



DISTRICT OF HIGHLANDS
MINUTES OF SPECIAL MEETING OF COUNCIL
Monday, December 15, 2008 at 7:00 p.m.

School House, 1589 Millstream Road

The purpose of the meeting is to hold a PUBLIC HEARING for:

Bylaw No. 312, "Highlands Zoning Amendment Bylaw No. 312, 2008"

PRESENT:

Mayor
Councillors

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

IN ATTENDANCE:

Chief Administrative Officer
Planner
Corporate Officer
16 members of the public

Chris Coates
Laura Beckett
Tina Neurauter

The meeting was called to order at 7:03 p.m.

1. APPROVAL OF THE AGENDA

MOTION: 435/2008
MOVED BY: COUNCILLOR ROESSINGH
SECONDED: COUNCILLOR GILL

That the agenda be approved.

CARRIED

The Public Hearing regarding Bylaw No. 312 is declared open.

At a Public Hearing, as required by the *Local Government Act*, all persons who believe that their interest in property may be affected by the proposed Bylaw shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the Bylaw that is the subject of the Public Hearing. This is not a meeting to debate the issues or to state a position on why the Bylaw has been written.

Any persons wishing to speak are asked to state their name and address for the record.

Any letters or briefs shall be included in the record of the Public Hearing and will be available to the public for viewing.

After all persons who so wish have expressed his or her views, I shall ask three times, “Is there anyone else who wishes to be heard,” and if no further views are forthcoming I shall declare the Public Hearing closed.

Anyone wishing to have letters or briefs recorded in the minutes may bring them to the front now or submit them at the time of their presentation.

PLEASE ALSO NOTE THAT THE FUNCTION OF COUNCIL IS TO LISTEN TO THE VIEWS OF THE PUBLIC NOT TO DEBATE THE MERITS OF THE PROPOSED BYLAW.

AFTER THE CONCLUSION OF THE PUBLIC HEARING, ALL MEMBERS OF COUNCIL ARE PRECLUDED FROM RECEIVING ANY FURTHER INPUT OR SUBMISSIONS.

After this public hearing has concluded, Council may, without further notice, give whatever effect Council believes proper to the representations made at this hearing.

As a matter of information, the bylaw is on the Regular Council Meeting Agenda for consideration later this evening. Please be reminded that there will be **no** opportunity to speak to the bylaw during Council at that time. That opportunity is now.

IF IT IS REQUIRED, THE PUBLIC HEARING MAY BE ADJOURNED AND RECONVENED WITHOUT FURTHER NOTICE IF THE TIME, DATE AND PLACE THE MEETING WILL BE RECONVENED IS STATED TO THOSE IN ATTENDANCE AT THE MEETING.

Staff will now generally describe Bylaw No. 312.

2. BYLAWS

a) Bylaw No. 312

“Highlands Zoning Amendment Bylaw No. 312, 2008”

Under Bylaw No. 312, the zoning of the subject property, 5247 Munn Road, is proposed to change from Rural Residential 3 (RR3) to a new zone, Rural Residential 16 (RR16). Bylaw No. 312 also creates this new zone. The RR16 Zone allows for a minimum lot size of 0.8 hectare (2.0 acres), providing that all lots within a proposed subdivision plan have an average area of at least 1.16 hectares (2.87 acres). Permitted uses in the RR16 zone are: Residential; Home-based business; Agriculture; and Accessory uses, buildings and structures. These are the same uses permitted in the RR3 Zone.

Mayor Mendum called for comments from the public for the first time.

Joe Kadar, 729 Emma Dixon Road, addressed Council and stated that he supports this application; he feels that it is simply a housekeeping matter and compared this application to a previous rezoning application approved by Council six years earlier.

Andrew Fall, 220 Old Mossy Road, addressed Council and spoke in favour of this application. He stated he felt it resolves the issue of two houses on one lot. He has concerns regarding the lot containing the Gregory House and hopes that a covenant will protect it.

Paul Henry, 5018 Munn Road, addressed Council stating he supports the separation of this one lot into two lots, but felt unsure regarding the third lot.

Pattie Whitehouse, 635 Lost Lake Road, addressed Council stating she supports this application although she does not support the creation of small lots but feels that this regulates a long standing family situation. She submitted a letter for the record.

Bob Flitton, 680 Stewart Mountain Road, addressed Council stating his support for the application.

Colleen Robertson, 677 Taylor Way, addressed Council stating she supports this application.

Fred York, 743 Finlayson Arm Road, addressed Council stating that he supports this application.

Mayor Mendum called for comments from the public for the second time.

Marie Brotherston submitted to Council 68 letters of support with 74 signatures.

Mark Cardinal, 1350 Millstream Road, addressed Council stating that the previous Council had referred this application to the new Council to remove any perception of bias. He stated there was broad support for this application and supports the application himself. He stated he believes the Brotherston family is one of the first families of the Highlands and a large contributor to the community.

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The Chief Administrative Officer read into the record the 73 letters of support (*some conditional) submitted by Marie Brotherston as follows:

	<i>NAME</i>	<i>ADDRESS</i>
1.	Len Tolson	5226 Munn Road
2.	Ray Schuttinga	1617 Millstream Road
3.	*Deanna Henry	5018 Munn Road
4.	*Paul Henry	5018 Munn Road
5.	Jason Schuttinga	1617 Millstream Road
6.	Peter Schuttinga	1617 Millstream Road
7.	Gloria Miller	1617 Millstream Road
8.	Ron Miller	1617 Millstream Road
9.	Mandy Schuttinga	1617 Millstream Road
10.	Frank Spellacy	5528 Munn Road
11.	Ron Black	864 Finlayson Arm Road
12.	Graeme Saunders	864 Finlayson Arm Road
13.	Lillian Helen Cooper	5396 Munn Road
14.	Kris Joyce	5555 Munn Road
15.	Stacy Newnam	5555 Munn Road
16.	Wendy Blackburn	5327 Munn Road
17.	Patricia Spellacy	5528 Munn Road
18.	Dale Cotton	868 Finlayson Arm Road
19.	Heather Leney	Victoria
20.	Mike Ferguson	854 Finlayson Arm Road
21.	Diana Hunter	5149 Munn Road
22.	Michael Hunter	5149 Munn Road
23.	Elly Newnam	4460 Munn Road
24.	Diane Stone	4190 Munn Road
25.	Fred Newnam	4460 Munn Road
26.	*Linda Webster	5029 Stag Road
27.	Dave Webster	5029 Stag Road
28.	Cam Saunders	864 Finlayson Arm Road
29.	Carrie Cotton	868 Finlayson Arm Road
30.	Dorothy Barclay	864 Finlayson Arm Road
31.	Joseph Taylor	5463 Munn Road
32.	Randy Creamer	5555 Munn Road
33.	Michael Woodruff	5181 Munn Road
34.	Trevor Standish	4451 Munn Road
35.	Bev Creamer	5555 Munn Road
36.	Kent Willner	889 Finlayson Arm Road
37.	Antoinette Klette	5370 Munn Road
38.	Bruce Klette	5370 Munn Road
39.	John Guiney	779 Danby Place
40.	David Horner	Hannington Creek Estates
41.	Pat Guiney	Hannington Creek Estates

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	<i>NAME</i>	<i>ADDRESS</i>
42.	Janette Woodruff	5181 Munn Road
43.	Corinne Calderwood	5181 Munn Road
44.	Jacy Standish	4451 Munn Road
45.	Honora Johannesen	1741 Millstream Road
46.	Shayne Brotherston	5327 Munn Road
47.	Sherry Black	867 Finlayson Arm Road
48.	Mara Dhillon	3813 Munn Road
49.	Hns Waelti	3813 Munn Road
50.	Sheila Taylor	910 River Road
51.	Lyle Ferguson	653 Southwood Drive
52.	Alan McNaul	750 Hanington Road
53.	Leah Clarke	750 Hanington Road
54.	Harry Rayner	600 Stewart Mountain Road
55.	Eleanor Rayner	600 Stewart Mountain Road
56.	Fawn Engel	664 Taylor Way
57.	Greg Engel	664 Taylor Way
58.	Dale Cook	676 Taylor Way
59.	Stephanie Cook	676 Taylor Way
60.	Bradley Riach	608 Highlands Park Terrace
61.	Greg Killip	631 Stewart Mountain Road
62.	Fred York	743 Finlayson Arm Road
63.	Joe Kadar	729 Emma Dixon Road
64.	Kevin Elsom	672 Stewart Mountain Road
65.	Valerie Elsom	672 Stewart Mountain Road
66.	Diana MacLaren	690 Rockridge Place
67.	Peter Talavs	690 Rockridge Place
68.	Scott Melville	592 Cheryl Place
69.	Patricia Sheppard	680 Stewart Mountain Road
70.	Bob Flitton	680 Stewart Mountain Road
71.	Michael Bocking	405 Hazlitt Creek Road
72.	Evelyn Samuel	405 Hazlitt Creek Road
73.	Todd Mahovlich	
74.	Michelle Mahovlich	

Letters of support were also received from Rachael Sansom, 1498 White Pine Terrace, Craig Ford, 3434 Verona Crescent and Dean Ford, 3320 Munn Road.

Mayor Mendum called for comments from the public for a third and final time.

There being no further comments the Public Hearing on bylaw No. 312 was closed at 7:17 p.m.

3. ADJOURNMENT – Close Public Hearing

MOTION: 336/2008
MOVED BY: COUNCILLOR MCLEAN
SECONDED: COUNCILLOR GILL

THAT the Public Hearing adjourn at 7:17 p.m.

CARRIED

MAYOR

Laura Beckett, Planner

I certify this report as being fair and accurate.