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**Minutes of a Meeting of the Planning, Transportation and Protective Services Committee
Held November 28, 2012, and continued on December 5, 2012,
in the Board Room, 625 Fisgard St., Victoria, BC**

Present: Directors: J. Ranns (Chair), V. Derman (Vice Chair), M. Alto, J. Brownoff, A. Bryson, C. Coleman (for D. Fortin), T. Daly, C. Hamilton, G. Hill, M. Loveless (for L. Cross), L. Seaton (for D. Blackwell), G. Young (Board Chair, ex officio)
Staff: R. Lapham, General Manager, Planning & Protective Services; M. Misek-Evans, Senior Manager, Regional and Strategic Planning; S. Santarossa, Corporate Officer; N. More, Committee Clerk (recorder)

Absent:

The meeting was called to order at 1:30 pm

1. Approval of Agenda

MOVED by Director Alto, **SECONDED** by Alternate Director Coleman,
That the two late submissions to the delegates list be accepted.

CARRIED
Unanimous

MOVED by Director Bryson, **SECONDED** by Director Alto,
That the agenda be approved as amended to include the supplementary agenda.

CARRIED

2. Adoption of Minutes

By consensus, this item will be presented at a future meeting.

3. Chair's Remarks: The meeting will continue at 9:30 am on Wednesday, December 5, to deal with agenda items not dealt with by adjournment at 4 p.m. The order of speakers was modified so that item 5 was addressed before speakers addressing item 6. The Chair informed those present that immuno-contraceptives for deer were not included in the deer management strategy since it is not permitted in Canada.

4. Presentations/Delegations:

- 1) Mae DiCatri, re Agenda Item 5: spoke against having her tax dollars spent on any aspect of the deer management strategy, especially a cull, and felt deer ought to be more tolerated.
- 2) Edith Roslee, re Item 5: expressed criticism of the process of the Citizens Advisory Group (CAG). She felt it had not been neutral.*¹
- 3) Nabhraj Spogliarich, re Item 5: expressed criticism of the process of the CAG. He felt it had not been neutral and that human concerns had been considered above concerns for deer, and a deer cull would be a drastic action with negative effects on the community. He submitted a petition with 1630 signatures against a deer cull, and the petition is on file in Regional and Strategic Planning.*

¹ * A written submission was provided by the delegation and filed in Legislative Services.

- 4) Marion Cumming, re Agenda Item 5: spoke against a deer cull and in favour of other solutions, such as fencing, wildlife corridors, dogs, incentives to live with deer, and deer resistant plants. She expressed agreement with the advisory report that deer crossings need to be signed. She felt a pilot project with a deer contraceptive vaccine would be useful.*
- 5) Val Boswell, re Item 5: spoke in favour of preserving existing wildlife corridors and greenspace when considering land development planning.
- 6) Tony Rose, re Item 5: spoke against any consideration of using guns or other lethal methods of controlling the deer population. He felt the majority of the community is against a cull. He felt the number of deer were declining and were not dangerous. He spoke in favour of promoting education about deer.
- 7) Sandy Argue, Family Gardeners on Lockehaven Drive, re Item 5: spoke of experiencing conflicts with deer in spite of fencing and other behavior modification methods. He expressed that the number of conflicts with deer, including collisions between deer and vehicles, indicated the population is out of control and that deer density should be reduced in order for plants to recover. He felt fencing and behavior modification merely displaced the deer from one property to another and was ineffective. He expressed support for a deer cull and felt that to delay was to deny the extent of the problem.*
- 8) Dawn Sutherland, Victoria Master Gardener Association re item 5: spoke in favour of reducing the deer population. She expressed that the Victoria Master Gardener Association (VMGA) were queried about deer as pests to food gardens more than any other issue, the urban/suburban deer population has increased to the detriment of crops and trees and that attempts to exclude deer or reduce damage was expensive, had only limited success, and some had their own negatives, such as some deer resistant plants being invasive species. She felt there was wide support for measures to reduce the deer population including a cull. She indicated the VGMA supports the Capital Regional District (CRD) in working with provincial authorities to implement an effective, realistic, affordable, regional solution to the increasing problems in deer/human conflict.
- 9) Bill Hartenberger, re item 5: spoke as a consultant with experience in protecting gardens and farm crops from deer. He gave a presentation illustrating deer management from collecting data, assessing damage to plants and crops by deer, to non-lethal and lethal methods of removing deer from the scene.*
- 10) Robert Maxwell, Peninsula Agricultural Commission, re Agenda Item 5: spoke in favour of the deer management strategy on behalf of the Peninsula Agricultural Commission and asked the Committee to accept and approve the report and help protect local crops.*
- 11) Dale Lovell, re item 5: spoke against the deer management strategy. He felt the voice that was missing from the document was that of animal welfare supporters. He spoke of problems with domestic animals running loose and forming packs that had been solved in the past by working together on municipal regulations from an animal welfare perspective. He expressed that it should be considered that deer have a place here. He felt that hazing, capture and relocate methods could work in urban/suburban settings but not in rural areas. He spoke of tolerable deer activity

when deer emerge from and return to parkland but of human/deer conflict when the animals are trapped separate from parkland by land development projects. He felt that pressure on senior government could bring about a change in regulations so that immuno-contraceptives could be used on deer in the future.

- 12) Lynn Morton, residential landscape designer, re item 5: spoke in favour of the deer management strategy. He described the many problems faced by gardeners and nurseries when deer are allowed to proliferate, as well as health concerns from deer excrement, ticks and diseases. He felt the deer population had to be nullified before the problems become worse.*
- 13) Susan Vickery, agenda item 5: introduced herself as a founding member of an animal rights group and the owner of a wildlife damage control company. She spoke in favour of non-lethal methods of deer management, especially education involving practical applications and embedded learning.
- 14) Dave Shishkoff, agenda item 5: introduced himself as the Canadian correspondent of Friends of Animals and spoke against lethal methods of deer management. He expressed that other deer would simply move in to replace deer that had been killed and that as long as there is an abundance of food, deer will continue to move in, and more fawns will be born. He spoke in favour of utilizing science and taking example from other communities to find peaceful solutions for living with deer.
- 15) Gary Lunn, SanPen Properties, re agenda item 6: spoke as applicant for the development and in favour of the recommendation. He expressed that there is a demand for the proposed homes, the development is close to services, and the councils of North Saanich and Sidney have been supportive.
- 16) Jim Hartshorne, SanPen Properties, re agenda item 6: spoke in favour of the recommendation, and expressed that the proposed development falls within the guidelines of the Regional Growth Strategy (RGS).
- 17) John Juricic, Executive Director, Sidney / North Saanich Industrial Group, re item 6: spoke in favour of the recommendation and expressed the social, economic and environmental need for workforce housing in the area.
- 18) Heather Gartshore, agenda item 6: felt that the application could be the start of a development rush contrary to growth targets in the Official Community Plan (OCP) and that the District of North Saanich ought to hold a community consultation on the proposed development.*
- 19) Geoff Orr, agenda item 6: spoke of OCP and RGS growth targets, the challenge presented by the North Saanich OCP in relation to rural limits and urban planning, due legislative process and Committee involvement in subsequent North Saanich development applications with similar OCP challenges. He requested that the Committee give careful consideration to the wording of the final motion.*

5. Regional Deer Management Strategy Results of Inter-Jurisdictional Partners Meeting

M. Misek-Evans spoke to the report. Within the CAG recommendations were categories of options which require different levels of decision-making for the next steps to occur.

The Committee discussed whether to send the report and recommendations to the municipalities directly or to the CRD Board first. They discussed the role of the Committee and the role of the CRD Board in approaching municipalities.

On the motion, the Committee discussed the effect of time limitations on the work of the CAG and the need for more information, including the following topics:

- case studies from other communities
- a coordination role for the CRD and an established structure
- a cohesive and consistent approach for the region that distinguishes between urban and rural issues and methods

The Committee discussed the time sensitivity of the issue in regard to the upcoming crop year and directed staff to provide a focused staff report to the Board, including the following points:

- Identify specific recommendations that the CRD could undertake.
- Discuss the implications for the work scope already undertaken and whether the work could be put out to other parties.
- Summarize the information on relevant municipal regulations already in place.
- Distill the rural and urban information into actions.

The Committee discussed prioritizing the agricultural issues.

MOVED by Director Young, **SECONDED** by Director Bryson,
That the Planning, Transportation and Protective Services Committee receive Report No PPS/RP 2012-29 "Regional Deer Management Strategy Results of Inter-Jurisdictional Partners Meeting" for information and an administrative report be advanced to the Capital Regional District Board, recommending that the CAG recommendations and this report be referred to municipal councils for their consideration and feedback to the Board.

CARRIED

6. District of North Saanich Official Community Plan (OCP) Amendment: Proposed OCP Amendment Bylaw No.1303 – New Small Lot Land Use Designation – 9395 East Saanich Road Proposal

R. Lapham spoke to the report and noted that the District of North Saanich Council requested that the proposal be considered on its own merits, not in light of other applications. The proposed development is within the growth limits of the RGS and future applications that challenge the OCP can be resolved through an amendment to the growth management planning framework of the RGS.

MOVED by Director Daly, **SECONDED** by Alternate Director Loveless,
That the Planning, Transportation and Protective Services Committee recommend to the Capital Regional District Board:
That the referred development proposal and correspondence described in Report Nos. PPS/RP 2012-27 and 2012-30 be reviewed and the Regional Context Statement (RCS) be accepted as amended, with noted inconsistencies to be addressed through an amendment to the Regional Growth Strategy to revise its growth management planning framework.

Director Daly discussed the merits of the proposal in light of the RGS and the Forum of Council discussion on flexibility in the RGS and RSS and achieving complete communities. He spoke of the housing needs assessment and strategy adopted by the North Saanich Council in 2008, and the following points:

- a current project to identify specific actions to achieve the objectives identified in the housing assessment and provide community consultation has been initiated and a consultant hired to carry it out
- the RGS process will be followed as needed

The Committee discussed the RGS and OCP amendment process, including community consultation on OCP amendments, revisions to regional context statements, and the appropriate time in the process for CRD Committee and Board involvement.

MOVED by Director Derman, **SECONDED** by Alternate Director Loveless,
That consideration of the main motion be postponed until the December 5, 2012 meeting.

CARRIED

MOVED by Director Hill, **SECONDED** by Alternate Director Coleman,

That the remaining items on the agenda be continued on December 5, 2012, and the Committee adjourn at 3:57 pm until that time.

CARRIED

The meeting reconvened on December 5, 2012, at 9:30 a.m.

Present Dec. 5: Directors: J. Ranns (Chair), V. Derman (Vice Chair), D. Blackwell, A. Bryson, C. Coleman (for M. Alto), J. Cullington (for C. Hamilton), T. Daly, D. Fortin (9:36 am), G. Hill, M. Loveless (for L. Cross), G. Young (Board Chair, ex officio)

Staff: K. Daniels, Chief Administrative Officer, R. Lapham, General Manager, Planning & Protective Services; M. Misek-Evans, Senior Manager, Regional and Strategic Planning; M. Rachwalski, Senior Manager, Health and Capital Planning Strategies; T. Whiting, Senior Manager, Protective Services; S. Santarossa, Corporate Officer; N. More, Committee Clerk (recorder)

Absent: J. Brownoff

6. District of North Saanich Official Community Plan (OCP) Amendment: Proposed OCP Amendment Bylaw No.1303 – New Small Lot Land Use Designation – 9395 East Saanich Road Proposal

Director Fortin arrived at 9:36 am.

Director Daly read aloud the motion that had been postponed from the last meeting and gave the context of the North Saanich OCP in relation to the proposed development. He discussed the following points:

- North Saanich understands the OCP and RCS may need changes
- The current application is a one-time occurrence
- It is well within the OCP

While the Committee discussed the merits of the application and the recommendation from staff, they also discussed ways in which the amendment request departed from the typical process; for example, the role of the Committee in managing the RGS as opposed to hearing individual applications, community consultation and the relationship between an OCP, RCS and the RGS when community needs evolve.

The Committee reflected on the establishment of the RGS in 2003, including the following information:

- purpose was to identify the direction of growth and development around the region
- defined locally by municipalities using OCP as the starting point
- monitoring and measuring of success of urban infill demonstrated that stronger policy directions are now required to define areas of densification, especially in balancing transportation, economic growth or other regional interests
- in the review of the RGS, indications are that municipalities are reworking their definitions consistent with the RGS, with increased densification and greater awareness of transportation systems
- Staff anticipate amendments to the RGS through OCP amendments from the peninsula municipalities in relation to planning frameworks for urban growth

The Committee discussed refinements to the RGS as opposed to retreats from its goals and objectives, and concern for directing growth in a way that avoids urban sprawl. Discussion points included the following:

- This item is being processed as an exception to the rule and should not set a precedent
- The issue of balancing regional and municipal planning discussed here can inform the Regional Sustainability Strategy development process

The question was called on the motion, which had been moved and seconded on November 28, 2012, as follows:

MOVED by Director Daly, **SECONDED** by Alternate Director Loveless,

That the Planning, Transportation and Protective Services committee recommend to the Capital Regional District Board:

That the referred development proposal and correspondence described in Report Nos. PPS/RP 2012-27 and 2012-30 be reviewed and the Regional Context Statement be accepted as amended, with noted inconsistencies to be addressed through an amendment to the Regional Growth Strategy to revise its growth management planning framework.

CARRIED

The Committee directed staff to keep them informed on the progress of North Saanich planning framework changes.

7. Capital Regional District Origin Destination Household Travel Surveys

R. Lapham spoke to the report as a follow-up to when the results were first presented to the Committee. The report informs the Committee on how the information is integrated into transportation planning, the transportation model, and how the information is used for various purposes.

MOVED by Director Hill, **SECONDED** by Alternate Director Coleman,
That the Planning, Transportation & Protective Services Committee receive report PPS/RP
2012-31 "Capital Regional District Origin Destination Household Travel Surveys" for
information.

CARRIED

8. 2012 Regional Bicycle Counts

R. Lapham spoke to the report as keeping the Committee informed of the work being done
to maintain bicycle counts in the region. The information is important to transportation
planning in the region and municipalities.

On the motion, the Committee discussed bicycles as a mode of travel and three factors in
terms of infrastructure: connectivity, proximity, and directness of routes.

MOVED by Director Bryson, **SECONDED** by Alternate Director Cullington,
That the Planning, Transportation and Protective Services Committee receive this report
for information.

CARRIED

**9. Royal Roads University Project: Considerations for Engagement for the Regional
Pedestrian and Cycling Masterplan**

R. Lapham spoke to the report and indicated that the masterplan endeavors to set out
criteria to make future investment decisions on connectivity and mobility hubs.

MOVED by Director Fortin, **SECONDED** by Director Blackwell,
That the Planning, Transportation and Protective Services Committee receive this report
for information, and that a letter of appreciation be sent to the Royal Roads University
instructors and team members.

CARRIED

**10. Implications of Provincial Tanning Regulations on Capital Regional District Tanning
Bylaw**

R. Lapham spoke to the report as a status report on implications for the CRD tanning bylaw
in light of the subsequent province-wide regulations on commercial tanning beds.
Recommendations will come forward early in 2013 on whether the CRD bylaw should be
repealed entirely or if certain aspects may need to remain in place.

MOVED by Director Hill, **SECONDED** by Director Blackwell,
That the Planning, Transportation and Protective Services Committee receive the report for
information.

CARRIED

11. Expanding the Parameters of the Clean Air Bylaw

R. Lapham spoke to the report as a status report on examining potential amendments to
the CRD Clean Air Bylaw in response to requests from Sidney and Victoria councils and a

recent suggestion from the Vancouver Island Health Authority Chief Medical Health Officer (CMHO). The potential amendments were in regard to a smoking ban on beaches, parks, playgrounds and sports fields, and an increased buffer zone. As well, a report is awaited from the office of the CMHO on non-tobacco hookah/water pipes. Staff will deliver a comprehensive report to the Committee in the spring of 2013.

The Committee discussed the request from the City of Victoria for the CRD to develop a model bylaw for municipalities to manage smoking in public areas, taking into account clean air, litter, and the scope of municipal authority.

MOVED by Director Fortin, **SECONDED** by Director Hill,
That the Planning, Transportation and Protective Services Committee receive this report for information.

CARRIED

12. Division Plans Review

R. Lapham spoke to the report. He highlighted aspects of the division service delivery and program plans within the business plan for Planning and Protective Services and indicated that the full budgets would come before the Committee of the Whole in January.

The Committee examined the division plan and discussed Emergency Management in light of preparedness, communication, response and roles, and upcoming activities in transportation and wildlife management. The Committee discussed the alignment of business, financial and strategic plans reflected by the division plan.

MOVED by Director Fortin, **SECONDED** by Director Bryson,
That the Planning, Transportation and Protective Services Committee receive this report for information.

CARRIED

13. Motion for which Notice has been given

The Committee briefly reviewed the past discussion that had led to the notice of motion.

MOVED by Director Blackwell, **SECONDED** by Director Fortin,
That the Planning, Transportation and Protective Services Committee recommend to the Capital Regional District Board:

That a letter be written under signature of the Chair to the Minister of Community, Sport and Cultural Development requesting the establishment of a Regional Growth land use dispute resolution mechanism for the Juan de Fuca Electoral Area and the Capital Regional District that is similar to the one presently in use between municipalities and the Capital Regional District.

The Committee discussed the potential to change the current mechanism, which includes adjudication by the provincial government; that the Electoral Area is part of the CRD rather than a separate jurisdiction, and the opportunity to build a resolution process in the RSS.

The Committee directed staff to produce a staff report on the topic, including jurisdictional challenges, case studies and RSS issues.

MOVED by Director Fortin, **SECONDED** by Director Blackwell,
That the main motion be referred to staff and postponed to a future meeting pending a staff
report and Director Hicks be invited to attend the meeting.

CARRIED

14. Adjournment

MOVED by Director Bryson, **SECONDED** by Director Hill,
That the meeting be adjourned at 11: 28 am.

CARRIED

CHAIR

COMMITTEE CLERK