

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **SPECIAL (OPEN) COUNCIL** Meeting  
Monday, June 27, 2005 at 7:00 p.m.  
Central Saanich Municipal Council Chamber

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**PRESENT:** Mayor Allison Habkirk  
Councillors: Graham, Haddon, King, Korol, Mason and Thompson  
Gary C. Nason, Administrator  
Trish Flanders, Municipal Clerk  
Hope V. Burns, Director of Planning & Building Services  
Lita Norman, Assistant Planner  
Ruby Shea, Recording Secretary

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**APPROVAL OF THE AGENDA:**

The Administrator, Mr. Gary C. Nason, noted the addition to the agenda of the following late items of correspondence pertaining to the Oldfield Orchards – Agricultural Land Commission (ALC) Application for Additional Dwelling Units for Farm Help (6286 Oldfield Road) issue:

- a) Peninsula Agricultural Commission, June 23, 2005 (previously distributed on June 23, 2005);
- b) Petition (24 Signatories), June 23, 2005 (previously distributed on June 23, 2005);
- c) Roger Colwill, 1224 Beach Drive, June 26, 2005;
- d) Dave and Debbie Johnson, 6754 Jedora Drive, June 26, 2005;
- e) Brent Warner, BC Ministry of Agriculture and Lands, June 27, 2005;
- f) Val Boswell, Brentwood Bay, June 27, 2005;
- g) Jean L. Haley, 5384 Sayward Hill Crescent, June 27, 2005;
- h) Peninsula Crossroads Community Justice Program, June 27, 2005;
- i) Susanna Cheung, 1816 La Fontaine Close, June 27, 2005;
- j) Barb Wittington and Family, 6587 West Saanich Road, June 27, 2005;
- k) Georgette Martin (no address), June 26, 2005;
- l) Jas E. Martin (no address), June 27, 2005;
- m) Rev. Margaret Harper, First Metropolitan United Church, 932 Balmoral Road, June 27, 2005;
- n) Sharon Pearce, 6429 Bryn Road, June 27, 2005;
- o) Vivian Varon-Scheff, 602 Battery Street, June 27, 2005;
- p) Belsonia Paul (no address), June 27, 2005;
- q) Petition (1196 Signatories) received June 27, 2005;
- r) Lois & Althea McAdam, 6357 Old West Saanich Road, June 27, 2005.

856.05      MOVED BY COUNCILLOR GRAHAM  
                  SECONDED BY COUNCILLOR MASON  
                  *That the Agenda for the Special (Open) Council Meeting held on June 27, 2005  
                  be approved as amended.*  
                  CARRIED UNANIMOUSLY

**OLDFIELD ORCHARDS – AGRICULTURAL LAND COMMISSION APPLICATION FOR  
ADDITIONAL DWELLING UNITS FOR FARM HELP (6286 OLDFIELD ROAD):**

1. Staff Memorandum dated June 7, 2005 entitled “Agricultural Land Commission Application for Six Dwelling Units (6286 Oldfield Road – Oldfield Orchards)” (previously received at the June 20<sup>th</sup>, 2005 Regular Council Meeting);
2. Correspondence from John Cochran and Elizabeth Dunn, and from Jerry Mussio (previously received at the June 20<sup>th</sup>, 2005 Regular Council Meeting);
3. Council resolutions from the June 20<sup>th</sup>, 2005 Regular Council Meeting pertaining to this issue;
4. Draft resolution for consideration by Council in the event that Council is prepared to grant temporary conditional approval for the requested additional structures for farm help, pending the Agricultural Land Commission’s final determination of the application from Oldfield Orchards which has been submitted pursuant to the Council resolutions adopted on June 20<sup>th</sup>, 2005;
5. Correspondence dated June 22, 2005 from Dr. Alastair Bryson, 1239 Mt. Newton Cross Road; and

6. Late items of correspondence:

- a) Peninsula Agricultural Commission, June 23, 2005 (previously distributed on June 23, 2005);
- b) Petition (24 Signatories), June 23, 2005 (previously distributed on June 23, 2005);
- c) Roger Colwill, 1224 Beach Drive, June 26, 2005;
- d) Dave and Debbie Johnson, 6754 Jedora Drive, June 26, 2005;
- e) Brent Warner, BC Ministry of Agriculture and Lands, June 27, 2005;
- f) Val Boswell, Brentwood Bay, June 27, 2005;
- g) Jean L. Haley, 5384 Sayward Hill Crescent, June 27, 2005;
- h) Peninsula Crossroads Community Justice Program, June 27, 2005;
- i) Susanna Cheung, 1816 La Fontaine Close, June 27, 2005;
- j) Barb Wittington and Family, 6587 West Saanich Road, June 27, 2005;
- k) Georgette Martin (no address), June 26, 2005;
- l) Jas E. Martin (no address), June 27, 2005;
- m) Rev. Margaret Harper, First Metropolitan United Church, 932 Balmoral Road, June 27, 2005 ;
- n) Sharon Pearce, 6429 Bryn Road, June 27, 2005;
- o) Vivian Varon-Scheff, 602 Battery Street, June 27, 2005;
- p) Belsonia Paul (no address), June 27, 2005;
- q) Petition (1196 Signatories) received June 27, 2005;
- r) Lois & Althea McAdam, 6357 Old West Saanich Road, June 27, 2005.

The Director of Planning & Building Services, Ms. Hope V. Burns, introduced the subject and referred to the draft resolution which, if approved, would grant temporary approval to Oldfield Orchards until the Agricultural Land Commission made a decision on the ALC application from Oldfield Orchards for additional dwelling units for farm help.

Mayor Habkirk opened the floor for comments from the various letter writers.

Dr. Alastair Bryson, 1239 Mt. Newton Cross Road, stated that the proposal from Oldfield Orchards for additional dwelling units for farm help would provide a positive social issue beyond the production of food, and could potentially benefit the entire community by helping "at-risk" youth and providing much-needed manpower and skilled labour to the local farming community. Dr. Bryson suggested that the District consider establishing appropriate guidelines which could be used to determine the need for additional dwellings for farm help, and offered his assistance to the District to find a way to make this proposal viable for everyone.

Mr. Jerry Mussio, 6202 Bryn Road, advised Council that his family owns twelve acres of farmland in the District and is committed to sustainable farming on the Peninsula. Mr. Mussio commended the Oldfield Orchards' proposal to hire "at risk" youth and address the shortage of skilled farm labourers and sustain farming in the area. He noted, however, that Oldfield Orchards already has five dwellings on the property, and suggested that other alternatives for housing seasonal employees be explored (i.e. providing bunk beds in existing dwellings or grouping the temporary units closer to the existing structures). Mr. Mussio acknowledged that there have been neighbourhood conflicts in the past with respect to the various activities that have taken place on the Oldfield Orchards property, and suggested that the District consider facilitating some method of mediation or dispute resolution between the owners of Oldfield Orchards and the neighbouring residents.

Mr. Don Edwards, 1900 Nicholas Road, advised that he has farmed in this community for nineteen years and that he supports the concept as proposed by the owners of Oldfield Orchards; however, he expressed concern with the proposed location of the additional dwelling units as it may alienate productive farm land, and suggested that these units be situated closer to the existing buildings on the property.

Ms. Althea McAdam, 6357 Old West Saanich Road, advised that her parents have been farming their property in Central Saanich for over thirty years. She expressed concern with the proposed location of the additional dwelling units and their proximity to an existing watercourse on the property. She advised that a natural pond and spring, which are located at this particular corner of the site, have been covered with fill and a septic field has been approved and installed. Ms. McAdam stated that in her opinion the proposal violates the intent of Bylaw No. 1187, and questioned how approval was granted to the property owners to build on top of an existing watercourse. In closing,

Ms. McAdam expressed support for a mediation or dispute resolution process between the owners of Oldfield Orchards and the neighbourhood.

Ms. Sharon Pearce, 6429 Bryn Road, advised that she supports the comments from the previous speakers, and advised of her preference that the ALC Policy be adhered to by the property owners.

Mr. Richard McDonald, 6455 Bryn Road, advised that he supports the concept as presented by the property owners, but questioned if the activities on the Oldfield Orchards property will be monitored by the District. Mr. McDonald expressed concern that the temporary structures are proposed to be installed directly above an existing watercourse, and advised that he would like to see the temporary units grouped closer to the existing buildings on the site.

It was noted that the following letter writers were not in attendance at the meeting to address their correspondence:

- Roger Colwill, 1224 Beach Drive
- Dave and Debbie Johnson, 6754 Jedora Drive
- Val Boswell of Brentwood Bay
- Jean Haley, 5384 Sayward Hill Crescent
- Elizabeth Cox, Peninsula Crossroads Community Justice Program
- Susanne Cheung, 1816 La Fontaine Close
- Barb Whittington, 6587 West Saanich Road
- Georgette Martin (no address)
- Jas E. Martin (no address)
- Rev. Margaret Harper, First Metropolitan United Church
- Vivian Varon-Scheff, 602 Battery Street
- Belsonia Paul (no address), and
- Petitioners (1196 signatories).

Mr. Brent Warner, representing the BC Ministry of Agriculture and Lands, advised that he had no further comments to offer at this time.

A lengthy discussion ensued.

