



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

**Monday, September 29, 2008 @ 7:00 p.m.**

**SCHOOL HOUSE, 1589 MILLSTREAM ROAD**

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**PRESENT:**

Mayor Cardinal  
Councillor A Fall  
Councillor J Mendum  
Councillor K Williams

**ABSENT**

Councillor K Brotherston  
Councillor J Kadar  
Councillor M Mahovlich

**IN ATTENDANCE:**

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

**The meeting was called to order at 7:07 p.m.**

**1. IN CAMERA MEETING**

**MOTION: 331 /2008**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MENDUM**

THAT Council move In Camera to discuss items pursuant to Community Charter, specifically Section 90 (1) (m) a matter that, under another enactment, is such that the public may be excluded from the meeting, (Treaty Negotiation update) AND 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).

**CARRIED**

The meeting reconvened from In Camera at 7:41 p.m.

**2. RISE AND REPORT IN CAMERA RESOLUTIONS**

There was no business to report on.

**3. APPROVAL OF THE AGENDA**

**MOTION: 332 /2008**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR MENDUM**

THAT the agenda be approved as amended:

UNDER PETITIONS AND DELEGATIONS ADD:  
Marcie McLean and Vicky Husband

AND

UNDER LATE ITEMS ADD:

- 1) Memo – Chief Administrative Officer, September 29, 2008  
RE: REGIONAL GROWTH STRATEGY PROCESS

CARRIED

**4. PETITIONS AND DELEGATIONS**

1. Presentation of Highlands Medal to Sue Johnson and the late Charlie Johnson

Mayor Cardinal stated,

“Tonight we are acknowledging two people who have made many significant contributions to the Highlands.

Sue Johnson and her late husband Charlie are long time Highland residents

Sue served three terms as a Highlands Councillor from 1993 to 1999 as well as a past member of the Highlands Fire Department where she received the Elaine Stone award for Community Service.

Sue and Charlie’s un-assuming contributions to the community have been numerous, they include:

- Volunteering as a neighbourhood help leader,
- Offering their residence for community meetings
- Staunch support for the highlands market (because it brought people together)
- Organizing community events
- Providing employment opportunities for highlands youth,
- Making significant financial contributions to worthy causes throughout the region

Are only some of the contributions they have made with the goals of community spirit and community building in mind.

We award the Highlands Medal for Community Service, but Sue and Charlie have provided so much more than just service.

It gives me great pleasure on behalf of Council to present the Highlands Medal to Sue and the late Charlie Johnson”.

Sue Johnson accepted the medals and stated,

“Thanks Mark, Charlie and I have been involved with the Highlands for almost 50 years. For those of you who didn’t know him, he was a quietly generous man, give of himself and his resources. He loved to grow things, whether it was flowers and veggies for family and friends, trees in the forest of British Columbia or, later, seedlings for the forest of North America. But more than anything, he loved people and helping relationships grow, with and between people. His wish for the Highlands was that its citizens would build on each other’s similarities and find common ground. Not focus solely on each others differences.

Nellie Cook, a long time resident and the receiver of the first Highlands award, used to say to me, “Sue, everyone comes here for the same reasons. It’s just that now the pieces are smaller”. Her comment is worth remembering!

Thank you, again, for awarding Charlie and me this honour”.

Marcie McLean, 1321 Millstream Road, asked for clarification regarding the proposed fencing in relation to DVP-03-08, 1931 Millstream Road.

Vicky Husband, 301 Ross Durrance Road, addressed Council regarding her concerns of the decision from the Minister of Community Development, Blair Lekstrom, to not send the 650 acre amendment back to the CRD Board but instead go to arbitration. She felt that there was a way to find a solution with the Sloan report.

## **5. ADOPTION OF THE MINUTES**

a) Special Council - September 15, 2008

**MOTION: 333 / 2008**  
**MOVED BY: COUNCILLOR FALL**  
**SECONDED: COUNCILLOR WILLIAMS**

THAT the minutes of Special Council dated September 15, 2008 be adopted.

CARRIED

- b) Council - September 15, 2008  
RECOMMENDED ACTION: Adopt

MOTION: 334 / 2008  
MOVED BY: COUNCILLOR FALL  
SECONDED: COUNCILLOR WILLIAMS

THAT the minutes of Council dated September 15, 2008 be adopted.

CARRIED

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

### a) Committee Reports

- i) Advisory Planning Commission (Cllr. Mendum for Councillor Williams) – A walk of the Cook's property was held on Wednesday, November 17. APC met on September 25 to discuss 3 land use applications.
- ii) CRD Arts Committee (Cllr. Fall) – Nothing to report.
- iii) Emergency Planning Committee (Cllr. Fall) – Nothing to report.
- iv) Greater Victoria Family Court Committee (Cllr. Williams) – Lillian Szpak gave a presentation on her research topic. "Empowering Woman" based on an analysis of seminars with young female teens and how to help them gain a voice in the community. Lhinda Achtem reported on a Korean delegation studying single parenting. Chair Kyara Kahakauwila asked for support at UBCM regarding the resolution to fund the "Youth Mental Health Initiative"
- 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) – Nothing to report.
- ix) Groundwater Task Force (Cllr. Mahovlich) – Nothing to report.
- x) CREST (Cllr. Fall) – Councillor Fall informed Council that the latest report regarding equipment failure was not true, there had been circumstance that had led to this incident which did not include the failure of the equipment.
- xi) CRD Water (Mayor Cardinal) – Mayor Cardinal reported that at the September 17, 2008 meeting, the Board received a presentation from Dr. Asit Mazumder, of UVic, Chair of NSERC (Natural Sciences and Engineering Research Council). He may have students interest in our Ground Water study.

xii) Juan de Fuca Water (Mayor Cardinal) – Nothing to report.

**b) Mayor's Report**

CRD Board – Nothing to report.

CRD Committees

Parks – Parks Committee met on September 17, 2008 discussion were held regarding Bylaw enforcement.

Environment – Nothing to report.

West Shore Parks and Recreation – Nothing to report.

**7. RATIFICATION OF COMMITTEE RECOMMENDATIONS**

**8. INTRODUCTION OF LATE ITEMS**

- a) Memo – Chief Administrative Officer  
RE: REGIONAL GROWTH STRATEGY PROCESS

Council reviewed a memo by the Chief Administrative Officer regarding the Regional Growth Strategy Process. Attached to this memo were two letters, one by Minister Lekstrom and the other by Denise Blackwall, CRD Board Chair.

Minister Lekstrom has announced that he has exercised his discretion and selected the method of arbitration, that being Final Proposal Arbitration.

There was a lengthy discussion of Council regarding this item with several Councillors noting there disappointment with this decision (Councillors Mendum, Fall and Williams)

**MOTION:** 335 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

THAT the District of Highlands chooses to participate in the arbitration process submitting a proposal that differs from the Regional Growth Strategy Amendment as written, through discussions and agreement of Council.

CARRIED

**MOTION:** 336 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

THAT staff be directed to send a letter to the Minister of Community Development, Blair Lekstrom, requesting:

- 1) That the time line be extended to avoid interference with the Local Government Election and to give time for interested parties to prepare proposals;
- 2) To request justification on the selection of the arbitration process and the arbitrator; and
- 3) To request information of specifics required for a joint statement and proposal submissions.

CARRIED

Councillors Fall, Williams and Mendum had objections to the time frames determined by the Minister.

## **9. UNFINISHED BUSINESS**

- b) Report – Municipal Planner  
RE: DEVELOPMENT VARIANCE PERMIT – DVP-03-08, 1070 RIVER ROAD

**MOTION:** 337 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

That Development Variance Permit DVP-03-08 be authorized for issuance.

CARRIED

- c) Memo – Chief Administrative Officer  
RE: REGIONAL GROWTH STRATEGY

**MOTION:** 338 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

That the memo from the Chief Administrative Officer containing Bear Mountains comments regarding the Regional Growth Strategy Amendment be received.

CARRIED

## **10. CORRESPONDENCE**

- a) Letter – Minister Tom Christensen – September 16, 2008  
RE: FOSTER FAMILY MONTH – OCTOBER, 2008

**MOTION:** 339 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

That the Letter from Minister Christensen be received.

CARRIED



- b) Letter – Dora Turje, Registrat, Youth Parliament of BC Alumni Society – Sept 6, 08  
RE: BC YOUTH PARLIAMENT'S 80<sup>th</sup> PARLIAMENT – DECEMBER 27 – 31, 2008

**MOTION:** 340 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

That the Letter from Dora Turje be received and that the brochure and the registration form be posted on the District's website.

CARRIED

## 11. BYLAWS

## 12. NEW BUSINESS

- a) UBCM Report

Councillor Fall reported on his recent attendance at UBCM. The workshops Councillor Fall attended and his key interests were: Small Talk Forum – the main discussion was around ground water monitoring, Councillor Fall encouraged communities to contact the District for information. The Climate Action Charter workshop – municipalities can now log onto a website for information (toolkit.bc.ca). How to improve the Regional District and the Community Charter, there is currently a process underway. The Green City awards were of great interest and can be especially interesting regarding the new Community Centre proposal. Food for Thought workshop centered on local food production and sales. Regional District Task Force was struck to look at Regional District issues; this task force is looking at key issues such as electoral areas, growth management, common change and First Nation issues. Councillor Fall will discuss a number of passed resolutions with staff.

Councillor Williams discussed the theme of the conference, Cool, Warm, Smart. What will our grandchildren think of our decision today. He referenced the opening speech by Grant Chief Stewart Phillip. Councillor Williams also spoke about the green awards and the Wildlife Forum. Living Water Smart forum was also informative.

- b) Report – Municipal Planner  
RE: DEVELOPMENT VARIANCE PERMIT – DVP-04-08, 1931 Millstream Road

**MOTION:** 341 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

That notification BE ISSUED for the proposed issuance of Development Variance Permit DVP-04-08 pertain to:

Lot A, Section 15, Highland District, Plan 16010, ("1931 Millstream Road")

That would vary Section 7.3D.4, subsections (1) and (2) of Zoning Bylaw 100 as follows:

Fencing required along north side of property adjacent to residential property as shown in red on Attachment 1 to this permit.

CARRIED

- b) Memo – Chief Administrative Officer  
RE: ROAD WORKS

**MOTION:** 342 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

That Council approve the resurfacing of Martlett Drive and that staff be directed to contact the owners doing the subdivision work at the end of Martlett Drive to determine if this work is almost complete.

CARRIED

- c) Letter – Capital Regional District – September 19, 2008  
RE: CRD BYLAW 3558, TRAFFIC SAFETY COMMISSION ESTABLISHMENT BYLAW NO. 1, 1990  
AMENDMENT BYLAW NO. 2, 2008

**MOTION:** 343 / 2008  
**MOVED BY:** COUNCILLOR FALL  
**SECONDED:** COUNCILLOR WILLIAMS

That Council give consent to the adoption of CRD Bylaw 3558, Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 2, 2008 in accordance with Section 801.4 of the *Local Government Act*.

CARRIED

### 13. ADJOURNMENT

**MOTION:** 344 / 2008  
**MOVED BY:** COUNCILLOR WILLIAMS  
**SECONDED:** COUNCILLOR MENDUM

That the Regular Council Meeting adjourn at 8:57 p.m.

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Mayor

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Acting Corporate Officer