

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, April 7, 2003, at the East Highlands Firehall, 3613 Woodridge Place at 8:20 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 191/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The agenda BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

- a) Thetis Lake, Francis/King, and Mill Regional Parks Draft Management Plan

Don Watmough, Capital Regional District Parks, was in attendance and provided an overview of the Thetis Lake, Francis/King, and Mill Regional Parks Draft Management Plan.

MOTION 192/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The letter from the Chair, CRD Parks Committee, dated March 21, 2003 and the Draft Management Plan for Thetis Lake, Francis/King, and Mill Regional Parks, BE RECEIVED FOR INFORMATION.

CARRIED

There was discussion regarding the Draft Management Plan, and varying views and opinions were noted.

MOTION 193/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The comments from the Parks and Recreation Advisory
Committee with respect to the CRD's Draft Management Plan for Thetis
Lake, Francis/King, and Mill Hill Regional Parks BE DEFERRED.

CARRIED

(Councillor McPherson recorded as opposed)

- b) Letter from R. Irwin Consulting Ltd.
Re: Request for Committee of the Whole Meeting Regarding Millstream
Industrial Park Rezoning Application

Graham Terlson of Millstream Industrial Park was in attendance in support
of the request.

MOTION 194/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: A Committee of the Whole meeting BE SCHEDULED for April 23,
2003, at 7:30 p.m. at the West Fire Hall, with respect to Millstream
Industrial Park's plans for their property.

CARRIED

- c) Letter from Karen Carle
Re: 652 Stewart Mountain Road – Drainage Concerns

MOTION 195/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The letter from Karen Carle, dated February 26, 2003, regarding
drainage concerns at 652 Stewart Mountain Road, BE DEFERRED to the
Regular meeting scheduled for April 22, 2003.

CARRIED

- d) Development Variance Permit Application DVP-06-03
OWNER/APPLICANT: Lucio Genzele
LOCATION: Lot 5, Section 30, Highland District, Plan VIP74674

MOTION 196/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: Development Variance Permit DVP-06-02 BE ISSUED pertaining
to Lot 5, Section 30, Highland District, Plan VIP74674, as shown in
Schedule A, that would vary Zoning Bylaw No. 100:

- i) 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; AND

- ii) 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

(Councillor McPherson recorded as opposed)

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

MOTION 197/03 MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

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

- i) 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;
- ii) 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;
- iii) 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;
- iv) 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;
- v) 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

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

MOTION 198/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: Development Variance Permit DVP-08-03 BE ISSUED pertaining
to Lot 15, Section 30, Highland District, Plan VIP74674 as shown in
Schedule A, that would vary Zoning Bylaw No. 100:

- i) 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

- g) Development Variance Permit Application DVP-09-03
OWNER/APPLICANT: John Strasdas
LOCATION: 1066 River Road

MOTION 199/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: Notification BE ISSUED for the proposed issuance of
Development Variance Permit DVP-09-03 pertaining to Strata Lot 3,
Section 4, Range 3W and 4W, Highland District, Strata Plan VIS5080, that
would vary Zoning Bylaw No. 100:

- i) in Section 6.8.3(4), to permit the construction of a building (house):

From: No *building or structure* shall be sited within 3 metres
of a *side lot line*.

To: No *building or structure* shall be sited within 3 metres
of a *side lot line*, except that the roof may project into
the required side yard by not more than 0.6 metres (2
feet), in order to accommodate a roof encroachment
into the required side yard, as shown generally in the
Plan attached as Schedule A.

CARRIED

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting held March 17, 2003

MOTION 200/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Regular Council meeting held March 17, 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 April 8, 2003 at 7:30 p.m. at Pike House regarding the Five-Year Financial Plan.

ii) Environment

Councillor McPherson provided an update on the Intermunicipal Advisory Committee on Disability Issues.

Councillor McPherson advised that the On-site Waste Management Advisory Committee will be forwarding the proposed Bylaw to the CRD Board.

The next Environment Advisory Committee meeting has been scheduled for April 9, 2003 at 7:30 p.m. at Pike House.

iii) Parks and Recreation

Parks and Recreation Advisory Committee
Re: Minutes of the Meeting held March 10, 2003

MOTION 201/03 MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Parks and Recreation Advisory
Committee meeting held March 10, 2003 BE RECEIVED FOR
INFORMATION.

CARRIED

Parks and Recreation Advisory Committee
Re: Minutes of the Meeting held March 26, 2003

MOTION 202/03 MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Parks and Recreation Advisory
Committee meeting held March 26, 2003 BE RECEIVED FOR
INFORMATION.

CARRIED

The next meeting of the Parks and Recreation Advisory Committee
is scheduled for April 23, 2003, at 7:30 p.m. at Pike House.

iv) Protective Services

Protective Services Advisory Committee
Re: Minutes of the Meeting held March 24, 2003

MOTION 202A/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Protective Services Advisory Committee
meeting held March 24, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

The next meeting of the Protective Services Advisory Committee is
scheduled for April 28, 2003 at 7:30 p.m. at the West Fire Hall.

Councillor M. Brotherston noted that there was a community
meeting held April 1st, with respect to the recent assault that
occurred in Lone Tree Regional Park in the District of Highlands. It
was noted that personal safety workshops may be forthcoming in
the Municipality in this regard.

v) Roads

The next meeting of the Roads Advisory Committee is scheduled
for April 17, 2003 at 7:30 p.m. at Pike House

vi) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh regretfully advised of the sudden passing of Sooke Mayor Ed MacGregor, noting that he attended Mayor MacGregor's memorial service last weekend in Sooke. The Mayor stated that Mayor MacGregor was a great advocate for Sooke, and that he was obviously well respected and supported in his community.

With respect to the Capital Regional District, Mayor Roessingh noted the forthcoming review of core services. He also advised that the CRD is currently focusing on three initiatives, being transportation, economic development and affordable housing.

The Mayor reported on the recent assault at Lone Tree Hill Regional Park. He stated that the RCMP reported that it was an isolated incident, and encouraged people to keep aware of their surroundings and be safe.

5. CORRESPONDENCE

- a) Correspondence from Bob Ritchie
Re: BC Ferries

MOTION 203/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The correspondence from Bob Ritchie dated March 13, 2003,
regarding BC Ferries, BE RECEIVED FOR INFORMATION.

CARRIED

6. BYLAWS

- a) "Building Regulation Amendment Bylaw No. 168, 2003"

There was discussion regarding the proposed bylaw and varying views and opinions were noted.

MOTION 204/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: "Building Regulation Amendment Bylaw No. 168, 2003" BE
DEFERRED pending further information.

CARRIED

- b) “Highlands Official Community Plan Amendment Bylaw No. 198, 2003”
“Highlands Zoning Bylaw Amendment Bylaw No. 199, 2003”
(First National Properties Ltd.)

MOTION 205/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 198,
2003” and “Highlands Zoning Bylaw Amendment Bylaw No. 199, 2003” BE
DEFERRED.

CARRIED

- c) “Highlands Official Community Plan Amendment Bylaw No. 194, 2003”
“Highlands Zoning Amendment Bylaw No. 195, 2003”
(Kingco 2000 Ltd.)

Ron King was in attendance in support of his rezoning application. There was discussion regarding the proposed development and varying points of view were noted.

MOTION 206/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The recommendations from the Administration and Finance Advisory Committee concerning the amended rezoning application by Kingco 2000 Ltd. BE RECEIVED FOR INFORMATION.

CARRIED

MOTION 207/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The recommendations from the Advisory Planning Commission dated March 12, 2003 concerning the amended rezoning application by Kingco 2000 Ltd. BE RECEIVED FOR INFORMATION.

CARRIED

MOTION 208/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The staff-recommended pro forma addressing the provision of amenities for the amended application by Kingco 2000 Ltd. BE RECEIVED FOR INFORMATION.

CARRIED

Further discussion ensued regarding the proposed development and the allocation of amenity funds into reserve funds.

MOTION 209/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 194,
2003” BE GRANTED FIRST READING.

CARRIED

MOTION 210/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 194,
2003” BE GRANTED SECOND READING.

CARRIED

MOTION 211/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: Section 6.13.6(2) of Schedule A to Bylaw No. 195, BE AMENDED
by directing that half the amenity monies be placed in the Park Reserve
Fund, \$50,000 be placed into the Fire Department Equipment
Replacement Reserve Fund, and the balance of the amenity to be placed
into the Capital Works and Equipment Reserve Fund; AND FURTHER
that “Highlands Zoning Amendment Bylaw No. 195, 2003” BE GRANTED
FIRST READING AS AMENDED.

CARRIED

MOTION 212/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: “Highlands Zoning Amendment Bylaw No. 195, 2002” BE
GRANTED SECOND READING.

CARRIED

MOTION 213/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: A Public Hearing for “Highlands Official Community Plan
Amendment Bylaw No. 194, 2003” and “Highlands Zoning Amendment
Bylaw No. 195, 2003” BE SCHEDULED for May 7, 2003 at 7:30 p.m. at
Pike House.

CARRIED

7. **NEW BUSINESS**

- a) Letter and Donation from BC Hydro and Power Authority
Re: Tree Replacement Program

MOTION 214/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT:

1. The Letter and \$10,000.00 donation for a tree replacement program from BC Hydro and Power Authority, dated March 19, 2003, BE RECEIVED FOR INFORMATION; AND FURTHER that Council's appreciation be expressed to BC Hydro for the donation; AND
2. That the letter regarding the donation for a tree replacement program from BC Hydro and Power Authority BE REFERRED to the Roads Advisory Committee and the Parks and Recreation Advisory Committee for a recommended list of potential projects to expend the donated funds on.

AMENDING MOTION 215/03
MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The letter and donation for the tree replacement program from BC Hydro and Power Authority also be referred to the Environment Advisory Committee.

CARRIED

The Main Motion was put.

CARRIED

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

MOTION 216/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The Capital Regional District Bylaw Enforcement Summary report dated March 19, 2003, for the month of February 2003, BE RECEIVED FOR INFORMATION.

CARRIED

- c) Letter from the Intermunicipal Advisory Committee on Disability Issues
Re: Request for Grant-in-aid

MOTION 217/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The letter from the Intermunicipal Advisory Committee on Disability Issues, dated December 30, 2002, requesting a Grant-in-aid BE DEFERRED for consideration during budget discussions.

CARRIED

- d) Letter from the Western Communities Arts Council
Re: Request for Grant-in-aid

MOTION 218/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The letter from the Western Communities Arts Council, dated January 2003, requesting a grant-in-aid, BE DEFERRED for consideration during budget discussions.

CARRIED

- e) Memorandum from Councillor McPherson
Re: Living By Water Program

MOTION 219/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The District of Highlands host a Living by Water(shed) workshop on June 19, 2003, for elected officials from the communities of Highlands, Langford, Colwood and View Royal with a maximum cost to the District of Highlands of \$200.00.

CARRIED

- f) Memorandum from Councillor Mendum
Re: "Total Awareness" Seminar

MOTION 220/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: Personal Protection Systems Inc. be advised that the District of Highlands is interested in hosting a two-hour "Total Awareness" seminar,; AND FURTHER THAT the expenditure of \$175.00 plus GST for the two-hour seminar BE AUTHORIZED.

CARRIED

- g) Memorandum from the Administrator
Re: Corporate Priorities

MOTION 221/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The following Corporate Priorities BE ESTABLISHED:

- OCP Review
- Community Hall Task Force
- Review of Committee Structure and Operation
- Improve Public Communication
- Water Conservation Measures
- Living by Water Program
- GVPL Library Issues
- Review of Council Policies

CARRIED

- h) Budget Variance Report – to March 31, 2003

MOTION 222/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The Budget Variance Report ending March 31, 2003, BE
RECEIVED FOR INFORMATION.

CARRIED

- i) Memorandum from the Administrator
Re: LGMA (Local Government Management Association) 2003 Annual
Conference

MOTION 223/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The attendance of the Administrator and Deputy Clerk at the Local
Government Management Association's 2003 Annual Conference
scheduled for June 17 to 20, 2003, and all associated registration fees
and expenses BE AUTHORIZED.

CARRIED

- j) Memorandum from the Administrator
Re: Committee of the Whole Meeting – Council Policy Review

MOTION 224/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: A Committee of the Whole Meeting BE SCHEDULED for Tuesday,
April 29, 2003 at 7:30 p.m. at Pike House for review of Council Policies.

CARRIED

- k) Building Report for March 2003

MOTION 225/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The Building Report for March 2003 BE RECEIVED FOR
INFORMATION.

CARRIED

8. OTHER BUSINESS

- a) Memorandum from the Administrator
Re: Greater Victoria Public Library

MOTION 226/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The letter from the Mayor, District of Langford, dated March 19,
2003, to the Chair of the Greater Victoria Public Library Board regarding
the Greater Victoria Public Library's 2003 Budget, BE RECEIVED FOR
INFORMATION.

CARRIED

MOTION 227/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The Greater Victoria Public Library's Amended 2003 Budget NOT
BE APPROVED.

CARRIED

MOTION 228/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The Greater Victoria Public Library's Five-Year Financial Plan
2003-2007 BE RECEIVED FOR INFORMATION.

CARRIED

- b) Memorandum from the Planning Technician
Re: Proposed Conservation Covenant – Lot 10, Sections 74 and 75, Plan 20576, Highland District

MOTION 229/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The correspondence from John White, dated March 3, 2003, and the draft Section 219 tri-party Conservation Covenant BE RECEIVED FOR INFORMATION.

CARRIED

MOTION 230/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: Council's approval-in-principle of the draft covenant be reconfirmed, AND FURTHER that the owner BE AUTHORIZED to prepare and submit final signatory versions of the same for registration in the Victoria Land Title Office subject to:

- i) The owner confirming the Registrar's consent to accept a metes and bounds covenant plan for registration; AND
- ii) Completion of a base-line inventory to be appended to the covenant, to the satisfaction of The Land Conservancy and District of Highlands' staff.

CARRIED

(Councillor Cardinal recorded as opposed)

9. ADJOURNMENT

MOTION 231/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The Regular meeting of Council BE ADJOURNED at 10:13 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
- Acquisition, disposition or expropriation of land or improvements
- Labour relations or employee negotiations

CARRIED