

M. Ross, McAnally Road, stated:

- It is a fundamental expectation of government to deliver fairness; the EDPA does not meet this standard.
- The David Suzuki Foundation outlines that the cost and burden of the preservation of native species be borne jointly by the community; in Saanich, 4% of residents bear the cost and burden of the EDPA.
- If Saanich needs the EDPA, it should have to pay for it.

C. Phillips, Gordon Head Road, stated:

- The EDPA has negatively affected property values; staff have an inappropriate amount of authority.
- Incorrect mapping has resulted in homes, decks and gardens being included in the EDPA; mapping based on aerial photos that are over 25 years old overrules and overrides a professional biologist report.
- Hiring a consultant, that reports to staff, to complete the work, is concerning; other concerns include lack of stakeholder consultation, improper service of notices to property owners, insufficient public notices, the bylaw not based on science or properties not ground-truthed, implementation resulting in forced covenants, lack of transparency and loss of enjoyment and use of properties for owners.
- The EDPA excludes Saanich parks; staff have refused to remove properties from the EDPA even with a registered biologist's report.
- The EDPA opens the municipality up to lawsuits and discourages investment.

C. Phillips, Gordon Head Road, stated:

- There is concern that the pending Noxious Weed Bylaw was not mentioned at the Open Houses; the mapping is incorrect.
- There is support for the protection of the natural environment through voluntary stewardship; staff must not be given discretionary authority to exempt properties from the EDPA.
- Staff have stated that removing single family properties from the EDPA en masse in advance of completion of the review process should not be done without supporting information to make the decision; the EDPA came to be without supporting information.

W. Pugh, Prospect Lake Road, stated:

- It would be difficult to make a decision on next steps based on existing information; a comprehensive review of the bylaw needs to be undertaken.
- Factual information on the impacts of the EDPA on property values is needed; a review of the regional, provincial and federal regulations that may impact the EDPA also needs to be undertaken.
- Analysis of the comments detailed at the Open Houses and evaluation of the applications for removal from the EDPA needs to be completed.
- Until the results are available, the five years of research that went into the EDPA should be respected; Saanich is a leader in environmental stewardship.
- The EDPA protects property owners from making mistakes such as developing an eroding backshore or building in a wetland; it also protects against storm water flooding and loss of tree canopy.

M. Haig-Brown, Meadowbrook Road, stated:

- Of the options in the report of the Director of Planning, Option 2 is favoured.
- The goal of the EDPA is to protect the environment and the areas of highest diversity and to require mitigation and restoration during development, if appropriate.
- Environmentally sensitive areas are not defined by property lines; what residents do on their properties affects adjacent properties.
- The EDPA attempts to look at the whole system; it gives guidance to live thoughtfully.
- More staff time is needed to work out the issues; there is a need for more education for the public on how to live in a respectful manner and how to protect intrinsic values.
- Next steps should include creative ways to help the public learn the reasons for and the benefits of the EDPA.

A. Britton-Foster, Ring Road, stated:

- She has completed a study on EDPA's in other jurisdictions; no other province offers a development permit scheme specifically to address environmental concerns; Saanich's EDPA is one of the most justifiable and comprehensive regimes in the province.
- It is much less burdensome on property owners than EDPA's in other jurisdictions; Saanich has one of the most detailed mapping regimes in the study; other municipalities blanket their jurisdictions with EDPA designations.
- Buffers are a very common measure in all EDPA regimes; having buffer zones is not unique to Saanich.
- Saanich provides a clear list of activities that can be undertaken on properties within the EDPA; it is important to focus the guidelines on connectivity in support of overall ecosystem health rather than discreet environmentally sensitive areas.

G. Grant, Ring Road, stated:

- Her research shows that 35 EDPA regimes have been challenged in court; no EDPA regime has been struck down to date where they are designated on reasonable evidence and with reasonable certainty in the boundaries.
- Guidelines do not need to be precise, so long as they serve as a directing principle; permitting decisions will generally be upheld so long as the guidelines are adhered to.
- Justification for an EDPA will generally be upheld so long as it can reasonably conclude that the natural environment in the area was in need of protection; it is best practice to ensure that the designation is as clear as possible to minimize discretion of officials.
- Guidelines must show an objective and a means of obtaining the objective; guidelines should be sufficiently broad and lacking in precision to give Council the flexibility to exercise its' discretion on a case-by-case basis.
- If a permit application is rejected, Council must provide reasons for rejection.

M. Insley, Cordova Bay Road, stated:

- Saanich Citizens for a Responsible EDPA does not support many of the recommendations in the report of the Director of Planning; taxpayers should not have to bear the cost of getting a biologist's report.
- Reviewing single family properties for exemption on a case-by-case basis is not feasible or administratively fair given the number of residents who want out; the review of the recommendations should not be conducted by internal staff; allowing subjective authority to a single staff member is not appropriate.

- A new program must not only be based on protecting sensitive ecosystems, it must be based on sound science and include better voluntary stewardship support.
- Saanich should consider lifting the EDPA mapping on all single family properties, but retain the EDPA bylaw to apply to new subdivision development while the bylaw is being revised.

B. Insley, Cordova Bay Road, stated:

- Citizens have expressed their disagreement with the report and the way the bylaw was implemented; the process has been frustrating, burdensome and residents have experienced hardship.
- Professional biologist reports are being disregarded; the bylaw has divided the community.
- The bylaw should be repealed and re-developed by independent individuals.

J. Sinclair, McAnally Road, on behalf of G. Morrison, stated:

- Although the ideals of the EDPA may be admirable, the cost and burden to property owners in the mapping zone have been ignored; for a conservation effort to be successful, all parties must be cooperative and it must balance the desires and needs of all participants.
- There is support of the bylaw from owners who want to restrict development; the bylaw is based on flawed information and affects property values.
- Council should hire independent, multi-disciplined professionals to provide evidence-based recommendations; the bylaw should be repealed; it serves as a disincentive to protect threatened species.
- Council is urged to create incentives including grants and subsidies and provide educational outreach to obtain voluntary cooperation.
- Properties should be prioritized based on scientific analysis and verification rather than restricting all land.

E. Dahli, Mt Baker View Road, stated:

- The Cadboro Bay Residents' Association believes that Option 2 could be supportable; there needs to be a transparent and independent review which includes citizen engagement and a rewrite of the bylaw.

G. Tripp, Cordova Bay Road, stated:

- Protection of environmental sensitive areas is supportable; the EDPA should not affect property owners financially.
- Saanich and the school boards will lose money from property taxes; it is not supportable to repudiate professional biologists' reports.
- Saanich needs to maintain its' parks and properties for the enjoyment of all and consider buying the properties that need to be preserved if it conflicts with the owners' purposes/interests.
- Residents should be encouraged and supported for voluntary stewardship on properties; it is appropriate to eliminate single family properties from the bylaw until the review is completed.

B. Morrison, Woodhall Drive, stated:

- The EDPA should ensure that sensitive ecosystems are protected and that taxpayers' property rights are treated fairly and equitably; there needs to be a balance based on science, judgment, and common sense.
- The EDPA is based on flawed science; it is recommended that the EDPA apply only to subdivisions until after the review of the bylaw is completed.

- An independent review of the science used in the EDPA process and creation of the Terms of Reference would be appropriate; staff should provide information only when requested to do so.
- Future resources should be directed towards voluntary stewardship programs and maintenance and restoration of ecosystems in Saanich parks.

A. Wortmann, Phyllis Street, stated:

- The EDPA was created using an outdated mapping system and the interpretations of staff; no scientific evidence or sound ecological criteria was used in creating the bylaw.
- It should not be up to staff to draft bylaws that adversely affect property owners; owners need to maintain property rights and bylaws need to be fair and equitable.
- Public properties were not included in the EDPA; maintenance and restoration of ecosystems in Saanich parks should be included.
- Residents want to protect the natural environment; until experienced, independent, non-academic, professional ecological practitioners can provide Saanich with an objective direction, the EDPA bylaw should be repealed and only apply to subdivision development.
- A voluntary stewardship program for Saanich residents should be supported.

J. Cumming, Woodhaven Terrace stated:

- Options 1 or 2 are preferable; the information presented tonight in relation to the court's ruling in favour of EDPA's is daunting.

J. Culley, Colquitz Avenue, stated:

- Residents should be able to opt out of the EDPA and incentives should be offered for property owners to opt into the EDPA; decisions should be made based on a scientific, independent process.
- Staff should provide administrative support and should not be adjudicating the process; Saanich needs to lead by example and include their properties in the EDPA.

M. Ward, Excelsior Road, stated:

- The report is disappointing; there is a need for an independent, science-based and objective review.
- The bylaw needs to be repealed until a credible foundation can be laid; that means identifying goals and critical environmental features, accurate mapping and then deciding how they may best be protected.
- At present, the bylaw is open to staff interpretation and the wording is too vague; there may be properties that should not be in the EDPA.
- Property owners should not have to apply to be exempted from the EDPA: it should be incumbent on Saanich to justify why a property should be included in the EDPA.

Y. Zanatta, High Street, stated:

- The report is biased, unscientific and the recommendations are based on assumptions.
- The EDPA should be temporarily removed from private properties until scientific justification confirms the need for an EDPA; the bylaw should only apply to subdivision applications until after the review is completed.
- An unbiased, independent, scientific committee should be created that reports to Council and their mandate should be to assess best practices and tools, including voluntary stewardship, education, incentives, compensation

and revisions to the bylaw.

- Many of the properties in the EDPA are based on erroneous mapping; until environmentally significant areas are confirmed on properties, there should not be restrictions.

A. Ross, South Valley Drive, stated:

- The EDPA is supportable; a review of the bylaw is reasonable.
- Single family properties should not be exempted at this time; it is premature and could cause harm to properties.
- Hiring a consultant is preferable to ensure that an arm's length review is undertaken and to ensure that all parties are heard; she is pleased to hear that residents feel the environment is important.
- The EDPA is needed but it is clear that it can be improved; the EDPA bylaw should not be treated differently than any other bylaw which have penalties or fines associated with non-compliance.
- There are restrictions on all properties in relation to zoning; increased taxes may be the price that is paid to enjoy natural areas.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Council take a five minutes recess."

CARRIED

The meeting reconvened at 8:50 p.m.

D. Doore, Mayfair Drive, stated:

- Property values have been affected by the EDPA; the consequences of the bylaw to property owners should be taken into account.
- The EDPA bylaw should be repealed; it does not do what it is supposed to do and is unfair to a small group of property owners.
- Protecting the environment is supportable and protective measures are already in place through other bylaws and through applications for development.

L. Husted, Cyril Owen Place, stated:

- Saanich Action for the Environment (SAFE) supports stewardship and the protection of sensitive ecosystems through the EDPA; prior to the EDPA, there were no tools to address ecosystems fragmentation associated with building and subdivision.
- Council should support all three recommendations; there is information outstanding, including the feedback received from Open Houses, individuals and through correspondence.
- Hiring an independent, third-party consultant is supportable; single family properties should not be exempted en masse; hardship cases can be heard on a case-by-case basis.
- There is a need to work more closely with land owners; improvements to the bylaw could include: having more clearly defined permitted and non-permitted activities, improvement of the EDPA atlas, development of education and communication initiatives, public lands being held to the same standards as private land, and inclusion of an appeal and dispute resolution process.

E. Higgs, Maywood Road, stated:

- SAFE's recommendation of Option 2 is supportable; it is critically important to hear and address the legitimate hardships experienced by Saanich residents.
- The value and purpose of buffers needs to be addressed; an independent ecological advisory committee may be needed.
- Better tracking and reporting on the state of the environment is needed to show progress; if Garry oak restoration does not keep pace with development, there will be a net loss to the ecosystems that define the natural environment.

M. Beauchamp, San Marino Crescent, stated:

- Option 2 is supportable; single family properties should not be exempted at this time.
- Staff have not had time to review or analyze the feedback from the Town Hall meetings and Open Houses; residents that attended the Town Hall meetings may not be representative of the opinion of all Saanich residents.
- Environmental values will be strengthened as the process moves forward; a voluntary stewardship program, Pulling Together, is already in place in Saanich.
- The eradication of invasive species is a problem because of a shortage of volunteers; residents need to recognize that removing invasive species means regular maintenance on properties.

K. Cuddihy, Tudor Ave, stated:

- The Saanich Citizens for a Responsible EDPA believes an independent review is needed.

T. Lea, Cedarglen Road, stated:

- The Saanich Citizens for a Responsible EDPA believes that properties should be temporarily removed from the EDPA based on erroneous mapping; until environmentally sensitive areas are confirmed on properties, there should not be restrictions.
- Many properties in the EDPA have not had sensitive ecosystems on them for many years; good inventory is needed for a good EDPA.
- Mapping efforts should include ground-truthing Environmentally Sensitive Areas (ESAs) and confirming boundaries; staff have stated that they have not ground-truthed.
- No other municipality protects lawns and gardens under Garry oaks trees; there has been no assessment if voluntary tools would be more successful in protecting sensitive ecosystems.
- Tools are available to conserve biodiversity, including stewardship, voluntary covenants, education, outreach, and a revised EDPA bylaw with careful implementation.
- Saanich needs to lead in the protection, maintenance and restoration of ESAs on public lands and needs to set an example for all residents.
- The bylaw should be repealed until all the tools are assessed; property owners need to be part of the solution.

V. White, on behalf of N. Webb, Rainbow Street, stated:

- After spending money to have a professional biologist prepare a report stating there are no native species on their property, staff have concurred; the property owner requested that the property be removed from the EDPA.
- The bylaw should be repealed or Option 2 be considered.

E. Lyons, Portage Road, stated:

- The Saanich Citizens for a Responsible EDPA recommendations are supportable; the mapping used is out of date.
- Ground-truthing should be considered to establish where sensitive ecosystems are located; the criteria for establishing the buffer zones is too vague and leaves the decision making to one staff member.
- There does not seem to be a defined or defensible protocol on how decisions are being made; the bylaw should be retained, but only applied to subdivision developments until after the review is completed.
- A consultant should be hired to complete the review of the bylaw and an independent scientific committee should be tasked with assessing the science of the EDPA; Saanich should provide funding for maintenance and restoration.

P. Haddon, James Heights, stated:

- We are richer as a community when we participate in a consultative process; a process must be developed to deal with grievances and hardship.
- It is important to continue to engage with the community; experts should be brought to meetings in order to improve the EDPA bylaw.
- Saanich needs to equip residents with guidance and expertise which will drive social acceptance of the EDPA.

K. Harper, Bonair Place, stated:

- Option 2 is preferable as long as single family properties are exempted; if not, single family property owners should not be charged for biologist reports.
- Residents care about the environment; the survey was not designed to get balanced feedback; there was no opportunity on the survey to provide criticism on the EDPA.
- Feedback received from the Town Hall meetings should be considered; Saanich should do the right thing.
- Spending money on legal action against residents in relation to the EDPA is not appropriate.

H. Charania, on behalf of North Quadra Community Association, stated:

- The Association supports the bylaw but recommends minor amendments.
- Experience suggests there are no absolute property rights; properties are affected by current and future bylaws and legislation, which impose restrictions and have penalties associated with non-compliance.
- Recently the Board of Variance has received applications for variances for homes in the EDPA; all applications have received fair evaluations and variances were granted.
- Clarity and education is needed; voluntary stewardship will enhance protection of the natural environment; these measures should be in addition to the EDPA.
- The Association recommends current homes not be included in the EDPA, Saanich should pay for environmental assessments, disputes should be reviewed by independent consultants, mapping should be adjusted and there should be a periodic review of the EDPA.
- Education in relation to the intent of the bylaw and clarity of definitions are needed; voluntary stewardship should be encouraged and rewarded.
- Option 2 is preferable.

I. Clarkson, Kingsberry Crescent, stated:

- Stewardship should be encouraged by providing positive incentives; residents should be educated on how they can better protect our public areas.
- Saanich should include its' parks in the EDPA or give adjacent residents a 15 meter buffer area.

P. Foreman, Parker Avenue, stated:

- The current mapping is unprofessional; it is unclear what can be done on your own property and whether or not permits are required.
- The EDPA is supposed to protect sensitive ecosystems worthy of conservation; the current EDPA, as it applies to existing previously developed properties, is overkill.
- It would be appreciated if environmental requirements were defined through bylaws.

P. Bishop, Doncaster Drive, stated:

- Saanich and the Pulling Together Program is to be applauded for its work removing invasive species; the mapping in the EDPA is not accurate and bylaws are not being enforced.
- Saanich parks should be included in the EDPA; Option 2 is supportable.

P. Diggle, Old West Saanich Road, stated:

- The science in the EDPA is faulty; the designations are based on 1990's aerial photography.
- Ecosystems are not static and are subject to change as plants and trees grow and die; putting a fence around an area will not ensure that the area does not change over time.
- Garry oak trees are not endangered; there is an absence of the priority of the plight of the Pacific Dogwood.
- An open and consultative process needs to be carried out and include feedback from property owners; the bylaw should be repealed and a total revisit be undertaken by an independent, scientific, non-academic committee reporting directly to Mayor and Council.

C. Thomas, Prospect Lake Road, stated:

- Grievances of residents need to be addressed; the EDPA is a voice for the environment.
- Residents feel that they have been singled out and the EDPA is effecting their property values; there has been a concerted effort to have the EDPA repealed and made ineffective.
- Public consultation should be used to build a bylaw that works; it is important not to burden property owners.
- Single family properties should not be removed en masse from the EDPA before conclusion of the review process; option 2 is supportable.

J. Cullington, on behalf of Ecology, Community and Science (ECOS), stated:

- Balance is needed in protecting sensitive ecosystems versus the desires of the community-at-large.
- What is missing is good science; engagement should bring science to the community based on sound information; Saanich is a leader.

J. Gye, on behalf of ECOS, stated:

- In a desire to improve the bylaw, there is a need to understand what the broader policy framework is and the assumptions about the nature of ecosystems.
- ECOS would engage affected stakeholders, evaluate the policy rationale for the EDPA bylaw and review the scientific, technical, financial and social assumptions on which the bylaw is currently based.

P. Lucey, on behalf of ECOS, stated:

- Riparian areas are one of the most important ecosystems and are in serious trouble globally; successful management of resources is needed to provide a common vision for productive and sustainable landscapes.
- A collaborative approach could go a long way in developing processes and addressing concerns; restoration will only occur with the integration of ecological, economic and social factors and the participation of affected residents.
- Goals are to create awareness, understanding of and interest in the EDPA and invite participation, provide tools to develop solutions, and ensure consistency and effectiveness through activities focused on program management.
- The EDPA is supportable; it should remain in effect and improved for the future.

B. Von Schullman, Orillia Street, stated:

- It cannot be proven that the EDPA is the source of a reduction in property values.
- There is no easy way for the public to find out about a bylaw until it effects them; this is something that local governments need to address.
- Bylaw enforcement is complaint-driven; it could mean that if you are unpopular with neighbours, the bylaw may get enforced.
- The EDPA is supportable but it needs to be refined; the bylaw should remain in effect until it has been revised.

R. Saunders, Burnside Road West, stated:

- The basic principles of the EDPA are supportable; what is not supportable is that only certain lands are included in the EDPA.
- The bylaw should refer to all areas of Saanich; the current bylaw is pitting neighbours against each other.
- The bylaw should be repealed and Option 1 be considered.

P. Marr, Haliburton Road, stated:

- The EDPA has created fear and distrust; residents are already doing things to protect sensitive ecosystems.
- Voluntary stewardship is important; Saanich parks could be used to create ecosystems and residents may then buy-in.
- A survey of property owners should be completed to find out what they want; the EDPA should be repealed and something that everyone can live with should be considered.

M. Gill, Haliburton Road, stated:

- Saanich needs to lead by example; if property owners are to abide by the EDPA, Saanich parks should adhere to the EDPA.
- Annual reviews of bylaws are not realistic.

C. Davidson, West Saanich Road, stated:

- The EDPA is supportable, but there is concern about the way it is being interpreted and applied; there are numerous bylaws that overlap.
- Policy cannot be challenged in a court of law.
- It is expensive to hire a professional biologist to correct mapping; staff have too much authority.

G. Zeman, Juniper Place, stated:

- Public education is necessary.

D. Curran, Pearce Crescent, stated:

- Staff are to be commended on the extent of consultation that has occurred and the amount of work that has been done; residents appear to be in favour of environmental protection.
- The EDPA is one way to ensure sensitive ecosystems are protected; a Green Infrastructure Action Plan should be created.
- A more robust conversation in relation to environmental health should take place; school-aged children should be involved in the discussions.
- A \$20 per year tax should be considered for acquisition of park land.

J. Cushner, Tudor Avenue, stated:

- Option 2 is the most practical.
- Any future recommendations should apply to all residents of Saanich rather than singling out individuals.

B. Kerr, San Marino Crescent, stated:

- The community is fractured; there are different opinions on all aspects of the EDPA.
- There is consistent support for environmental protection; the amount of public engagement opportunities is appreciated; the public that has come out to speak may not be fully representative of all of the residents of Saanich.
- A value based decision should be made by engaging with the public.

**MOVED by Councillor Derman and Seconded by Councillor Haynes:
"That the meeting continue past 11:00 p.m."**

CARRIED

P. Rantucci, Mountain Road, stated:

- If the Rollo Report is to be taken seriously, it has to be done independent of Saanich staff; BC Assessment has analyzed 98 homes sales, the results show that inclusion in the EDPA had no measurable effect on property value; however, most of those sales did not disclose that the property is included in the EDPA.
- It is concerning that purchasers may not be aware that the property they are considering buying is in the EDPA.

MOVED by Councillor Plant and Seconded by Councillor Haynes: "That Council take a five minute recess."

CARRIED

The meeting reconvened at 11:19 p.m.

COUNCIL DELIBERATIONS

Mayor Atwell stated:

- This has been a long and fulsome process; it is important to hear from the public to gather information.

**MOVED by Councillor Wergeland and Seconded by Councillor Haynes:
“That Council:**

- 1. Support an independent review of the Environmental Development Permit Area (EDPA) bylaw;**
- 2. Support the removal of single family zoned properties from the EDPA; and**
- 3. Ask staff to draft the Terms of Reference for a consultant/consulting team which will be presented at a Council meeting in April, 2016.”**

Councillor Wergeland stated:

- The goal of the EDPA is to protect the natural environment; consideration should be given on the implications of the bylaw on property owners.
- It will take time to do a proper review; residents should be encouraged to create a better and healthier environment.
- The EDPA should apply to new development.

Councillor Derman stated:

- Option 2 is supportable, but single family properties should not be exempted from the bylaw at this time; exemption at this time could cause risk to the municipality.
- Time is needed to review and revise the bylaw; hardship exemptions could still be reviewed on a case-by-case basis.
- More can be done regarding education, stewardship and encouraging volunteerism to help with sustainability.
- Property rights should be restricted as little as possible; Council has to consider the common good and what the impact on the municipality will be.
- The bylaw is a tool to protect biodiversity.

Councillor Brice stated:

- Saanich is a leader in environmental initiatives; the expectation was that the EDPA would be triggered through development and that documentation from a qualified professional would be taken as factual.
- The intent of the EDPA was to shape development; it would be costly for the municipality to have professionals go to each property to ground truth; therefore, in the interim, single family properties should be removed from the EDPA so that a fulsome discussion could take place.

Councillor Haynes stated:

- The environment is at risk and action is needed; a significant number of residents are at risk of a potential loss of property value.
- To build support of residents, further consultation is needed.
- It is appropriate to remove single family properties from the EDPA at this time.

Councillor Murdock stated:

- Option 2 is supportable; the impact on property owners should be evaluated.
- Removal of single family properties is not supportable; the integrity of the bylaw should be maintained.
- Hardship cases could be reconciled on a case-by-case basis.

Councillor Sanders stated:

- Removing single family properties from the EDPA without all the information is not supportable; Option 2 is preferable.
- The bylaw was put in place to protect the natural environment; hardship cases should be acknowledged and reviewed on a case-by-case basis.
- Public education is needed.

Councillor Brownoff stated:

- Grievances and hardships should be dealt with on a case-by-case basis; more information is needed to move forward.
- It is important that Saanich shows leadership in relation to our parks; a restoration plan could be created profiling one of Saanich's parks.
- Funding opportunities for stewardship and help for seniors with large tracks of land should be explored; Option 2 is supportable.
- Removing single family properties from the EDPA is not supportable as it would have an impact on mapping and field verification.

In response to questions from Council, the Director of Planning stated:

- Because there is additional information that has yet to be reviewed/analyzed, staff are not able to make an informed recommendation to remove/not remove all single family zoned properties from the EDPA at this time.
- After all of the information is analyzed and it is reviewed by Council, Council could ultimately decide to remove all single family zoned properties from the EDPA.
- In the interim, Council consideration for removal of properties can still take place on a case-by-case basis under the current process.

Councillor Plant stated:

- Single family properties should remain in the EDPA until the bylaw is reviewed; property owners who wish to have their properties removed from the EDPA, should apply for an exemption.

In response to a question from Council, the Director of Planning stated that Council could provide direction to staff on how they wish to have property owners apply for exemptions.

Mayor Atwell stated:

- Although the EDPA is a good idea and a useful tool, it is flawed; the application is subjective, it does not have good mapping and it includes areas where there is no justification of environmental sensitivity.
- The bylaw includes a process for exemption if the mapping is incorrect, but ignores the fact that Saanich can refuse to apply it; it is a significant expense for the property owner to get a biologist report.
- There is no appeal process and staff discretion should not be permitted; single family properties should be exempt until a review is completed.
- The EDPA should be based on science; there may be a benefit to having a pilot project on a smaller scale and feedback from the pilot analyzed.

- He supports a process going forward that puts in place a just EDPA bylaw that achieves the goals in the short and long term; relationships with residents must be rebuilt.

**The Motion was DEFEATED
with Councillors Brownoff, Derman, Murdock, Plant and Sanders
OPPOSED**

MOVED by Councillor Derman and Seconded by Councillor Haynes:

“That Council:

- 1. Support Option 2;**
- 2. Not support the removal of single family zoned properties en masse in advance of the conclusion of the review process (removal on a case-by-case basis would still be possible); and**
- 3. Support the hiring of a consultant/consultant team as outlined in Option 2.”**

Councillor Derman stated:

- He hopes that the review can move ahead swiftly; the precautionary principal is to keep protection in place.
- Mechanisms should be put in place to hear hardship cases.

Councillor Brownoff stated:

- Processes to hear hardships cases should be put in place; public education is needed.
- Tracking and reporting of initiatives and highlighting work completed could be included in the Annual Report; funding opportunities should be researched.
- The mapping needs to be completed.

Councillor Haynes stated:

- Saanich has and will continue to be a leader; he supports residents who are impacted by hardship coming forward to apply for an exemption from the bylaw.

Councillor Sanders stated:

- Future generations and how we want to leave the world for them should be a consideration; hardships must be reconciled.
- More education is needed and work that is being done should be highlighted; there may opportunities to provide incentives.

Councillor Brice stated:

- If a property requests an exemption and they have a qualified biologist report stating there is no sensitive ecosystem on their property, they should be removed from the EDPA.

Councillor Wergeland stated:

- There is a need for revisions to the bylaw; a consultant may come back with new ideas.
- Property owners who face hardship should be exempted from the bylaw.

Councillor Murdock stated:

- Option 2 is supportable; it is necessary to resolve and rectify the unintended consequences of the bylaw.
- Feedback from the public should be considered as a part of the process.

In response to a question from Council, the Director of Planning stated a panel of experts could provide advice and feedback to Council on the long term implementation of the EDPA bylaw.

Councillor Plant stated:

- A panel of experts to provide advice to Council would be helpful; Option 2 is supportable.

In response to questions from Council, the Director of Planning stated:

- Draft Terms of Reference will be brought back to Council by the end of April.
- Terms of Reference would need to be set before a consultant is hired.
- Council would select the consultant.

Mayor Atwell stated:

- He is not in favour of the motion but feels compelled to support it; the EDPA bylaw in its current state is not reasonable.
- It needs to be re-crafted based on science; it is incumbent on Council to address the concerns in a timely manner.

The Motion was then Put and CARRIED

MOVED Councillor Plant and Seconded by Councillor Haynes: “That the Chief Administrative Officer direct staff to create a one page informational document outlining the steps that the public could take if they wish to have their property considered for exemption from the Environmental Development Permit Area.”

CARRIED

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 12:39 a.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK