



## DISTRICT OF HIGHLANDS

### ADVISORY PLANNING COMMISSION

Minutes of Meeting held on May 25, 2006  
School House, 1589 Millstream Road at 7:00 p.m.

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**PRESENT:** Eleanor Rayner, Chair  
Colleen Robertson, Vice Chair  
Mara Dhillon  
Honora Johannesen  
Fred York

**ABSENT:** Eric Bonham  
Kent Willner

**IN ATTENDANCE:** **Councillor Ken Brotherston, Council Liaison**  
**Laura Beckett, Planner**

#### 1. APPROVAL OF THE AGENDA

**MOVED:** Colleen Robertson  
**SECONDED:** Mara Dhillon

It was suggested that Item No. 9 be moved in front of Item No. 6.

THAT the agenda be approved as amended.

CARRIED

#### 2. ELECTION OF CHAIR

Colleen Robertson nominated Eleanor Rayner  
Seconded by Mara Dhillon  
No other nominations.

Eleanor Rayner was acclaimed as Chair.

#### 3. ELECTION OF VICE CHAIR

Honora Johannesen nominated Colleen Robertson as Vice Chair.  
Seconded by Mara Dhillon  
No other nominations.

Colleen Robertson was acclaimed as Vice Chair.

#### 4. ADOPTION OF THE MINUTES

**MOVED:** Colleen Robertson  
**SECONDED:** Mara Dhillon

**THAT** the Minutes of the APC meeting of August 25, 2005 be adopted.

CARRIED

#### 5. ORIENTATION

Staff gave a brief overview of the role of the Advisory Planning Commission. Conflict of interest concerns and principles for consideration were discussed.

#### 6. Rezoning/OCP Amendment Application RZ-01-06, 3290 Munns Road (Ford)

Staff provided a brief overview of the application. The applicant explained that the lot was purchased with the intent of subdividing for a family member pursuant to the Local Government Act. This meant that the owners could not apply for this type of subdivision until five years after the date of purchase. Highlands Bylaw 40, which was passed after the owners purchased the lot, restricts the size of the parent parcel for family subdivisions to larger than the size of 3290 Munns Road. This meant that the owners could no longer apply for a family subdivision.

**MOVED:** Colleen Robertson  
**SECONDED:** Fred York

**THAT** application RZ-01-06 go back to Council with the comments that:

- The original purchase date,
- The waiting time for a family subdivision pursuant to section 946 (“Subdivision to provide residence for a relative”) of the Local Government Act, and
- The date of the passing of “Highlands Residence for Relative Subdivision By-Law No. 40, 1995”,

be taken in consideration with support for this application.

CARRIED

#### 7. Highlands 3 Holdings Rezoning RZ-01-05

Fred York excused himself from the meeting citing a potential conflict of interest.

Kerry Sutton, agent for Highlands 3 Holdings, submitted a handout (which forms part of these minutes) of his presentation. He explained that the lot was purchased three and half years ago, and that there had been some lot line adjustments along the west side of the property for a trail/fire access and in the north for a fire pond. He stated that two wells had been drilled and met the Highlands regulations for a single family residence.

The original application was for 13 lots over the property with an amenity of either one of the lots or \$250, 000. After discussion with staff and Council, the applicants are putting forward an 11-lot scenario with the same amenity. This yields a five acre parcel minimum and a 7.8 acre average parcel size. Mr. Sutton explained that staff wanted to see a pocket park for the sensitive ecosystem inventory (SEIO) area

as noted in the Official Community Plan (OCP). Her also noted that BC Hydro wanted to keep open a road or path close to this area.

While the map showed the entire parcel being completely used for the 11 residential lots, Mr. Sutton expressed that the proposal was conceptual, and that the lot lines could be moved around. For example, he explained that:

- 11 lots at five acres each would mean that 55 acres of the 83 acre parcel would be used for the lots themselves,
- 3 acres of the 83 were needed for roads, and
- The BC Hydro right of way occupies 18 acres of the 83.

This meant that the remaining acres could be available for park or trail purposes. As well, some of the BC Hydro right of way could be used for park or trail purposes. He stated that it was a negotiating process.

Mr. Sutton showed a map and petition that showed neighbours “in support” and “pending support” for their application. (This petition and map were part of his handout and is included with these minutes).

Kevin Wenstob, whose property is adjacent to the subject parcel and who submitted a letter not in support of the application, stated his concerns with the proximity of his house with the proposal (very close to the shared lot line) and well-water flow. He indicated that, while previously the owners had discussed the possibility of a lot line adjustment to alleviate his concern of the proximity of his home to a possible future lot, he has no “deal” with respect to this application.

Keyvan Shojania, co-applicant, stated that he would be happy to enter into a lot line adjustment agreement for fair market value.

Staff answered some questions, and Council Liaison Brotherston provided some general comments regarding process.

In response to considering a four or seven lot scenario, the applicants responded that the OCP is not complete, and that they were putting forward an 11-lot scenario. They further stated that the 11-lots are needed for them to financially justify the amenity.

A member stated that the APC needs to think if such an amenity is an important enough thing, and if it is too great a risk for opening the door for other applications like this. It was further expressed that questions that need to be considered are: if the money is worth the density; if this is a good density for this land; and if this application is a good thing for the community.

It was expressed that the 2005 proposed OCP has been worked on for approximately five years. Its policies would allow for some parcels, including this applicants’ parcel, to be subdivided under a 20-acre minimum lot size. For this lot, that would mean four lots.

One member stated interest in knowing how so many neighbours support the application. Mr. Sutton expressed that the people who signed the petition are in favour of the concept and that they do not want to see large, undeveloped lots anymore.

A member acknowledged the privacy concerns for the existing residents.

It was expressed that the positive aspects of the application include:

- Improved fire access
- Trails

- Protection of OCP sensitive ecosystem inventory area
- Rowntree Road improvements

One member suggest that idea of reducing the amenity to \$200,000, reducing the number of lots to 10, including a building envelop for the lots, and having the owner take care of lot line adjustments (minus cost of the land).

The applicant summed up why he felt this application was good for the community:

- Improved fire access
- Upgrade of Rowntree Road
- Cash amenity
- Trails
- Between two acres of similar sized lots
- No through-roads are proposed, which would assure no further subdivision
- Paving an unpaved section of Southwood Drive

Members expressed that they would like more time to think about the proposal, considering that some new information had been presented and that only four of the seven APC members were present. It was expressed that some direction should be provided to Council.

It was also expressed that the proposed 2005 OCP gives policy direction for a 20-acre minimum lot size to this parcel. If the APC were to give this application a positive recommendation, it would go against the proposed 2005 OCP, which the APC were in support of.

**MOVED: Mara Dhillon**  
**SECONDED: Honora Johannesen**

**THAT** the APC meet again, with 6 members, as soon as possible after walking the property.

CARRIED

- 8. Letter – Sarah Fleming and Kevin Wenstob – April 12, 2006**  
**RE: Rezoning, Highlands Estates, Section 74, Highlands District**
- 9. Letter – Fritz and Regina Schaerer - April 18, 2006**  
**RE: Rezoning, Highlands Estates, Section 74, Highlands District**

**MOVED: Honora Johannesen**  
**SECONDED: Mara Dhillon**

**THAT the** APC receive the letters from Sarah Fleming and Kevin Wenstob and from Fritz and Regina Schaerer for information.

CARRIED

**9. Adjournment**

**MOVED: Mara Dhillon**  
**SECONDED: Colleen Robertson**

CARRIED