857.05            MOVED BY COUNCILLOR GRAHAM  
                      SECONDED BY COUNCILLOR HADDON  
*That pending the Agricultural Land Commission's (ALC's) final determination of the application from Oldfield Orchards for additional dwellings for farm help which has been submitted pursuant to Council Resolution Nos. 832.05 and 834.05 which were adopted on June 20th, 2005, Council grant temporary approval for Oldfield Orchards to place up to a maximum of six temporary dwelling structures (including the one camper unit which has already been located in the specified location) on the property located at 6286 Oldfield Road, subject to the following conditions:*

- a) *The dwellings be of a non-permanent temporary nature comprised of either tent trailers, campers or trailers and be used exclusively for the temporary accommodation of employees employed by Oldfield Orchards for seasonal farm help.*

CARRIED UNANIMOUSLY

858.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR GRAHAM  
*That as a further condition of granting the afore-noted temporary approval, the dwellings be placed only in the locations specified on the map which is included in Appendix "A" of the Memorandum dated June 7<sup>th</sup>, 2005 from the Director of Planning and Building Services entitled "Agricultural Land Commission Application for Six Dwelling Units, Lot B, Section 17, Range 2 East, South Saanich District, Plan VIP64758 (6286 Oldfield Road – Oldfield Orchards)".*

CARRIED

OPPOSED: MAYOR HABKIRK, COUNCILLORS HADDON AND KING

859.05            MOVED BY COUNCILLOR MASON

SECONDED BY COUNCILLOR HADDON

*That as a further condition of granting the afore-noted temporary approval, the temporary approval be for a term expiring on October 31<sup>st</sup>, 2005, unless otherwise extended by Council after a further review of the matter in September 2005 following receipt of the decision and/or comments of the ALC on the application which has been submitted pursuant to Council Resolution Nos. 832.05 and 834.05; and should no extension be granted then the temporary dwelling structures be removed by November 1<sup>st</sup>, 2005 and the site restored to the satisfaction of the Chief Building Inspector.*

CARRIED UNANIMOUSLY

860.05 MOVED BY COUNCILLOR HADDON

SECONDED BY COUNCILLOR THOMPSON

*That as a further condition of granting the afore-noted temporary approval, all necessary building, plumbing and installation permits as may be required pursuant to the District's Bylaws be obtained and the work carried out to the satisfaction of the Chief Building Inspector.*

CARRIED UNANIMOUSLY

861.05 MOVED BY COUNCILLOR GRAHAM

SECONDED BY COUNCILLOR KOROL

*That as a further condition of granting the afore-noted temporary approval, the agreement of Oldfield Orchards to comply with the foregoing conditions be secured through an appropriate legal mechanism to the satisfaction of the Municipal Solicitor.*

CARRIED UNANIMOUSLY

862.05 MOVED BY COUNCILLOR HADDON

SECONDED BY COUNCILLOR KING

*That in its further communication with the Agricultural Land Commission in regards to this particular application, Council request the assistance of the Commission in facilitating an appropriate mediation or dispute resolution process involving the owners of Oldfield Orchards and the neighbouring farms and residences, as generally requested in the correspondence dated June 23, 2005 from the 24 signatories expressing concerns in regards to the application.*

CARRIED UNANIMOUSLY

863.05 MOVED BY COUNCILLOR KING

SECONDED BY COUNCILLOR HADDON

*That consideration of the adoption by the District of detailed guidelines as a basis for determining the legitimacy of requests for additional dwellings for farm help be referred to a future Committee Meeting for further discussion.*

CARRIED UNANIMOUSLY

864.05 MOVED BY COUNCILLOR HADDON

SECONDED BY COUNCILLOR MASON

*That Staff be requested to seek from the Vancouver Island Health Authority (VIHA) an explanation or further information as to the basis upon which approval was granted of the application from Oldfield Orchards for the installation of a septic field to accommodate the six proposed temporary dwelling structures in the specified location.*

CARRIED UNANIMOUSLY

865.05 MOVED BY COUNCILLOR GRAHAM

SECONDED BY COUNCILLOR HADDON

*That all of the Council motions adopted this evening with respect to this particular application, including copies of all correspondence received at the meeting, be forwarded to the Agricultural Land Commission for its review in conjunction with its forthcoming consideration of the application, and the Commission be further advised of the District's general recommendation that, to the fullest extent possible, temporary dwelling structures for farm help be clustered and located as close as possible to existing farm buildings and structures.*

CARRIED UNANIMOUSLY

866.05            MOVED BY COUNCILLOR THOMPSON  
                      SECONDED BY COUNCILLOR HADDON  
*That the issue of appropriate accommodation facilities for required additional farm help be referred to the Peninsula Agricultural Commission for discussion and recommendation.*  
                      CARRIED UNANIMOUSLY

**BYLAWS:**

1. **“Central Saanich Land Use Bylaw Amendment Bylaw No. 1527, 2005” [To Implement the Riparian Areas Regulation]**

867.05            MOVED BY COUNCILLOR HADDON  
                      SECONDED BY COUNCILLOR GRAHAM  
*That Bylaw No. 1527, cited as “Central Saanich Land Use Bylaw Amendment Bylaw No. 1527, 2005”, be given third reading.*  
                      CARRIED UNANIMOUSLY

**ADJOURNMENT:**

*On motion, the Special (Open) Council Meeting held on June 27, 2005 adjourned at 8:03 pm.*

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Allison Habkirk  
Mayor

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Trish Flanders  
Municipal Clerk

Recorded by: Trish Flanders  
Municipal Clerk