



Mr. Kelly Daniels, Chief Administrative Officer  
 Capital Regional District  
 PO Box 1000  
 Victoria, BC  
 V8W 2S6

November 21, 2005

Dear Mr. Daniels,

**RE: District of Highlands Regional Context Statement for Acceptance**

District of Highlands hereby formally submits its regional context statement to the Board of Directors for acceptance. At their November 7, 2005 Council Meeting, Council made the following resolution:

**THAT** the amended regional context statement be sent to the CRD Board for acceptance.

“District of Highlands Official Community Plan Bylaw No. 277, 2005,” stands at second reading. Its public hearing occurred on October 26, 2005. This bylaw would adopt an updated Official Community Plan (OCP), which includes Highlands’ regional context statement.

Enclosed in this submission are:

- An extra separated copy of the regional context statement;
- A copy of Bylaw No. 277 (second reading);
- The 2005 OCP (Schedule A to Bylaw No. 277);
- A staff report from April 2005 describing areas for potential inclusion within the proposed Highlands Servicing Boundary.

**OVERVIEW OF THE HIGHLANDS**

**Population and Homes** Approximately 1,900 people currently live here. The table below is a summary of the approximate amount and size of residentially designated lots as of July 2005. The build-out for Highlands under the current zoning and OCP designation is estimated at approximately 1,001 single family dwellings.

| <b>Distribution of Residential Lots (July 2005)*</b> |             |
|--|-------------|
| Less Than 5 Acres                                    | <b>470</b>  |
| Between 5 and 10 Acres                               | <b>100</b>  |
| Between 10 and 20 Acres                              | <b>51</b>   |
| Between 20 and 30 Acres                              | <b>17</b>   |
| Greater Than 30 Acres                                | <b>31**</b> |
| <b>TOTAL</b>   | <b>669</b>  |

Notes:

\*All numbers are approximate.

\*\*One lot in this calculation is zoned for 4 single family dwellings. This has been taken into consideration in the build-out estimate. All other lots are zoned for one single family dwelling.

**Size and Tax Base** The District's size is approximately 3,745 hectares – approximately 36% of this (1,336 hectares) is park. The District's road system is approximately 39 kilometres long.

Highlands' 2005 assessment for property taxes was performed in November 2004 before Council adopted bylaw changes to allow the Bear Mountain development. The 2005 assessment figures were:

- 92% residential,
- 4% utilities,
- 2% business/other,
- 1% light industrial,
- 1% managed forest land, recreation/non-profit, and farm combined.

### **REQUEST TO EXPAND THE REGIONAL URBAN CONTAINMENT AND SERVICING POLICY AREA**

Bylaw 277 would adopt the area shown on Map 2.1 as Highlands' Servicing Boundary. This is a change from Highlands' OCP that was used to create the Regional Urban Containment and Servicing Policy Area (RUCSPA). This section outlines the rationale for this change.

#### **Bear Mountain**

The vast majority of the Highlands is rural. When the Regional Growth Strategy was adopted, only the industrial lands on Millstream Road were included in the RUCSPA. Since that time, Highlands Council adopted Bylaws 261 and 262, which amended the OCP and Zoning Bylaw respectively to allow for a more intensive residential and golf course/resort development, called Bear Mountain. While Bear Mountain fits neither a rural nor an urban description, the development requires regional water and sewer services due to its density and uses. Regional water and sewer services to this development would protect the groundwater aquifer in the Millstream Watershed.

Bear Mountain is located in the southwest area of Millstream Road, adjacent to the District's southern border. The Bear Mountain development is also adjacent to the current RUCSPA to the south (City of Langford) and to the east (Highlands' industrial lands).

The Bear Mountain land has a long history of redevelopment plans. In 1981, the CRD, with input from Highlands residents, created the first plan for the area. This plan identified the southwest Highlands as a "Development Reserve Area." Within the last 12 years, the area has been the subject of several ideas, proposals, and rezonings, which ranged in diversity from homes surrounding a resort golf course to regional park.

The adoption of Bylaws 261 and 262 saw some members of the community supporting the application and some not supporting it. The main reason for Council's adoption of the bylaws and the drastic change in philosophy was to ensure long term financial stability of the community through a healthier ratio of residential to commercial tax base.

It is understood that the City of Langford has reserved all sewer capacity for this area of the CRD. As a requirement of building the golf course, Bear Mountain will use reclaimed water from residential and commercial areas of both the Highlands and Langford portions of the development to irrigate the golf course. Only as a back up for the reclaimed water system would the waste water be stored and pumped into the regional sewer system at off-peak hours. Bear Mountain and Langford have discussed this matter extensively. It is understood that an inter-municipal servicing agreement could resolve the matter.

Approximately 30% of the Highlands is denoted as Unprotected Green Space in the Regional Growth Strategy. It is understood that most of the Bear Mountain development lies within the Unprotected Green Space Policy Area. The updated OCP includes this area within Highlands development permit areas.

### **Other Areas**

Other areas that would be included within Highlands Servicing Boundary either lie between the Bear Mountain development and the industrial lands or are contiguous with them. Enclosed is a staff report further describing these properties. Including the full south-western portion of Highlands creates an even and more sensible boundary for the future.

Briefly, the other areas include:

- The Municipal Hall location;
- One split-zoned property: part conservation area with a 3-party covenant, and part Community Institutional zoned area currently being developed;
- Residential areas, built-out or subdivided-out under current zoning;
- One undeveloped residentially zoned lot;
- A small amount of park area;
- Four residential properties (three together, one separate) adjacent to the industrial lands;
- A fee simple land-locked lot, surrounded by the Bear Mountain development;
- "Buffer" areas around the industrial lands.

One concern for areas close to the CRD-owned "Millstream Meadows" contaminated site is the risk for contamination of groundwater. While studies have not shown contamination to neighbouring sites, concern does exist. This concern exists for properties on the same side and the opposite side of Millstream Road.

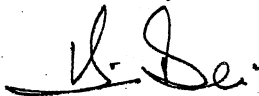
**REQUEST TO ADD PARK AREAS TO CAPITAL GREEN LANDS**

District of Highlands wishes to add park areas marked with an asterisk on your copy of Map 4.1 in Highlands OCP to, "Capital Green Lands Policy Area," on Regional Growth Strategy maps. These lands have already been purchased by the CRD, and form part of Thetis Lake Regional Park.

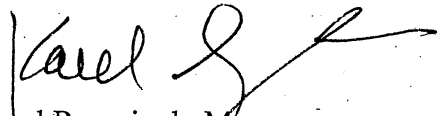
**CLOSING REMARKS**

A RUCSPA amendment would be extremely beneficial – both economically and for protection of the precious groundwater upon which all Highlanders rely – to the District of Highlands. It is hoped that the Board will carefully consider Highlands' request for a Regional Growth Strategy amendment and its implications, and send it on for approval to Regional Growth Strategy member municipalities.

Sincerely,



Heinz Burki, Administrator



Karel Roessingh, Mayor

Cc: Mark Hornell, Director, Regional Planning Services



**REPORT TO:** Council  
**FROM:** Laura Beckett, Municipal Planner  
**DATE:** April 7, 2005  
**SUBJECT:** Regional Context Statement – First Draft

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## **RECOMMENDATION**

**THAT Council provides staff with feedback about the first draft of the regional context statement to include in a second draft for Council review at an upcoming Policy and Priorities Meeting.**

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## **BACKGROUND**

Staff previously submitted a memo to Council providing information and a timeline with milestones for adoption of Highlands' regional context statement. A regional context statement is required by the Province for any municipality that is part of a Regional Growth Strategy RGS, and is part of a municipality's OCP. It is the implementation mechanism for a Regional Growth Strategy: a municipality is bound to its regional context statement, but not directly to the Regional Growth Strategy.

## **FIRST DRAFT**

Appendix 1 is the first draft of Highlands' regional context statement, which is an expanded version of the table given to Council in March. It is a *starting point* for Council discussion.

The Regional Growth Strategy recommends that each municipality create its own urban containment and servicing boundary. In the Draft regional context statement, staff suggests using the expression "Servicing Boundary." It would equate to the Regional Urban Containment and Servicing Policy Area (RUCSPA).

While staff has included rationale for including various parcels in the RUCSPA, Council may wish to consider including this information in a covering letter that would accompany Highlands submittal of the regional context statement.

**MAPS**

The regional context statement includes Maps 10.1 – Growth Management Concept and 10.2 – Regional Green/Blue Spaces. While these maps are meant to correspond to Regional Growth Strategy Maps 3 and 4 (also included), the information should be Highlands-specific.

As a result of Bylaws 236 and 237 and park additions, staff suggests that Highlands requests two Regional Growth Strategy amendments:

1. Expansion of the RUCSPA (This may mean creation of a Highlands Servicing Boundary)
2. Inclusion of park areas.

Maps 10.1 and 10.2 show both of these areas, and the Table 10.1 describes the request.

