



DISTRICT OF HIGHLANDS
MINUTES OF THE
REGULAR COUNCIL MEETING

Monday, May 20, 2008 @ 7:00 p.m.
SCHOOL HOUSE, 1589 MILLSTREAM ROAD

PRESENT:

Mayor M Cardinal
Councillor K Brotherston
Councillor A Fall
Councillor J Kadar
Councillor J Mendum
Councillor K Williams

ABSENT

Councillor M Mahovlich

IN ATTENDANCE:

Chris Coates, CAO
Laura Beckett, Planner
Tina Neurauter, D/Corporate Officer
9 members of the public were present

1. Approval of the Agenda

MOTION: 195 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MENDUM

THAT the agenda be approved as amended:

THAT Michael Bocking be added under **Petitions and Delegations**; and

THAT the draft Fiscal and Environmental Services Committee Five Year Financial Plan leaflet be added under **Late Items**; and

THAT the agenda be approved as amended.

CARRIED

2. PETITIONS AND DELEGATIONS

Michael Bocking, 405 Hazlitt Road, Chair of the Community Centre Task Force, addressed Council regarding the survey results from the Community Centre questionnaire. He asked if he could address Council when this item comes up on the Agenda.

3. ADOPTION OF THE MINUTES

a) Council – May 5, 2008

MOTION: 196 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR FALL

THAT the minutes of Council dated May 5, 2008 be adopted as amended:

Page 10 – motion 190 – change “preventative” to “representative”.

CARRIED

b) Special Council – May 20, 2008

MOTION: 197 / 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR BROTHERSTON

THAT the minutes of the Special Council meeting dated May 20, 2008 be adopted.

CARRIED

c) Committee of the Whole – May 20, 2008

MOTION: 198 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAM

THAT the minutes of the Committee of the Whole meeting dated May 20, 2008 be adopted as amended:

Page 3 – last motion on page needs “CARRIED” inserted.

CARRIED

d) DRAFT Advisory Planning Commission – May 6, 2008

MOTION: 199 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR FALL

THAT the DRAFT minutes of the Advisory Planning Commission be received.

CARRIED

e) DRAFT Fiscal and Environmental Select Committee – May 7, 2008

MOTION: 199 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR FALL

THAT the DRAFT minutes of the Fiscal and Environmental Select Committee be received.
CARRIED

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

a) Committee Reports

- i) Advisory Planning Commission (Cllr. Brotherston) – APC met on Tuesday, May 6, 2008 and reviewed two rezoning applications.
- ii) CRD Arts Committee (Cllr. Fall) – meeting scheduled for Wednesday, May 21, 2008.
- iii) Emergency Planning Committee (Cllr. Fall) – Nothing to report.
- iv) Greater Victoria Family Court Committee (Cllr. Williams) – meeting scheduled for Wednesday, May 21, 2008.
- v) Greater Victoria Public Library Board (Cllr. Kadar) – Nothing to report.
- vi) Inter-Municipal Committee on Disability Issues (Cllr. Kadar) – The committee has organized an event planned for June 13 and 14, 2008 “Relay for Life”. Langford is considering the installation of viewing platforms for the use of disabled person on Florence Lake. The annual Committee picnic is scheduled for June 19, 2008 right after the Disability for a Day Event.
- vii) Solid Waste Advisory Committee (Cllr. Kadar) – The Committee received a presentation on Getting to “0” Waste – Core Area Waste Strategy Presentation.
- viii) Western Communities Policing Advisory Committee (Cllr. Mendum) – Nothing to report.
- ix) Groundwater Task Force (Cllr. Mahovlich) – Nothing to report.
- x) CREST (Cllr. Fall) – Nothing to report. - Annual General Meeting scheduled for Wednesday, May 21, 2008.
- xi) CRD Water (Cllr. Brotherston) – meeting scheduled for Wednesday, May 21, 2008.
- xii) Juan de Fuca Water (Cllr. Brotherston) – Nothing to report.

b) Mayor's Report

CRD Board – The Mayor updated Council on the Committee of the Whole discussion on the RGS review process. Ms. Corbett, Senior Planner, CRD gave a presentation on the RGS review, providing the rationale for a review, the relationship of the RGS to CRD Strategic Priorities (2006-2008) and recommending a phased and refocused approach for the project.

xiv) CRD Committees

Parks – Nothing to Report

Environment – Nothing to Report

West Shore Parks and Recreation – A 7% fees and charges increase was approved by the Board. Further discussion took place regarding the possible redevelopment of the Centre including the velodrome.

5. RATIFICATION OF COMMITTEE RECOMMENDATIONS**a) COMMITTEE OF THE WHOLE – May 12, 2008**

- 1) RE: PUBLIC PROCESS – CHANGING SUBDIVISION REQUIREMENTS
FROM 12 TO 8 HECTARES IN SELECTED ZONES

MOTION: 200 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR KADAR

THAT Council direct staff to correspond in writing with landowners of parcels noted in pink on attached Map 2.2 advising that Council is considering amending the zoning bylaw to allow for greater subdivision potential on their properties by reducing the minimum lot size for subdivision from 12 hectares to 8 hectares (30 acres to 20 acres). The letter would also advise, generally, what the anticipated result would be for each parcel, and that a zoning amendment does not automatically grant subdivision, but that subdivision is a separate process for which a landowner may apply. The letter would request written feedback as to whether or not each landowner wishes to participate in this process,

THAT Council direct staff to report back to Council with the results of the above consultation, including a draft new zone similar to the R1, R4, GB1 and GB2 zones with the exception that the minimum parcel size for subdivision would be 8 hectares (20 acres),

AND FURTHER THAT Council direct staff to include in its report back to Council:

- Options on how to apply a new zone (for example, Council changing the zoning on applicable properties, or Council creating a new zone that

applicable properties could apply to (using the idea of draft bylaw 265 (never adopted) as an example);

- Clarification, including the pros and cons, of lot averaging and how it is used; and
- A list of the zones in the proposal including a more accurate total number of potentially new lots resulting from the proposal

MOTION: 201 / 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT the motion regarding the report back to staff also include options around amenity zoning.

CARRIED

Question was then called on the Main Motion as amended.

CARRIED

2) RE: 2008 GENERAL ELECTION

MOTION: 202 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR FALL

THAT the new election bylaw, "*District of Highlands General Local Government Election Bylaw No. 302, 2008*" be forwarded to the next Council meeting for consideration.

CARRIED

b) FISCAL AND ENVIRONMENTAL SELECT COMMITTEE – May 12, 2008

1) Letter – Sue Johnson – April 15, 2008

MOTION: 203/ 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR KADAR

THAT the Fiscal and Environmental Select Committee requests Council, to be authorized to respond to the letter from Sue Johnson dated April 15, 2008 with the attached letter.

The motion was withdrawn.

MOTION: 203/ 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR BROTHERSTON

THAT this item be forwarded to staff to work with Fiscal and Environmental Select Committee to respond to Sue Johnson's letter on behalf of Mayor and Council.

CARRIED

c) COMMUNITY CENTRE TASK FORCE – May 14, 2008

Michael Bocking, 405 Hazlitt Road, Chair of the Community Centre Task Force, addressed Council regarding the survey results from the Community Centre questionnaire. He explained in detail the results of the survey and on why the Task Force would like the result forwarded to the Ministry. He also commented on the attendance at the Open House.

1) Community Survey

MOTION: 204/ 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR

THAT Council submit to the Minister of Community Services the 2 page summary of survey responses in support of the existing grant applications (B.C. Spirit Squares and Towns for Tomorrow).

Motion lost due to no Secunder.

MOTION: 205/ 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT this item be deferred to the next Council meeting so that the survey results can be reviewed by Council members.

DEFEATED

OPPOSED: COUNCILLOR BROTHERSTON
 COUNCILLOR KADAR
 MAYOR CARDINAL

MOTION: 206/ 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR KADAR

THAT Council receive for information the full set of survey results and that the 2 page summary of the survey responses in support of the existing grant application (BC Spirit Squares and Towns for Tomorrow) be submitted to the Minister of Community Services.

CARRIED

MOTION: 207/ 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT staff bring forward information regarding timelines for including a referendum question on the upcoming election ballot. If the time is limited, this information should be forwarded to Council members via email transmission.

CARRIED

6. INTRODUCTION OF LATE ITEMS

1) LEAFLET – FESC

RE: DRAFT FIVE YEAR FINANCIAL PLAN LEAFLET FOR DISTRIBUTION TO HIGHLAND RESIDENTS

MOTION: 207 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR KADAR

THAT this information from FESC be received and that it be forwarded to the next Council meeting for comment.

