

**DISTRICT OF HIGHLANDS**  
**REGULAR COUNCIL MEETING**

---

Minutes of the Regular Council meeting held on February 7, 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  
Councillor McPherson

**IN ATTENDANCE:** Scott Coulson, Administrator  
Terry Trace, Municipal Clerk  
Laura Beckett, Municipal Planner  
Heinz Burki, Building Inspector

**1. APPROVAL OF THE AGENDA**

**MOTION NO. 32/05**

**MOVED BY: COUNCILLOR K. BROTHERSTON**

**SECONDED: COUNCILLOR M. BROTHERSTON**

**THAT** the Agenda be approved as amended: Move Item No.8 **BYLAWS** to No. 6 and renumber accordingly.

CARRIED.

**2. ADOPTION OF THE MINUTES**

a) Minutes of the Committee of the Whole Meeting held January 24, 2005

**MOTION NO. 33/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council adopt the Minutes of the Committee of the Whole Meeting held on January 24, 2005 as circulated.

CARRIED.

**i) Recommendations attached to Minutes for Council's consideration of ratification.**

**a) Parks Trails and Recreation Advisory Committee Outstanding Issues**

Referred by December 6, 2004 Council Meeting

**Protective Services Advisory Committee Outstanding Issues**

Referred by December 6, 2004 Council Meeting

**MOTION NO. 34/05**

**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.

**b) Report – Municipal Planner (File No. 5600-08)**

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

**MOTION NO. 35/05**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR CARDINAL**

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

CARRIED.

**c) Local Government Infrastructure (File No. 1855-05)**

Referred by January 17, 2005 Council Meeting

**MOTION NO. 36/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**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.

d) **Business Case and Draft Establishing Bylaw, Regional Housing Trust Fund**  
Referred by January 17, 2005 Council Meeting

**MOTION NO. 37/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council supports in principle 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?

and that the bylaw include the existing one (1) year process.

CARRIED.

f) **Response from Peer Review of Bear Mountain Reports – Overview from Municipal Planner**

**MOTION NO. 38/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council receive the Peer Reviews for information.

CARRIED.

- b) Report of the Public Hearing Held January 31, 2005  
**Recommended Action: Adoption as circulated.**

**MOTION NO. 39/05**

**MOVED BY: COUNCILLOR**

**SECONDED: COUNCILLOR**

**THAT** Council adopt the Report of the Public Hearing held January 31, 2005 as amended: Change Ken Wilner as not expressing an opposition and change Fritz Vaster to Fritz Baxter.

CARRIED.

### **3. INTRODUCTION OF LATE ITEMS**

There were no late items.

### **4. PETITIONS AND DELEGATIONS**

- a) Presentation – Mr. John Henigman  
Re: Mosquitoes and West Nile Virus for Highlands

Mr. Heningman was retained by the District to conduct a mosquito survey during the summer of 2004. Mr. Heningman presented his findings to Council, with respect to his survey that he conducted. He noted that there is a combination of 17 natural and manmade breeding sites in the Highlands. He noted that there are many marshes and other water bodies within the District of Highlands that produce mosquitoes. He noted that a large number of the mosquitoes in the Highlands are the *Culex tarsalis* type (an amphibian biter) that bite frogs.

Mr. Heningman described the method used for examining mosquitoes in the Highlands. He noted that he scooped the mosquitoes up in a half-litre scoop along the edges of the marshes and other water bodies and then examined them by sight. He noted that he could easily tell what type of mosquito they were. He then indicated that Vectolex CG, a granular formulation of *Bacillus sphaericus* is designed for application to mosquito larval habitat areas, and could be used in areas to control mosquitoes. Mr. Heningman also noted that as a preventative measure, persons with birdbaths should change the water approximately every 10-14 days.

Mr. Heningman then outlined what the West Nile Virus is. He noted that it is a virus that is passed between mosquitoes and birds and the most common way of contracting the virus is through a bite from an infected mosquito. He noted that the typical West Nile type of mosquito is one that will bite a bird and then a person and that is how the West Nile Virus is transmitted to a human. He noted that a bite from an infected mosquito is more fatal to a horse than a human and that residents owning a horse should consider providing them with a vaccination, even though West Nile has not yet reached the Province of British Columbia.

In summary, Mr. Heningman thanked Council for the opportunity to speak and requested those people who have water bodies on their property, such as marshes, contact the municipal hall for follow-up testing for mosquitoes.

### **5. UNFINISHED BUSINESS**

- a) Five Year Financial Projection for Bear Mountain

#### **MOTION NO. 40/05**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council instruct staff to refer the Five Year financial Projection report for Bear Mountain to the Fiscal and Environment Advisory Committee and Community Infrastructure Advisory Committee for information purposes only.

CARRIED.

- b) Development Variance Permit Application DVP-01-05

**MOTION NO. 41/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR MCPHERSON**

**THAT** Council approve Development Variance Permit DVP-01-05 pertaining to: Lot 2, Sections 28 and 35, Highland District, Plan VIP76681-1485 White Pine Terrace that would vary the District's Zoning Bylaw as follows:

- a) In Section 6.4.3(3) by reducing the front lot line setback from 20m to 15m;  
b) In Section 3.3(1)(c) by reducing the riparian regulation to allow construction of two buildings from within 30 m to within 25m of the natural boundary of a watercourse.

CARRIED.

**6. BYLAWS**

- a) Bylaw No. 236, "Highlands Official Community Plan Amendment Bylaw No. 236, 2004"

**MOTION NO. 42/05**

**MOVED BY: COUNCILLOR MCPHERSON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** third reading of Bylaw No. 236, "Highlands Official Community Plan Amendment Bylaw No. 236, 2004" be denied.

MOTION DEFEATED.

OPPOSED: COUNCILORS CARDINAL, KADAR, K. BROTHERSTON AND M. BROTHERSTON.

**MOTION NO. 43/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Bylaw No. 236, "Highlands Official Community Plan Amendment Bylaw No. 236, 2004" be given Third Reading.

CARRIED.

OPPOSED: MAYOR ROESSINGH AND COUNCILLORS MCPHERSON AND MENDUM.

**MOTION NO. 44/05**

**MOVED BY: COUNCILLOR K. BROTHERSTON**

**SECONDED: COUNCILLOR CARDINAL**

**THAT** Bylaw No. 236, "Highlands Official Community Plan Amendment Bylaw No. 236, 2004" be Adopted.

CARRIED.

OPPOSED: MAYOR ROESSINGH AND COUNCILLORS MCPHERSON AND MENDUM.

- b) Bylaw No. 237, "Highlands Zoning amendment Bylaw No. 237 (Bear Mountain), 2004"

**MOTION NO. 45/05**

**MOVED BY: COUNCILLOR K. BROTHERSTON**

**SECONDED: COUNCILLOR CARDINAL**

**THAT** Bylaw No. 237, "Highlands Zoning Amendment Bylaw No. 237 (Bear Mountain), 2004 be given Third Reading.

CARRIED.

OPPOSED: MAYOR ROESSINGH AND COUNCILLORS MCPHERSON AND MENDUM.

**MOTION NO. 46/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Bylaw No. 237, "Highlands Zoning Amendment Bylaw No. 237 (Bear Mountain), 2004 be Adopted.

CARRIED.

OPPOSED: MAYOR ROESSINGH AND COUNCILLORS MCPHERSON AND MENDUM.

**7. REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE & COMMISSIONS**

a) Committee Reports

- i) Advisory Planning Commission – Nothing to Report
- ii) Capital Regional Board

Councillor M. Brotherston noted that the Board reviewed the preliminary budget for the Capital Regional District and she then provided a brief overview of the CRD budget for Council. She noted that there is a new line item in the Capital Regional District's budget, to reflect that the Capital Regional District is now required to budget for environmental cleanup. She noted that the clean up of Millstream Meadows is partly to blame for the new line budget item being added. The increase to the District of Highlands in the Capital Regional District's budget for 2005 equates to \$2.93 per household.

Councillor M. Brotherston further noted that the Finance and Corporate Services Department experienced a surplus of \$85,000 and noted that the Yates Street office sold for \$2,801,000.

iii) CREST

Councillor M. Brotherston noted that CREST just received new software for technical upgrades. Accordingly, as a result the system may shut down between 3 – 4 a.m. while the upgrades are being implemented. She further noted that CREST was attempting to acquire some land owned by the US and are looking at repeaters for the land in question for better service for such areas as Shirley. The land in question is directly across the water from Shirley near Port Renfrew and purchasing this land must go through HomeLand Security and will be a slow process.

She then advised Council that an inter-governmental committee comprised of six (6) members will work together on the CREST Member Agreement and deal with budgetary concerns of CREST. She then noted that FMA provided a refund for 911 of approximately \$273,000 towards offsetting money needed for 2005 budget.

- iv) Emergency Planning Committee – Nothing to report.
- v) Greater Victoria Family Court Committee

It was reported that the Greater Victoria Family Court Committee was going through a restructuring process.

- vi) Inter-Municipal Committee on Disability Issues – Nothing to Report
- vii) Western Communities Policing Advisory Committee – Nothing to Report
- viii) West Shore Parks and Recreation Society's Board of Directors

Councillor Cardinal reported that Juan de fuca was experiencing some parking issues when events are held at Bear Mountain.

b) Mayor's Report

- i) Greater Victoria Public Library Board – Nothing to Report
- ii) CRD Arts Committee

The Mayor spoke briefly of the governance study being conducted. He noted spoke of an Art Workshop dealing with a strategic plan and prioritizing what is regional and what is community with respect to art. He noted that Victoria was chosen as the "Victoria cultural Capital" of Canada and will receive funding for projects, native sites and will host the annual symposium on cultural issues.

The Mayor then commented that he was disappointed in the behavior of the crowd at the public hearing for the Bear Mountain Bylaws.

**8. CORRESPONDENCE**

- a) Letter – Tourism Victoria (File No. 0400-19)  
Re: Flower Count Mayor's Flower Arranging Contest

**MOTION NO. 47/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council receive the letter from Tourism Victoria regarding the Flower Count Mayor's Flower Arranging Contest for information.

CARRIED.

- b) Letter – Susan Stovel, Chair, Quality of Life Challenge Steering Working Committee  
Re: Support for the Establishment of Regional Housing Trust Fund

**MOTION NO. 48/05**

**MOVED BY: COUNCILLOR M. BROTHERSTON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council receive the letter from Susan Stovel, Chair of the Quality of Life Challenge Steering Working Committee, regarding the establishment of a Regional Housing Trust Fund, for information.

CARRIED.

- c) Letter – Hallmark Society  
Re: Request for Nominations for the Hallmark Society's annual Awards Night

**MOTION NO. 49/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council receive the letter from the Hallmark Society with respect to nominations for the Hallmark Society's Annual Awards Night for information.

CARRIED.

- d) Letter – Ministry of Water, Land and Air Protection  
Re: Environmental Best Management Practices for Urban and Rural Land Development Invitation to Workshops

**MOTION NO. 50/05**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR CARDINAL**

**THAT** Council receive the letter from Ministry of Water, Land and Air Protection, with regarding to Environmental Best Management Practices for Urban and Rural Land Development, for information.

CARRIED.

- e) Letter – District of Metchosin (File No. 0470-27)  
Re: Seeking District of Highlands support for District of Metchosin’s request for Sponsorship to the Province to protect Sections 25, 28 and 95 as park or as an ecological reserve.

**MOTION NO. 51/05**

**MOVED BY: COUNCILLOR CARDINAL**

**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council support “In-Principle” the District of Metchosin’s request for sponsorship to the Province to protect Sections 25, 28 and 95 as park or as an ecological reserve, provided the District of Metchosin support Highland’s request to move the Urban Containment Boundary.

MOTION DEFEATED:

OPPOSED: MAYOR ROESSINGH, COUNCILLORS M. BROTHERSTON, K. BROTHERSTON, KADAR, MCPHERSON AND MENDUM.

CARRIED.

**MOTION NO. 52/05**

**MOVED BY: COUNCILLOR MCPHERSON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council support “In-Principle” the District of Metchosin’s request for sponsorship to the Province to protect Sections 25, 28 and 95 as park or as an ecological reserve.

CARRIED.

OPPOSED: COUNCILLOR CARDINAL.

- f) Letter – Greater Victoria Film Commission  
Re: Request for Grant in Aid (File No. 1850-02)

**MOTION NO. 53/05**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR M. BROTHERSTON**

**THAT** the letter from the Greater Victoria Film Commission, requesting a grant in aid, be received for information and considered at budget time.

CARRIED.

- g) Letter – City of Burnaby (File No. 5280-26)  
Re: Riparian Area Regulation Update  
**Recommended Action:** receive for Information

**MOTION NO. 54/05**  
**MOVED BY: COUNCILLOR CARDINAL**  
**SECONDED: COUNCILLOR MCPHERSON**

**THAT** Council receive the letter from the City of Burnaby, with respect to a Riparian Area Regulation Update, for information.

**AMENDING MOTION NO. 55/05**  
**MOVED BY: COUNCILLOR M. BROTHERSTON**  
**SECONDED: COUNCILLOR KADAR**

**THAT** Council receive the letter from the City of Burnaby, with respect to a Riparian Area Regulation Update, for information; and

**THAT** Council request that the Minister of Water, Land and Air Protection extend the date that the Riparian Area Regulation comes into effect from March 31, 2005 to December 31, 2005; and

**THAT** Council support that a copy of the City of Burnaby's Riparian Area Regulation Update report be forwarded to the Union of British Columbia Municipalities, member municipalities, the Department of Fisheries and Oceans, and the City's Environment Committee for their information.

CARRIED.

**9. NEW BUSINESS**

- a) Monthly RCMP Mayor's Report – December, 2004 (File No. 0570-04)

**MOTION NO. 56/05**  
**MOVED BY: COUNCILLOR MENDUM**  
**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council receive the Monthly RCMP Mayor's Report for December, 2004 for information.

CARRIED.

- b) Report – Monthly Animal Control Report (File No. 0655-20)

**MOTION NO. 57/05**  
**MOVED BY: COUNCILLOR MENDUM**  
**SECONDED: COUNCILLOR K. BROTHERSTON**

**THAT** Council received the Monthly Animal Control Report for the month ending December 31, 2004 for information.

CARRIED.

- c) West Shore Parks and Recreation Society 2005 Budget (File No. 7710-02)

**MOTION NO. 58/05**  
**MOVED BY: COUNCILLOR CARDINAL**  
**SECONDED: COUNCILLOR KADAR**

**THAT** Council adopt the West Shore Parks and Recreation Society 2005 Budget.

CARRIED.  
OPPOSED: COUNCILLOR MENDUM.

**10. ADJOURNMENT**

**MOTION NO. 59/05**  
**MOVED BY: COUNCILLOR K. BROTHERSTON**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** the Regular Meeting of Council be adjourned at 10:02 p.m.; and

**FURTHER THAT**, pursuant to Section 90(a) of the Community Charter, a meeting be convened "In-Camera" to discuss personnel issues.

CARRIED.

---

MAYOR

---

ADMINISTRATOR