

**DISTRICT OF HIGHLANDS  
REGULAR COUNCIL MEETING**

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Minutes of the Regular Council meeting held on March 6, 2006 at Caleb Pike House, 1589 Millstream Road at 7:00 p.m.

**PRESENT:** Mayor Cardinal, Chair  
Councillor K. Brotherston  
Councillor Fall  
Councillor Kadar  
Councillor Mahovich  
Councillor Mendum  
Councillor Williams

**IN ATTENDANCE:** Heinz Burki, Administrator  
Laura Beckett, Planner  
Sandi Chesley, Administrative Assistant

**1. APPROVAL OF THE AGENDA**

**MOTION NO. 56/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council approves the agenda as amended,

By Adding to Petitions and Delegations: Marcie McLean; Vicky Husband *and*

By Adding to New Business: 9(h) Discussion on the appeal process with BC Assessment regarding the LGB9 lands; 9(i) LGB9 Lands to be referred to COW

CARRIED.

**2. ADOPTION OF THE MINUTES**

a) Minutes of the Regular Council Meeting held February 6, 2006

**MOTION NO. 57/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** the Minutes of the Regular Council Meeting held February 6, 2006 BE ADOPTED as circulated.

CARRIED.

- b) Minutes of the Committee of the Whole Meeting held February 13, 2006

**MOTION NO. 58/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** the Minutes of the Committee of the Whole Meeting held February 13, 2006 BE ADOPTED as circulated.

CARRIED.

- c) Minutes of the Special Council Meeting held February 15, 2006

Councillor Mahovlich excused herself from this portion of the meeting.

**MOTION NO. 59/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** the Minutes of the Special Council Meeting held February 15, 2006 BE ADOPTED as circulated.

DEFEATED.

There was discussion regarding the minutes and Mayor Cardinal suggested that Council members email each other suggested changes to come to a consensus on the content of the Minutes of February 15, 2006 and bring those changes back to the next Council meeting.

**MOTION NO. 60/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR FALL**

**THAT** the Minutes of the Special Council Meeting dated February 15, 2006 BE DEFERRED to the next Council meeting.

CARRIED.

Councillor Mahovlich returned to the Regular Council meeting.

**3. INTRODUCTION OF LATE ITEMS**

**4. PETITIONS AND DELEGATIONS**

- a) Bruce Dyck, Highwest Waste Recycling Ltd.  
Re: Update Council on Future Development Plans for the Highwest Site

Bruce Dyck along with Graham Feraro gave an update on the status of the development plan at the Highwest Site. They presented their Optimization Plan to Council, answered questions from Council and requested that two resolutions be made.

**MOTION NO. 61/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR FALL**

**THAT** Council defer discussions on the removal of the covenant and support of the Optimization Plan on the Highwest Lands to the next Council meeting and further that staff forward a copy of the covenant to Council members.

CARRIED.

- b) Mike Adamek, President , West Shore Economic Development Association  
Re: Letter Dated January 5, 2006

Mike Adamek along with Peter Fibiger made a presentation to Council regarding the West Shore Economic Development Association. The purpose of the Association is to promote and facilitate economic development in the West Shore and to act as a liaison between local businesses and various levels of government. Mr. Adamek and Mr. Fibiger answered questions from Council.

- c) Karel Roessingh, email dated February 28, 2006  
Re: Regional Context Statement

Mayor Cardinal advised Mr. Roessingh that Council would not be able to hear his submission regarding the Regional Context Statement as the OCP is between public hearing and adoption.

- d) Marcie McLean, 1321 Millstream Road – read a letter regarding Development Variance Permit Application DVP-02-06, Kingco 2000 Development Ltd.

- e) Vicky Husband, 301 Ross Durrance Road – Ms. Husband wanted to discuss the submission that was made to the CRD Planning Committee regarding the Regional Context Statement. The Mayor advised that would not be possible to discuss that at this time. Ms. Husband wanted to know why the District was not dealing with the Regional Water Supply Commission, are we already committed to privatization and where is the public discussion? Ms. Husband also commented that the District of Highlands was not in a financial problem. Ms. Husband thanked Mr. McMinn for the amount of work he has done on the trail leading from the Pike House to the School House.

Mayor Cardinal addressed concerns about how he represented this Council at the CRD regarding the Regional Context Statement.

**MOTION NO. 62/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR FALL**

**THAT** the letter received by KPMG Chartered Accountants regarding the existing and future financial conditions of the District of Highlands be received for information.

CARRIED.

**5. UNFINISHED BUSINESS**

- a) Memo from Administrator, dated February 8, 2006  
Re: Request for Funding, Regional Housing Trust Fund

**MOTION NO. 63/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the report from the Administrator dated February 8, 2006 regarding the Regional Housing Trust Fund be received for information.

CARRIED.

- b) Report from Municipal Planner, dated February 28, 2006  
Re: Riparian Areas Regulation (RAR)

**MOTION NO. 64/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR KADAR**

**THAT** staff be directed to use the Provincial Riparian Areas Regulation guidelines as an interim measure until further bylaws are adopted.

CARRIED.

- c) Report from Municipal Planner, dated February 28, 2006  
Draft Terms of Reference for the Groundwater Study

**MOTION NO. 65/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR FALL**

**THAT** the Draft Terms of Reference for the Groundwater Study be referred to the next Committee of the Whole meeting to be held March 27, 2006.

CARRIED.

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

a) Committee Reports

- i) Advisory Planning Commission – (Councillor Brotherston) – nothing to report.
- ii) Arts Committee (CRD) – (Councillor Fall) – meet on Wednesday, March 8, 2006
- iii) Community Energy Planning Steering Committee – (Councillor Williams) – the website is up and running and will be put on the Hydro Bills.
- iv) Emergency Planning Committee – (Councillor Fall) – nothing to report
- v) Environment Committee (CRD) – (Councillor Mendum) - attended her first meeting. Will be going on a tour of the Hartland Fill.

- vi) Greater Victoria Family Court Committee – (Council Mahovlich) – the committee met earlier in February and a resolution was brought forward to AVICC for discussion and to be brought forward to UBCM in the fall.

**MOTION NO. 66/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR FALL**

**THAT** Council pass the following resolution:

“Whereas the District of Highlands endorses the following resolution to be presented at AVICC at the spring meeting in Oak Bay for discussion and debate,

Be it resolved that AVICC recommends to the Ministry of Education, Health, and Child and Family Development that integrated identification, diagnosis, and management services for the development and mental health services of children and youth are best located in school settings using an inclusive multidisciplinary approach to ensure effectiveness and timeliness.

And further that this resolution be directed to CRD Municipalities, Vancouver Island School Districts, VIHA and Vancouver Island Ministry of Child and Family Development Health Services.

CARRIED.

Sandy McPherson gave an update on the Youth Mental Health Initiative.

- vii) Greater Victoria Public Library Board – (Councillor Kadar) – On March 24, had tours of three branches; March 25 attended a Board Trustee’s orientation in Vancouver; March 28 there was a Library Board meeting – where the proposed budget was discussed.
- viii) Inter-Municipal Committee on Disability Issues – (Councillor Kadar) – nothing to report
- ix) Solid Waste Advisory Committee – (Councillor Kadar) – highlighted six recommendations that were made to the Environment Committee.
- x) Western Communities Policing Advisory Committee – (Councillor Mendum) – talked about Langford hiring a police officer for Belmont School.

b) Mayor's Report

- i) Capital Regional District Board – Along with staff, made a presentation to the CRD Planning Committee regarding the Regional Context Statement. The Board will be meeting on Wednesday and a final decision will be made then.
- ii) CREST – nothing to report. The Mayor asked Councillor Mahovlich if she would attend the next CREST meeting.
- iii) West Shore Parks and Recreation Society's Board of Directors – nothing to report. The Mayor asked Councillor Mendum if she would attend the next meeting.

7. CORRESPONDENCE

- a) Letter from Harry and Connie Luetzen, dated February 2, 2006  
Re: Woodridge Rezoning

**MOTION NO. 67/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR FALL**

**THAT** the letter from Harry and Connie Luetzen, dated February 2, 2006 regarding the Woodridge Rezoning BE RECEIVED for information.

CARRIED.

- b) Letter from Municipal Finance Authority, dated February 17, 2006  
Re: MFA of BC Credit Ratings

**MOTION NO. 68/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the letter from the Municipal Finance Authority of BC dated February 17, 2006 regarding MFABC Credit Ratings be received for information.

CARRIED.

- c) Letter from the Ministry of Community Services, dated February 24, 2006  
Re: Comprehensive Groundwater Monitoring Plan – Phase 1 (Funding)

**MOTION NO. 69/06**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** the letter from the Ministry of Community Services, dated February 24, 2006 regarding the Comprehensive Groundwater Monitoring Plan – Phase 1 (Funding – a \$5,000 grant approved) be received for information.

CARRIED.

- d) Letter from Julia Gully, Representative for  
Concerned Manufactured Home Park Residents Across BC, dated February 12, 2006  
Re: Mobile Home Park Redevelopment Tenant Assistance Policy

**MOTION NO. 70/06**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council direct staff to write a letter of support to Julia Gully, Representative for Concerned manufactured Home Park Residents Across BC.

CARRIED.

- e) Letter from Gordon and Helen Cooper, dated February 26, 2006  
Re: 3 Way Stop at Millstream Lake, Millstream Road and Munn Road

**MOTION NO. 71/06**  
**MOVED BY: COUNCILLOR MAHOVLICH**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** Council request staff to write a letter to Mr. and Mrs. Cooper.

CARRIED.

**8. BYLAWS**

**9. NEW BUSINESS**

- a) Report from Municipal Planner, dated February 14, 2006  
Re: Development Variance Permit Application – DVP-02-06  
Kingco 2000 Development Ltd.  
Lot D, Sections 4 & 5, Highland District, Plan VIP776077  
1150 Bear Mountain Parkway

**MOTION NO. 72/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** notification be issued for the proposed Development Variance Permit DVP-02-06 pertaining to: Lot D, Sections 4 & 5, Range 3W, Highland District, Plan VIP76077 (1150 Bear Mountain Parkway).

CARRIED.

- b) Report from Building Official, dated January 30, 2006  
Re: Development Variance Permit Application – DVP-03-06  
Gordon and Catherine Bennett  
Lot B, Section 36, Plan VIP52663 (5250 Stag Road)

Gordon and Catherine Bennett were present to answer questions from Council.

**MOTION NO. 73/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** notification be issued for the proposed Development Variance Permit DVP-03-06 pertaining to Lot B, Section 36, Plan VIP52663 (5250 Stag Road)

CARRIED.

- c) Report from Building Official, dated  
Re: Development Variance Permit Application – DVP-04-06  
Donald and Elaine Eastman  
Lot G, Section 17, Plan 4128 (655 Lost Lake Road)

**MOTION NO. 74/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR WILLIAMS**

**THAT** notification be issued for the proposed Development Variance Permit DVP-04-06 pertaining to Lot G, Section 17, Plan 4128 (655 Lost Lake Road)

CARRIED.

- d) CRD-Monthly Animal Control Report for the Month Ending January 31, 2006

**MOTION NO. 75/06**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** the CRD Monthly Animal Control Report for the Month Ending January 31, 2006 BE RECEIVED for information.

CARRIED.

- e) RCMP – Monthly Mayors Report for January 2006

**MOTION NO. 76/06**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** the RCMP Monthly Mayors Report for January 2006 BE RECEIVED for information.

CARRIED.

- f) Monthly Building Report – February 2006

**MOTION NO. 77/06**  
**MOVED BY: COUNCILLOR BROTHERSTON**  
**SECONDED: COUNCILLOR FALL**

**THAT** the Monthly Building Report for February 2006 BE RECEIVED for information.

CARRIED.

- g) Terms of Reference – Advisory Committees  
Re: Rise and Report the Terms of Reference from the In-Camera meeting held February 15, 2006 and appoint Council liaisons to the Advisory Committees.

**MOTION NO. 78/06**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the Terms of Reference for the Advisory Committees be raised from the In-Camera meeting held February 15, 2006 and further that Council appoint Councillor Brotherston to the Community Infrastructure Advisory Committee and Councillor Mendum to the Fiscal and Environmental Advisory Committee.

CARRIED.

Councillor Mahovlich left the Regular Council Meeting at this time.

h) Court of Revision Hearing regarding LGB9

**MOTION NO. 79/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council request staff to attend the Court of Revision on behalf of the District of Highlands.

CARRIED.

i) LGB9 Development Corporation Discussions

**MOTION NO. 80/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR FALL**

**THAT** further discussions regarding LGB9 Development Corporation be referred to the Committee of the Whole meeting on March 27, 2006

CARRIED.

**10. ADJOURNMENT**

**MOTION NO. 81/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR KADAR**

**THAT** the Regular Meeting of Council adjourn and move into an "In-Camera" Special Council Meeting at 10:05 p.m., pursuant to Section 90(a) of the *Community Charter*, to discuss land issues.

CARRIED.

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MAYOR

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ADMINISTRATOR