

**DISTRICT OF HIGHLANDS
REGULAR COUNCIL MEETING**

Minutes of the Regular Council meeting held on March 19, 2007 at Caleb Pike House, 1589 Millstream Road at 7:00 p.m.

PRESENT: Mayor Cardinal, Chair
Councillor Fall
Councillor Mahovlich
Councillor Mendum
Councillor Williams

ABSENT: Councillor K. Brotherston

IN ATTENDANCE: Laura Beckett, Municipal Planner
Sandi Chesley, A/Corporate Officer

1. APPROVAL OF THE AGENDA

MOTION NO. 99/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MAHOVLICH

THAT Council approves the agenda as amended by adding to Petitions and Delegations:
Michael Bocking
Hans Waelti
Mara Dhillon
Fred York
Bob McMinn
Marie Brotherston
Marcie McLean

CARRIED.

2. PETITIONS AND DELEGATIONS

Mitzi Dean, Executive Director, Pacific Centre Family Services Association – Ms. Dean presented to Council a proposal for a Community Outreach Prevention and Education program across West Shore and Sooke Municipalities. Ms. Dean was requesting support from the District of Highlands and answered questions from Council.

MOTION NO. 100/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR MAHOVLICH

THAT the request for funding from Mitzi Dean, Executive Director on behalf of the Pacific Centre Family Services Association be brought forward to budget discussions.

AND FURTHER THAT a letter of support in principle be written.

CARRIED.

Michael Bocking - read a letter on behalf of **Eleanor Rayner**, 600 Stewart Mountain Road – regarding the OCP during the discussions at the Committee of the Whole meeting held March 12, 2007.

Michael Bocking, 405 Hazlitt Creek Road read a letter regarding the OCP and the rural lot sizes.

Bob McMinn, 499 Millstream Lake Road, read a letter supporting staff recommendation to replace policy 19 on page 10 of the proposed OCP.

Hans Waelti – read a letter on behalf of **Al Pellett and Georgina Zilinsky**, 3975 Munn Road regarding the OCP discussions.

Marcie McLean, 1321 Millstream Road – spoke regarding the OCP.

Mara Dhillon, 3813 Munn Road – read a letter regarding the OCP.

Fred York, 743 Finlayson Arm Road – spoke regarding the OCP.

Marie Brotherston, 5173 Munn Road – spoke regarding the OCP.

3. ADOPTION OF THE MINUTES

- a) Minutes of the Regular Council Meeting dated March 5, 2007

MOTION NO. 101/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT the Minutes of the Regular Council Meeting of March 5, 2007 be adopted as circulated.

CARRIED.

- b) Minutes of the Committee of the Whole Meeting dated March 5, 2007

MOTION NO. 102/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR FALL

THAT the Minutes of the Committee of the Whole Meeting of March 5, 2007 be adopted as circulated.

CARRIED.

- c) Minutes of the Committee of the Whole Meeting dated March 12, 2007

MOTION NO. 103/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

THAT the Minutes of the Committee of the Whole Meeting of March 12, 2007 be adopted as circulated.

CARRIED.

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

a) Committee Reports

- i) Advisory Planning Commission – (Councillor Brotherston) - nothing to report
- ii) Arts Committee – (Councillor Fall) – Councillor Fall reported that Arts Advisory Council recommended a 3.5% increase which will come forward as part of the CRD Board discussions. The amount for the District of Highlands is a fixed amount decided by Council so this requested increase will not affect the District.
- iii) Community Energy Planning Steering Committee – (Councillor Williams) – have not met but Councillor Williams advised that the DRAFT Plan has been sent out electronically to all of the CAO's for comment.
- iv) Emergency Planning Committee – (Councillor Fall) – Councillor Fall has been discussing with the Highland District Community Association about having a session on Emergency Preparedness.
- v) Greater Victoria Family Court Committee – (Councillor Mahovlich) – Councillor Mahovlich reported that the Steering Committee met and that they will be forwarding a letter to Minister Hauge regarding the Youth and Mental Health Initiative.
- vi) Greater Victoria Public Library Board- (Councillor Kadar) – nothing to report
- vii) Inter-Municipal Committee on Disability Issues– (Councillor Kadar) – nothing to report
- viii) Solid Waste Advisory Committee – (Councillor Kadar) – nothing to report
- ix) Western Communities Policing Advisory Committee- (Councillor Mendum) – Councillor Mendum advised that Dr. Cahoon is the new President of the Royals Road University. The City of Langford now has 5 Bylaw Enforcement Officers.
- x) Groundwater Task Force (Councillor Mahovlich) – Councillor Mahovlich advised that the Task Force has made the final edits to the memo for homeowners to increase awareness on protection of their groundwater water supply and will be bringing this to the next Council Meeting for endorsement to be included with the Property Tax Notices.

b) Mayor's Report

- i) Capital Regional Board – will report at the next Council meeting.
- ii) CRD Parks Committee – Next meeting is on March 21, 2007
- iii) CRD Environment Committee – Next meeting is on March 28, 2007
- iv) CREST – nothing to report
- v) West Shore Parks and Recreation Society's Board of Directors – The meeting was held March 8, 2007 and was unable to attend.

- vi) West Shore Economic and Development Association – Mayor Cardinal advised that he met with Peter Fibiger and Mr. Fibiger will be presenting a new proposal to Council as well as discussing with Council the possibility of a fee for service with the east side of Millstream Road and working with the landowners, the Province and CRD in trying to be proactive in moving the development of the Industrial site forward.

5. RATIFICATION OF COMMITTEE RECOMMENDATIONS

Recommendations from the Committee of the Whole Meeting held March 12, 2007

MOTION NO. 104/07

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR FALL

THAT Council authorize and request the Highlands District Community Association to deliver the April 2007 – McKenzie Bight Nature Hike and the District extend insurance coverage for this event.

CARRIED.

Mayor Cardinal removed himself from the meeting at 8:10 p.m. citing a potential conflict of interest. Councillor Mendum took over as Chair of the meeting for this next item.

MOTION NO. 105/07

MOVED BY: COUNCILLOR MAHOVLICH

SECONDED: COUNCILLOR FALL

THAT the correspondence from Mr. Dan Young, 1985 Millstream Road, received March 12, 2007 be put on the next In-Camera Council Agenda to Rise and Report to become public.

CARRIED.

Mayor Cardinal returned to the meeting at 8:12 p.m. and resumed position as Chair.

6. INTRODUCTION OF LATE ITEMS

7. UNFINISHED BUSINESS

8. CORRESPONDENCE

Correspondence to Receive for Information:

- a) Letter from John Bodnarchuk, Project Director, Ministry of Transportation dated March 7, 2007
Re: Malahat Corridor Study Phase 2 Information Session

- b) Letter from Cynthia Day, Colwood City Councillor, Chair, Colwood Heritage Commission dated February 22, 2007
Re: Consider appointing a Council member as a "Heritage Representative"
- c) Letter from Hy Freedman, Chair CREST, dated March 12, 2007
Re: Update

MOTION NO. 106/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MAHOVLICH

THAT correspondence a) to c) be received for information.

CARRIED.

Correspondence for Action:

- d) Letter from Councillor Christopher Graham, GVPL Board Chair, dated February 27, 2007
Re: Greater Victoria Public Library 2007 Operating Budget

MOTION NO. 107/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

THAT the GVPL 2007 Operating Budget be received for information

AND THAT Council request staff to clarify the requested increase and the approval process of the Library Operating Budget

AND FURTHER THAT the Greater Victoria Public Library 2007 Operating Budget be brought forward to budget discussions.

CARRIED.

- e) Letter from Lorne Whyte, President & CEO, Tourism Victoria, dated February 28, 2007
Re: 2007 Fee for Service Grant Application

MOTION NO. 108/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

THAT the letter from Lorne Whyte, President & CEO, Tourism Victoria, dated February 28, 2007 regarding 2007 Fee for Service Grant Application, be received for information.

CARRIED.

9. BYLAWS

10. NEW BUSINESS

- a) Report from Planner to CAO, dated March 15, 2007
Re: Development Variance Permit Application – Lot 3 Woodridge (3657 Woodridge Place)

Thomas Roy, representative for the applicant, outlined the request and answered question from Council.

MOTION NO. 109/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR BROTHERSTON

THAT Council direct staff to issue Notification for the Development Variance Permit application.

CARRIED.
(Councillor Mendum opposed)

- b) Report from Planner to CAO, dated March 15, 2007
Re: Proposed March 2007 OCP – Version 1

There was discussion regarding the OCP text changes resulting from Council's discussions at the Committee of the Whole Meeting March 12, 2007.

- Page 10 - Policy 19

MOTION NO. 110/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

THAT Council direct staff to replace policy 19 on page 10 of the proposed OCP with the following:

“The District of Highlands acknowledges the important role that large lot property owners play in the municipality. Council will work with owners of large properties to help identify key values and objectives, and to seek prospects for mutual benefit. As each situation is unique, the primary tool for owners of large properties to engage with the municipality is through the rezoning process, which gives an opportunity for dialog to reach net benefit to community and owner.

CARRIED.
(Mayor Cardinal and Councillor Brotherston opposed)

MOTION NO. 111/07
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT Council direct staff to prepare a report outlining the proper public process to amend the District of Highlands Zoning Bylaw 100, 1998 to change the lot area requirements for subdivision from 12 hectares to 8 hectares in the R1, R4, GB1 and GB2 zones in accordance with Map 2.2.

CARRIED.
(Councillors Fall, Mendum and Williams opposed)

- Page 68 - Appendix A – Public Amenities a.2

– Procedures for Consideration of Density Bonusing (#2) which read:

2. The monetary value of the community amenity provided shall be based upon an assessment and valuation undertaken by a registered appraisers agreed upon by both the District and the applicant.

The Planner advised Council that the legal opinion was to strike that from the OCP which would still give flexibility under S. 904 when rezoning.

MOTION NO. 112/07

MOVED BY: COUNCILLOR BROTHERSTON

SECONDED: COUNCILLOR MAHOVLICH

THAT Appendix A – Public Amenities a.2 – Procedures for Consideration of Density Bonusing #2 which states: “The monetary value of the community amenity provided shall be based upon an assessment and valuation undertaken by a registered appraisers agreed upon by both the District and the applicant”, BE REMOVED from the proposed 2005 Official Community Plan.

CARRIED.

- Page 15 – 2.9 Public Parks - Objectives

From: To protect and conserve the sensitivity of local ecosystems.

To: To protect and conserve sensitive and local ecosystems.

- Page 2 - Goals

There was discussions regarding Goal 4 with various views being noted.

MOTION NO. 113/07

MOVED BY: COUNCILLOR FALL

SECONDED: COUNCILLOR MENDUM

THAT Goal 4 be changed

From: To ensure the long-term economic sustainability of the Highlands’ community.

To: To ensure the long-term economic, social and environment sustainability of the Highlands’ community.

DEFEATED.

(Mayor Cardinal, Councillors Brotherston, Kadar and Mahovlich opposed)

MOTION NO. 114/07

MOVED BY: COUNCILLOR BROTHERSTON

SECONDED: COUNCILLOR MAHOVLICH

THAT Council rescind second reading of District of Highlands Official Community Plan Bylaw No. 277, 2005.

CARRIED.

MOTION NO. 115/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT Council move second reading of District of Highlands Official Community Plan, Bylaw No. 277, 2005 as amended.

CARRIED.
(Councillor Mendum opposed)

MOTION NO. 116/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED COUNCILLOR MENDUM

THAT Council set a Public Hearing date for April 23, 2007 at 7:00 p.m. at the West Fire Hall for the District of Highlands Official Community Plan, Bylaw No. 277, 2005.

CARRIED.

MOTION NO. 117/07
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MENDUM

THAT Council hold an Information Session for the public on the Draft OCP on Sunday April 15, 2007 from 2:00 p.m.–4:00 pm at the Caleb Pike House.

CARRIED.

c) Schedule Committee of the Whole Meeting for March 26, 2007

MOTION NO. 118/07
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

THAT a Committee of the Whole meeting be set for March 26, 2007 to discuss the Vokes Report - Highlands Volunteer Fire Department.

CARRIED.

11. ADJOURNMENT

MOTION NO. 119/07
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR BROTHERSTON

THAT the Regular Meeting of Council be adjourn at 9:40 p.m.

CARRIED.

MAYOR

ACTING CORPORATE OFFICER