

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Monday, September 17, 2001 at the Caleb Pike House, 1589 Millstream Road at 7:30 p.m.

PRESENT: Mayor Karel Roessingh, Chair
Councillor Cardinal
Councillor McLellan
Councillor McPherson
Councillor Mendum
Councillor Vogel

IN ATTENDANCE: Bruce Woodbury, Administrator
Loranne Hilton, Deputy Clerk

AGENDA

MOTION 491/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The Agenda BE AMENDED:

1. By adding the following items:

Item 1 c) Mayor's Report

Item 4 a) vi) Letter from Dorothea Hoffman
Re: Request for Appointment to the Trails Advisory
Committee

Item 7 c) Letter to the Prime Minister of Canada Regarding the
Recent Terrorist Attacks on the United States

Item 8 d) Appointment of Alternate Representative to the CREST
Board of Directors; AND

2. By moving Item 8 c) to Item 3 c);

AND THAT THE AGENDA AS AMENDED BE APPROVED.

CARRIED

1. PETITIONS AND DELEGATIONS

- a) Rezoning Application RZ-03-00
APPLICANT/OWNER: BC Assets and Land Corp.
LOCATION: Frontage on Millstream Road in 1900 Block

Mr. George Penfold and Mr. Garry Martin were in attendance in support of the application. Mr. Penfold outlined the amendments to the original application and the ways in which previous concerns of Council and residents have been addressed.

There was discussion regarding Development Permit guidelines, and a member of Council noted his expectation of being presented with detailed guidelines rather than the general objectives outlined by the proponent in the application. Further discussion ensued regarding development permit guidelines, with some members of Council expressing their desire to see examples of guidelines that may be appropriate to include in the rezoning application. The Administrator noted that staff would endeavour to provide such examples from other communities for Council's consideration.

MOTION 492/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: Rezoning Application RZ-03-00 made by BC Assets and Land Corp., pertaining to Lot 1, Plan VIP70242, Section 5, Range 3W, Highland District BE DEFERRED.

CARRIED

- b) Development Variance Permit Application DVP-10-01
APPLICANT/OWNER: Ken and Sandra Osman
LOCATION: 620 Stewart Mountain Road

Mr. and Mrs. Osman were in attendance and Mr. Osman outlined their application for a Development Variance Permit.

There was discussion regarding the requested variances, and varying views and opinions were noted.

MOTION 493/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: Public notification BE ISSUED for Development Variance Permit DVP010-01 on Lot 10, Plan VIP66845, Section 34, Highland District that varies Zoning Bylaw No. 100 in:

- a) Section 6.5.3(3) by reducing the required setback of a building from a front lot line from 20.0 metres to those distances (but no less than 12.0 metres), and substantially in those locations for a “Proposed Residence” as shown on Site Plan A; AND
- b) In section 6.5.3(7) by requiring that the total floor area of a dwelling unit shall not exceed 422 square metres, only over the general area shown as “Proposed Residence” on Site Plan A and in substantial accordance with Floor Plans A, B and C; and
- c) In section 6.5.3(8) by requiring that the total combined floor area of all accessory buildings shall not exceed 175 square metres.

CARRIED

(Councillor McPherson recorded as opposed)

- c) Mayor’s Report

Mayor Roessingh addressed members of Council and residents in attendance acknowledging the September 11, 2001 terrorist attacks on the United States and urging people to grieve and show compassion for all those affected by the attacks. He also noted the enormous task facing rescue workers in the U.S. during this difficult time.

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting held September 4, 2001

MOTION 494/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: The minutes of the Regular Council meeting held September 4, 2001
BE ADOPTED as circulated.

CARRIED

- b) Minutes of the Committee of the Whole Meeting held September 6, 2001

MOTION 495/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR VOGEL AND RESOLVED
THAT: That the minutes of the Committee of the Whole meeting held
September 6, 2001 BE ADOPTED as circulated.