CARRIED

7. UNFINISHED BUSINESS

1) LETTER – Denise Blackwell, Board Chair, CRD - April 30, 2008

RE: MILLSTREAM MEADOWS SITE REMEDIATION – DECEMBER 4, 2007 LTR. FROM DISTRICT

MOTION: 208/ 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MENDUM

THAT the letter from Denise Blackwell, Board Chair, CRD be received.

CARRIED

2) REPORT – Laura Beckett, Planner – May 14, 2008

RE: DEVELOPMENT VARIANCE PERMIT APPLICATION DVP-01-08 – 1388 MILLSTREAM RD

MOTION: 209/ 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR FALL

THAT Council ISSUE Development Variance Permit DVP-01-08, pertaining to:

Lot 8, Sections 28 and 35, Highland District, Plan VIP56104 Except Parts in Plans VIP57467 and VIP76484 (1388 Millstream Road)

That would vary Section 3.3 (1) of Zoning Bylaw 100 as follows: By allowing a building or structure to be located no closer than 15m to the natural boundary of a wetland and Earsman Creek.

CARRIED

8. CORRESPONDENCE**Correspondence to Receive for Information**

- a) LETTER - IACDI – May 6, 2008
RE: DISABILITY FOR A DAY, AWARENESS FOR A LIFETIME

MOTION: 204/ 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT this letter be referred to the Community Infrastructure and Select Services Committee and the Fiscal and Environmental Services Select Committee for information and for possible participation in the event.

CARRIED

- b) LETTER – ASSOCIATION OF DOUGLAS STREET BUSINESSES – May 2, 2008
RE: CAPITAL REGION DISTRICT TRANSPORTATION PLAN

- c) LETTER – CITY OF BURNABY - April 22, 2008
RE: HIGHWAY MAINTENANCE SPECIFICATION

- d) LETTER – BOB MCMINN – May 14, 2008
RE: CHANGING SUBDIVISION REQUIREMENTS 30 TO 20 HA: ADDITIONAL COMMENTS

MOTION: 205/ 2008
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR BROTHERSTON

THAT correspondence b), c), and d) be received.

CARRIED

9. BYLAWS

- 1) BYLAW NO. 302
RE: DISTRICT OF HIGHLANDS GENERAL LOCAL GOVERNMENT ELECTION BYLAW NO. 302, 2008

MOTION: 206 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR BROTHERSTON

THAT Bylaw No. 302, being the “District of Highlands Election and Voting Procedure Bylaw No. 302, 2008” be given FIRST READING.

CARRIED

MOTION: 207 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MENDUM

THAT Bylaw No. 302, being the "District of Highlands Election and Voting Procedure Bylaw No. 302, 2008" be given SECOND READING.

CARRIED

MOTION: 208 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR MENDUM

THAT Bylaw No. 302, being the "District of Highlands Election and Voting Procedure Bylaw No. 302, 2008" be given THIRD READING.

CARRIED

10. NEW BUSINESS

- 1) MEMO – Tina Neurauter, D/ Corporate Officer - May 13, 2008
RE: DISTRICT RECOGNITION POLICY

MOTION: 209 / 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT Council adopt the *District Recognition* Policy and that this policy be included in the District Policy Manual.

CARRIED

- 2) MEMO – C.D. Coates, Chief Administrative Officer - May 14, 2008
RE: LIBRARY OPERATING AGREEMENT

MOTION: 210 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR BROTHERSTON

THAT Council advise the GVPL that they support:

1. The agreement moving toward the Community Charter Based five year plan budgeting model; and
2. The agreement eliminating non-emergency budget amendments that require additional municipal requisitions.

CARRIED

3) IN CAMERA MEETING

MOTION: 211 / 2008
MOVED BY: COUNCILLOR WILLIAMS
SECONDED: COUNCILLOR BROTHERSTON

THAT Council move In Camera to discuss an item pursuant to Community Charter section: 90(1) (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment

CARRIED

11. **ADJOURNMENT**

MOTION: 212 / 2008
MOVED BY: COUNCILLOR BROTHERSTON
SECONDED: COUNCILLOR WILLIAMS

THAT the Regular Council Meeting adjourn at 8:15 p.m. and that the meeting be closed to the public and convene In-Camera under the authority of the *Community Charter* Section 90 (1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment

Mayor

Deputy Corporate Officer