

**DISTRICT OF HIGHLANDS**  
**REGULAR COUNCIL MEETING**

Minutes of the Regular Council meeting held Monday, February 3, 2003, at the East Highlands Firehall, 3613 Woodridge Place at 7:30 p.m.

**PRESENT:** Mayor Roessingh, Chair  
Councillor K. Brotherston  
Councillor M. Brotherston  
Councillor Cardinal  
Councillor Kadar  
Councillor McPherson  
Councillor Mendum

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

**AGENDA**

MOTION 31/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT: The agenda BE APPROVED.

**CARRIED**

**1. PETITIONS AND DELEGATIONS**

- a) Development Permit Application DP-02-03  
OWNER/APPLICANT: Highland 1 Holdings Ltd./Jason Steele  
LOCATION: Lot 6, Highland Estates Subdivision Phase 1

Jason Steele was in attendance in support of the application, and answered queries of Council in this regard.

MOTION 32/03 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT: There BE ISSUED Development Permit DP-02-03 relating to property legally described as Lot 6, Section 30, Highland District, Plan VIP74674 for the purpose of constructing a driveway through the property to the new building site (Residential Use Zone), consisting of tree and vegetation removal, minor blasting and soil removal/deposit within an old logging grade; and for re-vegetating a disturbed area with native vegetation, all of which works will be undertaken within 30-metres of a watercourse as shown generally in the Plan attached as Schedule 1, subject to the following conditions:

1. No trees shall be cut and no vegetation damaged, except for those to be removed within the existing logging road grade, as generally shown in Schedule 1, subject to the necessary permits;
2. Measures to mitigate impact upon the watercourse shall be undertaken during and after construction, and shall include placement of hay bales and installation of silt fencing and other measures to control drainage and siltation, as recommended by and installed under the supervision of a Registered Professional Biologist (RPB). The applicant shall submit the RPB's statement of recommendations to the District for approval, concerning design and mitigation measures to be employed, prior to initiating construction activities;
3. Re-vegetation of disturbed areas shall be undertaken, using native plant species indigenous to the site; and
4. The applicant shall confirm The Land Conservancy's consent to approve those works proposed to be undertaken beyond the Residential Use Zone (RUZ), including the proposed re-vegetation of disturbed areas adjacent to the watercourse, prior to the issuance of subsequent permits.

CARRIED

- b) Development Permit Application DP-03-03  
OWNER/APPLICANT: Kirk Dodds and Christina Sinnemann  
LOCATION: 1725 Millstream Road

Kirk Dodds was in attendance in support of the application, and answered queries of Council in this regard.

**MOTION 33/03 MOVED BY COUNCILLOR K. BROTHERSTON  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED**

**THAT:** Notification BE ISSUED for the proposed issuance of Development Permit DP-03-03 pertaining to Lot 1, Section 31, Highland District, Plan 41576 that would vary Zoning Bylaw No. 100:

- a) in Section 3.3(1)(d) by decreasing the required setback from the natural boundary of watercourses from 30 metres to 1.5 metres, to permit the construction of an accessory building (garage); and

for the purpose of building a garage, and related site preparation, on lands located within 30 metres of a drainage course included within Development Permit Area #2 (Water and Riparian Features), as shown generally in the Plan attached as Schedule 1, subject to the following conditions:

- i) Throughout the process of site preparation and construction, measures shall be taken to prevent modification of the existing drainage course. All recommendations of the Levelton Engineering Report dated January 24, 2003 (Their File: 503-0023) shall be adhered to (Schedule 2).
- ii) Disturbed areas immediately surrounding the new building, especially between the new building and the drainage course, shall be re-vegetated with indigenous species to the satisfaction of the Administrator, District of Highlands.
- iii) Perimeter roof drainage shall be designed and installed to promote ground infiltration and direct drainage away from the drainage course, to the satisfaction of the Building Inspector.

CARRIED

- c) Development Variance Permit Application DVP-01-03  
OWNER/APPLICANT: Highland 1 Holdings Ltd.  
LOCATION: Highlands Estates Subdivision Phase 1

Michael Volk and Phil Buchanan were in attendance in support of the application and answered queries of Council in this regard.

**MOTION 34/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT:** Notification BE ISSUED for the proposed issuance of Development Variance Permit DVP-01-03 pertaining to Highland Estates Subdivision Phase 1 (Registered Plan VIP74674), that would vary District of Highlands "Subdivision or Development of Land Bylaw No. 154, 2001":

- a) in Schedule B, Section D2, Item 2.4, by removing the requirement to create an overland flow route with a right-of-way for the 1:200 year rainfall event, and instead, address major storm events by the natural water courses and drainage routes which are generally protected outside of the Residential Use Zones;
- b) in Schedule B, Section R, Item 13, by varying the requirement for a country lane asphalt width of 5.4 m to permit an asphalt width of 6.0 m for Road C, as shown on the subdivision concept plan attached as Schedule 1;
- c) in Schedule B, Section R, Item 21, by varying the requirement for driveways to follow proper boulevard slope to avoid flooding the road, and instead, permit the construction of asphalt driveway aprons with water controls to direct driveway water to the roadside ditch; and

- d) in Schedule B, Section WA2, Item 2.1B, by varying the requirement for, and accept a report using, the “DRASTIC” approach to assess the ground water systems, as per the letter by Thurber Engineering Ltd. dated December 4, 2002.

CARRIED

The Administrator responded to inquiries of members of Council with respect to variances to road width for the Highlands Estates subdivision that were requested by the Applicant.

MOTION 35/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED  
THAT: Notification BE ISSUED for the proposed issuance of Development Variance permit DVP-01-03 pertaining to Highland Estates Subdivision Phase 1 (Registered Plan VIP74674), that would vary District of Highlands “Subdivision or Development of Land Bylaw No. 154, 2001” in Schedule B, Section R, Item 13 by varying the requirement for a local road asphalt width of 6.6 metres to permit an asphalt width of 6.0 metres, with 0.5 metre wide gravel shoulders for Road D.

CARRIED

- d) Highlands Association of Large Lot Owners

Evelyn Samuel read out a letter on behalf of the Highlands Association of Large Lot Owners, outlining concerns regarding the Official Community Plan Review process.

Kent Willner also read out a letter on behalf of the Highlands Association of Large Lot Owners regarding the Official Community Plan Review process.

## **2. ADOPTION OF THE MINUTES**

- a) Minutes of the Regular Council Meeting held January 20, 2003

MOTION 36/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT: The minutes of the Regular Council meeting held January 20, 2003 BE ADOPTED AS CIRCULATED.

CARRIED

**3. BUSINESS ARISING FROM THE MINUTES**

Nil.

**4. REPORTS**

**a) Committee Reports**

i) Administration and Finance

The next meeting of the Administration and Finance Advisory Committee is scheduled for February 11, 2003 at 7:30 p.m. at Pike House.

ii) Environment

The next Environment Advisory Committee meeting has been scheduled for February 12, 2003 at 7:30 p.m. at the Municipal Office.

iii) Parks and Recreation

The next meeting of the Parks and Recreation Advisory Committee is scheduled for February 10, 2003, at 7:30 p.m. at Pike House.

iv) Protective Services

A Wildland Urban Interface Fire Hazard information night was held on January 27<sup>th</sup> at the West Fire Hall. Another public information meeting will be held in the spring in this regard.

The next meeting of the Protective Services Advisory Committee is scheduled for February 24, 2003 at 7:30 p.m. at the East Fire Hall.

v) Roads

The next meeting of the Roads Advisory Committee is scheduled for February 20, 2003 at 7:30 p.m. at Pike House

vi) Trails

The next meeting of the Trails Advisory Committee is scheduled for February 26, 2003.

vii) Planning and Zoning

The Advisory Planning Commission is scheduled to meet February 12, 2003 at 7:00 p.m. at Pike House regarding First National Properties Ltd. Rezoning Application RZ-05-02.

- Memorandum from the Planning Technician  
Re: OCP Review Task Force Recommendations

There was discussion regarding the OCP Review Task Force's recommendations, and varying views and opinions were noted.

MOTION 37/03 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR MCPHERSON AND  
RESOLVED THAT: The Official Community Plan Review  
Task Force be directed to cease work on the Draft OCP;  
AND FURTHER, THAT a Committee of the Whole Meeting  
be scheduled for February 19, 2003 at 7:00 p.m. at Pike  
House to discuss the Draft Official Community Plan and the  
Official Community Plan Review process.

CARRIED

Further discussion regarding the Official Community Plan  
Review Task Force ensued.

MOTION 38/03 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR KADAR AND RESOLVED  
THAT: The Official Community Plan Task Force  
membership be increased to 13 members, and that the new  
positions be advertised to allow appointments to be made at  
the Regular meeting scheduled for March 3, 2003.

CARRIED

(Councillors McPherson and Mendum recorded as opposed)

MOTION 39/03 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR KADAR AND RESOLVED  
THAT: Staff be directed to seek proposals for a facilitator to  
assist the OCP Review Task Force.

CARRIED

MOTION 40/03 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR K. BROTHERSTON AND  
RESOLVED THAT: The recommendations from the OCP  
Review Task Force, from the meeting held January 29,  
2003, BE RECEIVED FOR INFORMATION.

CARRIED

**b) Mayor's Report**

Mayor Roessingh provided his report following item 8 a).

**5. CORRESPONDENCE**

- a) Letter from Elaine Limbrick  
Re: Official Community Plan Review

MOTION 41/03 MOVED BY COUNCILLOR M. BROTHERSTON  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED  
THAT: The letter from Elaine Limbrick, dated January 27, 2003, regarding  
the Official Community Plan Review BE RECEIVED FOR INFORMATION,  
and further, that the letter BE REFERRED to the Official Community Plan  
Review Task Force for information.

CARRIED

- b) Letter from Hans Waelti and M. G. Dhillon  
Re: Official Community Plan Review

MOTION 42/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT: The letter from Hans Waelti and M. G. Dhillon, dated January 28,  
2003, regarding the Official Community Plan Review BE RECEIVED FOR  
INFORMATION, and further that the letter BE REFERRED to the Official  
Community Plan Review Task Force for information.

CARRIED

- c) Letter from Rosa Willner  
Re: Official Community Plan Review Task Force

MOTION 43/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED  
THAT: The letter from Rosa Willner, dated January 30, 2003, regarding  
the Official Community Plan Review Task Force BE RECEIVED FOR  
INFORMATION and further that the letter BE REFERRED to the Official  
Community Plan Review Task Force for information.

CARRIED

**6. BYLAWS**

- a) “West Shore Arena Temporary Borrowing Bylaw No. 193, 2003”

MOTION 44/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT: “West Shore Temporary Borrowing Bylaw No. 193, 2003” BE  
GRANTED FIRST READING.

CARRIED

MOTION 45/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR KADAR AND RESOLVED  
THAT: “West Shore Temporary Borrowing Bylaw No. 193, 2003” BE  
GRANTED SECOND READING.

CARRIED

MOTION 46/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED  
THAT: “West Shore Temporary Borrowing Bylaw No. 193, 2003” BE  
GRANTED THIRD READING.

CARRIED

**7. NEW BUSINESS**

- a) Highland Heritage Park Society  
Re: Application for Grant-in-aid

MOTION 47/03 MOVED BY COUNCILLOR M. BROTHERSTON  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED  
THAT: The Grant-in-aid application from the Highland Heritage Park Society received January 17, 2003 BE DEFERRED for consideration in conjunction with 2003 Budget deliberations.

CARRIED

- b) Letter from the Threshold Housing Society  
Re: Application for Grant-in-aid

MOTION 48/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT: The letter from the Threshold Housing Society received January 22, 2003, requesting a Grant-in-aid BE DEFERRED for consideration in conjunction with 2003 Budget deliberations.

CARRIED

- c) Letter from Jordan Carrie, Coordinator, RCMP Community Safety Watch Patrol  
Re: Application for Grant-in-aid

MOTION 49/03 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED  
THAT: The letter from Jordan Carrie, Coordinator, RCMP Community Safety Watch Patrol, dated January 22, 2003 requesting a Grant-in-aid BE DEFERRED for consideration in conjunction with 2003 Budget deliberations.

CARRIED

- d) Memorandum from the Administrator  
Re: Secondary Suites Workshop: Barriers and Solutions

MOTION 50/03 MOVED BY COUNCILLOR CARDINAL  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED  
THAT: The expenses associated with the attendance of Councillor McPherson at Smart Growth BC's Secondary Suites Workshop to be held in Vancouver on April 11, 2003 BE AUTHORIZED.

CARRIED

- e) Letter from the West Shore Chamber of Commerce  
Re: Request for Appointment of Council Representative to the Municipal Liaison Committee

MOTION 51/03 MOVED BY COUNCILLOR KADAR  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT: Mayor Roessingh BE APPOINTED to the West Shore Chamber of Commerce Municipal Liaison Committee, as requested in a letter from the Chamber dated January 20, 2003.

CARRIED

- f) Memorandum from the Planning Technician  
Recommendation from the Roads Advisory Committee  
Re: Highlands Estates Subdivision - Approval of Road Names

MOTION 52/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED  
THAT: The approval of road names for the Highlands Estates Subdivision BE DEFERRED to the Regular meeting scheduled for February 17, 2003 to allow further consideration by the Roads Advisory Committee.

CARRIED

- g) Letter from the Capital Regional District Chair  
Letter from Crystal Ottley  
Re: Pest Management Policy/Application of Pesticides

MOTION 53/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR KADAR AND RESOLVED  
THAT: The letter from the Chair, Capital Regional District and draft Pest Management Policy, dated January 22, 2003, regarding chemical pesticide use BE REFERRED to the Environment Advisory Committee for review and a recommendation to Council, AND FURTHER that the letter from Crystal Ottley dated January 21, 2003 regarding the application of pesticides BE REFERRED to the Environment Advisory Committee.

CARRIED

- h) Memorandum from the Chief Executive Officer, Greater Victoria Public Library  
Re: Central Library Functions

MOTION 54/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED  
THAT: The Greater Victoria Public Library governance document received from the Chief Executive Officer, dated January 30, 2003, BE REFERRED to staff for comment to be presented to Council for consideration at the Regular meeting scheduled for February 17, 2003.

CARRIED

MOTION 55/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED  
THAT: The letter from Langford Mayor Stewart Young, dated January 9, 2003, to the GVPL Board, and the GVPL Board's January 22, 2003 response to Mayor Young, BE RECEIVED FOR INFORMATION.

CARRIED

- i) Letter from Michael Bocking, Landscape Architect  
Re: Wildland Urban Interface Fire Hazard

MOTION 56/03 MOVED BY COUNCILLOR M. BROTHERSTON  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED  
THAT: The letter from Michael Bocking, dated January 22, 2003, regarding Wildland Urban Interface Fire Hazard BE REFERRED to the Protective Services Advisory Committee for review and comment and the Official Community Plan Review Task Force for information.

CARRIED

- j) Letter from the Executive Director, Capital Regional District  
Re: CRD Bylaw No. 3048 "Family Court Committee Extended Service Establishment Bylaw No. 1, 1997, Amendment Bylaw No.3, 2003"

MOTION 57/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED  
THAT: Pursuant to Section 802 of the *Local Government Act*, CONSENT BE GIVEN to the adoption of Capital Regional District Bylaw No. 3048, "*Family Court Committee Extended Service Establishment Bylaw No. 1, 1997, Amendment Bylaw No. 3, 2003.*"

CARRIED

- k) Building Report for January 2003

MOTION 58/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED  
THAT: The Building Report for January 2003 BE RECEIVED FOR  
INFORMATION.

CARRIED

**8. OTHER BUSINESS**

- a) Letter from Barry and Verna Ford and Corrie and Jason Bland  
Re: Subdivision for a Family Member

MOTION 59/03 MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR MENDUM AND RESOLVED  
THAT: The letter from Barry and Verna Ford and Corrie and Jason Bland  
BE RECEIVED FOR INFORMATION, AND FURTHER THAT The Ford's  
and Bland's BE ADVISED that should they wish to seek a rezoning of their  
property that would allow subdivision or permit them to have multiple  
dwellings on their property that a Rezoning Application be submitted in  
this regard.

There was discussion regarding subdivision for a relative in relation to  
long term planning issues.

MOTION 59/03 was withdrawn with the permission of the seconder.

MOTION 60/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED  
THAT: The letter from Barry and Verna Ford and Corrie and Jason Bland  
BE DEFERRED until Council has set its Corporate Priorities.

CARRIED

**4. b) Mayor's Report**

Mayor Roessingh noted that all members of Council recently attended the  
Newly Elected Officials Seminar, which was very worthwhile.

The Mayor advised that a First Aid course sponsored by the Emergency  
Program will be held February 22, 2003. Interested persons can call the  
Municipal Office for further information.

The Mayor advised that the Capital Regional District Arts Committee  
Strategic Plan has been prepared and is an excellent plan.

Councillor Mendum advised that a feasibility study for use of the old Bay Building downtown will be undertaken, funded by the Federal Government.

Councillor McPherson noted that public transit services started in the Highlands today, noting that the BC Transit flyer will be mailed out soon with details of the program.

**9. ADJOURNMENT**

MOTION 61/03 MOVED BY COUNCILLOR MENDUM  
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED  
THAT: The Regular meeting of Council BE ADJOURNED at 9:55 p.m. AND  
THAT, pursuant to Section 242.2 of the *Local Government Act*, a meeting *in camera* be convened to discuss:

- Legal issues with respect to Greater Victoria Public Library

CARRIED

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Karel Roessingh, Mayor

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Bruce Woodbury, Administrator