

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, December 1, 2003, at Caleb Pike House, 1589 Millstream Road at 7:00 p.m.

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

ABSENT Councillor Mendum

IN ATTENDANCE: Bruce Woodbury, Administrator
Laurie Taylor, Deputy Clerk

AGENDA

MOTION 621/03
MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT the agenda be amended by adding the following items:
1(b) Medal of Commemoration for District's 10th Birthday
7(d)(i) Appointment of CRD Director

AND THAT the agenda, as amended, be approved.

CARRIED

PETITIONS AND DELEGATIONS

1. PETITIONS AND DELEGATIONS

a) *Highlands Stewardship Foundation*
Eric Bonham – 5216 Stag Road

MOTION 622/03
MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL
THAT the letter dated November 25, 2003 from Eric Bonham, Chair, Highlands Stewardship Foundation be received;

AND THAT a copy of the letter be forwarded to the Administration & Finance Advisory Committee, Environment Advisory Committee, Protective Services Advisory Committee and OCP Topic Groups for information.

CARRIED

b) **10th Anniversary Commemorative Medal**

- Councillor McPherson suggested that in honor of the 10th Anniversary of the Highlands, a medal be struck which honours dedication to the District of Highlands and the preservation of its heritage.
- Suggested that this "medal" be in the form of a pin using the Highlands logo and that Stuart Duncan, a local silversmith, be commissioned to craft this pin.
- Nominated Davyd McMinn as the recipient of the first medal for his work on the Caleb Pike School House

MOTION 623/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR CARDINAL

THAT: Council approve the creation of a District of Highlands 10th Anniversary Medal which honours dedication to the District of Highlands and the preservation of its heritage;

AND THAT Stuart Duncan be commissioned to create the medal;

AND THAT the first recipient of the 10th Anniversary Medal be Davyd McMinn in recognition of his work on the restoration of the Caleb Pike School House.

CARRIED

2. **ADOPTION OF THE MINUTES**

a) ***Minutes of the Regular Council Meeting – November 17, 2003***

MOTION 624/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT the minutes of the Regular Council meeting held November 17, 2003 be adopted as circulated.

CARRIED

3. **BUSINESS ARISING FROM THE MINUTES**

Nil

4. **REPORTS**

a) **Committee Reports**

- i) Administration and Finance – Councillor Cardinal

Letter from W.M. (Bill) Vogel

Re: Appointment to Administration & Finance Advisory Committee

MOTION 625/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MCPHERSON

THAT W.M. (Bill) Vogel be appointed to the Administration and Finance Advisory Committee for the remainder of a two-year term expiring December 31, 2004.

CARRIED

- Next Administration and Finance Advisory Committee meeting has been scheduled for December 9, 2003 at 7:30 p.m. at Pike House.

ii) Environment – Councillor McPherson

- Next Environment Advisory Committee meeting has been scheduled for December 10, 2003 at 7:30 p.m. at Pike House

iii) Parks, Trails and Recreation - Councillor K. Brotherston

- Next scheduled Parks, Trails and Recreation Advisory Committee meeting is December 8, 2003 at 7:30 p.m. at Caleb Pike House.

iv) Protective Services - Councillor M. Brotherston

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

MOTION 626/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MCPHERSON

THAT the minutes of the Protective Services Advisory Committee meeting held November 24, 2003 be received for information.

CARRIED

- Next Protective Services Advisory Committee meeting is tentatively scheduled for January 12, 2004 at 7:30 p.m. at the West Fire Hall.

v) Roads – Councillor Mendum

***Roads Advisory Committee
Re: Minutes of the Meeting held November 20, 2003***

MOTION 627/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the minutes of the Roads Advisory Committee meeting held November 20, 2003 be received for information.

CARRIED

- Next scheduled Roads Advisory Committee meeting is December 18, 2003 at 7:30 p.m. at the Pike House.

vii) Planning and Zoning

a) Advisory Planning Commission

b) OCP Task Force

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

- Commended the Fire Department, Val Fletcher and the citizens involved in the rescue of the lost hiker in Mount Work park a couple of weeks ago.

5. **CORRESPONDENCE**

Nil

6. **BYLAWS**

a) ***Advisory Planning Commission Bylaw No. 209, 2003
Memo from Deputy Clerk dated November 26, 2003***

MOTION 628/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the letter and attached documentation submitted by Michael Bocking on November 26, 2003 be received for information.

CARRIED

MOTION 629/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT further consideration of the "Advisory Planning Commission Bylaw No. 209, 2003" be deferred until December 15, 2003;

CARRIED

b) ***Building Regulation Bylaw No. 192, 2003***

MOTION 630/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT Building Regulation Bylaw No. 192, 2003 be adopted.

CARRIED

c) ***Parks Reserve Fund Expenditure Bylaw No. 215, 2003***

MOTION 631/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT Parks Reserve Fund Expenditure Bylaw No. 215, 2003 be granted first reading.

CARRIED

MOTION 632/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT Parks Reserve Fund Expenditure Bylaw No. 215, 2003 be granted second reading

CARRIED

MOTION 633/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT Parks Reserve Fund Expenditure Bylaw No. 215, 2003 be granted third reading.

CARRIED

7. NEW BUSINESS

- a) ***Bill No. 75 - Significant Projects Streamlining Act (035-01)***
Memo from Deputy Clerk dated November 20, 2003

MOTION 634/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT the Council of the District of Highlands endorse the efforts of the Union of BC Municipalities in calling on the Provincial Government to remove local government from Bill 75;

AND THAT the Mayor be requested to relay this support in a letter to Premier Campbell.

CARRIED

- b) ***Monthly Building Report – November 2003 (3800-01)***

MOTION 635/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT the monthly building report dated November 2003 be received for information.

CARRIED

- c) ***CRD Proposed Regional Transportation Strategy (0470-39)***
Memo from Planning Technician dated November 24, 2003

MOTION 636/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR BROTHERSTON

THAT Council

- a. Receive the correspondence from Mark Hornell, Director, Regional Planning Services, dated November 19, 2003 and the *Final Consultant Report TravelChoices Strategy" August 2003*; and
- b. Refer the correspondence and documentation to staff for comments by January 19, 2004; and
- c. Defer providing comments to the CRD Board on the documentation until such time that staff has reviewed the proposed strategy and provided recommendations to Council.

CARRIED

MOTION 637/03

**MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL**

THAT the CRD Proposed Regional Travel Choices Strategy be referred to the Roads Advisory Committee and Administration and Finance Advisory Committee for comment.

CARRIED

d) Appointments:

i. Appointment of CRD Director

- Councillor M. Brotherston requested that she be appointed as the CRD Director for the District of Highlands.
- It was noted the Mayor has been the District's representative on the CRD for 4 years and the alternate for 3 years prior to that.

MOTION 638/03

**MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON**

THAT Councillor Marie Brotherston be appointed as the District of Highlands' Director on the Board of the Capital Regional District.

CARRIED

Mayor Roessingh and Councillor McPherson opposed.

MOTION 639/03

**MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR**

THAT the appointment of the District of Highlands' Director on the Board of the Capital Regional District be reviewed in one year

CARRIED

ii. Appointment of Advisory Committee Council Liaisons

Mayor Roessingh appointed Members of Council as liaisons to Advisory Committees as follows:

Councillor Ken Brotherston	Parks and Recreation Advisory Committee
Councillor Ken Brotherston	Trails Advisory Committee
Councillor Sandy McPherson	Environment Advisory Committee
Councillor Marie Brotherston	Protective Services Advisory Committee
Councillor Mark Cardinal	Administration and Finance Advisory Committee
Councillor Jane Mendum	Roads Advisory Committee
Councillor Joe Kadar	Advisory Planning Commission

iii. Appointment of Acting Mayor (0530-01)

MOTION 640/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT the following Council Members BE APPOINTED as Acting Mayor for the periods shown:

December	2003	Councillor Ken Brotherston
January	2004	Councillor Marie Brotherston
February	2004	Councillor Mark Cardinal
March	2004	Councillor Joe Kadar
April	2004	Councillor Sandy McPherson
May	2004	Councillor Jane Mendum
June	2004	Councillor Ken Brotherston
July	2004	Councillor Marie Brotherston
August	2004	Councillor Mark Cardinal
September	2004	Councillor Joe Kadar
October	2004	Councillor Sandy McPherson
November	2004	Councillor Jane Mendum

CARRIED

iv. Appointment of Greater Victoria Library Board Representative (7960-05)

MOTION 641/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT consideration of the appointment of the District's representative on the Greater Victoria Public Library Board be deferred until Councillor Mendum is in attendance.

CARRIED

v. Appointment of Intermunicipal Committee on Disability Issues Representative (0470-22)

MOTION @/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT Councillor McPherson be appointed as the District of Highlands' representative on the Intermunicipal Committee on Disability Issues for a one-year term expiring December 2004;

AND THAT Councillor Kadar be appointed as the District of Highlands' alternate representative on the Intermunicipal Committee on Disability Issues for a one-year term expiring December 2004;

AND THAT Marnie Essery be appointed as the District of Highlands' community representative on the Intermunicipal Committee on Disability Issues for a one-year term expiring December 2004.

CARRIED

- vi. Appointment of Greater Victoria Family Court Committee Representative (0230-32)*

MOTION 642/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT Councillor McPherson be appointed as the District of Highlands' representative on the Greater Victoria Family Court Committee for a one-year term expiring December 2004;

CARRIED

- vii. Appointment of Capital Region Emergency Service Telecommunications Inc. (CREST) Representative (0470-28)*

MOTION 643/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR CARDINAL

THAT Councillor M. Brotherston be appointed as the District of Highlands Director on the CREST (Capital Region Emergency Service Telecommunications Inc.) Board of Directors for a one-year term expiring December 2004.

CARRIED

- viii. Appointment of Western Communities Community Policing Advisory Committee Representative (7500-25)*

MOTION 644/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT Councillor McPherson be appointed as the District of Highlands representative on the Western Communities Community Policing Advisory Committee for a one-year term expiring December 2004.

