

**District of North Saanich
Community Stewardship Commission
Regular Meeting
Wednesday, May 22, 2019 at 2:00 p.m.
Council Chambers
1620 Mills Road
*(Please note that all proceedings are recorded)***

AGENDA

PAGE NO.

1. WELCOME AND INTRODUCTION OF MEMBERS
2. ELECTION OF CHAIR AND VICE CHAIR
3. APPROVAL OF AGENDA
4. ADOPTION OF MINUTES
 - (a) Minutes of November 28, 2018 3 - 4
[CSC Minutes 2018-11-28](#)
5. REFERRALS
 - (a) Library ALC Application update 5 - 12
(Referred by: Council for review and recommendation
regarding an Agricultural Land Commission exclusion
application)
[rpt Library](#)
6. NEW BUSINESS
 - (a) Appointment of liaison to Community Agricultural
Commission
 - (b) Appointment of liaison to Community Planning Commission
7. ADJOURNMENT

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SUBJECT TO ADOPTION

DISTRICT OF NORTH SAANICH

**Minutes of the Meeting of the
Community Stewardship Commission**

Wednesday November 28, 2018 at 2:00 p.m.

PRESENT:

	Chair	F. Mailhot
	Members	A. Burgoyne R. Imrie W. Schiewe J. Thorp
	Council Liaison	M. Weisenberger
	Community Agricultural Commission Liaison	I. Fancey
	Chief Administrative Officer	R. Buchan
	Commission Secretary	J. Gretchen

ABSENT:

	Member	D. Hartshorne
	Community Planning Commission Liaison	A. Osborne

The meeting was called to order at 2:00 p.m.

1. APPROVAL OF AGENDA

MOVED BY: W. Schiewe
SECONDED: J. Thorp

21-CSC That the agenda be approved as circulated.

CARRIED

2. APPROVAL OF MINUTES

MOVED BY: J. Thorp
SECONDED: R. Imrie

22-CSC That the June 6, 2018 minutes be approved.

CARRIED

3. REFERRALS

Municipal Parks, Buildings and Facilities Naming Policy

The Chief Administrative Officer provided background information and responded to questions from the Commission.

MOVED BY: F. Mailhot
SECONDED: A. Burgoyne

23-CSC The Community Stewardship Commission recommend that Council approve the Municipal Parks, Buildings and Facilities Naming Policy with the following changes:

- Clause 2 c) adding the word ‘current’ before ‘political candidates’;
- Clause 2 d) change to ‘Convicted criminals except at Council’s discretion or candidates of exceptional merit’; and
- Clause 5 adding at the end of the paragraph ‘with a preference given to local persons or organizations’.

CARRIED

4. NEW BUSINESS

5. ADJOURNMENT

MOVED BY: J. Thorp
SECONDED: W. Schiewe

24-CSC That the meeting be adjourned at 2:23 p.m.

CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

Recording Secretary

Curt Kingsley
Director, Corporate Services



**District of
North Saanich**

STAFF REPORT

To: Tim Tanton
Chief Administrative Officer

Date: April 30, 2019

From: Anne Berry
Director Planning & Community Services

File: 1885 Forest Park Dr.

Re: **Library ALC Application Update**

RECOMMENDATION(S):

That Council direct staff to prepare an Agricultural Land Commission exclusion application for Council consideration.

STRATEGIC PLAN IMPLICATIONS:

Finalize VIRL Library at Panorama is a specific strategic project and initiative for 2019 listed in the District's Strategic Plan. This report is consistent with that direction.

INTRODUCTION/BACKGROUND:

In 2018, as part of the initiative to develop a new library proposed to be located on the Panorama Recreation Centre site, staff prepared and submitted a non-farm use application and subdivision in the ALR application to the Agricultural Land Commission.

As the Panorama Recreation Centre site is located on land in the Agricultural Land Reserve these applications were necessary in order to permit a new library to be constructed. In April 2019 the ALC denied both applications on the grounds that the proposal was not consistent with the Agricultural Land Commission Act and suggested that an exclusion application might be a more appropriate process.

A copy of the recent ALC decision is appended to this report at Attachment A.

DISCUSSION:

The District applied for non-farm use to permit a library use and a subsequent subdivision of a 0.8ha portion of the site in the south west corner of the Panorama property. Historically, the ALC has approved various non-farm use applications in order to permit recreational uses on the property. A non-farm use application for the library was deemed by staff to be consistent with that approach.

As the subject property's zoning does not specifically permit farm use the application was not required to be forwarded to the ALC via Council. Staff was able to submit the application directly to the ALC.

The April 2nd, 2019 reason for decision from the ALC noted that while the Executive Committee found the proposal to be consistent with the history of previously approved non-farm use applications, they did not find that the proposal was appropriate for lands within the ALR (in the context of the Agricultural Land Commission Act and particularly to preserve agricultural land and

encourage farming on agricultural land in collaboration with other communities of interest). However, the decision specifically stated that given the history of non-farm uses on the property which the Commission has allowed over the years, consideration may be given for the submission of a new exclusion application.

Should Council wish to proceed staff will begin preparing the materials for Council consideration.

OPTIONS:

Council can:

1. Direct staff to prepare an Agricultural Land Commission exclusion application for Council consideration; OR
2. Other.

FINANCIAL IMPLICATIONS:

Minor costs associated with ALC application fees and notification requirements will be incurred. As application materials prepared for the non-farm use application can be used again no significant financial implications are anticipated at this time.

LEGAL IMPLICATIONS:

Should the exclusion application be approved by the ALC, the proposed subdivision to create the library parcel will no longer require ALC approval. Additionally, any further expansions to the recreation centre or the site will no longer require ALC approvals.

CONSULTATIONS:

Notification per the ALC requirements will be necessary. A public hearing will also be required in advance of forwarding the application to the ALC. A referral to the District's Community Agriculture Commission is also recommended.

SUMMARY/CONCLUSION:

The Panorama Recreation Centre site has been used for recreational facilities since the late 1970's. Given the extent of development on the site, and in anticipation of future community recreational needs, it is unlikely that the site will revert to agricultural uses. An exclusion application will support not only the proposed library development but will also support other future recreational facility expansions by allowing greater flexibility on the site.

Respectfully submitted:



Anne Berry
Director Planning & Community Services

Concurrence,



Tim Tanton
Chief Administrative Officer

Attachments: A – ALC decision dated April 2, 2019



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

April 2, 2019

ALC File: 57536
ALC File: 57540

District of North Saanich
DELIVERED ELECTRONICALLY

Attention: Anne Berry, Director of Planning & Community Services

Re: Application 57536 to subdivide land in the Agricultural Land Reserve
Application 57540 to conduct a non-farm use in the Agricultural Land Reserve

Please find attached the Reasons for Decision of the Executive Committee for the applications (ALC ID: 57536, Resolution #101/2019 and ALC ID: 57540, Resolution #102/2019). As agent, it is your responsibility to notify the applicant accordingly.

Request for Reconsideration of a Decision

Under section 33(1) of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the Commission website.

Please direct further correspondence with respect to this application to Ron Wallace at ALC.Island@gov.bc.ca.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'Ron Wallace', is written over a light blue horizontal line.

Ron Wallace, Land Use Planner

Enclosures: Reasons for Decision (Resolution #101/2019 and Resolution #102/2019)



AGRICULTURAL LAND COMMISSION FILE 57536 & FILE 57540

REASONS FOR DECISION OF THE EXECUTIVE COMMITTEE

Subdivision application 57536 submitted under s. 21(2) of the *Agricultural Land Commission Act*

Non-Farm Use application 57540 submitted under s. 20(2) of the *Agricultural Land Commission Act*

Applicant: District of North Saanich

Agent: Anne Berry, Director of Planning & Community Services, North Saanich

Property: Parcel Identifier: 001-360-451
Legal Description: Lot 1, Section 4, Range 2 East, North Saanich District, Plan 29757
Civic: corner of Forest Park Drive and East Saanich Road, North Saanich BC
Area: 6.4 ha

Executive Committee: Jennifer Dyson, Chair
Ione Smith, South Coast Panel
Richard Mumford, Interior Panel
David Zehnder, Kootenay Panel
Janice Tapp, North Panel
Gerald Zimmerman, Okanagan Panel



OVERVIEW

- [1] The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA).
- [2] Pursuant to s. 21(2) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the "Commission") to both subdivide approximately 0.8 ha from the Property; and Pursuant to s. 20(2) of the ALCA, for a non-farm use to develop a public library to service the community on the proposed 0.8 ha lot (the "Proposal"). Subdividing the proposed lot from the District of North Saanich owned Property will allow the library to be set up on a separate title of land whose ownership can then be transferred.
- [3] The issue the Executive Committee considered is whether the proposed subdivision (ALC ID: 57536) and the associated non-farm use application (ALC ID: 57540) for the purpose of developing a public library to service the community is appropriate in the context of s. 6(a) and (b) of the ALCA.
- [4] The Proposal was considered in the context of the purposes of the Commission set out in s. 6 of the ALCA. These purposes are:
- (a) to preserve the agricultural land reserve;
 - (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest; and,
 - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

EVIDENTIARY RECORD

- [5] The Executive Committee considered the Proposal along with related documentation from the Applicant (i.e., District of North Saanich) and the Commission, which



collectively referred to as the "Application". All documentation in the Application was disclosed to the Applicant in advance of this decision.

BACKGROUND

- [6] In 1975, ALC Application ID: 10647 (Legacy File: 75-0575) from Dean Park development was submitted to the Commission requesting permission to subdivide a 7.1 ha (17.5 acre) parcel to be donated to the District of North Saanich for park purposes. The Commission approved the application by Resolution #1966/75. As part of the proposal, the Commission approved a right-of-way to provide road access to Dean Park Residential Development.
- [7] Also in 1975, ALC Application 75-0575 the District of North Saanich requested permission to use the 7.1 ha parcel for the development of public recreational facilities, some of which were intensive, such as swimming pool, ice skating rink and activity buildings. The Commission approved the application by Resolution #2770/75 on the grounds of the public need for such a complex in the area and on the understanding that these facilities will be a joint venture to serve the needs of three municipalities.
- [8] Following this application, in 1982, under ALC Application 75-0575, the District of North Saanich submitted a request to use 0.4 ha of the subject property as a fire hall site. The District of North Saanich has previously tried to have the fire hall located on another parcel within the ALR, but this request was refused by the Commission on the grounds that the fire hall would alienate lands of excellent agricultural potential. At that time, the Commission suggested that the District examine a site at the recreational center for the location of the fire hall.
- [9] In 1990, under the same application (ALC Application 75-0575A) the Commission supported the request for the construction of a basketball court on the subject property. Following a review of the submission the Commission determined that the proposal was consistent with Resolution #2770/75.



[10] In 1999, the Commission further approved the request to construct an all-putting golf facility over approximately 1.0 ha of the subject property. The Commission again determined that this proposal was consistent with Resolution #2770/75.

[11] Lastly, in 2006, the Commission received a request to expand the existing aquatic facility on the Property. The scope of work involved was to add a leisure lifestyle pool tank to the existing facility. In response, the Commission determined that the proposed additions were in substantial compliance with the Commission's Resolution #2770/75.

EVIDENCE AND FINDINGS

Issue: Whether the proposed subdivision (ALC ID: 57536) and the associated non-farm use application (ALC ID: 57540) for the purpose of developing a public library to service the community is appropriate in the context of s. 6 (a) and 6 (b) of the ALCA.

[12] The Executive Committee finds the Proposal to subdivide off approximately 0.8 ha from the Property for the purpose of developing a public library to service the community, is not consistent with its purpose to preserve agricultural land or encourage farming on agricultural land in collaboration with other communities of interest. However, the Executive Committee also acknowledges the history of the Property as outlined above; and that the Property was approved by the Commission in 1975 for the development of public recreational facilities such as a swimming pool, ice skating rink and other recreational activities and came to be known as the Panorama Recreation Centre in North Saanich. It is further noted by the Executive Committee that since 1975 when the recreational facility was established, there have been a number of additional requests from the District of North Saanich to include other non-farm uses on the Property such as the development of a fire hall site, the construction of both a basketball court and an all-putting golf facility and to expand the swimming pool complex. All of these requests were determined by the Commission to be consistent with the original approval for the development of a public recreational facility on the Property.



[13] In consideration of the above issue, the Executive Committee finds the Proposal(s) to subdivide off approximately 0.8 ha from the Property for the purpose of developing a public library to service the community, to be consistent with the history of approvals on the Property for non-farm uses. However, in context to s. 6 (a) and 6 (b) of the ALCA (i.e., to preserve agricultural land and to encourage farming on agricultural land in collaboration with other communities of interest, respectively), the Executive Committee finds the Proposal is not appropriate on land within the ALR.

DECISION

[14] For the reasons given above, the Executive Committee refuses the Proposal.

[15] However, given the history of non-farm uses on the Property which the Commission has allowed over the years, consideration may be given for the submission of a new application for exclusion.

[16] These are the unanimous reasons of the Executive Committee.

[17] A decision of the Executive Committee is a decision of the Commission pursuant to s. 10(3) of the *Agricultural Land Commission Act*.

[18] Resolution #101/2019 (Application 57536)
Resolution #102/2019 (Application 57540)

Released on April 2, 2019

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Jennifer Dyson, Chair

On behalf of the Executive Committee