

MINUTES
ENVIRONMENT AND NATURAL AREAS ADVISORY COMMITTEE
Held at Saanich Municipal Hall, Committee Room No. 2
February 24, 2015 at 5:15 p.m.

Present: Chair: Councillor D. Murdock

Members: Al-Nashir Charania, Mary Haig-Brown, Harry Drage, Hal Gibbard, George Klima, Roberta Hesselgrave

Staff: Adriane Pollard, Environmental Services Manager; Cory Manton, Urban Forestry, Horticulture and Natural Areas Manager; Elizabeth van den Hengel, Committee Clerk

Regrets: Kevin Brown, Jude Coates

Guests: Richard Atwell, Mayor; Fred Haynes, Councillor; Amy Smart, Times Colonist Reporter; Ted Lea, Ecologist, Anita and Bill Bull, Landowner; Tom Gubbels; Richard Adam; James Miskelly, Biologist; P.R., Landowner; J. Thomson, Landowner, J. Mark, Landowner; Martha H., Landowner; Ellen M., Landowner.

MINUTES

MOVED by M. Haig-Brown and Seconded by H. Gibbard: “That the Minutes of the Environment and Natural Areas Advisory Committee meeting held January 27, 2014 be adopted.”

CARRIED

STREAMSIDE DEVELOPMENT PERMIT ATLAS

The Manager of Environmental Services presented the Committee with the proposed housekeeping amendments to the Streamside Development Permit Area Atlas, including amendments to the Environmental Development Permit Area Atlas and the following was noted:

- The Atlas is used to identify fisheries sensitive streams and specifics the Streamside Protection and Enhancement Area, or riparian setbacks, which are required to ensure healthy and productive fish habitats.
- Since its’ adoption the Streamside Development Permit Areas Atlas has been amended in 2008, 2010, 2012 and 2013.
- The Atlas is available on the Saanich website.
- The 13 proposed changes to the Atlas (2015) are based on field work and reports submitted to Saanich by qualified Environmental Professionals.
- The proposed changes include:
 - Three additional water courses to be added to the Streamside Development Atlas;
 - Three changes to watercourse alignment in the Atlas based on field verified information;
 - Three environmental features to be moved from the Streamside Development Permit Area Atlas to the Environmental Development Permit Areas Atlas;
 - Four features to be removed as they do not exist;
 - One housekeeping amendment to add a stream name.

Committee discussion occurred and the following was noted:

- The break in the watercourse by the addition of a culvert in the past is the rationale for removal of the sub-drainage watercourse at Goward Springs C 5023 Old West Saanich Road. If the watercourse is daylighted in the future it could be reinstated in the Atlas.
- The wetland and forest park area to be removed from the Streamside Development Permit Areas Atlas and added to the Environmental Development Permit Areas Atlas (EDPA). These areas have been identified as not fish bearing and would be more suited to being included in the EDPA.

MOTION: Moved by A. Charania and seconded by M. Haig-Brown: “That the Environment and Natural Areas Advisory Committee recommends that Council adopt the proposed amendments to the Streamside Development Permit Areas Atlas, including amendments to the Environmental Development Permit Areas Atlas as presented in the memo “Housekeeping Amendments to the Streamside Development Permit Areas Atlas (including amendments to the Environmental Development Permit Areas Atlas)” from the Environmental Planning Officer dated February 16, 2015.”

CARRIED

HOME HEATING OIL TANKS

The Chair presented an overview of home heating oil tanks in Saanich. In recent years there have been 19 accidental discharges from privately owned oil storage tanks in Saanich which have fouled the properties of the home owners, adjoining properties, municipal storm sewer systems and required cleanup in nearby creeks and waterways. In the event of an accidental fuel spill in the municipality, Saanich acts as the first responder and works with provincial authorities until the party responsible can take over the response and seeks reimbursement for response costs. Often home owner insurance does not cover the cost of the cleanup and the homeowner is often left to deal with a sizable bill.

Saanich has taken numerous steps to raise awareness about oil spills, including posting signs along walk ways near open waterways to advise the public of emergency contact numbers if a spill is spotted and providing educational materials to residents about the risks of spills and options for tank removal. To further reduce the risk of accidental fuel spills and contamination Saanich Council has adopted the “Oil Burning Equipment and Flammable Liquid and Combustible Liquid Fuel Tank Bylaw No. 9265” which requires oil burning equipment and oil tank installations and removals to be performed by trained personnel and all installations and removals be inspected by the Fire Department prior to use. The bylaw also requires property owners to remove underground tanks that are no longer required or have been out of service for two years, whichever comes first. The following was noted:

- The Fire Department has some historical records dating from the 1940s regarding oil burning equipment installations and storage tanks for Saanich properties.
- In 2014 historical records were reviewed and staff identified approximately 20 properties where there was a permit issued for the installation of an underground storage tank but not record of removal or proper decommissioning. A letter was sent to the property owners advising them of the likely existence of an underground storage tank and the inherent risks in the use of such tanks.

- An exhaustive inventory of home heating oil tanks would allow for a more rapid response in locating the source of leaking heating oil in the event of tank failure.
- A collaborative regional working session on home heating oil tanks would be an opportunity to initiate a regional tank inventory, review common regulatory and enforcement challenges, share best practise and determine whether revisions to provincial legislation would be required to prevent future spills.

Committee discussion occurred and the following was noted:

- Jurisdiction is between the province and the municipality for spill response. Saanich is often the first responder, but the province is ultimately responsible for spill response.
- Compiling an inventory of home heating oil tanks could be costly.
- The most cost and timely way to compile the list of home heating oil tanks is to obtain the lists from home heating oil providers. These companies would also have historical records for the location of home heating oil tanks.
- Mortgage lenders, insurance companies, real estate professionals, home heating oil providers and other stakeholders should be required to contribute financially to address the issues surround home heating oil tanks.
- Fire department records have been digitized and have been added as a mapping layer to the GIS.
- A gap analysis should be performed to investigate who is responsible for costs associated with home heating oil spills.

MOTION: Moved by G. Klima and seconded by R. Hesselgrave: “That the Environment and Natural Areas Advisory Committee recommends that Council request that the CRD Environmental Services organize a regional collaborative working session on home heating oil tanks to which representatives from the region’s municipalities and the Province, mortgage lenders, insurance companies, and oil company vendors would be invited to participate.”

CARRIED

ENVIRONMENTAL DEVELOPMENT PERMIT AREA GUIDELINES AND ATLAS

The Manager Environmental Services presented the proposed amendments to the Environmental Development Permit Area (EDPA) Guidelines and Atlas. The EDPA was adopted by Council in March 2012. The EDPA Guidelines were modelled on the success of the Streamside Development Permit Area (SDPA) Guidelines and Atlas which were adopted in 2006. Over the past three years, staff have been working with residents to implement the EDPA Guidelines in a thoughtful manner. As to be expected, during this time period, question have been raised about the interpretation and application of the Guidelines. The following recommendations to update the EDPA are based on experiences with applications, discussions among staff, property owners, and consulting professionals. The following was noted:

- There are six text amendments proposed to provide greater clarity for the reader and ensure staff are meeting Council’s intent/objectives.
- Three options for responding to requests to change the EDPA Atlas; and
- A proposed amendment to the EDPA Atlas from the owners of 4007 and 4011 Rainbow Road.

Committee discussion occurred and the following was noted:

- Will surfacing include just impermeable surfaces or will things such as lawns encroaching on natural areas be included?
- Habitat potential can be present at differing times during the year. It is important to consider this point as areas are evaluated.
- Continuity for habitats is important.
- Information from provincial maps is often irrelevant to Saanich properties.
- Who would be responsible for hiring a Biologist to evaluate a property? Is this a homeowner responsibility? Should Saanich look at a program similar to the Significant Tree Grant Program for the hiring of Biologists by the homeowner?
- Exemption #15 could be tightened up to reduce the potential for habitat banking.
- The municipality should determine the qualifications of Biologists that will be consulted.
- The discussion of the proposed amendments to the Environmental Development Permit Areas Atlas could be a good topic for a "Townhall" style of public meeting.
- Public process will have to be considered during the amending of the EDPA.
- Three options for responding to requests to change the EDPA Atlas; and
- A proposed amendment to the EDPA Atlas from the owners of 4007 and 4011 Rainbow Road.
- Remove Part 3 from consideration at this time.

MOTION: Moved by A. Charania and seconded by R. Hesselgrave: "That the Environment and Natural Areas Advisory Committee recommends that staff consider the comments from this Committee as recorded at the February 24, 2015, meeting, with respect to the memo "Amendments to the Environmental Development Permit Areas Guidelines and Atlas" from the Manager of Environmental Services dated February 17, 2015."

CARRIED

Consensus was that public process, such as an open house, would be worthwhile for gathering feedback on the proposed amendments from property owners and the community.

*** The Chair left the meeting at 7:30 pm. The Committee elected M. Haig-Brown as interim Chair ***

ANNUAL ENA AWARDS

The Manager of Environmental Services provided an update on the 2015 ENA Awards. Requests will be made for photographs with the submissions again this year. The nomination form will include a space for references and have larger area for description of the nomination.

ADJOURNMENT

The meeting adjourned at 7:40 p.m.

NEXT MEETING

The next meeting will be held on March 17, 2015.

Saanich Councillor Murdock, Chair

I hereby certify these Minutes are accurate.

Committee Secretary