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

- a) Development Variance Permit Application DVP-07-01
Development Permit Application DP-08-01
APPLICANT/OWNER: Michael Schmitz/First National Properties Ltd.
LOCATION: 700 Block Caleb Pike Road

MOTION 496/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The application for Development Variance Permit DVP-07-01 AND
Development Permit DP-08-01, relating to Strata Lot 2, Strata Plan 1823,
Section 32, Highland District BE DENIED.

CARRIED

Mr. Bryant, a landowner in the vicinity of the subject property, was in attendance to relay concerns regarding development of the lot. Following some discussion, the Mayor thanked Mr. Bryant for his comments.

- b) Memorandum from the Planning Technician
Re: Mill Bay/Malahat OCP Revision

MOTION 497/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: A letter BE SENT to the Board and Staff of the Cowichan Valley
Regional District commending them for drafting a progressive OCP for the
Mill Bay/Malahat area that clusters settlement while protecting farm and
forest lands and advising that the District of Highlands has no objections to
the draft OCP.

A member of Council commended the Planning Technician for his review of
the Mill Bay/Malahat OCP draft revision.

CARRIED

- c) Potential Relocation of Millstream Lake Road

The Mayor noted that the issue of the potential relocation of Millstream
Lake Road had been decided at the July 3, 2001 Regular Council meeting,
and advised that Council had resolved to reconstruct the road in its existing
location. The Mayor stated that some members of Council felt that
circumstances related to the July 3, 2001 decision had changed enough to
warrant reconsideration, therefore the item was once again placed on the
agenda. The Mayor explained the procedure for reconsidering a matter that
has been previously decided upon by Council.

MOTION 498/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The Potential relocation of Millstream Lake Road BE
RECONSIDERED.

There was discussion regarding whether or not the July 3, 2001 Council resolution regarding the potential relocation of Millstream Lake Road should be reconsidered and varying views and opinions were noted.

DEFEATED

(Councillors Vogel and Cardinal and Mayor Roessingh recorded as in favour)

4. REPORTS

a) Committee Reports

i) Administration and Finance

Councillor McPherson noted that the Administration and Finance Advisory Committee is scheduled to meet in October.

ii) Environment

Marcie McLean, Chair of the Environment Advisory Committee, noted that the Committee is scheduled to meet October 22, 2001. She also noted that an additional meeting might be scheduled to consider Council referrals.

Mayor Roessingh noted that the September 10, 2001 meeting between Council and the Environment Advisory Committee was productive as a way to hear about issues related to process and communication from both the Committee and Council.

iii) Parks and Recreation

Councillor Cardinal advised that the Parks and Recreation Advisory Committee is scheduled to meet October 9, 2001 at 7:30 p.m. at the West Fire Hall.

Councillor Cardinal noted that the basketball hoops and backstops for Twinflower Park are scheduled to be installed within the week.

iv) Protective Services

- Protective Services Advisory Committee
Re: Minutes of the Meeting held August 27, 2001

MOTION 499/01 MOVED BY COUNCILLOR MCLELLAN
SECONDED BY COUNCILLOR MCPHERSON AND
RESOLVED THAT: The minutes of the Protective Services
Advisory Committee meeting held August 27, 2001 BE
RECEIVED FOR INFORMATION.

CARRIED

Councillor McLellan noted that the Protective Services Advisory
Committee is scheduled to meet on September 24, 2001 at 7:30 p.m. at
the West Fire Hall.

v) Transportation and Public Works

Councillor Mendum advised that the Roads Advisory Committee is
scheduled to meet September 20, 2001 at 7:30 p.m. at Pike House.

Councillor Mendum provided an update with respect to current road
projects and their estimated completion times.

vi) Trails

- Letter from Dorothea Hoffman
Re: Request for Appointment to the Trails Advisory Committee

MOTION 500/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: Dorothea Hoffman BE APPOINTED to the Trails
Advisory Committee for the remainder of a one-year term
expiring December 31, 2001.

CARRIED

vii) Planning and Zoning

Nil.

b) Mayor's Report

Mayor Roessingh noted that objections to the CRD's proposed Regional Growth Strategy (RGS) have been received by the CRD from several communities. He also advised that the CRD Regional Planning Committee would be looking at the responses to the proposed RGS at its meeting later this week.

With respect to the Ben Marr report dealing with governance issues, Mayor Roessingh stated that the Provincial Government has indicated that it will not force any incorporations or amalgamations, leaving such issues up to the residents to decide.

Mayor Roessingh advised that the CRD Arts Committee is now underway.

5. CORRESPONDENCE

6. BYLAWS

7. NEW BUSINESS

a) Revenue and Expense Summary Report – August 31, 2001

MOTION 501/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: The Revenue and Expense Summary Report for the month ending
August 31, 2001 BE RECEIVED FOR INFORMATION.

In response to queries from a member of Council regarding variances in the revenue and expense summary report, the Administrator noted that proposed amendments to the 2001 Financial Plan will be forthcoming later this fall.

CARRIED

b) Building Report for August 2001

MOTION 502/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: The Building Report for August 2001 BE RECEIVED FOR
INFORMATION.

CARRIED

- c) Letter to the Prime Minister of Canada Regarding the Recent Terrorist Attacks on the United States

Councillor McPherson stated her desire to have Council write to the Prime Minister in response to the September 11, 2001 terrorist attacks on the United States, and provided a draft letter for Council's consideration.

There was discussion regarding the appropriateness of sending a letter to the Prime Minister and the proposed content of the letter; varying views and opinions were noted. Following further discussion there was consensus among members of Council regarding the wording to be used in the proposed letter.

MOTION 503/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR MENDUM AND RESOLVED
THAT: A letter BE SENT to the Prime Minister of Canada with respect to the September 11, 2001 terrorist attacks on the United States.

CARRIED

8. OTHER BUSINESS

- a) Memorandum from the Administrator
Re: Sprinkler Systems

MOTION 504/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The memorandum and draft bylaw from the Building Inspector, dated September 10, 2001, regarding incentives for installation of sprinkler systems BE REFERRED to the Protective Services Advisory Committee for a report to Council.

It was noted by a member of Council that the proposed draft bylaw regarding incentives for the installation of sprinkler systems may have financial implications with respect to staff time and resources, and therefore should also be referred to the Administration and Finance Advisory Committee.

AMENDING MOTION 505/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The memorandum and draft bylaw from the Building Inspector,
dated September 10, 2001, regarding incentives for installation of sprinkler
systems also BE REFERRED to the Administration and Finance Advisory
Committee for a report to Council.

CARRIED

The MAIN MOTION was put.

CARRIED

- b) Memorandum from the Administrator
Re: CRD Enhanced Model Storm Sewer and Watercourse Bylaw

MOTION 506/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The Capital Regional District BE ADVISED that the District of
Highlands is not prepared to consider enacting any portions of the Enhanced
Model Storm Sewer and Watercourse Bylaw until after such time as the
CRD Bylaw Working Group has completed its discussion and review of those
issues contained in the draft bylaw.

CARRIED

- c) Potential Relocation of Millstream Lake Road

See item 3 c) above.

- d) Appointment of Alternative Representative to the CREST Board of Directors

MOTION 507/01 MOVED BY COUNCILLOR VOGEL
SECONDED BY COUNCILLOR MCPHERSON AND RESOLVED
THAT: Mayor Roessingh BE AUTHORIZED to act as the District of
Highlands' representative to the CREST Board of Directors and vote on
matters at the meetings of the Board at those times that Councillor
McLellan is unable to attend.

CARRIED

9. ADJOURNMENT

MOTION 508/01 MOVED BY COUNCILLOR MCPHERSON
SECONDED BY COUNCILLOR CARDINAL AND RESOLVED
THAT: The Regular Council meeting BE ADJOURNED at 9:35 p.m.

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator