

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, October 6, 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 494/03
MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT the agenda BE APPROVED

CARRIED

PETITIONS AND DELEGATIONS

1. PETITIONS AND DELEGATIONS

a) Special Presentation to Fire Chief Barry Ford

Mayor Roessingh presented a trophy to the Fire Chief from the residents of the Highlands in honor of the Fire Department's 25th Anniversary.

b) Correspondence Received regarding the OCP Review Process (6480-06)

- (i) Vicky Husband, 301 Ross-Durrance Road, dated September 30, 2003
- (ii) Paul Weyer, 3702 Blue Valley Road, dated September 30, 2003
- (iii) Doug Turner, Woodridge Place, dated October 1, 2003
- (iv) Sheila Herbert, 137 Ross-Durrance Road, dated September 29, 2003
- (v) Kathy Gose, dated September 27, 2003
- (vi) Will Carrilho & Isabelle Poirier, 119 Ross-Durrance Road, dated September 30, 2003
- (vii) David Mackas, 746 Caleb Pike Road, dated September 24, 2003
- (viii) Karen Burns, 746 Caleb Pike Road, dated September 29, 2003

- (ix) Karen Burns, (email), dated October 2, 2003
- (x) Anne-Marie Hart, 3837 Blue Valley Road, dated October 1, 2003
- (xi) Catherine Reader, 218 Ross-Durrance Rd, dated October 2, 2003
- (xii) Ken Faris, 1201 Millstream Road, dated October 1, 2003
- (xiii) Ken Faris, 1201 Millstream Road, dated October 1, 2003
- (xiv) Warren Lee, 218 Ross-Durrance Road, dated October 2, 2003
- (xv) Bronwen Duncan, 178 Ross-Durrance Road, dated October 3, 2003
- (xvi) Georgina Zilinsky, 3975 Munns Road, dated October 5, 2003
- (xvii) H.I. Rayner, 600 Stewart Mountain Road, dated October 6, 2003
- (xviii) Bob Flitton, 680 Stewart Mountain Road, dated October 6, 2003
- (xix) Eric Bonham, 5216 Stag Road, dated October 6, 2003

MOTION 495/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the correspondence received by Council pertaining to the OCP Review **BE RECEIVED FOR INFORMATION** and copies **BE FORWARDED** to the OCP Planning Coordinating Team

CARRIED

Paul Weyer, 3702 Blue Valley Road

- Read excerpts from his letter and expressed concern over the perception of conflict of interest of some of the members of the OCP Planning Coordinating Team

Doug Turner, Woodrige Place

- Expressed support for an open and ethical council
- At Mr. Turner's request the Mayor read out his letter.

Will Carrilho, 119 Ross-Durrance Road

- Fully supportive of initiative

Karen Burns, 746 Caleb Pike Road

- Read her letter dated September 29, 2003

Anne-Marie Hart, 3837 Blue Valley Road

- Read her letter dated October 1, 2003

Cathy Reader, 218 Ross-Durrance Road

- Summarized her letter of October 2, 2003 and read excerpts from her husband, Warren Lee's letter dated October 2, 2003.

Ken Faris, 1201 Millstream Road

- Summarized his letter of October 1, 2003

Bob Flitton, 680 Stewart Mountain Road

- Spoke in favour of the OCP initiative proceeding on behalf of 84 people.

Carol Lester, 787 Finlayson Arm Road

- Expressed support for the idea of the survey but objected to the current process of appointments to the Team and to the wording of the survey.
- Indicated the survey is biased and the process should be more inclusive

Kerry Joy, 598 Millstream Road

- Objected to the format and content of the OCP survey and would like to see it rewritten

Eric Bonham, 5216 Stag Road

- Read out letter

Vicky Husband, 301 Ross- Durrance Road

- The survey is poor and amateurish and the questions are biased and leading.
- Need proper questions so that the responses can be properly analyzed
- The process should be stopped and the survey rewritten

Kent Wilner, 889 Finlayson Arm Road

- Read letter from his wife Rosa indicating support for the current process

Evelyn Samuel, 405 Hazlitt Creek Road

- Previous Council and OCP was not open and transparent

Rick Lester, 787 Finlayson Arm Road

- Concerned about the way the survey has been written as the results will be hard to understand
- Survey is biased towards development in south Highlands

2. ADOPTION OF THE MINUTES

a) **Minutes of the Regular Council Meeting – September 15, 2003**

MOTION 496/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the minutes of the Regular Council meeting held September 15, 2003 BE ADOPTED AS CIRCULATED.

CARRIED

3. **BUSINESS ARISING FROM THE MINUTES**

a) **Sewer and CRD Water Servicing in South Highlands (5600-10)
Report from Deputy Clerk, September 30, 2003**

- Staff reported Brenda Warner had been retained to explore the process for piped sewer and CRD water servicing in the South Highlands.

MOTION 497/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR

THAT the Consultant BE INSTRUCTED to investigate septic servicing as well as other sewer servicing options for the South Highlands.

MOTION FAILED DUE TO LACK OF SECONDER

MOTION 498/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the letter dated September 16, 2003 from Bear Mountain Master Partnership regarding Sewer and CRD water service in the District of Highlands BE RECEIVED FOR INFORMATION;

AND THAT the District of Highlands ACCEPT THE OFFER of up to \$25,000.00 from Bear Mountain Master Partnership to be used for administrative and legal costs for a study on methods of securing sewer and CRD water servicing in the south Highlands;

THAT the memo from the Deputy Clerk dated September 30, 2003 regarding an update on the sewer and CRD water servicing options for the south Highlands BE RECEIVED FOR INFORMATION.

CARRIED

COUNCILLOR MCPHERSON OPPOSED

b) **Tree Cutting Bylaw (B/L file 10; 6480-06; 4500-01)
Report from Deputy Clerk, September 30, 2003**

MOTION 499/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT consideration of the following BE DEFERRED pending receipt of a staff report on the proposed amendments to the Tree Management Bylaw:

1. staff be directed to prepare any minor amendments that may be required to improve Tree Management Bylaw No.10;
2. staff be directed to prepare any necessary amendments to the tree cutting, blasting, soil deposit and soil removal bylaws that would be

- required to allow for any, or all, of these activities to be applied for on a combined form and authorized on a single permit;
3. consideration be given during the OCP review to establishing a Tree Cutting Development Permit Area;
 4. consideration be given during the OCP review to establishing a procedure or process that would allow for the combination of a Development Permit with other permits (such as tree cutting, blasting, soil deposit/removal) so that a single combined permit could be obtained.

CARRIED

**c) CBC Radio Canada (430-01)
Report from Deputy Clerk, September 30, 2003**

Elaine Limbrick, 3836 Munns Road

- Extremely concerned about the impact of the additional antennae
- She will form a committee to examine the health impacts

MOTION 500/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT Council RECEIVE the correspondence received regarding the CBC Radio Canada proposal for a French radio station attached to the report dated October 1, 2003 from the Deputy Clerk for information:

AND THAT a summary of the concerns expressed by the citizens, along with copies of the correspondence submitted BE FORWARDED to CBC Radio Canada and Industry Canada;

AND THAT a letter BE SENT to CBC Radio Canada and Industry Canada on behalf of the Council expressing their opposition to the proposal for the additional antennae and suggesting the matter be deferred until the after the National Antennae Tower Policy Review is complete.

CARRIED

MOTION 501/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR KADAR

THAT staff BE DIRECTED to contact the District of Saanich to find out if they contacted their citizens for input on the antennae proposal for the CBC French Radio Station.

CARRIED

4. REPORTS

a) Committee Reports

- i) Administration and Finance – Councillor Cardinal
 - Next Administration and Finance Advisory Committee meeting is October 14, 2003 at 7:30 p.m. at Caleb Pike House.
- ii) Environment – Councillor McPherson
 - Next Environment Advisory Committee meeting is November 12, 2003 at 7:30 p.m. at Caleb Pike House, if required.
- iii) Parks, Trails and Recreation - Councillor K. Brotherston
 - Next scheduled Parks, Trails and Recreation Advisory Committee meeting is October 14, 2003 at 7:30 p.m. at Caleb Pike House.

Minutes of the Parks, Trails and Recreation Advisory Committee Meeting September 8, 2003

MOTION 502/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR MENDUM

THAT the minutes of the Parks, Trails and Recreation Advisory Committee meeting held September 8, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

- iv) Protective Services - Councillor M. Brotherston
 - Next Protective Services Advisory Committee meeting is October 27, 2003 at 7:30 p.m. at the East Fire Hall.
- iv) Roads – Councillor Mendum
 - Next scheduled Roads Advisory Committee meeting is October 16, 2003 at the Pike House.

**Letter from Joseph J.W. Taylor
Re: Appointment to Roads Advisory Committee**

MOTION 503/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON

THAT Joseph J.W. Taylor BE APPOINTED to the Roads Advisory Committee for the remainder of a two-year term expiring December 31, 2004.

CARRIED

**Roads Advisory Committee
Re: Minutes of the Meeting held August 21, 2003**

MOTION 504/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the minutes of the Roads Advisory Committee meeting held August 21, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

**Roads Advisory Committee
Re: Minutes of the Meeting held September 18, 2003**

MOTION 505/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT the minutes of the Roads Advisory Committee meeting held September 18, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

**Roads Advisory Committee
Re: Proposed Capital Works Budget Expenditures**

MOTION 506/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON

THAT Council ACCEPT the Roads Advisory Committee recommendation that work proceed on Lost Lake Road, Blacktail Road and Quail Road as soon as possible, utilizing the 2003 Capital Road Works Budget.

CARRIED

vii) Planning and Zoning

a) Advisory Planning Commission – Councillor Kadar

Nil

b) OCP Planning Coordinating Team – Councillor Kadar

- Next scheduled OCP Planning Coordinating Team meeting is October 21, 2003 at 7:30 p.m. at the West Fire Hall.

OCP Planning Coordinating Team

Re: Minutes of the Meeting held September 16, 2003

MOTION 507/03

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR MENDUM

THAT the minutes of the OCP Planning Coordinating Team meeting held September 16, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

OCP Planning Coordinating Team

Re: Minutes of the Meeting held September 24, 2003

MOTION 508/03

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the minutes of the OCP Planning Coordinating Team meeting held September 24, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

OCP Review and Consultation Process Update

Report from Deputy Clerk dated October 1, 2003

MOTION 509/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR KADAR

THAT the memo from the Deputy Clerk dated October 1, 2003 regarding an Update on the OCP Review and Consultation Process BE RECEIVED FOR INFORMATION.

CARRIED

**OCP Draft Review Planning Coordinating Team
Report from Planning Technician dated Oct. 2, 2003**

AMENDING MOTIONS TO MAIN MOTION

MOTION 511/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT Motion 510/03 BE AMENDED by removing Item #2 of the first paragraph as follows from the motion:

- "2. Council endorse the payment for a Grand Prize available to the participants of the first Broadsheet Survey, in the amount not to exceed \$350, to address the costs of two-nights accommodation at Pacific Sands Beach Resort in Tofino"

CARRIED

MOTION 512/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MENDUM

THAT Motion 510/03 BE AMENDED by removing Item #3 of the first paragraph as follows from the motion:

"3. Council re-confirm the following general composition for each of three Topic Groups:

- Each Topic Group will have five public members and one member of Council appointed from the Planning Coordinating Team. Public members will be appointed to one of the Topic Groups by Council on the recommendations of the Planning Coordinating Team Group will be chaired by a public member of the OCP Planning Coordinating Team. Each Topic Group will have a planner assigned."

