

**DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING**

Minutes of the Regular Council meeting held Monday, August 18, 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
Laurie Taylor, Deputy Clerk

AGENDA

**MOTION 442/03
MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON
THAT:** The agenda BE APPROVED.

CARRIED

PETITIONS AND DELEGATIONS

1. PETITIONS AND DELEGATIONS

a) **Development Variance Permit Application No. DVP 17-03**
OWNER/APPLICANT: Lyle Ferguson
LOCATION: Lot 8 Sections 30 & 72 Plan VIP75435
CIVIC ADDRESS: 653 Southwood Drive

- A Councillor requested staff provide information on other recent variances for accessory building size that have been issued in this area.

**MOTION 443/03
MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR K. BROTHERSTON**

THAT: Notification BE ISSUED for Development Variance Permit DVP 17-03 for Lot 8 Sections 30 and 72, Highland District Plan VIP75435 located on Southwood Drive that would vary the following sections of District of Highlands Zoning Bylaw No. 100:

SECTION 6.4 RURAL RESIDENTIAL 4 (RR4) ZONE Subsection 6.4.3 Siting and Dimensions of Buildings and Structures:

- Paragraph (8) Increase the maximum permitted floor area of a single accessory building from 100 square metres to 188 square metres.

CARRIED

- (b) **Rezoning Application No. RZ-05-03**
OWNER/APPLICANT: Paul Newman
LOCATION: Strata Lot 4 Section 6 Highland District Strata Plan 1189
CIVIC ADDRESS: 2284 Bukin Road

This application was withdrawn and the file closed at the applicant's request.

- (c) **Rezoning Application No. RZ02-03**
Letter from Michael Bocking Landscape Architect Limited
OWNER/APPLICANT: Highland One Holdings Ltd.
LOCATION: North ½ of Section 74, Highland District, Except Part In Plan 37651

MOTION 444/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON

THAT: Rezoning Application File No. RZ02-03 for the North ½ of Section 74, Highland District, Except Part In Plan 37651 BE CLOSED at the applicant's request;

AND THAT a Committee of the Whole Meeting BE SCHEDULED for Wednesday, August 27, 2003 at 7:30 p.m. at Pike House to meet with the owner (Highland One Holdings Ltd.) to discuss the development of Section 74.

CARRIED

- (d) **Rezoning Application No. RZ-06-02**
Memorandum from the Planning Technician dated August 15, 2003
Re: Advisory Planning Commission Recommendations
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
CIVIC ADDRESS: 2015 Millstream Road

Richard Irwin, agent for applicant,

- Requested that bylaws go forward as soon as possible and suggested the owner would be willing to register a development agreement on title that would address the outstanding conditions outlined in the staff report.

Council

- Requested staff provide information at the Committee of the Whole Meeting on the proposed bylaws, design guidelines, and examples of other light industrial parks as a starting point of the discussions.

MOTION 445/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR MENDUM

THAT: A Committee of the Whole meeting BE SCHEDULED for Thursday, September 11, 2003 at 7:00 p.m. at Pike House with representatives of Millstream Industrial Park, the Advisory Planning Commission, the Advisory Committees, and the adjacent industrial land owners, to initiate discussions to produce design criteria, landscape and screening standards, parking and loading facilities, and development permit area guidelines, sufficient to accommodate the proposed industrial uses.

CARRIED

MOTION 446/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON

THAT: The applicant for Rezoning Application No. RZ06-02 for 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 located on Millstream Road BE DIRECTED to provide further detailed information and assessments by qualified professionals to the satisfaction of the District of Highlands, including:

- a) a bio-inventory and vegetation assessment for wetland and buffer areas;
- b) a storm water and drainage assessment, including recommendations to regulate and control storm water quality and quantity;
- c) a ground water impact assessment to include an assessment of biological, organic and metals;
- d) an assessment of fire flow demands for the existing and proposed uses, with recommendations for the potential option of CRD piped water supply;
- e) a traffic impact assessment for the existing and intended uses, to include an evaluation of projected traffic volumes, access limitations (including sight distances), and recommendations for design and works and services requirements;
- f) an assessment of on-site septic disposal potential with recommendations for options, including the potential to extend piped services from the District of Langford to service these lands;
- g) a fire risk hazard assessment, prepared with input from the Insurance Advisory Organization to the satisfaction of the Fire Chief, to assess and identify recommendations relevant to:
 - fire flows
 - emergency access limitations
 - the extent of hazard, based on the existing/proposed uses
 - fire separation requirements and exposure considerations
 - fire-fighting capabilities and limitations, based on the availability and limitations of the fire-fighting apparatus and resources within the District of Highlands and the District of Langford.
- h) an air quality monitoring assessment report, to include an assessment of existing and proposed potential impacts upon air quality and recommendations for mitigation;
- i) an assessment of site contamination, and provision of any reports addressing on-going remediation of site soils, ground and surface water; and

- j) a road network plan indicating how reasonable (20 meter wide) public road access through this property to adjacent industrial lands to the north could potentially be accommodated.

AND THAT staff BE INSTRUCTED to prepare a report for Council's consideration, to address issues and options in response to the recommendations submitted by the Advisory Planning Commission and Advisory Committees, including the implications of public sanitary sewer and water services for this property.

CARRIED

Councillors K. Brotherston, Cardinal and Kadar opposed.

MOTION 447/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR KADAR

THAT: Staff BE INSTRUCTED to provide the draft zoning bylaw amendments that incorporate the recommendations from the Advisory Planning Commission pertaining to Rezoning Application No. RZ06-02 to the Committee of the Whole meeting scheduled for September 11, 2003.

CARRIED

MOTION 448/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MENDUM

THAT: Rezoning Application No. RZ06-02 for 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 located on Millstream Road for BE REFERRED for comment to the District of Langford.

CARRIED

2. ADOPTION OF THE MINUTES

- a) **Minutes of the Regular Council Meeting – August 5, 2003**

MOTION 449/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MENDUM

THAT: The minutes of the Regular Council meeting held August 5, 2003 BE ADOPTED AS CIRCULATED.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

Nil

4. **REPORTS**

a) **Committee Reports**

- i) Administration and Finance – Councillor Cardinal
- Next scheduled Administration and Finance Advisory Committee meeting is September 9, 2003 at 7:30 p.m. at Caleb Pike House.
- ii) Environment – Councillor McPherson
- Next Environment Advisory Committee meeting has been scheduled for September 10, 2003.
- iii) Parks, Trails and Recreation - Councillor K. Brotherston
- Next scheduled Parks, Trails and Recreation Advisory Committee meeting is September 8, 2003 at 7:30 p.m. at Caleb Pike House.
- iv) Protective Services - Councillor M. Brotherston
- Next Protective Services Advisory Committee meeting is September 22, 2003 at 7:30 p.m. at the West Fire Hall.

**Protective Services Advisory Committee
Minutes of the Meeting held July 28, 2003**

MOTION 450/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR CARDINAL

THAT: The minutes of the Protective Services Advisory Committee meeting held July 28, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

- Suggestion that the Protective Services Advisory Committee and the Roads Advisory Committee should be amalgamated into one committee.

MOTION 451/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT: A joint meeting of the Protective Services Advisory Committee and the Roads Advisory Committee BE SCHEDULED to discuss the potential of the two committees amalgamating into one.

CARRIED

- iv) Roads – Councillor Mendum
 - Next scheduled Roads Advisory Committee meeting is August 21, 2003 at the Pike House.
- vii) Planning and Zoning
 - A) Advisory Planning Commission – Councillor Kadar

Minutes of the APC Meeting held August 13, 2003

MOTION 452/03

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR MCPHERSON

THAT: The minutes of the Advisory Planning Commission meeting held August 13, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

MOTION 453/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MENDUM

THAT: The Administrator BE INSTRUCTED to attend an Advisory Planning Commission meeting to clarify the changes to the APC bylaw.

CARRIED

B) OCP Task Force (6480-06)– Councillor Kadar

Nil

C) OCP Review Planning Coordinating Team - (6480-03)–
Councillor M. Brotherston

**Minutes of the OCP Review Planning Coordinating Team
Meeting held August 12, 2003**

MOTION 454/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR CARDINAL

THAT: The minutes of the OCP Review Planning Coordinating Team meeting held August 12, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

Memo from Planning Technician dated August 13, 2003
Re: Recommendations from OCP Review Planning Coordinating Team

Public

- Requested that OCP planning Coordinating Team meetings be open to public and that a portion of each meeting be set aside for public input

Council

- Noted the team has an enormous amount of work to be completed and that opening each meeting for public input would not permit the team to fulfil their mandate.

Staff

- Noted the meetings are open to the public and that the mandate is to deal with the process of the OCP review. Public input should be limited to concerns and questions regarding process only.
- At the next meeting the Team will be finalizing the rules and procedures of their meetings for consideration by Council at the September 2 meeting.

MOTION 455/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT: The following recommendations of the OCP Planning Coordinating Team BE ENDORSED by Council:

1. That the initial 60-day Public Consultation process be initiated September 15, 2003;
2. That for the Public Consultation process, the role of the CitySpaces Consulting staff (Ms. Brenda McBain) be as a Facilitator, with duties as follows:
 - to facilitate and record meetings of the OCP Review Planning Coordinating Team;
 - to organize, prepare materials (in conjunction with staff) and facilitate all public consultation activities; and
 - to prepare, in conjunction with the OCP Review Planning Coordinating Team, all communications with the public
3. That each Focus Group be approved to have five members;
4. That immediate advertising for additional volunteers be initiated, to be involved in the Focus Groups such that each Focus Group is comprised of five members;
5. That following the appointment of the Focus Groups, the OCP Task Force be disbanded;
6. That the OCP Review Planning Coordinating Team follow the general work plan attached as Schedule B to the report from the Planning Technician dated August 13, 2003 with a target date for completion of the OCP draft revisions in April 2004 with adoption by Council by June 2004;

7. That the work program and budget for the initial intensive public consultation period be authorized as shown in the following Table 1, (to be concluded by December 15, 2003), with an additional allotment of not more than \$2500 to be allocated towards payment for the Facilitator for OCP Review Planning Coordinating Team meetings (for preparation, attendance, minutes and actions arising from meetings);

TABLE 1

Activity	Cost	Timing (2003)	Staff Resources	Facilitator Resources
Intro letter to stakeholders	\$200	Sept 15	Sign-off, copying and mailing	Draft, edit and prepare mayor's signature
Resource center	\$200	Sept 15	Setup and maintain	None
Media Advisory	\$100	Sept 15	Sign-off	Prepare, submit, follow-up
Web site	Extra staff time	Sept 15	Setup in conjunction with current activity for new web site, update, maintain	Provide materials in compatible format
Householder including survey	\$5,000	Oct. 1	Edit, sign-off and mailing	Planning, writing, graphics, printer liaison, analysis and summary
Council Open House	\$3,000	Nov.	Book venue, provide materials	Organize, advertise, attend, prepare summary report
Facilitator for Planning Team	\$2500	Ongoing	Attend	Preparation, attendance, minutes and actions arising from meetings
TOTAL:	\$11,000			

8. That the OCP Review Planning Coordinating Team be authorized to review and approve all other communications materials for the public including the survey, with sign-off from the chair and staff;
9. That CitySpaces be requested to prepare a letter of proposal, outlining their intended provision of planning services and how those services would be integrated with the consultation facilitation role;
10. That Councillor M. Brotherston be appointed as the OCP Review Planning Coordinating Team liaison to Council, to update Council on progress at each Council meeting;

11. That communication with CitySpaces be limited to, and undertaken through, the Chair of the OCP Review Planning Coordinating Team and District of Highlands staff;
12. That the draft final version of the OCP update be referred by Council to the APC for review and recommendations back to Council, prior to the public hearing;
13. That each Advisory Committee be included as a stakeholder group, and be invited to participate in all consultation activities.

CARRIED

MOTION 456/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT: The following councillors BE APPOINTED as alternates for the Council representatives to the OCP Planning Coordinating Team:

Councillor McPherson for Councillor Cardinal

Councillor Mendum for Councillor Kadar

Councillor K. Brotherston for Councillor M. Brotherston

CARRIED

b) **Mayor's Report** - Mayor Roessingh

- CRD Board of Directors approved the Regional Growth Strategy last week
- Five Regional Districts will be forming a foundation to take over the operation of the E & N Rail system
- To write a letter to the Vancouver Island Real Estate Board requesting a meeting and expressing concern that potential buyers are not being informed of potential building and zoning restrictions on properties in the Highlands.

5. **CORRESPONDENCE**

Nil

6. **BYLAWS**

a) **Council Indemnity Amendment Bylaw No. 212, 2003** (3900-233)

MOTION 457/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MENDUM

THAT: "Council Indemnity Amendment Bylaw No. 212, 2003" BE ADOPTED.

CARRIED

7. **NEW BUSINESS**

Nil

8. **OTHER BUSINESS**

Nil

9. **ADJOURNMENT**

a) **Resolution to Convene to In-Camera Meeting**

MOTION 458/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR MENDUM

THAT: That the regular meeting of Council be adjourned at 9:20 p.m;

AND THAT, pursuant to Section 242.2 of the *Local Government Act* an *In-camera* meeting be convened to discuss:

- Legal Issues

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator