

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Tuesday, May 22, 2001 at Caleb Pike House, 1589 Millstream Road at 7:30 p.m.

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

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

AGENDA

MOTION 277/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The Agenda BE AMENDED as follows:

1. By ADDING the following items:

Item 4 a) v) Correspondence from Joe Taylor
Correspondence from Paul Curtis
Re: Request for Appointment to Roads Advisory Committee

Item 6 b) Bylaw No. 159, "Highlands Zoning Amendment Bylaw No. 159, 2001"

AND THAT THE AGENDA AS AMENDED BE APPROVED.
CARRIED

1. PETITIONS AND DELEGATIONS

a) Development Variance Permit Application DVP-07-01
Development Permit Application DP-08-01
OWNER: First National Properties Ltd.
APPLICANT: Michael Schmitz
LOCATION: 1700 Block - Caleb Pike Road

MOTION 278/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: Development Variance Permit Application DVP-07-01 BE DENIED.

There was discussion regarding the proposed variances and concerns were raised with respect to the environmental impact of the variances.

CARRIED

MOTION 279/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: With respect to Development Permit Application DP-08-01, the Applicant BE REQUESTED to provide a professional report regarding development permit guidelines to support the application.

CARRIED

2. ADOPTION OF THE MINUTES

a) Minutes of the Regular Council Meeting held April 2, 2001

MOTION 280/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The minutes of the Regular Council meeting held May 7, 2001 BE ADOPTED as circulated.

CARRIED

b) Minutes of the Special Council Meeting held May 14, 2001

MOTION 281/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The minutes of the Special Council meeting held May 14, 2001 BE ADOPTED as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

a) Development Variance Permit Application DVP-06-01

Development Permit Application DP-06-01

OWNER/APPLICANT: Ted Nawrocki

LOCATION: 712 Lorimer Road

The Administrator advised that correspondence had been received from Jim Gough of 1644 Millstream Road with respect to Development Variance Permit Application DVP-06-01.

MOTION 282/01 MOVED BY COUNCILLOR MCLELLAN

SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: There BE ISSUED Development Variance Permit DVP-06-01 pertaining to Lot A, Plan 45204, Section 31, Highland District that would vary Zoning Bylaw No. 100:

a) in Section 3.2(3) by requiring that a telecommunication tower and antennae shall not exceed a height of 36 metres; and

b) in Section 3.3(1)(d) by reducing the required setback of a structure from a watercourse from 30.0 metres to that distance (but no less than 15.0 metres), and substantially in that location for a telecommunication tower as shown on Site Plan A.

CARRIED

MOTION 283/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Development Permit DP-06-01 pertaining to Lot A, Plan 45204, Section 31, Highland District BE ISSUED for the purpose of a

telecommunication tower, substantially in that location as shown on Site Plan A with the condition that not cutting or clearing of trees, removal of vegetation or site disturbances shall be permitted within the Environmental Protection Area for water and riparian shown as "to be retained" as

substantially shown on Site Plan A.

CARRIED

4. REPORTS

a) Committee Reports

i) Administration and Finance

Councillor McPherson advised that the Administration and Finance Advisory Committee has not met recently and noted that the next meeting of the Committee is scheduled for June 12, 2001 at 7:30 p.m. at Pike House.

With respect to Council's request to BC Transit for HandyDART Service in the District of Highlands, Councillor McPherson noted that there may be a possibility of expansion of the HandyDART Program to the District of Highlands in the Fall. She noted that this item would likely be addressed at the next BC Transit Commission meeting and that she would contact interested residents in this regard.

ii) Environment

- Environment Advisory Committee

Re: Minutes of the Meeting held May 14, 2001

MOTION 284/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Environment Advisory Committee meeting held May 14, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

Councillor Faris noted that the Environment Advisory Committee will be reviewing the Committee's action plan with respect to the Millstream Watershed Management Plan.

It was noted that the next meeting of the Environment Advisory Committee is scheduled for June 11, 2001 at 7:30 p.m. at Pike House.

iii) Parks and Recreation

In the absence of Councillor Cardinal, Alan Philip, Chair of the Parks and Recreation Advisory Committee noted that the Committee has not met recently. Mr. Philip expressed the Committee's concern that Bylaw No. 159 was not referred to the Committee for comment.

Mr. Philip advised that work on the Parks Master Plan is progressing,

and noted the good work of the Consultant in this regard.

iv) Protective Services

Councillor McLellan noted that the next meeting of the Protective Services Advisory Committee is scheduled for May 28, 2001 at 7:30 p.m. at the West Fire Hall.

v) Transportation and Public Works

Councillor Mendum noted that the Roads Advisory Committee has not met in two months due to the inability to forum a quorum.

MOTION 285/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: Joe Taylor BE APPOINTED to the Roads Advisory Committee for the remainder of a one-year term expiring in December 2001.

CARRIED

MOTION 286/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Paul Curtis BE APPOINTED to the Roads Advisory Committee for the remainder of a one-year term expiring in December 2001.

CARRIED

Councillor Mendum provided an update on the 2001 road reconstruction projects, advising of possible dates for various work to begin.

There was discussion regarding the proposed width of Section A of Millstream Lake Road (Hazlitt Creek to Second Lake), and it was noted that JBR Highway Consulting Ltd. has proposed an average paved width of 4.5 metres for this section of Millstream Lake Road.

MOTION 287/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Section A of Millstream Lake Road (Hazlitt Creek to Second Lake) be paved an average width of 4.5 metres.

Further discussion ensued regarding the paved width of Section A, and varying views and opinions were noted.

CARRIED

(Councillor McPherson recorded as opposed)

Councillor Mendum noted that the Roads Advisory Committee is scheduled to meet on June 21, 2001 at 7:30 p.m. at Pike House.

In response to an inquiry from a member of Council, Councillor Mendum noted that the Roads Consultant is preparing information with respect to upcoming roadwork on the Munn Road switchback and potential relocation of Millstream Lake Road and public consultation would follow.

vi) Trails

Councillor Faris noted that the Trails Advisory Committee did not have a quorum at its last meeting.

It was noted that a survey to assist the Trails Advisory Committee with preparing a Trails Master Plan has been distributed to residents with a response deadline of June 1, 2001.

vii) Planning and Zoning

- Advisory Planning Commission

Re: Minutes of the Meeting held May 9, 2001

MOTION 288/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The Minutes of the Advisory Planning Commission held May 9, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

b) Mayor's Report

Mayor Roessingh noted that the process for withdrawing Juan de Fuca Parks and Recreation from the Capital Regional District is underway and going well.

With respect to the recent fire at Highwest Waste Recyclers, the Mayor commended the Firefighters involved for their dedication and hard work, and noted a job well done by Deputy Fire Chief Dan Barcelo.

5. CORRESPONDENCE

6. BYLAWS

a) Subdivision or Development of Land Bylaw No. 154, 2001

MOTION 289/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: "Subdivision or Development of Land Bylaw No. 154, 2001" BE ADOPTED.

CARRIED

b) Highlands Zoning Amendment Bylaw No. 159, 2001

A member of Council noted that worthwhile comments were received from residents on the Public Hearing with respect to Bylaw No. 159. The opinion was also expressed that the Bylaw should state a minimum lot size with respect to parcels created under the Bylaw.

MOTION 290/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: "Highlands Zoning Amendment Bylaw No. 159, 2001" BE REFERRED to Advisory Committees and the Advisory Planning Commission for comment, with responses to be submitted by the July 3, 2001 Regular Council meeting.

CARRIED

Further discussion ensued regarding minimum lot sizes and the Administrator answered queries of Council in this regard.

There was discussion regarding the need for giving direction to Advisory Committees with respect to items referred to them.

7. NEW BUSINESS

a) Building Report for March and April, 2001

MOTION 291/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The Building Report for March and April 2001 BE RECEIVED FOR INFORMATION.

CARRIED

b) Report from JBR Highway Consulting Ltd.

Re: Awarding of Tender for Project S0101 - Asphalt Resurfacing

MOTION 292/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: the Tender for Project S0101 - Asphalt Resurfacing BE AWARDED to Capital City Paving Ltd., at a cost of \$62.25/tonne for Asphalt Concrete Pavement, as submitted in the tender from Capital City Paving Ltd. dated May 17, 2001.

CARRIED

8. OTHER BUSINESS

a) Memorandum from the Administrator

Re: CRD Bylaw No. 2891, "Capital Regional District Service of Emergency Communications Service Establishment Bylaw No. 1., 2001"

MOTION 293/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Council GIVE CONSENT to the adoption of CRD Bylaw No. 2891, "Capital Regional District Service of Emergency Communications Service Establishment Bylaw No. 1, 2001", as requested in a letter from the Capital Regional District dated May 9, 2001.

CARRIED

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

Mr. George Penfold of Westland Resource Group was in attendance representing the proponent, and made reference to various items in the Planning Technician's report dated May 17, 2001.

Mr. Penfold noted that the Province is seeking to have the Official Community Plan and Zoning Bylaw amendments in place prior to selling the land, and that the purchaser would come to Council with greater detail than provided in the applications following the bylaw amendments.

A member of Council made note of the recommendations from the Advisory Planning Commission with respect to RZ-03-00, advising that the Commission felt that Development Permit guidelines were needed for the area encompassed in the Province's application. Mr. Penfold advised that he would be willing to work on guidelines with the District of Highlands in this regard.

Discussion ensued regarding "Highlands Official Community Plan Amendment Bylaw, No. 149, 2001" which designated lands subject to the Rezoning and Official Community Plan Amendment applications as Commercial/Light Industrial. Further discussion ensued regarding the implications Bylaw No. 149 would have on the applications.

It was noted that Mr. Penfold only recently received the Planning Report with respect to the applications, therefore had insufficient time to respond to the concerns noted in that report.

MOTION 294/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Rezoning Application RZ-03-00 made by BC Assets and Land Corp. pertaining to Lot 1, Plan VIP70242, Section 5, Range 3W, Highland District BE DEFERRED.

CARRIED

c) Memorandum from the Administrator
Re: Planning and Land Use Group's Request for Funding - South Highlands Planning Project Public Forum

MOTION 295/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: An expenditure of up to \$2,000.00 BE AUTHORIZED to provide the Planning and Land Use Group (P.L.U.G.) with funding for a public forum for the South Highlands Planning Project as proposed in a letter from P.L.U.G. dated April 12, 2001.

CARRIED

d) Memorandum from the Planning Technician
Re: Rezoning Application RZ-02-99 - J. E. Anderson on behalf of Western Forest Products Ltd.

MOTION 296/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The Development Impact Assessment for RZ-02-99 dated May 10, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

MOTION 297/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: The Development Impact Assessment for RZ-02-99 dated May 10, 2001 BE REFERRED to Advisory Committee's for comment to be submitted to Council by the Regular meeting scheduled for June 4, 2001.

There was discussion regarding the timelines proposed for receiving comments from the Advisory Committees. A member of Council noted that comments regarding the Development Impact Assessment would not likely affect Zoning, but would include details relevant to subdivision, which is the Approving Officer's responsibility.

AMENDING MOTION 298/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Advisory Committee comments with respect to the Development Impact Assessment for RZ-02-99 be submitted to Council for the Regular meeting scheduled for June 18, 2001.

CARRIED

The MAIN MOTION was put.

CARRIED

Mr. Danny Carrier of J. E. Anderson and Associates was in attendance on behalf of the proponent. and noted concerns in relation to delaying a Public Hearing more than a couple of weeks.

There was discussion regarding the development timelines for the proponent, and whether it was necessary to receive Advisory Committee input prior to a Public Hearing. Various views and opinions were noted.

MOTION 299/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: A Public Hearing for Official Community Plan Amendment Bylaw No. 137, 2000 and Highlands Zoning Amendment Bylaw No. 138, 2000 BE HELD on Tuesday, June 12, 2001 at 7:30 p.m.

CARRIED

9. ADJOURNMENT

MOTION 300/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The Regular Council Meeting BE ADJOURNED at 9:50 p.m.

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator

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