

**DISTRICT OF HIGHLANDS  
REGULAR COUNCIL MEETING**

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Minutes of the Regular Council meeting held on July 4, 2006 at Caleb Pike House, 1589 Millstream Road at 7:02 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. 301/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council approves the agenda as amended by adding to:

New Business – 10b) a letter from Jack Hull, General Manager, Water Services, CRD, dated June 28, 2006 regarding Application for Membership of the Regional Water Supply Commission. *And*

Bylaws – 9a) letters from Daphne and Brian Williams, dated July 3, 2006; Anne-Marie Hart, dated July 3, 2006; Eric Herbert, dated July 3, 2006 and Sheila Herbert, dated July 3, 2006 – all regarding the Ford Rezoning application. *And*

Petitions and Delegations – Evelyn Samuel; Michael Bocking; Eleanor Rayner; Elaine Limbrick

CARRIED.

**2. PETITIONS AND DELEGATIONS**

a) Mark McLaughlin, President of Crystal Meth Victoria – arrived at 7:30 p.m. to the Council meeting and did his presentation after the Reports of Committees, Committee of the Whole & Commissions.

Mark McLaughlin, President of the Crystal Meth Victoria Society made a presentation to Council to explain how the grant money would be used. Mr. McLaughlin congratulated Council for their success on the UBCM grant application.

Mr. McLaughlin highlighted ways in which the funding is used:

Education - school presentations. "Crystal-clear" wrist bands as well as t-shirts are given out to students who participate in the question and answer period at the end of the presentations. Each school is also given a 190 page resource kit for their use along with brochures and posters. Community awareness - a preliminary information piece was placed in the Times Colonist early this spring with another one being done in August before the school season starts.

Enforcement - the Crystal Meth Bylaw which has been in the works for several months now. A meth watch program is underway in the area as well, which helps hinder the diversion of products from stores that go into the making of homemade meth labs. Meth watch helps educate the wholesalers and retailers about the diversion of their product line.

Treatment – the Society has signed an agreement with the Vancouver Island Health Authority that brings care and support to youth and families who are on crystal meth. Within the next couple of months, hoping to have a 6 bed youth resource in the CRD that will accept patients region wide to provide 24 – 60 day extended care. The Crystal Meth Society will be partnering with the Salvation Army as the agency to run this facility.

Mr. McLaughlin advised that anywhere from 6 to 8 months a report is submitted to UBCM and the District to advise where the funds have gone and what has been achieved. Mr. McLaughlin answered questions from Council. Mayor Cardinal thanked Mr. McLaughlin for his presentation and advised that when the funding does come in from UBCM, staff will contact him to make arrangements to have the funds directed towards the Victoria Crystal Meth Society.

- b) Evelyn Samuel, 405 Hazlitt Creek Road – Read a letter regarding the Ford Rezoning Application-RZ-01-06
- c) Michael Bocking, 405 Hazlitt Creek Road – Read a letter regarding the Ford Rezoning Application-3290 Munn Road
- d) Eleanor Rayner, 600 Stewart Mountain Road – Thanked Heinz Burki, Administrator for all his hard work and dedication to the District of Highlands over the past 5 ½ years.
- e) Elaine Limbrick, 3836 Munn Road – Thanked Heinz Burki for his efficient, courteous and prompt services to the residents of the Highlands. Thanked the Fire Chief and Fire Fighters for stopping the brush fire on Talon Ridge. Expressed the need to activate the telephone tree. Ms. Limbrick commented on the Preservation Society launching another lawsuit causing the ratepayers to suffer financially from increased legal costs.

### **3. ADOPTION OF THE MINUTES**

- a) Minutes of the Special Council Meeting dated June 19, 2006

#### **MOTION NO. 302/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the Minutes of the Special Council Meeting of June 19, 2006 be adopted as circulated.

#### **AMENDING MOTION**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR FALL**

**THAT** Motion No. 286/06 read as follows:

**THAT** Council request staff to seek a legal opinion regarding what kind of covenant can be placed on the land to restrict the future selling of the land **AND FURTHER** does Council have a duty and fairness to treat everyone else that comes forward, equally.

