



AGENDA

For the Special Council Meeting to be Held
at the Saanich Municipal Hall,
770 Vernon Avenue
WEDNESDAY APRIL 5, 2017

I 6:00 P.M., COMMITTEE ROOM NO. 2

Motion to close the meeting to the public in accordance with Section 90 (1) (a) and (e) of the *Community Charter*.

II 7:00 P.M., COUNCIL CHAMBERS

A. PUBLIC HEARING

1. **APPLICATION FOR TEMPORARY USE PERMIT ON MCKENZIE AVENUE (BRAEFoot PARK)**

P. 2 Application for a temporary use permit to use the Braefoot lacrosse box and parking lot for a weekly Sunday farmer’s market during the months of July and August on Lot 1, Section 32, Victoria District, Plan 27719 (1359 McKenzie Avenue).

B. ADOPTION OF MINUTES

1. Special Committee of the Whole held March 14, 2017
2. Special Council meeting held March 17, 2017
3. Council meeting held March 27, 2017
4. Committee of the Whole meeting held March 27, 2017
5. Special Committee of the Whole meeting held March 28, 2017

C. BYLAWS (SUBJECT TO A PUBLIC HEARING)

1. **4355 VIEWMONT AVENUE – REZONING TO RT-5**

P. 25 First reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9420”. To rezone from Zone A-1 (Rural) to Zone RT-5 (Attached Housing) for a proposed 38 unit townhouse development.

* * * Adjournment * * *

AGENDA

For the Special Committee of the Whole Meeting
**** IMMEDIATELY FOLLOWING****
The Special Council Meeting in the Council Chambers

1. **4015 & 4033 BRAEFoot ROAD; 4004, 4010 & 4024 MALTON AVENUE – REQUEST FOR REMOVAL FROM THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA**

P. 26 Report of the Director of Planning dated February 15, 2017 recommending that Council support Option 3 for the refined mapping proposed by staff for the reasons outlined in the report.

2. **REGIONAL WATER SUPPLY COMMISSION – APPOINTMENT OF MUNICIPAL REPRESENTATIVE**

P. 69 Memorandum from the Legislative Manager dated March 28, 2017 requesting that Council consider the appointment of a municipal representative to the Regional Water Supply Commission and the assignment of the additional vote.

* * * Adjournment * * *

“IN CAMERA” COUNCIL MEETING IMMEDIATELY FOLLOWS



Agenda

Special Council Meeting
Council Chambers, Saanich Municipal Hall, 770 Vernon Avenue
WEDNESDAY, APRIL 5, 2017 AT 7:00 PM

NOTICE OF PUBLIC HEARING APRIL 5, 2017

A. APPLICATION FOR A TEMPORARY USE PERMIT (1359 MCKENZIE AVENUE)

1.	Reports: <ul style="list-style-type: none">▪ Supplemental report from the Director of Planning dated March 16, 2017▪ Report from the Director of Planning dated March 6, 2017	Pg. 1 Pg. 4
2.	Engineering Service Requirements	Pg. 14
2.	Excerpt from the Council meeting held March 20, 2017	Pg. 16
3.	Correspondence: <ul style="list-style-type: none">• Letter from a Resident• Letter from President, Braefoot Place Strata Council• Letter from the Quadra Cedar Hill Community Association	Pg. 20 Pg. 21 Pg. 22

COUNCIL MEETING IMMEDIATELY FOLLOWS
(AGENDA DISTRIBUTED SEPARATELY)



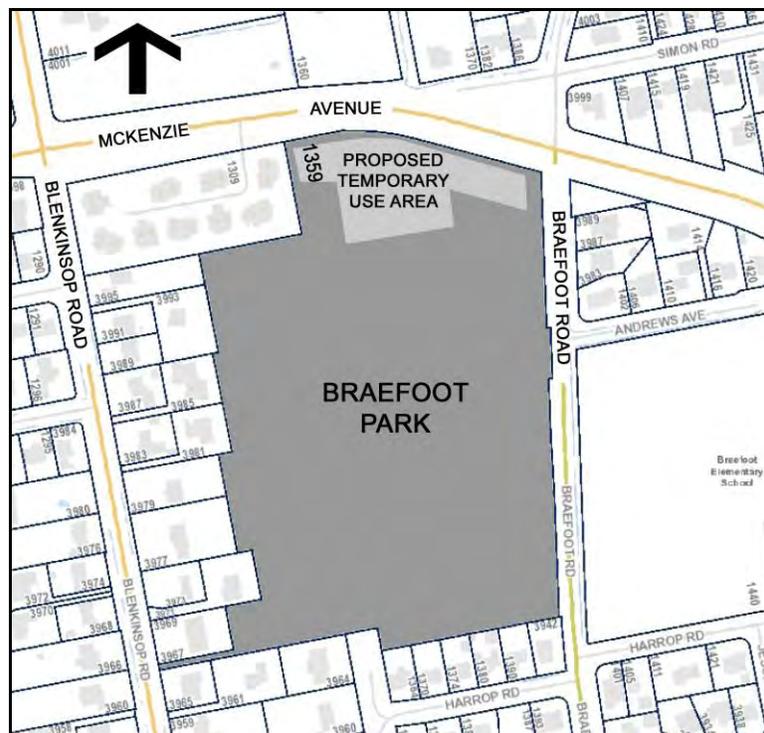
THE CORPORATION OF THE DISTRICT OF SAANICH

**NOTICE OF PUBLIC HEARING ON
TEMPORARY USE PERMIT**

NOTICE IS HEREBY GIVEN that a SPECIAL COUNCIL MEETING for the purpose of a PUBLIC HEARING will be held in the SAANICH MUNICIPAL HALL COUNCIL CHAMBERS, 770 Vernon Avenue, Victoria, BC, V8X 2W7, on **WEDNESDAY, APRIL 05, 2017 at 7:00 p.m.**, to allow the public to make verbal or written representation to Council with respect to the following proposed permit.

APPLICATION FOR TEMPORARY USE PERMIT ON MCKENZIE AVENUE (BRAEFoot PARK)

Application for a temporary use permit to use the Braefoot Park lacrosse box and parking lot for a weekly Sunday farmer's market during the months of July and August on Lot 1, Section 32, Victoria District, Plan 27719 (**1359 MCKENZIE ROAD**).



The proposed permit and relevant report may be inspected or obtained from the Legislative Division between 8:30 a.m. and 4:30 p.m., from March 24, 2017 to April 05, 2017 inclusive, except for weekends and statutory holidays. The report from the Director of Planning regarding the above application is available on the Saanich website at www.saanich.ca under Local Government/Development Applications/Active Development Applications/Quadra.

Written comments may be submitted by mail or by e-mail and must be received no later than 4:00 p.m. on the day of the meeting. All correspondence submitted will form part of the public record and may be published in a meeting agenda.

Legislative Division by e-mail: clerksec@saanich.ca By Phone: 250-475-1775
Web: Saanich.ca

1410-04 Planning
xref: 2860-55 McKenzie



The Corporation of the District of Saanich

Mayor
Councillors
Administrator

Council
Administration
Media

Supplemental Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: March 16, 2017
Subject: Temporary Use Permit Application
File: TUP00009 • 1359 McKenzie Avenue

RECOMMENDATION

1. That Temporary Use Permit TUP00009 be approved.
2. That Council authorize staff to issue a Park Use Permit, as per Section 17 of the Parks Management and Control Bylaw 7753, to allow the "Saanich Sunday Farmer's Market" to operate a farmer's market at Braefoot Park in accordance with the provisions of Temporary Use Permit TUP00009.

PURPOSE

The purpose of this report is to provide further information to Council about the provision in the proposed Temporary Use Permit requiring the applicant to obtain a Park Use Permit issued by Saanich Parks.

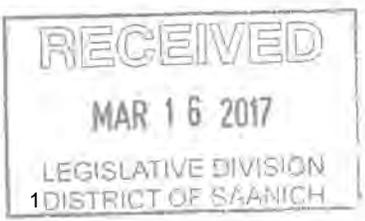
DISCUSSION

Background

The applicant has requested a Temporary Use Permit in order to use the Braefoot Park lacrosse box and parking lot for a weekly Sunday farmer's market during the months of July and August. The main emphasis would be on the sale of healthy local produce and prepared foods, drinks, and locally-produced hand-crafted items which fit the style of a market. A condition listed in the proposed Temporary Use Permit requires that the applicant obtain a Park Use Permit issued by Saanich Parks.

It has come to the attention of Planning staff that Section 17 of Parks Management and Control Bylaw, 1997, No. 7753 states as follows:

17. "No person shall sell or offer to sell any refreshments, goods or services or conduct any business in any park or on any beach save and except with the written permission from Council."



PH
A

Temporary Use Permit Conditions

The proposed Temporary Use Permit would contain the following conditions:

- “Saanich Sunday Farmer’s Market” may operate only on Sundays during July and August between the hours of 8:00 a.m. – 4:00 p.m. Vendor setup would begin after 8:00 a.m. and takedown would be completed by 4:00 p.m. The market would be open to customers between 10:00 a.m. and 2:00 p.m. only;
- Sales would be limited to fresh local produce and prepared foods, drinks, and locally-produced hand-crafted items. Items may include but are not limited to jams, canned goods, bakery items, chocolate, soaps, linens and homemade food products and arts and crafts;
- Not more than four of the vendors shall be Food Truck vendors;
- Live music shall be limited to solo musicians and small ensembles. Amplified music shall be maintained at a volume that supports but does not overwhelm the market;
- Selling and sampling (but not consumption) of alcohol is permitted in accordance with provincial regulations. Provincial approvals for vendors are required;
- Dogs must be on a leash while in the market area; and
- A Park Use Permit issued by Saanich Parks is required.

CONCLUSION

Staff believe that the proposed farmer's market use would be consistent with Official Community Plan policies which support initiatives to improve local and regional food security, enhance community pride, provide educational and learning opportunities which aid in community capacity building, and help improve the economic viability of food production in the community.

Parking and noise associated with a farmer's market are not anticipated to be issues. On this basis it would be appropriate for Council to authorize staff to issue a Park Use Permit, as per Section 17 of the Parks Management and Control Bylaw 7753, to allow the "Saanich Sunday Farmer's Market" to operate a farmer's market at Braefoot Park in accordance with the provisions of Temporary Use Permit TUP00009.

Prepared by 
Neil Findlow
Senior Planner

Reviewed by: 
Jarret Matanowitsch
Manager of Current Planning

Approved by: 
Sharon Hvozdzanski
Director of Planning

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

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation of the Director of Planning.


Paul Thorkelsson, Administrator

1410-04 Planning
ref: 2860-SS McKenzie



The Corporation of the District of Saanich

Report

Mayor
Councillors
Administrator
Com. Assoc.
Applicant

Council
Administrat.
Media

To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: March 6, 2017
Subject: Temporary Use Permit Application
File: TUP00009 • 1359 McKenzie Avenue

PROJECT DETAILS

Project Proposal: The applicant requests a Temporary Use Permit in order to use the Braefoot Park lacrosse box and parking lot for a weekly Sunday farmer's market during the months of July and August.

Address: 1359 McKenzie Avenue

Legal Description: Lot 1, Section 32, Victoria District, Plan 27719

Owner: District of Saanich

Applicant: Marsha Henderson and Shawn Newby

Parcel Size: 3.40 ha

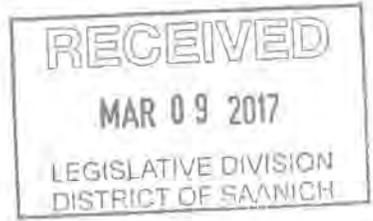
Existing Use of Parcel: Park and Activity Centre

Existing Use of Adjacent Parcels:
North: A-1 (Rural) Zone and RS-8 (Single Family Dwelling) Zone
South: RS-10 (Single Family Dwellings) Zone
East: RS-10 (Single Family Dwelling) Zone and P-1 (Assembly) Zone
West: RS-10 (Single Family Dwellings) Zone and RT-3 (Attached Housing) Zone

Current Zoning: P-4 (Recreation and Open Space) Zone

Minimum Lot Size: n/a

Proposed Zoning: n/a



Proposed Minimum

Lot Size: n/a

Local Area Plan: Quadra

LAP Designation: Community Park

Community Assn Referral: Quadra Cedar Hill Community Association. Referral sent January 3, 2017. A letter of support was received on January 30, 2017.

PURPOSE

The applicant requests a Temporary Use Permit in order to use the Braefoot Park lacrosse box and parking lot for a weekly Sunday farmer’s market during the months of July and August.

Zoning Bylaw s. 5.30(a) authorizes Council to issue a Temporary Use Permit pursuant to “Local Government Act” s. 493 on any parcel except residentially zoned parcels. A Temporary Use Permit may do one or more of the following:

- (a) Allow a use not permitted by a zoning bylaw;
- (b) Specify conditions under which the Temporary Use Permit may be carried on; and
- (c) Allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

After consultation with staff, the applicant felt utilizing a Temporary Use Permit would be the best means to demonstrate how the Sunday farmer’s market could fit within the community. By using a Temporary Use Permit as a potential first step, both Council and the neighbourhood have an opportunity to gain a better understanding of the operation and potential impacts while retaining the option of not renewing the Permit if any negative impacts arise, or the use is felt to be out of keeping with the character of the area.

If supported by Council, a Temporary Use Permit would allow the market to operate for a maximum of three years, with the opportunity for a one time renewal of the Permit, for a maximum of three additional years. Council can set the maximum time period on both the initial Permit, and the renewal, to any time frame it wishes. Council is also not obligated to renew the Permit.

After the expiry of the Temporary Use Permit, the farmer’s market would either cease, or the applicant could apply to rezone the property to allow for the market use to continue.

PLANNING POLICY

Official Community Plan (2008)

5.1.1.1. “Ensure a healthy, sustainable and stable food supply by working with the Capital Regional District, the Province, food producers, the Vancouver Island Health Authority, municipalities, and other stakeholders to develop a long-term plan for improving local and regional food security.”

5.1.1.7. “Support innovative farming and local marketing techniques such as pocket farm markets, which help improve the economic viability of food production in the community.”

5.2.1.1. “Continue to work with Neighbourhood Associations, service organizations, sports groups, business and other stakeholders to support and strengthen the community.”

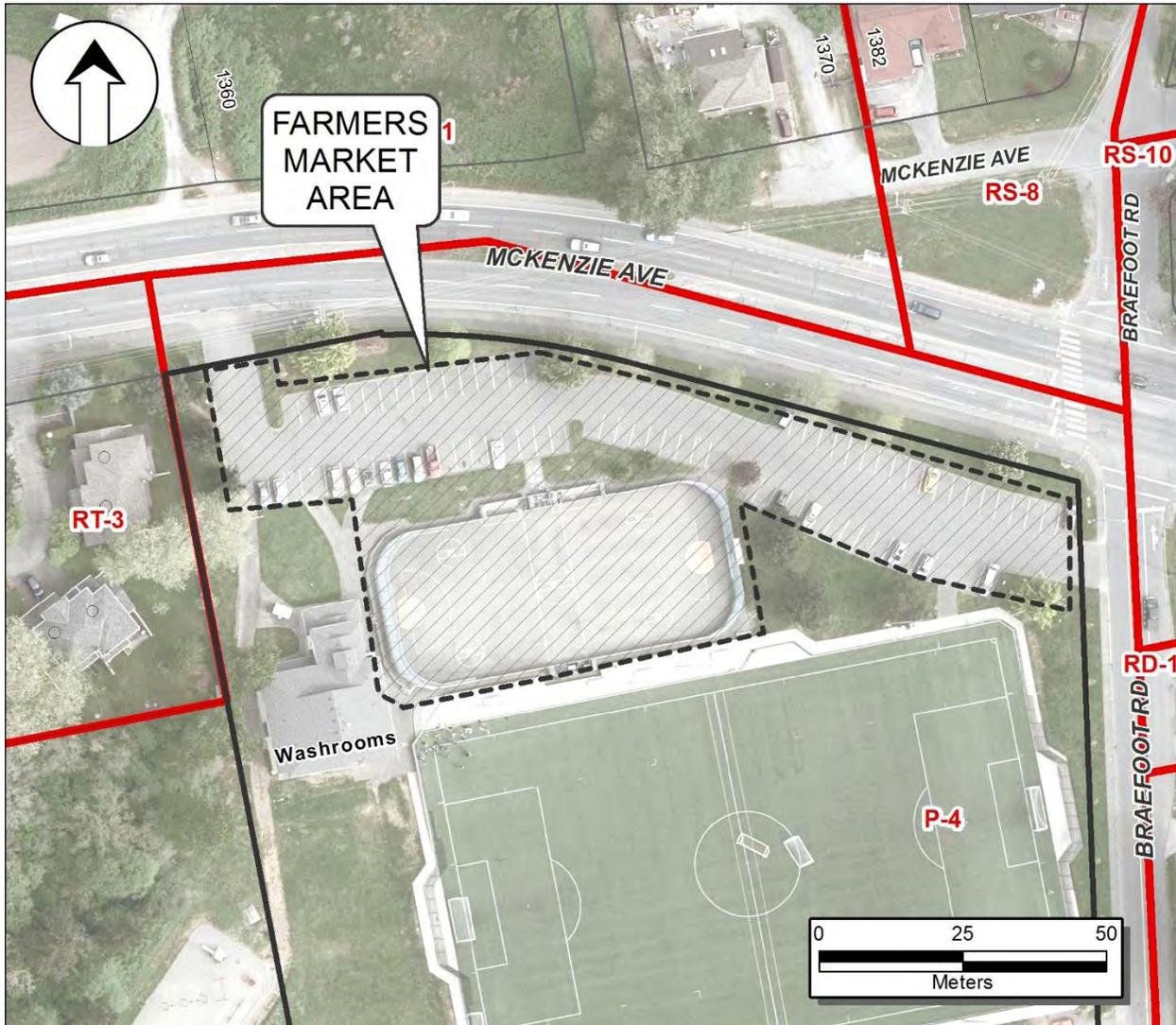


Figure 1: Context Map

5.2.1.2. “Continue to develop and enhance community pride and identity through the creation and implementation of events and on-going community services and programs.”

5.2.1.6. “Encourage and support a wide range of educational and learning opportunities which aid in community capacity building, and strive to meet a broad range of community needs.”

5.2.3.7. “Continue to promote the use of parks, civic buildings and public spaces for public art, performances, festivals, and exhibitions.”

DISCUSSION

Background

“Saanich Sunday Farmer’s Market” (SSFM) is a registered non-profit organization with the purpose to promote a sustainable, family friendly, community enhancing market. “Saanich Sunday Farmer’s Market” would encourage a “make, bake, or grow” policy by featuring locally grown produce, prepared foods, and artisan crafts. It would be similar to other successful regional markets, notably Moss Street Market, Oaklands Market, and Esquimalt Farmer’s Market. The day to hold the market (Sunday) was chosen as the best fit for Saanich based on informal surveys of vendors, customers at other markets and Saanich residents. No other markets operate in nearby municipalities on that day.

Neighbourhood Context

Braefoot Park is a Saanich community park located at the southwest corner of McKenzie Avenue and Braefoot Road (See Figure 1). The park features playing fields, lacrosse box, children’s playground, activity centre, and parking. The activity centre is operated by Braefoot Community Association under a lease agreement with Saanich. The market would occupy approximately 8,165 m² on the north part of the site including the parking lot and lacrosse box. Washroom facilities would be available in the activity centre.

Braefoot Park is centrally located in Saanich adjacent to McKenzie Avenue. Surrounding land use is mostly rural/agriculture on the north, single family dwellings and attached housing on the west, single family dwellings to the south, and Braefoot School on the east. The site is also located near the Blenkinsop Valley which is a major food producing area in Saanich. The location is adjacent to a major road and it is accessible by public transit.

In addition to very active soccer and lacrosse programs, the park is used for a number of community and commercial events. Braefoot Community Association has successfully hosted annual Christmas trees sales and well attended sales of used sports equipment at the park. Over the past 20 years, noise and parking associated with these events have not generated complaints to Saanich Bylaw Enforcement.

Proposed Land Use

“Saanich Sunday Farmer’s Market” requests a Temporary Use Permit for use of Braefoot Park parking lot and lacrosse box for a farmer’s market on nine Sundays, starting July 2, 2017 until August 27, 2017, between the hours of 8:00 am - 4:00 pm. Vendor set up would begin after 8:00 am and takedown would be completed by 4:00 pm. The market would be open to customers between 10:00 am and 2:00 pm.

No “flea market” or similar vendors would be accepted. The main emphasis would be on healthy local produce and prepared foods, drinks, and locally produced hand-crafted items which fit the style of a market. It is envisioned that local wine, beer, cider, or whiskey producers may sell their product at the market. Consumption of alcohol would not be permitted. However, tastings would be permitted in accordance with Provincial regulations. The market would include a limited number of food trucks.

Amplified music would also be a feature of the market. The applicant has stated that music would not be “concert style” and volume would remain at a level which does not discourage conversation. Based on other music events in Saanich parks, including “Music in the Park”, if

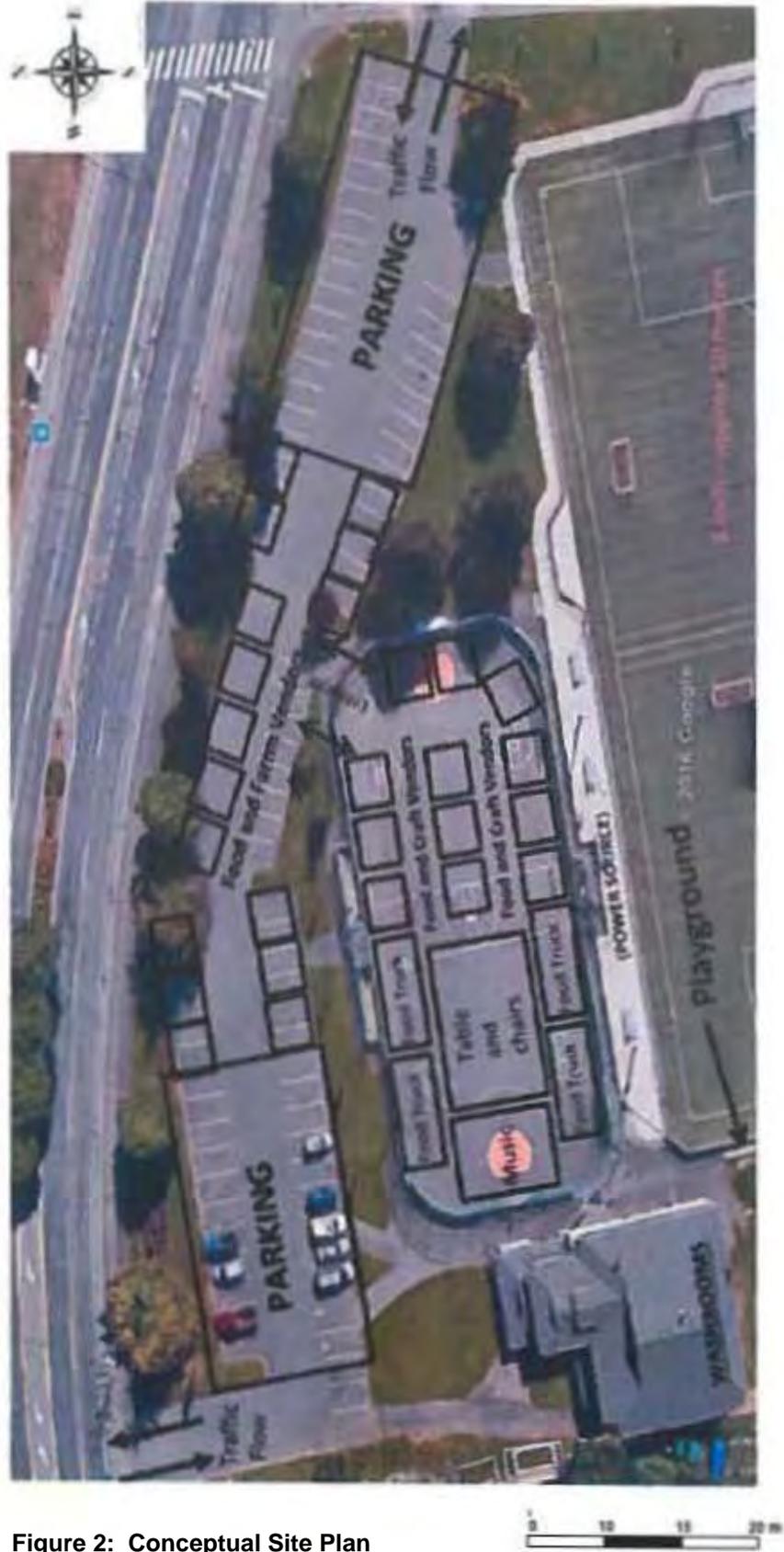


Figure 2: Conceptual Site Plan

well-managed by “Saanich Sunday Farmer’s Market” the use of amplified music is not anticipated to be a concern.

The farmer’s market use would be consistent with Official Community Plan policies which support initiatives to improve local and regional food security, enhance community pride, provide educational and learning opportunities which aid in community capacity building, and help improve the economic viability of food production in the community.

Saanich Parks supports the proposed use. If the Temporary Use Permit is approved, a park use permit issued by Saanich Parks would be required. The applicant has an agreement with Braefoot Community Association for use of the activity centre washroom facilities.

Site Design

Market stalls are proposed to be located on a portion of the parking lot and in the lacrosse box (See Figure 2). Market stalls would accommodate a 3 m x 3 m tent and allow room for vendor’s tables, equipment, and product.

The layout of the market stalls on the parking lot is designed to allow entry and exit to parking, but to otherwise contain traffic within the market area and not in other traffic areas or on the boulevard. Farmers would have first choice of shaded areas in the parking lot, in order to provide a welcoming presence from the roadway, as well as to give their produce the highest visibility and the greatest protection from sun and heat. At the request of farmers, “tail gate sales” would also be permitted on the parking lot. Tail gate sales require less set up time and less work for the farmer, as well as allow the farmers to safely leave the site when their produce is sold out.

Forty-eight parking stalls on the site would be maintained for market customers and other park users during market hours.

Existing Braefoot Activity Centre signs, which include changeable copy, would be used to advertise the event. Small temporary signs with the “Saanich Sunday Farmer’s Market” logo would also be displayed on the day of the event only in accordance with the provisions Saanich’s Sign Bylaw.

Mobility

The proposed farm market site at Braefoot Park is well connected by public transit. There are east and west bound bus stops at the intersection of Braefoot Road and McKenzie Avenue within 50 m of the site. On Sundays, the site is served by the #26 bus route, with service every 15 to 30 minutes during the proposed market hours (10:00 am and 2:00 pm).

The site is also well served by cycling facilities, with cycling lanes along McKenzie Avenue that connect to the Lochside Regional Trail which is approximately 1 km from the site.

Forty-eight parking stalls on the site would be maintained for market customers and other park users during market hours. Parking associated with a farmer’s market is not anticipated to be an issue. Typically, overflow parking occurs along the west side of Braefoot Road during tournaments and other major events at Braefoot Park. Braefoot Elementary School also has a nearby parking lot which is not gated and is used by community members on weekends. As noted previously, over the past 20 years, parking associated with these events have not generated complaints to Saanich Bylaw Enforcement.

CONSULTATION

“Saanich Sunday Farmer’s Market” has stated that they have consulted with the Braefoot Community Association and other key park users including Saanich Minor Lacrosse and Lakehill Soccer Association. In addition, they canvassed the neighbourhood, including residences on Braefoot Road, Andrews Avenue, Simon Road, and McKenzie Avenue. The Root Cellar and other nearby grocery stores were also contacted. A community open house was held on February 16, 2017 at the Braefoot Activity Centre to provide information about the proposed market. Local farmers, other vendors and customers at other markets were consulted by way of a survey undertaken by “Saanich Sunday Farmer’s Market” prior to submission of the temporary use permit application. As is standard practice, the Planning Department sent a referral to the Quadra Cedar Hill Community Association on January 3, 2017.

The applicants have stated that community response to the proposal has generally been positive. Letters were received from Braefoot Community Association, Saanich Minor Lacrosse, and Lakehill Soccer Association in support of the proposal. In addition, a letter of support was received from the Quadra Cedar Hill Community Association.

TEMPORARY USE PERMIT CONDITIONS

The proposed Temporary Use Permit would contain the following conditions:

- “Saanich Sunday Farmers Market” may operate only on Sundays during July and August between the hours of 8:00 am – 4:00 pm. Vendor setup would begin after 8:00 am and takedown would be completed by 4:00 pm. The market would be open to customers between 10:00 am and 2:00 pm only;
- Sales would be limited to fresh local produce and prepared foods, drinks, and locally-produced hand-crafted items. Items may include but are not limited to jams, canned goods, bakery items, chocolate, soaps, linens and homemade food products and arts and crafts;
- Not more than four of the vendors shall be Food Truck vendors;
- Live music shall be limited to solo musicians and small ensembles. Amplified music shall be maintained at a volume that supports but does not overwhelm the market;
- Selling and sampling (but not consumption) of alcohol is permitted in accordance with Provincial regulations. Provincial approvals for vendors are required;
- Dogs must be on a leash while in the market area; and
- A Park Use Permit issued by Saanich Parks is required.

SUMMARY

The applicant requests a Temporary Use Permit in order to use the Braefoot Park lacrosse box and parking lot for a weekly Sunday farmer’s market during the months of July and August. Zoning Bylaw s. 5.30(a) authorizes Council to issue a Temporary Use Permit pursuant to “Local Government Act” s. 493 on any parcel except residentially zoned parcels.

“Saanich Sunday Farmer’s Market” (SSFM) is a registered non-profit organization with the purpose to promote a sustainable, family friendly, community enhancing market. Braefoot Park is centrally located in the municipality, adjacent to a major road and it is accessible by public transit. The site is also located near the Blenkinsop Valley which is a major food producing area in Saanich. Braefoot Community Association hosts many similar events at the site.

The use would be consistent with Official Community Plan policies which support initiatives to improve local and regional food security, enhance community pride, provide educational and learning opportunities which aid in community capacity building, and help improve the economic viability of food production in the community. Parking and noise associated with a farmer's market are not anticipated to be issues.

RECOMMENDATION

That Temporary Use Permit TUP00009 be approved.

Report prepared by: 
Neil Findlow, Senior Planner

Report prepared and reviewed by: 
Jarret Matanowitsch, Manager of Current Planning

Report reviewed by:  for
Sharon Hvozdzanski, Director of Planning

NDF/ads
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Attachment

cc: Paul Thorkelsson, CAO
Graham Barbour, Manager of Inspections

CAO'S COMMENTS:

I endorse the recommendation of the Director of Planning.


Paul Thorkelsson, CAO

DISTRICT OF SAANICH

TUP00009

TEMPORARY USE PERMIT

To: **District Of Saanich**
770 Vernon Avenue
Victoria BC V8X 2W7

(herein called "the owner")

1. This Temporary Use 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 Temporary Use Permit applies to the lands known and described as:

Lot 1, Section 32, Victoria District, Plan 27719
1359 McKenzie Avenue

(herein called "the lands")

3. This Temporary Permit regulates the development of the lands as follows:
 - (a) Notwithstanding the provisions of Section 1030.1 of the Zoning Bylaw 8200, by allowing the lands to be used for a weekly Sunday farmer's market.
 - (b) By requiring the buildings and lands to be developed in accordance with the attached plan prepared by "Saanich Sunday Farmer's Market" dated January 3, 2017.
 - (c) By requiring "Saanich Sunday Farmer's Market" to operate under the following conditions:
 - "Saanich Sunday Farmers Market" may operate only on Sundays during July and August between the hours of 8:00 am – 4:00 pm. Vendor setup would begin after 8:00 am and takedown would be completed by 4:00 pm. The market would be open to customers only between 10:00 am and 2:00 pm;
 - Sales would be limited to fresh local produce and prepared foods, drinks, and locally-produced hand-crafted items. Items may include but are not limited to jams, canned goods, bakery items, chocolate, soaps, linens and homemade food products and arts and crafts;
 - Not more than four of the vendors shall be Food Truck vendors;
 - Live music shall be limited to solo musicians and small ensembles. Amplified music shall be maintained at a volume that supports but does not overwhelm the market;
 - Selling and sampling (but not consumption) of alcohol is permitted in accordance with Provincial regulations. Provincial approvals for vendors are required;
 - Dogs must be on a leash while in the market area; and
 - A Park Use Permit issued by Saanich Parks is required.

4. This Permit shall expire three years from the date of issuance, at which time the right granted under this permit will cease.
5. The lands shall be developed strictly in accordance with the terms and conditions and provision of the Permit provided, however, that minor variations which do not affect the overall use and landscape design may be permitted by the Director of Planning.
6. 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.
7. 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

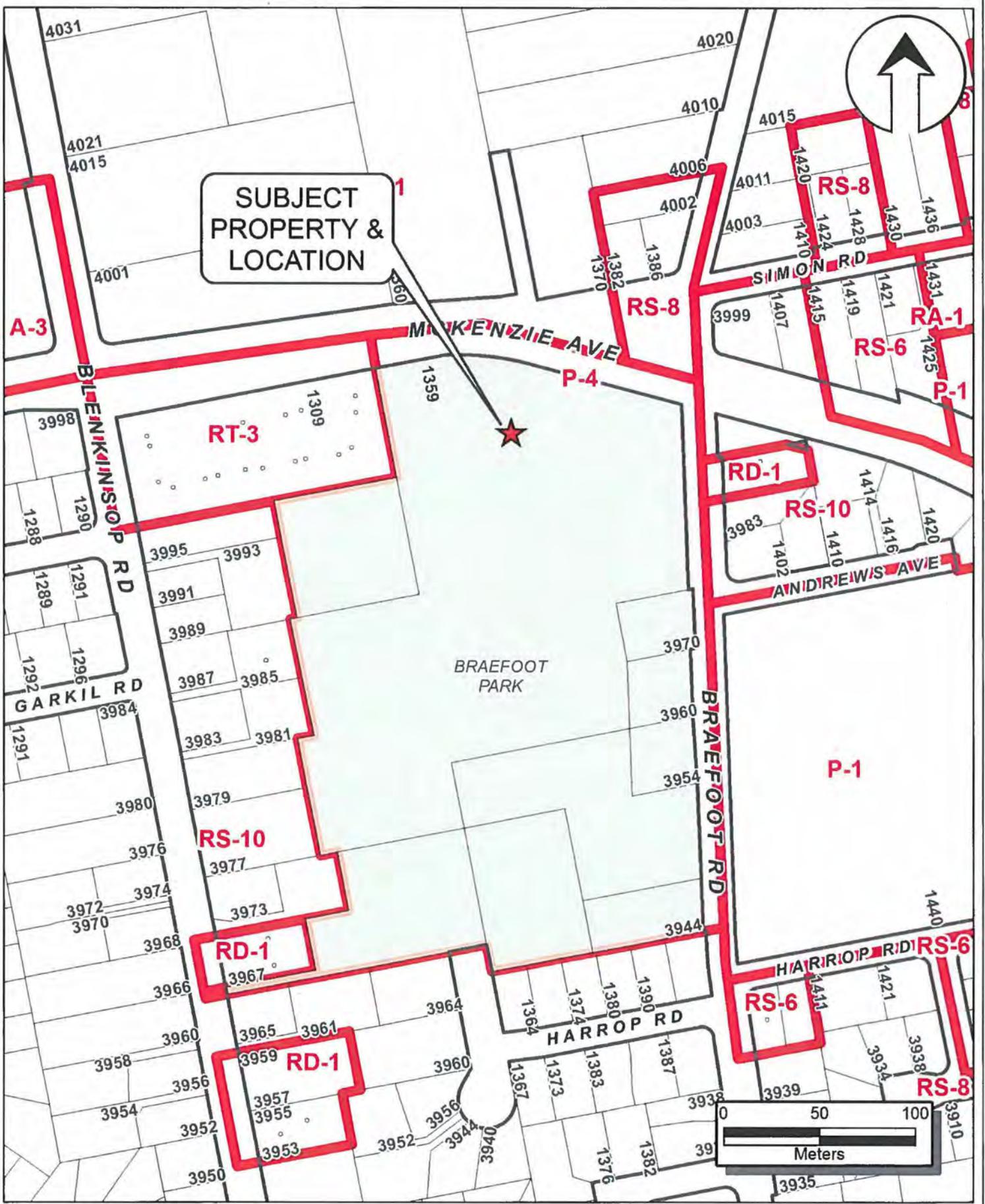


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REFERRAL FORM

Application No. <input type="checkbox"/> DPR – <input type="checkbox"/> DPA – <input type="checkbox"/> DVP – <input type="checkbox"/> REZ – <input type="checkbox"/> TUP – TUP00009	Referral date: January 3, 2017
	Comments due by: February 1, 2017
	File Manager: Neil Findlow
	Applicant: Marsha Henderson & Shawn Newby
	Owner: The District of Saanich, c/o Lands Dept.
	Site address: 1359 McKenzie Avenue
Legal: Lot 1, Section 32, Victoria District, Plan 27719 Park Building	
External Referrals:	ISD file #:
<input type="checkbox"/> Ministry of Transportation	Present zone: P-4 (Recreation and Open Space)
<input type="checkbox"/> Observatory (5 km radius)	Proposed zone: n/a
<input type="checkbox"/> Provincial Capital Commission (PCC)	Current OCP designation: Community Park
<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:
<input type="checkbox"/> School District # 63	
<input checked="" type="checkbox"/> Quadra Cedar Hill Comm Assn	Sign Posting Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Internal Referrals:	Project Description:
<input type="checkbox"/> Plan Check (LAP)	Temporary Use Permit For Sunday Farmers Market At Braefoot Park Lacrosse Box & Parking Lot during the months of July and August.
<input 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"/>	Project Description Reviewed/Updated <input checked="" type="checkbox"/> Planners Initials NF
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: <i>Justin Bains</i>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> RECEIVED JAN 04 2015 PLANNING DEPT. DISTRICT OF SAANICH </div>
Title: <i>Development Coordinator</i>	
Date: <i>Jan. 5, 2017</i>	
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>)	ENTERED IN CASE
Comments: <i>Add additional page(s) if necessary</i> <i>We have no comments/concerns.</i> <i>[Signature]</i>	

SUBJECT
PROPERTY &
LOCATION



1410-04
Report –
Planning

xref: 2860-55
McKenzie
Avenue

1359 MCKENZIE AVENUE – TEMPORARY USE APPLICATION

Supplemental report of the Director of Planning dated March 16, 2017, and report of the Director of Planning dated March 6, 2017 recommending that Council approve Temporary Use Permit TUP00009, and that Council authorize staff to issue a Park Use Permit, as per Section 17 of the Parks Management and Control Bylaw 7753 to allow the “Saanich Sunday Farmer’s Market” to operate a farmer’s market at Braefoot Park in accordance with the provisions of Temporary Use Permit TUP00009.

APPLICANT:

M. Henderson presented to Council and highlighted:

- The applicant has requested a Temporary Use Permit in order to use Braefoot Park for a Sunday Farmer’s Market during the months of July and August; extensive community consultation has been undertaken.
- 9 letters of support were received including from the Braefoot Community Association and the Braefoot lacrosse and soccer clubs.
- 10 vendors have committed to participating.
- Policies have been designed to minimize waste and garbage; vendors are required to clean up and pack and take their garbage.
- Team of volunteers will clean up the site after the market closes.
- Waste, compost and recycling bins will be provided for general public use.
- A concern was identified about the possibility of garbage on the boulevard in front of the strata property; the applicant has committed to extending the cleanup area to include the boulevard.
- The entrance to the market will be clearly identified with signage.
- There are 48 parking stalls on the site; additional parking is available on one side of Braefoot Road or in the parking lot of the elementary school.
- Amplified music will be complimentary to the market experience and will add to the ambience of the market.

In response to questions from Council, the applicant stated:

- There are reserved handicapped parking stalls on the west side of the parking lot; volunteers will ensure that vendors are not parking in customer parking stalls.
- Farmers can sell by “tailgating” and in those cases would be allowed to park in the customer parking stalls.
- The Farmer’s Market is a registered non-profit society.

PUBLIC INPUT:

S. McDonald, West Saanich Road, stated:

- Saanich farmers are currently selling at farmer’s markets all over the South Island in order to provide fresh food needs to residents.
- Farmers need to know if this market will be approved in a timely manner so that they can plan their crops accordingly.
- There is not enough local food for all residents.

H. Charania, on behalf of the North Quadra Community Association and Saanich Community Association Network (SCAN), stated:

- The Sunday Farmer’s Market is supportable; the applicants are to be commended for the time spent in bringing this initiative forward.

K. McDonald, Chair, Braefoot Strata Council, stated:

- The applicants have addressed the concerns of the Strata Council in relation to waste and traffic management; it may be appropriate to have a caveat in the TUP to ensure that the applicants follow through with their commitment.
- Food waste is a concern as it could increase the rodent problem in the area.
- The parking stalls at Braefoot Park are regularly filled by participants in sporting events so parking may not be available for the market.

A. Beck, on behalf of the Quadra Cedar Hill Community Association, stated:

- The Association supports the Farmer's Market and thanked the applicants for moving forward with this proposal.

E. Dahli, on behalf of the Cadboro Bay Residents Association, stated:

- The Association supports the Farmer's Market as it aligns with Agricultural and Food Security goals.

P. Luchey, Kimberley, BC, stated:

- Repeat photography could demonstrate that the site is cleaned up appropriately.

J. Newton, Shorncliffe Road, stated:

- Shopping at Farmer's Markets is fun, speaks to sustainability, is good for the local economy and helps to build community; it is important to keep local farmers working and get more farmers on the land.
- Concerns with parking and music are not anticipated; other neighbourhoods have made Farmer's Markets work.

L. Layne, San Lorenzo Avenue, stated:

- Reusing Braefoot Park as a Farmer's Market is supportable; there are traffic lights at that corner of McKenzie Avenue and Blenkinsop Avenue which may alleviate concerns with access in and out of the property.
- Local markets allow people to bike or walk to shop; more Farmer's Markets should be considered to help local farmers succeed.

T. Newton, Shorncliffe Road, stated:

- Farmer's Markets promote community; they get neighbours together and are a community event.
- The application should proceed quickly in order that farmers can plan their crops accordingly.

COUNCIL DELIBERATIONS:

Motion:

MOVED by Mayor Atwell and Seconded by Councillor Murdock: "That a Public Hearing be called to further consider Temporary Use Permit TUP00009 at 1359 McKenzie Avenue."

In response to questions, the Senior Manager, Parks, stated:

- A condition of the Park Use Permit would specify that the site be left clean.

Mayor Atwell stated:

- The applicants are to be commended for their work to make this a reality; it will be a benefit to the community.

Councillor Brownoff stated:

- Farmer's Markets have been successful in other neighbourhoods and build community; it is hopeful that shoppers will walk and bike to the market.
- It is appreciated that the Park Use Permit will ensure that litter concerns are addressed.

Councillor Murdock stated:

- Farmer's Markets fit within the goals of the Official Community Plan and Saanich values in terms of food security; they create opportunities for farmers to sell their food locally to residents.
- This is a good location for the market; the variety of what will be offered at the market is appreciated.

Councillor Wergeland stated:

- The applicants are to be commended on the initiative.

The Motion was then Put and CARRIED

Clerksec - Temporary use Braefoot Park

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

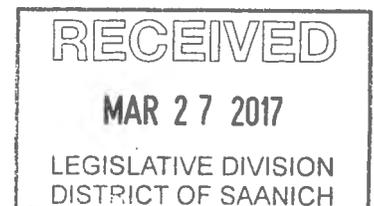
From: janet [redacted]
To: <clerksec@saanich.ca>
Date: 3/26/2017 9:12 AM
Subject: Temporary use Braefoot Park

I just read the application for temporary use of Braefoot Park lacrosse box for a summer Sunday market. I 100% support this application. I live nearby and look forward to going to the market to purchase local fresh produce and other goods offered.

Thank you,

Janet Warren
 [redacted] Ansell Road
 Saanich
 [redacted]

Sent from my Galaxy Tab E Lite



Clerksec - Temporary Use Permit: Braefoot Park proposed Sunday farmers' market

From: "Catherine McDonald" [REDACTED]
To: <clerksec@saanich.ca>
Date: 3/20/2017 10:15 AM
Subject: Temporary Use Permit: Braefoot Park proposed Sunday farmers' market
CC: "Catherine A. McDonald" [REDACTED] "Mike Bozman" [REDACTED]

Saanich Council

Re: Proposed Sunday Farmers' Market, Braefoot Park

Braefoot Place Strata, located at 1309 McKenzie Avenue, has two primary concerns regarding the proposed issuance of a Temporary (3 year) Use Permit that would facilitate a Sunday Farmers' Market in July and August to be located in Braefoot Park's lacrosse box and parking lot.

1. Waste and Litter Management:

- There is already a rat infestation in the area, Braefoot Place Strata has engaged pest management technicians to hopefully knock down the spring rat population surge somewhat, and we are anxious that this problem not be enhanced!
- **It is essential that the proposed Farmers' Market assure a full clean up of all waste and litter that will be generated by presenting this market (with food trucks and food stalls).**
- Further litter and waste that may be scattered at the bus stops (on Blenkinsopp and on McKenzie) and on the medians and sidewalks adjacent to our property leading from the bus stops to the market area. Braefoot Place currently maintains the grass medians and clears litter at the bus stops on a weekly basis, but this is done on weekdays, not weekends: a weekend clean up will be necessary with the increased traffic anticipated with the market.

2. Parking and Traffic Management:

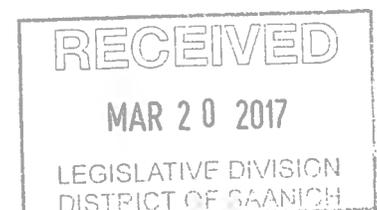
- Happily the park is well used by the community resulting in frequent overloads of the parking lot with vehicles thus being parked all along Braefoot on the west side and, on weekends, in the school parking lot.
- With increased traffic, for the proposed market and for that market's set up on a significant part of the parking lot reducing parking spaces available considerably, it is not unlikely that overload parking will become an issue.
- **Braefoot Place Strata must be assured that market traffic will not use our few visitor parking spaces, nor use our driveway as a turnaround area.**

Since the initial presentation of the proposal for the market (the proponents visited door to door in the area to advise of their open house and their plan), we have become aware through the Saanich report documents that amplified music will be part of the presentation of the market. We sincerely hope that the managers will be able to facilitate the desired ambiance without increasing the Sunday afternoon noise levels in the neighbourhood. We don't all have the same taste in music! Further we note that most of the sound/noise from the playing fields use of the park is somewhat offset from the homes in our Strata adjacent to the park, but the lacrosse box and parking lot are in closer proximity to the residences.

Thank you for your attention to these matters.

Catherine A. McDonald,
 President, Braefoot Place Strata Council

Cc: Strata Council members



1359 McKenzie Ave
TUPO0009

January 30, 2017



QUADRA CEDAR HILL COMMUNITY ASSOCIATION

Re: Development Application Temporary Use Permit for Sunday Farmers Market

Dear Saanich Planning,

Thank you for the opportunity for our Community Association to comment on the Development Application for a Temporary Use Permit submitted by Shawn Newby and Marsha Henderson to launch a Sunday Farmers Market at the Braefoot Park Lacrosse Box & Parking Lot during the months of July and August.

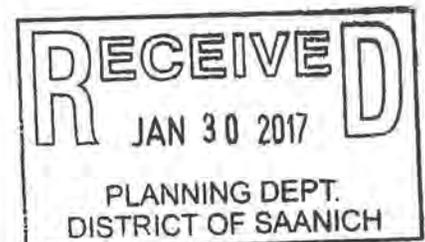
The Quadra Cedar Hill Community Association is very supportive of this Application and is looking forward to patronizing it once it is up and running. When Shawn and Marsha first conceived the idea, the QCHCA passed a unanimous motion in support of the concept. We see it as a great community builder and opportunity for residents to access a farmers market in their own neighbourhood.

Thank you. If you have any further questions, please let me know.

Sincerely,

Susan Haddon
President, Quadra Cedar Hill Community Association

ENTERED
IN CASE



THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9420

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 RT-5 (Attached Housing) the following lands:

That Part of Lot 5, Section 8A, Lake District, Plan 2255 Lying to the North West of a Boundary Parallel to and Perpendicularly Distant 211.2 Feet from the North Westerly Boundary of said Lot

(4355 Viewmont Avenue)

2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2017, NO. 9420**".

Read a first time this ___ day of _____, 2017.

Public Hearing held at the Municipal Hall on the ___ day of _____, 2017.

Read a second time this ___ day of _____, 2017.

Read a third time this ___ day of _____, 2017.

Approved under Part 4 of the *Transportation Act* on the ___ day of _____, 2017.

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the ___ day of _____, 2017.

Municipal Clerk

Mayor



The Corporation of the District of Saanich

Mayor
Councillors
Administrator

Council
Administration
Media

Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: February 15, 2017
Subject: Request for Removal from the Environmental Development Permit Area (EDPA)
File: 2860-25 • 4015 & 4033 Braefoot Road; 4004, 4010 & 4024 Malton Avenue

PROJECT DETAILS

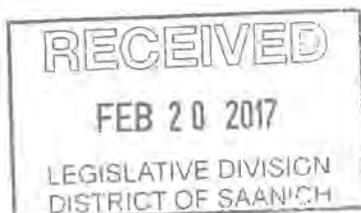
Project Proposal: The applicants are requesting that the subject properties be removed from one Environmentally Significant Area of the Environmental Development Permit Area (EDPA). The properties were originally included in the EDPA to provide enhanced protection to the Woodland ecosystem.

The request is based on the submissions by Ted Lea which indicate that there is no Woodland Sensitive Ecosystem on the properties.

Addresses: 4015 Braefoot Road
4033 Braefoot Road
4004 Malton Avenue
4010 Malton Avenue
4024 Malton Avenue

Legal Descriptions: Lot 7, Block D, Section 32, Victoria District, Plan 4181
Lot 4, Section 32, Victoria District, VIP88742
Lot 3, Section 32, Victoria Land District, VIP 59612
Lot 1, Section 32, Victoria District, Plan VIP59612
Lot 3, Section 32, Victoria District, Plan 44748

Owners: Vera M. Beischer
Curt and Karen Shubrook
Colleen Pommelet
Jun Ge and Lin Fang Wang
Lambertus W. Reuten and Herma M. Reuten



CW
1

Applicants:	Vera M. Beischer Curt and Karen Shubrook Colleen Pommelet Jun Ge and Lin Fang Wang Lambertus W. Reuten and Herma M. Reuten
Applications Received:	July 29, 2016 to October 21, 2016
Parcel Sizes:	4015 Braefoot Road; 8672 m ² 4033 Braefoot Road; 2326 m ² 4004 Malton Avenue; 729 m ² 4010 Malton Avenue; 728 m ² 4024 Malton Avenue; 723 m ²
Existing Use of Parcels:	Single Family Dwelling
Existing Use of Adjacent Parcels:	See Figure 1 of this report
Current Zoning:	4015 Braefoot Road; A-1 (Rural) Zone 4033 Braefoot Road; RS-14 (Single Family Dwelling) Zone 4004 Malton Avenue; RS-8 (Single Family Dwelling) Zone 4010 Malton Avenue; RS-8 (Single Family Dwelling) Zone 4024 Malton Avenue; RS-8 (Single Family Dwelling) Zone
Minimum Lot Size:	N/A
Proposed Zoning:	No Change proposed
Proposed Minimum Lot Size:	N/A
Local Area Plan:	Gordon Head and Braefoot Action Plan
LAP Designation:	Residential

PROPOSAL

The applicants are requesting that the subject properties be removed from one Environmentally Significant Area of the Environmental Development Permit Area (EDPA) (see Figure 1). The properties were originally included in the EDPA to provide enhanced protection to the Woodland ecosystem.

The request is based on the submissions by Ted Lea, a Registered Professional Biologist, which indicates that there is no Woodland Sensitive Ecosystem on the properties and if any area is required to be protected on this property, it will develop a dense understorey of invasive plants.

PLANNING POLICY

Official Community Plan (2008)

- 4.7.1 "Continue to use and update the 'Saanich Environmentally Significant Areas Atlas' and other relevant documents to inform land use decisions."
- 4.7.3 "Continue to protect and restore habitats that support native species of plants, animals and address threats to biodiversity such as invasive species."
- 4.7.4 "Protect and restore rare and endangered species habitat and ecosystems, particularly those associated with Garry Oak ecosystems."
- 4.7.5 "Preserve 'micro-ecosystems' as part of proposed development applications, where possible."

Gordon Head Local Area Plan (2003)

- 4.1 "Protect indigenous vegetation, wildlife habitats, and landscapes when considering applications for change in land use."
- 4.4 "Seek opportunities to vegetate areas with appropriate native species that will support indigenous wildlife."

Braefoot Action Plan (2001)

- GP7 "The significance of the Garry oak ecosystem, including the meadow habitat, should be recognized and the ecosystem preserved where possible."
- GP9 "To maintain biodiversity, a Naturescape corridor should be retained through the site."

General Development Permit Area Guidelines (1995)

1. "Major or significant wooded areas and native vegetation should be retained wherever possible."

Environmental Development Permit Area Guidelines (2012)

- 1.b.i) and iv) "Development within the ESA shall not proceed except for the following:
Proposals that protect the environmental values of the ESA including:
- the habitat of rare and endangered plants, animals and sensitive ecosystems."
2. "In order to minimize negative impacts on the ESA, development within the buffer of the ESA shall be designed to:
- Avoid the removal/modification of native vegetation;
 - Avoid the introduction of non-native invasive vegetation;
 - Avoid impacts to the protected root zones of trees within the ESA;
 - Avoid disturbance to wildlife and habitat;
 - Minimize the use of fill;
 - Minimize soil disturbance;
 - Minimize blasting;
 - Minimize changes in hydrology; and
 - Avoid run-off of sediments and construction-related contaminants."

3. "No alteration of the ESA will be permitted unless demonstrated through professional environmental studies that it would not adversely affect the natural environment. Prior to the issuance of a development permit, the following information may be required:
 - A sediment and erosion control plan;
 - An arborist report according to the "Requirements For Plan Submission and Review of Development or Building Related Permits" (Saanich Parks);
 - A biologist report;
 - A surveyed plan; and/or
 - A bond."

4. "The following measures may be required to prevent and mitigate any damage to the ESA:
 - Temporary or permanent fencing;
 - Environmental monitoring during construction;
 - Demarcation of wildlife corridors, wildlife trees, and significant trees;
 - Restricting development activities during sensitive life-cycle times; and
 - Registration of a natural state covenant."

5. "Revegetation and restoration may be required as mitigation or compensation regardless of when the damage or degradation occurred."

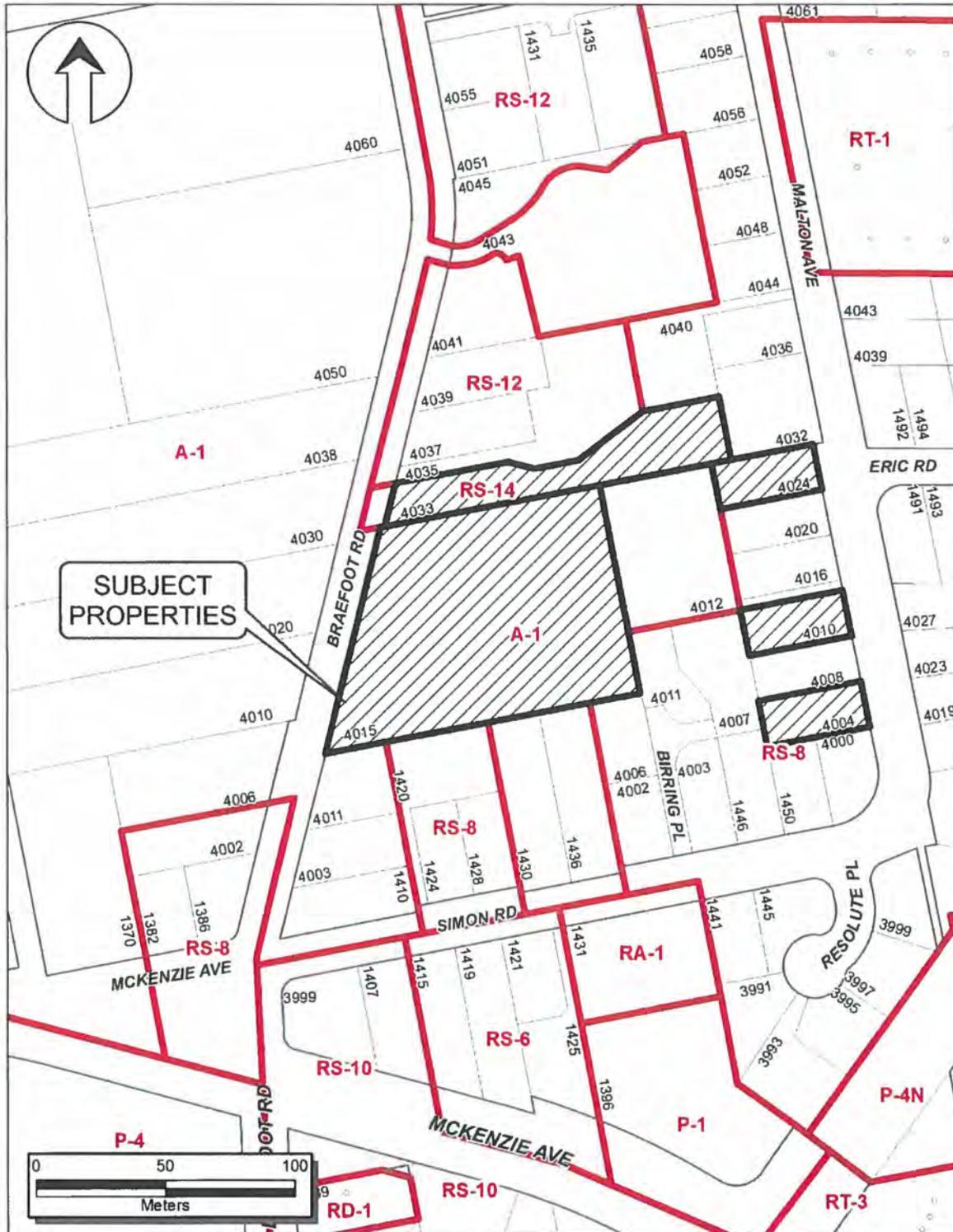


Figure 1: Context Map

BACKGROUND

Environmental Development Permit Area

The Environmental Development Permit Area (EDPA) was adopted by Council in 2012. Part of the EDPA Bylaw is the EDPA Atlas which illustrates the location of five inventories and associated buffers on properties in Saanich. As with the Streamside Development Permit Area (SDPA), it is acknowledged that the EDPA Atlas will never be completely accurate.

There are four ways mapping inaccuracies can be approached according to the EDPA Guidelines:

1. Exemption #14 allows for a professional to refine boundaries of an Environmentally Significant Area (ESA) and potentially proceed without an Environmental Development Permit if a development proposal is shown to be outside of the ESA. This exemption was designed to avoid undue process or delays for applicants where mapping could be improved.
2. Exemption #15 allows for intrusions into the EDPA where covenants are used to secure comparable natural features which were not previously mapped.
3. As with the SDPA, staff collate proposed EDPA mapping changes as property owners note inaccuracies (which are documented by staff) or biologists hired during the development application process do a more detailed assessment. These changes are brought forward in batches to Council as recommended amendments.
4. Where a proposed mapping amendment is outside of the scope of these provisions, Council approval is required.

In the case of this application, the property owners are seeking Council approval (Option 4, above). Staff are of the opinion that the request goes beyond delegated authority in that a change of mapping is requested outside of the development process. As such, this report has been prepared for Council's review and consideration. If Council believes the removal request has merit, a Public Hearing on the matter would need to be called.

Council adopted a motion on May 9, 2016 to endorse Terms of Reference for the hiring of a consultant to develop potential solutions in relation to the application of the/an EDPA in Saanich. The contract includes a public consultation component as part of the development of potential solutions. It is possible that the outcomes of the review may impact the EDPA on this property.

The Environment and Natural Areas Committee has not considered this request.

Existing EDPA Mapping

The EDPA mapping on the subject properties is in reference to one Environmentally Significant Area (ESA): Woodland (see Figure 2).



Figure 2: Existing Woodland EDPA mapping

The Woodland (WD) ecosystem is part of the Provincial/Federal Sensitive Ecosystem Inventory (SEI). In this case, it is a Garry Oak Woodland. The Ministry of Environment states that SEI areas are often ecosystem remnants and have many values because they:

- Provide critical habitat for species at risk and include ecosystems at risk;
- Are biologically diverse;
- Provide wildlife corridors and linkages;
- Bring nature into communities;
- Provide recreational opportunities;
- Support learning environments;
- Create economic benefits; and
- Are a legacy for future generations.

Specifically, Woodland is described as:

- One of the rarest ecosystems in Canada;
- Biologically diverse, with the structure of stands of trees contributing the most;
- Scattered, small fragments often next to forest remnants or rock outcrops;
- Open, with less than 50% canopy cover;
- With wildflowers, grasses, and shrubs;
- On rocky, dry locations;
- Historically thinned by fire; and
- Found in only 1.8% of the land base within the Capital Region (based on SEI mapping).

The EDPA includes a 10 m buffer for the Woodland ESA. Property owners can apply for a permit to develop within the buffer area.

Woodland ecosystems are considered part of the rare Garry Oak and associated ecosystems mosaic. This Woodland mapped area is one of six remnants in the vicinity which is all that is left of a larger, contiguous ecosystem south of Mount Douglas Park. There is a wildlife corridor being established as properties are developed, in accordance with the Braefoot Area Plan, as well as many covenanted areas. This area also connects to Garry Oak and other tree species canopy, floodplain, and agricultural areas.

None of the properties were made accessible to staff, however as a result of previous developments in the same Woodland mapped area there are two reports, one with comprehensive inventories and recommendations.

A report by Susan Blundell, RPBio, ENKON Environmental was submitted in relation to the subdivision of 4035 Braefoot Road (which created one of the subject properties - 4043 Braefoot Road) in 2009. The report classified the area as Garry Oak-Common Snowberry-Nootka Rose plant community but that most of it would be unlikely to meet the criteria of a sensitive ecosystem. A rare plant community was identified in the southwest corner of the property. Restoration and protection of this area was recommended as well as Tree Covenants throughout the property. However, a subsequent plant inventory located several pockets of a rare plant species and a greater variety of plants, including native orchids, which resulted in Natural State Covenants and transplanting of plant material.

An Environmental and Social Statement was submitted by Tom Talbot, Arborist, in support of the subdivision of 4043 Braefoot Road in 2002. The report focussed on tree preservation, creating a wildlife corridor, and Natural State Covenants to protect trees and understorey vegetation.

In the Braefoot Action Plan (2001), it was noted that "some property owners have natural areas (unmowed) flowing from one property to the next. This adds wildlife habitat value and allows Garry Oak parkland wild flowers to survive...the study area stands out as a Garry Oak corridor in excellent condition". The majority of the Woodland mapped area was identified as an "Environmentally significant area of primary importance".

With the adoption of the Braefoot Area Plan, several properties within this Woodland mapped area have been developed just before the EDPA was adopted. In addition, irreversible damage to natural areas (some covenanted) has occurred. These factors have led to changes in the Woodland mapped area and staff recommend that the boundaries should be refined as shown in Figure 3. Staff have visited many of the properties over the past fifteen years.



Figure 4: Proposed (by T. Lea) mapping

The reports by Mr. Lea indicates that the properties do not meet the definition of an Environmentally Significant Area because of the dominance of invasive species (largely grasses), presence of lawn or ornamental gardens, lack of connectivity, and the significant level of effort required for restoration. The reports note that agriculture has been an influencing factor. Native species were found on the Braefoot properties, but not the Malton properties.

The report by Ted Lea incorrectly identifies a covenant area on 4033 Braefoot Road as a Tree Covenant, however it is a Natural State Covenant. This covenant area includes a rare plant species—Hillside Sedge.

Staff biologists do not agree with the assessment by Mr. Lea, that there is no Woodland Sensitive Ecosystem on the property, due to the time of year that the work was completed, the

focus on the presence of invasive plants, the lack of an assessment of habitat, and the lack of a complete inventory or reference to a rare species in the mapped area. It should be noted that the rare species occurred within previously agricultural areas in the same mapped area in several locations. Inventory methods are not consistent with the Best Management Practices for Garry Oak & Associated Ecosystems produced by the Garry Oak Ecosystems Recovery Team.

OPTIONS

- 1) Do not support the request to remove the properties from the Environmental Development Permit Area.
- 2) Support the request to remove the Environmental Development Permit Area on the properties from the EDPA Atlas (see Figure 4).
- 3) Support the refined mapping proposed by staff (see Figure 3).
- 4) Postpone a decision on this application pending the outcome of the final phase of the EDPA "check-in" which would be undertaken by the independent consultant.

Staff recommend Option 3, namely that the entire Woodland unit be remapped with respect to recent development, covenants, and irreversible environmental damage for the following reasons:

- Saanich Official Community Plan policies support the protection and restoration of rare and endangered ecosystems in this area;
- Previous work by consulting biologists support the protection and restoration of the Garry Oak Woodlands within the same mapped unit including one of the subject properties;
- A rare plant species occurs within the mapped unit including one of the subject properties;
- The owners are able to continue to maintain and use their property as they are accustomed; and
- Improvements as a result of the EDPA consultant review may help to address some of the concerns of the owners.

SUMMARY

The owners of five properties on Braefoot Road and Malton Avenue have requested removal of the Woodland EDPA mapping from their properties. The request is based mainly on agricultural uses and the presence of invasive species.

Staff biologists believe that the Woodland designation is appropriate for much of the mapped area. Rare species occur within the mapped area. Further refinements can be considered if access is given to the properties at the appropriate time of year (early Spring).

RECOMMENDATION

That Council support Option 3.

Note: If Council wishes to support the removal request at this time, the motion(s) would be as follows:

That staff be requested to prepare an amendment to Plate 20 of Schedule 3 to Appendix N of the Official Community Plan Bylaw, 2008, No. 8940 for the removal of the Woodland ESA at 4015 & 4033 Braefoot Road, 4004, 4010 & 4024 Malton Avenue from the Environmental Development Permit Area Atlas, and that a Public Hearing be called to consider the amendment.

Report prepared by:

Adriane Pollard, Manager of Environmental Services

Report reviewed by:

Sharon Hvozdan, Director of Planning

AP/ads
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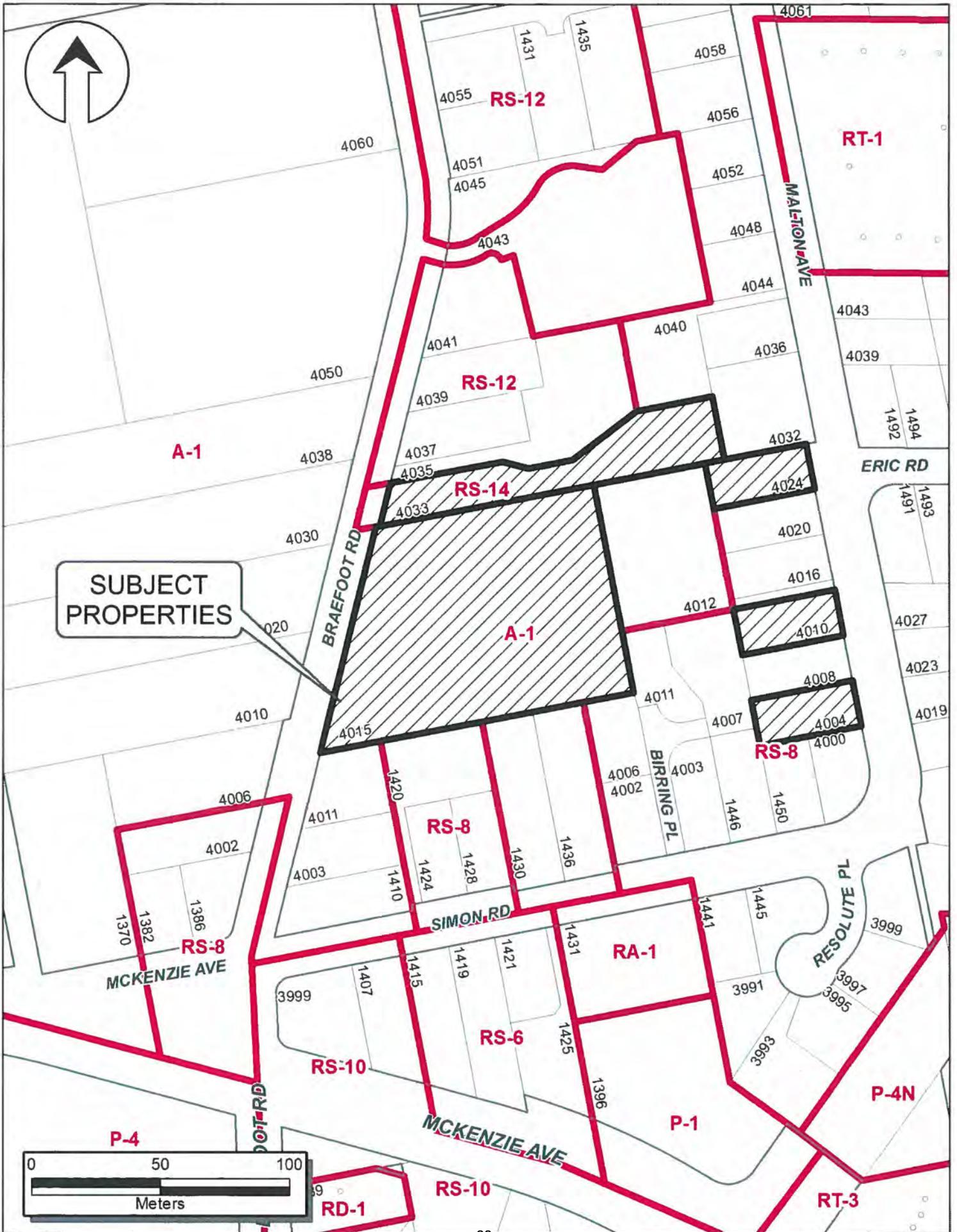
Attachments

cc: P. Thorkelsson, CAO

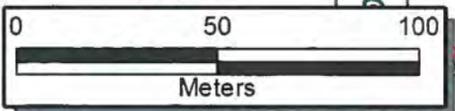
CAO'S COMMENTS:

I endorse the recommendation of the Director of Planning

Paul Thorkelsson, CAO



SUBJECT PROPERTIES



SVB
4035
Braefoot

BA
Jel
MRT



ENKON
ENVIRONMENTAL

Suite 310 - 730 View Street
Victoria, B.C., Canada
V8W 3Y7
Phone: (250) 480-7103
Fax: (250) 480-7141
E-mail: enkon@enkon.com

June 29, 2010

Our file No.: 1458-001

Corporation of the District of Saanich
770 Vernon Avenue
Victoria, B.C. V8X 2W7

Attention: Ms. Sharon Hvozdzanski, Director of Planning

Dear Ms. Hvozdzanski:

**RE: GUIDELINES FOR PLANT TRANSPLANTATION AND
MAINTENANCE OF NATURAL STATE COVENANTS AT 4035
BRAEFoot ROAD, SAANICH, B.C.**

BACKGROUND

Mamic Developments Ltd. is proposing to develop a seven lot subdivision at 4035 Braefoot Road, District of Saanich, B.C. The property has numerous Garry oaks located on it; many are mature as well as an array of associated forbs, grasses and sedges. The District of Saanich has requested transplantation guidelines for several wildflower species and the red-listed foothill sedge (*Carex tumilicola*) into Natural State Covenant Areas (NSCA) "A" and "C". Also, the District of Saanich requires a management plan to maintain the NSCA's over the long term.

TRANSPLANTATION GUIDELINES

The transplantation guidelines follow the Garry Oak Ecosystem Recovery Team's publication "*The Garry Oak Gardener's Handbook, Second Edition*" (2009).

The District of Saanich requires the salvage and transplantation of the following species from the development areas into NSCA's "A" and "C": Foothill sedge (*Carex tumilicola*), a red-listed species and Elegant rein orchid (*Piperia elegans*), a yellow-listed species. Where encountered during the removal of the sedges and orchids the following species may also be salvaged and transplanted:

- Common camas (*Camas quamash*)
- Great camas (*Camas leichtlinii*)
- White fawn lily (*Erythronium oregonum*)



- Chocolate lily (*Fritillaria affinis*)
- Broad-leaved shootingstar (*Dodecatheon hendersonii*)
- Hooker's onion (*Allium acuminatum*)
- Fool's onion (*Brodiaea hyacinthine*)

The following provides guidance on the timing and methods to transplant the above mentioned plant species.

Foothill sedge

The plant is rhizomatous / stoloniferous, so plants can be divided in early spring or late fall. Alternatively, seeds can be collected in August or September by clipping seed heads and separating seed from seedhead. Seeds can be cleaned by hand stripping and stored in dry, sealed containers. Seed should be sowed in the fall and kept wet to allow for natural stratification.

Elegant rein orchid

Orchid tubers should be excavated when they are least susceptible to damage, which is when they are dormant, between August and October. They should be transplanted immediately to moist soils in partial shade just deep enough to cover the tuber.

Common camas / Great camas

Collect bulbs in early summer to mid-fall after leaves die back. Bulbs are best stored in a dark, cool, dry, well ventilated place in a potting medium such as dry peat moss which will keep the bulbs from completely drying out. Camas bulbs can be planted outdoors in the fall or early winter when soils are moist enough to dig and prevailing soil temperatures are cool. Fall planting allows for better root development. Bulbs should be planted six inches deep and spaced six to 12 inches apart in full sun in dry to moist, well-drained soils.

White fawn lily

Divide bulbs in the summer as the leaves die down. Larger bulbs can be replanted immediately into their permanent positions, but it is best to pot smaller bulbs and grow them on in a shady position in a greenhouse for a year before planting them out when dormant in late summer. White fawn lily requires moist, slightly acid soil conditions. This plant requires semi-shade, preferably provided by trees or shrubs, and a well-drained soil. Bulbs should be planted 3 inches deep.

Chocolate lily

Chocolate lily bulbs can be transplanted in late summer to early fall when the plant is dormant. Bulbs should be planted in well drained, sandy soils that are rich in humus. Bulbs should be spaced six to 12 inches apart at a depth of 4 inches.

Broad-leaved shootingstar

Shootingstar is propagated by offsets, which the roots put out freely when they are in a loose moist soil and a shady situation; the best time to remove the roots, and take away the offsets, is in August, after the leaves and stalks are decayed, that they may be fixed well in their new situation before the frost comes on. Offsets should be placed in pots and overwintered in a greenhouse. Alternately, entire plants can be transplanted directly where the soil is loose and moist, at about eight inches distance from each other, which will be room enough for them to grow one year, by which time they will be strong enough to produce flowers

Hooker's onion

Divide bulb clusters in late summer or early fall after flowering and transplant as soon as possible. Plants prefer dry to moderately dry well drained sandy soil and full sun to light shade conditions.

Fool's onion

Lift dormant plants and separate cormels; air dry and store at 5°C in slightly damp peat moss until spring. Shallow-plant cormels in flats; new plants will form a corm and will bloom after one more year of growth. Alternately, plant directly in shallow ground in coarse-textured, free-draining soils in partial shade to full sun in the fall, two to four inches apart and four inches deep.

The above-mentioned species will be transplanted into the two NSCA's in August, where practical. The areas of transplantation will be mapped out in order for follow-up inspections to take place to determine plant survival and recovery. The transplantation recipient sites will be chosen by matching the soil nutrient and moisture regime as well as site exposure (shade) of that of the donor site. Transplanting will be done by a landscaping crew under the supervision of a native plant specialist. Recipient sites will be cleared of turf and supplemented by soil from the donor areas. All invasive plants species present in the NSCA's will be removed where possible; this does not apply to non-native grass species as they are virtually impossible to eradicate without the use of controlled fires. Newly planted areas will be demarcated using either rock or wood to protect these areas from selective mowing.

It is not anticipated that irrigation will be necessary if plantings are completed in the fall; over-wintering dormancy and matching soil characteristics should be adequate for plants to succeed. If during the spring inspection it is determined that irrigation is necessary a temporary system can be put in place. New plantings should be covered with leaf mulch (preferably oak) to protect them for the first winter.

FOLLOW-UP CONSERVATION AND MAINTENANCE

The following recommendations are based on “*Sensitive Ecosystems Inventory – East Vancouver Island and Gulf Islands, 1993-1997, Volume 2: Conservation Manual*” and the Garry Oak Ecosystem Recovery Team’s “*Restoration Compendium*” DRAFT (March 2010).

Quarterly inspections of the NSCA’s will be conducted by a professional biologist. The following items will be inspected:

- Integrity of fencing
- Health of transplanted plant materials
- Evidence of human activity

Monitoring of plant transplantation success will be guided using the planting map developed during the transplantation and will be completed by using a combination of photo-point monitoring and plot-based quantification of plant abundance and distribution. It is not anticipated that all plants will perform the first year, in particular, bulbs such as camas, white fawn lily, Hooker’s onion and fool’s onion may take several years to flower after disturbance.

ENKON will report their findings to the property owner as well as the District of Saanich. Should there be issues arising from the inspection a follow-up inspection will be conducted. Maintenance may include: weeding, eradication of invasive plant species, application of mulch, installation and/or maintenance of a surface irrigation system, maintenance of fencing and removal of domestic refuse.

Activity within the NSCA’s should be limited and should not include any recreational activity or access to dogs. Mowing of these areas should not take place between April and mid-July as this would interfere with the natural formation and maturation of native plant seeds. This is of particular concern during the first three years following the transplantation of the red-listed foothill sedge. Consultation with Mr. Dave Polster, Garry oak ecosystem specialist, indicates that mowing in mid to late July is an effective method at keeping

invasive grass species from overtaking the area. Mowing within the NSCA's will be selective; those areas that have been newly planted will be demarcated on the ground so that they will not be disturbed.

If you have any questions or require further information please do not hesitate to give me a call at (250) 480-7103.

Yours truly,

A handwritten signature in cursive script that reads "Susan Blundell".

Susan Blundell, M.Sc., R.P.Bio.
Manager of Environmental Services

ENVIRONMENTAL AND SOCIAL STATEMENT

RE: REZONING AND SUBDIVISION OF LOT4 PLAN 41356-4043 BRAEFOOT ROAD

INTRODUCTION:

The subject property is 1.63 acres in size, with approximately 230 feet of frontage on Braefoot Road. The existing older residence is situated roughly in the center of the property and is surrounded by trees, many of which are Garry Oaks. The property slopes gently up from the Braefoot frontage east to west, and slightly from the south. The majority of the property has been interfered with over the years and has a variety of introduced non native shrubs and trees.

The parcels to the South, West and North are currently zoned A1, while the parcels to the East fronting Malton Avenue are zoned RS-8.

This area was the subject of an extensive study and consultation process which resulted in the creation of the "Braefoot Action Plan". The plans forming the basis of the rezoning and subdivision applications are considered to embody the principles found within the Action Plan.

PROPOSED DEVELOPMENT:

The original application envisioned the retention of the existing home on a large lot and the creation of 3 new lots. This plan has recently been changed by the applicant and the revised plan calls for only 2 new lots together with the existing home on it's large lot.

The 2 new lots will front onto Braefoot Road and are to be rezoned from A1 to RS12 while the remaining large lot will be rezoned RS14 to accommodate the large existing home.

The applicant may wish to pursue the creation of the easterly new lot at a later date, perhaps 5 years from now; however he recognizes that a new rezoning and subdivision application would have to be submitted at that time.

The staged nature of the applicants proposed development of this site should be viewed as beneficial to both the community and the natural environment.

ASSESSMENT OF PLANT LIFE:

Mr. Tom Talbot of Mt. View Tree Service, a Consulting Arborist was engaged to review the existing tree inventory and to assess tree health, structure and suitability for preservation, based on the intended development.

With the removal of the most easterly lot from this current application, many of the noted conflicts have been reduced or eliminated. Trees numbered 917,918, 949,950,951,952,978,989,993, and 997, will still be removed as noted due to health and structural concerns, and target potential. The remaining trees reported on will be dealt with at a later date if lot D is to be proceeded with. A copy of Mr. Talbot's report dated June 13, 2002 is attached hereto for reference. Mr Talbot was subsequently requested to conduct a specific root analysis on proposed lot A, to determine any tree root conflicts with the proposed house siting on this lot. A copy of his analysis dated September 20, 2002 is attached.

Through his investigation it is proposed that a tree preservation covenant area be established as shown on the plan attached hereto, and further that the building scheme to be registered on the title to lot A include special foundation and footing requirements within 5 meters of trees 963,964 and 967, and that any excavation works within 5 meters of these trees only be undertaken under the direct supervision

of a consulting arborist. The tree covenant should take the form of a natural state covenant, to protect the understorey vegetation and the wildlife corridor.

No red/blue listed plant communities by the B.C. Conservation Data Centre appear to be present on the site.

WILDLIFE CORRIDOR:

As pointed out within the Braefoot Action Plan, this area, because of its tree cover and extensive natural areas, supports an array of birds, deer and small mammals.

The proposed subdivision will not interfere with wildlife movement within the neighbourhood in any significant way since only a limited number of trees will be removed, and the understorey will not be disturbed in any major way.

The existing residence will remain on a very large lot with its tree cover left mostly intact, and should the easterly lot be created in the future, access to it will be confined to the existing driveway thus limiting any impact. Connecting the existing house to the sewer and storm drain may result in a conflict with site trees; however it is anticipated that service routing may be found that will eliminate the need for any tree removals. This work will be under the supervision of the project Arborist.

The applicant has proposed that a portion of the site with the existing residence be included into the Tree Preservation Covenant Area, as shown on the attached plan, to act as a perpetual wildlife corridor.

- To further enhance the wildlife corridor option, the applicant has agreed to control yard fencing within the registered building scheme to permit only open rail fences or planted hedge material as recommended in the Action Plan.

SITE SERVICING:

With the exception of a storm drain along the southerly boundary to serve the existing residence and intercept overland flow, all services for the new lots will enter the frontage from Braefoot Road.

The drain along the southerly boundary will be kept shallow and any work in proximity to existing site trees will be supervised by the consulting Arborist. Much of the work will be hand excavated and the pipe hand laid.

While it is likely some rock will be encountered, it can be gone around or broken out without extensive blasting, since the pipe requirements are small and the grade permits some flexibility. Any required blasting will be done under the supervision of the consulting Arborist.

Several trees in the drain alignment area have been noted as insignificant because of size, poor health, and/or the wrong species for the location, and may be removed during the drain installation at the direction of the Arborist if such removal protects a more valuable specimen.

It is proposed that the new driveway shown on the plan be a shared use driveway to serve the existing house as well as the two new lots, via a private easement.

It is also proposed that the new portion of the driveway be constructed utilizing decorative interlocking paving stones which will allow water to recycle into the ground, feeding any nearby tree root structures.

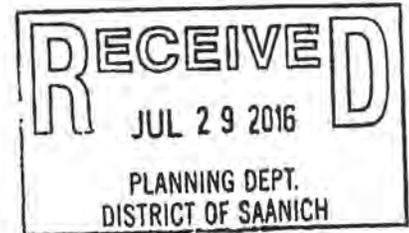
On-site drainage is to be stored in enlarged underground piping, for slower dispersal, and some house downspouts may be connected to dispersal pipes for groundwater recharge purposes, based on the project Arborists direction during site excavation works. It is proposed that individual case decisions will be discussed with Parks and Engineering Staff at the time.

SUMMARY:

- The applicant has reduced the number of new parcels in the current application from 3 to 2
- The applicant has offered a tree preservation covenant area on proposed lot A to protect Garry Oak and Fir trees, together with the understorey
- The applicant proposes to register a building scheme on the new lots to ensure the construction of quality homes, and to ensure that any construction in proximity to the tree preservation boundary is undertaken under the direction of a consulting Arborist
- The building scheme will also limit fencing to either open rail type or planted hedge material only
- Any site service work located near trees on site, or within 5 meters of the tree preservation covenant area will only be undertaken under the direct supervision of a consulting Arborist
- The applicant has offered a tree preservation covenant area on the existing homesite (proposed lot C) which will enhance the wildlife corridor concept

To Adriane Pollard
Manager of Environmental Services
District of Saanich

June 02, 2016



Re: Field Verification and Assessment of Woodland Sensitive Ecosystem ESA Mapping at 4015 Braefoot Road – Property of Vera Beischer

Please accept this as a letter report assessing whether there is an occurrence of a Woodland Sensitive Ecosystem on this property.

I have visited this property once in late May 2016 and have viewed from surrounding roads in the spring in years past. A significant stand of Garry oak trees occur on the property, along with a few Douglas-fir trees. The property is over 2 acres in size.

There is no Sensitive Ecosystem on this property. The property has been used as a small farm and family property for many decades. Livestock such as cattle, sheep and chickens have been on the property for many decades.

This property does not support a Sensitive Ecosystem, following the provincial *Standard for Mapping Ecosystems at Risk in British Columbia: An Approach to Mapping Ecosystems at Risk and Other Sensitive Ecosystems*, BC MOE Resources Information Standards Committee (December 2006), nor in accordance with the Sensitive Ecosystem standard for Vancouver Island (see below). If the methods from these reports are followed, as recommended by the District of Saanich document: *Guidelines for Verifying and Defining Boundaries of Sensitive Ecosystem Inventory Polygons In the Environmental Development Permit Area (#29)*, and the recent Guidance document it is clear that **there is no Woodland Sensitive Ecosystem on the property.**

I have viewed all properties within the whole SEI polygon which contains 28 properties mapped within the EDPA and I have not seen one of these areas that would meet the definition of a Woodland Sensitive Ecosystem. Few native species remain. Much of this area has had agriculture on it for many decades and no semblance of natural ecosystem remains. All properties are either dominated by invasive species, or have lawn and ornamental gardens. The SEI polygon is completely surrounded by residential properties and has no connectivity to natural areas. By following the District of Saanich Guidelines' document for assessment of properties, the Restoration Potential of this property and all properties within this SEI polygon would be rated 'Low'.

The Saanich guidelines recommend for a biologist to: "Evaluate each ecological community for ecological sensitivity and at-risk status and determine which class and subclass of Sensitive Ecosystem it belongs to, if any."

I have consulted the three standards recommended by Saanich's 2013 Guidelines and the recent Interim Guidance document:

- 1) Standard for Mapping Ecosystems at Risk in British Columbia: An Approach to Mapping Ecosystems at Risk and Other Sensitive Ecosystems, Ministry of Environment, Resources Information Standards Committee, December 5, 2006, Version 1.0
- 2) Sensitive Ecosystems Inventory: East Vancouver Island and Gulf Islands 1993-1997. Volume 2: Conservation Manual
- 3) Best Management Practices for Garry Oak & Associated Ecosystems (GOERT)

According to # 1: "Ecosystems at risk are those that can support ecological communities which are considered to be provincially at risk as designated by the B.C. Conservation Data Center. Sensitive Ecosystems are those that are at-risk or are ecologically fragile. The vegetation species composition and structure **must fall within the expected range of the defined plant association before it is considered an occurrence of that particular plant association.** The ecosystem occurrence itself must have sufficient ecological integrity to be sustained in the foreseeable future if it is to have practical conservation value."

According to # 2, Sensitive ecosystem guidelines seek to conserve the seven sensitive ecosystems in a **relatively natural state.**

According to # 3, "Garry Oak and associated Ecosystems (GOEs) are much more than Garry Oak (*Quercus garryana*) trees. GOEs have a rich diversity of wildflowers, native grasses, insects, reptiles, birds, and microorganisms that are part of the functioning ecosystem."

"The Garry Oak Ecosystems Recovery Team (GOERT) defines a Garry oak ecosystem as one with naturally occurring Garry oak trees (*Quercus garryana*) and some semblance of the ecological processes and communities that prevailed before European settlement."

"Although all GOE sites now have been affected to some degree by non-native plant species and loss of natural processes, some are in better condition than others. The presence of Garry Oak trees is a fairly reliable indicator that the area is a Garry Oak ecosystem; however, in some places the site has been so altered that it no longer represents a viable ecosystem."

The subject property does not meet the definition of an Environmentally Significant Area for the following reasons. The property is dominated by over 80% cover of invasive species. There are few native species in addition to the Garry oak trees. There is no Sensitive Ecosystem ESA in a **relatively natural state** on this property. The property does not support an **ecological community that can be considered provincially at risk by the BC Conservation Data Center.** The site has been so altered that it does not represent a viable ecosystem and if the property is left alone, without significant restoration activity, it will become further degraded and even more dominated by invasive plant species. This occurrence does not have sufficient ecological integrity to

be sustained in the foreseeable future, due to the predominance of alien invasive species.

There are two distinct areas on the property in terms of plant community, both which are non-native. Area A consists of the area of the property which is used as a family area which is dominated by mown lawn, gardens and outbuildings. A small patch of shooting star at the south end of the property is all that remains of native species, except for a few snowberry plants along fence lines. Otherwise, this large area is completely non-native dominated.

Area B is the area of the property is presently used for livestock grazing and has been used for this purpose for many decades. This portion of the property is dominated by invasive and agronomic grass species, especially orchard grass and Kentucky bluegrass and other non-native species such as English daisy, white clover, wheatgrass, shepherd's purse, dandelion, chenopodium, Robert's geranium, thistles and smooth brome. The only native species seen were a couple of individuals of Pacific sanicle and fool's onion. A shrub fringe of snowberry, Nootka rose, blackberry and spurge-laurel occur on the fence lines around many areas of the property. Himalayan blackberry is taking over many of these areas.

If this property were to be left alone with no more grazing and invasive shrub removal it would quickly become dominated by a dense cover of Himalayan blackberry, English ivy and spurge-laurel, as is seen on adjacent properties and along the fence lines.

This property could be restored, but only with years of significant invasive species removal and significant native plant re-introductions. The property is not part of a corridor, as natural vegetation does not occur on any side of this map unit that would connect this property to any areas of natural Garry oak ecosystem.

Following these standards and guidelines it is my professional opinion that **there is no Woodland Sensitive Ecosystem ESA on this property.** The boundaries of the current ESA mapping should be refined, as any development would be outside of the Sensitive Ecosystem Environmentally Significant Area (ESA).

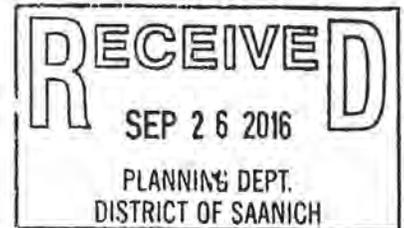
Because of this, the ESA and subsequent EDPA designation should be removed from this property for the Woodland SEI polygon.

Ted Lea, R.P.Bio.
Vegetation Ecologist

cc Vera Beischer

To Adriane Pollard
Manager of Environmental Services
District of Saanich

July 5, 2016



**Re: Report - Sensitive Ecosystem and EDPA – 4033 Braefoot Road –
Property of Curt Shubrook**

Please accept this as a letter report for the above noted property. Field forms and sketch maps were not necessary as there is no native ecosystem and field notes are all covered by the information below, where necessary.

I have visited the above property in June, 2015 and walked the whole property.

There is no Sensitive Ecosystem Environmentally Significant Area (ESA) on this property. There is also no viable Sensitive Ecosystem on adjacent properties. There is a Garry oak overstory that covers over half of the property. The property has two components within the EDPA. The backyard which covers the eastern portion of the property, which has a tree covenant, is predominantly lawn and garden, with a few out buildings. The western portion of the property, which has a natural state covenant, is dominated by a dense stand of invasive orchard grass, with patches of St. John's wort and English ivy. There are some patches of native snowberry and Nootka rose. According to the landowner, salvage plants such as chocolate lilies and fawn lilies were planted when the development occurred in 2011-12, however, there was no sign of these species. A couple individuals of native fool's onion and a small patch of California brome were seen. The eastern edge of the area has a dense shrub fringe of invasive Himalayan blackberry, St. John's wort and orchard grass with some native snowberry and Indian-plum, where it borders 4012 Malton Avenue. The western edge of this area has a snowberry patch, but it has dense English ivy beneath it.

There is no remnant Garry oak Woodland Sensitive Ecosystem on the property. If any area is required to be protected on this property, it will develop a dense understory of Scotch broom, Himalayan blackberry and English ivy over a few years time. This property will not return to a natural plant community unless significant restoration efforts take place.

This property does not supports a Sensitive Ecosystem, following the provincial *Standard for Mapping Ecosystems at Risk in British Columbia: An Approach to Mapping Ecosystems at Risk and Other Sensitive Ecosystems*, BC MOE Resources Information Standards Committee (December 2006), nor in accordance with the Sensitive Ecosystem standard for Vancouver Island (see below). If the methods from these reports are followed, as recommended by the District of Saanich document: *Guidelines for Verifying and Defining Boundaries of Sensitive Ecosystem Inventory Polygons In the Environmental Development Permit Area (#29)*, and the recent Guidance document it is clear that **there is no Woodland Sensitive Ecosystem on the property.**

I have viewed all properties within the whole SEI polygon which contains 28 properties mapped within the EDPA and I have not seen one of these areas that would meet the definition of a Woodland Sensitive Ecosystem. Few native species remain. Much of this area has had agriculture on it for many decades and no semblance of natural ecosystem remains. All properties are either dominated by invasive species, or have lawn and ornamental gardens. The SEI polygon is completely surrounded by residential properties and has no connectivity to natural areas. By following the District of Saanich Guidelines' document for assessment of properties, the Restoration Potential of this property and all properties within this SEI polygon would be rated 'Low'.

I have consulted the three standards recommended by Saanich's 2013 Guidelines and recent Interim Guidance document:

- 1) Standard for Mapping Ecosystems at Risk in British Columbia: An Approach to Mapping Ecosystems at Risk and Other Sensitive Ecosystems, Ministry of Environment, Resources Information Standards Committee, December 5, 2006, Version 1.0
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- 3) Best Management Practices for Garry Oak & Associated Ecosystems

According to # 1: "Ecosystems at risk are those that can support ecological communities which are considered to be provincially at risk as designated by the B.C. Conservation Data Center. Sensitive Ecosystems are those that are at-risk or are ecologically fragile. The vegetation species composition and structure **must fall within the expected range of the defined plant association before it is considered an occurrence of that particular plant association.** The ecosystem occurrence itself must have sufficient ecological integrity to be sustained in the foreseeable future if it is to have practical conservation value."

According to # 2, Sensitive ecosystem guidelines seek to conserve the seven sensitive ecosystems in a **relatively natural state.**

According to # 3, "Garry Oak and associated Ecosystems (GOEs) are much more than Garry Oak (*Quercus garryana*) trees. GOEs have a rich diversity of wildflowers, native grasses, insects, reptiles, birds, and microorganisms that are part of the functioning ecosystem."

"The Garry Oak Ecosystems Recovery Team (GOERT) defines a Garry oak ecosystem as one with naturally occurring Garry oak trees (*Quercus*

garryana) and some semblance of the ecological processes and communities that prevailed before European settlement."

"Although all GOE sites now have been affected to some degree by non-native plant species and loss of natural processes, some are in better condition than others. The presence of Garry Oak trees is a fairly reliable indicator that the area is a Garry Oak ecosystem; however, in some places the site has been so altered that it no longer represents a viable ecosystem. For example, an urban Garry Oak tree that is now surrounded by lawn grasses and daffodils does not have the same plant communities and ecological processes as the original GOE would have had, and is therefore not considered to be a viable GOE."

Nothing on this property fits any of these conditions as there is no natural ecosystem on the property.

In following the EDPA bylaw, clause # 14: there should be no EDPA required on this property. As well, there should be no need for an EDPA buffer from any adjacent property. The District of Saanich should remove the Sensitive Ecosystem designation from this property and remove the EDPA requirement.

Ted Lea, R.P.Bio.

cc Curt Shubrook

To Adriane Pollard
Manager of Environmental Services
District of Saanich

July 5, 2016



**Re: Report - Sensitive Ecosystem and EDPA – 4004 Malton Avenue –
Property of**

Please accept this as a letter report for the above noted property. Field forms and sketch maps were not necessary as there is no native ecosystem and field notes are all covered by the information below, where necessary.

I have visited the above property in June, 2015 and walked the whole property.

There is no Sensitive Ecosystem Environmentally Significant Area (ESA) on this property. There is also no viable Sensitive Ecosystem on adjacent properties. There is a Garry oak overstory that covers the back yard of the property, however, the understory of the property is predominantly lawn and garden, with an out building.

There is no remnant Garry oak Woodland Sensitive Ecosystem on the property. If any area is required to be protected on this property, it will develop a dense understory of Scotch broom, Himalayan blackberry and English ivy over a few years time. This property will not return to a natural plant community unless significant restoration efforts take place.

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Secondary Assessment

The District of Saanich document: "*Guidelines for Verifying and Defining Boundaries of Sensitive Ecosystem Inventory Polygons In the Environmental Development Permit Area (#29)*" recommends a secondary Conservation Value Assessment of Landscape Context, Condition and Restoration Potential. However, the document indicates that: "*If an area is considered an SEI polygon, a secondary assessment is needed to determine a practical, long-term conservation value for Saanich.*" Since there is no Sensitive Ecosystem remaining on this property, it cannot be considered an SEI polygon and therefore, no secondary assessment is needed and was not done.

I have consulted the three standards recommended by Saanich's 2013 Guidelines and recent Interim Guidance document:

- 1) Standard for Mapping Ecosystems at Risk in British Columbia: An Approach to Mapping Ecosystems at Risk and Other Sensitive Ecosystems, Ministry of Environment, Resources Information Standards Committee, December 5, 2006, Version 1.0
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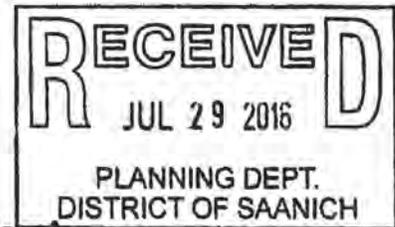
In following the EDPA bylaw, clause # 14: there should be no EDPA required on this property. As well, there should be no need for an EDPA buffer from any adjacent property. The District of Saanich should remove the Sensitive Ecosystem designation from this property and remove the EDPA requirement.

Ted Lea, R.P.Bio.

cc

To Adriane Pollard
Manager of Environmental Services
District of Saanich

July 5, 2016



Re: **Report - Sensitive Ecosystem and EDPA – 4010 Malton Avenue –
Property of**

Please accept this as a letter report for the above noted property. Field forms and sketch maps were not necessary as there is no native ecosystem and field notes are all covered by the information below, where necessary.

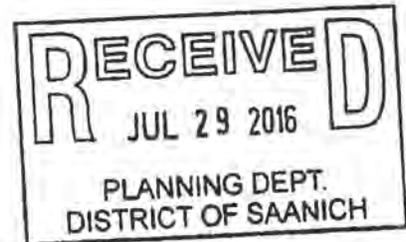
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There is no remnant Garry oak Woodland Sensitive Ecosystem on the property. If any area is required to be protected on this property, it will develop a dense understory of Scotch broom, Himalayan blackberry and English ivy over a few years time. This property will not return to a natural plant community unless significant restoration efforts take place.

This property does not supports a Sensitive Ecosystem, following the provincial *Standard for Mapping Ecosystems at Risk in British Columbia: An Approach to Mapping Ecosystems at Risk and Other Sensitive Ecosystems*, BC MOE Resources Information Standards Committee (December 2006), nor in accordance with the Sensitive Ecosystem standard for Vancouver Island (see below). If the methods from these reports are followed, as recommended by the District of Saanich document: *Guidelines for Verifying and Defining Boundaries of Sensitive Ecosystem Inventory Polygons In the Environmental Development Permit Area (#29)*, and the recent Guidance document it is clear that **there is no Woodland Sensitive Ecosystem on the property.**

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The District of Saanich document: "*Guidelines for Verifying and Defining Boundaries of Sensitive Ecosystem Inventory Polygons In the Environmental Development Permit Area (#29)*" recommends a secondary Conservation Value Assessment of Landscape Context, Condition and Restoration Potential. However, the document indicates that: "*If an area is considered an SEI polygon, a secondary assessment is needed to determine a practical, long-term conservation value for Saanich.*" Since there is no Sensitive Ecosystem remaining on this property, it cannot be considered an SEI polygon and therefore, no secondary assessment is needed and was not done.

I have consulted the three standards recommended by Saanich's 2013 Guidelines and recent Interim Guidance document:

- 1) Standard for Mapping Ecosystems at Risk in British Columbia: An Approach to Mapping Ecosystems at Risk and Other Sensitive Ecosystems, Ministry of Environment, Resources Information Standards Committee, December 5, 2006, Version 1.0
- 2) Sensitive Ecosystems Inventory: East Vancouver Island and Gulf Islands 1993-1997, Volume 2: Conservation Manual
- 3) Best Management Practices for Garry Oak & Associated Ecosystems

According to # 1: "Ecosystems at risk are those that can support ecological communities which are considered to be provincially at risk as designated by the B.C. Conservation Data Center. Sensitive Ecosystems are those that are at-risk or are ecologically fragile. The vegetation species composition and structure **must fall within the expected range of the defined plant association before it is considered an occurrence of that particular plant association.** The ecosystem occurrence itself must have sufficient ecological integrity to be sustained in the foreseeable future if it is to have practical conservation value."

According to # 2, Sensitive ecosystem guidelines seek to conserve the seven sensitive ecosystems in a **relatively natural state.**

According to # 3, "Garry Oak and associated Ecosystems (GOEs) are much more than Garry Oak (*Quercus garryana*) trees. GOEs have a rich diversity of wildflowers, native grasses, insects, reptiles, birds, and microorganisms that are part of the functioning ecosystem."

"The Garry Oak Ecosystems Recovery Team (GOERT) defines a Garry oak ecosystem as one with naturally occurring Garry oak trees (*Quercus*

garryana) and some semblance of the ecological processes and communities that prevailed before European settlement."

"Although all GOE sites now have been affected to some degree by non-native plant species and loss of natural processes, some are in better condition than others. The presence of Garry Oak trees is a fairly reliable indicator that the area is a Garry Oak ecosystem; however, in some places the site has been so altered that it no longer represents a viable ecosystem. For example, an urban Garry Oak tree that is now surrounded by lawn grasses and daffodils does not have the same plant communities and ecological processes as the original GOE would have had, and is therefore not considered to be a viable GOE."

Nothing on this property fits any of these conditions as there is no natural ecosystem on the property.

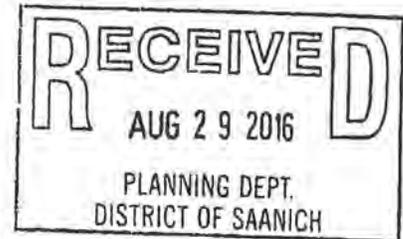
In following the EDPA bylaw, clause # 14: there should be no EDPA required on this property. As well, there should be no need for an EDPA buffer from any adjacent property. The District of Saanich should remove the Sensitive Ecosystem designation from this property and remove the EDPA requirement.

Ted Lea, R.P.Bio.

cc

To Adriane Pollard
Manager of Environmental Services
District of Saanich

July 5, 2016



**Re: Report - Sensitive Ecosystem and EDPA – 4024 Malton Avenue –
Property of Bill and Herma Reuten**

Please accept this as a letter report for the above noted property. Field forms and sketch maps were not necessary as there is no native ecosystem and field notes are all covered by the information below, where necessary.

I have visited the above property in June, 2016 and walked the whole property.

There is no Sensitive Ecosystem Environmentally Significant Area (ESA) on this property. There is also no viable Sensitive Ecosystem on adjacent properties. There is a Garry oak overstory that covers about half of the back yard of the property, however, the understory of the property is predominantly ornamental gardens. Only an EDPA Buffer occurs on the property. However, no Garry oak Woodland Sensitive Ecosystem occurs on adjacent properties. They are all lawn and garden with out buildings.

There is no remnant Garry oak Woodland Sensitive Ecosystem on the property. If any area is required to be protected on this property, it will develop a dense understory of Scotch broom, Himalayan blackberry and English ivy over a few years time. This property will not return to a natural plant community unless significant restoration efforts take place.

This property does not supports a Sensitive Ecosystem, following the provincial *Standard for Mapping Ecosystems at Risk in British Columbia: An Approach to Mapping Ecosystems at Risk and Other Sensitive Ecosystems*, BC MOE Resources Information Standards Committee (December 2006), nor in accordance with the Sensitive Ecosystem standard for Vancouver Island (see below). If the methods from these reports are followed, as recommended by the District of Saanich document: *Guidelines for Verifying and Defining Boundaries of Sensitive Ecosystem Inventory Polygons In the Environmental Development Permit Area (#29)*, and the recent Guidance document it is clear that **there is no Woodland Sensitive Ecosystem on the property.**

I have viewed all properties within the whole SEI polygon which contains 28 properties mapped within the EDPA and I have not seen one of these areas that would meet the definition of a Woodland Sensitive Ecosystem. Few native species remain. Much of this area has had agriculture on it for many decades and no semblance of natural ecosystem remains. All properties are either dominated by invasive species, or have lawn and ornamental gardens. The SEI polygon is completely surrounded by residential properties and has no connectivity to natural areas. By following the District of Saanich Guidelines'

"The Garry Oak Ecosystems Recovery Team (GOERT) defines a Garry oak ecosystem as one with naturally occurring Garry oak trees (*Quercus garryana*) and some semblance of the ecological processes and communities that prevailed before European settlement."

"Although all GOE sites now have been affected to some degree by non-native plant species and loss of natural processes, some are in better condition than others. The presence of Garry Oak trees is a fairly reliable indicator that the area is a Garry Oak ecosystem; however, in some places the site has been so altered that it no longer represents a viable ecosystem. For example, an urban Garry Oak tree that is now surrounded by lawn grasses and daffodils does not have the same plant communities and ecological processes as the original GOE would have had, and is therefore not considered to be a viable GOE."

Nothing on this property fits any of these conditions as there is no natural ecosystem on the property.

In following the EDPA bylaw, clause # 14; there should be no EDPA required on this property. As well, there should be no need for an EDPA buffer from any adjacent property. The District of Saanich should remove the Sensitive Ecosystem designation from this property and remove the EDPA requirement.

Ted Lea, R.P.Bio.

cc Bill and Herma Reuten

District of Saanich Map



Legend

- Building
- Municipal Landmark
- Shoreline
- Water Course
- Water Body
- Forest
- Other
- Water Course
- Manhole
- Water Body
- Forest

RECEIVED
 AUG 29 2016
 PLANNING DEPT.
 DISTRICT OF SAANICH

Date Produced
 8/10/2016 10:14:52 AM

1:200

This map is for informational purposes only. It is not intended to be used for legal or financial purposes. All rights reserved. District of Saanich.

08600-03 0784 x 207/1106 1157

Sarah Litzenberger - Request for Removal from EDPA Buffer area at 4024 Malton Ave

From: Herma Reuten
To: "Sharon.Froud@saanich.ca" <Sharon.Froud@saanich.ca>
Date: 3/27/2017 9:03 PM
Subject: Request for Removal from EDPA Buffer area at 4024 Malton Ave
CC:

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

To whom it may concern,

I plan to attend the Whole Meeting on Wed. April 5 to address our request for removal from the EDPA in response to your email sent on March 22, 2017. Pictures are included with my power points.

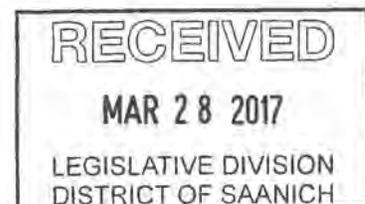
- Names of Applicants: Herma and Bill Reuten
- Our primary concerns/ Goal : removal
- Details of property in question: lot size, house footprint, size of Buffer containing vegetation, percentage of concrete ground cover in Buffer area and type of trees, bushes, flower beds.
- Assessments and report done by registered biologist and findings. Comparison to next door neighbour's property Assessment and outcome.
- Conclusion.

Thank you for giving us the opportunity to discuss the EDPA issue based on facts.

Herma

Begin forwarded message:

From: Herma Reuten
Date: March 27, 2017 at 3:09:19 PM PDT
To: Herma Reuten
Subject: EDPA Buffer areas at 4024 Malton Ave













Herma



LEGISLATIVE SERVICES

Mayor
Councillors
Administrator

Council
Administrator
Media

Memo

To: Mayor and Council

From: Donna Dupas, Legislative Manager

Date: March 28, 2017

Subject: Regional Water Supply Commission – Appointment of Municipal Representative

At their April 5, 2017 meeting, Council is requested to consider the appointment of a municipal representative to the Regional Water Supply Commission and the assignment of the extra vote.

The Commission regulations stipulate the appointment of a Director must occur within 30 days of a vacancy occurring. Further, prior to appointing a member to the Water Supply Commission, the Council must provide an opportunity for the public to advise on the appointment.

Current Appointments:

Directors	Alternates	Voting
Councillor Derman	Mayor Atwell, Councillors Brice, Plant, Brownoff	Assigned one additional vote
Councillor Haynes	Councillors Brice, Plant, Brownoff, Mayor Atwell	
Councillor Murdock	Councillors Plant, Brownoff, Mayor Atwell, Councillor Brice	Assigned one additional vote
Councillor Sanders	Councillor Brownoff, Mayor Atwell, Councillors Brice, Plant	
Councillor Wergeland	Mayor Atwell, Councillors Brice, Plant, Brownoff	

The following members of Council are currently appointed as alternates and are eligible for appointment: Mayor Atwell, Councillors Brice, Plant and Brownoff.

The following resolutions are required:

1. A resolution to appoint one municipal representative
2. A resolution to assign the additional vote.



Donna Dupas
Legislative Manager

cc: P. Thorkelsson, Chief Administrative Officer
K. Watson, Director of Legislative Services

CW
2