



## 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**

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### **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.

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.*

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.

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

***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

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Recording Secretary

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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

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Recording Secretary

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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



## 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

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