District of North Saanich
1620 Mills Road
Regular Meeting of Council
Monday, March 18, 2019 at 7:00 p.m.
CORRECTED AGENDA

(Please note that all proceedings are recorded)

AGENDA

1. CALL TO ORDER

2. PUBLIC HEARINGS

3. INTRODUCTION OF LATE ITEMS
   (a) Budget Committee minutes of the meeting held March 14, 2019
       2019-03-14 Budget minutes+ ATT
   (b) Correspondence dated March 18, 2019 from S. Harrison
       regarding the Sandown RFEI.
       Late Item Harrison

4. APPROVAL OF AGENDA
   Staff recommendation:
   That the agenda be approved as circulated.

5. PUBLIC PARTICIPATION PERIOD
   Rules of Procedure:
   1) Persons wishing to address Council must state their name and
      address for identification and also the topic involved.
   2) Subjects must be on topics which are not normally dealt with by
      municipal staff as a matter of routine.
   3) Subjects must be brief and to the point.
   4) Subjects shall be addressed through the Chair and answers given
      likewise. Debates with or by individual Council members will not
      be allowed.
   5) No commitments shall be made by the Chair in replying to a
      question. Matters which may require action of the Council shall
      be referred to a future meeting of the Council.
   6) Twenty minutes will be allotted for the Public Participation
      Period.
7) Each speaker under this section is limited to speaking for 3 minutes unless authorized by the Chair to speak for a longer period of time.

8) All questions from members of the public must be directed to the Chair. Members of the public are not permitted to direct their questions or comments to members of Staff.

9) Persons speaking during Public Participation period must:
   (a) use respectful language;
   (b) not use offensive gestures or signs; and
   (c) adhere to the rules of procedure established under the Council Procedure Bylaw and to the decisions of the Chair and Council in connection with the rules and points of order.

6. ADOPTION OF MINUTES
   (a) Minutes of the meeting of Council held March 4, 2019
      Staff recommendation:
      That the minutes of the meeting of Council held March 4, 2019 be approved.
      2019-03-04 Council minutes

7. PETITIONS AND DELEGATIONS

8. MAYOR’S REPORT
   Mayor and CRD Report

9. REPORTS
   a) Staff Reports
      i. Strategic Plan - Final Review
         Staff recommendation:
         That Council adopt the 2019 Strategic Plan.
         2019-03-12 Strategic Plan draft
      ii. Sandown Agricultural Lands - Request for Expressions of Interest
          Report dated March 11, 2019 from the Director of Infrastructure Services
          Staff recommendation:
          That Council direct staff to proceed with the RFEI process as outline in the staff report.
          Rpt Sandown RFEI
iii. Scoter Trail North Rehabilitation Project
Report dated March 11, 2019 from the Director of Infrastructure Services

Staff recommendation:
That Council approve implementation of the Scoter Trail North communications and engagement activities at the estimated cost of $32,745 plus an estimated $11,550 in expenses.

Rpt Scoter Trail North

iv. 2018 Fourth Quarter Report - Planning and Community Services
Report dated February 28, 2019 from the Director of Planning and Community Services.

Staff recommendation:
That Council receives the 2018 Fourth Quarter report from Planning and Community Services.

Rpt Fourth Quarter-Planning
Att A Fourth Quarter-Planning

b) Council Liaison Reports
c) CRD Report

Please see Mayor's Report.
d) Committee of the Whole Report for March 11, 2019
i. Implementation Plan for the Whole Community Agricultural Strategy (2016)
12-COW That Council refer the implementation plan to a future meeting of Committee of the Whole incorporating suggested changes and comments from Council.


13-COW That Council add the suggested implementation actions numbered 4.5 and 5.7, which were not incorporated into the Whole Community Agricultural Strategy/Agricultural Economic Development Strategy implementation plan, to the Planning and Community Services Work Plan.

iii. 2019 Strategic Plan
14-COW That the first listed project and initiative be amended by the deletion of the language following "parks."

15-COW That Council add the following initiative, with the timeline being 2020, to strategic priority "Encourage Compatible Commercial and Local Business Development":

"Develop a long term taxation strategy"

16-COW That a new heading, "Reconciliation", be added after the "Mission" heading and that the last sentence under "Values and Operating Philosophy" be moved to the new heading, as amended as follows:

"Council acknowledges the District of North Saanich exists upon the Traditional Territories of Coast Salish peoples and is committed to respectfully and appropriately engaging First Nations communities in matters of common interest."

iv. Minutes

Staff recommendation:

That the minutes of the March 11, 2019 meeting of Committee of the Whole be approved.

2019-03-11 Committee of the Whole minutes

e) Budget Report for March 6, 2019

i. Referrals:

2-BUDC That Council approve the increase to the relevant line item in the budget to increase sweeping of bike lanes and that staff provide a response to Mr. K. McLaren.

3-BUDC That Council agrees in principle to the notion of ArtSea being a line item and will discuss during consideration of the arts and recreation operating item of the budget.

4-BUDC That Council approves continued contribution to the South Island Prosperity Project for the remainder of the term.

5-BUDC That Council approve the expenditure for the Saanich Peninsula Chamber of Commerce from funds from surplus.
ii. Operating Budget
6-BUDC That Council wishes to increase the staff events and appreciation budget by $1500 and reduce the training budget by the same amount.
8-BUDC That Council reduce the contribution to CRD Arts Council to $5,000 for 2019.
10-BUDC That Council leave the remaining $10,000 previously allocated to the CRD in the budget for miscellaneous arts expenditures.

iii. Capital and Operating Projects
11-BUDC That staff be directed to explore the opportunity to erect transit shelters on the Tseycum and Pauquachin reserves.

iv. Grants in Aid
12-BUDC That the total grants in aid budget be $44,000.

v. Preliminary Approval of Budget
13-BUDC That Council approved the preliminary budget.

vi. Minutes
Staff recommendation:
That the minutes of the Budget Committee meeting held March 6, 2019 be approved.

10. BYLAWS
(a) North Saanich Building and Plumbing Bylaw No.1150 (2007), Amendment Bylaw No. 1473 (2019).
Staff recommendation:
That North Saanich Building and Plumbing Bylaw No.1150 (2007), Amendment Bylaw No. 1473 (2019) be finally adopted, signed by the Mayor and the Corporate Officer and sealed with the Corporate Seal.

11. UNFINISHED BUSINESS

12. MOTIONS AND NEW BUSINESS
13. CORRESPONDENCE

(a) Correspondence dated February 26, 2019 from K. Wells, Executive Director, Greater Victoria Sport Tourism Commission, regarding Greater Victoria hosting the 2022 Invictus Games.

*Staff recommendation:*
*That Council consider having the Mayor write a letter of support for Greater Victoria’s bid to host the 2022 Invictus Games.*

Ltr Wells

(b) Correspondence dated February 28, 2019 from K. Ogilvie regarding the BC Ferries Swartz Bay Ferry Terminal Development Plan, staff response dated March 7, 2019, and further correspondence from K. Ogilvie dated March 8, 2019.

*Staff recommendation:*
*That the correspondence dated February 28, 2019 and March 8, 2019 from K. Ogilvie be received.*

Ltr Ogilvie Feb 28
Ltr Ogilvie Staff response Mar 7
Ltr Ogilvie Mar 8

(c) Correspondence received March 12, 2019 from D. and B. Pye, J. and D. Stewart et al. regarding the establishment of light industrial business in rural/residential zoned areas of North Saanich.

*Staff recommendation:*
*That the correspondence from D. and B. Pye, J. and D. Stewart, and others, be referred to staff for a response.*

Ltr Pye

(d) Correspondence dated March 12, 2019 from B. de Wolff, President, Folk and Fiddle Society, regarding a request for funding.

Ltr de Wolff

14. CORRESPONDENCE FOR COUNCIL’S INFORMATION

(a) Correspondence dated February 28, 2019 from N. Balcom regarding addressing climate change in North Saanich and staff response dated March 11, 2019.

IP Balcom
IP Balcom staff response
Balcom March 12
REGULAR MEETING OF COUNCIL
AGENDA

March 18, 2019

(b) Correspondence dated February 27, 2019 from B. Gibbons, Merville Water Guardians, regarding a ban on bottling of groundwater and staff response dated March 1, 2019.

IP Gibbons plus staff response

(c) Correspondence dated March 5, 2019 from Mayor K. Williams, District of Highlands, regarding the Municipal Survivor Climate Challenge.

IP Williams

(d) Correspondence dated March 11, 2019 from C. Froom regarding Council's response to the issue of accessible parking.

Staff recommendation:
That the correspondence in section 14 of the agenda be received.

IP Froom

15. IN CAMERA

16. RISE AND REPORT

(a) Council rose and reported on the correspondence dated November 9, 2018 from Paige Gibson regarding Proposed Bylaw No. 1439 Coastal Flooding Mitigation Bylaw.

Ltr Gibson
Response of DNS counsel

17. ADJOURNMENT
Subject to Approval
District of North Saanich
1620 Mills Road

Minutes of the Budget Committee Meeting
Thursday, March 14, 2019 at 10:00 a.m.

PRESENT:

Mayor
Councillor
G. Orr
H. Gartshore
J. McClintock
B. Smyth
C. Stock
M. Weisenberger

ATTENDING:

Chief Administrative Officer
T. Tanton

Director of Financial Services
S. Munro

Director of Planning and Community Services
A. Berry

Director of Emergency Services
J. Trelford

Director of Infrastructure Services
E. Toupin

Works Superintendent
A. Duff

Director of Corporate Services
C. Kingsley

Administration
C. Gotto

1 CALL TO ORDER

The Chair called the meeting to order at 10:03 a.m.

2 APPROVAL OF AGENDA

MOVED BY: Councillor Stock

14-BUDC That the agenda be approved as circulated. CARRIED

3 APPROVAL OF BUDGET/PROPOSED TAX RATE OPTIONS

The Director of Financial Services gave an overview of proposed tax rate options and addressed questions from Council.

MOVED BY: Councillor Weisenberger

15-BUDC That Council approve 3.04% as the tax increase for 2019. DEFEATED

OPPOSED: Mayor Orr, Councillors, Gartshore, McClintock, Smyth, Stock
MOVED BY: Councillor McClintock

16-BUDC That the multi-family dwelling sewer user rate be equal to that of the single family dwelling sewer user rate.

DEFEATED

OPPOSED: Mayor Orr, Councillors Gartshore, Weisenberger, Smyth, Stock.

A point of order was raised regarding whether or not the motion is out of order and was overruled by the Chair.

MOVED BY: Councillor McClintock:

17-BUDC That Council direct staff to report back prior to the 2020 budget deliberation on:
1. multi-family dwelling and single family dwelling sewer user rates; and
2. the review of contributions to the Agricultural Reserve Fund.

Council considered each part of motion separately.

18-BUDC That staff report back to Council prior to the 2020 budget deliberations on the review of contributions to the Agricultural Reserve Fund.

DEFEATED

OPPOSED: Councillors Gartshore, Smyth, Stock

19-BUDC That staff report back to Council prior to the 2020 budget deliberations on the review of single family dwelling and multi-family dwelling sewer user rates.

CARRIED

OPPOSED: Councillor Weisenberger

MOVED BY: Councillor Stock

20-BUDC That Council approve the budget, but refer to staff for advice on a $20,000 reduction of the budget for a tax increase below 3.0%.

The motion was withdrawn.

MOVED BY: Councillor Stock

21-BUDC That $10,000 for the 2019 Other Grants budget be funded out of surplus.

DEFEATED

OPPOSED: Councillors McClintock, Weisenberger, Smyth

MOVED BY: Councillor Weisenberger

22-BUDC That Council approve 3.04% as the tax rate increase for 2019.

CARRIED

OPPOSED: Councillor Stock;

The Director of Financial Services gave an overview of tax rate distribution options and the recent history of the ratio within commercial and residential tax rate increases.
MOVED BY: Councillor Weisenberger

23-BUDC That the Business and Light Industry rate be capped at 1.5%.

CARRIED

OPPOSED: Councillors McClintock, Stock

MOVED BY: Councillor Weisenberger

24-BUDC That staff review the actuals for business taxation in the Capital Region Municipalities.

The motion was withdrawn.

4  APPROVAL OF WATER AND SEWER UTILITY RATES

MOVED BY: Councillor Garthshore

25-BUDC That Council adopt sewer and water rates as presented.

CARRIED

5  APPROVAL OF PARCEL TAX RATES

MOVED BY: Councillor Garthshore

26-BUDC That Council adopt parcel tax rates as presented.

CARRIED

6  ADJOURNMENT

MOVED BY: Councillor Smyth

27-BUDC That the meeting be adjourned at 11:21 a.m.

CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

Curt Kingsley
Director, Corporate Services

Geoff Orr
Mayor
Supporting Information for the Minutes of the March 14th, 2019 Budget Committee:

Distribution of overall 3.04% Tax Increase across the property classes as follows:
- 1.50% tax increase for business class properties (class 5 & 6)
- 3.68% tax increase spread evenly across residential, utilities, recreation/non-profit and farm properties (classes 1,2,8 & 9)

Average Tax Increase for Residential properties: 3.68% (or $46.64 to the average residential property for 2019)
Average Tax Increase for Light Industry and Business properties: 1.50%
Average Tax Increase for Utilities, Rec/Non Profit and Farm properties: 3.68%

Please find the detailed information on this distribution model below:

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<tr>
<th>Option</th>
<th>No change for Business, tax increase spread evenly over Classes 1,2,8&amp;9</th>
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<tbody>
<tr>
<td>Class</td>
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<tr>
<td>Class 1 - Residential</td>
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<td>Class 6 - Business</td>
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<td>Class 8 - Rec / Non Profit</td>
<td>61,053,200</td>
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<td>Class 9 - Farm</td>
<td>2,967,336</td>
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<tr>
<td>TOTALS</td>
<td>$5,588,076,212</td>
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</tbody>
</table>
Mayor & Council,

Thank you to Staff for drafting the Sandown RFEI. It is good to see some progress on the project.

I have a few comments for possible consideration:

A. LTO contract:

1. The five-year contract term. Would some proponents consider this to be too short? If good performance on the part of the LTO would likely lead to contract renewal after five years, the project might be more appealing. To this end, performance evaluation at years 3, 4 and 5 would give the LTO the opportunity to modify their practices should their contract performance be deviating from expectations. Of course, performance criteria would need to be established at the outset.

2. Quality Work. Item 4.a lists quality work as one of the project's guiding principles. This is very worthwhile but without elaboration is too broad. Some “quality” metrics should be provided.

3. Financial viability, item 3.g. Again, some minimum performance standards should be established here.

4. Phased development. The STT report suggested that project development should unfold in phases. Applicants should be urged to consider this approach. In so doing, they should outline the goals and duration for each phase, including financial expectations, cultivated area expectations, farmer population growth, program development, etc.

B. Procurement Process:

1. Site visit. During Their Pre-Bid Process, It would be very important to offer prospective applicants a site visit so they could be well informed as to the physical aspects of the project, soil quality, basic infrastructure needs, etc.

2. Resources. A full package of background information should be made available to all prospective applicants. This should include all recent Sandown documents, all STT report materials, the December 2017 PAAC report, Vision Sandown and possibly some of the material from the deliberations on agriculture from the meeting one week ago. STT team members could also be made available to explain and elaborate upon their report of 31 August 2018.
C. Interim Plan:

Finally, I would urge Council to expedite the creation of an Interim Plan for Sandown. Given that it will be many months before any LTO is operational, it is important that some sort of project oversight is in place for the coming growing season. Without active farming, there is a risk of weed infestation and other problems before active management by the LTO.

It would be useful to conduct a post-reclamation assessment to document the "as-built" status of the Sandown lands. At a minimum, this should include soil condition and a review of the existing drainage provisions, as well as a plan for weed control/soil improvement prior to the transition to an LTO. In addition, conformity with the requirements of the PDA could be ascertained early in this period.

Also, irrigation capacity for the buffer area plantings will soon become important, especially given the recent lack of precipitation and the earlier rejection of a Municipal water connection.

Thank you . . . .

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Regards, Spring Harrison
1 **CALL TO ORDER**

The Chair called the meeting to order at 7:00 p.m.

2 **PUBLIC HEARINGS**

3 **INTRODUCTION OF LATE ITEMS**

   a) Correspondence dated March 1, 2019 from N. Spratt, Recreation Coordinator, Horse Council BC

   **MOVED BY:** Councillor Stock  
   **SECONDED BY:** Councillor Weisenberger

   51 That the correspondence dated March 1, 2019 from N. Spratt, Recreation Coordinator, Horse Council BC, be added to agenda item 14 (a).  
   **CARRIED**

4 **APPROVAL OF AGENDA**

Council added an additional item to the In Camera agenda regarding the acquisition, disposition or expropriation of land or improvements, as Council considers that disclosure could reasonably be expected to harm the interests of the municipality.
MOVED BY: Councillor Stock  
SECONDED BY: Councillor Weisenberger

52 That the agenda be approved as amended by the addition of the late items.  
CARRIED

5 PUBLIC PARTICIPATION PERIOD

a) D. Thorp, 606 Meldram Drive, president ArtSea Community Arts Council, spoke in support of her letter requesting funding for an arts grant program. She noted that none of the arts groups on the Peninsula are able to apply to the CRD for arts funding and ArtSea wants to be able to support local arts groups.

As there was no one else who wished to address Council the public participation period was closed at 7:07 p.m.

6 ADOPTION OF MINUTES

MOVED BY: Councillor Weisenberger  
SECONDED BY: Councillor Stock

53 That the minutes of the regular meeting of Council held February 4, 2019 be approved.  
CARRIED

7 PETITIONS AND DELEGATIONS

8 MAYOR'S REPORT

MOVED BY: Mayor Orr  
SECONDED BY: Councillor Stock

54 That the Mayor's report dated February 28, 2019 be received.  
CARRIED

9 REPORTS

a) STAFF REPORTS

i. Community Emergency Preparedness Fund Application  
Emergency Operations Centre (EOC) and Training Stream  
Report dated February 7, 2019 from the Director of Emergency Services

MOVED BY: Councillor Stock  
SECONDED BY: Councillor Gartshore
That Council support by way of resolution a $75,000 joint application between the Districts of North and Central Saanich, and the Town of Sidney for the Community Emergency Preparedness Fund - EOC and Training Stream and authorize the Mayor and Corporate Officer to execute any agreements related to a successful grant application.

CARRIED

ii. 2250 Dolphin Road - Development Variance Permit: Living Space and Deck Addition
Minimum setback from natural boundary of marine shoreline
Report dated March 4, 2019 from the Planning Technician

MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor Smyth

That Council approve the Development Variance Permit (DVP2019-02) application for 2250 Dolphin Road subject to the terms and conditions contained within the draft Development Variance Permit.

CARRIED

OPPOSED: Councillors Gartshore and McClintock

iii. Building and Plumbing Bylaw No. 1150 Proposed Amendment
Report dated February 13, 2019 from the Senior Building Inspector

MOVED BY: Councillor Stock
SECONDED BY: Councillor Weisenberger

That Council give first, second and third reading to the proposed bylaw amendment, Bylaw No. 1473.

CARRIED

iv. Follow-up regarding Accessible Parking Spaces
Report dated February 13, 2019 from the Planning Technician

MOVED BY: Councillor Stock
SECONDED BY: Councillor Gartshore

That Council direct staff to draft an amendment bylaw that consults the CAN/CSA Standard B651 to amend Section 305 (Accessible Parking Requirements) of Zoning Bylaw No. 1255.

CARRIED

v. 2019 Strategic Plan
Report dated February 27, 2019 from the Chief Administrative Officer

A point of order was raised regarding discussion topic and overruled by the Chair.

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Stock
59 That Council refer the 2019 Strategic Plan to the meeting of Committee of the Whole being held March 11, 2019. CARRIED

OPPOSED: Councillor Weisenberger

b) COUNCIL LIAISON REPORTS

MOVED BY: Councillor Stock
SECONDED BY: Councillor Weisenberger

60 That the liaison report from Councillor Stock regarding the meeting of the Memorial Park Society held February 26, 2019 be received. CARRIED

c) CRD REPORT

MOVED BY: Mayor Orr
SECONDED BY: Councillor Stock

61 That the CRD report dated February 28, 2019 from Mayor Orr be received. CARRIED

d) COMMITTEE OF THE WHOLE REPORT FOR FEBRUARY 25, 2019

i. Saanich Peninsula Chamber of Commerce - Joint Municipal Funding Proposal [4-COW]

MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor McClintock

62 That the correspondence dated February 2019 from the Saanich Peninsula Chamber of Commerce regarding Joint Municipal Funding Proposal be referred to the Budget Committee. CARRIED

ii. One-time grant application request from the BOḰEĆEN XAXE (Sacred) Society [5-COW]

MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor Gartshore

63 That Council provide the full grant amount requested by the society of $43,210.74 as of February 15, 2019. CARRIED

OPPOSED: Councillors McClintock and Stock

iii. Request for expansion of sewer service area and sewer main extension to service light industrial area at Mills and McDonald Park Road [6-COW]
MOVED BY: Councillor Weisenberger  
SECONDED BY: Councillor Stock  

64 That Council:  
1. Approve in principle the expansion of the Sewer Area No. 3 to include the eight light industrial parcels at the northeast corner of Mills and McDonald Park Road.  
2. Direct staff to develop a petition for the expansion of Sewer Service Area No. 3 to include the eight properties to be issued to the property owners for their signature confirming their agreement to the costs of the service.  

CARRIED  

iv. Request for authorization to enter into a latecomer agreement for the construction of sanitary sewer main extension on Mills and McDonald Park Road to service the subdivision 1810 Glamorgan Road (Sandown) [7-COW]  

MOVED BY: Councillor Weisenberger  
SECONDED BY: Councillor Stock  

65 That Council:  
1. Direct staff to prepare and enter into a Latecomer Agreement for a period of 15 years for the construction of the sanitary sewer main extension along Mills and McDonald Park Road from the Mills Road Pumping Station to the intersection with Glamorgan Road; and  
2. Authorize the proposed latecomer rate calculations for the Latecomer Agreement on a lot basis as identified in the staff report dated February 14th, 2019.  

CARRIED  

v. Minutes  

MOVED BY: Councillor Weisenberger  
SECONDED BY: Councillor Stock  

66 That the minutes of the Committee of the Whole held February 25, 2019 be approved.  

CARRIED  

10 BYLAWS  

a) District of North Saanich Building and Plumbing Bylaw No. 1150 (2007), Amendment Bylaw No. 1473 (2019)  

MOVED BY: Councillor Stock  
SECONDED BY: Councillor Smyth  

67 That District of North Saanich Building and Plumbing Bylaw No. 1150 (2007), Amendment Bylaw No. 1473 (2019) be read a first time.  

CARRIED
MOVED BY: Councillor Stock  
SECONDED BY: Councillor Smyth  

68 That District of North Saanich Building and Plumbing Bylaw No. 1150 (2007), Amendment Bylaw No. 1473 (2019) be read a second time.  

CARRIED

MOVED BY: Councillor Gartshore  
SECONDED BY: Councillor Weisenberger  

69 That District of North Saanich Building and Plumbing Bylaw No. 1150 (2007), Amendment Bylaw No. 1473 (2019) be read a third time.  

CARRIED

11 UNFINISHED BUSINESS

12 MOTIONS AND NEW BUSINESS

13 CORRESPONDENCE

a) Correspondence dated February 8, 2019 from A. Olsen, MLA for Saanich North and the Islands regarding request for Council representative on multi-jurisdictional working group for health care on the Peninsula.  

MOVED BY: Councillor Smyth  
SECONDED BY: Councillor Gartshore  

70 That Council appoint Councillor Weisenberger as the interim member of the working group for health care on the Peninsula.  

CARRIED

b) Correspondence dated February 27, 2019 from K. Wiseman requesting Council approval of proposed letter regarding Affordable Housing Project - East Saanich Road and Willingdon Avenue.  

MOVED BY: Councillor McClintock  
SECONDED BY: Councillor Stock  

71 That Council approve the draft letter.  

CARRIED

c) Correspondence dated February 26, 2019 from C. Plant, Chair, CRD, regarding Climate Emergency Declaration.  

MOVED BY: Councillor Stock  
SECONDED BY: Councillor Gartshore
That the correspondence dated February 26, 2019 from C. Plant, Chair, CRD, regarding Climate Emergency Declaration be received.

CARRIED

d) Correspondence dated February 26, 2019 from D. Thorp, President, ArtSea, regarding ArtSea Grant Program.

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Stock

That the correspondence dated February 26, 2019 from D. Thorp, President, ArtSea, regarding ArtSea Grant Program be referred to the Budget Committee.

CARRIED

14 CORRESPONDENCE FOR COUNCIL’S INFORMATION

a) Correspondence regarding horses on the Pat Bay beach.

b) Correspondence dated February 1, 2019 from D. Hughes regarding farmers meeting at Kildara.

c) Correspondence dated February 1, 2019 from D. Bumstead, Mayor, City of Dawson Creek regarding Climate Accountability Campaign.

d) Correspondence dated February 2, 2019 from G. Reichert regarding World Lymphedema Day.

e) Correspondence dated February 3, 2019 from S. Stelck regarding East Saanich Pedestrian Safety Recommendations.

f) Correspondence dated February 5, 2019 from E. Gault, Peninsula Co-op and response dated February 21, 2019 from T. Tanton, Chief Administrative Officer, regarding donation towards the safety improvements on East Saanich Road.

g) Correspondence dated February 13, 2019 from P. and J. Meeuwis and response dated February 13, 2019 from T. Tanton, Chief Administrative Officer, regarding snow removal.

h) Correspondence dated February 14, 2019 from T. Letchford and response dated February 15, 2019 from the Director of Infrastructure Services regarding snow clearing at bus stops.

i) Correspondence dated February 14, 2019 from D. Theriault regarding Adapting to Climate Change.

j) Correspondence dated February 15, 2019 from H. Ryder regarding Victoria Airport flight path trail/Cycling Bylaws.
k) Correspondence dated February 17, 2019 from L. Walker and response dated February 26, 2019 from A. Duff, Works Superintendent, regarding a request for garbage cans at the playground/parking lot at Jubilee Park.

l) Correspondence dated February 19, 2019 from P. Miller and correspondence dated February 19, 2019 from T. Tanton, Chief Administrative Officer, regarding questions on various matters.

m) Correspondence dated February 22, 2019 from B. Tutt and response dated February 25, 2019 from T. Tanton, Chief Administrative Officer, regarding Downey Road Parking and Traffic.

n) Correspondence dated February 25, 2019 from L. Geggie, CRFAIR, regarding funding contribution for Farmer2Farmer event.

MOVED BY: Councillor Stock  
SECONDED BY: Councillor Weisenberger  
74 That the correspondence in section 14 of the agenda be received. CARRIED

15 IN CAMERA

MOVED BY: Councillor Weisenberger  
SECONDED BY: Councillor Stock  
75 That in accordance with Section 90(1) of the Community Charter, the remainder of the meeting commencing at 8:51 p.m. will be held In Camera to consider:  
1. two items regarding personal information about an identifiable individual who holds or is being considered for a position as an officer, employee, or agent of the municipality or another position appointed by the municipality;  
2. one item regarding the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;  
3. one item regarding negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and  
4. one item regarding the acquisition, disposition or expropriation of land or improvements, as Council considers that disclosure could reasonably be expected to harm the interests of the municipality.  
CARRIED

16 RISE AND REPORT

Council rose and reported on the following In Camera resolution:  

34-IC That Council rise and report on the correspondence dated November 9, 2018 from Paige Gibson regarding Proposed Bylaw No. 1439 Coastal Flooding Mitigation Bylaw.  

17 ADJOURNMENT
MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor Stock

76 That the meeting adjourn at 10:01 p.m. CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

________________________
Curt Kingsley
Director, Corporate Services

________________________
Geoff Orr
Mayor
**March 18th, 2019  Council Meeting**

**Mayor’s Report**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 26th</td>
<td>First Nations Housing presentation at the Shoal Centre. Hosted by Sylvia Olsen and Adam Olsen.</td>
</tr>
<tr>
<td>February 27th</td>
<td>North Saanich Residents Association community meeting.</td>
</tr>
<tr>
<td>February 28th</td>
<td>Farmer 2 Farmer event at the Saanich Fairgrounds.</td>
</tr>
<tr>
<td>March 1st</td>
<td>Lunch meeting with Mayor McNeil-Smith and Mayor Ryan Windsor.</td>
</tr>
<tr>
<td>March 5th</td>
<td>Saanich Peninsula Chamber Mayors Breakfast at Mary Winspear.</td>
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<tr>
<td></td>
<td>Mayor and CAO met with Geoff Dickson, President and CEO and Rod Hunchak, Director Business Development and Community Relations, Victoria Airport Authority.</td>
</tr>
<tr>
<td>March 7th</td>
<td>Mayor and CAO met with Sidney Mayor, CAO and members of the Tsehum Harbour community task force to determine next steps.</td>
</tr>
<tr>
<td>March 8th</td>
<td>Destination Greater Victoria 2019 business plan event at the Victoria Conference Centre.</td>
</tr>
<tr>
<td>March 11th</td>
<td>Meeting with MLA Adam Olsen.</td>
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<tr>
<td></td>
<td>Mayor and CAO met with Gayle Gorrill, Vice-President Finance &amp; Operations and Peter Kuran, President &amp; CEO UVIC Properties, University of Victoria.</td>
</tr>
<tr>
<td>March 12th</td>
<td>Chamber mixer at the Sidney Museum.</td>
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<td></td>
<td>Tour of Wain Road Firehall with Council. Training night for new recruits and current volunteers.</td>
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</tbody>
</table>

**CRD Report**

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<tr>
<th>Date</th>
<th>Event Description</th>
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</table>
**Context**

This Strategic Plan sets out Council’s focus and strategic priorities for the 2018-2022 term and beyond. The Plan is based on many studies, plans, and public input opportunities over the years and we believe the Plan’s directions and priorities reflect the overall will of the community we serve.

As we learn more from the community, our staff, Commissions and Committees, the Strategic Plan will be enhanced and modified as required by Council. Over time the Plan will be reviewed and updated to ensure consistency with emerging plans and related strategic decisions. Strategic planning is a Council-driven process that is supported by staff. The Strategic Plan is a working document developed with input from all members of Council and senior management. An initial planning workshop is held early in the first year of a newly elected Council and annual workshops are held to review and update the Plan. The most recent revision of the plan was done by Council at a workshop on January 23, 2019.

The Strategic Plan is an “umbrella policy” that sets the context for all that we do and helps to align specific plans having to do with finance, land use, solid waste, information technology, infrastructure and parks. It also provides the basis for department business plans and annual budget submissions. The Plan focuses on new objectives; however, it is recognized and acknowledged that the vast majority of the District’s resources are devoted to its core services, including infrastructure maintenance, Planning & Community Services, parks, trails, Emergency Services protection, emergency preparedness, financial services, administration, and information management.

Strategic planning is a Council-driven process that is supported by staff. The Strategic Plan is a working document developed with input from all members of Council and senior management. An initial planning workshop is held early in the first year of a newly elected Council and annual workshops are held to review and update the Plan. The most recent revision of the plan was done by Council at a workshop on January 23, 2019.

Mayor Geoff Orr
Councillor Heather Gartshore
Councillor Jack McClintock
Councillor Brett Smyth
Councillor Celia Stock
Councillor Murray Weisenberger
Our Focus

Vision

Council and staff of the District of North Saanich are guided by vision elements that have emerged from significant community review and discussion and are drawn from the Official Community Plan.

The future will ensure that:

1. diverse neighbourhoods are respected and supported;
2. rural, marine and agricultural resources are protected, maintained, and enhanced;
3. the needs and priorities of our community are supported;
4. the arts are supported;
5. the community is inclusive, accessible and culturally vibrant;
6. suitable, appropriately located economic activity is supported;
7. efficient levels of service commensurate with appropriate taxation are established;
8. natural environments are protected, and a commitment is made to the preservation and enhancement of regionally significant green and blue spaces; and
9. North Saanich is a sustainable community that plans for the potential impacts of climate change.
Mission

The mission of the District of North Saanich is to provide leadership and good governance that reflect the community vision and protects, promotes and enhances a safe and diverse community for current and future generations.

The Municipal Purposes outlined in the Community Charter further detail the purposes of the District of North Saanich:

Section 7. The purposes of a municipality include
(a) providing for good government of its community,
(b) providing for services, laws and other matters for community benefit,
(c) providing for stewardship of the public assets of its community, and
(d) fostering the economic, social and environmental well-being of its community.

Reconciliation

Council acknowledges the District of North Saanich exists within the Traditional Territories of Coast Salish peoples and is committed to respectfully and appropriately engaging First Nations communities in matters of common interest, decision-making and shared interests.
CORE SERVICES

The Strategic Plan focuses on new objectives; however, it is recognized and acknowledged that the vast majority of the District’s resources are devoted to its core services.

Within the means of District taxpayers, we are committed to meeting or exceeding public expectations in each of the following service areas:

1. governance leadership supported by volunteer Commissions/Committees and public consultation;
2. community planning for housing, economic development, heritage, arts and culture, and agriculture;
3. Emergency Services, police and emergency preparedness;
4. public works and Infrastructure Services;
5. parks, trails and preservation of green space;
6. environmental stewardship and protection;
7. joint recreation services with Peninsula Recreation Commission;
8. accountable financial and administrative services with a focus on performance management across all functions; and
9. effective communication with the public.
VALUES AND OPERATING PHILOSOPHY

The District of North Saanich Council and staff will:

1. be ethical, open, honest and fair;
2. provide excellent customer service;
3. collaborate as a strong team and promote constructive relationships at the local and regional level;
4. make decisions that reflect the overall will and best interests of our community;
5. be consistent in application of policy, bylaws and regulations;
6. be flexible, innovative and progressive in our efforts to improve results while being tolerant of appropriate risks;
7. ensure outstanding stewardship of public assets and the environment;
8. be supportive of the community’s strong volunteer ethic; and
9. be respectful of neighbourhood issues.

Council acknowledges the District of North Saanich exists within the Traditional Territories of Coast Salish peoples and is committed to respectfully and appropriately engaging First Nations communities in decision-making and shared interests.
Strategic Priorities

Strategic Priorities are overarching directions that guide the District’s efforts towards realizing our vision. In selecting the five priorities, Council focused on the need to demonstrate our commitment to our rural and marine character, the importance of maintaining a strong sense of community, and the challenges of delivering quality services at a reasonable cost to the taxpayer.

The five strategic priorities are shown in the following illustration; each priority is further detailed on the following pages.

Ensure Strong Leadership, Fiscal Responsibility and Transparent Government

Maintain a Strong Sense of Community

Maintain a Safe and Healthy Community

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

Encourage Compatible Commercial and Local Business Development

Each Strategic Priority is accompanied by a table that details goals and specific projects and initiatives to be initiated in the 2018 – 2022 Council term.
District of North Saanich 2019 Strategic Plan

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

North Saanich residents are proud and protective of their special place and unique environments. Through our participation with the Capital Regional District we continue to work with the Regional Growth Strategy. In concert with the Green/Blue Spaces Strategy, the District is committed to protecting and enhancing sensitive and significant land and marine environments. Further, the District is committed to protecting and enhancing its rural, agricultural and heritage roots and lifestyle. The District is committed to reducing greenhouse gas emissions and related costs to address climate change.

**GOALS**
- Preserve and protect significant and sensitive environmental areas and ecosystems
- Preserve and protect sensitive marine and inter-tidal habitats
- Mitigate climate change impacts
- Enhance parks and trails facilities & access to natural and rural assets

**Projects & Initiatives**

<table>
<thead>
<tr>
<th>Projects &amp; Initiatives</th>
<th>Timeline</th>
<th>Lead Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve quality of trails, parks, boulevards—increased staff dedicated to this initiative in 2019</td>
<td>2019 forward</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td>Address climate change impacts</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Complete sea level rise planning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff to prepare a report to Council regarding the Climate Action Strategy monitoring and reporting</td>
<td>Beyond 2020</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Advance policies to guide marine and shoreline development (include planning for sea level rise)</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Bring forward to Council the remaining Marine Task Force recommendations and work plan</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Update Wildfire Protection Plan include consideration of development permits and implementation</td>
<td>2019</td>
<td>Emergency Services/Planning &amp; Community Services</td>
</tr>
<tr>
<td>Staff to bring forward the Energy Efficiency DP area report for Council consideration</td>
<td>Beyond 2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Scoter Trail North - rehabilitation</td>
<td>In progress</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td>Locate a boat launch site in North Saanich</td>
<td>Ongoing</td>
<td>Infrastructure Services/Planning &amp; Community Services</td>
</tr>
<tr>
<td>Staff to prepare a report regarding possible roles for the District in the Shoal Harbour Migratory Bird Sanctuary Integrated Management Plan (boats, birds &amp; sea level rise)</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Explore (high level) expansion of trails in Dean Park areas</td>
<td>2019</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td>Staff to prepare recommendations for implementation of the Agriculture Economic Development Strategy (AEDS) and the Whole Community Agricultural Strategy</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Projects &amp; Initiatives</td>
<td>Timeline</td>
<td>Lead Department</td>
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<td>---------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Decide and implement the next steps for Sandown</td>
<td>2019</td>
<td>Planning &amp; Community Services/ Infrastructure Services</td>
</tr>
<tr>
<td>Review and Update Parks Master Plan</td>
<td>2020</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td>Prioritize beach access improvements (<a href="#">part of Parks Master Plan</a>) and review ecological asset management concept review plan.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Review Tree Bylaw</td>
<td>2020</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Future development of Jubilee Park</td>
<td>Revisit in 2020</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td>Staff to prepare a discussion paper on natural asset management ecological asset management to be part of the Parks Master Plan)</td>
<td>2021</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td>Review Sign Bylaw</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
</tbody>
</table>
Maintain a Safe and Healthy Community

North Saanich residents expect their municipal government to take steps to ensure public and environmental safety and health issues are addressed through provision of appropriate infrastructure and services such as water quality, liquid and solid waste management, safe roads, police, fire and emergency medical services. The key challenge in a small municipality with extensive rural areas is to determine the appropriate balance amongst owner provision of services (e.g. septic systems), partnership provision with neighbouring jurisdictions (Saanich Peninsula Unified Sewer Treatment, RCMP, Peninsula Emergency Measures Organization, Panorama Recreation), and direct municipal provision (North Saanich Volunteer Fire Department).

GOALS
- Minimize loss of life and property damage
- Protect resident safety and be prepared for emergencies
- Encourage and support an active lifestyles

<table>
<thead>
<tr>
<th>Projects &amp; Initiatives</th>
<th>Timeline</th>
<th>Lead Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review Emergency Services Bylaw</td>
<td>2019</td>
<td>Emergency Services</td>
</tr>
<tr>
<td>Update Wildfire Protection Plan include consideration of development permits and implementation</td>
<td>2019</td>
<td>Emergency Services</td>
</tr>
<tr>
<td>Staff to prepare a report to address the benefits and costs of green resources and outdoor burning</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Explore ways to manage truck and bus traffic on District roads</td>
<td>2020-2022</td>
<td>Infrastructure Services</td>
</tr>
<tr>
<td>Public Participation/awareness in Emergency Preparedness (Power of 9)</td>
<td>2021</td>
<td>Emergency Services</td>
</tr>
</tbody>
</table>
Encourage Compatible Commercial and Local Business Development

Local government has been given the mandate to foster the economic, social and environmental well-being of its community. The vision that guides this strategic plan makes it clear that North Saanich is interested in economic development that complements our rural and marine characteristics and our commitment to protection of the natural environment. Our motivators are to support our agricultural economy, encourage appropriate business development at the Airport and facilitate limited commercial development desired by our neighbourhoods. In addition, we must ensure the economic viability of the District through a balanced, sustainable tax base.

GOALS

- An operating environment supportive of local business
- A vibrant and sustainable agricultural economy

<table>
<thead>
<tr>
<th>Projects &amp; Initiatives</th>
<th>Timeline</th>
<th>Lead Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop guidelines and policies for agri-business/tourism</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Review Home/Business Occupation permitted uses/regulations</td>
<td>2022</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Develop Long-term Taxation Policy</td>
<td>2020</td>
<td>Financial Services</td>
</tr>
</tbody>
</table>
Maintain a Strong Sense of Community

North Saanich is comprised of established neighbourhoods: the South-East Quadrant/Dean Park, Ardmore, Lands End/Curtis Point and Deep Cove. We support pride in the community that includes respect for diversity, support for the unique requirements of each neighbourhood, and celebration of the quality of the life we share together.

**GOALS**
- A strong sense of pride, identity and belonging in North Saanich
- An engaged community
- Housing policies that support local and regional demand
- Positive and constructive relations with First Nations

<table>
<thead>
<tr>
<th>Projects &amp; Initiatives</th>
<th>Timeline</th>
<th>Lead Department</th>
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</thead>
<tbody>
<tr>
<td>Finalize VIRL Library at Panorama</td>
<td>2019</td>
<td>Planning and Corporate Services</td>
</tr>
<tr>
<td>Review District bylaws and policies that affect waterfront property owners residential and commercial</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Hold community events</td>
<td>Beyond 2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>OCP Review &amp; update</td>
<td>2020 – 2 year process</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>- Review boundaries re: Areas 1 &amp; 2 Bylaw 1352 &amp; area planning</td>
<td></td>
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<tr>
<td>- Review of guest cottages on small properties policy/zoning</td>
<td></td>
<td></td>
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<tr>
<td>Prepare policy for decommissioning of illegal secondary suites</td>
<td>2020-2021</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Examine impacts of short-term vacation rentals on housing</td>
<td>Post OCP review 2022</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Review and update zoning bylaw (including marina structures)</td>
<td>Post OCP review 2022</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Improve communications with citizens. Reconsider Communications Strategy and current communications practices with a view to increasing resources for communications</td>
<td>2019</td>
<td>Corporate Services</td>
</tr>
<tr>
<td>Explore ways to make progress on First Nations matters including the option of establishing a committee to focus on enhancing communication with First Nations</td>
<td>2019</td>
<td>Corporate Services</td>
</tr>
<tr>
<td>Examine term limits for Council appointments for some certain external appointments</td>
<td>2019</td>
<td>Corporate Services</td>
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</tbody>
</table>
Ensure Strong Leadership, Fiscal Responsibility and Transparent Government

Our municipal mission and operating philosophy statements call for progressive leadership, service excellence, and outstanding stewardship of public assets.

GOALS
- Efficient and cost effective management of corporate assets and financial services
- Efficient and effective administrative and regulatory processes.
- Effective governance and leadership promoted and practiced
- Positive and constructive relations with First Nations
- Be an employer of choice

<table>
<thead>
<tr>
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<th>Lead Department</th>
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<tr>
<td>Improve communications with citizens. Reconsider Communications Strategy and current communications practices with a view to increasing resources for communications</td>
<td>2019</td>
<td>Corporate Services</td>
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<tr>
<td>Develop policy and guidelines for Council attendance at events</td>
<td>2019</td>
<td>Corporate Services</td>
</tr>
<tr>
<td>Subdivision notifications policy review &amp; monitoring of impacts</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Review and update of subdivision bylaw</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
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<td>2019</td>
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</tr>
<tr>
<td>Review and update of subdivision bylaw</td>
<td>2019</td>
<td>Planning &amp; Community Services</td>
</tr>
<tr>
<td>Multi-year upgrading of financial/business software - coordination</td>
<td>2019</td>
<td>Financial Services</td>
</tr>
<tr>
<td>Policy manual review &amp; update</td>
<td>Beyond 2019</td>
<td>Corporate Services</td>
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<tr>
<td>Examine term limits for Council appointments for some certain external appointments</td>
<td>2019</td>
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<tr>
<td>Explore ways to make progress on First Nations matters including the option of establishing a committee to focus on enhancing communication with First Nations</td>
<td>2019</td>
<td>Corporate Services</td>
</tr>
<tr>
<td>Finalize service agreements with First Nations</td>
<td>2019</td>
<td>Corporate Services</td>
</tr>
<tr>
<td>Review of MOU with Airport Authority</td>
<td>2021</td>
<td>Planning &amp; Corporate Services</td>
</tr>
<tr>
<td>Review Council Procedure Bylaw</td>
<td>2020</td>
<td>Corporate Services</td>
</tr>
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</table>
To: Tim Tanton  
Chief Administrative Officer  

From: Eymond Toupin  
Director of Infrastructure Services  
Anne Berry  
Director Planning & Community Services  

Date: March 11, 2019  

Re: Sandown Agricultural Lands – Request for Expressions of Interest  

RECOMMENDATION:  
That Council direct staff to proceed with the RFEI process as outlined in the staff report.  

BACKGROUND:  
At the October 22, 2018 meeting, Council adopted the following resolution.  

622 That Council direct staff to report back with advice for Council decision making regarding the long-term use of the property, including a Request for Expressions of Interest and recommended terms for a lease agreement.  

PROPOSED TERMS FOR RFEI:  
Staff has developed a draft RFEI document for the District to solicit expressions of interest for the long term use of the Sandown property.  

The following is a summary of the proposed terms to be included in the RFEI:  

1. The District’s Vision for the Sandown Agricultural Lands  

The District's vision for the Sandown Agricultural Lands is for the lands to become a key regional contributor in sustainable food production, respecting and working with natural ecosystems and building stronger and healthier communities. To achieve this vision, the District is guided by the following:  

(a) Developing the Sandown Agricultural Lands for commercial farming, community food growing, and field-based teaching and learning with partnerships and community involvement being an important part of the success.  
(b) Making food production the ultimate primary focus of the Sandown Agricultural Lands.  
(c) Implementing agricultural practices and additional measures to enhance the quality of soil of the Sandown Agricultural Lands.  

The District is open to any proposals that further some or all of these objectives and are consistent with the agricultural land status of the Sandown Agricultural Lands.
2. Applications from Interested Parties

The District is seeking applications from interested parties to design, develop, operate and finance agricultural uses for the Sandown agricultural lands in a manner that is consistent with the District’s vision for the Sandown Agricultural Lands.

The District invites Applicants to provide details of proposals for the Sandown Agricultural Lands that are consistent with the agricultural land status of the Sandown Agricultural Lands and the District’s vision for the Sandown Agricultural Lands. The District anticipates partnering with the Operator to help ensure the success of the Operations and anticipates that commencement of the Operations will begin in the Fall of 2019. Applicants with demonstrated experience in agriculture, agricultural business and community activities related to agriculture are invited to respond.

3. Scope of Operations

The District expects that the Operations will involve some or all of the following:

(a) Development of the Sandown Agricultural Lands in accordance with applicable zoning conditions and plans approved by the District and in compliance with Agricultural Land Commission (ALC) regulations;
(b) Partnering with the District on matters such as servicing, amenities, approvals and other matters under a partnering agreement in accordance with section 21 of the Community Charter;
(c) Management and farming of the Sandown Agricultural Lands in a manner that is consistent with the District’s vision for the Sandown Agricultural Lands;
(d) Development of the Sandown Agricultural Lands for a variety of agricultural uses that are consistent with the District’s vision for the Sandown Agricultural Lands;
(e) Responsibility for the management of leases to farmers who will farm the Sandown Agricultural Lands;
(f) Responsibility for community partnerships with those community organizations that wish to use the Sandown Agricultural Lands for their agricultural-based community activities; and
(g) ensuring that the Operations are financially viable.

The District anticipates that the full scope of the Operations will be detailed in a partnering agreement between the Operator and the District under s. 21 of the Community Charter (BC). It is anticipated that the partnering agreement will provide for 5-year term commencing by October, 2019, with an option for renewal.

4. Principles for Operations

In addition to the District’s vision and desirables described above, the Operations will be guided by the following principles. It is expected that all aspects of the Operations will align as much as possible with these principles.

(a) quality – provide quality work;
(b) risk management – minimize risk and liability exposure to the District and the general public; and
(c) innovation – develop and apply creative solutions to achieve sustainable design, construction, ownership, financing and operation.
5. Evaluation Criteria and Process

The District will determine if each Applicant either has the capability of delivering the Operations in accordance with the requirements set out in this RFEI and/or offers an innovative solution that the District would consider for the Sandown Agricultural Lands and the Operations. The District will consider the following criteria when evaluating Applicants’ responses:

(a) alignment with the District’s community vision;
(b) alignment with the District’s project principles;
(c) Applicant’s experience with projects similar to the proposed Operations and with the scope of Operations;
(d) Applicant’s financial ability to undertake the Operations and carry out the work;
(e) Applicant’s ability to commence and undertake the Operations in accordance with the timelines; and
(f) likelihood of achieving or exceeding the scope of Operations.

6. RFEI Process

This RFEI is an invitation for each Applicant to provide their project Application to the District. It is proposed the release of the RFEI would involve the following activities:

- The RFEI document be posted to the BC Bid website for a period of one month;
- Information about the process and how to bid would be provided on the District’s website;
- There would be a media release on the process and key dates and deadlines;
- The opportunity would be advertised in the Peninsula News Review; and
- The Peninsula and Area Agricultural Commission (PAAC) would be notified of the RFEI to share with its members;

After the deadline for responses, staff would review and evaluate Applications to identify qualified Applicants for further consideration and may request Applicants to clarify information provided in their Applications. Staff would present the applications to Council and provide guidance on options for next steps.

Subsequent steps could involve short listing and approaching interested parties to submit detailed proposals or entering into negotiations with one or more of the parties. At no point would the District be obligated to select or enter into an agreement with any of the parties. However, if the process is successful, the ultimate objective would be to enter into a binding agreement with one of the short-listed applicants.
FINANCIAL IMPLICATIONS:

Costs to advertise the RFEI would be incurred. Legal costs may also be incurred in reviewing proposals and preparing agreements with the successful proponents. Costs associated with these activities have been included in the 2019 Operating Budget and would be drawn from the Agricultural Reserve.

CONCLUSION:

At the direction of Council, staff advanced the development of an RFEI for a long term operator for the Sandown Agricultural Lands. The RFEI includes a set of broad criteria meeting the District’s objectives for the site with the aim to attract a wide range of submissions. The District would then have the ability to short-list and invite more detailed proposals and/or begin negotiations with one of more of the parties but no legal obligation is placed on the District.

RECOMMENDATION:

That Council direct staff to proceed with the RFEI process as outlined in the staff report.

Respectfully submitted:

Eymond Toupin
Director Infrastructure Services

Anne Berry
Director Planning and Community Services

Concurrence:

Curt Kingsley, Director Corporate Services

Stephanie Munro, Director Financial Services

Concurrence,

Tim Tanton
Chief Administrative Officer
To: Tim Tanton  
Chief Administrative Officer  

From: Eymond Toupin  
Director of Infrastructure Services  

Re: Scoter Trail North Rehabilitation Project  

RECOMMENDATION:  
That Council approve implementation of the Scoter Trail North communications and engagement activities at the estimated cost of $32,745 plus an estimated $11,550 in expenses.  

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  

BACKGROUND:  
Scoter Trail is a recreational trail which follows the Patricia Bay shoreline from Patricia Bay Park to the Tseycum First Nation. The southern section of the trail has previously been upgraded including foreshore protection. The section of the trail north of Munro Road is in poor condition due to erosion from wave action and is need of rehabilitation in order to be re-instated for public use and this is one of Council's Strategic Priorities.  

Through a competitive RFP process, Great Pacific Engineering and Environment was engaged to provide engineering services for the design and re-construction of the north section of the Scoter Trail. Over the summer of 2018, an assessment of the existing trail was completed by Great Pacific to determine the works required for its rehabilitation. Three alternative concepts and associated cost estimates were prepared and submitted to the District in a Concept Design Briefing Report.  

DISCUSSION:  
The three trail rehabilitation and shoreline protection concepts developed for the north section of the Scoter Trail involve rip-rap revetment to stabilize the shoreline and provide a foundation for the trail to be reconstructed upon. The trail is proposed to be raised from its current elevation, which ranges between 2.2 and 3.2 m geodetic datum (GD), to 3.7 m with the crest of the rip-rap on the sea side of the trail at 4.3 m (0.6 m above the trail). The proposed crest elevation corresponds to the Flood Construction Level (FCL) of 4.3 m for the year 2050 along Patricia Bay.
The concepts differ in the type and amount of beach nourishment placed at the base of the rip-rap and the corresponding project costs range from $1,275,300 to $1,437,500.

**COMMUNICATIONS IMPLICATIONS:**

Having considered the significance of the project and the related factors staff recommends public engagement activities be undertaken for the project. On the International Association for Public Participation (IAP2) Spectrum, the proposed public engagement includes activities from ‘informing’ to ‘involving’ the public in the decision-making process.

Staff recommends the following communication and engagement activities be completed for this project.

**Notification Activities:**
- Stakeholder email
- Project webpage
- Postcard mailout
- Print and online ads
- News release
- Social Media posts
- Posters

**Engagement Activities**
- Public open house
- Small group meetings
- Public intercept events
- Meetings with Tseycum First Nation

There are staff resource capacity limitations for communications and engagement services. If Council wishes to undertake the proposed activities, it will require the support of external resources.

If approved by Council, the proposed consultation activities are anticipated to take place in May and June of this year.

**FINANCIAL IMPLICATIONS:**

Staff has obtained a cost estimate for the provision of the associated services from Kirk and Co., a firm with extensive expertise and experience in local government communications and public engagement. The total cost of implementing the communication plan is $32,745 plus an estimated $11,550 in expenses. The estimated cost of the activities can be broken down as follows:

<table>
<thead>
<tr>
<th>Activities</th>
<th>Cost</th>
<th>Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation Materials Development</td>
<td>$8,725</td>
<td>$3,500</td>
</tr>
<tr>
<td>Notification Materials Development</td>
<td>$5,225</td>
<td>$1,500</td>
</tr>
<tr>
<td>Q&amp;A Preparation Workshop</td>
<td>$2,075</td>
<td>$1,000</td>
</tr>
<tr>
<td>Notification Coordination</td>
<td>$1,200</td>
<td>$1,500</td>
</tr>
<tr>
<td>Facilitation and Staffing Consultation Events</td>
<td>$9,210</td>
<td>$4,050</td>
</tr>
<tr>
<td>Consultation Summary Report</td>
<td>$6,310</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$32,745</strong></td>
<td><strong>$11,550</strong></td>
</tr>
</tbody>
</table>

Section 12.1(h) of the District’s Purchasing Policy No. 3012 (the Policy) allows direct contract award, subject to Council approval in the following circumstances:
Where previous work of a supplier or contractor has resulted in that supplier or contractor having a unique understanding and knowledge of local systems and circumstances; and where the awarding of a contract to another supplier or contractor would cause the District to incur additional expense because of their lack of this understanding and knowledge; the locally experienced and knowledgeable supplier or contractor may be used as the sole supplier of related goods and services upon the approval of Council.

Staff recommends Kirk and Co. as the appropriate choice to assist the District in successfully and professionally implementing all proposed public engagement activities for the project. Kirk and Co. have a unique understanding and knowledge of the District's capacity and local circumstances. The firm has been assisting the District in the development of its internal communications capacity since 2018. A direct award pursuant to section 12.1(h) of the Policy would allow the firm to continue and further the development of internal capacity by working closely with staff on this project.

The recommended communications and engagement activities would be funded from the Corporate Services communications budget for 2019.

OPTIONS:

Council can:

1) Approve implementation of the recommended Scoter Trail communications and engagement activities by Kirk and Co. at the estimated cost of $32,745 plus an estimated $11,550 in expenses; or

2) Approve implementation of the recommended Scoter Trail communications and engagement activities and direct staff to solicit competitive quotes from other communications consultants for these activities; or

3) Direct staff to bring forward a staff report with recommendations to advance the design and construction of the Scoter Trail; or

4) Other.

LEGAL IMPLICATIONS:

No legal implications are anticipated.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This report was generated in collaboration between Corporate Services and Infrastructure Services.

SUMMARY/CONCLUSION:

One of Council's Strategic Priorities is the rehabilitation of Scoter Trail North. Staff are ready to begin work on the project. Given the location of the project and potential impacts of the project on local residents and the wider community, Staff recommends public engagement activities be undertaken for the project while the project is in its early stages. Kirk and Co. is the appropriate choice to assist the District in successfully and professionally implementing all proposed public engagement activities for the project. Kirk and Co. have a unique understanding and knowledge of the District's capacity and local circumstances, and the selection of this firm is consistent with the District's Purchasing Policy. In consideration of the above, and for the District to demonstrate
commitment to public engagement on significant projects, Staff submits the following recommendation.

**RECOMMENDATION:**

That Council approve implementation of the recommended Scoter Trail North communications and engagement activities by Kirk and Co. at the estimated cost of $32,745 plus an estimated $11,550 in expenses.

Respectfully submitted,

Eymond Toupin
Director of Infrastructure Services

Concurrence,

Tim Tanton
Chief Administrative Officer

Curt Kingsley, Director Corporate Services

Concurrence:

Stephanie Munro, Director Financial Services
RECOMMENDATION(S):
That Council receives the 2018 Fourth Quarter report from Planning and Community Services.

STRATEGIC PLAN IMPLICATIONS:
This matter relates to the following Council strategic priorities:

Ensure Strong Leadership, Fiscal Responsibility and Transparent Government

Council's Strategic Plan calls for progressive leadership, service excellence, and outstanding stewardship of public assets. Quarterly reporting supports Council's mission and commitment to the provision of core services.

INTRODUCTION/BACKGROUND:
The Planning and Community Services quarterly report is intended to provide Council with a summary of each quarter's development statistics and key departmental projects and activities. Tracking this information is useful to both Council and staff as it helps assess departmental needs and community activity.

DISCUSSION:
Planning and Community Services provides advice and services related to the regulation and administration of development activity and community growth. In addition to policy review and development, key department activity includes development application processing, building permits, business licensing, and bylaw enforcement. Subdivision application processing is a joint function between Planning and Community Services and Infrastructure Services. The Approving Officer role rests in Planning and Community Services.
Please refer to the tables below for a summary of key department statistics in the fourth quarter of 2018:

### Table 1: Department Activity

<table>
<thead>
<tr>
<th>Activity Type</th>
<th>Q4 2018</th>
<th>Q4 2017</th>
<th>YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planning</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development Permit applications</td>
<td>3 1</td>
<td>2 2</td>
<td>14 10</td>
</tr>
<tr>
<td>Development Variance Permit applications</td>
<td>1 0</td>
<td>0 0</td>
<td>5 2</td>
</tr>
<tr>
<td>Rezoning applications</td>
<td>0 0</td>
<td>0 0</td>
<td>0 2</td>
</tr>
<tr>
<td>Subdivision applications</td>
<td>3 3</td>
<td>4 3</td>
<td>10 8</td>
</tr>
<tr>
<td>BOV applications</td>
<td>9 2</td>
<td></td>
<td>24</td>
</tr>
<tr>
<td>Other applications (TUP, ALC)</td>
<td>0 0</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td><strong>Building</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Permit applications</td>
<td>37 35</td>
<td>193</td>
<td></td>
</tr>
<tr>
<td>Building Inspections (includes tree permit inspec.)</td>
<td>403 446</td>
<td>1975</td>
<td></td>
</tr>
<tr>
<td>Tree permits issued</td>
<td>48 58</td>
<td>251</td>
<td></td>
</tr>
<tr>
<td>Suites issued</td>
<td>3 5</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Guest cottages issued</td>
<td>3 2</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td><strong>Bylaw</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bylaw Infraction Complaints</td>
<td>36 29</td>
<td>173</td>
<td></td>
</tr>
<tr>
<td>Bylaw Infraction Tickets Issued</td>
<td>10 0</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>Business License applications (new)</td>
<td>19 9</td>
<td>64</td>
<td></td>
</tr>
</tbody>
</table>

*Note: 'Approved' does not necessarily reflect approval of an application received the same quarter, and does not include the granting of any Preliminary Layout Assessments.

### Table 2: Building Construction Values

<table>
<thead>
<tr>
<th>Year to Date Construction Value*</th>
<th>2018</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>$39,110,542</td>
<td>$62,744,658</td>
</tr>
<tr>
<td>Commercial</td>
<td>$12,735,000</td>
<td>$2,056,979</td>
</tr>
<tr>
<td>Agricultural</td>
<td>$3,286,815</td>
<td>$2,797,539</td>
</tr>
<tr>
<td>Other (Industrial/Institutional)</td>
<td>$83,657</td>
<td>$1,998,000</td>
</tr>
<tr>
<td>Total</td>
<td>$55,216,015</td>
<td>$69,595,176</td>
</tr>
</tbody>
</table>

*Note: Building Permit fees are calculated at 1.25% of estimated construction value

Q4 highlights include:

- Substantial completion of the Sandown Agricultural Reclamation and Drainage works
- Final occupancy granted for the Canadian Tire store
- Open house held for Sea Level Rise planning and proposed Flood Construction Level bylaw approach.
- Adoption of amendments to the notification process for the Board of Variance bylaw
- Introduction and adoption of a new Parks Bylaw
- Adoption of OCP and Zoning Bylaw amendments for Affordable Housing
2018 Summary:

Overall 2018 experienced a similar level of development applications to 2017.

A notable file, and a first for the District, was the approval of the Lochside rezoning application which will result in the creation of 17 new single family market lots, and 10 multifamily units for Habitat for Humanity. The associated subdivision file is currently in process and will carry into 2019. Another notable file was the rezoning of the Baldwin property which resulted in the contribution of 12 acres of undeveloped lands to the District for park purposes. An active subdivision file is currently in process and will result in the creation of 30 single family lots.

In 2017 a marked increase in building permit applications and inspection requests was noted. This trend continued in 2018 as previously approved developments continued construction over the course of 2018.

Policy work is not captured in department statistics, but takes a considerable portion of staffing resources. Several policy projects were advanced over 2018 including the following:

- CRD Draft Regional Growth Strategy acceptance
- Adoption of the Affordable Housing Strategy and Policy and associated zoning and OCP amendments
- Introduction of draft Flood Construction Level bylaw and associated OCP amendment bylaw

The Sandown agricultural drainage and reclamation work was implemented and undertaken in 2018. A significant portion of the remediation activity took place during the third quarter of the year. The work, which was monitored by the District’s agrologist, was assessed as substantially complete in the fourth quarter. Only a small portion of the site requires further remediation due to weather and ground conditions. The District holds a security to ensure these works are completed.

Council retained the services of a consultant to prepare a farm plan proposal for the Sandown agricultural site. This plan was presented to Council in the third quarter. Subsequently, in the fourth quarter staff provided Council with a report reviewing the plan and identifying next steps and implications of the plan. Council has directed staff to bring forward options for short-term basic maintenance and short term land use of the property; and to report back with advice for Council decision making regarding the long-term use of the property, including a Request for Expressions of Interest and recommended terms for a lease agreement. Staff expects to bring this report forward in the first quarter of 2019.

Also of note is the recent opening of the Canadian Tire store in October 2018.

Five year trends:

Last year, in an effort to establish a more comprehensive record of development activity in the District, staff prepared a five year statistical summary of the most frequently used statistics. This ongoing record will assist the department in future planning initiatives and for operational purposes. Attachment A provides the trend tables for the years 2014 to 2018 for the planning, building and license & enforcement divisions.
OPTIONS:

Council can:

1. Receive the report from Planning & Community Services; OR
2. Direct staff to make revisions to the report.

FINANCIAL IMPLICATIONS:

None identified.

LEGAL IMPLICATIONS:

None identified.

CONSULTATIONS:

None required.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services department is routinely consulted on the various applications that come through Planning and Community Services.

SUMMARY/CONCLUSION:

In support of Council’s priority for transparent government and service excellence, this report provides a summary of the department’s activity in the fourth quarter of 2018.

Respectfully submitted,

Anne Berry
Director of Planning & Community Services

Concurrence,

Tim Tanton
Chief Administrative Officer

ATTACHMENTS:

A: Planning & Community Services Five Year Statistical Summary Tables
## Planning & Community Services Five Year Statistical Summary Tables

### Planning Applications - Year End

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>DVP</td>
<td>14</td>
<td>11</td>
<td>15</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>Rezoning</td>
<td>6</td>
<td>6</td>
<td>4</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>Subdivision</td>
<td>10</td>
<td>20</td>
<td>10</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>ROV</td>
<td>24</td>
<td>20</td>
<td>22</td>
<td>11</td>
<td>6</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total Apps.</strong></td>
<td><strong>55</strong></td>
<td><strong>60</strong></td>
<td><strong>57</strong></td>
<td><strong>43</strong></td>
<td><strong>43</strong></td>
</tr>
</tbody>
</table>

### Building - Year End

<table>
<thead>
<tr>
<th>Housing starts</th>
<th>2018</th>
<th>2017</th>
<th>2016</th>
<th>2015</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Permits</td>
<td>193</td>
<td>224</td>
<td>169</td>
<td>146</td>
<td>152</td>
</tr>
<tr>
<td>Building Insp.</td>
<td>1975</td>
<td>2002</td>
<td>1377</td>
<td>1116</td>
<td>1661</td>
</tr>
<tr>
<td>Tree Permits</td>
<td>251</td>
<td>355</td>
<td>297</td>
<td>231</td>
<td>233</td>
</tr>
</tbody>
</table>

### Building Construction Values - Year End

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>$39,110,542</td>
<td>$62,744,658</td>
<td>$29,829,133</td>
<td>$15,404,237</td>
<td>$17,829,904</td>
</tr>
<tr>
<td>Commercial</td>
<td>$2,235,000</td>
<td>$2,056,979</td>
<td>$0</td>
<td>$160,000</td>
<td>$394,643</td>
</tr>
<tr>
<td>AG</td>
<td>$3,286,815</td>
<td>$2,797,539</td>
<td>$2,490,266</td>
<td>$2,445,914</td>
<td>$1,651,592</td>
</tr>
<tr>
<td>Other (Inst./Ind.)</td>
<td>$83,657</td>
<td>$1,998,000</td>
<td>$1,025,000</td>
<td>$13,331,568</td>
<td>$132,320</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$55,216,015</strong></td>
<td><strong>$69,595,176</strong></td>
<td><strong>$33,344,399</strong></td>
<td><strong>$31,341,719</strong></td>
<td><strong>$20,008,459</strong></td>
</tr>
</tbody>
</table>

### Business Licence /Bylaw Enforcement - Year End

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New Bus. Licence</td>
<td>64</td>
<td>78</td>
<td>54</td>
<td>66</td>
<td>86</td>
</tr>
<tr>
<td>Total Bus. Licence</td>
<td>504</td>
<td>490</td>
<td>441</td>
<td>432</td>
<td>516</td>
</tr>
<tr>
<td>Bylaw Complaints</td>
<td>173</td>
<td>167</td>
<td>157</td>
<td>106</td>
<td>136</td>
</tr>
<tr>
<td>Tickets Issued</td>
<td>24</td>
<td>10</td>
<td>11</td>
<td>30</td>
<td>8</td>
</tr>
</tbody>
</table>
Subject to Approval
District of North Saanich
1620 Mills Road

Minutes of the Committee of the Whole Meeting
Monday, March 11, 2019 at 7:00 p.m.

PRESENT:
Chair J. McClintock
Mayor G. Orr
Councillor H. Gartshore
B. Smyth
C. Stock
M. Weisenberger

ATTENDING:
Chief Administrative Officer T. Tanton
Director of Planning and Community Services A. Berry
Planning Technician C. Rimell
Planning Technician C. Kingsley
Director of Corporate Services C. Kingsley
Auxiliary Deputy Clerk L. Coburn

A  CALL TO ORDER

The Chair called the meeting to order at 7:01 p.m.

Mayor Orr acknowledged the passing of poet Patrick Lane.

B  APPROVAL OF AGENDA

MOVED BY: Councillor Stock

11- COW  That Council approve the agenda as circulated.  CARRIED

C  PRESENTATIONS

D  REFERRALS / REPORTS

1)  Implementation Plan for the Whole Community Agricultural Strategy (2016)
Report dated February 21, 2019 from the Planning Technician

Council commended staff for the report. Staff responded to questions from Council.

B. Greene, 1511 Oceanspray Drive, noted that she had been involved in the creation of both agriculture plans and that there had been numerous opportunities for farmers to be involved.
MOVED BY: Mayor Orr

12-COW That Council refer the implementation plan to a future meeting of Committee of the Whole incorporating suggested changes and comments from Council. CARRIED

OPPOSED: Councillor Weisenberger

   Report dated February 21, 2019 from the Planning Technician

MOVED BY: Mayor Orr

13-COW That Council add the suggested implementation actions numbered 4.5 and 5.7, which were not incorporated into the Whole Community Agricultural Strategy/Agricultural Economic Development Strategy implementation plan, to the Planning and Community Services Work Plan. CARRIED

3) 2019 Strategic Plan
   Report dated February 27, 2019 from the Chief Administrative Officer

The Chief Administrative Officer led Council through the Strategic Plan and the comments he received from Council.

Council, by unanimous consent, made amendments to the Strategic Plan.

MOVED BY: Mayor Orr

14-COW That the first listed project and initiative be amended by the deletion of the language following “parks.” CARRIED

MOVED BY: Mayor Orr

15-COW That Council add the following initiative, with the timeline being 2020, to strategic priority “Encourage Compatible Commercial and Local Business Development”:

   “Develop a long term taxation strategy”

   CARRIED

OPPOSED: Councillor Stock and Weisenberger

MOVED BY: Mayor Orr

16-COW That a new heading, "Reconciliation", be added after the "Mission" heading and that the last sentence under "Values and Operating Philosophy" be moved to the new heading, as amended as follows:

   “Council acknowledges the District of North Saanich exists upon the Traditional Territories of Coast Salish peoples and is committed to respectfully and appropriately engaging First Nations communities in matters of common interest.”

   CARRIED
E  MINUTES

F  ADJOURNMENT

MOVED BY: Councillor Stock

17- COW  That the meeting adjourn at 10:01 p.m.  

CARRIED

CERTIFIED CORRECT  

APPROVED AND CONFIRMED

________________________  
Curt Kingsley  
Director, Corporate Services

________________________  
Jack McClintock  
Chair
The Chair called the meeting to order at 10:05 a.m.

1 **APPROVAL OF AGENDA**

MOVED BY: Councillor Stock

1-BUDC  That the agenda be approved as circulated.  

CARRIED

2 **OVERVIEW OF BUDGET**

The Chief Administrative Officer made introductory remarks.

The Director of Financial Services provided an overview of the draft budget and responded to questions from Council.

3 **REFERRALS**

a) That the correspondence dated March 3, 2018 from K. McLaren regarding sweeping of bike lanes be received, referred to staff for a response to the letter writer and bring forward road sweeping to 2019 budget process. [2018-03-19 #196]

MOVED BY: Councillor Gartshore
2-BUDC That Council approve the increase to the relevant line item in the budget to increase sweeping of bike lanes and that staff provide a response to Mr. K. McLaren.  

\[ \text{CARRIED} \]

b) That the correspondence dated November 21, 2018 from D. Thorp, ArtSea Community Arts Council Society regarding their grant being moved to a line item be received and referred to Budget Committee.  

[2018-12-03 #709]

MOVED BY: Councillor Stock

3-BUDC That Council agrees in principle to the notion of ArtSea being a line item and will discuss during consideration of the arts and recreation operating item of the budget.  

\[ \text{CARRIED} \]

c) That the correspondence dated December 5, 2018 from E. de Rosenroll and C. Norris, South Island Prosperity Project, be received and referred to the Budget Committee. [2018-12-17 #732]

MOVED BY: Councillor Gartshore

4-BUDC That Council approves continued contribution to the South Island Prosperity Project for the remainder of the term.  

\[ \text{CARRIED} \]

d) That the correspondence from the Saanich Peninsula Chamber of Commerce dated February 2019 regarding Joint Municipal Funding Proposal be referred to the Budget Committee. [2019-02-25 #4-COW]

MOVED BY: Councillor Weisenberger

5-BUDC That Council approve the expenditure for the Saanich Peninsula Chamber of Commerce from funds from surplus.  

\[ \text{CARRIED} \]

OPPOSED: Councillor McClintock

R. Dempster, 1064 Tatlow Road, sought clarification about a further item listed in the presentation.

4 OPERATING BUDGET

Councillor Smyth joined the meeting at 11:31 a.m.

The Director of Financial Services gave an overview of the operating budget. Staff responded to questions from Council

MOVED BY: Councillor Weisenberger
Budget Committee 2019-03-6

6-BUDC That Council wishes to increase the staff events and appreciation budget by $1,500 and reduce the staff training budget by $1,500.

MOVED BY: Councillor Stock

CARRIED

7-BUDC That the meeting recess at 12:09 p.m. and resume at 1:00 p.m.

The meeting resumed at 1:03 p.m.

MOVED BY: Councillor Gartshore

8-BUDC That Council reduce the contribution to CRD Arts Council to $5,000 for 2019.

OPPOSED: Councillor Weisenberger

CARRIED

MOVED BY: Councillor Gartshore

9-BUDC The Council move ArtSea to a line item of $8,000.

OPPOSED: Councillors McClintock, Stock, and Weisenberger

DEFEATED

MOVED BY: Councillor Gartshore

10-BUDC That Council leave the remaining $10,000 previously allocated to the CRD in the budget for miscellaneous arts expenditures.

CARRIED

5 CAPITAL AND OPERATING PROJECTS

Councillor McClintock left the meeting at 2:32 p.m.

MOVED BY: Councillor Smyth

11-BUDC That staff be directed to explore the opportunity to erect transit shelters on the Tseycum and Pauquachin reserves.

CARRIED

6 GRANTS IN AID

Individual grant in aid requests will be decided at a future Committee of the Whole meeting.

MOVED BY: Councillor Stock

12-BUDC That the total grants in aid budget be $44,000.

CARRIED
7 PRELIMINARY APPROVAL OF BUDGET

MOVED BY: Councillor Stock

13-BUDC That Council approves the preliminary budget. CARRIED

8 ADJOURNMENT

Council agreed by unanimous consent to adjourn at 3:08 p.m.

CERTIFIED CORRECT APPROVED AND CONFIRMED

Curt Kingsley Geoff Orr
Director, Corporate Services Mayor
DISTRICT OF NORTH SAANICH

BYLAW NO. 1473

A BYLAW TO AMEND DISTRICT OF NORTH SAANICH BUILDING AND PLUMBING BYLAW NO. 1150

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

TEXT AMMENDMENTS

District of North Saanich Building and Plumbing Bylaw No. 1150 is amended as follows:

1. Part 12, Section 12.1.1(b) is amended by adding “Built in Shower Pan” as inspection (vii) and renumbering subsequent inspections.
2. Schedule B, Climatic data, by striking Seismic Data table and replacing with the following:

```
<table>
<thead>
<tr>
<th>Seismic Data</th>
<th>S4(0.2)</th>
<th>S4(0.5)</th>
<th>S4(1.0)</th>
<th>S4(2.0)</th>
<th>S4(5.0)</th>
<th>S4(10.0)</th>
<th>PGA</th>
<th>PGV</th>
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CITATION

This bylaw may cited for all purposes as “North Saanich Building and Plumbing Bylaw No. 1150 (2007), Amendment Bylaw No. 1473 (2019).

READ A FIRST TIME the 4th day of March, 2019.

READ A SECOND TIME the 4th day of March, 2019.

READ A THIRD TIME the 4th day of March, 2019.

FINALLY PASSED AND ADOPTED the _____ day of ______________, 2019.

____________________
MAYOR

____________________
CORPORATE OFFICER
Dear Mayor Orr—

On behalf of the Board of Directors and members of the Victoria Military Sports Society, I am writing to ask for your support for Greater Victoria’s bid to host the 2022 Invictus Games.

As you may be aware, our bid is due in London, England on March 29, 2019, and there is little time to get all the required work done. Our immediate challenge is funding the creation and development of the formal Bid including the plan for hosting the Invictus Games in May 2022. The core municipalities in the Greater Victoria region have been asked to help fund the bid, and the response has been overwhelmingly positive. Victoria, Saanich, Langford, Esquimalt and Oak Bay have approached to contribute financially.

In lieu of financial assistance at this point, we are requesting letters of support from the other eight municipalities. Is it possible for you to deliver such a letter prior to March 15th?

No financial commitment is being asked for, but if the Bid is successful, we will be asking municipalities to contribute a maximum of $700,000 of the $39M event budget.

The Invictus Victoria Sports Society’s board of Directors currently consists of community, business, military and sport leaders from Greater Victoria:

- President - Peter Lawless – Vice President, Canadian Olympic Committee, Lawyer
- Members – Colin Ewart – President, BC Colleges; Keith Wells, Executive Director, Greater Victoria Sport Tourism Commission; Robert Bettauer – CEO, PISE; Alison Noble – Director Operations, 2017 Invictus Games; Clint Hamilton - Athletic Director, UVic; Lisa Hill- Senior Vice President, Raymond James; LCdr David Dallin - EA to Deputy Commander Royal Canadian Navy

Can North Saanich please help us accomplish our goal of earning the right to host the 2022 Invictus Games?

We promise a spectacular and life-affirming experience for competitors—and a once-in-a-lifetime experience for spectators, that will live on far past the closing ceremonies.

Sincerely,

Keith Wells
FW: Land’s End Residents Association (LERA) and BC Ferries—Terminal Development Plan

From: Sara De Melo on behalf of admin
Sent: Monday, March 4, 2019 8:40 AM
To: Crystal Gotto; Curt Kingsley; Jackie Gretchen; Lisa Coburn; Tim Tanton
Subject: FW: Land’s End Residents Association (LERA) and BC Ferries—Terminal Development Plan
Attachments: 2019 Feb 28 Letter to NSaanich Council.docx

From: K Ogilvie & Associates
Sent: Thursday, February 28, 2019 12:22 PM
To: admin <a@northsaanich.ca>
Cc: ‘Bruce Carson’; ‘Vianora Warner’
Subject: Land’s End Residents Association (LERA) and BC Ferries—Terminal Development Plan

To North Saanich Mayor and Council:

Please find attached a letter for Council’s consideration outlining a proposal by LERA in relation to the expected permitting process that BC Ferries will be engaging in with North Saanich for redevelopment of its Swartz Bay terminal. It is vital that the issues identified herein be addressed as part of the Terminal Redevelopment Plan, with full consideration of the existing and long term impacts of ferry operations on Peninsula residents. This plan, only recently published, offers a unique, once in 25 years opportunity to address issues.

We would appreciate this matter being considered at a meeting of Council in the near future.

Sincerely

Keith Ogilvie
(For Lands End Residents Association)
2019 February 28

Mayor Geoff Orr and
Councillors of the
District of North Saanich

Dear Mayor and Council

On August 20, 2018, the Lands End Residents Association (LERA) made a presentation to Council expressing its concerns about the process being followed by BC Ferries (BCF) to plan the redevelopment of its Swartz Bay Terminal. You were kind enough to communicate these concerns to BCF in a letter to Mark Collins, President and CEO of BCF. We have only in the last few days become aware of Mr. Collins’ response, dated 16 October 2018. Our last meeting with BCF was in September 2018 over the draft version of the Terminal Development Plan (TDP). A planned meeting to review the “final” TDP was scheduled for 14 February 2019 but cancelled by BCF.

As Mr. Collins states in his letter, LERA has worked with BCF to address a number of daily operational concerns for some 30 years. We noted in our presentation to Council that these are largely environmental in nature, concerning noise, exhaust pollution, light pollution and vibration. Progress has been made on some fronts due to good cooperation by BCF but there remain some serious concerns for LERA members.

Most of the problems have arisen from the improper extension of Dock 1 in the early 1990’s and its subsequent operation, occasioned by the arrival of the new Spirit Class vessels. Dock 1 lies very near and almost parallel to the shoreline. In fact, it is so close to the shoreline that a normal conversation by BC Ferry staff working on Berth #1 can be clearly heard.

The residents at that time opposed the extension because the negative impacts on the adjacent neighbourhoods were entirely foreseeable. They appealed for help from the Honourable Mr. Neal Vant, then the Provincial Minister responsible for BC Ferries. Mr Vant obtained an agreement from BC Ferries that he conveyed to LERA by letter dated June 19, 1989. In it he states: “Wherever possible, subject to operation requirements, berth #2 is to be used. The angle of the ship while it is in this berth, results in a considerably decreased noise level for area residents.” Despite this commitment and without the benefit of any impact studies on either the environment or the nearby adjacent neighbourhoods, BCF nonetheless extended Dock #1.

In spite of Mr. Collins’ assurances to the contrary, the New Swartz Bay Terminal Development Plan (TDP) (http://www.bcferrries.com/files/AboutBCF/publicconsultation/terminal-development/2019-swb-terminal-development-plan-final.pdf) only exacerbates the
identified problems. No changes to alignment of Dock 1 are contemplated; further, the need for land side changes that were identified to improve traffic flow (especially of large commercial vehicles) to vessels in Dock 2 have apparently not been incorporated in the redesigned foot passenger terminal. Nor are any marine or land side changes proposed in the plan to allow Dock 3 to be used by larger vessels in future. In the event of increased sailings, use of Dock 3 (which has been discussed with BCF) would alleviate increased pressure to use Dock 1.

In the absence of these improvements, we are very concerned that the major issues raised by LERA will continue over the 25 year planning timeframe noted in the TDP for this renovation cycle. The doubling in service frequency forecast in the TDP1 will fall substantially to Dock 1, potentially creating twice the adverse effects presently experienced by local residents.

Further, the TDP makes explicit provision for a new pier on the land side of Dock 1, together with fixed and tidal bridges connecting a floating hold room for a foot passenger ferry or seaplane passengers2. Upon seeing this for the first time during a meeting on September 6, 2018 with BCF (including representatives of the Terminal Planning Committee), LERA voiced its objections in the strongest possible terms. We were given the impression that such a facility would be taken off the table; however, the concerns raised have clearly been overlooked or ignored. BCF has acknowledged that no demand or traffic studies have been undertaken to support provision of this additional facility or to examine its potential impact on neighbouring properties.

The TDP articulates a number of planned improvements that LERA fully endorses, including improved energy efficient and shielded lighting and in particular the use of automated mooring units to reduce vibration effects while vessels are docked. While supporting these initiatives, we will at the same time be raising concerns with BCF over several issues that are not addressed in the plan, such as replacement of loudspeakers by notice boards of the kind found in airports or some equivalent; concerns over bus and traffic idling; and in particular, improvement of access for traffic that would allow increased use by Dock 2 rather than Dock 1.

As you can see, the pivotal long term issue for LERA is the continuing use (and plans for expansion) of Dock 1 in its current configuration. Mr. Collins’ letter refers to LERA’s proposal to reorient Dock 1 “by a minimum of five degrees”. In fact, we proposed Dock 1 be reoriented by a minimum of five degrees East of due North. This would not just substantially address the vibration issues but would also reduce

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1 Paragraph 5.17 on page 32 provides: “At present Route 1 peak service is already highly utilized. With forecasted traffic growth, it is anticipated that additional service will be required. A key component of the Major Routes Initiative, as it relates to Route 1, is to build in extra capacity to meet growing demand. In order to meet customer time of day travel preferences additional service during the current operating day is preferred, which would result in increasing sailing frequency to half hour service.”

2 See para 6.3.6 on page 54 of the TDP, which notes “This new installation could be used by water taxis, a foot passenger ferry or potentially by seaplanes.”
ongoing noise and pollution problems that have proven to be beyond the scope of the operational discussions in which we have been engaged with BCF. These can only be addressed through infrastructure redesign on the marine side of the terminal and redesign of the supporting infrastructure on the land side.

As we continue our engagement with BCF on these matters, LERA requests the assistance of the North Saanich Mayor and Council in ensuring that there is a long term commitment by BCF to addressing these larger issues. We propose this be done by making building permits or other licenses subject to the following conditions:

1. That no dock ever be built on the land side of Dock 1 that “could be used by water taxis, a foot passenger ferry or potentially by sea planes.”
2. That BC Ferries commit to North Saanich Council to move Dock 1 a minimum 5 degrees east of due north a) prior to addition of any further vessels to those already using Swartz Bay and/or b) as part of any redevelopment or refurbishment of Dock 1. These plans should be implemented within a maximum of 15 to 20 years, which according to Mr. Collins is the expected lifespan of Dock 1.
3. That terminal plans include consideration of extension of Dock #3 and design of appropriate land side access facilities to allow future sailings by all vessels rather than only smaller vessels, as is the present case.

We are grateful for your support so far and thank you for your consideration of these additional matters as the terminal redevelopment project proceeds.

Sincerely

Bruce Carson
Vianora Warner
Keith Ogilvie
LERA Executive

Cc: Mark Collins, President and CEO, BC Ferries
From: Anne Berry
Sent: Thursday, March 7, 2019 12:08 PM
To: Tim Tanton
Cc: All Mayor and Council
Subject: RE: Land’s End Residents Association (LEA) and BC Ferries—Terminal Development Plan

Good afternoon Mr. Ogilvie,

Your correspondence was forwarded to my attention in order to provide a response.

We understand that the Lands End Residents Association has various concerns with current and proposed uses at the Swartz Bay Ferry Terminal. I have copied below the request regarding building permits and licenses that you included at the end of your letter (italics) to Mayor and Council for ease of reference in this response.

As we continue our engagement with BCF on these matters, LEA requests the assistance of the North Saanich Mayor and Council in ensuring that there is a long term commitment by BCF to addressing these larger issues. We propose this be done by making building permits or other licenses subject to the following conditions:

1. That no dock ever be built on the land side of Dock 1 that “could be used by water taxis, a foot passenger ferry or potentially by sea planes.”

2. That BC Ferries commit to North Saanich Council to move Dock 1 a minimum 5 degrees east of due north a) prior to addition of any further vessels to those already using Swartz Bay and/or b) as part of any redevelopment or refurbishment of Dock 1. These plans should be implemented within a maximum of 15 to 20 years, which according to Mr. Collins is the expected lifespan of Dock 1.

3. That terminal plans include consideration of extension of Dock #3 and design of appropriate land side access facilities to allow future sailings by all vessels rather than only smaller vessels, as is the present case.

As I understand it, the federal government has exclusive jurisdiction over navigation and shipping. A municipal regulation attempting to regulate navigation and shipping activities would be invalid, therefore the District would not be able to amend its zoning bylaw or refuse building permits to regulate or require the changes LEA is seeking. Furthermore, if a building permit complies with all applicable regulations the District cannot refuse issuance of a permit.

BC Ferries is required to provide marine vehicle and passenger transportation services. It is my understanding that changes to the core services would require approval of the BC Ferries Commissioner. At this time I am unable to speak to whether the introduction of sea planes would be consistent with the contract under which BC Ferries operates.
I realize that you may not take satisfaction in this response and I do understand that this is a matter of great significance to LERA. The information I have provided in this response is shared in an effort to communicate the jurisdiction of the municipality. Direction would be needed from Council if the District were to petition BC Ferries to make changes to their operational or long term planning.

Respectfully,

Anne Berry

Director of Planning and Community Services
From: KOgilvie & Associates

Date: March 8, 2019 at 5:30:27 PM PST

To: 'Anne Berry' <ABerry@northsaanich.ca>

Cc: 'Vianora Warner' , 'Bruce Carson' ,

Subject: RE: Land's End Residents Association (LERA) and BC Ferries--Terminal Development Plan

Hello, Anne:

Thanks for your quick and thoughtful reply. LERA met once again with BCF yesterday (shortly after I received your note) and they began their presentation on the updated plan by stating that they have received direction from senior management to delete the foot passenger/seaplane dock addition to Dock #1 from the plan. A revised version of the Terminal Development Plan is apparently being prepared for their web site.

Happily, this removes one of the immediate and more significant irritants from our list of concerns. We also discussed a number of other environment-related issues that might be addressed by minimizing use of dock 1 until such time as the lifespan of that infrastructure is nearing its planned end. These comments—dealing with lighting, noise and pollution issues—will hopefully be taken into account as detailed planning proceeds. We will monitor them carefully and, should any of the land side facilities pose ongoing or new issues, will make the municipality aware of our concerns as these will no doubt fall within municipal permitting processes.

Thank you again for your reply.

Sincerely

Keith Ogilvie

For LERA
To the District of North Saanich Mayor and Council

Subject: The Establishment of Light Industrial Business in rural/residential zoned areas of North Saanich

As residents of the District of North Saanich, we are writing to express our serious concerns with the establishment of light industrial businesses that are moving into and operating in our rural/residential zoned areas and the resulting negative impact this is having on our neighbourhoods.

Bylaw 1349 allows for home occupation and the establishment of approved home-based businesses which we support. However, we do not believe that the District envisioned light industrial businesses to be located and operated in rural/residential zones. There are Commercially zoned areas within the District where these businesses should be located.

Of particular concern are the granting of home occupation licenses to businesses such as:
- marine diesel engine repair
- general contractors who park large trucks and trailers on their properties and in the road, clogging neighbourhood roads
- cabinet making which emits noxious vapours from refinishing, forcing nearby residents to go inside
- upholsterers

Light industrial businesses in a rural/residential zone, whether they are licensed by the District or defended by their owners as 'hobbies' have the same impact.

They degrade the look, atmosphere and property values of neighbourhoods through:
- the accumulation of industrial vehicles, machinery and equipment
- industrial noise from running trucks, machinery, equipment and tools at all hours
- industrial noise from offloading and loading of commercial vehicles and supplies
- the accumulation of commercial debris
- the emission of noxious fumes and the accumulation and burning of hazardous materials which put our safety and security at risk

There are a number of legitimate home-based businesses in North Saanich and there is no desire to see that change. Some of these businesses are part of the annual Studio Tour and Flavour trail, a source of pride for North Saanich, positively showcasing our community. These do not deteriorate our beautiful rural area or negatively impact and disturb the peace and quiet enjoyment of growing families who live here or people who have established their lives here over decades and who have created these neighbourhoods, of which we are all so proud, to enjoy a peaceful and quiet retirement. Entire neighbourhoods are negatively impacted by in some cases, just one business.

We are strongly urging North Saanich Council to enforce the existing bylaws pertaining to planning, zoning, business licensing and applicable fire regulations and unsightly premises; to review the bylaws with the purpose of instituting more explicit ones that will deter industrial and light industrial businesses from encroaching into our rural/residential zones. We also ask the District of North Saanich to find a solution to track the establishment of businesses that never apply for business licenses.

We thank you for your consideration of this matter and we look forward to a response.

[Stamp: RECEIVED MAR 2 2019]

DISTRICT OF NORTH SAANICH
1620 MILLS ROAD
NORTH SAANICH BC, V8L 5S9
Hi Mrs. Stewart,

This item is expected to be on the Mar 18 Council agenda.


-----Original Message-----
From: Jean Stewart
Sent: Thursday, March 7, 2019 8:34 AM
To: admin @northsaanich.ca
Subject: Neighbourhood letter

Good morning.
Can you please let us know the date when the letter we sent to mayor and councillors on March 5 will be presented?
Thank you.

Jean and Don Stewart
Brenda and Doug Pye
Margaret and Steve Trottier
Mike and Susan Siems
Ken and Bev Stevenson
Jamie and Sherrill Cox
Malcolm and Janet Whittall

Sent from my iPad
(sent by email)

North Saanich Municipal District  
1620 Mills Road,  
North Saanich, BC V8L 5S9

Attn: Geoff Orr, Mayor

Dear Mr. Orr,

Thank you, again, for taking the time to meet with us.

I am President of the newly incorporated Saanich Peninsula Folk and Fiddle Festival Society, the sponsoring organization of Folk 'N Fiddle Fest for this year. Folk 'N Fiddle Festival 2019 has Deep Cove Folk Music Society as founding sponsor. Deep Cove Folk has been presenting concerts and community events for 30 years in our community. Folk 'N Fiddle Festival Artistic Director is Nellie Quinn (copied) who was raised in North Saanich and has a life-time of presenting and performing music in our community.

We are requesting that the Municipal Council approve a grant to our festival of $2000 to help fund our upcoming Festival largely based at the Mary Winspear Centre on May 31 and June 1st this year.

We understand that Council will need a special motion in order to approve this funding, so Ms. Quinn and I would appreciate the opportunity to address Council on Monday, March 18th.

The festival will feature performances by local, national and international performers, a youth stage, children’s area, workshops (as education is a key component), vendors areas, talks, a photographic exhibit, and numerous free to the public concerts. We have the support of numerous local businesses and patrons of the arts.

In addition, we request that the Municipality support the Festival through active use of its publicity and social media outreach. And, further, that you, Mr. Mayor, introduce us officially to local First Nations groups as we wish to include them in our planning.

We are excited about bringing this new festival to life on the Saanich Peninsula.

Yours truly,

Bob de Wolff  
President, Saanich Peninsula Folk and Fiddle Festival Society  
info@folknfiddle.ca

cc: Nellie Quinn
Dear Mayor and Council,

I write to you today as a resident concerned about rising global greenhouse gas emissions. I would like to ask the District of North Saanich to take further steps to address the looming climate change crisis and commit to reducing their emissions.

The IPCC is the voice of the world’s top climate scientists. With the October 2018 release of the IPCC’s recent report\(^1\), we now understand we have only 11 years, until 2030, to take the necessary actions to keep temperature rise to 1.5°C. This is a short window, but holding warming to 1.5°C makes the difference between a world we can adapt to and one that threatens life planet-wide. While we are told this is a big ask we are also told it is still possible.

And that’s why I’m writing the District of North Saanich Mayor and Council. I believe we all have a part to play in responding to this big ask. We all must take action. That means individuals, corporations, municipalities, provinces and countries. While I know North Saanich has taken some steps to address important issues, I’m asking you to commit to taking bolder steps to reducing our emissions and to engaging the community in process.

I would like the District to create a Climate Plan that commits to meaningful emissions reductions. This plan will then help guide the creation of progressive policies to achieve these reductions. Many municipalities, large and small, have developed climate plans and are well on their way to meaningful emissions reductions. Some municipalities have begun replacing their light duty fleet with electric vehicles, some are banning single use plastic bags and straws and some are transitioning to emissions free landscaping equipment. North Saanich can learn from these and begin implementing programs and policies that work in our district.

I envision living in a community that demonstrates leadership on the climate crisis and one that is helping to ensure a livable planet for future generations. I look forward to discussing this with you.

With regards,

Nancy Balcom

\(^1\) IPCC Special Report, Global Warming to 1.5°C [https://www.ipcc.ch/sr15]
Good morning Ms. Balcom,

Your correspondence was forwarded to my attention to provide a response.

In 2012 the District engaged a consultant to prepare a Climate Action Plan for North Saanich. Council has now directed through its strategic plan that staff report back regarding monitoring and reporting related to the plan. While this is not identified as a 2019 item, it is on the horizon. The District’s Official Community Plan includes GHG targets which will be reviewed again during the upcoming OCP review, scheduled to begin in 2020. As this is an important matter to you I would encourage you to become involved in the OCP review public participation process once that is underway.

At the same time, the District has been taking several steps to help reduce its impact. Recently the District replaced two of its aging fleet vehicles with electric vehicles. It is the intention to continue to expand the District’s electric fleet as vehicles become due for replacement. Also, through the District’s new municipal hall construction the District installed electric vehicle charging stations which are available for public use.

In the fall of 2018 Council adopted an amendment to the District’s building bylaw which introduced implementation of provincial Energy Step Code regulations. This regulation aims to make new construction buildings more energy efficient over time. More information can be found on the Province’s website here: https://www2.gov.bc.ca/gov/content/industry/construction-industry/building-codes-standards/energy-efficiency/energy-step-code

Another significant project that the District has undertaken over the last several years is a study of the impacts of sea level rise on the community. Council has been presented with draft bylaws prepared to mitigate the effects of sea level rise on properties and construction. These bylaws have not yet been given any readings yet but materials can be found under the heading marine policy planning on the District’s website.

I hope this information is helpful to you.

Regards,

Anne Berry
Director of Planning and Community Services
T: 250.655.5471
From: Anne Berry  
Sent: Tuesday, March 12, 2019 4:25 PM  
To: 'Nancy Balcom' < >  
Subject: RE: Addressing Climate Change in North Saanich

Thank you Nancy. Yes, that was the plan presented to Council in 2012.

Regards,

Anne Berry  
Director of Planning and Community Services  
T: 250.655.5471

From: Nancy Balcom < >  
Sent: Tuesday, March 12, 2019 11:01 AM  
To: Anne Berry <ABerry@northsaanich.ca>  
Subject: Re: Addressing Climate Change in North Saanich

Anne

Thanks so much for your quick and thorough response. I really appreciate seeing a summary of the actions taken to date and commend the District for their efforts. Can you please confirm that this is the Climate Action Plan you are referring to? http://northsaanich.ca.granicus.com/MetaViewer.php?view_id=2&clip_id=306&meta_id=14366 Your suggestion of getting involved in the OCP review process is a great one and I will keep an eye out for that.

I look forward to continued leadership by the District so that we can make progress on our emissions reduction.

With regards, Nancy

Nancy Balcom
Hi Bruce,

Thanks for your inquiry below. The North Saanich Zoning Bylaw contains no specific mention of water bottling in any of our land use zones, as this has never been an issue here in the past. As a practical matter, we think it is unlikely that anyone could legally bottle water for sale in North Saanich. This is because our municipality is largely zoned Agricultural or Residential, and we do not consider that commercial water bottling would be permitted in these zones.

I hope this helps. A copy of your email to Mayor & Council together with this reply will be placed on an upcoming Council agenda for information.

Tim Tanton, MPA, P.Eng. | Chief Administrative Officer
District of North Saanich | 1620 Mills Rd | North Saanich BC V8L 5S9
T 250-655-5452 | F 250-655-5489 | www.northsaanich.ca

Mayor and Councillors:

Hello. I am following up since I did not receive a response to my inquiry below as pertains to your bylaws and bottling of groundwater.

I am submitting the attached presentation as my official request for action to protect the groundwater of Vancouver Island and British Columbia, and request it be added to the agenda of the next available Council meeting.

Thank you for your consideration of my requests.

Bruce Gibbons
Merville Water Guardians

From: Bruce & Nicole
Sent: Wednesday, February 27, 2019 3:36 PM
To: municipalhall@csaanich.ca; admin; info@sooke.ca; admin@sidney.ca
Subject: BC Groundwater - Stop Bottling of Groundwater
Importance: High
Hello. My name is Bruce Gibbons. I have been fighting a water licence for bottling and sale of our groundwater in the Comox Valley since March of last year. We have a paper petition with approximately 1,200 signatures from the Comox Valley and we have recently posted the petition online to try to get more exposure. The online petition is at 1,333 signatures. We are asking the provincial government to stop approving licences to bottle and sell groundwater. I have attached a document that tells a bit of the history of our campaign, including the Communities and RDs that have already taken action to prohibit water bottling. I have also attached a short video/slideshow which presents our case for protecting BC groundwater.

Question:
I am inquiring about whether your current zoning bylaws include water bottling as a permitted use. If an individual or corporation has a water licence allowing them to extract, bottle and sell groundwater, do your zoning regulations allow water bottling as a permitted use? If they do, I will follow up with a request to appear before Council as a delegation to request consideration of a bylaw change to prohibit bottling of groundwater.

Thank you.

Bruce Gibbons
Merville Water Guardians
Feb. 27, 2019
Mayor, Councillors and staff

Request to change the zoning bylaws (as necessary) to prohibit the bottling of groundwater for commercial sale or bulk export

My name is Bruce Gibbons, and I live at [redacted], in Merville. I am submitting this request to address council about the issue of protecting groundwater on Vancouver Island and all over British Columbia. In November of 2017, the Provincial Government approved a groundwater extraction licence for a resident of Merville to extract up to 10,000 liters of water per day from our Comox Valley aquifer, and bottle and sell that water. The licence was contingent on rezoning of his property, and the CVRD denied the rezoning on Aug 28, 2018. Therefore, the current licence does not allow the applicant to utilize his licence and bottle water on his property. However, his water extraction licence is still valid and he has publicly stated his intent to go ahead with the water bottling whatever way he can and to that end he has applied to the provincial government to amend his licence to allow him to truck the water from his well and bottle it at a site that allows water bottling. That is why I am campaigning to have Vancouver Island (AVICC) communities revise their bylaws to prevent this action from this or any other water licence holder.

I am the founder of a group called Merville Water Guardians. I formed the group to oppose the water licence, oppose the rezoning application and to achieve reforms to the Water Sustainability Act to protect the groundwater aquifers of BC. I filed an appeal against the water licence in March, but after a lengthy battle with the FLNRORD Ministry, the Environmental Appeal Board dismissed the appeal, stating that I did not have standing to appeal. There is a serious flaw in the Water Sustainability Act that denies appeal of a water licence unless the licence physically detrimentally affects your land, not your water, not your access to water. The Water Sustainability Act does not protect my water or my access to water. I find that appalling. I have been campaigning against the licence and for protection of our aquifer since March of last year. We have over 320 followers on our Facebook page, and in August we submitted 425 signatures on a petition presented to the Comox Valley Regional District (CVRD) Directors asking them to deny the rezoning and to prohibit water bottling in the CVRD. We have approximately 1,200 signatures to date on a petition to the BC Government asking them to stop approving licences to bottle and sell water from all aquifers in BC. That petition will be presented in the BC Legislature in the coming days by our MLA, Ronna-Rae Leonard. That petition is supported by an online petition with 1,339 signatures to date. Our supporters and followers in the Comox Valley are telling us that water, and the protection of our water was a big issue in the recent local elections and will be a huge issue in the next provincial election. I have most recently posted a video challenge and have sent that challenge to all the MLAs in the BC Legislature, challenging them to put party politics aside and come together to create the legislation to protect our groundwater and stop approving licences to bottle and sell the water from BC aquifers.

There are thousands of residents and farmers all over Vancouver Island who rely on groundwater/aquifers for their only source of water. If that water supply is depleted then those thousands of residents and farmers will not be able to look after their personal needs for drinking water, sanitation, growing their backyard gardens or growing their crops and raising their livestock. That would put our food security at risk. Without water, farmers cannot produce our food, the local food that so many people desire and rely on. That applies to aquifers all over Vancouver Island and
British Columbia. Approximately 22% of British Columbians rely on aquifers, groundwater, for their only source of water for their personal needs and for producing food. Without water, there is no life. We are facing population growth that will put more demand on the aquifers and we are already seeing the negative effects of climate change impact the quality and quantity of water in the summer drought period. We experienced level 4 drought all over Vancouver Island and in many other areas of BC this past summer. We have seen record dry months, record heat and every indication is that these changes are here to stay and will likely only get worse. Residents and farmers are being told to seriously conserve water. Yet we have provincial water licences for commercial profit that will allow extraction of water from the aquifers we all rely on despite the level 4 drought. There is not enough information known about our aquifers to risk bottling and selling any of the water. The licence approval in Merville relied on old data, and technical calculations but did not consider climate change that is producing extended periods of serious drought, putting rivers, streams, fish habitat and fish stocks at risk. It did not consider serious impacts from the receding glacier. We have been fighting to stop this licence but have been thwarted in our efforts. It is clear to me and my supporters that the Water Sustainability Act does not protect our groundwater and needs to be reviewed and revised. We are pushing the Ministry of Environment for revisions to the Act.

In the meantime, there is an existing, real threat to the groundwater of Vancouver Island. Our petition to the Comox Valley RD asked them to amend their bylaws to prohibit the bottling of water in the Regional District in order to help prevent the applicant from bottling off-site. There is indeed a bylaw revision in process that will prohibit water bottling in the CVRD. I made a presentation to the Village of Cumberland asking them to consider a bylaw to prohibit water bottling, and the Village has since changed their zoning bylaws to prohibit bottling of groundwater. On Dec 3rd I asked the City of Courtenay to consider changing their bylaws to prohibit bottling of groundwater in their zoning bylaws. At the Jan. 7th meeting Council passed a motion to prohibit the bottling of groundwater and referred the motion to staff for a full report on options for implementing such a bylaw change. I presented to Town of Comox Council on Feb 20th, asking them to revise their bylaws to prohibit the bottling of groundwater. In September I contacted the Strathcona Regional District (SRD), since the Merville water licence holder had stated his intention to approach them in an attempt to bottle his water in their region. The SRD took immediate steps to prevent the water bottling and also on Jan 24th the SRD passed a resolution to be presented to the AVICC and the UBCM asking the provincial government to cease approval of licences for bottling of groundwater for commercial sale or bulk export. I am now in the process of contacting AVICC member communities asking them to revise their bylaws to prohibit bottling of groundwater, and to support the SRD Resolution. There are 9 communities to date that have indicated they do not permit the bottling of groundwater. I have presented to one other community, I am scheduled to present to 4 other communities and I have submitted written requests to several other communities in an attempt to get as many communities as possible to prohibit the bottling of groundwater for commercial sale or bulk export. I have included a copy of a Policy Manual excerpt from the Sunshine Coast Regional District that clearly sets out a policy for protecting groundwater. I believe that is a policy for all BC communities and all levels of government to aspire to.

I have 2 requests for your community.

1) that you consider taking the necessary steps to implement a bylaw that expressly prohibits bottling of groundwater in any of your zoning, to help in the fight to protect our groundwater/aquifers for the use of our residents and farmers today and for our children and grandchildren and great grandchildren in the future.
2) I also ask that you support the Strathcona Regional District resolution at the April AVICC convention, to ask the Provincial Government to cease the approval of licences for commercial extraction of groundwater resources for bottling or bulk water sales.

a. WHEREAS water is an essential resource upon which all life, including all ecosystems and all local communities depend,

AND WHEREAS water is a public heritage and a public trust for present and future generations and access to water must not be compromised by commercial operations relating to commercial water bottling or commercial bulk water exports,

THEREFORE BE IT RESOLVED that the Premier of British Columbia and the Minister of Forests, Lands, Natural Resource Operations and Rural Development be requested to immediately cease the licensing and extraction of groundwater for commercial water bottling and/or bulk water exports from aquifers.

We cannot allow water bottling from our aquifers based on theory and calculations. The consequences of being wrong could be catastrophic. We will continue to do our part to fight the Provincial Government, who have jurisdiction over groundwater licencing, and to support the Strathcona resolution to curtail groundwater extraction for bottling or bulk sales. We would sincerely appreciate your support in protecting the above ground uses of our groundwater by preventing anyone from bottling and selling water from any aquifer in BC. I implore you to talk to and work with the Strathcona Regional District to protect the aquifers of Vancouver Island. Water is our most precious resource. Water is life. We must do everything we can to protect and conserve it. Thank you for your time and your consideration.

Bruce Gibbons
Merville Water Guardians
Merville, BC V0R2M0
Strathcona Regional District
Water Protection Resolution
Passed Jan 24, 2019

WHEREAS water is an essential resource upon which all life, including all ecosystems and all local communities depend,

AND WHEREAS water is a public heritage and a public trust for present and future generations and access to water must not be compromised by commercial operations relating to commercial water bottling or commercial bulk water exports,

THEREFORE BE IT RESOLVED that the Premier of British Columbia and the Minister of Forests, Lands, Natural Resource Operations and Rural Development be requested to immediately cease the licensing and extraction of groundwater for commercial water bottling and/or bulk water exports from aquifers.
1.0 POLICY
The Sunshine Coast Regional District does not support the extraction of fresh water resources in gas, liquid or solid form from surface or groundwater for the purpose of commercial bottled water sales.

3.0 SCOPE
This Policy applies to all streams, lakes, groundwater, and wells within the Sunshine Coast Regional District.

4.0 REASON FOR POLICY
The Sunshine Coast Regional District supports water conservation, solid waste reduction goals, greenhouse gas emission reduction goals, healthy community water infrastructure and protecting the environment for a sustainable future. This policy serves to conserve water in its natural state, to address local and international environmental issues and to support safe, low cost, clean water for communities.

5.0 AUTHORITY TO ACT
Retained by the Board in part and delegated to staff in part.

6.0 PROCEDURE
Do not support any application to Provincial and Federal agencies for the extraction of fresh water resources in gas, liquid or solid form for the purpose of commercial bottled water sales.
Association of Vancouver Island Coastal Communities Local Governments

Dear Neighbour:

RE: MUNICIPAL SURVIVOR CLIMATE CHALLENGE

The District of Highlands Council would like to challenge all of the AVICC Local Governments to a Municipal Survivor Climate Challenge.

The goal of the challenge is to initiate a fun and friendly local government competition with each participating council measuring their average “One-Planet Living” footprint of the Mayor and Council members, who then take steps in their daily lives over the next year to reduce their average footprint. Highlands Council believes this fun competition can show community leadership while assisting in education and building local resilience in the face of a rapidly changing climate.

The calculator we are using is: https://www.footprintcalculator.org. This easy to use online tool gives the following data based on subjective inputs by individuals:

1. How many Earth’s would be required if everyone lived like that person
2. Ecological footprint (how many hectares of land are required)
3. Carbon footprint (tonnes of CO2)

The District of Highlands hopes to launch this competition on Earth Day 2019 (April 22) and the competition would run for one year, until Earth Day 2020.

What would be involved?
Each council member would determine their personal results prior to April 22, 2019 using the footprint calculator. Your Council’s average results for the three items above would be calculated (this responsibility could be assigned to a council or staff member) and the averaged results would be forwarded to the District of Highlands via the Corporate Officer: tneurauperhighlands.ca. Then throughout the year council participants would work towards lowering their initial results. Come Earth Day 2020 the same participants will once again take the challenge and the councils average would then again be forwarded to the District of Highlands. Highlands will summarize the results and relay them back to you. Again, these are combined averages and not individual results.
Goals of the Challenge:
- to educate
- to engage community and the region in a simple fun way
- to invite information community participation by expanding the survey to residents
- to attract media coverage
- to demonstrate community leadership in responding to the climate crisis
- to build local resilience
- to gain more support for climate policies and initiatives
- to empower individuals to take action

Join our carbon footprint duel!

Two documents are attached for your reference; a one-page poster including District of Highlands Council’s average figures, and the original information memo from Councillor Ann Baird.

If you have any questions regarding this initiative, please do not hesitate to contact the District of Highlands at 250-474-1773.

Yours truly,

Ken Williams, Mayor
District of Highlands
Highlands Council Challenges your Council to a carbon footprint duel with the launch of the Municipal Survivor Climate Challenge

LAUNCH DATE
APRIL 22, 2019

In our concern for climate change, Highlands Council would like to challenge your Council in a friendly competition to take the Municipal Survivor Climate Challenge to compare ecological footprints and to strive to take steps in daily life to reduce your Council's average footprint. Only council averages will be used for comparison, and no individual results will be made known. We would also like councils to encourage their residents to take the challenge, the District of Highlands advertised the challenge in its Spring issue of its newsletter.

The calculator we have used is located at: https://www.footprintcalculator.org

It takes only a few minutes to fill out. This tool gives the following data based on subjective inputs by individuals:

- How many earths would be required if everyone lived like that person
- The ecological footprint (how many hectares of land would be required)
- The carbon footprint (tonnes of CO2)

Highlands Council average figures are:
2.4 earths
4.14 hectares
6.94 tonnes of CO2

Bragging rights go to the Council that:
- Starts with the lowest number of earths
- Has the largest reduction over one year
- Has the lowest number at the end of one year

And the fossil award would go to the council with the highest average.

The goals for this challenge are:
- To educate
- To engage community and the region in a simple and fun way
- To invite informal community participation
- To attract media coverage
- To demonstrate leadership in responding to the climate crisis
- To build local resilience
- To gain more support for climate policies and initiatives
- To empower individuals to take action

Will you accept the challenge?
Introduction:
Create a friendly competition between municipal councils challenging them to decrease their ecological footprint with the goal of education, community leadership, and building local resilience in the face of a rapidly changing climate.

Background:
The new report of the IPCC (Intergovernmental Panel on Climate Change) (Nov 2018) focuses on the emission pathways to keeping global average temperatures under a 1.5 degree Celsius rise AND the implications of not doing so. The consequences are bad enough even at the 1°C rise we have already experienced, but almost unspeakable if we don’t meet this 1.5°C target. The IPCC findings state that global emissions must reduce 45% by 2030 and 100% by 2050. The good news is that scientists and economists say this is possible. The bad news is that we need to change everything immediately. https://report.ipcc.ch/sr15/pdf/sr15_spm_final.pdf

Quote from Sir David Attenborough at COP24 (UN Climate Summit in Poland) on Dec 3, 2018.

“Right now we are facing a manmade disaster of global scale, our greatest threat in thousands of years: climate change. If we don’t take action, the collapse of our civilisations and the extinction of much of the natural world is on the horizon.

“The world’s people have spoken. Time is running out. They want you, the decision-makers, to act now. Leaders of the world, you must lead. The continuation of civilisations and the natural world upon which we depend is in your hands.”

Quote from António Guterres, the United Nations secretary general on Sept 10, 2018.

“If we do not change course by 2020, we risk missing the point where we can avoid runaway climate change, with disastrous consequences for people and all the natural systems that sustain us.”

Details for The Municipal Survivor Climate Challenge:

To initiate a fun and friendly municipal competition with each participating council measuring their average “One-Planet Living” footprint of the mayor and council, who then take steps in their daily lives over the next year to reduce their average footprint. Suggested calculator: https://www.footprintcalculator.org/

This tool gives the following data based on subjective inputs by individuals:
1. How many Earth’s would be required if everyone lived like that person
2. Ecological footprint (how many hectares of land are required)
3. Carbon footprint (tonnes of CO2)
Bragging rights and possible award would be for the council that:
1. Starts with the lowest footprint (how many earth’s)
2. Has the biggest reduction over one year
3. Has lowest at the end of the year
4. And perhaps the fossil award to the highest average footprint council

Goals:
1. Education
2. Community and regional engagement in a simple and fun way
3. Invite informal community participation or expand to a community footprint survey
4. Media coverage
5. Leverage existing pathways of inter-municipal interactions to expand climate awareness
6. Demonstrate community leadership in responding to the climate crisis
7. Shift the cultural story around climate action
8. Build local resilience
9. Gain more support for climate policies and initiatives
10. Empower individuals to take action

Many people say that individual actions don’t make a difference. To this we can say:
1. Individual actions add up. Think of a drop of water, a puddle, a pond, a lake, a river, an ocean.
2. It’s about ethics and doing the right thing. Demonstrate climate leadership to our community and to our region.
3. People that take personal action are more likely to take political action and support/request meaningful changes locally, provincially, federally, and globally.
4. Personal changes now will make us more resilient to climatic, ecological and economic shocks.

Other Comments:
- Requires very little staff time and has no financial costs
- Easy to use and no individual footprints are shared…only council average
- Individuals who are feeling hopeless or are negatively impacted by the enormity of the climate crisis suffer more health and stress related issues. Offering examples of actions and opportunities can help individuals begin making changes. Personal actions often lead to a sense of control; connection and hope which help reduce stress, anxiety, and fear, thereby leading to a healthier community.

NOTICE OF MOTION for January 7, 2019 regular council meeting:
That council initiates the Municipal Survivor Climate Challenge AND perform our individual global footprint calculations, AND allow the Chief Administrative Officer to average our individual footprint results (including number of planets, CO2e, and number of hectares of land), AND send a letter with Highlands Council averages challenging other AVICC municipalities to do the same.

Respectfully Submitted,

Councillor Ann Baird
March 11, 2019

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

Dear Mayor Orr, All Councilors and Staff,

I want to thank all of you for the support that you showed to me and the rest of the community with regards to the issue of accessible parking. The very quick and positive response, including the staff report and unanimous approval at the March 4th Council Meeting shows what a wonderful community I am proud to be a part of. The District of North Saanich has taken the lead that I hope the other Municipalities, not only on the Peninsula, but the rest of British Columbia will follow in making sure we are a fully inclusive place for all to live and do business in. I look forward to seeing these recommendations implemented as the District moves ahead.

Thank you once again for your support.

Yours truly,

Charlene Froom
November 9, 2018

Dear Mayor & Council,

I witnessed a few conversations at the Marine Policy workshop that led me to believe that there is some degree of misunderstanding in the community regarding the necessity of bylaws on sea level rise. I thought I might be able to shine a bit of light on that, if anyone is interested. To that end, I am writing to address the question of whether North Saanich, or any municipality, is required to enact bylaws regarding sea level rise and whether, should you choose to enact such bylaws, they must conform to the Provincial Guidelines. The short answer to those questions is "no" and "no". The long answer is below.

When looking at questions like this, the starting point is the piece of legislation that grants the power to make bylaws on the matter in the first place. In this case staff has directed you towards section 524 of the Local Government Act, which reads in part as follows:

Requirements in relation to flood plain areas

524 (1) In this section:

"environment minister" means the minister charged with the administration of the Environmental Management Act;

"Provincial guidelines" means the policies, strategies, objectives, standards, guidelines and environmental management plans, in relation to flood control, flood hazard management and development of land that is subject to flooding, prepared and published by the environment minister under section 5 of the Environmental Management Act;

"Provincial regulations" means, in relation to a local government, any applicable regulations enacted under section 138 (3) (e) [general authority to make regulations — flood hazard management] of the Environmental Management Act.

(2) If a local government considers that flooding may occur on land, the local government may, by bylaw, designate the land as a flood plain.

(3) If land is designated as a flood plain under subsection (2), the local government may, by bylaw, specify

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1 I should mention, for the record, that I don't think this is the appropriate section from which to be drawing this authority, but that's neither here nor there for the purposes of this discussion.

2 There are further subsections to s. 254, but they are not relevant to this question. You can find the whole act [here](#).
(a) the flood level for the flood plain, and
(b) the setback from a watercourse, body of water or dike of any landfill or structural support required to elevate a floor system or pad above the flood level.

(4) In making bylaws under this section, a local government must

(a) consider the Provincial guidelines, and

(b) comply with the Provincial regulations and a plan or program the local government has developed under those regulations.

I have highlighted a few bits there for your attention. Reading subsection (2), you will see that a government "may" enact bylaws to deal with flood-type things. "May", as you know, is a permissive word in legislative drafting (and also in real life....the two do not always meet). When a local government "may" do something, the Province is saying "If you guys want to draft some bylaws on this topic, fill your boots, but it's entirely up to you". On the other hand, when the Province requires something, the language we see is words like "must", "shall", "has a duty to..." and so on.

But what about the Guidelines, you may ask? On that, kindly direct your attention to subsection (4)(a) and (4)(b). You will see that the wording here is not so permissive. Specifically, the Provincial guidelines "must" be "considered".

"Considered" is one of those great words in legal drafting that conjures images of long, thoughtful intellectual mastication, but in reality is of almost no force at all. In "considering" a document, all a local government is compelled to do is read the document, and have a wee think about it. A bit of discussion on the record would be nice, but is not required. Having so considered, the local government may then proceed in any direction they choose.

The next section, (4)(b), is much more serious - provincial regulations must be adhered to. Happily for all involved, the Province hasn't enacted any regulations, so this section is also entirely impotent. (If you'd rather not take my word on that, I quote from the above-noted

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3 For your reference, the "amendments" portion of the Guidelines are right here. The master Guidelines document, which the previously linked document amends, is the Flood Hazard Area Land Use Management Guidelines.

4 If you would care to descend into a rabbit hole regarding the definition of "consider" in a legislative context, here is some light reading from the Supreme Court of Canada, and here is a more recent doozy from the Newfoundland Court of Appeal that teases out the same issue in the course of the decision. (I recommend a stiff drink beforehand if you choose to tackle that last one.)

5 If you take a look at sea level rise planning for any number of BC municipalities (Surrey, Delta, etc) you will find no reference at all to the Provincial Guidelines. The SLR Primer document states that "While local governments are required to consider these guidelines when establishing floodplain bylaws, the manner in which the guidelines are applied varies by municipality." Maybe there is a municipality that has entrenched these Guidelines into their zoning bylaws, and I just haven't found it.
Engineers & Geoscientists document: "While no regulations have been established under this statute to date, the [Ministry] has published the [Guidelines] that must be considered by local governments when adopting floodplain bylaws under section 524 of the Local Government Act."

But again, none of subsection (4) matters at all, unless a local government opts to enact bylaws on these issues in the first place. The existence of the Guidelines does not compel a municipality to enact legislation. The municipality doesn’t even have to pay any attention to the Guidelines. They just need to consider them.

The idea that there is some positive obligation to do something here might arise from s. 473 of the Local Government Act, which states that “An official community plan must include statements and map designations...respecting the following: ....(d) restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development.” That section has been in effect for years, and our current OCP is in compliance as far as I know. In addition, hazards are currently dealt with ably under section 56 of the Community Charter, which is what empowers North Saanich to say that if someone wants to build on land that is "subject to or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rockfalls, subsidence or avalanche", they may need a flood plain hazard report or whatever else John Post or the other building inspectors decide.

If you are wondering if there is a further authority on this that I’m not mentioning (there’s not, but lord knows I appreciate a cynic) please take a peek at Appendix C of the "Legislated Flood Assessments in a Changing Climate in BC" document from Engineers & Geoscientists BC, which very helpfully lists all the authority to do with flooding in BC.

To make sure I hadn’t missed anything, I also spoke with the Planning and Land Use Management Office at the Local Government Division of the Ministry of Municipal Affairs and Housing. They confirmed to me this morning that no, local governments are not required to enact bylaws to mitigate sea level rise. They think it’s a good idea to do something to plan for this stuff, but they have not mandated anything to that effect.

What I hope I’ve conveyed here is that there is no requirement to enact bylaws, and if council does decide to enact bylaws, there’s no requirement as to what they must contain. There is no requirement to use the Future Estimated Boundary or anything of that nature. If you felt like it, the North Saanich bylaw on sea level rise could compel all waterfront property owners to purchase and make available for regular inspection one of those giant inflatable swan pool toys, and call it a day.

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6 The Local Government Act lists hazardous conditions as "flooding, mud flows, torrents of debris, erosion, land slip, rock falls, subsidence, tsunami, avalanche or wildfire". All of these things are immediate and dangerous to human life, as opposed to sea level rise, which is gradual and not dangerous to human life unless a human is rooted in the same spot on the beach for 80 years, in which case he probably has bigger problems than sea level rise.
Also, there is a bit of very tricky interplay between s. 529 and s. 554 that I don’t believe has been addressed in the current iteration of the bylaw. I am happy to talk further about this if anyone is interested, but I won’t type it all out now. The long short is that the current bylaw has not made sufficient accommodation to allow basic renovations and maintenance (as opposed to additions) to a legal non-conforming structure.

Piecing together clues from three separate staff members last night, I have deduced that the meeting on this will almost certainly take place while I’m out of town and unable to submit correspondence. So to close, I will add my personal opinion here as well, with the hopes that you might keep it in the back of your minds. As you may know, my husband and I are about 500 meters and a dodgy mortgage broker short of owning waterfront property. I have put a substantial bit of time and energy into this issue though, because I find it very objectionable on principal. At the root of my concern is a homeowner’s right to enjoy his or her property free of unnecessary interference from the municipality. If a Homeowner Bob down on Glenelg wants to build a gazebo by the beach, and spends $15K of his own money building it, only to see it gobbled up by the sea in 30 years’ time, what does the District care? It’s no loss to the District, it’s no danger to surrounding properties, the District bears no liability, there is no reason to interfere.

Some might say that something must be done to address this. But the District does have rules on this in place under the Community Charter, which I mentioned earlier. The status quo, as far as I understand, is not the reports-required-for-every-property situation that I heard reference to last night, but rather an exercise of discretion depending on the site, by people who assess building sites for a living.

As well, in addition to the powers under the Community Charter, if there are specific properties that worry the District, there are many things that can be done with 219 covenants (no-build zones, special set backs, etc) that don’t effect the rest of the waterfront properties. Alternately, slap an informational advisory on the title of especially flood-prone properties, which would serve to alert future buyers of a potential problem. There are all sorts of creative and effective things that could be done.

7I am happy to talk your ear off about this, but will instead quote the Supreme Court of Canada in Kamloops v. Nielsen, which is a great case to read on this issue: “It seems to me that, applying the principle in Anns [the leading authority on negligence], it is fair to say that the City of Kamloops had a statutory power to regulate construction by by-law. It did not have to do so. It was in its discretion whether to do so or not. It was, in other words, a “policy” decision.” Governments of any level are not liable for policy decisions, under negligence or any other head of tort law. Indeed, it’s when a government decides to start enacting things that the liability starts: “In Anns Lord Wilberforce suggests that if East Suffolk were being decided today the Catchment Board, although free of liability if it decided to take no steps to stem the flood, might attract a liability if it decided to exercise its power and take steps but exercised its power negligently.” (The underlining there is mine.) This is counter-intuitive at first blush, but goes with the general idea that if a person or organization is going to set out to do something, it is required to do it with sufficient care. There is nothing in tort law requiring persons or organizations to set out to do that thing in the first place, no matter how beneficial it is to the common good.
I think a great course of action would be to take the enormous wealth of information that the District has assembled on this issue, and launch an educational campaign, complete with educational portal on the website, just like the District is implementing re wildfires. This issue is not unlike the wildfire issue, really - there is a very real threat, but instead of compelling property owners to act to deter it, the District chooses to educate. (I would argue, in fact, that there is a much stronger case for compelling owners to manage their property to mitigate wildfire risk over sea level rise. If a fire spreads through a property filled with dead brush, the neighbours’ properties are immediately at risk. If Homeowner Bob losses his waterfront gazebo to the sea, the only risk is that Bob will have to have his nightcap on the deck instead.) If you educate rather than compel, then the folks who are so inclined will heed the advice in the documentation, and the folks who want to feed $15K to the sea will be free to do so, and everyone will be happy. I think if the District combined an education plan with some mitigation strategies like beach nourishment, we would have a very engaged and satisfied group of waterfront property owners.

If anyone has comments/questions/thinly-veiled threats regarding any of the foregoing, I’m very happy to talk further. My number is 250-655-6339.

Thank you for your ongoing (and ongoing, and ongoing) attention to this, and for taking the time to read this message. I urge you to decline to pass these bylaws - there are gentler ways to achieve the same effect.

My very best regards to you all.

Paige Gibson
November 23, 2018

Coralie Breen
Municipal Planner
District of North Saanich
1620 Mills Road
North Saanich, BC V8L 5S9

Dear Ms. Breen:

Re: Paige Gibson Letter on Proposed Bylaw No. 1439
Our File No. 00006-0323

You have requested our review and comment on a November 9, 2018 letter to the Mayor and Council regarding the District’s proposed coastal flood hazard mitigation bylaw.

Ms. Gibson’s comments on the discretionary nature of the District’s authority to adopt a bylaw like proposed Bylaw No. 1439 and the non-binding nature of the Flood Hazard Area Land Use Management Guidelines are essentially correct. There is a complication related to the Guidelines that does not contradict her basic point, but that we will mention for the sake of completeness. If the District does enact a s. 524 bylaw and the standards incorporated in the bylaw are below those recommended in the Guidelines (that is, the District has “considered” the Guidelines but has chosen not to follow them), the Compensation and Disaster Financial Assistance Regulation under the Emergency Program Act, as interpreted by officials in the Ministry of Environment, prohibits the payment of compensation or financial assistance for damage to a structure that was constructed only in accordance with the bylaw standards. To the extent that all provincial disaster financial assistance is discretionary anyway, this may be of little practical consequence, but it does indicate the Province’s position that if a local government exercises these powers but it fails to follow the Guidelines, there may be consequences for property owners who build according to the bylaw standards. Thus, the Province intends that the Guidelines be taken seriously. (Ironically, if the District does not enact a s. 524 bylaw at all, the CDFAR does not prohibit the payment of compensation or disaster financial assistance for structures in the District, though as we mentioned all such assistance is wholly discretionary anyway.)

Ms. Gibson’s suggestion that the District can unilaterally require the granting of a s. 219 covenant for a specific property that worries it, lacks any legal basis. Covenants establishing no-build zones and special setbacks are typical consequences of the exercise of the building official powers to
which she had already referred in her letter, in relation to particular building permit applications made by the property owner. Whether to rely on *ad hoc* building official powers to address the coastal flooding hazard, or enact regulations that prescribe building standards up-front, is the essence of the policy decision that is made when a municipal council considers whether to exercise the s. 524 bylaw-making power.

Ms. Gibson’s comment about the use of “*informational advisories*” on title to flood-prone properties as alternatives to the exercise of regulatory powers also lacks any legal basis. The B.C. land registry system does not provide for the filing of information notices on title.

Sincerely,

**Young Anderson**

Bill Buholzer

*buholzer@younganderson.ca*

*BB/smj*