

From: [REDACTED]
To: [Mayor Ryan Windsor](#); [Zeb King](#); [Chris Graham](#); [Gordon Newton](#); [Niall Paltiel](#); [Sarah Riddell](#); [Bob Thompson](#)
Cc: [Christine Culham](#); [Ivo Van der Kamp](#); [Kerri Clark](#); [Jarret Matanowitsch](#); alc.island@gov.bc.ca; ALCBurnaby@Victoria1.gov.bc.ca; [BC Ombudsperson](#)
Subject: Church & State 1445 Benvenuto Ave - Rezoning Application (Restaurant)
Date: Wednesday, March 20, 2024 3:37:03 PM
Attachments: [1445 Benvenuto Ave Rezoning Application.pdf](#)

Dear Central Saanich Council,

This letter is in response to a Rezoning Application of which as adjacent property owners we were unfortunately not advised by either the applicant nor the District of Central Saanich.

Our home at 6586 West Saanich Road is in closest proximity to Church & State Wine and regularly we are exposed to excessive noise from non-farm related activities hosted at this facility. These events appear to be unrelated to direct farming. I understand that the ALC has provided some allowances many of which may have been exceeded.

Central Saanich is now making recommendations which will surely have a negative impact on the adjacent property owners and most certainly will have on ours which is noise pollution. Unfortunately we have had to contact the Central Saanich Police before due to excessive noise past 12PM midnight on at least two occasions.

The noise monitoring considerations made by the Municipality may assist with this proposal should the property owner adhere to the requirements. We appreciate these inclusions. However, turning Church and State Wine into similar large special event party facilities has yet to be proven acceptable in many other neighbourhood communities, keeping in mind that several properties border this facility directly East of their dance hall.

"One condition that staff are recommending not to include in the covenant is the yearly reporting requirement on special events."

Furthermore, it has been noted that Central Saanich staff are recommending NOT to include in the covenant, the yearly reporting requirement on special events. This elimination voids accountability and allows the applicant to virtually operate its special events party facility unchecked and unrestrained.

The recommendations that staff are making also do not coincide with Church and States current activities related to weddings and special events as noted below:

iv. hours of operation for indoor events is restricted to 11:00pm, with no outside activity on the deck area of the winery building after 10:00pm;

This facility regularly operates its events up to 1:00AM and this will not change (Weddings)

v. the number of events is limited to a maximum of 75 annually, 12 monthly or three weekly;
The recommendation of 75 annual events is excessive, and positions the applicant to expand well beyond its requirement to maintain an active farm related business.

vii) no more than eight outdoor events annually larger than 100 people to a maximum of 400 people, all of which will be subject to 14 day prior written notification to the District of Central Saanich and adjoining property owners of the Winery;
When speaking to our neighbours many have stated that Church and State Wine has

regularly exceeded the eight outdoor events annually.

viii. maintenance of a good neighbour policy to monitor and address any neighbourhood impacts from activities at the Winery;

To my knowledge this has never existed in the past and there is no indication they will do so in the future. If one has existed please share a copy.

An image which is attached, illustrates how eight farm families will be negatively impacted by noise pollution as a result of Central Saanich recommendations to approve this rezoning application. In the Central Saanich Site Context and Surrounding Area comments, nothing is mentioned of these eight surrounding farm homes, whether adjoining or not.

Additionally, there has been no comparison offered of what was previously approved under the Temporary Use Permit in 2013, to what is now proposed in this 2024 application. This lack of transparency of what was historically allowed and what is now being proposed is contradictory to good governance.

Further claims that ongoing complaints will not be triggered are false and irresponsible. Various issues which have been brought forward to Central Saanich involving their broad bylaws have had very little benefit to the complainants, as one Bylaw Officer for the entire district is woefully ineffective in managing even the most minor bylaw infractions. Also notable, staff have failed to contact Central Saanich Police to inquire as to what complaints may have been made against this property. To ignore such is once again a failure of basic responsible governance.

Sincerely,
Barry McLean
6586 West Saanich Road

CC: Agriculture Land Commission, Central Saanich Staff, Office of the Ombudsperson

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