

**ADVISORY PLANNING COMMISSION MINUTES
DISTRICT OF HIGHLANDS**

Wednesday, November 23, 1994 - 7:30 p.m.

Firehall #4, 1564 Millstream Road, Victoria, B.C.

In Attendance: C. Lester (Chairperson), W. Carrilho, V. Fletcher, J. Kuijt,
M. McLean, A. Pellett, P. Robbins

Also Present: Councillor B. Vogel, Administrator B. Woodbury
Representatives from the Ministry of Lands and their planning
consultants, members of the Community Association
Development Advisory Committee, Councillor K. Joy

Ministry of Environment, Lands and Parks
- West Millstream Housing Development

Rod Glover, Chair of the Highlands Community Association introduced the members of the Highlands Community Association Development Advisory Committee: Kerry Sutton, Gilbert Neufeld, John Dlugos and Rod Deacon, also members but not present are Hendrik Zimmermann and Barry Duch. He also introduced the Province's planning consultants: Michael Bocking, Evelyn Samuel and John Sexter.

Mr. Glover stated that the object of the Community Association Development Advisory Committee is to get community input into this proposed development, and to get the Province to work from the land and design outwards. They have been primarily working with the land, taking walks over the area, doodling and thinking and trying to work all of that in to the development. They have received input from Lorimer Road residents expressing their concerns. The Committee has been involved in about 20 meetings and 6 field trips.

Michael Bocking

- 2 newsletters have been sent out
- one of the newsletters included a summary of the input they obtained at their open houses
- they started work on this project about 2 months ago
- they had a look at the present plans, bylaws and minutes from various municipal Council and Committee meetings
- they held public open houses and obtained feedback from residents
- they are here tonight to get some sense of direction

Mr. Bocking provided a quick overview of each of the following maps:

- Adjacent Land Uses
- Access
 - Present access roads
- Roads
 - Existing roads, driveways and logging roads on the property
- Slope
 - Advised that slopes over 30% grade are unsuitable for housing or roads, this comprises about 1/4 of the property. About 1/3 of the area is less than 10% slope but a lot of that is marsh. 15% is the maximum slope for a road and 20% is maximum for a driveway
- Soils
 - Pointed out shallow and bedrock areas. The steeper areas within the mixed loam's category tend to be gravel and rock. The organic category is mainly wetland. The poorest areas for septic are bedrock or organic.
- Vegetation
 - Correlates with soil types. Rocky mossed area, arbutus, fir, and cedar and maple in the wetter areas.
- Hydrology
 - 2/3 of the area drains to Earsman and Millstream Creeks, 1/3 drains to Finlayson Arm. The blue areas are wet 6 months of the year and would be unsuitable for development.
- Development Constraints
 - Steep slopes, wetlands, sensitive vegetation contribute to development constraints, also low potential for septic and visual sensitivity and sensitive wildlife habitat. 20 to 25% of the area is severely constrained
- They chose the area around Pike Hill for a detailed look. It includes about 40 acres of land.
 - Constrained areas were considered
 - Located potential house sites based on access, septic and need for low impact
- Option 1
 - 5 acre lots - planimeter approach
 - poor correlation between lot boundaries and building site
 - severe problems for impact on site
 - difficult access on 4 lots, can't get to best building site

- Option 2
 - reconfigured with a 5 acre minimum
 - building sites now distributed better
 - carves up Pike Hill between 2 lots
 - no public access
 - no protected features
 - gets access to building sites
- Option 3
 - lots 1 the same and Lots 2 - 7 have been modified
 - municipal park on Pike Hill
 - corridor to link to Twinflower Park
 - 2 lots under 4 acres, 2 over 7 acres
- The preferred layout meets the desired lot yield
- Handed out information sheets and reviewed how he felt Option 3 best met their stated goals
- The principle for the whole property is to meet the desired goals and make the best use of the land while protecting the environment. This can best be accomplished with a reduction in lot size.

Carol Lester - Is the road from the north end of the cul de sac going to loop back to Caleb Pike south.

M. Bocking - This could be looped if needed for emergency access but there is a small steep section

Val Fletcher - What information is the soil map based on.

M. Bocking - He used the information from the soil maps from a study done some years ago by the Ministry of Environment and that data was based on a limited number of test pits.

V. Fletcher - Are they aware of the map from the same study that indicate suitability for septic fields.

M. Bocking - Yes he has that map as well. The lighter colored areas on the soil map presented this evening would be the best areas for septic. There is also a correlation between the septic and the lot size.

V. Fletcher - Do the circles represent the preferred house site and what about septic sites.

M. Bocking - Yes, and they do include potential septic areas, but they did not take a detailed look at perc sites, they are assuming a perc site within 50 - 100 feet of the preferred building site. This part of the property is a fairly constrained area so they want to be as specific as possible for the building sites.

V. Fletcher - Can they show how the proposed development relates to existing Development Permit Areas.

M. Bocking - The Development Constraints map that he has prepared is based on the same criteria as the Development Permit Areas established in the OCP (steep slopes and wetlands). Their map is done at a greater level of detail and therefore indicates a lot more area as constrained than is indicated by the Development Permit Areas.

V. Fletcher - What is planned for the extension of Caleb Pike Road south where it extends out onto the ridge face above Finlayson Arm.

M. Bocking - Various comments were received at the Open House including: fire access road, trail, complete rehabilitation. He is also discussing the matter with B.C. Parks to obtain comment on what their plans may be for access and parking. He advised that a study group is starting work on a Parks Master Plan for the Provincial Park.

Rod Glover - There seems to be slow action on the proposed Provincial Park.

Wayne Verwoord - The Province has been having discussion relating to First Nations, but they are planning to create the Provincial Park soon.

V. Fletcher - What areas have been walked in detail.

R. Glover - They have been over a number of areas some in more detail than others. This area has been the most detailed.

V. Fletcher - Why was this area looked at first.

M. Bocking - This area is well defined and has existing access routes. There is some concern as the existing road work that was carried out does have an impact on drainage.

Will Carrilho - If Option 1 is standard development, Option 2 is more into using the terrain and Option 3 is the best approach, did they consider an Option 4 that would involve a reduction in the number of lots to 6.

M. Bocking - No they did not look at that as an option.

W. Carrilho - The agreement was for up to 59 lots.

M. Bocking - They have presented a proposal based on building sites and access. They have not yet looked at all areas so they are not sure whether they could fit more or less lots. He reviewed the Option 2 failings as compared to Option 3.

W. Verwoord - The zoning bylaw as it is currently written is restrictive and they would like to see it rewritten to allow for some options to be explored.

Carol Lester - If you wish to be sensitive and stay within the 5 acre minimum lot size this could be done although it may mean a few less lots. She reviewed the information in the minutes and files and 59 was to be the maximum number of lots. The various committees did not make their recommendations lightly. She raised the following points:

- The only recommendation from the Environment Advisory Committee dated July 13 was "that the Rezoning Application by Ministry of Lands be approved in principle with the general understanding that, in view of the environmentally sensitive nature of the proposed development area, serious consideration be given to a reduction in the proposed (fifty-nine) number of lots".
- Extract from the Minutes of July 12 where Wayne Verwoord indicated that 59 was the maximum number of lots but it could be less.
- She commented that certainly the Environmental constraints make it difficult and this may limit the number of lots.
- The #1 recommendation from the APC to Council was that the minimum 5 acre lot size not be compromised.

M. Bocking - Is that a Policy Statement.

John Sexter - Should look at the intent of the Commission in recommending the number of lots. This is designed to ensure a number of things: protection of environmental features, protect the nature of the community and protect water supply. Setting the maximum number of lots is just one way of doing it. You can accomplish the same intent of the recommendations by: landscape protection and letting the land tell you what is acceptable. The cookie cutter approach does not work. He supports Michael's recommendation as it retains the character and protects the area. It doesn't matter whether they are 4 acre or 7 acre lots.

