



DISTRICT OF NORTH SAANICH

PUBLIC HEARING INFORMATION

July 13, 2020

For

OFFICIAL COMMUNITY PLAN BYLAW

NO. 1130

AMENDMENT BYLAW NO. 1487 (2020)

1885 FOREST PARK DRIVE



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**Section 1 – Official Community Plan Bylaw No. 1130,  
Amendment Bylaw No. 1487**



## DISTRICT OF NORTH SAANICH

### BYLAW NO. 1487

#### A BYLAW TO AMEND "DISTRICT OF NORTH SAANICH OFFICIAL COMMUNITY PLAN BYLAW NO. 1130 (2007)"

The Municipal Council of the District of North Saanich, in open meeting assembled, enacts as follows:

##### TEXT AMENDMENTS

1. "District of North Saanich Official Community Plan Bylaw No. 1130, (2007)" is hereby amended as follows:
  - (a) Section 5 is amended by adding the following subsection after subsection 5.11 and renumbering all subsequent subsections:

"5.12 The inclusion requirement in Section 5.11 does not apply to land that has been approved by the ALC for non-farm uses since 1975, and that is used solely for public recreation and community uses."

##### CITATION

2. This Bylaw may be cited for all purposes as "North Saanich Official Community Plan Bylaw No. 1130, Amendment Bylaw No. 1487 (2020)".

READ A FIRST TIME the 9<sup>th</sup> day of March, 2020

READ A SECOND TIME the 9<sup>th</sup> day of March, 2020

NOTICE OF PUBLIC HEARING published in the \_\_\_\_, 2020 and \_\_\_\_, 2020 editions of the *Peninsula News Review*.

PUBLIC HEARING held at the North Saanich Municipal Hall the \_\_ day of \_\_\_\_, 2020

READ A THIRD TIME the \_\_ day of \_\_\_\_, 2020

APPROVED BY THE MINISTRY OF TRANSPORTATION the \_\_ day of \_\_\_\_, 2020

FINALLY PASSED AND ADOPTED the \_\_ day of \_\_\_\_, 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer



## **Section 2 – Application/Background**

# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 59930

**Application Status:** N/A

**Applicant:** District of North Saanich

**Local Government:** District of North Saanich

**Local Government Date of Receipt:** This application has not been submitted to local government yet.

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Exclusion

**Proposal:** The purpose of the proposal is to exclude the 1885 Forest Park Drive property from the ALR, consistent with previous ALC resolutions #101/2019 and #102/2019 in regard to applications 57536 and 57540 respectively.

**Mailing Address:**

1620 Mills Road  
North Saanich, BC  
V8L 5S9  
Canada

**Primary Phone:** (778) 426-8482

**Email:** dbakken@northsaanich.ca

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 001-360-451

**Legal Description:** LOT 1, SECTION 4, RANGE 2 EAST, NORTH SAANICH DISTRICT,  
PLAN 29757

**Parcel Area:** 6.4 ha

**Civic Address:** 1885 Forest Park Drive

**Date of Purchase:**

**Farm Classification:** No

**Owners**

1. **Name:** District of North Saanich

**Address:**

1620 Mills Road  
North Saanich, BC  
V8L 5S9  
Canada

**Phone:** (250) 656-0782

**Email:** admin@northsaanich.ca

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### Current Use of Parcels Under Application

**Applicant:** District of North Saanich



**1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*No agriculture*

**2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*No agricultural improvements*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*Panorama Recreation: a public recreation facility which consists mainly of two skating arenas, a swimming pool, racquetball and squash courts, indoor and outdoor tennis courts, and a fitness centre.*

**Adjacent Land Uses**

**North**

**Land Use Type:** Civic/Institutional

**Specify Activity:** Kelset Elementary School

**East**

**Land Use Type:** Residential

**Specify Activity:** Single Family Residential

**South**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Centre for Plant Health

**West**

**Land Use Type:** Residential

**Specify Activity:** Single Family Residential

**Proposal**

**1. How many hectares are you proposing to exclude?**

*6.4 ha*

**2. What is the purpose of the proposal?**

*The purpose of the proposal is to exclude the 1885 Forest Park Drive property from the ALR, consistent with previous ALC resolutions #101/2019 and #102/2019 in regard to applications 57536 and 57540 respectively.*

**3. Explain why you believe that the parcel(s) should be excluded from the ALR.**

*Historically, this land has not been used for agriculture since well before the construction of the recreation centre. The site is a major hub for public services and recreation, and is currently used by the community for a variety of cultural and sporting events. Excluding the land from the ALR will allow for expansion of recreation uses on site, including a possible library development in the future.*

**Applicant Attachments**

*None.*

**Applicant:** District of North Saanich

## **ALC Attachments**

None.

## **Decisions**

None.



### **Section 3 – Council Minutes and Staff Reports**





## District of North Saanich

# STAFF REPORT

To: Tim Tanton  
Chief Administrative Officer

Date: February 13, 2020

From: Drew Bakken  
Planner

File: 6630-20-2019-01  
6480-20-2019-01

Re: ALC Application and OCP Amendment for 1885 Forest Park Drive (Panorama Recreation Centre)

### **Recommendation:**

That Council:

- a) Grant First and Second reading to Official Community Plan Amendment Bylaw No. 1487, 2020; and
- b) Direct staff to hold a public hearing for the Agricultural Land Commission exclusion application and Official Community Plan Amendment Bylaw No. 1487, 2020, for the Panorama Recreation Centre site; and
- c) Give consideration to the Financial Plan and the Waste Management Plan.

### **Strategic Plan/OCP Implications:**

This matter relates to the following Council strategic priorities:

***Maintain a Strong Sense of Community***

***Ensure Strong Leadership, Fiscal Responsibility and Transparent Government***

This matter relates to the following sections of the District's Official Community Plan:

**2.0 Goals and Objectives of the Plan**

**10.0 Community Amenities**

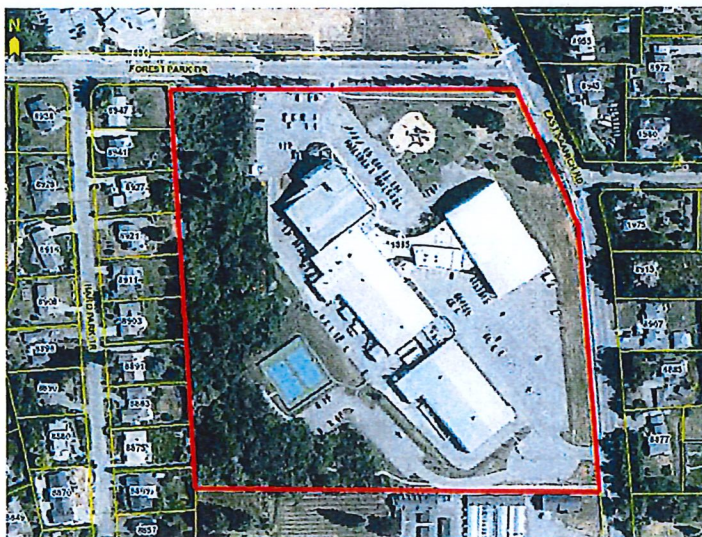
### **Site Description:**

Property Information	
Owner	District of North Saanich
Applicant	District of North Saanich
Civic Address	1885 Forest Park Drive
Legal Description	Lot 1, Section 14, Range 2 East, North Saanich District, Plan 29757
Parcel Identifier (PID)	001-360-451
Lot Area	6.43 hectare (15.89 acres)

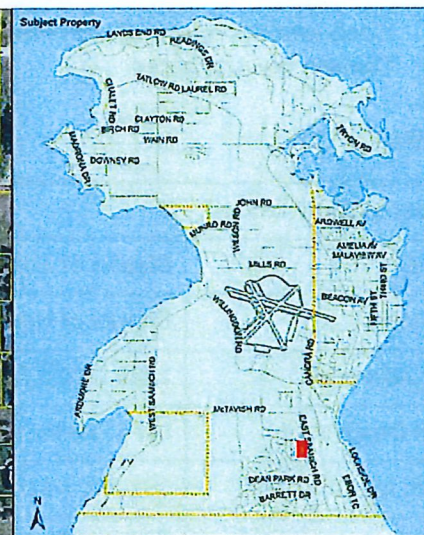
Land Use Bylaws	
OCP Designation	Community Use
Development Permit Area (DPA)	N/A
Zone	Public Assembly (P-2)
Surrounding Land Use	North: Community Use (P-1), Kelset Elementary School East: Single Family Residential (R-2) South: Rural Agricultural (RA-1), Centre for Plant Health West: Single Family Residential (R-1)
Other	
ALR	Entirely within

### Introduction:

The purpose of this report is to inform Council on the process of an Agricultural Land Commission exclusion application for 1885 Forest Park Drive, as well as to describe a proposed Official Community Plan (OCP) amendment that is required in order to facilitate the exclusion. In recent years the District of North Saanich has examined the possibility of constructing a library on the north-west corner of the current Panorama Recreation Centre (PRC) site. The proposal was to subdivide an 8000 m<sup>2</sup> parcel on the western portion of the site to facilitate the use, as identified in Map 1 below. Although the zoning on the property permits this activity, due to the location of the property within the Agricultural Land Reserve, the agricultural restrictions of the property must be addressed before the intended further development of the site may occur.



Map 1



Map 2



**Background:**

The District of North Saanich Council has discussed its intent to construct a new library on a portion of the 1885 Forest Park Drive site, currently home to the Panorama Recreation Centre. The new library facility would complement the existing community facilities on site and would be accessible to residents of North Saanich, Sidney, and Central Saanich. Constructing the facility would first involve subdividing the desired area from the parent parcel, and in the process addressing the local and provincial land use restrictions applicable to the site. Subdividing this area from the parent lot would allow the library to be established on a separate title of land from the 1885 Forest Park Drive property, and ownership can then be transferred.

Because the 1885 Forest Park Drive property is located within the Agricultural Land Reserve, the desired subdivision and proposed use of the lot may proceed only following a successful application for non-farm use and subdivision to the ALC, or alternatively after the site is excluded from the ALR. The former option was attempted in April of 2018, under applications 57536 and 57540 respectively. However, the response received from the ALC on April 2, 2019 (Resolutions #101/2019 and #102/2019) explained their decision to deny the applications, stating that the proposal "is not consistent with (the Executive Committee's) purpose to preserve agricultural land or encourage farming on agricultural land in collaboration with other communities of interest." However, the decision went on to state 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 application for exclusion." Subsequent to this decision and per Council direction, the District has submitted an exclusion application for the entirety of the 1885 Forest Park Drive site to be removed from the ALR. The current application is under file 59930.

Upon the removal of the 1885 Forest Park Drive site from the ALR, the subdivision of the proposed lot may proceed without need of further permission from the ALC. Additionally, regardless of whether a new library is developed, the exclusion of the rest of the Panorama Recreation site from the ALR will remove any further restrictions related to agriculture, to the benefit of any future recreational development of the property. The exclusion application process is outlined in the flow chart shown below, under the **Part 1 – ALC Application Process** heading.

**Discussion:**

During the May 6, 2019 District of North Saanich Council meeting, a staff report from the Director of Planning and Community Services regarding the Library ALC Application Update was received, which gave an overview of the proposal and described the District's approach to the ALC applications and the subsequent response from the ALC. Council adopted a resolution to refer the staff report to the Peninsula & Area Agricultural Commission for comment.

At the May 22, 2019 meeting of the Community Stewardship Commission, the Panorama library project was discussed and several questions were addressed by the Director of Planning and Community Services as well as the Chief Administrative Officer. Motion 4-CSC was passed stating that "The Community Stewardship Commission recommend that Council direct staff to prepare an Agricultural Land Commission exclusion application for the Panorama site."



The Community Planning Commission meeting held May 27, 2019 addressed the Panorama site proposal and passed motion 6-CPC stating the following: "The Community Planning Commission recommend that Council direct staff to prepare an Agricultural Land Commission exclusion application for Council to consider with respect to the Panorama Recreation Center land parcel and the Commission requests that when considering this recommendation Council be mindful that:

- 1.) The Commission opposes the removal of land from the Agricultural Land Reserve and the misuse of land within the Agricultural Land Reserve.
- 2.) The Commission reluctantly supported the present recommendation in light of the forty year history of non-agricultural use and development on this particular parcel and the extent to which this parcel has been, for all intents and purposes, irredeemably altered for agricultural uses.
- 3.) The Commission recommends that Council take measures to avoid repeat of this kind of situation in the future.

At the meeting of the Community Agricultural Commission on June 5, 2019, motion 7-CAC was passed stating that "The Community Agricultural Commission support the recommendation that Council direct staff to prepare an Agricultural Land Commission exclusion application for the Panorama site."

The Peninsula Recreation Commission also met on June 20, 2019, and passed the following motion: "That the Peninsula Recreation Commission support the District of North Saanich in their decision to apply for an agricultural land exclusion of the Panorama Recreation lands for the purpose of expanding recreational opportunities for the Saanich Peninsula."

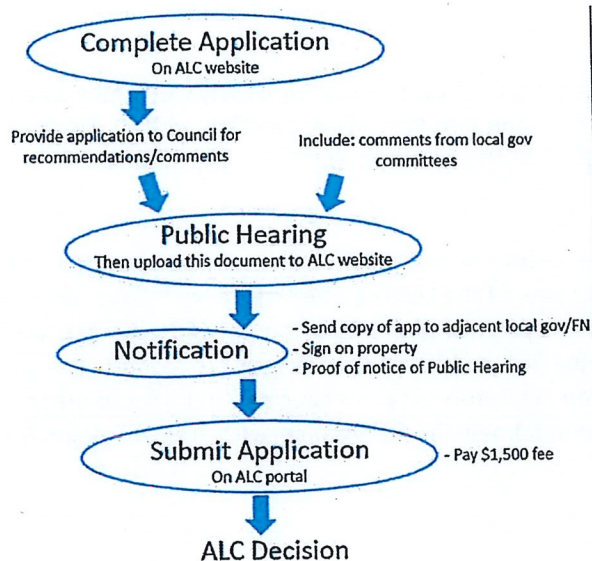
At the September 16, 2019 Regular Meeting, Council directed staff to prepare an Agricultural Land Reserve exclusion application and an amendment to the Official Community Plan for the Panorama Recreation Centre site at 1885 Forest Park Drive.

**Part 1 - ALC Application Process:**

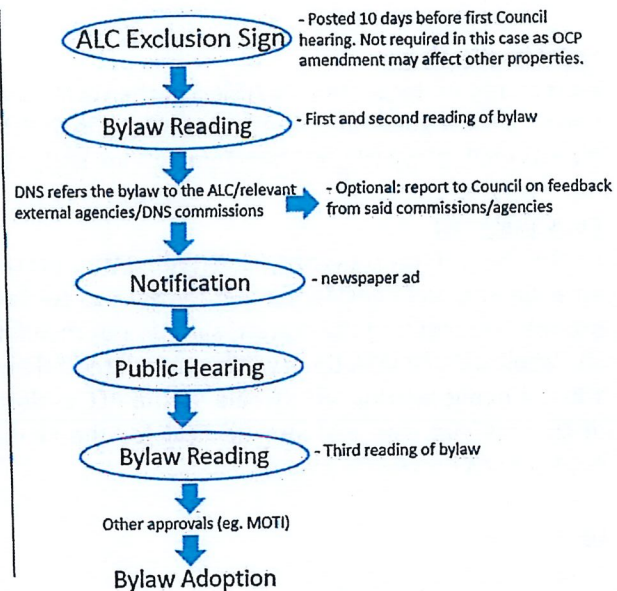
There are several steps involved with making an application to exclude land from the Agricultural Land Reserve. These steps are laid out in the flow chart below. The first step, creating the application on the ALC portal, has been completed. The next step is holding a public hearing and sharing a copy of the application with the Council – any comments from local government committees are also shared with Council at this time, which in this case would include motions from the Community Stewardship Commission, the Community Planning Commission, the Community Agricultural Commission, and also the Peninsula Recreation Commission.

After the public hearing is held, minutes and the staff report from the hearing are uploaded to the ALC portal as part of the application. The notification phase follows, with the application from the ALC website being displayed on the property and shared with neighboring landowners if required under the ALC Act. Following the notification phase, the final documents are uploaded to the ALC portal (confirming notification was carried out) and the application is then put forward to the Agricultural Land Commission for their decision.

**Flow Chart on ALC exclusion process:**



**Flow Chart on OCP amendment process:**



**Part 2 - OCP Amendment:**

The land is designated as Community Use in the OCP and zoned P-2 Public Assembly, which supports the existing recreational use and the proposed library use. However, in order for Council to support the ALC application, one section in particular of the Official Community Plan must be addressed due to how it would affect the exclusion of the Panorama site from the Agricultural Land Reserve. Section 5.11, under the Agriculture heading, states the following:

- 5.11** To preserve land in the ALR for current and future agricultural production, the District does not encourage or support applications for exclusion of land from the ALR unless such an application involves an inclusion of an equal or greater amount of land that is or will be appropriate for farming and there is a clear benefit to agriculture and the community.

While this guideline is agreeable and should be retained for other areas of the municipality, in this case it poses an issue as the subject property is quite large, and the District is not aware of 15.8 acres of District-owned agricultural land elsewhere in the community that can be included in the ALR. As such, the most effective solution would be to add a section subsequent to 5.11, specifying that Sec 5.11 does not apply in a case involving a property approved by the ALC for non-farm uses for over 40 years, **AND** one that is used for community uses – in this way the section will apply mainly to the Panorama Recreation site, but still offers some flexibility. The proposed section reads as follows:

- 5.12** The inclusion requirement in Section 5.11 does not apply to land that has been approved by the ALC for non-farm uses since 1975, and that is used solely for public recreation and community uses.

It is also noted that Section 10.4 of the OCP supports the District's current approach to the site, stating that "Community uses may be located within any area of the District as deemed appropriate by Council."



**Financial Implications:**

No significant financial implications have been identified at this time for this application.

**Legal Implications:**

As required under Section 477(3)(a) of the Local Government Act for the reading of any OCP amendment bylaw, a local government must consider the Official Community Plan in conjunction with its Financial Plan as well as any Waste Management Plan under Part 3 of the Environmental Management Act.

**Consultations:**

As the Council has previously directed staff to proceed with the ALC application and preparing the OCP amendment, and considering that the various commissions of the District of North Saanich have already offered comment on the matter, staff do not recommend referral again. Referrals to MOTI, the ALC, and any applicable First Nations will be completed following first and second reading of proposed bylaw no. 1487. A public hearing will be held for the ALC exclusion application in accordance with the requirements of the ALC Act, and will also be held for the OCP amendment in accordance with the Development Applications Procedure Bylaw.

**Options:**

Council has the following options:

1. Grant First and Second reading to OCP Amendment Bylaw No. 1487, 2020; and
2. Direct staff to hold a public hearing for the ALC exclusion application and OCP Amendment Bylaw No. 1487, 2020, for the Panorama Recreation Centre site; and
3. Give consideration to the Financial Plan and the Waste Management Plan; or
4. Other.

**Summary:**

The District is considering the construction of a library on the current grounds of the Panorama Recreation Centre. Due to the site being within the Agricultural Land Reserve, a successful application for exclusion of the site from the ALR must be approved by the Agricultural Land Commission before any portion of the site may be subdivided from the parent lot for this purpose. The first phase of the application process to the ALC involves a public hearing by the District of North Saanich Council to inform the public and invite feedback regarding the intent to exclude the 1885 Forest Park Drive site from the ALR. As well, the OCP restrictions against the exclusion of ALR land must be addressed through an OCP amendment before the District is able to facilitate the proposed subdivision.

**Recommendation:**

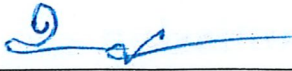
Staff recommend that Council grant First and Second reading to OCP Amendment Bylaw No. 1487, direct staff to hold a public hearing for the ALC exclusion application and OCP Amendment Bylaw No. 1487, and gives consideration to the Financial Plan and the Waste Management Plan.

Respectfully submitted,



Drew Bakken  
Planner

Concurrence:



Tim Tanton  
Chief Administrative Officer

Concurrence:



Anne Berry  
Director of Planning and Community Services

**Attachments:**

- |            |  |
|------------|--|
| Appendix A | ALC Application 59930  |
| Appendix B | ALC decision dated April 2, 2019                                     |
| Appendix C | Library ALC Application Update, staff report dated September 9, 2019 |
| Appendix D | Proposed OCP Amendment Bylaw No. 1487, 2020                          |





## Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 59930

**Application Status:** N/A

**Applicant:** District of North Saanich

**Local Government:** District of North Saanich

**Local Government Date of Receipt:** This application has not been submitted to local government yet.

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Exclusion

**Proposal:** The purpose of the proposal is to exclude the 1885 Forest Park Drive property from the ALR, consistent with previous ALC resolutions #101/2019 and #102/2019 in regard to applications 57536 and 57540 respectively.

**Mailing Address:**

1620 Mills Road  
North Saanich, BC  
V8L 5S9  
Canada

**Primary Phone:** (778) 426-8482

**Email:** dbakken@northsaanich.ca

### Parcel Information

#### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 001-360-451

**Legal Description:** LOT 1, SECTION 4, RANGE 2 EAST, NORTH SAANICH DISTRICT, PLAN 29757

**Parcel Area:** 6.4 ha

**Civic Address:** 1885 Forest Park Drive

**Date of Purchase:**

**Farm Classification:** No

**Owners**

1. **Name:** District of North Saanich

**Address:**

1620 Mills Road  
North Saanich, BC  
V8L 5S9  
Canada

**Phone:** (250) 656-0782

**Email:** admin@northsaanich.ca

#### Current Use of Parcels Under Application

**Applicant:** District of North Saanich

**1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*No agriculture*

**2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*No agricultural improvements*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*Panorama Recreation: a public recreation facility which consists mainly of two skating arenas, a swimming pool, racquetball and squash courts, indoor and outdoor tennis courts, and a fitness centre.*

**Adjacent Land Uses**

**North**

**Land Use Type:** Civic/Institutional

**Specify Activity:** Kelset Elementary School

**East**

**Land Use Type:** Residential

**Specify Activity:** Single Family Residential

**South**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Centre for Plant Health

**West**

**Land Use Type:** Residential

**Specify Activity:** Single Family Residential

**Proposal**

**1. How many hectares are you proposing to exclude?**

*6.4 ha*

**2. What is the purpose of the proposal?**

*The purpose of the proposal is to exclude the 1885 Forest Park Drive property from the ALR, consistent with previous ALC resolutions #101/2019 and #102/2019 in regard to applications 57536 and 57540 respectively.*

**3. Explain why you believe that the parcel(s) should be excluded from the ALR.**

*Historically, this land has not been used for agriculture since well before the construction of the recreation centre. The site is a major hub for public services and recreation, and is currently used by the community for a variety of cultural and sporting events. Excluding the land from the ALR will allow for expansion of recreation uses on site, including a possible library development in the future.*

**Applicant Attachments**

*None.*

**Applicant:** District of North Saanich

## **ALC Attachments**

None.

## **Decisions**

None.



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***

<b>Applicant:</b>	<b>District of North Saanich</b>
<b>Agent:</b>	<b>Anne Berry, Director of Planning &amp; Community Services, North Saanich</b>
<b>Property:</b>	<b>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</b>
<b>Executive Committee:</b>	<b>Jennifer Dyson, Chair Ione Smith, South Coast Panel Richard Mumford, Interior Panel David Zehnder, Kootenay Panel Janice Tapp, North Panel Gerald Zimmerman, Okanagan Panel</b>



## **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.



Reasons for Decision of the Executive Committee  
Application 57536 and 57540

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[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

A handwritten signature in blue ink, consisting of a series of loops and a trailing line.

**Jennifer Dyson, Chair**

On behalf of the Executive Committee





**District of  
North Saanich**

**STAFF REPORT**

To: Tim Tanton  
Chief Administrative Officer

Date: September 9, 2019

From: Anne Berry  
Director, Planning & Community Services

File: 1885 Forest Park Dr.

Re: **Panorama Recreation Centre Agricultural Land Commission Exclusion Application  
update and process outline**

**RECOMMENDATION(S):**

That Council direct staff to prepare an Agricultural Land Reserve exclusion application and an amendment to the Official Community Plan for the Panorama Recreation Centre site at 1885 Forest Park Drive.

**STRATEGIC PLAN IMPLICATIONS:**

This matter relates to the following Council strategic priorities:

***Protect and Enhance Rural, Agricultural, Heritage, Marine and Environmental Resources***

***Maintain a Safe and Healthy Community***

***Maintain a Strong Sense of Community***

***Ensure Strong Leadership, Fiscal Responsibility and Transparent Government***

**INTRODUCTION/BACKGROUND:**

At the May 6<sup>th</sup>, 2019 Regular Meeting staff provided a report to update Council regarding the Agricultural Land Commission's decision on the District's Non-Farm Use and Subdivision applications at the Panorama Recreation Centre property, and presented Council with the alternative option of an Exclusion application. Council then directed staff to refer the staff report to the District's commissions, and to the Peninsula Recreation Commission for comment.

This report is intended to provide Council with a summary of the feedback from the referrals and to outline the exclusion process for Council consideration.

**DISCUSSION:**

The staff report was referred to the District's Commissions for comment at the following meetings:

Community Stewardship Commission: May 22, 2019  
Community Planning Commission: May 27, 2019  
Community Agricultural Commission: June 5, 2019

The staff report was also referred to the Peninsula Recreation Commission for comment. It was discussed at their June 20<sup>th</sup>, 2019 meeting.

Tim Tanton, Chief Administrative Officer

Page 2

Re: Panorama Recreation Centre Agricultural Land Commission Exclusion Application update and process outline

All four groups provided support for an application to exclude the site from the ALR, with the following recommendations from the District's commissions:

**4-CSC**      *The Community Stewardship Commission recommend that Council direct staff to prepare an Agricultural Land Commission exclusion application for the Panorama site.*

**6-CPC**      *6-CPC The Community Planning Commission recommend that Council direct staff to prepare an Agricultural Land Commission exclusion application for Council to consider with respect to the Panorama Recreation Center land parcel and the Commission requests that when considering this recommendation Council be mindful that:*

- 1.) The Commission opposes the removal of land from the Agricultural Land Reserve and the misuse of land within the Agricultural Land Reserve.*
- 2.) The Commission reluctantly supported the present recommendation in light of the forty year history of non-agricultural use and development on this particular parcel and the extent to which this parcel has been, for all intents and purposes, irredeemably altered for agricultural uses.*
- 3.) The Commission recommends that Council take measures to avoid repeat of this kind of situation in the future.*

**7-CAC**      *The Community Agricultural Commission support the recommendation that Council direct staff to prepare an Agricultural Land Commission exclusion application for the Panorama site.*

The PRC provided a letter containing the following motion passed at their meeting:

*That the Peninsula Recreation Commission support the District of North Saanich in their decision to apply for an agricultural land exclusion of the Panorama Recreation lands for the purpose of expanding recreational opportunities for the Saanich Peninsula.*

Minutes of the Commission meetings are appended as Attachment A. The letter from the PRC is appended as Attachment B.

Alignment with the Official Community Plan:

The PRC was constructed as the amenity provision for the approximately 780 single family residential lots when the Dean Park Estates subdivision was approved in the late 1970's. Agricultural Land Commission approval was granted for the use. In subsequent years, as the facility expanded, further ALC approvals were granted to allow broader permitted uses on the site. The current land use designation for the property is Community Use, and the site has been identified for park or civic use since the adoption of the District's first Official Community Plan in 1977. The facility is now managed by the Capital Regional District and serves residents from across the Saanich Peninsula.

Should Council choose to proceed with an application to the ALC the District will need to consider the OCP implications of an exclusion application. Section 5.11 of the OCP provides as follows:

*5.11 To preserve land in the ALR for current and future agricultural production, the District does not encourage or support applications for exclusion of land from the ALR unless such an application involves an inclusion of an equal or greater amount of land that is or will be appropriate for farming and there is a clear benefit to agriculture and the community.*



Tim Tanton, Chief Administrative Officer

Page 3

*Re: Panorama Recreation Centre Agricultural Land Commission Exclusion Application update and process outline*

Staff has not identified any municipal lands which are suitable for inclusion (and subsequently those would need to be accepted by the ALC as part of the application process), and considers the more appropriate approach to be an amendment to the OCP to clarify that this inclusion requirement does not apply to exclusion of land from the ALR that has been approved by the ALC for non-farm uses for at least 40 years, or that is used solely for public recreation and community uses, or both.

**Exclusion Process Requirements:**

Before Council can consider forwarding the exclusion application to the ALC the following procedural tasks must be undertaken:

- Notification in accordance with ALC requirements, including the posting of a sign on the property;
- Holding of a Public Hearing on the exclusion application.

Staff recommend running the OCP amendment and the exclusion application process concurrently.

**OPTIONS:**

Council can:

- A) Direct staff to prepare an Agricultural Land Reserve exclusion application and an amendment to the Official Community Plan for the Panorama Recreation Centre site at 1885 Forest Park Drive; OR
- B) Other.

**FINANCIAL IMPLICATIONS:**

Minor costs associated with processing the application, including the ALC portion of the application fee and the preparation of application signage and notifications related to the public hearings will be required.

**LEGAL IMPLICATIONS:**

None identified.

**CONSULTATIONS:**

As noted in the Discussion section of this report.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

None at this time.

**SUMMARY/CONCLUSION:**

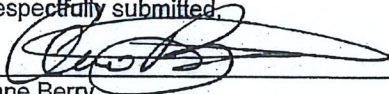
Should Council wish to proceed with an exclusion application staff recommend that a concurrent OCP amendment be processed to ensure alignment with the District's policies regarding land in the ALR. Exclusion of the Panorama site is of benefit to the community as it will enable future recreational use expansions to occur, without requiring an ALC application for each proposal, on a site which has been used for recreational uses for more than 4 decades and which uses are anticipated to continue into the foreseeable future.

Tim Tanton, Chief Administrative Officer

Page 4

Re: Panorama Recreation Centre Agricultural Land Commission Exclusion Application update and process outline

Respectfully submitted,



Anne Berry  
Director, Planning & Community Services

Concurrence,



Tim Tanton  
Chief Administrative Officer

Attachments:

A: Minutes of the following Commission meetings:

Community Stewardship Commission: May 22, 2019  
Community Planning Commission: May 27, 2019  
Community Agricultural Commission: June 5, 2019

B: Peninsula Recreation Commission letter dated June 25<sup>th</sup>, 2019

ATTACHMENT A

***SUBJECT TO ADOPTION***

**DISTRICT OF NORTH SAANICH**

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

**Wednesday May 22, 2019 at 2:00 p.m.**

**PRESENT:**

Chair F. Mailhot  
Members A. Burgoyne  
D. Dancik  
R. Imrie  
M. Brownlie  
W. Schiewe  
P. Young  
Council Liaison M. Weisenberger

Chief Administration Officer T. Tanton  
Director of Planning and Community Services A. Berry  
Deputy Clerk J. Gretchen  
Commission Secretary C. Gotto

**ABSENT:**

Member J. Thorp  
V. Kreiser

The meeting was called to order at 1:57 p.m.

Councillor Weisenberger assumed the role of Chair and welcomed members to the Community Stewardship Commission.

**1. ELECTION OF CHAIR AND VICE CHAIR**

Councillor Weisenberger called for nominations for the position of Chair.

MOVED BY: A. Burgoyne  
SECONDED: R. Imrie

1-CSC That Floyd Mailhot be nominated Chair of the Community Stewardship Commission.

CARRIED

Councillor Weisenberger called a second and third time for further nominations for Chair. As there were none, Floyd Mailhot was declared Chair.



Councillor Weisenberger called for nominations for the position of Vice-Chair.

MOVED BY: R. Imrie  
SECONDED: F. Mailhot

2-CSC That Al Burgoyne be nominated as Vice-Chair of the Community Stewardship Commission.

CARRIED

Councillor Weisenberger called a second and third time for further nominations for Vice-Chair. As there were none, Al Burgoyne was declared Vice-Chair.

F. Mailhot assumed the role of Chair.

The Commission members gave a brief introduction of themselves.

## **2. APPROVAL OF AGENDA**

The agenda was approved as circulated by unanimous consent.

## **3. APPROVAL OF MINUTES**

MOVED BY: A. Burgoyne  
SECONDED: R. Imrie

3-CSC That the November 28, 2018 minutes be approved.

CARRIED

## **4. REFERRALS**

### **a.) Library ALC Application update**

The Director of Planning & Community Services discussed the application. The Chief Administrative Officer and the Director of Planning & Community Services addressed questions from the Commission.

MOVED BY: A. Burgoyne  
SECONDED: R. Imrie

4-CSC The Community Stewardship Commission recommend that Council direct staff to prepare an Agricultural Land Commission exclusion application for the Panorama site.

CARRIED

The Chief Administrative Officer left the meeting at 2:38 p.m.

**4. NEW BUSINESS**

**a. Appointment of liaison to the Community Agricultural Commission**

The Commission agreed by unanimous consent that Floyd Mailhot be appointed as the Community Stewardship Commission liaison to the Community Agricultural Commission.

**b. Appointment of liaison to the Community Planning Commission**

The Commission agreed by unanimous consent that Paula Young be appointed as the Community Stewardship Commission liaison to the Community Planning Commission.

**5. ADJOURNMENT**

MOVED BY: R. Imrie  
SECONDED: D. Dancik

5-CSC That the meeting be adjourned at 2.41 p.m.

CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Curt Kingsley  
Director, Corporate Services

***SUBJECT TO ADOPTION***

**DISTRICT OF NORTH SAANICH**

**Minutes of the Meeting of the  
Community Planning Commission**

**Monday May 27, 2019 at 2:00 p.m.**

**PRESENT:**

	Chair	J. Kingham
	Members	K. Allan
		G. Bunyan
		D. Gray
		G. Peterson
	Council Liaison	J. McClintock
	Chief Administrative Officer	T. Tanton
	Director of Planning & Community Services	A. Berry
	Planning Technician	C. Rimell
	Commission Secretary	C. Gotto

**ABSENT:**

Members	A. Osborne
	A. Huerto
	J. Oosterveen

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

Councillor McClintock assumed the role of Chair and welcomed members to the Community Planning Commission.

The Commission members gave a brief introduction of themselves.

**1. ELECTION OF CHAIR AND VICE CHAIR**

Councillor McClintock called for nominations for the position of Chair.

MOVED BY: G. Peterson  
Seconded by unanimous consent

1-CPC That Jim Kingham be nominated Chair of the Community Planning Commission.  
CARRIED

Councillor McClintock called a second and third time for further nominations for Chair. As there were none, Jim Kingham was declared Chair.

Councillor McClintock called for nominations for the position of Vice-Chair.

MOVED BY: G. Peterson  
Seconded by unanimous consent

2-CPC That Alan Osborne be nominated as Vice-Chair of the Community Planning Commission.

CARRIED

Councillor McClintock called a second and third time for further nominations for Vice-Chair. As there were none, Alan Osborne was declared Vice-Chair.

Jim Kingham assumed the role of Chair.

## **2. APPROVAL OF AGENDA**

MOVED BY: G. Peterson  
SECONDED: G. Bunyan

3-CPC That the agenda be approved as circulated.

CARRIED

## **3. APPROVAL OF MINUTES**

MOVED BY: G. Peterson  
SECONDED: K. Allan

4-CPC That the November 27, 2018 minutes be approved.

CARRIED

## **4. REFERRALS**

### **a.) Remove the maximum building size restrictions in the Light Industrial (CS-1) Zone**

The Chief Administrative Officer and the Director of Planning & Community Services addressed questions from the Commission members.

MOVED BY: K. Allan  
SECONDED: G. Bunyan

5-CPC The Community Planning Commission support the proposed bylaw to remove the maximum building size restrictions in the Light Industrial (CS-1) Zone.

CARRIED

### **b.) Library ALC Application update**

The Chief Administrative Officer and Director of Planning & Community Services addressed questions from the Commission.



MOVED BY: K. Allan  
 SECONDED: G. Bunyan

6-CPC The Community Planning Commission recommend that Council direct staff to prepare an Agricultural Land Commission exclusion application for Council to consider with respect to the Panorama Recreation Center land parcel and the Commission requests that when considering this recommendation Council be mindful that:

- 1.) The Commission opposes the removal of land from the Agricultural Land Reserve and the misuse of land within the Agricultural Land Reserve.
- 2.) The Commission reluctantly supported the present recommendation in light of the forty year history of non-agricultural use and development on this particular parcel and the extent to which this parcel has been, for all intents and purposes, irredeemably altered for agricultural uses.
- 3.) The Commission recommends that Council take measures to avoid repeat of this kind of situation in the future.

CARRIED

OPPOSED: G. Peterson

#### 5. NEW BUSINESS

##### a. Appointment of liaison to the Community Agricultural Commission

The Commission, by unanimous consent, appointed Debbie Gray as liaison to the Community Agricultural Commission.

##### b. Appointment of liaison to the Community Stewardship Commission

The Commission, by unanimous consent, appointed Alan Osborne as liaison to the Community Stewardship Commission.

#### 6. ADJOURNMENT

MOVED BY: G. Peterson  
 SECONDED: D. Gray

7-CPC That the meeting be adjourned at 2:45 p.m.

CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

\_\_\_\_\_  
 Recording Secretary

\_\_\_\_\_  
 Curt Kingsley  
 Director, Corporate Services

***SUBJECT TO ADOPTION***  
**DISTRICT OF NORTH SAANICH**  
**Minutes of the Meeting of the**  
**Community Agricultural Commission**  
**Wednesday June 5, 2019 at 1:30 p.m.**

**PRESENT:**

	Chair	S. Rowed
	Members	I. Fancey
		M. Hughes
		E. McMurphy
		J. Rashleigh
		M. Soellner
		D. Chown
	Council Liaison	C. Stock (1:51p.m.)
	Chief Administrative Officer	T. Tanton
	Director of Planning & Community Services	A. Berry
	Planner	C. Rimell
	Commission Secretary	C. Gotto
	Community Planning Commission Liaison	J. Kingham

**ABSENT:**

Member M. Aylard

The meeting was called to order at 1:35 p.m.

The Chief Administrative Officer assumed the role of Chair and welcomed members to the Community Agricultural Commission.

The Commission members gave a brief introduction of themselves.

The outgoing Commission Chair expressed appreciation to the Commission.

**1. ELECTION OF CHAIR AND VICE CHAIR**

The Chief Administrative Officer called for nominations for the position of Chair.

MOVED BY: D. Chown  
Seconded by unanimous consent

1-CAC That Susan Rowed be nominated Chair of the Community Agricultural Commission.

**CARRIED**



The Chief Administrative Officer called a second and third time for further nominations for Chair. As there were none, Susan Rowed was declared Chair.

Susan Rowed assumed the role of Chair.

The Chair requested a review of Roberts Rules of Order at the next Commission meeting.

The Chair called for nominations for the position of Vice-Chair.

The Commission, by unanimous consent, nominated Irfane Fancey as Vice-Chair of the Community Agricultural Commission.

## **2. APPROVAL OF AGENDA**

MOVED BY: E. McMurphy  
SECONDED BY: I. Fancey

2-CAC That the agenda be approved as circulated.

CARRIED

## **3. APPROVAL OF MINUTES**

MOVED BY: D. Chown  
SECONDED BY: E. McMurphy

3-CAC That the September 19, 2018 minutes be approved.

CARRIED

## **4. REFERRALS**

### **a.) Temporary Use Permit for Agri-Tourism Accommodation – 1890 Mills Road.**

The Chief Administrative Officer, Director of Planning & Community Services, and Planner discussed and addressed questions from the Commission members.

MOVED BY: D. Chown  
SECONDED BY: I. Fancey

4-CAC The Community Agricultural Commission support the issuance of a temporary use permit (TUP 2019-01) for a period of 3 years for an agri-tourism accommodation in the form of 6 farm camping sites and request that Council consider the following recommendations:

- 1.) The encouragement of composting toilets as long as they don't have any long term environmental impact; and
- 2.) That the placement of any portable toilets be in a location that results in the least amount of environmental impact for servicing.

CARRIED

OPPOSED: E. McMurphy, M. Hughes

MOVED BY: J. Rashleigh  
SECONDED BY: I. Fancey

5-CAC The Community Agricultural Commission recommend that Council consider as a condition of the temporary use permit that the applicant provide the following statistical information at the end of the three years:

- 1.) The length of stay of visitors; and
- 2.) The number of visitors

CARRIED

MOVED BY: J. Rashleigh  
SECONDED BY: I. Fancey

6-CAC The Community Agricultural Commission recommend that Council consider in addition to the previous recommendation that the statistical report of the temporary use permit include the visitor's mode of transportation.

CARRIED

The Planner left the meeting at 2:20p.m.

**b.) Library ALC Application update**

The Chief Administrative Officer and Director of Planning & Community Services discussed and addressed questions from the Commission.

MOVED BY: E. McMurphy  
SECONDED BY: D. Chown

7-CAC The Community Agricultural Commission support the recommendation that Council direct staff to prepare an Agricultural Land Commission exclusion application for the Panorama site.

CARRIED

M. Hughes left the meeting at 2:33p.m.

**5. NEW BUSINESS**

**a. Appointment of liaison to the Community Stewardship Commission**

The Commission, by unanimous consent, appointed Susan Rowed as liaison to the Community Stewardship Commission.

**b. Appointment of liaison to the Community Planning Commission**

The Commission, by unanimous consent, appointed Irfane Fancey as liaison to the Community Planning Commission.

6. ADJOURNMENT

MOVED BY: E. McMurphy

SECONDED BY: D. Chown

8-CAC That the meeting be adjourned at 2:37p.m.

CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

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Recording Secretary

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Curt Kingsley  
Director, Corporate Services

ATTACHMENT B



## Panorama Recreation

*Under the authority of the Peninsula Recreation Commission*

1885 Forest Park Drive, North Saanich BC V8L 4A3

Phone 250.656.7271

Fax 250.656.3360

info@panoramarec.bc.ca

www.panoramarecreation.ca

June 25, 2019

File: 0360.20

Mayor and Council  
District of North Saanich  
1620 Mills Road  
North Saanich, BC V8L 5S9

### SENT VIA EMAIL

Dear Mayor and Council:

**RE: NORTH SAANICH REFERRAL TO THE PENINSULA & AREA AGRICULTURAL COMMISSION**

At the Peninsula Recreation Commission meeting on June 20, 2019, the following motion was passed:

*That the Peninsula Recreation Commission support the District of North Saanich in their decision to apply for an agricultural land exclusion of the Panorama Recreation lands for the purpose of expanding recreational opportunities for the Saanich Peninsula.*

Sincerely,

Shannon Asdal  
Administrative Secretary

/sa





## DISTRICT OF NORTH SAANICH

## BYLAW NO. 1487

A BYLAW TO AMEND "DISTRICT OF NORTH SAANICH  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1130 (2007)"

The Municipal Council of the District of North Saanich, in open meeting assembled, enacts as follows:

**TEXT AMENDMENTS**

1. "District of North Saanich Official Community Plan Bylaw No. 1130, (2007)" is hereby amended as follows:
  - (a) Section 5 is amended by adding the following subsection after subsection 5.11 and renumbering all subsequent subsections:
 

"5.12           The inclusion requirement in Section 5.11 does not apply to land that has been approved by the ALC for non-farm uses since 1975, and that is used solely for public recreation and community uses."

**CITATION**

2. This Bylaw may be cited for all purposes as "North Saanich Official Community Plan Bylaw No. 1130, Amendment Bylaw No. 1487 (2020)".

READ A FIRST TIME the \_\_ day of \_\_\_\_, 2020

READ A SECOND TIME the \_\_ day of \_\_\_\_, 2020

NOTICE OF PUBLIC HEARING published in the \_\_\_\_, 2020 and \_\_\_\_, 2020 editions of the *Peninsula News Review*.

PUBLIC HEARING held at the North Saanich Municipal Hall the \_\_ day of \_\_\_\_, 2020

READ A THIRD TIME the \_\_ day of \_\_\_\_, 2020

APPROVED BY THE MINISTRY OF TRANSPORTATION the \_\_ day of \_\_\_\_, 2020

FINALLY PASSED AND ADOPTED the \_\_ day of \_\_\_\_, 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer



## NOTICE OF EXCLUSION APPLICATION Regarding Land in the Agricultural Land Reserve

The District of North Saanich intends to make an application pursuant to Section 30(1) of the Agricultural Land Commission Act to exclude from the Agricultural Land Reserve the following property legally described as: Lot 1, Section 4, Range 2 East, North Saanich District, Plan 29757, and located at 1885 Forrest Park Drive.

The District is applying to exclude the site from the ALR in order to allow for future recreational or cultural development. Council will review the application at the **July 13, 2020** Council meeting.

Due to COVID-19 Council meetings are closed to the public. Written submissions must be received by **noon, July 13, 2020**, via:

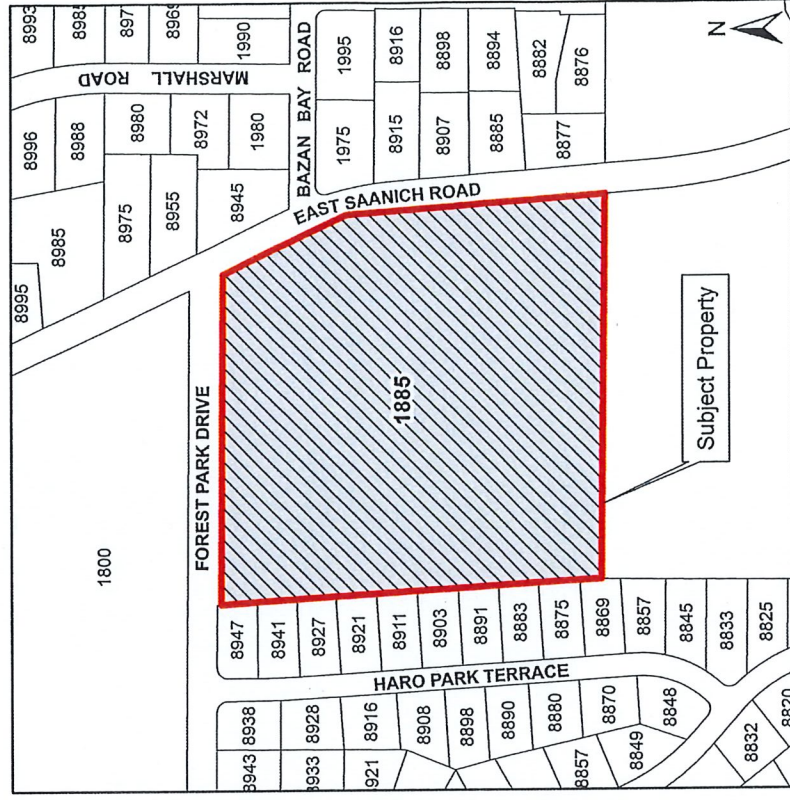
- Email submissions to: [admin@northsaanich.ca](mailto:admin@northsaanich.ca)
- Mail submissions to: Mayor and Council  
Municipal Hall  
1620 Mills Road  
North Saanich, BC, V8L 5S9
- Deliver your written submission to the Municipal Hall

The District does not issue acknowledgment of receipt of electronic submissions.

This notice and the application are posted at the subject property.

Please be advised that all correspondence received by the local government and/or the ALC forms part of the public record, and is disclosed to all parties, including the applicant.

All relevant documentation, including copies of the application pertaining to the above, may be inspected on the District's website at [www.northsaanich.ca/1885-forrest-park](http://www.northsaanich.ca/1885-forrest-park).





# District of North Saanich

# STAFF REPORT

To: Tim Tanton  
Chief Administrative Officer

Date: July 13, 2020

From: Drew Bakken  
Planner

File: 6630-20-2019-01  
6480-20-2019-01

Re: **ALC Exclusion and OCP Amendment Public Hearing – 1885 Forest Park Drive**

---

## **RECOMMENDATION:**

That Council:

- Support the exclusion application for 1885 Forest Park Drive (ALC 2018-01) and authorize the exclusion application for 1885 Forest Park Drive (ALC 2018-01) to proceed to the Agricultural Land Commission (ALC) for their consideration and decision.
- Give third reading to Official Community Plan Amendment Bylaw No. 1487, 2020.

## **STRATEGIC PLAN IMPLICATIONS:**

This matter relates to the following Council Strategic priorities:

***Maintain a Strong Sense of Community***

***Ensure a Strong Leadership, Fiscal Responsibility and Transparent Government***

## **INTRODUCTION:**

The purpose of this report is to provide Council with information, analysis and a recommendation regarding an ALR exclusion application that the District has submitted to allow the removal of the 1885 Forest Park Drive property (Panorama Recreation Centre) from the ALR. The District must review the exclusion application prior to the ALC to determine how the proposal relates to planning policy. Upon review Council must authorize whether the application should proceed to the ALC, or not proceed to the ALC.

The purpose of this report is also to provide Council with information and a recommendation regarding an OCP Amendment Bylaw No. 1487, 2020 that is intended to allow the exclusion of the Panorama Recreation Centre property from the ALR without requiring an equal or greater amount of land to be included in the ALR. Figure 1 of the OCP would also be amended to remove the land from the ALR.

## **BACKGROUND:**

On May 6, 2019 at a Regular Council Meeting , a staff report from the Director of Planning and Community Services regarding the Library ALC Application Update was received, which gave an



overview of the proposal and described the District's approach to the ALC applications and the subsequent response from the ALC. Council adopted a resolution to refer the staff report to the CAC, CPC, CSC, and PRC for comment.

On May 22, 2019 the Community Stewardship Commission, discussed the proposal. Motion 4-CSC was passed stating that "The Community Stewardship Commission recommend that Council direct staff to prepare an Agricultural Land Commission exclusion application for the Panorama site."

On May 27, 2019 the Community Planning Commission discussed the proposal and passed the following motion: 6-CPC: "The Community Planning Commission recommend that Council direct staff to prepare an Agricultural Land Commission exclusion application for Council to consider with respect to the Panorama Recreation Center land parcel and the Commission requests that when considering this recommendation Council be mindful that:

- 1.) The Commission opposes the removal of land from the Agricultural Land Reserve and the misuse of land within the Agricultural Land Reserve.
- 2.) The Commission reluctantly supported the present recommendation in light of the forty year history of non-agricultural use and development on this particular parcel and the extent to which this parcel has been, for all intents and purposes, irredeemably altered for agricultural uses.
- 3.) The Commission recommends that Council take measures to avoid repeat of this kind of situation in the future.

On June 5, 2019 the Community Agricultural Commission discussed the proposal and the following motion , motion 7-CAC was passed "The Community Agricultural Commission support the recommendation that Council direct staff to prepare an Agricultural Land Commission exclusion application for the Panorama site."

On June 20, 2019 the Peninsula Recreation Commission discussed the proposal and the following motion was passed: "That the Peninsula Recreation Commission support the District of North Saanich in their decision to apply for an agricultural land exclusion of the Panorama Recreation lands for the purpose of expanding recreational opportunities for the Saanich Peninsula."

On September 16, 2019 at the a Regular Council Meeting Council directed staff to prepare an Agricultural Land Reserve exclusion application and an amendment to the Official Community Plan for the Panorama Recreation Centre site at 1885 Forest Park Drive.

On March 9, 2020 Council gave first and second reading to OCP amendment bylaw No.1487 (2020) and directed staff to hold a public hearing for the OCP Amendment bylaw as well as for the ALC exclusion application.

**Site Particulars:**

Property Information	
Owner	District of North Saanich

Applicant	District of North Saanich
Civic Address	1885 Forest Park Drive
Legal Description	Lot 1, Section 14, Range 2 East, North Saanich District, Plan 29757
Parcel Identifier (PID)	001-360-451
Lot Area	6.43 hectare (15.89 acres)
<b>Land Use Bylaws</b>	
OCP Designation	Community Use
Development Permit Area (DPA)	N/A
Zone	Public Assembly (P-2)
Surrounding Land Use	North: Community Use (P-1), Kelset Elementary School East: Single Family Residential (R-2) South: Rural Agricultural (RA-1), Centre for Plant Health West: Single Family Residential (R-1)
<b>Other</b>	
ALR	Entirely within

## **DISCUSSION:**

### **ALC Application:**

If the District's application to the ALC for removal of the 1885 Forest Park Drive site from the ALR is successful, the subdivision of a possible future library lot could proceed without need of further permission from the ALC. Additionally, regardless of whether a new library is developed, the exclusion of the Panorama Recreation site from the ALR will remove any further restrictions related to agriculture, to the benefit of any future recreational development of the property, by the PRC.

### **OCP Amendment:**

The land is designated as Community Use in the OCP and zoned P-2 Public Assembly, which supports the existing recreational use and the possible future library use as well as other future recreational uses that may be contemplated for the site. However, in order for Council to support the ALC application, one section in particular of the Official Community Plan must be addressed due to how it would affect the exclusion of the Panorama site from the Agricultural Land Reserve. Policy 5.11, under the Agriculture heading, states the following:

*Policy 5.11 To preserve land in the ALR for current and future agricultural production, the District does not encourage or support applications for exclusion of land from the ALR unless*

*such an application involves an inclusion of an equal or greater amount of land that is or will be appropriate for farming and there is a clear benefit to agriculture and the community.*

While the intent of policy 5.11 is laudable and should be retained for other areas of the District, in this case it poses an issue as the subject property is quite large, and the District is not aware of 15.8 acres of District-owned agricultural land elsewhere in the community that can be included in the ALR. As such, the most effective solution would be to add a section subsequent to 5.11, specifying that Sec 5.11 does not apply in a case involving a property approved by the ALC for non-farm uses for over 40 years, AND one that is used for community recreation uses – in this way the section will apply to the Panorama Recreation site. The proposed new policy reads as follows:

*5.12 The inclusion requirement in Policy 5.11 does not apply to land that has been approved by the ALC for non-farm uses since 1975, and that is used solely for public recreation and community uses.*

It is also noted that Section 10.4 of the OCP supports the District's current approach to the site, stating that "Community uses may be located within any area of the District as deemed appropriate by Council."

In addition, Figure 1 of the OCP (Agricultural Land Reserve) is also proposed to be amended to remove the site from the ALR on this OCP map.

### **OPTIONS:**

Council has the following options associated with this application:

1. **(Staff Recommended):** Support the exclusion application for 1885 Forest Park Drive (ALC 2018-01) and authorize the exclusion application for 1885 Forest Park Drive (ALC 2018-01) to proceed to the Agricultural Land Commission (ALC) for their consideration and decision; AND
2. **(Staff Recommended):** Give third reading to Official Community Plan Amendment Bylaw No. 1487, 2020; OR
3. Deny the application; OR
4. Other.

### **FINANCIAL IMPLICATIONS:**

No significant financial implications have been identified at this time for this application.

### **LEGAL IMPLICATIONS:**

As required under Section 477(3)(a) of the *Local Government Act* for the reading of any OCP amendment bylaw, a local government must consider the Official Community Plan in conjunction with its Financial Plan as well as any Waste Management Plan under Part 3 of the *Environmental Management Act*.



### **CONSULTATIONS:**

Referrals to Ministry of Agriculture, the ALC, and any applicable First Nations were completed following first and second reading of proposed bylaw no. 1487. Reed Bailey of the Ministry of Agriculture responded to acknowledge the OCP amendment and ALC exclusion application, and stated that the Ministry doesn't believe the OCP amendment wording in its current form will have a significant impact on agricultural lands within the District. Gordon Bednard of the ALC responded that he feels it is premature to consider the OCP amendment before the ALC exclusion application is complete.

Mailout notices regarding the public hearing for the OCP bylaw amendment were circulated in accordance with the Development Application Procedures Bylaw to the owners of all property within 50 m of the subject property.

Mailout notices regarding the public hearing for the ALC exclusion application were circulated to the owners of adjacent property in the ALR in accordance with the ALC's notification requirements. Notices of the public hearing for the OCP amendment and ALC exclusion processes were advertised in the Peninsula New Review for two weeks prior to the scheduled July 13, 2020 public hearing, and were also posted on the District's website.

Notification signs explaining the proposed OCP amendment, as well as signs advising of the public hearing for the ALC application and a copy of the application in accordance with the ALC regulations have been placed along the street on each side of the 1885 Forest Park Drive property.

A number of letters from the public were received following the notification processes. A total of twenty-five letters have been received, with twenty-three letters opposed and two letters in favor of the OCP amendment and ALC exclusion application.

### **SUMMARY/CONCLUSION:**


The purpose of this report is to provide Council with information regarding the ALR exclusion application that the District has submitted to the remove the property (Panorama Recreation Centre) from the ALR. The District must review the exclusion application prior to the ALC to determine how the proposal relates to planning policy and whether the application should proceed to the ALC.

The purpose of this report is also to provide Council with information and a recommendation regarding the third hearing of OCP Amendment Bylaw No. 1487, 2020, after holding a public hearing on the proposed amendment.

Staff are recommending that Council authorizes the exclusion application for 1885 Forest Park Drive (ALC 2018-01) to proceed to the ALC, and give third reading to OCP Amendment Bylaw No. 1487, 2020.

Should the land be removed from the ALR and the OCP amendment bylaw adopted would allow future flexibility for the site, allowing new and expanded recreational and cultural facilities to be built at the subject property without the current policy constraint of the ALR.

Respectfully submitted,

  
\_\_\_\_\_  
Drew Bakken  
Planner

Concurrence:

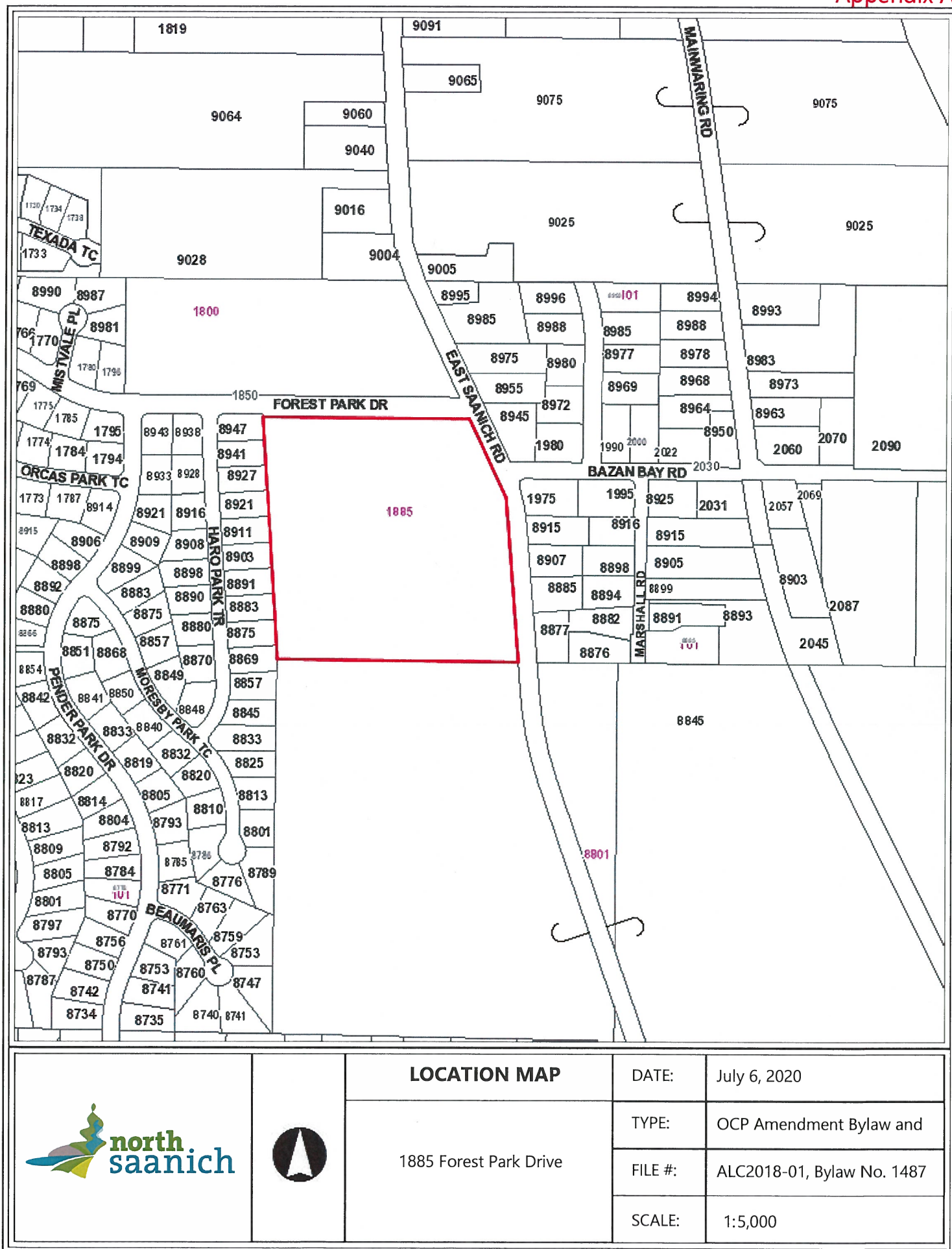
  
\_\_\_\_\_  
Tim Tanton  
Chief Administrative Officer

Concurrence:

  
\_\_\_\_\_  
Brian Green  
Director of Planning and Community Services

**Attachments:**

Appendix A	Location Plan
Appendix B	Orthophoto of Subject Property
Appendix C	Zoning Map
Appendix D	ALC Application 59930
Appendix E	ALC Decision dated April 2, 2019
Appendix F	Proposed OCP Amendment Bylaw No. 1487, 2020
Appendix G	Correspondence







# ORTHOPHOTO

1885 Forest Park Drive

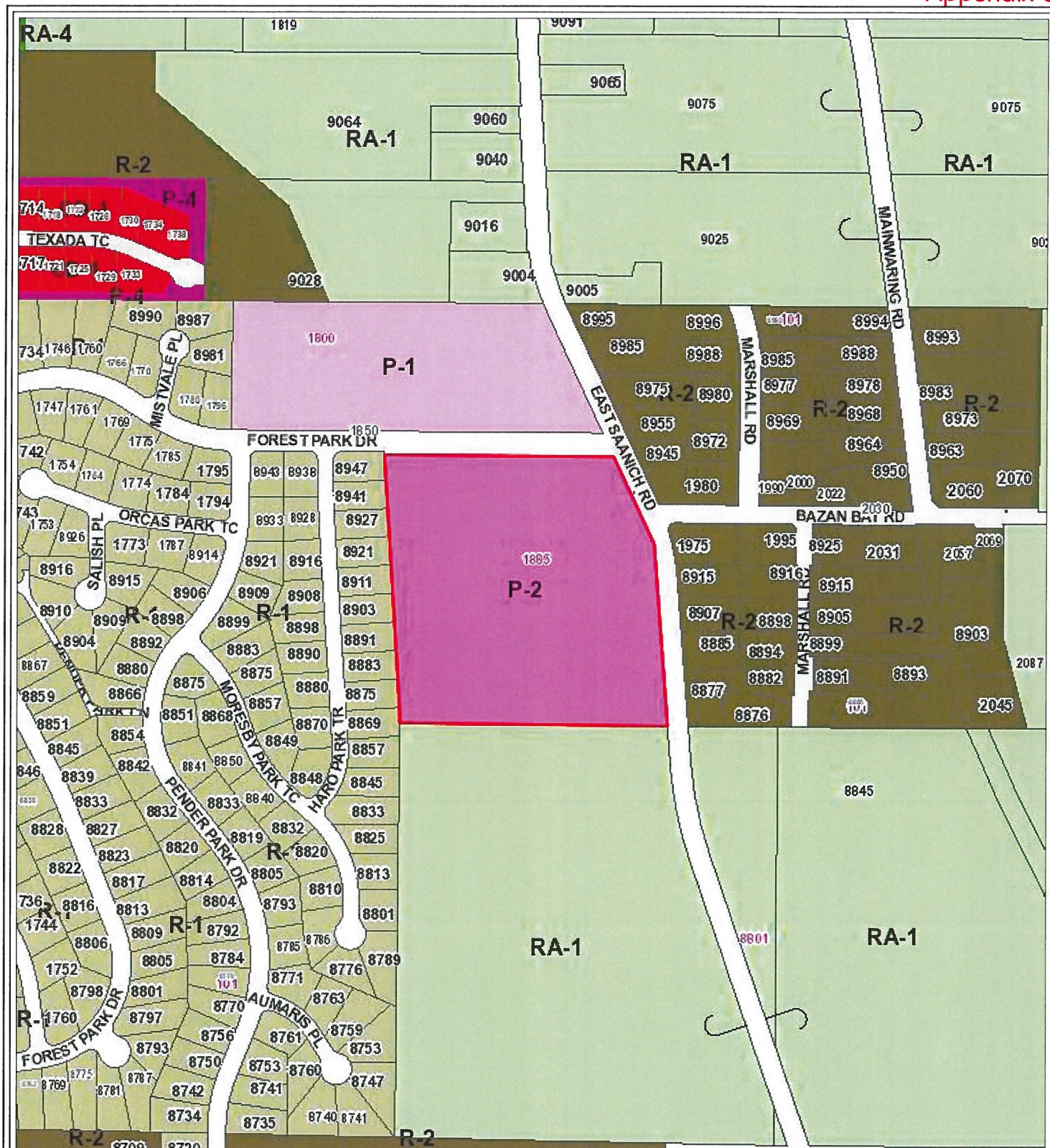
DATE: July 6, 2020



TYPE: OCP Amendment Bylaw and

FILE #: ALC2018-01, Bylaw No. 1487

SCALE: 1:1,666





		<b>ZONING MAP</b>	DATE:	July 6, 2020
		1885 Forest Park Drive	TYPE:	OCP Amendment Bylaw and
			FILE #:	ALC2018-01, Bylaw No. 1487
			SCALE:	1:5,000

# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 59930

**Application Status:** N/A

**Applicant:** District of North Saanich

**Local Government:** District of North Saanich

**Local Government Date of Receipt:** This application has not been submitted to local government yet.

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Exclusion

**Proposal:** The purpose of the proposal is to exclude the 1885 Forest Park Drive property from the ALR, consistent with previous ALC resolutions #101/2019 and #102/2019 in regard to applications 57536 and 57540 respectively.

**Mailing Address:**

1620 Mills Road  
North Saanich, BC  
V8L 5S9  
Canada

**Primary Phone:** (778) 426-8482

**Email:** dbakken@northsaanich.ca

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 001-360-451

**Legal Description:** LOT 1, SECTION 4, RANGE 2 EAST, NORTH SAANICH DISTRICT,  
PLAN 29757

**Parcel Area:** 6.4 ha

**Civic Address:** 1885 Forest Park Drive

**Date of Purchase:**

**Farm Classification:** No

**Owners**

1. **Name:** District of North Saanich

**Address:**

1620 Mills Road  
North Saanich, BC  
V8L 5S9  
Canada

**Phone:** (250) 656-0782

**Email:** admin@northsaanich.ca

---

### Current Use of Parcels Under Application

**Applicant:** District of North Saanich



**1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*No agriculture*

**2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*No agricultural improvements*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*Panorama Recreation: a public recreation facility which consists mainly of two skating arenas, a swimming pool, racquetball and squash courts, indoor and outdoor tennis courts, and a fitness centre.*

## **Adjacent Land Uses**

### **North**

**Land Use Type:** Civic/Institutional

**Specify Activity:** Kelset Elementary School

### **East**

**Land Use Type:** Residential

**Specify Activity:** Single Family Residential

### **South**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Centre for Plant Health

### **West**

**Land Use Type:** Residential

**Specify Activity:** Single Family Residential

## **Proposal**

**1. How many hectares are you proposing to exclude?**

*6.4 ha*

**2. What is the purpose of the proposal?**

*The purpose of the proposal is to exclude the 1885 Forest Park Drive property from the ALR, consistent with previous ALC resolutions #101/2019 and #102/2019 in regard to applications 57536 and 57540 respectively.*

**3. Explain why you believe that the parcel(s) should be excluded from the ALR.**

*Historically, this land has not been used for agriculture since well before the construction of the recreation centre. The site is a major hub for public services and recreation, and is currently used by the community for a variety of cultural and sporting events. Excluding the land from the ALR will allow for expansion of recreation uses on site, including a possible library development in the future.*

## **Applicant Attachments**

None.

**Applicant:** District of North Saanich

## **ALC Attachments**

None.

## **Decisions**

None.



**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](http://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](mailto:ALC.Island@gov.bc.ca).

Yours truly,

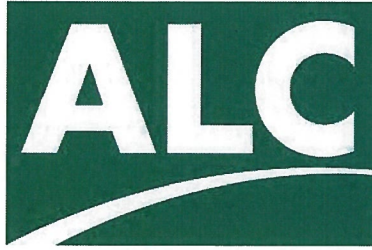
PROVINCIAL AGRICULTURAL LAND COMMISSION

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***

<b>Applicant:</b>	District of North Saanich
<b>Agent:</b>	Anne Berry, Director of Planning & Community Services, North Saanich
<b>Property:</b>	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
<b>Executive Committee:</b>	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

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

**Jennifer Dyson, Chair**

On behalf of the Executive Committee



## DISTRICT OF NORTH SAANICH

## BYLAW NO. 1487

**A BYLAW TO AMEND "DISTRICT OF NORTH SAANICH  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1130 (2007)"**

The Municipal Council of the District of North Saanich, in open meeting assembled, enacts as follows:

**TEXT AMENDMENTS**

1. "District of North Saanich Official Community Plan Bylaw No. 1130, (2007)" is hereby amended as follows:
  - (a) Section 5 is amended by adding the following subsection after subsection 5.11 and renumbering all subsequent subsections:
 

"5.12           The inclusion requirement in Section 5.11 does not apply to land that has been approved by the ALC for non-farm uses since 1975, and that is used solely for public recreation and community uses."
  - (b) Figure 1 of "Official Community Plan Bylaw", No. 1150, is amended by repealing and substituting that part of Figure 1 with Schedule 1, attached to and forming part of this bylaw.

**CITATION**

2. This Bylaw may be cited for all purposes as "North Saanich Official Community Plan Bylaw No. 1130, Amendment Bylaw No. 1487 (2020)".

READ A FIRST TIME the \_\_ day of \_\_\_\_, 2020

READ A SECOND TIME the \_\_ day of \_\_\_\_, 2020

NOTICE OF PUBLIC HEARING published in the \_\_\_\_, 2020 and \_\_\_\_, 2020 editions of the *Peninsula News Review*.

PUBLIC HEARING held at the North Saanich Municipal Hall the \_\_ day of \_\_\_\_, 2020

READ A THIRD TIME the \_\_ day of \_\_\_\_, 2020

APPROVED BY THE MINISTRY OF TRANSPORTATION the \_\_ day of \_\_\_\_, 2020

FINALLY PASSED AND ADOPTED the \_\_ day of \_\_\_\_, 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

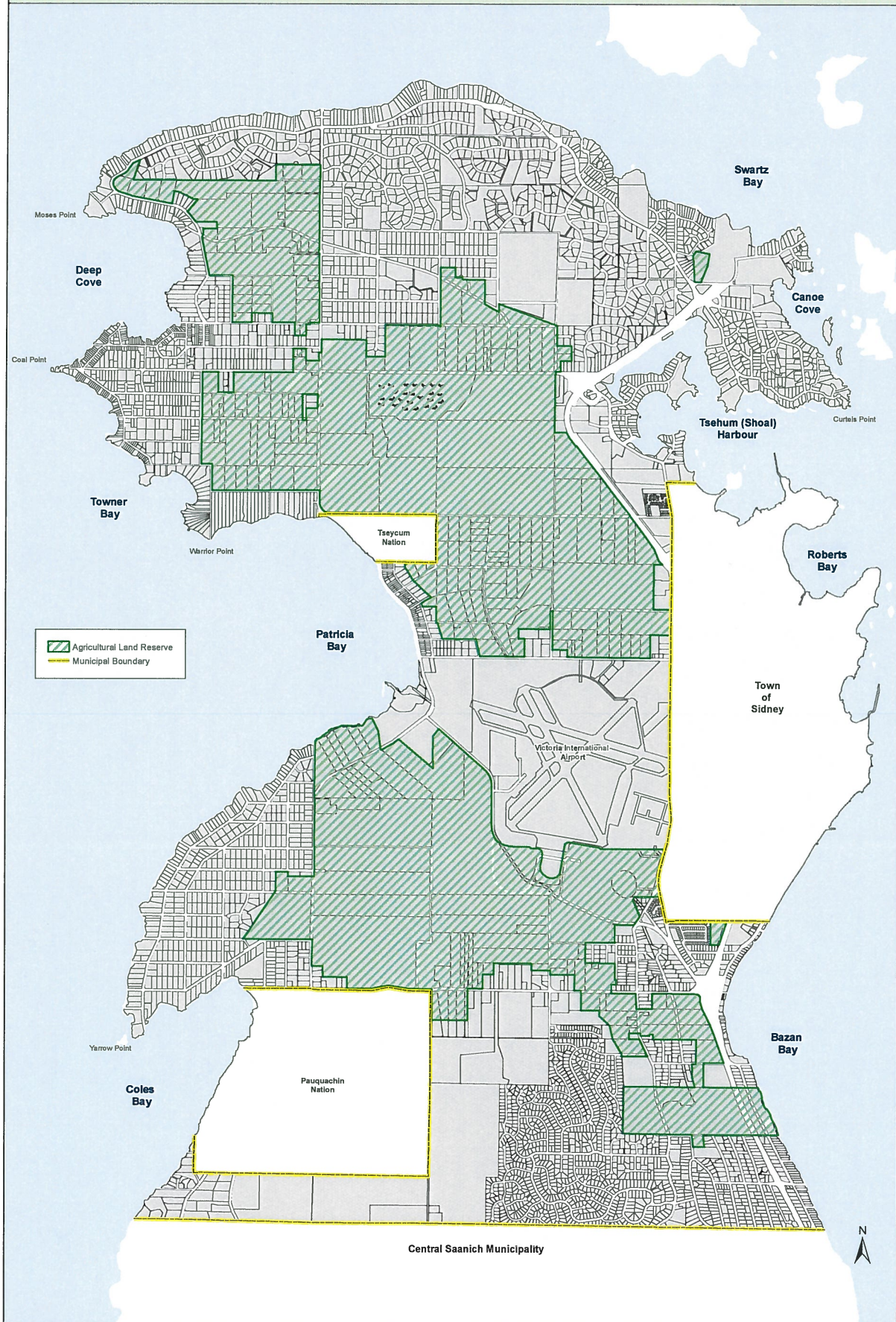


# Draft

## Figure 1 Agricultural Land Reserve

District of North Saanich - Official Community Plan

Bylaw: 1130  
Amending Bylaw: 1487  
Adopted and Signed: XXXX XX, 2020  
File: OCP Figure 1 Bylaw 1130 Amendment Bylaw 1487





Drew Bakken  
District of North Saanich  
1620 Mills Road  
North Saanich, BC V8L 5S9

Via email

May 27, 2020

**Re: Bylaw No. 1487**

Dear: Drew Bakken,

Thank you for providing the Ministry of Agriculture the opportunity to comment on OCP Amendment Bylaw No. 1487.

The Ministry understands that the purpose of this OCP amendment is to facilitate a subdivision of a portion of 1885 Forest Park Drive (the 'Property') which is home to the Panorama Recreation Centre. In reviewing the history of the Property, the Ministry notes that in 1975, the Agricultural Land Commission (ALC) approved a 7.1 ha parcel subdivision that was donated to the District of North Saanich for park purposes, which resulted in the development of the Panorama Recreation Centre. Since this approval, the ALC has approved numerous other applications on the Property for public recreation and community uses. The Ministry further understands that the District has recently submitted an exclusion application to the ALC to have the Property excluded from the Agricultural Land Reserve.

With respect to the proposed OCP Amendment, it appears as though policy 5.12 has primarily been crafted to apply to the Property, although under the right circumstances, it may also apply to other properties within the District. Despite policy 5.12 somewhat weakening the agriculturally supportive policy 5.11, the Ministry believes that this will ultimately not have a significant impact on agricultural lands within the District given that subsection 5.12 only applies *"to land that has been approved by the ALC for non-farm uses since 1975, and that is used solely for public recreation and community uses."*

Once again, thank you for the opportunity to comment on OCP Amendment Bylaw No. 1487.

If you have any questions about the above noted comments, please do not hesitate to contact me directly.

Sincerely,

Reed Bailey, Land Use Planner  
B.C. Ministry of Agriculture (AGRI)  
[Reed.Bailey@gov.bc.ca](mailto:Reed.Bailey@gov.bc.ca) (778) 698-3455

email copy: Gord Bednard, Regional Planner, Agricultural Land Commission



## Drew Bakken

---

**From:** Bednard, Gordon ALC:EX <Gordon.Bednard@gov.bc.ca>  
**Sent:** Wednesday, May 20, 2020 11:10 AM  
**To:** Drew Bakken  
**Subject:** RE: OCP amendment referral

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Drew,

As per our discussion of today's date, it would appear to be premature to consider this amendment as the application in question (ALC File #59330) has not yet been considered by the ALC. Generally speaking, the ALC would not support a bylaw which encourages or enables the exclusion from, or non-agricultural use of, land in the ALR. As well, while the ALC may allow non-agricultural activity on a property in the ALR, it should not be considered a given that exclusion will follow.

I would suggest the District await the outcome of the application prior to consideration of the bylaw amendment.

Cheers

Gord Bednard  
Regional Planner

---

**From:** Drew Bakken [mailto:DBakken@northsaanich.ca]  
**Sent:** Tuesday, May 19, 2020 5:12 PM  
**To:** Bednard, Gordon ALC:EX  
**Subject:** OCP amendment referral

Good afternoon Gordon,

The District of North Saanich is looking to amend our Official Community Plan with regard to land in the agricultural land reserve. In accordance with Sec 477 of the Local Government Act we are referring the proposed amendment to you.

Specifically this amendment is being done to facilitate the subdivision of land from 1885 Forest Park Drive (Panorama Recreation Centre) for a new library. The site is currently in the ALR, however an exclusion application is currently underway with the ALC for this site (application #59930).

Let me know if you have any questions. If you wish to provide comment on the amendment please do so by June 8, 2020.

Thanks,  
Drew Bakken, Planner  
District of North Saanich  
778-426-8482

To: admin <[a@northsaanich.ca](mailto:a@northsaanich.ca)>

Cc: editor <[editor@peninsulanewsreview.com](mailto:editor@peninsulanewsreview.com)>

Subject: Application to Remove 1885 Forest Park Drive from the ALR

I find your notice of Exclusion Application to be disingenuous at best.

What you are really proposing to do it to expand the Panorama Recreational Centre property to the west by removing the land from the ALR.

That will allow you to cut down the trees that form a buffer between the rec centre and the homes on Haro Park Terrace thus imposing the noise and visual pollution on these home owners and, of course, negatively impacting their property values in the real world not the world of BC Assessment.

We need trees folks. Trees allow us to live. They are our source of oxygen to say nothing of the aesthetic qualities they bring to our lives.

I don't know why it is that politicians and municipal bureaucrats make a career of fulfilling that thoughts expressed by Joni Mitchell in Great Yellow Taxi which in part say:

They paved paradise

Put up a parking lot

With a pink hotel, a boutique

And a swinging hot spot (sub expanded rec centre for people who come from outside the immediate community)

Don't it always seem to go

That you don't know what you've got

'Til it's gone!

They took all the trees

Put them in a tree museum

And they charged all the people

A dollar and a half to see 'em

Don't it always seem to go

That you don't know what you've got

'Til it's gone

They paved paradise

Put up a parking lot

Alex Currie

North Saanich

**Sara De Melo**

---

**From:** Suzie Anderson [REDACTED]  
**Sent:** Tuesday, June 23, 2020 11:33 AM  
**To:** admin  
**Subject:** New library

Hi

Just wanted to voice my opinion. I do NOT agree to another library being built on ALR land. It is not needed.

Suzie Anderson  
North Saanich resident.

Sent from my iPhone



<u>CIRCULATION</u>	
Mayor	
CAO	
Corporate Officers	
<u>ACTION</u>	
<input type="checkbox"/>	Council Agenda
<input type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
2020-06-24	



**Sara De Melo**

---

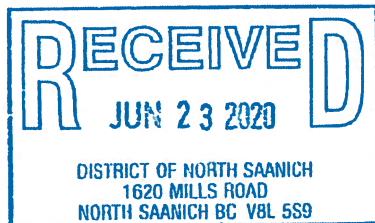
**From:** LESLEY CARERE [REDACTED]  
**Sent:** Tuesday, June 23, 2020 8:08 AM  
**To:** admin  
**Subject:** notice of ALR exclusion application for panorama rec lands

"Mayor and Council"

I do not support another Library in North Saanich.

The library would destroy ALR green space and affect the Eric Sherwood Memorial trail. There is already a library in Sidney and another in central saanich. There are also parking and congestion and safety issues for the site. Would funds be better spent elsewhere? Such as road safety and crosswalks and sidewalks and traffic calming  
More policing for speeding drivers

Thank you  
Lesley Carere  
958 Downey Rd  
N. Saanich



<b>CIRCULATION</b>	
Mayor	<i>g/b</i>
CAO	<i>g/a</i>
Corporate Officer	<i>[Signature]</i>
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<i>copy into Planning folder</i>	
<i>copy into Planning</i>	
<i>2020-10-24</i>	
<i>OK ✓</i>	

**Sara De Melo**

---

**From:** [REDACTED]  
**Sent:** Tuesday, June 23, 2020 5:54 AM  
**To:** admin  
**Subject:** Notice of Exclusion ALR 1885 Forest Park Road library opposition  
**Attachments:** Notice of Exclusion Application North Saanich Municipality June 23, 2020.pdf

Good day NS Council & Mayor,

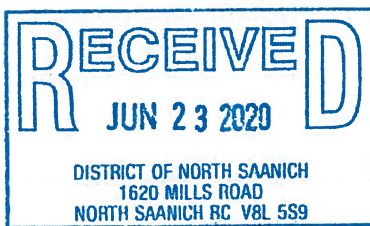
Please find my letter of opposition to building a library and removing land from ALR for it.

Regards,

Chris Connor | President

**Life Flight International Inc.**

Air Ambulance, Commercial Stretcher, Medical Escort & Ground Ambulance service  
(CYVR) Vancouver International Airport  
British Columbia, Canada  
Main: +1-250-655-1630 Toll free: 1-800-661-2183 Fax: +1-250-656-9394



<b>CIRCULATION</b>	
Mayor	<i>GP</i>
CAO	<i>20</i>
Corporate Officer	<i>[Signature]</i>
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<i>[Signature]</i>	
<i>[Signature]</i>	
2020-06-24	
<i>OK</i>	

**29<sup>th</sup>** year of providing professional safe medical evacuations to over 175 countries world wide

**Life Flight International Inc. – Providing Air Ambulance and Commercial Repatriation worldwide since 1990**

June 23, 2020

North Saanich Mayor and Council,  
Municipal Hall  
1620 Mills Road  
North Saanich, BC V8L 5S9

Dear Council,

Re; Tentative Library (notice of exclusion application) 1885 Forest Park Rd

I would like to voice my opinion to the tentative library and notice of exclusion for the property 1885 Forest park road.

First, for a council on the Saanich peninsula to entertain removing land from ALR for this frivolous purpose is irresponsible. We all know that there is limited good ALR land on the peninsula, in which this land is. It may not be used for it right now in this decade, but its in the ALR for a reason. I strongly urge the council to rethink this. I as a north Saanich resident will be rallying the troops to try and put a stop to this, as well as writing to Kim Grout, CEO of ALC.

As for a library for North Saanich, we already have one located in Sidney that I pay every year for on my property taxes. A way cheaper amount of taxes than I would pay if you built one for North Saanich, and don't think for a second in my life time that the library taxes will be as cheap as they are now, if you build one in NS. The Sidney library is exactly 4.8 kms from the location identified on forest road, a location that is central to the majority of NS residents, where as the location identified is the at the North end of the NS municipal line. There is also a library located in Central Saanich 7.8 km from this location. With this information, I cant believe the council would even entertain building one for NS. The money is best spent elsewhere for our community. Who in their right mind will go to this location when Sidney library is closer to the majority of us, you can get a few chores done in town as well at the same time? If I were present, I would tap each one of you on the head and ask WHAT ARE YOU THINKING?? 4.8 kms apart. Our peninsula is very well serviced by the Sidney library and has been for the past since 1982.

The development of this property would affect the Eric Sherwood Memorial Trail.

Regards,

Chris Connor  
470 Hasquiat place  
North Saanich, BC



**Sara De Melo**

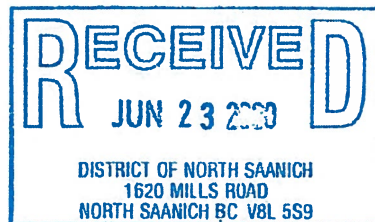
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**From:** Christi Dunn [REDACTED]  
**Sent:** Tuesday, June 23, 2020 9:02 AM  
**To:** admin  
**Subject:** Re: Notice of ALR exclusion application for Panorama Rec Lands

Attention Mayor and Council,

I DO NOT SUPPORT THE BUILDING OF A NEW LIBRARY ON THE PANORAMA REC LANDS. The library would destroy ALR green space and affect the Eric Sherwood Memorial trail. There is already a library in Sidney and another in Central Saanich. There are also parking and congestion and safety issues for the site.

Thank you,  
Christina Dunn



CIRCULATION	
Mayor	60
CAO	2
Corporate Officer	
ACTION	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
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<input type="checkbox"/>	Staff Recommendation
<i>[Signature]</i>	
<i>[Signature]</i>	
2020-06-24	
95 ✓	

**Sara De Melo**

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**From:** Mary F [REDACTED]  
**Sent:** Tuesday, June 23, 2020 1:46 PM  
**To:** admin  
**Subject:** attn Mayor and Council

*To Mayor and Council,*

*We do not need another library in the Sidney/North Saanich area, we are well served by Sidney and Brentwood.*

*Taking land from ALR is unacceptable to most if not all of the residents.*

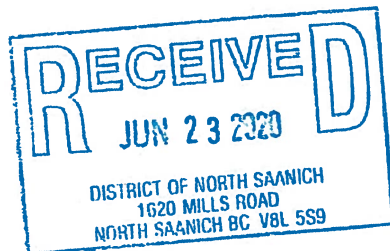
*Besides the cost of this project at a time when we can least afford it takes away green space and creates more congestion.*

*You are mismanaging funds and decreasing green space adding to climate change, FOR WHAT??*

*Put money into harnessing the power of the ocean or putting in a geo-thermal plant to service the area. Reduce our reliance on unsustainable fuels.*

*I'm sure there would be more support for a 'green' project that would actually benefit the area.....*

*Mary Fay  
resident of Sidney*



CIRCULATION	
Mayor	<i>SO</i>
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
ACTION	
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2020-06-24	
QSV	

**Sara De Melo**

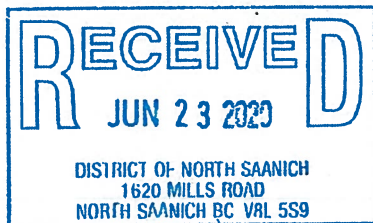
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**From:** Nancy McMillan [REDACTED]  
**Sent:** Tuesday, June 23, 2020 10:32 AM  
**To:** admin  
**Subject:** Notice of ALR exclusion application for Panorama Red Lands

Mayor and Council

I do not believe we need a second library in our small community. Tax \$\$ would be better spent elsewhere or not at all.

Sent from my iPhone



CIRCULATION	
Mayor	<i>GO</i>
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
ACTION	
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<i>[Signature]</i>	
2020-06-24	
OK ✓	

**Sara De Melo**

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**From:** Gary Ng [REDACTED]  
**Sent:** Tuesday, June 23, 2020 8:27 AM  
**To:** admin  
**Subject:** Notice of ALR exclusion application at Panorama

Dear Mayor and Council,

I am writing to oppose the idea of a library built at this particular location at Panorama, and in general the exclusion application to remove the site from the ALR.

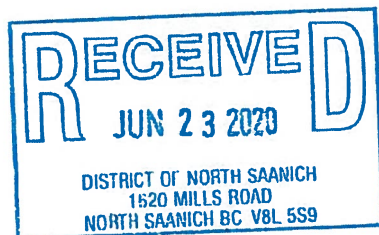
I believe a better location would be suited for a library. This area is already congested enough and also removing established greenspace--which is home to deer, quail, rabbits, crows, robins, eagles and more, is not something I support. Also, this green space is home to the Eric Sherwood Memorial Trail and I would hate to see it destroyed or altered in anyway.

Removing greenspace from the ALR to build a library and parking lot does not make sense in 2020. Most people I know download books digitally and funds would be better spent elsewhere, such as getting drivers to slow down in the community, especially around Kelset Elementary and Deep Cove Elementary School.

North Saanich would be better off re-evaluating another site for a library as this site is not something I am in favour of. The next time there is an election, I will cast my ballot for mayor and council based on those who used common sense decision making in regards to this plan.

Thank you for your time.

Sincerely,  
Gary N.  
North Saanich



<b>CIRCULATION</b>	
Mayor	<i>[Signature]</i>
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
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**Sara De Melo**

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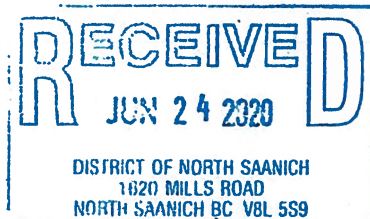
**From:** Bill Boyce [REDACTED]  
**Sent:** Wednesday, June 24, 2020 12:34 PM  
**To:** admin; kim.grout@gov.bc.ca  
**Subject:** ALR exclusion application for panorama rec lands

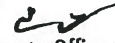
I have reviewed the notice for ALR exclusion application for panorama rec lands. I understand that you are doing this to add a library. I DO NOT support this proposal as we already have a library in Sidney and another in Central Saanich. There is no reason to increase tax costs and remove land from ALR to add a service that is not required.

Please consider this a vote against the proposal.

I find it interesting that you are doing this at a time when the public can not attend council meetings. This would seem to be a play to get it through without public comment.

Thx  
Bill Boyce  
9495 Glenelg Ave, North Saanich, BC V8L 5H2



<u>CIRCULATION</u>	
Mayor	
CAO	
Corporate Officer	
<u>ACTION</u>	
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	_____
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Sara De Melo

**From:** Brooke Kray [REDACTED]  
**Sent:** Tuesday, June 23, 2020 8:24 PM  
**To:** admin  
**Subject:** Re: notice of ALR exclusion application for panorama rec lands

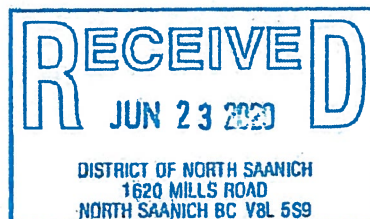
Dear Mayor and Council,

I am a resident of Dean Park and I, along with many others, do not support the plans to expand the Panorama Rec lands for a library, for the following reasons:

-The library/expansion would destroy ALR green space and affect the Eric Sherwood Memorial trail, which is frequently used and highly valued by the residents of Dean Park and beyond -There is already a library in Sidney and another in Central Saanich -There are parking and congestion and safety issues for the site -The VIRL library in Sidney should join the GVPL. This would satisfy all of the needs of Sidney/North Saanich and give us access to a much larger base of resources. We don't need to spend money creating a brand new library in NS.

Please consider these points before moving forward with this application/project.

From a concerned neighbour.



CIRCULATION	
Mayor	
CAO	<i>20</i>
Corporate Officer	
ACTION	
<input type="checkbox"/> Council Agenda	
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<input type="checkbox"/> Reading File	
<input type="checkbox"/> Staff Recommendation	
<i>emailed Director</i>	
<i>of Planning</i>	
<i>Public Hearing</i>	
<i>2020-06-25</i>	

## Billy Blackwood

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**From:** Lindsay McCray [REDACTED]  
**Sent:** Wednesday, June 24, 2020 9:31 PM  
**To:** admin  
**Subject:** Notice of ALR exclusion application for Panorama Rec lands

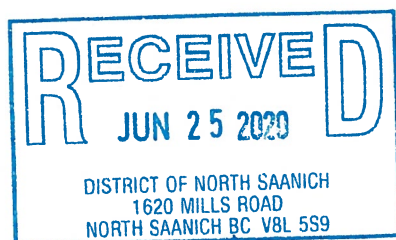
To Mayor and Council,

Just wanted to say that our family (my husband and I and our 9 and 11 year olds) very much support the application to take the parcel of land out of the ALR to make a library (or other multipurpose facilities in future). We are frequent rec centre and library users and happily support having both in the same location. We lived a number of years in Saanich and enjoyed using the pool and library at Commonwealth - it makes sense. The convenience (as a parent) of having both in one place can't be overstated. Yes, there is a library in Sidney (and we will continue to use it) but we'll be able to use the library system even more if there's another branch that is located somewhere we already go each week.

My only concern is we would love to be part of GVPL rather than VIRL. GVPL's selection (both books in stock and that can be reserved) far exceeds what is available by VIRL. With that said, I understand that's a different issue entirely.

Thanks for your time,

Lindsay McCray



<u>CIRCULATION</u>	
Mayor	
CAO	<i>sa</i>
Corporate Officer	
<u>ACTION</u>	
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<i>emailed DPCS.</i>	
<i>2020-06-29</i>	
<i>CB</i>	

## Billy Blackwood

**From:** Catherine Hayden [REDACTED]  
**Sent:** Friday, June 26, 2020 12:38 PM  
**To:** admin  
**Subject:** 1885 Forest Park Drive

I am writing to object to the proposed exclusion from the ALR of 1885 Forest Park Drive, Lot 1, Section 4, Range 2 East, North Saanich District, Plan 29757.

I believe my opinion is valid as a 60 year resident of Saanich and a long standing fan of community libraries. My reasoning is:

-we have lovely libraries in Sidney and in Brentwood which are underused;

-going forward, library services are online;

-no ALR land should be excluded going forward because of the exponential quantity of townhouse and condo development changing the culture of the peninsula;

-natural undeveloped land is a buffer between commercial and residential areas used widely for flora, fauna and our children to explore;

-what is the requirement for this space? Surely all the vacant businesses in Sidney and Brentwood, Mary Winspear, central Saanich Cultural, fairgrounds etc could be used for gatherings;

-removing land from our peninsula ALR sets an unwanted precedent and a very negative perception of our community political decision makers.

Aside from all this, during pandemic times with no end in site, how can people gather in this space?

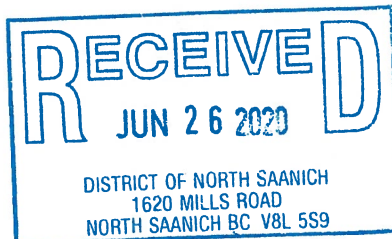
Sincerely,

Catherine Hayden  
[REDACTED]

-Saanich Peninsula Hospital Lab Tech 25 yrs

-resident of North Saanich

-Certificate Environmental & Occupational Health & Safety, UVic



<b>CIRCULATION</b>	
Mayor	
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
<b>ACTION</b>	
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<i>June 29 Luke SL</i>	
<i>emailed DPCS</i>	
<i>2020-06-29 C</i>	



Sara De Melo

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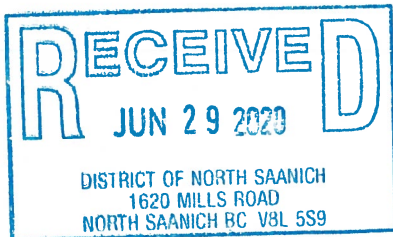
**From:** FT MacDonald [REDACTED]  
**Sent:** Monday, June 29, 2020 9:24 AM  
**To:** admin  
**Subject:** ALR exclusion application

I wish to support the application and would suggest that any further building(s) be located on the south side of the Recreation Centre with car access and parking from E Saanich Rd. This would reduce the traffic, noise, and visual impact for those living just above Panorama. This would also separate the "new" traffic from Kelset School traffic.

Thank you,

Frank MacDonald  
8928 Haro Park Terrace  
North Saanich

Sent from my iPad



<b>CIRCULATION</b>
Mayor
CAO <i>[Signature]</i>
Corporate Officer <i>[Signature]</i>
<b>ACTION</b>
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<input checked="" type="checkbox"/> Info Pk
<input type="checkbox"/> Reading File
<input type="checkbox"/> Staff Recommendation
<i>June 29 1:41 PM</i>
<i>mailed DPCS</i>
<i>2020-06-29 64</i>

## Billy Blackwood

**From:** Michael & Sharon Forster <Michael\_Forster@telus.net>  
**Sent:** Tuesday, July 7, 2020 11:16 AM  
**To:** admin; 'Michael & Sharon Forster'  
**Subject:** FW: Notice of Exclusion Public Hearing Submission : July 13, 2020 - revised heading  
**Attachments:** 0188 - Land Development Bylaw No 1 (1975).pdf; CCE03282018\_0005.pdf; Panorama Lands - Brief Timeline.-R2.1 - working.docx; VIRL21062020\_0001.jpg; VIRL21062020\_0006.jpg; Panorama Lands - Public hearing submission - letter to council- Copy - V2p1.docx

Please substitute this email for my previous email which had 'Draft' in the header of the submission document.

M

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**From:** Michael & Sharon Forster [mailto:Michael\_Forster@telus.net]  
**Sent:** July-07-20 11:07 AM  
**To:** 'admin@northsaanich.ca'; 'Michael & Sharon Forster'  
**Subject:** Notice of Exclusion Public Hearing Submission : July 13, 2020

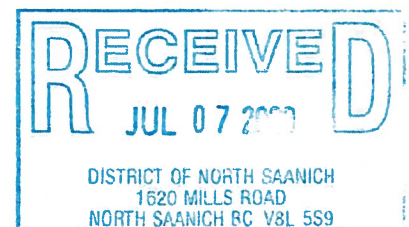
Attached is my submission for the Public Hearing – July 13, 2020 with attached filename: "Panorama Lands - Public hearing submission - letter to council- Copy - V2p1.docx"

The reference files for this document as noted in the submission are also attached:

- 1) Bylaw #188, the enabling document for the Land Title and the Land transfer from the Park requirement. See section 3. (0188 - Land Development Bylaw No 1 (1975).pdf)
- 2) Land title for the Forest Park (Panorama) lands. Copy of Land Titles Transfer (CCE03282018\_0005.pdf) See Conveyance.
- 3) Summary of Staff reports used by DNS referenced in the Public Hearing AND other information and concerns. (Panorama Lands - Brief Timeline.-R2.1 - working.docx)
- 4) Page 4 – 2016 Staff report – Options on how to proceed – Public Survey Option. (VIRL21062020\_0001.jpg - Page 4 - Staff report June 1, 2016)
- 5) Panorama Recreation Centre lease – improvements listed – trail, playground et. al. (VIRL21062020\_0006.jpg) - Panorama Lease - Page 1 - Improvements

Michael Forster  
8903 Haro Park Terrace  
North Saanich, V8L3Z3

CIRCULATION	
Mayor	GD
CAO	21
Corporate Officer	
ACTION	
<input type="checkbox"/>	Council Agenda
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COPY TO	
P.H. BINDER	
2020-07-08	
QA ✓	



\* See attachments in  
e-mail\*

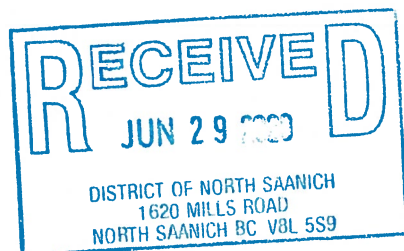
Sara De Melo

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**From:** Michael & Sharon Forster [REDACTED]  
**Sent:** Monday, June 29, 2020 11:17 AM  
**To:** 'Michael Forster'; admin; Geoff Orr  
**Subject:** Letter to Council R-Statement of Diligence from CAO regarding providence of Panorama Lands -V2.docx  
**Attachments:** CCE03282018\_0005.pdf; 0188 - Land Development Bylaw No 1 (1975).pdf; ALC File 0575 \_decisions 1975-2006.pdf; Letter to Council R-Statement of Diligence from CAO regarding providence of Panorama Lands -V2.docx

TO MAYOR AND COUNCIL

RE: NOTICE of EXCLUSION APPLICATION for 1885 Forest Park Drive from ALR



<u>CIRCULATION</u>	
Mayor	
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
<u>ACTION</u>	
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<i>June 29 Late St</i>	

*x 3 attachments not printed*

## Letter to council regarding the Providence of the Panorama Lands and Legality – V2

TO: Mayor and Council

RE: Panorama Lands – 1885 Forest Park Drive

June 29, 2020

Subject: Providence of lands held in trust and Exclusion implications – Legality

**Summary:** I wish to oppose the application for EXCLUSION of the Forest Park Lands. Please refer to my documents that reference to the history of these lands and their intended use. I believe there may be a conflict between the restrictions in the **legal description and intent**, and the zoning P-2

If true, many of the uses in the P-2 zoning would not apply to this property, except 'Recreational'. Validity of a future DNS approval for such development could be in question. Currently these approvals are provided by the ALC.

Through Mayor and Council, I request the CAO in his professional role, to review the documents. A reply from the CAO is requested that clarifies the conflict in the wording – as outlined – and future intent of P-2 designations that conflict with the INTENT (Park and Recreation), and the SCOPE as in 75-575 (et. al.) regarding 'Joint Venture .. AND '... **some** of which will be land intensive'. Currently 'Intensive' operations (plus parking) consume more than 50% of the land area.

### **Relevant Documents**

- a) **DNS** is owner of the property, as per ByLaw agreement 188 which sets out the transfer of Park Lands in the new Dean Park development into a new parcel for 'Park and Recreation (1975)'
- b) The property under Application 75-575 (land commission) is **donated as park** (para.2) and to remain in the ALR and subject to the provisions of 11(4) subject to the agreement of the Commission. Application 75-575A is a companion document.
- c) Application 75-575A (land commission) approves the subdivision with understanding that "... **some of which will be land intensive**, such as swimming pool, ice skating rink and activity buildings". That the application be allowed in consideration of the public need... understanding that these facilities be a joint venture to serve the needs of the 3 municipalities. The commission recognizes.. to find alternate sites without success. ...The land is to remain in the ALR. (Resolution 2770/75). 5 and 14 November, 1975
- d) Land title E99232 - 23 of November 1976 Registered 23 November, 1976 **subject to** : "This certificate of title may be affected by the Land Commission Act ; see ALR Plan No. 4, Deposited July 11, 1974 (I don't have this map).

Conveyance: "This conveyance is made **subject to the express condition and limitation that the lands herein conveyed shall forever be held for use as park and recreation land only**". This meets the meaning of 'Trust'.



- e) **DNS** has the right under the local government act and its OCP to pass bylaws regulating land use through zoning. The land use for the property is currently **P-2** and in force, but subject to **ALC** approval also.

## **P-2 Definition**

*The non-commercial assembly of persons for religious, charitable, philanthropic, cultural, **recreational** or education purposes, and includes auditoriums, youth centres, social halls, group camps, educational schools, kindergartens, play schools, day nurseries, day care schools and churches; (ByLaw 1435 – consolidated – Pg. 5/134)*

- f) **DNS** has no definition of 'Park' and none for 'Recreation'.
- g) Both the Panorama Recreation Centre and **DNS** believe that expansion of facilities on this land is necessary. The likely uses are both for the purpose of 'Recreation' (PRC), and 'Community Use' (P-2 designation). Both these plans require extra utilization of the un-utilized land area be it for structures or parking.
- h) The 'wooded area' on the lands at present is about 25%. As per (c,d) above, Non-Park utilization ('intensive') are considerably above the '**Some .. land intensive**' as approved by the land commission in approving the land transfer from 'Park' to 'Park and Recreation' under the **ALC** stewardship.
- i) Removing the **ALC** from this overlapping control would make **DNS** the sole steward of these lands. While the PRC has in the past provided some 'park' amenities on the forested area in terms of greenery management, cooperation with the adjoining residents in planting native species. and the 'Eric Sherwood trail' (as a de-facto linear park) etc, the lack of 'Park' in the P-2 designation would mean there is nothing implicit the bylaws and intent of **DNS** to preserve any part of these lands for the 'Park' as most people infer.

=====

I see (as in the exclusion Hearing) no point in council going forward, if P-2 is not in sync with the Park-Trust status (land title). If indeed a community hub is to be created longer term, and a library a possibility for starting that process, it makes sense to me to make sure all the pieces are in place before exclusion is requested.

The first step from a Ratepayer point of view is legality. I am NOT in favour of the P-2 zoning being applied, but IN FAVOUR of the 'Park and Recreation' Trust being continued to be applied via the **ALC** oversight.

There is very little of this "Park" attribute left on this parcel (25%) and further erosion would further degrade the reality and intent of the original creation of these land, namely '**some** intensive use'. I note the PRC support of the **DNS** exclusion application to the **ALC**, includes the original TRUST subjects, namely, 'Park and Recreation' . I believe this to be 'qualified support', and not support for P-2 future development.

**Best Search & Registry Limited**

**#2 - 1680 Ryan Street**


Victoria BC V8R 2X5

Mon. - Fri. 9am - 9pm Sat. 9am - 5pm

**250-386-2399**

# Invoice

Date	Invoice #
3/28/2018	66.29575

Bill To	
Forster, Michael	

Description	Amount
Best Service Fees - Transfer #E99232 - 1976 - Land Titles Office	26.00
Disbursement	19.90
GST On Sales	2.30
Total	\$48.20

GST No.

863242152

Form "G" Land Registry Act (Sec. 50)  
MEMORANDUM OF REGISTRATION  
Registered the 23 day of 11 19 94  
on application received at the time  
written or stamped on the application.  
J. T. KENNEDY, Registrar of the Victoria  
Land Registration District

2

This conveyance is made subject to the express condition and limitation that the lands herein conveyed shall forever be held for use as park and recreation land only.

Together with all buildings, fixtures, commons, ways, profits, privileges, rights, easements and appurtenances to the said hereditaments belonging, or with the same or any part thereof, held or enjoyed, or appurtenant thereto and all the estate, right, title, interest, property, claim and demand of the Grantor in, to, or upon the lands and premises.

The Grantors warrant and represent that they are residents of Canada within the meaning of The Income Tax Act of Canada and amendments thereto.

TO HAVE AND TO HOLD unto the Grantee, his heirs and assigns, to and for his and their sole and only use forever; SUBJECT NEVERTHELESS, to the reservations, exceptions, limitations, provisos, and conditions expressed in the original grant thereof from the Crown, and subject to all taxes, rates and local improvement assessments whether assessed against the lands now or subsequently to be assessed and all building restrictions (if any) to which the lands or any part thereof are at the date of this indenture subject.

The Grantor Covenants with the Grantee that:

1. he has the right to convey the said lands to the Grantee, notwithstanding any act of the Grantor;
2. the Grantee shall have quiet possession of the said lands, free from all encumbrances save as aforesaid;
3. he will execute such further assurances of the said lands as may be requisite;
4. he has done no acts to encumber the said lands save as aforesaid.

And the Grantor RELEASES to the Grantee ALL HIS CLAIMS upon the said lands.

- In This Indenture
- (a) the singular includes the plural and vice-versa;
  - (b) the masculine includes the feminine and vice-versa;
  - (c) any reference to a party includes that party's heirs, executors, administrators and assigns and in the case of a corporation its successors and assigns;
  - (d) any covenant, proviso, condition or agreement made by two or more persons shall be construed as several as well as joint.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, or being a corporation has caused its common seal to be hereunto affixed.

SIGNED, SEALED AND DELIVERED  
in the presence of

Signature of Witness \_\_\_\_\_

Street Address \_\_\_\_\_

City or Town \_\_\_\_\_

Occupation of Witness \_\_\_\_\_

The common seal of PARK PACIFIC APARTMENTS LTD.

was hereunto affixed in the presence of

  
DIRECTOR



**AFFIDAVIT OF WITNESS**  
Province of British Columbia  
To wit:

99232

of \_\_\_\_\_  
in the Province of British Columbia,  
make oath and say:—  
1. I was personally present and did see the within  
instrument duly signed and executed by

the part thereof, for the purposes named therein

2. The said instrument was executed at

3. I know the said part \_\_\_\_\_ and that

of the full age of nineteen years,  
4. I am the subscribing witness to the said instrument  
and am of the full age of sixteen years.

Sworn before me at \_\_\_\_\_

in the Province of British Columbia, this

day of \_\_\_\_\_, 19

A Notary Public in and for the Province of British Columbia  
A Commissioner for taking Affidavits for British Columbia.

**DATED**

19

**PARK PACIFIC APARTMENTS LTD.**

—TO—

**THE DISTRICT OF NORTH SAANICH**

**DEED OF LAND**

**SHORT FORM**

Filed for Registration at the  
Land Registry Office on the

Day of \_\_\_\_\_

19, under

Number \_\_\_\_\_

**JONES, BRANSON, EMERY & CARER,  
BARRISTERS AND SOLICITORS  
31 BASTION SQUARE  
VICTORIA, BRITISH COLUMBIA**

File No. 76-1562 C

**ACKNOWLEDGMENT OF OFFICER OF CORPORATION**

**I HEREBY CERTIFY that,**

on the 15 day of September, 1976

at the City of Victoria

in the Province of British Columbia,

**GLIVE PIERCE**

(whose identity has been proved by the evidence on oath of—

who is) personally known to me, appeared before me,  
and acknowledged to me that he is the Director

of **PARK PACIFIC APARTMENTS LTD.**

and that he is the person who subscribed his name to  
the annexed instrument as Director

of the said company.

and affixed the seal of the said company

to the said instrument, that he was first duly authorized  
to subscribe his name as aforesaid, and affix the said  
seal to the said instrument, and that such corporation  
is legally entitled to hold and dispose of land in the  
Province of British Columbia.

**IN TESTIMONY WHEREOF**

I have hereto set my hand and seal of office.

at Victoria

in the Province of British Columbia, this

15 day of September, 1976

99232

A Notary Public in and for the Province of British Columbia  
A Commissioner for taking Affidavits for British Columbia.

NOTE: Where the person making the acknowledgment is personally known to the officer taking the same, such oath is unnecessary.

**ACKNOWLEDGMENT OF MAKER**

**I HEREBY CERTIFY that,**

on the \_\_\_\_\_ day of \_\_\_\_\_, 19

at \_\_\_\_\_

in the Province of British Columbia,

(whose identity has been proved by the evidence on oath of

who is) personally known to me, appeared before me and  
acknowledged to me that \_\_\_\_\_ the person

mentioned in the annexed instrument as the maker

thereof, and whose name \_\_\_\_\_ subscribed thereto

as part \_\_\_\_\_ that \_\_\_\_\_ know the contents

thereof, and that \_\_\_\_\_ executed the same voluntarily,

and \_\_\_\_\_ of the full age of nineteen years.

**IN TESTIMONY WHEREOF**

I have hereto set my hand and seal of office.

at \_\_\_\_\_

in the Province of British Columbia, this

day of \_\_\_\_\_, 19

A Notary Public in and for the Province of British Columbia  
A Commissioner for taking Affidavits for British Columbia.



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

November 28, 2006

Please reply to the attention of Roger Cheetham

Doug Henderson, Administrator  
Panorama Recreation  
1885 Forest Park Drive  
North Saanich, BC V8L 4A3

Dear Sir:

Re: Expansion of Panorama Recreation Centre: Lot 1, Section 4, Range 2 East,  
North Saanich District, Plan 29757

Our Ref: #75 – 575A

With reference to your e-mail to this office dated 22<sup>nd</sup> November 2006 we consider that the proposed additions shown on the drawings attached to your e-mail to be in substantial compliance with Agricultural Land Commission Resolution # 2770/75, a copy of which is attached hereto.

Yours truly,

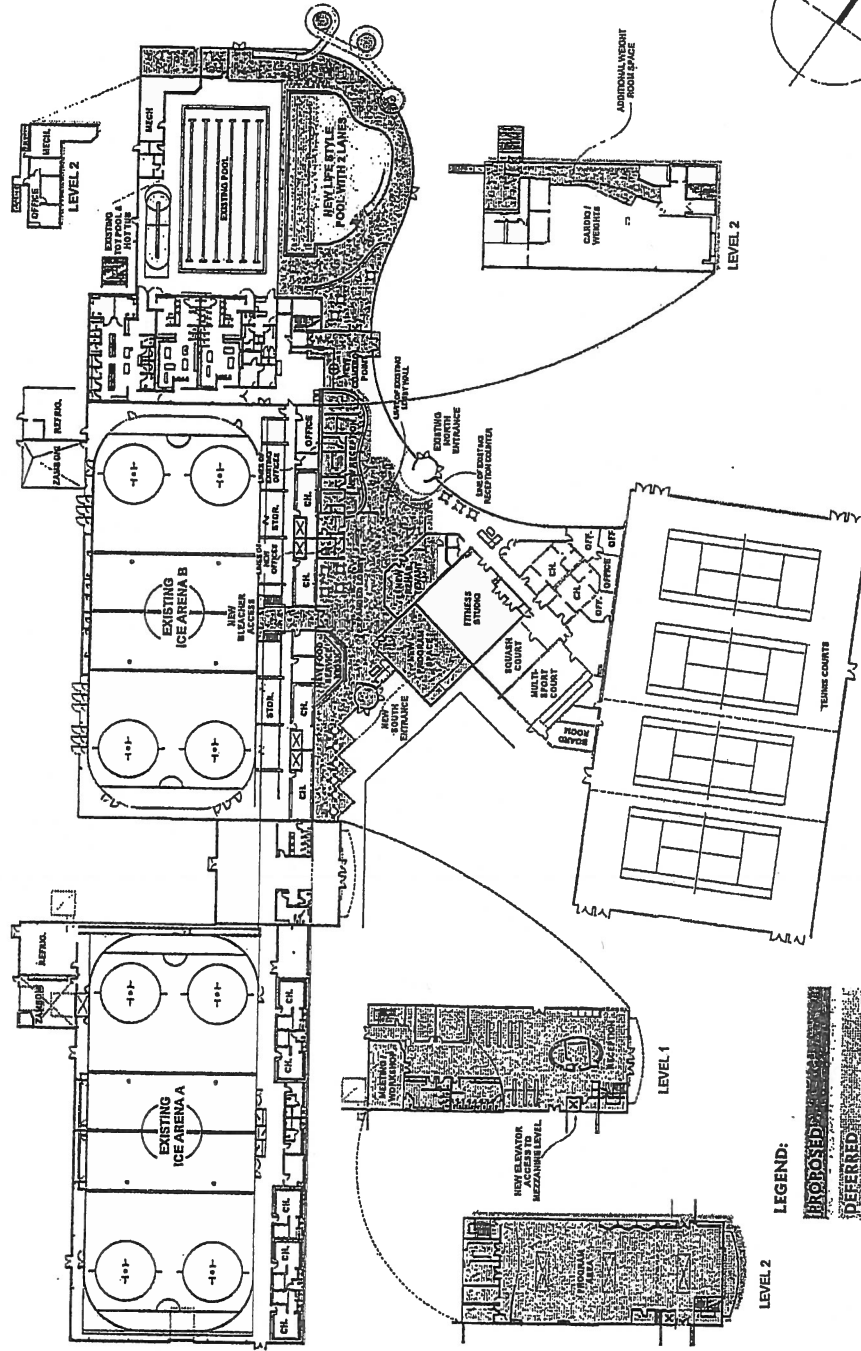
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read "Erik Karlsen", written over a horizontal line.

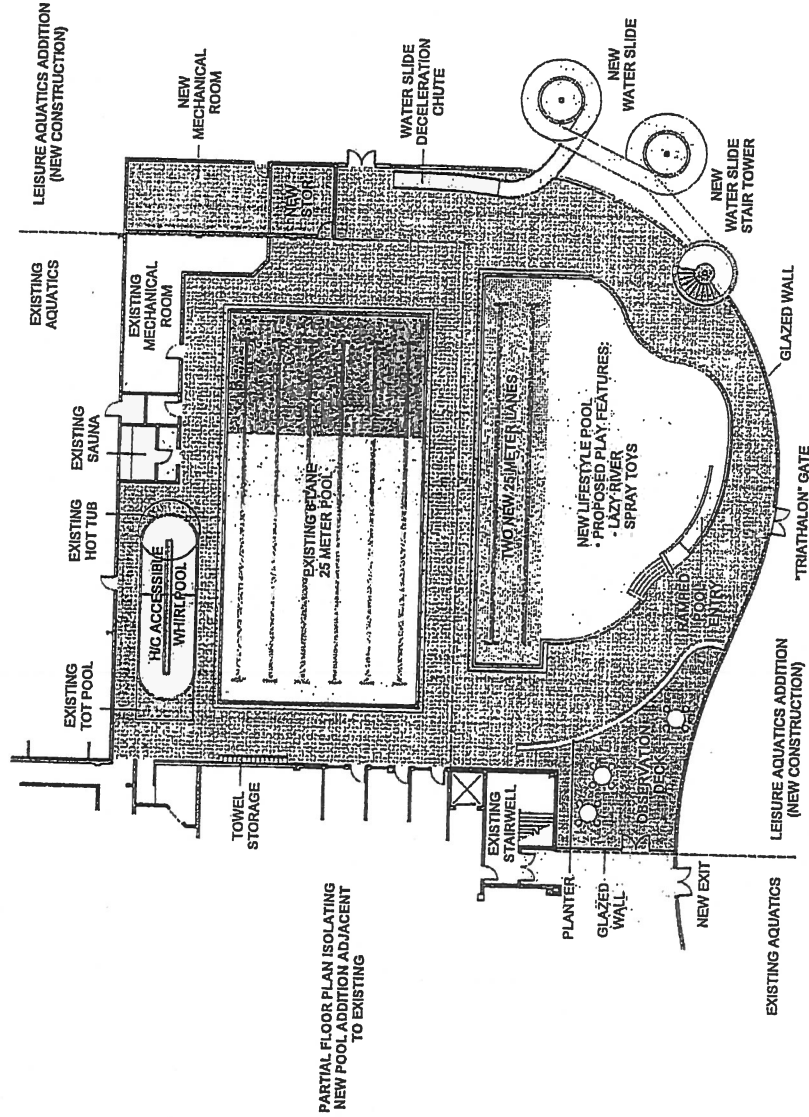
Erik Karlsen, Chair

RC/lv/Encl.  
75-0575m3



D1.2

OCTOBER 28, 2015



# PANORAMA RECREATION CENTRE - Pool Concept Plan

CANNONDESIGN





June 18, 1990

Reply to the attention of  
Colin Fry

Peninsula Recreation Commission  
1885 Forest Park Drive  
Sidney, B.C.  
V8L 4A3

Attention: Mr. Monty Holding

Dear Mr. Holding:

Re: Construction of a Basketball Court on Lot 1, Section 4,  
Range 2 East, Plan 29757, North Saanich District  
(Reference File No. 21-C-575A)

This will acknowledge receipt of your correspondence regarding the proposed construction of a basketball court at the Panaroma Leisure Centre.

Following a review of your submission the Commission determined that the proposal was consistent with its approval by Resolution No. 2770/75. The aforementioned resolution was a result of an application by the District of North Saanich to develop public recreational uses on the above noted parcel. A copy of our November 14, 1975 decision letter has been enclosed for your review.

Therefore, the Commission has no objections with the development of the basketball court as identified on the attached sketch. The Commission trusts this clarifies its position regarding this matter.

Yours truly,

AGRICULTURAL LAND COMMISSION

per: 

K.B. Miller, A/General Manager

CF\*dd/Enclosure

cc: District of North Saanich - Attention: Joan Schill

June 10, 1999

Reply to the attention of Ron Wallace

Doug Henderson  
Administrator  
Peninsula Recreation  
1885 Forest Park Drive  
Sidney, BC V8L 4A3

Dear Sir,

Re: **Proposed new all-putting facility on Lot 1, Section 4, Range 2 East, Plan 29757, North  
Saanich District.  
Our File # 114-75-575**

Thank you for your letters dated April 15 and May 26, 1999 which indicates that you plan to construct a new all-putting facility as indicated on the site plan enclosed with the above noted letter.

Following a review of the above noted file the Commission determined that the proposal was consistent with its approval provided under Resolution #2770/75 which allowed the use of 17 acres for public recreation facilities (such as a swimming pool and ice arena).

Therefore the Commission has no objection to the construction of the all-putting facility as noted on the attached drawing.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per 

K. B. Miller, General Manager

cc: District of North Saanich

RW/eg

1/75-0575m2



September 21st, 1982

Reply to the attention of Kabel Atwal

District of North Saanich  
P.O. Box 2027  
Sidney, B.C.  
V8L 3S3

Dear Sirs:

Re: Application # 21-C-75-575A

This is to advise that the Provincial Agricultural Land Commission has considered your application regarding land described as Lot 1, Section 4, Range 2 East, Plan 29757, North Saanich District.

Pursuant to Section 20(1) of the Agricultural Land Commission Act, the Commission, by Resolution #1860/82 allowed your application to use 0.4 ha (1 acre) of the subject property as a site for a firehall.

This approval is granted provided that your proposed development is in substantial compliance with the sketch plan attached hereto and outlined in red.

The land referred to in the application will continue to be subject to the provisions of the Agricultural Land Commission Act and regulations except as provided by this approval.


This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, subdivision and other land use bylaws of a municipality or regional district and decisions of responsible authorities which may apply to the land.

Before your development can proceed, other approvals such as public road requirements, highway access permits, sewage disposal permits, etc. may be required and we urge you to check with the responsible authorities.

Please quote Application #21-C-75-575A in any future correspondence.

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

  
per: M. F. Clarke, Chairman  
KA/trE(Encl.)  
cc: Regional District - Capital  
Approving Officer, Hwys, Saanich  
B.C. Assessment Authority, Victoria



Resolution #1860/82  
Application #21-C-75-575A

Minutes of the Provincial Agricultural Land Commission

Meeting held at the B.C. Agricultural Land Commission Office, 4940  
Canada Way, Burnaby, B.C. on the 21st September 1982.

Present:	Mills F. Clarke	Chairman
	C. Elli Framst	Commissioner
	Ian D. Paton	Commissioner
	Joseph A. Rogers	Commissioner
	Arthur R. Sutcliffe	Commissioner

An application from District of North Saanich under Section 20(1) of the Agricultural Land Commission Act was considered for the property described as Lot 1, Section 4, Range 2 East, Plan 29757, North Saanich District (more particularly shown on plans submitted to the Commission) with the application requesting permission to use 0.4 ha (one acre) of the subject property as a firehall site. The Commission had previously allowed a recreational complex to be situated on the lot.

The District of North Saanich previously tried to have the firehall located on another parcel, but this request was refused by the Commission on the grounds that the firehall would alienate lands of excellent agricultural potential. At this time, the Commission suggested that the District examine a site at the recreational centre for the location of the firehall.

IT WAS	
MOVED BY:	Commissioner Framst
SECONDED BY:	Commissioner Paton

1860/82

That the application be allowed.

Carried.

November 14, 1975

Reply to the attention of:  
Joan Sawicki

P. J. G. Grieve, Mayor  
District of North Saanich  
1620 Mills Road  
P.O. Box 2027  
Sidney, B.C.  
V8L 3S3

Dear Sir:

Re: Application #75-575A

This is to advise that the Provincial Land Commission has considered your application regarding land described as Part of Section 4, Range 2, West of East Saanich Road except Plan 17389, North Saanich Land District.

Pursuant to Section 11(4) of the Land Commission Act, the Commission, by Resolution #2770/75, allowed your application to use the subject property approximately 17 acres for the development of public recreational facilities, some of which will be land intensive, such as swimming pool, ice skating rink and activity buildings. This approval is in consideration 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. The Commission recognizes that attempts have been made to find acceptable alternate sites, without success. It is also noted that 15% of the sewer capacity of the adjacent upland development has been allocated for public use.

This approval is granted provided that the development of the property is in substantial compliance with the concepts as presented in the application and supporting documents. We would also request that the siting of buildings etc., provides for open space buffer zones between the recreational development and the adjacent farmland particularly to the north.

The land referred to in the application is to remain in the Agricultural Land Reserve of the Capital Regional District and is subject to the provisions of the Act and regulations except as provided by this approval.

This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, bylaws, and decisions of responsible authorities which may apply to the land.

Please quote Application #75-575A in any future correspondence.

Yours truly,



G. G. Runka  
Chairman

cc: Capital Regional District (48-75)  
Approving Officer, Hwys., Burnaby  
R. Sampson, B.C. Assessment Authority

JMS/dj



Minutes of the Provincial Land Commission

Meeting held at the B.C. Land Commission Office, 4333 Ledger Avenue,  
Burnaby, B.C., on the 6th day of November, 1975.

Present:	G.G. Runka	Chairman
	E.E. Barsby	Commissioner
	A.R. Garrish	Commissioner
	Don Knoerr	Commissioner
	Mary Rawson	Commissioner

An application from the District of North Saanich under Section 14(4) of the Land Commission Act was considered for the property described as Part of Section 4, Range 2, West of East Saanich Road except Plan 17389, North Saanich Land District, (more particularly shown on plans submitted to the Commission) with application #75-575A requesting permission to use the subject property approximately 17 acres for the development of public recreational facilities, some of which will be land intensive, such as swimming pool, ice skating rink and activity buildings.

IT WAS

MOVED BY: Commissioner Rawson

SECONDED BY: Commissioner Barsby

2770/75

THAT the application be allowed in consideration 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. The Commission recognizes that attempts have been made to find acceptable alternate sites, without success. It is also noted that 15% of the sewer capacity of the adjacent upland development has been allocated for public use.

This approval is granted provided that the development of the property is in substantial compliance with the concepts as presented in the application and supporting documents. We would also request that the siting of buildings etc., provides for open space buffer zones between the recreational development and the adjacent farmland particularly to the south.

The property referred to in the application is to remain in the Agricultural Land Reserve of the Capital Regional District and is subject to the provisions of the Land Commission Act and regulations except as provided in this Order.

Carried.

July 25, 1975

Reply to the attention of:  
Joan Sawicki

Dean Park Developments  
Suite 1, 4th Floor,  
345 Quebec Street  
Victoria, B.C.

Dear Sirs:

Re: Application #75-575

This is to advise that the Provincial Land Commission has considered your application regarding land described as part of Section 4, Range 2E, west of East Saanich Road, except Plan 17389, North Saanich Land District.

Pursuant to Section 11(4) of the Land Commission Act, the Commission, by Resolution #1966/75, allowed your application to subdivide approximately 17.5 acres from the above parcel, to be donated to the District of North Saanich for a park. The Commission also approves the use of the northerly 75 foot strip of the 17.5 acres as a right-of-way to provide road access to Dean Park Residential Development.

This approval is granted provided that your proposal is in substantial compliance with the plan attached hereto and outlined in Bylaw 188 attached with the application.

The land referred to in the application is to remain in the Agricultural Land Reserve of the Capital Regional District and is subject to the provisions of the Act and regulations except as provided by this approval.


This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, bylaws, and decisions of responsible authorities which may apply to the land.

Please obtain the confirmation of the Commission, if, in the process of approval by the Approving Officer, any substantial changes are required to the subdivision proposal as approved by this office.

When the survey plans have been prepared and the documentation executed, please send two paper prints to this office prior to registration. The Commission will then authorize the Registrar of Titles to accept the application for deposit of the subdivision plan.

Please quote application #75-575 in any future correspondence.

Yours truly,



G.G. Runka  
Chairman

cc: Capital Regional District  
District of North Saanich  
R. Sampson, B.C. Assessment Authority

JMS/dj  
encl



Application #75-575  
Resolution #1966/75

Minutes of the Provincial Land Commission

Meeting held at the B.C. Land Commission Office, 4333 Ledger Avenue, Burnaby, B.C., on the 17th day of July, 1975.

Present: G.G. Runka Chairman  
V.C. Brink Commissioner  
Mary Rawson Commissioner

An application from Dean Park Developments under Section 11(4) of the Land Commission Act was considered for the property described as part of Section 4, Range 2E, west of East Saanich Road, except Plan 17389, North Saanich Land District, more particularly shown on plans submitted to the Commission with application #75-575 requesting permission to subdivide 17.5 acre parcel from the above property to be donated to the District of North Saanich for park purposes. Also, permission to use the northern 75' strip as road and service access to the residential development to the east.

IT WAS

MOVED BY: Commissioner Rawson

SECONDED BY: Commissioner Brink

1966/75

THAT the application be allowed.

The property referred to in the application is to remain in the Agricultural Land Reserve of the Capital Regional District and is subject to the provisions of the Land Commission Act and regulations except as provided in this order.

Carried.

6 Nov 75 North Saanich  
Applic 75-575A  
M. Rawson, G. Runka, V.C. Brink  
S. Brink, G. Brink, G. Brink  
public remarks  
100 to 3000  
open space around & back  
adjacent lands  
planned - 150 capacity  
is for public use.

DISTRICT OF NORTH SAANICH

BY-LAW NO. 188

A By-law to authorize an Agreement between the District of North Saanich and Park Pacific Apartments, Ltd. to proceed with the development of certain lands owned by the Park Pacific Apartments, Ltd. and commonly referred to as the Dean Park Estates Land Development Project.

WHEREAS the Municipal Council of the District of North Saanich deems it advisable to enter into an agreement with the Park Pacific Apartments, Ltd. to commence the development of phase one consisting of one hundred and twelve lots within the Comprehensive Residential Zoned area. The subdivision and development will comprise a portion of properties known as the Westerly 64 acres, Section 3, Range 2 East and That Part lying west of East Saanich Road, Section 4, Range 2 East, excluding Plan 17389.

THEREFORE the Municipal Council of the District of North Saanich in open meeting assembled, enacts as follows:

1. It shall be lawful for the District of North Saanich to enter into an agreement in the form set out as Schedule "A" attached to this By-law.
2. The said Schedule "A" shall form and be part of this By-law.
3. The Mayor and the Clerk of the District of North Saanich are hereby authorized to do such things and execute such documents as shall be necessary to enter into and carry out such Agreement.
4. This By-law may be cited for all purposes as "North Saanich Land Development By-law No. 1, (1975)."

Read a first time the 7th day of April 1975

Read a second time the 7th day of April 1975

Read a third time the 7th day of April 1975

RECONSIDERED, FINALLY PASSED AND ADOPTED

the 11th day of April 1975

  
Mayor

  
Clerk



SCHEDULE "A"  
TO  
BY-LAW NO. 188

THIS AGREEMENT made the 22<sup>nd</sup> day of ~~March~~ <sup>April</sup>, 1975.

BETWEEN: THE DISTRICT OF NORTH SAANICH,  
with its Municipal office situate at 1620 Mills Road, in the  
District of North Saanich, in the Province of British Columbia.  
(hereinafter referred to as "the Municipality")

OF THE FIRST PART

AND: PARK PACIFIC APARTMENTS LTD., a company duly incorporated  
under the laws of the Province of British Columbia with its  
registered and records office situate at 4th floor, 31 Bastion  
Square, Victoria, in the Province of British Columbia.  
(hereinafter referred to as "the Developer")

OF THE SECOND PART

WHEREAS the Developer is seized of the fee simple to lands and premises  
within the Municipality of North Saanich, in the Province of British Columbia,  
as described on the attached Schedule "A", which said lands shall hereinafter  
be referred to as "the said Lands";

AND WHEREAS the Developer desires to develop the said Lands as a residential  
district and subdivide part of the said Lands into one hundred twelve (112)  
residential lots with a minimum area of fifteen thousand (15,000) square feet  
per lot (hereinafter referred to as "the Subdivision Area"), a copy of which  
plan of subdivision has been provided to the Municipality;

AND WHEREAS the Developer proposes to provide funds for the construction  
of a sewage treatment plant to service the said Lands and the Subdivision  
Area;

AND WHEREAS the Developer is seeking preliminary acceptance of the  
proposed subdivision;

AND WHEREAS the Developer has voluntarily agreed to and desires to  
fulfill all the covenants contained herein;

AND WHEREAS the Municipality has agreed to give preliminary acceptance to the proposed subdivision subject only to those conditions as set forth in Paragraph 1 hereafter;

NOW THEREFORE WITNESSETH that in consideration of the foregoing and the mutual covenants herein contained, the parties hereto covenant and agree as follows:

1. That the Municipality agrees to and does hereby give preliminary acceptance to the proposed subdivision of the said Lands and to the external servicing facilities relating thereto subject only to the following conditions: first, the Developer fulfilling all the covenants herein agreed to be fulfilled by the Developer; second, the Municipality accepting and approving an application for subdivision and rezoning, if necessary, for that portion of the said Lands on which the sewage treatment plant to be constructed at the Developer's expense is to be situate (hereinafter referred to as "the Sewage Treatment Plant"); third, the parties hereto and the Capital Regional District entering into satisfactory arrangements relating to the construction and use of the Sewage Treatment Plant; fourth, the Developer complying with all applicable and valid Municipal by-laws relating to the subdivision of the said Lands.
2. The Developer agrees that the sewage treatment plant shall be constructed at the sole expense of the Developer, and the Developer agrees to provide whatever funds are necessary for this purpose.
3. (a) That the Developer shall irrevocably dedicate to the Municipality for use as park and recreation land only all its right, title and interest in and to that portion of the said Lands as shown on the attached plan marked "Park Lands" free and clear of all encumbrances whatsoever except for such encumbrances as may exist at the date hereof (being a water line easement).



(b) The Developer shall deliver to the Municipality upon execution of this Agreement by the parties hereto an executed conveyance in registerable form conveying to the Municipality for use as park and recreation land all its right, title and interest in and to the Park Lands, PROVIDED HOWEVER, that the said conveyance shall not be made use of by the Municipality in any manner whatsoever until such time as the registration of the plan of subdivision of the said Lands in the Victoria Land Registry Office, at which time the Municipality shall be at liberty to make use of and register the said conveyance.

(c) It is further understood and agreed that the dedication of the Park Lands by the Developer to the Municipality shall fulfill the park land requirements of the Municipality in relation to the said lands, if, as and when developed. PROVIDED, HOWEVER, that in the event the park land requirement shall be increased by lawful statutory authority beyond five percent (5%) at any time in the future, the Developer shall dedicate to the Municipality such further amount of land as is necessary to fulfill the then increased park land requirements in relation only to that portion of the said lands remaining undeveloped.

(d) It is further understood and agreed that the dedication of the Park Lands shall be exclusive of all other lands required to be dedicated by the Developer to the Municipality for highway purposes.

(e) It is further understood and agreed that all lands dedicated to the Municipality by the Developer for park and recreation land purposes pursuant to this Agreement shall be free and clear of all encumbrances whatsoever, except as aforesaid, and further that none of the works and services required to be provided by the Developer for the subdivision shall be within the boundaries of the Park Lands, unless in the opinion of the Municipal Engineer no reasonable alternative exists.

(f) The Municipality agrees not to oppose an application to the B.C. Land Commission in respect of the subdivision access road which traverses land designated as Agricultural Land Reserve.

(g) It is further understood and agreed that during the development of

the proposed subdivision the Developer shall be permitted the use of a portion of the said land, forty (40) feet in width, running parallel and adjacent to the proposed entrance to the Subdivision Area as temporary access only until such time as the Park Land has been dedicated, PROVIDED HOWEVER, that the Park Lands shall be cleared of debris and landscaped prior to dedication and that no trees are to be harmed or removed from the said Park Lands.

4. The Developer further agrees to pay the following costs of municipal services and administration and to this end agrees to pay all said costs on presentation of statements as to such costs.

- (i) All fees and disbursements of an engineer instructed by the Municipality in relation to verification of services as required by this Agreement and the Approving Officer.
- (ii) All charges relating to application for and processing of the subdivision plan as prescribed by municipal by-laws.
- (iii) All charges relating to the capital and servicing costs of the sewer trunks, laterals and the treatment plant facilities during such time as the Developer continues to own lots within the subdivision and in relation only to those lots the Developer from time to time continues to own.

5. The Developer covenants and agrees to construct, supply, install and pay for all plant, labor, material and workmanship necessary to provide all the works and services specified by this Agreement, the subdivision plan hereto as altered, amended, supplemented and detailed by the Approving Officer or Council of the Municipality and the applicable municipal subdivision by-laws.

6. The Developer shall deposit with the Municipality a bond or irrevocable bank letter of credit in the sum of THIRTY-THREE THOUSAND SIX HUNDRED DOLLARS (\$33,600.00) in form satisfactory to the solicitors for the Municipality to ensure that at the time of registration of the plan of subdivision, such

funds will be available and may be appropriated at such time by the Municipality who shall be obliged to appropriate the said funds to the Municipal New Works and Equipment Fund for improvement of Dean Park Road from East Saanich Road to the first access of the Subdivision Area and for the improvement of East Saanich Road from the main access of the Subdivision Area to McTavish Road.

7. The Developer shall provide, install and pay for a complete storm drainage system within the Subdivision Area and a storm drainage system from the Subdivision Area to the sea as stipulated by the Municipality's engineering standards.

8. The Developer shall construct and pay for temporary turn-arounds at the end of each road within the Subdivision Area where the said road is proposed to be extended at a future time in the event of further subdivision of adjoining lands.

9. The Municipality agrees that no more than eighteen thousand (18,000) gallons per day of the capacity of the sewage treatment plant which it is proposed that the Capital Regional District be requested to construct at Bazan Bay (being fifteen percent (15%) of the average daily flow licensed by Pollution Control Branch Permit NO. PE-2048 dated February 7, 1974) shall be available for use by the Municipality for public purposes only. Neither the Municipality nor the Capital Regional District shall be responsible for any costs in relation to the use of the said sewage treatment plant for public purposes other than the cost of the connection of the facilities of the Municipality to the trunk sewer and the proportionate share of the operating costs (other than debt or debt charges) of the sewage treatment plant in relation to the actual percentage capacity of the said treatment plant used by the Municipality. In this regard, the parties further agree that the Municipality may request of the Capital Regional District that up to such quantity be set aside for the public purpose intended.

10. The Developer shall prove that each building lot within the Subdivision Area has access to a proven source of potable ground water and shall pay the costs of all tests and inspections of a hydrological engineer chosen by the Municipality.

11. In the event that the tests and inspections prove each building lot in the Subdivision Area has access to a proven source of potable ground water, the Developer shall provide and pay for a community water supply system adequate to service the Subdivision Area in the opinion of the municipal engineer. Upon completion of the community water supply system, the Developer shall transfer all its right, title and interest in and to the said system free and clear of all encumbrances whatsoever to the Municipality, PROVIDED ALWAYS that any excess of ground water over and above the requirements of the Subdivision Area shall be available for use by the Developer in connection with the further development of the said lands. The Developer further agrees to pay all normal connection fees for installation of all meters and meter boxes to each parcel of land within the subdivision.

12. The Developer shall deposit with the Municipality a bond in an amount satisfactory to the Approving Officer and in a form satisfactory to the solicitors of the Municipality to insure that all works and services required to be provided, installed and paid for by the Developer in relation to the subdivision are provided, installed and paid for; and further, the Developer shall enter into an agreement with the Municipality providing for the construction and installation of the said works and services by a specified date, and in default the forfeiting of the amount secured by the bond to the Municipality.

13. It is understood and agreed that the acceptance of the proposed subdivision shall only be in relation to the Subdivision Area and is in no way to be construed or interpreted to be applicable or in relation to any of the balance of the said lands or lands adjoining the Subdivision Area owned by



the Developer.

14. The Developer agrees that none of the lots within the Subdivision Area shall be sold or title in and to the said lots conveyed to any other person or corporation until such time as the Municipality is satisfied that all covenants of this agreement to be fulfilled by the Developer are or will be fulfilled.

15. It is further understood and agreed that the Municipality is not in any way whatsoever bound by this Agreement to pass a subdivision or rezoning by-law in relation to the Sewage Treatment Plant. The Municipality will, however, assist and cooperate with the Developer so as to achieve construction of the Plant, and in particular will request the Capital Regional District to build such Plant (at the Developer's expense) and will create a sewer enterprise area for such Plant comprising the said Lands.

IN WITNESS WHEREOF the parties hereto have executed this Agreement under seal the day and year first above written.

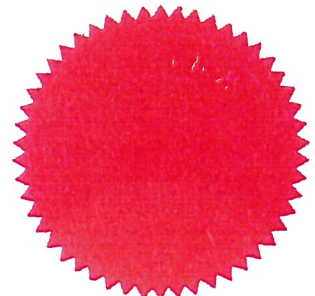
THE CORPORATE SEAL OF PARK PACIFIC  
APARTMENTS LTD. was hereunto affixed  
in the presence of:

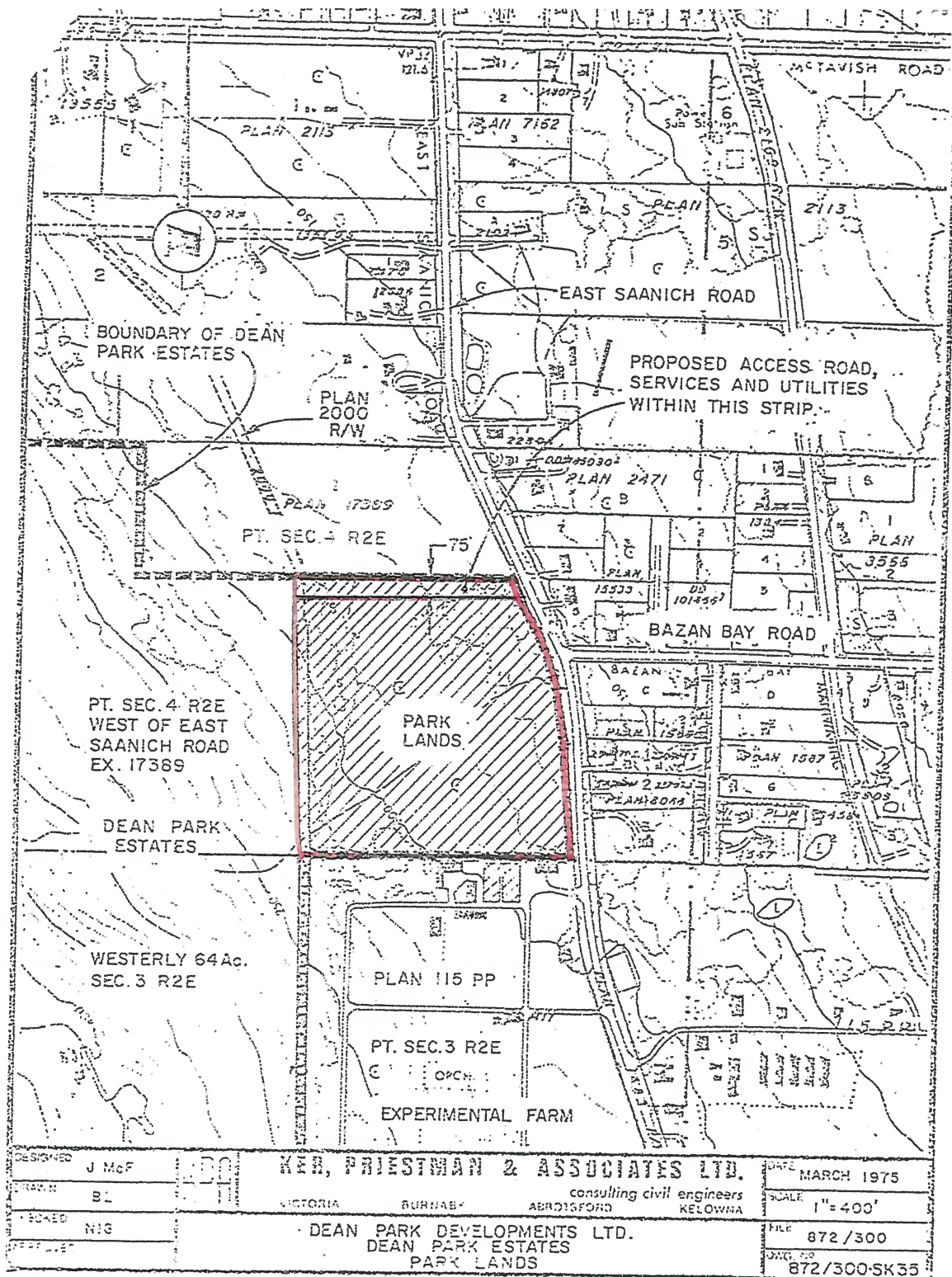


(seal)

THE CORPORATE SEAL OF THE MUNICIPALITY  
OF THE DISTRICT OF NORTH SAANICH was  
hereunto affixed in the presence of:

*P. F. C. one* MAYOR.  
*E. J. Davis; Municipal clerk.*





**CHARACTERISTICS OF SCHEME A**

ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL
TOTAL AREA	SQ. YD.	49,900	3.14	154,686
ROAD R/W	SQ. YD.	4,587	41.55	190,628
SINGLE FAMILY LOTS	NO.	103	476	49,018
AVERAGE LOT SIZE	SQ. YD.	0.41	0.41	0.41
DENSITY LOTS PER ACRE	NO.	2.02	2.02	2.02

**LEGEND**

- BOUNDARY OF DEAN PARK ESTATES
- SANITARY SEWER
- FOUR-FOOT

**SANITARY SEWER SYSTEM**

DEAN PARK ESTATES

DEAN PARK DEVELOPMENTS LTD

DEAN PARK ESTATES

CHARACTERISTICS OF SCHLIME A				
	35-42	43-50	51-58	TOTAL
TOTAL AREA	33,432	239,330	337,442	
ROAD R/W	935	3,702	54,322	
SINGLE FAMILY LOTS	45,87	41,93	19,28	
NUMBER OF LOTS	112	103	476	691
AVERAGE LOT SIZE	0.41	0.41	0.41	0.41
DENSITY (LOTS PER AC)	2.02	2.02	2.02	2.02

**EDGEHILL**  
- BOUNDARY OF DEAN PARK ESTATES  
GARDENS, SEWELL  
POFFELMANN

# SANITARY SEWER SYSTEM



**KIER, PRIESMAN & ASSOCIATES LTD.**  
1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-

## Letter to council regarding the Providence of the Panorama Lands and Legality – V2

TO: Mayor and Council

RE: Panorama Lands – 1885 Forest Park Drive

June 29, 2020

Subject: Providence of lands held in trust and Exclusion implications – Legality

**Summary:** I wish to oppose the application for EXCLUSION of the Forest Park Lands. Please refer to my documents that reference to the history of these lands and their intended use. I believe there may be a conflict between the restrictions in the **legal description and intent**, and the zoning P-2

If true, many of the uses in the P-2 zoning would not apply to this property, except 'Recreational'. Validity of a future DNS approval for such development could be in question. Currently these approvals are provided by the ALC.

Through Mayor and Council, I request the CAO in his professional role, to review the documents. A reply from the CAO is requested that clarifies the conflict in the wording – as outlined – and future intent of P-2 designations that conflict with the INTENT (Park and Recreation), and the SCOPE as in 75-575 (et. al.) regarding 'Joint Venture .. AND '... some of which will be land intensive'. Currently 'Intensive' operations (plus parking) consume more than 50% of the land area.

### **Relevant Documents**

- a) **DNS** is owner of the property, as per ByLaw agreement 188 which sets out the transfer of Park Lands in the new Dean Park development into a new parcel for 'Park and Recreation (1975)'
- b) The property under Application 75-575 (land commission) is **donated as park** (para.2) and to remain in the ALR and subject to the provisions of 11(4) subject to the agreement of the Commission. Application 75-575A is a companion document.
- c) Application 75-575A (land commission) approves the subdivision with understanding that ".. some of which will be land intensive, such as swimming pool, ice skating rink and activity buildings". That the application be allowed in consideration of the public need... understanding that these facilities be a joint venture to serve the needs of the 3 municipalities. The commission recognizes.. to find alternate sites without success. ...The land is to remain in the ALR. (Resolution 2770/75). 5 and 14 November, 1975
- d) Land title E99232 - 23 of November 1976 Registered 23 November, 1976 **subject to** : "This certificate of title may be affected by the Land Commission Act ; see ALR Plan No. 4, Deposited July 11, 1974 (I don't have this map).

Conveyance: "This conveyance is made **subject to the express condition and limitation that the lands herein conveyed shall forever be held for use as park and recreation land only**". This meets the meaning of 'Trust'.



- e) **DNS** has the right under the local government act and its OCP to pass bylaws regulating land use through zoning. The land use for the property is **currently P-2 and in force, but subject to ALC approval also.**

#### **P-2 Definition**

*The non-commercial assembly of persons for religious, charitable, philanthropic, cultural, **recreational** or education purposes, and includes auditoriums, youth centres, social halls, group camps, educational schools, kindergartens, play schools, day nurseries, day care schools and churches; (ByLaw 1435 – consolidated – Pg. 5/134)*

- f) **DNS** has no definition of 'Park' and none for 'Recreation'.
- g) Both the Panorama Recreation Centre and DNS believe that expansion of facilities on this land is necessary. The likely uses are both for the purpose of 'Recreation' (PRC), and 'Community Use' (P-2 designation). Both these plans require extra utilization of the un-utilized land area be it for structures or parking.
- h) The 'wooded area' on the lands at present is about 25%. As per (c,d) above, Non-Park utilization ('intensive') are considerably above the '**Some .. land intensive**' as approved by the land commission in approving the land transfer from 'Park' to 'Park and Recreation' under the ALC stewardship.
- i) Removing the ALC from this overlapping control would make DNS the sole steward of these lands. While the PRC has in the past provided some 'park' amenities on the forested area in terms of greenery management, cooperation with the adjoining residents in planting native species. and the 'Eric Sherwood trail' (as a de-facto linear park) etc, the lack of 'Park' in the P-2 designation would mean there is nothing implicit the bylaws and intent of DNS to preserve any part of these lands for the 'Park' as most people infer.

=====

I see (as in the exclusion Hearing) no point in council going forward, if P-2 is not in sync with the Park-Trust status (land title). If indeed a community hub is to be created longer term, and a library a possibility for starting that process, it makes sense to me to make sure all the pieces are in place before exclusion is requested.

The first step from a Ratepayer point of view is legality. I am NOT in favour of the P-2 zoning being applied, but IN FAVOUR of the 'Park and Recreation' Trust being continued to be applied via the ALC oversight.

There is very little of this "Park" attribute left on this parcel (25%) and further erosion would further degrade the reality and intent of the original creation of these land, namely '**some** intensive use'. I note the PRC support of the DNS exclusion application to the ALC, includes the original TRUST subjects, namely , 'Park and Recreation' . I believe this to be 'qualified support', and not support for P-2 future development.

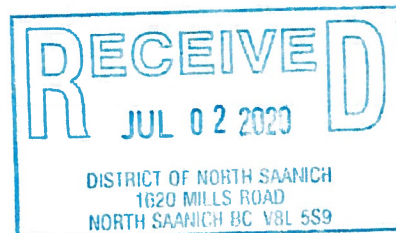
**Sara De Melo**

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**From:** Gord Gummer [REDACTED]  
**Sent:** Thursday, July 2, 2020 11:27 AM  
**To:** admin  
**Subject:** ALR Exclusion Application/OCP Amendments - 1885 Forest Park Drive  
**Attachments:** Panorama ALR.docx

Please find our attached letter objecting to the ALR Exclusion Application/OCP Amendments for 1885 Forest Park Drive.

Gord and Gillian Gummer  
North Saanich



<b><u>CIRCULATION</u></b>
Mayor
CAO <i>[Signature]</i>
Corporate Officer
<b><u>ACTION</u></b>
<input type="checkbox"/> Council Agenda
<input checked="" type="checkbox"/> Info Pk
<input type="checkbox"/> Reading File
<input type="checkbox"/> Staff Recommendation
<u>COPY TO</u>
<u>PUBLIC HEARING</u>
<u>RINDEA</u>
<u>emailed DPCS</u>
<u>2020-07-03</u>

Gordon and Gillian Gummer  
8916 Haro Park Terrace  
North Saanich, B.C V8L 4A2

July 5, 2020

Mayor and Council  
District of North Saanich  
1620 Mills Road  
North Saanich, BC V8L 5S9

**RE: ALC Application and OCP Amendment for 1885 Forest Park Drive (Panorama Recreation Centre)**

Dear Mayor and Council

We are not convinced that this ALR application and OCP Amendment is in the best interest of North Saanich or the Saanich Peninsula as a whole. It is a tough decision that council has to make, but the decision has to be the right one for all citizens of the district. Council can't be too short sighted, as this decision may have implications elsewhere in the District and the province as a whole.

We realize that the handful of residents on Haro Park Terrace are going to be the only ones adversely affected in the neighbourhood by this application and amendments so we hope that council will hear and understand our concerns. At least with this letter we have brought our concerns forward.

Our concerns are as follows:

1. It is our understanding that in 1975 the land in question was donated to the District of North Saanich for a "park"; however it was to remain in the ALR and be subject to the provision of the Act. Later in 1975 ALC approved the land to be used for public recreational facilities; a joint venture of the three Saanich Peninsula communities of Central Saanich, North Saanich, and Sidney. Again the condition was that the land was to remain in the ALR. We are under the understanding that the condition of the land transfer from the developer to the District of North Saanich was "This conveyance is made subject to the express condition and limitation that the lands herein conveyed shall forever be held for use as park and recreation land only".

