



DISTRICT OF HIGHLANDS
MINUTES OF SPECIAL MEETING OF COUNCIL
Monday, July 13, 2009 at 7:00 p.m.

School House, 1589 Millstream Road

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

Bylaw No. 319, "Highlands Zoning Amendment Bylaw 1998, Amendment No. 31, (Rural 5 Zone – 3813 Munn Road) Bylaw No. 319, 2009"

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
19 members of the public

Chris Coates
Laura Beckett
Tina Neurauter

1. APPROVAL OF THE AGENDA

MOTION: 248/2009
MOVED BY: COUNCILLOR ALLAN DOBB
SECONDED: COUNCILLOR KAREL ROESSINGH

That the agenda be approved.

CARRIED

The Public Hearing regarding Bylaw No. 319 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. 319.

2. BYLAWS

Bylaw No. 319

- a) “Highlands Zoning Amendment Bylaw 1998, Amendment No. 31, (Rural 5 Zone – 3813 Munn Road) Bylaw No. 319, 2009”

Under Bylaw No. 319, the zoning of the subject property, 3813 Munn Road, will change from Rural 4 (R4) to a new zone, Rural 5 (R5). Bylaw No. 319 also creates this new zone. R5 is an amenity zone that has a base density of one dwelling unit per 12 hectares (30 acres). If the amenity of approximately 5.3 hectares of land is donated to the CRD to be used as undeveloped/conservation (no trail access) regional park land, the proposed R5 Zone allows for an increase in density of two residential lots on the subject parcel provided that no lot shall have an area less than 4.8 hectares (11.8 acres). Permitted uses in the R5 zone are proposed to be: Residential; Home-based business; Agriculture; and Accessory uses, buildings and structures. These are the same uses permitted currently on the subject property.

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

Elaine Limbrick, 3836 Munn Road, addressed Council and stated that she fully supports this application and believes the owners of the property have been wonderful stewards of the district and that the piece of property proposed to be given to the CRD is truly a piece of loveliness.

Ellie Rayner read a prepared letter on behalf of Mr. Michael Bocking and Ms. Evelyn Samuel, 405 Hazlitt Creek Road. The letter stated that Mr. Bocking and Ms. Samuel fully support the application and believe the proposal is in accordance with goals and polices of the OCP. They believe the proposal is a win win for the community and land owners.

Ellie Rayner, 600 Stewart Mountain Road, stated that she too supports the applications and feels that it is a reasonable subdivision with a wonderful park dedication.

Bob McMinn, 499 Millstream Lake Road, spoke in favour of the rezoning, feels glad that more park land is being dedicated to the district.

Pattie Whitehouse, 635 Lost Lake Road, spoke in favour of the rezoning, rezoning has been thought through carefully, park dedication is valuable and the application is on balance to the communities benefit.

Bob Flitton, 608 Stewart Mountain Road, supports the application.

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

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. 319 was closed at 7:20 pm.

3. ADJOURNMENT – Close Public Hearing

MOTION: 249/2009
MOVED BY: COUNCILLOR
SECONDED: COUNCILLOR

THAT the Public Hearing adjourn at 7:20 pm.

CARRIED

MAYOR

Tina Neurauter, A/Corporate Officer

I certify this report as being fair and accurate.