



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

**Monday, May 17, 2010 @ 7:00pm
SCHOOL HOUSE, 1589 MILLSTREAM ROAD**

PRESENT:

Mayor	Jane Mendum
Councillors	Allen Dobb
	Diane Gill
	Sigurd Johannesen
	Marcie McLean
	Karel Roessingh
	Ken Williams

IN ATTENDANCE:

Chief Administrative Officer	Chris Coates
A/ Corporate Officer	Tina Neurauter
6 members of the public	

1. APPROVAL OF THE AGENDA

MOTION: 169/ 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the agenda be approved as amended:
ADD item 6a) Memo – C.D. Coates, CAO – Water Act Modernization.

CARRIED

2. PETITIONS AND DELEGATIONS

3. ADOPTION OF THE MINUTES

a) Council - April 19, 2010

MOTION: 170 / 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the Council minutes of April 19, 2010 be adopted.

CARRIED

b) Council – May 3, 2010

MOTION: 171 / 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the Council minutes of May 3, 2010 be adopted.

CARRIED

- c) Special Council – May 10, 2010

MOTION: 172 / 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the Council minutes of May 10, 2010 be adopted.

CARRIED

- d) Committee of the Whole – May 10, 2010
e) Community Infrastructure and Services – February 24, 2010

MOTION: 173 / 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the minutes number d) and e) be received.

CARRIED

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

a) Committee Reports

- i) **Councillor Allen Dobb**
CRD Arts – the Committee received a presentation from Scott Walker of ProArt Alliance. The Strategic Priorities Action Plan had final acceptance.
- ii) **Councillor Diane Gill**
CISC – have not met
Solid Waste Advisory Committee – have not met.
Councillor Gill attended the annual Waste Composition Study – interestingly 30% of waste is still organic waste (kitchen waste mostly) and small appliances are still be disposed of via the land fill.
- iii) **Councillor Sigurd Johannesen**
Community Centre Task Force – nothing to report.
Victoria Youth & Family Court – meeting on Wednesday, May 19.
West Shore Policing – reduction of crime rates was discussed at the last meeting, Councillor Johannesen informed the committee once again of the speeding motorcycles in the district is a topic at policing meetings.
Emergency Planning – meeting was held on Monday, May 17, 2010.
- iv) **Councillor Marcie McLean**
FESC – meeting held on Wednesday, May 5, 2010. Grant in Aid applications were discussed and amounts appointed, recommendation to come forward.
IACDI – Next meeting is scheduled for May 20, 7pm Colwood City Hall.
- v) **Councillor Karel Roessingh**
APC – nothing to report
CREST – meeting scheduled for Wednesday, May 19.
GWTF – Education plan underway, recommendations regarding the modernization of the Water Act included in the agenda (item 6a).
Library Board – nothing to report.

Attended workshop at Royal Roads University with Randall Arendt, Commercial Corridors and Conservation Subdivision.

vi) **Councillor Ken Williams**

WSP&R – Finance Committee to meet Tuesday, May 18 where the 2009 audited financial statements will be formally presented. Annual General Meeting scheduled for May 20.

vii) **Mayor's Report**

CRD BOARD – The District of Sooke now has an accepted Context Statement. All thirteen municipalities now have accepted Context Statements.

Environmental Sustainability Committee – nothing to report

CRD Planning, Transportation & Protective Services – nothing to report

CRD Water – nothing to report

JDF Water – nothing to report

The Mayor then reported on the Highlands Newsletter deadline being Thursday, midnight; May 26 has been proclaimed the Day of the Honey Bee; many tadpoles have been reported in Eagles Lake. Mayor Mendum also informed of two websites for families, childisplay101.com and greyplay101.com – both have regional activities for children and senior adults.

5. **RATIFICATION OF COMMITTEE RECOMMENDATIONS**

a) *Community Infrastructure and Services Select Committee – Feb. 24, 2010 (0360-42)*

i) Millstream Road Curve near 1880 Millstream Road

Recommendation: *That Council seek professional advice to make this curve safer by undertaking measures which will mitigate injuries and damage; these may include raising the ditches and consulting with ICBC for cost-sharing and replacement*

MOTION: 174 / 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR MCLEAN

That Council receive the recommendation from CISC and refer to staff for recommendation.

CARRIED

ii) Insulation of Fire Hall Doors to Save on Heating Costs

Recommendation: *That Council request staff to look into the insulation of the fire hall doors to save on heating costs.*

MOTION: 175 / 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR MCLEAN

That Council receive the recommendation from CISC and refer to the recommendation to the Acting Fire Chief.

CARRIED

b) Committee of the Whole – May 10, 2010

i) Greenhouse Gas Official Community Plan Amendment

Recommendation: That the proposed Chapter 11 – Greenhouse Gas Reduction Amendment to the Official Community Plan be forwarded to the May 17, 2010 Council meeting with the following amendment: Replace “Targets” and text under this title with: Target- Reduce greenhouse gas emissions from the Highlands by 15%, using existing infrastructure (2009) as a baseline, by the year 2016.

MOTION: 176 / 2010
MOVED BY: COUNCILLOR MCLEAN
SECONDED: COUNCILLOR ROESSINGH

That Council receive the recommendation from Committee of the Whole.

CARRIED

6. INTRODUCTION OF LATE ITEMSa) Memo – C. D. Coates, CAO, May 14, 2010
RE: WATER ACT MODERNIZATION (0410-24)

MOTION: 177 / 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR DOBB

That Council authorize the submission to the Water Act consultation as prepared by the Groundwater Task Force.

CARRIED

OPPOSED: COUNCILLOR MCLEAN

MOTION: 178 / 2010
MOVED BY: COUNCILLOR WILLIAMS
SECONDED: COUNCILLOR JOHANNESSEN

That Council request the Ministry of Environment to provide local government consultation on exportation of groundwater before legislation is prepared.

CARRIED

7. UNFINISHED BUSINESSa) Memo – T. Neurauter, A/Corporate Officer, May 12, 2010
RE: HIGHLAND HERITAGE TASK FORCE (0360-35)

MOTION: 179/2010
MOVED BY: COUNCILLOR JOHANNESSEN
SECONDED: COUNCILLOR WILLIAMS

That Councillor Dobb be appointed to the Highland Heritage Task Force as Council Liaison.

CARRIED

8. CORRESPONDENCE

- a) Memo – Sandra Dowey, North Vancouver, April 15, 2010
RE: TRADE AGREEMENTS (0470-20)

MOTION: 180 /2010
MOVED BY: COUNCILLOR JOHANNESEN
SECONDED: COUNCILLOR GILL

That the memo from Sandra Dowey, The City of North Vancouver, regarding Trade Agreements be received.

CARRIED

- b) Letter – Derek Corrigan, City of Burnaby, April 22, 2010 (0470-20)
RE: CANADA AND THE UNITED STATES AGREEMENT ON THE BUY AMERICAN PROVISIONS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT

MOTION: 181/2010
MOVED BY: COUNCILLOR JOHANNESEN
SECONDED: COUNCILLOR GILL

That the letter from Derek Corrigan, City of Burnaby, regarding Canada and the United States Agreement on the Buy American Provisions of the American Recovery and Reinvestment Act be received.

CARRIED

- c) Letter – Chris Causton, CRD Parks Chair, May 4, 2010 (0470-32)
RE: REGIONAL PARKS 2009 ANNUAL REPORT

MOTION: 182/2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the 2009 Regional Parks Annual Report be received.

CARRIED

- d) Memo – AVICC, May 5, 2010
RE: MINUTES OF ANNUAL CONVENTION AND 2011 INFORMATION (0230-33)
- e) Letter – Mitzi Dean, Pacific Centre, May 10, 2010
RE: PCFSA COMMUNITY OUTREACH PREVENTION EDUCATION PROGRAM (4710-02)
- f) UBCM – Executive Release – May 6, 2010
RE: HIGHLIGHTS OF THE UBCM EXECUTIVE MTG. (0400-02)
- g) Letter – Ceri Marlo, District of Maple Ridge, May 5, 2010
RE: BC'S WATER ACT MODERNIZATION DISCUSSION PAPER (0470-20)

MOTION: 183 /2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the above correspondence labeled d) through g) be received.

CARRIED

9. BYLAWS

- a) Memo – J. Munn, Municipal Planner, May 13, 2010
RE: OCM AMENDMENT BYLAW NO. 324 (Greenhouse Gas Reduction) (3900-324)

MOTION: 184 /2010
MOVED BY: COUNCILLOR JOHANNESSEN
SECONDED: COUNCILLOR DOBB

That the memo from the Municipal Planner, Jon Munn on the Official Community Plan Amendment Bylaw for Greenhouse Gas Reduction be received.

CARRIED

MOTION: 185 /2010
MOVED BY: COUNCILLOR JOHANNESSEN
SECONDED: COUNCILLOR DOBB

That **Schedule A** of proposed bylaw 324, Highlands Official Community Plan Bylaw, Amendment No. 1 (Greenhouse Gas Reduction) Bylaw No. 324, 2010, be amended as follows:

(To be inserted between paragraphs 1 and 2):

The District encourages and supports conservation in individual transportation choices, but has limited ability within its own policy sphere to reduce total transportation emissions attributable to the District. Reduction of transportation emissions is expected to result from the implementation of progressive Regional and Provincial transportation policies, and the District's support of those policies. The District does have a significant role to play in GHG reduction where land use planning affects transportation.

District policies can have significant positive impact on building emissions, but this category makes up a much smaller proportion of the total emissions currently attributable to the Highlands. The Highlands supports regional sustainability and overall GHG reduction through maintenance of its parks and green space, and through its desire to remain a rural community. This vision underlies many of the recommendations of the 2009 Sustainability Task Force Report. Given these circumstances the District wishes to be aspirational, but realistic in its community based GHG reduction Targets.

(Replace the corresponding text with the following):

General Policy

- 1) Encourage and promote individual and community based efforts to reduce transportation related emissions originating from the Highlands.
- 5) Develop policies to promote energy and water conservation.

Targets:

Reduce total per capita GHG emissions from the Highlands by the following amounts using the CEEI 2007, the 2007 District population estimate as the baseline and additional emissions indicators that may be developed by the District and/or other agencies:

1. 20% by 2020
2. 60 % by 2050

CARRIED

MOTION: 186 /2010
MOVED BY: COUNCILLOR JOHANNESSEN
SECONDED: COUNCILLOR DOBB

That Highlands Official Community Plan Bylaw, Amendment No. 1, (Greenhouse Gas Reduction) Bylaw No. 324, 2010 be given FIRST reading as amended.

CARRIED

MOTION: 187 /2010
MOVED BY: COUNCILLOR JOHANNESSEN
SECONDED: COUNCILLOR DOBB

That Highlands Official Community Plan Bylaw, Amendment No. 1, (Greenhouse Gas Reduction) Bylaw No. 324, 2010 be given SECOND reading as amended.

CARRIED

MOTION: 188 /2010
MOVED BY: COUNCILLOR JOHANNESSEN
SECONDED: COUNCILLOR DOBB

That staff schedule a Public Hearing for Official Community Plan Bylaw, Amendment No. 1, (Greenhouse Gas Reduction) Bylaw No. 324 at the earliest opportunity June, 2010.

CARRIED

- b) Memo – J. Munn, Municipal Planner, May 12, 2010
RE: OCP AMENDMENT BYLAW NO. 325 (RUCSPA)(3900-325)

MOTION: 189 /2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR WILLIAMS

That the memo from the Municipal Planner, Jon Munn on the Regional Urban Containment and Servicing Policy Area (RUCSPA) Official Community Plan Amendment be received.

CARRIED

MOTION: 190 /2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR WILLIAMS

That Highlands Official Community Plan Bylaw, Amendment No. 2, (Regional Context Statement) Bylaw No. 325, 2010 be given FIRST reading.

CARRIED

OPPOSED: COUNCILLOR MCLEAN

MOTION: 191 /2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR WILLIAMS

That Highlands Official Community Plan Bylaw, Amendment No. 2, (Regional Context Statement) Bylaw No. 325, 2010 be given SECOND reading.

CARRIED

OPPOSED: COUNCILLOR MCLEAN

MOTION: 192 /2010
MOVED BY: COUNCILLOR JOHANNESSEN
SECONDED: COUNCILLOR ROESSINGH

That staff schedule a Public Hearing for Official Community Plan Bylaw, Amendment No. 2, (Regional Context Statement) Bylaw No. 325 at the earliest opportunity June, 2010.

CARRIED

10. NEW BUSINESS

- a) Memo – C. Leek, Building Inspector, May 4, 2010
RE: 2015 MILLSTREAM ROAD/BUILDING WITHOUT PERMIT (2015 Millstream Rd)

MOTION: 193 /2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR DOBB

That until such time as a valid and subsisting Building Permit(s) for work can be issued that the District of Highlands file a notice with the Land Title and Survey Authority of BC stating that a Resolution has been made under Section 57 of the Community Charter by the Council relating to the property legally described as Section 4, Range 3 West, Highland District, Except part shown coloured red on plan attached to DD13124, except part shown outlined in red on plan 626R, and except part in Plan 18272, Parcel Identifier 009-862-358, having a civic address of 2015 Millstream Road, and that further information respecting the Resolution may be inspected at the District Office during regular office hours.

CARRIED

- b) Memo – C. Leek, Building Inspector, May 4, 2010
RE: 1370 MILLSTREAM ROAD/BUILDING WITHOUT PERMIT (1370 Millstream Rd)

MOTION: 194/2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That until such time as Development Variance Permit(s) and a valid and subsisting Building Permit(s) for work can be issued the District of Highlands file a Notice with the Land Title and Survey Authority of BC stating that a Resolution has been made under Section 57 of the Community Charter by the Council relating to the property legally described as Lot 32, Section 28, 35 and 69, Highland District, Plan 39439, Parcel Identifier 000-438-006 having a civic address of 1370 Millstream Road, and that further information respecting the Resolution may be inspected at the District Office during regular office hours.

CARRIED

- c) Memo – J. Munn, Planner, May 12, 2010
RE: DEVELOPMENT VARIANCE PERMIT DVP-01-10, 669 BLACKTAIL ROAD (669 Blacktail Rd)

MOTION: 195/2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the memo from the Municipal Planner, Jon Munn regarding Development Variance Permit Application DVP-01-10 be received; and

THAT notification BE ISSUED for the proposed issuance of Development Variance Permit DVP-01-10 pertaining to: Lot 31, Section 29, Highland District, Plan 49657 (669 Blacktail Road) that would vary Section 6.1.3 (4) of the Rural Residential (RR1) Zone, Zoning Bylaw 100, 1998 as follows: No building or structure shall be sited within 1 metre of a side lot line.

CARRIED

- d) Memo – J. Munn, Planner, May 12, 2010
RE: CRD REFERRAL (JUAN DE FUCA ELECTORAL AREA)

MOTION: 196/2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That Council advise the Capital Regional District (Juan de Fuca Electoral Area) that the District of Highlands has no objection to the proposed rezoning of Lot 45, Malahat District, Plan VIP308925.

CARRIED

- e) **LEAFLET PREPARED BY MR. B. MCMINN AND STAFF** (1700-14)

Mayor Mendum thanked the Fiscal and Environmental Select Committee, specifically Mr. Bob McMinn and staff for their work on the 2010 tax leaflet.

MOTION: 197/2010
MOVED BY: COUNCILLOR JOHANNESSEN
SECONDED: COUNCILLOR ROESSINGH

That Council receive the leaflet for inclusion with the 2010 tax notices.

CARRIED

(Council and Mr. McMinn will review some of the wording and forward the final version to staff).

- f) Memo – June Cameron, Adm. Assistant, April 6, 2010
RE: BUILDING REPORT – APRIL 2010(3800-01)

MOTION: 198 / 2010
MOVED BY: COUNCILLOR JOHANNESEN
SECONDED: COUNCILLOR GILL

That the Building Report for April 2010 be received.

CARRIED

11. IN CAMERA

MOTION: 199 / 2010
MOVED BY: COUNCILLOR WILLIAMS
SECONDED: COUNCILLOR MCLEAN

That Council move In Camera at 8:35pm to discuss items pursuant to the Community Charter, specially Section 90 (1)(g) litigation or potential litigation affecting the municipality.

CARRIED

THE MEETING RECONVENED FROM IN CAMERA AT 9:10PM.

12. RELEASE OF IN CAMERA RESOLUTIONS

There were no items to release from In Camera.

13. ADJOURNMENT

MOTION: 200/ 2010
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR DOBB

That the meeting adjourn at 9:10pm.

CARRIED

Mayor

A/ Corporate Officer