

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, June 18, 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) Development Permit Application DP-09-01
OWNER/APPLICANT: John and Diana Burkard
LOCATION: 4178 Munns Road

Mr. and Mrs. Burkard, the applicants, were in attendance and Mr. Burkard gave an overview of the application. He reviewed the steps taken with respect to selecting sites for sewage disposal and the proposed barn. Discussion ensued, and Mr. Burkard answered queries of Council in this regard.

MOTION 313/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: Regarding consideration of Development Permit DP-09-01 relating to Lot 3, Plan 52989, Section 40, Highland District:

- a) A Development Permit BE ISSUED for the location of a barn and septic field in that location as shown on Site Plan A with the condition that no cutting or clearing of trees, removal of vegetation or site disturbances shall be permitted within the Environmental Protection Area for sensitive ecosystems shown as "to be retained" as substantially shown on Site Plan A; AND FURTHER
- b) That a Development Permit BE ISSUED for the location of the dwelling unit (as substantially shown on Site Plan A), in a steep slope area subject to a professional geotechnical report satisfactory to the Building Inspector.

The Administrator noted that the authority to accept the above referenced geotechnical report would be delegated to the Building Inspector, but that the Inspector could return the report to Council for further consideration if he deemed it necessary.

CARRIED

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting held June 4, 2001

MOTION 314/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The minutes of the Regular Council meeting held June 4, 2001 BE
ADOPTED as circulated.

CARRIED

- b) Minutes of the Public Hearing held June 12, 2001

MOTION 315/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The minutes of the Public Hearing held June 12, 2001 BE
ADOPTED as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

4. REPORTS

a) Committee Reports

- i) Administration and Finance

Councillor McPherson noted that the Administration and Finance Advisory Committee is scheduled to meet Tuesday, June 19, at 7:30 p.m. at Pike House to review the Western Forest Products Highlands South Development Agreement, the legal opinion regarding the Development Agreement and the 2000 Financial Statements.

ii) Environment

Councillor Faris noted that the Environment Advisory Committee met June 6, 2001 regarding the Western Forest Products Highlands South Development Impact Assessment.

It was noted that the Environment Advisory Committee is scheduled to meet June 21, at 7:30 p.m. at the Municipal Office.

iii) Parks and Recreation

Councillor Cardinal noted that the Parks and Recreation Advisory Committee met June 11, 2001.

It was noted that the Highland Parks and Recreation Association recently obtained a quote on chain link fencing for the north boundary of Twinflower Park and for behind the backstops.

iv) Protective Services

- Protective Services Advisory Committee
Re: Minutes of the Meeting held May 28, 2001

MOTION 316/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MCPHERSON AND
RESOLVED THAT: The minutes of the Protective Services
Advisory Committee meeting held May 28, 2001 BE
RECEIVED FOR INFORMATION.

It was noted that the Protective Service Advisory Committee is scheduled to meet on June 25, at 7:30 p.m. at the East Fire Hall.

CARRIED

- Protective Services Advisory Committee
Re: Recommendation re Western Forest Products Highlands
South – Ponds for Fire Protection

MOTION 317/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The recommendation from the Protective Services
Advisory Committee, dated June 11, 2001, regarding Western
Forest Products Highlands South – Ponds for Fire Protection
BE RECEIVED FOR INFORMATION.

The Administrator noted the need to inspect and check the depth measurements for all the existing ponds for fire protection.

CARRIED

v) Transportation and Public Works

Councillor Mendum noted that approximately 15 people attended the June 16, 2001 walkthrough regarding the Munn Road switchback. She advised that questions regarding expected traffic behaviour had arisen and that the Roads Consultant would be asked to comment in this regard.

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

vi) Trails

Councillor Faris advised that the Trails Advisory Committee is scheduled to meet June 26, 2001 at 7:30 p.m. at Pike House.

vi) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh noted that the Eagles Lake Stewardship crew is underway with its work.

It was noted by the Mayor that a possible reorganization of Capital Regional District water service has been discussed by the CRD Board. A member of Council acknowledged that this could have an impact on future development of the Highlands and that Council should be kept informed of any new information with respect to a reorganization of water services.

The Mayor gave a brief review of the recent Juan de Fuca Parks and Recreation Commission meeting with respect to withdrawal from the Capital Regional District. He noted that a draft Bylaw and Agreement has been circulated to all participants, but that amendments are required as noted by the Administrator.

5. CORRESPONDENCE

6. BYLAWS

- a) “Official Community Plan, Amendment Bylaw No. 137, 2000”
“Highlands Zoning Amendment Bylaw No. 138, 2000”
Re: Western Forest Products Highlands South

MOTION 318/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: With respect to revised Amenity Rezoning Application RZ-02-99 made by J. E. Anderson & Associates on behalf of Western Forest Products Ltd. and pertaining to part of Section 5, Range 4 West, Highland District, the correspondence from School District No. 62 (Sooke) dated June 15, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

MOTION 319/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: With respect to revised Amenity Rezoning Application RZ-02-99, the memorandum from the Administrator dated June 15, 2001 regarding comments on an Environment Advisory Committee report on the Development Impact Assessment BE RECEIVED FOR INFORMATION.

CARRIED

MOTION 320/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: With respect to revised Amenity Rezoning Application RZ-02-99, the legal advice from the municipal solicitor dated June 4, 2001 regarding the draft Development Agreement BE RECEIVED FOR INFORMATION AND FURTHER that the letter and draft Development Agreement BE REFERRED to the Administration and Finance Advisory Committee.

CARRIED

MOTION 321/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: With respect to revised Amenity Rezoning Application RZ-02-99, the Mayor and Administrator BE AUTHORIZED to endorse the registration of a covenant related to Version 11 of the draft Development Agreement.

CARRIED

MOTION 322/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Highlands Official Community Plan Amendment Bylaw No. 137,
2000 BE GRANTED THIRD READING.

There was discussion pertaining to the letter from the Sooke School Board with respect to school sites, and members of Council noted some concerns in this regard.

A member of Council noted concerns regarding the two proposed lots in the northwest section of the property with respect to water run-off flowing to the nearby wetlands. The Administrator advised that a dwelling could be built on each of the lots outside of the Development Permit area for the wetlands. Further discussion ensued regarding the two northwest lots and various views and opinions were noted.

There was discussion regarding the proposed density and further discussion regarding the northwest lots; various points of view were noted.

CARRIED

(Councillor Mendum recorded as opposed)

MOTION 323/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Highlands Zoning Amendment Bylaw No. 138, 2000 BE AMENDED
in section 6.11.1(1) by replacing “Rural Residential 10 (RR10)” with the
words “Rural Residential 11 (RR11)”.

CARRIED

MOTION 324/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Highlands Zoning Amendment Bylaw No. 138, 2000 BE GRANTED
THIRD READING.

Concerns were voiced regarding the maximum building size for dwellings in the Rural Residential 11 Zone. Discussion ensued and varying views and opinions were noted.

AMENDING MOTION 325/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: Highlands Zoning Amendment Bylaw No. 138, 2000 BE AMENDED
in section 6.11.3(7) by replacing the words “the total floor area of all
buildings on a lot shall not exceed 350 square metres” with the words “the
total floor area of all buildings on a lot shall not exceed 300 square metres”.

Discussion ensued regarding maximum building size for the RR11 Zone.

CARRIED
(Councillors Cardinal and Vogel recorded as opposed)

There was discussion regarding the subdivision process, and it was noted that all comments from Advisory Committees are taken into consideration by the Approving Officer during this process.

The main motion was put.

CARRIED
(Councillor Mendum recorded as opposed)

7. NEW BUSINESS

- a) Revenue and Expense Summary Report – May 2001

MOTION 326/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The Revenue and Expense Summary Report as of May 31, 2001 BE
RECEIVED FOR INFORMATION.

CARRIED

- b) 2000 Audited Financial Statements and Remuneration and Expense Report

MOTION 327/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The 2000 Audited Financial Statements and Remuneration and
Expense Report BE RECEIVED FOR INFORMATION.

CARRIED

- c) Request for Appointment of Janet Williams to the Trails
Advisory Committee

MOTION 328/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Janet Williams BE APPOINTED to the Trails Advisory Committee
for the remainder of a one-year term expiring December 31, 2001.

CARRIED

8. OTHER BUSINESS

- a) Memorandum from the Deputy Clerk
Re: 2001 Grant-in-aid Distribution

MOTION 329/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: 2001 Grants-in-aid to the following BE APPROVED:

Highland Heritage Park Society	\$1,160.00
RCMP Auxiliary Policing Program	\$ 500.00
RCMP Community and School Liaison Program	\$ 640.00
Western Communities Arts Council	<u>\$ 200.00</u>
TOTAL	\$2,500.00

as recommended in the minutes of the Administration and Finance
Advisory Committee meeting held April 10, 2001.

It was noted that grant-in-aid requests received exceeded the budgeted
amount for this purpose and it was suggested that the budget be increased
in the future to accommodate more requests.

CARRIED

- b) Memorandum from the Administrator
Re: Insurer's Advisory Organization Inc. Report – Assessment of Fire
Department Response Times

MOTION 330/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The Insurer's Advisory Organization Inc.'s report for the Assessment
of Fire Department Response Times, dated June 1, 2001, BE REFERRED to
staff, Fire Chief, Protective Services Advisory Committee and the Roads
Advisory Committee for review and comment.

There was discussion regarding the recommendations made in the report
received from the Insurer's Advisory Committee Inc.

CARRIED

- c) Memorandum from the Planning Technician
Re: Proposed Regional Growth Strategy

MOTION 331/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: A Committee of the Whole meeting BE SCHEDULED for July 11,
2001 at 7:30 p.m. at Pike House regarding the proposed Regional Growth
Strategy.

CARRIED

- d) Request for Financial Assistance
Re: 2001 Highland Fling

MOTION 332/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The request for financial assistance for the 2001 Highland Fling, as
requested in a letter from the Chair of the Highland Fling Committee dated
June 14, 2001, BE DENIED.

CARRIED

- e) Memorandum from the Administrator
Re: Draft Bylaw and Agreement – Juan de Fuca Parks and Recreation
Commission Restructure

The Administrator noted concerns regarding the draft Bylaw and Agreement
with respect to withdrawal from the Capital Regional District and the
restructure of the Juan de Fuca Parks and Recreation Commission, as
outlined in his memorandum.

MOTION 333/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The following concerns be expressed with regard to the proposed
Bylaw and Agreement for the reorganization of Juan de Fuca Recreation:

1. That Section 2 of the Agreement be changed to require budget approval from all participating municipalities.
2. That Section 6 of the Agreement be changed to require consent from all participating municipalities prior to the admission of a new party.
3. That Section 9 of the Agreement be changed so it reflects the language in Sections 11 to 13 related to dissolution, so that a withdrawing party shall be entitled to compensation for its portion of shared assets as well as being accountable for its share of liabilities;

AND FURTHER that the technical and wording concerns and comments noted by the Administrator be forwarded to the other potential members.

CARRIED

- f) Memorandum from the Administrator
Re: Ross-Durrance Road – Chipseal

MOTION 334/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Staff BE DIRECTED to prepare a report to Council regarding placing chipseal on Ross-Durrance Road.

CARRIED

- g) Letter from Parks Canada
Re: Request for Financial Assistance – Western Communities Canada Day Celebrations

MOTION 335/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: Parks Canada's request for funding to assist in the delivery of Canada Day Celebrations for the Western Communities, as noted in a letter from Dale Mumford, Business and Community Relations Officer dated May 31, 2001, BE DENIED.

CARRIED

9. ADJOURNMENT

MOTION 336/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

- THAT: The Regular Council meeting BE ADJOURNED at 10:10 p.m.

CARRIED
