

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, June 16, 2003, at Caleb Pike House, 1589 Millstream Road, 7:30 p.m.

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

IN ATTENDANCE: Bruce Woodbury, Administrator
Sandi Chesley, Administrative Assistant

AGENDA

MOTION 436/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The agenda be amended by adding the following item:

Item 7e) Letter from Mayor Alan Lowe, City of Victoria
Re: 2003 Canada Day Fireworks Celebration

AND THAT the agenda as amended BE APPROVED

CARRIED

1. PETITIONS AND DELEGATIONS

a) BC Government and Service Employees' Union
Privatization of the Provincial Liquor Distribution Branch

Ian Teeple, and Wayne Poohachoff were in attendance in opposition to the privatization of the Provincial Liquor Distribution Branch (LDB). Mr. Teeple read his submission providing background information and answered queries of Council. He requested that Council support the proposed resolution.

MOTION 437/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The District of Highlands Council write the provincial government, urging a moratorium on proposed changes to liquor regulations, sales and distribution pending consultation with communities and the public, and in addition, asking the government to provide a formal vehicle – through appointment of a commissioner, a committee of MLAs, or similar means – for public discussion.

CARRIED
(Councillor McPherson recorded as opposed)

- b) Development Variance Permit Application DVP-14-03
OWNER/APPLICANT: Brad Riach
LOCATION: Lot 1, Section 30, Highland District, Plan VIP74674

MOTION 438/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: Development Variance Permit DVP-14-03 BE ISSUED pertaining to Lot 1,
Section 30, Highland District Plan VIP74674 that would vary Zoning Bylaw No. 100:

1. Section 6.4.3(8) from “the total combined *floor area* of all *accessory buildings* on a *lot* shall not exceed 275 square metres and no single *accessory building* shall exceed 100 square metres in *floor area*” to the total combined *floor area* of all *accessory buildings* on a *lot* shall not exceed 275 square metres (2960 square feet) and no single *accessory building* shall exceed 125 square metres (1345.5 square feet) in *floor area*.”

CARRIED

- c) Memorandum from Administrator
Letter from Highland District Community Association
Wildland/Urban Interface Hazard Policy for the Highlands

Evelyn Samuel, Chair of the Highland District Community Association was in attendance and thanked the Administrator for his memorandum to Council.

There was discussion with various opinions being noted.

MOTION 439/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The letter from the Highland District Community Association dated June 10, 2003 regarding Wildland/Urban Interface Fire Hazard Policy for the Highlands BE REFERRED TO STAFF, including the Fire chief and Emergency Coordinator, for review and a report to Council

CARRIED

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Meeting held June 2, 2003

MOTION 440/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Regular Council meeting held June 2, 2003 BE AMENDED on page 9 to record that Councillor Mendum was in favour of Motion 433/03, and that the minutes BE ADOPTED as amended.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

- a) Review of Advisory Committee Council Liaison Appointments

Councillor Cardinal suggested that the Council Liaisons move around to different Advisory Committees so that they may become more familiar with the other Advisory Committees.

MOTION 441/03 MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The Advisory Committee Council Liaison Appointments remain the same and that there be a review in December 2003.

CARRIED

- b) Memorandum from the Planning Technician
Re: OCP Draft Review-Structuring the Public Consultation Process by CitySpaces Consulting Ltd.

MOTION 442/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The report from the Planning Technician, dated June 12, 2003 regarding the OCP Draft Review – Structuring the Public Consultation Process by CitySpaces Consulting Ltd. BE RECEIVED FOR INFORMATION.

CARRIED

- c) Letter from Bill Vogel
Re: Refining Policy for the Advisory Planning Commission

Bill Vogel was present and made reference to his letter of June 2, 2003. There was discussion and varying views and opinions were noted.

MOTION 443/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The letter from Bill Vogel dated June 2, 2003 Re: Refining Policy for the Advisory Planning commission BE REFERRED TO STAFF for a report to be submitted to the July 7, 2003 Council meeting.

CARRIED

4. REPORTS

- a) **Committee Reports**

- i) Administration and Finance

The next Administration and Finance Advisory Committee meeting has been scheduled for July 8, 2003 at 7:30 p.m. at Pike House. Councillor McPherson noted that the Living by Watershed workshop is being held July 8, 2003 at Pike House and that the Administration and Finance Advisory Committee might want to reschedule their next meeting.

ii) Environment

MOTION 444/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The minutes of the Environment Advisory Committee meetings held April
9 and May 15, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

Councillor McPherson provided an update on the Policing Advisory Committee. She noted that two of the municipalities in the West Shore have a member of the RCMP attend a council meeting to give their updates. Councillor McPherson suggested the District of Highlands Council do the same and did ask the RCMP to consider attending a Protective Services Advisory Committee meeting.

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

iii) Parks Trails and Recreation

The next meeting for the Parks Trails and Recreation Advisory Committee has been scheduled for June 25, 2003 at 7:30 p.m., at Pike House.

iv) Protective Services

The next meeting for the Protective Services Advisory Committee has been scheduled for June 23, 2003 at 7:30 p.m., at the East Fire Hall.

v) Roads

Nil.

vi) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh extended a thank you to Sandi Chesley for taking minutes of the Council meetings and noted that the new Deputy Clerk, Laurie Taylor will be starting in early July 2003.

The Mayor said that he will be attending the Saving Small Town Conference in Cumberland on June 19, 2003. On June 20, 2003 he will be attending a meeting in Nanaimo regarding policing costs.

5. CORRESPONDENCE

- a) Correspondence from Muriel Sibley
Re: Kingco Rezoning Bylaw

Muriel Sibley was in attendance in support of her correspondence dated June 3, 2003 regarding the Kingco Rezoning Bylaw. There was discussion with varying views and opinions were noted.

MOTION 445/03 MOVED BY COUNCILLOR
SECONDED BY COUNCILLOR AND RESOLVED
THAT: The correspondence from Muriel Sibley dated June 3, 2003, regarding the Kingco Rezoning Bylaw, BE RECEIVED FOR INFORMATION.

CARRIED

- b) Letter from District of Langford
Re: Temporary Lift Station, Bear Mountain Master Plan

MOTION 446/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The letter from the District of Langford dated June 6, 2003 regarding servicing within Bear Mountain Parkway-Temporary Lift Station, Bear Mountain Master Partnership BE RECEIVED FOR INFORMATION.

CARRIED

6. BYLAWS

- a) “Highlands Official Community Plan Amendment Bylaw No. 204, 2003”
“Highlands Zoning Amendment Bylaw No. 205, 2003”
(LGB9-Bear Mountain Partnership)

Les Bjola was in attendance in support of LGB9’s rezoning application. There was discussion and varying views and opinions were noted.

MOTION 447/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The recommendations from the Advisory Planning Commission dated May 28, 2003 concerning the rezoning application by LGB9 Developments BE RECEIVED FOR INFORMATION.

CARRIED
(Councillor McPherson recorded as opposed)

MOTION 448/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 204, 2003” BE
GRANTED FIRST READING.

CARRIED
(Councillor McPherson recorded as opposed)

MOTION 449/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 204, 2003” BE
GRANTED SECOND READING.

CARRIED
(Councillor McPherson recorded as opposed)

MOTION 450/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: “Highlands Zoning Amendment Bylaw No. 205, 2002” BE GRANTED FIRST
READING.

CARRIED
(Councillor McPherson recorded as opposed)

MOTION 451/03 MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: “Highlands Zoning Amendment Bylaw No. 205, 2003” BE GRANTED SECOND
READING.

CARRIED
(Councillor McPherson recorded as opposed)

MOTION 452/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: A Public Hearing for “Highlands Official Community Plan Amendment Bylaw No.
204, 2003” and “Highlands Zoning Amendment Bylaw No. 205, 2003” BE SCHEDULED
for June 30, 2003 at 7:30 p.m. at Pike House.

CARRIED

- b) “Highlands Official Community Plan Amendment Bylaw No. 206, 2003”
“Highlands Zoning Amendment Bylaw No. 207, 2003”
(Colleen Robertson)

Colleen Robertson was in attendance in support of her rezoning application. There was discussion and varying views and opinions were noted.

MOTION 453/03 MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR KADAR AND RESOLVED

THAT: “Highlands Official Community Plan Amendment Bylaw No. 206, 2003” BE GRANTED FIRST READING.

CARRIED

MOTION 454/03 MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED

THAT: “Highlands Official Community Plan Amendment Bylaw No. 206, 2003” BE GRANTED SECOND READING.

CARRIED

MOTION 455/03 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED

THAT: “Highlands Zoning Amendment Bylaw No. 207, 2002” BE GRANTED FIRST READING.

CARRIED

MOTION 456/03 MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: “Highlands Zoning Amendment Bylaw No. 207, 2003” BE GRANTED SECOND READING.

CARRIED

MOTION 457/03 MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED

THAT: A Public Hearing for “Highlands Official Community Plan Amendment Bylaw No. 206, 2003” and “Highlands Zoning Amendment Bylaw No. 207, 2003” BE SCHEDULED for June 30, 2003 at 7:30 p.m. at Pike House.

CARRIED

7. **NEW BUSINESS**

- a) Remuneration and Expense Report for 2002

MOTION 458/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The Remuneration and Expense Report dated June 11, 2003, reporting the remuneration for council Members' indemnity and expenses incurred during the calendar year 2002, pursuant to Section 329.1 of the *Local Government Act*, BE RECEIVED FOR INFORMATION.

CARRIED

- b) Monthly Reminder – Outstanding Referrals

MOTION 459/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The Monthly Reminder – Outstanding Referrals Report dated June 2, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

- c) Letter from the Greater Victoria Public Library
Re: Juan De Fuca Branch Lighting

MOTION 460/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: Staff BE DIRECTED to seek additional background information with respect to what efforts have been made to get the original construction contractor or electrical engineer to take responsibility for the defective light fixtures and ballasts that were installed in the Library during construction in 1997.

CARRIED

- d) Letter from Kerry and Lynne Joy
Re: Approval to Permit Logging of the Millstream Watershed in LGB9

MOTION 461/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The letter from Kerry and Lynne Joy dated June 13, 2003, regarding Approval to Permit Logging of the Millstream Watershed in LGB9s lands BE RECEIVED FOR INFORMATION.

CARRIED

- e) Letter from Mayor Alan Lowe, City of Victoria
Re: 2003 Canada Day Fireworks Celebration

MOTION 462/03 MOVED BY COUNCILLOR
SECONDED BY COUNCILLOR AND RESOLVED
THAT: The letter from Mayor Alan Lowe, City of Victoria dated June 13, 2002 regarding
2003 Canada Day Fireworks Celebration BE RECEIVED FOR INFORMATION and that
the request for a financial contribution towards the 2003 Canada Day Fireworks Event
BE DENIED.

CARRIED

8. OTHER BUSINESS

- a) Memorandum from the Administrator
Re: Job Kuijt be reappointed to the District of Highlands Board of Variance

MOTION 463/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: Job Kuijt BE REAPPOINTED to the District of Highlands Board of Variance for a
further three-year term, expiring in June, 2006.

CARRIED

9. ADJOURNMENT

MOTION 464/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The Regular meeting of Council BE ADJOURNED at 9:35 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