CARRIED

MOTION 513/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT Motion 510/03 BE AMENDED by revising the appointments to the Topic Groups as follows:

Hans Waelti to Economic instead of Environment

Marlene Tyshynski to Environment instead of Economic

DEFEATED

**MAYOR ROESSINGH AND COUNCILLORS K. BROTHERSTON, CARDINAL, KADAR AND MENDUM
OPPOSED.**

MAIN MOTION

MOTION 510/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR KADAR

THAT the following "Planning Coordinating Team Recommendations to Council" made by the OCP Planning Coordinating Team at their meeting of October 1, 2003 BE ENDORSED by Council:

1. Council direct staff to copy all correspondence received by staff concerning the OCP review, to Council members and the OCP Planning Coordinating Team members
2. Council endorse the payment for a Grand Prize available to the participants of the first Broadsheet Survey, in the amount not to exceed \$350, to address the costs of two-nights accommodation at Pacific Sands Beach Resort in Tofino;
3. Council re-confirm the following general composition for each of three Topic Groups:
 - Each Topic Group will have five public members and one member of Council appointed from the Planning Coordinating Team. Public members will be appointed to one of the Topic Groups by Council on the recommendations of the Planning Coordinating Team Group will be chaired by a public member of the OCP Planning Coordinating Team. Each Topic Group will have a planner assigned.
4. Members be appointed to each of the Topic Groups based on the following assignments:

Environment

Eleanor Rayner (Chair)
Lyle Ferguson
Michelle Mahovolich
Marcie McLean
Hans Waelti
Councillor Cardinal (liaison)

Social

Elaine Limbrick (Chair)
Sheila Taylor
Derek Stone
Muriel Sibley
Rod Glover
Councillor Kadar (liaison)

Economic

Michael Bocking (Chair)
Kent Wilner
Colleen Robertson
Al Pellett
Marlene Tyshynski
Councillor M. Brotherston
(liaison)

5. Council endorse the following terms and responsibilities of each Topic Group, except that Item (c) be deferred until satisfactorily clarified by Brenda McBain, as to what is meant by "update work done to date"
 - (a) To review materials prepared by the planner and provide response, advice and assistance
 - (b) To provide local knowledge to the planner
 - (c) To review the existing OCP and update work done to date to identify gaps
 - (d) Assist in hosting topic focussed workshops to be held in February 2004
 - (e) Review public input
 - (f) Forward recommendations through the planner to the OCP Planning Coordinating Team
6. Council direct staff to review the draft CitySpaces contract and provide recommendations to Council on its final content, for its meeting of 2003-Oct-20.

AND THAT the following "Resolutions and Actions confirmed by the Planning Coordinating Team" at their October 1, 2003 meeting BE RECEIVED FOR INFORMATION:

1. Amendments to the Minutes of the September 24, 2003 PCT Meeting be adopted.
2. The final version of the first Broadsheet and survey, once returned from printing, will be distributed to all Council members (by staff).
3. Staff will prepare a sign up sheet for Highlands residents and landowners who wish to obtain an additional copy of the Highlands Broadsheet. Each person requesting a copy would be entitled to one copy only. All Broadsheets will be numbered.
4. Councillor Kadar will investigate and confirm which service clubs are available for the survey pick-up and provide a report to the Chair by next week.
5. With regard to the OCP resource center, Michael Bocking and Eleanor Rayner will arrange a period next week to meet with staff, to identify which materials should be available in the resource center. Staff will contact Michael and Eleanor to arrange the time.
6. Michael Bocking will pursue clarification from Brenda McBain next week as to the intent of Item 3, referred to by the Topic Groups Terms of Reference.
7. In the absence of the CitySpaces facilitator, staff will prepare and provide the PCT minutes.
8. For the preparation of agenda packages for the PCT members, the Chair will provide staff with the agenda,

and the items to be distributed with the agenda, two working days in advance of the PCT meeting. Staff will prepare the agenda package for all PCT members, to be available for pick-up at least 24 hours in advance of the meeting.

9. The next PCT meeting will be held on October 21, 2003 at the West Firehall, starting at 7:30. Follow up will be needed to confirm the procedures for the PCT, and the arrangements for the survey pick-up.

AND THAT the draft Contract of Service, BE REFERRED to staff for comments and recommendations to Council at its next regular meeting.

CARRIED

**CitySpaces Draft Contract for OCP review
Report from Administrator dated October 6, 2003**

MOTION 514/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MENDUM

THAT staff BE DIRECTED to work with CitySpaces to clarify contract issues and the inaccuracies raised in the report from the Administrator dated October 6, 2003;

AND THAT consideration of the final draft of the CitySpaces contract BE DEFERRED until October 20, 2003.

CARRIED

**Recommendations from OCP Planning Coordinating
Team from September 24, 2003 Team Meeting**

MOTION 515/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MCPHERSON

THAT staff BE APPOINTED as a resource person and non-voting member of the OCP Planning Coordinating Team.

CARRIED

MOTION 516/03
MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR M. BROTHERSTON
THAT the OCP Planning Coordinating Team **APPROVE** all public material for content and that the Chair sign off the public material with the agreement of the Team.

AND THAT Staff **REVIEW** all material for technical content and inaccuracies prior to the material being distributed to the public.

CARRIED

MOTION 517/03
MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON
THAT prior to being released to the public, that all material **BE CIRCULATED** to all members of Council with clear direction and timeframes as to how to provide comments to the Team.

CARRIED

MOTION 518/03
MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR MCPHERSON
THAT Motion 498/03 adopted by Council on September 15, 2003 regarding the number of appointments to the OCP Topic Groups **BE RECONSIDERED** by Council.

DEFEATED

COUNCILLORS K. BROTHERSTON, M. BROTHERSON, CARDINAL AND KADAR OPPOSED.

- b) **Mayor's Report** - Mayor Roessingh
- Attended UBCM and were advised that the new Police Financing Model will not take effect until 2007.

5. **CORRESPONDENCE**

- a) **Letter from Honourable George Abbott, Minister of Community, Aboriginal & Women's Services**
Re: Infrastructure Planning Grant (1855)

MOTION 519/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT the letter dated September 10, 2003 from the Honorable George Abbott, Minister of Community, Aboriginal & Women's Services advising of the approval of the Infrastructure Planning Grant in the amount of \$10,000.00 for the Highlands Groundwater Inventory project BE RECEIVED FOR INFORMATION;

AND THAT the Administrator BE AUTHORIZED to execute the agreement outlining the terms and conditions of the grant on behalf of the municipality.

CARRIED

- b) **Letter from International Forest Products, Timberwest & Weyerhaeuser**
Re: Rebuilding BC's Coastal Forest Industry (410-40)

MOTION 520/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR CARDINAL

THAT the letter dated September 29, 2003 from International Forest Products, Timberwest and Weyerhaeuser regarding rebuilding BC's Coastal Forest Industry BE RECEIVED FOR INFORMATION;

AND THAT the request for support of their 10-point plan for rebuilding the Coastal Forest Industry outlined in the letter BE DENIED.

CARRIED

6. **BYLAWS**

Nil

7. **NEW BUSINESS**

- a) **Monthly Building Report – September 2003 (3800-01)**

MOTION 521/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT the Monthly Building Report for September 2003, BE RECEIVED FOR INFORMATION.

CARRIED

- b) **Capital Regional District Monthly Bylaw Enforcement Summary August 2003 (0655-20)**

MOTION 522/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MENDUM

THAT the Capital Regional District Monthly Bylaw Enforcement Summary for August 2003, BE RECEIVED FOR INFORMATION.

CARRIED

- c) **Budget Variance Report – to September 30, 2003 (1700-10)**

MOTION 523/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MENDUM

THAT the Budget Variance Report to September 30, 2003, BE RECEIVED FOR INFORMATION.

CARRIED

8. **OTHER BUSINESS**

- a) **Conservation Covenant Amendment (property files)
Memorandum from Planning Technician – 646 Gowlland Road
& 652 Southwood Drive
(Lots 4 and 7 Plan VIP75435) – Highlands 1 Holdings Ltd.**

– The owners have made a subdivision application to adjust the current boundaries of Lots 4 & 7 and require adjustments to the location of the residential use zones (RUZ) on the properties to accommodate the lot line adjustments.

