



AGENDA

For the Council Meeting to be Held
In the Council Chambers
Saanich Municipal Hall, 770 Vernon Avenue
MONDAY JUNE 12, 2017, 7:00 P.M.

A. PRESENTATION OF AWARDS

1. Saanich Environmental Awards

P. 4

2. Canadian Association of Municipal Administrators' Long Service Recognition Award

B. DELEGATION

P. 5

1. John Howard Society of Victoria – Therapeutic Community Garden Project

C. ADOPTION OF MINUTES

1. Special Council meeting held May 13, 2017
2. Council meeting held May 15, 2017
3. Committee of the Whole meeting held May 15, 2017
4. Special Council meeting held May 16, 2017

D. BYLAWS

FOR FINAL READING AND RATIFICATION OF PERMIT APPROVALS

1. **ZONING BYLAW AMENDMENT – NEW ZONE CD-5AH**

P. 6

Final reading of "Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9415". To create a new Comprehensive Development Affordable Housing Zone CD-5AH.

2. **1550 ARROW ROAD – REZONING TO CD-5AH**

Final reading of "Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9416" and approval of **Development Permit DPR00614**. To rezone from Zone RA-1 (Apartment) to new Zone CD-5AH (Comprehensive Development Affordable Housing) for the proposed construction of an affordable seniors' apartment.

3. **OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT – REVISION TO THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA ATLAS**

Final reading of "Official Community Bylaw, 2008, Amendment Bylaw, 2017, No. 9421". To amend Appendix "N" of the Environmental Development Permit Area Atlas as outlined in the amendment bylaw.

4. **OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT – TEMPORARY EXEMPTION OF SINGLE FAMILY (RS) ZONED PROPERTIES FROM THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA**

Final reading of "Official Community Plan Bylaw, 2008, Amendment Bylaw, 2017, No. 9422". To exempt Single Family zoned properties from certain provisions of the Environmental Development Permit Area as outlined in the amendment bylaw.

5. **3959 SHELBOURNE STREET – DEVELOPMENT PERMIT**

P. 7

From the Committee of the Whole meeting held April 24, 2017, approval of Development Permit DPR00647 for a proposed new two-storey commercial building for a bank.

BYLAWS FOR FIRST READING (SUBJECT TO A PUBLIC HEARING)

- P. 8** 6. **5117 DEL MONTE AVENUE – REZONING TO RS-12**
First reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9443”. To rezone from Zone A-1 (Rural) to Zone RS-12 (Single Family Dwelling) for a proposed subdivision to create three additional lots, for a total of four residential lots.
- P. 9** 7. **OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW – TILLICUM LOCAL AREA PLAN**
First reading of “Official Community Plan Bylaw, 2008, Amendment Bylaw, 2017, No. 9444”. To amend Section 7.2, Subsection (a) of Appendix “M” of the Tillicum Local Area Plan as outlined in the amendment bylaw.
- P. 10** 8. **955 & 961 PORTAGE ROAD – REZONING TO RS-12**
First reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9445”. To rezone two parcels from Zone A-1 (Rural) to Zone RS-12 (Single Family Dwelling) for a proposed subdivision to create four additional lots for a total of six bare land strata lots for single family dwelling use.

E. PUBLIC INPUT (ON BUSINESS ITEM F)

F. RESOLUTIONS FOR ADOPTION

- P. 11** 1. **2017 ASSOCIATION OF VANCOUVER ISLAND AND COASTAL COMMUNITIES (AVICC) MEMBERSHIP**
Invoice from the AVICC requesting payment of annual membership dues in the amount of \$10,065.28.
- P. 12** 2. **DIRECT AWARD FOR SECURITY CONTRACT – PRISONER CUSTODY SUPERVISION**
Report of the Chief Constable dated May 25, 2017 recommending that Council approve the final negotiations and direct award for Security Contract – Prisoner Custody Supervision to the Commissionaires Victoria, the Islands and Yukon Division (Commissionaires).
- P. 14** 3. **AWARD OF TENDER 12/17 2016 STORM AND SANITARY CIPP LINING PT. 2**
Report of the Director of Engineering dated June 1, 2017 recommending that Council award Tender 12/17 2016 Storm and Sanitary CIPP Lining Pt. 2 to Insituform Technologies Limited in the amount of \$1,326,608 (excluding GST).
- P. 16** 4. **MUNICIPAL FINANCE AUTHORITY BORROWING – 2017 FALL ISSUE**
Report of the Director of Finance dated June 6, 2017 recommending that Council approve the resolution outlined in the report to authorize long term borrowing under the Municipal Finance Authority (MFA) fall 2017 debt issue.
- P. 18** 5. **CAPITAL REGIONAL DISTRICT (CRD) BYLAW NO. 4127, ARTS AND CULTURE SUPPORT SERVICE ESTABLISHMENT BYLAW NO. 1, 2001, AMENDMENT BYLAW NO. 4, 2017**
Request from the CRD that Council consent to the adoption of Bylaw No. 4127, Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017.
- P. 35** 6. **REGIONAL GROWTH STRATEGY – NON-BINDING DISPUTE RESOLUTION PROCESS**
Report of the Director of Planning dated June 5, 2017 recommending that Council support the proposed mediator and process for Regional Growth Strategy non-binding dispute resolution, as per the proposal contained in Attachment A; and identify the Mayor, the CAO, the Director of Planning, and the Director of Engineering as representatives for the mediation process.

* * * Adjournment * * *

AGENDA

For the Committee of the Whole Meeting
** IMMEDIATELY FOLLOWING**

The Council Meeting in the Council Chambers

1. **2590, 2594 & 2598 PENRHYN STREET – COUNCIL REQUEST FOR CONSIDERATION OF AN ENVIRONMENTAL AND SOCIAL REVIEW**
P. 60 Report of the Director of Planning dated April 7, 2017 recommending that Council endorse that an Environmental and Social Review not be required for a proposed 14 unit townhouse development.
2. **5009 PROSPECT LAKE ROAD – FLOODPLAIN DEVELOPMENT PERMIT**
P. 85 Report of the Director of Planning dated May 1, 2017 recommending that Development Permit DPR00672 be approved and that ratification of the Development Permit be withheld pending registration of a covenant to secure the items as outlined in the report for the proposed construction of a single family dwelling partially within the floodplain.
3. **1654 FELTHAM ROAD – SUBDIVISION, REZONING AND DEVELOPMENT VARIANCE PERMIT**
P. 203 Report of the Director of Planning dated May 3, 2017 recommending that Council approve the application to rezone from RS-10 (Single Family Dwelling) to RS-6 (Single Family Dwelling); approve Development Variance Permit DVP00376; and that final reading of the Zoning Bylaw Amendment and ratification of the Development Variance Permit be withheld pending payment for the planting of one Schedule I Boulevard tree and the registration of a covenant to secure the items as outlined in the report for a proposed subdivision to create one additional lot. Variances to the setbacks are requested to retain the existing dwelling.

* * * Adjournment * * *

“IN CAMERA” COUNCIL MEETING IMMEDIATELY FOLLOWS



Mayor
Councillors
Administrator

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Media

Canadian Association of Municipal Administrators ♦ L'Association canadienne des administrateurs municipaux

Marie-Hélène Lajoie
President / Présidente

Janice Baker
First Vice-President /
Première vice-présidente

Marc Landry
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Jean-Marc Nadeau
Director / Administrateur

Louis Coutinho
Director / Administrateur

Christy Arseneau
Director / Administratrice

Jack Benzaquen
Director / Administrateur

Jake Rudolph
Director / Administrateur

Rodney Cumby
Director / Administrateur

Jennifer Goodine
Executive Director/
directrice générale

CAMA
P. O. Box 128, Station A
Fredericton, NB
CANADA
E3B 4Y2

ACAM
CP 128, succursale A
Fredericton, N.-B.
CANADA
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T 1-866-771-2262
F 506-460-2134
E-Mail:
admin@camacam.ca

www.camacam.ca

April 14th, 2017

Mayor Richard Atwell
District of Saanich
770 Vernon Avenue
Victoria, BC
V8X 2W7



Dear Mayor Atwell:

The Canadian Association of Municipal Administrators' (CAMA) Long Service Recognition Awards Program recognizes and celebrates the dedication to public service and municipal management of our members, which is a significant priority for our Association. These awards are based on the number of years of full-time, paid employment in municipal government in a management capacity (a Chief Administrative Officer or reporting directly to a Chief Administrative Officer). They are granted at ten years and given in five year increments.

This year in your municipality we acknowledged the commitment of your Chief Administrative Officer, Mr. Paul Thorkelsson, for his ten years of municipal service in a management capacity. His recognition pin has been mailed to him directly.

We ask you to assist us in recognizing Mr. Thorkelsson (by perhaps making a special presentation to him at City Council) for his ongoing support of the municipal profession and for the part that he continues to play in helping to make CAMA the leading organization in fostering and sustaining municipal excellence.

Our sincere gratitude to you for your continued support of this valued CAMA member and dedicated employee of your organization. We trust that your municipality has tremendously benefited from his membership in CAMA and we are confident that it will continue to do so.

Sincerely,

Marie-Hélène Lajoie
CAMA President

cc Mr. Paul Thorkelsson, Chief Administrative Officer, District of Saanich

CM
A.2

District of Saanich
Legislative Division
770 Vernon Ave.
Victoria BC V8X 2W7

t. 250-475-1775
f. 250-475-5440
saanich.ca



Mayor
Councillors
Administrator

LEGISLATIVE SERVICES

Council
Administrator
Media

Application to Appear as a Delegation

Personal information you may provide on this form is collected under s. 26(c) of the FIPPA and will be used for the purpose of processing your application to appear as a delegation before Saanich Council. The application will form part of the meeting's agenda and will be published on the website. Your personal telephone number and e-mail address will not be released except in accordance with the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of your personal information may be referred to the Saanich FOI Team, 770 Vernon Ave, Victoria, BC, V8X 2W7 or by telephone at 250-475-1775.

General Information

Name of Organization or Association

Meeting Date Requested (Except the last meeting of the month)

<input type="text" value="12"/> <small>Day</small>	<input type="text" value="June"/> <small>Month</small>	<input type="text" value="2017"/> <small>Year</small>
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 Application must be submitted by 12:00 noon at least 10 days prior to the meeting date.

Contact Information

Name of Contact Person (for Organization or Association)

Telephone Number

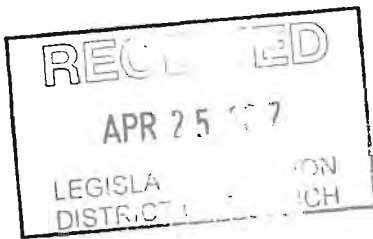
E-mail

Presentation Information

Please be specific and attach additional information if required. Maximum presentation time is 10 minutes.

Topic of Discussion
Please describe the topic of your presentation

Our therapeutic community garden project, entitled Feeding Ourselves and Others, is a community based and supported initiative that teaches gardening skills and promotes stability and a sense of community for some of this region's most disadvantaged residents--persons suffering from mental health and/or addiction concerns. Sponsored by our society, together with support from community based organizations such as Seven Oaks Care Facility, Island Health's ACT/VICOT teams and the Victoria Integrated Court, the garden has engaged both participants



I have attached background materials Yes No Printed background information should be submitted for distribution with the agenda, or bring 13 copies to the meeting.

Audio/Visual Presentation Yes No Presentation materials need to be submitted by noon on the Friday before the meeting and tested on Saanich equipment.

For Office Use

Delegation for Meeting: June 12, 2017

Refer to Committee: _____

Refer to Department: _____ Direct Action: _____ Response: _____



LEGISLATIVE SERVICES

Mayor
Councillors
Administration

Council
Administration
Media

Memo

To: Mayor and Councillors File: 2870-30 Arrow Rd
From: Donna Dupas, Legislative Manager
Date: June 5, 2017
Subject: **1550 Arrow Road – Final Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9415”, “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9416” and Approval of Development Permit**

At a Public Hearing held February 21, 2017, Council gave second and third reading to the above noted bylaws. Final reading of the bylaws and approval of Development Permit DPR009614 was withheld pending completion of several items including the registration of a housing agreement and a covenant, as well as payment for Arrow Road improvements.

- Please note that there are no outstanding items to be addressed and Council is requested to
- a) give final reading to “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9415” to create new Zone CD-5AH (Comprehensive Development Affordable Housing);
 - b) give final reading to “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9416” to rezone the property to new Zone CD-5AH; and
 - c) approve Development Permit DPR00614.

This item is scheduled for the Council Meeting on June 12, 2017. If you have any questions please contact me at extension 3500.



Donna Dupas,
Legislative Manager

dh

cc: Paul Thorkelsson, CAO
Sharon Hvozdzanski, Director of Planning
Harley Machielse, Director of Engineering

**CM
D.1 & 2**



LEGISLATIVE SERVICES

Mayor
Councillors
Administrator

Council
Administration
Media

Memo

To: Mayor and Councillors File: 2860-30 Shelbourne St
From: Donna Dupas, Legislative Manager
Date: June 5, 2017
Subject: **3959 Shelbourne Street – Approval of Development Permit**

At a Council meeting held April 24, 2017, Council considered the above noted application. Approval of the Development Permit was withheld pending registration of a covenant securing the construction to LEED Silver or equivalent energy efficient standard.

Please note that there are no outstanding items to be addressed and Council is requested to approve and issue Development Permit DPR00647. The cancellation of Development Permit DPR2008-00023 and subsequent amendments, and discharge of covenant CA1339318 and modification CA2045076 are also requested.

This item is scheduled for the Council Meeting on June 12, 2017. If you have any questions please contact me at extension 3500.

A handwritten signature in blue ink, appearing to read "Dupas", written over the printed name.

Donna Dupas,
Legislative Manager

dh

cc: Paul Thorkelsson, CAO
Sharon Hvozdzanski, Director of Planning
Harley Machielse, Director of Engineering

CM
D.5

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9443

TO AMEND BYLAW NO. 8200,
BEING THE "ZONING BYLAW, 2003"



The Municipal Council of The Corporation of the District of Saanich enacts as follows:

- 1) Bylaw No. 8200, being the "Zoning Bylaw, 2003" is hereby amended as follows:
 - a) By deleting from Zone A-1 (Rural) and adding to Zone RS-12 (Single Family Dwelling) the following lands:

Lot B, Sections 45 and 46, Lake District, Plan 9363

(5117 Del Monte Avenue)

- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9443**".

Read a first time this day of

Public Hearing held at the Municipal Hall on the day of

Read a second time this day of

Read a third time this day of

Approved under Part 4 of the *Transportation Act* on the

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the day of

Municipal Clerk

Mayor

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9444

Mayor
Councillors
Administrators

Council
Administration
Media

TO AMEND BYLAW NO. 8940,
BEING THE "OFFICIAL COMMUNITY PLAN BYLAW, 2008"

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

- 1) Bylaw No. 8940, being the "Official Community Plan Bylaw, 2008" is hereby amended by deleting Section 7.2, Subsection (a), of Appendix "M" (Tillicum Local Area Plan) and replacing it with the following:
 - a) "Retaining A-1 zoning outside the Sewer Service Area along the north shore of Colquitz River estuary and Portage Inlet".
- 2) This Bylaw may be cited for all purposes as the "**OFFICIAL COMMUNITY PLAN BYLAW, 2008, AMENDMENT BYLAW, 2017, NO. 9444**".

Read a first time this day of

Public Hearing held at the Municipal Hall on the day of

Read a second time this day of

Read a third time this day of

Approved under Part 4 of the *Transportation Act* on the

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of The Corporation on the day of

Municipal Clerk

Mayor

**CM
D.7**

THE CORPORATION OF THE DISTRICT OF SAANICH
BYLAW NO. 9445

Mayor
Councillors
Administrator
Counc.
Adminis.
Media

TO AMEND BYLAW NO. 8200,
BEING THE "ZONING BYLAW, 2003"

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

- 1) Bylaw No. 8200, being the "Zoning Bylaw, 2003" is hereby amended as follows:
 - a) By deleting from Zone A-1 (Rural) and adding to Zone RS-12 (Single Family Dwelling) the following lands:
 - Lot 5, Section 79, Victoria District, Plan 890, Except Part in Plan 3836 RW and Plan 776RW
(955 Portage Road)
 - Lot 6, Section 79, Victoria District, Plan 890, Except Parts in Plans 3836 RW, Plan 50827 and Plan 776RW
(961 Portage Road)
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9445**".

Read a first time this day of

Public Hearing held at the Municipal Hall on the day of

Read a second time this day of

Read a third time this day of

Approved under Part 4 of the *Transportation Act* on the

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the day of

Municipal Clerk

Mayor

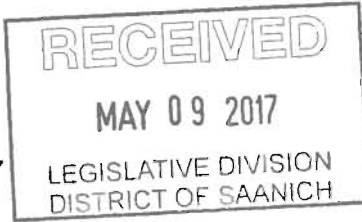
**CM
D.8**



ASSOCIATION OF VANCOUVER ISLAND AND COASTAL COMMUNITIES
 Local Government House
 525 Government Street
 Victoria, BC V8V 0A8
 Phone: (250) 356-5122 Fax: (250) 356-5119
 E-mail: avicc@ubcm.ca

POST TO **UBCM** POSTED **MAY 15 2017**
 COPY TO **VT**
 INFORMATION *Include on June 12 council agenda
 REPLY TO WRITER
 COPY RESPONSE TO LEGISLATIVE DIVISION
INVOICE
 ACKNOWLEDGED: _____

TO: District of Saanich
 770 Vernon Avenue
 Victoria, BC V8X 2W7



Invoice Date: 2017-05-01
Invoice No: 201769
Reference: 2017 AVICC Annual Dues
Due: Due upon receipt

Mayor
 Councillors
 Administrator
 Council
 Administrator
 Media

DESCRIPTION	AMOUNT
Population: 110,889	
<i>Your AVICC dues have been calculated using population estimates (Dec 2016 release) provided by BC STATS, the central statistical agency of the Province of British Columbia.</i>	
Annual Dues:	
First 5,000 population at 0.1263	\$631.50
Next 10,000 at 0.1089	\$1,089.00
Next 15,000 at 0.0918	\$1,377.00
Balance at 0.0803	\$6,488.48
Subtotal:	\$9,585.98
GST: (BN 82945 4362) 5%	\$479.30
Total:	\$10,065.28



ASSOCIATION OF VANCOUVER ISLAND AND COASTAL COMMUNITIES
 Local Government House
 525 Government Street
 Victoria, BC V8V 0A8

REMITTANCE PORTION

District of Saanich
 2017 Annual AVICC Dues

Date: 2017-05-01

Invoice #: 201769

TOTAL DUE: \$10,065.28

AMOUNT ENCLOSED

Please return this portion of invoice with your payment. Thank you.

**CM
 F.1**

Supplier #48561



Mayor
Councillors
Administrator

Council
Administrator
Media

SAANICH POLICE

OFFICE OF THE CHIEF CONSTABLE

DATE: May 25, 2017

TO: Mayor and Council

FROM: Robert A. Downie
Chief Constable

RE: DIRECT AWARD FOR SECURITY CONTRACT – PRISONER CUSTODY SUPERVISION

RECOMMENDATION

That Council approve the final negotiations and direct award for Security Contract – Prisoner Custody Supervision to the Commissionaires Victoria, the Islands and Yukon Division (Commissionaires).

PURPOSE

The purpose of this report is to request approval to direct award a Security Contract – Prisoner Custody Supervision between the Saanich Police Board and the Commissionaires for a one-year term, with an option to renew for two (2) additional one (1) year terms upon mutual agreement.

DISCUSSION

The Commissionaires have been providing security services on an "hourly rate" basis for the operation of the prisoner holding facility at the Saanich Police Department since June 2000. The current contract was signed in 2013 and there are no annual extensions available.

This is a single source direct award to a non-profit organization as allowable by the Saanich Administrative Purchasing Policy.

FINANCIAL IMPLICATIONS

Based on historical data, the value will exceed the \$200,000 threshold, thus requiring Council approval.

The Police budget includes an annual provision of approximately \$250,000 for this service.

RECEIVED
MAY 26 2017
LEGISLATIVE DIVISION
DISTRICT OF SAANICH
CM
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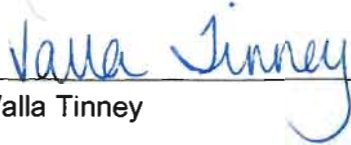
Prepared by:



Robert A. Downie

Chief Constable

Approved by:



Valla Tinney


Director of Finance

RAD/lg

cc: Inspector Todd Bryant, Police
Staff Sergeant Darryl Harris, Police
Lorraine Kuzyk, Manager of Purchasing Services

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Police Chief Constable



KEN WATSON

for
Administrator



Mayor
Councillors
Administrator

Council
Administrator
Media

The Corporation of the District of Saanich

Report

To: Mayor and Council

From: Harley Machielse, Director of Engineering

Date: 6/1/2017

Subject: Award of Tender #12/17 2016 Storm and Sanitary CIPP Lining Pt.2



RECOMMENDATION

That Council approve the award, plus change orders within budget, of **Tender #12/17 2016 Storm and Sanitary CIPP Lining Pt.2 to Insituform Technologies Limited**, who submitted a bid of \$ 1,326,608 (excluding GST).

PURPOSE

The purpose of this report is to request approval to award **Tender #12/17 2016 Storm and Sanitary CIPP Lining Pt.2**

DISCUSSION

A tender was issued for the supply of all materials, equipment, labour and services necessary for the rehabilitation of storm drain and sanitary sewer mains and laterals using cured-in-place-pipe (CIPP) technology. A total of six (6) project locations are included in this contract and all are located within the District of Saanich. All six (6) locations require sanitary sewer rehabilitation and four (4) of the locations also include storm drain rehabilitation.

Locations are:

- Whittier/Tennyson (within rights-of-way south of Boleskine Road) – Lining of 242 metres of wood stave storm drain (various sizes) and 178 metres of sanitary sewer main
- Bellevue Road (within rights-of-way between Cook and Wicklow Streets) – Lining of 86 metres of wood stave storm drain and 235 metres of sanitary sewer main
- Dean Avenue (Carrick to Townley Street) – Lining of 103 metres of wood stave storm drain (various sizes) and 114 metres of sanitary sewer main
- Lambrick Park (Feltham to Torquay Road) - Lining of 431 metres of wood stave storm drain and 492 metres of sanitary sewer main
- Lodge Avenue (within rights-of-way south of Lodge Ave between Saanich Road and Saul Street) - Lining of 303 metres of sanitary sewer main
- Arena Road (within rights-of-way north of Arena Road at Tillicum Park) - Lining of 32 metres of sanitary sewer main

**CM
F.3**

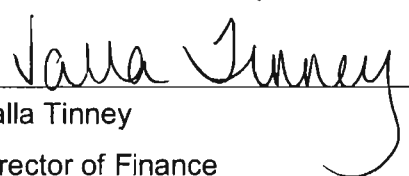
Four compliant responses were received from the following vendors (rounded to the nearest dollar and excluding GST):

- **Insituform Technologies Limited** **\$ 1,326,608**
- Mar-Tech Underground Services Ltd. \$1,599,708
- Capital Sewer Services Inc. \$1,798,567
- Superior City Contracting Services Ltd. \$2,461,083 (corrected for summation error)

FINANCIAL IMPLICATIONS

Funding for this work is available in the approved 2017 Sewer and Drainage capital budgets. The District also received grant funding from Clean Water and Waste Fund for 83% of all eligible costs for this program of works.

Prepared by 
Harley Machielse
Director of Engineering

Reviewed by 
Valla Tinney
Director of Finance

LK

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Engineering.


Paul Thorkelsson, Administrator



The Corporation of the District of Saanich

Report

Mayor
Councillors
Administrator

Council
Administrator
Media

To: Mayor and Council
From: Valla Tinney, Director of Finance
Date: June 6, 2017
Subject: MUNICIPAL FINANCE AUTHORITY BORROWING - 2017 FALL ISSUE



RECOMMENDATION:

That Council approve the following resolution to authorize long term borrowing under the Municipal Finance Authority's 2017 fall debt issue for the projects specified in this report.

PURPOSE

The purpose of this report is to present a resolution for Council adoption authorizing borrowing through the Municipal Finance Authority (MFA) fall 2017 debt issue.

BACKGROUND

Under the Community Charter, the final step in acquiring long term debt is a resolution of Council requesting the Capital Regional District consent to the borrowing and authorizing the MFA to obtain the funds on our behalf.

DISCUSSION

Debt funding for the capital programs have been established in the 2017 Financial Plan Bylaw and the following Loan Authorization Bylaws were recently adopted by Council:

<u>Bylaw No.</u>	<u>Purpose</u>	<u>Amount</u>
9380	Sewer Capital Program	\$1,500,000
9382	Transportation Capital Projects	2,000,000
9384	Community Facilities Capital Projects	<u>195,800</u>
		<u>\$3,695,800</u>


The recommended borrowing term under Council's Debt Management Policy for these programs is fifteen years. Debt financing costs are included in the Financial Plan Bylaw; there is no additional impact on property taxes or user rates.

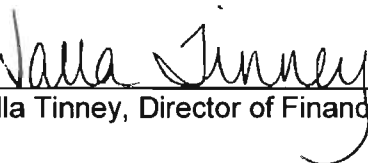
CM
F.4

Resolution:

That Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2017 Fall Issue, \$3,695,800 as authorized through the following Loan Authorization Bylaws for the projects specified and that the Capital Regional District be requested to consent to our borrowing over a 15 year term and include the borrowing in their security issuing bylaw:

Bylaw Number	Purpose	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
		\$	\$	\$		\$
9380	Sewer Capital Program	1,500,000	-	1,500,000	15	1,500,000
9382	Transportation Capital Projects	2,000,000	-	2,000,000	15	2,000,000
9384	Community Facilities Capital Projects	195,800	-	195,800	15	195,800
Total		3,695,800	-	3,695,800		3,695,800

Report prepared by: 
 Paul Arslan, Senior Manager of Financial Services

Report reviewed by: 
 Valla Tinney, Director of Finance

CHIEF ADMINISTRATIVE OFFICER’S COMMENTS:

I endorse the recommendation of the Director of Finance


 Paul Thorkelsson, CAO



Making a difference...together

Capital Regional District
625 Fisgard Street, PO Box 1000
Victoria, BC, Canada V8W 2S6

T: 250.360.3000
F: 250.360.3234
www.crd.bc.ca

Mayor
Councillors
Administrator

Council
Administrator
Media

May 19, 2017

File 3900-03

RE: Bylaw No. 4127, Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017

Attached is a copy of CRD Bylaw No. 4127 at third reading. Please place this Bylaw on your next Council agenda with a request to give consent to the adoption of the Bylaw in accordance with Section 346 of the *Local Government Act*.

The purpose of the Bylaw is to:

- Rename non-Group 1 participants as "Group 2"
- Update assessment calculation methods and changes to minimum contribution levels
- Add the Southern Gulf Islands Electoral Area to the Service (Group 2)

In order to amend the establishing bylaw of this service, consent is required from 2/3rds of participants which include the Township of Esquimalt, District of Highlands, District of Metchosin, District of Oak Bay, District of Saanich, Town of Sidney, City of Victoria, Town of View Royal and the Southern Gulf Islands Electoral Area Director.

As background, please find attached staff reports, the proposed bylaw as well as the draft consolidated bylaw.

If you require additional information prior to forwarding this request to Council, or if you wish to have CRD staff present when Bylaw No. 4127 is presented to Council, please let me know.

Yours sincerely,

Emilie Gorman
Deputy Corporate Officer
Legislative and Corporate Services
T 250.360.3127
E egorman@crd.bc.ca

Encl. (3)
CRD Bylaw No. 4127
CRD Bylaw No. 2884 (Draft Consolidation)
CRD Staff Report

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**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4127**

**A BYLAW TO AMEND BYLAW NO. 2884, BEING “ARTS AND CULTURE SUPPORT
SERVICE ESTABLISHMENT BYLAW NO. 1, 2001”**

The Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Bylaw No. 2884, “Arts and Culture Support Service Establishment Bylaw No. 1, 2001,” is amended as follows:

- a) By adding to end of Section 2 “and the Southern Gulf Islands Electoral Area”
- b) By deleting Section 3 in its entirety and substituting the following:

“3. **Participating Areas:**

- (1) The Township of Esquimalt, District of Highlands, District of Metchosin, District of Oak Bay, District of Saanich, Town of Sidney, City of Victoria, Town of View Royal, and the Southern Gulf Islands Electoral Area are the participating areas for this service.
- (2) In this bylaw, “**Group 1 Participating Areas**” in each year means the Township of Esquimalt, District of Oak Bay, District of Saanich, City of Victoria, and the Town of View Royal.
- (3) In this bylaw, “**Group 2 Participating Areas**” in each year means the District of Highlands, District of Metchosin, Town of Sidney and the Southern Gulf Islands Electoral Area.

c) By deleting Sections 6 and 7 in their entirety and inserting a new section 6:

“6. **Apportionment**

- (1) The amount of annual costs recovered by requisition in accordance with Section 4 (a) of this bylaw, shall be apportioned among the Participating Areas by dividing the costs into two equal parts, one part to be apportioned on the basis of population and one part to be apportioned on the basis of assessments and applying the formulae in Section 6 (2) below.
- (2) For the purpose of this section:
 - (a) **Group 1 Participants:**
 - (i) **Population** is the total population estimate as determined annually by the Regional Planning Services Department of the Capital Regional District, and

(ii) **Assessments** are the annual converted value of land and improvements in the Participating Areas.

(b) **Group 2 Participants** (subject to Section 6 (2)(c) below):

(i) **Population** is 30 % of the population estimate as determined annually by the Regional Planning Services Department of the Capital Regional District, and

(ii) **Assessments** are 30% the converted value of land and improvements in the Participating Areas, or

(iii) A greater percentage amount if indicated in writing by a Participating Area.

(c) **Transitional provisions for New and Existing Group 2 Participants:**

(i) New Participants are subject to 6 (2)(b) above except in the first year of participation their percentage is a minimum of 10% and in their second year of participation their percentage is a minimum of 20%

(ii) Participants contributing at less than 20% at the date of adoption of this bylaw, must contribute at a minimum percentage of 20% for 2018.”

(iii) New Participants may withdraw from the Service within two years of joining provided that written notice that the Participant intends to withdraw is delivered to the CRD Corporate Officer on or before July 1st of the first or second year of membership to be effective as of January 1st the following year.

(iv) Participants described in section 6 (2) (c)(ii) may withdraw from the Service within two calendar years of adoption of this bylaw provided that written notice that the Participant intends to withdraw is delivered to the CRD Corporate Officer on or before July 1st of the first or second year since adoption, to be effective as of January 1st the following year.

d) By renumbering Section 8 to Section 7, by deleting Section 9 in its entirety, and by renumbering Sections 10 and 11, to Sections 8 and 9.

2. This bylaw may be cited for all purposes as the “Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017”.

CONSENTED TO BY AT LEAST TWO THIRDS of the Councils of the Township of Esquimalt, District of Highlands, District of Metchosin, District of Oak Bay, District of Saanich, Town of Sidney, City of Victoria, Town of View Royal and the Southern Gulf Islands Electoral Area Director.

READ A FIRST TIME this 10th day of May 2017.

READ A SECOND TIME this 10th day of May 2017.

READ A THIRD TIME this 10th day of May 2017.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2017.

ADOPTED this _____th day of _____ 2017.

CHAIR

CORPORATE OFFICER

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 2884**

**A BYLAW TO ESTABLISH THE GIVING OF
ARTS AND CULTURAL GRANTS AS A SERVICE**

(as amended by Bylaws 3481, 3616 and 4127)

WHEREAS under section 176(1)(c) of the *Local Government Act* the Capital Regional District may provide assistance for the purpose of benefiting the community or any aspect of the community;

AND WHEREAS there is a desire on the part of the municipalities which currently participate in the Greater Victoria Inter-Municipal Committee (“IMC”) to move activities of the IMC to the Capital Regional District and establish a service to carry out these same activities;

AND WHEREAS the participating municipalities of the IMC, being the City of Victoria, the District of Saanich, the District of Oak Bay and the Township of Esquimalt have established a Greater Victoria Arts Commission to provide advice on matters involving the arts within the Greater Victoria area and there is a desire to allow for the establishment of committees to provide advice to the Capital Regional District on these same matters;

AND WHEREAS the Board of the Capital Regional District considers it desirable to establish for the regional district a service to provide for the giving of assistance for the purpose of benefiting the community or an aspect of the community to be known as the “Arts and Cultural Support Service”;

AND WHEREAS the Board of the Capital Regional District wishes to proceed under section 796 of the *Local Government Act* to establish the service under Division 4.1 of Part 24 of the *Local Government Act*;

AND WHEREAS the Board of the Capital Regional District has obtained the consent of the Councils of the municipalities of Victoria, Saanich, Oak Bay, Esquimalt, Highlands, Metchosin, View Royal and Sidney;

(Bylaws 3481, 3616)

AND WHEREAS under section 804(2)(g) of the *Local Government Act* with respect to a service established to provide assistance under section 176(1)(c) the cost of providing the service may be apportioned among the municipalities or electoral areas benefiting from the assistance, with the service area deemed to be all those areas and the Board of the Capital Regional District wishes to establish a service for the purpose of providing assistance with the cost of the service being apportioned among the municipalities or electoral areas benefiting from the assistance;

NOW THEREFORE, the Board of the Capital Regional District in open meeting assembled enacts as follows:

1. **Service**

The service hereby established is the provision of assistance in relation to the arts and culture for the purpose of benefiting the community or an aspect of the community to be known as the “Arts and Culture Support Service”.

2. **Boundaries**

The boundaries of the service area shall be the boundaries of the municipalities of Victoria, Saanich, Oak Bay, Esquimalt, Highlands, Metchosin, View Royal ~~and~~ Sidney and Southern Gulf Islands Electoral Area.

(Bylaws 3481, 3616, 4127)

3. **Participating Areas**

- (1) The Township of Esquimalt, District of Highlands, District of Metchosin, District of Oak Bay, District of Saanich, Town of Sidney, City of Victoria, Town of View Royal, and the Southern Gulf Islands Electoral Area are the participating areas for this service.
- (2) In this bylaw, “Group 1 Participating Areas” in each year means the Township of Esquimalt, District of Oak Bay, District of Saanich, City of Victoria, and the Town of View Royal.
- (3) In this bylaw, “Group 2 Participating Areas” in each year means the District of Highlands, District of Metchosin, Town of Sidney and the Southern Gulf Islands Electoral Area.

(Bylaw: 4127)

4. **Cost Recovery**

The annual cost of providing the service shall be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) fees and charges that may be imposed under section 797.2 of the *Local Government Act*;
- (c) revenues raised by other means authorized by the *Local Government Act* or another act;

- (d) revenue received by way of agreement, enterprise, gift, grant or otherwise.

5. **Maximum Requisition**

The maximum amount that may be requisitioned under sections 805 and 805.1 of the *Local Government Act* for the annual cost of the service shall be the greater of:

- (a) \$1,980,000; or
- (b) an amount equal to the amount that could be raised by a property value tax of \$0.102 per \$1,000 which, when applied to the net taxable value of land and improvements of the initial Group 1 Participating Areas (Victoria, Saanich, Oak Bay and Esquimalt) within the service area, would yield a maximum amount that may be requisitioned under sections 805 and 805.1(a) for the service.

6. **Apportionment**

- (1) The amount of annual costs recovered by requisition in accordance with Section 4 (a) of this bylaw, shall be apportioned among the Participating Areas by dividing the costs into two equal parts, one part to be apportioned on the basis of population and one part to be apportioned on the basis of assessments and applying the formulae in Section 6 (2) below.

- (2) For the purpose of this section:

- (a) **Group 1 Participants:**

- (i) **Population** is the total population estimate as determined annually by the Regional Planning Services Department of the Capital Regional District, and
- (ii) **Assessments** are the annual converted value of land and improvements in the Participating Areas.

- (b) **Group 2 Participants** (subject to Section 6 (2)(c) below):

- (i) **Population** is 30 % of the population estimate as determined annually by the Regional Planning Services Department of the Capital Regional District, and
- (ii) **Assessments** are 30% the converted value of land and improvements in the Participating Areas, or
- (iii) A greater percentage amount if indicated in writing by a Participating Area.

(c) **Transitional provisions for New and Existing Group 2 Participants:**

- (i) New Participants are subject to 6 (2)(b) above except in the first year of participation their percentage is a minimum of 10% and in their second year of participation their percentage is a minimum of 20%
- (ii) Participants contributing at less than 20% at the date of adoption of this bylaw, must contribute at a minimum percentage of 20% for 2018.

(Bylaw: 4127)

8.7. Voting

On a vote of the Board of the Regional District in respect of the amount to be placed in the annual budget with respect to annual grant funding, each director representing a Group 1 Participating Area is entitled to five votes and each director representing any other participating area is entitled to one vote.

10. 8. Advisory Committee and Operation

Without limiting the powers of the Regional District under the *Local Government Act*, the Board may establish one or more committees to:

- (a) advise the Board on matters regarding the service; and
- (b) manage the administration and operation of the service.

11.9. Citation

This Bylaw may be cited as “**Arts and Culture Support Service Establishment Bylaw No. 1, 2001**”.

READ A FIRST TIME THIS 25th day of April 2001.

READ A SECOND TIME THIS 25th day of April 2001.

READ A THIRD TIME THIS 25th day of April 2001.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 12th day of June 2001.

ADOPTED THIS 27th day of June 2001.

Christopher Causton
CHAIR

Carmen Thiel
SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 3rd day of July 2001

Deletions:

3. **Participating Areas:**

- (1) The municipalities of Victoria, Saanich, Oak Bay, Esquimalt, Highlands, Metchosin, View Royal and Sidney are the participating areas for this service.

(Bylaws 3481, 3616)

- (2) In this bylaw, “**Group 1 Participating Areas**” in each year means the municipalities of Victoria, Saanich, Oak Bay, Esquimalt, View Royal and any other participating area that indicates in writing to the Regional District prior to October 31st in the prior year that it wishes to fully participate in annual grant funding costs subject to cost sharing under section 7(3)(c) for the service established by this bylaw.

(Bylaws 3616)

6. **Minimum**

Each participant that gives notice under section 7(3) shall contribute a minimum of \$500 annually.

7. **Apportionment**

- (1) In this section the following words and phrases have the following meanings:

- (a) “**class of property**” means class of property as defined in the Prescribed Classes of Property Regulation, B.C. Reg. No. 438/81 or similar enactment as it exists from time to time;
- (b) “**converted assessed value**” for a municipality means the converted value, determined under paragraph 7(2) of:
- (i) the assessed value under the *Assessment Act*, in the previous year, of lands and improvements taxed by the municipality for general municipal purposes in the previous year according to the assessment roll; and
 - (ii) the Crown value;
- (c) “**Crown land**” means land and improvements owned by the Crown or an agent of the Crown in a previous year if the municipality received or is due

to receive a grant in lieu of taxes, in respect of the year before the current year;

- (d) **“Crown land value”** will be:
- (i) in the case of Crown land other than Crown land owned by the British Columbia Hydro and Power Authority, the lesser of the assessed value under the *Assessment Act* for the previous year and the value which would result in a property tax equal to the grant in lieu of taxes if the land and improvements were not crown land, and
 - (ii) in the case of Crown land owned by the British Columbia Hydro and Power Authority, the assessed value under the *Assessment Act* for the year before the previous year, and
 - (iii) in the case of Crown Land owned by the Government of Canada or by an agent of the Government of Canada, the value, in the year before the previous year, of land and improvements which would result in a property tax equal to the grant in lieu of taxes if the land and improvements were not Crown land.
- (e) **“non-specific grant costs”** means an amount that a participating area has indicated in writing to the Regional District prior to October 31 in any preceding year that it wishes to raise to have available to provide funding to a person or organization through the service established by this bylaw.
- (f) **“population”** means the population for each municipality most recently published by the Province of British Columbia, Ministry of Finance and Corporate Relations.
- (g) **“specific individual grant costs”** means the amounts which a participating area has indicated in writing to the Regional District that it wishes to raise to provide funding to a specified person or organization through the service established by this bylaw.
- (2) For the purpose of this part, the assessed value of land and improvements will be converted by adding together the products obtained by multiplying the assessed value for each class of property by the percentage set out below for the class:

Class of Property	Multiple
1	10 %
2	35 %
3	40 %
4	34 %
5	34 %

6	24.5%
7	30 %
8	10 %
9	10 %

(3) The amount of the annual costs recovered by requisition in accordance with section 4(a) of this bylaw shall be apportioned among the participating areas as follows:

(a) Specific individual grant costs shall be apportioned to:

- (i) Group 1 Participating Areas; and
- (ii) any other participating area where the participant indicated in writing to the Regional District prior to October 31 in the preceding year that it wished to participate in the making of specific individual grants,

in the amount which each such participating area is deemed to benefit from the assistance.

(b) Non-specific grant costs shall be apportioned to:

- (i) Group 1 Participating Areas; and
- (ii) any other participating area where the participant indicated in writing to the Regional District prior to October 31 in the preceding year that it wished to participate in the making of non-specific grants,

in the amount which each such participating area is deemed to benefit from the assistance.

(c) Annual grant funding costs shall be apportioned to Group 1 Participating Areas:

- (i) 50% on the basis of the converted assessed value of land and improvements; and
- (ii) 50% on the basis of population.

(4) For the purposes of 7(3)(a) and (b), a participating area is deemed to benefit from assistance in the amount that the participant indicated in writing to the Regional District should be requisitioned for specific individual grants or non-specific grants or both.

9. **Grants in Lieu of Taxes**

For the purpose of sections 807(1) to (3) of the Local Government Act, funds paid to the Regional District in respect of the service established by this bylaw will be held to the credit of the participant making the payment.

Arts Commission's Report

Victoria, BC April 26, 2017

To the Chair and Directors of the Capital Regional District Board:

The Arts Commission reports and recommends as follows:

1. **17-165 Bylaw 4127: A Bylaw to Amend Bylaw Number 2884, Being "Arts and Culture Support Service Establishment Bylaw No. 1, 2001"**

That Bylaw No. 4127, "Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017" be introduced and read a first time, a second time and a third time.

(Background information can be found in the attached staff reports from February 22, 2017, and April 26, 2017. Note that at the April 26 meeting, and as reflected in the amended Appendix A, the Commission added a further clause to Bylaw 4127; namely, section 6(2)(c)(iv), to provide a time-limited withdrawal provision for designated, existing Group 2 participants similar to that provided for new participants in section 6(2)(c)(iii).)

**REPORT TO CRD ARTS COMMISSION
MEETING OF WEDNESDAY, APRIL 26, 2017**

SUBJECT **Bylaw 4127: A Bylaw to Amend Bylaw Number 2884, Being “Arts and Culture Support Service Establishment Bylaw No. 1, 2001”**

ISSUE

An additional amendment to Bylaw 4127 requires review and approval by the Arts Commission.

BACKGROUND

At their meeting of February 22, 2017, the Arts Commission recommended approval by the Capital Regional District (CRD) Board of Bylaw 4127, to amend Bylaw 2884, the Arts and Culture Support Service Establishment Bylaw, with the following amendments:

- Rename non-Group 1 participants as “Group 2”.
- Establish the participation level for new Group 2 participants as a minimum 30% of their Group 1 level.
- Provide a means for new Group 2 participants to increase to the minimum 30% level over three years beginning at 10% in their first year and 20% in their second year.
- Provide direction for Group 2 participants currently contributing less than 20% to increase to 20% beginning in 2018.
- Update the assessment calculation methodology for cost sharing, using current CRD standards.
- Add the Southern Gulf Islands as a Group 2 participant per their request.

Prior to the recommendation moving forward to the CRD Board, at their meeting of March 29, 2017, the Arts Commission requested an additional amendment to Bylaw 4127 providing a two-year trial for new Group 2 participants only. The additional amendment has been added as 6 (2)(c)(iii).

ALTERNATIVES

Alternative 1

That the CRD Arts Commission recommend to the Capital Regional District Board:
That Bylaw No. 4127, “Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017” be introduced and read a first time, a second time and a third time.

Alternative 2

That the staff report and bylaw be referred back to staff for further information.

IMPLICATIONS

The additional amendment to Bylaw 4127 provides a two-year period whereby a new Group 2 participants may withdraw from the service in the first or second year of membership.

CONCLUSION

The additional amendment 6 (2)(c)(iii) adds a two year withdrawal provision for new Group 2 participants.

RECOMMENDATION(S)

That the CRD Arts Commission recommend to the Capital Regional District Board:

That Bylaw No. 4127, "Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017" be introduced and read a first time, a second time and a third time.

Submitted by:	James Lam, Manager, Arts Development Service
Concurrence:	Nelson Chan, MBA, CPA, CMA, Chief Financial Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

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Attachment: Appendix A Bylaw 4127

**REPORT TO CRD ARTS COMMISSION
MEETING OF WEDNESDAY, FEBRUARY 22, 2017**

SUBJECT **Bylaw 4127: A Bylaw to Amend Bylaw Number 2884, Being “Arts and Culture Support Service Establishment Bylaw No. 1, 2001”**

ISSUE

Amendments effecting changes to non-group 1 participation in the Arts Development Service and adding Southern Gulf islands as a participant.

BACKGROUND

At their May 11, 2016 meeting, the Arts Commission (then Committee), requested staff to provide wording and bylaw amendments that would set the point of entry for non-group 1 participation at a minimum of 10% of a participant’s group 1 level and require an increase to 30% within five years. Community engagement around the #BuildingOurArtsFuture arts implementation plan, and a pending request from Southern Gulf Islands to join the Service, has put off the amendment until now.

Bylaw 4127 proposes the following amendments:

- Creates a naming convention for non-group 1 participants as “Group 2”.
- Establishes the participation level for new Group 2 participants as a minimum 30% of their Group 1 level.
- Provides a means for new Group 2 participants to increase to the minimum 30% level over three years beginning at 10% in their first year and 20% in their second year.
- Provides direction for Group 2 participants currently contributing less than 20% to increase to 20% beginning in 2018.
- Updates the assessment calculation methodology for cost sharing, using current CRD standards.
- Adds the Southern Gulf Islands as a Group 2 participant per their request.

ALTERNATIVES

That the CRD Arts Commission recommend:

1. To the CRD Board that Bylaw No. 4127, “Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017” be introduced and read a first time, a second time and a third time.
2. That the staff report and bylaw be referred back to staff for further information.

IMPLICATIONS

Amendments to Group 2 participation levels will change the minimum contribution required to participate in the service from a voluntary amount to a standard amount based on a formula. The changes establish a minimum of 30% as the required contribution for Group 2 membership with allowances for new and/or current Group 2 participants to reach the 30% level in increments.

CONCLUSION

The main purpose of the Bylaw 4127 is to revise the contribution level required for Group 2 participation in the Arts Development Service. The proposed amendments set the Group 2 contribution level at 30% of the Group 1 amount, with options to reach 30% over time.

Updating the assessment cost sharing methodology using the standard Regional District converted assessments will streamline the workflow related to the calculation of municipal contributions, as well as bring it into better alignment with the Local Government Act.

The proposed amendments will also establish “Group 2” as the naming convention for non-group 1 participants.

RECOMMENDATION(S)

That the CRD Arts Commission recommend to the CRD Board that Bylaw No. 4127, “Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017” be introduced and read a first time, a second time and a third time.

Submitted by:	James Lam, Manager, Arts Development Service
Concurrence:	Diana Lokken, CPA, CMA, General Manager, Technology and Initiatives
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

Appendix A: Bylaw No. 4127

Appendix B: Draft Consolidated Bylaw No. 2884



The Corporation of the District of Saanich

Mayor
Councillors
Administrator

Council
Administrator
Media

Report

To: Mayor and Council

From: Sharon Hvozdanski, Director of Planning

Date: June 5, 2017

Subject: Regional Growth Strategy – Non-Binding Dispute Resolution Process
File: 2160-20

RECOMMENDATION

That Council:

1. Support the proposed mediator and process for Regional Growth Strategy non-binding dispute resolution, as per the proposal contained in Attachment A; and
2. Identify the Mayor, the CAO, Director of Planning, and the Director of Engineering as representatives for the mediation process.

PURPOSE

The purpose of this report is to:

- Provide background information on the Regional Growth Strategy non-binding dispute resolution process;
- Seek Council approval of a mediator and process before the Ministry mandated deadline of June 14, 2017; and
- Seek Council approval on Saanich representatives for the non-binding dispute resolution process.

DISCUSSION

Background

An update to the Regional Growth Strategy (RGS) has been underway since 2008. The process culminated in a formal referral of a Proposed RGS to member municipalities in late 2016. At their meeting on January 23, 2017 Saanich Council voted to not accept the RGS. Six other municipalities also rejected the RGS, meaning that 7 of the 13 municipalities in the region did not accept the RGS. The reasons for rejection varied amongst member municipalities, creating a situation where a number of issues will need to be resolved to achieve acceptance of the RGS.

In response to municipal rejections, on February 22, 2017 the Capital Regional District (CRD) Board initiated the dispute resolution process and unanimously voted to request that the Minister of Community, Sport and Cultural Development direct a non-binding process to resolve the disputed issues in the RGS.



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Provincial Direction

On March 28, 2017, the Minister of Community, Sport and Cultural Development directed a non-binding dispute resolution process for the 2016 RGS, as requested by the CRD Board. The Minister also identified that the process must be agreed upon by June 14, 2017.

As per s.439 of the "Local Government Act", the process for non-binding dispute resolution is to be determined by agreement between the rejecting municipalities (Central Saanich, Colwood, Esquimalt, Highlands, North Saanich, Saanich, and View Royal) and the CRD Board.

Municipalities accepting the RGS (Langford, Metchosin, Oak Bay, Sidney, Sooke, and Victoria) may also participate in dispute resolution if they so choose, but are not involved in selecting a mediator or process.

Agreement to a process must happen by June 14, 2017 in order to meet the Ministry deadline.

Process for Retaining a Mediator

The legislation does not prescribe requirements for developing a non-binding dispute resolution process. CRD staff and municipal planners have worked through the Development Planning Advisory Committee (DPAC) to develop a mediation process in coordination with rejecting municipalities.

The desired outcome was to reach agreement – at a staff level – on a mediator and a process that could be brought to rejecting municipal councils and the CRD Board for approval by June 14, 2017. To facilitate agreement, CRD staff coordinated a competitive process to identify a qualified mediator who could develop and deliver a dispute resolution process to which rejecting municipalities could agree. The following summarizes key decisions leading to the identification of a mediator and a process.

- In anticipation of Ministry direction, on March 23, 2017, CRD staff issued a request for qualifications (RFQ) to two locally-based mediators with previous experience resolving RGS disputes. The mediators were on a provincial list of qualified service providers.
- On April 3, 2017 DPAC representatives from the CRD and the rejecting municipalities met to review the RFQ submissions. A mediator was not identified based on the RFQ submissions, and the group requested that the CRD broaden the search through a request for proposal (RFP) process. The group provided input on the RFP and the RFP evaluation criteria.
- On April 7, 2017 the CRD issued an RFP for RGS dispute resolution services, with a closing date of April 19, 2017. One Proponent, different from the Proponents who submitted on the RFQ, submitted a proposal in response to the RFP.
- On April 25, 2017, DPAC representatives from the CRD and the rejecting municipalities met to review the proposal. The group agreed that the proposal could be brought forward for council/Board approval subject to clarification/refinement of certain items. CRD staff invited the Proponent to revise the proposal.
- On April 29, 2017, the Proponent submitted a revised proposal. DPAC representatives from the CRD and rejecting municipalities were satisfied with the refinements and agreed to bring forward the proposed mediation process for council/Board approval.

While only one proposal was received, it is important to note that RGS dispute resolution is a niche field, with a limited number of mediators who have experience resolving these types of disputes. Three mediators have provided dispute resolution services to past RGS disputes that were subject to non-binding dispute resolution. The Request for Qualifications (RFQ) process identified that of those three mediators, one has retired and one may not be perceived as neutral for the present case. The third mediator decided not to submit a proposal in response to the RFP.

Council Approval of a Mediator

Proposal

The sole proposal for consideration was submitted by Mr. Morley McKeachie, in conjunction with Mr. Ray Young. A full copy of the proposal is attached to this report as Attachment A. Key elements of the proposal are highlighted below.

Mediation Team Qualifications

The proponent proposes that mediation for Regional Growth Strategy (RGS) dispute resolution be undertaken by a team consisting of Mr. Morley McKeachie, a qualified mediator and retired lawyer and, Mr. Raymond Young, a lawyer and Registered Professional Planner. The mediation team has experience working with local governments on land-use related issues and disputes, although no direct experience working with Part 13 (Regional Growth Strategies) of the "Local Government Act".

Mediation Team Roles and Responsibilities

Mr. McKeachie would lead the mediation team and be responsible for overall project coordination. Pre-mediation work (e.g., reviewing written submissions, contacting parties for bi-lateral discussions) would be divided between the team. Mr. McKeachie would lead the mediated sessions with Mr. Young providing support as-needed. The team would work collaboratively to evaluate positions and issues. Mr. McKeachie would author the final report, with contributions from Mr. Young.

Proposed Process

The mediation is proposed to be undertaken in four phases, as follows:

- Phase 1: Process confirmation - The mediators will review available information and plan their strategy/process.
- Phase 2: Pre-mediation - The mediators will seek written submissions from participating parties and meet individually with parties via teleconference to clarify issues. Parties will be asked to comment, in writing, on the positions. The mediators estimate one round of comments on the positions. The mediators will work with the participating parties to identify a date, time and participants for the mediated sessions.
- Phase 3: Mediated session(s) - The mediated session(s) will be held with representatives from the parties. Note that representatives must be authorized to speak on behalf of the party.

- Phase 4: Findings report - The mediators will prepare a findings report summarizing the process and outcome, and recommend next steps.

Costs

The mediators underscore that time spent on the process is dependent on the nature of the issues under dispute and the level of responsiveness and participation in the process. The mediators are not presently in a position to provide a comprehensive cost estimate, as they do not yet have detailed information on the issues under dispute.

In order to provide a better sense of potential costs, the project would be administered through separate contracts for Phase 1 (Process Confirmation) and Phases 2-4. After the completion of Phase 1, the proponent would have information on issues and reasons for objection and would be able to provide a detailed cost estimate for Phases 2-4. To further support decision-making, the proponent has also identified a high level cost estimate of approximately \$35,000 for phases 1-3, excluding disbursements and facility rentals. While this is not a fixed cost estimate, it provides a rough approximation of potential fees.

ALTERNATIVES

A. Selection of a Mediator and Dispute Resolution Process

- Option 1: That Council support the proposed mediator and process for Regional Growth Strategy non-binding dispute resolution, as per the proposal contained in Attachment A. (Recommended)
- Option 2: That Council not support the proposed mediator and process for Regional Growth Strategy non-binding dispute resolution.

The submission of only one proposal obviously does not allow for a comparison of proposals, but rather an assessment of whether the subject proposal is acceptable. Staff assessment of acceptability is based on experience and qualifications of the mediators, proposed method/process and cost.

With respect to practical knowledge and qualifications, the proponents have significant experience in mediation and Mr. Young's background as a professional planner and expert in local government law is seen as a significant asset to understanding the issues being disputed. While the proponents do not have direct experience in RGS dispute resolution, they had been extensively involved in mediation throughout their careers, including local government disputes.

The process as outlined follows a fairly standard approach to mediation of this type, with an opportunity for individual meetings prior to the mediated group sessions. The proponent has demonstrated good strategic awareness of the complexity of this dispute and acknowledged that complete resolution of all issues may not be a likely outcome. The proposed process provides an opportunity for member municipalities to explore issues, seek common ground and work towards solutions for some or all of the disputed items.

While there is a level of uncertainty regarding total costs, the contract would be structured to enable more detailed estimates to be developed as the mediator obtains more information on the process (after Phase 1). The preference would be to have a comprehensive cost estimate. However, the applicant's approach of providing a detailed estimate after Phase 1 is acceptable given the complexity of the subject matter and the fact that Phases 2 and 3 are the most

substantial pieces of work. Additionally, a high level estimate has been provided as a demonstration that the proponent has assessed the phases and the likely amount of hours involved to complete tasks. In total, the information provided and oversights incorporated are acceptable from a cost control standpoint.

As directed by the Minister, the dispute resolution process must, in a substantive manner, begin by June 14, 2017. This means that should Saanich Council, the CRD Board, or any other Council from rejecting municipalities not support the proposed process, the Minister would direct a dispute resolution process.

Based on the information outlined above, staff recommend that Council support Option 1, namely accept the proposal submitted by Mr. McKeachie and Mr. Young.

B. Selection of Saanich Representative(s) for the Non-Binding Dispute Resolution Process

Option 1: That Council select the Mayor, the CAO, the Director of Planning, and the Director of Engineering to represent the District of Saanich in the non-binding dispute resolution process. (Recommended)

Option 2: That Council select other members of Council and/or staff to represent the District of Saanich in the non-binding dispute resolution process.

Each party (municipalities who are participating and the CRD Board) will identify representative(s) who have the authority to speak on their party's behalf. The proposed process indicates that representatives would report and/or consult with their respective councils/Board as needed. The proposed process gives the parties flexibility to determine whether the representative is an elected official and/or staff.

The selection of a representative can either occur now or in the early phases of the mediation process, once more information is obtained on the exact structure of meetings, the issues and areas of agreement/disagreement, and who would be best suited to contribute to meetings.

Some of the other municipalities have chosen to appoint representatives at this point, while others have yet to make that decision. The table below shows the representatives for those municipalities who have made a decision on this issue as of June 5, 2017.

Municipality	Appointed Representative(s)
Central Saanich	Mayor (Councillor as alternate)
Colwood	Mayor, Director of Planning
Esquimalt	To Be Determined
Highlands	To Be Determined
North Saanich	Mayor (Councillor as alternate)
View Royal	Mayor, CAO, Director of Planning

Table 1: Municipal Representatives from Other Municipalities

Staff recommend that the Mayor, the CAO, the Director of Planning, and the Director of Engineering all be identified as representatives for the mediation process. This would provide a broad range of skills, capacity, and knowledge to ensure Saanich perspectives are fully integrated into the process.

FINANCIAL IMPLICATIONS

The cost for non-binding dispute resolution are to be shared between the CRD and member municipalities as per provisions in the "Local Government Act" s. 439(6). The cost sharing formula is based on property assessment values and the proportion of the total in each municipality. Attachment B provides a breakdown of cost sharing formula and different cost sharing scenarios. Saanich would pay 29% of total costs of the non-binding dispute resolution process.

As previously noted, the proponent have provided a high level cost estimate of approximately \$35,000 for Phases 1-3, excluding disbursements and facility rentals. While this is not a fixed cost estimate, it provides a rough approximation of potential fees.

STRATEGIC PLAN IMPLICATIONS

Participation in the dispute resolution will involve staff time to conduct research and analysis to support discussions. Additionally, there would be a time commitment from elected officials and/or staff to participate in the process and associated meetings. This will draw resources away from other projects and initiatives for an unknown period of time.

CONCLUSION

The Regional Growth Strategy (RGS) process has entered a dispute resolution phase, as seven of thirteen municipalities have rejected the proposed updated RGS. The Province has directed a non-binding dispute resolution process, which is to be initiated by June 14, 2017. The non-binding resolution process provides an opportunity for member municipalities to have an in-depth discussion and reach agreement on all or some disputed RGS elements.

An RFP process was undertaken to solicit proposals from mediators to manage the non-binding dispute resolution process. Only one proposal was received, due in part to the fact that this is a niche field with a limited number of qualified individuals. The proposal received was from Mr. Morley McKeachie, a qualified mediator and retired lawyer, and Mr. Ray Young, a lawyer and Registered Professional Planner. Both proponents have significant experience with mediation and local government dispute resolution, although no direct experience with RGS dispute resolutions.

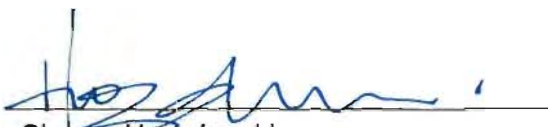
The proposal for consideration includes four phases, including time for meetings with individual municipalities and joint mediation sessions. The total costs for the mediation are not specified at this juncture, as the proponent has indicated that more information is required on the nature of the issues being disputed. To address this, the project will be administered through separate contracts for Phase 1 (Process Confirmation) and Phases 2-4. After Phase 1, a detailed cost estimate will be provided by the proponent. The proponents have provided a high level cost estimate of approximately \$35,000 for Phases 1-3, excluding disbursements and facility rentals.

Staff recommend that Council support the proposal submitted by Mr. McKeachie and Mr. Young. The proponents have significant experience in mediation and Mr. Young's experience as a professional planner and expert in local government law is seen as a significant asset to understanding the issues being disputed. The proposed process provides an opportunity for member municipalities to explore issues and works towards solutions. While there is a level of uncertainty regarding total costs, the contract would be structured to enable

more detailed estimates to be developed as more information on the process is obtained. In total, the proposal is seen to adequately address criteria related to experience and qualifications, process design and cost.

An additional consideration is the selection of representative(s) to represent the District of Saanich in this portion of the dispute resolution process. Staff recommend that the Mayor, the CAO, the Director of Planning, and the Director of Engineering be identified as representatives for the mediation process.

Prepared by 
Cameron Scott
Manager of Community Planning

Approved by 
Sharon Hvezdanski
Director of Planning

CS/gv/ads
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- Attachment A: Proposal for Regional Growth Strategy Dispute Resolution Services
- Attachment B: Breakdown of Regional Growth Strategy Cost Dispute Resolution Cost Sharing

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.


Paul Thorkelsson
Administrator

MORLEY W. McKEACHIE, BA, LLB
Mediator

Our File No. 2017.0418

April 19, 2017

Dear Sirs/Mesdames:

**Re: Regional Growth Strategy Dispute Resolution Services,
RFP-2017-RSP-001**

I am pleased to submit a Proposal for a non-binding process for the resolution of objections to the proposed 2016 Regional Growth Strategy in accordance with section 439 of the *Local Government Act*.

My proposal includes myself along with Ray Young, Q.C. as mediators.

I hold a LLB (1978) from U.B.C. and was an active member of the B.C. bar and the Law Society of B.C. from 1979 to 2014, during which 35 years I practised in the area of civil litigation, appearing in the trial and appeal courts of B.C. on numerous cases. I qualified as a mediator in 1994, as an adjunct to my litigation practice, and have conducted hundreds of mediations since then. I am now a retired member of the Law Society, but continue with my mediation practice.

Ray Young also holds a LLB from U.B.C. and was called to the B.C. bar in 1979. In addition, he is a Registered Professional Planner, member of PIBC and CIP, and has taught planning, land-use, and municipal law at various universities. He continues an active law practice in the area of Local Government and Planning.

Ours is a team approach whereby Ray and I will spend time in pre-mediation processes in order to plan and be time and cost-effective, and productive, cognizant that a large number of people will be involved. Accordingly we will:

- review between ourselves the issues, collaborate on strategies, structure procedure, identify key issues, impediments and opportunities
- hold pre-mediation consultations with the parties either in person or via tele-conferencing (via Skype, telephone, or other form of tele-conferencing) with a view to clarifying, focusing and narrowing the issues, gaining our own insights and an understanding the dynamics of the dispute
- meet in person with the parties to the issues, both jointly and in caucus, with a view to bringing final resolution to the issues, failing which we would strive to at least narrow and focus the issues before the parties move to a binding process.

We note that there are varying as well as mixed combinations of "Affected Municipalities" rejecting the same and sometimes opposite provisions of the Regional Growth Strategy. In addition in respect of "Affected Municipalities" fully accepting the current RGS, we assume that their positions could be altered by amendments espoused by current rejecting municipalities. The permutations and combinations of compromise that may give rise to a full resolution are too complex to suggest a fixed approach to mediation. It is quite possible that some issues will be fully resolved, others compromised and some remainder left for mandatory arbitration.

Thank you for the opportunity to be of service.

Yours truly,



Morley W. McKeachie
MWM/mm

Enclosure

REGIONAL GROWTH STRATEGY DISPUTE RESOLUTION SERVICES

RFP No. RFP-2017-RSP-001

Date of Submission: April 19, 2017

Proponent: ***McKeachie Dispute Resolution Services***
5841 Lacon Road,
Denman Island, B.C. V0R 1T0

Telephone: 250-218-0642
Facsimile: 250-334-0173
Email: morleymckeachie@gmail.com

Contact: Morley McKeachie

Morley McKeachie

Morley W. McKeachie, BA, LLB

April 19, 2017

DISCLOSURE

The Proponent knows of no actual or potential conflicts of interest or existing business relationships between the proposed mediators and the CRD or the thirteen (13) local municipalities, or their elected or appointed officials or employees.

TABLE OF CONTENTS

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Section 1 Purpose Statement

The Proponent understands this assignment as follows:

- to create a mutually agreed mediation process in collaboration with the CRD and the seven (7) objecting municipalities by June 14, 2017 as specified by the Minister of Community, Sport and Cultural Development on March 28, 2017;
- to act in a neutral role as mediators, facilitating a non-binding resolution process, with a view to bringing multiple parties to resolution of objections to the proposed 2016 Regional Growth Strategy in accordance with the requirements of section 439 of the *Local Government Act* of B.C.

Section 2 Proposed Dispute Resolution Process and Timing

STEP NUMBER	PARTICIPANTS IN PROCESS	PROCESS	TIMELINE
1.	Mediators	Identify issues, plan strategy and process, divide pre-mediation tasks	Upon engagement
2.	Parties & Mediators	Collaborate with parties via pre-mediation consultations to discuss issues, plan process, identify issues and concerns, focus and narrow issues	Within 1 week of engagement
3.	Mediators	- Issue written summary of progress with pre-mediation discussions, mediation process - Issue Proposed Timeline with specific dates	Within 2 weeks of engagement, and weekly thereafter
4.	Parties	Written reply with comments on Mediators' last weekly progress report	Within 2 business days of delivery of last weekly Mediators' report
5.	Mediators	Issue written report of agreement as to process; Written proposal for date(s) for joint mediation session	Upon reaching agreement

6.	Parties	Respond with dates & number of attendees from your municipality	Within 2 business days of delivery of Mediators' Step 5 report
7.	Mediators	Set date(s) and book facilities for joint mediation session	Upon receipt of responses
8.	Mediators	Written confirmation of date, time, venue for joint mediation session	Within 1 week of agreement on date(s) per Step 7
9.	Mediators & parties	Further consultation and discussion as necessary to prepare for joint mediation session	As necessary
10.	Mediators	Preparation for joint mediation session, including strategy and clarification and understanding issues, consultation with parties	As necessary
11.	Mediators & parties	Joint mediation session	Not later than October 20, 2017
12.	Mediators	Submit findings report summarizing the process and outcome, and recommend next steps	Not later than October 27, 2017

Timeline is subject to cooperation and timely actions by the parties and other factors beyond the control of the Proponent.

Section 3 Project Staff Qualifications

Morley McKeachie

Morley has nearly 40 years as a lawyer and mediator. He has successfully mediated hundreds of disputes, negotiated many settlements, and has experience in a broad range of areas of law. He was a member of the bar and the Law Society of B.C. for 35 years, from 1979 to 2014, in private law practice, with a focus on civil litigation. In 1995 he qualified as a mediator, as an adjunct to his law practice, and continues his dispute resolution practice currently. When active as a lawyer, he appeared on numerous occasions in the Supreme Court of British Columbia and the B.C. Court of Appeal, presented on the subject of mediation to the Trial Lawyers Association of B.C., and instructed articling students at the Professional Legal Training Course.

Raymond Young, Q.C.

Ray, MCIP RPP, has argued over 70 municipal and land-use cases before the Supreme Court and Court of Appeal in British Columbia, and has also argued at the Supreme Court of Canada. Ray is also a Registered Professional Planner, a member of PIBC and CIP. He taught Municipal Law and Land Use Law in the Faculty of Law UBC for over 20 years, and also taught Planning Law 506 at the School of Community and Regional Planning UBC over the same 20 years. He has been invited as visiting Professor in land-use law on numerous occasions at the University of Florida (Gainesville), and similarly at Georgia State University (Atlanta). He was a Canada-US Fulbright Scholar in 1999 and spent that time in Atlanta some of it lecturing in the combined Georgia Tech/Georgia State Univ. Joint Planning and JD program. Ray was a founder of the firm Young Anderson where he actively practiced land-use law and municipal law for almost 30 years. He now practises as a sole practitioner under the name "*Local Government and Planning Law Chambers*". In 2015 Ray was invited to present a session on regional growth management at the US National Infrastructure Conference in Portland Oregon, and in 2016 was asked to present the same session at the International Municipal Lawyers Conference in San Diego.

Section 4 References

For Morley McKeachie:

Krishan Klear, Lawyer
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For Raymond Young:

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Email: manhas@younganderson.ca

Section 5 Schedule of Fees

Our fees include clerical and other ordinary office services, such as typing and faxing, but exclude specialty printing or other services. The Mediators do their own clerical work as part of their communicating via letter and email, and report drafting and editing functions. Travel expenses for the mediators (hotels, meals, transportation) and facilities charges are extra.

Hourly fee rates:

Morley McKeachie \$350 per hour

Ray Young, Q.C. \$350 per hour

Travel time: 50% of the above hourly rates.

Travel expenses: as incurred, to be reasonable and at market rates according to the venue.

Sharing of fees and expenses:

We propose that the parties agree to share the fees and expenses **equally** among them, unless otherwise agreed through the mediation. However, the *Local Government Act*, s. 439(6) provides:

Unless otherwise agreed by these parties, the fees of any neutral person participating in the non-binding resolution process and the administrative costs of the process, other than the costs incurred by the parties participating in the process, are to be shared proportionally between the proposing board and the affected local governments that participate in the process on the basis of the converted value of land and improvements in their jurisdictions. (Emphasis added)

Morley McKeachie

Morley McKeachie, BA, LLB

April 19, 2017

MORLEY W. McKEACHIE
Mediator

Our File No. 2017.0418	
April 28, 2017	

Dear Sirs/Mesdames:

Re: Regional Growth Strategy Dispute Resolution Services, RFP-2017-RSP-001

In response to your *Request for Refinements to Proposal Submission*", I enclose a revised Proposal for a non-binding process for the resolution of objections to the proposed 2016 Regional Growth Strategy in accordance with section 439 of the *Local Government Act*.

Your request seeks clarification of the following:

- ***Council Engagement:***

Councils and the Board will appoint and authorize one representative as spokesperson to speak on their respective behalves, or shall agree to a joint representative to speak on behalf of a group of them as they might choose. Appointment of the representative is by whatever means the party chooses, including consensus with other parties as to a team representative.

Any party or group of parties might wish to create a team to handle this process, but a party or group of parties shall appoint only one spokesperson, to achieve efficiency with points of contact and for time-economy during the mediation process. We suggest a limit of 2 people per team/group. This does not limit a party's right to collaborate with others outside the mediation process. For example, one might make a telephone call for input on an issue. Nonetheless, a representative must be fully briefed and authorized (subject to Council/Board ratification of final, binding decisions) as to the issues.

Again with a view to efficiency, there must be continuity of representation. Therefore, the parties' representatives must be involved from start to finish without substitution unless absolutely necessary.

Authorization of the representatives shall include full authority to speak to and agree upon all stages of the mediation process and substantive issues, save and except the ultimate ratification of a version of the 2016 Regional Growth Strategy, such as it may be at the end of the mediation process. It is recognized that representatives will report and consult with their respective Councils/Board from time to time, but this is outside the direct mediation process.

- ***Key decision points:***

Decisions can be made at any opportune time during the mediation. The mediators will be continuously evaluating for opportunities to settle individual issues and, by the same token, they will also assess whether an impasse has been reached and will offer comment accordingly, moving the process forward until all issues are canvassed fully.

Ultimately, it is up to the parties as to whether to continue with the process, subject to compliance with the ministerial order pursuant to s. 439 of the *Local Government Act*.

One purpose of the "pre-mediation" process (actually part of the mediation, but outside the "mediated sessions", or "joint mediation sessions" where the mediators and parties meet in-person to work on a resolution) is for the mediators to identify, narrow, clarify, and gain understanding key issues and their underlying genesis, and to possibly resolve issues that might be amenable to early resolution, thereby narrowing the remaining issues for in-person

mediation.

While the goal of mediation is full and final resolution of all issues, as anticipated in our introductory letter of April 18, it is possible that some issues are resolved via mediation while others are left to binding arbitration. The parties, with the assistance of the mediators, will decide whether to continue with the mediation process.

- ***Process design timing:***

This confirms that the process commences once councils and the Board have agreed to the process.

- ***Communication:***

The mediators envision telecommunication (telephone, Skype) for most, if not all, pre-mediation consultations. The joint meeting of participating parties will be in-person, probably at a venue in Victoria. Required technology is a landline or mobile telephone or, for Skype, a computer if face-to-face video is felt useful or if group tele-conferencing is desired. Telus tele-conferencing can also be utilized.

It should be emphasized that the parties can (we suggest should) handle all arrangements for meetings, tele-conferencing, and other administrative functions, to avoid incurring the time and cost of the mediators. This includes securing a venue for the in-person mediation sessions, and scheduling thereof. Although part of the “process”, it is cost-effective that these be handled by the parties concensually - eg. The parties agree to one of them seeking information on suitable venues, the parties communicate among themselves and agree on a venue, one of them informs the mediators of the agreed-upon location. Similarly, date(s) for the in-person mediation session can be organized via the same procedure. Or an online app such as Doodle could be used - <http://doodle.com/>

- ***Relevant experience:***

Neither mediator has specific experience with the legislation engaged here. However, both have mediated and litigated multi-party disputes involving local governments in B.C.,

Mr. McKeachie has acted as counsel in numerous mediations and in litigation involving multiple parties and sometimes complex issues. These include litigation over a right-of-way (private driveway) that involved the B.C. *Property Law Act and the Land Title Act*. The case went to trial and the Court of Appeal and was successful for Mr. McKeachie's client. (See *Montador v. Cerenzia* (1991), 60 B.C.L.R. (2d) 135 (C.A.); 1990 CanLII 214 (BC SC) — 1990-04-27 (B.C.S.C.)).

He has mediated a case involving a regional district, insurance companies, and private citizens (neighbours) in connection with alleged faulty drainage system construction whereby farm surface water escapement was at issue. Mr. McKeachie assisted in bringing the matter to resolution via a one-day mediation.

In another case Mr. McKeachie was retained as mediator to attempt resolution of pending litigation among approximately 10 parties, including a regional district, insurers, and private corporations and citizens, raising issues relating to the design and installation of a septic system in a subdivision. This matter was settled at mediation after one day.

In each case Mr. McKeachie utilized his counsel, negotiating and/or mediating skills: understanding of applicable law and litigation procedures, people and personality management, scheduling and controlling process, isolating important issues from insignificant or irrelevant ones, and bringing matters to resolution.

Mr. Young has appeared in B.C. Courts on approximately seventy (70) cases involving local government issues, and has attended mediation as counsel for local government. As indicated in our introductory letter, he is a Registered Professional Planner as well as lawyer specializing in local government law.

- ***Team Roles/responsibilities:***

The mediators will collaborate when necessary to divide pre-mediation tasks (Step 1), and will act individually in pursuit of contacting parties for clarification and narrowing of issues (Step 2). Mr. McKeachie will lead at the joint mediation session. Mediators will work both individually and together with the parties in caucus (separate break-out rooms) as necessary during the mediation. They will collaborate to evaluate positions and issues throughout the pre-mediation and in-person sessions. They will not be present together at all meetings, and will attempt to divide the work and meetings so as not to duplicate their time and effort. However, there will be some overlap of necessity.

Mr. McKeachie will be the primary point of contact/manager/coordinator. The mediators will divide progress report-writing according to which one of them has something to report. It is anticipated that both mediators will contribute to the final report, depending on the outcome and the nature and complexity of the remaining issues. Mr. Young has particular technical legal expertise that will likely be of importance here.

- ***Availability:***

The mediators are available for the duration of the mediation as contemplated by the RFP (June 15-October 20, 2017) subject to certain intermittent commitments from time to time during the process.

- ***Cost estimates:***

As noted, the mediation process is dependent on the nature of the issues under dispute. In addition, it is dependent on the nature of the parties to the dispute - in this case political bodies - as well as conduct and cooperation of the individual representatives of the parties, their availability and accessibility for telephone and in-person communications and meetings, and the political process. Furthermore, the proponents do not yet have detailed information as to the issues and basis for objections by the 7 objecting municipalities. Accordingly, we cannot provide a time/cost estimate.

A weekly time report could be included with our weekly progress report. However, an upset limit on hours spent could impede the pre-mediation preparation process. For example, if the mediators were to require more time than budgeted, they would be halted in their pre-mediation review of materials and party submissions and interviews of parties. This would necessitate returning to the parties for further authority to continue the process, which in turn, would be difficult to impossible for all to meet timeline targets.

The in-person mediation session(s) could be limited to a certain number of days. However, mediation is a fluid process, and at this stage we are unable to estimate time required to deal

with multiple parties and issues without being engaged in the process itself, due to lack of information and opportunity to investigate.

Additionally, it is our opinion that for in-person sessions the number of hours per day should not be limited except by the people in attendance at the time. In our experience, momentum is an important part of mediation, and it should not be lost due to pre-set termination times. Likewise, impasses will undoubtedly arise during the in-person sessions. Impasses can be broken by holding parties in ongoing engagement, sometimes into the evening hours. By the same token, overnight (or longer) recesses can help parties to re-group, give time to seek input from others not in attendance, and so on. These are unpredictable and fluid and require flexibility and ongoing assessment during the mediation itself.

- ***Sharing fees/expenses:***

This is another issue for the parties to resolve by consensus. As noted in our original proposal, the *Act* prescribes the fee-sharing formula, as follows:

Unless otherwise agreed by these parties, the fees of any neutral person participating in the non-binding resolution process and the administrative costs of the process, other than the costs incurred by the parties participating in the process, are to be shared proportionally between the proposing board and the affected local governments that participate in the process on the basis of the converted value of land and improvements in their jurisdictions. (Emphasis added).

Accordingly, if the parties cannot agree on an alternative, the *Act* applies. If a participant proposes an alternative, as we have done in our proposal, we would canvass this with all parties, try to attain consensus, and, if successful, reduce it to writing for signature by all. Failing consensus, the *Act* prevails. Although this should be addressed early in pre-mediation, we would not spend significant time on this issue as there is a prescribed, default mechanism to deal with it and the substantive issues ought, in our opinion, to be the focus of this process.

I have revised and enclose your Timeline table, which is in MS Word format. However, I prefer to work in Word Perfect, so, with respect, will not adopt or work with your table further.

We trust that this letter together with Timeline answers your questions and suffices for your purposes. We look forward to hearing of the outcome of your deliberations.

Yours truly,



Morley W. McKeachie

MWM/mm

Enclosure

Process	Participants	Timeline
Phase 1: Process Confirmation		
1	Identify issues, plan strategy and process, divide pre-mediation tasks	Mediators
Upon engagement (June 15, 2017)		
Phase 2: Pre-Mediation		
2	<p>Collaborate with parties via pre-mediation consultations to discuss issues, plan process, identify issues and concerns, focus and narrow issues.</p> <p>It is unpredictable how many meetings will be required. However, at Stage 1 written summaries will be required from each of the objectors, in order for the Mediators to identify and understand each position. This will be followed by direct communication – telephone or in-person – to clarify and focus on their respective positions. Other parties will then be asked for comment on the objectors’ positions. All the above will be succinct written, evidence-based summaries.</p> <p>Councils and the Board will appoint and authorize one representative as spokesperson to speak on their behalf. This representative must be fully briefed and authorized (subject to Council/Board ratification) as to the issues. For efficiency, there must be continuity of representation. Therefore, the parties’ representatives must be involved from start to finish without substitution unless absolutely necessary. The parties might wish to create a team to handle this process. However, we suggest a limit of 2 people per party.</p> <p>Authorization of the representatives shall include full authority to speak to and agree upon all stages of the mediation process and substantive issues, save and except the ultimate ratification of a version of the 2016 Regional Growth Strategy, such as it may be at the end of the mediation process. It is recognized that representatives will report and consult with their respective Councils/Board from time to time, but this is outside the direct mediation process.</p>	Parties & Mediators
Within 1 week of engagement		

Process	Participants	Timeline
<p>3 Issue written summary of progress with pre-mediation discussions, mediation process. Issue proposed timeline with specific dates.</p> <p>Decisions as to timeline and specific dates will be made after responses from each party in Stage 1. No substantive issues will be in play at this stage, only process and scheduling.</p> <p>With responsive, cooperative parties this should not be contentious or prolonged. However, it does depend on responsiveness and cooperation from all parties.</p> <p>Cost and time estimates: The Mediators do not yet know or understand the issues. Once we've mastered that, it largely depends upon the parties themselves. Given the number of parties, the number of issues, and, we anticipate, fluidity of positions through the mediation process, we cannot predict time and cost.</p>	Mediators	Within 2 weeks of engagement, and weekly thereafter
<p>4 Written reply with comments on mediators' last weekly progress report.</p> <p>One iteration. This is information gathering for the Mediators as well as to keep the parties informed.</p>	Parties	Within 2 business days of delivery of last weekly Mediator's report
<p>5 Issue written report of agreement as to process. Written proposal for date(s) for joint mediation session.</p>	Mediators	Upon reaching agreement
<p>6 Respond with dates and number of attendees from your municipality.</p> <p>Councils and the Board will appoint and authorize one representative each to speak on their behalf. That person will have authority to discuss the issues and state positions with the mediators.</p>	Parties	Within 2 business days of delivery of Mediator's Step 5 report
<p>7 Set date(s) and book facilities for joint mediation session.</p>	Mediators	Upon receipt of responses
<p>8 Written confirmation of date, time, venue for joint mediation sessions</p>	Mediators	Within 1 week of agreement on dates per Step 7

Process	Participants	Timeline
Phase 3: Mediated Sessions		
<p>9 Further consultation and discussion as necessary to prepare for joint mediation session</p> <p>No decisions will be made at this stage. This is the final preparation for the in-person mediation session. It is impossible to anticipate the number of iterations given the number of variables and parties.</p>	Mediators & Parties	As necessary
<p>10 Preparation for joint mediation session, including strategy and clarification and understand issues, consultation with parties.</p> <p>Step 10 involves only the Mediators, working together between themselves, whereas Step 9 involves both the Mediators and the parties.</p>	Mediators	As necessary
<p>11 Joint mediation session.</p> <p>Given the anticipated challenge in scheduling so many parties, once together at the same place, the Mediators propose that the joint mediation session(s) be full days – sometimes extended hours if progress is being made. It is impossible to predict the number of sessions as this depends entirely on the number and complexity of the issues and the conduct of the parties.</p>	Mediators & Parties	Not later than Oct 20, 2017
Phase 4: Findings Report		
<p>12 Submit findings report summarizing the process and outcome, and recommend next steps</p>	Mediators	Not later than Oct 27, 2017

DISPUTE RESOLUTION COST SHARING

	2017		Mediation Cost Scenarios		
	Revised Converted Assessments*		\$30,000	\$40,000	\$100,000
Disputing Municipalities					
City of Colwood	353,282,429	3%	\$977	\$1,303	\$3,258
District of Central Saanich	513,275,231	5%	\$1,420	\$1,893	\$4,733
Township of Esquimalt	337,881,333	3%	\$935	\$1,246	\$3,116
District of Saanich	3,196,722,897	29%	\$8,844	\$11,791	\$29,479
District of North Saanich	490,428,238	5%	\$1,357	\$1,809	\$4,522
District of Highlands	61,475,221	1%	\$170	\$227	\$567
Town of View Royal	275,059,349	3%	\$761	\$1,015	\$2,536
Accepting Municipalities (Participating)					
District of Sooke	250,004,193	2%	\$692	\$922	\$2,305
Accepting Municipalities (Not Participating) -- Costs if they choose to participate					
City of Victoria	2,959,964,076	27%	\$8,189	\$10,918	\$27,295
District of Oak Bay	809,189,591	7%	\$2,239	\$2,985	\$7,462
City of Langford	910,240,939	8%	\$2,518	\$3,358	\$8,394
Town of Sidney	401,865,172	4%	\$1,112	\$1,482	\$3,706
District of Metchosin	105,182,044	1%	\$291	\$388	\$970
TOTAL Municipalities	10,664,570,713	98%			
Juan de Fuca EA	179,652,639	2%	\$497	\$663	\$1,657
TOTAL Municipalities AND JdF EA	10,844,223,352	100%			
CRD Costs**			\$14,845	\$19,793	\$49,483

Notes:

* As available April 11, 2017

**Total less amount paid by rejecting municipalities and accepting municipalities that chose to participate

410-04
ref; 2870-30 Penrhyn



The Corporation of the District of Saanich

Mayor
Councillors
Administrator
Council
Administrator
Media

Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: April 7, 2017
Subject: Council Request for Consideration of an Environmental and Social Review (ESR) - Rezoning and Development Permit Application
FILE: DPR00660; REZ00578 • 2590, 2594 and 2598 Penrhyn Street

RECOMMENDATION

That an Environmental and Social Review not be required.

PURPOSE

The purpose of this report is to seek direction from Council regarding the need for an Environmental and Social Review (ESR) in relation to the subject development application.

DISCUSSION

Background

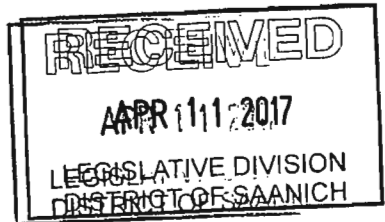
Since the early 1990's, Saanich Council has been using an Environmental and Social Review (ESR) process to screen rezoning and subdivision applications and other initiatives for environmental and social impacts. Per Council Policy 92/CW, the Mayor or a Councillor may request that the need for an ESR be placed on a Council agenda for discussion.

In regard to the subject development application, Staff's memo to Council indicated that in our opinion an ESR was not required, as all issues could be adequately addressed through the standard review process. Subsequent to this staff memo, a member of Council has requested that consideration be given to the need for an ESR to address:

- 1) Potential hazards related to flooding caused by sea level rise and ground instability in the case of a major seismic event.

Neighbourhood Context

The RS-10 (Single Family Dwelling) Zoned site is located within Cadboro Bay Village in the Cadboro Bay Local Area, on the north side of Penrhyn Street (see Figure 1). It comprises three lots, each containing a single family dwelling. Adjacent land use is RS-10 (Single Family Dwelling) Zone on the east and north, C-4 (Office and Apartment) Zone on the south, and



CW
1

C-1CBV (Commercial Cadboro Bay Village) Zone on the west. The three storey commercial/residential building immediately to the west was completed in 2016.

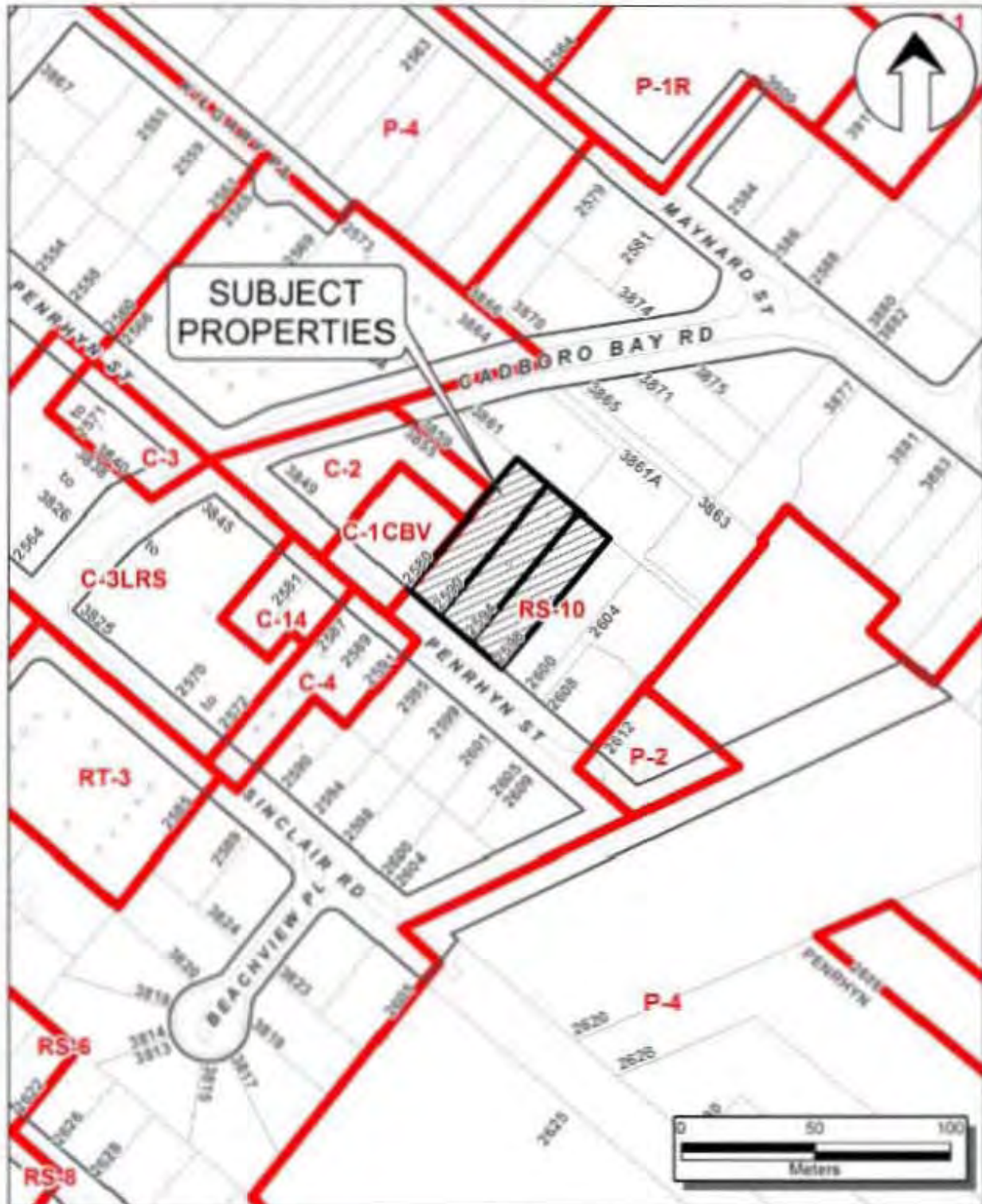


Figure 1: Context Map

Proposed Land Use

The proposed rezoning from RS-10 to RT-FC would allow for the construction of a 14 unit townhouse development (see Figure 2). The rezoning and development permit application itself will come before Council at a later date, as the focus of this report is solely on consideration of the need for an ESR.

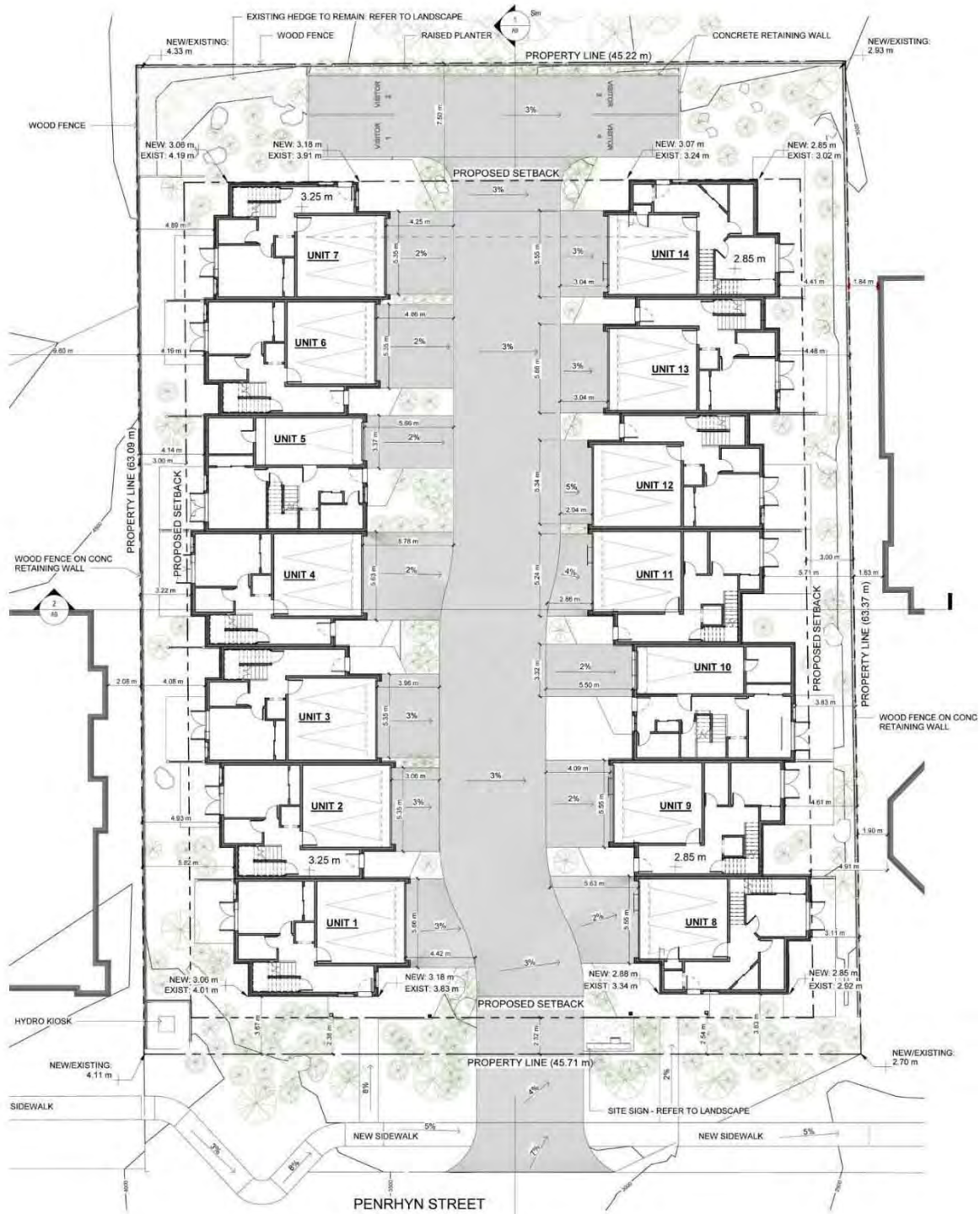


Figure 2: Proposed Site Plan

ALTERNATIVES

1. That Council not require an Environmental and Social review for the subject development proposal (Staff's recommendation).
2. That Council require an Environmental and Social review for the subject development proposal.

IMPLICATIONS

Process Implications

Should Council decide that an ESR is not warranted, Staff would continue the review of the development application and ultimately bring forward a planning report for Council's review and consideration. As indicated in Staff's ESR memo, all issues, including the matter of the potential inclusion of lands inside the Urban Containment Boundary can be adequately addressed through the standard review process.

Should Council decide that an ESR is warranted, per Council Policy 92/CW Staff would prepare Terms of Reference for the ESR. The applicant would then be required to engage a qualified professional to undertake the ESR at their expense.

Once the ESR assessment is completed, Staff would be required to assess the ESR for completeness and request clarification or changes of the applicant, if/as necessary. The ESR findings and recommendations would then be summarized in the Staff planning report to Council.

The information outlined in Staff's report and included in the ESR assessment prepared by the consultant, would then be used by Council to assist it in determining what if any additional action is required related to the proposed development.

During the period when the ESR assessment is being completed, staff would continue to process the application, in an effort to minimize impacts on the overall timeline.

Planning Implications

Policy

Official Community Plan (2008)

- 4.1.1.5. "Incorporate climate change, its potential impacts, and mitigation measures when reviewing new development applications and undertaking long-term planning initiatives."
- 4.2.3.9. "Support the following building types and uses in "Villages":
 - Small lot single family houses (up to 2 storeys)
 - Carriage/coach houses (up to 2 storeys)
 - Town houses (up to 3 storeys)
 - Low-rise residential (3-4 storeys)
 - Mixed-use (commercial/residential) (3-4 storeys)
 - Civic and institutional (generally up to 3 storeys)."

- 4.2.4.2. “Evaluate zoning applications for multiple family developments on the basis of neighbourhood context, site size, scale, density, parking capacity and availability, underground service capacity, adequacy of parkland and visual and traffic impacts.”

Flooding and Ground Instability

Parts of Cadboro Bay Village area, including Cadboro Gyro Park, are at greater risk of flooding resulting from tidal impacts or a major storm event. In addition, due to soil conditions, the area is also at higher risk for amplification/ground motion liquefaction. A severe storm or seismic event would cause damage to buildings and structures in vulnerable areas throughout Saanich.

Saanich’s Climate Action Plan and Climate Change Adaption Plan provide mitigation strategies to address potential climate change impacts. The Capital Regional District has mapped tsunami inundation areas and anticipated maximum water levels based on a 500 year, 9.0-magnitude, Cascadia subduction zone (CSZ) earthquake scenario.

The “Community Charter S.56”, provides Municipalities with a method to deal with the issue of buildings being constructed in hazardous locations. It provides the Building Inspector with the authority to require a Building Permit application to obtain a geotechnical report whenever:

- (b) “A Building Inspector considers that construction would be on land that is subject or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche”.

Standard practice in Saanich is to require geotechnical reports for proposed developments where the construction is on land that may be subject to any of the above noted hazards. A Geotechnical Engineer considering a proposed multi-family development in the Cadboro Bay area is expected to address the potential for amplification/ground motion liquefaction, tsunami, and sea-level rise. Council may also require registration of a covenant, prior to Final Reading of the Zoning Amendment Bylaw, to save the District and Province harmless in the case of damage caused by flooding or a major seismic event. This type of covenant is standard practice in the District.

Based on the study conducted by AECOM Canada Ltd. for the CRD, the maximum high water level anticipated in Cadboro Bay in the case of a tsunami is 2.0 m. To minimize potential damage in the case of flooding caused by sea-level rise or tsunami, the main floor elevation for new buildings must be above the hazard level as determined by a Geotechnical Engineer. The recently completed commercial/apartment building adjacent to the subject property, at 2580 Penrhyn Street, has a main floor elevation of 4.75 m geodetic. The ground floor elevations for the proposed townhouses would be 3.75 m for the west block and 2.85 m for the east block.

ESR – Procedure and Practice

The following is the criteria considered when assessing the need for an ESR:

- 1) Complexity:
 - a) Are there numerous inter-related environmental and social issues raised by the application?
 - b) Can staff identify the degree of impact and provide and coordinate mitigation measures?
and
- 2) Time and Resources: Do staff have the necessary time and resources to adequately assess the project?

Council has not requested a rezoning or subdivision applicant to undertake an ESR since 2002, largely because the development industry and District staff are knowledgeable about sustainable development techniques and there are policies and regulations that address environmental and social concerns including the Official Community Plan, Local Area Plans, Tree Bylaw, Environmental Development Permit Area, and Streamside Development Permit Area to name a few. In addition, the BC Building Code addresses a broad range of climate change and sustainability issues.

ESRs, where required, are expensive for the applicant, time consuming for staff and significantly add to the processing time for applications. From time to time, complex applications may need to be assessed through an ESR. However, in most cases, the information required by Council to make an informed decision about an application is supplied by the applicant as part of the application submission or is requested by staff during the application review. The types of environmental and social issues that arise are routinely addressed by staff as part of the Planning report.

Timing and Resource Implications

If required, the ESR process would result in a substantial delay for the subject development application. In addition, the requirement for an ESR would have an impact on staff resources, as the Terms of Reference are prepared, the results of the ESR are analysed, the subsequent staff report is prepared, and any follow up work as an outcome of Council's deliberation is completed.

CONCLUSION


Standard practice in Saanich is to require geotechnical reports for all proposed developments in hazard areas. A covenant can also be required by Council prior to Final Reading of the Zoning Amendment Bylaw to save the District and Province harmless in the case of damage caused by flooding or a major seismic event.

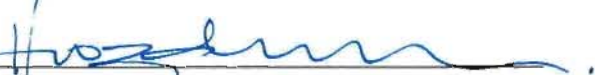
To minimize potential damage in the case of flooding caused by sea-level rise or tsunami, the main floor elevation for new buildings must be above the hazard level as determined by a Geotechnical Engineer.

Potential hazards related to flooding caused by sea level rise and ground instability in the case of a major seismic event are addressed as part of the development review processes currently in place. For this reasons, staff do not believe that an ESR is warranted.

If Council has particular issues or concerns it would like to ensure are addressed within the Staff report when this development application comes forward for review and consideration, feedback to staff could be provided as part of the deliberation of this report.

Prepared by 
Neil Findlow
Senior Planner

Prepared by 
Jarret Matanowitsch
Manager of Current Planning

Approved by 
Sharon Hvozdzanski
Director of Planning

NDF/sd
H:\TEMPEST\PROSPERO\ATTACHMENTS\DPR\DPR00660\ESR REPORT TO COUNCIL.DOCX

Attachment

cc: Paul Thorkelsson, Administator
Graham Barbour, Manager of Inspection Services

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planng.


Administrator

April 5th 2017

District of Saanich

770 Vernon Ave.

Victoria, BC.

Attn. Jarret Matanowitsch – Manager of Current Planning.

Re; Rezoning application 2590/94/98 Penrhyn St. – ESR review

Thank-you for your letter of March 24th advising that our application to rezone the above properties on Penrhyn will be considered by Council in regard to the need for an ESR. You further advised that the Councillor requesting the consideration felt there was a need to address the ground stability in the case of a major seismic event and the impact of hazards related to flooding that may occur with rising sea levels.

Staffs review indicated that there was no need to do an ESR. The Staff review did indicate that it was common to require a covenant to save the Municipality and Province harmless in case of future damage due to flooding or soil failure. We are prepared to register this covenant on our properties.

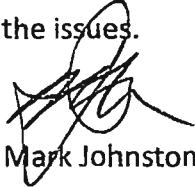
The CRD Inundation Mapping provided to us with the staff review indicates that only a portion of our property is in the area where sea level rise combined with storm surge may have an impact by 2050. The mapping indicates that the portion of property impacted may be inundated by 0 – 0.5m including storm surges by 2050. My observation of the area covered by the CRD Map indicates that within the flood area on Penrhyn, Killarney, Waring Place and Cadboro Bay Road Ten (10) homes have recently been built or are under construction.

My discussions with the developer of the recently constructed Condo/Commercial building immediately adjacent to our site confirms that he was not required to do an ESR, even though his building has underbuilding parking and has approximately the same number of units as our project on a site less than half the size.

We are aware that a Geotechnical Professional will be involved in developing the foundation at the design stage. We engaged Ryzuk Geotechnical because they worked on the adjacent Condo building and the Saanich Pump Station on Penrhyn, as well as other buildings in the area. I have attached a letter from Ryzuk that outlines the conditions they encountered. As outlined in their letter the conditions found were dealt with in the foundation design to meet the building code requirements, and the buildings were built successfully.

Our proposed townhome development is within the area designated as the Cadboro Bay Village Core in the Local Area Plan. The plan indicates that the Village is the appropriate area for Multi-Family housing and we believe this is good planning and should be supported. We now have approximately 50 individual letters of support for the project, from residents and businesses in Cadboro Bay. For your information I attach an information brochure distributed to more than 1000 homes in Cadboro Bay. This brochure summarizes how the project supports the Village Core Plan.

Please advise when Council will deal with this matter as I would like to attend and address the issues.



Mark Johnston

M.H. Johnston & Associates Inc.

RYZUK GEOTECHNICAL
Engineering & Materials Testing

28 Crease Avenue, Victoria, BC, V8Z 1S3 Tel: 250-475-3131 Fax: 250-475-3611 www.ryzuk.com

March 31, 2017
File No: 8-8240-1

MH Johnson & Associates Inc.
(by email: markhj@shaw.ca)

Attn: Mr. Mark Johnson

Dear Sir,

Re: The Osprey on Penrhyn – Multi Unit Townhouse Development
2590/2594/2598 Penrhyn Street – Saanich, BC

As requested, we write to summarize our past geotechnical experience on Penrhyn Street and discuss the challenges associated with construction in the area as such relates to your currently proposed development concept.

Our experience includes the recent construction of the multi-family developments at 2580 and 2591 Penrhyn Street, a single family dwelling construction adjacent to Gyro Park and the municipal pump station at southeast end of Penrhyn Street. We have also been involved in assessment and causes of residential subsidence that has taken place in the area over the past 30 years. We have reviewed conceptual plans provided by you. Based on this, we understand that the three referenced single family dwelling lots will be combined. New building massing could involve two, three storey, timber framed townhouse blocks constructed at/near current site grade. The blocks will trend to the northeast into the lot from the Penrhyn frontage and will be separated by a central drive aisle.

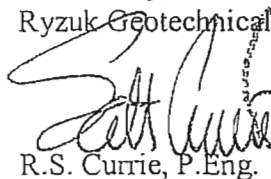
Our experience indicates that the sub surface soil conditions commonly encountered consist primarily of a surficial deposit of topsoil/peat atop a relatively clean, uniform, medium to fine sand extending for several meters below present ground surface. In some instances, an intermittent stratum of silty, clayey sand is present immediately beneath the organic deposit. In the lower portion of Penrhyn, the surface organic soils are known to be 1 to 2 m in thickness, and in some cases, may be overlain by fill. Wet, high groundwater table conditions are common in the area, primarily because of the topography, relative sea level, as well as groundwater seepage from upland areas to the west. Excavation for foundations on the above referenced multi-family developments encountered surficial organics upon sand. Groundwater was shallow, although not present at footing level.

Construction in this area of Cadboro Bay is known to be challenging from a geotechnical perspective. Issues including determination/assessment of bearing soils, high groundwater levels, seismic liquefaction, settlement potential and how these issues influence selection of suitable foundations and drainage need to be addressed. These items would be addressed with design of the foundations and drainage as a requirement for a building permit application. A Flood Construction Level (FCL) may also need to be determined, although this information would normally be provided by a consultant experienced in Coastal Hydrology.

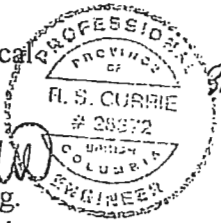
Subject to receiving development approval, it will then be necessary to mobilize appropriate drill rig equipment to complete a thorough subsurface soils investigation. Information gained from the investigation phase will then be used to suitably address the noted geotechnical issues.

We trust the preceding is suitable for your purposes at present, however if you have any questions with respect to the above, please contact us.

Yours truly,
Ryzuk Geotechnical



3/3/17



R.S. Currie, P.Eng.
Geotechnical Engineer
/rsc

THE OSPREY ON PENRHYN



THE OSPREY on Penrhyn

The Osprey is our proposed 14 unit townhome development. It is designed to enhance the growth of a 'complete community' in Cadboro Bay Village by providing a broader choice of housing types. This will offer an alternative life style for families, empty nesters and seniors wishing to reduce the size of their home and yard. These new townhomes will add vitality and a greater sense of community to the Village.

CADBORO BAY LOCAL AREA PLAN – CADBORO BAY VILLAGE PLAN

Our proposed townhomes are within the area designated as the Cadboro Bay Village Core in Saanich's Local Area Plan. This municipal plan indicates that the Village is the appropriate area for multi-family housing. The site of the Osprey encompasses three lots which will be consolidated. This consolidation allows for a more efficient use of limited developable land and infrastructure immediately adjacent to the Village amenities.

Multi-family development guidelines are included in the Cadboro Bay Village Plan. The following is a summary of how our development responds to those guidelines.

Guidelines:

1. **Maximum of 3 stories with height of 9m** - Our townhomes are 3 stories and meet the height parameters.
2. **Buildings should have front doors along the street frontage and design should replicate a single-family dwelling streetscape or small-scale commercial village** - The townhomes are oriented with their walkways and front doors facing onto Penrhyn Street. The townhomes are situated closer to Penrhyn Street to replicate the small scale village feeling and keep the frontage on the same line as the new development to the west.
3. **Limited overshadowing of adjacent properties** - Our shadow diagram modeling shows limited overshadowing (except in the winter when the sun is at its lowest point). In response to concerns about the potential impact and overlook of the townhomes on our neighbours, the side yard separations have been increased in the locations adjacent to the neighbouring residential buildings. Our proposed new fencing and landscaping will also provide a visual buffer that does not currently exist. To respect the privacy of adjacent residential buildings we have designed the townhomes so balconies face the opposite side of the building.
4. **Provide pedestrian access in front of and through the site where appropriate** - We have provided a new sidewalk and boulevard fronting our site. As an additional civic amenity, which provides safe pedestrian access to Gyro Park, we are proposing to continue the sidewalk from our site to the end of Penrhyn Street. **(This additional sidewalk work is estimated to cost \$42,700)**. In our discussions with our community we were advised of its

desire to provide traffic calming on Penrhyn Street. In response, we have proposed a bulb in the sidewalk fronting our development that could be matched on the other side of the street to provide a traffic calming feature.

5. **Incorporate existing vegetation into site design** - We intend to keep as much of the existing vegetated screen as possible. Some of the hedging is up to 4m tall and provides a natural screen between our site and the neighbours to the west and north.
6. **Encourage lot consolidation** - The three lots have one owner and present an excellent opportunity for consolidation and development in a market where land is expensive and sites this size in one ownership are scarce.

The Osprey Townhomes – Special Features and Community Amenities

1. Our townhomes will meet the Built Green Gold Standards and will be fitted solar ready.
2. Many seniors in the area have expressed interest in these townhomes. To address mobility issues facing seniors, elevators are available in each unit.
3. Each townhome will have its own electric vehicle charging station in the garage to support the future growth of electric vehicles.
4. Rain gardens and permeable pavers are featured in our rainwater management plan.
5. Community members indicated their concern about the lack of sidewalks on Penrhyn Street, which forces pedestrians to walk on the street to Gyro Park. In order to provide a safe pedestrian route, we are committed to constructing a sidewalk on our frontage that continues to Gyro Park.
6. Discussions with our neighbours indicated a desire to have traffic calming on Penrhyn Street. We are committed to developing our frontage to accommodate a traffic-calming feature if the municipality supports this plan.
7. Our existing unfinished frontage is mainly used by our tenants for parking and, although we will meet our parking requirements onsite, finishing our frontage will provide additional street parking for visitors to the Village.

Addressing a local landlord's concern

You may have received a letter in November 2016 from a local landlord, Todd Jared. He is a landlord to a 5 unit apartment (3861 Cadboro Bay Rd.) on property zoned for single family (residences). He is also the owner of the adjacent residence (3861 A Cadboro Bay Rd.). He has expressed interest to us of eventually consolidating and redeveloping his properties. His three story apartment complex benefits from a 3.8m "residential buffer zone" to the nearest single family residence running along the same property line as our proposed development.

In his letter, Mr. Jared solicited the community to support a 12m "residential buffer zone" along the property line at the back of our proposed development. As local applicants for this townhome, we support Mr. Jared's future interest in developing his properties. However, we wish to inform our community that we are proposing a 7.5m rear yard setback with designed landscaping in accordance with the existing setback, as required by our Municipality.

Our intention with this application is to support a vibrant and suitable addition to Cadboro Bay Village, which serves the best interests of the community. We have listened carefully to the views of Cadboro Bay residents, business owners, and the Municipality and recognize the changing housing needs of Cadboro Bay residents. We have received many individual letters of support from residents and merchants and hosted a local community open house where we received very positive feedback on the suitability of this kind of housing option in the Village. We believe our development will help to build a positive, sustainable future for Cadboro Bay Village and hope the Community and Council will support our application.

If you wish to provide your support or have your name put on the list of potential purchasers please send your contact information to our Representative, Mark Johnston of M.H. Johnston & Associates Inc. at markhj@shaw.ca.



Memo

To: Mayor and Council
From: Sharon Hvozdzanski, Director of Planning
Date: September 29, 2016
Subject: Environmental and Social Review
File: DPR00660; REZ00578 • 2590, 2594 & 2598 Penrhyn Street

Project Proposal: To rezone from RS-10 (Single Family Dwelling) Zone to RT-FC (Attached Housing Four Corners) Zone to construct a 14 unit Townhouse Development

Address: 2590, 2594 & 2598 Penrhyn Street

Legal Description: Lot 6, Block "D", Section 44, Victoria District, Plan 1483
Amended Lot 7 (DD 128770-I), Block "D", Section 44, Victoria District, Plan 1483
Amended Lot 8 (DD 126833-I), Block "D", Section 44, Victoria District, Plan 1483

Owners: Beau-Core Holding Corp Inc. (David Beaulieu)
Anna Chadwick

Applicant: M. H. Johnston & Associates Inc.

Application Received: September 12, 2016

Parcel Size: 2874.53 m²

Existing Use of Parcel: Single Family Dwelling

Existing Use of Adjacent Parcels: North: RS-10 (Single Family Dwelling) Zone
South: C-4 (Office and Apartment) Zone & RS-10 (Single Family Dwelling) Zone
East: RS-10 (Single Family Dwelling) Zone
West: C-1CBV (Commercial Cadboro Bay Village) Zone

Current Zoning: RS-10 (Single Family Dwelling) Zone

Minimum Lot Size: 780 m²

Proposed Zoning: RT-FC (Attached Housing Four Corners) Zone

Proposed Minimum Lot Size:

N/A

Local Area Plan:

Cadboro Bay

LAP Designation:

General Residential

Environmental Issues:

There are no habitat areas of significance on these properties. The proposal includes a large increase in impervious surfaces, however, due to the high water table in this area, the use of infiltration techniques may be inadvisable. Consideration should be given to the implications of sea level rise to the proposed development.

Social Issues:

Proposed Multi Family is consistent with both LAP and OCP policies regarding the Village Centre.

Criteria for Considering an ESR:

1. Complexity
 - a) Are there numerous inter-related environmental and social issues raised by the application?

No
 - b) Can staff identify the degree of impact and provide and coordinate mitigation measures?

Yes
2. Time and Resources
Do staff have the necessary time and resources to adequately assess the project?

Yes

RECOMMENDATION: That an ESR not be required.

As Council Policy 92/CW amended September 2002 states, the Mayor or a Councillor may request the above matter be placed on a Council agenda for discussion within 10 working days of delivery of this memorandum.



Sharon Hvozdzanski
Director of Planning

TDM/sl
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cc: Cadboro Bay Residents Association

SUBJECT: ENVIRONMENTAL AND SOCIAL REVIEW PROCESS		
DATE: NOVEMBER 2, 1992	ORIGIN: PLANNING	
AMENDED: SEPTEMBER 9, 2002		

POLICY

The Municipality of Saanich has adopted an Environmental and Social Review (ESR) Process to identify the environmental and social impacts, both positive and negative, on specific initiatives undertaken within the Municipality.

PROCESS

The Environmental and Social Review Process is administered by the Planning Department. All zoning and subdivision applications shall be screened to determine whether or not an ESR is required. The Director of Planning Services/Approving Officer, in consultation with appropriate Municipal staff, shall consider if an application should be recommended for an ESR where:

- a) the land in question is:
 - § within 50 m of
 - a natural park
 - the Agricultural Land Reserve
 - a watercourse designated pursuant to Saanich bylaws
 - a Floodplain Development Permit Area
 - § within 60 m of a marine shoreline
 - § outside the Urban Containment Boundary and involves a rezoning for
 - commercial use
 - industrial use
 - institutional use
 - § outside the Urban Containment Boundary and involves a subdivision to create five or more lots
 - § deemed to be environmentally sensitive
- b) the proposed use is likely to result in significant social impacts upon the general area or the Municipality.

In considering whether or not to recommend or require an ESR, the Director of Planning Services/Approving Officer should consider the following questions:

1. Complexity
 - a) Are there numerous inter-related environmental and social issues raised by the application?
 - b) Can staff identify the degree of impact and provide and coordinate mitigation measures outside the ESR process?

2. Time and Resources

Do staff have the necessary time and resources to adequately assess the project without the benefit of an ESR?

Where a rezoning application is recommended to Council for an ESR, a report shall be prepared for the Committee of the Whole outlining the environmental and/or social issues that warrant investigation plus the proposed Terms of Reference for the ESR and a brief project description.

Where a rezoning application is not recommended for an ESR, a brief memorandum shall be sent to the Mayor and Councillors and the relevant community association citing the reason(s) for not recommending an ESR.

Within 10 working days of delivery of the memorandum, the Mayor or any Councillor may request the matter be placed on a Council agenda for discussion.

Where an environmental and social review is required either by Council or the Approving Officer, the applicant will undertake the review at their expense based on the Terms of Reference established by Council or the Director of Planning Services, as the case may be.

The selection of the consultant shall be made by the applicant and approved by the Director of Planning Services prior to the work commencing. The consultant involved in submitting the rezoning or subdivision application shall not conduct or participate in the Environmental and Social review.

Upon acceptance of the final ESR by the District, the relevant community association and/or interested members of the public shall be afforded an opportunity to peruse the report at the Municipal Hall.

The conclusions of an environmental and social review for a rezoning application will be presented to Council by the Director of Planning Services as part of the report on the application. For a subdivision application, the Approving Officer will review and consider the conclusions of an environmental and social review.

May 1, 2017

To: District of Saanich, Attention: Mayor and Council, Planning Department

Re: Council Request for Consideration of an Environment and Social Review (ESR)- Rezoning and Development Permit Application

FILE: DPR00660; REZ00578-2590, 2594, 2598 Penrhyn Street

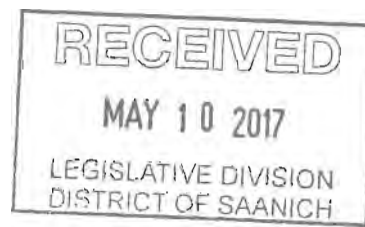
A member of Saanich Council has requested that, with respect to the above captioned zoning and development application, consideration be given to the need for an Environmental and Social Review (ESR) to address potential hazards related to flooding caused by sea level rise and ground instability in the case of a major seismic event. At the meeting scheduled for Monday, May 1, 2017, Mayor and Council will consider whether an (ESR) should be required in relation to the above captioned development application.

It is the position of Cadboro Bay Residents Association (CBRA) that an ESR is required, for the following reasons:

1. *All of Gyro Park and lower Penrhyn is tidal mudflat. During early to mid 20th century the ground level was raised using wood waste. This material is steadily decaying, and the ground is subsiding. To assess properly the possible effect of sea level rise over the service life of any new construction on lower Penrhyn, this subsidence should be fully assessed and a 75 year projection provided.*
2. *There are underground water courses in and near lower Penrhyn. Extensive foundation work required for any new construction will divert water and have an effect on surrounding properties. This needs to be studied in detail.*
3. *The large increase in impervious surfaces proposed for the development will create an issue for neighbouring properties and the marine environment at Cadboro Bay, 300 meters away.*
4. *Gyro Park, Lower Penrhyn and surrounding areas are apparently the subject of a Douglas Treaty land claim filed by the Songhees First Nation in British Columbia Supreme Court. This needs to be taken into account.*
5. *There is significant concern among residence about the proposed project. Efforts to engage the developer in meaningful discussion have been rebuffed.*

Respectfully submitted

Cadboro Bay Residents Association



2570-30 Penrhyn



Cadboro Bay Residents Association

July 14, 2016

Beucore Holdings Ltd
Attention: David Beaulieu
c/o
MH Johnston & Associates
1815 Belmont Avenue
Victoria V8R 3Z3



BY EMAIL ONLY to: [REDACTED]

Dear Sirs:

Re: Proposed Redevelopment of 2590, 2594 and 2598 Penrhyn Street

Beucore Holdings Ltd asked the CBRA for its input regarding the above captioned proposed development. Mr. Johnston of MH Johnston & Associates presented information and plans to the board at the board meeting in March, 2016. At the April, 2016 board meeting, Mr. Johnston attended along with Beucore principal Mr. Beaulieu, and information and plans were again provided. Interested CBRA members attended both presentations.

Having reviewed the results of the Community Survey, and the information and plans provided, the CBRA board has voted not to support the proposed development.

CBRA invites Beucore Holdings Ltd. to provide revised plans and to continue to dialogue with CBRA in this matter.

Survey results are enclosed with this letter for your information. The percentages sometimes do not add up to 100 due to rounding. Not every responder answered every question, so the total number of responses varies somewhat from question to question.

Sincerely yours,

Jerry Donaldson, Board Secretary, FOR

Eric Dahli

Board Chair, Cadboro Bay Residents' Association

encl: survey results

cc: Saanich Planning Department, chuck.bell@saanich.ca ; mayor@saanich.ca ; council@saanich.ca

[REDACTED] • E: board@cadborobay.net • W:

www.cadborobay.net



Cadboro Bay Residents Association

COMMUNITY SURVEY: PROPOSED TOWNHOUSE DEVELOPMENT ON PENRHYN STREET April, 2016

RESULTS

a) The proposed Penrhyn Development respects the area's history. (115 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
6%	13%	18%	17%	45%

b) The proposed Penrhyn Development fits in with the existing single family houses in the Village. (115 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
5%	15%	6%	17%	57%

c) The proposed Penrhyn Development fits in with the existing multi-family housing developments in the Village. (112 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
16%	27%	7%	23%	27%

d) The design of the proposed Penrhyn Development is appropriate for the neighbourhood. (116 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
14%	18%	5%	13%	50%

e) The design of the proposed Penrhyn Development is similar in scale and design as to what already exists in the Village. (114 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
18%	17%	5%	24%	37%



Cadboro Bay Residents Association

COMMUNITY SURVEY: PROPOSED TOWNHOUSE DEVELOPMENT ON PENRHYN STREET April, 2016

RESULTS

f) The proposed Penrhyn Development should be approved as presently designed. (115 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
8%	14%	7%	11%	60%

g) The proposed Penrhyn Development should be re-designed to more closely resemble other housing in the neighbourhood. (111 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
46%	18%	12%	14%	11%

h) The height of proposed Penrhyn Development (about 31 feet) is appropriate for the neighbourhood. (116 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
13%	16%	8%	22%	41%

i) The three-storey design of the proposed Penrhyn Development is appropriate for the neighbourhood. (116 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
15%	16%	4%	16%	49%

j) The design of the proposed Penrhyn Development should be two stories or less. (115 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
55%	12%	9%	14%	10%



Cadboro Bay Residents Association

COMMUNITY SURVEY: PROPOSED TOWNHOUSE DEVELOPMENT ON PENRHYN STREET April, 2016

RESULTS

k) The distances between the proposed townhouses and the surrounding homes should be sufficient to avoid subjecting adjacent properties to overshadowing, encroachment on privacy and noise and light pollution. *(115 responses)*

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
63%	20%	8%	6%	3%

l) The proposed Penrhyn Development should be designed to preserve surrounding residents' existing sea views to the greatest extent possible. *(117 responses)*

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
64%	22%	8%	4%	2%

m) The flat roof design of the proposed Penrhyn Development is attractive. *(113 responses)*

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
17%	20%	22%	13%	28%

n) The proposed Penrhyn Development would be more attractive if the roofs were sloped or peaked. *(110 responses)*

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
26%	22%	28%	18%	8%

o) The proposed Penrhyn Development as presently designed will blend into the surrounding neighbourhood. *(115 responses)*

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
8%	19%	9%	15%	50%



Cadboro Bay Residents Association

COMMUNITY SURVEY: PROPOSED TOWNHOUSE DEVELOPMENT ON PENRHYN STREET April, 2016

RESULTS

p) The final stretch of Penrhyn between about 2595 Penrhyn and the gate at Gyro Park should be a safe and pedestrian-friendly promenade. (115 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
65%	17%	10%	5%	2%

q) Non-resident motor vehicle traffic between about 2595 Penrhyn and the gate at Gyro Park should be discouraged though the use of a mid-block turning area or similar strategy. (117 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
42%	24%	24%	7%	3%

r) Vehicle access to the Proposed Penrhyn Development should be off Cadboro Bay Rd or along the boundary adjacent to the Element condo rather than as proposed. (111 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
29%	14%	41%	8%	8%

s) The proposed Penrhyn Development should be designed to minimize the effect of the additional vehicle traffic it will create. (111 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
77%	14%	6%	1%	1%

t) The proposed Penrhyn development should include more green space and fewer units. (115 responses)

Strongly Agree	Somewhat Agree	Uncertain	Somewhat Disagree	Strongly Disagree
64%	13%	10%	5%	7%



The Corporation of the District of Saanich

Mayor
Councillors
Administrator

Council
Administrator
Media

Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: May 1, 2017
Subject: Floodplain Development Permit Application
File: DPR00672 • 5009 Prospect Lake Road

RECOMMENDATION

1. That Development Permit DPR00672 be approved.
2. That ratification of the Development Permit be withheld pending registration of a covenant to secure the following:
 - Require the dwelling to be constructed to BUILT GREEN® Gold or equivalent standard and to be solar ready; and
 - Save the District and Province harmless in the case of flooding.

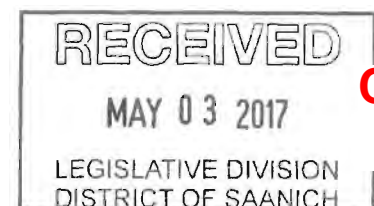
PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application is for a Development Permit to allow construction of a single family dwelling partially within a floodplain. The applicant is Strongitharm Consulting Ltd.

DISCUSSION

Neighbourhood Context

The subject property is located in Rural Saanich, in the Prospect Lake area. The 1072.4 m² vacant, waterfront parcel is located on the east side of Prospect Lake Road, 185 m south of the intersection with Meadowbrook Road. Surrounding land use is mostly single family dwellings on similarly sized lakefront lots and rural residential on the larger lots west of Prospect Lake Road. The adjacent parcel to the north is vacant.



CW
2

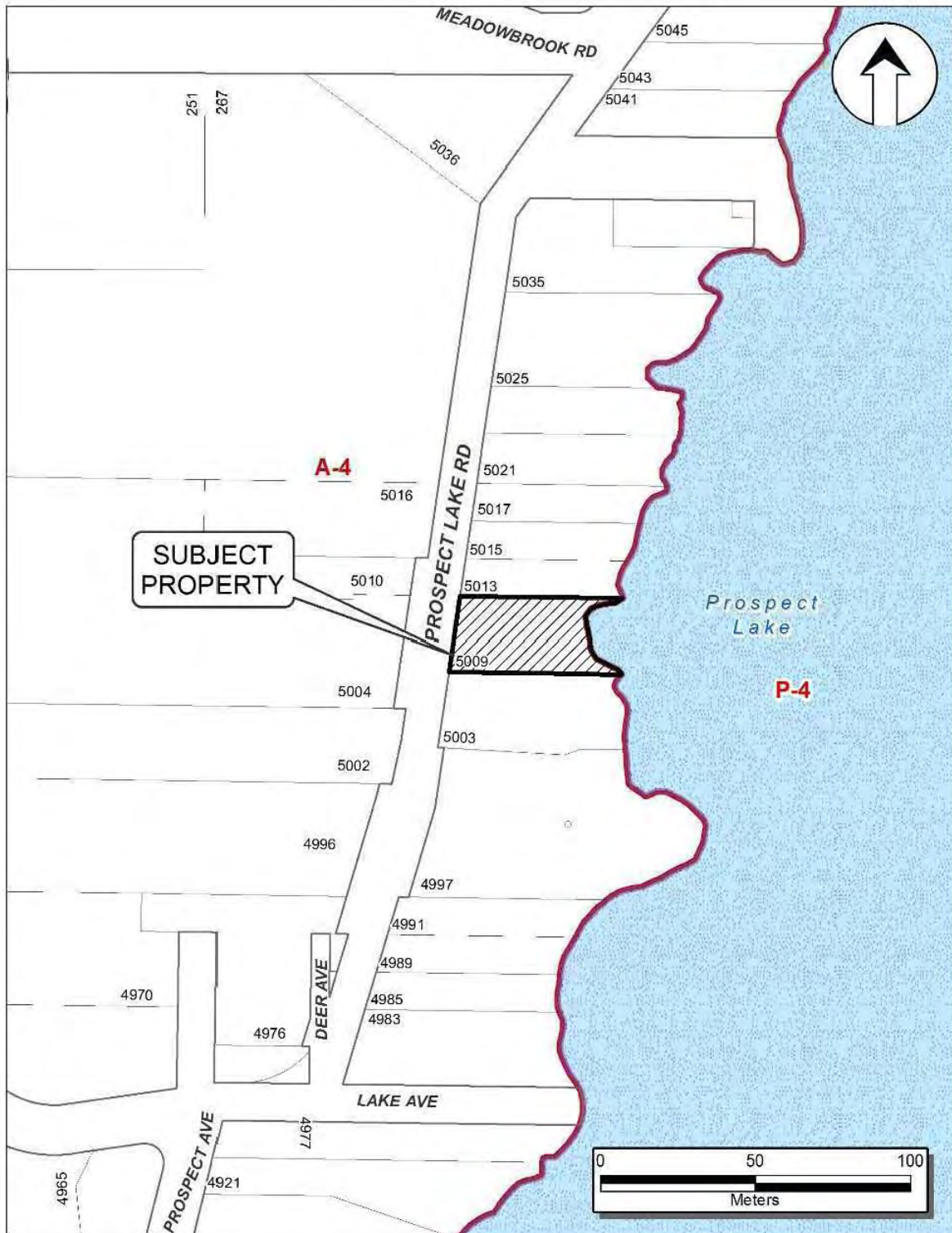


Figure 1: Context Map

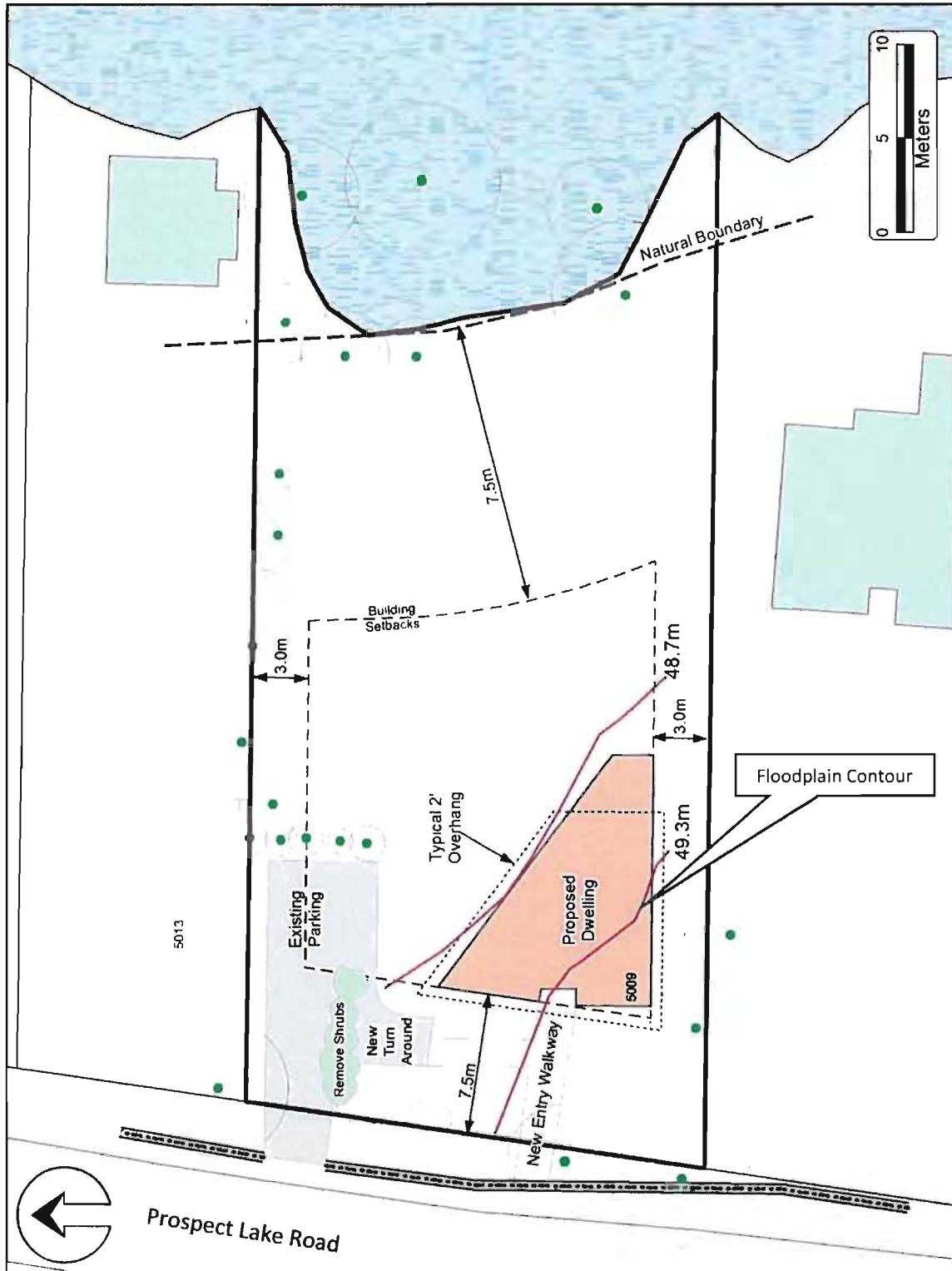


Figure 2: Proposed Site Plan

Proposed Dwelling Partially Within the Floodplain

The site plan identifies a proposed building footprint located mostly above the floodplain which is identified by the Fill Prohibition Bylaw as the 49.3 m geodetic elevation contour line (see Figures 2 and 3). This line is based on the highest recorded flood level (February 5, 1974) plus an additional 1.5 m measured vertically.



Figure 3: Aerial View

The dwelling would be constructed partially within the floodplain as permitted by Floodplain Development Permit Area, Guideline 2.6. The minimum habitable floor area elevation of the dwelling would be restricted to 49.3 m (geodetic datum) or higher and a covenant would be required as a condition of a building permit issuance to save the District and the Province harmless in case of flooding.

Consultation

The applicant has stated that all neighbours close to the site were notified of the application and were individually shown the plans and proposal. An open house, held at the site on August 18, 2016, was attended by 24 neighbours.

The applicant attended the July 26, 2016 meeting of the Prospect Lake and District Community Association (PLDCA). Planning received a letter from the Association indicating no objection to the proposal. Information about the proposal was also provided to the Prospect Lake Conservation Society and the Friends of Tod Creek Watershed.

ALTERNATIVES

1. That Council approve the recommendations as outlined in the staff report.

The implications of this alternative are discussed in detail in the later sections of this report.

2. That Council reject the recommendations as outlined in the staff report.

Should Council decide to reject the recommendations contained in this report, the implications are that the proposed development permit would not proceed and no construction of a single family dwelling would occur.

3. That Council provide alternate direction to Staff.

Should Council provide alternate direction to staff, such as a redesign of the proposed dwelling for example, the implications are that staff would work with the applicant to address comments from Council. The applicant would undertake any necessary revisions to the plans, and would resubmit their proposal, for review by staff and ultimately consideration by Council. This alternative would result in a delay in Council's decision regarding the development permit application.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the District of Saanich Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the District of Saanich 2014 - 2018 Strategic Plan.

PLANNING IMPLICATIONS

Policy

The following Saanich Planning Policies are most applicable to the subject proposal:

Official Community Plan (2008)

4.2.10.22 "Retain the stormwater holding capacity of natural storage areas to reduce peak flows".

Flood Plain Development Permit Area Guidelines

The Floodplain Development Permit Guidelines are concerned with protection of the natural environment, eco-systems and biological diversity, and with minimizing both the loss of floodplain storage and hazardous conditions that could occur from the impact of flooding. Guidelines that are specifically applicable are:

- 2.1. "Major or significant wooded areas and native vegetation should be retained wherever possible".
- 2.2. "The total impervious cover of the site should minimize impact on the receiving aquatic environment. Consideration should be given to reducing impervious cover through reduction in building footprint and paved areas and use of on-site infiltration".

- 2.3. “No alteration of land should be allowed unless demonstrated through environmental studies that it would not adversely affect the natural environment, nor conflict with the provisions of the Deposit of Fill and the Soil Removal Bylaws”.
- 2.6. “Land should remain free of buildings and structures for human habitation except where:
- a) the foundations are at least partially out of the area of the floodplain, and
 - b) those portions of a building or structure capable of being used for human habitation are located above the floodplain elevation, and
 - c) those portions of a building or structure not capable of being used for human habitation or the storage or placement of goods or equipment extend below the boundary of the flood plain to a maximum of 60 cm (2.0 ft) measured vertically”.

The proposal is consistent with the Official Community Plan which advocates retention of stormwater holding capacity of natural storage areas. It is also consistent with the requirements of the Flood Plain Development Permit Area Guidelines in that foundations of the proposed dwelling would be partially outside the floodplain area, the portions of the building for human habitation are located above the floodplain elevation, and impacts on the receiving aquatic environment are minimized.

Development within a Floodplain

The proposed 136 m² dwelling would be sited at the southwest quadrant of the site, at the lot's highest elevation. The owners have stated that the home would be constructed to BUILT GREEN® Gold or an equivalent energy and environmental performance standard, including being solar ready. Other features would include a green roof and an energy efficient heating system. The building would have a partial crawl space, allowing for natural discharge of water to infiltrate the ground underneath parts of the building. Roof rainwater would be filtered through the green roof system into rainwater catchment areas to reduce chances of soil disturbance during a major storm event. An individual on-site sewerage treatment plant is in place. The treatment plant and distribution system is located in the southwest corner of the site between the proposed house and Prospect Lake Road, outside of the floodplain area.

A review of the proposed single family dwelling with respect to floodplain management was undertaken for the applicant by Aqua-Tex Scientific Consulting Ltd. The report states that the minor loss of floodplain storage (3.4 to 4.0 m³) for the foundation would be compensated for by the removal of an equivalent volume of soil within the floodplain below the 49.3 m elevation and stored upon the property above the floodplain. In addition, it has been noted that fill was placed on the property in about 2005 to construct a driveway. The Deposit of Fill Bylaw permits filling in a floodplain for the purpose of constructing a driveway provided that a compensating flood storage area is provided within the floodplain. The Development Servicing Requirements reflect this requirement. As a result, a survey of the fill area was prepared by Bradley Cunnin, BCLS, to determine original natural grade and the extent of the fill that was deposited. The survey concluded that the impact of constructing the driveway and turning area was neutral with respect to loss of floodplain storage.

Trees and Other Vegetation

A tree inventory and impact assessment was undertaken for the site by Talbot Mackenzie & Associates, Consulting Arborists. The assessment identified eight trees on or near the site that could potentially be impacted by construction activity. The report included an investigation of possible root impacts from the recent installation of a wastewater treatment tank and infiltration field on the site.

The trees on and near the site include one Western Red cedar (#708), two Douglas-fir (#709 and #714), three Big Leaf maple (#710, #712 and #713), one Grand fir (#711) and one willow (NT). The trees, except the willow, are bylaw protected. All of these trees are noted to be in fair condition. Trees located within the 15 m riparian setback were not inventoried or assessed as no construction impacts are anticipated within that area.

The investigation found no evidence of root damage resulting from the treatment tank and field installation. The existing sand layer and boulders used to retain the sand were placed on top of the natural grade. This material should allow sufficient air and moisture penetration, within the critical root zones of the trees, and is unlikely to have a significant impact on their health and structural integrity.

The proposed building footprint would encroach within the critical root zone of some of the trees. The report states that the new residence is unlikely to have a significant impact on these trees. A large Douglas-fir root in the area of the proposed building footprint can be pruned without significant impact on the health or structural integrity of this tree. Work in and around the critical root zone of the trees should be supervised by the project arborist. Pruning of Douglas-fir #714, Big Leaf maples #712 and #713 and Western Red cedar #708 to ANSI A300 standards is recommended. No trees are proposed for removal.

Development within a Streamside Development Permit Area

The vacant site drops in elevation about 4 m from southwest to northeast. The riparian area of the site adjacent to the lake is within the Streamside Development Permit Area. A Streamside Development Permit issued by the Manager of Environmental Services would be required.

The applicant engaged the services of Swell Environmental Consulting to assess the existing condition and provide recommendations for ecological restoration of the riparian area of Prospect Lake. The report states that the existing condition of the riparian area is a historically developed shoreline with a dock, lawn and mowed area in the central portion of the shoreline, and trees, shrubs and tall grasses on either side of the property, as well as emergent vegetation in the shallow water adjacent to the shoreline.

The stated objective for the site is to create a showcase project that would provide a positive example of how lakeshore property owners can combine the use of their property with an ecologically functioning riparian zone to improve the short and long-term health of Prospect Lake. This is proposed to be accomplished by removing invasive species and lawn, and densely planting native vegetation, combined with other ecological enhancements including nesting boxes. The vegetation would provide overhanging shelter for fish, food and nutrients to the lake, bird and wildlife habitat onsite, and stabilize bare soils along the shoreline to reduce sedimentation, as well as provide a long-term source of native plant seeds that would migrate

around the lake. Access to the water would be maintained via a small path and the existing dock. Lower growing vegetation would be utilized in the centre of the restoration area to maintain a view of the lake from the proposed house.



Figure 4: Looking east toward Prospect Lake
(Photos from Swell Report)



Figure 5: Looking west from the dock

CONCLUSION

The 1072.4 m² vacant, waterfront parcel is located partially within the floodplain on the east side of Prospect Lake Road. The dwelling would be constructed partially within the floodplain as permitted by Floodplain Development Permit Area, Guideline 2.6.

The proposal is consistent with the Official Community Plan which advocates retention of stormwater holding capacity of natural storage areas. It is also consistent with the requirements of the Floodplain Development Permit Area Guidelines in that foundations of the proposed dwelling would be partially outside the floodplain area, the portions of the building for human habitation are located above the floodplain elevation, and impacts on the receiving aquatic environment are minimized.

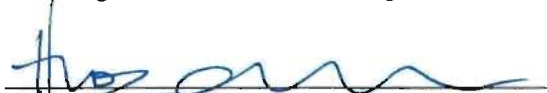
No trees are proposed for removal to accommodate the dwelling. Work in and around the critical root zone of the trees would be supervised by the project arborist. The owners have stated that the home would be constructed to BUILT GREEN® Gold or an equivalent energy and environmental performance standard, including being solar ready.

Prepared by 
Neil Findlow

Senior Planner

Reviewed by 
Jarret Matanowitsch

Manager of Current Planning

Approved by 
Sharon Hvezdanski

Director of Planning


NDF/sd
H:\Tempest\Prospero\Attachments\Dpr\Dpr00672\Ndf_Rpt_5009 Prospect Lake Rd.Docx

Attachments

cc: Paul Thorkelsson, Administrator
Graham Barbour, Manager of Inspection Services

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.


Paul Thorkelsson, Administrator

DISTRICT OF SAANICH

NO. DPR00672

DEVELOPMENT PERMIT

**TO: Frederick John Haynes
Catherine Denise Haynes
[REDACTED] Prospect Avenue
Victoria BC [REDACTED]**

(herein called "the Owner")

1. This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied by this Permit.
2. This Development Permit applies to the lands known and described as:

Lot 1, Section 89, Lake District, Plan 46087

5009 Prospect Lake Road

(herein called "the lands")

3. This Development Permit further regulates the development of the lands as follows:
 - (a) By requiring the buildings and lands to be constructed and developed in accordance with the plans received on November 1, 2016 copies of which are attached to and form part of this permit.
4. The Owner shall substantially start the development within 24 months from the date of issuance of the Permit, in default of which the Municipality may at its option upon 10 days prior written notice to the Owner terminate this Permit and the Permit shall be null and void and of no further force or effect.
5. Notwithstanding Clause 4, construction of driveways and parking areas, and delineation of parking spaces shall be completed prior to the issuance of an Occupancy Permit.
6.
 - (a) Any protective fencing of trees or covenant areas must be constructed, installed and signed according to the specifications in Appendix X.
 - (b) No site activity shall take place prior to the installation of any required tree of covenant fencing and the posting of "WARNING – Habitat Protection Area" signs. The applicant must submit to the Planning Department a photograph(s) showing the installed fencing and signs. Damage to, or moving of, any protective fencing will result in an immediate stop work order and constitute a \$1,000 penalty.
 - (c) In the event that any tree identified for retention is destroyed, removed or fatally injured, a replacement tree shall be planted in the same location by the Owner in accordance with the replacement guidelines as specified within the Saanich Tree and Vegetation Retention, Relocation and Replacement Guidelines. The replacement tree shall be planted within 30 days of notice from the Municipality in default of which the Municipality may enter upon the lands and carry out the works and may apply the security provided herein in payment of the cost of the works. For the purpose of this section, existing trees

identified for retention and new trees planted in accordance with the landscape plan attached to and forming part of this permit shall be deemed to be "trees to be retained".

- 7. The lands shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and shall comply with all Municipal bylaws except for those provisions specifically varied herein. Minor variations which do not affect the overall building and landscape design and appearance may be permitted by the Director of Planning or in her absence, the Manager of Current Planning.
- 8. Notwithstanding the provisions of Section 7 of this Permit the following changes will be permitted and not require an amendment to this Permit:
 - (a) When the height or siting of a building or structure is varied 20 cm or less provided, however, that this variance will not exceed the maximum height or siting requirements of the Zoning Bylaw.
 - (b) Changes to the relative location and size of doors and windows on any façade which do not alter the general character of the design or impact the privacy of neighbouring properties following consultation with the Director of Planning, or Manager of Current Planning in her absence.
 - (c) Where items noted under Section 8(b) are required to comply with the Building Code and/or the Fire Code and those changes are not perceptible from a road or adjacent property.
 - (d) Changes to soft landscaping provided the changes meet or exceed the standards contained on the landscape plans forming part of this Permit.
- 9. The terms and conditions contained in this Permit shall enure to the benefit of and be binding upon the Owner, their executors, heirs and administrators, successors and assigns as the case may be or their successors in title to the land.
- 10. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPALCOUNCIL ON THE

_____ DAY OF _____ 20 _____

ISSUED THIS _____ DAY OF _____ 20 _____

_____ Municipal Clerk

APPENDIX X

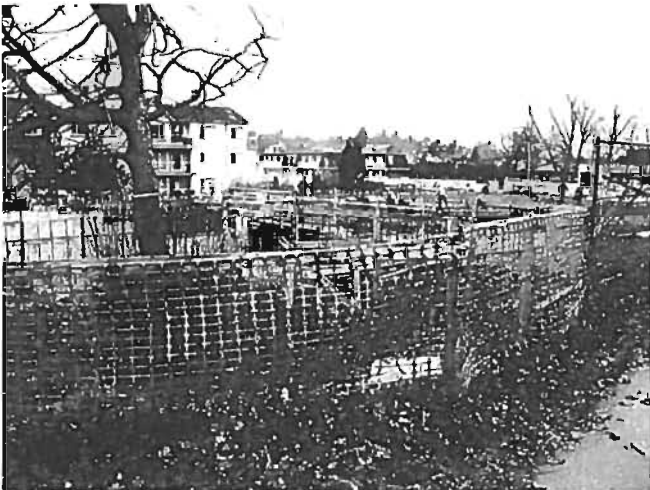
PROTECTIVE FENCING FOR TREES AND COVENANT AREAS

Protective fencing around trees and covenant areas is an important requirement in eliminating or minimizing damage to habitat in a development site.

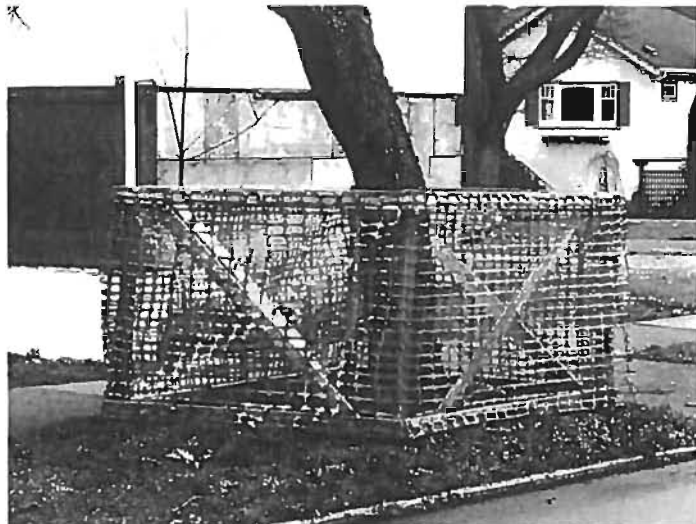
Prior to any activities taking place on a development site, the applicant must submit a photo showing installed fencing and "WARNING – Habitat Protection Area" signs to the Planning Department.

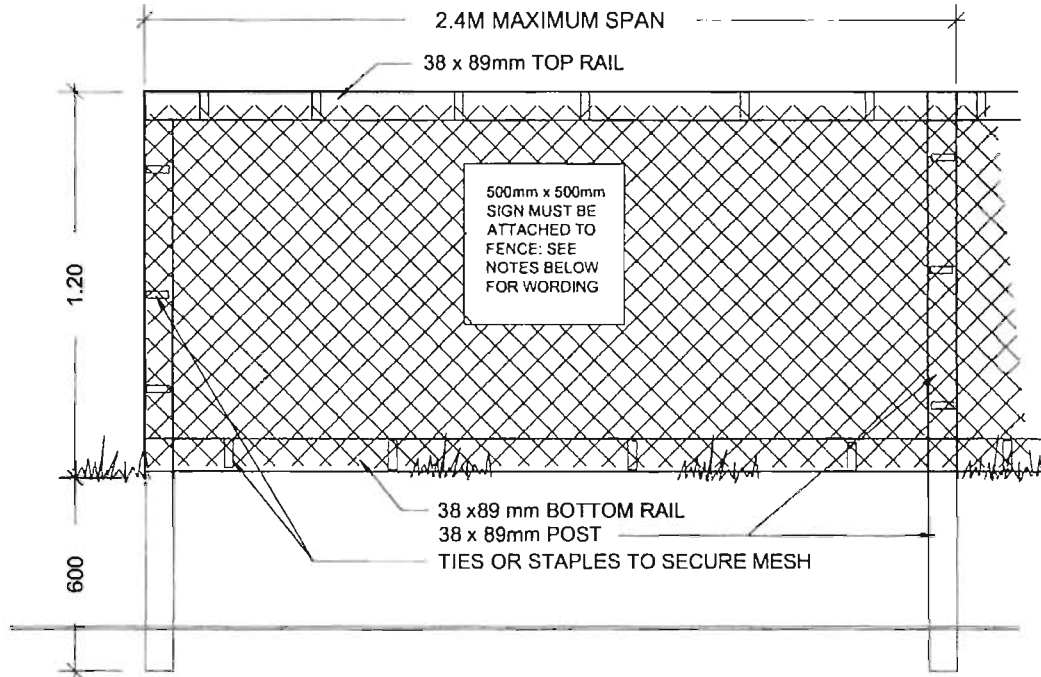
Specifications:

- Must be constructed using 2" by 4" wood framing and supports, or modular metal fencing
- Robust and solidly staked in the ground
- Snow fencing to be affixed to the frame using zip-ties or galvanized staples
- Must have a "WARNING – HABITAT PROTECTION AREA" sign affixed on every fence face or at least every 10 linear metres



Note: Damage to, or moving of, protective fencing will result in a stop work order and a \$1,000 penalty.





TREE PROTECTION FENCING

NOTES:

1. FENCE WILL BE CONSTRUCTED USING 38 X 89 mm (2"X4") WOOD FRAME: TOP, BOTTOM AND POSTS. *
USE ORANGE SNOW-FENCING MESH AND SECURE TO THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
2. ATTACH A 500mm x 500mm SIGN WITH THE FOLLOWING WORDING:
WARNING-HABITAT PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE FACE OR AT LEAST EVERY 10 LINEAR METRES.

* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



DETAIL NAME:

TREE PROTECTION FENCING

H:\shared\parks\Tree Protection Fencing.pdf

DATE:	March/08
DRAWN:	DM
APP'D:	RR
SCALE:	N.T.S.



Memo

*Copy sent to Denise
Straightman Dec. 6/16*

To: Planning Department
From: Jagtar Bains – Development Coordinator
Date: December 5, 2016
Subject: Servicing Requirements for the Proposed Development

PROJECT: **FLOODPLAIN DPTO CONSTRUCT A SINGLE FAMILY DWELLING.**

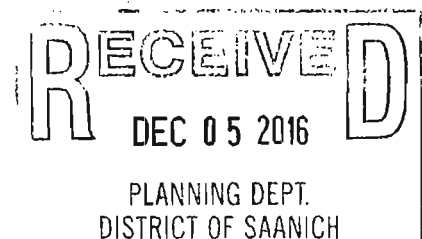
**SITE ADDRESS: 5009 PROSPECT LAKE RD
PID: 009-624-252
LEGAL: LOT 1 SECTION 89 LAKE DISTRICT PLAN 46087
DEV. SERVICING FILE: SVS02048
PROJECT NO: PRJ2016-00725**

The above noted application for Floodplain Development Permit has been circulated to the Engineering Department for comment. A list of servicing requirements has been attached on the following page(s). To allow Council to deal effectively with this application, we would appreciate confirmation, prior to the Committee of the Whole Meeting that the applicant agrees to complete the servicing requirements. Should there be any disagreement with any of these requirements, it should be discussed with the undersigned prior to the Committee of the Whole Meeting.

A handwritten signature in black ink, appearing to read "Jagtar Bains".

Jagtar Bains
DEVELOPMENT COORDINATOR

cc: Harley Machielse, Director of Engineering
Catherine Mohoruk, Manager of Transportation & Development



Development Servicing Requirements

Development File: SVS02048
Civic Address: 5009 PROSPECT LAKE RD
Page: 1

Date: Dec 5, 2016

Drain

1. STORM WATER MANAGEMENT MUST BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW. THIS SUBDIVISION/DEVELOPMENT IS WITHIN TYPE 1 WATERSHED AREA WHICH REQUIRES STORM WATER STORAGE, CONSTRUCTION OF WETLAND OR TREATMENT TRAIN AND SEDIMENT BASIN. FOR FURTHER DETAILS, REFER TO SECTION 3.5.16, STORM WATER MANAGEMENT AND EROSION CONTROL OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW.

Gen

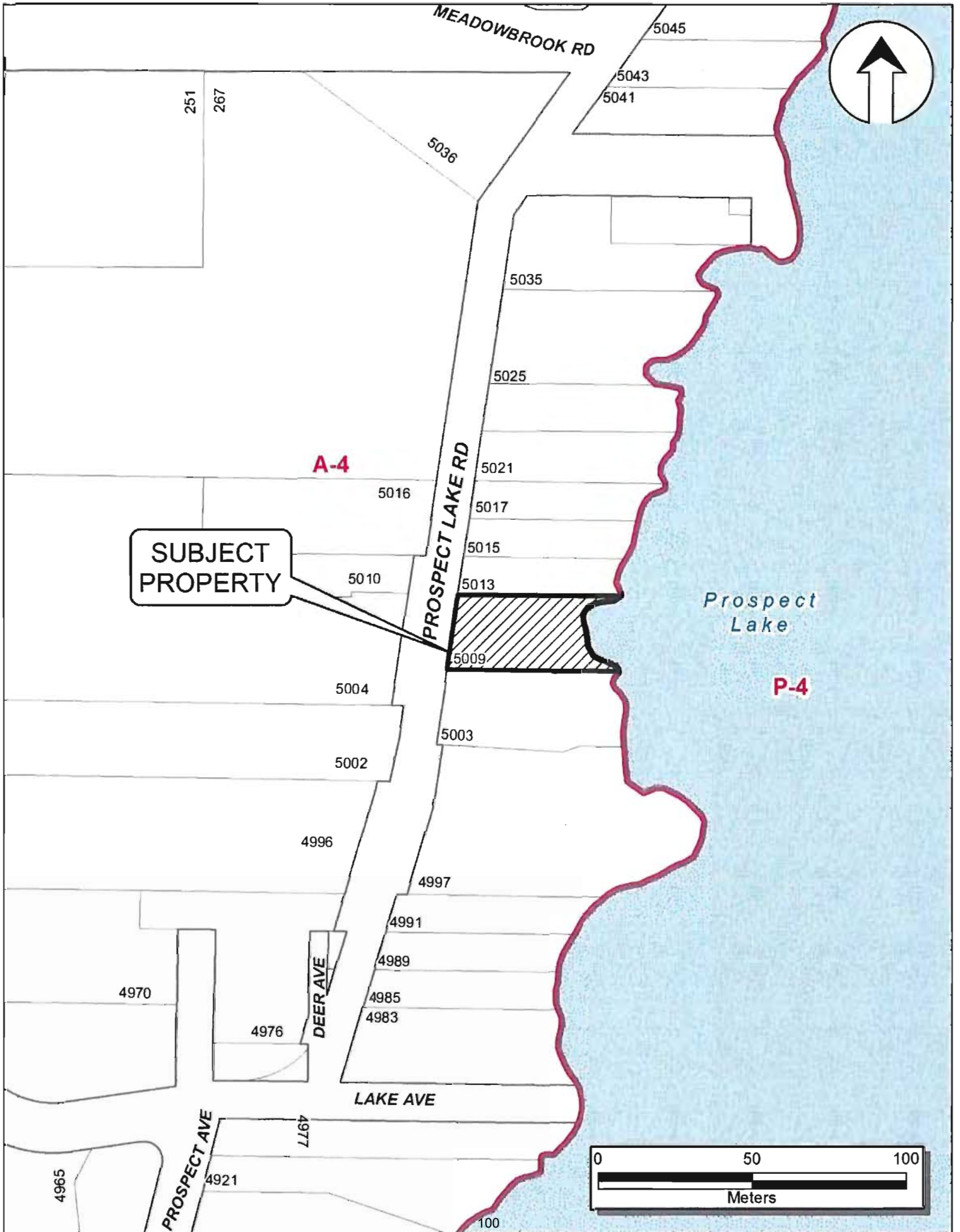
1. THE MINIMUM HABITABLE FLOOR ELEVATION OF PROPOSED COTTAGE MUST BE SET 49.30 M (GEODETIC DATUM) OR HIGHER. IN CASE OF CRAWL SPACE, THE UNDERSIDE OF HABITABLE FLOOR JOIST WILL BE SET AT 49.3 M OR HIGHER. A COVENANT WILL BE REQUIRED ON THE TITLE OF THIS PROPERTY TO SAVE THE DISTRICT AND THE PROVINCE HARMLESS IN CASE OF FLOODING.
2. A GEOTECHNICAL ENGINEER WILL BE REQUIRED TO ASSESS SOIL BEARING CONDITIONS AT TIME OF CONSTRUCTION FOR THE PROPOSED COTTAGE.
3. AS THE DRIVEWAY AND TURNING AREA ARE LOCATED WITHIN THE FLOODPLAIN, A COMPENSATING FLOOD STORAGE AREA DESIGNED BY A PROFESSIONAL ENGINEER, HAVING A STORAGE VOLUME AT LEAST EQUAL TO THE VOLUME OF FILL DEPOSITED AND/OR TO BE DEPOSITED FOR THE DRIVEWAY AND TURNING AREA MUST BE CONSTRUCTED AND MAINTAINED WITHIN THE FLOODPLAIN ON THIS PROPERTY.
4. THE BUILDING IS REQUIRED TO COMPLY WITH THE 2012 BC BUILDING CODE AND MUNICIPAL BYLAWS. BUILDING AND PLUMBING PERMITS WILL BE REQUIRED FOR ALL WORKS.

Sewer

1. PROOF IS REQUIRED THAT THE EXISTING SEWAGE DISPOSAL SYSTEM MEETS THE REQUIREMENTS OF THE VANCOUVER ISLAND HEALTH AUTHORITY.

Water

1. AN APPROPRIATELY SIZED WATER SERVICE IS REQUIRED FROM THE EXISTING MAIN ON PROSPECT LAKE ROAD.



October 26, 2016

5009 Prospect Lake Road

Sustainability and Stormwater Management Statement

The following is a brief sustainability statement regarding the proposed development of a small house on the subject property that is subject to a Flood Plain Development Permit.

SUSTAINABILITY STATEMENT

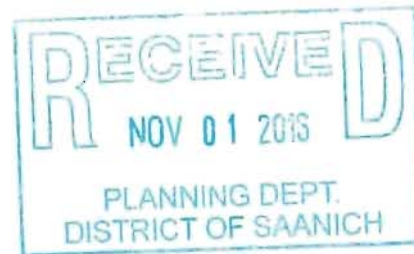
The construction of a small, 1.5 storey, 1,500 f² home is proposed for Prospect Lake Road. The proposed house will observe all bylaw and regulatory requirements of the Flood Plain and Environmental Development Permit Area. It also will adhere to best practices of the Prospect Lake/Tod Creek Action Plan.

The home will incorporate green features including a green roof, low-flush fixtures, solar readiness, and the use of sustainable building materials to a practical extent. The proposal includes minimizing hard surface areas. Required parking areas will consist of porous gravel material. A voluntary shoreline rehabilitation and enhancement plan is also proposed, as outlined in the Swell biological assessment. Liquid waste will be handled via a sewage treatment system approved by Island Health.

STORMWATER MANAGEMENT STATEMENT

The amount of impervious cover of the site has been kept to a minimum. The site coverage of the home is 88.2 m², and a portion of the ground underneath the ground floor will be kept open to allow for natural and unobstructed infiltration and drainage of stormwater from the highest point of the property adjacent to Prospect Lake Road. All driveway access and parking area will consist of porous material (gravels).

A green roof will reduce runoff into the roof rainwater leaders. Downspouts will be directed into stormwater pits that will control water flow and allow stormwater to flow naturally through native soils toward the lake



5009 PROSPECT LAKE ROAD | October 2016 | 1



Talbot Mackenzie & Associates

Consulting Arborists

December 15, 2016

Prospect Avenue
Victoria, BC
Attn: Frederick Haynes

Assignment:

Review the Saanich Parks Referral Review memo, and perform exploratory excavations on the subject property, as requested.

Review the site plan and building plans provided and provide tree preservation recommendations to be used during the construction of a proposed single-family dwelling on the 5009 Prospect Lake Road property.

Methodology: Each tree located on municipal property – directly fronting the subject property, and bylaw-protected trees located on the subject property, were identified using numeric metal tags attached to their lower trunks. A single non-bylaw protected willow tree located at the Northwest corner of the subject property, was not tagged, but is identified as NT on the attached site plan. Trees Located within the 15 meter riparian setback were not tagged or assessed by us as part of this assignment, and we do not anticipate construction impacts within that area.

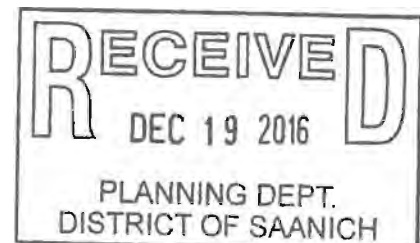
Information such as tree species, size(d.b.h.), critical root zone(crz), crown spread, health and structural condition, relative tolerance to construction impacts and general remarks and recommendations was recorded in the attached tree resource spreadsheet.

Observations:

- At the time of our November 22, 2016 site visit, a wastewater treatment tank and infiltration field had been recently installed. In discussion with the property owner, it is our understanding that the previous field and treatment tank was moved to its present location, which did not require excavation beyond the natural grade. Hand excavation performed by us, on November 22, 2016 did not find any evidence of root damage, or any evidence of excavation beyond the natural grade, within the critical root zones of trees #708, 707, 710, 711, 712, 713 or 714. The existing sand layer and boulders used to retain this sand, appears to have been placed on top of the natural grade, and in our opinion, this material should allow sufficient air and moisture penetration, within critical root zones of the above-mentioned trees, and is unlikely to have a significant impact on their health or structural integrity.

.../2

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Email: treehelp@telus.net



Mitigation of impacts:

Barrier fencing: The areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing (see attached site plan for our recommended locations of barrier fencing). The existing wastewater treatment tank and distribution field is isolating the critical root zones of municipal trees #708, 709 and 710 from construction activity.

Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing to be erected must be a minimum of 4 feet in height, of solid frame construction that is attached onto wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing (see attached diagram). The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

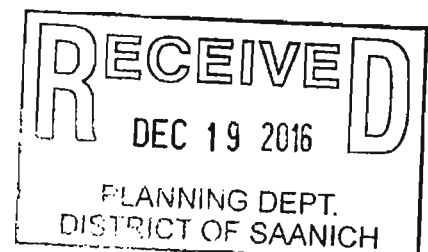
Building footprint: According to the site plan provided, the proposed building footprint encroaches within our calculated critical root zones, for trees 708, 709, 710, 711, 712, 713 and 714. However, it was determined through exploratory excavations, performed by us on November 22, 2016, that:

- Root growth toward the proposed building footprint, from trees 711, 712 and 713 is inhibited by old concrete footings, and in our opinion, excavation for the footings of the proposed new residence is unlikely to have a significant impacts on these trees.
- 2 Douglas-fir roots, less than 2cm in diameter (likely from Douglas-fir 714) were encountered along the South side of the proposed house footprint. A large surface root was observed near the location of the existing shed, and a hand excavation found that it tapers into several smaller roots, near the location of the proposed building footprint. In our opinion, the roots encountered during our exploratory excavation should be possible to prune, without having a significant impact on the health or structural integrity of Douglas-fir 714.

We recommend that the project arborist supervise excavation for the footings of the proposed house footprint, where it encroaches within the critical root zones of trees 708, 709, 710, 711, 712, 713 and 714, to ensure that any roots encountered are pruned back to the line of excavation, to encourage new root growth.

.../3

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Pruning:

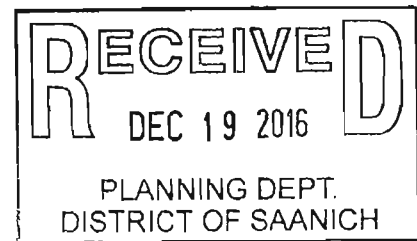
- Douglas-fir 714 has been topped previously, which has resulted in several leaders that have re-grown near the topping location. The largest of the leaders is attached at the side of the topping wound, and this attachment will likely become an increasing point of weakness as the leader continues to grow. As there are existing targets and new targets proposed to be introduced, we recommend that this tree be pruned to remove these re-grown leaders, and pruned cyclically to maintain it as a topped tree. There were no visual indications (from the ground), of and decay associated with this topping wound; however, if the climber determines that the wood tissue within or surrounding the topping wound is weak, or decayed, we recommend that the tissue be pruned to sound wood.
- Big Leaf maple 712 will require the 19cm stem be removed as it conflicts with the roof overhang of the proposed residence. In our opinion, this stem removal will still leave a viable tree.
- Big Leaf maple 713 may require that a low limb be removed to attain adequate clearance from the proposed residence. This pruning can be performed at the time of house framing, and will not significantly impact the structural integrity of this tree.
- Western Red cedar 708 will require side pruning to attain adequate clearance from the proposed new entry walkway.
- We recommend that any pruning of bylaw-protected trees be performed to ANSII A300 standards.

Driveway footprint: The plans provided show the proposed parking and turnaround area at the Northeast corner of the subject property. This area appears to have been used as a parking area historically, and is raised above the grade of the neighbouring property. A non bylaw protected willow(NT) is located where the proposed parking area encroaches within its critical root zone; however, we do not anticipate significant impacts to this tree, providing that no excavation is required beyond the natural grade.

Pathway: According to the site plan provided, a unit paver - entry walkway is proposed within the critical root zone of municipal Western Red cedar #708. Any excavation within the critical root zone of this tree will likely have to be performed by hand, and backfilled with sand(see attached floating pathway specifications). We recommend that any excavation within the critical root zone of this tree be performed under the supervision of the project arborist.

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Servicing:

Above ground utilities - The plans provided do not show the locations of proposed underground or above ground servicing. There will likely be clearance pruning requirements, if an above ground connection is required to the existing utility pole near the Northwest corner of the property. The limbs pruning would be small diameter limbs, which would not have a significant impact on the health or structural integrity of Douglas-fir 709 or Big Leaf maple 710.

Water - The existing water meter is shown on the attached site plan in the Southwest corner of the property. We recommend that any excavation to connect or upgrade this service be performed under arborist supervision, where it encroaches within the critical root zones of bylaw-protected trees.

Septic – Previously installed.

Storm – The plans provided do not show a storm drain connection, or stormwater management system. If required, we recommend that any excavation within the critical root zones of bylaw-protected trees be performed under arborist supervision.

Re-planting:

- We have not identified any trees for removal as part of this project; therefore, the total number of trees required to be planted on the subject property is 0, providing that impacts to the bylaw-protected trees can be successfully mitigated during construction of the proposed new residence.
- If a schedule 1 boulevard tree is required as part of this project, it may be difficult to find an adequate planting location on the boulevard directly fronting the subject property, as the shoulder appears to be compacted and used as a parking area historically. The existing large boulevard trees are also shading the Southern portion of this boulevard.

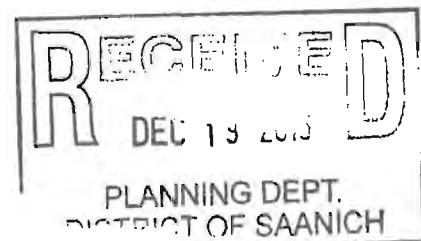
Staging and materials storage: There should be adequate room on the subject property for staging and materials storage, outside of critical root zones of trees to be retained.

Arborist Role: It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:

- o Locating the barrier fencing
- o Reviewing the report with the project foreman or site supervisor
- o Locating work zones, where required
- o Supervising any excavation for the road upgrades and service footprints that are within the critical root zones of trees to be retained.
- o Reviewing and advising of any pruning requirements for machine clearances.

.../5

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Review and site meeting: Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any demolition, site clearing or other construction activity occurs.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions.
Thank You.

Yours truly,
Talbot Mackenzie & Associates

Tom Talbot & Graham Mackenzie
ISA Certified, & Consulting Arborists

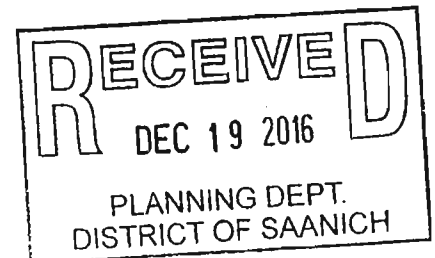
Encl. – Tree Resource Spreadsheet – 1 page, Barrier Fencing Specifications – 1 page, Site plan – 1 page, Floating sidewalk diagram – 1 page, 2 picture pages.

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.



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TREE RESOURCE
for
5009 Prospect Lake Road

Tree #	d.b.h. (cm)	CRZ	Species	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Bylaw protection status	Remarks	Recommendations
708	51	7.5	Western Red cedar	8.0	Fair	Poor	Moderate	Municipal	Municipal tree, previously reduced for overhead utilities clearance, multiple leaders arise from topping location	Retain - Arborist supervision for excavation new entry walk
709	89.40	10.0	Douglas-fir	14.0	Fair	Fair	Poor	Municipal	Shared municipal tree, smaller stem previously reduced for utilities clearance, main stem side pruned for utilities clearance	Retain - Arborist supervision for excavation for proposed house footprint
710	38	4.5	Big Leaf maple	10.0	Fair	Fair/poor	Moderate	Yes	May be shared ownership with, heavily pruned for overhead utilities clearance. Exploratory excavation near edge of proposed foundation line encountered 2 roots less than 2cm diameter. Exploratory excavation was to clay layer	Retain
711	34	5.0	Grand fir	5.0	Fair	Fair	Poor	Yes	Backfilled around root collar historically. Existing concrete inhibiting root growth toward proposed foundation	Retain - Arborist supervision for excavation for proposed house footprint
712	17, 19 26	4.5	Big Leaf maple	8.0	Fair	Fair	Moderate	Yes	Multiple stems, rooted into side of existing loose rock retaining wall. Existing concrete inhibiting root growth toward proposed foundation	Retain - Remove 10cm limb for root overhanging clearance. Arborist supervision for excavation for proposed house footprint
713	51	6.0	Big Leaf maple	12.0	Fair	Fair	Moderate	Yes	Rooted within existing loose rock retaining wall. Existing concrete retaining wall inhibiting root growth toward proposed foundation	Retain - Prune low limbs for root clearance. Arborist supervision for excavation for proposed house footprint
714	120	14.0	Douglas fir	14.0	Fair	Fair/poor	Poor	Yes	Previously topped, three deflected leaders arise near logging location, surface rooted on subject property. Surface root next to existing shed tapers into multiple small roots	Retain - Arborist supervision for excavation for proposed house footprint
NT	30	3	Willow	8.0	Fair	Fair	Moderate	No	Growing at lower grade than proposed driveway location - proposed driveway area appears to have been used previously as parking area	May be possible to retain if existing parking surface is re-used

Prepared by
Talbot Mackenzie & Associates
ISA Certified, and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: Treehelp@telus.net





Western Red cedar #708 – Hand excavation did not encounter any evidence of root damage, or any evidence of recent mechanical excavation beyond the natural grade.



Douglas-fir 710 - Loose stached boulders used to retain upper portion of distribution field. Hand excavation did not encounter any evidence of root damage.

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DISTRICT OF SAANICH



Big Leaf maple 710 – Root growth obstructed by concrete. Hand excavation encountered only small fibrous roots growing toward proposed building footprint.

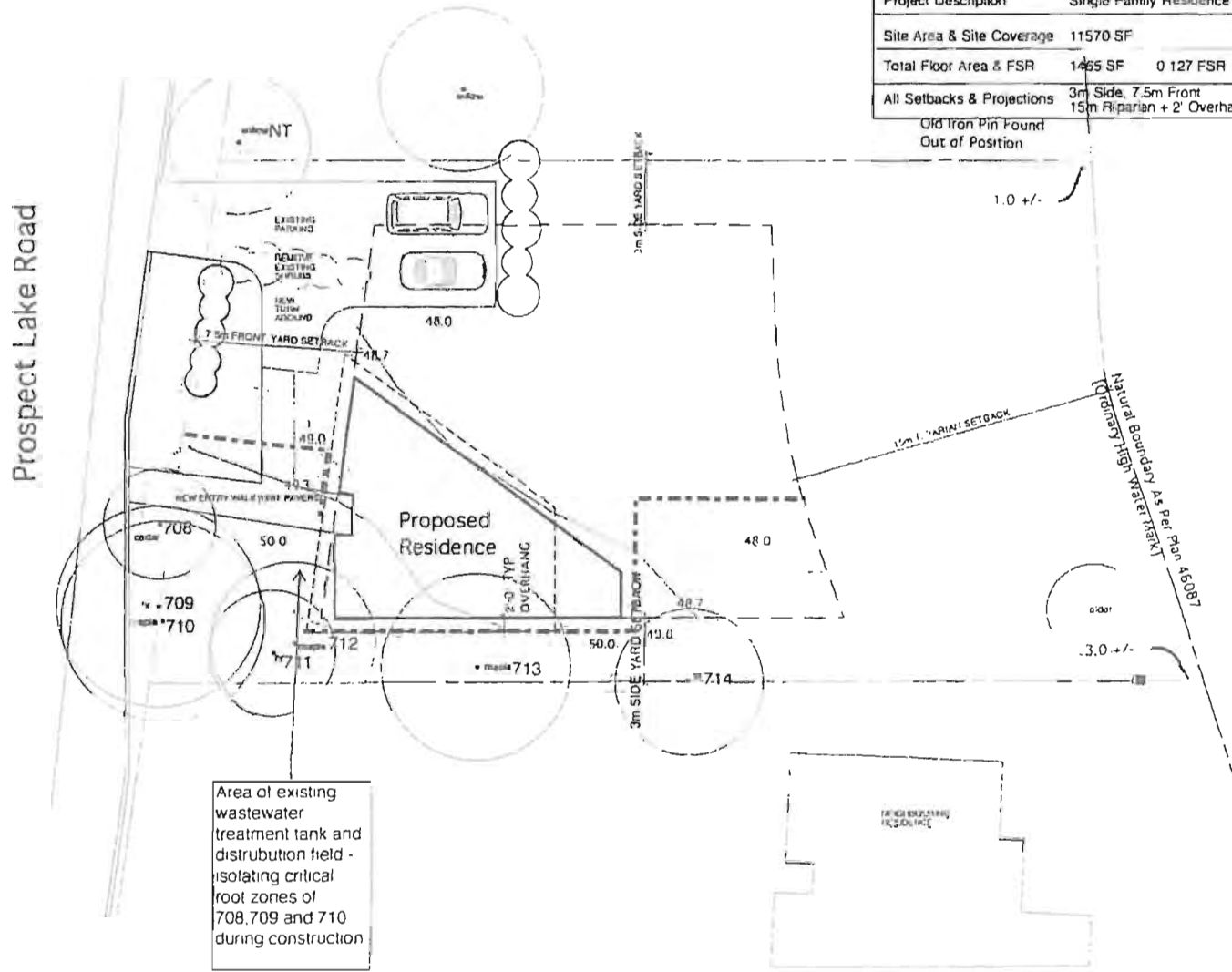


Grand fir 711 - Root growth obstructed by concrete. Hand excavation encountered no roots growing toward proposed building footprint.

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DISTRICT OF SAANICH

----- Suggested Bamer Fencing Locations

Owner	Fred & Cathy Haynes	Number of Units	1 Single Family Residence
Civic & Legal Address	5009 Prospect Lake Road LOT 1 SECTION 89 LAKE DISTRICT PLAN #6087	Parking Requirements	2
Project Description	Single Family Residence	Height of Buildings	22'-10 1/2'
Site Area & Site Coverage	11570 SF	Total Impervious Surface Area	930 SF (Footprint)
Total Floor Area & FSR	1465 SF 0.127 FSR	Ratio of Open Space to Total Site Area	91.2%
All Setbacks & Projections	3m Side, 7.5m Front 15m Riparian + 2' Overhang	Variances requested	No Variances

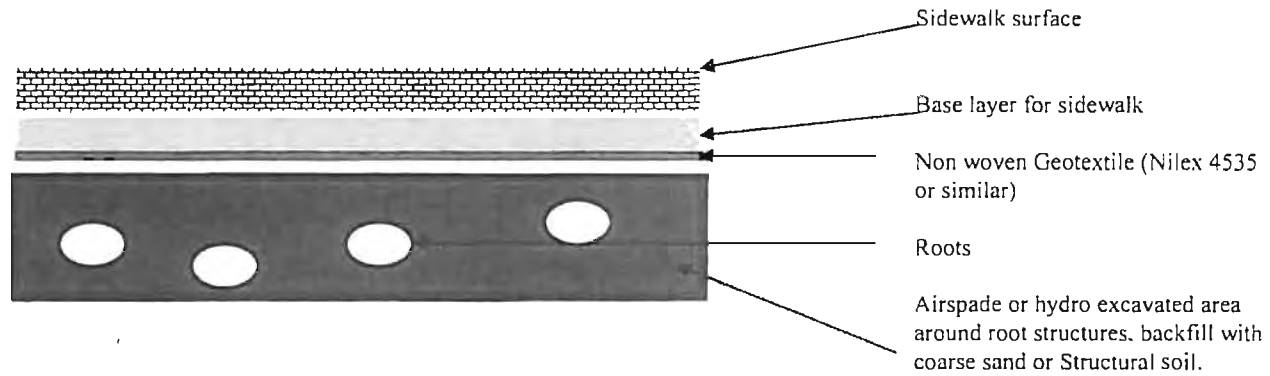


Area of existing wastewater treatment tank and distribution field - isolating critical root zones of 708, 709 and 710 during construction

Prospect Lake
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 DISTRICT OF SAANICH

Prospect Cottage
 5009 Prospect Avenue
Site Plan
 Scale 1/16"=1-0" • 9 Dec '16

Diagram – Sidewalk Crossing Over Critical Root Zone

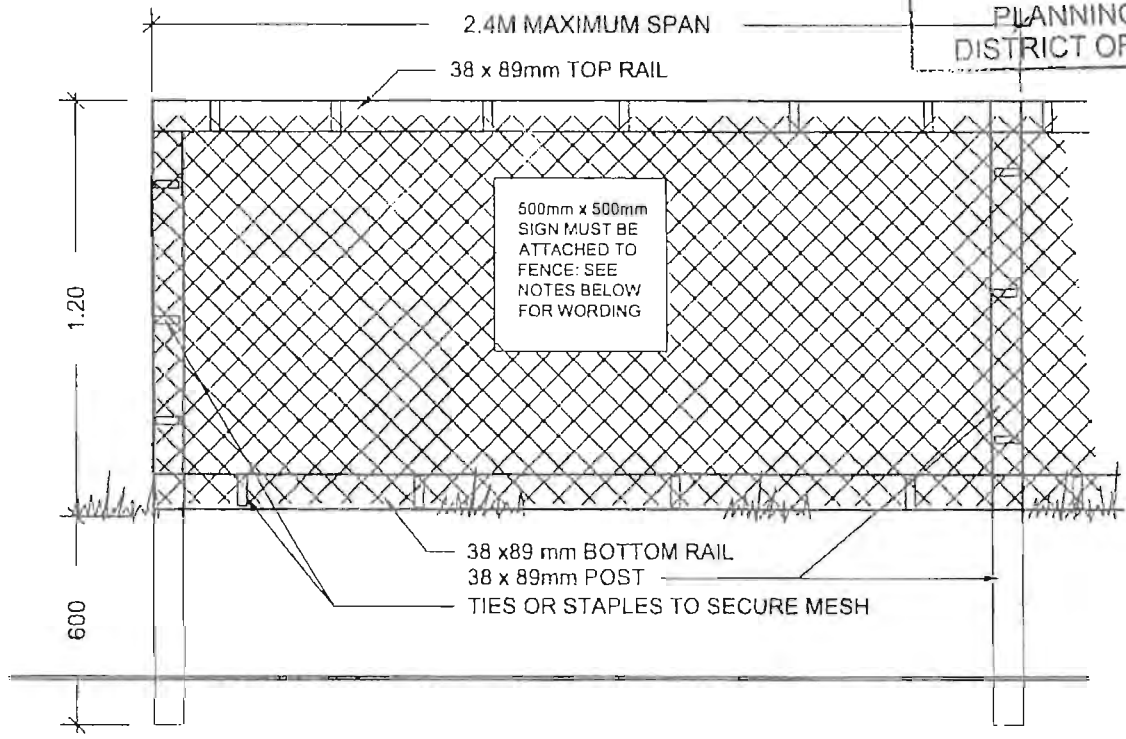


Specifications for concrete sidewalk crossing over critical root zone

1. Excavate for the required sidewalk surface, under the supervision of an ISA Certified Arborist.
2. Excavation for area around root structures with an Airspade or by Hydro Excavation to bearing layer of soil.
3. Backfill area around roots with coarse sand or a structural soil mix
4. A layer of medium weight non woven Geotextile (Nilex 4535 or similar) is to be installed over the backfilled area of the sidewalk.
5. Construct base layer and sidewalk surface over Geotextile layer to required grade.



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 DISTRICT OF SAANICH



TREE PROTECTION FENCING

NOTES:

1. FENCE WILL BE CONSTRUCTED USING 38 X 89 mm (2"X4") WOOD FRAME: TOP, BOTTOM AND POSTS. *
 USE ORANGE SNOW-FENCING MESH AND SECURE TO THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
2. ATTACH A 500mm x 500mm SIGN WITH THE FOLLOWING WORDING:
WARNING-HABITAT PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE FACE OR AT LEAST EVERY 10 LINEAR METRES.

* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



DETAIL NAME: **TREE PROTECTION FENCING**

DATE:	March/08
DRAWN:	DM
APP'D.:	RR
SCALE:	N.T.S.

H:\shared\parks\Tree Protection Fencing.pdf

B. C. LAND SURVEYOR'S SITE PLAN OF:

LOT 1, SECTION 89,
LAKE DISTRICT, PLAN 46087

SCALE = 1 : 200



All distances are in feet and decimals thereof

LEGEND

Elevations are geodetic based on District of Saanich Integrated Survey Monument 7994042 elev. = 55.903m
Contours are descriptive, and only accurate to 1/2-1/2 interval.
Grade shots are taken at the point marked +.
Grade shots at a curb line are in gutter

MUNICIPALITY
Saanich

PID No.
009-624-252

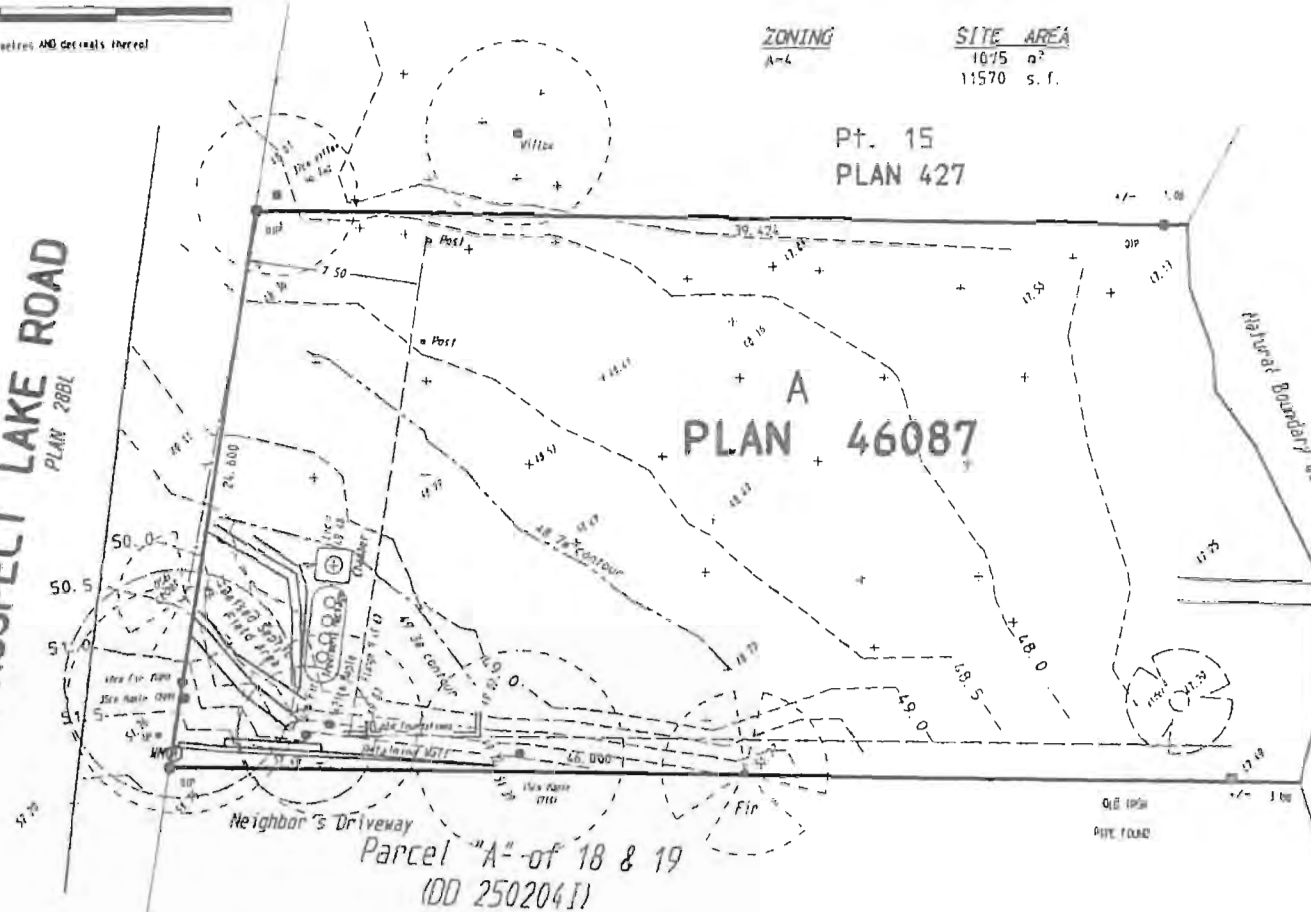
ZONING
A-4

SITE AREA
1075 m²
11570 s. f.



FILE: 8559 - W123
DATE: 2016-12-19
Brad Cunin Land Surveyor
101-2010 Douglas Street
Victoria, BC V8T 4M1
PH: 250-381-0250 fx: 381-2289
brad@bcsurveyor.ca

PROSPECT LAKE ROAD
PLAN 2881

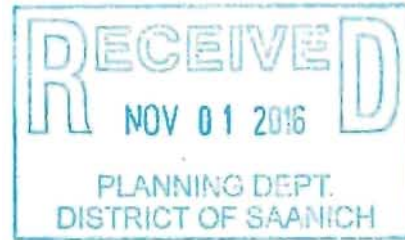


PROSPECT

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LAKELAND
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DISTRICT OF SAANICH
DEC 19 2016



Fred and Cathy Haynes
[redacted] Prospect Ave
Victoria, BC [redacted]



August 11, 2016

RE: Riparian Restoration Plan for 5009 Prospect Lake Road

On July 27, 2016 I visited 5009 Prospect Lake Road with regard to assessing the existing condition and providing recommendations for ecological restoration of the riparian area of Prospect Lake on the property.

The objective for the site is to create a showcase project that will provide a positive example of how lakeshore property owners can combine the use of their property with an ecologically functioning riparian zone to improve the short and long term health of Prospect Lake. This will be accomplished by removing invasive species and lawn, and densely planting native vegetation, combined with other ecological enhancements such as nesting boxes. The vegetation will provide overhanging shelter for fish, food and nutrients (via leaf fall and insect drop) to the lake, bird and wildlife habitat onsite, and stabilize bare soils along the shoreline to reduce sedimentation, as well as provide a long-term source of native plant seeds that will migrate around the lake. This work will be combined with maintaining access to the water via a small path and the existing dock, as well as maintaining a view from the proposed house to the lake by utilizing lower growing vegetation in the centre of the restoration area.

This is a multi-year project, with lawn and invasive species requiring significant effort to remove and maintain. Phase 1 will be the riparian restoration adjacent to Prospect Lake. The area identified for restoration is perpendicular line from the High Water Mark (HWM) at the centre of the property, and up to 3 metres below the High Water Mark in the central area of the property (Figure 1). This area is addressed in this letter. Phase 2 to take place at a later date will be located to the west and along the north property line (Figure 1), this area will focus on native plants and food production. The design for Phase 2 will take place at a later date.

The existing condition of the riparian area is a historically developed shoreline with a dock, lawn and mowed area in the central portion of the shoreline, and trees, shrubs and tall grasses on either side of the property, as well as emergent vegetation in the shallow water adjacent to the shoreline (Photos 1-5)

Vegetation present in the riparian area are red alder (*Alnus rubra*) and black cottonwood (*Populus trichocarpa*), with willows *Salix* sp. (likely Scouler's willow (*S. scouleriana*) and Pacific willow *S. lucida*) red osier dogwood (*Cornus stolonifera*) hardhack (*Spirea menziesii*), small flowered bulrush (*Scirpus microcarpus*) slough sedge (*Carex obnupta*) along with non-native invasive species such as reed canarygrass (*Phalaris arundinacea*), Himalayan blackberry (*Rubus armeniacus*) creeping buttercup (*Ranunculus repens*), and English ivy (*Hedra helix*). Aquatic emergents were pond lily (*Nuphar* sp.), smartweed (*Potamogeton* sp.), cattail (*Typha latifolia*), and rush that has been browsed (likely, soft stemmed bulrush (*Schoenoplectus tabernaemontani*)).



The restoration area has zones identified for different treatments (Figure 1):

- Invasive removal only (green)
- Invasive removal and planting (yellow)
- Plant aquatic edge species (blue)
- Stop mowing and planting (pink)
- Remove lawn and plant (red)

The High Water Mark is approximately just below the end of canoe closest to the water in Photo 4, with irregular seasonal flooding (yellow) occurring above that to approximately the location of the stake adjacent to the canoe. Vegetation will transition from the water's edge with species that require regular inundation to terrestrial species in the higher elevation area on the west of the restoration zone, in the areas that are not flooded (starting above the yellow line in Photo 4).

Native species with interspersed invasive species (green)

Recommendation:

- remove invasives (English ivy, reed canarygrass, Himalayan blackberry, creeping buttercup, etc.)

Mix of native and non-native, invasive species (yellow - approx. 20m²)

Recommendation:

- remove invasives
- add native plantings interspersed with existing native species

Plants in areas where invasive species are removed:

- red osier dogwood (*Cornus stolonifera*) - 5 x 1 gallon
- thimbleberry (*Rubus parviflorus*) - 5 x 1 gallon
- salmonberry (*Rubus spectabilis*) - 5 x 1 gallon
- hardhack (*Spiraea douglasii* spp *douglasii*) - 5 x 1 gallon

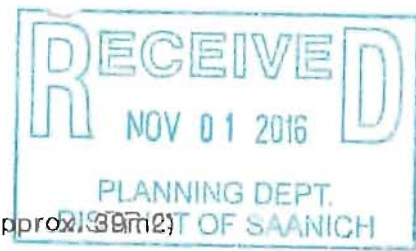
Bare, wet soil at low water (blue - approx. 4.5 m²)

Recommendation:

- plant 3 m strip with aquatic edge species
- install temporary exclusion netting around the perimeter of the plantings to all roots to prevent disturbance by bullfrogs and otters and allow the roots of the planted vegetation to develop

Plant a mix (as available) (10/m² plugs, 5/m² 10 cm pots, or 4/m² 1 gallon pots):

- slough sedge (*Carex obnupta*)
- beaked sedge (*Carex rostrata*)
- Sitka sedge (*Carex sitchensis*)
- sawbeak Sedge (*Carex stipata*)
- common rush (*Juncus effusus*)
- dagger-leaf rush (*Juncus ensifolius*)
- Pacific water-parsley (*Oenanthe sarmentosa*)



Mowed area with evidence of natural regeneration (pink - approx. 39m²)
Recommendation:

- stop mowing
- remove invasives
- after 1 year add native plants to fill gaps, if necessary

Remove lawn and plant (red – approx. 33m²)

Recommendation:

- remove lawn
- plant with native vegetation

Plant shrubs towards the north property line:

- red osier dogwood (*Cornus stolonifera*) – 5 x 1 gallon
- thimbleberry (*Rubus parviflorus*) – 10 x 1 gallon
- salmonberry (*Rubus spectabilis*) – 10 x 1 gallon
- mock orange (Coastal) (*Philadelphus lewisii* 'Gordianus') – 5 x 1 gallon
- red flower ng currant (*Ribes sanguineum*) – 5 x 1 gallon

Plant mix of perennials and groundcovers along edge of shrubs and to create a meadow towards the centre of the site (to maintain the view):

- Douglas' aster (*Symphotrichum subspicatum*) – 15 x 10 cm pots
- Idaho blue-eyed grass (*Sisyrinchium idahoense*) – 15 x 10 cm pots
- graceful cinquefoil (*Potentilla gracilis* var. *gracilis*) – 15 x 10 cm pots
- woolly sunflower (*Eriophyllum lanatum*) – 15 x 10 cm pots
- red columbine (*Aquilegia formosa*) – 15 x 10 cm pots
- wild strawberry (*Fragaria virginiana*) – 15 x 10 cm pots

The areas to be planted will require preparation, the Garry Oak Ecosystem Recovery Team provides instructions on lawn removal in their document *The Garry Oak Gardeners Handbook* which can be found here: http://www.goert.ca/documents/GOERT_Gardeners_Handbook.pdf

Reed canarygrass will also require removal from the site, management options are identified in *Reed Canarygrass (Phalaris arundinacea L.) Control & Management in the Pacific Northwest*, available here: <http://www.invasive.org/gist/moredocs/phaaru01.pdf>

In other areas the invasive species should be removed by hand and the native species indicated planted in their place as indicated above. Invasive species management will be an ongoing maintenance requirement while the native species become established. It is recommended to go through the site at least once per month in the growing season to monitor for invasive species and remove them before they go to seed.

Planting above the High Water Mark (HWM) should occur in the late fall, early winter. Planting below the HWM should occur when the lake is at the summer water level.

Planted areas, especially above the HWM, will require irrigation through the establishment period, generally 3 growing seasons, water deeply twice per week for the first growing season and monitor

for drought stress, if needed, spot water more often, in the second and third season water once per week and monitor for drought stress during hot weather.

Composted mulch will help with invasive species suppression and to maintain soil moisture. Do not mulch below the High Water Mark

Two nurseries for native plants are:

Saanich Native Plants: <http://saanichnativeplants.com>

Streamside Native Plant Nursery: http://members.shaw.ca/nativeplants/streamside_home.html

In addition to the vegetation restoration, the owners propose to add nesting boxes for beneficial and rare species of birds, mason bees and bats. The following organizations can provide information and assistance to homeowners:

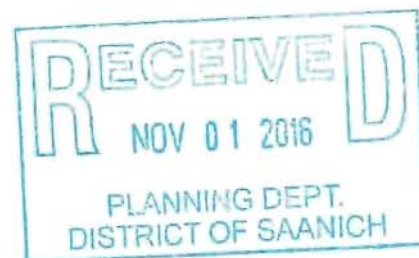
- Kingfishers and Great Blue Herons are predators of bullfrogs, providing habitat to encourage feeding and roosting will assist in controlling this invasive species. Organizations such as Habitat Acquisition Trust (<http://www.hat.bc.ca>) and South Coast Conservation Program (<http://www.sccp.ca>) may be able to provide specific recommendation to encourage these species.
- BC Purple Martin Stewardship and Recovery Program (<http://www.georgiabasin.ca/puma.htm>) and to Western Purple Martin Foundation (<http://www.saveourmartins.org>) to install nest boxes in suitable locations within the area 15m from the natural boundary of Portage Inlet.
- Mason Bee homes can be purchased from <http://masonbeehomes.com> or instructions for making them are available here: <http://boingboing.net/2014/05/16/build-your-own-mason-bee-house.html>
- Habitat Acquisition Trust Community Bat Program <http://www.bcbats.ca/index.php/south-vancouver-island>

Please do not hesitate to contact me with any questions you may have

Sincerely,



Lehna Malmkvist, MSc, RPBio (#1613;



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NOV 01 2016
DEPT.
SAANICH



Photo 1. Looking east towards Prospect Lake and restoration area. Lawn area will be planted with native riparian species. Remove invasives, such as reed canarygrass and creeping buttercup on both sides of the property, then plant with native species.



Photo 2. Looking west from dock to shoreline.



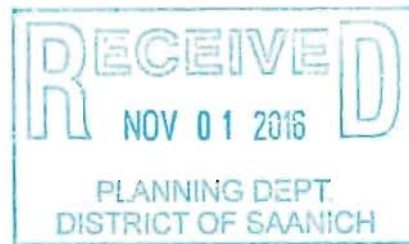
Photo 3 Bare soil along shoreline to be replanted with native species.



Photo 4. Mowed area, with approximate location of High Water Mark and extent of seasonal flooding. Cease mowing and allow regeneration of native species, remove invasives as needed and after 1 year assess for planting native species.



Photo 5. English ivy under shrubs and trees on the south portion of the site.



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PLANNING DEPT.
DISTRICT OF SAANICH



Figure 1. Restoration treatment zones.



390-7th Avenue,
Kimberley, B.C. V1A 2Z7
Tel: (250) 427-0260
Fax: (250) 427-0280
e-mail: aqua-tex@islandnet.com

201-3690 Shelbourne St.
Victoria, B.C. V8P 4H2
Tel: (250) 598-0266
Fax: (250) 598-0263

Cathy & Fred Haynes
Property Owners
5009 Prospect Lake Road

November 6th, 2016

Re: 5009 Prospect Lake Road – Floodplain Development Permit Area

Dear Cathy:

Thank you for requesting my review of the proposed single family residential dwelling at 5009 Prospect Lake Road with respect to floodplain management associated with Prospect Lake. Referenced figures are appended.

Background and Study Scope

The following background information outlines the scope of this study:

- The property at 5009 Prospect Lake is approximately 1115m² and is located on the west side of Prospect Lake, four properties south of Killarney Creek.
- The online Saanich GIS Map Service indicates that this property is subject to the Streamside Development Permit Area (for which a report has previously been prepared).
- The property is also subject to the Floodplain Development Permit Area.
- The proposed site development will consist of a 1465 ft² 2-story residence in the southwest corner of the lot.
- The construction of this residence will require a concrete stem wall or pilings to be constructed within the Floodplain Development Permit Area.
- The minor loss of floodplain storage (3.4 to 4.0 cubic metres est.) will be compensated for by the removal of an equivalent volume of soil from within the floodplain below the 49.3m elevation and stored upon the property above the latter elevation.
- The question raised by the above proposed single family dwelling is whether there will be adverse consequences of placing the pilings within the upper most edge of the floodplain.
- The proposed residential dwelling will contribute to achieving the objectives outlined in the 2001 Prospect Lake/Tod Creek Action Plan: protecting water quality in the watershed.

- A detailed site visit was conducted on September 24th, 2016, to document the riparian functional condition relative to the proposed dwelling footprint.
- A riparian restoration program was prepared by Swell Environmental Consulting (August 11th, 2016), in which detailed management of the shoreline plant community was described. The outcome of the restoration program will enhance the functional condition of the shoreline and increase a broad range of wildlife habitat values, especially food production.
- The City Spaces (2016) report provides a thorough overview of the Environmental Features, Foreshore Restoration and Naturescape program, riparian plant restoration, and animal habitat enhancement proposed for the property (Figure 7).

Site observations and findings

The site visit consisted of a detailed review of the proposed dwelling, its ancillary facilities (septic treatment system, disposal field location, access walkway, existing permeable parking, dock and access pathway through the riparian management zone). Additionally, a review of the restoration program was conducted in the context of the existing functional condition of the shoreline. A site visit was then conducted of the outlet stream and the small dam (Todd Creek Weir) approximately 100 metres below the lake, as part of the assessment of the floodplain management question with respect to the proposed installation of the pilings at the upper most edge of the floodplain.

The following are my observations and findings.

1. The Saanich Floodplain map defines the floodplain contour as 49.3 metres (Figure 1 and Figure 3).
2. The septic treatment system facility (treatment chambers and disposal field) and historical dwelling foundation remnants (Figure 3) are sited outside the floodplain contour; the dock and pathway across the turf lawn lie below the floodplain elevation.
3. The riparian management zone (15 metres from the Lake's High Water Mark) is shown in Figure 3 and Figure 4).
4. The riparian planting program proposed by Swell Environmental will result in the removal of invasive species from the treed canopy adjacent to the lake, ceasing the mowing of the turf lawn adjacent to the lake and north of the raised dock walkway and replanting this area, removing the turf lawn and replanting an area at the western edge of the 15 metre SPEA, and planting a riparian edge border adjacent to the dock walkway. The Swell report documents the riparian plant community structure and speciation.
5. The treed riparian zone consists of a dense copse of primarily deciduous trees, with a shrub understory (Figure 8 – Figure 12).
6. The littoral zone, subject to fluctuating water depths during the winter/summer period is a highly productive zone resulting in significant plant growth, plant senescence and carbon sequestration in the lake sediments and in the infilling of the shoreline (*e.g.*, riparian zone

is widening or growing into the lake). This productivity results in long term changes in lake storage volumes for both dead and live storage.

7. All construction works are well upslope from the 15 metre RAR SPEA.
8. The proposed dwelling will be constructed such that there will be no effective change in floodplain storage volume. The dwelling will be constructed such that the habitable space will be above the Flood Construction Level (FCL) which is equivalent to the 200-year flood elevation of 49.3m.
9. The essential design elevation/contours are shown in Figure 3, Figure 4, and Figure 5:
 - 49.3m minimal floor elevation,
 - 48.7m historic high water level, and,
 - 48.1m assumed average grade (24 inches below the 48.7m contour).
10. Figure 6 shows a cross section of the foundation design in which the underside of the dwelling that will be open to being flooded during a 200-year design event (*e.g.*, to the 49.3m contour).
11. Figure 6 provides one option for a concrete stem wall, in this case a concrete wall that extends from a buried foundation to a height above 49.3m; the stem wall will support the beams or concrete slab upon which the dwelling will be constructed. Another option is to use concrete pillars upon which to support beams or a concrete slab.
12. The volume of a concrete stem wall, or pillars, that will be between the 48.7m and 49.3m elevations is approximately 20m in length, 0.6m in height, and 0.3m in width, with a displacement volume of 3.6 – 4.0 cubic meters (Figure 5).
13. The proposed dwelling foundation design precludes the need for a variance. To construct the concrete stem wall, or concrete pillars, within the floodplain storage zone, a volume of soil equal to the concrete stem wall's displacement volume will be removed from the turf lawn below the 48.7m contour and placed on the property above the 49.3m elevation.
14. The overall dwelling design, together with a suite of restoration measures to significantly enhance the riparian functional condition (Figure 8 – Figure 12), as documented in the Swell Environmental Report (2016), will result in a very high ratio of open space to total site area – 91.2% (Figure 4).
15. The use of a Green Roof will attenuate rainwater runoff volumes and contribute to site-based, optimized rainwater management.
16. Green roof plantings typically consist of succulents such as *Sedum*, *Sempervivum*, and *Delosperma* that have proven successful in aggregate planting media in many regions and often survive in non-irrigated extensive green roofs. Consideration will be given to expanding the plant palette to include regionally native species that could serve a habitat function, either for specific plant species or for the animals that are associated with them.

Recommendations

I have reviewed the proposed residential dwelling, its location on the property, the riparian management zone of the property, and the lake level management of Prospect Lake, with particular regard to the “Flood Construction Level” (FCL) and Riparian Areas Regulation (RAR) setbacks. As well, I have reviewed the management of the weir at the outlet of Prospect Lake as it affects seasonal lake levels and the potential for inundation on lakeshore properties.

In my opinion the proposed dwelling design meets the full intent of the Saanich Floodplain Development Permit Area Bylaw that precludes removing floodplain storage volume.

The proposed riparian restoration works will not alter the construction footprint’s floodplain storage volume, acknowledging that the natural shoreline of the lake is slowly widening as riparian and aquatic macrophytes move into the lake.

All construction works are well upslope from the 15 metre RAR SPEA.

I would be pleased to discuss my findings and recommendations with you at your convenience, should you have any questions.

Sincerely,



Wm. Patrick Lucey, B.Sc., B.A. (WD), M.Sc., R.P. Bio., CBiol., MRSB
Sr. Aquatic Ecologist & President
Aqua-Tex Scientific Consulting Ltd.

/Users/Patrick/Documents/Projects/5009 Prospect Lake Road Haynes/Draft Final Report Haynes
Revisions/5009ProspectLakeRoad1609WPL-3.revised.1.docx

Figures

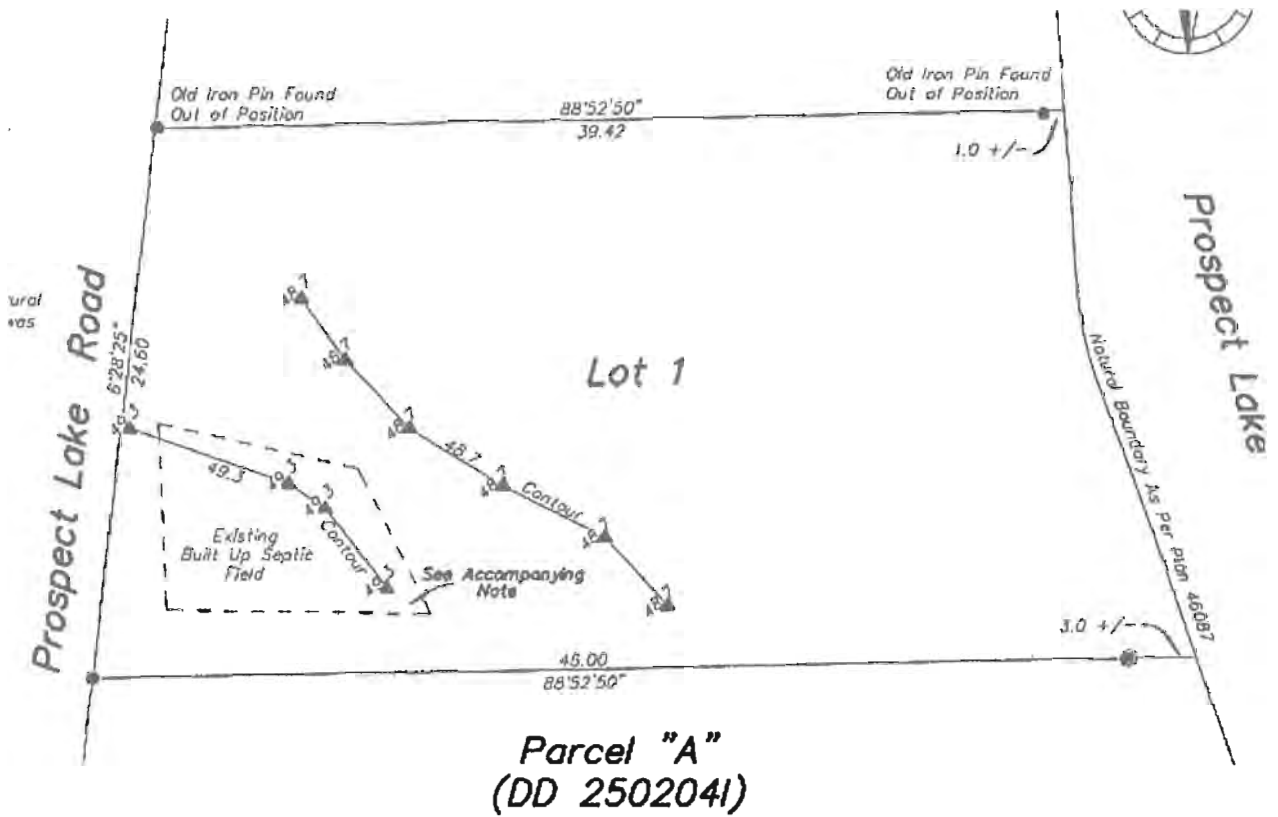


Figure 1. Simplified survey map showing the septic system facility footprint relative to the floodplain contour interval of 49.3 metres. Contrast this survey map with survey map shown in Figure 3.

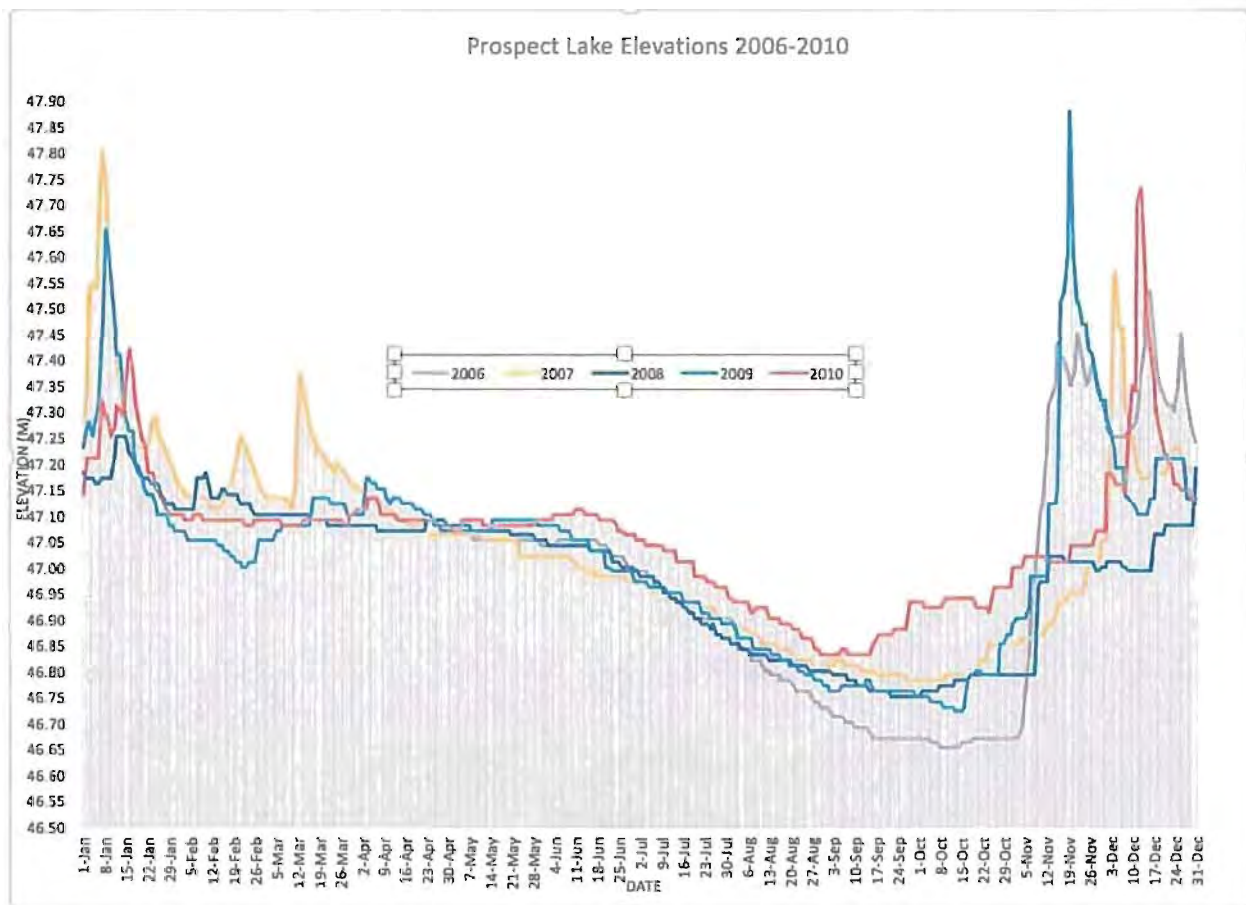


Figure 2. Prospect Lake water level elevations for the period 2006 – 2010. The maximum lake level during this period was 47.87m. This elevation was 0.83m below the maximum recorded elevation of 48.7m. Compare the lake level profile shown above with the maximum and minimum lake levels provided in Figure 13.

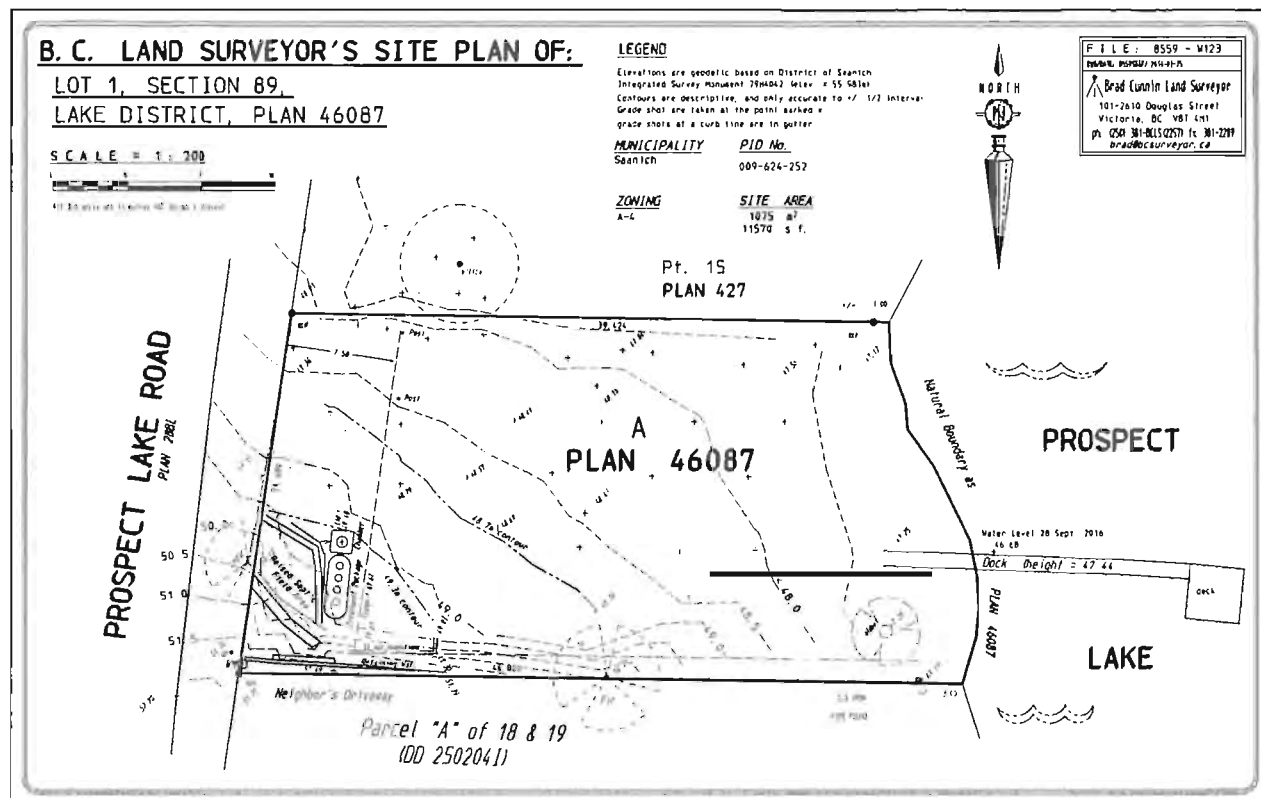


Figure 3. Details survey map showing the floodplain contour (49.3 metres), the septic treatment system facility (treatment chambers and disposal field), dock, and historical dwelling foundation remnants. The solid green line is 15 metres upslope from the High Water Mark.

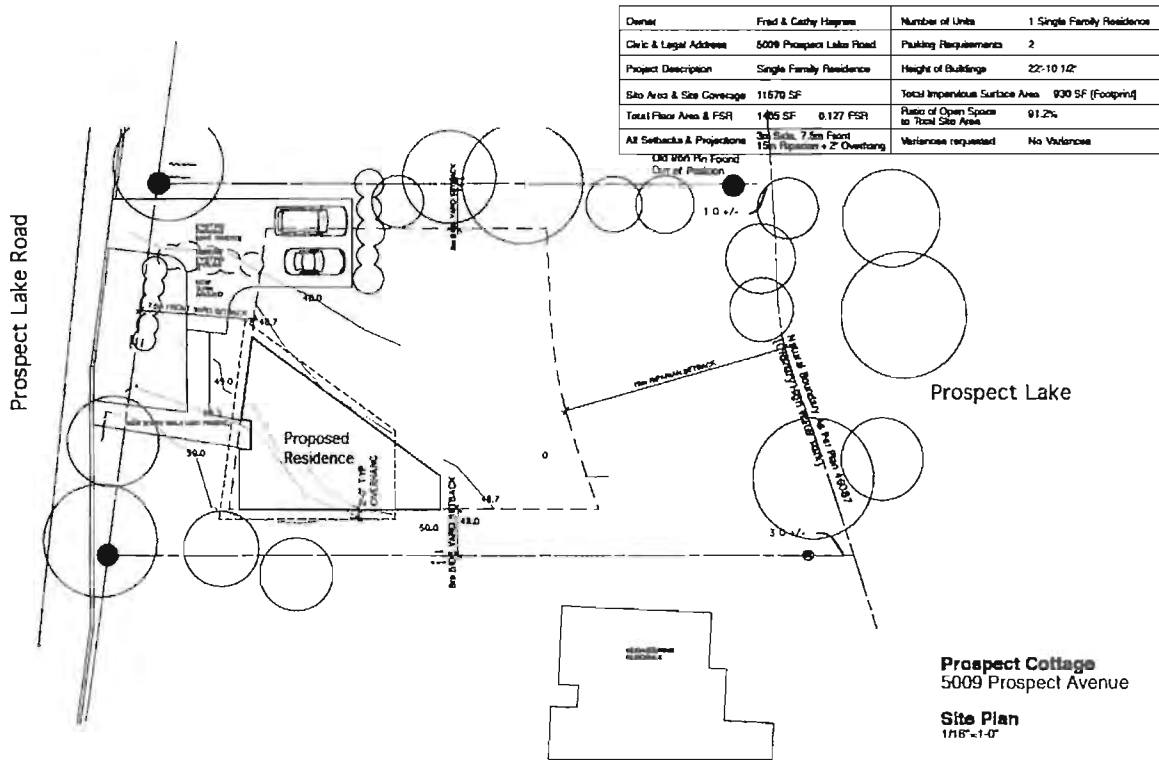


Figure 4. Proposed maximum downslope dwelling footprint contour (48.7 metre) relative to the floodplain contour of 49.3 metre. All habitable structural portions of the dwelling would be higher in elevation than the 200-year design flood level (49.3m). The foundation wall for the east side of the building would be constructed within the 48.7m elevation; however, the habitable portion of the dwelling would be above the 49.3m elevation. Thus, except for the volume of the foundation structures (pillars or a concrete wall) there is not loss of floodplain storage volume for the 200-year design storm event.

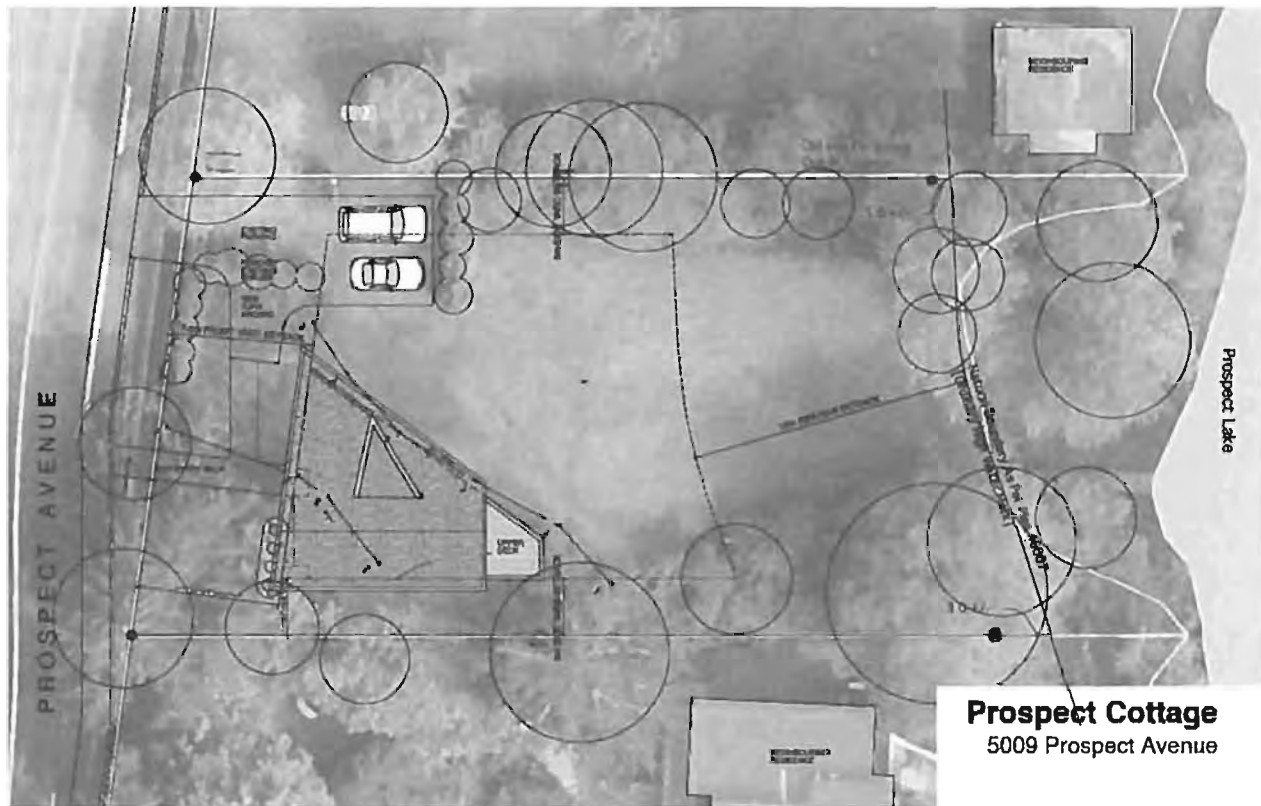


Figure 5. Diagrammatic overlay of proposed dwelling on aerial photographs showing the dwelling footprint relative to the 49.3m and 48.7m floodplain contours.

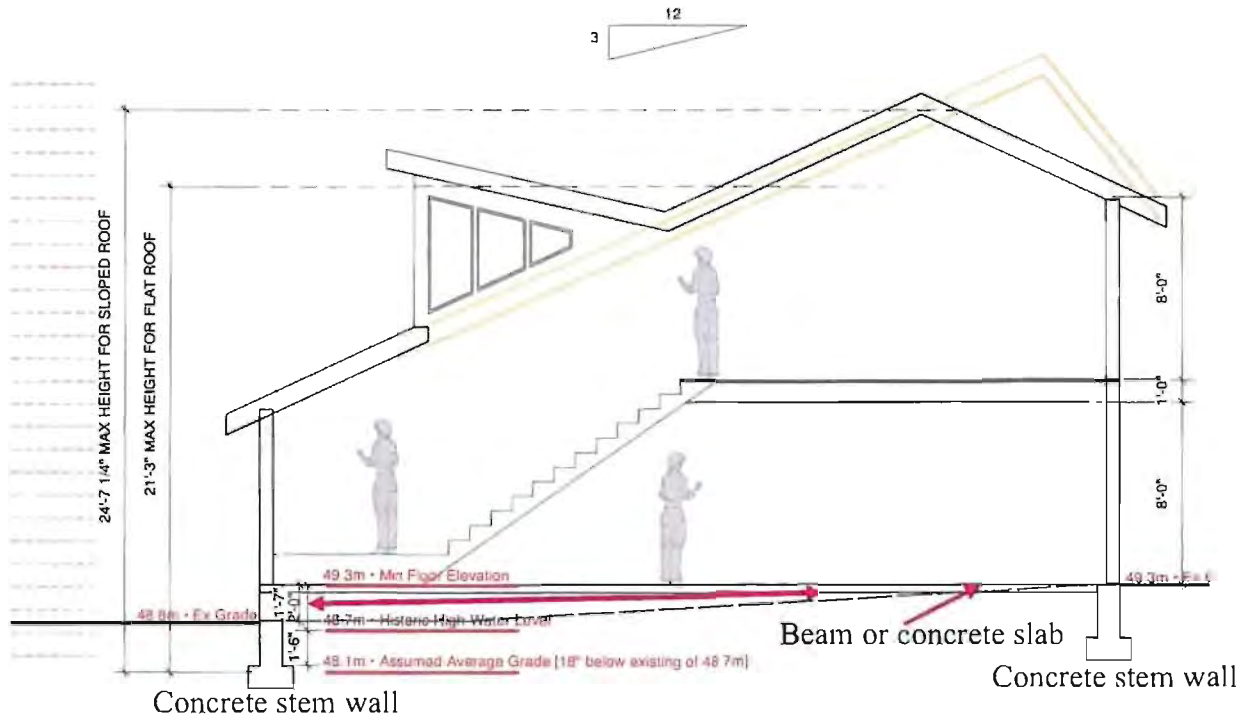


Figure 6. Cross section of proposed residential dwelling. The essential design elevation/contours are shown: 49.3m minimal floor elevation, 48.7m historic high water level, and 48.1m assumed average grade (18 inches (0.46m) below existing 48.7m contour). The red arrow indicates the portion of the underside of the dwelling that will be open to the potential for being flooded during a 200-year design event. The dwelling will sit on beams or a concrete slab. The elevation of the liveable spaces will be above the 49.3m elevation. The displacement volume of the concrete stem wall is approximately 3.4 to 4.0 cubic metres of floodplain volume. Note the upslope concrete stem wall lies above the 49.3m contour elevation, being outside the floodplain storage zone.

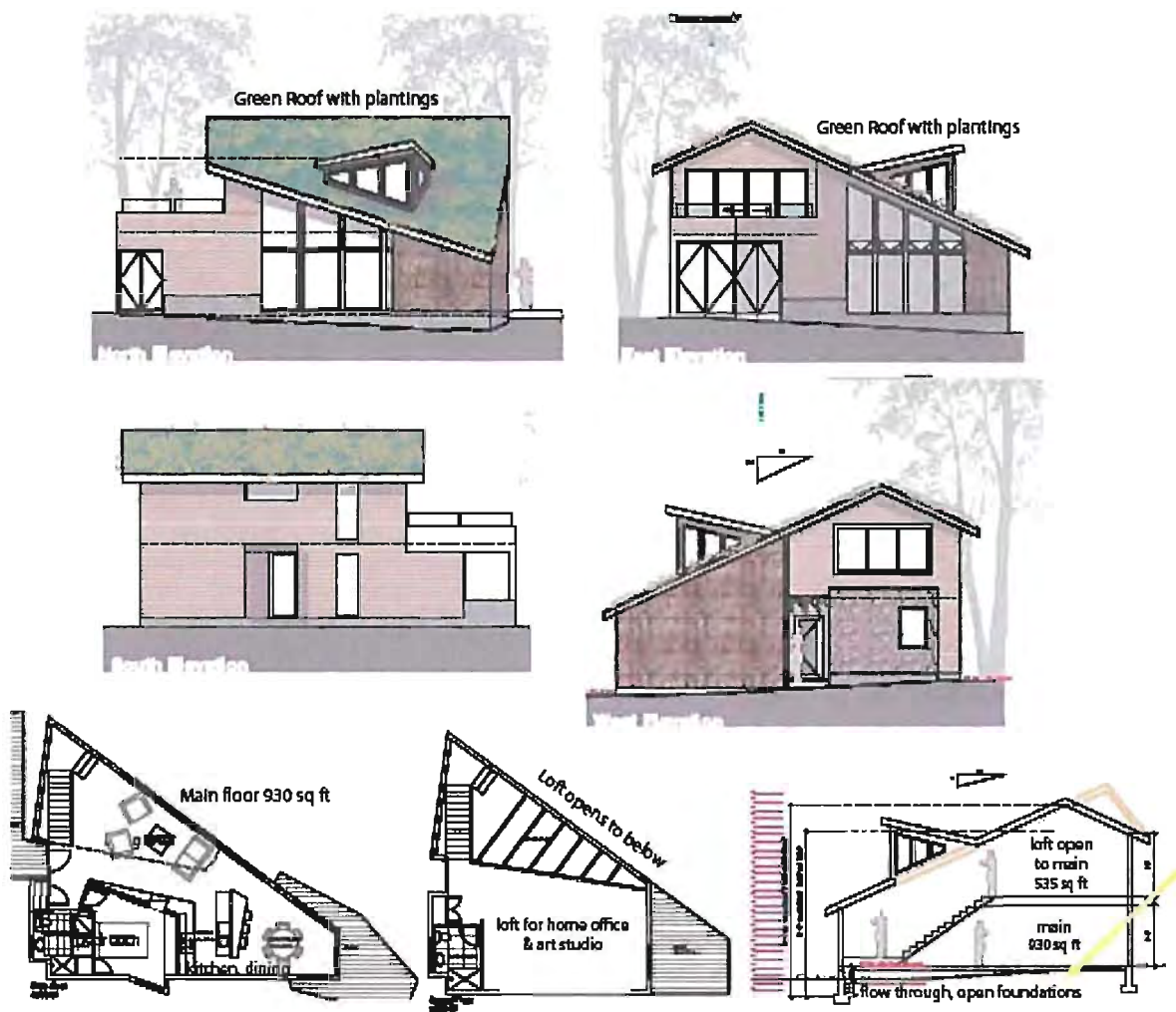


Figure 7. Architectural profiles of the proposed residential dwelling showing the essential elevations and contours pursuant to the Floodplain Bylaw. Note in the geotechnical and architectural design of an open foundation (yellow arrow) that provides a 200-year design storm event to flood beneath the dwelling (e.g., the 49.3m contour). The proposed intrusion into the floodplain would be either concrete pillars or a longitudinal concrete stem wall.



Figure 8. Looking west toward the dwelling site (yellow arrow). The dashed yellow line is the approximate High Water mark (HWM), identified in the Swell Environmental report. The solid yellow line is the approximate contour elevation of the maximum irregular seasonal flooding (identified in the Swell Environmental report). Note the dense riparian vegetation on either side of the narrow dock, providing a programmed access to the lake for recreation activities. The tree and shrub canopy on either side of the lawn provides a broad range of habitat and food production for both terrestrial and aquatic species. There is a dense macrophyte plant community in the shallow littoral zone, also providing significant habitat. The annual riparian production results in significant carbon sequestration. Note: existing riparian areas retained by owners conforms with objectives of the 2001 Prospect Lake/Tod Creek Action Plan. This plan calls for environmental actions and restoration by private property owners around Prospect Lake. Following the restoration plans of the Swell Environmental report will significantly add to the riparian habitat of this property.

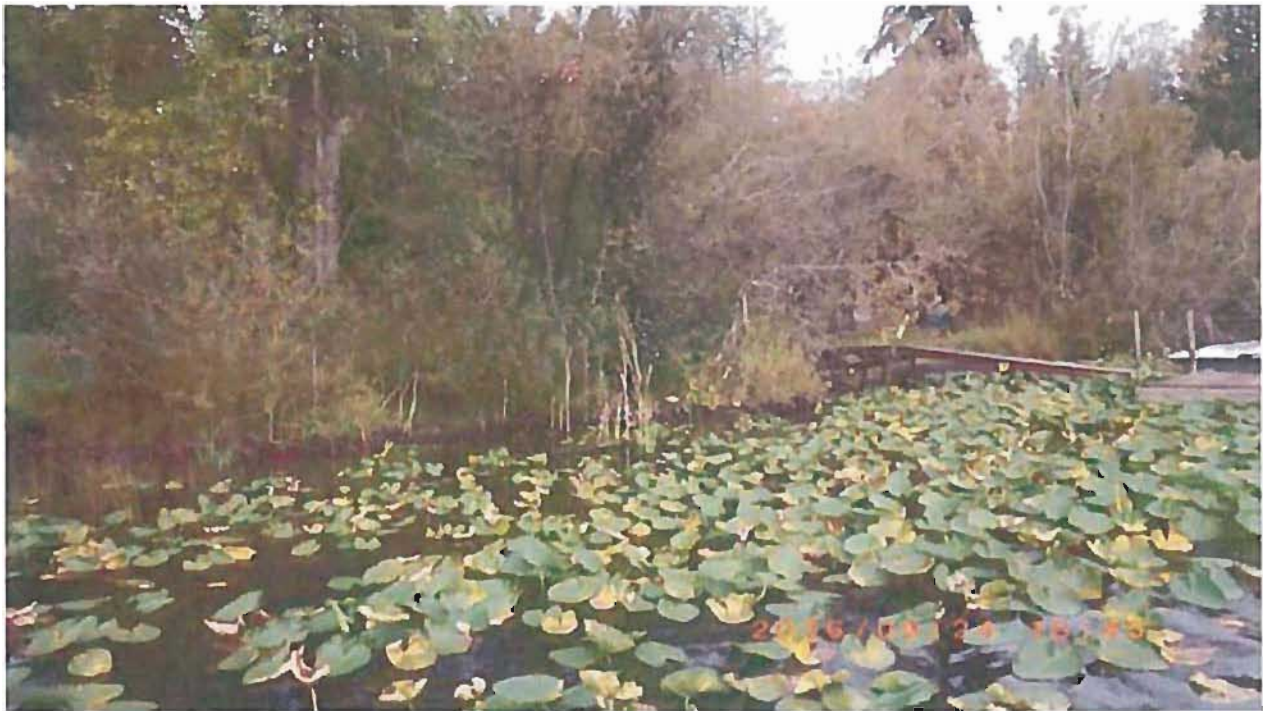


Figure 9. Looking northwest across the shallow littoral zone and the broad aquatic plant community consisting primarily of lily pads. There is a significant carbon sequestration process as the riparian plant community fixes carbon, through photosynthesis, and then stores the carbon in the shallow lake sediments.



Figure 10. Looking southwest across the shoreline at the neighbouring property. Note the dense tree and shrub copse that separates the two properties, as well as the emergent riparian cattail plants, a typical transition zone as the lake's shoreline widens, filling in the shallow littoral zone.

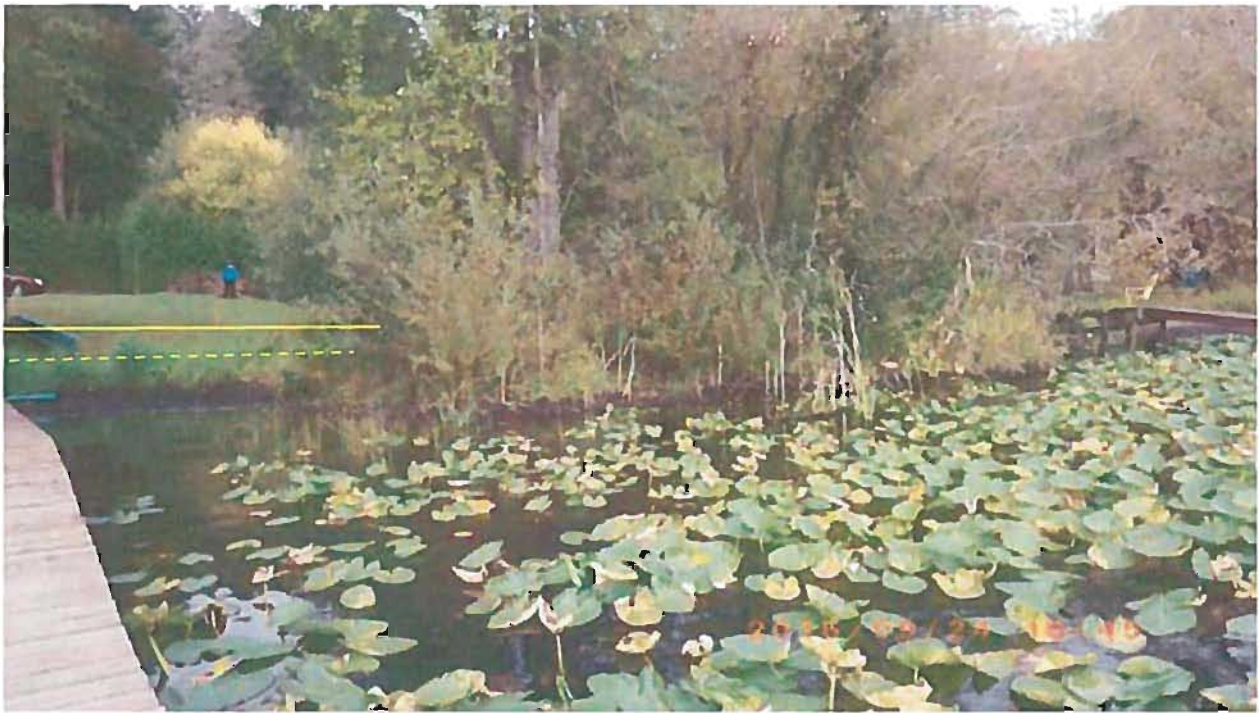


Figure 11. The lake shoreline consists of a dense tree canopy, with a shrub understory, and a broad, shallow macrophyte plant community of lily pads. The shoreline is widening into the lake, as plant matter becomes stored along the shoreline edge, forming soil and creating a transition zone from aquatic to terrestrial structure – the lake is filling in.



Figure 12. Looking across the edge of the riparian zone at the HWM (dashed yellow line) and the seasonal irregular flooding zone (solid yellow line). The shallow shoreline plant community consists of some of the following and the Swell Environmental report recommends planting a mix of the following: dominated by slough sedge (*Carex obnupta*), beaked sedge (*C. rostrata*), Sitka sedge (*C. sitchensis*), common rush (*Juncus effusus*), and dagger-leaf rush (*Oenanthe sarmentosa*). None of the proposed riparian restoration works will result in displacement of floodplain storage volume.



Figure 13. Concrete weir structure downstream of Prospect Lake. This weir was originally installed to provide a seasonal water supply to Butchart Gardens, located downstream on Tod Creek. This weir structure results in Prospect Lake being managed as a reservoir, permitting winter lake volumes to be stored for subsequent release into Tod Creek, during dry summer periods and ensuring that the summer lake level fluctuations are minimized. The weir elevation is 47.03m. The historic high water level is 48.7m, which is 1.67m above the top of the weir.

Weir information (Records by Art Dimock (deceased), courtesy of the Prospect Lake Preservation Society). Communication; 2016. Email dated September 29, 2016 at 9:39:54 AM PDT):

Lake gauge #088A-053
Lat. 48°30'55"
Long. 123°26'39"
Zero @ 45.377m above sea level

River gauge #088A-054
Lat. 48°31'29"
Long. 123°26'16"
Zero @ 44.615m above sea level

High water level = 47.88m above sea level
Extreme low water level = 46.46m above sea level
Existing weir elevation = 47.03m above sea level
Contrast the water level criteria above with those in Figure 2.

2870-30 Prospect

Clerksec - Re: Website Feedback - DPR00672

POST TO	POSTED
COPY TO	
INFORMATION	<input type="checkbox"/>
REPLY TO WRITER	<input type="checkbox"/>
COPY RESPONSE TO LEGISLATIVE DIVISION REPORT	
FOR	<input type="checkbox"/>
ACKNOWLEDGED	

From: Trisha Hicke
To: Planning
Date: 06/09/2017 8:56 AM
Subject: Re: Website Feedback - DPR00672
CC: Clerksec; Reception

Hello,

Could you please respond to this resident's email below?

Thanks,
Trish

>>> <noreply@saanich.ca> 06/08/2017 18:51 >>>

Name Norma Martin
E-mail Address [REDACTED]
Phone Number [REDACTED]
Address [REDACTED] Prospect Lake Road
Message

I am responding to the letter of June 1, 2017 regarding Floodplain Development Permit - DPR00672. I am withdrawing my support of this application because I was assured by Councillor Haynes that the house would not be built into the floodplain. As a long term resident of this community, I am very concerned about the sustainability of the lake. The flood plain issue is extremely important, and should remain so. The bylaw was put into place many years ago for just this reason. Are other applications for fill and building in the floodplain going to be allowed from now on, after they have been denied in the past? Please do not support this application.



June 8, 2017

Mayor and Council
Saanich Municipal Hall
770 Vernon Ave,
Victoria, BC V8X 2W7

Dear Mayor and Council,

Re: 5009 Prospect Lake Road

I am writing to express my full support for the proposed small footprint home on 5009 Prospect Lake Road.

I care very much about the lake health and the environment. I have seen the plans and discussed the cottage's proposed location on the property, sewage treatment, green roof, naturescaping and restoration of the riparian zone. I find this plan to be more than fitting for this site and believe the result will be a unique small home.

My husband and I live on the lake in the original Whitehead cottage at [REDACTED] Prospect Avenue, an easy paddle or walk to 5009 Prospect Lake Road so I pass by the property often. I understand the proposal meets all by-laws and follows environmental guidelines. The plan has been thoroughly considered and the cottage will be an environmental positive once complete.

My interest and a passion for community led me to serve as a director on the Prospect Lake District Community Association and this, along with being in the neighbourhood, is how we've come to know the Haynes. They have long been engaged in community building and lake stewardship and I trust that their plans for development will consider both at the highest level.

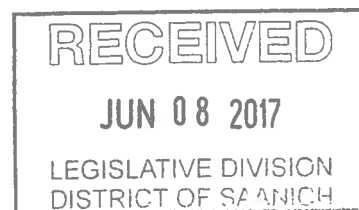
May I recommend the Mayor and Council give this plan their full support.

Respectfully,

[REDACTED]

Catherine Hamilton

[REDACTED]



From: John Roe [REDACTED]
Date: June 5, 2017 at 9:00:26 AM PDT
To: Fred Haynes [REDACTED]

Subject: Re: Visit to review 5009 Prospect Lake Rd.

Good Morning Fred

Thank you for sharing your vision of your new home it's wonderful see someone put forward the effort, when developing their property.

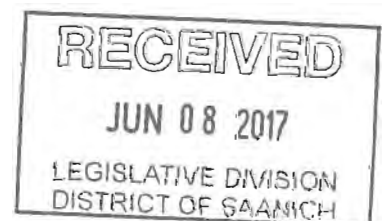
Your concept with a green home and tiny imprint, fits with my vision of a urban home along our lakes.

To see your vision of planting and providing more habitat for our precious fish and wildlife is essential for the sustainability of our community.

Good luck in application, I fully support.

Thank you
John R Roe

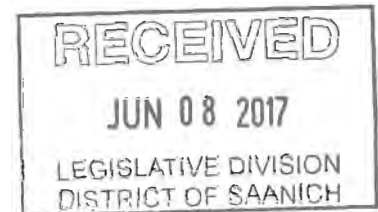
A Founder Veins of Life Watershed Society



Cameron Burton and Lisa Meister
Prospect Lake Road
Victoria BC

8 June, 2017

Mayor and Council – District of Saanich
Saanich Municipal Hall
770 Vernon Ave
Victoria BC
V8X 2W7



Dear Mayor and Council,

This letter is in support of Cathy and Fred Haynes' wish to build a lakefront cottage (930sq ft ground floor, 535sq ft loft), at 5009 Prospect Lake Road, as described with detail in their proposal with which they have engaged their current and prospective neighbours, as well as the community in general.

Currently Lisa and I are Cathy and Fred's neighbours with only one house separating ours from theirs. Although the proposed cottage at 5009 Prospect Lake Road is a few more houses down the road from us in the other direction, should Cathy and Fred's wish to build their cottage come true, we would still consider ourselves close neighbours.

As a younger couple looking to raise a family, grow old and retire on this lake, just as many families have done before and are doing right now in this tight-nit community, we are very interested and invested in the sustainability of the lake habitat and surrounding watershed area. We are not alone. The Prospect Lake District Community Association is very active. It too shares and promotes these similar goals.

With their proposal, Cathy and Fred have demonstrated their commitment to the continued stewardship of this lake by those living on and around it. Their plans exceed simply ticking the right boxes, meeting code and zoning bylaws in order to build. Their proposal is highly researched and scientifically sound. It extends to all corners of the property, well beyond the building. It also considers the flora, and fauna. It is an excellent example of what can be done when the time is taken and the effort is made to make the environment and sustainability a priority over simply meeting code and zoning requirements.

Surrounded by families (many the decedents of former 'lakers' having been born and raised here themselves) and sharing waterfront with them is like sharing a common yard with no fence. It requires trust, communication, respect and transparency. Cathy and Fred and their thoughtful approach to

building their retirement cottage have embraced these traits and IS the way to be neighbourly, progressive and still put the environment first.

It is for these reasons that Lisa and I recommend Council approve Cathy and Fred’s Application.

Please do not hesitate to contact us should you have any questions.

Thank-you,

Cameron Burton

Lisa Meister

Owners -

█ Prospect Lake Road

Saanich, BC

█

June 6, 2017

Mayor and Municipal Council,
770 Vernon Avenue,
Victoria, B.C.
V8X 2W7

Re Haynes" application respecting 5009 Prospect Lake Road

I have resided with my wife at [REDACTED] Estelline Road for the past [REDACTED] years. The grounds of our house border Prospect Lake so we have a personal interest in its health. Over those years, I have done duty at the Prospect Lake Hall grounds and until recently, with several others, improving the grounds and removing alien plants and trees from Whitehead Park at the north end of Prospect Lake. I have felt since I came to reside here that we have an environment well worth doing everything we can in order to protect and preserve it

I have had the opportunity to see the house plans and to observe the ground on which the Haynes propose to build a house, an interesting design which conforms, I understand, to all the applicable environmental requirements and to our Municipal Bylaws. As I understand, the issues relating to the flood plain of the lake have been properly addressed.

I have read my wife, Anne's letter to you of June 1, 2017, and concur with her both as to the facts and the opinion she expresses in it.

Graham B Walker,
[REDACTED] Estelline Road,
Victoria, B.C.
[REDACTED]

█ Estelline Road
Victoria, BC, █

June 1, 2017

The Mayor, Municipal Council and Staff
Corporation of the District of Saanich

Re: Haynes application 5009 Prospect Lake Road

I am writing to support the application of the Haynes for permission to construct a one bedroom home at 5009 Prospect Lake Road.

My family has lived at █ Estelline Road (lakeside and a walk away from their property) since 19█. Since shortly after my surviving parent died, (my father █, my husband and I have resided here. My parents purchased the land in 1952 so I feel that I have a very real connection and affection for the area surrounding Prospect Lake.

I have had the opportunity to view plans of the house and the site plan. The site is one with which I am well acquainted since we walk or drive by it virtually every day.

We have known Fred and Cathy Haynes for more than seven years and during that time have observed them to be active and committed members of this community. In particular we have been impressed with their dedication to the stewardship of Prospect Lake and its long-term health.

Of particular concern to me was the relation of the intended house site on the property to the historic flood level of Prospect Lake and the potential sanitary element of pollution.

Since I am assured firstly that the intended construction will be restricted to that part of the lands satisfactorily above that historic flood level from an engineering point of view and secondly that sanitary drainage will in every aspect strictly conform to the most modern technology as well as the applicable statutory obligations, I feel very comfortable informing Council that I have no objection to the project proceeding as intended.

Please contact me if you have questions or if I may be of assistance.

Yours truly
L. Anne Walker
█

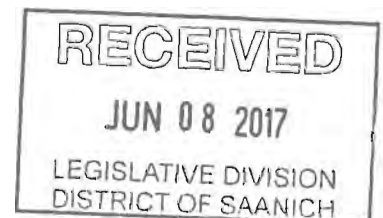


Michelle McNally
Prospect Lake Road
Victoria, BC

To Whom It May Concern:

Regarding the building plans of the Cottage at 5009 Prospect Lake Road, I fully support the development as outlined. This Cottage development enhances the ecological health of the lot and the aesthetics of the neighborhood. As a next-door neighbor, I appreciate the owners consideration to impacts of development and going above and beyond to mitigate them. No surrounding neighbors will lose privacy or views which is rare in new builds. This is truly an example of environmentally sustainable and neighborhood friendly development and is a good example for future development.

Michelle



June 1, 2017

Attention: Saanich Mayor and Council members

Subject: 5009 Prospect Lake Rd.

As a member of the Tod Creek Action Plan committee formed in 2001, member of Prospect Lake District Community Association, the grandson of the first residents (JE Fraser) on Goward Rd. and the subsequent owner and resident of the [REDACTED] Goward Rd. Property since 19 [REDACTED]. I am also a retired construction superintendent (Phase Construction 1985 to 2001).

I would like to voice my total support for the building plans that Fred and Cathy Haynes have proposed for their 5009 Prospect Lake Rd property.

I have reviewed the plans and find they meet or exceed all requirements proposed in the 2001 Tod Creek Action Plan that was initiated to establish protection for Tod Creek and contributing wetlands.

Fred and Cathy Haynes have proven their commitment to this community over and over with their involvement and hard work regarding community issues. Whether it be as founding members of Prospect Lake Preservation Society, Past president of Prospect Lake District Community Association, or their many volunteer roles in the community and input and action regarding community requirements.

Their plans reflect their ongoing commitment to this community and need be approved and used as an ongoing measure of what our community should require while building within the lake impact areas.

Their proposal meets or exceeds the regulations for the Tod Creek Action Plan and the CRD watershed guideline and the FDPA. The green roof with plantings, removal of the invasive species from their property and their plans to attract birds to help rid the invasive bullfrogs again demonstrates and confirms the commitment Fred and Cathy Haynes have to build a house with a minimum impact on the lake and the property.

I again would like to voice my total support to the Mayor and Councillors to approve their application for 5009 Prospect Lake Rd.

Sincerely,

Wayne Phillips [REDACTED]

[REDACTED] Goward Rd. Victoria B.C. [REDACTED]

RECEIVED

JUN 07 2017

**LEGISLATIVE DIVISION
DISTRICT OF SAANICH**

█ Goward Rd.
Victoria, BC
█

Dear Mayor and Councillors,

I am writing this letter concerning the property located at 5009 Prospect Lake Rd. and the intention of Dr. and Mrs. Haynes to build a home on the said property.

I have been a resident of the Prospect Lake area for over 15 years. As well, I have been involved in community events, often walk to the lake and enjoy family swims in summer. I am very familiar with the efforts and work that the community has done to ensure the health and vitality of the lake and its surrounding areas. I am pleased to note that Dr. Haynes was not only involved in the Prospect Lake Preservation Society (PLPS) but was very instrumental in starting the preservation society. He is a past President of the Prospect Lake District Community Association (PLDCA) and was a volunteer and board member for years.

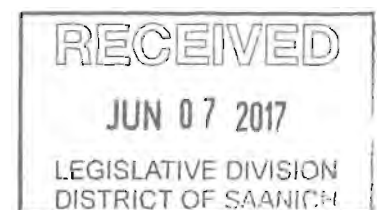
During his tenure, he worked to educate the residences about the lake not only to maintain its vitality but on how to improve it. I maintain Prospect Lake remains vibrant today due to the efforts of Dr. Haynes and Mrs. Haynes.

Because of their concern and passion for Prospect Lake, it stands to reason that Dr. and Mrs. Haynes would build a house with the respect to Prospect Lake and its watershed. This is quite evident in the detailed proposal provided to me by Mrs. Cathy Haynes.

In the proposal it demonstrates clearly the foundation is to be a flow through and meets the regulations for the FPDA, Tod Creek Action Plan and the CRD's watershed guideline. The green roof with plantings, removal of invasive species on their property and a plan to attract birds to help rid the invasive bullfrogs again demonstrates and confirms the commitment Dr. and Mrs. Haynes have to build a house with a minimum impact on the lake and the property.

I, without hesitation, highly recommend to the Councillors to approve this application.

Sincerely,
Andrea Calder, B.A., R.D.H



Audrey Barnes
[REDACTED] Kiowa Place
Victoria BC
[REDACTED]

June 5, 2017

To Mayor and Council

RE: Floodplain Development Permit Application: 5009 Prospect Lake Road

The Friends of Tod Creek Watershed have been referenced in the Consultation section of the Planning Report to Mayor and Council regarding the Floodplain Permit Application for 5009 Prospect Lake Road. We would like to ensure that our position against this development is made clear to the Council.

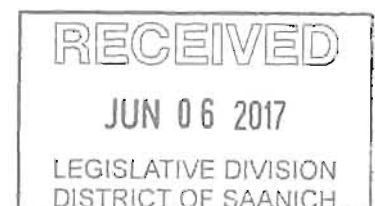
A consultant, representing the property owner, met with a member of the Friends of Tod Creek Watershed to present the proposal and several concerns became evident. In reviewing the application, posted information and the Planning Department report we feel any further development of the floodplain should be refused especially in consideration of the additional infill already completed by this property owner.

As the originators of the Prospect Lake/ Tod Creek Action Plan and stakeholders in the protection of the Tod Creek Watershed our organization does not believe the development of floodplain land follows the purpose or intent of this document or the Official Community Plan. The impact of the proposed development does threaten the integrity and biodiversity of the Killarney Creek floodplain and Prospect Lake.

We would be pleased to discuss our concerns with you.

Sincerely,

Audrey Barnes
(on behalf of Friends of Tod Creek Watershed)



[redacted] Stevens Rd.
Victoria, BC [redacted]

Dear Saanich Mayor and Council,

I have seen the plans for the cottage at 5009 Prospect Lake Rd. and also visited the site. I think this application should be approved.

In background, I live in the Prospect Lake neighborhood, on Stevens Rd. with my wife and three children. My mother lives next door with her husband, so there are three generations of us here. We are keen hikers, cyclists, swimmers and generally love getting out in nature. We swim lots at Prospect Lake, which is easy walking distance. The views we have plus the health of the environment are important to us - both in this area and everywhere. With these things in mind, I support this application.

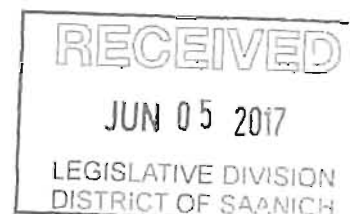
As an engineer I like to look at the technical details. I know it is a lot that is classified as flood plain. This restricts the building envelope a significantly. I understand the regulations that say no habitable portion of the building can be below the 49.3 geodetic and no portion of the building may extend beyond the 48.7 geodetic. This house meets those regulations. What's more, with no basement, water flow will be virtually unimpeded. When you add the riparian restoration, high end sewage treatment and the green roof I think "What's not to like?"

Looking at the *Prospect Lake & Tod Creek Action Plan* I see that this plan for 5009 PL Rd. is exactly the type of home and grounds that are described there. It follows the ten items home owners should do, and avoids all ten items listed that should be avoided for lakefront dwellings.

I have known the Haynes family for over ten years. They've always been active in our community association (PLDCA) as well as the Prospect Lake Preservation Society. I know that they love this lake and are committed to its health.

Sincerely,

[redacted signature]
Tim Kier, BscEng.



Cottage on 5009 Prospect Lake Rd.

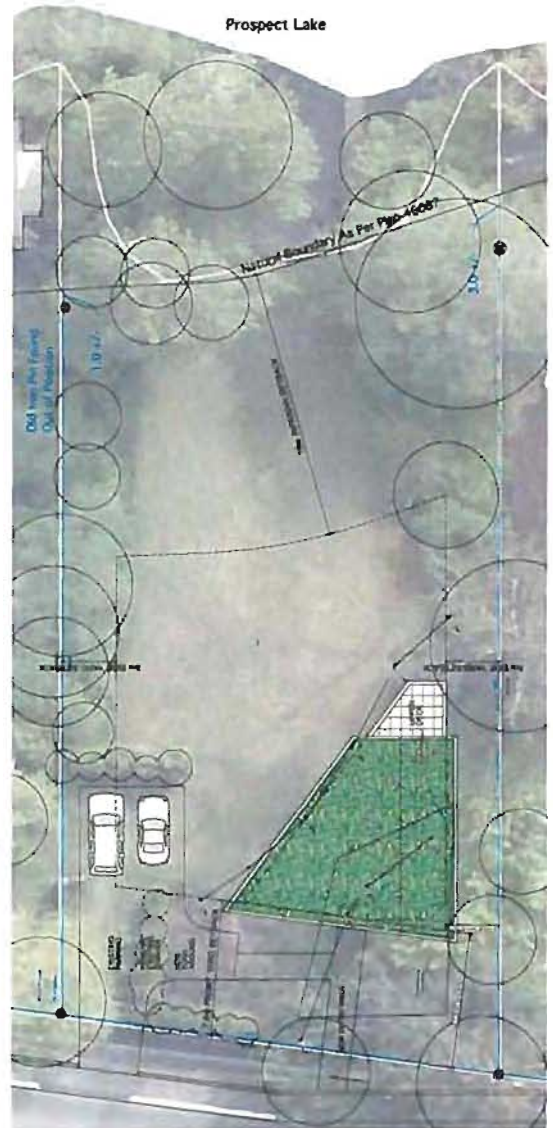
The cottage is designed to deliver a net neutral impact on the lake. The naturescape restoration will deliver ecological benefits.

Cottage: Size, Location, Environmental design:

1. Small footprint, modest, one bedroom cottage
2. Size: approx. 930 sq ft ground floor, 535 sq ft loft - 1,465 sq ft total
3. Requires no variances. Zoned A1 residential. No rezoning
4. Building height meets planning requirements
5. Conforms 100% to guidelines for floodplain development permit
6. Minimal to no impacts on impervious areas. No fill required.
7. Parking and access on existing permeable gravel/sand areas
8. Modern VIHA approved, high-end sewage treatment plant
9. Original grade determined by geotechnical engineers
10. High water mark professionally confirmed
11. Green roof: better storm water management, insulation & more
12. Building to be solar ready & in character with setting
13. Electric car plug-in station in driveway. No garage
14. Cottage location has no impact on neighbors privacy
15. Neighbors' view corridors remain unchanged
16. Situated on South-west corner, site of a former home

Naturescape: Foreshore, Meadow, Native Garden

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
2. Retains the existing trees, for climate change mitigation & more
3. No removal of native vegetation. Invasive species removal
4. Voluntary major restoration of the lake riparian area & shore
5. Restoration using native riparian vegetation - see p.4
6. Additional native plantings on north property side
7. Existing, low impact, wooden walk way from shore to dock
8. Restoration guided by a professional biologist to deliver positive enhancements to Prospect Lake & watershed



Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

RECEIVED
JUN 05 2017
LEGISLATIVE DIVISION DISTRICT OF SAANICH

Your names: *BRETT LARGE AND P.J. NAYLOR*

Tel: [REDACTED]

Your address: [REDACTED] *STEVENS ROAD*

Date: *MAY 16 /17*

Please drop off in secure Mail Box at 5009 Prospect Lake Road

[redacted] Stevens Rd.
Victoria BC [redacted]
[redacted]

Dear Mayor and Council,

I am writing in support of the small house that is planned for 5009 Prospect Lake Rd. It meets the regulations and is quite an awesome design – both the house itself and the native garden and foreshore restoration.

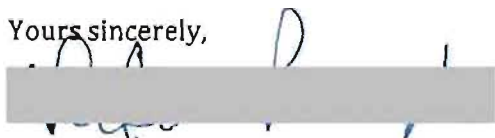
I am a long time Prospect Lake area neighbor - on Stevens Rd. My family and I swim in Prospect Lake very often and having a healthy lake is very important to us. I've been a volunteer and active participant at the Prospect Lake Community Association for years. I have known the Haynes family for about 14 years, from when our sons played soccer together and we all volunteered at the PLDCA. I think they are environmentally conscious and have, and will continue to look after the lake. This overall very green plan is part of the proof of that.

This is the smallest house I've personally ever seen being built in rural Saanich. 930 square foot footprint is a very small percentage of this lot. With no garage, no driveway, no basement or crawl space, plus a green roof, the impact must be very tiny if anything. It is likely to become a bit of a bird sanctuary with their native garden plans.

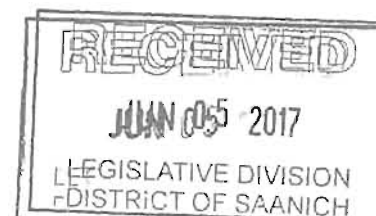
All of us who swim in Prospect Lake want septic systems around the lake to be in great shape. I was pleased to see that this one is way back by the fence and has been fully tested; also that it is actually a sewage treatment system – going above and beyond the regulations.

So, again, I support this building application.

Yours sincerely,



Valerie Pumple



TO SAANICH MAYOR AND COUNCIL
770 Vernon Ave
Victoria BC V8X 2W7

JUNE 5 2017

Dear Mayor and Council

Regarding Floodplain Development Permit #DPR00672
5009 Prospect Lake Road
(Lot 1 section 89 Lake District Plan 46087)

I have lived and played at Prospect Lake for over [REDACTED] years. Raised 3 children at [REDACTED] Prospect Lake rd and been a part of the community my entire life. I believe in being involved in our Community and making it a good place to live.

I have taken the time to review the application and have made 2 site visits. I am in favor of this application passing.

Yours Truly

[REDACTED]
Bruce Gibson
[REDACTED] Prospect Lake Rd
[REDACTED]



2870-30 Prospect Lake.

From: Victoria Clarke [redacted]
To: <clerksec@saanich.ca>, <council@saanich.ca>
CC: <mayor@saanich.ca>, <susan.brice@saanich.ca>, <vicki.sanders@saanich.ca>...
Date: 06/05/2017 07:50
Subject: 5009 Prospect Lake Road - FDP application

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Dear Council Members:

We understand that an application will be coming before Council regarding the proposed construction of a home at the above-noted address. We have had an opportunity to review plans and we support this application.

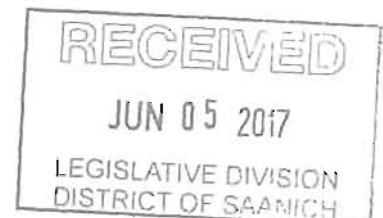
We have lived in the Prospect Lake area for approximately [redacted] years, our children have grown up here, we are Saanich taxpayers and we are frequent users of the Lake.

We find that the design and scale of the proposed cottage at 5009 Prospect Lake Road to be aesthetically pleasing and the environmental planning and consideration to be extremely conscientious. In particular, the green-roof and the care being taken with regard to vegetation and the riparian area is great. The steps being taken by Cathy Haynes and her team in this project should be considered as a model for future lakeside development.

Thank you for your consideration.

Sincerely,

Victoria Clarke, John Mullin and family
 [redacted] Kerryview Road
 Victoria, BC



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Dear Mayor and Council,

In respect to the development proposed at 5009 Prospect Lake Road.

I could just relist all the features that this development has taken into account but instead I will just tell you what I think of the project overall. The design is to deliver a net neutral impact on the lake. I like that so much consideration has been put into the environmental impact the house will have. They have focused on restoring the shoreline to its natural state by removing invasive species and reintroducing natural non invasive species. Being neighbours, it is important that privacy is maintained on our side of the fence and this is achieved with their NE facing cottage. I feel they have consulted with the right people and have truly made this project one for others to strive towards. I support the development as presented to me in the project plans.

Michael McNally
 [redacted] Prospect Lake Rd.
 Victoria BC [redacted]



May 30, 2017

To: District of Saanich

Mayor Richard Atwell

Councillors Susan Brice, Judy Brownoff, Dean Murdock, Colin Plant, Vicki Sanders and Leif Wergeland

Re: 5009 Prospect Lake Road, Plans for Cottage by Cathy and Fred Haynes

We own a property at [REDACTED] Prospect Lake Road, which is [REDACTED] lots over from the subject property.

We are in support of the plans Cathy and Fred have for this property. The cottage is a modest size, with many green features including a green roof, non-removal of existing trees or native vegetation, and restoration of the lake riparian area and shore. The cottage requires no variances or rezoning and building height meets planning requirements. Its location will have no impact on our privacy or views as it is situated well back from the water.

We welcome the positive enhancements the Haynes' have planned regarding plant restoration and animal habitat, as they endeavour to downsize in an environmentally responsible manner.

Sincerely,

Edelgard and Emil Panzenboeck



2870-30 Prospect

Clerksec - 5009 Prospect Lake Rd .

From: [redacted]
To: <clerksec@saanich.ca>
Date: 06/05/2017 11:21
Subject: 5009 Prospect Lake Rd .

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To : Mayor and Council

As an owner of a property at [redacted] Prospect Lake Rd. I am writing this letter in favor of the proposed development at 5009 Prospect Lake Rd.

The plan falls within zoning guidelines and seeks to have a minimal environmental impact .

Its green roof along with some of the other initiatives undertaken could used as a model for future development on the lake .

Sincerely : Doug Purdy



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Clerksec - 5009 Prospect Lake Rd - June 12th

From: Randy Storey
To: <clerksec@saanich.ca>, <mayor@saanich.ca>, <Susan.Brice@saanich.ca>, <Le...>
Date: 5/31/2017 9:08 PM
Subject: 5009 Prospect Lake Rd - June 12th
CC: <fred.haynes@saanich.ca>

Mayor & Council

I wanted to briefly indicated my support for the proposed project.

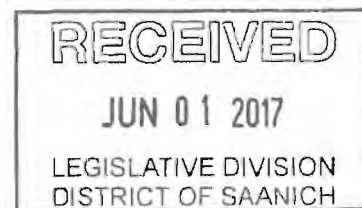
My wife Corrine, and myself reside at Prospect lake Avenue and have been living on the lakefront for the last 14 years. We are members of the Prospect lake community association and have actively participated with the Prospect Lake Preservation society. We are keenly interested in the lake health.

We have reviewed the proposal at 5009 Prospect Lake road and fully support the effort the owners have taken in carefully designing the low impact development in such an fragile ecosystem. From the septic solutions, to the small footprint, eco-friendly house, we feel this should be a model for the area. We have know both Fred & Cathy Haynes both as neighbors and as active community members. I fully trust these people have been genuinely concerned about the environment and specifically lake health in the development of this project.

I sincerely hope that you support this project as a model to the community.

Regards,

Randy & Corrine Storey
 Prospect Ave
 Victoria, BC,



2860-35 Prospect Lake

From: Irene Haupt [redacted]
To: <donna.dupas@saanich.ca>, <clerksec@saanich.ca>
Date: 5/30/2017 7:08 AM
Subject: Property on 5009Prospect Lake Rd.

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Dear Mayor and Council.

I am a long time lakeside resident. I live at [redacted] Prospect lake Rd. In the home my parents built in 1970. I support the proposal for a small cottage.(house)at 5009Prospect lake Rd.Have known Cathy and Fred for many years and am convinced of their integrity and good examples of the kind of people we would want to share our beautiful lake.

I have seen numerous mega homes built in this area, with huge docks,motor boats!with very large wakes destroying our lake front properties and our smaller docks . I cannot think of why you would not vote in favour of this one.

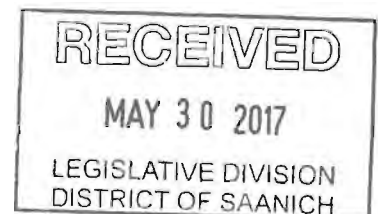
It is very refreshingly different to today's concept of homes on a lake and a change for the better. Especially considering the impact on our environment.

Please support this. It will be an example of sustainable environmentally,friendly down sizing which we all will experience as we mature into the youth of old age. I think it is a perfect example of how homes could be built for now and the future.

Sincerely,

Irene Haupt,
[redacted] Prospect Lake Rd.
Victoria.

Sent from my iPad

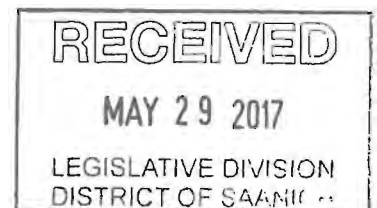


check sheets
Prospect Lake

From: Raymonde Boucher [redacted]
To: <clerksec@saanich.ca>
Date: 5/28/2017 9:13 PM
Subject: 5009 prospect lake Rd application

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- > Dear Mayor and Council,
- >
- > I have been privileged to know Fred and Kathy Haines for 15 years, the amount of years I have lived on Prospect Lake Rd.
- > I have met them through the PLDCA, where I have volunteered quite a few times.
- > Kathy and Fred are a kind, generous, honest and hard working couple.
- > We appreciate their integrity and their presence on our road and on the lake.
- > They have put a lot of work into planing their new home. I have seen the plans and they follow all the guidelines required for building and improving the land they have purchased.
- > I believe that what they will build will be exquisite and a model for new homes on the lake. It will be good to see this lovely small house compared to the monster huge houses that were built around our small lake..
- > I hope they will receive their permit to build soon so they can enjoy living there as early as possible.
- >
- > Best regards,
- > Raymonde Boucher
- > [redacted] Prospect Lake Road,
- > Victoria, BC
- > [redacted]



Clerksec - 5009 Prospect Lake Rd

From: Judy [redacted]
To: <clerksec@saanich.ca>
Date: 5/21/2017 11:13 PM
Subject: 5009 Prospect Lake Rd

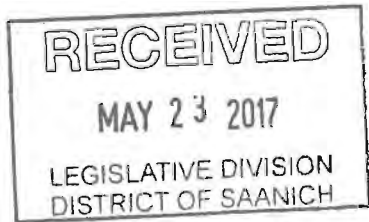
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Dear Mayor and Council,

My family and I have lived in the Prospect Lake neighbourhood for 4 and 1/2 years and have known Fred and Cathy as neighbours since we arrived due to their friendliness. I have been engaged as a volunteer with our Prospect Lake District Community Association, along with Fred and Cathy, and I am happy to write in support of their plans to build a cottage at 5009 Prospect Lake Rd. I think their plans including naturoscaping are very responsible and environmentally friendly. It appears to be a very well conceived and thoughtfully designed cottage and I think it would be an appropriate contribution to the community, hopefully setting the standard for future development.

Sincerely,

Judy Aalders
[redacted] Prospect Avenue



J G CONNOR

Prospect Lake Road, Victoria BC

May 20, 2017

Saanich Municipality
780 Vernon Avenue
Victoria BC V8X 2W7

Via emails

Dear Mayor and Council:

Re: **5009 Prospect Lake Road**

As a long-time resident at Prospect Lake (since 19) I write to you today in enthusiastic support and endorsement of the construction of a residence at 5009 Prospect Lake Road. My home is houses from 5009.

I've had the opportunity to study the plans for this home and property and have been very impressed with the care and attention given to all aspects of the project.

There are many reasons that I feel deserve your support for the project, to name a few:

1. **By-laws**

- a) The plans meet every part of the **Flood Plain** by-law and
- b) Every other relevant by-law.

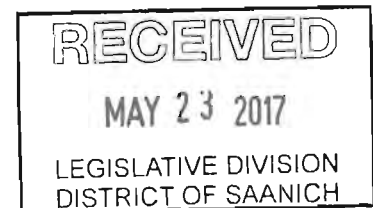
2. **Septic Treatment**

- a) The plan includes a high end system which is a
- b) VIHA approved septic treatment system.

* *For these reasons alone it should be passed.*

3. **Environment Considerations**

- a) Voluntary restoration of the 5 metres of the foreshore
 - b) Consultation of a Biologist
 - c) Green roof
 - d) Building is set back from the shore line (exceeds requirements)
 - e) Retains existing trees.
 - f) Small 930 sq. ft. foot print, 1 bedroom Cottage (no variances required).
 - g) Meets numerous environmental recommendations from the CRD, watershed stewardship groups and Saanich.
 - h) Even the flora and fauna support building this home. etc. etc.
- * The owners should be commended for going above and beyond what's required to create this wonderful addition to the neighbourhood.



In recognition and appreciation for their sensitivity to the neighbourhood and to nature I ask that you join me in giving this project your enthusiastic and unequivocal support.

Sincerely,


J. G. Connor

clerksec@saanich.ca Susan Brice <Susan.Brice@saanich.ca>, Leif Wergeland <Leif.Wergeland@saanich.ca>, Judy Brownoff <Judy.Brownoff@saanich.ca>, Vicki Sanders <Vicki.Sanders@saanich.ca>, Richard Atwell <mayor@saanich.ca>, Dean Murdock <Dean.Murdock@saanich.ca>, Colin Plant <Colin.Plant@saanich.ca>, Fred Haynes <fred.haynes@saanich.ca>

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ACKNOWLEDGED: _____	

May 16 2017

Re: 5009 Prospect Lake Rd

Dear Mayor & Council,

My wife and I have lived on Prospect Lake and have been property owners since 2000. Our family has a long history on the lake, as my mother also lived on the lake since the early 1990's prior to her passing in 2013.

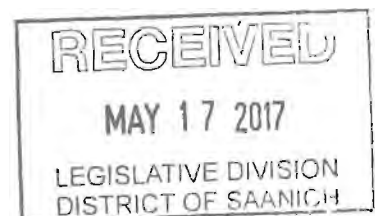
We're very concerned about maintaining and improving the water quality of Prospect Lake and I am an active member of the Prospect Lake Preservation Society as well as my wife and I are members of the Prospect Lake District Community Association.

When Mr. & Mrs. Haynes had their open house to show the community their proposed project, I was initially concerned about what impact this project may have on the lake. Having thoroughly reviewed their proposal, my wife and I whole heartily support it, as it sets a very high standard for other property owners on the lake to follow.

Although the Haynes are not eligible for nomination for the Saanich's Environmental Awards, once this project is completed could be a "poster child" for building "Green" in Saanich.

Yours truly,

Lawrence Watling
 Lisa Haagenson
 [REDACTED] Eastlake Rd.
 Victoria BC [REDACTED]



Walter Large
Stevens Rd.,
Victoria, B.C.
[Redacted]

May 10, 2017

Saanich Municipal Hall
770 Vernon Ave.,
Victoria, B.C.
V8X 2W7

Subject; File – DPR00672 Floodplain Development Permit application to construct a single family dwelling

Applicant: Strongitharm Consulting Ltd.

Dear Mayor, Council and CAO,

I wish to add my support to those supporting this small house/cottage at 5009 Prospect Lake Road. I find it an interesting and environmentally friendly design adding importantly to the environment of the property and beyond. It is within the flood plain development permit regulations and meets or exceeds other regulations and guidelines.

My wife and I have lived across the lake from the property for almost 20 years and are quite familiar with it. We have also looked at the plans for both the building and the nature-scaping. Environmentally speaking, I believe the overall plan is excellent.

In following local best practice guidelines, it is important to look at the *Prospect Lake and Todd Creek Action Plan* endorsed by Saanich Council. The PLTCA plan urges private land owners to embrace a set of guidelines for eco-friendly lakeside living. This plan meets and exceeds those guidelines.

Our municipality is in need of practical residential sites. Overall I believe this project deserves the go ahead. It meets all your regulations while its impact in the watershed and in the world we live will be a positive one.

Thank you for your consideration of supporting this application.

Sincerely

[Handwritten signature and redacted name]

Walter Large

RECEIVED
MAY 17 2017
LEGISLATIVE DIVISION
DISTRICT OF SAANICH

Dorothy Large
[REDACTED] Stevens Rd.,
Victoria, B.C.
[REDACTED]

May 10, 2017

Saanich Municipal Hall
770 Vernon Ave.,
Victoria, B.C.
V8X 2W7

Subject: File - DPRO0672 Floodplain Development Permit
application to construct a single family dwelling

Applicant: Strongitharm Consulting Ltd.

Dear Mayor, Council and CAO,

Please add my support to the above referenced application to build a small house at 5009 Prospect Lake Road.

I have seen the plans and am familiar with the property and I believe the Haynes are definitely meeting the requirements for this FPDP application. The green aspects of the house give it both a small physical (square footage) footprint, as well as a very small ecological footprint. They have followed both the intent and spirit of the *Prospect Lake & Todd Creek Action Plan* with a model of eco-friendly living.

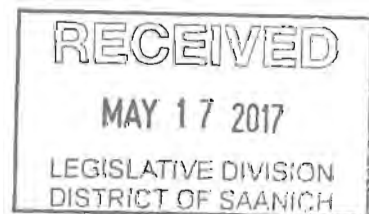
Cathy & Fred Haynes have been active participants in our community on all matters including issues related to lake health for well over ten years. I have no doubt this project reflects that stewardship which I am certain will continue for the lake and its surrounds.

I would appreciate your support of this application which provides a model for others for "building and living green".

Sincerely

[REDACTED]
[Handwritten signature]

Dorothy Large



Clerksec - Re; Development permit DPR00672

POST TO	General	POSTED	<input checked="" type="checkbox"/>
COPY TO	SH		<input checked="" type="checkbox"/>
INFORMATION			<input checked="" type="checkbox"/>
REPLY TO WRITER			<input type="checkbox"/>
COPY RESPONSE TO LEGISLATIVE DIVISION			<input type="checkbox"/>
REPORT FOR			
ACKNOWLEDGED:	BIM		<input checked="" type="checkbox"/>

From: jim irvine [REDACTED]
 To: "donna.dupas@saanich.ca" <donna.dupas@saanich.ca>
 Date: 4/14/2017 10:48 PM
 Subject: Re; Development permit DPR00672

Ms. Donna Dupas,

I am writing in support of the development permit DPR00672 for the property at 5009 Prospect Lake Road. My wife and I live a short walk from this property and are familiar with it's layout.

I have lived in the area for 15 years and known the Haynes family for the last 8 years. Fred and I served together on the community association board of directors and our families have attended many local social gatherings.

I believe this family is dedicated 'to doing no harm' to this community and has taken and passed all the necessary steps regarding this property to proceed with the development.

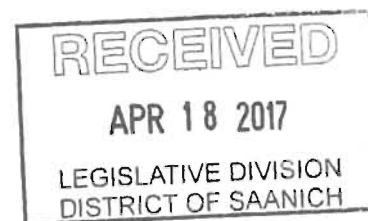
The Haynes have maintained stewardship of the lake front property they currently reside at and there is no reason to think that positive attitude would change for this new property.

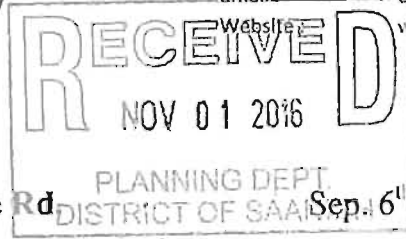
The minimum footprint, maximizing living space and forward thinking green space should be encouraged and developed and herein exists a perfect example.

I encourage the Mayor and council to approve this development permit and thank them for taking the time to read this submission.

Yours truly,

Jim Irvine
 [REDACTED] Meadowbrook Road
 Victoria BC
 [REDACTED]





Re: New Cottage at 5009 Prospect Lake Rd

Dear Mayor and Council,

At the July meeting of the PLPS, the Board was made aware of the plans for a new one bed room cottage at the lakefront property located at 5009 Prospect Lake Road. This property is owned by Mr. and Mrs. Haynes who live at [redacted] Prospect Avenue.

During the meeting materials were presented that included the initial design concept for the proposed cottage. These included information on its size (1492 sq ft total with 950 ground floor and a 540 sq ft second floor), setback from lakeshore, green roof, a description of the sewage treatment system by Mr. Kelly Karr of Canadian Sewage Solutions, and the plans for an environmental landscaping and natural planting designed by Lehna Malmqvist, RP.Bio, of SWELL Environmental Consultants.

This proposal was seen to follow the guidelines of the *Prospect Lake/Tod Creek Action Plan: Protecting Water Quality in the Watershed*.

The design concept met with initial support and the Board agreed to receive additional materials. Several member expressed interest in attending an open house being hosted by Mr. Deane Strongitharm of City Spaces Consulting at on the property in August. At the open house more detailed design plans for the cottage and for the professionally designed landscaping by SWELL Environmental Consultants were presented. Electronic copies were also distributed to the Board.

Upon review of these additional materials and the site visit, the Board moved at its August meeting to support the application. A copy of the motion follows:

Motion: Based on the merits of the proposal presented at the July 2016 board meeting, and the updated information, the board supports the application for the building of the house at 5009 Prospect Lake Road and authorizes a letter of support be drafted for approval.

Moved by: Larry Watling
Seconded by: Shawn Steele

The motion passed unanimously.

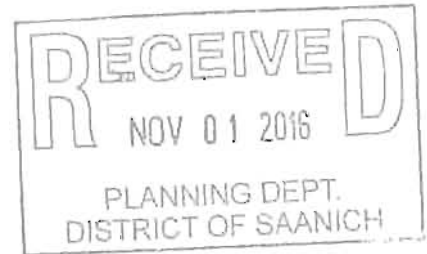
This letter is intended to indicate to Saanich our support for the proposed development at 5009 Prospect Lake Road and further, to commend the proponents for acting in the interests of the community by openly asking for public input, and for incorporating these inputs into the plans for an environmentally balanced approach to low impact living in the Prospect Lake watershed. The additional view of the Board is that these type of low impact, environmentally designed developments will help protect and enhance the water quality and health of Prospect Lake. It is encouraging to see these homeowners acting in accordance with the *Prospect Lake/Tod Creek Action Plan: Protecting Water Quality in the Watershed*.

Sincerely



Greg Boyle

Chair
Prospect Lake Preservation Society.



District of Saanich
 Current Planning
 770 Vernon Ave.
 Victoria BC V8X 2W7

t. 250-475-5471
 f. 250-475-5430
 saanich.ca



REFERRAL FORM

Application No.		Referral date: November 7, 2016	
<input type="checkbox"/> DPR00672		Comments due by: December 5, 2016	
<input type="checkbox"/> DPA -		File Manager: Neil Findlow	
<input type="checkbox"/> DVP -		Applicant:	
<input type="checkbox"/> REZ -		Strongitharm Consulting 844 Courtney Street Victoria, BC V8W 1C4	
<input type="checkbox"/> SIG -		Owner: Frederick and Catherine Haynes	
		Site address: 5009 PROSPECT LAKE RD	
		Legal: LOT 1 SECTION 89 LAKE DISTRICT PLAN 46087	
External Referrals:		ISD file #:	
<input type="checkbox"/> Ministry of Transportation		Present zone: A-4 Rural Zone (4.0 ha Lot)	
<input type="checkbox"/> Observatory (5 km radius)		Proposed zone: No Change	
<input type="checkbox"/> Provincial Capital Commission (PCC)		Current OCP designation: Rural Residential	
<input type="checkbox"/> BC Transit		Required OCP amendment: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/> School District # 61		DP Area: Flood Plain	
<input type="checkbox"/> School District # 63			
<input checked="" type="checkbox"/> Prospect Lake & District Community Association			
		Sign Posting Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Internal Referrals:		Project Description:	
<input type="checkbox"/> Plan Check (LAP)		**FLOODPLAIN DP** to construct single family dwelling.	
<input checked="" type="checkbox"/> Environment			
<input checked="" type="checkbox"/> Parks			
<input checked="" type="checkbox"/> Development Services			
<input type="checkbox"/> Police			
<input type="checkbox"/> Committee			
<input type="checkbox"/> Internal Referral (EDPA/SDPA)			
<input type="checkbox"/>			
<input type="checkbox"/>		Project Description Reviewed/Updated <input checked="" type="checkbox"/> Planners NF	
		Initials	
Departments and Agencies:			
<i>Please complete. If no response is received by the above "Comments due by" date, it is understood that you have no objections. Send email responses to planning@saanich.ca.</i>			
Name: Jeff Stan			
Title: Vice-President		Phone: [REDACTED]	
Date: December 12 2016		E-mail: [REDACTED]	
Response:			
<input checked="" type="checkbox"/> No objection			
<input type="checkbox"/> No objection subject to comments below			
<input type="checkbox"/> Approval NOT recommended <i>(please outline reasons and/or comments below)</i>			
Comments: Add additional page(s) if necessary			

RECEIVED
 DEC 13 2016

PLANNING DEPT.
 DISTRICT OF SAANICH

OPEN HOUSE re Cottage on 5009 Prospect Lake Rd.

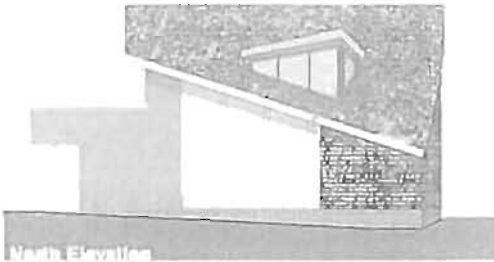
At: 5009 Prospect Lake Rd.
On: Thursday Aug 18th • 5:00-6:30 pm

Please join us to view our plans for an environmentally balanced approach to low impact living in the Prospect Lake watershed. My husband and I plan to downsize to this modest, senior friendly and green designed cottage

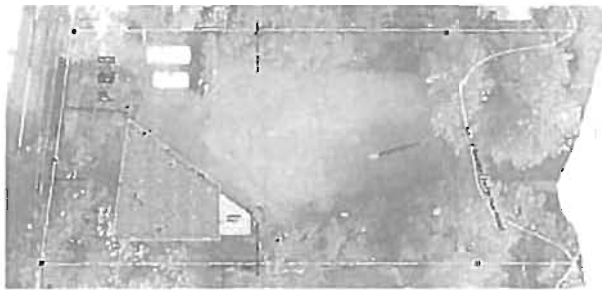
I will be there with Deane Strongitharm of City Spaces, who is helping us with this project. We will be happy to answer any of your questions and to hear your ideas. You are welcome to contact Deane or me on this.

Sincerely, Cathy Haynes

Green Roof with plantings



North Elevation
 (930 sq ft ground floor, 535 sq ft loft)



Deane: 250.889.1862 • dstrongitharm@cityspaces.ca

Cathy: [REDACTED]

OPEN HOUSE re Cottage on 5009 Prospect Lake Rd.

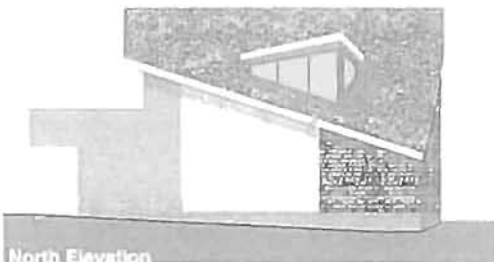
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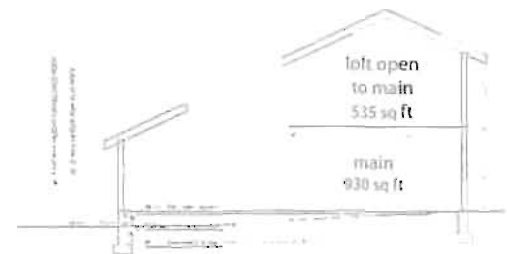
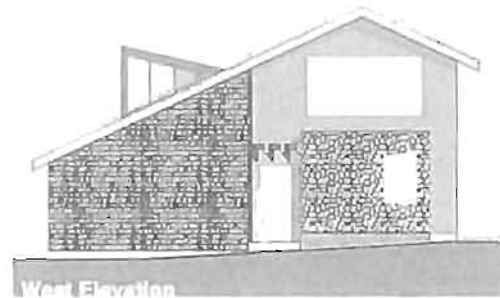
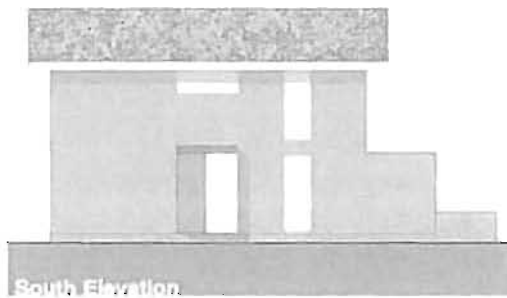
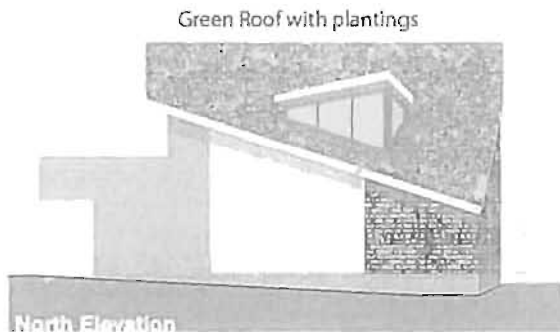


Deane: 250.889.1862 • dstrongitharm@cityspaces.ca

Cathy: [REDACTED]

Cottage on 5009 Prospect Lake Rd.

(930 sq ft ground floor, 535 sq ft loft)



Dear Residents,

I am working with Mr. & Mrs. Haynes to introduce the community to their plans for a small footprint home on 5009 Prospect Lake Rd. They are downsizing as their children have flown the nest. They propose a modest, one bedroom, senior friendly and environmentally friendly cottage.

The proposal is green on a number of levels - in terms of design, low energy use, positive environmental impacts including contributing to lake health. Please see the following pages for a lot plan plus details on the environmental features - where their plan meets and exceeds planning and environmental requirements.

OPEN HOUSE 5009 Prospect Lake Rd. Thursday Aug 18th at 5:00-6:30 pm

Please join us and I would be happy to answer any questions or ideas you may have on these plans.

You are also welcome to call or email me on this.

Sincerely, Deane Strongitharm

C. 250.889.1862 E: dstrongitharm@cityspaces.ca

Cottage on 5009 Prospect Lake Rd.

Summary of Environmental Features:

Size, Location & Attributes of Cottage:

- 1) Small, modest, one bedroom Cottage
- 2) 930 sq ft ground floor, 535 sq ft loft -1,465 sq ft total
- 3) Requires no variances
- 4) Conforms 100% to guidelines for Development Permit
- 5) Set far back from lake shore - exceeds requirements
- 6) Minimal to no impacts on impervious areas
- 7) Parking and access on existing gravel/sand
- 8) No fill being added to the lot
- 9) Electric car plug-in station in driveway
- 10) Modern VIHA approved sewage treatment plant
- 11) Building height meets planning requirements
- 12) Original grade determined by geotechnical engineers
- 13) High water mark professionally confirmed
- 14) Green roof provides enhanced storm water management
- 15) Solar ready
- 16) No garage required
- 17) Cottage location has no impact on neighbors privacy
- 18) Neighbors' view corridors remain unchanged

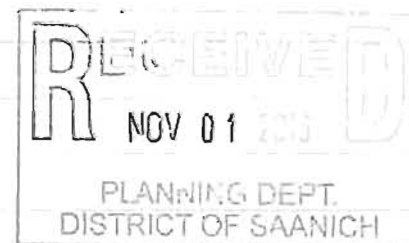
Foreshore Restoration & Naturescape:

- 1) Based upon the Prospect Lake/Tod Creek Action Plan
- 2) Retains the existing trees
- 3) No removal of native vegetation. Invasive species removal.
- 4) Voluntary major restoration of 5 metres of the lake foreshore
- 5) Restoration using native riparian vegetation.
- 6) Additional native plantings on north property side.
- 7) Restoration guided by a professional biologist to deliver positive enhancements to Prospect Lake & watershed
- 8) Use of existing, low impact, raised wooden walk way from shore to small dock



Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your name/s:

Tel:

Your address:

Date:

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Prospect Lake/ Tod Creek Action Plan:
Protecting Water Quality in the Watershed



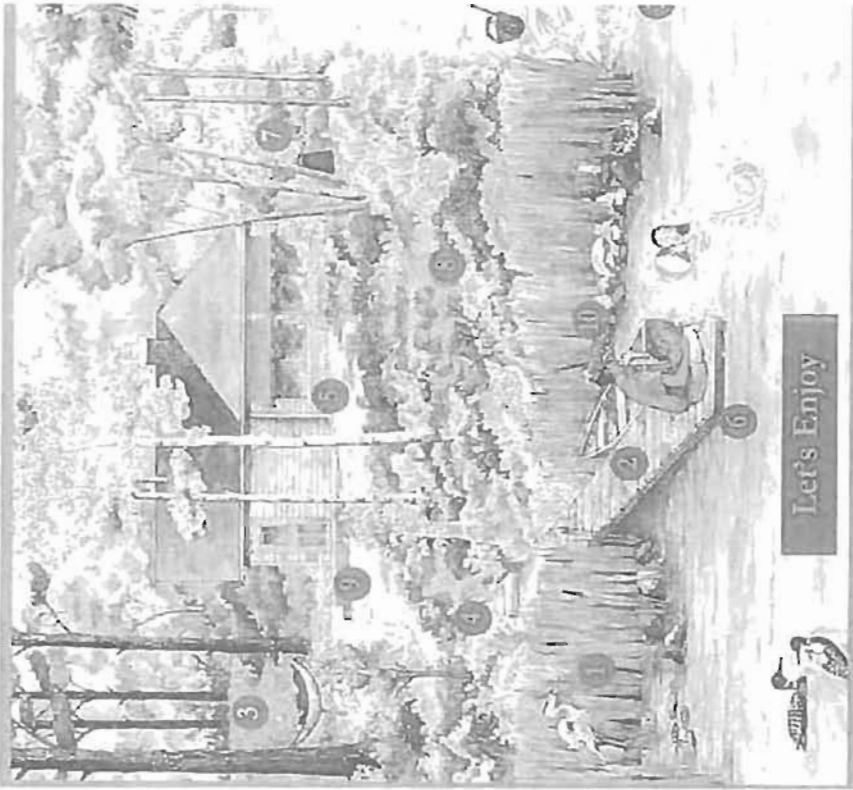
ASTORVICKI TRAIL



RECEIVED
NOV 01 2013
PLANNING DEPT
DISTRICT OF SAANICH

SAANICH PLANNING DEPARTMENT

ENDORSED BY COUNCIL AUGUST 14, 2001



Let's Enjoy

1. Natural shoreline — great wildlife habitat
2. Small floating dock — low impact on ribbon of life
3. Septic system far from the shore — reduces water pollution
4. Various gravel/rock beds — less drainage potential
5. Irrigated trees and adjacent drainage — reduced air conditioning with less maintenance
6. Year work less — video movie?
7. Artificially composed — improves over with quality
8. Low-maintenance native plants — provide shoreline buffer
9. Building — set back from shore and not in water with zoning
10. Well maintained tower — electric, a tank on a stream outboard, overlaid with low grade near shore



Our Commitment to Lake Enhancement

Our guiding wish for building a modest home on this property is to provide an example of the positive restorative work that can be done by homeowners in the watershed to improve the short and long-term health of Prospect Lake and its waterways.

Plant Restoration

We have engaged the registered professional biologist, Lehna Malmquist, of SWELL Environmental Consulting Ltd. to guide the restoration program. Carefully selected native plantings, together with the removal of invasive species, will provide a major enhancement to the ecology of the meadow, foreshore and waters edge. We are advised that this enhanced riparian zone will contribute significantly to an improved lake health and increase its biological resilience to a changing climate.

Animal Habitat

Where possible our plants are selected to attract pollinators and birds. In the short term these plant communities will deliver feeding grounds and refuge for native fauna. Over time they should seed other locations on the property and natural areas around the lake and its watershed. This will multiply the positive impacts from this restoration. As well as native plantings we intend to add nesting boxes for beneficial species of birds, bees and bats. For example the Mason Bee and the Belted Kingfisher. This bird is considered a natural predator of the American bullfrog. Some 66 different bird species have been identified at Prospect Lake, which is considered a bird watching hot spot. We hope to do our part to enhance bird life and fauna.

Major Environmental Undertaking

While this project is a substantial undertaking, it is one we look forward to. It includes a multi year program to remove invasive species, the addition of some 175+ native plants across some 23+ plant types as well as maintaining the existing native plants.

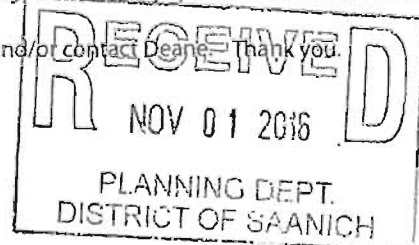
We also look forward to expanding our current plans. "Phase 2" will include creating two additional ecological enhancement zones along the northern property line. One for more planting with native species and one that focuses on a food garden.

Sincerely, *The Haynes family*

PS: We are being assisted by Lehna Malmquist on environmental design, and by Deane Strongitharm of City Spaces on communications. We appreciate your feedback or advice.

Please complete the comments form attached and drop off at 5009 Prospect Lake Rd., and/or contact Deane. Thank you.

C. 250.889.1862 E: dstrongitharm@cityspaces.ca



Cottage on 5009 Prospect Lake Rd.

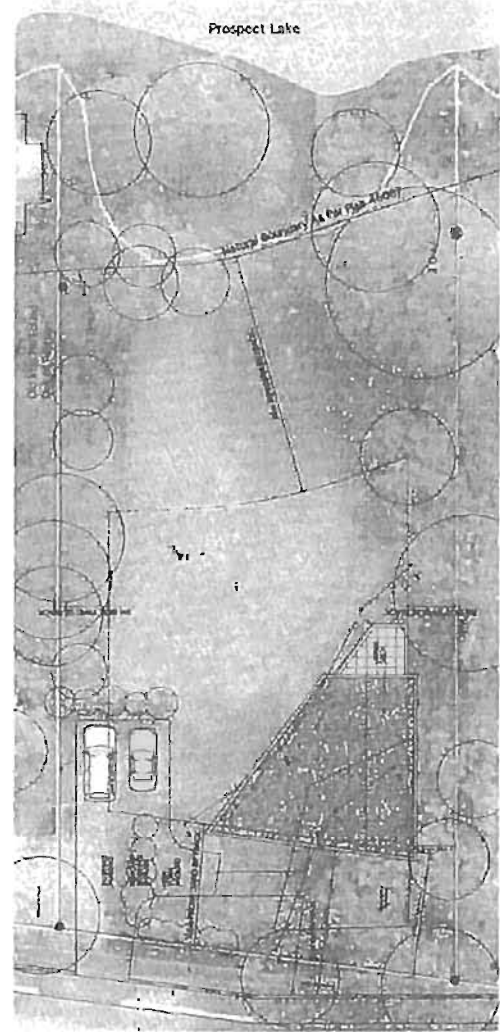
The cottage is designed to deliver a net neutral impact on the lake. The naturescape restoration will deliver ecological benefits.

Cottage: Size, Location, Environmental design

1. Small footprint, modest, one bedroom cottage
2. Size: approx. 930 sq ft ground floor, 535 sq ft loft -1,465 sq ft t
3. Requires no variances. Zoned A1 residential. No rezoning
4. Building height meets planning requirements
5. Conforms 100% to guidelines for floodplain development permu
6. Minimal to no impacts on impervious areas. No fill required.
7. Parking and access on existing permeable gravel/sand areas
8. Modern VIHA approved, high-end sewage treatment plant
9. Original grade determined by geotechnical engineers
10. High water mark professionally confirmed
11. Green roof: better storm water management, insulation & more
12. Building to be solar ready & in character with setting
13. Electric car plug-in station in driveway. No garage
14. Cottage location has no impact on neighbors privacy
15. Neighbors' view corridors remain unchanged
16. Situated on South-west corner, site of a former home

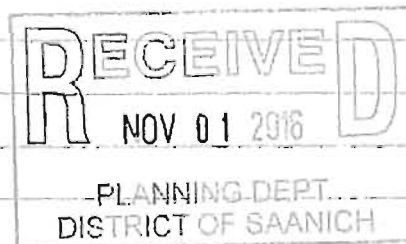
Naturescape: Foreshore, Meadow, Native Garden

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
2. Retains the existing trees, for climate change mitigation & more
3. No removal of native vegetation. Invasive species removal
4. Voluntary major restoration of the lake riparian area & shore
5. Restoration using native riparian vegetation - see p.4
6. Additional native plantings on north property side
7. Existing, low impact, wooden walk way from shore to dock
8. Restoration guided by a professional biologist to deliver positive enhancements to Prospect Lake & watershed



Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your name/s: RANDI CORRIE STOREY

Tel:

Your address: PROSPECT AVE

Date: AUG 25, 2016

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

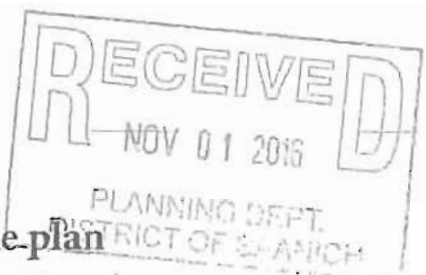
- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

Glad that you're maintaining neighbour new lines & love all the "green" aspects of the new hou

Your name/s: Sarah Frumento Tel: [redacted]

Your address: [redacted] Prospect Ave Date: Aug 18/16

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road



Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

WHAT a GREAT way to show how IT should be Done. -

Your name/s: Rob Gillson Tel: [redacted]

Your address: [redacted] Petworth DR Date: Aug 17/19

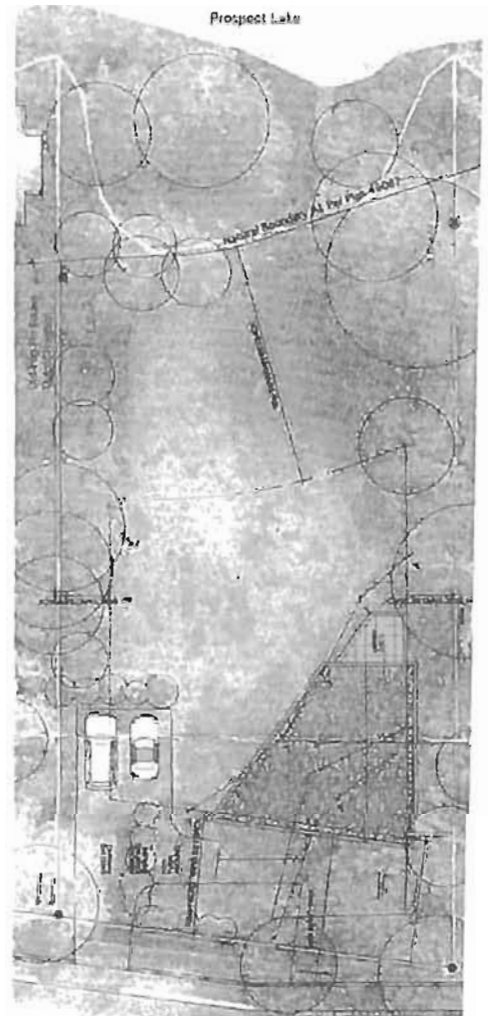
Please drop off here or in secure Mail Box at 5009 Prospect Lake Road

Cottage on 5009 Prospect Lake Rd.

The cottage is designed to deliver a net neutral impact on the lake. The naturescape restoration will deliver ecological benefits.

Cottage: Size, Location, Environmental design:

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4. Building height meets planning requirements
5. Conforms 100% to guidelines for floodplain development permit
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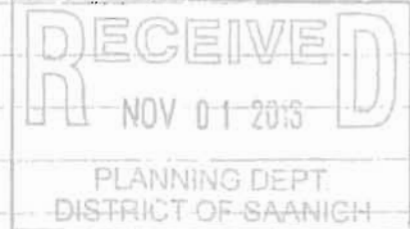


Naturescape: Foreshore, Meadow, Native Garden

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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your name/s: RI. HAN & NADINE MARSHALL

Tel: _____

Your address: _____ P L R

Date: 11 Sept 13

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

We support this cottage and naturesscaping plan

We support and have questions / suggestions:

We do not support for these reasons:

Very supportive of the natural & environmentally responsible plans for this property.

We own a recreational property 2 properties over and look forward to this positive development.

Your name/s: Emil + Edelgard Panzenboeck

Tel: [REDACTED]

Your address: [REDACTED] Fairhome Rd.

Date: Aug 18/16

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road

Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

We support this cottage and naturesscaping plan

We support and have questions / suggestions:

We do not support for these reasons:



Your name/s: Stephanie Gibson

Tel: [REDACTED]

Your address: [REDACTED] Petworth Dr

Date: Aug 18/2016

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road

Neighbours' Feedback on 5009 Prospect Lake plan

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We support this cottage and naturescaping plan

We support and have questions / suggestions:

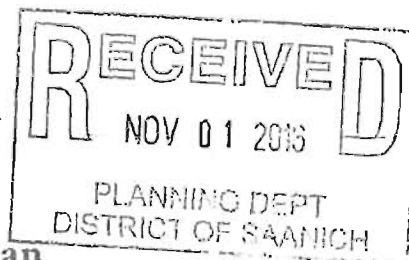
We do not support for these reasons:

WITH THEIR REMEDIATION PLAN THIS WILL BE A PLUS
TO HELP IMPROVE WATER QUALITY
WE PLAN TO UPGRADE OUR WATERFRONT IN FUTURE
TO RESTORE THE NATIVE PLANTS

Your name/s: LAWRENCE WATLING / LISA HARGRENSON Tel: [REDACTED]

Your address: [REDACTED] EASTLAKE RD VICTORIA BC Date: AUG 18 2016

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road



Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

We support this cottage and naturescaping plan

We support and have questions / suggestions:

We do not support for these reasons:

Really interesting & well thought out
Restoration work & nature scape with
native plants wonderful idea.

Your name/s: Deborah Tubman Tel: [REDACTED]

Your address: [REDACTED] Prospect Lk. Rd. Date: Aug 18, 2016

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road

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- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

Your name/s: JO & ED PONSFORD

Tel: [REDACTED]

Your address: [REDACTED] PROSPECT LAKE ROAD

Date: AUG 14/16

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Pg. 2

o. restoration guided by a professional biologist to derive [REDACTED]

Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions: How do you deal in winter?~
- We do not support for these reasons: Heat Pump?!

Your name/s: Jilene & Raymond

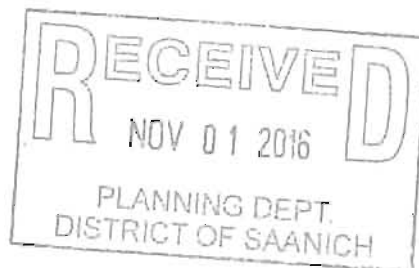
Tel:

Your address: [REDACTED] PROSPECT LAKE RD

Date: Aug 17/16

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Pg. 2



Cottage on 5009 Prospect Lake Rd.

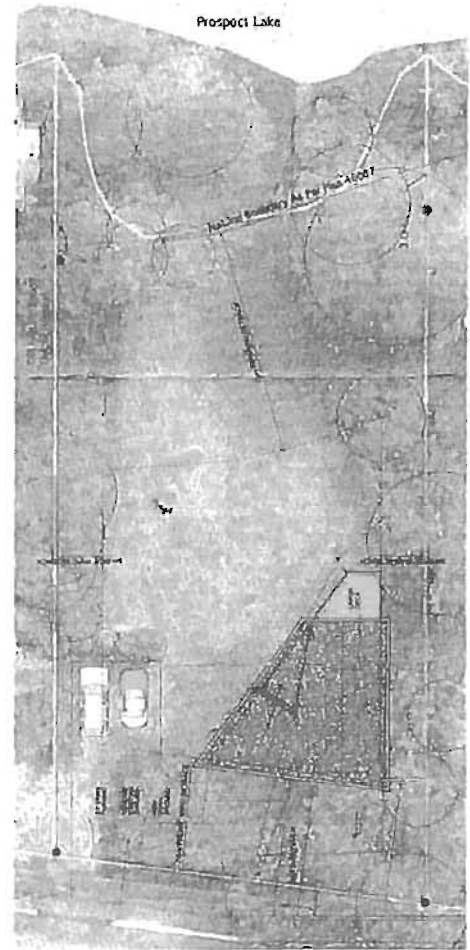
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7. Parking and access on existing permeable gravel/sand areas
8. Modern VIHA approved, high-end sewage treatment plant
9. Original grade determined by geotechnical engineers
10. High water mark professionally confirmed
11. Green roof: better storm water management, insulation & more
12. Building to be solar ready & in character with setting
13. Electric car plug-in station in driveway. No garage
14. Cottage location has no impact on neighbors privacy
15. Neighbors' view corridors remain unchanged
16. Situated on South-west corner, site of a former home

Naturescape: Foreshore, Meadow, Native Garden

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
2. Retains the existing trees, for climate change mitigation & more
3. No removal of native vegetation. Invasive species removal
4. Voluntary major restoration of the lake riparian area & shore
5. Restoration using native riparian vegetation - see p.4
6. Additional native plantings on north property side
7. Existing, low impact, wooden walk way from shore to dock
8. Restoration guided by a professional biologist to deliver positive enhancements to Prospect Lake & watershed

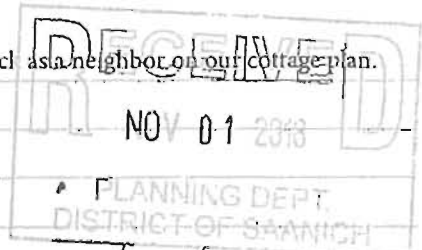


Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

We support this cottage and naturescaping plan

We support and have questions / suggestions:

We do not support for these reasons:



This sensible & sensitive approach to development is exemplary.

Your names: John Greg & Mark Carmichael Tel: [REDACTED]

Your address: [REDACTED] Goward rd.

Date: Oct 13/2016

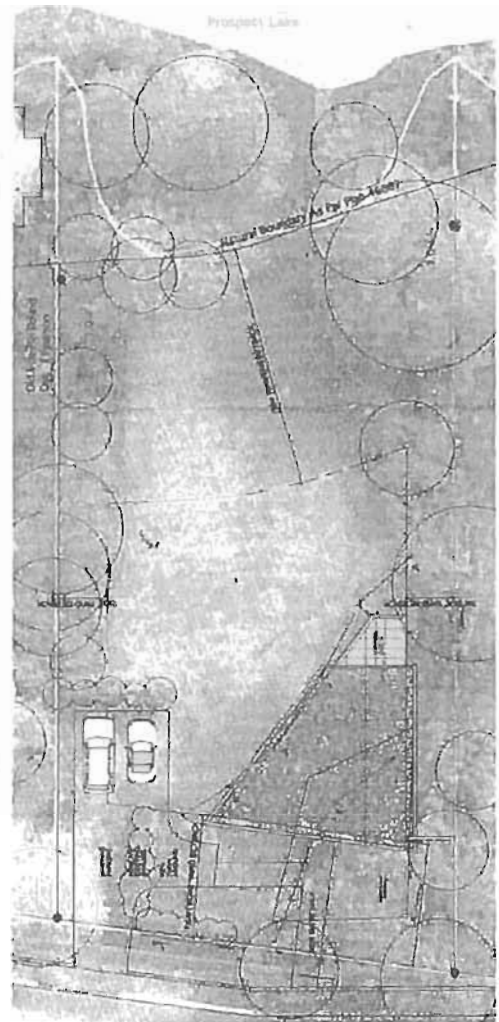
Please drop off in secure Mail Box at 5009 Prospect Lake Road

Cottage on 5009 Prospect Lake Rd.

The cottage is designed to deliver a net neutral impact on the lake.
The naturescape restoration will deliver ecological benefits.

Cottage: Size, Location, Environmental design:

1. Small footprint, modest, one bedroom cottage
2. Size: approx. 930 sq ft ground floor, 535 sq ft loft -1,465 sq ft total
3. Requires no variances. Zoned A1 residential. No rezoning
4. Building height meets planning requirements
5. Conforms 100% to guidelines for floodplain development permit
6. Minimal to no impacts on impervious areas. No fill required.
7. Parking and access on existing permeable gravel/sand areas
8. Modern VIHA approved, high-end sewage treatment plant
9. Original grade determined by geotechnical engineers
10. High water mark professionally confirmed
11. Green roof: better storm water management, insulation & more
12. Building to be solar ready & in character with setting
13. Electric car plug-in station in driveway. No garage
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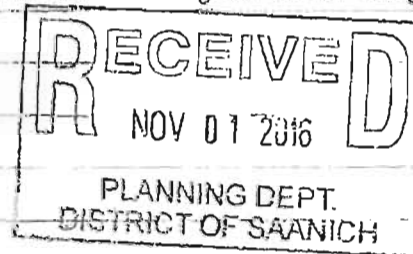


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8. Restoration guided by a professional biologist to deliver positive enhancements to Prospect Lake & watershed

Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your names: *Graham & Anne Walker*

Tel: _____

Your address: *Estellina Rd Victoria*

Date: *Sept. 16, 2016*

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Naturescape: Forest, Meadow, Native Garden

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
2. Retains the existing trees, for climate change mitigation & more
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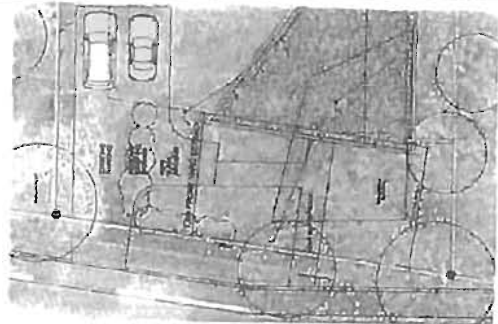
Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

Your name/s: GEORGE SZASZ Tel: [REDACTED]
 Your address: [REDACTED] GOWARD ROAD Date: SEPT. 11 '16
 Please drop off in secure Mail Box at 5009 Prospect Lake Road

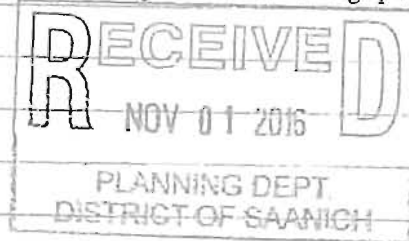
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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your names: Tina & Wayne Sanders Tel: [REDACTED]
 Your address: [REDACTED] Prospect Lake Rd. Date: Sept 10, 2016
 Please drop off in secure Mail Box at 5009 Prospect Lake Road

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
2. Retains the existing trees, for climate change mitigation & more
3. No removal of native vegetation. Invasive species removal
4. Voluntary major restoration of the lake riparian area & shore
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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

We support this cottage and naturescaping plan Carets Plan

We support and have questions / suggestions:

We do not support for these reasons:

Your name/s: Wendy FREEMAN-KNIGHT

Tel: [Redacted]

Your address: Prospect Lake Rd

Date: Sept 6/2016

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Pg. 2

Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
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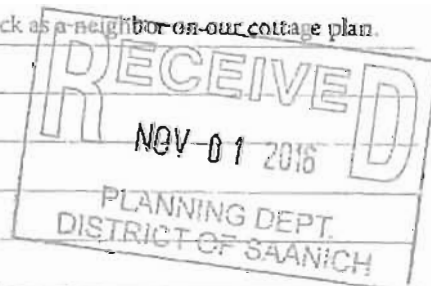


Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

We support this cottage and naturescaping plan

We support and have questions / suggestions:

We do not support for these reasons:



Your name/s: CAROL B. YIP

Tel: [Redacted]

Your address: Prospect Lake Rd

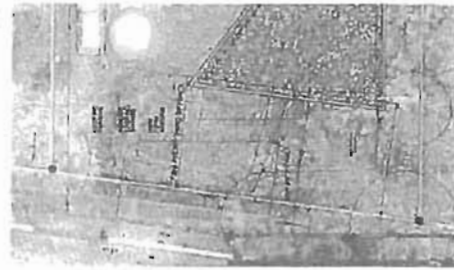
Date: Sept 4 2016

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Pg. 2

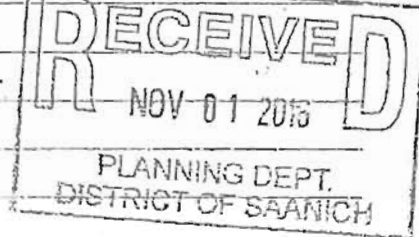
Naturescape: Foreshore, Meadow, Native Garden

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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your name/s:

J. Scott Emerson

Tel:

Your address:

Prospect CK Rd

Date:

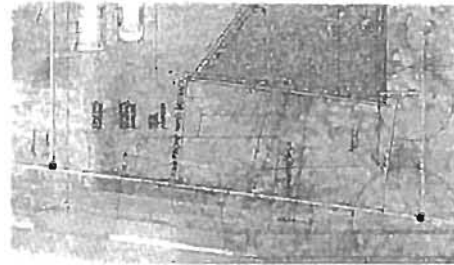
Sept 6/16

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Pg. 2

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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

Your name/s:

Catherine McLean

Tel:

Your address:

Eastlake Rd

Date:

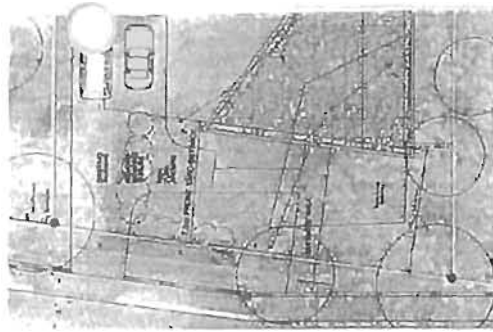
Sept. 6/16

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Pg. 2

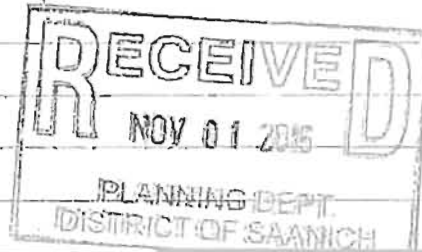
Naturescape: Foreshore, Meadow, Native Garden

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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your name/s: Rob + Elan Deol

Tel: [Redacted]

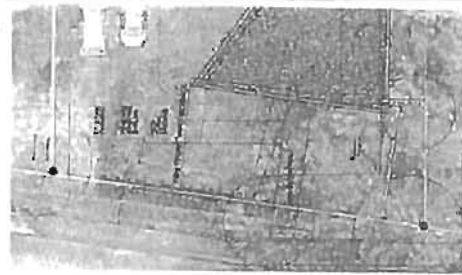
Your address: [Redacted] Prospect Ave Victoria [Redacted]

Date: Sept 11, 2016

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Naturescape: Foreshore, Meadow, Native Garden

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

Your name/s: JUDY AALDERS

Tel: [Redacted]

Your address: [Redacted] PROSPECT AVE VICTORIA

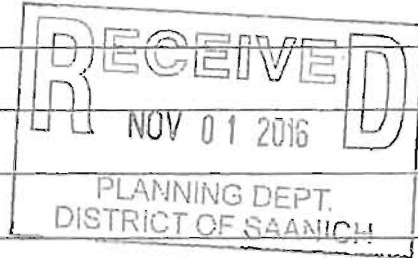
Date: Sept 11, 2016

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturoscaping plan
- We support and have questions / suggestions:
- We do not support for these reasons: A MODEL FOR FUTURE DEVELOPMENT ON THE LAKE.



Your name/s: DOUG PURDY Tel: _____

Your address: [REDACTED] PROSPECT LAKE RD. Date: 08/18/2016

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road

8. Restoration guided by a professional biologist to deliver positive enhancements to Prospect Lake & watershed

Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturoscaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

[Signature]
Your name/s: KATHY & CHRIS CORBETT Tel: [REDACTED]

Your address: [REDACTED] PROSPECT LAKE ROAD Date: AUG 18/16

Please drop off in secure Mail Box at 5009 Prospect Lake Road

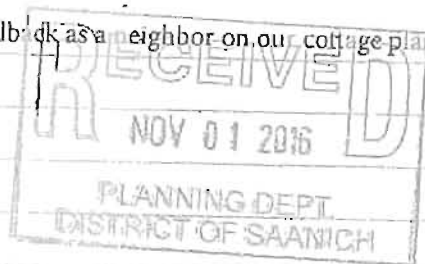
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- Existing, low impact, wooden walk way from shore to dock



Restoration guided by a professional biologist to deliver positive enhancements to Prospect Lake & watershed

Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturoscaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your name/s: Deborah Bauman

Tel: [Redacted]

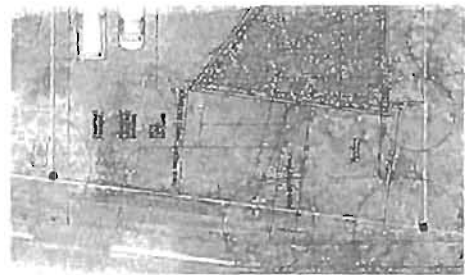
Your address: [Redacted] Prospect Avenue

Date: Sept 11/16

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Naturescape: Foreshore, Meadow, Native Garden

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturoscaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

Your name/s: WITHIN 7 MINES

Tel: [Redacted]

Your address: [Redacted] PROSPECT LAKE RD

Date: SEPT 12/16

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

We support this cottage and naturescaping plan

We support and have questions / suggestions:

We do not support for these reasons:

WE FEEL THAT THIS COTTAGE WILL BE A GREAT
ADDITION TO OUR LAKE, WELL THOUGHT THROUGH.

Your name/s: LEO CARPENDALE / SARAH CARPENDALE Tel: [REDACTED]

Your address: [REDACTED] PROSPECT AVE

Date: SEPT 11/2016

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road

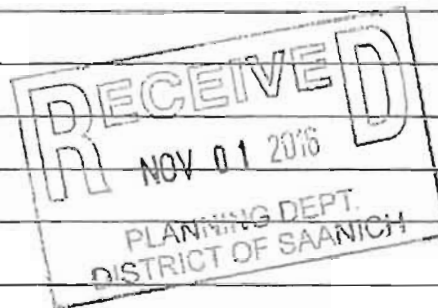
Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

We support this cottage and naturescaping plan

We support and have questions / suggestions:

We do not support for these reasons:



Your name/s: Greg & Non Marshall Tel: [REDACTED]

Your address: [REDACTED] Prospect Lake Road

Date: Sept 11/16

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road

Naturescape: Foreshore, Meadow, Native Garden

1. Based upon the Prospect Lake/Tod Creek Action Plan - see p.3
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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



Your name/s: Catherine Hamilton

Tel: [Redacted]

Your address: [Redacted] Prospect Ave.

Date: Aug 31, 2016

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Pg. 2

Naturescape: Foreshore, Meadow, Native Garden

1. Based upon the Prospect Lake/Tod Creek Action Plan see p.3
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Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

TERRIFIC DESIGN! 100% Support this HOME!

Your name/s: Ernest Waitzner & Melinda

Tel: [Redacted]

Your address: [Redacted] Prospect Lake Rd

Date: Sept. 11/2016

Please drop off in secure Mail Box at 5009 Prospect Lake Road

Neighbours' Feedback Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:

Your name/s: Doug & Gail Armstrong

Tel: [Redacted]

Your address: [Redacted] Prospect LK Rd.

Date: Aug 30, 2016

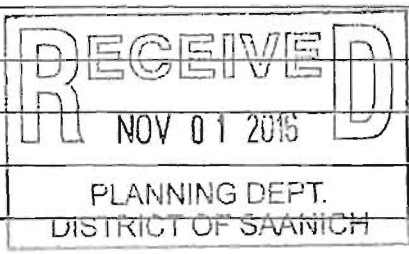
Please drop off in secure Mail Box at 5009 Prospect Lake Road

Pg. 2

Neighbours' Feedback on 5009 Prospect Lake plan

Please take a moment to indicate your feedback as a neighbor on our cottage plan.

- We support this cottage and naturescaping plan
- We support and have questions / suggestions:
- We do not support for these reasons:



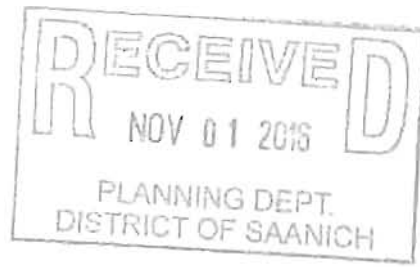
Your name/s: JIM IRVINE

Tel: [Redacted]

Your address: [Redacted] MEADOWBROOK ROAD

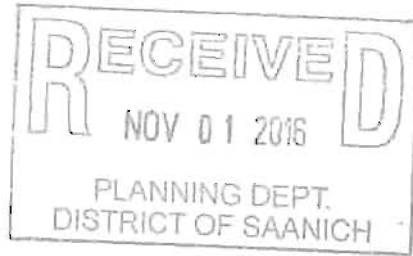
Date: AUG. 18, 2016

Please drop off here or in secure Mail Box at 5009 Prospect Lake Road



APPENDIX 6

Additional Feedback



Ed and Josephine Ponsford
Prospect Lake Rd.
Victoria BC

Dear Mayor and Council,

We've lived across the road (diagonally) from 5009 Prospect Lake Rd since July 19[redacted] and we support this small house plan. It's thoughtful; it fits in to the countryside well; it's got a very good sewage treatment system and overall makes sense. It reminds us in some ways of the small house that used to be right there. Here are some of our thoughts and our memories of this property.

Our house is opposite the lake at [redacted] and we also own the lake front lot [redacted] across from our house where we grow a lot of food every year. We raised our family here. With constant crossing the road to tend our organic veggie garden for over [redacted] years we are very familiar with the surrounding properties and pay attention to the lake levels across from our home.

There used to be a house on 5009, in the same corner the Haynes want to build on. That house was built in the south west corner of the property decades ago. You can still see the foundations. Jack lived there for many years and he was not flooded out. We have never seen 5009 flood. Since the extra fill went in in the late 1970's it is even higher. In winter the water comes up at the shoreline in a way that you see on most of the lake houses. The place where the house is going to be built didn't flood, and it wouldn't.

In that dip in Prospect Lake Rd. there are four lake side properties that do get some flooding in the peak of winter. Our own [redacted] lot does. 5009 is not one of them. It is just too high.

That said, we see that they are building according to your flood plain permit guidelines. Saanich has set up those rules. The Haynes' plan sticks to those rules. So really, as we said, it just makes sense and fits the rules of Saanich.

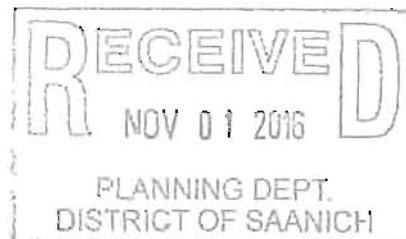
This neighborhood has seen quite a few huge homes go in, and usually with big paved driveways. This one is refreshing. Let's hope it's the start of a new trend where cottages and small places start popping up.

Sincerely,

Ed and Josephine Ponsford

Mike Grew
[redacted] Echo Drive,
Saanich [redacted]
Sunday July 3rd, 2016

Attn: Saanich Council and Planning Department.
Re: New Cottage Home at 5009 Prospect Lake Rd.



Dear Mayor, Council and Staff,

As a lake resident, I am writing to let you know I have no objections to the new home proposed by Cathy and Fred Haynes at 5009 Prospect Lake Road. I have the pleasure to live on Prospect Lake and I care greatly for its health and vitality. I see it as a local treasure for the residents who share it's shores, a wonderful recreational asset for the community at large and a key element of the Todd Creek watershed.

In background here are some details on my involvement with the lake. I am an active Founding Director of the Prospect Lake Preservation Society, which was created to improve the long-term health and safety of the lake. The PLPS has implemented several educational projects on lake. I am a member of the B.C. Lake Stewardship Society, and I have taken the training in lake stewardship provided by the BCLSS. I involve myself in monitoring the lake's health. This has included managing the secchi disk readings monitoring seasonal lake levels after the passing of Art Dimock, our long time lake steward. These data are shared with the Saanich Parks and Recreation Department.

From a lake environment perspective, I can see that the cottage home proposed by Cathy and Fred Haynes is environmentally sensitive, and presents no negative impacts on the health of the lake or its flood plan. It is modest in size is and is a home they plan to downsize too.

The house design and footprint conform to the Saanich guidelines for the Floodplain Development Permit Area. It includes an existing, modern biological septic treatment system, a green roof, is solar ready, retains all the existing trees and parking will be on exiting gravel areas. Voluntary amenity includes enhancement of the lakeside riparian area by a professional biologist.

As a lake resident and neighbor, I have no objections and recommend that council move to approve this application.

Truly yours

[redacted signature]
Mike Grew

Mr. Brett Large
[redacted] Stevens Road,
Saanich, [redacted]

July 6, 2016



Re: New Cottage Proposed at 5009 Prospect Lake Rd.

To Saanich Planning and Council:

I am pleased to send this letter in support of the Haynes family request for Council's approval to build a new cottage at 5009 Prospect Lake Rd out to the 48.7 geodetic. As life-long Saanich resident and a current Prospect Lake resident of over 20 years, I have a keen interest in the activities pertaining to the ongoing health and prosperity of the lake and it's community. Having reviewed the lot plans and house design, I see this small home requires no variances for height or setbacks and meets all the guidelines for the Saanich Floodplain Development Permit Area. I believe the proposal is modest, environmentally sensitive to the lake, and suitable for the neighborhood.

Prospect Lake is a remarkable place to live and raise a family. I care for it greatly. As a past Director on the Prospect Lake Preservation Society and the Prospect Lake District Community Association and a founding member of the Prospect Lake Water Users Community, I have a long history of volunteering in Saanich for both our community and for the environmental health of the Lake.

From an environmental perspective, I see that the cottage proposed by Cathy and Fred Haynes is amazingly low impact. Under 1,500 sq. ft., it includes an existing state of the art septic treatment system, features an advanced green roof, techniques for rain water management, requires no perimeter drains, locates parking to existing gravel areas, maintains all existing trees, and adds a professionally designed native species riparian area to the lake foreshore.

Socially, I have known Cathy and Fred for many years through our joint activities on community Boards. Our son's also played soccer together. This modest environmentally designed home is one they plan to downsize too as their sons move on. They are environmentally conscious and proven stewards of the long-term health of the Lake. I appreciate the forward thinking environmental features included in their proposal.

I see no problems for the lake or for the community in this development and I urge council to approve this application.

Sincerely,

[redacted signature]
Brett Large

Patti-Jean Naylor, PhD
[redacted] Stevens Road,
Saanich, BC
[redacted]

Monday July 25th, 2016

To Saanich Planning and Council.

Re: Cottage Home Proposed at 5009 Prospect Lake Rd.

Please accept this letter as my statement of support for the proposed plans for the new cottage at 5009 Prospect Lake Rd. I live at [redacted] Stevens Road, which is on the waterfront of the lake and across the lake from the property. I have reviewed the plans for this cottage proposed by Cathy and Fred Haynes and as a long time resident on Prospect Lake I am writing to let you know I am in support of their proposal. I believe their plans are modest, environmentally sensitive and represent a suitable proposal for the neighborhood and the overall community. It is interesting that the site for the cottage is in the same location of one that was present many years ago.

This proposed future cottage home is smaller than other homes on Prospect Lake Road both recently built or renovated and older homes. The proposed development, a modest, single bedroom cottage under 1,500 sq feet, features environmentally advanced designs. It includes a state of the art septic system, a green roof, is solar ready and conforms to the Saanich guidelines for the Floodplain Development Permit Area. The plan for the building site retains all the existing trees showing Cathy and Fred's deep personal commitment to preserving and sustaining the environment.

They also propose to voluntarily enhance the riparian area along the lakeshore under the advice of a professional biologist. The green roof is a nice idea, one that we are using at the University of Victoria; a gold standard environmental building site. They have planned the parking for existing gravel areas. Together these reduce the impacts of changes to impervious areas.

I have known Cathy and Fred for many years, our son's played sports together. I consider them to be extremely environmentally conscious and concerned about the long-term health of the Lake and its surroundings. I am supportive of the approach and appreciate the forward thinking environmental features included in their proposal.

I see no problems for the lake or for the community in this development, only the benefit of having Cathy and Fred in the community for their retirement years. I urge council to approve this application.

Sincerely,



Patti-Jean Naylor, PhD, Professor
[redacted]



Sandra Scrimger, MA

█ Prospect Lake Road

Victoria BC Canada

█
To Whom it May Concern:

Please accept this letter as a letter of support for the proposed plans for the building at 5009 Prospect Lake Rd.

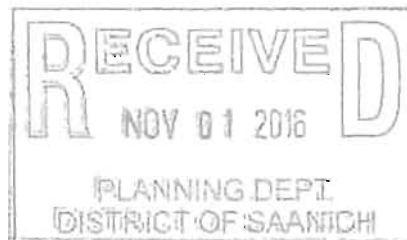
I live at █ Prospect Lake Road, which is on the lakefront next █ to the property. I have had the opportunity to review the plans for the new home proposed by Cathy and Fred Haynes. As a life-long resident of the Prospect Lake community and a potential neighbor, I am writing to let you know I am in support of their proposal. I believe their plans are of sensible proportions and more environmentally sensitive than I have seen in many other recent lakefront building applications approved by Saanich and therefore a suitable plan for the neighborhood and the overall community.

The plan that I saw incorporated tree and riparian preservation along with some interesting green roof technology and a state of the art septic system. The house was of modest size and carefully positioned on the lot so as to maximize privacy and minimize the impact on all residents in the neighbourhood.

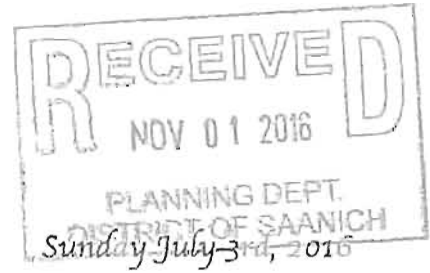
I am happy to add my support for the building of this home and hope that Council will approve this application.

Sincerely,

█
Sandra Scrimger



Dana Craft
[redacted] Echo Drive,
Saanich [redacted]



To Saanich Planning and Council.
Re: New Cottage Home at 5009 Prospect Lake Rd.

I live at [redacted] Echo Drive which is a lakeside home. I have had the opportunity to review the plans for the new home at 5009 Prospect Lake Rd proposed by Cathy and Fred Haynes and as a long time resident on Prospect Lake I am writing to let you know I have no objections. I consider this to be a modest, environmentally sensitive and suitable proposal for the neighborhood.

This is their future home. It is smaller than other homes on Prospect Lake. The development proposes a modest, single bedroom cottage under 1,500 sq feet. It features a modern septic system, green roof, is solar ready and conforms to the Saanich guidelines for the Floodplain Development Permit Area. The building site retain all the existing trees. Additionally there is voluntary enhancement of the riparian area along the lakeshore by a professional biologist. The green roof is a nice idea and parking is planned on existing gravel areas. Together these reduce the impacts of changes to impervious areas.

I have come to know Cathy and Fred over a number of years. I consider them to be environmentally conscious and concerned about the long-term health of the Lake and its surroundings.

I certainly see no problems for the lake or for the community in this development, and I urge council to approve this application.

Sincerely

[redacted signature]
Dana Craft

Pat Carfra

6:57 PM (20
August 16,
2016)

to me

Hi Cathy,

Thanks for both your call and this email about your exciting new project. Unfortunately, I must be somewhere else over the dinner hour. I know many folks will be interested in your plans.

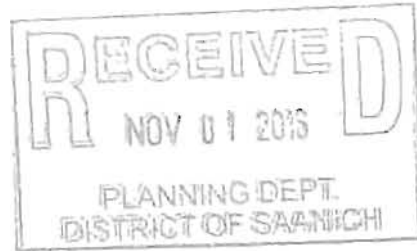


I admire the environmental care you are taking; it may well become a model for future building around the lake.

Thanks for letting me know about it.

Pat

Pat Carfra
Lake Resident
█ Goward Rd.



William C. Beach
[redacted] Prospect Lake Road
Saanich BC [redacted]

July 30th, 2016

To Whom It May Concern,

Re: Cottage Home at 5009 Prospect Lake Road

My wife and I have lived on Prospect Lake very near to this property for [redacted] years.

We have known Fred and Cathy for many years and have worked with both of them on many projects within the Prospect Lake Community Association and on the association board. They are always among the first to help with any project that is for the betterment of our association, even to the extent of loaning their own money to help with hall renovations at a time when it was sorely need. They are equally involved with all matters relating to the health of Prospect Lake itself.

I have read the list of features that are proposed for this cottage and I have no objection whatsoever. In fact many of the proposed features will set a good example for other future homes, yet to be built.

William C. Beach


[redacted]



Aug 1 / 16

Hazel Beach
Prospect Lake Road
Saanich B.C.

To Whom It May Concern,

Re: Cottage Home at 5009 Prospect Lake Road

I have lived at the above address for the past years.

I have known Fred and Cathy as neighbours and supporters of the Prospect Lake Association since they moved into our neighbourhood. We have worked on many projects together and they have proved to be ready, willing and able to make this community the vibrant friendly place to live for all of us. Their involvement in the work at our community hall has been invaluable.

The plan for their new home at 5009 Prospect Lake Rd is sensitive to the Guidelines for the Saanich Floodplain Area and will not impede the lake views for their new neighbours. They have been good stewards of the lake and will continue to do so.

I would like to add my support for their plans for their new home at 5009 Prospect Lake Rd.

Sincerely,



Hazel Beach

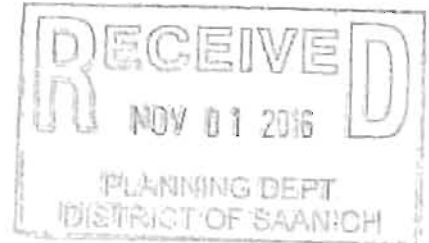


Barbara & Stephen Newton
Estelline Road
Victoria, BC

August 24, 2016

To: Saanich Council

Re: Cottage Home Proposed for 5009 Prospect Lake Road



Dear Mayor Atwell and Members of the Saanich Council,

This letter is in support of the cottage home proposed by Cathy and Fred Haynes at 5009 Prospect Lake Road.

One of us has had a continuous family presence on Prospect Lake since 19[redacted] and has observed how the community has changed over the years. During this time there has been a transformation of the general nature of lakeside residences. Where summer cabins and small, simple homes predominated in the 1960s, they have gradually been replaced with large, substantial family homes over the years.

On the positive side, many poor septic systems have been replaced by state of the art systems, and a community spirit has emerged that cares deeply about the health of the lake.

We find it very refreshing that Mr. and Mrs. Haynes want to build a small cottage that blends into the environment attractively and uses so little of the lot space. We note that the roofline is as low as possible, and that the home hugs the inclining side of the property to blend in to the surroundings as much as possible. We are very impressed with the green roof and the plan not to add any pavement.

We are particularly pleased about the Haynes' plan to re-naturalize the riparian area; we note that the shoreline of their current, much larger lake frontage is left quite natural as well and so have not doubt that the proposed naturalization plan will be executed.

We hope that this home will be an inspiration to others when they consider updating and upgrading their homes

Sincerely,


Barbara & Stephen Newton


J G Connor

Prospect Lake Road, Victoria, BC

August 17, 2016

Fred and Cathy Haynes
5009 Prospect Lake Road,
Victoria, BC V9E 1J5

Dear Fred and Cathy,

It was nice to meet you yesterday and I appreciate you taking the time to review the plans for your new home and the beautiful grounds.

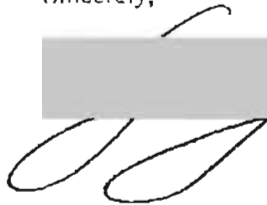
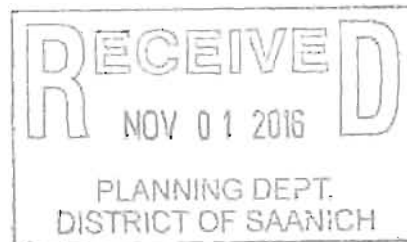

I was most impressed with the thought and detail you've put into your project and the nature friendly aspects of your new home.

I wholeheartedly support your cottage and naturescaping plans and wish you well in the upcoming joy and the occasional frustrations in building a home.

I look forward to having you as new neighbours. I hope you'll invite me for coffee when it's done, I'd love to see the finished building when you've moved in.

Best of luck with your project.

Sincerely,

1410-04 Planning
Xref: 2870-30



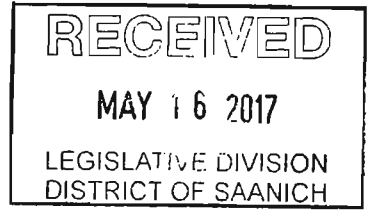
Mayor
Councillors
Administrator

Council
Administration
Media

The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: May 3, 2017
Subject: Subdivision, Rezoning, and Development Variance Permit Application
File: SUB00764; REZ00577; DVP00376 • 1654 Feltham Road



RECOMMENDATION

- 1. That the application to rezone from the RS-10 (Single Family Dwelling) Zone to the RS-6 (Single Family Dwelling) Zone be approved.
- 2. That Development Variance Permit DVP00376 be approved.
- 3. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Variance Permit be withheld pending payment of \$1275 for the planting of one Schedule I Boulevard tree.
- 4. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Variance Permit be withheld pending registration of a covenant to secure:
 - The new dwelling on proposed Lot B be constructed to a BUILT GREEN® Gold, or equivalent, energy efficiency standard;
 - The new dwelling include the installation of the necessary conduits to be solar ready for future installation of photovoltaic or solar hot water systems; and
 - The new dwelling on proposed Lot B be constructed substantially in compliance with the plans prepared by Ryan Hoyt Designs date stamped August 29, 2016 and Landscape Solutions date stamped February 6, 2017.

PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application is for a Rezoning and Development Variance Permit for setbacks to accommodate a subdivision to create one additional lot. The applicant is Sam Ganong.

DISCUSSION

Neighbourhood Context

The subject property is located in the Gordon Head neighbourhood, on the northeast corner of the Feltham Road and Cedar Hill Road intersection. The site is within Feltham "Village", although it is located at the "Village" edge and surrounded by single family homes rather than

CW
3

commercial or multi-family developments. The property is also within 1 km of the McKenzie Avenue and Shelbourne Street intersection located at the core of the University Major “Centre” where a broad range of commercial retail and services are available.

The property is located within a walking distance of 400 m to the Gordon Head Recreation Facility, 500 m to Lambrick Park Secondary School, and 900 m to Gordon Head Middle School. Adjacent to the Gordon Head Recreation Facility, Lambrick Park provides a range of sports facilities. The three contiguous parks of Bow Park, Feltham Park, and Brodrick Park provide a nature park and walking trails less than 200 m west of the property. An access point to Mount Douglas Park from Cedar Hill Road is within 1.5 km and provides access to an extensive park trail network.

Proposed Land Use

The 1,191 m² corner lot is currently developed with a single family dwelling that is oriented toward Feltham Road, which municipal records indicate was constructed in 1949. The proposal would create a second fee simple lot to the rear of the existing dwelling that would be oriented toward Cedar Hill Road. Variances are requested to allow the existing dwelling to be retained. The Official Community Plan supports a range of housing types within “Villages”, including small lot single family dwellings.

The site is located at the northern end of the Shelbourne Valley Action Plan study area. The subject property and those adjacent to it along Feltham Road are identified as transitioning to multi-family development in the form of townhouses (see Figure 2). The lot is one of 10 properties on Feltham Road that are currently developed as single family dwellings that are designated for a townhouse land use in the Shelbourne Valley Action Plan. Properties on the west side of Cedar Hill Road remain designated for single family neighbourhood.

Site and Building Design

The subject property slopes down from the northwest corner on Cedar Hill Road to the southeast corner on Feltham Road by 3 m. The location of the existing dwelling, which is oriented toward Feltham Road, provides opportunity to create two similarly shaped, rectangular lots. One lot would maintain the existing dwelling, with the new lot proposed for an infill single family development oriented toward Cedar Hill Road. The existing dwelling has a floor area of approximately 195 m² and complies with the density provisions of the RS-6 (Single Family Dwelling) Zone, however variances are required for the front, rear, and combined front and rear setbacks in order to retain the dwelling.

The existing dwelling currently has a set of stairs to access a deck that would encroach into the setback to the interior side lot line. If the rezoning is approved the applicant would remove the offending stairs and construct new stairs in compliance with the Zoning Bylaw. This would be referred to the Approving Officer to require as a condition of subdivision.

The applicant has provided house plans for the new dwelling that they are willing to commit to by covenant. The proposed 279 m² two storey dwelling with basement incorporates a covered entryway, double car garage, and secondary suite (see Figure 5).

Variances to the front, rear, and combined front and rear setbacks are required to retain the existing dwelling. The requested variances are as follows:

- A front yard setback of 3.16 m (6.0 m required);
- A rear yard setback of 6.2 m (7.5 m required); and
- A combined front and rear yard setback of 9.3 m (15 m required).

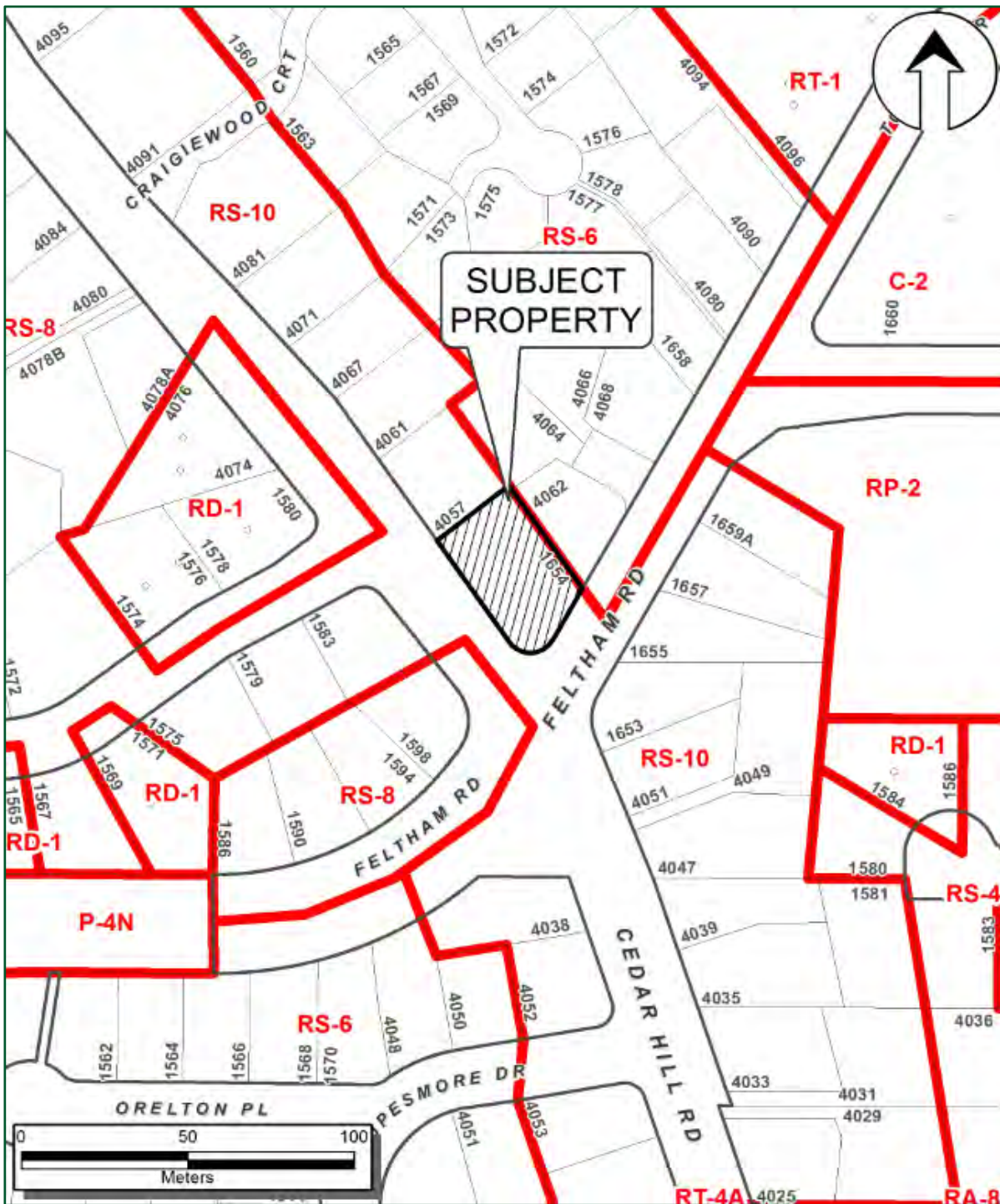


Figure 1: Neighbourhood Context

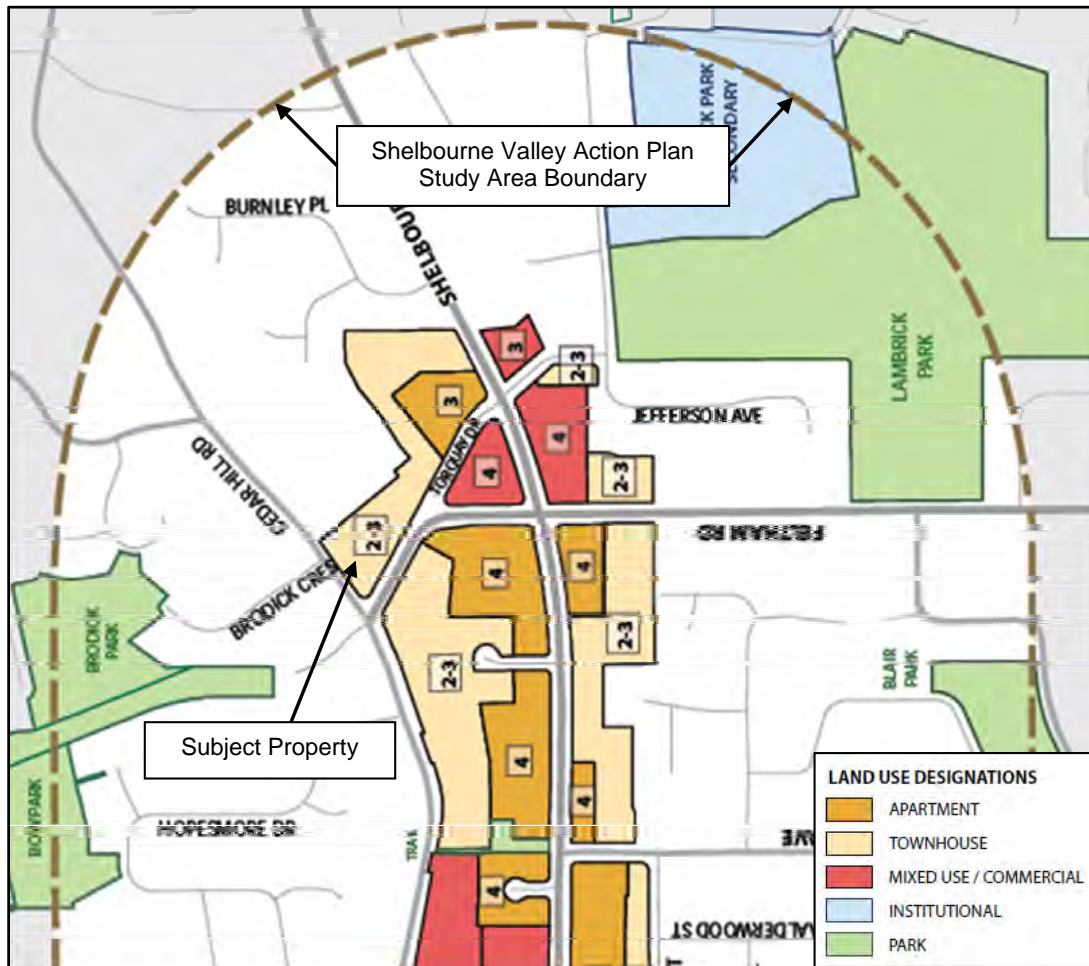


Figure 2: Property Location within Shelbourne Valley Action Plan Study Area

Consultation

The Gordon Head Residents' Association noted they generally have no objection to the proposal, however they recommend that the site layout accommodate a vehicle turnaround to avoid cars reversing onto Cedar Hill Road. The applicant advised staff that they considered revising the driveway to accommodate a turnaround, however that option would take up a significant amount of the front yard, thereby limiting the amount of green space. They followed up with the Gordon Head Residents' Association on the topic and have not revised the proposed layout.

In response to Saanich's notification process, three replies were received stating concerns with respect to traffic and parking. The comments relate to the existing situation with traffic speed and difficulty for pedestrians to cross Cedar Hill Road safely as the primary issues.

The Shelbourne Valley Action Plan identifies the intersection as a "Potential New Signal", however, currently no improvements for the intersection are anticipated in the near future as part of Engineering's Capital Projects. No road improvements along the property frontage are required for the proposal as road and sidewalks improvements have been completed by Saanich within the last five years.

The applicant has advised that prior to submitting their development proposal, they consulted with the immediate neighbours before designing the proposed dwelling. Once preliminary house designs were prepared, further consultation with the immediate neighbours was completed, as well as letters being sent to residents within a 100 m radius.

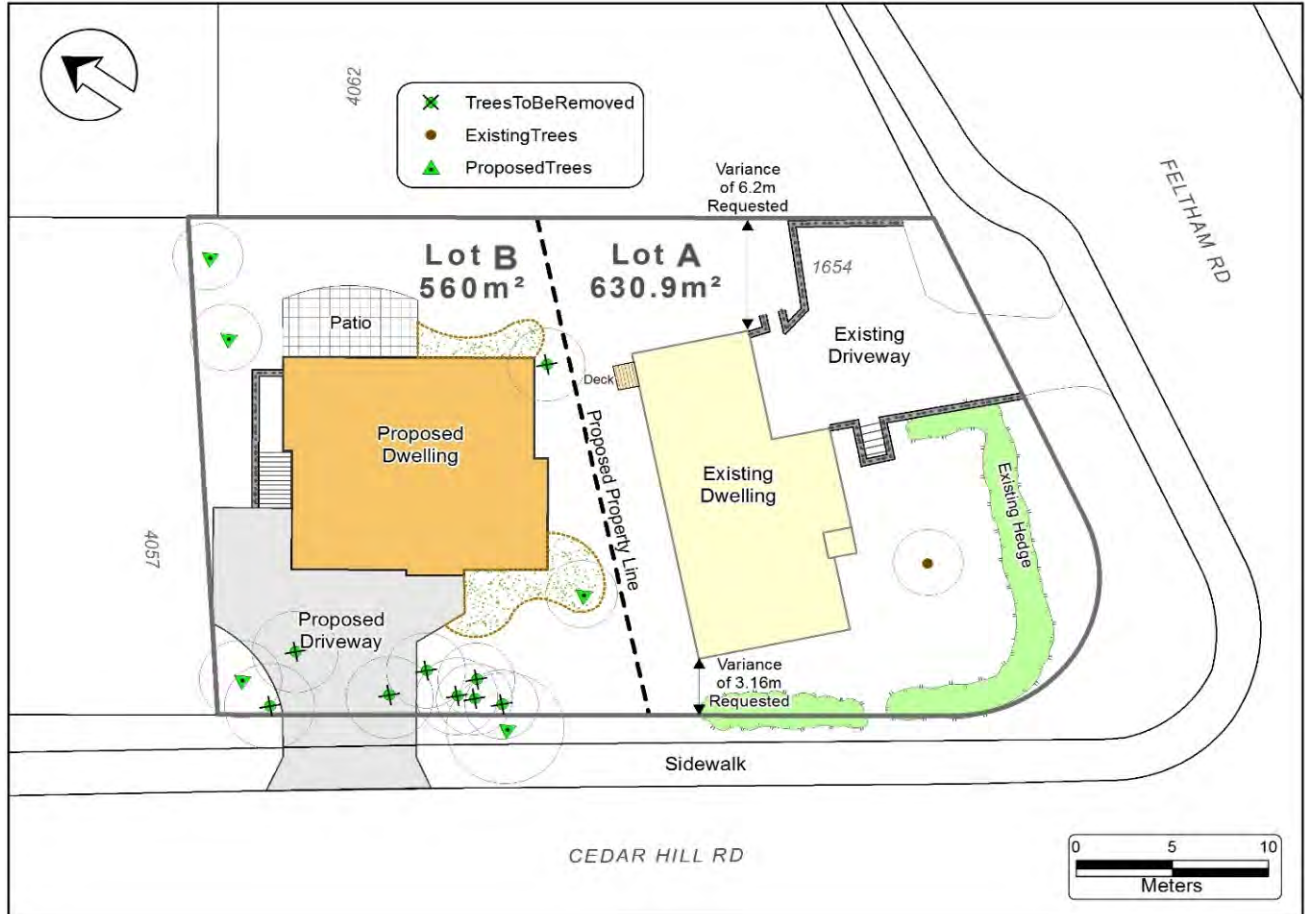


Figure 4: Proposed Subdivision



Figure 5: Renderings of Proposed Dwelling (Provided by Ryan Hoyt Home Designs Inc.)

ALTERNATIVES

1. That Council approve the recommendations as outlined in the staff report.

The implications of this alternative are discussed in detail in the later sections of this report.

2. That Council approve the Zoning Amendment Bylaw but not the Development Variance Permit.

The implications of this alternative would be that the existing house would need to be substantially altered to comply with the Zoning Bylaw, or removed with a new dwelling constructed.

3. That Council reject the recommendations as outlined in the staff report.

Should Council decide to reject the recommendations contained in this report, the implications are that the proposed rezoning and subdivision would not proceed. The subject property would retain its current RS-10 (Single Family Dwelling) zoning and the one existing single family dwelling would remain on the lot.

4. That Council provide alternate direction to Staff.

Should Council provide alternate direction to staff, the implications are that staff would work with the applicant to address comments from Council. The applicant would undertake any necessary revisions to the plans, and would resubmit their proposal for review by staff, and ultimately, consideration by Council.

FINANCIAL IMPLICATIONS

The proposal has no immediate implications related to the District of Saanich Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The proposal has no implications related to the District of Saanich 2015-2018 Strategic Plan.

PLANNING IMPLICATIONS

Policy

The following Saanich Planning Policies are most applicable to the subject proposal:

Official Community Plan (2008)

- 4.2.1.1 "Support and implement the eight strategic initiatives of the Regional Growth Strategy, namely: Keep urban settlement compact; Protect the integrity of rural communities; Protect regional green and blue space; Manage natural resources and the environment sustainably; Build complete communities; Improve housing affordability; Increase transportation choice; and Strengthen the regional economy."
- 4.2.1.2 "Maintain the Urban Containment Boundary as the principal tool for growth management in Saanich, and encourage all new development to locate within the Urban Containment Boundary."
- 4.2.1.14 "Encourage the use of 'green technologies' in the design of all new buildings."
- 4.2.1.18 "Encourage new development to achieve higher energy and environmental performance through programmes such as 'Built Green', LEED or similar accreditation systems."
- 4.2.2.3 "Consider the use of variances to development control bylaws where they would achieve a more appropriate development in terms of streetscape, pedestrian environment, view protection, overall site design, and compatibility with neighbourhood character and adjoining properties."

- 4.2.3.9 “Support the following building types and uses in ‘Villages’:
- Small lot single family houses (up to 2 storeys)
 - Carrige/coach houses (up to 2 storeys)
 - Townhouses (up to 3 storeys)
 - Low-rise residential (3-4 storeys)
 - Mixed-use (commercial/residential) (3-4 storeys)
 - Civic and institutional (generally up to 3 storeys).”

Gordon Head Local Area Plan (1997)

- 5.1 “Maintain single family housing as the principle form of development.”
- 5.3 “Consider applications to rezone to permit subdivision having due regard for the prevalent lot size in the area, site specific tree location information, and preservation of environmentally significant areas.”
- 9.10 “Any design and construction work within a designated Streetscape Protection right-of-way should be undertaken in accordance with the Gordon Head Action Plan: Greenways, Bikeways and Pedestrian Mobility.”

Note: Cedar Hill Road in this area is designated as a Streetscape Protection Area.

Shelbourne Valley Action Plan (2017)

The subject property is within the study area for the draft Shelbourne Valley Action Plan. Although the Shelbourne Valley Action Plan has not yet been adopted, draft policies relevant to this proposal should be considered. Many of the Shelbourne Valley Action Plan policies reiterate existing Official Community Plan or Local Area Plan policies, therefore only those policies addressing additional aspects of development area included below.

- 5.1.1 “Consider changes to use, density and height in the Shelbourne Valley based on designations identified on Map 5.1.”

Note: Map 5.1 identifies the property for 2-3 storey townhouses.

- 5.1.3 “Encourage land assembly that allows impacts of access and parking to be mitigated.”

- 5.1.4 “Discourage the orphaning of lots designated for multi-family or commercial redevelopment where the resulting frontage would be less than 30 metres.”

- 6.1.4 “Consider additional pedestrian crossing locations in the Valley, where warranted, including those identified on Map 6.1, to improve overall network connectivity, assist greenway implementation, support higher density redevelopment and provide more direct access to major destinations.”

Note: Map 6.1 identifies the intersection at Feltham Road and Cedar Hill Road as “Potential New Signal”.

- 7.5.1 “In general, transition density within each Centre and Village with the highest density in the core transitioning to lower densities at the edges.”

The proposal is consistent with the Official Community Plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary. Similarly the Gordon Head Local Area Plan supports rezoning for subdivision with consideration of the prevalent lot size in the area, site specific tree location information, and preservation of environmentally significant areas.

Most properties along Cedar Hill Road and Feltham Road are larger than 780 m², reflective of the predominant RS-10 (Single Family Dwelling) zoning. Smaller lots in the neighbourhood are located along residential side streets where RS-6 (Single Family Dwelling) zoning exists. Although the proposed lots would be slightly smaller in size, having an area of 560 m² and 630 m², they generally fit with the surrounding pattern of development for single family homes.

The site is located at the northern end of the Shelbourne Valley Action Plan study area and it, as well as those properties adjacent to it along Feltham Road, are identified as transitioning to multi-family development in the form of townhouses (see Figure 2). Staff discussed the objectives of the Shelbourne Valley Action Plan with the applicant and it was noted that given the current condition of the single family homes along Feltham Road, redevelopment of these lots for a townhouse development may be premature.

Although the existing home at 1654 Feltham Road was constructed in 1949, most of the houses to the east were constructed in the early to mid-1980's and have been well maintained. The property is surrounded by single family dwellings and also represents the most northern extent of properties that have been identified for multi-family (townhouse) designation in the Shelbourne Valley Action Plan. Land use further north along Cedar Hill Road or to the west would remain designated as single family neighbourhood. Given the property location within the overall Shelbourne Valley Action Plan and that the proposal does contribute to limited infill at the edge of Feltham "Village", which would contribute to the goal of a more compact, walkable "Village" Centre, maintaining the land use as single family residential is supportable.

An important consideration with infill developments is that the scale, massing, and design of any proposed infill housing respects the neighbourhood character. Many of the neighbouring homes were constructed between the 1960's to 1980's and are generally two storey homes with attached garages. The applicant has provided house plans for the new dwelling and they are willing to commit to these plans by covenant. The proposed 279 m² two storey dwelling with basement incorporates a covered entryway, double car garage, and secondary suite. Arts and Craft design features are included such as multiple gabled roof peaks with a half-timbering appearance and wooden support braces, battered support columns at the entryway with stone veneer base, and sash windows with multiple panes. The exterior finishes would include red cedar shingle and cement board lap siding. A decorative garage door with windows complements the Arts and Craft design features and reduces the appearance of the garage so that it does not dominate the front elevation.

In addition to the proposed rezoning to RS-6 (Single Family Dwelling) Zone, a Development Variance Permit has been requested to retain the existing dwelling on proposed Lot A. The following variances are requested:

- A front yard setback of 3.16 m (6.0 m required);
- A rear yard setback of 6.2 m (7.5 m required); and
- A combined front and rear yard setback of 9.3 m (15 m required).

Maintaining the existing dwelling rather than demolishing and reconstructing a new home would extend its' life cycle and preserve the embodied energy in the existing structure, an option that would release less greenhouse gases than demolishing and reconstructing. In addition, retaining the existing dwelling will contribute to maintaining the character of the neighbourhood. The variances would have no impact to neighbours since they are for the existing dwelling to be retained, therefore they are supportable.

Servicing

No land dedication or road improvements are required as Cedar Hill Road and Feltham Road have been improved by the municipality in recent years. No Engineering concerns were raised with the location of the existing or proposed driveways. As noted, the Gordon Head Residents' Association recommended consideration of room to turn around so vehicles exit frontward onto Cedar Hill Road. Although a specific turning area has not been provided due to the desire to preserve open green space, the double wide driveway and third (suite) parking space could be used to manoeuvre a vehicle at times, depending upon the size and numbers of vehicles parked in the driveway.

New or upgraded services for water, sewer, and storm drain will be provided for both proposed lots. Stormwater management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of the Subdivision Bylaw. This subdivision is within a Type II watershed area which requires stormwater storage, oil/grit separator or grass swale and sediment basin.

Environment

The applicant provided an Arborist Report that included an inventory of 15 trees. The 15 inventoried trees included three on adjacent properties that would not be impacted and four bylaw protected trees, which are all Douglas-fir trees.

The four bylaw protected trees and four non-bylaw protected trees are located adjacent to Cedar Hill Road and due to two levels of overhead wires the trees have been heavily side pruned (see Photographs 1 and 2), or have had suppressed growth due to adjacent trees. In addition to past pruning, they would be in close proximity to the proposed driveway and would have poor tolerance to development impacts.

The existing hedge along the southern portion of the lot would be retained. The applicant proposes to plant four on-site replacement trees and one boulevard tree.

Stormwater would be managed with permeable pavers and in-ground detention tanks on each proposed lot to allow for slow release into the municipal drain system.

Sustainable development practices would be followed and the applicant has committed that construction would meet, or be equivalent to, BUILT GREEN® Gold. The applicant would also construct the dwelling to be solar ready. These commitments would be secured by covenant.



Photograph 1: Looking North along Cedar Hill Road



Photograph 2: Cedar Hill Frontage

Climate Change and Sustainability

The Official Community Plan adopted in 2008 highlights the importance of climate change and sustainability. The Official Community Plan is broadly broken down into the pillars of sustainability including environmental integrity, social well-being, and economic vibrancy. Climate change is addressed under the environmental integrity section of the Official Community Plan and through Saanich's Climate Action Plan.

The following is a summary of the Climate Change and Sustainability features and issues related to the proposed development. This section is not and cannot be an exhaustive list or examination of the issue. However, this section is meant to highlight key issues for council and keep this subject matter at the forefront of council's discussion.

Climate Change

This section includes the specific features of a proposal related to mitigation and adaptation strategies. Considerations include: 1) Project location and site resilience, 2) Energy and the built environment, 3) Sustainable transportation, 4) Food security, and 5) Waste diversion.

The proposed development includes the following features related to mitigation and adaptation:

- The proposal is located within the Urban Containment Boundary and within Feltham "Village".
- Walking distance to Lambrick Park Secondary School is approximately 500 m and to Gordon Head Middle School approximately 900 m.
- Recreation facilities at the Gordon Head Recreation Facility and Lambrick Park are within 400 m.
- The proposal is an in-fill development that is able to use existing roads and infrastructure to service the development.
- Sustainable development practices would be followed and the applicant has committed that construction would meet, or be equivalent to BUILT GREEN® Gold. This commitment would be secured by covenant.
- The proposed development will include the necessary conduit to be considered solar ready for the future installation of solar photovoltaic or hot water heating systems. This commitment would be secured by covenant.
- The property is located adjacent to a bus stop on Cedar Hill Road and approximately 250 m from a bus stop on Shelbourne Street.
- Bus service on Cedar Hill Road is a Local Route, with weekday service every 30 – 60 minutes. Frequent bus service on Shelbourne Street has weekday service every 15 minutes or less.
- The existing house would be retained.
- The development is readily accessible via all modes of alternative transportation including walking, cycling, and public transit.
- The proposed development includes sufficient area suitable for backyard gardening.
- The property is conveniently located within 1 km of major grocery stores located at the University Heights Shopping Centre and Tuscany Village.

Sustainability

Environmental Integrity

This section includes the specific features of a proposal and how it impacts the natural environment. Considerations include: 1) Land disturbance, 2) Nature conservation, and 3) Protecting water resources.

The proposed development includes the following features related to the natural environment:

- The proposal is a compact, infill development without putting pressures onto environmentally sensitive areas or undisturbed lands.
- The proposed stormwater management plan includes permeable pavers for the driveway, parking, and patio areas, and in-ground storage systems to allow for slow release into the municipal drain system.

Social Well-being

This section includes the specific features of a proposal and how it impacts the social well-being of our community. Considerations include: 1) Housing diversity, 2) Human-scale pedestrian oriented developments, and 3) Community features.

The proposed development includes the following features related to social well-being:

- The applicant has agreed to register a covenant securing the design of a new dwelling for the proposed lot as presented to the neighbourhood.
- The residential design incorporates outdoor areas of that are suitable for active use and seating.
- The proposed dwelling would include a secondary suite, which is allowed through a building permit process for all RS (Single Family Dwelling) zoned parcels within the Urban Containment Boundary. Suites provide an alternative form of accommodation within our neighbourhoods and can make housing more affordable by allowing home owners to benefit from rental revenue.
- A range of outdoor, community, and recreation opportunities are available within reasonable walking/cycling distance.

Economic Vibrancy

This section includes the specific features of a proposal and how it impacts the economic vibrancy of our community. Considerations include: 1) Employment, 2) Building local economy, and 3) Long-term resiliency.

The proposed development includes the following features related to economic vibrancy:

- The development would create short-term jobs during the construction period with local suppliers/trades used for construction.
- The proposal would be within the commercial catchment/employment area for the businesses and services located within Feltham "Village" and the University Major "Centre".
- Home based businesses would be permissible in this development.
- The development would site additional residential units within the commercial catchment/employment area for the businesses and services located within Feltham "Village".

CONCLUSION

The property is located at the northern end of the Shelbourne Valley Action Plan study area, which identifies the property as transitioning to multi-family development in the form of townhouses. Adjacent single family homes have been well maintained, therefore redevelopment of these lots for a townhouse development may be premature. The site location represents the most northern extent of properties identified for multi-family (townhouse) designation, with single family beyond. Maintaining the land use as single family neighbourhood with infill development is supportable.

The proposed rezoning and subdivision to create one additional lot is consistent with the Official Community Plan that contemplates limited infill developments within the Urban Containment Boundary, and the Gordon Head Local Area Plan that supports subdivisions with consideration of the prevalent lot size in the area, site specific tree location information, and preservation of environmentally significant areas.

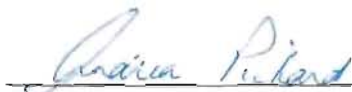
The proposed subdivision would generally fit with the surrounding pattern of development for single family homes. There would be a negligible increase in density, particularly when compared to a multi-family development. The traditional design of the proposed dwelling is compatible with other single family dwellings in the neighbourhood and the applicant is willing to secure the house plans by covenant. In addition, the covenant would secure the new dwelling to be constructed as BUILT GREEN® Gold or equivalent and solar ready.

Variances to the setbacks are requested to retain the existing dwelling. The variances would have no impact to neighbours since they are for the existing dwelling to be retained, therefore they are supportable.

For the above-noted reasons, staff support the subject Rezoning and Development Variance Permit.

If Council approves the rezoning, reconfiguring the deck stairs in compliance with the Zoning Bylaw would be referred to the Approving Officer so that no non-conformity is created.

Prepared by




Andrea Pickard
Planner

Reviewed by



Jarret Matanowitsch
Manager Current Planning

Approved by



Sharon Hvozdzanski
Director of Planning

APK/ads
H:\Tempest\Prospero\Attachments\Sub\Sub00764\Report.Docx

Attachments

cc: Paul Thorkelsson, Administrator
Graham Barbour, Manager of Inspection Services

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.



Paul Thorkelsson, Administrator

DISTRICT OF SAANICH

DVP00376

DEVELOPMENT VARIANCE PERMIT

To: 1654 Feltham Development Ltd., Inc. No. 1082063
204 655 Tyee Road
Victoria BC V9A 6X5

the owner of lands known and described as:

Lot 1, Section 55, Victoria District, Plan 21245
1654 Feltham Road

(herein called "the lands")

- 1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by the Permit.
2. This Development Variance Permit applies to the lands.
3. The owner has submitted to the Approving Officer a tentative plan of subdivision to subdivide Lot 1 into two lots as shown on the plan of subdivision prepared by Richard J. Wey & Associates received on July 25, 2016, a copy of which is attached hereto.

(herein called "the subdivision")

- 4. The Development Variance Permit varies the provisions of the Zoning Bylaw 2003, as follows:

By varying the provisions of Zoning Bylaw 2003, Section 210.4 (a)(i) to permit a building to be sited on proposed Lot A:

- At 3.16 m from a front lot line (6.0 m required);
• At 6.2 m from a rear lot line (7.5 m required); and
• With a combined front and rear setback of 9.3 m (15 m required).

- 5. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

DAY OF 20

ISSUED THIS DAY OF 20

Municipal Clerk

Memo

To: Subdivision Office
From: Jagtar Bains – Development Coordinator
Date: September 22, 2016
Subject: Servicing Requirements for Development

PROJECT: TO REZONE FROM RS-10 SINGLE FAMILY DWELLING ZONE TO RS-6 SINGLE FAMILY DWELLING ZONE TO CREATE ONE ADDITIONAL

SITE ADDRESS: 1654 FELTHAM RD

PID: 003-503-364

LEGAL: LOT 1 SECTION 55 VICTORIA DISTRICT PLAN 21245

DEV. SERVICING FILE: SVS02030

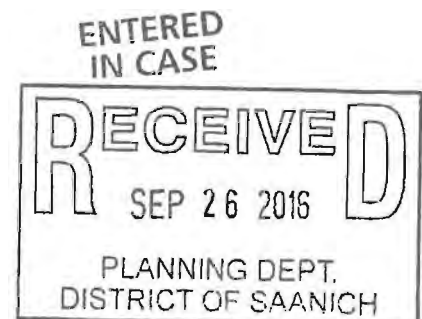
PROJECT NO: PRJ2016-00483

The intent of this application is to subdivide the above referenced parcel into two lots for single family use. Some of the more apparent Development Servicing requirements are as listed on the following pages(s).



Jagtar Bains
DEVELOPMENT COORDINATOR

Cc: Harley Machielse, Director of Engineering
Catherine Mohoruk, Manager of Transportation & Development



Development File: SVS02030
Civic Address: 1654 FELTHAM RD
Page: 1

Date: Sep 22, 2016

Drain

1. STORM WATER MANAGEMENT MUST BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW. THIS SUBDIVISION/DEVELOPMENT IS WITHIN TYPE II WATERSHED AREA WHICH REQUIRES STORM WATER STORAGE, OIL/GRIT SEPARATOR OR GRASS SWALE AND SEDIMENT BASIN. FOR FURTHER DETAILS, REFER TO SECTION 3.5.16, STORM WATER MANAGEMENT AND EROSION CONTROL OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW.
2. SUBSEQUENT DRAIN CONNECTION WILL BE REQUIRED FOR PROPOSED LOT B FROM THE EXISTING MAIN IN REAR OF THIS LOT.
3. LOCATION OF THE EXISTING DRAIN CONNECTION TO PROPOSED LOT A MUST BE DETERMINED.

Gen

1. THIS PROPOSAL IS SUBJECT TO THE PREVAILING MUNICIPAL DEVELOPMENT COST CHARGES.
2. ENSURE THAT THE EXISTING STAIRS, FROM SUNDECK ON THE NORTH SIDE OF HOUSE ON PROPOSED LOT A, ARE CONFORMING TO THE MINIMUM SETBACK REQUIREMENT FROM PROPOSED PROPERTY LINE.
3. THE EXISTING SUNKEN PATIO IS ENCROACHING ON CEDAR HILL ROAD. THIS ENCROACHMENT MUST BE ELIMINATED PRIOR TO FINAL SUBDIVISION APPROVAL..

Road

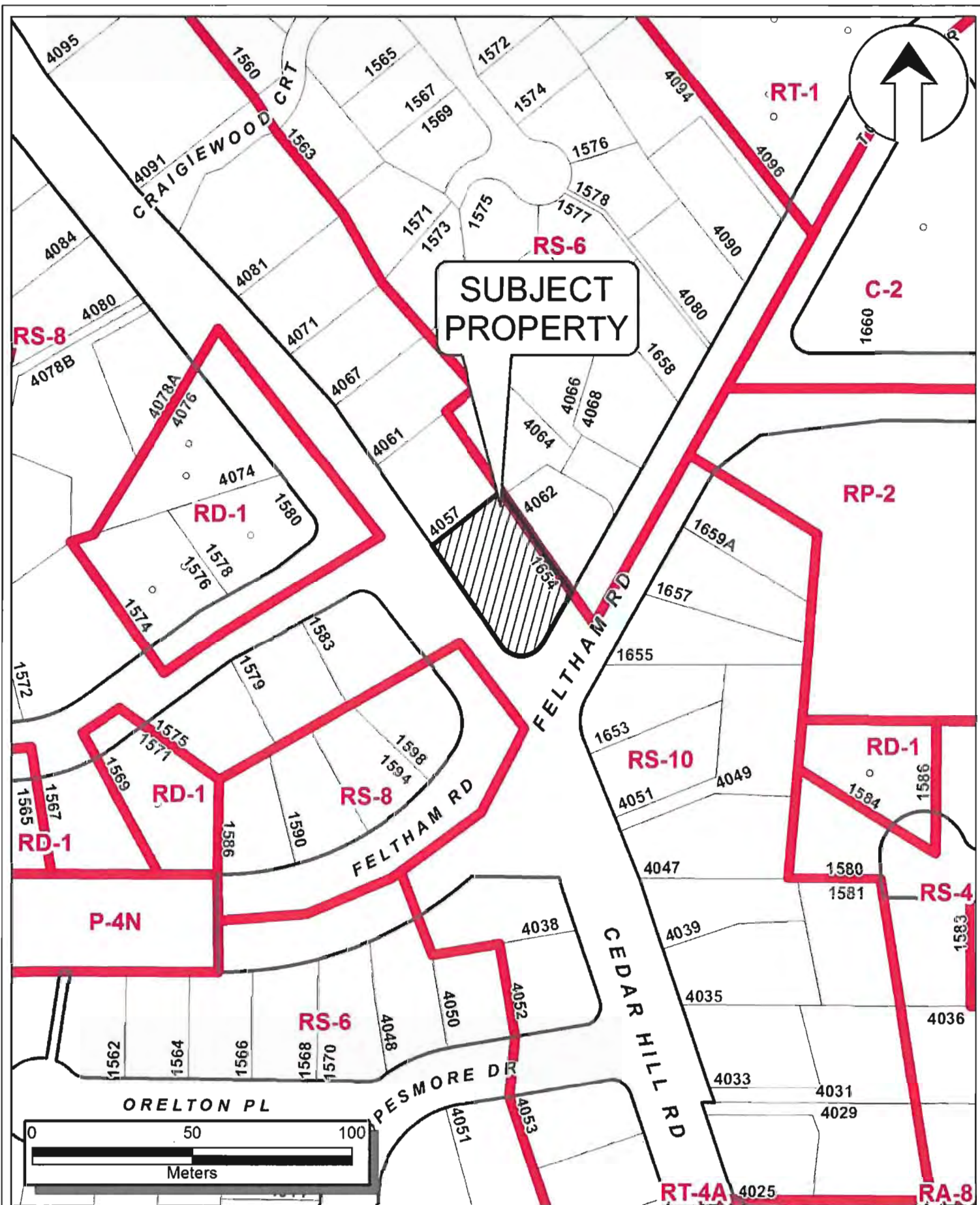
1. NEW DRIVEWAY DROP WILL BE REQUIRED IN THE EXISTING SIDEWALK ON CEDAR HILL ROAD FOR PROPOSED LOT B.

Sewer

1. SUBSEQUENT SEWER CONNECTION WILL BE REQUIRED FOR PROPOSED LOT B FROM THE EXISTING MAIN ON CEDAR HILL ROAD.
2. THE EXISTING SEWER CONNECTION IS TO BE PROVIDED WITH AN INSPECTION CHAMBER.

Water

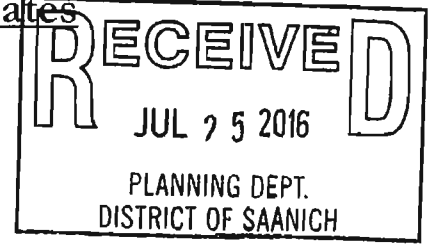
1. PROVISIONAL WATER CONNECTION WILL BE REQUIRED FOR PROPOSED LOT B FROM THE EXISTING MAIN ON CEDAR HILL ROAD.
2. THE EXISTING 13 MM WATER SERVICE TO PROPOSED LOT A, MUST BE UPGRADED TO 19 MM.





Talbot Mackenzie & Associates

Consulting Arborists



May 26, 2016

Sam Ganong
1654 Feltham Road
Victoria, BC V8N3K6

Assignment: Review the plans provided and prepare a tree retention report to be used during the proposal to subdivide an additional lot off of the 1654 Feltham Road property.

Methodology: Each of the bylaw-protected and non-bylaw protected trees onsite were identified using existing numeric tags attached to their lower trunks. Trees located on neighbouring properties within 3 metres of the property line were not tagged but are identified numerically on the attached site plan. Information such as tree species, size (d.b.h.), crown spread, critical root zone (c.r.z.), health and structural condition, relative tolerance to construction impacts and general remarks and recommendations was recorded in the attached tree resource spreadsheet.

Observations:

- The proposal is to retain the existing residence and driveway (Lot A), and create an additional lot (Lot B).
- The 4 bylaw-protected trees on the subject property are all Douglas-fir trees numbered 358, 361, 362, and 363.
- All 4 bylaw-protected trees on the subject property are located within close proximity to the overhead utilities and have been heavily pruned for clearances. We anticipate that excavation for a building and driveway footprint and underground service connections for proposed Lot B will further impact these trees.
- Pacific dogwood (No tag 1) and Chamaecyparis (No tag 2), located on the neighbouring properties, should be possible to isolate from construction activity using barrier fencing.
- Douglas-fir 354 is located on the neighbouring property at 4062 Feltham Place, where we do not anticipate any impacts within it's critical root zone.

Mitigation of impacts:

Barrier fencing: The areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing to be erected must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing (see attached diagram). The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

.../2

Building and driveway footprints: The plans provided do not show a building or driveway footprint for proposed Lot B; however, we anticipate that excavation will impact the grove of 4 bylaw-protected trees (Douglas-firs 358, 361, 362, and 363). Douglas-fir trees have a poor tolerance to construction impacts and, in our opinion, are not good candidates for retention, given the existing targets (overhead utilities and Cedar Hill Road, and new targets proposed to be introduced).

Underground servicing: The plans provided do not show locations of proposed underground service corridors.

- **Storm** – An underground storm right of way along the east side of the property encroaches within the critical root zone of Chamaecyparis (No tag 2) located on the neighbouring property at 4062 Feltham Place. We recommend that if a connection to this service is required, that it connects outside of the critical root zone of this tree. Any excavation within the critical root zone of this tree must be performed under arborist supervision.
- **Sewer** – We anticipate that the sewer service will connect from the Cedar Hill Road frontage.
- **Water** - We anticipate that the water service will connect from the Cedar Hill Road frontage.

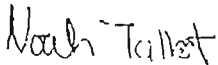
Pruning: There may be some pruning requirements of trees located on neighbouring properties (No tag 1 and No tag 2), depending on the design of the residence on proposed Lot B. We recommend that all pruning be performed to ANSI A300 standards.

Summary:

- Although the plans provided do not show locations of a building and driveway footprint and underground service connections for proposed Lot B, we anticipate that bylaw protected Douglas-fir trees 358, 361, 362 and 363 will be impacted by the required excavation. Given their poor tolerance to construction impacts and the existing and proposed targets, as mentioned above, in our opinion, they are not good candidates for retention.
- Pacific dogwood (No tag 1) and Chamaecyparis (No tag 2) located on the neighbouring properties should be possible to isolate from construction activity using barrier fencing. Any excavation within the critical root zones of these trees must be performed under arborist supervision.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions. Thank You.

Yours truly,
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie
ISA Certified, & Consulting Arborists

Enclosures: – 1 page site plan, 2 page tree resource spreadsheet, 1 page barrier fencing specifications

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

TREE RESOURCE
for
1654 Feltham Road

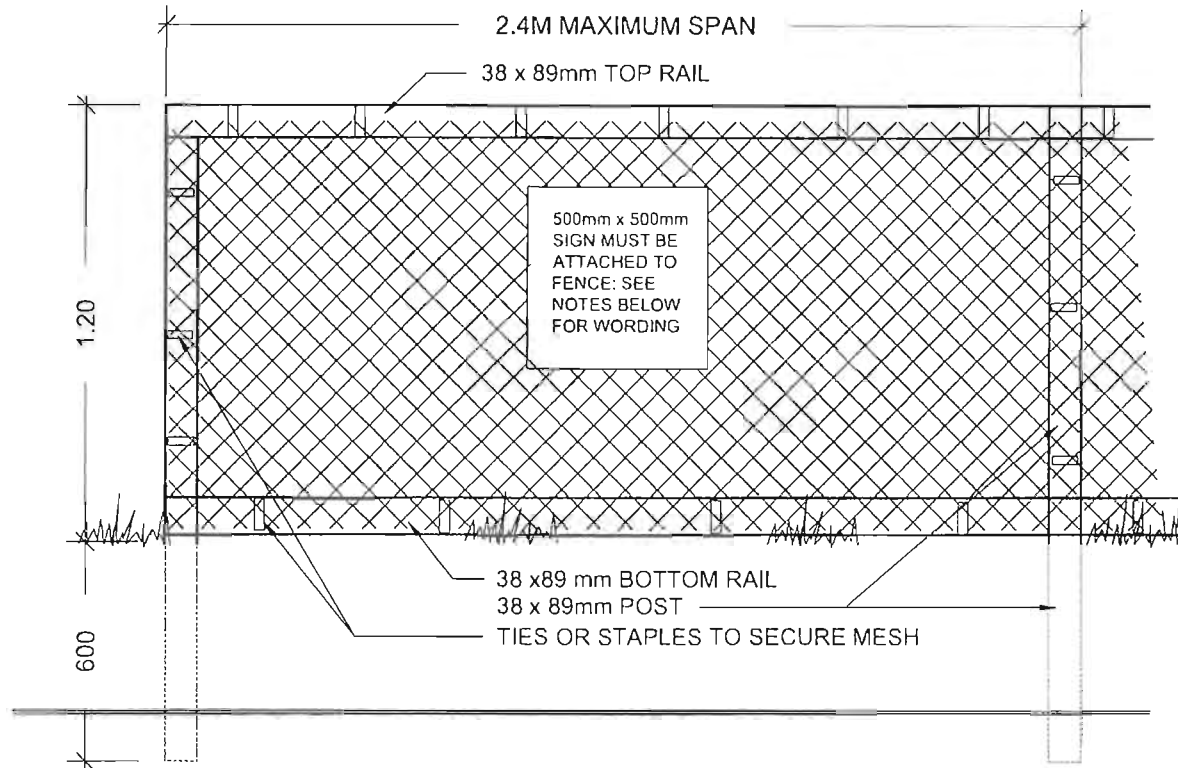
<i>Tree #</i>	<i>d.b.h. (cm)</i>	<i>CRZ</i>	<i>Species</i>	<i>Crown Spread(m)</i>	<i>Condition Health</i>	<i>Condition Structure</i>	<i>Relative Tolerance</i>	<i>Remarks / Recommendations</i>
354	60	9.0	Douglas-fir	10.0	Good	Fair	Poor	Located on neighbouring property at 4062 Feltham Place, growing on top of bank - shallow soil conditions, grows at higher grade than subject property - approximately 3 metres from existing retaining wall, large limbs extend over property line.
358	36	5.5	Douglas-fir	8.0	Fair	Fair	Poor	Side pruned for overhead utilities clearance.
359	20	2.5	Western Red cedar	6.0	Fair	Fair/poor	Moderate	Non-bylaw protected, side pruned and topped for overhead utilities clearance, suppressed by larger trees in grove.
360	27	3.0	Western Red cedar	8.0	Fair	Fair	Moderate	Non-bylaw protected, suppressed by larger trees in grove.
361	50	7.5	Douglas-fir	10.0	Fair	Fair	Poor	Side pruned for overhead utilities clearance.
362	52	8.0	Douglas-fir	10.0	Good	Fair	Poor	Crown raised for overhead utilities clearance.
363	32	5.0	Douglas-fir	8.0	Fair	Fair/poor	Poor	Side pruned and topped for overhead utilities clearance.
368	28	3.5	Western Red cedar	8.0	Fair	Fair/poor	Moderate	Non-bylaw protected, heavily side pruned for overhead utilities clearance.
367	27	3.0	Chamaecyparis	10.0	Fair	Fair	Moderate	Non-bylaw protected, suppressed.

Prepared by:
Talbot Mackenzie & Associates
 ISA Certified, and Consulting Arborists
 Phone: (250) 479-8733
 Fax: (250) 479-7050
 email: Treehelp@telus.net

**TREE RESOURCE
for
1654 Feltham Road**

<i>Tree #</i>	<i>d.b.h. (cm)</i>	<i>CRZ</i>	<i>Species</i>	<i>Crown Spread(m)</i>	<i>Condition Health</i>	<i>Condition Structure</i>	<i>Relative Tolerance</i>	<i>Remarks / Recommendations</i>
No Tag 1	25, 25	5.0	Pacific dogwood	10.0	Good	Fair/poor	Moderate	Located on neighbouring property at 4057 Cedar Hill Road, co-dominant, included bark and weakness at main stem union, half of canopy over property line.
No Tag 2	50	6.0	Chamaecyparis	10.0	Good	Good	Moderate	Located on neighbouring property at 4062 Feltham Place, half of canopy over property line.
366	25	3.0	plum	10.0	Good	Good	Moderate	Non-bylaw protected.
364/365	20, 30, 33	10.0	Birch	11.0	Fair	Fair	Poor	Non-bylaw protected, all stems likely originate from same root system, 20cm stem has lower trunk injury with associated decay.
369	22, 26	5.0	Plum	8.0	Good	Fair	Moderate	Non-bylaw protected.

Prepared by:
Talbot Mackenzie & Associates
 ISA Certified, and Consulting Arborists
 Phone: (250) 479-8733
 Fax: (250) 479-7050
 email: Treehelp@telus.net



TREE PROTECTION FENCING

NOTES:

1. FENCE WILL BE CONSTRUCTED USING 38 X 89 mm (2"X4") WOOD FRAME: TOP, BOTTOM AND POSTS. *
USE ORANGE SNOW-FENCING MESH AND SECURE TO THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
2. ATTACH A 500mm x 500mm SIGN WITH THE FOLLOWING WORDING:
WARNING-HABITAT PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE FACE OR AT LEAST EVERY 10 LINEAR METRES.

* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



DETAIL NAME:

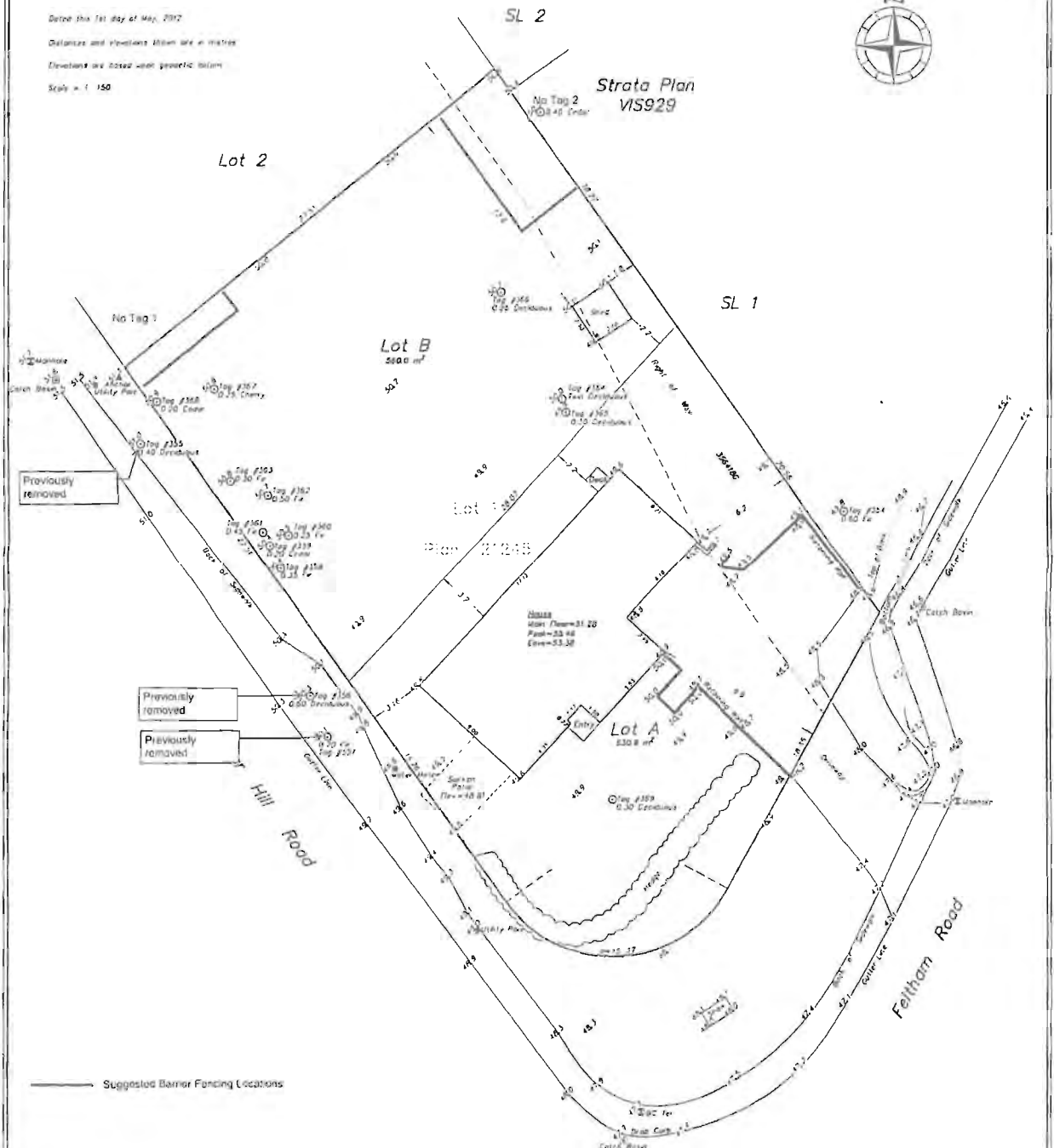
TREE PROTECTION FENCING

DATE:	March/08
DRAWN:	DM
APP'D:	RR
SCALE:	N.T.S.

H:\shared\parks\Tree Protection Fencing.pdf

Proposed Subdivision Of:
Lot 1, Section 55,
Victoria District, Plan 21245.

This document is prepared for municipal council only.
 Dated this 1st day of May, 2012.
 Distances and directions shown are in metres.
 Directions are noted with geographic bearing.
 Scale = 1 : 150



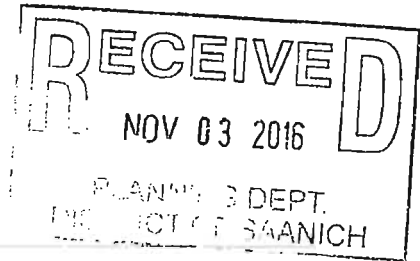
The subject property is affected by the following registered instruments:
 1554180

RICHARD J. WEY & ASSOCIATES
 Land Surveying Inc.
 www.rjweysurvey.com
 #4-2227 James Street West
 Suite - B1 V8L 2V5
 Telephone: (250) 656-2100
 Fax: (250) 254-890-80

RECEIVED
 JUL 25 2016
 PLANNING DEPT.
 DISTRICT OF SAANICH

Planning - Re: Saanich Referral - 1654 Feltham Road

From: "Chris Poirier-Skelton" [REDACTED]
To: <Planning.Mun_Hall.Saanich@saanich.ca>
Date: 11/3/2016 1:38 PM
Subject: Re: Saanich Referral - 1654 Feltham Road
CC: "Peter Ostergaard" [REDACTED]
Attachments: Part.002; Part.003



Hello Liz ,the GHRA generally have no concerns about the project and though the proposed layout sent to the GHRA may or may not accommodate it, we ask that the subdivision and building footprint design require an on site vehicular turnaround to avoid cars from backing out onto Cedar Hill Road. The nearby corner with Feltham is already congested and the vehicular capacity reduction proposed for Shelbourne--currently a " Major Road" according to the Gordon Head Local Area Plan-- will lead more drivers to use Cedar Hill Road, what is now a lower order "Collector Street," as a faster route to and from points south. "

Chris Poirier-Skelton, President
 Gordon Head Residents' Association

The following email was sent by a concerned neighbour regarding this project.

Good morning. We recently received the proposed Subdivision Plan for the rezoning at 1654 Feltham Rd. At the beginning stages of this proposal a gentleman came to our door at [REDACTED] Feltham Rd talking about the plans for rezoning. I was told at that time that the house on the very corner would remain on the property and the single family dwellings would be behind that home and we wouldn't be able to see the new development from our house. I told him we would not be apposed becasue with the house remaining on the corner, our privacy wouldnt be affected however I did stress my concerns regarding the traffic, and the intersection and asked that he look into a safe change if the new developement meant more traffic on Cedar Hill Rd. Either a 'turnaround' or traffic lights with cross walks. The notification did not include any proposals for changing the traffic travelling on Cedar Hill and Feltham. Or changes to the intersection.

Im not sure if we were deceived on purpose or if the plans had to be changed for rezoning. Either way, we are now apposed to this application.

The intersection at Feltham Rd and Cedar Hill is very busy. We know because our home faces it. In fact our family and friends refer to it as 'Road Rage Corner'. It is extremely difficult to turn left onto Cedar Hill going south from Feltham as the traffic NEVER obeys the 30 km speed limit coming from the North direction. Even the transit bus drivers do not slow down. It is a blind corner for the Feltham traffic trying to turn south because looking north onto Cedar Hill there is a steep hill and you dont have much time before someone comes barrelling over it. A day NEVER goes by without us having to listen to the honking of horns or people shouting during busy times of the day

There is a Saanich Park sign for Bow Park, kitty corner to our house, and yet its extremely dangerous to cross the street to get-to the park from our side. Why announce a park enterance when it's unsafe to enter from that street? We usually end up running across to get our dog to the park. I once watched a young paper boy stand on the corner in the late afternoon trying to cross the street, as there is no cross walk, no cars stopped. I got out of my house and had to put my hand up to stop the south travelling traffic to help the boy cross.

Having a new development for 'single family's' on that corner is not safe for children. We bought our house 16 years ago at a very low price for this neighbourhood at that time and our real-estate agent told us the reason was because no couples with children wanted to live on this corner.

The intersection is already too busy and unsafe for more developing in the area as traffic will only increase with the owners and their visitors.

I invite you to sit and watch traffic one evening and see for yourself and I will supply the lawn chair and coffee. Or better yet, during a heavy traffic time of day, drive north on Shelbourne St, left onto Feltham and left onto Cedar Hill. Or walk along Feltham towards Cedar Hill with a child in a buggy and another on your hand and cross Cedar Hill to get to the park with the children. Then you will understand our frustration. We have a grandchild on the way so this is a realistic concern of ours.

I will also be contacting you, Liz Gudavicius, by phone and I look forward to discussing this application with you.

Thank you for your attention to this matter

From: Planning.Mun_Hall.Saanich@saanich.ca
Sent: Tuesday, November 1, 2016 10:50 AM
To: Gordon Head Residents Association
Cc: Liz Gudavicius
Subject: Saanich Referral - 1654 Feltham Road

September 7, 2016

Dear Gordon Head Residents' Association:

RE: Application for Subdivision:

An application for subdivision has been received for a site within your Community Association area. The project is currently being referred to internal departments and external agencies for comment.

We are interested to know if your Community Association:

- Has no objection to the project
- Generally has no objection with suggested changes or concerns
- Does not support the project.

We would appreciate receiving your comments in writing or by email to planning@saanich.ca within 30 days, in order for us to consider them during the subdivision review process. If you cannot meet this time frame, please email or call our office to indicate if and when you might be able to respond to the referral.

It is suggested that you periodically check our website, www.saanich.ca *Active Planning Applications* as any revised site plans for this application will be posted there.

Sincerely,

Liz Gudavicius

✓	ACKNOWLEDGED
✓	CLERKS
	REPLIED

From: john zhao [redacted]
To: <planning@saanich.ca>
Date: 9/26/2016 9:20 PM
Subject: Re: subdivision in our neighbourhood

To whom it may concern,

I received a letter from you recently regarding an application for subdivision of a property located at 1654 Feltham Road. My main concern is how this development will affect the traffic.

Vehicles running along Cedar Hill Road in that area should be under 30 km/h according to the road side traffic signs. Unfortunately, a lot of drivers choose to ignore them. Cars driving out from Brodick Cres and Feltham Rd have limited vision on Vehicles coming along Cedar Hill Rd from the North. Also, there is no traffic light and pedestrian walkway at the intersection. People has to use their own cautions when they walk across Cedar Hill. Brodick Cres has good access to Brodick /Bow park and Shelbounne St. I have seen increased pedestrians and bikers in this area. If the one family lot turn into two, we could imagine the traffic is going to be increased in a unsafe way at the intersection. I have heard many loud honking in the area in the last a few years.

So, I could not agree the idea to create another lot into this single family dwelling zone. I hope you take serious consideration about those concern when you look at their application.

Thanks,
John Zhao

ENTERED
IN CASE

RECEIVED
 SEP 27 2016
 PLANNING DEPT.
 DISTRICT OF SAANICH

Planning - application for rezoning at 1654 Feltham Rd

From: Aaron [REDACTED]
To: "planning@saanich.ca" <planning@saanich.ca>
Date: 9/16/2016 10:59 AM
Subject: application for rezoning at 1654 Feltham Rd
CC: John Sitwell <jsitwell@shaw.ca>

<input checked="" type="checkbox"/>	ACKNOWLEDGED
<input checked="" type="checkbox"/>	CLERKS
<input type="checkbox"/>	REPLIED
<input type="checkbox"/>	

To whom it may concern;

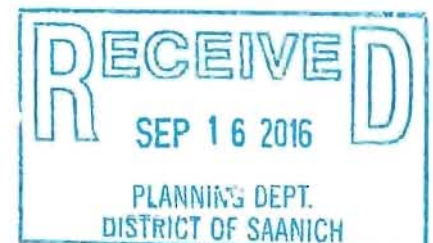
With regards to the application for rezoning at 1654 Feltham Rd; I live directly across the street from this property. My address is [REDACTED] Feltham Rd. I have some concerns about the proposed development with regards to parking. Over the last year there has been a lot more cars parked in front of my house. Usually I watch were the people who park the cars go and a lot of them walk to the area described in the rezoning application. There is little to no street parking in the vicinity of 1654 Feltham Rd. That corner as you may well know is a high traffic area. The addition of a second house or some sort of multi plex to the property in discussion will add to parking problems and possible traffic hazards on Cedar hill. If this proposal is being considered I am interested to see what plans the land owner of 1654 has to over come these issues.

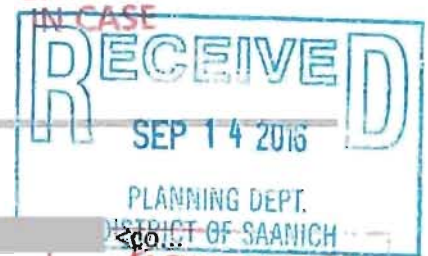
Sincerely

Mr. A. Sitwell

Sent from [Outlook](#)

ENTERED
IN CASE





Planning - Liz Gudavicius re:File # SUB00764 Rezoning

From: jodi lang [redacted]
To: "planning@saanich.ca" <planning@saanich.ca>, [redacted] <[redacted]>
Date: 9/14/2016 12:17 PM
Subject: Liz Gudavicius re:File # SUB00764 Rezoning
CC: ian lang [redacted]

Good morning. We recently received the proposed Subdivision Plan for the rezoning at 1654 Feltham Rd. At the beginning stages of this proposal a gentleman came to our door at [redacted] Feltham Rd talking about the plans for rezoning. I was told at that time that the house on the very corner would remain on the property and the single family dwellings would be behind that home and we wouldn't be able to see the new development from our house. I told him we would not be apposed because with the house remaining on the corner, our privacy wouldnt be affected however I did stress my concerns regarding the traffic, and the intersection and asked that he look into a safe change if the new developement meant more traffic on Cedar Hill Rd. Either a 'turnaround' or traffic lights with cross walks. The notification did not include any proposals for changing the traffic travelling on Cedar Hill and Feltham. Or changes to the intersection.

Im not sure if we were deceived on purpose or if the plans had to be changed for rezoning. Either way, we are now apposed to this application.

The intersection at Feltham Rd and Cedar Hill is very busy. We know because our home faces it. In fact our family and friends refer to it as 'Road Rage Corner'. It is extremely difficult to turn left onto Cedar Hill going south from Feltham as the traffic NEVER obeys the 30 km speed limit coming from the North direction. Even the transit bus drivers do not slow down. It is a blind corner for the Feltham traffic trying to turn south because looking north onto Cedar Hill there is a steep hill and you dont have much time before someone comes barrelling over it. A day NEVER goes by without us having to listen to the honking of horns or people shouting during busy times of the day

There is a Saanich Park sign for Bow Park, kitty corner to our house, and yet its extremely dangerous to cross the street to get to the park from our side. Why announce a park entrance when it's unsafe to enter from that street? We usually end up running across to get our dog to the park. I once watched a young paper boy stand on the corner in the late afternoon trying to cross the street, as there is no cross walk, no cars stopped. I got out of my house and had to put my hand up to stop the south travelling traffic to help the boy cross.

Having a new development for 'single family's' on that corner is not safe for children. We bought our house 16 years ago at a very low price for this neighbourhood at that time and our real-estate agent told us the reason was because no couples with children wanted to live on this corner.

The intersection is already too busy and unsafe for more developing in the area as traffic will only increase with the owners and their visitors.

I invite you to sit and watch traffic one evening and see for yourself and I will supply the lawn chair

and coffee. Or better yet, during a heavy traffic time of day, drive north on Shelbourne St, left onto Feltham and left onto Cedar Hill. Or walk along Feltham towards Cedar Hill with a child in a buggy and another on your hand and cross Cedar Hill to get to the park with the children. Then you will understand our frustration. We have a grandchild on the way so this is a realistic concern of ours.

I will also be contacting you, Liz Gudavicius, by phone and I look forward to discussing this application with you.

Thank you for your attention to this matter

Jodi and Ian Lang [REDACTED]
[REDACTED] Feltham Rd
Victoria BC
[REDACTED]