

PROW 2014 Municipal Election Questionnaire

Responses from North Saanich Council Candidates

PROW QUESTION 1: Currently Development Permit Area 1 (DPA1) extends 15 metres or 50 feet landward from the marine boundary. In Sidney the equivalent permit area extends only 7.5 m or 25 ft. Would you support reducing the setback for DPA1 in North Saanich from 15 m to 7.5 m, the same as Sidney?

Yes: Dunstan Browne; Craig Mearns; Steve Pearce

No: Murray Weisenberger

Additional comments:

Alice Finall – The existing 15 metre setback is historical and long standing, based on the sensitivity and need for environmental, ecological protection of our foreshore which is 42 kilometres long. With emerging climate change issues, and provincial policy direction encouraging a 15 metre setback for all coastal areas, this issue is increasingly in need of careful study. I would support bringing this as an early priority for the attention of the new Council. All new information available since 2008 should be obtained and available for council consideration. If after considering all aspects of this issue it were clear that a 7.5 metre setback would be acceptable in some, or all, locations, I would support such a change.

Dorothy Hartshorne – I would support revisiting issue of setbacks. Before supporting any specific figure I would like opportunity to thoroughly educate myself on the subject.

Connie McBride – I would like to see consistency with Sidney – however I would also think that properties should be assessed on own merits to a maximum setback of 15m, one size usually does not fit all.

Jack McClintock - would have to review reasons for current 15m requirement before making any recommendation for review.

Geoff Orr - Not without understanding what the justification is, if any, of the current 15m setback. Why is the Sidney setback only 7.5m in the Roberts Bay and Lochside Waterfront Environmentally Sensitive Areas? I am in favour of adjusting the horizontal setback distance by taking into consideration the slope of the property above the mean high water mark. I am also in favour of reviewing and possibly modifying the Development Permit Area 1 guidelines and exemptions to ensure intent is met without imposing unreasonable conditions on homeowner. I would be interested in knowing how many times activity between 15m and 7.5m has triggered a DPA 1 process.

Celia Stock – I would support a review of setback. The current setback of 15m has been in force for some 40 to 50 years in North. This does not mean that it should not be reviewed. I think we could review this setback, and if there is evidence and input for changing it, then such a change should be considered. However, we would have to take into consideration the new evidence concerning the changing ocean; larger wave action, rising sea levels etc. in such a review.

Jack Thornburgh – Before supporting a reduced setback, I would first want to obtain a summary of Best Practices for the south BC coast for marine boundary setbacks. Very likely such a document has been done, and would probably provide the information we need.

PROW QUESTION 2: Currently almost all the residential properties on the waterfront in North Saanich are blanket zoned to a very restrictive M6, which we feel is unwarranted for certain properties in view of recent studies and mapping. Would you consider rezoning from M6 to a less restrictive M5 for those waterfront properties which have moderate, low, or very low overall ecological rating as identified by the Saanich Inlet and Peninsula Atlas of Shorelines (SIPAS) Technical Report, 2011?

Yes: Dunstan Browne; Dorothy Hartshorne; Connie McBride; Craig Mearns; Steve Pearce; Celia Stock*; Murray Weisenberger

Additional comments:

Alice Finall – The M6 and M5 zoning issue was the most discussed and contentious of the MTR, occupying an entire meeting. I would direct that this be brought back to Council at the earliest possible date (a first priority among early priorities) to provide certainty and clarity for those waterfront owners desiring a personal dock. The SIPAS report did identify certain properties which have moderate, low or very low ecological rating. The low and very low would more likely qualify for change of zoning.

Jack McClintock – I would need to review why there was a blanket zoning of M6 before any recommendations to rezone to M5.

Geoff Orr – Perhaps. I support rezoning from M6 to M5 on a site specific basis if, a) the ecological rating threshold for allowing structures on the foreshore is adequately defined and agreed to by Council, b) there is consideration for communal facilities where appropriate, and c) there is sufficient community consultation prior to and during the process of making required changes to the current guidelines.

*Celia Stock – Yes, I would consider rezoning from M6 to M5, but I think this consideration should be part of a larger review.

Jack Thornburgh – I can't answer for "moderate" and "low" ratings except on a case-by-case basis in which unique features are considered. For "very low" ratings I would be more amenable.

PROW QUESTION 3: Currently seawalls are restricted to "stacked boulder" construction which may be aesthetically pleasing but not very durable, as the Scoter Trail has demonstrated. In view of the threat of rising sea levels, would you support a broader range of options for seawall construction such as reinforced concrete, or lock blocks, perhaps faced with mortared rock?

Yes: Dunstan Browne; Dorothy Hartshorne; Craig Mearns; Steve Pearce

Comments:

Alice Finall – The basis for the preferred stacked boulder construction has been addressed by the Greenshores studies by John Harper as being the best structure to lessen beach erosion. My understanding is that Scoter trail damage resulted from an unusually high wave surge and wind activity. Studies on reinforced concrete walls have indicated much higher beach erosion results. However, I am open to considering types of structure that can be shown to reduce rather than increase beach erosion.

Connie McBride – I've seen some problems with boulder stacked, we should listen to the experts to decide – type, height, etc. – many boulder stacks have failed and it's a huge expense.

Jack McClintock – I would support a broader range of sea wall construction providing the alternative provided the same level of protection

Geoff Orr – The stacked boulder construction of the new portion of Scoter Trail seems to be holding up reasonably well. I support a wider range of seawall construction methods and would look to the expertise of Geotechnical Engineers such as _____+ to assess each project. Recommended seawall type should take into consideration slope, soil type, exposure, prevailing winds, sea level rise impact, impact on neighbouring foreshore areas, etc. A report by _____+ for a client on Pender Island, BC on February 15, 2012 addressed site conditions, documented seawall construction options, and recommended a rock face reinforced concrete seawall.

+ *PROW does not recommend any specific engineering company. There are many geotechnical companies on the Peninsula and homeowners should seek their own quotes before determining who they will engage.*

Celia Stock – I think we should look at a broader range of options for seawall construction.

Jack Thornburgh – I’m not sure the Scoter Trail failure demonstrated the lack of durability of boulder stack construction. But in any event, I would like to see evidence that there is a superior alternative to it. Reinforced concrete walls tend to simply transfer the wave surge along to a more vulnerable point on the shoreline, which then weakens or damages it further.

Murray Weisenberger – I need more information.

PROW QUESTION 4: Recent applicants for seawall repairs, stairs to the beach, etc. have been required to provide a “beach spawning foraging fish” study, and a “sea level rising” study. These studies, of dubious value, have to be prepared by “qualified environmental professionals” at great cost to the applicant. Would you consider removing the requirement for such studies?

Yes: Dunstan Browne; Dorothy Hartshorne; Connie McBride*; Craig Mearns; Steve Pearce

No: Murray Weisenberger

Comments:

Alice Finall – In view of the ecological importance of spawning grounds for foraging fish, I consider this information to be necessary for Council consideration of changes on the foreshore. That said I am persuaded that current requirements may be imposing an unreasonable financial burden on waterfront landowners and may well require change, particularly since such information may be available from other sources. Further, in response to a request from the PROW organization for attention to sea level rise, the current Council directed staff to address this matter as part of priority planning for the foreshore.

*Connie McBride – I’m all for species survival, however I see little value in many of our areas – an extra cost not required, I support removing this requirement.

Jack McClintock – I would question why a repair to existing stairs requires such an extensive study. I would look into this to see if it is justified.

Geoff Orr – I can’t comment on the necessity of a “beach spawning foraging fish” study nor the ‘dubious value’, of such a study without more knowledge of why this requirement is being imposed. Perhaps in areas designated as high ecological rating this type of study is warranted. The recent discussion at Council related to sea level rise and the potential impact to shoreline areas will help shape further discussion with members of the community and PROW in particular. It would seem that a “sea level rise” study triggered by shoreline activity on an individual property isn’t the most effective way to deal with this issue. For seawall projects and major repairs I would prefer to see the Geotechnical recommendations informed by the information contained in a future District sea level rise mapping project.

