

**DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING**

Minutes of the Regular Council meeting held Monday, May 3, 2004, 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
Councillor Mendum

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

1. APPROVAL OF THE AGENDA

**MOTION 215/04
MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT the agenda be approved.**

CARRIED

2. ADOPTION OF THE MINUTES

a) *Minutes of the Regular Council Meeting held April 19, 2004*

**MOTION 216/04
MOVED BY COUNCILLOR KADAR
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT the minutes of the Regular Council Meeting held April 19, 2004 be adopted as circulated.**

CARRIED

b) *Minutes of the Special Council Meeting held April 27, 2004*

**MOTION 217/04
MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT the minutes of the Special Council Meeting held April 27, 2004 be adopted as circulated**

CARRIED

c) *Minutes of the Committee of the Whole Meeting held April 27, 2004*

MOTION 218/04

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR MEDNUM

THAT the minutes of the Committee of the Whole Meeting held April 27, 2004 be adopted as circulated.

CARRIED

3. **INTRODUCTION OF LATE ITEMS**

MOTION 219/04

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the following late items be approved for inclusion on the agenda:

1. CREST – Discussion Paper – 2005 & Future Revenue Strategy

CARRIED

a) **CREST – Discussion Paper – 2005 & Future Revenue Strategy**

MOTION 220/04

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the discussion paper dated March 31, 2004 from CREST regarding Future Revenue Strategies be referred to staff for comment with a report back to Council at the May 17, 2004 Council meeting.

CARRIED

4. **PETITIONS & DELEGATIONS**

a) **Scott Richardson, 499 Millstream Lake Road**

- Council must require LGB9 to build an organic golf course

b) **Les Bjola, 208-2800 Bryn Maur Road**

- Thanked the Highlands Fire Department for their effort and quick response to the fire on LGB9 property on Sunday, May 2, 2004
- Advised Council LGB9 will be submitting an amended plan and application for Council's consideration at the May 17, 2004 meeting.
- Indicated a willingness to go back to Advisory Committees

5. **UNFINISHED BUSINESS**

a) ***Rezoning Application No. RZ04-04***

OWNER/APPLICANT: Kingco 2000 Ltd.)

***LOCATION: Lot D, Sections 4 & 5, Ranges 3 West & 4 West,
Highland District, Plan VIP76077***

CIVIC ADDRESS: Bear Mountain Parkway

Memo from Deputy Clerk dated April 28, 2004

- Application to realign the Community Institutional 1 (CI-1) and Conservation 1 (C-1) zoning boundaries on the property and amend the permitted uses in the zones to permit a wider range of uses

(i) **Highlands Official Community Plan Amendment Bylaw No. 227, 2004**

(ii) **Highlands Zoning Amendment Bylaw No. 228, 2004**

(iii) **Highlands Zoning Text Amendment Bylaw No. 229, 2004**

MOTION 221/04

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT further consideration of Highlands Zoning Text Amendment Bylaw No. 229, 2004 be deferred to permit staff to address the concerns regarding parking expressed in the report dated May 3, 2004.

CARRIED

Mayor Roessingh, Councillors M. Brotherston and McPherson opposed.

b) ***Discussion of LGB9/Bear Mountain rezoning application process***

- A revised application will be presented to Council at the May 17, 2004 meeting.
- At that time Council will decide the process they wish to follow

6. **REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE & COMMISSIONS**

a) **Committee Reports**

i) **Administration and Finance** – Councillor Cardinal

- Next meeting is scheduled for May 11, 2004 at Pike House.

West Shore Recreation

- Councillor Cardinal reported interviews are being conducted for the new Administrator

- ii) Environment – Councillor McPherson
- Next meeting is scheduled for May 12, 2004 at Pike House.

Family Court & Youth Justice Committee

- Councillor McPherson advised the committee is currently reviewing their mandate with the help of Provincial representatives.

- iii) Parks, Trails and Recreation - Councillor K. Brotherston
- Next meeting is scheduled for May 10, 2004 at Pike House.

Parks Trails & Recreation Advisory Committee

Minutes of the Meeting held April 12, 2004

MOTION 222/04

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT the minutes of the Parks Trails & Recreation Advisory Committee meeting held April 12, 2004 be received for information.

CARRIED

- iv) Protective Services - Councillor M. Brotherston
- Next meeting is scheduled for May 31, 2004
 - Will be hosting a Fire Smart workshop in May.

Protective Services Advisory Committee

Minutes of the Meeting held April 26, 2004

MOTION 223/04

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the minutes of the Protective Services Advisory Committee meeting held April 26, 2004 be received for information.

CARRIED

- v) Roads – Councillor Mendum
- Next meeting is scheduled for May 20, 2004

Roads Advisory Committee

Minutes of the Meeting held April 22, 2004

MOTION 224/04

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON

THAT the minutes of the Roads Advisory Committee meeting held April 22, 2004 be received for information.

CARRIED

- vii) Planning and Zoning
 - A) Advisory Planning Commission – Councillor Kadar
 - B) OCP Planning Coordinating Team – Councillor Kadar

OCP Planning Coordinating Team
Minutes of the Meeting held April 6, 2004

MOTION 225/04

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR MCPHERSON

THAT the minutes of the OCP Planning Coordinating Team meeting held April 6, 2004 be received for information.

CARRIED

- b) Mayor's Report
 - Bob McMinn will be awarded an Award of Merit by the Hallmark Society of Victoria for his work on the School House
 - Armed Forces Appreciation Day is June 6, 2004

7. CORRESPONDENCE

a) *Miscellaneous Correspondence*

MOTION 226/04

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the following correspondence be received for information:

1. Letter from Joel Thompson dated April 11, 2004
2. Email from Allen Stichbury received April 22, 2004
3. Email from Janice Meier dated April 11, 2004
4. Letter from H Luetzen dated April 14, 2004
5. Email from Al & Linda Adams dated April 17, 2004
6. Letter from Vicky Husband dated April 23, 2004
7. Email from Woody & Carmel Thomson; Hamish Nicolson, Anne-Marie Madden, Heather & Rosemary Bryan, Omar McDadi dated April 22, 2004

CARRIED

8. BYLAWS

a) (i) *Five Year Financial Plan Bylaw No. 232, 2004*

MOTION 227/04

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MCPHERSON

THAT Five Year Financial Plan Bylaw No. 232, 2004 be granted first reading.

CARRIED

MOTION 228/04

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT Five Year Financial Plan Bylaw No. 232, 2004 be granted second reading.

CARRIED

MOTION 229/04

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT Five Year Financial Plan Bylaw No. 232, 2004 be granted third reading.

CARRIED

a) (i) Tax Rates Bylaw No. 233, 2004

MOTION 230/04

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MCPHERSON

THAT Tax Rates Bylaw No. 233, 2004 be granted first reading.

CARRIED

MOTION 231/04

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR MCPHERSON

THAT Tax Rates Bylaw No. 233, 2004 be granted second reading.

CARRIED

MOTION 232/04

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MCPHERSON

THAT Tax Rates Bylaw No. 233, 2004 be granted third reading.

CARRIED

MOTION 233/04

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR MENDUM

THAT a Special Council Meeting be scheduled for May 10, 2004, at 5:00 p.m. at the District Office to consider adoption of the "Five Year Financial Plan Bylaw No. 232, 2004" and the "Tax Rates Bylaw No. 233, 2004".

CARRIED

9. **NEW BUSINESS**

a) ***Capital Regional District
Governance Structure for Land Use Planning in Juan de Fuca Electoral
Area***

Memo from Administrator dated April 22, 2004

- Proposal from CRD to replace the existing two land use committees with one committee composed of representatives from the six geographically separate communities that make up the Electoral Area (East Sooke, Otter Point, Shirley, Port Renfrew, Malahat and Willis Point) plus CRD representatives from any of the abutting member municipalities who enter into an agreement that would permit them voting entitlement on land use matters within the electoral area (i.e. Metchosin, Sooke, Colwood, Langford, Highlands, Saanich, and Central Saanich.)

MOTION 234/04

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT the Council not support entering into an agreement with the Capital Regional District under Section 804.1 of the Local Government Act pertaining to land use planning in the Juan de Fuca Electoral Area as outlined in the letter from the Capital Regional District dated March 31, 2004

CARRIED

Councillor Mendum opposed.

b) ***Monthly Building Report – April 2004***

MOTION 235/04

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the Building Report for April 2004, be received for information

CARRIED

c) ***CRD Monthly Bylaw Enforcement Summary – March 2004***

MOTION 236/04

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR MCPHERSON

THAT the Capital Regional District Bylaw Enforcement Summary report dated April 7, 2004, for the month of March 2004, be received for information.

CARRIED

d) *Annual Meeting*

MOTION 237/04

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR MCPHERSON

THAT a Council workshop be held May 25, 2004 at 7:00 p.m at the District Office to set 2005 objectives.

CARRIED

e) *Proposed Administration & Finance Advisory Committee newsletter*

MOTION 238/04

MOVED BY COUNCILLOR MCPHERSON

SECONDED BY COUNCILLOR MENDUM

THAT newsletter prepared by the Administration & Finance Advisory Committee regarding the Five Year Financial Plan for the period 2004 to 2008 be endorsed by Council.

CARRIED

10 **ADJOURN TO INCAMERA**

MOTION 239/04

MOVED BY COUNCILLOR M. BROTHESTON

SECONDED BY COUNCILLOR MENDUM

THAT the Regular meeting of Council BE ADJOURNED at 8:25 p.m.

AND THAT pursuant to Section 90 of the *Community Charter*, a meeting *in camera* be convened to discuss:

- Legal Issues

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator