



## DISTRICT OF HIGHLANDS

### ADVISORY PLANNING COMMISSION

Minutes of Meeting held on January 11, 2012  
Caleb Pike House, 1589 Millstream Road at 2:00 p.m.

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

**IN ATTENDANCE:** Councillor Ken Williams, Council Liaison Alternate  
Laura Beckett, Planner, Secretary to APC  
Four Members of the Public

Prior to approval of the agenda, Laura Beckett gave an overview of the Sustainability Appraisal Form Policy. APC members offered the following suggestions to improve the form:

- Also include the total for each capital's category at the category's beginning, for example in the grey bar where the title for that category is.
- Include headings of columns at the top of each page.
- Provide a sum of the total of all capitals categories.
- Dark backgrounds need light text for ease of reading.

#### 1. APPROVAL OF THE AGENDA

**MOVED BY:** COLLEEN ROBERTSON  
**SECONDED:** RICK LESTER

THAT the agenda be approved.

CARRIED

#### 2. ADOPTION OF THE MINUTES

**MOVED BY:** COLLEEN ROBERTSON  
**SECONDED:** RICK LESTER

THAT the Advisory Planning Commission minutes dated September 20, 2011 be adopted.

CARRIED

### **3. NEW BUSINESS**

#### **1) Council Referral – November 21, 2011 RE: REZONING APPLICATION – RZ-01-08 889 FINLAYSON ARM ROAD**

It was noted that this application is from 2008, and has been changed since the last time it was before Council. The applicant, Mr. Kent Willner, advised:

- In amending his proposal, he tried to eliminate any potentially controversial elements, and tried to make it as good for the community and neighbourhood as possible.
- He intends to live on the property for the short term and long term.
- He sees great value in and advantages of the Manzanita grove, both personally and for the community.
- He sees 3-party covenants as going against the reason why Highlands incorporated, in that control of local land use would be given away to an external authority.

The APC discussed the application:

- Proposal is in character with the neighbourhood. The subject property's size is an anomaly.
- Proposal would protect the hilltop (Manzanita grove) through proposed conservation covenant.
- Comment that any additional dwellings result in an additional draw on the aquifer – acknowledged that for this application it would be minimal. A concern was expressed about other pending (larger) developments in the area and cumulative effect on groundwater.
- There was discussion on the possibility and philosophy of 2-party versus 3-party covenants for conservation purposes. One member suggested that a 3-party covenant would offer better protection for the Manzanita grove. Another member commented that their personal experience with a 3-party covenant was that it did not provide better conservation protection.
- There was discussion about existing forms of protection for the Manzanita grove, including zoning and two development permit areas – steep slopes and sensitive vegetation.
- There was discussion about precedent setting versus proposals advancing (or not) on their own merits.

**MOVED BY: COLLEEN ROBERTSON  
SECONDED: FRED YORK**

APC recommends that Council approve the application as proposed.

**CARRIED**

**2) Council Referral – November 21, 2011**  
**RE: REZONING APPLICATION – RZ-02-11**  
**1150 BEAR MOUNTAIN PARKWAY**

Mr. Roger Tinney, applicant, distributed the site plan that was previously distributed to Council in September 2011. He gave a detailed synopsis of the proposal highlighting the following items:

- Proposed utilities – connection to CRD Water, sewer connection through Langford, BC Hydro. Advanced discussions have occurred for delivery of these services to the property.
- Existing structures and proposed residential uses, including detailed topographic considerations for covenanting individual building (house) elevations.
- Portion of overall parcel to be developed versus portion to be conserved under existing TLC (The Land Conservancy) covenant - New ecological studies (done by applicant) confirmed overall design to achieve appropriate areas for conservation and development.
- Commitment to amend conservation covenant with TLC to improve conservation of area, including swap of 1167 square metres (as shown in proposal).
- Commission of two new ecological reports describing forest health and riparian issues.
- Highlands Sustainability Appraisal Form indicated that this proposal is environmentally superior to existing zoning.
- Financial amenity to be provided once bylaws are adopted.
- Development will be strata, meaning that all long term maintenance will not be the responsibility of the District.
- The existing pump system, worth approximately \$100,000, or its value will also be donated to the District.
- All buildings will be sprinklered
- The solitary duplex that is proposed was to try to provide as much diversity as possible. One thought was that it would act as a 2-family dwelling unit under one title – such as a secondary residence for aging parents or a young adult-child.
- Public transit is minimal at this point in time.

APC discussion included the following points:

- Piped water and sewer services are new to Highlands.
- Property is within the urban containment boundary, meaning higher density is appropriate here, and is an opportunity for development. There was some brief, general discussion about what other development opportunities are like this in Highlands within the urban containment boundary.
- Comment that existing zone and conservation covenant served the need at the time for the previous owner.
- The subject land has already been disturbed with two existing buildings and a road-like driveway network. This proposal translates to less earth disturbance compared with a proposal on completely undeveloped land.
- Diversity of residential types.

- Provides some affordable housing – smaller units, some availability of transit (Langford Trolley).
- Improvement over existing zoning. Some members felt the application is a great improvement over existing zoning.
- Developer has demonstrated an understanding of Highlands' values.
- Generous amenity package. Timing of financial amenity is beneficial for community hall project.
- Area is not currently suitable for commercial development due to topography and current economic climate.

**MOVED BY: ALLAN ROGER**  
**SECONDED: MARA DHILLON**

APC recommends that Council approve the application.

CARRIED

**MOVED BY: RICK LESTER**  
**SECONDED: COLLEEN ROBERTSON**

APC recommends that Council explore discussions with the proponent regarding the form of ownership of the covenanted land.

CARRIED

Fred York excused himself from the meeting at 3:45 p.m. citing a potential conflict of interest.

**2) Council Referral – December 12, 2011**  
**RE: REZONING APPLICATION – RZ-04-11**  
**PORTION OF 1786 MILLSTREAM ROAD**

**MOVED BY: ALLAN ROGER**  
**SECONDED: COLLEEN ROBERTSON**

APC recommends that Council approve the application.

CARRIED

Discussion included the following points:

- Maximum floor area permitted differed in zone versus that indicated in the proposal and in the Traffic Impact Assessment.
- Because the District is the applicant, every aspect of the project and application are and will continue to be, by law, under public scrutiny (public accountability of expenses of any municipality).
- It is not a contaminated site.
- Entrance is proposed on Finlayson Arm Road.
- Intended use of land on north side of Finlayson Arm Road, including trail system.

**MOVED BY: RICK LESTER**  
**SECONDED: COLLEEN ROBERTSON**

APC recommends that Council follow all standard processes including a public hearing.

CARRIED

**MOVED BY: RICK LESTER**  
**SECONDED: MARA DHILLON**

APC recommends that the amenity property on the north side of Finlayson Arm Road be dedicated for parkland and non-motorized pedestrian trails.

CARRIED

**4. ADJOURNMENT**

**MOVED BY: COLLEEN ROBERTSON**

THAT the meeting adjourn at 4:05 p.m.

CARRIED

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Eleanor Rayner, Chair

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Laura Beckett, APC Secretary