

DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING

Minutes of the Regular Council meeting held Tuesday, August 5, 2003 at East Highlands Fire Hall 3613 Woodridge Place at 7:30 p.m.

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

ABSENT: Councillor McPherson

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

AGENDA

- Mayor Roessingh noted that due to the absence of Councillor McPherson, the In-Camera meeting is cancelled.

MOTION 531/03
MOVED BY COUNCILLOR CARDINAL
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT: The agenda BE APPROVED

CARRIED

1. PETITIONS AND DELEGATIONS

a) Development Variance Permit Application No. DVP 16-03

OWNER/APPLICANT: David & Patricia Lees

LOCATION: Lot 11, Sections 26 & 62, Highland District, Plan VIP62473

CIVIC ADDRESS: 240 Old Mossy Road

- Michael Bocking, representing David & Patricia Lees, outlined the proposal noting due to the siting of the dwelling and the location of the natural buffer, the development will not negatively impact the adjacent properties.
- Evelyn Samuel, 405 Hazlitt Creek Road, spoke in support of the variance summarizing the letter she submitted to Council.
- Pat Cummins, 375 Hazlitt Creek Road, noted they had received a square footage variance when they built their house.

MOTION 532/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT Development Variance Permit DVP No. 16-03 BE ISSUED, for Lot 11, Sections 26 and 62, Highland District, Plan VIP62473 located on Old Mossy Road:

AND THAT variances to the following sections of Zoning Bylaw No. 100 be granted:

SECTION 7.2 RURAL 2 (R2) ZONE: Subsection 7.2.3 Siting and Dimensions of Buildings and Structures

- Paragraph (7): Increase the maximum permitted total floor area of a dwelling unit from 322 square metres to 471 square metres; and
- Paragraph (8) Increase the maximum permitted floor area of a single accessory building from 100 square metres to 166 square metres.

CARRIED

b) Development Permit Application No. DP22-03

OWNER/APPLICANT: Clint Reece

LOCATION: Lot 10, Section 30, Highland District, Plan VIP75435

CIVIC ADDRESS: 637 Southwood Drive

- The Administrator noted the approval of Development Permits has been delegated to staff, however, staff will submit any development permit applications that include a variance to the total square footage in the RR4 zone to Council for consideration.

MOTION 533/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT Development Permit DP No. 22-03 BE ISSUED for Lot 10, Section 30, Highland District, Plan VIP75435, located on Southwood Drive;

AND THAT the Development Permit authorizes the cutting of not more than Forty-five (45) trees and vegetation removal as shown in Schedule A attached to the report from the Planning Technician dated July 29, 2003, and minor blasting and soil deposit including the preparation of a building site for an accessory building in the location shown in Schedule B attached to the report from the Planning Technician dated July 29, 2003;

AND THAT pursuant to Section 920 of the *Local Government Act*, the following variance to the Zoning Bylaw No. 100 is authorized as part of Development Permit DP No. 22-03:

SECTION 6.4 RURAL RESIDENTIAL 4 (RR4) ZONE Subsection 7.2.3 Siting and Dimensions of Buildings and Structures

- Paragraph (8): Increase the maximum permitted floor area for a single accessory building from 100 square meters to 155 square meters.

CARRIED

2. **ADOPTION OF THE MINUTES**

a) **Minutes of the Regular Council Meeting – July 21, 2003**

MOTION 534/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT: The minutes of the Regular Council meeting held July 21, 2003 BE ADOPTED AS CIRCULATED.

CARRIED

3. **BUSINESS ARISING FROM THE MINUTES**

Nil

4. **REPORTS**

a) **Committee Reports**

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

- Next scheduled Administration and Finance Advisory Committee meeting is August 12, 2003 at 7:30 p.m. at Caleb Pike House.

ii) **Environment** – Councillor McPherson

- Next Environment Advisory Committee meeting has been scheduled for August 13, 2003 at 7:30 p.m. at Caleb Pike House

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

- Meetings of the Parks, Trails and Recreation Advisory Committee will now be held the second Monday of each month.
- Next scheduled meeting is September 8, 2003 at 7:30 p.m. at Caleb Pike House.

MOTION 535/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR KADAR

THAT: The minutes of the Parks, Trails and Recreation Advisory Committee meeting held July 23, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

iv) **Protective Services** - Councillor M. Brotherston

- Next Protective Services Advisory Committee meeting is September 22, 2003 at 7:30 p.m. at the West Fire Hall.

iv) Roads – Councillor Mendum

- Next scheduled Roads Advisory Committee meeting is August 21, 2003 at 7:00 p.m. at the Pike House.

vii) Planning and Zoning

a) Advisory Planning Commission – Councillor Kadar

- Next scheduled Advisory Planning Commission meeting is August 13, 2003 at 7:00 p.m. at the West Fire Hall.

b) OCP Task Force – Councillor Kadar

MOTION 536/03

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR CARDINAL

THAT: The minutes of the OCP Task Force meeting held July 30, 2003 BE RECEIVED FOR INFORMATION.

CARRIED

- Next meeting of the OCP Core Planning Co-ordinating Team is August 12, 2003 at 7:00 p.m. at West Fire Hall.

b) Mayor's Report - Mayor Roessingh

- CRD's Regional Growth Strategy is scheduled for approval by the Board next week.

5. CORRESPONDENCE

Nil

6. BYLAWS

a) **Five Year Financial Plan Amendment Bylaw No. 210, 2003 (3900-231)**

MOTION 537/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT: "Five Year Financial Plan Amendment Bylaw No. 210, 2003" BE ADOPTED

CARRIED

- b) **Road Naming Bylaw No. 211, 2003 (Gowlland Road) (3900-232)**

MOTION 538/03
MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT: "Road Naming Bylaw No. 211, 2003" BE ADOPTED

CARRIED

- c) **Council Indemnity Amendment Bylaw No. 212, 2003 (3900-233)**

MOTION 539/03
MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT: "Council Indemnity Amendment Bylaw No. 212, 2003" BE GRANTED FIRST READING.

CARRIED

MOTION 540/03
MOVED BY COUNCILLOR M. BROTHERSTON
SECONDED BY COUNCILLOR K. BROTHERSTON
THAT: "Council Indemnity Amendment Bylaw No. 212, 2003" BE GRANTED SECOND READING.

CARRIED

MOTION 541/03
MOVED BY COUNCILLOR K. BROTHERSTON
SECONDED BY COUNCILLOR MENDUM
THAT: "Council Indemnity Amendment Bylaw No. 212, 2003" BE GRANTED THIRD READING.

CARRIED

7. **NEW BUSINESS**

- a) **Capital Regional District Monthly Bylaw Enforcement Summary – June 2003 (0655-20)**

MOTION 542/03
MOVED BY COUNCILLOR MENDUM
SECONDED BY COUNCILLOR M. BROTHERSTON
THAT The Capital Regional District Monthly Bylaw Enforcement Summary for June 2003, dated July 18, 2003 BE RECEIVED FOR INFORMATION

CARRIED

b) **Budget Variance Report – to June 30, 2003 (1700-10)**

MOTION 543/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT: THAT the Budget Variance report for the period ending June 30, 2003 BE RECEIVED FOR INFORMATION

CARRIED

c) **Monthly Building Report – July, 2003 (3800-01)**

MOTION 544/03

MOVED BY COUNCILLOR M. BROTHERSTON

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT: THAT the Monthly Building report for the period ending June 30, 2003 BE RECEIVED FOR INFORMATION

CARRIED

d) **Letter from Juan de Fuca Curling Club**
Re: Request for Grant-In-Aid (1850-02)

MOTION 545/03

MOVED BY COUNCILLOR KADAR

SECONDED BY COUNCILLOR MENDUM

THAT: THAT the funding request to assist with the hosting of the 2004 Karcher Canadian Junior Curling Championships outlined in the letter from Marilyn Kraeker, Chairperson, Juan de Fuca Curling Club, received July 21, 2003, BE DENIED and further that they BE PROVIDED with a copy of the District of Highlands Grant in Aid Policy.

CARRIED

e) **Capital Regional District Bylaw Enforcement**
Appointment of Animal Control Officers (0470-30)

MOTION 546/03

MOVED BY COUNCILLOR K. BROTHERSTON

SECONDED BY COUNCILLOR M. BROTHERSTON

THAT Pursuant to Section 268 of the *Local Government Act* and Section 28(3) of the *Offence Act*, the following BE APPOINTED:

Cathe Park, Animal Control Officer; and
Tania Hamilton, Animal Control Officer

CARRIED

8. **OTHER BUSINESS**

a) **UBCM Convention (0530-10)**

- The Mayor indicated he would only be interested in attending the pre-convention session on Police Costs & Small Communities offered on Monday afternoon and the Small Talk forum on Tuesday morning.
- Councillors Mendum and McPherson also expressed interest in attending part of the convention.

MOTION 547/03

MOVED BY COUNCILLOR MENDUM

SECONDED BY COUNCILLOR CARDINAL

THAT one delegate BE AUTHORIZED to attend the 2003 UBCM Convention to be held September 22 to September 26, 2003, inclusive, in Vancouver;

AND THAT the usual travel expenses shall BE PAID in accordance with Council Indemnity Bylaw No. 2, 1993 as amended or replaced from time to time, using funds from Account 11-2-2110-2110 .

CARRIED

b) **Grant-in-Aid Distribution (1850-02)**

MOTION 548/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR MENDUM

THAT: That 2003 Grants-in-Aid be distributed as follows:

Highland Heritage Parks Society	\$2,000
Intermunicipal Advisory Committee on Disability Issues	\$ 200
Western Communities Arts Council	\$ 400
Western Communities Youth Centre Society	\$ 500
West Shore RCMP – Community Safety Watch Patrol	\$ 600
West Shore RCMP – Crime Prevention/Bike Patrol	<u>\$ 800</u>
	<u>\$4,500</u>

CARRIED

c) **Conservation Covenant Amendment
Memorandum from Planning Technician – 608 Highlands Park Terrace
(Lot 1 Plan VIP74674) – Brad Riach**

MOTION 549/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT the following items BE RECEIVED by Council:

- Letter received July 28, 2003 from Brad Riach and Lori Akselsen requesting an amendment to the Conservation Covenant registered against their property to increase the area of the Residential Use Zone (RUZ) to permit the constructed driveway and garage to be included within the RUZ boundaries;

- Proposed reference plan of the covenant certified on May 30, 2003 by Doug Holmes of J.E. Anderson and Associates;
- Letter from Doug Holmes of J.E. Anderson and Associates dated July 24, 2003 certifying the amended RUZ boundary is greater than 3 metres away from the property line;
- BC Land Surveyors Certificate dated June 19, 2003 by Michael McIlvaney; and
- Letter from Nick Stanger of The Land Conservancy of BC dated May 21, 2003 concurring with the request for the expansion of the RUZ from the northern boundary of the conservation covenant.

AND THAT Council CONFIRM THE APPROVAL-IN-PRINCIPLE of the amended reference plan for the covenant over part of Lot 1, Section Highland District, Plan VAP74674, located on Highlands Park Terrace showing an increase of 936 square metres to the Residential Use Zone (RUZ) boundaries prepared by Doug Holmes of J.E. Anderson and Associates dated May 30, 2003;

AND THAT Council AUTHORIZE the owners to prepare and submit final signatory versions of the restrictive covenant with same plan appended for registration in the Victoria Land Title Office subject to:

- The owners complying with all conditions identified in the letter from The Land Conservancy of BC dated May 21, 2003
- All expenses accrued for the preparation and registration of the covenant to be that of the owners;
- The owners completing all re-vegetation works to the satisfaction of the District of Highlands and The Land Conservancy by not later than November 30, 2003; and
- Upon confirmation of registration of the amended covenant, the owner or the owner's lawyer providing District of Highlands and The Land Conservancy with registered copies of the covenant.

CARRIED

9. **ADJOURNMENT**

MOTION 550/03

MOVED BY COUNCILLOR CARDINAL

SECONDED BY COUNCILLOR K. BROTHERSTON

THAT: That the regular meeting of Council be adjourned at 8:22 p.m.

CARRIED

Karel Roessingh, Mayor

Bruce Woodbury, Administrator