CARRIED

- ix. Appointment of West Shore Parks and Recreation Society Representative (7710-02)*

MOTION 645/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT Councillor Cardinal be appointed as the District of Highlands' representative on the West Shore Parks and Recreation Society's Board of Directors for a one-year term expiring December 2004.

CARRIED

x. Appointment of Emergency Planning Committee Representative (0360-28)

MOTION 646/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT Councillor M. Brotherston be appointed to the District of Highlands Emergency Planning Committee.

AND THAT Fire Chief Barry Ford be appointed to the District of Highlands Emergency Planning Committee.

CARRIED

xi. Appointment of Auditor (1680-30)

MOTION 647/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the firm of KPMG be re-appointed as Auditors for the District of Highlands in 2004.

CARRIED

xii. Appointment of Bank (1690-01)

MOTION 648/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the Royal Bank of Canada be re-appointed as Bankers for the District of Highlands in 2004.

CARRIED

8. OTHER BUSINESS

- a) *Relax Roadside Trail Standards (property file)***
Highlands 2 Holdings Ltd – 18-Lot Subdivision – Lot 2 Plan VIP59526
Memo from Planning Technician dated November 20, 2003

MOTION 649/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT Council receive the correspondence dated November 20, 2003 from the Roads Advisory Committee regarding the request from Highlands 2 Holdings Ltd. to relax roadside trail standards for their 18 lot subdivision of Lot 2 Plan VIP59526

CARRIED

MOTION 650/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the following correspondence pertaining to the Roadside Trails be received for information:

Breanne McLennan, 1480 Millstream Road

CARRIED

MOTION 651/03

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR

THAT further consideration of the request from Highlands 2 Holdings Ltd to the Approving Officer, to relax roadside trail standards for the proposed 18-lot subdivision of Lot 2, Plan 59526, Sections 28, 35, & 70, Highland District (Highlands Estates Phase 4) be deferred until information regarding trail access to Gowlland-Tod Park is received from BC Parks.:

MOTION FAILED DUE TO LACK OF SECONDER

MOTION 652/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR

THAT Council recommends to the Approving Officer that roadside trails be provided for the proposed 18-lot subdivision of Lot 2, Plan 59526, Sections 28, 35, & 70, Highland District (Highlands Estates Phase 4), along the proposed road that leads in from Millstream Road and then along the road north to Gowlland-Tod Park provided BC Parks provides access to trails within the park.

MOTION FAILED DUE TO LACK OF SECONDER

MOTION 653/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT Council recommends to the Approving Officer that roadside trails be provided for the proposed 18-lot subdivision of Lot 2, Plan 59526, Sections 28, 35, & 70, Highland District (Highlands Estates Phase 4) along the proposed road that leads in from Millstream Road and then along the road north to Gowlland-Tod Park

CARRIED

Councillor Kadar opposed

Correspondence on Roadside Trails
– **Ken Faris – 1201 Millstream Road**

MOTION 654/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR MCPHERSON

THAT the following correspondence pertaining to the Roadside Trails be received for information:

Ken Faris, 1201 Millstream Road

CARRIED

- b) Rezoning Application No. RZ07-03 (property file)**
OWNER: 654449 BC Ltd. & Doug Turner
LOCATION: Lots A & B, Section 39, Plan 34216
CIVIC ADDRESS: Woodridge Place

Councillor Cardinal declared a conflict of interest, as the applicant is his employer and left the Council meeting at 9:35 p.m.

MOTION 655/03

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the letter dated November 21, 2003 from Ralmax Developments Ltd. withdrawing the Rezoning Application No. RZ07-03 for Woodridge Properties, Lots A & B, Section 39 Plan 34216 be received.

CARRIED

Councillor Cardinal returned to the Council meeting at 9:36 p.m.

- c) Tri-Party Conservation Covenants**
Highlands 2 Holdings Ltd – 18-Lot Subdivision – Lot 2 Plan VIP59526
Memo from Planning Technician dated November 24, 2003

MOTION 656/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR KADAR

THAT with regards to the request by Highlands 2 Holdings Ltd to Council, to waive the expectation for third party conservation covenants, for the proposed 18-lot subdivision of the Lot 2, Plan 59526, Sections 28, 35, & 70, Highland District (Highlands Estates Phase 4), staff be instructed to contact the District's solicitor and seek advise on:

1. Whether the Approving Officer can require conservation covenants in the proposed subdivision; and
2. If so, can the Approving Officer require the conservation covenants be in the form of third-party covenants.

CARRIED

**MOTION 657/03
MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR KADAR**

THAT staff be instructed to contact the Land Conservancy with regards to the request by Highlands 2 Holdings Ltd to Council, to waive the expectation for third party conservation covenants, for the proposed 18-lot subdivision of the Lot 2, Plan 59526, Sections 28, 35, & 70, Highland District (Highlands Estates Phase 4), and advise them it is under consideration by Council.

CARRIED

9. ADJOURNMENT

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

**MOTION 658/03
MOVED BY COUNCILLOR KADAR
SECONDED BY COUNCILLOR K. BROTHERSTON**

THAT: That the regular meeting of Council be adjourned at 9:45 p.m.;

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

- Personnel

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator