

**DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING**

Minutes of the Regular Council meeting held on April 18, 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 Mahovlich
Councillor Mendum
Councillor Williams

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

1. APPROVAL OF THE AGENDA

MOTION NO. 149/06

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR MAHOVLICH

THAT Council approve the agenda as amended by:

Adding to:

- 3. Introduction of Late Items
 - Councillor Mahovlich would like to talk on Malahat Study and Groundwater Protection

Deleting from:

- 4. Petitions and Delegations
 - Mr. Don Brown, CRD Chief Bylaw Enforcement Officer (will be attending the next Council meeting)

Adding to:

- 4. Petitions and Delegations
 - Bob Flitton; Thomas Roy; Vicky Husband

To Discuss 9c) New Business after Petitions and Delegations

9c) Report – Building Inspector

Re: Development Permit Application DVP-05-06 (712 Lorimer Road)

Adding to:

5. Unfinished Business:

5b) KPMG, Letter dated April 18, 2006

Re: Financial Impact Assessment of Bear Mountain Comprehensive Development Project

5c) Budget Discussions

CARRIED.

2. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting dated April 3, 2006

It was noted that on page 7 of the Minutes under the Mayor's Report, The Mayor reported ...the assessment of the Bear Mountain lands at approximately \$12,000...should read \$12,000,000; and on page 10 under Motion No. 137/06 where it says ...to "50 km/h except 30 km/h between Millstream Lake Road and Emma Dixon Road...." should read ...to "50 km/h except 40 km/h between Millstream Lake Road and Emma Dixon Road..."

MOTION NO. 150/06
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT the Minutes of the Regular Council Meeting of April 3, 2006 be adopted as amended.

CARRIED.

- b) Minutes of Special Council Meeting dated April 10, 2006

It was noted that the minutes reflect Councillor Mahovlich present at this meeting and she did not arrive until the Committee of the Whole portion of the meeting. Councillor Mahovlich should be shown as Absent at this meeting.

MOTION NO. 151/06
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR BROTHERSTON

THAT the Minutes of the Special Council Meeting of April 10, 2006 be adopted as amended.

CARRIED.

- c) Minutes of Committee of the Whole dated April 10, 2006

It was noted that under 2. Budget Discussions, two items should be added:
Utilities – requesting more information and
Line item – Fee for Service – Business Group (Economic Development), \$2,000

On Page 2 of the Minutes the sentence "It was announced that budget increase is approximately \$55 per average household" should read "The potential budget increase is approximately \$55 per average household."

MOTION NO. 152/06
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR

THAT the Minutes of the Committee of the Whole dated April 10, 2006 be adopted as amended.

- d) Meeting Notes of Community Hall Task Force dated April 5, 2006

CARRIED.

MOTION NO. 153/06

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR BROTHERSTON

THAT Council receive the Meeting Notes of the Community Hall Task Force, dated April 5, 2006 for information.

CARRIED.

Recommendations Arising from Meeting Notes from the Community Hall Task Force

1. Royal Roads Air Cadet Sponsoring Association

MOTION NO. 154/06

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR BROTHERSTON

THAT Council accepts “that the Community Hall Task Force acknowledges the Royal Roads Air Cadet Sponsoring Association’s need for accommodations in the West Shore area and will take this into consideration during deliberations at the beginning of determining the requirements of a community hall for the District of Highlands.”

CARRIED.

2. Terms of Reference

There was discussion and it was noted by Marcie McLean that the Community Hall Task Force has not yet adopted the minutes of April 12, 2006 and that the members had not had an opportunity to review the Terms of Reference.

MOTION NO. 155/06

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR BROTHERSTON

THAT the Terms of Reference for the Community Hall Task Force Adhoc Committee be referred to the May 8, 2006 Committee of the Whole meeting.

CARRIED.

Mayor Cardinal advised that minutes from the Advisory Committees and the Community Hall Task Force should be stamped “Draft” and submitted to Council along with Committee Recommendations. Once the Committee minutes have been adopted then Council will receive for information.

3. INTRODUCTION OF LATE ITEMS

Councillor Mahovlich spoke on the Malahat Study and advised Council that Stantec Engineering has submitted their results of the study to the Ministry of Transportation and Highways and according to the MLA, John Horgan, those results will not be public for approximately another month.

Councillor Mahovlich also spoke on the Groundwater Protection Regulations. Councillor Mahovlich stated that all bore holes no longer in use be sealed. Councillor Mahovlich made a recommendation that a policy be made or that there be a record with the District of Highlands.

