



**DISTRICT OF HIGHLANDS
MINUTES OF THE
REGULAR COUNCIL MEETING**

Monday, September 15, 2008 @ 7:13 p.m.

SCHOOL HOUSE, 1589 MILLSTREAM ROAD

PRESENT:

Mayor Cardinal
Councillor A Fall
Councillor J Kadar (arrived at 7:20 p.m.)
Councillor M Mahovlich
Councillor J Mendum
Councillor K Williams

ABSENT

Councillor K Brotherston

IN ATTENDANCE:

Chris Coates, Chief Administrative Officer
Laura Beckett, Planner
Tina Neurauter, A/ Corporate Officer
15 members of the public

The meeting was called to order at 7:13 p.m.

1. APPROVAL OF THE AGENDA

MOTION: 306 /2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT the agenda be approved.

CARRIED

2. PETITIONS AND DELEGATIONS

There were not petitions or delegations.

4. ADOPTION OF THE MINUTES

a) Council – August 18, 2008

MOTION: 307 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR FALL

THAT the minutes of Council dated August 18, 2008 be adopted.

CARRIED

b) Special Council - August 18, 2008

MOTION: 308 / 2008
MOVED BY: COUNCILLOR WILLIAMS
SECONDED: COUNCILLOR MAHOVLICH

THAT the minutes of the Special Council Meeting dated August 18, 2008 be adopted.

CARRIED

c) Special Council - August 22, 2008

MOTION: 309 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR WILLIAMS

THAT the minutes of the Special Council Meeting dated August 22, 2008 be adopted as amended:

CHANGE the date from Monday to Friday, August 22, 2008.

CARRIED

d) Special Council - August 25, 2008

MOTION: 310 / 2008
MOVED BY: COUNCILLOR WILLIAMS
SECONDED: COUNCILLOR FALL

THAT the minutes of the Special Council Meeting dated August 25, 2008 be adopted.

CARRIED

e) Special Council - September 8, 2008

MOTION: 311 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR WILLIAMS

THAT the minutes of the Special Council Meeting dated September 8, 2008 be adopted.

CARRIED

5. REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE & COMMISSIONS**a) Committee Reports**

- i) Advisory Planning Commission (Cllr. Williams) – Nothing to report.
- ii) CRD Arts Committee (Cllr. Fall) – Councillor Fall reported on the progress of the subcommittee which met over the summer. Recommendations from this committee will be forwarded to the new committee members after this year's municipal election.
- iii) Emergency Planning Committee (Cllr. Fall) – Nothing to report.
- iv) Greater Victoria Family Court Committee (Cllr. Williams) – Nothing to report.
- v) Greater Victoria Public Library Board (Cllr. Kadar) – Nothing to report.
- vi) Inter-Municipal Committee on Disability Issues (Cllr. Kadar) – Nothing to report.
- vii) Solid Waste Advisory Committee (Cllr. Kadar) – Nothing to report.
- viii) Western Communities Policing Advisory Committee (Cllr. Mendum) – Councillor Mendum reported that at the next meeting the finding of the integrated task force which dealt with the issue of speeding motorcycles in the Highlands will be reported.
- ix) Groundwater Task Force (Cllr. Mahovlich) – Councillor Mahovlich reported that the draft report will come to the Committee of the Whole meeting in October with the consultants present.
- x) CREST (Cllr. Fall) – Councillor Fall reported that the implementation of the upgrade is going well, demonstration testing has gone well.
- xi) CRD Water (Mayor Cardinal) – Nothing to report.
- xii) Juan de Fuca Water (Cllr. Kadar) – Nothing to report.

b) Mayor's Report

CRD Board – The September Board meeting dealt mostly with land issues of other districts. Mayor Cardinal reported that the Board approved the Corporate Climate Change Action Plan for the Capital Regional District.

CRD Committees

Parks – Nothing to report

Environment – Millstream Meadows remediation is underway, hopefully the remediation will be complete at the end of October.

West Shore Parks and Recreation – Mayor Cardinal reported that at the last meeting the Board discussed various ways of increasing revenue. Included in this was processing “tickets” for the Bear Mountain Centre events in house and also the rental of rooms to private paramedicals. The position paper from the Greater Victoria Velodrome Society was forwarded to the Facility Committee.

7. UNFINISHED BUSINESS

8. CORRESPONDENCE

a) Letter – Marcie McLean – September 9, 2008

RE: POTENTIAL LAND ALTERATIONS/CONSTRUCTION/WATER USAGE AT TWINFLOWER PARK SITE

Councillor Mendum questioned staff regarding the requirements of a development permit for this work and also asked if this development permit information would be public information.

MOTION: 312 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT the above correspondence be received.

CARRIED

b) Letter – Canadian Heritage, Madhvi Russell – August 1, 2008

RE: FUNDING FOR LOCAL ARTS AND HERITAGE FESTIVALS AND HISTORICAL ANNIVERSARIES

MOTION: 313 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR WILLIAMS

THAT the above correspondence be received.

CARRIED

c) Letter – Town of Lake Cowichan, Joseph Fernadex – August 19, 2008

RE: PILOT PROJECT – BROOM BUSTERS

MOTION: 314 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR MENDUM

THAT the above correspondence be forwarded to the Fiscal and Environmental Select Committee.

CARRIED

- d) Email Correspondence – BC SPCA, Sara Dubois – August 23, 2008
RE: REQUEST FOR LETTER OF SUPPORT

MOTION: 315 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR MENDUM

THAT the District forward a letter of support to the Honourable Lawrence Cannon for the District of Metchosin's application for the Building Canada Fund and this letter be copied to the Honourable Blair Lekstrom, the District of Metchosin and the Ministry of Community Development.

CARRIED

- e) Letter – CUPW, Denis Lemelin – June 2008
RE: REQUEST FOR SUBMISSIONS TO SAVE UNIVERSAL, PUBLIC POSTAL SERVICE

MOTION: 316 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT this letter be forwarded to the Community Infrastructure Select Committee to check the on the status and that this information be brought back to a future Council meeting with recommendation.

CARRIED

- f) Letter – Vancouver Humane Society, Leanne McConnchie – June 20, 2008
RE: REQUEST FOR CAGE-FREE RESOLUTION

MOTION: 317 / 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MENDUM

THAT this letter be forwarded to the Fiscal and Environmental Select Committee to redraft the Proclamation for the District of Highlands.

CARRIED

- g) Letter – Pacific Centre, Mitzi Dean – July 18, 2008
RE: PROCLAMATION OF CHILD SEXUAL ABUSE PREVENTION WEEK

MOTION: 318 / 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR MENDUM

THAT the District proclaim the week of November 17 – 23, 2008 as "Child Sexual Abuse Prevention Week".

CARRIED

h) Letter – Marci McLean – September 8, 2008

RE: DEVELOPMENT PERMITS & DEVELOPMENT VARIANCE PERMITS IN THE HIGHLANDS

There was a lengthy discussion from Council members regarding current policy regarding the issuance of development permits in the District.

MOTION: 319 / 2008
MOVED BY: COUNCILLOR MENDUM
SECONDED: COUNCILLOR FALL

THAT staff report back to Council on how the current policy is working.

CARRIED

OPPOSED: COUNCILLOR KADAR
MAYOR CARDINAL

9. BYLAWS

a) BYLAW NO. 310

RE: HIGHLANDS ZONING AMENDMENT BYLAW NO. 310, 2008

MOTION: 320/ 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT Highlands Zoning Amendment Bylaw No. 310, 2008 be given THIRD Reading.

CARRIED

MOTION: 321/ 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

THAT Highlands Zoning Amendment Bylaw No. 310, 2008 be given FINAL Reading.

CARRIED

10. NEW BUSINESS

a) Report – Municipal Planner

RE: DEVELOPMENT VARIANCE PERMIT – DVP-03-08, 1070 RIVER ROAD

MOTION: 322/ 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR MENDUM

THAT notification BE ISSUED for the proposed issuance of Development Variance Permit DVP-03-08 pertaining to:

Strata Lot 2, Section 4, Range 3W and 4W, Highland District, Strata Plan VIS5080 (1070 River Road) that would vary Section 3.2 (1) of Zoning Bylaw 100 as follows: By permitting a swimming pool to be located no less than 5m from any lot line.

CARRIED

- b) Report – Municipal Planner
RE: RESIDENTIAL USE ZONE (RUZ) ADJUSTMENT REQUEST – 720 SKYVIEW PLACE

MOTION: 323/ 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR WILLIAMS

That Council approve the requested residential use zone (RUZ) amendment as shown in the survey dated August 18, 2008 and Further That Council authorize execution of the covenant to that effect.

CARRIED

- c) Memo – Chief Administrative Officer
RE: COMMITTEE OF THE WHOLE

MOTION: 324/ 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR FALL

That the September 22, 2008 Committee of the Whole meeting be cancelled and that a Committee of the Whole meeting be scheduled for October 27, 2008.

CARRIED

- d) Letter – Greater Victoria Public Library
RE: LIBRARY OPERATING AGREEMENT (2009 – 2013)

MOTION: 325/ 2008
MOVED BY: COUNCILLOR FALL
SECONDED: COUNCILLOR MAHOVLICH

That Council accepts and approves amendments to the Library Operating Agreement (2009 – 2013).

CARRIED

- e) Report – Administrative Assistant
RE: BUILDING REPORT – SEPTEMBER 2008

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MOTION: 326/ 2008
MOVED BY: COUNCILLOR MAHOVLICH
SECONDED: COUNCILLOR KADAR

That the building report for September, 2008 be received.

CARRIED

f) In Camera Meeting

MOTION: 327/ 2008
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR MAHOVLICH

That Council move In Camera to discuss items pursuant to Community Charter, specifically Section 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; 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, (to discuss a Bylaw Enforcement issue); Section 90 (1) (g) litigation or potential litigation affecting the municipality; and Section 90 (1) (m) a matter that, under another enactment, is such that the public may be excluded from the meeting, (Treaty Negotiation update);

CARRIED

The meeting reconvened from In Camera at 9:41 p.m. with 2 new issues arising under New Business.

g) Committee of the Whole Meeting October 14, 2008

MOTION: 328/ 2008
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR MAHOVLICH

THAT due to the fact that the upcoming Federal election is scheduled for Tuesday, October 14, 2008 the regularly scheduled Committee Whole meeting scheduled for Tuesday, October 14, 2008 be moved to Wednesday, October 15, 2008.

CARRIED

h) Appointment of Council Alternate to the Advisory Planning Commission

MOTION: 329 2008
MOVED BY: COUNCILLOR KADAR
SECONDED: COUNCILLOR MAHOVLICH

THAT Councillor Mendum be appointed as the Councillor Alternate to the Advisory Planning Commission.

CARRIED

11. RISE AND REPORT IN CAMERA RESOLUTIONS

There were no items to Rise and Report on.

12. ADJOURNMENT

Adjourn the Regular Council Meeting adjourn at 9:45 p.m

CARRIED