

**DISTRICT OF HIGHLANDS
BYLAW NO. 261**

**A BYLAW TO AMEND THE “DISTRICT OF HIGHLANDS OFFICIAL
COMMUNITY PLAN BYLAW NO. 94, 1997”**

The Council of the District of Highlands in open meeting assembled enacts as follows:

1. Bylaw No. 94, the “District of Highlands Official Community Plan Bylaw No. 94, 1997” is hereby amended so that all of those provisions of it, including maps, plans and text that were amended by Highlands Official Community Plan Amendment Bylaw No. 236, 2004, are fully restored to be as they were immediately prior to the adoption of Highland Official Community Plan Amendment Bylaw No. 236, 2004, as if Highland Official Community Plan Amending Bylaw No. 236, 2004 had never been adopted.
2. Bylaw No. 94, the “District of Highlands Official Community Plan Bylaw No. 94, 1997” is also amended as follows:
 - a) In the “Background and Context of the Official Community Plan” Section 0.4 Regional Context,

By **Deleting** the 4th paragraph:

Development in the Highlands will remain primarily residential on rural acreages or large lots. The Highlands is not and should not be considered for future urban development in the region; such development would be inconsistent with the nature of the municipality, with aquifer capacity, and with the desires of Highlands’ residents.

And **Replacing** it with a new 4th paragraph

“Development in the Highlands will remain primarily residential on rural acreages or large lots, except in the area designated on Map 4 as “Bear Mountain Comprehensive Development Area”, where intensive residential lots incorporated in, or adjacent to, a golf course, may be permitted in conjunction with provision of amenities to be specified in any zoning bylaw applying to all or part of the Bear Mountain Comprehensive Development Area, and when the number of residential dwelling units in the Bear Mountain Comprehensive Development Area exceeds 62, all residential units must be serviced by water from non-aquifer sources. The balance of Highlands is not and should not be considered for future urban development in the region; such development would be inconsistent with the nature of the municipality, with aquifer capacity, and with the desires of Highlands’ residents.”

By **Deleting** the 5th paragraph:

“The Capital Regional District is now preparing a Regional Growth Strategy. The District of Highlands will support those elements of the Regional Growth Strategy that reinforce the regional context of the municipality and that ensure compatibility of land uses in adjacent municipalities with the green, rural, and residential character of the Highlands.”

And **Replacing** it with a new 5th paragraph

“The District of Highlands will support those elements of the Regional Growth Strategy that reinforce the regional context of the municipality and that ensure compatibility of land uses in adjacent municipalities, with the green, rural and residential character of the Highlands including the Bear Mountain Comprehensive Development Area.”

- b) In Schedule A, within Section 1.2.4 Parks, by **Adding** a new policy “g” as follows:
- g. Those lands in the Bear Mountain Comprehensive Development identified as private open space, will be protected by covenants to the mutual satisfaction of the District and the landowners.
- c) In Schedule A, within Section 1.2.5 Environmental Protection Areas, Subsection “Water and Riparian Areas”, by **Adding** a new policy “c. xii.” as follows:
- c. xii. Notwithstanding the above i. – xi., the development of a Golf Course and road and infrastructure network will permit (subject to necessary permits from Federal and Provincial and Municipal Governments) construction of such improvements up to and through water and riparian areas, providing there is no “Net Loss” of water and riparian areas within the proposed development.
- d) In Schedule A, within Section 2.2.1 Housing and Settlement Pattern, by **Adding** to it a new policy “q” as follows:
- q. All external lighting in the District will be downcast lighting to prevent light leak and the lowest lumens possible and the least number of fixtures possible will be employed.

- e) In Schedule A, within Section 2.2.1 Housing and Settlement Pattern, by **Adding** to it a new policy “r” as follows:
- r. Implementation of Leadership in Energy and Environmental Design (LEED) building standards is strongly encouraged throughout the District.
- f) In Schedule A, within Section 2.2.2 Land Use Designations, by **Deleting** Paragraph 10

Golf Course designated lands are used for golf course recreation and associated uses. Lands designated as Golf Courses provide for recreational golf courses where the outdoor setting and landscape is a significant element of the activity. Development and Management of Golf Course lands emphasize the balance of open space recreational areas with intact ecosystem units (such as forest and wetland areas). Rezoning to Golf Course use will be evaluated on the basis of the impact on the integrity of these ecosystem units, surface and groundwater and the overall impact on the environment.

And **Replacing** it with a new Paragraph 10 “Bear Mountain Comprehensive Development” as follows:

10. Bear Mountain Comprehensive Development designated lands are lands to be used for mixed development, including single family and multi-family residential units; recreational golf courses with associated hotel and resort units, and commercial development. The retention of open spaces and wildlife corridors, and the use of buffers, barriers or screens between the various uses within the Bear Mountain Comprehensive Development area are emphasized to encourage intact ecosystem units (such as forest and wetland areas).
- g) In Schedule A, within Section 4.2.3 Roads, Transportation and Parking, by **Adding** a new policy “o” as follows:
- o. A separate schedule, known as the Bear Mountain Road Standards, will be developed and added to the District of Highlands Subdivision or Development of Land Bylaw, for design criteria for the Bear Mountain Comprehensive Development Area, which will require all services to be underground, employ maximum opportunity to return storm water to the forest floor, and utilize flat curbs wherever possible.

h) In Schedule A, within Section 4.2.7 Liquid Waste Disposal, by **Deleting** policy “d”

d. The District of Highlands opposes the servicing of properties in the municipality by public sewers.

and **Replacing** it with a new policy “d” as follows:

d. The District of Highlands opposes the servicing of properties in the municipality by public sewers, except that it will support the servicing by public sewers or an alternative method of sewage disposal within the Bear Mountain Comprehensive Development Area, as shown on Map 4.

and **Adding** a new policy “e” as follows:

e. A requirement of the Development of a Golf Course in the Bear Mountain Comprehensive Development is the use of treated septage as a source of irrigation for the Golf Course. The approval of all Federal, Provincial, Regional and Municipal authorities having jurisdiction must be obtained. The Municipality must not be responsible for the installation, operation or maintenance of the system and must be provided with adequate assurance for the maintenance of the system.

i) In Schedule A, within Section 4.2.10 Water Supply,

by **Deleting** policy “e”

e. The District of Highlands opposes the servicing of residential properties in the Municipality by public water supply and will support servicing of commercial/light industrial properties within the Highlands Business Park by a public water supply only if it can be demonstrated that the use of groundwater as a supply is less safe, less cost effective and less environmentally appropriate.

And **Replacing** it with a new policy “e” as follows:

e. Notwithstanding that the District of Highlands opposes the servicing of properties in the municipality by regional piped water supply, it will support the servicing by an alternative water supply system which may be a private utility reliant on non-aquifer sources, for those commercial/light industrial properties within the Highlands Business Park and the Bear Mountain Comprehensive Development shown on Map 4.

And further **Adding** a new policy “f” as follows:

f. Water pipe sizing and reservoir sizing for the Bear Mountain Comprehensive Development and the Industrial Lands to the east shall be at the direction of the District and will not be less than minimum fire flow requirements as dictated by National Fire Protection Association standards. The water pipe sizing and reservoir sizing shall at all times be sufficient to service the Bear Mountain Comprehensive Development and Industrial Lands south of the north property line of Section 15, Range 3 West, Highland District.

j) In Schedule A, by **Adding** a new Section 4.2.11 Natural Gas, as follows:

a. The District will support servicing the Bear Mountain Comprehensive Development and Industrial Lands south of the north property line of Section 15, Range 3 West, Highland District with Natural Gas from a private utility supplier.

k) In Map 4, “Land Use” by designating the lands shown in heavy outline in Appendix A with the designation “Bear Mountain Comprehensive Development”.

3. This Bylaw may be cited as “Highlands Official Community Plan Amendment Bylaw No. 261, 2005.”

READ A FIRST TIME THIS	2 nd	day of May, 2005
READ A SECOND TIME THIS	24 th	day of May, 2005
PUBLIC HEARING HELD THIS	21 st	day of June, 2005
READ A THIRD TIME THIS	4 TH	day of July, 2005
ADOPTED THIS	4 th	day of July, 2005

MAYOR

MUNICIPAL CLERK