

**DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING
August 2, 2005 AT 7:00 P.M.**

Minutes of the Regular Council meeting held on August 2nd, 2005 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: Heinz Burki, Acting Administrator
Terry Trace, Municipal Clerk

The Mayor announced that Scott Coulson, CAO was no longer with the District and that Heinz Burki was Acting Administrator.

He further announced that Council had a follow-up session with George Cuff. He noted that recommendations from Mr. Cuff included that with respect to Petitions and Delegations, there should be no criticism to staff and members of Council and that only issues before Council be dealt with. He then noted that minutes will be reduced in content and should consist of resolutions only.

1. APPROVAL OF THE AGENDA

MOTION NO. 363/05

MOVED BY: COUNCILLOR K. BROTHERSTON

SECONDED: COUNCILLOR KADAR

THAT Council adopt the agenda as amended:

Add Under Petitions and Delegation:

Tara Parkinson
Daphne Williams
Marcie McLean
Michael Bocking
Hans Waelti
Ron Cheeke
Vicki Husband
Maura Dhillon
Eleanor Rayner

Add Items:

- 3 (a) - Letter from Councillor McPherson – Re: Acknowledgement Award for Elliott and Kathy Gose
- 5 (f) - Letter from Ron Cheeke – Re: Open House update for Woodridge
- 5 (g) - Letter from Residents - Re: OCP Late Access Policy
- 5 (h) - Recommendations Arising from Community Infrastructure Advisory Committee

CARRIED.

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting dated July 4, 2005

MOTION NO. 364/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR K BROTHERSTON

THAT Council the Minutes of the Regular Council Meeting dated July 4, 2005.

CARRIED.

MOTION NO. 365/05

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council adopt the following minutes:

- b) Minutes of the Special Meeting of Council dated July 11, 2005 at 6:00 p.m.
- c) Minutes of the Special Meeting of Council dated July 11, 2005 at 10:35 p.m.
- d) Minutes of the Special Meeting of Council dated July 13, 2005.
- e) Minutes of the Special Meeting of Council dated July 25, 2005.

CARRIED.

- f) Minutes of the Committee of the Whole Meeting dated July 11, 2005

MOTION NO. 366/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council adopt the Minutes of the Committee of the Whole Meeting dated July 11, 2005.

CARRIED.

3. INTRODUCTION OF LATE ITEMS

4. PETITIONS AND DELEGATIONS

The Mayor read a letter from Councillor McPherson requesting that Council consider the formal and public acknowledgement of Elliott Gose and Kathy Gose for their respective contributions of community service to the overall health and well being of the community and that they be presented with a Highlands Medal with a bar reading "community service" accompanied by a congratulatory letter from Mayor and Council.

It was also suggested by a member of Council that a plaque be placed in the office to recognize all those who receive medals for service in the Highlands.

The Mayor then read a letter from Gordon and Anne-Marie Hart of 3837 Blue Valley Road, urging Council to reject the current Woodridge rezoning proposal.

Tara Parkinson, 3702 Blue Valley Road, spoke in opposition of the density for the proposed Woodridge rezoning and indicated she would like to see a buffer along the back of Lot 4 and would like to see a green building scheme with low water usage.

The Mayor advised that this would be a development agreement issue.

Daphne Williams, 3422 Verona Crescent, spoke in opposition of the density for the proposed Woodridge Development.

Marcie McLean, 1321 Millstream Road, requested that Council hold an additional open house for the Official Community Plan.

Marcie McLean, 1321 Millstream Road, expressed concern with the bike jump dirt track proposed for Twin Flower Park was too close to an environmental area.

Michael Bocking, 405 Hazlitt Creek Road, expressed concern with respect to the time frame in completing the Official Community Plan.

Hans Waelti, 3813 Munns Road, spoke in support of the proposed Woodridge Rezoning and spoke in support of completing the Official Community Plan.

Ron Cheeke, developer of the proposed Woodridge Rezoning, spoke in support of his application.

Vicki Husband, 301 Ross Durrance Road, spoke in opposition of the Woodridge Rezoning and spoke in support of having more public consultation process and an additional open house for the Official Community Plan.

Mara Dhillon, 3813 Munns Road, spoke in support of the completion of the Official Community Plan.

Eleanor Rayner, 600 Stewart Mountain Road, spoke in support of the completion of the Official Community Plan.

5. UNFINISHED BUSINESS

- a) Development Variance Permit Application DVP-07-05

MOTION NO. 367/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR KADAR

THAT Development Variance Permit DVP-07-05 be issued pertaining to:

Lot 14, Section 30/72, Highland District, Plan VIP74674 (720 Skyview Place)

As shown on Schedule 'A' of the Development Variance Permit and that would vary Zoning bylaw 100 as follows:

Section 6.4.3 (3) by reducing the front yard setback requirement from 20 meters to 17 METRES.

CARRIED.

MOTION NO. 368/05

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR MCPHERSON

THAT Development Variance Permit DVP-07-05 be issued pertaining to:

Lot 14, Section 30/72, Highland District, Plan VIP74674 (720 Skyview Place)

As shown on Schedule 'A' of the Development Variance Permit and that would vary Zoning bylaw 100 as follows:

Section 6.4.3 (8) by increasing the floor area of a single accessory building from 100 square meters to 112 square meters.

CARRIED.

OPPOSED: COUNCILLOR MCPHERSON

- b) Memorandum – Municipal Planner
Re: Resolution to refer OCP to Advisory Committees and APC

MOTION NO. 369/05

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR MCPHERSON

THAT Council refer the July 2005 Draft OCP to the Advisory Committees and the Advisory Planning Commission.

CARRIED.

- c) Memorandum – Bob McMinn
Re: Mound Jump Park in Twinflower Park

MOTION NO. 370/05

MOVED BY: COUNCILLOR MCPHERSON

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council authorize the Highlands Parks and Recreation Association to proceed with establishing a mound jump park on the site that was established by Highlands youth when the site was private land and that \$5,000 be made available from the Parks Reserve Fund to establish the jump park.

CARRIED.

- d) Letter – Darren Hutchinson, Quintech
Re: Funding

MOTION NO. 371/05

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR MCPHERSON

THAT Council instruct that a letter be sent to the residents of the District of Highlands, from the Fire Chief, along with a letter from Mr. Darren Hutchinson, Quintech Fire Services Ltd., explaining the importance of conducting an assessment in the District of Highlands for Hazard Mapping and only those willing to participate would be assessed and that working maps be prepared for the Fire Department.

CARRIED.

- e) Council Meetings – Caleb Pike School House
Re: Parking and Walkway

MOTION NO. 372/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council support In Principle installing improved parking and the construction of a lighted pathway to the School House from Millstream Road and the Caleb Pike House, and request staff to obtain two further quotes to install improved parking and assist with the cost of constructing and lighting pathways to the school house from Millstream Road and the Caleb Pike House.

CARRIED.

- f) Letter – Ron Cheeke – Open House Woodridge Application

MOTION NO. 373/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR K. BROTHERSTON

THAT the letter from Ron Cheeke, summarizing the open house for the Woodridge Application be received.

CARRIED.

- g) Letter – Proposed OCP – Lake Access Policies

MOTION NO. 374/05

MOVED BY: COUNCILLOR MCPHERSON

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council receive the letter received from various residents regarding the Proposed OCP – Lake Access Policies, for information.

CARRIED.

- h) Recommendations from Community Infrastructure Advisory Committee

MOTION NO. 375/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR M. BROTHERSTON

THAT due to heavy traffic on Millstream Road and the “S” configuration of Millstream road in that particular area, and because school bus children walk along both sides of Millstream Road, and based on the information received from Sid Sidhu and School District 62, Council approves of Option No. 1 from the Sidhu Report to install a street light at the intersection of Stewart Mountain Road and Millstream Road at a maximum cost of \$1,500 with a 100 W MPS (flat glass) downcast luminaire.

CARRIED.

MOTION NO. 376/05

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council approve that the Old Community Hall Task Force Committee be disbanded and that a new committee be formed consisting of four members from the Community Infrastructure and Services Advisory Committee and five members from the community at large (one to be a youth 19 or under).

CARRIED.

MOTION NO. 377/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR K. BROTHERSTON

THAT the Terms of Reference for the new Community Hall Task Force Committee be approved as amended to reflect that the Committee be comprised of four members of the Community Infrastructure and Services Advisory Committee and five members from the community at large (one to be a youth 19 or under).

CARRIED.

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

a) Committee Reports

- i) Advisory Planning Commission – Nothing to Report
- ii) Capital Regional Board - Nothing to Report
- iii) Community Energy Planning Steering Committee – Nothing to Report
- iv) CREST

Councillor M. Brotherston reported that the final report from the consultant is now available and that she would receive a verbal report at the Board of Director's meeting on Thursday, August 4, 2005.

- v) Emergency Planning Committee – Nothing to Report
- vi) Greater Victoria Family Court Committee – Nothing to Report
- vii) Inter-Municipal Committee on Disability Issues – Nothing to Report
- viii) Solid Waste Advisory Committee – Nothing to Report
- ix) Western Communities Policing Advisory Committee – Nothing to Report
- x) West Shore Parks and Recreation Society's Board of Directors

Councillor Cardinal reported that a 5 year lease is now finalized between the Salsa Hockey Club and the Bear Mountain Arena and that Mr. Len Barrie is the new owner of the Salsa Hockey Club.

b) Mayor's Report

- i) Greater Victoria Public Library Board
Request from Langford Re: funds for Consultant
- ii) CRD Arts Committee

The Mayor reported that he attended the Canada Day Celebrations and the Symphony Splash at the Inner Harbor.

The Mayor noted that the Strategic Plan is under way for the Library and there is hope that direction for the library will be in place within the next month. He noted that the former Hudson's Bay building is still being considered as a possible venue for a library.

7. CORRESPONDENCE

Correspondence to receive for Information:

MOTION NO. 378/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council receive the following letters for information:

- a) Letter – Vancouver Island Health Authority
Re: 2005 Capital Regional District Nutritious Food Baskets
- b) E-Mail – City of North Vancouver
Re: Support the Supporters Project
- c) Letter – District of Metchosin
Re: Request for Extension for Regional Context Statement
- d) Letter – Gunter Schnarr and Waltrault Schnarr
Re: Request to reduce minimum land area for subdivision to 20 acres.
- e) Letter – Capital Regional District Parks
Re: Regional Park and Trail Designations in Highlands
- f) Letter – Minister of Environment
Re: Streamside Protection Regulations
- g) Letter – Municipal Finance Authority
Re: District's Share of MFA Dividend for Leasing

And further that the Letter from Gunter Schnarr and Waltrault Schnarr be referred to the OCP Process.

CARRIED.

Correspondence requiring Action:

MOTION NO. 379/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR M. BROTHERSTON

- h) Letter – Capital Regional District
Re: CRD Juan de Fuca Electoral Area Governance

THAT Council instruct staff to prepare a letter to Erik Lund, Director of Juan de Fuca Electoral Area for the Capital Regional District and thank him for the invitation and ask that he bring his request for the District of Highlands to participate in the governance of the JDFEA under Part 26 of the *Local Government Act* to the next Council.

CARRIED.

OPPOSED: COUNCILLOR MCPHERSON.

8. BYLAWS

- a) "Highlands Zoning Amendment Bylaw No. 265, 2005"

MOTION NO. 380/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR MCPHERSON

THAT Council left "Highlands Zoning Amendment Bylaw No. 265, 2005" from the table.

CARRIED.

MOTION NO. 381/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR MCPHERSON

THAT Council refer "Highlands Zoning Amendment Bylaw No. 265, 2005" to a Committee of the Whole Meeting.

CARRIED.

OPPOSED: COUNCILLOR K. BROTHERSTON

MOTION NO. 382/05

MOVED BY: COUNCILLOR MCPHERSON

SECONDED: COUNCILLOR M. BROTHERSTON

THAT a Committee of the Whole Meeting be scheduled for September 12th, 2005.

CARRIED.

OPPOSED: COUNCILLOR K. BROTHERSTON

- b) "Highlands Zoning Amendment Bylaw No. 275, 2005 (Woodridge)"

MOTION NO. 383/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR KADAR

THAT Council give "Highlands Zoning Amendment Bylaw No. 275, 2005 (Woodridge)" first reading.

CARRIED.

OPPOSED: MAYOR ROESSINGH AND COUNCILLOR MCPHERSON.

MOTION NO. 384/05

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council give "Highlands Zoning Amendment Bylaw No. 275, 2005 (Woodridge) second reading.

CARRIED.

OPPOSED MAYOR ROESSINGH AND COUNCILLOR MCPHERSON.

MOTION NO. 385/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR MCPHERSON

THAT Council instruct staff to work with the Developer and that the Developer prepare a Development Agreement, which includes but is not limited to:

- a) a building scheme be prepared;
- b) a green space plan be prepared;
- c) buffered areas are to be designated and land to be designated to become the ownership of the District be clearly marked;
- d) that two wells be drilled and that 72 hour pump testing be conducted by BC Aquifer according to their recommendations; and
- e) that testing and monitoring of wells on adjacent lands and lands down to Eagles Lake Road be conducted,

prior to proceeding with a public hearing for "Highlands Zoning Amendment Bylaw No. 275, 2005 (Woodridge)

CARRIED.

OPPOSED: COUNCILLOR K. BROTHERSTON.

- c) "Fire Protection Specified Area Amendment Bylaw No. 266, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 267, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 268, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 269, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 270, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 271, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 272, 2005"; and
"Fire Protection Specified Area Amendment Bylaw No. 274, 2005".

MOTION NO. 386/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR MCPHERSON

THAT Council give first reading to:

"Fire Protection Specified Area Amendment Bylaw No. 266, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 267, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 268, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 269, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 270, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 271, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 272, 2005"; and
"Fire Protection Specified Area Amendment Bylaw No. 274, 2005".

CARRIED.

MOTION NO. 387/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR MCPHERSON

THAT Council give second reading to:

"Fire Protection Specified Area Amendment Bylaw No. 266, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 267, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 268, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 269, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 270, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 271, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 272, 2005"; and
"Fire Protection Specified Area Amendment Bylaw No. 274, 2005".

CARRIED.

MOTION NO. 388/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR MCPHERSON

THAT Council give third reading to:

"Fire Protection Specified Area Amendment Bylaw No. 266, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 267, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 268, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 269, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 270, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 271, 2005";
"Fire Protection Specified Area Amendment Bylaw No. 272, 2005"; and
"Fire Protection Specified Area Amendment Bylaw No. 274, 2005".

CARRIED.

MOTION NO. 389/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR M. BROTHERSTON

THAT Council instruct staff to notify affected property owners and place an advertisement in the local paper for the following bylaws:

“Fire Protection Specified Area Amendment Bylaw No. 266, 2005”;

“Fire Protection Specified Area Amendment Bylaw No. 267, 2005”;

“Fire Protection Specified Area Amendment Bylaw No. 268, 2005”;

“Fire Protection Specified Area Amendment Bylaw No. 269, 2005”;

“Fire Protection Specified Area Amendment Bylaw No. 270, 2005”;

“Fire Protection Specified Area Amendment Bylaw No. 271, 2005”;

“Fire Protection Specified Area Amendment Bylaw No. 272, 2005”; and

“Fire Protection Specified Area Amendment Bylaw No. 274, 2005”.

CARRIED.

9. NEW BUSINESS

- a) Monthly RCMP Mayor’s Report for May, 2005

MOTION NO. 390/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR KADAR

THAT Council receive the Monthly RCMP Mayor’s Report for Mayor, 2005 for information.

CARRIED.

- b) Report – Monthly CRD Animal Control Reports

MOTION NO. 391/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR KADAR

THAT Council receive the Monthly Animal Control Report for June, 2005 for information.

CARRIED.

- c) Report – Building Report for July, 2005

MOTION NO. 392/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR KADAR

THAT Council receive the Building Report for July, 2005 for information.

CARRIED.

- d) Budget Variance Report – July 21, 2005

MOTION NO. 393/05
MOVED BY: COUNCILLOR M. BROTHERSTON
SECONDED: COUNCILLOR MCPHERSON

THAT Council receive the Budget Variance Report, dated July 21, 2005 for information.

CARRIED.

- e) Report – Municipal Clerk
Re: Bank Signing Authority

MOTION NO. 394/05
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR MCPHERSON

THAT Council authorize:

1. That Heinz Burki, Acting Administrator/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 Heinz Burki, Acting Administrator/Treasurer OR Terry Trace, Municipal Clerk, and signed/counter signed by Karel Roessingh, Mayor, OR Mark Cardinal.
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 Heinz Burki, Acting Administrator/Treasurer or Terry Trace, Municipal Clerk, together with Karel Roessingh, Mayor OR Mark Cardinal 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.

- f) Report – Municipal Clerk
Re: Sale of 1981 International Chassis Fire Truck

MOTION NO. 395/05

MOVED BY: COUNCILLOR CARDINAL

SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council accept the offer of \$4,500 from Capital City Paving Ltd. to purchase the District's 1981 International Chassis Fire Truck with a 1987 Fire body and Pump.

CARRIED.

- g) Report – Municipal Planner
Re: City of Langford Regional Context Statement Referral

MOTION NO. 396/05

MOVED BY: COUNCILLOR M. BROTHERSTON

SECONDED: COUNCILLOR KADAR

THAT Council receive the City of Langford Regional Context Statement Referral.

CARRIED.

10. ADJOURNMENT

MOTION NO. 397/05

MOVED BY: COUNCILLOR

SECONDED: COUNCILLOR

THAT the Regular Meeting of council adjourn and move into an "In-Camera" Special Council Meeting at 9:35 p.m., pursuant to Section 90 (a) of the *Community Charter*, to discuss personnel issues.

CARRIED.