

DISTRICT OF HIGHLANDS
PUBLIC HEARING

Highlands Official Community Plan Amendment Bylaw No. 194, 2003
Highlands Zoning Bylaw Amendment Bylaw No. 195, 2003

Minutes of the Public Hearing regarding *Highlands Official Community Plan Amendment Bylaw No. 194, 2003* and *Highlands Zoning Bylaw Amendment Bylaw No. 195, 2003* held Wednesday, May 14, 2003 at the Caleb Pike House, 1589 Millstream Road at 7:30 p.m.

PRESENT:

- Councillor Mendum
- Councillor K. Brotherston
- Councillor M. Brotherston
- Councillor Cardinal
- Councillor Kadar
- Councillor McPherson

IN ATTENDANCE:

- Loranne Hilton, Deputy Clerk
- Jay Bradley, Planning Technician
- Sandi Chesley, Administrative Assistant

PUBLIC HEARING

Highlands Official Community Plan Amendment Bylaw No. 194, 2003
Highlands Zoning Bylaw Amendment Bylaw No. 195, 2003
7:30 P.M.

1. Public Hearing Opens:

The Chair declared the Public Hearing pertaining to Bylaws No. 194 and 195 open at 7:40 p.m. following a brief question and answer session.

2. Opening Statement by the Chair:

The Chair advised that as required by the *Local Government Act*, the Public Hearing had been convened as an opportunity for all persons who believe that their interest in property is affected by the proposed Bylaws to be heard by Council or to present written submissions respecting matters contained in the Bylaws.

The Chair also noted that the meeting was not for open debate of the issues or for Council to state positions on the merits of the proposed Bylaws, noting that Council will have its opportunity to discuss and debate the Bylaws at a Regular Council meeting.

The Chair advised that anyone wishing to speak to Council is asked to state his or her name and address for the record.

The Chair also advised that anyone could submit letters or briefs to staff at any time including after they had been read, and that all written material would be included in the record of the Public Hearing and would be available for public viewing.

The Chair further advised that after all persons who so wished had expressed their views, that she would ask three times "Is there anyone else who wishes to be Heard", and if no further views were forthcoming, the Public Hearing would be declared closed.

3. Public Hearing Notice:

The Chair read out the following:

Highlands Official Community Plan Amendment Bylaw No. 194, 2003

The purpose of this Bylaw is to amend the District of Highlands Official Community Plan Bylaw No. 194, by adding an Intensive Residential land use designation and designating development permit areas for that land use, and by amending Map 4 – Schedule E – Land Use by deleting from the Rural Residential, Commercial and Greenspace land use designations all of those areas shown outlined in heavy bold in the map below, and replacing those areas with the Intensive Residential, Rural Residential, Commercial and Greenspace land use designations.

Highlands Zoning Bylaw Amendment Bylaw No. 195, 2003

The purpose of this Bylaw is to amend the Highlands Zoning Bylaw, No. 100, 1998 by adding definitions for *COMMON MEETING BUILDING* and *RECREATION VEHICLE PARKING STRUCTURE*, replacing the definition for *RECREATION VEHICLE*, amending the Rural Residential 8 (RR8) Zone to reduce the number of allowable lots from twenty (20) to nine (9) and requiring a minimum parent lot size of at least 6.48 hectares. This Bylaw also creates a new Zone, Rural Residential 13 (RR13). The Zoning Map (Schedule A) is amended by deleting from the Conservation 1 (C1), Rural Residential 8 (RR8), Rural Residential 9 (RR9), Rural Residential 10 (RR10), Community Institutional 1 (CI1) and Park 1 (P1) Zones all those areas shown outlined in heavy bold in the map below and replacing those areas with the Rural Residential 1 (RR1), Rural Residential 13 (RR13), Conservation 1 (C1), and Community Institutional 1 (CI1) Zones. The intent of this Bylaw is to relocate the proposed Retreat Centre and to permit the creation of no more than 57 small residential lots within the proposed Rural Residential 13 (RR13) Zone, as well as one new lot within the area to be Zoned Rural Residential 1 (RR1). The proposed amenity for this development is \$7,800 for each lot created to a maximum of \$436,800.00, 50% of which would be placed in the Parks Reserve Fund, \$50,000.00 in the Fire Equipment Replacement Reserve Fund and the balance in the Capital Works and Equipment Reserve Fund.

The application for these Bylaws is made by Kingco 2000 Developments Ltd.

Ron King, Kingco 2000 Developments Ltd. made a presentation outlining the application for those in attendance.

Michael Bocking provided information regarding the proposed changes to the Zoning Bylaw and the Official Community Plan.

PUBLIC COMMENT

The following people made statements to Council or provided written submissions to the Public Hearing:

Marcie McLean, 1321 Millstream Road, read out her submission with respect to the proposed bylaws.

Bob McMinn, 499 Millstream Lake Road, read out his submission with respect to the proposed bylaws.

Jack Nash, 1058 River Road, stated his support for the application noting that it was a good fit for the area with the golf course going in. He particularly liked the hidden cluster housing effect with the greenspace and the use of the public lands and felt that if this did not go through, something more traditional would.

Carol Lester, 787 Finlayson Arm Road, read out her submission on behalf of herself and her husband Rick Lester, noting their opposition to the Bylaws.

Rick Lester, 787 Finlayson Arm Road, commented on a number of statistics he had accumulated with regards to water usage within Canada, BC and the proposed development. He stated his concern on how much water would be used and the effect it would have on the aquifer.

Cathy Koshman, 2627 Bukin Drive East, stated her support of the application. She commended Ron King on the development. She felt that each development proposal should be treated as a unique case and each looked at individually as opposed to whether it is precedent setting. For this application, Ms. Koshman felt that it is a sound and sensitive proposal if perhaps a little too dense.

Russ Trace, 624 Windman Court, District of Langford, noted that he is a shareholder with the Millstream Industrial Park. Mr. Trace supported the application by stating that the project is well laid out and would not affect the rest of the District of Highlands. He also noted that he sees the development as transitional from the District of Langford to the District of Highlands.

Shelley Messelink, 920 River Road, stated her support of the application. She noted that she is the closest neighbour to Hannington Creek and is pleased that there would not be an increase in traffic on River Road. Ms. Messelink also stated that she felt her well would be most at risk and that she did not see this being an issue. She stated she has had a number of water tests done over the past few years that showed pure water. She stated that both her and her husband were in support of the application.

The Chair called a first and second time for further submissions.

Patti Whitehouse – 828 Finlayson Arm Road, stated that she was a member of the press but would like to make comments as a resident. Ms. Whitehouse noted her mixed feelings regarding the proposed development and stated her support for the Retreat Centre and commercial element and noted her concern regarding the amount of residential tax base. She noted the siting of the Retreat Centre is appropriate, and retains greenspace. Ms. Whitehouse also stated her support for much of the residential component, including the diversity of housing types, and the sense of community this will provide. Ms. Whitehouse noted that if this were the only development proposal being considered by Council she would give it her unqualified support, but stated that it is not, and that she thought Council should have developed a Local Area Plan for the South Highlands. She expressed concern regarding the preponderance of residential tax base the Highlands is getting and that is proposed, noting potential financial difficulties if this is not countered by commercial tax base. She stated that she felt the diversity of housing should be addressed within the Bylaws and that without this she could not support the Bylaws. Ms. Whitehouse noted she has no concerns regarding the public utility approach, but expressed concern regarding the overall use of water noting that she wants fresh, real water. Lastly, Ms. Whitehouse advised that she could support the proposal if it were for 38 lots at this time, leaving the rest until later.

All submissions are attached hereto and form part of the minutes.

The Chair called a first, second and third time for further submissions and hearing none, declared the Public Hearing respecting Highlands Official Community Plan Amendment Bylaw No. 194, 2003 and Highlands Zoning Bylaw Amendment Bylaw No. 195, 2003
CLOSED at 8:55 p.m.

Jane Mendum, Acting Mayor

Loranne Hilton, Deputy Clerk