**Rationale for Parcels Possibly to Include in RUCSPA Expansion Request**

Map A is an enlarged section of the blue portion of Map 10.1 and Table A shows the pros and cons of including the areas within the RUCSPA/ Highlands Servicing Boundary.

The general “pro” of including all the mentioned properties in the RUCSPA is that it creates an even, logical boundary. If all these properties are included, there is no increase in lots under existing zoning.

Council may wish to include policies or a separate section in the regional context statement that specifically sets guidelines and intentions to control potential development as a result of selected parcels’ inclusion within the RUCSPA. The OCP designation of each parcel does not change, and this in itself will guide development.

**Table A**

| Map A Reference # | Area and Zones                   | OCP Designation                         | Pros   | Cons   |
|-------------------|----------------------------------|---|--|--|
| 1                 | Bear Mountain, BMCD1 Zone        | Bear Mountain Comprehensive Development | Rezoning implied applying for RUCSPA amendment. This is the next step in the process.  | Many Highlanders feel rezoning is too dense.   |
| 2                 | Municipal Hall, P2 Zone          | Institutional                           | Municipality owns land and can decide what to do with it in future.  | Municipal Hall would become inherently different than majority of Highlands.                                 |
| 3                 | Kingo Conservation Land, C1 Zone | Greenspace                              | No further development possible on this land due to 3-party conservation covenant. Also, development of adjoining 10 acre portion was predicated on this land becoming conservation land – legally binding because is in Zoning Bylaw. | If covenant ever removed (very unlikely due to “Pros” comments), inclusion in RUCSPA could mean developable. |

| Map A Reference # | Area and Zones                                      | OCP Designation               | Pros  | Cons  |
|-------------------|---|-------------------------------|---|---|
| 4                 | Kingo Land, CII Zone                                | Greenspace                    | <ul style="list-style-type: none"> <li>• Will provide easier access to services.</li> <li>• Land has zoning in place; Council decision to rezone.</li> <li>• Subdivision not possible due to minimum parcel size.</li> <li>• Could not sever this section of lot due to minimum parcel size.</li> </ul> | Future Council could approve rezoning of entire lot.                              |
| 5                 | Rivers' Crossing, RR7 and RR8 Zone                  | Rural Residential             | <ul style="list-style-type: none"> <li>• Land developed, full capacity realized.</li> <li>• Council decision to rezone.</li> <li>• Topography won't allow further subdivision</li> </ul>  | Lands zoned RR7 could apply for rezoning and subsequent subdivision.              |
| 6                 | Guiney Subdivision (57 lots), RR13 Zone             | Rural Residential, Commercial | Urban style servicing in this subdivision foreseen and preferred, but not necessary.  |   |
| 7                 | Park, P1 Zone                                       | Greenspace                    | Park zone. Does not need to be in RUCSPA, but is surrounded by it.  |   |
| 8                 | Park Area and Access, RR13 Zone                     | Greenspace                    | Land is not developable, and was given as park for adjacent subdivision.  |   |
| 9                 | LGB9-owned Land, RR13 Zone                          | Greenspace                    | Dedicated as park. Inclusion in RUCSPA not necessary.   |   |
| 10                | Land Zoned RR1                                      | Rural Residential             | Zoning in place. Council decision to rezone.  | Future Council could approve rezoning.  |
| 11                | "Buffer" around Industrial Lands, M1, M2, GB2 Zones | Greenspace, Greenbelt         | Good planning practice to include entire lot in RUCSPA, and then provide site development guidelines in either zone or OCP Development Permit Area.   | Council-of-the-day was likely adhering to OCP designation by creating the buffer. |

| Map A Reference # | Area and Zones          | OCP Designation   | Pros   | Cons   |
|-------------------|-------------------------|-------------------|--|--|
| 12                | 3 Properties Zoned R3   | Rural Residential | <ul style="list-style-type: none"> <li>• Parcels are adjacent to a contaminated site.</li> <li>• Lots can not be subdivided under current zoning.</li> <li>• Inclusion in RUCSPA creates simpler map.</li> </ul>   |  |
| 13                | Tsartlip Land, GB2 Zone | Greenbelt         | <ul style="list-style-type: none"> <li>• Is surrounded by RUCSPA (even though one side is parkland).</li> <li>• A logical inclusion especially because access is through Bear Mountain.</li> <li>• Council approves rezoning.</li> <li>• Only 1 lot permitted under current zoning.</li> </ul> | Future Council could approve rezoning to allow for more density. |

## OPTIONS

1. Council may wish to provide staff with feedback about the first draft of the regional context statement to include in a second draft. Staff would provide a second draft at a subsequent Policy and Priorities Meeting, as suggested on the timelines and milestones table of the March 29, 2005 Memo to Council. Council may wish to provide preliminary comments at the Policy and Priorities Meeting of April 11, 2005, and provide full feedback at the April 18, 2005 Council Meeting. *(Recommended.)*
2. Council may wish to receive this report for information.

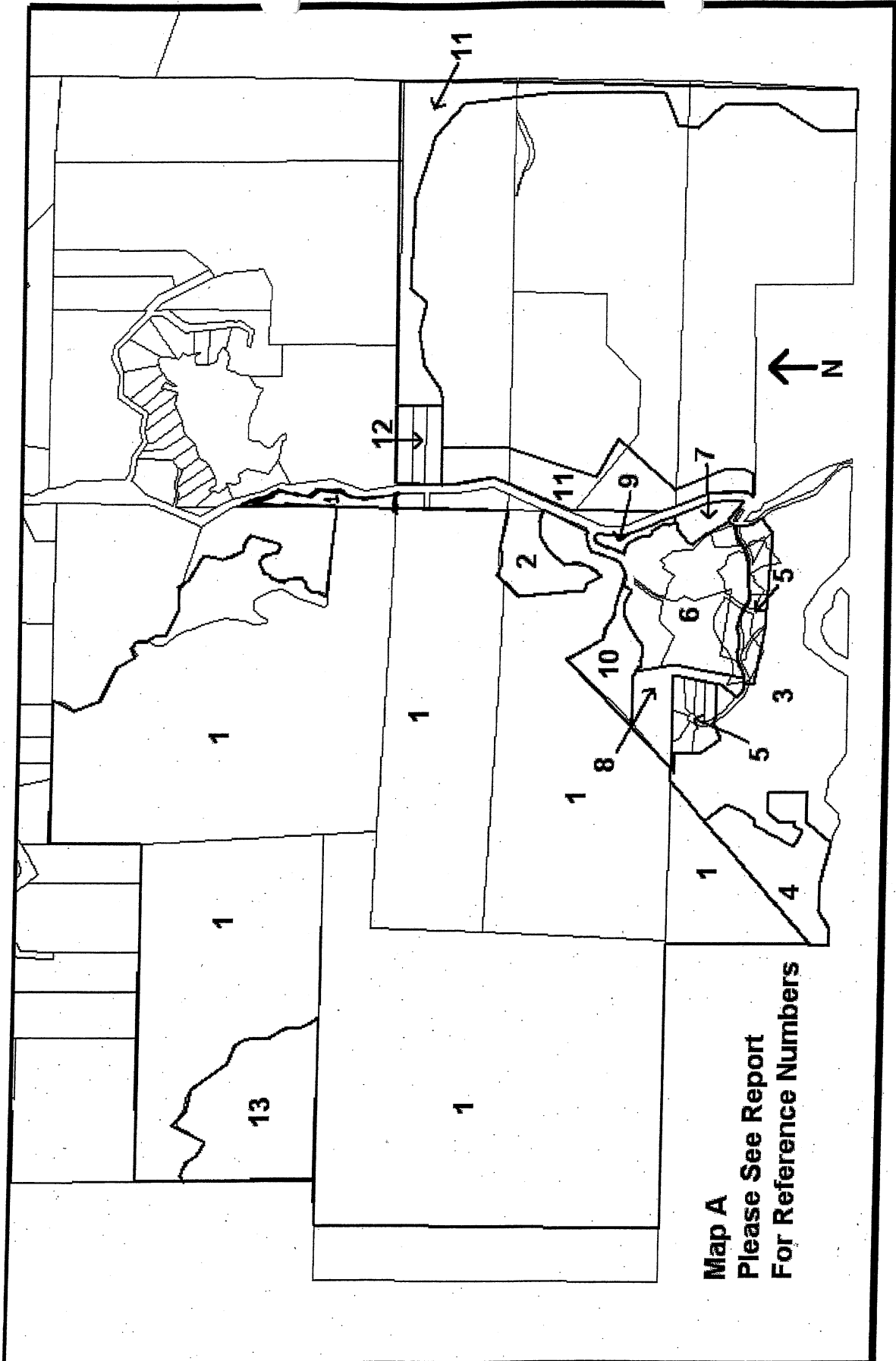
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*Respectfully Submitted by Laura Beckett*

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*Reviewed by Scott Coulson*





**Map A**  
**Please See Report**  
**For Reference Numbers**

