

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **PLANNING AND DEVELOPMENT COMMITTEE** Meeting
Monday, October 24, 2005 at 7:03 pm
Central Saanich Municipal Council Chamber

PRESENT: Councillor Robert Thompson, Chair
Mayor Allison Habkirk
Councillors: Graham, Haddon, King, Korol and Mason
Gary C. Nason, Administrator
Trish Flanders, Municipal Clerk
Hope V. Burns, Director of Planning & Building Services
Nirmal Bhattacharya, Municipal Engineer

APPROVAL OF THE AGENDA:

The Chair suggested that the order of this evening's agenda be amended by forwarding the Staff Memorandum entitled "Additional Dwellings on ALR Property" as the first item for discussion.

1283.05 MOVED BY COUNCILLOR MASON
NO SECONDER
That the Agenda for the Planning & Development Committee Meeting held on October 24, 2005 be approved as amended.
CARRIED UNANIMOUSLY

1. Additional Dwellings on ALR Property

- a) Staff Memorandum dated October 17, 2005 from Hope V. Burns, Director of Planning and Building Services Re: Additional Dwellings on ALR Property

The Director of Planning & Building Services gave a comprehensive overview of the Staff Memorandum in regards to additional dwellings on ALR property, and suggested that the Memorandum be referred to the Advisory Planning Commission and to the Peninsula Agricultural Commission for comment.

Dr. Alastair Bryson, 1239 Mt. Newton Cross Road, stated that in his opinion this particular issue impacts the viability of many agricultural properties in the District, including factors such as the size and type of the farming operation, the availability of farm workers to harvest the crops, and the practicality of providing housing for permanent and seasonal farm workers. Dr. Bryson suggested that the benefit of additional dwellings on ALR properties only be provided when such properties have been identified as bonafide farming operations and contribute to the good of the farming community.

A lengthy question and answer session took place.

1284.05 MOVED BY COUNCILLOR GRAHAM
NO SECONDER
That It Be Recommended To Council:

That the Staff Memorandum dated October 17, 2005 entitled "Additional Dwellings on ALR Property" be received, and copies of the Memorandum be forwarded to both the Advisory Planning Commission and to the Peninsula Agricultural Commission for comment and recommendation.

CARRIED UNANIMOUSLY

The Planning & Development Committee Meeting held on October 24, 2005 temporarily adjourned at 7:20 pm and reconvened at 7:58 pm.

PRESENT: Councillor Robert Thompson, Chair
Mayor Allison Habkirk
Councillors: Graham, Haddon, King, Korol and Mason
Gary C. Nason, Administrator
Trish Flanders, Municipal Clerk
Hope V. Burns, Director of Planning & Building Services
Nirmal Bhattacharya, Municipal Engineer

Due to a potential conflict of interest on the following item, Councillor Thompson took his leave from the meeting at 7:59 pm. Councillor Thompson stated that he is the Executive Co-ordinator of the BC Agri-Tourism Alliance and that the Alliance provided funding support for the Agri-Tourism Task Force Report.

2. Agri-Tourism Accommodation and Activities Policies

- a) Staff Memorandum dated October 19, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Agri-Tourism Accommodation and Activities Policies.

The Director of Planning & Building Services, Ms. Hope V. Burns, gave a comprehensive overview of the Staff Memorandum pertaining to Agri-tourism Accommodation and Activities Policies, and responded to several questions from members of the Committee. Ms. Burns confirmed that in regards to Bed and Breakfast operations, the maximum number of guests allowed is actually 2 guests per bedroom (not 3 as previously indicated) as this maximum is set by the Building Code for occupant load of a bedroom, and further confirmed that the draft Bylaw has been amended to reflect this revision.

A question and answer session took place in regards to Temporary Use Permits and Farm-Based Camping.

Ms. Burns requested that Council provide direction in regards to the following points:

- a) Does Council concur with the new land use regulations proceeding to bylaw readings for "bed and breakfast" operations?
- b) Is the Temporary Use Permit (TUP) area designations the appropriate method to regulate farm camping, farm stay and farm based activities over the standard established in Schedule "A" attached to the bylaw?
- c) If TUP areas are to be designated, should it be on all lands zoned A-1 and A-2, in the ALR, greater than .8 ha (2 acres) in size or on identifiable areas?
- d) Does Council concur with delegating issuance of Temporary Use Permits to Staff for farm camping uses?
- e) If so, what parameters should staff consider for issuance of the Temporary Use Permits for farm camping uses?
- f) Whether additional work is to be completed on establishing business regulations or adding parking requirements in the Land Use Bylaw for Bed and Breakfasts, Farm Camping, Farm Stays and Agri-tourism activities.

In discussion around the table, Council requested that two separate Bylaws be prepared, with one dealing with Agri-tourism Accommodation and the other dealing with Agri-tourism Activities. Members of Council suggested that the individual points as noted above be considered seriatim.

- a) Does Council concur with the new land use regulations proceeding to bylaw readings for "bed and breakfast" operations?**

Dr. Alastair Bryson, 1239 Mt. Newton Cross Road, advised that in his opinion the land use regulation approach is practical.

1285.05 MOVED BY MAYOR HABKIRK
NO SECONDER
That It Be Recommended To Council:

That the Staff Memorandum dated October 19, 2005 entitled "Agri-Tourism Accommodation and Activities Policies" be received, and Council concur with the proposed land use regulations for Agri-tourism Bed and Breakfast Accommodations (i.e. accommodations to be contained within the principal dwelling and/or separate accessory buildings up to a maximum of three guest bedrooms and a maximum of 6 guests) proceeding to the Bylaw preparation stage and consideration of the necessary readings.

CARRIED UNANIMOUSLY

- b) Is the Temporary Use Permit (TUP) area designations the appropriate method to regulate farm camping, farm stay and farm based activities over the standard established in Schedule "A" attached to the bylaw?**

During a brief discussion around the table in regards to the length of time required to process a Temporary Use Permit (TUP) application, Ms. Burns confirmed that once an area is designated, a TUP application may take up to two months to process.

Ms. Joan Fleming, 8231 East Saanich Road, expressed concern with the proposed time frame to process a TUP, and stated that in her opinion two months is inappropriate and unacceptable. She expressed further concern with the possible implementation of a permit process which has not been endorsed by the Agri-Tourism Task Force, and questioned Council's intent with this proposal.

Ms. Debbie Scott, Oldfield Orchards, stated that in her opinion a \$500 – up Permit fee would be excessive.

Dr. Alastair Bryson asked for clarification on the Temporary Use Permit application process and how it applies to farm camping activities, and commented on the challenges of developing criteria that would determine bonafide farming operations.

1286.05 MOVED BY COUNCILLOR GRAHAM
NO SECONDER
That It Be Recommended To Council:

That Council concur in principle with Temporary Use Permit area designations being the appropriate method to regulate farm camping, farm stay, and certain specified farm based agri-tourism activities which are over the various established thresholds set out in the text of the draft Land Use Bylaw Amendment Bylaw which is attached as Appendix "B" to the Memorandum.

BEFORE THE QUESTION WAS CALLED, a discussion ensued in regards to the proposed \$500 Temporary Use Permit fee. Staff confirmed that the proposed fees would recover the costs related to statutory notifications, advertising and signage, and also indicated that Council has the authority to set a variable fee structure depending on the type of use or activity.

THE QUESTION WAS THEN CALLED ON THE MOTION
THE MOTION CARRIED UNANIMOUSLY

- c) If TUP areas are to be designated, should it be on all lands zoned A-1 and A-2 in the ALR greater than .8 ha (2 acres) in size, or on identifiable areas?**

1287.05 MOVED BY COUNCILLOR GRAHAM
NO SECONDER
That It Be Recommended To Council:

That Council concur in principle with the proposed Temporary Use Permit area designation to be applied to all lands zoned A-1 and A-2 in the Agricultural Land Reserve which are greater than .8 ha (2 acres).

CARRIED UNANIMOUSLY

- d) Does Council concur with delegating issuance of Temporary Use Permits to Staff for farm camping uses?**

1288.05 MOVED BY COUNCILLOR GRAHAM
NO SECONDER
That It Be Recommended To Council:

That Council concur in principle with the proposed delegation to Municipal Staff of the approval and issuance of Temporary Use Permits for farm camping uses, with an appeal provision to the Municipal Council.

CARRIED UNANIMOUSLY

e) If so, what parameters should staff consider for issuance of the Temporary Use Permits for farm camping uses?

It was the general consensus of the Committee that this issue should be discussed at a future meeting.

Councillor Haddon took her leave from the meeting at 8:52 pm.

f) Whether additional work is to be completed on establishing business regulations or adding parking requirements in the Land Use Bylaw for Bed and Breakfasts, Farm Camping, Farm Stays and Agri-tourism activities.

Mr. Derek Scott, Oldfield Orchards, asked that Council use discretion and common sense if and when parking requirements and/or business regulations on agricultural property are to be considered.

Dr. Alastair Bryson stated that agri-tourism activities such as Bed and Breakfasts, farm camping and farm stays may not require additional parking requirements.

Ms. Joan Fleming questioned if a rezoning application would be required in order to allow camping on her farm. Staff advised that should the Municipality designate her property as a Temporary Use Permit Area, an application for a Temporary Use Permit to allow farm camping would be required and the appropriate application fee would apply.

Ms. Debbie Scott stated that if she applied for a Temporary Use Permit, she was certain that some of her neighbours would object to the application.

In discussion around the table regarding the previous prioritization list of major supplementary projects within the Planning Department, members of the Committee reaffirmed its position to give the Agri-tourism Accommodation and Activities Policies project a high priority for completion following the finalization of the Secondary Suite Review Process.

1289.05 MOVED BY COUNCILLOR GRAHAM
NO SECONDER
That It Be Recommended To Council:

That Council reaffirm its previous prioritization of the "Agri-tourism Accommodation and Activities Policies" project, with it to be recommended to the new Council that this particular project continue to receive a high priority for completion and proceed as expeditiously as possible following the finalization of the Secondary Suite Review Process.

CARRIED
OPPOSED: COUNCILLOR MASON

In conclusion, Council acknowledged the possible need to undertake further work on the development of parking requirements for certain types of agri-tourism operations.

ADJOURNMENT:

On motion, the Planning & Development Committee Meeting held on October 24, 2005 adjourned at 9:13 pm.

Recorded By: Trish Flanders
Municipal Clerk