

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **PLANNING AND DEVELOPMENT COMMITTEE** Meeting
Monday, December 13, 2004 at 8:41 p.m.
Central Saanich Municipal Council Chamber

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

APPROVAL OF THE AGENDA:

The Administrator, Mr. Gary C. Nason, noted the addition to the agenda of the following late items:

- Correspondence dated December 10, 2004 from West Coast Air Re: Butchart Gardens Rezoning Application, to be included as Item 1(b);
- Correspondence dated December 8, 2004 from Harbour Air Seaplanes Re: Butchart Gardens Rezoning Application, to be included as Item 1(c);
- Correspondence dated December 10, 2004 from Sam and Betty Pang Re: Agricultural Land Commission Application for Construction of a Road Extension, Meadowbank Road, to be included as Item 3(b);

87.05 MOVED BY MAYOR HABKIRK
 NO SECONDER

That the Agenda for the Planning & Development Committee Meeting held on December 13, 2004 be approved as amended.

CARRIED UNANIMOUSLY

1. Proposed Rezoning Application for Dock Expansion Adjacent to Butchart Gardens

- a) Staff Memorandum dated December 1, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Proposed Rezoning Application for Dock Expansion Adjacent to Butchart Gardens;
- b) Correspondence dated December 10, 2004 from West Coast Air Re: Butchart Gardens Rezoning Application; and
- c) Correspondence dated December 8, 2004 from Harbour Air Seaplanes Re: Butchart Gardens Rezoning Application.

The Director of Planning & Building Services, Ms. Hope V. Burns, gave a comprehensive overview of the Staff Memorandum in regards to the proposed Rezoning Application for a Dock Expansion Adjacent to The Butchart Gardens, and responded to several questions from members of Council.

Ms. Laurel Akam, Assistant General Manager – The Butchart Gardens, advised the Committee that she concurs with the contents of the Staff Memorandum.

Mr. Arild Solbakken, General Manager – The Butchart Gardens, advised that float plane activity has decreased dramatically since 9/11, and that the purpose of the rezoning application is to address an existing situation, not to market float plane activity or their own business operations in Brentwood Bay.

Mayor Habkirk advised that float planes are often “stacked up” and waiting to access the dock at Butchart Gardens, and that an expansion to the dock facility would alleviate this from occurring.

88.05 MOVED BY MAYOR HABKIRK
 NO SECONDER

That It Be Recommended To Council:

That the Staff Memorandum dated December 1, 2004 entitled “Proposed Rezoning Application for Dock Expansion Adjacent to Butchart Gardens” be received, and in connection with the application for a proposed dock extension within the water lot lease connected to The Butchart Gardens property:

1. *Staff be authorized to prepare an appropriate Zoning Bylaw Amendment to rezone the leasehold area to include the existing dock and proposed dock extension to a new Water (W2-B) Zone to include the following uses:*
 - *Commercial moorage;*
 - *Loading and unloading facilities;*
 - *Ferry and water taxi wharves;*
 - *Docks and floats;*
 - *Fish guide service;*
 - *Floats, wharves, piers and walkways;*
 - *Public utility structures; and*
 - *Transient moorage; and*
2. *The Bylaw be forwarded to a future Regular Council Meeting for consideration of the necessary readings and referral to a Public Hearing.*

CARRIED
OPPOSED: COUNCILLOR KING

Mr. Fred Peet, 1210 Marin Park Drive, expressed concern that the float plane companies are marketing their business activities at the District's expense.

Mr. Gerry Forsythe, 1511 Hovey Road, commented on the overhead flight paths, excessive noise and disturbance that the residents of the Saanichton and Brentwood Bay areas must tolerate from float plane activities.

Dr. David A. Boag, 6746 Amwell Drive, briefly commented on the petition that was submitted to the District's MP, Mr. Gary Lunn, with respect to overhead flight paths and the impacts that float plane activities have on local residents.

2. Agricultural Land Commission Application for Third Dwelling, 6922 Veyaness Road

- a) Staff Memorandum dated November 30, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Agricultural Land Commission Application for Third Dwelling, 6922 Veyaness Road.

