

**DISTRICT OF HIGHLANDS  
REGULAR COUNCIL MEETING**

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Minutes of the Regular Council meeting held on March 20, 2006 at Caleb Pike House, 1589 Millstream Road at 7:00 p.m.

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

**ABSENT:** Councillor Kadar

**IN ATTENDANCE:** Terry Trace, Municipal Clerk  
Laura Beckett, Planner

**1. APPROVAL OF THE AGENDA**

**MOTION NO. 82/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MAHOVLICH**

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

By Adding to Petitions and Delegations: Vicky Husband, Bob McMinn, Eric Bonham;

By Adding to Correspondence:

7(e) a letter from Steven Ward, dated March 15, 2006 regarding Financial Condition of the Highlands;

By Adding to New Business:

9(c) one letter of support for the DVP-04-06 – from Suzanne Johnson, dated March 18, 2006 and one letter providing input from Job Kuijt, dated March 20, 2006;

9(f) a letter from Ron King, Kingco 2000 Developments Ltd, dated March 16, 2006, response to Marcie McLean's letter read before Council on March 6, 2006; and

9(i) Councillor Williams report dated March 20, 2006 regarding Woodridge Roadside Trail.

CARRIED.

**2. ADOPTION OF THE MINUTES**

- a) Minutes of the Special Council Meeting (budget) dated March 6, 2006

**MOTION NO. 83/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the Minutes of the Special Council Meeting (budget) dated March 6, 2006 BE ADOPTED as circulated.

CARRIED.

- b) Minutes of the Regular Council Meeting dated March 6, 2006

**MOTION NO. 84/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR FALL**

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

CARRIED.

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

**MOTION NO. 85/06**

**MOVED BY: COUNCILLOR WILLIAMS**

**SECONDED: COUNCILLOR BROTHERSTON**

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

CARRIED.

- d) Minutes of the Fiscal & Environmental Advisory Committee dated March 8, 2006

**MOTION NO. 86/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the Minutes of the Fiscal & Environmental Advisory Committee BE RECEIVED for information.

CARRIED.

**MOTION NO. 87/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR FALL**

**THAT** Council refer the matter of the Fiscal and Environmental Advisory Committee's offer to prepare a leaflet for the 2006-2010, 5-year Financial Plan for Council's approval to a Committee of the Whole Budget meeting.

CARRIED.

**3. INTRODUCTION OF LATE ITEMS**

**4. PETITIONS AND DELEGATIONS**

- a) Neville Grigg, 685 Lost Lake Road, read a letter and spoke about BC Assessment's appeal process on the LGB9 Lands for the property assessment value. Mr. Grigg complimented Mr. Burki on his clear and compelling arguments on behalf of the District of Highlands.
- b) Bob McMinn, 499 Millstream Lake Road, spoke on item 7d) of the agenda, Amateur Radio Field Day and expressed concern that the new grass could be damaged if this event were held on this site and requested permission to work with Rainier Jansen to determine an alternate site.
- c) Vicky Husband, 301 Ross Durrance Road, read a letter on behalf of Leith Williams, of 3422 Verona Crescent regarding logs in Craigflower Creek on the Woodridge site.

**MOTION NO. 88/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR WILLIAMS**

**THAT** the Bylaw Enforcement Officer be requested to investigate the logs in Craigflower Creek at the Woodridge development site.

CARRIED.

Ms. Husband wanted to speak about the Regional Context Statement, however the Mayor advised that she could not speak to this matter at this time. Ms. Husband then spoke regarding Highlands 3 Holdings, Bear Mountain financial expenditures, and commented on the Woodridge Riparian Areas.

- d) Eric Bonham, 5216 Stag Road, thanked Laura Beckett regarding the presentation made at the BCWWA workshop on March 10, 2006 and requested that staff repeat the presentation for Highlands residents.

**5. UNFINISHED BUSINESS**

- a) Letter – Greater Victoria Public Library  
Re: Revised 2006 Library Operating Budget

**MOTION NO. 89/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** that the revised 2006 Greater Victoria Public Library Operating Budget BE APPROVED.

CARRIED.

- b) Letter – Marie Brotherston  
Re: Regional Planning Presentation

**MOTION NO. 90/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** the letter from Marie Brotherston with respect to the Committee of the Whole discussion regarding the process for the Regional Planning Presentation BE RECEIVED for information.

CARRIED.

- c) Letter – Michael Carson  
Referendum on Community Hall  
(Referred from November 7, 2005 Council Meeting)

**MOTION NO. 91/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the letter from Michael Carson, regarding a community hall referendum, BE RECEIVED for information.

CARRIED.

- d) Memo – Administrator  
Highest Waste Recycling Ltd. – Discussion on Removal of Covenant  
(Referred from March 6, 2006 Council)

**MOTION NO. 92/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council supports the Optimization Plan for Highest Waste Recycling Ltd.

CARRIED.

**MOTION NO. 93/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR FALL**

**THAT** Council request the Capital Regional District to either remove the covenant on the Highest Waste Recycling Limited lands or to transfer it to the District of Highlands.

CARRIED.

- e) Letter drafted by Councillor Mahovlich  
Re: Groundwater Susceptibility Study to VIHA

**MOTION NO. 94/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council instruct staff to send Councillor Mahovlich's letter to Vancouver Island Health Authority regarding the Groundwater Susceptibility Study for the Vancouver Island Region as presented to Council.

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) – reported that there is a proposal to turn the Officers Mess Hall into an Arts Venue when funds become available.
- iii) Community Energy Planning Steering Committee – (Councillor Williams) – nothing to report.
- iv) Emergency Planning Committee (CRD) – (Councillor Fall) – nothing to report.
- v) Environment Committee (CRD) – (Councillor Mendum) – nothing to report.
- vi) CRD Parks – (Mendum) – noted that there was over 6,600 volunteer hours and over 4,000 minor incidences and noted that the levels of government are looking at preserving Muir Creek and advised that a parks management review is in process.
- vii) Greater Victoria Family Court Committee – (Councillor Mahovlich) – nothing to report.
- viii) Greater Victoria Public Library Board – (Councillor Kadar) – nothing to report.
- ix) Inter-Municipal Committee on Disability Issues – (Councillor Kadar) – nothing to report.

- x) Solid Waste Advisory Committee – (Councillor Kadar) – nothing to report.
- xi) Western Communities Policing Advisory Committee – (Councillor Mendum) – Councillor Mendum noted that *B&E's* (Break and Enters) and vehicle thefts have doubled. She also noted was that the Crystal Meth Task Force Committee is proposing a new bylaw – “Controlled Substance Property Bylaw”. Councillor Mendum requested that the flyer “Keep in Touch Program” for Senior Citizens be posted at the Municipal Hall.

b) Mayor's Report

- i) Capital Regional District Board – the Regional Context Statement was accepted by a vote of 10 – 9. Once all the Regional Context Statements are received, the Capital Regional District will initiate a Regional Growth Strategy Amendment Bylaw which will include all the member municipalities amendments at the same time. Changing the Regional Urban Containment and Servicing Policy Area Boundary (RUCSPA) requires 100% approval by all member municipalities.
- ii) CREST – nothing to report.
- iii) West Shore Parks and Recreation Society's Board of Directors – general housekeeping issues.

Mayor Cardinal announced that the Ministry of Community Services gave first reading to Bill 10 which amends the Community Charter to allow municipalities to hold public hearings and meetings outside their boundary and once there is final reading this proposed new provision in the Charter will become retroactive.

Mayor Cardinal spoke about policing costs being downloaded to municipalities with a population under 5,000.

**MOTION NO. 95/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council request staff to investigate what the policing costs would be for the District of Highlands, as a result of the Ministry of Community Services downloading policing costs to municipalities with a population under 5,000.

**CARRIED.**

**7. CORRESPONDENCE**

- a) Letter – Oak Bay United Church and Quality Time Promotions Inc.  
Re: Benefit Concerts to re-construct Historic Oak Bay United Church

**MOTION NO. 96/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the letter from the Oak Bay United Church and Quality Time Promotions Inc. BE RECEIVED for information.

CARRIED.

- b) Letter from Mark McLaughlin  
Re: Request to make a presentation to Council regarding  
Controlled Substance Property Bylaw

**MOTION NO. 97/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR FALL**

**THAT** staff obtain a copy of the Controlled Substance Property Bylaw and forward it to Council for their review.

CARRIED.

- c) Letter from Marcie McLean  
Re: Kingco 2000 Development and Zoning Bylaw No. 100, and  
Zoning Bylaw No. 116, Community Institutional 1 (C11) Zone

**MOTION NO. 98/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the letter from Marcie McLean regarding Kingco 2000 Development and Zoning Bylaw No. 100, and Zoning Bylaw No. 116, Community Institutional 1 (C11) Zone BE RECEIVED for information.

CARRIED.

- d) Letter from Rainier Jansen, Municipal Amateur Coordinator  
Re: Amateur Radio Field Day in the Highlands

**MOTION NO. 99/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR MENDUM**

**THAT** the Amateur Radio Field Day in the Highlands on the weekend of June 24 – 26, 2006 BE APPROVED and further that Mr. Jansen meet with Mr. McMinn to determine an alternate site.

CARRIED.

- e) Letter from Steven Ward  
Re: Financial Conditions of the Highlands

**MOTION NO. 100/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR MENDUM**

**THAT** the letter from Steven Ward regarding the Financial Conditions of the Highlands BE RECEIVED for information.

CARRIED.

**8. BYLAWS**

**9. NEW BUSINESS**

- a) Report – Municipal Clerk  
Re: Fee for Service Contract for Website Support Services & Maintenance Contract.

**MOTION NO. 101/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council authorize the District to enter into a Fee for Service Contract for Website Support Services and Maintenance with David Phillips for a three year term commencing April 1, 2006 and ending April 1, 2009.

CARRIED.

- b) Report - Administrator  
Re: West Shore Parks and Recreation Society – 2006 Budget

**MOTION NO. 102/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council adopt the West Shore Parks and Recreation Society – 2006 Budget.

CARRIED.

- c) Report – Building Official  
Re: Development Variance Permit Application DVP-04-06  
and Development Permit Application DP-03-06

**MOTION NO. 103/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR WILLIAMS**

**THAT** Council authorize the issuance of Development Variance Permit No. DVP-04-06 relating to Lot G, Plan 4128, Section 17, Highland District.

CARRIED.

Councillor Mendum requested staff forward Job Kuijt's letter to the applicant and their consultants.

- d) Report - Planner  
Re: Local Government Grants Application – Requesting Council Support

**MOTION NO. 104/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council authorize staff to prepare and submit a grant application for \$5,000 to the Ministry of Community Services.

CARRIED.

- e) Report – Building Official  
Re: Development Variance Permit Application – DVP03-06

**MOTION NO. 105/06**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council authorize the issuance of Development Variance Permit No. DVP-03-06 relating to Lot B, Plan VIP52663, Section 36, Highland District.

CARRIED.

- f) Report - Planner  
Re: Development Variance Permit Application – DVP-02-06

**MOTION NO. 106/06**  
**MOVED BY: COUNCILLOR MAHOVLICH**  
**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council authorize the issuance of Development Variance Permit No. DVP-02-06 relating to Lot D, Sections 4 & 5, Range 3W, Highland District, Plan VIP76077 (1150 Bear Mountain Parkway) as shown on the attached drawing which form Schedule A of the permit and that would vary Zoning Bylaw 100 as follows: Section 13.1.3(1)(e) by increasing the total floor area of an accessory residential dwelling unit from 200 square metres to 270 square metres.

CARRIED.

- g) Report - Administrator  
Re: Court of Revision – BC Assessment Appeal

**MOTION NO. 107/06**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** Council authorize staff to proceed with the BC Assessment appeal process for the property assessment of Bear Mountain properties.

CARRIED.

- h) Report - Planner  
Re: Highlands 3 Holdings – Rezoning Application Pro Forma (RZ-01-05)

**MOTION NO. 108/06**  
**MOVED BY: COUNCILLOR BROTHERSTON**  
**SECONDED: COUNCILLOR FALL**

**THAT** the report from the Planner regarding Highlands 3 Holdings Rezoning Application BE RECEIVED for information.

CARRIED.

**MOTION NO. 109/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR FALL**

**THAT** Council refer the report from the Planner regarding Highlands 3 Holdings Rezoning Application to the Advisory Committees.

CARRIED.

- i) Report – Councillor Williams  
Re: Woodridge Roadside Trail

Councillor Williams reported on the public consultation process and the status of the Woodridge Roadside Trail. Some Council members expressed concern with respect to whether or not the Woodridge Roadside Trail will be built to meet the Trails Master Plan standards. Council expressed concern as to who is overseeing the work and liabilities to the District if there is a deviance of standards carried out.

**MOTION NO. 110/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** the report from Councillor Williams be referred to the Approving Officer to provide an appropriate resolution for Council's consideration with respect to dealing with the construction standards of the Woodridge Roadside Trail.

CARRIED.

**10. ADJOURNMENT**

**MOTION NO. 111/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR FALL**

**THAT** the Regular Meeting of Council adjourn and move into an "In-Camera" Special Council Meeting at 9:20 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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MUNICIPAL CLERK