



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)

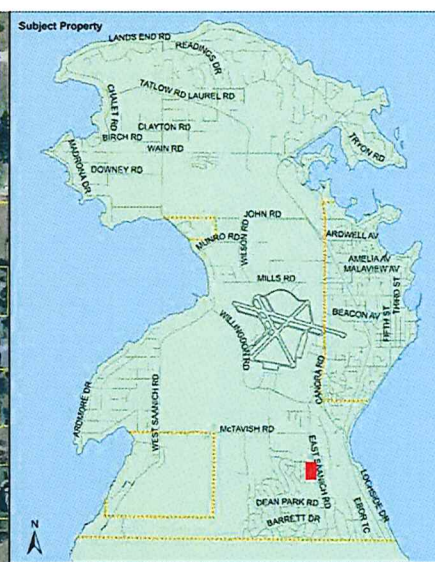
Land Use Bylaws	
OCP Designation	Community Use
Development Permit Area (DPA)	N/A
Zone	Public Assembly (P-2)
Surrounding Land Use	North: Community Use (P-1), Kelset Elementary School East: Single Family Residential (R-2) South: Rural Agricultural (RA-1), Centre for Plant Health West: Single Family Residential (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 m² 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."

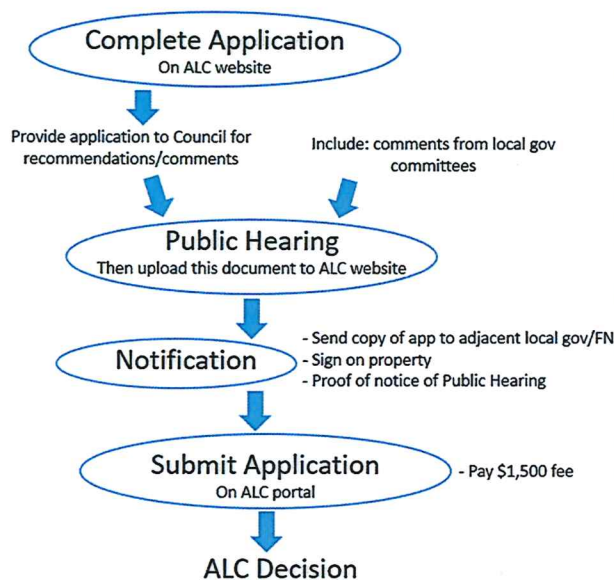
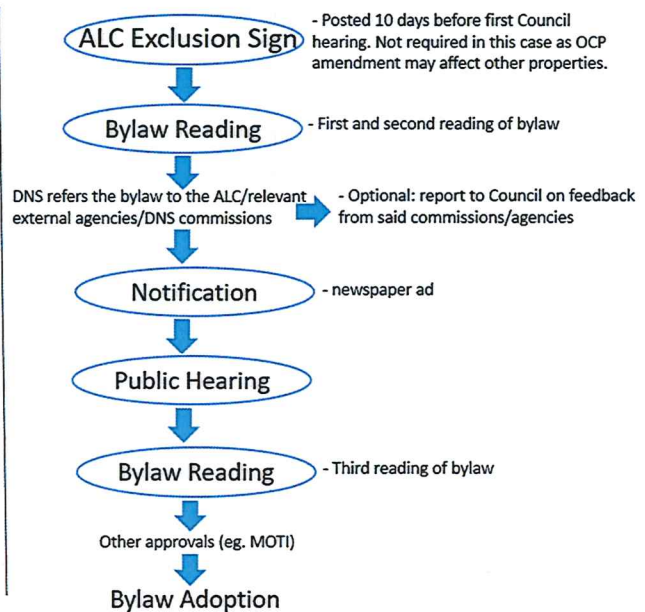
The Peninsula Recreation Commission also met on June 20, 2019, and passed the following motion: "That the Peninsula Recreation Commission support the District of North Saanich in their decision to apply for an agricultural land exclusion of the Panorama Recreation lands for the purpose of expanding recreational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

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.

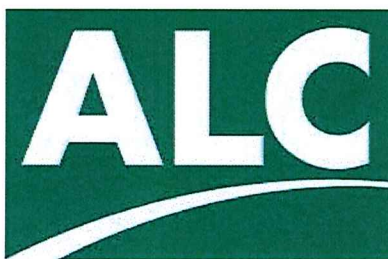
Please direct further correspondence with respect to this application to Ron Wallace at ALC.Island@gov.bc.ca.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Ron Wallace, Land Use Planner

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



AGRICULTURAL LAND COMMISSION FILE 57536 & FILE 57540

REASONS FOR DECISION OF THE EXECUTIVE COMMITTEE

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

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

Applicant:	District of North Saanich
Agent:	Anne Berry, Director of Planning & Community Services, North Saanich
Property:	Parcel Identifier: 001-360-451 Legal Description: Lot 1, Section 4, Range 2 East, North Saanich District, Plan 29757 Civic: corner of Forest Park Drive and East Saanich Road, North Saanich BC Area: 6.4 ha
Executive Committee:	Jennifer Dyson, Chair Ione Smith, South Coast Panel Richard Mumford, Interior Panel David Zehnder, Kootenay Panel Janice Tapp, North Panel Gerald Zimmerman, Okanagan Panel



OVERVIEW

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

EVIDENTIARY RECORD

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



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

BACKGROUND

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



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

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

EVIDENCE AND FINDINGS

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

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



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

DECISION

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

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

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

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

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

Released on April 2, 2019

A handwritten signature in blue 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**

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 6th, 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 20th, 2019 meeting.

Tim Tanton, Chief Administrative Officer

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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

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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

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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 25th, 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

Recording Secretary

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