**CARRIED.**  
(Councillor Brotherston opposed)

- b) Minutes of the Committee of the Whole Meeting dated June 26, 2006

**MOTION NO. 303/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR KADAR**

**THAT** the Minutes of the Committee of the Whole Meeting dated June 26, 2006 be adopted as circulated.

CARRIED.

- c) DRAFT Minutes from the Fiscal & Environment Select Committee meeting dated June 14, 2006

**MOTION NO. 304/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** the DRAFT minutes of the Fiscal & Environment Select Committee meeting dated June 14, 2006 be received for information.

CARRIED.

- d) Minutes of the Advisory Planning Commission meeting dated April 20, 2005

**MOTION NO. 305/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR WILLIAMS**

**THAT** the minutes of the Advisory Planning Commission meeting dated April 20, 2005 be received for information.

CARRIED.

- e) Minutes of the Advisory Planning Commission meeting dated August 25, 2005

**MOTION NO. 306/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** the minutes of the Advisory Planning Commission Meeting dated April 12, 2006 be received for information.

CARRIED.

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

a) Committee Reports

- i) Advisory Planning Commission – Councillor Brotherston advised that he was away at the time of the last APC meeting. The Commission did discuss the Highlands 3 Holdings.
- ii) Arts Committee – nothing to report
- iii) Community Energy Planning Steering Committee – nothing to report

- iv) Emergency Planning Committee - nothing to report
  - v) CRD Environment Committee – Councillor Mendum reported on the Control Waste Amendments – reducing the acceptance of waste from outside the regional boundaries. The Hartland Landfill has been using a very old radio communication system and would like to move to a more secure radio system. Proposed residential organic waste collection pilot project is going to start with Oak Bay and Esquimalt.
  - vi) Greater Victoria Family Court Committee – Councillor Mahovlich reported on the subcommittee – the Youth Outreach program, which will be meeting over the summer and will try to bring forward the secure care or safe care which is legislation, which help parents get their youth into detox facilities.
  - vii) Greater Victoria Public Library Board- Councillor Kadar reported that the Board will be accepting funding of \$116,000 from the Provincial Government to start the process of using 1 card for all BC public libraries and that every school child will carry a library card. Some concerns were, what would happen if the funding stopped and it was decided that If and when that did happen, the program will also stop. The Board did not want the Government downloading this program onto the taxpayers.
  - viii) Inter-Municipal Committee on Disability Issues– nothing to report
  - ix) Solid Waste Advisory Committee – nothing to report
  - x) Western Communities Policing Advisory Committee- nothing to report
- b) Mayor's Report
- i) Capital Regional Board – nothing to report
  - ii) CREST – The Mayor advised that he was unable to attend the last CREST meeting and will be soliciting all of Council to find an alternate or a replacement due to the timing of the meetings and work commitments.
  - iii) West Shore Parks and Recreation Society's Board of Directors – meeting July 13, 2006

## 5. RATIFICATION OF COMMITTEE RECOMMENDATIONS

- a) Recommendations of Fiscal & Environment Select Committee dated June 19, 2006
  - Rezoning Application RZ-01-05-Highlands 3 Holdings – already dealt with by Council
  - Rezoning Application RZ-01-06 – Fords – on the Council agenda (Bylaws)
  - CRD Model Pesticide Use Control Bylaw and Controlled Substance Property Bylaw – The Planner advised Council that the Committees have received and are in support of both bylaws.

### **MOTION NO. 307/06**

**MOVED BY: COUNCILLOR MAHOVLICH**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council direct staff to prepare draft bylaws for the Pesticide Use Control Bylaw and the Controlled Substance Property Bylaw AND FURTHER that staff outline a public consultation process to bring back Council.

CARRIED.

Financial Plan Leaflet – Bob McMinn advised Council the Committee will prepare the leaflet, forward the leaflet to the Administrator, back to the Committee for final changes and then to Council for approval.

