

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

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

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

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

AGENDA

MOTION 591/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The Agenda BE AMENDED as follows:

1. By ADDING the following items:

Item 3 b) Memorandum from the Administrator
Re: District of Langford - OCP Bylaw 627 Referral

AND THAT THE AGENDA AS AMENDED BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

2. ADOPTION OF THE MINUTES

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

MOTION 592/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Regular Council meeting held November 5, 2001
BE ADOPTED as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

a) Development Variance Permit Application DVP-12-01
APPLICANT/OWNER: Peter Quackenbush
LOCATION: 1985 Millstream Road

MOTION 593/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: There BE ISSUED Development Variance Permit DVP-12-01 for Lot 1, Plan VIP60675, Section 5, Highland District that would vary Zoning Bylaw 100 in Section 7.3.3(3) by requiring that no building or structure shall be sited within 3.5 metres of a front lot line for that part of the building shown as "new carport" and "carport" on Site Plan A.

CARRIED

b) Memorandum from the Administrator
Re: District of Langford - OCP Bylaw 627 Referral

It was noted that Council considered a referral from the District of Langford for the preliminary stage of the proposed development, and that the referral in front of Council at this time is the formal referral of OCP Bylaw 627. There was discussion regarding the referral and objections were noted with respect to the impact on traffic from the proposed development.

MOTION 594/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Regarding the referral of OCP Bylaw No. 627 - Millstream Road East from the District of Langford, the District of Highlands advises Langford accordingly:

? That Highlands OPPOSES OCP Bylaw No. 627 and that no further land use changes should occur until the District of Langford and all adjacent communities agree to an overall environmental and social review and transportation plan.

CARRIED

MOTION 595/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: Regarding the referral of OCP Bylaw No. 627 - Millstream Road East from the District of Langford:

? That the District of Langford be requested to determine and ensure that the flow and safety of traffic on Millstream Road north of the Trans-Canada Highway is not further eroded, AND FURTHER, that the District of Langford be requested to ensure that any future traffic studies in relation to this development take into account future Highlands developments and the existing traffic infrastructure in Highlands that may be affected by traffic from this development.

CARRIED

4. REPORTS

a) Committee Reports

i) Administration and Finance

Councillor McPherson noted that the HandyDart issue is ongoing, and that BC Transit has put any fare structure changes or pilot projects on hold until it is determined where the Province stands regarding support for transit services.

- Administration and Finance Advisory Committee

Re: Minutes of the Meeting held November 13, 2001

MOTION 596/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The minutes of the Administration and Finance Advisory Committee meeting held November 13, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

ii) Environment

- Environment Advisory Committee

Re: Minutes of the Meeting held October 22, 2001

MOTION 597/01 MOVED BY COUNCILLOR FARIS

SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The minutes of the Environment Advisory Committee meeting held October 22, 2001 BE RECEIVED FOR INFORMATION.

CARRIED

Councilor Faris noted that the Environment Advisory Committee considered the Council referral regarding pesticide use at its last meeting, and that a report to Council would likely be forthcoming at the next regular meeting.

It was noted that the Environment Advisory Committee will not meet again until January 2002.

iii) Parks and Recreation

- Parks and Recreation Advisory Committee

Re: Minutes of the Meeting held November 12, 2001

MOTION 598/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED
THAT: The minutes of the Parks and Recreation Advisory
Committee meeting held November 12, 2001 BE RECEIVED
FOR INFORMATION.

CARRIED

- Parks and Recreation Advisory Committee Recommendation
Re: Fork Lake Access

MOTION 599/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The recommendation from the Parks and Recreation
Advisory Committee, dated November 14, 2001, regarding Fork
Lake access BE DEFERRED to the December 3, 2001 Regular
meeting.

CARRIED

iv) Protective Services

Councillor McLellan advised that the Protective Services Advisory
Committee would meet next on November 26, 2001 at 7:30 p.m. at the
West Highlands Fire Hall, then again on December 10, 2001 at 7:30
p.m. at the East Highlands Fire Hall.

With respect to the CREST Corporation, Councillor McLellan noted
that he recently attended a Director's meeting, and that the process is
underway to upgrade mobile radios in the region.

v) Transportation and Public Works

- Roads Advisory Committee
Re: Minutes of the Meeting held September 20, 2001

MOTION 600/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND
RESOLVED THAT: The minutes of the Roads Advisory
Committee meeting held September 20, 2001 BE RECEIVED
FOR INFORMATION.

CARRIED

Councilor Mendum noted that the Roads Advisory Committee would
be meeting November 22, 2001, and that elections for Chair, Vice
Chair and Recorder would be held at that time. It was also noted that
the Committee is scheduled to meet December 13, 2001 at 7:30 p.m. at
Pike House.

There was discussion regarding the Roads Advisory Committee's
recommendations with respect to the Insurer's Advisory Organization

report, and it was suggested that the Administrator attend a Committee meeting to answer various questions members of the Committee have in relation to the report.

vi) Trails

The next meeting of the Trails Advisory Committee is scheduled for November 27, 2001 at 7:30 p.m. at Pike House.

vii) Planning and Zoning

b) Mayor's Report

With respect to the possible incorporation of Willis Point, Mayor Roessingh noted that the municipalities surrounding Willis Point have tentatively decided to request that the Minister of Community, Aboriginal and Community Services provide information regarding timelines for possible incorporation studies and funding.

Mayor Roessingh provided an update regarding the proposed Regional Growth Strategy, noting that many communities are not fully supportive of the proposed RGS.

Mayor Roessingh advised that a Society is currently being formed for the Juan de Fuca Parks and Recreation service and that the Society will hopefully take over the function by January 1, 2002.

5. CORRESPONDENCE

- a) Letters from the District of Saanich, Town of Esquimalt and City of Victoria
Re: Request for Support - Cycling Network Program

MOTION 601/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: Council endorse the continuation of the Cycling Network Program and urge the Province to free it from core review as quickly as possible.

CARRIED

- b) Letter from the President, Westshore Taxi Limited
Re: Additional Motor Carrier Plates

There was discussion regarding the letter received from Westshore Taxi Limited, the availability of taxi service in the Western Communities, and the licensing requirements for taxi cab companies.

MOTION 602/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: The letter from the President, Westshore Taxi Limited, dated November 12, 2001 requesting support in principle for the expansion of Westshore Taxi Limited, BE RECEIVED FOR INFORMATION.

CARRIED

6. BYLAWS

7. NEW BUSINESS

- a) Memorandum from the Fire Chief
Re: Deputy Chief's Honorarium

MOTION 603/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The memorandum from the Fire Chief, dated November 8, 2001, requesting that the Deputy Fire Chief's Honorarium be increased by \$500.00 BE REFERRED to the Administration and Finance Advisory Committee for comment.

CARRIED

- b) Letter from the Executive Director, Capital Regional District
Re: CRD Bylaw No. 2926, "Juan de Fuca Parks and Recreation Service Conversion Bylaw No. 1, 2001" and CRD Bylaw No. 2927, "Juan de Fuca Swimming Pool Local Service Establishment Bylaw No. 1, 1998, Amendment Bylaw No. 1, 2001"

MOTION 604/01 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCLELLAN AND RESOLVED

THAT: Council CONSENT TO THE ADOPTION of CRD Bylaw No. 2926, "Juan de Fuca Parks and Recreation Service Conversion Bylaw No. 1, 2001" and CRD Bylaw No. 2927, "Juan de Fuca Swimming Pool Local Service Establishment Bylaw No. 1, 1998 Amendment Bylaw No. 1, 2001".

CARRIED

8. OTHER BUSINESS

- a) Letter from the Highland Heritage Park Society
Re: Request for Interim Financing

MOTION 605/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: Pursuant to Section 185 of the Local Government Act, NOTICE BE PUBLISHED in a newspaper regarding Council's intention to loan \$15,000.00 to the Highland Heritage Park Society for interim financing of the Schoolhouse Restoration Project, requiring the Highland Heritage Park Society to pay interest on the loan at the current rate available to the District of Highlands, with anticipation of repayment of the loan by the end of May 2002.

CARRIED

- b) Letter from the Attorney General and Minister Responsible for Treaty Negotiations
Re: The Repeal of the Protection of Public Participation Act

MOTION 606/01 MOVED BY COUNCILLOR MCLELLAN

SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The letter from the Attorney General and Minister Responsible for Treaty Negotiations, dated November 1, 2001, regarding the repeal of the Protection of Public Participation Act, BE RECEIVED FOR INFORMATION.

There was discussion regarding the letter received from the Attorney General, and there was consensus that Council further pursue the reinstatement of anti-SLAPP legislation.

CARRIED

MOTION 607/01 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: A letter be sent to the Union of BC Municipalities requesting that UBCM pursue the reinstatement of anti-SLAPP (Strategic Lawsuits Against Public Participation) legislation.

CARRIED

c) Memorandum from the Administrator

Re: Appointment of Director to the West Shore Parks and Recreation Society

MOTION 608/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR FARIS AND RESOLVED

THAT: Mayor Karel Roessingh BE APPOINTED as Director to the West Shore Parks and Recreation Society.

CARRIED

9. ADJOURNMENT

a) MOTION 609/01 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR VOGEL AND RESOLVED

THAT: The regular meeting of Council be adjourned at 8:40 p.m. AND THAT, pursuant to Section 242. 2 of the Local Government Act a meeting in camera be convened to discuss:

? The receiving of advice that is subject to solicitor-client privilege.
? Acquisition and/or disposal of land.

CARRIED

Karel Roessingh, Mayor
District of Highlands - Regular Council Meeting
Monday, November 19, 2001

Bruce Woodbury, Administrator

Pg. 4