R. Glover - What is the APC's intent regarding the 5 acre minimum .

C. Lester - Should be guided by the Memorandum of Understanding, also the rezoning application is for a 5 acre minimum. The first thing that happens is the planner bringing in a proposal for a 3 acre minimum. If the APC says a reduction in the minimum lot size is O.K. here then what about the remaining area. What precedent is set for other developments, can they then expect a reduction in minimum lot size if they are having difficulty obtaining their maximum yield.

R. Glover - Suggested that this not be looked at as an exception for the Province's development, it should be considered for others as well. There would still be a maximum of 59 lots.

John Dlugos - Once the area is subtracted for road dedications you can't get 59 lots any more.

M. Bocking - The Memorandum of Understanding does refer to a maximum of 59 lots.

C. Lester - Yes, a maximum of 59 lots, there could be less.

W. Carrilho - The intentions could be met if one lot is removed.

J. Sexter - If it can be met with 6 lots then why not with 7.

M. Bocking - Option 2 and 3 are very similar the only question is whether items are in the public or private domain.

C. Lester - If Option 3 is used then lot 7 and 4 are poorly designed as people would be trekking through your lot.

J. Sexter - The land does not have to be park per se but could be in the public domain.

Marcie McLean - How many acres involved in Pike Hill.

M. Bocking - About 5 acres.

M. McLean - In Option 3 where is the dividing line between lots 1 and 2.

M. Bocking - It isn't shown but would be in the same location as in Option 2.

Job Kuijt - Who will own Pike Hill and who will be responsible for restoration of the disturbed area.

M. Bocking - It is proposed that this area be turned over to the municipality.

J. Dlugos - Option 3 allows for a connection between Twinflower park and Pike Hill, the roughed in driveway needs to be fixed.

M. Bocking - The gross area is 40 acres so 8 lots would be the maximum, they are only suggesting 7 sites. There may be a higher or lower concentration on the rest of the lots.

J. Dlugos - Water supply is of concern as well.

M. Bocking - Yes this is a concern. Western Forest Products had to adjust their lot layout and size to accommodate wells.

J. Kuijt - If the APC agrees in principle, what specific recommendations are being requested.

M. Bocking - They would like: maximum of 59 lots, flexible lot size and certain areas to be public lands rather than part of the private lots. They didn't want to deal with the whole property yet.

Evelyn Samuels - There is a tremendous amount of work involved so the question is whether this level of work should be done for the rest of the property.

W. Verwoord - He has considered the Options and prefers Option 3 as there was some time and effort spent on the process and it's the best way to develop the land.

A. Pellett - Is the main focus to get 59 lots at any cost or will they back up from this number.

M. Bocking - If their proposal is not accepted then Option 2 is the one they would pursue. They want to proceed to a reasonable solution. They don't know what the total lot yield will be or what the minimum parcel size should be.

R. Glover - He has been looking at the process, and while there seems to have been a municipal commitment to see that the Province gets a reasonable return there is also some tension as discussions take place over the residents desire for fewer lots and the Province's desire for more lots to recover costs.

W. Verwoord - The Province has never done this before, purchasing land for park and development is a new process. The Province could consider Option 3.

M. McLean - What is the minimum lot size in Option 3.

M. Bocking - There are 2 lots that are less than 4 acres.

M. McLean - What was the public response.

M. Bocking - The Open House presented Options A and B, with Option B being the same as tonight's Option 3. Most respondents supported Option B.

J. Kuijt - There has been some great work done so far but he would like to get to the bottom of this and get some clarification. Up to 59 lots is what has been applied for, who decided the number of lots in this part.

M. Bocking - The land itself dictated the number of sites.

Bruce Woodbury - The 5 acre minimum size was a somewhat arbitrary number based on dividing the total development area by 59 lots. As the owner would be entitled to 59 30 acre lots over the whole property this was used as the maximum lot yield.

W Verwoord - The Province could have made the development area larger but chose not to. They are struggling with having to work by the strict numbers.

J. Sexter - The Province is budget conscious but they will accept the municipality's interpretation of the Memorandum of Understanding.

M. Bocking - Some areas have no potential for 5 acre lots while other areas are O.K. Some areas can be protected by covenant rather than public ownership.

W. Verwoord - He has always said that Pike Hill would become public but don't carry this throughout the development area.

Peter Robbins - He is full of admiration for the work done so far but a detailed study of the whole area is needed to determine what cumulative effect there may be from their proposed changes.

M. Bocking - The projections will get better and more refined as they go along.

P. Robbins - What about water supply.

M. Bocking - The ground water consultant is looking at that right now.

W. Carrilho - What % of slope was mentioned for roads.

M. Bocking - 20% for driveways and 15% for roads.

J. Kuijt - Are any of the sites in Option 3 visible from Pike Hill.

M. Bocking - The proposed house sites have been very carefully selected and the impact on viewscapes has been considered.

J. Kuijt - Lot 6 has a very long driveway could this lot share the driveway that serves Lot 5.

M. Bocking - This is an option but there is a small steep section in between the two house sites.

B. Woodbury - There can be some problems with shared driveways: may be difficult for emergency vehicles to locate the correct house, can lead to dispute if the two neighbour's don't get along.

J. Kuijt - Why is the path between Lot 2 and 3 so straight.

M. Bocking - It follows a creek and the creek runs in a straight line in that area.

M. McLean - Could Lot 5 house site be separated more from Lot 3.

M. Bocking - The selected sites on these lots are not visible from each other.

K. Sutton - There is a hydro access road, heavy trees and a shelf that are all located between the two lots and one site can not be seen from the other. The slope along the access road to the power line is 28%.

Discussion continued on various issues including trail locations and impact on adjacent properties as well as some discussion on the desirability of having areas in public ownership vs. private ownership in order to protect special areas.

9:35 p.m. Chairperson Carol Lester thanked those attending for their presentation and information and advised that the Advisory Planning Commission would now consider the information at an In-Camera Meeting and forward any recommendation to Council.

Amenity for Density Zoning

Councillor Vogel asked the members of the APC to give some thought to the extent of flexibility that may be available under the Municipal Act when considering an exchange of increased density for an "amenity". He suggested the APC consider what things other than land maybe be desirable as a public amenity in the Highlands.

Western Forest Products - East
Rezoning Application

MOTION 34-94

MOVED BY W. CARRILHO

SECONDED BY A. PELLETT

THAT, a representative from Western Forest Products be invited to a joint Advisory Committee Meeting to be scheduled for Wednesday December 7, 1994 at the West Highlands Firehall to make a presentation on their rezoning proposal for Sections 34,21 and 11 (WFP East).

CARRIED

MOTION 35-94

MOVED BY J. KUIJT

SECONDED BY A. PELLETT

THAT, the Meeting continue past 11:00 p.m.

CARRIED

The Advisory Planning Commission held an In-Camera discussion to consider the information presented by M. Bocking and the Province relating to their rezoning application.

MOTION 36-94

MOVED BY J. KUIJT

SECONDED BY W. CARRILHO

THAT, it be recommended to Council that if after further study of the entire area by the applicant it seems to be in the best interest of both parties, some minor flexibility in lot size may be considered, however no increase should be allowed in the maximum number of lots.

CARRIED

MOTION 37-94

MOVED BY A. PELLETT

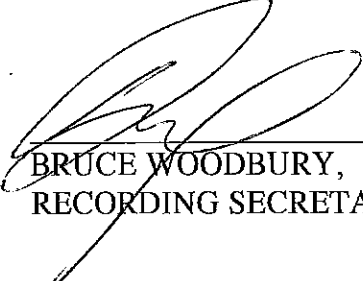
SECONDED BY M. MCLEAN

THAT, the Meeting be adjourned.

CARRIED 11:15 p.m.



CAROL LESTER, CHAIRPERSON



BRUCE WOODBURY,
RECORDING SECRETARY