

DISTRICT OF HIGHLANDS
COMMITTEE OF THE WHOLE MEETING
(POLICIES AND PRIORITIES)

Minutes of the Committee of the Whole Meeting held on January 24, 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 Mendum

ABSENT: Councillor McPherson

IN ATTENDANCE: Scott Coulson, Administrator
Laura Beckett, Municipal Planner

1. Approval of the Agenda

MOVED BY: COUNCILLOR M. BROTHERSTON
SECONDED: COUNCILLOR K. BROTHERSTON

THAT the Agenda be approved as amended.

- (a) Add item: "1485 White Pine Terrace – Lot Constraints for Development," to follow item #1
- (b) Remove/Table item 7, "Bear Mountain Master Development Agreement".
- (c) Add item: "Results of Bear Mountain Reports Peer Review," to end of agenda
- (d) Add item: " Five Year Financial Projection – Send to Advisory Committees" to end of agenda.

CARRIED.

2. 1485 White Pine Terrace

Re: Lot Constraints for Development

The Municipal Planner advised that all the necessary approvals and permits to develop this lot have been obtained. Tree removal is complete and site preparation is well underway. As the builders were about to begin installing a barn, they noted a discrepancy between the electronic mapping and ground mapping of a nearby creek. The result is that the residence and barn would be 25m from the creek, and not 30m as required by Highlands bylaws. It was also noted that the Residential Use Zone (RUZ) did not match the required front yard setback of 20m, as expected by the owners and builders. Taking all setbacks into consideration greatly limits the developable width of the lot – to approximately 28 feet.

The buildings have been sited within the RUZ, which was determined by an engineer. The site plan and buildings have been approved by Highlands staff. The owners wish to develop the lot as laid out on the current plans, to allow for a riding ring on one side of the lot.

The owners must move into the barn by February 28, and construction on the barn must begin as soon as possible. A Development Variance Permit, varying the riparian setback from 30m to 25m, and varying the front yard setback from 20m to 15m, would solve the problem.

Staff suggests issuing notice for such a Development Variance Permit.

MOVED BY: COUNCILLOR M. BROTHERSTON
SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council issues notification for a development variance permit at 1485 White Pine Terrace.

CARRIED.

3. **Parks Trails and Recreation Advisory Committee Outstanding Issues**
Referred by December 6, 2004 Council Meeting

&

4. **Protective Services Advisory Committee Outstanding Issues**
Referred by December 6, 2004 Council Meeting

Mayor Roessingh noted that if both lists were refined they would be easier for discussion.

Councillor Cardinal agreed, and suggested bringing a new list back to Council

Councillor Kadar agreed.

Alan Philip agreed, and requested that, with respect to parks, that Janet Williams, Chair of the Trails Committee, be invited to participate in the discussion. There was general agreement that that should occur.

MOVED BY: COUNCILLOR CARDINAL
SECONDED: COUNCILLOR KADAR

THAT Council refer the lists of Outstanding Issues from the Parks, Trails and Recreation Advisory Committee and the Protective Services Advisory Committee to the former Chairs, former Council Liaisons, Mayor, and staff to refine the lists and refer them to the new committees. Items should be:

- Prioritized, with a top 10 list
- Combined as appropriate.

CARRIED.

5. Report – Municipal Planner

Re: Environmental Advisory Committee's High Priority Action Items for Millstream Watershed Management Plan

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR M. BROTHERSTON

THAT Council direct staff to conduct an updated review of the Millstream Watershed Management Plan, and time presentation of that report with a presentation from CRD staff regarding the Millstream Watershed Management Plan.

CARRIED.

6. Local Government Infrastructure

Referred by January 17, 2005 Council Meeting

Bob McMinn suggests to put information together and submit an application to upgrade all municipal buildings, which includes the municipal hall, the two fire halls, and Caleb Pike House, with heat pumps, which are energy efficient.

Councillor Kadar questioned if we could ask about seismic upgrades or a new community hall.

Mayor Roessingh suggested that that might be beyond the scope of this grant.

Councillor Cardinal suggested requesting a grant to bring or assist bringing water to the east side of Millstream Road, as supported by the OCP.

Councillor Kadar suggested using the contaminated waste sites argument to support bringing water to the east side of Millstream Road.

Councillor Mendum suggested requesting more information.

Mayor Roessingh advised that there was no time, as the information was requested by January 28, 2005.

Councillor M. Brotherston suggested sending a list of priorities, and then the government could advise.

Councillor Kadar asked if the Fire Chief had anything to add? The Administrator/Treasurer advised that he did not.

MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council put forward the request for heat pumps and heat efficiency for all municipal buildings, and for water infrastructure for east Millstream Road.

CARRIED.

7. Business Case and Draft Establishing Bylaw, Regional Housing Trust Fund
Referred by January 17, 2005 Council Meeting

Councillor M. Brotherston noted that more information was needed. Oak Bay's response to the Housing Trust Fund was in a recent article in the News Group's paper, and mentioned concerns regarding the administration of funds. She further noted that the Mayor of Colwood indicated to her that Colwood has their own Housing Trust Fund, and they have concerns regarding how the funds would be spent. As well, they want assurance that funds are spent in Colwood.

Councillor Mendum indicated that Highlands has provisions for secondary housing and affordable housing. She does not picture CRD affordable housing projects in the Highlands. She has questions regarding administration of the proposed CRD Housing Trust Fund. She feels open to participating, but as long as Highlands can choose to put the money elsewhere. She would like to feel that the Highlands is contributing regionally.

Mayor Roessingh indicated that several options were considered. He further indicated that the Capital Region Housing Corporation has done amazing work on a shoestring. The amount Highlands would contribute annually amounts to approximately a penny per day per person, which he considers to be a minor amount that gives the Highlands good leverage. He is strongly in favour of supporting the fund, and admits that of course an affordable housing project would not likely be built in the Highlands.

Councillor Cardinal supports using the money in the Highlands. He feels that Highlands could have very little control over how the contribution is spent, due to the voting procedures. He acknowledges that Highlands has a regional responsibility, and that Highlands does have affordable housing within our boundaries through secondary suites, etc. There is no transit here, and land prices are too high to justify other types of affordable housing in the Highlands. He further indicated that Highlands supplies park to the region, and receives no economic return for it. He would support money for CRD parks that would be regionally collected.

Councillor Kadar indicated that he has a hard time supporting this item. There is too little information, and the time line to decide is too tight. He feels that Highlands is out of the loop for providing affordable housing. He is worried that the 5% administration might increase, and feels that this project is part of the CRD's empire building.

Mayor Roessingh responding by agreeing that the \$5,000 that Highlands would contribute would not be spent in Highlands, but that Highlanders may have to move out of the municipality into affordable housing, and thus could benefit from the fund. He

feels that there is no danger that the \$5,000 would spiral out of line. \$5,000 gives the Highlands good leverage regionally.

Councillor Mendum felt that regionally the Highlands is considered very wealthy. As such, Highlands needs to consider its regional profile. Even one vote gives Highlands good representation. Highlands could still leave the situation at any time. There was little risk, but much contribution.

Councillor M. Brotherston was of two opposing minds. She believes that this is a motherhood issue, and Highlands has a regional responsibility. It is a smart thing to do because it is leveraged. She is uncomfortable with the administration costs and voting procedures. She wants to see things in order before entering into any agreement. She has a large concern putting another tax on residents, as she feels that the taxes now are too onerous. She also feels that it is a slap in the face that CRD imposes the urban containment boundary, which limits Highlands' ability to diversify the tax base, and then ask Highlands for money for affordable housing.

For clarification Mayor Roessingh indicated that the amount was \$7.50 per household per year.

Councillor Cardinal felt that the Highlands was not one of the wealthiest municipalities, but rather one of the highest assessed municipalities. He indicated that Highlands has one twenty-sixth of control on the CRD Board.

There was discussion regarding the different assessments throughout the region, and how much they had increased this year. There was discussion regarding if assessments increased similarly throughout the region.

Councillor Mendum indicated that on page 7 of the materials the 5% maximum administration fee is the business case, not the working case.

Councillor Cardinal was willing to wait and see about this issue.

Mayor Roessingh indicated that Colwood had approximately the highest increase in assessment. It had gone up 35%.

The list of concerns that Council created included:

1. The 5% administration costs – is it regulated or capped? What mechanism is there for it to decrease or increase? Does it take a majority vote to change this? How does weighted voting affect this?
2. What are the difficulties with entering or leaving the agreement?
3. What criteria will be used to evaluate projects? How will it be determined where projects will go?
4. Has the Housing Corporation considered all possible partnerships?

Councillor M. Brotherston indicated that she is interested in the project but wants more information.

Councillor Mendum wished to add a question to the list:

5. How do ideas arrive at the Housing Board regarding the Trust Fund?

In an effort to answer this question, Councillor M. Brotherston read the section entitled, "What criteria must a project meet for Regional Housing Trust Fund support?" on page 9 of the "Regional Housing Trust Fund – Frequently Asked Questions on the Proposed Establishing Bylaw," dated January 5, 2005.

Councillor Mendum assumed that the Trust Fund would provide incentive for private partners.

Councillor Kadar wished to add a question to the list:

6. How did the CRD calculate the estimates for the costs per unit as outlined in the materials?

MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR CARDINAL

THAT Council supports in principal the CRD Housing Trust Fund, but wishes more information before it can fully consider entering into the agreement. This additional information includes:

1. The 5% administration costs – is it regulated or capped? What mechanism is there for it to decrease or increase? Does it take a majority vote to change this? How does weighted voting affect this?
2. What are the difficulties with entering or leaving the agreement?
3. What criteria will be used to evaluate projects? How will it be determined where projects will go?
4. Has the Housing Corporation considered all possible partnerships?
5. How do ideas arrive at the Housing Board regarding the Trust Fund?
6. How did the CRD calculate the estimates for the costs per unit as outlined in the materials?

Further Discussion

Councillor Kadar supported the Housing Trust Fund in principal.

CARRIED.

8. Response from Peer Review of Bear Mountain Reports – Overview from Municipal Planner

The Municipal Planner stated that the peer reviews indicated that the reports were acceptable, and that the reviews also indicated items for further study should the proposal continue.

MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR K. BROTHERSTON

THAT Council receive the Peer Reviews for information.

CARRIED.

9. **Five Year Financial Projection, Dated January 20, 2005**
RE: Distribution to Advisory Committees

Councillor Cardinal indicated that he wished to see the Five Year Financial Projection sent to the District's two Advisory Committee's.

MOVED BY: COUNCILLOR CARDINAL
SECONDED: COUNCILLOR M. BROTHERSTON

THAT Council send the Five Year Financial Projection to the Advisory Committees.

CARRIED.

Councillor Mendum wished to see the updated bylaws put on the District's website, as well as guidelines for conduct at the public hearing.

Councillor Cardinal supports informing people.

It was indicated that the Procedure Bylaw is current, and could be posted on the web site.

Councillor M. Brotherston requested an update regarding timing device and facilitator for the public hearing.

Mayor Roessingh indicated that there will be a time keeper present, but no facilitator.

There was agreement that the proponent would have 30 minutes for speaking.

It was further discussed that people could only speak once, but if they had a letter from someone else then they could speak for that person.

It was requested to bring pads of paper for all of Council.

Councillor K. Brotherston asked who would enforce the rules. Mayor Roessingh indicated that he would chair the meeting.

Councillor Kadar felt that it was not fair for people to read for others.

Councillor Cardinal felt that there wouldn't be a line so extensive that if someone wanted to speak again, they could go to the back of the line.

Councillor Kadar indicated that people simply needed to know the process.

It was stated that, if people have more than one letter, they will have to wait until the chair makes the 2nd call for comments to read the other letter, etc.

Councillor M. Brotherston requested to have everything in one package, post public hearing.

Both Mayor Roessingh and the Administrator expressed that that would happen.

Councillor Cardinal indicated that he wanted staff to discuss the master development agreement changes with Les Bjola tomorrow.

Councillor Mendum requests to bring the master development agreement without substantive changes.

10. Adjournment

MOVED BY: COUNCILLOR CARDINAL
SECONDED: COUNCILLOR MENDUM

The Meeting adjourned at 8:30 p.m.

Mayor

Municipal Clerk