The Director of Planning & Building Services addressed the contents of the Staff Memorandum with respect to the Agricultural Land Commission Application for a Third Dwelling on property located at 6922 Veyaness Road, and responded to questions from members of Council.

Mr. John Wagensveld, Applicant, advised that he and his brothers are jointly farming their property located at 6922 Veyaness Road, and that the additional dwelling is to accommodate family members on the property.

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

That the Staff Memorandum dated November 30, 2004 entitled "Agricultural Land Commission Application for Third Dwelling, 6922 Veyaness Road" be received, and the application from William Wagensveld, Henk Wagensveld, Ritchie Wagensveld and John Wagensveld (owners) for a third dwelling to be located on Part of Lot 2, Section 12, Range 3 East, South Saanich District, Plan 2126 (6922 Veyaness Road) be forwarded to the Agricultural Land Commission for a decision with the comment that Council relies on the Commission's expertise to determine the necessity of additional dwellings for farm help; however, Council indicate that in general terms there are concerns with recent requests for additional dwellings for farm help when there is already additional accommodation on the property and detailed supporting information on the necessity for farm help has not been provided.

CARRIED UNANIMOUSLY

3. Agricultural Land Commission Application for Construction of a Road Extension, Meadowbank Road

- a) Staff Memorandum dated November 30, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Agricultural Land Commission Application for Construction of a Road Extension, Meadowbank Road; and
- b) Correspondence dated December 10, 2004 from Sam and Betty Pang Re: Agricultural Land Commission Application for Construction of a Road Extension.

The Director of Planning & Building Services gave a comprehensive overview of the Staff Memorandum in regards to the Agricultural Land Commission Application for Construction of a Road Extension on Meadowbank Road.

Ms. Brenda Ferguson advised that she would address this matter on behalf of the property owners, Mr. and Mrs. Sam and Betty Pang, and proceeded to give a lengthy overview of their correspondence dated December 10th, 2004 in regards to their request that the undeveloped road allowance of Meadowbank Road be improved to provide vehicular access to their property (Lot 16). She advised that Mr. and Mrs. Pang intend to farm their property, which is in the Agricultural Land Reserve, but that they are unable to do so because access to the site cannot be achieved.

The Municipal Engineer, Mr. Nirmal Bhattacharya, provided comments with respect to the engineering/construction standards that must be fulfilled if this portion of the dedicated road allowance is developed. He further commented on the requirement that the 200 year flood proofing level be determined, and that a finished road surface must be constructed above this level which may require the depositing of fill material.

A lengthy question and answer session took place.

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

That the Staff Memorandum dated November 30, 2004 entitled "Agricultural Land Commission Application for Construction of a Road Extension, Meadowbank Road" be received, and the Memorandum together with the correspondence dated December 10, 2004 from Mr. and Mrs. Sam and Betty Pang be forwarded to the Agricultural Land Commission, with it to be indicated that Council has concerns with the proposed road extension as noted in the Memorandum.

CARRIED UNANIMOUSLY

The Planning & Development Committee Meeting temporarily adjourned at 9:20 pm and reconvened at 9:28 pm.

4. Report of the Agri-Tourism Task Force

- a) Copy of the Final Report of the Agri-Tourism Task Force, June 2004;
- b) Spreadsheet compiled by Staff summarizing the major agency recommendations and/or comments on the Task Force Report;
- c) Correspondence received from the following agencies in response to the District's request for comment:
 - Advisory Planning Commission, October 5, 2004;
 - Peninsula Agricultural Commission, October 15, 2004;
 - Agricultural Land Commission, November 16, 2004;
 - Ministry of Agriculture, Food and Fisheries, October 13, 2004;
 - Southern Vancouver Island Direct Farm Marketing Association, October 18, 2004;
 - British Columbia Agri-Tourism Alliance, October 15, 2004;
 - Saanich Peninsula Chamber of Commerce, December 7, 2004;

- d) Correspondence previously received at the December 6th, 2004 Regular Council Meeting pertaining to the Agri-Tourism/Oldfield Orchard issue, and which was referred to the Committee Meeting when the Agri-Tourism Task Force Report was to be next discussed:
- E Dunn & J Cochran to Minister of Agriculture, Food & Fisheries, November 11, 2004;
 - Minister of Agriculture, Food & Fisheries to J Mussio, November 18, 2004;
 - D & D Scott, Oldfield Orchard, November 23, 2004;
 - J Mussio, December 3, 2004;
 - J Mussio to Minister of Agriculture, Food and Fisheries, December 3, 2004.

The Administrator gave some brief background remarks in regards to the process undertaken to date and the creation of the Agri-tourism Task Force's Final Report. Mr. Nason advised that the Final Report was recently referred to several external organizations and agencies for review and comment, and that all comments from these organizations have now been received by the District.

Mayor Habkirk opened the floor for additional comments from the external agencies.

Mr. Peter Parsons, representing the Advisory Planning Commission, advised that he had no further comments to offer at this time.

Mr. Robert Maxwell, representing the Peninsula Agricultural Commission, advised that he had no further comments to offer at this time.

It was noted that there was no representation from the Agricultural Land Commission or the Ministry of Agriculture, Food & Fisheries in attendance at the meeting.

Mr. Jack Mar, representing the Southern Vancouver Island Direct Farm Marketing Association, briefly comments on the Federal Government's Off-Shore Labour Laws which requires that farm help is to be provided with on-site accommodation.

It was noted that there was no representation from the BC Agri-Tourism Alliance or the Saanich Peninsula Chamber of Commerce in attendance at the meeting.

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

Mr. John Cochran and Ms. Elizabeth Dunn advised that they had no further comments to offer at this time.

There was no representation from the Ministry of Agriculture, Food & Fisheries in attendance at the meeting.

Mr. and Mrs. Derek and Debbie Scott advised that they had no further comments to offer at this time.

Mr. Jerry Mussio advised that he had no further comments at this time.

Mayor Habkirk opened the floor for any additional comments from the members of the Agri-Tourism Task Force.

Ms. Joan Fleming referred to the Agricultural Land Commission's correspondence which states *"In our view the focus of the regulations should be to encourage activities and set up processes that will be of benefit to agriculture while offering the necessary checks and balances to ensure that such activities do not impact to an unreasonable degree on adjoining properties."* In this regard, Ms. Fleming stated that that she does not feel that Mr. and Mrs. Pang received adequate support from Council or Staff in regards to their ALC Application that was considered earlier this evening.

Mr. Glen Pope advised that he had no further comments to offer at this time.

Mr. Jerry Mussio encouraged the District to support the local farmers in a way that is compatible with, and acceptable to, the entire agricultural community.

A brief discussion took place in regards to the proposed next steps in the process.

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

That the correspondence from the various agencies offering comments and recommendations in regards to the Final Report of the Agri-Tourism Task Force be received, and Council's two representatives on the Task Force along with Municipal Staff be requested to formulate a series of high-level policy questions which would be brought back to a future Committee Meeting for further discussion and Council direction on the preparation of appropriate Bylaw amendments and regulations to address the various agri-tourism accommodation and activities recommendations as contained in the Task Force Report.

CARRIED UNANIMOUSLY

Mr. Derek Scott, Oldfield Orchards, briefly commented on the composition of the Agri-Tourism Task Force and requested that Council revisit this entire matter.

Ms. Joan Fleming asked that Council give serious consideration to the feedback received from the external agencies when developing future agri-tourism policies.

Mr. Robert Maxwell confirmed that the District of North Saanich will soon be commencing a similar process of developing its own agri-tourism policies and regulations.

ADJOURNMENT:

On motion, the Planning & Development Committee Meeting held on December 13, 2004 adjourned at 9:48 pm.

Councillor Michele Haddon, Acting Chair

Recorded By: Trish Flanders
Municipal Clerk