**MOTION NO. 308/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council receive for information the recommendation that an adopted Financial Plan Leaflet be sent out to all Highland residents.

CARRIED.

Stipend to Highlands Volunteer Fire Fighters

**MOTION NO. 309/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council receive for information the recommendation that the Committee defer discussions regarding the possible stipend to the volunteer fire fighters until the scheduled meeting on September 13, 2006 and for the information requested in the email of March 30, 2006 from the chair of the Committee to the Administrator be provided to the Committee for that meeting.

CARRIED.

**6. INTRODUCTION OF LATE ITEMS**

**7. UNFINISHED BUSINESS**

- a) Malahat Corridor Study  
Re: Draft Letter to Ministry of Transportation

**MOTION NO. 310/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council request staff to change the bulletin stating: Expected fogging problems would not respond to the safety issue, be changed to read: Significant fog, snow and ice common to the District of Highlands would not respond to the safety issue.

CARRIED.

**MOTION NO. 311/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council direct staff to prepare the letter to the Ministry of Transportation regarding the Malahat Corridor Study for signature.

CARRIED.

**8. CORRESPONDENCE**

***Correspondence to Receive for Information:***

- a) Letter from Highland District Community Association, dated June 22, 2006 to the Honourable Kevin Falcon, Minister of Transportation  
Re: Malahat Corridor Study

**MOTION NO. 312/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council receive for information the letter from Highland District Community Association, dated June 22, 2006 to the Honourable Kevin Falcon, Minister of Transportation.

CARRIED.

- b) Letter from the Greater Victoria Film Commission, dated June 9, 2006  
Re: Thank you for Grant in Aid

**MOTION NO. 313/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council receive for information the letter from the Greater Victoria Film Commission, dated June 9, 2006 thank you letter regarding Grant in Aid.

CARRIED.

- c) Letter from West Shore Arts Council, dated June 9, 2006  
Re: Thank you for Grant in Aid

**MOTION NO. 314/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council receive for information the letter from the West Shore Arts Council, dated June 9, 2006 – thank you letter regarding Grant in Aid.

CARRIED.

- d) Letter from Kevin Falcon, Minister of Transportation dated June 13, 2006 to  
Re: Bear Mountain Parkway Interchange

**MOTION NO. 315/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council receive for information the letter from Kevin Falcon, Minister of Transportation dated June 13, 2006 to Dr. Keith Martin regarding Bear Mountain Parkway Interchange.

CARRIED.

- e) Email correspondence from the City of North Vancouver, dated June 14, 2006  
Re: Creation of an Industrial Land Reserve

**MOTION NO. 316/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council receive for information the email correspondence from the City of North Vancouver, dated June 14, 2006 regarding the Creation of an Industrial Land Reserve.

CARRIED.

- f) Letter from Vicky Husband, dated June 18, 2006  
Re: Ford Subdivision

**MOTION NO. 317/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council receive for information the letter from Vicky Husband, dated June 18, 2006 regarding the Ford Subdivision.

CARRIED.

- g) Letter from Marcie McLean, dated June 19, 2006  
Re: Ford's Rezoning Application (RZ-01-06)

**MOTION NO. 318/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR FALL**

**THAT** Council receive for information the letter from Marcie McLean, dated June 19, 2006 regarding the Ford's Rezoning Application.

CARRIED.

***Correspondence Requiring Action:***

- h) Letter from CRD Environmental Services, dated June 13, 2006  
Re: Participation in Management Program for Onsite Systems

**MOTION NO. 319/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR KADAR**

**THAT** Council request staff to advise the CRD Environmental Services that the District of Highlands is not interested at this time in participating in the Management Program for Onsite Systems but would like to be kept informed as the program progresses.

CARRIED.

- i) Letter from CRD, dated June 19, 2006  
Re: CRD Bylaw 3322, CRD Hazardous Materials Incident Response  
Service Establishment Bylaw No. 1, 2006

**MOTION NO. 320/06**

**MOVED BY: COUNCILLOR FALL**

**SECONDED: COUNCILLOR MENDUM**

**THAT** Council consent to the adoption of CRD Bylaw No. 3322, *Capital Regional District Hazardous Materials Incident Response Service Establishment Bylaw No. 1, 2006*, in accordance with Section 801.4 of the *Local Government Act*.

CARRIED.

**9. BYLAWS**

- a) Report from Municipal Planner, dated June 28, 2006  
Re: Ford Rezoning Application – RZ-01-06; Bylaws and Covenant

There was a round table discussion with various views and opinions stated. The Planner advised Council that a verbal legal opinion was received and Mr. Young stated that a covenant can not be placed on property to restrict the sale of the property.

- i) District of Highlands Official Community Plan Amendment Bylaw No. 290, 2006

**MOTION NO. 321/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council give first reading to the District of Highlands Official Community Plan Amendment Bylaw No. 290, 2006.

CARRIED.

(Councilors Fall and Williams opposed)

District of Highlands Official Community Plan Amendment Bylaw No. 290, 2006

**MOTION NO. 321/06**

**MOVED BY: COUNCILLOR KADAR**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council give second reading to the District of Highlands Official Community Plan Amendment Bylaw No. 290, 2006.

CARRIED.

(Councilors Fall and Williams opposed)

- ii) District of Highlands Zoning Amendment Bylaw No. 291, 2006

**MOTION NO. 322/06**

**MOVED BY: COUNCILLOR BROTHERSTON**

**SECONDED: COUNCILLOR MAHOVLICH**

**THAT** Council give first reading to the District of Highlands Zoning Amendment Bylaw No. 291, 2006.

CARRIED.

(Councilors Fall and Williams opposed)

District of Highlands Zoning Amendment Bylaw No. 291, 2006

**MOTION NO. 323/06**

**MOVED BY: COUNCILLOR KADAR**  
**SECONDED: COUNCILLOR BROTHERSTON**

**THAT** Council give second reading to the District of Highlands Zoning Amendment Bylaw No. 291, 2006.

CARRIED.  
(Councilors Fall and Williams opposed)

**MOTION NO. 324/06**

**MOVED BY: COUNCILLOR BROTHERSTON**  
**SECONDED: COUNCILLOR KADAR**

**THAT** Council direct staff to proceed with referrals to the CRD Board, City of Langford, District of Saanich, Town of View Royal, Highlands Fire Department, School Districts 61, 62, 63 and to the West Shore RCMP.

CARRIED.

**MOTION NO. 325/06**

**MOVED BY: COUNCILLOR BROTHERSTON**  
**SECONDED: COUNCILLOR KADAR**

**THAT** a Public Hearing be set for Tuesday, September 12, 2006, 7:00 p.m. at the West Fire Hall at 1564 Millstream Road.

CARRIED.

**10. NEW BUSINESS**

- a) Memo from Administrator, dated June 26, 2006  
Re: Emergency Response Agreement

**MOTION NO. 326/06**

**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR KADAR**

**THAT** Council receive for information the memo from the Administrator, dated June 26, 2006 and the background information from Kelly Daniels, CAO, CRD regarding the Emergency Response Agreement.

CARRIED.

- b) Memo from Administrator, dated June 26, 2006  
Re: Membership to Regional Water Commission

**MOTION NO. 327/06**

**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MENDUM**

**THAT** Council receive for information the memo from the Administrator, dated June 26, 2006 and the letter from Jack Hull, General Manager, Water Services, CRD regarding membership to the Regional Water Commission.

CARRIED.

10. **ADJOURNMENT**

**MOTION NO. 328/06**

**MOVED BY: COUNCILLOR MENDUM**

**SECONDED: COUNCILLOR KADAR**

**THAT** the Regular Meeting of Council adjourn at 9:15 p.m. and move into an "In-Camera" Special Council Meeting pursuant to Section 90(a) of the *Community Charter*, to discuss personnel issues.

CARRIED.

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MAYOR

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ADMINISTRATOR