

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, July 7, 2003, at East Highlands Fire Hall, 3613 Woodridge Place, 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
Laurie Taylor, Deputy Clerk
Sandi Chesley, Administrative Assistant

AGENDA

MOTION 465/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The agenda BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

- a) CitySpaces Consulting Ltd.
OCP Draft Review

Brenda McBain, consultant with CitySpaces Consulting Ltd. was in attendance and made a presentation to Council with regards to Highlands OCP Consultation Plan and Review Process. Ms. McBain answered queries from Council.

MOTION 466/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: A Committee of the Whole meeting BE SCHEDULED for July 8, 2003 at 7:30 p.m. at Pike House for further consideration of the structuring of the public consultation process by CitySpaces Consulting Ltd.
AND THAT: The notice requirement for a special meeting be waived pursuant to Section 223(3) of the Local Government Act.

CARRIED UNANIMOUSLY

- b) Development Variance Permit Application DVP-16-03
OWNER/APPLICANT: David and Patricia Lees
LOCATION: Lot 11, Sections 26 and 62, Highland District, Plan VIP62473

MOTION 467/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED

THAT: Notification BE ISSUED for the proposed issuance of Development Variance Permit DVP-16-03 pertaining to Lot 11, Sections 26 and 62, Highland District, Plan VIP62473 that would vary Zoning Bylaw No. 100:

1. Section 7.2.3(7) **from** “The total *floor area* of a *dwelling unit* shall not exceed 322 square metres” **to** “the total *floor area* of a *dwelling unit* shall not exceed 471 square metres.
2. Section 7.2.3(8) **from** “the total *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 *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 166 square metres (1787 square feet) in *floor area*.”

CARRIED

- c) Rezoning Application RZ-06-02
OWNER/APPLICANT: Millstream Industrial Park
LOCATION: Section 4, Range 3 West, Highland District, except part shown coloured red on plan attached to DD13124, except part shown outlined in red on Plan 626R, and except part in plan 18272

Richard Irwin, Millstream Industrial Park Ltd. was in attendance and made a presentation to Council showing an overview of the concept plan. He answered queries from Council and the public. Mr. Irwin requested that the rezoning application be referred to the Advisory Committees for consideration.

MOTION 468/03 MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED

THAT: The rezoning application RZ-06-02 made by Millstream Industrial Park Ltd., pertaining to all of Section 4, Range 3 West, Highland District, Except Part shown coloured red on plan attached to DD13124, except part shown outlined in red on Plan 626R, and except part in Plan 18272, BE REFERRED to Advisory Committees for consideration and recommendation to the Advisory Planning Commission with subsequent recommendations from the Advisory Planning Commission to be submitted to Council at the August 18, 2003 Regular meeting.

CARRIED

2. ADOPTION OF THE MINUTES

- a) Minutes of the Public Hearing held June 30, 2003
- “Highlands Official Community Plan Amendment Bylaw No. 204, 2003”
 - “Highlands Zoning Amendment Bylaw No. 205, 2003”

MOTION 469/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The minutes of the Public Hearing regarding “Highlands Official Community Plan Amendment Bylaw No. 204, 2003” and “Highlands Zoning Amendment Bylaw No. 205, 2003” held June 30, 2003 BE ADOPTED AS CIRCULATED.

CARRIED

- Minutes of the Public Hearing held June 30, 2003
- “Highlands Official Community Plan Amendment Bylaw No. 206, 2003”
 - “Highlands Zoning Amendment Bylaw No. 207, 2003”

MOTION 470/03 MOVED BY COUNCILLOR KADAR
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Public Hearing regarding “Highlands Official Community Plan Amendment Bylaw No. 206, 2003” and “Highlands Zoning Amendment Bylaw No. 207, 2003” held June 30, 2003 BE ADOPTED AS CIRCULATED.

CARRIED

- b) Minutes of the Regular Meeting held June 16, 2003

MOTION 471/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The minutes of the Regular Council meeting held June 16, 2003 BE ADOPTED AS CIRCULATED.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

- a) Memorandum from the Administrator
Re: Refining Policy for the Advisory Planning Commission

There was discussion regarding the APC Bylaw. Mr. Woodbury answered queries of Council.

MOTION 472/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Staff BE DIRECTED to draft a revised APC Bylaw for Council’s consideration at the July 21, 2003 Regular Council meeting.

CARRIED

4. REPORTS

a) **Committee Reports**

i) Administration and Finance

The next Administration and Finance Advisory Committee meeting had been scheduled for July 8, 2003 at 7:30 p.m. at Pike House but is rescheduled to a future date due to the referral to the Advisory Committees of the Rezoning Application RZ-06-02 made by Millstream Industrial Park.

ii) Environment

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

Parks Trails and Recreation Advisory Committee
Re: Minutes of the Meeting held June 25, 2003

MOTION 473/03 MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The minutes of the Parks Trails and Recreation Advisory Committee meeting held June 25, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

MOTION 474/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: Staff BE DIRECTED to request access to the high-capacity well located on the First National amenity lot for irrigation of the ball field.

CARRIED

Councillor K. Brotherston advised that the next broom bash will be held on July 12 and 13, 2003 at 9:30 a.m. meeting at the West Fire Hall. Alan Philip encouraged everyone to come out and participate. For those who wanted to clean up their own yards could arrange ahead of time with him for roadside pickup of the broom. A thank you went out to John Chew of Chews Excavating for the use of his facility to dispose of the broom.

The next meeting for the Parks Trails and Recreation Advisory Committee has been scheduled for July 28, 2003 at 7:30 p.m., at Pike House.

iv) Protective Services

MOTION 475/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The minutes of the Protective Services Advisory Committee meeting held
June 23, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

The next meeting for the Protective Services Advisory Committee has been
scheduled for July 28, 2003 at 7:30 p.m., at the West Fire Hall.

v) Roads

Councillor Mendum reported that the Roads Advisory Committee did not meet on
June 19, 2003 as scheduled due to a lack of a quorum and that the Committee is
always seeking new membership. She encouraged those that might be
interested in joining the committee to contact her or Paul Curtis, Chair of the
Roads Advisory Committee.

The next meeting for the Roads Advisory Committee has been scheduled for
August 21, 2003 at 7:30 p.m. at the Pike House.

vi) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh extended a congratulations to both Bob McMinn for receiving a
Molson's Grant for the preparation of the ball field and to Eric Bonham who was awarded
the BC Lake Stewardship Society Award which is a community leadership award for his
work and interests in the safety of the District of Highlands lakes.

Mayor Roessingh commented on the Saving Small Town Conference he attended along
with three other Council members. Jay Bradley, Planning Technician also attended for a
day. They all agreed it was a very good conference with a lot of information that will be
forthcoming.

There was a meeting in Nanaimo regarding Policing Costs that the Mayor attended. He
reported that a lot of irate small town politicians attended the meeting. Mayor Roessingh
explained that one proposal is for those Municipalities with a population of under 5000,
to pay 50% of the policing costs. For the District of Highlands, that would mean
approximately \$93 per household. The collection of the policing tax will be done through
the CRD. There will be more discussion on this topic in September at the UBCM
conference and Mayor Roessingh will be attending and will report back with more
information at that time.

5. CORRESPONDENCE

- a) Letter from BC Transit
Re: BC Transit Program Funding for 2003 - 2004

MOTION 476/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The letter from Mayor Don Amos, Chair of the Victoria Regional Transit
Commission, dated June 13, 2003 regarding BC Transit Program Funding for 2003-04
BE RECEIVED FOR INFORMATION.

CARRIED

- b) Letter from CBC Radio-Canada
Re: Proposed CBC FM French Mono Radio Service to Victoria BC

MOTION 477/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: The letter from Mr. Lanny Morry, Director, Regulatory Affairs of CBC Radio-
Canada, dated June 16, 2003 BE RECEIVED FOR INFORMATION and THAT staff BE
AUTHORIZED to notify all properties within the 100 dBu and 115 dBu ranges of the
proposed antenna based on the map attached as Schedule A to the letter.

CARRIED

6. BYLAWS

- a) “Juan de Fuca Recreation Centre Fees and Charges Amendment Bylaw No. 208, 2003”

MOTION 478/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: “Juan de Fuca Recreation Centre Fees and Charges Amendment Bylaw No. 208,
2003” BE GRANTED FIRST READING.

CARRIED

MOTION 479/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: “Juan de Fuca Recreation Centre Fees and Charges Amendment Bylaw No. 208,
2003” BE GRANTED SECOND READING.

CARRIED

MOTION 480/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: “Juan de Fuca Recreation Centre Fees and Charges Amendment Bylaw No. 208,
2003” BE GRANTED THIRD READING.

CARRIED

- b) “Highlands Official Community Plan Amendment Bylaw No. 206, 2003”
“Highlands Zoning Amendment Bylaw No. 207, 2003”
Re: Rezoning Application RZ-03-03 (Colleen Robertson)

MOTION 481/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 206, 2003” BE
GRANTED THIRD READING.

CARRIED

“Highlands Official Community Plan Amendment Bylaw No. 206, 2003”

MOTION 482/03 MOVED BY COUNCILLOR KADAR
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 206, 2003” BE
ADOPTED.

CARRIED

“Highlands Zoning Amendment Bylaw No. 207, 2003”

MOTION 483/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: “Highlands Zoning Amendment Bylaw No. 207, 2003” BE GRANTED THIRD
READING.

CARRIED

“Highlands Zoning Amendment Bylaw No. 207, 2003”

MOTION 484/03 MOVED BY COUNCILLOR KADAR
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: “Highlands Zoning Amendment Bylaw No. 207, 2003” BE ADOPTED.

CARRIED

- c) “Highlands Official Community Plan Amendment Bylaw No. 204, 2003”
“Highlands Zoning Amendment Bylaw No. 205, 2003”

There was discussion regarding Highlands Official Community Plan Amendment Bylaw No. 204, 2003 and Highlands Zoning Amendment Bylaw No. 205, 2003” and various opinions were noted.

MOTION 485/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 204, 2003” BE
GRANTED THIRD READING.

CARRIED

(Mayor Roessingh, Councillors McPherson and Mendum recorded as opposed)

“Highlands Official Community Plan Amendment Bylaw No. 204, 2003”

MOTION 486/03 MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: “Highlands Official Community Plan Amendment Bylaw No. 204, 2003” BE
ADOPTED.

CARRIED

(Mayor Roessingh, Councillors McPherson and Mendum recorded as opposed)

“Highlands Zoning Amendment Bylaw No. 205, 2003”

MOTION 487/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: “Highlands Zoning Amendment Bylaw No. 205, 2003” BE GRANTED THIRD
READING.

CARRIED

(Mayor Roessingh, Councillors McPherson and Mendum recorded as opposed)

“Highlands Zoning Amendment Bylaw No. 205, 2003”

MOTION 488/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR KADAR AND RESOLVED
THAT: “Highlands Zoning Amendment Bylaw No. 205, 2003” BE ADOPTED.

CARRIED

(Mayor Roessingh, Councillors McPherson and Mendum recorded as opposed)

7. NEW BUSINESS

- a) Building Report for June 2003

MOTION 489/03 MOVED BY COUNCILLOR KADAR
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The Building Report for June 2003, BE RECEIVED FOR INFORMATION.

CARRIED

- b) Capital Regional District Monthly Bylaw Enforcement Summary – May 2003

MOTION 490/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The Capital Regional District Bylaw Enforcement Summary report dated June 12, 2003, for the month of May 2003, BE RECEIVED FOR INFORMATION.

CARRIED

- c) Letter from Erin Sanford
Re: Resignation from Environment Advisory Committee

MOTION 491/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED
THAT: The letter from Erin Sanford, dated June 18, 2003, regarding her resignation from the Environment Advisory Committee BE RECEIVED FOR INFORMATION.

CARRIED

- d) Letter from the South Island Straight Liners Racing Association
Re: Request for Grant in Aid

Bart Robertson spoke in support of the South Island Straight Liners Racing Association. He said that the Association provides great programs and a safe environment for the youths.

MOTION 492/03 MOVED BY COUNCILLOR KADAR
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The letter from Mark Stephens, President of South Island Straight Liners Racing Association, received July 3, 2003, requesting a Grant in Aid BE DENIED and further that the Association BE PROVIDED with a copy of the District of Highlands Grant in Aid Policy.

CARRIED

- e) Memorandum from the Administrator
Re: Employee Banked Overtime

MOTION 493/03 MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED
THAT: The Administrative Assistant BE AUTHORIZED to exceed Section 2.e of Employee Policy 1104 – Hours of Work for the year 2003 with respect to maximum banked overtime.

CARRIED

- f) Memorandum from the Administrator
Re: Deputy Clerk Position – Appoint Laurie Taylor as Deputy Clerk

MOTION 494/03 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Laurie Taylor BE APPOINTED as Deputy Clerk for the District of Highlands
effective July 7, 2003.

CARRIED

- g) Memorandum from the Administrator
Re: Bank Signing Authorities – Removal of Lorraine Hilton and Addition of Laurie Taylor

MOTION 495/03 MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR M. BROTHERSTON AND RESOLVED THAT:

1. That Bruce Woodbury, Treasurer of the District of Highlands (the “Corporation”) be and is hereby authorized for and on behalf of the Corporation to negotiate with, deposit with, or transfer to ROYAL BANK OF CANADA (the “Bank”), for credit to the Corporation’s account only all or any cheques and other orders for the payment of money, and for that purpose to endorse the same on behalf of the Corporation either in writing or by rubber stamp.
2. That all cheques of the Corporation be drawn in the name of the Corporation and be signed on its behalf by Bruce Woodbury, Treasurer/Administrator OR Laurie Taylor, Deputy Clerk, and signed/countersigned by Karel Roessingh, Mayor, OR Mark Cardinal, Councillor and Liaison to the Finance Committee.
3. That any one of them be and are hereby authorized for and on behalf of the Corporation from time to time to receive from the said Bank a statement of the account of the Corporation together with all relative vouchers and all unpaid bills lodged for collection by the Corporation and all items returned unpaid and charged to the account of the Corporation, and to sign and deliver to the Bank the Bank’s form of verification, settlement of balance and release.
4. That Bruce Woodbury, Treasurer/Administrator OR Laurie Taylor, Deputy Clerk, together with Karel Roessingh, Mayor OR Mark Cardinal, Councillor and Liaison to the Finance Committee be and are hereby authorized for and on behalf of the Corporation to obtain delivery from the Bank of all or any stocks, bonds and other securities held by the Bank in safekeeping or otherwise for the account of the Corporation and to give valid and binding receipts therefor.
5. That this resolution be communicated to the Bank and remain in force until written notice to the contrary shall have been given to the Manager for the time being of the branch of the Bank at which the account of the corporation is kept and receipt of such notice duly acknowledged in writing.

CARRIED

8. **OTHER BUSINESS**

Nil

9. **ADJOURNMENT**

MOTION 496/03 MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR K. BROTHERSTON AND RESOLVED

THAT: The Regular meeting of Council BE ADJOURNED at 9:40 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
- Labour relations or employee negotiations

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator