

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, March 17, 2003, at Caleb Pike House, 1589 Millstream Road 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 150/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The agenda BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

- a) Greater Victoria Public Library Board
Re: 2003 Budget

John Barton, Chair, Sandra Anderson, Chief Administrative Officer, and Glyn Jones, Treasurer were in attendance representing the Greater Victoria Public Library and presented information with respect to the Greater Victoria Public Library Board's 2003 Budget. Information regarding the admission of the Town of View Royal to the Greater Victoria Public Library was also presented.

MOTION 151/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The 2003 Budget of the Greater Victoria Public Library Board, as submitted by the Board with a letter dated February 25, 2003, BE APPROVED.

CARRIED

- b) Rezoning Application RZ-02-03
OWNER/APPLICANT: Highland One Holdings Ltd./J. E. Anderson and Assoc.
LOCATION: North ½ of Section 74, Highland District, Except Part in Plan 37651

Mitra Shojania of Highland One Holdings Ltd. and consultant Michael Bocking were in attendance in support of the application.

MOVED BY COUNCILLOR MCPHERSON
THAT: Rezoning Application RZ-02-03 BE DENIED.

The Motion failed due to the lack of a seconder.

MOTION 152/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Rezoning Application RZ-02-03 BE DEFERRED pending the submission
of additional information by the Applicant.

CARRIED

- c) Development Variance Permit Application DVP-07-03
OWNER/APPLICANT: Lucio Genzele
LOCATION: Lot 5, Section 30, Highland District, Plan VIP74674

Mr. Genzele was in attendance in support of the application.

MOTION 153/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: Notification BE ISSUED for the proposed issuance of Development
Variance Permit DVP-06-03 pertaining to Lot 5, Section 30, Highland District,
Plan VIP74674, as shown in Schedule A, that would vary Zoning Bylaw No. 100:

- a) In section 6.4.3(7) by increasing the maximum floor area of the principle
building on a lot from 322 square metres to 357 square metres.

CARRIED

MOVED BY COUNCILLOR MCPHERSON
THAT: Notification NOT BE ISSUED for the proposed issuance of Development
Variance Permit DVP-06-03 pertaining to Lot 5, Section 30, Highland District,
Plan VIP74674 that would vary Zoning Bylaw No. 100:

- in Section 6.4.3(8) by increasing the maximum floor area of a single
accessory building on a lot from 100 square metres to 117 square metres.

The Motion failed due to the lack of a seconder.

MOTION 154/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: Notification BE ISSUED for the proposed issuance of Development
Variance Permit DVP-06-03 pertaining to Lot 5, Section 30, Highland District,
Plan VIP74674 that would vary Zoning Bylaw No. 100:

- in Section 6.4.3(8) by increasing the maximum floor area of a single accessory building on a lot from 100 square metres to 117 square metres.

CARRIED

(Councillors McPherson and Mendum recorded as opposed)

- d) Development Variance Permit Application DVP-07-03
OWNER/APPLICANT: Roler Developments Ltd.
LOCATION: Section 33 (Davies Road)

Mr. Roler was in attendance in support of the application.

MOTION 155/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: Notification BE ISSUED for the proposed issuance of Development
Variance Permit for DVP 07-03 pertaining to lands described as Section 33,
Except Part in Plan VIP61398 (Roler Subdivision), that would vary the
“Subdivision or Development of Land Bylaw No.154, 2001:”

- a) in Section 10.6, by removing the requirement for daily inspection reports of the works and services and replacing this with reports by the engineer or his representative being completed within every two days, with the reports submitted to the District of Highlands on a weekly basis.
- b) in Section D.4.12, by varying the requirement for a cast-in-place reinforced concrete outfall structure and replacing this with a rock and mortar headwall for the small watercourse which is proposed to be culverted under the cul-de-sac turnaround of Davies Road, as shown on the subdivision concept plan attached as Schedule 1;
- c) in Section G.11.1(G), by varying the requirement for a soils report to verify road structure design, and replacing this with the proposed methodology as described in the rationale attached as Schedule 2;
- d) in Section G.12.6(A)(ii), by removing the requirement for material tests for gravel and concrete and replacing this with the proposed methodology as described in the rationale attached as Schedule 2;

CARRIED

MOTION 156/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR KADAR AND RESOLVED

THAT: Notification BE ISSUED for the proposed issuance of Development Variance Permit for DVP 07-03 pertaining to lands described as Section 33, Except Part in Plan VIP61398 (Roler Subdivision), that would vary District of Highland's "Subdivision or Development of Land Bylaw No.154, 2001:"

- a) in Section R.13, by varying this section to permit a finished asphalt width of 6.0 metres and gravel shoulder widths of 0.5 metres, instead of the requirement of 6.6 metres of asphalt and 1.5 metres of shoulder for local roads.

CARRIED

- e) Development Variance Permit Application DVP-08-03
OWNER/APPLICANT: Peter Quakenbush
LOCATION: Lot 15, Section 30, Highland District, Plan VIP74674

Mr. Quakenbush was in attendance in support of the application.

MOTION 157/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: Notification BE ISSUED for the proposed issuance of Development Variance Permit DVP-08-03 pertaining to Lot 15, Section 30, Highland District, Plan VIP74674 as shown in Schedule A, that would vary Zoning Bylaw No. 100:

- a) In Section 6.4.3(8) by increasing the maximum floor area of a single accessory building on a lot from 100 square metres to 148 square metres as substantially shown in the plans attached as Schedule B, for the purpose of constructing an enlarged shop on the property.

CARRIED

- f) BBS/Website Service Contract – Diverse Solutions Ltd.

Michael Kristiansen of Diverse Solutions Ltd. was in attendance to answer queries of Council with respect to the BBS/Website Service Contract.

MOTION 158/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED

THAT: The contract with Diverse Solutions Ltd. to provide for the electronic distribution of information to residents (BBS/Website Service) BE DEFERRED to the Regular meeting scheduled for April 7, 2003.

CARRIED

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting held March 3, 2003

MOTION 159/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The minutes of the Regular Council meeting held March 3, 2003 BE
ADOPTED AS CIRCULATED.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

- a) Memorandum from the Planning Technician
Re: Rezoning Application RZ-01-03
OWNER/APPLICANT: Ken and Mary Anne Leason
LOCATION: 3642 Munn Road

MOTION 160/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The correspondence from Mary Anne Leason, dated March 12, 2003,
confirming the Applicants' (Kenneth and Mary Anne Leason) request to withdraw
their Rezoning Application RZ-01-03 pertaining to Lot B, Section 40, Highland
District, Plan VIP55009) BE RECEIVED FOR INFORMATION; AND FURTHER
that staff be authorized to close the file.

CARRIED

- b) Memorandum from the Planning Technician
Re: Review of Maximum Floor Area Requirements in the Zoning Bylaw

MOTION 161/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Review of floor area requirements in the Zoning Bylaw BE DEFERRED
for discussion at a Committee of the Whole meeting to be held March 31, 2003 at
7:30 p.m. at Pike House.

CARRIED

4. REPORTS

- a) **Committee Reports**

i) Administration and Finance

Councillor Cardinal noted that the Administration and Finance Advisory Committee met March 11, 2003 regarding the most recent amendment to Rezoning Application RZ-04-02.

With respect to the new Arena, Councillor Cardinal advised that excavation for the project is scheduled to go to tender soon. He also advised that with the YMCA closing at Royal Roads University, discussion has been ongoing with respect to potential partnerships with the West Shore Parks and Recreation Society for the recreation facilities and grounds. Additionally, there are upcoming meetings to discuss the 50/50 assessment/population funding formula for West Shore Parks and Recreation.

ii) Environment

Environment Advisory Committee

Re: Minutes of the Meeting held February 12, 2003

MOTION 162/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The minutes of the Environment Advisory Committee meeting held February 12, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

Councillor McPherson proposed a Council/Staff “Living by Water” workshop. It was noted that Councillor McPherson would present further information regarding potential costs for the proposed workshop at the Regular meeting scheduled for April 7, 2003.

Environment Advisory Committee

Re: CRD Draft Municipal Pest Management Policy

MOTION 163/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The Environment Advisory Committee BE REQUESTED to draft an Integrated Pest Management Policy for review by staff.

CARRIED

iii) Parks and Recreation

The next meeting of the Parks and Recreation Advisory Committee is scheduled for April 14, 2003 at 7:30 p.m. at Pike House.

iv) Protective Services

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

v) Roads

The next meeting of the Roads Advisory Committee is tentatively scheduled for March 27, 2003 at 7:30 p.m. at Pike House.

vi) Trails

Trails Advisory Committee

Re: Minutes of the Meeting held February 26, 2003

MOTION 164/03 MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Trails Advisory Committee meeting held
February 26, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

Trails Advisory Committee

Re: Proposed Amendment to Trails Master Plan

MOTION 165/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT:

1. The recommendation from the Trails Advisory Committee, dated March 10, 2003, regarding a proposed amendment to the Trails Master Plan with respect to a potential Regional Trail between Thetis Lake Park and Goldstream Park BE REFERRED to the Parks and Recreation Advisory Committee and to Capital Regional District Parks; AND
2. That staff BE DIRECTED to draft an amendment to Section 6.1.2 of the Trails Master Plan to include a potential Regional Trail between Thetis Lake Park and Millstream Road, through Section 5, Range 3W (Crown land).

DEFEATED

(Councillors McPherson and Mendum recorded as in favour)

MOTION 166/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The recommendation from the Trails Advisory Committee, dated
March 10, 2003, regarding a proposed amendment to the Trails Master
Plan with respect to a potential Regional Trail between Thetis Lake Park
and Goldstream Park BE DEFERRED pending the Official Community
Plan Review.

CARRIED

(Councillors McPherson and Mendum recorded as opposed)

vii) Planning and Zoning

Advisory Planning Commission

Re: Minutes of the Meeting held March 12, 2003

MOTION 167/03 MOVED BY COUNCILLOR KADAR
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Advisory Planning Commission meeting held
March 12, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

b) Mayor's Report

The Mayor noted that West Shore RCMP Corporal Rob Sweetland, who has
been responsible for providing monthly reports on activities in the District of
Highlands, has been transferred to downtown Victoria.

MOTION 168/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: A letter expressing Council's appreciation of West Shore RCMP Corporal
Sweetland's contributions to the District of Highlands be drafted by Mayor
Roessingh and forwarded to Corporal Sweetland.

CARRIED

With respect to the Capital Regional District, Mayor Roessingh advised that the
anticipated budget increase is less than expected, and that most of the increase
is due to salary increases. The Mayor also noted that a core review of CRD
services will be undertaken.

The Mayor advised that the Affordable Housing, Economic Development and
Transportation strategies are progressing, noting that a draft of the Housing
Affordability Strategy is now complete.

5. CORRESPONDENCE

Nil.

6. BYLAWS

- a) “Highlands Official Community Plan Amendment Bylaw No. 198, 2003”
“Highlands Zoning Amendment Bylaw No. 199, 2003”
Re: Rezoning Application RZ-05-02 (First National Properties Ltd.)

Dave Irvine of First National Properties Ltd. was in attendance in support of the application.

MOTION 169/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 198, 2003”
BE GRANTED FIRST READING.

CARRIED

MOTION 170/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 198, 2003”
BE GRANTED SECOND READING.

CARRIED

MOVED BY COUNCILLOR MENDUM
THAT: Version 1 “Highlands Zoning Amendment Bylaw No. 199, 2003” BE
GRANTED FIRST READING.

Motion failed due to the lack of a seconder.

MOTION 171/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: Version 2 of “Highlands Zoning Amendment Bylaw No. 199, 2003” BE
GRANTED FIRST READING.

CARRIED

(Councillor McPherson recorded as opposed)

MOTION 172/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: Version 2 of “Highlands Zoning Amendment Bylaw No. 199, 2003” BE
GRANTED SECOND READING.

CARRIED

(Councillor McPherson recorded as opposed)

MOTION 173/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: A Public Hearing for “Highlands Official Community Plan Amendment
Bylaw No. 198, 2003” and “Highlands Zoning Amendment Bylaw No. 199, 2003”
BE SCHEDULED for April 7, 2003 at the East Fire Hall, 3613 Woodridge Place,
commencing at 7:30 p.m.

CARRIED

- b) “Highlands Official Community Plan Amendment Bylaw No. 194, 2003”
“Highlands Zoning Amendment Bylaw No. 195, 2003”
(Amended Rezoning Application RZ-04-02 – Kingco 2000 Developments Ltd.)

Ron King was in attendance in support of the application and advised Council that he had an agreement with LGB9 Development Corporation with respect to his amended application, that would be ratified in the near future.

MOTION 174/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: Rezoning Application RZ-04-02 made by Kingco Developments Ltd. with respect to Lot 2, Range 3 West and 4 West, Highland District, Plan VIP72161; Lot D, Section 4, Range 4 West, Highland District, Plan VIP70021, Except Parts in Plans VIP71071 and VIP72161; and Lot A, Section 4, Range 4 West, Highland District, Plan VIP70021 BE DEFERRED pending a ratified agreement between Kingco 2000 Developments Ltd. and LGB9 Development Corporation regarding the Rezoning Application.

CARRIED

There was discussion regarding the proposed amenity with respect to Rezoning Application RZ-04-02, and varying views and opinions were noted.

MOTION 175/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The District of Highlands seek an appraisal of the Kingco lands with respect to Rezoning Application RZ-04-02.

There was discussion regarding the motion.

DEFEATED
(Councillors McPherson and Mendum recorded as in favour)

- c) “District of Highlands Road Naming Bylaw No. 196, 2003”

MOTION 176/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: “District of Highlands Road Naming Bylaw No. 196, 2003” BE ADOPTED.

CARRIED

- d) “District of Highlands Development Permit Delegation Bylaw No. 200, 2003”

MOTION 177/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: “District of Highlands Development Permit Delegation Bylaw No. 200,
2003” BE ADOPTED.

CARRIED

(Councillor McPherson recorded as opposed)

7. NEW BUSINESS

- a) Memorandum from the Administrator
Re: Proposed Amalgamation of Parks and Recreation Advisory Committee and
Trails Advisory Committee

MOTION 178/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The Trails Advisory Committee and the Parks and Recreation Advisory
Committee BE AMALGAMATED into the Parks and Recreation Advisory
Committee; AND FURTHER, that staff BE DIRECTED to prepare new Council
Policies and/or amendments to existing Council policies to reflect the
amalgamation.

CARRIED

- b) Capital Regional District Bylaw Enforcement Summary – January 2003

MOTION 179/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The Capital Regional District Bylaw Enforcement Summary report dated
February 26, 2003, for the month of January 2003, BE RECEIVED FOR
INFORMATION.

CARRIED

- c) Appointments to the Advisory Planning Commission

A vote by secret ballot was conducted.

MOTION 180/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED

THAT: the following people BE APPOINTED to the Advisory Planning Commission for two-year terms expiring March 31, 2005:

Eleanor Raynor Colleen Robertson Derek Stone Kent Willner

CARRIED

MOTION 181/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED

THAT: The ballots used with respect to appointments to the Advisory Planning Commission BE DESTROYED.

CARRIED

- d) Appointments to the Official Community Plan Review Task Force

A vote by secret ballot was conducted.

MOTION 182/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: the following people BE APPOINTED to the Official Community Plan Review Task Force:

Elaine Limbrick Al Pellet

CARRIED

MOTION 183/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED

THAT: The ballots used with respect to appointments to the Official Community Plan Review Task Force BE DESTROYED.

CARRIED

- e) Appointments to the Community Hall Task Force

MOTION 184/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR KADAR AND RESOLVED

THAT: the following people BE APPOINTED to the Community Hall Task Force:

Bob Flitton Verna Ford John Gallimore

CARRIED

- f) Memorandum from the Deputy Clerk
Re: Agenda and Permit Processing Timelines

MOTION 185/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The memorandum from the Deputy Clerk dated March 13, 2003
regarding agenda and permit processing timelines BE RECEIVED FOR
INFORMATION.

CARRIED

- g) Review of Outstanding Referrals List

MOTION 186/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: Review of the Outstanding Referrals List BE DEFERRED for discussion
at the Committee of the Whole meeting scheduled for March 31, 2003.

CARRIED

- h) Review of Council Policies

MOTION 187/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: Review of Council Policies BE DEFERRED for discussion at a
Committee of the Whole meeting to be scheduled in April 2003.

CARRIED

- i) Memorandum from the Administrator
Re: Municipal Vehicle

MOTION 188/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: A 2003 Dodge Dakota Quad Cab 4 X 4 Truck BE PURCHASED for a
price not to exceed \$27,000.00; AND FURTHER, that the purchase be financed
via a five-year lease through On-Line Finance and Leasing Corporation.

CARRIED

(Councillor K. Brotherston recorded as opposed)

8. **OTHER BUSINESS**

- a) Memorandum from the Administrator
Re: Scheduling a Committee of the Whole Meeting Regarding a Potential Survey for the OCP Review Consultation Process

MOTION 189/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: A Committee of the Whole meeting BE SCHEDULED for April 2, 2003 at 7:30 p.m. at Pike House to consider a potential survey for the Official Community Plan Review; AND FURTHER that representatives from City Spaces Consulting Ltd. be invited to attend the meeting.

CARRIED

9. **ADJOURNMENT**

MOTION 190/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The Regular meeting of Council BE ADJOURNED at 10:50 p.m. AND THAT, pursuant to Section 242.2 of the *Local Government Act*, a meeting *in camera* be convened to discuss:

- Litigation or potential litigation

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator