

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Tuesday, July 3, 2001 at the East Highlands Firehall, 3613 Woodridge Place at 7:30 p.m.

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

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

AGENDA

MOTION 337/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: The Agenda BE AMENDED as follows:

1. By ADDING the following item:

Item 8 b) Munn Road Switchback
2. By RENUMBERING item 8b) to item 8c)

AND THAT THE AGENDA AS AMENDED BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

- a) Conservation Covenant Revision
LOCATION: 660 Stewart Mountain Road

Councillor Cardinal left the meeting at 7:32 noting a business relationship with Mr. Schramm, the applicant.

Mr. Schramm was in attendance and was invited to address Council. He noted that the work done in the protected area of his property was his mistake, and that he is offering a compensation area in exchange for the disturbed covenanted area.

Mr. Schramm stated that he has support from his neighbours at 659 Stewart Mountain Road for his request. He also noted that due to his diplomatic

credentials, certain security issues need to be addressed with respect to the siting of the dwelling and driveway layout.

There was discussion regarding Mr. Schramm's request and the work already done in the protected area, and varying views and opinions were noted.

**MOTION 338/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Adjacent properties BE NOTIFIED that Council is considering a proposed revision to the Conservation Covenant EM02353 on Lot 4, Plan VIP66845, Section 34, Highland District as requested by the owner and described in correspondence and plan dated June 22, 2001.**

**CARRIED
(Councillor Faris recorded as opposed)**

Councillor Cardinal returned to the meeting at 7:45 p.m.

- b) **Conservation Covenant Revision
LOCATION: 746 Caleb Pike Road**

Mr. and Mrs. Alderson, the applicants, were in attendance in support of their application and noted the reasons, as outlined in their letter dated June 10, 2001, for their request to modify the residential use zone of their property.

**MOTION 339/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: Adjacent properties BE NOTIFIED that Council is considering a proposed revision to the Conservation Covenant EK47844 on Lot 5, VIP63277, Sections 35 & 71, Highland District as requested by the owners in correspondence and plan dated June 10, 2001.**

Discussion ensued and various points of view were noted regarding whether or not a revision should be granted.

**CARRIED
(Councillor Faris recorded as opposed)**

- c) **Development Variance Permit Application DVP-08-01
Development Permit Application DP-10-01
APPLICANT/OWNER: Jim Welham and Patricia Leno
LOCATION: 1891 Millstream Road**

The applicants were in attendance in support of their applications and answered queries of Council in this regard.

**MOTION 340/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: Notification BE ISSUED for Development Variance Permit DVP-08-01 on Lot 10, Plan 4128, Section 17, Highland District that would vary Zoning Bylaw 100:**

- a) in Section 3.3(1)(b) by reducing the required setback of a building and structure from Teanook Lake from 30.0 metres to those distances (but no less than 25.0 metres), and substantially in those locations for a proposed home addition and deck as shown on Site Plan A; AND
- b) in Section 3.3(1)(d) by reducing the required setback of a building from a watercourse from 30.0 metres
 - i) to that distance (but no less than 10.0 metres), and substantially in that location for a proposed garage as shown on Site Plan A;
 - ii) to those distances (but no less than 20.0 metres), and substantially in those locations for a proposed home addition and deck as shown on Site Plan A.

CARRIED

**MOTION 341/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: Consideration of Development Permit 10-01 on Lot 10, Plan 4128, Section 17, Highland District BE DEFERRED until final consideration of DVP-08-01.**

CARRIED

**MOTION 342/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The notification requirements for the proposed issuance of Development Variance Permit 10-01 BE EXPANDED to include all properties adjacent to Teanook Lake.**

CARRIED

(Councillor McPherson recorded as opposed)

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting held June 18, 2001

MOTION 343/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Regular Council meeting held June 18, 2001 BE
ADOPTED as circulated.

CARRIED

- b) Minutes of the Committee of the Whole Meeting held June 27, 2001

MOTION 344/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Committee of the Whole meeting held June 27,
2001 BE ADOPTED as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

- a) Development Agreement
Re: Western Forest Products Highlands South (RZ-02-99)

MOTION 345/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Motion 321/01 authorizing the Mayor and Clerk to sign a
development agreement with Western Forest Products Ltd. BE
RESCINDED.

CARRIED

There was discussion regarding reviewing the finances of the development through the submission of invoices to the District on a monthly basis, and varying views and opinions were noted.

The Administrator answered queries of Council with respect to changes to the Development Agreement, and it was noted that the majority of them were minor wording changes.

MOTION 346/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The Mayor and Clerk BE AUTHORIZED to sign a Development
Covenant that is substantially in the form of the one dated June 28, 2001 in
relation to Section 5, Range 4 West, Highland District, except part in Plans
VIP60675 andVIP67875 owned by Western Forest Products Ltd.

CARRIED

4. REPORTS

a) Committee Reports

i) Administration and Finance

- Administration and Finance Advisory Committee
Re: Minutes of the Meeting held June 19, 2001

MOTION 347/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND
RESOLVED THAT: The minutes of the Administration and
Finance Advisory Committee meeting held June 19, 2001 BE
RECEIVED FOR INFORMATION.

CARRIED

Councillor McPherson noted that the next meeting of the
Administration and Finance Advisory Committee is scheduled for July
10, 2001 at 7:30 p.m. at Pike House.

ii) Environment

Councillor Faris advised that the Environment Advisory Committee
met June 19, 2001. Councillor Faris stated that the Environment
Advisory Committee would like to request a meeting with members of
Council regarding the low number of Committee members, the role of
the Committee and its effectiveness.

iii) Parks and Recreation

- Parks and Recreation Advisory Committee
Re: Minutes of the Meeting held June 11, 2001

MOTION 348/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND
RESOLVED THAT: The minutes of the Parks and Recreation
Advisory Committee meeting held June 11, 2001 BE
RECEIVED FOR INFORMATION.

CARRIED

Councillor Cardinal noted that the next meeting of the Parks and
Recreation Advisory Committee is scheduled for July 9th at 7:30 p.m.

at the West Fire Hall. A concern was noted that at its last meeting, the Committee had discussed an issue which had not been referred by Council.

iv) Protective Services

Councillor McLellan advised that the Protective Services Advisory Committee did not have a quorum at its last meeting, and noted that the next meeting is scheduled for July 23, 2001 at 7:30 p.m. at the West Fire Hall.

v) Transportation and Public Works

Councillor Mendum noted that the minutes of the last Roads Advisory Committee would be forthcoming, and the next meeting of the Committee is scheduled for July 19, 2001 at 7:30 p.m. at Pike House.

vi) Trails

Councillor Faris noted that the Trails Advisory Committee met June 26, 2001 and reviewed the Trails Master Plan survey responses, and that this information will assist the Committee in forming a draft Trails Master Plan to be completed by early August.

vii) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh advised that the District of Highlands Newsletter, distributed quarterly, will be taking on a new format as a monthly bulletin, noting that the new format will allow the timely distribution of Municipal notices regarding current issues.

The Mayor presented a gift basket to Patti Whitehouse in appreciation for her work as editor of the Highlands News for the past seven years. He noted that the newsletter would now be compiled by Council and copied and distributed by staff.

5. CORRESPONDENCE

Nil

6. BYLAWS

- a) “Official Community Plan, Amendment Bylaw No. 137, 2000”
“Highlands Zoning Amendment Bylaw No. 138, 2000”
Re: Western Forest Products Highlands South (RZ-02-99)

MOTION 349/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: “Official Community Plan, Amendment Bylaw No. 137, 2000” BE
ADOPTED.

CARRIED

MOTION 350/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: “Highlands Zoning Amendment Bylaw No. 138, 2000” BE
ADOPTED.

A member of Council noted concerns regarding some preliminary road
surveying work done recently on the subject property, stressing the need to
monitor the work done on the site throughout the development phase.

CARRIED

- b) “Highlands Zoning Amendment Bylaw No. 159, 2001”

There was discussion regarding Bylaw No. 159, and the Administrator
answered queries of Council with respect to various implications of the
Bylaw.

MOTION 351/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: a Public Hearing for “Highlands Zoning Amendment Bylaw No. 159,
2001” BE SCHEDULED for Tuesday, August 7, 2001 at the East Highlands
Fire Hall commencing at 7:00 p.m.

CARRIED

- c) “District of Highlands Building Regulation Amendment Bylaw No. 163,
2001”

MOTION 352/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: “District of Highlands Building Regulation Amendment Bylaw No.
163, 2001” BE GRANTED FIRST READING.

CARRIED

MOTION 353/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: “District of Highlands Building Regulation Amendment Bylaw No. 163, 2001” BE GRANTED SECOND READING.

CARRIED

MOTION 354/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED
THAT: “District of Highlands Building Regulation Amendment Bylaw No. 163, 2001” BE GRANTED THIRD READING.

CARRIED

- d) “West Shore Parks and Recreation Commission Bylaw No. 164, 2001”

MOTION 355/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: “West Shore Parks and Recreation Commission Bylaw No. 164, 2001” BE GRANTED FIRST READING.

CARRIED

MOTION 356/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: “West Shore Parks and Recreation Commission Bylaw No. 164, 2001” BE GRANTED SECOND READING.

CARRIED

MOTION 357/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: “West Shore Parks and Recreation Commission Bylaw No. 164, 2001” BE GRANTED THIRD READING.

CARRIED

7. NEW BUSINESS

- a) Capital Regional District Monthly Bylaw Enforcement Summary – May 2001

MOTION 358/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The Capital Regional District Monthly Bylaw Enforcement Summary for May 2001, dated June 19, 2001, BE RECEIVED FOR INFORMATION.

CARRIED

- b) BC Assets and Land Corporation Land Referral/Response Form
Re: Willis Point, Brentwood Bay (Saanich Inlet)**

**MOTION 359/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED**

THAT: The BC Assets and Land Corporation Land Referral/Response form regarding an application for a Licence of Occupation for Private Moorage – Saanich Inlet, dated June 21, 2001, BE REFERRED to the Capital Regional District for comment to be received in advance of the Regular Meeting scheduled for July 16, 2001.

CARRIED

- c) Memorandum from the Administrator
Re: Donations for First National Properties Ltd. Lawsuit**

**MOTION 360/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR FARIS AND RESOLVED**

THAT: A thank you letter be sent to Elliott and Kathy Gose expressing Council's appreciation of their donations totaling \$20,000.00 to offset a portion of the fees paid by the District of Highlands with respect to the First National Properties Ltd. lawsuit.

CARRIED

- d) Building Report for June 2001**

**MOTION 361/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED**

THAT: The Building Report for June 2001 BE RECEIVED FOR INFORMATION.

CARRIED

- e) Letter from the Schwalbe Cycling Club
Re: Request for Use of Roadways for a Bicycle Event**

**MOTION 362/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED**

THAT: The Schwalbe Cycling Club BE AUTHORIZED to hold a bicycle event on Wednesday, August 22, 2001 from 6:30 p.m. to 8:00 p.m., in accordance with the letter from the club dated June 21, 2001.

CARRIED

- f) Letter from H. L. Rayner
Re: Request for Appointment to Trails Advisory Committee

MOTION 363/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: H. L. Rayner BE APPOINTED to the Trails Advisory Committee for a two-year term expiring December 31, 2002.

CARRIED

- g) Letter from Ingo Lambrecht
Re: Resignation from the Environment Advisory Committee

MOTION 364/01 MOVED BY COUNCILLOR FARIS
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The correspondence from Ingo Lambrecht dated June 22, 2001, regarding his resignation from the Environment Advisory Committee BE RECEIVED WITH REGRET.

CARRIED

8. OTHER BUSINESS

- a) Potential Relocation of Millstream Lake Road

A member of Council noted concerns regarding the potential relocation of Millstream Lake Road including opposition by the community and the short time frame available to complete road reconstruction projects.

MOTION 365/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: Section “B” of Millstream Lake Road be reconstructed in its existing location.

Discussion ensued regarding the potential relocation of Millstream Lake Road including the status of the existing road, whether or not there is a need for an environmental assessment for both routes and safety issues associated with the potential relocation; varying views and opinions were noted.

CARRIED

(Councillors Faris and Cardinal recorded as opposed)

b) Munn Road Switchback

It was noted that following on-site public consultations for the reconstruction of the Munn Road switchback, JBR Highway Consulting Ltd. has suggested reconstruction of the switchback to a 30 km/hour design speed with a 40 metre turning radius.

MOTION 366/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The Roads Consultant BE DIRECTED to proceed with the reconstruction of the Munn Road switchback to a 30 km per hour design speed, a 40 metre radius, and 15% grade.

There was discussion regarding the proposed changes to the switchback and concerns regarding potential traffic speed increases were noted. Concerns regarding the safety of the existing design were also expressed.

CARRIED

(Councillor McPherson recorded as opposed)

b) Memorandum from the Administrator
Re: Corporate and Operational Priorities

MOTION 367/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The following Corporate and Operational Priorities BE ESTABLISHED:

Corporate Priorities:

1. Juan de Fuca Recreation
2. Review Zoning Fees and Charges
3. South Highlands Planning Review
4. Review Advisory Committee Structure and Operation
5. Regional Growth Strategy Review
6. Major Road Project Consultation

Operational Priorities:

1. Review Housing Issues
2. Parks Master Plan – Parks Master Plan Committee
3. Emergency Plan – Municipal Emergency Coordinator
4. Report on Municipal Office Construction Finances
5. Trails Master Plan – Trails Advisory Committee

6. Bylaw Enforcement Policy & Procedures Newsletter
7. Watershed Management Implementation
8. Information Technology Plan and Software Acquisition
9. Major Subdivision Review(s)

CARRIED

9. ADJOURNMENT

**MOTION 368/01 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR VOGEL AND RESOLVED**

- **THAT: The Regular meeting of Council be adjourned at 10:15 p.m.**

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator