

**DISTRICT OF HIGHLANDS  
REGULAR COUNCIL MEETING**

Minutes of the Regular Council meeting held Tuesday, September 2, 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 McPherson  
Councillor Mendum

**ABSENT:** Councillor Kadar

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

**AGENDA**

**MOTION 459/03  
MOVED BY COUNCILLOR MCPHERSON  
SECONDED BY COUNCILLOR K. BROTHERSTON  
THAT The agenda BE APPROVED**

**CARRIED**

**PETITIONS AND DELEGATIONS**

**1. PETITIONS AND DELEGATIONS**

**a) Development Variance Permit Application No. DVP 17-03**  
OWNER/APPLICANT: Lyle Ferguson  
LOCATION: Lot 8 Sections 30 & 72 Plan VIP75435 (Property File)  
CIVIC ADDRESS: 653 Southwood Drive

- Lyle Ferguson confirmed the auto restoration and woodworking activities will be completely contained within the accessory building to lessen the impact on the neighbours.
- Allan Fokkema, 643 Southwood Drive the adjacent property owner had no concerns with the proposed variance.

**MOTION 460/03  
MOVED BY COUNCILLOR K. BROTHERSTON  
SECONDED BY COUNCILLOR CARDINAL  
THAT Development Variance Permit DVP No. 17-03 BE ISSUED, for Lot 8, Sections 30 and 72, Highland District, Plan VIP75435 located on Southwood Drive;**

**AND THAT** a variance to the following section of District of Highlands Zoning Bylaw No. 100 BE GRANTED:

SECTION 6.4 RURAL RESIDENTIAL 4 (RR4) ZONE: Subsection 6.4.3  
Siting and Dimensions of Buildings and Structures

- Paragraph (8) Increase the maximum permitted floor area of a single accessory building from 100 square metres (1076 square feet) to 188 square metres (2024 square feet).

**CARRIED**

**b) Rezoning Application No. RZ06-03**

OWNER/APPLICANT: Kingco 2000 Development Ltd.

LOCATION: Lot 2 Range 3 & 4 West Plan VIP72161 et al

CIVIC ADDRESS: 940 River Road

- Ron King advised that BC Land and Water Management Division will not accept his application for a private water utility license until all options to obtain a connection to the Capital Regional District water have been exhausted.

**MOTION 461/03**

**MOVED BY COUNCILLOR MCPHERSON**

**SECONDED BY COUNCILLOR MENDUM**

**THAT** Application No. RZ-06-03 made by Kingco Developments Ltd, to amend Section 4.2.10 (e) of the Highlands Official Community Plan Bylaw, pertaining to lands legally described as Lot 2, Range 3 West and 4 West, Highland District, Plan VIP72161; Lot D, Section 4, Range 4 West, Highland District, Plan VIP70021, Except Parts in Plans VIP71071 and VIP72161; and Lot 1, Plan VIP \_\_\_\_\_, Section 5, Range 4 West, all of Highland District, BE REFERRED to Staff to provide a report on water servicing options and the Regional Growth Strategy for Council at its meeting of October 2, 2003

**CARRIED**

**MOTION 462/03**

**MOVED BY COUNCILLOR MCPHERSON**

**SECONDED BY COUNCILLOR K. BROTHERSTON**

**THAT** Preparation of a draft bylaw to amend the OCP water service policy for Council's review BE DEFERRED pending the outcome of the staff report.

**CARRIED**

**(i) Letter from Bear Mountain Master Partnership**

- Council requested staff clarify the intent of the letter and what obligations the District would owe to Bear Mountain Master Partnership should the money be accepted.

**MOTION 463/03**

**MOVED BY COUNCILLOR MCPHERSON**

**SECONDED BY COUNCILLOR MENDUM**

**THAT** the letter from Bear Mountain Master Partnership dated September 2, 2003 regarding sewer and CRD water service in the District of Highlands BE RECEIVED FOR INFORMATION and staff BE DIRECTED to explore the intent of letter through legal counsel.

**CARRIED**

2. **ADOPTION OF THE MINUTES**

a) **Minutes of the Regular Council Meeting – August 18, 2003**

**MOTION 464/03**

**MOVED BY COUNCILLOR M. BROTHERSTON**

**SECONDED BY COUNCILLOR CARDINAL**

**THAT the minutes of the Regular Council meeting held August 18, 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 Administration and Finance Advisory Committee meeting is September 9, 2003 at 7:30 p.m. at Caleb Pike House.

ii) **Environment** – Councillor McPherson

- Next Environment Advisory Committee meeting is September 10, 2003 at 7:30 p.m. at Caleb Pike House, if required.

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

- Next scheduled Parks, Trails and Recreation Advisory Committee meeting is September 8, 2003 at 7:30 p.m. at Caleb Pike House.

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.
- A date for a joint meeting with the Roads Advisory Committee will be arranged.

iv) **Roads** – Councillor Mendum

- Next scheduled Roads Advisory Committee meeting is September 18, 2003. at the Pike House.

vii) **Planning and Zoning**

a) **Advisory Planning Commission** – Councillor Kadar (absent)

Nil

b) OCP Task Force – Councillor Kadar (absent)

- Next scheduled OCP Planning Coordinating Team meeting is September 10, 2003 at 7:30 p.m. at the West Fire Hall.

1. **Minutes of the OCP Review Planning Coordinating Team Meeting August 12, 2003**

**MOTION 465/03**

**MOVED BY COUNCILLOR MENDUM**

**SECONDED BY COUNCILLOR CARDINAL**

**THAT** the minutes of the OCP Planning Coordinating Team meeting held August 26, 2003 BE RECEIVED FOR INFORMATION.

**CARRIED**

2. **Memo from Deputy Clerk dated August 26, 2003  
Re: OCP Review and Consultation Process  
Update (File 6480-03)**

**MOTION 466/03**

**MOVED BY COUNCILLOR CARDINAL**

**SECONDED BY COUNCILLOR MENDUM**

**THAT** Michael Bocking, Elaine Limbrick and Eleanor Raynor BE APPOINTED to the OCP Planning Coordinating Team;

**AND THAT** the memo from the Deputy Clerk dated August 26, 2003 regarding an Update on the OCP Review and Consultation Process be received for information.

**CARRIED**

3. **Memo from Planning Technician dated August 27, 2003 (File 6480-03)  
Re: OCP Planning Coordinating Team**

**MOTION 467/03**

**MOVED BY COUNCILLOR MCPHERSON**

**SECONDED BY COUNCILLOR CARDINAL**

**THAT** CitySpaces BE REQUESTED to provide a detailed Contract of Service based on the OCP Work Plan endorsed by Council at its August 18, 2003 meeting, for review by the OCP Planning Coordinating Team on September 10, 2003 and by Council on September 15, 2003.

**CARRIED**

b) **Mayor's Report** - Mayor Roessingh

- Reminder that all parks and trails in the Highlands are closed due to the extreme fire hazard.
- Highland Fling is on Sunday, September 7, 2003.

- 25<sup>th</sup> anniversary of the District of Highland Volunteer Fire Department is September 13, 2003. Special mention of Barry Ford who has been Fire Chief for 23 years and has been involved with the department since its inception.

5. **CORRESPONDENCE**

- a) **Letter from Kevin Gentner, 3916 Blue Valley Road**  
**Re: Woodridge Estates** (Prop. File – Lot A/Plan 34216 – Woodridge PI)

Councillor Cardinal declared a conflict of interest due to a pecuniary interest in the development and left the meeting.

**MOTION 468/03**

**MOVED BY COUNCILLOR MCPHERSON**

**SECONDED BY COUNCILLOR MENDUM**

**THAT** the letter from Kevin Gentner, 3916 Blue Valley Road, dated August 19, 2003 regarding the potential development – Woodridge Estates, BE RECEIVED FOR INFORMATION.

**CARRIED**

Councillor Cardinal returned to the meeting.

6. **BYLAWS**

Nil

7. **NEW BUSINESS**

- a) **Monthly Building Report – August 2003** (3800-01)

**MOTION 469/03**

**MOVED BY COUNCILLOR MCPHERSON**

**SECONDED BY COUNCILLOR MENDUM**

**THAT** the Building Report for August 2003, BE RECEIVED FOR INFORMATION.

**CARRIED**

- b) **Memo from Deputy Clerk, dated August 19, 2003**  
**Re: Capital Region Emergency Service Telecommunications**  
**(CREST) Annual General Meeting – September 24, 2003** (File 0470-48)

**MOTION 470/03**

**MOVED BY COUNCILLOR M. BROTHERSTON**

**SECONDED BY COUNCILLOR MCPHERSON**

**THAT** the Council of the District of Highlands RECEIVE AND APPROVE the 2003 Capital Region Emergency Service Telecommunications Annual Directors Report.

**CARRIED**

**MOTION 471/03**

**MOVED BY COUNCILLOR M. BROTHERSTON**

**SECONDED BY COUNCILLOR MCPHERSON**

**THAT** the Council of the District of Highlands RECEIVE AND APPROVE the December 31, 2002 Audited Financial Statements of the Capital Region Emergency Service Telecommunications dated April 15, 2003 prepared by KPMG Chartered Accountants.

**CARRIED**

**MOTION 472/03**

**MOVED BY COUNCILLOR MENDUM**

**SECONDED BY COUNCILLOR K. BROTHERSTON**

**THAT** the Council of the District of Highlands APPROVE the re-appointment of KPMG, Chartered Accountants as Auditors for the Capital Region Emergency Service Telecommunications.

**CARRIED**

**MOTION 473/03**

**MOVED BY COUNCILLOR M. BROTHERSTON**

**SECONDED BY COUNCILLOR MCPHERSON**

**THAT** the Council of the District of Highlands APPROVE the Capital Region Emergency Service Telecommunications Special Resolution to amend Section 4.5 of the Capital Region Emergency Service Telecommunications Company Articles to amend the Quorum requirement from a two-thirds majority to simple majority.

**CARRIED**

- c) **Memo from Deputy Clerk, dated August 26, 2003**  
**Re: CRD – Governance Structure for Land Use Planning in Juan de Fuca Electoral Area (File 0470-02)**

- Members of Council questioned what isn't working with the present land use planning governance structure in the electoral area.

**MOTION 474/03**

**MOVED BY COUNCILLOR MENDUM**

**SECONDED BY COUNCILLOR M. BROTHERSTON**

**THAT** further consideration of the request in the letter from the Capital Regional District dated August 15, 2003 pertaining to the governance structure for land use planning in the Juan de Fuca Electoral Area BE DEFERRED;

**AND THAT** the Capital Regional District BE REQUESTED to forward any relevant background information and a copy of the legal opinion obtained on the validity of the agreement proposed in the letter dated August 15, 2003.

**CARRIED**

Councillor Cardinal opposed.

- d) **Memo from Deputy dated August 27, 2003**  
**Re: 2002 Financial Statements, Public Bodies Report and Statement of Council Remuneration and Expense (File 1680-28)**

**MOTION 475/03**

**MOVED BY COUNCILLOR MCPHERSON**

**SECONDED BY COUNCILLOR MENDUM**

**THAT** the 2002 Audited Financial Statements and the 2002 Public Bodies Report BE RECEIVED FOR INFORMATION;

**AND THAT** the 2002 Audited Financial Statements BE REFERRED to the Administration and Finance Advisory Committee for information;

**AND THAT** the *corrected* Remuneration and Expense Report dated August 28, 2003, reporting the remuneration for Council Members' indemnity and expenses incurred during the calendar year 2002, pursuant to Section 329.1 of the *Local Government Act*, BE RECEIVED FOR INFORMATION.

**CARRIED**

8. **OTHER BUSINESS**

- a) **Memo from Planning Technician, dated August 25, 2003**  
**Re: Delegation of Development Permit Approvals (Bylaw No. 200)**

**MOTION 476/03**

**MOVED BY COUNCILLOR MENDUM**

**SECONDED BY COUNCILLOR M. BROTHERSTON**

**THAT** the report from the Planning Technician dated August 25, 2003 relating to the delegation of development permit approvals BE RECEIVED FOR INFORMATION.

**CARRIED**

9. **ADJOURNMENT**

- a) **Resolution to Convene to In-Camera Meeting**

**MOTION 477/03**

**MOVED BY COUNCILLOR MENDUM**

**SECONDED BY COUNCILLOR K. BROTHERSTON**

**THAT THAT** the Regular meeting of Council BE ADJOURNED at 8:58 p.m.

**AND THAT**, pursuant to Section 242.2 of the *Local Government Act*, a meeting *in camera* be convened to discuss:

- Legal Issues
- Personnel Issues

**CARRIED**