In June 2019, the Peninsula Recreation Commission supported the District of North Saanich in their decision to apply for an agricultural land exclusion of the Panorama Recreation land for the purpose of expanding recreational opportunities for the Saanich Peninsula. In our opinion this motion does not mention support for Public Assembly, Cultural activities, or a Library.

The existing OCP wording under Section 5.11 states "*To preserve land in the ALR for current and future agricultural production, the District does not encourage or support applications for exclusions of land from the ALR unless such an application involves an inclusion of an equal or greater amount of land that is or will be appropriate for farming and there is a clear benefit to agriculture and the community.*"

The District of North Saanich is saying they do not have any parcel of land (15.8 acres) that they can include in the ALR for excluding the Panorama Recreation Centre lands. Why has it taken the District of North Saanich 45 years to make this happen, especially if land was available decades ago? Is the thinking "If you wait long enough you will get your way?" Why is it okay to try and change the rules to suit the District's need? The reason is because you know that unless you can get this done then you are restricted in what you can do on the Panorama Recreation Centre lands.

The most natural part of this "park" is the Eric Sherwood trail that runs from Forest Park Drive, south along the western portion of the property (wooded buffer zone between the present recreational facilities and the residents on Haro Park Terrace) to East Saanich Road at the Southeast corner of the property. In 2011, the Peninsula Recreation Commission named the fitness trail in honour of Eric Sherwood, a driving force for the creation of the Panorama Recreation Centre and former North Saanich mayor. From what we can see, most of this trail will be eliminated with this development. This trail is regularly used by a large number of local residents on a daily basis. Why are we eliminating green space in 2020 for the sake of another development?

Our concerns is with this proposed change in wording with the OCP, could the same argument be made on the Glen Meadows Golf Club property which has been a recreational property since 1965 (55 years) that housed a curling rink, tennis courts, golf course, and restaurant/bar. If the District is going to change the wording of the OCP for Panorama, then it must accept the same for Glen Meadows Golf Club property. How will this impact our agricultural lands throughout the province when other municipalities start adopting similar changes to their OCP? Before long we will be seeing our agricultural lands diminish even further than it is today.

**We do not support the exclusion of the lands situated at 1885 Forest Park Drive in North Saanich from the ALR. Should remain as is and any future development be restricted as legally required under the Act.**

2. In the District of North Saanich "Staff Report" submitted by District Planner Drew Bakken, dated February 13, 2020, it states the following:

*"Upon the removal of the 1885 Forest Park Drive site from the ALR, the subdivision of the proposed lot may proceed without need of further permission from the ALC. Additionally, regardless of whether a new library is developed, the exclusion of the rest of the Panorama Recreation site from the ALR will remove any further restrictions related to agriculture, to the benefit of any future recreational development of the property."*

What does this really mean: *"regardless of whether a new library is developed"*? Our concerns are that once this parcel of land is removed from the ALR, the District can scrap the library idea and undertake any recreational development or other development of their choosing on this land, possibly at the detriment of the neighbouring properties.

In an email response in which I had asked for some information from Drew Bakken about the proposed library, Bakken stated that it was still very early in planning stages on the specifics of where the library will sit on the new lot (if successful with the ALR) and the size, including the actual footprint and the height of the project (including the number of stories). It is our understanding that the lot location may



actually change if the District is successful in getting it removed from the ALR. We know there are steps to follow to get things passed, but it is very hard to be supportive if we don't know what the short and long term plans or possibilities are for the property if the District is successful. Our present Mayor and Council could have one vision, but this could be drastically changed once another council is elected in the future,

**Recreational development has a broad definition meaning the modification of the natural or existing environment to accommodate commercial and public facilities designed and used to provide recreational opportunities to the public. Recreation also has a broad definition and can refer to all those activities that people choose to do to refresh their bodies and minds and make their leisure time more interesting and enjoyable. Pretty broad scope.**

**We do not support the amendments to the OCP language. It should remain as it is presently.**

If the District of North Saanich is successful in getting the property at 1885 Forest Park Drive (Panorama Recreation Centre) removed from the ALR and the OCP changed (which we don't support for the reasons mentioned above), we request the Mayor and Council consider the following prior to any development on the property.

1. Involve the residents/neighbours on Haro Park Terrace to be part of planning process through a resident acting as a liaison between the District and the residents and other stakeholders.
2. The residents of Haro Park Terrace have been affected by previous developments on the noted property over the years; including the second arena; the addition of the slide and elevator to the pool area; and the tall vegetation that was planted in the buffer zone between the west property line and the facilities on the properties. These issues were compounded with the construction of Kelset Elementary school.
3. The residents' concerns include:
  - I. Several of the properties have had their views of the Gulf Islands, Mount Baker and the ocean eliminated completely or significantly reduced by the past development at the Panorama Recreation Centre.
  - II. There is fear amongst the residents on Haro Park Terrance that with future development on the noted Panorama Rec Centre property, these views will be completely gone, due to the footprint of the development, the location of the development and the height of the development.
  - III. Increase in noise from major events at the Recreation facilities (i.e. Friday Night Hockey – sound system)
  - IV. Increase in mechanical noise from the pool/rinks and other buildings on the property – possibly the air conditioning units on the roof (?)
  - V. Increase in traffic when Kelset School and the Recreation Centre are at full capacity. (it has been great with the COVID-19 pandemic). We already experience significant traffic volumes

especially when Kelset School (early mornings, mid-afternoons, and on specialty events at the school) and the Recreation Centre are at full capacity. (Pre-Covid-19 times). Speeds along East Saanich, (40 km/h zones and 30 km/h on school days) are rarely followed with little to no enforcement by the RCMP or the Regional Traffic Unit.

- VI. There is a lack of parking at Kelset School (Parking lot doesn't even accommodate all the staff parking requirements), as well as other special events at Panorama Recreation Centre. (I have previously sent a letter to Mayor Orr on this matter). The Saanich School District doesn't consider this a priority. (Letter was sent to the School, School District, and School Trustees in the Fall 2019). Parking on Haro Park Terrace, (where Residential Parking Only signs are posted) are ignored and not enforced. Cars regularly conduct U-turns on the street, park near the stop sign, turn around in our driveways and drive on our lawns and damage sprinkler heads (\$50 each to replace).
  - VII. The development will destroy the Eric Sherwood Trail, which is included in the green buffer space between the residents on Haro Park Terrace and the facilities at Panorama. I thought that with climate change we should be increasing our green spaces in our community not eliminating them. The activities at Panorama (which we enjoy) are just one part of recreational opportunities at the site. Many local residents (seniors especially) use this trail (as do the classes at Kelset School) for their daily walks.
  - VIII. How will the privacy (green space) of the properties along the western property line be protected and remain effective?
  - IX. Also further development on the Panorama Recreation property in the wrong place could negatively impact the property values of the Haro Park Terrace properties.
3. We question the need for a new library on the Saanich Peninsula. The staff report states "the new library facility would complement the existing community facilities on site and would be accessible to residents of North Saanich, Sidney and Central Saanich".

We presently have a newly renovated library (Approx. 5000 square feet) at 10091 Resthaven in Sidney, one funded by both the Town of Sidney and the District of North Saanich. This library is very central for both Sidney and North Saanich residents (only a 7 minute drive from Panorama).

We presently have another Greater Victoria Library (approx. 5000 square feet) at 1209 Clarke Road in Brentwood Bay. This library is very central to the residents in Central Saanich, (only a 10 minute drive from Panorama).

In our opinion, both these libraries are underutilized. More and more libraries are being closed across this country as we go more and more towards digital formats. Can the District of North Saanich fund two libraries within 7 minutes of each other? Do we want to?

Respectfully submitted,

Gordon and Gillian Gummer

Sara De Melo

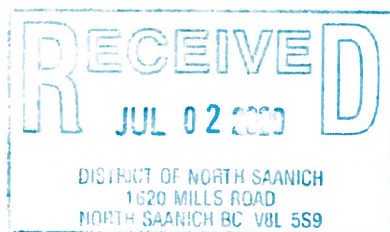
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**From:** PATRICIA STOCKDILL [REDACTED]  
**Sent:** Wednesday, July 1, 2020 9:01 AM  
**To:** admin  
**Subject:** Forest Drive Application

In response to Council's proposal to remove the ALR land at Forest Drive, I believe that is intended land for a new Library. As I have already written, we need to keep this space green. Parking is already a problem in this area between Panorama users and Kelset School

Sidney/North Saanich library already serves us very well. We do not require any more duplication of services.

Patricia Stockdill, [REDACTED]



<b>CIRCULATION</b>
Mayor
CAO <i>22</i>
Corporate Officer
<b>ACTION</b>
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<b>COPY TO</b>
<b>PUBLIC HEARING</b>
<b>BINDER</b>
<i>emailed DPCS</i>
<i>2020-07-03</i>

## Billy Blackwood

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**From:** Candace Ross [REDACTED]  
**Sent:** Friday, July 3, 2020 9:10 AM  
**To:** admin  
**Subject:** Public hearing July 13,2020

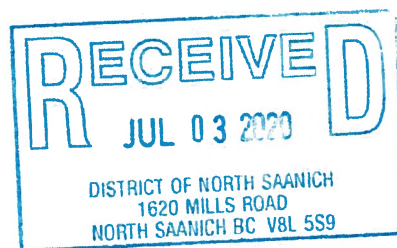
Mayor and Council

We are in opposition to the land being removed from the Agriculture Land Reserve.  
This land needs to be protected from over expansion in the future and for any expansion that appears to be a misuse of the land.

Colin and Candace Ross,  
8898 Haro Park Terr.,  
North SAANICH

[REDACTED]

Sent from my iPad



<u>CIRCULATION</u>	
Mayor	
CAO	<i>[initials]</i>
Corporate Officer	
<u>ACTION</u>	
<input type="checkbox"/> Council Agenda	
<input checked="" type="checkbox"/> Info Pk	
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<input type="checkbox"/> Staff Recommendation	
<u>Copy To PH</u>	
<u>RINAE</u>	
<u>emailed DPCS</u>	
<u>2020-07-03 CH</u>	



**Sara De Melo**

**From:** John Berger [REDACTED]  
**Sent:** Thursday, July 2, 2020 11:41 PM  
**To:** admin  
**Subject:** Vote against ALR exclusion for Panorama Rec lands

Dear Mayor and Council,

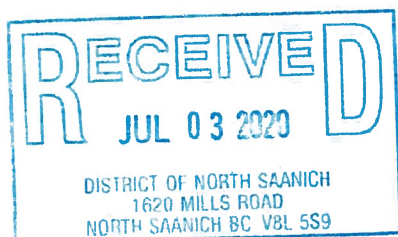
I am writing to voice my opposition to the ALR exclusion application for the Panorama Rec lands.

1. Precious ALR land should not be removed and destroyed to put up a library and parking lot, when libraries in Sidney and Central Saanich are less than 5km and 8km away, respectively and are underutilized. Why spend money to build a brand new library when the world is going digital?
2. The Eric Sherwood Memorial Trail is an important part of the community and I walk this trail with my grandchildren frequently. Removing the trail or modifying it in any way is disrespectful to the Sherwood family and its destruction would be tied to the names of this current Mayor and Council.
3. Money, time and resources should be better spent on making it safer to be a pedestrian in North Saanich. The three-way stop at the bottom of Forest Park and East Saanich desperately needs a flashing red light in the middle of the intersection. I've witnessed so many drivers running these stop signs and causing near fatal accidents with pedestrians. This is at the foot of Kelset Elementary.
4. Excluding the Panorama Rec lands sets a dangerous precedent. I personally will be emailing Kim Grout, the CEO of the ALC and voicing my opposition to any application for exclusion.
5. Why not invest in more green projects for the District instead of increasing our carbon footprint and destroying greenspace that sets a buffer for residents next to the Panorama site?
6. Traffic will be an even greater nightmare due to Kelset Elementary's lack of parking for parents at drop off and pick up. Adding more facilities such as a library is a terrible and ill-conceived idea.

Council needs to re-evaluate building a library during times of covid-19 and after. Nobody will be using a library and touching books.

Please use logic in your decision making. This isn't about creating your council's legacy at the expense of destroying established green space in ALR land. I thank you for your time. If only we could be here in person to oppose the project.

Sincerely,  
John Berger  
North Saanich



<b>CIRCULATION</b>	
Mayor	
CAO	<input checked="" type="checkbox"/>
Corporate Officer	<input checked="" type="checkbox"/>
<b>ACTION</b>	
<input type="checkbox"/> Council Agenda	
<input checked="" type="checkbox"/> Info Pk	
<input type="checkbox"/> Reading File	
<input type="checkbox"/> Staff Recommendation	
COPY TO	
P.H. BIADEA	
emailed DPRS	
2020-07-03 GJ	

## Sara De Melo

**From:** Hamish Crawford <hamishcrawford@ymail.com>  
**Sent:** Sunday, July 5, 2020 5:15 PM  
**To:** admin  
**Subject:** Re- notice of exclusion application (Panorama Rec Center lands that are currently within the ALR.)

Hello.

This is not consistent with the OCP and it is not the first time the district has been directly responsible for the loss of farm land in the community.

The ALR is not a land bank that the municipal government can dip into anytime they want to use it for other purposes. The district lost 12 acres of farm land in the Sandown development, yes, there was a land swap, but we still lost 12 acres of farm land and the traded land is being used for non farm uses. The Mayor and council are also considering allowing non farm uses on the balance of the acreage.

At the development stage of the current OCP almost everybody that had input suggested that agriculture and the preservation of farm land was high on the priority list.

Mayor and council seem to have forgotten that Hamish Crawford Highland House Farm  
1819 McTavish Rd

Sent from my iPad



<b>CIRCULATION</b>	
Mayor	60
CAO	22
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
COPY TO P.H.	
JAN/BA	
2020-07-06	
QA ✓	

**Sara De Melo**

---

**From:** Taya R <tayaranschaert@gmail.com>  
**Sent:** Saturday, July 4, 2020 6:26 PM  
**To:** admin  
**Subject:** NO support for ALR exclusion for Panorama lands

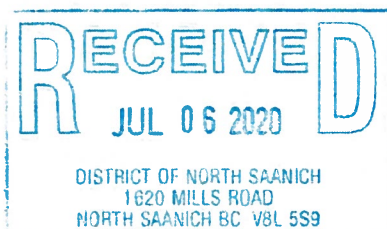
Dear Mayor and Council,

I am writing to voice that I am NOT in favour of excluding Panorama Rec lands from the ALR.

This sets a dangerous precedent and I will also be contacting the ALC. We already have two libraries within an ear shot of Panorama Rec.

I will be voting at the next election for those who did NOT support this exclusion application.

Sent from my iPhone



CIRCULATION	
Mayor	60
CAO	LC
Corporate Officer	
ACTION	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
COPY TO	
P.H. BINDER	
2020-07-06	
JS ✓	

**Sara De Melo**

---

**From:** CAROLYN MOELLER <cmoeller@shaw.ca>  
**Sent:** Monday, July 6, 2020 9:15 PM  
**To:** admin  
**Subject:** New library at Panorama Rec Centre

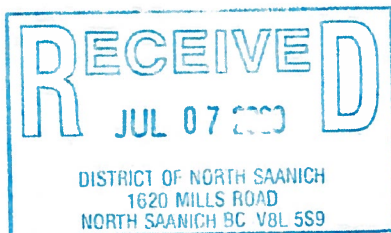
Dear Mayor and Council,

I am writing this email in support of the proposed rezoning at Panorama Recreation Centre to accommodate a new library.

As a North Saanich resident, I feel that this would be a great asset to our community and that the services offered would be used by a variety of residents. I feel that adding the library to the existing facility will provide ideal access for all members of the community. This new library will provide all citizens with a wide range of benefits whether you are checking out books, using it for a quiet place to study or to use other services like special programming or internet access. This will also create quality jobs within our community. I feel this is a great step forward for North Saanich and an excellent use of the proposed space.

Best Regards,

Carolyn Moeller



<u>CIRCULATION</u>	
Mayor	<u>GO</u>
CAO	<u>9-4</u>
Corporate Officer	
<u>ACTION</u>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<u>COPY TO</u>	
<u>P.H. BINDER</u>	
<u>2020-07-06</u>	
<u>QA ✓</u>	

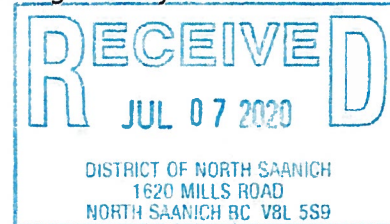


**Billy Blackwood**

**From:** Suzanne Morphet <suzannemorphet@gmail.com>  
**Sent:** Tuesday, July 7, 2020 2:09 PM  
**To:** admin  
**Subject:** Submission for July 13th Council meeting re library at Panorama

\*\*\*Please reply to confirm receipt\*\*\*

Dear Mayor and Council  
Regarding ALC Application and OCP Amendment for 1885 Forest Park Drive  
Submission from Suzanne Morphet  
Date July 7, 2020



**CIRCULATION**

Mayor ~~GO~~  
CAO  
Corporate Officer

**ACTION**

- ☐ Council Agenda
- ☒ Info Pk
- ☐ Reading File
- ☐ Staff Recommendation

**COPY TO**

**A.H. DINGER**

2020-07-08

*[Signature]*

I wish to register my opposition to this application and amendment for the following reasons:

1. The Panorama Recreation site was donated to the District by Park Pacific Apartments (the developer of Dean Park Estates) "for use as park and recreation land only", as stated in North Saanich District Bylaw 188, 3. (a), passed on April 21, 1975. This was to compensate for not putting trails in Dean Park Estates itself. Furthermore, this clause of the bylaw describes this donation as 'irrevocable'. A library is not consistent with this designation and invites a legal challenge.
2. There is no room for a library – or any other facility - at 1885 Forest Park Drive. The property is already fully utilized.
3. Constructing a library in the northwest corner of the property would mean shortening or altering the Eric Sherwood Trail. This mostly forested trail is much loved and well used by residents of Dean Park and Bazan Bay neighbourhoods, as well as students and teachers from Kelset school. Tampering with this trail and the environmentally sensitive hedgerow that surrounds it would do irreversible damage.
4. Former PRC Commissioner Don Caverley raised concerns earlier about a library on this site. In a letter to the PRC on April 20, 2017 he said "From my opinion, leisure services does not equate to library services. Also, from an environmental perspective, one must be cognizant of the hedgerow with all of its benefits along with a sensitive ecosystem adjacent to the Eric Sherwood Trail."
5. Eric Sherwood would oppose his namesake trail being altered. Don Caverley walked the trail with members of Sherwood's family in 2011 and in a story in the Peninsula Review on November 4, 2011, recounted how they felt about it. "They were saying, 'This is something dad would've really liked, because it's very quiet and very natural'." Altering this trail in any way will inevitably destroy these qualities that make it so valuable.

(See <https://www.peninsulanewsreview.com/community/trail-honours-recreation-pioneer/>)

6. Residents do not need a library in North Saanich when we routinely drive to Sidney for shopping and business. And if Covid-19 has taught us anything, it's that physical libraries are dispensable. We can now download and read everything we care to on-line, including newspapers and periodicals.

7. A previous Council already did a disservice to residents of Dean Park neighbourhood by selling land that was originally designated for a public walkway. This piece of land would have allowed pedestrian access between Richland Place and Porlier Place. Property owners at either end had fenced this public right-of-way and used it as their personal space. When asked to open it up and create a walkway in 2010 Council decided to offer it for sale to the landowners instead. This neighbourhood cannot afford to lose another trail.

Thank you in advance for seeking public input and listening to the neighbourhood's concerns.

Suzanne Morphet

8685 Nash Place, North Saanich

Organizer of the now defunct 'People for a Pedestrian-friendly Dean Park'

Sara De Melo

**From:** Peninsula Fitness Club <peninsulafitnessclub@gmail.com>  
**Sent:** Monday, July 6, 2020 10:06 PM  
**To:** admin  
**Subject:** Fwd: Notice of ALR exclusion for Panorama Rec lands.

----- Forwarded message -----

**From:** Peninsula Fitness Club <peninsulafitnessclub@gmail.com>  
**Date:** Mon, Jul 6, 2020 at 10:05 PM  
**Subject:** Notice of ALR exclusion for Panorama Rec lands.  
**To:** [admin@nothsaanich.ca](mailto:admin@nothsaanich.ca) <[admin@nothsaanich.ca](mailto:admin@nothsaanich.ca)>, [kim.grout@gov.bc.ca](mailto:kim.grout@gov.bc.ca) <[kim.grout@gov.bc.ca](mailto:kim.grout@gov.bc.ca)>

Mayor and Council,

Such a perplexing application this one.

Really no need at this point in time to apply again for this land to be taken out the ALR, unless the green light has been given for the library that was the idea of the last regime.

A member of the business Community in North Saanich was just denied a .2 hectare piece of his own family's property, which he has done business on for the last 22 years (with North Saanich blessing in the way of Business licenses), and now North Saanich wants to do the same "for future considerations of development for the Rec Centre.

I believe if the Rec Center has something of substance it wishes to build in the future (other than a Library), then it should apply then, along with the Development Application to NS, so the public can have a say on that as well. You guys wouldn't consider taking .2 of a Hectare out for a young businessman in our Community, then what's good for the goose, should be good for the gander.

Why should the Municipality get what they want, when tax payers can't?

Now, if you have something slated for that area other than a library, then let us know now.

This Mayor and Council ran on a platform of more communication and increased transparency.

So?

Cmon guys, we got the sewer to the Commercial properties on McDonald park, which was a huge injustice, corrected.

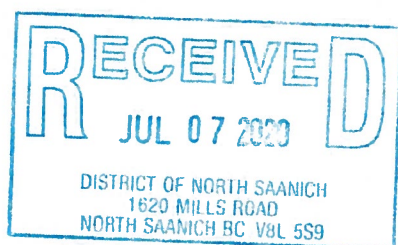
Don't fall back into errors past.

Stephen Weller

8600 East Saanich Road is

North Saanich

460 meters From the proposed Library...and will still go to our lovely New Sidney Library with the kids.



<b>CIRCULATION</b>	
Mayor	<i>GD</i>
CAO	<i>LD</i>
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<b>COPY TO</b>	
<b>P.H. BINDER</b>	
2020-07-08	
<i>CK</i>	

**Jo-Anne Berezanski**  
**10974 Chalet Road, North Saanich, BC V8L 5M2**

Mayor & Council  
North Saanich Municipality

July 7<sup>th</sup>, 2020  
/document/Submission OCP Revision

**Notice of Public Hearing – By-Law No. 1130 – Amendment Bylaw No. 1487 (2020)**

The Panorama land was designated ALR in 1975 between the District of North Saanich and Park Pacific Apartments Ltd. to serve as a buffer between residential homes and the Park and Recreation Lands when Dean Park Estates was developed. The District of North Saanich agreed or required this land be protected from development under the ALR.

Property owners purchased their homes in good faith, confident the land would not be developed under ALR protection. Panorama Recreation Centre has an ever-growing usage, serving a much larger population coming from Sidney, Central Saanich, North Saanich and Brentwood as these community's change by-laws to increase density. When Municipal Government impact the lifestyle of residents, is there "compensation" to the homeowners who will lose privacy created by the greenspace separating them from a high traffic busy Recreation Centre/Library or future development? I am sure the residents of Dean Park have had to adjust to the new K-5 school and the calamity created by school buses and parents picking up and dropping off? How much greenspace that forms part of the current Panorama Center be changed to "parking" to accommodate the library or is the library going to be a multi-level facility? Is there an artist rendering forming part of this Public Hearing so residents know before-hand what to expect?

The Agreement reached in 1975 between North Saanich and the "Developer" Park Pacific Apartments Ltd. should be upheld regardless of the on-going politically charged issue of ALR vs. development that exists in many areas of the Peninsula. If North Saanich has to compensate homeowners – who is responsible – the taxpayer? Is the expansion to the Recreation Facility to accommodate higher density in these Districts? Is there an agreement in place with these other Municipalities to share in the development costs, possible compensation to homeowners losing greenspace, outside user fees?

For years discussions to amalgamate Sidney, North Saanich, Central Saanich and Brentwood, are met with mixed arguments. Building to increase density in these Municipalities has led to spending millions of dollars on new firehalls, new or improved municipal halls. Politicians from Sidney, Central Saanich, North Saanich and Brentwood could have presented a plan to purchase and build one firehall on the Marigold Lands (subsidized with the existing volunteer crews); instead these Districts all built new firehalls. Other cities in the Province serve larger areas; ie: Prince George serves a fire district of 100 square miles.

Official Community Plans are under tremendous pressure from "developers" for more and more homes on smaller and smaller lots or parcels of land cleared to build multi-family residence. Secondary suites are now encouraged to be developed for "affordable" accommodations with no rules for on-site parking making many roadways unsafe for foot, bicycle and vehicle traffic. If higher density is creating more tax dollars why don't we see improvements in transit, sewer treatment capacity; storm sewer improvements; hospital expansion; improvements to healthcare and education; senior and child care; and addressing the doctor shortage instead of addressing the "nice to haves"?



Why can't Sidney build or add to the existing library or is this library being torn down for more condos? Sidney was once a beautiful seaside town but now has traffic and parking nightmares while more and more condominiums and multi-family dwellings are being built. Many seniors and fixed income families were virtually tossed out of what was once affordable rental apartments to make way for half million-dollar (or higher) condos with outrageous strata fees, insurance premiums and no on-site parking. The tax dollars created doesn't seem to address the greater strain on our infrastructure for water and sewer treatment, taxpayers often pay higher rates to deter usage while density is increasing or pay fines for ignoring restrictions.

Before the politician's shriek this is off-topic; it is not! It goes to public "trust", it goes to politicians having a long vision; or respecting their predecessors, it goes to responsible investments and healthy communities. I can say with a great degree of confidence that what we saw happen in Sidney is now happening in North Saanich, Central Saanich and Brentwood. In the area I live (Deep Cove) we are watching developers doing multi builds, clear cutting swaths of land, changing the natural grade of land (impacting our natural aqua fir and surface wells for garden watering), removing greenspace to maximize builds and glimpse the water while paying fines to avoid the rules, making a mockery of our by-laws and losing what these by-laws protect.

Just like natural resource extraction in Canada, the easy pickings are depleted, now placing strain in untouched territories destroying anything in the way of "progress". The ideology of "build it and they will come" will catch up to all of us and our policy makers will look back with clarity and understand what our generation was trying to protect, the communities once sought after will just be part of over populated suburbia.

I do not support taking this land out of the ALR and I especially do not trust the stewardship in the hands of our elected who seem to be bent on building the economy at the cost of healthy communities. A day will come when they long for what we saw being destroyed. It is high time for our policy makers, our elected and our residents to stop and think about the next generation and what is being left in the name of progress.

If this "pandemic" has taught us anything, it should be that we are all inter-connected and this is not just about humanity, we are connected to the land, air and water we all share and it is incumbent on each and every one of us to have the foresight to protect this from mortar and concrete! Our water is our most precious commodity along with the land for sustainable food production. The land in question needs to remain in the ALR and this Council needs to honour the agreement reached in 1975 when that Council agreed to develop Dean Park Estates. Setting precedent to remove ALR and not replace it in this situation will set a precedent for future ALR land removal.

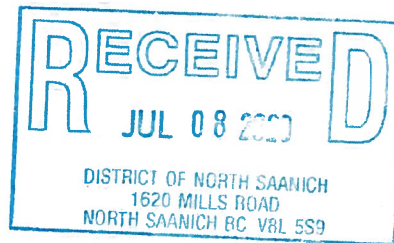
Respectfully submitted,

Jo-Anne Berezanski

July 7, 2020

8878 Forest Park Drive  
North Saanich, BC  
V8L 4E9

Mayor and Members of Council  
District of North Saanich  
1620 Mills Road  
North Saanich, BC, V8L 5S9



<b>CIRCULATION</b>	
Mayor	
CAO	<i>CP</i>
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/> Council Agenda	
<input checked="" type="checkbox"/> Info Pk	
<input type="checkbox"/> Reading File	
<input type="checkbox"/> Staff Recommendation	
<b>COPY TO</b>	
<i>A.H. BINDER</i>	
<i>2020-07-08</i>	
<i>[Signature]</i>	

Dear Mayor and Members of Council:

**RE: Exclusion of Panorama Rec Centre land from the ALR**

I am opposed to North Saanich Council requesting exclusion of this land from the ALR in order to expand Panorama facilities.

First and foremost, Council has not made it clear what they intend to do with this land if excluded from the ALR. When I addressed the previous Council three years ago on this matter, it was very clear then that Council wanted this land for a library. Now on public notices it states that it could be for "recreational or cultural development" (June 18/20 PNR) or "community facilities" (July 2/20 PNR). The District's Submission to the Agricultural Land Commission states "...expansion of recreational uses on site, including a *possible* library development ...". The District's own website states that the land is wanted "to create the site to house a library *or* any other recreational or cultural development". So what other 'development' could we be talking about – a climbing wall? a dance hall? Art gallery? Casino? **Council should make it very clear to residents what its intentions are for this land at the Public Hearing of July 13, 2020.**

IF Council's intention is to build a library on this land, which most residents have been lead to believe, then my main reasons why that is not a good idea:

- what North Saanich library users need is not more bricks and mortar but books! Anyone who uses the VIRL system knows this and it explains why there is a movement afoot to have Sidney/North Saanich join the Victoria Library system.
- more and more people are ordering their books electronically and so spending less and less time in a library building
- the majority of North Saanich residents frequent Sidney more often than the Panorama Rec Centre and would find it more convenient to use the library there.

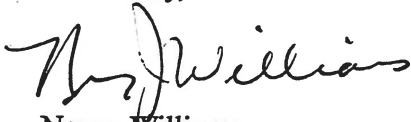
Council has recently heard that parking and safety for students of Kelset Elementary are serious issues and ANY additional facility (both during and after construction) on the north side of Panorama would only acerbate those problems. As someone who has used the Panorama facilities for 17 years and who drives past the north side of the site on average twice every day, I know that the number of users has

cont'd

Mayor and Members of Council  
July 7, 2020  
Page 2

increased substantially in recent years and any future development of any kind on that side of the property would just create more congestion. If Council is intent on securing land from the ALR, they should be looking at acquiring the land on East Saanich Road east of Kelset to create a parking lot for the safety of those children who attend the school and to free up parking space for users of Panorama.

Yours truly,



Nancy Williams



## **Section 4 – Public Notices**





## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, July 13, 2020 at 7:00 p.m. in the Council Chambers of the Municipal Hall, 1620 Mills Road, North Saanich, B.C. to consider the following proposed amendment to the District of North Saanich Official Community Plan Bylaw No. 1130:

- 1) District of North Saanich Official Community Plan Bylaw No. 1130, Amendment Bylaw No. 1487 (2020).

Currently the Official Community Plan allows for the exclusion of land from the Agricultural Land Reserve (ALR) only where an equal or greater amount of land can be included in the ALR. Generally, the proposed bylaw amendment will allow for the exclusion of the Panorama Recreation Centre property (1885 Forest Park Drive) from the ALR for the purpose of providing community facilities without requiring an equal or greater amount of land to be included in the ALR.

All persons who deem their interest in the property to be affected by the proposed bylaw amendment will be afforded a reasonable opportunity to make a written submission or be heard by North Saanich Mayor and Council.

Due to COVID-19 there is limited public access to the municipal hall. You can provide your input in the following ways:



How to Participate	Deadlines
Make a submission in advance of the meeting: <ul style="list-style-type: none"> <li>• in writing</li> <li>• with an audio file (20mb file limit)</li> <li>• with a video file (20mb file limit)</li> </ul>	Submissions must be received by noon, July 13, 2020
Join by phone	Register by phone or email by 4:00 p.m., Thursday, July 9, 2020. Instructions will be provided following registration.
Join by online meeting link	
Attend in person—there are six seats available for individuals who are unable to participate due to technological limitations (first come, first served)	

You can make a submission or register to participate through any of the following means, but you must do so by the deadlines above. Please include how you wish to participate and your contact information.

- Email: [admin@northsaanich.ca](mailto:admin@northsaanich.ca)
- Call: 250-656-0781
- Deliver or mail to: Municipal Hall  
1620 Mills Road  
North Saanich, BC  
V8L 5S9

All relevant documentation, including copies of the bylaws pertaining to the above, may be inspected on the District's website at: [www.northsaanich.ca/1885-Forest-Park](http://www.northsaanich.ca/1885-Forest-Park).

# Work gets underway on Pat Bay Highway overpass

Motorists advised to expect some delays at Keating Cross Road in July and August

Katherine Engqvist  
News staff

Work is getting underway on the Pat Bay Highway flyover at Keating Cross Road in

Central Saanich. The B.C. Ministry of Transportation and Infrastructure is warning residents and others travelling through the area to be aware of workers on site through July and August as initial engineering work gets underway on the project. Crews will be conducting geotechnical investigations involving drilling holes and analyzing soil samples to better understand the subsurface ground conditions, according to a release from the ministry. Environmental management and archeological teams will also be on site to conduct

assessments. This work may result in lane closures and delays on Highway 17 as well as Keating Cross Road and the ministry is asking drivers to use caution while obeying the instructions of traffic control personnel. This work will help the ministry develop the project's design, and public consultation is expected to get underway this fall. The project, announced in August 2019, will see a new flyover overpass created for vehicles travelling northbound on the Pat Bay Highway to a westbound lane on Keating Cross Road,

eliminating the left turn lane across highway traffic. The project will also include realigning the southbound on-ramp from Keating Cross Road. The federal government has committed more than \$16.7 million to help fund this project with the District of Central Saanich contributing \$2.5 million. The province has not finalized its contribution and will do so following a business case review.

vnc.editorial@blackpress.ca



## NOTICE OF PUBLIC HEARING

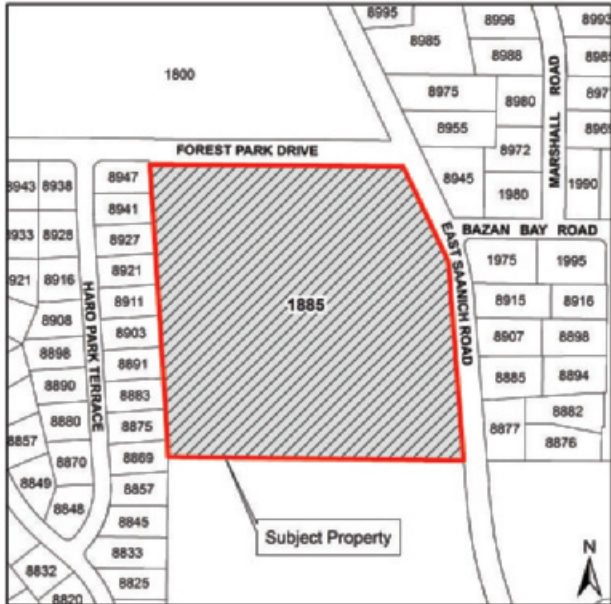
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Join by phone	Register by phone or email by <b>4:00 p.m., Thursday, July 9, 2020</b> . Instructions will be provided following registration.
Join by online meeting link	
Attend in person—there are six seats available for individuals who are unable to participate due to technological limitations (first come, first served)	

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- Email: [admin@northsaanich.ca](mailto:admin@northsaanich.ca)
- Call: 250-656-0781
- Deliver or mail to: Municipal Hall  
1620 Mills Road  
North Saanich, BC  
V8L 5S9

All relevant documentation, including copies of the bylaws pertaining to the above, may be inspected on the District's website at: [www.northsaanich.ca/1885-forest-park](http://www.northsaanich.ca/1885-forest-park).



## **Section 5 – Correspondence**



To: admin <[a@northsaanich.ca](mailto:a@northsaanich.ca)>

Cc: editor <[editor@peninsulanewsreview.com](mailto:editor@peninsulanewsreview.com)>

Subject: Application to Remove 1885 Forest Park Drive from the ALR

I find your notice of Exclusion Application to be disingenuous at best.

What you are really proposing to do it to expand the Panorama Recreational Centre property to the west by removing the land from the ALR.

That will allow you to cut down the trees that form a buffer between the rec centre and the homes on Haro Park Terrace thus imposing the noise and visual pollution on these home owners and, of course, negatively impacting their property values in the real world not the world of BC Assessment.

We need trees folks. Trees allow us to live. They are our source of oxygen to say nothing of the aesthetic qualities they bring to our lives.

I don't know why it is that politicians and municipal bureaucrats make a career of fulfilling that thoughts expressed by Joni Mitchell in Great Yellow Taxi which in part say:

They paved paradise  
Put up a parking lot  
With a pink hotel, a boutique  
And a swinging hot spot (sub expanded rec centre for people who come from outside the immediate community)  
Don't it always seem to go  
That you don't know what you've got  
'Til it's gone!

They took all the trees  
Put them in a tree museum  
And they charged all the people  
A dollar and a half to see 'em  
Don't it always seem to go  
That you don't know what you've got  
'Til it's gone  
They paved paradise  
Put up a parking lot

Alex Currie  
North Saanich



**Sara De Melo**

---

**From:** Suzie Anderson [REDACTED]  
**Sent:** Tuesday, June 23, 2020 11:33 AM  
**To:** admin  
**Subject:** New library

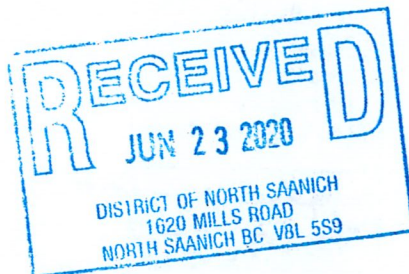
Hi




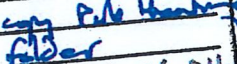
Just wanted to voice my opinion. I do NOT agree to another library being built on ALR land. It is not needed.

Suzie Anderson

North Saanich resident.

Sent from my iPhone



CIRCULATION	
Mayor	
CAO	
Corporate Officer	
ACTION	
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2020-06-24	
QSV	

**Sara De Melo**

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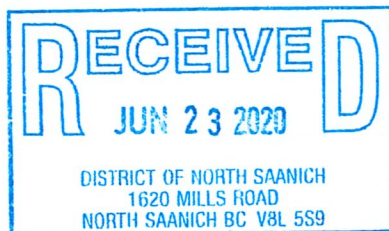
**From:** LESLEY CARERE [REDACTED]  
**Sent:** Tuesday, June 23, 2020 8:08 AM  
**To:** admin  
**Subject:** notice of ALR exclusion application for panorama rec lands

"Mayor and Council"

I do not support another Library in North Saanich.

The library would destroy ALR green space and affect the Eric Sherwood Memorial trail. There is already a library in Sidney and another in central saanich. There are also parking and congestion and safety issues for the site. Would funds be better spent elsewhere? Such as road safety and crosswalks and sidewalks and traffic calming  
More policing for speeding drivers

Thank you  
Lesley Carere  
958 Downey Rd  
N. Saanich



<u>CIRCULATION</u>	
Mayor	<i>ES</i>
CAO	<i>ES</i>
Corporate Officer	<i>[Signature]</i>
<u>ACTION</u>	
<input type="checkbox"/>	Council Agenda
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<i>copy into Planning</i>	
2020-106-24	
<i>OK ✓</i>	

**Sara De Melo**

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**From:** [REDACTED]  
**Sent:** Tuesday, June 23, 2020 5:54 AM  
**To:** admin  
**Subject:** Notice of Exclusion ALR 1885 Forest Park Road library opposition  
**Attachments:** Notice of Exclusion Application North Saanich Municipality June 23, 2020.pdf

Good day NS Council & Mayor,

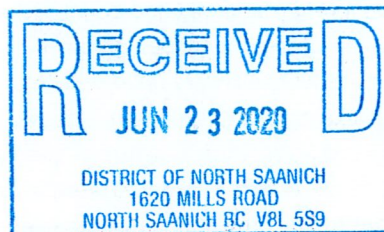
Please find my letter of opposition to building a library and removing land from ALR for it.

Regards,

Chris Connor | President

**Life Flight International Inc.**

Air Ambulance, Commercial Stretcher, Medical Escort & Ground Ambulance service  
(CYVR) Vancouver International Airport  
British Columbia, Canada  
Main: +1-250-655-1630 Toll free: 1-800-661-2183 Fax: +1-250-656-9394



<b>CIRCULATION</b>	
Mayor	GO
CAO	Ja
Corporate Officer	
<b>ACTION</b>	
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- copy Auto Hearing	
Gilder	
- copy Air Plan	
2020-06-24	
OK ✓	

*29<sup>th</sup> year of providing professional safe medical evacuations to over 175 countries world wide*

*Life Flight International Inc. – Providing Air Ambulance and Commercial Repatriation worldwide since 1990*

June 23, 2020

North Saanich Mayor and Council,  
Municipal Hall  
1620 Mills Road  
North Saanich, BC V8L 5S9

Dear Council,

Re; Tentative Library (notice of exclusion application) 1885 Forest Park Rd

I would like to voice my opinion to the tentative library and notice of exclusion for the property 1885 Forest park road.

First, for a council on the Saanich peninsula to entertain removing land from ALR for this frivolous purpose is irresponsible. We all know that there is limited good ALR land on the peninsula, in which this land is. It may not be used for it right now in this decade, but its in the ALR for a reason. I strongly urge the council to rethink this. I as a north Saanich resident will be rallying the troops to try and put a stop to this, as well as writing to Kim Grout, CEO of ALC.

As for a library for North Saanich, we already have one located in Sidney that I pay every year for on my property taxes. A way cheaper amount of taxes than I would pay if you built one for North Saanich, and don't think for a second in my life time that the library taxes will be as cheap as they are now, if you build one in NS. The Sidney library is exactly 4.8 kms from the location identified on forest road, a location that is central to the majority of NS residents, where as the location identified is the at the North end of the NS municipal line. There is also a library located in Central Saanich 7.8 km from this location. With this information, I cant believe the council would even entertain building one for NS. The money is best spent elsewhere for our community. Who in their right mind will go to this location when Sidney library is closer to the majority of us, you can get a few chores done in town as well at the same time? If I were present, I would tap each one of you on the head and ask WHAT ARE YOU THINKING?? 4.8 kms apart. Our peninsula is very well serviced by the Sidney library and has been for the past since 1982.

The development of this property would affect the Eric Sherwood Memorial Trail.

Regards,

Chris Connor  
470 Hasquiat place  
North Saanich, BC



Sara De Melo

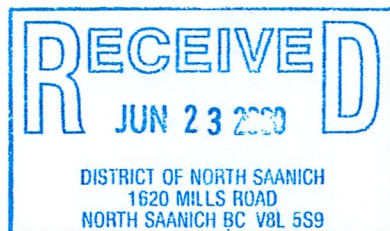
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**From:** Christi Dunn [REDACTED]  
**Sent:** Tuesday, June 23, 2020 9:02 AM  
**To:** admin  
**Subject:** Re: Notice of ALR exclusion application for Panorama Rec Lands

Attention Mayor and Council,

I DO NOT SUPPORT THE BUILDING OF A NEW LIBRARY ON THE PANORAMA REC LANDS. The library would destroy ALR green space and affect the Eric Sherwood Memorial trail. There is already a library in Sidney and another in Central Saanich. There are also parking and congestion and safety issues for the site.

Thank you,  
Christina Dunn



CIRCULATION	
Mayor	GO
CAO	[Signature]
Corporate Officer	[Signature]
ACTION	
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[Signature]	
[Signature]	
2020-06-24	
[Signature]	

Sara De Melo

**From:** Mary F [REDACTED]  
**Sent:** Tuesday, June 23, 2020 1:46 PM  
**To:** admin  
**Subject:** attn Mayor and Council

*To Mayor and Council,*

*We do not need another library in the Sidney/North Saanich area, we are well served by Sidney and Brentwood.*

*Taking land from ALR is unacceptable to most if not all of the residents.*

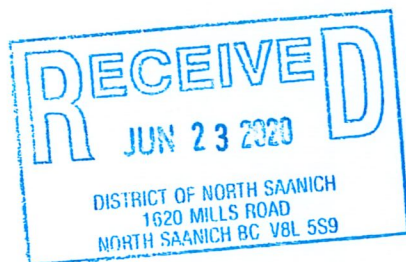
*Besides the cost of this project at a time when we can least afford it takes away green space and creates more congestion.*

*You are mismanaging funds and decreasing green space adding to climate change, FOR WHAT??*

*Put money into harnessing the power of the ocean or putting in a geo-thermal plant to service the area. Reduce our reliance on unsustainable fuels.*

*I'm sure there would be more support for a 'green' project that would actually benefit the area.....*

*Mary Fay  
resident of Sidney*



CIRCULATION	
Mayor	<i>GO</i>
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
ACTION	
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2020-06-24	
QS ✓	

**Sara De Melo**

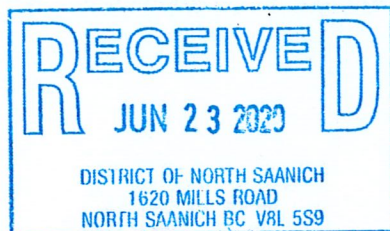
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**From:** Nancy McMillan [REDACTED]  
**Sent:** Tuesday, June 23, 2020 10:32 AM  
**To:** admin  
**Subject:** Notice of ALR exclusion application for Panorama Red Lands

Mayor and Council

I do not believe we need a second library in our small community. Tax \$\$ would be better spent elsewhere or not at all.

Sent from my iPhone



CIRCULATION	
Mayor	Go
CAO	[Signature]
Corporate Officer	[Signature]
ACTION	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
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<input type="checkbox"/>	Staff Recommendation
[Signature] Pds Henry	
[Signature] Mr Phung	
2020-06-24	
Q4 ✓	

**Sara De Melo**

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**From:** Gary Ng [REDACTED]  
**Sent:** Tuesday, June 23, 2020 8:27 AM  
**To:** admin  
**Subject:** Notice of ALR exclusion application at Panorama

Dear Mayor and Council,

I am writing to oppose the idea of a library built at this particular location at Panorama, and in general the exclusion application to remove the site from the ALR.

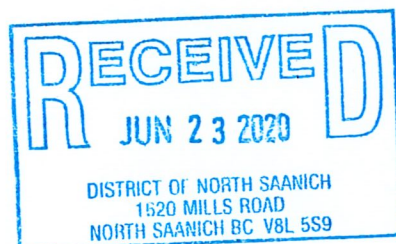
I believe a better location would be suited for a library. This area is already congested enough and also removing established greenspace--which is home to deer, quail, rabbits, crows, robins, eagles and more, is not something I support. Also, this green space is home to the Eric Sherwood Memorial Trail and I would hate to see it destroyed or altered in anyway.

Removing greenspace from the ALR to build a library and parking lot does not make sense in 2020. Most people I know download books digitally and funds would be better spent elsewhere, such as getting drivers to slow down in the community, especially around Kelset Elementary and Deep Cove Elementary School.

North Saanich would be better off re-evaluating another site for a library as this site is not something I am in favour of. The next time there is an election, I will cast my ballot for mayor and council based on those who used common sense decision making in regards to this plan.

Thank you for your time.

Sincerely,  
Gary N.  
North Saanich



CIRCULATION	
Mayor	<i>[Signature]</i>
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
ACTION	
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2020-06-24	
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**Sara De Melo**

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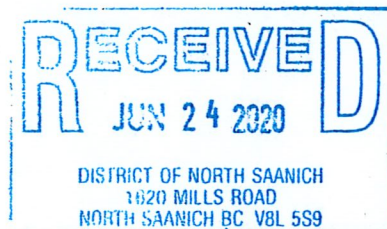
**From:** Bill Boyce [REDACTED]  
**Sent:** Wednesday, June 24, 2020 12:34 PM  
**To:** admin; kim.grout@gov.bc.ca  
**Subject:** ALR exclusion application for panorama rec lands


I have reviewed the notice for ALR exclusion application for panorama rec lands. I understand that you are doing this to add a library. I DO NOT support this proposal as we already have a library in Sidney and another in Central Saanich. There is no reason to increase tax costs and remove land from ALR to add a service that is not required.

Please consider this a vote against the proposal.

I find it interesting that you are doing this at a time when the public can not attend council meetings. This would seem to be a play to get it through without public comment.

Thx  
Bill Boyce  
9495 Glenelg Ave, North Saanich, BC V8L 5H2



<b>CIRCULATION</b>
Mayor
CAO 
Corporate Officer
<b>ACTION</b>
<input type="checkbox"/> Council Agenda
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<input type="checkbox"/> Reading File
<input type="checkbox"/> Staff Recommendation
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**Sara De Melo**

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**From:** Brooke Kray [REDACTED]  
**Sent:** Tuesday, June 23, 2020 8:24 PM  
**To:** admin  
**Subject:** Re: notice of ALR exclusion application for panorama rec lands

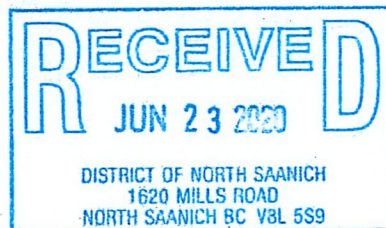
Dear Mayor and Council,

I am a resident of Dean Park and I, along with many others, do not support the plans to expand the Panorama Rec lands for a library, for the following reasons:

-The library/expansion would destroy ALR green space and affect the Eric Sherwood Memorial trail, which is frequently used and highly valued by the residents of Dean Park and beyond -There is already a library in Sidney and another in Central Saanich -There are parking and congestion and safety issues for the site -The VIRL library in Sidney should join the GVPL. This would satisfy all of the needs of Sidney/North Saanich and give us access to a much larger base of resources. We don't need to spend money creating a brand new library in NS.

Please consider these points before moving forward with this application/project.

From a concerned neighbour.



<b>CIRCULATION</b>	
Mayor	
CAO	<i>[Signature]</i>
Corporate Officer	
<b>ACTION</b>	
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<i>emailed Director</i>	
<i>of Planning</i>	
<i>Public Hearing</i>	
<i>2020-06-25!</i>	

## Billy Blackwood

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**From:** Lindsay McCray [REDACTED]  
**Sent:** Wednesday, June 24, 2020 9:31 PM  
**To:** admin  
**Subject:** Notice of ALR exclusion application for Panorama Rec lands

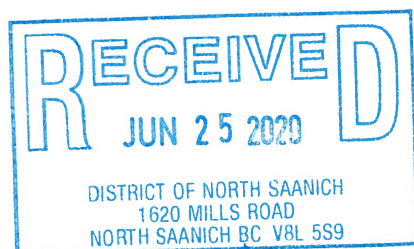
To Mayor and Council,

Just wanted to say that our family (my husband and I and our 9 and 11 year olds) very much support the application to take the parcel of land out of the ALR to make a library (or other multipurpose facilities in future). We are frequent rec centre and library users and happily support having both in the same location. We lived a number of years in Saanich and enjoyed using the pool and library at Commonwealth - it makes sense. The convenience (as a parent) of having both in one place can't be overstated. Yes, there is a library in Sidney (and we will continue to use it) but we'll be able to use the library system even more if there's another branch that is located somewhere we already go each week.

My only concern is we would love to be part of GVPL rather than VURL. GVPL's selection (both books in stock and that can be reserved) far exceeds what is available by VURL. With that said, I understand that's a different issue entirely.

Thanks for your time,

Lindsay McCray



<u>CIRCULATION</u>	
Mayor	
CAO	<i>22</i>
Corporate Officer	
<u>ACTION</u>	
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<u>emailed DPCS</u>	
<u>2020-06-29</u>	
<u>OK</u>	

## Billy Blackwood

**From:** Catherine Hayden [REDACTED]  
**Sent:** Friday, June 26, 2020 12:38 PM  
**To:** admin  
**Subject:** 1885 Forest Park Drive

I am writing to object to the proposed exclusion from the ALR of 1885 Forest Park Drive, Lot 1, Section 4, Range 2 East, North Saanich District, Plan 29757.  
I believe my opinion is valid as a 60 year resident of Saanich and a long standing fan of community libraries.  
My reasoning is:

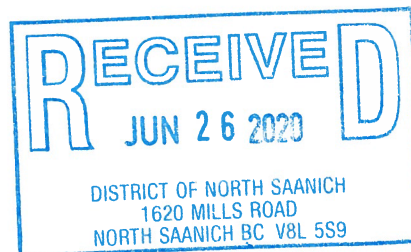
- we have lovely libraries in Sidney and in Brentwood which are underused;
- going forward, library services are online;
- no ALR land should be excluded going forward because of the exponential quantity of townhouse and condo development changing the culture of the peninsula;
- natural undeveloped land is a buffer between commercial and residential areas used widely for flora, fauna and our children to explore;
- what is the requirement for this space? Surely all the vacant businesses in Sidney and Brentwood, Mary Winspear, central Saanich Cultural, fairgrounds etc could be used for gatherings;
- removing land from our peninsula ALR sets an unwanted precedent and a very negative perception of our community political decision makers.

Aside from all this, during pandemic times with no end in site, how can people gather in this space?

Sincerely,

Catherine Hayden  
[REDACTED]

- Saanich Peninsula Hospital Lab Tech 25 yrs
- resident of North Saanich
- Certificate Environmental & Occupational Health & Safety, UVic



CIRCULATION	
Mayor	
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
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## Sara De Melo

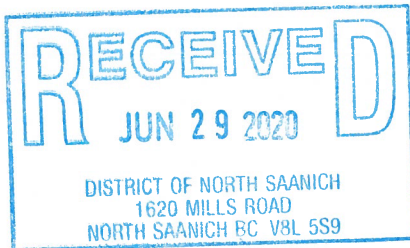
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**From:** FT MacDonald [REDACTED]  
**Sent:** Monday, June 29, 2020 9:24 AM  
**To:** admin  
**Subject:** ALR exclusion application

I wish to support the application and would suggest that any further building(s) be located on the south side of the Recreation Centre with car access and parking from E Saanich Rd. This would reduce the traffic, noise, and visual impact for those living just above Panorama. This would also separate the "new" traffic from Kelset School traffic.

Thank you,  
Frank MacDonald  
8928 Haro Park Terrace  
North Saanich

Sent from my iPad



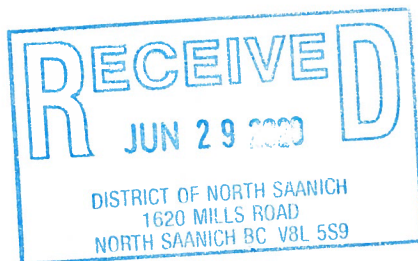
<u>CIRCULATION</u>	
Mayor	
CAO	<i>[Signature]</i>
Corporate Officer	<i>[Signature]</i>
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<i>June 29 Info Pk</i>	
<i>mailed DPCS</i>	
<i>2020-06-29 GY</i>	

## Sara De Melo

**From:** Michael & Sharon Forster [REDACTED]  
**Sent:** Monday, June 29, 2020 11:17 AM  
**To:** 'Michael Forster'; admin; Geoff Orr  
**Subject:** Letter to Council R-Statement of Diligence from CAO regarding providence of Panorama Lands -V2.docx  
**Attachments:** CCE03282018\_0005.pdf; 0188 - Land Development Bylaw No 1 (1975).pdf; ALC File 0575 \_decisions 1975-2006.pdf; Letter to Council R-Statement of Diligence from CAO regarding providence of Panorama Lands -V2.docx

TO MAYOR AND COUNCIL

RE: NOTICE of EXCLUSION APPLICATION for 1885 Forest Park Drive from ALR



<u>CIRCULATION</u>	
Mayor	
CAO	<i>200</i>
Corporate Officer	<i>[Signature]</i>
<u>ACTION</u>	
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<i>June 29 Late PM</i>	

*x 3 attachments not printed*

## Letter to council regarding the Providence of the Panorama Lands and Legality – V2

TO: Mayor and Council

RE: Panorama Lands – 1885 Forest Park Drive

June 29, 2020

Subject: Providence of lands held in trust and Exclusion implications – Legality

**Summary:** I wish to oppose the application for EXCLUSION of the Forest Park Lands. Please refer to my documents that reference to the history of these lands and their intended use. I believe there may be a conflict between the restrictions in the **legal description and intent**, and the zoning P-2

If true, many of the uses in the P-2 zoning would not apply to this property, except 'Recreational'. Validity of a future DNS approval for such development could be in question. Currently these approvals are provided by the ALC.

Through Mayor and Council, I request the CAO in his professional role, to review the documents. A reply from the CAO is requested that clarifies the conflict in the wording – as outlined – and future intent of P-2 designations that conflict with the INTENT (Park and Recreation), and the SCOPE as in 75-575 (et. al.) regarding 'Joint Venture .. AND '... **some** of which will be land intensive'. Currently 'Intensive' operations (plus parking) consume more than 50% of the land area.

### **Relevant Documents**

- a) **DNS** is owner of the property, as per ByLaw agreement 188 which sets out the transfer of Park Lands in the new Dean Park development into a new parcel for 'Park and Recreation (1975)'
- b) The property under Application 75-575 (land commission) is **donated as park** (para.2) and to remain in the ALR and subject to the provisions of 11(4) subject to the agreement of the Commission. Application 75-575A is a companion document.
- c) Application 75-575A (land commission) approves the subdivision with understanding that "... **some of which will be land intensive**, such as swimming pool, ice skating rink and activity buildings". That the application be allowed in consideration of the public need... understanding that these facilities be a joint venture to serve the needs of the 3 municipalities. The commission recognizes.. to find alternate sites without success. ...The land is to remain in the ALR. (Resolution 2770/75). 5 and 14 November, 1975
- d) Land title E99232 - 23 of November 1976 Registered 23 November, 1976 **subject to** : "This certificate of title may be affected by the Land Commission Act ; see ALR Plan No. 4, Deposited July 11, 1974 (I don't have this map).

Conveyance: "This conveyance is made **subject to the express condition and limitation that the lands herein conveyed shall forever be held for use as park and recreation land only**". This meets the meaning of 'Trust'.

- e) **DNS** has the right under the local government act and its OCP to pass bylaws regulating land use through zoning. The land use for the property is currently **P-2** and in force, but subject to **ALC** approval also.

#### **P-2 Definition**

*The non-commercial assembly of persons for religious, charitable, philanthropic, cultural, **recreational** or education purposes, and includes auditoriums, youth centres, social halls, group camps, educational schools, kindergartens, play schools, day nurseries, day care schools and churches; (ByLaw 1435 – consolidated – Pg. 5/134)*

- f) **DNS** has no definition of 'Park' and none for 'Recreation'.
- g) Both the Panorama Recreation Centre and DNS believe that expansion of facilities on this land is necessary. The likely uses are both for the purpose of 'Recreation' (PRC), and 'Community Use' (P-2 designation). Both these plans require extra utilization of the un-utilized land area be it for structures or parking.
- h) The 'wooded area' on the lands at present is about 25%. As per (c,d) above, Non-Park utilization ('intensive') are considerably above the '**Some .. land intensive**' as approved by the land commission in approving the land transfer from 'Park' to 'Park and Recreation' under the ALC stewardship.
- i) Removing the ALC from this overlapping control would make DNS the sole steward of these lands. While the PRC has in the past provided some 'park' amenities on the forested area in terms of greenery management, cooperation with the adjoining residents in planting native species. and the 'Eric Sherwood trail' (as a de-facto linear park) etc, the lack of 'Park' in the P-2 designation would mean there is nothing implicit the bylaws and intent of DNS to preserve any part of these lands for the 'Park' as most people infer.

=====

I see (as in the exclusion Hearing) no point in council going forward, if P-2 is not in sync with the Park-Trust status (land title). If indeed a community hub is to be created longer term, and a library a possibility for starting that process, it makes sense to me to make sure all the pieces are in place before exclusion is requested.

The first step from a Ratepayer point of view is legality. I am NOT in favour of the P-2 zoning being applied, but IN FAVOUR of the 'Park and Recreation' Trust being continued to be applied via the ALC oversight.

There is very little of this "Park" attribute left on this parcel (25%) and further erosion would further degrade the reality and intent of the original creation of these land, namely '**some** intensive use'. I note the PRC support of the DNS exclusion application to the ALC, includes the original TRUST subjects, namely, 'Park and Recreation'. I believe this to be 'qualified support', and not support for P-2 future development.

**Michael Forster**



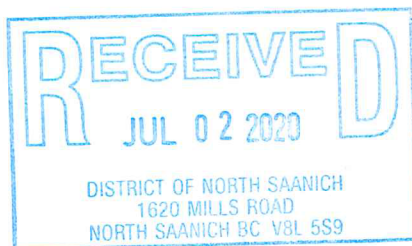
**Sara De Melo**

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**From:** Gord Gummer [REDACTED]  
**Sent:** Thursday, July 2, 2020 11:27 AM  
**To:** admin  
**Subject:** ALR Exclusion Application/OCP Amendments - 1885 Forest Park Drive  
**Attachments:** Panorama ALR.docx

Please find our attached letter objecting to the ALR Exclusion Application/OCP Amendments for 1885 Forest Park Drive.

Gord and Gillian Gummer  
North Saanich



<u>CIRCULATION</u>	
Mayor	
CAO	<i>[Signature]</i>
Corporate Officer	
<u>ACTION</u>	
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<input type="checkbox"/> Reading File	
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<u>COPY TO</u>	
<u>PUBLIC HEARING</u>	
<u>RIN/EA</u>	
<u>emailed DPCS</u>	
<u>2020-07-03 GY</u>	

Gordon and Gillian Gummer  
8916 Haro Park Terrace  
North Saanich, B.C V8L 4A2

July 5, 2020

Mayor and Council  
District of North Saanich  
1620 Mills Road  
North Saanich, BC V8L 5S9

**RE: ALC Application and OCP Amendment for 1885 Forest Park Drive (Panorama Recreation Centre)**

Dear Mayor and Council

We are not convinced that this ALR application and OCP Amendment is in the best interest of North Saanich or the Saanich Peninsula as a whole. It is a tough decision that council has to make, but the decision has to be the right one for all citizens of the district. Council can't be too short sighted, as this decision may have implications elsewhere in the District and the province as a whole.

We realize that the handful of residents on Haro Park Terrace are going to be the only ones adversely affected in the neighbourhood by this application and amendments so we hope that council will hear and understand our concerns. At least with this letter we have brought our concerns forward.

Our concerns are as follows:

1. It is our understanding that in 1975 the land in question was donated to the District of North Saanich for a "park"; however it was to remain in the ALR and be subject to the provision of the Act. Later in 1975 ALC approved the land to be used for public recreational facilities; a joint venture of the three Saanich Peninsula communities of Central Saanich, North Saanich, and Sidney. Again the condition was that the land was to remain in the ALR. We are under the understanding that the condition of the land transfer from the developer to the District of North Saanich was "This conveyance is made subject to the express condition and limitation that the lands herein conveyed shall **forever** be held for use as **park and recreation land only**".

In June 2019, the Peninsula Recreation Commission supported the District of North Saanich in their decision to apply for an agricultural land exclusion of the Panorama Recreation land for the purpose of expanding recreational opportunities for the Saanich Peninsula. In our opinion this motion does not mention support for Public Assembly, Cultural activities, or a Library.

The existing OCP wording under Section 5.11 states "*To preserve land in the ALR for current and future agricultural production, the District does not encourage or support applications for exclusions of land from the ALR unless such an application involves an inclusion of an equal or greater amount of land that is or will be appropriate for farming and there is a clear benefit to agriculture and the community.*"

The District of North Saanich is saying they do not have any parcel of land (15.8 acres) that they can include in the ALR for excluding the Panorama Recreation Centre lands. Why has it taken the District of North Saanich 45 years to make this happen, especially if land was available decades ago? Is the thinking "If you wait long enough you will get your way?" Why is it okay to try and change the rules to suit the District's need? The reason is because you know that unless you can get this done then you are restricted in what you can do on the Panorama Recreation Centre lands.

The most natural part of this "park" is the Eric Sherwood trail that runs from Forest Park Drive, south along the western portion of the property (wooded buffer zone between the present recreational facilities and the residents on Haro Park Terrace) to East Saanich Road at the Southeast corner of the property. In 2011, the Peninsula Recreation Commission named the fitness trail in honour of Eric Sherwood, a driving force for the creation of the Panorama Recreation Centre and former North Saanich mayor. From what we can see, most of this trail will be eliminated with this development. This trail is regularly used by a large number of local residents on a daily basis. Why are we eliminating green space in 2020 for the sake of another development?

Our concerns is with this proposed change in wording with the OCP, could the same argument be made on the Glen Meadows Golf Club property which has been a recreational property since 1965 (55 years) that housed a curling rink, tennis courts, golf course, and restaurant/bar. If the District is going to change the wording of the OCP for Panorama, then it must accept the same for Glen Meadows Golf Club property. How will this impact our agricultural lands throughout the province when other municipalities start adopting similar changes to their OCP? Before long we will be seeing our agricultural lands diminish even further than it is today.

**We do not support the exclusion of the lands situated at 1885 Forest Park Drive in North Saanich from the ALR. Should remain as is and any future development be restricted as legally required under the Act.**

2. In the District of North Saanich "Staff Report" submitted by District Planner Drew Bakken, dated February 13, 2020, it states the following:

*"Upon the removal of the 1885 Forest Park Drive site from the ALR, the subdivision of the proposed lot may proceed without need of further permission from the ALC. Additionally, regardless of whether a new library is developed, the exclusion of the rest of the Panorama Recreation site from the ALR will remove any further restrictions related to agriculture, to the benefit of any future recreational development of the property."*

What does this really mean: "regardless of whether a new library is developed"? Our concerns are that once this parcel of land is removed from the ALR, the District can scrap the library idea and undertake any recreational development or other development of their choosing on this land, possibly at the detriment of the neighbouring properties.

In an email response in which I had asked for some information from Drew Bakken about the proposed library, Bakken stated that it was still very early in planning stages on the specifics of where the library will sit on the new lot (if successful with the ALR) and the size, including the actual footprint and the height of the project (including the number of stories). It is our understanding that the lot location may



actually change if the District is successful in getting it removed from the ALR. We know there are steps to follow to get things passed, but it is very hard to be supportive if we don't know what the short and long term plans or possibilities are for the property if the District is successful. Our present Mayor and Council could have one vision, but this could be drastically changed once another council is elected in the future,

**Recreational development has a broad definition meaning the modification of the natural or existing environment to accommodate commercial and public facilities designed and used to provide recreational opportunities to the public. Recreation also has a broad definition and can refer to all those activities that people choose to do to refresh their bodies and minds and make their leisure time more interesting and enjoyable. Pretty broad scope.**

**We do not support the amendments to the OCP language. It should remain as it is presently.**

If the District of North Saanich is successful in getting the property at 1885 Forest Park Drive (Panorama Recreation Centre) removed from the ALR and the OCP changed (which we don't support for the reasons mentioned above), we request the Mayor and Council consider the following prior to any development on the property.

1. Involve the residents/neighbours on Haro Park Terrace to be part of planning process through a resident acting as a liaison between the District and the residents and other stakeholders.
2. The residents of Haro Park Terrace have been affected by previous developments on the noted property over the years; including the second arena; the addition of the slide and elevator to the pool area; and the tall vegetation that was planted in the buffer zone between the west property line and the facilities on the properties. These issues were compounded with the construction of Kelset Elementary school.
3. The residents' concerns include:
  - I. Several of the properties have had their views of the Gulf Islands, Mount Baker and the ocean eliminated completely or significantly reduced by the past development at the Panorama Recreation Centre.
  - II. There is fear amongst the residents on Haro Park Terrance that with future development on the noted Panorama Rec Centre property, these views will be completely gone, due to the footprint of the development, the location of the development and the height of the development.
  - III. Increase in noise from major events at the Recreation facilities (i.e. Friday Night Hockey – sound system)
  - IV. Increase in mechanical noise from the pool/rinks and other buildings on the property – possibly the air conditioning units on the roof (?)
  - V. Increase in traffic when Kelset School and the Recreation Centre are at full capacity. (it has been great with the COVID-19 pandemic). We already experience significant traffic volumes



especially when Kelset School (early mornings, mid-afternoons, and on specialty events at the school) and the Recreation Centre are at full capacity. (Pre-Covid-19 times). Speeds along East Saanich, (40 km/h zones and 30 km/h on school days) are rarely followed with little to no enforcement by the RCMP or the Regional Traffic Unit.

- VI. There is a lack of parking at Kelset School (Parking lot doesn't even accommodate all the staff parking requirements), as well as other special events at Panorama Recreation Centre. (I have previously sent a letter to Mayor Orr on this matter). The Saanich School District doesn't consider this a priority. (Letter was sent to the School, School District, and School Trustees in the Fall 2019). Parking on Haro Park Terrace, (where Residential Parking Only signs are posted) are ignored and not enforced. Cars regularly conduct U-turns on the street, park near the stop sign, turn around in our driveways and drive on our lawns and damage sprinkler heads (\$50 each to replace).
  - VII. The development will destroy the Eric Sherwood Trail, which is included in the green buffer space between the residents on Haro Park Terrace and the facilities at Panorama. I thought that with climate change we should be increasing our green spaces in our community not eliminating them. The activities at Panorama (which we enjoy) are just one part of recreational opportunities at the site. Many local residents (seniors especially) use this trail (as do the classes at Kelset School) for their daily walks.
  - VIII. How will the privacy (green space) of the properties along the western property line be protected and remain effective?
  - IX. Also further development on the Panorama Recreation property in the wrong place could negatively impact the property values of the Haro Park Terrace properties.
3. We question the need for a new library on the Saanich Peninsula. The staff report states "the new library facility would complement the existing community facilities on site and would be accessible to residents of North Saanich, Sidney and Central Saanich".

We presently have a newly renovated library (Approx. 5000 square feet) at 10091 Resthaven in Sidney, one funded by both the Town of Sidney and the District of North Saanich. This library is very central for both Sidney and North Saanich residents (only a 7 minute drive from Panorama).

We presently have another Greater Victoria Library (approx. 5000 square feet) at 1209 Clarke Road in Brentwood Bay. This library is very central to the residents in Central Saanich, (only a 10 minute drive from Panorama).

In our opinion, both these libraries are underutilized. More and more libraries are being closed across this country as we go more and more towards digital formats. Can the District of North Saanich fund two libraries within 7 minutes of each other? Do we want to?

Respectfully submitted,

Gordon and Gillian Gummer

**Sara De Melo**

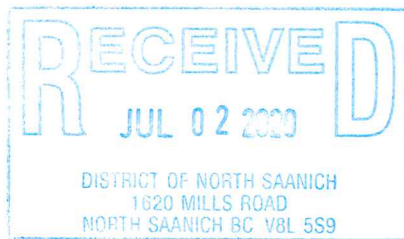
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**From:** PATRICIA STOCKDILL [REDACTED]  
**Sent:** Wednesday, July 1, 2020 9:01 AM  
**To:** admin  
**Subject:** Forest Drive Application

In response to Council's proposal to remove the ALR land at Forest Drive, I believe that is intended land for a new Library. As I have already written, we need to keep this space green. Parking is already a problem in this area between Panorama users and Kelset School

Sidney/North Saanich library already serves us very well. We do not require any more duplication of services.

Patricia Stockdill, [REDACTED]



<u>CIRCULATION</u>	
Mayor	
CAO	<i>22</i>
Corporate Officer	
<u>ACTION</u>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<u>COPY TO</u>	
<u>PUBLIC HEARING</u>	
<u>BINDER</u>	
<u>mailed DPCS</u>	
<u>2020-07-03</u>	

## Billy Blackwood

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**From:** Candace Ross [REDACTED]  
**Sent:** Friday, July 3, 2020 9:10 AM  
**To:** admin  
**Subject:** Public hearing July 13,2020

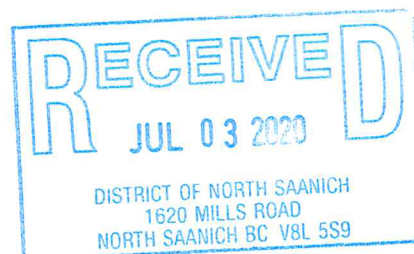
Mayor and Council

We are in opposition to the land being removed from the Agriculture Land Reserve.  
This land needs to be protected from over expansion in the future and for any expansion that appears to be a misuse of the land.

Colin and Candace Ross,  
8898 Haro Park Terr.,  
North SAANICH

[REDACTED]

Sent from my iPad



CIRCULATION	
Mayor	
CAO	<i>[Signature]</i>
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<i>Copy To A.H.</i>	
<i>BINSEA</i>	
<i>emailed DPCS</i>	
<i>2020-07-03 CH</i>	

**Sara De Melo**

**From:** John Berger [REDACTED]  
**Sent:** Thursday, July 2, 2020 11:41 PM  
**To:** admin  
**Subject:** Vote against ALR exclusion for Panorama Rec lands

Dear Mayor and Council,

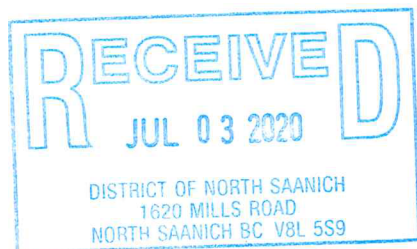
I am writing to voice my opposition to the ALR exclusion application for the Panorama Rec lands.

1. Precious ALR land should not be removed and destroyed to put up a library and parking lot, when libraries in Sidney and Central Saanich are less than 5km and 8km away, respectively and are underutilized. Why spend money to build a brand new library when the world is going digital?
2. The Eric Sherwood Memorial Trail is an important part of the community and I walk this trail with my grandchildren frequently. Removing the trail or modifying it in any way is disrespectful to the Sherwood family and its destruction would be tied to the names of this current Mayor and Council.
3. Money, time and resources should be better spent on making it safer to be a pedestrian in North Saanich. The three-way stop at the bottom of Forest Park and East Saanich desperately needs a flashing red light in the middle of the intersection. I've witnessed so many drivers running these stop signs and causing near fatal accidents with pedestrians. This is at the foot of Kelset Elementary.
4. Excluding the Panorama Rec lands sets a dangerous precedent. I personally will be emailing Kim Grout, the CEO of the ALC and voicing my opposition to any application for exclusion.
5. Why not invest in more green projects for the District instead of increasing our carbon footprint and destroying greenspace that sets a buffer for residents next to the Panorama site?
6. Traffic will be an even greater nightmare due to Kelset Elementary's lack of parking for parents at drop off and pick up. Adding more facilities such as a library is a terrible and ill-conceived idea.

Council needs to re-evaluate building a library during times of covid-19 and after. Nobody will be using a library and touching books.

Please use logic in your decision making. This isn't about creating your council's legacy at the expense of destroying established green space in ALR land. I thank you for your time. If only we could be here in person to oppose the project.

Sincerely,  
John Berger  
North Saanich



<u>CIRCULATION</u>	
Mayor	
CAO	<input checked="" type="checkbox"/>
Corporate Officer	<input checked="" type="checkbox"/>
<u>ACTION</u>	
<input type="checkbox"/> Council Agenda	
<input checked="" type="checkbox"/> Info Pk	
<input type="checkbox"/> Reading File	
<input type="checkbox"/> Staff Recommendation	
Copy TO	
P.H. BINDER	
mailed DPRS	
2020-07-03 CH	



Sara De Melo

**From:** Hamish Crawford [REDACTED]  
**Sent:** Sunday, July 5, 2020 5:15 PM  
**To:** admin  
**Subject:** Re- notice of exclusion application (Panorama Rec Center lands that are currently within the ALR.)

Hello.

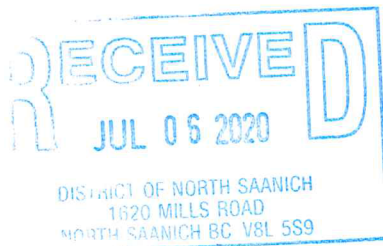
This is not consistent with the OCP and it is not the first time the district has been directly responsible for the loss of farm land in the community.

The ALR is not a land bank that the municipal government can dip into anytime they want to use it for other purposes. The district lost 12 acres of farm land in the Sandown development, yes, there was a land swap, but we still lost 12 acres of farm land and the traded land is being used for non farm uses. The Mayor and council are also considering allowing non farm uses on the balance of the acreage.

At the development stage of the current OCP almost everybody that had input suggested that agriculture and the preservation of farm land was high on the priority list.

Mayor and council seem to have forgotten that Hamish Crawford Highland House Farm  
1819 McTavish Rd

Sent from my iPad



CIRCULATION	
Mayor	60
CAO	25
Corporate Officer	
ACTION	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
COPY TO P.H.	
BINAEN	
2020-07-06	
QA ✓	

Sara De Melo

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**From:** Taya R. [REDACTED]  
**Sent:** Saturday, July 4, 2020 6:26 PM  
**To:** admin  
**Subject:** NO support for ALR exclusion for Panorama lands

Dear Mayor and Council,

I am writing to voice that I am NOT in favour of excluding Panorama Rec lands from the ALR.

This sets a dangerous precedent and I will also be contacting the ALC. We already have two libraries within an ear shot of Panorama Rec.

I will be voting at the next election for those who did NOT support this exclusion application.

Sent from my iPhone



<b>CIRCULATION</b>	
Mayor	60
CAO	22
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
COPY TO	
P.H. BINDER	
2020-07-06	
95 ✓	

**Jo-Anne Berezanski**  
**10974 Chalet Road, North Saanich, BC V8L 5M2**

Mayor & Council  
North Saanich Municipality

July 7<sup>th</sup>, 2020  
/document/Submission OCP Revision

**Notice of Public Hearing – By-Law No. 1130 – Amendment Bylaw No. 1487 (2020)**

The Panorama land was designated ALR in 1975 between the District of North Saanich and Park Pacific Apartments Ltd. to serve as a buffer between residential homes and the Park and Recreation Lands when Dean Park Estates was developed. The District of North Saanich agreed or required this land be protected from development under the ALR.

Property owners purchased their homes in good faith, confident the land would not be developed under ALR protection. Panorama Recreation Centre has an ever-growing usage, serving a much larger population coming from Sidney, Central Saanich, North Saanich and Brentwood as these community's change by-laws to increase density. When Municipal Government impact the lifestyle of residents, is there "compensation" to the homeowners who will lose privacy created by the greenspace separating them from a high traffic busy Recreation Centre/Library or future development? I am sure the residents of Dean Park have had to adjust to the new K-5 school and the calamity created by school buses and parents picking up and dropping off? How much greenspace that forms part of the current Panorama Center be changed to "parking" to accommodate the library or is the library going to be a multi-level facility? Is there an artist rendering forming part of this Public Hearing so residents know before-hand what to expect?

The Agreement reached in 1975 between North Saanich and the "Developer" Park Pacific Apartments Ltd. should be upheld regardless of the on-going politically charged issue of ALR vs. development that exists in many areas of the Peninsula. If North Saanich has to compensate homeowners – who is responsible – the taxpayer? Is the expansion to the Recreation Facility to accommodate higher density in these Districts? Is there an agreement in place with these other Municipalities to share in the development costs, possible compensation to homeowners losing greenspace, outside user fees?

For years discussions to amalgamate Sidney, North Saanich, Central Saanich and Brentwood, are met with mixed arguments. Building to increase density in these Municipalities has led to spending millions of dollars on new firehalls, new or improved municipal halls. Politicians from Sidney, Central Saanich, North Saanich and Brentwood could have presented a plan to purchase and build one firehall on the Marigold Lands (subsidized with the existing volunteer crews); instead these Districts all built new firehalls. Other cities in the Province serve larger areas; ie: Prince George serves a fire district of 100 square miles.

Official Community Plans are under tremendous pressure from "developers" for more and more homes on smaller and smaller lots or parcels of land cleared to build multi-family residence. Secondary suites are now encouraged to be developed for "affordable" accommodations with no rules for on-site parking making many roadways unsafe for foot, bicycle and vehicle traffic. If higher density is creating more tax dollars why don't we see improvements in transit, sewer treatment capacity; storm sewer improvements; hospital expansion; improvements to healthcare and education; senior and child care; and addressing the doctor shortage instead of addressing the "nice to haves"?

Why can't Sidney build or add to the existing library or is this library being torn down for more condos? Sidney was once a beautiful seaside town but now has traffic and parking nightmares while more and more condominiums and multi-family dwellings are being built. Many seniors and fixed income families were virtually tossed out of what was once affordable rental apartments to make way for half million-dollar (or higher) condos with outrageous strata fees, insurance premiums and no on-site parking. The tax dollars created doesn't seem to address the greater strain on our infrastructure for water and sewer treatment, taxpayers often pay higher rates to deter usage while density is increasing or pay fines for ignoring restrictions.

Before the politician's shriek this is off-topic; it is not! It goes to public "trust", it goes to politicians having a long vision; or respecting their predecessors, it goes to responsible investments and **healthy** communities. I can say with a great degree of confidence that what we saw happen in Sidney is now happening in North Saanich, Central Saanich and Brentwood. In the area I live (Deep Cove) we are watching developers doing multi builds, clear cutting swaths of land, changing the natural grade of land (impacting our natural aqua fir and surface wells for garden watering), removing greenspace to maximize builds and glimpse the water while paying fines to avoid the rules, making a mockery of our by-laws and losing what these by-laws protect.

Just like natural resource extraction in Canada, the easy pickings are depleted, now placing strain in untouched territories destroying anything in the way of "progress". The ideology of "build it and they will come" will catch up to all of us and our policy makers will look back with clarity and understand what our generation was trying to protect, the communities once sought after will just be part of over populated suburbia.

I do not support taking this land out of the ALR and I especially do not trust the stewardship in the hands of our elected who seem to be bent on building the economy at the cost of healthy communities. A day will come when they long for what we saw being destroyed. It is high time for our policy makers, our elected and our residents to stop and think about the next generation and what is being left in the name of progress.

If this "pandemic" has taught us anything, it should be that we are all inter-connected and this is not just about humanity, we are connected to the land, air and water we all share and it is incumbent on each and every one of us to have the foresight to protect this from mortar and concrete! Our water is our most precious commodity along with the land for sustainable food production. The land in question needs to remain in the ALR and this Council needs to honour the agreement reached in 1975 when that Council agreed to develop Dean Park Estates. Setting precedent to remove ALR and not replace it in this situation will set a precedent for future ALR land removal.

Respectfully submitted,

Jo-Anne Berezanski



**Sara De Melo**

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**From:** CAROLYN MOELLER [REDACTED]  
**Sent:** Monday, July 6, 2020 9:15 PM  
**To:** admin  
**Subject:** New library at Panorama Rec Centre

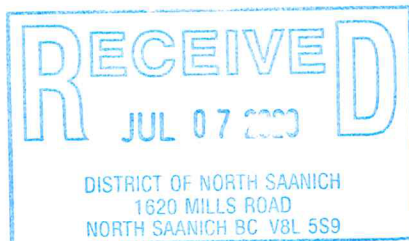
Dear Mayor and Council,

I am writing this email in support of the proposed rezoning at Panorama Recreation Centre to accommodate a new library.

As a North Saanich resident, I feel that this would be a great asset to our community and that the services offered would be used by a variety of residents. I feel that adding the library to the existing facility will provide ideal access for all members of the community. This new library will provide all citizens with a wide range of benefits whether you are checking out books, using it for a quiet place to study or to use other services like special programming or internet access. This will also create quality jobs within our community. I feel this is a great step forward for North Saanich and an excellent use of the proposed space.

Best Regards,

Carolyn Moeller



<u>CIRCULATION</u>	
Mayor	GO
CAO	9
Corporate Officer	
<u>ACTION</u>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<u>COPY TO</u>	
P.H. BINAER	
2020-07-08	
9/	

**Billy Blackwood**

**From:** Suzanne Morphet <[REDACTED]>  
**Sent:** Tuesday, July 7, 2020 2:09 PM  
**To:** admin  
**Subject:** Submission for July 13th Council meeting re library at Panorama

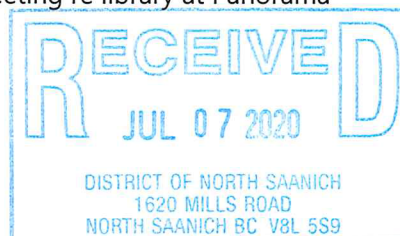
\*\*\*Please reply to confirm receipt\*\*\*

Dear Mayor and Council

Regarding ALC Application and OCP Amendment for 1885 Forest Park Drive

Submission from Suzanne Morphet

Date July 7, 2020



**CIRCULATION**

Mayor ~~EO~~  
CAO  
Corporate Officer

**ACTION**

- ☐ Council Agenda
- ☒ Info Pk
- ☐ Reading File
- ☐ Staff Recommendation

COPY TO  
A.H. DINGER  
2020-07-08  
9/1

I wish to register my opposition to this application and amendment for the following reasons:

1. The Panorama Recreation site was donated to the District by Park Pacific Apartments (the developer of Dean Park Estates) "for use as park and recreation land only", as stated in North Saanich District Bylaw 188, 3. (a), passed on April 21, 1975. This was to compensate for not putting trails in Dean Park Estates itself. Furthermore, this clause of the bylaw describes this donation as 'irrevocable'. A library is not consistent with this designation and invites a legal challenge.
2. There is no room for a library – or any other facility - at 1885 Forest Park Drive. The property is already fully utilized.
3. Constructing a library in the northwest corner of the property would mean shortening or altering the Eric Sherwood Trail. This mostly forested trail is much loved and well used by residents of Dean Park and Bazan Bay neighbourhoods, as well as students and teachers from Kelset school. Tampering with this trail and the environmentally sensitive hedgerow that surrounds it would do irreversible damage.
4. Former PRC Commissioner Don Caverley raised concerns earlier about a library on this site. In a letter to the PRC on April 20, 2017 he said "From my opinion, leisure services does not equate to library services. Also, from an environmental perspective, one must be cognizant of the hedgerow with all of its benefits along with a sensitive ecosystem adjacent to the Eric Sherwood Trail."
5. Eric Sherwood would oppose his namesake trail being altered. Don Caverley walked the trail with members of Sherwood's family in 2011 and in a story in the Peninsula Review on November 4, 2011, recounted how they felt about it. "They were saying, 'This is something dad would've really liked, because it's very quiet and very natural'." Altering this trail in any way will inevitably destroy these qualities that make it so valuable.

(See <https://www.peninsulanewsreview.com/community/trail-honours-recreation-pioneer/>)

6. Residents do not need a library in North Saanich when we routinely drive to Sidney for shopping and business. And if Covid-19 has taught us anything, it's that physical libraries are dispensable. We can now download and read everything we care to on-line, including newspapers and periodicals.

7. A previous Council already did a disservice to residents of Dean Park neighbourhood by selling land that was originally designated for a public walkway. This piece of land would have allowed pedestrian access between Richland Place and Porlier Place. Property owners at either end had fenced this public right-of-way and used it as their personal space. When asked to open it up and create a walkway in 2010 Council decided to offer it for sale to the landowners instead. This neighbourhood cannot afford to lose another trail.

Thank you in advance for seeking public input and listening to the neighbourhood's concerns.

Suzanne Morphet

8685 Nash Place, North Saanich

Organizer of the now defunct 'People for a Pedestrian-friendly Dean Park'



Sara De Melo

**From:** Peninsula Fitness Club [REDACTED]  
**Sent:** Monday, July 6, 2020 10:06 PM  
**To:** admin  
**Subject:** Fwd: Notice of ALR exclusion for Panorama Rec lands.

----- Forwarded message -----

**From:** Peninsula Fitness Club [REDACTED]  
**Date:** Mon, Jul 6, 2020 at 10:05 PM  
**Subject:** Notice of ALR exclusion for Panorama Rec lands.  
**To:** [admin@nothsaanich.ca](mailto:admin@nothsaanich.ca) <[admin@nothsaanich.ca](mailto:admin@nothsaanich.ca)>, [REDACTED]

Mayor and Council,

Such a perplexing application this one.

Really no need at this point in time to apply again for this land to be taken out the ALR, unless the green light has been given for the library that was the idea of the last regime.

A member of the business Community in North Saanich was just denied a .2 hectare piece of his own family's property, which he has done business on for the last 22 years (with North Saanich blessing in the way of Business licenses), and now North Saanich wants to do the same "for future considerations of development for the Rec Centre.

I believe if the Rec Center has something of substance it wishes to build in the future (other than a Library), then it should apply then, along with the Development Application to NS, so the public can have a say on that as well. You guys wouldn't consider taking .2 of a Hectare out for a young businessman in our Community, then what's good for the goose, should be good for the gander.

Why should the Municipality get what they want, when tax payers can't?

Now, if you have something slated for that area other than a library, then let us know now.

This Mayor and Council ran on a platform of more communication and increased transparency.

So?

Cmon guys, we got the sewer to the Commercial properties on McDonald park, which was a huge injustice, corrected.

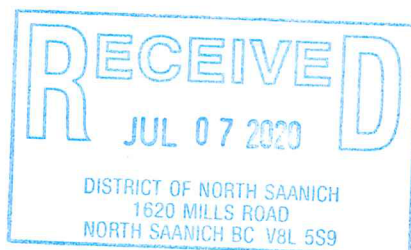
Don't fall back into errors past.

Stephen Weller

8600 East Saanich Road is

North Saanich

460 meters From the proposed Library...and will still go to our lovely New ~~Sidney Library~~ with the kids.



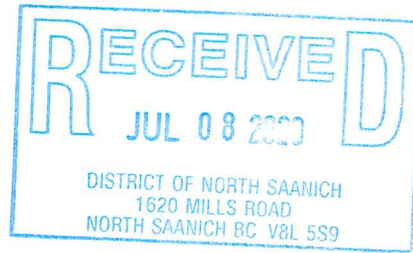
<b>CIRCULATION</b>	
Mayor	<i>GW</i>
CAO	<i>JS</i>
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<b>COPY TO</b>	
<b>P.H. BINDER</b>	
2020-07-08	
<i>OK</i>	



July 7, 2020

8878 Forest Park Drive  
North Saanich, BC  
V8L 4E9

Mayor and Members of Council  
District of North Saanich  
1620 Mills Road  
North Saanich, BC, V8L 5S9



<b>CIRCULATION</b>	
Mayor	
CAO	<i>CC</i>
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/> Council Agenda	
<input checked="" type="checkbox"/> Info Pk	
<input type="checkbox"/> Reading File	
<input type="checkbox"/> Staff Recommendation	
<b>COPY TO</b>	
<b>A.H. BINDER</b>	
<b>2020-07-08</b>	
<i>OK</i> ✓	

Dear Mayor and Members of Council:

RE: Exclusion of Panorama Rec Centre land from the ALR

I am opposed to North Saanich Council requesting exclusion of this land from the ALR in order to expand Panorama facilities.

First and foremost, Council has not made it clear what they intend to do with this land if excluded from the ALR. When I addressed the previous Council three years ago on this matter, it was very clear then that Council wanted this land for a library. Now on public notices it states that it could be for "recreational or cultural development" (June 18/20 PNR) or "community facilities" (July 2/20 PNR). The District's Submission to the Agricultural Land Commission states "...expansion of recreational uses on site, including a *possible* library development ...". The District's own website states that the land is wanted "to create the site to house a library *or* any other recreational or cultural development". So what other 'development' could we be talking about – a climbing wall? a dance hall? Art gallery? Casino? **Council should make it very clear to residents what its intentions are for this land at the Public Hearing of July 13, 2020.**

IF Council's intention is to build a library on this land, which most residents have been lead to believe, then my main reasons why that is not a good idea:

- what North Saanich library users need is not more bricks and mortar but books! Anyone who uses the VIRL system knows this and it explains why there is a movement afoot to have Sidney/North Saanich join the Victoria Library system.
- more and more people are ordering their books electronically and so spending less and less time in a library building
- the majority of North Saanich residents frequent Sidney more often than the Panorama Rec Centre and would find it more convenient to use the library there.

Council has recently heard that parking and safety for students of Kelset Elementary are serious issues and ANY additional facility (both during and after construction) on the north side of Panorama would only acerbate those problems. As someone who has used the Panorama facilities for 17 years and who drives past the north side of the site on average twice every day, I know that the number of users has

cont'd


Mayor and Members of Council

July 7, 2020

Page 2

increased substantially in recent years and any future development of any kind on that side of the property would just create more congestion. If Council is intent on securing land from the ALR, they should be looking at acquiring the land on East Saanich Road east of Kelset to create a parking lot for the safety of those children who attend the school and to free up parking space for users of Panorama.

Yours truly,



Nancy Williams

Sara De Melo

**From:** Lara Ellis [REDACTED]  
**Sent:** Sunday, July 5, 2020 6:38 PM  
**To:** admin  
**Subject:** Mayor and Council

Dear Mayor and Council Members,

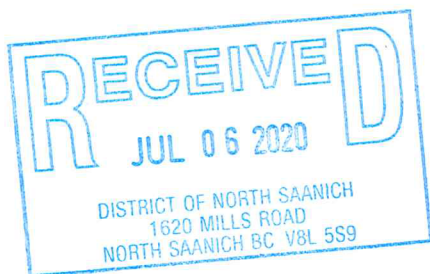
I understand that there is discussion going on regarding building a Library on the land which was donated for 'park and recreation land only' which currently houses Panorama.

I have two points to make on this:

1. It is not what the family who donated the land had intended. The interpretation of their generous gift has been skewed.
2. We do not need a Library. No one even uses them anymore. It is a waste of our resources in a time when we should be putting our money to other uses. We have one in Sidney, if we need it, and it is underutilized.

Thank you for hearing my opinion on this matter.

Lara Ellis



<u>CIRCULATION</u>	
Mayor	GD
CAO	[Signature]
Corporate Officer	
<u>ACTION</u>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
PH Birken	
2020-07-06	
[Signature] ✓	

Sara De Melo

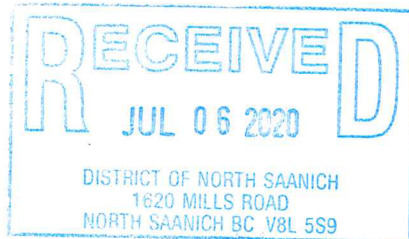
**From:** Elizabeth England [REDACTED]  
**Sent:** Sunday, July 5, 2020 8:41 PM  
**To:** admin  
**Subject:** Library Planning Meeting - submission

Hi, I'd like to voice my opinion via a submission in advance of the meeting about putting a library on the Panorama Recreation Centre land.

I do not believe that the library's location should impact the beautiful walking trail which goes behind the tennis courts. It is a safe, flat trail that I use often, that is surrounded by birds and nature. This is much more valuable to me than a library! I don't think it's right to destroy it. I see many other people use this trail, and it is one of very few paths in the area. I would like to see it preserved and protected.

Thank you.

Elizabeth England  
[REDACTED]



<b>CIRCULATION</b>	
Mayor	GD
CAO	LD
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
PHinder	
2020-07-08	
OK ✓	



**Sara De Melo**

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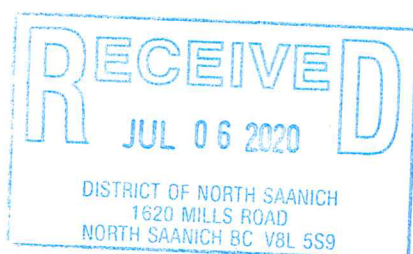
**From:** Mary Wolske [REDACTED]  
**Sent:** Saturday, July 4, 2020 4:33 PM  
**To:** admin  
**Subject:** Potential library site at Panorama Recreation Centre

To North Saanich Mayor and Council,

As a North Saanich resident and business owner, I would like to wholeheartedly express my support for the proposed construction of a Vancouver Island Regional Library Branch at Panorama Recreation Centre. The addition of a library at this location is a fantastic step towards creating a full-service community facility available to North Saanich and Sidney residents in a place they are already frequenting. I look forward to patronizing this branch with my children on a regular basis and I thank you for your hard work in negotiating this much-needed improvement to our beautiful community.

Sincerely,

Mary Wolske, owner of Garden City Plumbing and Sidney Plumbing  
8556 Bourne Terrace, North Saanich



<u>CIRCULATION</u>	
Mayor	<i>SD</i>
CAO	<i>[Signature]</i>
Corporate Officer	
<u>ACTION</u>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<i>PH Birder</i>	
<i>2020-07-08</i>	
<i>[Signature]</i>	

## Billy Blackwood

**From:** Michael & Sharon Forster [REDACTED]  
**Sent:** Tuesday, July 7, 2020 11:16 AM  
**To:** admin; 'Michael & Sharon Forster'  
**Subject:** FW: Notice of Exclusion Public Hearing Submission : July 13, 2020 - revised heading  
**Attachments:** 0188 - Land Development Bylaw No 1 (1975).pdf; CCE03282018\_0005.pdf; Panorama Lands - Brief Timeline.-R2.1 - working.docx; VIRL21062020\_0001.jpg; VIRL21062020\_0006.jpg; Panorama Lands - Public hearing submission - letter to council- Copy - V2p1.docx

Please substitute this email for my previous email which had 'Draft' in the header of the submission document.

M

---

**From:** Michael & Sharon Forster [REDACTED]  
**Sent:** July-07-20 11:07 AM  
**To:** 'admin@northsaanich.ca'; 'Michael & Sharon Forster'  
**Subject:** Notice of Exclusion Public Hearing Submission : July 13, 2020

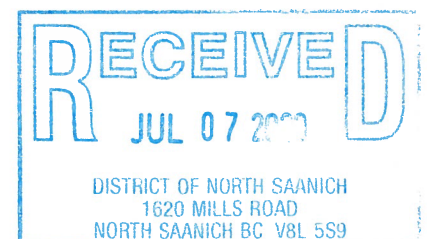
Attached is my submission for the Public Hearing – July 13, 2020 with attached filename: "Panorama Lands - Public hearing submission - letter to council- Copy - V2p1.docx"

The reference files for this document as noted in the submission are also attached:

- 1) Bylaw #188, the enabling document for the Land Title and the Land transfer from the Park requirement. See section 3. (0188 - Land Development Bylaw No 1 (1975).pdf)
- 2) Land title for the Forest Park (Panorama) lands. Copy of Land Titles Transfer (CCE03282018\_0005.pdf) See Conveyance.
- 3) Summary of Staff reports used by DNS referenced in the Public Hearing AND other information and concerns. (Panorama Lands - Brief Timeline.-R2.1 - working.docx)
- 4) Page 4 – 2016 Staff report – Options on how to proceed – Public Survey Option. (VIRL21062020\_0001.jpg - Page 4 - Staff report June 1, 2016)
- 5) Panorama Recreation Centre lease – improvements listed – trail, playground et. al. (VIRL21062020\_0006.jpg) - Panorama Lease - Page 1 - Improvements

Michael Forster  
8903 Haro Park Terrace  
North Saanich, V8L3Z3

<b>CIRCULATION</b>	
Mayor	<i>BD</i>
CAO	<i>SA</i>
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<i>COPY TO</i>	
<i>A.H. AINBEA</i>	
<i>2020-07-08</i>	
<i>GA</i>	



\* See attachments in  
e-mail \*



Date	Invoice #
3/28/2018	66.29575

GST No. 863242152

Form "G" Land Registry Act (Sec. 50)  
MEMORANDUM OF REGISTRATION  
Registered the 23 day of 11 19 76  
on application received at the time  
written or stamped on the application.  
H. T. KENNEDY, Registrar of the Victoria  
Land Registration District.



2

This conveyance is made subject to the express condition and limitation that the lands herein conveyed shall forever be held for use as park and recreation land only.

Together with all buildings, fixtures, commons, ways, profits, privileges, rights, easements and appurtenances to the said hereditaments belonging, or with the same or any part thereof, held or enjoyed, or appurtenant thereto and all the estate, right, title, interest, property, claim and demand of the Grantor in, to, or upon the lands and premises.

The Grantors warrant and represent that they are residents of Canada within the meaning of The Income Tax Act of Canada and amendments thereto.

TO HAVE AND TO HOLD unto the Grantee, his heirs and assigns, to and for his and their sole and only use forever; SUBJECT NEVERTHELESS, to the reservations, exceptions, limitations, provisos, and conditions expressed in the original grant thereof from the Crown, and subject to all taxes, rates and local improvement assessments whether assessed against the lands now or subsequently to be assessed and all building restrictions (if any) to which the lands or any part thereof are at the date of this indenture subject.

The Grantor Covenants with the Grantee that:

1. he has the right to convey the said lands to the Grantee, notwithstanding any act of the Grantor;
2. the Grantee shall have quiet possession of the said lands, free from all encumbrances save as aforesaid;
3. he will execute such further assurances of the said lands as may be requisite;
4. he has done no acts to encumber the said lands save as aforesaid.

And the Grantor RELEASES to the Grantee ALL HIS CLAIMS upon the said lands.

- In This Indenture
- (a) the singular includes the plural and vice-versa;
  - (b) the masculine includes the feminine and vice-versa;
  - (c) any reference to a party includes that party's heirs, executors, administrators and assigns and in the case of a corporation its successors and assigns;
  - (d) any covenant, proviso, condition or agreement made by two or more persons shall be construed as several as well as joint.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, or being a corporation has caused its common seal to be hereunto affixed.

SIGNED, SEALED AND DELIVERED  
in the presence of

Signature of Witness \_\_\_\_\_

Street Address \_\_\_\_\_

City or Town \_\_\_\_\_

Occupation of Witness \_\_\_\_\_

The common seal of PARK PACIFIC APARTMENTS LTD.

was hereunto affixed in the presence of

  
DIRECTOR

AFFIDAVIT OF WITNESS  
Province of British Columbia  
To wit:

99232

of  
in the Province of British Columbia,  
make oath and say:—  
1. I was personally present and did see the within  
instrument duly signed and executed by

the part thereof, for the purposes named therein

2. The said instrument was executed at

3. I know the said part and that

of the full age of nineteen years,  
4. I am the subscribing witness to the said instrument  
and am of the full age of sixteen years.

Sworn before me at

in the Province of British Columbia, this

day of , 19

A Notary Public in and for the Province of British Columbia,  
A Commissioner for taking Affidavits for British Columbia.

DATED 19

PARK PACIFIC APARTMENTS LTD.

—TO—

THE DISTRICT OF NORTH SAANICH

DEED OF LAND  
SHORT FORM

Filed for Registration at the  
Land Registry Office on the  
Day of , 19 , under  
Number

JONES, BRANSON, EMERY & CARER,  
BARRISTERS AND SOLICITORS  
31 BASTION SQUARE  
VICTORIA, BRITISH COLUMBIA

File No. 76-1542 C

ACKNOWLEDGMENT OF OFFICER OF CORPORATION

I HEREBY CERTIFY THAT,

on the 15 day of September, 1976

at the City of Victoria

in the Province of British Columbia,

OLIVE PIERCE

(whose identity has been proved by the evidence on oath of—

who is) personally known to me, appeared before me  
and acknowledged to me that he is the Director  
of PARK PACIFIC APARTMENTS LTD.

and that he is the person who subscribed his name to  
the annexed instrument as Director

of the said company.

and affixed the seal of the said company

to the said instrument, that he was first duly authorized  
to subscribe his name as aforesaid, and affix the said  
seal to the said instrument, and that such corporation  
is legally entitled to hold and dispose of land in the  
Province of British Columbia.

IN TESTIMONY WHEREOF

I have hereto set my hand and seal of office.  
at Victoria

in the Province of British Columbia, this

15 day of September, 1976

E99232

A Notary Public in and for the Province of British Columbia,  
A Commissioner for taking Affidavits for British Columbia.

NOTE—Where the person making the acknowledgment is personally known to the officer taking the same, such oath is not required.

ACKNOWLEDGMENT OF MAKER

I HEREBY CERTIFY THAT,

on the day of , 19

at

in the Province of British Columbia,

(whose identity has been proved by the evidence on oath of

who is) personally known to me, appeared before me and  
acknowledged to me that the person

mentioned in the annexed instrument as the maker

thereof, and whose name subscribed thereto

as part that know the contents

thereof, and that executed the same voluntarily,

and of the full age of nineteen years.

IN TESTIMONY WHEREOF

I have hereto set my hand and seal of office.  
at

in the Province of British Columbia, this

day of , 19

A Notary Public in and for the Province of British Columbia,  
A Commissioner for taking Affidavits for British Columbia.



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

November 28, 2006

Please reply to the attention of Roger Cheetham

Doug Henderson, Administrator  
Panorama Recreation  
1885 Forest Park Drive  
North Saanich, BC V8L 4A3

Dear Sir:

Re: Expansion of Panorama Recreation Centre: Lot 1, Section 4, Range 2 East,  
North Saanich District, Plan 29757

Our Ref: #75 – 575A

With reference to your e-mail to this office dated 22<sup>nd</sup> November 2006 we consider that the proposed additions shown on the drawings attached to your e-mail to be in substantial compliance with Agricultural Land Commission Resolution # 2770/75, a copy of which is attached hereto.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

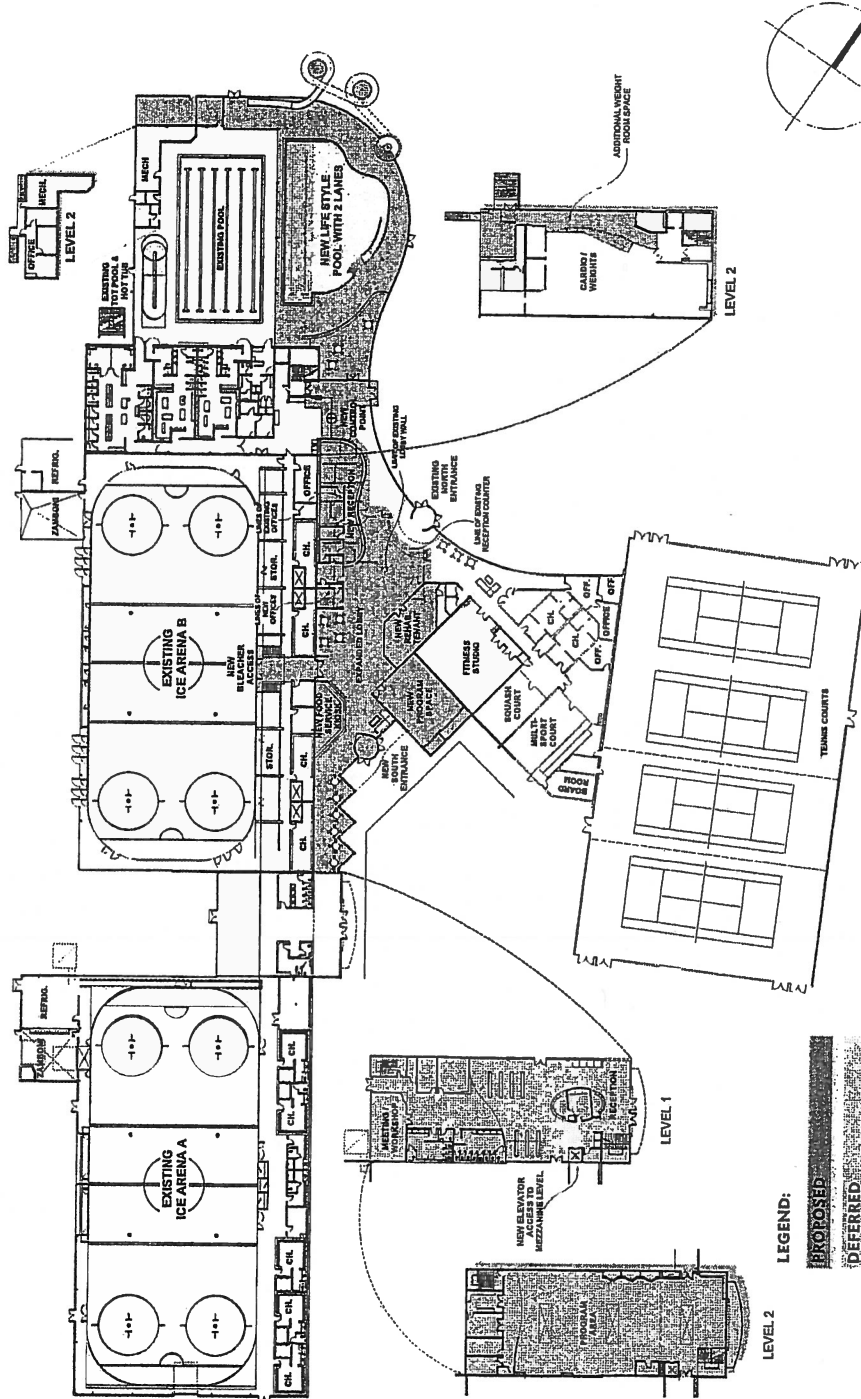
Per:

A handwritten signature in black ink, appearing to read "Erik Karlsen", is written over the "Per:" line.

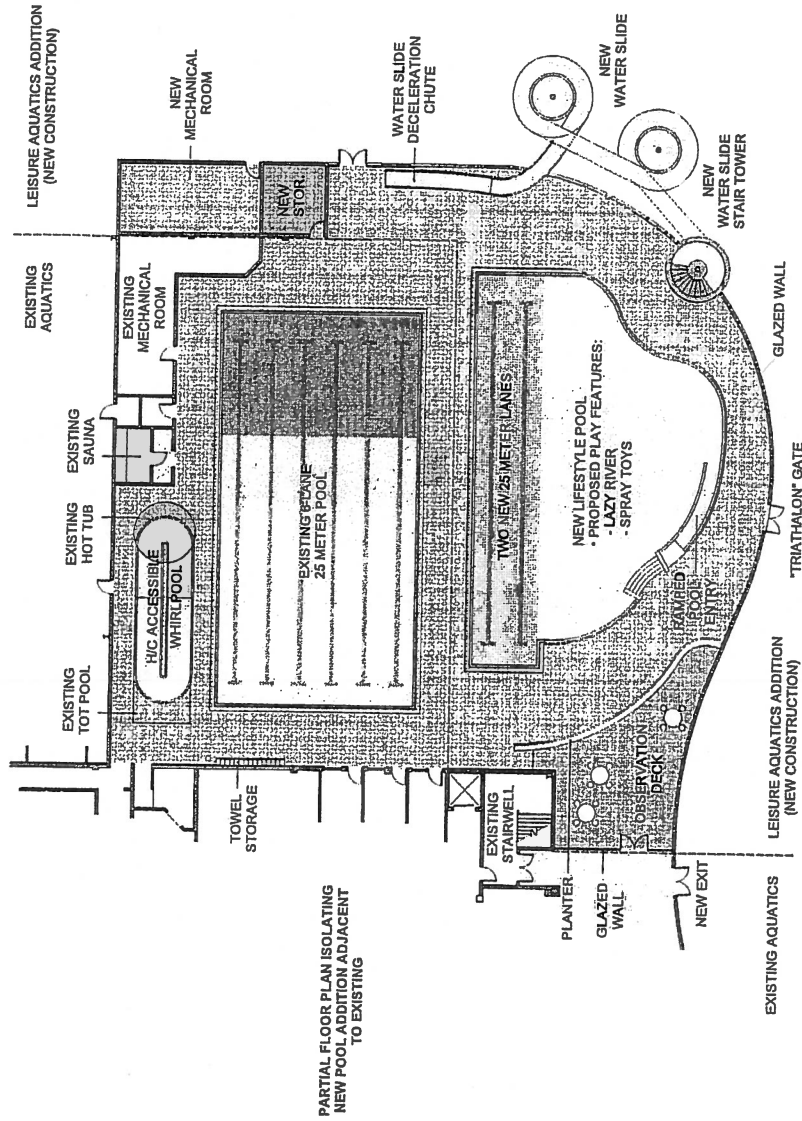
Erik Karlsen, Chair

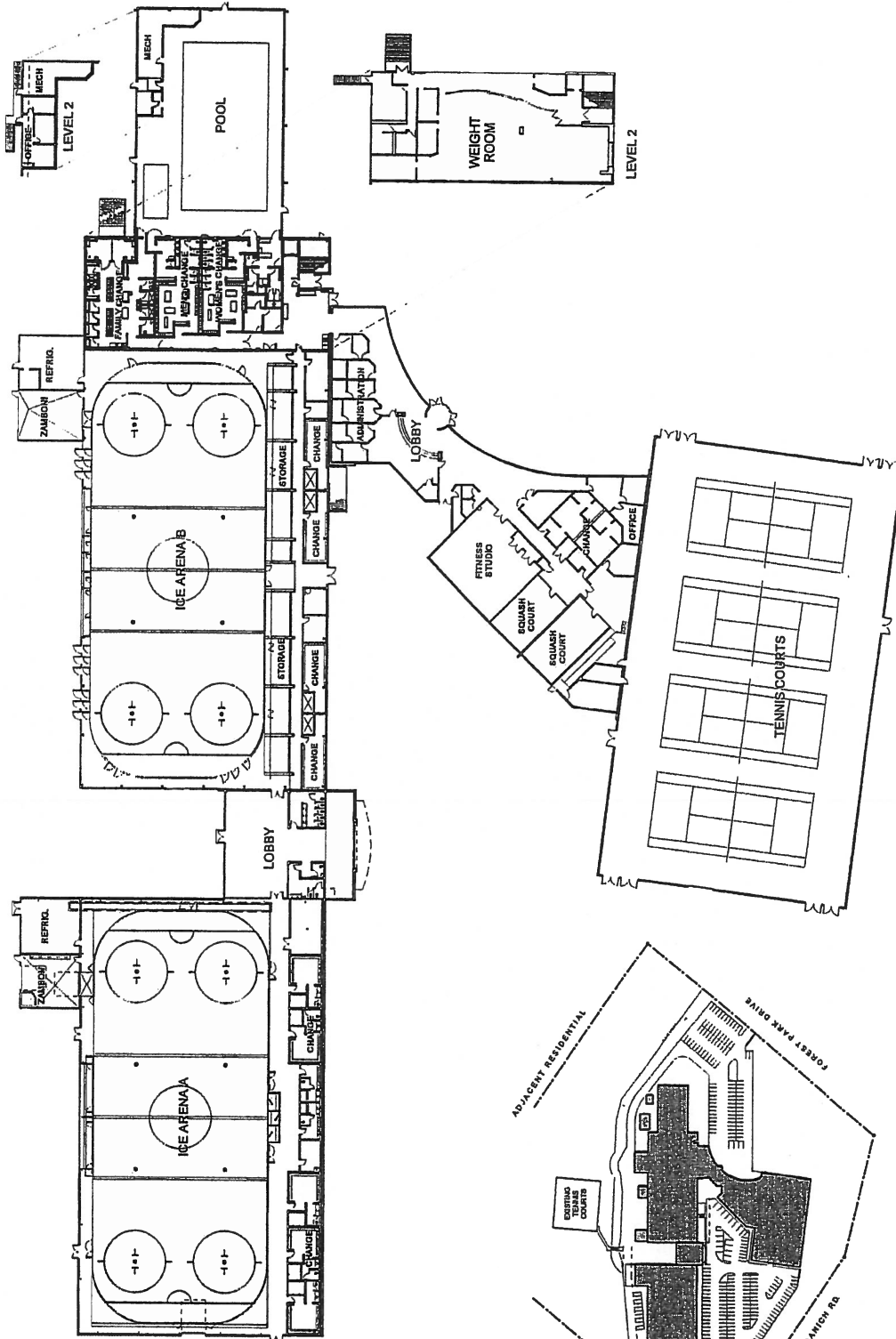
RC/lv/Encl.  
75-0575m3

# PANORAMA RECREATION CENTRE - Overall Concept Plan

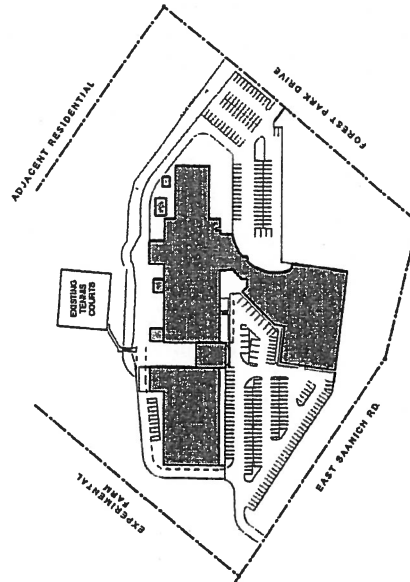








**FLOOR PLAN**  
SCALE 1" = 30'-0"



**SITE PLAN**  
SCALE 1" = 250'-0"

June 18, 1990

Reply to the attention of  
Colin Fry

Peninsula Recreation Commission  
1885 Forest Park Drive  
Sidney, B.C.  
V8L 4A3

Attention: Mr. Monty Holding

Dear Mr. Holding:

Re: Construction of a Basketball Court on Lot 1, Section 4,  
Range 2 East, Plan 29757, North Saanich District  
(Reference File No. 21-C-575A)

This will acknowledge receipt of your correspondence regarding the proposed construction of a basketball court at the Panaroma Leisure Centre.

Following a review of your submission the Commission determined that the proposal was consistent with its approval by Resolution No. 2770/75. The aforementioned resolution was a result of an application by the District of North Saanich to develop public recreational uses on the above noted parcel. A copy of our November 14, 1975 decision letter has been enclosed for your review.

Therefore, the Commission has no objections with the development of the basketball court as identified on the attached sketch. The Commission trusts this clarifies its position regarding this matter.

Yours truly,

AGRICULTURAL LAND COMMISSION

per: 

K.B. Miller, A/General Manager

CF\*dd/Enclosure

cc: District of North Saanich - Attention: Joan Schill



June 10, 1999

Reply to the attention of Ron Wallace

Doug Henderson  
Administrator  
Peninsula Recreation  
1885 Forest Park Drive  
Sidney, BC V8L 4A3

Dear Sir:

**Re: Proposed new all-putting facility on Lot 1, Section 4, Range 2 East, Plan 29757, North  
Saanich District.  
Our File # 114-75-575**

Thank you for your letters dated April 15 and May 26, 1999 which indicates that you plan to construct a new all-putting facility as indicated on the site plan enclosed with the above noted letter.

Following a review of the above noted file the Commission determined that the proposal was consistent with its approval provided under Resolution #2770/75 which allowed the use of 17 acres for public recreation facilities (such as a swimming pool and ice arena).

Therefore the Commission has no objection to the construction of the all-putting facility as noted on the attached drawing.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:



K. B. Miller, General Manager

cc: District of North Saanich

RW/eg

i/75-0575m2



September 21st, 1982

Reply to the attention of Kabel Atwall

District of North Saanich  
P.O. Box 2027  
Sidney, B.C.  
V8L 3S3

Dear Sirs:

Re: Application # 21-C-75-575A

This is to advise that the Provincial Agricultural Land Commission has considered your application regarding land described as Lot 1, Section 4, Range 2 East, Plan 29757, North Saanich District.

Pursuant to Section 20(1) of the Agricultural Land Commission Act, the Commission, by Resolution #1860/82 allowed your application to use 0.4 ha (1 acre) of the subject property as a site for a firehall.

This approval is granted provided that your proposed development is in substantial compliance with the sketch plan attached hereto and outlined in red.

The land referred to in the application will continue to be subject to the provisions of the Agricultural Land Commission Act and regulations except as provided by this approval.

This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, subdivision and other land use bylaws of a municipality or regional district and decisions of responsible authorities which may apply to the land.

Before your development can proceed, other approvals such as public road requirements, highway access permits, sewage disposal permits, etc. may be required and we urge you to check with the responsible authorities.

Please quote Application #21-C-75-575A in any future correspondence.

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION



per: M. F. Clarke, Chairman  
KA/trE(Encl.)  
cc: Regional District - Capital  
Approving Officer, Hwys, Saanich  
B.C. Assessment Authority, Victoria

Resolution #1860/82  
Application #21-C-75-575A

Minutes of the Provincial Agricultural Land Commission

Meeting held at the B.C. Agricultural Land Commission Office, 4940  
Canada Way, Burnaby, B.C. on the 21st September 1982.

Present:        Mills F. Clarke        Chairman  
                 C. Elli Framst        Commissioner  
                 Ian D. Paton        Commissioner  
                 Joseph A. Rogers       Commissioner  
                 Arthur R. Sutcliffe    Commissioner

An application from District of North Saanich under Section 20(1) of the Agricultural Land Commission Act was considered for the property described as Lot 1, Section 4, Range 2 East, Plan 29757, North Saanich District (more particularly shown on plans submitted to the Commission) with the application requesting permission to use 0.4 ha (one acre) of the subject property as a firehall site. The Commission had previous allowed a recreational complex to be situated on the lot.

The District of North Saanich previously tried to have the firehall located on another parcel, but this request was refused by the Commission on the grounds that the firehall would alienate lands of excellent agricultural potential. At this time, the Commission suggested that the District examine a site at the recreational centre for the location of the firehall.

IT WAS  
MOVED BY:                    Commissioner Framst  
SECONDED BY:                Commissioner Paton

1860/82

That the application be allowed.

Carried.



November 14, 1975

Reply to the attention of:  
Joan Sawicki

P.J.G. Grieve, Mayor  
District of North Saanich  
1620 Mills Road  
P.O. Box 2027  
Sidney, B.C.  
V8L 3S3

Dear Sir:

Re: Application #75-575A

This is to advise that the Provincial Land Commission has considered your application regarding land described as Part of Section 4, Range 2, West of East Saanich Road except Plan 17389, North Saanich Land District.

Pursuant to Section 11(4) of the Land Commission Act the Commission, by Resolution #2770/75, allowed your application to use the subject property approximately 17 acres for the development of public recreational facilities, some of which will be land intensive, such as swimming pool, ice skating rink and activity buildings. This approval is in consideration 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. The Commission recognizes that attempts have been made to find acceptable alternate sites, without success. It is also noted that 15% of the sewer capacity of the adjacent upland development has been allocated for public use.

This approval is granted provided that the development of the property is in substantial compliance with the concepts as presented in the application and supporting documents. We would also request that the siting of buildings etc., provides for open space buffer zones between the recreational development and the adjacent farmlands particularly to the north.

The land referred to in the application is to remain in the Agricultural Land Reserve of the Capital Regional District and is subject to the provisions of the Act and regulations except as provided by this approval.

This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, bylaws, and decisions of responsible authorities which may apply to the land.

Please quote Application #75-575A in any future correspondence.

Yours truly,



G.G. Runka  
Chairman

cc: Capital Regional District (48-75)  
Approving Officer, Hwys., Burnaby  
R. Sampson, B.C. Assessment Authority

JMS/dj

Minutes of the Provincial Land Commission

Meeting held at the B.C. Land Commission Office, 4333 Ledger Avenue, Burnaby, B.C., on the 6th day of November, 1975.

Present:	G.G. Runka	Chairman
	E.E. Barsby	Commissioner
	A.R. Garrish	Commissioner
	Don Knoerr	Commissioner
	Mary Rawson	Commissioner

An application from the District of North Saanich under Section 11(4) of the Land Commission Act was considered for the property described as Part of Section 4, Range 2, West of East Saanich Road except Plan 17389, North Saanich Land District, (more particularly shown on plans submitted to the Commission) with application #75-575A requesting permission to use the subject property approximately 17 acres for the development of public recreational facilities, some of which will be land intensive, such as swimming pool, ice skating rink and activity buildings.

IT WAS

MOVED BY: Commissioner Rawson

SECONDED BY: Commissioner Barsby

2770/75

THAT the application be allowed in consideration 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. The Commission recognizes that attempts have been made to find acceptable alternate sites, without success. It is also noted that 15% of the sewer capacity of the adjacent upland development has been allocated for public use.

This approval is granted provided that the development of the property is in substantial compliance with the concepts as presented in the application and supporting documents. We would also request that the siting of buildings etc., provides for open space buffer zones between the recreational development and the adjacent farmland particularly to the south.

The property referred to in the application is to remain in the Agricultural Land Reserve of the Capital Regional District and is subject to the provisions of the Land Commission Act and regulations except as provided in this Order.

Carried.



July 25, 1975

Reply to the attention of:  
Joan Sawicki

Dean Park Developments  
Suite 1, 4th Floor,  
345 Quebec Street  
Victoria, B.C.

Dear Sirs:

Re: Application #75-575

This is to advise that the Provincial Land Commission has considered your application regarding land described as part of Section 4, Range 2E, west of East Saanich Road, except Plan 17389, North Saanich Land District.

Pursuant to Section 11(4) of the Land Commission Act, the Commission, by Resolution #1966/75, allowed your application to subdivide approximately 17.5 acres from the above parcel, to be donated to the District of North Saanich for a park. The Commission also approves the use of the northerly 75 foot strip of the 17.5 acres as a right-of-way to provide road access to Dean Park Residential Development.

This approval is granted provided that your proposal is in substantial compliance with the plan attached hereto and outlined in Bylaw 188 attached with the application.

The land referred to in the application is to remain in the Agricultural Land Reserve of the Capital Regional District and is subject to the provisions of the Act and regulations except as provided by this approval.

This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, bylaws, and decisions of responsible authorities which may apply to the land.

Please obtain the confirmation of the Commission, if, in the process of approval by the Approving Officer, any substantial changes are required to the subdivision proposal as approved by this office.

When the survey plans have been prepared and the documentation executed, please send two paper prints to this office prior to registration. The Commission will then authorize the Registrar of Titles to accept the application for deposit of the subdivision plan.

Please quote application #75-575 in any future correspondence.

Yours truly,



G.G. Runka  
Chairman

cc: Capital Regional District  
District of North Saanich  
R. Sampson, B.C. Assessment Authority

JMS/dj  
enc1

Application #75-575  
Resolution #1966/75

Minutes of the Provincial Land Commission

Meeting held at the B.C. Land Commission Office, 4333 Ledger Avenue, Burnaby, B.C., on the 17th day of July, 1975.

Present: G.G. Runka      Chairman  
          V.C. Brink      Commissioner  
          Mary Rawson    Commissioner

An application from Dean Park Developments under Section 11(4) of the Land Commission Act was considered for the property described as part of Section 4, Range 2E, west of East Saanich Road, except Plan 17389. North Saanich Land District., more particularly shown on plans submitted to the Commission with application #75-575 requesting permission to subdivide 17.5 acre parcel from the above property to be donated to the District of North Saanich for park purposes. Also, permission to use the northern 75' strip as road and service access to the residential development to the east.

IT WAS

MOVED BY: Commissioner Rawson

SECONDED BY: Commissioner Brink

1966/75

THAT the application be allowed.

The property referred to in the application is to remain in the Agricultural Land Reserve of the Capital Regional District and is subject to the provisions of the Land Commission Act and regulations except as provided in this order.

Carried.

*North Saanich  
Applic 75-575A*

*6 Nov 75*

*M. Rawson  
S. Brink  
Garish  
P. Brink  
K. Brink*

*public meeting  
10:00 to 3:00 p.m.  
open space reserved & kept  
adjacent lands  
slender - 150 capacity  
is for public use*

DISTRICT OF NORTH SAANICH

BY-LAW NO. 188

A By-law to authorize an Agreement between the District of North Saanich and Park Pacific Apartments, Ltd. to proceed with the development of certain lands owned by the Park Pacific Apartments, Ltd. and commonly referred to as the Dean Park Estates Land Development Project.

WHEREAS the Municipal Council of the District of North Saanich deems it advisable to enter into an agreement with the Park Pacific Apartments, Ltd. to commence the development of phase one consisting of one hundred and twelve lots within the Comprehensive Residential Zoned area. The subdivision and development will comprise a portion of properties known as the Westerly 64 acres, Section 3, Range 2 East and That Part lying west of East Saanich Road, Section 4, Range 2 East, excluding Plan 17389.

THEREFORE the Municipal Council of the District of North Saanich in open meeting assembled, enacts as follows:

1. It shall be lawful for the District of North Saanich to enter into an agreement in the form set out as Schedule "A" attached to this By-law.
2. The said Schedule "A" shall form and be part of this By-law.
3. The Mayor and the Clerk of the District of North Saanich are hereby authorized to do such things and execute such documents as shall be necessary to enter into and carry out such Agreement.
4. This By-law may be cited for all purposes as "North Saanich Land Development By-law No. 1, (1975)."

Read a first time the 7th day of April 1975

Read a second time the 7th day of April 1975

Read a third time the 7th day of April 1975

RECONSIDERED, FINALLY PASSED AND ADOPTED

the 21st day of April 1975

  
Mayor

  
Clerk



SCHEDULE "A"  
TO  
BY-LAW NO. 188

THIS AGREEMENT made the <sup>nd</sup> 22 day of ~~March~~ <sup>April</sup>, 1975.

BETWEEN: THE DISTRICT OF NORTH SAANICH,  
with its Municipal office situate at 1620 Mills Road, in the  
District of North Saanich, in the Province of British Columbia.  
(hereinafter referred to as "the Municipality")

OF THE FIRST PART

AND: PARK PACIFIC APARTMENTS LTD., a company duly incorporated  
under the laws of the Province of British Columbia with its  
registered and records office situate at 4th floor, 31 Bastion  
Square, Victoria, in the Province of British Columbia.  
(hereinafter referred to as "the Developer")

OF THE SECOND PART

WHEREAS the Developer is seized of the fee simple to lands and premises  
within the Municipality of North Saanich, in the Province of British Columbia,  
as described on the attached Schedule "A", which said lands shall hereinafter  
be referred to as "the said Lands";

AND WHEREAS the Developer desires to develop the said Lands as a residential  
district and subdivide part of the said Lands into one hundred twelve (112)  
residential lots with a minimum area of fifteen thousand (15,000) square feet  
per lot (hereinafter referred to as "the Subdivision Area"), a copy of which  
plan of subdivision has been provided to the Municipality;

AND WHEREAS the Developer proposes to provide funds for the construction  
of a sewage treatment plant to service the said Lands and the Subdivision  
Area;

AND WHEREAS the Developer is seeking preliminary acceptance of the  
proposed subdivision;

AND WHEREAS the Developer has voluntarily agreed to and desires to  
fulfill all the covenants contained herein;



AND WHEREAS the Municipality has agreed to give preliminary acceptance to the proposed subdivision subject only to those conditions as set forth in Paragraph 1 hereafter;

NOW THEREFORE WITNESSETH that in consideration of the foregoing and the mutual covenants herein contained, the parties hereto covenant and agree as follows:

1. That the Municipality agrees to and does hereby give preliminary acceptance to the proposed subdivision of the said Lands and to the external servicing facilities relating thereto subject only to the following conditions: first, the Developer fulfilling all the covenants herein agreed to be fulfilled by the Developer; second, the Municipality accepting and approving an application for subdivision and rezoning, if necessary, for that portion of the said Lands on which the sewage treatment plant to be constructed at the Developer's expense is to be situate (hereinafter referred to as "the Sewage Treatment Plant"); third, the parties hereto and the Capital Regional District entering into satisfactory arrangements relating to the construction and use of the Sewage Treatment Plant; fourth, the Developer complying with all applicable and valid Municipal by-laws relating to the subdivision of the said Lands.
2. The Developer agrees that the sewage treatment plant shall be constructed at the sole expense of the Developer, and the Developer agrees to provide whatever funds are necessary for this purpose.
3. (a) That the Developer shall irrevocably dedicate to the Municipality for use as park and recreation land only all its right, title and interest in and to that portion of the said Lands as shown on the attached plan marked "Park Lands" free and clear of all encumbrances whatsoever except for such encumbrances as may exist at the date hereof (being a water line easement).

(b) The Developer shall deliver to the Municipality upon execution of this Agreement by the parties hereto an executed conveyance in registerable form conveying to the Municipality for use as park and recreation land all its right, title and interest in and to the Park Lands, PROVIDED HOWEVER, that the said conveyance shall not be made use of by the Municipality in any manner whatsoever until such time as the registration of the plan of subdivision of the said Lands in the Victoria Land Registry Office, at which time the Municipality shall be at liberty to make use of and register the said conveyance.

(c) It is further understood and agreed that the dedication of the Park Lands by the Developer to the Municipality shall fulfill the park land requirements of the Municipality in relation to the said lands, if, as and when developed. PROVIDED, HOWEVER, that in the event the park land requirement shall be increased by lawful statutory authority beyond five percent (5%) at any time in the future, the Developer shall dedicate to the Municipality such further amount of land as is necessary to fulfill the then increased park land requirements in relation only to that portion of the said lands remaining undeveloped.

(d) It is further understood and agreed that the dedication of the Park Lands shall be exclusive of all other lands required to be dedicated by the Developer to the Municipality for highway purposes.

(e) It is further understood and agreed that all lands dedicated to the Municipality by the Developer for park and recreation land purposes pursuant to this Agreement shall be free and clear of all encumbrances whatsoever, except as aforesaid, and further that none of the works and services required to be provided by the Developer for the subdivision shall be within the boundaries of the Park Lands, unless in the opinion of the Municipal Engineer no reasonable alternative exists.

(f) The Municipality agrees not to oppose an application to the B.C. Land Commission in respect of the subdivision access road which traverses land designated as Agricultural Land Reserve.

(g) It is further understood and agreed that during the development of

the proposed subdivision the Developer shall be permitted the use of a portion of the said land, forty (40) feet in width, running parallel and adjacent to the proposed entrance to the Subdivision Area as temporary access only until such time as the Park Land has been dedicated, PROVIDED HOWEVER, that the Park Lands shall be cleared of debris and landscaped prior to dedication and that no trees are to be harmed or removed from the said Park Lands.

4. The Developer further agrees to pay the following costs of municipal services and administration and to this end agrees to pay all said costs on presentation of statements as to such costs.

- (i) All fees and disbursements of an engineer instructed by the Municipality in relation to verification of services as required by this Agreement and the Approving Officer.
- (ii) All charges relating to application for and processing of the subdivision plan as prescribed by municipal by-laws.
- (iii) All charges relating to the capital and servicing costs of the sewer trunks, laterals and the treatment plant facilities during such time as the Developer continues to own lots within the subdivision and in relation only to those lots the Developer from time to time continues to own.

5. The Developer covenants and agrees to construct, supply, install and pay for all plant, labor, material and workmanship necessary to provide all the works and services specified by this Agreement, the subdivision plan hereto as altered, amended, supplemented and detailed by the Approving Officer or Council of the Municipality and the applicable municipal subdivision by-laws.

6. The Developer shall deposit with the Municipality a bond or irrevocable bank letter of credit in the sum of THIRTY-THREE THOUSAND SIX HUNDRED DOLLARS (\$33,600.00) in form satisfactory to the solicitors for the Municipality to ensure that at the time of registration of the plan of subdivision, such

funds will be available and may be appropriated at such time by the Municipality who shall be obliged to appropriate the said funds to the Municipal New Works and Equipment Fund for improvement of Dean Park Road from East Saanich Road to the first access of the Subdivision Area and for the improvement of East Saanich Road from the main access of the Subdivision Area to McTavish Road.

7. The Developer shall provide, install and pay for a complete storm drainage system within the Subdivision Area and a storm drainage system from the Subdivision Area to the sea as stipulated by the Municipality's engineering standards.

8. The Developer shall construct and pay for temporary turn-arounds at the end of each road within the Subdivision Area where the said road is proposed to be extended at a future time in the event of further subdivision of adjoining lands.

9. The Municipality agrees that no more than eighteen thousand (18,000) gallons per day of the capacity of the sewage treatment plant which it is proposed that the Capital Regional District be requested to construct at Bazan Bay (being fifteen percent (15%) of the average daily flow licensed by Pollution Control Branch Permit NO. PE-2048 dated February 7, 1974) shall be available for use by the Municipality for public purposes only. Neither the Municipality nor the Capital Regional District shall be responsible for any costs in relation to the use of the said sewage treatment plant for public purposes other than the cost of the connection of the facilities of the Municipality to the trunk sewer and the proportionate share of the operating costs (other than debt or debt charges) of the sewage treatment plant in relation to the actual percentage capacity of the said treatment plant used by the Municipality. In this regard, the parties further agree that the Municipality may request of the Capital Regional District that up to such quantity be set aside for the public purpose intended.



10. The Developer shall prove that each building lot within the Subdivision Area has access to a proven source of potable ground water and shall pay the costs of all tests and inspections of a hydrological engineer chosen by the Municipality.

11. In the event that the tests and inspections prove each building lot in the Subdivision Area has access to a proven source of potable ground water, the Developer shall provide and pay for a community water supply system adequate to service the Subdivision Area in the opinion of the municipal engineer. Upon completion of the community water supply system, the Developer shall transfer all its right, title and interest in and to the said system free and clear of all encumbrances whatsoever to the Municipality, PROVIDED ALWAYS that any excess of ground water over and above the requirements of the Subdivision Area shall be available for use by the Developer in connection with the further development of the said lands. The Developer further agrees to pay all normal connection fees for installation of all meters and meter boxes to each parcel of land within the subdivision.

12. The Developer shall deposit with the Municipality a bond in an amount satisfactory to the Approving Officer and in a form satisfactory to the solicitors of the Municipality to insure that all works and services required to be provided, installed and paid for by the Developer in relation to the subdivision are provided, installed and paid for; and further, the Developer shall enter into an agreement with the Municipality providing for the construction and installation of the said works and services by a specified date, and in default the forfeiting of the amount secured by the bond to the Municipality.

13. It is understood and agreed that the acceptance of the proposed subdivision shall only be in relation to the Subdivision Area and is in no way to be construed or interpreted to be applicable or in relation to any of the balance of the said lands or lands adjoining the Subdivision Area owned by

the Developer.

14. The Developer agrees that none of the lots within the Subdivision Area shall be sold or title in and to the said lots conveyed to any other person or corporation until such time as the Municipality is satisfied that all covenants of this agreement to be fulfilled by the Developer are or will be fulfilled.

15. It is further understood and agreed that the Municipality is not in any way whatsoever bound by this Agreement to pass a subdivision or rezoning by-law in relation to the Sewage Treatment Plant. The Municipality will, however, assist and cooperate with the Developer so as to achieve construction of the Plant, and in particular will request the Capital Regional District to build such Plant (at the Developer's expense) and will create a sewer enterprise area for such Plant comprising the said Lands.

IN WITNESS WHEREOF the parties hereto have executed this Agreement under seal the day and year first above written.

THE CORPORATE SEAL OF PARK PACIFIC  
APARTMENTS LTD. was hereunto affixed  
in the presence of:

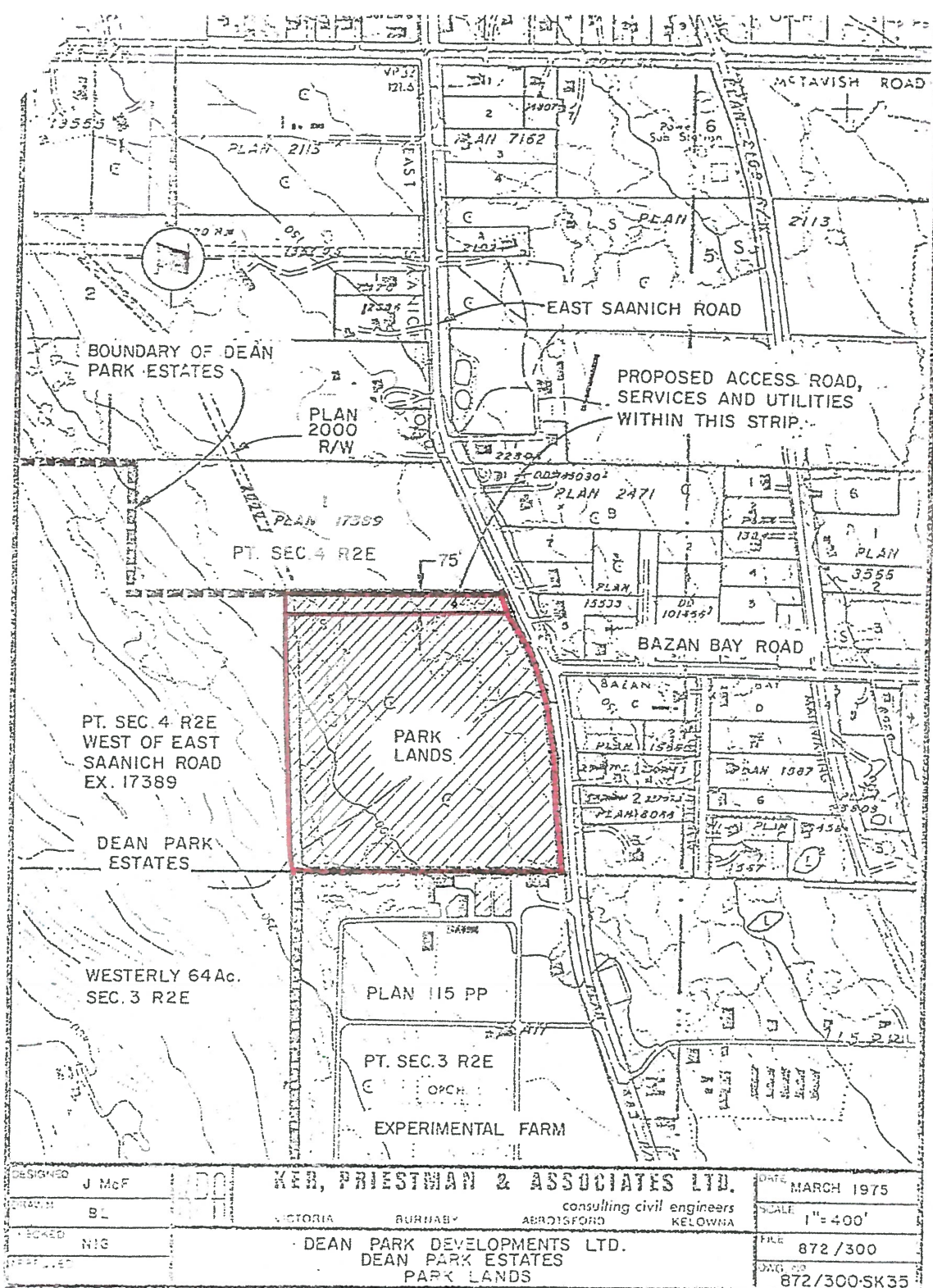


THE CORPORATE SEAL OF THE MUNICIPALITY  
OF THE DISTRICT OF NORTH SAANICH was  
hereunto affixed in the presence of:

*Patricia* MAYOR.  
*E. J. Davis; Municipal clerk.*

(seal)





[illegible]

CHARACTERISTICS OF SCHEME A		SCHEME B		TOTAL	
TOTAL AREA	52.42	49.90	23230	333.62	
ROAD R/W	9.55	7.93	3702	54.52	
SINGLE FAMILY LOTS (AC)	43.87	41.95	19528	283.10	
NUMBER OF LOTS	112	103	475	691	
AVERAGE LOT SIZE (AC)	0.41	0.41	0.41	0.41	
DENSITY (LOTS PER ACRE)	2.02	2.02	2.02	2.02	

**LEGEND**

— BOUNDARY OF DEAN PARK ESTATES  
— KENNETH SWEET  
— FORT MAIN

Address: 1000 Main Street, New York, N.Y.

# SANITARY SEWER SYSTEM



## Letter to council regarding the Providence of the Panorama Lands and Legality – V2

TO: Mayor and Council

RE: Panorama Lands – 1885 Forest Park Drive

June 29, 2020

Subject: Providence of lands held in trust and Exclusion implications – Legality

**Summary:** I wish to oppose the application for EXCLUSION of the Forest Park Lands. Please refer to my documents that reference to the history of these lands and their intended use. I believe there may be a conflict between the restrictions in the **legal description and intent**, and the zoning P-2

If true, many of the uses in the P-2 zoning would not apply to this property, except 'Recreational'. Validity of a future DNS approval for such development could be in question. Currently these approvals are provided by the ALC.

Through Mayor and Council, I request the CAO in his professional role, to review the documents. A reply from the CAO is requested that clarifies the conflict in the wording – as outlined – and future intent of P-2 designations that conflict with the INTENT (Park and Recreation), and the SCOPE as in 75-575 (et. al.) regarding 'Joint Venture .. AND '... **some** of which will be land intensive'. Currently 'Intensive' operations (plus parking) consume more than 50% of the land area.

### **Relevant Documents**

- a) **DNS** is owner of the property, as per ByLaw agreement 188 which sets out the transfer of Park Lands in the new Dean Park development into a new parcel for 'Park and Recreation (1975)'
- b) The property under Application 75-575 (land commission) is **donated as park** (para.2) and to remain in the ALR and subject to the provisions of 11(4) subject to the agreement of the Commission. Application 75-575A is a companion document.
- c) Application 75-575A (land commission) approves the subdivision with understanding that "... **some of which will be land intensive**, such as swimming pool, ice skating rink and activity buildings". That the application be allowed in consideration of the public need... understanding that these facilities be a joint venture to serve the needs of the 3 municipalities. The commission recognizes.. to find alternate sites without success. ...The land is to remain in the ALR. (Resolution 2770/75). 5 and 14 November, 1975
- d) Land title E99232 - 23 of November 1976 Registered 23 November, 1976 **subject to** : "This certificate of title may be affected by the Land Commission Act ; see ALR Plan No. 4, Deposited July 11, 1974 (I don't have this map).

Conveyance: "This conveyance is made **subject to the express condition and limitation that the lands herein conveyed shall forever be held for use as park and recreation land only**". This meets the meaning of 'Trust'.

- e) **DNS** has the right under the local government act and its OCP to pass bylaws regulating land use through zoning. The land use for the property is **currently P-2 and in force, but subject to ALC approval also.**

## **P-2 Definition**

*The non-commercial assembly of persons for religious, charitable, philanthropic, cultural, **recreational** or education purposes, and includes auditoriums, youth centres, social halls, group camps, educational schools, kindergartens, play schools, day nurseries, day care schools and churches; (ByLaw 1435 – consolidated – Pg. 5/134)*

- f) **DNS** has no definition of 'Park' and none for 'Recreation'.
- g) Both the Panorama Recreation Centre and DNS believe that expansion of facilities on this land is necessary. The likely uses are both for the purpose of 'Recreation' (PRC), and 'Community Use' (P-2 designation). Both these plans require extra utilization of the un-utilized land area be it for structures or parking.
- h) The 'wooded area' on the lands at present is about 25%. As per (c,d) above, Non-Park utilization ('intensive') are considerably above the '**Some .. land intensive**' as approved by the land commission in approving the land transfer from 'Park' to 'Park and Recreation' under the ALC stewardship.
- i) Removing the ALC from this overlapping control would make DNS the sole steward of these lands. While the PRC has in the past provided some 'park' amenities on the forested area in terms of greenery management, cooperation with the adjoining residents in planting native species. and the 'Eric Sherwood trail' (as a de-facto linear park) etc, the lack of 'Park' in the P-2 designation would mean there is nothing implicit the bylaws and intent of DNS to preserve any part of these lands for the 'Park' as most people infer.

=====

I see (as in the exclusion Hearing) no point in council going forward, if P-2 is not in sync with the Park-Trust status (land title). If indeed a community hub is to be created longer term, and a library a possibility for starting that process, it makes sense to me to make sure all the pieces are in place before exclusion is requested.

The first step from a Ratepayer point of view is legality. I am NOT in favour of the P-2 zoning being applied, but IN FAVOUR of the 'Park and Recreation' Trust being continued to be applied via the ALC oversight.

There is very little of this "Park" attribute left on this parcel (25%) and further erosion would further degrade the reality and intent of the original creation of these land, namely '**some** intensive use'. I note the PRC support of the DNS exclusion application to the ALC, includes the original TRUST subjects, namely , 'Park and Recreation' . I believe this to be 'qualified support', and not support for P-2 future development.

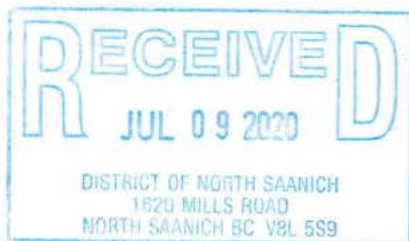
**Sara De Melo**

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**From:** rdempster [REDACTED] >  
**Sent:** Thursday, July 9, 2020 7:51 AM  
**To:** admin  
**Subject:** Public Hearing July 13th  
**Attachments:** Public Hearing July13 '20.docx

Please include the attached letter to Mayor and Council in the Public Hearing package.  
Thanks!

Robert Dempster



<u>CIRCULATION</u>
Mayor <u>GO</u>
CAO <u>2a</u>
Corporate Officer
<u>ACTION</u>
<input type="checkbox"/> Council Agenda
<input checked="" type="checkbox"/> Info Pk
<input type="checkbox"/> Reading File
<input type="checkbox"/> Staff Recommendation
<u>COPY TO PH</u>
<u>RINDEA</u>
<u>2020-07-10 66</u>

Re: Public Hearing for OCP amendment - ALC exclusion application

Dear Mayor and Council:

This is to express my support for the OCP amendment being discussed in your Public Hearing. The exclusion makes good sense in terms of flexibility for any future enhancements on the Panorama property, and further, I don't see how it's a bad idea to have a library branch there. My understanding is that the VIRL has determined that the District needs a branch, deserves a branch, and that it will be paying to build a branch. Possibly my understanding is wrong; I look forward to a discussion of whether the branch at Panorama should go ahead when you arrive at that bridge, again.

Best wishes,  
Robert Dempster



**Sara De Melo**

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**From:** Kathleen Sebastian <[REDACTED]>  
**Sent:** Thursday, July 9, 2020 3:52 PM  
**To:** admin  
**Subject:** 1885 Forest Park Drive - Panorama Recreation Centre

Dear Mayor and Council,

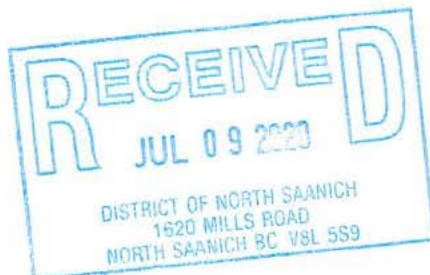
We are concerned neighbors of the Panorama Rec Centre who oppose the idea of removing the Panorama property from the ALR, and we object to a Library being built on this property.

We don't feel there is a need for another library in our community. When we want to attend one, we have the two libraries that are very near to us in either direction.

Especially, we really appreciate and highly value the privacy afforded by the ALR green space between us and the Panorama Rec Centre; and, we love all the wildlife that thrives in this space and visits us daily. It is common for us to regularly take note and comment on how much we cherish the peaceful, quiet, gorgeous/countryish, area we live in. We also have the beautiful Eric Sherwood Trail that winds through this green space and is so much appreciated by our community. These are all assets to our location, and for these reasons we strongly feel that all our precious ALR lands should be protected.

For sure, we would be very disappointed and sad if this area between our property and Panorama Rec Centre were to be disturbed. It would impose a negative impact on our property.

Sincerely,  
Kathleen Sebastian  
8947 Haro Park Terrace



<b>CIRCULATION</b>	
Mayor	<i>SD</i>
CAO	<i>SD</i>
Corporate Officer	
<b>ACTION</b>	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info Pk
<input type="checkbox"/>	Reading File
<input type="checkbox"/>	Staff Recommendation
<i>COPY TO</i>	
<i>PH BINDER</i>	
<i>2020-07-10</i>	

## Billy Blackwood

**From:** Susan Starkey [REDACTED] >  
**Sent:** Thursday, July 9, 2020 9:22 AM  
**To:** admin  
**Subject:** 1885 Forest Park Drive

Preserve and protect!

I strongly feel that the District should not be seeking to remove land from ALR. There is so little left protected that we can not start to erode the land that is protected. This attitude puts development first and this cannot be done without a strong and current Community Plan or Bylaws that reflect the interests of the community of North Saanich at large.

Already there is unprecedented clearing and development of land in North Saanich that the District allows because of vague and outdated Bylaws.

We cannot risk an acceleration of development! Too much at stake...Please keep our motto in the forefront of all your decisions!

Preserve and Protect!

Sue Starkey

Re:

The site is within the Agricultural Land Reserve (ALR), although it is not currently being used for agricultural purposes. In order to increase flexibility, the District has applied to the Agricultural Land Commission (ALC) to exclude the site from the ALR. If the site is excluded from the ALR, then future expansions of Panorama would no longer require approvals from the ALC.



CIRCULATION	
Mayor	GO
CAO	SK
Corporate Officer	
ACTION	
<input type="checkbox"/>	Council Agenda
<input checked="" type="checkbox"/>	Info. 1k
<input type="checkbox"/>	Reopening File
<input type="checkbox"/>	Staff Recommendation
COPY TO 14	
BINDER	
2020-07-10 06:18	

**Billy Blackwood**

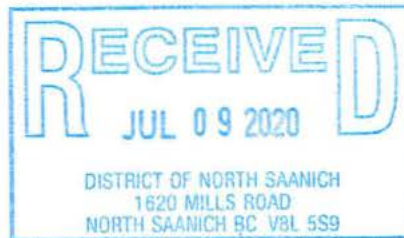
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**From:** Venessa Chang [REDACTED]  
**Sent:** Thursday, July 9, 2020 9:04 AM  
**To:** admin  
**Subject:** 1885 Forest Park Drive

Good Morning,

I live at 1620 Barrett Drive (possession to be obtained on July 18th). I am writing in support of increased flexibility of ARL land at 1885 Forest Park. I support the future development of the Panorama Recreation including a library provided the new development is done with sustainable development, renewable energy, and eco friendly practices throughout building process and future operations.

Regards,  
Venessa Chang



<b><u>CIRCULATION</u></b>
Mayor <i>GC</i>
CAO <i>20</i>
Corporate Officer
<b><u>ACTION</u></b>
<input type="checkbox"/> Council Agenda
<input checked="" type="checkbox"/> Info Pk
<input type="checkbox"/> Reading File
<input type="checkbox"/> Staff Recommendation
<u>COPY TO</u>
<u>PH RINDER</u>