And further Councillor Kadar advised Council that at the Solid Waste Advisory Committee there was a presentation put on by Mary Anne Phillipone, who is a GeoTech for the Capital Regional District. One of the maps showed residential wells, which the CRD has as part of an ongoing groundwater monitoring program. Councillor Kadar asked Ms. Phillipone if she would be interested in sharing any information she might have from start up of the well monitoring program to date. Mayor Cardinal requested that staff contact Ms. Phillipone to set up a time to meet to share information on the groundwater monitoring program.

MOTION NO. 156/06

MOVED BY: COUNILLOR MAHOVLICH

SECONDED: COUNILLOR FALL

THAT staff be requested to implement a procedure to decommission and seal all bore holes in compliance with all provincial regulations.

CARRIED.

4. PETITIONS AND DELEGATIONS

- a) Kevin Wenstob, 866 Finlayson Arm Road, read and submitted a letter regarding the proposed rezoning, Highlands Estates, Section 74.
- b) Thomas Roy, Cascadia Biological Services, spoke regarding the DVP application at 712 Lorimer Road and advised Council that it would be beneficial to have an onsite visit to the property.
- c) Vicky Husband, 303 Ross Durrance Road, spoke regarding the Regional Context Statement and submitted a letter.
- d) Bob Flitton, 680 Stewart Mountain Road, spoke on the Regional Context Statement.

Mayor Cardinal responded to Ms. Husband's concerns regarding the Regional Context Statement.

Moved from 9c)-New Business:

Ted Nawrocki, 712 Lorimer Road, spoke regarding his DVP application and answered questions from Council.

MOTION NO. 157/06

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR MAHOVLICH

THAT Council request staff to arrange with Thomas Roy an on site visit to 712 Lorimer Road.

CARRIED.

5. UNFINISHED BUSINESS

- a) Controlled Substance Property Bylaw for Council Review

MOTION NO. 158/06

MOVED BY: COUNCILLOR BROTHERSTON

SECONDED: COUNCILLOR KADAR

THAT the Controlled Substance Property Bylaw be referred to the Advisory Committees requesting their review and then forward their concerns to a Committee of the Whole meeting AND FURTHER that staff invite Lorne Fletcher, Bylaw Enforcement Officer from the City of Langford to the Committee of the Whole Meeting to discuss and answer questions regarding the Bylaw.

CARRIED.

- b) KPMG letter, dated April 18, 2006
Re: Financial Impact Assessment of Bear Mountain Comprehensive Development Project

MOTION NO. 159/06

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR MENDUM

THAT Council receive the letter from KPMG dated April 18, 2006 and refer it to the next Committee of the Whole meeting on April 24, 2006.

CARRIED.

- c) Budget Discussions

MOTION NO. 160/06

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR BROTHERSTON

THAT the Draft Budget be referred to the next Committee of the Whole meeting dated April 24, 2006.

CARRIED.

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

a) Committee Reports

- i) Advisory Planning Commission – nothing to report
- ii) Arts Committee – nothing to report
- iii) Community Energy Planning Steering Committee- nothing to report
- iv) CRD Emergency Planning Committee- nothing to report

Councillor Fall reported on the AVICC conference he attended and touched on a few of the resolutions that were relevant to the District of Highlands.

- v) CRD Environment Committee – nothing to report
- vi) Greater Victoria Family Court Committee – Councillor Mahovlich reported on the Mental Health Issue and that Sandy McPherson has been working on a Focus Group for the end of April.
- vii) Greater Victoria Public Library Board- nothing to report
- viii) Inter-Municipal Committee on Disability Issues–next meeting April 20, 2006
- ix) Solid Waste Advisory Committee – Councillor Kadar reported that they had a meeting on April 13, 2006 and touched a few of the topics that were discussed. The major issue was the telephone directory recycling program. Councillor Kadar stated to watch for a new recycling schedule. As part of banning backyard waste at the Hartland Land Fill, CRD is selling composters at Hillside Mall on June 3, 2006 for \$35.00 regularly \$60.00
- x) Western Communities Policing Advisory Committee- Councillor Mendum reported that the Bike Patrol is up and running. The Western Communities Police are requesting a Grant in Aid and Councillor Mendum asked that their request be forwarded to the next budget meeting.

b) Mayor's Report

- i) Capital Regional Board - nothing to report
- ii) CREST – Mayor Cardinal advised that he had not heard from CREST and that the Administrator will look into this.
- iii) West Shore Parks and Recreation Society's Board of Directors-next meeting is April 19, 2006.

7. CORRESPONDENCE

Correspondence Requiring Action:

- a) Letter – Councillor Christopher Graham, GVPL Board Chair
Greater Victoria Public Library 5 Year Financial Plan and Budget Guidelines

MOTION NO. 161/06

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR BROTHERSTON

THAT Council receive the Greater Victoria Public Library 5-Year Financial Plan and Budget Guidelines for information.

CARRIED.

- b) Letter – Bill Sutherland, RHI Kamloops, President, Canadian Assoc. of Home and Property Inspectors

MOTION NO. 162/06

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR BROTHERSTON

THAT Council request staff to write a letter of support to the Province stating “The District of Highlands supports an association in moving forward with guidelines for home inspectors.”

CARRIED.

8. BYLAWS

- a) Fire Protection Specified Area Amendment Bylaw No. 283, 2006

MOTION NO. 163/06

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR MAHOVLICH

THAT Council adopt “Fire Protection Specified Area Amendment Bylaw No. 283, 2006”.

CARRIED.

- b) District of Highlands Bylaw No. 36 to Regulate Roads and Traffic, Amendment Bylaw No. 284, 2006”

MOTION NO. 164/06

MOVED BY: COUNCILLOR BROTHERSTON

SECONDED: COUNCILLOR WILLIAMS

THAT Council adopt “District of Highlands Bylaw No. 36 to Regulate Roads and Traffic, Amendment Bylaw No. 284, 2006”

CARRIED.

- c) District of Highlands Bylaw No. 36 to Regulate Roads and Traffic, Amendment Bylaw No. 285, 2006

MOTION NO. 165/06

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR MAHOVLICH

THAT Council rescind third reading of “District of Highlands Bylaw No. 36 to Regulate Roads and Traffic, Amendment Bylaw No. 285, 2006”.

CARRIED.

MOTION NO. 166/06

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR MAHOVLICH

THAT Council amend the “District of Highlands Bylaw No. 36 to Regulate Roads and Traffic, Amendment Bylaw No. 285, 2006” by making three changes to Schedule A:

- change on Millstream Road the 30km/h between Millstream Lake Road and Emma Dixon Road to 40km/h between Millstream Lake Road and Emma Dixon Road and
- delete Stonecrest Road completely
- add Hazlitt Creek Road

CARRIED.

MOTION NO. 167/06

MOVED BY: COUNCILLOR MENDUM

SECONDED: COUNCILLOR MAHOVLICH

THAT Council give third reading to “District of Highlands Bylaw No. 36 to Regulate Roads and Traffic, Amendment Bylaw No. 285, 2006”, as amended.

CARRIED.

9. NEW BUSINESS

- a) Monthly Mayors Report, March 2006

MOTION NO. 168/06
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT Council receive for information the Monthly Mayor's Report dated April, 10, 2006.

CARRIED.

- b) Report – Municipal Clerk
Re: Procedure and Committee Policy Amendments

MOTION NO. 169/06
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MAHOVLICH

THAT Council refer the Procedure and Committee Policy Amendments to the Committee of the Whole meeting on May 8, 2006.

CARRIED.

- c) Report – Building Inspector
Development Variance Permit – DVP-05-06

- Dealt with after Petitions and Delegations

- d) Report – Municipal Planner
Re: Riparian Areas Regulation (RAR) – Tripartite Protocol Agreement

MOTION NO. 170/06
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT Council receive the report from the Municipal Planner, regarding Riparian Areas Regulation (RAR) – Tripartite Protocol Agreement for information.

CARRIED.

- e) Report – Municipal Planner
Re: Integrated Vegetation and Pest Management Policy and Model Pesticide Use Control Bylaw

MOTION NO. 171/06

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR WILLIAMS

THAT Council refer the Model Pesticide Use Control Bylaw to Committee of the Whole, timing it with a presentation from the CRD Roundtable on the Environment Pesticide Reduction Subcommittee,

AND FURTHER THAT Council invite members of the Advisory Committees to a Committee of the Whole Meeting.

CARRIED.

10. ADJOURNMENT

MOTION NO. 172/06

MOVED BY: COUNCILLOR KADAR

SECONDED: COUNCILLOR FALL

THAT the Regular Meeting of Council adjourn at 9:00 p.m. and move into an “In-Camera” Special Council Meeting pursuant to Section 90(a) of the Community Charter to discuss personnel and legal issues.

CARRIED.

MAYOR

ADMINISTRATOR