MOTION 524/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR KADAR

THAT with respect to Highlands 1 Holdings proposal to amend the tri-partite conservation covenant (RUZ plan) between the owners, the District of Highlands and The Land Conservancy regarding Lots 4 and 7, Section 30, Highland District Plan VIP75435 as shown on Schedule A attached to the report from the Planning Technician dated September 30, 2003;

THAT the following BE RECEIVED FOR INFORMATION:

- Correspondence dated September 19, 2003 from Susan Blundell of ENKON Environmental (Schedule B to the report from the Planning Technician dated September 30, 2003),
- the TLC Baseline Documentation and Maps for Lot A (amended Lot 7) and Lot B (amended Lot 4) prepared by ENKON Environmental (Schedule C to the report from the Planning Technician dated September 30, 2003)
- proposed RUZ plan for Lot A (amended Lot 7) and Lot B (amended Lot 4) (Schedule D to the report from the Planning Technician dated September 30, 2003)
- the Letter of Undertaking of Keyvan Shojania (Schedule E to the report from the Planning Technician dated September 30, 2003)

AND THAT Council APPROVE IN PRINCIPLE the amended reference plan for the Residential Use Zone (RUZ) for Lots 4 and 7, Section 30, Highland District Plan VIP75435 and authorize the owner to prepare and submit final signatory versions of the restrictive covenants with the plans attached as Schedule D to the report from the Planning Technician appended for registration in the Victoria Land Title Office subject to:

- a. The owner complying with any conditions identified by The Land Conservancy for this amendment;
- b. All expenses accrued for the preparation and registration of the covenants to be that of the owner;
- c. Upon confirmation of registration of the amended covenant, the owner or the owner's lawyer providing District of Highlands and The Land Conservancy with registered copies of the covenants.

CARRIED

**b) Conservation Covenant Amendment (property file)
Memorandum from Planning Technician – 631 Southwood Drive
(Lot 11 Plan VIP75435) – Edith Piasta & Michael Volk**

- Amendment to the boundaries of the residential use zone (RUZ) to create a more desirable building site and to permit the owner to build their home closer to the road allowing for a less expensive access.

MOTION 525/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT with respect to Michael Volk's (the applicant) proposal to amend the tri-partite conservation covenant between the owners, the District of Highlands and The Land Conservancy regarding Lot 11, Section 30, Highland District, Plan VIP75435, as shown on Schedule A attached to the report from the Planning Technician dated October 1, 2003;

AND THAT the following BE RECEIVED FOR INFORMATION:

- Correspondence from Edith Piasta dated September 30, 2003 and from Michael Volk dated September 30, 2003 requesting the amendment to the RUZ (Schedule B attached to the report from the Planning Technician dated October 1, 2003)
- Correspondence from Susan Blundell of ENKON Environmental dated September 18, 2003 providing an environmental assessment of the proposal (Schedule C attached to the report from the Planning Technician dated October 1, 2003),
- The ENKON Environmental Baseline map for the existing RUZ (Schedule D attached to the report from the Planning Technician dated October 1, 2003)
- The proposed RUZ plan for Lot 11 (Schedule E attached to the report from the Planning Technician dated October 1, 2003);

AND THAT Council APPROVE IN PRINCIPLE the amended reference plan for the Residential Use Zone (RUZ) for Lot11, Section 30, Highland District Plan VIP75435 and authorize the owner to prepare and submit final signatory versions of the restrictive covenant with the plans attached as Schedule E to the report from the Planning Technician appended for registration in the Victoria Land Title Office subject to:

- a. The owner complying with any conditions identified by The Land Conservancy for this amendment (Nick Stanger's email correspondence dated September 30, 2003 attached as Schedule F to the report from the Planning Technician dated October 1, 2003);
- b. All expenses accrued for the preparation and registration of the covenant to be that of the owner;
- c. Upon confirmation of registration of the amended covenant, the owner or the owner's lawyer providing the District of Highlands and The Land Conservancy with registered copies of the covenant.

CARRIED

9. **ADJOURNMENT**

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

MOTION 526/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the Regular meeting of Council BE ADJOURNED at 10:55 p.m.

AND THAT, pursuant to Section 242.2 of the *Local Government Act*, a meeting *in camera* BE CONVENEED to discuss:

- Litigation or potential litigation
- Law Enforcement
- Personnel

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator