

## District of Metchosin Council Meeting - October 25, 2021

**Present:** Mayor Ranns, Councillors Epp, Kahakauwila, Little & MacKinnon (total meeting attendance ~40)

Chair Mayor Ranns

### **1. Agenda approved.**

### **2. Public Participation.**

Mayor Ranns commented that Council had already been in hours of meetings today. He would keep the public participation session to 45 minutes.

*Bev Bacon* supported the motion to disallow commercial /industrial development in Metchosin due to noise, traffic, potential dust, smell, air and ground pollution, effects aquifer and water sources, loss of trees, loss of habitat. Noted that industrial development could include gas stations, auto body/ paint shop, metal fabrication, burning of waste wood, screening rock. All of these are environmentally bad and could have a huge impact on the neighbours' property values and quality of life. These activities don't fit with our quiet, nature-based lifestyle and our conservation values.

We don't have, or want to have, the staff who could monitor and enforce any promises made or bylaws that pertain to industry (light or otherwise). Believes that, after taxation, industrial development would be a net loss financially to Metchosin if we actually did our due diligence to monitor and control.

Bev also commented on the tax exemption to be granted to the Victoria Motorcycle Club. The public doesn't use this property. There is no service offered to Metchosin. It's a private members' club sitting on a prime piece of real estate that is already undervalued. It's not a church, school, animal rescue, or community gathering place. Noted St. Mary's church and the integration it has with the community. A private motorcycle club is not a public service.

*Nitya Harris* asked Council to take environmental considerations into account when considering industrial development. It's now well-known that two important actions are needed to reduce the anthropogenic warming of the planet: 1) lowering of CO<sub>2</sub> emissions and 2) protection of natural carbon sinks are the only mechanisms that reduce atmospheric carbon. Natural sinks, like forests, are essential because, as we get our CO<sub>2</sub> emissions under control, we will still need to reduce and maintain CO<sub>2</sub> at an acceptable concentration. The forests in this area are crucial to the viability of the region's ecological systems and valuable in sequestering CO<sub>2</sub>. Noted that the CRD's forests sequester more carbon than Victoria's estimated CO<sub>2</sub> emissions. Also noted the importance of biodiversity. Municipalities play a large role in protecting biodiversity and having lands that sequester carbon by their land use and zoning policies. Instead of doing any such rezoning on a piecemeal basis, it is important to carefully consider the

impacts of land use change in the context of the whole municipality and the region in a state of climate emergency.

*Rachel French de Mejia* commented on Mayor Ranns' recent letter and comments in various media expressing how vaccine mandates deny fundamental rights. Mayor Ranns said that the fundamental rights of a few individuals in his employ to not get vaccinated is a valid stance. She disagreed. There are only two reasons for not being vaccinated at this time – you are under 12 years old – and that will not be an excuse very shortly, or one has a medically documented reason. Available science shows that those who are not vaccinated shed significantly more virus and risk infecting others at a much higher rate than those who are vaccinated. Agreed that we all have the fundamental right to choose not to be vaccinated against Covid, but what is forgotten is that with freedom and individual rights also come responsibilities. Commented on impacts to hospital ICUs and delayed surgeries. Looked ahead to when in-person Council meetings are back on; asked that those who are not vaccinated stay home.

*Nicole Shukin* appreciated the comments by Rachel French de Mejia. She also noted that council voted unanimously at the Oct. 18 meeting to advance the resolution passed by a previous council in 2007 and urged council to adopt this tonight. It's a wise resolution because it affirms the right democratic order of things, whereby elected councils take direction from the public they serve, act as servants of the public interest, so that the public interest isn't subordinated to developers calling the shots. Many who look at Langford see it as an example of what happens to a community and the environment when developers start calling the shots. Metchosin has a chance to distinguish itself as a place of good government in service of people and healthy environments.

*Jay Shukin* supported the comments made by Rachel French de Mejia. He also commented on the industrial zoning resolution, noting the legal risks they must have weighed in February when they passed the bylaw that downzoned the Boys and Girls Club lands. In this case, there was a subdivision application being reviewed by our district administration, and that bylaw was very focused on a specific property and very material impacts to the property owner. What's before them tonight is a resolution, not a bylaw; the resolution is not focused on a single property, and it does not foreclose the possibility of a future rezoning, but simply puts the possibility of doing so after there is sufficient public direction through an OCP review.

*Avril Yoachim* stated her opposition to selling the 113-acre green buffer parcel obtained by Metchosin in the 2017 land swap. This is the only gain that Metchosin has as yet realized in the Land Swap in four years. It was designed to provide a buffer between Metchosin and the Langford development, and protection for the Neild Road and Happy Valley residents. To now offer it to the CRD is a deliberate act of betrayal to those residents and also to Metchosin as a whole. As a green buffer, not a park, it requires little to no maintenance. Noted the residential development planned for the area; if the buffer is sold to the CRD the land simply becomes a park for those residents, which will easily be home to 300-500 families. CRD is not specific to Metchosin needs. Their

mandate is regional and as such we do not have a voice or opinion. We lose yet another piece of Metchosin. She wondered if all members of Council had an opportunity to weigh in on whether this was a good and necessary plan.

*Shelly Donaldson* stated her opposition to the sale of the 113 green space area to the CRD. Concerned that Council would disregard voters of the 2017 referendum on the Land Swap. The CRD represents a large group of people across the greater Victoria area who would have more input on the use of that land than Metchosin residents. This is a big concern, as the buffer was put in place for the neighbours on Neild Rd that live closest to the housing development and industrial business park. The buffer would allow for some peace and quiet, which they do not have now due to the constant noisy activity of blasting, logging and rock crushing which goes from 7am to 7pm six days a week. It was only two hundred metres that was presented in the land swap vote and now we are completely ignoring any kind of security for those residents living closest this area. Shelly asked Council to support Metchosin residents and reject the proposed sale and defend their vote in the 2017 Land Swap referendum to keep this space rural in nature for all Metchosin.

*Aneita Strauss* indicated her support for the 2007 resolution. Adopting it will protect us until there's an OCP review and the community defines what is right in terms of industrial/light industrial. Noted concerns about environmental impacts from industrial development. She does not have concerns with commercial development along Sooke Road, but it should only come after there is a community discussion. Aneita also supported Rachel's comments regarding COVID vaccinations. Regarding Mayor Ranns' letter that appeared in the *Times Colonist*, he came off as speaking as Metchosin's mayor, not as a private citizen, but he doesn't represent her views as a resident.

*Karen Hoffman* indicated she lives on Neild Road. She is alarmed to see the notice of sale of the 113 acres to the CRD. There is no need for Metchosin to "give" the land at such a low price. It is a perfectly good green space as it is now. From the land swap, Metchosin specifically sought a buffer from the development in Langford; this is now working effectively. Regarding the industrial rezoning application, spot rezoning should not take place. She has lived here since 1980 and spot rezoning has always been frowned upon. There should be an OCP review to better determine if we need industrial or light industrial development and where this should go.

*Gail Delzell* stated her appreciation for Mayor Ranns' comments about vaccination and the need for compassion. There's a need to support those who are afraid to speak up. Compassion is needed. People need to be able to refuse the shot. Mentioned the impacts she has had from her vaccinations. So much is unknown about this virus. She agreed that the proposed industrial park should only be considered following an OCP review. She is not in favour of it as it now stands.

*Pattie Whitehouse* responded to the comments about the CRD sale of the buffer land, indicating that she was not speaking for or against. However, she can't see how the green values of the buffer lands will be compromised if it becomes a CRD park, rather

than a Metchosin park. She noted that if there is an agreement to turn these lands over to the CRD, this could save Metchosin money to develop more trails/parkland.

*Jeanie Gilbert* indicated she lives in the Neild Road area. She is opposed to the sale of the buffer land to the CRD. She fully supports protecting the wildlife and general environment, particularly with the loss of natural environment with the development of the Langford land. Noted that there was an abundance of wildlife that have moved on to their land because of how much area had been clearcut on the Langford side. She had six bears roaming her property earlier this year and now there are none.

*Mayor Ranns* asked for clarity on the bears on Jeanie's property. He noted that this is the first year that he's seen no sign of bears on his property. Concerned about the absence. Jeanie had seen increased bear presence earlier in the years, but noted the significant decrease this fall.

*Jennifer Burgis* commented on the lease agreement for the Seniors' Association, thanking Council in anticipation of this being passed at this meeting. Jennifer noted that the flu shot clinic would be held on Nov 2 and 3. As of Oct 26, all health care workers in the province now are required to be double vaccinated and those at the clinic will be. Just as the covid vaccination is so important for protection of seniors and the immune-compromised, the flu shot vaccinations are likewise.

*Brent Donaldson* stated that he is opposed to the sale of the buffer lands. Applauded residents who organized a petition against the sale, which has 115 signatures which have been gathered in three days. Most residents who were approached were surprised to learn of the matter or had only read about it in the newspaper. He had not signed the petition as he felt that this should be a matter for Neild Road area residents to express to Council. Commented on his time as Metchosin's Trail Coordinator, recalling an area he had taken Mayor Ranns to view for a possible new trail. Mayor Ranns later heard that the local residents were opposed to that trail, so it didn't happen. He hoped that the same would occur here. Those who are supportive of the area being purchased by the CRD live a long way from the buffer area. Brent responded to Bev Bacon's comments on the Motorcycle Club request for tax exemption status. They had been looking at moving to a "managed forest" zone, as an option for the tax exemption for the 172 acres of forested land. However, that would imply a desire to log the land, which they do not have. He noted that Club members contribute to the community. It is open to the public, but there are rules that need to be followed, similar to what one might have with the Boys and Girls Club property.

*Dave Currie* is a Neild Road resident, who moved to the area around the time the land swap was going on. He came here, like so many have, for the peace and tranquility. He shared his experience of growing up in a small rural community of 5,000 people in Australia. He returned about 15 years ago and has found that the town which was 60 km from Melbourne is now part of that city's urban sprawl. That occurred because development was allowed at the borders of the community. This seems to be what's happening with the sale of the buffer land to the CRD. If we allow the borders to be

compromised we will lose so much, both for ourselves and our children. He asked about the decision-making process that had gone into the proposed sale of the buffer lands to the CRD, noting that residents would appreciate learning how the District got to this point.

*Bev Bacon* stated that a further idea occurred to her about the Motorcycle Club on hearing Brent Donaldson's comments. Bev felt that her earlier comments might have been based on some misunderstanding. She asked if the Club would allow for an emergency access road from Neild Road, this would be something of value for the larger community. Asked if the Club would consider a covenant on the land.

*Mayor Ranns* further commented on why the Club did not want to have the land designated as a "managed forest," since this might imply future logging.

*Rebecca* [last name not stated] identified herself as a resident of the Neild Road area. They had recently drilled a well on Neild Road. After 90 days of well use, the well stopped producing. They checked with the drilling company, which had never encountered this situation. She has serious concerns about the Centre Mountain Business Park being able to tap into groundwater from aquifer 606. Their well was actually an artesian well (i.e. flows under natural pressure), so they had good supply. And then supply completely stopped. Noted the amount of blasting occurring in the area. She is opposed to the sale of the 113-acres to the CRD.

*Mayor Ranns* commented that this is the first situation with wells on Neild Road that he has heard of. Stated that they would look into the situation. Well users in the Neild Road area should contact the District if a similar situation occurs.

Public participation ended at approx. 7:50pm

### **3. Adoption and Receipt the Minutes**

Council meetings of Sept. 20, Oct. 7, Oct 12  
Finance and Environment: Sept 20 and Oct 18  
Planning: Sept 20 and Oct 18  
Parks: Sept 20 and Oct 18  
Public Works: Sept 20 and Oct 18

### **4. Mayor's report**

The Mayor provided a rise and report related to Metchosin's [Board of Variance](#). Hugh Statham was resigning from the board. Three new appointments to the Board are Johnny Carline, Gary Smirfitt and Lee Johnson.

Mayor Ranns outlined recent meetings held with Telus and Rogers about bringing cell phone service to areas where there is none. A new tower is expected to be installed on Beecher Bay property, on Garibaldi Hill. Telus and Rogers will both co-locate on that tower. Should occur by June 2022. The coverage maps indicate that the new tower will

solve most of the coverage issues residents have experienced. The exception will be the Matheson Lake area, which is shielded by the rock face. There is also discussion about a new tower in the Albert Head area. There are some Federal government considerations here, so this will take more time, but service will be coming and should address poor coverage in that area.

Mayor Ranns noted that Councillor MacKinnon and co-author Kem Luther have recently hit #1 on the bestselling book list in BC with their [Mushrooms in BC](#). [Want a copy? Sorry. The book is now on back order awaiting a second print run].

Mayor Ranns also noted recent kudos for Councillor Kahakauwila's company, LA Limousines, which helped out with transportation of the people involved in the container ship fire in recent days. Councillor Kahakauwila helped coordinate the transportation and feeding of those involved.

## 7. Business Arising

### a) Public Works Committee Recommendations (Sept 20, 2021)

*Metchosin Arts and Cultural Centre Association.*

Council instructed staff to bring forward a head lease agreement that would commence on January 1, 2022. Carried.

### b) Planning Committee Recommendations (October 18, 2021)

*November 2007 council resolution*

Councillor Kahakauwila put forward the following resolution for discussion and vote, noting that Council had received a legal opinion on the following resolution:

“Whereas Council has previously resolved that applications for rezoning light industrial or industrial use should not be approved unless there is sufficient public direction through a future Official Community Plan Review,

And Whereas Section 460, subsection 2 of the *Local Government Act* requires that Council consider every application for an amendment to the Official Community Plan or zoning bylaw,

Council confirms its view that applications for rezoning for light industrial or industrial use should not be approved before completion of a future Official Community Plan review, unless the nature of the application is such that an exception should be made.”

Councillor Kahakauwila explained that because Metchosin has an Official Community Plan, BC's *Local Government Act* (section cited in the resolution) requires that it must provide a process for the OCP to be amended and further that it must consider any application for rezoning that is brought to Council. Council can approve or deny these

applications, but they must, per the *Act*, consider them. This resolution helps clarify that situation. She was happy to bring this forward. Carried.

*Development Permit Application – 4492 Happy Valley Road (My-Chosen Café)*

That Council approve the Development permit to allow for exterior renovations and to permit 65 parking spaces instead of the required 68. Carried.

*West Shore Parks and Recreation - \$500 honorarium for Childcare Centre Art project*

This amount will be paid to a successfully selected local artist for time and material for the piece of art created at the Centre. Carried.

c) Parks Committee Recommendations (Oct 18)

*Moralea's Meadow Sign*

Request for Council to approve the sign as presented. Carried.

*Metchosin Roadside Trail*

That Council direct the Parks and Trails Committee to investigate the potential for a roadside trail on William Head Road between Taylor Road and the Village core. Considerations to include timeline, costing, consultation with staff and Public Works. Carried.

d) Public Works Committee Recommendations (Oct 18)

*Metchosin School Repairs – Reallocated Money*

Council requested to approve the use and retention of \$42,758 of capital funds for the on-going repairs and projects at the school. Carried.

## **8. Reports for Action**

Metchosin Seniors' Association Community Services Agreement Renewal: that Council approve an agreement with the Association for a four year term (Jan 1, 2022 to Dec 31, 2025). Carried.

## **9. Reports for Information**

- a) District Communication Report, Sept 2021
- b) Building Inspection Report, Sept 2021
- c) Bylaw and Animal Care Services Report, Sept 2021
- d) West Shore RCMP Quarterly Report, Sept 2021

## **10. Correspondence (none indicated)**

## **11. Bylaws**

a) Heritage Tax Exemption Bylaw 2021, No. 671 and b) General Tax Exemption Bylaw. These bylaws, considered annually, granted tax exemptions for 2022 to the following organizations: St. Mary's Anglican Church, Metchosin Hall Society, SPCA (Wild Arc), Camp Thunderbird, and the Victoria Motorcycle Club (new in 2022).

Councillor Kahakauwila noted that a Special Planning Committee Meeting would be held on Tuesday, October 26, which would be the bylaw enforcement policy workshop. [The APRM did attend this meeting and will have notes on the meeting forthcoming].

## **12. Other Business (none indicated)**

## **13. Question Period**

*Pattie Whitehouse* noted that Mayor Ranns, quite some time ago, was “cautiously optimistic” with progress in terms of the Mary Hill negotiations. Is there an update the Mayor can provide?

*Mayor Ranns* indicated that a Mary Hill steering committee meeting had taken place earlier today. These meetings are held *in camera* so he was very limited in what comments he could make. He said that more information was coming “not too long from now,” at least on the process now underway. Indicated that the process is continuing in good spirit and cooperation among the parties.

*Nicole Shukin* thanked Council for passing the resolution. She asked for further clarification about the change in language from the 2007 resolution, particularly why there was an exception included in the resolution. She thought that it said that Council must consider every application, unless there is clarity that an exception should be made.

*Councillor Kahakauwila* re-read the resolution. She explained *Local Government Act* requirements for communities that have OCPs and Land Use Bylaws. Regarding the resolution passed in 2007, she believed that there might have been some legal issues with the wording used and that it likely should not have been passed; it was not reviewed by a lawyer at the time. They were trying to avoid issues with how this resolution was written, but still keeping in the general spirit of that resolution.

*Gail Delzell* asked about future meetings of the Committees and Council. Will these be moved to different weeks so we don't have such long meetings?

*Mayor Ranns* explained that the recent meetings were due to the summer schedule to avoid too many meetings. The other reason was that meetings had to be compressed to address provincial regulations. His intention is to not have the split between Council and Committee meetings.

*Bev Bacon* asked for clarity on the industrial/light industrial resolution Council passed. The allowance for “exceptions” seems to be saying that we will say no to industrial development unless we can say yes. She wished that Council would have passed something more definitive.



*Mayor Ranns* stated that the resolution was the best Council could do given the legal opinion they'd received earlier. *Councillor Kahakauwila* explained the situation again with the OCP and the *Local Government Act*. However, the resolution does indicate that Metchosin is not looking for new applications to come forward. If they come forward these must be considered.

*Chris Moehr* asked further about Mary Hill. She mentioned attending the Metchosin Foundation's Annual General Meeting, where she asked about the timing of learning more about Mary Hill. The response was that it might be years away. Asked what the Mayor's understanding was.

*Mayor Ranns* asked for clarification on the question: was she asking about the timing for Mary Hill to become an Indigenous Protected Area? Mayor Ranns indicated that there are "many moving parts" to this situation: Treaty Settlement, for example, which has to be approved by Beecher Bay. It will take more time; certainly not in this current Council's term.

*Nicole Shukin* asked who is representing Metchosin in the discussions around Mary Hill. Were they appointed by Council?

*Mayor Ranns* indicated that they were appointed by Council, and include himself, Councillor MacKinnon and CAO Lisa Urlacher. Nicole then asked if members of the Metchosin Foundation are part of the steering committee. "Indirectly," answered *Mayor Ranns*. CAO Urlacher then noted that the names of the individual members of the steering committee are confidential. The CAO indicated that steering committee members include Metchosin, Beecher Bay, Habitat Acquisition Trust (HAT) and Pearson College.

*Wendy Mitchell* congratulated Council on doing "some of the right things." Noted an earlier comment from Dave (Neild Rd resident) about "the process," which is what she was trying to raise in terms of the Witty Beach stairs and Sea Bluff Trail. Knowing what the process of decision making may have been is vital, and it's particularly important related to the 113-acre buffer zone, and the proposed sale. As well as the Mary Hill process. She urged Council to be more open.

The meeting adjourned at 8:15pm.

These Council notes were brought to you by the [Association for the Protection of Rural Metchosin](#).