

AGENDA
ENVIRONMENT AND NATURAL AREAS ADVISORY COMMITTEE
Wednesday, January 17, 2018, 5:30– 7:30 PM
Committee Room 2, Municipal Hall

1. **ADOPTION OF MINUTES** (attachment)
 - Adoption of October 18, 2017 minutes.
2. **SCHEDULE OF REGULAR COMMITTEE MEETINGS**
 - Discussion as per Section 85(a) of the Council Procedure Bylaw, 2015, No. 9321
3. **HARO WOODS** (attachment)
 - Presentation by Park Planner Designer. See additional info at link below:
<http://www.saanich.ca/EN/main/parks-recreation-culture/parks/projects-in-saanich-parks/active-projects/haro-woods.html>
4. **SIGNIFICANT TREE NOMINATION ON ROWAN STREET** (attachment)
 - Update led by Environmental Planner
5. **PLASTIC BAG MODEL BYLAW** (attachment)
 - Presentation by Manager of Environmental Services
6. **UPDATES:**
 - EDPA

* Adjournment *

** Next Meeting: TBD **

Please email jeff.keays@saanich.ca or call at 475-1775 ext. 3430 if you are not able to attend.

**GO GREEN! MEMBERS ARE ENCOURAGED TO
BRING THEIR OWN MUG TO THE MEETING**

**MINUTES
ENVIRONMENT AND NATURAL AREAS ADVISORY COMMITTEE**

Held at Saanich Municipal Hall, Committee Room No. 2

October 18, 2017 at 5:30 p.m.

- Present:** Councillor Leif Wergeland (Chair), Hal Gibbard, Kevin Brown, Mary Haig-Brown, Jude Coates, Al-Nashir Charania, George Klima, Harry Drage
- Staff:** Adriane Pollard, Manager of Environmental Services; Rebecca Newlove, Sustainability Manager; Becky Goodall, Parks Planner Designer; Elizabeth van den Hengel, Committee Clerk
- Regrets:** Roberta Hesselgrave
- Guests:** Darrel Wick, Friends of Mt. Douglas Park Society; Ed Weibe, Friends of Mt. Douglas Park Society; Graham Shorthill, Friends of Mt. Douglas Park Society
-

MINUTES

MOVED by M. Haig-Brown and Seconded by K. Brown: "That the Minutes of the Environment and Natural Areas Advisory Committee meeting held September 20, 2017 be adopted."

CARRIED

FRIENDS OF MOUNT DOUGLAS PARK-PARK PLAN 3RD EDITION

D. Wick presented the Committee with the Friends of Mount Douglas Park-Park Plan (3rd edition), and the following comments were noted:

- There is a need for a park ambassador to facilitate user experience at the Park.
- The volunteer Park Ambassadors would help maintain the park and educate the public about issues associated with off-trail adventures, smoking and picking vegetation.
- Many tourists visit Mount Douglas Park and the opportunity to interact with out of town visitors would be beneficial for the municipality.
- Saanich Parks and the Friends of Mount Douglas Park will meet to discuss the possibility of creating the Park Ambassador program for the Park.
- The Park Ambassadors would be in the Park ideally 7 days a week at random times.
- Optimum number of volunteers for the Park Ambassador Program is thought to be 6-12 volunteers.
- Important to educate the volunteers to speak in affirmative language.
- Parks would assist in training of the volunteers.

MOTION: Moved by J. Coates and Seconded by K. Brown: "That the Environment and Natural Areas Advisory Committee recommend that Council ask staff to involve key stakeholders, including the Friends of Mount Douglas Park Society, to develop a proposal for a Park Ambassador Program for Mount Douglas Park to run as a pilot project starting the summer of 2018. The proposal should include information about resources required, rollout timeline and measure of success."

CARRIED

****A. C. arrived at 5:55 pm****

SIGNIFICANT TREE UPDATE

The Manager of Community Development and Business Systems provided an update on Significant Trees. The following highlights are noted:

- A request for significant tree designation for an Oak Tree at 1585 Rowan Street has been received by Saanich Parks.
- Saanich Parks is recommending the Oak Tree at 1585 be accepted into the Significant Tree Program.
- The report recommending the Oak Tree at 1585 Rowan Street be accepted into the Significant Tree Program will be circulated to the Committee.
- An updated draft of the Significant Tree Tour Guide was introduced to Committee Members.

CRD MODEL BYLAW REGARDING PLASTIC BAG USE

The Chair and the Manager of Environmental Services facilitated a discussion on banning single use plastic bags. The following highlights are noted:

- Saanich is restricted in how to limit/control single use plastic bags.
- Oceans are federally governed.
- Saanich has influence with plastics in areas such as parks and stormwater with the ability to create bylaws.
- Saanich Operations could have a look at the impact single use plastic bags have on the Municipality.
- Single use plastic bags have an impact in numerous areas to varying degrees.
- Conversation with the City of Victoria to discuss what steps and issues The City of Victoria has identified.
- Research on other communities/areas that have implemented a ban on single use plastic bags should be done.
- CRD has no jurisdiction on business. Saanich should investigate how the municipality could ban the use of single use plastic bags in Saanich businesses.
- It would be preferable to have a cross province ban on the single use plastic bag.

Committee discussion occurred and the following comments were noted:

- A Saanich bylaw to ban single use plastic bags would require provincial approval.
- How would a ban on single use plastic bags be enforced?
- Some bylaws become societal norms.
- The CRD bylaw banning single use plastic bags needs numerous clarifications.
- Public needs to be educated about a potential bylaw banning the single use plastic bag.
- "Biodegradable" plastics do not fully degrade.
- Biodegradable simply means that the substance degrades more quickly than a non-biodegradable substance, but the rate of degrading can be very minimal.
- Banning single use plastic bags is a provincial matter.
- Leaving the banning of single use plastic bags to the province to deal with may not be ideal as the province can be slow to respond on some issues.
- If Saanich and The City of Victoria ban the single use plastic bag this two municipalities comprise the majority of the CRD.

- Consider that there may be push back from businesses that lose revenue because of not being able to charge for single use plastic bags.
- Education of the business community and the general public could be an important step in general acceptance of the importance of banning single use plastic bags.

ENA AWARD GUIDELINES

The Chair and the Manager of Environmental Services facilitated a discussion on updating the guidelines for the ENA Awards. The following highlights are noted:

- A letter could be sent to Community Associations and other community groups requesting they consider forwarding nominees.
- Yearly award event to keep the issue of environmental stewardship top of mind.
- Allowing more time to review the candidates would be helpful to the adjudicators.

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

NEXT MEETING

Next meeting is scheduled for November 15, 2017.

Councillor Wergeland, Chair

I hereby certify these Minutes are accurate.

Committee Secretary

Memo

To: Environment and Natural Areas Advisory Committee
From: Jeff Keays, Committee Clerk
Date: January 11, 2018
Subject: 2018 Meeting Dates for ENA

As per Section 85(a) of Council Procedure Bylaw 2015, No.9321, each committee shall establish a regular schedule of meetings including the date, time and place of the committee meetings.

As per the existing schedule, the meeting rooms have been booked for the third Wednesday of the month from 5:30pm to 7:30pm for the year, excluding July, August and December. Dates for your calendars are as follows:

January 17
February 21
March 21
April 18
May 16
June 20
September 19
October 17
November 21

No formal motion is required to approve the meeting schedule, committee consensus will suffice.

Jeff Keays
Committee Clerk

Haro Woods Park

Management Plan

DRAFT

ITEM 3

Parks and Recreation Department
Parks Division | September 2017



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DRAFT

1 EXECUTIVE SUMMARY

Haro Woods is in traditional Coast and Straits Salish First Nations territory. Before European contact the coastline of the general Cadboro/Cordova Bay area was highly active, and much of the area around Haro Woods is considered to have a high likelihood of past activity. This plan acknowledges and respects First Nations' history and heritage.

In more recent history, Haro Woods was perceived and used as a community greenspace long before it was actually designated as one. It was, and still is highly valued for its availability to the general public, its peace and quiet, and the opportunity for young and old to experience nature.

Saanich owns almost 3/4 of the woods, and it was officially designated as parkland in 2013. The process that led to this designation also triggered the development of this Management Plan. The balance of the woods is owned by the Capital Regional District (CRD) and the University of Victoria (UVic). This plan refers to the entire area owned by Saanich, the CRD and UVic as 'Haro Woods' and the Saanich-owned portion as 'Haro Woods Park'. The Vision, Goals and Actions section applies to Haro Woods Park only.

This plan relied on public participation to identify community values, and to create the Vision statement and Goals that are the framework for the plan's implementation. The Haro Woods Advisory Group played a key role in ensuring that the public was effectively engaged and represented in the plan, and in finalizing the Vision and Goals. Public input from the 2010–2013 wastewater treatment site–related subdivision and rezoning process was included, as well as from 3 public events in 2016 – 2017.

This plan strives to accommodate visitors of all ages, and resolve long term issues in Haro Woods Park, primarily; user conflicts, invasive plants, and impacts to soils and vegetation that unmanaged off-trail biking and jump-building has caused. By protecting the park the plan ensures that the community will continue to benefit from the physical, psychological and social benefits that are associated with it.



Key issues addressed by the plan are:

- Lack of an established recreation program and supporting infrastructure
- Unapproved trail and bike-jump building
- Damage to native vegetation and soils
- Degradation of Finnerty Creek
- Invasive plants
- Lack of communication with park visitors

The Vision for Haro Woods Park is:

'Haro Woods is a healthy urban forest. It is a functioning ecosystem that welcomes respectful use.'

The Goals that will realize this Vision are supported by Saanich policy, and are grouped into general themes; 'Protection', 'Recreation', and 'Access/Connection'. Each Goal has a number of Actions that are necessary to achieve it. With Council, community, volunteer and staff support, the Goals and Actions can establish a more respectful model of use and enjoyment in Haro Woods Park.



2 INTRODUCTION

2.1 Benefits of Outdoor Play

Many people intuitively sense that spending time in green and natural spaces is good for them. In fact the World Health Organization Regional Office of Europe produced a report in 2016 supporting this theory. It summarizes evidence of the beneficial physical, mental, and emotional effects of urban greenspaces on people of all ages. There are a number of different, interacting mechanisms that connect greenspace with health benefits; they include: increased physical activity, reduction in human-related sound and increase in natural sound, improved air quality, reduced heat-island effect, engagement with nature and relaxation, stress reduction, optimized exposure to sunlight and improved sleep, enhanced immune function, and social interaction.

In 2017, Lancet Planet Health published results of a national study in Canada that examined associations between urban greenness and cause-specific mortality. It found that even the risk of mortality decreases significantly in people who use greenspaces.

For children, access to green space can help develop motor skills as well as cognitive, emotional, and social skills. Children who use greenspace have shown improved cognitive development, reduced problematic behaviour and reduced risk of ADHD. Play in greenspace also enables kids to develop social networks and friendships.

Children and adolescents are strongly attracted to risky and adventurous play. This desire is satisfied by wild and natural environments that offer challenge within an accessible context. Challenging play teaches children how to manage risk and cope with uncertainty. Young people build confidence and learn independence playing in wild, natural settings; important skills that contribute to a smooth transition into adulthood.

The collective benefits of green and natural spaces are significant for everyone. Haro Woods Park can offer all the benefits of a natural space, and present the opportunity for challenging play for children and adolescents. Ultimately spaces like Haro Woods Park improve the lives of children, and improve health in adults.



2.2 Overview

Haro Woods is a wooded area (totaling 8.8 ha / 21.7 acres) in the Cadboro Bay Local Area. It is highly valued for its natural environment, and both passive and active recreation. It is made up of 4 parcels with 3 different owners: the District of Saanich, the Capital Regional District (CRD), and the University of Victoria (UVic).

Purchased over the last 50 plus years, most of the parcels were not originally intended to serve as parkland, nevertheless the community embraced them as such, and the Saanich parcels' official designation has evolved to reflect this.

Since Saanich acquired its first parcel in 1961, the ownership, division, and intended use of the parcels has been revised twice. These revisions involved Provincial, Regional and Municipal input and approvals, and a great deal of public consultation. The public has consistently supported preserving the land as greenspace and/or park. Consequently after a land-swap with the CRD in 2011 - 2013, Saanich rezoned its parcels to P4N - Natural Park, and committed to undertake a park planning process; the result is the Haro Woods Park Management Plan.

This plan deals with the two Saanich-owned parcels, with reference to the CRD and UVic-owned parcels regarding partnerships, and public access and connection issues. Its purpose is to establish direction for Haro Woods Park's recreational program, establish a plan to protect the natural environment (including Finnerty Creek and its riparian area), and to suggest how functional access may be accommodated within the park and across the parcels that are not owned by Saanich. It also outlines the timeframe, and operational and budget details related to the plan's implementation.





2.3 History

Haro Woods lies in traditional Coast and Straits Salish Nations territory. Included in this group, the Songhees and Esquimalt First Nations (Lkwungen) incorporate land from the shores of the southern entrance of Haro Strait from Open Bay to Eagle Cove, and on to San Juan Island. Eight distinct families lived, fished, hunted and harvested these lands. Some lived in temporary and permanent settlements in protected bays along the waterfront from Turkey Head (present day Oak Bay Marina) to Cordova Bay, including campsites along the west coast of San Juan Island. There are no known archaeological sites in Haro Woods, but the general area is known to have been a highly active area in First Nations life, and much of the area around Haro Woods is considered to have a high likelihood of past activity.

Saanich acquired a parcel at 2435 Arbutus Road in 1961 for a potential sewage treatment plant. Ultimately the plant wasn't needed and another use for the parcel was explored. In response to the community's wishes to preserve the parcel, Council identified it as 'public wild woodland' in the Cadboro Bay Local Area Plan (LAP) in 1992.



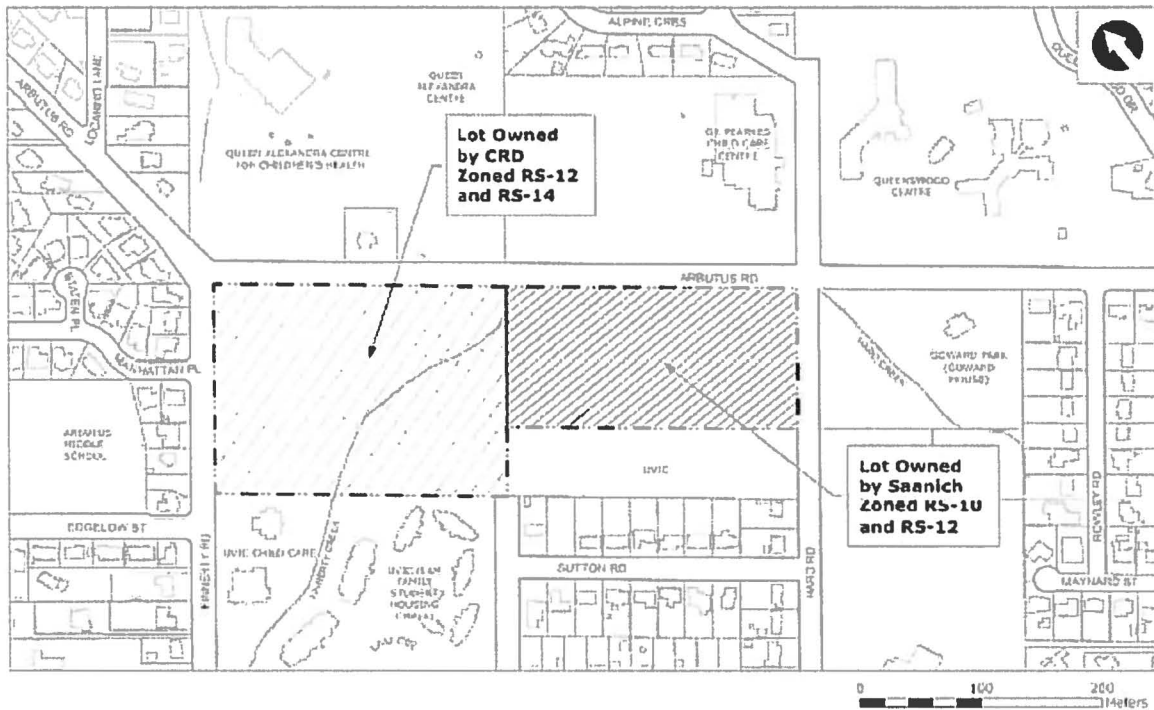
In 2006 the Provincial Government directed the CRD to plan for wastewater treatment for core-area municipalities. The CRD subsequently acquired the site at the corner of Finnerty and Arbutus Roads for a potential wastewater treatment facility site.

Research to determine the CRD parcel's suitability for the facility revealed that the adjacent Saanich-owned parcel was already impacted from underground infrastructure installations. To avoid heavy impact to the CRD's relatively intact parcel, a land exchange between Saanich and the CRD was completed in 2010 – 2013. After the exchange the parcels owned by Saanich were re-zoned to P4-N Natural Park (see graphics on following page).

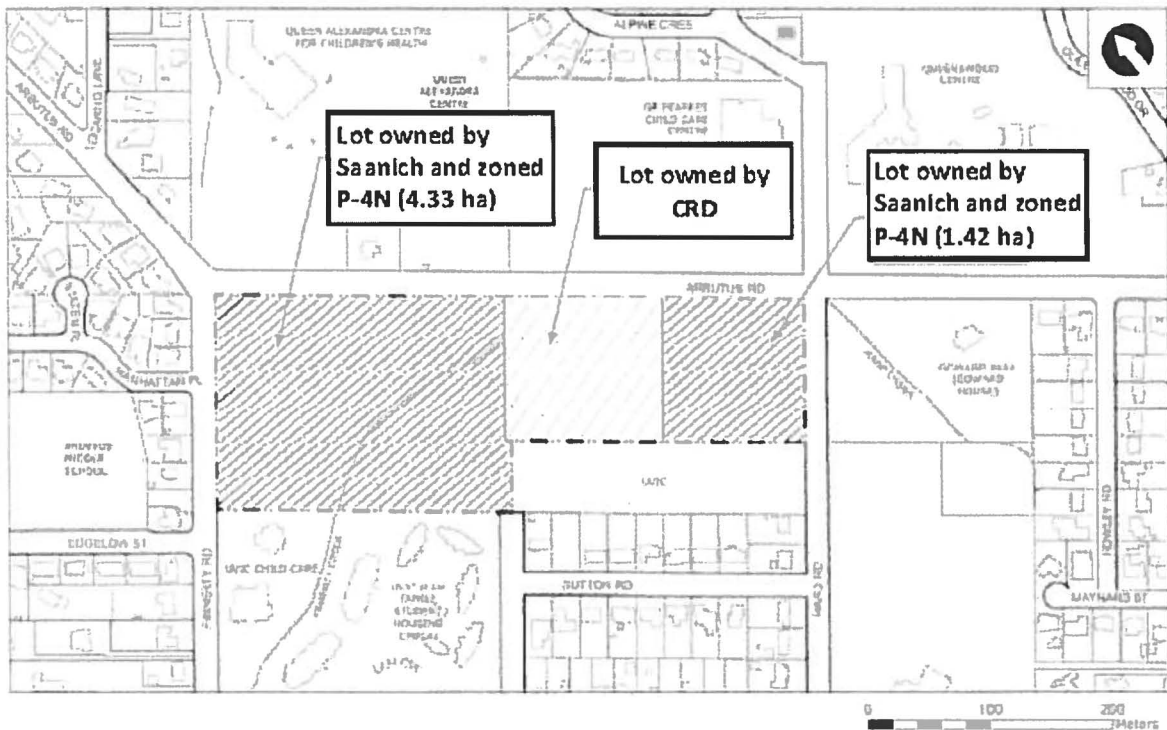


Typical footpath reflects route desired by park visitors. Note invasive English ivy.





Past configuration / ownership



Current configuration / ownership



2.4 Ownership

- District of Saanich

The District of Saanich purchased its first lot (3 ha / 7.4 ac) in 1961. A rezoning, subdivision and land swap with the CRD in 2011 – 2013 resulted in Saanich owning two parcels totalling 5.75 ha (14.2 ac).

- University of Victoria

In 1995 a 1.46 ha (3.6 ac) lot was transferred from the province to UVic, subject to a legal agreement which protects it from development.

In its 2016 Campus Plan, UVIC identifies its lot as a 'perpetually protected area' to 'preserve the long-term health of the habitat for local flora and fauna'.

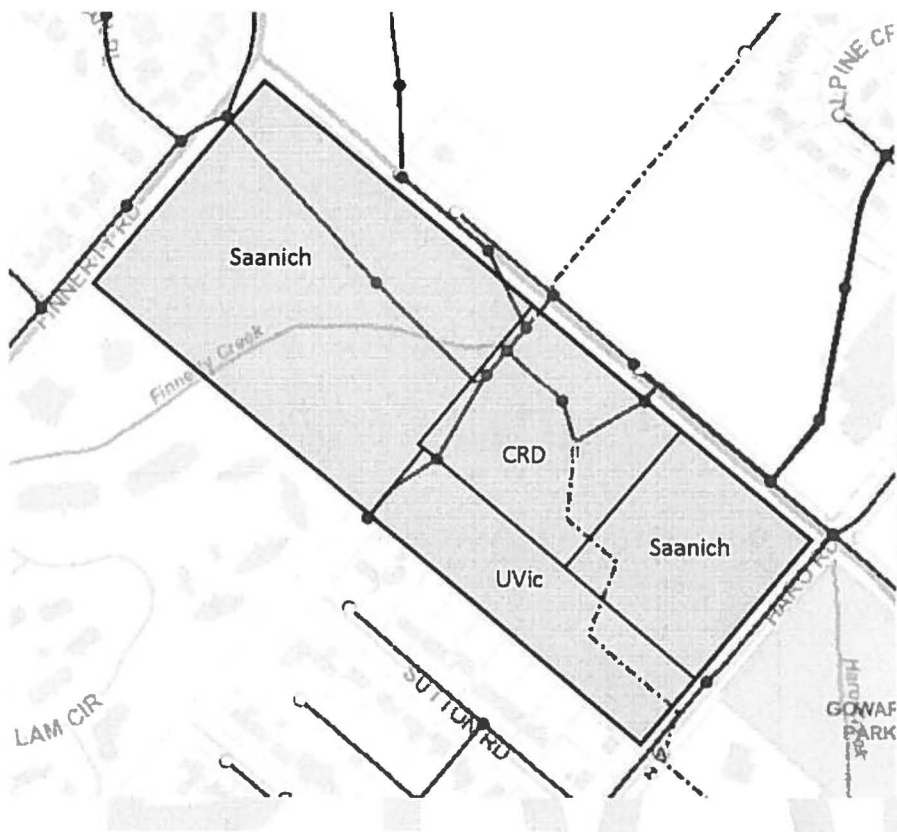
- Capital Regional District

The CRD will use its parcel (1.56 ha / 3.9 ac) to accommodate an attenuation tank, part of the region's future wastewater treatment system. The tank(s) are to be built by the end of 2020, with construction commencing in 2019. Related improvements within the Arbutus Road right-of-way (bike lane, swale/ditch or boulevard, and sidewalk) will be completed after the tank(s) are installed. The CRD will maintain public access across its parcel in response to conditions attached to the acquisition and rezoning of the lot in 2013. The CRD project team anticipates hosting a community information meeting in late 2018.

2.5 Infrastructure

Sanitary sewer infrastructure currently exists on the site, including trunks and mains, overflow piping to the Finnerty outfall, and a waste-water metering station; associated lines extend into surrounding parcels (see following graphic). The attenuation tank(s) on the CRD's parcel will connect to this system.





Existing sewer infrastructure

2.6 Planning Process

This Management Plan relied on public participation to identify community values, and to create the Vision statement and Goals that are the framework for the Plan's implementation. Public input from the 2010 – 2013 waste water treatment site – related subdivision and rezoning process was included, as well as from three public events in 2016 – 2017 (October 2016, January 2017, and November 2017), and a number of Haro Woods Advisory Group meetings over the same period.

Haro Woods Advisory Group

An 11 member Advisory Group (AG) was created to help ensure that public participation was meaningful, and that the Management Plan reflects community values. It consisted of representatives from key stakeholder groups and the community, including: the Cadboro Bay Residents' Association, Frank Hobbs Elementary and Arbutus Middle



School Parents' Advisory Committees, Friends of Haro Woods, Saanich's Parks, Trails and Recreation Advisory Committee, Saanich's Environment and Natural Areas Advisory Committee, University of Victoria Childcare, two youth representatives and two general public representatives.

Key Roles of the Advisory Group were to:

- Advise on public engagement techniques to ensure that outreach was effective
- Promote the project and public participation opportunities within the community
- Provide feedback and input to staff on draft plan content throughout the project planning process

Past Public Input 2011 – 2013

Extensive public consultation was conducted while analyzing potential wastewater treatment sites in the CRD. One of the sites that was investigated was the then CRD-owned parcel at the corner of Finnerty and Arbutus Roads. Further consultation was conducted during the process of swapping ownership of this parcel with another Saanich-owned parcel (see graphic on page 6), and rezoning.

The input from these events was presented at public events in 2016 – 2017, and incorporated into the feedback that influenced Vision and Goals.

Stakeholders

A comprehensive group of stakeholders were invited to participate throughout the process. They included:

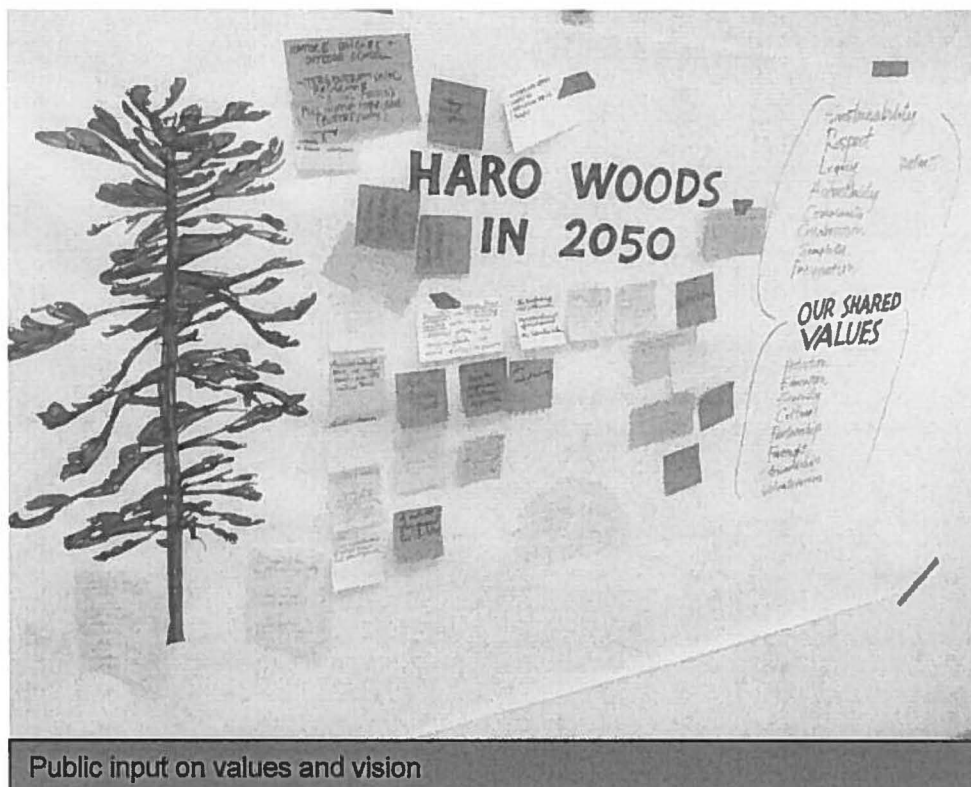
Cadboro Bay Residents' Association, Gordon Head Residents' Association, the University of Victoria, the Capital Regional District, First Nations, Vancouver Island Health Association, Children's Health Foundation, local schools, day cares, nature and biking-related recreational and interest groups.

Summaries of public events and Advisory group meetings, and survey results, are given in the appendices.





Process and Timeline



Public input on values and vision

2.7 Saanich Policy Overview and Guiding Documents

High-level direction for this plan has come from a number of sources including: the Official Community Plan Bylaw, 2008, No. 8940; the Parks, Recreation and Culture Master Plan 2013; Zoning Bylaw 2003; Saanich Park Property Inventory, 2010; and the Invasive Species Management Policy, 2013.

A complete list of guiding documents, and a short description of each, can be found in the appendices..



3 PARK RESOURCES

Following is an overview of the existing physical and social characteristics of Haro Woods.

3.1 Environment

Westland Resource Group conducted research on Haro Woods in 2009 as part of the waste water site investigations. Their reports describe the physical site at that time, and it remains essentially unchanged today. Some of that information is referenced here.

- Forest and Understory

Haro Woods site is forested with a stand of mature, second growth Douglas fir with a native understory. Its two most dominant plant communities are Douglas fir/dull Oregon grape (CDFmm/01) and Douglas fir/arbutus (CDFmm/02). These, like many plant communities on southern Vancouver Island, are red-listed by the BC Conservation Data Centre (CDC). Red-listed communities are those at greatest risk of being lost, largely due to clearing land and harvesting resources for agriculture and development. Dominant tree species are Douglas fir, grand fir, hemlock, arbutus, big leaf maple, and cottonwood.

- Vegetation Sensitivity

Vegetation sensitivity relates to the ecological integrity of a site, and the sensitivity of its plant communities and wildlife habitat to development. (See Westland's vegetation sensitivity map on the following page.)

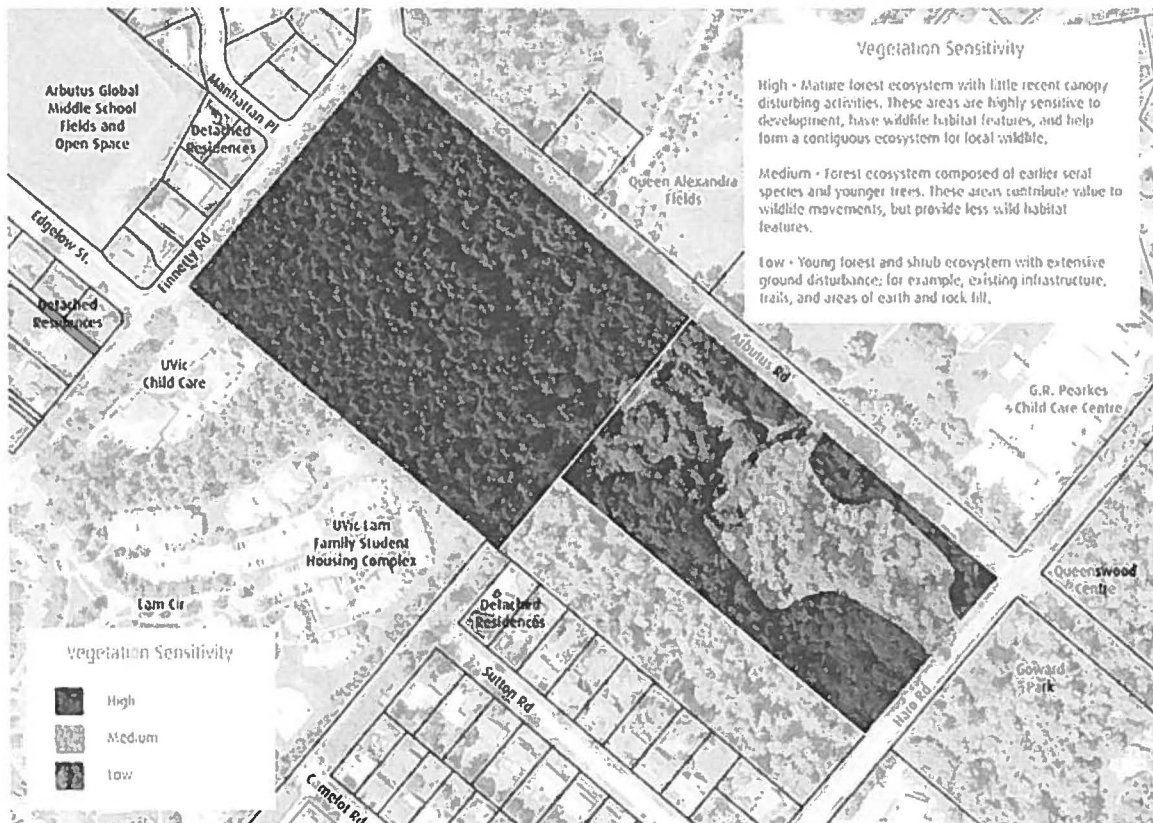
There are 3 levels of sensitivity in Haro Woods:

High – Mature forest ecosystem with little recent canopy disturbing activities, these areas are highly sensitive to development, have wildlife habitat features, and help form a contiguous ecosystem for local wildlife.

Medium – Forest ecosystem composed of earlier seral species and younger trees. These areas contribute value to wildlife movements but provide less wildlife habitat features.

Low – Young forest and shrub ecosystem with extensive ground disturbance: including existing infrastructure, trails, and areas of earth and rock fill.





Westland's Vegetation Sensitivity map

Saanich's north-west lot is rated as having high vegetation sensitivity. It has a mature second growth forest with good forest structure. Although there has been extensive disturbance of soil and understory plants, and invasive plants are well established, the mature trees provide wildlife habitat and are part of a larger corridor for wildlife.

Saanich's southeast lot is less disturbed and supports more mature vegetation than the CRD's lot. It has a mix of high and medium sensitivity vegetation.

The CRD's lot was cleared within the last 50 years to construct a sewage meter station and install underground wastewater infrastructure. This area has a young forest and shrub ecosystem with extensive ground disturbance, cleared areas and trails. Most of this lot is low sensitivity, with some peripheral areas of high sensitivity.

- Terrain

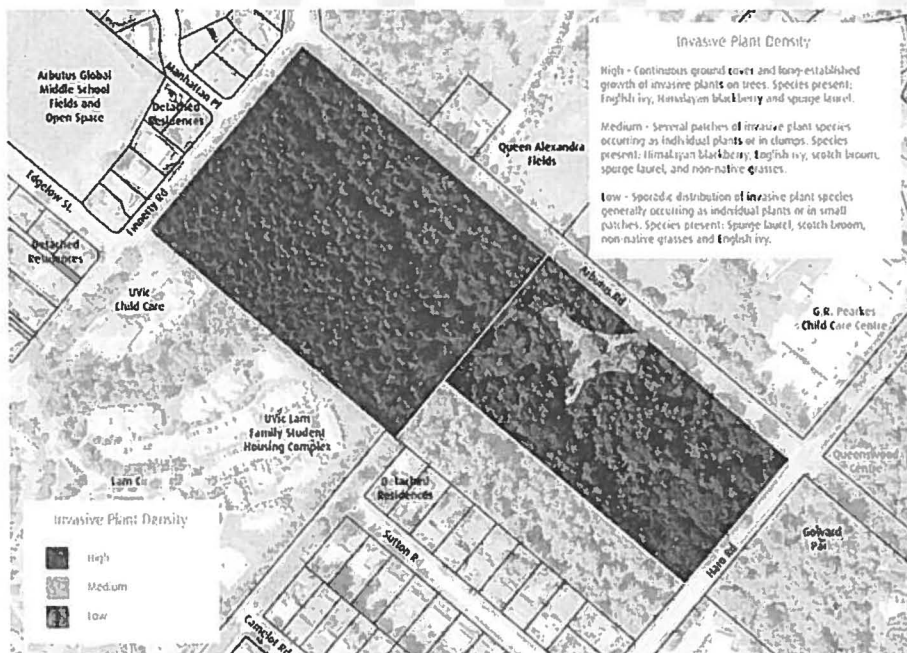
Haro Woods is gently sloping, rising approximately 31 m from its north-east corner to the south-west corner. Finnerty Creek lies in a ravine, approx. 10m deep at its deepest point.

- Invasive Plants

Invasive plants are present on all parcels but are most dense on Saanich's western-most lot where English ivy, Himalayan blackberry and spurge laurel is described as 'continuous' and 'long-established'.

The CRD-owned parcel where infrastructure was installed has a medium density of invasive plants, with patches of Himalayan blackberry, English ivy, scotch broom, spurge laurel and non-native grasses.

The balance of the woods has low invasive plant density with 'sporadic distribution' of individual and small patches of spurge laurel, scotch broom, non-native grasses and English ivy.



Westland's invasive plant distribution map

- Finnerty Creek

The portion of Finnerty Creek that runs through the western Saanich-owned lot emerges from storm drain outlets on UVic's property and flows north-east to Arbutus Road. It is part of a watershed identified as 'Urban influenced drainage to shoreline via storm drain networks'. It is subject to great variation in flow levels and is negatively affected by the large volumes of water that are collected and discharged over short periods of time.

Within Haro Woods Park much of Finnerty Creek's riparian area has been significantly impacted by human activity. It has compacted soil, erosion, and little or no vegetation in some areas. Finnerty Creek is protected by the Streamside Protection Development Permit Guidelines, which prohibits any disturbance within 10 m of the creek, and requires an additional 20 m buffer zone.

- Wildlife

Wildlife trees, mature, large limbed trees, rotten logs, and other woody debris provide valuable wildlife habitat throughout Haro Woods. Black tail deer use the woods for trails, feeding and shelter, and a variety of birds nest and breed here, including; American robin, chestnut-backed chickadee, pine siskin, winter wren, house finch, dark-eyed junco, golden-crowned kinglet, spotted towhee, and red-breasted nuthatch (Hocking 2000), barred owl, orange-crowned warbler and Swainson's thrush.

- Human Impact

Tree houses, rope swings and other human-made structures are occasionally found and removed by Saanich staff. Soil and root disturbance, and loss of understory from bike trail-building is evident in a number of areas. This activity also helps invasive plant species to spread; invasive plants provide less valuable habitat than the native plant habitat they displace. Though it is not a significant issue yet, the number of visitors with dogs can be expected to increase. Dogs travelling off-trail can significantly impact natural areas.

- Volunteers

A dedicated group of local volunteers in a Pulling Together group spent approximately 5000 hours from 2004 - 2006 removing invasive plants in the eastern-most part of the woods.



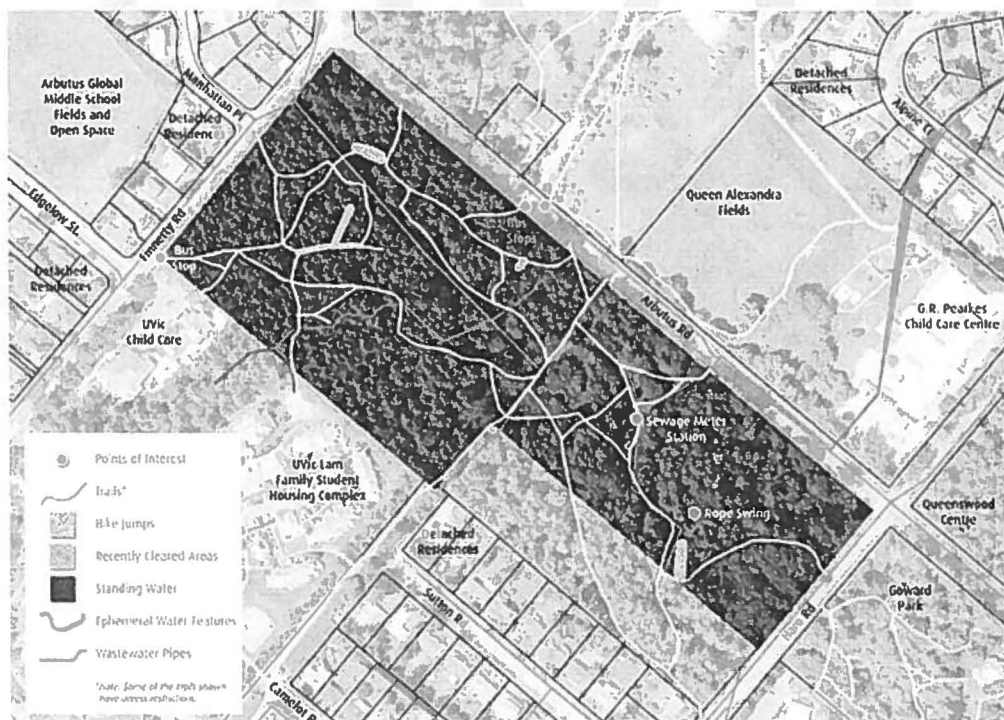
3.2 Recreation

Haro Woods is valued most highly for its natural qualities. It is used for both passive and active recreation, and as a thoroughfare to get to surrounding destinations.

- Trails

A system of informal trails has developed over all 4 parcels. These trails reflect desired travel lines between residential areas, institutional lands to the north-east, adjacent schools and daycares, Goward Park, bus stops, and the University of Victoria. The Cadboro Bay Local Area Plan envisions creating an east-west connection to contribute to a larger greenway system in the long term.

Westland's Land Use and Trails map - underground infrastructure, trails and bike jumps in 2010



- Passive and Active Recreation

Haro Woods is valued most highly as a natural space, and walking/dog-walking, family outings, and nature appreciation/relaxation are the most

common activities. On and off-trail biking, and jogging/exercise are also popular.

- On-trail Biking

Cyclists of all ages use the trails, but the majority are young children or teens. Existing trails are informal and are generally too narrow to allow cyclists and pedestrians to pass side by side.

- Off-Trail Biking

Leaving trails on bikes (off-trail biking) has been a long-term environmental, maintenance, and user-conflict issue. Some existing trails have been created by off-trail cyclists, and have involved digging and shaping soil to create jumps and contours. This activity can physically conflict with other recreational activity, damage trees and the understory, cause erosion and contribute to the spread of invasive plants.



Unapproved bike jumps in 2017

Unapproved bike-jump building can damage the understory, tree roots and soil. It also causes conflict between those that build and use the jumps, and those that resent the damage it causes.

3.3 Park Management Focus

Haro Woods is a popular community natural space used primarily for; walking, dog walking, or biking on trails; as a connection to other destinations; and for biking off of trails (off-trail biking). It has been largely unmonitored and minimally maintained for several decades. Some environmental impact has occurred on the Saanich-owned parcels in the past as a result of the installation of underground services, and use of the north-east area as a dumping ground for rubble. Unmanaged off-trail biking and jump-building has caused user conflict, and impacted soils and vegetation. Invasive plants have become established throughout the park.

Key issues to be addressed are:

- Lack of an established recreational program and supporting infrastructure
- Unapproved bike-jump and trail building
- Damage to native vegetation and soil
- Degradation of Finnerty Creek
- Invasive plants
- Lack of communication with park visitors

Lack of an established recreational program and supporting infrastructure

Continued use and accessibility of the woods by the general public is a key objective. However there are no official recreational amenities in the park. Trails are not wide enough to allow cyclists and pedestrians to pass side by side, and some park users are upset by the damage off-trail biking and jump-building causes to vegetation and soil. Accepted activities need to be defined and properly accommodated. UVic and the CRD are committed to maintain public access across their parcels; with details to be determined.

Unapproved bike-jump and trail building

Off-trail biking and jump-building has been happening throughout the woods for many years. Saanich Parks has responded to complaints by removing constructed elements, and in the past staff have met with youth involved in an effort to curb these activities. This has proven ineffective and jumps consistently re-appear.



Damage to native vegetation and soil

Some kinds of off-trail biking involve removing or trampling vegetation, and digging up soil to use for making jumps. Logs and introduced materials such as carpet are also used in jump construction. Rope swings, crude tree houses, and other constructed elements also appear occasionally. These activities can damage trees, the understory and soil. While dogs are not a significant issue, an increase in their number travelling off-trail could become problematic.

Degradation of Finnerty Creek

Finnerty Creek lies in a ravine where it enters the park from the UVic parcel. The banks of the ravine have been used for biking and walking, and much of its riparian vegetation is gone and the soil is compacted. The creek has also been impacted by large-volume storm water events, and sections of the creek bed are eroded.

Invasive plants

The disturbed ground associated with the past installation of underground services, and ongoing off-trail biking activity have helped invasive plants to become established. Invasive plants provide inferior habitat to the native vegetation they displace. Saanich resources are insufficient to effectively deal with invasive plant infestations in its parks. Volunteers in Saanich's well established invasive plant removal program ('Pulling Together') are an essential part of managing invasive plants successfully.

Lack of communication with park visitors

Currently there is no signage to indicate Haro Wood Park's ownership, recreational program, trail system, or contact information. Educational information is also needed so that visitors know how, and why, to recreate in a manner that will preserve the environmental integrity of the woods.

For organization and practicality these issues have been grouped into general themes: Recreation, Protection, and Access/Connection.



4 VISION AND GOALS

Creating Vision and Goals

A series of facilitated public events and Advisory Group meetings were held to establish the Vision and supporting goals for Haro Woods Park. At the first event in October 2016, the public identified what they value most about the Woods, and related key ideas to reflect in the Vision statement. The Advisory Group used this information to create a first draft Vision, and began to develop supporting goals.

The draft Vision was finalized, and goals were further developed at the second public event in January 2017. The Haro Woods Advisory Group subsequently met to finalize the Vision and Goals which are found in this plan.

Vision

The Vision describes the ideal future of Haro Woods Park as:

'Haro Woods is a healthy urban forest. It is a functioning ecosystem that welcomes respectful use.'

Goals and Actions strive to realize the Vision.

PAST AND CURRENT KEY VALUES

- Protect the natural environment
- Maintain unrestricted access across all parcels
- Allow kids to explore and play
- Opinion divided on leaving the trail on bikes (off-trail biking)
- for and against



GOAL THEMES

Past and current public input reveal themes in key values and concerns. These themes have been adopted as the framework for identifying and organizing Goals at public events, and in the Management Plan, they are:

THEMES

- Recreation (1 goal)
- Protection (3 goals)
- Access / Connection (3 goals)

Recreation Theme

- **Recreation Goal:** Enable respectful use and enjoyment of the forest provided visits don't negatively impact the forest environment.

Protection Theme

- **Water Goal:** To protect and preserve the integrity of Finnerty Creek to create a functioning, healthy waterway.
- **Forest, Animal and Plant Goal:** Support the urban forest and protect wildlife habitat by preserving and maintaining the natural succession process.
- **Stewardship, Education and Communication Goal:** Ensure the long term health of Haro Woods by building partnerships with key stakeholders to promote ongoing education and stewardship.



Bike-jump building typically uses excavated soil and available organic material as well as carpet and other foreign material.

Access/Connection Theme

- **Access Goal:** Maintain public access throughout the park and Haro Woods parcels (existing UVic, CRD and Saanich parcels).
- **Signage Goal:** Enhance the visitor experience by providing clear directions for respectful use.
- **Trail Conditions Goal:** Create a minimal trail system with a focus on pedestrian-only trails and some multi-use trails.

Each Goal has a number of Actions needed to achieve it.



North-east parcel. Note construction debris and signs of off-trail biking. Photo taken 2016.

5 ACTIONS

5.1 Recreation Theme (1 GOAL)

'Enable respectful use and enjoyment of the forest provided visits don't negatively impact the forest environment.'

Note: At time of writing the Haro Woods Advisory Group and the general public are divided on the off-trail biking issue. Parks staff will work with advisory groups and the public to further explore possible solutions including: creating an area where people may ride, and build tracks and jumps as they please (a 'biking area') subject to conditions; and forbidding leaving the trail on bikes (off-trail biking) altogether, to determine the best course of action. A biking area will only proceed if sufficient support is received. If it is supported, rezoning and a related public hearing would be required before it could be built.

Actions

A IDENTIFY

- Recreational activities that will be accommodated include: passive activities, pedestrian, dog walking, non-commuter cycling on trails, and possibly biking in a designated biking area (to be confirmed).
- Identify trails to be improved, and their intended use
- Identify possible biking area (to be confirmed). (see Trails Map)
- Identify park furniture locations.

B ACCOMMODATE

- Build/improve trails as necessary to accommodate identified activities.
- Clearly indicate trail entrance points from adjacent roadways.
- Install park furniture.
- Establish an biking area (to be confirmed), subject to conditions including:
 - Work to establish a volunteer group and develop a plan to design, construct and manage the biking area.
 - Establish a contact group for the purpose of ongoing communication.



- Biking area to be located in a previously disturbed area (NE corner of the site).
 - Elements are to be constructed in identified locations only.
 - No digging – jumps are to be built from imported material only.
 - Trees and other vegetation are to be undisturbed above and below ground.
 - Physical boundary around the designated biking area.
 - No off- trail biking beyond the designated biking area.
 - Install educational and 'rules of use' signs.
- C PROMOTE
- Provide educational information to the biking community to discourage off-trail biking outside of designated biking area.
 - Conduct a public education program to encourage responsible use of the park (see 'Stewardship, Education and Communication Goal', and Section 6 'Implementation').
- D MANAGE
- Remove unapproved bike jumps and trails in a timely and consistent manner.
 - Monitor park use via Parks staff and the park-user community, and address user conflict / inappropriate use as necessary.

5.2 Protection Theme (3 GOALS)

Water Goal

'To protect and preserve the integrity of Finnerty Creek to create a functioning, healthy waterway.'

Actions

- A DEVELOP AND IMPLEMENT
- A hydrological assessment and improvement plan for Finnerty Creek.
 - A riparian area restoration plan.



B COMMUNICATE AND COOPERATE

- Communicate and partner with UVic (site of storm water outlet) to share relevant Plan findings and recommendations.
- Install educational signs to explain riparian restoration projects and the impact of off-trail travel.

C PROTECT

- Install protective fencing and associated educational signage as necessary.

Forest, Animal and Plant Goal

'Support the urban forest and protect wildlife habitat by preserving and maintaining the natural succession process.'

Actions

A SUPPORT NATIVE VEGETATION

- Undertake an assessment of the forest's health which identifies and maps restoration and preservation areas.
- Preserve native vegetation in intact areas and restore native vegetation in highly disturbed areas, especially those subject to erosion. Identify restoration and preservation measures (prescriptions) to be implemented in project areas. Restoration may include replanting with native plant species and decommissioning undesignated trails, and preservation may include physical barriers, educational signage, etc.

B CONTROL INVASIVE PLANTS

- Encourage and support Pulling Together volunteers.
- Use Parks staff as resources permit.

C MAINTAIN

- Adapt maintenance practices as necessary to allow the natural succession process to occur:
 - Maintain the forest canopy and native understory composition.
 - Leave organic debris on the ground.
 - Leave wildlife trees standing.
 - Prune and remove vegetation, including trees, only as required for safety, and functionality of trails.



D MONITOR

- Monitor park for new invasive plant outbreaks, vegetation and soil disturbance, and address as necessary.
- Report and remove unapproved biking related elements in a consistent and timely manner.



Bike jumps in north-west section.

Stewardship, Education, and Communication Goal

'Ensure the long term health of Haro Woods by building partnerships with key stakeholders to promote ongoing education and stewardship.'

Actions

A STEWARDSHIP

- Support the creation of a 'Friends of Haro Woods Park', or similar interest group at nearby school(s) or daycare(s).
- Identify and explain preservation and restoration activities.
- Support volunteer Pulling Together groups and provide contact information.



B EDUCATE

- Provide adjacent schools and daycares, the cycling community, and other key stakeholders with educational information about responsible use of the park.
- Develop visitor education signs.
 - Interpretive signs – Explain the impacts of off-trail travel, explain natural succession, highlight natural features and restoration efforts.
 - Educational signs – Contact and regulatory information including:
 - People and dogs to stay on trails.
 - Off-trail biking in the designated biking area only.
- Work with First Nations to reflect respect for their heritage in park signs.

C COMMUNICATE

- Provide the Management Plan to CRD, UVic, and other key stakeholders.
- Maintain current contact information

5.3 Access / Connection Theme (3 GOALS)

Access Goal

'Maintain public access throughout the park and Haro Woods parcels (existing UVic, CRD and Saanich parcels).'

Actions

A FENCING AND TRAILS

- Do not construct fencing or barriers except as necessary to protect preservation and restoration areas, and to define the biking area (to be confirmed).
- Coordinate with other property owners to facilitate a continuous and functional public trail across all parcels.



Signage Goal

'Enhance the visitor experience by providing clear directions for respectful use.'

Actions

A INFORM

- Install educational signs with regulatory and contact information. Focus on staying on trails, appropriate bike use, protecting the environment, and contact information for Saanich Parks.
- Provide trail orientation map(s) at key locations.

Trail Conditions Goal

'Create a minimal trail system with a focus on pedestrian-only trails and some multi-use trails.'

It is recommended there be two main classes of trail. The first type is intended to provide pedestrian foot traffic only utilizing paths and trails which already exist. These trails are for hikers/walkers/joggers and would comply with development standards for "rustic trails" as per Saanich Trails Guidelines. Typically they would be 1 to 2 meters in width and consist of compacted native soils. Vegetation clearing may be needed in some areas to provide clear sight lines and passage. Additionally, some gravel would be added in localized areas of poor drainage and to prevent soil erosion. It is important to note that rustic trails are not considered accessible.

The second type of trail would accommodate foot traffic and non-commuter cycling on select trails. These shared trails would accommodate "multi-use" and would form the basis of a main north/south and east/west route through the park. The design of these trails would be kept as natural as possible and like rustic trails comply with Saanich Parks Trail Guidelines. These "neighbourhood trails" typically consist of gravel (pathway blend) to provide an accessible surface with widths of 2 to 3 meters. Wherever possible efforts should be taken to meet the minimum width in order to mitigate impacts on existing vegetation.

Other existing trails not required for the creation of a formalized trail system would be closed with the intent to restore the surface to a more naturalized forest condition.



Actions

A CHOOSE TRAILS

- Finalize trail selection and reflect on a trail plan (ie. Rustic and Neighbourhood Trails).

B PHASING

- Prioritize trails to be developed.



Existing entrance from bus stop on Finnerty Rd.

6 IMPLEMENTATION

6.1 Partnerships, Public Education & Outreach

This Management Plan needs on-going support from the community, park visitors and volunteers to succeed. This support can be built indirectly through partnerships with stakeholders, and directly through education and outreach in the park itself.

A positive relationship with key stakeholders and regular park users can help to manage the park well, and influence other park users. A cooperative relationship with the University of Victoria and the Capital Regional District will help to ensure that Haro Woods will be connected with a functional public trail system, and that natural areas are managed consistently. A good relationship with the off-trail biking community may help foster good stewardship among its members. Similarly, adjacent schools, and day cares can become good stewards, and through their example and communication with their wider communities, they can help to establish a standard of respectful use in the park.

Stakeholders, community organizations, and interested individuals can also help to foster respectful use by distributing information and/or promoting supportive attitudes within their memberships and the wider community. The District of Saanich can help to promote responsible park use through its website and communications.

Within the park, educational signs about natural features, and their sensitivity to off-trail biking will help to raise awareness and may help to decrease damaging activity. On-site information about the Saanich Pulling Together volunteer program can also increase awareness and support. Educated and interested park visitors may become informal park stewards, helping to educate other visitors and promote responsible park use.

Together these efforts will help to promote awareness and respect for Haro Woods Park, and normalize a standard of respectful use within it.



6.2 Budget

Operational Considerations:

The measures needed to address Haro Woods Park's issues fall into the following operational categories:

Development – Park improvements need to be incorporated into Saanich Parks' annual work plan and capital budgets. Trail improvements and signs could be completed within the first three years. The biking area (if supported and included in the final plan - to be confirmed), would likely be built in partnership with a biking community group, but would require Saanich resources to help plan and build.

Maintenance – Any infrastructure that is developed, such as trails, signs and furniture will need to be added to the Parks operations budget and included in Saanich Parks' regular maintenance schedule. This will include regular removal of unapproved biking-related structures, and support for maintaining the authorized biking area (if approved).

Urban forest / dangerous tree management – Hazard trees are assessed and managed according to ISA standards. Management can mean pruning, conversion to wildlife trees, or removal.

Volunteer recruitment – Community volunteers are the main resource for controlling invasive plants. Saanich will be a supportive partner of their work.



Budget:

Operational and capital estimates are provided and will be considered as part of the annual budget process:

Recreation		
Short Term (1 – 3 years)	1. Develop signs to indicate ownership, trail system, and the recreational program (i.e., what forms of recreation are to take place, and where). (capital)	<i>Cost TBD</i>
	2. Improve select trails to accommodate intended recreation, including trail entrances, as per trail plan. (capital)	
	3. Plan and build a biking area (to be confirmed). (capital)	
	4. Install park furniture. (capital)	
	5. Develop and distribute educational material to key park users. (capital)	
Mid to Long Term (4 – 10 years)	1. Monitor and expand trail system if/when needed as indicated. (capital)	<i>Cost TBD</i>
	2. Complete routine maintenance on trails and furniture. (operating)	
	3. Work with biking community to maintain the biking area (to be confirmed). (operating)	



4. Monitor park and remove unapproved off-trail biking related elements in a consistent and timely manner. (operating)

Protection

Short Term (1 – 3 years)	1. Communicate / provide educational material to key stakeholders and park users, including the biking community, to explain how and why to recreate in a way that protects and respects the natural environment. (operating)	<i>.Cost TBD</i>
	2. Develop and install interpretive and educational signs to highlight natural features and explain how and why to protect them. (capital)	
	3. Complete a hydrological assessment and restoration plan for Finnerty Creek. Work with UVic to begin to implement recommendations. (capital)	
	4. Install split-rail protective fencing as necessary. (capital)	
	5. Work with volunteers (Pulling Together) to combat invasive plants. (operating)	
	6. Begin to restore native vegetation in impacted areas. (capital / operating)	
	7. Conduct on-going monitoring to assess need for invasive species removals and restoration/preservation measures. (operating)	



Protection		
Mid to Long Term (4 – 10 years)	1. Finish implementing recommendations in the hydrological assessment and restoration plan for Finnerty Creek. Work with UVic as necessary. (capital / operating)	<i>Cost TBD</i>
	2. Continue to work with volunteers to combat invasive plants. (operating)	
	3. Continue to restore native vegetation in impacted areas. (capital / operating)	
	4. Complete routine maintenance on signs. (operating)	

Access / Connection		
Short Term	1. Communicate and coordinate with other Haro Woods property owners (UVic, CRD) to ensure a continuous and functional trail system. (operating)	<i>Cost TBD</i>
	2. Install trail map signs at key locations. (capital)	
Mid to Long Term	1. Continue to communicate and coordinate with other Haro Woods property owners (UVic, CRD) to ensure a continuous and functional trail system. (operating)	<i>Cost TBD</i>
	2. Complete routine maintenance on map signs. (operating)	



7 CONCLUSION

Despite its challenges Haro Woods Park has always been a valued community asset. The actions laid out in this Management Plan will ensure that the community can continue to use and enjoy the woods, without compromising its health or natural beauty. Education will be key, as ultimately it will be the attitude and actions of the people who visit the park that will determine its future.

DRAFT



8 DEFINITIONS AND NOTES

Preservation

Preservation is defined as “to keep safe from harm or loss; to keep in its original state or in good condition”.

Restoration

Restoration is defined as “a return of something to a former, original, normal, or unimpaired condition”.

Respectful Use

For the purpose of this plan, ‘respectful use’ is defined as an activity that does not negatively impact the natural environment. Examples of activities that would be considered disrespectful include digging, bike jump or trail building, prolonged travel through vegetation or within Finnerty Creek’s riparian zone, deliberately damaging vegetation, constructing elements, and leaving garbage or dog waste behind.

Urban Forest

Urban forest is defined as “the sum of all trees and their associated ecosystems within the municipality, including all trees on public, private, commercial and institutional lands, and in all road right-of-ways.” The urban forest is recognized as having high ecological, and aesthetic, financial and psychological importance.

Note

In the Vision statement the word ‘forest’ is meant to include all the natural components of a healthy forest including plants and animals, and the natural succession and hydrological processes.

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THE CORPORATION OF THE DISTRICT OF SAANICH

Memo

To: Environment and Natural Areas Advisory Committee

Date: October 11, 2017

From: Nathalie Dechaine,
Manager of Community Development and Business Systems

Subject: Significant Tree Nomination for a Garry oak 1585 Rowan Street

BACKGROUND

A Significant Tree Nomination Form was received by Saanich Parks in August of 2017 for a Garry oak tree located at 1585 Rowan Street, from the owner. As per the process for Designation as a Significant Tree, Saanich staff have reviewed the nomination form and visited the property to gather more information. On September 14, 2017, Dan Fong, a Saanich arboriculture inspector, met with the property owner to discuss the nomination and to assess the tree.

DISCUSSION

The nominated Garry oak (*Quercus garryana*) tree is an open grown specimen located in the rear yard, with a school yard bordering as the adjacent property. The publicly accessible school yard allows for viewing this specimen despite it being located in the backyard of private property. The tree measures 1.23m at diameter breast height (DBH), and the crown spread averages over 23 metres, which is significantly larger than most of the adjacent oaks in that area. The tree has good overall structure and form and demonstrates good vitality through its foliage colour and density. This Garry oak recently had a branch failure that appears to either be a sudden limb failure or poor angle of attachment. There is no reason to expect more limb failures, however remedial pruning would improve health and vigour and structural integrity. Only a visual inspection was conducted, but by the virtue of its size, it estimated to be 125 to 150 years old. While the owner nominated this tree under two categories: "Rare Species or Unique Growth" and "Outstanding Specimen in Size or Shape", Saanich Parks supports the "Outstanding Specimen in Size or Shape" category.

RECOMMENDATION

That the ENA approve this nomination as a Significant Tree under the "Outstanding Specimen in Size or Shape" category.

Submitted by: _____

N. Dechaine

Attachments:

1. Significant Tree Nomination Form for Garry Oak at 1585 Rowan and (GIS) locator sheet
2. Four photos of nominated Garry Oak

cc. Eva Riccius, Senior Manager, Parks



PARKS & RECREATION

SIGNIFICANT TREE NOMINATION FORM

The nomination form must be filled out entirely by the nominee and sent to Saanich Parks at parks@saanich.ca or by fax 250-475-5525.

Parks staff will contact the nominee to schedule a site visit within 10 working days of receiving the nomination form. Please note, the Environment and Natural Areas Advisory Committee reviews the nomination forms on a quarterly basis at meeting in February, May, September and November.

CATEGORY OF DESIGNATION

- | | |
|--|---|
| <input checked="" type="checkbox"/> Outstanding Specimen in Size or Shape | <input checked="" type="checkbox"/> Rare Species or Unique Growth |
| <input type="checkbox"/> Historical – Planted by a pioneer or has other historical background | <input type="checkbox"/> Group – May be along a boulevard or in a garden or park |
| <input type="checkbox"/> Area – All of the trees in the specific area | <input type="checkbox"/> Landmark – Usually a single well-known tree |
| <input type="checkbox"/> Wildlife Habitat – Perch or Nesting Tree | |

Nominee Information

Name Dehui Xing

Phone Number [REDACTED]

Email [REDACTED]

Property Owner [REDACTED]

Property Owner Information

Owner Name(s) Dehui Xing / Yi Xue

Address [REDACTED]

Phone Number [REDACTED]

Email [REDACTED]



PARKS & RECREATION

Tree Information

Address of Tree(s)

1585 Rowan Street

Location of Tree(s) on Property:

Backyard

History or Background of Tree(s):

Unknown

Species of Tree(s):

Garry Oak

The information provided will be used to assess the criteria for preserving the significant tree. All personal information will be held in the strictest of confidence in accordance with the Freedom of Information and Protection of Privacy Act (FOIPPA). If you have any questions about the collection and use of this information, please contact the Legislative Division, 770 Vernon Avenue, Victoria, BC, V8X 2W7, Telephone 250-475-1775.

Saanich Parks | 770 Vernon Ave Victoria BC V8X 2W7

Phone: 250-475-5522 | Fax: 250-475-5525 | Email: parks@saanich.ca

1585 Rowan St

1573

1581

1585

1589

1593



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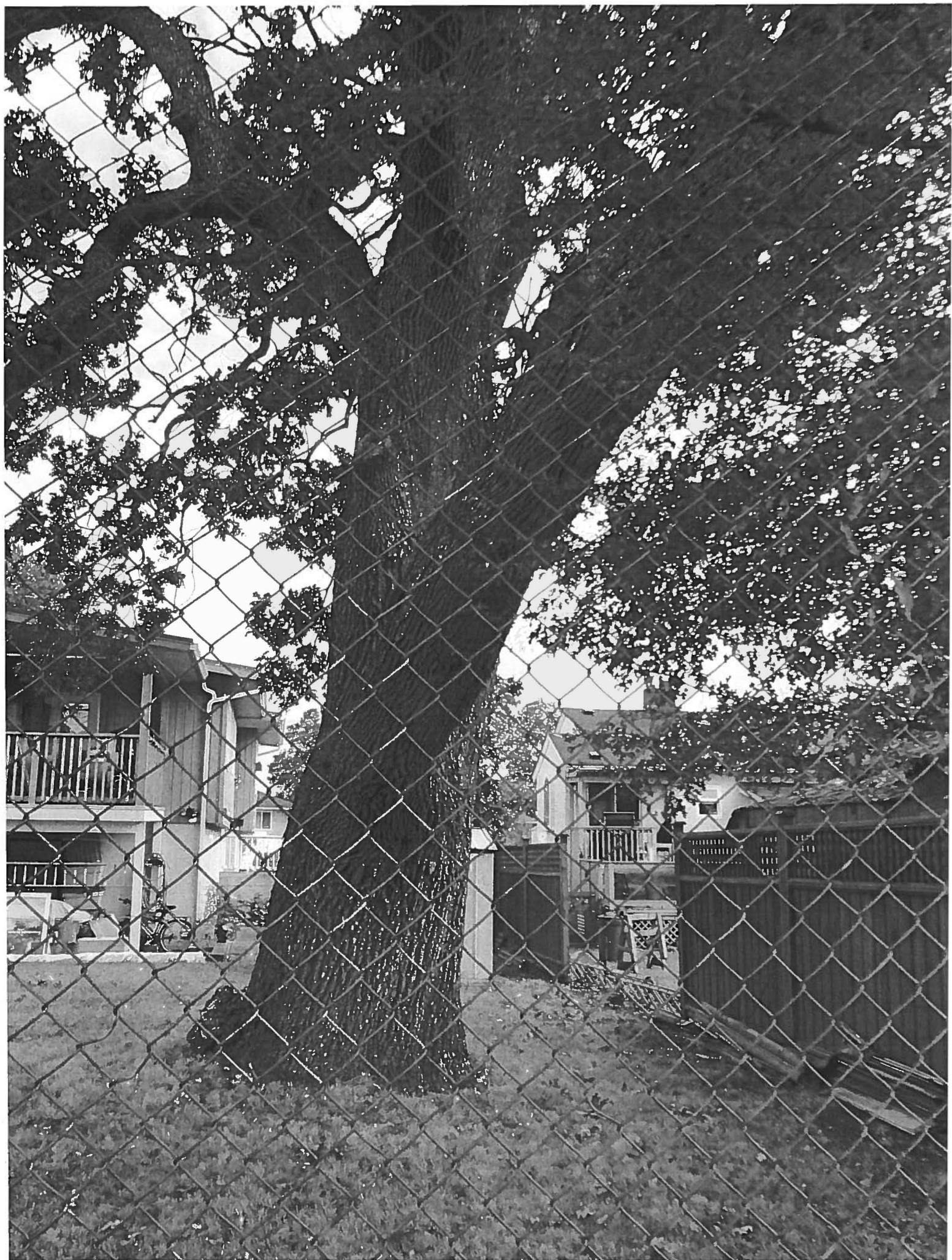
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Memo

To: Environment and Natural Areas Advisory Committee
From: Adriane Pollard, Manager of Environmental Services
Date: January 11, 2018
Subject: Plastic Bag Model Bylaw
File: 1420-20

At the October 2, 2017 Council meeting, the following motion was endorsed:

- "1. Saanich adopt a bylaw that bans single use plastic bags based on the Capital Regional District model bylaw;
2. Saanich partner with Recycle BC and retailers to conduct a single use plastic bag reduction campaign; and
3. That prior to Council consideration of a bylaw that the item be forwarded to the Environment and Natural Areas Advisory Committee and the Planning, Transportation and Economic Development Advisory Committee for comment."

At the October 17, 2017 Environment and Natural Areas Advisory (ENA) Committee meeting, members identified a number of ideas and questions, such as:

- What will the intention be for enforcement? This should be described in the Report to Council. There is a potential for an audit based approach rather than by complaint;
- Will residents be able to re-use plastic bags they already have at stores?;
- A system to evaluate the effectiveness of the bylaw should be used; and
- Should there be a sunset clause for Part 3—Exemptions?.

The committee also identified a number of clarifications regarding the model bylaw:

- Define "not potentially hazardous food";
- There are many blanks to be filled in and should be included in the model bylaw so all municipalities that adopt it will be consistent;
- Paragraph 3 is confusing and needs to be written more simply. Will businesses be able to charge for providing a plastic bag?; and
- The maximum fine appears too high and leaves too much interpretation in what would be an appropriate fine.

At their November 9, 2017 meeting, the Planning, Transportation, and Economic Development (PTED) Committee requested, via a motion to Council, a legal review of the model bylaw.

"That the Planning, Transportation and Economic Development Advisory Committee recommend that Council obtain legal advice on banning single use plastic bags and setting minimum pricing for single use plastic bags."

Next Steps

In order to have the questions raised by the ENA addressed, staff will include these with the request from PTED.

Once the ENA has received the information from staff, the committee may elect to make a recommendation to Council.

Sincerely;



Adriane Pollard, MCIP, R.P. Bio, MCESM
Manager of Environmental Services

AP/jsp

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cc: Councillor Judy Browhoff, Chair of PTED
Sharon Hvozdzanski, Director of Planning
Brent Reems, Director of Building, Bylaw, Licensing and Legal Services

SINGLE-USE PLASTIC BAG BYLAW

BYLAW NO. XXX

DRAFT

NO. XXX
SINGLE-USE PLASTIC BAG BYLAW

A BYLAW OF THE CITY OF X LOCAL GOVERNMENT

The purpose of this Bylaw is to prohibit the sale or free distribution of single-use plastic bags within the city of X Local Government.

Contents

PART 1 – INTRODUCTION

- 1 Title
- 2 Definitions

PART 2 – REGULATIONS

- 3 Sales and distribution by a person
- 4 Sales and distribution by a business
- 5 Alternatives
- 6 Reusable container use

PART 3 – EXEMPTIONS

- 7 Permitted distribution by a business

PART 4 – ENFORCEMENT

- 8 Authority
- 9 Fines
- 10 Daily fines

PART 5 – GENERAL PROVISIONS

- 11 Severability
- 12 Coming into force

Under its statutory powers, including sections 8(3)(j) and 9(1)(b) of the *Community Charter*, and section 2(1)(a) of B.C. Regulation 235/2008 [*Spheres of Concurrent Jurisdiction - Environment and Wildlife Regulation*], the Council of the City of X Local Government enacts the following provisions:

PART 1 – INTRODUCTION

Title

- 1 This Bylaw may be cited as the "SINGLE-USE PLASTIC BAG BAN BYLAW".

Definitions

- 2 In this Bylaw

"Biodegradable Plastic bag" or "Compostable Plastic Bag"

means any bag which is composed of, in whole or part, biodegradable plastic,

Ox-biodegradable plastics, Plastarch Material (PSM), polylactide or any other plastic resin composite that is intended to degrade at a faster rate than non-biodegradable plastic film.

"Customer"

means any person purchasing food, goods, or materials or renting goods or materials from a retail business.

"Door-Hanger Bag"

means a bag designed to hold flyers, coupons or other advertisements and intended to be left on the door of homes.

"Designated Officer"

means the person(s) authorized by City Council to enforce any part of this Bylaw.

"Retail Business"

means a business that sells or offers for sale or rent goods or services by retail to the public.

"Reusable Container"

means other than a single-use plastic bag, a bag, box or other container that is specifically designed and manufactured for multiple reuse that is:

- (i) made of cloth or other machine washable fabric; or
- (ii) made of other durable material suitable for reuse

"Single-Use Plastic Bag"

means any bag made with less than 2.25 millimeters thick polyethylene, including biodegradable bags.

PART 2 – REGULATIONS

- 3 No person shall sell or provide single-use bags free of charge or allow single-use plastic bags to be sold or provided free of charge.
- 4 No person employed by or acting on behalf of a person carrying on a retail business shall sell or provide single plastic bags free of charge or allow single-use plastic bags to be sold or provided free of charge.
- 5 Nothing in this Bylaw shall preclude owners of retail businesses from making alternatives to single-use plastic bags, such as reusable containers and bags, available for sale or free of charge to customers.
- 6 No retail business shall deny the use of any reusable bag by a customer for the transport of purchased items.

PART 3 – EXEMPTIONS

- 7 A retail business shall be permitted to provide bags for the following circumstances:
- (i) bags used by customers inside retail businesses established to package bulk items, but not limited to such as fruit, vegetables, nuts, grains, candy or small hardware items such as nails and bolts;
 - (ii) bags used to contain or wrap frozen foods, meat or fish, flowers or potted plants, whether pre-packaged or not;
 - (iii) bags used to protect prepared foods or bakery goods;
 - (iv) bags provided by pharmacists to contain prescriptions drugs;
 - (v) door-hanger bags;
 - (vi) laundry-dry cleaning bags; and
 - (vii) bags sold in packages containing multiple bags intended for such uses including, but not limited to garbage bags, pet waste bags, yard waste bags, or recycling bags.

PART 4 - ENFORCEMENT

- 8 A designated officer may enter any retail business established and may make examinations, investigations and inquires for enforcement purposes.
- 9 Every person or retail business who contravenes a provision of this Bylaw is guilty of an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the *Offence Act*.
- 10 Each day that a contravention of a provision of this Bylaw continues is a separate offence.

PART 5 – GENERAL PROVISIONS

- 11 If any provision or part of a provision of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the Bylaw or its application in any other circumstances shall not be affected and shall continue to be in full force and effect.
- 12 This Bylaw shall come into force on the date of adoption.

"X"
CORPORATE ADMINISTRATOR

"X"
MAYOR