

## Association for the Protection of Rural Metchosin

#2-4401 William Head Road

Victoria, BC V9C 3Y6

www.metchosinaprm.org

July 11, 2021

Mayor and Council  
District of Metchosin  
4450 Happy Valley Road  
Victoria, BC V9C 3Z3

Dear Mayor Ranns and Council

Re: Rezoning Application/Official Community Plan Amendment for 3659 Sooke Road

The Association for the Protection of Rural Metchosin (APRM) understands that the Planning Committee is being asked to consider a Public Information Meeting as part of the rezoning application for 3659 Sooke Road.

The property under its current ownership has been the source of significant controversy in the past as well as the subject of numerous by-law offences and complaints. The APRM requests that the following questions be addressed in detail. We ask that Council **not** approve holding an informal Public Information Meeting or in any way advancing this application until satisfactory answers are received and incorporated into a new staff report on this application.

**Question: Why does the staff report on this application omit any reference to the property owner's record of bylaw violations and formal complaints?**

- Given the number of formal complaints and documented by-law violations at this property, we find this omission troubling. We ask Council seek clarification on the omission from staff and have it addressed in a new report.

**Question: What is the status of the by-law infractions noted on this property?**

- Considering the District's Clean Hand policy, this is a fundamental question to clarify how the application was developed given the landowner's inability to achieve **enduring by-law compliance**. The question needs to be raised as to whether Council should even be considering the application.
- We ask that Council request information from staff on by-law complaints/infractions and how these have been addressed and have this information incorporated into a new staff report. This information should detail each complaint and infraction under the current ownership, specifying the nature, timing and duration of compliance and/or enforcement actions in relation to each.

- Formal complaints have been lodged about commercial/industrial traffic arriving and leaving from this property over the course of 2020 and 2021. We understand that the most recent complaint was submitted on March 31 2021, when ten commercial/industrial vehicles were observed arriving/leaving from this property. Numerous photographs showing the commercial/industrial traffic were included with formal complaints submitted between January - April 2021.

**Question: Please clarify the timing and nature of staff involvement in the preparation of this application?**

- We understand that the District has been working with the property owner on a land use application since early 2020. However, the on-going nature of the by-law infractions on this property make staff involvement in this process highly problematic in view of the Clean Hands Policy.
- We request that Council seek a written explanation of how the Clean Hands Policy was observed and applied during the development of this application.

**Have either Mayor Ranns or Council members been involved in discussions with the property owner, or the owner's representatives, about the current application?**

- We ask that the nature and extent of such contacts be disclosed at an open Council meeting.

The APRM has closely reviewed the staff report and material submitted by the application. We have multiple concerns with what is being proposed, which we may address at a later date. The most issue we wish to raise at this time is the **matter of trust**. The applicant is asking the community to consider a consequential amendment to Metchosin's Official Community Plan and its Land Use By-law. Given the property owner's record to date, there can be no sense of trust that the applicant will actually carry out the precautionary steps in the development the "rural business park" as noted in its July 5, 2021 letter. Further, the on-going nature of by-law issues on this property and failure of the District to achieve enduring compliance indicates that the District has neither the ability nor resources to adequately monitor this property or the property owner's actions.

In light of the above, we urge Council **not** to approve/endorse a Public Information Session until all Council members and the community at large feel they have received satisfactory answers to the questions and points outlined above.

We look forward to receiving further information on this matter.

Sincerely,

Jay Shukin

President, Association for the Protection of Rural Metchosin

CC: APRM Executive