

COUNCIL MEMBERS PRESENT:

Acting Mayor Ann Baird
Councillor Leslie Anderson
Councillor Gord Baird
Councillor Marcie McLean
Councillor Karel Roessingh
Councillor Rose Stanton
ABSENT:
Mayor Ken Williams

IN ATTENDANCE:

Chief Administrative Officer Lorraine Hilton
Corporate Officer Tina Neurauter
Planner Laura Beckett
Public in Attendance 4

1. APPROVAL OF THE AGENDA

MOTION: 055-2020
Moved Councillor Roessingh, Seconded Councillor McLean
That the agenda be approved. CARRIED

2. PETITIONS AND DELEGATIONS

3. ADOPTION OF MINUTES

3.1 Council Minutes – February 18, 2020
3.2 Special Council Minutes – February 24, 2020

MOTION: 056-2020
Moved Councillor Roessingh, Seconded Councillor McLean
That the Council minutes of February 18, 2020 and Special
Council minutes of February 24, 2020 be adopted. CARRIED

3.3 Sustainable Land Use Select Committee – February 19, 2020
3.4 West Shore Parks and Recreation Society – January 16, 2020

MOTION: 057-2020
Moved Councillor Roessingh, Seconded Councillor McLean
That the minutes of the Sustainable Land Use Select Committee
of February 19, 2020 and the West Shore Parks and Recreation
Society of January 16, 2020 be received. CARRIED

4. REPORTS OF COMMITTEES AND COMMISSIONS

Councillor Leslie Anderson
South Highlands Local Area Plan (LAP)

The Council-appointed Task Force (TF) began their work in the last few weeks, with meetings on Feb 13 and Feb 26. I unfortunately missed the February 13 meeting, and thanks to Councillor McLean for attending that session. I attended the evening session of the second meeting (February 26) and would like to commend the participants (including staff and the facilitator) for their thoughtful comments and insights.

Task Force members reviewed the objectives for phase 1 of the LAP, which are to propose:

- the boundaries for what will be covered in the plan,
- the high-level content for what will be included in the LAP (e.g. a table of contents), and
- the LAP development / engagement process.

During the meeting, TF members discussed the various considerations that led to Council's request for the creation of the TF. The facilitator (Evan Peterson, from Barefoot Consulting) noted that the focus for the group is on identifying what they would like to see in the south Highlands in the future and not to initially constrain thinking by considering whether there may be conflicts with the current OCP or other relevant documents. Those potential issues will be explored more significantly in phase 2.

LAP Boundary

One of the first tasks of the TF will be to propose a boundary for the LAP. The TF is leaning towards defining a South Highlands geographic area for the Plan, with a focus area within it that will receive the greatest attention to detail. The TF is also considering ways to identify and consider the impacts of suggestions made on areas outside of whatever boundary is proposed. TF will make a decision on the proposed boundary at their next meeting.

LAP Outline

The TF discussed a high level table of contents to provide a sense of what the final product might include. A draft outline of what could be included in the LAP will be brought to the next meeting. Some of the topics explored during the session included whether climate action considerations would belong in a separate section or may be better housed throughout the document; where and how groundwater resources might be incorporated into the plan; and where / how potential implications for District services (such as demands on fire department expertise and services) would be addressed. A draft LAP outline will be brought to the next meeting.

LAP Process

Evan provided a brief overview of the kinds of activities and process steps that might be included to ensure appropriate engagement with the public and stakeholders. This will be discussed further at the next meeting.

Next Steps:

The next meeting is March 9, 2020 at 5:30 – 7:00 pm at the Community Hall. Meetings are open to the public.

Councillor Ann Baird

Climate Caucus:

Regular online meetings. Lots of councillors/mayors from across Canada. Our region in the CRD is well represented. Many active subgroups meet monthly and general meeting every two weeks. LOTS of resource sharing and collaboration. I've been participating in a few groups. (there are 31 total)

Climate Action Toolkit (tools to operationalize the climate emergency)

Carbon Budgets, targets, and plans

Climate Accountability Campaign

Buildings

The Climate Caucus group sends out a regular email update. The most recent one (Feb 26th) had a request for a council letter. Here's the draft letter followed by the background information:

Whereas, Carbon pricing is widely acknowledged as the most effective tool in combating climate change.

And whereas, the Greenhouse Gas Pollution Pricing Act (the "GGPPA") is essential to implementing a national carbon pricing program;

And whereas, carbon pricing has been in effect in the province of British Columbia since 2008 and has shown to be an effective tool in slowing the growth of emissions and during which time BC has enjoyed one of the fastest-growing economies in the country;

Be it resolved that District of Highlands provide a letter to the intervenors (City of Vancouver, City of Richmond, City of Nelson, District of Squamish, City of Rossland and the City of Victoria) supporting their arguments in favour of the Greenhouse Gas Pollution Pricing Act, and the ability to take local action on GHG emissions, to be heard by the

Supreme Court on March 17, 2020.**Background**

The Greenhouse Gas Pollution Pricing Act (the “GGPPA”) was enacted on June 21, 2018 by Parliament. The Act puts a price on carbon pollution in those provinces and territories that have chosen not to implement their own carbon pollution pricing scheme. Based on the Vancouver Declaration on clean growth and climate change, the federal government on October 3, 2016 published “A Canadian approach to pricing carbon pollution”. The document interpreted the commitments in the Vancouver declaration as commitments by all provinces and territories to implement carbon pricing regimes. All jurisdictions were to have carbon pricing regimes in place by January 1, 2018. The scope of each regime was to be similar to British Columbia’s existing carbon tax, which was deemed to be the most effective approach to greenhouse gas emissions, and which happened to be the longest standing carbon tax in effect in international terms.

The governments of Saskatchewan and Ontario attacked the federal legislation and their cases were lost in the Saskatchewan Court of Appeal and Ontario Court of Appeal respectively. Saskatchewan and Ontario have appealed to the Supreme Court of Canada. Alberta is now also referring the question to its Court of Appeal on an expedited time frame, and it is expected to join Saskatchewan and Ontario at the Supreme Court. (Update: Alberta court of appeal ruled with Alberta on Feb 25th) Several representatives to the government of Canada have reached out to local governments to seek intervention by one or more municipalities that support the GGPPA.

Accordingly, a number of municipalities are considering joining an application for leave to intervene in this Supreme Court of Canada appeal. The question is, how can a municipality be helpful, as many of the key arguments are covered by other intervenors. In summary, the peace, order and good government argument has been covered by most of the intervenors, and most are arguing the national concern branch of POGG. The David Suzuki Foundation is arguing the “emergency branch”. The Canadian Public Health Association is arguing criminal jurisdiction. The Athabasca Chippewyan First Nation is arguing section 35 of the Constitution Act; The Canadian Environmental Law Association is arguing trade and commerce.

There is one important area that has not been advanced by intervenors, and which has been advanced by the opponents of the GGPPA. This is in regard to the argument that the GGPPA is an invalid federal tax rather than a valid regulatory charge. This argument was considered extensively in the dissenting reasons of the Saskatchewan Court of Appeal and was the primary reason why the dissent would have held the law to be invalid. Accordingly, this is an area that needs to be addressed by an intervener and so far has not been tackled by any of the intervenors listed above.

There is a second ground that local government should consider in the intervention. The GGPPA intends to impose a minimum standard – this minimum standard would protect municipalities who wish to take action on these issues. The GGPPA would limit the ability of a province to restrict local governments from taking action at all (one could imagine Alberta prohibiting local governments from taking any actions such as regulating when it comes to emissions) or taking stronger action than the province.

The hearing will be held March 17, 2020 for the Saskatchewan appeal and March 18, 2020 for the Ontario appeal. The timeline for interventions has not been altered, and November 6, 2019 remains the hard deadline for application for leave to intervene.

Given the tight timelines (the letter is required prior to March 17th), would council consider writing a letter to the intervening municipalities to support their position?

CRD Regional Housing Trust Fund

Met February 21st to discuss possible funding changes for a Victoria project that was required to remove one story from the building thus reducing the number of affordable units by 8. The commissioners passed a motion to

maintain the funding level.

Councillor Gord Baird

Regional Water Supply Commission - February 19, 2020

The first meeting of the CRD Regional Water Supply Commission met for 2020 and elections for Chair and Vice Chair were held. Rebecca Mersereau was re-elected Chair and I was re-elected Vice-Chair (both by acclamation).

Business included recommending to the CRD Board to approve the updated Cross Connection Control Bylaw, receiving the Water Quality Summary report for the Regional Water System, approving the yearly Mining access requests to the Leech Watershed.

Of most notable significance is the requirement to extend the flushing of water mains during the periods of water restrictions. The water system has grown to the extent that not all aspects of the system flushing can be completed outside the timeframes set aside for water restrictions. As health and safety are of highest concern, the CRD RWSC approved allowing flushing to occur, noting that this could be construed negatively if citizens see flushing activities during periods when we are under restricted water use.

Commissioner Loveday provided a Notice of Motion to have CRD open up a commission seat to First Nations.

Water Advisory Committee – January 23, 2020 & February 27, 2020

The Water Advisory Committee had their first and second meetings. Discussion ensued about further land acquisition to acquire the remaining privately owned lands that sit within and around the water shed boundaries and the critical infrastructure. Discussions also covered long term capital infrastructure projects, most notably the need for a North Intake Tower and a Filtration System, both required as a requirement for resiliency, address projected population growth, and rapid implications of climate change on water quality. These are anticipated to be very large value projects and will require approximately 15 years to plan for. Finally, we developed working committees to look at such items as agricultural water programs

Councillor Marcie McLean

Coexisting with Carnivores Alliance, Greater Victoria Family Court Youth Justice Committee, Intermunicipal Advisory Committee on Disability Issues and Sustainable Land Use Select Committee

Councillor Karel Roessingh

Capital Region Emergency Services Telecommunications, CRD Arts and Greater Victoria Public Library Board

- All committees currently undertaking strategic planning

Councillor Rose Stanton

On February 20, I attended One Planet Living Orientation at Camosun Lansdowne Campus. One Planet Living is a climate action framework for communities, organisations, governments, schools, and projects. It is based on ten principles beginning with health and happiness.

The District of Saanich used this framework to develop a Climate Plan and on January 28, 2020, Saanich Council adopted the 2020 Climate Plan: 100% Renewable and Resilient Saanich. The Climate Plan and supporting documents can be found on the District of Saanich website:

<https://www.saanich.ca/EN/main/community/sustainable-saanich/climate-change-energy/climate-plan-events-videos.html>

For more information on how Saanich became involved with One Planet Living and to learn about the 10 principles and the framework, visit:

<https://www.bioregional.com/one-planet-living/>

Saturday February 22 was the annual Coldest Night of the Year walk fundraiser. I walked in Victoria. There was also a walk in Langford. There were more people walking this year over last year and more money was raised. Over 500 walkers raised over \$71,000.

Mayor Williams

February 19, 2020 CRD Planning, Transportation and Protective Services

Former CRD Director Carol Pickup appeared in delegations to request a summary on transportation metrics.

The Planning Transportation and Protective Services Committee approved its Terms of Reference:

<https://crd.ca.legistar.com/LegislationDetail.aspx?ID=18198&GUID=2AA03FCA-B608-4B62-913C-839DAE64EA4A>

The regional context statements of Highlands, Saanich, Victoria, Sidney and Sooke were recommended to the CRD Board for approval. The committee also recommended to the CRD Board that bylaw 4328 on the proposed Regional Growth Strategy be given first and second reading and be sent to municipal councils for acceptance per section 436 of the Local Government Act.

5. RATIFICATION OF COMMITTEE RECOMMENDATIONS

6. INTRODUCTION OF LATE ITEMS

7. UNFINISHED BUSINESS

7.1

MOTION: 058-2020

Report – Planner - (DVP-02-20)

RE: DEVELOPMENT VARIANCE PERMIT DVP-02-20

Moved Councillor Roessingh, Seconded Councillor Stanton

That Council issue DVP-02-20.

CARRIED

8. CORRESPONDENCE

9. BYLAWS

10. NEW BUSINESS

10.1

MOTION: 059-2020

Report – Planner - (DVP-01-20)

RE: DEVELOPMENT VARIANCE PERMIT DVP-01-20

Moved Councillor Roessingh, Seconded Councillor Gord Baird

That Council direct staff to issue notification for the consideration of application DVP-01-20 at a future Council Meeting.

CARRIED

10.2

MOTION: 060-2020

Report – Corporate Officer

RE: COMMUNITY HALL RENTAL WAIVER REQUEST – HANINGTON CREEK ESTATES (7900.03)

Moved Councillor McLean, Seconded Councillor Anderson

That Council approve the rental waiver for a 2 hour rental (\$70) by the Hanington Creek Estates for their AGM on March 18, 2020 from 6:00PM to 8:00PM with the applicant being charged \$15 for insurance, \$100 for security, and \$50 for caretaking.

CARRIED

10.3

MOTION: 061-2020

Report – Corporate Officer

RE: COMMUNITY HALL RENTAL WAIVER REQUEST – HIGHLAND HERITAGE PARK SOCIETY (7900.03)

Moved Councillor Gord Baird, Seconded Councillor Roessingh

That Council approve the rental waiver for a one day rental requested by the Highland Heritage park society for a community spring potluck and dance on March 28, 2020 with all fees being waived.

CARRIED

10.4 Report – Planner
RE: CITY OF COLWOOD ZONING BYLAW AMENDMENT REFERRAL (0400.60)
 MOTION: 062-2020
Moved Councillor Stanton, Seconded Councillor Roessingh
 That Council indicate to the City of Colwood that it may consider providing a response through the Public Hearing process and that staff report back with more information at the time.
 CARRIED

10.5 Proposed Motion – Councillor A. Baird
RE: LETTER OF SUPPORT OF THE GREENHOUSE GAS POLLUTION PRICING ACT
 MOTION: 063-2020
Moved Councillor Stanton, Seconded Councillor Gord Baird
 Whereas, Carbon pricing is widely acknowledged as the most effective tool in combating climate change.
 And whereas, the Greenhouse Gas Pollution Pricing Act (the “GGPPA”) is essential to implementing a national carbon pricing program;
 And whereas, carbon pricing has been in effect in the province of British Columbia since 2008 and has shown to be an effective tool in slowing the growth of emissions and during which time BC has enjoyed one of the fastest-growing economies in the country;
 MOTION: 064-2020
 Be it resolved that District of Highlands provide a letter to the interveners (City of Vancouver, City of Richmond, City of Nelson, District of Squamish, City of Rossland and the City of Victoria) supporting their arguments in favour of the Greenhouse Gas Pollution Pricing Act, and the ability to take local action on GHG emissions, to be heard by the Supreme Court on March 17, 2020.
 CARRIED

11. IN CAMERA

MOTION: 065-2020
Moved Councillor G. Baird, Seconded Councillor Roessingh
 That Council move In Camera at 7:21 PM to discuss items specific to the Community Charter, specifically s.90 (1) (a) personal information about an identifiable individual who holds or is being considered for a position appointed by the municipality.
 CARRIED

Council reconvened from In Camera at 7:36 PM

12. RISE AND REPORT

13. ADJOURNMENT

MOTION: 066-2020
Moved Councillor Gord Baird, Seconded Councillor Anderson
 That the Council meeting of March 2, 2020 adjourn at 7:36 PM.
 CARRIED