

- b. How would potential secondary suites/residences affect the assessment's findings
4. Request staff to meet with the applicant to apply the draft Sustainability Appraisal Form to the application.

Items 1 and 4 were remaining, and are now the subjects of this report.

As well, at their May 16, 2011 Meeting, Council resolved:

THAT Council direct staff to engage in discussions with the applicant of rezoning application RZ-01-11 regarding the possibility of incorporating into the application the Fiscal and Environmental Select Committee's recommendations from their May 4, 2011 meeting.

Even though the minutes are still in draft form, to assist with bylaw drafting, staff discussed FESC's recommendations with the applicant. The applicant is amenable to including in his proposal maximum building/structure sizes and the use of cisterns. The applicant is not amenable to using residential use zones and conservation covenants, whether held by two or three parties on the property title.

Maximum building/structure size can be controlled via zoning, whereas staff needs additional time to advise on the best way to require use of cisterns in this development. Certainly one method is through a building scheme by a restrictive covenant on title. This may be the most efficient method because the applicant is considering applying the "Built Green" building system to his proposal. While cisterns are not an element of the Built Green checklist, rain barrels are. Use of cisterns could be a criterion in addition to the Built Green checklist, or Council may be satisfied with the overall gain in sustainability by using the Built Green checklist and prefer to not require the use of cisterns. There may be greater value in applying a requirement such as cisterns across the entire municipality.

Consideration was given to including a maximum lot coverage amount. However, this may be self-regulating due to topography and water constraints. Instead, consistent with FESC's recommendation, staff recommends applying a maximum *total* floor area for all buildings/structures. This is discussed in the Bylaws section.

SUSTAINABILITY APPRAISAL FORM

Please find attached the results of the applicant's and planning staff's joint appraisal of the application against the Sustainability Appraisal Form as presented at Council in November 2010 based on the findings from the Sustainability Task Force. This form uses the "Five Capitals" sustainable development model. The following is a brief explanation of the concept (*source: <http://www.5capitals.com/background.htm>*).

The Five Capitals model of Sustainable Development was developed by Forum for the Future in the 1990's. It provides a way of looking at the various component parts of the development equation in such a way that decision makers, businessmen and developers can form balanced, 'capital enhancing' plans. The model describes the five capitals thus:

Natural capital: The natural resources (energy, environment and matter) and processes needed by organizations to produce their products and deliver their services.

Social capital: Any value added to the activities and economic outputs of an organization by human relationships, partnerships and co-operation.

Human capital: Incorporates the health, knowledge, skills, intellectual outputs, motivation and capacity for relationships of the individual.

Manufactured capital: Refers to material goods and infrastructure owned, leased or controlled by an organization such as tools, technology, machines, buildings and all forms of infrastructure.

Financial capital: Reflects the productive power and value of the other four types of capital and includes those assets of an organization that exist in a form of currency that can be owned or traded.

The Five Capitals approach provides a basis for understanding sustainable development in terms of the economic concept of wealth creation or 'capital'. All organizations utilize these five types of capital to deliver their products or services. A sustainable organization will maintain and, where possible, enhance these stocks of capital assets, including the natural resources and the environment, rather than contribute to their depletion or degradation.

The form is broken out into sections of each capital stock: natural, social, etc., with points added or subtracted from each stock based on the proposal's response to the individual elements within a capital stock area. A net score of 0 for any particular capital stock means that there is no change in that capital stock as a result of a project. A positive score would mean an increase in any given capital stock, while a negative score would indicate that a proposal draws upon that particular capital of the District. The end of form shows the tabulations or total changes in the capital stocks.

The analysis done by staff with the applicant resulted in the ratings shown in the table below, with highlights of where the proposal scored significantly. Of note is that the form is subjective, and certainly there was value in having the applicant and staff rate the project together. Only a maximum point allocation of +3 or -3 was used. The land donation for a community hall played a major role in the evaluation.

Sustainability Appraisal Form Summary

Capital	Rating	Summary/Highlights
Natural	5	<ul style="list-style-type: none"> • Relatively small development • Intent is to use resources on site (minimal soil transfer) reducing truck traffic to minimum • Any development will create disturbance to natural capital and create greenhouse gas emissions • Development permit areas and required professional reports (especially RAR) mitigate undesirable results
Human	12	<ul style="list-style-type: none"> • Will adhere to all health and safety requirements • May use Built Green building system • Land donated for community centre will allow for an emergency centre • Location of community centre was a result of volunteer efforts (Community Centre Task Force)
Social	10	<ul style="list-style-type: none"> • Lots of trail connections – happens to be in a location desirable for regional and local connections • Community Centre land will create meeting place • Donation of heritage barn
Manufactured	14	<ul style="list-style-type: none"> • Land donation for municipal asset • Efficient building practices through Built Green for residential; expectation that community centre would have at least that (this proposal provides that opportunity) • Costs to municipality for maintenance of community centre • Some additional road is added and will require maintenance if not strata • Zoning will allow agriculture (hobby farms, gardens) and community centre is expected to have community garden
Financial	7	<ul style="list-style-type: none"> • Increase in property taxes for residential portion; potential loss of potential property taxes on municipal land • Land donation • Avoiding debt through land donation

Based on this evaluation, the proposal results in a net gain in all capital stocks of the District, providing appropriate mitigations are taken and items as described in the Guidance and Notes columns are included in the project.

BYLAWS

Please find attached draft Bylaw 330, which would amend the OCP, and draft Bylaw 331, which would amend the Zoning Bylaw. Both bylaws have had a legal review.

Zoning Bylaw Amendment – Bylaw 331

- Creates a new zone, Amenity 1 (Am1) Zone:
 - Based on the Rural 3 (R3) Zone for consistency with neighbouring lots (uses, setbacks, maximum size of accessory buildings)
 - Amenity zone, as noted by the base density and conditions for an increase in density

- Maximum size of dwelling unit (including garage) would be 420m² (4,521 square feet). This matches that in the RR4 (Highlands Estates) and RR2A (Woodridge rezoning from 2005) zones. Staff have found that few variances, if any to date, have been requested in response to this house size.
- Establishing a *total combined* maximum floor area for all buildings or structures at 1,000m² (10,764 square feet). The total floor area for all accessory buildings and structures would be 525m², which is consistent with the surrounding R3 properties. This new zone would have a maximum floor area of a dwelling unit (residential is a principle use) at 420m². Thus, 420 (total house) + 525 (total accessory) = 945 + 55 (to bring figure to a round number and flexibility for total agriculture building/structure size) = 1,000. This regulation would indirectly control lot coverage as well as size of buildings or structures used for agriculture. Because the smallest proposed lot size is 1.2 hectares, the smallest potential lot coverage would still be quite small (1,000m² over 12,000m²). While staff does not anticipate it being problematic, there is the potential to have one single agriculture building sized at 1,000m². However, it is extremely unlikely that this will happen in this location due to topography.
- Changes the zoning of the subject properties from Rural 3 (R3) and Greenbelt 2 (GB2) to this new zone, Amenity 1 (Am1).

OCP Amendment

- Creates a new land use category, Amenity Areas, and a new land use designation, Amenity 1 – Community Centre/Hall. This action is consistent with legally suggested best practices for applying section 904 (Zoning for amenities and affordable housing) of the *Local Government Act*.
- Changes the OCP land use designation of the subject properties from Rural to this new designation, Amenity 1 – Community Centre/Hall.

CONSULTATION SUMMARY

Staff notes the following OCP references to a community centre:

- From the Long term Vision Statement: ...*We will provide for an adequate tax base, including light industrial, related commercial and nature-related recreational uses in some areas of the Highlands, in order to support basic, affordable municipal services and facilities. We will encourage alternative transportation choices, housing choices, and a community hall.*
- Appendix A – Public Amenities a.1(6)
- The District and Highlands residents will explore ways and means to build a modest, multi-purpose community hall. In particular, a meeting place for youth is required. A community hall could also provide modest recreational facilities such as a playfield, basketball court, etc., and appropriate commercial uses that would support “building community”. 7.3 (1)
- To support the building of a community hall in an appropriate location. 2.8 (4)
- The District, in cooperation with local school districts, may consider assembling land in order to centralize a community hall, playfields, and school. 7.3 (2)
- At the time a community hall is being designed, consideration should be given to providing space for musical and dramatic productions. 7.5 (1)
- Child day care centres and/or adult day programs are acceptable uses in residential areas. A seniors' program could also be provided as part of a small-scale cluster

housing project or at a community hall. Any proposal needs to consider transportation issues (transit, volunteer driver services, etc.). 2.2 (22)

While it is evident that having a community centre is consistent with the OCP, the proposed location necessitates an amendment. The consultation to date has included:

- Community Centre Task Force Open House, October 23 and 24, 2010
- Advisory Planning Commission Meeting, March 16, 2011
- Community Infrastructure and Services Select Committee Meetings, March 8 and May 25, 2011
- Fiscal and Environment Select Committee Meetings, March 2 and May 4, 2011
- Referral letters sent to BC Assessment Authority, BC Hydro and Power, BC Parks, BC Transit, Canada Post, CRD Parks, City of Langford, Highlands Building Department, Highlands Fire Department, Highlands Subdivision Department, RCMP West Shore, School District 62, Telus and Fortis BC.

As Council is aware, the immediate neighbours to the proposal are aware of it and have provided Council and the APC with feedback stating their opposition to it. All letters received will be included as part of the record of the public hearing, should the proposal advance to that stage.

As a matter of course and to assure broad enough opportunities, if Council does not deny the proposal, staff will also send referrals to the following:

- CRD Board
- Councils of City of Langford (this would be their second formal consultation opportunity), Town of View Royal, District of Saanich, and the CRD Juan de Fuca Electoral Areas (specifically the communities of Willis Point and Malahat)
- School Districts 61, 62 (second opportunity) and 63
- BC Ministry of Community and Rural Development, Infrastructure and Finance Division (the section that deals with the Towns for Tomorrow grant program, which Highlands received the \$400,000 grant toward a community centre/hall)
- Songhees First Nation
- Malahat First Nation
- Te'mexw Treaty Association
 - Members: Malahat First Nation, Scia'new First Nation (Beecher Bay Indian Band), Snaw-naw-AS First Nation (Nanose First Nation), Songhees First Nation, T'sou-ke First Nation
- Pauquachin First Nation
- Tsartlip Indian Band
- Tsawout First Nation
- Tseycum Indian Band

Council may wish to add to this list. Otherwise, staff recommends that Council consider passing a motion stating that Council considers the previous opportunities coupled with the broader list as stated above to be sufficient consultation pursuant to *Local Government Act* section 879.

NEXT STEPS

Should Council be satisfied the proposal, staff recommends giving the bylaws first and second readings, starting with the OCP amending bylaw. Council may also wish to schedule a public hearing for the bylaws.

Staff typically suggests allowing 4 weeks for turn-around of any referral process. This is also adequate time for notification of a public hearing. The last Council Meeting prior to the summer is only two weeks from the Council Meeting at which this report will be considered. Staff does not recommend holding a public hearing at that meeting due to notification timing constraints. There is a regularly scheduled Council Meeting for July 18, 2011. Staff is of the opinion that this would be preferred to scheduling a special meeting during the summer to hold the public hearing for this proposal. The regular Council meeting of July 18 has been publicly scheduled for many months.

RECOMMENDATIONS

THAT Council consider the previous consultation opportunities coupled with the broader consultation list, all as stated in the staff report regarding application RZ-01-11 dated June 1, 2011, to be sufficient consultation.

THAT Council give Bylaw 330 and Bylaw 331 first readings.

THAT Council give Bylaw 330 and Bylaw 331 second readings.

THAT Council schedule a Public Hearing for July 18, 2011.

OPTIONS

1. Council may wish to consider the above recommendations.
2. Council may wish to deny the application.



Respectfully submitted by Laura Beckett, MCIP

CAO Concurrence



C. D. Coates, CAO