Celia Stock – This requirement for different types of “environmental studies” exists because of the intricate relationship between the “joining” of the foreshore (water and beach) and the land. Again, I would see this requirement being part of the overall review. I agree that the cost of these studies is often prohibitive, and we should be able to work out a different way of obtaining this information. Or, perhaps deciding that we do not require it.

Jack Thornburgh – I’d like to see a sampling of these studies before concluding that they are of dubious value.

Additional comments (edited grammatically where required):

Alice Finall – Please note that I was out of town for the birth of my grandson in the week your questionnaire came to me and did not have access to email to respond. I note your request for answers by Nov. 3, 2014, however I have not had an opportunity before now to address your questions as accurately as you require, given that your mission is to inform the community about issues affecting waterfront owners. A brief overview of the history of the existing legislation will assist in understanding where we are today. The fifteen (15) metre setback (shown also as 50 feet in the earlier document) has been incorporated in all North Saanich OCPs since 1977. I am able to provide copies of the relevant pages in the 1977, 1989 and 1998 OCPs for your reference if it would be helpful. With respect to your four questions, the Strategic Plan priorities for the current Council term include the following policies, which were to have been addressed by Council before the end of this term: 6. Prepare policies to guide marine and shoreline development (include planning for sea level rise). Short Term 7. Review District bylaws and policies that affect waterfront property owners. Short Term 8. Bring Forward to Council the Marine Task Force recommendations and work plan. Short Term Council has not addressed these priorities during this past term because the intensive focus of the Council on higher density land use changes has occupied the agenda to the exclusion of other priorities. Most of the issues you request candidates to consider were covered by the Marine Task Recommendations (MTR). These were referred to my first Council in 2008. I met with Ms. Fran Hackett and Mr. Peter Kerr in early 2009, following which I arranged for two Committee of the Whole Meetings dedicated to considering these recommendations. These meetings were well attended by waterfront owners and included free ranging and intensive discussion. The resulting resolutions of Council were sent to staff, for reports on defined matters and return to Council for direction on changes to existing policies and bylaws. Staff provided a work plan to address these matters, some of which are complex, and Council adopted that work plan. As noted these matters are on Council’s “to do” list and if elected, I will continue to push for early attention.

Heather Gartshore: Thank you for your email and the attached questionnaire. I understand anecdotally that waterfront property owners have identified a number of issues of concern, including those you identify by way of the questions. This is an area that I don’t know a lot about. However, if I am elected, I will look forward to a discussion when I have all the necessary background information. The issues you raise are complex, involve multiple jurisdictions, are of a technical nature sufficient to require expert advice, as well as legal advice. Therefore, I’m not able to comment at this time. Dorothy Hartshorne – Thank you for the opportunity to share my views.

Connie McBride – Just a further note – I do feel that all properties regardless of waterfront or upland, should be treated equally, it seems our present Mayor; staff feel this should not be the case. Upland properties should also be concerned as further restrictions will also be placed on their properties in the future. We need balance, less obstacles and fairness in order to enjoy all our properties.

Jack McClintock – Thank you for the opportunity to answer your questions. Your concerns are valid and I look forward to being able to review these matters if elected.

Craig Mearns – In regard to your questionnaire my answers to all of the questions would be an emphatic yes. I would like to add for information to all PROW members that Team North Saanich have continually supported positions sympathetic and supportive to the aims of waterfront owners. In all votes at council, Team North Saanich councillors Conny McBride, Dunstan Browne and Craig Mearns along with Ted Daly have been the only ones defending waterfront owners' rights and interests. The mayor and her two councillors have continuously voted against the interests of waterfront owners. A review of the video tapes of the Council meetings will confirm these facts.

Jack Thornburgh – Attached are my responses to the questions you posed to candidates. With all the hectic activity of the election campaign, I didn't note your deadline on my calendar, so I don't know if this info is still useful.

Murray Weisenberger – New Provincial regulations, liability for the District, and fairness for waterfront owners will all be factors in future decisions.