION 155/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Environment Advisory Committee
meeting held March 12, 2001 BE RECEIVED FOR
INFORMATION.

CARRIED

Councillor Faris noted that the next meeting of the Environment
Advisory Committee has not been determined. He also advised that a
hike on the Provincial lands, which are the subject of Rezoning
Application RZ-03-00, is being scheduled for late March.

iii) Parks and Recreation

Councillor Cardinal noted that the Parks and Recreation Advisory

Committee recently had discussions regarding the Parks Master Plan.

Councillor Cardinal noted that the next Parks and Recreation Advisory Committee meeting is scheduled for April 9, 2001 at 7:30 p.m. at the West Fire Hall. He also noted that the date of the meeting could change due to the Public Hearing scheduled for the same evening at Pike House.

iv) Protective Services

- Protective Services Advisory Committee

Re: Minutes of the Meeting held February 26, 2001

MOTION 156/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MCPHERSON AND
RESOLVED THAT: The minutes of the Protective Services
Advisory Committee meeting held February 26, 2001 BE
RECEIVED FOR INFORMATION.

CARRIED

Councillor McLellan advised that the next meeting of the Protective Services Advisory Committee is scheduled for March 26, 2001 at 7:30 p.m. at the West Fire Hall.

v) Transportation and Public Works

Councillor Mendum advised that minutes from the March 7, 2001 Roads Advisory Committee meeting would be forthcoming. She also noted that the next Roads Advisory Committee meeting is scheduled for April 19, 2001 at 7:30 p.m. at Pike House.

- Roads Advisory Committee

Re: Recommendation on Road Reconstruction Public
Consultation - New Projects

MOTION 157/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND
RESOLVED THAT: Council adopt the recommendations from
the Roads Advisory Committee as noted in the memorandum
from the Committee dated March 7, 2001, regarding Road
Reconstruction Public Consultation - New Projects.

CARRIED

vi) Trails

- Trails Advisory Committee

Re: Minutes of the Meeting held February 27, 2001

MOTION 158/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Trails Advisory Committee meeting
held February 27, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

Councillor Faris noted that the Trails Advisory Committee meeting previously scheduled for March 27 has been rescheduled for April 3, 2001 at 7:30 p.m. at Pike House.

vi) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh noted that the District of Highlands' appeal with respect to the First National Properties lawsuit was heard March 12 and 13 in Vancouver. He stated that he felt optimistic, and that a decision should be made within the next three months.

The Mayor advised that the Capital Regional District would be imposing watering restrictions in April.

5. CORRESPONDENCE

a) Letter from Dr. Elaine Gallagher, Centre on Aging and School of Nursing, University of Victoria
Re: Request for Support for International Conference

Councillor McPherson noted that she had been in contact with Dr. Gallagher regarding volunteering for the upcoming International Conference.

MOTION 159/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: A letter be sent to Elaine Gallagher, Centre on Aging and School of Nursing, University of Victoria, advising that the District of Highlands has no funding available for the support of the International Conference - Research, Policy and Practice to Prevent Falls and Injury Among Older Adults.

CARRIED

6. BYLAWS

Nil

7. NEW BUSINESS

a) Letter from the Chair, CRD Environment Committee
Re: Management of Onsite Wastewater Treatment and Disposal Systems

There was discussion regarding the planning phase for the development of a management program for on-site sewage systems, and the Administrator answered queries of Council regarding the District of Highlands' role in this regard.

Councillor McPherson noted an interest in participating in the stakeholders committee to be formed in the future.

MOTION 160/01 MOVED BY COUNCILLOR FARIS

SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: In response to its letter dated March 7, 2001, the Capital Regional District Environment Committee BE ADVISED that the District of Highlands wishes to participate in the planning phase for the development of a management program for onsite sewage treatment and disposal systems.

CARRIED

b) Letter from the Municipal Clerk, District of Saanich

Re: Standardization of Business License Fees in Greater Victoria

MOTION 161/01 MOVED BY COUNCILLOR MCLELLAN

SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The letter from the Municipal Clerk, District of Saanich, dated February 28, 2001 regarding the standardization of business licence fees in Greater Victoria BE RECEIVED FOR INFORMATION.

CARRIED

c) Letter from Michael Carson

Re: Fire Access to the North Highlands

There was discussion regarding the purpose of the fire access road near the Western Forest Products North subdivision, and the possible risks of leaving the fire access gates open and unlocked during high fire hazard periods, as requested by Mr. Carson in his letter.

MOTION 162/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Staff BE DIRECTED to provide a response to Mr. Carson's letter dated March 14, 2001 regarding Fire Department access to the North Highlands, AND FURTHER that the points contained in the memorandum from the Administrator on this subject, dated March 15, 2001, be forwarded to Mr. Carson.

CARRIED

d) Letter from Joan Garcia

Re: Resignation from the Roads Advisory Committee

MOTION 163/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The letter from Joan Garcia, dated March 15, 2001, regarding her resignation from the Roads Advisory Committee BE RECEIVED WITH REGRET.

CARRIED

e) DEVELOPMENT VARIANCE PERMIT APPLICATION DVP-04-01

OWNER: Art Liebenau

APPLICANT: Rogers AT&T Wireless

LOCATION: 1776 Rowntree Road

MOTION 164/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Public notification BE DISTRIBUTED for the proposed issuance of Development Variance Permit DVP-04-01 pertaining to the Northerly Portion of Section 73 (DD53481), Highland District that would vary Zoning Bylaw No. 100 in Section 3.2(3) by requiring that a transmission tower with telecommunication antennae shall not exceed a height of 33 metres as shown on Drawings A and B and located as shown on Site Plan A.

CARRIED

8. OTHER BUSINESS

a) Advisory Planning Commission Appointments

There was discussion regarding residents serving on more than one committee for the District of Highlands, and varying views and opinions were noted.

A vote by secret ballot was conducted for the four vacant positions.

MOTION 165/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The following residents BE APPOINTED to the Advisory Planning Commission for two-year terms expiring March 31, 2003:

Elliot Gose, Eleanor Rayner, J.S. (Sid) Sidhu, Joe Kadar

CARRIED

- b) Memorandum from the Roads Consultant
Re: Millstream Road/Millstream Lake Road Intersection

There was discussion regarding the placing of various advisory signs on Millstream Road and Millstream Lake Road to help mitigate problems that might arise with the removal of the stop sign located on Millstream Road where it intersects with Millstream Lake Road, and varying views and opinions were noted.

There was further discussion regarding the removal of the Millstream Road stop sign, and concerns from some members of Council were expressed.

MOTION 166/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The south bound Stop sign located on Millstream Road where it intersects with Millstream Lake Road BE REMOVED; AND FURTHER that a guideline BE PAINTED at the intersection to assist drivers turning left off of Millstream Road to Millstream Lake Road.

CARRIED

Further discussion ensued regarding the intersection and concerns were raised with respect to the slippery surface of Millstream Lake Road. The possibility of installing advisory signs, before next winter, on Millstream Lake Road before it intersects with Millstream Road was discussed, as were other mitigating measures such as installing a non-skid surface if necessary.

9. ADJOURNMENT

MOTION 167/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The Regular Council meeting BE ADJOURNED at 9:10 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